

AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, FEBRUARY 3, 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 January 20, 1997

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION - The Lakes at Countryplace, Section 1. A Preliminary Plat of 31.6 Acres out of the F.B. Drake A-503, F.B. Drake A-510 and H.T. & B.R.R. Co. A-310 Surveys, Brazoria County, Texas.

Variance Request:

1. Front building setback line of 20 feet on cul-de-sac lots.
2. Side setbacks with an aggregate of 10 feet between houses.
3. Block length exceeding 1,200 feet.

B. CONSIDERATION AND POSSIBLE ACTION - Final Plat of a Replat of Briarglen Sect. 4 & 5. Being a 18.5850 acre tract as recorded in Briarglen Sect. 4 & 5, Vol. 19, Pg 597, 598, of the plat records of Brazoria County, Texas, lying in the Perry and Austin League Survey Abstract 111, Brazoria County, Texas, being a portion of a 36.3870 acre tract of land conveyed to Bill Wooten, as recorded in Vol. 1055, Pg. 719 of the deed records of Brazoria County, Texas, a portion of a 3.632 acre tract of land, a portion of an abandoned road out of the Hazeldale and Coffman Subdivision, as recorded in Vol. 3, Pg. 6, of the plat records of Brazoria County, Texas, portion of Briarglen, Sect. 3, as recorded in Vol. 19, Pg. 483-484, of the plat records of Brazoria County, Texas, and a portion of a 4.13 acre tract of land conveyed to Tejas Gas Pipeline Co., as recorded in Vol. 983, Pg. 223, of the plat records of Brazoria County, Texas.

C. CONSIDERATION AND POSSIBLE ACTION - Final Plat of Tara Exxon, 1.0672 acres out of the W.D.C. Hall Survey Abstract No. - 70, Pearland, Brazoria County, Texas.

D. CONSIDERATION AND POSSIBLE ACTION - Recommendation to the City Council on City-initiated zone changes in newly annexed areas.

IV. NEXT MEETING DATE: Monday, February 17, 1997, 6:00 p.m.

V. ADJOURNMENT

Posted: 1/31/97 Day of January, A.D., 1997
9:00 (A.M./P.M.)

Removed: 2/5/97 Day of February, A.D., 1997

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, JANUARY 20, 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	Jack D. Mathis
Commissioner	Mary Starr
City Engineer	John Hargrove
Secretary	Judy Highburger

Chairman Robert Larsen was absent, and Assistant City Manager, Richard Burdine arrived at 6:05 p.m.

Alan Mueller, City Project Coordinator, was introduced to the Commission.

II. APPROVAL OF MINUTES: Minutes of January 13, 1997.

A motion was made by Commissioner Marshall Eggers and seconded by Commissioner Mary Starr to approve the Minutes of January 13, 1997.

Motion Passed 6 to 0.

III. NEW BUSINESS

- A. CONSIDERATION AND POSSIBLE ACTION - The Lakes at Countryplace, Section 1. A Preliminary Plat of 31.6 Acres out of the F.B. Drake A-503, F.B. Drake A-510 and H.T. & B.R.R. Co. A-310 Surveys, Brazoria County, Texas.**

Variance Request:

1. Front building setback line of 20 feet on cul-de-sac lots.
2. Side setbacks with an aggregate of 10 feet between houses.
3. Block length exceeding 1,200 feet.

There was no representative present.

City Engineer, John Hargrove recommended tabling The Lakes at Countryplace, Section 1.

Commissioner Starr made a motion, seconded by Commissioner Jack D. Mathis to table Item A.

Motion passed to table 6 to 0.

- B. CONSIDERATION AND POSSIBLE ACTION - Preliminary 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 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.**

Variance Request:

20 foot front building line.

Mr. Javier Casas of Century Engineering, was present representing R. and S. Land Co., Inc., and seeking approval of Cobblestone.

Mr. Hargrove stated the Plat was presented before and has been rezoned R-3 PUD. He recommended approval as presented with the exceptions:

1. Move street lights where indicated on the plat markup;
2. and, add 5 foot street light easements.

Mr. Hargrove also stated since the lots are 100 feet in length, they qualify for a 20 foot front building line.

Commissioner Starr made a motion, seconded by Commissioner Eggers to approve the Preliminary Plat of Partial Replat of Cobblestone, with the above-stated exceptions.

Motion passed 6 to 0.

Commissioner Starr made a motion, seconded by Commissioner Randy Patro to return to Item A.

Motion passed 6 to 0.

- A. **CONSIDERATION AND POSSIBLE ACTION** - The Lakes at Countryplace, Section 1. A Preliminary Plat of 31.6 Acres out of the F.B. Drake A-503, F.B. Drake A-510 and H.T. & B.R.R. Co. A-310 Surveys, Brazoria County, Texas.

Variance Request:

1. Front building setback line of 20 feet on cul-de-sac lots.
2. Side setbacks with an aggregate of 10 feet between houses.
3. Block length exceeding 1,200 feet.

Assistant City Manager, Richard Burdine said the developer is considering private streets, so they could operate a gatehouse at the entrance to the subdivision. He went on to say that the restrictive covenants need to be examined as to how funding of maintenance will be handled.

Mr. Burdine said the plat will be resubmitted, and he recommends tabling it.

