

**AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD OCTOBER 6, 2008 AT 6:30 P.M., IN THE ENGINEERING CONFERENCE ROOM, COMMUNITY CENTER, CITY HALL, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. APPROVAL OF MINUTES**                      **Regular Meeting of August 18, 2008**  
**Special Meeting of September 22, 2008**

**III. NEW BUSINESS**

**A. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Ridge Rock Street Dedication and Detention Reserve**

Decision  
Date  
10/06/08

A request by Christy Smidt, Kerry R. Gilbert & Associates, Inc., for Trails Development, Ltd., owner, for approval of a preliminary subdivision plat of 5.6 acres zoned Planned Unit Development. The applicant is proposing street right-of-way and six reserves located south of Broadway west of Kirby Drive and the property is described as follows:

Being 5.6 acres out of the H. T. & B. R.R. Co. Survey Sec. 80 also known as the J. S. Talmage Survey A-564, City of Pearland, Brazoria County, Texas.

**B. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Lakes at Highland Glen Section Six**

Decision  
Date  
10/06/08

A request by C. L. Davis, RPLS, C. L. Davis & Co., for Beazer Homes Texas, L.P., MHI Partnership, Ltd., and Newmark Homes, L.P., owners, for approval of a preliminary subdivision plat of 26.4967 acres zoned Planned Unit Development. The applicant is proposing 53 lots in 6 blocks and 9 reserves located east of Pearland Parkway at Forest Park Lane and the property is described as follows:

Being 26.4967 acres out of the D.H.M. Hunter Survey, A-76, City of Pearland, Brazoria County, Texas.

**C. CONDUCT PUBLIC HEARING – Replat of Lots 1, 2, and 3 of Brazoria County Industrial Park Phase 1**

A request by Armando Martinez, Jr., True Meridian, for Pearland Investment Partners, LLC, owner, for approval of a replat of Lots 1, 2, and 3 of Brazoria County Industrial Park Phase 1 zoned Heavy Industrial, M-2. The applicant is proposing one lot located at the

northwest corner of Main Street (State Highway 35) and Industrial Drive and the property is described as follows:

Being Lots 1, 2, and 3, 3.712 acres, of Brazoria County Industrial Park Phase 1, City of Pearland, Brazoria County, Texas.

**D. CONSIDERATION & POSSIBLE ACTION – Replat of Lots 1, 2, and 3 of Brazoria County Industrial Park Phase 1**

Decision  
Date  
10/06/08

A request by Armando Martinez, Jr., True Meridian, for Pearland Investment Partners, LLC, owner, for approval of a replat of Lots 1, 2, and 3 of Brazoria County Industrial Park Phase 1 zoned Heavy Industrial, M-2. The applicant is proposing one lot located at the northwest corner of Main Street (State Highway 35) and Industrial Drive and the property is described as follows:

Being Lots 1, 2, and 3, 3.712 acres, of Brazoria County Industrial Park Phase 1, City of Pearland, Brazoria County, Texas.

**E. DISCUSSION ITEM – Letter from P&Z Commissioner Neil West**

Letter from Neil West to Nick Finan, Assistant City Manager, dated August 17, 2008

**F. DISCUSSION ITEMS**

- Next P&Z Meeting October 20, 2008
- P&Z Training – Traffic Impact Analysis October 20, 2008
- Texas APA Conference-El Paso, TX February 4-7, 2009

**IV. ADJOURNMENT**

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-412-8104 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 on the 3rd day of October 2008, A.D., at 5:30 p.m.**

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

Agenda removed \_\_\_\_\_ day of 2008.

**APPROVAL**

**OF**

**MINUTES**

**MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD SEPTEMBER 22, 2008 AT 6:30 P.M., IN THE COMMUNITY CENTER, CITY HALL, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

**CALL TO ORDER**

P&Z Chairperson Henry Fuertes called the meeting to order at 9:35 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 Commission Ron Capehart  
P&Z Commissioner Charles Gooden, Jr.  
P&Z Commissioner Darrell Diggs

Also in attendance were: Planning Director Lata Krishnarao, Deputy City Attorney Nghiem Doan, and Planning Administrative Secretary Judy Krajca.

**NEW BUSINESS**

**CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2008-15Z**

A request of Jung H Kwak, applicant for Montalbano Lumber Co. Inc, owner, for approval of a change in zoning district from classification Light Industrial (M-1) to General Commercial District (GC).

General Location: Generally located on the West Side of SH 35 (North Main Street), and on the South Side of McHard Road.

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

P&Z Vice-Chairperson Jerry Koza, Jr. inquired about the notification of the abutting property owners, as his own business, which is within the 200 feet, did not receive notification. Planning Director Lata Krishnarao explained that the ownership information is obtained through a link with the Appraisal District. If an owners name does not appear, then we have no way to send any notification. Ms. Krishnarao added that all notices are published as a legal notice in the local newspaper. Mr. Koza, Jr. added that he was not in favor of the zone change as he feels Pearland is already short on industrial sites. Mr. Koza, Jr. also stated that access is already difficult and feels it is the worst possible location for a hotel, being near the railroad track.

P&Z Commissioner Darrell Diggs inquired if there were any efforts by the EDC to find appropriate industrial sites. Planning Director Krishnarao replied that it was

hard to find land with good road access and being too near a residential area. Highway 35 has good access for industrial properties and the Pearland EDC agrees that it is a good site for industrial.

P&Z Chairperson Henry Fuertes commented on the application being written to show the entire 26-acres and if only the 10 acres could be considered. Deputy City Attorney Nghiem Doan commented that the applicant could seek to change to request for only 10-acres.

P&Z Commissioner Darrell Diggs inquired if the property would require a plat. Deputy City Attorney Nghiem Doan replied it would, but not necessarily before a zone change is approved.

P&Z Commissioner Charles Gooden, Jr. brought up the discussion with regards to the amount of industrial property in the City, how much M-1 and M-2 is needed, and the need to look at the overall economic impact and what the market could bear. Planning Director Krishnarao explained the difference between the M-1 and M-2 zoning districts, and added that some of the area along the railroad is in a foreign trade zone. P&Z Commissioner Neil West commented that access to the railroad is highly important to the M-1 and M-2 zoning districts.

P&Z Commissioner Darrell Diggs recommended that the applicant come back with an overall plan, show details regarding length of cul-de-sac, and the uses and their specific location. Commissioner Diggs also inquired that if the item was tabled, would the applicant be willing to come back with further explanation or redefine their intent of use under General Commercial (GC). Commissioner Diggs also stated that he did not like the design plan and because of this, he was not in favor.

P&Z Commissioner Ron Capehart called for the vote.

The vote was 0-6. Zone Application No. 2008-15Z was denied

#### **CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. CUP 2008-22**

A request of Thomas D. Raspberry, applicant and owner, for approval of a Conditional Use Permit (CUP) to allow outdoor storage in the Old Townsite General Business District (OT-GB), on the following described property, to wit:

General Location: 2418 South Main Street.

P&Z Commissioner Charles Gooden, Jr. made the motion to approve and strike Oleanders from the required vegetation, and P&Z Vice-Chairperson Jerry Koza, Jr. seconded.

P&Z Commissioner Darrell Diggs called for the vote, and P&Z Commissioner Charles Gooden, Jr. seconded. P&Z Commissioner Gooden, Jr. withdrew his second. The motion failed for lack of a second.

P&Z Commissioner Neil West asked the applicant why he was putting in a POD. Mr. Tom Rasberry, applicant, replied it was to get the chemicals out of the warehouse and contain them alone. Mr. West asked how offensive the odor was, and could people walking by smell it. Mr. Rasberry explained that were extremely strong when walking into a contained building but the odor did not escape the building. The POD will not have an exhaust system and the odor will be contained within the POD.

P&Z Commissioner Ron Capehart inquired if the Variance would hold him up from getting his POD. Planning Director Krishnarao stated the variance was required, and he would have to plat before the permit could be issued; however, Mr. Rasberry could move forward with obtaining the variance from the P&Z while the platting phase was taking place. Planning Director Krishnarao added that the staff can help expedite the variance and platting process, but cannot waive it.

The vote was 6-0. Conditional Use Permit No. CUP 2008-22 was approved with the condition that the word "Oleander" be replaced by "shrubs" and following staff conditions:

1. The vegetative screen be comprised of shrubs, planted 3' on center and at least 4' tall at planting, and eventually maintained at a sufficient height and opacity to completely obscure the structure on the east and south sides.
2. Storage unit be painted to match the color of the building and meet all other requirements of the UDC, including those for accessory buildings.

#### **CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2008-23**

A request of T-Mobile, applicant and Pearland Home Assn. owner, for approval of a Conditional Use Permit to allow Cellular Communications Tower/PCS in the General Business Retail Distinct (GB), on the following described property, to wit:

General Location: 2320 Hatfield Road.

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

P&Z Commissioner Charles Gooden, Jr. brought up the fact that a lot of property owners were being affected by the height.

Discussion ensued with regards to the notification of homeowners, and the 200-feet.

P&Z Commissioner Neil West inquired how the tower could be made to be more appealing. There was much discussion among the applicant/Commission/Staff with regards to height, other Cellular Communication companies using the existing tower, moving the tower to the south to be further away from residential neighbors.

Mr. Anthony Perez, applicant, spoke as to not moving the tower to the south, and stated that once the parking lot of the Knights of Columbus was paved, vegetation would be put in place to block the view from the homeowners.

Mr. Shawn St. John, applicant, spoke with regards to the rural area sites and how they are spread out. He added that in the urban areas, the towers couldn't go too high. Discussion ensued.

P&Z Commissioner Charles Gooden, Jr. stated that this is a community process and the community was not here.

Assistant City Manager Nick Finan spoke regarding the stealth technology, giving several examples, and what could be asked of the applicant.

Planning Director Lata Krishnarao stated that the tower could be moved to the south corner of the property, and trees and vegetation could be added, so as not to look like an island.

Much discussion ensued with regards to stealth technology, height of towers, fence and vegetation around the base, transmission from the towers and the need for this tower, neighbors concern, drainage and detention area, county flyover for mosquito spraying, need for an all-weather surface for access road to tower, base hidden and wires covered, and aesthetics.

P&Z Vice-Chairperson Jerry Koza, Jr. amended his original motion to include the following, and P&Z Commissioner Ron Capehart seconded:

1. The facility be fully enclosed in a masonry building or by brick walls, tall enough to obscure the equipment, transformer, and bridge, with landscaping around, to be compatible with the character of the general area.
2. A paved road be provided to access the facility.
3. Stealth techniques, specifically a flag poles or single mono pole, with no exterior mounts be considered to ensure that the facility is compatible to the area.
4. 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.
5. A 20 foot wide landscaped buffer with trees, at least 6' at planting and up to a minimum of 20' tall at full growth, be provided in the north west area of the subject property abutting residential uses, to

provide visual screening, incorporating input from staff and neighbors approval.

