

AGENDA OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON APRIL 8, 2002 IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARINGS, IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Specific Use Application No. 106

Request for an amendment to the Land Use and Urban Development Ordinance of said City from classification Light Industrial District (M-1) to Light Industrial District – Specific Use (M-1(S)) for mini-storage warehouse on the following described property, to wit:

Specific Use Application No. 106

Legal Description: 2.316 acres, out of 3.322 acres, out of a portion of the H. Stevens Survey, A-594, being adjacent to and East of State Highway 35 of Brazoria Co., TX (4147 Main Street)

**Owner: Ronald Leistad & Reed Leistad
100 Sandy Shores
League City, TX 77573**

B. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1030

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

Zone Change Application No. 1030

Legal Description: Lots 12-15, Block 2, Colonial Estates Subdivision, Brazoria Co., TX (3610 McLean)

**Owner: Pravin & Jagdishbhai Patel
4122 S. Weber Drive
Pearland, TX 77584**

C. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1031

Request 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 (RE) on the following described property, to wit:

Zone Change Application No. 1031

Legal Description: 2.5738 acres, being the North ½ of Lot 25, recorded in Volume 306, page 379, deed records of Brazoria Co., TX, Allison Richey Gulf Coast Home Co. Subdivision, H. T. & B. R.R. Co. survey, A-219, Brazoria Co., TX (O'Day Road)

Owner: Carolina Hernandez
922 Harris
Pasadena, TX 77506

D. CONSIDERATION & POSSIBLE ACTION – Recommendation for request of staff to consider amendments to Chapter 27, Subdivisions, of the Pearland Code of Ordinances.

E. DISCUSSION ITEM – Preliminary review of Canterbury Park, R-2 Planned Unit Development Zoning Request. (Applicant: Sowell & C

III. NEXT MEETING DATE: April 15, 2002 (Regular Meeting)
April 22, 2002 – Joint Public Hearing
April 29, 2002 – No Meeting

IV. ADJOURNMENT

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.

POSTED: 4th DAY OF April, 2002 A.D.

REMOVED: 9th DAY OF April, 2002 A.D.

Planning and Zoning Commission

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON APRIL 8, 2002 IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARINGS, IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 7:55 p.m. with the following present:

Chairman	H. Charles Viktorin
Vice-Chairman	Donald Glenn
Commissioner	Kevin McDonald
Commissioner	Robert Scherrer
Commissioner	Russ Selemon
Development Coordinator	Mona Phipps
P&Z Secretary	Jennifer Gonzales

P&Z Commissioner's Don Sederdahl and Todd Iocco were absent.

II. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Specific Use Application No. 106

Request for an amendment to the Land Use and Urban Development Ordinance of said City from classification Light Industrial District (M-1) to Light Industrial District – Specific Use (M-1(S)) for mini-storage warehouse on the following described property, to wit:

Specific Use Application No. 106

Legal Description: 2.316 acres, out of 3.322 acres, out of a portion of the H. Stevens Survey, A-594, being adjacent to and East of State Highway 35 of Brazoria Co., TX (4147 Main Street)

Owner: Ronald Leistad & Reed Leistad
100 Sandy Shores
League City, TX 77573

Vice-Chairman Glenn made a motion to forward Specific Use Application No. 106 to City Council for approval. Commissioner Scherrer seconded the motion.

Motion to approve passed 5 to 0.

B. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1030

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

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

Zone Change Application No. 1030

Legal Description: Lots 12-15, Block 2, Colonial Estates Subdivision, Brazoria Co., TX (3610 McLean)

**Owner: Pravin & Jagdishbhai Patel
4122 S. Weber Drive
Pearland, TX 77584**

Vice-Chairman Glenn made a motion to forward Zone Change Application No. 1030 to City Council for denial with a second made by Commissioner Selemon.

Commissioner Scherrer stated that he would like to reiterate all the opposition made at the Public Hearing. He stated that it is a bad idea.

