

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

**CALL TO ORDER**

The public hearing was called to order at 7:29 p.m. Mayor Tom Reid opened the hearing for the City Council, and P&Z Chairperson Henry Fuertes opened the hearing for the Planning and Zoning Commission, with the following present:

Mayor Tom Reid	P & Z Chairperson Henry Fuertes
Mayor Pro-Tem Helen Beckman	P & Z Vice-Chairperson Jerry Koza, Jr.
Council Member Kevin Cole	P & Z Commissioner Neil West
Council Member Steve Saboe	P & Z Commissioner Darrell Diggs
Council Member Felicia Kyle	P & Z Commissioner Charles Gooden, Jr.
Council Member Woody Owens	P & Z Commissioner Ron Capehart

Also in attendance: City Manager Bill Eisen; Deputy City Attorney Nghiem Doan; Assistant City Manager Nick Finan; Assistant City Manager Mike Hodge; City Engineer Narciso Lira; Planning Director Lata Krishnarao; Planning Technician Ian Clowes; and Planning Administrative Secretary Judy Krajca.

Planning Director Lata Krishnarao explained the Joint Public Hearing process for the attending public, and explained that the Planning & Zoning Commission Meeting would follow the Joint Public Hearing.

The public hearing for Zone Change No. 2008-15Z was opened at 7:35 p.m.

**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).

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 generally located on the West Side of SH 35 (North Main Street), and on the South Side of McHard Road.

Chairperson Henry Fuertes read the purpose of the hearing.

Planning Director Lata Krishnarao read the staff report recommending denial for the reasons stated in the staff report. Staff did recommend that the applicant look into a Conditional Use Permit (CUP) and the uses allowed. Staff received no public comment forms.

Mary Starr, 2706 Shadycreek, Pearland Texas spoke on behalf of the applicant with

regards to the front portion seeking a change to GC and not the entire 26-acres. Ms. Starr also spoke of the lack of industrial growth in the specific area and how the property has been on the market for 10-years. Ms. Starr also spoke of the sales tax that could be generated with a GC zoning.

There was no one present to speak for or against the Zone Change.

Council Member Kevin Cole stated the application implies the entire tract is being rezoned, and the application might need to be reworded. Mr. Cole also commented on the access to the back of the property being a concern, and the retail node at the intersection would be acceptable.

Planning Director Lata Krishnarao stated that a PD blending both the GC and M-1 is more acceptable, or even a CUP would be good.

P&Z Commissioner Neil West spoke of the mixed-use district.

Planning Director Lata Krishnarao stated that the percentage and location of manufacturing land in the City was something that the City needed to decide. Ms. Krishnarao stated that some businesses are expanding, and there is great access on Highway 35 from Beltway 8. Ms. Krishnarao agreed that some areas would be adequate for a retail node.

P&Z Commissioner Neil West inquired what the PD to the south was, and Planning Director Krishnarao stated that it is an Industrial Park.

P&Z Commissioner Darrell Diggs asked what the typical type of traffic would be, and how they would access the site. City Engineer Narciso Lira spoke of some of the safety issues regarding traffic.

The public hearing for Zone Change No. 2008-15Z was adjourned at 7:59 p.m.

The public hearing for Conditional Use Permit No. CUP 2008-22 was opened at 7:59 p.m.

### **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).

Lot twelve (12), Block twenty (20) of Pearland Townsite, according to the map or plat recorded in vol. 29, pg 41, of the deed records of Brazoria County, Texas, and a part of tract 3 of section 2, of the H. T. & B. Railroad Company survey, abstract 542, City of Pearland, Brazoria County, Texas, containing 16,462.7 sq. ft. or 0.3779 acre of land located at 2418 South Main Street.

Chairperson Henry Fuertes read the purpose of the hearing.

Planning Director Lata Krishnarao read the staff report-recommending approval. Staff

received one public comment form in favor of the CUP.

Mr. Tom Rasberry of 2418 S. Main St., Pearland, Texas spoke briefly.

Mr. Larry Marcott of 3606 Inverness Court, Pearland, Texas spoke in favor of the CUP stating that the business is very secluded and with screening, he felt it would help to conceal the building. Mr. Marcott stated he also felt it was important to get rid of the crazy ants.

Council Member Kevin Cole stated he supports the request and commented how Mr. Rasberry had cleaned up the area up, and was a good neighbor. Mr. Cole added that this was a good case-in-point where a flag lot is okay.

Mayor Tom Reid asked Mr. Rasberry if the ants: Crazy Ants, aka...Rasberry Ants had been named after him. Mr. Rasberry replied that had been because he discovered them.

Council Member Steve Saboe asked that the hurdles not be made too high for the applicant, as the property was attractive.

P&Z Chairperson Henry Fuertes noted that in the comments, the applicant would need a Special Exception and a Variance. Planning Director Lata Krishnarao stated this was a good case for a hardship, due to the size of the lot.

Council Member Kevin Cole stated the Unified Development Code with regards to the Old Townsite, should probably read 25 feet for flag lots.

Council Member Steve Saboe inquired if the UDC required Oleanders, and Planning Director Krishnarao replied that it did not, and that the applicant had proposed Oleanders. Council Member Saboe stated that the staff report should be reworded to read, "Staff recommends a screening brush" and not specify Oleanders due to their poisonous nature towards animals.

P&Z Commissioner Darrell Diggs inquired about the odor, and Mr. Rasberry responded that bad odor would be contained within the enclosed building area, and not outside.

The public hearing for Conditional Use Permit No. CUP 2008-22 was adjourned at 8:17 p.m.

The public hearing for Conditional Use Permit No. CUP 2008-23 was opened at 8:17 p.m.

### **CONDITIONAL USE PERMIT NO. CUP 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).

Being that certain tract or parcel of land containing 10.005 acres, more or less, being all of Minor Plat of Knights of Columbus Council No. 8960, a subdivision in Brazoria County,

Texas according to the official map or plat thereof recorded under Clerk's file 2008018242 of the Deed Records of Brazoria County, Texas located at 2320 Hatfield Road.

Chairperson Henry Fuertes read the purpose of the hearing.

Planning Director Lata Krishnarao read the staff report recommending denial, unless conditions can be met. Staff received no public comment forms.

Mr. Anthony Perez, T-Mobile, 2 Greenway Plaza, Ste. 1100, Houston, Texas went over the highlights of the items included in their packet.

Mr. Gerald Colca of 2405 Emma Dr. Pearland, Texas spoke as an area homeowner, and as President of the Homeowners Association for Sawyers Pond. Mr. Colca suggested that the tower be moved to the south in order to be out of sight for the residences. Mr. Colca also spoke of the drainage problem the subdivision was experiencing as a result of the newly built-up area being used for a soccer field, and asked why the Knights of Columbus has not planted shrubs/vegetation along their fence line as a barrier. Mr. Colca also brought up the fact that Brazoria County flies airplanes over the area at a low level in order to spray for mosquitoes and expressed a concern with regards to the height of the tower. Mr. Colca recommended that stealth technology be used for this tower pole.

Mr. Floyd Tifelsky of 3203 Patricia Lane, Pearland, Texas spoke as President of the Pearland Home Association and the Knights of Columbus stating that the drainage issue has always been a problem causing flooding in the area. Mr. Tifelsky added that the vegetation along the fence line is still in the process of being added, and that they are trying to be good neighbors.

Council Member Steve Saboe commented that he appreciated T-Mobiles preparation. Mr. Saboe commented that the market, and we, as customers, want these towers around. However, Mr. Saboe stated he was not sure he agreed with staff's recommendation of denial.

Planning Director Krishnarao explained staff's reason for denial as proposed, and added that her comments were listed as conditions, in the event a CUP was approved.

Council Member Kevin Cole inquired if hardware could be added, to increase coverage, to the tower as proposed.

Mr. Anthony Perez stated more could be added if antenna's are on the outside, than on the inside.

Council Member Cole added that he likes the idea of a light concept in the way of stealth technology, and asked the P&Z Commissioner to consider this.

There was some discussion with regards to the height and visibility.

Council Member Steve Saboe asked that the P&Z Chairperson allow Mr. Colca to speak at the P&Z meeting.

Council Member Woody Owens asked if the City normally ask for a paved road to access the facility. City Engineer Narciso Lira stated there would be concerns with traffic and load to the facility, and that this can be discussed when putting in the road.

The public hearing for Conditional Use Permit No. CUP 2008-23 was adjourned at 9:05 p.m.

The public hearing for the Amendment to the Unified Development Code (UDC) was opened at 9:05 p.m.

### **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).

Chairperson Henry Fuertes read the purpose of the hearing.

Assistant City Manager Nick Finan read the staff report and applicant presentation stating that based on a previous workshop and at the request of the Chamber of Commerce, staff was seeking an amendment to the UDC.

Mr. Larry Marcott of 3606 Inverness Court, Pearland, Texas spoke in support of the amendment.

P&Z Commissioner Charles Gooden, Jr. recused himself from the Commission, and asked City Council for permission to speak. Council Member Steve Saboe stated he was in favor of this.

Mr. Charles Gooden, Jr. of 6505 Sage Court, Pearland, Texas, also a member of the Chamber of Commerce spoke briefly stating he appreciates the City's support.

There was discussion among the Council/Commission/Staff with regards to anyone other than the City of Pearland flying a City of Pearland flag, flags not being bigger or larger than other flags that are being flown, and Corporate flag only allowed if Texas and US flag were being flown.

Deputy City Attorney Nghiem Doan stated the size restrictions with regards to the flags, needs to have the language duplicated in the UDC. Council Member Helen Beckman agreed.

Council Member Kevin Cole commented with regards to the Posting Notice on Property. Mr. Cole stated that it would be good if the City would have available signs for a variance or zone change, and possibly have the applicant pay a deposit for using the sign.

The public hearing for the Amendments to the Unified Development Code (UDC) was adjourned at 9:20 p.m.

**ADJOURNMENT**

Mayor Tom Reid adjourned the series of hearings at 9:20 p.m.

These minutes are respectfully submitted by:

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Judy Krajca  
Planning Administrative Secretary

Minutes approved as submitted and/or corrected on this \_\_\_\_\_ day of \_\_\_\_\_  
2008, A.D.

---

Mayor Tom Reid

9-22-08

JPH

opened @<sup>!</sup>  
7:29pm

Present:

Mayor Tom Reid

" Pro Tem Helen Beckman

Council Member Woody Owens

" " Kevin Cole

" " Steve Saboe

P&Z Chair person Henry Fuertes

Vice P&Z ~~Comm.~~<sup>Chair</sup> Jerry Koza Jr

" Comm Charles Gooden Jr

" " Ron Capelhart

" " Darrell Diggs

" " Neil West

(Susan absent due to death in family)

Nghiem Doan, Dep. City Atty Narciso Hira, City Eng

Lata Krishnarao, Plng Dir. Ian Clowes, Plng Tech

Nick Finan, Asst C.M.

Mike Hodge, Asst C.M.

*Thanks*

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| Mayor Pro-Tem Helen Beckman | P & Z Vice-Chairperson Jerry Koza, Jr.            |
| Council Member Kevin Cole   | <del>P &amp; Z Commissioner Susan Sherrouse</del> |
| Council Member Steve Saboe  | P & Z Commissioner Neil West                      |
| Council Member Felicia Kyle | P & Z Commissioner Darrell Diggs                  |
| Council Member Woody Owens  | P & Z Commissioner Charles Gooden, Jr.            |
|                             | P & Z Commissioner Ron Capehart                   |

*remark*  
*Do we not mention that Councilman Saboe joined later?*

Also in attendance: City Manager Bill Eisen; Deputy City Attorney Nghiem Doan; Assistant City Manager Nick Finan; Assistant City Manager Mike Hodge; City Engineer Narciso Lira; Planning Director Lata Krishnarao; Planning Technician Ian Clowes; and Planning Administrative Secretary Judy Krajca.

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Mary Starr, 2706 Shadycreek, Pearland Texas spoke on behalf of the applicant with regards to the front portion seeking a change to GC and not the entire 26-acres. Ms. Starr also spoke of the lack of industrial growth in the specific area and how the property has been on the market for 10-years. Ms. Starr also spoke of the sales tax that could be generated with a GC zoning.

There was no one present to speak for or against the Zone Change.

Mayor Tom Reid commented that this changes the reflection of the entire tract from 10 acres being used to the remaining acreage in the rear of the tract. }?

Council Member Kevin Cole stated the application implies the entire tract is being rezoned, and the application might need to be reworded Mr. Cole also commented on the access to the back of the property being a concern, and the retail node at the intersection would be acceptable.

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**ADJOURNMENT**

Mayor Tom Reid adjourned the series of hearings at 9:20 p.m.

These minutes are respectfully submitted by:

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Judy Krajca  
Planning Administrative Secretary

Minutes approved as submitted and/or corrected on this \_\_\_\_\_ day of \_\_\_\_\_  
2008, A.D.

---

Mayor Tom Reid

7:29 pm  
hata read Hearing Process  
Thanked Finance, GIS, CSD,

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 22, 2008, AT 6:30 P.M., IN THE COMMUNITY CENTER, CITY HALL, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

*opened @ 7:35*

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING** *P&Z Chair H. Fuertes read*

**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

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**STAFF REPORT** *hata read... staff recommends denial (5 reasons list no public comments forms rec'd)*

**APPLICANT PRESENTATION**

*Mr Jung Kwak 2621 Sunfish Dr Pearland Tx 77584 spoke.*

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

*Mary Starr, 2706 Shady Creek Pearland 77587 spoke w/re: to front portion seeking a change to GC and not the entire 26 acres. She spoke of little industrial growth in the area, and prop. has been on market for 10 yrs. Ms. Starr spoke of sales tax that would be generated w/ a GC zoning.*

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

**VI. ADJOURNMENT**

*7:59*

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**

7. CC & P42, Staff Comm

Mayor - changes the reflection of the from  
10 acres being used & remainder in back remaining!

Kevin Cole - • application <sup>implies</sup> entire tract being rezoned - might  
need to be re-worked  
• access to back property is a concern  
• Retail Node @ intersection would be  
acceptable

Lata - a PD blending both GC & M-1 is more  
acceptable, ~~state~~ Even a CUP would be  
good

Neil - spoke of the mixed use district

Lata - How much mfg is needed. How much  
on 35. Some bus. expanding. Has  
great access on 35 from Beltway 8.  
Agrees that some areas would be adequate  
for Retail Node

Neil - what is PD on South

Lata - Industrial Park.

Darrell - what is typical type of ~~traffic~~ traffic & what access  
would they travel

Narciso - spoke of safety issue of traffic coming  
out of

## Joint Public Hearing

### SPEAKER'S CARD

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

Name: Jung KWAN

Full Address: 2621 Sunfish Dr

(include zip) Pearland TX 77584

I wish to speak regarding Item No. 2008-152

## Joint Public Hearing

### SPEAKER'S CARD

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

Name:

Mary Starr

Full Address:

2706 Shady Creek, Pearland

(include zip)

77581

I wish to speak regarding Item No.

zone change #1.

**JOINT PUBLIC HEARING AGENDA ITEM  
MEETING OF SEPTEMBER 22, 2008**

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**Zone Change No. 2008-15Z**

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

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested zone change application will be considered as follows:

Planning and Zoning Commission: August 18, 2008\*  
City Council for First Reading: September 8, 2008\*  
City Council for Second Reading: September 22, 2008\*

(\*dates subject to change if item is tabled)

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**SUMMARY:** The applicant is requesting a change in zoning on the subject property for a General Commercial District (GC). The subject property is currently zoned as Light Industrial (M-1). The applicant had submitted a Planned Development application for this property earlier in June, but subsequently withdrew the application.

The applicant has stated that the proposed development area may be subdivided into smaller lots as per the requirements of the Unified Development Code (UDC). The applicant has stated that he is seeking this zone change to allow commercial and retail uses (especially hotel use) on this property that are not allowed by an M-1 zoning classification.

was published in the local newspaper, and a Zoning Sign was placed on the subject property.

**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed zone change request.

**STAFF RECOMMENDATION:** Staff recommends denial of the zone change to GC, for the following reasons:

1. The proposed GC district does not conform to the Comprehensive Plan designation of Light Industrial uses for the subject property.
2. A zone change to GC is not appropriate for the subject tract due to it being adjacent to properties zoned as M-1.
3. A zone change to GC would be inconsistent and incompatible with the surrounding industrial uses.
4. A zone change to GC on this tract could cause many other properties within the area to attempt convert to commercial and retail uses, restrict future industrial growth, and erode industrially zoned land.
5. Due to proximity to railroad tracks, convenient access along Main Street from Beltway 8, and surrounding industrial uses, this area is better suited for industrial uses.

Staff recommends that the applicant consider a Conditional Use Permit (CUP) to allow certain specific commercial uses, instead of a zone change, if applicable. The CUP will allow the property to retain the M-1 zone while permitting the applicant to use it for other commercial uses.

*Staff recommends appl. to look into a CUP and uses allowed, whi*

**SUPPORTING DOCUMENTS:**

- Zone Change Application
- Location Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Aerial Photograph

**SURROUNDING ZONING AND LAND USES:**

\* surrounding zoning districts based on the new map adopted February 27, 2006

	<u>Zoning</u>	<u>Land Use</u>
North	Light Industrial (M-1)	Undeveloped, detention area.
South	Light Industrial (M-1), industrial PD	Industrial uses, vacant land
East	General Commercial (GC)	Mix of retail, commercial and industrial uses, some undeveloped land.
West	Railroad Tracks, Light Industrial (M-1)	Undeveloped.

**CONFORMANCE TO THE UNIFIED DEVELOPMENT CODE (UDC):** The applicant is requesting the GC district. The minimum lot size for the GC district is 22,500 square feet, the minimum lot width is 150 feet, and the minimum lot depth is 125 feet. The subject property meets and exceeds these requirements, as the subject property is 27 acres in size, is over 600 feet in width along Main Street, and is over 1600 feet deep.

The applicant will be required to comply with all other requirements of the Unified Development Code.

**PLATTING STATUS:** Based on the legal description submitted with the zone change application, it appears that the subject property has not been platted. The subject property will need to be platted in accordance with the Unified Development Code, Chapter 3, Subdivision Regulations, prior to issuance of a building permit. The plat will need to address all requirements listed in Chapter 3, and be approved by the City, and the plat will need to be filed for record with the County Clerk, prior to issuance of a building permit. All future division of land would need to conform to the UDC.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends "Light Industrial" for the subject property and for many of the surrounding properties. The Comprehensive Plan further indicates that the appropriate zoning district for "Light Industrial" is Light Industrial (M-1), the current zone of the property. Therefore, the proposed zone change to GC does not conform to the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Main Street, a major thoroughfare with a projected right-of way of 120 feet. When the subject property is platted, the applicant may be required to dedicate any necessary right-of-way for Main Street.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** There is an 8 inch water line located on the east side of Main Street, along the frontage of the subject property. The sanitary sewer may need to be extended from the southern boundary of the property. The applicant will be responsible for extending all utilities as necessary to serve the proposed development.

Availability and adequacy of utilities will be reviewed during the review of any subdivision plat or building permit applications submitted for the subject property.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The subject property is currently zoned as Light Industrial (M-1). Many of the properties along the west side of Main Street within the subject area are currently zoned as M-1 or Industrial PD as well. The exception along the west side of Main Street is the Holiday Inn property that is zoned GC. Along the east side of Main Street, the zoning is GC; however industrial uses exist there, including Profax – an industrial establishment.

The applicant is wanting to rezone the property in order to develop the property for retail and commercial (specifically hotel) uses.

The Future Land Use Plan and current zoning designates the subject property for industrial uses. Majority of the current uses around the property are industrial also. Retention and expansion of industrial zoned land, and erosion of manufacturing uses and land zoned for manufacturing has been a concern for the city. This area is generally considered appropriate for manufacturing due to proximity to rail road tracks, convenient access from Beltway 8, and most importantly lack of any residential uses in the vicinity that would be adversely affected by industrial uses.

If the zone change is approved, the development on this property with uses that are incompatible with surrounding manufacturing, may impede expansion of existing manufacturing and development of future manufacturing uses in this area.

Due to these reasons, it is staff's opinion that this zone change is not appropriate. Pearland Economic Development staff concurs with staff's recommendation.

**PUBLIC NOTIFICATION:** Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. A legal notice of public hearing



# APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: M-1 LIGHT INDUSTRIAL

Proposed Zoning District: GC GENERAL COMMERCIAL

### Property Information:

Address or General Location of Property: 1600 BLOCK of NORTH MAIN STREET WEST SIDE OF N. MAIN BETWEEN HALIK RD. AND McHARD RD.

Tax Account No. 0232-0032-000 (15953 AC) 0542-0053-000 (10.376 AC)

Subdivision: HT+BRR A0232 A0542 Lot: 44A/49 Block: N/A

A Complete Application must include all of this information:

- Fee (see Zoning Change Fee Schedule)
- Legal Description and/or Survey of the Property
- Letter Explaining the Zoning Change Request in detail (specify the existing zoning and why the zone change is being requested, current use of the property, and the proposed use of the property; if a PD is requested, see PD Format and Guidelines)

### PROPERTY OWNER INFORMATION:

NAME MONTALBANO LUMBER CO, INC  
ADDRESS 1309 HOUSTON AVENUE  
CITY HOUSTON STATE TX ZIP 77  
PHONE ( 713 ) 228-9011  
FAX ( 713 ) 228-3417  
MAIL ADDRESS mike@montalbano

### APPLICANT INFORMATION:

NAME Jung H KWAK  
ADDRESS 2621 Sunfish Dr  
CITY Pearland STATE Tx ZIP 77584  
PHONE ( 281 ) 997-6626  
FAX ( 281 ) 997-6626  
E-MAIL ADDRESS JungKWAK@Gmail.com

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

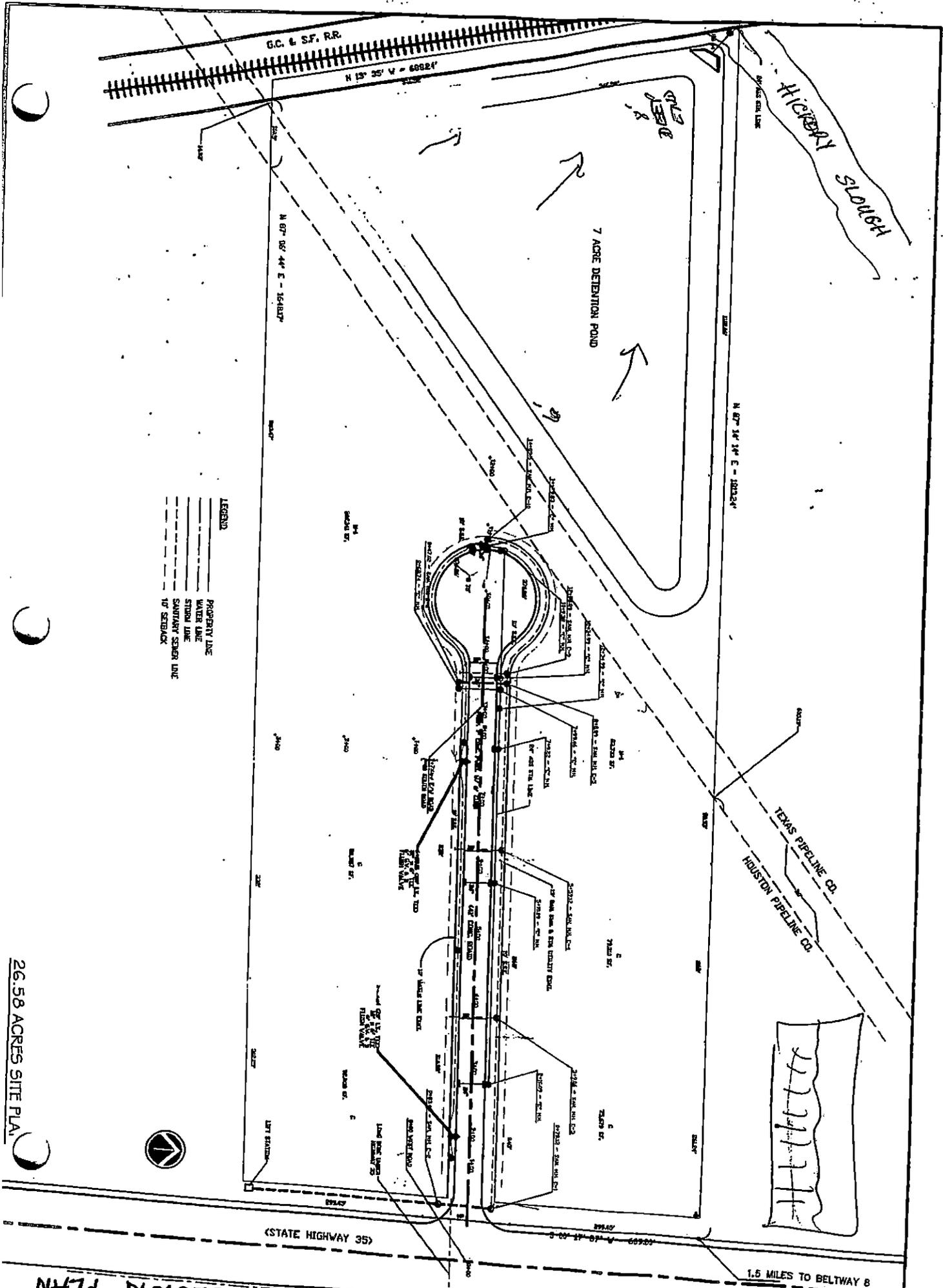
APPLICANT'S Signature: Jung Kwak Date: 6/19/08

City's Signature: David S. Miller Date: 6/19/08

### FEES TO BE PAID:

FEES PAID: <u>450.00</u>	DATE PAID: <u>7-28-08</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER:
--------------------------	---------------------------	---------------------------------	-----------------

Application No. 0000



G.C. & S.F. R.R.

N 15° 35' W - 66924'

HICKORY SLOUGH

7 ACRE DETENTION POND

N 07° 14' 14" E - 100224'

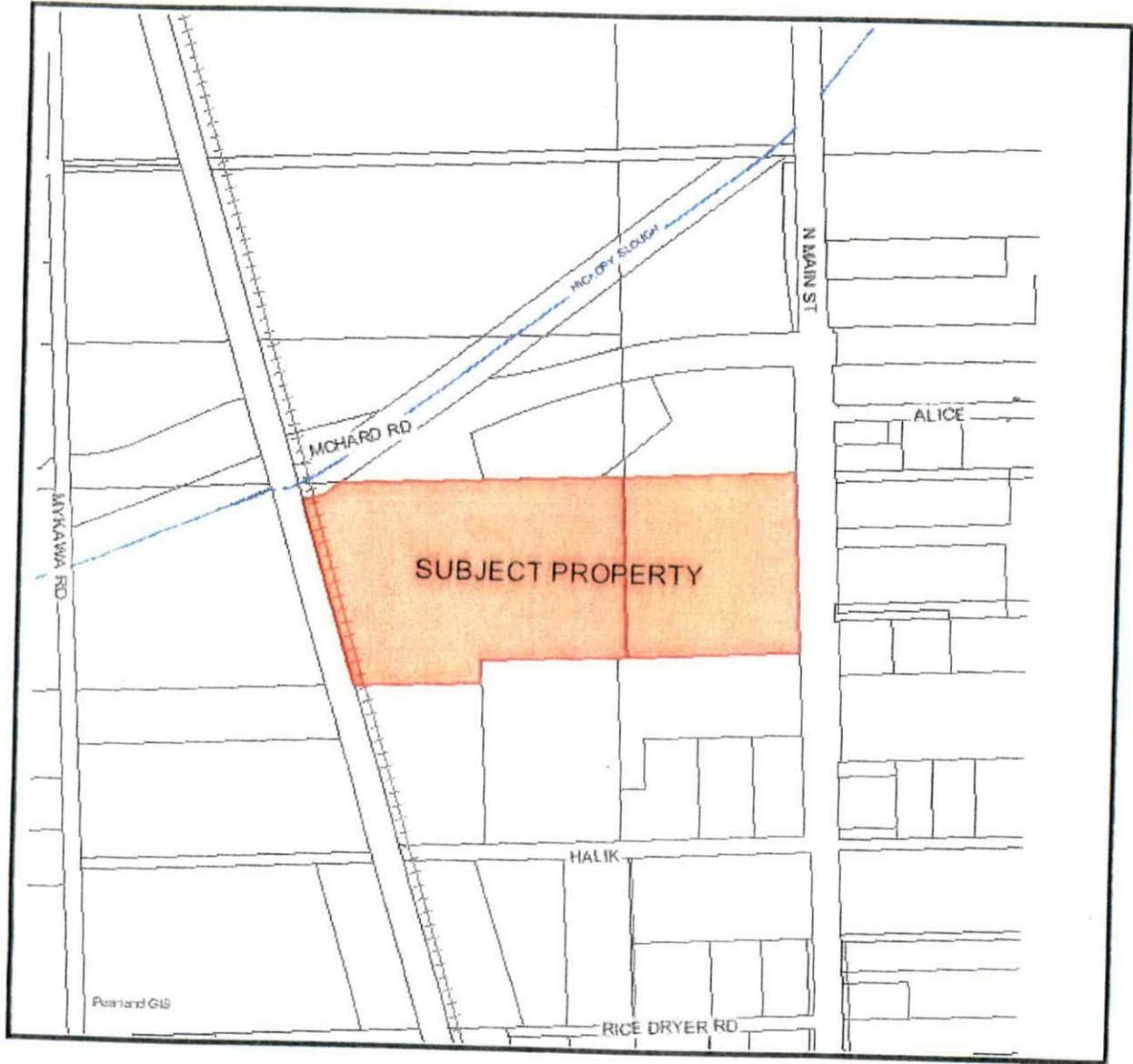
- LEGEND
- PROPERTY LINE
  - WATER LINE
  - STORM LINE
  - SANITARY SEWER LINE
  - - - SETBACK

TEXAS PIPELINE CO.  
HOUSTON PIPELINE CO.