### **CONSIDERATION & POSSIBLE ACTION – AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE (UDC)**

A request by the City of Pearland, for an amendment to the Unified Development Code, Ordinance No. 2000T, generally regarding Posting Requirements and Flag Poles (sections 1.2.2.4, 4.1.2.6 and 4.2.5.5).

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

P&Z Commissioner Charles Gooden, Jr. amended the original motion, and P&Z Vice-Chairperson Jerry Koza, Jr. seconded to include the condition that language noted in Section 4.2.5.9 regarding size and height of flags be duplicated.

P&Z Commissioner Darrell Diggs stated he had some concerns with just anyone flying a city flag.

The vote was 6-0 to approve with the condition that language noted in Section 4.2.5.9 regarding size and height of flags be duplicated.

### **DISCUSSION ITEMS**

Planning Administrative Secretary Judy Krajca explained that the Texas APA Conference had been cancelled due to the disaster in Galveston, Texas caused by Hurricane Ike. The Texas APA was looking into a January or February 2009 Texas APA in El Paso, Texas. The Commission would be notified soon of any changes.

The training regarding Traffic Impact Analysis by the Traffic Engineer and the City Engineer has been postponed until October.

### **ADJOURNMENT**

P&Z Chairperson Henry Fuertes adjourned the meeting at 11:31 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 6th day of October, A.D., 2008.

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P&Z Chairperson Henry Fiertes

**MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD AUGUST 18, 2008 AT 6:30 P.M., IN THE 2<sup>ND</sup> FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**CALL TO ORDER**

P&Z Chairperson Henry Fuertes called the meeting to order at 7:11 p.m. with the following present:

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

Also in attendance were: Planning Director Lata Krishnarao, Plans and Plat Administrator Richard Keller, Planner Tim Chi, Deputy City Attorney Nghiem Doan, and Planning Administrative Secretary Judy Krajca.

**APPROVAL OF MINUTES**

P&Z Vice-Chairperson Jerry Koza, Jr. made the motion to approve the minutes of August 4, 2008, and P&Z Commissioner Susan Sherrouse seconded.

The vote was 7-0. The minutes of August 4, 2008 were approved.

**NEW BUSINESS**

**CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. CUP2008-21**

A request of Heritage Christian Academy, applicant for South UMC, owner, for approval of a Conditional Use Permit for the use of private school in an existing church facility located in the Single-Family Estate District (R-E) with a Conditional Use Permit for church.

**LEGAL DESCRIPTION:** Minor Subdivision Plat for Shepherd of the Heart, being a subdivision of 10.00 acres in the H.T. & B. R.R. Co., Abstract No. 564, City of Pearland, Brazoria County, Texas (Located on 12005 CR 59)

**GENERAL LOCATION:** Located on 12005 CR 59

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

The vote was 7-0. Conditional Use Permit No. 2008-21 was approved.

**CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2008-15Z**

A request of Jung H Kwak, applicant for Montalbaño Lumber Co. Inc, owner, for approval of a change in zoning district from classification Light Industrial (M-1) to General Commercial District (GC).

**LEGAL DESCRIPTION:** 26.58 acres of land, being parts of and the North half of Lot 44 and all of Lot 49 of Zychlinski's Subdivision in the HT&B RR Co. Survey, Section 3, Abstract 232, and R.B Lyle Survey, Abstract 542, in the Brazoria County, Texas

**GENERAL LOCATION:** Generally located on the West Side of SH 35 (North Main Street), and on the South Side of McHard Road

No action necessary.

**CONSIDERATION & POSSIBLE ACTION – Request for Waiver of Time for Decision of Preliminary Plat for Southern Trails West Section Three**

A request by Carol Redd, Edminster, Hinshaw, Russ and Associates, for a forty day extension of time for approval of the Preliminary Plat of Southern Trails West Section Three.

Plans and Plat Administrator Richard Keller stated the reason for the Waiver of Time for Decision.

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

The vote was 7-0. The Waiver of Time for Decision of Preliminary Plat for Southern Trails West Section Three was approved.

**CONSIDERATION & POSSIBLE ACTION – Preliminary Plat for Southern Trails West Section Three**

A request by Carol Redd, Edminster, Hinshaw, Russ and Associates, for a forty day extension of time for approval of the Preliminary Plat of Southern Trails West Section Three.

No action necessary.

**CONSIDERATION & POSSIBLE ACTION – Request for Waiver of Time for Decision of Corrigan Plaza Section One Replat**

A request by Audra Thamrin, Windrose Land Services, Inc., for Corrigan Plaza, Ltd., owner, for approval of a replat of 4.7784 acres zoned General Business in the Corrigan Plaza Section One Subdivision. Applicant is proposing to subdivide one lot into two lots and the property is described as follows: Being 4.7784 acres of land in the Corrigan Plaza Section One Subdivision, City of Pearland, Brazoria County, Texas.

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

The vote was 7-0. The Waiver of Time for Decision for Corrigan Plaza Section One Replat was approved.

### **CONDUCT PUBLIC HEARING – Replat of Corrigan Plaza Section One**

A request by Audra Thamrin, Windrose Land Services, Inc., for Corrigan Plaza, Ltd., owner, for approval of a replat of 4.7784 acres zoned General Business in the Corrigan Plaza Section One Subdivision. Applicant is proposing to subdivide one lot into two lots and the property is described as follows: Being 4.7784 acres of land in the Corrigan Plaza Section One Subdivision, City of Pearland, Brazoria County, Texas.

P&Z Chairperson Henry Fuertes opened the hearing for Replat of Corrigan Plaza Section One at 7:18 p.m.

Plans and Plat Administrator Richard Keller read the staff report.

The applicant was not present.

No one was present to speak for or against the replat.

The public hearing for Replat of Corrigan Plaza Section One was adjourned at 7:21 p.m.

### **CONSIDERATION & POSSIBLE ACTION – Replat of Corrigan Plaza Section One**

A request by Audra Thamrin, Windrose Land Services, Inc., for Corrigan Plaza, Ltd., owner, for approval of a replat of 4.7784 acres zoned General Business in the Corrigan Plaza Section One Subdivision. Applicant is proposing to subdivide one lot into two lots and the property is described as follows: Being 4.7784 acres of land in the Corrigan Plaza Section One Subdivision, City of Pearland, Brazoria County, Texas.

Plans and Plat Administrator Richard Keller read the staff report stating that all items have been satisfied.

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

The vote was 7-0. The Replat of Corrigan Plaza Section One was approved.

### **REMOVE FROM TABLE - Master Plat of Ridge Rock**

A request by Christy B. Schmidt, Kerry R. Gilbert & Assoc., Inc., for Trails Development, Ltd., owner, for approval of a Master Plat of 70.3 acres zoned Planned Unit Development (P.U.D.) within the Ridge Rock P.U.D. The applicant is proposing single family lots, reserve areas, and a general business/office lot and the property is described as follows:

Being 70.3 acres of land out of the H.T. & B. R.R. Co. Survey, Sect. 80, A.K.A. J. S. Talmage Survey, A-564, City of Pearland, Brazoria County, Texas.

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

The vote was 7-0. Master Plat of Ridge Rock was removed from table.

### **CONSIDERATION & POSSIBLE ACTION – Master Plat of Ridge Rock**

A request by Christy B. Schmidt, Kerry R. Gilbert & Assoc., Inc., for Trails Development, Ltd., owner, for approval of a Master Plat of 70.3 acres zoned Planned Unit Development (P.U.D.) within the Ridge Rock P.U.D. The applicant is proposing single family lots, reserve areas, and a general business/office lot and the property is described as follows:

Being 70.3 acres of land out of the H.T. & B. R.R. Co. Survey, Sect. 80, A.K.A. J. S. Talmage Survey, A-564, City of Pearland, Brazoria County, Texas.

Plans and Plat Administrator Richard Keller read the staff report stating that all items have been addressed, and staff recommends approval.

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

The vote was 7-0. Master Plat of Ridge Rock was approved.

### **DISCUSSION ITEMS**

Planning Administrative Secretary Judy Krajca explained that the P&Z Commission would still meet on September 15, 2008 for decisions on the plats, and again on September 22, 2008 for the Joint Public Hearing. The Commission would meet following the Joint Public Hearing and vote with a recommendation to City Council. Vice-Chairperson Jerry Koza, Jr. stated he would not be able to attend the September 15, 2008 meeting as he will be in Austin, Texas on

business. Commissioner Charles Gooden, Jr. stated he tentatively would not be at the public hearing on September 22, 2008.

The Texas APA Conference was discussed, and the Commission was informed that the conference date would be October 1-3, 2008, in Galveston, Texas.

It was discussed that Commissioner Neil West has written a letter and would be discussed at the September 15, 2008 P&Z meeting.

Planning Director Lata Krishnarao stated that she could have the City Engineer and the Traffic Engineer come do a training session and discuss Traffic Impact Analysis. The Commission was in favor of this.

### **ADJOURNMENT**

P&Z Chairperson Henry Fuentes adjourned the meeting at 7:38 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 15th day of September, A.D., 2008.

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P&Z Chairperson Henry Fuentes

# **P&Z Agenda Item**

**A**

## **RIDGE ROCK**

### **STREET DEDICATION AND DETENTION RESERVE PRELIMINARY PLAT– STAFF REPORT**

**P & Z MEETING DATE: OCTOBER 6, 2008**

**APPLICANT:** Christy Smidt, Kerry R. Gilbert & Assoc., Inc., for Trails Development, Ltd., owner

**REQUEST:** Preliminary plat of 5.6+/- acres in the Ridge Rock Planned Unit Development (PUD) for an entrance street and six reserves for various purposes. P.U.D. approved on April 24, 2006.

**GENERAL LOCATION:** The property is located south of Broadway west of Kirby Drive.

**PROPERTY DESCRIPTION:** The property is undeveloped.

**ZONING:** Ridge Rock PUD. The proposed plat is consistent with the approved PUD.

**SURROUNDING USES:** The surrounding areas to the north, west, and south are planned or have been platted for single-family residential uses. Area to the east is part of the Pearland Town Center PUD and also the site of a City of Pearland water plant and fire station.

**COMPREHENSIVE PLAN:** The City of Pearland Land Use Plan designates the property for low density residential. The proposed use was approved as part of the Ridge Rock PUD.

