

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

AUGUST 1, 2011

6:30 p.m.

Jerry Koza, Jr.
P&Z CHAIRPERSON

Richard Golden
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Neil West

Henry Fuentes



Darrell Diggs

Phil Cessac

Vacant

In accordance with the Texas Open Meeting Act the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located at the front entrance of the City Hall, 3519 Liberty Drive.

AGENDA – REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, AUGUST 1, 2011, AT 6:30 P.M., 2nd FLOOR CONFERENCE ROOM/COUNCIL CHAMBERS, CITY HALL 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES P&Z Regular Meeting of July 18, 2011

III. OLD BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2011-07Z

A request of J.G. Meade, Executor of Myrtle Meade Estate, owner, for approval of a zone change from the Single-Family Residential Estate (R-E) zone, to General Business (GB) zone for approximately 18 acres on the following described property, to wit:

Legal Description: Field Note Description of a 20.00 Acre Tract of Land Being all of Lots 10 and 14 of Kanawha-Texas Company Subdivision of parts of Sections 18 and 22, H.T. & B. R.R. CO., according to the Map or Plat thereof Recorded in Volume 2, Page 51, of the Plat Records of Brazoria County, Texas; SAVE AND EXCEPT that 2.000 acre tract described as follows: Field Note Description of a 2.000 Acre Tract of Land Being out of Lot 14, of Kanawha-Texas Company Subdivision of Parts of Section 18 & 22, H.T. & B. R.R. CO., According to the Map or Plat thereof Recorded in Volume 2, Page 51 of the Plat Records of Brazoria County, Texas.

General Location: Northwest Corner of Manvel Rd and Bailey Rd

IV. NEW BUSINESS

A. DISCUSSION ITEMS

1. Commissioner Activity Report
2. Zoning Updates
3. P&Z Strategic Priorities
4. Next P&Z Regular Meeting August 15, 2011
5. No JPH Meeting August, 15, 2011

V. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

I, Judy Krajca, Planning Office Coordinator of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 29th day of July 2011, A.D., at 5:30 p.m.

Judy Krajca, Planning Office Coordinator

Agenda removed _____ day of August, 2011.

APPROVAL
OF
MINUTES

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD JULY 18, 2011 AT 6:30 P.M., IN THE 2ND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

P&Z Chairperson Jerry Koza, Jr. called the meeting to order at 8:05 p.m. with the following present:

P&Z Chairperson Jerry Koza, Jr.
P&Z Commissioner Henry Fuertes
P&Z Commissioner Richard Golden
P&Z Commissioner Neil West
P&Z Commissioner Darrell Diggs

Also in attendance were: Planning Director Lata Krishnarao, Senior Planner Harold Ellis, Planner II Evan DuVall, Assistant City Engineer Trent Perez and Planning Office Coordinator Judy Krajca.

APPROVAL OF MINUTES

P&Z Commissioner Henry Fuertes made the motion to approve the minutes of the Regular Meeting of June 20, 2011, and P&Z Commissioner Neil West seconded.

The vote was 5-0. The minutes of June 20, 2011 were approved.

OLD BUSINESS

CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2011- 07Z

A request of J.G. Meade, Executor of Myrtle Meade Estate, owner, for approval of a zone change from the Single-Family Residential Estate (R-E) zone, to General Business (GB) zone for approximately 18 acres on the following described property, to wit:

Legal Description: Field Note Description of a 20.00 Acre Tract of Land Being all of Lots 10 and 14 of Kanawha-Texas Company Subdivision of parts of Sections 18 and 22, H.T. & B. R.R. CO., according to the Map or Plat thereof Recorded in Volume 2, Page 51, of the Plat Records of Brazoria County, Texas;

SAVE AND EXCEPT that 2.000 acre tract described as follows:

Field Note Description of a 2.000 Acre Tract of Land Being out of Lot 14, of Kanawha-Texas Company Subdivision of Parts of Section 18 & 22, H.T. & B. R.R. CO., According

to the Map or Plat thereof Recorded in Volume 2, Page 51 of the Plat Records of Brazoria County, Texas.

General Location: Northwest Corner of Manvel Rd and Bailey Rd.

P&Z Commissioner Darrell Diggs made the motion to discuss, and P&Z Commissioner Neil West seconded.

Senior Planner Harold Ellis read the staff report as it was presented on June 20, 2011 stating the main concern for postponing the item was to determine if a General Business (GB) zone was the best use while abutting school property.

P&Z Commissioner Darrell Diggs expressed concern as to why this area was a concern when Shadow Creek Ranch has General Business next to schools. P&Z Commissioner Henry Fuertes stated there was a CVS and a Bank next to one school in SCR, and another school had light retail and a doctor's office next to it.

P&Z Commissioner Neil West inquired as to why not rezone the corner acre consisting of approximately 2.0 acres. Senior Planner Harold Ellis stated the owners use is unknown at this time.

P&Z Chairperson Jerry Koza, Jr. inquired who owns the property located at the SE corner of Bailey Road and Manvel Road. Senior Planner Harold Ellis replied the Drainage District owned the SE corner parcel.

Mr. J. G. Meade, owner, was present and spoke and apologized for not being present at the last P&Z meeting as he was misinformed that he could leave after the Joint Public Hearing. Mr. Meade stated he has a buyer for the property but he won't sale to anyone accept a commercial enterprise. At this time, he only has plans to sale the 5.0 acres to the Dance Studio, but wants to rezone the entire parcel to General Business (GB).

P&Z Commissioner Henry Fuertes stated that the first thing he learned being a Commissioner was to zone the dirt. Commissioner Fuertes asked Mr. Massey why not zone to Neighborhood Services (NS).

Mr. Massey replied that he could not put in a grocery store in a NS zone.

P&Z Commissioner Darrell Diggs inquired what would or would not be allowed near a school. Discussion ensued with regards to how the distance is measured from "door to door".

P&Z Commissioner Neil West inquired where the nearest GB zone was. Senior Planner Harold Ellis indicated on the map that there was a gas station at Bailey Road and Manvel Road, and the parcel located at Kincaid Road and Manvel Road is zoned GB, as it was originally intended for a hospital/medical use.

P&Z Commissioner Henry Fuertes stated he felt the best use for the property is Neighborhood Services (NS). P&Z Commissioner Darrell Diggs stated if no one is complaining, why not zone it to General Business (GB). P&Z Commissioner Henry Fuertes and P&Z Commissioner Neil West stated they disagreed with P&Z Commissioner Darrell Diggs.

Mr. J. G. Meade stated there was nothing residential along the west side of Manvel Road.

