

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, JULY 22, 1996, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

The meeting was called to order at 7:13 p.m. with the following present:

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

**II. APPROVAL OF MINUTES: Minutes of July 8, 1996**

A motion was made by Commissioner Jeffrey O'Brien and seconded by Commissioner Marshall Eggers to approve the Minutes of July 8, 1996.

**Motion Passed 6 to 1 (Commissioner Peggy Mayfield-Royer abstained).**

**III. NEW BUSINESS**

- A. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 68,** request of Swanelle Spradley, agent for Ted K. Spradley, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District, (SD) to Commercial District (C) on the following described property, to-wit:

Lot 8, containing 2.50 acres, out of the T.V. Mahanay 80 acre tract, being the East  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 15, H.T. & B.R.R. Co. Survey, A-241, Brazoria

County, Texas, according to the Map recorded in Vol. 441, Pg. 265, of the Deed Records of Brazoria County, Texas (6910 Broadway).

Mr. Richard Spradley, 7126 Broadway, Pearland, Texas, representative for Swanelle Spradley, was present.

Discussion followed with Commissioner O'Brien stating his concern that commercial zoning allows for a multitude of uses, and asked the Commission if there was a way to limit the use to landscaping supply. Chairman Pat Lopez replied there was no guarantee in any zoning change; however, this zoning change would be appropriate for the property. Assistant City Manager Richard Burdine agreed with the Chairman, as the property has a salvage yard on one side and an airstrip on the other side.

The Chairman asked for a motion on the application.

A motion was made by Commissioner Eggers, and seconded by Vice Chairman Emil Beltz to approve Application No. 68.

**Motion Passed 5 to 2.** (Commissioners O'Brien and Randy Patro voted nay)

**B. CONSIDERATION AND POSSIBLE ACTION - Landscape Plan for Eckerds, Northeast corner of Main Street and Broadway Street.**

Alan Shelby was present, representing Eckerds.

Mr. Burdine stated he reviewed the plan and it meets the Landscape Ordinance provisions and he commends Mr. Shelby's willingness in his work to preserve the large oak tree, by not paving more than 50% of the drip line of the tree.

A discussion ensued between Commissioner Mayfield-Royer and Mr. Burdine about how tree preservation provisions might affect the existing trees on the site.

Commissioner O'Brien made a motion, seconded by Commissioner Patro, to approve the Landscape Plan for Eckerds.

**Motion Passed 7 to 0.**

**C. CONSIDERATION AND POSSIBLE ACTION - Landscape Plan for Parking Lot Expansion for the Busy Bee Cafe, Northwest Corner of Main Street and Broadway Street with a variance to Section 20.3(s) of the Land Use and Urban Development Ordinance to omit screening for 36 feet along Broadway Street.**

Mr. Michael Orr, 10806 32nd Avenue North, Texas City, Texas, owner, was present.

Mr. Burdine informed the Commission that the applicant does not wish a variance as requested earlier.

Vice Chairman Beltz inquired as to the City's liability due to underground storage tanks, that were on the site. Mr. Burdine stated there was none.

Mr. Orr explained his revised plans for parking due to the need for removal of some trees that died. He also informed the Commission that he owns a tree farm and will be able to replace the trees to meet the caliper requirements.

Commissioner O'Brien asked Mr. Orr if he received permits from the State and the Brazoria Drainage District. Mr. Orr replied the area is contaminate free except for the water table. There will be three monitoring wells set in concrete, and when the water clears up, he will take title to the property.

The Chairman reminded the Commission that they are reviewing the landscape plan as-is. Mr. Burdine said the Ordinance will allow landscaping along Broadway since Mr. Orr will provide sufficient shrubbery. Mr. Orr said he would like to put some trees in the detention plans and will have corrected drawings delivered to the City.

A motion was made by Commissioner O'Brien, and seconded by Commissioner Eggers, to approve the Landscape Plan for Busy Bee.

Mr. Burdine requested authorization to work with the owner to meet all ordinance provisions and send copies to the Commission for information only.

Commissioner O'Brien amended his motion to approve the final Landscape Plan of Busy Bee, subject to staff review of plans and a copy being provided the Commission for their information.

**Motion passed 7 to 0.**

**D. CONSIDERATION AND POSSIBLE ACTION - Election of Chairman and Vice Chairman.**

The Chairman made a motion, seconded by Commissioner Patro, to elect Commissioner Robert Larsen as chairman.

