

AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JULY 17, 2000 AT 6:30 P.M. IN THE SECOND FLOOR CONFERENCE ROOM OF THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: June 5, 2000 (Regular Meeting minutes)

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 930 & SPECIFIC USE NO. 86 AND ZONING APPLICATION NO. 931 & SPECIFIC USE NO. 87

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Commercial District Specific Use (C-S) for a Specific Use Permit for machining, fabrication, and manufacturing plastics, rubber and metal products on the following described property, to wit:

1. Zoning Application No. 930 & Specific Use No. 86

Legal Description: Lot 1A-6, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (8101 Fite Road)

Owner: Barker & Bucek
8101 Fite Road
Pearland, TX 77584

2. Zoning Application No. 931 & Specific Use No. 87

Legal Description: Lot 1A, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (8101 Fite Road)

Owner: Blaine Barker II ABA Barker Development
P.O. Box 24
Manvel, TX 77509

B. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 933

Request of owners 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:

1. Zoning Application No. 933

Legal Description: 3.00 acres situated in Lot 80 of Figland Orchard Subdivision, Section 13, H. T. & B. R.R. Co. survey, A-240, as recorded in Vol. 3, pg 77, plat records of Brazoria Co., TX (2834 Wagontrail)

Owner: Pearland Elks Lodge
P.O. Box 2251
Pearland, TX 77588

C. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 927

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

1. Zoning Application No. 927

Legal Description: A 1.00 acre tract out of Lot 41, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX (Hughes Ranch Road)

Owner: Debbie Corson
P.O. Box 634
Pearland, TX 77588

D. CONSIDERATION & POSSIBLE ACTION – SPECIFIC USE NO. 84

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Suburban Development District Specific Use (SD-S) for a Specific Use Permit for a church on the following described property, to wit:

1. Specific Use Application No. 84

Legal Description: 22.0658 acres, more or less, out of Section 17, H. T. & B. R.R. Co. survey, A-242, as recorded in Vol. 86344, pg 911 and County Clerk's File No. 96-002281 Official Records, Brazoria Co., TX (2800 Manvel Road (FM 1128))

Owner: Tim Liston, Pastor/New Hope Church
2800 Manvel Road
Pearland, TX 77584

E. CONSIDERATION & POSSIBLE ACTION – Preliminary plat of WC Properties Commercial Center, 2 reserves, 11.7 acres of land within the H.T.&B R.R. Co. Survey, Abstract 304 in the City of Pearland, Brazoria County, Texas.

F. CONSIDERATION & POSSIBLE ACTION – Preliminary plat of Sunrise Lakes Section Four, a subdivision of 34.94 acres of land being partial replat of Allison Richey Gulf Coast Home Company Subdivision Section Twenty (Being part of lots 11, 12, 13, 26 & all of lot 27) out of the H.T.&B. R.R. Co. Survey, Abstract 506, City of Pearland, Brazoria County, Texas.

G. CONSIDERATION & POSSIBLE ACTION – Preliminary plat of Barclay Place, a subdivision of 9.5268 acres situated in section 12 of the H.T.&B. Railroad Company Survey, Abstract No. 508, Pearland, Brazoria County, Texas.

Variance Request:

1. Use of an extra long cul-de-sac.

H. CONSIDERATION & POSSIBLE ACTION – Preliminary plat of Exxon – F.M. 518 and F.M. 865, a subdivision of 1.606 acres of land out of the H.T.&B. R.R. Company Survey, Section 20, Abstract Number 506, Pearland, Brazoria County, Texas.

I. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of The Landing at Green Tee, being 20.9805 acres out of the W.D.C. Hall Survey, A-23, Harris County, Texas.

Variance Request:

1. To allow a tree survey to be submitted at the time building permits are issued.

J. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Springbrook Section 1 at Silverlake, a subdivision of 33.4934 acres of land out of the R.B. Lyle Survey, Abstract No. 539 and the A.C.H.&B R.R. Co. Survey, Section No. 87, Abstract No. 415, 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.

K. CONSIDERATION & POSSIBLE ACTION – Final Plat of Summerfield Section 1 at Silverlake, a subdivision of 23.1228 acres of land and being a partial replat of unrestricted reserve "A" of Silverlake Commercial Park Phase IV as recorded in Volume 20, pages 325-328 of the Brazoria County Plat Records 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 cul-de-sacs greater than 600 feet in length.
4. Use of an 11-foot back lot utility easement.

