

# AGENDA

## CITY OF PEARLAND PLANNING & ZONING COMMISSION

August 6, 2012

6:30 p.m.

Henry Fuertes  
P&Z CHAIRPERSON

Linda Cowles  
P&Z VICE-CHAIRPERSON

### COMMISSIONERS

Neil West

Ginger McFadden



Mary Starr

Matthew Hanks

Daniel Tunstall

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 AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, AUGUST 6, 2012, AT 6:30 P.M., 2<sup>nd</sup> FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

**II. APPROVAL OF MINUTES**

Approve the Minutes of the July 16, 2012, p.m. P&Z Regular Meeting, held at 6:30 p.m.

**III. OLD BUSINESS**

**A. CONSIDERATION & POSSIBLE ACTION – REPLAT OF LOT ‘C’ OF THE SHADOW CREEK MARKETPLACE**

Waiver of  
Decision  
granted  
until  
8/25/12

A request by Rene Rodriguez from LJA Engineering, INC, applicant, on behalf of GCCLE-Shadow Creek, L.P., owner, for approval of a Replat of lot ‘C’ of Shadow Creek Marketplace in order to create two additional lots, on the following described property, to wit;

**Legal Description:** A subdivision of 9.984 acres of land situated in the Dupuy and Roberts Survey, abstract 726 and the J. Crawley Survey, Abstract 174 City of Pearland, Brazoria County, Texas; Also being out of Lot C of Shadow Creek Parkway MarketPlace Amending Plat, Recorded in Document No. 20080901974, Brazoria County Texas.

**General Location:** 1000 feet north of the northeast corner of Shadow Creek Parkway and State Highway 288.

**IV. NEW BUSINESS**

**A. DISCUSSION ITEMS**

1. Commissioners Activity Report
2. Zoning Update, City Planner Harold Ellis
3. Texas APA Conference, Fort Worth, Texas, October 3-6, 2012
4. Next JPH, August 20, 2012
5. Next UDC Workshop, August 20, 2012
6. Next P&Z Regular Meeting, August 20,2012

**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 Brown, 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 3rd day of August 2012, A.D., at 5:30 p.m.

\_\_\_\_\_  
Judy Brown, Office Coordinator

Agenda removed \_\_\_\_\_ day of August, 2012.

**APPROVAL**

**OF**

**MINUTES**

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD JULY 16, 2012 AT 6:30 P.M., IN THE 2<sup>ND</sup> FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**CALL TO ORDER**

P&Z Chairperson Henry Fuertes called the meeting to order at 6:47 p.m. with the following present:

P&Z Chairperson Henry Fuertes  
P&Z Commissioner Neil West  
P&Z Commissioner Ginger McFadden  
P&Z Commissioner Mary Starr  
P&Z Commissioner Matthew Hanks  
P&Z Commissioner Daniel Tunstall

Also in attendance were: Director of Community Development Lata Krishnarao, City Planner Harold Ellis, Planner II Evan DuVall, Deputy City Attorney Nghiem Doan, Assistant City Engineer Richard Mancilla and Office Coordinator Judy Brown.

**APPROVAL OF MINUTES**

P&Z Commissioner Daniel Tunstall made the motion to approve the minutes of the P&Z Regular Meeting of July 2, 2012, and P&Z Commissioner Mary Starr seconded.

The vote was 6-0. The minutes of the P&Z Regular Meeting of July 2, 2012 were approved.

**NEW BUSINESS**

**CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF PEARLAND FARMS SECTION TWO**

A request by Aaron Bourgeois, from Lentz Engineering, on behalf of Chase Lodge, Corporation, owner, for approval a Final Plat of Pearland Farms Section II, a 79 lot single-family residential subdivision on 23.5245 acres, on the following described property, on the following described property, to wit;

Legal Description: A parcel of land containing 23.5245 acres (1,024,726 square feet) more or less, being out of that certain 26.9965 acre tract conveyed from Fylma W. Thompson, Trustee al to Chase Lodge Corporation, as recorded in file No. 00 053263, Official records, Brazoria County, Texas, said 23.5245 acre tract being situated in Section 12, H. .T. & B. R. R. Survey, Abstract No. 508, in Brazoria County Texas.

