

PLANNING AND ZONING

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON JUNE 22, 2009, AT 6:30 P.M., IN THE 1st FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The Workshop was called to order at 6:11 pm. by Chairperson 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. ✗ (7:00pm) *Arrived*
- left early*

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 Krajae.~~ Others: _____

III. ADJOURNMENT

The meeting was adjourned at 9:47 ~~7:00~~ p.m. by Chairperson Henry Fuentes.

AGENDA – WORKSHOP OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JUNE 22, 2009, AT 6:00 P.M., IN THE 1ST FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I CALL TO ORDER

II PURPOSE OF THE WORKSHOP:

- 1. COMMISSION INPUT AND DISCUSSION: REGARDING FUTURE LAND USE PLAN. *Presented by Ms. Lata Krishnarao, Planning Director.***

III ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1840 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 19TH day of June 2009 A.D., at 5:30 p.m.

Judy Krajca, Planning Secretary

Agenda removed _____ day of 2009.



CITY OF PEARLAND PLANNING & ZONING

AGENDA ITEM

DATE: June 17, 2009
TO: Planning and Zoning Commission
FROM: Lata Krishnarao, AICP, Planning Director
SUBJECT: Land Use Study

At the regular meeting of Planning and Zoning Commission (P & Z) on June 15, 2009, the schedule for Land Use workshops and the comments listed below were discussed. The P & Z decided to meet on Monday nights to discuss the issues and formulate recommendations to the City Council.

The "Land Use Study" document prepared in April 2009, and current land use/future land use/zoning analyses maps prepared in February 2009, distributed to the P & Z members, will be used as a reference at these workshops. Please let me know, if you need copies of the document or the maps. Comment numbers 4, 12, 13, and 25 are the outstanding ones that need to be discussed by P & Z. Please refer to the Land Use Study for explanation of these comments. At the next meeting, staff will update the P & Z on the resolution of other comments.

Council's directive from joint workshop of June 2, 2009

Council's Directive:

- Work with P & Z to formulate recommendations and present the recommendations to the Council.
- Involve P & Z and get their recommendations on the issues identified at the prior workshops.
- Simplified UDC requirements for developers and staff. Limit the number of zones.
- Ensure alignment with council's goals and policies.

Items discussed with P & Z on June 15, 2009

1. Obtain P & Z feedback on the process, meeting dates, etc. Discuss time line.

The remaining four items that need recommendations were discussed, as highlighted in the attached table. P & Z decided to meet on Monday nights, at 6:00 p.m. Staff has prepared the following tentative schedule. Additionally meetings will be added as required. The bus trip requested by P & Z, to visit some of the areas under consideration, has been included.

Monday, June 22, 2009 –	Comment #4 - Review COD standards in M-1 and M-2, especially along SH 35.
	Comment # 12 - Add retail as component within manufacturing.
Monday, June 29, 2009 -	Bus Tour
Monday, July 6, 2009 -	Comment # 13 – Add neighborhood nodes within residential.
	Comment #25 - Modify Cullen Mixed Use and Garden/Oday Mixed Use districts.
Monday, July 13, 2009 -	Identify areas in the Land Use Plan that need to change
	Address future use of vacant parcels / Highest and best use of land.

2. Investigate why certain areas (for ex. SCR) are developing at a faster rate. What are the characteristics that facilitate development?

To be discussed as part of future workshops.

LAND USE PLAN TIME LINE

Listed below are the steps identified, status as of June 2009, and future completion dates.

Step	Status	Estimated Time of Completion	Comments
Conduct Land Use inventory and analysis.	Completed	2008	Land use inventory completed by first intern; second intern hired on April 21 to complete the mapping portion. Current Land Use map prepared.
Interview stakeholders/players and get their input.	Completed	2008	Done. All organizations interviewed.
Prepare layer for each stakeholder/player showing their vision – existing and proposed.	Completed	2008	Compiled. Presented to the CC.
Ascertain opportunities by comparing land use analysis with vision for each player/stake holder.	Completed	2008	Future needs identified and presented to CC.
Compare FLUP, Current Land Use map and Zoning map and identify issues for future FLUP.	Completed	February 2009	26 issues identified as a result of this comparison.
Propose amendments to UDC, Comp Plan, and FLUP to resolve the issues.	Partially completed	March – June 2009	After a few workshops, CC directed staff to work with P & Z to formulate recommendations. JPH on June 15, 2009 addressed some of the comments.
Workshops With P & Z to propose amendments to UDC, Comp Plan, and FLUP to resolve the issues.	In progress. Ongoing workshops with P & Z.	June-August 2009	Workshops scheduled on Monday nights.
Compile amendments to Land Use Plan.	Future, after completion of workshops.	September 2009	Conduct workshops with P & Z and complete discussion of outstanding issues by end of September.
Compile amendments to Thoroughfare Plan.	Discussed and recommendation ready.	September 2009	Staff has completed. Workshop with CC and P & Z scheduled on June 22.
Compile amendments to Comprehensive Plan.	Future, after workshops with P & Z.	September 2009	Conduct workshops with P & Z and complete discussing outstanding issues by end of September.
Final workshops with the Council and P & Z and stakeholders/players to present the zoning map, FLUP, Thoroughfare Plan and Comprehensive Plan.	Future	October - November 2009	Future
JPH and readings - zoning map, FLUP, Thoroughfare Plan and Comprehensive Plan.	Future	December – January 2009	Future
Final adoption - zoning map, FLUP, Thoroughfare Plan and Comprehensive Plan.	Future	February - March 2010	Future

FUTURE LAND USE PLAN UPDATE – PRESENTATION TO P & Z – June 2009

After the joint workshop on June 1, 2009, when Council directed staff to work with P & Z and formulate recommendations, staff compiled this list of issues that need to be discussed by the P & Z. At P & Z's meeting on June 15, 2009, the time frame will be discussed and modified. The last four columns indicate the documents and maps that need to be modified. The original list had 26 items, and the ones that have been addressed, resolved, or being researched have been removed from this list. The comment number refers to the original list and matches the comment numbers in the Land Use Study presented to P & Z in April 2009.

	COMMENT	ACTION	COMPLETION DATE	STAFF RECOMMENDATIONS	FLUP	Zoning Map	T'fare Plan	UDC Text
1	Identify areas in the Land Use Plan that need to change. Similar to comment #s 15 and 22.	Examine Land Use Plan and formulate a recommend plan based on "ideal" situation	Sept 21, 2009	See Proposed Changes to Land Use Map. Conflicts identified from the FLUP, Zoning, and Current Land Uses, and council's comments have been discussed.	x	x	x	x
4	Review COD standards in M-1 and M-2, especially along SH 35. Relax or flexible transparency. Ex. Turbocare.	Need to workshop CUP/SUP for existing situations.	June 15 – JPH Sept 21, 2009	3 Options proposed: 1. Specific Relaxation 2. Exemption from COD standards 3. CUP for variations. At the workshop, relaxation was discussed and CUP was preferred. Relaxations that pertain to all developments have been proposed with the UDC amendment T-11. The CUP/SUP for existing needs to be discussed.				x
12	Add retail as a component within manufacturing.	Discuss the CUP option.	Sept 21, 2009	Options: 1. Permit retail/ commercial uses in industrial zones by CUP. 2. Designate retail nodes in Industrial areas. 3. Add retail/commercial uses as accessory in industrial zones.	X Also Comp. Plan			x
13	Add neighborhood nodes within residential – 5 acres total for each node. List of uses in this node. Justify the spots designated. Approved as CUPs.	Discuss locations and specifics.	Sept 21, 2009	Seven nodes proposed.	X Also Comp. Plan			x
15	Address future use of vacant parcels.	Future Workshop	Sept 21, 2009	Future Workshop.	x	x	x	x
22	Highest and best use of land.	Outcome of above actions.	Sept 21, 2009	Future Workshop.	x	x	x	x
25	Modify Cullen Mixed Use District to reinstate previous zoning. Review Garden/Oday District.	Amend UDC (Land Use Table)	Sept 21, 2009	Staff has recommended a revised land use matrix.				x

Joint Public Hearing

SPEAKER'S CARD

If you wish to speak during the Public Hearing, please complete the following information and give this card to the Recording Secretary either before or after your comments. Thank you.