**Motion passed 6 to 0 with 1 abstention (Commissioner Larsen abstained)**

Vice Chairman Beltz made a motion, seconded by Commissioner Eggers to elect Pat Lopez as Vice Chairman.

**Motion passed 6 to 0 with 1 abstention (Past Chairman Lopez abstained)**

**E. CONSIDERATION AND POSSIBLE ACTION - Validity of the Excuse of Commissioner Mayfield-Royer for Absence from Three Consecutive Planning and Zoning Commission Meetings (June 24, 1996; July 1, 1996; and July 8, 1996).**

Mr. Burdine informed the Commission they only had to vote on the July 1, 1996 date.

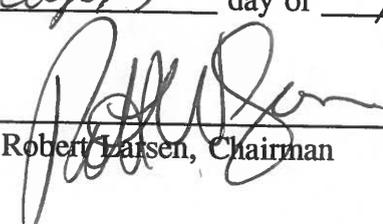
Commissioner O'Brien made a motion, seconded by Chairman Larsen, to accept the excuse of Commissioner Mayfield-Royer for her absence from the July 1, 1996, meeting.

**Motion passed 6 to 0 with 1 abstention (Commissioner Mayfield-Royer abstained)**

**IV. NEXT MEETING DATE:** Monday, August 5, 1996; 7:00 p.m.

**V. ADJOURNED:** 7:40 p.m.

Minutes approved as submitted this Aug 5 day of 1996  
A.D., 1996.

  
\_\_\_\_\_  
Robert Larsen, Chairman

ATTEST:

  
\_\_\_\_\_  
Judy Highburger, Secretary

**ZONE CHANGE APPLICATION**

Change in Zoning Classification from: SD FCR to: C

Change in Regulations in Section #: \_\_\_\_\_

Specific Use for: \_\_\_\_\_

Property address: 6910 Broadway

Lot: 8 Block: Description attached Subdivision: Out of L & O Survey

Metes & Bounds Description:  
(unplatted property only; attach survey)

Tax I.D. number:

Proposed use of land within requested designation: Landscaping

Record owner's name: Ted K. Spradley

Owner's mailing address: P.O. Box 2187, Pearland, Tx 77588

Owner's telephone number: 713-485-3990

Agent's name: Swanella Spradley

Agent's mailing address: P.O. Box 622, Pearland, Tx 77588

Agent's telephone number: 713-485-3990

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.

Owner's signature: \_\_\_\_\_ Agent's signature: Swanella Spradley

Fees paid: \$ N/C Date paid: N/C

Received by: \_\_\_\_\_ Variance number: 68

ROY ROAD

ZONE SD

200'  
(TYP.)

F.M. 518

200'  
(TYP.)

LOT 8  
2.50 ACRES

7

6

ZONE SD

9

ZONE SD

ZONE SD

AIR STRIP

12



City of Pearland, Texas

TED K. SPRADLEY

**ZONE CHANGE  
FROM  
SD TO C**

Job No.:	Scale:	SHI
Date: JULY, 1996	HORIZ: 1"=200'	
Drawn By: J.E.B.	VERT: 1"=	
Checked By: J. HARGROVE	CAD FILE: 96-1153B	

OF

Emmett P Crow Jr. eta  
1279/469 296.7

20	45	667/335	C. L. Anderson	John C Crowder 1762/889 10.0
21	46	J. D. 64-261 Huddleston	Wm. R. Morgan 60 1125/105	Brazoria Fabricating Inc. 1289/922
22	47	W.R. Pietsch 874/417	Louis E. Lentz 1143/214	J.A. Prebils 20 730/227
23	48	Hurst Barbee 636/38	12-280 10.0	W.D. Weir 21 1304/332
24	49	E.R. Spradley	Ruby Lee Cox	E.P. Crow Jr 438/573 10.0
25	50	D. Keller, Tr. 1748 488 9.98	K.E. Spradley 1726/570	Francis Powell 145/343
				Bill E. Holtey 23 1717/183 10.0

Fan Williams  
Crow Morris  
1737 9  
1737 11

B-108 9.92

31  
32

2 3A1 3A2 3A3 3A4

Elaine St. Germain, Jr.  
1760/27 13.30

Jon G. Hawk  
1266/742  
13.31

Jose Rodriguez  
RODRIGUEZ

826

RD.