(STATE HIGHWAY 35)

1.5 MILES TO BELTWAY 8

26.58 ACRES SITE PLAN



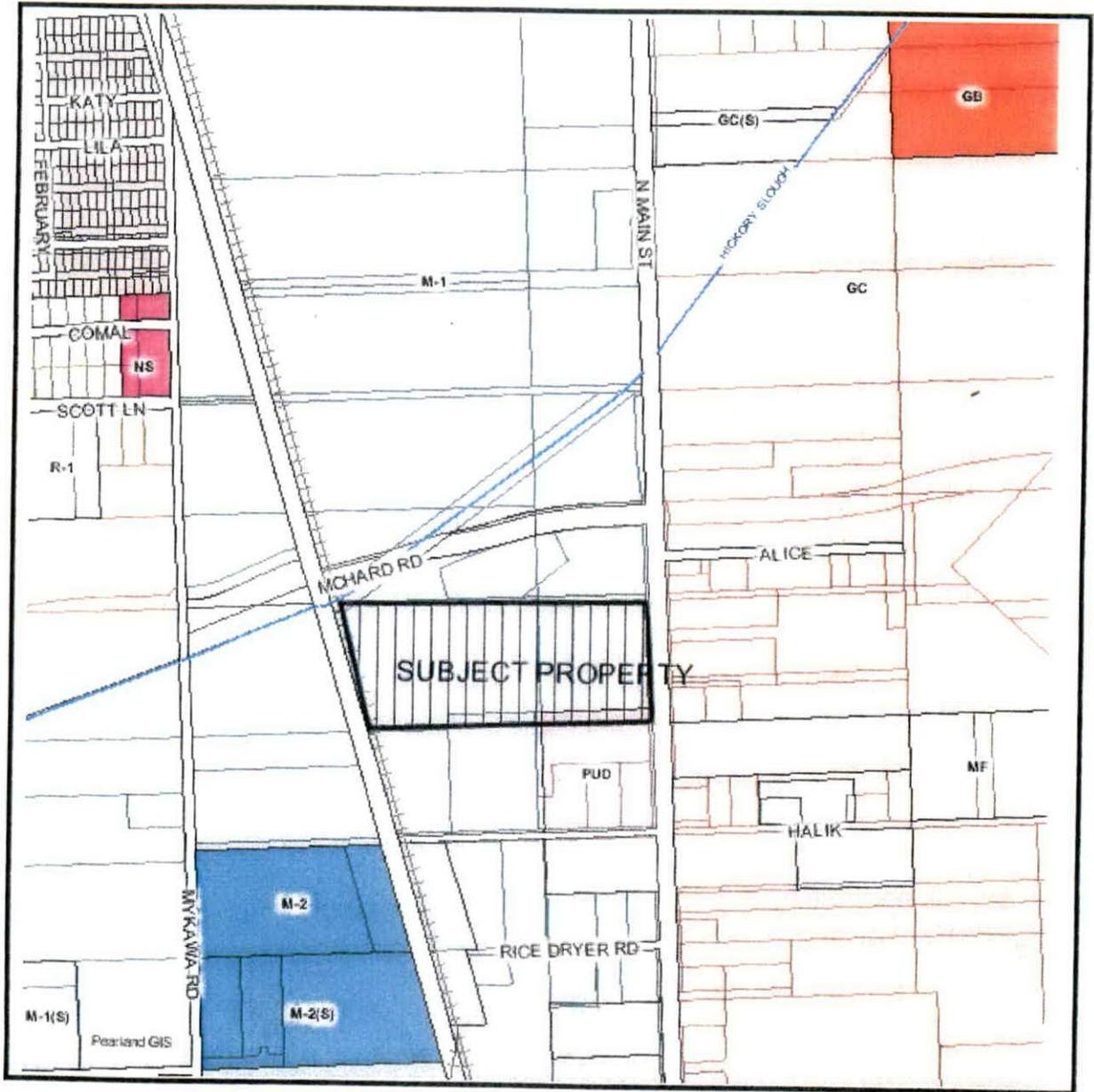
**LOCATION MAP**

ZONE CHANGE NO. 2008-15Z

↑  
NORTH

**ZONE CHANGE NO. 2008-15Z**  
**Property Owner Notification List**

Tax Account	Owners Name	Address	City	ST	Zip Code
0232-0014-000	FEF FAMILY LIMITED PARTNERSHIP	PO BOX 1148	CROCKETT	TX	75835
0232-0015-000	FEF FAMILY LIMITED PARTNERSHIP	PO BOX 1148	CROCKETT	TX	75835
0232-0032-110	BRAZORIA CO DRAINAGE #4	4805 BROADWAY ST	PEARLAND	TX	77581
0232-0032-110	BRAZORIA CO DRAINAGE #4	4805 BROADWAY ST	PEARLAND	TX	77581
0232-0038-000	DOLEN JEFFREY P & SANDRA C	9321 MELDRUM LN	HOUSTON	TX	77075
0232-0038-110	PEARLAND CEMETARY	HALIK ST	PEARLAND	TX	77581
0232-0044-120	CITY OF PEARLAND	3519 LIBERTY DR	PEARLAND	TX	77581
0232-0044-120	CITY OF PEARLAND	3519 LIBERTY DR	PEARLAND	TX	77581
0232-0044-120	CITY OF PEARLAND	3519 LIBERTY DR	PEARLAND	TX	77581
7001-0001-001	PAULUHN ELECTRIC MFG CO INC	1616 N MAIN ST	PEARLAND	TX	77581

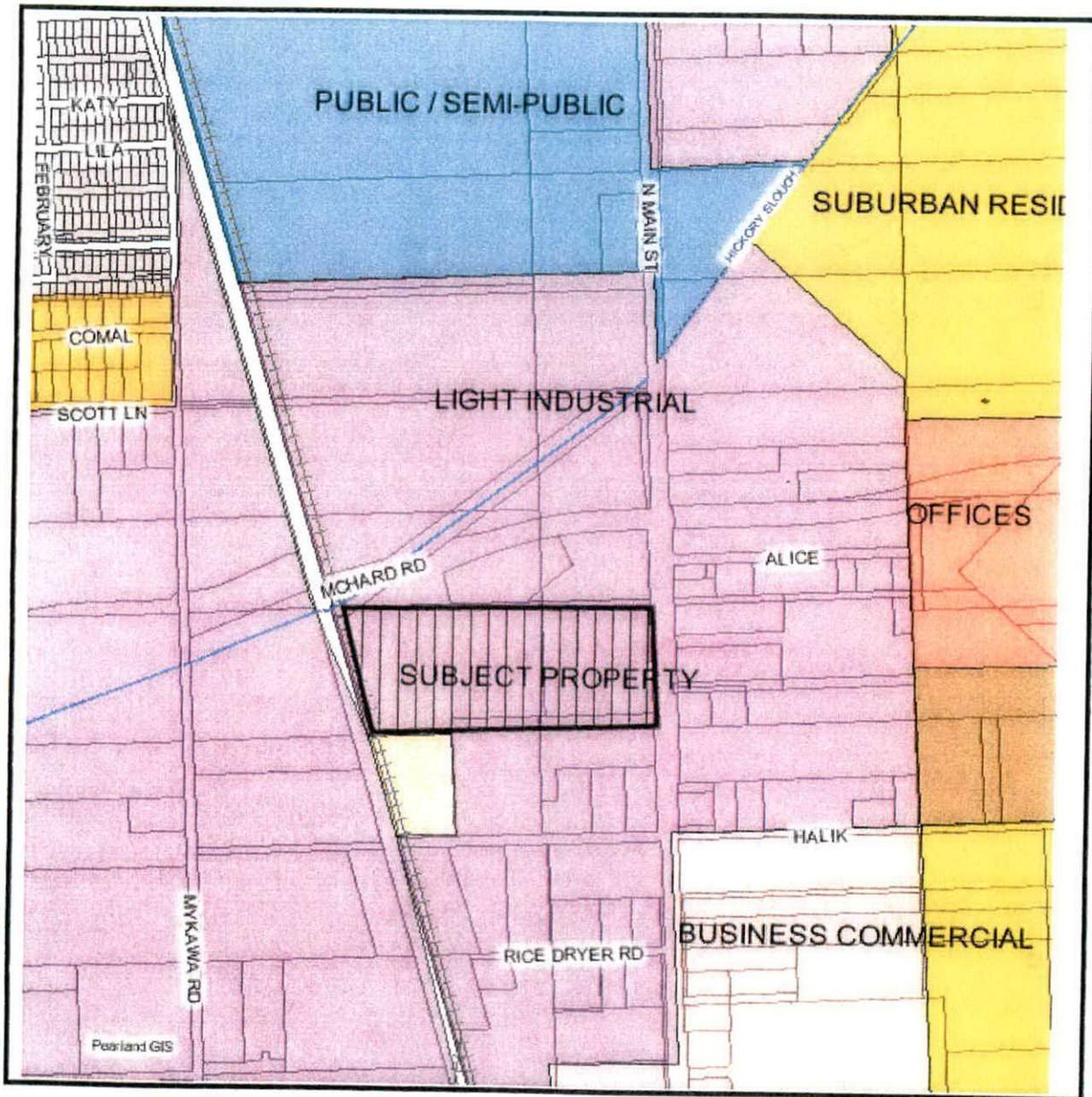


## ZONING MAP

ZONE CHANGE NO. 2008-15Z

Map Prepared on August 8, 2008

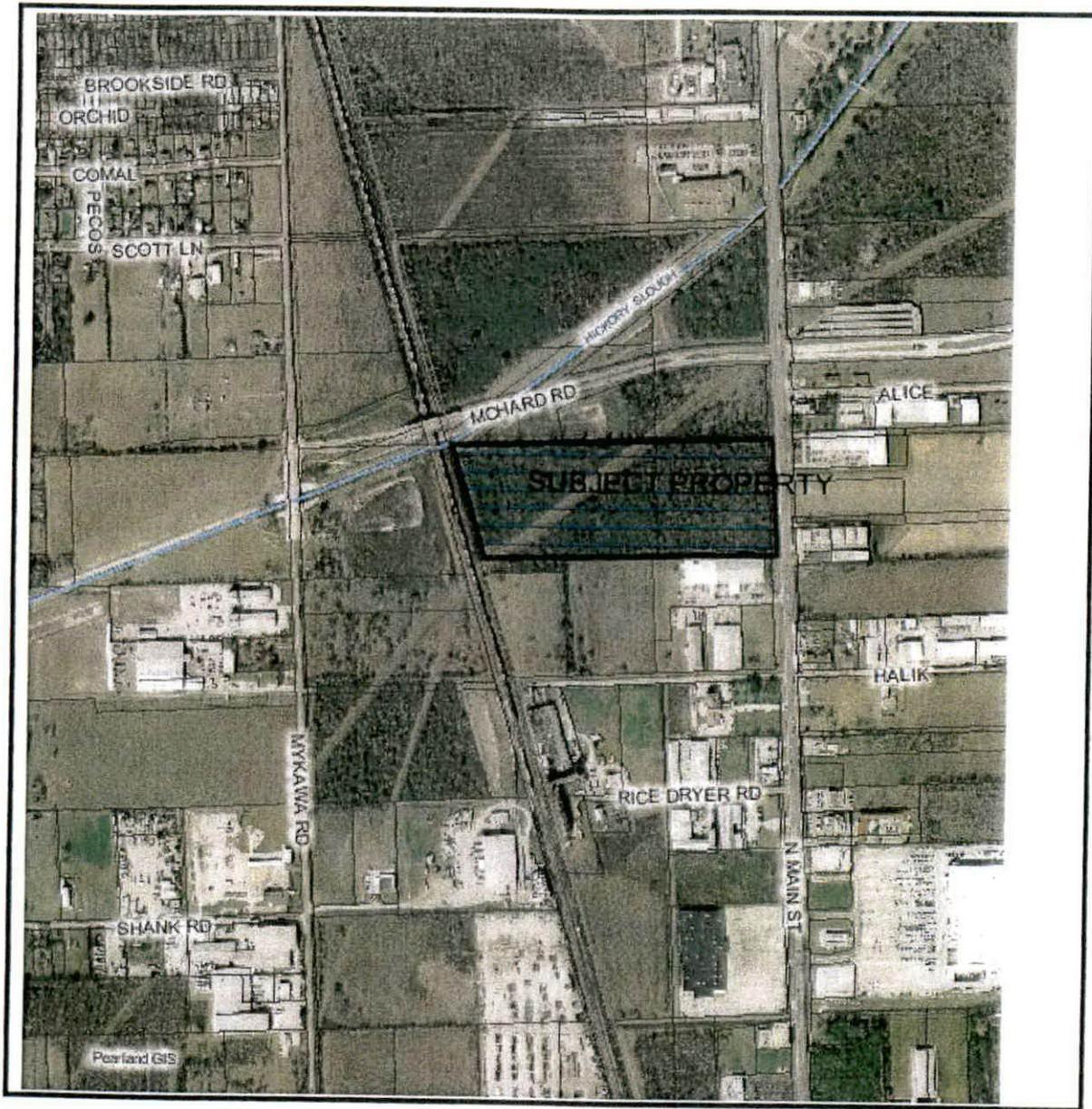
↑  
NORTH



## FUTURE LAND USE MAP

ZONE CHANGE NO. 2008-15Z  
 Map Prepared on August 8, 2008

↑  
 NORTH



## AERIAL MAP

**ZONE CHANGE NO. 2008-15Z**

Map Prepared on August 8, 2008

↑  
NORTH

7:59

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 22, 2008, AT 6:30 P.M., IN THE COMMUNITY CENTER, CITY HALL, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING** *Henry read...*

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:

**LEGAL DESCRIPTION:** Of lot twelve (12), block twenty (20) of Pearland Townsite, according to the map or plat recorded in vol. 29, pg 41, of the deed records of Brazoria County, Texas, and a part of tract 3 of section 2, of the H. T. & B. Railroad Company survey, abstract 542, city of Pearland, Brazoria County, Texas, containing 16,462.7 sq. ft. or 0.3779 acre of land.

**GENERAL LOCATION:** 2418 South Main Street.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**STAFF REPORT** *heta read... staff in favor.*

**APPLICANT PRESENTATION** *Tom Rasberry 2418 S Main 11430 Sage? Houston TX*

*Rec'd 1 Pub. Comm Form in favor*

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

*Larry Marcott, 3606 Inverness Ct. Supports Bus. very secluded & w/ screening and would help conceal. Feels*

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

*It is import to get rid of ants.*

**VI. ADJOURNMENT** *8:17*

*end of tape*

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**

## #. Oleananders

Kevin Cole - supports request. Cleaned area up & neighbors

Good case-in-point where flag lot is OK.

Mayor - asked if ants were named after him

Mr. Raspberry - yes

Steve - don't make hurdles too high. Prop. is an attractive prop.

H. Fuertes - noticed in comments that he will need spec. Etc. & Variance.

Lata - ~~hardship~~ Good case for a hardship

Henry - a lot of time to go thru for a small bldg.

Kevin - UDC for OTS should probably be 25' for flag lots.

Steve - Does UDC require Oleananders

Lata - No, Mrs. Raspberry mentioned.

Steve - Change wording to "staff recommends a screening brush" & not specify Oleananders due to their poisonous nature to animals.

~~Neil~~ Neil asked about signage

Parrell - inquired about odor

Mr. Rasherr - Bad w/in enclosed area / not outside

## Joint Public Hearing

### SPEAKER'S CARD

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

Name: Larry Marcott

Full Address: 3606 Inverness Ct 77581

(include zip)

I wish to speak regarding Item No. B

**JOINT PUBLIC HEARING AGENDA ITEM**  
**CONDITIONAL USE PERMIT NO. CUP2008-22**  
**MEETING OF SEPTEMBER 22, 2008**

---

**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:

**LEGAL DESCRIPTION:** Of lot twelve (12), block twenty (20) of Pearland Townsite, according to the map or plat recorded in vol. 29, pg 41, of the deed records of Brazoria County, Texas, and a part of tract 3 of section 2, of the H. T. & B. Railroad Company survey, abstract 542, city of Pearland, Brazoria County, Texas, containing 16,462.7 sq. ft. or 0.3779 acre of land.

**GENERAL LOCATION:** 2418 South Main Street.

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested CUP application will be considered as follows:

Planning and Zoning Commission: September 22, 2008\*  
City Council for First Reading: October 13, 2008\*

(\*dates subject to change if item is tabled)

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**SUMMARY:** The applicant is requesting a Conditional Use Permit (CUP) to locate a 160 square foot (8'X20') storage box container to store products used in his existing pest control business (exterminator service) on the subject property. The container is proposed to be placed on the south side of the existing building.

The property is currently zoned Old Townsite General Business District (OT-GB). Outdoor storage is allowed only upon obtaining a CUP and providing screening pursuant to the UDC requirements. Outdoor storage is not permitted along any yard that abuts any street or public right-of-way.

Outside storage includes storage within boxes, containers, portable sheds, trailers, and other structures that are not permanently affixed to a foundation, do not resemble the main onsite building in architectural style, or are not assembled on site.

As per the UDC, approved screening techniques include masonry, evergreen vegetative screen, landscape berms, existing vegetation or any combination thereof. In any case in which a fence/wall is constructed to provide screening, landscaping elements shall be incorporated along a majority of the fence/wall. The screening needs to be of sufficient height and opacity to completely obscure the structure, activity, or use.

**SURROUNDING ZONING AND LAND USES:**

\* surrounding zoning districts based on the new map adopted February 27, 2006

	<u>Zoning</u>			<u>Land Use</u>		
North	Old Townsite Business District (OT-GB)	General		Fast Food	Restaurant	and commercial uses
South	Old Townsite Business District (OT-GB)	General		Vacant land, commercial/fast food uses		
East	Old Townsite Business District (OT-GB)	General		Commercial uses		
West	Old Townsite District (OT-R)	Residential		Railroad Tracks, residential		

**CONFORMANCE TO THE UNIFIED DEVELOPMENT CODE (UDC):** The applicant is requesting a CUP in an existing OT-GB district. The minimum lot size for the OT-GB district is 3000 sq. ft., the minimum lot width is 50 feet, and the minimum lot depth is 125 feet. The subject property has a lot width of 25' and does not meet the lot width requirement. The property is over 196 feet in depth and 26,000 sq. ft. in area and meets the lot depth and area requirements. The building meets the front yard (0') and side yard (10') requirements. The required rear yard is 20 feet, and it appears that the existing rear yard is 3.18 feet and therefore non-conforming. A special exception from the Zoning Board of Appeals would be required for the existing non-conforming rear yard.

*Need spec. etc.  
Need variance*

**PLATTING STATUS:** It appears that the property has not been platted, and would need to be platted before a permit is issued. During platting, a variance for lot width would need to be approved by the Planning and Zoning Commission.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends "Village District" for the subject property and the surrounding properties. The property is currently zoned OT-GB in conformance to

the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on SH 35 (Main Street), a major thoroughfare with a projected right-of way of 120 feet. When the subject property is platted, the owner will be required to dedicate the necessary right-of-way for Main Street.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** The subject parcel is serviced by city water and sewer.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:**

Outdoor storage is permitted in side and rear yards with adequate screening as mentioned above. The applicant is proposing vegetative screening consisting of Oleanders.

It is staff's opinion that the proposed storage facility will not have any negative impact on the surrounding area, if appropriate screening is provided.

Staff recommends that details regarding the vegetative screen be added. Staff recommends that the vegetative screen be comprised of Oleanders, 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. Staff also recommends that the storage unit be painted to match the color of the building and meet all other requirements of the UDC.

**PUBLIC NOTIFICATION:** Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. A legal notice of public hearing was published in the local newspaper, and a Zoning Sign was placed on the subject property.

**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed zone change request.

**STAFF RECOMMENDATION:** Staff recommends approval of a Conditional Use Permit (CUP) to allow outdoor storage on the subject property zoned Old Townsite General Business District (OT-GB), for the following reasons:

1. The proposed storage is permitted by a CUP in the existing zone.
2. With recommended screening there would not be any additional impact on

surrounding properties.

3. The proposed use is compatible with the existing use on site and surrounding uses.

Staff would recommend the following conditions:

1. The vegetative screen be comprised of Oleanders, 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.

**SUPPORTING DOCUMENTS:**

- Zone Change Application
- Location Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan



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

# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

Conditional Use Permit Request for: outside storage pa 2-124  
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: old Townsite GB

**Property Information:**

Address or General Location of Property: 2418 S. Main

Tax Account No. 7025-0262-000

Subdivision: Pearland Townsite Lot: 12 Block: 20

**A complete application must include all information shown on the Application Checklist attached to this application.**

**PROPERTY OWNER INFORMATION:**

NAME Thomas D. Raspberry  
ADDRESS 2418 S. Main  
CITY Pearland STATE Tx ZIP 77581  
PHONE (281) 850-3548  
FAX (281) 485-6353  
E-MAIL ADDRESS traspberry1@sbcglobal.net

**APPLICANT INFORMATION:**

NAME Same  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE (\_\_\_\_) \_\_\_\_\_  
FAX (\_\_\_\_) \_\_\_\_\_  
E-MAIL ADDRESS \_\_\_\_\_

\*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.

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

Owner's Signature: [Signature] Date: 8-15-08

Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OFFICE USE ONLY:**

FEES PAID: <u>\$250<sup>00</sup></u>	DATE PAID: <u>8-18-08</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER:
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Application No. CUP 2008-22

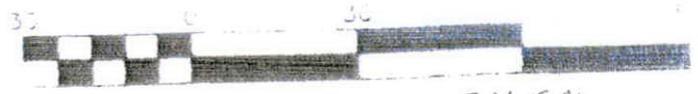
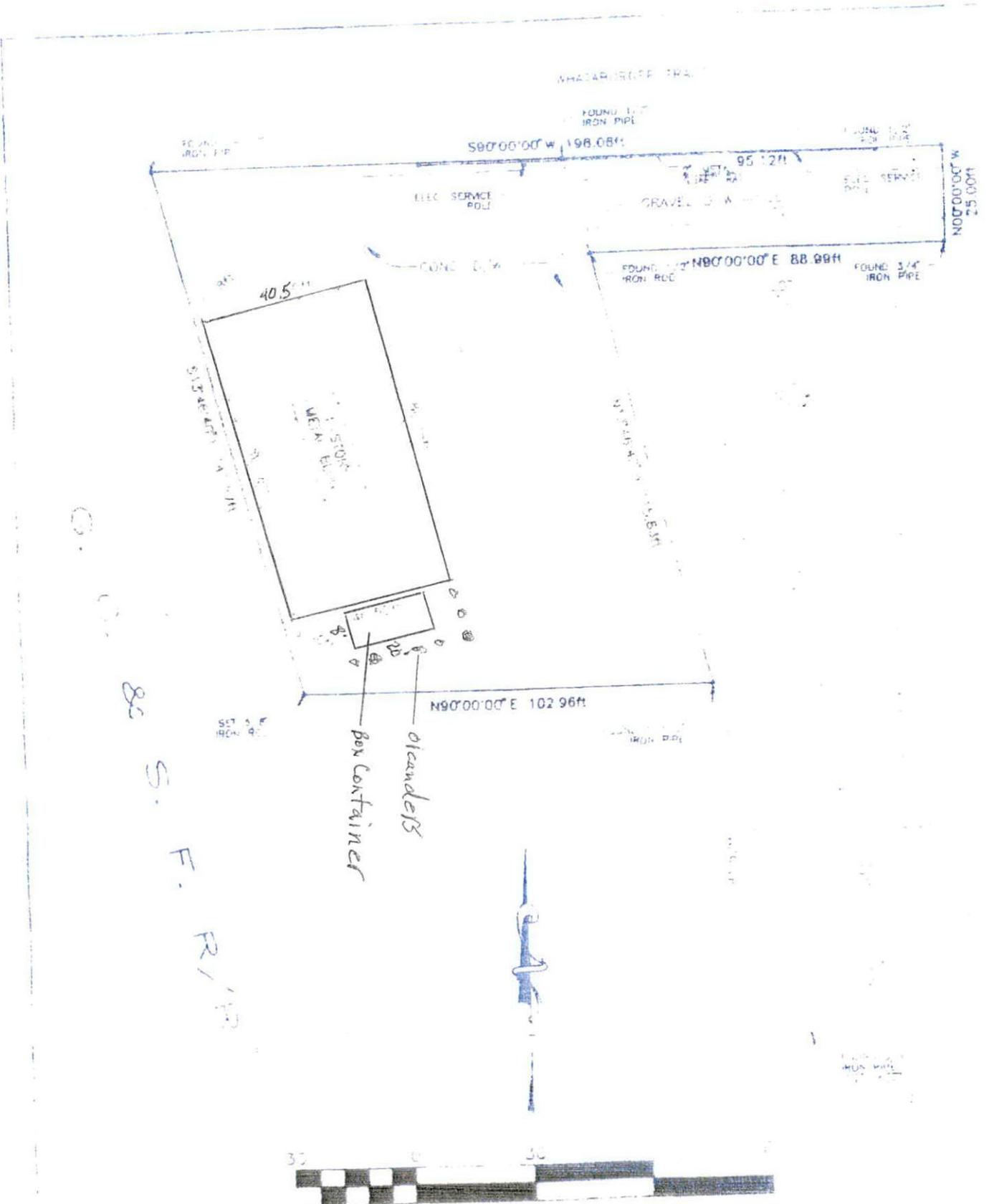
Letter of intent for storage container at 2418 S. Main

I would like a permit for a storage container on my property at 2418 S. Main , Pearland, Tx.

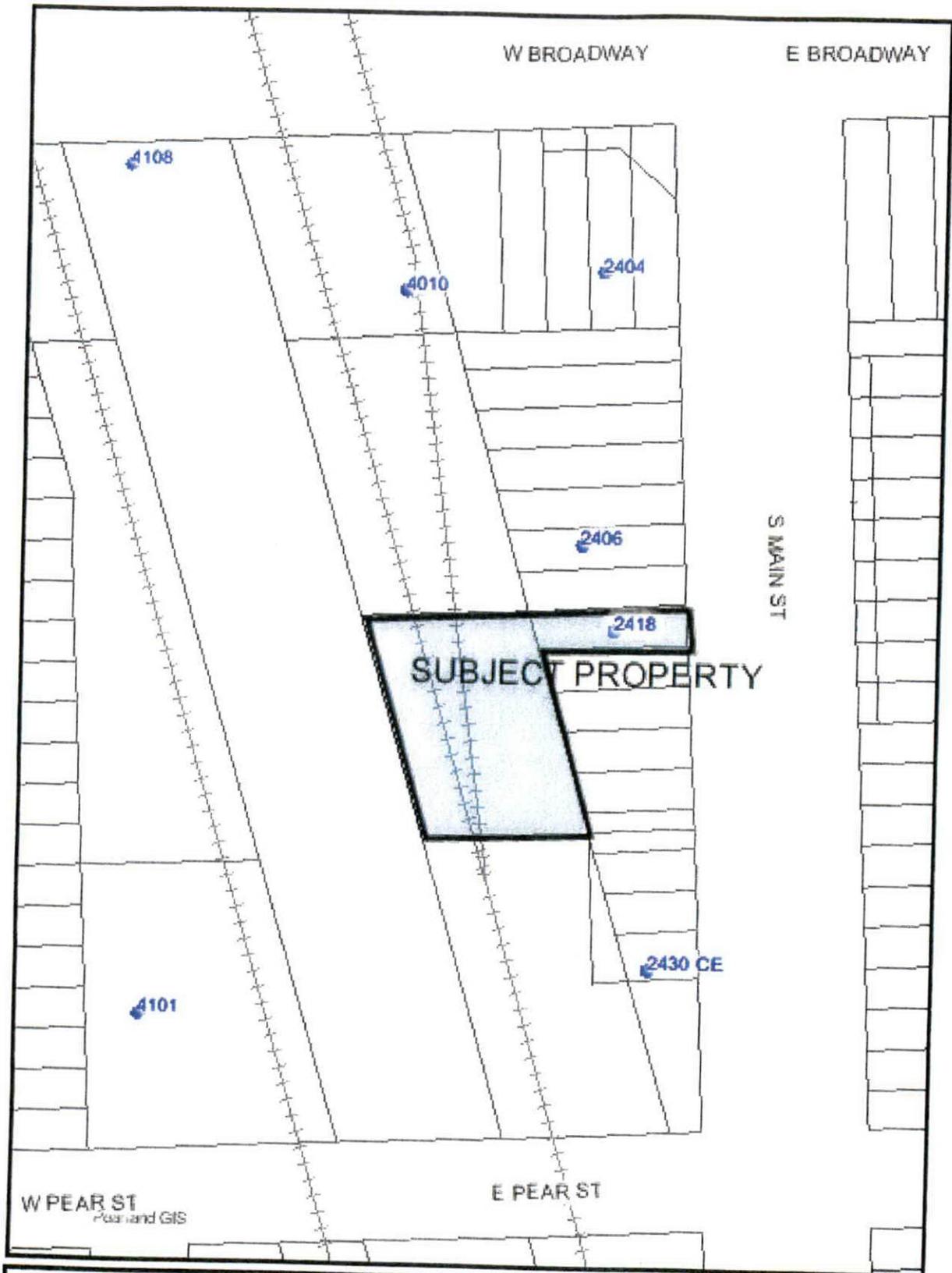
The proposed use of the container will be to store products for use in my business . The square footage of the container will be approx. 160 square feet. The container will be on the south side of my existing building. The existing building is approx. 140' off S. Main, with Whataburger on the north side, the railroad on the west side, and a vacant lot on the east and south sides.

