

AGENDA – NOTICE OF A REGULAR MEETING AND A WORKSESSION OF THE PLANNING AND ZONING COMMISSION AND PARKS BOARD OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, FEBRUARY 19, 2001, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARINGS, IN THE SECOND FLOOR CONFERENCE ROOM OF THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. WORKSESSION

A. WORKSESSION & DISCUSSION REGARDING THE PROPOSED VILLAGES AT MARY'S CREEK PLANNED UNIT DEVELOPMENT.

B. WORKSESSION & DISCUSSION REGARDING THE PROPOSED VILLAGE GROVE R-2 PLANNED UNIT DEVELOPMENT.

III. PARKS BOARD ADJOURNS INTO REGULAR BUSINESS MEETING – (See separate agenda posting)

IV. PLANNING AND ZONING COMMISSION ADJOURN INTO REGULAR BUSINESS MEETING

V. APPROVAL OF MINUTES: February 5, 2001

VI. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 970

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:

Zoning Application No. 970

Legal Description: .285 acres of land situated in Lot 26, Figland Orchard Subdivision, Section 13, H. T. & B. R.R. Co. survey, A-240, Brazoria Co., TX, according to the plat records in Vol. 3, pg 77, Brazoria Co., TX (Fite Road)

Owner: Julian Bejarano
5625 Fite Road
Pearland, TX 77581

Agent: Yolanda Bejarano

B. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 316

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-2) on the following described property, to wit:

Zoning Application No. 316

Legal Description: Lot 6, Block 1, Buena Vida Subdivision, H. T. & B. R.R. Co. survey, A-240, according to the map records of Brazoria Co., TX (5725 Cantu)

Owner: Rafael Salazar and George Salazer
5725 Cantu
Pearland, TX 77581

C. CONSIDERATION & POSSIBLE ACTION – Amending plat of A Final Plat of Autumn Lake Section One, A Subdivision of 79.6121 acres located in the H.T.&B. R.R. Co. Survey, Abstract 304, Pearland, Brazoria County, Texas.

D. CONSIDERATION & POSSIBLE ACTION – Amended Final Plat of Villa D’Este Section One, being a subdivision of 17.6630 acres of land out of the W.D.C. Hall Survey, A-23, City of Pearland, Harris County, Texas.

E. CONSIDERATION & POSSIBLE ACTION – A Final Plat of Worden Estates, 23.750 acres out of H.T.&B. R.R. Company Survey No. 29, Abstract 292, Pearland, Brazoria County, Texas.

F. CONSIDERATION & POSSIBLE ACTION – A Final Plat of Waterbury Estates Section 3 at Silverlake, a subdivision of 10.5621 acres of land being a replat of unrestricted reserve “C” of Waterbury Estates Section 2 at Silverlake as Recorded in Volume 21, pages 167 & 168 of the Brazoria County Plat Records out of the R.B. Lyle Survey, Abstract No. 539, Brazoria County, Texas.

Variance Request:

1. Use of cul-de-sacs greater than 600-feet in length.

G. CONSIDERATION & POSSIBLE ACTION – A Final Plat of Pearland Farms Section One, 25.1037 acres out of Section 12 in the H.T.&B. R.R. Co. Survey, Abstract No. 508, Brazoria County, Texas.

H. CONSIDERATION & POSSIBLE ACTION – A Preliminary Plat of Savannah Commercial Reserve No. 2, being 16.43 acres of land containing six reserves in two blocks out of the A.C.H.&B. Survey, A-403 & H.T.&B. R.R. Survey, A-280, Brazoria County, Texas.

