

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, APRIL 27, 1998, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 8:30 p.m. with the following present:

Vice-Chairman	Tommy L. Scott
Commissioner	Jack D. Mathis
Commissioner	Emil Beltz
Commissioner	Pat Lopez
Planning & Zoning Secretary	Karla Canada
Director of Planning & Community Development	Dennis Smith

Chairman Mary Starr, Commissioners Don Baker and Nghiem Doan were absent.

II. APPROVAL OF MINUTES: Minutes of April 20, 1998

Commissioner Emil Beltz made a motion, seconded by Commissioner Pat Lopez to approve the minutes of the April 20, 1998 meeting.

Motion passed 4-0.

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 232, Request of Emma E. Collie, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business (GB) on the following described property, to wit:

15,000 sq. ft. out of the SE corner of Lot "A", Westgate Park, a subdivision of 9.575 acres out of Lots 47 & 48, The Allison Richey Gulf Coast Home Subdivision, Sec. 19, H.T. & B. R.R. survey, A-243, recorded in Volume 16, pg 220, Brazoria County, TX

Commissioner Emil Beltz made a motion, seconded by Commissioner Pat Lopez to approve Application No. 232.

Motion passed 4-0.

B. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 248, Request of Guy Sweet, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

1.52 acres in a 10 ac. tract in the south 1/2 of the northeast 1/4 of the southeast 1/4 of the G.C. Smith Survey, sec.16, A-546, Brazoria Co., TX (6009 Sharondale)

Commissioner Pat Lopez made a motion, seconded by Commissioner Jack Mathis to combine Application No's 248, 249, 251, 253, 272, and 281 into one agenda item because they are requesting a rezone to Single Family Dwelling District (R-1).

Motion passed 4-0.

Agenda items for Application No's 248, 249, 251, 253, 272, and 281 were read into the record.

Commissioner Jack Mathis made a motion, seconded by Commissioner Emil Beltz to approve Application No's 248, 249, 251, 253, 272, and 281.

Motion passed 4-0.

C. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 249, Request of Mr. Sam McCoy, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

1.52 ac. situated in a 10 ac. tract in the south 1/2 of the northeast 1/4 of the southeast 1/4 of the G. C. Smith Survey, section 16, A-546, Brazoria Co. , TX (6011 Sharondale, Pearland, TX 77584)

Commissioner Pat Lopez made a motion, seconded by Commissioner Jack Mathis to approve Application No. 249.

Motion passed 4-0.

D. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 251, Request of William M. Miller, Jr., owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

One acre, more or less, out of Lot 8, being the SE 1/4 of the NW 1/4 of H.T. & B. RR Co. survey, section 14, A-509, Brazoria County, TX (6315 Patridge)

This agenda item approved in combination with Agenda Item II.B.

- E. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 252**, Request of Eudocio & Lily Hernandez, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-3) on the following described property, to wit:

Lot 1, Block 1, of Buena Vida Subdivision in the H.T. & B. RR Survey, Brazoria County, TX (6315 Cantu Rd.)

Commissioner Pat Lopez made a motion, seconded by Commissioner Jack Mathis to approve Application No. 252.

Motion passed 4-0.

- F. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 253**, Request of Armando & Ana Crespo, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Being lot 13, Sharondale Subdivision, a 0.76 acre parcel out of the 10 acre unrecorded subdivision in the South 1/2 of the NE 1/4 of the SSE 1/4 of the G.C. Smith Survey, Section 16, A-546, Brazoria Co., TX (6022 Sharondale)

This agenda item approved in combination with Agenda Item II.B.

- G. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 272**, Request of Tommy & Bonnie Page, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Two acres, more or less, out of Lot 8, being the S.E. 1/4 of the N.W. 1/4, HT & B RR Co. survey , Section 14, A-509, Brazoria Co., TX (6313 Patridge)

This agenda item approved in combination with Agenda Item II.B.

- H. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 273**, Request of Jim Younger, agent for Jui-Lien Chou & Ming Tao Ho,

for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

An 0.8672 ac. tract out of a 1.555 ac. tract of the S.W. corner of Lot 32, Allison-Richey Gulf Coast Home Co. subdivision, Section 9 of the H.T. & B. RR Co. survey, A-234, according to the plat as recorded in Vol. 2, pg. 34, Brazoria Co., TX (not assigned)

Commissioner Emil Beltz made a motion, seconded by Commissioner Pat Lopez to approve Application No. 273.