Thank You

Tom Rasberry



Scale 1" = 35.5ft



**LOCATION MAP**

CONDITIONAL USE PERMIT NO. - CUP 2008-22  
2418 South Main St



CONDITIONAL USE PERMIT NO. CUP 2008-22

Property Owner Notification List

2 pages

Tax Account	Owners Name	Mailing Address	City	State	Zip
7025-0032-000	ALEXANDER T & B FAMILY LTD	PRTNSHP 2411 PARK AVE	PEARLAND	TX	77581
7025-0564-300	ALEXANDER THOMAS P	2411 S PARK	PEARLAND	TX	77581
7025-0259-000	BAKER-ORR-TRANSMISSION LTD	8554 KATY FWY STE 301	HOUSTON	TX	77024
1161-0001-000	BEESON CAROLYN	2411 PARKVIEW DR	PEARLAND	TX	77581
7025-0250-000	BETZ JERRY C	2423 TEXAS ST	PEARLAND	TX	77581
7025-0258-000	BRAMLETT EMMETT	PO BOX 608	PEARLAND	TX	77588
7025-0031-100	BRANTLEY ENTERPRISES INC	PO BOX 583	PEARLAND	TX	77588
7025-0382-000	BRAZORIA COUNTY	IN TRUST	PEARLAND	TX	77588
7025-0271-000	BROWN JIMMY	3906 BROADWAY ST	PEARLAND	TX	77581
7025-0366-000	BUC-EE S LTD	327 FM 2004 RD	LAKE JACKSON	TX	77566
0239-0017-000	BURLINGTON NORTHERN SANTA FE	PO BOX 961089	FORT WORTH	TX	76161
7025-0554-000	CABRERO BRENDA L	2114 WASHINGTON AVE	PEARLAND	TX	77581
7025-0275-000	CARRILLO GENARO SR &	CONCEPCION C			
7025-0256-000	CASTRO CAMILLO ET UX	2403 TEXAS ST	PEARLAND	TX	77581
7025-0245-000	CENTRAL TEXAS BARBECUE CO	4110 BROADWAY ST	PEARLAND	TX	77581
7025-0396-000	CHRISTOFFERSON JOHNNIE C	PO BOX 294131	KERRVILLE	TX	78029
7025-0190-001	CITY OF PEARLAND	3519 LIBERTY DR	PEARLAND	TX	77581
7025-0397-000	COLSON WILLIE ROY	405 LAUREL DR	FRIENDSWOOD	TX	77546
7025-0554-120	COTTEN BRENDA LEE	2106 WASHINGTON ST	PEARLAND	TX	77581
7025-0554-130	DANIEL LINDA S	2102 WASHINGTON ST	PEARLAND	TX	77581
7025-0244-000	DELANGE JACALYN M	PO BOX 2191	PEARLAND	TX	77588
7025-0264-000	ELAINE ALEXANDER WALKER TRUST	144 SOUTH BENTLEY AVE	LOS ANGELES	CA	90049
7025-0399-000	ENRIQUEZ FLORENCE RENEE	5514 CUNNINGHAM	PEARLAND	TX	77581
7025-0019-000	GAFFNEY DONALD B & DENICE	2225 WASHINGTON ST	PEARLAND	TX	77581
7025-0016-000	GEORGE CHARLES DEWITT JR	3412 E CIRCLE DR	PEARLAND	TX	77581
7025-0017-000	GEORGE CHRISTOPHER D	1801 OAK CLUSTER CT	PEARLAND	TX	77581
7025-0554-110	GODARD ANTONIA	2110 WASHINGTON AVE	PEARLAND	TX	77581
7025-0553-000	GONZALES TOMMY	20115 YOSMEICE FALLS DR	TOMBALL	TX	77375
7025-0249-000	GRAY CHARLES TERRY	PO BOX 597	PEARLAND	TX	77588
7025-0373-000	GRIFFIN BILLY E JR	PO BOX 1879	PEARLAND	TX	77588
7025-0372-000	GRIFFIN DOMINICA	PO BOX 1381	PEARLAND	TX	77588
7025-0273-000	GUARDIONE DIMITRI	2403 S MAIN ST	PEARLAND	TX	77581
7025-0023-000	HALL HANNAH	2242 TEXAS ST	PEARLAND	TX	77581

CONDITIONAL USE PERMIT NO. CUP 2008-22

Property Owner Notification List

2 pages

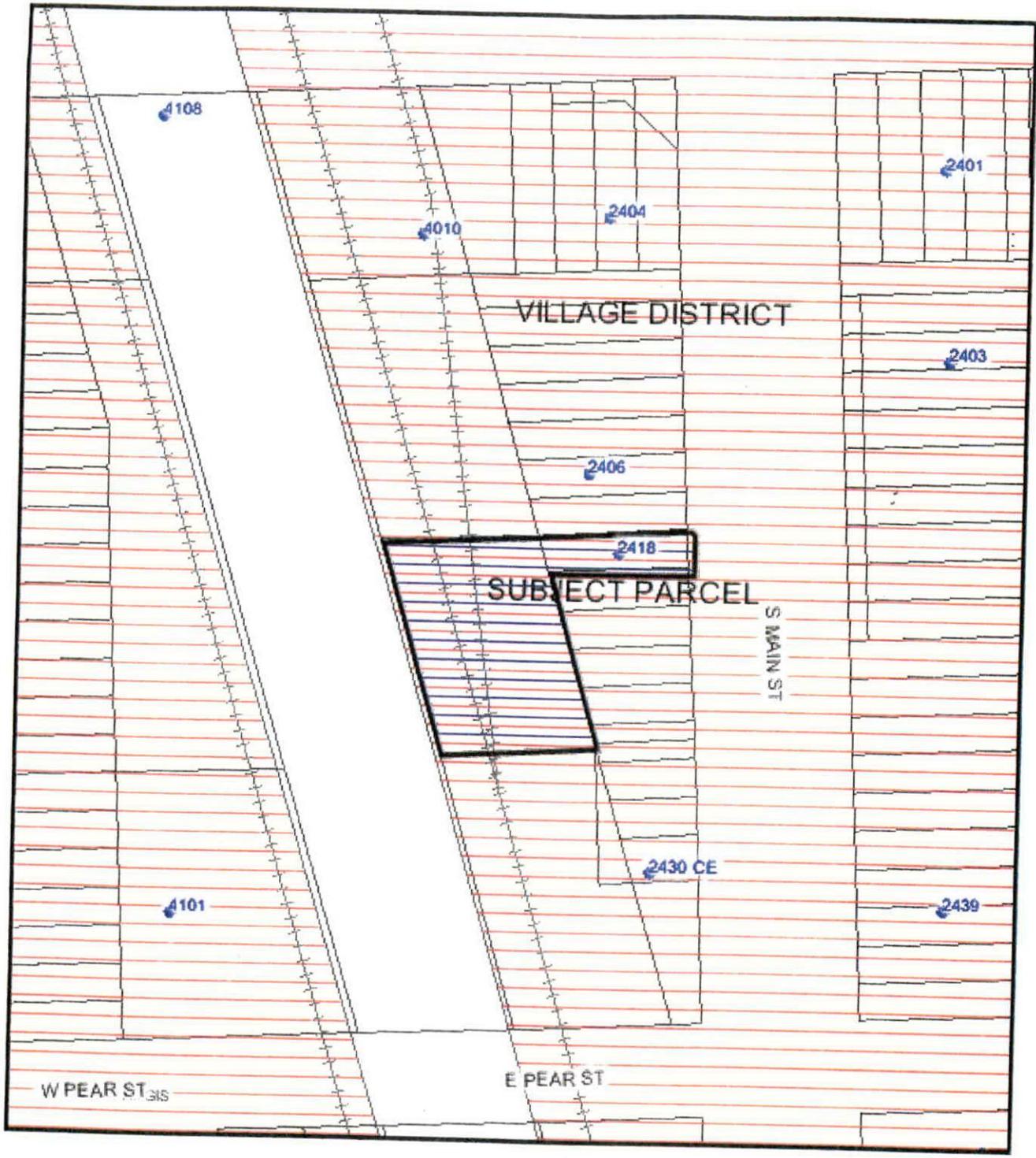
Tax Account	Owners Name	Mailing Address	City	State	Zip
7025-0197-000	HARVEST OF PRAISE EXALTED	4209 BROADWAY	PEARLAND	TX	77581
0232-0019-000	HASTINGS OIL COMPANY				
7028-0003-000	HOANG TUAN				
7025-0374-000	HOLMES THOMAS J	12600 SCARSDALE BLVD SUITE C	HOUSTON	TX	77546
7025-0176-000	HUMMEL TRACY	PO BOX 22352	HOUSTON	TX	77227
7025-0254-000	HUNT LAVERNE	3207 BLUE WING	DICKINSON	TX	77539
7025-0266-000	KANWAL SHAZIA	PO BOX 537	PEARLAND	TX	77588
7025-0274-000	KATHY S BARBER & BEAUTY	8938 ASPEN MEADOW DR	HOUSTON	TX	77071
7025-0187-000	KFC NATIONAL MANAGEMENT CO	2424 HOUSTON AVE	PEARLAND	TX	77581
7025-0369-000	KIM JIN HAK & SOO RYUNG	PO BOX 35370	LOUISVILLE	KY	40232
7025-0180-110	LIANG EARVIN	4613 BURNING TREE DR	BAYTOWN	TX	77521
7025-0569-000	LOPEZ DOMINGO M	1812 BLACKWOOD COMMON	LIVERMORE	CA	94551
7025-0253-000	MEADE MYRTLE MASSEY ESTATE	4102 W ORANGE ST	PEARLAND	TX	77581
7025-0246-000	MONTEMAYOR SANTOS & ROSALIE	127 N 16TH ST	JUNCTION	TX	76849
7025-0398-000	NAPOLEON ROBERT L	6215 MANRY AVE	PEARLAND	TX	77581
7025-0360-200	NEELY-GILMER ENTERPRISES INC	2514 S SACRAMENTO AVE	PEARLAND	TX	77581
0232-0035-000	PIPE & TUBE SUPPLIES INC	3402 TRELAWNEY DR	PEARLAND	TX	77581
7025-0262-000	RASBERRY THOMAS D	PO BOX 2677	PEARLAND	TX	77588
7025-0384-000	RAZO EULALIA	2418 S MAIN	PEARLAND	TX	77581
7025-0015-000	REAVES ALAN LEON	2501 TEXAS ST	PEARLAND	TX	77581
7025-0269-000	RMJ MILLER HOLDINGS LTD	2201 N WASHINGTON AVE	PEARLAND	TX	77584
7025-0181-000	ROCKET GAS & CAR WASH INC	3405 LONGHERRIDGE DR	PEARLAND	TX	77581
7025-0400-000	SANDIDGE DONOVON B	5011 MEADOW LANDING CT	SUGAR LAND	TX	77479
7025-0279-000	SCHEFFLER LEE A	2506 S SACRAMENTO AVE	PEARLAND	TX	77581
7025-0018-000	SHIVER GARY C	515 W BLUM ST	ALVIN	TX	77511
7025-0360-000	SONIC DRIVE IN	2708 S MAIN ST	PEARLAND	TX	77581
7025-0276-000	SOUND CHOICES ENTERPRISES LLC	3302 LONG MEADOW CT	PEARLAND	TX	77584
7025-0371-000	STATE OF TEXAS	3901 E PEAR ST	PEARLAND	TX	77581
7025-0268-000	WHATABURGER INC				
7025-0178-000	WOOD PATRICIA A	PO BOX 870849	MESQUITE	TX	75187
7025-0210-000	WOODS AVA DARLENE	3300 N RIDGE DR	WACO	TX	76710
7025-0401-000	ZUNIGA ADAM	6501 GRACE LN	PEARLAND	TX	77584
		2502 S SACRAMENTO AVE	PEARLAND	TX	77581



**ZONING MAP**

CONDITIONAL USE PERMIT NO. - CUP 2008-22  
2418 South Main St





# FUTURE LAND USE PLAN

CONDITIONAL USE PERMIT NO. - CUP 2008-22  
2418 South Main St

↑  
NORTH

Tape Side B

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 22, 2008, AT 6:30 P.M., IN THE COMMUNITY CENTER, CITY HALL, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

8:17

**II. PURPOSE OF HEARING**

Henry read...

Conditional Use Permit No. CUP 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:

**LEGAL DESCRIPTION:** Being that certain tract or parcel of land containing 10.005 acres, more or less, being all of Minor Plat of Knights of Columbus Council No. 8960, a subdivision in Brazoria County, Texas according to the official map or plat thereof recorded under Clerk's file 2008018242 of the Deed Records of Brazoria County, Texas

**GENERAL LOCATION:** 2320 Hatfield Road

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**STAFF REPORT**

Data... no pub. comm forms

staff recommends denial unless conditions can be met.

**APPLICANT PRESENTATION**

Anthony Perez, T-Mobile, 2 Greenway Plaza, Ste 1100 Houston

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



Gerald Colca 2405 Emma Dr Pearland 77581  
lives in area & president of HOA for Sawyers Pond.

went over highlight that were included in pkt.

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**



suggest move to south so it's out of sight spoke to Brazoria Health. This is in the zone for spraying-mosquitos. Concern

**VI. ADJOURNMENT**

9:05

already. Recommends Stealth Technology. other concern is prop. was raised for soccer area and now sawyers pond streets flood during rain,

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**

~~IV~~  
Floyd Tifelsky

Spoke on  
behalf of  
KOC

3203 Patricia Ln.  
Pres of Pearland Home Assn.  
Drainage always a problem of  
flooding in area.  
w/re: to vegetation along fence, it is  
still in process.  
Trying to be good neighbors.

~~V~~  
Mayor - selected location because the area is a dead  
zone & cell coverage needed.

Steve S. - appreciate Timobles preparation  
As a market, we as customers want these  
towers around.

• Not sure he agrees w/ recommendation for  
denial by staff.

CC for wise use of towers, and feels  
it is a decent place if can meet some of  
staffs concerns. If we can come to a  
~~conclusion~~

Lata - explained her reason for denial and added  
that her comments are listed if <sup>"as proposed"</sup> Cap is approved.

Kevin - tower "as proposed" - if allowed to do this,  
could hardware be added to increase coverage

Anthony - more can be added if antennae on  
outside, than on inside

Kevin - Height, aesthetic.  
likes light concept of stealth technology  
and ask P&Z to look @ it.

Charles - inquired about stealth techn. and the height

Mayor - visibility of tower & the height.

Charles - notification of 200' of property line.

Steve - asked that Henry allow Mr. Colca speak @  
P&Z mtg.

Mr. Colca - asked that lights be pointed downward.

Woody - do we normally ask for a paved road to access the  
facility.

Narriso - concern w/ traffic/load to facility. Eng. can discuss  
type of rd.

Neil - of have a flagpole, who will take it  
in?

## Joint Public Hearing

### SPEAKER'S CARD

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

Name: Gerald Colca

Full Address: 2405 Emma Dr

(include zip) Pearland, TX 77581

I wish to speak regarding Item No. 3 - Knights of Columbus  
2520 Hatfield Rd

**JOINT PUBLIC HEARING AGENDA ITEM  
CONDITIONAL USE PERMIT NO. CUP2008-23  
MEETING OF SEPTEMBER 22, 2008**

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**Conditional Use Permit No. CUP 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:

**LEGAL DESCRIPTION:** Being that certain tract or parcel of land containing 10.005 acres, more or less, being all of Minor Plat of Knights of Columbus Council No. 8960, a subdivision in Brazoria County, Texas according to the official map or plat thereof recorded under Clerk's file 2008018242 of the Deed Records of Brazoria County, Texas

**GENERAL LOCATION:** 2320 Hatfield Road

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested CUP application will be considered as follows:

Planning and Zoning Commission: September 22, 2008\*  
City Council for First Reading: October 13, 2008\*

(\*dates subject to change if item is tabled)

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**SUMMARY:** The applicant is requesting a Conditional Use Permit (CUP) to locate a wireless telecommunications tower on the subject property. The subject property is currently zoned General Business Retail Distinct (GB). The Knights of Columbus facility is located on this 10-acre property.

The applicant is proposing a 90' tall self supporting monopole tower and the necessary transmitting/receiving equipment. This unmanned facility is proposed to be fenced and locked, accessed from Hatfield Road using the existing driveway. The facility will emit no

noise, glare, and will have no signs other than those required for identification or to comply with federal, state, or local laws. Some landscaping is proposed around the fence.

The tower is proposed to be located within a leased area of 40 feet by 40 feet, behind the main building and pavilion, south of the metal buildings.

According to the UDC, regulations regarding telecommunication towers and antennae are intended to "maximize the use of new and existing towers to prevent the proliferation of unnecessary towers and to minimize the adverse visual impacts of towers and antennas through design, location, landscaping and screening requirements."

### **SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Single Family Residential 2 District (R-2)	Single family residential
South	General Commercial (GC)	Commercial uses - pool company, auto repair and sales
East	Single Family Residential 2 District (R-2)	Single family residential
West	Garden-Oday Mixed Use (G/O-MU), Single Family Residential 2 District (R-2)	Single family residential, vacant land

**CONFORMANCE TO THE UNIFIED DEVELOPMENT CODE (UDC):** The applicant is requesting a CUP in an existing GB district. The minimum lot size for the GB district is 22,500 sq. ft., the minimum lot width is 150 feet, and the minimum lot depth is 125 feet. The subject property meets the requirements of the zone.

**PLATTING STATUS:** Property has been platted.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends "10,000 Square Foot Lots, Suburban Residential" for the subject property, with appropriate zoning districts being large lots residential districts (R-1 and larger). The current GB zoning of the property is not in conformance with the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Hatfield Road, a major collector, with a projected right-of way of 80 feet. Additional right-of-way may be required when the road is widened in the future.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** The subject parcel is serviced by city water and sewer.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:**

The area to the east and north is characterized by single family homes on large residential lots. The proposed tower would be located approximately 175 feet from the nearest single family residential structure and will be visible from the surrounding residential communities of Sawyer's Pond, Walker Estates etc. There has been some concern in the past regarding the negative aesthetic and economic impact of such a tower on adjoining residential properties. A telecommunications tower has not been considered a desirable use in a residential district, especially in an area with suburban character as this site.

To mitigate the aesthetic impact, the applicant can consider stealth techniques like flag poles or similar. Relocating the tower towards the southern property line, closer to commercial uses and farther away from residential uses would also reduce the impact on residential areas.

The plans indicate that a chain link fence with three strands of barbed wire is being proposed around the monopole and the equipment. Barbed wire fencing is not permitted in the ordinance. Section 4.2.4.2 of the UDC provides screening requirements for utility equipment, including switching equipment, boxes, cabinets, cable equipment, wiring, and the like. If this is approved, as in the past, staff recommends that 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.

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 needs to be provided, if the CUP is approved.

**Co-location**

The UDC specifies that the applicant must provide an inventory of the existing towers with the City. This has been provided.

The applicant has indicated that they typically try to co-locate antennas on existing structure to reduce the need for new tower sites. The proposed tower will be available to accommodate future wireless facilities. The applicant has indicated that there is not an existing structure within a reasonable distance that would allow for co-location.

The ordinance also states that the effects of radio frequency emissions on persons or the environment must not be considered in a proceeding involving an application for a conditional use permit.

**PUBLIC NOTIFICATION:** Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. A legal notice of public hearing was published in the local newspaper, and a Zoning Sign was placed on the subject property.

**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed zone change request.

**STAFF RECOMMENDATION:** Staff has some concerns regarding this CUP, as listed below, and therefore recommends denial of a Conditional Use Permit (CUP) to allow Cellular Communications Tower/PCS on the subject parcel.

1. The proposed Cellular Communications Tower/PCS may have adverse visual and aesthetic impact on the surrounding residential properties.
2. The proposed Cellular Communications Tower/PCS may not be compatible with the residential character of the area.

If the CUP is approved, staff would recommend the following conditions:

1. The tower location be moved towards the south to be closer to commercial and farther away from residential areas.
2. 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.
3. A paved road be provided to access the facility.
4. Stealth techniques, such as flag poles, etc. be considered, to ensure that the facility is compatible to the area.
5. 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.

6. *landscape/tree plan of NW corner of property ~~etc~~ w/ staff's approval.*

**SUPPORTING DOCUMENTS:**

- Zone Change Application
- Location Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan



AUG 22 2008  
 CUP APPLICATION 1 OF 2 (Updated May 2008)  
 City of Pearland  
 Community Development  
 3523 Liberty Drive  
 (Community Center)  
 Pearland, Texas 77581  
 281-652-1768  
 281-652-1702 fax  
 www.cityofpearland.com

# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

Conditional Use Permit Request for: Cellular Communications  
Tower/PCS  
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: General Business Retail District (GB)

**Property Information:**

Address or General Location of Property: 2320 MP Hatfield, Pearland, TX 77581

Tax Account No. 0544-0047-110

Subdivision: Minor plat of Knight's of Columbus Council No. 89617 Lot: 47 Block: \_\_\_\_\_

A complete application must include all information shown on the Application Checklist attached to this application.

**PROPERTY OWNER INFORMATION:**

NAME Pearland Home Assn.  
 ADDRESS PO Box 1435  
 CITY Pearland STATE TX ZIP 77588  
 PHONE (281) 485-3097  
 FAX ( ) NA  
 E-MAIL ADDRESS NA

**APPLICANT INFORMATION:**

NAME Anthony Perez  
T-Mobile  
 ADDRESS 2 Greenway Plaza, Suite 1100  
 CITY Houston STATE TX ZIP 77046  
 PHONE (785) 766-6633  
 FAX (800) 915-0204  
 E-MAIL ADDRESS anthony.p@wavewirelessnd.com

\*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.  
 As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: Raul Rodriguez Date: 08-18-08  
 Agent's Signature: Ante Puy Date: 08-19-08

**OFFICE USE ONLY:**

FEES PAID: <u>250.00</u>	DATE PAID: <u>8.22.08</u>	RECEIVED BY: <u>Kraja</u>	RECEIPT NUMBER:
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Application No. \_\_\_\_\_

T-Mobile

In accordance with Sections 2.2.3 and 2.5.5 of the Unified Development Code (UDC), T-Mobile Texas, L.P. (T-Mobile) submits this statement in support of its application to the City of Pearland for Conditional Use Permit and other necessary permits and approvals to construct, operate and maintain a wireless telecommunications facility (WTF) at 2320 MP Hatfield.

### **Introduction**

T-Mobile operates a Personal Communications Service (PCS) system throughout the United States, providing the latest in wireless communications services. T-Mobile is one of the fastest growing nationwide wireless service providers, offering all-digital voice, messaging and high-speed wireless data services to more than 25 million customers in the United States. T-Mobile utilizes one digital standard for communication throughout the United States and internationally: the GSM (Global System for Mobile Communications) standard, allowing subscribers to use T-Mobile services seamlessly throughout the country and throughout the world. T-Mobile has been repeatedly rated highest in customer satisfaction by J.D. Power and Associates, and is the only wireless carrier to be included in BusinessWeek Magazine's 2007 list of the nation's best customer service companies.

As wireless has matured, wireless phones and devices have become so commonplace that they are no longer a luxury, but a necessity. More than 76% of Americans own a wireless phone, and this number keeps growing. Not only are there more wireless users every day, the average subscriber uses more and more minutes each year. As time has gone by, people's attitudes and uses for the technology have changed. Those who once used cell phones primarily for emergencies and while traveling now use their wireless handset as their primary means of communicating. The majority of 911 calls are placed from a cell phone. Many Americans use their wireless phones more than their home or work landlines, and a growing number of Americans are ditching their landlines altogether. Additionally, e-mail, internet browsing, and text messaging, video messaging and other uses are growing by leaps and bounds. As a result of all these changes, the expectations of the customer have changed. Good car coverage on the major roads and highways is no longer enough. Wireless subscribers expect to be able to use their cell phones wherever they go. In order to meet these expectations, wireless networks that once focused primarily on users in their vehicles are now being expanded to provide service to people wherever they live, work and play. This—combined with an increased national attention on safety and security, as well as FCC directives and laws governing wireless as it relates to 911 emergency calls—have led to intense focus by T-Mobile on addressing the coverage demands and increasing the safety and security of our customers, through the deployment of additional Wireless Telecommunications Facilities throughout the United States.

### *The Technology*

GSM is similar to the older cellular services that were introduced three decades ago, but with many enhanced features. An extension of the ordinary telephone, GSM utilizes radio waves in place of wires to transmit and receive calls. It is similar to radio and TV broadcasts, but the signals utilized by wireless telephones are much weaker, as they utilize two-way communication (handset to base station and vice-versa) and provide signal to a much smaller service area ("cell"). T-Mobile operates in the 1800-2000 megahertz range of the UHF band. T-Mobile's antenna will be operating at an ERP of 100-1000 watts maximum (similar power levels to a remote control car, heating blanket, or hair dryer).

The proposed communications facility will not interfere with either television or radio reception, as T-Mobile is licensed by the FCC to operate in a very specific frequency range at a different location on the radio spectrum.

### *The Proposal*

T-Mobile has entered into a lease agreement with the property owner to lease space for the monopole and related ground equipment. The proposed facility will be comprised of a fenced equipment compound located within the lease area, containing a 90' self-supporting monopole structure and the necessary transmitting/receiving equipment. The facility will be fenced and locked, accessed from Hatfield Road using the driveway currently existing on the parent tract. The facility will be unmanned, visited for routine maintenance (typically once per month or less). The facility will emit no noise, glare or order, and will have no signage other than those required for identification or to comply with federal, state or local laws. The facility will comply with the strict guidelines of the FCC and FAA, which are designed to protect public safety. To ensure structural integrity of the tower, T-Mobile will construct and maintain it in compliance with all federal, state and local building codes and standards, and it will be engineered to local wind speed requirements.

### *Site Selection/Design*

The proposed site is critical for complete coverage for users living and working in and traveling through the surrounding area, including the surrounding residential and retail/commercial areas. Current coverage is too weak to adequately serve the growing user base, especially users within residential or commercial buildings. The process of developing GSM systems is similar to cellular development in that the Basic Trading Area (BTA) regions are subdivided into very small geographic subsections or "cells". Each cell site holds the radio equipment that communicates with the subscriber and must be precisely located relative to other "cells", creating a communication grid system of sorts. This grid system must reflect the topography and traffic (user population and building density) of the cells, as well as the radius of the respective antenna's reliable transmission area.

Since GSM technology uses weaker signals than radio, TV, or even analog cellular technology, the antennas must be closer together than other types of antennas. T-Mobile is acutely aware of citizen concerns regarding antenna support structures and is committed to minimizing the visual impact of transmission structures in local communities. As a result, T-Mobile has attempted to place as many of its antennas as possible on existing structures (collocation) to avoid the need for new tower sites. In fact, the majority of T-Mobile cell sites in Pearland and the greater Houston area are collocations on existing support structures.

T-Mobile conducted a thorough investigation of the properties in the geographic area of the proposed tower location and it was determined that no existing support structure within a reasonable distance from the location that would be feasible for collocation and would also meet T-Mobile's engineering requirements. T-Mobile then searched for an appropriate location nearby for a new antenna support structure.

T-Mobile carefully selected and designed the proposed facility to include a structure that provides adequate height and range of coverage for GSM, and meets the goals of the community. T-Mobile builds all new structures to accommodate antennas for additional carriers (collocation), thereby reducing the proliferation of towers. T-Mobile chose a "Monopole" tower design (similar to the galvanized steel poles used for light standards along freeways) in order to minimize visual impact while still allowing the flexibility needed for collocation.

The site is on property zoned GB. The property currently houses the Knights of Columbus Hall, which is used for a wide variety of civic purposes uses. The property to the South of the proposed site is commercial in use. The properties on the other sides of the proposed location are residential. However, T-Mobile's proposed site is behind the Knight of Columbus building and a storage building. Accordingly, the existing buildings will provide natural screening of the site. In addition, the majority of the properties to West of the proposed location are screened by mature trees. This is the best possible location for the site, both from an engineering standpoint and from a planning/community perspective.

The benefits of wireless technology are evidenced by the tremendous growth in consumer demand over the past few years. Because they offer unparalleled convenience and safety benefits, wireless services are an essential element of the community's infrastructure portfolio. This proposal offers twin benefits from a public policy perspective. First, it will enhance the City's technology infrastructure, making the area more desirable and safe for residences and businesses alike. Every day, more than 290,000 wireless "911" emergency calls are made from wireless phones. This facility will ensure those calls go through and are maintained for users living, working and traveling through the vicinity. Second, the proposal furthers the City's policy of collocation to avoid the unnecessary proliferation of towers. T-Mobile feels that the proposed location, at a busy and growing intersection, will be of interest to other carriers trying to keep up with customer demand in Pearland.

T-Mobile's FCC license requires it to operate its system in a defined service region using designated radio frequencies. Each site must be precisely located relative to other sites. T-Mobile's system must reflect the contours and topography of the area and the radius of the antenna's reliable transmission. The subject site was carefully selected in order to have a minimal impact on adjacent or nearby properties. T-Mobile's network dictates that a site be at this location to avoid a gap in service and improve areas of existing coverage to allow for in-building service in this area of Pearland.

### Zoning Compliance & Application Merit

The proposed facility is in compliance with Section 2.5.5 (tower ordinance) of the Unified Development Ordinance (UDO). The pertinent portions of the tower ordinance are repeated below, with project-specific responses.

