

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, FEBRUARY 1, 1999, 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 7:30 PM with the following present:

Chairperson	Mary Starr
Vice-Chairman	Tommy L. Scott
Commissioner	Emil A. Beltz
Commissioner	Jack D. Mathis
City Engineer	John H. Hargrove
Director of Planning and Community Development	Dennis Smith
P & Z Secretary	Jennifer Mattingly

II. APPROVAL OF MINUTES

Commissioner Beltz made a motion to approve the January 11, 1999 minutes, and Commissioner Mathis seconded the motion.

Motion passed 4 to 0.

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 545

Request of owner for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Heavy Industrial District (M-2) on the following described property, to wit:

Legal Description: Lot 2, Pereboom Subdivision, recorded in Vol 18, pg. 139, of the plat records of Brazoria Co., TX (13800 O'Day Road)

Owner: Hollingshead Living Trust
13800 O'Day Road
Pearland, TX 77581

Agent: Ruth E. Hollingshead

Chairperson Mary Starr read the property description.

Mr. Smith stated that he had no comments.

Commissioner Mathis made a motion to recommend approval of zone change no. 545, and Commissioner Beltz seconded the motion.

Motion passed 4 to 0.

B. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 643

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Light Industrial District (M-1) on the following described property, to wit:

Legal Description: Being 9.924 acres, known as Lot 28, Allison Richey Gulf Coast Home Co. Subdivision, Section 9, H.T. & B.R.R. Co. Survey, A-234, recorded in Vol. 2, pgs 23 & 24, plat records of Brazoria Co., TX (14435 Max Road)

Owner: Cherotech
3503 Foremast
Galveston, TX 77554

Agent: Charlie Eason

Chairperson Mary Starr read the property description.

Mr. Smith stated that he recommended approval.

Vice-Chairman Scott made a motion to recommend approval of zoning application No. 643, and Commissioner Mathis seconded the motion.

Motion passed 4 to 0.

C. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 520

Request of owner for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

Legal Description: Being a 1.1671 acre tract out of Lot 3, Allison Richey Gulf Coast Home Co. Subdivision, Section 85, H.T. & B. R.R. Co. Survey, A-304, recorded in Vol. 2, pg 107, plat records of Brazoria Co., TX (2401 Smith Ranch Road)

Owner: John H. Gehring
2526 Westminister
Pearland, TX 77581

Chairperson Mary Starr read the property description.

Vice-Chairperson Scott made a motion to table the zoning application no. 520 due to the termination of the application in the joint public hearing, and Commissioner Mathis seconded the motion.

Motion passed 4 to 0.

D. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 518

Request of owner for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-2) on the following described property, to wit:

Legal Description: Being 63.679 acres out of the SE 1/4, Section 21, H.T. & B. R.R. Co. Survey, A-309 & part of a certain tract in deed dated 11-22-1972, George P. Kelly to Rose M.A. Bagnoli, Vol. 1144, pg 902, Deed Records of Brazoria Co., TX

Owner: Estate of Rose Marie Bagnoli

Agent: Jack Nahas, Executor
4835 Gladys Avenue
Beaumont, TX 77706

Chairperson Mary Starr read the property description.

Vice-Chairman Scott made a motion to recommend approval zoning application no. 518, and Commissioner Beltz seconded the motion.

Motion passed 4 to 0.

E. – J. CONSIDERATION AND POSSIBLE ACTION – Zoning Application Nos. 498, 535, 541, 556, 562, and 599.

E. Zoning Application No. 498

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lot 9K4 & 9K, being approximately 1.010 acres, Richland Acres Subdivision, H.T. & B. R.R. Co. Survey, A-509, according to the plat records of Brazoria Co., TX (6418 Cottonwood)

Owner: Kathryn LaWayne Kellum
6418 Cottonwood
Pearland, TX 77584

F. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 535

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lots 8 & 9, Block 1, Wagon Wheel Addition, Section 14, H.T. & B. R.R. Co. Survey, A-509, according to the map recorded in Vol. 8, pg 79, plat records of Brazoria Co., TX (6210 & 6214 Patridge)

Owner: Ernest E. & Glenda J. Walker
Rt. 1, Box 90-2L
Trinity, TX 75862

G. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 541

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: 1 acre, more or less, out of Lot 62, Figland Orchard Subdivision, H.T. & B. R.R. Co. Survey, A-240, recorded in Vol. 3, pg 77, plat records of Brazoria Co., TX (6127 Figland)