**TRAFFIC AND TRANSPORTATION:** Traffic impact analysis has been submitted and is under review by the City Engineer.

**UTILITIES AND INFRASTRUCTURE:** Water and sewer will be extended from Broadway.

**STORMWATER MANAGEMENT:** Stormwater detention will be provided onsite in accordance with the Ridge Rock master plan.

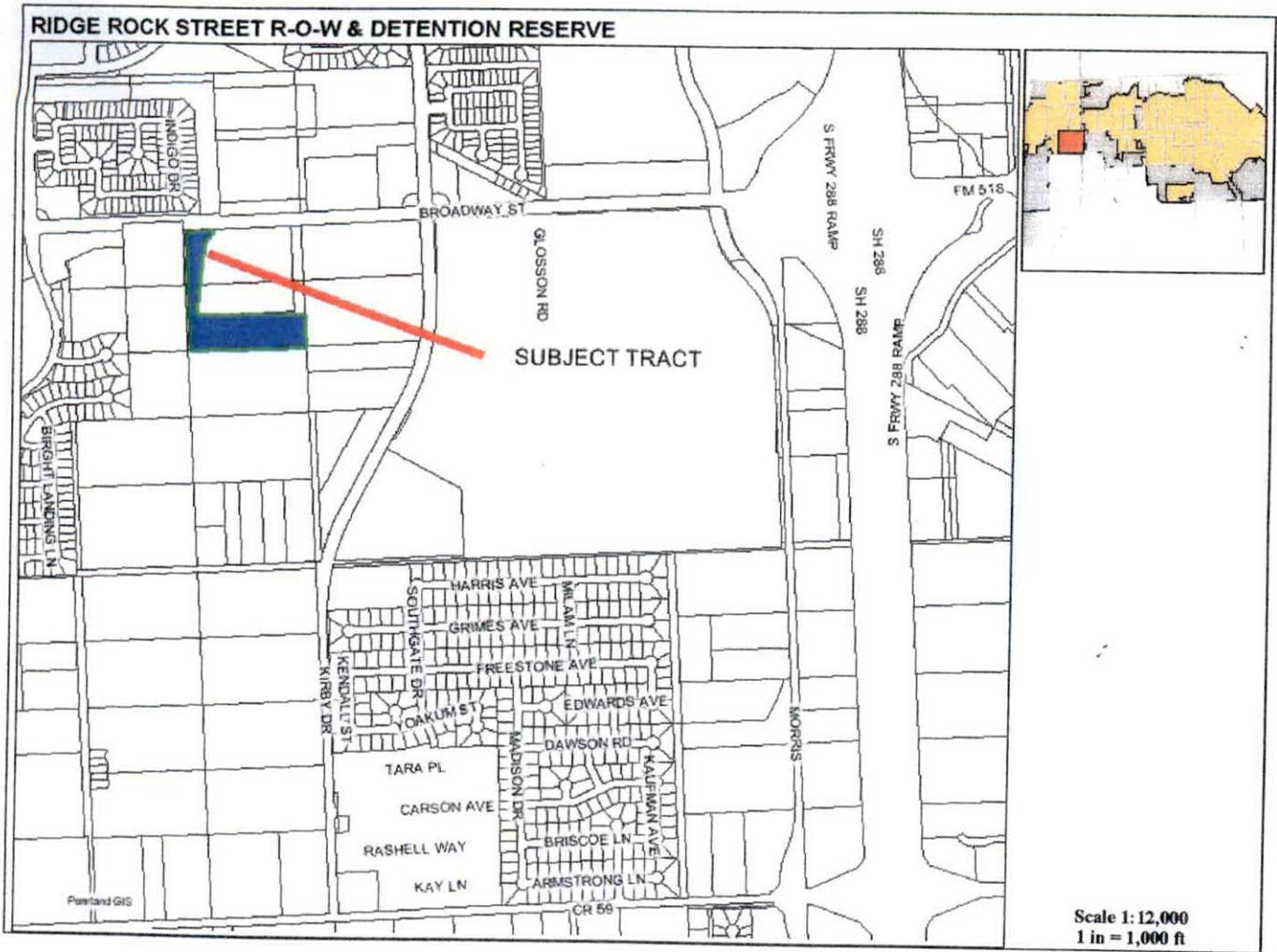
**PARKS AND OPEN SPACE:** Park fees are not due because these are not residential lots.

#### **OUTSTANDING ITEMS:**

none

#### **ATTACHMENTS:**

1. Application Form
2. R-O-W and Detention plat
3. Location sketch



JAN 2007

# PLAT APPLICATION

Page 1 of 2

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:

jkrajca@ci.pearland.tx.us

AUG 20 2008

SUBDIVISION NAME: Bridge Rock Street  
Dedication & Detention Rese

NUMBER OF LOTS: - 0 -

GENERAL LOCATION: CR 92 West of US 288

PRIMARY CONTACT: Christy Smith Kerry E. Gilbert &  
 MAILING ADDRESS: 25301 Cinco Ranch Blvd, #250 Assoc.  
 CITY, STATE, ZIP: Katy TX 77494  
 PHONE: (281) 579-0340 FAX: (281) 579-8212  
 E-MAIL ADDRESS: landplan@krg2.com

OWNER NAME: James Johnson Trails Dev, Ltd.  
 MAILING ADDRESS: 701 N. Post Oak, Suite 300  
 CITY, STATE, ZIP: Houston TX 77024  
 PHONE: (713) 316-6700 FAX: (713) 316-8704  
 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 Smith Date: 7-8-08

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 attached schedule.

FEE PAID:	<u>\$ 200.00</u>
FEE PAID:	<u>\$ 400.00</u>
DATE PAID:	<u>8-20-08</u>
RECEIVED BY:	<u>Krajca</u>
RECEIPT NO.:	_____

# **P&Z Agenda Item**

**B**

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

**P & Z MEETING DATE: OCTOBER 6, 2008**

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

**REQUEST:** Preliminary Plat of 26.4967 acres zoned PUD for subdivision into 53 single-family residential lots and nine reserves for landscaping/open space, detention, and utilities.

**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.

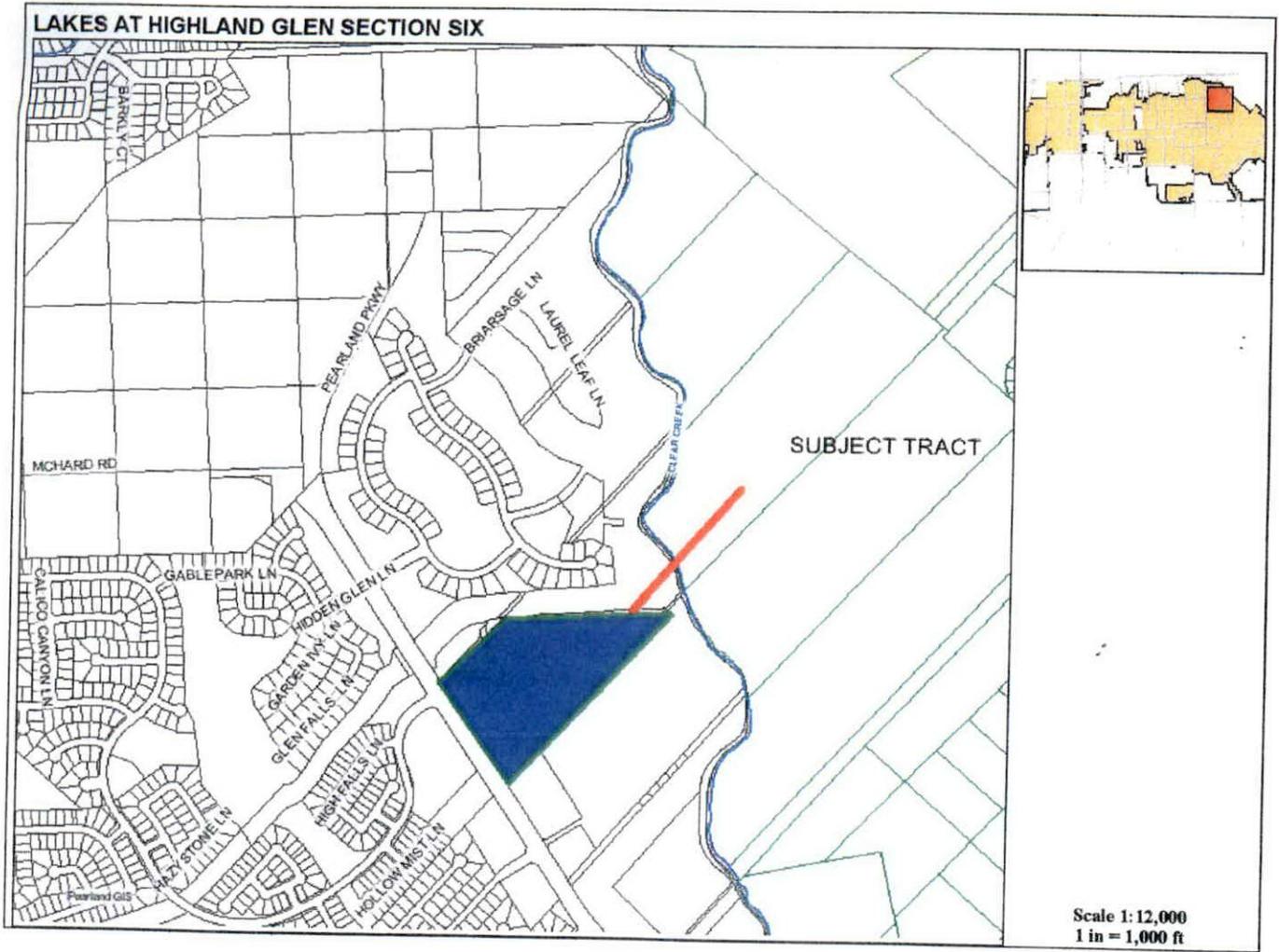
**PARKS, OPEN SPACE, AND TREES:** no existing trees, parkland donated as part of PUD

**OUTSTANDING ITEMS:**

- 1.) Change SUMMIT SPRINGS to FOREST PARK LANE
- 2.) Add a streetlight between Lots 4 and 5 of Block 6
- 3.) Use tangent distances instead of chord distances for building line frontages.

