

PLANNING AND ZONING COMMISSION

REGULAR MEETING PLANNING AND ZONING COMMISSION AGENDA

CITY OF PEARLAND, TX
JULY 18, 2005 AT 6:30 P.M.

IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING
IN THE COUNCIL CHAMBERS OF CITY HALL
3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. APPROVAL OF MINUTES – June 20, 2005 (Regular Meeting) and June 27, 2005 (Special Meeting)

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1237

A request by Wallace and Edith Longoria, owners, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a change in zoning district from classification Suburban Development District (SD) to Single Family Dwelling District (R-1), on the following described property, to wit:

Legal Description: Lot 6, Block 4, of Garden Acres Subdivision, Section 2, H.T. & B.R.R. Company Survey, Abstract 219, City of Pearland, Brazoria County, Texas

4-0 appr.

General Location: Located at 2627 Lazy Bend Street

B. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1235 and Specific Use Permit Application No. 148

appr. 4-0

A request by Sovereign Grace Church, applicant for Dr. Ted Cleaves, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a change in zoning district from classification Suburban Development District (SD) to Estate Lot Single Family Dwelling District (R-E), and approval of a Specific Use Permit for a church (R-E(S)), on the following described property, to wit:

Legal Description: 9.989 acres of land, Lot 33, Section 10, H.T. & B.R.R. Company Survey, Abstract 505, Allison Richey Gulf Coast Home Company Subdivision, as recorded in Volume 2, Page 84, of the Brazoria County Plat Records, City of Pearland, Brazoria County, Texas

General Location: Located on the West Side of Max Road, and South of Brookside Road

w/ staff recommendation
sheryl - motion to approve w/ stipulations
Recomm. 1-3
sd. 1.1.05

PLANNING AND ZONING COMMISSION
PLANNING - THE ZONING COMMISSION
AGENDA
CITY OF BEARLAND, TX
JULY 18, 2002 AT 7:00 P.M.
IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING
IN THE BOARD OF CHAMBERS OF CITY HALL
1210 LIBERTY DRIVE, BEARLAND, TEXAS

1235

6 ft masonry
fence
not area by sch
baton N, E & West side

Sheryl
not

Neil seconded

Joe - discussion
his church chose not to put a fence
because you want it to be friendly

Greener's concerns
were neighborhood

4-0 appr.

PLANNING AND ZONING COMMISSION

C. CONSIDERATION & POSSIBLE ACTION – Zone Change Application No. 1236 and Specific Use Permit Application No. 149

APP# 4-0

A request by Shepherd of the Heart Methodist, applicant for Anh Ho and Arlin Harwell, owners, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a change in zoning district from classification Suburban Development District (SD) to Single Family Dwelling District (R-1), and approval of a Specific Use Permit for a church (R-1(S)), on the following described property, to wit:

*not to approve w/ recommendation
Steiner
start*

Legal Description: 10.00 acres in the J.S. Talmage Survey, Abstract 564, and being a part of Lot 36 of the Allison Richey Gulf Coast Home Company Suburban Gardens Subdivision recorded in Volume 2, Page 98 of the Plat Records of Brazoria County, City of Pearland, Brazoria County, Texas

General Location: Located on the North Side of County Road 59, and West of Future Kirby Drive

D. CONSIDERATION & POSSIBLE ACTION – Specific Use Permit Application No. 150

A request by Jack McGuff, Jr., AIA, applicant for A. R. Hixson, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a Specific Use Permit for an Industrial Manufacturing Facility with Blending and/or Packing Facilities, in the Heavy Industrial District (M-2(S)), on the following described property, to wit:

*app. 3-1
Gore opposed
due to fence
near neighbors*

Legal Description: 30.155 acres out of Lot 4, Section 12, H.T. & B.R.R. Company Survey, Abstract 508, Pearland, Brazoria County, Texas, and being a portion of that certain tract described in a deed dated 12-29-2000 from Patrick L. Dooley to A.R. Hixson as filed in Official Records of Real Property of Brazoria County at Clerk's File Number 01-009725, City of Pearland, Brazoria County, Texas

