

AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND TO BE HELD MONDAY, MAY 7, 2001, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARINGS, IN THE COUNCIL CHAMBERS OF THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

- II. APPROVAL OF MINUTES:** April 2, 2001 (corrected)
April 16, 2001
April 23, 2001

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 976 AND SPECIFIC USE NOS. 93

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 with a Specific Use for a model home park (GB(S)) on the following described property, to wit:

1. Zoning Application No. 976 and Specific Use Nos. 93

Legal Description: 2.2055 acres out of the J. Crowley Survey, A-174, Brazoria Co., TX, on the easterly side of State Highway 288, Brazoria Co., TX (South Highway 288 frontage road)

Owner: Powers/Parker, L.L.C.
5323 Caroline
Houston, TX 77004

Agent: Lou Corte

B. CONSIDERATION & POSSIBLE ACTION – AMENDMENTS TO THE THOROUGHFARE PLAN, SOUTHWYCK BOULEVARD, REID ROAD, MAX ROAD, AND STONE ROAD.

To consider amendments to the Thoroughfare Plan (Figure 7.2), Southwyck Boulevard, Reid Road, Max Road and Stone Road, of the City of Pearland Comprehensive Plan Ordinance.

C. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Villa Verde Sections Two and Three, being 58.8857 acres of land out of the W.D.C. Hall Survey, Abstract No. 23, Harris County, Texas.

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Owner: Powers/Parker, L.L.C.
5323 Caroline
Houston, TX 77004

Agent: Lou Corte

Commissioner Tetens made a motion to forward Zoning Application No. 976 with Specific Use No. 93 to City Council for approval, and Commissioner Selemo seconded the motion.

Commissioner Iocco commented that he has drove by the owner's facility on I10 for many years and it always looks nice.

Commissioner Scherrer stated that his concern is that if there is any way of getting assurance that if it turned out unprofitable to run this operation then the owner would be required to dismantle the business because it would not be fit for any other purpose.

Motion to approve passed 6 to 0.

B. CONSIDERATION & POSSIBLE ACTION – AMENDMENTS TO THE THOROUGHFARE PLAN, SOUTHWYCK BOULEVARD, REID ROAD, MAX ROAD, AND STONE ROAD.

Commissioner Tetens stated that he would like to make a motion to forward the amendment regarding Southwyck Boulevard only to City Council for approval, and Commissioner Iocco seconded the motion.

Chairman Viktorin stated that it should not be a problem to break these amendments out into two separate categories to vote on.

Motion to approve the Southwyck amendment passed 6 to 0.

Commissioner Tetens stated that in his opinion he would leave Reid Road tying into Max Road. He stated that there is nothing to gain by going over into Stone Road. He stated that the spacing of the north thoroughfares are much better using Max Road rather than using Stone Road because it is too close to Cullen. He stated that he doesn't feel it is a good proposal.

Commissioner Patro wondered if the chief of police was notified of this amendment because the city would be opening up more access for potential crime.

Commissioner Tetens made a motion to forward the amendment regarding Reid Road, Max Road, and Stone Road to City Council for denial, and Commissioner Iocco seconded the motion.

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Commissioner Selemon pointed out that Cullen seems more logical because it already has bridges that support the traffic, and he also would like to know why this amendment is even before them. He also stated that he was the only one on the Commissioner who voted against the Yost Road amendment, but he feels there is always other alternatives other than going through existing subdivisions. He then stated that this amendment for Reid Road and Stone Road doesn't meet his criteria.

Commissioner Iocco stated that his concern is that Stone Road is too close to Cullen, and Cullen is already a major thoroughfare. He then stated that the people keep saying they want less building to go on, however, if more roads are opened then there will be more building. He stated that his personal opinion is not to consider the amendment.

Commissioner Scherrer stated that the City desperately needs more North and South thoroughfares, and he is less concerned about the gentleman who has the proposed development that would be condemned than he is for the condemnation of the people's property who have already been there for some time. He stated that he noticed that one of the "cons" listed by the consultant is having 50 driveways coming into Stone Road from folks that live out there, and he stated that he doesn't see how that can be a safe situation.

Commissioner Patro stated that from his understanding the Land Use Ordinance would be violated to have those driveways coming out to a major thoroughfare.

Chairman Viktorin pointed out that one gentleman spoke of an "FAA Beacon", and explained that you would be getting into the dealings with "FAA" and the really big bureaucracy.

Commissioner Selemon stated that opening up a lot of thoroughfares, particularly north and south, into the Houston area would be a "two-edge sword". He stated that we should get more citizen input. He stated that it might be nice to have these thoroughfares, however it may not be what the citizen's desire.