- I. **CONSIDERATION & POSSIBLE ACTION** – A Preliminary Plat of Brazoria County M.U.D. 21 Water Plant Site No. 1, being 2.186 acres of land containing three reserves in one block out of the J.S. Talmage Survey, A-562 & A.C.H.&B. Survey, A-403, Brazoria County, Texas.
- J. **CONSIDERATION & POSSIBLE ACTION** – A Preliminary Right-of-Way Plat of Shadow Creek Ranch Kirby Drive Extension, 4.504 acres being out of the T.C.R.R. Co. Survey, Section 4, Abstract 675 and the T.C.R.R. Co. Survey, Section 3, Abstract 678, Brazoria County, Texas.
- K. **CONSIDERATION & POSSIBLE ACTION** – A Preliminary Plat of Silverlake Power Center, A subdivision of 54.1862 acres of land out of the J.W. Maxey Survey, Abstract No. 721, Brazoria County, Texas.
- L. **CONSIDERATION & POSSIBLE ACTION** – The development of a Mission Statement for the Planning and Zoning Commission.

VII. **NEXT MEETING DATE:** March 5, 2001 (JPH & Regular Meeting)

VIII. **ADJOURNMENT**

Posted: 16th Day of February, 2001, A.D.

Removed: 20th Day of February, 2001, A.D.

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

Planning and Zoning Commission

MINUTES OF A REGULAR MEETING AND A WORKSESSION OF THE PLANNING AND ZONING COMMISSION AND PARKS BOARD OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, FEBRUARY 19, 2001, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARINGS, IN THE SECOND FLOOR CONFERENCE ROOM OF THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

A Regular P&Z meeting was called to order at 6:54 p.m. with the following present:

P&Z Chairman	H. Charles Viktorin
P&Z Vice-Chairman	Donald Glenn
P&Z Commissioner	Emil A. Beltz
P&Z Commissioner	Todd Iocco
P&Z Commissioner	Randy Patro
P&Z Commissioner	Richard Tetens
City Engineer	John W. Hargrove
Manager of Administrative Support	Tobin Maples
P&Z Secretary	Jennifer Gonzales

P&Z Commissioner Russ Selemon was absent.

A. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 970

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:

Zoning Application No. 970

Legal Description: .285 acres of land situated in Lot 26, Figland Orchard Subdivision, Section 13, H. T. & B. R.R. Co. survey, A-240, Brazoria Co., TX, according to the plat records in Vol. 3, pg 77, Brazoria Co., TX (Fite Road)

**Owner: Julian Bejarano
5625 Fite Road
Pearland, TX 77581**

Agent: Yolanda Bejarano

Planning and Zoning Commission

Commissioner Beltz made a motion to forward Zoning Application 970 to City Council for approval, and Commissioner Tetens seconded the motion.

Commissioner Tetens asked what the frontage is on the lot, and Mrs. Bejarano replied that the lot width is 67.83.

Commissioner Tetens asked if they can go down a zoning classification, and Mr. Maples replied that she would be going to a more restrictive zoning, and it will have to be re-advertised and it will have to have another public hearing. Mr. Maples then apologized for staff not being more thorough at checking the widths rather than just checking the square footage.

Chairman Viktorin verified that the owner came in and applied for an R-1, and the owner should have applied for an R-3.

Commissioner Tetens stated that the owner just wants to build a house, which is fine with him. He then stated that the square footage is correct, however, the width is not for the requested zoning.

Commissioner Beltz withdrew his motion to approve, and Commissioner Tetens withdrew his second.

Commissioner Beltz then made a motion to forward Zoning Application No. 970 to City Council for approval contingent upon the verification that the request meets the R-1 zoning classification, and Commissioner Tetens seconded the motion.

Motion to approve passed 5 to 0 (Randy Patro Abstained).

B. CONSIDERATION & POSSIBLE ACTION – ZONING APPLICATION NO. 316

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-2) on the following described property, to wit:

Zoning Application No. 316

Legal Description: Lot 6, Block 1, Buena Vida Subdivision, H. T. & B. R.R. Co. survey, A-240, according to the map records of Brazoria Co., TX (5725 Cantu)

**Owner: Rafael Salazar and George Salazer
5725 Cantu
Pearland, TX 77581**

Planning and Zoning Commission

Commissioner Beltz made a motion to forward Zoning Application No. 316 to City Council for approval, and Commissioner Iocco seconded the motion.

