

**MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD MAY 19, 2008 AT 6:30 P.M., IN THE 2<sup>ND</sup> FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

Chairperson Henry Fuyertes called the meeting to order at 8:36 p.m. with the following present:

Chairperson Henry Fuyertes  
Vice-Chairperson Jerry Koza, Jr.  
Commissioner Neil West  
Commission Ron Capehart  
Commissioner Charles Gooden, Jr.  
Commissioner Darrell Diggs  
Chairperson Susan Sherrouse

Also in attendance were: Planning Director Lata Krishnarao, Senior Planner Theresa Grahmann, and Administrative Secretary Judy Krajca. Deputy City Attorney Nghiem Doan and Assistant City Manager Nick Finan arrived at 9:07 p.m.

**II. APPROVAL OF MINUTES**

Commissioner Darrell Diggs made the motion to approve, and Commissioner Jerry Koza, Jr. seconded the motion.

The vote was 7-0 for approval of the minutes of May 5, 2008.

**III. NEW BUSINESS**

**A. CONSIDERATION & POSSIBLE ACTION –Amendment to the Master Thoroughfare Plan**

A request by the City of Pearland, for an amendment to the Master Thoroughfare Plan, generally affecting the following roadways:

Northfork Drive, extending from Old Chocolate Bayou Road to Manvel Road (FM 1128); and Hillhouse Road, extending from Hughes Ranch Road (CR 403) to future McHard Road

Planning Director Krishnarao stated that the City is awaiting the consultants' recommendation on the Northfork connection, and what is long term. The City Engineer is waiting to hear from the Engineering firm (GC Engineering).

Commissioner Sherrouse inquired if it was best to table the item until the City Engineer had time to review the Right of Way from the 60 feet to the 80 feet for Hillhouse Road.

Chairperson Fuertes spoke with regards to the traffic on Northfork never being designed as a major collector street.

Discussion ensued with regards to tabling both items.

Vice-Chairperson Koza, Jr. made the motion to table the Amendment, and Commissioner Capehart seconded.

The vote was 7-0. The Amendment to the Master Thoroughfare Plan was tabled.

**B. CONSIDERATION & POSSIBLE ACTION – Conditional Use Permit No. CUP2008-17**

A request by Environmental Services Group, Inc., applicant for Airgas Specialty Gases, Inc., owner, for approval of a Conditional Use Permit for a "petroleum product extraction, refining, manufacturer, and storage" facility, in the Heavy Industrial District (M-2), on the following described property, to wit:

Legal Description: 14.7071 acres of land out of lots 172 and 173 of the Zychlinski Subdivision out of the H.T. & B.R.R. Company Survey, Section 27, Abstract 308, and the G. C. Smith Survey, Section 28, Abstract 551, according to the plat recorded in Volume 29, Page 9, of the Deed Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the West Side of State Highway 35 (Main Street), and on the South Side of Industrial Drive

Vice-Chairperson Koza, Jr. made the motion, and Commissioner Capehart seconded.

Vice-Chairperson Koza, Jr. inquired is there a retail outlet, and Mr. Don Farris replied no. Commissioner Diggs inquired how soon would the flare stacks arrive, and Mr. Farris replied tomorrow.

Senior Planner Grahmann stated that if a condition of approval was to be added with regards to platting being required, then a time frame needed to be given.

Commissioner Gooden, Jr. asked the Commission what uses they do not like. Commissioner West replied outside storage.

Vice-Chairperson Koza, Jr. made a motion to vote the CUP and Zone Change separately, and Commissioner Capehart seconded.

Commissioner Sherrouse pointed out staff's recommendation.

The vote was 5-2. The CUP was approved, with Commissioners Gooden, Jr. and West in opposition. Commissioner West commented that this was not an orderly fashion to use the zoning.

