

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND HELD ON MONDAY, DECEMBER 20, 1999 AT 6:30 P.M. IN THE COUNCIL CHAMBERS, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 6:34 P.M. with the following present:

Chairperson	Mary Starr
Commissioner	Emil Beltz
Commissioner	Donald Glenn
Commissioner	Todd Iocco
Commissioner	Charles Viktorin
City Engineer	John Hargrove
P & Z Secretary	Gene Tumlinson

II. APPROVAL OF MINUTES: November 15, 1999 (Regular Meeting)

Commissioner Iocco questioned the accuracy of the votes taken for agenda items C and H. It was confirmed that the votes were correct. Commissioner Viktorin made a motion to approve the November 15, 1999 minutes and Commissioner Beltz seconded the motion.

Motion to approve passed 5 to 0.

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Amending Plat of the Final Plat of West Oaks Section Four, Phase A, Being a 16.0667 acre tract of land located in the H.T.& B. R.R. Company Survey, A-241, Pearland, Texas.

City Engineer Hargrove stated that staff recommends approval with a note that a line needs to be added stating that the amending plat has been approved by the Planning and Zoning Chairman. He then stated that the ordinance is unclear about where to sign on the amending plats.

Commissioner Glenn made a motion to approve the Amending Plat of the Final Plat of West Oaks Section Four, Phase A with the note by the City Engineer to add a signature line for the Chairperson, and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

B. CONSIDERATION & POSSIBLE ACTION – Amending Plat of the Final Plat of West Oaks Section Four, Phase B, Being a 9.3847 acre tract of land located in the H.T.&B. R.R. Company Survey, A-241, Pearland, Brazoria County, Texas.

City Engineer Hargrove stated that he has the same comment for this plat to add a signature line. He then explained that there are several different ways of doing this

and he pointed out that the Commissioners are going to see another way on the next agenda item.

Commissioner Iocco made a motion to approve the Amending Plat of the Final Plat of West Oaks Section Four, Phase B, and Commissioner Glenn seconded the motion.

Motion to approve passed 5 to 0.

C. CONSIDERATION & POSSIBLE ACTION – Amending Plat of Ashton Park Section Two, Being a 7.7178 acres of land situated in the southeast one-quarter (SE ¼) of Section 13, H.T.&B. R.R. Co. Survey, Abstract 240, Brazoria County, Texas. Recorded in Vol. 20, page 217-218, B.C.P.R.

City Engineer Hargrove explained that the submitter chose the alternative to put signature lines for all of the Commissioners. He then stated that there are a few errors that need to be corrected, and they need to add Charles Viktorin and Russ Selemo's names to the mylars. He stated that he would like for the Commissioners to sign the plat tonight and the errors will be corrected in the morning.

Commissioner Beltz made a motion to approve the Amending Plat of Ashton Park Section Two, and Commissioner Viktorin seconded the motion.

Motion to approve passed 5 to 0.

D. CONSIDERATION & POSSIBLE ACTION – Final Plat of Southdown Section Thirteen, 14.52 acres of land out of the H.T.& B. R.R. Co. Survey, Section One, Abstract 310, Brazoria County, Texas.

Variance Request:

- 1. A 20-foot building line on cul-de-sac lots.**
- 2. A 5-foot side building setback.**

City Engineer Hargrove stated that this plat is a very clean plat and staff recommends approval. He then stated that he would hold his signature until the 8-foot offsite easement recordation number is added.

Commissioner Iocco made a motion to approve the Final Plat of Southdown Section Thirteen with the variances and Commissioner Beltz seconded the motion.

Motion to approve passed 5 to 0.

E. DISCUSSION ITEM – Bellavita Section One @ Green Tee.

Renee West, developer, shows a map on the entire project. She explained that she would specifically like to discuss the gold and orange lots of the retirement community, Bellavita. She stated that they are hoping to start construction next month, but in finalizing the plat there is a dilemma. She explained that the area is up for annexation but until it is annexed it falls under a category with a 25-foot setback with a 15-foot aggregate slab and you cannot do a 0 lot line in the county. She stated that under an

R-4 PUD they will continue to do the 15-foot aggregate between homes, there is a 20-foot setback and you can do 0 lot lines. She explained that their dilemma is in trying to finalize the plat because the plat will not meet the requirements of an R-4 PUD. She stated that the zoning and annexation should happen within a few months. She then stated that she does not know whether they should submit for final plat approval and ask for a variance subject to the zoning of an R-4 PUD, or wait for the zoning to go through.