Name:

Ruby Sanders

Full Address:

2402 Francis Dr.

(include zip)

Pearland, Texas 77581

I wish to speak regarding Item No.

2009-047

PEARLAND, TEXAS
JUN 1TH, 2009

MAYOR, CITY COUNCIL, CITY MANAGERS, PLANNING DEPT.. P & Z

RE: P & Z COMMISSION

AS I HAVE DISCUSSED AND PUT IN WRITING FOR SEVERAL YEARS WITH ALL OF THE ABOVE, I WOULD LIKE TO SEE A CHANGE IN DIRECTION BY OUR P AND Z COMMISSION. WE HAVE BEEN SUCCESSFUL TO A POINT BUT OUR CUTTING EDGE SOCIETY OF TODAY CALLS FOR ON-GOING ADJUSTING AND FINE-TUNING OF OUR METHODS AND WORK PROJECTS. I BELIEVE THAT THE P AND Z COMMISSION MUST BE MORE PROACTIVE AND WE MUST CONDUCT OUR BUSINESS AT A TIME THAT IS CONVENIENT FOR PEARLAND RESIDENTS.. CURRENT MEETING AND PUBLIC HEARING PRACTICES ARE NOT ACCEPTABLE AND SHOULD BE CHANGED ASAP. THE FOLLOWING ARE EXCERPTS FROM LETTERS OVER THE PAST 5 YEARS SUMMING UP MY RECOMMENDATIONS ON SEVERAL KEY ITEMS.

04-12-04 CHAIR, P & Z

RECOMMENDED GUARANTEED FUNDING FOR MAINTAINING FUTURE DETENTION AREAS

04-16-04 CHAIR P & Z

RECOMMENDED BETTER CONTROLS OVER PUDS AS THEY BUILD OUT.

03-20-06 CITY COUNCIL

SUMMATION OF SEVERAL PRIOR RECOMMENDATIONS

08-16-06 CHAIR P & Z

RECOMMENDED A PARKS & GREEN SPACE PERSON MEET WITH P & Z COMMISSION AS ADVISOR

11-13-06 ASST CITY MANAGER

RECOMMENDED SPECIAL HANDLING OF DEVELOPER AGREEMENTS .NOT A GOOD IDEA.

01-20-07 CHAIR P & Z

RECOMMENDED EXAMINE "WATER LITES DISTRICT" PUD & STRICT ENFORCEMENT.

09-10-07 ASST CITY MANAGER

RECOMMENDED MORE CPI UPDATES FOR A BETTER UNDERSTANDING

09-16-07 ASST CITY MANAGER

RECOMMENDED MASS TRANSIT STUDY, TAXI USE, MORE PLANNING STAFF, ENVIRONMENTAL BUILDINGS, MAINTAIN TREE INVENTORIES AS CUT OR CLEARED

10-05-07 ASST CITY MANAGER

RECOMMENDED FLEXIBLE UDC, ESPECIALLY LANDSCAPE REQUIREMENTS

*11-15-07 CHAIR P & Z
RECOMMENDED BETTER USE OF P & Z POWERS OUTLINED IN THE CITY CHARTER*

*02-24-08 MAYOR AND COUNCIL
RECOMMENDED WEST LEA CITY ORDINANCE ENFORCEMENT*

*05-05-08 ASST CITY MANAGER
RECOMMENDED A STAFF INCREASE AND BETTER P & Z MEETING CONTROL*

*08-17-08 ASST CITY MANAGER
RECOMMENDED BETTER P & Z MEETING CONTROL, TRAFFIC STUDY SKEPTICISM, P Z CONTROL
OVER EAST-WEST CORRIDERS*

*12-05-08 ASST CITY MANAGER
SUMMARY OF PRIOR RECOMMENDATIONS*

*01-15-09 ATTENDED PARKS BOARD
RECOMMENDED A PARKS AND GREEN SPACE PERSON SIT IN ON P & Z MEETINGS AS ADVISOR*

*03-02-09 ASST CITY MANAGER
RECOMMENDED ENTRY LEVEL HOUSING, BETTER COMMERCIAL INTERACTION*

*06-06-09 CITY COUNCIL, ASST CITY MANAGERS
RECOMMENDED BOAT, TRAILER, MOTOR HOME & POD STORAGE ENFORCEMENT,
BETTER ENFORCEMENT OF GREEN WASTE AT THE CURB*

*06-08-09 CHAIR P & Z
RECOMMEND P & Z TAKE THE LEAD IN MAKING A SHOWCASE SYSTEM OF ZONED
GROWTH AND DEVELOPMENT IN PEARLAND*

NEIL WEST, COMMISSIONER

PEARLAND, TEXAS

JUNE 6TH, 2009

RE: NEIGHBORHOOD ENHANCEMENT UPDATE TO:
CITY COUNCIL, CITY MANAGER & ASSISTANT CITY MANAGERS

THE EYES OF PEARLAND HAVE BEEN WORKING NOW FOR SEVERAL YEARS AND THEY ARE MAKING A DIFFERENCE. OUR CITY IS LOOKING GOOD OVERALL BUT SOME NEIGHBORHOODS HAVE BEEN ALLOWED TO DECLINE IN APPEARANCE AND FUNCTIONAL ABILITY TO THE POINT OF BEING CLUTTERED AND, IN SOME CASES, DANGEROUS. THE PRIMARY CONCERNS ARE THESE

1. MANY RESIDENTS IN VARIOUS NEIGHBORHOODS HAVE LONG AGO BEGUN STORING BOATS AT THEIR HOMES IN DRIVEWAYS, BESIDE THE HOUSE, IN LARGE SEMI-PERMANENT STRUCTURES IN THE BACK YARD OR THE STREET. MOST OF THESE BOATS ARE CUT LOOSE FROM THE TOWING VEHICLE AND SIMPLY STORED THERE WHEN NOT IN USE. BOATS STORED IN THE STREET CAN BE DANGEROUS, ESPECIALLY WITH CHILDREN PLAYING AROUND OR ON THEM. IN ADDITION TO BLOCKING ONE LANE OF THE STREET, CAUSING ALL TRAFFIC TO WEAVE IN AND OUT. NEIGHBORS BACKING OUT OF THEIR DRIVEWAYS MAY BE BLOCKED.

2. IN ADDITION TO BOATS, MANY HOMEOWNERS HAVE VARIOUS ASSORTED TRAILERS STORED IN ONE OR MORE PLACES ON THEIR PROPERTY. THEY ARE STORED IN THE BACK YARDS, SIDE YARDS, DRIVEWAYS AND THE STREET. IN ADDITION, MANY TRAILERS ARE FILLED WITH GARBAGE, SOLID WASTE AND GREEN WASTE AND JUST SITTING IN THEIR STORAGE SPOTS. STREET STORAGE WILL CAUSE THE SAME PROBLEMS AS BOATS.

3. STORED MOTOR HOMES AND MOBIL HOMES ARE ANOTHER COMMON DISTRACTION FOR MANY NEIGHBORHOODS. THEY MAY BE STORED JUST ABOUT ANYWHERE ON THE PREMISES AND THE STREET. MOST OR ALL OF THE ELABORATE STRUCTURES ERECTED IN BACK & SIDE YARDS ARE PROBABLY NON CONFORMING AND WOULD NOT BE APPROVED OR GRAND FATHERED INTO CITY CODES

4. OTHER POTENTIAL VIOLATIONS AND DISTRACTIONS ARE OUT THERE AND NEED ATTENTION. THE NEW "POD" IS BECOMING POPULAR AND SOME OVERSTAY THEIR WELCOME. THE PODS NEED TO BE INCLUDED IN OUR CODE ENFORCEMENT. REGULAR PICK-UP OF HEAVY MATERIALS, SOLID WASTE AND GREEN WASTE. MAY NEED TO BE BETTER SYNCHRONIZED AND PICKED UP ON THE DAY SCHEDULED. MANY RESIDENTS REALLY DO NOT KNOW WHEN TO PUT THEIR GARBAGE OUT.

