



MEMO

TO: PLANNING & ZONING COMMISSION

FROM: JUDY KRAJCA, PLANNING ADMINISTRATIVE SECRETARY

DATE: May 15, 2009

RE: Outline of May 18, 2009 Meeting

Tonights meeting will be held in the Council Chambers.

The evening will begin with dinner arriving at 5:15 p.m. and served in the area behind the Council Chambers. The menu is:

Chicken Pot Pie
New Potatoes
Garden Salad
Assorted Breads
Fruit Tart

P&Z Agendas Posted:

6:00 p.m. Joint Public Hearing
6:00 p.m. P&Z Meeting

Council Chambers
TBA (Council Chambers or 1st Floor
Conference Room)

City Council's Agendas Posted:

6:00 p.m. Special Meeting
6:00 p.m. Workshop
7:00 p.m. Regular Meeting

Council Chambers
Council Chambers
Council Chambers

(City Council Agenda's are attached)

AGENDA – WORKSHOP OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, MAY 18, 2009, AT 6:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. PURPOSE OF THE WORKSHOP:

1. **COUNCIL INPUT AND DISCUSSION:** REGARDING THE PAVEMENT LIFE CYCLE COST ANALYSIS. *Mr. Trent Epperson, Project Director.*
2. **COUNCIL INPUT AND DISCUSSION:** REGARDING THE HILLHOUSE ANNEX. *Mr. Danny Cameron, Director of Public Works.*
3. **COUNCIL INPUT AND DISCUSSION:** REGARDING THE CITY OF PEARLAND GREEN POLICY. *Mr. Jon Branson, Assistant City Manager.*

III. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfin at 281-412-8101 prior to the meeting so that appropriate arrangements can be made.

AGENDA – SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, MAY 18, 2009, AT 6:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. PURPOSE OF THE MEETING:

- 1. CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009- 88** – A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION IN THE CITY OF PEARLAND, TEXAS, ON MAY 9, 2009. *Mr. Bill Eisen, City Manager.*
- 2. MAYOR'S ISSUANCE OF CERTIFICATE OF ELECTION TO NEWLY ELECTED OFFICIALS.** *Mayor Reid.*
- 3. ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED OFFICIAL.** *Justice Boyce.*
- 4. CONSIDERATION AND POSSIBLE ACTION – ELECTION OF MAYOR PRO-TEM.** *City Council.*
- 5. CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-89**– A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, ORDERING THE HOLDING OF A SPECIAL RUNOFF ELECTION TO BE HELD ON SATURDAY, JUNE 20, 2009, FOR THE PURPOSE OF ELECTING A COUNCILMEMBER TO POSITION NO. 2 OF THE CITY OF PEARLAND CITY COUNCIL. *Mr. Bill Eisen, City Manager.*

III. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-412-8101 prior to the meeting so that appropriate arrangements can be made.

AGENDA – REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, MAY 18, 2009, AT 7:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

- I. CALL TO ORDER**
- II. INVOCATION AND THE PLEDGE OF ALLEGIANCE**
- III. MAYOR'S ACTIVITY REPORT**
 - 1. Events attended and upcoming events.
- IV. COUNCIL ACTIVITY REPORTS**
 - 1. Events attended and upcoming events.
- V. CITY MANAGER'S REPORT**
 - 1. Events attended and upcoming events.
- VI. CITIZENS**
- VII. DOCKETED PUBLIC HEARING: None**
- VIII. CONSENT AGENDA:**

ALL ITEMS LISTED UNDER THE "CONSENT AGENDA" ARE CONSIDERED TO BE ROUTINE AND REQUIRE LITTLE OR NO DELIBERATION BY THE CITY COUNCIL. THESE ITEMS WILL BE ENACTED/APPROVED BY ONE MOTION UNLESS A COUNCILMEMBER REQUESTS SEPARATE ACTION ON AN ITEM, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED BY SEPARATE ACTION (IX. MATTERS REMOVED FROM CONSENT AGENDA). APPROVAL OF THE CONSENT AGENDA ENACTS THE ITEMS OF LEGISLATION.

- A. CONSIDERATION AND POSSIBLE ACTION – APPROVAL OF MINUTES:**
 - 1. Minutes of the May 4, 2009, Special Meeting held at 7:00 p.m.
- X. MATTERS REMOVED FROM CONSENT AGENDA**
- XI. NEW BUSINESS**
 - 1. **CONSIDERATION AND POSSIBLE ACTION – REMOVE FROM TABLE RESOLUTION NO. R2009-66. *City Council.***

- 1A. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-66** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING A CONTRACT FOR ENGINEERING AND ARCHITECTURAL DESIGN SERVICES ASSOCIATED WITH THE HILLHOUSE SERVICE CENTER PROJECT. *Mr. Danny Cameron, Director of Public Works.*
2. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-85** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS APPOINTING DIRECTORS TO THE BOARD OF DIRECTORS OF PEARLAND MUNICIPAL MANAGEMENT DISTRICT NO. 1. *Mr. Darrin Coker, City Attorney.*
3. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-81** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO A CONTRACT FOR AUDIT SERVICES. *Mr. Bill Eisen, City Manager.*
4. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-82** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AMENDING THE ANNUAL ACTION PLAN FOR THE COMMUNITY BLOCK GRANT PROGRAM TO INCLUDE RECOVERY ALLOCATION FUNDS. *Mr. Bill Eisen, City Manager.*
5. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-83** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING A UTILITY RELOCATION AGREEMENT ASSOCIATED WITH THE COWART CREEK DIVERSION PROJECT. *Mr. Trent Epperson, Project Director.*
6. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-84** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING A UTILITY RELOCATION AGREEMENT ASSOCIATED WITH THE COWART CREEK DIVERSION PROJECT. *Mr. Trent Epperson, Project Director.*
7. **CONSIDERATION AND POSSIBLE ACTION – REMOVE FROM TABLE RESOLUTION NO. R2009-79.** *City Council.*

- 7A. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-79** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN INTERLOCAL AGREEMENT WITH LEAGUE CITY.
Mr. Bill Eisen, City Manager.
8. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-86** – A RESOLUTION OF THE CITY OF PEARLAND, TEXAS, APPROVING THE ISSUANCE OF DEVELOPMENT AUTHORITY OF PEARLAND TAX INCREMENT CONTRACT REVENUE BONDS, SERIES 2009; APPROVING A BOND RESOLUTION, INDENTURE OF TRUST, PURCHASE CONTRACT AND OTHER DOCUMENTS RELATING TO THE BONDS; MAKING CERTAIN FINDINGS AND CONTAINING OTHER PROVISIONS RELATED THERETO. *Mr. Bill Eisen, City Manager.*
9. **CONSIDERATION AND POSSIBLE ACTION – REMOVE FROM TABLE RESOLUTION NO. R2009-78.** *City Council.*
- 9A. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2009-78** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, REAPPOINTING FRED WELCH, RON DAGLEY, CULLUM HEARD AND DARRELL W. JORDAN, JR. TO SERVE ON THE BOARD OF DIRECTORS OF THE SPECTRUM MANAGEMENT DISTRICT FOR TERMS ENDING JUNE 1, 2013. *Mr. Darrin Coker, City Attorney.*

OTHER BUSINESS:

EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE

1. **SECTION 551.087 – CONSULTATION WITH CITY ATTORNEY** – REGARDING ECONOMIC DEVELOPMENT INCENTIVES. *Mr. Bill Eisen, City Manager.*
2. **SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY** - REGARDING PENDING LITIGATION ASSOCIATED WITH THE BLUE RIDGE LANDFILL.
Mr. Darrin Coker, City Attorney.
3. **SECTION 551.074 - PERSONNEL MATTERS** - REGARDING APPOINTMENTS TO THE PEARLAND ECONOMIC DEVELOPMENT CORPORATION.
Mr. Bill Eisen, City Manager.

4. SECTION 551.074 - PERSONNEL MATTERS -
DISCUSSION REGARDING CITY MANAGER'S 2009 - 2010
ANNUAL GOALS. *Mr. Bill Eisen, City Manager.*

NEW BUSINESS CONTINUED:

10. **CONSIDERATION AND POSSIBLE ACTION – REGARDING ECONOMIC DEVELOPMENT INCENTIVES.** *City Council.*
11. **CONSIDERATION AND POSSIBLE ACTION – REGARDING PENDING LITIGATION ASSOCIATED WITH THE BLUE RIDGE LANDFILL.** *City Council.*
12. **CONSIDERATION AND POSSIBLE ACTION – REGARDING APPOINTMENTS TO THE PEARLAND ECONOMIC DEVELOPMENT CORPORATION.** *City Council.*
13. **CONSIDERATION AND POSSIBLE ACTION – DISCUSSION REGARDING CITY MANAGER'S 2009 - 2010 ANNUAL GOALS.** *City Council.*

XI. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-412-8101 prior to the meeting so that appropriate arrangements can be made.

- Make copy for BDD# 4
- Keep one for the record
-

P&Z Agenda Item

A

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD MAY 18, 2009, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. PURPOSE OF HEARING

Zone Change No. 2009-04Z

A request by Brazoria County Drainage District No. 4, applicant and owner, for approval of a change in zoning district from classification of Single Family Residential-2 (R-2) to General Business (GB), on the following described property, to wit:

Legal Description: A parcel of land containing 0.5716 acres (24,900 square feet), more or less, being a portion of Lot 1 and all of Lot 2, Block 15, Mimosa Acres, conveyed from Kenneth W. Quinn and wife, Barbara Quinn, to Brazoria Drainage District No. 4 as recorded in File No. 2007050415 official records, Brazoria County, Texas (O.R.B.C.T.) and also recorded in Volume 7, Pages 15-16, Brazoria County Plat Records (B.C.P.R.) and a portion of Pear Street (60' R.O.W.), as recorded in volume 7, Pages 15-16, (B.C.P.R.), said 0.4683 acre tract situated in the R.B. Lyle Survey, Abstract No. 543 in Brazoria County, Texas.

General Location: Located at 2501 Francis Drive and 4807 Broadway St.

III. APPLICATION INFORMATION AND CASE SUMMARY

A. STAFF REPORT

B. APPLICANT PRESENTATION

IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

VI. 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.

P&Z Agenda Item

B

PLANNING AND ZONING

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON **MAY 18, 2009**, AT **6:30 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 7:13 pm. by Chairperson 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.

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 **May 4, 2009** P&Z Regular Meeting

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

The vote passed 7-0 to approve the minutes (with corrections).

Neil owe it to residence to protect them.

Henry asked for clarification on why buffering required

Jerry combine it - replat it

Henry will Platting Change rules

AL Lents Not about Platting - about zoning

Buffer is different
much discussion between Comm. & BDP

Marrell what is timeline

Nike Post Hope to begin construction this yr.

Cate clarify R-2 would require CUP
under GB they do not

Much discussion ensued

Henry what is long term plan of homes you are looking
at buying.

J Brennan - no long-term. Resid. approached them for buyout
due to flooding.

Trent E. - on CIP 5 yr. is ^{Plan} 90% done for Town Ditch
Bids should be going out end of June '09.

Love Chng
2009-12
P. 2

PLANNING AND ZONING

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2009-04Z

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

Choose one



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

Angela stated she read over 21 questions submitted by Claire Carter - 2502 Francis Dr.

Susan immediately S. what is bldg. (on N side) used to be a Barber shop - has been demolished

& is BDD#4 is owner.

Henry asked about several driveways if existing driveway they can keep. But when Plat, TxDOT has requirements & may be required to close.

Al Lentz, Eng. For BDD#4 (it) will be abandoned.

Darrel - ownership - clarified what BDD#4 owns. Brennan - will follow all drainage rules/guidelines

The vote was ____ - ____.

This motion was **approved** / denied / tabled.

Reasons for denial or conditions

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

Al Lentz - one thing to help. ^{was a} Survey/Study done when Town Ditch Ph. 3 is completed (35 to Mykawa) will substantially help drainage in Mimosa Acres

Darrel - what kind of proposed screening of McGuff - will follow UDC guidelines
wata - No screening required on Francis St side of parking on Francis would have to plant shrubs on Pear St. - if get low, and about Pear St, may ^{not} need to put up masonrd fence there either.

Charles ^{verified} 2409 - house demolished
houses w. of Francis 2502 & 60 are not under negotiation

N of 2409 - under contract to purchase

Bison
Gov't entity - allowed in either zone if change to GB, will lots a block or two over request GB?

Domino effect
concern w/ changing the zoning

Charles
if only trying to alleviate landscape buffer - what other options

Late to do a PD

Ruby - lot wanting to change is resid. what about house across the street.

Darrell not opposed ~~because~~ its ~~will~~ laterally owned by a municipality

zone chg
2009-07-2
P.1

PLANNING AND ZONING

B. CONSIDERATION & POSSIBLE ACTION - Final Plat - Cullea

Plans and Plat Administrator Richard Keller read the staff report stating there were 0 outstanding items.

Park Estates

*Residences in ETJ
water is serviced by city*

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

Choose one
→

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

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

- Reasons for denial or conditions
- 1.
 - 2.
 - 3.
 - 4.

Reilly what will be placed on these lots (lg. trucks? ~~see~~ machinery)

Mike Post Real purpose for lots is green space & detention area
Looking to bld. limestone & brick structure that Jack McButt
is designing.
could do it anyway, but want it all zoned the same.

Darrell quest. 17 Impact of prop values.
BPD #4 there ~~was~~ since 1954. Last development since 1954 & built
out since.

Ms. Smajstrla Negatively impacted 2401 Francis (backs up).

Serry K new off. bldg - where will entrance be? - oriented to
518

Darrell Any protected trees? (one)
J. McButt - saving it.

Ch. Hoosen Staff recomm. approval - assume ~~staff~~ considered as
impacts.
Lata - Yes. Except staff did not realize BPD #4 was
buying up prop.

PLANNING AND ZONING

C. CONSIDERATION & POSSIBLE ACTION - Savannah

Plans and Plat Administrator Richard Keller read the staff report stating there were 0 outstanding items. *in ETS-w/ Development Agreement*

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

Choose one
→

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

Darrell asked what some of the Dev. A

- city to inspect houses
- approval. mstr. Pln.
- Trails

when we eventually annex, we know they will meet city ordinance

- Parkland Dedicat
- Treated more like P.D.
- Donated parcel for Fire Station

The vote was 2-0.
This motion was approved / denied / tabled.

Reasons for denial or conditions

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

Ron Lopez

Concern w/ zoning BB and domino affect
Should be an easier way.

Dave

We zone Best use of Land. This is the Best use of
the land to zone it BB.

Henry

Extremely tough decision

Claire
Corder

Can a decision be postponed

Rem - what is entailed w/ getting a ^{Variance for} Landscape Buffer.
Lata - Best thing would be to get cut on R-2 ^{land}.

Charles - But is this a hardship?

Susan - has to be some exception

Platting

AL - will Plat front 1 Plat (Reserve A)
Back 1 Plat (" B)

Much discussion and clarification.

Darrell allow them to replat w/ multi-zones

Charles

a single lot w/ multi zone

Darrell

brought up recent Roy Re issue
not in favor.

zone Aug
2009-042
p. 4

PLANNING AND ZONING

D. CONSIDERATION & POSSIBLE ACTION - *Plg/04*

Plans and Plat Administrator Richard Keller read the staff report stating there were _____ outstanding items. *in ETJ*

Setting ready to submit final but time on Prelim. is close to running out.

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

Charles seconded.

Choose one



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

The vote was *7-0*.

This motion was *approved* / denied / tabled.

Reasons for denial or conditions

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

~~the~~ & Neil
Darrel excused himself

Jerry - motion to table

Ron 2nd

until decision to replat.

3 - 2 Charles & Henry opposed as table

approved

zone change
2009-042

pg. 5

Accessed @ 9:24
Approved 8:37

PLANNING AND ZONING

E. 5 YR CIP →

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:

6/1 Training by CD from Nat'l APA Conf.

Ngheim still seeking ~~training~~ questions from P&Z - in order to put his training together

IV. ADJOURNMENT

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

a few years back comm. sent ~~out~~ a questionnaire.

Data will email out.

UDC 7-11 JPH 6/15

Land Use Jt. Wrkshp 6/1, 6/15, 7/

Wireless-connectivity

Susan/Herry - no internet

E. 5 yr. CIP

Susavi^m/Charles^{-2nd}

Henry - commended trends & presentation
and learned a lot.

~~the~~ discussion ensued
w/ regards to specific projects.

n-o approved

AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD MAY 18, 2009 AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. APPROVAL OF MINUTES Regular Meeting of May 4, 2009

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION - Zone Change No. 2009-04Z

A request by Brazoria County Drainage District No. 4, applicant and owner, for approval of a change in zoning district from classification of Single Family Residential-2 (R-2) to General Business (GB), on the following described property, to wit:

Legal Description: A parcel of land containing 0.5716 acres (24,900 square feet), more or less, being a portion of Lot 1 and all of Lot 2, Block 15, Mimosa Acres, conveyed from Kenneth W. Quinn and wife, Barbara Quinn, to Brazoria Drainage District No. 4 as recorded in File No. 2007050415 official records, Brazoria County, Texas (O.R.B.C.T.) and also recorded in Volume 7, Pages 15-16, Brazoria County Plat Records (B.C.P.R.) and a portion of Pear Street (60' R.O.W.), as recorded in volume 7, Pages 15-16, (B.C.P.R.), said 0.4683 acre tract situated in the R.B. Lyle Survey, Abstract No. 543 in Brazoria County, Texas.

General Location: Located at 2501 Francis Drive and 4807 Broadway St.

B. CONSIDERATION & POSSIBLE ACTION – Final Plat of Cullen Park Estates

Decision
Date
6/3/09

A request by Jimmy Bishop, JKC & Associates, Inc., for Cullen Park Partners, owners, for approval of a final plat of Cullen Park Estates located on the north side of the 7900 block of Bailey Road (C.R. 101) and east of Old Chocolate Bayou Road (C.R. 89). The applicant is proposing 32 lots in two blocks and seven reserve areas. Property is within the City of Pearland E.T.J. and is not zoned. The property is described as follows:

Being 29.32 acres out of the H.T. & B. R.R. Co. Survey, Lot 26, Abstract 547, Brazoria County, Texas

C. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Savannah Meadows Section Seven

Decision
Date
5/22/09

A request by Christy Smidt, Kerry R. Gilbert & Associates, Inc., for Savannah Development, Ltd., owner, for approval of a Preliminary Plat of Savannah Meadows Section Seven located south of the 13500 block of Post Road (C.R. 58). The applicant is proposing 51 lots in three blocks and three reserve areas. Property is within the City of Pearland E.T.J. and is included within a P.U.D. The property is described as follows:

Being 16.8 acres out of the A.C.H. & B. Survey, A-403, and the J.S. Talmage Survey, A-562, Brazoria County, Texas

D. CONSIDERATION & POSSIBLE ACTION – Request for a one-year extension of time for approval of the Preliminary Plat of Plylox Commercial Addition

A request by Thomas Offenburger, Boundary One Surveyors, LLC, for a one year extension of time of approval of the Preliminary Plat of Plylox Commercial Addition as allowed by Article 2, Division 5 of Chapter 1 of the Unified Development Code.

E. CONSIDERATION & POSSIBLE ACTION - 5-YEAR CAPITAL IMPROVEMENT PLAN

Five Year Capital Improvement Program 2010 - 2014

F. DISCUSSION ITEM

- P&Z Training June 1, 2009
- UDC Amendment T-11 Joint Public Hearing June 18, 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 15TH day of May 2009 A.D., at 5:30 p.m.

Judy Krajca, Planning Secretary

Agenda removed _____ day of 2009.

Re-zoning Questions & Concerns

5-18-09

summary of:
Claire Carter
2503 Francis Dr
Zone Chng.
No. 2009-042
5-18-09

- 1) Please show us the plans for the property across from 2502 and 2504 Francis Drive at a minimum.
- 2) Do the plans in #1 above include the properties on the east side of Francis between Pear and Cherry?
- 3) What is the required elevation of the foundation for the new administrative offices? We have been informed by a local builder that the flood elevation benchmark in our area [Mimosa Acres] sets at 49' which is much higher than ANY property within the Mimosa Acres surrounding neighborhood, *Willowcrest*
- 4) Please show us and explain how a shallow detention pond will suffice the city plans that require properties surrounding the new structures to not suffer from run-off, drainage issues or flooding due to new additions or new structures.
- 5) Installation of the BCDD #44 facilities behind the homes on Francis between Pear and Cherry have suffered from many floods due to the drainage district's inability to improve the flow of run-off. How will additions to this property NOT impact the remainder of the homes from additional or future flooding?
- 6) Why was the huge Pecan tree cut down that was on the 2501 Francis property? And the Oak on the property just torn down?
- 7) Will the addition cause a change in our flood plain?

- 8) **Can a proper detention pond be place on the east side of the current building between the carwash and BCDD?**

- 9) **What is the reported impact of the building plans on the drainage of a neighborhood known to flood like Corrigan South use to flood?**

- 10) **What type of fencing will be installed and where?**

- 11) **What plants, shrubs and trees will be introduced and where?**

- 12) **Please show us a plan that contains the annotation of the protected trees.**

- 13) **When is the proposed building and detention pond to begin? Order?**

- 14) **Will the remaining two homes on the east side of Francis Drive between Cherry and 518 be purchased? When? Impact on building and detention pond?**

- 15) **What impact on drainage in Mimosa Acres has the BCDD taken within the last 10 years?**

- 16) Should the properties flooded out repeatedly within the last two to five years be bought out federally? Does the county or city buy-out?**

- 17) What is the impact on the value of the properties with this expansion and buy-out/destruction of properties for the detention pond and building?**

- 18) What kind of insect and mosquito control will be used in the detention pond?**

- 19) Will the detention pond have a pump or just allow water to stand?**

- 20) What results came of the surveys done on the ditches in Mimosa Acres within the last 2 years? The surveyors came through twice?**

- 21) If you look at the maps online with the city, building of this new facility will impact the neighboring residents.**

PLANNING & ZONING COMMISSION MEETING

0

DATE: 5-18-09

NAME	COMPANY	ITEM OF INTEREST	COMMENTS
Christy Smidt	Kerry R. Gilbert F ASSOC	Gar. Meadows SEC. 7	
Aaron Bourgeois	Lentz Eng.	III. A	
JEFF BRENNAN	BDD4		
JACK MCGUFF	MCGUFF ARCHITECTS	BDD4 ZONING	
MIKE FOST	BDD4		
AL LENTZ	BDD#4		
Pat Smaystila	2401 Frances Pearland	BDD4 200942	
Ruby Sanders	2402 Frances Pearland	2009 42	

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

MAY 18, 2009

6:30 p.m.

Henry Fuertes
P&Z CHAIRPERSON

Jerry Koza, Jr.
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Neil West

Susan Sherrouse



Darrell Diggs

Ron Capehart

Charles Gooden, Jr.

In accordance with the Texas Open Meeting Act the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located at the front entrance of the City Hall, 3519 Liberty Drive.

P&Z Agenda Item

E

MEMORANDUM

TO: CITY OF PEARLAND PLANNING & ZONING COMMISSION

FROM: MIKE HODGE, ASSISTANT CITY MANAGER

DATE: MAY 14, 2009

SUBJECT: FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM 2010 - 2014

Pursuant to City Charter, the Planning & Zoning Commission (P&Z) is to "submit annually to the City Manager, not less than ninety (90) days prior to the beginning of the budget year, a list of recommendations for capital improvements, which, in the opinion of the commission are necessary or desirable to be constructed during the forthcoming five (5) years. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year."

On May 4, 2009, Trent Epperson, Projects Director, reviewed the 2010-2014 Five-Year Capital Improvement Program for the City of Pearland with the Board. At that meeting there were no recommendations and consensus from the board to make any changes to the CIP program nor has staff been contacted since then with any questions or concerns.

As such, staff is requesting the Board's consideration and approval to recommend and submit the proposed Five-Year CIP 2010-2014 as reviewed, to the City Manager pursuant to City Charter provisions.

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
DRAINAGE

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	DR0602	Cowart Creek Diversion	2008-2011	Construction
2	DR2004	Town Ditch Phase III	2008-2010	Design/Construction
3	DR2007/T70024	Veterans Walnut Drainage & Roadway - Phase I	2008-2011	Construction
4	DR2006	East Mary's Creek Detention	2008-2010	Design/Construction
5	DR2003	Hickory Slough Detention at Max Rd.	2010-2012	Design/Construction
6	DR2002	D.L. Smith Detention Pond Expansion	2011-2013	Design/Construction
7	DR1301	PER for Future Bond Referendum	2013	PER

Some projects are color coded to reflect major differences from last year's CIP.	
Timing	
Additional money needed	
Project Budget Reduced	
New Project	

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
FACILITIES

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	FA0801	UHCL - Pearland Campus	2008-2010	Construction
2	FA0902	Savannah Lakes Fire Station #6	2009-2010	Built by MUD's
3	FA0903	Park-n-Ride Land Acquisition & Paving	2010	Land/Construction
4	FA0905	Old Police Department Renovations	2009-2010	Design/Construction
5	FA0904	City Hall Complex Renovations	2009-2010	Design/Construction
6	T50071	Hillhouse Road Annex	2009-2013	Design/Construction
7	FA1001	Pearland Fire Station #2	2010-2011	PER/Design/Construction
8	FA1002	Traffic Signal Communications Network	2010-2011	Design/Construction
9	FA1101	Service Center Modifications	2011-2014	PER/Design/Construction
10	FA1201	Pearland Fire Station # 3	2012-2013	PER/Land/Design/Construction
11	F20002	Tom Reid Library Expansion	2013-2014	Design/Construction

Some projects are color coded to reflect major differences from last year's CIP.

