

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD APRIL 6, 2009 AT 6:00 P.M., IN THE ENGINEERING CONFERENCE ROOM, COMMUNITY CENTER, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

**CALL TO ORDER**

P&Z Chairperson Henry Fuyertes called the meeting to order at 6:08 p.m. with the following present:

P&Z Chairperson Henry Fuyertes  
P&Z Vice-Chairperson Jerry Koza, Jr.  
P&Z Commissioner Darrell Diggs  
P&Z Commissioner Neil West  
P&Z Commissioner Susan Sherrouse  
P&Z Commission Ron Capehart  
P&Z Commissioner Charles Gooden, Jr. arrived at 6:10 p.m.

Also in attendance were: Planning Director Lata Krishnarao, Plans and Plat Administrator Richard Keller, and Planning Administrative Secretary Judy Krajca.

Senior Planner Angela Gantuah and Planning Technician Ian Clowes were also present. Deputy City Attorney Nghiem Doan arrived at 6:29 p.m.

**APPROVAL OF MINUTES**

P&Z Commissioner Ron Capehart made the motion to approve the minutes of March 16, 2009, and P&Z Commissioner Susan Sherrouse seconded.

The vote was 6-0. The minutes of March 16, 2009 were approved.

**NEW BUSINESS**

**CONDUCT A PUBLIC HEARING – Replat of Lots 3, 4, and 4A of Pearland South Industrial Park**

Chairperson Henry Fuyertes opened the hearing at 6:09 p.m. and read the purpose of the hearing.

A request by Christian Offenburger, R.P.L.S., Boundary One Surveyors, L.L.C., for Aggreko, L.P., owner, for approval of a replat of Lots 3, 4, and 4A of Pearland South Industrial Park located on the south side of the 3500 block of Magnolia Road west of Main Street (S.H. 35). The applicant is proposing one lot zoned M-2 and the property is described as follows:

Being a Replat of Lots 3, 4, and 4A of Pearland South Industrial Park as recorded under Volume 16, Page 33-34, Brazoria County Plat Records out of the F. B. Drake Survey, Abstract No. 507, City of Pearland, Brazoria County, Texas.

Plans and Plat Administrator Richard Keller read the staff report.

Commissioner Charles Gooden, Jr. arrived at 6:10 p.m.

The applicant was not present to speak.

There was no one present to speak for or against the replat.

Plans and Plat Administrator Richard Keller stated the location was on Highway 35, south of the Lions Club. Vice-Chairperson Jerry Koza, Jr. asked if combining the lots would make it Lot 3A. Plans and Plat Administrator Richard Keller stated it would become Lot 3A.

Chairperson Henry Fuertes closed the public hearing at 6:12 p.m.

### **CONSIDERATION & POSSIBLE ACTION – Replat of Lots 3, 4, and 4A of Pearland South Industrial Park**

A request by Christian Offenburger, R.P.L.S., Boundary One Surveyors, L.L.C., for Aggreko, L.P., owner, for approval of a replat of Lots 3, 4, and 4A of Pearland South Industrial Park located on the south side of the 3500 block of Magnolia Road west of Main Street (S.H. 35). The applicant is proposing one lot zoned M-2 and the property is described as follows:

Being a Replat of Lots 3, 4, and 4A of Pearland South Industrial Park as recorded under Volume 16, Page 33-34, Brazoria County Plat Records out of the F. B. Drake Survey, Abstract No. 507, City of Pearland, Brazoria County, Texas.

Plans and Plat Administrator Richard Keller read the staff report stating there were no outstanding items.

Commissioner Ron Capehart made the motion to approve, and Vice-Chairperson Jerry Koza, Jr. seconded.

Commissioner Neil West asked if the zoning changed. Plans and Plat Administrator Richard Keller stated no, that the applicant was just combining three (3) lots.

The vote was 7-0. The Replat of Lots 3, 4, and 4A of Pearland South Industrial Park was approved.

### **CONDUCT A PUBLIC HEARING – Replat of Greenwood**

Chairperson Henry Fuertes opened the hearing at 6:15 p.m. and read the purpose of the hearing.

A request by C. L. Davis, C. L. Davis and Company, for Greenwood Development, Inc. and City of Pearland, owners, for approval of a replat of Greenwood located on the north side of the 1100 block of Dixie Farm Road west of Clear Creek. The

applicant is proposing to reconfigure the two reserve areas and additional land into seven reserve areas and one lot zoned GB and the property is described as follows:

Being Restricted Reserves "A" and "B" of Greenwood as recorded in Vol. 19, Pages 233-234 B.C.P.R. and Lots 64 & 65, Geo. W. Jenkins Subdivision (Vol. 79, Pg. 618 B.C.D.R.) in the W.D.C. Hall League, Abstract 70 (Brazoria County) and Abstract 23 (Harris County), City of Pearland, Brazoria and Harris Counties, Texas.

