

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, JANUARY 23, 1995 AT 7:00 P.M., IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING 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	Kevin Cole
Commissioner	Charles Philipp
Commissioner	Peggy Mayfield-Royer
Division Director - Planning, Public Works and Parks	Richard Burdine
City Engineer	John Hargrove
Secretary to the Commission	Wendy Standorf

Commissioner Marshall Eggers was absent.

The meeting was held in the second floor lobby area because of the number of citizens present. The second floor conference room was not large enough to accommodate the people.

APPROVAL OF MINUTES: Minutes of January 16, 1995

A motion to approve the minutes of the 1-16-95 meeting, was made by Vice Chairman Pat Lopez, seconded by Commissioner Peggy Mayfield-Royer.

Motion Passed 6 to 0.

NEW BUSINESS

Application No. 50. Al Lentz of Lentz Engineering and Mitch Mitchell of Greenwood Development, Inc. were present requesting the zone change of 2300 Dixie Farm Road from General

Business (GB) to GB-PUD (GB-PUD) and Single Family Dwelling District - Planned Unit Development (R3-PUD).

A number of residents from the McGinnis Homeowners Association were present voicing their concerns about the flood potential if the additional homes are built, the traffic problems additional driveways from Dixie Farm Road into the project will cause, and possible devaluation of their homes. Among those that spoke to the Commission were: Johnny, resident at 2608 Gunpowder; Dan Moore, resident at 2405 Creekridge; Joyce, resident at 1605 Willits; Diane Goode, resident at 2607 Tarrytown; and Evelyn Hand, resident at 1703 Willits.

Vice Chairman Pat Lopez made the motion, seconded by Commissioner Charles Philipp to recommend to the City Council the denial of Application No. 50.

Motion Passed 6 to 0.

Application No. 51. Daniel Guillen, agent, was present requesting the zone change from Light Industrial (M-1) to General Business (GB) on Lots 11-14 & 17-18, Block 2, Lots 1-8 & 11-18, Block 3, Lots 1-5 Block 4, and lots 1 & 4, Block 1 of Airport Sites Subdivision (Area of First, Second & Third Streets bounded by State Highway 35 & Santa Fe Railroad)..

The request for the zone change was to allow homeowners the opportunity to rebuild should 51% or more of their existing residence be destroyed, and to allow the vacant property owners the opportunity to build homes on their property. The current Light Industrial zone doesn't allow this in either case.

Opposition came from business owners in the area. Mr. Koza was concerned about the safety of the children with industrial type businesses around. John Rodriguez was concerned that the home owners may get a petition against his business since it is a fiberglass and paint shop, and fumes from the paint and resin may bother the residents. Joe Alvarez felt that the zone change encourages "spot zoning".

Commissioner Philipp stated that he felt as though the homeowners have a right to rebuild their homes should it become necessary. Commissioner Larsen expressed the opinion that the business owner's liability for safety would not change with a zone change since residents are already there.

Commissioner Robert Larsen made the motion, seconded by Commissioner Kevin Cole, to recommend to City Council approval of Application No. 51.

Motion Passed 5 to 0. (Chairman Emil Beltz abstained).

Specific Use No. 36. Daniel Guillen, agent, was present requesting a specific use permit to allow Single Family Dwelling in a General Business District (GB) on Lots 11-14 & 17-18, Block 2, Lots 1-8 & 11-18, Block 3, Lots 1-5, Block 4, and lots 1 & 4, Block 1 of Airport Sites Subdivision (Area of First, Second & Third Streets bounded by State Highway 35 & Santa Fe Railroad)..

Commissioner Robert Larsen made the motion, seconded by Commissioner Kevin Cole, to recommend to City Council approval of Specific Use. No. 36.

Motion Passed 6 to 0.

Next Meeting Date: Monday, January 30, 1995; 7:00 p.m..

Adjourned: 8:55 p.m.

Minutes approved as submitted and/or corrected this 30th day of January
A.D., 1995.

Emil Beltz
Emil Beltz, Chairman

ATTEST:
Wendy Standorf
Wendy Standorf, Secretary to the Commission

ZONING CHANGE APPLICATION

CHANGE REQUESTED:

Change in Zoning Classification

Specific Use

From: GB

For: _____

To : GB-PUD & R3-PUD

Change in Regulations in
Section _____

PROPERTY IDENTIFICATION:

Street or Road Address: 2300 Dixie Farm Road

Part of Reserve A & B, Greenwoods &

02500-0000-000-64002

Lot 64&65, Block _____, Addition George W. Jenkins

Tax I.D.#

02070-0000-000-01000

02070-0000-000-02000

LEGAL DESCRIPTION:

Unplatted Land: (Must have survey & metes and bounds description) _____

PROPOSED USE OF LAND WITHIN REQUESTED DESIGNATION:

General Business and Garden Homes

RECORD OWNER: Greenwoods Developments, Inc.

OWNER'S MAILING ADDRESS & PHONE NO.: P.O. Box 72

Friendswood, Texas 77546

482-4100

AGENT'S NAME:

NO.

AGENT'S MAILING ADDRESS:

PETITION: As OWNER/AGENT, I hereby petition the City for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City of Pearland.

SIGNATURE: _____

OWNER

SIGNATURE: _____

AGENT

FEE: \$ 250.00

DATE PAID: 12-21-94

RECEIVED BY: Wendy S.

