

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, MARCH 4, 1996, IN THE COUNCIL CHAMBERS AT CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 7:00 p.m. with the following present:

Chairman	Pat Lopez
Vice Chairman	Emil Beltz
Commissioner	Peggy Mayfield-Royer
Commissioner	Jeffery O'Brien
Commissioner	Marshall Eggers
Commissioner	Rob Larsen
Commissioner	Randy Patro
Assistant City Manager	Richard Burdine
City Engineer	John Hargrove
Secretary	Karla Canada

II. APPROVAL OF MINUTES: Minutes of February 26, 1996

A motion to approve the minutes of the February 26, 1996 meeting, was made by Commissioner Peggy Mayfield-Royer, seconded by Commissioner Jeffery O'Brien.

Motion Passed 6-1. (Commissioner Randy Patro abstained).

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - Request of Betty Gilbert, agent for Faith Community Church, 2402 E. Broadway, for a Variance from the City of Pearland Subdivision Ordinance, Section 27-4 (3)(b) - Sidewalks

Betty Gilbert, agent for Faith Community Church, was present. She indicated that there is approximately 430 feet that fronts FM 518 and the church had not budgeted money for the installation of sidewalks at this time.

The Commissioners discussed the time frame in which the church would be able to meet the sidewalk requirements. Mrs. Gilbert stated the church would be in a position to install the sidewalks in a year or two.

Chairman Pat Lopez questioned whether or not the plans submitted for construction of the church should reflect the sidewalks. Richard Burdine said the sidewalk plans could be submitted separately at the time of installation.

Commissioner Peggy Mayfield-Royer made a motion, seconded by Commissioner Jeffery O'Brien, to grant an extension of thirty-one (31) months from this date to install sidewalks; however, should construction occur on the property on FM 518 directly west of their construction site within that time frame, sidewalks will need to be installed at that time.

Motion Passed 7 to 0.

B. CONSIDERATION AND POSSIBLE ACTION - Landscape Plan for Weatherford Enterra Plant Facility Expansion; 3632 S. Main, Pearland, Texas

Bill Addison was present representing Carroll Consultants, Inc, requesting a variance from the Landscape Ordinance to reduce by 128 the number of shrubs required to screen the parking.

Peggy Mayfield-Royer made a suggestion to possibly add additional trees to the property to enhance the look. Mr. Addison indicated that the tree requirements had been met.

Discussion between the Commissioners and Mr. Addison addressed relocation of the shrubs on the property. Mr. Addison noted that additional shrubs added at the entrance driveway would enhance the entrance; however, he did not feel that he could fit all 128 shrubs in that area.

Commissioner Jeffery O'Brien made a motion, seconded by Commissioner Marshall Eggers, to accept the Landscape Plan for Weatherford Enterra Plant on the condition that additional shrubs be added on both sides of the driveway entrance to equal the same density as the shrubs being planted along the parking lot.

Motion Passed 7-0.

C. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Crystal Lake Subdivision.

Variance Requests:

- 1.) Variance requesting use of a 20 foot building line around cul-de-sac lots.

- 2.) Use of a 10 foot side building setback (2 foot fence reserve and 8 foot side lot building line) for Lot 25, Block 1, instead of the 20 foot building line required on lots that side on a major thoroughfare.

Steve Gardner, Ferro-Saylors, Inc., was present representing the developer, Crystal Lake, LTD.

John Hargrove addressed several issues regarding this plat approval. Two of those issues were that utility companies are requesting all utilities be placed in the streets as opposed to the back lot lines on lots around the lake; and the 15' drainage easement which is referenced to the water line of the lake. His concerns are stability of elevation (horizontally and vertically), slope protection, and where the 15' drainage easement would end up in years to come. He indicated that he would like to see dry utilities put in the rear lot line and wet utilities placed in the front. He also would like to see the 15' maintenance easement described geometrically.

Lengthy discussion took place between the Commission, Mr. Hargrove and Mr. Gardner regarding these issues. It was noted that there are many design changes to the preliminary plat that will be addressed during final plat approval stages.

Commissioner Marshall Eggers made a motion, seconded by Commissioner Jeffery O'Brien, to approve the preliminary plat of Crystal Lake Subdivision, along with the variance as requested.

Motion Passed 6-0.

D. CONSIDERATION AND POSSIBLE ACTION - Final Plat of Southwyck, Section Nine, Phase One.

Variance Requests:

- 1.) Variance requesting a 20 foot front building line on cul-de-sac and thumbnail lots.
- 2.) Variance requesting a 20 foot front building line on lots 7 through 15, block 1 along Clarestone Drive.
- 3.) Variance requesting a 5 foot side lot setback.

Steve Gardner, Ferro-Saylors, Inc., was present representing owner, Beazer Homes Texas, Inc.

John Hargrove noted that the 5 reserves acreage on the review prints is different from that on the Mylar of the plat. Also, he indicated that there are no signatures for lien holders. Mr. Gardner stated that there are no lienholders and he would make the correction. Mr. Hargrove also indicated that some things on the Mylar are incomplete and he noted several amendments needed. He suggested approval of the plat; however, he and the City Attorney would hold off on signing the Mylar until such amendments were made.