**ATTACHMENTS:**

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



PLAT APPLICATION 1 OF 2 (Updated May 2008)

# PLAT APPLICATION

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

SEP 10 2008

SUBDIVISION

NAME: Lakes at Highland Glen, Section 6

NUMBER OF LOTS: 53

GENERAL

LOCATION: South of Town Ditch, East of Pearland Parkway, West of Barry Rose

PRIMARY CONTACT: C.L. Davis & Company

MAILING ADDRESS: 1560 Winding Way

CITY, STATE, ZIP: Friendswood, Texas 77546

PHONE: 281-482-9490 FAX: 281-482-1294

E-MAIL ADDRESS: cl.davis@cl.daviscompany.com

OWNER NAME: Beazer Homes

MAILING ADDRESS: 10,111 West Sam Houston Pkwy. N. - Suite 1400

CITY, STATE, ZIP: Houston, Texas 77064

PHONE: 713-849-5017 \*322 FAX: 713-849-2252

E-MAIL ADDRESS: gcoleman@beazer.com

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: 9/9/08

Applicant's Signature: [Signature] Date: 9/10/2008

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<sup>00</sup></u>
DATE PAID:	<u>9-8-08</u>
RECEIVED BY:	<u>[Signature]</u>
RECEIPT NO.:	<u>289357</u>

# **P&Z Agenda Item**

**C**

## PUBLIC HEARING

SEE NEXT ITEM

- I. Call to order
- II. Purpose of Hearing
- III. Application Information and Case Summary
  - A. Staff Report
  - B. Applicant Presentation
- IV. Persons wishing to speak for or against the proposed request
- V. Commission/Staff discussion
- VI. Adjournment

# **P&Z Agenda Item**

**D**

**BRAZORIA COUNTY INDUSTRIAL PARK – LOTS 1, 2, AND 3**  
**REPLAT– STAFF REPORT**

**P & Z MEETING DATE: OCTOBER 6, 2008**

**APPLICANT:** Armando Martinez, Jr., True Meridian, for Pearland Investment Partners, LLC, owner.

**REQUEST:** Replat of three lots in Brazoria County Industrial Park Phase 1 into one lot.

**GENERAL LOCATION:** The property is located west of Main Street (S.H. 35) and north of Industrial Drive.

**PROPERTY DESCRIPTION:** The property is undeveloped.

**ZONING:** Heavy industrial, M-2.

**SURROUNDING USES:** The surrounding areas are being used or have been platted for industrial uses.

**COMPREHENSIVE PLAN:** The City of Pearland Land Use Plan designates the property for industrial.

**TRAFFIC AND TRANSPORTATION:** Traffic impact analysis not required.

**UTILITIES AND INFRASTRUCTURE:** Water and sewer available.

**STORMWATER MANAGEMENT:** Stormwater detention will be provided onsite.

**PARKS AND OPEN SPACE:** Park fees are not due because these are not residential lots.

**OUTSTANDING ITEMS:**

none

**ATTACHMENTS:**

1. Application Form
2. Replat
3. Location sketch

# PLAT APPLICATION

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 REPLAT OF LOTS 1, 2 & 3  
NAME: BRAZORIA COUNTY INDUSTRIAL PARK, PHASE 1

NUMBER OF LOTS: 1

GENERAL LOCATION: HWY 35 AND INDUSTRIAL DR.  
3000 BLOCK INDUSTRIAL DR.

SEP 29 2008

PRIMARY CONTACT: ARMANDO MARTINEZ, JR.

MAILING ADDRESS: P.O. BOX 566 PEARLAND TX 77588

CITY, STATE, ZIP: PEARLAND TX

PHONE: 281-412-0149 FAX: 281-412-5390

E-MAIL ADDRESS: truemacid@sbcglobal.net

OWNER NAME: PEARLAND INVESTMENT PARTNER, LLC

MAILING ADDRESS: 1913 NASA PARKWAY

CITY, STATE, ZIP: SEABROOK TX 77586

PHONE: 281-291-8866 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: Armando Martinez Date: 9-29-08

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: _____
DATE PAID: _____
RECEIVED BY: _____
RECEIPT NO.: _____



# **P&Z Agenda Item**

**E**

PEARLAND, TEXAS  
AUGUST 17<sup>TH</sup>, 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

# **P&Z Agenda Item**

**F**

**DISCUSSION  
ITEM**

**(See attachments)**



"Dick Lillie"  
<dillie0919@att.net>  
09/26/2008 05:44 PM

To <planning@cityofcarrollton.com>,  
<royatwood@jonesday.com>, <bobby.ray@ci.austin.tx.us>,  
<michael.hettenhausen@co.travis.tx.us>,

cc

bcc

Subject Galveston Conference Refunds

Due to hurricane Ike, the 2008 Texas APA Conference has been rescheduled to February 4-7, 2009 and relocated to El Paso. The conference program will remain essentially the same. If you registered for the conference in Galveston, your registration fees will automatically be transferred to the new conference in El Paso and you do not need to register again. If you choose not to attend the conference in El Paso, you may request a refund by contacting Dick Lillie, Executive Administrator within 60 days of receiving this notice at [dillie0919@att.net](mailto:dillie0919@att.net) or 512-306-1674. Please include your ID number.

The Chapter will continue to update members via email, Listserve and the website as additional information becomes available on the rescheduled conference in El Paso.

John Kaminski, AICP  
President, Texas Chapter APA

Henry  
Susan

Neil  
Ron

Nghien  
Lata  
Richard

Tim  
Judge

**AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD OCTOBER 6, 2008 AT 6:30 P.M., IN THE ENGINEERING CONFERENCE ROOM, COMMUNITY CENTER, CITY HALL, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

*Derrall  
arrived @  
6:48 pm*

I. CALL TO ORDER @ 6:39 - Henry

II. APPROVAL OF MINUTES

Regular Meeting of August 18, 2008  
Special Meeting of September 22, 2008

*Susan/Ron  
4-0 appr  
Ron/Neil  
4-0  
apprv*

III. NEW BUSINESS

**A. CONSIDERATION & POSSIBLE ACTION - Preliminary Plat of Ridge Rock Street Dedication and Detention Reserve**

*RR read... no outstanding items*

A request by Christy Smidt, Kerry R. Gilbert & Associates, Inc., for Trails Development, Ltd., owner, for approval of a preliminary subdivision plat of 5.6 acres zoned Planned Unit Development. The applicant is proposing street right-of-way and six reserves located south of Broadway west of Kirby Drive and the property is described as follows:

Decision Date 10/06/08

*Susan/Ron  
4-0  
apprv*

Being 5.6 acres out of the H. T. & B. R.R. Co. Survey Sec. 80 also known as the J. S. Talmage Survey A-564, City of Pearland, Brazoria County, Texas.

**B. CONSIDERATION & POSSIBLE ACTION - Preliminary Plat of Lakes at Highland Glen Section Six**

*Richard read... 3 outstad - have been corrected*

A request by C. L. Davis, RPLS, C. L. Davis & Co., for Beazer Homes Texas, L.P., MHI Partnership, Ltd., and Newmark Homes, L.P., owners, for approval of a preliminary subdivision plat of 26.4967 acres zoned Planned Unit Development. The applicant is proposing 53 lots in 6 blocks and 9 reserves located east of Pearland Parkway at Forest Park Lane and the property is described as follows:

Decision Date 10/06/08

*Ron/Susan  
4-0  
apprv*

Being 26.4967 acres out of the D.H.M. Hunter Survey, A-76, City of Pearland, Brazoria County, Texas.

**C. CONDUCT PUBLIC HEARING - Replat of Lots 1, 2, and 3 of Brazoria County Industrial Park Phase 1**

*Open hearing 6:43 pm - Henry*

A request by Armando Martinez, Jr., True Meridian, for Pearland Investment Partners, LLC, owner, for approval of a replat of Lots 1, 2, and 3 of Brazoria County Industrial Park Phase 1 zoned Heavy Industrial, M-2. The applicant is proposing one lot located at the

*Henry read purpose of hearing*

*RR read staff rpt - 3 into into 1*

Applicant not present

Also one present to speak

northwest corner of Main Street (State Highway 35) and Industrial Drive and the property is described as follows:

Adjnd. @ 6:45 pm

Being Lots 1, 2, and 3, 3.712 acres, of Brazoria County Industrial Park Phase 1, City of Pearland, Brazoria County, Texas.

**D. CONSIDERATION & POSSIBLE ACTION – Replat of Lots 1, 2, and 3 of Brazoria County Industrial Park Phase 1**

Decision Date 10/06/08

RK - no outstanding items

A request by Armando Martinez, Jr., True Meridian, for Pearland Investment Partners, LLC, owner, for approval of a replat of Lots 1, 2, and 3 of Brazoria County Industrial Park Phase 1 zoned Heavy Industrial, M-2. The applicant is proposing one lot located at the northwest corner of Main Street (State Highway 35) and Industrial Drive and the property is described as follows:

Susan/Ron

Being Lots 1, 2, and 3, 3.712 acres, of Brazoria County Industrial Park Phase 1, City of Pearland, Brazoria County, Texas. 4-0 approved.

**E. DISCUSSION ITEM – Letter from P&Z Commissioner Neil West**

Mr. Darrell Diggs arrived @ 6:48 pm

→

Letter from Neil West to Nick Finan, Assistant City Manager, dated August 17, 2008

Mr. West went over this letter recapping that the Commission needs to follow procedures.

**F. DISCUSSION ITEMS**

- Next P&Z Meeting October 20, 2008
- P&Z Training – Traffic Impact Analysis October 20, 2008
- Texas APA Conference-El Paso, TX February 4-7, 2009

Mr West also brought up the traffic problem in Pearland.

**IV. ADJOURNMENT**

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-412-8104 prior to the meeting so that appropriate arrangements can be made.

Lata commented that our City Eng & Traffic Eng will be here on 10/22

to go over how traffic impact analysis are prepared & reviewed.

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 on the 3rd day of October 2008, A.D., at 5:30 p.m.

Lata stated that a

discussion will ensue about a case

Judy Krajca, Planning Secretary in Flower Mound TX and how cities have to be careful.

Agenda removed \_\_\_\_\_ day of 2008.



E. Discussion on presentation w/ Traffic Eng.

Henry - observation from letter.

PEZ in Las Vegas was very formal. Last 2 yrs formality has really slacken off.

Neil - PEZ has not been active in community.

Henry - Mr. Gooden asked if we could have some Planning mtgs.

- CIP - reviewed yrly.
- Thoroughfare Plan.
- Comp. Pl - revisited every 10 yrs in growing cities like us - every 5 yrs. was done in 1999 & revisited in 2004. Is in process of update now.

data asked for guidance from PEZ on what they are wanting to learn.

3 things being looked @ in Comp Plan

- Current land use
- Future land use
- property zoning

Henry offered ea. comm. take specific roads/areas to study seems biggest issue seen - buffering

Neil - Charles is interested, form a committee & set up directions wanting

City to take & offer comments Neil willing to serve on committee Ron seconded that he would also serve

Susan - also be on a committee

darrell - how can you have a committee w/ only 4? w/ 4 or more - would have to be posted.

• Darrell - all suggestions @ the meeting  
for all to listen to as a workshop.

- Neil - doesn't feel # of comm. on a sub committee.

Ughem - yes, can be on sub-committee. But if lengthy  
discussion - may as well do it as a workshop  
for entire group.

Neil - charter comm several yrs ago. Example - elections

## APPROVAL

several-wanted different polling places. It wasn't favorable  
at 1st - but eventually went to that.

If one comm **OF** is willing to do work & rpt back  
to <sup>call</sup> Commissioners.

## MINUTES

Ughem - formality.

a good example to follow - ZBA.

Topics opened & followed thoroughly.

Henry - PECC - seems formal & follows agenda closely.  
also aware that he needs to work harder to keep mtg  
in control. Also noted that everyone addresses the  
chair & the chair addresses the Board/Comm.

Ughem - this comm. is open to listening & speaking up  
but this can drag out a mtg.

F. next mtg 10/20

training 10/20

Tx APA moved to Feb. 4-7

Susan - y

Neil - y

Ron - N

Charles - N

Perriss - y

Jerry - ?