L. CONSIDERATION & POSSIBLE ACTION – Amending Plat of Foodmaker Subdivision No. 3929 of the Final Plat of Foodmaker Subdivision No. 3920 0.9148 acres out of the W.D.C. Hall Survey, Abstract No. 70, Pearland, Brazoria County, Texas.

M. CONSIDERATION & POSSIBLE ACTION – Request for extension of Preliminary Approval of Sunrise Lakes Section Three.

N. CONSIDERATION & POSSIBLE ACTION – Sidewalk variance for Joseph’s Gulf Coast Grille.

IV. NEXT MEETING DATES: July 24, 2000 (Joint Public Hearing)
 July 31, 2000 – no meetings scheduled
 August 7, 2000 (Regular Meeting)

V. ADJOURNMENT

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND HELD ON MONDAY, JULY 17, 2000 AT 6:30 P.M. IN THE SECOND FLOOR CONFERENCE ROOM OF THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 6:33 P.M. with the following present:

Chairperson	Mary Starr
Commissioner	Emil A. Beltz
Commissioner	Todd Iocco
Commissioner	Russ Selemon
Commissioner	Charles Viktorin
City Engineer	John Hargrove
Director of Community Development & Services	Gene Tumlinson
P & Z Secretary	Jennifer Gonzales

Donald Glenn was absent.

II. APPROVAL OF MINUTES:

Commissioner Viktorin made a motion to approve the June 5, 2000 minutes, and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 930 & SPECIFIC USE NO. 86 AND ZONING APPLICATION NO. 931 & SPECIFIC USE NO. 87

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Commercial District Specific Use (C-S) for a Specific Use Permit for machining, fabrication, and manufacturing plastics, rubber and metal products on the following described property, to wit:

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**Owner: Barker & Bucek
8101 Fite Road
Pearland, TX 77584**

2. Zoning Application No. 931 & Specific Use No. 87

Legal Description: Lot 1A, H. T. & B. R.R. Co. survey, A-242, Brazoria Co., TX (8101 Fite Road)

**Owner: Blaine Barker II ABA Barker Development
P.O. Box 24
Manvel, TX 77509**

Commissioner Iocco made a motion to forward Zoning Application No. 930 with Specific Use No. 86 & Zoning Application No. 931 with Specific Use No. 87 to City Council for approval, and Commissioner Selemo seconded the motion.

Motion to approve passed 5 to 0.

B. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 933

Request of owners 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:

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Legal Description: 3.00 acres situated in Lot 80 of Figland Orchard Subdivision, Section 13, H. T. & B. R.R. Co. survey, A-240, as recorded in Vol. 3, pg 77, plat records of Brazoria Co., TX (2834 Wagontrail)

**Owner: Pearland Elks Lodge
P.O. Box 2251
Pearland, TX 77588**

Commissioner Viktorin made a motion to forward Zoning Application No. 933 to City Council for approval and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

C. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 927

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

1. Zoning Application No. 927

Legal Description: A 1.00 acre tract out of Lot 41, Section 19, H. T. & B. R.R. Co. survey, A-243, Brazoria Co., TX (Hughes Ranch Road)

**Owner: Debbie Corson
P.O. Box 634
Pearland, TX 77588**

Commissioner locco made a motion to forward Zoning Application No. 927 to City Council for approval and Commissioner Beltz seconded the motion.

Motion to approve passed 5 to 0.

D. CONSIDERATION & POSSIBLE ACTION – SPECIFIC USE NO. 84

Request of owners for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Suburban Development District Specific Use (SD-S) for a Specific Use Permit for a church on the following described property, to wit:

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**Owner: Tim Liston, Pastor/New Hope Church
2800 Manvel Road
Pearland, TX 77584**

Commissioner locco asked why they are using "Suburban Development" and not "General Business" or "Commercial", Director of Community Development and Services Gene Tumlinson replied that the Land Use Ordinance allows a specific use for a church in this zoning and that's what the owner wanted to go with.

Commissioner locco asked if the specific use is used for churches only, and Mr. Tumlinson replied that the specific use could be used for churches, schools, or government businesses.

Commissioner Viktorin made a motion to forward Specific Use Application No. 84 to City Council for approval, and Commissioner locco seconded the motion.

