

Planning and Zoning Commission

AGENDA OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON AUGUST 19, 2002 IMMEDIATELY FOLLOWING THE WORKSHOP TO BE HELD WITH CITY COUNCIL, IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES: August 5, 2002

III. NEW BUSINESS

- A. CONSIDERATION & POSSIBLE ACTION** – A Final Plat of The Villages at Mary's Creek Section Two, Phase One A subdivision 25.187 acres located in the Warren D.C. Hall League, Abstract 70, City of Pearland, Brazoria County, Texas.
- B. CONSIDERATION & POSSIBLE ACTION** - Preliminary Plat of Villa D'Este Section Two, being a subdivision of 29.3450 acres of land out of the W.D.C. Hall Survey, A-23, City of Pearland, Harris County, Texas.
- B. CONSIDERATION & POSSIBLE ACTION** – Request by Lentz Engineering for a variance from Ordinance 741-3 to allow for a detention system with a pumped outfall for Classic Storage at Cullen Boulevard.

IV. NEXT MEETING DATES: September 9, 2002 (Joint Public Hearing)
September 16, 2002 (Regular Meeting)

V. 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: 15th day of August, 2002 A.D.

REMOVED: 21st day of August, 2002 A.D.

Planning and Zoning Commission

- V. **NEXT MEETING DATES:** November 18, 2002 – JPH & Regular P&Z
December 2, 2002 – Regular P&Z
December 16, 2002 – JPH & Regular P&Z

VI. **ADJOURNMENT**

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POSTED: 1st day of November, 2002 A.D.

REMOVED: 5th day of November, 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 AUGUST 19, 2002 IMMEDIATELY FOLLOWING THE WORKSHOP HELD WITH CITY COUNCIL, IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The regular meeting was called to order at 6:53 p.m. with the following present:

P&Z Chairman	Todd Iocco
P&Z Vice-Chairman	Russ Selemon
P&Z Commissioner	Ray Bacon
P&Z Commissioner	Sheryl Greiner
P&Z Commissioner	Ruby Sandars
P&Z Commissioner	Robert Scherrer
Plat and Plans Administrator	Richard Keller
P&Z Secretary	Jennifer Gonzales

P&Z Commissioner Don Sederdahl was absent.

II. APPROVAL OF MINUTES: August 5, 2002

Commissioner Sandars made a motion to approve the August 5, 2002 minutes with a second made by Commissioner Greiner.

Commissioner Greiner stated that on page 3 she would like “Commissioner Sheryl” to be changed to “Commissioner Greiner” for consistency.

Motion to approve passed 6 to 0.

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – A Final Plat of The Villages at Mary’s Creek Section Two, Phase One A subdivision 25.187 acres located in the Warren D.C. Hall League, Abstract 70, City of Pearland, Brazoria County, Texas.

Plat and Plans Administrator Richard Keller stated that staff recommends approval with the following comments:

1. Revise the city limits on the vicinity map.
2. They need to have approved construction plans before recordation.

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

3. Add the recordation information for the easements.
4. Don't record until section one is recorded.
5. Add the lenders signature.

Commissioner Sandars made a motion to approve the Final Plat of Villages At Mary's Creek Section II, Phase I with staff's recommendations. Vice-Chairman Selemon seconded the motion.

Vice-Chairman Selemon asked if a tree disposition plan has been submitted.

Secretary Jennifer Gonzales replied a tree disposition plan has been submitted and approved by the Urban Forrester. She stated the approved plan is in the file.

Motion to approve passed 6 to 0.

B. CONSIDERATION & POSSIBLE ACTION - Preliminary Plat of Villa D'Este Section Two, being a subdivision of 29.3450 acres of land out of the W.D.C. Hall Survey, A-23, City of Pearland, Harris County, Texas.

This item was removed at the developer's request. The Commission took no action.

C. CONSIDERATION & POSSIBLE ACTION – Request by Lentz Engineering for a variance from Ordinance 741-3 to allow for a detention system with a pumped outfall for Classic Storage at Cullen Boulevard.

Plat and Plans Administrator Richard Keller stated that staff recommended voting against the request because it was a self-created hardship.