Commissioner Randy Patro made a motion, seconded by Commissioner Peggy Mayfield-Royer to approve the final plat of Southwyck, Section Nine, Phase One, with the corrections as required by City Engineer, along with the variance as requested.

Corrections required:

- 1.) Erasure of the lienholder information on Mylar.
- 2.) Reference numbers for adjacent Utility Easements & Properties.
- 3.) Width on Northfork Drive

E. CONSIDERATION AND POSSIBLE ACTION - Recommendation to the City Council on an Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 509, the Land Use and Urban Development Ordinance of the City of Pearland relative to sign regulations.

Richard Burdine proposed to the Commission that Section 22.11 (11) of the Land Use and Urban Development Ordinance of the City of Pearland be amended to allow on-site banners without permit, not to exceed ½ square foot for each linear foot of building frontage.

Commissioner Jeffery O'Brien suggested that the banners be limited to ¼ square foot per linear foot of frontage as opposed to ½. Mr. Burdine felt this would be a disadvantage to small business owners. Discussion ensued between Mr. Burdine and the Commission regarding a maximum square footage of banners depending on the frontage of the building. Mr. Burdine indicated that he would contact the local sign companies for their suggestions and report back at the next meeting.

IV. Next Meeting Date: Monday, March 18, 1996; 7:00 p.m.

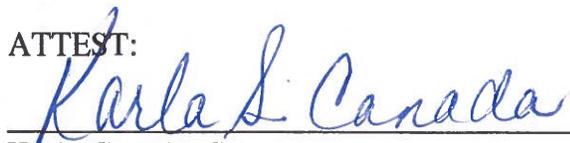
V. Adjourned: 8:22 p.m.

Minutes approved as submitted this 18 day of MARCH
A.D., 1996.



Pat Lopez, Chairman

ATTEST:



Karla Canada, Secretary

Mar. 4, 1996

MEMBERS OF THE PLANNING AND ZONING COMMISSION
(3 YEAR TERM)

L to R

✓ 4 PALCON
Pat Lopez, Chairman
3209 Dixie Farm Road
Pearland, Texas 77581

yes

for 482-2730
Term Expires: April, 1998
Home Phone: 482-1142
Office Phone: 482-4386
male cell 882-1689
wife's handheld 249-7397

✓ 5 Emil A. Beltz, Vice-Chairman
2434 Killarney
Pearland, Texas 77581

yes

Term Expires: April, 1998
Home Phone: 481-4627

✓ Jeffery O'Brien
3010 Country Club Drive
Pearland, Texas 77581

yes

Term Expires: April, 1998
Home Phone: 485-1339
Office Phone: ~~438-6281~~ (951-8149)
~~428-6281~~ (pager)
~~227-304~~

✓ 3 Peggy Mayfield-Royer
2119 N. Austin
Pearland, Texas 77588
delivers her photo: 6069 W. Broadway

yes

Term Expires: April, 1996
Home Phone: 485-3038
Office Phone: 485-9522

2 Rob Larsen
5008 Frances
Pearland, Texas 77581

yes

Term Expires: April, 1996
Home Phone: 485-1571
Office Phone: ~~282-4436~~ 212-2267
713

6 Marshall Eggers
~~3418 E. Orange~~ 2246 W. Washington
Pearland, Texas 77581

yes

Term Expires: April, 1997
Home Phone: 485-7806 also box
Office Phone: pager (anywhere in TX) 902-6481

✓ Randy Patro
2301 Peach Court
Pearland, TX 77581

yes

Term Expires: April, 1998
Home Phone: 997-2329
Office Phone: 784-4414

also: get photo
Richard Hargrove > call & get photo
Don Guyres doesn't attend, want photo
Paul Shalman doesn't attend but let
me get photo for file
know if something big
coming up. no photo
per T.J.
8-15-95

Rev. 8-11-95 city sec/poe

1. Be accepted as presented
2. reported, noted, stated
3. now complete; therefore,
4. ; however,
5. It was suggested



Building Faith
on God's Promises

FAITH COMMUNITY CHURCH
PRESBYTERIAN CHURCH IN AMERICA
P. O. BOX 2152 PEARLAND, TEXAS 77588
(713) 643-6567

BAILEY C. CADMAN, SENIOR PASTOR
JOAN LINBECK, PASTOR'S AIDE

February 12, 1996

Planning and Zoning Commission
City of Pearland

Dear Commissioners,

Faith Community Church respectfully requests your consideration of a waiver for two requirements which have been brought to our attention as we filed for a building permit for our new church building.

D&Z
First, please consider waiving the requirement for a four foot sidewalk across the front of the property next to F.M. 518. We have over four hundred feet of frontage which would be affected. At the present time there are no sidewalks on either side of F.M. 518 for over a mile in either direction, so a walk would serve no purpose at this time. Faith Community Church respectfully requests it be allowed to delay building the sidewalk until a public sidewalk abuts the church's property.

ZBA
Second, please consider waiving the requirement for an eight foot privacy fence along the east side of our property. This fence would be almost five hundred feet long and would screen the back yards of existing residences. Our plans show a twenty foot wide grassed area between the property line and paved parking at the side of the church. There is approximately one hundred twenty feet from the property line to our church building. In addition, there are many large trees on the property line. The church's plans for that side of the property include planting seedling pine trees along the parking and drive areas, which would provide a screen in future years. The church plans to maintain an attractive green area in the alley on the east side as well as all other green areas.