SEVERAL RECOMMENDATIONS WOULD INCLUDE;

1. A SPECIAL TASK FORCE COULD PROVIDE LEADERSHIP
2. JOINT HOMEOWNERS ASSOCIATIONS-CITY COOPERATION COULD BE USEFUL, ESPECIALLY WHERE BOTH ENTITIES HAVE A COMMON GOAL
3. SUPPORT HOMEOWNERS ASSOCIATIONS. MANY DO NOT HAVE FINANCIAL RESOURCES TO ENFORCE DEED RESTRICTIONS
4. SEVERAL HOMEOWNERS GROUPS COULD FORM A COALITION TO CLEAN UP OUR CITY
5. KEEP PEARLAND BEAUTIFUL COULD BE A LEADER OF THE GROUP

OUR NEIGHBORHOODS NEED YOUR HELP

NEIL WEST

MARCH 2nd, 2009

ASSISTANT CITY MGR., PLANNING

PLANNING AHEAD.....

MAYBE THE VARIOUS APPOINTED COMMISSIONS AND BOARDS WORKING WITHIN PEARLAND ARE AS EFFECTIVE AS DESIGNED. I DO BELIEVE THAT THE P & Z COULD BENEFIT BY WORKING WITH AND LEARNING FIRST-HAND FROM SOME OF THEM. FOR EXAMPLE THE PEDC DOES HAVE A HANDLE ON WORK FORCE REQUIREMENTS AND RELATED. THEY HAVE A GAME PLAN THAT INVOLVES THE ECONOMIC GROWTH AND THE INDUSTRIES TARGETED TO PRODUCE THE DESIRED POSITIVE RESULTS.

THE QUESTION IS IMMEDIATELY APPARENT.... WHAT IS THE P & Z DOING TO PROVIDE ASSISTANCE AND EXPERTISE TOWARD THE GOALS AND AIMS OF PEARLAND & THE PEDC? THE ANSWER IS IMMEDIATELY APPARENT - THE INTERACTION IS NOT THERE...

THE P & Z HAS NOT BEEN ASKED NOR IS IT ABLE SINGLY TO PROVIDE THE SETTING FOR ENTRY-LEVEL HOUSING IN PEARLAND. THIS STATISTIC ALONE CAN FOIL THE BEST HOPES OF A CITY ON THE MOVE. A CITY THAT IS SEEKING OUT INDUSTRY REQUIRING ASSOCIATE DEGREES AND TECHNICIANS WHO ARE LOWER ON THE EARNING LADDER. WE SEEM TO BE PRODUCING HIGHER-END HOMES THAT WILL ENSURE PEARLANDS' FUTURE AS A BEDROOM COMMUNITY . AT THE VERY LEAST, THE WORK FORCES MENTIONED WILL WORK IN PEARLAND AND LIVE ELSEWHERE WHERE LOWER LEVEL HOUSING IS AVAILABLE.

WHILE THIS SINGLE ISSUE SEEMS IMPORTANT ENOUGH FOR ADDITIONAL ATTENTION, THERE ARE OTHERS EQUALLY IMPORTANT THEY WILL BE FORTHCOMING. THIS IS NOT AN ATTEMPT TO DOWNGRADE OR DISS THE PRIOR OR CURRENT P & Z. THEY WORK HARD AND DO A GOOD JOB. THE PLAYING FIELD HAS BECOME LARGER. IT DOES SEEM IMPORTANT ENOUGH TO BRING TO THE ATTENTION OF THE CITY COUNCIL, WITH THE SUPPORT OF THE CURRENT P & Z

NEIL WEST, COMMISSIONER

GREEN SPACE CONCERNS 01-15-09 ^{ATTENDED}
PARKS BO

1. STEADY CUTTING OF MATURE TREES BY DEVELOPERS & CITIZENS
 - * ADD ALL MATURE TREES TO PROTECTED LIST
 - * REDO THE PROTECTED TREE LIST TO INCLUDE OTHERS

- * 2. CLEAR CUTTING OF TRACTS BEING DEVELOPED. GREEN SPACE BEING BOUGHT AT OTHER LOCATIONS
 - APPRAISED VALUES ARE DIFFERENT AND SHOULD BE EQUALIZED
 - MUCH OF THE ORIGINAL GREEN SPACE MAY BE SAVED

3. MANY PROJECTS WITH GREEN SPACE AMENITIES ARE NOT STARTING THEM UNTIL LATE IN THE PROJECTS' LIFE
 - * WORK ON AMENITIES ALONGSIDE THE PROJECT

4. HIKE AND BIKE TRAILS ARE PROJECTED IN SEVERAL PLACES
 - ARE DEVELOPERS AWARE?
 - ARE PROJECTIONS BEING EXPANDED?

- * 5. SHOULD THE PARKS GROUP ADVISE THE P & Z COMMISSIONERS
 - MANY INSTANCES CALL FOR P & Z CONSULTATION WITH THE PARKS DIRECTOR
 - PARKS DIRECTOR MUST SIGN OFF ON A NUMBER OF UDC IMPROVEMENTS

PEARLAND, TEXAS
DECEMBER 5TH, 2008

RECAP OF SOME P & Z RELATED CONCERNS, IDEAS, GOALS AND HOPES

MIKE HODGE, ASSISTANT CITY MANAGER

MIKE, SINCE NICK HAS LEFT THE SCENE IT SEEMS THAT YOU ARE NOW THE RECIPIENT OF MY COMMENTS AND REQUESTS. THE FOLLOWING WILL UPDATE YOU ON WHAT MY THOUGHTS TO NICK WERE. IF POSSIBLE PUT YOUR NAME IN PLACE OF NICK ON THE ENCLOSED.

GOING BACK SEVERAL YEARS SOME OF THE GOALS AND AIMS WERE MET AND ARE ONGOING AS OTHER PROGRAMS, SUCH AS THE EYES OF PEARLAND. ALSO SEVERAL OF US HAVE BEEN CHECKING OUT THE NEWER PDS FOR COMPLETION OF THEIR PROGRAMS. THAT WILL ALSO BE A NEW EFFORT UNDER THE PLANNING DEPT. USING PLANNING DEPT. PERSONNEL.

PAST ITEMS OF INTEREST HAVE BEEN AND ARE

DETENTION POND CONDITION AND MAINTENANCE
SUBMISSION OF PD S AND CUPS WITH ORDINANCE VIOLATIONS BUILT IN
EQUAL & FAIR TREATMENT OF ALL WHO ENTER THE P & Z DOMAIN
BETTER AND MORE FLEXIBLE MEETING SCHEDULES WHEN CITIZENS ARE KEPT
WAITING FOR HOURS

PARKS DEPARTMENT TAKE AN ADVISORY ROLE WITH P & Z
FINAL PLATS SHOULD BE COMPLETE

PHASING AND TIME LINES ARE APPROPRIATE FOR PD S
DEVELOPMENT AGREEMENTS ARE NOT DESIRABLE

MORE EXPERTS TO GUIDE AND ASSIST THE P & Z

P & Z NEEDS MORE TRAINING AND HANDS-ON WORK WITH THE VARIOUS CITY
SYSTEMS AND PROJECTIONS ASSIGNED

LARGER PLANNING STAFF

EXPANDED PROTECTED TREE LIST & SAVE MORE GREEN SPACE

P & Z SHOULD BE PROACTIVE

P & Z MEETINGS SHOULD BE TIGHTENED UP (RECOGNITION, ETC. BY THE CHAIR
TRAFFIC SURVEYS THAT ARE REAL AND HELPFUL

THANKS, NEIL

PEARLAND, TEXAS
AUGUST 17TH, 2008

NICK FINAN, ASSISTANT CITY MANAGER

RE: CONDUCT AT PLANNING COMMISSION MEETING S
TRAFFIC SURVEYS

NICK

LET ME BEGIN BY SAYING THAT THERE SHOULD BE DEFINITE AND FIRM RULES OF PROCEDURE, FOR THOSE OF US WHO ARE MEMBERS OF THE COMMISSION, DURING A MEETING. WE ARE CURRENTLY SPEAKING WITHOUT RECOGNITION FROM THE CHAIR, WE ARE ENGAGING THE PARTICIPANTS WITH LONG CONVERSATIONS WHEN A QUESTION AND ANSWER WOULD BE SUFFICIENT, AND RECENTLY I THINK THAT THE STAFF HAS BEEN TREATED SHABBILY BY CERTAIN MEMBERS OF THE COMMITTEE. I BELIEVE THAT THE SOLUTION TO THIS WOULD BE FOR EACH COMMISSION MEMBER AND PLANNING STAFF MEMBER DESIRING TO SPEAK SHOULD SEEK THE CHAIRS' PERMISSION BY RAISING A HAND AND BEING RECOGNIZED. EVEN THEN COMMITTEE MEMBERS SHOULD NOT BE ALLOWED TO DRONE ON AND ON JUST TO MAKE A POINT. I CAN SUM UP WITH; NOBODY SPEAKS UNLESS THE CHAIR SAYS SPEAK, EXCHANGES BETWEEN COMMISSION MEMBERS AND PARTICIPANTS SHOULD BE SHORT AND SPECIFIC, STAFF SHOULD BE TREATED WITH RESPECT BY ALL PRESENT. THEY ARE OUR ADVISERS AND PRESENTERS OF THE REQUESTS.

