

PLANNING & ZONING COMMISSION

MINUTES

REGULAR MEETING

CITY OF PEARLAND PLANNING AND ZONING COMMISSION

MAY 2, 2005 AT 6:30 P.M.

COUNCIL CHAMBERS

CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TX

I. CALL TO ORDER

The Regular Meeting was called to order at 6:30 pm. with the following present:

P & Z Chairperson Ruby Sandars

P & Z Commissioner David Ransom

P & Z Commissioner Neil West

P & Z Commissioner Sheryl Greiner (arrived at 6:45 p.m.)

P & Z Commissioner Joe McWhorter

Also in attendance: Executive Director of Community Services Nick Finan, Planning Director Lata Krishnarao, Senior Planner Theresa Grahmann, Plans and Plat Administrator Richard Keller, Planner 1 Diana DuCroz and Planning Administrative Secretary Melisa Durham.

Absent were Vice Chairperson Todd Iocco and Commissioner Peter Dumont.

II. APPROVAL OF MINUTES

April 18, 2005 – Regular Meeting

April 18, 2005 JPH (pending Council approval)

Commissioner Ransom made a motion to approve the minutes as presented, and Commissioner McWhorter seconded.

Minutes were approved 4-0.

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION - Preliminary Plat of Silverlake Crossroads Phase I

A request by Christina Pena, Jones & Carter, Inc. for approval of a Preliminary Plat subdivision of 2.7203 acres in the E.T.J. and unzoned into one lot for commercial use. The plat is located at the northeast corner of S.H. 288 and C.R. 59, and is described as follows:

A subdivision of 2.7203 acres of land out of the H.T. & B.R.R. Co. Survey, Abstract No. 300, Brazoria County, Texas.

Planner 1 Diana DuCroz gave the staff report. There are no outstanding items.

Commissioner McWhorter made a motion to approve. Commissioner West seconded.

PLANNING & ZONING COMMISSION

Commissioner West inquired whether Silverlake Crossroads is under the sign ordinance.

Planning Director Lata Krishnarao stated that the subject property is located in the ETJ, and is not subject to the City's sign ordinance.

Vote was 4-0 for approval.

B. CONSIDERATION & POSSIBLE ACTION - Final Plat of Medellin Addition

A request by Chuck Davis, C.L. Davis & Co., for Charles and Hazel Medellin, for a Final Plat subdivision of 2.451 acres located in the E.T.J. for 3 residential lots, ranging in size from 16,602 to 67,519 square feet. The property is located between Rustic Lane (C.R. 131) and Glenview Drive, south of the Sunset Meadows subdivision near the Galveston County line, and is described as follows:

2.451 acres out of Lot 77 West Friendswood Subdivision, Perry & Austin League, A-111, (Vol. 01, Pg. 96 B.C.P.R.), Brazoria County, Texas.

The applicant requested this application to be withdrawn from consideration at this meeting. There was no further action.

C. CONSIDERATION & POSSIBLE ACTION – Request by Cervelle Homes, for a variance from Section 27-3 (A) (2) Special Provisions, of the Subdivision Ordinance, for South Gate Section II

Cervelle Homes is asking for a variance to have building permits issued for the 16 single-family homes in South Gate Section II prior to subdivision acceptance by City Council.

Senior Planner Theresa Grahmann gave the staff report. There are some outstanding water tests to be done.

Commissioner West made a motion to approve for discussion, and Commissioner Ransom seconded.

Commissioner Ransom asked the applicant what the hardship is for this application.

The applicant, Jeff Payson, President of Cervelle Homes explained that he has many laborers out of work at this time while awaiting the permits to be issued. He also stated that the buyers of the homes are under hardship awaiting the completion of the homes.

Commissioner Ransom asked for clarification of the current procedure where no permits are issued until utilities are in place.

Planning Director, Lata Krishnarao, explained that it prevents a situation where a home is completed and ready for move in with the utilities being incomplete and emergency services not in place. She further explained that in the cases of model homes being allowed building permits before the subdivision was approved, the utilities were in place.

Kevin Holland, Vice President of Cervelle Homes, explained that the risk is theirs, because the homes are still under their ownership.

PLANNING & ZONING COMMISSION

Commissioner West asked for clarification about the intent of the builder.

Mr. Payson and Mr. Holland stated that they are telling buyers that there is no guarantee that closing can occur in 5-months time.

Chairperson Sandars asked about the status of the bacterial test.

Mr. Holland stated that the test had been done once, and was redone today.

City Engineer Doug Kneupper stepped into the meeting upon request and clarified that the hydrostatic testing has been done, and a bacteria test has been done by the city personnel. The test results will be available in three to four days. There is a 70% passage, where 30% has to be redone after flushing. He stated that the subdivision acceptance should be in front of the Council in a few weeks time, so he does not see any problem with allowing issuance of building permits at this time. The utility taps would not be approved at this time, until Council approval of the subdivision.

Commissioner West amended his motion to approve with the stipulation that no utility taps would be allowed until Council accepts the subdivision, and Commissioner McWhorter seconded.

Final vote was 5-0 for approval of the motion and amended motion that no utility taps would be allowed for only these 16 residences until Council approval of the subdivision.

**II. NEXT MEETING DATES: May 16, 2005 – JPH and Regular P & Z
June 6, 2005 – Regular P & Z**

III. ADJOURNMENT

The Regular meeting was adjourned at 6:54 p.m.

These minutes respectfully submitted by:

Melisa Durham, Planning Administrative Secretary

Minutes approved as submitted and/or corrected on this _____ day of _____,
2005.

Ruby Sandars
Planning & Zoning Commission Chairperson



FINAL PLAT SUBMITTAL APPLICATION

Resubmitted 5/9/05 DATE FILED: 09/25/2005 P&Z MEETING DATE: 5/16/05 ~~05/02/2005~~ Withdrawn

SUBDIVISION NAME/LOCATION: MEDELLIN ADDITION PEARLAND, BRAZORIA COUNTY, TEXAS

Lot(s): 3, Block(s): 1, Reserve(s): 0

PRIMARY CONTACT(Print or Type): C.L. DAVIS Phone: 281-482-9490

MAILING ADDRESS: 1500 WINDING WAY FRIENDSWOOD, TX 77546

OWNER NAME(Print or Type): CHARLES & HAZEL MEDALLIN Phone: 713-306-1451

MAILING ADDRESS: 200 RIVER BEND No. 704 GEORGETOWN, TX 78628

AGENT'S NAME(Print or Type): C.L. DAVIS Phone: 281-482-9490

MAILING ADDRESS: 1500 WINDING WAY FRIENDSWOOD, TX 77546

The following required documents must accompany the final plat when submitted to staff:

- 22 Folded Prints of Final Plat
2 sets of Final Plat mylars (3 sets if ETJ) BEING SIGNED BY OWNERS
Show Approval of Construction Plans
Show Approval of Drainage Report
Show Approval of Traffic Impact Analysis
Park Fees (if required) pd
Completed Checklist
Current Title Report
Any Variance Request(s) in Letter Form N/A
Certified Tax Certificates (no taxes can be due)
Final Plat Staff Review Mark-Up
Application fee (\$400 plus \$4 per lot or \$25 per acre) pd

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED TO ENGINEERING DEPT. STAFF BY 9 A.M. THE MONDAY PRECEEDING THE PLANNING AND ZONING COMMISSION MEETING. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.

The undersigned hereby request approval by the Planning and Zoning Commission of the above identified subdivision plat.

Signature: (Owner)

Signature: (Agent)

Fee: \$ 412.00

Date Paid: 4/25/05

Receipt No.: ?

MEDELLIN ADDITION
FINAL PLAT – STAFF REPORT

P & Z MEETING DATE: May 16, 2005

APPLICANTS: Chuck Davis, C.L. Davis & Co., for Charles and Hazel Medellin

REQUEST: Final Plat subdivision of 2.4511 acres in the E.T.J. into 3 residential lots, ranging in size from 16,602 to 67,519 square feet. The Preliminary Plat was approved March 21, 2005.

GENERAL LOCATION: The property is located between Rustic Lane (C.R. 131) and Glenview Drive, south of the Sunset Meadows subdivision near the Galveston County line. See Vicinity Map below.

PROPERTY DESCRIPTION: Proposed Lot 1 contains an existing single family residence, with numerous trees on site. Two new lots for single family homes will be created on the northern undeveloped portion of the property.

ZONING: The property is located in the E.T.J. and is therefore unzoned. The owners have submitted a request for annexation and, if granted, the property will be zoned at that time. The proposed use is low-density residential.

SURROUNDING USES: All surrounding areas are single family residential of varying densities. The Sunset Meadows subdivision to the north within the City Limits is zoned High Density Single Family (R-3).

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for medium density residential, or lots from 4,000 to 6,000 square feet in size. Medium Density residential also permits low density residential. This plat is consistent with the Comprehensive Plan.

TRAFFIC AND TRANSPORTATION: A 33.57-ft-wide strip will be dedicated as right-of-way for Rustic Lane, which is designated as a minor collector street requiring a 60-ft-wide right-of-way. A four-ft-wide sidewalk along Glenview and six-ft-wide sidewalk along Rustic Lane will be provided at the time of development.

UTILITIES AND INFRASTRUCTURE: Water and sewer will be provided by the City.

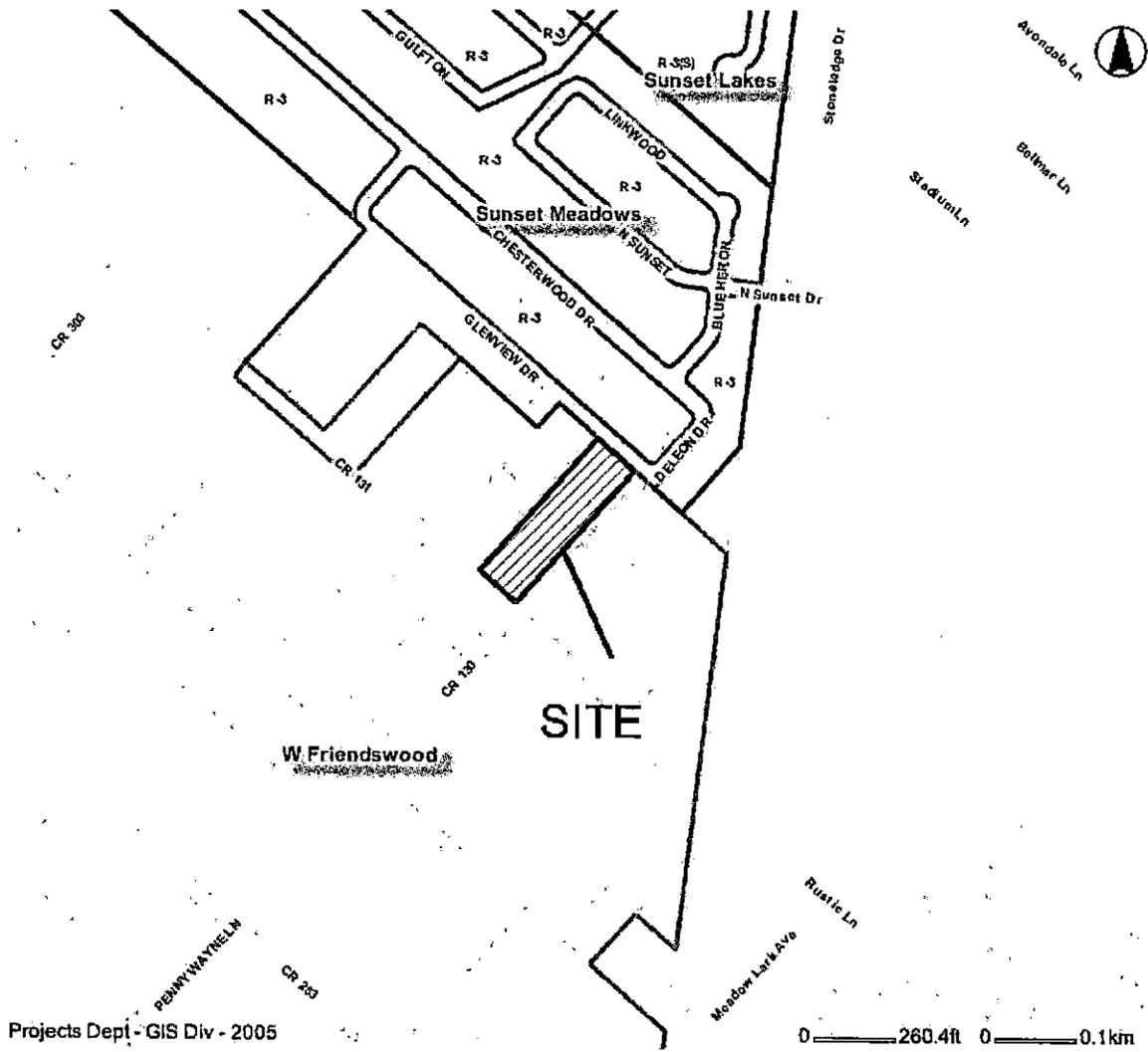
STORMWATER MANAGEMENT: Stormwater detention will be addressed when building site plans are submitted.

PARKS AND OPEN SPACE: Park fees are not required at this time as the tract is not presently within the city limits.

OUTSTANDING ITEMS: None.

ATTACHMENTS:

1. Application Form
2. Final Plat





PRELIMINARY PLAT SUBMITTAL APPLICATION

DATE FILED: May 9, 2005 P&Z MEETING DATE: May 16, 2005

SUBDIVISION NAME/LOCATION: Shadow Creek Ranch Kingsley Drive North
Lot(s): 0 Block(s): 0 Reserve(s): 2

PRIMARY CONTACT(Print or Type): Jason Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

OWNER NAME(Print or Type): Pearland Investments, LP Phone: (702) 736-6151

MAILING ADDRESS: 5195 Las Vegas Boulevard South, Las Vegas, NV 89119

AGENT'S NAME(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

The following required documents must accompany the final plat when submitted to staff:

- | | |
|---|--|
| <input checked="" type="checkbox"/> 22 Folded Prints of Preliminary Plat | <input checked="" type="checkbox"/> Title Report or Certificate of Title |
| <input checked="" type="checkbox"/> 3 copies of preliminary drainage report | <input checked="" type="checkbox"/> Staff Review Mark-Up |
| <input type="checkbox"/> Traffic Impact Analysis (if required) | <input checked="" type="checkbox"/> Utility Letters |
| <input checked="" type="checkbox"/> Application fee (\$400 plus \$6 per lot or \$30 per acre) | <input checked="" type="checkbox"/> Completed Checklist |
| | <input type="checkbox"/> Variance request(s) submitted in letter form |

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED TO ENGINEERING DEPT. STAFF BY 9 A.M. THE MONDAY PRECEEDING THE PLANNING AND ZONING COMMISSION MEETING. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.

The undersigned hereby request approval by the Planning and Zoning Commission of the above identified subdivision plat.

Signature: _____
(Owner)

Signature: 
(Agent)

Fee: \$ 560⁰⁰

Date Paid: 5/9/05

Receipt No.: 120422

**SHADOW CREEK RANCH – RIGHT-OF-WAY FOR PORTION OF KINGSLEY DRIVE NORTH
PRELIMINARY PLAT – STAFF REPORT**

P & Z MEETING DATE: May 16, 2005

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, LP

REQUEST: Preliminary Right-of-Way Plat of 5.315 acres of land in Shadow Creek Ranch for a portion of Kingsley Drive. This plat will be for a 100-ft-wide Right-of-Way located between Clear Creek and Shadow Creek Parkway. Two small reserves for landscaping purposes are located where Kingsley Drive meets Shadow Creek Parkway.

GENERAL LOCATION: Extension of Kingsley Drive north of Shadow Creek Parkway to Clear Creek. See Vicinity Map below.