DATE FILED: _____

APPLICATION NO. _____

LENTZ ENGINEERING

CONSULTING CIVIL ENGINEERS AND PLANNERS

**PROPOSED GB PUD
FIELD NOTES
FOR A
7.2220 ACRE TRACT
W.D.C. HALL LEAGUE
A-70
BRAZORIA, TEXAS**

A PARCEL OF LAND CONTAINING 7.2220 ACRES (314,591 SQUARE FEET) MORE OR LESS OUT OF THAT CERTAIN TRACT CONVEYED BY W.R. AREDALE, JR. AND TEXAS COMMERCE BANK NATIONAL ASSOCIATION, INDEPENDENT CO-EXECUTORS AND CO-TRUSTEES UNDER THE WILL AND OF THE ESTATE OF R.D. MCDONALD, JR., DECEASED, TO SOUTH CORRIDOR ONE, LTD., ACCORDING TO THE DEED RECORDED UNDER COUNTY CLERK'S FILE NO. D429357, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, SAID 12.6350 ACRE TRACT BEING OUT OF LOTS 64 AND 65, GEORGE W. JENKINS SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 79, PAGE 618, DEED RECORDS, BRAZORIA COUNTY, TEXAS AND RESTRICTED RESERVES 'A' AND 'B', GREENWOOD, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 19, PAGES 233-234, PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING IN THE W.D.C. HALL LEAGUE, ABSTRACT NO. 70, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 5/8 INCH IRON ROD FROM WHICH A FOUND 1-1/2 INCH IRON PIPE BEARS S 76° 29' 18" E, 7.51 FEET, ON THE NORTHEASTERLY CORNER OF THE SAID LOT 65, SAID SET IRON ROD BEING ON THE NORTHWESTERLY CORNER OF LOT 63, OF THE SAID GEORGE W. JENKINS SUBDIVISION, ON THE SOUTHERLY LINE OF THAT CERTAIN TRACT CONVEYED BY FARM AND HOME SAVINGS ASSOCIATION TO HARRIS COUNTY FLOOD CONTROL DISTRICT BY DEED RECORDED UNDER COUNTY CLERKS FILE NO. J237306, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, AND ON THE WESTERLY LINE OF THAT CERTAIN TRACT CONVEYED BY CLEAR CREEK PROPERTIES TO THE COUNTY OF HARRIS BY DEED RECORDED UNDER COUNTY CLERKS FILE NO. J622451, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS AND ON THE SOUTHERLY LINE OF A 30 FOOT ROADWAY;

THENCE, S 44° 46' 27" E, ALONG THE EASTERLY LINE OF THE SAID LOT 65 AND THE WESTERLY LINE OF THE SAID LOT 63 A DISTANCE OF 684.53 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 10° 55' 00" W, A DISTANCE OF 246.46 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 59° 34' 27" W, A DISTANCE OF 116.69 FEET TO A SET 5/8 INCH IRON ROD BEING THE **POINT OF BEGINNING**;

THENCE, S 03° 14' 39" W, A DISTANCE OF 48.06 FEET TO A SET 5/8 INCH IRON ROD IN THE NORTHERLY LINE OF DIXIE FARM ROAD (120 FEET WIDE) AS CONVEYED BY SOUTH CORRIDOR ONE, LTD., TO THE CITY OF PEARLAND BY DEED RECORDED IN VOLUME 1324, PAGE 710, DEED RECORDS, BRAZORIA COUNTY, TEXAS;

THENCE, S 59° 34' 27" W, ALONG THE NORTHERLY LINE OF THE SAID DIXIE FARM ROAD A DISTANCE OF 98.50 FEET TO A FOUND 5/8 INCH IRON ROD ON THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE, ALONG THE NORTHERLY LINE OF THE SAID DIXIE FARM ROAD AND THE ARC OF THE SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1849.86 FEET THROUGH A CENTRAL ANGLE OF 19° 40' 08", A DISTANCE OF 635.03 FEET TO A FOUND 5/8 INCH IRON ROD ON THE BEGINNING OF A CURVE TO THE LEFT, SAID CURVE TO THE RIGHT HAVING A CHORD WHICH BEARS S 69° 24' 21" W, 631.92 FEET IN LENGTH;

THENCE, S 79° 14' 27" W, ALONG THE NORTHERLY LINE OF THE SAID DIXIE FARM ROAD A DISTANCE OF 726.98 FEET TO A FOUND 5/8 INCH IRON ROD ON THE BEGINNING OF A CURVE TO THE LEFT;

THENCE, ALONG THE NORTHERLY LINE OF THE SAID DIXIE FARM ROAD AND THE SAID CURVE TO THE LEFT HAVING A RADIUS OF 1538.07 FEET THROUGH A CENTRAL ANGLE OF 07° 54' 41", A DISTANCE OF 212.38 FEET TO A FOUND 5/8 INCH IRON ROD ON THE BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE TO THE LEFT HAVING A CHORD WHICH BEARS S 75° 09' 50" W, 212.21 FEET IN LENGTH;

THENCE, ALONG THE ARC OF THE SAID CURVE TO THE LEFT HAVING A RADIUS OF 30.00 FEET THROUGH A CENTRAL ANGLE OF 153° 47' 58" A DISTANCE OF 80.57 FEET TO A FOUND 5/8 INCH IRON ROD ON THE EASTERLY LINE OF OLD DIXIE FARM ROAD (70 FEET WIDE), SAID CURVE HAVING A CHORD WHICH BEARS N 31° 53' 32" W, 58.47 FEET IN LENGTH;

THENCE, N 45° 00' 27" E, ALONG THE EASTERLY LINE OF THE SAID OLD DIXIE FARM ROAD, A DISTANCE OF 127.06 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, N 44° 59' 32" W, A DISTANCE OF 35.00 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, N, 45° 00' 27" E, A DISTANCE OF 462.28 FEET TO A POINT IN THE CENTERLINE OF CLEAR CREEK;

THENCE, ALONG THE CENTERLINE OF THE SAID CLEAR CREEK THE FOLLOWING COURSES AND DISTANCES;

S 32° 33' 05" E, A DISTANCE OF 45.84 FEET TO A POINT;

S 52° 39' 43" E, A DISTANCE OF 56.98 FEET TO A POINT;

N 89° 16' 20" E, A DISTANCE OF 58.58 FEET TO A POINT;

N 61° 19' 16" E, A DISTANCE OF 104.77 FEET TO A POINT;

N 39° 14' 01" E, A DISTANCE OF 93.62 FEET TO A POINT;

THENCE, S 56° 57' 01" E, A DISTANCE OF 90.53 FEET TO A SET 5/8 INCH IRON ROD ON THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE, ALONG THE ARC OF THE SAID CURVE TO THE RIGHT HAVING A RADIUS OF 123.88 FEET THROUGH A CENTRAL ANGLE OF 54° 11' 08" A DISTANCE OF 117.16 FEET TO A SET 5/8 INCH IRON ROD ON THE BEGINNING OF A CURVE TO THE LEFT, SAID CURVE TO THE RIGHT HAVING A CHORD WHICH BEARS S 29° 51' 27" E, 112.84 FEET IN LENGTH;

THENCE, ALONG THE ARC OF THE SAID CURVE TO THE LEFT HAVING A RADIUS OF 251.18 FEET THROUGH A CENTRAL ANGLE OF 33° 48' 54" A DISTANCE OF 148.24 FEET TO A SET 5/8 INCH IRON ROD, SAID CURVE HAVING A CHORD WHICH BEARS S 19° 40' 21" E, 146.10 FEET IN LENGTH;

THENCE, N 77° 57' 46" E, A DISTANCE OF 176.83 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, N, 73° 55' 05" E, A DISTANCE OF 179.31 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, N, 66° 15' 28" E, A DISTANCE OF 172.73 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, N, 62° 29' 55" E, A DISTANCE OF 137.24 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, N, 59° 40' 03" E, A DISTANCE OF 147.82 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 30° 25' 33" E A DISTANCE OF 47.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.2220 ACRES (314,591 SQUARE FEET) OF LAND MORE OR LESS.