Motion passed 4-0.

- I. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 279**, Request of George W. & Deborah L. Harrell, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

Lot 12 of Johnston Subdivision of the NW 1/4 of the NW 1/4 of HT & B RR Co. survey, A-240, containing 8.42 acres, more or less as recorded on the plat, Vol. 5, pg. 303 of the plat records, Brazoria Co., TX (14833 Harkey Road)

Vice-Chairman Tommy Scott had questions regarding the actual size of the property requested for rezoning. Dennis Smith stated they need one acre; however, the metes and bounds description submitted displayed an 8 acre tract. Mr. Smith stated the property will need to be subdivided. Ms. Harrell said they only own approximately 4 acres and she would get the dimensions to the staff.

Commissioner Pat Lopez conveyed his concerns with the depth and size of property. He suggested that the property be rezoned as R-1 with a Specific Use permit.

Discussion ensued regarding the application, metes and bounds description and actual acreage in need of rezoning. Mr. Smith stated he would work with the Harrell's to restructure this application.

Commissioner Pat Lopez made a motion, seconded by Commissioner Emil Beltz to deny Application No. 279.

Motion passed 4-0.

- J. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 281**, Request of Pat Lopez, agent for Dwayne & Jeanne Lum, for an

amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Lot 5, Block 4, Colonial Estates, a subdivision in Brazoria Co., TX according to the plat as recorded in Vol. 9, pg. 123-124, of the Plat Records of Brazoria, Co. TX (3632 Lee Lane)

This agenda item approved in combination with Agenda Item II.B.

K. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 296, Request of Nigel Harrison, agent for Dan M. Worrall, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

An 18 acre tract, more or less, out of lot 1 of the T.D. Yocum survey, A-399, of the deed records of Brazoria Co., TX (2800 block John Lizer)

Commissioner Emil Beltz made a motion, seconded by Commissioner Jack Mathis to combine Application No's 296 and 297.

Motion passed 4-0.

Vice-Chairman reminded the commission of the opposition raised in the Joint Public Hearing and asked them to take this into consideration.

Commissioner Emil Beltz asked if the rezone applications are approved, would the applicants have to meet the overlay district requirements? Mr. Smith answered yes, the first 300' feet of frontage would apply. Vice-Chairman Tommy Scott added this would be the case assuming the overlay district is approved prior to building permits being issued. Mr. Smith said the only project that close was the Bomasada Multi-family project. They already comply.

Commissioner Emil Beltz stated that approval of these applications will effect the overall beautification of the City's Overlay District Plan.

Commissioner Pat Lopez made a motion to approve Application No's 296 and 297.

Motion died for lack of second.

Commissioner Emil Beltz conveyed his concerns about drainage and development so close to Mary's Creek. Discussion ensued regarding the metes and bounds of the property, the distance from Mary's Creek, and drainage.

Commissioner Emil Beltz made a motion, seconded by Commissioner Pat Lopez to approve Application No's 296 and 297.

Motion passed 4-0.

L. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 297, Request of Nigel Harrison, agent for Robert S. & Jacquelyn S. Burgess, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

A 7.6 acre tract out of the T.D. Yocum survey, Abstract 399, of the deed records of Brazoria County, Texas

This agenda item approved in combination with Agenda Item II.K.

M. CONSIDERATION AND POSSIBLE ACTION - OVERLAY DISTRICT Request of City staff for the purpose of amending the Land use and Urban Development ordinance by creating a zoning overlay district on the following described property, to wit:

Pearland Parkway/Oiler Drive from the intersection of S.H. 35 (Main St.) Northeast to F.M. 518 & across F.M. 518 to a point approximately 1000 ft. North

Discussion took place addressing who would make the final decisions about architectural requirements, sidewalk widths, and other issues set out in the Overlay District Plan.

Director of Planning & Community Development Dennis Smith stated his concerns with forming an architectural review committee. Commissioner Emil Beltz stated he would like to involve the major developers in our community and obtain some input from them. Commissioner Pat Lopez said he does not believe the final decisions should be made by Planning & Zoning. He also feels the decisions should not be left in the hands of one or two staff members.