Commissioner Tetens asked what the width is for this lot, and Manager of Administrative Support Tobin Maples replied that the City does not have this subdivision plat on file and he was unable to verify the lot width before the meeting.

Commissioner Tetens suggested that they handle this application in the same manner they just did for Application No. 970.

Commissioner Beltz withdrew his motion, and Commissioner Iocco withdrew his second.

Commissioner Glenn made a motion to forward Zoning Application No. 316 to City Council for approval contingent upon verification that the request meets the R-2 zoning classification, and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0 (Randy Patro Abstained).

Chairperson Viktorin stated that they would adjourn this regular meeting at this time and begin the scheduled worksessions.

The Regular P & Z Meeting adjourned at 7:08 p.m.

II. WORKSESSION

Manager of Administrative Support Tobin Maples briefly explained that the developers are required to come to the Planning and Zoning Commission for feedback on their proposed PUD's. Mr. Maples stated that staff has decided to have a Joint Worksession with the Parks Department so the developer may receive any feedback from both parties at the same time.

A. WORKSESSION & DISCUSSION REGARDING THE PROPOSED VILLAGES AT MARY'S CREEK PLANNED UNIT DEVELOPMENT.

John Taylor, of TTT&B, Inc., developer of the proposed Planned Unit Development, "Villages at Mary's Creek." Mr. Taylor stated that he has worked with the City of Pearland on two previous developments, Crystal Lake and Autumn Lake. He stated that this PUD is located at the intersection of Oiler Drive and Pearland Parkway and sides with Independence Park. He stated that this would be a closed village environment, and it will not be interfering with Shadycrest Subdivision. He stated that they would like to put in a major boulevard that would permit emergency traffic. Mr. Taylor stated that there will be 4 villages, 2 large lakes, green trails, walking areas, pocket parks for each

Planning and Zoning Commission

village, and one large park with a swimming pool that will be for the whole subdivision.

Mr. Taylor stated that this would be a gated private community with private streets. He stated that they would like to have a trail area around the subdivision that will be open for the public, and to divide this trail from the subdivision, there will be a 6' rod iron fence along the back lot line of the houses. Mr. Taylor stated they are going to size lots differently, and have a lot of green space. He stated that they did not think they could economically have all R-1 zoning classifications. He stated that by doing the entire project as a PUD, then that will give the Commission an idea of what the project will look like.

P&Z Commissioner Tetens asked if the perimeter fence along Shadycrest would be done in wood, and Mr. Taylor stated that he is correct, and the front fence would be done in solid brick.

P&Z Commissioner Iocco asked what the purpose of the 20' green strip along Shadycrest was, and Mr. Taylor explained that there would be an open ditch, and they are in agreement with the Brazoria Drainage District #4 for the ditch space.

Parks and Recreation Director Ed Hersh asked who would be maintaining the landscaping and parks, and Mr. Taylor stated that the streets and landscaping would be maintained by an HOA along with the parks.

Mr. Hersh asked if they planned to have a concrete trail surrounding the subdivision, and Mr. Taylor stated that they would agree to build the trail as the City would like it.

P&Z Commissioner Patro asked if there will be any variances, and will all comply with the R-1 Zoning, and Mr. Taylor stated that he has given a copy of the deed restrictions to Tobin Maples.

Mr. Maples stated that they would be asking for no variances on any lot size setbacks.

B. WORKSESSION & DISCUSSION REGARDING THE PROPOSED VILLAGE GROVE R-2 PLANNED UNIT DEVELOPMENT.

Manager of Administrative Support Tobin Maples stated that he has some notes he has gathered from staff that he would like to get entered into record. He listed the comments as:

1. There needs to be verification for the Right-of-way on Hatfield and O'Day.
2. The entrance on O'Day is too close to Butler.
3. They need to show the existing streets on the East Side of Hatfield.
4. A Traffic Impact Analysis will be required.

