

**AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, APRIL 14, 1997, 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 7, 1997

**III. NEW BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 112**

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

Lot 18, Section 3, Garden Acres, approximately .6 acres out of Tract 36, H.T. & B. R.R. Survey, Section 7, A-219, recorded in volume 10, page 77 of the plat records of Brazoria County, Texas.

**B. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 114**

Request of Leo J. Gabriel III, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District (SD) to General Business District (GB) on the following described property, to-wit:

Lot 2, Block 1, Gabriel Enterprises Subdivision, approximately .5165 acres, recorded in Volume 19, pages 291-292 of the deed records of Brazoria County, Texas.

**C. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 116**

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

2.00 acres out of Lot 23, Allison-Richey Gulf Coast Home Co. Suburban Gardens Subdivision, Section 8, H.T. & B. R.R., A-504, recorded in Vol. 2, Page 23 of the Plat Records of Brazoria County, Texas.

**D. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 113**

Request of Josephine M. Leggio, 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 A and B, Section 3, Garden Acres, 2.617 acres out of Tract 36, H.T. & B. R.R. Survey, Section 7, A-219, recorded in volume 10, page 77 of the plat records of Brazoria County, Texas. (5800 Broadway)

**E. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 115**

Request of Jo Maples, agent for Bill E. Holley, 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:

Lot 23, Allison-Richey Gulf Coast Home Co. Suburban Gardens Subdivision of Section 8, H.T. & B. R.R. Survey, A-504, recorded in Volume 2, Page 23 of the plat records of Brazoria County, Texas. (5523 Broadway)

**F. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 207**

Request of Pro-Line Water Screen Services, Inc., agent for Gatech Enterprises, Inc., owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District (SD) to Heavy Industrial District (M2) on the following described property, to-wit:

2.00 acres out of Lot 178, Zychlinski Subdivision, Section 28, H.T. & B. R.R. Survey, A-551, (G.C. Smith Survey), recorded Vol. 593, Page 407 of the Deed Records of Brazoria County, Texas. (17605 SH 35)

**G. CONSIDERATION AND POSSIBLE ACTION- APPLICATION NO. 208**

Request of Gatech Enterprises, Inc., owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District (SD) to Heavy Industrial District (M2) on the following described property, to-wit:

2.7106 acres out of Lot 178, Zychlinski Subdivision, Section 28, H.T. & B. R.R. Survey, A-551, (G.C. Smith Survey), recorded Vol. 29, Page 9 of the Deed Records of Brazoria County, Texas. (17635 SH 35)

**H. CONSIDERATION AND POSSIBLE ACTION - SPECIFIC USE PERMIT APPLICATION NO. 53**

Request of Pro-Line Water Screen Services, Inc., agent for Gatech Enterprises, Inc. owner, for a Specific Use Permit on the following described property, to-wit:

2.00 acres out of Lot 178, Zychlinski Subdivision, Section 28, H.T. & B. R. R. Survey, A-551, (G.C. Smith Survey), recorded in Vol. 593, Page 407 of the Deed Records of Brazoria County, Texas. (17605 SH 35)

**I. CONSIDERATION AND POSSIBLE ACTION - APPLICATION NO. 198**

Request of Bert Jones, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Single Family Dwelling District (R-2) to General Business (GB) on the following described property, to-wit:

South ½ of Lot 45, approximately 5 acres, Allison-Richey Subdivision of the H.T. & B. R. R. Survey, Section 6, A-544.

**IV. NEXT MEETING DATE: April 21, 1997, 6:00 p.m.**

**V. ADJOURNMENT**

Posted: \_\_\_\_\_ Day of \_\_\_\_\_, A.D., 1997  
\_\_\_\_\_ 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 7, 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
City Engineer	John Hargrove
City Projects Coordinator	Alan Mueller
Secretary	Judy Highburger

Commissioner Jack D. Mathis was absent. Assistant City Manager, Richard Burdine, arrived at 6:02 p.m.

**II. APPROVAL OF MINUTES: Minutes of March 31, 1997.**

A motion was made by Commissioner Mary Starr, and seconded by Commissioner Randy Patro to approve the corrected Minutes of March 31, 1997.

**Motion Passed 5 to 0.**

**III. NEW BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION - Preliminary Plat of Pine Hollow Estates, Section One. Being 36.549 acres (1,592,053 s.f.) of land located in the W.D.C. Hall League A-70 Brazoria County, Texas.**

Ms. Renee West, Mr. Rick Gadd, and Mr. John English were present representing the owner, Pine Hollow Estates, Ltd. and asking for approval of the plat.

A lengthy discussion began on the pipeline easements. City Engineer, John Hargrove had several comments that are addressable on the final plat and the construction drawings, except for the pipeline easements inside the lots in three areas. Ms. West replied she would lose revenue

if not able to include the pipeline easements in the lots.

Ms. West informed the Commission that the construction easement at Lot 4, Block 1 is 50 feet to allow the entering of large equipment on each side. Assistant City Manager Richard Burdine said the homes have to be kept out of the easement.

Mr. Hargrove's objection to pipelines within the lots was is that in the future, the homeowners will want to know what is in the easement and what they can do there. As the subdivision matures, the residents complain and will dig or build on the easements. He went on to say that Block 3, Lot 15, Lot 8, Lot 9, Lot 1, and Block 1, Lot 4 might be lost due to the pipelines.