Commissioner Scherrer stated that this is a bad plan and the City needs to keep looking for other viable alternatives.

Motion to deny the amendment regarding Reid Road, Max Road, and Stone Road passed 6 to 0.

C. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Villa Verde Sections Two and Three, being 58.8857 acres of land out of the W.D.C. Hall Survey, Abstract No. 23, Harris County, Texas.

City Engineer Hargrove stated that staff recommends approval, however he has a number of comments. He then asked if the Chairman would withhold his

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signature until the comments are made, and Chairman Viktorin stated that would be fine.

Mr. Hargrove listed his comments as:

1. There is an unacceptable temporary benchmark.
2. There is a "Reserve E" named, however it is not shown on the drawing.
3. A Traffic Impact Analysis will need to be approved.
4. The contour lines are illegible.
5. The reference of City of Houston on page 2 needs to be removed.
6. Street names need to be supplied between Michaelangelo and Montebello.

Commissioner Iocco made a motion to approve the Preliminary Plat of Villa Verde Section Two and Three with the corrections requested by the City Engineer, and Commissioner Tetens seconded the motion.

Commissioner Tetens asked what is to the east, and Mr. Hargrove stated that there is a detention pond and some acreage.

Commissioner Tetens stated that he was looking at possibility of tying a road through, and Terry Brooks from West Development Co, Inc. stated that the developer has no plans to do that.

Commissioner Patro asked if it is "R-2", and Mrs. Brooks replied that he is correct.

Motion to approve passed 6 to 0.

Commissioner Selemon stated that he has a question for staff, and he asked if it possible to get the zoning put on the preliminary and final plats. Mr. Hargrove stated that that is not a requirement, however, staff could comment to add a note stating the zoning.

E. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Bellavita at Green Tee Section Two, being a subdivision of 25.4528 acres of land out of the W.D.C. Hall Survey, A-23, City of Pearland, Harris County, Texas.

City Engineer Hargrove stated that he has several comments and listed them as:

1. The construction plans for the final will not be approved until the water line is in at the south side.
2. The exterior easements must have recording information.
3. The exterior utility easements must be 8'X8' and the utility easements on lots backing onto streets and plat boundaries may be 14'.

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4. On the final plat the city limits line along Clear Creek needs to be darkened.

Mr. Hargrove stated that the plat on a whole is well recommended for approval.

Commissioner Tetens made a motion to approve the Preliminary Plat of Bellavita at Green Tee Section Two with the City Engineer's comments, and Commissioner Iocco seconded the motion.

Commissioner Patro asked for the zoning, and City Engineer Hargrove stated that he thought it was a PUD.

Commissioner Patro asked what happened to the 3' sideyard, and Mrs. Brooks stated that they no longer are requesting that.

City Engineer Hargrove explained that some dimensions are broken because of the curve.

Mrs. Brooks explained to the Commissioners that they recently came in for an amendment to the PUD to have lots that are 65' X 120' instead of 60' X 115', so these lots are actually bigger.

Commissioner Patro showed concerns regarding lot 5 and Mr. Hargrove explained that thumbnail lots are treated like cul-de-sac lots, and 35' is the requirement on cul-de-sacs.

Commissioner Scherrer asked about lots with a 56' front and 60', and he referred to lot 10 on South Venice Dr., and Mr. Hargrove explained that that lot parts on curb.

Commissioner Patro asked about possible getting some kind of PUD verbiage on the plat, and Mr. Hargrove argued that that would be a whole book.

Chairman Viktorin called for a vote.

**Motion to approve passed 5 to 1
(Commissioner Patro voted against the motion)**

F. CONSIDERATION & POSSIBLE ACTION – Final plat of West Oaks Village Section Four, Being 23.3333 acres of land located in the H.T.&B. R.R. Company Survey, A-241, Pearland, Brazoria County, Texas.

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

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1. "Reserve B" is not a reserve, it's a dedicated right-of-way and the name "Reserve B" needs to be removed.
2. Correct the 4' "Dad's Club Reserve"
3. In Note 14, change "Circle" to "Drive".
4. Add a note to restrict access to Fite Road.
5. Update plat date.
6. Construction plans need to be approved.
7. Change "Emil Beltz" to "Robert Scherrer" in the Planning and Zoning signature block.
8. Correct spelling of Todd locco's name.

City Engineer Hargrove stated that he would withhold his signature until all comments are addressed, and the construction plans are approved.

Commissioner locco made a motion to approve the Final Plat of West Oaks Village Section Four with staff's comments, and Commissioner Tetens seconded the motion.