These two items would add at least \$9,000.00 to the cost of our building and, frankly, we do not have this extra money available at this time. We ask you to consider our tight budget situation as you make your decision.

Thank you for your consideration of these two requests. Faith Community Church looks forward to being in permanent facilities in 1996 and plans to be a vital and productive part of your growing community.

Respectfully yours,

Betty J. Gilbert

Betty J. Gilbert
Chairman, Executive Committee
Faith Community Church

- (a) The provisions of adequate building sites suitable to the special needs of the type of use contemplated.
 - (b) The requirements as to lot sizes and dimensions.
 - (c) The needs for convenient access, circulation, control and safety of street traffic.
 - (d) The limitations and opportunities of topography.
- (2) Block lengths:
- (a) The minimum block length shall be not less than three hundred (300) feet.
 - (b) The maximum block length for residential, one thousand two hundred (1,200) feet, measured along the center of the block.
 - (c) The maximum block length along a major thoroughfare, one thousand six hundred (1,600) feet, except under special conditions and upon approval by the city.
- (3) Sidewalks shall be required in all subdivisions, commercial or residential, as set forth in the following performance standards. Sidewalks shall be installed prior to the issuance of a certificate of occupancy for a building or residence constructed upon a platted lot.
- (a) On the subdivision side of all arterial streets adjacent to the subdivision; and
 - (b) The commission shall determine sidewalk locations in all commercial, industrial, public and multi-family areas; and
 - (c) On both sides of all residential streets.
 - (d) Specifications for sidewalks: Sidewalks shall be constructed in accordance with specifications established therefor by the city and on file with the planning department.



City of Pearland

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

March 19, 1996

Mr. Jack Beard
1913 Harbour Cove Drive
Seabrook, Texas 77586

Re: Minutes of March 4, 1996 Planning & Zoning Meeting

Dear Mr. Beard:

Pursuant to your request, enclosed are the minutes of the meeting of March 4, 1996 which were approved at last night's meeting.

Please let me know if I can be of further assistance.

Thank you.

Sincerely,

Karla S. Canada
Karla S. Canada



February 23, 1996

Mr. John Hargrove, P.E.
City Engineer
P.O. Box 2068
Pearland, Texas 77588-2068

Reference: Crystal Lake Ltd.
Variance Request
FSI JO 96001-01

Dear Mr. Hargrove:

On behalf of Crystal Lake Ltd., we hereby request a variance on the following items within Crystal Lake Subdivision:

1. Use of a 20 foot front building line around cul-de-sac lots
2. Use of a 10 foot side building setback (2 foot fence reserve and 8 foot side lot building line) instead of the 20 foot Building line required on streets that adjoin a major thoroughfare

Lot 25

Our request is based on the following considerations:

20 foot Building line on Cul-de-sac Lots

1. Lots that front on a cul-de-sac will have a greater distance between houses than the 100 foot (50' + 25' + 25') that occurs on the typical 50 foot right-of-way with a 25 foot building line on both sides. With a 20 foot building line, the separation between houses on a cul-de-sac will be 140 feet (100 + 20 + 20). This will eliminate the appearance of the houses being crowded.
2. The 20 foot building line outside the right-of-way provides adequate space to park a car without blocking the sidewalk.
3. Cul-de-sacs typically crowd the depth available for building a house. A 20 foot building line provides more space toward the front of the lot to fit a house and provide a back yard.

10 foot Side setback for Lot 25, Block 1 adjoining County Road 403

1. An additional 20 foot is being dedicated for the future widening of County Road 403. There will be room for future widening of the roadway plus provide the separation between the house and roadway.



Mr. John Hargrove
February 23, 1996
Page 2

2. A two (2) foot fence reserve is provided adjacent to CR 403 for installation and maintenance of the fence by the Homeowners Association. The developer will install the fence. This 2 foot reserve plus the 8 foot building line will provide a 10 foot separation.

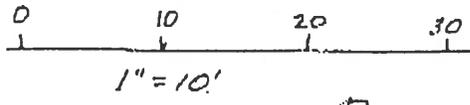
Based on these considerations, we request the variance request be approved.