ANOTHER AREA OF CONCERN IS THE RESULTS OF THE TRAFFIC SURVEYS DONE FOR SOME OF THE PROJECTS AND PDS BROUGHT BEFORE THE COMMISSION. THEY ARE ALL PRETTY POSITIVE AND HAVE NEVER KEPT ANYONE FROM DEVELOPING THEIR HOLDINGS. I BELIEVE THAT THE SURVEYS MAY BE ACCURATE AND ACCEPTABLE INDIVIDUALLY BUT AS A GROUP ARE CUMULATIVE AND NOT ACCURATE. WE NEED A BETTER LOOK AT EXTENDED TIME PERIODS. JUST AN OBSERVATION, BUT THE COMMISSION SHOULD TAKE INITIAL STEPS OR EARLY SUPPORT OF EAST-WEST CORRIDORS THRU PEARLAND.

THANKS,

NEIL WEST, COMMISSIONER

COPY-LATA

-HENRY

-NIGHM

PEARLAND, TEXAS
MAY 5TH, 2008

RE: PLANNING COMMISSION, PLANNING STAFF AND RELATED

NICK FINAN, ASST CITY MANAGER

I GUESS JUST AFTER A CONVENTION IS ALWAYS A GOOD TIME TO ADDRESS ISSUES AND PASS ON SOME OF THE KNOWLEDGE AND MAKE SOME OBSERVATIONS ABOUT OUR CITY. AS I HAVE BEEN TELLING YOU FOR SEVERAL YEARS NOW I BELIEVE THAT PEARLAND HAS A FINE GROUP OF YOUNG (?) PEOPLE LEADING US INTO A BRIGHTER FUTURE. WE NEED TO FIND A WAY TO KEEP THEM IN OUR EMPLOY, POSSIBLY WITH MORE CITY-SPONSORED PERKS AND A REVIEW OF OUR SALARY STRUCTURE. MONEY IS NOT EVERYTHING BUT IT IS VERY HIGH ON THE SCALE.

YOU ALREADY KNOW THAT WE NEED MORE EXPERIENCED STAFF. I RECENTLY HAD LUNCH WITH A CITY PLANNER FROM A UTAH COMMUNITY WITH 10,000 PEOPLE. THEY HAVE A STAFF OF SIX PLANNERS AND ARE PROBABLY NOT OVERSTAFFED. OUR LITTLE COMMUNITY IS ON THE MOVE AND THE BEST THING WE CAN DO IS SUPPORT IT AND TRY TO KEEP THE ORDER AND QUALITY AS WE GROW.

THERE ARE NEGATIVES AND I'LL CITE A COUPLE. FIRST, I BELIEVE THAT THE P & Z COMMISSION WAS NOT CREATED TO SIT AROUND AND SECOND GUESS HOW COUNCIL WILL VOTE ON AN ISSUE. I BELIEVE THAT WE WERE GIVEN A JOB TO DO AND IT HAS NO RELATIONSHIP TO HOW COUNCIL THINKS, HINTS AT OR VOTES. OUR MEETINGS AND RESULTING VOTES SHOULD BE OUR PRODUCT AND REFLECT OUR THINKING. RECENTLY THE TREND HAS BEEN TO PICK UP ON COUNCIL'S THINKING SO THAT WE WILL VOTE "RIGHT". I DO NOT WANT MY COMMISSION TO OPERATE THAT WAY NOR DO I WANT TO DISCUSS HOW WE SHOULD VOTE TO GO-ALONG WITH COUNCIL'S WISHES. ALSO OF IMPORTANCE, IT WOULD BE A GIANT STEP IN THE RIGHT DIRECTION IF, DURING MEETINGS, EACH OF THE P & Z COMMISSIONERS COULD BE RECOGNIZED WITH THE ACCEPTED METHOD - A RAISED HAND. I PERSONALLY HAVE A VERY HARD TIME JUST GETTING THE ATTENTION OF THE CHAIR AND EVEN THEN HE HAS A HARD TIME WAITING OUT SEVERAL CONVERSATIONS AROUND THE TABLE AND WITH THE AUDIENCE MEMBERS. WE NEED ORDER AND I BELIEVE THAT HENRY WOULD BE GRATEFUL FOR A GOOD SYSTEM TO MAINTAIN ORDER AND ALLOW EVERYONE A CHANCE TO SPEAK.

FINALLY, REFERRING TO CONVENTIONS, I DO THINK THAT THE PLANNING STAFF SHOULD ATTEND THE STATE AND NATIONAL PLANNING CONVENTIONS. THEY WOULD THEN BE IN A BETTER POSITION TO EDUCATE ALL OF US.

THIS SHOULD BE ENOUGH FOR YOU TO THINK ABOUT FOR NOW.



NEIL WEST, COMMISSIONER

FEBRUARY 24TH, 2008
PEARLAND, TEXAS

RE: CITY ORDINANCES, WEST LEA AND YOUTH

COUNCILPERSONS HELEN, WOODY, STEVE, FELECIA & KEVIN
MAYOR TOM

HI FOLKS

WE DO HAVE A PROBLEM THAT NEEDS YOUR ATTENTION AND YOUR BEST JUDGMENT TO STABILIZE AND CALM WHAT HAS BECOME A NEIGHBORHOOD ISSUE. I WOULD LIKE TO HELP SO HERE ARE SOME SUGGESTIONS AND COMMENTS THAT ARE WHAT I SEE AS BOTTOM LINES.

FIRST, AS A P & Z COMMISSIONER I CANNOT VOTE IN FAVOR OF VIOLATING A CITY ORDINANCE, ESPECIALLY SINCE IT HAS APPARENTLY BEEN GOING ON FOR SOME TIME. IT SEEMS THAT THERE ARE SOME REALLY GOOD KIDS IN VIOLATION OF CITY ORDINANCES BUT CAUGHT IN THE MIDDLE AND THE CURRENT APPLICATIONS FOR THE CUP ARE WELL AFTER THE FACT. THE BOTTOM LINE HERE IS THAT THE PROPERTY OWNERS PROBABLY KNEW THEY WERE IN VIOLATION BUT HAVE BEEN PRESSURED INTO FIGHTING BACK, EVEN THOUGH THEIR POSITION IS NOT DEFENDABLE. SO THEY USE THE KIDS.

SECONDLY, BY DEFINITION, A CUP IS SUITABLE ONLY IN CERTAIN LOCATIONS AND A CUP MUST ASSURE COMPATIBILITY WITH ADJOINING USES. AGAIN THIS PUTS ORDINANCE VIOLATORS IN A POSITION THAT IS NOT DEFENDABLE. THE CUP MUST BE IN PLACE TO CHANGE THE USE.

THIRDLY, A CUP IS A CHARACTERISTIC OF THE LAND, NOT THE LANDOWNER. AGAIN, BY DEFINITION, A CUP IS NOT DESIGNED TO SPLIT A NEIGHBORHOOD INTO MULTI-USE IF OTHERS OBJECT. A SMALL HERD OF CATTLE, SHOW OR OTHERWISE, HAS DISRUPTED THE NEIGHBORHOOD.