Commissioner Jack Mathis made a motion, seconded by Commissioner Pat Lopez to approve the Overlay District with the following conditions:

- 1) A 6' width for sidewalks
- 2) Unsightly rear storage should not be allowed
- 3) Discretionary decision makers composed of City Manager, his designee and other staff member(s)

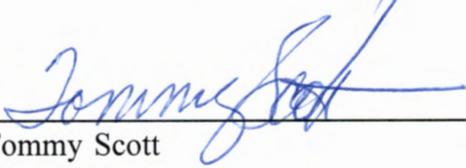
Motion passed 4-0.

IV. NEXT MEETING DATE: Monday, May 18, 1998, 6:00 p.m.

V. ADJOURNMENT

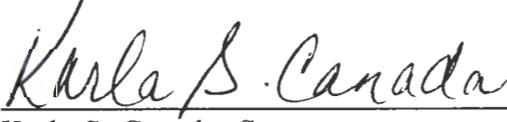
The meeting was adjourned at 9:20 p.m.

Minutes approved as submitted and/or corrected this 18 day of MAY, A.D.,
1998



Tommy Scott
Vice-Chairman

ATTEST:



Karla S. Canada, Secretary

Edit draft

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, APRIL 27, 1998, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

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Vice-Chairman	Tommy L. Scott
Commissioner	Jack D. Mathis
Commissioner	Emil Beltz
Commissioner	Pat Lopez
Planning & Zoning Secretary	Karla Canada
Director of Planning & Community Development	Dennis Smith

Chairman Mary Starr, Commissioners Don Baker and Nghiem Doan were absent.

II. APPROVAL OF MINUTES: Minutes of April 20, 1998

Commissioner Emil Beltz made a motion, seconded by Commissioner Pat Lopez to approve the minutes of the April 20, 1998 meeting.

Motion passed 4-0.

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 232, Request of Emma E. Collie, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business (GB) on the following described property, to wit:

15,000 sq. ft. out of the SE corner of Lot "A", Westgate Park, a subdivision of 9.575 acres out of Lots 47 & 48, The Allison Richey Gulf Coast Home Subdivision, Sec. 19, H.T. & B. R.R. survey, A-243, recorded in Volume 16, pg 220, Brazoria County, TX

Commissioner Emil Beltz made a motion, seconded by Commissioner Pat Lopez to approve Application No. 232.

Motion passed 4-0.

B. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 248, Request of Guy Sweet, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

1.52 acres in a 10 ac. tract in the south 1/2 of the northeast 1/4 of the southeast 1/4 of the G.C. Smith Survey, sec.16, A-546, Brazoria Co., TX (6009 Sharondale)

Commissioner Pat Lopez made a motion, seconded by Commissioner Jack Mathis to combine Application No's 248, 249, 251, 253, 272, and 281 into one agenda item because they are requesting a rezone to Single Family Dwelling District (R-1).

Motion passed 4-0.

Agenda items for Application No's 248, 249, 251, 253, 272, and 281 were read into the record.

Commissioner Jack Mathis made a motion, seconded by Commissioner Emil Beltz to approve Application No's 248, 249, 251, 253, 272, and 281.

Motion passed 4-0.

C. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 249, Request of Mr. Sam McCoy, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

1.52 ac. situated in a 10 ac. tract in the south 1/2 of the northeast 1/4 of the southeast 1/4 of the G. C. Smith Survey, section 16, A-546, Brazoria Co. , TX (6011 Sharondale, Pearland, TX 77584)

Commissioner Pat Lopez made a motion, seconded by Commissioner Jack Mathis to approve Application No. 249.

Motion passed 4-0.

D. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 251, Request of William M. Miller, Jr., owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

One acre, more or less, out of Lot 8, being the SE 1/4 of the NW 1/4 of H.T. & B. RR Co. survey, section 14, A-509, Brazoria County, TX (6315 Patridge)

This agenda item approved in combination with Agenda Item II.B.

