CITY COUNCIL MEETING MINUTES
MONDAY, JUNE 18, 2012

The City Council of the City of Bellaire, Texas, met in Special Session (Public Hearing) on Monday, June 18, 2012, in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, for the following purpose(s):

A. CALL TO ORDER – Mayor Philip L. Nauert.

Mayor Philip L. Nauert called the City Council of the City of Bellaire, Texas, to order at 6:02 p.m. on Monday, June 18, 2012.

B. ANNOUNCEMENT OF A QUORUM – Mayor Philip L. Nauert.

Mayor Philip L. Nauert announced that a quorum of the members of City Council were present, consisting of himself, Mayor Pro Tem Amanda B. Nathan, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan and Andrew S. Friedberg. Also present were City Manager Bernard M. Satterwhite, Jr., Assistant City Attorney Elliot Barner, Director of Community Development John McDonald, and City Clerk Tracy L. Dutton.

C. NOTICE OF PUBLIC HEARING – City Clerk Tracy L. Dutton.

City Clerk Tracy L. Dutton read the “Notice of Public Hearing” into the record and advised that it had been published in the legal notices section of the Southwest News on Tuesday, May 29, 2012, by Community Development Department Administrative Secretary Ashley Kornegay.

D. SUMMARY OF PROCEDURE – City Manager Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., summarized the public hearing procedure for the evening.

E. PRESENTATION regarding an application filed by applicant Renee Hamilton Addleman to amend an existing planned development commonly known as “The Park at Bellaire” (PD-22-Loop 610 granted under Ordinance No. 02-061, which was duly approved and adopted by the Bellaire City Council on September 16, 2002) for the purpose of creating two additional residential lots on a 0.175 acre site currently addressed as 124 White Drive, Bellaire, Texas 77401 – Item submitted by Director of Community Development John McDonald on behalf of Applicant Renee Hamilton Addleman; Presentation by Applicant Renee Hamilton Addleman.
Applicant Renee Hamilton Addleman addressed City Council and indicated that she had submitted an application for her property to be included in the current planned development known as “The Park at Bellaire.” Her property was located in the northeast quadrant of the intersection of Bellaire Boulevard and Interstate Highway 610.

Ms. Addleman advised that located on the same block as the existing planned development were three properties not included in the planned development. One property was a single-family home built in approximately 1950 on the east side of the street close to Cedar Street; a second property, with only a garage structure, was located next to Bellaire Boulevard; and the third property was a vacant lot owned by Ms. Addleman, which was in the middle of the planned development.

Ms. Addleman’s property’s physical address was 124 White Drive, Bellaire, Texas; it was surrounded by the planned development; and was located on the west side of the street backing up to the feeder road along Interstate Highway 610. The planned development was one block long and included 25 attached and detached townhouse residences on lots that ranged from approximately 25 to 32 feet in width.

It was noted that Ms. Addleman had been contacted many times by interested realtors and developers regarding her property; however, each time the contracts fell through. One reason was due to the City’s requirement that a planned development include four (4) acres of land. This meant that all owners on the block had to agree to sell, and there was one elderly owner that did not want to move.

On February 22, 2002, Lin Development was granted a variance from the Board of Adjustment to allow 2,408 acres to be sufficient for a planned development. On June 11, 2002, the Planning and Zoning Commission recommended denial of the planned development stating, among other reasons, that they had a concern for the isolated three noncontiguous lots (one of which was Ms. Addleman’s property). Lin Development subsequently wrote a letter requesting another public hearing, which was scheduled on August 19, 2002. On September 16, 2002, the City Council granted the planned development application submitted by Lin Development.