LENTZ ENGINEERING

CONSULTING CIVIL ENGINEERS AND PLANNERS

**PROPOSED R-3 PUD
FIELD NOTES
FOR A
12.6350 ACRE TRACT
W.D.C. HALL LEAGUE
A-70
BRAZORIA, TEXAS**

A PARCEL OF LAND CONTAINING 12.6350 ACRES (550,382 SQUARE FEET) MORE OR LESS OUT OF THAT CERTAIN TRACT CONVEYED BY W.R. ARENDALE, JR. AND TEXAS COMMERCE BANK NATIONAL ASSOCIATION, INDEPENDENT CO-EXECUTORS AND CO-TRUSTEES UNDER THE WILL AND OF THE ESTATE OF R.D. MCDONALD, JR., DECEASED, TO SOUTH CORRIDOR ONE, LTD., ACCORDING TO THE DEED RECORDED UNDER COUNTY CLERK'S FILE NO. D429357, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, SAID 12.6350 ACRE TRACT BEING OUT OF LOTS 64 AND 65, GEORGE W. JENKINS SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 79, PAGE 618, DEED RECORDS, BRAZORIA COUNTY, TEXAS AND RESTRICTED RESERVE 'A', GREENWOOD, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 19, PAGES 233-234, PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING IN THE W.D.C. HALL LEAGUE, ABSTRACT NO. 70, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 5/8 INCH IRON ROD FROM WHICH A FOUND 1-1/2 INCH IRON PIPE BEARS S 76° 29' 18" E, 7.51 FEET, ON THE NORTHEASTERLY CORNER OF THE SAID LOT 65, SAID SET IRON ROD BEING ON THE NORTHWESTERLY CORNER OF LOT 63, OF THE SAID GEORGE W. JENKINS SUBDIVISION, ON THE SOUTHERLY LINE OF THAT CERTAIN TRACT CONVEYED BY FARM AND HOME SAVINGS ASSOCIATION TO HARRIS COUNTY FLOOD CONTROL DISTRICT BY DEED RECORDED UNDER COUNTY CLERKS FILE NO. J237306, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS, AND ON THE WESTERLY LINE OF THAT CERTAIN TRACT CONVEYED BY CLEAR CREEK PROPERTIES TO THE COUNTY OF HARRIS BY DEED RECORDED UNDER COUNTY CLERKS FILE NO. J622451, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, HARRIS COUNTY, TEXAS AND ON THE SOUTHERLY LINE OF A 30 FOOT ROADWAY;

THENCE, S 44° 46' 27" E, ALONG THE EASTERLY LINE OF THE SAID LOT 65 AND THE WESTERLY LINE OF THE SAID LOT 63 A DISTANCE OF 102.54 FEET TO A POINT IN THE CENTERLINE OF CLEAR CREEK BEING THE **POINT OF BEGINNING**;

THENCE, S 44° 46' 27" E, ALONG THE EASTERLY LINE OF THE SAID LOT 65 AND THE WESTERLY LINE OF THE SAID LOT 63 A DISTANCE OF 581.99 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 10° 55' 00" W, A DISTANCE OF 246.46 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 59° 34' 27" W, A DISTANCE OF 116.69 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, N 30° 25' 33" W, A DISTANCE OF 47.00 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 59° 40' 03" W, A DISTANCE OF 147.82 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 62° 29' 55" W, A DISTANCE OF 137.24 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 66° 15' 28" W, A DISTANCE OF 172.73 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 73° 55' 05" W, A DISTANCE OF 179.31 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, S 77° 57' 46" W, A DISTANCE OF 176.83 FEET TO A SET 5/8 INCH IRON ROD;

THENCE, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 251.18 FEET THROUGH A CENTRAL ANGLE OF 33° 48' 54" A DISTANCE OF 148.24 FEET TO A SET 5/8 INCH IRON ROD ON THE BEGINNING OF A CURVE TO THE LEFT, SAID CURVE TO THE RIGHT HAVING A CHORD WHICH BEARS N 19° 40' 21" W, 146.10 FEET;

THENCE, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 123.88 FEET THROUGH A CENTRAL ANGLE OF 54° 11' 08" A DISTANCE OF 117.16 FEET TO A SET 5/8 INCH IRON ROD, SAID CURVE HAVING A CHORD WHICH BEARS N 29° 51' 27" W, 112.84 FEET IN LENGTH;

THENCE, N 56° 57' 01" W, A DISTANCE OF 90.53 FEET TO A POINT IN THE CENTERLINE OF THE SAID CLEAR CREEK;

THENCE, ALONG THE CENTERLINE OF THE SAID CLEAR CREEK THE FOLLOWING COURSES AND DISTANCES;

N 39° 14' 01" E, A DISTANCE OF 173.88 FEET TO A POINT;

N 47° 51' 01" E, A DISTANCE OF 91.33 FEET TO A POINT;

N 58° 23' 03" E, A DISTANCE OF 369.82 FEET TO A POINT;

N 39° 14' 28" E, A DISTANCE OF 114.90 FEET TO A POINT;

N 32° 27' 25" E, A DISTANCE OF 242.56 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 12.6350 ACRES (550,382 SQUARE FEET) OF LAND MORE OR LESS.

ZONING CHANGE APPLICATION

CHANGE REQUESTED:

Change in Zoning Classification

Specific Use

From: GB

For: _____

To : GB-PUD & R3-PUD

Change in Regulations in Section _____

RECEIVED
DEC 21 1994

CITY OF PEARLAND
CITY SECRETARY'S OFFICE

PROPERTY IDENTIFICATION:

Street or Road Address: 2300 Dixie Farm Road

Part of Reserve A & B, Greenwoods &

Lot 64 & 65, Block _____, Addition George W. Jenkins Tax I.D.# 02500-0000-000-64002

02500-0000-000-64002

02070-0000-000-01000

02070-0000-000-02000

LEGAL DESCRIPTION:

Unplatted Land: (Must have survey & metes and bounds description) _____

PROPOSED USE OF LAND WITHIN REQUESTED DESIGNATION:

General Business and Garden Homes

RECORD OWNER: Greenwoods Developments, Inc.