P&Z Commissioner Richard Golden stated he does not have a problem with changing the use for commercial related use if the school was not located close by, and expressed concern with the General Business (GB) zone. Commissioner Golden added that most uses (but not all) in a GB zone are allowed in a NS zone.

The vote was 3-2. Zone Change No. 2011-07Z was approved. P&Z Commissioner Neil West vote in opposition, stating the Commission is in place to zone the best use, and that GB is not the best use. P&Z Commissioner Henry Fuertes voted in opposition stating (1) this is not the best use as it is near a school, (2) it goes against the land use for retail node, and (3) NS is a more appropriate zone.

NEW BUSINESS

CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NOT. CUP 2011-09

A request of Furniture Repair Solutions, LLC., applicant, on behalf of Michael McGibben, owner, for approval of a Conditional Use Permit to allow for a Furniture Repair business in the General Business (GB) District, on the following described property, to wit:

Legal Description: All of that certain 0.4784 acre tract situated in the A.C.H. & B. RR Company Survey, Section 1, Abstract No. 147, Brazoria County, Texas, being the inclusive boundary of Tracts I and II, as described in instrument filed for record in Volume 983, Page 714, of the Deed Records of Brazoria County, Texas

General Location: 3520 E. Broadway, Pearland

Senior Planner Harold Ellis read the staff report stating staff recommends approval with the condition that two (2) parking spaces be added.

P&Z Commissioner Darrell Diggs made the motion to approve, with condition that two parking spaces be added, and P&Z Commissioner Neil West seconded.

P&Z Commissioner Neil West inquired how the furniture would be delivered to the shop.

Mr. Dale Jones, applicant, stated there were double doors that opened up allowing furniture to be brought in the front door. Pieces of furniture would be brought in a van, and that no 18-wheel tractor/trailers would be used.

The vote was 5-0. Conditional Use Permit No. CUP 2011-09 was approved with the condition that two (2) parking spaces be added.

CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF SOUTHERN TRAILS SECTION ELEVEN

A request by Kerry R. Gilbert and Associates, applicant, on behalf of C.L. Ashton Woods, LP, owner for approval of a Preliminary Plat for Southern Trails Section Eleven, generally located 1500 feet south from the southeast corner the intersection of Southern Trails Drive and Kingsley Drive for approximately 23.2 acres, on the following described property, to wit

Legal Description: All that certain 23.2 acres of land, out of the 522.62 acre tract described in the deed from Ashton Southern Trails Joint Venture to CL Ashton Woods, LP., recorded under Doc. #2005016204, in the Official Records of Brazoria County, Texas, in the H.T. & B.R.R. Company Survey, Sec. 80, A-564, Brazoria County.

Planner II Evan DuVall read the staff report stating this plat reduced the plat to 55 single family residential lots and 3 reserves.

P&Z Commissioner Henry Fuertes made the motion to approve, and P&Z Commissioner Richard Golden seconded.

The vote was 5-0. The Preliminary Plat of Southern Trails Section Eleven was approved.

CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF SOUTHERN TRAILS SECTION TWELVE

A request by Kerry R. Gilbert and Associates, applicant, on behalf of C.L. Ashton Woods, LP, owner for approval of a Preliminary Plat for Southern Trails Section Twelve, generally located 1600 feet south from the southeast corner the intersection of Southern Trails Drive and Kingsley Drive for approximately 16.8 acres, on the following described property, to wit

Legal Description: All that certain 16.8 acres of land, out of the 522.62 acre tract described in the deed from Ashton Southern Trails Joint Venture to CL Ashton Woods, LP., recorded under Doc. #2005016204, in the Official Records of Brazoria County, Texas, in the H.T. & B.R.R. Company Survey, Sec. 80, A-564, Brazoria County.

P&Z Commissioner Henry Fuertes made the motion to approve, and P&Z Commissioner Neil West seconded.

The vote was 5-0. The Preliminary Plat of Southern Trails Section Twelve was approved.

CONSIDERATION & POSSIBLE ACTION – REQUEST FOR A WAIVER OF DECISION FOR THE FINAL PLAT OF SERENE GARDENS

A request by Chris Hendrick of Wilson Survey., applicant, on behalf of Hieppham Incorporated owner, for approval of a Final Plat for Serene Gardens, generally located approximately 1,250 feet east of Hughes Ranch Road and Smith Ranch Road, proposing an 8-lot single-family residential subdivision on the following described property, to wit

Being 9.7979 acres of the east one-half of lots 11 & 12E, all of Allison-Richey Gulf Coast Home Company Subdivision of Section 85 in the H.T. & B.R.R. Co. Survey Abstract 304, Brazoria County Texas.

Planner II Evan DuVall read the staff report stating there were four outstanding items remaining on this plat, and the applicant requested a Waiver of Decision for more time.

Outstanding Items were:

- 1). Complete review of re-submittal of Final Plat
- 2). Acceptance of infrastructure
- 3). Landscaping along Hughes Ranch Road to meet UDC standards
- 4). Construction of a subdivision fence in compliance with the UDC

P&Z Commissioner Darrell Diggs made the motion to approve a Wavier of Decision, and P&Z Commissioner Henry Fuertes seconded.

The vote was 5-0. The Waiver of Decision for the Final Plat of Serene Gardens was approved.

CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SERENE GARDENS

A request by Chris Hendrick of Wilson Survey., applicant, on behalf of Hieppham Incorporated owner, for approval of a Final Plat for Serene Gardens, generally located approximately 1,250 feet east of Hughes Ranch Road and Smith Ranch Road, proposing an 8-lot single-family residential subdivision on the following described property, to wit

Being 9.7979 acres of the east one-half of lots 11 & 12E, all of Allison-Richey Gulf Coast Home Company Subdivision of Section 85 in the H.T. & B.R.R. Co. Survey Abstract 304, Brazoria County Texas.

No action necessary.

CONSIDERATION & POSSIBLE ACTION - VARIANCE REQUEST NO. 2011-04 REQUESTING A VARIANCE FROM SECTION 3.1.1.1 (C) REGARDING THE VALUATION OF WORK PERMITTED FOR THE ISSUANCE OF A BUILDING PERMIT ON UNPLATTED PROPERTY.

A request by Tegrity Homes, applicant, on behalf of Dao Dung, owner, for approval of a Planning and Zoning Variance of Section 3.1.1.1(C) to allow an increased valuation of work for issuance of a building permit on un-platted property, generally located at 1818 Roy Road #9 (1818 Sharon Drive #9) on the following described property, to wit:

All that certain tract or parcel containing 0.42 acres, (18,321 square feet), of land known as 49-50 (PT) (Called W/2 LT 9) of an unrecorded subdivision situation in the H.T. & B. Railroad Survey, A-234 in Brazoria County, Texas

General Location: Located 805 feet west of the Northwest corner of the intersection of Sharon Drive and Roy Road (Brazoria CAD Property ID: 493917).