Planning and Zoning Commission

Jamie Cornelius, of Sowell Properties, stated that he has been working with the city on two projects also, which are Clear Creek Park and Parks at Walnut Bend. He stated that this project is north of FM 518 between Hatfield Rd and O'Day Rd. He stated that Houston Tubular Steel is on the East Side, and there used to be a catfish farm to the north of the property. He stated that they have chosen to go with R-2 Zoning. He stated that the property is flat with no trees, and that it currently a cattle pasture. He pointed out that a flood plain and a flood way influence the property. He stated that the Hickory Slough makes a 90-degree turn to the north of the property. He stated that Sawyers Pond is to the south of the property, and to the west is mostly single family lots. Mr. Cornelius stated that they have 70' lots on the cul-de-sacs, and they are trying to maintain larger size lots. He stated that there would be no trade off with parks, and they would just pay the fees for the 185 lots. He stated that there would be some variances.

Commissioner Tetens stated that he has a concern about the requirement for the 25' setback on the front line, and Mr. Cornelius stated that is why he is doing the PUD. Mr. Cornelius stated that it is really a design benefit for the homeowners.

Discussion ensued between Mr. Cornelius and the Parks Board regarding potential use for the designated detention area being used for soccer fields for the public. Mr. Hersh stated that this would not be in leu of the land or fees that is required. Mr. Hersh then stated that Mr. Cornelius has been working with the Parks Department on other projects as well and is very cooperative.

P&Z Commissioner Patro stated that he feels like the use of a "PUD" is being taken advantage of, and he is concerned about the setbacks. He stated that he is fine with the 7.5' setback on the sideyards, however, he is not fine with 15' or even 20' setbacks for the front.

Mr. Cornelius stated that he is just looking to have a more staggered look between houses, rather than a straight row of the same model homes. P&Z Commissioner Beltz stated that he agrees that the staggered look is better looking.

Commissioner Iocco stated that he would like to hear from staff on the setbacks.

Mr. Maples stated that staff has no feeling either way.

Chairman Viktorin stated that he also likes the staggered look.

Vice-Chairman Glenn stated that he is fine with the requested front setbacks.

III. **PARKS BOARD ADJOURNS INTO REGULAR BUSINESS MEETING – (See separate agenda posting)**

Mission Statement: To make informed recommendations regarding zoning change requests, capital improvements, and other tasks as mandated by the City Charter.

Planning and Zoning Commission

The Parks Board adjourned at 8:00 p.m. to attend a regular business meeting.

IV. **PLANNING AND ZONING COMMISSION ADJOURN INTO REGULAR BUSINESS MEETING**

The Planning and Zoning adjourned at 8:01 p.m. to begin their regular business meeting.

V. **APPROVAL OF MINUTES: February 5, 2001**

Commissioner Tetens made a motion to approve the February 5, 2001 minutes, and Vice-Chairman Glenn seconded the motion.

Motion to approve passed 5 to 0 (Todd Iocco Abstained)

VI. **NEW BUSINESS**

C. **CONSIDERATION & POSSIBLE ACTION – Amending plat of A Final Plat of Autumn Lake Section One, A Subdivision of 79.6121 acres located in the H.T.&B. R.R. Co. Survey, Abstract 304, Pearland, Brazoria County, Texas.**

City Engineer Hargrove stated that there was an error on the Final Plat with the relationship of a property line and this is an amending plat to fix the position of inset "E", which is located at the north end of the plat.

Vice-Chairman Glenn made a motion to approve the Amending plat of The Final Plat of Autumn Lake Section One, and Commissioner Iocco seconded the motion.

Motion to approve passed 6 to 0.

D. **CONSIDERATION & POSSIBLE ACTION – Amended Final Plat of Villa D'Este Section One, being a subdivision of 17.6630 acres of land out of the W.D.C. Hall Survey, A-23, City of Pearland, Harris County, Texas.**

City Engineer Hargrove stated that this is another plat that has been recorded and the engineer has found an error. He stated that at the north end, which is adjacent to Green Tee Section 8, there is an elevation difference between the back lot lines of lots 2, 3, & 4. He stated that this plat is to add a 10' detention easement.