General Location: 200 feet south of the intersection of West Cedar Trail Court and Curley Maple Drive.

Planner II Evan DuVall stated the Final Plat of Pearland Farms Section Two was withdrawn by the applicant.

No Action necessary.

## **CONSIDERATION & POSSIBLE ACTION – REPLAT OF THE VILLAGES OF TOWNE LAKE**

A request by Rekha Engineering, INC, applicant, on behalf of VOTL Holdings, LLC, owner, for approval of a Replat of the Villages of Towne Lake, a 252-unit senior apartment development, in order to create a separate lot for phase II of this development, on the following described property, to wit;

**Legal Description:** Being a 28.4162 acre (1,237,809 square foot) tract of land out of Tract 162 of the W. Zychlinski Subdivision of Section 28, H.T. & B.R.R. Company Survey, Abstract No. 551, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 29, Page 9, of the Deed Records of Brazoria County, Texas, and being a part of the lands described in deed to R. West Development Co., Inc. recorded under Brazoria County Clerk's File No. 02-037050, both of the Official Public Records of Brazoria County, Texas.

**General Location:** South of the intersection of English Lake Drive and Village Drive.

Planner II Evan DuVall read the staff report stating staff recommends approval with conditions as stated in the staff report plus one additional comment regarding access easement:

- 1) Mylars with signatures and three paper copies of the revisions
- 2) Recordation fees
- 3) Utility Letters of No Objection
- 4) Tax Certificates for recordation
- 5) Revise 26 foot access easement to be clearly depicted

P&Z Commissioner Daniel Tunstall inquired about the lake/detention pond.

Planner II Evan DuVall stated the pond is on another person's property with permission for detention only, but not a walking trail. The lake is part of the Planned Development. Planner DuVall also stated in regards to the Parkland Dedication, acreage was dedicated for park land.

P&Z Commissioner Matthew Hanks amended his original motion to include staffs comments, and P&Z Commissioner Ginger McFadden seconded.

P&Z Commissioner Daniel Tunstall inquired if there was anything in the original agreement regarding upkeep of the landscaping. City Planner Harold Ellis stated it has to be maintained.

P&Z Chairperson Henry Fuertes called for the vote.

The vote was 6-0. The Replat of the Villages of Town Lake was approved with the following conditions:

- 1) Mylars with signatures and three paper copies of the revisions
- 2) Recordation fees
- 3) Utility Letters of No Objection
- 4) Tax Certificates for recordation
- 5) Revise 26 foot access easement to be clearly depicted

### **CONSIDERATION & POSSIBLE ACTION – VARIANCE 2012-07 TO ALLOW A FLAG LOT**

A request by Rene Rodriguez from LJA Engineering, INC, applicant, on behalf of GCCLE-Shadow Creek, L.P., owner, for approval of a Variance to allow a 50-foot wide flag lot, on the following described property, to wit;

**Legal Description:** A subdivision of 9.984 acres of land situated in the Dupuy and Roberts Survey, abstract 726 and the J. Crawley Survey, Abstract 174 City of Pearland, Brazoria County, Texas; Also being out of Lot C of Shadow Creek Parkway MarketPlace Amending Plat, Recorded in Document No. 20080901974, Brazoria County Texas.

General Location: 1000 feet north of the northeast corner of Shadow Creek Parkway and State Highway 288.

Planner II Evan DuVall read the staff report stating there were no outstanding issues and staff recommends approval.

There was no discussion from the Commission/Staff.

P&Z Chairperson Henry Fuertes called for the vote.

P&Z Commissioner Mary Starr made the motion to approve, and P&Z Commissioner Ginger McFadden seconded.

The vote was 6-0. Variance No. 2012-07 to allow a flag lot was approved.