#### **D. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2008-08Z**

A request by Will Benson of The National Realty Group, applicant for Hiep Pham, Inc., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification General Commercial District (GC) to Light Industrial District (M-1), on the following described property, to wit:

Legal Description: 6.42 acres of land, approximately, being a portion of Lots 37A, 37B, Abstract 542, and Tracts 36A-36C1, Abstract 233, H.T. & B.R.R. Company Survey, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the East Side of State Highway 35 (Main Street), and on the South Side of Halik Road.

See comments in CUP2008-16.

Commissioner Capehart made the motion to table, and Commissioner Gooden, Jr. seconded.

The vote was 5-2. The vote was approved to table. Commissioner West and Diggs voted in opposition.

#### **E. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2008-12Z**

A request by CBL and Associates, Inc., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Planned Development District (PD) to Planned Development District (PD), an amendment to the existing PD for Pearland Town Center, on the following described property, to wit:

Commissioner Gooden, Jr. asked the Commission what uses they do not like. Commissioner West replied outside storage.

Vice-Chairperson Koza, Jr. made a motion to vote the CUP and Zone Change separately, and Commissioner Capehart seconded.

Commissioner Sherrouse pointed out staff's recommendation.

The vote was 5-2. The CUP was approved, with Commissioners Gooden, Jr. and West in opposition. Commissioner West commented that this was not an orderly fashion to use the zoning.

#### **D. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2008-08Z**

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General Location: Generally Located on the East Side of State Highway 35 (Main Street), and on the South Side of Halik Road.

See comments in CUP2008-16.

Commissioner Capehart made the motion to table, and Commissioner Gooden, Jr. seconded.

The vote was 5-2. The vote was approved to table. Commissioner West and Diggs voted in opposition.

#### **E. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2008-12Z**

A request by CBL and Associates, Inc., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Planned Development District (PD) to Planned Development District (PD), an amendment to the existing PD for Pearland Town Center, on the following described property, to wit:

Legal Description: 142.9664 acres of land out of Pearland Town Center, a subdivision of 143.6500 acres as recorded under File Number 2007008914 of the Plat Records of Brazoria County, Texas, and situated in the H.T. & B.R.R. Company Survey, Abstract 300, Section 81, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the South Side of Broadway Street, on the East Side of Kirby Drive, and on the West Side of Business Center Drive.

Commissioner Sherrouse made the motion to approve, and Commissioner Capehart seconded.

Planning Director Krishnarao did a recap of the PD, discussing Parking, Language, Signage, Administrative review for signage, and that the Parking issue could be tabled.

Commissioner Sherrouse stated that parking is important, and discussion ensued with regards to parking.

Commissioner Sherrouse made the motion to amend each item separately, and Commissioner Capehart seconded.

- Parking – Commissioner Diggs made the motion to table for additional information, and Commissioner Capehart seconded. The vote was 7-0. The Parking was tabled.
- Transparency – The vote was 7-0. The Transparency was approved.
- Identification Signs – The vote was 7-0. The Identification signs were approved.
- Way finding Signs – The vote was 7-0. The Way finding Signs was approved.
- Interior Project Boundary Signs – The vote was 7-0. The Interior Project Boundary Signs was approved.
- Administrative Review for Signage – The vote was 0-7. The Administrative Review for Signage was denied. Comments being that it is not allowed/legal.

**F. CONSIDERATION & POSSIBLE ACTION- Five Year Capital Improvements Program 2009-2013**

City of Pearland – Capital Improvement Program (CIP).

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

There was some discussion. Vice-Chairperson Koza, Jr. stated he feels the City of Pearland and TxDOT should talk to the state government officials, such the State Representative and Senate with regards to Highway 35 being widened. Feels City of Pearland would be throwing money away.

Commissioner Diggs asked Assistant City Manager Mike Hodge how far in advance does the city look to the future. Mr. Hodge replied 20 years for water and sewer, 5-10 years for traffic, 5 years for parks, and 5 years for drainage.

The vote was 7-0. The Five-Year Capital Improvements Program 2009-2013 was approved.

