MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD JULY 21, 2008 AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

Acting Chairperson Susan Sherrrouse called the meeting to order at 10:26 p.m. with the following present:

Acting Chairperson Susan Sherrouse
P&Z Commissioner Neil West
P&Z Commission Ron Capehart
P&Z Commissioner Charles Gooden, Jr.
P&Z Commissioner Darrell Diggs

Also in attendance were: Planning Director Lata Krishnarao, Senior Planner Theresa Grahmann, Plans and Plat Administrator Richard Keller, Planner Tim Chi, and Planning Administrative Secretary Judy Krajca.

APPROVAL OF MINUTES

P&Z Commissioner Ron Capehart made the motion to approve the minutes of July 7, 2008, and P&Z Commissioner Darrell Diggs seconded.

The vote was 5-0. The minutes of July 7, 2008 were approved.

NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Conditional Use Permit No. CUP2008-20

A request by G & G Construction, applicant for CLS Properties, Inc., owner, for approval of a Conditional Use Permit for the use of "aluminum composite materials" for the exterior façade of a business located in the General Commercial District (GC), on the following described property, to wit:

Legal Description: 9.004 acres of land, being Tract 53, out of the H.T. & B.R.R. Company Survey, Abstract 544, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the North Side of FM 518 (Broadway Street), and on the West Side of Jasper Road

P&Z Commissioner Ron Capehart made the motion to approve, and P&Z Commissioner Darrell Diggs seconded.

Discussion ensued with regards to the aluminum metal and the need for a Conditional Use Permit (CUP). P&Z Commissioner Gooden, Jr. stated he was in favor. P&Z Commissioner Darrell Diggs inquired about the percentage of façade and metal. Acting Chairperson Susan Sherrouse recalled that Council was looking for a percentage number on the façade. Mr. Guzak, on behalf of the applicant, stated he would guess that the aluminum metal would cover approximately 35-40%.

P&Z Commissioner Darrell Diggs made the motion to amend and approve the CUP with restrictions to not exceed 35%, and P&Z Commissioner Neil West seconded.

The vote for the amendment to the motion was 3-2. Amendment was approved.

The vote for the original motion was 5-0. Motion was approved.

B. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2008-11Z

A request by Les Kilday and Kilday Realty Corporation, applicant for Imani Church, 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 Business District (GB) and Suburban Residential – 12 District (SR-12) to Planned Development District (PD), on the following described property, to wit:

Legal Description: 6.00 acres of land, being out of Lots 23 and 24, Section 21, of the Allison Richey Gulf Coast Home Company's Subdivision, according to the plat thereof as filed in Volume 2, Page 24, of the Brazoria County Plat Records, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the West Side of Cullen Boulevard, on the South Side of FM 518 (Broadway Street), and on the North Side of Fite Road

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

There was much discussion with regards to: incomplete PD document, road access, not enough information, detention close to Cullen Blvd, and Master Plan.

Acting Chairperson Susan Sherrouse spoke on behalf of the P&Z Commissioners stating they do not have a problem with the building

height at 39-feet and condensers on the roof; and, the parking and density are acceptable.

P&Z Commissioner Neil West asked Planning Director Lata Krishnarao to recap what Council is looking for. Ms. Krishnarao stated that Council wants to see an overall plan of the 26 acres. Council wants to see that a road is coming in, and wants to see detention and location of detention. Council is looking for features that will affect this parcel, and they want to see a Master Plan.

There was much discussion among the Commission with regards to the expectations the Council is looking for in a PD, and problems that could arise when issues are not addressed in the PD.

P&Z Commissioner West asked Planning Director Krishnarao to state a timeline for denial verses tabling.

Ms. Krishnarao stated that if tabled, Item would come back before P&Z on 1st Monday in August, and if rushed to Council, the first reading could be heard on August 11th. Ms. Krishnarao's expressed concern with rushing this through to Council.

P&Z Commissioner Darrell Diggs stated his biggest concern was the ownership of the land.

P&Z Commissioner Neil West called for the question. Acting Chairperson Susan Sherrouse called the question.

Commissioner Darrell Diggs recommended tabling, Commissioner Charles Gooden, Jr. seconded.

The vote was 5-0. Zone Change No. 2008-11Z was tabled.

C. 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:

General Location: State Highway 288, Kirby Drive, Business Center Drive, Lou Briggs Road, all located within the Spectrum Area, Generally Located at the Southwest Corner of State Highway 288 and Beltway 8

P&Z Commissioner Ron Capehart made the motion to approve, and Commissioner Darrell Diggs seconded.

P&Z Commissioner Darrell Diggs asked staff for their concerns.

Planning Director Lata Krishnarao stated staff has no concerns and was in favor of these amendments.

Some discussion ensued among the Commission and Staff.

The vote was 5-0. The Amendment to the Thoroughfare Plan was approved.

D. CONSIDERATION & POSSIBLE ACTION – Amendment to the Unified Development Code (UDC)

A request by the City of Pearland, for an amendment to the Unified Development Code, Ordinance No. 2000T.

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

P&Z Commissioner Diggs commented on the electronic signs with regards to the flashing digital sign being every 6 seconds. Planning Director Lata Krishnarao commented that the guidelines were set by Council at a workshop approximately 4-years ago.

The vote was 3-2. The Amendment to the UDC was approved. P&Z Commissioners Diggs and Capehart voted in opposition.

Commissioner Darrell Diggs expressed concerns with the readability of the UDC. The mass changes make it a lot to digest. Commissioner Capehart commented that there were concerns expressed at the JPH with regards to some of the items remaining outstanding.

E. REMOVE FROM TABLE - 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.

P&Z Commissioner Charles Gooden, Jr. made motion to remove from table, and P&Z Commission Ron Capehart seconded.

The vote was 5-0. The Amendment to the Thoroughfare Plan was removed from table.

F. 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.

Senior Planner Theresa Grahmann explained the reason the amendment was tabled in June 2008 stating the item is being returned as presented originally.

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

The vote was 5-0. The Amendment to the Master Thoroughfare Plan was approved.

G. DISCUSSION ITEMS

There was a brief discussion regarding the next meeting scheduled for August 4, 2008.

ADJOURNMENT

Acting Chairperson Susan Sherrouse adjourned the meeting at 11:30 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 4th day of August, A.D., 2008.

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P&Z Chairperson Henry Fuertes