Ms. Addleman continued and advised that Mr. W. A. Weisan, one of the three individual owners, had requested that the three individual properties be a part of the planned development application. Lin Development had to approve the inclusion of the three individual properties, and they declined to do so. Even though Lin Development declined the inclusion of the three properties, the Director of Community Development at that time, Danna Campbell Edwards, required Lin Development to install two water meters on each one of the properties anticipating that at each of the three individual property owners might file a planned development application. In fact, the original traffic analysis study anticipated that more homes would be built and was based on 32 lots instead of the 25 lots that were part of the planned development application by Lin Development.
Many of the lots in the planned development were 31.25 feet wide, which represented one-half of the original lot width and which was exactly one-half of the width of Ms. Addleman’s property. Essentially, Ms. Addleman was requesting to be part of the planned development numbered PD-22, commonly known as “The Park at Bellaire,” as the rest of the homes on White Drive were and to be under the same guidelines as Chapter 24, Planning and Zoning, Section 24-541, Loop 610 Zoning District, of the Code of Ordinances of the City of Bellaire, Texas, which would allow for her lot to be split into two equal lots on which two similar town homes could be built.

Ms. Addleman concluded by stating that she had continued to pay taxes on a vacant lot that could not be sold, as potential buyers were interested in building a town home similar to those on the block, but not willing to go through the City’s planned development application process to allow them to subdivide the lot. No one wanted to build a traditional-type home and be surrounded by houses on 32-foot wide lots. Ms. Addleman indicated that she needed to be able to utilize her property in a similar manner as what had already been developed and respectfully requested that City Council approve her planned development amendment application.

F. RECOGNITION OF CITIZENS AND/OR OTHER INTERESTED PARTIES – Philip L. Nauert.

Mayor Philip L. Nauert recognized the following citizens and/or other interested parties.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas, addressed City Council, noting that she had attended the Planning and Zoning Commission meeting in 2002, when the original planned development application was proposed. The denial was based on the use of the area the developer chose (the Loop 610 Zoning District) as opposed to another adjacent option. City Council subsequently approved the planned development application as Ms. Addleman pointed out.

The result was a planned development that, for the last ten years, was an apparent successful development in its location. Ms. McBee stated she had no objection to the inclusion of Ms. Addleman’s lot subdivided to match the lot sizes and homes already in existence by the original planned development. She advised that she supported Ms. Addleman’s application and that all of those members of the Planning and Zoning Commission that were present during the 2012 public hearing and later consideration voted to support it.

G. QUESTIONS FROM MAYOR AND MEMBERS OF CITY COUNCIL – Mayor Philip L. Nauert.

Mayor Philip L. Nauert recognized members of City Council with questions of the applicant and/or the Community Development Department regarding the request to amend an existing planned development commonly known as “The Park at Bellaire.”
Members of City Council asked questions of Director of Community Development John McDonald related to the conditions recommended by the Planning and Zoning Commission for the application. Those conditions were: (1) front building line set back of a minimum of 20 feet from the existing public street right-of-way; (2) that each home constructed have a two-car garage, plus a provision for the parking of at least two standard-sized automobiles within the lot line of the residential building lot; and (3) that a sidewalk be constructed along White Drive connecting to the sidewalks on adjacent properties. It was noted that the conditions proposed would ensure that the two additional lots to be added to the planned development would be in compliance with the existing lots within the planned development.

H. CLOSE OF THE PUBLIC HEARING – Mayor Philip L. Nauert.

Prior to closing the public hearing, Mayor Philip L. Nauert advised that further public comment would not be received by the City Council following the close of the public hearing. Written comments could be submitted to the City Council in care of the City Clerk until noon on the Thursday preceding the meeting of final deliberation on a request to amend an existing planned development commonly known as “The Park at Bellaire.” It was anticipated that final deliberation would occur on Monday, July 2, 2012. Written comments should, therefore, be submitted by noon on Thursday, June 28, 2012.

The public hearing was closed at 6:17 p.m. on Monday, June 18, 2012.

I. ADJOURNMENT.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman Roman F. Reed moved to adjourn the Special Session (Public Hearing) of the City Council of the City of Bellaire, Texas, at 6:17 p.m. on Monday, June 18, 2012. Mayor Pro Tem Amanda B. Nathan seconded the motion.

The main motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan, and Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: None
City of Bellaire
City Council

Minutes of Meeting
June 18, 2012

ABSENT: None

Respectfully submitted,

[Signature]
Tracy L. Dutton, TRMC
City Clerk
City of Bellaire, Texas

Approved:

[Signature]
Philip L. Nader, Mayor
City of Bellaire, Texas