#### **G. DISCUSSION ITEMS**

There was a brief discussion with regards to the P&Z meeting on June 2, 2008. The P&Z Commission was asked by the Planning Administrative Secretary to complete their Travel Reconciliation forms and return with any receipts by the June 2, 2008 meeting.

#### **IV. ADJOURNMENT**

Chairperson Henry Fuertes adjourned the meeting at 10:41 p.m.

These minutes are respectfully submitted by:

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Judy Krajca, Planning Secretary

Minutes approved as submitted and/or corrected on this 19th day of May, A.D., 2008.

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P&Z Chairperson, Henry Fuertes

Henry  
Jerry  
Susan

Ron  
Neil  
Charles  
Darrell

**JUDY'S NOTES FROM THE P&Z MTG.**

**AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD MAY 19, 2008 AT 6:30 P.M., IN THE 2<sup>ND</sup> FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

- I. CALL TO ORDER 8:30 Henry F.
- II. APPROVAL OF MINUTES May 5, 2008 Darrell-M/Jerry-znd
- III. NEW BUSINESS 7-0 approve.

**A. CONSIDERATION & POSSIBLE ACTION - Amendment to the Master Thoroughfare Plan**

Jerry-M/Ron-znd  
A request by the City of Pearland, for an amendment to the Master Thoroughfare Plan, generally affecting the following roadways:

Northfork Drive, extending from Old Chocolate Bayou Road to Manvel Road (FM 1128); and Hillhouse Road, extending from Hughes Ranch Road (CR 403) to future McHard Road

Lata - awaiting consult. recomm. on Northfork connective - what's long term.  
Narciso waiting to hear from Eng (OC Eng)

Susan - possibly table for City Eng. to review ROW from 60' to 80'

Henry spoke w/regards to traffic on Northfork. was never designed as a major collector st.

Susan inquired w/regards to tabling both items or

Jerry-M/Ron-znd to Table  
7-0 approved to table

JUDY'S NOTES FROM THE P&Z MTG.

B. CONSIDERATION & POSSIBLE ACTION - Conditional Use Permit No. CUP2008-17

*Jerry m / Ron - 2nd*

A request by Environmental Services Group, Inc., applicant for Airgas Specialty Gases, Inc., owner, for approval of a Conditional Use Permit for a "petroleum product extraction, refining, manufacturer, and storage" facility, in the Heavy Industrial District (M-2), on the following described property, to wit:

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General Location: Generally Located on the West Side of State Highway 35 (Main Street), and on the South Side of Industrial Drive

*Jerry - is there a retail outlet*

*Mr. Ferris - no.*

*Parrell - how soon will Flarestack coming.*

*Mr. Ferris - tomorrow*

*More discussion w/regards to flarestack*

*TAG - ~~add~~ add condition of approval - to plat w/in 6mo's. Need a timeframe.*

*Discussion between appl./staff w/regards to platting fees.*

*Jerry amend. to 6mo. timeframe for Platting / Ron - 2nd.*

*7-0 approve amend w/orig motion*

JUDY'S NOTES FROM THE P&Z MTG.

C. CONSIDERATION & POSSIBLE ACTION – Conditional Use Permit No. CUP2008-16

A request by Will Benson of The National Realty Group, applicant for Hiep Pham, Inc., owner, for approval of a Conditional Use Permit for the following uses: construction contractor with storage yard; machinery sales, storage, and repair; moving and storage company; printing company; office warehouse storage and sales; outside storage; storage of used lumber and building products; tool and machinery rental; welding shop; warehouse and distribution facility; in the General Commercial District (GC), on the following described property, to wit:

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General Location: Generally Located on the East Side of State Highway 35 (Main Street), and on the South Side of Halik Road

Nghiem & Nick arrived @ 9:07 pm.

Henry opened CUP 2008-16 & 2008-08Z concurrently  
Jerry - M / Ron - 2nd

Johnny Sims w/ Harcastle R.E. was present & spoke as a representative of the owner - Hiep Pham, Inc.