ZONING: SCR PUD, Right-of-way. The proposed plat is consistent with the zoning.

SURROUNDING USES: All surrounding areas will be developed with commercial uses or park land.

COMPREHENSIVE PLAN: Kingsley Drive is designated as a Secondary Thoroughfare in the City's Thoroughfare Plan.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis was performed as part of the Master Plan for the entire Shadow Creek Ranch development. A six-ft-wide sidewalk will be built along Kingsley Drive at the time of development.

UTILITIES: Water and sewer are not available at the time of platting. The developer will extend service to this area.

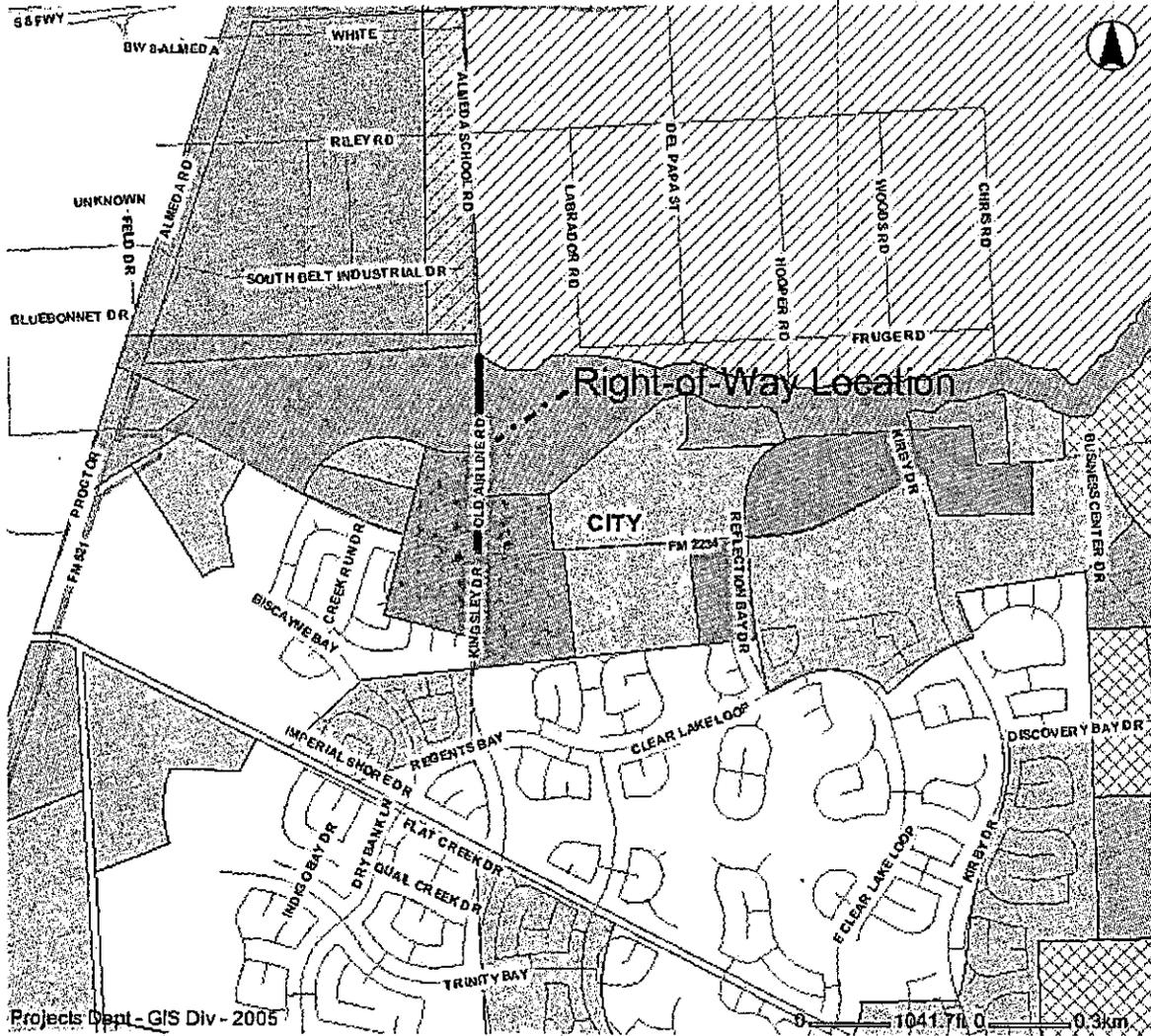
STORMWATER MANAGEMENT: Stormwater detention will be provided by a series of retention lakes as part of the Master Plan for the development.

PARKS AND OPEN SPACE: Not applicable to this plat.

OUTSTANDING ITEMS: None.

ATTACHMENTS:

1. Application Form
2. Preliminary Plat





PRELIMINARY PLAT SUBMITTAL APPLICATION

DATE FILED: May 9, 2005 P&Z MEETING DATE: May 16, 2005

SUBDIVISION NAME/LOCATION: Shadow Creek Ranch Portion of Spinnaker Bay Drive
Lot(s): 0 Block(s): 0 Reserve(s): 0

PRIMARY CONTACT(Print or Type): Jason Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

OWNER NAME(Print or Type): Pearland Investments, LP Phone: (702) 736-6151

MAILING ADDRESS: 5195 Las Vegas Boulevard South, Las Vegas, NV 89119

AGENT'S NAME(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

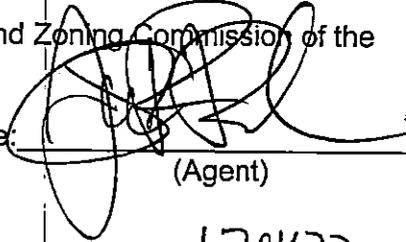
The following required documents must accompany the final plat when submitted to staff:

- | | |
|---|--|
| <input checked="" type="checkbox"/> 22 Folded Prints of Preliminary Plat | <input checked="" type="checkbox"/> Title Report or Certificate of Title |
| <input checked="" type="checkbox"/> 3 copies of preliminary drainage report | <input checked="" type="checkbox"/> Staff Review Mark-Up |
| <input type="checkbox"/> Traffic Impact Analysis (if required) | <input checked="" type="checkbox"/> Utility Letters |
| <input checked="" type="checkbox"/> Application fee (\$400 plus \$6 per lot or \$30 per acre) | <input checked="" type="checkbox"/> Completed Checklist |
| | <input type="checkbox"/> Variance request(s) submitted in letter form |

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED TO ENGINEERING DEPT. STAFF BY 9 A.M. THE MONDAY PRECEEDING THE PLANNING AND ZONING COMMISSION MEETING. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.

The undersigned hereby request approval by the Planning and Zoning Commission of the above identified subdivision plat.

Signature: _____
(Owner)

Signature: 
(Agent)

Fee: \$ 580.⁰⁰

Date Paid: 5/9/05

Receipt No.: 120422

**SHADOW CREEK RANCH – RIGHT-OF-WAY FOR PORTION OF SPINNAKER
BAY DRIVE**
PRELIMINARY PLAT – STAFF REPORT

P & Z MEETING DATE: May 16, 2005

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, LP

REQUEST: Preliminary Right-of-Way Plat of 5.997 acres in Shadow Creek Ranch for a portion of Spinnaker Bay Drive. This plat will be for an 80-ft-wide Right-of-Way to be located adjacent to Shadow Creek Ranch Sections SF-52, 53, 57 and 58, and connecting an already platted portion of Spinnaker Bay Drive to the future extension of Broadway.

GENERAL LOCATION: Located in the southwestern portion of the Shadow Creek Ranch PUD in Fort Bend County. See Vicinity Map below.

PROPERTY DESCRIPTION: The property is currently undeveloped.

ZONING: SCR PUD, Right-of-way. The proposed plat is consistent with the zoning.

SURROUNDING USES: All surrounding areas will be developed with single family residential.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Medium Density residential use. This right-of-way will support the residential uses proposed in the surrounding areas. The plat is consistent with the Comprehensive Plan.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis was performed as part of the Master Plan for the entire Shadow Creek Ranch development. A six-ft-wide sidewalk will be built along both sides of Spinnaker Bay Drive at the time of development.

UTILITIES: Water and sewer are not available at the time of platting. The developer will extend service to this area.

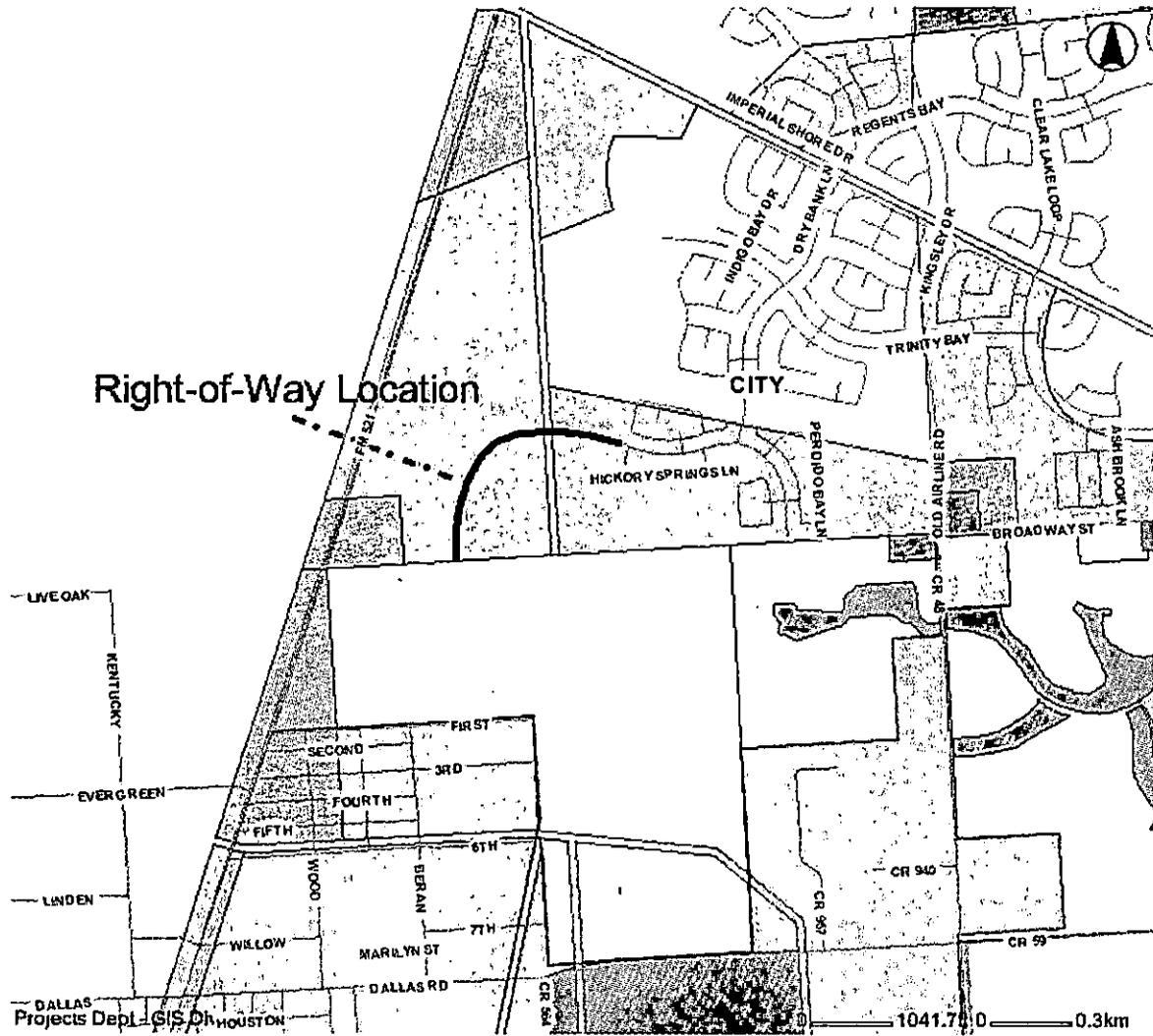
STORMWATER MANAGEMENT: Stormwater detention will be provided by a series of retention lakes as part of the Master Plan for the development.

PARKS AND OPEN SPACE: Not applicable to this plat.

OUTSTANDING ITEMS: None.

ATTACHMENTS:

1. Application Form
2. Preliminary Plat





PRELIMINARY PLAT SUBMITTAL APPLICATION

DATE FILED: May 9, 2005 P&Z MEETING DATE: May 16, 2005

SUBDIVISION NAME/LOCATION: Shadow Creek Ranch Commercial Site No. 16A
Lot(s): 1 Block(s): 0 Reserve(s): 0

PRIMARY CONTACT(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

OWNER NAME(Print or Type): Buc-ee's, Ltd. Phone: (979) 230-2920

MAILING ADDRESS: 327 Highway 2004, Lake Jackson, TX 77566

AGENT'S NAME(Print or Type): Jason Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

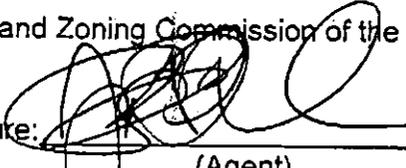
The following required documents must accompany the final plat when submitted to staff:

- 22 Folded Prints of Preliminary Plat
- Title Report or Certificate of Title
- 3 copies of preliminary drainage report
- Staff Review Mark-Up
- Traffic Impact Analysis (if required)
- Utility Letters
- Application fee (\$400 plus \$6 per lot or \$30 per acre)
- Completed Checklist
- Variance request(s) submitted in letter form

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED TO ENGINEERING DEPT. STAFF BY 9 A.M. THE MONDAY PRECEEDING THE PLANNING AND ZONING COMMISSION MEETING. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.

The undersigned hereby request approval by the Planning and Zoning Commission of the above identified subdivision plat.

Signature: _____
(Owner)

Signature: 
(Agent)

Fee: \$ 475.⁰⁰

Date Paid: 5/9/05

Receipt No.: 120422

SHADOW CREEK RANCH COMMERCIAL SITE No. 16A
PRELIMINARY PLAT— STAFF REPORT

P & Z MEETING DATE: May 16, 2005

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, LLP

REQUEST: Preliminary Plat subdivision of 2.500 acres in Shadow Creek Ranch into one lot for commercial use.

GENERAL LOCATION: Northeast corner of the intersection of Shadow Creek Parkway (F.M. 2234) and Business Center Drive in the Shadow Creek Ranch PUD. See Vicinity Map below.

PROPERTY DESCRIPTION: The property is undeveloped.

ZONING: Shadow Creek Ranch PUD-C (Commercial), which designates this site for commercial uses. The proposed plat is consistent with the PUD approval.

SURROUNDING USES: The properties to the north and south are part of the Shadow Creek Ranch PUD. The properties to the east and west are not part of Shadow Creek Ranch and are zoned Suburban Development (SD). Strouhal Tires is to the east.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Business Park. The proposed use was approved as part of the Shadow Creek Ranch PUD.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis will be required.

UTILITIES AND INFRASTRUCTURE: Water and sewer are available to the site.

STORMWATER MANAGEMENT: Stormwater detention will be provided offsite in accordance with the Shadow Creek Ranch master plan.