Timing



Additional money needed



Project Budget Reduced

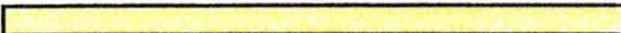


New Project



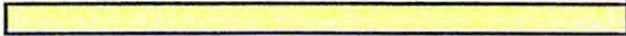
CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
PARKS

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	P20006 / P50072	Trail Connectivity	2008-2013	Design/Construction
2	P20007	Natorium & Recreation Center	2008-2010	Design/Construction
3	PK0801	Hunter Park	2008-2010	Design/Construction
4	P20005	Max Road Sports Complex Phase I	2010-2012	Design/Construction
5	P20002	Shadow Creek Ranch Park Ph 1	2011-2013	Design/Construction
6	P20001	Independence Park Ph 1	2011-2013	Design/Construction
7	P50071	Centennial Park Ph II	2011-2013	Design/Construction
8	P20004	Delores Fenwick Nature Center-Ph I	2012-2014	Design/Construction
9	PK1301	PER for Future Bond Referendum	2013	PER

Some projects are color coded to reflect major differences from last year's CIP.	
Timing	
Additional money needed	
Project Budget Reduced	
New Project	

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
STREETS

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	TR0902	FM 518 Expansion (CR 94 to Smith Ranch Road)	2009-2010	Design/Construction
2	TR0811	Business Center Drive	2009-2010	PER/Design/Construction
3	TR0803	Old Town Area Sidewalks	2009-2013	Construction
4	T08002	Bailey/Veterans to FM 1128	2009-2011	Construction
5	T70051	Orange Street	2008-2011	Design/Construction
6	TR1001	Traffic Signals at Mykawa and Brookside Rd	2010	ROW/Design/Construction
7	TR1002	Dixie Farm Rd Alignment (SH35 to Massey Ranch Rd.)	2010	PER
8	TR1003	Pearland Pkwy Alignment Study (Dixie Farm Rd. to FM 2351)	2010	PER
9	TR1004	Mchard Rd Alignment Study (Cullen Pkwy to Mykawa Road)	2010	PER
10	TR1101	CR 403 (Hughes Ranch Road)	2011	Construction
11	T68976	Mykawa Road Extension (BW8 to FM 518)	2012-2015	Design/Construction
12	T20002	Old Alvin Rd Widening (Plum Street to McHard Road)	2012-2014	Design/Construction
13	TR1301	PER for Future Bond Referendum	2013	PER
14	TR1302	Pearland Parkway Extension	2013-2014	ROW/Design
15	TR1303	Cullen Parkway Phase II (McHard Rd to BW 8)	2013-2014	Design/Construction

Some projects are color coded to reflect major differences from last year's CIP.	
Timing	
Additional money needed	
Project Budget Reduced	
New Project	

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
WATER

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	W42051	City of Houston Connection	2008-2011	Design/Construction
2	WA1001	General Engineering Consultant/CIP Administration	2010-2013	Administration
3	WA0812	Surface Water Plant	2013-2016	PER/Design/Construction
4	WA1101	Old Alvin Road Water	2011-2012	PER/Design/Construction
5	WA1102	SH 35 Water - South of Magnolia Road	2011-2012	PER/Design/Construction
6	WA1103	Old City Hall Ground Storage Tank	2011-2012	Construction
7	WA1301	FM 1128 16" Waterline	2013-2014	ROW/Design/Construction
8	WA1302	CR 100 Waterline	2013-2014	ROW/Design/Construction
9	WA1303	McHard Rd. 16" Water Line	2013-2014	ROW/Design/Construction
10	WA1304	Harkey Rd. from CR100 to CR128 & CR 128 from Harkey to Veterans	2013-2014	ROW/Design/Construction
11	WA1305	Veterans Dr. Bailey Rd. to CR 128 16" Water Line	2013-2014	ROW/Design/Construction
12	WA1306	FM518/Mary's Creek Elevated Storage Tank	2013-2014	ROW/Design/Construction
13	WA1307	FM 521 Waterline (Broadway to Mooring Pointer)	2013-2014	Design/Construction
14	WA1308	SH35 Water line from FM518 to Magnolia	2013-2014	PER/Design/Construction
15	WA1309	Pearland Parkway waterline from Oiler Drive to Dixie Farm Road	2013-2014	PER/Design/Construction
16	WA1401	Fellows Loop	2014	PER/ROW/Design

Some projects are color coded to reflect major differences from last year's CIP.	
Timing	
Additional money needed	
Project Budget Reduced	
New Project	

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
WASTEWATER

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	W67993	SH35 Water & Sewer (BW8-FM518)	2008-2010	Construction
2	WW0902	Longwood WWTP Lift Station Replacement and Plant Rehabilitation	2009-2010	Design/Construction
3	WW0903	Hooper Road Utilities	2009-2010	Construction
4	WW1004	WWM Project 4 Barry Rose WWTP Lift Station, Influent Sewer, Barscreen and Sand Filter Rehabilitation, Centrifuge Rehabilitation	2010-2012	PER/Design/Construction
5	WW1001	WWM Project 8 West Lea Lift Station	2010-2011	PER/Design/Construction
6	WW1002	WWM Project 17 West Oaks Lift Station Retirement	2010-2011	ROW/Design/Construction
7	WW1101	WWM Project 2 Hatfield Basin Trunk Sewer Line	2011-2012	PER/Design/Construction
8	WW1102	WWM Project 38 South Texas Avenue Sanitary Sewer Upgrade	2011-2012	PER/Design/Construction
9	WW1201	WWM Project 31A - Southdown (North Central) WWTP Replacement	2012-2015	PER/Design/Construction
10	WW1202	WWM Project 33 Orange Mykawa Lift Station Retirement	2012-2013	PER/Design/Construction
11	WW1203	WWM Project 5 Mykawa/Scott SCADA Lift Station	2012-2013	PER/Design/Construction
12	WW1204	WWM Project 7 Twin Creek Regional SCADA Lift Station & Basin Rehab	2012-2013	PER/Design/Construction
13	WW1205	Far Northwest WWTP Centrifuge Rehab	2012	Design/Construction
14	WW1206	WWM Project 19 - Broadway Trunk Sewer Extension	2012-2013	Design/Construction
15	WW1301	WWM Project 11 Veterans Drive Lift Station Service Area	2013-2015	PER/Construction
16	WW1303	McHard Rd Trunk Sewer (Mykawa to Southdown WWTP)	2013-2015	ROW/Construction
17	WW1302	WWM Project 12 Roy/Max Garden Roads Basin Sewage System	2013-2014	PER/Design/Construction
18	WW1304	WWM Project 22 - Miller Ranch Rd. SCADA Lift Station	2013-2014	PER/Design/Construction
19	WW1401	WWM Project 29A - JHEC WWTP Expansion	2014	PER
20	WW1402	WWM Project 21 Oak Brook Estate Lift Station	2014	ROW/Design/Construction

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
WASTEWATER

Some projects are color coded to reflect major differences from last year's CIP.	
Timing	
Additional money needed	
Project Budget Reduced	
New Project	



MEMO

TO: PLANNING & ZONING COMMISSION
FROM: JUDY KRAJCA, PLANNING ADMINISTRATIVE SECRETARY
DATE: May 1, 2009
RE: Outline of May 4, 2009 Meeting

The evening will begin with dinner arriving at 5:15 p.m. The menu is:

- Chicken fried steak
- Mashed potatoes with gravy
- Greens beans
- Cole slaw
- Rice
- Assorted pies

Snack tray has been ordered for the P&Z Workshop.

P&Z Agendas Posted:

6:00 p.m. Joint Workshop (UDC Amendments)	Temporary Municipal Court Room
6:00 p.m. P&Z Meeting	Engineering Conf. Rm.
6:00 p.m. P&Z Workshop (5-Year CIP Plan)	Engineering Conf. Rm.

City Council's Agendas Posted:

6:00 p.m. Joint Workshop (UDC Amendments)	Temporary Municipal Court Room
7:00 p.m. Special Meeting	Temporary Municipal Court Room
7:00 p.m. Executive Session	Temporary Municipal Court Room

(City Council Agenda's were not available at the time of this mailing)

AGENDA – WORKSHOP OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD MAY 4, 2009 AT 6:00 P.M., IN THE TEMPORARY COUNCIL CHAMBERS, CITY HALL, COMMUNITY CENTER, 3523 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. PURPOSE OF WORKSHOP

A. COMMISSION INPUT AND DISCUSSION: REGARDING AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE - T-11, *presented by Lata Krishnarao, Planning Director*

III. 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.

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: 5-04-09	ITEM NO.: Workshop No. 1
DATE SUBMITTED: 05-01-09	DEPARTMENT OF ORIGIN: Planning
PREPARED BY: Lata Krishnarao	PRESENTORS: Lata Krishnarao, Nghiem Doan
REVIEWED BY:	REVIEW DATE:
SUBJECT: Proposed Amendments to the Unified Development Code (UDC) – T-11.	
EXHIBITS: Staff Memo, UDC Text with Proposed Amendments	
EXPENDITURE REQUIRED: AMOUNT AVAILABLE: ACCOUNT NO.:	AMOUNT BUDGETED: PROJECT NO.:
ADDITIONAL APPROPRIATION REQUIRED: ACCOUNT NO.: PROJECT NO.:	
To be completed by Department: <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

Staff has compiled a list of proposed amendments to the UDC, adopted in 2006. This amendment, T-11, will be the 11th set of amendments. The amendments are in response to comments raised by the development community, city council, P & Z Commissioners, Chamber of Commerce and staff. Some of the amendments incorporate the recommendations of the ongoing Land Use Study.

For simple changes, the text amendments to the UDC have been proposed and attached. For amendments that need further discussion, the UDC text amendments will be drafted based on the outcome of this workshop.



CITY OF PEARLAND

PLANNING & ZONING

MEMO

DATE: May 1, 2009

TO: City Council and Planning & Zoning Commission

FROM: Lata Krishnarao, AICP, Planning Director

SUBJECT: Amendments to the Unified Development Code T-11– May 2009

1. Change All “C” zones to “GC”

Section 4.2.4.3 of the UDC refers to the 'GC' zone as 'C' (Land Use and Urban Development Ordinance designation). Staff recommends that this be modified in the entire UDC.

See page 19 of the attached Proposed UDC Text Amendments.

2. Exterior Standards for Facades Located on Local Streets

In the past, certain buildings, especially industrial, have been permitted with exterior walls that are of lower standards than the 24-gauge metal panels if they meet the wind load and other requirements of the building code. The Building Official has indicated that the gauge of the metal used has no bearing on the structural stability or strength of the building. Therefore, staff recommends that the language be modified to permit lesser standards if approved by the building official.

Section 2.6.2.1 (b) (3)

*(3) Minimum exterior wall standards (facade) shall be a minimum of 24-gauge or heavier architectural panels (wall systems) **unless a lesser system is approved by the Building Official.** Corrugated metal is prohibited.*

3. Clarification of Expansions

Clarify Section 4.1.3.2 to state that expansion refers to both attached and detached expansions.

See page 11 of the attached Proposed UDC Text Amendments.

4. Height of Building

Section 2.6.1.2 conflicts with definition in Section 5.1.1.1 (a) (59). Replace the language in Section 2.6.1.2 (a) with that in Section 5.1.1.1 (a) (59).

See page 10 of the attached amendments.

Section 2.6.1.2 Special Height Regulations

(a) Calculation of Height.

~~(1) For the purposes of calculating the overall height of a structure, slope shall be calculated from the highest point of the building at natural grade to the lowest point of the building at natural grade, or the natural grade of an adjoining road, along a line that is, as close as possible, perpendicular to existing contours.~~

~~(2) The height shall be measured from the highest parapet or roof ridge to natural grade or finish grade at the lowest point adjacent to the building exterior, whichever yields the greatest height.~~

The vertical distance measured from grade at the front of the building to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height level between eaves and ridge for a gable, hip, or gambrel roof.

Section 5.1.1.1 (a) General Definitions

(59) BUILDING HEIGHT: *The vertical distance measured from grade at the front of the building to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height level between eaves and ridge for a gable, hip, or gambrel roof.*

5. Fences for Residential in Corridor Overlay District (COD)

The COD Section 2.4.5.1 – does not address fences (that are not screening walls) visible from streets. As included below, the definition of screening wall does not include fences installed to separate the front yard from side and rear yards.

If the council wants to ensure that all fences in COD (including single family residential) that are visible from the street are masonry, then the following change needs to be made.

Additionally, conflicts between Sections 2.4.5.1(1) (2) and (3) need to be clarified.

See page 5 of the Proposed UDC Text Amendments.

Section 2.4.5.1 (i)

(2) Screening Elements Required: All fences and screening walls visible from a public street shall be:

- a. Constructed of masonry materials that are consistent with the color and design of the primary on-site structure.*
- b. Consistent in color and design with the building architecture.*
- c. Uniform in style and materials along the entire length of the screen within a single development.*

(3) Screening Elements Prohibited: No fence or wall visible from a public street shall be: (Conflicts with Section 2.4.5.1 (i) above – confusing for staff)

- a. Greater than eight feet (8') in height.*
- b. Located within any required visibility triangle.*
- c. Constructed with any of the following materials: surface painted or coated concrete, chain link, concertina wire, barbed wire, corrugated metal, or fiberglass panels. Exceptions:*

- 1. Barbed wire may be used solely to control livestock.*
 - 2. Public Educational Facilities shall be permitted to use chain link fence along the perimeter of sports fields and detention basins.*
- Any chain link fence located one hundred feet (100') or less from a thoroughfare listed in subsection (b) shall be constructed of chain link material that is entirely coated by vinyl, powdercoating, or other durable material that is black or dark green in color, and shall also include one of the following features:*

Section 5.1.1.1 (a) General Definitions

335) SCREENING WALL: *(Also called Solid Wall.) A solid vertical barrier constructed of masonry materials that is intended to separate and limit visibility between that which is on either side of the barrier, for example adjacent land uses or particular site elements.*

6. Parking for Shopping Centers with Multiple Uses

Currently, different parking ratios are required for uses that may be located within one shopping strip. For example retail requires 1 space per 200 s.f., doctor's office requires 4 spaces per treatment room, restaurant

requires 4 space + 1 for 100 s.f. of gross floor area or 4 seats, whichever is greater, drive through with no indoor seating 1 space per 50 s.f., etc. UDC requires 1 per 165 s.f. ratio for multiple use occupancy and 1 per 200 s.f. for shopping centers over 3 acres in size.

At the time of permit, the developer generally proposes 1/200 (larger ratio) since all the uses are not determined at that time. After completion, if uses are added that require higher ratio, then occupancies are denied due to lack of parking.

Staff recommends that a composite ratio of 1 per 200 s.f. be permitted for all multi use /multiple occupancy buildings, irrespective of individual uses. This would provide flexibility for change of use at a later date.

Nationwide, parking ratios for retail range from 1 per 165 s.f. to 1 per 450 s.f. Staff feels that the proposed ratio will not cause parking deficits in mixed use areas, since the ratio of 1 per 200 s.f. for retail used by City of Pearland is less than ratios used by other cities as listed below. Additionally, mixed use centers have uses that have different peak times, and therefore can share parking spaces.

Retail Use – Parking Ratio

Austin	1 space per 275 s.f.
Mobile, AL	1 space per 300 s.f.
National Standards for retail	1 per 300 s.f.
College Station	1 per 250 to 1per 350 depending on zoning.
South Padre	1 per 250 s.f.

Sugarland

Shopping Centers	
Less than 400,000 Square Feet	1:200 s.f.
400,001 to 600,000 Square Feet	1:250 s.f.
Greater than 600,001 Square Feet	1:300 s.f.
Office Buildings	1:250 s.f.

Missouri City

Shopping Centers less than 30,000	- 1 per 285-250 s.f.
Shopping Centers (30,00 - 100,000 s.f.)	- 1 per 250 - 225 s.f.
Ratios depend on the percentage of entertainment and restaurant uses	

See page 14 of the attached Proposed UDC Text Amendments.

7. Accessory Buildings and Pools

The purpose of this amendment is to permit accessory structures, including pools in the side yard while still maintaining some guidelines designed to preserve building separation, open space, air, and light standards. A resolution was adopted on April 20, 2009 to authorize staff to start issuing building permits to allow the construction of such structures based on the following limitations.

The portion of any accessory structure that is located in the side yard shall:

- (1) conform to the minimum side yard set-back requirement applicable to primary structures for the zoning district in which the property is located;
- (2) be no closer to the front property line than the front building line; and
- (3) not exceed five (5) feet in height.

As was discussed on April 20, 2009, part of the challenge lies in how the front, side, and rear yards are defined. Once consensus is reached on the definitions, Council can then decide whether to allow accessory structures in the side yards, which types to allow, and with what restrictions. To that end, staff is offering the following options for Council's consideration:

1. Definitions remain the same: front yard determined by front face nearest street, rear yard by rear face nearest back property line.

Ease prohibition on accessory structures in the side yard by allowing some types, such as swimming pools, to be so located, but maintaining side setbacks applicable to the principal building.

2. Definitions remain the same: front yard determined by front face nearest street, rear yard by rear face nearest back property line.

Ease prohibition on accessory structures in the side yard by allowing all accessory structures to be so located, but imposing front setbacks applicable only to said structures.

Staff is proposing the following front setbacks for accessory structures in the side yard:

- a. On a residential lot less than one (1) acre in size: double the required front setback applicable to the principal building;

- b. On a residential lot one (1) to five (5) acres in size: one hundred (100) feet;
 - c. On a residential lot five (5) to ten (10) acres in size: one hundred and fifty (150) feet; and
 - d. On a residential lot greater than ten (10) acre in size: two hundred (200) feet.
3. Different definition: the front and rear yard lines will be determined by drawing the largest imaginary rectangle that will fit **inside** of the house outline or footprint, oriented such that the side of the rectangle closest to the front of the house is parallel to the front property line. The front yard would be all outdoor space bounded by the front property line, the side property lines, and an imaginary line that incorporates the front side of the rectangle. The rear yard would be all outdoor space bounded by the rear property line, the side property lines, and an imaginary line that incorporates the back side of the rectangle. The side yards would be all outdoor space not in a courtyard or the front or rear yards.

Ease prohibition on accessory structures in the side yards.

8. Accessory Building - Figures

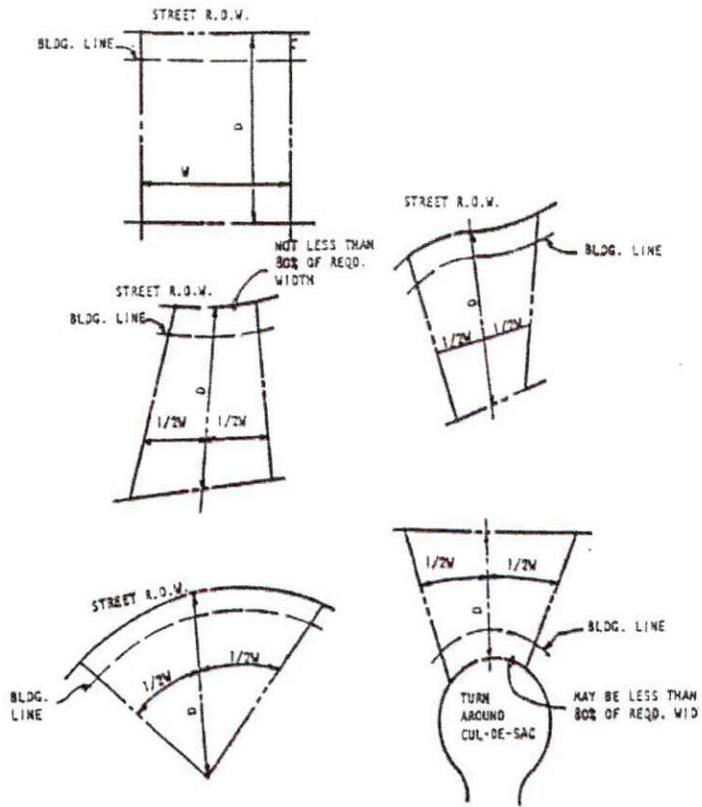
Section 2.5.3.1 (b)

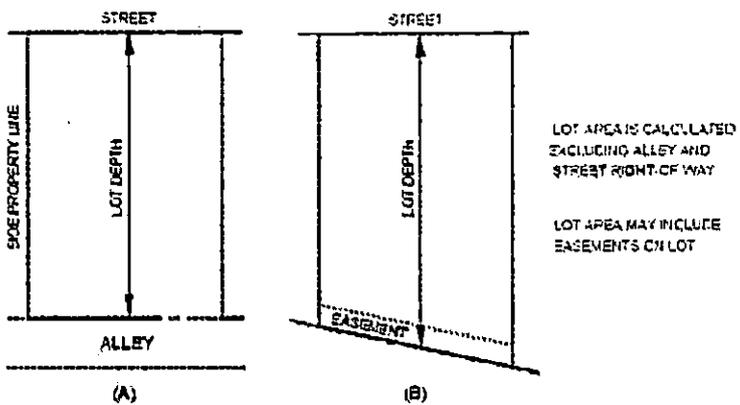
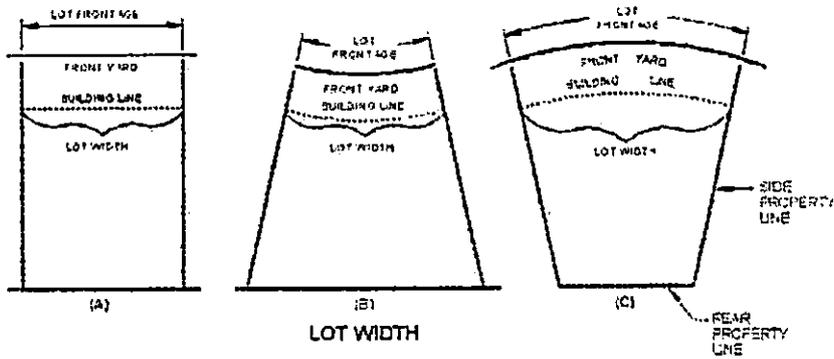
Correct page number for figure 2-4. Additionally, change the Figure 2-4 and 2-5 on pages 2-145 and 2-146 to reflect changes proposed in #1 above regarding location of accessory buildings and clarify yards.

(b) Accessory Buildings In Relation to the Rear Yard. Accessory buildings, as permitted herein, shall be allowed in rear yards; provided, however, that no accessory building may be closer than three feet (3') to a common property line and shall not encroach on any dedicated easements. (See Figure 2-4, on page ~~2-117~~ 2-145) Garages and carports shall adhere to the requirements in subsection (d) below.

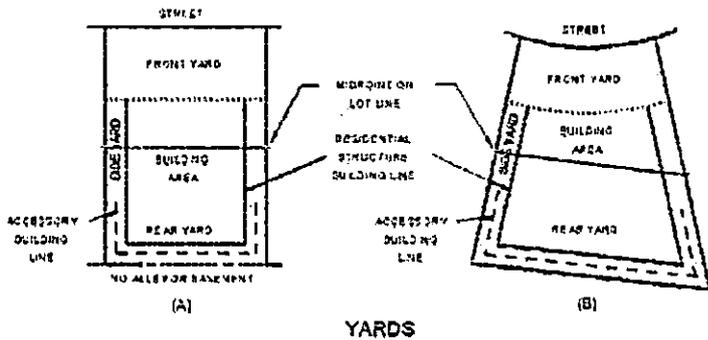
Some of the diagrams included in the UDC do not reflect the definitions pertaining to front yard, rear yard, and side yards. Staff recommends that these be modified.

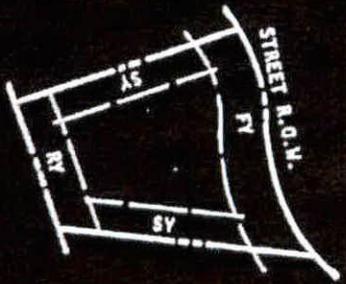
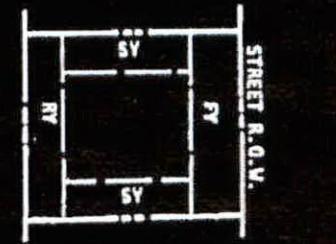
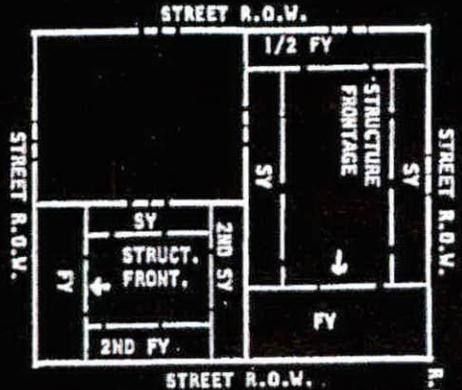
W - WIDTH
D - DEPTH



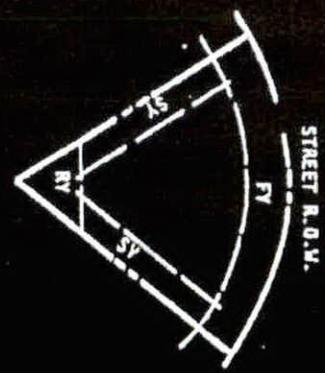
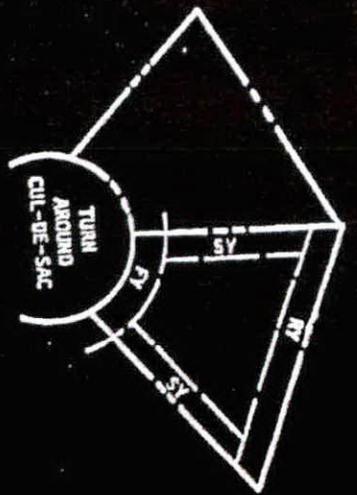
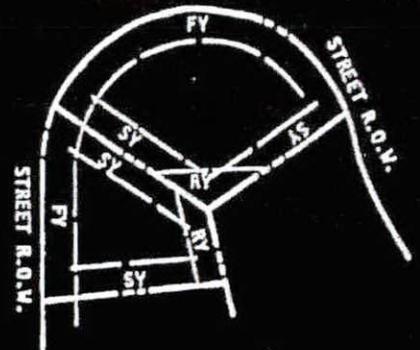


LOT AREA & DEPTH





SY - SIDE YARD
 FY - FRONT YARD
 RV - REAR YARD



9. Yard Definitions

The definitions of yards need to be clarified since certain areas within the lot are not included. Staff recommends that definitions be modified for clarity once, items 7 and 8 are discussed and resolved.

Section 5.1.1.1 (a) General Definitions

(431) YARD, FRONT: That portion of the yard located between the front property line and the imaginary straight line incorporating the front face of the principal building(s) **nearest to the front property line.**

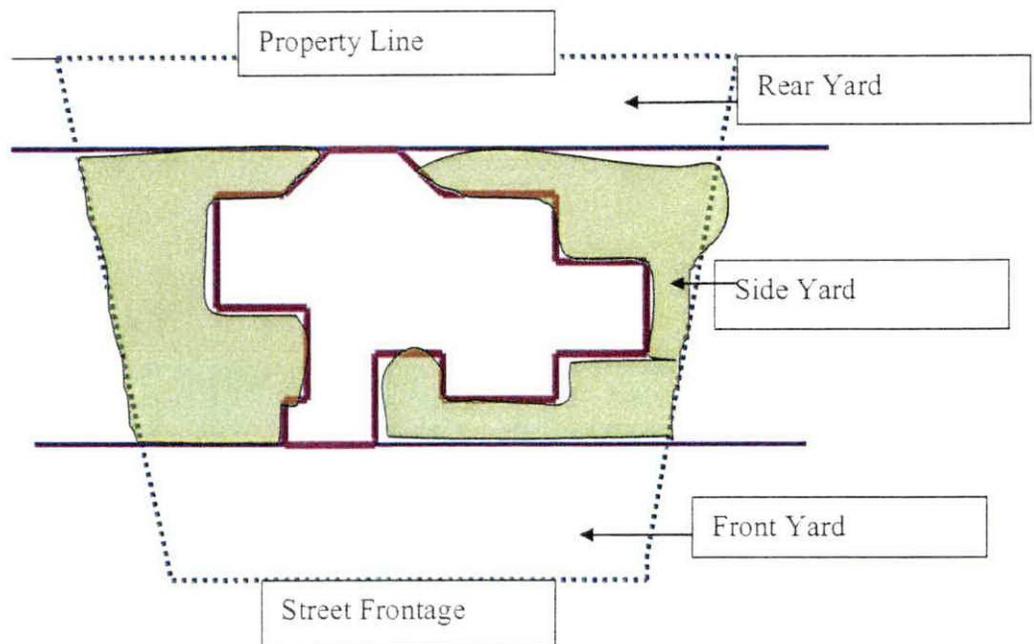
Refer to Chapter 2, Article 6, and Division 1 for diagrams related to this definition.