- E. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 252**, Request of Eudocio & Lily Hernandez, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-3) on the following described property, to wit:

Lot 1, Block 1, of Buena Vida Subdivision in the H.T. & B. RR Survey, Brazoria County, TX (6315 Cantu Rd.)

Commissioner Pat Lopez made a motion, seconded by Commissioner Jack Mathis to approve Application No. 252.

Motion passed 4-0.

- F. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 253**, Request of Armando & Ana Crespo, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Being lot 13, Sharondale Subdivision, a 0.76 acre parcel out of the 10 acre unrecorded subdivision in the South 1/2 of the NE 1/4 of the SSE 1/4 of the G.C. Smith Survey, Section 16, A-546, Brazoria Co., TX (6022 Sharondale)

This agenda item approved in combination with Agenda Item II.B.

- G. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 272**, Request of Tommy & Bonnie Page, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Two acres, more or less, out of Lot 8, being the S.E. 1/4 of the N.W. 1/4, HT & B RR Co. survey , Section 14, A-509, Brazoria Co., TX (6313 Patridge)

This agenda item approved in combination with Agenda Item II.B.

- H. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 273**, Request of Jim Younger, agent for Jui-Lien Chou & Ming Tao Ho,

for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

An 0.8672 ac. tract out of a 1.555 ac. tract of the S.W. corner of Lot 32, Allison-Richey Gulf Coast Home Co. subdivision, Section 9 of the H.T. & B. RR Co. survey, A-234, according to the plat as recorded in Vol. 2, pg. 34, Brazoria Co., TX (not assigned)

Commissioner Emil Beltz made a motion, seconded by Commissioner Pat Lopez to approve Application No. 273.

Motion passed 4-0.

- I. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 279**, Request of George W. & Deborah L. Harrell, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

Lot 12 of Johnston Subdivision of the NW 1/4 of the NW 1/4 of HT & B RR Co. survey, A-240, containing 8.42 acres, more or less as recorded on the plat, Vol. 5, pg. 303 of the plat records, Brazoria Co., TX (14833 Harkey Road)

Vice-Chairman Tommy Scott had questions regarding the actual size of the property requested for rezoning. Dennis Smith stated they need one acre; however, the metes and bounds description submitted displayed an 8 acre tract. Mr. Smith stated the property will need to be subdivided. *MS. HARRELL SAID THEY ONLY OWNED APPROX. 4 ACRES AND SHE WOULD GET THE DIMENSIONS TO THE STAFF.*

Commissioner Pat Lopez conveyed his concerns with the depth and size of property. He suggested that the property be rezoned as R-1 with a Specific Use permit.

Discussion ensued regarding the application, metes and bounds description and actual acreage in need of rezoning. *MR. SMITH STATED HE WOULD WORK W/ THE HARRELLS TO RESTRUCTURE THIS APPLICATION.*

Commissioner Pat Lopez made a motion, seconded by Commissioner Emil Beltz to deny Application No. 279.

Motion passed 4-0.

- J. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 281**, Request of Pat Lopez, agent for Dwayne & Jeanne Lum, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling

District (R-1) on the following described property, to wit:

Lot 5, Block 4, Colonial Estates, a subdivision in Brazoria Co., TX according to the plat as recorded in Vol. 9, pg. 123-124, of the Plat Records of Brazoria, Co. TX (3632 Lee Lane)

This agenda item approved in combination with Agenda Item II.B.

K. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 296, Request of Nigel Harrison, agent for Dan M. Worrall, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

An 18 acre tract, more or less, out of lot 1 of the T.D. Yocum survey, A-399, of the deed records of Brazoria Co., TX (2800 block John Lizer)

Commissioner Emil Beltz made a motion, seconded by Commissioner Jack Mathis to combine Application No's 296 and 297.

Motion passed 4-0.

Vice-Chairman reminded the commission of the opposition raised in the Joint Public Hearing and asked them to take this into consideration.

Commissioner Emil Beltz asked if the rezone applications are approved, would the applicants have to meet the overlay district requirements? Mr. Smith answered yes, the first 300' feet of frontage would apply. Vice-Chairman Tommy Scott added this would be the case assuming the overlay district is approved prior to building permits being issued. *Mr. Smith said the only project that close was the Bonastada M-fly. project. They already comply.*

Commissioner Emil Beltz stated that approval of these applications will effect the overall beautification of the City's overlay district plan.