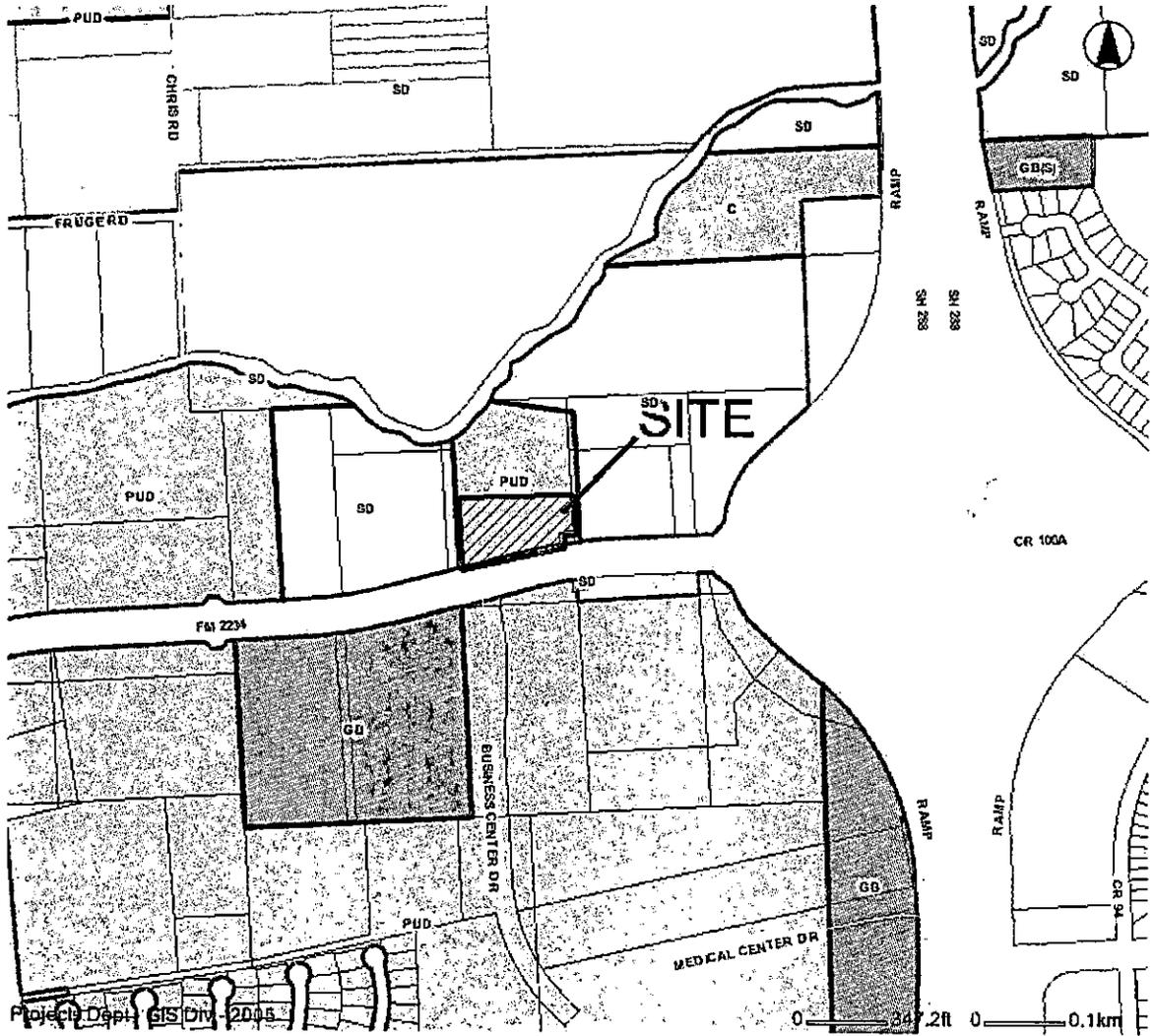
PARKS, OPEN SPACE, AND TREES: Park and open space requirements are not applicable to this plat.

OUTSTANDING ITEMS:

1. Provision should be made for right-of-way to extend Business Center Drive north from Shadow Creek Parkway.

ATTACHMENTS:

1. Application Form
2. Preliminary Plat





FINAL PLAT SUBMITTAL APPLICATION

DATE FILED: May 9, 2005 P&Z MEETING DATE: May 16, 2005

SUBDIVISION NAME/LOCATION: Shadow Creek Ranch SF-45A

Lot(s): 98 Block(s): 5 Reserve(s): 7

PRIMARY CONTACT(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600

Houston, TX 77042

OWNER NAME(Print or Type): Pearland Investments, LP Phone: (702) 736-6151

MAILING ADDRESS: 5195 Las Vegas Boulevard South, Las Vegas, NV 89119

AGENT'S NAME(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600

Houston, TX 77042

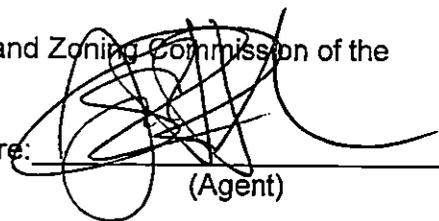
The following required documents must accompany the final plat when submitted to staff:

- 22 Folded Prints of Final Plat
- 2 sets of Final Plat mylars
(3 sets if ETJ)
- Show Approval of Construction Plans
- Show Approval of Drainage Report
- Show Approval of Traffic Impact Analysis
- Park Fees (if required)
- Completed Checklist
- Current Title Report
- Any Variance Request(s) in Letter Form
- Certified Tax Certificates (no taxes can be due)
- Final Plat Staff Review Mark-Up
- Application fee (\$400 plus \$4 per lot or \$25 per acre)

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED TO ENGINEERING DEPT. STAFF BY 9 A.M. THE MONDAY PRECEEDING THE PLANNING AND ZONING COMMISSION MEETING. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.

The undersigned hereby request approval by the Planning and Zoning Commission of the above identified subdivision plat.

Signature: _____
(Owner)

Signature: 
(Agent)

Fee: \$ 792⁰⁰

Date Paid: 5/9/05

Receipt No.: 120422

SHADOW CREEK RANCH SF-45A

FINAL PLAT – STAFF REPORT

P & Z MEETING DATE: May 16, 2005

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, LLP

REQUEST: Final Plat subdivision of 42.149 acres in Shadow Creek Ranch and zoned SCR-PUD R-6 into 98 residential lots, with 7 reserves of 21.478 acres for landscaping, open space, flood storage, and drainage. The Preliminary Plat was approved on June 21, 2004.

GENERAL LOCATION: In the northwest section of the Shadow Creek Ranch PUD, west of Trinity Bay Drive in Fort Bend County. See Vicinity Map below.

PROPERTY DESCRIPTION: The property is currently undeveloped. This plat will take access off of Trinity Bay Drive.

ZONING: Shadow Creek Ranch PUD R-6, Single Family Dwelling District, with a minimum lot size of 6,000 square feet and minimum lot width of 50 feet. The proposed plat is consistent with the approved PUD.

SURROUNDING USES: All surrounding uses are residential districts within the Shadow Creek Ranch PUD.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Low Density Residential. The plat is consistent with the approved Shadow Creek Ranch PUD and the Comprehensive Plan.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis was performed as part of the Master Plan for the entire Shadow Creek Ranch development.

UTILITIES: Water and sewer are not available at the time of platting. The developer will extend service to this area.

STORMWATER MANAGEMENT: Stormwater detention will be provided by a series of retention lakes as part of the Master Plan for the development.

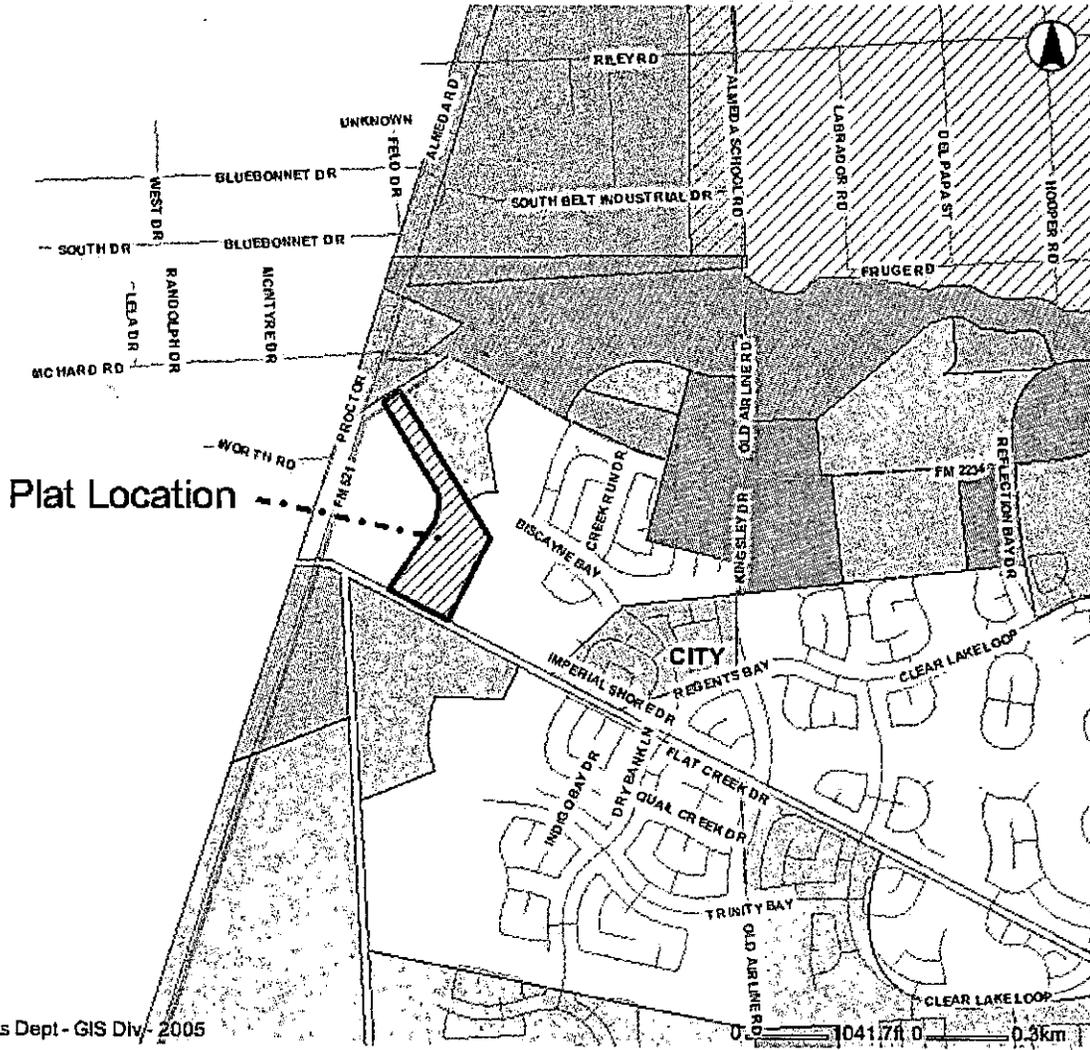
PARKS AND OPEN SPACE: Parks and open space will be provided in accordance with the Master Plan for the entire development.

OUTSTANDING ITEMS:

1. The matchline designation on Sheet 2 should be reversed.
2. 'Utilities' should be added as a purpose of Reserve F on the mylar.

ATTACHMENTS:

1. Application Form
2. Final Plat





FINAL PLAT SUBMITTAL APPLICATION

DATE FILED: May 9, 2005 P&Z MEETING DATE: May 16, 2005

SUBDIVISION NAME/LOCATION: Shadow Creek Ranch SF-45B

Lot(s): 112 Block(s): 5 Reserve(s): 2

PRIMARY CONTACT(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

OWNER NAME(Print or Type): Pearland Investments, LP Phone: (702) 736-6151

MAILING ADDRESS: 5195 Las Vegas Boulevard South, Las Vegas, NV 89119

AGENT'S NAME(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

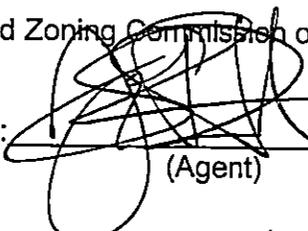
The following required documents must accompany the final plat when submitted to staff:

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- Park Fees (if required)
- Completed Checklist
- Current Title Report
- Any Variance Request(s) in Letter Form
- Certified Tax Certificates (no taxes can be due)
- Final Plat Staff Review Mark-Up
- Application fee (\$400 plus \$4 per lot or \$25 per acre)

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED TO ENGINEERING DEPT. STAFF BY 9 A.M. THE MONDAY PRECEEDING THE PLANNING AND ZONING COMMISSION MEETING. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.

The undersigned hereby request approval by the Planning and Zoning Commission of the above identified subdivision plat.

Signature: _____
(Owner)

Signature: 
(Agent)

Fee: \$ 848.00

Date Paid: 5/9/05

Receipt No.: 120422

SHADOW CREEK RANCH SF-45B

FINAL PLAT – STAFF REPORT

P & Z MEETING DATE: May 16, 2005

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, LLP

REQUEST: Final Plat subdivision of 24.501 acres in Shadow Creek Ranch and zoned SCR-PUD R-6 into 112 residential lots, with 2 reserves of 0.381 acres for landscaping, open space, and drainage. The Preliminary Plat was approved on June 21, 2004.

GENERAL LOCATION: In the northwest section of the Shadow Creek Ranch PUD between F.M. 521 and Trinity Bay Drive in Fort Bend County. See Vicinity Map below.

PROPERTY DESCRIPTION: The property is currently undeveloped. This plat will be accessed through SF-45A to the east.

ZONING: Shadow Creek Ranch PUD R-6, Single Family Dwelling District, with a minimum lot size of 6,000 square feet and minimum lot width of 50 feet. The proposed plat is consistent with the approved PUD.

SURROUNDING USES: All surrounding uses are residential districts within the Shadow Creek Ranch PUD.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Low Density Residential. The plat is consistent with the approved Shadow Creek Ranch PUD and the Comprehensive Plan.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis was performed as part of the Master Plan for the entire Shadow Creek Ranch development.

UTILITIES: Water and sewer are not available at the time of platting. The developer will extend service to this area.

STORMWATER MANAGEMENT: Stormwater detention will be provided by a series of retention lakes as part of the Master Plan for the development.

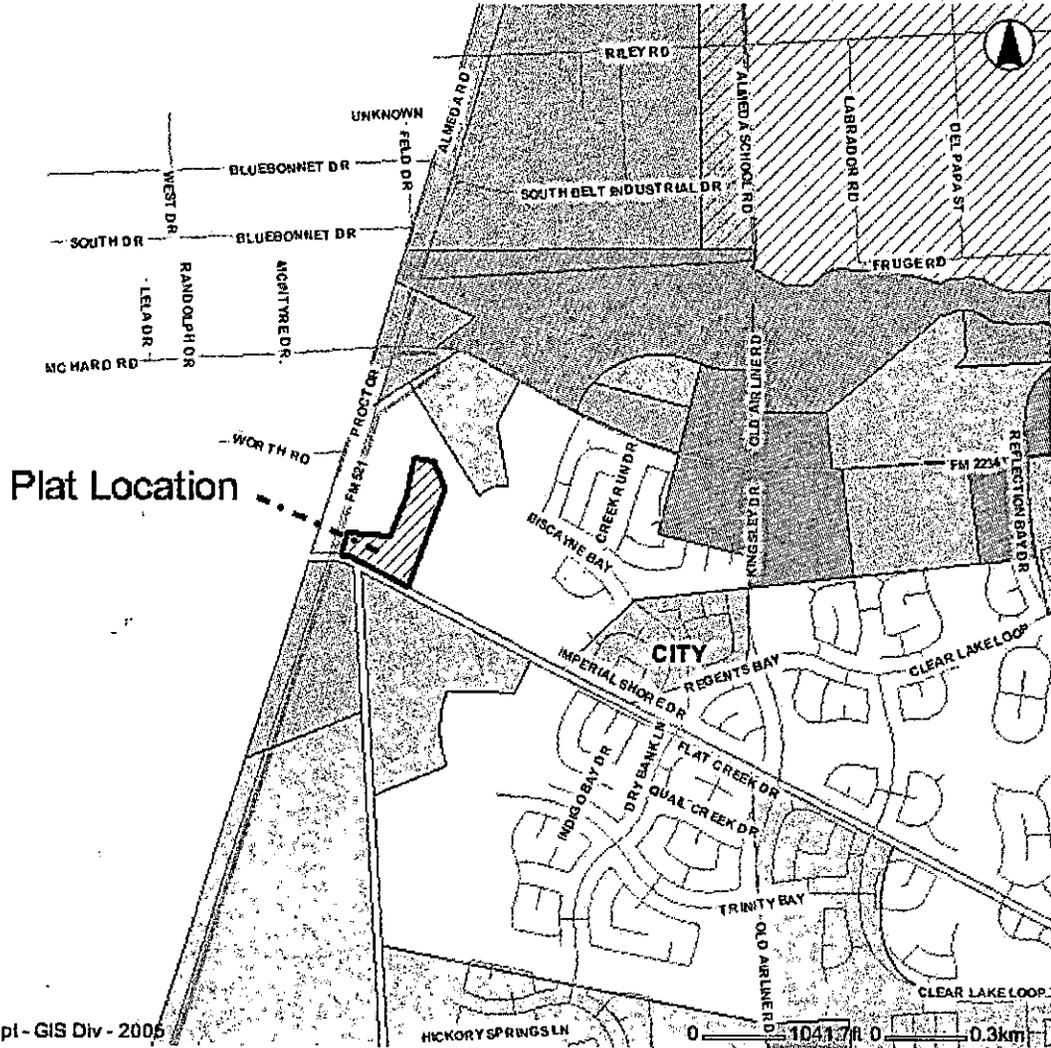
PARKS AND OPEN SPACE: Parks and open space will be provided in accordance with the Master Plan for the entire development.