Owner: Jose A. & Maria B. Ramos
5192 Willow Wood Road
Rolling Hills EST., CA 90274

H. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 556

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lot 9, Block 2, Robin Cove Subdivision, as recorded in Vol. 18, pg 159, plat records of Brazoria Co., TX (5503 Robin Sound)

Owner: Shannon King
5503 Robin Sound
Pearland, TX 77581

I. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 562

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lot 1, Block 9, Hickory Creek Place Subdivision, Section 7, H.T. & B. R.R. Co. Survey, A-219, recorded in Vol. 11, pg 1, plat records of Brazoria Co., TX (5922 Kelly)

Owner: Carl & Elsie Posern
5922 Kelly
Pearland, TX 77581

J. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 599

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lot 12, Block 1, Robin Cove Subdivision, Section 2, H.T. & B. R.R. Co. Survey, recorded in Vol. 19, pgs 185-186, plat records of Brazoria Co., TX (5507 Robin Meadow)

Owner: Stephen & Tonya M. Scott
11023 Carlton
Houston, TX 77047

Vice-Chairman Scott made a motion to combine Items E through J, and Commissioner Beltz seconded the motion.

Motion passed 4 to 0.

Mr. Smith stated that he recommends approval of items E through J.

Commissioner Mathis made a motion to recommend approval of zoning application nos. 498, 535, 541, 556, 562, and 599, and Commissioner Beltz seconded the motion.

Motion passed 4 to 0.

K. – L. CONSIDERATION & POSSIBLE ACTION – Zoning Application Nos. 316 and 319.

K. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 316
(originally considered at the JPH on September 14, 1998)

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-3) on the following described property, to wit:

Legal Description: Lot 6, Block 1, Buena Vida Subdivision, in the H.T. & B. R.R. Co. Survey, A-240, according to the map records of Brazoria Co., TX (6331 Cantu)

Owners: Rafael & George Salazar
6331 Cantu
Pearland, TX 77584

L. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 319
(originally considered at the JPH on September 14, 1998)

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-3) on the following described property, to wit:

Legal Description: Lot 5, Block 1, Buena Vida Subdivision, in the H.T. & B. R.R. Co. Survey, A-240, according to the plat recorded in Vol. 8, pg 68 & replatted in Vol 9, pg 6, of the plat records of Brazoria Co., TX (5729 Cantu)

Owners: Lamberto Benavides, Jr.

Chairperson Mary Starr read the property descriptions.

Commissioner made a motion to combine Items K and L, and Vice-Chairman Scott seconded the motion.

Motion passed 4 to 0.

Mr. Smith explained that these zone change requests were originally considered September 14, and there was a problem with the legal description.

Commissioner Beltz made a motion to recommend approval of zone change application Nos. 316 and 319, and Commissioner Mathis seconded the motion.

M. CONSIDERATION & POSSIBLE ACTION - Preliminary plat of Richter Oaks, a subdivision of 19.9368 acres being Lot 8 of the H. Masterson Subdivision of Section 5, H.T. & B. R.R. Co. Survey, Abstract 237, Brazoria County, Texas

Vice-Chairman Scott questioned Mr. Hargrove's feelings on the accessibility to the lots in the back.

City Engineer Hargrove tells the commissioners to refer to Note 10. He then explains that this is a way of getting room for a public street.

Vice-Chairman asked if Mr. Hargrove added note 10, and Mr. Hargrove replied that he did add the note.

Mr. Hargrove states that as it is on the plat, it is a private drive that will require no public maintenance.

Mr. Hargrove then stated that on the final plat he would like a 60 foot wide common access easement from Woody Rd west to the west property line of Lot 10, and he then stated that the 60 foot easement will go where the five existing 12 foot lot strips are shown on the preliminary plat. He then stated that he did not mark this on the staff review but he would like it done for the final plat submittal.

Dennis Smith stated that Nghiem Doan's name needs to be removed.

Commissioner Beltz asked what they planned to do with Lot 7, and Mr. Hargrove was not sure.

Mr. Hargrove states that he is comfortable with the drainage, and the basins are generously sized. He then stated that he recommends approval with the comment that he would like the provisions of an access easement on the final plat.

Commissioner Beltz made a motion to approve the preliminary plat of Richter Oaks Subdivision with the comments noted by the City Engineer to provide an access easement on the final plat and to remove Nghiem Doans name off the Commissioner's signature block, and Commissioner Mathis seconded the motion.