OWNER'S MAILING ADDRESS & PHONE NO.: P.O. Box 72

Friendswood, Texas 77546 482-4100

AGENT'S NAME: _____ NO. _____

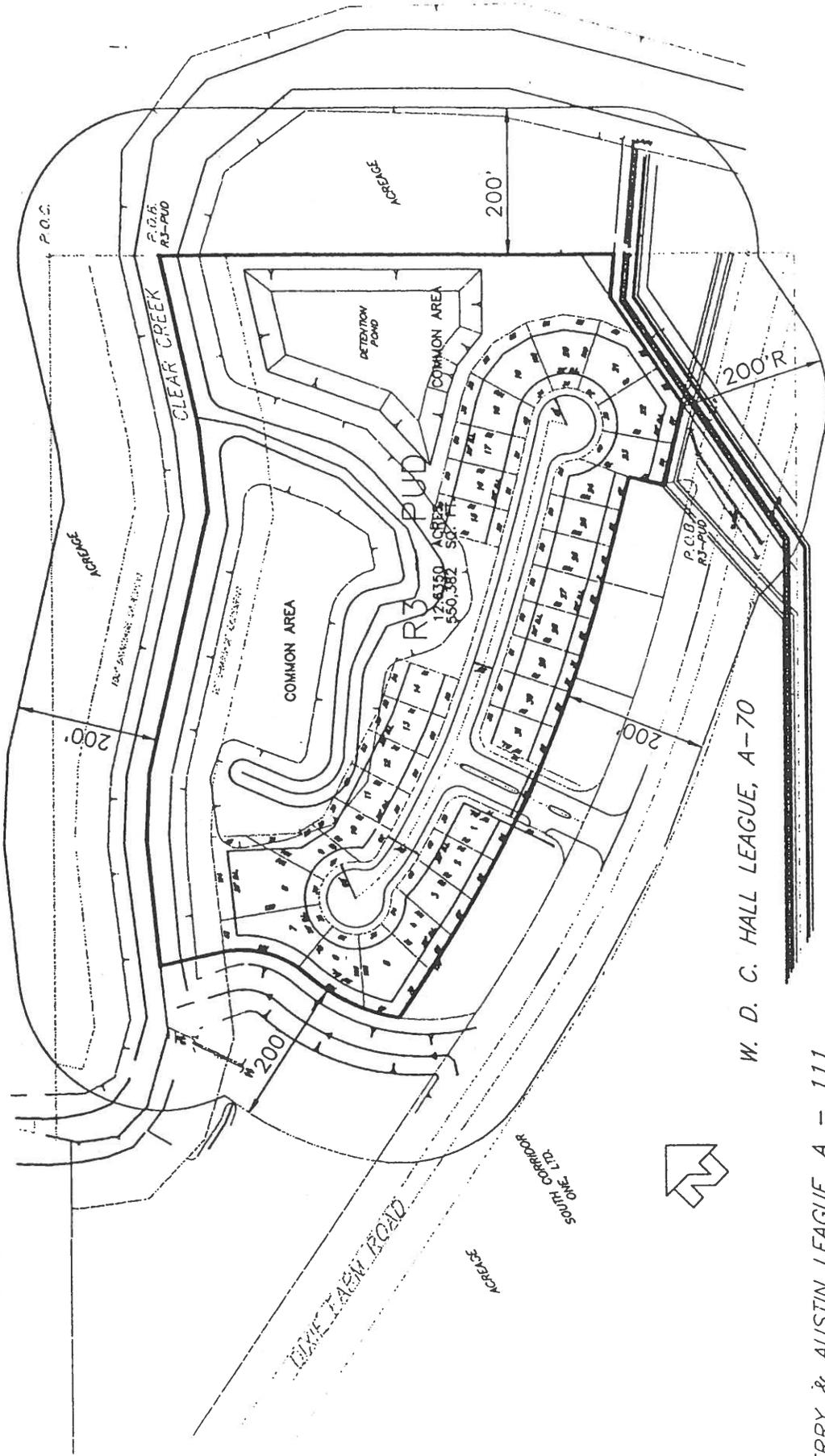
AGENT'S MAILING ADDRESS: _____

PETITION: As OWNER/AGENT, I hereby petition the City for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City of Pearland.

SIGNATURE: [Signature] President SIGNATURE: _____
OWNER AGENT

FEE: \$ 250.00 DATE PAID: 12-21-94 RECEIVED BY: Wendy S.

