CITY COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 10, 2012

The City Council of the City of Bellaire, Texas, met in Special Session (Public Hearing) on Monday, September 10, 2012, in the Council Chamber, located on the 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 6:04 p.m. on Monday, September 10, 2012.

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

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

Councilman Corbett Daniel Parker was absent.

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

City Clerk Tracy L. Dutton read the “Notice of Public Hearing” into the record. City Clerk Dutton advised that notices were prepared and mailed to individual property owners of record whose property was located within 200 feet of the site of Bellaire High School by Ashley Parcus, Planning and Zoning Secretary, on behalf of City Council.

Secretary Parcus also published the “Notice of Public Hearing” in the legal notices section of the Southwest News on Tuesday, August 21, 2012, and posted the “Notice of Public Hearing” on the City’s official bulletin board and website on Tuesday, August 21, 2012.

D. SUMMARY OF PUBLIC HEARING 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 the Houston Independent School District (HISD), as applicant, for a specific use permit, as required by Chapter 24, Planning and Zoning, Article VI, Amendatory Procedure, Section 24-605, Application for Specific Use Permit, of the Code of Ordinances of the City of Bellaire, Texas, for a specific use permit to construct a field house at Bellaire High School located at the northwest corner of South Rice Avenue and Maple Street, site more commonly known as 5100 Maple Street, Bellaire, Texas, in the R-1 Residential Zoning District – Item submitted by Director of Community Development John McDonald; Presentation by Applicant, HISD, and/or Applicant’s Representative(s).

Kimberly Hickson, Gensler (architecture, design, planning and consulting firm), 711 Louisiana Street, Suite 300, Houston, Texas 77002, provided a walkthrough of the Houston Independent School District (HISD) application for a specific use permit. City Council was shown a slide presentation beginning with a site plan for the Bellaire High School property. Ms. Hickson referred to five small buildings on the upper portion of the site plan, and advised that HISD’s proposal was for the granting of a specific use permit to construct and operate a small, one-story building to house their athletics program (i.e., field house).

She advised that HISD was currently utilizing two of five on-site temporary buildings as their athletics locker room. The proposed one-story structure would replace two of the five existing temporary buildings.

Ms. Hickson advised further that the replacement of the two temporary buildings with the proposed 5,000 square foot one-story structure would not change classroom sizes; therefore, it would not change the parking requirements. In addition, the structure would not impact storm sewer or storm drainage on the site.

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

Mayor Philip L. Nauert recognized citizens and/or other interested parties that had completed the City's Sign-In Sheet prior to the beginning of the meeting.

Kathryn James, 5212 Pine Street, Bellaire, Texas, addressed City Council and inquired as to the original intent or the re-platting of the HISD property and why it was necessary to have a change.

Kimberly Hickson advised that the re-platting occurred when the recent addition to Bellaire High School was constructed. The property was previously divided into two different plats. Since HISD owned the property in both plats and the school actually covered both plats, the two properties were re-platted into one property.

Kathryn James continued and inquired as to the reason that the building was necessary. In other words, had something been destroyed? Ms. James advised that classroom space was needed at HISD and the site was currently full of temporary buildings.
Lynn McBee, 5314 Evergreen Street, Bellaire, Texas, advised that she had requested and received a letter from the Planning and Zoning Commission ("PZC") to the City Council that was required by City Council prior to the calling and holding a public hearing. That letter was apparently left out of the agenda packet. In looking at the letter today, she noted that it had been signed by the prior PZC Chair, Michael Doyle, on July 10, 2012. Since Mr. Doyle’s term with the PZC expired on July 1, 2012, Ms. McBee assumed, therefore, that the letter was a forgotten piece.

According to the letter, the public hearing before the PZC was held on April 10, 2012, with action taken that same evening as had been the practice of the PZC. Ms. McBee noted, also, that letters written by the Chair on behalf of the PZC body never went back to the members of the body that signed off on them. The letter had no reference as to whether conditions were discussed at that meeting, although there were topics discussed, according to the letter, concerning building materials, utility availability, drainage design, and which building would be eliminated as a result of the addition of the field house.

Further, the letter indicated that there were no public comments and that the PZC voted unanimously, without conditions. She asked if there would have been conditions included in the letter if there had been such conditions passed by the PZC. Without a negative statement that there were no conditions, it left one wondering, in Ms. McBee’s opinion.

Ms. McBee advised that the request before City Council this evening preceded the new rebuilt portions of the HISD campus that had now been approved should the HISD bond proposition pass on November 6, 2012. She inquired as to why HISD wished to deal with this field house separately from the massive reconstruction that would occur again should the bond issue pass. It seemed to Ms. McBee that there should be some form of coordination. She also inquired as to the cost of the project and how it would affect the bond financing yet to come.

In closing, Ms. McBee took no formal position to oppose the granting of a specific use permit for the field house other than hoping City Council would address the questions she had raised.

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

Questions from the Mayor and members of City Council related to the request, as well as questions raised by interested citizens, including the cost of the structure (noted to be between $350,000 and $450,000); the number of temporary structures to be eliminated as a result of the construction of the new field house (i.e., two); and the source of funding for the project (noted to be from the current HISD bond program).

Reference was made to the agenda packet which indicated that the PZC had recommended approval of HISD’s application for a specific use permit subject to three conditions. An inquiry was made as to the three conditions, to which
Director McDonald advised that an error had been made in the agenda packet and that the PZC had not recommended any conditions.

After noting no further questions from the City Council, Mayor Philip L. Nauert closed the public hearing at 6:25 p.m. on Monday, September 10, 2012.

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

As noted previously, Mayor Philip L. Nauert closed the public hearing for oral comments at 6:25 p.m. on Monday, September 10, 2012. He advised that written comments could be submitted to the City Council in care of the City Clerk prior to final deliberation on the matter. It was anticipated that final deliberation would occur on Monday, September 17, 2012. In order for written comments to be considered for the record, such comments were required to be received by noon on Thursday, September 13, 2012.

I. ADJOURNMENT.

Mayor Philip L. Nauert advised that the Special Session (Public Hearing) of the City Council of the City of Bellaire, Texas, was adjourned at 6:27 p.m. on Monday, September 10, 2012.

Respectfully submitted,

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

Approved:

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