Henry - maybe

Adj @ 7:20

**MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD SEPTEMBER 22, 2008 AT 6:30 P.M., IN THE COMMUNITY CENTER, CITY HALL, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

**CALL TO ORDER**

P&Z Chairperson Henry Fuertes called the meeting to order at 9:35 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 Commission Ron Capehart  
P&Z Commissioner Charles Gooden, Jr.  
P&Z Commissioner Darrell Diggs

Also in attendance were: Planning Director Lata Krishnarao, Deputy City Attorney Nghiem Doan, and Planning Administrative Secretary Judy Krajca.

**NEW BUSINESS**

**CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2008-15Z**

A request of Jung H Kwak, applicant for Montalbano Lumber Co. Inc, owner, for approval of a change in zoning district from classification Light Industrial (M-1) to General Commercial District (GC).

General Location: Generally located on the West Side of SH 35 (North Main Street), and on the South Side of McHard Road.

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

P&Z Vice-Chairperson Jerry Koza, Jr. inquired about the notification of the abutting property owners, as his own business, which is within the 200 feet, did not receive notification. Planning Director Lata Krishnarao explained that the ownership information is obtained through a link with the Appraisal District. If an owners name does not appear, then we have no way to send any notification. Ms. Krishnarao added that all notices are published as a legal notice in the local newspaper. Mr. Koza, Jr. added that he was not in favor of the zone change as he feels Pearland is already short on industrial sites. Mr. Koza, Jr. also stated that access is already difficult and feels it is the worst possible location for a hotel, being near the railroad track.

P&Z Commissioner Darrell Diggs inquired if there were any efforts by the EDC to find appropriate industrial sites. Planning Director Krishnarao replied that it was

hard to find land with good road access and being too near a residential area. Highway 35 has good access for industrial properties and the Pearland EDC agrees that it is a good site for industrial.

P&Z Chairperson Henry Fuyertes commented on the application being written to show the entire 26-acres and if only the 10 acres could be considered. Deputy City Attorney Nghiem Doan commented that the applicant could seek to change to request for only 10-acres.

P&Z Commissioner Darrell Diggs inquired if the property would require a plat. Deputy City Attorney Nghiem Doan replied it would, but not necessarily before a zone change is approved.

P&Z Commissioner Charles Gooden, Jr. brought up the discussion with regards to the amount of industrial property in the City, how much M-1 and M-2 is needed, and the need to look at the overall economic impact and what the market could bear. Planning Director Krishnarao explained the difference between the M-1 and M-2 zoning districts, and added that some of the area along the railroad is in a foreign trade zone. P&Z Commissioner Neil West commented that access to the railroad is highly important to the M-1 and M-2 zoning districts.

P&Z Commissioner Darrell Diggs recommended that the applicant come back with an overall plan, show details regarding length of cul-de-sac, and the uses and their specific location. Commissioner Diggs also inquired that if the item was tabled, would the applicant be willing to come back with further explanation or redefine their intent of use under General Commercial (GC). Commissioner Diggs also stated that he did not like the design plan and because of this, he was not in favor.

P&Z Commissioner Ron Capehart called for the vote.

The vote was 0-6. Zone Application No. 2008-15Z was denied

#### **CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. CUP 2008-22**

A request of Thomas D. Rasberry, applicant and owner, for approval of a Conditional Use Permit (CUP) to allow outdoor storage in the Old Townsite General Business District (OT-GB), on the following described property, to wit:

General Location: 2418 South Main Street.

P&Z Commissioner Charles Gooden, Jr. made the motion to approve and strike Oleanders from the required vegetation, and P&Z Vice-Chairperson Jerry Koza, Jr. seconded.

P&Z Commissioner Darrell Diggs called for the vote, and P&Z Commissioner Charles Gooden, Jr. seconded. P&Z Commissioner Gooden, Jr. withdrew his second. The motion failed for lack of a second.

P&Z Commissioner Neil West asked the applicant why he was putting in a POD. Mr. Tom Rasberry, applicant, replied it was to get the chemicals out of the warehouse and contain them alone. Mr. West asked how offensive the odor was, and could people walking by smell it. Mr. Rasberry explained that were extremely strong when walking into a contained building but the odor did not escape the building. The POD will not have an exhaust system and the odor will be contained within the POD.

P&Z Commissioner Ron Capehart inquired if the Variance would hold him up from getting his POD. Planning Director Krishnarao stated the variance was required, and he would have to plat before the permit could be issued; however, Mr. Rasberry could move forward with obtaining the variance from the P&Z while the platting phase was taking place. Planning Director Krishnarao added that the staff can help expedite the variance and platting process, but cannot waive it.

The vote was 6-0. Conditional Use Permit No. CUP 2008-22 was approved with the condition that the word "Oleander" be replaced by "shrubs" and following staff conditions:

1. The vegetative screen be comprised of shrubs, planted 3' on center and at least 4' tall at planting, and eventually maintained at a sufficient height and opacity to completely obscure the structure on the east and south sides.
2. Storage unit be painted to match the color of the building and meet all other requirements of the UDC, including those for accessory buildings.

#### **CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2008-23**

A request of T-Mobile, applicant and Pearland Home Assn. owner, for approval of a Conditional Use Permit to allow Cellular Communications Tower/PCS in the General Business Retail Distinct (GB), on the following described property, to wit:

General Location: 2320 Hatfield Road.

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

P&Z Commissioner Charles Gooden, Jr. brought up the fact that a lot of property owners were being affected by the height.

Discussion ensued with regards to the notification of homeowners, and the 200-feet.

P&Z Commissioner Neil West inquired how the tower could be made to be more appealing. There was much discussion among the applicant/Commission/Staff with regards to height, other Cellular Communication companies using the existing tower, moving the tower to the south to be further away from residential neighbors.

Mr. Anthony Perez, applicant, spoke as to not moving the tower to the south, and stated that once the parking lot of the Knights of Columbus was paved, vegetation would be put in place to block the view from the homeowners.

Mr. Shawn St. John, applicant, spoke with regards to the rural area sites and how they are spread out. He added that in the urban areas, the towers couldn't go too high. Discussion ensued.

P&Z Commissioner Charles Gooden, Jr. stated that this is a community process and the community was not here.

Assistant City Manager Nick Finan spoke regarding the stealth technology, giving several examples, and what could be asked of the applicant.

Planning Director Lata Krishnarao stated that the tower could be moved to the south corner of the property, and trees and vegetation could be added, so as not to look like an island.

Much discussion ensued with regards to stealth technology, height of towers, fence and vegetation around the base, transmission from the towers and the need for this tower, neighbors concern, drainage and detention area, county flyover for mosquito spraying, need for an all-weather surface for access road to tower, base hidden and wires covered, and aesthetics.

P&Z Vice-Chairperson Jerry Koza, Jr. amended his original motion to include the following, and P&Z Commissioner Ron Capehart seconded:

1. The facility be fully enclosed in a masonry building or by brick walls, tall enough to obscure the equipment, transformer, and bridge, with landscaping around, to be compatible with the character of the general area.
2. A paved road be provided to access the facility.
3. Stealth techniques, specifically a flag poles or single mono pole, with no exterior mounts be considered to ensure that the facility is compatible to the area.
4. 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.
5. A 20 foot wide landscaped buffer with trees, at least 6' at planting and up to a minimum of 20' tall at full growth, be provided in the north west area of the subject property abutting residential uses, to

provide visual screening, incorporating input from staff and neighbors approval.

### **CONSIDERATION & POSSIBLE ACTION – AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE (UDC)**

A request by the City of Pearland, for an amendment to the Unified Development Code, Ordinance No. 2000T, generally regarding Posting Requirements and Flag Poles (sections 1.2.2.4, 4.1.2.6 and 4.2.5.5).

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

P&Z Commissioner Charles Gooden, Jr. amended the original motion, and P&Z Vice-Chairperson Jerry Koza, Jr. seconded to include the condition that language noted in Section 4.2.5.9 regarding size and height of flags be duplicated.

P&Z Commissioner Darrell Diggs stated he had some concerns with just anyone flying a city flag.

The vote was 6-0 to approve with the condition that language noted in Section 4.2.5.9 regarding size and height of flags be duplicated.

### **DISCUSSION ITEMS**

Planning Administrative Secretary Judy Krajca explained that the Texas APA Conference had been cancelled due to the disaster in Galveston, Texas caused by Hurricane Ike. The Texas APA was looking into a January or February 2009 Texas APA in El Paso, Texas. The Commission would be notified soon of any changes.

The training regarding Traffic Impact Analysis by the Traffic Engineer and the City Engineer has been postponed until October.

### **ADJOURNMENT**

P&Z Chairperson Henry Fuertes adjourned the meeting at 11:31 p.m.

These minutes are respectfully submitted by:

---

Judy Krajca, Planning Secretary

Minutes approved as submitted and/or corrected on this 6th day of October, A.D., 2008.

---

P&Z Chairperson Henry Fuyertes

**MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD AUGUST 18, 2008 AT 6:30 P.M., IN THE 2<sup>ND</sup> FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**CALL TO ORDER**

P&Z Chairperson Henry Fuertes called the meeting to order at 7:11 p.m. with the following present:

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

Also in attendance were: Planning Director Lata Krishnarao, Plans and Plat Administrator Richard Keller, Planner Tim Chi, Deputy City Attorney Nghiem Doan, and Planning Administrative Secretary Judy Krajca.

**APPROVAL OF MINUTES**

P&Z Vice-Chairperson Jerry Koza, Jr. made the motion to approve the minutes of August 4, 2008, and P&Z Commissioner Susan Sherrouse seconded.

The vote was 7-0. The minutes of August 4, 2008 were approved.

**NEW BUSINESS**

**CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. CUP2008-21**

A request of Heritage Christian Academy, applicant for South UMC, owner, for approval of a Conditional Use Permit for the use of private school in an existing church facility located in the Single-Family Estate District (R-E) with a Conditional Use Permit for church.

**LEGAL DESCRIPTION:** Minor Subdivision Plat for Shepherd of the Heart, being a subdivision of 10.00 acres in the H.T. & B. R.R. Co., Abstract No. 564, City of Pearland, Brazoria County, Texas (Located on 12005 CR 59)

**GENERAL LOCATION:** Located on 12005 CR 59

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

The vote was 7-0. Conditional Use Permit No. 2008-21 was approved.

**CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2008-15Z**

A request of Jung H Kwak, applicant for Montalbano Lumber Co. Inc, owner, for approval of a change in zoning district from classification Light Industrial (M-1) to General Commercial District (GC).

**LEGAL DESCRIPTION:** 26.58 acres of land, being parts of and the North half of Lot 44 and all of Lot 49 of Zychlinski's Subdivision in the HT&B RR Co. Survey, Section 3, Abstract 232, and R.B Lyle Survey, Abstract 542, in the Brazoria County, Texas

**GENERAL LOCATION:** Generally located on the West Side of SH 35 (North Main Street), and on the South Side of McHard Road

No action necessary.

**CONSIDERATION & POSSIBLE ACTION – Request for Waiver of Time for Decision of Preliminary Plat for Southern Trails West Section Three**

A request by Carol Redd, Edminster, Hinshaw, Russ and Associates, for a forty day extension of time for approval of the Preliminary Plat of Southern Trails West Section Three.