WESTCHESTER  
ESTATES

7

8

6

Ed. R. Spradley  
1286/3

12.0

Bill Holley  
1717/163

2B 3C 3D

B. R. R. CO

Kirby

Runge

Mary B. Miller

Jon G. Hawk  
Tr. 1294/887  
9.389

4

Alfred C. Hrbacek

SKYWAY MANOR

PIPER ST.

801

1

2

3

9

12

M. R. Rogers, Jr.  
1697/683 16.61

13

19

17

16

Donald R. Cate  
983/130  
941/133

E.C. Burrage  
767/40

5

242

23 45

67 89

68 90

20

21

3 25 47

RD.

7 297 298 389

32

OAK

56

RD.

75

COVEY

28

81

QUAIL  
MEADOWS

P. Smith, Jr.  
331 35.00

P. Smith, Jr.  
319 35.00

6

7

Petro Chem  
Transport

1196/150  
5.0

1318 843 00

MANVEL RD.

4

A

Laura M  
708/108  
772/74

John R. Massey  
708/109 160.0

**Robert Craig Grassle**

● *Architect* ●

4301 Tonawanda  
Houston, Texas 77035  
Telephone: 713 726-0968

RECEIVED JUL 17 1996

16 July 1996

Mr. Richard Burdine, City Manager  
City of Pearland  
Pearland, Texas

return  
to  
file upstairs

Re: Landscaping Variance Request for Parking Lot Expansion  
Busy Bee Cafe

Dear Mr. Burdine,

We apologize for not recognizing that the expanded area to provide additional parking spaces required a submission to the Planning and Zoning Commission and submit the following request:

We request that the attached documents be submitted to the Planning and Zoning Commission as a request for variance to the landscaping requirements for the above referenced project.

1. Section 20.3 Minimum Landscape Requirements:
  - (d) **Landscaping shall be required by the Planning and Zoning Commission to screen outside storage areas, loading docks and delivery entrances from adjacent property and public street right-of-way.**

We request that landscaping be omitted for 36'-0" linear feet along the ROW of Broadway Street as indicated on the attached plan. We request this to allow the parking lot to be configured in a manner to preserve as many existing trees between the existing parking lot and the new expansion. Many schemes have been attempted to obtain the Owner's required 21 parking spaces which will bring the parking count up from 55 to 73 spaces.

Two (2) plans are attached for the Zoning Commission's review: The original plan contains original landscaping requirements and planting legends and is to be used as reference for the new expansion plan. The landscaping requirements have been revised on the parking lot expansion plan. Thank you for your consideration of this request.

Respectfully Submitted,

*Craig Grassle*

Craig Grassle

Robert Craig Grassle *Architect*

xc: Mr. Michael Orr BZB, Inc.  
enclosure: Original Landscape Plan, Parking Lot Expansion Landscape Plan

TOTAL TREES REQ'D BY ORDINANCE  
0 TREES REQ'D.

TOTAL TREES PROVIDED  
0 TREES PROVIDED

SHRUBS REQUIRED  
NUMBER OF STREET TREES CALIPER  
INCHES MULTIPLIED BY (5)

$$18 \times 5 = 90$$

TOTAL SHRUBS PROVIDED  
50 EXISTING + 40 NEW = 90

NOTE: REFERENCE PLANTING  
LEGEND & DETAILS FOR  
SHRUB DESCRIPTIONS.

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**BUSY BEE CAFE  
4009 E. BROADWAY  
PEARLAND, TEXAS**

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**PARKING LOT  
EXPANSION  
LANDSCAPE PLAN**

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MAIN STREET

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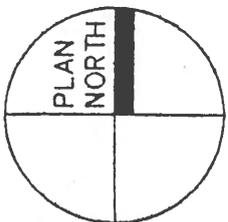
BUSY BEE CAFE  
4009 E. BROADWAY  
PEARLAND, TEXAS

BEE BUSY, INC.  
2808 TEXAS, AVE.  
TEXAS CITY, TEXAS 77590

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LANDSCAPE PLANTING PLAN

SCALE: 1/16" = 1'-0"



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Project No.

Drawing No.

93109

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Date

1 FEBRUARY 1995

**AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JULY 22, 1996, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

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of Commissioner Peggy Mayfield-Royer for  
Absence from Three Consecutive Planning and  
Zoning Commission Meetings (June 24, 1996; July  
1, 1996; and July 8, 1996).

**IV. NEXT MEETING DATE:** August 5, 1996

**V. ADJOURNMENT**

Posted: 19th Day of July, A.D., 1996  
12:01 P.M.

Removed: 29th Day of July, A.D., 1996