#### **Section 2.5.5.2 Conditional Use Permit Required**

(a) **Requirement & Procedures.** Except as otherwise provided in this section, a person may not construct, erect, or maintain a tower or antenna on any land located within the City without first receiving a conditional use permit. The procedures of this article relating to the application, processing, and determination of whether to grant a conditional use permit, are in addition to any other provisions and requirements contained in other articles of these zoning regulations relating to conditional use permits.

*In accordance with this requirement, T-Mobile is requesting a Conditional Use Permit.*

#### (b) **Exemptions.**

(1) Rooftop mounted towers and antennas may be located on any buildings serving a nonresidential use and on an alternative tower structure without obtaining a conditional use permit, if:

- a. The structure, other than a tower on which the tower or antenna will be placed, exceeds fifty feet (50') in height;
- b. The tower and antenna will add no more than twenty feet (20') total to the height of the existing structure;
- c. The tower or antenna does not contain advertising; and
- d. It complies with the lighting regulations for towers as specified in this division.

(2) Freestanding antennas do not require a CUP in any nonresidential zoning district if it does not exceed the height requirement(s) in the district and it meets all other requirements of the district.

*The above does not apply to the proposed facility, as it is not a rooftop installation or alternative tower structure. No such structures currently exist in the vicinity. The proposed facility exceeds the height limits of the zoning district, so a CUP is required.*

(c) **Procedures.** An application for a CUP for a tower, antenna, or use of an alternative tower structure shall meet the procedural requirements set forth for a CUP contained within Article 2, Division 3 of this Chapter 2.

(d) **Effects Not Considered.** The effects of radio frequency emissions on persons or the environment must not be considered in a proceeding involving an application for a conditional use permit.

(e) **Application & Requirements.** An application for a conditional use permit for a

tower, antenna, or use of an alternative tower structure must be made to the Planning Department. An application will not be considered until it is complete. A complete application must contain the following:

(1) An inventory of the applicant's existing towers that are either within the City or within one mile of the corporate limits, specifying the location, height, and design of each tower. The Planning Department may share the information with other applicants for a conditional use permit under this article.

*T-Mobile has attached a map showing all our existing cell sites in the Pearland area. Of the 26 antenna sites in and around Pearland, only 11 are on towers owned by T-Mobile. The remaining 15 are cases where T-Mobile has collocated our antennas on existing towers or power poles. This is a testament to T-Mobile's commitment to collocation and the reduction of tower proliferation.*

(2) Site plans to scale specifying the location of tower(s), transmission building and other accessory uses, street access, parking, fences, landscaped areas, and adjacent land uses.

*Preliminary site plans are attached showing all required items. T-Mobile will work with City staff to ensure fencing and landscaping will comply with all requirements. T-Mobile plans to use an opaque fencing material around the compound, and will be happy to discuss screening options with the City. T-Mobile chose a site location that is partially obstructed from view in several directions.*

(3) A report from a professional structural engineer licensed in the State of Texas documenting the following:

- a. Tower height and design, showing a cross-section of the tower structure.
- b. Total anticipated capacity of the tower structure, including the number and types of antennas which can be accommodated.

*T-Mobile will be happy to provide the above information to the City when it becomes available following CUP approval. T-Mobile intends to construct a monopole that will accommodate the antennas of at least three PCS service providers.*

(4) A letter of intent to lease excess space on the tower and to lease additional excess land on the tower site when the shared use potential of the tower is absorbed, if structurally and technically possible.

*T-Mobile intends to make space available on the monopole for lease to other users for collocation. It is common practice for T-Mobile and the other major wireless carriers to collocate on each others' towers throughout the United States. T-Mobile has master lease agreements with the major carriers and tower companies, and vice-versa. T-Mobile will be happy to comply with this requirement wherever structurally and technically possible.*

(5) Each applicant must make a good faith effort to substantially demonstrate that no existing towers could accommodate the applicant's proposed antenna by doing the following:

- a. The applicant must contact the owners of all existing towers of a height roughly equal to or greater than the height of the tower proposed by the applicant. A list must be provided of all owners contacted, the date of the contact, and the form and content of the contact. Where an existing tower is known to have capacity for additional antennas of the sort proposed, that application for a new tower is not complete until the owner

of the existing tower responds, unless the applicant submits sufficient information for the Planning Department to determine that all reasonable efforts to obtain a response have been made and further efforts would be futile.

b. The applicant must request the following information from each tower owner contacted:

1. Identification of the site by location, existing uses, and tower height.

2. Whether each tower could structurally accommodate the antenna proposed by the applicant without requiring structural changes be made to the tower. To enable the owner to respond, the applicant must provide each owner with the height, length, weight, and other relevant data about the proposed antenna.

3. Whether each tower could structurally accommodate the proposed antenna if structural changes were made, not including totally rebuilding the tower. If so, the owner must specify in general terms what structural changes would be required.

4. If structurally able, would shared use by the existing tower be precluded for reasons related to RF interference. If so, the owner must describe in general terms what changes in either the existing or proposed antenna would be required to accommodate the proposed tower, if at all.

c. The Planning Department must maintain and provide, on request, records of responses from each owner. Once an owner demonstrates an antenna of the sort proposed by the applicant cannot be accommodated on the owner's tower as described below, the owner need not be contacted by future applicants for antennas of the sort proposed.

d. Shared use is not precluded simply because a reasonable fee for shared use is charged, or because of reasonable costs necessary to adapt the existing and proposed uses to a shared tower. The Planning Department and the City Council may consider expert testimony to determine whether the fee and costs are reasonable. Costs exceeding new tower development are presumed unreasonable.

*There are no cellular towers or other structures suitable for collocation near the area of need. In fact, the nearest cellular tower is more than 1 mile from the proposed site, which is entirely too far to serve the area of need.*

(6) Any other information which may be requested by the Planning Department to fully evaluate and review the application and the potential impact of a proposed tower or antenna.

*T-Mobile has met with City Planning Staff to regarding the proposal and would be happy to provide any additional information requested by Staff.*

### **Section 2.5.5.3 General Requirements & Regulations**

(a) **Advertising.** No advertising shall be permitted on an antenna or tower.

*T-Mobile will not place any advertising on the site.*

(b) **Signs or Illumination.** No signs or illumination shall be placed on an antenna or tower unless required by the FCC, FAA, or other state or federal agency of competent jurisdiction. The Planning Department may review the available lighting

alternatives and approve the design that would cause the least disturbance to the surrounding uses and views.

*The only signage will consist of a simple identification sign with an emergency number, as well as any other signage specifically required by the FCC, FAA or any other government entity. The tower will not be lighted, and is not required by the FAA to be lighted.*

(c) **Establishment.** A new cell shall not be established if there is a technically suitable space available on an existing tower within the search area that the new cell is to serve. For the purpose of this article, the search area is defined as the grid for the placement of the antenna.

*As demonstrated on the attached coverage maps, the area the site needs to be located within in order to achieve coverage objectives is very small. The nearest existing towers are not only too far away, but T-Mobile already has antennas mounted on many of them.*

(d) **Location.** A tower shall not be located in the required front yard in a residential district.

*The proposed tower is not located in a residential district.*

(e) **Tower Separation.** All free-standing towers (not mounted on rooftops or alternative tower structures) must conform to the following minimum tower separation requirements contained in Table 2-1.

Table 2-1  
Tower Separation Requirements

Tower Height	Less Than 50'	50' to 100'	101' to 150'	Greater Than 150'
Less Than 50'	300'	500'	750'	1,000'
50' to 100'	500'	750'	1,000'	1,500'
101' to 150'	750'	1,000'	1,500'	2,000'
Greater Than 150'	1,000'	1,500'	2,000'	2,500'

*There are no towers within 2000' of the proposed tower location.*

#### **Section 2.5.5.4 Visual Impacts**

##### **(a) Materials & Coloring.**

(1) Towers must either maintain a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable federal or state agency, be painted a neutral color, so as to reduce visual obtrusiveness.

*The proposed monopole will have a galvanized steel finish. T-Mobile has found that galvanized steel generally blends in with the surroundings better than a painted surface.*

(2) At a tower site, the design of the building and related structures must use materials, colors, textures, screening, and landscaping that will blend the tower and facilities to the natural setting and built environment.

*T-Mobile will screen the compound with opaque fencing and, if required, drought-resistant landscaping.*

(3) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

*Not applicable.*

**(c) Height & Design.**

(1) Towers clustered at the same site must be of similar height and design.  
*There are no other towers at the site.*

(2) Towers must be the minimum height necessary to provide parity with existing similar tower supported antenna, and must be freestanding where the negative visual effect is less than would be created by use of a guyed tower.

*The proposed 90' structure is similar to or shorter than most of the area towers, and clearly is of a design that will be less visually obtrusive than a guyed tower structure.*

**Section 2.5.5.5 Principal, Accessory, & Joint Uses**

(a) **Structures & Storage.** Accessory structures used in direct support of a tower are allowed, but such structures must not be used for offices, vehicle storage, or other outdoor storage. Mobile or immobile equipment not used in direct support of a tower shall not be stored or parked on the site of the tower, unless repairs to the tower are being made.

*As stated earlier, the proposed facility will be unmanned, visited for maintenance or repairs. All structures and equipment will be contained within the fenced compound and will consist only of uses directly related to the operation of the tower and facility.*

(b) **Towers in Relation to a Principal Use.** Towers may be located on sites containing another principal use in the same buildable area. Towers may occupy a parcel meeting the minimum lot size requirements for the zoning district in which it is located. For a monopole tower, the minimum distance between the tower and any other principal use located on the same lot shall be twenty percent (20%) percent of the tower height or twenty-five feet (25'), whichever is greater.

*All existing uses on the property are more than the required distance from the proposed tower.*

(c) **More Than One Tower on One Site.** Placement of more than one tower on a lot is permitted, provided all setback, design and landscape requirements are met as to each tower. Structures may be located as close to each other as technically feasible, provided tower failure characteristics of the towers on the site will not lead to multiple failures in the event that one fails.

*T-Mobile has not plans to construct additional towers at this site.*

**Section 2.5.5.6 Shared Use**

(a) **No Permit Required.** To encourage shared use of towers, no building permit or conditional use permit is required for the addition of antennas to an existing tower so long as the height of the tower or structure on which the antenna is placed is not increased and the requirements of this article are met.

*T-Mobile applauds the City's encouragement of collocation, which reduces tower proliferation.*

(b) **Tower Owner Responsibilities.** Any conditional use permit which is granted for a new tower is specifically subject to the condition that the tower owner abide by the following provisions relating to shared use, regardless of whether or not the ordinance granting the permit contains the conditions:

(1) The tower owner must respond in a timely, comprehensive manner to a request for information from a potential shared use applicant;

(2) The tower owner must negotiate in good faith for shared use by third parties; and

(3) The tower owner must allow shared use where the third party seeking the use agrees in writing to pay reasonable, pro rata charges for sharing, including all charges necessary to make modifications of the tower and transmitters to accommodate the shared use, and to observe whatever technical requirements are necessary to allow shared use without creating interference.

*T-Mobile will comply with all the above requirements. In fact, we have an entire department devoted to handling requests to collocate on our towers.*

(c) **Compliance Required.** The willful failure of an owner whose tower was approved under this article to comply with the requirements of this section is grounds for withholding approval of any application by the owner for a building permit for the approved tower, for revoking the conditional use permit granted for the tower, and for refusing to approve a new conditional use permit for any new tower or antenna.

#### **Section 2.5.5.7 Abandoned Towers**

(a) **Not Operated for a Specific Period.** Any antenna or tower that is not operated for any continuous period of 12 months is deemed abandoned, whether or not the owner or operator intends to make use of the tower. The owner of an abandoned antenna or tower and the owner of the property where tower is located must remove the tower or antenna. If the antenna or tower is not removed within 60 days of receipt of notice from the City ordering the removal, the City may remove tower or antenna and place a lien upon the property for the costs of the removal.

(b) **Use After Abandonment.** If the owner of an abandoned tower or antenna wishes to use the abandoned tower or antenna, the owner first must apply for and receive all applicable permits and meet all of the conditions of this article as if the tower or antenna were a new tower or antenna.

#### **Section 2.5.5.8 Pre-Existing Towers & Non-Conforming Uses.**

(a) **Operative Towers.** All communications towers that are operative prior to the effective date of this UDC and that do not comply wholly with the requirements of this division are allowed to continue their present usage as a nonconforming use and are treated as a non-conforming use in accordance with Chapter 2, Article 7 of this UDC. Routine maintenance is permitted on the existing towers. Construction other than routine maintenance on an existing communication tower must comply with the requirements of this UDC.

*T-Mobile will comply with all the above requirements.*

#### **Section 2.5.5.9 Public Property**

(a) **Exempt.** Antennas or towers located on property owned, leased or otherwise controlled by a City, State, or Federal entity are exempt from the requirements of this article.

*Not Applicable.*

Conclusion

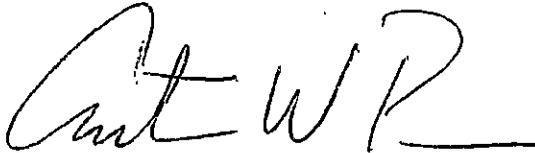
Every day more than 290,000 "911" emergency calls are made using wireless phones. The proposed T-Mobile site enhances the general welfare of the community by providing the infrastructure necessary for these calls, as well as a vital means for communicating during times of emergency when traditional land lines may not be available. The carefully selected and designed facility allows these calls to occur, and meets the needs of the community as well as those of future carriers in the area.

All exhibits to this Statement of Intent are incorporated by reference into the same.

T-Mobile respectfully requests approval of its application for variances and related permits. Thank you for your consideration. Please feel free to contact me with any questions or comments at (785) 766-6633.

Sincerely,

T-Mobile Houston, L.P.

A handwritten signature in black ink, appearing to read "Anthony W. Perez". The signature is fluid and cursive, with a long horizontal stroke at the end.

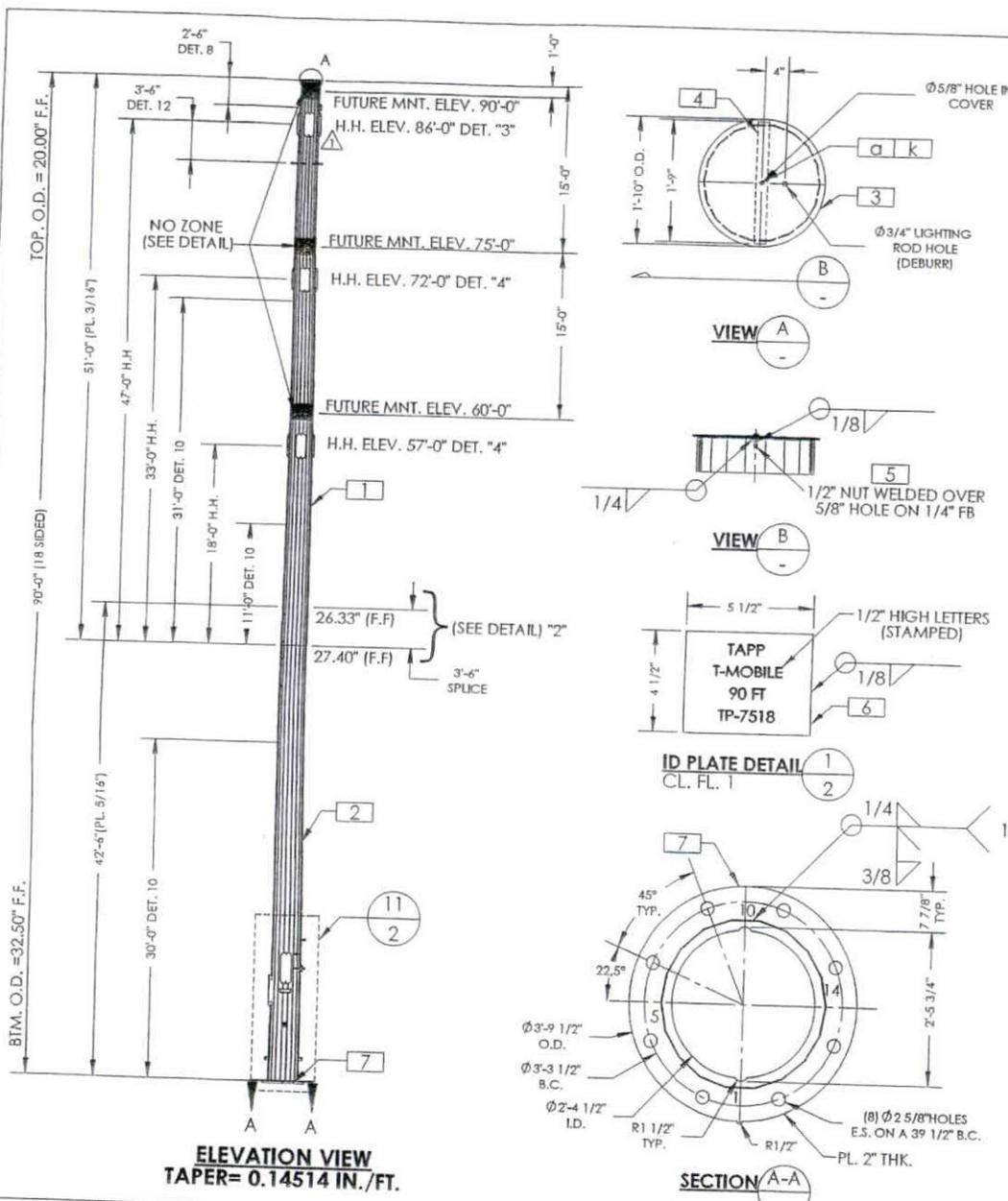
Anthony W. Perez

Example of  
Typical Monopole

AUG 22 2008



ERECTION BOOK  
TP-7518  
T-MOBILE  
90'-0" MONOPOLE  
A3C0179 / R & S DEVELOPMENT



BILL OF MATERIAL						
Item#	Qty.	Part. No.	Description	Grade	Wt./Ea.	Total Wt.
1	1	7518-1	TOP SECTION PL. 3/16" x 20.00" x 27.40" x 51'-0"	A572/65	2430	2430
2	1	7518-2	BTM. SECTION; PL. 5/16" x 26.33" x 32.50" x 42'-6"	A572/65	4178	4178
3	1	7518-PC	POLE COVER; PL. 3/16" x 22" O.D.	A36	20	20
4	1	7518-AP	ATTACH. FB. 2" x 1/4" x 21"	A36	3	3
5	1	00-N1	ATTACH. NUT; 1/2" HN	A563-A	.01	0
6	1	7518-ID	ID PLATE; PL. 3/16" x 4 1/2" x 5 1/2"	A36	1	1
7	1	7518-BF	BASE PLATE; PL. 2" x 45 1/2" O.D.	A572/60	536	536
8	9	00-HHF2A	HAND HOLE FRAME; 1" x 9" x 24" I.D.	A572/60	36	324
9	9	00-HHC2A	HAND HOLE COVER; 3/16" x 11" x 2'-2"	A36	15	135
10	18	00-JH1	J-HOOK; ROD 3/8" x 3 3/4" LG.	A36	.1	2
11	3	00-EPF3A	EXIT PORT FRAME; 1" x 10" x 30" I.D.	A572/60	110	330
12	3	00-EPC3A	EXIT PORT COVER; 3/16" 1'-0" x 2'-8"	A36	20	60
13	2	00-SC	SAFETY CLUMB; PL. 1/4" x 2 3/8" x 6"	A36	1	2
14	2	00-GP	GROUND PLATE; PL. 1/4" x 3 1/2" x 4"	A36	1	2
15	3	7518-CGN	CABLE GUIDE NUT; 5/8" HEAVY HEX NUT	A563-C	.12	0
16	2	00-BBA	BUSS BAR; 1/4" x 4" x 1/4" x 12"	A36	7	14
17	90	00-SBC	STEP BOLT CLIP; (SEE STD. DWG. 00-SBC)	A36	.5	45
JN	8	00-JN	JACKING NUT; 1" HHN	A563-DH	.5	4
				BLACK WT.	8084	
				GALV. WT.	8571	

HARDWARE BILL OF MATERIAL						
Item#	Qty.	Part. No.	Description	Grade	wt./Ea.	Total Wt.
a	1	00-B1	ATTACH. BOLT; 1/2" x 2" LG. FT (GALV.)	A307	.12	0
b	24	00-JB2	J-BOLT; (SEE STD. DWG. 00-JB2) (GALV.)	A36	.2	5
c	24	00-H2	1/4" HEX NUT (GALV.)	A563-DH	.01	0
d	24	00-FW	1/4" FLAT WASHER (GALV.)	F436	0	0
e	90	00-SB	STEP BOLT; 5/8" x 7" LG. (GALV.)	A394-1	1	90
f	180	00-SBN	STEP BOLT NUT; 5/8" HVY. HEX NUT A563-C (GALV.)	A563-C	.12	22
g	1	SC-01	SAFETY CLUMB KIT	-	0	0
h	2	GR-02	GROUND ROD KIT	-	0	0
i	2	GR-04	BUSS BAR KIT	-	0	0
j	1	LR-01	LIGHTING ROD KIT	-	0	0
k	1	00-SLW	1/2" SPRING LOCK WASHER	B18.22.1	0	0
l	1	GW-01	GROUNDING WIRE (30'-0")	-	0	0

QTY. SHOWN IS FOR ONE (1) STR.  
TOTAL OF ONE (1) STR. REQUIRED

**SHOP NOTES:**

1. ALL GALV. NUTS TO BE TAPPED 0.02 IN. OVERSIZE
2. ALL HOLES TO BE DEBURRED UNLESS NOTED OTHERWISE
3. GRIND SMOOTH ALL SHARP EDGES.

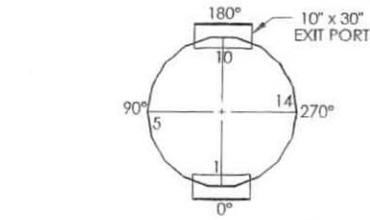
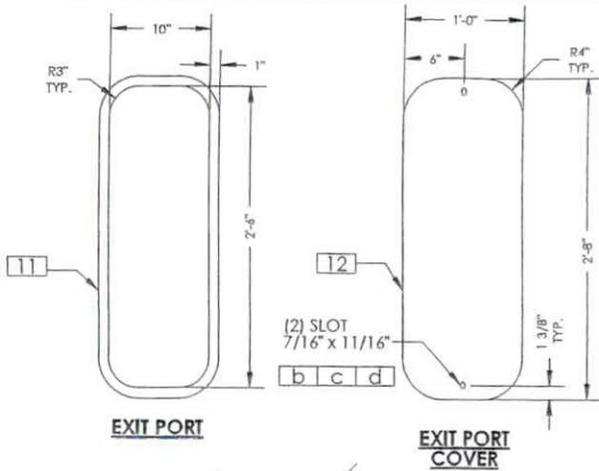
1	05/06/08	CHAIRES	KAROLINA	CHANGED HANDHOLE ORIENTATION
0	05/02/08	-	KAROLINA	ISSUED FOR FABRICATION
REV.	DATE	REV. BY	CHE. BY	



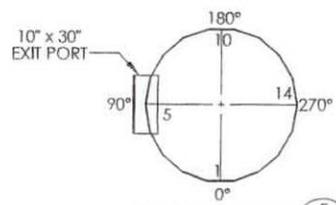
**TransAmerican**  
Power Products, Inc.  
2427 Kelly Lane  
Houston, Texas 77066

CAPP	DATE	<b>T-MOBILE</b>
CHAIRES	05/02/08	
CHK	DATE	
APP	DATE	TELECOMMUNICATION STRUCTURE
CUST. P.C. NUMBER		ASSEMBLY AND GENERAL DETAILS A3C0179 / R & S DEVELOPMENT
4350368856	TP-7518	DRAWING NO. 7518-PA SH/OF 1/3 SCALE NTS REV. 1

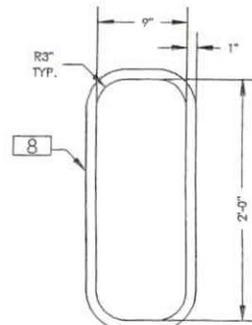
AUG 22 2008



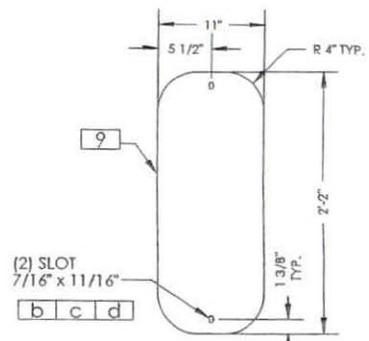
**@ 10 FT ELEVATION** (6)



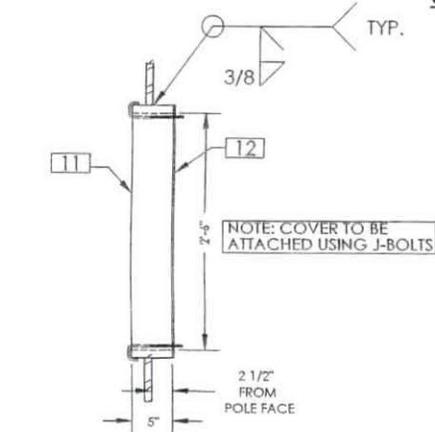
**@ 8 FT ELEVATION** (5)



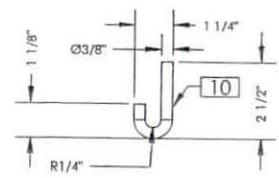
**HAND HOLE**



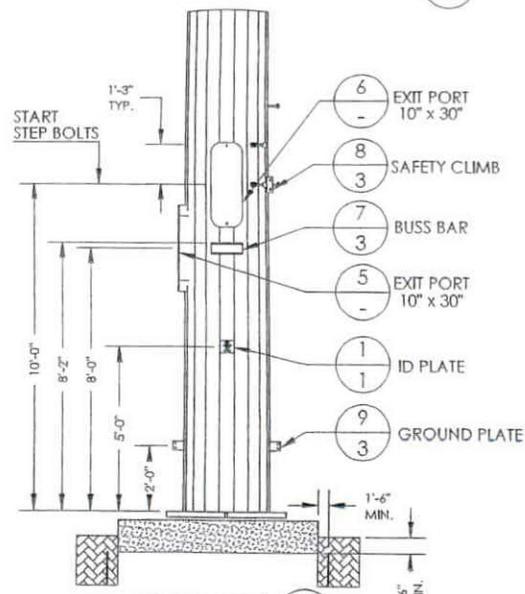
**HAND HOLE COVER**



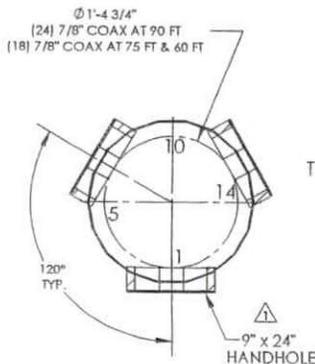
**SIDE VIEW  
10\"/>**



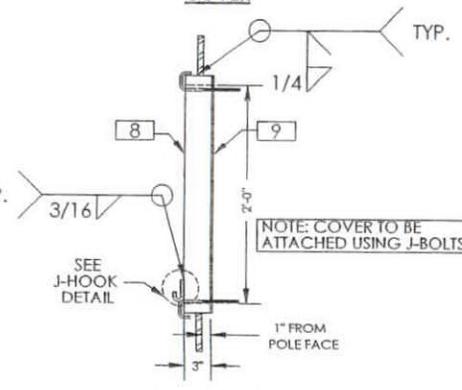
**J-HOOK DETAIL**



**BOTTOM DETAIL** (11)



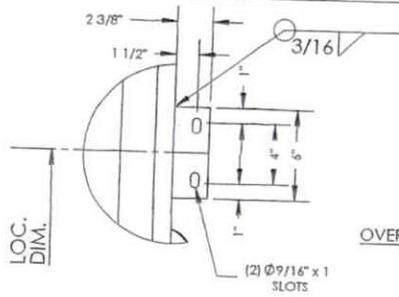
**9\"/>**



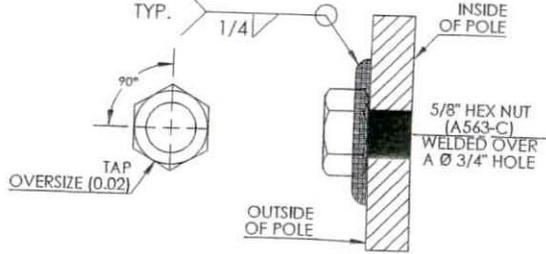
**SIDE VIEW  
9\"/>**

1	05/06/08	CHAIRRES	KAROLINA	CHANGED HANDHOLE ORIENTATION
2	05/02/08		KAROLINA	ISSUED FOR FABRICATION
REV.	DATE	REV. BY	CHK. BY	
 <b>TransAmerican Power Products, Inc.</b> 2427 Kelly Lane Houston, Texas 77066				
OWN	DATE	<b>T-MOBILE</b>		
CHAIRRES	05/02/08			
CHK	DATE	TELECOMMUNICATION STRUCTURE		
APP	DATE	ASSEMBLY AND GENERAL DETAILS A3C0179 / R & S DEVELOPMENT		
CUST. P.O. NUMBER	TAPP ORDER No.	DRAWING No.	SH/OF	SCALE
45503885R	TP-7518	7518-PA	2/3	NTS
				REV.
				1