A motion was made by Commissioner Starr, and seconded by Commissioner Emil Beltz to table Item A.

Motion passed to table 6 to 0.

- C. **CONSIDERATION AND POSSIBLE ACTION** - Review of type and location of pending zone change requests and consideration of combining applications.

Mr. Burdine stated that Alan Mueller will coordinate future annexations, and that he is compiling information to prepare a map for the Commission of recently approved and pending zone changes in the area annexed in December, 1995. Mr. Burdine showed the most current annexation map and explained the various zones on it. He said the new map will be color-coded to see the newly annexed area.

Mr. Burdine said approximately 60 zone change requests are pending, and half are SD to R-1 changes that could be approved enmasse. The City can initiate zone change requests for property owners who have not yet applied. The category R-1 is easier to rezone to than Commercial or General Business. Mr. Burdine said he was not asking for action, just giving the status of zone changes.

Vice Chairman Lopez asked if the R-1 rezonings are completed by the City and later on the property owners along Hwy 518 wish to rezone to Commercial or General Business, is the City able to do this after annexation. Mr. Burdine said yes.

Mr. Burdine said zone changes are handled the same way regardless of whether the property owner or the City initiates the change. If there are large vacant lots being annexed, it is best to leave them zoned SD. We are required by state law to publish notice in the newspapers of an impending annexation, but not required to notify property owners by mail. If we couple zoning with annexation, we could include a notice of annexation in the zone change notice we mail to property owners within 200 feet of the change. The zoning would not be effective until annexation.

Commissioner Starr asked if a Comprehensive Plan would save some steps, to which Mr. Burdine answered, no, it might give more reasons to rezone. Vice Chairman Pat Lopez asked about a time line and if it was started now, would it take a year. Mr. Burdine said no, some elements of the plan, like transportation, could be approved ahead of other elements. Some of them can not be done until the land use is considered.

Commissioner Beltz inquired as to property owners being assessed impact fees, and Mr. Burdine said the property owner pays when the service is provided to their property.

Commissioner Beltz asked if there were other areas that will be annexed in the near future, and Mr. Hargrove said yes. Mr. Burdine said the areas have not been designated at this time, and his recommendation is to look at "squaring things up" so emergency personnel and the general public could more easily tell if areas are inside or outside the City limits. He would look toward the Rustic Lane area and the airport since the City is already serving some of those areas with sewer and water. The City is interested in having frontage on the Beltway; however, the City of Houston has to release that area from their ETJ.

Commissioner Patro asked if the Commission could request rezoning the Westchester Estates Subdivision to R-1. Mr. Burdine said that property with residences could be zoned R-1, and asked if the Commission would want to rezone some of the property Commercial or General Business without the owners requesting same.

Vice Chairman Lopez stated that if the property owner does not want that particular zone change, and it stays SD, then you are dictating that they have to do it. Mr. Burdine said the City could initiate a zone change, notify the owners that at no charge they could be included if they signed and returned the application. If they do not wish to be included and pursue a change more than one year after annexation, they would be required to pay the usual zone change application fee.

Commissioner Eggers asked if the Commission wanted to be a board that zones developed areas (established businesses), or a board that zones undeveloped areas in advance of development. Mr. Burdine said if the majority of the Commission does not want to do mass zone changes, it would not be done. However, City Council could approve zone changes over P&Z's recommendation.

Mr. Burdine said a report or recommendation on this issue would be helpful to City Council and could certainly include a minority opinion.

Commissioner Beltz asked if approving property enmass would create a rash of owners coming in to rezone. He said the concerns of the property owners could be that their property would be classified against their best interests, especially if they had small home-based businesses. Vice Chairman Lopez said approving Westchester would be easy but not accomplish anything. Mr. Burdine said the main difference is that if a home is more than fifty percent (50%) damaged, the owner cannot rebuild without getting the property rezoned. Vice Chairman Lopez said the Commission does not need to act on anything. Mr. Burdine concluded that for the City to initiate a zone change, there must be a Comprehensive Plan from which the Commission can match zoning.

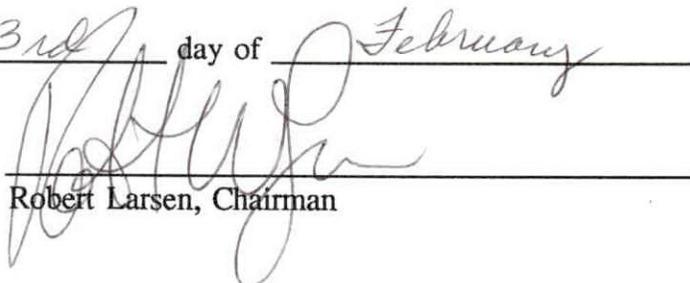
Staff will check to see if any of the area in question is covered by a Comprehensive Plan.

No action was taken.

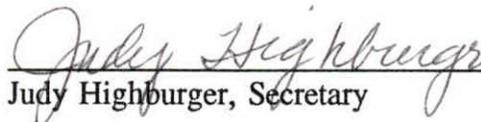
IV. NEXT MEETING DATE: Monday, February 3, 1997.

V. ADJOURNED: 6:58 p.m.

Minutes approved as submitted this 3rd day of February
A.D., 1997.


Robert Larsen, Chairman

ATTEST:


Judy Highburger, Secretary