Much discussion on mechanism or limit for zoning 2 - nonjoining<sup>ing</sup> parcels.

Ron - agrees w/ Darrell. Need to ~~handle~~ handle two items separately.

Much disc. in regards to M-1 & GC<sub>1</sub> and the <sup>zoning</sup> different qualities allowed (screening, facade) ~~different~~

Mike Hodge arrived @ 9:20 pm

Change of tape to Tapel strips

Chara asked what uses does the Comm not like.  
Neil - outside storage

Darrell excused himself @ 9:32  
Returned 9:34



JUDY'S NOTES FROM THE P&Z MTG.

D. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2008-08Z

A request by Will Benson of The National Realty Group, applicant for Hiep Pham, Inc., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification General Commercial District (GC) to Light Industrial District (M-1), on the following described property, to wit:

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General Location: Generally Located on the East Side of State Highway

→ cup 2008-16  
Jerry M (Ron - 2nd to vote separately)  
① Susan - pointed out staff recommendations  
5-2 (Charles/Neil opposed)  
(not an orderly fashion to use their zoning - Neil)

2008-08Z  
Ron - moved to Table Item  
Charles - 2nd  
5-2 (West, Diggs opposed)

JUDY'S NOTES FROM THE P&Z MTG.

E. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2008-12Z

A request by CBL and Associates, Inc., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Planned Development District (PD) to Planned Development District (PD), an amendment to the existing PD for Pearland Town Center, on the following described property, to wit:

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General Location: Generally Located on the South Side of Broadway Street, on the East Side of Kirby Drive, and on the West Side of Business Center Drive

Susan - m / Ron - 2nd

Data - recap

- Parking - similar mixed use development
- Language about corrugated metal
- Signage
  - le plus entrance, wayfinding
  - interior <sup>project</sup> finding signs } staff look at this
- admin. review for signage

can table Parking

Susan - parking is important  
much discussion re: parking

Susan - m to amend ea item separately / Ron - 2nd  
 (1) Parking Derrel - m to table / Ron - 2nd 7-0 tabled  
 (2) Transparency - 7-0 approved

- Identification signs (a) 7-0 approved
- Wayfinding signs (b) 7-0 approved
- Interior Proj. Boundary signs (c) 7-0 approved
- Admin. Review for signage

JUDY'S NOTES FROM THE P&Z MTG.

F. CONSIDERATION & POSSIBLE ACTION – Five-Year Capital Improvements Program 2009-2013

City of Pearland - Capital Improvement Program (CIP).

Jerry - M/Ron - 2nd  
~~Don't~~ Feels COP should talk to TXDOT <sup>larger</sup> gov. officials - like  
state repres / senate w/ regards  
to Hwy 35 being widened.  
Feels COP would be throwing \$  
away.

Darrell asked how much in advance does COP look out.  
Mile Hodge said  
Water/sew 20 yrs out  
Traffic 5-10 yrs  
Parks 5 yrs  
Drainage 5 yrs  
7-0 approved.