Commissioner Pat Lopez made a motion to approve Application No's 296 and 297.

Motion died for lack of second.

Commissioner Emil Beltz conveyed his concerns about drainage and development so close to Mary's Creek. Discussion ensued regarding the metes and bounds of the property, the distance from Mary's Creek and drainage.

Commissioner Emil Beltz made a motion, seconded by Commissioner Pat Lopez to approve Application No's 296 and 297.

Motion passed 4-0.

- L. CONSIDERATION AND POSSIBLE ACTION - ZONING APPLICATION NO. 297,** Request of Nigel Harrison, agent for Robert S. & Jacquelyn S. Burgess, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

A 7.6 acre tract out of the T.D. Yocum survey, Abstract 399, of the deed records of Brazoria County, Texas

This agenda item approved in combination with Agenda Item II.K.

- M. CONSIDERATION AND POSSIBLE ACTION - OVERLAY DISTRICT** Request of City staff for the purpose of amending the Land use and Urban Development ordinance by creating a zoning overlay district on the following described property, to wit:

Pearland Parkway/Oiler Drive from the intersection of S.H. 35 (Main St.) Northeast to F.M. 518 & across F.M. 518 to a point approximately 1000 ft. North

Discussion took place addressing who would make the final decisions about architectural requirements, sidewalk widths, and other issues set out in the overlay district plan.

Director of Planning & Community Development Dennis Smith stated his concerns with forming an architectural ^(REVISED) committee. Commissioner Emil Beltz stated he would like to involve the major developers in our community and obtain some input from them. Commissioner Pat Lopez said he does not believe the final decisions should be made by Planning & Zoning. He also feels the decisions should not be left in the hands of one or two staff members.

Commissioner Jack Mathis made a motion, seconded by Commissioner Pat Lopez to approve the Overlay District with the following exceptions:

- 1) A maximum of 6' width for sidewalks
- 2) Unsightly rear ~~screening~~ ^{STORAGE SHOULD NOT BE ALLOWED.}
- 3) Discretionary decision makers composed of City Manager, his designee and other staff members ⁽³⁾

Motion passed 4-0.

IV. NEXT MEETING DATE: Monday, ~~May 4, 1998~~ ¹⁸ ~~4~~ ¹⁸, 1998, 6:00 p.m.

V. ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

Minutes approved as submitted and/or corrected this _____ day of _____, A.D.,
1998

Tommy Scott
Vice-Chairman

ATTEST:

Karla S. Canada, Secretary

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, APRIL 27, 1998, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: Minutes of April 20, 1998

A. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 232

Request of Emma E. Collie, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business (GB) on the following described property, to wit:

15,000 sq. ft. out of the SE corner of Lot "A", Westgate Park, a subdivision of 9.575 acres out of Lots 47 & 48, The Allison Richey Gulf Coast Home Subdivision, Sec. 19, H.T. & B. R.R. survey, A-243, recorded in Volume 16, pg 220, Brazoria County, TX

B. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 248

Request of Guy Sweet, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

1.52 acres in a 10 ac. tract in the south 1/2 of the northeast 1/4 of the southeast 1/4 of the G.C. Smith Survey, sec.16, A-546, Brazoria Co., TX (6009 Sharondale)

C. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 249

Request of Mr. Sam McCoy, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

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Request of William M. Miller, Jr., owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

One acre, more or less, out of Lot 8, being the SE 1/4 of the NW 1/4 of H.T. & B. RR Co. survey, section 14, A-509, Brazoria County, TX (6315 Patridge)

E. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 252

Request of Eudocio & Lily Hernandez, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-3) on the following described property, to wit:

Lot 1, Block 1, of Buena Vida Subdivision in the H.T. & B. RR Survey, Brazoria County, TX (6315 Cantu Rd.)

F. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 253

Request of Armando & Ana Crespo, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

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G. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 272

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H. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 273

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I. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 279

Request of George W. & Deborah L. Harrell, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

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Lot 5, Block 4, Colonial Estates, a subdivision in Brazoria Co., TX according to the plat as recorded in Vol. 9, pg. 123-124, of the Plat Records of Brazoria, Co. TX (3632 Lee Lane)

K. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 296

Request of Nigel Harrison, agent for Dan M. Worrall, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

An 18 acre tract, more or less, out of lot 1 of the T.D. Yocum survey, A-399, of the deed records of Brazoria Co., TX (2800 block John Lizer)

L. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 297

Request of Nigel Harrison, agent for Robert S. & Jacquelyn S. Burgess, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

A 7.6 acre tract out of the T.D. Yocum survey, Abstract 399, of the deed records of Brazoria County, Texas

M. CONSIDERATION AND POSSIBLE ACTION - OVERLAY DISTRICT

Request of City staff for the purpose of amending the Land Use and Urban Development ordinance by creating a zoning overlay district on the following described property, to wit:

Pearland Parkway/Oiler Drive from the intersection of S. H. 35 (Main St.) Northeast to F.M. 518 & across F.M. 518 to a point approximately 1000 ft. North

IV. **NEXT MEETING DATE:** Monday, May 4, 1998, 6:00 p.m.

V. **ADJOURNMENT**

Posted: 22nd day of April A.D., 1998

Removed: _____ day of _____ A.D., 1998

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, APRIL 27, 1998, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: Minutes of April 20, 1998

A. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 232

Request of Emma E. Collie, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business (GB) on the following described property, to wit:

15,000 sq. ft. out of the SE corner of Lot "A", Westgate Park, a subdivision of 9.575 acres out of Lots 47 & 48, The Allison Richey Gulf Coast Home Subdivision, Sec. 19, H.T. & B. R.R. survey, A-243, recorded in Volume 16, pg 220, Brazoria County, TX

B. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 248

Request of Guy Sweet, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

1.52 acres in a 10 ac. tract in the south 1/2 of the northeast 1/4 of the southeast 1/4 of the G.C. Smith Survey, sec.16, A-546, Brazoria Co., TX (6009 Sharondale)

C. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 249

Request of Mr. Sam McCoy, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

1.52 ac. situated in a 10 ac. tract in the south 1/2 of the northeast 1/4 of the southeast 1/4 of the G. C. Smith Survey, section 16, A-546, Brazoria Co., TX (6011 Sharondale, Pearland, TX 77584)

D. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 251

Request of William M. Miller, Jr., owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

One acre, more or less, out of Lot 8, being the SE 1/4 of the NW 1/4 of H.T. & B. RR Co. survey, section 14, A-509, Brazoria County, TX (6315 Patridge)

E. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 252

Request of Eudocio & Lily Hernandez, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-3) on the following described property, to wit:

Lot 1, Block 1, of Buena Vida Subdivision in the H.T. & B. RR Survey, Brazoria County, TX (6315 Cantu Rd.)

F. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 253

Request of Armando & Ana Crespo, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Being lot 13, Sharondale Subdivision, a 0.76 acre parcel out of the 10 acre unrecorded subdivision in the South 1/2 of the NE 1/4 of the SSE 1/4 of the G.C. Smith Survey, Section 16, A-546, Brazoria Co., TX (6022 Sharondale)

G. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 272

Request of Tommy & Bonnie Page, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Two acres, more or less, out of Lot 8, being the S.E. 1/4 of the N.W. 1/4, HT & B RR Co. survey, Section 14, A-509, Brazoria Co., TX (6313 Patridge)

H. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 273

Request of Jim Younger, agent for Jui-Lien Chou & Ming Tao Ho, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

An 0.8672 ac. tract out of a 1.555 ac. tract of the S.W. corner of Lot 32, Allison-Richey Gulf Coast Home Co. subdivision, Section 9 of the H.T. & B. RR Co. survey, A-234, according to the plat as recorded in Vol. 2, pg. 34, Brazoria Co., TX (not assigned)

I. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 279

Request of George W. & Deborah L. Harrell, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

Lot 12 of Johnston Subdivision of the NW 1/4 of the NW 1/4 of HT & B RR Co. survey, A-240, containing 8.42 acres, more or less as recorded on the plat, Vol. 5, pg. 303 of the plat records, Brazoria Co., TX (14833 Harkey Road)

J. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 281

Request of Pat Lopez, agent for Dwayne & Jeanne Lum, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Lot 5, Block 4, Colonial Estates, a subdivision in Brazoria Co., TX according to the plat as recorded in Vol. 9, pg. 123-124, of the Plat Records of Brazoria, Co. TX (3632 Lee Lane)

K. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 296

Request of Nigel Harrison, agent for Dan M. Worrall, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

An 18 acre tract, more or less, out of lot 1 of the T.D. Yocum survey, A-399, of the deed records of Brazoria Co., TX (2800 block John Lizer)

L. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 297

Request of Nigel Harrison, agent for Robert S. & Jacquelyn S. Burgess, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

A 7.6 acre tract out of the T.D. Yocum survey, Abstract 399, of the deed records of Brazoria County, Texas

M. CONSIDERATION AND POSSIBLE ACTION - OVERLAY DISTRICT

Request of City staff for the purpose of amending the Land Use and Urban Development ordinance by creating a zoning overlay district on the following described property, to wit:

Pearland Parkway/Oiler Drive from the intersection of S. H. 35 (Main St.) Northeast to F.M. 518 & across F.M. 518 to a point approximately 1000 ft. North

IV. NEXT MEETING DATE: Monday, May 4, 1998, 6:00 p.m.

V. ADJOURNMENT

Posted: 22nd day of April A.D., 1998

Removed: 28th day of April A.D., 1998

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, APRIL 27, 1998, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER 8:30

*Pat 2nd
4-0 passed*

II. APPROVAL OF MINUTES: Minutes of April 20, 1998

Pat Lopez 2nd 4-0

A. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 232

Request of Emma E. Collie, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business (GB) on the following described property, to wit:

15,000 sq. ft. out of the SE corner of Lot "A", Westgate Park, a subdivision of 9.575 acres out of Lots 47 & 48, The Allison Richey Gulf Coast Home Subdivision, Sec. 19, H.T. & B. R.R. survey, A-243, recorded in Volume 16, pg 220, Brazoria County, TX

*Emil B reads
Emil motion to approve
Pat 2nd*

*4-0
Pass*

B. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 248

Request of Guy Sweet, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

1.52 acres in a 10 ac. tract in the south 1/2 of the northeast 1/4 of the southeast 1/4 of the G.C. Smith Survey, sec.16, A-546, Brazoria Co., TX (6009 Sharondale)

*Pat
reads
Passed
4-0*

*Pat Lopez makes a motion
seconded by Jack M to combine app #'s
248, 249, 251, 253, 272 + 281 motion to
combine passes 4-0
Jack Mathis motion to approve
2nd by Emil Betty - motion passes 4-0*

C. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 249

Request of Mr. Sam McCoy, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

1.52 ac. situated in a 10 ac. tract in the south 1/2 of the northeast 1/4 of the southeast 1/4 of the G. C. Smith Survey, section 16, A-546, Brazoria Co., TX (6011 Sharondale, Pearland, TX 77584)

*Jack
reads*

D. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 251

Request of William M. Miller, Jr., owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Pat reads

One acre, more or less, out of Lot 8, being the SE 1/4 of the NW 1/4 of H.T. & B. RR Co. survey, section 14, A-509, Brazoria County, TX (6315 Patridge)

E. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 252

Request of Eudocio & Lily Hernandez, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-3) on the following described property, to wit:

Lot 1, Block 1, of Buena Vida Subdivision in the H.T. & B. RR Survey, Brazoria County, TX (6315 Cantu Rd.)

Emil reads;

*Pat motion
Jack 2nd*

*4-0
Pass*

F. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 253

Request of Armando & Ana Crespo, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Jack reads

Being lot 13, Sharondale Subdivision, a 0.76 acre parcel out of the 10 acre unrecorded subdivision in the South 1/2 of the NE 1/4 of the SSE 1/4 of the G.C. Smith Survey, Section 16, A-546, Brazoria Co., TX (6022 Sharondale)

Recom. letters

G. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 272

Request of Tommy & Bonnie Page, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

Pat reads

Two acres, more or less, out of Lot 8, being the S.E. 1/4 of the N.W. 1/4, HT & B RR Co. survey, Section 14, A-509, Brazoria Co., TX (6313 Patridge)

M. Dennis Smith - Recommends 6'

Jack Mathis motion

- ① Not 8' SW
- ② Unrightly rear (screening)
- ③ Recresionary decision makers opposed of City, mgr., his designee and staff men

Pat Lopez second

4-0

1/20/21

1/20/21

1/20/21

1/20/21

H. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 273

Request of Jim Younger, agent for Jui-Lien Chou & Ming Tao Ho, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

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Emil Betts - motion
Pat Lopez 2nd

Tommy reads?

