

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, OCTOBER 6, 1997, 6:00 P.M. IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: Minutes of September 22, 1997

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Sheldon Cove at Silverlake, a subdivision of 14.4204 acres of land out of the R.B. Lyle Survey, Abstract No. 539, Brazoria County, Texas.

Variance Request:

1. Use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
2. Use of 5-foot side lot building line setbacks.
3. Use of a cul-de-sac greater than 600 feet in length.

Discussion Item: Extension of CR 94 adjacent to the tract.

B. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Villages of Edgewater Estates, Section One, being 44.8 acres of land containing 101 Lots, (75' X 120' and 60' X 115' typ.) and eight reserves containing 10.14 acres in six blocks, out of the H.T. and B.R.R. Co. Survey, A-309, Brazoria County, Texas.

C. CONSIDERATION AND POSSIBLE ACTION - Final Plat of Dixie Woods, Section Three, out of and a part of Lots 69 & 70 of the George W. Jenkins Subdivision, Volume 79, Page 616, Brazoria County Deed Records, in the W.D.C. Hall League, Abstract No. 70, Pearland, Brazoria County, Texas.

D. CONSIDERATION AND POSSIBLE ACTION - Facade Ordinance Changes.

IV. NEXT MEETING DATE: Monday, October 20, 1997, 6:00 p.m.

V. ADJOURNMENT

Posted: 2nd Day of October, A.D., 1997
3:00 A.M. (P.M.)

Removed: 9th Day of October, A.D., 1997

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, SEPTEMBER 22, 1997, 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 7:25 p.m. with the following present:

Chairman	Pat Lopez
Commissioner	Don Baker
Commissioner	Jack D. Mathis
Commissioner	Tommy L. Scott
Commissioner	Mary Starr
Director of Planning and Development	Dennis Smith
City Engineer	John Hargrove
Secretary	Judy Highburger

Vice Chairman Emil Beltz and Project Coordinator Alan Mueller were absent.

II. APPROVAL OF MINUTES: September 8, 1997

A motion was made by Commissioner Jack D. Mathis, and seconded by Commissioner Mary Starr to approve the Minutes of September 8, 1997.

Motion passed to approve 5 to 0.

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 222

Request of Nita Booth, Agent for John Alexander, Owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification General Business (GB) to Single Family Residential (R-4) on the following described property, to-wit:

Lots 10-15, 25-26, and 35-38, Block 26 of Pearland Townsite according to plat recorded in Vol. 29, Pgs. 41-42, Brazoria County, TX (Grand Avenue).

B. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 223

Request of Nita Booth, Agent for Thomas P. Alexander, Owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification General Business (GB) to Single Family Residential (R-4) on the following described property, to-wit:

Lots 27-34, 39-44 Block 26 of Pearland Townsite out of Plat recorded in Volume 29, Pgs 41-42 Brazoria County, TX.

Commissioner Mathis made a motion, seconded by Commissioner Starr to combine Applications No. 222 and 223.

Motion passed to join 5 to 0.

Commissioner Mathis made a motion, seconded by Commissioner Tommy L. Scott to approve Application Nos. 222 and 223.

Motion passed to approve 5 to 0.

C. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 225

Request of George E. Bibbs, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Residential (R-1) on the following described property, to-wit:

Tract 26 of Westchester Estates, according to Jack C. McKnight survey, a partition in the H.T. & B. Railroad survey, Abstract 242, Brazoria Co., TX.

A motion was made by Commissioner Scott and seconded by Commissioner Starr to approve Application No. 225.

Motion passed to approve 5 to 0.

D. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 227

Request of Harold D. Gentry, Agent for Majestic Christian Center, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Single Family Residential (R-2) to General Business (GB) on the following described property, to-wit:

1.550 ac. tract being part of the south 225 ft. of the east $\frac{1}{2}$ of the northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$, Section 14, of the H.T. and B. Survey, Abstract 509, Brazoria County, Texas (3512 McLean Rd.)

Chairman Pat Lopez made a suggestion to the Commission to table the application until the Comprehensive Plan is in place, because approving the application now would create GB zoning in an area all by itself. Commissioner Starr stated that granting GB status to the property now would enable the licensing of the daycare. Director of Planning and Development Dennis Smith

said that the Ordinance does not address the property now; however, the Comprehensive Plan will be able to. He went on to say that the property was another church that had weekly meetings or some dinners there, but nothing on a regular basis. Now it is brought in as another church denomination with a prospective full-time daycare.