COUNCIL NOW HAS THE BATON. THIS TROUBLESOME SITUATION CAN BE RESOLVED QUICKLY WITH COOPERATION BETWEEN THIS COUNCIL AND THE SCHOOL DISTRICT, WITH INPUT FROM THE FFA, ETC. THE NUMBER ONE GOAL WOULD BE TO GET THE YOUNGSTERS OFF THE HOOK AND FIND THEM A PLACE TO RAISE AND GROOM THEIR SHOW ANIMALS. AFTER LEVELING THE PLAYING FIELD YOU COULD THEN ENFORCE THE ORDINANCES AND MAINTAIN THE SINGLE FAMILY COMPLETION OF THE NEIGHBORHOOD. THIS COULD SERVE AS A GUIDELINE FOR FUTURE DECISIONS.
GOOD LUCK.


NEL
281 997 8898

PEARLAND, TEXAS
NOVEMBER 5TH, 2007

CHAIR & PLANNING COMMISSIONERS

OVER THE PAST SEVERAL MONTHS I HAVE HAD SEVERAL UNOFFICIAL AND CASUAL DISCUSSIONS WITH NICK, AND I HAVE WRITTEN SEVERAL MEMOS ADDRESSING SPECIFIC CONCERNS. THIS HAS NOT BEEN AN ATTEMPT TO BY-PASS THE CHAIR, LATA OR THE COMMISSION BUT JUST TO SET UP A FORUM FOR THE COMMISSION THAT WILL HAVE INPUT FROM NICK ON THE FRONT END.

I FEEL THAT WE HAVE A GREEN LIGHT TO INVITE OUTSIDE EXPERIENCE IN TO THE COMMISSION TO SHARE THEIR KNOWLEDGE AND EXPERTISE WITH US. I DO BELIEVE THAT WE CAN MAKE BETTER DECISIONS FOR PEARLAND'S FUTURE WITH SOME KNOWLEDGE-SHARING FROM EXPERTS.

MY INITIAL CONCERN HAS BEEN WITH WHAT APPEARS TO BE AN ALMOST NON-EXISTENT MASS TRANSIT OR PEOPLE MOVING INATIVE UP UNTIL NOW. WE SEEM TO BE IN THE MODE OF MANY OTHERS WHO ARE WAITING ON STUDIES OR MOVING FORWARD AT A LEISURELY PACE, EVEN THOUGH WE ARE ADDRESSING VAN POOLING, PARK & RIDE, HOV LANES AND COMMUTER RAIL WE CAN DO BETTER.

ANOTHER CONCERN I HAVE HAD IS THE SIZE OF OUR PLANNING STAFF. WHILE I DO NOT PRETEND THAT I CAN CALL MANAGEMENT SHOTS, I WOULD THINK SUGGESTIONS ARE ALWAYS IN ORDER. I DO BELIEVE THAT OUR STAFF DOES AN ALMOST UNBELIEVABLE AMOUNT OF WORK AND THEY DO A GOOD JOB OF IT. ALL OF THE PLANNERS IN TEXAS KNOW WHO THEY ARE AND WHAT THEY ARE DOING. YOU HAVE TO GIVE THEM AN A+ FOR GETTING ME VOTED THE COMMISSIONER OF THE YEAR, CONSIDERING WHAT THEY HAD TO WORK WITH.

ANOTHER CONCERN IS THE FUTURE, OR FATE?, OF ENVIRONMENTALLY FRIENDLY BUILDINGS IN PEARLAND. AT THIS POINT IN TIME WE ARE IN A HOLDING PATTERN OF SOME SORT WITH LITTLE ACTIVITY APPARENT. THE ENVIRONMENTAL CONCERN GROWS AS YOU SEE THE ACTUAL NUMBER OF TREES TAKEN DOWN WITH EACH PROJECT THAT IS APPROVED, OVER AND ABOVE THE OFFICIAL COUNT. TRASH TREES DO NOT COUNT BUT THEY ARE STILL NEEDED AND SHOULD BE REPLACED. THE CURRENT GREEN INITIATIVES ARE VERY APPROPRIATE, BUT THE TREE CONCERN SHOULD BE HIGHLIGHTED.

ANOTHER CONCERN IS FOR THE PUDS, CUPS, PDS, ETC. THAT HAVE BEEN CREATED IN PEARLAND AND IF THE FINAL PRODUCT REALLY FITS THE PLAN THAT WAS ORIGINALLY AGREED TO. CURRENTLY, WITH THE COOPERATION OF STAFF, RUBY AND MYSELF HAVE BEGUN THE PROGRAM OF LOOKING INTO THESE PROJECTS. BOTH RUBY AND I ARE EXPERIENCED IN THE EYES OF PEARLAND PROGRAM AND WE HAVE EXTENDED THAT PROGRAM JUST A LITTLE TO INCLUDE THIS TASK. I BELIEVE BOTH OF US ARE QUALIFIED AND WE ARE NOT DOING THIS AT THE EXPENSE OF THE REGULAR PROGRAM. WE HAVE CHECKED OUT TWIN LAKES AND ELLIS PLAZA TO DATE AND FOUND TWIN LAKES FAR SHORT OF BEING COMPLETE AS THE PUD DOCUMENT CALLS FOR.

ALSO, I BELIEVE THT THE UDC, QUESTIONABLY A WORK IN PROGRESS., SHOULD BE FLEXIBLE ENOUGH TO ALLOW THE STAFF AND COMMISSIONERS ENOUGH SPACE TO DESIGN OUR CITY AS WE GO. ONE EXAMPLE OF FLEXIBILITY COULD BE SCREENING AND RELATED AREAS.

FINALLY, THE PLANNING AND ZONING COMMISSION, AS EMPOWERED BY THE CITY CHARTER HAVE THE POWER TO MAKE PLANS, MAKE RECOMMENDATIONS, AND SET STANDARDS FOR STRUCTURES. FELLOW COMMISSIONERS WE DO HAVE THE POWER TO MAKE PEARLAND A MODEL COMMUNITY LAST BUT NOT LEAST, I BELIEVE THAT WE HAVE A SUPER STAFF AND CHAIN OF COMMAND, AN EXCELLENT P & Z COMMISSION, HOLD ON BOYS AND GIRLS, WE ARE ON THAT FAMOUS FAST TRACT.

THANKS


NEIL WEST, COMMISSIONER

PEARLAND, TEXAS
OCTOBER 15TH, 2007

NICK FINAN
ASSISTANT CITY MANAGER

RE: UDC

NICK
WELL, WE ADOPTED A NEW UDC AND IT PROBABLY SURPASSES MOST DOCUMENTS OF ITS KIND, BUT IT STILL REMAINS A WORK IN PROGRESS. THERE ARE SEVERAL PARTS OF THE CODE THAT ALREADY, AND EVEN FROM THE BEGINNING, NEED AN ONGOING LOOK. I AM A SUPPORTER OF THE DOCUMENT BUT WITH PEARLAND ON THE CUTTING EDGE OF MODERN DEVELOPMENT, BOTH RESIDENTIAL AND COMMERCIAL, IT COULD USE MORE INPUT. THE TIME WE LIVE IN DEMANDS CHANGE AND NEW THINKING. FUTURE ORDERLY PROGRESS IS THE RESULT. I AM NOT PROPOSING A REWRITE BUT A CONTINUING LOOK AT MOST THINGS UNDER CHAPTER 4. SITE DEVELOPMENT. THERE IS PLENTY OF ROOM TO DEVIATE LANDSCAPE REQUIREMENTS. I BELIEVE THAT THERE IS SYMPATHY BOTH WITHIN THE STAFF AND THE COMMISSION TO UPGRADE OR ALTER THE REQUIREMENTS TO FIT THE CASE AT HAND. DURING THE PRESENTATIONS, SOME THINGS JUST JUMP OUT AS BEING BURDENSOME AND ALL PARTIES COULD BENEFIT FROM MORE REALISTIC GROUND RULES AND PLAUSIBLE OPTIONS.
THANKS FOR THR KIND WORDS IN YOUR LETTER TO THE STATE GROUP.