OUTSTANDING ITEMS:

1. The adjoining SF-45A plat must be recorded before this plat and the recordation data for 45A added to the mylar for 45B.

ATTACHMENTS:

1. Application Form
2. Final Plat





FINAL PLAT SUBMITTAL APPLICATION

DATE FILED: May 9, 2005 P&Z MEETING DATE: May 16, 2005

SUBDIVISION NAME/LOCATION: Shadow Creek Ranch SF-45C

Lot(s): 80 Block(s): 3 Reserve(s): 3

PRIMARY CONTACT(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

OWNER NAME(Print or Type): Pearland Investments, LP Phone: (702) 736-6151

MAILING ADDRESS: 5195 Las Vegas Boulevard South, Las Vegas, NV 89119

AGENT'S NAME(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

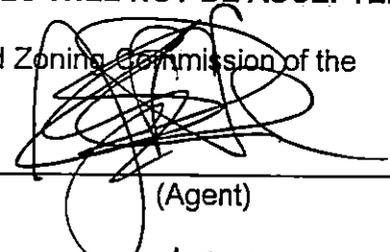
The following required documents must accompany the final plat when submitted to staff:

- 22 Folded Prints of Final Plat
- 2 sets of Final Plat mylars
(3 sets if ETJ)
- Show Approval of Construction Plans
- Show Approval of Drainage Report
- Show Approval of Traffic Impact Analysis
- Park Fees (if required)
- Completed Checklist
- Current Title Report
- Any Variance Request(s) in Letter Form
- Certified Tax Certificates (no taxes can be due)
- Final Plat Staff Review Mark-Up
- Application fee (\$400 plus \$4 per lot or \$25 per acre)

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED TO ENGINEERING DEPT. STAFF BY 9 A.M. THE MONDAY PRECEEDING THE PLANNING AND ZONING COMMISSION MEETING. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.

The undersigned hereby request approval by the Planning and Zoning Commission of the above identified subdivision plat.

Signature: _____
(Owner)

Signature: 
(Agent)

Fee: \$ 400⁰⁰
720⁰⁰

Date Paid: 5/9/05

Receipt No.: 120422

SHADOW CREEK RANCH SF-45C

FINAL PLAT – STAFF REPORT

P & Z MEETING DATE: May 16, 2005

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, LLP

REQUEST: Final Plat subdivision of 19.731 acres in Shadow Creek Ranch and zoned SCR-PUD R-6 for 80 residential lots, with 3 reserves of 2.607 acres for landscaping and open space. The Preliminary Plat was approved on August 2, 2004.

GENERAL LOCATION: In the northwest section of the Shadow Creek Ranch PUD adjacent to F.M. 521 in Fort Bend County. See Vicinity Map below.

PROPERTY DESCRIPTION: The property is currently undeveloped. This plat will be accessed through SF-45A and SF-45B.

ZONING: Shadow Creek Ranch PUD R-6, Single Family Dwelling District, with a minimum lot size of 6,000 square feet and minimum lot width of 50 feet. The proposed plat is consistent with the approved PUD.

SURROUNDING USES: All surrounding uses are residential districts within the Shadow Creek Ranch PUD. F.M. 521 is the western boundary.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Low Density Residential. The plat is consistent with the approved Shadow Creek Ranch PUD and the Comprehensive Plan.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis was performed as part of the Master Plan for the entire Shadow Creek Ranch development.

UTILITIES: Water and sewer are not available at the time of platting. The developer will extend service to this area.

STORMWATER MANAGEMENT: Stormwater detention will be provided by a series of retention lakes as part of the Master Plan for the development.

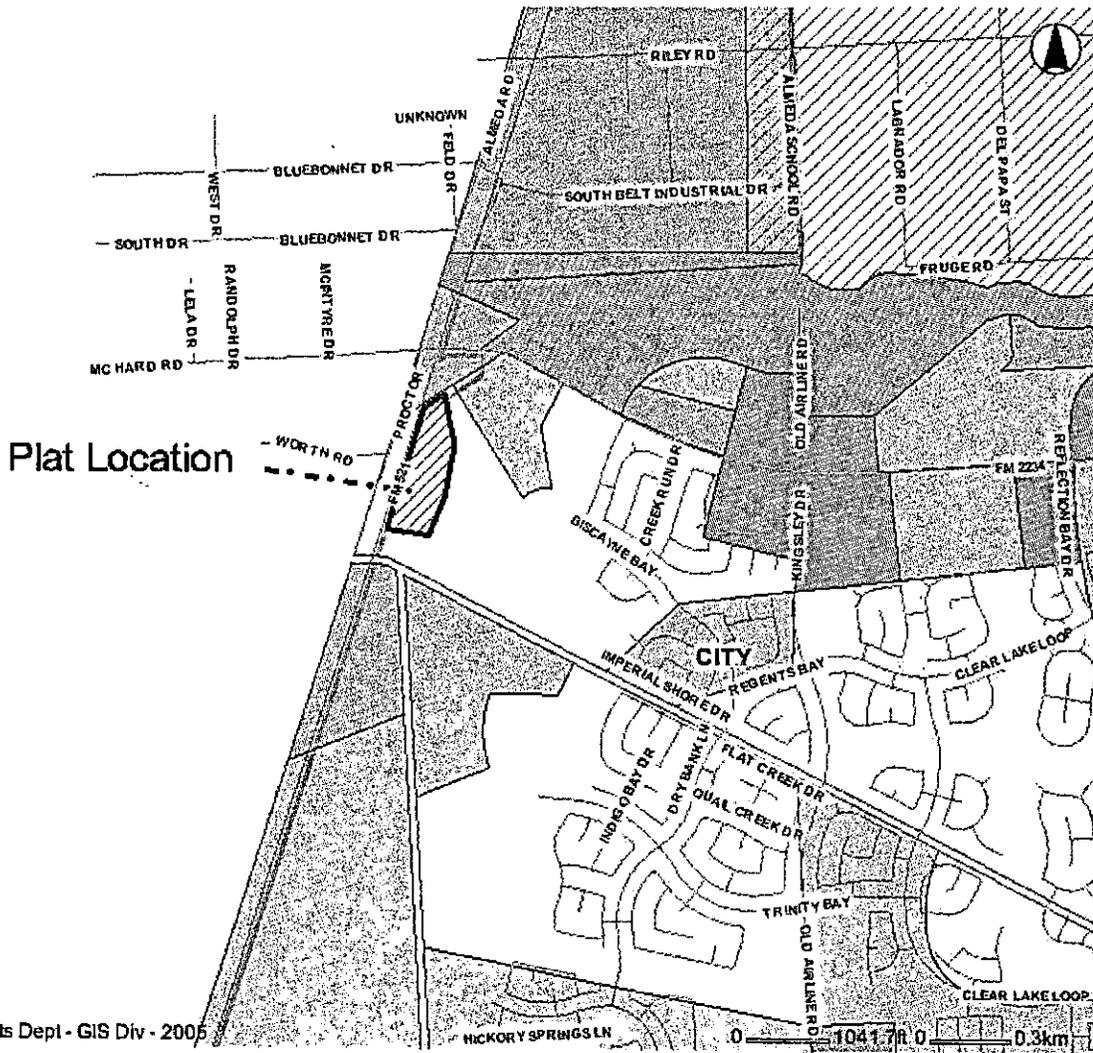
PARKS AND OPEN SPACE: Parks and open space will be provided in accordance with the Master Plan for the entire development.

OUTSTANDING ITEMS:

1. The adjoining plats SF-45A and 45B must be recorded first and recordation data added to the mylar for SF-45C.
2. The W.S.E. next to Clear Creek should be extended from 20 ft to 30 ft.

ATTACHMENTS:

- 1. Application Form
- 2. Final Plat





FINAL PLAT SUBMITTAL APPLICATION

DATE FILED: May 9, 2005 P&Z MEETING DATE: May 16, 2005

SUBDIVISION NAME/LOCATION: Shadow Creek Ranch SF-47

Lot(s): 24 Block(s): 1 Reserve(s): 7

PRIMARY CONTACT(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

OWNER NAME(Print or Type): Pearland Investments, LP Phone: (702) 736-6151

MAILING ADDRESS: 5195 Las Vegas Boulevard South, Las Vegas, NV 89119

AGENT'S NAME(Print or Type): Jason R. Banda Phone: (713) 953-5067

MAILING ADDRESS: LJA Engineering & Surveying, Inc., 2929 Briarpark, Suite 600
Houston, TX 77042

The following required documents must accompany the final plat when submitted to staff:

- | | |
|--|--|
| <input checked="" type="checkbox"/> 22 Folded Prints of Final Plat | <input checked="" type="checkbox"/> Completed Checklist |
| <input checked="" type="checkbox"/> 2 sets of Final Plat mylars
(3 sets if ETJ) | <input checked="" type="checkbox"/> Current Title Report |
| <input checked="" type="checkbox"/> Show Approval of Construction Plans | <input type="checkbox"/> Any Variance Request(s) in Letter Form |
| <input checked="" type="checkbox"/> Show Approval of Drainage Report | <input checked="" type="checkbox"/> Certified Tax Certificates (no taxes can be due) |
| <input type="checkbox"/> Show Approval of Traffic Impact Analysis | <input checked="" type="checkbox"/> Final Plat Staff Review Mark-Up |
| <input type="checkbox"/> Park Fees (if required) | <input checked="" type="checkbox"/> Application fee (\$400 plus \$4 per lot
or \$25 per acre) |

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED TO ENGINEERING DEPT. STAFF BY 9 A.M. THE MONDAY PRECEDING THE PLANNING AND ZONING COMMISSION MEETING. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.

The undersigned hereby request approval by the Planning and Zoning Commission of the above identified subdivision plat.

Signature: _____
(Owner)

Signature: _____
(Agent)

Fee: \$ 496⁰⁰

Date Paid: 5/9/05

Receipt No.: 120422

SHADOW CREEK RANCH SF-47

FINAL PLAT – STAFF REPORT

P & Z MEETING DATE: May 16, 2005

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, LLP

REQUEST: Final Plat subdivision of 30.488 acres in Shadow Creek Ranch and zoned SCR-PUD R-6 into 24 residential lots, with 7 reserves of 24.875 acres for a lake, drainage, flood storage, landscaping, open space, and drill site. The Preliminary Plat was approved on August 2, 2004.

GENERAL LOCATION: East of Trinity Bay Drive in the Shadow Creek Ranch PUD. See Vicinity Map below.

PROPERTY DESCRIPTION: The property is currently undeveloped. This plat will take access off of the future Trinity Bay Drive.

ZONING: Shadow Creek Ranch PUD R-7, Single Family Dwelling District, with a minimum lot size of 5,000 square feet and minimum lot width of 50 feet. The proposed plat is consistent with the approved PUD.

SURROUNDING USES: All surrounding uses are residential districts within the Shadow Creek Ranch PUD.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Low Density Residential. The plat is consistent with the approved PUD.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis was performed as part of the Master Plan for the entire Shadow Creek Ranch development. A six-ft-wide sidewalk will be built along Trinity Bay Drive and Biscayne Bay Drive at the time of development.

UTILITIES: Water and sewer are not available at the time of platting. The developer will extend service to this area.

STORMWATER MANAGEMENT: Stormwater detention will be provided by a series of retention lakes as part of the Master Plan for the development.

PARKS AND OPEN SPACE: Parks and open space will be provided in accordance with the Master Plan for the entire development.



FINAL PLAT SUBMITTAL APPLICATION

DATE FILED: 5-9-05 P&Z MEETING DATE: 5-16-05

SUBDIVISION NAME/LOCATION: PEARLAND CORNER, PHASE TWO
INTERSECTION OF DIXIE FARM ROAD & F.M. 518

Lot(s): 1, Block(s): 1, Reserve(s): 1

PRIMARY CONTACT(Print or Type): WAYNE AUSMUS Phone: 281-⁹⁹⁷412-9876

MAILING ADDRESS: P.O. BOX 3083, PEARLAND, TX 77588

OWNER NAME(Print or Type): PEARLAND CORNERS II, LP Phone: 281-997-9876

MAILING ADDRESS: P.O. BOX 3083, PEARLAND, TX 77588

AGENT'S NAME(Print or Type): CHRIS L. HENDRICK Phone: 281-485-3991

MAILING ADDRESS: 2006 E. BROADWAY # 105, PEARLAND, TX 77581

The following required documents must accompany the final plat when submitted to staff:

- 22 Folded Prints of Final Plat
- 2 sets of Final Plat mylars (3 sets if ETJ)
- Show Approval of Construction Plans
- Show Approval of Drainage Report
- Show Approval of Traffic Impact Analysis
- Park Fees (if required)
- Completed Checklist
- Current Title Report
- Any Variance Request(s) in Letter Form
- Certified Tax Certificates (no taxes can be due)
- Final Plat Staff Review Mark-Up
- Application fee (\$400 plus \$4 per lot or \$25 per acre)

NOTE: ALL REQUIRED DOCUMENTS MUST BE SUBMITTED TO ENGINEERING DEPT. STAFF BY 9 A.M. THE MONDAY PRECEEDING THE PLANNING AND ZONING COMMISSION MEETING. INCOMPLETE SUBMITTALS WILL NOT BE ACCEPTED.

The undersigned hereby request approval by the Planning and Zoning Commission of the above identified subdivision plat.

Signature: _____ (Owner)

Signature: Chris L. Hendrick (Agent)

Fee: \$ 443.⁶³

Date Paid: 5/9/05

Receipt No.: 122337

PEARLAND CORNERS II, LP
FINAL PLAT – STAFF REPORT

P & Z MEETING DATE: May 16, 2005

APPLICANT: Wayne Ausmus

REQUEST: Final Plat subdivision of 1.7452 acres zoned Commercial (C) into one lot for commercial use. The Preliminary Plat was approved on April 4, 2005 as Pearland Corner Phase Two.

GENERAL LOCATION: Southeast side of Dixie Farm Road, between Broadway (F.M. 518) and Mary's Creek. See Vicinity Map below.

PROPERTY DESCRIPTION: The property is currently undeveloped.

ZONING: Commercial (C). The proposed plat is consistent with the zoning.

SURROUNDING USES: All surrounding properties are zoned Commercial (C) or General Business (GB). Mary's Creek runs along the northern boundary of the property.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Retail, Offices, and Services. Immediately to the north is Mary's Creek, which is designated as Parks in the Land Use Plan, and has the potential to be developed as a linear park in the future. The proposed development is consistent with the Comprehensive Plan.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis is required to estimate expected traffic flows and justify any additional driveways that may be desired. Dixie Farm Road is a Major Thoroughfare.