A motion was made by Commissioner Scott and seconded by Commissioner Baker to approve Application No. 227.

Motion passed to approve 4 to 1 (Chairman Lopez voted nay).

E. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 228

Request of Sherry L. Applewhite, Agent for Ayrshire Corporation, Owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development (SD) to Single Family Residential (R-1) on the following described property, to-wit:

2.811 ac. of land in the W.D.C. Hall Survey, A-23, in Harris County, Texas.

Mr. Smith stated the property was before the Commission before with a request for OP-PUD which was denied, and is now seeking R-1 zoning.

A motion was made by Commissioner Starr and seconded by Commissioner Mathis to approve Application No. 228.

Motion passed to approve 4 to 1 (Commissioner Baker abstained).

F. CONSIDERATION AND POSSIBLE ACTION - SPECIFIC USE NO. 58

Request of Southwestern Bell Companies, Peter S. Thompson, agent for Houston Pine Hollow Associates, Ltd., Owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification General Business (GB) to General Business Specific Use (GBS) on the following described property, to-wit:

.056 acre out of Lot 34 of George W. Jenkins Subdivision (located in James F. Perry/Emily M. Austin League Abstract 111), Brazoria County, TX.

Chairman Lopez asked if the structure on the property would be similar to the other building of SWB on Dixie Farm Road, and Mr. Peter S. Thompson replied that it will be built to match the nearby Moody Bank and will not require a fence. Mr. Smith suggested photographs be taken of the building and made available to City Council.

A motion was made by Commissioner Starr, and seconded by Commissioner Mathis to approve Specific Use No. 58 with the stipulation that the structure match Moody Bank in its materials.

Motion passed to approve 5 to 0.

- G. CONSIDERATION AND POSSIBLE ACTION** - Final Plat of Pine Oaks Subdivision, Brazoria County, Texas. Being in the City of Pearland, a 9.4863 acre tract of land being Lot 24 of the Allison Richey Gulf Coast Home Company's Suburban Gardens Subdivision of Section, located in the H.T. & B. R.R. Co. Survey, Abstract 219, in the City of Pearland, Brazoria County, Texas.

City Engineer John Hargrove said staff recommends approval as presented.

Commissioner Starr made a motion, seconded by Commissioner Baker to approve the Final Plat of Pine Oaks Subdivision.

Motion passed to approve 5 to 0.

- H. CONSIDERATION AND POSSIBLE ACTION** - Preliminary Plat of Sedgefield, Section 2 at Silverlake. A subdivision of 15.3531 acres of land out of the John W. Maxey Survey, Abstract No. 721, and the G.C. Smith Survey, Abstract No. 548, Brazoria County, Texas.

Variance Request:

1. Use of 20 foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
2. Use of 5 foot side lot building line setbacks.
3. Use of cul-de-sacs greater than 600 feet in length.

For Discussion: Extension of Morgan Road.

Ms. Cathy Mitchell of Jones and Carter Engineering was present representing the owners, and requesting approval of the Preliminary Plat of Sedgefield, Section 2 at Silverlake.

Mr. Hargrove said staff recommends approval of the plat with the exception that the volume and page of Fairway Village Section 2, Phase I and Sedgefield Section 1 be placed on the final plat. He went on to say that staff has no objections to the length of the variance request for cul-de-sacs.

Discussion on extension of Morgan Road: Ms. Mitchell said that the developer plans to have a construction contract for Morgan Road to County Road 90 and temporary access to County Road 59 when Sedgefield Section 2 is built. She went on to explain that since the plat was a preliminary, the construction drawings have not been presented but will be before submittal of the final plat. Chairman Lopez had concerns on the length of the cul-de-sac. Ms. Mitchell said that the longest one is 780 feet.

Commissioner Starr made a motion, seconded by Commissioner Mathis to approve the Preliminary Plat of Sedgefield, Section 2 with the requested variances and recordation stipulation requested by Mr. Hargrove.

Motion passed to approve 5 to 0.

I. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Silverlake Commercial Park, Phase II. A subdivision of 14.2476 acres of land out of the R.B. Lyle Survey, Abstract No. 539, Brazoria County, Texas.

Ms. Cathy Mitchell of Jones and Carter Engineering was present representing the owners, and seeking approval of the Preliminary Plat of Silverlake Commercial Park, Phase II.