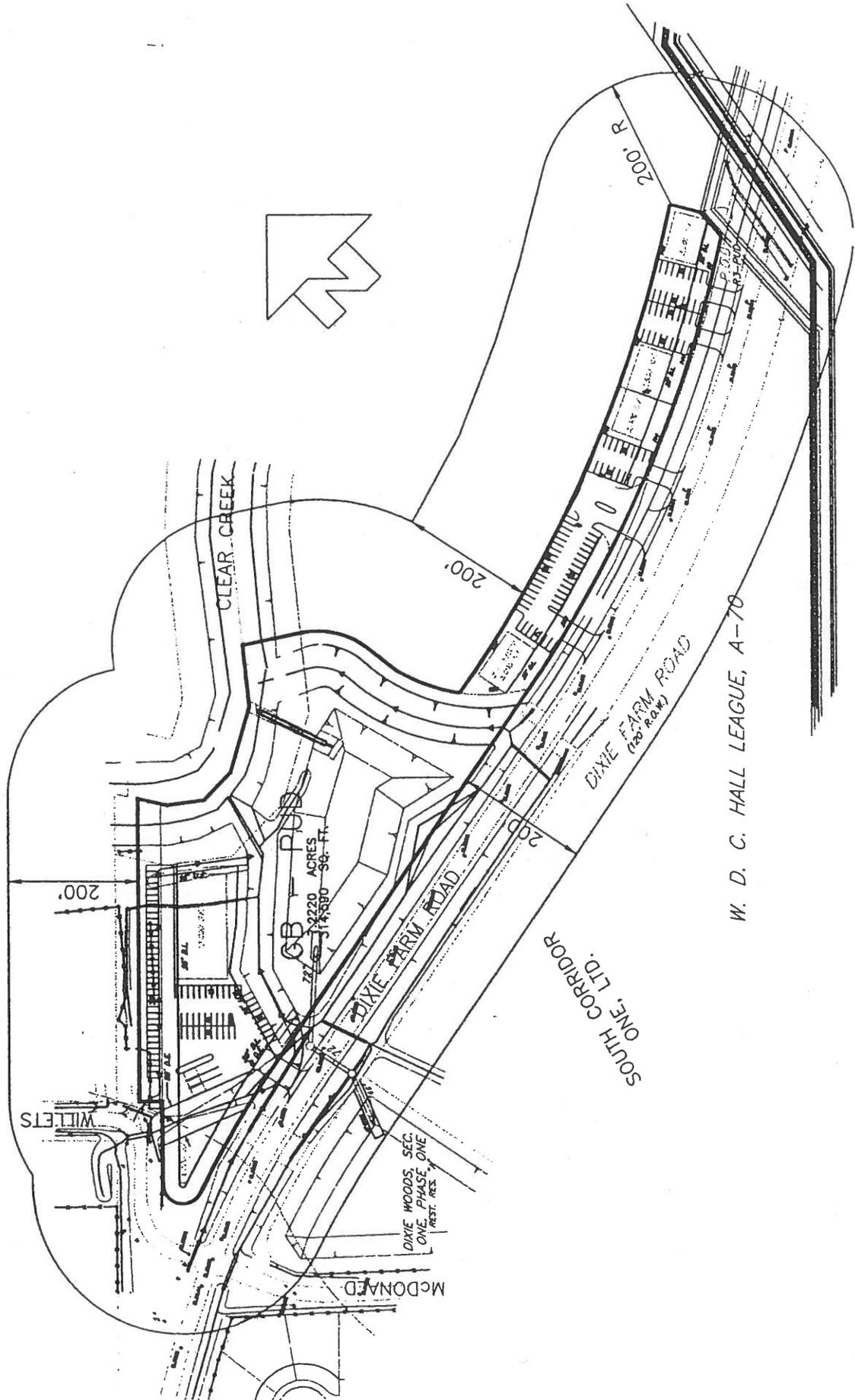
DATE FILED: 12-21-94 APPLICATION NO. 50



W. D. C. HALL LEAGUE, A-70

LONGWOOD PARK SECTION 1

PERRY & AUSTIN LEAGUE, A - 111



McGinnis Homeowners Association

Dear Homeowner:

Members of our association met Tuesday evening, January 17th. Those present voted unanimously to oppose the zoning change request of the developer of the land between Dixie Farm Road and our subdivision. The developer is proposing to build 31 patio homes and 5 office buildings with required parking spaces on that strip of land. To facilitate this, the zoning must be changed from GB(general business) to GB-PUD(general business-planned unit development) and R-3-PUD(residential with small lots-planned unit development).

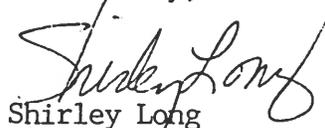
The Association members at the meeting oppose the zoning change for several reasons. Some of these reasons are:

1. Flooding will be caused for us and the future owners of the new patio homes.
2. Flooding will be caused covering and incapacitating Dixie Farm Road.
3. Will building in what was previously designated as a floodway cause Pearland to lose the privilege of participating in the federal flood insurance program?
4. Six entrances to the new development are planned onto Dixie Farm Road thus creating further traffic hazards.
5. The zoning plan for the city is a covenant between the city and property owners and was agreed to as an overall plan. Making changes violates that overall plan and that covenant. Trade-offs and compromises were made when that plan was developed and accepted.

Members of the Association will address Council and Planning and Zoning on these and other points at the hearing on January 23rd. We invite and encourage you to call your city councilmen regarding this. It is incumbent on us to let our representatives know how we feel by speaking to and before them and by attending the hearing. PLEASE COME TO THE HEARING.

We are also sending this letter to the homeowners in Longwood and Sleepy Hollow subdivisions as we feel their properties will also be impacted if this change is granted. We invite and encourage those homeowners to be present at the hearing also to let their voices be heard.

Yours truly,


Shirley Long
President

JOINT HEARING OF CITY COUNCIL AND PLANNING AND ZONING COMMISSION
January 23, 1995 6:30 PM
City Hall 3519 Liberty Dr.
Pearland, TX

RECEIVED Wendy 1/23/95

WEST DEVELOPMENT CO., INC.

2510 Westminister
Pearland, Texas 77581

Date: January 24, 1995

To: Planning and Zoning Commission, City of Pearland

Emo Beltz Pat Lopez Robert Larsen
Kevin Cole Marshall Eggers Charles Philipp
Peggy Mayfield-Royer

From: Renee' West, Developer and Resident

Subject: Request to Re-zone 7.222 acre tract and 12.635 acre tract
W.D.C. Hall League, A-70 (2300 Dixie Farm Rd.)

On January 23, 1995 I attended the Joint Public Hearing of the City Council and Planning and Zoning Commission of the City of Pearland. My intentions were to impartially observe the process of re-zoning. However, I concluded that development would in fact help and be an improvement in all the areas of concern brought forward by the people who spoke against the project. The particular areas of concern were:

- 1) Flooding - David Smith has spent alot of time in meetings with Brazoria County Flood Control, Harris County Flood Control, and the Brazoria County Drainage District. All the powers mentioned above know why it floods, it has nothing to do with new Development. (We won't mention that the New Beltway dumps millions of cubic feet of water into Clear Creek.)

The above entities also know that all the money spent by Developers for retention on each new development site will improve the problem. We, as developers, are more aware than ever of how Clear Creek or Mary's Creek overflows into our retention ponds before the water from our own development gets there. In fact, when it rains on the west side of town, I get water in my retention pond.

As the people in the area definitely have a flood problem and don't seem to have the time to get involved with the Flood Control, Drainage Districts, or Engineers, it's hard for them to know where to place the blame. If you make your decision to re-zone, you may want to advise the residents that believe they are affected by flooding attributed to this project to form a commission and elect a person who can attend the Flood Control meetings and talk to the engineers. They should know some facts so that they aren't working against themselves.