Motion passed 4 to 0.

N. CONSIDERATION & POSSIBLE ACTION - Partial Replat of Oakbrook Estates, Section Four, a subdivision of 14.1910 acres out of the W.D.C. Hall League, Abstract No. 70, Pearland, Brazoria County, Texas.

Mr. Smith stated that the 1998's need to be changed to 1999's on the plat.

Mr. Hargrove stated that he would like the date updated on the plat, the word "acting" needs to be removed from Darrin's title. He then stated that he received the utility approval letters, they did not like the easements, but did not object.

Mr. Hargrove then stated that he would like to receive construction drawings on how the easements are going to be, otherwise, he recommended approval of the plat with his signature and the City Attorney's signature withheld until he receives these drawings.

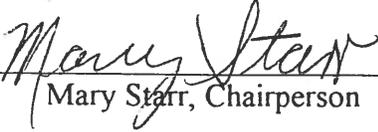
Commissioner Mathis made a motion to approve the replat of Oakbrook Estates, Section Four, with the comments made by the City Engineer to change the 8's on the years to 9's, update the date on the plat, and to submit construction drawings, and Vice-Chairman Scott seconded the motion.

Motion passed 4 to 0.

IV. NEXT MEETING DATE: Monday, February 8, 1999 (JPH meeting)

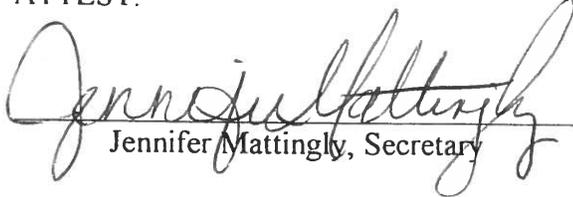
IV. ADJOURNMENT

The meeting adjourned at 7:58 PM.



Mary Starr, Chairperson

ATTEST:



Jennifer Mattingly, Secretary

Darrin M. Coker
City Attorney
(281) 485-2411 x311
Telecopier (281) 485-4572



Nghiem V. Doan
Assistant City Attorney
(281) 485-2411 x303
Telecopier (281) 485-4572

January 12, 1999

Planning & Zoning Commission
City of Pearland
3519 Liberty Drive
Pearland, Texas 77581

Dear Fellow Commissioners:

I hereby tender my resignation from the Planning & Zoning Commission for the City of Pearland, Texas. I do so with mixed emotions, as I have enjoyed serving the City of Pearland with you in that capacity. However, I am excited to begin my tenure and service for the City of Pearland as the Assistant City Attorney. I look forward to working with you in this new capacity to continue to improve this already great city.

Sincerely yours,



Nghiem V. Doan
Assistant City Attorney

NVD/ldj

cc: Glen Erwin, City Manager
Darrin Coker, City Attorney
Dennis Smith, Planning & Development Director
Young Lorfing, City Secretary

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE FEBRUARY 1, 1999, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING, IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. APPROVAL OF MINUTES

January 11, 1999

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 545

Request of owner for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Heavy Industrial District (M-2) on the following described property, to wit:

Legal Description: Lot 2, Pereboom Subdivision, recorded in Vol 18, pg. 139, of the plat records of Brazoria Co., TX (13800 O'Day Road)

Owner: Hollingshead Living Trust
13800 O'Day Road
Pearland, TX 77581

Agent: Ruth E. Hollingshead

B. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 643

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Light Industrial District (M-1) on the following described property, to wit:

Legal Description: Being 9.924 acres, known as Lot 28, Allison Richey Gulf Coast Home Co. Subdivision, Section 9, H.T. & B.R.R. Co. Survey, A-234, recorded in Vol. 2, pgs 23 & 24, plat records of Brazoria Co., TX (14435 Max Road)

Owner: Cherotech
3503 Foremast
Galveston, TX 77554

Agent: Charlie Eason

C. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 520

Request of owner for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

Legal Description: Being a 1.1671 acre tract out of Lot 3, Allison Richey Gulf Coast Home Co. Subdivision, Section 85, H.T. & B. R.R. Co. Survey, A-304, recorded in Vol. 2, pg 107, plat records of Brazoria Co., TX (2401 Smith Ranch Road)

Owner: John H. Gehring
2526 Westminister
Pearland, TX 77581

D. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 518

Request of owner for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-2) on the following described property, to wit:

Legal Description: Being 63.679 acres out of the SE 1/4, Section 21, H.T. & B. R.R. Co. Survey, A-309 & part of a certain tract in deed dated 11-22-1972, George P. Kelly to Rose M.A. Bagnoli, Vol. 1144, pg 902, Deed Records of Brazoria Co., TX

Owner: Estate of Rose Marie Bagnoli

Agent: Jack Nahas, Executor
4835 Gladys Avenue
Beaumont, TX 77706

E. CONSIDERATION & POSSIBLE ACTION - Zoning Application Nos. 498

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lot 9K4 & 9K, being approximately 1.010 acres, Richland Acres Subdivision, H.T. & B. R.R. Co. Survey, A-509, according to the plat records of Brazoria Co., TX (6418 Cottonwood)

Owner: Kathryn LaWayne Kellum
6418 Cottonwood
Pearland, TX 77584

F. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 535

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lots 8 & 9, Block 1, Wagon Wheel Addition, Section 14, H.T. & B. R.R. Co. Survey, A-509, according to the map recorded in Vol. 8, pg 79, plat records of Brazoria Co., TX (6210 & 6214 Patridge)

Owner: Ernest E. & Glenda J. Walker
Rt. 1, Box 90-2L
Trinity, TX 75862

G. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 541

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: 1 acre, more or less, out of Lot 62, Figland Orchard Subdivision, H.T. & B. R.R. Co. Survey, A-240, recorded in Vol. 3, pg 77, plat records of Brazoria Co., TX (6127 Figland)

Owner: Jose A. & Maria B. Ramos
5192 Willow Wood Road
Rolling Hills EST., CA 90274

H. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 556

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lot 9, Block 2, Robin Cove Subdivision, as recorded in Vol. 18, pg 159, plat records of Brazoria Co., TX (5503 Robin Sound)

Owner: Shannon King
5503 Robin Sound
Pearland, TX 77581

I. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 562

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lot 1, Block 9, Hickory Creek Place Subdivision, Section 7, H.T. & B. R.R. Co. Survey, A-219, recorded in Vol. 11, pg 1, plat records of Brazoria Co., TX (5922 Kelly)

Owner: Carl & Elsie Posern
5922 Kelly
Pearland, TX 77581

J. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 599

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Legal Description: Lot 12, Block 1, Robin Cove Subdivision, Section 2, H.T. & B. R.R. Co. Survey, recorded in Vol. 19, pgs 185-186, plat records of Brazoria Co., TX (5507 Robin Meadow)

Owner: Stephen & Tonya M. Scott
11023 Carlton
Houston, TX 77047

K. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 316
(originally considered at the JPH on September 14, 1998)

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-3) on the following described properties, to wit:

Legal Description: Lot 6, Block 1, Buena Vida Subdivision, in the H.T. & B. R.R. Co. Survey, A-240, according to the map records of Brazoria Co., TX (6331 Cantu)

Owners: Rafael & George Salazar
6331 Cantu
Pearland, TX 77584

L. CONSIDERATION & POSSIBLE ACTION - Zoning Application No. 319
(originally considered at the JPH on September 14, 1998)

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-3) on the following described properties, to wit:

Legal Description: Lot 5, Block 1, Buena Vida Subdivision, in the H.T. & B. R.R. Co. Survey, A-240, according to the plat recorded in Vol. 8, pg 68 & replatted in Vol 9, pg 6, of the plat records of Brazoria Co., TX (5729 Cantu)

Owners: Lamberto Benavides, Jr.
6323 Cantu
Pearland, TX 77584

M. CONSIDERATION & POSSIBLE ACTION

Preliminary plat of Richter Oaks, a subdivision of 19.9368 acres being Lot 8 of the H. Masterson Subdivision of Section 5, H.T. & B. R.R. Co. Survey, Abstract 237, Brazoria County, Texas

N. CONSIDERATION & POSSIBLE ACTION

Partial Replat of Oakbrook Estates, Section Four, a subdivision of 14.1910 acres out of the W.D.C. Hall League, Abstract No. 70, Pearland, Brazoria County, Texas

IV. NEXT MEETING DATE: Monday, February 8, 1999 (JPH)

V. ADJOURNMENT

Posted: 29th day of January A.D., 1999

Removed: 3rd day of February A.D., 1999

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-485-2411 prior to the meeting so that appropriate arrangements can be made.