Commissioner Starr asked if information regarding the pipelines be written into the deed, and Ms. West replied that it is, and the only restriction is permanent structures being built over the pipelines.

Commissioner Emil Beltz asked if homes elsewhere have been sold with pipelines through the lots, and Ms. West replied in the affirmative, and it has not been a factor in the selling of the homes.

Mr. Burdine asked what was the zoning in that area, and Mr. Mueller answered that it was zoned R3 in the back and R1 in the front.

Mr. Burdine brought up the subject of site barrier fencing, and Ms. West explained that split rail fencing will be required. Swimming pools will require a four foot high wrought iron fence.

Ms. West said that the Pine Hollow project has gaslines that are being used for jogging trails. She went on to say there was a problem with pipeline easements not draining, and Mr. Burdine asked if filling them in was allowed. Ms. West said yes. Mr. Hargrove asked if approval has been given by pipeline companies for regrading, and Ms. West said no, but letters have gone out. Mr. Burdine said there was the potential to go with Type A drainage to have a crown in the middle of the easements to drain out. With the amount of telephone calls regarding those problems he has received, Mr. Burdine recommends varying the rear and side setback to give flexibility on placement of the homes.

Ms. West asked for approval of the plat with Class A drainage, approval of the pipeline easements platted in the lots using split rail fences for all lot fences.

Commissioner Patro made a motion to deny the Preliminary Plat of Pine Hollow Estates, Section One until the problems are resolved. Motion failed for lack of a second.

Commissioner Starr made a motion, seconded by Commissioner Beltz, to approve the Plat contingent upon approval from the pipeline companies; to grade for Class A drainage; and other minor changes to be noted by Mr. Hargrove to the developer's engineer.

**Motion passed 4 to 1 (Commissioner Patro abstained).**

**B. CONSIDERATION AND POSSIBLE ACTION** - Preliminary Plat of Ravenwood Estates. Being 80.069 acres (3,487,806 s.f.) of land located in the H.T.& B. R.R. Co. Survey A-546, Brazoria County, Texas.

Mr. Hargrove said staff recommended approval of the Plat with the following conditions:

1. Ten foot water and sewer easement on County Road 101 inside Reserve D & G.
2. Ten foot water and sewer easement on Harkey Road on Lot 17, Block 1 equal to 10 foot building line.
3. Volume and page of separate instrument of temporary turnaround in north end of Quail Run Court.

Commissioner Starr made a motion, seconded by Commissioner Eggers to approve the Preliminary Plat of Ravenwood Estates subject to the above-mentioned items.

**Motion passed 5 to 0.**

**C. CONSIDERATION AND POSSIBLE ACTION** - Final Plat of Sagemont First Home. Being 6.092 acres of land in the W.D.C. Hall Survey, A-23, Harris County, Texas.

Mr. Steve Nichols, representing American Retirement Community, L.P., was present and requesting approval of the Final Plat of Sagemont First Home.

Mr. Hargrove's comments were related to a number of editing changes to be made on the final plat. He recommended conditional approval with the following corrections:

1. General Notes No. 9 and 10 are not specified;
2. need all signatures and names on plat;
3. need reference of Volume and Page recordation; and,
4. include Scarsdale Blvd. to end of subdivision.

The City Engineer and City Attorney will withhold their signatures until those items are corrected.

A motion was made by Commissioner Patro, and seconded by Commissioner Beltz to approve the Final Plat of Sagemont First Home contingent upon the corrections so noted above.

**Motion passed 5 to 0.**

**D. CONSIDERATION AND POSSIBLE ACTION - Discussion item to review the update of Impact Fees.**

There was no discussion due to unavailable material.

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

Mr. Alan Mueller, City Projects Coordinator, referenced the revised Subdivision Ordinance that each Commissioner received. He briefly spoke of the changes made since the last discussion on pages 1-13, explaining that more text was added.

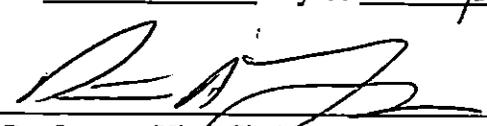
New discussion began with page 15 regarding final plats, including submittal information on construction drawings. Information on subsequent pages was minimal. Page 18, Notes, had several new items required on the plat. Page 19, Minor Subdivisions, pertained to a subdivision of four or less lots.

Discussion stopped at this point.

**IV. NEXT MEETING DATE:** Monday, April 14, 1997, 6:00 p.m., Joint Public Hearing.

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

Minutes approved as submitted this 14 day of April  
A.D., 1997.

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

ATTEST:

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

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Request of Bert Jones, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Single Family Dwelling District (R-2) to General Business (GB) on the following described property, to-wit:

South 1/2 of Lot 45, approximately 5 acres, Allison-Richey Subdivision of the H.T. & B. R. R. Survey, Section 6, A-544.

**IV. NEXT MEETING DATE: April 21, 1997, 6:00 p.m.**

**V. ADJOURNMENT**

Posted: 11<sup>th</sup> Day of April, A.D., 1997  
12:01 P.M.

Removed: 15<sup>th</sup> Day of April, A.D., 1997

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Commissioner Jack D. Mathis was absent. Assistant City Manager, Richard Burdine, arrived at 6:02 p.m.

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

Minutes approved as submitted this \_\_\_\_\_ day of \_\_\_\_\_  
A.D., 1997.

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

ATTEST:

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