(432) YARD, FRONT (FLAG LOT): The distance between the front of the building and the point nearest the abutting street where the lot satisfies applicable width requirements.

(433) YARD, REAR: That portion of the yard located between the rear property line and the imaginary straight line incorporating the rear face of the principal building(s) **nearest to the rear property line.**

Refer to Chapter 2, Article 6, and Division 1 for diagrams related to this definition.

(434) YARD, SIDE: That portion of the yard bounded by the front yard, the rear yard, the side property line, and the side face of the principal building(s) **nearest to the rear property line.** Refer to Chapter 2, Article 6, and Division 1 for diagrams related to this definition.



10. Signs in OTS – Material and Color

The Pearland OldTownsite Business Coalition has shown expressed concern regarding lack of regulations on color of buildings and material of signs in old Town Site.

The OTS district was exempt from the COD standards and therefore the color palette for buildings does not apply to OTS. Additionally, the UDC does not regulate the material of signs.

The committee's recommendation is listed below.

The deviations from the current UDC requirements would include the following:

1. Restriction on material of signs. Currently, UDC does not restrict the material of signs.
2. Pole signs, awning signs and marquee signs would be permitted.
3. Modify the color palette to achieve the desired image.
4. Allow signs on awnings city wide.

If the Council supports the changes proposed, the OTS section and signage section would need to be modified to incorporate the changes and to eliminate conflicts.

**Recommendations of The Pearland OldTownsite Business Coalition
Old Townsite District – Sign Regulations**

1. Purpose

The purpose of this section is to regulate the construction of new signs and alternations made to existing signs to ensure consistency with the historic and pedestrian-oriented nature of this district. The objective of this section is to ensure (1) that new signage is appropriate to the architectural design of the building and the district and (2) that signs enhance the developing character of the district in general.

2. Area

The area that these prescriptions apply to is generally described as the boundaries of the Old Townsite: Orange Street on the north, Walnut Street on the south, Austin Street on the west, and Galveston Street on the east, and all properties facing these streets on the named streets outskirts.

3. General Provisions

All other requirements of the Unified Development Code apply unless specifically mentioned in this section.

4. Sign Materials

Sign materials and finishing materials shall be one of the following only:

- a. Metal, painted, enameled or powder-coated.
- b. Cold cathode tube (neon).
- c. Carved relief in stone or cast stone.
- d. Wood or carved wood which is painted or sealed.

The use of plastic on the exterior of a sign is prohibited. Only colors from the approved City of Pearland color palette specifically selected for the Old Townsite may be used (see addendum with selected colors).

5. Exempt Signage

Signs with a sign area under two square feet and used in the operation of a business, such as hours of operation, credit cards accepted logos, and parking information shall not require a sign permit.

6. List of Signs

A-Frame/Sandwich Board Signs

Awning Sign

Banner Sign

Directory Sign

Hanging Sign

Marquee Sign

Pole Sign ***need to discuss in committee***

Municipally-owned Sign

Mural Sign

Onsite Directional Sign

Projecting Sign

Wall Sign – Attached

Window Sign

7. Sign Standards

- a. A-frame/Sandwich Board Signs
 - i. General

No more than one a-frame or sandwich board sign per business shall be allowed, and a minimum of four

feet of clear sidewalk shall be maintained at all times. The sign shall be sufficiently weighted or anchored to prevent movement by wind or other elements.

ii. Sign Area and Size

No a-frame or sandwich board sign shall exceed eight square feet per face or four feet in height. The entire sign structure shall be calculated as the total of sign area.

b. Awning Signs

i. Sign Size

The maximum size of letters shall be eight inches. A logo may extend up to 12 inches tall provided the appropriate border is maintained.

c. Marquee Signs

i. ***need to discuss if we want these or not***

d. Pole Signs

i. ***need to discuss if we want these or not***

8. Franchise Logo Exemption

Any logo associated with a national or international franchise may be located on sign elements covered in this section, and is exempt from sign color requirements. The logo is limited to less than four square feet in size.

11.M-1 and M-2 Regulations (Land Use Study)

Council and P & Z discussed modifications to the M-1 and M-2 districts to relax certain regulations at their workshop on April 6, 2009.

Subsequently, at a meeting with the Chamber of Commerce's SWAT team, the members emphasized that most of the requirements were onerous for expansion of existing non-conforming businesses. New buildings on vacant sites would not have many issues with the current regulation.

Currently the code requires that any non-conforming structure or parcel, proposing expansions of greater than 500 sq. ft., apply for a special exception to allow the non-conformities to continue. This has proven to be a hardship, especially in cases where the ZBA has felt that there is scope for improvement.

Staff recommends that in M-1 and M-2 zones, non-conforming structures/sites be allowed to expand without a special exception as long

as the new additions meet the requirements of the UDC, and any non-conformity is not expanded. Further, any requirement that can be met (specifically landscaping), but is not desired by the owner would require a SE or CUP.

Staff is recommending that the CUP option (as opposed to SE) be specifically explored for M-1 and M-2 zones to afford and an opportunity for the city to work with the property owners to improve the situation where possible, especially in terms of landscaping and buffers. Phasing of improvements may be discussed through a CUP. Chamber and SWAT has recommended that the *“owners be required to eventually bring their property into conformity depending on the severity of non compliance. Many may not be aware of requirements and may not have a problem correcting a non conformity considering a significant capital investment.”*

Further, staff recommends that in developments with more than one lot, the property owner be allowed to provide all required landscaping for the entire development in adjacent lot/s, under same ownership. However, a mechanism needs to be in place to ensure that the lots remain in single ownership.

Based on the workshop and meeting with SWAT (where PEDC was present) staff has the following recommendations. Each requirement has the recommendation listed with it, and how it is applicable to the three scenarios.

	Requirement	New Development on Vacant Parcels	Existing Non conforming Expansion -less than 500 s.f.	Existing Non conforming Expansion - 500 s.f. or greater
1	<p><u>Façade:</u> (Based on frontage on Thoroughfares)</p> <p>Reduce requirements.</p> <p>Reduce the percentage of masonry for front façade to 50% and exempt side facades from the masonry requirement. Reduce the requirement of masonry for rear façade. For facade abutting residential, instead of requiring the entire facade to be masonry allow masonry for any portion of the wall that is above 6' masonry (height of the fence) and visible from adjoining residential areas.</p>	Applies to entire structure	Existing facades exempt. New facades to comply.	Existing facades need to be brought into compliance unless a Special Exception (SE) is granted. Recommend CUP. Can be phased over a period of time.
2	<p><u>Articulation:</u> (Only in COD)</p>	Applies to entire structure	Existing facades exempt. New façade to	Existing facades exempt. New façade to

	No change in requirements.		comply.	comply.
3	<u>Transparency:</u> (Only in COP) Reduce transparency requirement from 25% to 15%. Exempt buildings located farther than 250' from this requirement.	New buildings to comply	Existing facades exempt. New façade to comply.	Existing facades exempt. New façade to comply.
4	<u>Color Palette:</u> (Only in COD) Retain this requirement.	New buildings to comply	Existing facades exempt, but required to comply if exterior façade painting is proposed. New façade to comply.	Existing facades exempt but required to comply if exterior façade painting is proposed. New façade to comply.
5	<u>Landscaping:</u> <u>COD</u>			
a	30' buffer along street. No changes	New development needs to comply.	Preserve non conforming buffer. Expansion of parking lot needs to comply with the buffer requirement unless a SE is approved. Recommend CUP instead.	Preserve non conforming buffer. Expansion of parking lot needs to comply with the buffer requirement unless a SE is approved. Recommend CUP instead.
b	Street trees, ornamental trees and shrubs to screen parking lots. No changes	New development needs to comply.	Exempt.	Needs to comply with total number. Locational requirements waived by SE. Recommend CUP instead. New parking lot expansion needs to comply.
c	Parking lot trees: Currently required within 50' of parking space, only for passenger car parking. Exempt locational requirement, as long as total number is provided. Similar provisions were included for educational facilities	New development needs to comply.	Exempt – all landscaping requirements.	Needs to comply with the total amount only and not with locational requirements (currently waived by SE).
d	Total Landscaped area = 15% of gross site No changes. Since grass and native vegetation is	New development needs to comply.	Exempt.	Need to comply unless a Special Exception (SE) is granted.

	included in this 15%, typically this is not a problem.			Recommend CUP.
e	Treatment of detention as amenity if located along the corridor No changes.	New development needs to comply.	Exempt	Need to comply unless a Special Exception (SE) is granted. Recommend CUP.
	<u>Non COD areas</u>			
f	Street trees, and shrubs to screen parking lots from streets in a min. 6 foot strip along the street.	New development needs to comply.	Exempt.	Need to comply with total number. Locational requirements waived by SE. Recommend CUP.
g	Parking lot trees: Currently required within 100' of parking space-only for passenger car parking. Exempt locational requirement, as long as total number is provided. Similar provisions were included for educational facilities.	New development needs to comply.	Exempt.	Needs to comply with the total amount only and not with locational requirements (currently waived by SE).
h	Total Landscaped area = 10% of gross site area. No changes. Since grass and native vegetation is included in this 10%, typically this is not a problem.	New development needs to comply.	Exempt.	Need to comply unless a Special Exception (SE) is granted. Recommend CUP.
6	Sidewalks	Required or Payment in lieu of if applicable.	Exempt	Required or Payment in lieu of if applicable.
7	Screening and fencing along residential zone or use 30' landscaped buffer with vegetative screening or 25' buffer with 6' tall masonry fence.	New development needs to comply.	Need to comply unless a Special Exception (SE) is granted. May require a CUP instead.	Need to comply unless a Special Exception (SE) is granted. Recommend CUP.
8	Landscaping on adjacent lot Permit landscaping requirements to be met on adjacent lot if under same ownership (individual or LLC). Total landscaping quantity for all lots within the agreement needs to be met.	Permit with recorded agreement.	NA	Permit with recorded agreement.
9	Screening for dumpsters, equipment etc.	New development needs to comply.	Need to comply.	Need to comply unless a Special Exception (SE) is granted. Recommend CUP.
10	Building Setbacks	New development needs to comply.	Addition needs to comply. Existing	Addition needs to comply. Existing

	Remove the current requirement of a SE for additions to structures with non conforming setbacks.		structures exempt.	structures exempt.
11	Parking Requirements	New development needs to comply.	Existing and expansion needs to comply unless a Special Exception (SE) is granted. May require a CUP instead.	Existing and expansion needs to comply unless a Special Exception (SE) is granted. Recommend CUP.
12	Screening of outdoor storage and display areas in COD Currently masonry fencing is required. Permit wrought iron or chain link fence with vegetative screening, similar to that permitted for detentions along COD.	New development needs to comply.	Exempt	Existing and expansion needs to comply unless a Special Exception (SE) is granted. Recommend CUP.

Once the council takes action on these requirements, UDC will be modified accordingly. Several sections of the UDC would need to be modified.

Following changes are recommended to the UDC to reflect the above recommendations.

Facade requirement:

Section 2.6.2.1 (b)

ADD TABLE 2-2

Section 2.6.2.1 (b)

- (2) *Buildings built prior to January 1, 2001 are exempt from the (facade) requirements of this section unless required by the adopted Building Code.*
- (3) *Minimum exterior wall standards (facade) shall be a minimum of 24-gauge or heavier architectural panels (wall systems). Corrugated metal is prohibited.*
 - a. *Within a GC (General Commercial) zoning district and where more than sixty percent (60%) of the existing nonresidential structures along both sides of the same street and lying between the two nearest intersecting streets do not comply with the minimum facade standards, architectural panels (wall systems) shall be insulated panels with a rock or rock-like coating or comply.*
- (4) *Unless one of the following exceptions applies, masonry, stucco or EIFS*

materials shall be required on ~~one hundred percent (100%)~~ **fifty percent (50%)** of the front façade of any building that faces onto a thoroughfare or collector. Side facades of such buildings shall be **required to meet the requirements within (3) above.** ~~a minimum fifty percent (50%) masonry, stucco, or EIFS.~~ **Any wall or portion of a wall abutting residential zoning districts, above 6 feet shall be required to be masonry, stucco or EIFS.**

- a. The building is exempt under (2) above.
- b. New and existing structures, including expansions that are at least two hundred and fifty feet (250') from the specified roadways shall only be required to meet these requirements within (3) above. The two hundred and fifty foot measurement shall be taken from the curb or the edge of the roadway pavement.

Section 2.4.5.1

(2) Building Materials:

- a. All structures shall conform to the requirements in Article 6, Division 2 of this chapter.
- b. Corrugated metal and exposed fasteners are prohibited. Architectural metals are prohibited except for miscellaneous trim work.
- c. A minimum twenty-five percent (25%) of an exterior wall facing the specified major thoroughfare shall be transparent, except for Public Educational Facilities, which are exempt from this requirement. **For structures located in M-1 and M-2 zoning districts, this percentage shall be reduced to 15%.**
- d. All facades of an individual building, multiple buildings in a shopping center, or integrated business development, and all roofing in a shopping center or integrated business development shall have architectural design, color, and materials that are compatible or consistent with an overall theme, as determined by the Planning Director.

Section 2.4.5.1 (e)

(4) Required Interior Site Landscaping:

- a. Space for vehicle overhangs shall be provided in order to avoid damaging planted trees and shrubs.
- b. No parking space designed and intended for the parking of passenger vehicles driven by customers, patrons, or employees shall be greater than fifty feet (50') from a tree. Each island shall contain at least one (1) tree. Public Educational Facilities and **industrial uses located in M-1 and M-2 zoning districts** shall be exempt from this requirement **as long as the overall required landscaping is met on site.**

Section 2.4.5.1

(k) Outdoor Activities or Uses. The following shall apply when the incidental display of merchandise out of doors is permitted within the base zoning district.

(1) Except as provided below, all display areas out of doors shall be confined to a pedestrian walkway immediately adjacent to the building housing the primary use, shall not extend from such building a distance of more than ten feet (10'), and shall be located wholly under a permanent part of a main business building such as a marquee, provided that adequate pedestrian access is maintained. Adequate pedestrian access shall be an unobstructed thirty-six inch (36") walkway.

(2) The temporary sale of Christmas trees and products associated with celebration of holidays or national events. On any property in the general business district, the temporary sale of goods in relation to special events (e.g., Hanukkah, Presidents' Day, Easter, etc.) shall be permitted for a period of forty-five (45) days prior to the day of religious the holiday celebration. The sale of goods in relation to special, local, or store events (e.g., spring sale, Party on the Grand, civic club event, etc.) shall also be permitted, but shall be limited to one (1) event per calendar year, not to exceed a sale period of more than sixty (60) days. The Building Official shall issue a permit for such sale when he finds:

- a. That there is an adequate off-street parking area, approved by the City; and
- b. That the location and layout of drives and parking areas, of lighting, and of temporary sales signs will not constitute a hazard to public traveling to the abutting public streets and will not obstruct the visibility along such streets.

(3) No other type of outdoor activity or use shall be permitted in the COD District without a temporary permit issued by the City's Building Official pursuant to the City Building Code, unless expressly authorized herein.

(4) Outdoor storage, as defined by Section 5.1.1.1, is allowed only upon obtaining a CUP and providing screening pursuant to Section 4.2.4.1 (d). In no case shall outdoor storage be permitted along any yard that abuts any street or public right-of-way.

(5) Outdoor storage and display in M-1 and M-2 zones shall be permitted within fenced areas. Fences around display and storage areas, visible from a public street, shall be constructed of decorative wrought iron or chain link material in accordance with the standards set forth in subsection (i) (3) c. 2. above for chain link fences located one hundred feet (100') or less from a thoroughfare listed in subsection (b).

Non conforming sites and building:

Section 2.7.3.2

(c) Use or Structure Expansion. A nonconforming use or structure shall not be

enlarged, increased or extended to occupy a greater area of land than was occupied at the time the use or structure became nonconforming, except to provide additional off-street parking or loading areas required by this Code or in accordance with Section 2.7.3.7. Structures and parcels in M-1 and M-2 zones that are non-conforming in terms of building setbacks, facades, transparency, and landscape buffers, shall be allowed to expand as follows:

List the requirements from the table, as approved.

12. Land Uses for Mixed Use Districts.

At the Land Use workshop on April 6, 2009, the Council had directed staff to re-examine the uses allowed in Garden-Oday Mixed Use and Cullen Mixed Use districts. Further as part of Land Use study, it was discussed that a new zone "Offices" need to be added as per the recommendations of the Comprehensive Plan. The new zone would be appropriate for areas shown on "Office" in the land Use Plan, along Pearland Parkway, McHard (adjacent to U of H campus), along SH 35, south of FM 518, adjacent to single family developments.

The following table shows the portion of the Land Use Matrix pertaining to the mixed use zones and staff's recommendations. The new zone will be discussed at a later date.

Staff recommendations are highlighted in red.

Types of Uses	C-MU	G/O-MU
Agricultural Field Crops	P	P
Agricultural Animal Husbandry <input type="checkbox"/>	C	C
Bulk Grain and/or Feed Storage		
Farm (Ranch, Livestock) <input type="checkbox"/>	P	P
Feed & Grain Store/Farm Supply Store <input type="checkbox"/>		
Flour and Other Grain Mills		
Livestock – Wholesale		
Livestock Sales		
Crops or Orchard	P	P
Stable, Commercial		
Stable (Private, Principal or Accessory Use)	C	C
Boarding or Rooming House <input type="checkbox"/>		

Types of Uses	C-MU	G/O-MU
Dwelling - Four-Family (Quadriplex) (Defined Under Dwelling - Multiple-Family) <input type="checkbox"/>		
Dwelling - HUD-Code Manufactured(Mobile) Home <input type="checkbox"/>		
Dwelling - Industrialized Home <input type="checkbox"/>	P	P
* Dwelling - Mobile Home <input type="checkbox"/>		
Dwelling - Multiple-Family <input type="checkbox"/>		
Dwelling - Patio Home <input type="checkbox"/>		
Dwelling - Single-Family Detached <input type="checkbox"/>	P	P
Dwelling - Town House		
Dwelling - Two-Family <input type="checkbox"/>		
Home Occupation <input type="checkbox"/>	P	P
Private Street Subdivision	P	P
Accessory Structure (Business or Industry) <input type="checkbox"/>	C	C
Accessory Structure (Residential) <input type="checkbox"/>	P	P
Accessory Dwelling <input type="checkbox"/>	C	C
Farm Accessory Building	C	C
Off-Street Parking Incidental to Residential Main Use	P	P
Off-Street Parking Incidental to Nonresidential Main Use	P	P
Servant, Guest, Caretakers or Security Quarters	C	C
Social & Recreational Building, including homeowners association neighborhood recreation centers	P	P
Onsite Detention Facility	P	P
Off-site Detention Facility	C	C
Billiard/Pool Facility (Three or More Tables)	C	C
Bingo Facility	C	C
Bowling Alley (Air-Conditioned and Sound Proofed)	C	C
Commercial Amusement, Indoor <input type="checkbox"/>	C	C
Commercial Amusement, Outdoor <input type="checkbox"/>	C	C

Types of Uses	C-MU	G/O-MU
Country Club <input type="checkbox"/>	P	P
Dinner Theatre	C	C
Driving Range (Golf)	C	C
Drag Strip/Race Track <input type="checkbox"/>		
Fairgrounds		
Gaming Establishment <input type="checkbox"/>	C	C
Golf Course (Miniature)	C	C
Golf Course (Private) <input type="checkbox"/>	C	C
Golf Course (Public) <input type="checkbox"/>	C	C
Park and/or Playground (Private)	P	P
Park and/or Playground (Public; Municipal)	P	P
Private Club		
Recreation Center (Private, For Profit)	C	C
Rodeo Grounds		
Skating Rink		
Swimming Pool, Commercial	C	C
Swimming Pool, Private (Use Only By Resident)	P	P
Temporary Outdoor Amusement/Activity*		
Tennis or Swim Club (Private, For Profit)	P	P
Tennis Court (Private/Not Lighted)	P	P
Tennis Court (Private/Lighted)	C	C
Travel Trailer/RV Park/Campground (Long-Term Stays) {Travel Trailer Defined}		
Travel Trailer/RV Park/Campground (Short-Term Stays) {Travel Trailer Defined}		
All Terrain Vehicle (Go-Carts & Motor Cycles) Dealer/Sales		
Auto Accessories and/or Parts (Only Retail Sales in building, no outside storage or display, no repair) <input type="checkbox"/>		
Auto Assembly		
Auto Body Repair		

Types of Uses	C-MU	G/O-MU
Auto/Leasing		
Auto Glass Repair/Tinting		
Auto Interior Shop/Upholstery		
Auto Muffler Shop		
Auto Paint Shop		
Auto Parts Manufacturing		
Auto Parts Sale (With Outside Storage or Display)		
Auto Parts Sales (Indoors Only; With Repair Bays)		
Auto Rental <input type="checkbox"/>		
Auto Repair (Major) <input type="checkbox"/>		
Auto Repair (Minor) <input type="checkbox"/>		
Auto Sales/Dealer <input type="checkbox"/> (New - In Building, Auto Servicing and Used Auto Sales as accessory uses only) <input type="checkbox"/>		
Auto Wash (Full Service/Detail Shop) <input type="checkbox"/>		
Auto Wash (Self-Service) <input type="checkbox"/>		
Auto Wrecker Service		
Bicycle Sales (New/Repair)		
Boat Sales (New/Repair)		
Bus or Truck Storage		
Gasoline Station <input type="checkbox"/>		
Limousine/Taxi Service		
Motor Freight Transportation, Storage, & Terminal		
Motorcycle Sales/Dealer (New/Repair)		
Parking Lot or Garage for passenger cars and trucks of less than one (1) ton capacity		
Personal Watercraft Sales (New/Repair)		
Tire Retreading and Capping		
Tire Sales (Outdoors, With Open Storage)		
Transfer Station (Refuse/Pick-up)		
Transit Terminal		
Truck and Bus Rental		

Types of Uses	C-MU	G/O-MU
Truck Sales (Heavy Trucks)		
Truck or Freight Terminal		
Clinic, Medical or Dental <input type="checkbox"/>	P	P
Credit Agency		
Emergency Care Clinic		
Financial Institution (No Motor Bank Services) <input type="checkbox"/>	P	P
Financial Institution (With Motor Bank Services) <input type="checkbox"/>	P	P
Financial Services (Advice/Invest)	P	P
Insurance Agency Offices	P	P
Office, Brokerage Service	P	P
Office, Legal Service	P	P
Office, Medical/Dental { <i>Defined Under Medical Facilities</i> }	P	P
Office, Parole-Probation		
Office, Professional and General Business (other than those listed)	C	C
Office, Real Estate	P	P
Office/Clinic, Veterinarian (No Animal Hospital or Outside Pens)	C	C
Office/Clinic, Veterinarian (No Animal Hospital, With Outside Pens)	C	C
Security Monitoring Company (No Outside Storage)	P	P
Telemarketing Agency		
Travel Agency, Bureau or Consultant	P	P
Ambulance Service <input type="checkbox"/>		
Automatic Teller Machine (ATM)	P	P
Automobile Driving School (including Defensive Driving)		
Barber/Beauty Shop/Tanning Studios (No Related School/College)	P	P
Barber/Cosmetology School/College		
Bed & Breakfast Inn <input type="checkbox"/>	P	P

Types of Uses	C-MU	G/O-MU
Check Cashing Service		
Dance/Drama/Music School (Performing Arts)	C	C
Extended Stay Hotel/Motel <input type="checkbox"/>		
Funeral Home <input type="checkbox"/>		
Health Club (Physical Fitness; Indoors Only)	C	C
Hotel/Motel <input type="checkbox"/>		
Laundromat (Self-Service Laundry)		
Laundry/Dry Cleaning (Retail Only - Drop Off/Pick Up)	P	P
Mailing Service (Private)	C	C
Martial Arts School/Studio/Tutorial/Clubs/ Learning centers	C	C
Pharmacy (Retail Only)	P	P
Rehabilitation Care Facility (Halfway House)		
Rehabilitation Care Institution (Commercial)		
Seamstress or Dressmaker (Retail Only)	P	P
Studio - Tattoo or Body Piercing		
Antique Shop <input type="checkbox"/> (No outside storage)	P	P
Antique Shop <input type="checkbox"/> (With outside storage)	C	C
Apparel Shop	C	C
Animal Hospital (No Outside Pens)		
Art Museum and/or Dealer	P	P
Art Studio and/or Gallery <input type="checkbox"/>	P	P
Art Supply Store	C	C
Bakery or Confectionery Shop (Retail Sales, Inside Service Only) 	P	P
Bakery or Confectionery Shop (Retail Sales, With Drive-Thru Service) <input type="checkbox"/>	C	C
Bakery (Wholesale) <input type="checkbox"/>		

Types of Uses	C-MU	G/O-MU
Book/Stationery Shop (Retail Only)	P	P
Business Service Retail (Provides wares and/or service in support of professional occupations)	C	C
Café ☐☐	P	P
Cafeteria ☐☐	C	C
Camera Shop (Retail Only)	C	C
Cigars, Tobacco Shop (Retail Only)		
Carpenter Shop	P	P
Catering Service	P	P
Coffee, Donut and Similar Food Sales Shop (For On- or Off-Site Consumption)	P	P
Computer Sales	C	C
Consignment Shop	C	C
Convenience Store (With Gasoline Sales) ☐☐	C	C
Convenience Store (Without Gasoline Sales) ☐☐	C	C
Copy/Printing Shop ☐☐	C	C
Department Store ☐ (Retail Only, for Hardware, Sporting Goods, Toys, Paints, Wallpaper, and/or Clothing) ☐☐		
Drapery/Blind Shop	P	P
Electronic Goods Store (Retail Only)	C	C
Florist Shop (Retail Only)	P	P
Food Store/Supermarket ☐☐		
Furniture and/or Appliance Store (Retail or Rental Only, Indoor Only)	C	C
Furniture Repair and Upholstering (No Outside Storage)		
Garage and/or Yard Sales	P	P
Garden Shop & Outside Plant Sales (i.e., Plant Nursery)	C	C
Gift or Card Shop (Retail Only)	P	P
Handicraft & Art Object Sales Shop	P	P