UTILITIES: Water and sewer are available to this property.

STORMWATER MANAGEMENT: Stormwater detention will be provided by a detention pond on an adjoining tract to the rear of this property.

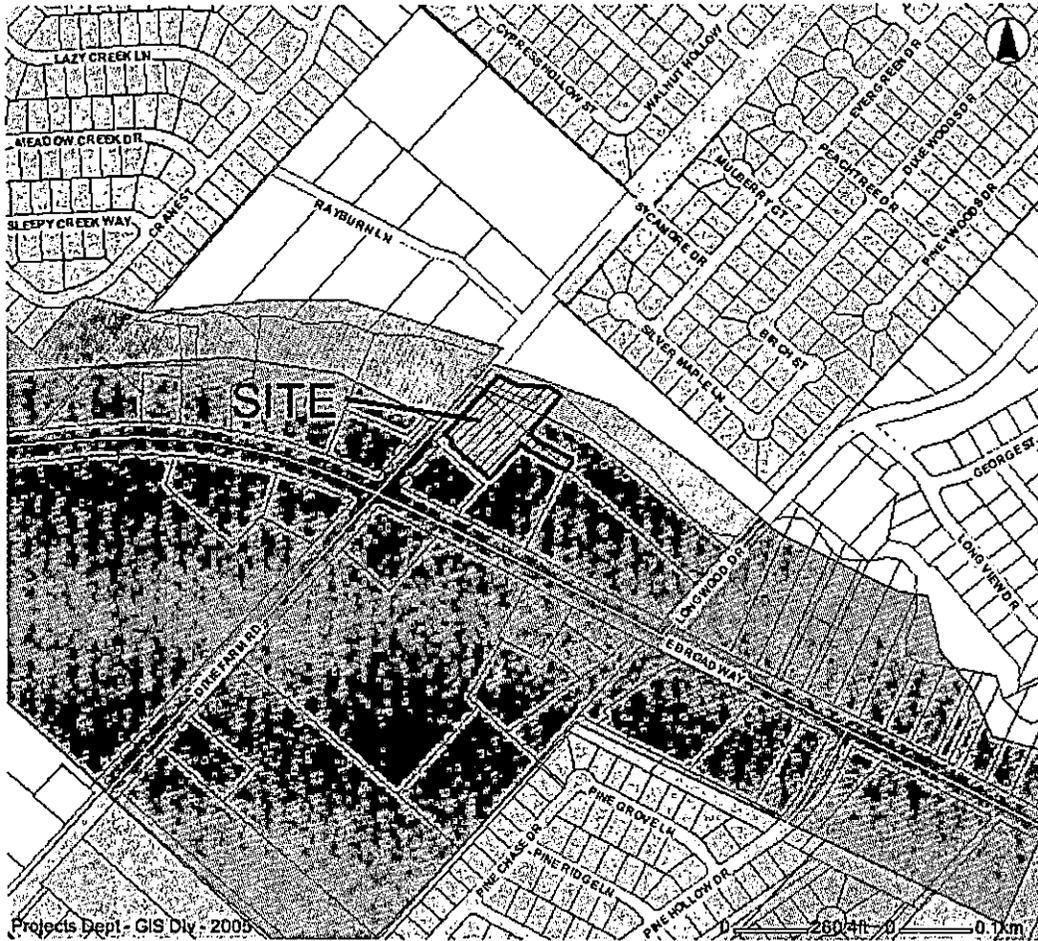
PARKS AND OPEN SPACE: Park and open space requirements are not applicable to this plat. According to the applicant, there are no protected trees on site.

OUTSTANDING ITEMS:

1. A traffic impact report estimating the volume of expected traffic generation is still needed.

ATTACHMENTS:

1. Application Form
2. Final Plat



PLANNING AND ZONING COMMISSION AGENDA ITEM

REGULAR MEETING OF MAY 16, 2005

Specific Use Permit Application No. 142

SUBJECT: A request by Hugh Blanchard, applicant for Wal-Mart Stores Texas L.P., owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for a Specific Use Permit for Outside Display, Storage, and Sale of Merchandise and Equipment in the Commercial District (C (S))

LEGAL DESCRIPTION: 30.06 acres of land, situated in the H.T. & B.R.R. Company Survey, Section 1, Abstract 233, and the R.B. Lyle Survey, Section 2, Abstract 542, also being all of Reserve "A," "B," "C," and "D," of Pearland Central Wal-Mart, a subdivision recorded at Volume 24, Page 250, of the Brazoria County Plat Records, City of Pearland, Brazoria County, Texas

GENERAL LOCATION: Located at 1919 N. Main Street

SUMMARY: The proposed Specific Use Permit for outside storage, display, and sale of merchandise for the Wal-Mart Supercenter was considered by the City Council and the Planning and Zoning Commission on April 18, 2005. During the public hearing, the Commission and Council had concerns regarding the type of storage that would be occurring at the subject property, and the location of such storage on the subject property. The Commission and Council appeared to be comfortable with storage and display of plants, planting materials, grills, swingsets, and other similar materials. However, the Commission and Council were concerned with the storage and placement of large storage bins on the subject property, for the storage of excess inventory, seasonal inventory, or layaway products.

The site plan submitted for the Joint Public Hearing did not specify the locations of the storage and display areas. The Planning and Zoning Commission tabled the proposed Specific Use Permit during their meeting held subsequent to the joint public hearing, and requested that the applicant show specific locations of storage and display areas on a site

plan. The site plan could become part of the ordinance for the Specific Use Permit, and the applicant would be required to comply with the location of their storage and display in the specified areas of the site plan.

REVISED SITE PLAN: The applicant has indicated on the site plan and attached letter the proposed storage areas.

1. Area "A" (shown in blue), located at the southwest corner of the building: This area covers 17 parking spaces in the required parking lot. The items located here would include bags of soil, mulch, plants, trees, and landscaping stones. The applicant has indicated that this area would be utilized from February through September every year. To account for the loss of the 17 parking spaces, the applicant is proposing 23 additional parking spaces on the east side of the building (shown in green). Therefore, the applicant still meets the required parking number for this retail building.
2. Area "B" (shown in red), located along the front of the building on the west face of the building: The items located here would include bedding plants, lawn furniture, grills, swingsets, pools, Christmas trees, pumpkins, and shrubs. The applicant has indicated that this area would be utilized yearly, the type of product depending on the season.

The applicant has not indicated any storage areas for large storage containers. The applicant had indicated during the joint public hearing that the store that is under construction is of a new design that accounts for storage areas inside the building, and the large mobile storage containers would not be needed. Since they are not specified, large storage containers would not be allowed on the site under this Specific Use Permit.

STAFF RECOMMENDATION: Staff recommends approval of the Specific Use Permit, as proposed by the applicant, for the following reasons:

1. The proposed Specific Use Permit does not conflict with the "Business Commercial" uses as recommended by the Comprehensive Plan.
2. The main building is set back from State Highway 35 by more than 600 feet, and any outside sales and display would be barely visible from this roadway.
3. The proposed site plan would be attached to the Ordinance granting the Specific Use Permit, thereby allowing storage only in the specified areas of the site plan. Any other storage on the site would not be permitted and would be a violation of the Specific Use Permit.

4. The applicant has not indicated any areas on the site plan for the storage of large containers for the storage of excess or seasonal inventory.

SUPPORTING DOCUMENTS:

- Zone Change Application
- Location Map
- JPH Staff Report
- Zoning Map/Future Land Use Plan
- Site Plan

**BROWN
& GAY**
ENGINEERS, INC.

April 25, 2005

Ms. Theresa Graham
City of Pearland
3519 Liberty Drive
Pearland, TX 77581

Re: Specific Use Permit Application No. 142 – Additional/Revised Information

Dear Theresa,

Enclosed please find our exhibit of the Pearland Central Wal-Mart site detailing the proposed areas to be used for outside display, storage, and sale of merchandise and equipment. The areas of concern for the specific use permit have been color coded as blue, red, and green on the enclosed exhibit.

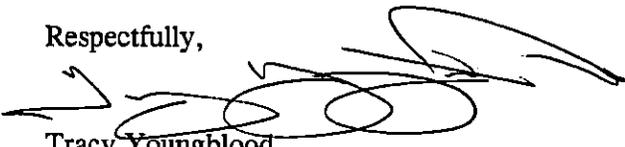
Area "A" (color blue) is approximately 109.74-feet in length and 44.60-feet in width and accounts for a loss of 17 parking spaces. Items to be located within Area "A" include: bagged soil, bagged mulch, plants, trees, and landscaping stone. Area "A" would be utilized between the first of February and the first of September each year.

Area "B" (color red) is located along the front sidewalk between the far end of the garden fence up to the general merchandise doors. Items to be located within Area "B" include: bedding plants, lawn furniture displays, displays of grills, swingsets, pools, Christmas trees, pumpkins, and shrubs in containers. The time frame for displays within Area "B" would be yearly, based on the season.

The green area proposes 23 additional parking spaces to offset the loss of 17 parking spaces within Area "A" (color blue).

Please contact me if you have any questions or if you need any additional information to assist you in your review of the proposed special use permit. We look forward to the Planning and Zoning Commission meeting on the 16th of May.

Respectfully,


Tracy Youngblood
Project Manager

Cc: Hugh Blanchard, Brown & Gay Engineers, Inc.
Rob Jones, Wal-Mart Stores

RECEIVED

MAY 09 2005



City of Pearland
 Community Development
 3519 Liberty Drive
 Pearland, Texas 77581
 281-652-1639
 281-652-1702 fax
 www.ci.pearland.tx.us

APPLICATION FOR A CHANGE IN ZONING

Please check one:

- Change in Zoning Classification from: currently zoned "C" to: _____
(list current zoning) (list proposed zoning)
- Specific Use Permit Request for: Out of doors display, storage, and sale of
(list proposed use) merchandise and equipment

Property Information:

Address: 1919 North Main (State Hwy.35) Pearland, Texas 77581
 Subdivision: Pearland Central Wal-Mart Lot: N/A Block: 1
Replat No. 1
 Tax I.D. Number: R490021, R165740, R165738

** For unplatted property, attach a copy of the metes and bounds description**

Current use of property
 (type of structures on property): KMART

Proposed use of property: WAL-MART SUPERCENTER #872-07

PROPERTY OWNER INFORMATION:

NAME Wal-Mart Stores Texas, L.P.
 ADDRESS 2001 Southeast 10th Street
 CITY Bentonville STATE AR ZIP 72716-6489
 PHONE (479) 204-0039
 FAX (479) 273-8378
 E-MAIL ADDRESS Rob.Jones@wal-mart.com

APPLICANT/AGENT INFORMATION:

NAME Hugh Blanchard
 ADDRESS 11490 Westheimer, Ste 700
 CITY Houston STATE TX ZIP 77077
 PHONE (281) 558-8700
 FAX (713) 488-8381
 E-MAIL ADDRESS hblanchard@browngay.com

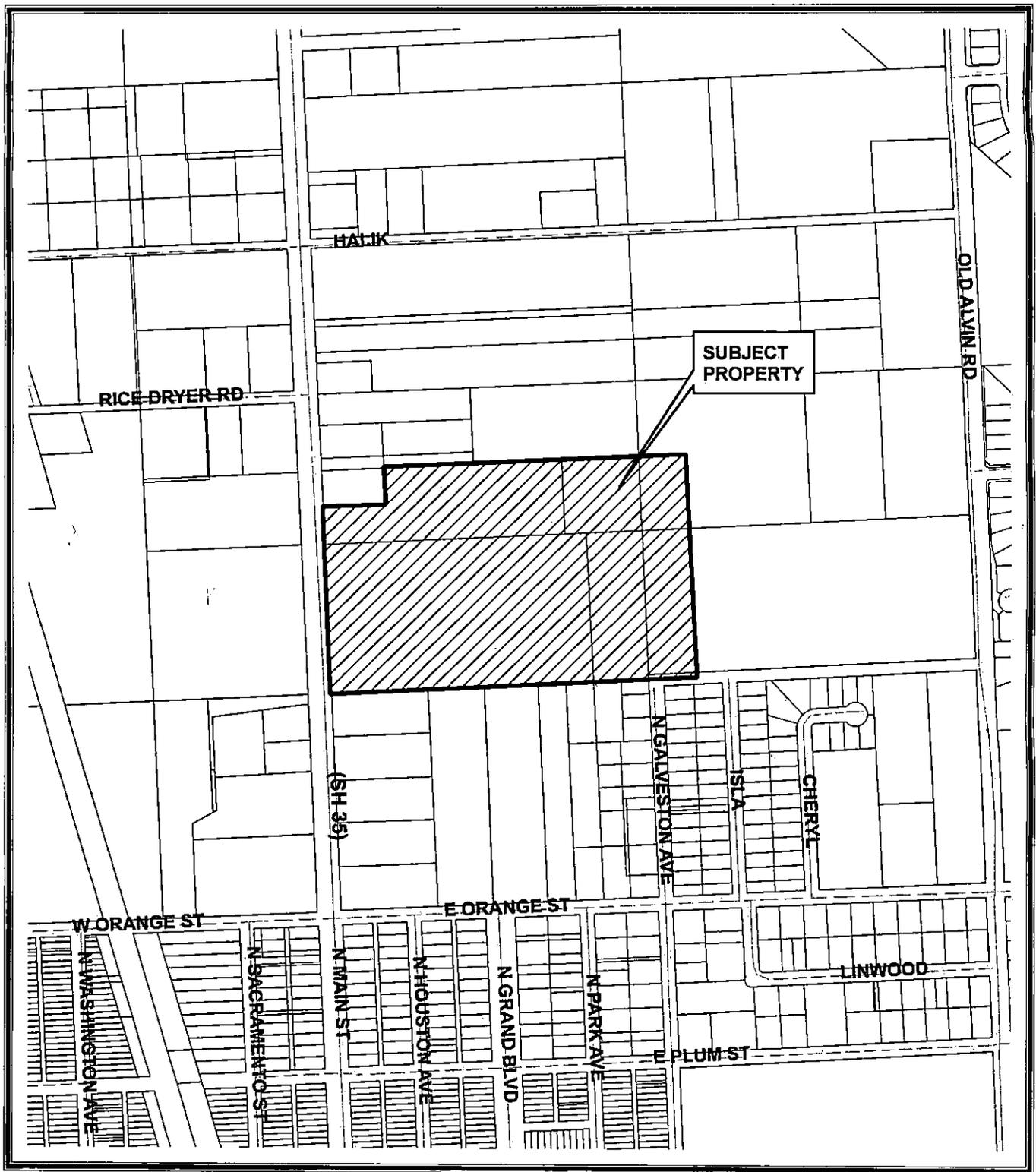
PETITION: As owner/agent, I hereby petition the City of Pearland for approval of the above described request as provided for by the laws of the State of Texas and ordinances of the City of Pearland. I certify to the best of my knowledge that this is a true description of the property upon which I have requested the above checked action. I understand that I am fully responsible for the correctness of the legal description given.