General Location: Located on the South Side of Magnolia Street, and East of Veterans Drive

E. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Shadow Creek Ranch SF-52

A request by Jason Banda, LJA Engineering & Surveying, Inc. for Pearland Investments, LLP, for approval of a Preliminary Plat subdivision of 13.679 acres of land in Shadow Creek Ranch and zoned SCR-PUD R-6 into 61 residential lots, with three reserves totaling .204 acres for landscaping and open space. The property is located in the southwest portion of Shadow Creek Ranch in Fort Bend County, and is described as follows:

13.679 acres being out of the H.T. & B.R.R. Co. Survey, Section 83, Abstract 761, City of Pearland, Fort Bend County, Texas.

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F. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Shadow Creek Ranch SF-54

A request by Jason Banda, LJA Engineering & Surveying, Inc. for Pearland Investments, LLP, for approval of a Preliminary Plat subdivision of 16.566 of land in Shadow Creek Ranch and zoned SCR-PUD R-7 into 67 residential lots, with eight reserves totaling 2.187 acres for landscaping, drainage, open space, and pipeline easements. The property is located on the western edge of Shadow Creek Ranch in Fort Bend County, and is described as follows:

16.566 acres being out of the F. Hooper Survey, Abstract 198, City of Pearland, Fort Bend County, Texas.

G. CONSIDERATION & POSSIBLE ACTION – Final Plat of Shadow Creek Ranch Entrance Reserves

A request by Jason Banda, LJA Engineering & Surveying, Inc. for Pearland Investments, LLP, for approval of a Final Plat subdivision of 0.880 acres of land in Shadow Creek Ranch for six entrance reserves on the north side of Broadway at Kirby Drive, Kingsley Drive, and Half Moon Bay Drive. The property is described as follows:

0.880 acres being out of the H.T. & B.R.R. Company Survey, Section 83, Abstract 305, the H.T. & B.R.R. Company Survey, Section 82, Abstract 565, the T.C.R.R. Company Survey, Section 3, Abstract 678, and the T.C.R.R. Company Survey, Section 4, Abstract 675, City of Pearland, Brazoria County, Texas.

H. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Country Club Plaza

A request by Jay Javadi, Donya, LLC, for a Preliminary Plat of 6.4224 acres zoned Commercial (C) and Maximum Density Single Family (R-4) for one lot for commercial use. The property is located at the west corner of Broadway and Liberty Drive, and is described as follows:

6.4224 acres of land, out of a 313 acre tract in the W.D.C. Hall Survey, Abstract No. 70, in the City of Pearland, Brazoria County, Texas.

I. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Emerald Stone

A request by Kathy Denton, JKC & Associates, for approval of a Preliminary Plat of 10.4696 acres zoned R-2 for 28 residential lots. The plat is located on the east side of O'Day Road at Dublin Lane, and is described as follows:

10.4696 acres of land situated in the H.T. & B.R.R. Company Survey, Section 6, Abstract 544, City of Pearland, Brazoria County, Texas.

J. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Jamison Landing

A request by Paul H. Dickson, for Jamison Landing Land Co., LP, for approval of a Preliminary Plat subdivision of 17.5127 acres zoned Commercial (C) and Maximum Density Single Family (R-4) for 68 residential lots and one commercial tract. The property is located on the south side of Broadway between Pine Hollow Drive and Pine Valley Drive, and is described as follows:

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17.5127 acres of land being the remainder a called 37.421 acre tract, as recorded in volume 1548, Page 473 of the deed records of Brazoria County, Texas, being all of Tract 43, a portion of Tract 30, and a portion of Tract 29, out of the George W. Jenkins Subdivision, according to the map or plat thereof, recorded in Volume 2, page 20 of the deed records of Brazoria County, Pearland, Texas, & Located in the J.F. Perry and E.M. Austin Survey, A-111, City of Pearland, Brazoria County, Texas.