Types of Uses	C-MU	G/O-MU
Hardware Store 	C	C
Hobby Shop (Retail Only)		
Home Improvement Center		
Ice Cream/Yogurt Shop (For On- or Off-Site Consumption)	P	P
Itinerant Vendor/Seasonal Vending	C	C
Jewelry Store	C	C
Key Shop	C	C
Market - Open Air (i.e., Flea Market)		
Meat and Fish Market (Retail Only)		
Medical Appliances & Sales		
Motion Picture Theater (Indoors)		
Optical Shop	C	C
Outside Display <i>{See related regulations in applicable zoning districts}</i>		
Paint, Wallpaper Shop (Retail Only)	P	P
Pet Shop-Small Animals, Birds or Fish		
Personal Custom Services, Tailor, Millinery, Etc.	C	C
Pharmacy/Drug Store (Retail Only)	P	P
Piano and Musical Instruments (Retail Only)		
Restaurant (With Drive-In and/or Drive-Thru Service)	C	C
Restaurant (With No Drive-In or Drive-Thru Service)	C	C
Retail Shops, Apparel, Accessories, Gifts & Similar Goods (Other than those listed; No Outside Storage)	C	C
Shoe Store (Retail Only)	C	C

Types of Uses	C-MU	G/O-MU
Sign Shop (small scale, such as a storefront; includes sign and banner making for retail sale only)	C	C
Stone Monuments - Retail Sales Only (indoors)	C	C
Stone Monuments – Fabrication and Outdoor Storage	C	C
Studio, Decorator & Display of Art Objects	C	C
Studio, Photographer, Artist, Music, Drama, Dance	C	C
Studio, Health Reducing or Similar Service	C	C
Tavern		
Variety Store		
Video Rental and/or Sales	C	C
Adult Day Care Center(Business) 		
Antenna (Commercial)		
Antenna (Non-Commercial)		
Assisted Living Facility 	C	C
Auction House		
Child Day Care Center (Business) 	C	C
Child Day Nursery 	P	P
Church/Temple/Place of Worship 	P	P
Civic Center (Municipal) 		
Civic Club		
Community /Group Home 	C	C
Community or Social Buildings 	C	C
Convent or Monastery 	P	P
Day Camp (For Children) 		
Day Care		
Day Nursery		
Exhibition Hall		
Fraternal Organization 	C	C
Fraternity or Sorority House 	C	C

Types of Uses	C-MU	G/O-MU
Governmental Building or Use (County, State or Federal)	C	C
Home for Alcoholic, Narcotic or Psychiatric Patients		
Hospice (<i>Defined Under Household Care Facility</i>)	P	P
Hospital (Non-Profit) <input type="checkbox"/>		
Hospital (For Profit) <input type="checkbox"/>		
Institution of Religious, Educational or Philanthropic Nature	C	C
Library, Public		
Mortuary/Cemetery (Including Mausoleum/Crematorium)	C	
Municipal Public Administration Offices	C	C
Museum (Indoors Only)		
Nursing/Convalescent Home (<i>Defined Under Skilled Nursing Facility</i>)		
Penal or Correctional Institutions		
Public Assembly (Auditorium, Gymnasium, Stadiums etc.)		
Rectory/Parsonage	C	C
Retirement Housing for the Elderly		
School - College or University		
School - Elementary (Public or Parochial)	C	C
School - High School (Public or Parochial)	C	C
School - Junior High (Public or Parochial)	C	C
School - Other Than Public or Parochial	C	C
School - Trade or Commercial { <i>Defined Under School,</i>		
Sheltered Care Facility		
Studio for Radio and/or Television (No Tower[s])		
Cellular Communications Tower/PCS { <i>See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC</i> }	C	C

Types of Uses	C-MU	G/O-MU
Electric Power Generating Plant		
Electrical Substation	C	C
Franchised Private Utility <input type="checkbox"/> (Other than those listed) <input type="checkbox"/>	C	C
Gas Transmission & Metering Station	C	C
Public Utilities (Other than those listed)	C	C
Radio or Television or Microwave Towers (Commercial) {See Telecommunications Regulations, Chap. 2, Art. 5, Div. 5 of the UDC}	C	C
Radio or Television Transmitting Station (Commercial) {See Telecommunications Regulations, Chap. 2, Art. 5, Div. 5 of the UDC}	C	C
Sanitary Landfill (Private)		
Sanitary Landfill (Public)		
Railroad Team Track or Freight Depot		
Satellite Dish (Private, less than 4' in diameter) {See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC}	P	P
Satellite Dish (greater than 4' in diameter) (See Telecommunications Regs. Chp. 2, Art. 5, Div. 5 of the UDC)		
Telephone Business Office		
Telephone Exchange Switching Relay & Transmitting Equipment	C	C
Utility Shops or Storage, Yards and Building		
Pet Care Facility/Animal Kennel (With Outdoor Pens) <input type="checkbox"/>		
Pet Care Facility/Animal Kennel (With Indoor Pens) <input type="checkbox"/>	C	C
Appliance Repair <input type="checkbox"/>	C	C
Book Binding	C	C
Building Material Sales		C

Types of Uses	C-MU	G/O-MU
Cabinet Business		C
Cannery Wholesale		
Cattle Feedlot (CAFO)		
Chemical Packing or Blending		
Cleaning, Dyeing or Laundry Plant, Commercial <input type="checkbox"/>		
Communication Equipment Sales/Service (Installation and/or Repair – No outdoor sales or storage or towers/antennae)	C	C
Construction Contractor with Storage Yard		
Contractor's Office/Sales, No Outside Storage including Vehicles		
Contractor's Temporary On-Site Construction Office (only with permit from B.O.)	P	P
Dance Hall or Night Club <input type="checkbox"/>		
Drive-In Theater		
Electronic Assembly	C	C
Exterminator Service/Company (No outdoor sales or storage)	C	C
Fur/Hide Tanning and Finishing		
Furniture/Appliances - Open Storage & Retail Sale		
Gravestone/Tombstone Sales		
Heavy Machinery Sales, Storage & Repair <input type="checkbox"/>		
Heating & Air-Conditioning Sales/Services		C
Home Sales office-temp(for new subdivision)		
Laboratory, Scientific or Research {Defined Under Scientific and Industrial Research Laboratories}	C	C
Laboratory, Medical or Dental	C	C
Lawnmower Sales and/or Repair		
Liquefied Petroleum Storage &		

Types of Uses	C-MU	G/O-MU
Sales		
Loading or Storage Tanks		
Locksmith		
Lumber Mill/Yard		
Machine Shop		
Manufactured Home Display, Sales and/or Rental (New or Used)		
Mattress Making and/or Renovating		
Milk Depot - Wholesale		
Mini-Warehouse/Self Storage		
Moving and Storage Company		
News Printing		
Office Warehouse Storage or Sales (<i>Defined Under Storage or Wholesale Warehouse</i>)		
Outside Storage		
Pawn Shop		
Pet and Animal Grooming Shop	C	C
Petroleum Products Bulk Storage (Wholesale)		
Pipe Processing		
Pipe Storage Yard		
Plumbing Shop (No Outside Storage)	C	C
Printing Equipment, Supplies and Repairs	C	C
Propane Sales (Retail)		
Quick Lube/Oil Change/Minor Inspection		
Railroad, Bus, Light Rail Passenger Station (Public)		
Railroad Team Tracks, Freight, Depot or Docks		
Railroad Tracks & Right-of-Way	C	C
Reproduction of Blueprints		
Sheet Metal Shop		C
Storage of Used Lumber and Building Materials		C

Types of Uses	C-MU	G/O-MU
Taxidermist		
Tool and Machinery Rental (Indoor Storage only)		C
Tool and Machinery Rental (with Outdoor Storage)		
Trailer Home Sales or Rental Only		
Transfer Storage & Baggage Terminal		
Upholstery Business		C
Vacuum Cleaner Sales and Repair		
Welding Shop		
Wholesale Trade - Nondurable Goods	C	C
Wood Working Shops	C	C
Acid Manufacturer		
Airport <input type="checkbox"/> , Helipad/Helipad <input type="checkbox"/> or Landing Field	C	C
Animal Slaughtering or Poultry Processes		
Ammonia Manufacturer		
Asphalt Batching Plant <input type="checkbox"/>		
Bio-Tech, High-Tech Manufacturing	C	C
Carbon Black Manufacturer		
Cement, Lime, Gypsum or Plaster of Paris Manufacturer		
Chemical Packing and/or Blending		
Clothing Manufacturing	C	C
Commercial Extraction of Soil, Sand, and Gravel		
Concrete Batching Plant <input type="checkbox"/>		
Dumps and Landfills		
Hazardous Emissions (as Determined by Enforcing Officer & Other Objectionable)		
Explosives Manufacturer and/or Storage		

Types of Uses	C-MU	G/O-MU
Glue or Fertilizer Manufacturer		
Heavy Manufacturing Process		
Light Manufacturing Process	C	C
Manufacturer of Chlorine or Other Toxic Gasses		
Manufacturing, Industrial Storage or Assembly Process Not Prohibited by Law but excluding those listed in Section 2.4.4.6 and Section 2.4.4.7 of this UDC		
Minor Concrete Batching Operation & Storage of Associated Processing Material (Restricted to 1.5 Yards or Less Per Batch)		
Petrochemical Plant		
Petroleum or Petroleum Product Extraction, Refining, Manufacturer, or Bulk Storage		
Rendering Plant		
Storage or Processing of Sand, Sulfur, Gravel, Cement or Similar Material		
Tanning, Curing, Treating, or Storage of Skins or Hides		
Warehouse & Distribution Facility		
Wrecking or Salvage Yard (Auto, Steel)		
Wrecking or Salvage Yard (Building Materials)		

13. Platting For Commercial/Industrial.

Staff has been reviewing the platting process to propose changes to permit minor plats for non-residential developments where public improvements are required to serve the particular project and to allow

access from and frontage on easements instead of public or private streets.

Certain non-residential developments, such as Pearland Town Center and Shadow Creek Market Place, require extension of public utilities and public improvements just to serve their project. Delay in construction of these or their deferral does not affect the city or any other parcel. In those situations the developer would benefit if the public improvements are undertaken concurrently with on-site improvements. The Council did permit this a few years ago with the provision of a performance bond or surety.

However, a two step process is still required, where the preliminary plat is required to be approved, prior to public improvements being constructed and accepted. Once the public improvements are accepted, the final plat is approved and recorded. Both the preliminary and final plats need to be approved by the P & Z. In the above mentioned situations, it is staff's belief that a one -step minor plat process can be proposed, with administrative approval. Further, plat recordation would be required prior to issuance of a Certificate of Occupancy, instead of a building permit.

The second issue has been the requirement that all lots have frontage and access on a public or private street. In large commercial developments, this has proven to be a problem and has resulted in lots with irregular configurations. Staff has researched this and is proposing that access to non-residential lots be granted through an access easement with certain requirement to assure orderly development.

As part of this, staff has also recommended modifications to design requirements for parking lots to incorporate ends islands and separation distances of aisles from driveway and street intersections.

These are the general guidelines:

- 1.) Three documents are submitted for City approval at the same time:
 - a.) A Minor Plat for Non-Residential or Multi-Family property is submitted for approval with all necessary easements for fire lines, access, and utilities included. There would be no limit on the number of lots included in such plats.
 - b.) A site plan depicting driveways, utilities, paving, sidewalks, parking, landscaping, drainage, and buildings is submitted for approval. It shall also include details of paving, drainage, and utility improvements within any offsite access or other easements to be recorded by separate instrument.
 - c.) Any necessary offsite access easements across adjoining unplatted or previously platted property are submitted for approval. Such

offsite easements will be recorded by separate instrument. All access easements, whether included within the plat or recorded by separate instrument, shall include dimensions and location of the easement and clearly assign responsibility for perpetual maintenance. Such easements could be included in platted reserve areas, possibly jointly owned.

2.) The three documents submitted under (1.) above are reviewed and approved administratively by City staff. Site plan is reviewed and approved in accordance with standards outlined in Chapter 4 of the Unified Development Code entitled "Site Development". Plat is reviewed and approved in accordance with standards outlined in Chapter 2 of the Unified Development Code entitled "Zoning Regulations" and Chapter 3 entitled "Subdivision Regulations".

3.) Offsite easements for access and utilities are recorded by separate instrument at the County Courthouse with the City being provided a copy of the recorded easement(s).

4.) Building permit(s) issued

5.) Infrastructure improvements necessary to serve the proposed platted lots are constructed and accepted for maintenance by the City Engineer or a letter of credit or performance bond for the cost of the necessary improvements is accepted by the City Attorney. Construction of these improvements could be performed concurrently with other site plan improvements and buildings. Amount of the letter of credit or performance bond could be reduced in stages as portions of the necessary infrastructure improvements are completed and accepted by the City Engineer.

6.) All infrastructure improvements are completed and accepted for maintenance by the City Engineer.

7.) Plat is approved and recorded at the County Courthouse

8.) Certificates of Occupancy are issued for the buildings served by the infrastructure improvements.

Chapter 4 of the Unified Development Code entitled "Site Development" should have the following design criteria added for site plans:

- Minimum access easement width of twenty-six feet (26')
- Fifty feet (50') of separation between the adjoining street curb line and the edge of the entrance to the first parking bay

- Twenty-four feet (24') of separation between adjoining parking bays or the edge of the parking lot
- Thirty-six foot (36') minimum width of parking bays containing two rows of parking
- Ten-foot (10') minimum width raised islands at each end of each parking bay and along the edges of each access easement.
- Four-foot wide sidewalks should be provided along both sides of all access easements and at other areas designated for pedestrian access

Once these changes are approved by the council, staff will draft the language to amend the UDC.

14. **Billboards / Free Standing Signs**

Staff would like to bring to Council's attention a recent request by a property owner to install a monument sign in addition to the existing non-conforming billboard on site.

Billboards are not permitted under the UDC and any existing billboards are considered as non-conforming free standing signs. The UDC permits one on-premise ground sign per property or one multi-tenant sign per 600 linear feet of frontage. Therefore, if a property has a billboard on site and has a frontage of less than 600', then additional free standing signs are not permitted, unless the non-conforming billboard is removed.

Staff is not proposing any changes at this time.

Proposed UDC Text Amendments

Section 2.4.5.1 COD, Corridors Overlay District

(a) Purpose.

- (1) The Corridors Overlay District (COD) is intended to help the City exercise greater control over the aesthetic, functional and safety characteristics of development along newly constructed major thoroughfares within the City where higher development standards can effectively enhance the City's image as a desirable place to live, work, and shop.
- (2) The Corridors Overlay District (COD) is limited to specified areas encompassing land that has already been assigned conventional zoning district classifications. It supplements the standards of the underlying conventional districts with new or different standards which are more restrictive. In the event of a conflict between the standards of the COD and the regulations of the underlying zoning district, the standards described herein will prevail. Regulations of the underlying zoning district not augmented or otherwise supplemented by the COD will continue to prevail.

(b) District Boundaries. The COD standards apply to the future development and use of all land with lot frontage on either side of the street right-of-way along the following specified major thoroughfares:

- (1) Pearland Parkway: For the full length of the roadway within the City limits
- (2) Oiler Drive: For the full length of the roadway within the City limits
- (3) McHard Road: For the full length of the roadway within the City limits
- (4) SH 35: For the full length of the roadway within the City limits, except within the Old Townsite District
- (5) Broadway Road: For the full length of the roadway within the City limits, except within the Old Townsite District
- (6) Magnolia Road: For the full length within the City limits of the contiguous roadway known as Magnolia Road, County Road 59, Southfork Drive, and John Lizer Road, except within the Old Townsite District
- (7) Kirby Drive: For the full length of the roadway within the City limits
- (8) Dixie Farm Road: For the full length of the roadway within the City limits
- (9) Beltway 8: For the full length of the roadway within the City limits
- (10) Bailey Avenue: For the full length of the roadway within the City limits
- (11) Massey Ranch Road: For the full length of the roadway within the City limits
- (12) Cullen Boulevard: For the full length of the roadway within the City limits

(c) Lot and Setback Standards.

- (1) The minimum front yard building setback adjacent to a specified major thoroughfare shall be twenty-five feet (25').

- (2) The minimum setback for all off-street parking, maneuvering and loading areas from the right-of-way line of a specified major thoroughfare shall be thirty feet (30').
 - (3) The minimum setback for all screening walls and fences, including residential subdivision fences, from the right-of-way line of a specified major thoroughfare shall be thirty feet (30').
 - (4) The minimum setback for any outside storage area (where permitted by the underlying zoning district) from the right-of-way line of a specified major thoroughfare shall be one hundred and fifty feet (150'), unless such area is screened to one hundred percent (100%) opacity with a screening wall that matches the primary on-site building or with live vegetation.
 - (5) No buildings, parking areas, or other impervious structures (except as noted herein), are permitted within the recognized floodway, as identified by the City Engineer, or within fifty feet (50') of the high bank, whichever is greater, of a creek or other drainage way proposed as a linear park in the City's Park and Recreation Master Plan.
 - a. Permitted exceptions include drainage-related structures and pavement, paved pedestrian or bike trails, picnic tables, and paved surfaces beneath picnic tables.
 - b. The Parks Director may reduce the restriction herein upon a finding that the proposed construction is consistent with the Park and Recreation Master Plan or the Hike and Bike Master Plan.
 - (6) Buildings, parking areas, or other visual obstructions shall not be located in any required visibility triangle.
 - (7) The required setback area as described above shall be landscaped, and shall meet the requirements of Subsection (g) of this Section 2.4.5.1.
- (d) **Building Facade Standards.** Requirements are applicable to any side of a structure that faces a thoroughfare listed in subsection (b), except for single-family detached dwellings. A Facade Design Plan of the entire proposed project shall be submitted with Site Plan review documents.

(1) Building Articulation:

- a. Building articulation, which is the expression or outlining of parts of the building by its architectural design, shall be provided in order to achieve the following:
 1. Create a complementary pattern or rhythm, dividing large buildings into smaller, identifiable portions.
 2. Break up the building mass through offsets and other methods that articulate the horizontal and vertical building planes.
 3. Incorporate details that create shade and cast shadows to provide visual relief.
- b. Building articulation shall be provided as specified in the following:
 1. All nonresidential structures fifty thousand (50,000) square feet in size or greater, except Public Educational Facilities, shall

incorporate architectural variation of at least three feet (3') in depth for every twenty-five feet (25') in vertical or horizontal length.

2. All nonresidential structures less than fifty thousand (50,000) square feet shall incorporate architectural variation of at least one foot (1') in depth for every ten feet (10') in vertical or horizontal length.

(2) Building Materials:

- a. All structures shall conform to the requirements in Article 6, Division 2 of this chapter.
- b. Corrugated metal and exposed fasteners are prohibited. Architectural metals are prohibited except for miscellaneous trimwork.
- c. A minimum twenty-five percent (25%) of an exterior wall facing the specified major thoroughfare shall be transparent, except for Public Educational Facilities, which are exempt from this requirement.
- d. All facades of an individual building, multiple buildings in a shopping center, or integrated business development, and all roofing in a shopping center or integrated business development shall have architectural design, color, and materials that are compatible or consistent with an overall theme, as determined by the Planning Director.

(3) Building and roof colors shall be provided in accordance with an approved color palette, available in the City's Planning Office and attached as Appendix A. Window/door trim, fascia, soffit, or similar elements of the building façade are exempt from the color palette as long as the total area of those elements do not exceed twenty percent (20%) of the building façade for any side of the building.

(e) **Access and Off-Street Parking Standards.** Access and off-street parking shall be provided in conformance with the City's Engineering Design Criteria Manual (EDCM).

(f) **Bicycle Parking.**

- a. Bicycle parking spaces shall be provided at an amount equal to a minimum of five percent (5%) of the required vehicular parking spaces.
- b. Bicycle parking shall be conveniently provided for all uses allowed in the following zoning districts: Office and Professional, Neighborhood Service, Business Park-288, General Business, and General Commercial.
- c. Each required bicycle parking space shall include a means to secure individual bicycles.

(g) **Landscaping Standards.**

(1) Minimum Percentage of Landscaping in the Required Setback Area: A minimum of fifteen percent (15%) of the required setback area shall consist of landscaped open areas with a permeable surface.

(2) Minimum Percentage of Landscaping Generally: A minimum of fifteen percent (15%) of the gross lot area shall consist of landscaped open areas.

- a. Landscaping elements shall be established along the outside (i.e., the side nearest the right-of-way) of all required screening elements (refer to Subsection (h) below).

(3) Tree Requirements: Trees are required along all specified major thoroughfares as follows, and at least fifty percent (50%) of the required trees shall be located along the frontage of the lot adjacent to the specified roadways:

- a. Large shade trees with a minimum two-inch (2") caliper measured at twelve inches (12") above the root ball shall be provided, with the total caliper inches equal to at least one inch (1") for each ten feet (10') of frontage.
- b. Ornamental trees with a minimum two-inch (2") caliper measured at twelve inches (12") above the root ball shall be provided, with the total caliper inches equal to one inch (1") for each fifteen feet (15') of frontage, except for Public Educational Facilities, which are exempt from this requirement.
- c. A minimum of sixty percent (60%) of required street trees shall be evergreen with year-round foliage.
- d. At the time of planting, a minimum of three feet (3') shall be provided between a tree trunk and the back of any curb and eight feet (8') between a tree trunk and any planned or existing underground public utility lines.
- e. At the time of planting, a minimum of six feet (6') shall be provided between individual trees.

(4) Required Interior Site Landscaping:

- a. Space for vehicle overhangs shall be provided in order to avoid damaging planted trees and shrubs.
- b. No parking space designed and intended for the parking of passenger vehicles driven by customers, patrons, or employees shall be greater than fifty feet (50') from a tree. Each island shall contain at least one (1) tree. Public Educational Facilities shall be exempt from this requirement.

(5) Irrigation System: A mechanical irrigation system is required to be installed and maintained.

(6) Adjacent to a Single-Family Use or Zoning District: When a nonresidential development is established on a tract of land that is adjacent to a single-family development or to property zoned for single-family use, there shall be a twenty-five-foot (25') wide landscaped buffer along the property line that is adjacent to such use or district. The landscaped buffer shall remain open and unobstructed (i.e., no parking, driveways, or other use of the buffer area), and shall be planted with ground cover, such as grass or ivy. This landscaped buffer may be located with the required yard/setback area and may count toward (g)(1) above.

(7) Detention/retention facilities located in front yards: When a detention/retention facility is located in a front yard, the facility shall be incorporated into the design of the development as an amenity, as determined by the Planning Director.

(h) **Lighting Standards.**

(1) Vehicular Circulation & Parking Areas:

- a. High pressure sodium or metal halide fixtures shall be used with no direct glare onto adjacent properties or public streets. The glare from such fixtures shall be shielded from adjacent properties and/or public streets.
 - b. Minimum light level within the parking area shall be 0.5 foot candles when the attendant facility is in use.
 - c. Standards, poles, and fixtures shall be a single color, uniform in design throughout the site and no taller than the height of the building being served.
 - d. Creosote treated wooden poles are prohibited.
 - e. Street lights along the specified corridor shall conform to the standard fixture adopted by the City. Installation of such fixture or payment in lieu of installation shall be required prior to acceptance of subdivision improvements by the City or issuance of a certificate of occupancy, as applicable
- (2) Walkway Lighting: Walkway lighting comprised of standard, pole, bollard and wall-mounted fixtures shall be no greater than twelve feet (12') above grade.
- (3) Accent Lighting:
- a. Uplighting shall be concealed or positioned to screen the light source from adjacent property.
 - b. Floodlighting or spotlighting of architecture, graphics, or natural features shall not create spillage of light onto adjacent property or public streets.

(i) **Screening Standards.**

- (1) Site Elements Required to Be Screened: The following site elements shall be screened from the public view from all specified major thoroughfares:
- a. Mechanical and Utility Equipment
 - 1. Screening shall consist of a decorative wall or architectural element of the building that is one hundred percent (100%) opaque.
 - 2. Roof-mounted equipment shall be screened with materials that are one hundred percent (100%) opaque. Appropriate screening includes an extension of the wall, such as a parapet wall, on which the equipment is mounted.
 - b. Vehicle Loading and Unloading Areas
 - 1. Screens shall incorporate shrubbery having year-round foliage and/or a wall or architectural element of the building that is a minimum of six feet (6') in height and is a maximum of seventy-five percent (75%) opaque.
 - c. Refuse, Refuse Containers, and Recycling Containers
 - 1. Screens shall consist of a solid wall or architectural element of the building that is a minimum six feet (6') in height.
- (2) Screening Elements Required: All **fences and** screening walls visible from a public street shall be:
- a. Constructed of masonry materials that are consistent with the color and design of the primary on-site structure.

- b. Consistent in color and design with the building architecture.
- c. Uniform in style and materials along the entire length of the screen within a single development.

(3) Screening Elements Prohibited: No fence or wall visible from a public street shall be:

- a. Greater than eight feet (8') in height.
- b. Located within any required visibility triangle.
- c. Constructed with any of the following materials: surface painted or coated concrete, chain link, concertina wire, barbed wire, corrugated metal, or fiberglass panels. Exceptions:

- 1. Barbed wire may be used solely to control livestock.
- 2. Public Educational Facilities shall be permitted to use chain link fence along the perimeter of sports fields and detention basins. Any chain link fence located one hundred feet (100') or less from a thoroughfare listed in subsection (b) shall be constructed of chain link material that is entirely coated by vinyl, powdercoating, or other durable material that is black or dark green in color, and shall also include one of the following features:

A. an evergreen vegetative screen outside the fence consisting of a combination of shrubs and trees that meet the following requirements:

- (i) shrubs shall be planted every three feet (3') or less on center and shall be at least four feet (4') tall at planting;
- (ii) trees shall be planted every thirty feet (30') or less and shall be at least two inches (2") in diameter measured by caliper; or

B. masonry columns that are:

- (i) no less than twenty inches (20") in width and depth;
- (ii) at least twelve inches (12") taller than the adjacent chain link sections;
- (iii) spaced no further than twenty feet (20') apart;
- (iv) topped with decorative masonry caps at least six inches (6") tall that project at least two inches (2") from the front facades of the columns; and
- (v) constructed of materials similar in color, design, and architecture to that of the primary structure.

(4) All other fences within Public Educational Facilities shall be constructed of materials consistent in color, design, and architecture to the primary on-site structure.

(5) Residential Subdivision Fences:

- a. Residential subdivision fences shall be uniform in style, color, and material along the length of the subdivision.

- b. If visible from a street right-of-way, fences shall be constructed of masonry materials. However, large-lot subdivisions, which are defined as subdivisions with average lot sizes of one-half acre or more, shall be permitted to be screened with wood rail fencing.
- (6) Fences constructed around detention ponds or basins and visible from a public or private street, shall be constructed of decorative wrought iron or chain link material in accordance with the standards set forth in subsection (i) (3) c. 2. above for chain link fences located one hundred feet (100') or less from a thoroughfare listed in subsection (b).

(j) **Buffering Standards.**

- (1) Site Elements Required to Be Buffered: The following site elements shall be visually buffered from the public view from all specified major thoroughfares:
- a. Parking Areas - Outdoor parking areas that are visible from any street right-of-way.
 - b. Fuel Pumps - Fuel pumps located between the street and the building.
 - c. Drive-Up Windows - Vehicle drive-up windows facing the street.
- (2) Buffering Elements Required: Required buffering shall be a maximum of three feet (3') in height shall be provided by way of one or more of the following:
- a. Freestanding masonry wall.
 - b. Landscaped earth berm with a maximum four-to-one (4:1) slope. Retaining walls may be used to facilitate berming if unseen from the street.
 - c. Shrubbery having year-round foliage.