Commissioner Selemon commented that he feels this is an inappropriate location.

Motion to deny passed 4 to 0 (1 abstention by Robert Scherrer).

C. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1031

Request 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 (RE) on the following described property, to wit:

Zone Change Application No. 1031

Legal Description: 2.5738 acres, being the North ½ of Lot 25, recorded in Volume 306, page 379, deed records of Brazoria Co., TX, Allison Richey Gulf Coast Home Co. Subdivision, H. T. & B. R.R. Co. survey, A-219, Brazoria Co., TX (O'Day Road)

**Owner: Carolina Hernandez
922 Harris
Pasadena, TX 77506**

Commissioner Scherrer made a motion to forward Zone Change Application No. 1031 to City Council for approval. Commissioner McDonald seconded the motion.

Motion to approve passed 5 to 0.

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

D. CONSIDERATION & POSSIBLE ACTION – Recommendation for request of staff to consider amendments to Chapter 27, Subdivisions, of the Pearland Code of Ordinances.

Chairman Viktorin stated that he would like to divide this into two parts consisting of Exhibit A and Exhibit B for discussion and to vote on. He explained that the action taken would be a recommendation to pass on to City Council.

Exhibit A

Commissioner Scherrer stated that he agrees the open ditches do provide a better release of water out of neighborhoods. He stated that he is totally in favor of prohibiting future asphalt streets in subdivisions because of the maintenance problem. He pointed out that it is unfortunate that this ordinance put the two separate amendments together; it would have been better to split them up. He stated that he is concerned about people who have to subdivide 2-3 acres of their property and they would have to comply with the subdivision ordinance. He stated that putting in the drainage ditches could get very expensive.

Commissioner Selemón agreed with Commissioner Scherrer. He stated that the open drainage ditch concept should not be overlooked. He stated that he agrees that sometimes they are not maintained properly (as pointed out by City Council). He stated that he would like to see them designed to handle better capacity. Mr. Selemón also stated that he is concerned about a person who does have 5-10 acres, and he hopes a variance would be considered for these people. He added that it would make sense for new subdivisions.

Chairman Viktorin asked for clarification on Commissioner Selemón's statement.

Commissioner Selemón explained that if he had to vote on it as it is now he would be in favor of it. Commissioner Selemón stated that the capacity of the variance should handle the individual small landowner and with the intent of the amendment being for larger subdivisions.

Commissioner Scherrer stated that he would like to see a specific exemption in the Subdivision Ordinance for smaller tracts of property. He stated that a definition might need to be added for "large lots".

Chairman Viktorin asked for staff's comments.

Development Coordinator Mona Phipps replied that City Council and Deputy City Manager Alan Mueller put these amendments together. She apologized for not having additional information for the Commission. She stated that they did recommend that the Exhibits be voted on individually rather than be tabled. She stated that these changes would only affect new subdivisions.

Planning and Zoning Commission

Commissioner Scherrer stated that Council Member Owens commented on the fact that when you dig the open ditches out, it undermines the integrity of the road. He stated that he does not think that it is because of the open ditches, he thinks it is the people who are doing the work and they are not doing a very good job of it.

Development Coordinator Mona Phipps stated that majority of the developments would fit into these categories; and if there is a special circumstance that comes up then they can apply for a variance, which would come before Planning and Zoning.

Vice-Chairman Glenn stated that he is in favor of the changes. He stated that with the open ditches are economically feasible or if it was determined that drainage would be better, then that could be handled through a variance.

Commissioner Selemon stated that economical feasibility does not make you eligible for a variance.

Chairman Viktorin pointed out how difficult it would be to write these comments into the ordinance.

Development Coordinator Mona Phipps pointed out that the ordinance states that a variance cannot be issued due to financial hardships.

Commissioner Scherrer requested that "large lot" be defined in the new ordinance.

Chairman Viktorin stated that they could vote on an approval with a recommendation that a definition of "large lot" be added.

