

V. Reminder to Persons Desiring to Address the Commission

Chair Gordon reviewed the rules for public comments.

VI. General Public Comments

- A. Persons at the meeting who have indicated their desire to be heard on matters of general interest to the Commission, by submitting the form provided shall have (3) three minutes each to present their comments. The Commission is not permitted to fully discuss, debate, or consider items that are not on the agenda. Questions presented to the Commission may be referred to staff.**

Tim Mann, Tamarisk Street - Mr. Mann recommended adding an item to the scope of work for the consultant to discuss with the affected residents so they can be more aware of how the zoning change will affect them. He also requested that the consultant not be allowed to talk to the developer. He's curious as to how the results of the consultant's work will be publicized or if there will be an opportunity for public comment. He described traffic conditions on Fournace Place.

James Balogh, 5019 Mayfair Street - Mr. Balogh stated there is still a need for more studies and data on the property due to environmental issues, and he does not believe what has been provided so far is correct. He described information on a 1921 topography map of the area and encouraged the Commission to review the map.

Lynn McBee - Ms. McBee stated she didn't understand certain items in the outline listing the needs of the City such as what "on-call support" means. She believes all meetings with the consultant should be public and that the work from the consultant be presented at a meeting before accepting or adopting it.

VII. Current Business (Items for Discussion, Consideration, and/or Possible Action)

- A. Docket#: SU-2019-08: Consideration and possible action on an application filed by Houston Independent School District for an amendment to Specific Use Permit S-89, approved by City Council with Ordinance No. 17-055 and subsequently amended by Ordinance No. 18-027, as required by Chapter 24, Planning & Zoning, Section 24-532 B. (2) a), to change the approved site plan to include the construction of both a softball facility and baseball facility. The property is located at 6300 Avenue B and is within the R-3 Residential Zoning District.**

Development Services Coordinator, Ashley Parcus, stated that a new site plan was submitted based on the conversation during the public hearing that included an extended fence to encompass the entire site and extended field netting. A tree plan was also provided that detailed which trees will be removed and added from the site, and it will be in accordance with Section 24-513 of the City's Code of Ordinances.

Ms. Parcus added that the Development Services Department focused on three major

considerations while reviewing the application: 1) consistency with the Comprehensive Plan; 2) reduced impact to residential properties, and 3) impact to City services. Staff found that the site is designated residential, which allows for institutional uses, and modifications have been made to the application and conditions set to alleviate the impact to the surrounding residential neighborhood, making the proposal consistent with the Comprehensive Plan. She then reviewed the lot dimensions and setback requirements, the proposed lot coverage, screening and buffering, the traffic impact analysis, parking conditions, site access, drainage, and the impact on adjacent property values. Regarding the impact to City services, Ms. Parcus informed the Police Department has concerns about being able to appropriately patrol the area or access the site in case of an emergency due to the fencing, and the Parks Department was concerned about the school's events being in conflict with programs offered by the City. The City's engineer will review the drainage plan to ensure proper detention is installed and meets the requirements.

Ms. Parcus stated staff recommends approval of the SUP amendment with the following conditions: 1) No field lights or public address system shall be installed on the property; 2) the facilities shall be for the sole and exclusive use of Bellaire High School and not by other entities without prior consent of the City Council; 3) that the City of Bellaire Police Department have access to the site at all times; 4) that additional trees are installed, based on the requirements set forth in Section 24-513, next to the parking lot, along the Avenue B street frontage.

Vice Chair Axelrad asked if the trees along Avenue B in the right-of-way and who would be responsible for maintaining them. Ms. Parcus answered that the tree plan was a last-minute submittal, but the applicant would be responsible for maintaining the trees. She added that there is no requirement on what type of trees are to be installed expect that they be 45-gallon in response to Vice Chair Axelrad's concern over having adequate buffering.

Commissioner Steinberg asked if the Parks Department had an opinion on protecting Feld Park from overflow parking, and Ms. Parcus replied no; their concerns were revolved around scheduling conflicts. Because there is no schedule yet, they are unaware of any conflicts. Once the field is open, staff can evaluate to see if there are any issues with parking and solutions. Ms. Parcus addressed Commissioner Steinberg's question and clarified that the Police Department is not requesting additional entrances, but a code (or something) similar to ensure they have access at all times.

Commissioner Nelson asked if the trees to be removed can be saved.

Jennifer Quigley with PBK Architects stated that they have not investigated, but they can. She mentioned it is cost-prohibitive to moving existing trees and there is no guarantee the tree could survive. They would also have to consider the root size of the tree and land area available.

Commissioner Baker suggested adding no tournaments as one of the conditions.

Commissioner Taylor appreciated the modifications made to alleviate the impact on the surrounding residential area. He asked how the buffer between Feld Park and the backyards for the Wilmington Street houses will change, and also asked what other key modifications were made to the site plan. Ms. Parcus reviewed the new tree plan and major changes to the site plan. Commissioner Taylor also asked if the net and poles will back up to the backyard fences,

which Ms. Parcus confirmed. He then questioned if the back tension pole heights can be decreased and what will the effects be.

Trace Cryer, with PBK, described the positioning of the poles and netting. He mentioned the higher the netting, the more protection there is for the surrounding area. The Commission further discussed what options there might be for the height of the netting and poles, netting material, and levels of protection.

Commissioner Steinberg questioned why the net is not considered net a structure.

Ms. Parcus replied the net is see-through and not obstructing sunlight. Attorney Zachary Petrov added the City's zoning official has interpreted a net not to be a structure.

