

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING WITH THE CITY COUNCIL, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, JULY 11, 1994, AT 7:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

The meeting was called to order with the following present:

|  |                 |
|--|-----------------|
| Chairman   | Emil Beltz      |
| Vice Chairman  | Pat Lopez       |
| Commissioner   | Robert Larsen   |
| Commissioner   | Marshall Eggers |
| Commissioner   | Kevin Cole      |
| Division Director -<br>Planning, Public Works<br>and Parks | Richard Burdine |
| City Engineer  | John Hargrove   |
| Secretary to the<br>Commission                             | Wendy Standorf  |

Commissioner Charles Philipp was absent.

**APPROVAL OF MINUTES:** Minutes of June 20, 1994

A motion to approve the minutes of the 6-20-94 meeting, was made by Vice Chairman Pat Lopez, seconded by Commissioner Robert Larsen.

**Motion Passed 5 to 0.**

**NEW BUSINESS**

**Recommendation to City Council on Specific Use Permit No. 33.** Joseph S. Abboud, Agent and Justin and Candy Brantley, Owners were present requesting a Specific Use Permit to allow construction of a 140' tall microwave tower. They stated this site was chosen on the basis of cellular telephone service area. They further stated the property would have an air conditioned building for the equipment, have a security system and photocell lights for security purposes, be fenced and be maintained, so as not to create an eye sore.

There were several neighbors present voicing their concerns for their safety in the event the tower were to fall over in a storm. Concerns were also stated about possible reduction of property values of homes in the area, continual maintenance of the grounds and possible interference with their current television & telephone reception. Some residents also fear vandalism would increase.

There was a great deal of discussion regarding the zoning around the site as well as the zone of the 50' strip along the railroad tracks.

Commissioner Robert Larsen made the motion, seconded by Vice Chairman Pat Lopez to approve the request of Joseph S. Abboud, Agent for Justin E. Brantley et ux, Owners for a Specific Use Permit in a Multi-Family District (MF) and a Commercial District (C) to allow an Unmanned Cellular Telephone Radio Equipment Shelter and 140 foot tower.

**Motion Failed With 1 "Aye", 3 "Nay" & 1 "Abstention" .**

**Recommendation to City Council on Application No. 45.** R. I. Ellis, Jr., Owner/Agent was present requesting an Amendment to the Land Use and Urban Development Ordinance from Classification Commercial District (C) to Multi-Family Dwelling District (M-F).

Mr. Ellis had a proposed site plan of Halik Road (extended east) & Old Alvin Road he shared with the Commission. He also talked about future plans for the property west of this site and fronting S.H. 35.

Chairman Emil Beltz asked if there were sufficient utilities for a project of this size.

City Engineer Hargrove stated there would have to be a sanitary sewer pump system installed, but the answer is yes we do.

Vice Chairman Pat Lopez made the motion, seconded by Commissioner Kevin Cole, to approve Application No. 45 for an Amendment to the Land Use and Urban Development Ordinance from Classification Commercial (C) District to Multi-Family Dwelling District.

**Motion Passed 5 to 0.**

**Director's Report:**

None.

**Adjourned: 9:00 p.m.**

Minutes approved as submitted and/or corrected this \_\_\_\_\_ day of \_\_\_\_\_  
A.D., 1994.

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Emil Beltz, Chairman

ATTEST:

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Wendy Standorf, Secretary to the Commission

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# City of Pearland

3519 Liberty Drive • Pearland, Texas 77581-5416  
(713) 485-2411 • Fax (713) 485-8764

June 12, 1994

Honorable Mayor and Council Members  
City Hall  
Pearland, Texas 77581

Re: RECOMMENDATION TO THE CITY COUNCIL ON APPLICATION NO. 45, REQUEST OF R.I. ELLIS, JR. OWNER/AGENT, FOR RAY CHANG AND RUSSELL KNAPP, OWNERS, FOR AN AMENDMENT TO THE LAND USE AND URBAN DEVELOPMENT ORDINANCE FROM CLASSIFICATION COMMERCIAL DISTRICT (C) TO MULTI-FAMILY DWELLING DISTRICT (MF).

Honorable Mayor and Council Members:

The Planning and Zoning Commission, at a regular meeting held on July 11, 1994, after the joint public hearing, considered the above mentioned recommendation to the City Council.

Vice Chairman Pat Lopez made the motion, seconded by Commissioner Kevin Cole, to approve Application No. 45 for an Amendment to the Land Use and Urban Development Ordinance from Classification, Commercial (C) District to Multi-Family Dwelling District on the following described property to-wit:

A 2.2602 acre tract of land out of tract 42 of the W. Zychlinsky Subdivision of Section 1, H.T. & B. R. R. Co. Survey, Abstract 233; and Lot 5 of Walcutt's Pearland Subdivision, D.M.H. Hunter Survey, Abstract 76, both in Brazoria County, Texas, owned by Ray Chang, (Old Alvin Road and Halik Road).

A 4.52 acre (plus or minus) tract of land out of tract 42 of the W. Zychlinsky Subdivision of Section 1, H.T. & B. R.R. Co. Survey, Abstract 233; being also Lot 42C of Walcott's Pearland Subdivision in Brazoria County, Texas, owned by Russell Knapp (Old Alvin Road and Halik Road).

9.05 acres, out of Lots 42 and 42E from Abstract 233, being the 9.05 acres located in Pearland, Brazoria County, Texas, owned by R. I. Ellis, Jr. (Old Alvin Road and Halik Road).

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# City of Pearland

3519 Liberty Drive • Pearland, Texas 77581-5416  
(713) 485-2411 • Fax (713) 485-8764

July 12, 1994

Honorable Mayor and Council Members  
City Hall  
Pearland, Texas 77581

Re: RECOMMENDATION TO THE CITY COUNCIL ON SPECIFIC USE NO. 33, A REQUEST OF JOSEPH S. ABBOUD, AGENT FOR JUSTIN E. BRANTLEY ET UX, OWNERS FOR A SPECIFIC USE PERMIT IN A MULTI-FAMILY DWELLING DISTRICT (MF) AND A COMMERCIAL DISTRICT (C) TO ALLOW AN UNMANNED CELLULAR TELEPHONE RADIO EQUIPMENT SHELTER AND 140 FOOT TOWER.

Honorable Mayor and Council Members:

The Planning and Zoning Commission, at a regular meeting held on July 14, 1994, after the joint public hearing, considered the above mentioned recommendation to the City Council.

Commissioner Robert Larsen made the motion, seconded by Vice Chairman Pat Lopez, to approve Specific Use No. 33 for a Specific Use Permit in a Multi-Family Dwelling District (MF) and a Commercial District (C) to allow an unmanned cellular telephone radio equipment shelter and 140 foot tower on the following described property to-wit:

Being a tract of land containing 4306 square feet (0.0988 acres) situated in the H.T. & B. R.R. Co. Survey, A-232 in Brazoria County, Texas, and also being out of a tract of land comprised of Lots 31 through 40 of Block 2 of the Townsite of Pearland, a plat recorded in Volume 29, Page 41 of the Deed Records of Brazoria County, Texas, as conveyed unto Justin E. Brantley, et ux by deed recorded under County Clerk's File No. 921025851 of the Official Records of Brazoria County, Texas and also being out of a 50 X 482 foot tract of land as conveyed unto Justin E. Brantley, et ux by deeds recorded under County Clerk's File No. 93015589 and 93006689 of the Official Records of Brazoria County, Texas (2208 N. Texas Avenue).