Plans and Plat Administrator Richard Keller stated the reason for the Waiver of Time for Decision.

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

The vote was 7-0. The Waiver of Time for Decision of Preliminary Plat for Southern Trails West Section Three was approved.

**CONSIDERATION & POSSIBLE ACTION – Preliminary Plat for Southern Trails West Section Three**

A request by Carol Redd, Edminster, Hinshaw, Russ and Associates, for a forty day extension of time for approval of the Preliminary Plat of Southern Trails West Section Three.

No action necessary.

**CONSIDERATION & POSSIBLE ACTION – Request for Waiver of Time for Decision of Corrigan Plaza Section One Replat**

A request by Audra Thamrin, Windrose Land Services, Inc., for Corrigan Plaza, Ltd., owner, for approval of a replat of 4.7784 acres zoned General Business in the Corrigan Plaza Section One Subdivision. Applicant is proposing to subdivide one lot into two lots and the property is described as follows: Being 4.7784 acres of land in the Corrigan Plaza Section One Subdivision, City of Pearland, Brazoria County, Texas.

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

The vote was 7-0. The Waiver of Time for Decision for Corrigan Plaza Section One Replat was approved.

### **CONDUCT PUBLIC HEARING – Replat of Corrigan Plaza Section One**

A request by Audra Thamrin, Windrose Land Services, Inc., for Corrigan Plaza, Ltd., owner, for approval of a replat of 4.7784 acres zoned General Business in the Corrigan Plaza Section One Subdivision. Applicant is proposing to subdivide one lot into two lots and the property is described as follows: Being 4.7784 acres of land in the Corrigan Plaza Section One Subdivision, City of Pearland, Brazoria County, Texas.

P&Z Chairperson Henry Fuertes opened the hearing for Replat of Corrigan Plaza Section One at 7:18 p.m.

Plans and Plat Administrator Richard Keller read the staff report.

The applicant was not present.

No one was present to speak for or against the replat.

The public hearing for Replat of Corrigan Plaza Section One was adjourned at 7:21 p.m.

### **CONSIDERATION & POSSIBLE ACTION – Replat of Corrigan Plaza Section One**

A request by Audra Thamrin, Windrose Land Services, Inc., for Corrigan Plaza, Ltd., owner, for approval of a replat of 4.7784 acres zoned General Business in the Corrigan Plaza Section One Subdivision. Applicant is proposing to subdivide one lot into two lots and the property is described as follows: Being 4.7784 acres of land in the Corrigan Plaza Section One Subdivision, City of Pearland, Brazoria County, Texas.

Plans and Plat Administrator Richard Keller read the staff report stating that all items have been satisfied.

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

The vote was 7-0. The Replat of Corrigan Plaza Section One was approved.

### **REMOVE FROM TABLE - Master Plat of Ridge Rock**

A request by Christy B. Schmidt, Kerry R. Gilbert & Assoc., Inc., for Trails Development, Ltd., owner, for approval of a Master Plat of 70.3 acres zoned Planned Unit Development (P.U.D.) within the Ridge Rock P.U.D. The applicant is proposing single family lots, reserve areas, and a general business/office lot and the property is described as follows:

Being 70.3 acres of land out of the H.T. & B. R.R. Co. Survey, Sect. 80, A.K.A. J. S. Talmage Survey, A-564, City of Pearland, Brazoria County, Texas.

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

The vote was 7-0. Master Plat of Ridge Rock was removed from table.

### **CONSIDERATION & POSSIBLE ACTION – Master Plat of Ridge Rock**

A request by Christy B. Schmidt, Kerry R. Gilbert & Assoc., Inc., for Trails Development, Ltd., owner, for approval of a Master Plat of 70.3 acres zoned Planned Unit Development (P.U.D.) within the Ridge Rock P.U.D. The applicant is proposing single family lots, reserve areas, and a general business/office lot and the property is described as follows:

Being 70.3 acres of land out of the H.T. & B. R.R. Co. Survey, Sect. 80, A.K.A. J. S. Talmage Survey, A-564, City of Pearland, Brazoria County, Texas.

Plans and Plat Administrator Richard Keller read the staff report stating that all items have been addressed, and staff recommends approval.

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

The vote was 7-0. Master Plat of Ridge Rock was approved.

### **DISCUSSION ITEMS**

Planning Administrative Secretary Judy Krajca explained that the P&Z Commission would still meet on September 15, 2008 for decisions on the plats, and again on September 22, 2008 for the Joint Public Hearing. The Commission would meet following the Joint Public Hearing and vote with a recommendation to City Council. Vice-Chairperson Jerry Koza, Jr. stated he would not be able to attend the September 15, 2008 meeting as he will be in Austin, Texas on

business. Commissioner Charles Gooden, Jr. stated he tentatively would not be at the public hearing on September 22, 2008.

The Texas APA Conference was discussed, and the Commission was informed that the conference date would be October 1-3, 2008, in Galveston, Texas.

It was discussed that Commissioner Neil West has written a letter and would be discussed at the September 15, 2008 P&Z meeting.

Planning Director Lata Krishnarao stated that she could have the City Engineer and the Traffic Engineer come do a training session and discuss Traffic Impact Analysis. The Commission was in favor of this.

### **ADJOURNMENT**

P&Z Chairperson Henry Fuertes adjourned the meeting at 7:38 p.m.

These minutes are respectfully submitted by:

---

Judy Krajca, Planning Secretary

Minutes approved as submitted and/or corrected on this 15th day of September, A.D., 2008.

---

P&Z Chairperson Henry Fuertes

# **P&Z Agenda Item**

**A**

## **RIDGE ROCK**

### **STREET DEDICATION AND DETENTION RESERVE PRELIMINARY PLAT- STAFF REPORT**

**P & Z MEETING DATE: OCTOBER 6, 2008**

**APPLICANT:** Christy Smidt, Kerry R. Gilbert & Assoc., Inc., for Trails Development, Ltd., owner

**REQUEST:** Preliminary plat of 5.6+/- acres in the Ridge Rock Planned Unit Development (PUD) for an entrance street and six reserves for various purposes. P.U.D. approved on April 24, 2006.

**GENERAL LOCATION:** The property is located south of Broadway west of Kirby Drive.

**PROPERTY DESCRIPTION:** The property is undeveloped.

**ZONING:** Ridge Rock PUD. The proposed plat is consistent with the approved PUD.

**SURROUNDING USES:** The surrounding areas to the north, west, and south are planned or have been platted for single-family residential uses. Area to the east is part of the Pearland Town Center PUD and also the site of a City of Pearland water plant and fire station.

**COMPREHENSIVE PLAN:** The City of Pearland Land Use Plan designates the property for low density residential. The proposed use was approved as part of the Ridge Rock PUD.

**TRAFFIC AND TRANSPORTATION:** Traffic impact analysis has been submitted and is under review by the City Engineer.

**UTILITIES AND INFRASTRUCTURE:** Water and sewer will be extended from Broadway.

**STORMWATER MANAGEMENT:** Stormwater detention will be provided onsite in accordance with the Ridge Rock master plan.

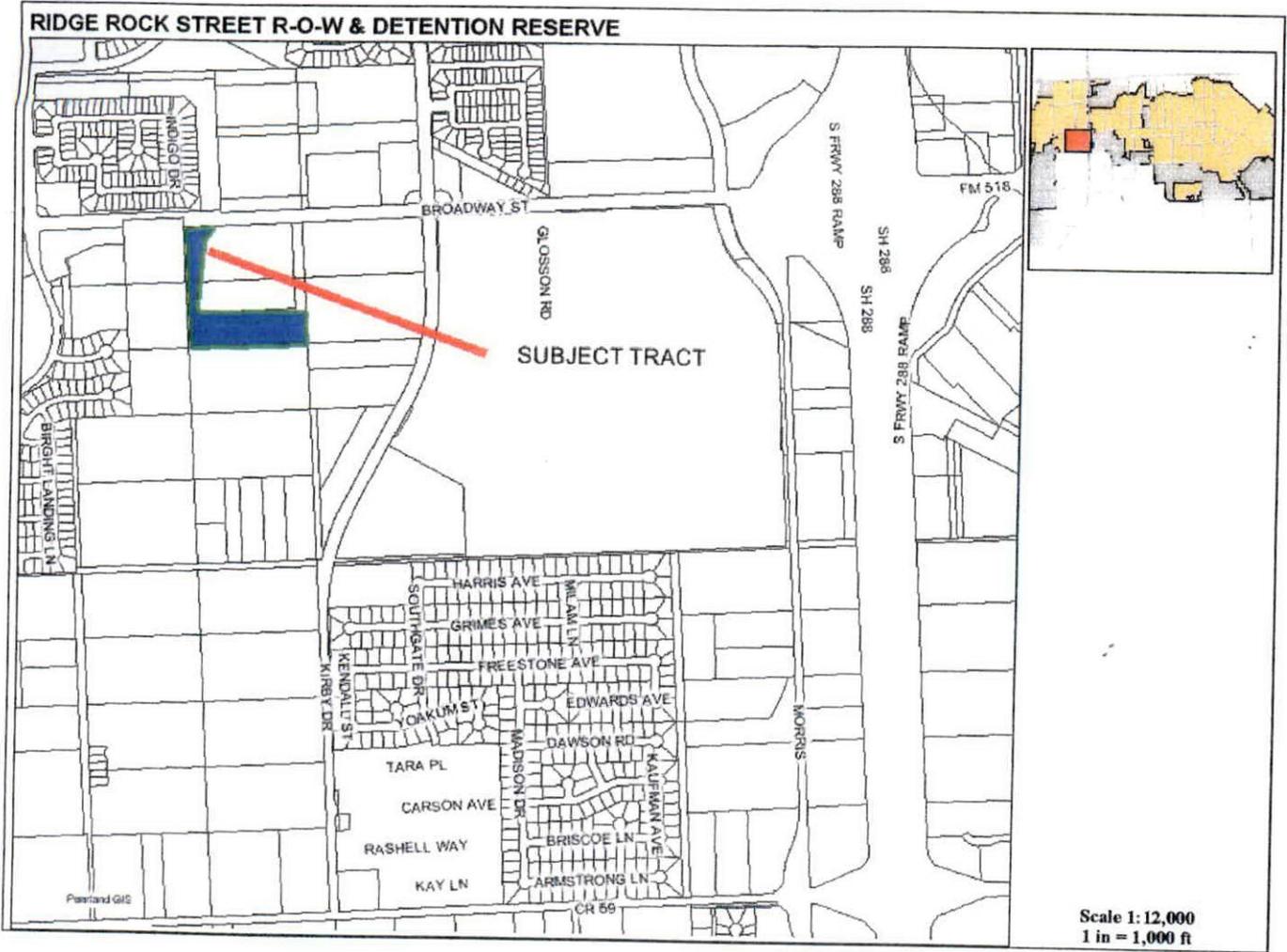
**PARKS AND OPEN SPACE:** Park fees are not due because these are not residential lots.