Sincerely,

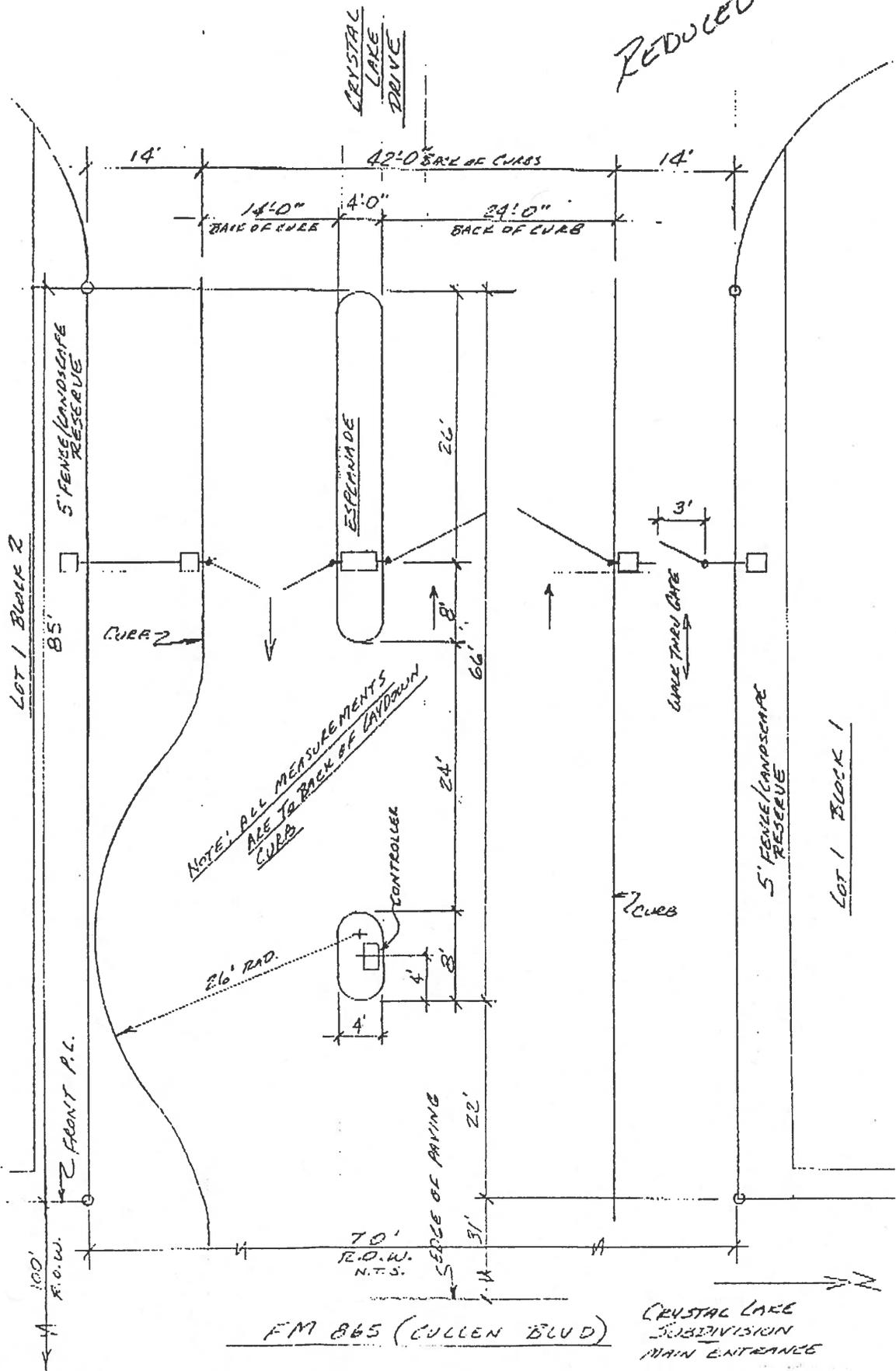
Steven P. Gardner, P.E.
Project Manager

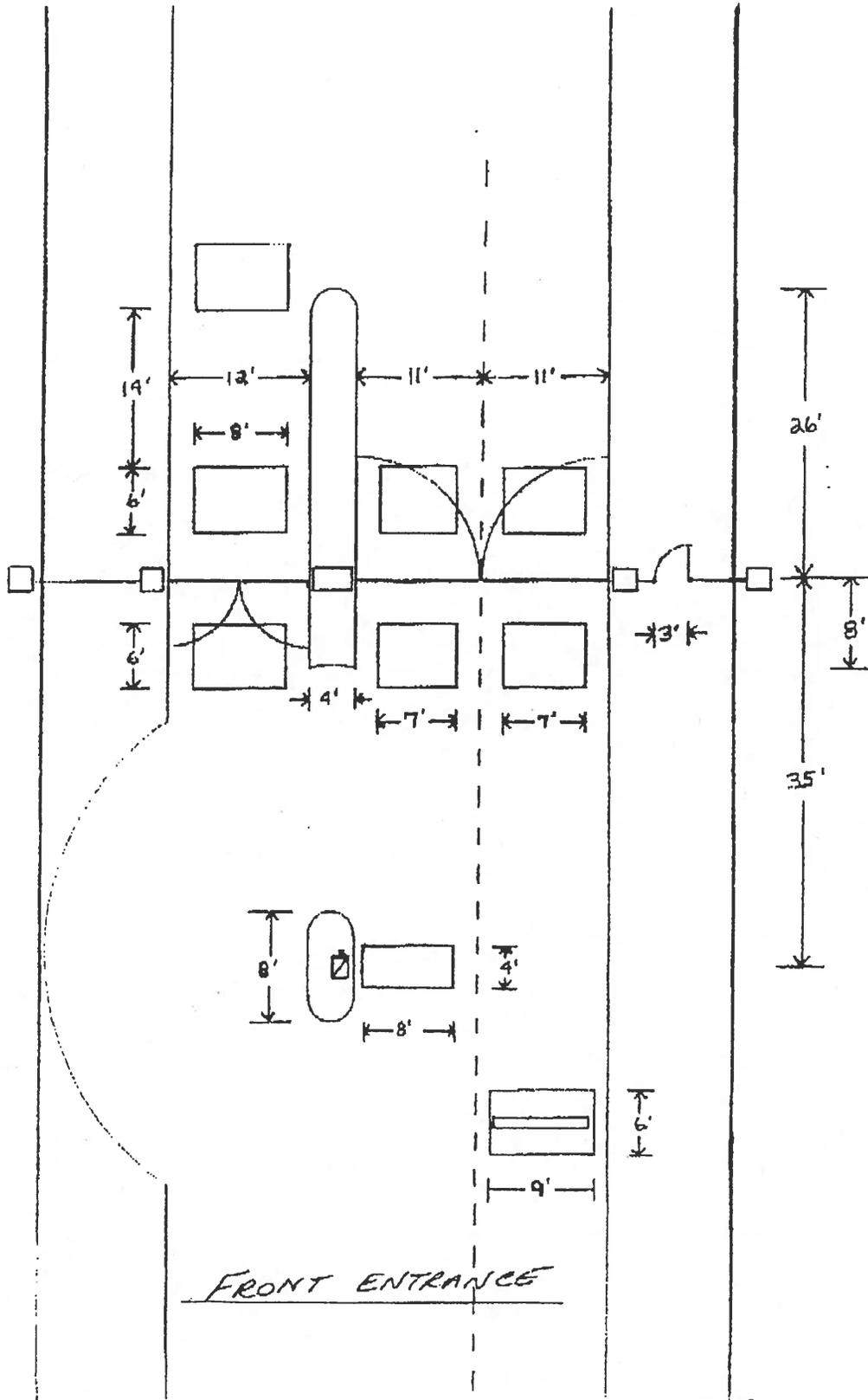
cc; Jack Beard

C:\WPDOCS\BEARD\VARIENCE



REDUCED





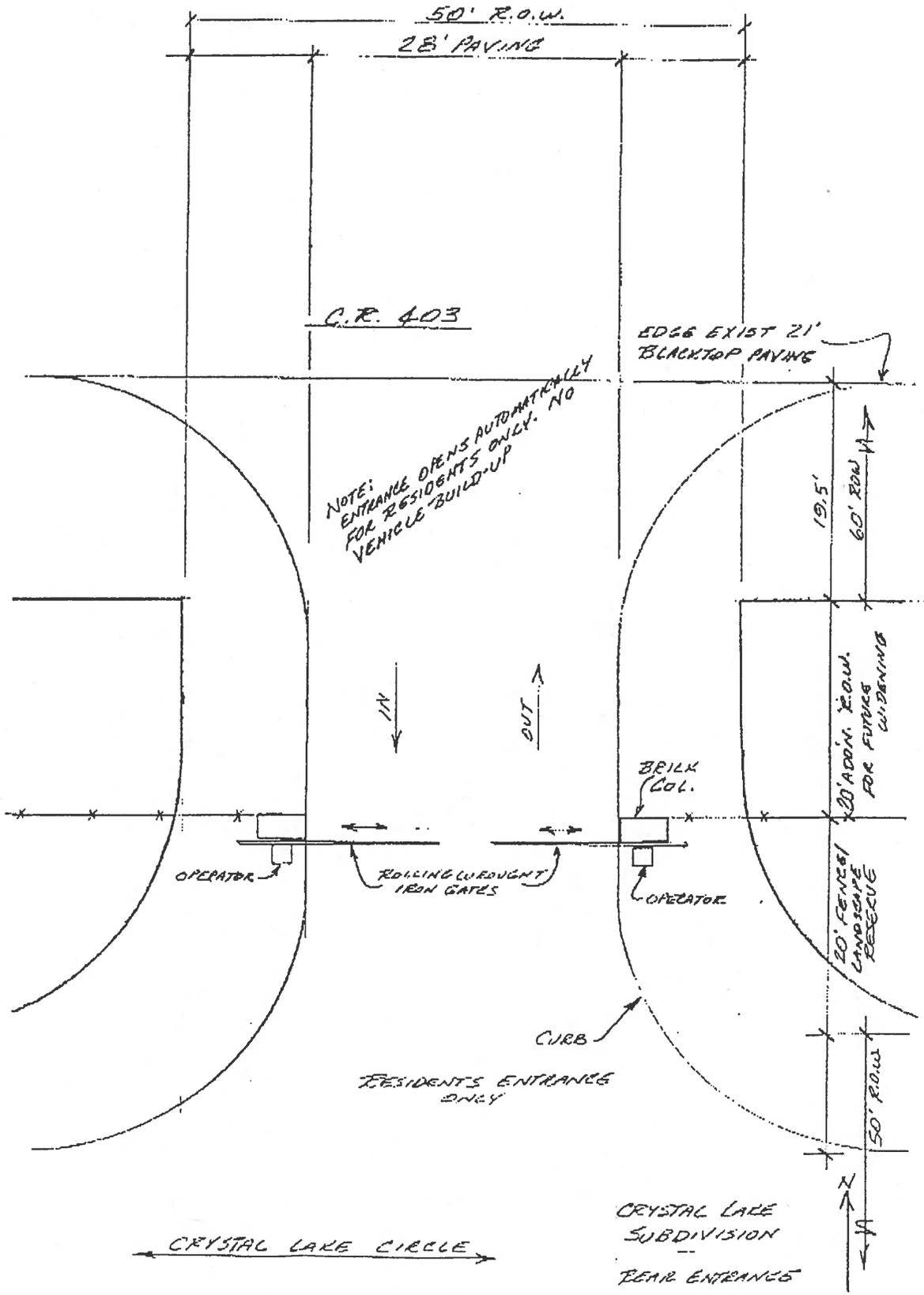
FRONT ENTRANCE

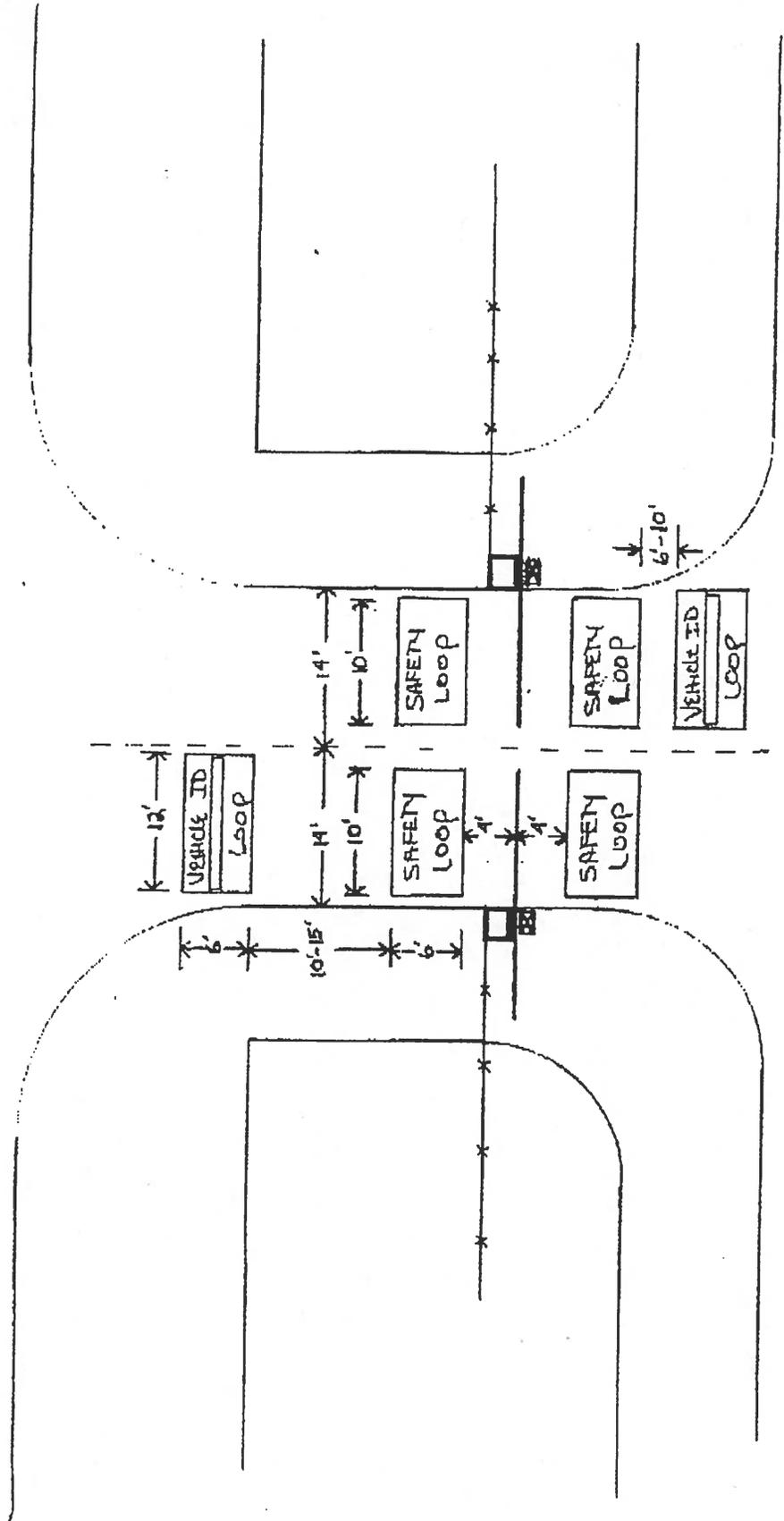


1" = 10'

REDUCED

THIS ENTRANCE FOR PROPERTY OWNERS ONLY. WILL ALSO BE USED AS TEMPORARY CONSTRUCTION ENTRANCES AND LEFT OPEN DURING THE DAY, UNTIL HOUSES ARE COMPLETED.





REAR ENTRANCE

ACCESS CONTROL TECHNOLOGIES, INC.
LAYOUT DETAIL



Ferro • Saylor, Inc.

Architecture • Engineering • Planning

February 23, 1996

Mr. John Hargrove, P.E.
City of Pearland
P.O. Box 2068
Pearland, TX 77588-2068

Reference: Crystal Lake Ltd.
Crystal Lake Subdivision
FSI JO 96001-10

Dear Mr. Hargrove,

In reference to the City of Pearland review comments for Crystal Lake Subdivision, there is a note stating that all private utilities should be located in back of the lots, including electrical power. H. L. & P. has indicated that no electrical service will be located on the back lots that adjoin the lake. Based on this requirement, the electrical service is located at the front of the lots. To maintain uniformity within the project, all private utilities for the lots would be located in the street right-of-way.