### **CONSIDERATION & POSSIBLE ACTION – WAIVER OF DECISION FOR THE REPLAT OF LOT ‘C’ OF SHADOW CREEK MARKETPLACE**

A request by Rene Rodriguez from LJA Engineering, INC, applicant, on behalf of GCCLE-Shadow Creek, L.P., owner, for approval of a Waiver of Decision for the Replat of lot 'C' of Shadow Creek Marketplace, in order to create two additional lots, on the following described property, to wit;

**Legal Description:** A subdivision of 9.984 acres of land situated in the Dupuy and Roberts Survey, abstract 726 and the J. Crawley Survey, Abstract 174 City of Pearland, Brazoria County, Texas; Also being out of Lot C of Shadow Creek Parkway MarketPlace Amending Plat, Recorded in Document No. 20080901974, Brazoria County Texas.

General Location: 1000 feet north of the northeast corner of Shadow Creek Parkway and State Highway 288.

Planner II Evan DuVall stated staff recommends approval.

P&Z Commissioner Daniel Tunstall made the motion to approve, and P&Z Commissioner Matthew Hanks seconded.

There was no discussion from the Commission/Staff.

P&Z Chairperson Henry Fuertes called for the vote.

The vote was 6-0. The Waiver of Decision for the Replat of Lot 'C' of Shadow Creek Marketplace was approved.

### **CONSIDERATION & POSSIBLE ACTION – REPLAT OF LOT 'C' OF THE SHADOW CREEK MARKETPLACE**

A request by Rene Rodriguez from LJA Engineering, INC, applicant, on behalf of GCCLE-Shadow Creek, L.P., owner, for approval of a Replat of lot 'C' of Shadow Creek Marketplace in order to create two additional lots, on the following described property, to wit;

**Legal Description:** A subdivision of 9.984 acres of land situated in the Dupuy and Roberts Survey, abstract 726 and the J. Crawley Survey, Abstract 174 City of Pearland, Brazoria County, Texas; Also being out of Lot C of Shadow Creek Parkway MarketPlace Amending Plat, Recorded in Document No. 20080901974, Brazoria County Texas.

General Location: 1000 feet north of the northeast corner of Shadow Creek Parkway and State Highway 288.

Planner II Evan DuVall read the staff report stating staff recommends postponement.

P&Z Commissioner Mary Starr made the motion to postpone, and P&Z Commissioner Daniel Tunstall seconded.

There was no discussion from the Commission/Staff.

P&Z Chairperson Henry Fuertes called for the vote.

The vote was 6-0. The Replat of Lot 'C' of the Shadow Creek Marketplace was postponed.

## **DISCUSSION ITEMS**

1. Commissioners Activity Report – there was no discussion.
2. Cultural Arts Planning Committee – Director of Community Development Lata Krishnarao presented the proposal for the City of Pearland's first Cultural Arts Plan, eventually having a performing Arts Center.
3. Texas APA Conference, Fort Worth, Texas, October 3-6, 2012 – City Planner Harold Ellis reiterated the importance of the Commission attending the conference.
4. P&Z Annual Training, August 6, 2012,
5. Next P&Z Regular Meeting, August 6, 2012, and a joint workshop regarding the Unified Development Code

## **ADJOURNMENT**

P&Z Chairperson Henry Fuertes adjourned the P&Z Regular Meeting at 7:28 p.m.

These minutes are respectfully submitted by:

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Judy Brown, Planning Office Coordinator

Minutes approved as submitted and/or corrected on this 6th day of August 2012, A.D.

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Henry Fuertes, P&Z Chairperson

# **OLD BUSINESS**

**P&Z AGENDA  
ITEM**

**A**



City of Pearland

## P&Z AGENDA REQUEST

TO: Planning & Zoning Commission  
REQUESTOR: Ian Clowes  
DATE: 08/01/2012  
AGENDA ITEM SUBJECT: Replat of lot 'C' of the Shadow Creek Market Place

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**Old Business**     New Business     Discussion Item     Workshop

**Summary:** The Replat of lot 'C' of the Shadow Creek Market Place has been formally withdrawn by the applicant.

**Staff Recommendation: No Action.**



Fw: Shadow Creek Marketplace Partial Replat  
Ian Clowes  
to:  
Harold Ellis  
08/03/2012 04:38 PM  
Cc:  
Judy Brown  
Show Details