Owner's Signature: [Signature] Date: 2-25-05

APPLICANT'S
 Agent's Signature: [Signature] Date: 3-1-05

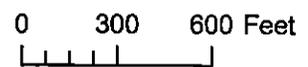
OFFICE USE ONLY:

FEES PAID: \$ 250⁰⁰ DATE PAID: 3-24-05
 RECEIVED BY: [Signature] APPLICATION NO. SUP 142



LOCATION MAP

Specific Use Permit Application
No. 142



Map Prepared on April 4, 2005

**JOINT PUBLIC HEARING AGENDA ITEM
MEETING OF APRIL 18, 2005**

Specific Use Permit Application No. 142

TO: City Council
Planning and Zoning Commission

SUBJECT: A request by Hugh Blanchard, applicant for Wal-Mart Stores Texas L.P., owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for a Specific Use Permit for Outside Display, Storage, and Sale of Merchandise and Equipment in the Commercial District (C (S))

LEGAL DESCRIPTION: 30.06 acres of land, situated in the H.T. & B.R.R. Company Survey, Section 1, Abstract 233, and the R.B. Lyle Survey, Section 2, Abstract 542, also being all of Reserve "A," "B," "C," and "D," of Pearland Central Wal-Mart, a subdivision recorded at Volume 24, Page 250, of the Brazoria County Plat Records, City of Pearland, Brazoria County, Texas

GENERAL LOCATION: Located at 1919 N. Main Street

APPROVAL PROCESS: After this Joint Public Hearing, the requested specific use permit application will be considered as follows:

Planning and Zoning Commission: April 18, 2005
City Council for First Reading: May 9, 2005
City Council for Second Reading: May 23, 2005

SUMMARY: The applicant is requesting approval of a Specific Use Permit for outside display, storage, and sale of merchandise and equipment in the Commercial District. The subject property is currently zoned Commercial District, and a Wal-Mart Supercenter is currently being constructed on the subject property.

The subject property was previously the site of a K-Mart store that closed several years ago, and the K-Mart building was demolished.

The Land Use and Urban Development Ordinance states the following under the Commercial District regulations:

“Out of doors display, storage, and sale of merchandise, equipment, and vehicles shall be permitted provided the commercial zoning district is not adjacent to a residential zoned property. Approval of a Specific Use Permit authorizing said outdoor activities and uses is required for commercial zoning districts adjacent to residential zoned property.”

The subject property shares a property line with tracts zoned as Single Family Dwelling District (R-3), at the southeast corner of the site.

The applicant has indicated that the type of outside sales and storage will be typical of the other Wal-Mart Supercenters in the City. Outside sales will consist of plants, planting materials, gardening equipment, and similar merchandise.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Commercial District (C)	Various commercial businesses
South	Commercial District (C)	Pearland Lumber Company; Single family residences
East	Commercial District (C)	Undeveloped tract
West	Light Industrial District (M-1)	Wal-Mart store; Various commercial businesses

PLATTING STATUS: The subject property has previously been platted as the Pearland Central Wal-Mart Addition. No further platting will be necessary at this time.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends “Business Commercial” for the subject property and for many of the surrounding properties on State Highway 35. The Comprehensive Plan further indicates that the appropriate zoning districts for Business Commercial is the Commercial District (C) and General Business District (GB).

The Comprehensive Plan also indicates that the far eastern portion of the subject property should be designated as “10,000 Square Foot Lots – Suburban Residential.” However, the

entire Wal-Mart site is already zoned Commercial District and is currently being developed with a Wal-Mart facility.

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property has frontage on Main Street (State Highway 35), a major thoroughfare with an ultimate right-of-way of 120 feet, that is to be widened in the future as necessary. It is Staff's understanding that the State of Texas has contacted several property owners along State Highway 35 regarding acquisition of right-of-way for an expansion to State Highway 35. However, the existing or future right-of-way for State Highway 35 should not affect the proposed Specific Use Permit.

No other roadways affect the subject property.

AVAILABILITY OF UTILITIES: Water and sewer service is available for the subject property, and was reviewed as part of the Building Permit Application for Wal-Mart that is currently under construction.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The Specific Use Permit is being requested due to the common property line at the southeast corner of the tract with parcels that are zoned as R-3. Along this common property line, the applicant is required by the Land Use Ordinance to install a 6 foot high masonry screening wall for the entire length of the adjacency with the R-3 district. The applicant has provided this screening wall on the site plan, and the screening wall was approved as part of the Building Permit Application.

OTHER CONSIDERATIONS: The applicant has indicated that the outside storage, display, and sale of merchandise will consist mainly of plants, planting materials, and gardening and lawn equipment. Visibility of this storage area is always a concern, especially since the subject property is located on a major thoroughfare and entrance to the City. Since these outside display items will be focused on the front and sides of the store, visibility from State Highway 35 should not be an issue. The front parking lot currently extends for over 600 feet, placing the main building back onto the site over 600 feet. In addition, there are three pad sites along the frontage of the Wal-Mart tract that are zoned commercial and are anticipated to be developed with commercial businesses.

Another concerns is the storage and placement of large storage bins on the subject property. Large retailers typically have large storage containers on their sites for the storage of excess inventory or seasonal inventory. Staff informed the applicant that the storage of these containers would be a concern to the City, and that any storage of these large containers in a visible location would not be acceptable to the City of Pearland. If the applicant intends to have these large storage containers on their site, they should be located in the rear of the building in a screened area where they will not be visible from

State Highway 35 or the adjacent residential properties.

PUBLIC COMMENTS: Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. A legal notice of public hearing was published in the local newspaper, and a Zoning Sign was placed on the subject property.

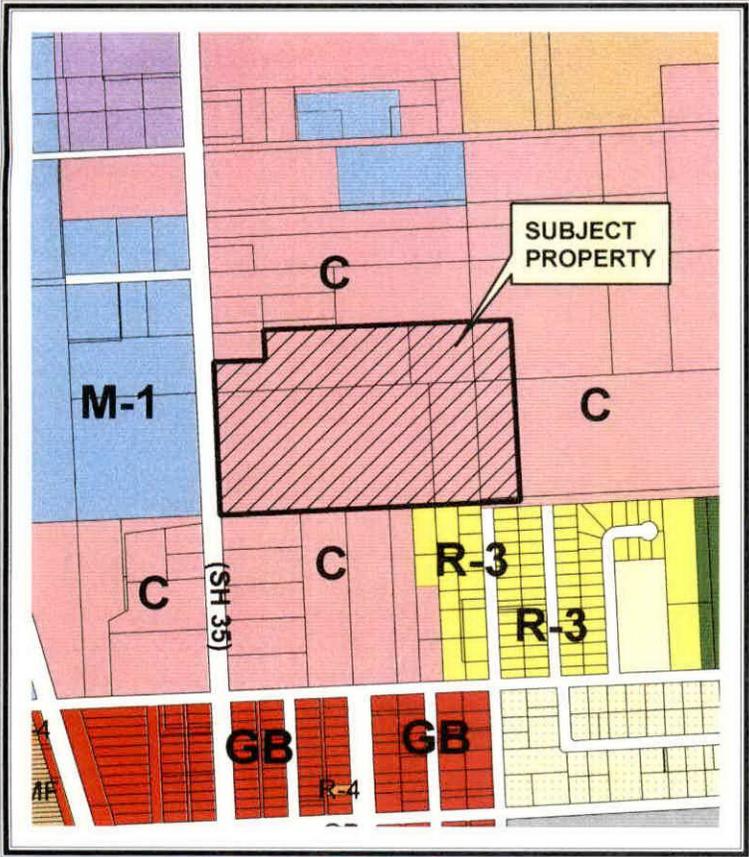
STAFF RECOMMENDATION: Staff recommends approval of the Specific Use Permit, as proposed by the applicant, for the following reasons:

1. The proposed Specific Use Permit does not conflict with the "Business Commercial" uses as recommended by the Comprehensive Plan.
2. The main building is set back from State Highway 35 by more than 600 feet, and any outside sales and display would be barely visible from this roadway.
3. Any storage of large containers for the storage of excess or seasonal inventory would need to be placed in the rear of the building, and screened from view from State Highway 35 and adjacent residential properties and parking areas.

SUPPORTING DOCUMENTS:

- Notice of Public Hearing
- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Site Plan

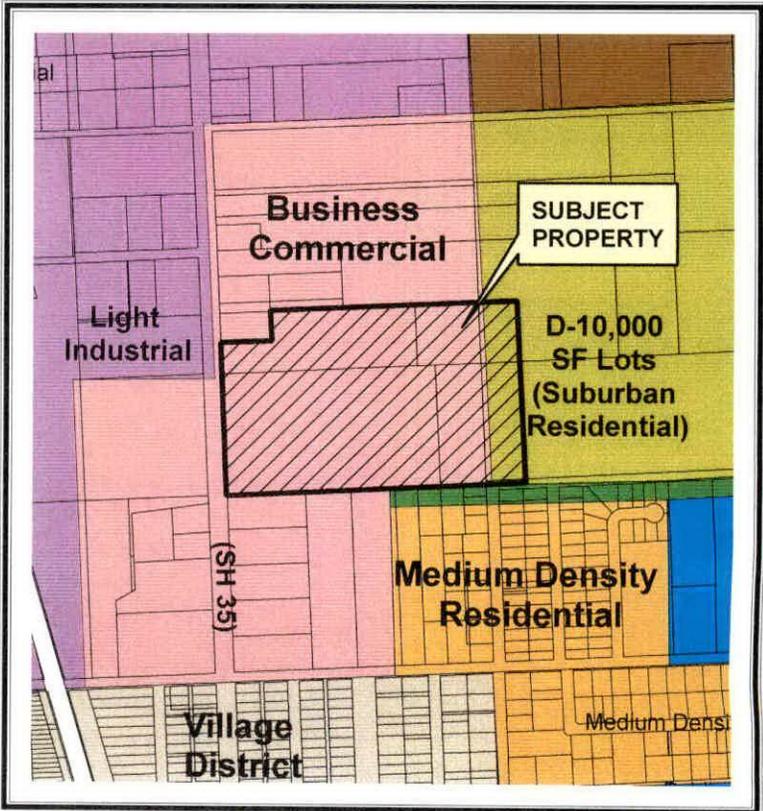
Specific Use Permit
Application
No. 142



**ZONING
MAP**

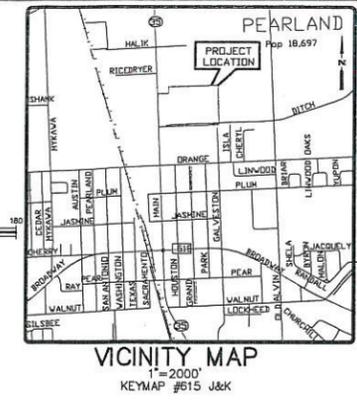


**FUTURE
LAND
USE
PLAN**



LUMINAIRE SCHEDULE

<p>HUBBELL CATALOG NO.: MSVA1000P-BPxxARCS conda file 'HPD8381.IES' 1 lamp(s) per luminaire, 120000 initial lumens per lamp Light Loss Factor = 0.750, watts per luminaire = 1080 mounting height = 42 ft number locations = 8, number luminaires = 8 kw all locations = 6.5</p>	<p>HUBBELL CATALOG NO.: MSVA1000P-BWxxAR conda file 'HPD9408.IES' 1 lamp(s) per luminaire, 120000 initial lumens per lamp Light Loss Factor = 0.750, watts per luminaire = 1080 mounting height = 42 ft number locations = 3, number luminaires = 3 kw all locations = 3.2</p>	<p>HUBBELL CATALOG NO.: MSVA1000P-BPxxARCS conda file 'HPD8381.IES' 2 luminaires per location, 120000 initial lumens per lamp Light Loss Factor = 0.750, watts per luminaire = 1080 mounting height = 42 ft number locations = 2, number luminaires = 4 kw all locations = 4.3</p>	<p>HUBBELL CATALOG NO.: MSVA1000P-BWxxAR conda file 'HPD9408.IES' 3 luminaires per location, 120000 initial lumens per lamp Light Loss Factor = 0.750, watts per luminaire = 1080 mounting height = 42 ft number locations = 6, number luminaires = 18 kw all locations = 19.4</p>	<p>HUBBELL CATALOG NO.: MSVA1000P-BPxxARCS conda file 'HPD8381.IES' 1 lamp(s) per luminaire, 120000 initial lumens per lamp Light Loss Factor = 0.750, watts per luminaire = 1080 mounting height = 42 ft number locations = 7, number luminaires = 14 kw all locations = 15.1</p>	<p>HUBBELL CATALOG NO.: MSVA1000P-BWxxAR conda file 'HPD9408.IES' 2 luminaires per location, 120000 initial lumens per lamp Light Loss Factor = 0.750, watts per luminaire = 1080 mounting height = 42 ft number locations = 5, number luminaires = 10 kw all locations = 10.8</p>
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REVISIONS BY

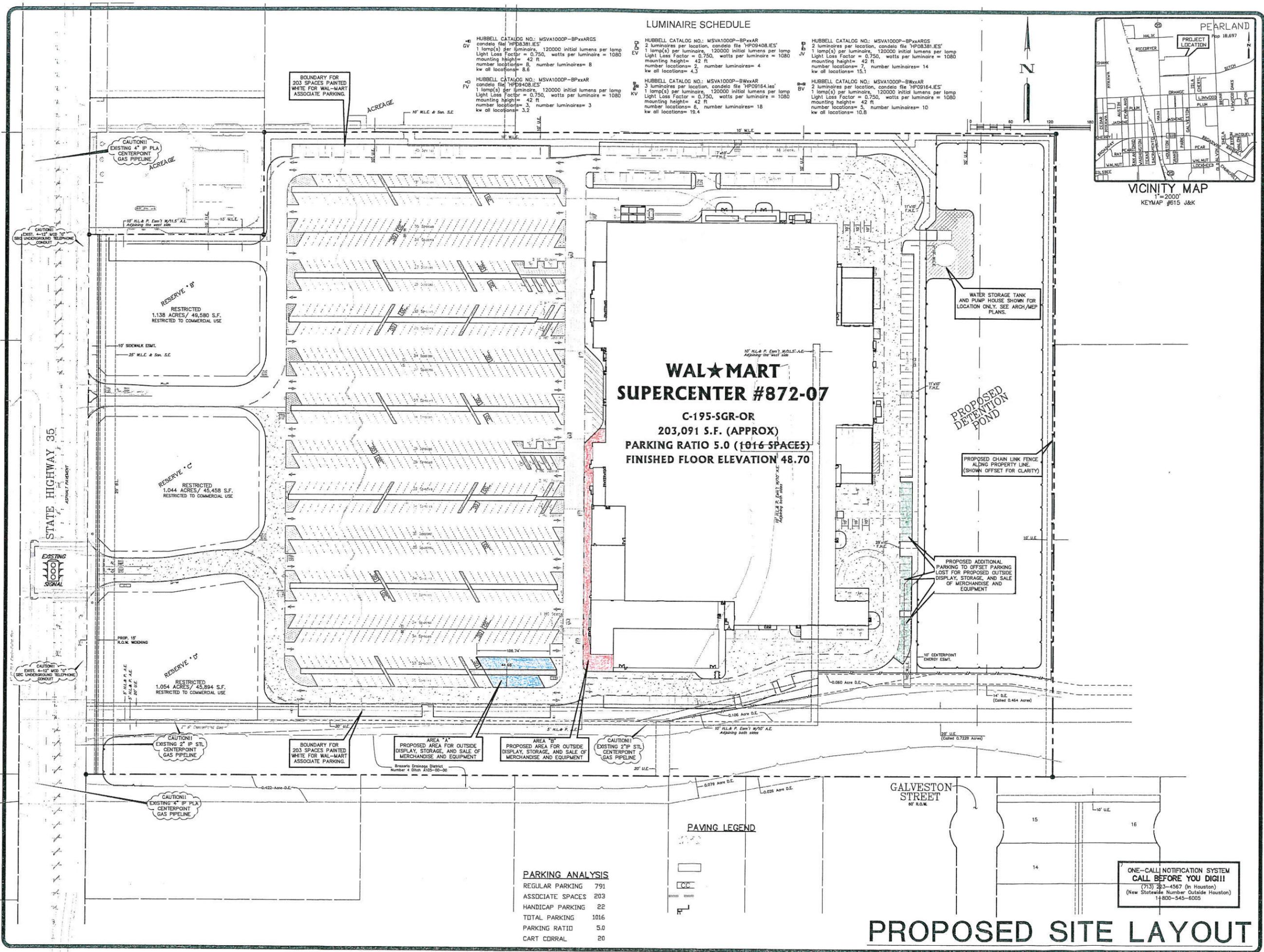
08/03/04	ADDENDUM 2	
	CITY & TxDOT COMMENTS	D.R.