In a meeting with Richard Berdine and Ronnie McWhirter on February 13, 1996, we explained this requirement of the private utility companies. To minimize future utility conflicts, we agreed to locate the water and sanitary sewer outside the street right-of-way in the adjoining 10 foot utility easement as shown on the attached sketch. This would leave the area within the right-of way and outside the pavement for locating the private utilities.

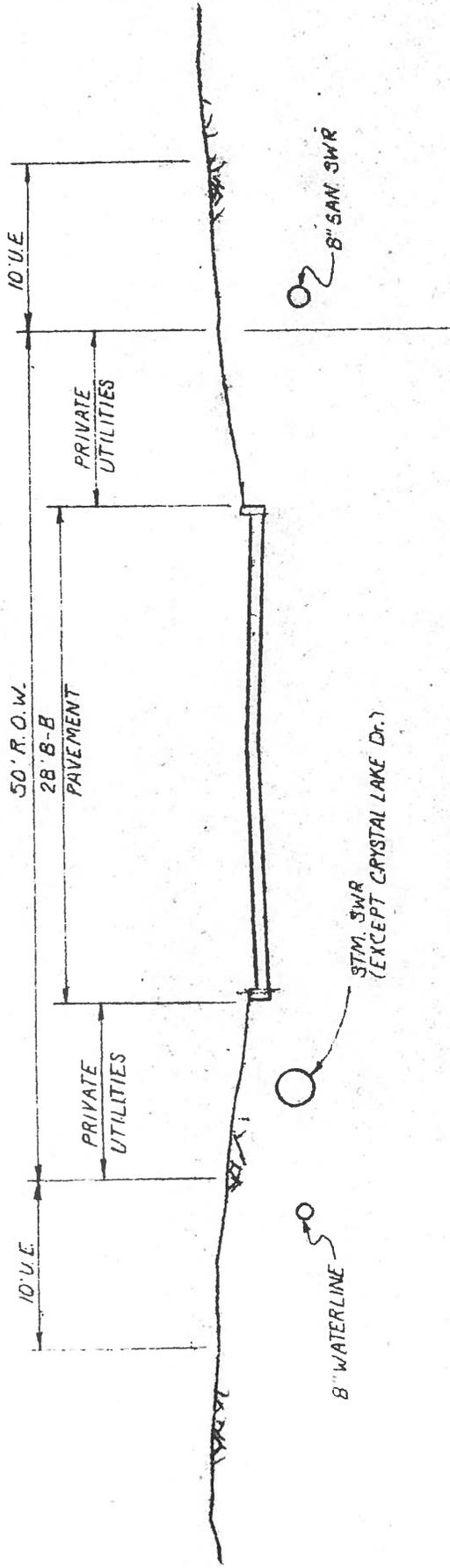
If you have any questions or additional information is needed, please call.

Sincerely,

Steven P. Gardner, P.E.
Project Manager

enclosures

cc: Jack Beard



NOTE: ON ALL STREETS EXCEPT CRYSTAL LAKE DRIVE
 THE STORM SEWER ONLY CROSSES UNDER THE
 STREET AND WILL NOT BE RUNNING PARALLEL TO PAVEMENT.

SCALE: 1" = 10' FEET

TYP. CROSS SECTION
CRYSTAL LAKE SUBD.



Ferro • Saylor, Inc.
Architecture • Engineering • Planning

February 28, 1996

Mr. John Hargrove, P.E.
City of Pearland
P.O. Box 2068
Pearland, TX 77588-2068

Handwritten:
JMH
2/28/96

Reference: Beazer Homes USA, Inc.
Southwyck Section 9, Final Plat
FSI JO 95010-10

Dear John,

Per our phone conversation of February 28, 1996, we have corrected the Southwyck Section 9 Final Plat to show a 10 foot side building line on lots along Northfork Drive. A xerox copy of the revision is included. This revision will be shown on the final plat mylars presented at the March 4, 1996 Planning Commission Meeting.

If you have any questions or additional information is needed, please call.

Sincerely,

Handwritten signature of Steven P. Gardner

Steven P. Gardner, P.E.
Project Manager



February 9, 1996

Mr. John Hargrove, P.E.
City Engineer
P.O. Box 2068
Pearland, Texas 77588-2068

Reference: Beazer Homes USA, Inc.
Southwyck Section Nine, Phase One
FSI JO 95010-11

Dear Mr. Hargrove:

On behalf of Beazer Homes USA, Inc., we hereby request a variance on the following items for Southwyck Section Nine, Phase One:

1. A 20 foot front building line on cul-de-sac and thumbnail lots.
2. A 20 foot front building line on lots 7 through 15, block 1 along Clarestone Drive.
3. A 5 foot side lot setback.