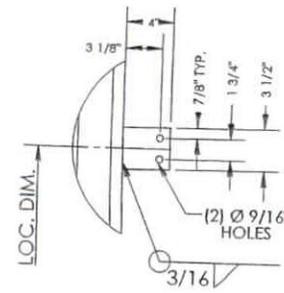
AUG 22 2008



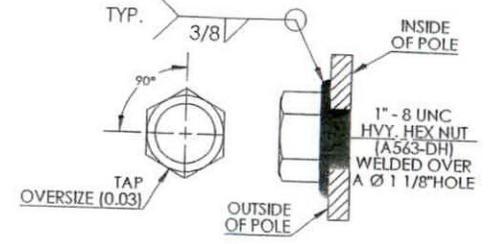
**SAFETY CLIMB BRACKET DETAIL** 8/13  
CL. FL. 15



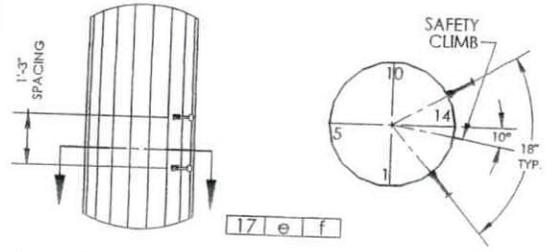
**CABLE GUIDE NUT DETAIL** 10/15  
CL. FL. 15



**GROUND PLATE DETAIL** 9/14  
CL. FL. 5 & 14

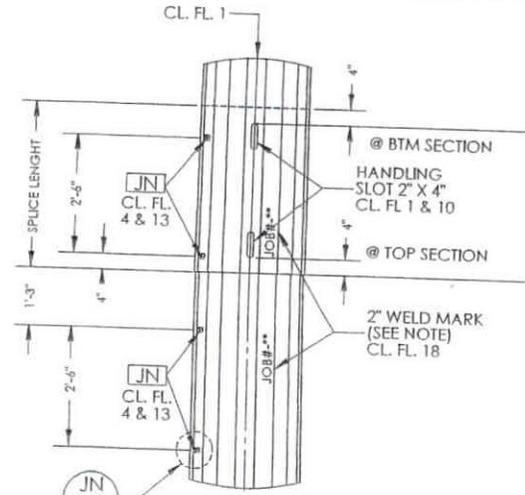


**JACKING NUT DETAIL** JN/DTL  
CL. FL. 4 & 13

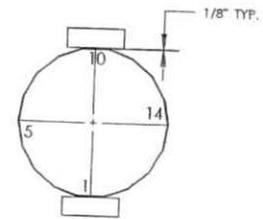


**STEP CLIP DETAIL**

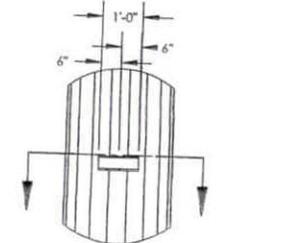
1. 1 STEP BOLTS FULL HEIGHT FROM 10'-0" ABOVE BASE PLATE (15' ALT. VERTICAL SPACING) DOUBLE LUG AT TOP/BTM OF EACH SECTION
2. SHOP SHALL ALIGN SAFETY CLIMB PLATE @ CL. OF STEP BOLTS
3. STOP STEP CLIPS AT THE SAME LEVEL THE SAFETY CLIMB BRACKET



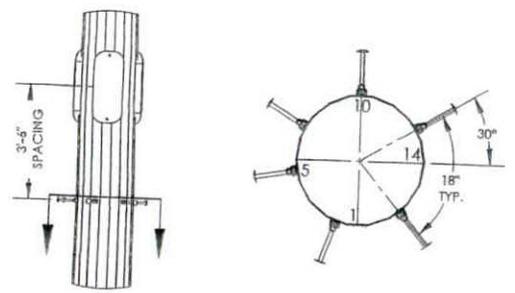
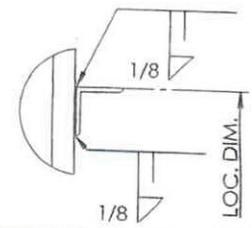
**SPLICE DETAIL** 2/1



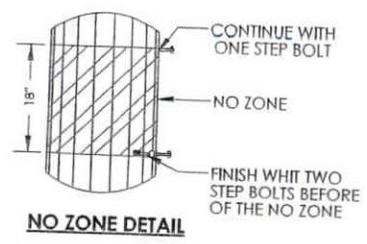
**BUSS BAR DETAIL** 7/16  
CL. FL. 1 & 10



**NOTE:**  
ONLY WELD UPPER AND LOWER SIDE  
DO NOT WELD VERTICAL SIDE



**DETAIL** 12/1  
17 | e | f



**NO ZONE DETAIL**

7518 - \*\*  
JOB#-\*\* SECTION # (SEE NOTE)  
NOTE:  
TOP SECTION=1  
BTM. SECTION=2  
**2" ID WELD MARK DETAIL**

1	05/06/08	CHAIRER	KAROLINA	NO CHANGES ON THIS SHEET
0	05/02/08		KAROLINA	ISSUED FOR FABRICATION
REV.	DATE	REV. BY	CHK. BY	
<b>TransAmerican Power Products, Inc.</b> 2427 Kelly Lane Houston, Texas 77066				
DWN	DATE	T-MOBILE		
CHAIRER	05/02/08	TELECOMMUNICATION STRUCTURE		
CHK	DATE	ASSEMBLY AND GENERAL DETAILS A3C0179 / R & S DEVELOPMENT		
APP	DATE	CL. ST. P.O. NUMBER	TAPP ORDER No.	DRAWING No.
		45503R885R	TP-7518	7518-PA
				SH/OF
				SCALE
				REV.
				NTS
				1

AUG 22 2008



**TransAmerican  
Power Products, Inc.**  
2427 Kelly Lane  
Houston, Texas 77066

THIS STANDARD DEFINES THE STANDARD PROCEDURE FOR JACKING SLIP-FIT POLES TOGETHER.

1. POLE ASSEMBLY SHOULD BE DONE ON THE GROUND. ASSEMBLY OF THE POLE IN THE AIR, IN A VERTICAL FASHION, IS NOT RECOMMENDED.
2. ALIGN THE SECTIONS PROPERLY. THERE IS A 2" LONG WELD ON THE MATCHING CORNERS OF EACH SECTION. LINE THEM UP FOR PROPER SECTION ALIGNMENT.
3. THERE ARE TWO SETS OF JACKING NUTS (TWO IN EACH SET) WELDED TO EACH SECTION. SLIP THE SECTIONS TOGETHER SO THE JACKING NUTS RUN ALONG THE POLE IN-LINE AND HORIZONTALLY THIS WILL PROVIDE ADEQUATE SPACE FOR THE JACKING EQUIPMENT AND IT WILL ENSURE PROPER ALIGNMENT.
4. THERE ARE SEVERAL ACCEPTABLE TYPES OF EQUIPMENT FOR PULLING THE SECTIONS TOGETHER: HYDRAULIC JACKS, CHAIN HOIST OR TURNBUCKLES. REGARDLESS OF THE EQUIPMENT USED, HOWEVER, JACKING PLATES MUST BE USED. FOUR JACKING PLATES ARE REQUIRED (ONE PLATE PER SECTION). THE JACKING PLATE SHOULD BE BOLTED TO BOTH JACKING NUTS AND THE LOAD SHOULD BE APPLIED TO THE JACKING PLATES. THE GOAL IS TO INSURE THAT THE BOTH JACKING NUTS ON EACH SECTION CARRY THE JACKING LOAD.
5. EACH SECTION SHOULD BE BLOCKED UP OFF THE GROUND. LUBRICATION SHOULD BE APPLIED TO THE MALE SECTION TO AID IN SLIPPING PROCESS. LIQUID DISH WASHING DETERGENT IS PREFERRED. DO NOT USE OIL BASED LUBRICANTS, THEY WILL BE DIFFICULT, IF NOT IMPOSSIBLE, TO REMOVE.
6. THE JACKING DEVICES SHOULD BE ATTACHED AFTER THE SECTIONS HAVE BEEN BROUGHT TOGETHER AS FAR AS POSSIBLE. THE MINIMUM AND MAXIMUM JACKING FORCES APPEAR IN THE ATTACHED TABLE. DURING THE JACKING PROCESS THE SECTIONS SHOULD BE WORKED UP AND DOWN TO HELP "WALK" THE FEMALE SECTION ON TO THE MALE SECTION.

**NOTE:**

**IF THE MINIMUM SPLICE LENGTH CANNOT BE ACHIEVED, OR IF THERE ARE VISIBLE GASP (IN EXCESS OF 3/16" ON OPPOSITE FLATS) AFTER THE SECTIONS PASS MAXIMUM SLIP - TRANSAMERICAN POWER SHOULD BE CONTACTED BEFORE PROCEEDING WITH THE ERECTION. UNDER NO CIRCUMSTANCE SHOULD THE STRUCTURE BE ERECTED OR LOADED IF THESE CONDITIONS EXIST.**

**RECOMMENDED JACKING FORCES**

MINIMUM PLATE THICKNESS (INCHES)	MINIMUM JACKING FORCE PER SIDE (POUNDS)	MAXIMUM JACKING FORCE PER SIDE (POUNDS)
3/16	19,000	25,800
1/4	26,800	32,700
5/16	34,700	42,000
3/8	42,500	47,500
7/16 and Above	48,000	52,000



**TransAmerican  
Power Products, Inc.**  
2427 Kelly Lane  
Houston, Texas 77066

OWN	DATE	TAPP STANDARD					
SW	12/22/04	TELECOMMUNICATION STRUCTURE					
CHK	DATE	LIGHTNING ROD INSTALLATION					
APP	DATE	CUST. P.O. NUMBER	TAPP ORDER No.	DRAWING No.	SH/OF	SCALE	REV.
		N/A	STANDARD	COVER	1/1	NTS	0

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PROPERTY OF TAPP, INC.  
2427 KELLY LANE  
HOUSTON, TEXAS 77066 U.S.A.  
PHONE 281-444-6277 FAX 281-444-7270

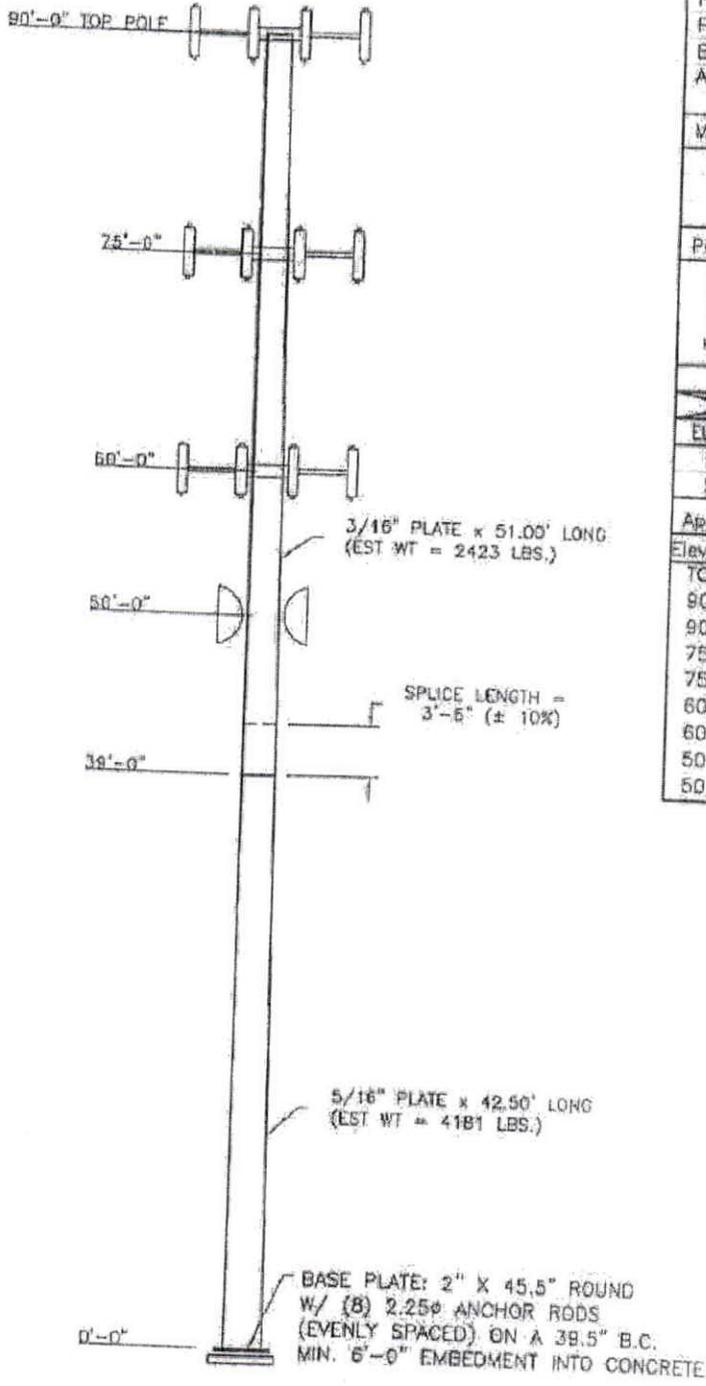
AUG 22 2008

PO Box 66, Unionville Center, OH 43077  
 PH: 614-937-4922 / FX: 614-413-2887

**DaVinci**  
 Engineering inc.



**TransAmerican**  
 Power Products, Inc.  
 8427 Kelly Lane  
 Houston, Texas 77068  
 PH: 281-444-8277 / FX: 281-444-7270



**DESIGN SPECIFICATIONS:**

DESIGNED ACCORDING TO: TIA/EIA-222-F 1996  
 COMPLIES WITH: 2003 INTERNATIONAL BUILDING CODE

Wind Speed Load Cases: (According to the TIA/EIA-222-F 1996)

LOAD CASE 1: 90 MPH DESIGN WIND SPEED  
 LOAD CASE 2: 78 MPH WIND SPEED + 1/2" RADIAL ICE  
 LOAD CASE 3: 50 MPH OPERATIONAL WIND SPEED

DESIGN MEETS THE REQUIREMENTS OF A 110 MPH 3-SEC GUST

**Pole Steel Specifications:**

POLE SHAFT SHAPE: 18-Sided Tapered Polygon  
 POLE SHAFT TAPER: 0.14306 inches/ft.  
 POLE SHAFT STEEL: ASTM A572 GR. 65 (Fy= 65 KSI)  
 BASE PLATE STEEL: ASTM A572 GR. 60 (Fy= 60 KSI)  
 ANCHOR RODS: 2 1/4" #18J ASTM A615 GR. 75 X 7'-0" LONG

**Monopole Base Reactions: (Base Reactions For Foundation Design)**

MOMENT: 1100 ft-kips  
 SHEAR: 18.0 kips  
 AXIAL: 14.0 kips

**Pole Shaft Sections Dimensions:**

TOP	SECTION LENGTH (FT)	WALL THK. (INCHES)	SPLICE LENGTH (FT)	TOP DIA. (INCHES)	BOT. DIA. (INCHES)
	51.00	0.1875	3.50	20.000	27.296
42.50	0.3125	0.00	26.420	32.500	

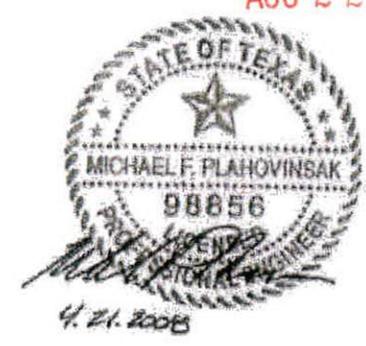
  

ELEVATION	90 MPH WIND SPEED		50 MPH WIND SPEED	
	DEFLECTION	ROTATION	DEFLECTION	ROTATION
90'-0"	53.9"	4.7"	16.7"	1.5"
50'-0"	18.0"	3.1"	5.6"	0.9"

**Appurtenance List:**

Elev.(FT)	Equipment Description:
TOP	LIGHTNING ROD (OPTIONAL)
90.0	(9) CELWAVE APX17DWV-17DWV PANEL
90.0	12-FT LOW PROFILE PLATFORM
75.0	(9) CELWAVE APX17DWV-17DWV PANEL
75.0	12-FT LOW PROFILE PLATFORM
60.0	(9) CELWAVE APX17DWV-17DWV PANEL
60.0	12-FT LOW PROFILE PLATFORM
50.0	(2) 6" DIA. GRID DISHES
50.0	DUAL MICROWAVE MOUNT

AUG 22 2008



**POLE ELEVATION**

SCALE: NTS  
 NOTES: STEP BOLTS TO FULL HEIGHT  
 ANTENNA COAX INSIDE POLE SHAFT

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POLE: 90-FT MONOPOLE	DATE: 4/21/08
OWNER: T-MOBILE	
SITE NAME: R&S DEVELOPMENT	SITE #: A300179A
LOCATION: HARRIS CO., TX	
CLIENT: TAPP	DESIGN #: TP-7518
REV. #:	REV. DATE:
REV. COMMENT:	
DESIGNED BY: MFP	CHECKED BY:
DAVINCI JOB#: 08235-1130	

PAGE 1 OF 2

PO Box 86, Unienville Center, OH 43077  
 PH: 614-937-4922 / FX: 614-413-2887

**DaVinci**  
 Engineering Inc.



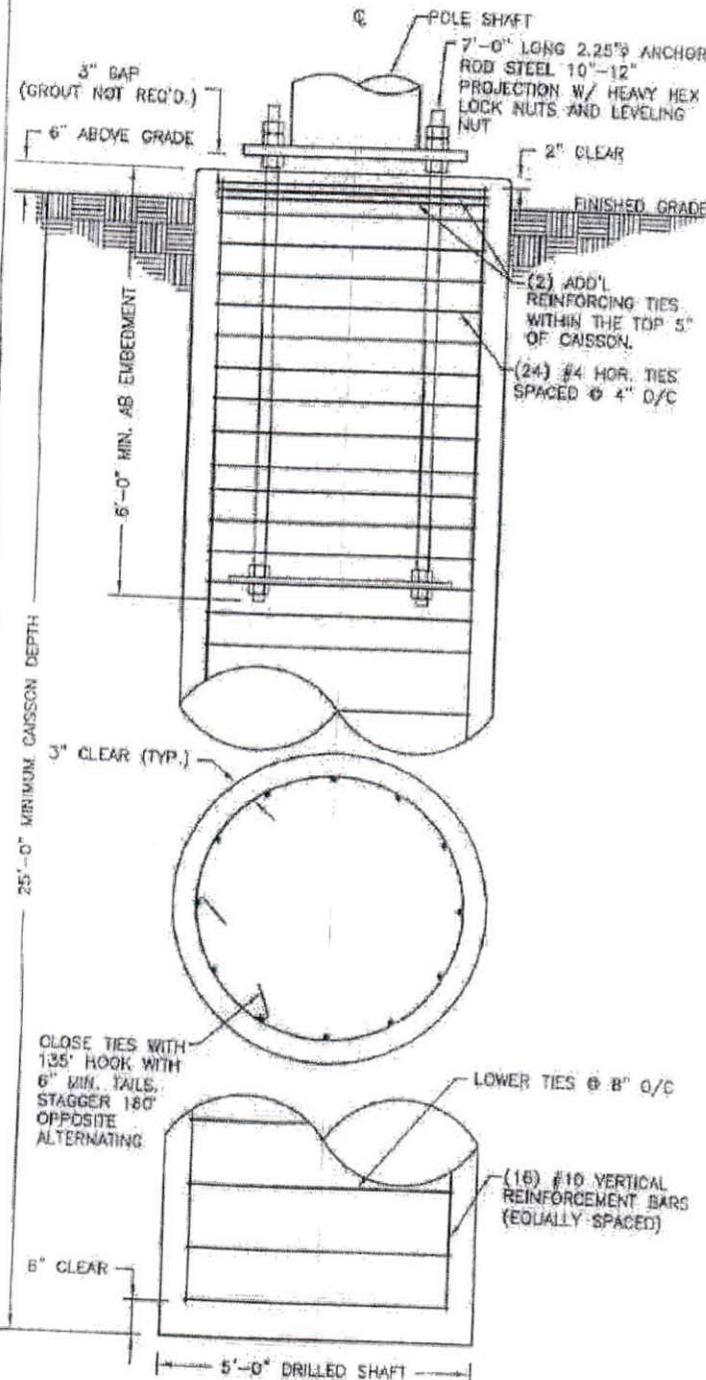
**TransAmerican**  
 Power Products, Inc.

2427 Holly Lane  
 Houston, Texas 77066

PH: 281-444-8277 / FX: 281-444-7270

**FOUNDATION NOTES:**

1. THE GEOTECHNICAL ENGINEER (OR THE APPROPRIATE INSPECTOR) SHALL INSPECT THE EXCAVATION PRIOR TO PLACING REINFORCING STEEL OR FORMS. THE GEOTECHNICAL ENGINEER (OR INSPECTOR) SHALL PROVIDE A NOTICE OF INSPECTION FOR THE BUILDING INSPECTOR FOR REVIEW AND RECORDS PURPOSE.
2. THE CONTRACTOR SHALL DETERMINE THE MEANS AND METHODS TO SUPPORT THE EXCAVATION DURING CONSTRUCTION. REFER TO THE GEOTECHNICAL REPORT FOR RECOMMENDATIONS.
3. THE CONTRACTOR SHALL READ THE GEOTECHNICAL REPORT AND SHALL CONSULT THE GEOTECHNICAL ENGINEER AS NECESSARY PRIOR TO CONSTRUCTION.
4. FOUNDATION DESIGN IS BASED ON GEOTECHNICAL REPORT BY:  
 ENGINEER: TERRACON  
 REPORT NO.: 02085045 (DATED 02-14-2008)
5. ALL FOUNDATION CONCRETE SHALL USE TYPE II CEMENT AND ATTAIN A MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS. CONCRETE SHALL HAVE A MAXIMUM WATER/CEMENT RATIO OF 0.46 AND SHALL BE AIR ENTRAINED 6% ( $\pm 1.5\%$ ). ALL CONCRETE CONSTRUCTION SHALL BE IN ACCORDANCE WITH ACI 318, "THE BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE", LATEST EDITION.
6. CAISSON FOUNDATION INSTALLATION SHALL BE IN ACCORDANCE WITH ACI 335, "STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF DRILLED PIERS", LATEST EDITION.
7. ALL REINFORCING STEEL SHALL CONFORM TO ASTM A615 VERTICAL BARS SHALL BE GRADE 60, AND TIES OR STIRRUPS SHALL BE A MINIMUM OF GRADE 40. THE PLACEMENT OF ALL REINFORCEMENT SHALL CONFORM TO ACI 315, "MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES", LATEST EDITION, UNLESS OTHERWISE DETAILED ON THIS SHEET.
8. ESTIMATED CONCRETE VOLUME = 19 CUBIC YARDS.
9. THE FOUNDATION HAS BEEN DESIGNED TO RESIST THE FOLLOWING APPLIED LOADS:  
 MOMENT: 1100 FT\*KIPS  
 SHEAR: 18 KIPS  
 AXIAL: 14 KIPS
10. GEOTECHNICAL REPORT INDICATES GROUNDWATER MAY BE ENCOUNTERED AT 23'-0" BELOW GRADE.



AUG 22 2008



9.21.2008

**CAISSON FOUNDATION**

SCALE: NTS

POLE: 90-FT MONOPILE	DATE: 04/21/08
OWNER: T-MOBILE	
SITE NAME: R&S DEVELOPMENT	SITE #: A3C0179A
LOCATION: HARRIS CO., TX	
CLIENT: TAPP	DESIGN #: TP-7518
REV. #:	REV. DATE:
DESIGNED BY: MFP	CHECKED BY:
DAVINCI JOB#: 08235-1130	PAGE 2 OF 2

<b>RISATower</b>  <b>DaVinci Engineering, Inc.</b> P.O. Box 66 Utopia Center, OH 43077 Phone: 614-937-4922 FAX: 614-413-2887	Job	90-ft Monopole - DaVinci #08235-1130	Page	1 of 8
	Project	A3C0179A, R&S Development	Date	03:06:37 04/21/08
	Client	TAPP (TP-7518)	Designed by	MFP

**Tower Input Data**

There is a pole section.  
 This tower is designed using the TIA/EIA-222-F standard.  
 The following design criteria apply:

- Tower is located in Harris County, Texas.
- Basic wind speed of 90 mph.
- Nominal ice thickness of 0.5000 in.
- Ice density of 56 pcf.
- A wind speed of 78 mph is used in combination with ice.
- Temperature drop of 50 °F.
- Deflections calculated using a wind speed of 50 mph.
- A non-linear (P-delta) analysis was used.
- Pressures are calculated at each section.
- Stress ratio used in pole design is 1.333.
- Local bending stresses due to climbing loads, feedline supports, and appurtenance mounts are not considered.

AUG 22 2008

**Options**

- |   |  |  |
|---|--|--|
| <ul style="list-style-type: none"> <li>Consider Moments - Legs</li> <li>Consider Moments - Horizontals</li> <li>Consider Moments - Diagonals</li> <li>Use Moment Magnification</li> <li>✓ Use Code Stress Ratios</li> <li>✓ Use Code Safety Factors - Guys</li> <li>Escalate Ice</li> <li>Always Use Max Kz</li> <li>Use Special Wind Profile</li> <li>✓ Include Bolts In Member Capacity</li> <li>✓ Leg Bolts Are At Top Of Section</li> <li>✓ Secondary Horizontal Braces Leg</li> <li>Use Diamond Inner Bracing (4 Sided)</li> <li>Add IRC 6D+W Combination</li> </ul> | <ul style="list-style-type: none"> <li>Distribute Leg Loads As Uniform</li> <li>Assume Legs Pinned</li> <li>✓ Assume Rigid Index Plate</li> <li>✓ Use Clear Spans For Wind Area</li> <li>✓ Use Clear Spans For KL/r</li> <li>✓ Retension Guys To Initial Tension</li> <li>✓ Bypass Mast Stability Checks</li> <li>✓ Use Azimuth Dish Coefficients</li> <li>✓ Project Wind Area of Appur</li> <li>✓ Autocalc Torque Arm Areas</li> <li>SR Members Have Cut Ends</li> <li>Sort Capacity Reports By Component</li> <li>✓ Triangulate Diamond Inner Bracing</li> </ul> | <ul style="list-style-type: none"> <li>Treat Feedline Bundles As Cylinder</li> <li>Use ASCE 10 X-Brace Ly Rules</li> <li>✓ Calculate Redundant Bracing Forces</li> <li>Ignore Redundant Members in FEA</li> <li>SR Leg Bolts Resist Compression</li> <li>✓ All Leg Panels Have Same Allowable</li> <li>Offset Gir At Foundation</li> <li>Consider Feedline Torque</li> <li>Include Angle Block Shear Check</li> <li>Poles</li> <li>✓ Include Shear-Torsion Interaction</li> <li>Always Use Sub-Critical Flow</li> <li>Use Top Mounted Sockets</li> </ul> |
|---|--|--|

**Tapered Pole Section Geometry**

Section	Elevation ft	Section Length ft	Splice Length ft	Number of Sides	Top Diameter in	Bottom Diameter in	Wall Thickness in	Bend Radius in	Pole Grade
L1	90.00-39.00	51.00	3.50	16	20.0000	27.3000	0.1875	0.7500	A572-65 (65 ksi)
L2	39.00-0.00	42.50		16	26.4240	32.5000	0.3125	1.2500	A572-65 (65 ksi)

**Tapered Pole Properties**

AUG 2 2008

# City of Pearland Planning and Zoning Commission

CUP Request for  
T-Mobile Site E192B

8-21-08

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# Wireless Statistics

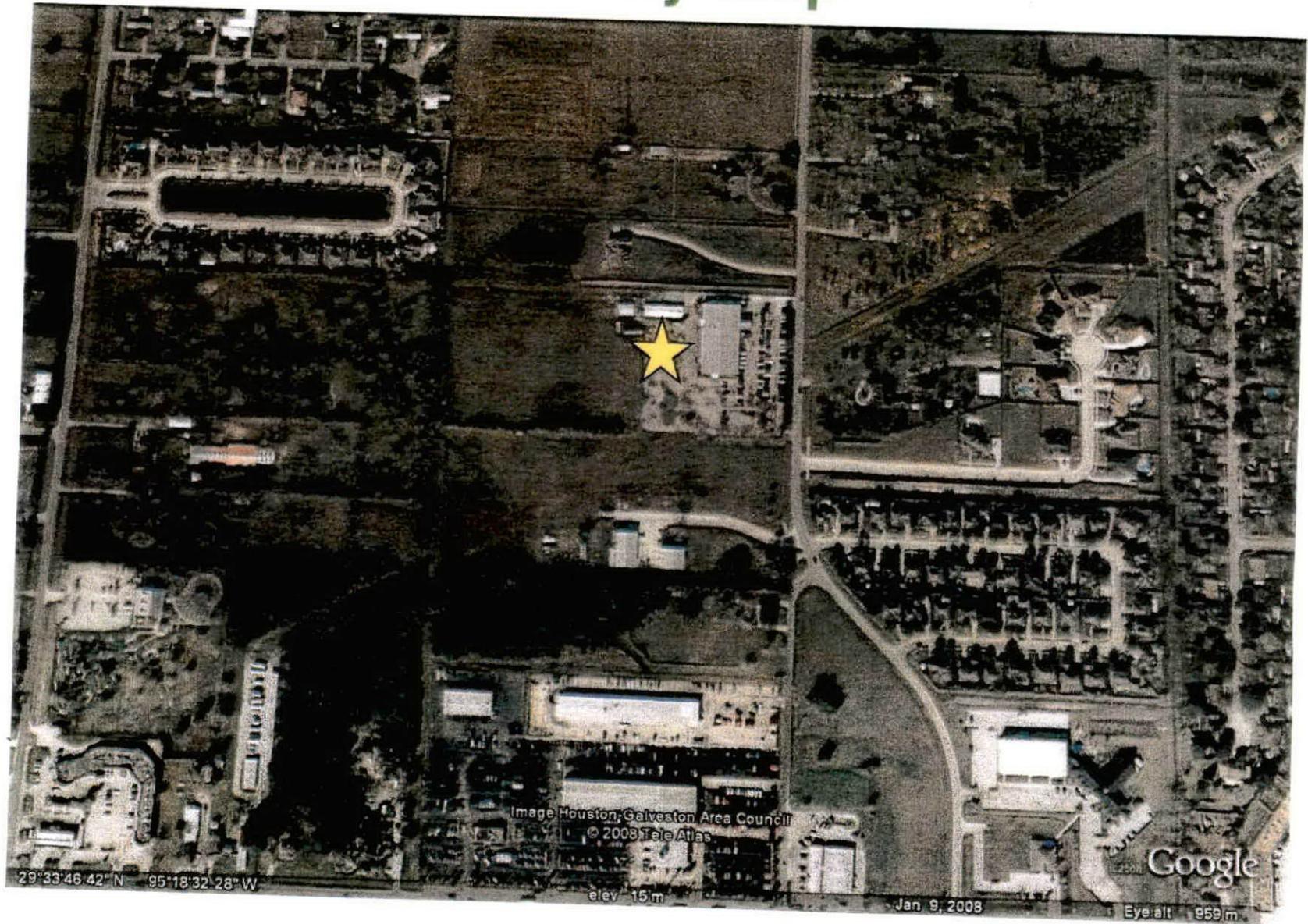
- More than 76% of all Houston-area residents own a wireless phone
- The number of E911 calls placed on the T-Mobile Houston network has grown by 33% since 2004 (3700 daily)
- The number of wireless minutes used on the T-Mobile Houston network has increased by 780% since 2001
- Wireless customers used 940 billion minutes during the second half of 2006 alone (up 15% from 2005)
- 18.7 billion SMS (text) messages were sent in the month of December alone in 2006, up 92% from December 2005
- There are 195,613 cell sites in the United States (December 2006)
- Every day in the United States, more than 290,000 calls are made to "911" using a wireless phone

# Why the need?

**The decision to place new wireless facilities is driven by the needs and expectations of T-Mobile's customers, including:**

- Customer demand for uninterrupted wireless service throughout homes and neighborhoods;
- Customer desire to use next-generation devices and services to their full capacity;
- T-Mobile's responsibility to expand capacity at existing sites and plan ahead for future customer demand; and
- Government requirements for emergency services and Enhanced 9-1-1.