Plans and Plat Administrator Richard Keller read the staff report stating that Lot 1 of Block 1 was at the northwest corner with Clear Creek running through it, and the remainder was reserve being used for drainage and detention.

The applicant was not present to speak.

There was no one present to speak for or against the replat.

Plans and Plat Administrator stated the plat was refiguring two areas. Mr. Keller stated the term for reserves is used when a building permit cannot be used or developed.

Commissioner Neil West asked for clarification on reserves. Plans and Plat Administrator Richard Keller stated some of the reserves will be conveyed to the drainage district and other reserves will continue to be owned by the city.

Chairperson Henry Fuertes adjourned the public hearing at 6:20 p.m.

### **CONSIDERATION & POSSIBLE ACTION – Replat of Greenwood**

A request by C. L. Davis, C. L. Davis and Company, for Greenwood Development, Inc. and City of Pearland, owners, for approval of a replat of Greenwood located on the north side of the 1100 block of Dixie Farm Road west of Clear Creek. The applicant is proposing to reconfigure the two reserve areas and additional land into seven reserve areas and one lot zoned GB and the property is described as follows:

Being Restricted Reserves "A" and "B" of Greenwood as recorded in Vol. 19, Pages 233-234 B.C.P.R. and Lots 64 & 65, Geo. W. Jenkins Subdivision (Vol. 79, Pg. 618 B.C.D.R.) in the W.D.C. Hall League, Abstract 70 (Brazoria County) and Abstract 23 (Harris County), City of Pearland, Brazoria and Harris Counties, Texas.

Plans and Plat Administrator Richard Keller read the staff report stating there were two outstanding items remaining. The applicant needs to pay the recordation and courier fee before the plat can be recorded.

There was no discussion.

The vote was 7-0. The Replat of Greenwood was approved.

### **UPDATE OF ZONE CHARGES AND CONDITIONAL USE PERMITS**

Planning Director Lata Krishnarao briefly reviewed the chart stating the update will continue to be on the P&Z Regular agenda every first Monday of the month.

## DISCUSSION

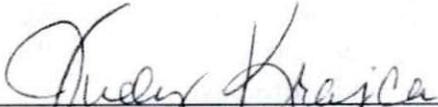
There was brief discussion of the upcoming Planning Day Presentation scheduled for April 15, 2009. Also discussed were the next JPH and P&Z meeting on April 20, 2009, along with P&Z Training.

Commissioner Neil West briefly spoke of the Eyes of Pearland and the good it is doing. Commissioner Darrell Diggs inquired as to who follows up on their findings. Planning Director Lata Krishnarao stated the reports are given to Code Enforcement and they follow up with Planning and Community Development, or other departments as needed.

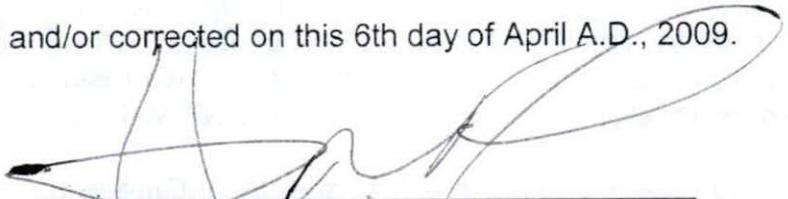
## ADJOURNMENT

P&Z Chairperson Henry Fuertes adjourned the meeting at 6:41 p.m.

These minutes are respectfully submitted by:

  
\_\_\_\_\_  
Judy Krajca, Planning Secretary

Minutes approved as submitted and/or corrected on this 6th day of April A.D., 2009.

  
\_\_\_\_\_  
P&Z Chairperson Henry Fuertes

# PLANNING AND ZONING

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON **APRIL 6, 2009**, AT **6:00 P.M.**, IN THE **ENGINEERING CONFERENCE ROOM**, TEMPORARY CITY HALL, 3523 LIBERTY DRIVE, PEARLAND, TEXAS.