NEL WEST
PLANNING & ZONING COMMISSIONER

PEARLAND, TEXAS
SEPTEMBER 16TH, 2007

NICK FINAN
ASSISTANT CITY MANAGER

RE: MASS TRANSPORTATION & RELATED PEOPLE MOVING

NICK

I HAVE BEEN A MEMBER OF THE PLANNING AND ZONING COMMISSION FOR SEVERAL YEARS AND I HAVE YET TO HEAR ANYONE, EITHER WITHIN OR OUTSIDE, LOCAL GOVERNMENT PROPOSE OR EVEN DISCUSS MASS TRANSIT AND PEOPLE MOVING IN PEARLAND. WE ARE TAKING GIANT STEPS IN BRINGING IN LOTS OF PEOPLE THROUGH RESIDENTIAL DEVELOPMENT, AND EVEN MORE PEOPLE WITH THE LARGE WEST SIDE COMMERCIAL COMPLEXES.

I WOULD LIKE TO FIRST GET ON RECORD AS BEING PRO MASS TRANSIT IN WHAT WOULD HAVE TO BE A MODERNISTIC, EVEN FUTURISTIC TRANSIT MODE. IN ANY CASE THE CITY OF PEARLAND IS NOT UP TO SPEED ON MASS TRANSIT AND JUST TALK IS NOT GOING TO BE ENOUGH. THE RECENT FORWARD LOOKING DECISION BY CITY COUNCIL TO INITIATE TAXI CAB SERVICE COULD BE A NEW BEGINNING FOR [PEOPLE MOVING] IN PEARLAND.

SECONDLY, I WOULD PROPOSE THAT OUR CITY COUNCIL ACTIVATE A PERMANENT COMMISSION THAT WOULD HAVE AS ITS MISSION: [STUDY MASS TRANSPORTATION ALTERNATIVES FOR THE PEARLAND AREA [INCLUDING THE INNER CITY].]

IF ALL ELSE FAILS YOU COULD ALWAYS ASSIGN ADDITIONAL RESPONSIBILITY TO THE P & Z COMMISSION. AFTER ALL WE ARE ALREADY RESPONSIBLE FOR THINGS LIKE CAPITOL PROJECTS FINALLY, YOU SHOULD PROBABLY CONSIDER BEEFING UP THE PLANNING DEPARTMENT AND EVEN TIE THE GROWTH OF THE PLANNING GROUP TO THAT OF THE CITY POPULATION. JUST A SUGGESTION BUT 1 PLANNER FOR EACH 15,000 PEOPLE. I WILL PROVIDE YOU WITH A BETTER NUMBER AFTER I ATTEND THE STATE CONVENTION IN OCTOBER. MAYBE I CAN DETERMINE SOME STATS BY JUST BEING THERE AND BEING OBSERVANT.

BEFORE SIGNING OFF I SHOULD LIST TWO ADDITIONAL AREAS OF CONCERN THAT I WOULD LIKE TO SEE ADDRESSED. THE ENVIRONMENT FRIENDLY BUILDING ON 518 BUILT BY THE GANTS WOULD BE A GOOD TOPIC TO DISCUSS, ESPECIALLY THE COST AND ACTUAL BENEFITS. ALSO, THE P & Z COMMISSION, AS ONE OF ITS FUNCTIONS, DETERMINES SIZES AND NUMBERS OF TREES THAT ARE INVOLVED IN MOST PROJECTS. THE P & Z HARDLY KNOWS WHAT EACH PROJECT HAS GOTTEN DONE AS TO MITIGATION, TREE DAMAGE, TREE PLANTING, ETC. I PERSONALLY NEED TO KNOW A LOT MORE TO BE COMFORTABLE. THE SYSTEM DOES NOT PROVIDE FOR A LOOK BACKWARD, AND THATS A WHHOLE NEW CHAPTER. WOULD IT BE ASKING TOO MUCH TO REQUIRE A PROGRESS REPORT FROM THE DEVELOPER, BUILDER, PUD, CUP, ETC. AT CERTAIN INTERVALS DURING THE PROJECT TO INSURE COMPLIANCE WITH THE ACTIVITIES AUTHORIZED BY THE P & Z COMMISSION AND THE PLANNING GROUP.

NEL WEST
PLANNING & ZONING COMMISSIONER

PEARLAND, TEXAS
SEPTEMBER 10TH, 2007

NICK FINAN
ASSISTANT CITY MANAGER
CITY HALL

RE: ORDERLY PLANNING OF OUR CITY

NICK

THIS NOTE IS A FOLLOW UP ON OUR COMMENTS IN THE HALL SEVERAL DAYS AGO AS I MENTIONED I DO NOT BELIEVE THAT I HAVE THE NATURAL ABILITY OR KNOWLEDGE TO PUT THE CITY OF PEARLAND TOGETHER LIKE A GIANT JIG-SAW PUZZLE AND I NEED ALL OF THE HELP THAT I CAN GET. THERE ARE CURRENT AND PAST GROUPS WHO HAVE SHAPED WHAT WE SEE TODAY AND I DO NOT WANT TO DISTURB A SUCCESSFUL WORK IN PROGRESS BUT ADD TO IT. I WOULD LIKE TO SEE MORE EXPERTS OR PERSONS WITH SPECIFIC EXPERTISE IN AREAS THAT COULD CONTRIBUTE TO THE PLANNING OF A CITY APPEAR BEFORE THE P & Z COMMISSION. I BELIEVE THAT THE COMMISSION WILL NEED MORE AND MORE INPUT AS THE CITY GROWS AND COMMISSIONERS COULD SUGGEST OR RECOMMEND WHATEVER TALENT THEY MAY NEED FOR INPUT.

AT THIS TIME I WOULD PERSONALLY LIKE TO HEAR THE VIEWS OF FRED WELCH, PEDC, ON HOW HE FEELS ABOUT PEARLAND'S COMMERCIAL AND ECONOMIC BALANCE WITH RESIDENTIAL DEVELOPMENT AND WHERE HE SEES US GOING. I WOULD ALSO LIKE TO HEAR FROM SELECTED OTHERS, UPON REQUEST. AS TIME GOES ON AND NOW FOR MY DISCLAIMER I AM NOT SUGGESTING A BIASED OR COLORFUL PRESENTATION DESIGNED TO INFLUENCE OUR COMMISSION. ALL OF THE ABOVE AND FUTURE RELATED EVENTS WOULD BE WITH SPECIFIC APPROVAL OF YOURSELF AND THE COMMISSION CHAIR AND SQUEAKY-CLEAN.

IN ADDITION TO THE ZONING SIDE OF THE COMMISSION THE P & Z COMMISSION IS CHARGED WITH PLANNING THE VARIOUS MAJOR CITY FUNCTIONS FROM THEIR INCEPTION THRU THEIR DESIGN, INSTALLATION AND USE PERIODS. THIS IS NOT SOMETHING THE COMMISSION CAN EASILY HANDLE BECAUSE OF THE ENGINEERING INVOLVED AND EXTENSIVE SYSTEMS. BUT WE APPROVE MAPS AND DATA SEVERAL TIMES A YEAR WITH LIMITED HANDS-ON KNOWLEDGE. MAYBE WE COULD HAVE AN UPDATE AND EXPLANATION ON THE VARIOUS SYSTEMS BY AN ASSISTANT CITY MANAGER OR ENGINEER ON A MORE TIMELY BASIS. MAYBE QUARTERLY.
THANKS!