Motion to approve passed 5 to 0.

E. CONSIDERATION & POSSIBLE ACTION – Preliminary plat of WC Properties Commercial Center, 2 reserves, 11.7 acres of land within the H.T.&B R.R. Co. Survey, Abstract 304 in the City of Pearland, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval of the preliminary plat with the following comments:

1. The requirement for streetlights and sidewalks need to be put on the plat.
2. The engineer will need to pick up a red line markup and make all corrections needed on the preliminary plat.

Commissioner Selemon made a motion to approve the Preliminary Plat of WC Properties with staff's recommendations, and Commissioner Viktorin seconded the motion.

Motion to approve passed 5 to 0.

F. CONSIDERATION & POSSIBLE ACTION – Preliminary plat of Sunrise Lakes Section Four, a subdivision of 34.94 acres of land being partial replat of Allison Richey Gulf Coast Home Company Subdivision Section Twenty (Being part of lots 11, 12,13, 26 & all of lot 27) out of the H.T.&B. R.R. Co. Survey, Abstract 506, City of Pearland, Brazoria County, Texas.

City Engineer Hargrove stated that staff has a number of comments and he has to recommend denial and also request that the engineer pick up the "mark-up" and make the necessary corrections. He then stated that the engineer has failed to acknowledge that a portion of the plat is in a floodway, there are several street name changes required, and there are also comments on the lots. He then explained that between Sunflower Lane and Sunfire Lane, the back lots could have common corners. He stated that he requested that the engineer take care of this and if he did not then he would recommend denial of the plat.

Commissioner Beltz made a motion to deny the Preliminary Plat of Sunrise Lakes Section Four, and Commissioner Iocco seconded the motion.

Motion to deny passed 5 to 0.

G. CONSIDERATION & POSSILBE ACTION – Preliminary plat of Barclay Place, a subdivision of 9.5268 acres situated in section 12 of the H.T&B. Railroad Company Survey, Abstract No. 508, Pearland, Brazoria County, Texas.

Variance Request:

1. **Use of an extra long cul-de-sac.**

City Engineer Hargrove stated that staff recommends approval with the condition that the mylar be taken to the surveyor for his signature. He stated that the plat does not have to be sealed, however, the surveyor does need to know that the plat is in for approval. Mr. Hargrove then stated that there are two other minor corrections, which are to correct a misused word in the notes and to add a TBM.

Commissioner Viktorin made a motion to approve the Preliminary Plat of Barclay Place with the variance requests and with the City Engineer's comments, and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

H. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Exxon – F.M. 518 and F.M. 865, a subdivision of 1.606 acres of land out of the H.T&B. R.R. Company Survey, Section 20, Abstract Number 506, Pearland, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with the comment that they need to move his signature block down by the City Attorney's signature block so there will be no confusion.

Commissioner Viktorin made a motion to approve Preliminary Plat of Exxon – F.M. 518 and F.M. 865 with staff's comment, and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

I. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of The Landing at Green Tee, being 20.9805 acres out of the W.D.C. Hall Survey, A-23, Harris County, Texas.

Variance Request:

1. To allow a tree survey to be submitted at the time building permits are issued.

City Engineer Hargrove stated that he has no comment on the requested variance. He stated that the preliminary plat needs to state that there are four streetlights required, and for the final plat there are a number of things that need to be done and listed them as:

1. The move of a detention basin slightly to the west and out of the Clear Creek right-of-way.
2. To add note 8: "Detention pond maintenance is the responsibility of the owner or of the homeowner's association."

Mr. Hargrove then stated that he has a comment for the planning commission and stated that if you look at lot 13 to the left, when you put a 20-foot front building line on the front, a 5-foot building line on the south lot line, and a 20-foot front building line on the back lot line, you will have room for a 1,200 square foot building. He then stated that he feels like that is going to be a weed lot, and he does not feel comfortable with this.

Linda Haynes, agent for the owner, asked to comment and Chairperson Starr allowed her to speak. Mrs. Haynes stated that she had the engineer run the figures on this lot and the front building line is 25-feet and not 26-feet.

Mr. Hargrove then argued that she has 26-feet because there is a 16-foot utility easement. Mrs. Haynes then argued that the one-foot reserve fee strip will be Dr. Willburns property and he is willing to give that to the City. Mr. Hargrove stated that he would not listen until her surveyor could find that one-foot reserve fee strip. He then stated that those are dimensionless widths.