- 2) G.B. to G.B. P.U.D.:
There were alot of concerns against this - they don't want muffler shops, Jiffy Lubes, noise, etc. That is why they should be for and not against this re-zoning. The Developers are restricting it to office use, that way everyone is protected from noisy businesses or eyesores. If it stands as it is now and is not zoned P.U.D., they will get what they do not want. The entrances are the same either way. I don't think they understood what was being requested.

- 3) The quality of the Neighborhood and Crime:
With \$150,000 to \$200,000 patio homes, it will only improve the quality. Of course, the only crime will come from outside the neighborhood.

- 4) Trees:
You can't expect people to keep property they own as park areas. Mr. Mitchell has been very successful in going out of his way to save trees and spends alot of money on landscaping and adding trees. It would seem this develoment would be an advantage as opposed to having thick weedy undergrowth in wooded areas where crimes are committed and bodies dumped. Remember, that happened just less than 1/4 of a mile away.

In all, it just seems that the people who objected to re-zoning this property are shooting themselves in the foot because they are not aware of all the facts. Of course, this is just my opinion based on my limited knowledge.

Best of Luck!

cc: C.V. Coppinger, Mayor
D. A. Miller, Council Position #1
Richard Tetens, Council Position #2
Randy Weber, Council Position #3
Jerry Richardson, Council Position #4
David Smith, Council Position #5
Richard Burdine, City of Pearland
Paul Grohman, City Manager
Mitch Mitchell, Developer

FyI



City of Pearland

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

January 24, 1995

Honorable Mayor and Council Members
City Hall
Pearland, Texas 77581

Re: RECOMMENDATION TO THE CITY COUNCIL ON APPLICATION NO. 50, REQUEST OF GREENWOOD DEVELOPMENT, INC. OWNER FOR AN AMENDMENT TO THE LAND USE AND URBAN DEVELOPMENT ORDINANCE FROM CLASSIFICATION GENERAL BUSINESS (GB) TO GENERAL BUSINESS-PLANNED UNIT DEVELOPMENT (GB-PUD) AND SINGLE FAMILY DWELLING DISTRICT - PLANNED UNIT DEVELOPMENT (R3-PUD).

Honorable Mayor and Council Members:

The Planning and Zoning Commission, at a regular meeting held on January 23, 1995, after the joint public hearing, considered the above mentioned recommendation to the City Council.

Vice Chairman Pat Lopez made the motion, seconded by Commissioner Charles Philipp to recommend to the City Council the **denial** of Application No. 50.

Motion passed 6 to 0.

This is submitted for your consideration.

Sincerely yours,

A handwritten signature in cursive script that reads 'Emil Beltz'.

Emil Beltz, Chairman
Planning & Zoning Commission

EB/wks

ZONING CHANGE APPLICATION

607-8146

CHANGE REQUESTED: -

Change in Zoning Classification

Specific Use

From: MI

For: RECEIVED
DEC 21 1994

To: General Business

Change in Regulations in Section _____

CITY OF PEARLAND
CITY SECRETARY'S OFFICE

PROPERTY IDENTIFICATION:

Street or Road Address: See attached

Lot _____, Block _____, Addition AIRPORT SITES Tax I.D.# _____

LEGAL DESCRIPTION:

Unplatted Land: (Must have survey & metes and bounds description) _____

Lots 11-14 & 17-18 BLK 2, Lots 1-8 & 11-18 BLK 3, Lots 1-5 Blk 4, Lots 1 & 4 BLK 1

PROPOSED USE OF LAND WITHIN REQUESTED DESIGNATION:

allow a "specific use" for single family to continue

RECORD OWNER: See attached

OWNER'S MAILING ADDRESS & PHONE NO.: _____

AGENT'S NAME: Daniel Guillen NO. 489-4455

AGENT'S MAILING ADDRESS: P.O. Box 971 Pearland Tx 77588

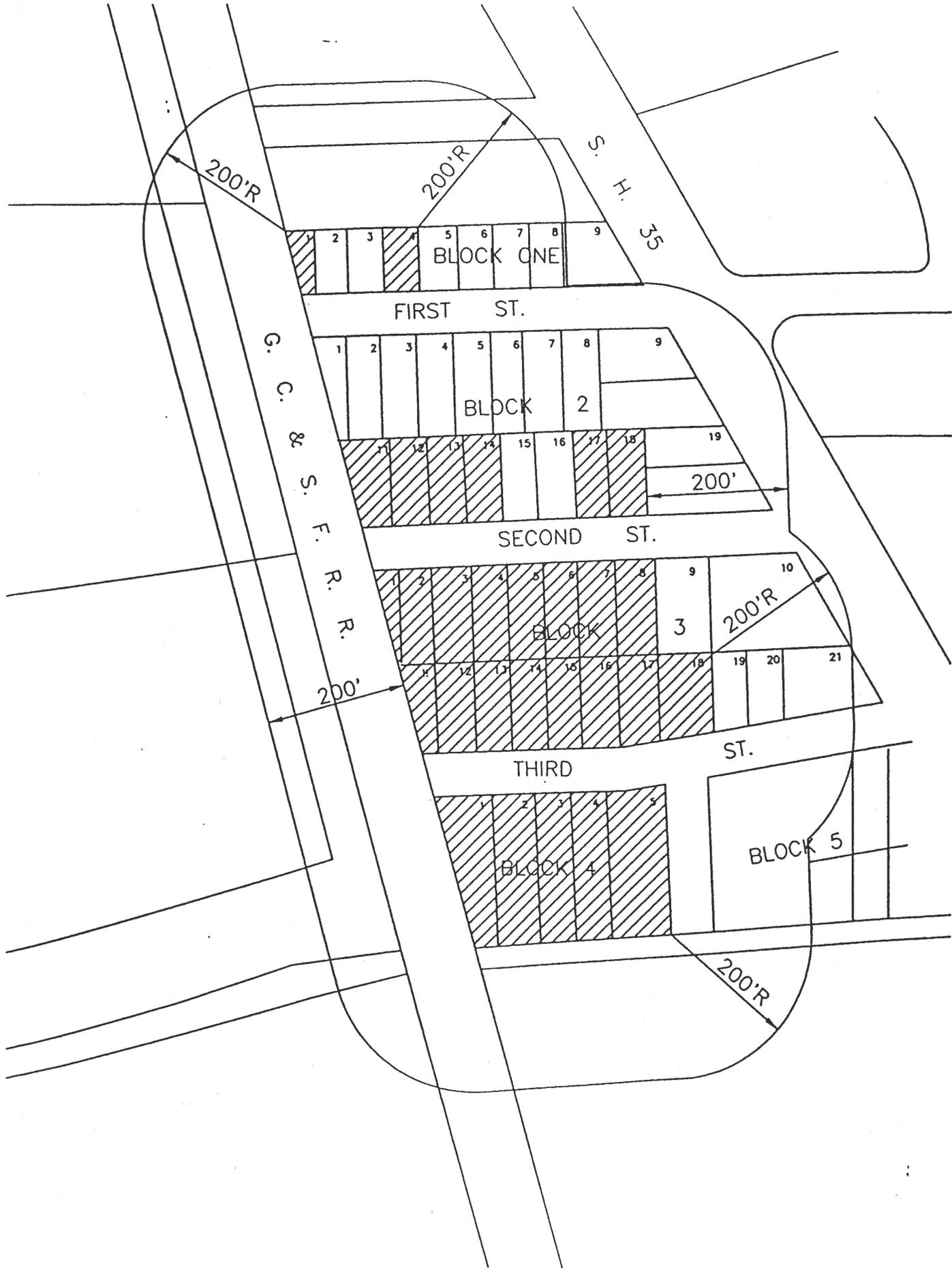
PETITION: As OWNER/AGENT, I hereby petition the City for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City of Pearland.