Planner II Evan DuVall read the staff report stating the applicant is proposing a home to replace an existing trailer that was damaged during Hurricane Ike. The property is part of an un-platted parcel that the city is working to resolve access and platting issues due to complications with a missing owner needed to finalize the plat.

The vote was 5-0. Variance Request No. 2011-04 was approved.

CONSIDERATION & POSSIBLE ACTION – ELECTION OF OFFICERS

P&Z Commissioner Henry Fuertes nominated Jerry Koza, Jr. for Chairperson, and P&Z Commissioner Neil West seconded.

The vote was 4-0. P&Z Chairperson elect is Jerry Koza, Jr. One Commissioner abstained from voting.

P&Z Commissioner Henry Fuertes nominated Richard Golden for Vice-Chairperson, and P&Z Commissioner Darrell Diggs seconded.

The vote was 4-0. P&Z Vice-Chairperson elect is Richard Golden. One Commissioner abstained from voting.

Votes were cast by paper ballots.

DISCUSSION ITEMS

1. The Spectrum update was given by Planning Director Lata Krishnarao from the City Council Regular Meeting on July 11, 2011. The Spectrum area is now being referred to as Lower Kirby.

2. At this time, Annexation will not move forward. An agreement is being worked out between the City of Pearland and Denbury Onshore, LLC.
3. Staff is working with the P&Z sub-committees with the intent of having the P&Z Strategic Priorities finalized in September 2011.
4. Planning Director Lata Krishnarao stated the Planning Department has received word that the City of Pearland has received a Silver Rating for Scenic City, Texas. Staff has resubmitted for a Gold rating, and is awaiting results.
5. The next P&Z Regular Meeting will be on August 1,2011
6. Zoning Updates will be given at the regular meeting on August 1, 2011
7. The Next JPH Meeting is scheduled for August 15, 2011; however staff is looking to move all cases to September, due to the numerous budget meetings taking place during the month of August, at Council's request.
8. P&Z Commissioner Neil West stated he has spoken with the City Attorneys about reviewing and revising the Drilling Ordinance and how the Planning & Zoning Commission can assist.
9. P&Z Chairperson Jerry Koza, Jr. noted a few mistakes from the UDC Workshop: #19 – parking issue (ratio of 200:1), and #23 – extension limit.

ADJOURNMENT

P&Z Chairperson Jerry Koza, Jr. adjourned the P&Z Regular Meeting at 9:28 p.m.

These minutes are respectfully submitted by:

Judy Krajca, Planning Office Coordinator

Minutes approved as submitted and/or corrected on this 1st day of August 2011, A.D.

P&Z Chairperson Jerry Koza, Jr.

**OLD
BUSINESS**

P&Z Agenda Item

A



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission

REQUESTOR: Harold Ellis, Senior Planner

DATE: July 19, 2011

AGENDA ITEM SUBJECT: Re-vote on Zone Change 2011-07Z

Old Business New Business Discussion Item Workshop

1. **Summary:** At the July 18, 2011 Planning and Zoning Commission meeting, the Commission re-considered Zone Change 2011-07Z, which was postponed at the June 20, 2011 Commission meeting pending further Staff discussion with the applicant. Following discussion, the Commission voted 3/2 in favor of the Zone Change. However, the motion that was made at the beginning of the discussion was to “approve for discussion”, which is the motion that was voted on. In order to approve the Zone Change, the Commission needs to vote on a motion to “approve”.

2. **Staff Recommendation:** Re-vote on the Zone Change request.

Regular P&Z meetings are held on the first and third Monday of every month. This form must be received 6 calendar days prior to the meeting in order to be included on the agenda.

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JUNE 20, 2011, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. PURPOSE OF HEARING

ZONE CHANGE APPLICATION NO. 2011-07Z

A request of J.G. Meade, Executor of Myrtle Meade Estate, owner, for approval of a zone change from the Single-Family Residential Estate (R-E) zone, to General Business (GB) zone for approximately 18 acres on the following described property, to wit:

Legal Description: Field Note Description of a 20.00 Acre Tract of Land Being all of Lots 10 and 14 of Kanawha-Texas Company Subdivision of parts of Sections 18 and 22, H.T. & B. R.R. CO., according to the Map or Plat thereof Recorded in Volume 2, Page 51, of the Plat Records of Brazoria County, Texas;

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General Location: Northwest Corner of Manvel Rd and Bailey Rd.

III. APPLICATION INFORMATION AND CASE SUMMARY

A. STAFF REPORT

B. APPLICANT PRESENTATION

IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

VI. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

JOINT PUBLIC HEARING AGENDA ITEM MEETING OF JUNE 20, 2011

Zone Change No. 2011-07Z

A request of J.G. Meade, Executor of Myrtle Meade Estate, owner, for approval of a zone change from the Single-Family Residential Estate (R-E) zone, to General Business (GB) zone for approximately 18 acres on the following described property, to wit:

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General Location: Northwest Corner of Manvel Rd and Bailey Rd

APPROVAL PROCESS: After this Joint Public Hearing, the requested zone change application will be considered as follows:

Planning and Zoning Commission: June 20, 2011*

City Council for First Reading: July 11, 2011*

City Council for Second Reading: July 25, 2011*

(*dates subject to change)

SUMMARY: Mr. J.G. Meade, executor for Myrtle Meade Estate, owner of above referenced property, has applied for a zone change from Single-Family Estate (RE) to General Business (GB). The property has not been developed and is currently vacant. The owner has stated that while there are no immediate plans to develop the property, there is a contract for the sale of a portion of the property (northern portion) which is dependent on the outcome of the proposed zone change. The parties interested in purchasing a portion of the land would be interested in relocating an existing dance school business to the property in coming years. A dance school would be permitted in a General Business zoning district by-right.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Single-Family Estate (RE)	Massey Ranch School
South	ETJ	Residential/Commercial
East	Single-Family Residential-2	Single-Family Residential
West	Single-Family Estate (RE)	Vacant