Al Lentz of Lentz Engineering, stated that he disagrees with staff. He explained this site is on Cullen Blvd and it used to be a sandblasting company. He stated that the property slopes to the north to a ditch and it flows on to the neighbor's property. He stated their objective is to try to prevent the flow from going onto someone else's property. Mr. Lentz added the owner is trying to meet with both the City's requirements and TxDOT's requirements and the only option that is affordable is the pumped detention system.

Chairman Iocco asked if the pumped system knows when it is full. Mr. Lentz gave the Commission a brief overview regarding how a pumped detention system works.

Commissioner Greiner asked who would maintain the system. Mr. Lentz replied the property owners are responsible for the maintenance.

Commissioner Scherrer made a motion to deny the request with a second made by Vice-Chairman Selemon.

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

Commissioner Scherrer explained this is primarily a financial issue and he doesn't feel they should grant the request. He added there is probably a reason the City changed the ordinance.

Chairman Iocco concurred with Commissioner Scherrer.

Commissioner Bacon stated on Orange Street there is a pump and he asked if that was for drainage.

Mr. Keller reminded the Commission that this ordinance is new.

Vice-Chairman Selemon stated that some pumps don't have back up power and that is an issue.

Chairman Iocco stated they have to deal with the City's ordinance, which states they have to grant a variance based on uniqueness.

Karen Craig, property owner, stated the property is useless without the pumped system. She stated they have to sell the property and they are the only "Commercial" property on Cullen Blvd. Mrs. Craig stated they already know without this drainage system the property is useless.

Chairman Iocco stated they have to deal with the law that is in front of them.

Commissioner Sandars asked why this law was created. Chairman Iocco replied first of all because of the maintenance and second due to the probability of flooding due to a power outage.

Commissioner Greiner asked if there is a plan in case of a power outage. Mr. Lentz replied they could put in a standby generator to prevent outage.

Commissioner Scherrer stated they do have an interesting debate, however the ordinance is the ordinance and a variance can't be granted due to a financial hardship.

Commissioner Greiner stated the ordinance is a newly passed ordinance. She asked the property owner what kind of past timeline they have for this project.

Karen Craig replied they have been working on getting their zoning since October. Mr. Lentz added they were waiting on the zoning approval to begin the drainage study.

Chairman Iocco stated that a major problem they have in Pearland is that variances have been granted to frequently. He stated the first reason he is against the request is because City Council did pass this ordinance for some particular reason and his second reason is because there is not uniqueness.

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

Commissioner Sandars asked the property is mostly concrete. Mr. Lentz replied that there is stabilized material.

Commissioner Greiner asked if the property owner could come up with a plan and come back to the Commission. Chairman Iocco stated they could request a workshop with the Commission and the City Council.

Commissioner Sandars requested clarification on how much land would be used if the variance were denied. Chairman Iocco stated that if they don't use a pump then a much bigger detention pond would have to be provided.

Commissioner Bacon asked about purchasing detention in the city. Mr. Lentz stated they couldn't buy detention due to TxDOT's requirements.

Motion to deny passed 6 to 0.

Commissioner Sandars stated that she denied the request because of the ordinance.

Commissioner Greiner suggested for the property owner to come back and argue the uniqueness because financial hardship is not considered a "uniqueness".

Commissioner Sandars stated that the Committee is making it difficult for businesses.

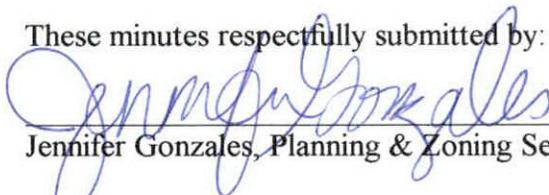
Vice-Chairman Selemo clarified that the Commission is not the proper venue for this action and if the citizens did not like the ordinance then they should look into getting the laws/ordinances changed.

IV. NEXT MEETING DATES: September 9, 2002 (Joint Public Hearing)
September 16, 2002 (Regular Meeting)

V. ADJOURNMENT

The meeting adjourned at 7:35 p.m.

These minutes respectfully submitted by:



Jennifer Gonzales, Planning & Zoning Secretary

Minutes approved as submitted and/or corrected on this ___ day of _____, 2002.