K. CONSIDERATION & POSSIBLE ACTION – Final Plat of Savannah Landing Section Three

A request by Geoff Freeman, Brown & Gay Engineers, for Savannah Development, Ltd., for approval of a Final Plat subdivision of 30.86 acres in Savannah for 55 residential lots, with six reserves of 10.48 acres for landscaping, open space, utilities, and detention. The property is located in the City of Pearland E.T.J., east of Savannah Landing Lane in the northwest section of Savannah, and is described as follows:

Being 30.86 acres of land located in the A.C.H. & B. Survey, A-403, Brazoria County, Texas.

L. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Southern Trails Phase 1 Section 5

A request by Geoff Freeman, Brown & Gay Engineers, for CL Ashton Woods, L.P., for approval of a Preliminary Plat subdivision of 13.65 acres in the Southern Trails PUD for two reserves of 9.399 acres for landscaping, open space, detention, drainage, and trails. The property is located north of future Southern Trails Drive in the Southern Trails PUD south of Broadway, and is described as follows:

13.65 acres of land located in the H.T. & B.R.R. Co. Survey, Sec. 80, A-564, City of Pearland, Brazoria County, Texas, also being out of the Allison-Richey Gulf Coast Home Company Subdivision, Part of Lots 3, 4, 13, 14, 15, & 23, Block 80, as recorded in Volume 2, Page 98, B.C.P.R.

M. CONDUCT A PUBLIC HEARING – Final Plat of Southern Trails Phase 1 Section 1, a Replat of an Earlier Subdivision

A request by Geoff Freeman, Brown & Gay Engineers, for CL Ashton Woods, L.P., for approval of a Replat to create 13 lots and 4 reserves in 1 block and to abandon all rights of the public in and to all roads and rights-of-way created in documents recorded in: Vol. 126, Pg. 569, B.C.D.R., Vol. 128, Pg. 87, B.C.D.R., Vol. 130, Pg. 77, B.C.D.R., Vol. 135, Pg. 540, B.C.D.R., and Vol. 2, Pg. 98, B.C.P.R., but only to the extent that such documents affect the property which is the subject of this replat.

N. CONSIDERATION & POSSIBLE ACTION – Final Plat of Southern Trails Phase 1 Section 1

A request by Geoff Freeman, Brown & Gay Engineers, for CL Ashton Woods, L.P., for approval of a Final Plat subdivision of 14.61 acres in the Southern Trails PUD for 13 residential lots, with four reserves of 6.931 acres for landscaping, open space, drainage, and amenity lakes. The property is located on the south side of Broadway near the Half Moon Bay Drive intersection, and is described as follows:

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14.61 acres of land located in the H.T. & B.R.R. Co. Survey, Sec. 80, A-564, City of Pearland, Brazoria County, Texas, also being out of the Allison-Richey Gulf Coast Home Company Subdivision, Part of Lots 27, 28, 29, 37, 38, & 39, Block 80, as recorded in Volume 2, Page 98, B.C.P.R.

O. CONDUCT A PUBLIC HEARING – Final Plat of Southern Trails Phase 1 Section 2, a Replat of an Earlier Subdivision

A request by Geoff Freeman, Brown & Gay Engineers, for CL Ashton Woods, L.P., for approval of a Replat to create 3 reserves and to abandon all rights of the public in and to all roads and rights-of-way created in documents recorded in: Vol. 118, Pg. 98 & 99, B.C.D.R., Vol. 124, Pg. 612, B.C.D.R., Vol. 130, Pg. 77, B.C.D.R., Vol. 135, Pg. 540, B.C.D.R., Vol. 2, Pg. 98, B.C.D.R., but only to the extent that such documents affect the property which is the subject of this replat.

P. CONSIDERATION & POSSIBLE ACTION – Final Plat of Southern Trails Phase 1 Section 2

A request by Geoff Freeman, Brown & Gay Engineers, for CL Ashton Woods, L.P., for approval of a Final Plat subdivision of 28.27 acres in the Southern Trails PUD for three reserves for landscaping, open space, detention, drainage, and a recreational center. The property is located on the south side of Broadway near the Half Moon Bay Drive intersection, and is described as follows:

28.27 acres of land located in the H.T. & B.R.R. Co. Survey, Sec. 80, A-564, City of Pearland, Brazoria County, Texas, also being out of the Allison-Richey Gulf Coast Home Company Subdivision, Part of Lots 13, 15, 21, 22, 23, 27, 28, 29, 30, & 31, Block 80, as recorded in Volume 2, Page 98, B.C.P.R.