BROWN & GAY
 ENGINEERS, INC.
 CIVIL ENGINEERS & SURVEYORS
 11490 WESTHEIMER, SUITE 700
 HOUSTON, TEXAS 77077
 (281) 558-8700

WAL-MART STORE # 872-07
 1919 NORTH MAIN (STATE HIGHWAY 35)
 CITY OF PEARLAND
 BRAZORIA COUNTY, TEXAS

DRAWN: BG
 CHECKED: BG
 DATE: 8/28/04
 SCALE: 1"=50'
 JOB NO.: WAL54-07
 SHEET

C-16
 OF 40 SHEETS

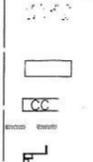


**WAL★MART
 SUPERCENTER #872-07**
 C-195-SGR-OR
 203,091 S.F. (APPROX)
 PARKING RATIO 5.0 (1016 SPACES)
 FINISHED FLOOR ELEVATION 48.70

PARKING ANALYSIS

REGULAR PARKING	791
ASSOCIATE SPACES	203
HANDICAP PARKING	22
TOTAL PARKING	1016
PARKING RATIO	5.0
CART CORRAL	20

PAVING LEGEND



ONE-CALL NOTIFICATION SYSTEM
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 (New Statewide Number Outside Houston)
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PROPOSED SITE LAYOUT

PLANNING AND ZONING COMMISSION AGENDA ITEM

REGULAR MEETING OF MAY 16, 2005

Zone Change Application No. 1226

SUBJECT: A request by LJA Engineering and Surveying, Inc., applicant for The Maverick Group, LLP, for an amendment to the Land Use and Urban Development Ordinance of said City from classification General Business District (GB), Single Family Dwelling District (R-2), (R-3), and (R-4), to Planned Unit Development District (PUD)

GENERAL LOCATION: Generally Located on the North Side of FM 518 (Broadway Street), and on the East Side of Pearland Parkway

SUMMARY: The proposed zone change was considered by the City Council and the Planning and Zoning Commission at the Joint Public Hearing held on April 18, 2005. At the subsequent Planning and Zoning Commission, the proposed zone change was tabled by the Commission, due to several outstanding comments that would need to be addressed.

Staff has reviewed the revised PUD document, and the applicant has addressed all comments from the Planning and Zoning Commission discussion on April 18, 2005. The revised PUD is attached to this report, along with the previous report from the Joint Public Hearing.

STAFF RECOMMENDATION: Staff recommends approval of the PUD as proposed by the applicant.

SUPPORTING DOCUMENTS:

- Zone Change Application
- Location Map
- JPH Staff Report
- Zoning Map
- Future Land Use Plan
- Proposed Planned Unit Development Document



APPLICATION FOR A CHANGE IN ZONING

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1768
281-652-1702 fax
www.cityofpearland.com

Please check one:

Change in Zoning Classification from: GB,R-3,R-2, R-4 to: PUD
(list current zoning) (list proposed zoning)

Specific Use Permit Request for : _____
(list proposed use)

Property Information:

Address: 2600 block of East Broadway (*see attached) Tax Account No. 0198-0003-000 R164164
640227000002 (Harris Co. #1204)
Subdivision: N/A Lot: N/A Block: N/A

**** Attach a copy of the metes and bounds description, survey, or legal description****

Current use of property Undeveloped pastureland, one single-family residence
(type of structures on property): _____

Future/proposed use of property and reason for zone change: Residential, S.A.C. Office Professional & S.A.C. Commercial to allow for a project which is planned in a unitary fashion providing flexibility of development.

PROPERTY OWNER INFORMATION:

NAME The Maverick Group, LLP
ADDRESS 7755 S. Commerce Ave.
CITY Baton Rouge STATE LA ZIP 70815
PHONE(225) 927 - 0808
FAX(225) 225 - 925 - 0101
E-MAIL ADDRESS JKellyMaverick@aol.com

APPLICANT INFORMATION:

NAME LJA Engineering & Surveying, Inc.
ADDRESS 2929 Briarpark Dr., Ste. 600
CITY Houston STATE TX ZIP 77042-3703
PHONE(713) 953 - 5283
FAX(713) 953-5026
E-MAIL ADDRESS jphillips@ljaengineering.com

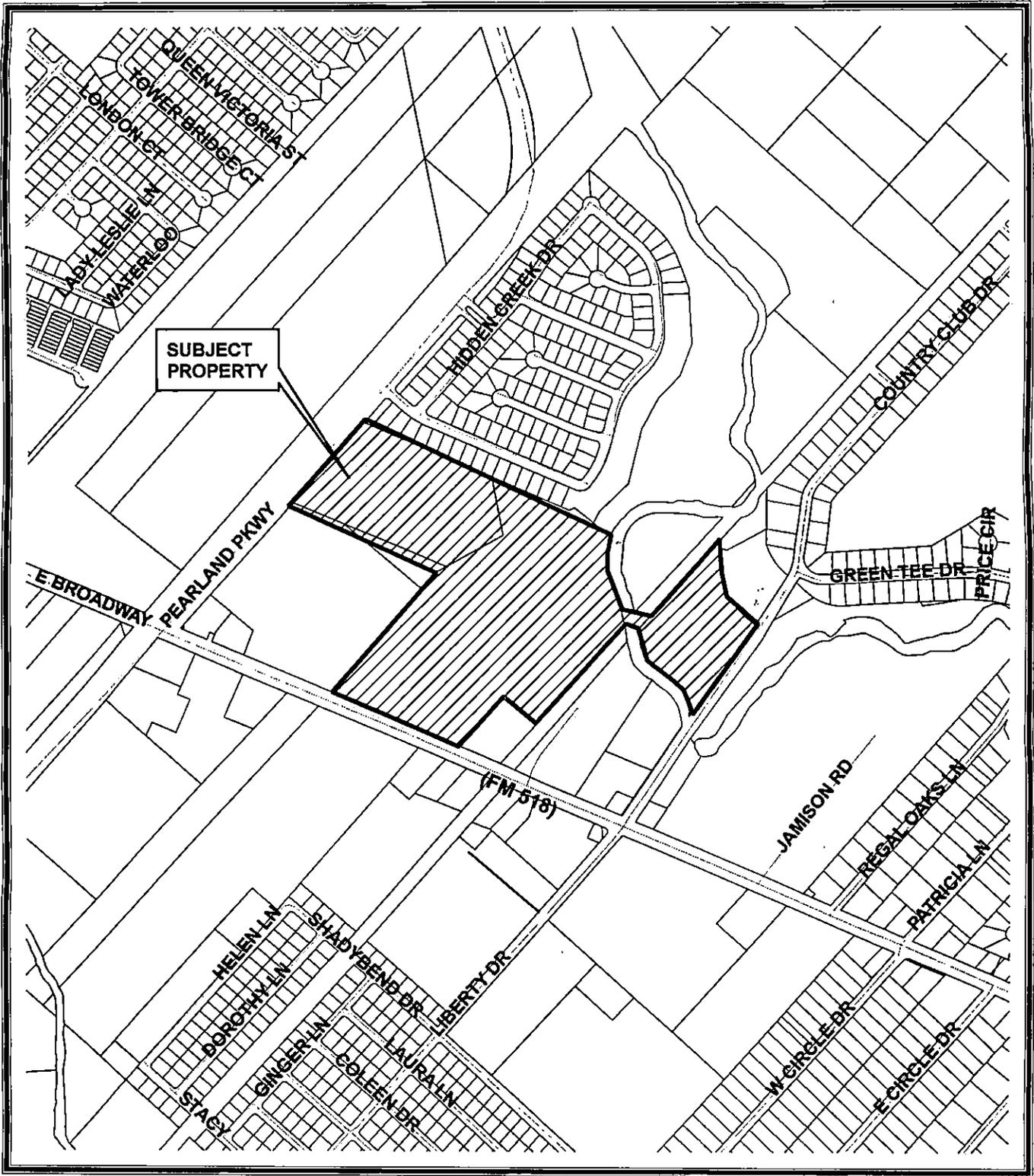
PETITION: As owner/agent, I hereby petition the City of Pearland for approval of the above described request as provided for by the laws of the State of Texas and ordinances of the City of Pearland. I certify to the best of my knowledge that this is a true description of the property upon which I have requested the above checked action. I understand that I am fully responsible for the correctness of the legal description given.

Owner's Signature: * see letter of authorization from owner Date: _____
Agent's Signature: [Signature] Date: 03.22.05

OFFICE USE ONLY:

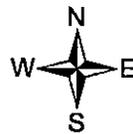
FEES PAID: <u>\$ 450⁰⁰</u>	DATE PAID: <u>3/22/05</u>	RECEIVED BY: <u>[Signature]</u>	APPLICATION NUMBER: <u>1226</u>
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*****APPLICATION IS CONSIDERED INCOMPLETE WITHOUT A METES AND BOUNDS DESCRIPTION OR SURVEY AND THE APPLICATION FEE*****



LOCATION MAP

Zone Change Application
No. 1226



0 300 600 Feet

Map Prepared on April 4, 2005

JOINT PUBLIC HEARING AGENDA ITEM
MEETING OF APRIL 18, 2005

Zone Change Application No. 1226

TO: City Council
Planning and Zoning Commission

SUBJECT: A request by LJA Engineering and Surveying, Inc., applicant for The Maverick Group, LLP, for an amendment to the Land Use and Urban Development Ordinance of said City from classification General Business District (GB), Single Family Dwelling District (R-2), (R-3), and (R-4), to Planned Unit Development District (PUD)

LEGAL DESCRIPTION: 15.00 acre tract of land out of the Dissen called 136.955 acre tract, recorded in Volume 505, Page 86, of the Deed Records of Brazoria County, Texas, situated in the Thomas J. Green Survey, Abstract 198, City of Pearland, Brazoria County, Texas; a 26.9158 acre tract of land in the Thomas J. Green Survey, Abstract 165, Brazoria County, Texas, and being a part of that certain 136.955 acre tract, recorded in Volume 505, Page 86, of the Deed Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas; 5.7375 acres of land situated in the W.D.C. Hall Survey, Abstract 23, Harris County, Texas, and being out of a 468.92 acre tract being more fully described in Volume 1676, Page 362, of the Deed Records of Harris County, Texas, City of Pearland, Harris County, Texas

GENERAL LOCATION: Generally Located on the North Side of FM 518 (Broadway Street), and on the East Side of Pearland Parkway

APPROVAL PROCESS: After this Joint Public Hearing, the requested zone change application will be considered as follows:

Planning and Zoning Commission: March 21, 2005
City Council for First Reading: April 11, 2005
City Council for Second Reading: April 25, 2005

The attached document is a proposed Planned Unit Development (PUD) that is scheduled for a Joint Public Hearing on April 18, 2005. This item was discussed at an earlier joint workshop on February 21, 2005.

The PUD application has been revised to address some of the concerns discussed at the workshop.

PROPERTY LOCATION:

The 47.65-acre project area is located north of FM 518 (Broadway) between Pearland Parkway and Country Club Drive. The site of the **mixed-use** development comprises three tracts

- a. Tract One being a 15 acre tract located on the west side along Pearland Parkway;
- b. Tract Two being a 26.92 acre tract situated in the center of the site; and
- c. Tract three being a 5.74-acre tract situated on the east side along Country Club Drive.

Three tracts comprise a total of 47.64 acres and are separated by 90' wide City of Pearland drainage easement, Clear Creek and an 80' HL & P easement.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Single Family Residential District (R-2)	Single Family Residential Subdivision of Clear Creek Park, portions of Clear Creek and Single Family Homes on Country Club Drive
South	Commercial (C), General Business (GB) and Single Family Residential (R-3)	Lowe's Store, electric sub-station and Clear Creek
East	General Business (GB) and Single Family Residential (R-3)	Church and Undeveloped land
West	General Business (GB) and Single Family Residential (R-3), Single Family Residential District (R-2)	Lowe's Store and Undeveloped land

SUMMARY:

The subject property is unimproved raw land. The applicant is proposing a Commercial (C) use fronting on FM 518, Office/Professional (OP) use fronting Pearland Parkway, and Single Family Residential (R-4) PUD on three tracts. The R-4 PUD will consist of gated garden homes and town homes/condominiums.

A total of 142 residential units (garden homes and town homes) are proposed in conformance with the requirements of R-4 PUD regulations. (176 town homes were proposed at the time of joint workshop). Each residential lot in the gated garden home section is proposed to be **4095 s.f.** and **36** feet wide. Each residential lot in the town home section is **3150 s.f.** and **30** feet wide.

Further the PUD proposes that each land use/zoning category may be increased or decreased in acreage by up to 25%, to allow the project to remain competitive and make adjustments to accommodate specific end users in a timely manner.

Proposed Composition of Land Uses – Overall Site

<u>Commercial - C zoning district</u>	<u>5.00 Acres</u>
<u>Office Professional District – OP zoning district</u>	<u>5.00 Acres</u>
<u>R-4 Town homes (approx)</u>	<u>14.00 Acres</u>
<u>R-4 Gated Garden Homes (approx)</u>	<u>11.00 Acres</u>
<u>Detention Basin Reserves</u>	<u>7.00 Acres¹</u>
<u>Public Park Reserve</u>	<u>0.5 Acre</u>
<u>Recreation, Open & Green Spaces</u>	<u>1.58 Acres</u>
<u>East/West Local Collector ROW</u>	<u>3.57 Acres*</u>

Total Acreage 47.65 Acres

* Other (off-site Collector ROW) 0.53 Acres
(Includes crossing of 90' City of Pearland
Drainage Easement & 80' HL&P Easement)

The overall net residential density amounts to approximately 5.9 units per acre. (142 units on 20 residential acres)

The permitted densities for current residential zoning on site are as follows:

Zone	Approx. Density for Single Family Residential	PUD
R-2	4 units per acre (min. lot area = 7,000 s.f.)	5 units per acre
R-3	5 units per acre (min. lot area = 6,000 s.f.)	7 units per acre

It is staff's **estimation** that the current zoning and corresponding acreage would allow **120** residential units on site.

The PUD indicates that the C and R-4 uses will be enhanced with open space and pedestrian trail. The pedestrian pathway consists of a 4' wide "serpentine" walkway along the collector street, in lieu of traditional back of curb sidewalks on both sides of street. The PUD states that other areas will comply with City's requirements for sidewalks.

CONFORMANCE TO THE COMPREHENSIVE PLAN AND LAND USE AND URBAN DEVELOPMENT ORDINANCE (ORDINANCE):

The 2004 Comprehensive Plan - The 2004 Comprehensive Plan update recommends Retail, Offices and Services uses along Broadway. NS (Neighborhood Services), OP (Office Professional) and GB (General Business) are considered as appropriate zoning districts.

The northern portions of the site, between Pearland Parkway and Country Club Drive south of Clear Creek Park Subdivision, are designated as Suburban Residential with minimum 10,000 s.f. lots for which a new zoning district is being formulated as part of Unified Development Code.

The proposed C zone along Broadway (east of Lowe's Store) is **not** consistent with the recommendations of the Comprehensive Plan. The proposed OP zone north of Lowe's Store along Pearland Parkway and R-4 Town homes are **not** in conformance with the recommendations of the Comprehensive Plan.

Land Use and Urban Development Ordinance (Ordinance) - Following are the requirements of the Ordinance for R-4 PUD –

Minimum lot area of 3,000 s.f.

Minimum lot width of 30 feet

Maximum density –11 dwelling units per acre.

Front yard of 25', rear yard of 20', one side yard of at least 5 feet, with an aggregate adjacent dwelling separation of 15 feet.