(k) **Outdoor Activities or Uses.** The following shall apply when the incidental display of merchandise out of doors is permitted within the base zoning district.

- (1) Except as provided below, all display areas out of doors shall be confined to a pedestrian walkway immediately adjacent to the building housing the primary use, shall not extend from such building a distance of more than ten feet (10'), and shall be located wholly under a permanent part of a main business building such as a marquee, provided that adequate pedestrian access is maintained. Adequate pedestrian access shall be an unobstructed thirty-six inch (36") walkway.
- (2) The temporary sale of Christmas trees and products associated with celebration of holidays or national events On any property in the general business district, the temporary sale of goods in relation to special events (e.g., Hanukkah, Presidents' Day, Easter, etc.) shall be permitted for a period of forty-five (45) days prior to the day of religious the holiday celebration. The sale of goods in relation to special, local, or store events (e.g., spring sale, Party on the Grand, civic club event, etc.) shall also be permitted, but shall be limited to one (1) event per calendar year, not to exceed a sale period of more than sixty (60) days. The Building Official shall issue a permit for such sale when he finds:

- a. That there is an adequate off-street parking area, approved by the City; and
 - b. That the location and layout of drives and parking areas, of lighting, and of temporary sales signs will not constitute a hazard to public traveling to the abutting public streets and will not obstruct the visibility along such streets.
- (3) No other type of outdoor activity or use shall be permitted in the COD District without a temporary permit issued by the City's Building Official pursuant to the City Building Code, unless expressly authorized herein.
 - (4) Outdoor storage, as defined by Section 5.1.1.1, is allowed only upon obtaining a CUP and providing screening pursuant to Section 4.2.4.1 (d). In no case shall outdoor storage be permitted along any yard that abuts any street or public right-of-way.

(I) **Sidewalk Standards.**

- (1) Location: The required sidewalk along all specified major thoroughfares may be located within the front yard building and parking setbacks as well as the parkway area from the back of curb to the right-of-way line. Sidewalks shall not be required for development along Beltway 8 frontage roads.
- (2) Easement Required: A ten foot (10') wide public use easement shall be provided for the required sidewalk when placed outside of street right-of-way.
- (3) Curved Alignment Required: The required sidewalk shall have a curved alignment for at least eighty percent (80%) of the major thoroughfare street frontage. Sidewalks on intersecting streets shall not have a curved alignment unless approved by the City Engineer.
- (4) Construction Criteria: Construction criteria for the required sidewalk:
 - a. Minimum six feet (6') wide.
 - b. Minimum eight-foot (80') centerline radius, maximum intersection angle of twenty (20) degrees, and maximum twenty-foot (20') foot tangent between sidewalk curves.
 - c. Minimum six-foot (6') separation between back of street curb and edge of sidewalk, except at street intersections and bridge approaches.
 - d. Sidewalk approaches, including the wheelchair ramp, to street and driveway intersections shall be straight and parallel to the adjacent street for a minimum of ten feet (10').
 - e. Detailed construction plans shall be submitted to the City Engineer for approval prior to construction of the sidewalk.
 - f. Deviations from these criteria may be approved by the City Engineer for good cause such as cases of unusual or unique topography or to preserve desirable natural features.
- (5) A minimum six-foot (6') wide pedestrian sidewalk shall connect the perimeter sidewalk to the building entry. This connecting sidewalk shall be accessible, readily visible, and paved.

(m)

Utilities. All utility service lines shall be located underground. Above-ground lines may be located in the rear or other areas of the property as necessary, however such lines must not be prominent from the front view of the property or from the view of roadways (the visibility of the poles must be partially or wholly obscured). Any determination on whether utilities are prominent shall be made by the Planning Director.

Section 2.6.1.2 Special Height Regulations

(a) **Calculation of Height.** The vertical distance measured from grade at the front of the building to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height level between eaves and ridge for a gable, hip, or gambrel roof.

~~(1) For the purposes of calculating the overall height of a structure, slope shall be calculated from the highest point of the building at natural grade to the lowest point of the building at natural grade, or the natural grade of an adjoining road, along a line that is, as close as possible, perpendicular to existing contours.~~

~~(2) The height shall be measured from the highest parapet or roof ridge to natural grade or finish grade at the lowest point adjacent to the building exterior, whichever yields the greatest height.~~

(b) **Exceptions to Height Regulations.**

(1) In districts where the height of buildings is restricted to two (2) stories, cooling towers may extend for an additional height not to exceed fifty feet (50') above the average grade line of the building.

(2) Water stand pipes and tanks, church steeples, domes and spires, ornamental cupolas, City or School District buildings, and institutional buildings may be erected to exceed the height limit, as specified in the particular zoning district, provided that one (1) additional foot shall be added to the width and depth of front, side, and rear yards for each foot that such structures exceed the district height limit.

Section 4.1.3.2 Improvements & Related Triggers

(a) **Required Improvements.** The following improvements required by this UDC shall be adhered to when an expansion triggers such improvements:

- (1) Facade Materials: As required within the applicable zoning district (Chapter 2) and/or in Chapter 2, Article 6, Division 2.
- (2) Sidewalks: As required within the applicable zoning district (Chapter 2) and/or in Chapter 3, Article 2, Division 11.
- (3) Parking: As required within the applicable zoning district (Chapter 2) and/or in Chapter 4, Article 2, Division 1.
- (4) Landscaping: As required within the applicable zoning district (Chapter 2) and/or in Chapter 4, Article 2, Division 2.
- (5) Screening/Fencing: As required within the applicable zoning district (Chapter 2) and/or in Chapter 4, Article 3, Division 4.

(b) **Triggers.** Expansions to an existing property that meet the following shall trigger all of the improvements outlined in (a) above, unless otherwise specified:

- (1) Structure Square Footage: Any expansion ~~of a structure~~ shall trigger the improvements required under (a) (3) and (a) (5). An expansion ~~of a structure~~ that exceeds five hundred square feet (500 sq. ft.) shall trigger the improvements required under (a) (1), (a) (2), and (a) (4). Partial enclosure of existing loading docks shall not trigger these improvements.
- (2) Structure or Property Value: An expansion or improvement of a structure that improves the appraised value of the structure or property by more than fifty percent (50%).
- (3) Parking Spaces Increase: An increase in the number of parking spaces equal to or more than twenty percent (20%). In this case, facade material requirements shall not be required.

(c) Definition. As used in this section, the term expansion shall mean an increase in the square footage of any structure on a nonconforming property, whether by increasing the size of an existing structure or the construction of a new structure.

Section 4.2.1.2 Minimum Requirements & Standards

(a) **Minimum Requirements for Off-Street Parking.** Requirements are as follows:

- (1) Parking on grass or other non-paved area in any zoning district is prohibited except for agricultural machinery or equipment in the SD or RE zoning districts.
- (2) For any multiple-family, duplex, or townhome dwelling unit or condominium where leasing offices are provided on the site, visitor parking must be provided as per the office parking requirements outlined in this section. Where clubhouses are provided on the site, appropriate off-street parking must be provided as per the eating and drinking establishments requirements outlined in this section.
- (3) For residence halls, fraternity buildings, and sorority buildings, additional parking spaces may be required by the Planning and Zoning Commission for fraternity and sorority buildings as a condition of the Site Plan approval where the building does not provide permanent sleeping facilities for all members of the organization.
- (4) The requirements for schools within *Table 4-1* shall not apply to private schools which do not permit students to bring motor vehicles to the institution; however, the educational institution shall be required to provide adequate off-street parking for faculty, administrative personnel, and athletic events including visiting of parents or other personnel. Such requirements will be calculated based on the applicable parking requirements for the individual uses.
- (5) For any restaurant, eating and/or drinking establishment where permanent outdoor seating areas including decks, patios, or other unenclosed spaces are provided, those areas shall be included in the calculation of gross floor area and total number of seats. Establishments having only outdoor dining consisting of fewer than sixteen (16) seats shall provide a minimum of four (4) parking spaces.
- (6) In addition to required parking spaces, a day care center or pre-elementary school shall provide a driveway having a length sufficient for temporary parking of at least three (3) vehicles whereby the temporary parking spaces do not block access to the other required off-street parking spaces. In lieu of the driveway required herein, a day care center or pre-elementary school located within a development with shared parking, such as a multiple-occupancy center or an integrated business development, may provide three (3) clearly designated temporary parking spaces located not more than one hundred feet (100') from the main entrance of the day care center or pre-elementary school.
- (7) Parking requirements for recreation and amusement facilities that have any combination of the outdoor uses listed in *Table 4-1* on the same premises shall be calculated based on the sum of the minimum requirements for the individual uses proportionate to the indoor and outdoor areas allocated for each use.

Table 4-1

Required Number of Parking Spaces By Type of Use

Type of Use	Number of Spaces Required
All other places of public assembly not specified	1 space for each 4 seats of capacity in the main area containing fixed seating
All other schools not specified	1 space for each classroom plus 1 for each 15 students
All other uses not specified - Also see Section 4.2.1.2(c)	1 space per 165 square feet of gross floor area
Assembly hall	1 space for each 4 seats of capacity in the main area containing fixed seating
Auto parts store	1 space for each 200 square feet of gross floor area
Bank, savings and loan or credit union	1 space per 200 square feet of gross floor area
Barber and/or beauty shop	1 space for each 200 square feet of gross floor area
Bookstore	1 space for each 200 square feet of gross floor area
Bowling alley	5 parking spaces for each bowling lane
Bus depot	1 for each 100 square feet of floor area
Business support service	1 space for each 200 square feet of gross floor area
Church	1 space for each 4 seats of capacity in the main area containing fixed seating
Clothing store	1 space for each 200 square feet of gross floor area
Conference center/convention center	1 space for each 4 seats or 1 space for every 100 square feet of gross floor area, based on maximum design capacity whichever is less
Convenience store	1 space for each 200 square feet of gross floor area plus 1 space for each gasoline/diesel pump
Dance, assembly and exhibition halls without fixed seats	1 space for each 100 square feet used for assembly or dancing
Day care center or pre-elementary school - Also see Section 4.2.1.2(a)(6)	1 space per 300 square feet of gross floor area
Department store	1 space for each 200 square feet of gross floor area
Elementary school	1 space per 20 students and 1 space per staff faculty member
Funeral home or mortuary	1 parking space for each 50 square feet of floor space in slumber room parlors or individual funeral service rooms
General merchandise store	1 space for each 200 square feet of gross floor

	area
Grocery store	1 space for each 200 square feet of gross floor area
Group home	4 spaces
High school and/or vocational school	1 space for every 3 students, faculty and staff, based on maximum design capacity
Hospital	1 space per bed
Hotel or motel	1 parking space for each sleeping room or suite plus 1 space for each 200 square feet of commercial floor area contained therein
Junior high school	1 space per 15 students and 1 space per staff faculty member
Laundry service	1 space for each 200 square feet of gross floor area
Library	1 space for each 300 square feet of floor area
Lodging houses and boarding houses	1 space per each 2 persons capacity of overnight sleeping facilities
Manufacturing plant	1 for each 1.5 employees in the maximum work shift
Medical or research laboratory	1 for each 1.5 employees in the maximum work shift
Medical or dental clinic	4 spaces for each treatment room
Multiple-family, duplex, or townhome dwelling unit or condominium - Requirements below [Also see Section 4.2.1.2(a)(2)]	
Efficiency unit	1½ spaces
One-bedroom unit	2 spaces
Two-bedroom unit	2½ spaces
Three-bedroom unit, or more bedrooms	1 space per bedroom
Multi-use Occupancy	1 space for each 200 165 square feet of gross floor area
Office and professional uses	1 space for each 300 square feet of gross floor area
Pharmacy	1 space for each 200 square feet of gross floor area
Product repair service	1 space for each 200 square feet of gross floor area
Recreation and amusement facility - Requirements below [Also see Section 4.2.1.2(a)(7)]	
Arcade	1 space per 200 square feet of gross floor area
Driving/archery/shooting range	1 space per 200 feet of gross floor area of indoor facilities, plus 1 space per tee or target
Fairground, exhibition, carnival	1 space per 500 square feet of outdoor site area, plus 1 space per 4 fixed spectator seats
Go-carts and all-terrain vehicles	1 space per 2 vehicles, plus 1 space per 4

	spectator seats
Golf course	1 space per 150 square feet of gross floor area of indoor facilities, plus 5 spaces per green
Miniature golf	1 space per 200 square feet of gross floor area of indoor facilities, plus 1 1/2 spaces per hole
Rodeo, circus, auto/motorcycle racing	1 space per 3 spectator seats
Skateboarding, water slide	1 space per 200 feet of gross floor area of indoor facilities, plus 1 space per 2 persons design capacity of outdoor facilities
Sport fields, swimming pool, private parks and playgrounds	1 space per 100 square feet of gross floor area of indoor facilities plus 1 space per four persons design capacity of outdoor facilities, including both participants and spectators as applicable
Tennis and other sport courts	2 spaces per court
Residence halls, fraternity buildings, and sorority buildings - Also see Section 4.2.1.2(a)(3)	1 space per person capacity of permanent sleeping facilities
Residential care facility	1 space per each two persons capacity
Restaurant, eating and/or drinking establishment - Also see Section 4.2.1.2(a)(5)	4 spaces, plus 1 space for each 100 square feet of gross floor area, or 4 seats, whichever is less
Retail uses not otherwise specified	1 space for each 200 square feet of gross floor area
Sanitarium, convalescent home, home for the aged or similar institution	1 parking space for each 2 beds
School auditorium	1 space for each 4 seats of capacity in the main area containing fixed seating
Self-storage or mini-warehouse	4 spaces plus one space per 10,000 square feet of storage area
Shopping centers, malls, and multi-occupancy uses over 3 acres in size	1 parking space per 200 square feet of floor space
Single-family attached and detached dwelling units (including manufactured or industrialized housing unit)	2 parking spaces per dwelling unit
Sports arena	1 space for each 4 seats of capacity in the main area containing fixed seating
Stadiums	1 space for each 4 seats of capacity in the main area containing fixed seating
Student center	1 space for each 300 square feet of floor area
Take-out or drive-through eating establishment with no indoor dining	1 parking space for each 50 square feet of floor space used or designated as customer service and waiting area, or 4 spaces, whichever is greater

Theater	1 space for each 4 seats of capacity in the main area containing fixed seating
Vehicle repair facility (office spaces calculated based on office requirements)	1 space for each 200 square feet of floor area devoted to vehicle repair, excluding office space
Vehicle sales or rental dealer	1 parking space for employees and customers per 3,000 square feet of open sales lot and enclosed floor area devoted to the sale, display, or rental of motor vehicles, mobile homes, or trailers
Warehouse (office spaces calculated based on office requirements)	1 space for each 2,000 square feet of gross floor area excluding office space

(b) **Minimum Requirements for Off-Street Stacking.** Off-street stacking requirements for drive-through facilities shall be as follows.

- (1) A stacking space shall be an area on a site measuring eight feet (8') by twenty feet (20') with direct forward access to a service window or station of a drive-through facility which does not constitute space for any other circulation driveway, parking space, or maneuvering area.
- (2) For financial institutions with drive-through facilities, each teller window or station, human or mechanical, shall be provided with a minimum of five (5) stacking spaces.
- (3) For retail operations, other than restaurants, banks and kiosks that provide drive-up service, including pharmacy and dry cleaners, a minimum of three (3) stacking spaces for each service window shall be provided.
- (4) For a full-service car wash, each vacuum or gas pump lane shall be provided with a minimum of four (4) stacking spaces. For the finish and drying area, adequate vehicle stacking and storage space must be provided to keep finished vehicles out of circulation aisles, access easements, fire lanes and streets.
- (5) For each automated self-service car wash bay, a minimum of three (3) stacking spaces, in addition to the wash bay itself, shall be provided. One stacking space shall be provided at the exit end of each wash bay for window-drying and other detailing.
- (6) For each wand-type self-service car wash bay, a minimum of two (2) stacking spaces, in addition to the wash bay itself, shall be provided. One stacking space shall be provided at the exit end of each wash bay for window-drying and other detailing, unless a separate area and shade structure is provided, outside of circulation aisles, for these activities.
- (7) For automobile quick-lube type facilities, a minimum of three (3) stacking spaces shall be provided for each service bay in addition to the service bay(s) itself.
- (8) For restaurants with drive-thru service, a minimum of five (5) stacking spaces shall be provided for the first (or only) window, and if applicable, a minimum of two (2) stacking spaces for each subsequent window.

- (c) **New or Unclassified Uses.** When a proposed land use is not classified in this section, the parking requirements will be based on the minimum standard which applies to a specified use which is most closely related to the proposed land use, as determined by the Director, based on parking studies prepared by qualified professionals.
- (d) **Parking on the Same Lot Required.** Except as provided in Chapter 1, Article 1 for circumstances that may be approved by the Zoning Board of Adjustment as a special exception, all required off-street parking spaces shall be located on the same lot or tract as the principal use being served by the parking area. All required parking shall be on a paved surface. In such cases where parking is located on a separate lot, the following is required:
- (1) The parking is provided on a separate, conforming parking lot located not more than 500 feet away from the premises of the use for which parking requirements the parking lot is fulfilling, and which shall be conveniently usable without unreasonable:
 - a. Hazard to pedestrians;
 - b. Hazard to vehicular traffic;
 - c. Traffic congestion; or,
 - d. Detriment to the appropriate use of other properties in the vicinity;
 - (2) A written agreement shall be drawn to the satisfaction of the City Attorney and executed by all parties concerned, including the owner/agent of the principal use utilizing the parking and the owner/agent of the lot on which the parking is to be provided. Such written agreement shall assure the continued availability of and access to (i.e., via an easement, etc.) the off-street parking area for the principal use it is intended to serve.
- (e) **Off-Street Loading Requirements.** In all zoning districts there shall be provided, in connection with appropriate allowable uses, off-street loading facilities in accordance with the following: Any department store, industrial plant, manufacturing establishment, retail establishment, storage warehouse or wholesale establishment, which has an aggregate gross floor area of 10,000 square feet or more, arranged, intended or designed for the use shall be provided with off-street truck loading or unloading berths at least 12 feet wide, 14 feet high and 35 feet long in accordance with the following table. There shall be sufficient space to ensure that all maneuvering required to utilize the loading space will not include street right-of-way.

<i>Table 4-2 Required Loading Spaces</i>	
<i>Table 4-2 Required Loading Spaces</i>	
Square Feet of Aggregate Gross Floor Area	Required Number of Berths
10,000 to 40,000	1
40,001 to 100,000	2
100,001 to 160,000	3

160,001 to 240,000	4
240,001 to 320,000	5
320,001 to 400,000	6
400,001 to 490,000	7
For each additional 90,000 over 490,000, additional berth	1

Section 4.2.5.3 On-Premise Ground Signs

- (a) **Applicability.** An on-premise ground sign shall be permitted only on lots with one (1) use or business. A multi-tenant sign shall be required on lots with more than one (1) use or business in conformance with Section 4.2.5.4.
- (b) **Standards.** Permanent on-premise ground signs are subject to the following standards:
- (1) Number Allowed: The number of on-premise ground signs on one (1) site is limited to one (1) per street frontage of at least one hundred feet (100'). The following are not counted in this limitation:
- a. Additional directional signs up to two (2) square feet in area each, provided the number of these signs does not exceed the number of driveways; and,
 - b. Subdivision, Builder, or Model Home Signs as described in (b) (5).
 - c. Subdivision identification signs as described in (b) (6).
 - d. For Sale/Lease signs as described in (b) (8).
 - e. Construction signs as described in (b) (9).
 - f. Business Opening signs as described in (b) (10).
 - g. Holiday signs as described in (b) (11).
 - h. Special event signs as described in (b) (12).
 - i. Marquee signs as described in (b) (13).
 - j. Government signs as described in (b) (14).
- (2) Maximum Height: The maximum height of any on-premise ground signs shall not exceed eight feet (8') (refer to *Figure 4-6* on the following page). The portion of the base of the sign within two feet (2') of the grade of the ground shall not be included in the height calculation.
- (3) Maximum Sign Area:
- a. The maximum effective sign area per side per sign shall not exceed the following:
 1. MF, MH and OP zoning districts – thirty-five (35) square feet;
 2. NS zoning district – fifty (50) square feet;
 3. GB zoning district – seventy-five (75) square feet;
 4. BP-288, GC, M-1, and M-2 zoning districts – one hundred (100) square feet;
 5. Mixed use districts (SPD, C-MU, G/O-MU, and OT) – unless otherwise specified within the SPD or OT regulations, fifty (50) square feet for nonresidential uses; not permitted for residential uses;
 6. Planned Developments (PD) – as specified on the Site Plan, if different from the base zoning district;
 7. Non-residential uses in residential districts – thirty two (32) square feet. Other signs in residential districts are prohibited except where expressly allowed under this UDC.

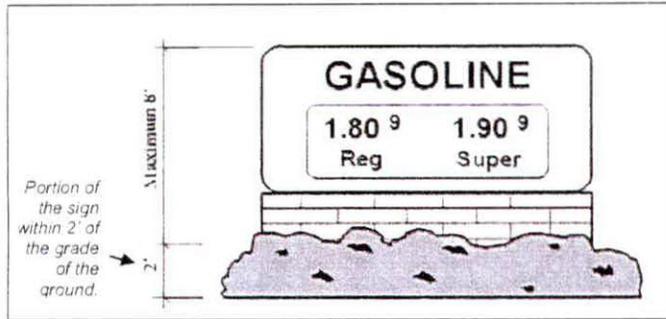


Figure 4-6
Measuring the Height of a Sign

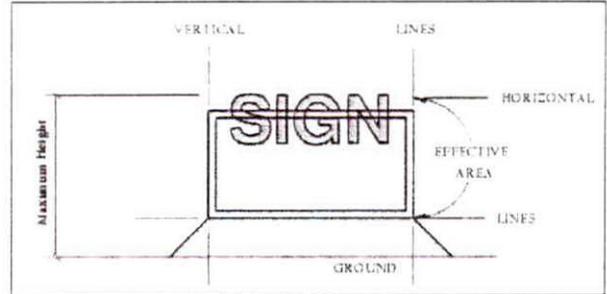


Figure 4-7
Measuring the Effective Sign Area

- b. The effective area shall be measured from the highest point on the sign to the elevation of the center of the base of the sign by the width at the highest point (refer to Figure 4-7). Changeable message signs or marquee signs may be part of a ground sign, but shall not cover more than seventy-five percent (75%) of the effective area.

(4) Location: No ground sign shall be closer than five feet (5') to any property line.

(5) Subdivision, Builder, or Model Home Sign: A sign advertising a new residential subdivision under active construction and sales or a model home therein shall be allowed subject to the following conditions:

- a. The sign must be located on: (1) a lot on which a model home is located; or (2) a lot, tract, or reserve that is not intended for sale and the maintenance of which is the responsibility of the builder, developer, or homeowners association.
- b. The sign may not exceed ten feet (10') in height or thirty-two square feet (32 square feet) in area per sign face.
- c. Only one sign in this category is allowed per three hundred feet (300') of local street frontage. Signs on model home lots do not count against this limit.
- d. "Active construction and sales" means: (1) the subdivision has lots for sale; (2) there is at least one (1) pending building permit for new construction of a home within the subdivision; and (3) there is a model home in the subdivision open during regular business hours where potential buyers may review and select available home floorplans, options, and upgrades.
- e. All signs erected pursuant to this subsection must be removed within five (5) years.

(6) Subdivision Identification Sign: A permanent subdivision identification(s) sign that is a maximum of one hundred and twenty (120) square feet in area per

sign may be displayed on private property at a street entrance to the subdivision, in addition to other ground signs permitted by this division. The sign is subject to the following:

- a. The size, material, and location of the sign shall be indicated on the construction plans for the subdivision;
- b. A "Reserve" shall be shown on the Final Subdivision Plat or Final Development Plat, indicating the location of the sign; and,
- b. There shall not be more than two (2) such signs per street entrance to the subdivision.

(7) Electronic Changeable Message Sign: An electronic changeable message sign that conforms to the size and locational requirements of this Section shall be permitted with adherence the following:

- a. Each message displayed on an electronic changeable message sign must be static or depicted for a minimum of six (6) seconds. The scrolling of messages is permitted, but must also conform to the minimum of six (6) seconds static display.
- b. The flashing display (i.e., changeable message) portion shall not exceed twenty-five (25) percent of the total allowable effective sign area.
- c. The flashing display (i.e., changeable message) portion shall be limited to one (1) color, and shall be limited to white, gold, yellow, red, blue, or green. The Planning Director shall determine whether proposed colors conform to these colors.
- d. The addition of any flashing display (i.e., changeable message) to any nonconforming sign is prohibited.

(8) For Sale/Lease Sign: A sign advertising that certain real property or a portion thereof is for sale or lease shall be allowed subject to the following conditions:

- a. The sign may not contain any message unrelated to the property's being for sale or lease.
- b. For nonresidential properties, the sign may not exceed six feet (6') in height or thirty-two square feet (32 ft²) in area per sign face. For residential properties, the sign may not exceed four feet (4') in height or six square feet (6 ft²) in area per sign face.
- c. Only one such sign is allowed per parcel of real property.

(9) Construction Sign: A sign placed on non-residential real property undergoing construction or within one month before the commencement of construction shall be allowed subject to the following conditions:

- a. The sign may only identify the principal parties to the construction, including without limitation the contractor, architect, engineer, and any lending institution, and may not contain any other advertising.
- b. The sign may not exceed six feet (6') in height or thirty-two square feet (32 ft²) in area per sign face.

- c. Only one such sign is allowed per street frontage of the property, with a maximum of two per property.

(10)Business Opening Sign: A sign placed on non-residential real property announcing the opening for business of the non-residential use located thereon shall be allowed subject to the following conditions:

- a. The sign must be displayed continuously for not more than ninety (90) days during the permissible display period beginning upon issuance of the building permit and ending one month after issuance of the certificate of occupancy for the use.
- b. The sign may not exceed six feet (6') in height or thirty-two square feet (32 ft²) in area per sign face.
- c. Only one such sign is allowed per street frontage of the property, with a maximum of two per property.

(11)Holiday Sign: Signs placed on real property acknowledging, observing, or celebrating a recognized national, state, or local holiday without containing any other advertising shall be allowed subject to the following conditions:

- a. The signs may not be displayed for more than a total of ninety (90) days per calendar year.
- b. The sign may not exceed twelve feet (12') in height or sixty-four square feet (64 ft²) in area per sign face.
- c. Only two of such signs are allowed per street frontage for non-residential properties, with a maximum of four per property. There is no limit on number for residential properties.

(12)Special Events Sign: Signs advertising a special event sponsored by a non-profit organization, charitable group, or civic club and placed on real property where said event is to take place shall be allowed subject to the following conditions:

- a. The signs may not be displayed more than fourteen (14) days before, or five (5) days after, the event.
- b. The sign may not exceed six feet (6') in height or thirty-two square feet (32 ft²) in area per sign face.
- c. Only one such sign is allowed per street frontage, with a maximum of three per property.