Ian Clowes  
Planner II  
City of Pearland  
281.652.1709



----- Forwarded by Ian Clowes/COP on 08/03/2012 04:38 PM -----

From: Rene Rodriguez <rerodriguez@ljaengineering.com>  
To: "IClowes@ci.pearland.tx.us" <IClowes@ci.pearland.tx.us>,  
Cc: Amanda Barbier <abarbier@ljaengineering.com>  
Date: 07/31/2012 10:00 AM  
Subject: RE: Shadow Creek Marketplace Partial Replat

Ian,

We would like to withdraw the plat as per our client's request. Let me know if you have any questions or require additional information.

Thanks

**E. RENE RODRIGUEZ**  
**PLATTING COORDINATOR**  
**LJA Engineering, Inc.**  
2929 Briarpark Drive, Suite 600  
Houston, Texas 77042  
P: 713.953.5228  
C: 281.543.4877  
F: 713.953.5026  
E-mail: [rerodriguez@ljaengineering.com](mailto:rerodriguez@ljaengineering.com)

**From:** #F0rz hvC fIshduwlgq1w{ 1xv#^ } p dbr=#F0rz hvC fIshduwlgq1w{ 1xv#  
**Sent:** #P rggd| #Mx| #63/#5345#14=75#DP  
**To:** #Jhqh#Urgulj xh}  
**Subject:** #/kdgrz #Fuhh#P dunhswdfh#Sduwld#Uhsow

Hey Rene,

Do you happen to know where we stand on the Partial Re-plat of Lot 'C' of Shadow Creek Marketplace? My understanding last time I met with Evan on this was that the owner did not want to have to re-plat the parent parcel so would most likely be pulling the plat. That's fine but we need to know that prior to next Monday's meeting of the Planning and Zoning Commission. Let me know if you have any questions. Thanks.

Ian Clowes  
Planner II  
City of Pearland  
281.652.1709



# **NEW BUSINESS**

**P&Z AGENDA  
ITEM**

**A**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Harold Ellis, City Planner  
**DATE:** August 3, 2012  
**AGENDA ITEM SUBJECT:** 6 Month Zone Change and CUP Update

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Old Business     New Business     **Discussion Item**     Workshop

1. **Summary:** See attached spreadsheet.

2. **Staff Recommendation:** Provide feedback and questions to Staff.

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 to August 2012**

a

**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
2012-04Z	Musgrave-Grohman Ventures/ Brandon Lee Investments/Alan Mueller	East and West Sides of Pearland Pkwy, North of Barry Rose - Stonebridge Planned Development	4/16/2012	4/16/2012	Approval	PD	PD	Approved
2012-05Z	JDI Ventures, Daniel Frayne	322 Riley Rd	8/20/2012	8/20/2012	Pending	SP1	M-1	Pending
2012-06Z	South Park Funeral Home	1310 N. Main	8/20/2012	8/20/2012	Pending	M-1	GC	Pending
2012-07Z	Beltway 23, Ltd, Kerry Gilbert & Assoc.	SE Corner Broadway/Kingsley	8/20/2012	8/20/2012	Pending	SD	GB	Pending
<b>CUP's</b>								
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 2012-02	Lee Mehta/Terri Lera	Expansion of existing Auto Sales/Dealer	5719 Broadway	4/16/2012	4/16/2012	Approved	GC	Approved
CUP 2012-03	Narsh Inc.	Auto Repair (Major) - Maaco Auto Body and Paint	1011 N. Main	6/18/2012	6/18/2012	Approved	GC	Approved

2012 TEXAS APA CONFERENCE

THE NEW FRONTIER

APA  
TX  
FORT WORTH

APA TEXAS CHAPTER  
CONFERENCE

FORT WORTH  
OCTOBER 3-6, 2012

### New Conference Website

In conjunction with the new APA-Texas Chapter website ([www.txplanning.org](http://www.txplanning.org)), the conference committee has launched a new conference website that will continually be updated with important conference information. Visit [www.txplanningconference.org](http://www.txplanningconference.org) to learn more about the upcoming conference.

