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**AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, MAY 5, 1997, 6:00 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

- II. APPROVAL OF MINUTES:** Minutes of April 21, 1997 and  
Minutes of April 28, 1997

**III. NEW BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION** - Final Plat of Partial Replat of Cobblestone. Being a subdivision of 10.0889 acres and a replat of Cobblestone, Reserves "A", "B", and "G" and Lots 1 through 7, Block 2, and a Partial Replat of Cobblestone Reserve "E", Block 2, as recorded in Volume 19, Pages 323 - 324 of the Brazoria County Plat Records, The Perry and Austin League A-111, Pearland, Brazoria County, Texas.

**B. CONSIDERATION AND POSSIBLE ACTION** - Final Plat of Southdown, Section Seven, Brazoria County, Texas. Being 13.5365 acres of land located in the F.B. Drake Survey (Section 20), Abstract No. 506.

Variance Request:

- 1. Use of 20 foot building line on all lots.
- 2. Use of 5 foot side building setback.

**C. CONSIDERATION AND POSSIBLE ACTION** - Discussion item to review Subdivision Ordinance proposed changes.

**IV. NEXT MEETING DATE:** Monday, May 12, 1997, 6:30 p.m. Joint Public Hearing

**V. ADJOURNMENT**

Posted: \_\_\_\_\_ Day of \_\_\_\_\_, A.D., 1997  
\_\_\_\_\_ A.M./P.M.

Removed: \_\_\_\_\_ Day of \_\_\_\_\_, A.D., 1997

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, APRIL 21, 1997, AT 6:00 P.M., IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

The meeting was called to order at 6:00 p.m. with the following present:

Vice Chairman	Pat Lopez
Commissioner	Emil Beltz
Commissioner	Marshall Eggers
Commissioner	Randy Patro
Commissioner	Mary Starr
Assistant City Manager	Richard Burdine
City Engineer	John Hargrove
City Projects Coordinator	Alan Mueller
Secretary	Judy Highburger

Commissioner Jack D. Mathis was absent.

**II. APPROVAL OF MINUTES:** Minutes of April 14, 1997.

A motion was made by Commissioner Mary Starr, and seconded by Commissioner Randy Patro to approve the corrected Minutes of April 14, 1997, which pertained to the time of adjournment.

**Motion Passed 5 to 0.**

**III. NEW BUSINESS**

- A. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Sedgefield, Section 1 at Silverlake. A subdivision of 32.3244 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.

Mr. Thomas Stroh of Jones & Carter, Inc., was present and representing the owners, New Southwyck, L.P. He was requesting approval of the Preliminary Plat of Sedgefield, Section 1 at Silverlake.

Mr. Stroh informed the Commission that this property was located in the Brazoria County MUD 3 area with access through Morgan Road and Endicott. He also stated the average lot size is 55' x 115'.

Mr. Richard Burdine, Assistant City Manager, asked Mr. Stroh what the plans were for Sparrow Drive. Mr. Stroh replied it was an extension to the south with culverts built across Morgan Road.

Mr. John Hargrove, City Engineer, said staff recommends approval as presented.

Commissioner Emil Beltz made a motion, seconded by Commissioner Randy Patro to approve the Preliminary Plat of Sedgefield, Section 1 at Silverlake.

Commissioner Beltz amended his motion to include approve of the requested variances. Motion seconded by Commissioner Patro.

**Motion passed 5 to 0.**

- B. CONSIDERATION AND POSSIBLE ACTION - Final Plat of Oakbrook Estates, Section Three, and a Partial Replat of Oakbrook Estates, Section One. A subdivision of 5.9329 acres out of the W.D.C. Hall League, Abstract No. 70, Pearland, Brazoria County, Texas.**

Mr. Al Lentz of Lentz Engineering, L.C., was present and representing the owners, Oakbrook Estates, Ltd.. Mr. Lentz was seeking approval of the Final Plat of Oakbrook Estates, Section Three, and a Partial Replat of Oakbrook Estates, Section One.

Mr. Hargrove said staff recommends approval of the Plat as presented with the following exceptions:

1. City requests a Hold Harmless Agreement regarding the pipeline easement.
2. Delivery of original tax certificates and title report.

Mr. Hargrove said he and the City Attorney will withhold their signatures until the exceptions are completed.

Commissioner Starr made a motion, seconded by Commissioner Eggers, to approve the final plat of Oakbrook Estates, Section Three, and a Partial Replat of Oakbrook Estates, Section One, with the above-stated exceptions.