The request is based on the following considerations:

Twenty Foot Front Building Line on Cul-de-sac and Thumbnail Lots

1. Lots that front on a cul-de-sac or thumbnail will have a greater distance between houses than the 100 foot (50'+25'+25') that occurs on the typical 50 foot right-of-way with a 25 foot side building line. With a 20 foot building line, the separation between houses across the cul-de-sac will be 140 feet (100'+ 20'+20') and will lessen the appearance of the houses being crowded.
2. The 20 foot building line outside the right-of-way provides adequate space to park a car without blocking the sidewalk.
3. Cul-de-sacs typically crowd the depth available for building a house. A 20 foot building line provides more space toward the front of the lot on which to position a house and provide a back yard.
4. All previous sections of Southwyck Subdivision have requested and used the 20 foot front building line.



Mr. John Hargrove
February 9, 1996
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Twenty Foot Front Building Line on lots 7 through 15, Clarestone Dr.

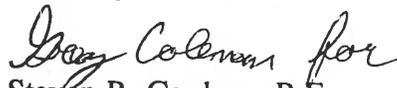
1. There is an existing 16 foot unrecorded HL & P easement along the back of these lots that is offset approximately 9 foot from the property line. The total lost useable space is 25 foot. In order to provide the flexibility to build houses with detached garages, a greater useable lot depth is needed. A front 20 foot building line would provide a buildable depth of 75 foot (120'-25'rear U.E. -20' front B.L.).

Five Foot Side Building Setback

1. All previous sections of Southwyck Subdivision have been developed with the five foot side building setback. This side setback along with the developer deed restriction has provided for a uniform development so that the houses will not appear crowded.

Based on these considerations, we request the variance request be approved.

Sincerely,


Steven P. Gardner, P.E.
Project Manager

- (h) Artificial plants and trees shall not be considered in the satisfaction of the requirements of this section.

Section 18. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 20.6. to read as follows:

Buildings shall have a minimum of seventy five percent (75%) masonry appearance, glass or architectural metal on front and side exterior walls.

Section 19. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 22.11.(11) to read as follows:

(11) Signs which contain or have attached thereto in the form of banners, posters, pennants, ribbons, streamers, strings of light bulbs (except during the period from November 15 to January 15), spinners, or other similar devices not within a building are prohibited.

Section 20. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 22.11.(12) to read as follows:

(12) Signs, or obsolete components thereof, which no longer advertise a bona fide business conducted, or a product sold, shall be removed or have blank faces installed by the owner, agent or person having beneficial use of the land, building or structure upon which such sign is located within thirty (30) days after written notification to do so from the Building Official. Upon failure to comply with such notice within the time specified in such order, the Building Official is authorized to file a complaint in Municipal Court and/or cause removal of such sign, and any expense incidental thereto shall be paid by the owner of the land, building or structure to which such sign is attached or upon which it is erected.

Section 21. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City of Pearland be amended by revising Section 22.15.(1) to read as follows:

Replacement or repair of sign.

- (1) When any sign, or a substantial part of it, is blown down or otherwise destroyed or taken down or removed for any purpose other than maintenance operations or for changing the letters, symbols or other matter on the sign, it may not be replaced, recreated, reconstructed, or rebuilt except in full conformance with the provisions and requirements of this ordinance.

Section 22. THAT Ordinance 509, the Land Use and Urban Development Ordinance of the City

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, MARCH 4, 1996, IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: Minutes of February 26, 1996

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - Request of Betty Gilbert, agent for Faith Community Church, 2402 E. Broadway, for a Variance from the City of Pearland Subdivision Ordinance, Section 27-4 (3)(b) - Sidewalks

B. CONSIDERATION AND POSSIBLE ACTION - Landscape Plan for Weatherford Enterra Plant Facility Expansion; 3632 S. Main, Pearland, Texas

C. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Crystal Lake Subdivision, being 70.721 acres of land out of H.T. & B.R.R. Co. Survey, A-506, containing 137 lots and 9 reserves (29.50 ac.) in 5 blocks (29.50 acres)

Variance Requests:

- 1.) Variance requesting use of a 20 foot building line around cul-de-sac lots.
- 2.) Use of a 10 foot side building setback (2 foot fence reserve and 8 foot side lot building line) instead of the 20 foot building line required on streets that adjoin a major thoroughfare.

D. CONSIDERATION AND POSSIBLE ACTION - Final Plat of Southwyck, Section Nine, Phase One, being a subdivision of 15.6100 acres of land within the H.T. & B.R.R. Company Survey, Section 21, Abstract 309 in Brazoria County, Texas, containing 2 blocks, 57 lots and 5 reserves (0.2697 acres)

Variance Requests:

- 1.) Variance requesting a 20 foot front building line on cul-de-sac and thumbnail lots.
- 2.) Variance requesting a 20 foot front building line on lots 7 through 15, block 1 along Clarestone Drive.
- 3.) Variance requesting a 5 foot side lot setback.

E. CONSIDERATION AND POSSIBLE ACTION - Recommendation to the City Council on an Ordinance of the City Council of the City of Pearland, Texas, amending Ordinance No. 509, the Land Use and Urban Development Ordinance of the City of Pearland relative to sign regulations.

V. NEXT MEETING DATE: Monday, March 18, 1996; 7:00 p.m.

VI. ADJOURNMENT

Posted: 18th Day of March, A.D., 1996

11:45 (A.M./P.M.)

Removed: 5th Day of March, A.D., 1996