Commissioner Baker stated that if his house was next to the field, he would want the net and in his past experience, neighbors are usually appreciative of the protection. He doesn't believe that a reduction in the height of the net would be beneficial for the neighbors. He asked to consider extending the netting down the third baseline to the end of the bullpen on the baseball field to protect vehicles from foul balls.

Commissioner Steinberg asked if the 45-foot poles were in the previous site plans. Ms. Parcus answered yes, but they were in a different location. He wondered if approving the net height would set a precedent because it's not fencing.

Attorney Petrov requested a few moments to research.

Commissioner Taylor noted the change to the existing trees is significant and will change the character of the lot and neighborhood.

Chair Gordon suggested that some of the trees could be saved in return of losing parking spaces, and Ms. Quigley replied they can determine what trees could be saved further into the design phase. Chair Gordon then asked if the facility will remain at its current grade or if it will be elevated, noting that the Commission would be opposed to adding fill to the property.

Mr. Cryer responded they would want to balance the site as much as possible so there is no fill. He described how baseball and softball fields are graded and mentioned water is ideally kept away from the pitcher's mound and infield. They discussed with the Commission drainage scenarios to ensure there is no impediment to sheet flow and the surrounding residences.

Commissioner Taylor commented there may be too many ballfields for one lot because of all the modifications being made.

Chair Gordon acknowledged Commissioner Taylor's concerns and the written comments received regarding the application. He then read off proposed conditions that included no field lights or public address system, the sole use for Bellaire High School, Police access to the facility at all times, uses and times of the facility, the facility being built in accordance with site plan presented, construction egress and ingress through Bisonnet Street, preserving trees, no net fill,

and the netting material and extension of the net.

Commissioner Baker stated he is in favor of all the conditions but would like to see room to allow Bellaire Little League to use the facility without going through the City Council process.

Commissioner Nelson asked who would be responsible for deciding how many trees can be preserved and Chair Gordon wasn't sure yet until further discussion or how it can be conditioned.

Commissioner Steinberg suggested adding that the access plan be approved by the Bellaire Police Department.

Commissioner Klug asked if the Fire Department needed to approve an access plan as well.

Ms. Sampson replied a Certificate of Occupancy wouldn't be issued for the facility without their approval, and Attorney Petrov added there are knock boxes for Fire Department access.

Attorney Petrov and Ms. Sampson responded to the earlier question of setting precedence on fence height by stating that there is a difference between the uses, and homes normally don't have a 45-foot netting as an accessory. In this case, the netting is an institutional use for the baseball field and is required for protection, and approving the application would not set a new standard regarding fence heights.

Commissioner Klug asked the applicants if the conditions listed would adversely affect the use of the facility, and Ms. Quigley replied there were no problems, but would like clarification on the tree plan as it affects the site plan.

Ms. Sampson recommended adding flexibility on the placement of the structures to the conditions so that the applicants don't have to come forward again to move a batting cage or restroom facilities.

Chair Gordon proposed adding to the conditions that minor modifications to the site plan can be made with the approval of the Development Services Director, and Commissioner Steinberg additionally suggested that the modifications should not affect the neighboring properties.

Motion:

To recommend approval of the amendment to SUP S-89 with the following conditions:

1. No field lights or public address system shall be installed on the property.
2. The facilities shall be for the sole and exclusive use of Bellaire High School and not by other entities without the prior consent of the City Council.
3. The facility shall be locked when not in use. However, the City of Bellaire Police Department shall have access to the site at all times. The access plan shall be approved by the Bellaire Police Department.
4. The facilities shall be used for only the following uses and times listed below. Any other use shall require approval from the City Council.

- Bellaire High School varsity and junior varsity baseball and softball practices – weekdays during daylight hours and Saturdays until 5:30 p.m.
 - Bellaire High School junior varsity baseball and softball games, excluding tournaments – weekdays during daylight hours and Saturdays until 5:30 p.m.
 - Bellaire High School baseball and softball weekday or Saturday community events, not to exceed two events for baseball per year and two events for softball per year. For such events, an access/parking management plan shall be submitted to the City of Bellaire Development Services Director for review and approval prior to the event, specifically detailing overflow parking and access management considerations to minimize impacts to adjacent residential streets and to prevent excess traffic congestion on Bissonnet Street.
5. The facility shall be constructed in accordance with the site plan presented, with minor modifications which do not affect the neighboring properties to be allowed with the approval of the City of Bellaire Development Services Director.
 6. Construction ingress/egress shall be limited to Bissonnet Street, specifically restricting construction access through Avenue B and/or Feld Park.
 7. The applicant shall attempt to preserve all mature trees to the degree possible.
 8. There shall be no net fill on the site nor significant impediment to sheet flow.
 9. The lowest visual impact netting material shall be utilized for all nets on the perimeter of the site. The netting on the third baseline of the baseball field shall be extended to protect parked cars.

{Moved by Ross Gordon, Chair, and seconded by Marc Steinberg, Commissioner}

The Commission held further discussion on HISD agreements with other entities (such as Bellaire Little League), Council approval of other uses, and parking requirements.

RESULT:	Approved.
MOVER:	Ross Gordon, Chair
SECONDER:	Marc Steinberg, Commissioner
AYES:	Marc Steinberg, Commissioner, Ross Gordon, Chair, Weldon Taylor, Commissioner, Michael Axelrad, Vice Chair, Michael Baker, Commissioner, Pam Nelson, Commissioner, and John Klug, Commissioner

- B. Approval of the Planning and Zoning Commission's Report and Recommendation to City Council on the application filed by Houston Independent School District on a request for an amendment to Specific Use Permit S-89 at the property located at 6300 Avenue B.**

Motion:

To approve the recommendation letter to City Council with the nine conditions set earlier.