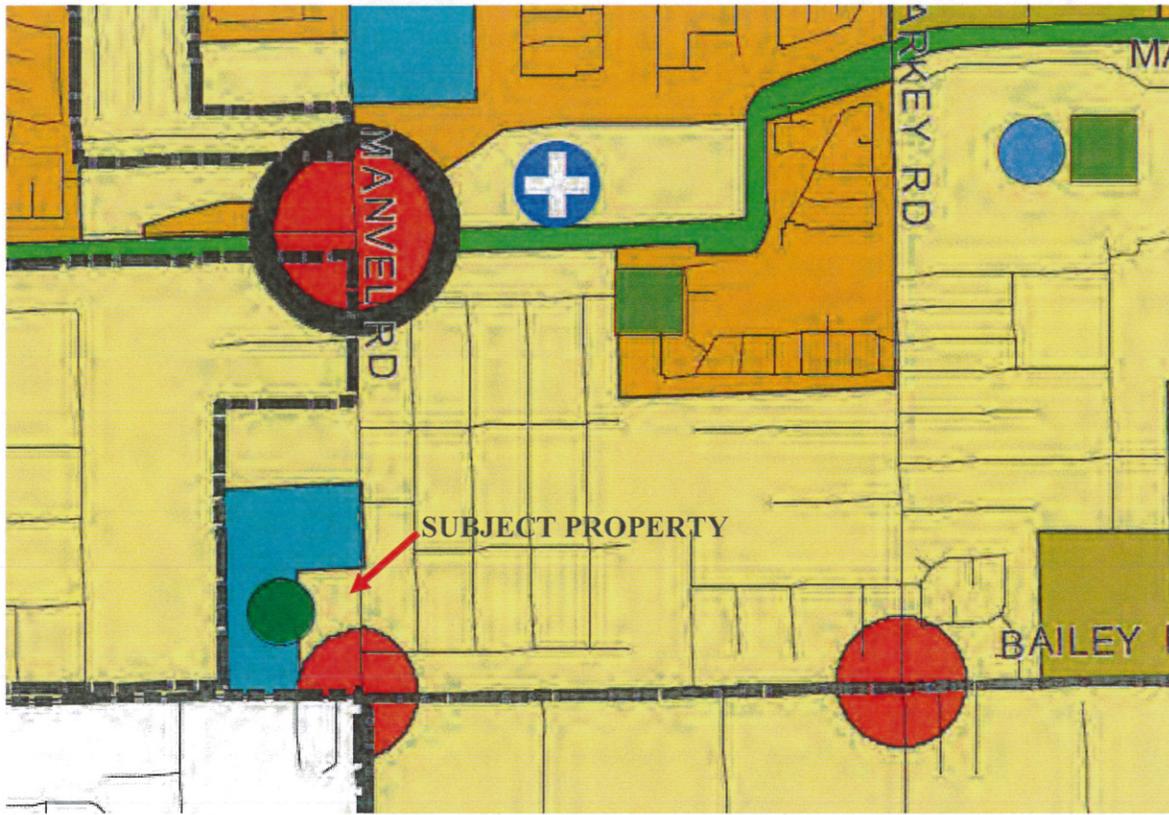
CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): The subject property is currently zoned as Single-Family Estate (RE). The minimum lot size requirements for the current district as well as the proposed General Business (GB) are as follows:

	<u>RE</u>	<u>GB</u>	<u>Lot in Question</u>
<u>Lot Area:</u>	21,780 sq. ft.	22,500 sq. ft.	784,080 sq. ft.
<u>Lot Depth:</u>	90'	125'	645'
<u>Lot Width:</u>	120'	150'	1220'

As indicated above, the property meets the development regulations of the General Business (GB) zoning district.

PLATTING STATUS: The property has not been platted which will be required at the time of development of the property.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current adopted Comprehensive Plan's Future Land Use Map indicates that northern portion of this area should be low-density residential and that the southern portion of this property is a minor retail node, as indicated on the excerpt of the Future Land Use Plan below. Therefore, the designation of GB being requested could be considered consistent with the intent of the Comprehensive Plan. As has been mentioned with prior zone change cases, the Future Land Use Map is intended to be used as a guide for Staff, Commission, and Council to use when considering zone change cases. It is not intended to be a parcel specific map.



CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Manvel Road and Bailey Road, both major thoroughfares with right-of-way of width of 120 feet required. Right-of-way needed to achieve the necessary width for future widening's may be required at the time of platting.

AVAILABILITY OF UTILITIES: The subject parcel does have access to public water and sewer. The applicant will be responsible for extending the utilities to their site at the time of development.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed zone change should not have any negative impact on any surrounding properties or developments. At the time of development of the subject property a Traffic Impact Analysis may be required (as required by the Engineering Department). Additionally, all requirements of the City's Unified Development Code will be required to be met with any future development.

ADDITIONAL COMMENTS: This request has been reviewed by the City's Development Review Committee and there are no additional comments from other departments at the time of this report.

SITE PLAN CONSIDERATIONS: A site plan is not required for a zone change, and has not been submitted at this time.

PUBLIC NOTIFICATION: Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. A legal notice of public hearing was published in the local newspaper, and a notification sign was placed on the subject property.

OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST: Staff has not received any comments either in opposition to or in support of the proposed zone change request.

STAFF RECOMMENDATION: Staff recommends approval of the Zone Change 2011-07Z as proposed by the applicant for the following reasons:

1. The proposed zone change should not have any significant negative impact on the surrounding properties and developments.
2. The proposed zone would be in compliance with the latest approved Future Land Use Plan.
3. The proposed zone change would be in conformance with nearby commercial developments at the intersection of Bailey and Manvel Road.
4. Bailey and Manvel Roads are both major thoroughfares based on the City's Thoroughfare Plan, which is typically an appropriate location for retail and commercial type developments.

SUPPORTING DOCUMENTS:

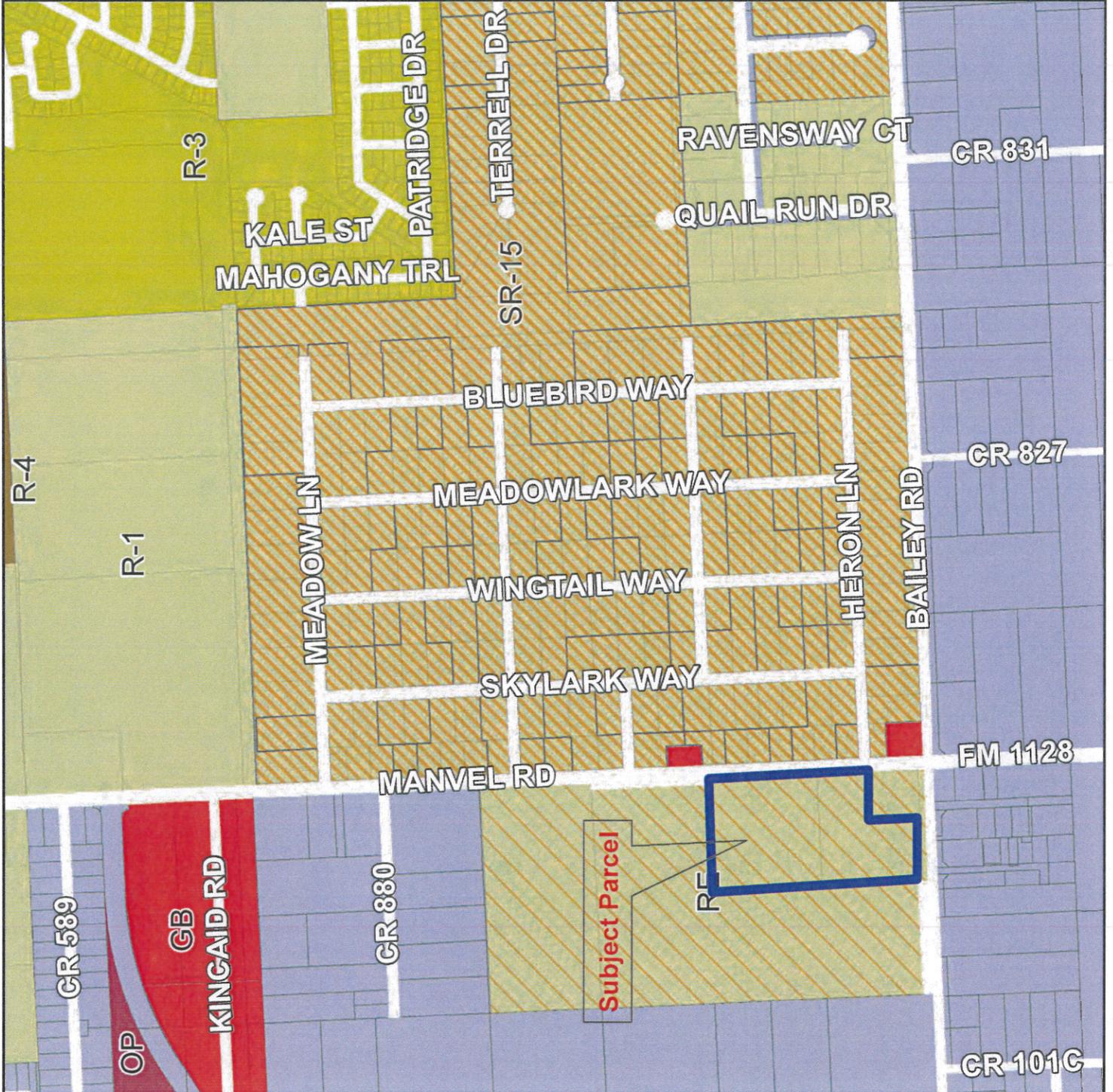
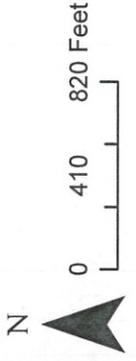
- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents
- Related Documents



Vicinity & Zoning Map

Zone Change 2011-07

Northwest Corner Manvel/Bailey Rd



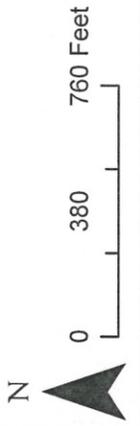
Owner	Address	City	State	Zip
ALI NOORMOHAMMED & AKBAR MOMIN	14203 FAIR KNOLL WAY	HOUSTON	TX	77062
FUQUA LORETTA KAY MONROE BONIN ETAL	7230 BAILEY RD	PEARLAND	TX	77584
LANGSTON ROBERT G	7134 BAILEY RD	PEARLAND	TX	77584
JACKSON RONALD K	7218 BAILEY RD	PEARLAND	TX	77584
ALVARADO JOSE	7226 BAILEY RD	PEARLAND	TX	77584
TRAN TUYEN QUANG TRUSTEE	2013 TALL TIMBERS LN	PEARLAND	TX	77581
REFERENCE ONLY	CMBD W/ACC 8230-0122-920			99999
MEADE MYRTLE MASSEY ESTATE C/O JUDITH MEADE	451 OLD SAN ANTONIO HWY APT 207	BANDERA	TX	78003
FIGUEROA ALEJANDRO	3933 MANVEL RD	PEARLAND	TX	77584
ROSAS JOSE DAVID & MARTHA L	11410 SHARPVIEW DR	HOUSTON	TX	77072
VU DUC	5222 BLUE SAGE DR	PEARLAND	TX	77584
BARE SUZANNE P SPOON ESTATE C/O BARE GERALD THOMAS	4005 MANVEL RD	PEARLAND	TX	77584
TREVINO FRANK SR	4022 SKYLARK WAY	PEARLAND	TX	77584
CONFIDENTIAL	4033 MANVEL RD	PEARLAND	TX	77584
FORREST MURIEL ALFORD	PO BOX 461	PEARLAND	TX	77588
KNJ ENTERPRISES INC	4915 SHAPIRO CT	MISSOURI CITY	TX	77459
PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588
MEADE MYRTLE MASSEY ESTATE C/O JG MEADE	4613 BUESCHER	PEARLAND	TX	77584