City Engineer Hargrove then stated that the subdivision ordinance is the only ordinance that can be enforced in the E.T.J. He then stated that she can come in now and apply for a variance from the subdivision ordinance whereas if she waits until it is annexed and zoned R-4 PUD then the Land Use Ordinance prevails and she won't have to apply for a variance. Ms. West then reminded the Commissioners that they would like to finalize the plat soon so they start construction.

Chairperson Starr asked what stage the annexation is in. Terri Brooks of West Development replied they are up for Joint Public Hearing on January 10, 2000 for zoning and the annexation will follow.

Ms. West reminded the Commissioners that they were previously denied because they did not have a service plan, which they do have now.

Chairperson Starr stated that they would only be asking for variances on Section One so it would not be a blanket variance.

Ms. West asked if they should submit subject to the zoning and hold the plat off until it zoned and then file it. Mr. Hargrove stated that they need to make a decision whether they are going to wait and get the zoning, or file it now. If you file it now you will have to request a variance from the subdivision ordinance. He stated that he does not see how you can ask for anything contingent upon what Council decides.

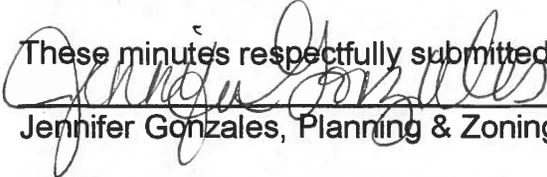
Commissioner Iocco asked if the homes are going to be patio homes and Ms. West answered that the project is similar to a retirement community in the Woodlands called "Windsor Estates".

Mr. Hargrove stated that coming in for the plat now would be the quickest way to go and she could come in and address the Commissioners at the meeting and explain for record purposes the need for the variance.

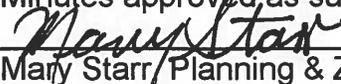
IV. ADJOURNMENT

The meeting adjourned at 6:55 P.M.

These minutes respectfully submitted by:


Jennifer Gonzales, Planning & Zoning Secretary

Minutes approved as submitted and/or corrected on this 17 day of Jan, 2000.


Mary Starr, Planning & Zoning Chairperson

AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, DECEMBER 20, 1999 AT 6:30 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: November 15, 1999 – Regular Meeting

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Amending Plat of the Final Plat of West Oaks Section Four, Phase A, Being a 16.0667 acre tract of land located in the H.T.& B. R.R. Company Survey, A-241, Pearland, Texas.

B. CONSIDERATION & POSSIBLE ACTION – Amending Plat of the Final Plat of West Oaks Section Four, Phase B, Being a 9.3847 acre tract of land located in the H.T.&B. R.R. Company Survey, A-241, Pearland, Brazoria County, Texas.

C. CONSIDERATION & POSSIBLE ACTION – Amending Plat of Ashton Park Section Two, Being a 7.7178 acres of land situated in the southeast one-quarter (SE ¼) of Section 13, H.T.&B. R.R. Co. Survey, Abstract 240, Brazoria County, Texas. Recorded in Vol. 20, page 217-218, B.C.P.R.

D. CONSIDERATION & POSSIBLE ACTION – Final Plat of Southdown Section Thirteen, 14.52 acres of land out of the H.T.& B. R.R. Co. Survey, Section One, Abstract 310, Brazoria County, Texas.

Variance Request:

1. A 20-foot building line on cul-de-sac lots.
2. A 5-foot side building setback.

E. DISCUSSION ITEM – Bellavita Section One @ Green Tee.

IV. NEXT MEETING DATE: January 3, 2000 (Regular Meeting)

V. ADJOURNMENT