Todd Iocco, Planning & Zoning Chairman

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

AGENDA – WORKSHOP OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON AUGUST 19, 2002, IMMEDIATELY FOLLOWING THE REGULAR MEETING, IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

- I. CALL TO ORDER
- II. PURPOSE FOR THE WORKSHOP:
DISCUSSION OF PLANNING AND ZONING RULES OF PROCEDURE
- III. 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: 15th day of August, 2002 A.D.
REMOVED: 21st day of August, 2002 A.D.

Planning and Zoning Commission

AGENDA - WORKSHOP OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON AUGUST 19, 2002, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. PURPOSE OF THE WORKSHOP:

- 1. COUNCIL INPUT AND DISCUSSION:** REGARDING THE PROPOSED AMENDMENT TO SAVANNAH DEVELOPMENT AGREEMENT.

Mr. Alan Mueller, Deputy City Manager.

III. ADJOURNMENT

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POSTED: 15th day of August, 2002 A.D.

REMOVED: 21st day of August, 2002 A.D.

18/19
6:30 P.M.
(at workshop)

**MEMBERS OF THE PLANNING & ZONING COMMISSION
as of 07/02**

MEMBER

TERM EXPIRES

PHONE #'S

Yes

TODD IOCCO, Chairman
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April, 2005

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Yes

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April, 2004

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Yes

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April, 2004

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RUBY SANDARS
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left a message

April, 2004

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ROBERT SCHERRER
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left a message

April, 2003

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DON W. SEDERDAHL
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NO

April, 2003

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

Yes

RUSS SELEMON
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April, 2004

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

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Memo

To: Mayor and Council Members
Planning and Zoning Commission Members

From: Alan Mueller

Date: 8/6/02

Re: Workshop – Amendment to Savannah Development Agreement

Development Agreement Amendment

On August 19, 6:00 pm a joint workshop will be conducted to review a proposed amendment to the Savannah development agreement. The purpose of the amendment is to add three small tracts into the agreement and to update the plan accordingly. The proposed amendment is attached. Highlights of the amendment are:

- Tract A is an additional 20 acres acquired by Friendswood Development that they desire to add into the agreement.
- Tract B is an additional 11.7 acres that was not included in the original agreement due to an outstanding issue at that time regarding the location of the City's ETJ in this area. The legal department has conducted the research necessary to confirm that this property is wholly within the City's ETJ.
- Tract C is a 1.2-acre parcel that is being added to correct a previous error in the legal description.
- Figure 2 will be amended to reflect the revised land plan, including the new tracts, the relocated fire station, and the latest subdivision layout projections.
- Figure 3 will be amended to reflect the revised parks and amenities plan based on the revised land plan.
- Figure 4 will be amended to reflect the revised thoroughfare and collector plan based on the revised land plan.
- The total residential units will increase from 2500 to 2560 and the total residential acreage will increase from 692 to 711.1. The additional acreage is proposed to be added to the "R4" category, however, the overall density limit remains at 3.6 per acre.

The Planning Commission does not need to take separate action on the amendment, but comments will be accepted and appreciated. Based on comments received at the

August 6, 2002

workshop, the amendment will be finalized for action by the City Council at a future meeting.

Fire Plan

Following the joint workshop, Council will also conduct a workshop with Friendswood Development regarding the proposed fire plan for the area. The Planning Commission does not need to attend this workshop. Information regarding the fire plan will be distributed under separate cover to the City Council

CC: Bill Eisen
Darrin Coker
Tobin Maples
John Hargrove
Richard Keller
Young Lorfing

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To: Mayor and Council Members

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- Tract A is an additional 20 acres acquired by Friendswood Development that they desire to add into the agreement.
- Tract B is an additional 11.7 acres that was not included in the original agreement due to an outstanding issue at that time regarding the location of the City's ETJ in this area. The legal department has conducted the research necessary to confirm that this property is wholly within the City's ETJ.
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- Tract A is an additional 20 acres acquired by Friendswood Development that they desire to add into the agreement.
- Tract B is an additional 11.7 acres that was not included in the original agreement due to an outstanding issue at that time regarding the location of the City's ETJ in this area. The legal department has conducted the research necessary to confirm that this property is wholly within the City's ETJ.
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