SIGNATURE: [Signature]
OWNER

SIGNATURE: _____
AGENT

FEE: \$ 250.00 DATE PAID: 12-21-94 RECEIVED BY: [Signature]

DATE FILED: 12/15/94 APPLICATION NO. 51





City of Pearland

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

January 24, 1995

Honorable Mayor and Council Members
City Hall
Pearland, Texas 77581

Re: RECOMMENDATION TO THE CITY COUNCIL ON APPLICATION NO. 51,
REQUEST OF DANIEL GUILLEN, AGENT, FOR AN AMENDMENT TO THE LAND
USE AND URBAN DEVELOPMENT ORDINANCE FROM CLASSIFICATION LIGHT
INDUSTRIAL (M-1) TO GENERAL BUSINESS (GB).

Honorable Mayor and Council Members:

The Planning and Zoning Commission, at a regular meeting held on January 23, 1995, after the joint public hearing, considered the above mentioned recommendation to the City Council.

Commissioner Robert Larsen made the motion, seconded by Commissioner Kevin Cole to recommend to the City Council **approval** of Application No. 51

Motion passed 5 to 0. (Chairman Emil Beltz abstained).

This is submitted for your consideration.

Sincerely yours,

Emil Beltz
Emil Beltz, Chairman
Planning & Zoning Commission

EB/wks

ZONING CHANGE APPLICATION

CHANGE REQUESTED:

Change in Zoning Classification

Specific Use

From: _____

For: Single Family Dwelling
in GB

To : _____

Change in Regulations in Section _____

PROPERTY IDENTIFICATION:

Street or Road Address: See attached

Lot _____, Block _____, Addition Airport Sites Tax I.D.# _____

LEGAL DESCRIPTION:

Unplatted Land: (Must have survey & metes and bounds description) _____

Lots 11-14 & 17-18 Blk 2, Lots 1-8 & 11-18 Blk 3,
Lots 1-5 Blk 4, Lots 1 & 4, Blk 1

PROPOSED USE OF LAND WITHIN REQUESTED DESIGNATION:

allow a Specific Use for single family to
continue

RECORD OWNER: See attached

OWNER'S MAILING ADDRESS & PHONE NO.: _____

AGENT'S NAME: DANIEL GUILLEN NO. 489-4455

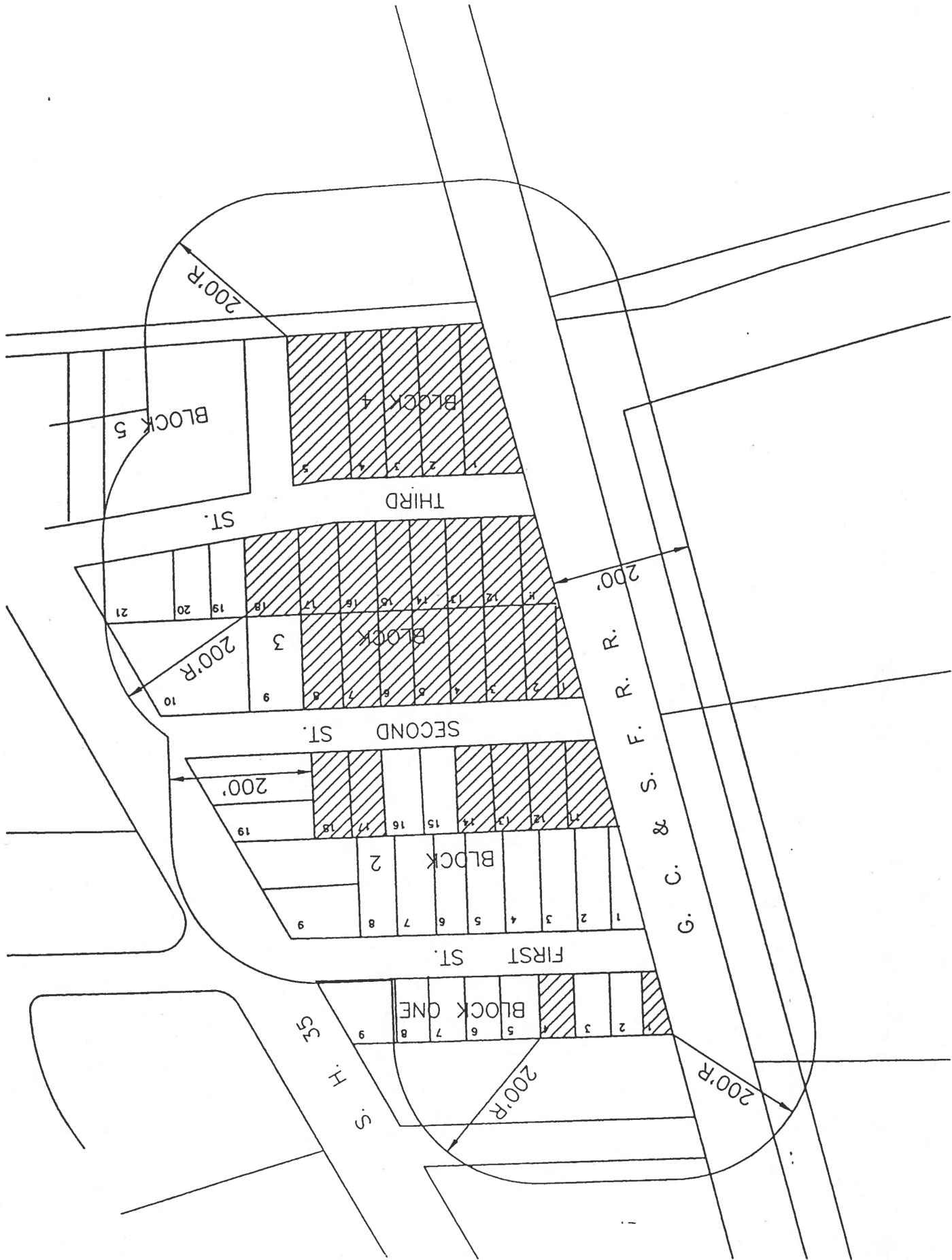
AGENT'S MAILING ADDRESS: P.O. Box 971, PEARLAND, TX 77588