G. DISCUSSION ITEMS

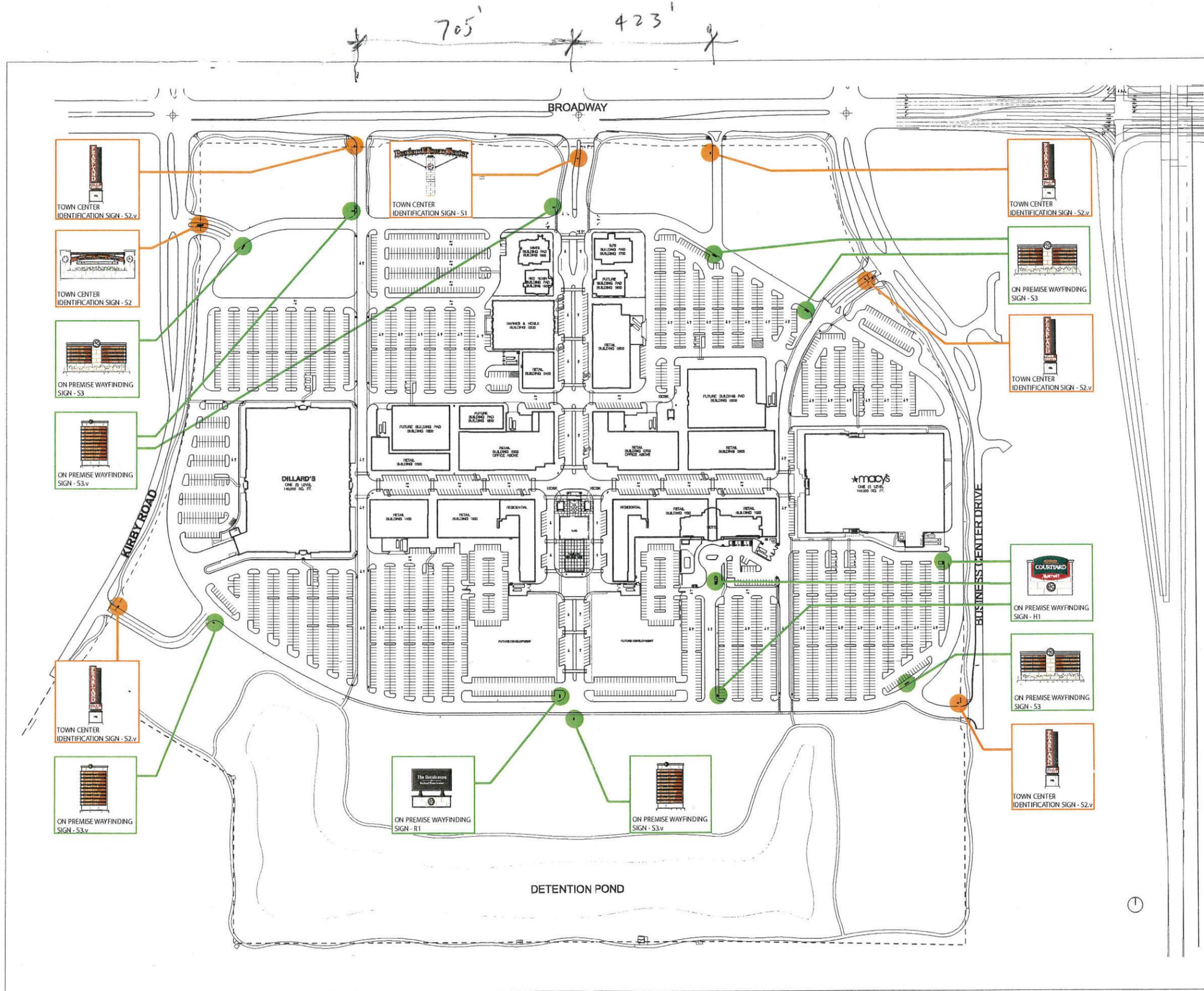
Next P&Z Meeting June 2, 2008

National APA Conference

IV. ADJOURNMENT

10:41





PROJECT  
**PEARLAND TOWN CENTER**  
Pearland, Texas

PROJECT NUMBER  
**200612.01**

PHASE  
**CONSTRUCTION DOCUMENTS**

DRAWN BY  
sj

CHECKED BY  
rm

DATE  
05-15-08

REVISIONS

- ▲
- ▲
- ▲
- ▲
- ▲

NOTES

- 1.
- 2.

These drawings are for the sole purpose of expressing visual design intent only and are not intended for actual fabrication purposes. Sign contractor assumes all responsibility for material selection, fabrication and installation.

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DESCRIPTION  
**SIGN LOCATION PLAN  
KEY PLAN**

SIGN TYPE

SHEET NUMBER  
**1.02**