Mr. Hargrove said staff recommends approval of the plat with 2 exceptions:

1. Correct the spelling of Commissioner Baker's name on the final plat;
2. and, a 16 foot utility easement be added, parallel to the drainage ditch on the backside toward Hwy 518.

A motion was made by Commissioner Starr, and seconded by Commissioner Scott to approve the Preliminary Plat of Silverlake Commercial Park, Phase II, with the above-stated exceptions.

Motion passed to approve 5 to 0.

J. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Cambridge Cove, Section 2 at Silverlake, a subdivision of 9.2195 acres of land out of the R.B. Lyle Survey, Abstract No. 539, Brazoria County, Texas.

Variance Request:

1. Use of 20 foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
2. Use of 5 foot lot building line setbacks.

Ms. Cathy Mitchell of Jones and Carter Engineering was present representing the owners, and seeking approval of the Preliminary Plat of Cambridge Cove, Section 2 at Silverlake.

Mr. Hargrove said staff recommends approval of the Preliminary Plat of Cambridge Cove, Section 2 at Silverlake, with the reservation that Ms. Mitchell will inform the Commission of the plans for the extension of County Road 90.

Ms. Mitchell said when Sedgefield is constructed, County Road 90 will include access to the subdivision and proper drainage, and the construction plans will include those works. Chairman Lopez asked if there was a master plan of the area, and Ms. Mitchell replied yes, and that she will submit same to the Commission.

A motion was made by Commissioner Scott, and seconded by Commissioner Starr to approve the Preliminary Plat of Cambridge Cove, Section 2 at Silverlake.

Motion passed to approve 5 to 0.

- K. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Moody National Bank Plaza. Being a 2.2933 acre tract of land located in the Perry & Austin League, Abstract No. 111, Pearland, Brazoria County, Texas.**

Variance Request:

The proposed westerly commercial reserve (B) shall have a frontage of 135.70 feet on FM 518 with less than 150 feet of frontage required by criteria. We respectfully request that the westerly reserve frontage be allowed since this reserve only contains easements for pipeline companies and the Southwestern Bell facility. There is no other space available for development of commercial improvements in this reserve.

Mr. John English of Rekha Engineering was present representing the owners, and seeking approval of the Preliminary Plat of Moody National Bank Plaza.

Mr. Smith informed the Commission that the back portion of the property was the cell site previously seen in the Joint Public Hearing, Specific Use No. 58.

Mr. Hargrove recommended approval with comments for the final plat:

1. Upon recordation, number of feet of SWB access easement and facilities easement be shown.
2. Need 16 foot utility easement across back of property.
3. Needs surveyor's certification that monuments have been set.
4. Need explanation for overlap of encroachment shown.

Mr. English said the 3 foot overlap will be apparent when the survey is completed. Mr. Hargrove had no objection to the 30 foot and 10 foot easements, and unidentified land on the plat, but wanted to know the intended usage.

Commissioner Mathis made a motion, seconded by Commissioner Scott to approve the Preliminary Plat of Moody National Bank Plaza with specific delineation defined on the lower corner of lot to be followed up on the final plat per the recommendations of Mr. Hargrove.

Motion passed to approve 5 to 0.

- L. CONSIDERATION AND POSSIBLE ACTION - A Preliminary Plat of West Oaks Office Building, Being a Partial Replat of Reserve 'A' West Oaks, Section One-A, and Being a 2.3341 Acre tract of land located in the H.T. & B. R.R. Company Survey, A-241, Pearland, Brazoria County, Texas and also being out of a called 7.7789 acre tract as recorded in Cab. 19, Sht. 55-56 B.C.D.R. Brazoria County, Texas.**

Mr. John English of Rekha Engineering was present representing the owners, and requesting approval of the Preliminary Plat of West Oaks Office Building.

Mr. Hargrove said staff recommends approval of the Preliminary Plat.

A motion was made by Commissioner Scott, and seconded by Commissioner Starr to approve the Preliminary Plat of West Oaks Office Building.

Motion passed to approve 5 to 0.

M. CONSIDERATION AND POSSIBLE ACTION - Discussion on Westlake Residential PUD.

Mr. Matt Dilick, Mr. Charlie Vatterott, Mr. Frank Barringer, Mr. Tom Alexander, Jr., and Mr. Pat O'Day were present as owner and representatives.

Each Commissioner was given a loose leaf binder that contained data on the proposed apartment complex. Mr. Dilick gave a presentation of the proposed usage of the land. Copies of a letter to the West Oaks Homeowners Association, a letter from adjacent property owners in favor of the application, and a handout of a similar apartment complex were distributed.