#### **OUTSTANDING ITEMS:**

none

#### **ATTACHMENTS:**

1. Application Form
2. R-O-W and Detention plat
3. Location sketch



JAN 2007

# PLAT APPLICATION

Page 1 of 2

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:

jkrajca@ci.pearland.tx.us

AUG 20 2008

SUBDIVISION NAME: Bridge Rock Street  
Dedication & Detention Rese.

NUMBER OF LOTS: - 0 -

GENERAL LOCATION: CR 92 West of US 288

PRIMARY CONTACT: Christy Smith Kerry E. Gilbert &

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

CITY, STATE, ZIP: Katy TX 77494

PHONE: (281) 579-0340 FAX: (281) 579-8212

E-MAIL ADDRESS: landplan@krg2.com

OWNER NAME: James Johnson Trails Dev., Ltd.

MAILING ADDRESS: 701 N. Post Oak, Suite 300

CITY, STATE, ZIP: Houston TX 77024

PHONE: (713) 316-6700 FAX: (713) 316-8704

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 Smith Date: 7-8-08

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 attached schedule.

FEE PAID:	<u>\$ 200.00</u>
FEE PAID:	<u>\$ 400.00</u>
DATE PAID:	<u>8-20-08</u>
RECEIVED BY:	<u>Krajca</u>
RECEIPT NO.:	_____

# **P&Z Agenda Item**

**B**

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

**P & Z MEETING DATE: OCTOBER 6, 2008**

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

**REQUEST:** Preliminary Plat of 26.4967 acres zoned PUD for subdivision into 53 single-family residential lots and nine reserves for landscaping/open space, detention, and utilities.

**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.

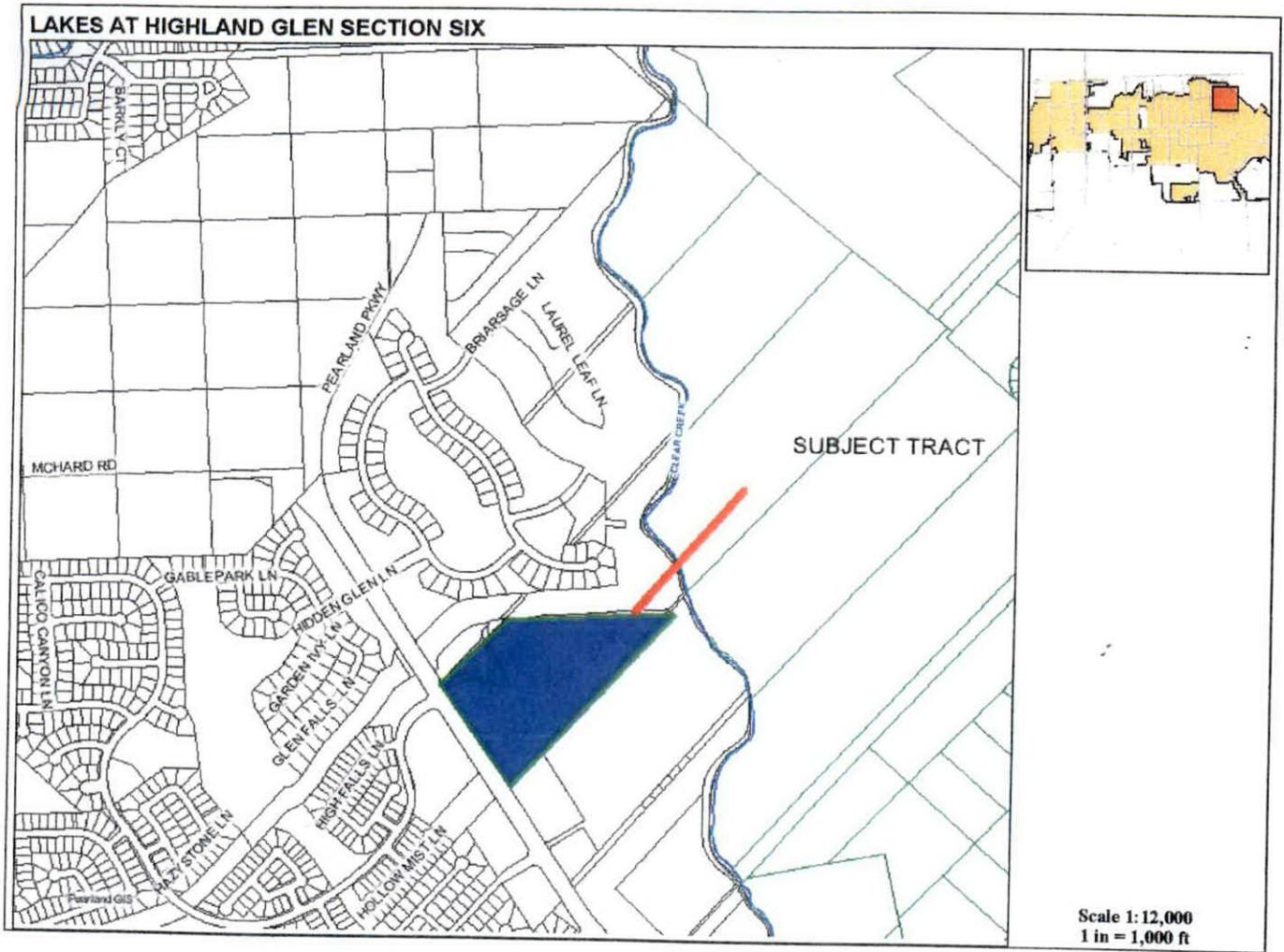
**PARKS, OPEN SPACE, AND TREES:** no existing trees, parkland donated as part of PUD

**OUTSTANDING ITEMS:**

- 1.) Change SUMMIT SPRINGS to FOREST PARK LANE
- 2.) Add a streetlight between Lots 4 and 5 of Block 6
- 3.) Use tangent distances instead of chord distances for building line frontages.

**ATTACHMENTS:**

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



PLAT APPLICATION 1 OF 2 (Updated May 2008)

# PLAT APPLICATION

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

SEP 10 2008

SUBDIVISION NAME: Lakes at Highland Glen, Section 6

NUMBER OF LOTS: 53

GENERAL LOCATION: South of Town Ditch, East of Pearland Parkway, West of Barry Rose

PRIMARY CONTACT: C.L. Davis & Company

MAILING ADDRESS: 1560 Winding Way

CITY, STATE, ZIP: Friendswood, Texas 77546

PHONE: 281-482-9490 FAX: 281-482-1294

E-MAIL ADDRESS: cl.davis@cl.daviscompany.com

OWNER NAME: Beazer Homes

MAILING ADDRESS: 10,111 West Sam Houston Pkwy. N. - Suite 1400

CITY, STATE, ZIP: Houston, Texas 77064

PHONE: 713-849-5017 \*322 FAX: 713-849-2252

E-MAIL ADDRESS: gcoleman@beazer.com

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: 9/9/08

Applicant's Signature: [Signature] Date: 9/10/2008

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.

FEE PAID:	<u>918<sup>00</sup></u>
DATE PAID:	<u>9-8-08</u>
RECEIVED BY:	<u>[Signature]</u>
RECEIPT NO.:	<u>289357</u>

# **P&Z Agenda Item**

**C**

## PUBLIC HEARING

SEE NEXT ITEM

- I. Call to order
- II. Purpose of Hearing
- III. Application Information and Case Summary
  - A. Staff Report
  - B. Applicant Presentation
- IV. Persons wishing to speak for or against the proposed request
- V. Commission/Staff discussion
- VI. Adjournment

# **P&Z Agenda Item**

**D**

**BRAZORIA COUNTY INDUSTRIAL PARK – LOTS 1, 2, AND 3  
REPLAT– STAFF REPORT**

**P & Z MEETING DATE: OCTOBER 6, 2008**

**APPLICANT:** Armando Martinez, Jr., True Meridian, for Pearland Investment Partners, LLC, owner.

**REQUEST:** Replat of three lots in Brazoria County Industrial Park Phase 1 into one lot.

**GENERAL LOCATION:** The property is located west of Main Street (S.H. 35) and north of Industrial Drive.

**PROPERTY DESCRIPTION:** The property is undeveloped.

**ZONING:** Heavy industrial, M-2.

**SURROUNDING USES:** The surrounding areas are being used or have been platted for industrial uses.

**COMPREHENSIVE PLAN:** The City of Pearland Land Use Plan designates the property for industrial.

**TRAFFIC AND TRANSPORTATION:** Traffic impact analysis not required.

**UTILITIES AND INFRASTRUCTURE:** Water and sewer available.

**STORMWATER MANAGEMENT:** Stormwater detention will be provided onsite.

**PARKS AND OPEN SPACE:** Park fees are not due because these are not residential lots.

**OUTSTANDING ITEMS:**

none

**ATTACHMENTS:**

1. Application Form
2. Replat
3. Location sketch

# PLAT APPLICATION

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 REPLAT OF LOTS 1, 2 & 3  
NAME: BRAZORIA COUNTY INDUSTRIAL PARK, PHASE 1

NUMBER OF LOTS: 1

GENERAL LOCATION: HWY 35 AND INDUSTRIAL DR.  
3000 BLOCK INDUSTRIAL DR.

SEP 29 2008

PRIMARY CONTACT: ARMANDO MARTINEZ, JR.  
MAILING ADDRESS: P.O. BOX 566 PEARLAND TX 77588  
CITY, STATE, ZIP: PEARLAND TX  
PHONE: 281-412-0149 FAX: 281-412-5390  
E-MAIL ADDRESS: truemacid@sbcglobal.net

OWNER NAME: PEARLAND INVESTMENT PARTNER, LLC  
MAILING ADDRESS: 1913 NASA PARKWAY  
CITY, STATE, ZIP: SEABROOK TX 77586  
PHONE: 281-291-8866 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: \_\_\_\_\_