Abutter Map

Zone Change 2011-07Z

**Northwest Corner
Manvel/Bailey Rd**

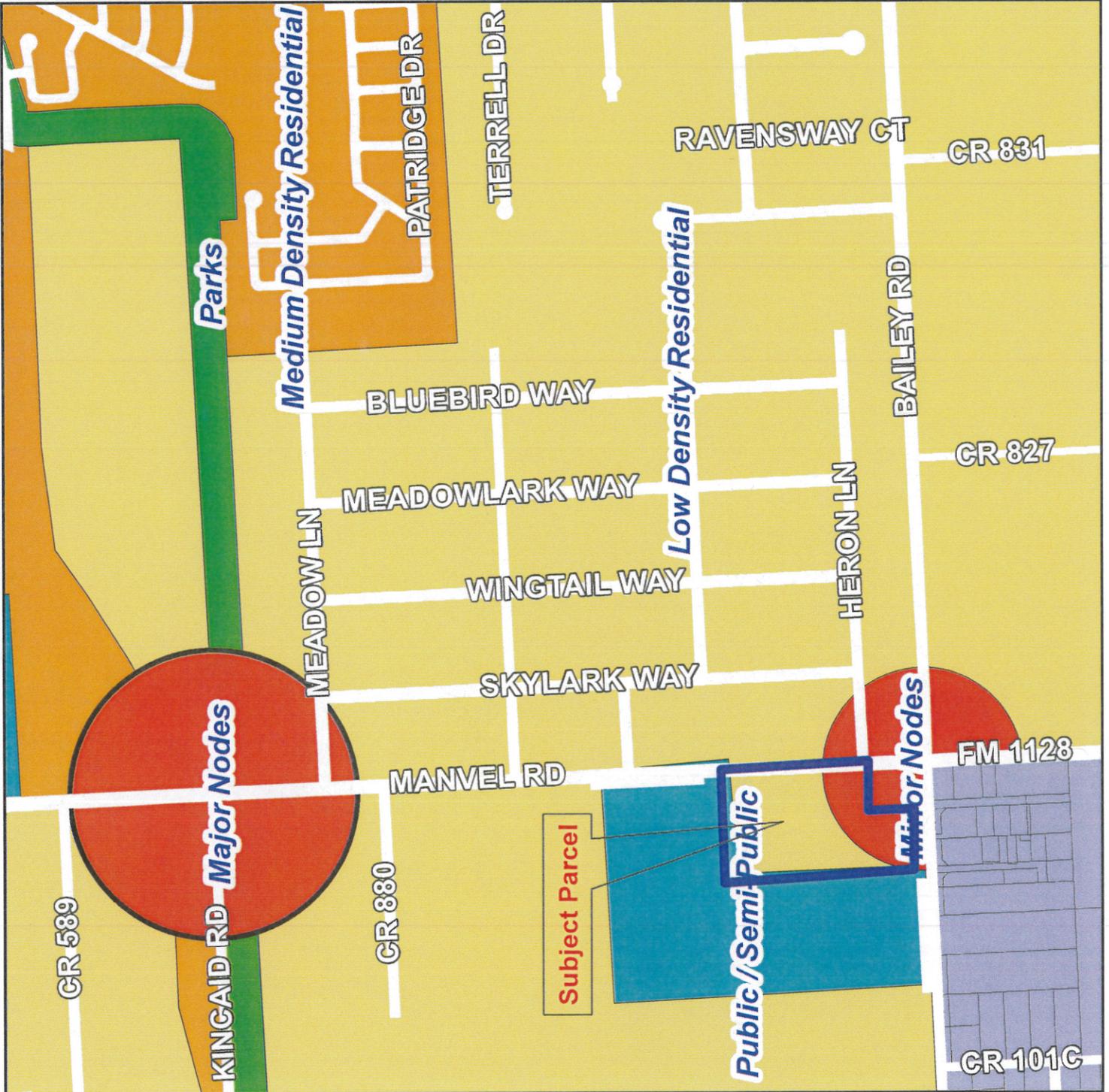
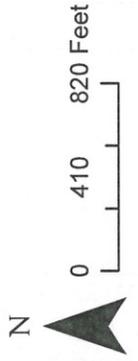




Future Land Use Map

Zone Change 2011-07

Northwest Corner
Manvel/Bailey Rd

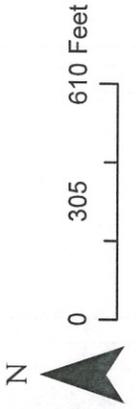




Aerial Map

Zone Change 2011-07

Northwest Corner
Manvel/Bailey Rd





APPLICATION FOR A CHANGE IN ZONING

Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1768
281-652-1702 fax
www.cityofpearland.com

Current Zoning District: Residential

Proposed Zoning District: General Business

Property Information:

Address or General Location of Property: 7M 1128 X Bailey Road N/W Corner
18.048 AC Abs. 0547 HT+BRR, Tract 10-14

Tax Account No. 177549

Subdivision: _____ Lot: _____ Block: _____

A complete application must include all information shown on the Application Checklist attached to this application.

PROPERTY OWNER INFORMATION:

NAME Myrtle Meade Estate c/o J.G. Meade Executor
ADDRESS 4613 Buescher Ct.
CITY Pearland STATE TX ZIP 77584
PHONE (281) 485-1500
FAX() _____
E-MAIL ADDRESS Gregory.MEADE@yahoo.com

APPLICANT/AGENT INFORMATION:

NAME _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
PHONE() _____
FAX() _____
E-MAIL ADDRESS _____

*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: [Signature] Date: 5/20/11

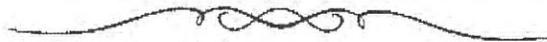
Agent's/Applicant's Signature: _____ Date: _____

OFFICE USE ONLY:

FEES PAID: <u>275.00</u>	DATE PAID: <u>5/20/11</u>	RECEIVED BY: <u>HE</u>	RECEIPT NUMBER: <u>3359438</u>
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Application No. _____

Letters Testamentary



THE STATE OF TEXAS

IN THE COUNTY COURT AT LAW #1

& PROBATE COURT OF

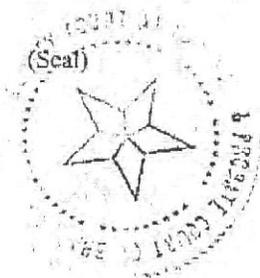
COUNTY OF BRAZORIA

BRAZORIA COUNTY, TEXAS

Cause No. PR027990

I, Joyce Hudman, Clerk of the County Court of Brazoria County, Texas, do hereby certify that on the 27th Day Of May, A. D. 2005 , Judith Meade Hodges and James Gregory Meade were duly granted by said Court Letters Testamentary of the Estate of Myrilee Massey Meade, Deceased, and that they qualified as Independent Co-Executors of said Estate on the 27th Day Of May, A.D. 2005 as the law requires, and that said appointment is still in full force and effect.

Given under my hand and seal of office at Angleton, Texas, the 27th day of May, A.D., 2005.



Joyce Hudman, County Clerk
Brazoria County, Texas

By: T. Belote, Deputy
T. Belote

TRUE MERIDIAN



P.O. Box 566•Pearland, Texas 77588-0566•Office: (281) 412-0149•Fax: (281) 412-5390
Email: truemarid@sbcglobal.net

FIELD NOTE DESCRIPTION OF A 20.00 ACRE TRACT OF LAND BEING ALL OF LOTS 10 AND 14, OF KANAWHA-TEXAS COMPANY SUBDIVISION OF PARTS OF SECTIONS 18 AND 22, H.T. & B. R.R. CO., ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 51 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS.

BEGINNING at the Southeast corner of said Lot 14 being the centerline intersection of Bailey Road (County Road 101, width varies) and within the right-of-way of FM 1128 (width varies);

THENCE S 87°19'01" W along the South line of Lot 14 and the centerline of Bailey Road, a distance of 660.00 feet to the Southwest corner of Lot 14;

THENCE N 02°40'59" W along the West line of Lots 10 and 14, a distance of 1,320.00 feet to the Northwest corner of Lot 10;

THENCE N 87°19'01" E along the North line of Lot 10, a distance of 660.00 feet to the Northeast corner of Lot 10 within the right-of-way of FM 1128;

THENCE S 02°40'59" E along the East line of Lots 10 and 14, a distance of 1,320.00 feet to the PLACE OF BEGINNING and containing 20.00 acres of land, more or less.