Mr. Dilick informed the Commission that the development has planned to be over 200 feet away from other property to the east, (at the last meeting, there was a concern about adequate space for a buffer zone). The entrance to the complex will have security gates, and will be comprised of 256 units that have a view toward the lake, which is a major amenity along with abundant landscaping.

The property is presently unimproved land in an area where development is proceeding. Several nearby property owners in favor of the project were present. An aerial view of the property was handed out showing the land lending itself to MF zoning.

Management leasing is expecting to have 90% occupancy the first year, as Pearland has a high market for multi-family housing. Capital reserves will set aside \$50,000.00 for maintenance and construction of the common areas. A strong point for development is gross acreage of the property, as there has been a reduction in the density to about 250 units, which is supportable by the market. Market surveys in Pearland show stability of residential homes values next to apartment complexes, according to the study.

Commissioner Mathis was concerned about security with the proposed plank fencing in the buffer area. He said that it was adequate aesthetically, but children will have easy access to the lake. Mr. Dilick said that grassy area will be planted with trees for another buffer.

The Commissioners suggested minor corrections to the plan, which will be addressed and presented at a later date. The proposal was well received by the Commissioners. Mr. Smith said the requested zone change has been submitted to the Pearland School District Tax Office, and he will coordinate with the City Secretary to effect a Public Hearing as soon as possible.

IV. NEXT MEETING DATE: October 6, 1997, 6:00 p.m.

V. ADJOURNED: 8:43 p.m.

Minutes approved as submitted this 6 day of OCTOBER
A.D., 1997.



Pat Lopez, Chairman

ATTEST:



Judy Highburger, Secretary
DENNIS SMITH, DIR. / PLANNING & DEVELOPMENT



JONES & CARTER, INC.

Consulting Engineers

6335 Gulfton, Suite 200
Houston, Texas 77081-1169

713/777-5337
Fax 713/777-5976

RECEIVED SEP 23 1997

September 22, 1997

Planning and Zoning Commission
The City of Pearland
3519 Liberty Drive
Pearland, Texas 77581

Re: Variance Request
Sheldon Cove at Silverlake

Dear Members:

On behalf of New Southwyck, L.P., we hereby request a variance to Section 27-4 (D)(1)(a) and Section 27-4 (A)(3)(m)(1) of the Subdivision Ordinance on the following items within Sheldon Cove at Silverlake:

1. Use of 20-foot building line setbacks on lots fronting the bulb portion of cul-de-sacs.
2. Use of 5-foot side lot building line setbacks.
3. Use of a cul-de-sac greater than 600 feet in length.

Our request is based on the following considerations:

20-foot building line setbacks on cul-de-sacs

1. Lots fronting a cul-de-sac will have a greater distance between houses than lots on a standard 50-foot ROW street.
2. A 20-foot building line setback provides adequate space for a car in a driveway without blocking the sidewalk.
3. A 20-foot building line setback will allow the cul-de-sac lot size to be closer to the standard lot size in a section.

5-foot side lot building line setback

1. The 5-foot side lot building line setback with a 10-foot separation between structures is in accordance with the approved Master Preliminary Plat of the Southwyck/Silverlake development.

Cul-de-sac longer than 600-feet

1. The cul-de-sac in this section measures 763 feet in length. This longer cul-de-sac length accommodates an efficient land plan.

Should you have any questions or require additional information, please contact me at (713)777-5337.

Sincerely,

Catherine B. Mitchell

Catherine Garza Mitchell

CGM/rh

ENG\CG\PEARLAND\VAR-SHL.DOC

PROPOSED CHANGES TO FACADE REQUIREMENTS:

Section 20.1 Applicability to Districts

The building facade requirements of this section shall apply to all buildings fronting on major thoroughfares or located in the MF, OP, NS, or GB districts. Existing nonresidential buildings shall also conform to facade requirements upon the change of occupancy or expansion of the existing occupancy.

Section 20.6 Building Facades

Buildings walls viewable from a major thoroughfare (i.e. F.M. 518, S.H. 35, or I.H. 288) shall have one hundred percent (100%) brick, masonry-like, or glass construction. Metal mansard roofs shall be allowed provided the construction of said roof is an architectural metal panel. [Architectural metal is defined as 26 gauge or better with interlocking panels and no exposed fasteners.]