Commissioner Tetens made a motion to approve the Amending Plat of Villa D'Este Section One, and Commissioner Iocco seconded the motion.

Planning and Zoning Commission

Motion to approve passed 6 to 0.

E. CONSIDERATION & POSSIBLE ACTION – A Final Plat of Worden Estates, 23.750 acres out of H.T.&B. R.R. Company Survey No. 29, Abstract 292, Pearland, Brazoria County, Texas.

City Engineer Hargrove stated that the 10' utility easement on the back lot line needs to be changed to 14', and staff recommends approval as submitted.

Commissioner Iocco asked if there were questions on the preliminary plat regarding sidewalks, and Mr. Hargrove referred the Commissioner's to note 11.

Chairman Viktorin verified that staff is recommending approval, and Mr. Hargrove replied that he is correct.

Commissioner Tetens made a motion to approve the Final Plat of Worden Estates, and Commissioner Iocco seconded the motion.

Motion to approve passed 6 to 0.

F. CONSIDERATION & POSSIBLE ACTION – A Final Plat of Waterbury Estates Section 3 at Silverlake, a subdivision of 10.5621 acres of land being a replat of unrestricted reserve "C" of Waterbury Estates Section 2 at Silverlake as Recorded in Volume 21, pages 167 & 168 of the Brazoria County Plat Records out of the R.B. Lyle Survey, Abstract No. 539, Brazoria County, Texas.

Variance Request:

- 1. Use of cul-de-sacs greater than 600-feet in length.**

City Engineer Hargrove stated that staff recommends approval as submitted, with a note that the engineer will have to correct the Commissioner's names and update the mylars.

Commissioner Tetens asked if this is the only part of Silverlake in which they are supposed to accept the 5' sideyard setback under City Council's instruction, and Commissioner Iocco stated that he thinks that is correct.

Vice-Chairman Glenn made a motion to approve the Final Plat of Waterbury Estates Section 3 with the variance, and Commissioner Beltz seconded the motion.

Commissioner Patro stated that he doesn't feel like they should have to be obligated to approve these variances, and that City Council should be the ones to overrule the Commissioner's decision.

Planning and Zoning Commission

Manager of Administrative Support Tobin Maples explained that a denied plat would not go to City Council.

Commissioner Tetens pointed out that that is probably the reason City Council has instructed them to approve this variance.

Mr. Maples explained to the Commissioners that they have final approval, and they have the authority to grant *any* variance, and they govern the area out in the ETJ. He stated that the variance could be either a blanket variance or a lot-by-lot variance. He stated once again that they do have the authority to grant these variances.

Chairman Viktorin called for a vote.

Motion to approve passed 4 to 2.

G. CONSIDERATION & POSSIBLE ACTION – A Final Plat of Pearland Farms Section One, 25.1037 acres out of Section 12 in the H.T.&B. R.R. Co. Survey, Abstract No. 508, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with two comments:

1. They need to correct the dimensions on the drawing to agree with the dimensions called out in the meets and bounds.
2. The 10' water and sewer easement needs to be removed from the far north part of the plat because it is outside of the boundaries.

Commissioner Iocco made a motion to approve the Final Plat of Pearland Farms Section One with staff's comments, and Commissioner Tetens seconded the motion.

Motion to approve passed 6 to 0.

H. CONSIDERATION & POSSIBLE ACTION – A Preliminary Plat of Savannah Commercial Reserve No. 2, being 16.43 acres of land containing six reserves in two blocks out of the A.C.H.&B. Survey, A-403 & H.T.&B. R.R. Survey, A-280, Brazoria County, Texas.

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

1. The engineer needs to provide NAD 83 coordinates on the final plat.
2. The final plat needs to have a "Hold Harmless Statement."
3. They need to change the curve radius on C-1 from 25' to 35'.
4. A Traffic Impact Analysis will be required.