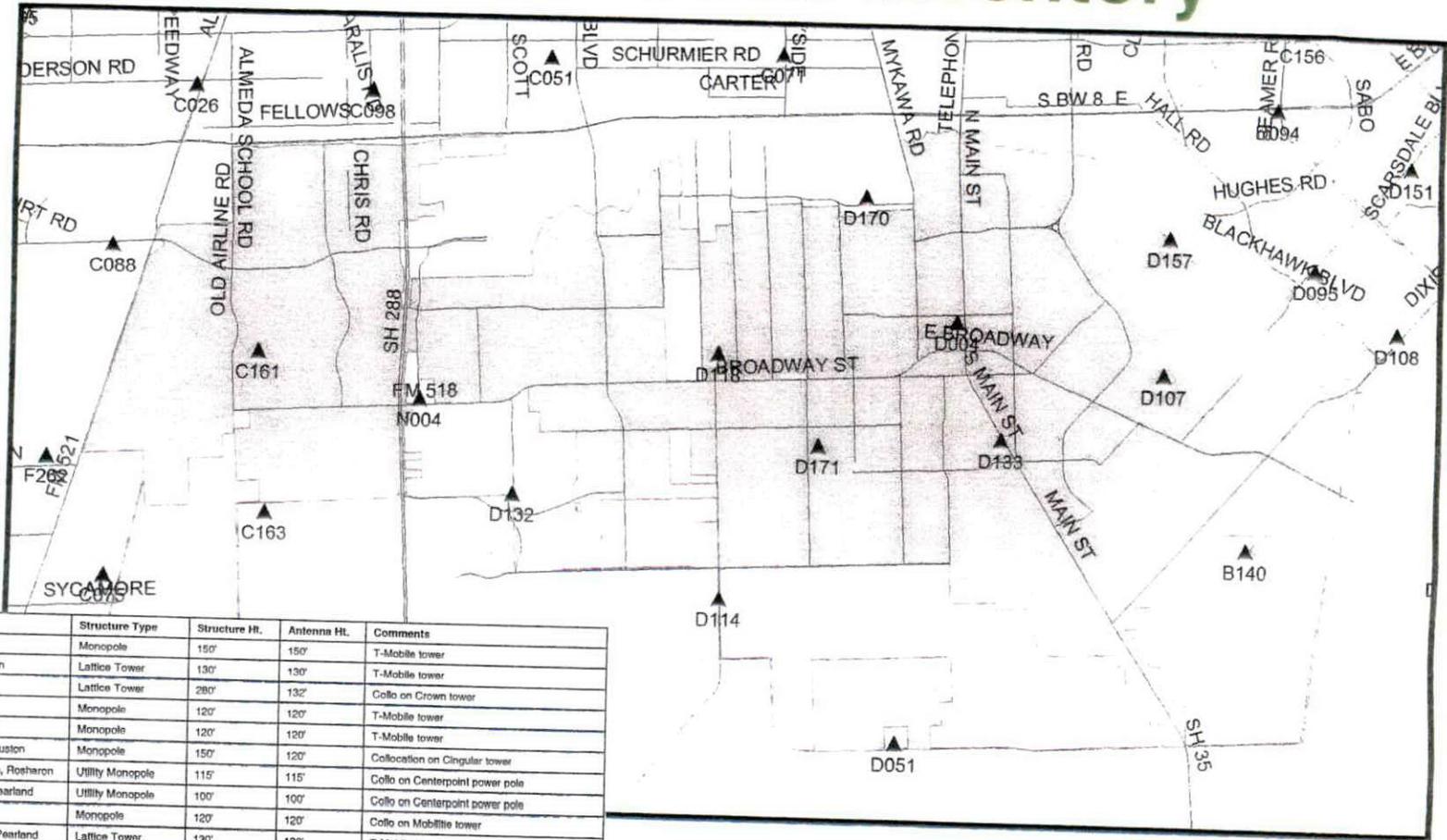
# Vicinity Map



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# Pearland Area T-Mobile Site Inventory

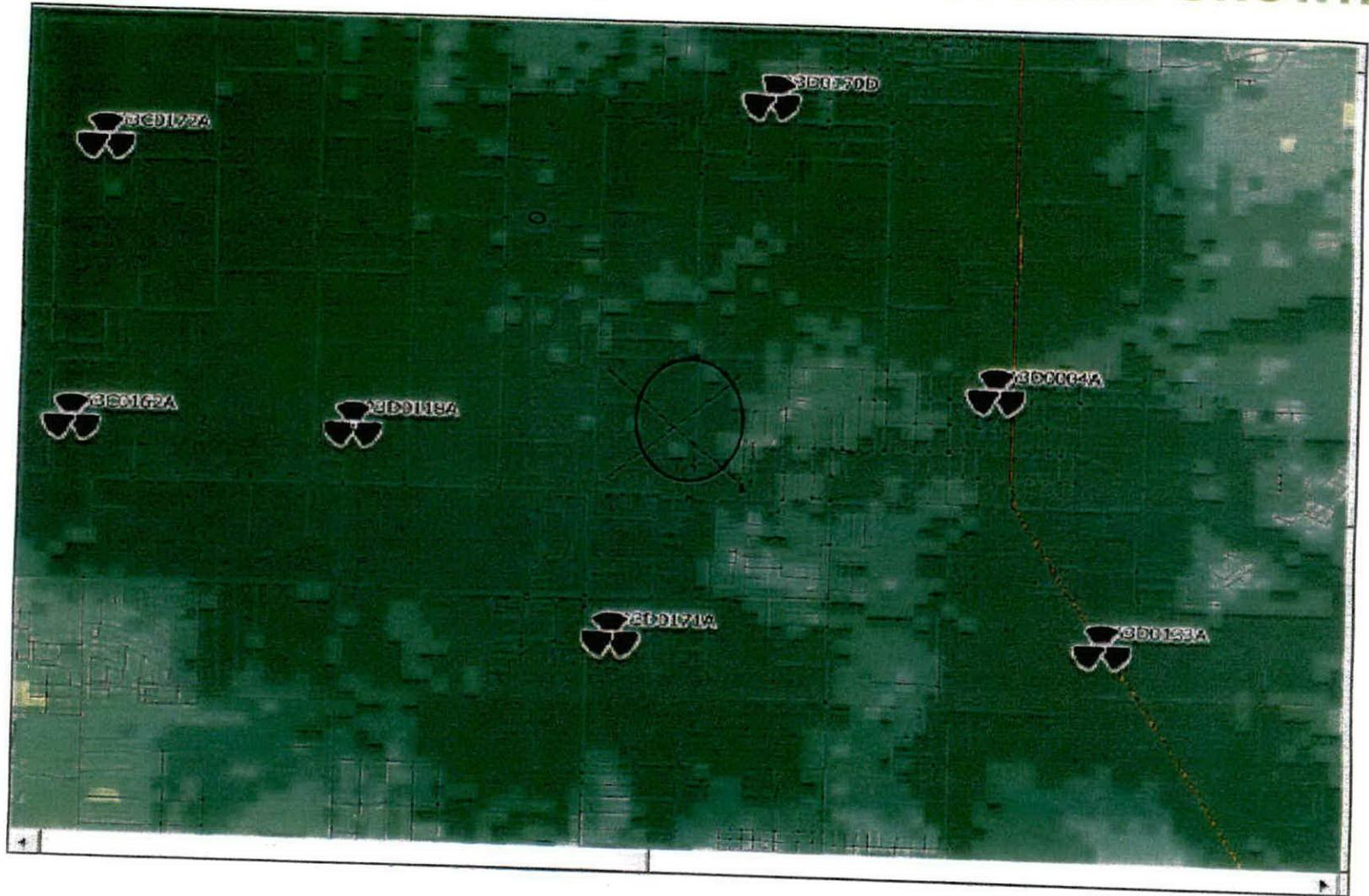


T-Mobile Site #	Address	Structure Type	Structure Ht.	Antenna Ht.	Comments
B140	2438A CR 391, Pearland	Monopole	150'	150'	T-Mobile tower
C026	3209A Anderson Road, Houston	Lattice Tower	130'	130'	T-Mobile tower
C051	3902-B Fuqua Rd., Houston	Lattice Tower	280'	132'	Collo on Crown tower
C075	703 1/2 E. Palm, Fresno	Monopole	120'	120'	T-Mobile tower
C088	8410 1/2 McHard Rd., Houston	Monopole	120'	120'	T-Mobile tower
C098	13799 238 Lew Briggs Rd., Houston	Monopole	150'	120'	Collocation on Cingular tower
C135	13422 1/6 Barton Meadow Lane, Pqsharon	Utility Monopole	115'	115'	Collo on Centerpoint power pole
C161	2517 1/6 W Clear Lake Loop, Pearland	Utility Monopole	100'	100'	Collo on Centerpoint power pole
C163	2330 1/3 CR 59A, Marvel	Monopole	120'	120'	Collo on Mobillite tower
D004	2120B North Sacramento Ave, Pearland	Lattice Tower	130'	130'	T-Mobile tower
D051	6911 County Rd., #128, Pearland	Guyed Tower	160'	130'	Collo on Crown tower
D095	10030-A Scarsdale Blvd., Houston	Monopole	80'	80'	T-Mobile tower
D107	3000 1/6 Country Club Rd., Pearland	Utility Lattice Tower	95'	107'	Collo on Centerpoint power pole
D108	2800 Dixie Farm Rd. A, Houston	Monopole	130'	130'	T-Mobile tower
D114	3908 FM 1128 #1, Pearland	Monopole	140'	120'	Collo on SpectraSite tower
D118	2521-D Max Rd., Pearland	Monopole	95'	90'	Collo on ATC tower
D132	2900 1/8 County Road 90, Pearland	Utility Monopole	120'	120'	Collo on Centerpoint power pole
D133	3326 Main EM3, Pearland	Monopole	135'	100'	Collo on AT&T tower
D157	9202 1/6 Riverwind Lane, Houston	Utility Lattice Tower	100'	105'	Collo on Centerpoint power pole
D170	12828 Woody, Brookside Village	Monopole	130'	130'	T-Mobile tower
D171	3155 Harkoy Road, Pearland	Monopole	120'	120'	T-Mobile tower
F262	202-G Evergreen Rd, Fresno	Lattice Tower	250'	200'	Collo on ATC tower
N004	10401A Broadway, Pearland	Lattice Tower	188'	188'	Collo on Global Towers tower

### Recent Additions to T-Mobile Towers in Pearland:

- C162- T-Mobile 120' Monopole Located at 2622 MP Cullen Blvd
- C-172-T-Mobile 150' Monopole Located at 8303 Brookside Road

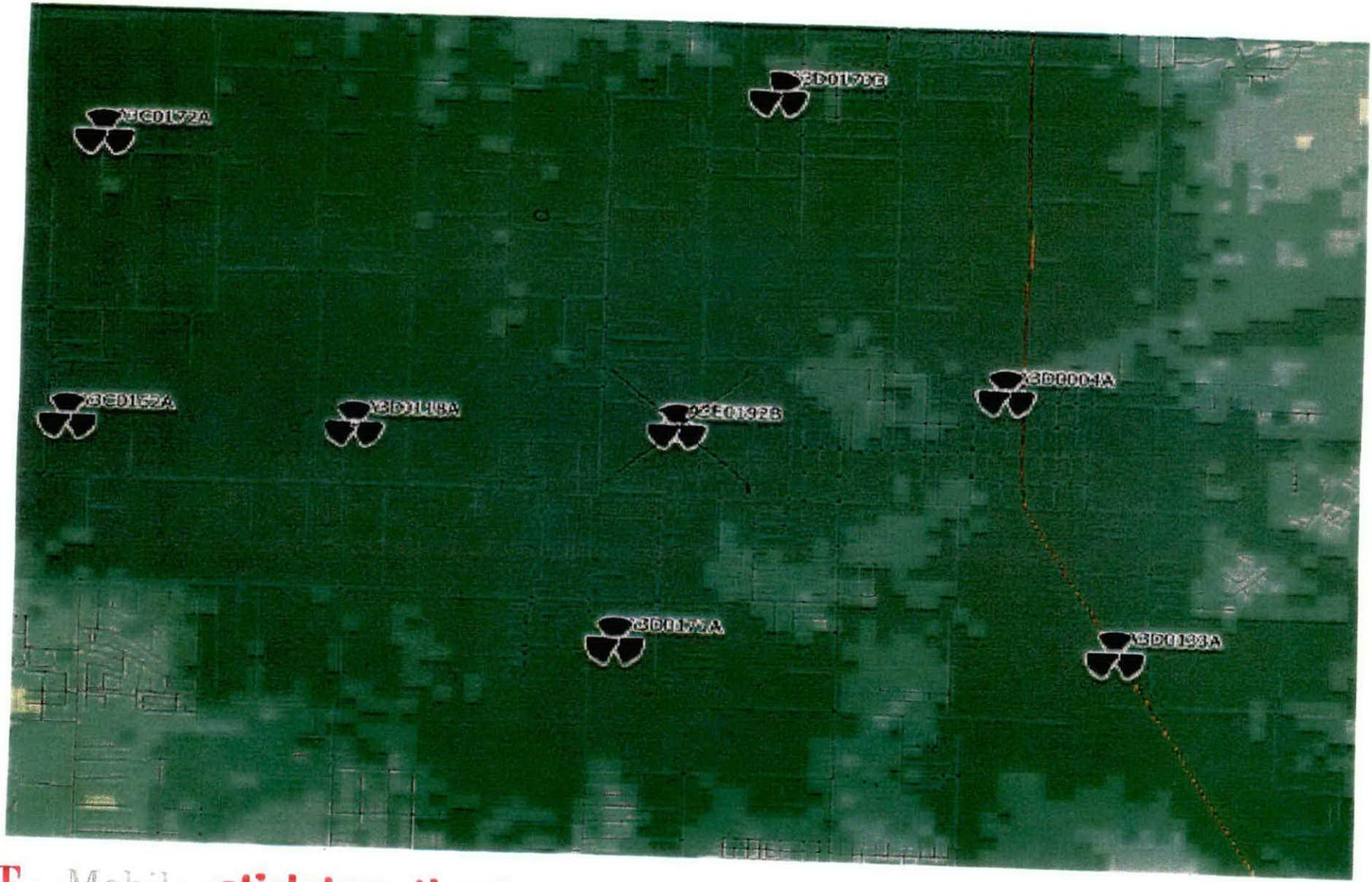
# Current Coverage – Proposed site location Shown



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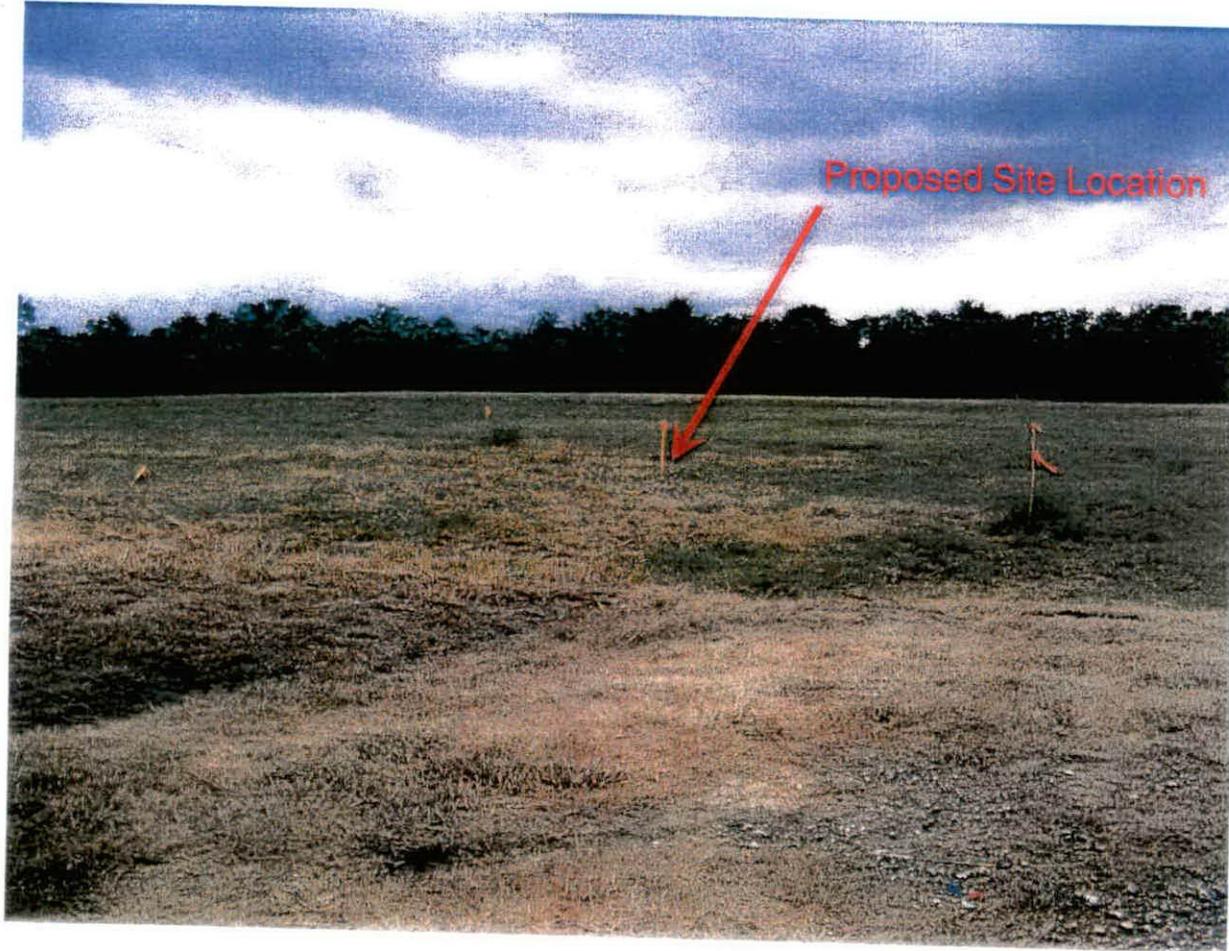
# Coverage With Proposed Site



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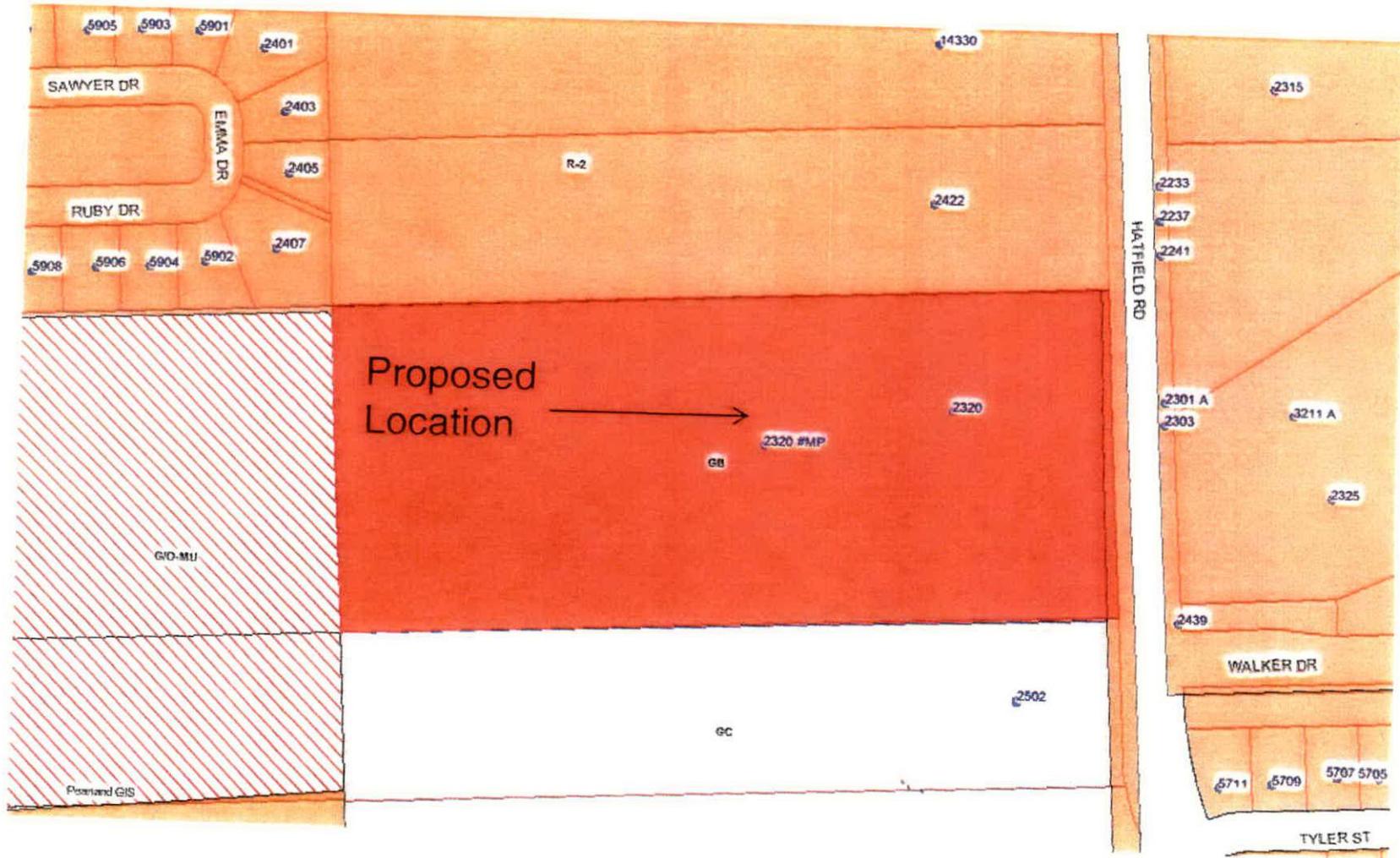
# Site Location



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# Current Zoning Map



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# Looking North from Site



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# Looking West from Site



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# Looking East From Site (toward Hatfield Rd.)



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# Looking South From Site



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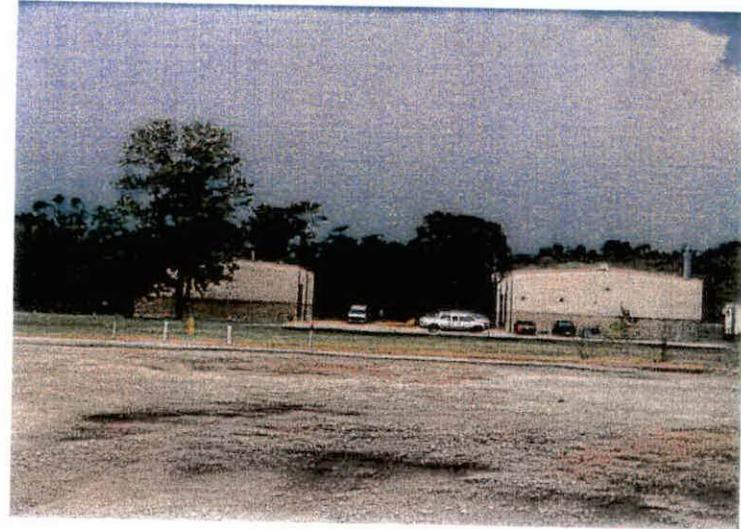
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# Adjacent/Nearby Land Uses

To North



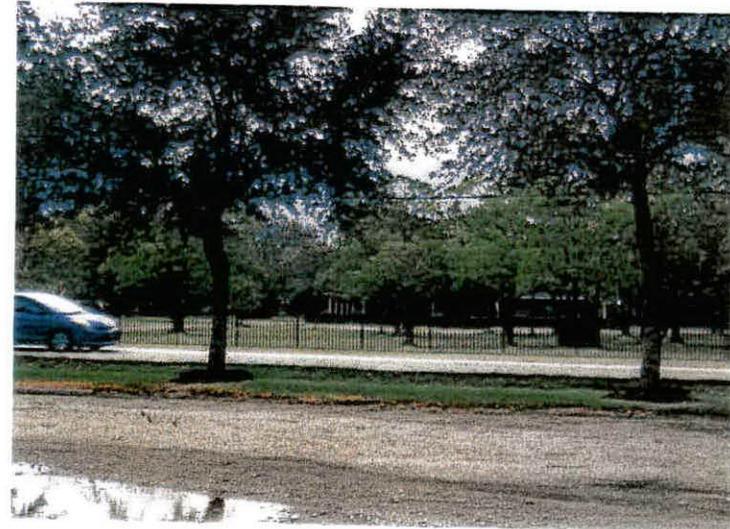
To South



To West



To East



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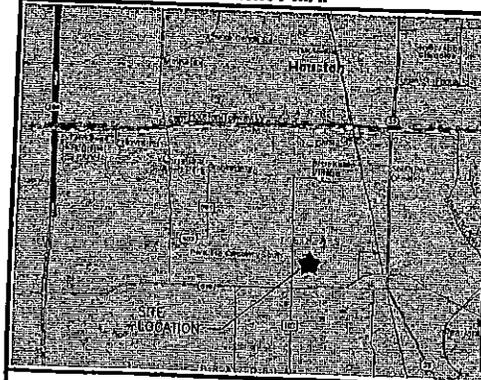
# T-Mobile

SITE NUMBER  
**A3E0192B**

SITE NAME  
**KNIGHTS OF COLUMBUS - HATFIELD**

RF CONFIGURATION: 4-4-4  
ZONING JURISDICTION: HARRIS COUNTY  
ZONING CLASSIFICATION: N/A  
T-MOBILE ANTENNA ELEVATION: 90'-0"  
RAWLAND: PROPOSED 90'-0" MONOPOLE  
LAT.: 29° 33' 50.08" LONG.: -95° 18' 33.72"

VICINITY MAP



REVISION	DATE
1. PRELIMINARY	07/08/08
2. PER CLIENT COMMENTS	07/18/08
3. FOR CONSTRUCTION	07/28/08

NO. DRAWINGS: \_\_\_\_\_  
EAGLES/LEADS: \_\_\_\_\_  
CONSTRUCTION CHECKED: \_\_\_\_\_  
DATE: \_\_\_\_\_

**SELECTIVE SITE CONSULTANTS, INC.**  
8500 West 110th Street, Suite 300  
Overland Park, Kansas 66210  
Phone: (913) 438-7700  
Fax: (913) 438-7777

DRIVING DIRECTIONS

FROM T-MOBILE SWITCH AT 4660 N. SAN HOUSTON PKWY E. HOUSTON, TX. GO EAST ON N. SAN HOUSTON PKWY TO E. EASTERN PKWY (US 59) SOUTH. GO SOUTH AND JUNCTION WITH SR-288 SOUTH. GO SOUTH TO FM-518. TURN LEFT AND GO EAST TO HATFIELD RD (CR-555). GO NORTH TO SITE ON LEFT.