NEL WEST,
PLANNING & ZONING COMMISSIONER

PLANNING & ZONING COMMISSION

MONDAY, JANUARY 21ST, 2007

WATER LIGHTS DISTRICT

- 1. TOO MUCH CONCEPTUAL. PD.S SHOULD BE SPECIFIC*
- 2. PRIMARY ENTRANCE IS ONLY CONCEPTUAL. NO SIGNAGE OR OTHER STRUCTURES SPECIFIC*
- 3. ACCESS ROADS ARE ALL IN CONCEPTUAL STAGE. NOT MUCH SPECIFIC*
- 4. LOT SIZES & SETBACKS ARE QUESTIONABLE*
- 5. BUILDING HEIGHTS ARE NOT SPECIFIC*
- 6. PARKS AND OPEN SPACE WILL BE DEDICATED TO THE CITY. WHY WOULD THE CITY WANT TO MAINTAIN A PRIVATE COMPLEX POSSIBLY INCLUDING PIERS, DOCKS, WATERCRAFT, ETC*
- 7. PARKING NEEDS TO BE SPECIFIC OR FIT TO THE CURRENT MODE*
- 8. A GENERAL DESIGN CONCEPT IS NOT-ENOUGH. IT NEEDS TO BE SPECIFIC WITH MAPS*
- 9. LEAVING OUT THE P & Z FOR FUTURE DECISIONS IS A MISTAKE*
- 10. AS IS LEAVING OUT PUBLIC HEARINGS*
- 11. MORE FLEXIBILITY IN PD.S CAN BE ACHIEVED OVER TIME WITH P & Z HANDLING ALL REQUESTS*
- 12. PHASING AND TIME LINES ARE APPROPRIATE FOR PD.S.*

DEVELOPMENT AGREEMENTS

11-13-06

*NICK FINAN
ASSISTANT CITY MANAGER*

RE: DEVELOPMENT AGREEMENTS

NICK

ONE OF THE SEMINARS AT THE STATE CONVENTION IN CORPUS CHRISTI HAD A VERY KNOWLEDGEABLE ATTORNEY SPEAK ABOUT DEVELOPMENT AGREEMENTS. HIS ENTIRE FOCUS WAS ON FUTURE DAMAGE SUCH AN AGREEMENT WOULD HAVE ON A GROWING CITY SUCH AS PEARLAND. IT IS ABSOLUTELY ESSENTIAL THAT NO CITY OFFICIALS SIGN OFF ON ANY DEVELOPMENT AGREEMENT THAT DEVIATES FROM THE UDC OR IS DIFFERENT FROM CURRENT OPERATING PROCEDURES. HE INDICATED THAT THE COURTS HAVE RULED THAT JUST A CASUAL CONVERSION BY A DEVELOPER WITH A RECEPTIONIST WOULD CONSTITUTE AN INITIAL ACCEPTING OF SUCH AN AGREEMENT. HE ALSO INDICATED THAT ALL DEVELOPMENT AGREEMENTS SHOULD BE THOROUGHLY CHECKED BY EACH DEPARTMENT FOR ANY DEVIATIONS. WE HAVE THE ZBA AND P & Z TO HANDLE THOSE THINGS AT THE APPROPRIATE TIME. CONVERSATIONS AND PRESENTATIONS WITH CITY OFFICIALS COULD BE AT RISK AND LEGALLY BENEFIT THE DEVELOPERS AT CITY EXPENSE.

THE ATTORNEY ALSO INDICATED THAT SEVERE CONSEQUENCES MAY KICK-IN IF CERTAIN OF THESE AGREEMENTS ARE ACCEPTED. FUTURE ANNEXATION PROGRAMS ARE IN JEOPARDY AND IT WILL CREATE PROBLEMS 20-30 YEARS DOWN THE ROAD.

DEVELOPMENT AGREEMENTS THAT DEVIATE FROM THE RULES ARE NOT AN OPTION FOR PEARLAND UNLESS CERTIFIED BY THE P & Z AND THE CITY COUNCIL.

NEIL WEST, PLANNING & ZONING COMMISSIONER

**PLANNING & ZONING COMMISSION
POLICY DISCUSSION WITH CITY COUNCIL
MARCH 20TH, 2006**

MEETINGS

1. ON DAYS WHEN THE COMMISSION AND THE COUNCIL HAVE JOINT MEETINGS, EACH WORKSHOP, PUBLIC HEARING AND MEETING SHOULD BE SCHEDULED SO THAT EACH IS INDEPENDENT OF THE OTHER. CITIZENS ARE CURRENTLY HAVING TO SIT THRU HOURS OF OTHER MEETINGS WAITING TO SPEAK ON THE SUBJECT OF INTEREST TO THEM. (DEC 1ST, 2005 LTR)
2. THE COMMISSION CHAIR SHOULD INTRODUCE GUESTS AND BUILDERS/DEVELOPERS AT MEETINGS

PARKS & GREENSPACE

1. CITY PARKS DIRECTOR BE AN ADVISORY MEMBER OF THE COMMISSION (MARCH 6TH, 2006 LTR)
2. ALL TREES CUT BY DEV. - BUILDERS SHOULD BE REPLACED. PINES OFF TRUCK CUT.

DETENTION FACILITIES

1. FUTURE MAINTENANCE SHOULD BE GUARANTEED IN SOME MANNER AND EACH ONE SHOULD BE INSPECTED AT REGULAR INTERVALS (APRIL 12TH, 2004 LTR)
2. NO CREDIT FOR GREEN SPACE

PUDS

1. SOME METHOD SHOULD BE DEvised TO FOLLOW THE CONSTRUCTION AND OTHER AGREED-TO TERMS BY DEVELOPER/BUILDERS.
2. THE COMMISSION SHOULD NOT ALLOW PUDS WHOSE PRIMARY PURPOSE IS TO CHANGE ZONING TO FIT LESSER STANDARDS. STAFF COULD HELP FILTER THE OFFENDERS BY IDENTIFYING ALL ITEMS IN THE PUD THAT DO NOT ABIDE BY THE CODE.

COMMISSION IN-HOUSE

1. ALL FINAL PLATS MUST BE COMPLETE AND APPROVED (BY RICHARD) BEFORE COMING TO THE COMMISSION FOR SIGNATURE
2. IT WOULD BE MORE EFFECTIVE FOR THE COMMISSION IF THE MEMBERS WOULD ASK TO BE RECOGNIZED BY THE CHAIR DURING DISCUSSIONS AND REGULAR MEETINGS. NO BACK-AND-FORTH WITH APPLICANTS.

PEARLAND, TEXAS
MARCH 6TH, 2006

RE: PLANNING & ZONING COMMISSION POLICY

RUBY SELLARS

I AM WELL AWARE THAT THE P & Z COMMISSION IS NOT A POLICY MAKING GROUP. BUT THERE ARE INSTANCES THAT SEEM TO REQUIRE, AT LEAST, RECOMMENDATIONS FROM THIS GROUP THAT COULD GO FAR IN HELPING THE CITY FATHERS MAKE BETTER DECISIONS ON MATTERS THAT COME BEFORE THE P & Z ON THE WAY TO THE CITY COUNCIL.

MY CONCERN, AND AS I HAVE OBSERVED, THIS COMMISSION'S CONCERN, IS LACK OF GREEN SPACE AND PARKS WITHIN NEWLY PRESENTED PUDS AND IN GENERAL DISGUISED DETENTION AREAS AS USABLE GREEN SPACE.

I WOULD RECOMMEND TO YOU THAT THIS P & Z COMMISSION AMEND THE RULES SO THAT THE DIRECTOR OF PARKS & GREEN SPACE FOR THE CITY OF PEARLAND BE AN ADVISORY MEMBER (NOT A VOTING MEMBER) OF THE P & Z COMMISSION AND MEET WITH THE P & Z COMMISSION AT ALL REGULARLY SCHEDULED MEETINGS, WORKSHOPS, AND PUBLIC HEARINGS. THIS SINGLE ADDITION, WITH THE ADVICE AND KNOW-HOW OF THE IN-HOUSE EXPERT, WOULD GIVE EACH OF US A MUCH BETTER HANDLE ON OUR ENVIRONMENTAL DECISIONS.

NEIL WEST, COMMISSION MEMBER

PEARLAND, TEXAS
APRIL 16TH, 2004

RE: PUD SUBMITTALS TO P & Z COMMISSION

CHAIR, P & Z

BEING A RELATIVE NEWCOMER TO THE COMMISSION I DO NOT HAVE ALL THE TOOLS TO EVALUATE HOW OUR GROUP IS DOING AS FAR AS MAKING PEARLAND A BETTER PLACE TO LIVE AND SECURING THE BENEFITS FOR POSTERITY.