Planning and Zoning Commission

Commissioner Iocco made a motion to approve the Preliminary Plat of Savannah Commercial Reserve No. 2 with staff's comments, and Commissioner Tetens seconded the motion.

Motion to approve passed 6 to 0.

- I. CONSIDERATION & POSSIBLE ACTION – A Preliminary Plat of Brazoria County M.U.D. 21 Water Plant Site No. 1, being 2.186 acres of land containing three reserves in one block out of the J.S. Talmage Survey, A-562 & A.C.H.&B. Survey, A-403, Brazoria County, Texas.**

City Engineer Hargrove stated that staff recommends approval with comments for the final plat:

1. The external 8' utility easement has to be shown on the final by a separate instrument.
2. The ETJ line on the vicinity map needs to be corrected.
3. A Temporary Benchmark needs to be added.

Commissioner Tetens made a motion to approve the Preliminary Plat of Brazoria M.U.D. 21 Water Plant Side NO. 1 with staff's comments for the final plat, and Commissioner Iocco seconded the motion.

Motion to approve passed 6 to 0.

- J. CONSIDERATION & POSSIBLE ACTION – A Preliminary Right-of-Way Plat of Shadow Creek Ranch Kirby Drive Extension, 4.504 acres being out of the T.C.R.R. Co. Survey, Section 4, Abstract 675 and the T.C.R.R. Co. Survey, Section 3, Abstract 678, Brazoria County, Texas.**

City Engineer Hargrove stated that he has been very pleased with LJA Engineering and their work. He then stated that he recommends approval with one comment for the final plat and that is to add Kirby Drive on the vicinity map.

Commissioner Tetens made a motion to approve the Preliminary Right-of-Way Plat of Shadow Creek Ranch Kirby Drive Extension, and Commissioner Iocco seconded the motion.

Motion to approve passed 6 to 0.

- K. CONSIDERATION & POSSIBLE ACTION – A Preliminary Plat of Silverlake Power Center, A subdivision of 54.1862 acres of land out of the J.W. Maxey Survey, Abstract No. 721, Brazoria County, Texas.**

Planning and Zoning Commission

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

1. A Temporary Benchmark must be shown.
2. Add a note stating that all reserves have multi access to each other.

Commissioner Beltz made a motion to approve the Preliminary Plat of Silverlake Power Center, and Vice-Chairman Glenn seconded the motion.

Motion to approve passed 6 to 0.

L. CONSIDERATION & POSSIBLE ACTION – The development of a Mission Statement for the Planning and Zoning Commission.

Chairman Viktorin read the following proposed mission statement into the minutes:

“To make informed recommendations regarding zoning change requests, capital improvements, and other tasks as mandated by the City Charter.”

Commissioner Iocco made a motion to accept the proposed mission statement, and Commissioner Tetens seconded the motion.

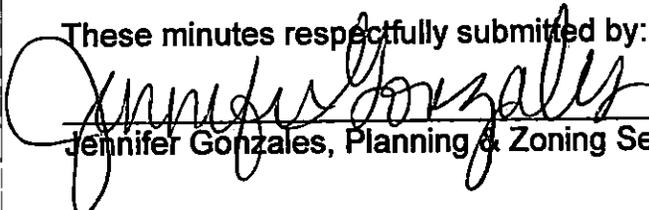
Motion to approve passed 6 to 0.

VII. NEXT MEETING DATE: March 5, 2001 (JPH & Regular Meeting)

VIII. ADJOURNMENT

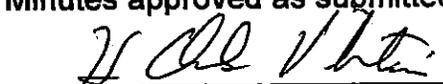
The regular meeting of the Planning and Zoning Commission adjourned at 8:35 p.m.

These minutes respectfully submitted by:



Jennifer Gonzales, Planning & Zoning Secretary

Minutes approved as submitted and/or corrected on this 5 day of MARCH, 2000.



H. Charles Viktorin, Planning & Zoning Chairman

Mission Statement: To make informed recommendations regarding zoning change requests, capital improvements, and other tasks as mandated by the City Charter.