## I. CALL TO ORDER

The Regular Meeting was called to order at 6:08 pm by Chairperson ~~Hen~~ Henry Fuentes, with the following present:

- P & Z Chairperson Henry Fuentes
- P & Z Vice-Chairperson Jerry Koza, Jr.
- P & Z Commissioner Neil West
- P & Z Commissioner Ron Capehart
- P & Z Commissioner Susan Sherrouse
- P & Z Commissioner Darrell Diggs
- P & Z Commissioner Charles Gooden, Jr. *not present arrived @ 6:10 pm*

Circle names of attending commission & staff  
→

Also in attendance: ~~Assistant City Manager Mike Hodge~~, Planning Director Lata Krishnarao, Senior Planner Angela Gantuah, Plans and Plat Administrator Richard Keller, Planning Technician Ian Clowes, Deputy City Attorney Nghiem Doan and Planning Administrative Secretary Judy Krajca. Others: \_\_\_\_\_

## II. APPROVAL OF MINUTES:

Dates: Approval of the Minutes of the **March 16, 2009** P&Z Regular Meeting

Ron made the motion to approve the minutes, (*w/corrections*) and Susan seconded. (*Chairperson Fuentes stated \_\_\_\_\_ correction(s) needed to be made on the \_\_\_\_\_ minutes. Changes are:*)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The vote passed 6 - 0 to approve the minutes (*with corrections*).

# PLANNING AND ZONING

## III. NEW BUSINESS

### A. CONDUCT A HEARING -

Replat of lots 3, 4, & 4A  
of Pearland So. Industrial

Chairperson Henry Fuyertes opened the hearing at 6:09 p.m.

Read purpose of hearing

Staff made presentation. Richard read

Charles  
arrived @ 6:10 pm

Applicant/Owner spoke not present

Speaking for or against: no one present

Commission/Staff/Applicant discussion:

Rep RK stated the location on Hwy 35  
So. of Lions Club. & Jerry - combining  
will make this all Lot 3A.

Chairperson Henry Fuyertes closed the public hearing at  
6:12 p.m.

# PLANNING AND ZONING

## B. CONSIDERATION & POSSIBLE ACTION - Replat of lots

Plans and Plat Administrator Richard Keller read the staff report stating there were no outstanding items.

Ron made a motion to recommend approval, (w/staff comments) or (for the sake of discussion) and Jerry seconded.

Choose one  
→

- { There was no discussion.
- { There was brief discussion.
- { There was much discussion. Topics discussed were:

Neil - did zoning change?  
RK - no Just combining  
3 lots

The vote was 7 - 0  
This motion was approved / denied / tabled.

Reasons for denial or conditions

- 1.
- 2.
- 3.
- 4.

# PLANNING AND ZONING

## C. CONDUCT A HEARING - Replat of Greenwood

Chairperson Henry Fuyertes opened the hearing at 10:15 p.m.

Henry read purpose of hearing

Staff made presentation. RK read... Lot 1 (Alt 1)  
@ NW corner (w/ rest being reserves  
and used for drainage & detention)  
could be developed. Clear Creek runs  
thru it.  
Applicant/Owner spoke

not present

Speaking for or against:

not present

Commission/Staff/Applicant discussion:

RK - just re-configuring 2 ~~lot~~ areas.  
RK - term for reserves is used ~~in~~ when  
plg permit cannot be ~~is~~ used/  
developed.

Chairperson Henry Fuyertes closed the public hearing at  
10:20 p.m.

Neil asked  
for clarification  
on Reserves

RK - some  
will stay w/

Drain. Dist, others  
to remain as city ownership. Greenwood Dev is owner of land

# PLANNING AND ZONING

## D. CONSIDERATION & POSSIBLE ACTION – *Replat of Greenwood*

Plans and Plat Administrator Richard Keller read the staff report stating there were 2 outstanding items. *Need to pay courier & recordation fees before recorded.*

*Jerry* made a motion to recommend approval, *(w/staff comments)* or (for the sake of discussion) and *Darrell* seconded.

Choose one  
→

- { There was no discussion.
- { There was brief discussion.
- { There was much discussion. Topics discussed were:

*a*

The vote was *7-0*  
This motion was *approved* / denied / tabled.

### Reasons for denial or conditions

- 1.
- 2.
- 3.
- 4.

# PLANNING AND ZONING

## E. UPDATE OF ZONE CHANGES AND CONDITIONAL USE PERMITS

Update of Zone Changes and Conditional Use Permits that Planning and Zoning Commission has considered.