HAVING SAID THAT I DO HAVE A CONCERN THAT OUR COMMISSION IS TAKING A VERY HARD LINE WITH POTENTIAL DEVELOPERS AND THOSE WANTING TO BE A PART OF THE PEARLAND OPPORTUNITY. I AM NOT ALIGNED WITH ANYONE AND AM BY NO MEANS SUGGESTING WE SET LESSER STANDARDS OR COMPROMISE OUR INTEGRITY, BUT I DO BELIEVE THAT WE CAN WORK WITH POTENTIAL DEVELOPERS WHO MAY BE LACKING IN SOME SUBMITTALS. CURRENTLY THE COMMISSION SEEMS TO BE TAKING AN ADVERSARIAL APPROACH ON OCCASIONS WHEN THERE APPEARS TO BE ROOM FOR SOME COMPROMISE OR MEETING THE PROPOSED SPECS WITH A LITTLE WORK. AS I SEE IT EACH OF US HAS OUR OWN PET PEEVES AND THOUGHTS AS TO HOW THINGS SHOULD BE BUT THE GUIDELINES FOR OUR WORK SHOULD OVERRIDE THAT.

ALSO, IN MANY CASES OUR COMMITTEE HAS BEEN VOTING CONTRARY TO STAFF RECOMMENDATIONS AND THAT ALSO CONCERNS ME. WHILE I DO NOT EXPECT OUR GROUP TO VOTE 100% WITH THE STAFF, I WOULD EXPECT BETTER COMMUNICATION AND WORKING CLOSER WITH THE STAFF BEFORE WE MAKE OUR DECISIONS. THEY ARE THE EXPERTS.

FINALLY, DEVELOPERS AND BUILDERS ARE GOING TO TAKE THE HIGH ROAD AND MOVE TO ALVIN, MANVEL AND SURROUNDING AREAS IF WE CONTINUE TO TREAT SUBMITTALS AS "US VERSUS THEM"

NEIL WEST, COMMISSIONER

APRIL 12TH, 2004

RE: FLOOD WATER DETENTION FACILITIES

CHAIR, PLANNING & ZONING COMMISSION

FLOOD WATER DETENTION FACILITIES HAVE PROVEN TO BE, IN SOME CASES, EYESORES AND PROBLEM AREAS FOR THE CITY OF PEARLAND. THERE HAVE BEEN THOSE THAT HAVE BEEN PROPERLY PROVIDED FOR BUT THE FUTURE DOES NOT BODE WELL FOR MANY OF THOSE LEFT IN THE HANDS OF HOMEOWNERS ASSOCIATIONS. THESE GROUPS DO NOT ALWAYS HAVE FUNDS FOR UPKEEP AND REGULAR MAINTENANCE. THE ULTIMATE RESPONSIBILITY, AS ALWAYS, WILL BE THE CITY.

I WOULD PROPOSE THAT ANY FUTURE PUDS, OR ANY SUBDIVIDED TRACTS REQUIRING DETENTION, BE REQUIRED TO PROVIDE GUARANTEED FUNDING FOR FUTURE MAINTENANCE. THIS COULD BE DONE BY ENSURING THAT ALL DEED RESTRICTIONS OF RECORD CONTAIN A MANDATORY FEE FOR ALL HOMEOWNERS WHO PURCHASE WITHIN A PUD OR SUBDIVIDED AREA REQUIRING DETENTION. THERE SHOULD BE REASONABLE WAYS OF WORKING OUT SITUATIONS OTHER THAN PUDS AND THEY NEED TO BE WORKED OUT AND IN PLACE ASAP.

MY RECOMMENDATION IS TO TURN DOWN ALL REQUESTS THAT DO NOT MEET THIS CRITERIA.

THANKS

NEIL WEST
COMMISSIONER

Neil West
Planning Commissioner

October 29, 2007

Neil,

I am responding to your memos of September 10, September 16, and October 15, 2007.

The first memo of September 10 deals with Orderly Planning of Our City. In that memo you requested assistance in obtaining input from individuals with more expertise; of particular interest city employees such as Fred Welch to speak on Economic Development within the city, and we discussed Trent Epperson to speak on the major projects of the city. First, I would like to say that the planning staff does an excellent job of consulting these individuals as they develop their reports on zone changes, plats, etc. But your point is well taken to have individuals provide updates, plans, etc. on items that would affect decisions. I have already spoken to Fred Welch, Mike Hodge, and Trent Epperson about the possibility of them making arrangements to speak to the Planning and Zoning Commission. All are willing. I am not sure if quarterly is possible, but at least once or twice a year would be possible. I have spoken to Lata and she is aware of your request. In addition, as part of your training she would like to continue to bring in experts to assist in speaking on Planning related issues.

The second memo of September 16 deals with Mass Transportation and Related People Moving. The city has had an individual approach the city about mass transportation about a year and half ago. Staff met with a consultant and HGAC in Lake Jackson on the subject to gain more information. HGAC was, and still is, in the process of looking at transportation on a regional basis. The study looks at all aspects including service providers who have some transportation network and how they could share those services with other service providers. It will look at shuttles, small transit companies, taxi cab services, among other items. The cost of mass transportation and transit services are quite costly. Depending on the type of service it may impact few city residents. The city is currently working with Metro, the South Main Alliance (Houston), and the Texas Medical Center on Van Pooling Ideas. While the current promotion focuses on the Texas Medical Center, the Van Pooling program is available to any group of individuals who are interested in sharing a commute to work. The program requires no city expenditure other than press releases and time involved in the promotion of the program. Another program the city is involved in deals with a Park and Ride program between the Pearland along SH288 to the Texas Medical Center. Of course, the number of Pearland riders and the appropriate share of the City are two main points in the discussions. It is hoped that the Park and Ride, if agreed to, could start within months. TxDOT has spoken about commuter rail as well as a developer on the west side is interested in assisting the city look at light rail to the west side. And Brazoria County has made staff aware that it is working with TxDOT on possible commuter rail along FM 521 on the far west side. The

city is also working with TxDOT on the possibility of HOV lanes or some alternative along SH 288. The city will continue to work with HGAC on studies to get a better picture of the needs of the Houston area and how Pearland fits into the picture as well as possibly some assistance on Pearland's specific needs.

Within that same memo you mentioned several items: Size of Planning staff, Environmentally Friendly Buildings as a topic, and updates on the PUDS, and other projects approved. First, the planning staff is evaluated every year as part of the budget process. There are many items that go into the creating a city budget and there is quite a bit of give and take. Lata has an opportunity to request staff. Currently, there is an unfilled position. Once it is filled, it would provide a great deal of assistance to the Planning Department. I am sure Lata will continue to look at data as well as needs to request more assistance as it is needed. The city council is currently looking at "Green Initiatives" for the city. The Planning Commission was invited to attend and many did. It may be good for Lata to give the presentation and update as to what occurred to all commissioners. If you would like any topic discussed, you can request it through Lata and I suspect she would be glad to provide presentation including the possibility of the having the Gants appear. You and I have spoken about the possibility of having some Planning Commissioners trained on the PDs and help insure those developments are developing according to the PD document. If Lata is requested, I am sure she can provide periodic updates on major developments, PDs, etc. that have come through the P&Z commission and maybe some that may not have.

The third memo of October 15 deals with the UDC and your interest in keeping it current and not burdensome. Lata continues to review and receive comment from staff, the general public, and developers who work with the UDC or have been through the process. In addition, Lata continues to listen during the P&Z Commission meetings and city council meetings to gauge an idea of changes that may need to be made. She has presented several items over the past year for possible changes. She has a list of other items that she has shown an interest in presenting, also. If you have any specific items that you feel need to be presented, I would suggest that you bring them up during a P&Z meeting or submit them in writing to Lata.

Thank you for your thoughts.

Sincerely,


Nicholas Finan

C Lata Krishnarao, Mike Hodge, Trent Epperson, Bill Eisen

Chairperson

Jerry III 3

Susan II 2

Ron II 2

~~Charter~~ respectfully declines



Jerry Koza

CHAIR

→ SPRY KODD

11/11

11/11

Sugar -

Sign

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SON

P+Z Chairperson

Ron Doley

Vice - Chairperson

Charles IIII 4

Susan II 2

Ron I 1

VICE-PRESIDENT
CHAIR

CHARLES

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Charles

PaZ Vice-Chairperson

~~for Capuchin~~

Charles Crossin

Charles

Scissors

SUSAN

SON