**Motion passed 5 to 0.**

**C. CONSIDERATION AND POSSIBLE ACTION - Final Replat of Lot 1, Block 4, Green Tee Terrace, Section 1, Vol. 170, Pg. 28, H.C.M.R.. Being a 0.2916 acre tract located in the W.D.C. Hall Survey, Abstract No. 23, in Harris County, Texas**

Mr. Al Lentz, of Lentz Engineering, L.C., was present, and representing the owners, Gaston C. and Camille Barmore. He was requesting approval of the final replat of Lot 1, Block 4, Green Tee Terrace, Section 1.

Mr. Lentz said the City has an approved preliminary plat, and this is the 20 feet that Mr. Barmore was awarded in the settlement. The purpose of the replat is to move the utility easement over.

Mr. Hargrove said the 10 foot utility easement inside the existing lot line will be abandoned on the mylar.

There was no further discussion. Commissioner Starr made a motion to approve the Final Replat of Lot 1, Block 4, Green Tee Terrace, Section 1.

**Motion passed 5 to 0.**

- D. CONSIDERATION AND POSSIBLE ACTION** - Discussion item to review the update of Land Use Assumptions, Water and Sewer Capital Projects and Impact Fees.

Mr. Burdine informed the Commission that the City is in the midst of updating the water and sewer impact fees, and is putting together a survey of other cities' fees.

The current impact fees are \$1,097.00. An increase to \$1,997.00 for single family homes on a developed lot is proposed.

Mr. Burdine asked the Commissioners for verbal or written comments to be inserted into the Minutes. There will be a survey of other cities' impact fees available at the next meeting.

- E. CONSIDERATION AND POSSIBLE ACTION** - Discussion item to review Subdivision Ordinance proposed changes.

This item was postponed until the next meeting.

**IV. NEXT MEETING DATE:** Monday, April 28, 1997, 6:00 p.m., Joint Public Hearing.

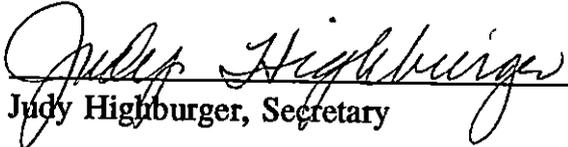
**V. ADJOURNED:** 7:45 p.m.

Minutes approved as submitted this 5<sup>th</sup> day of May  
A.D., 1997.

  
\_\_\_\_\_  
Pat Lopez, Vice Chairman

  
\_\_\_\_\_  
Acting Chairman

ATTEST:

  
\_\_\_\_\_  
Judy Highburger, Secretary

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, APRIL 28, 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 7:02 p.m. with the following present:

Vice Chairman	Pat Lopez
Commissioner	Emil Beltz
Commissioner	Randy Patro
Commissioner	Mary Starr
City Engineer	John Hargrove
Secretary	Judy Highburger

Commissioners Marshall Eggers and Jack D. Mathis were absent. Assistant City Manager Richard Burdine and City Projects Coordinator Alan Mueller arrived at 7:04 p.m.

**II. APPROVAL OF MINUTES:** Not available at this date

**III. NEW BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 122**

Request of E. Mauris Hardcastle, agent for Bob G. York, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District (SD) to Light Industrial District (M-1) on the following described property, to-wit:

Lot 3 of the east ½ of the NW ¼ of Sec. 15, HTBRR Co., A-241, Brazoria County, Texas, recorded in Volume 441, Page 265 of the Deed Records. (5518 Broadway).

Mr. Mauris Hardcastle, agent for Bob G. York, owner, was present and seeking approval of Application No. 122.

Chairman Pat Lopez asked for further discussion or a motion. Commissioner Randy Patro felt that if the application came in for a lower category, it still would be in a predominately residential

area. Commissioner Mary Starr stated that the business is already in place, but needs to be a non-conforming use, and is of the opinion the M-1 category does not fit this instance.

Commissioner Patro made a motion, seconded by Commissioner Starr to deny Application No. 122.

**Motion passed to deny 4 to 0.**

**B. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 117**

Request of E. Mauris Hardcastle, agent for Frances Powell Adams, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District (SD) to Commercial District (C) on the following described property, to-wit:

The east ½ of Lot 64, HTBRR Co. Survey, Section 9, A-234, Brazoria County, Texas, recorded in Volume 113, Page 241 of the Deed Records.

Mr. Mauris Hardcastle, agent for Frances Powell Adams, owner, was present and seeking approval of Application No. 117.

There was no further discussion or comments.

Commissioner Emil Beltz made a motion seconded by Commissioner Starr to approve Application No. 117.