Mrs. Haynes then stated as far as lot 13, behind the building line there is still 6,535 square feet that is both behind the building line and in Harris County Flood Control, and that will more then accommodate any building.

Mr. Hargrove stated that he has no control he is just stating that he feels it will end up a weed lot. Mr. Hargrove then reminded the Commissioners that this is only the preliminary plat.

Commissioner Iocco made a motion to approve the Preliminary Plat of The Landing at Green Tee with the variance, and Commissioner Selemon seconded the motion.

Motion to approve passed 5 to 0.

J. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Springbrook Section 1 at Silverlake, a subdivision of 33.4934 acres of land out of the R.B. Lyle Survey, Abstract No. 539 and the A.C.H.&B R.R. Co. Survey, Section No. 87, Abstract No. 415, 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.**

City Engineer stated that he recommends approval and would like to add one note for the preliminary plat that they need to add a note stating that there are 24 streetlights. He then stated that for the final plat they need to add a note that all side lot lines are centerlines of 6' drainage easements to each adjacent lot.

Commissioner Beltz made a motion to approve Preliminary Plat of Springbrook Section 1 @ Silverlake with the variances and the two comments made by the City Engineer, and Commissioner Viktorin seconded the motion.

Motion to approve passed 5 to 0.

K. CONSIDERATION & POSSIBLE ACTION – Final Plat of Summerfield Section 1 at Silverlake, a subdivision of 23.1228 acres of land and being a partial replat of unrestricted reserve "A" of Silverlake Commercial Park Phase IV as recorded in Volume 20, pages 325-328 of the Brazoria County Plat Records 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 cul-de-sacs greater than 600 feet in length.**
- 4. Use of an 11-foot back lot utility easement.**

City Engineer Hargrove stated that staff recommends approval with the following comments:

1. They need to remove Tommy Scott's name.
2. On sheet 2 they need to have the title block in the lower right hand corner and the vicinity map in the upper right hand corner.

Commissioner Viktorin made a motion to approve the Final Plat of Summerfield Section 1 @ Silverlake with the variances and the two comments made by the City Engineer, and Commissioner Selemon seconded the motion.

Motion to approve passed 5 to 0.

L. CONSIDERATION & POSSIBLE ACTION – Amending Plat of Foodmaker Subdivision No. 3929 of the Final Plat of Foodmaker Subdivision No. 3920 0.9148 acres out of the W.D.C. Hall Survey, Abstract No. 70, Pearland, Brazoria County, Texas.

City Engineer Hargrove stated that the surveyor/engineer needs to correct the Planning and Zoning Commissioners on the mylars and they need to add the City Attorney and the City Engineer's name on the plat for signatures.

Commissioner Iocco made a motion to approve the Amending Plat of Foodmaker Subdivision with staff's comments, and Commissioner Viktorin seconded the motion.

Commissioner Selemon asked if there was any money given for the trees because he knows there were a lot of hardwood, and Mr. Hargrove stated that this plat is over a year old and he does not know of any money given for any trees.

Motion to approve passed 5 to 0.

M. CONSIDERATION & POSSIBLE ACTION – Request for extension of Preliminary Approval of Sunrise Lakes Section Three.

City Engineer Hargrove stated that this was reviewed almost six months ago and they are running behind on the scheduling. He stated that the ordinance requires to request an extension every six months and the preliminary plat is good for a year, and if they go beyond a year then they have to pay another \$300 to be put back on the agenda.

Commissioner Viktorin made a motion to approve the request for an extension on Sunrise Lakes Section Three, and Commissioner Selemon seconded the motion.

Motion to approve passed 5 to 0.

N. CONSIDERATION & POSSIBLE ACTION – Sidewalk variance for West Oaks Centre and Joseph's Gulf Coast Grille.

City Engineer Hargrove stated that his comment is that the suggestion of the developer for Joseph's Gulf Coast Grille should be applied for the West Oaks Centre as well. He stated that he feels a deposit should be taken for both of the places and not just one. He stated that he would like them both to be treated the same.

Commissioner Iocco made a motion to approve the sidewalk variance for West Oaks Centre and Joseph's Gulf Coast Grille with the comment made by the City Engineer that a deposit will be required for both places, and Commissioner Selemo seconded the motion.