Commissioner Scherrer made a motion to forward the amendments of Chapter 27, Section A to City Council for approval with a provision that "large lot" subdivisions be defined. Vice-Chairman Glenn seconded the motion.

Commissioner Selemon stated that he is little confused on what he is voting on. He clarified that they are deleting Section 1.6 and Section 1.6 specifies minimum sections for residential lots in large lot subdivisions. He asked if that means a large subdivision or a subdivision with large lots.

Chairman Viktorin clarified that he is voting to delete Section 1.6.

The Commission reviewed the newly added Section 1.6 and realized that they are prohibiting open ditches altogether. They agreed there was no point in defining large lot subdivisions because this ordinance isn't dealing with "large lots" anymore.

Commissioner Scherrer withdrew his original motion for approval and Vice-Chairman Glenn also withdrew his second.

Planning and Zoning Commission

Development Coordinator Mona Phipps asked if it would help if the ordinance stated “for large lot subdivisions”, then have a definition for “large lots”.

Commissioner Scherrer stated his thought to be that if somebody tables the motion then it would allow the city’s staff to come up with some ideas and definitions to be added.

Commissioner Scherrer made a motion to table the proposed amendment of Exhibit A of Chapter 27 of the Subdivision Ordinance. He stated that he would like to somehow exclude property owners of a small acreage of land who might have to subdivide their property. Commissioner Selemon seconded the motion.

Motion to table passed 4 to 1.

Vice-Chairman Glenn was against the motion to table.

Exhibit B

Development Coordinator Mona Phipps explained they are trying to incorporate different documents into one document.

Vice-Chairman Glenn made a motion to forward the amendments of Chapter 27, Section B of the Subdivision Ordinance to City Council for approval. Commissioner Selemon seconded the motion.

Motion to approve passed 5 to 0.

E. DISCUSSION ITEM – Preliminary review of Canterbury Park, R-2 Planned Unit Development Zoning Request. (Applicant: Sowell & Company)

Jamie Cornelius of Sowell & Company, Inc. showed the property and explained the difference between the “R-2” zoning he has received and his “R-2 PUD” request. He stated the area would remain the same, however the lengths of the lots are different. He explained that there is no other zoning category that allows for the strip of detention on the east side of the subdivision.

Chairman Viktorin stated that he appreciates the developers effort, however he reminded him that the Commission was not in favor of putting residential property along the railroad tracks. He explained that if their “Commander in Chief” (City Council) does approve the request then the Commission would support it but they are not in favor of it.

Commissioner McDonald stated that he would like to echo the Chairman’s concerns. He added that he has two other concerns as well. Mr. McDonald stated the first concern is the water is too narrow. He stated the second concern is that the masonry wall should be along the outside of the entire property.

Commissioner Scherrer stated that it would be a better idea to have the fence on the side of the subdivision so the kids will not play in the detention area.

Planning and Zoning Commission

Commissioner Scherrer asked if the detention area is owned by a M.U.D. and Mr. Cornelius replied that he is going to ask to be annexed into a M.U.D.

Commissioner Selemon asked if there would be a Home Owners Association and Mr. Cornelius replied there would be one.

Commissioner Selemon asked what could keep the kids from playing in the detention area and using it as a football field. Mr. Cornelius suggested having screening on the fence.

Commissioner Selemon asked if the fencing would have to be added in the PUD and Mr. Cornelius replied that it would be added.

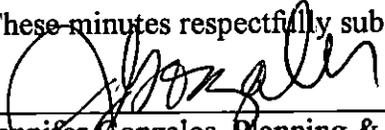
Mr. Cornelius explained the big picture is that he is trading off his "R-2" zoning for the "R-2 PUD" to allow for the separation of the subdivision and the railroad. He stated that they are having the Joint Public Hearing on May 13th.

- III. NEXT MEETING DATE: April 15, 2002 (Regular Meeting)
April 22, 2002 – Joint Public Hearing
April 29, 2002 – No Meeting**

IV. ADJOURNMENT

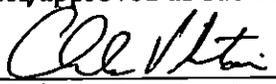
The meeting adjourned at 8:45 p.m.