Height restriction of 35 feet.

Common Open Space – At least 900 s.f. per lot, minimum area of open space being 6000 s.f. Each required open space needs to be within 300 feet of all patio homes, measured along a route of pedestrian access.

The PUD complies with open space requirement. However it is not certain that each open area provided meets the minimum requirement of 6000 s.f. Sidewalks along internal streets would provide a pedestrian access to these areas.

CONFORMANCE TO THE THOROUGHFARE PLAN: The Thoroughfare Plan identifies Pearland Parkway and Broadway as Major Thoroughfares with an ultimate right-of-way of

120 feet. If adequate right of way does not exist along Broadway and Pearland Parkway dedication will be required for future widening.

The Thoroughfare Plan also proposes an east-west Minor Collector (60' minimum ROW) between Pearland Parkway and Country Club Drive, south of Clear Creek Park Subdivision. The PUD proposes a Collector Street connecting Pearland Parkway and Country Club Drive, parallel to Broadway in conformance with the Thoroughfare Plan.

STAFF REVIEW COMMENTS:

1. The proposed PUD will impact the City's plan for Old Town Site that is being prepared by the consultant H3 Studio. One of the recommendations of the consultant is that the city should not allow high-density town homes and patio homes except in the Old Town Site district.
2. Page 3 – Clarify the statement – “The residential yield is estimated at 150 single-family units.” Based on current zoning, it is staff's estimate that the site would yield approx. 120 units.
3. Zoning – The proposed zone of Commercial (C) along Broadway does not conform to the Master Plan. Staff recommends that the area along Pearland Parkway be zoned General Business (GB) to conform to the Comprehensive Plan.
4. Page 11 - In the Overall Site – Land Use table, detention areas need to be listed separate from Public Park Dedication, Recreation, and Open & Green Space. Currently detention areas are not considered as being part of open space.
5. Page 11 – Quantitative Data
 - a. A total of 1.5 acres of public park dedication is required for 150 lots.
 - b. Need a table indicating the number of lots and density calculation. Indicate both gross and net density. Net density calculations shall be made using net acreage, exclusive of storm water detention areas, pipeline or other utility easements that are not maintained as public recreation areas, thoroughfare rights of way, and streets dedicated and accepted prior to platting of the property.
 - c. The table should clarify acreage dedicated for park dedication and that proposed for town home common open space.
 - d. Table 1 and 3 can be consolidated since they contain the same information. Table 2 is not necessary and can be removed. Table 1 needs to be modified since the total acreage adds up to more than 47.65 acres. Table 1 does not match the acreages in Table 3, especially areas for residential. Table 4 does not match Table 3.
6. Page 13 mentions that the land uses may vary up to 15% of the established acreage. It is staff's opinion that 15% for this project size might be too flexible. It is

- not clear if the total numbers of units are locked in or are subject to 15% variance.
7. Page 13, Table 4 – It needs to be clarified if single-family residential is limited to town homes and garden homes, or includes traditional single-family homes.
 8. The proposed site plan does not meet the requirements of Pearland Parkway Overlay District in terms of sidewalks, setbacks, screening etc. Please indicate that all requirements of the Pearland Parkway Overlay District will be met.
 9. The proposed site plan needs to show 6' wide sidewalks along Broadway and County Club Drive.
 10. Is the detention area going to be treated like a lake amenity? Is it wet bottom? Clarify what landscaping is proposed around the detention basin area.
 11. The proposed trail needs to conform to the Parks plan. Are there any amenities tied to the trail such as work out stations, special landscaping, and lighting for safety. Is the trail proposed to be concrete?
Page 8 – The trail around the detention area needs to be six or eight feet to be functional.
The zone benefit that may be given credit for is the construction of an 8 ft wide trail constructed along Clear Creek. This is approximately $400 \text{ lf} \times \$28.00 = \$11,200$.
 12. Sidewalks on a secondary artery (collector street) may not be given credit if it is also a part of the sidewalk requirements and not outlined in the Master Parks Plan as a trail benefit to the general public.
 13. Parks Department recommends that the half-acre park dedication is not practical for public parkland use in regards to this zone. The care and maintenance for this site should remain with HOA?
 14. Clarify the maintenance responsibility of all other common open spaces.
 15. A fee will be required at a rate of \$350 per residential unit at the time of platting. If the Council approves the credit along Clear Creek, then the total fee would be reduced by \$11,200.00.
 16. In the recent past PUDs have been approved with three trees per residential lot. Staff recommends that this ratio be maintained. Landscaping of non-residential lots need to meet the requirements of the Ordinance.
 17. The proposed entry signs mentioned on page 9 need to meet the requirements of the Ordinance. If bigger signs are proposed a variance might be required, unless approved as part of PUD.
 18. Staff recommends that reference to architectural style (page 9) be omitted unless

the applicant is committed to the French Provincial theme.

19. All driveway locations need to meet the current engineering standards with regards to spacing between driveways and intersections on the same and opposite sides of the streets. As shown currently the driveway locations do not meet City standards.
20. Note that a Traffic Impact Analysis (TIA) will be required at the time of platting. All proposed improvements including streets, access points, all proposed driveways etc. need to conform to the approved TIA. Dedications of rights-of way along streets might be required at the time of platting.
21. Need a section on proposed roadways. The section should address variations of proposed roadways, reference to city standard sizes and cross-sections or deviations, construction of the entire collector street in phase I, etc.
22. The proposed collector street section does not meet the City's requirement in terms of width, required parking on sides and six-foot sidewalks on both sides. Please discuss. Staff strongly recommends that the collector street be provided with sidewalks on both sides for pedestrian safety. All sidewalk improvements need to be continuous along the Collector Street, from Pearland Parkway to Country Club Drive.
23. Exhibit 5 – The proposed street connection to the north or east for Tract One is not required. The connection to the east could be a pedestrian connection only. Similarly the roadway connection to the east of Tract Three is not required. Staff recommends that additional pedestrian connectivity be provided between the Commercial tract (parcels A, B and C) along Broadway and residential tract, possibly along the drainage easement.
24. Staff recommends that all fencing along the proposed collector street be masonry or similar. Staff recommends that materials of all fencing be shown in the landscaping plan for clarification.
25. Page 17 – Clarify the statement “In no case shall proposed lot coverage exceed 70% or a lower percentage dictated by the base district.” What are the base districts – existing or proposed?
26. Exhibits 8 (Water Distribution), 9 (Wastewater Collection System) and 10 (Storm Sewer System) should have a note stating that the layouts shown are preliminary and final layout is subject to change. Some connections are missing or are not required.
27. Exhibit 8 – Staff recommends that the wastewater system be oversized and extended to serve the PISD tract located on the south side of Broadway. Staff prefers gravity instead of L.S near Tract 3.

28. Please add a statement that all other requirements of the Ordinance, unless varied in the PUD will be conformed with.

STAFF ANALYSIS:

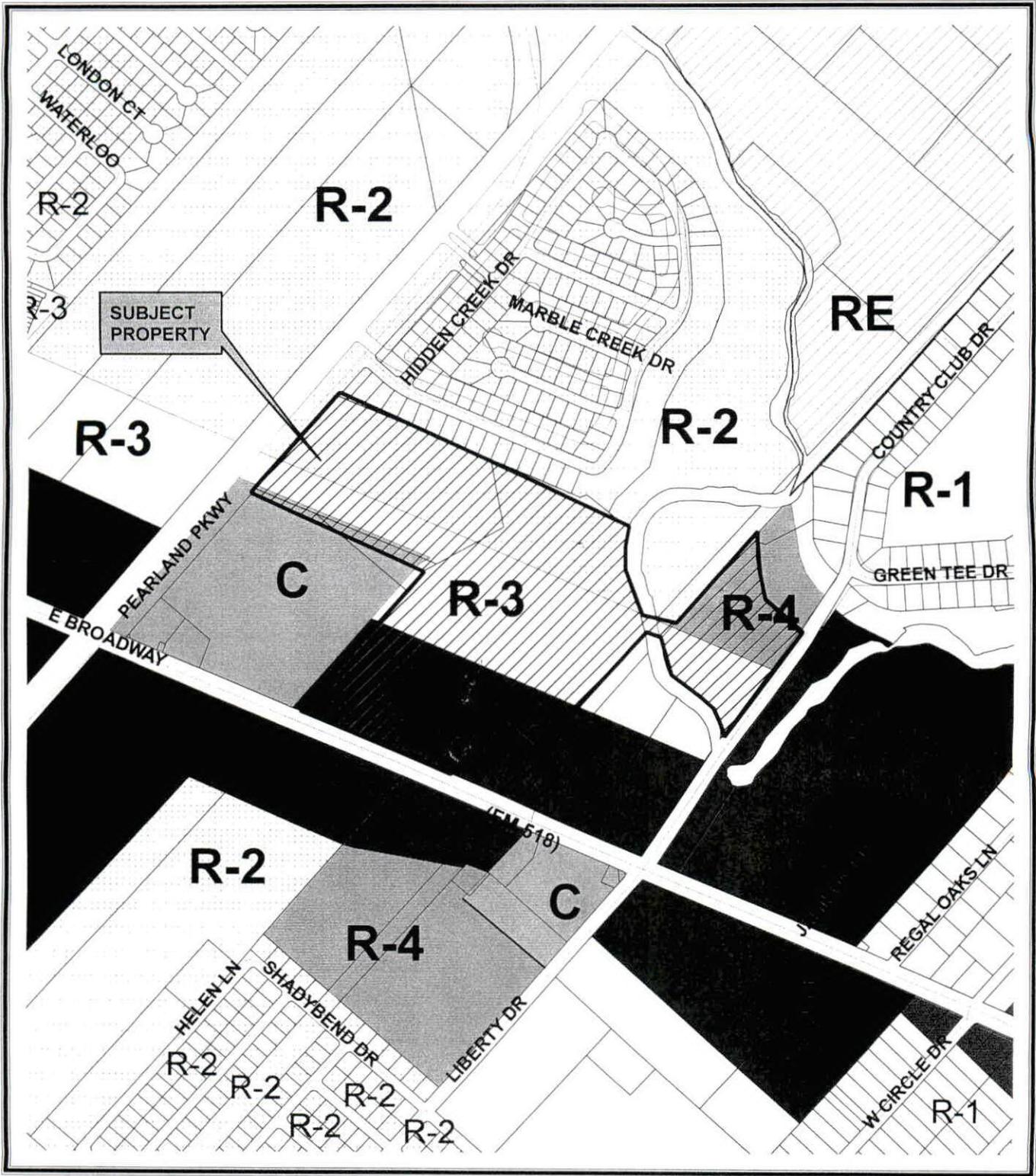
The project area serves as a transition zone between the retail/commercial uses on Broadway and the existing residential areas of Clear Creek Park Subdivision and Country Club. The existing easements, Clear Creek and proposed detention provide limited buffering between the PUD and adjoining uses.

While staff is in favor of GB district along Broadway, it seems that the location of GB zone on Tract One adjacent to single –family homes of Clear Creek Park subdivision may have negative impacts on the existing residential neighborhood.

While the proposed town-homes would provide a buffer between retail/commercial uses on Broadway and single family homes located to the north of the project, it is important to examine the impact of R-4 town-homes proposed by this development on Old Town Site redevelopment. The consultant, in his preliminary recommendations, has stated that high/medium density residential such as town homes and lofts need to be concentrated in and around the Old Town Site area to support the other commercial, social and cultural uses proposed for Old Town Site. Considering the proximity of this project to Old Town Site, encouraging a medium/high density residential here might adversely impact the marketability and desirability of Old Town Site for similar uses.

SUPPORTING DOCUMENTS:

- Notice of Public Hearing
- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Proposed Planned Unit Development



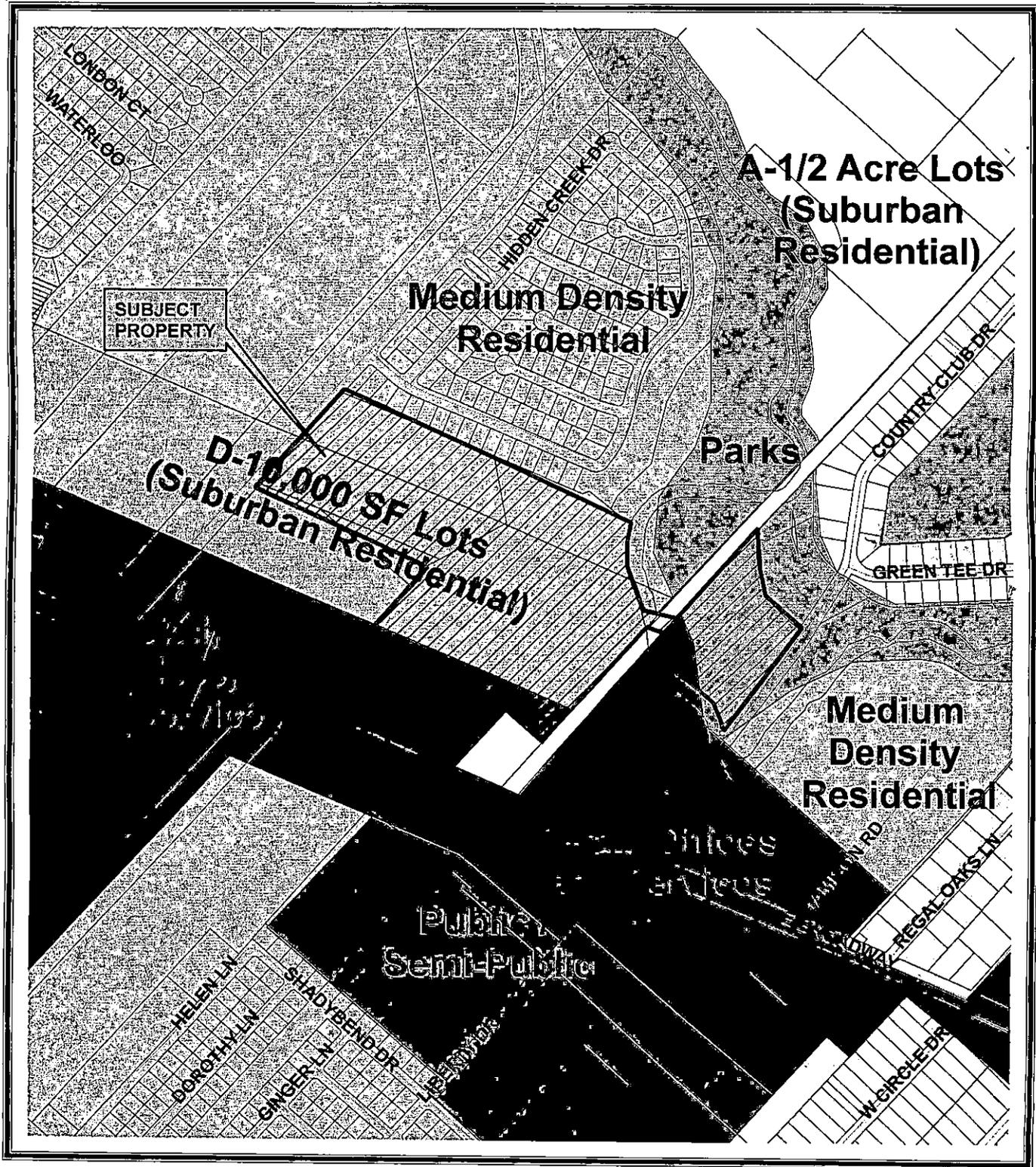
ZONING MAP

Zone Change Application
No. 1226



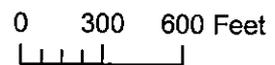
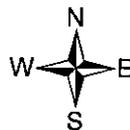
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Map Prepared on April 4, 2005



FUTURE LAND USE PLAN

Zone Change Application
No. 1226



Map Prepared on April 4, 2005