PETITION: As OWNER/AGENT, I hereby petition the City for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City of Pearland.

SIGNATURE: See original app. No. 51 SIGNATURE: _____
OWNER AGENT

FEE: \$ 250.00 DATE PAID: 12-21-94 RECEIVED BY: DC

DATE FILED: 12-15-94 APPLICATION NO. 36



+yI



City of Pearland

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

January 24, 1995

Honorable Mayor and Council Members
City Hall
Pearland, Texas 77581

Re: RECOMMENDATION TO THE CITY COUNCIL ON SPECIFIC USE NO. 36, THE REQUEST OF DANIEL GUILLEN, AGENT FOR AND AMENDMENT TO THE LAND USE AND URBAN DEVELOPMENT ORDINANCE TO ALLOW SINGLE FAMILY DWELLING IN A GENERAL BUSINESS DISTRICT (GB).

Honorable Mayor and Council Members:

The Planning and Zoning Commission, at a regular meeting held on January 23, 1995, after the joint public hearing, considered the above mentioned recommendation to the City Council.

Commissioner Robert Larsen made the motion, seconded by Commissioner Kevin Cole to recommend to the City Council **approval** of Specific Use No. 36.

Motion Passed 6 to 0.

This is submitted for your consideration.

Sincerely yours,

A handwritten signature in cursive script that reads 'Emil Beltz'.

Emil Beltz, Chairman
Planning & Zoning Commission

EB/wks

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JANUARY 23 1995, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: Minutes of January 16, 1995

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 50, request of Greenwood Development, Inc. Owner for an Amendment to the Land Use and Urban Development Ordinance from Classification General Business (GB) to General Business - Planned Unit Development (GB-PUD) and Single Family Dwelling District - Planned Unit Development (R3-PUD) on the following described property to-wit:

A 7.2220 acre tract, W.D.C. Hall League, A-70, Brazoria County, Texas (Proposed GB-PUD) (2300 Dixie Farm Road).

A 12.6350 acre tract, W.D.C. Hall League, A-70, Brazoria County, Texas (Proposed R3-PUD) (2300 Dixie Farm Road).

B. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 51, request of Daniel Guillen, Agent, for an Amendment to the Land Use and Urban Development Ordinance from Classification Light Industrial (M-1) to General Business (GB) on the following described property, to-wit:

Lots 11-14 & 17-18, Block 2, Lots 1-8 & 11-18, Block 3, Lots 1-5 Block 4, and lots 1 & 4, Block 1 of Airport Sites Subdivision (Area of First, Second & Third Streets bounded by State Highway 35 & Santa Fe Railroad).

C. CONSIDERATION AND POSSIBLE ACTION - SPECIFIC USE NO. 36, request of Daniel Guillen, Agent for an Amendment of the Land Use and Urban Development Ordinance to allow Single Family Dwelling in a General Business District (GB) on the following described property, to-wit:

Lots 11-14 & 17-18, Block 2, Lots 1-8 & 11-18, Block 3, Lots 1-5, Block 4, and lots 1 & 4, Block 1 of Airport Sites Subdivision (Area of First, Second & Third Streets bounded by State Highway 35 & Santa Fe Railroad).

IV. NEXT MEETING DATE: January 30, 1995, at 7:00 p.m.

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JANUARY 23 1995, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: Minutes of January 16, 1995

III. NEW BUSINESS

- A. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 50,** request of Greenwood Development, Inc. Owner for an Amendment to the Land Use and Urban Development Ordinance from Classification General Business (GB) to General Business - Planned Unit Development (GB-PUD) and Single Family Dwelling District - Planned Unit Development (R3-PUD) on the following described property to-wit:

A 7.2220 acre tract, W.D.C. Hall League, A-70, Brazoria County, Texas (Proposed GB-PUD) (2300 Dixie Farm Road).

A 12.6350 acre tract, W.D.C. Hall League, A-70, Brazoria County, Texas (Proposed R3-PUD) (2300 Dixie Farm Road).

- B. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 51,** request of Daniel Guillen, Agent, for an Amendment to the Land Use and Urban Development Ordinance from Classification Light Industrial (M-1) to General Business (GB) on the following described property, to-wit:

Lots 11-14 & 17-18, Block 2, Lots 1-8 & 11-18, Block 3, Lots 1-5 Block 4, and lots 1 & 4, Block 1 of Airport Sites Subdivision (Area of First, Second & Third Streets bounded by State Highway 35 & Santa Fe Railroad).

- C. CONSIDERATION AND POSSIBLE ACTION - SPECIFIC USE NO. 36,** request of Daniel Guillen, Agent for an Amendment of the Land Use and Urban Development Ordinance to allow Single Family Dwelling in a General Business District (GB) on the following described property, to-wit:

Lots 11-14 & 17-18, Block 2, Lots 1-8 & 11-18, Block 3, Lots 1-5, Block 4, and lots 1 & 4, Block 1 of Airport Sites Subdivision (Area of First, Second & Third Streets bounded by State Highway 35 & Santa Fe Railroad).

IV. NEXT MEETING DATE: January 30, 1995, at 7:00 p.m.

V. ADJOURNMENT

Posted: 20th Day of January, A.D., 1995 12:10 P.M.

Removed: 24th Day of January, A.D., 1995