### Book Your Rooms Now

The Conference will be held at the **Worthington Renaissance Hotel** in Sundance Square located in Downtown Fort Worth. The Worthington will be the official lodging hotel of the conference and offers an amazing \$165/night rate for attendees. Attendees are encouraged to book your rooms now by calling 817-870-1000. Be sure to let them know you are with the Texas Planning Association to receive the discounted rate.

### Registration

Conference registration will begin this summer!

### Sponsors and Exhibitors

Are you or your organization interested in becoming a sponsor or exhibitor for the conference? Visit the conference website at [www.txplanningconference.org/sponsors-exhibitors](http://www.txplanningconference.org/sponsors-exhibitors) to complete the sponsorship or exhibitor forms.

### Texas Chapter Planning Awards

Texas Chapter Award entry rules and applications are posted on the conference website at [www.txplanningconference.org/awards](http://www.txplanningconference.org/awards). Award entries are due on July 31, 2012, and awards will be presented at the awards ceremony at the Friday luncheon.

### Conference Topics

The 2012 Texas Chapter Conference – **The New Frontier** - will offer a variety of workshops with presenters who will expand your understanding of planning in Texas “Then and Now” and how this impacts your community. Conference topics include neighborhood planning, redevelopment/revitalization planning, economic development, transportation, comprehensive planning, small town planning, law, and ethics. A preliminary schedule of sessions will be released this summer.



## Keynote/Preliminary Session Speakers

- Keynote: **Mitch Silver**, AICP – President of the American Planning Association
- **Betsy Price** – Mayor of Fort Worth

## Mobile Workshops

The Texas Chapter Conference will host a number of mobile workshops. The preliminary workshops include:

- Entertainment Districts - Arlington Entertainment District Tour
- Bicycle and Pedestrian Planning - Downtown/West 7th Street/Magnolia Avenue
- Revitalization and Preservation Tour - Southside/Fairmount Historical Districts
- Campus Planning - Tarrant County College Downtown Fort Worth Campus
- Self-Guided Tours for Downtown Fort Worth and the Museum District

## Conference Social Events

Network with fellow planners at these planned social events during the conference:

## Wednesday Opening Reception -

### Worthington Renaissance Rooftop Terrace

Make sure you arrive early to join us for the opening reception at the Worthington Renaissance Hotel's rooftop terrace. The outdoor rooftop terrace provides beautiful views of downtown Fort Worth and the historic Tarrant County Courthouse.

## Thursday Reception – Fort Worth Zoo

The Thursday night premier reception will be held at the Fort Worth Zoo. We'll take a ride on the Yellow Rose Express Train to the Bluebonnet Cafe and Texas Town for heavy hors d'oeuvres and live music from **Trey and the Tritones**, Fort Worth's "Best Party Band" of 2010. Other attractions include the Country Carousel, the Lone Star Mining Company Movie House, the Wild West Shooting Gallery, and the Wild Wonders show which provides an up-close experience with several zoo animals.

## Friday Reception – Rahr Brewery

Don't leave the conference early because you'll miss a great event on Friday night! The Friday night reception will be held at the Rahr and Sons Brewing Company, Fort Worth's local brewing company. We will have live music from **Fish Fry Bingo** and great street vendor food from **The Grill Kings**. It's a great way to end the 2012 conference. And make sure you pack your favorite college apparel as this reception will have a college-tailgate theme! We hope to see everyone in their college colors... especially the state planning universities.

## Saturday Kayak Trip

The APA-Texas Chapter will be hosting a kayak trip down the Trinity River on Saturday morning, October 6, 2012. Make plans to stay thru Saturday for this fun and exciting paddle down the Trinity River to downtown.



Is this your first time hearing about the conference? Then you're missing out on our updates!

"Like" the conference Facebook page to receive the latest updates on the conference.

[www.facebook.com/2012txapconference](http://www.facebook.com/2012txapconference)

**ADJOURN  
MEETING**