(13)Marquee Sign: Signs located on the premises of a religious, educational, or other noncommercial institution, which function solely to disseminate information about events, programs, or announcements related to the institution's purpose or function shall be allowed subject to the following conditions:

- a. The sign may not exceed six feet (6') in height or thirty-two square feet (32 ft²) in area per sign face.
- b. Only one such sign is allowed per property.

(14)Government Sign: Signs erected by an entity of the state, county, or local governments and containing only information or advertising related to that entity's governmental function shall be allowed subject to the following conditions:

- a. The sign may not exceed twelve feet (12') in height or one hundred and fifty square feet (150 ft²) in area per sign face.
- b. Only two such signs are allowed per street frontage of the property.

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

MAY 4, 2009

6:30 p.m.

Henry Fuyertes
P&Z CHAIRPERSON

Jerry Koza, Jr.
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Neil West

Susan Sherrouse



Darrell Diggs

Ron Capehart

Charles Gooden, Jr.

In accordance with the Texas Open Meeting Act the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located at the front entrance of the City Hall, 3519 Liberty Drive.

AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD MAY 4, 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 April 20, 2009

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Final Plat of Lakes at Highland Glen Section Six

Decision
Date
5/4/09

A request by C.L. Davis, R.P.L.S., C.L. Davis & Co., for Beazer Homes Texas, L.P., MHI Partnership, Ltd., and Newmark Homes, L.P., owners, for approval of a final plat of Lakes at Highland Glen Section Six located on the east side of the 1700 block of Pearland Parkway at Forest Park Lane. The applicant is proposing 53 lots in six blocks and nine reserve areas zoned PUD and the property is described as follows:

Being 26.4971 acres out of the D.H.M. Hunter Survey, Abstract Number 76, City of Pearland, Brazoria County, Texas

B. UPDATE OF ZONE CHANGES AND CONDITIONAL USE PERMITS

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

C. DISCUSSION ITEM

- Next JPH and P&Z Meeting May 18, 2009
- P&Z Training TBA
- UDC Amendment T-11 Joint Public Hearing TBA
- 5-Year CIP Recommendation to Approve May 18, 2009

IV. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorring, 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 1st day of May 2009 A.D., at 5:30 p.m.

Judy Krajca, Planning Secretary

Agenda removed _____ day of May 2009.

APPROVAL

OF

MINUTES

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD APRIL 20, 2009 AT 6:30 P.M., IN THE ENGINEERING CONFERENCE ROOM, COMMUNITY CENTER, 3523 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

P&Z Chairperson Henry Fuertes called the meeting to order at 6:33 p.m. with the following present:

P&Z Chairperson Henry Fuertes
P&Z Vice-Chairperson Jerry Koza, Jr.
P&Z Commissioner Neil West
P&Z Commissioner Susan Sherrouse
P&Z Commission Ron Capehart
P&Z Commissioner Charles Gooden, Jr.

Also in attendance were: Planning Director Lata Krishnarao, Plans and Plat Administrator Richard Keller, Senior Planner Angela Gantuah, Planning Technician Ian Clowes, Deputy City Attorney Nghiem Doan, and Planning Administrative Secretary Judy Krajca.

P&Z Commissioner Darrell Diggs excused himself at 6:30 p.m., and P&Z Commissioner Susan Sherrouse excused herself at 9:15 p.m., both due to illness.

P&Z Commissioner Charles Gooden, Jr. arrived at 6:45 p.m.

APPROVAL OF MINUTES

P&Z Vice-Chairperson Jerry Koza, Jr. made the motion to approve the minutes of April 6, 2009, and P&Z Commissioner Ron Capehart seconded.

The vote was 5-0. The minutes of April 6, 2009 were approved.

NEW BUSINESS

P&Z Vice-Chairperson Jerry Koza, Jr. opened the public hearing for the Replat of Shadow Creek Ranch Commercial Site No. 20-B at 6:37 p.m.

CONDUCT PUBLIC HEARING – Replat of Shadow Creek Ranch Commercial Site No. 20-B

A request by Rene Rodriguez, LJA Engineering & Surveying, Inc., for Pearland Capital Group, L.P., owner, for approval of a replat of Shadow Creek Ranch Commercial Site No. 20-B located on the north side of the 12100 block of Shadow Creek Parkway at Reflection Bay Drive. The applicant is proposing a replat of one lot zoned SCR PUD Commercial and the property is described as follows:

Being a Replat of all of Lot "A", Shadow Creek Ranch Commercial Site No. 20-B as recorded in Document 2007020465, Official Records of Brazoria County Texas, City of Pearland, Brazoria County, Texas.

Plans and Plat Administrator Richard Keller read the purpose of the hearing.

The applicant was present but did not speak.

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

There was no discussion from the Commission or staff.

P&Z Vice-Chairperson Jerry Koza, Jr. adjourned the public hearing at 6:39 p.m.

CONSIDERATION & POSSIBLE ACTION – Replat of Shadow Creek Ranch Commercial Site No. 20-B

A request by Rene Rodriguez, LJA Engineering & Surveying, Inc., for Pearland Capital Group, L.P., owner, for approval of a replat of Shadow Creek Ranch Commercial Site No. 20-B located on the north side of the 12100 block of Shadow Creek Parkway at Reflection Bay Drive. The applicant is proposing a replat of one lot zoned SCR PUD Commercial and the property is described as follows:

Being a replat of all of Lot "A", Shadow Creek Ranch Commercial Site No. 20-B as recorded in Document No. 2007020465, Official Records of Brazoria County Texas, City of Pearland, Brazoria County, Texas

Plans and Plat Administrator Richard Keller read the staff report stating there were 4 outstanding items remaining on the plat, but all were minor and recommended approval of the replat.

P&Z Commissioner Ron Capehart made the motion to approve with staff comments, and P&Z Commissioner Susan Sherrouse seconded. Staff comments were as follows:

- 1) Place a lined block around Reason for Replat
- 2) The word "AND" is duplicated in Planning Commission Certification
- 3) Remove "OUT OF" from Owner's Certification
- 4) Courier and recordation fees due

The vote was 4-0. The Replat of Shadow Creek Ranch Commercial Site No. 20-B was approved. P&Z Chairperson Henry Fuertes abstained from the vote.

CONSIDERATION & POSSIBLE ACTION – Final Plat of Cullen Park Estates

A request by Jimmy L. Bishop, Jr., JKC & Associates, Inc., for Cullen Park Partners, owner, for approval of a final plat of Cullen Park Estates located on the north side of the 7900 block of Bailey Road east of C. R. 89. The applicant is proposing 32 lots in

two blocks and seven reserve areas in the Pearland E.T.J. and the property is described as follows:

Being 29.32 acres of land situated in the H.T. & B. RR Survey, Abstract 547, Brazoria and Harris Counties, Texas.

Plans and Plat Administrator Richard Keller stated the applicant has requested a Waiver of Decision to respond to staff comments.

P&Z Vice-Chairperson Jerry Koza, Jr. made the motion to approve the Waiver of Decision, and P&Z Commissioner Susan Sherrouse seconded.

The vote was 5-0. The Waiver of Decision was approved for the Final Plat of Cullen Park Estates.

P&Z Chairperson Henry Fuyertes requested the next two items requesting a one-year extension of time for approval be acted on together.

P&Z Commissioner Ron Capehart made the motion to approve the Request for a one-year extension of time for approval of the Preliminary Plat of Riverstone Ranch at Clear Creek Section One, and Section Two. P&Z Vice-Chairperson Jerry Koza, Jr. seconded the motion.

The vote was 5-0. The Request for a one-year extension of time for approval of the Preliminary Plat of Riverstone Ranch at Clear Creek Section One, and Section Two was approved.

CONSIDERATION & POSSIBLE ACTION – Request for a one-year extension of time for approval of the Preliminary Plat of Riverstone Ranch at Clear Creek Section One

A request by Warren Escovy, LJA Engineering & Surveying, Inc., for a one year extension of time of approval of the Preliminary Plat of Riverstone Ranch at Clear Creek Section 1 as allowed by Article 2, Division 5 of Chapter 1 of the Unified Development Code

CONSIDERATION & POSSIBLE ACTION – Request for a one-year extension of time for approval of the Preliminary Plat of Riverstone Ranch at Clear Creek Section Two

A request by Warren Escovy, LJA Engineering & Surveying, Inc., for a one year extension of time of approval of the Preliminary Plat of Riverstone Ranch at Clear Creek Section 2 as allowed by Article 2, Division 5 of Chapter 1 of the Unified Development Code.

P&Z Chairperson Henry Fuyertes recessed the Regular P&Z Meeting at 6:42 p.m., while the Commission attended the Joint Public Hearing.

P&Z Chairperson Henry Fuyertes reconvened the Regular P&Z Meeting at 9:19 p.m.

CONSIDERATION & POSSIBLE ACTION – Conditional Use Permit No. CUP2009-06

A request by Medallion Investments V Inc., applicant and owner, for approval of a Conditional Use Permit for a "Hotel" facility in the Business Park District – 288 (BP-288), on the following described property, to wit:

Legal Description: 3.00 acres of land out of 14.2863 acres of land out of Lots 6 and 7 of a subdivision in the James Hamilton Survey, Abstract 881, in Harris County, Texas, according to the map or plat thereof recorded in Volume 83, Page 342, of the Deed Records of Harris County, City of Pearland, Harris County, Texas

General Location: Located at 1111 SH 288, Pearland, TX 77584

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

Planning Director Lata Krishnarao asked the Commission if they wanted to add the conditions back into this CUP regarding one hotel, with less than 100 rooms.

P&Z Chairperson Henry Fuertes stated he had concerns with the old issues and discussed if the old CUP could be reinstated or if a new CUP was necessary with conditions. Planning Director Lata Krishnarao replied a new CUP was necessary.

P&Z Commissioner Ron Capehart amended his original motion to approve the Conditional Use Permit (CUP) with the same conditions as CUP No. 2007-06. The motion was seconded by P&Z Commissioner Jerry Koza, Jr.

P&Z Commissioner Neil West mentioned his concern of traffic and the recent survey the city completed with traffic being the number one concern.

P&Z Chairperson Henry Fuertes brought up the question Council Member Steve Saboe asked with regards to the Commissions original concerns with the approval of the 2007 CUP. Chairperson Fuertes recalled the concerns coming from Commissioner Darrell Diggs and the number of hotels that were being built in Pearland and the justification for them.

The vote was 5-0. Conditional Use Permit No. 2009-06 was approved with the same conditions as previous CUP 2007-06: Specifically, one hotel with less than 100 rooms may be constructed.

CONSIDERATION & POSSIBLE ACTION – Conditional Use Permit No. CUP 2009-07

A request by Vincent Gerard & Associates C/O Verizon Wireless, applicant on behalf of, Thomson 8 MD, owner, for approval of a Conditional Use Permit for a Co-Location of a Cell Tower Antennae in the Suburban Ranch - 12 District (SR-12), on the following described property, to wit:

Legal Description: Approximately 5,625 square feet of Lot Three (3) of the Allison-Richey Gulf Coast Home company subdivision of Section Ten (10), H.T. & B.R.R. company Survey, Abstract 505, Brazoria County, Texas according to the recorded map or plat hereof appearing in Volume Two (2), at Page Twenty-Three (23) of the Plat Records of Brazoria County, Texas

General Location: Located 7702 Thomson St., Pearland, TX 77584

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

Senior Planner Angela Gantuah brought up Councils comment regarding all-weather surfacing as long as the trucks could withstand it.

Planning Director Lata Krishnarao read from the UDC that a CUP cannot be changed or varied, but since Council was asking for the changes, they would need to vote with this in mind. There was much discussion regarding the UDC.

The following recommendations were considered:

1. The co-location of antennae will not increase the height of an existing 133' foot cellular communications tower.
2. The proposed ground equipment shall be contained in a masonry structure approximately 12 feet by 28 feet
3. Sidewalks along Stone Road are waived.
4. Additional parking is waived as long as one 9' X 18' parking space is provided in the driveway.
5. Paving of the driveway is waived upon approval of alternate paving by the City Engineer.
6. All additional landscaping is waived.
7. Screening and fencing requirements due to the existence of the required buffer is waived.

Deputy City Attorney Nghiem Doan excused himself at 9:50 p.m. to join Council's Executive Session.

P&Z Commissioner Charles Gooden Jr. made the motion to amend the original motion with the following conditions, and P&Z Commissioner Jerry Koza, Jr. seconded.

1. The co-location of antennae will not increase the height of an existing 133' foot

cellular communications tower.

2. The proposed ground equipment shall be contained in a masonry structure approximately 12 feet by 28 feet.

The vote was 5-0. Conditional Use Permit No. CUP 2009-07 was approved with amendments.

The vote was 4-1 for the original motion, with P&Z Commissioner Ron Capehart voting in opposition. Mr. Capehart's reason for denial was it is the only tool the city has to bring the non-conforming use and structure into compliance with the current UDC.

P&Z Chairperson Henry Fuertes recessed the P&Z Regular meeting for a short break at 10:17 p.m.

P&Z Chairperson Henry Fuertes reconvened the P&Z Regular Meeting at 10:23 p.m.

CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2009-03Z

A request by Blake Rue, applicant, on the behalf of Glass 518 Joint Venture, owner, for approval of a change in zoning district from the classification of General Commercial (GC) to Planned Development -Multi Family (PD-MF), on the following described property, to wit:

Legal Description: Being 10.000 acres of land out of the northwest one quarter of section 17, H.T. and B.R.R. Survey, Abstract 242, Pearland Texas and being part of the tracts described at Volume 1757, Page 661 and Volume 1757 Page 665, Brazoria County Deed Records (BCDR) and being more particularly described as follows:

General Location: Generally Located East of Cullen Boulevard, West of Tranquility Lakes Development and South of Broadway.

P&Z Commissioner Ron Capehart made the motion to approve, and P&Z Commissioner Charles Gooden, Jr. seconded.

Senior Planner Angela Gantuah stated the 10 conditions of concern.

There was minimal discussion among the Commission and Staff.

P&Z Vice-Chairperson Jerry Koza, Jr. made the motion to table the Zone Change, and P&Z Commissioner Neil West seconded.

The vote was 5-0. Zone Change No. 2009-03Z was tabled.

DISCUSSION ITEM

The Commission was informed there would not be a Training Workshop tonight. A future date will be announced.

The next P&Z Meeting will be on May 4, 2009, along with a Workshop on the 5-year CIP Plan, and a Joint Workshop on UDC Amendments.

City Hall hopes to be open sometime in May, with meetings resuming in the Council Chambers at that time.

ADJOURNMENT

P&Z Chairperson Henry Fuertes adjourned the meeting at 10:37 p.m.

These minutes are respectfully submitted by:

Judy Krajca, Planning Secretary

Minutes approved as submitted and/or corrected on this 4th day of May A.D., 2009.

P&Z Chairperson Henry Fuertes

P&Z Agenda Item

A

**LAKES AT HIGHLAND GLEN SECTION SIX
FINAL PLAT – STAFF REPORT**

P & Z MEETING DATE: MAY 4, 2009

APPLICANT: C.L. Davis, C.L. Davis & Company, for Beazer Homes Texas, L.P., owner.

REQUEST: Final Plat of 26.4971 acres zoned PUD for subdivision into 53 single-family residential lots and nine reserves for landscaping/open space, detention, and sanitary sewer.

GENERAL LOCATION: The property is located east of Pearland Parkway at Forest Park Lane.

PROPERTY DESCRIPTION: The property is undeveloped.

ZONING: PUD, the proposed plat is consistent with the zoning.

SURROUNDING USES: Property will adjoin Town Ditch to the north, Pearland Parkway to the west, and another proposed subdivision to the southeast.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Low Density Residential.

TRAFFIC AND TRANSPORTATION: The Traffic Impact Analysis has been approved.

UTILITIES AND INFRASTRUCTURE: Water and sewer service available.

STORMWATER MANAGEMENT: Stormwater detention will be provided onsite in a detention reserve.

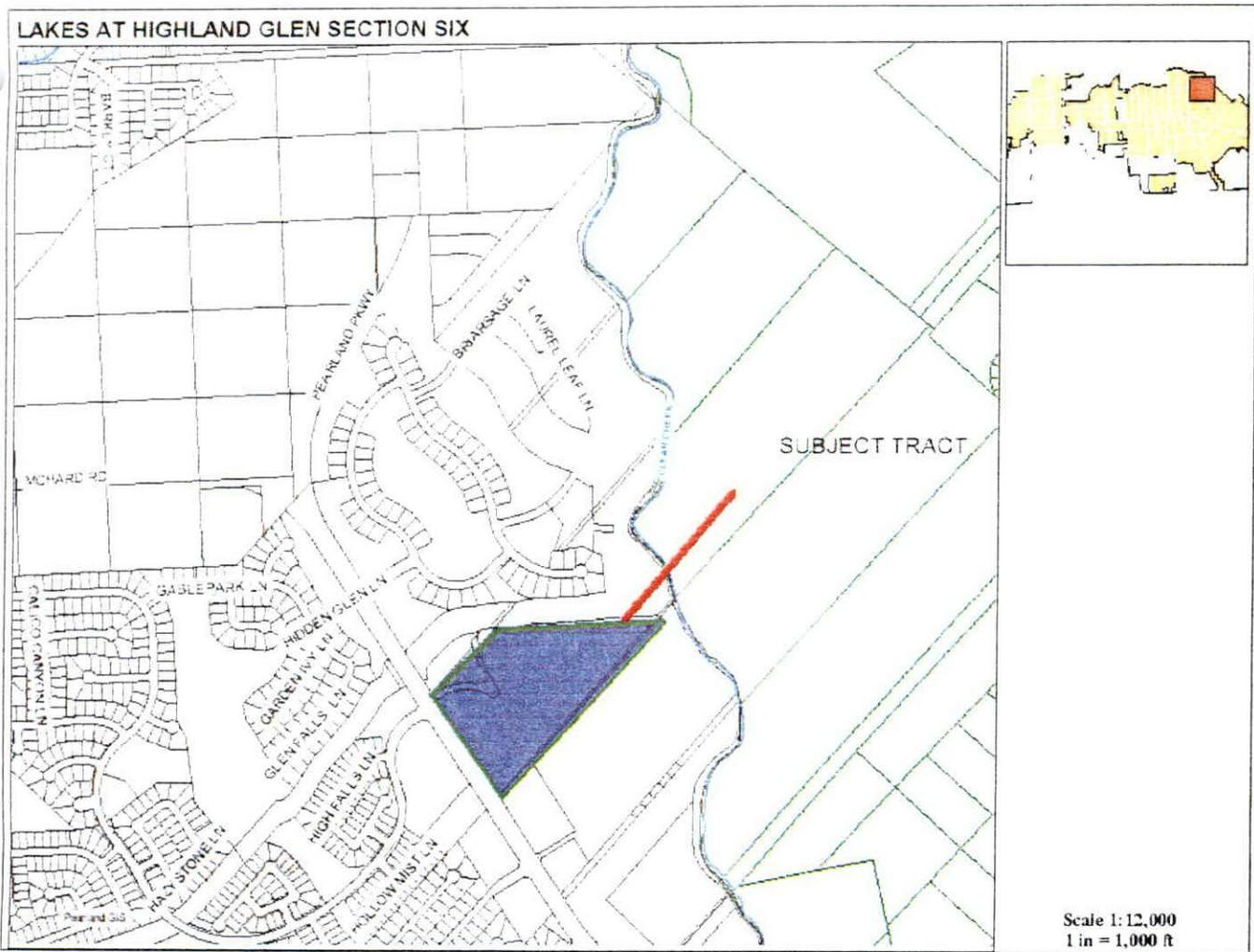
PARKS, OPEN SPACE, AND TREES: no existing trees, parkland donated as part of PUD

OUTSTANDING ITEMS:

- 1.) Remove all building lines
- 2.) Provide details regarding LOMR in Note No. 26
- 3.) Courier and recordation fees due
- 4.) Schedule for completion of amenities outlined in letter dated May 1, 2009 to be met.

ATTACHMENTS:

1. Application Form
2. Final Plat
3. Letter regarding amenities
4. Location Sketch



APR 9 2009
City of Pearland
Community Development
3623 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-662-1768
281-662-1702 fax
www.cityofpearland.com

PLAT APPLICATION

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat
- Final Subdivision Plat
- Minor (Subdivision) Plat
- Amending Plat
- Master Plat
- Preliminary Development Plat
- Final Development Plat
- Replat

*Please send any and all correspondence to:

rkeller@ci.pearland.tx.us

SUBDIVISION

NAME: LAKE AT HIGHLAND GLEN SECTION SIX

NUMBER OF LOTS: 53

GENERAL

LOCATION: EAST OF PEARLAND PARKWAY

SOUTH OF TOWN DITCH, WEST OF CLEAR CREEK

PRIMARY CONTACT: C.L. DAVIS & COMPANY

MAILING ADDRESS: 1500 WINDING WAY

CITY, STATE, ZIP: FRIENDSWOOD, TEXAS 77546

PHONE: 281-482-9990 FAX: 281-482-1294

E-MAIL ADDRESS: CLDAVIS@CLDAVISCOMPANY.COM

OWNER NAME: BRADLEY HONAS

MAILING ADDRESS: 10235 WEST LITTLE YORK SUITE 240

CITY, STATE, ZIP: HOUSTON, TEXAS 77040

PHONE: 713-849-5017 FAX: 281-897-2240

E-MAIL ADDRESS: _____

A complete application must include all items shown on the corresponding submittal checklist for each different type of plat. See Page 2.

As owner and applicant, I hereby request approval of the above described plat as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: [Signature] Date: 4/7/09

Applicant's Signature: [Signature] Date: 04/07/2009

I acknowledge that this plat has been submitted on this day, _____ and the Plat filing date is _____, which will be the first day it will be reviewed by the Planning Staff. I hereby sign and date this acknowledgement.

Signature: _____ Date: _____

All waiver requests must be received by the resubmittal time and date that corresponds to the Plat Resubmittal Deadline, per the Plat submittal schedule.

FEES PAID:	<u>918.00</u>
DATE PAID:	<u>4-8-09</u>
RECEIVED BY:	<u>[Signature]</u>
RECEIPT NO.:	<u>147628</u>



May 1, 2009

City of Pearland
3519 Liberty Drive
Pearland, Texas 77581-5416

Re: Highland Glen Section 6 Development Plan

Dear Ms. Krishnarao:

The purpose of this letter is to clarify the development plans relative to the Planned Unit Development plan for Highland Glen Subdivision Section 6.

As discussed in our meeting April 23rd, Beazer hereby commits to the following project schedule relative to the Highland Glen Section 6 amenity improvements:

Plan submittal – May 2009

Entry monuments in accordance with PUD option "C" – completed by **June 30th, 2009**

Brick wall adjacent to Pearland Parkway (Lot 19, Block 4) – complete **June 30th, 2009**

Sidewalk construction at common reserves – complete by **June 30th, 2009**

Iron Fence – Rear lot – Block 1, Lots 1 thru 6 – completed at time of home completion

Landscape improvements – complete by **September 30th, 2009**.

Beazer understands that the City of Pearland may not issue additional building permits or certificates of occupancy in Lakes at Highland Glen if the deadlines outlined in this letter are not met.

Attached is a site plan for your use.

Sincerely,

A handwritten signature in black ink that reads "Greg Coleman".