### COMMENTS:

## F. DISCUSSION ITEM

- Planning Day Presentation April 15, 2009
- Next JPH and P&Z Meeting April 20, 2009
- P&Z Training April 20, 2009

### COMMENTS:

Discussion re: Eyes of Pearland  
Neil, Lata

## IV. ADJOURNMENT

The meeting was adjourned at 6:41 p.m. by Chairperson Henry Fuertes.

**AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD APRIL 6, 2009 AT 6:00 P.M., IN THE ENGINEERING CONFERENCE ROOM, COMMUNITY CENTER, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. APPROVAL OF MINUTES** **Regular Meeting of March 16, 2009**

**III. NEW BUSINESS**

**A. CONDUCT PUBLIC HEARING – Replat of Lots 3, 4, and 4A of Pearland South Industrial Park**

A request by Christian Offenburger, R.P.L.S., Boundary One Surveyors, L.L.C., for Aggreko, L.P., owner, for approval of a replat of Lots 3, 4, and 4A of Pearland South Industrial Park located on the south side of the 3500 block of Magnolia Road west of Main Street (S.H. 35). The applicant is proposing one lot zoned M-2 and the property is described as follows:

Being a Replat of Lots 3, 4, and 4A of Pearland South Industrial Park as recorded under Volume 16, Page 33-34, Brazoria County Plat Records out of the F. B. Drake Survey, Abstract No. 507, City of Pearland, Brazoria County, Texas.

**B. CONSIDERATION & POSSIBLE ACTION – Replat of Lots 3, 4, and 4A of Pearland South Industrial Park**

Decision Date 4/29/09
-----------------------------

A request by Christian Offenburger, Boundary One Surveyors, L.L.C., for Aggreko, L.P., owner, for approval of a replat of Lots 3, 4, and 4A of Pearland South Industrial Park located on the south side of the 3500 block of Magnolia Road west of Main Street (S.H. 35). The applicant is proposing one lot zoned M-2 and the property is described as follows:

Being a replat of Lots 3, 4, and 4A of Pearland South Industrial Park as recorded under Volume 16, Page 33-34, Brazoria County Plat Records out of the F. B. Drake Survey, Abstract No. 507, City of Pearland, Brazoria County, Texas

**C. CONDUCT PUBLIC HEARING – Replat of Greenwood**

A request by C. L. Davis, C. L. Davis and Company, for Greenwood Development, Inc. and City of Pearland, owners, for approval of a replat of Greenwood located on the north side of the 1100 block of Dixie Farm Road west of Clear Creek. The applicant is proposing to reconfigure the two reserve areas and additional land into seven reserve areas and one lot zoned GB and the property is described as follows:

Being Restricted Reserves "A" and "B" of Greenwood as recorded in Vol. 19, Pages 233-234 B.C.P.R. and Lots 64 & 65, Geo. W. Jenkins Subdivision (Vol. 79, Pg. 618 B.C.D.R.) in the W.D.C. Hall League, Abstract 70 (Brazoria County) and Abstract 23 (Harris County), City of Pearland, Brazoria and Harris Counties, Texas.

**D. CONSIDERATION & POSSIBLE ACTION – Replat of Greenwood**

Decision  
Date  
4/10/09

A request by C. L. Davis, C. L. Davis and Company, for Greenwood Development, Inc. and City of Pearland, owners, for approval of a replat of Greenwood located on the north side of the 1100 block of Dixie Farm Road west of Clear Creek. The applicant is proposing to reconfigure the two reserve areas and additional land into seven reserve areas and one lot zoned GB and the property is described as follows:

Being Restricted Reserves "A" and "B" of Greenwood as recorded in Vol. 19 Pages 233-234 B.C.P.R. and Lots 64 & 65, Geo. W. Jenkins Subdivision (Vol. 79, Pg. 618 B.C.D.R.) in the W.D.C. Hall League Abstract 70 (Brazoria County) and Abstract 23 (Harris County), City of Pearland, Brazoria and Harris Counties, Texas.

**E. UPDATE OF ZONE CHANGES AND CONDITIONAL USE PERMITS**

Update of Zone Changes and Conditional Use Permits that Planning and Zoning Commission has considered.

**F. DISCUSSION ITEM**

- Planning Day Presentation April 15, 2009
- Next JPH and P&Z Meeting April 20, 2009
- P&Z Training April 20, 2009

**IV. ADJOURNMENT**

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**

**I, Judy Krajca, Planning Secretary of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall & at the Community Center on the 2<sup>nd</sup> day of April 2009 A.D., at 5:30 p.m.**

\_\_\_\_\_  
Judy Krajca, Planning Secretary

Agenda removed \_\_\_\_\_ day of 2009.