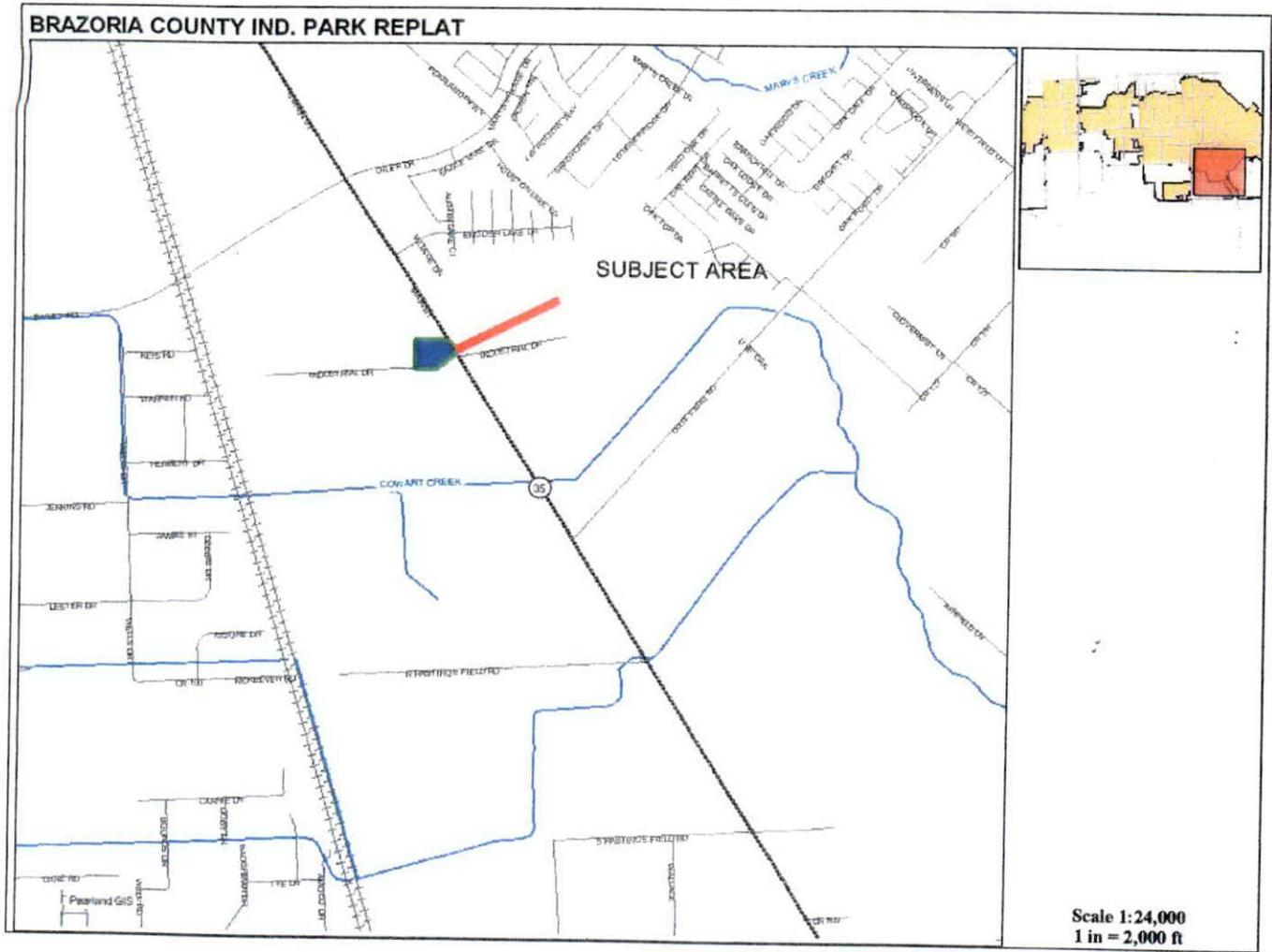
Applicant's Signature: Armando Martinez Date: 9-29-08

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.

FEE PAID: _____
DATE PAID: _____
RECEIVED BY: _____
RECEIPT NO.: _____



# **P&Z Agenda Item**

**E**

PEARLAND, TEXAS  
AUGUST 17<sup>TH</sup>, 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

# **P&Z Agenda Item**

**F**

**DISCUSSION  
ITEM**

**(See attachments)**



"Dick Lillie"  
<dlillie0919@att.net>  
09/26/2008 05:44 PM

To <planning@cityofcarrollton.com>,  
<royatwood@jonesday.com>, <bobby.ray@ci.austin.tx.us>,  
<michael.hettenhausen@co.travis.tx.us>,  
cc

bcc

Subject Galveston Conference Refunds

Due to hurricane Ike, the 2008 Texas APA Conference has been rescheduled to February 4-7, 2009 and relocated to El Paso. The conference program will remain essentially the same. If you registered for the conference in Galveston, your registration fees will automatically be transferred to the new conference in El Paso and you do not need to register again. If you choose not to attend the conference in El Paso, you may request a refund by contacting Dick Lillie, Executive Administrator within 60 days of receiving this notice at [dlillie0919@att.net](mailto:dlillie0919@att.net) or 512-306-1674. Please include your ID number.

The Chapter will continue to update members via email, Listserve and the website as additional information becomes available on the rescheduled conference in El Paso.

John Kaminski, AICP  
President, Texas Chapter APA

# PLANNING & ZONING COMMISSION MEETING

DATE: 10-6-08

NAME	COMPANY	ITEM OF INTEREST	COMMENTS
Chuck Davis	C.L. Davis & Co.	LAKES AT HIGHLAND COURT SEC 6	
Christy Smidt	Perry R. Gilbert	Ridge Rock STS	

# DEFENTION RESERVE

BEING 5.6± ACRES OF LAND

CONTAINING SIX RESERVES

OUT of THE  
H.T. & B.R.R. CO. SURVEY, SEC. 80 (A.K.A.)  
J.S. TALMAGE SURVEY, A-564  
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

ENGINEER:  
LJA ENGINEERING & SURVEYING, INC.  
2929 BRIARPARK DRIVE, SUITE 600  
HOUSTON, TEXAS 77042  
ATTN. JEFFEREY DeLEON, P.E.  
(713) 523-5200

KERRY R. GILBERT & ASSOCIATES, INC.  
23501 CINCO RANCH BLVD. SUITE A-250  
KATY, TEXAS 77494  
ATTN. MS. CHRISTY SMIDT  
(281) 579-0340

SEP 30 2008

DEVELOPER:  
TRAILS DEVELOPMENT, LTD.,  
A TEXAS LIMITED PARTNERSHIP  
701 NORTH POST OAK RD. #300  
HOUSTON, TEXAS 77024  
ATTN. MR. JAMES JOHNSON  
713) 316-8700

DRAWN BY:  
KERRY R. GILBERT & ASSOCIATES, INC.

Land Planning Consultants  
23501 Cinco Ranch Blvd.  
Suite A-250  
Katy, Texas 77494  
(281)579-0340

SCALE: 1" = 100'



SEPTEMBER 08, 2008  
KGA# 06104

Intervals

<i>ACREAGE</i>	
<i>LOT 1A</i>	<i>3.712 ACRES</i>

<i>FRONTAGE OF LOT 1A AT BUILDING LINE</i>	
<i>ALONG INDUSTRIAL DRIVE</i>	<i>ALONG STATE HIGHWAY 35</i>
<i>469.11'</i>	<i>278.50'</i>

SEP 29 2008

THE PURPOSE OF THIS REPLAT IS TO CREATE 1 (ONE) LOT  
OUT OF 3 (THREE) PREVIOUSLY PLATTED LOTS

*REPLAT  
OF  
LOTS 1, 2 AND 3  
BRAZORIA COUNTY INDUSTRIAL PARK, PHASE I  
IN THE  
3000 BLOCK OF INDUSTRIAL DRIVE  
IN THE  
CITY OF PEARLAND  
BEING  
3.712 ACRES  
OUT OF  
BRAZORIA COUNTY INDUSTRIAL PARK, PHASE I  
VOLUME 15, PAGE 389-390,  
PLAT RECORDS  
BRAZORIA COUNTY, TEXAS*

SURVEYOR:  
TODD J. SLATON  
P.O. BOX 566  
PEARLAND, TX 77588  
281-412-0149

OWNER:  
PEARLAND INVESTMENT PARTNERS, LLC  
1913 NASA PARKWAY  
SEABROOK, TX 77586  
CONTACT: JAMES BUTCHER

S 89°53'43" W	37.29
S 89°53'43" W	74.58
S 89°53'43" W	99.22
S 45°04'36" W	8.92
N 45°17'09" W	8.92
N 25°05'51" W	505.20
N 22°40'17" W	559.22
N 24°52'08" W	482.63
N 62°05'11" W	40.33
N 40°22'44" E	37.30
S 81°05'33" E	68.82
S 76°58'08" E	36.93
N 44°53'47" E	9.13
S 80°38'05" E	90.62
S 26°36'36" E	9.51
S 81°05'32" E	34.41
N 60°56'29" E	25.71
N 75°12'12" E	168.08
N 22°07'04" W	226.72
N 23°59'23" W	163.60
N 37°34'51" E	71.56
N 38°33'25" E	112.69
S 06°35'12" E	98.63
S 27°38'19" W	36.13
S 43°22'21" E	181.02
S 43°24'25" E	177.85
S 43°22'21" E	186.05
S 03°44'18" E	35.60
N 86°12'50" E	35.07
N 42°26'30" W	41.05
N 06°13'53" W	50.48
N 55°08'00" E	51.57
S 71°04'37" E	38.66
N 52°11'19" E	9.13
N 71°01'18" W	72.26
S 08°27'26" W	27.39
S 81°27'09" W	32.00
N 76°17'32" W	45.18
N 73°51'12" W	17.07
S 22°49'06" W	97.32
S 55°24'16" E	21.19
S 36°27'42" E	48.07
S 00°27'46" E	33.54
N 88°32'08" W	38.19
N 24°48'50" E	43.88
S 26°04'37" E	27.77
N 76°39'28" E	165.50
N 82°42'18" E	206.56
N 74°37'57" E	157.10
N 22°07'08" W	232.98

- 0.5550/7.
19. At time of development a 4' wide sidewalk will be built along streets including that portion of the right-of-way fronting on Reserve areas.
  20. Land is in Brazoria County M.U.D. 23 at time of platting.
  21. Beazer Homes as grantor of the Town Ditch Easement to Brazoria Drainage District No. 4 retained rights to place trails within said easement meandering the alignment of Town Ditch.
  22. Contours shown based on H.G.C.S.D. 1987 adjustment. to convert contours and elevations to 1973 adjustment add 1.3' to elevations.
  23. Easement for certain utilities being collectively used by CenterPoint Energy Houston Electric, LLC an easement for electric distribution and communication facilities, CenterPoint Energy Gas Operations an easement for natural gas facilities, Southwestern Bell Telephone Company an easement for telephone communication facilities and Time Warner Cable an easement for cable communication facilities as filed in Brazoria County Clerk's File Numbers 2006067534 and 2006067535.
  24. At time of development an 8' wide concrete trail will be constructed along Town Ditch.
  25. Entry features will be constructed at the time of development as per approved P.U.D. dated 08-13-2002.

**1700 BLOCK OF PEARLAND PARKWAY**

**PRELIMINARY PLAT OF  
THE LAKES AT  
HIGHLAND GLEN  
SECTION SIX**

SEP 29 2008

**26.4967 ACRES OUT OF THE  
D.H.M. HUNTER SURVEY, ABSTRACT No. 76  
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS**

**53 LOTS                      6 BLOCKS                      9 RESERVES**  
**SEPTEMBER 29, 2008 (9.9821 ACRES)**

**OWNER:**

BEAZER HOMES TEXAS, L.P.  
MHI PARTNERSHIP, LTD.  
NEWMARK HOMES, L.P.  
GREG COLEMAN  
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