Greg Coleman
Sr. Area Manager
Beazer Homes Texas, L.P

Beazer Homes
Houston Office

10110 W Sam Houston Pkwy N, Suite A-100
Houston, TX 77064

O: 713-849-5017

www.beazer.com



CLARK CONROY ASSOCIATES
LANDSCAPE ARCHITECTS
11111 E. 11th Street, Houston, Texas 77036
713-781-1111
www.clarkconroy.com



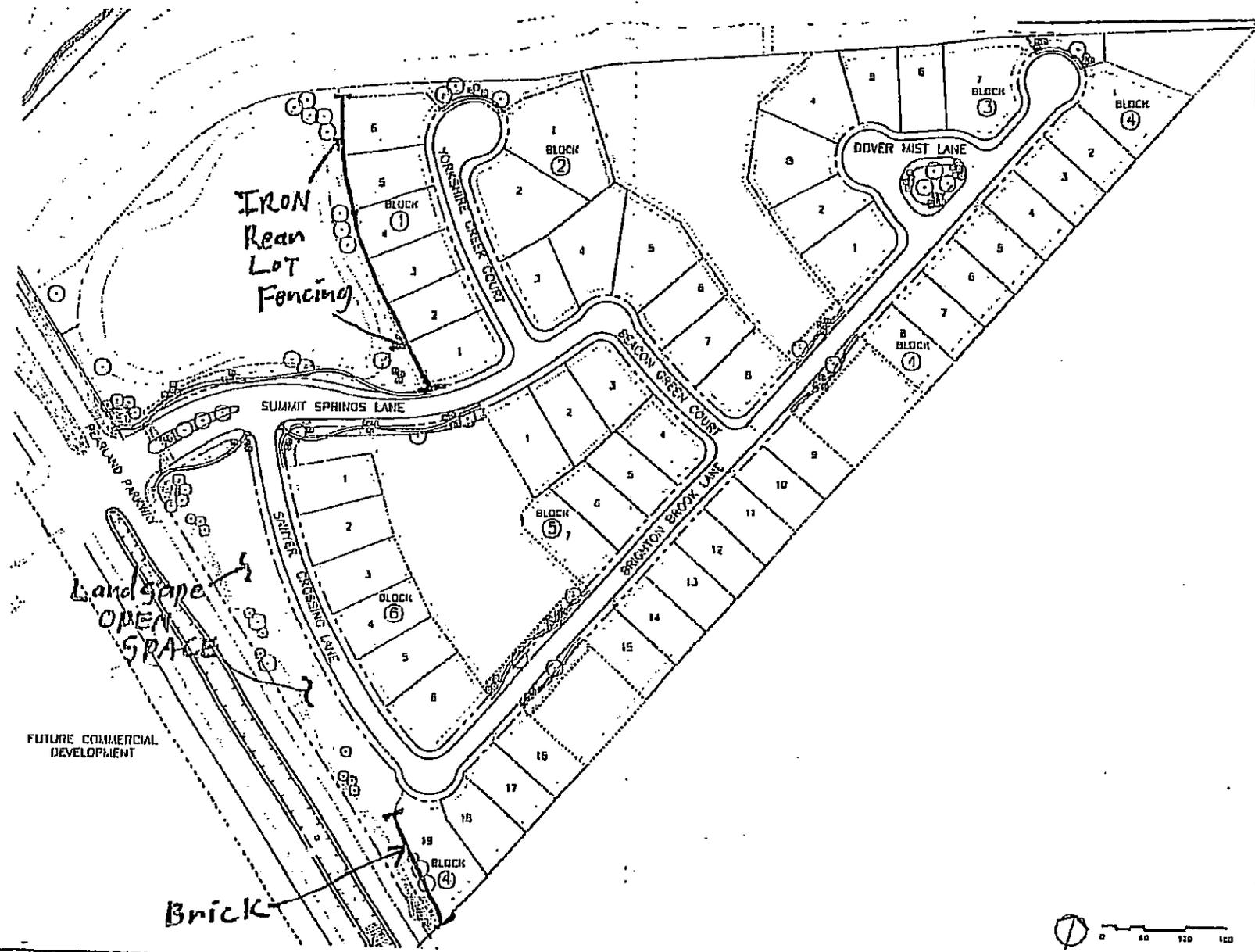
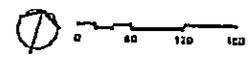
ISSUE: DATE:
1/18/12 12/12/11

LAKES OF HIGHLAND GLEN
Section B
Landscape Improvements
Beezer Homes Texas, L.P.
MHJ Partnership, LTD
Pacific Union, L.P.
Pflugrad, Texas

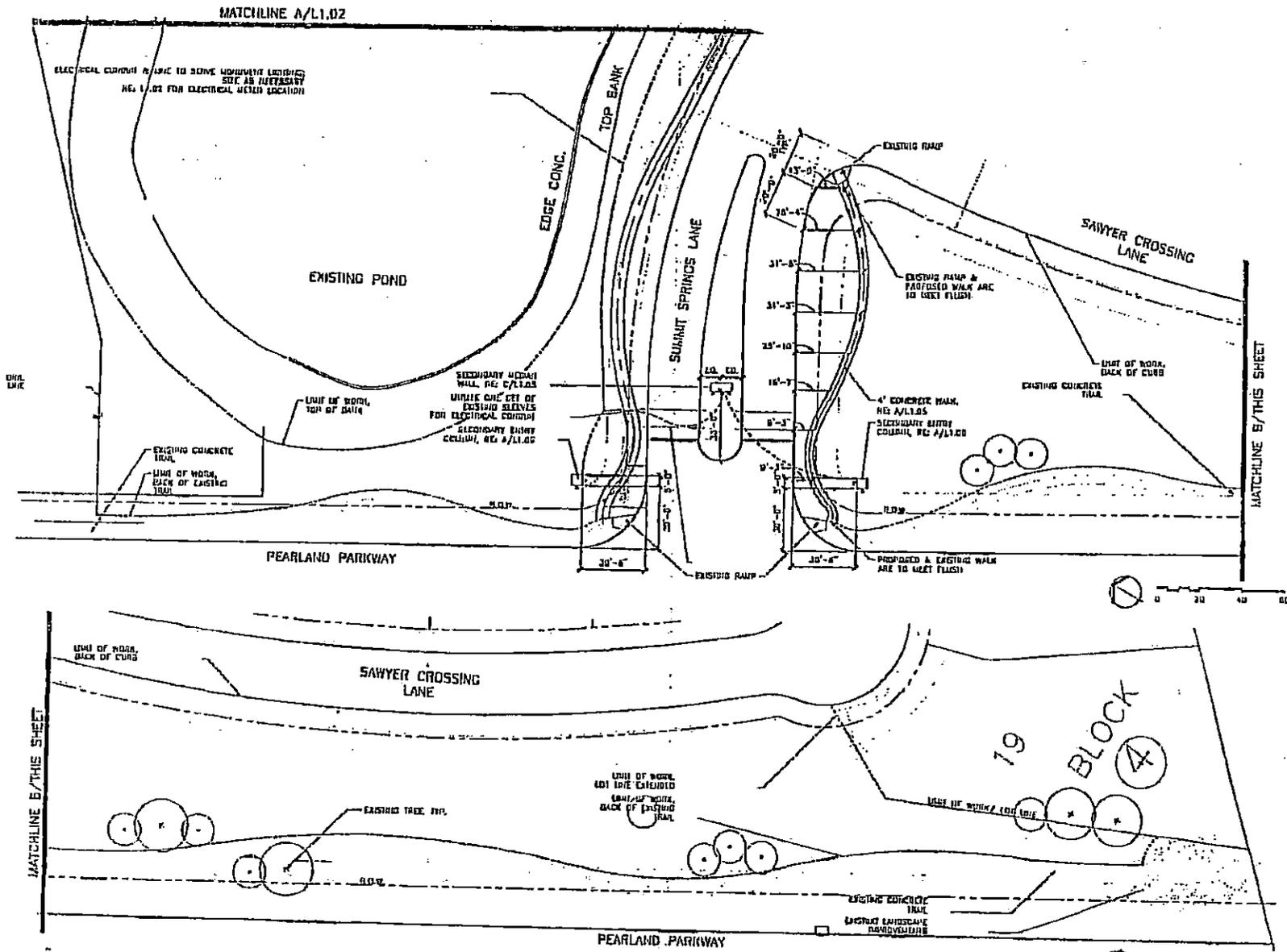
OVERALL PLAN
SCALE: AS SHOWN
SHEET: 035
SHEET 1 OF 27
MAY 11, 2011
C:\A770-027\F03_L04.LOT

SHEET

L 1.00



4/12/2012 11:17 AM
 Plan of Highlands from Section B - 12/12/2011 - 12/12/2011



10420 Bella Vista Road, Houston, Texas 77036
 Tel: 281-426-4444, Fax: 281-426-4444
 www.clarkcondon.com



DATE	DESCRIPTION
10/18/10	ISSUE
10/18/10	DATE
10/18/10	BY
10/18/10	CHK

LAKES OF HIGHLAND GLEN
 Section 6
 Landscape Improvements

Beazer Homes Texas, L.P.
 MHI Partnership, LTD
 Pacific Union, L.P.
 Pearland, Texas

LAYOUT PLAN

DATE: 10/18/10
 DRAWN BY: JMS
 CHECKED BY: JMS
 SCALE: 1" = 20'-0"
 DATE: 10/18/10
 SHEET NO: 101-101

SHEET:

L 1.01

P&Z Agenda Item

B

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

CASE #	NAME	LOCATION	JPH DATE	STAFF RECOMMENDATION	P & Z STATUS	CC STATUS
2009-02Z M1 to PD	Montalbano Lumber Company, Jung Kwak	1600 Block North Main	1/19/2009	Approval with conditions	1/19/2009 Denied	1/26/2009 Denied
2009-01Z M1 to PD	Third Coast Packaging/Stephen A Engbrock	1871 Mykawa Rd	1/19/2009	Approval with conditions with the condition that reciprocal agreement between parcels A and B regarding landscaping and parking, as approved by city's legal department, be recorded.	1/19/2009 Approved w/ Conditions with the condition that reciprocal agreement between parcels A and B regarding landscaping and parking, as approved by city's legal department, be recorded.	2/23/2009 Approved w/ Conditions with the condition that reciprocal agreement between parcels A and B regarding landscaping and parking, as approved by city's legal department, be recorded.

CASE #	NAME	LOCATION	JPH DATE	STAFF RECOMMENDATION	P & Z STATUS	CC STATUS
UDC2000T-10 Amendment to the UDC for single family platting	The City of Pearland	UDC 4 th Edition November 2008	1/19/2009	Hold a workshop	2/9/2009 Approval/special hearing	2/23/2009 Approved
CUP 2009-01 Storage for Personal Vehicles	William & Marjorie Baldy	2117 N Houston	1/19/2009	Approval with conditions 1.The garage to be used to park personal vehicles, 2.No commercial activity on site, and 3.Vehicles to be parked inside the existing garage with no outdoor parking	1/19/2009 Approved w/ Conditions 1.The garage to be used to park personal vehicles, 2.No commercial activity on site, and 3.Vehicles to be parked inside the existing garage with no outdoor parking	1/26/2009 Approved w/ Conditions 1.The garage to be used to park personal vehicles, 2.No commercial activity on site, and 3.Vehicles to be parked inside the existing garage with no outdoor parking

CASE #	NAME	LOCATION	JPH DATE	STAFF RECOMMENDATION	P & Z STATUS	CC STATUS
CUP 2009-02 Car Wash	CVS Pharmacy / Crystal Pye - Kimley-Horn	SE Corner of Broadway & YMCA Dr.	1/19/2009	Approval with conditions	1/19/2009 Tabled (Withdrawn by Applicant)	Withdrawn
CUP 2009-03 New Cell Tower	Dennis & Vicki Walters / Verizon Wireless-Joseph Perez	1709 Stone Rd.	1/19/2009	Approval with conditions	1/19/2009 Denied	01/26/2009 Denied
CUP2009-04 New Church	Eddie L. Gladney/ Pearland Westside Associates, Ltd.	5074 W. Broadway	2/16/2009	Approval	2/16/09 Approval	2/23/2009 Approved
CUP2009-05 New Church	RCCG House of Glory Chapel/ Pearland Westside Associates, Ltd.	5070 W. Broadway	3/16/2009	Approval	3/16/09 Approval	3/23/09 Approved with the specific uses identified and square footage of the suite within the ordinance.

CASE #	NAME	LOCATION	JPH DATE	STAFF RECOMMENDATION	P & Z STATUS	CC STATUS
CUP 2009-06 Hotel	Medallion Investments V Inc.	1111 HWY 288	4/20/09	Approval with conditions 1) Only one hotel with less than 100 rooms can be constructed.	4/20/09 Approval with conditions That the same conditions as the previous CUP NO.2007-06 apply to CUP NO. 2009-06 1) Only one hotel with less than 100 rooms can be constructed	4/27/09
CUP 2009-07 Antennae co-location on an existing tower	Vincent Gerard & Associates C/O Verizon Wireless/Thomas 8 MD	7702 Thomson Rd.	4/20/09	Approval with conditions 1.The facility includes existing and proposed ground equipment be fully enclosed in a masonry building or masonry walls, tall enough to obscure the equipment, transformer, and bridge, with landscaping around, to be compatible with the character of the general area. Barbed wire is not permitted by UDC.	4/20/09 Approval with conditions 1.The co-location of antennae will not increase the height of an existing 133' foot cellular communications tower. 2.The proposed ground equipment shall be contained in a masonry structure approximately 12	

				<p>2.A paved road shall be provided to access the facility.</p> <p>3. A detailed site plan showing the type and amount of landscaping, type and height of fencing, setbacks of the proposed tower and leased area from the property boundaries, and paving of the access road be provided.</p>	<p>feet by 28 feet</p> <p>3.Sidewalks along Stone Road are waived.</p> <p>4.Additional parking is waived as long as one 9' X 18' parking space is provided in the driveway.</p> <p>5.Paving of the driveway is waived upon approval of alternate paving by the City Engineer.</p> <p>6.All additional landscaping is waived.</p> <p>7.Screening and fencing requirements due to the existence of the required buffer is waived.</p>	
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<p>Zone Change 2009-03Z Pearland Senior Village</p>	<p>Doak Brown/Blake Rue</p>		<p>4/20/09</p>	<p>Approval and to resolve the 9 outstanding comments and deviations.</p> <p>1.Landscaping does not include a legend. It is not possible to review for conformance due to lack of details. Text in the PD Document states that will meet the minimum landscaping requirements only.</p> <p>2.Page 6, D-3, states that the individuals younger than 55 years of age are able to occupy these units if disabled. D-5 states that 5% of the units will be for persons with mobility impairments, and 2% will be for person with vision and or hearing impairments. It is not clear how many units will be available for person under 55.</p> <p>3.Page 7, A-3, The PD states the off-site detention will be provided at Tranquility Lakes adjacent to the southeast corner of the property. The written agreement provided states only that they agree to negotiate in the future for the</p>	<p>4/20/09 Tabled\ requested that outstanding comments and deviations be resolved.</p> <p>E-mailed memo to owner and applicant on 4/24/09.</p>	
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				<p>excess capacity. A written agreement stating that the owner of Tranquility Lakes detention pond agrees to permit the proposed excess detention there. It must be recorded with Brazoria County. In addition, engineering calculations need to be provided showing that Tranquility Lakes is able to handle the excess capacity.</p> <p>4. Page 8, Parking Deviation. PD states that current City Ordinance for clubhouse parking is 1 space per 300 square feet. This is incorrect. The requirement is 1 space per 100 square feet. They show 10 spaces needed. Thirty one (31) spaces are required for the club house. The required parking spaces needed for this project is 302 spaces. The applicant is seeking a deviation of 91 spaces from 302 spaces to 211 spaces. Staff does not recall making a recommendation to provide 20 additional spaces as stated in the PD Document. The 20 spaces discussed were to be provided for visitor parking.</p>		
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				<p>5. On the site plan, the applicant indicates there is going to be a 4.5 walking trail with crushed granite. Staff recommends that all trails be 5 feet wide and concrete for ease in mobility.</p> <p>6. Staff recommends that both sides of the street be provided with 5 foot concrete sidewalks. These sidewalks are not required to be constructed by the applicant, and can be constructed by future developers of the adjoining parcels. At the time of future development, sidewalks will be required on Broadway.</p> <p>7. Exhibits need to be renumbered. There is an additional site plan attached to Exhibit A that is not numbered and staff is not clear what the purpose of the site plan is, and recommends that it be removed.</p> <p>8. Page 10. It should be clarified that all amenities will be constructed as shown on the site plan.</p>	
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				<p>9.All exhibits are not labeled. Please label to match page 10.</p> <p>Deviations:</p> <p>1.Recalculate the required parking. I did speak with Lata and the area of the clubhouse is considered an assembly use and required parking is calculated at 1 space per 100 square feet (regardless of who uses it-tenant or visitor).</p> <p>2.Determine whether or not you are going to develop a dead end street or cul-de-sac street. If it is a dead end street then you will need to request a deviation for having that reflects this. If you decide to do the cul-de-sac, then you will need a deviation for driveway separation as Narciso explained in his emails and at the JPH. You would also need a site plan that reflects this and should include the length of the cul-de-sac, the diameter of the "bulb".</p> <p>3.Maximum lot coverage permitted is 40%. State that you are requesting a deviation from 40% to what ever percent you need.</p>		
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				Note: Helen Beckman on City Council stated that she was specifically opposed to a deviation is lot coverage.		
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P&Z Agenda Item

C

**DISCUSSION
ITEMS**

AGENDA – WORKSHOP OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD MAY 4, 2009 AT 6:00 P.M., IN THE ENGINEERING CONFERENCE ROOM, COMMUNITY CENTER, 3523 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. PURPOSE OF WORKSHOP

A. COMMISSION INPUT AND DISCUSSION: REGARDING 5-YEAR CAPITAL IMPROVEMENT PLAN, *presented by Trent Epperson, Projects Director*

III. 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 1st day of May 2009 A.D., at 5:30 p.m.

Judy Krajca, Planning Secretary

Agenda removed _____ day of May 2009.

MEMORANDUM

TO: CITY OF PEARLAND PLANNING & ZONING COMMISSION

FROM: MIKE HODGE, ASSISTANT CITY MANAGER

DATE: APRIL 29, 2009

SUBJECT: FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM 2010 - 2014

Pursuant to City Charter, the Planning & Zoning Commission (P&Z) is to "submit annually to the City Manager, not less than ninety (90) days prior to the beginning of the budget year, a list of recommendations for capital improvements, which, in the opinion of the commission are necessary or desirable to be constructed during the forthcoming five (5) years. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year."

Two years ago, the City modified its process for preparing and presenting its Capital Improvement Plan that brought the City into compliance with the City's Charter and provided for an orderly process in implementing the Five-Year CIP. The process has not changed and what is presented to the Planning & Zoning Commission is in the same format as last year.

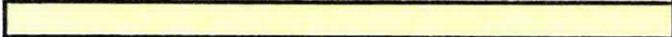
Attached is a list of capital improvement projects for fiscal years 2010 – 2014 by major CIP category in preference order and identifying the fiscal years in which funding is needed. Years of funding in future CIP programs may change based on needs and fiscal constraints. Project Name, Project Description, and Project Justification are included for each project.

The City of Pearland's Capital Improvement Program (CIP) has been developed in order to further our commitment to the citizens of Pearland by working to meet today's needs as well as those of the future. The development of the CIP is a continuous process and, consequently, should be viewed as a working document. Therefore, while the list covers a five-year planning horizon, it is revised every year in order to accommodate new projects and reflect changing needs. The first year of the CIP is incorporated into the City's annual budget to appropriate funds. Improvements identified in subsequent years are approved only on a planning basis and do not receive appropriation of funds.

Projects included in the CIP are either City managed projects or those projects managed by other agencies that require City participation. Changes from last year are highlighted. Projects highlighted in yellow are new projects; projects highlighted in blue reflect timing changes; projects highlighted in green are projects that were previously approved and funds appropriated but additional funds are needed, and projects highlighted in peach reflect reductions in project budgets. Staff will be present at the May 4, 2009 P&Z meeting to review the list with the Commission and will be requesting formal recommendation to the City Manager at the May 18, 2009 meeting.

CITY OF PEARLAND
 2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
 DRAINAGE

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	DR0602	Cowart Creek Diversion	2008-2011	Construction
2	DR2004	Town Ditch Phase III	2008-2010	Design/Construction
3	DR2007/T70024	Veterans Walnut Drainage & Roadway - Phase I	2008-2011	Construction
4	DR2006	East Mary's Creek Detention	2008-2010	Design/Construction
5	DR2003	Hickory Slough Detention at Max Rd.	2010-2012	Design/Construction
6	DR2002	D.L. Smith Detention Pond Expansion	2011-2013	Design/Construction
7	DR1301	PER for Future Bond Referendum	2013	PER

Some projects are color coded to reflect major differences from last year's CIP.	
Timing	
Additional money needed	
Project Budget Reduced	
New Project	

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
FACILITIES

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	FA0801	UHCL - Pearland Campus	2008-2010	Construction
2	FA0902	Savannah Lakes Fire Station #6	2009-2010	Built by MUD's
3	FA0903	Park-n-Ride Land Acquisition & Paving	2010	Land/Construction
4	FA0905	Old Police Department Renovations	2009-2010	Design/Construction
5	FA0904	City Hall Complex Renovations	2009-2010	Design/Construction
6	T50071	Hillhouse Road Annex	2009-2013	Design/Construction
7	FA1001	Pearland Fire Station #2	2010-2011	PER/Design/Construction
8	FA1002	Traffic Signal Communications Network	2010-2011	Design/Construction
9	FA1101	Service Center Modifications	2011-2014	PER/Design/Construction
10	FA1201	Pearland Fire Station # 3	2012-2013	PER/Land/Design/Construction
11	F20002	Tom Reid Library Expansion	2013-2014	Design/Construction

Some projects are color coded to reflect major differences from last year's CIP.

Timing	
Additional money needed	
Project Budget Reduced	
New Project	

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
PARKS

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	P20006 / P50072	Trail Connectivity	2008-2013	Design/Construction
2	P20007	Natatorium & Recreation Center	2008-2010	Design/Construction
3	PK0801	Hunter Park	2008-2010	Design/Construction
4	P20005	Max Road Sports Complex Phase I	2010-2012	Design/Construction
5	P20002	Shadow Creek Ranch Park Ph 1	2011-2013	Design/Construction
6	P20001	Independence Park Ph 1	2011-2013	Design/Construction
7	P50071	Centennial Park Ph II	2011-2013	Design/Construction
8	P20004	Delores Fenwick Nature Center-Ph I	2012-2014	Design/Construction
9	PK1301	PER for Future Bond Referendum	2013	PER

Some projects are color coded to reflect major differences from last year's CIP.	
Timing	
Additional money needed	
Project Budget Reduced	
New Project	

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
STREETS

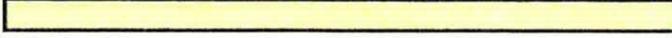
PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	TR0902	FM 518 Expansion (CR 94 to Smith Ranch Road)	2009-2010	Design/Construction
2	TR0811	Business Center Drive	2009-2010	PER/Design/Construction
3	TR0803	Old Town Area Sidewalks	2009-2013	Construction
4	T08002	Bailey/Veterans to FM 1128	2009-2011	Construction
5	T70051	Orange Street	2008-2011	Design/Construction
6	TR1001	Traffic Signals at Mykawa and Brookside Rd	2010	ROW/Design/Construction
7	TR1002	Dixie Farm Rd Alignment (SH35 to Massey Ranch Rd.)	2010	PER
8	TR1003	Pearland Pkwy Alignment Study (Dixie Farm Rd. to FM 2351)	2010	PER
9	TR1004	Mchard Rd Alignment Study (Cullen Pkwy to Mykawa Road)	2010	PER
10	TR1101	CR 403 (Hughes Ranch Road)	2011	Construction
11	T68976	Mykawa Road Extension (BW8 to FM 518)	2012-2015	Design/Construction
12	T20002	Old Alvin Rd Widening (Plum Street to McHard Road)	2012-2014	Design/Construction
13	TR1301	PER for Future Bond Referendum	2013	PER
14	TR1302	Pearland Parkway Extension	2013-2014	ROW/Design
15	TR1303	Cullen Parkway Phase II (McHard Rd to BW 8)	2013-2014	Design/Construction

Some projects are color coded to reflect major differences from last year's CIP.	
Timing	
Additional money needed	
Project Budget Reduced	
New Project	

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
WATER

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	W42051	City of Houston Connection	2008-2011	Design/Construction
2	WA1001	General Engineering Consultant/CIP Administration	2010-2013	Administration
3	WA0812	Surface Water Plant	2013-2016	PER/Design/Construction
4	WA1101	Old Alvin Road Water	2011-2012	PER/Design/Construction
5	WA1102	SH 35 Water - South of Magnolia Road	2011-2012	PER/Design/Construction
6	WA1103	Old City Hall Ground Storage Tank	2011-2012	Construction
7	WA1301	FM 1128 16" Waterline	2013-2014	ROW/Design/Construction
8	WA1302	CR 100 Waterline	2013-2014	ROW/Design/Construction
9	WA1303	McHard Rd. 16" Water Line	2013-2014	ROW/Design/Construction
10	WA1304	Harkey Rd. from CR100 to CR128 & CR 128 from Harkey to Veterans	2013-2014	ROW/Design/Construction
11	WA1305	Veterans Dr. Bailey Rd. to CR 128 16" Water Line	2013-2014	ROW/Design/Construction
12	WA1306	FM518/Mary's Creek Elevated Storage Tank	2013-2014	ROW/Design/Construction
13	WA1307	FM 521 Waterline (Broadway to Mooring Pointer)	2013-2014	Design/Construction
14	WA1308	SH35 Water line from FM518 to Magnolia	2013-2014	PER/Design/Construction
15	WA1309	Pearland Parkway waterline from Oiler Drive to Dixie Farm Road	2013-2014	PER/Design/Construction
16	WA1401	Fellows Loop	2014	PER/ROW/Design

Some projects are color coded to reflect major differences from last year's CIP.

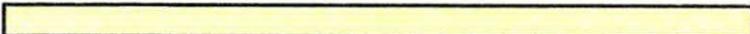
Timing	
Additional money needed	
Project Budget Reduced	
New Project	

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
WASTEWATER

PREFERENCE NO.	PROJECT NO.	PROJECT NAME	YEAR OF FUNDING	
1	W67993	SH35 Water & Sewer (BW8-FM518)	2008-2010	Construction
2	WW0902	Longwood WWTP Lift Station Replacement and Plant Rehabilitation	2009-2010	Design/Construction
3	WW0903	Hooper Road Utilities	2009-2010	Construction
4	WW1004	WWM Project 4 Barry Rose WWTP Lift Station, Influent Sewer, Barscreen and Sand Filter Rehabilitation, Centrifuge Rehabilitation	2010-2012	PER/Design/Construction
5	WW1001	WWM Project 8 West Lea Lift Station	2010-2011	PER/Design/Construction
6	WW1002	WWM Project 17 West Oaks Lift Station Retirement	2010-2011	ROW/Design/Construction
7	WW1101	WWM Project 2 Hatfield Basin Trunk Sewer Line	2011-2012	PER/Design/Construction
8	WW1102	WWM Project 38 South Texas Avenue Sanitary Sewer Upgrade	2011-2012	PER/Design/Construction
9	WW1201	WWM Project 31A - Southdown (North Central) WWTP Replacement	2012-2015	PER/Design/Construction
10	WW1202	WWM Project 33 Orange Mykawa Lift Station Retirement	2012-2013	PER/Design/Construction
11	WW1203	WWM Project 5 Mykawa/Scott SCADA Lift Station	2012-2013	PER/Design/Construction
12	WW1204	WWM Project 7 Twin Creek Regional SCADA Lift Station & Basin Rehab	2012-2013	PER/Design/Construction
13	WW1205	Far Northwest WWTP Centrifuge Rehab	2012	Design/Construction
14	WW1206	WWM Project 19 - Broadway Trunk Sewer Extension	2012-2013	Design/Construction
15	WW1301	WWM Project 11 Veterans Drive Lift Station Service Area	2013-2015	PER/Construction
16	WW1303	McHard Rd Trunk Sewer (Mykawa to Southdown WWTP)	2013-2015	ROW/Construction
17	WW1302	WWM Project 12 Roy/Max Garden Roads Basin Sewage System	2013-2014	PER/Design/Construction
18	WW1304	WWM Project 22 - Miller Ranch Rd. SCADA Lift Station	2013-2014	PER/Design/Construction
19	WW1401	WWM Project 29A - JHEC WWTP Expansion	2014	PER
20	WW1402	WWM Project 21 Oak Brook Estate Lift Station	2014	ROW/Design/Construction

CITY OF PEARLAND
2010 - 2014 CAPITAL IMPROVEMENTS PROGRAM
WASTEWATER

Some projects are color coded to reflect major differences from last year's CIP.

Timing	
Additional money needed	
Project Budget Reduced	
New Project	

APPROVAL

OF

MINUTES

**CULLEN PARK ESTATES
FINAL PLAT– STAFF REPORT**

P & Z MEETING DATE: MAY 18, 2009

APPLICANT: Jimmy Bishop, JKC & Associates, Inc., for Cullen Park Partners, owners.

REQUEST: Final Plat of 29.32 acres in the Pearland Area of Extra-Territorial Jurisdiction (E.T.J.) for single-family residential use.

GENERAL LOCATION: The plat is located above the northeast corner of C.R. 101 (Bailey Road) and C. R. 89 (Old Chocolate Bayou Road)

PROPERTY DESCRIPTION: The property is undeveloped.

ZONING: none (Pearland E.T.J.)

SURROUNDING USES: The adjoining area south is undeveloped. Remaining areas are single-family residential.

COMPREHENSIVE PLAN: Low Density Residential

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis was submitted and approved.

UTILITIES AND INFRASTRUCTURE: Water provided by City of Pearland. Lots approved for on-site wastewater disposal. Streets accepted by County Engineer.

STORMWATER MANAGEMENT: Stormwater detention will be provided onsite.

PARKS, OPEN SPACE, AND TREES: Parkland fees paid. Tree disposition plan not required.