These minutes respectfully submitted by:



Jennifer Gonzales, Planning & Zoning Secretary

Minutes approved as submitted and/or corrected on this 13 day of MAY, 2002.



Charles Viktorin, Planning & Zoning Chairman

AGENDA OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON APRIL 8, 2002 IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARINGS, IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Specific Use Application No. 106

Request for an amendment to the Land Use and Urban Development Ordinance of said City from classification Light Industrial District (M-1) to Light Industrial District – Specific Use (M-1(S)) for mini-storage warehouse on the following described property, to wit:

Specific Use Application No. 106

Legal Description: 2.316 acres, out of 3.322 acres, out of a portion of the H. Stevens Survey, A-594, being adjacent to and East of State Highway 35 of Brazoria Co., TX (4147 Main Street)

**Owner: Ronald Leistad & Reed Leistad
100 Sandy Shores
League City, TX 77573**

B. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1030

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

Zone Change Application No. 1030

Legal Description: Lots 12-15, Block 2, Colonial Estates Subdivision, Brazoria Co., TX (3610 McLean)

**Owner: Pravin & Jagdishbhai Patel
4122 S. Weber Drive
Pearland, TX 77584**

C. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1031

Request 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 (RE) on the following described property, to wit:

Zone Change Application No. 1031

Legal Description: 2.5738 acres, being the North ½ of Lot 25, recorded in Volume 306, page 379, deed records of Brazoria Co., TX, Allison Richey Gulf Coast Home Co. Subdivision, H. T. & B. R.R. Co. survey, A-219, Brazoria Co., TX (O'Day Road)

Owner: Carolina Hernandez
922 Harris
Pasadena, TX 77506

- D. CONSIDERATION & POSSIBLE ACTION – Recommendation for request of staff to consider amendments to Chapter 27, Subdivisions, of the Pearland Code of Ordinances.**
- E. DISCUSSION ITEM – Preliminary review of Canterbury Park, R-2 Planned Unit Development Zoning Request. (Applicant: Sowell & C**

III. NEXT MEETING DATE: April 15, 2002 (Regular Meeting)
April 22, 2002 – Joint Public Hearing
April 29, 2002 – No Meeting

IV. ADJOURNMENT

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.

4/18/02

MEMBERS OF THE PLANNING & ZONING COMMISSION
(3 YEAR TERM)
(2 TERMS ALLOWED)
as of 09/20/01

MEMBER

TERM EXPIRES

PHONE #'S

H. CHARLES VIKTORIN, Chairman
2905 Smith Road
Pearland, TX 77584

November, 2002

Home: 281-485-4111
Mobile: 281-413-1844
Work: 281-997-3438
Fax: 281-997-3728

DONALD GLENN, Vice-Chairman
1112 Gulfton
Pearland, TX 77581

March, 2002

Home: 281-996-1809
Office: 713-599-4141
Fax: 713-599-0058

TODD IOCCO
3510 Shadycrest
Pearland, TX 77581

March, 2002

Office: 281-997-3747
Mobile: 281-923-8633
Fax: 281-403-1433

KEVIN A. MCDONALD
1802 Oak Hollow Dr. W
Pearland, TX 77581

September, 2004

Office: 832-736-9300
Home: 281-992-1693
Fax: 832-736-9333
Cell: 832-736-9300

ROBERT SCHERRER
5315 Colonial Drive
Pearland, TX 77584

April, 2004

Office: 713-529-3992
Fax: 713-529-8161

DON W. SEDERDAHL
3418 Shady Crest
Pearland, TX 77581

September, 2004

Office: 713-942-7575
Work: 281-412-0091

RUSS SELEMON
2312 John
Pearland, TX 77581

November, 2002

Office: 409-766-6445
Home: 281-996-9785
Fax: 409-766-6541

2. *central manager*

[Large scribbled-out area]

No.
w/ P + Z app's on file a City Council issue

No

hopefully