GENERAL NOTES

- THE CONTRACTOR SHALL SUPERVISE AND DIRECT ALL WORK, USING HIS BEST SKILL AND ATTENTION. HE SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, PROCEDURES AND EQUIPMENT FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.
- THE CONTRACTOR SHALL VERIFY THE JOB SITE TO PROVE THE SCOPE OF WORK AND EXISTING JOB SITE CONDITIONS BEFORE ANY CONSTRUCTION BEGINS WITH THE WORK.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND CONDITIONS PRIOR TO COMMENCING HIS WORK. ANY DISCREPANCIES, CONFLICTS OR PARADOXES, ETC. SHALL BE REPORTED TO T-MOBILE BEFORE PROCEEDING WITH THE WORK.
- THE CONTRACTOR SHALL PROTECT ALL AREAS FROM DAMAGE WHICH MAY OCCUR DURING CONSTRUCTION. ANY DAMAGE TO NEW AND EXISTING CONSTRUCTION, STRUCTURE, OR EQUIPMENT SHALL BE IMMEDIATELY REPAIRED OR REPLACED TO THE SATISFACTION OF THE OWNER OR BUILDING OFFICIAL OR OWNER'S REPRESENTATIVE AT THE EXPENSE OF THE CONTRACTOR.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR, AND SHALL REPLACE OR REPAIR, ANY FACILITY, EQUIPMENT, OR EXISTING MATERIALS OR WORKMANSHIP OR ANY DAMAGE TO THE WORK UNDER THE CONTRACT.
- THE CONTRACTOR SHALL REMOVE ALL RUBBISH AND WASTE MATERIALS FROM A NEARBY AREA AND SHALL MAINTAIN STREET CLOSURE, OVER JOB CLEARING WORK. ALL AREAS ARE TO BE LEFT IN A BRUSH CLEAN CONDITION AT THE END OF EACH DAY.
- THE CONTRACTOR SHALL SUPERVISE THE OWNER'S PROPERTY DURING CONSTRUCTION AND SHALL REPLACE ANY DAMAGED PROPERTY OF THE OWNER TO ORIGINAL CONDITION OR BETTER.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, WHETHER SHOWN BY RECORD OR NOT, AND TO PROTECT THEM FROM DAMAGE. UTILITIES OR OTHER PROPERTY DAMAGED IN CONNECTION WITH THE EXECUTION OF WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COMPLETE SAFETY OF THE SITE WHILE THE JOB IS IN PROGRESS AND UNTIL THE JOB IS COMPLETED PER CHAPTER 64 OF THE U.S.C.
- THE CONTRACTOR THROUGH CONSTRUCTION SHALL PROVIDE TEMPORARY EROSION, SLOPE, AND TRAIL FACILITIES AS REQUIRED BY THE CITY OR DISTRICT AGENCY.
- ALL CONSTRUCTION WORK SHALL CONFORM TO THE U.S.C. AND ALL OTHER GOVERNING CODES, ALONG WITH THE GOVERNING RESTRICTIONS CODES.
- THE CONTRACTOR AND ALL SUBCONTRACTORS SHALL COMPLY WITH ALL LOCAL, STATE, FEDERAL AND STATE DEPARTMENT OF INDUSTRIAL REGULATIONS AND DIVISION OF INDUSTRIAL SAFETY (DISH) REGULATIONS, REFER TO THE CORRECT SECTION OF THE CODES.
- THE CONTRACTOR SHALL OBTAIN AND PAY FOR PERMITS, FEES AND INSPECTIONS NECESSARY FOR PERFORMANCE OF THE WORK AND INCLUDE THOSE IN THE COST OF THE WORK TO THE OWNER.
- PERMITS AND INSPECTIONS SHALL BE OBTAINED AT THE CONTRACTOR'S RISK AND RESPONSIBILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS.
- CONTRACTOR SHALL NOTIFY THE ARCHITECT/ENGINEER OF ANY CONFLICTS OR DISCREPANCIES WITH THE CONTRACT DOCUMENTS WITH THE CONTRACT DOCUMENTS AND THE FIELD CONDITIONS PRIOR TO EXECUTING THE WORK IN QUESTION.
- CONTRACTOR SHALL NOTIFY THE ARCHITECT/ENGINEER IF DETAILS ARE CONSIDERED TO BE UNUSABLE, UNREASONABLE, OR NOT WITHIN USUAL TRADE PRACTICE. THE ARCHITECT/ENGINEER SHALL BE NOTIFIED IN WRITING AND SHALL BE RESPONSIBLE FOR PROVIDING ALTERNATE DETAILS TO SHOW THE END RESULT OF THE DESIGN. ANY SUCH DETAILS SHALL BE INCLUDED AS PART OF THE WORK.
- EXISTING ELEVATIONS AND LOCATIONS TO BE SHOWN SHALL BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION. IF THEY DIFFER FROM THOSE SHOWN ON THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT AND THEY SHALL BE CORRECTED BEFORE PROCEEDING WITH THE WORK.
- ALL SYMBOLS AND ABREVIATIONS USED ON THE DRAWINGS ARE CONSIDERED CONSTRUCTION CONDITIONS. IF THE CONTRACTOR HAS QUESTIONS REGARDING THEM, THEY SHOULD BE REPORTED TO THE ARCHITECT BEFORE COMMENCING CONSTRUCTION WITH THE WORK.

- CONTRACTOR SHALL PROVIDE ALL NECESSARY BLOCKING, BRACING, FRUSTRATION OR OTHER SUPPORT FOR ALL OTHER ITEMS INCLUDING THE SAME.
- ANY APPROVED PLANS SHALL BE KEPT IN A PLAIN BOX AND SHALL NOT BE USED BY WORKMEN. ALL CONSTRUCTION SETS SHALL REFLECT THE SAME INFORMATION. THE PLANS WITH ALL REVISIONS, ADDITIONS AND CHANGES ORDERED BY THE PROJECT AS ALL WORK THEREON ARE TO BE UNDER THE CARE OF THE JOB SUPERVISOR.
- ALL CONDUIT AND CABLES SHALL BE DRAWN ORIGINALLY. CONTRACTOR SHALL BE RESPONSIBLE FOR THE BEST POSSIBLE ROUTE, FOLLOWING THE DRAWINGS AS TO SUPPORT AND EQUIPMENT.

CODES

- ALL CONSTRUCTION SHALL COMPLY WITH THE LATEST ADOPTED EDITION OF THE:
- INDUSTRIAL CODE (ANSI)
  - OCCUPATIONAL SAFETY AND HEALTH STANDARDS (OSHA)
  - NATIONAL ELECTRICAL CODE
  - INTERNATIONAL BUILDING CODE 2003

EQUIPMENT NOTES

- ALL RADIO EQUIPMENT PLACEMENT AND INSTALLATION IS BY AN EQUIPMENT SUPPLIER WHO IS RESPONSIBLE FOR COORDINATING HIS WORK WITH THE WORK OF OTHERS AS IT RELATES TO THE RADIO EQUIPMENT.
- ALL GROUNDING CONNECTIONS SHALL BE BURIED HYDROGEN RESISTANT.

PROJECT DATA

SCOPE OF WORK: B.T.S. INSTALLATION.

THE B.T.S. SITE SHALL BE CONSTRUCTED UNDER THE FOLLOWING STANDARDS WITH SITE SPECIFIC MODIFICATIONS.

- THE ENTIRE WORK AREA SHALL BE IDENTIFIED AND EXISTING CONDITION DOCUMENTED BY COMMENCEMENT. DOCUMENTATION SHALL CONSIST OF A WRITTEN AND PHOTOGRAPHIC REPORT.

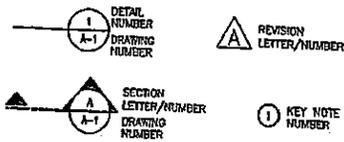
TENANT IMPROVEMENT NOTES

- PROVIDE A PORTABLE FIRE EXTINGUISHER WITH A RATING OF NOT LESS THAN 2-A OF 2-A10BC WITHIN 75 FEET OF TRAVEL DISTANCE TO ALL PORTIONS OF THE BUILD OUT AREA DURING CONSTRUCTION.
- ANY ALTERATION TO EXISTING FIRE PROTECTION FACILITIES WILL REQUIRE CLEARANCE AND PERMITS FROM THE GOVERNING FIRE DEPARTMENT AND OTHER AGENCIES BY A LICENSED FIRE PROTECTION CONTRACTOR.

ABBREVIATIONS

AGL	ASBESTOS GRADE LINE	CLV	CONCRETE
AMP	AMPERE	CRD	CROWN
ARCH	ARCHITECT	LF	LEGAL FEET
BLDG	BUILDING	MB	MANHOLE
CL	CENTER LINE	MSC	MISCELLANEOUS
CONC	CONCRETE	NTS	NOT TO SCALE
CONSTR	CONSTRUCTION	ON CENTER	ON CENTER
CORNR	CORNER	PL	PLATE
DR	DRAINAGE	REINFD	REINFORCED
DET	DETAIL	RF	RADIUM FEET
DN	DOWN	SHY	SHELF
DN	DOWN	SM	SMALLER
DIS	DISCONNECT SWITCH	SPTS	SPIDERWAYS
DWG	DRAWING	SSC, INC.	SELECTIVE SITE CONSULTANTS, INC.
EACH	EACH	STRUC	STRUCTURAL
EQP	EQUIPMENT EXPAND BUS	STL	STEEL
ELEC	ELECTRICAL	STRUC	STRUCTURAL
ELEV	ELEVATION	TC	TOP OF CONCRETE
EQ	EQUIPMENT	TOC	TOP OF CONCRETE
EQPT	EQUIPMENT	TOP	TOP OF FINISH
FOOTING	FOOTING	TOP	TOP OF SLAB
GA	GRADE	TY	TYPICAL
		UNO	UNLESS NOTED OTHERWISE

SYMBOLS



- WORK BY ELECTRICAL CONTRACTOR
- WORK BY SITE-PREP CONTRACTOR
- WORK BY TOWER CONTRACTOR
- WORK BY EQUIPMENT CONTRACTOR
- WORK BY FENCING CONTRACTOR

DRAWING INDEX

ARCHITECTURAL

- T-1 TITLE SHEET
- GN1 GENERAL NOTES (1 OF 2)
- GN2 GENERAL NOTES (2 OF 2)
- SURVEY (BY OTHERS)
- A-1 OVERALL SITE PLAN
- A-2 ENLARGED SITE PLAN
- A-3 TOWER ELEVATION
- A-4 ANTENNA PLAN
- A-5 RF DATA SHEET
- A-6 CONSTRUCTION DETAILS (1 OF 3)
- A-7 CONSTRUCTION DETAILS (2 OF 3)
- A-8 CONSTRUCTION DETAILS (3 OF 3)
- A-9 FENCE DETAILS

STRUCTURAL

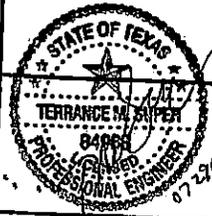
- S-1 PLATFORM DETAILS
- S-2 EQUIPMENT LAYOUT

ELECTRICAL & GROUNDING

- E-1 ELECTRICAL NOTES
- E-2 POWER/TELECO PLAN
- E-3 POWER/TELECO DETAILS
- G-1 GROUNDING PLAN
- G-2 GROUNDING DETAILS (1 OF 2)
- G-3 GROUNDING DETAILS (2 OF 2)

PROJECT TYPE

PROPOSED 90'-0" MONOPOLE WITH PROPOSED RELATED UNMANNED COMMUNICATION EQUIPMENT BELOW



UNDERGROUND SERVICE ALERT  
CALL TOLL FREE 1-800-243-4545  
TWO WORKING DAYS BEFORE YOU DIG

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO T-MOBILE IS STRICTLY PROHIBITED.

TITLE SHEET

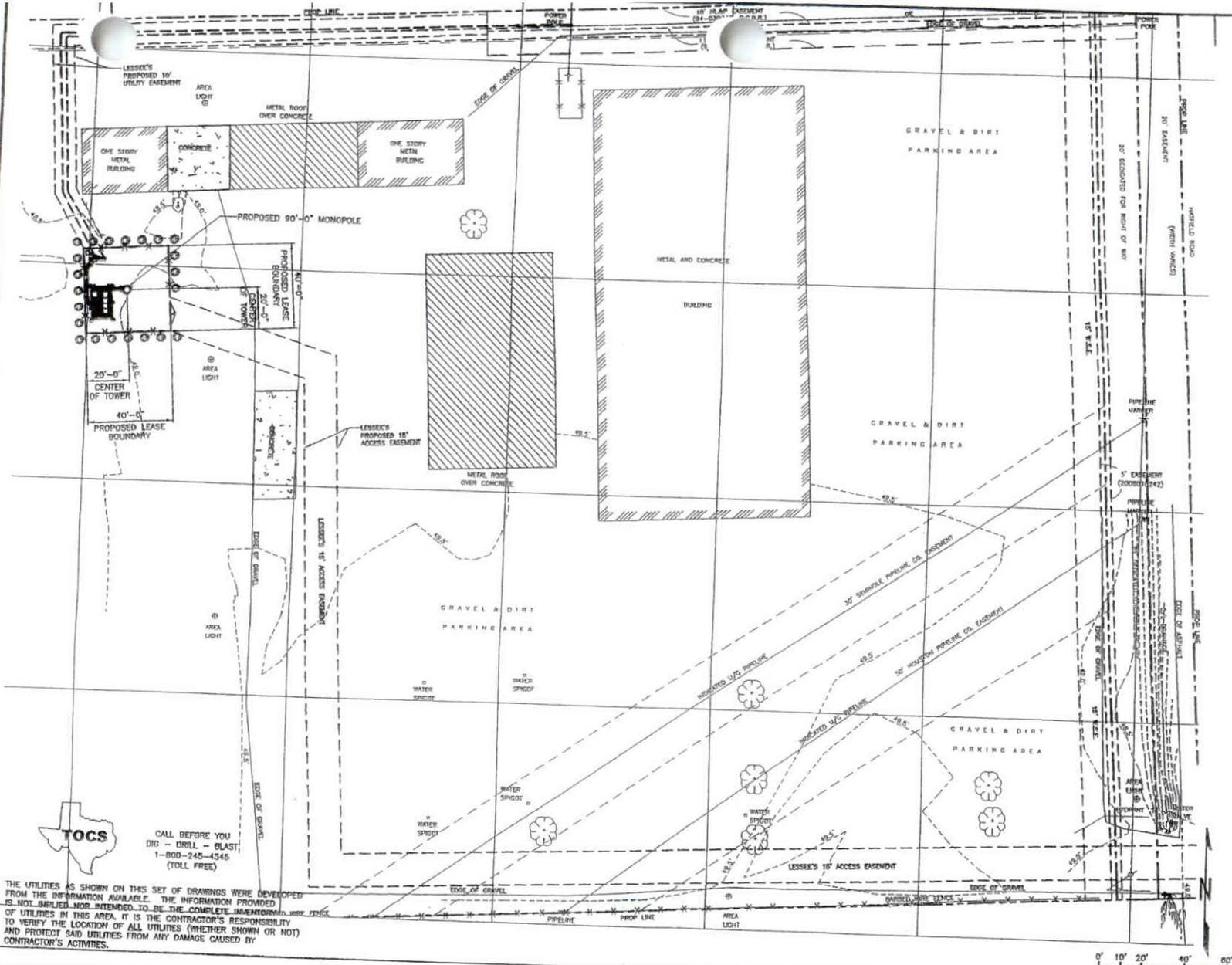
KNIGHTS OF COLUMBUS - HATFIELD  
A3E0192B  
2320 HATFIELD (2811)  
PEARLAND, TEXAS 77561

DRAWN BY:	D.W. SIMS
CHECKED BY:	MLO/TMS
DATE:	07/08/08
AS NOTED	
DRAWING NAME:	A3E0192B - T-1.dwg
DRAWING NUMBER:	

T-1

AUG 22 2008

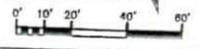




CALL BEFORE YOU DIG - DRILL - BLAST  
1-800-245-4545  
(TOLL FREE)

THE UTILITIES AS SHOWN ON THIS SET OF DRAWINGS WERE DEVELOPED FROM THE INFORMATION AVAILABLE. THE INFORMATION PROVIDED IS NOT IMPLIED NOR INTENDED TO BE THE COMPLETE AND ACCURATE LOCATION OF UTILITIES IN THIS AREA. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES (WHETHER SHOWN OR NOT) AND PROTECT SAID UTILITIES FROM ANY DAMAGE CAUSED BY CONTRACTOR'S ACTIVITIES.

SITE PLAN



REVISIONS	DATE
PRELIMINARY	07/08/08
PER CLIENT	07/16/08
FOR CONSTRUCTION	07/29/08

STATE OF TEXAS  
TERRANCE M. SUPER  
PROFESSIONAL ENGINEER  
NO. 12940  
EXPIRES 08/31/2011  
FIELD NET

**SELECTIVE SITE CONSULTANTS, INC.**  
8500 West 110th Street, Suite 300  
Overland Park, Kansas 66210  
Phone: (913) 438-7700  
Fax: (913) 438-7777

**T-Mobile**  
*Get More From Life*  
T-MOBILE, TEXAS WEST CORP.  
2 GREENWAY PLAZA  
SUITE 1100  
HOUSTON, TEXAS 77046

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO T-MOBILE IS STRICTLY PROHIBITED.

SITE PLAN

KNIGHTS OF COLUMBUS  
- HATFIELD  
A3E0192B  
2520 HATFIELD (E911)  
PEARLAND, TEXAS 77581

CREATED BY:	D.D. SMAS
CHECKED BY:	MLO/TMS
DATE:	07/08/08
PLOT SCALE:	AS NOTED
DRAWING NAME:	A3E0192B - A-1.dwg
DRAWING NUMBER:	

**A-1**



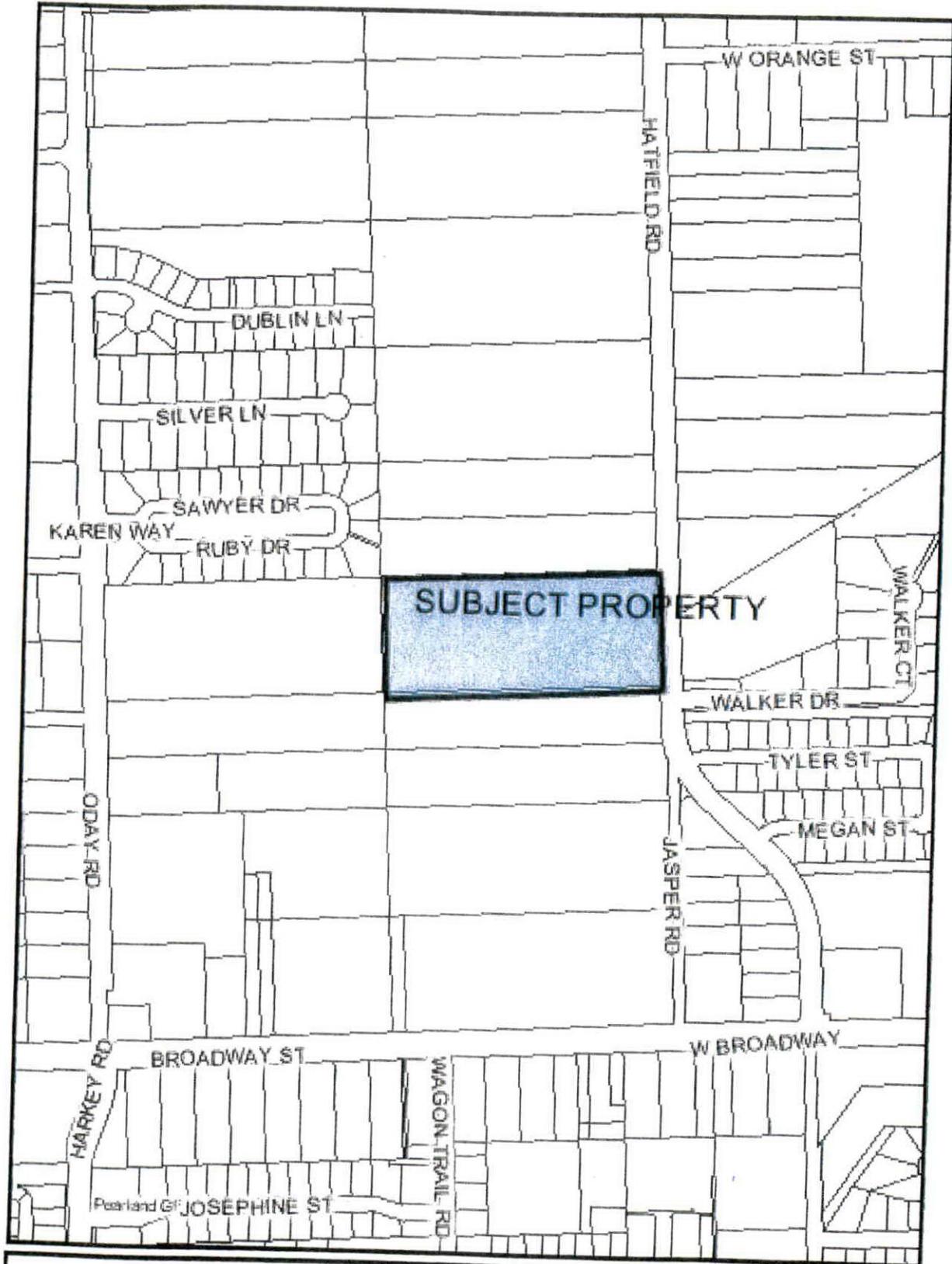


CONDITIONAL USE PERMIT NO. CUP 2008-23

Celluar Communications Tower, 2320 Hatfield Rd,  
Pearland.

Property Owner Notification List  
Tax Account Owners Name

Tax Account	Owners Name	Mailing Address	City	State	Zip
0544-0004-001	DRYDEN ERIC T				
0544-0025-000	TTRRD LLC	2422 HATFIELD RD	PEARLAND	TX	77581
0544-0047-110	PEARLAND HOME ASSN	2501 CRANE DR	PEARLAND	TX	77581
2877-1002-010	LORANCE GARY W & CAROL	PO BOX 1435	PEARLAND	TX	77588
6388-0002-000	LENAMON BEN R & SUSAN SMITH LENAMON	5711 TYLER ST	PEARLAND	TX	77581
6388-0003-000	FELAN PAUL III & SYLVIA	2325 HATFIELD RD	PEARLAND	TX	77581
7459-0001-014	COLCA ARRIE T & GERALD A	2315 HATFIELD RD	PEARLAND	TX	77581
7459-0001-015	MCCALL JOHN C & NANCY E	2405 EMMA DR	PEARLAND	TX	77581
7459-0001-016	PRESCOTT ROBERT W	2407 EMMA DRIVE	PEARLAND	TX	77581
7459-0001-017	LEE LARRY E	306 PRIMROSE LN	LEAGUE CITY	TX	77573
8162-0000-001	WALKER RUN ESTATES LLC	5904 RUBY DR	PEARLAND	TX	77581
	T-Mobile	3205 NOTTINGHAM ST	PEARLAND	TX	77581
		2, Greenway Plaza,	Houston	TX	77046



**LOCATION MAP**

CONDITIONAL USE PERMIT NO. - CUP 2008-23  
2320 Hatfield Rd

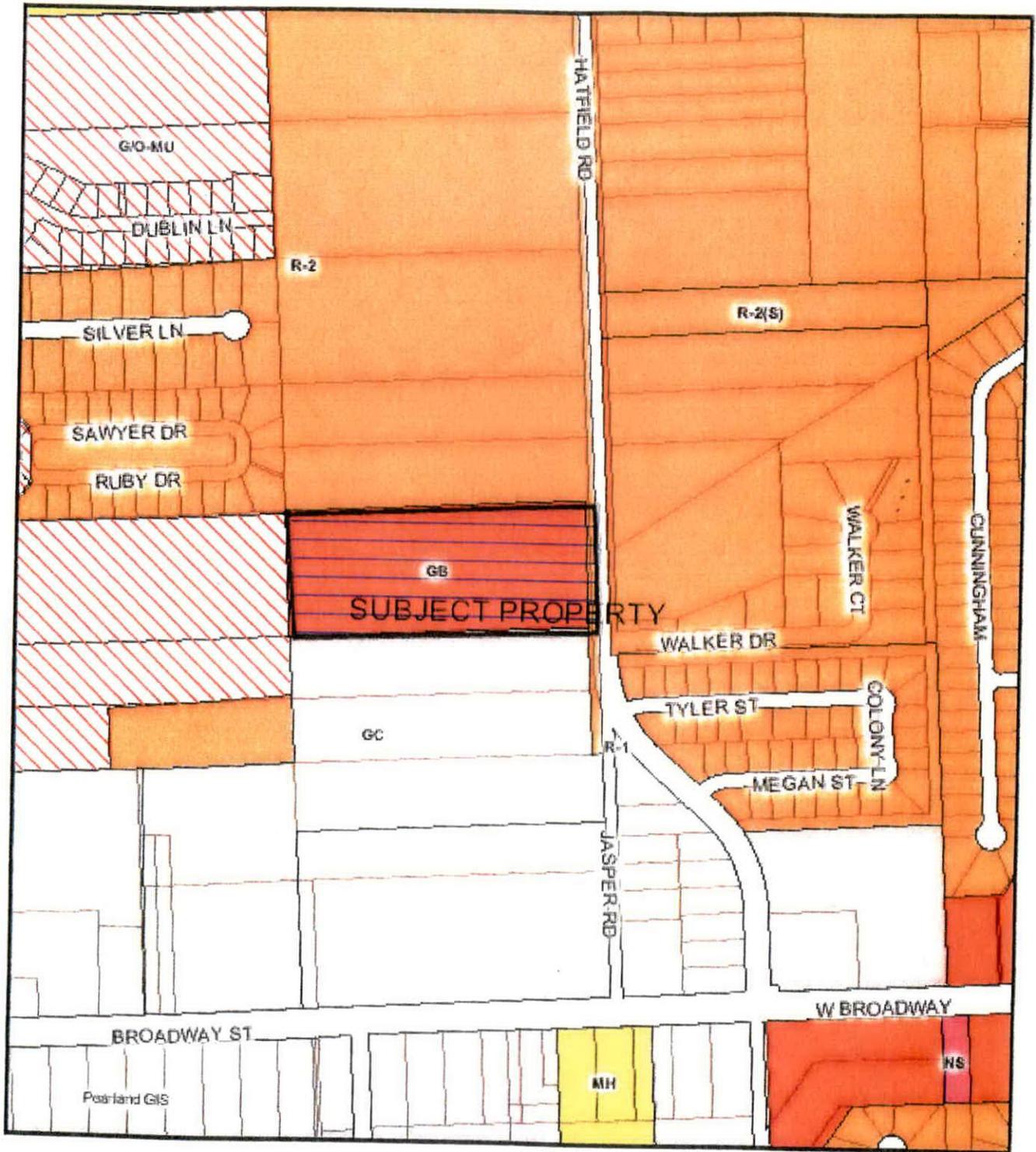


CONDITIONAL USE PERMIT NO. CUP 2008-23

Celluar Communications Tower, 2320 Hatfield  
Rd, Pearland.