SAVE AND EXCEPT that 2.000 acre tract described as follows:

FIELD NOTE DESCRIPTION OF A 2.000 ACRE TRACT OF LAND BEING OUT OF LOT 14, OF KANAWHA-TEXAS COMPANY SUBDIVISION OF PARTS OF SECTIONS 18 & 22, H.T. & B. R.R. CO., ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 51 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING at the Southeast corner of said Lot 14 being in the centerline intersection of Bailey Road (County Road 101, width varies) and within the existing occupied right-of-way of F.M. 1128 (width varies);

THENCE N 02°40'59" W along the East line of Lot 14 and within the right-of-way of FM 1128, a distance of 60.00 feet to a point for corner;

THENCE S 87°19'01" W a distance of 38.48 feet to a 1/2 inch iron rod set for the PLACE OF BEGINNING same being the Southeast corner of this herein described tract of land at the intersection of the proposed West right-of-way line of FM 1128 (proposed 120 feet R.O.W.) and the proposed North right-of-way line of Bailey Road (proposed 120 feet R.O.W.);

THENCE S 87°19'01" W along said proposed North right-of-way line of Bailey Road a distance of 295.16 feet to a 1/2 inch iron rod set at the Southwest corner of this herein described tract of land;

THENCE N 02°40'59" W parallel with the East line of Lot 14, a distance of 295.15 feet to a 1/2 inch iron rod set at the Northwest corner of this herein described tract of land;

THENCE N 87°19'01" E parallel with the South line of Lot 14, a distance of 295.45 feet to a 1/2 inch iron rod set on the proposed West right-of-way line of FM 1128 same being the Northeast corner of this herein described tract of land;

THENCE S 02°37'33" E along the proposed West right-of-way line of FM 1128, a distance of 295.15 feet to the PLACE OF BEGINNING and containing 2.000 acres of land, more or less.


Todd J. Slaton, RPLS No. 5082
May 20, 2011





Vicinity Map - Pearland, TX



Planning purposes only - Not survey grade.

5-20-11

From: J.G. MEADE
4613 Buescher Ct.
Pearland, Texas 77584

Dear P+Z,

PLEASE consider our request to change our property from residential zoning to general business. Our property is on the master plan as retail. Our property is at the intersection of two major roads. We currently have no plans to develop this property. I do have a contract on the north 5 acres. The buyer plans to relocate the dance school he and his wife have to this parcel in the next few years. The sale of this 5 acres is dependent on the rezoning.

Respectfully
J.G. Meade

CITY OF PEARLAND
*** CUSTOMER RECEIPT ***

Oper: KHARRIS Type: OC Drawer: 1
Date: 5/20/11 01 Receipt no: 213092

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$275.00
Trans number:		3359438

NW CORNER OF BAYLEY
OWNER MYRTLE HEADE ESTATE
JAMES G HEADE
4613 BUESCHER CT.
PEARLAND, TX 77584
MH

Tender detail		
CK CHECK	2485	\$275.00
Total tendered		\$275.00
Total payment		\$275.00

Trans date: 5/20/11 Time: 13:12:08

**POSTING OF ZONING NOTIFICATION SIGNS
ON PROPERTY UNDER CONSIDERATION
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (5) The signs shall be as follows:
 - A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
 - At least 2 feet above the ground
 - Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
 - Message content as follows:

Zone change
PROPOSED (SPECIFY REQUEST)
Contact City of Pearland
281-652-1768

*JPW
5-20-11*

*Signs must be professionally made; handwritten signs are not allowed.

*Signs must be freestanding and cannot be attached to a tree, fence, or building.

Friday, May 20 111

Property Tax Status

[Begin a New Search](#) [Go to Your Portfolio](#) [Tax Office FAQ's](#)

[Request a Tax Statement](#)

Make your check or money order payable to:

Ro'Vin Garrett, RTA
111 E Locust
Angleton, Texas 77515



A **Convenience Fee** of up to 2.65% will be charged for all credit card payments by the vendor providing this service. For eChecks, a convenience fee of \$1.50 will be charged for each transaction. The fee covers the cost of making payments by credit card possible. The fee will appear as a charge to 'Certified Payments'. No part of this fee is retained by Brazoria County.

Unless otherwise noted, all data refers to tax information for 2010. All amounts due include penalty, interest, and attorney fees when applicable. Due to the large volume of work during heavy payment periods amounts due **may not** reflect payments that have been received but not yet processed.

Account Number: 05470028000

Address:
MEADE MYRTLE MASSEY ESTATE
% JUDITH MEADE
451 OLD SAN ANTONIO HWY
APT 207
BANDERA, TX 78003-3440

Property Site Address:
FM 1128

Legal Description:
A0547 H T & B R R, TRACT 10-14, ACRES
18.048

Current Tax Levy: \$53.80

Current Amount Due: \$0.00

Prior Year Amount Due: \$0.00

Total Amount Due: \$0.00

Last Payment Amount for Current Year Taxes:
Not Received

Pending Credit Card or E-Check Payments:

No Payment Pending

Jurisdictions:

BRAZORIA COUNTY
BRAZORIA DRAINAGE DIST 4
CITY OF PEARLAND
PEARLAND ISD
SPECIAL ROAD & BRIDGE

Market Value: \$619,000

Land Value: \$619,000

Improvement Value: \$0

Capped Value: \$0

Agricultural Value: \$1,990

Exemptions: None

Last Certified Date: 08/30/2010

[Taxes Due Detail by Year and Jurisdiction](#)

[Payment Information](#)

[Click Here](#) to see your estimated amount due for a different date. You can see this information by year and by both year and jurisdiction.

Tax Office:

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[Related Links](#)

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[Tax Office FAQ](#)
[Tax Office Home Page](#)

[Commissioner's Court](#)
[Courthouse History](#)

E-mail: roving@brazoria-county.com
111 E. Locust Suite
Angleton, TX 77515
(979) 864-1320

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APPLICATION CHECKLIST FOR THE FOLLOWING

- Zone Changes
- Planned Development Districts (PD)

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.
- If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code.**
- Metes and Bounds Description, (Survey, or a Plat of the property that provides or contains the metes and bounds description).
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- Letter of Intent, explaining the zone change request in detail and why the zoning is being requested to be changed, and state the uses being proposed

*Letter of Intent is not required for a PD.

- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)

- **Zero (0) to less than 25 acres:**
 - \$ 250.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 400.00 if requesting a Planned Development (PD)
- **25 to less than 50 acres:**
 - \$ 300.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 450.00 if requesting a Planned Development (PD)
- **50 to less than 75 acres:**
 - \$ 350.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 500.00 if requesting a Planned Development (PD)
- **75 to less than 100 acres:**
 - \$ 400.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 550.00 if requesting a Planned Development (PD)
- **100 acres and above:**
 - \$ 450.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 600.00 if requesting a Planned Development (PD)

- For PD's Only: the proposed PD document in electronic form by date of application (either emailed or on a CD) (see PD Format for guidelines on how to prepare the PD).

- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

Additional Information:

- Upon making an application for a zoning change or conditional use permit, the applicant shall place sign(s) as required. The City shall inspect such sign(s) to ensure compliance as required by the UDC.
- After the zoning change or conditional use permit request is approved by the City Council, denied by the City Council, or withdrawn by the applicant, the applicant shall remove the sign from the area of the request within ten (10) days of such event.
- It shall be unlawful for anyone to remove, destroy, deface or obstruct the view of a sign which gives notice that a zoning change or conditional use permit has been requested.
- In the event the applicant shall fail to erect and/or maintain signs in accordance with this section, then the public hearing before the Planning and Zoning Commission/City Council shall be postponed to a date in the future, which would allow time for compliance.
- The erection of any sign required by this section shall not require a permit under Section 4.1.2.6 of this UDC.
- The owner or applicant shall promptly notify the Planning Department of any sign required by this section, which becomes lost, stolen or vandalized. The Planning and Zoning Commission shall have the power to decide whether or not there has been substantial compliance with the posting requirements in the case of lost, stolen or vandalized signs.

**NEW
BUSINESS**

P&Z Agenda Item

A



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Planning Department Staff
DATE: August 1, 2011
AGENDA ITEM SUBJECT: Discussion Items

Old Business New Business Discussion Item Workshop

SUMMARY:

1. Commissioners Activity Report
2. Zoning Updates – Presented by Harold Ellis, Senior Planner
See attached spreadsheet
3. P&Z Strategic Priorities – Discuss current standing of each priority
4. Next P&Z Regular Meeting – August 15, 2011
5. No JPH Meeting – August 15, 2011

Regular P&Z meetings are held on the first and third Monday of every month. This form must be received 6 calendar days prior to the meeting in order to be included on the agenda.

Zoning Update - March - August 2011

Zone Changes									
Appl No	Property Owner, Applicant	Address or Location of Property	JPH	P & Z Meeting	P & Z Action	Current Zoning	Proposed Zoning	City Council Status	
2011-02Z	Kerry Gilbert & Associates	522.62 acres South of Broadway and West of Kirby	3/21/2011	3/21/2011	Approval	PD	PD	Approved	
2011-03Z	Burt Chrisman	2801 John Lizer	3/21/2011	3/21/2011	Approval	NS	R-2	Approved	
2011-04Z	Beeman Strong for Seitegasi Family, Lyle Henkle for HEB	Northwest corner of Broadway/Pearland Pkwy	4/18/2011	4/18/2011	Denial	PD	GB	Approved	
2011-05Z	Beeman Strong for Seitegasi Family	~700' North of NW Corner of Broadway/Pearland Pkwy	4/18/2011	4/18/2011	Denial	PD	R2	Case Died	
2011-06Z	Dr. Randy Ellis/Paula Holland	NW Corner of Broadway/Hamm Road	case withdrawn	n/a	n/a	n/a	n/a	n/a	
2011-07Z	J.G. Meade, Executor Myrtilee Meade Estate	NW Corner of Bailey/Manvel Roads	6/20/2011	7/18/2011	Approval	RE	GB	in process	
2011-08Z	SHT/Kirby Ltd/Merit Medical	NW Corner Kirby/Riley Roads	6/20/2011	6/20/2011	Approval	SP1	PD	Approved	
CUP's									
Appl No	Property Owner, Applicant	Proposed Use	Address or Location of Property	JPH	P & Z Meeting	P & Z Action	Current Zoning	City Council Status	
CUP 2011-03	Barnett Drywall/Alan Haggard c/o Sprint/Nextel	Cellular antenna co-location	1417 E. Broadway	3/21/2011	3/21/2011	Approval	GC	Approved	
CUP 2011-04	Rev. B. V. Barnett/same	Consignment Store	4904 W. Walnut	3/21/2011	3/21/2011	Approval	OP	Denied	
CUP 2011-05	Airgas Speciality Gases	Bulk Petroleum Storage	4344 S. Main Street	3/21/2011	3/21/2011	Approval	NS	Approved	
CUP 2011-06	Guru Om Sai, LLC/Sudershan Jambulapati	Restaurant	7902/7904 Broadway	4/18/2011	4/18/2011	Approval	NS	Approved	
CUP 2011-07	First Church of Pearland/Steve Upland	New technology/alternative bldg material	1850 E Broadway	6/20/2011	6/20/2011	postponed	GB	n/a	
CUP 2011-08	The Church for All People	Church	1255 Old Alvin Road	6/20/2011	6/20/2011	Approval	R1&R2	Approved	
CUP 2011-09	Mike McGibbons/Furniture Repair Solutions	Furniture Repair	3520 E. Broadway	7/18/2011	7/18/2011	Approval	GB	in process	

City of Pearland
Planning & Zoning Commission
2011 Priorities
March 7, 2010

Work Teams:

1. Establish Annexation Process
 - a. Assist in developing a Communication Plan
 - b. Assist in conducting a Cost/Benefit Analysis within the defined boundaries

Neil West, Henry Fuertes, Evan Duvall, Lata Krishnarao

2. Conduct quarterly or as needed conferences with EDC and Chamber for the purpose of increasing communication/understanding.

Richard Golden, Henry Fuertes, Ian Clowes, Lata Krishnarao

3. Develop strategy to address Brownfield Development (opportunities).

Darrell Diggs, Jerry Koza, Ian Clowes, Lata Krishnarao

4. Develop a plan to address:
 - a. Transportation
 - b. Mass Transit
 - c. Connectivity (pedestrian access/ mobility)

Susan Sherrouse, Richard Golden, Harold Ellis, Lata Krishnarao

5. Update Land Use Matrix. Done

6. Update Comprehensive Plan.

Susan Sherrouse, Henry Fuertes, Evan DuVall, Lata Krishnarao

7. Develop a strategy for cell towers in the City.

Neil West, Darrell Diggs, Harold Ellis, Lata Krishnarao

**ADJOURN
MEETING**