**Motion to approve passed 5 to 1
(Commissioner Patro voted against the motion)**

G. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of The Village at Pearland, 10.00 acres out of the Southwest ¼ of the Northwest ¼ Section 17, HT&B RR Co. Survey, Abstract No. 242.

City Engineer Hargrove stated that staff recommends approval with the same comment that he would like to have the Chairman's signature withheld until the corrections are made. Mr. Hargrove listed his comments as:

1. Add Note 14 stating that no lots shall have direct access to Old Chocolate Bayou Road or Fite Road.
2. The existing right-of-way on Old Chocolate Bayou needs to be shown.
3. Add 10' water and sewer easements.
4. They need to name all reserves and calculate the acreage per reserve.
5. "Recreational Area" must provide acreage.
6. A Traffic Impact Analysis will need to be approved before final plat is submitted for approval.
7. All utility easements need to be shown.
8. Need to have detention statement on plat.
9. They need to reconfigure the Building Line and the Water and Sewer Easement at the southeast corner.

City Engineer Hargrove stated that this has been a difficult plat.

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Commissioner Tetens asked where the detention would be, and Mr. Hargrove replied that over in the old sand pit, and there is an involved drainage plan that will require a lot of reviewing for the final plat.

Commissioner Tetens then asked about an easement that they will need to provide, and Mr. Hargrove replied that right now it is located right over the sanitary sewer.

Commissioner Iocco asked if they are going to use the land behind the other existing buildings, and Mr. Hargrove replied that they are showing a 48" pipe to be developed over there and he stated that he is not sure that that is big enough.

Chairman Viktorin called for a vote.

Commissioner Iocco made a motion to approve the Preliminary Plat of The Village at Pearland with staff's comments, and Commissioner Selemon seconded the motion.

Motion to approve failed 3 to 3.

(Chairman Viktorin, Commissioner Iocco, and Commissioner Selemon were for the motion to approve, and Commissioner Patro, Commissioner Tetens, and Commissioner Scherrer were against the motion.)

H. CONSIDERATION & POSSIBLE ACTION – Final 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 former Commissioner Beltz's name needs to be changed to Robert Scherrer, and he recommends approval as submitted.

Commissioner Iocco made a motion to approve the Final Plat of Exxon – F.M. 518 and F.M. 865, and Commissioner Tetens seconded the motion.

Motion to approve passed 6 to 0.

I. CONSIDERATION & POSSIBLE ACTION - Partial Amending Plat of Cinema Trucks, Inc. Subdivision, Tract "C", Magnolia Industrial Sites.

City Engineer Hargrove stated that the purpose of this amendment is to create lots 1 & 2, and staff recommends approval with the correction of the Commissioner's names.

Commissioner Tetens made a motion to approve the Amending Plat of Cinema Trucks, Inc, and Commissioner Iocco seconded the motion.

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Motion to approve passed 5 to 0 (Commissioner Scherrer abstained).

J. DISCUSSION ITEM – Discussion regarding Hatfield Road MH-PUD.

Chairman Viktorin pointed out the letter from the City Attorney, which should be in their packets.

City Attorney Darrin Coker explained that this is the opportunity for the Commissioners to dialogue with the applicant.

Commissioner Selemon asked if the average mobile home would be 18' X 80', and Mr. Wayne Stahlheber replied that the average will range from 16-18' X 80', and the double wide will be 28'.

Commissioner Selemon showed confusion as to how 80' would fit in all the diagonal lots.

Owner Mike O'day stated that those lots are set up for smaller mobile homes, such as 60'.

Commissioner Selemon stated that he understands that they would like to have as many lots as possible, however he would like to see lots that range more from 16' X 100'. Mr. Stahlheber stated that you would lose over 10 lots if you do that throughout the whole park.

Discussion ensued regarding the green space, and Commissioner Iocco stated that he is concerned because there is misrepresented green space due to the driveways.

Commissioner Scherrer asked about lot number 45, and Mr. Stahlheber stated that there is already a mobile home there, and they had to work around it.

Mr. Stahlheber stated that these will be Arizona/California style mobile homes, there will be wooded decks, vinyl siding, storage facilities, and 2 parking spaces per home.

Commissioner Iocco stated that if there is two cars parking then the green space would be cut by ½.

Mr. Stahlheber pointed out that most people who are moving into parks are not usually that excited about mowing in the first place.

Commissioner Iocco asked about the fencing on the outside perimeter, and Mr. Stahlheber replied that there would be hedges. Commissioner Iocco asked what size, and Mr. Stahlheber replied that they would be about 6'.