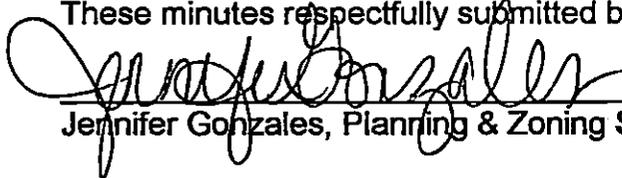
Motion to approve passed 5 to 0.

- IV. NEXT MEETING DATES:** July 24, 2000 (Joint Public Hearing)
July 31, 2000 – no meetings scheduled
August 7, 2000 (Regular Meeting)

V. ADJOURNMENT

The meeting adjourned at 7:30.

These minutes respectfully submitted by:



Jennifer Gonzales, Planning & Zoning Secretary

Minutes approved as submitted and/or corrected on this 7 day of Aug, 2000.



Mary Starr, Planning & Zoning Chairperson

7/17/00
P&Z 6:30

**MEMBERS OF THE PLANNING & ZONING COMMISSION
(3 YEAR TERM)
(2 TERMS ALLOWED)**

MEMBER

TERM EXPIRES

PHONE #'S

MARY STARR, Chairperson
3007 E. Broadway (Office)
Pearland, TX 77581

April, 1999

Office: 281-485-3291

Yes

~~TOMMY L. SCOTT, Vice-Chairman
3006 Oak Creek Dr.
Pearland, TX 77581~~

~~April, 2000~~

~~Home: 281-485-3839
Work: 713-218-5694~~

EMIL A. BELTZ
2434 Killarney
Pearland, TX 77581

April, 2001

Home: 281-481-4627

Yes

~~Change~~

~~DONALD GLENN
1112 Gulfon
Pearland, TX 77581~~

~~March, 2002~~

~~Home: 281-996-1809
Office: 713-892-0340~~

~~[scribble]~~

TODD IOCCO
3510 Shadycrest
Pearland, TX 77581

March, 2002

Home: 281-997-3820
Office: 281-997-3747
Mobile: 281-923-8633

Yes

RUSS SELEMON
2312 John
Pearland, TX 77581

November, 2002

Office: 409-766-6445
Home: 281-996-9785

Yes

CHARLES H. VIKTORIN
2905 Smith Road
Pearland, TX 77584

November, 2002

Home: 281-485-4111
Mobile: 281-352-5124
Work: 281-997-3438

Yes



July 1, 2000

Renee West
West Development
6302 Broadway
Suite 250
Pearland TX 77584

RE: June 5 letter request regarding sidewalks

Dear Renee:

I apologize for my delay in responding. Your letter got buried in a stack that accumulated while I was on vacation. The sidewalk requirement is a provision of the subdivision code and, as such, staff is not allowed to grant exemptions from that requirement. Exemptions must be considered by the Planning and Zoning Commission.

I will submit your request for consideration on the next Commission agenda and I will ask Jennifer Mattingly to notify you of that date. You should be prepared to state your case to the Commission regarding the infeasibility to install sidewalks in the two locations you reference. You should also consult with John Hargrove before the meeting, as I'm sure the Commission will ask for a recommendation from him.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alan".

Alan R. Mueller
Deputy City Manager

C: John Hargrove
Jennifer Mattingly

R. WEST DEVELOPMENT COMPANY, INC.

*6302 Broadway
Suite 250
Pearland, Texas 77584*

June 5, 2000

Mr. Alan Mueller
City of Pearland
3519 Liberty Drive
Pearland, Texas 77581

Re: West Oaks Centre and Joseph's Gulf Coast Grille

Dear Mr. Mueller:

Instead of putting in sidewalks in front of the West Oaks Centre, along FM 518, which are not shown on the plans, we would like permission to put a bridge from the parking lot of West Oaks Centre across the drainage ditch and connect it to the parking lot at Stepping Stones. This will be a lot safer for anyone walking that direction. This way, the pedestrians can walk across the parking lot, keeping them away from FM 518, which will be much safer.

With reference to Joseph's Gulf Coast Grille, due to the location of the ditch, we are going to be unable to put in a sidewalk that will serve any purpose to anyone. I propose making a contribution to the City of Pearland to go into a fund for future sidewalks at other locations that can serve a useful purpose.

Please let this service as my official request. If you have any questions, please let me know.

Sincerely,



RENEE' L. WEST

RLW/nc