4-0 Pass

I. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 279

Request of George W. & Deborah L. Harrell, owners, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to General Business District (GB) on the following described property, to wit:

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Jack reads; Tommy Scott has questions of size of property needed for rezoning - Smith indicates that they want 1 acre; however we received notes & bounds for 8 acre tract. They will need to subdivide -

4-0 to deny

Debra Harrell

7 years in business

Pat Lopez - GB on front end - The depth & size of property has him concerned (R-1 w/ specific use so they can have

J. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 281

Request of Pat Lopez, agent for Dwayne & Jeanne Lum, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Dwelling District (R-1) on the following described property, to wit:

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Jack reads

They can have

I. a specific use he would feel better

Only runs 4.21 acres -

Tommy Talle -

Scott Pat -

Can't Talle because you would
have to come back

Pat hopes ^{motion} to deny because of lack
of recommendations
Emil 2nd

K. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 296

Jack reads

Request of Nigel Harrison, agent for Dan M. Worrall, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

An 18 acre tract, more or less, out of lot 1 of the T.D. Yocum survey, A-399, of the deed records of Brazoria Co., TX (2800 block John Lizer)

*Emil motion to combine 296 + 297
Jack 2nd go motion to combine passes
4-0.*

Jimmy Scott - spoke of opposition raised in P+Z and asks members to take that into consideration.

Pat remembers the original reasoning about to

L. CONSIDERATION AND POSSIBLE ACTION - Zoning Application No. 297

Request of Nigel Harrison, agent for Robert S. & Jacquelyn S. Burgess, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development - Business (SD-B) to Multi-Family District (MF) on the following described property, to wit:

A 7.6 acre tract out of the T.D. Yocum survey, Abstract 399, of the deed records of Brazoria County, Texas

*Emil - years ago, requesting SD w/ specific use for houses. If we approve the rezone will they have to meet overlay district requirement?
Dennis - Yes, the 1st 300 feet of frontage
Jimmy - Assuming the overlay district is approved prior to building permits being issued.*

M. CONSIDERATION AND POSSIBLE ACTION - OVERLAY DISTRICT

Request of City staff for the purpose of amending the Land Use and Urban Development ordinance by creating a zoning overlay district on the following described property, to wit:

Pearland Parkway/Oiler Drive from the intersection of S.H. 35 (Main St.) Northeast to F.M. 518 & across F.M. 518 to a point approximately 1000 ft. North

*Dennis Smith states that he doesn't think P+Z should make the decisions
3 choices - P+Z, Architectural Com. or Staff.*

Discussion took place regarding who would make the final decisions.

Pat, sidewalks, rear of buildings & should not be left in the hands of one or two staff people.

IV. NEXT MEETING DATE: Monday, May 4, 1998, 6:00 p.m.

V. ADJOURNMENT 9:20

Emil wants major developers involved & wants to see their input.

Recommend approval

① Approval of applications will
Emil - Effecting our overall beautification
plan.

Mr. Chrisman stated again his
concerns w/ multi-family zoning.

Dennis Smith - There is a park extension
plan which will attract more
citizens

Pat Lopez - motion to approve
296-297

no second.

Motion died for lack of 2nd

Emil - Can we restrict development
up to Mary's Creek w/ overlay district

Dennis ~~300~~ Smith -

"reads" w/ in 50' of high bank
which is anywhere from 200-300'
depending on which section of creek.

Tommy - meter & bounds shows property to
be - 200' - 300' away from creek.

Pat Lopez - reminds board "use of land"
only. trees, building not their concern.

Pat - no reason to bring back a PUD -
city requirements w/ overlay is more
restrictive.

Emil motion to approve 296-297

2nd by Pat Lopez

Pass 4-0