Property Owner Notification List

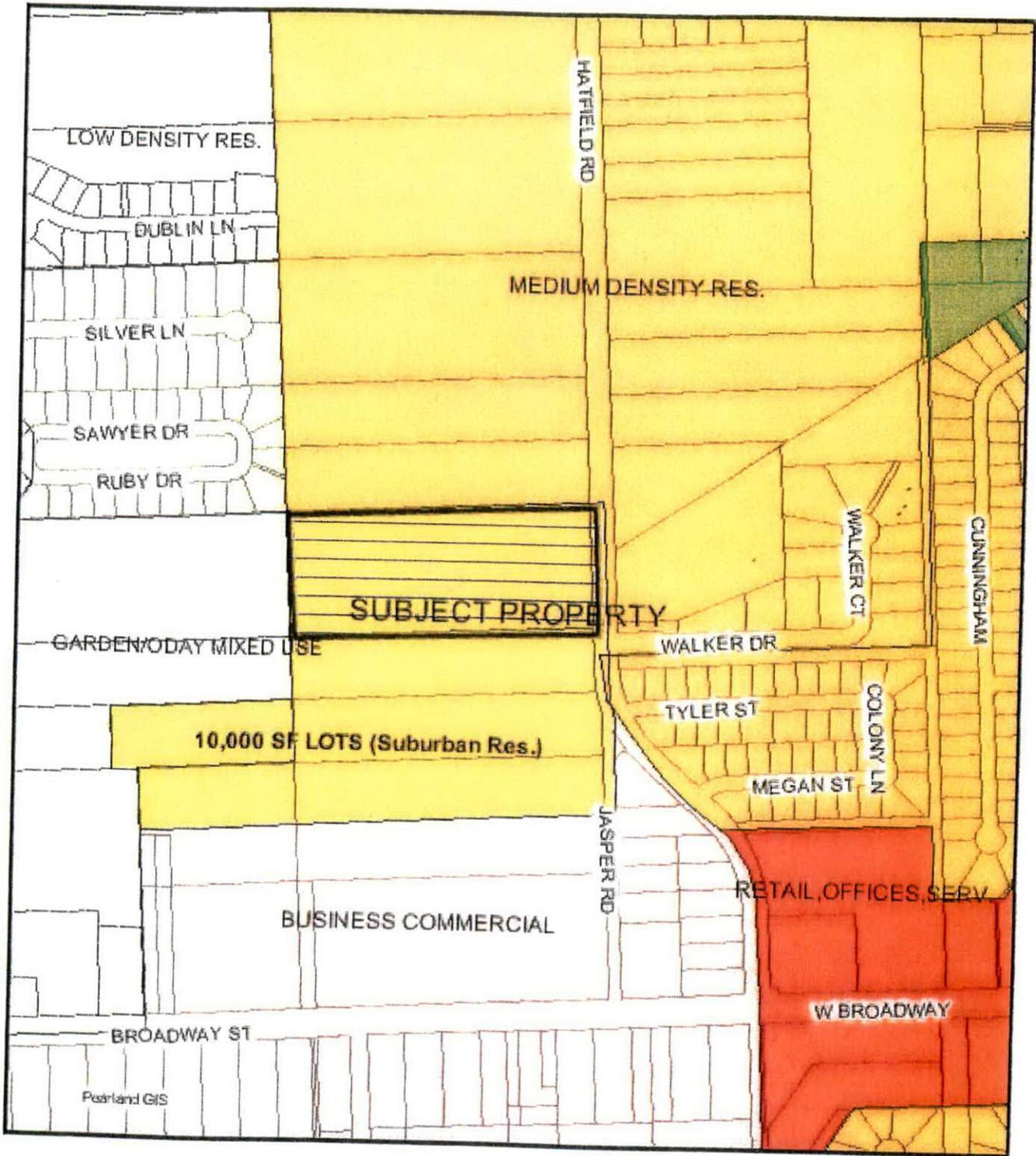
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7459-0001-015	MCCALL JOHN C & NANCY E	2407 EMMA DRIVE	PEARLAND	TX	77581
7459-0001-016	PRESCOTT ROBERT W	306 PRIMROSE LN	LEAGUE CITY	TX	77573
7459-0001-017	LEE LARRY E	5904 RUBY DR	PEARLAND	TX	77581
8162-0000-001	WALKER RUN ESTATES LLC T-Mobile	3205 NOTTINGHAM ST 2, Greenway Plaza,	PEARLAND Houston	TX TX	77581 77046



**ZONING MAP**

CONDITIONAL USE PERMIT NO. - CUP 2008-23  
 2320 Hatfield Rd

↑  
 NORTH



# FUTURE LAND USE PLAN

CONDITIONAL USE PERMIT NO. - CUP 2008-23  
 2320 Hatfield Rd

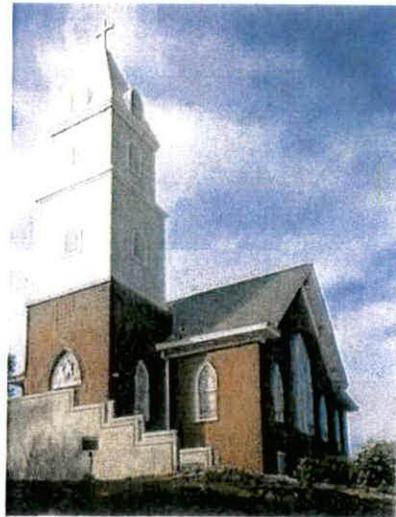
↑  
 NORTH

# Stealth Antennas Try to Blend In

MICHELLE DELIO / Wired News 14jan03



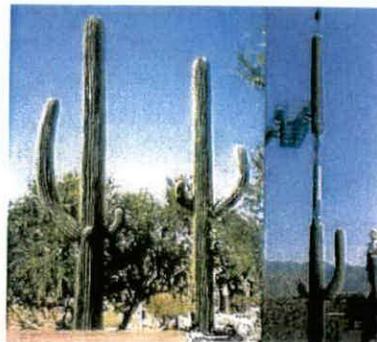
Larson's palm tree antennae, like these in Southern California, are made of urethane, polyethylene and polyester. According to Larson's wind tunnel testing, the plastic palms can withstand gusts exceeding 140 mph.



The white steeple of this 160-year-old church now conceals a wireless communications antenna.

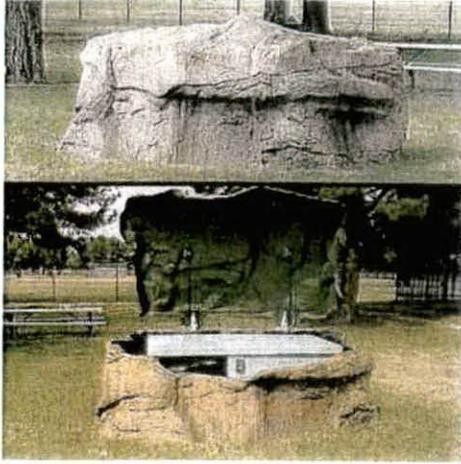


The peaked roof toward the back of this Southern California building isn't an architectural feature. It was added after the building was constructed and conceals an

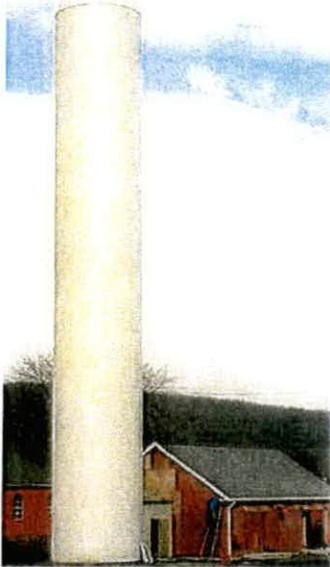


Wireless communications antennae disguised as cactuses in Phoenix, Arizona (left). During installation (right), the antennae are placed in

antenna system.

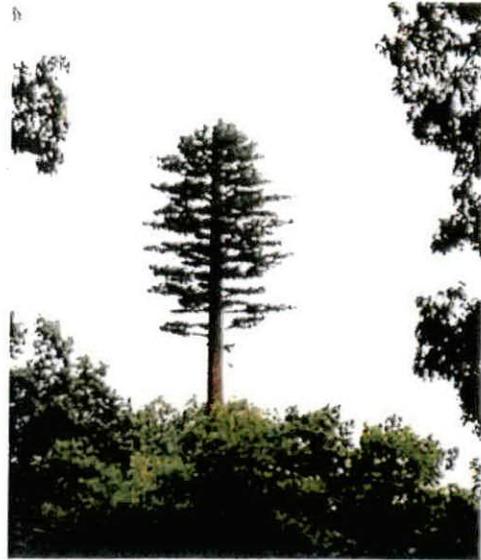


This hollow rock provides a happy home for communications hardware.



A stealth silo antenna on a Midwestern horse farm.

the hollow shell of the upper main trunk as well as in the cactus' arms.



A pine tree antenna in Asheville, North Carolina. The curved branch shape conceals the panel antennae and all the necessary wiring and communications (COAX) hardware.

*Photos: Larson Camouflage Company*

In the world of wireless, figuring where to put those hulking cell towers creates a catch-22.

Cell-phone users want to be able to roam far and wide while getting crystal-clear reception. But extending and improving the quality of wireless transmissions requires new and taller antennas, and communities often balk at plans to erect more of those ugly metal towers.

It's forcing the wireless communications industry into stealth mode.

There are about 130,000 communications antennas in place across the United States, according to industry officials. Roughly 75 percent are standard antennas. The rest have been surreptitiously stashed in scenic simulations.

The next time you see a picturesque shot of rocks, a flagpole, a church steeple, cacti or trees, consider that there might be more there than meets the eye.

Many cities are now insisting that new wireless antennas be disguised as part of the natural or urban landscape.

Of course, not everyone loves the camouflaged contraptions. The antennas that are increasingly being tucked into church steeples have provoked particularly strong reactions.

But for others, almost anything is better than those old-fashioned metal monstrosities.

In Staten Island, New York, residents of the plush Todt Hill community were happy to see an 87-foot telecommunications tower replaced with a \$1 million stealth lighthouse that encases a new 130-foot antenna.

"I've even seen people taking pictures of the lighthouse," said Anthony Pelligrano, a Staten Island resident. "It's kind of weird to have a lighthouse up here on the hill away from the water, but it's easier on the eyes than the old antenna was."

"We hide antennas everywhere: inside road signs, flagpoles, church crosses and windmills, just to name a few," said Sean McLernon, CEO of Stealth Network Technologies. "We can match almost any texture or structure, which means we can hide them anywhere and make them look just like what is there already."

Some installations do look uncannily real. A Yuma, Arizona, resident was stumped when asked by a local newspaper reporter if he knew what that "100-foot-tall thing behind your house is."

"That palm tree up there is a phony? For crying out loud. I can see it now. I can see the antennas. Well, I could see it before, but I didn't know what it was," Jerry Charlebois told the Yuma Sun.

Stealth antennas aren't always so well-disguised.

Take, for example, the 80-foot artificial pine tree planned for the grounds of Oahu's Kalihi Elementary School. If tropical Oahu harbored groves of tall pines, the structure might look as natural as any 80-foot metal and nylon tree could, say community members.

True stealth should mean people can't readily spot an antenna installation, said Steve Meyer, business development manager for the Larson Company's Camouflage division.

"The main idea is to blend the technology into whatever the surrounding environment has to offer," Meyer explained.

Larson Camouflage's Tucson, Arizona, parent company has spent decades building replica environments for clients such as Disney World and the Bronx Zoo. Larson developed the first stealth "tree" tower in 1992.

In Oahu, VoiceStream will pay the Kalihi school about \$1,200 a month in rent if the planned pine tree is erected on school grounds. The financial benefits have obvious appeal for struggling schools and churches.

Industry experts figure about 500 U.S. churches currently provide sanctuary for antennas, which are usually encased in or tucked behind crosses on steeples.

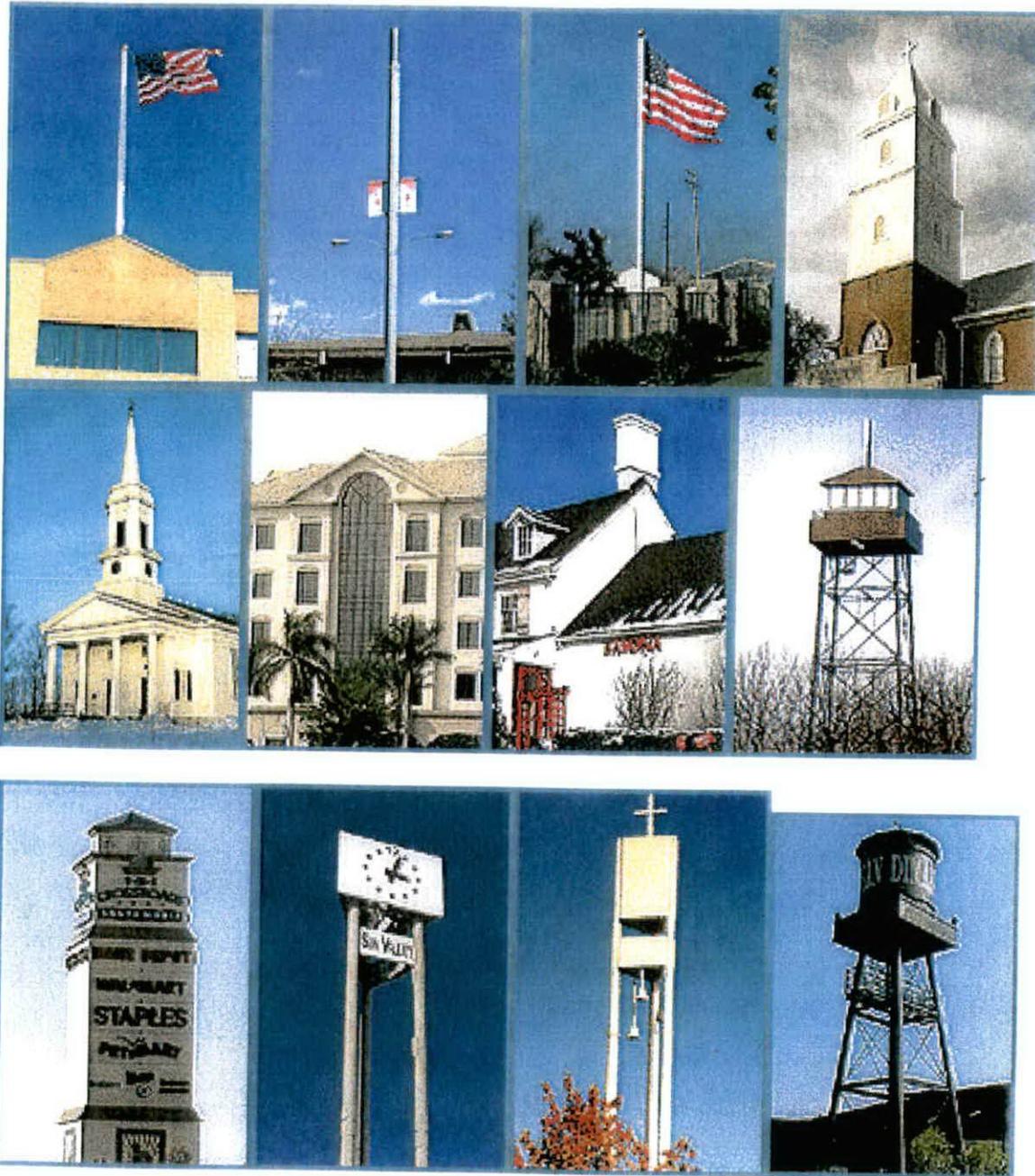
Last summer the Archbishop's Council of the Church of England signed a contract to allow all of England's 16,000 churches to have mobile-phone antennas installed within their spires.

Concealing an antenna is expensive. The cheapest way to go is the basic flagpole, which adds \$10,000 to \$20,000 to the price of a tower. Trees cost double that amount. The more customized the installation, the higher the price.

But those in the industry say a stealth tower is often cheaper in the long run than battling communities mobilized against standard towers.

*source: <http://www.wired.com/news/wireless/0,1382,57199,00.html> 29jan2005*

More photos from Stealth Concealment, Inc. 29jan2005



source: <http://www.stealthsite.com/products/gallery.html> 29jan2005

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 22, 2008, AT 6:30 P.M., IN THE COMMUNITY CENTER, CITY HALL, 3523 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER** 9:05

**II. PURPOSE OF HEARING** Harry

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).

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT** Nick Finan... based on previous wrksh and request of chamber of comm  
**B. APPLICANT PRESENTATION** limit height of TX & US flags.

**IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST** Larry Marcott, 3606 Inverness Ct Pearland Tx supports this. →

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION** →

Charles excused  
Wimsey  
from Comm.  
to speak as citizens.

**VI. ADJOURNMENT** Steve commented he was in favor.

9:20

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**

9:20

Charles Gooden Jr.

6505 Sage Ct Pearland TX  
also a member of Chamber of Commerce  
and appreciates City's support

IV what if someone wanted to fly C.O.P. flag?  
Need of 1 of those two is flown

Corp. flag only allowed if TX flag or  
US flag flown, or both.

Kevin - Posting Notice on Prop

signs placed for zoning/variance.

Have C.O.P. have available for appl. - maybe  
have them pay a fee.

Lata - thanked appl. tonight for getting signs up during  
Nghiem - seize restrictions w/ regards to flags, hurricane like

staff needs to duplicate language

Kevin - need to be no bigger or larger than other flags  
they are flying with.

Helen - yes, duplicate language.

Parrell - commented on Flag @ Bass Pro Shops

~~Lata~~



CITY OF PEARLAND

## PLANNING & ZONING

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### MEMO

**DATE:** August 27, 2008

**TO:** City Council and Planning and Zoning Commission

**FROM:** Nicholas Finan, Assistant City Manager

**SUBJECT:** Proposed amendments to the Unified Development Code (UDC) – September 22, 2008 Joint Public Hearing – Signage: Corporate/Business Flags

---

A workshop was conducted on August 25 with the City Council to discuss a request by the Pearland Chamber of Commerce to consider allowing corporate flags. Below is the summary of the staff's agenda request:

The Chamber of Commerce presented a resolution to the City Council for UDC to be amended to include the ability of businesses to fly corporate or company flags. The Chamber outlined some limitations such as size, color, height, flown to not conflict with US Flag Code, and be shown on a site plan. The Chamber of Commerce compares the flag to the banner section of the UDC with the exception of temporary. In addition, other sections such as on-premise sign limitations apply that prevent a flag from being allowed to be flown in most cases under normal conditions. The Sign section of the UDC is attached with highlights of sections that are relevant. The definition of a sign applies to flags as well. Staff has no objections to corporate or business flags. The difficulty is in how to craft the wording to allow flags described by the Chamber of Commerce. Staff would like to see the limitations, if properly crafted, to be simple to enforce and as such not be included in determination of allowable sign space for a business, the intent of the flag is clearly to identify some sense of corporate or business identity without changing regularly to promote product or services or intended to dominate attention. City staff would suggest corporate or business flags be limited at a minimum to the same size and height as governmental flags, be flown only with governmental flags, be limited to one per business, not be larger or higher than the governmental flag(s), be strictly for commercial districts and on-premise, and not contain words that promote or advertise specific products or services and possibly limited to only the name of the corporation or company.

During the workshop, it was clear City Council was in favor of allowing corporate or business flags. Generally, City Council was in favor of the staff's comments and suggestions. Below is a summary of the points the City Attorney's Office used to craft the attached ordinance:

- No fee for the display of the flag itself (Be exempt similar to the US and State flag and other national or state flags already exempted).
- The corporate flag must represent the company on-premise.
- Only one corporate flag per site.
- You can only display a corporate flag if you have a US, Texas State or both a US and Texas State flag(s).
- The corporate flag cannot fly higher or at the same height as the US or State flag. It must be displayed lower.
- The corporate flag cannot be larger in area than the US or State flag(s) displayed on the same premise.
- The US and State flag codes must be followed for height, size and location.
- The corporate flag can contain logos, the name of the company, and other wording. We need to allow the business the flexibility as to how they want their official flag to be designed.

The amended section will read as follows with the changes indicated in yellow:

# Proposed UDC Amendments – T-9

## Section 1.2.2.4 Posting Notice on Property

- (a) Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), a special exception, or a variance from the terms of this UDC shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which ~~a variance or zoning change~~ the request has been made requested. Such sign(s) shall be located as follows:
- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City Manager or his/her designee.
  - (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
  - (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
  - (4) In the case of a variance request or a request for a special exception, on the subject property at least ten (10) days prior to the hearing of such variance request by the Zoning Board of Adjustment, and to remain continuously on said property until final action by the Board or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a decision by the Zoning Board of Adjustment shall constitute a withdrawal of the request.
  - (5) In the case of a zoning change request or a request for a CUP, on the subject property at least ten (10) days prior to the hearing of such request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (b) The signs shall be of a size, type, and message content as determined by the City, but shall advise that a special exception, variance, CUP, or zoning change has been requested and shall list the telephone number of the Planning Department for more information. The City is hereby authorized to establish size, type and message requirements for such signs and to distribute such requirements to applicants.
- (c) Upon making an application for a special exception, variance, CUP, or zoning change, the applicant shall place sign(s) as required by this section. The City shall inspect such sign(s) to ensure compliance as required by this section.
- (d) In the case of a variance request or a request for a special exception, after the ~~variance~~ request is approved by the Zoning Board of Adjustment, denied by the Zoning Board of Adjustment, or withdrawn by the applicant, the applicant shall remove the sign from the area of the request within ten (10) days of such event.
- (e) In the case of a zoning change request or a request for a CUP, after the request is approved by the City Council or Planning and Zoning Commission, denied by the City Council or Planning and Zoning Commission, or withdrawn by the applicant, the applicant shall remove the sign from the area of the request within ten (10) days of such event.

- (f) It shall be unlawful for anyone to remove, destroy, deface or obstruct the view of a sign which gives notice that a special exception, variance, CUP, or zoning change has been requested.
- (g) In the event the applicant shall fail to erect and/or maintain signs in accordance with this section, then the public hearing before the appropriate body shall be postponed to a date in the future which would allow time for compliance.
- (h) The erection of any sign required by this section shall not require a permit under Section 4.1.2.6 of this UDC.
- (i) The owner or applicant shall promptly notify the Planning Department of any sign required by this section which becomes lost, stolen or vandalized. In the case of a variance request or a request for a special exception, the Zoning Board of Adjustment shall have the power to decide whether or not there has been substantial compliance with the posting requirements in the case of lost, stolen or vandalized signs. In the case of a zoning change request or a request for a CUP, the Planning and Zoning Commission shall have the power to decide whether or not there has been substantial compliance with the posting requirements in the case of lost, stolen or vandalized signs.

#### **Section 4.1.2.6 Sign Permit**

- (a) **Purpose.** The purpose of a sign permit is to authorize the display, erection, rebuilding, expansion or relocation of any non-exempt sign authorized under the UDC.
- (b) **Applicability.** A sign permit is required within the City limits for all non-exempt signs, and for off-premise signs in the City's extraterritorial jurisdiction.
- (1) All signs, whether or not a sign permit is required under this section, shall comply with all other City Codes, including the Electrical and Building Codes.
  - (2) Electrical permits pursuant to the electrical code in the City's code of ordinances are also required for electric signs, except those designed to be plugged into an existing electric outlet.
- (c) **Exemptions.** The following signs and activities do not require a sign permit:
- (1) Signs authorized by Section 4.2.5.3 (b) (8).
  - (2) Signs authorized by Section 4.2.5.3 (b) (11) and erected on residential property.
  - (3) Signs authorized by Section 4.2.5.5. (d) (1).
  - (4) Signs authorized by Section 4.2.5.5 (d) (2) and erected on residential property.
  - (5) Signs authorized by Section 4.2.5.5. (d) (3) c.
  - (6) Signs authorized by Section 4.2.5.9.
  - (7) Flags authorized by Section 4.2.2.5 (e).
  - (8) Signs that were previously permitted and in existence before the effective date of this UDC.
- (d) **Effect of Approval.** Approval of a sign permit authorizes the placement, construction, repair or other activity authorized by the permit in accordance with its terms.
- (e) **Application Requirements.**
- (1) Responsible Official: The Building Official or his/her designee is the responsible official for a sign permit.
  - (2) Contents: An application for a sign permit shall be prepared in accordance with application forms available in the Community Development Department.
- (f) **Decision.**
- (1) Approval, Denial, Appeal: The Building Official shall either approve, conditionally approve or deny the application for a sign permit. If a variance petition has been submitted to the City Council, the Community Development Director shall suspend the Building Official's decision until after the petition is decided.
  - (2) Time for Decision: The Building Official shall make a decision on the permit within five (5) working days after the official filing date, or, if a variance petition

is pending, within five (5) working days of the date the Building Official is notified of the City Council's decision on the petition.

- (3) **Amendments:** After the approval of a sign permit, an applicant shall not be required to submit an amended application, if proposed amendments do not involve changes to the location, sign type, electrification or increase in size or height of the sign.

**(g) Appeal and Relief Procedures.**

- (1) **Appeal:** The applicant may appeal the Building Official's decision on a sign permit to the Zoning Board of Adjustment (ZBA) in accordance with Chapter 1, Article 3, Division 1. The Council shall decide the appeal in accordance with the same.

- (2) **Vested Rights Petition:** The applicant may file a vested rights petition with the application for a sign permit. The petition shall be decided in accordance with the procedures in Chapter 1, Article 3, Division 3.

- (h) Criteria for Approval.** The Building Official, or the City Council on appeal, shall decide whether to approve, conditionally approve or deny a sign permit application based upon the following criteria.

- (1) The application is consistent with any building permit required to establish the use to which the sign is appurtenant;

- (2) The application conforms to the approved Site Plan for the land on which the sign is to be placed;

- (3) The application conforms to any special sign standards contained in overlay districts or planned development districts authorized under Chapter 2 of this UDC.;

- (4) The application meets the sign standards in Article 2, Division 5 of this Chapter 4.

- (i) Expiration.** A sign permit shall expire within ninety (90) days of approval of the permit, if construction or other authorized activity has not commenced on the sign. If a sign permit is issued in conjunction with a building permit, the sign permit shall expire upon expiration of the building permit, and the sign must be completed at the time the structure is completed. If a conforming on-premise sign is removed for a period of six (6) months, a new sign permit shall be required.

- (j) Extension and Reinstatement.** The Building Official may grant an extension of the expiration date or reinstate an expired sign permit for a period not to exceed one hundred and eighty (180) days pursuant to Chapter 1, Article 2, Division 5.

#### Section 4.2.5.5 Temporary Signs

- (a) **General.** Temporary signs are subject to the limitations indicated in this section, as well as the location restrictions in Section 4.2.5.1(f).
- (b) **Area Limitations.** Temporary signs shall not exceed the following area limitations:
- (1) State Highway 288: Ninety-six (96) square feet each for premises within the State Highway 288 corridor.
  - (2) Other Premises: Thirty-two (32) square feet each for all other premises.
  - (3) Banner Signs: Unless otherwise provided, fifty (50) square feet.
- (c) **Banner Defined.** A banner is hereby defined to be a temporary sign as that term is defined Chapter 5 of this UDC that is designed to be attached or installed with rope, wire, or other temporary means so as to allow ease of installation and removal.
- (1) Use or Display of Banners: Except for temporary signs that do not require permits (refer to Section 4.1.2.6(c)), the use or display of banners is hereby prohibited unless a permit for such use is obtained from the Planning Director or his designee. A banner permit may be issued only in the following circumstances:
    - a. Any premise or nonresidential occupancy requesting a temporary sign larger than thirty-two (32) square feet may display one (1) banner sign per street frontage (also see Subsection 4.2.5.4(d) for total number allowed) announcing a grand opening of a new business. Display of such sign is limited to a maximum of thirty (30) days per opening. The privilege to begin display of such sign expires three (3) months after the issuance of a certificate of occupancy. Use of grand opening signs only applies to new ownership or occupancy (i.e., use). At least one-half ( $\frac{1}{2}$ ) of all readable copy on the banner must state "Grand Opening" or "Now Open."
    - b. Any non-profit organization or governmental entity may display banner signs containing a message directly related to a special event provided, however, that such banners may be displayed no more than fourteen (14) days prior to the event and must be removed within three (3) days after the conclusion of the event. Displays under this classification will be limited to three (3) per year.
    - c. Banners may be allowed for the temporary identification of a business if the business owner provides the Planning Director written evidence that a permanent sign order has been executed and the business owner is awaiting installation of said permanent sign. As a temporary identification device, the banner must meet size, dimension, lettering, and layout specifications for building-mounted signs and must be securely fastened on a minimum of six (6) locations to the fascia. If the banner meets these conditions, it will be permitted for identification purposes for a period not to exceed thirty (30) days.
    - d. Any premise or non-residential occupancy may use banners to advertise sales events fourteen (14) times per year for a total duration of twenty-four (24) days inclusive. The occupant has the option of dividing the total

days among the fourteen (14) events, with the minimum duration of display being one (1) day.

- (2) Location: Any banner permitted in accordance with this Ordinance shall be displayed at the permittee's normal place of business or operation and shall be affixed to that side of the building facing the street on which the permittee is addressed.
  - (3) Cost & Display Period: The cost for a banner permit shall be Ten Dollars (\$10.00), and shall be paid at the time of application. Each application shall include the period of display for the banner to be permitted, including the day that the display will start and the day when it will cease. The display period shall be continuous and uninterrupted by periods of non-display. A separate permit shall be required for each period of display of the banner. Multiple periods of display will not be allowed on one permit.
  - (4) Violation: Banners used or displayed in violation of this section shall be subject to removal by the Building Official or his/her designee.
  - (5) TxDOT District 12 Guidelines: Banners displayed pursuant to the Texas Department of Transportation (TxDOT) District 12 guidelines for the temporary installation of banners over state rights-of-way shall be exempt from the terms of this division.
- (d) **Other Temporary Signs.** The following signs shall be allowed, subject to any conditions set forth below.
- (1) Temporary window signs: These signs must be temporary in design and construction, such as paper, poster, mylar or similar plastic film, or painted with removable paint; may not exceed in coverage twenty-five percent (25%) of all windows combined or fifty percent (50%) of any one window; must be placed inside the business establishment and be professional in appearance, except for temporary signs not promoting a business but rather associated with a non-profit, neighborhood, or civic event; and may not be displayed for more than forty-five (45) days.
  - (2) Holiday inflatable signs or decorations: Holiday-related inflatables that contain no business-related advertising, including without limitation balloons, decorations, and yard displays, shall not exceed twelve feet (12') in any dimension and may not be displayed so that the top of the inflatable is greater than: fifteen feet (15') from the ground on a residential lot; or the maximum structure height allowed in the zoning district on a nonresidential lot. The continuous display period of this type of sign shall not exceed thirty (30) days, with no more than five (5) display periods per calendar year.
  - (3) Off-premise special events signs: Signs advertising a special event sponsored by a non-profit organization, charitable group, or civic club may be placed off-premises of where said event is to take place shall be allowed subject to the following conditions:
    - a. The signs may not be displayed more than fourteen (14) days before, or five (5) days after, the event.

- b. No more than ten signs not exceeding six feet (6') in height or thirty-two square feet (32 ft<sup>2</sup>) in area per sign face are allowed within the City's limits, limited to one per street frontage. These signs shall be exempt from sign permit fees.
  - c. There is no quantity limit on signs not exceeding three and a half feet (3.5') in height or five square feet (5 ft<sup>2</sup>) in area per sign face, except only one is allowed per lot.
- (e) **Flags Allowed.** Flags of recognized governmental entities shall be allowed. A flag that contains any emblem, logo, slogan, or any form of advertising of or for any business entity may be allowed, subject to the following restrictions:
- (1) The flag is displayed with, but at a lower height than, either a United States flag or a Texas flag;
  - (2) The business entity represented on or advertised by the flag is located on the same property upon which the flag is displayed;
  - (3) The flag is not larger in area than either of the governmental flags with which it is required to be displayed; and
  - (4) Only one such flag is displayed per property.
- (f) **Number of Temporary Signs Permitted on One Lot.** The number of temporary signs other than political signs displayed on one lot at any given time is limited to one (1) sign per street frontage and a maximum of two (2) signs per lot.
- (fg) **Permits Not Required.** Refer to Section 4.1.2.6.(c).