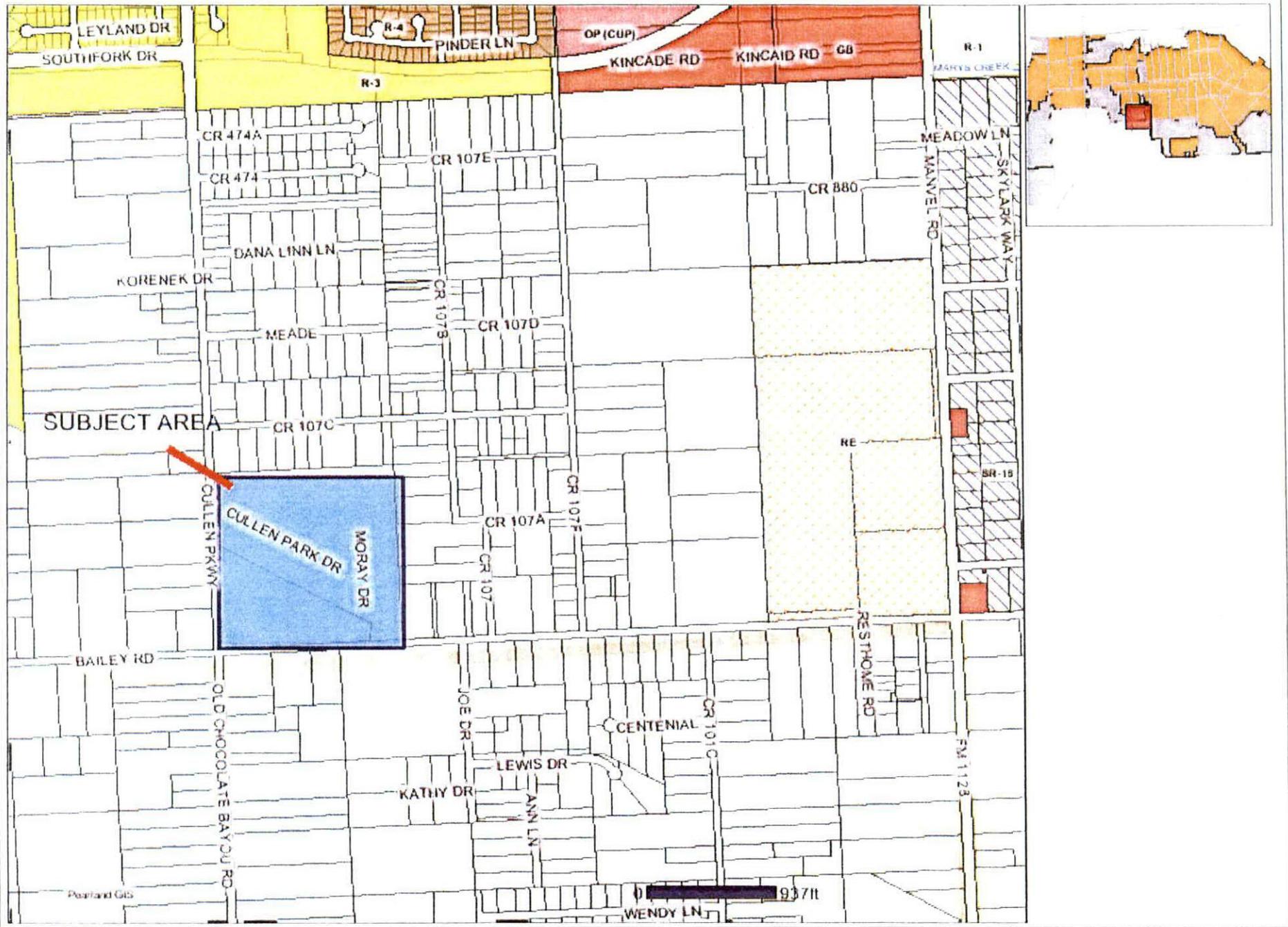
OUTSTANDING ITEMS:

none

ATTACHMENTS:

1. Application Form
2. Final Plat
3. Location Sketch

CULLEN PARK ESTATES



03-17-2009 09:24AM FROM-Silvestri Investments Inc

PLAT APPLICATION 1 OF 2 (Updated May 2008)

PLAT APPLICATION

MAR 25 2009

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1758
281-652-1702 fax
www.cityofpearland.com

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat
- Final Subdivision Plat
- Minor (Subdivision) Plat
- Amending Plat
- Master Plat
- Preliminary Development Plat
- Final Development Plat
- Replat

*Please send any and all correspondence to:

rkeller@ci.pearland.tx.us

SUBDIVISION

NAME: CULLEN PARK ESTATES

NUMBER OF LOTS: 32

GENERAL

LOCATION: CENTRAL PEARLAND, NORTHEAST
CORNER OF OLD CHOCOLATE CAYOU RD &
BAILEY RD. (W.E.T.J.)

PRIMARY CONTACT: JKC & ASSOCIATES, INC. (Jimmy Bishop)

MAILING ADDRESS: 2820 F.M. 517 EAST

CITY, STATE, ZIP: DICKINSON, TX 77539

PHONE: 281 309-9100 FAX: 281 309-9300

E-MAIL ADDRESS: jimmyb@jkcassociates.com

OWNER NAME: CULLEN PARK PARTNERS

MAILING ADDRESS: 140 NORTH HOUSTON AVENUE

CITY, STATE, ZIP: HUMBLE, TEXAS 77338

PHONE: 281 540-6607 FAX: _____

E-MAIL ADDRESS: _____

A complete application must include all items shown on the corresponding submittal checklist for each different type of plat. See Page 2.

As owner and applicant, I hereby request approval of the above described plat as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: [Signature] Date: 3-16-2009

Applicant's Signature: [Signature] Date: 3-16-09

I acknowledge that this plat has been submitted on this day, ~~MARCH 25th, 2009~~ MARCH 16, 2009 and the Plat filing date is ~~April 20th, 2009~~, which will be the first day it will be reviewed by the Planning Staff. I hereby sign and date this acknowledgement. MARCH 25, 2009

Signature: [Signature] Date: 3-17-09

All waiver requests must be received by the resubmittal time and date that corresponds to the Plat Resubmittal Deadline, per the Plat submittal schedule.

FEE PAID: <u>\$1,041.30</u>
DATE PAID: <u>3-16-09</u>
RECEIVED BY: <u>R. Keller</u>
RECEIPT NO.: <u>150555</u>

P&Z Agenda Item

C

**SAVANNAH MEADOWS SECTION SEVEN
PRELIMINARY PLAT- STAFF REPORT**

P & Z MEETING DATE: MAY 18, 2009

APPLICANT: Christy Smidt, Kerry R. Gilbert & Associates, for Savannah Development, Ltd., owner.

REQUEST: Preliminary Plat of 11.1+/- acres in the Savannah PUD for single family use.

GENERAL LOCATION: The plat is located south of C.R. 58 and east of Savannah Parkway.

PROPERTY DESCRIPTION: The property is undeveloped.

ZONING: none (E.T.J.)

SURROUNDING USES: The surrounding areas south of C.R. 58 are to be platted as single family residential.

COMPREHENSIVE PLAN: low density residential

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis was submitted and approved as a part of the original P.U.D.

UTILITIES AND INFRASTRUCTURE: Water and sewer will be extended by the developer to serve this property.

STORMWATER MANAGEMENT: Stormwater detention will be provided offsite in accordance with the Savannah master plan.

PARKS, OPEN SPACE, AND TREES: Some parkland will be dedicated offsite in accordance with the master plan for the entire development. Park fees as per development agreement due for final plat approval.

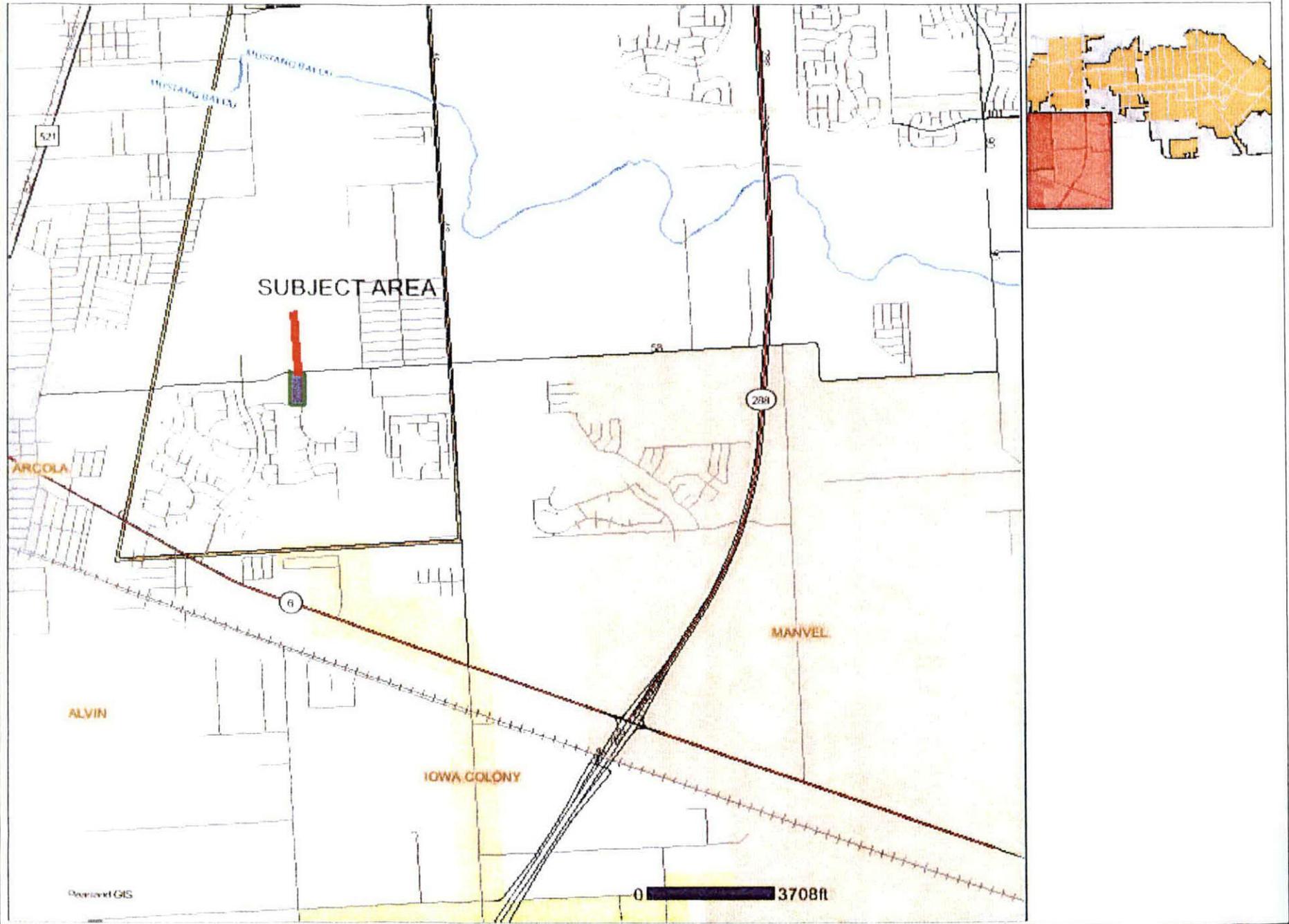
OUTSTANDING ITEMS:

none

ATTACHMENTS:

1. Application Form
2. Preliminary Plat
3. Location Sketch

SAVANNAH MEADOWS SEVEN



PLAT APPLICATION

APR 22 2009

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1768
281-652-1702 fax
www.cityofpearland.com

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat
- Final Subdivision Plat
- Minor (Subdivision) Plat
- Amending Plat
- Master Plat
- Preliminary Development Plat
- Final Development Plat
- Replat

*Please send any and all correspondence to:

rkeller@ci.pearland.tx.us

SUBDIVISION NAME: Savannah Meadows
Sec. 7

NUMBER OF LOTS: 51

GENERAL LOCATION: South of CR 58 and
east of Savannah Parkway

PRIMARY CONTACT: Kerry R. Gilbert & Assoc., Christy Smidt

MAILING ADDRESS: 25301 Cinco Ranch Blvd., A-250

CITY, STATE, ZIP: Katy, TX 77494

PHONE: 281/579-0340 FAX: 281/579-8212

E-MAIL ADDRESS: landplan@krga.com

OWNER NAME: Savannah Development, Ltd.

MAILING ADDRESS: 550 Greens Parkway, #100

CITY, STATE, ZIP: Houston, TX 77067

PHONE: 281/875-1000 FAX: _____

E-MAIL ADDRESS: _____

A complete application must include all items shown on the corresponding submittal checklist for each different type of plat. See Page 2.

As owner and applicant, I hereby request approval of the above described plat as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: _____ Date: _____

Applicant's Signature: Christy Smidt Date: 4/21/09

I acknowledge that this plat has been submitted on this day, _____, and the Plat filing date is _____, which will be the first day it will be reviewed by the Planning Staff. I hereby sign and date this acknowledgement.

Signature: _____ Date: _____

All waiver requests must be received by the resubmittal time and date that corresponds to the Plat Resubmittal Deadline, per the Plat submittal schedule.

FEES PAID:	<u>922.50</u>
DATE PAID:	<u>4-22-09</u>
RECEIVED BY:	<u>RK</u>
RECEIPT NO.:	<u>174513</u>

P&Z Agenda Item

D



May 14, 2009

City of Pearland
Planning Department
Mr. Richard Keller
Plans & Plats Administrator
3523 Liberty Drive
Pearland, Texas 77581

Re: Plylox Commercial Addition (ETJ)

Dear Mr. Keller:

We would like to request a one year extension of the original approval of this plat (approved July 2, 2007---expires July 2, 2009), per Article 2, Division 5 of Chapter 1 of the UDC.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Offenburger". The signature is fluid and extends to the right with a long, sweeping tail.

Thomas Offenburger
Boundary One, LLC
Plat Coordinator

Cc: Rob Fee
plylox@plylox.com

P&Z Agenda Item

F

**DISCUSSION
ITEMS**

DISCUSSION ITEMS

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD MAY 18, 2009 AT 6:30-P.M., IN THE ENGINEERING CONFERENCE ROOM, COMMUNITY CENTER, 3523 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

P&Z Chairperson Henry Fuertes called the meeting to order at 7:13 p.m. with the following present:

P&Z Chairperson Henry Fuertes
P&Z Vice-Chairperson Jerry Koza, Jr.
P&Z Commissioner Darrell Diggs
P&Z Commissioner Neil West
P&Z Commissioner Susan Sherrouse
P&Z Commissioner Charles Gooden, Jr.
P&Z Commissioner Ron Capehart

Also in attendance were: Planning Director Lata Krishnarao, Plans and Plat Administrator Richard Keller, Senior Planner Angela Gantuah, Assistant City Manager Mike Hodge, and Planning Administrative Secretary Judy Krajca.

APPROVAL OF MINUTES

P&Z Commissioner Ron Capehart made the motion to approve the minutes of May 4, 2009, and P&Z Commissioner Susan Sherrouse seconded.

The vote was 7-0. The minutes of May 4, 2009 were approved with corrections.

NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION - Zone Change No. 2009-04Z

A request by Brazoria County Drainage District No. 4, applicant and owner, for approval of a change in zoning district from classification of Single Family Residential-2 (R-2) to General Business (GB), on the following described property, to wit:

Legal Description: A parcel of land containing 0.5716 acres (24,900 square feet), more or less, being a portion of Lot 1 and all of Lot 2, Block 15, Mimosa Acres, conveyed from Kenneth W. Quinn and wife, Barbara Quinn, to Brazoria Drainage District No. 4 as recorded in File No. 2007050415 official records, Brazoria County, Texas (O.R.B.C.T.) and also recorded in Volume 7, Pages 15-16, Brazoria County Plat Records (B.C.P.R.) and a portion of Pear Street (60' R.O.W.), as recorded in volume 7, Pages 15-16, (B.C.P.R.), said 0.4683 acre tract situated in the R.B. Lyle Survey, Abstract No. 543 in Brazoria County, Texas.

General Location: Located at 2501 Francis Drive and 4807 Broadway St.

P&Z Commissioner Charles Gooden, Jr. made a motion to approve, and P&Z Commissioner Ron Capehart seconded.

There was much discussion among the Commission/Staff/Applicant.

Issues of concern were:

- Old Barber Shop demolished, and now owned by the BDD#4. Confirmed by BDD#4.
- Driveways –Platting process and TxDOT will decide. If existing driveway, BDD#4 can keep.
- Orientation of new office building-FM 518/Broadway
- Ownership-discussed what BDD#4 owns.
- Drainage and flooding-BDD#4 will follow all drainage rules & guidelines
- Town Ditch, Phase 3-90% completed Hwy 35 to Mykawa Rd and will substantially help drainage in Mimosa Acres.
- Proposed screening-will follow UDC guidelines.
- Homes at 2502, 2504 and 2506 Francis not under negotiation to purchase by BDD#4
- 2409 Francis – house demolished
- N of 2409 Francis – under contract to purchase by BDD#4
- Government entity-allowed in either zone
- Domino effect-concern with changing the zoning
- Other options to alleviate landscape buffer-Planned Development, replat tract, CUP for R-2 zoning
- What will be placed on these lots with concern of large trucks, machinery –BDD#4 stated green space and detention area. Building to be constructed of limestone and brick designed by Jack McGuff
- Long term plan of BDD#4-no long term plan. BDD#4 was approached by residents to buyout due to flooding.
- Impact of property values-BDD#4 has been there since 1954 and has built out since. Ms Smajstrla of 2401 Francis stated this has had a negative impact on her property.
- Protected trees-one and is being saved

Discussion ensued on many issues. P&Z Commissioner Charles Gooden, Jr. stated that since staff recommended approval, one would have to assume they considered all impacts. Planning Director Lata Krishnarao commented yes, except staff did not realize that BDD#4 was buying up property.

P&Z Commissioner Darrell Diggs stated the Commission is to zone the best use of the land, and feels this is the best use to rezone it to GB.

P&Z Chairperson Henry Fuyertes stated this was a tough decision.

P&Z Commissioner Ron Capehart asked what would be entailed with getting a variance for the landscape buffer. Planning Director Lata Krishnarao stated the best thing to do would be a CUP on the R-2 zoned property. Discussion ensued whether this would be considered a hardship.

The issue of platting came up with AF Lentz stating they will plat the front as one plat and the back as a separate plat. Much discussion ensued with talk of replatting.

P&Z Commissioners Neil West and Darrell Diggs excused themselves.

P&Z Vice-Chairperson Jerry Koza, Jr. made the motion to table Zone Change No. 2009-04Z until a decision to replat was made, and P&Z Commissioner Ron Capehart seconded.

The vote was 3-2. Zone Change No. 2009-04Z was tabled. Commissioner Charles Gooden, Jr. and Chairperson Henry Fuertes voted in opposition.

B. CONSIDERATION & POSSIBLE ACTION – Final Plat of Cullen Park Estates

A request by Jimmy Bishop, JKC & Associates, Inc., for Cullen Park Partners, owners, for approval of a final plat of Cullen Park Estates located on the north side of the 7900 block of Bailey Road (C.R. 101) and east of Old Chocolate Bayou Road (C.R. 89). The applicant is proposing 32 lots in two blocks and seven reserve areas. Property is within the City of Pearland E.T.J. and is not zoned. The property is described as follows:

Being 29.32 acres out of the H.T. & B. R.R. Co. Survey, Lot 26, Abstract 547, Brazoria County, Texas

Plans and Plat Administrator Richard Keller read the staff report stating there were no outstanding items. This plat resides in the ETJ with the water being serviced by the city.

P&Z Commissioner Ron Capehart made the motion to approve, and P&Z Commissioner Charles Gooden, Jr. seconded.

The vote was 7-0. The Final Plat of Cullen Park Estates was approved.

C. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Savannah Meadows Section Seven

A request by Christy Smidt, Kerry R. Gilbert & Associates, Inc., for Savannah Development, Ltd., owner, for approval of a Preliminary Plat of Savannah Meadows Section Seven located south of the 13500 block of Post Road (C.R. 58). The applicant is proposing 51 lots in three blocks and

three reserve areas. Property is within the City of Pearland E.T.J. and is included within a P.U.D. The property is described as follows:

Being 16.8 acres out of the A.C.H. & B. Survey, A-403, and the J.S. Talmage Survey, A-562, Brazoria County, Texas

Plans and Plat Administrator Richard Keller read the staff report stating there were no outstanding items. This plat resides in the ETJ and has a development agreement with the city.

P&Z Commissioner Ron Capehart made the motion to approve, and P&Z Commissioner Susan Sherrouse seconded.

P&Z Commissioner Darrell Diggs asked what some of the development agreement items were, and Plans and Plat Administrator Richard Keller replied:

City to inspect houses, approved master plan, trails, parkland dedication, donated parcel for fire station.

Mr. Keller added that when the city eventually annexes this area, the city will know they meet the city ordinance.

The vote was 7-0. The Preliminary Plat of Savannah Meadows Section Seven was approved.

D. CONSIDERATION & POSSIBLE ACTION – Request for a one-year extension of time for approval of the Preliminary Plat of Plylox Commercial Addition

A request by Thomas Offenburger, Boundary One Surveyors, LLC, for a one year extension of time of approval of the Preliminary Plat of Plylox Commercial Addition as allowed by Article 2, Division 5 of Chapter 1 of the Unified Development Code.

Plans and Plat Administrator Richard Keller stated this property was also in the ETJ area, and the applicant is getting ready to submit a final plat, but time was about to run out on their preliminary plat approval.

P&Z Commissioner Ron Capehart made the motion to approve, and P&Z Commissioner Charles Gooden, Jr. seconded.

The vote was 7-0. The request for a one-year extension of time for approval of the Preliminary Plat of Plylox Commercial Addition was approved.

P&Z Chairperson Henry Fuertes recessed the meeting at 8:24 p.m.

P&Z Chairperson Henry Fuertes re-opened the meeting at 8:37 p.m.

E. CONSIDERATION & POSSIBLE ACTION - 5-YEAR CAPITAL IMPROVEMENT PLAN

Five Year Capital Improvement Program 2010 – 2014

P&Z Commissioner Susan Sherrouse made a motion to approve, and P&Z Commissioner Charles Gooden, Jr. seconded.

P&Z Chairperson Henry Fuertes commended Mr. Trent Epperson's presentation at the last meeting and stated he learned a lot.

Brief discussion ensued with Assistant City Manager Mike Hodge with regards to specific projects and timelines.

The vote was 7-0. The 5-Year Capital Improvement Plan was approved.

F. DISCUSSION ITEM

The P&Z Training will be on June 1, 2009 with a CD purchased at the National APA Conference. Deputy City Attorney Nghiem Doan added that he was still seeking input from the Commission regarding questions they might have. Planning Director Lata Krishnarao stated a few years back the Commission was asked to complete a questionnaire. Ms. Krishnarao stated she would email this out to the Commission.

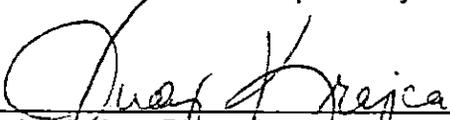
The UDC T-11 JPH would be on June 15, 2009.

There was brief discussion regarding a few laptops not having wireless connectivity. Planning Secretary Judy Krajca will check with the city IT department with regards to the problem.

ADJOURNMENT

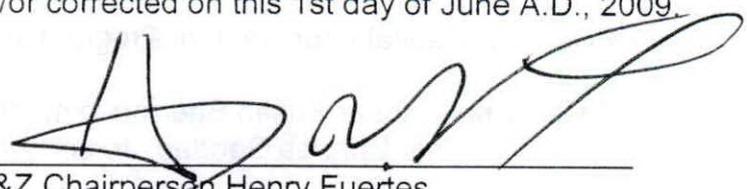
P&Z Chairperson Henry Fuertes adjourned the meeting at 8:56 p.m.

These minutes are respectfully submitted by:



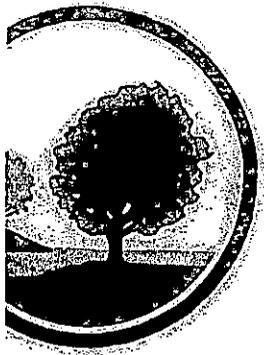
Judy Krajca, Planning Secretary

Minutes approved as submitted and/or corrected on this 1st day of June A.D., 2009.



P&Z Chairperson Henry Fuertes

- 11.) There are no existing street lights and 12 proposed street lights.
- 12.) A woodrail fence will be provided at the time of development along the rear edge of landscape reserves per UDC requirements.
- 13.) "Statement of Agreement between: the Developer, H.O.A. and the City of Pearland", that the City will agree to a joint 10' W.S.E. & Landscape Reserve, with the understanding any landscaping disturbed by City crews maintaining the cities utilities within this joint easement will be the responsibility of the H.O.A. The City will make every effort to set aside any planting 36 inches high or less (for replacement by H.O.A.) that could hinder the required maintenance of the utility. The City will not be responsible for any planting removed.
- 14.) City water was extended by developer at the time of development.
- 15.) H.O.A. will be responsible for the maintenance of sidewalks within the subdivision.
- 16.) No obstructions of any type (not including mailboxes meeting breakaway requirements set forth by the MUTCD), shall be placed within seven (7) feet of the edge of pavement or driving surface.



7900 BLOCK OF BAILEY ROAD
**CULLEN PARK
ESTATES**

FINAL PLAT

A SUBDIVISION OF
29.32 ACRES OF LAND

SITUATED IN THE

**H.T. & B.R.R. COMPANY SURVEY, LOT 26
ABSTRACT 547**

BRAZORIA COUNTY, TEXAS

32 LOTS, 2 BLOCKS, 7 RESERVES (8.31 ACRES)

APRIL 13, 2009

Cullen Park Partners
Mr. Robert Weakley, V.P.
140 North Houston Ave.
Humble, TX
77338
281-540-6607

SURVEYOR/ENGINEER: JKC & Associates, Inc.
Munroe Kelsay, R.P.L.S.
2820 FM 517 East
Dickinson, Texas
77539

MEADOWS

SECTION SEVEN

CONTAINING ±11.1 ACRES OF LAND

CONTAINING 51 LOTS (50' X 115' TYP.) AND
THREE RESERVES (0.56 AC.) THREE BLOCKS.

PART of THE

W.H.&B. SURVEY, A-403 AND
J. TALMAGE SURVEY, A-562

WARRANTY COUNTY, TEXAS

CONVEYOR / CONSULTING ENGINEER:

WILSON & GAY ENGINEERS, INC.

WILLIAM F. TAYLOR, R.P.L.S. (281) 558-8700

BRUCE RANDERMAN, P.E. (281) 558-5700

100 WESTHEIMER, SUITE. 700

DALLAS, TEXAS 77077

OWNER:

WILSON DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP

BRIAN GIBSON P.E. (281) 875-1000

100 GREENS PARKWAY, SUITE. 100

DALLAS, TEXAS 77067

KERRY R. GILBERT & ASSOCIATES, INC.

Land Planning Consultants

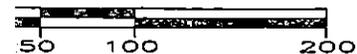
23501 Cinco Ranch Blvd.

Suite A-250

Katy, Texas 77494

(281)579-0340

SCALE: 1" = 100'



REVISED: MAY 11, 2009
MAY 27, 2008
KGA# 4708

KERRY R. GILBERT