**Motion passed to approve 3 to 1 (Commissioner Patro abstained).**

**C. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 118**

Request of E. Mauris Hardcastle, agent for Robert L. Petty, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District (SD) to Commercial District (C) on the following described property, to-wit:

Lots 1 and 2 of Skyway Manor Subdivision, an addition in Brazoria County, Texas, as recorded in Volume 7, Page 67 of the plat Records.

Mr. Mauris Hardcastle, agent for Robert L. Petty, owner, was present and seeking approval of Application No. 118.

Vice Chairman Lopez said since there was the public hearing, and if there was no further discussion, a motion is in order. Commissioner Starr made a motion, seconded by Commissioner Beltz to approve Application No. 118.

**Motion passed to approve 3 to 1 (Commissioner Patro abstained).**

**D. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 119**

Request of Arthur A. Partain, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District (SD) to Commercial District (C) on the following described property, to-wit:

A 1.3068 acre tract, more or less, out of Lot 5 of the partition of the East ½ of the Northwest ¼ of Section 15, HTBRR Co. Survey, A-241, Brazoria County, Texas, recorded in Volume 441, Page 265 and re-recorded in Vol. 593, P. 56 of the Deed Records, (6826 Broadway).

**E. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 120**

Request of Authur Partain, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District (SD) to Commercial District (C) on the following described property, to-wit:

A portion of the East ½ of the NW ¼ of Sec. 15, HTBRR Co. Survey, A-241, Brazoria County, Texas; also being a portion of Lot 4 of the Plat recorded in V. 441., P. 265, of the Deed Records; also being referenced by a judgement of partition in V. 591, P. 56, (6816 Broadway).

**F. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 121**

Request of Arthur Partain, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District (SD) to Commercial District (C) on the following described property, to-wit:

A portion of the East ½ of the NW ¼ of Sec. 15, HTBRR Co. Survey, A-241, Brazoria County, Texas; also being a portion of Lot 4 recorded in V. 441, P. 265 of the Deed Records; also referenced by judgement of partition in V. 591, P. 56, (6806 Broadway).

Commissioner Beltz made a motion, seconded by Commissioner Starr to join Application Nos. 119, 120, and 121.

**Motion passed to join 4 to 0.**

Mr. Burdine said staff recommends tabling the items because comments at the Public Hearing made present usage of the property unclear, and is concerned if it would fit into the category of Commercial zoning. He went on to say if it is a salvage business, that requires M-1 zoning, and if it is heavy equipment sales, storage and repair, that requires a Specific Use.

Commissioner Patro made a motion to follow staff's recommendation and table Application Nos. 119, 120, and 121. Motion seconded by Mary Starr.

**Motion to table failed 4 to 0.**

Mr. Burdine said based on Mr. Partain's neighbors' concerns, and with Mr. Partain's approval, staff would like to tour the property to check the present usage. Staff will give prior notice to Mr. Partain of the upcoming tour.

Commissioner Starr stated that if the property was zoned Commercial, it would fit into what seems to be the proper category and be to Mr. Partain's advantage as allowing the highest and best use of the property. She went on to say if we are establishing a pattern we should take that into consideration, and M1 or M2 is not going to go into that area. Mr. Burdine said each request needs to stand on its own.

Vice Chairman Lopez said staff would like the opportunity to give other options to Mr. Partain.

Commissioner Starr made a motion, seconded by Commissioner Beltz to table Application Nos. 119, 120, and 121.

**Motion to table passed 4 to 0.**

**IV. NEXT MEETING DATE:** May 5, 1997, 6:00 p.m.

**V. ADJOURNED:** 7:20 p.m.

Minutes approved as submitted this 5<sup>th</sup> day of May  
A.D., 1997.

*Pat Lopez*  
~~Pat Lopez, Vice Chairman~~ *Acting Chairman*

ATTEST:

*Judy Highburger*  
Judy Highburger, Secretary

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**B. CONSIDERATION AND POSSIBLE ACTION** - Final Plat of Southdown, Section Seven, Brazoria County, Texas. Being 13.5365 acres of land located in the F.B. Drake Survey (Section 20), Abstract No. 506.

Variance Request:

1. Use of 20 foot building line on all lots.
2. Use of 5 foot side building setback.

**C. CONSIDERATION AND POSSIBLE ACTION** - Discussion item to review Subdivision Ordinance proposed changes.

**IV. NEXT MEETING DATE:** Monday, May 12, 1997, 6:30 p.m. Joint Public Hearing

**V. ADJOURNMENT**

Posted: 2nd Day of May, A.D., 1997  
10:00 A.M./P.M.

Removed: both Day of May, A.D., 1997