Q. CONDUCT A PUBLIC HEARING – Final Plat of Southern Trails Phase 1 Section 3, a Replat of an Earlier Subdivision

A request by Geoff Freeman, Brown & Gay Engineers, for CL Ashton Woods, L.P., for approval of a Replat to create 99 lots in 3 blocks and to abandon all rights of the public in and to all roads and rights-of-way created in documents recorded in: Vol. 118, Pg. 99, B.C.D.R., Vol. 130, Pg. 77, B.C.D.R., Vol. 135, Pg. 540, B.C.D.R., Vol. 2, Pg. 98, B.C.D.R., but only to the extent that such documents affect the property which is the subject of this replat.

R. CONSIDERATION & POSSIBLE ACTION – Final Plat of Southern Trails Phase 1 Section 3

A request by Geoff Freeman, Brown & Gay Engineers, for CL Ashton Woods, L.P., for approval of a Final Plat subdivision of 30.62 acres in the Southern Trails PUD for 99 residential lots. The property is located on the south side of Broadway near the Half Moon Bay Drive intersection, and is described as follows:

30.62 acres of land located in the H.T. & B.R.R. Co. Survey, Sec. 80, A-564, City of Pearland, Brazoria County, Texas, also being out of the Allison-Richey Gulf Coast Home Company Subdivision, Being Part of Lots 20, 21, 22, 27, 28, 29, & 30, Block 80, as recorded in Volume 2, Page 98, B.C.P.R.

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S. CONDUCT A PUBLIC HEARING – Final Plat of Southern Trails Phase 1 Section 4, a Replat of an Earlier Subdivision

A request by Geoff Freeman, Brown & Gay Engineers, for CL Ashton Woods, L.P., for approval of a Replat to create 102 lots, 3 reserves in 4 blocks and to abandon all rights of the public in and to all roads and rights-of-way created in documents recorded in: Vol. 118, Pg. 98, B.C.D.R., Vol. 124, Pg. 612, B.C.D.R., Vol. 126, Pg. 569, B.C.D.R., Vol. 135, Pg. 540, B.C.D.R., Vol. 2, Pg. 98, B.C.D.R., but only to the extent that such documents affect the property which is the subject of this replat.

T. CONSIDERATION & POSSIBLE ACTION – Final Plat of Southern Trails Phase 1 Section 4

A request by Geoff Freeman, Brown & Gay Engineers, for CL Ashton Woods, L.P., for approval of a Final Plat subdivision of 25.94 acres in the Southern Trails PUD for 102 residential lots, with three reserves of 1.676 acres for landscaping and open space. The property is located on the south side of Broadway near the Half Moon Bay Drive intersection, and is described as follows:

25.94 acres of land located in the H.T. & B.R.R. Co. Survey, Sec. 80, A-564, City of Pearland, Brazoria County, Texas, also being out of the Allison-Richey Gulf Coast Home Company Subdivision, Part of Lots 23, 29, 30, & 39, Block 80, as recorded in Volume 2, Page 98, B.C.P.R.

IV. **NEXT MEETING DATES:** August 1, 2005 – Regular P & Z

V. **ADJOURNMENT**

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

Posted this _____ day of _____, 2005

Removed this _____ day of _____, 2005

MINUTES
SPECIAL MEETING

PLANNING AND ZONING COMMISSION
CITY OF PEARLAND
MONDAY, June 27, 2005 AT 6:30 P.M.
2nd FLOOR CONFERENCE ROOM OF CITY HALL
3519 LIBERTY DRIVE, PEARLAND, TX

I. CALL TO ORDER

The Special 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
P & Z Commissioner Peter Dumont

Also in attendance: Executive Director of Community Services Nick Finan, Planning Director Lata Krishnarao, Senior Planner Theresa Grahmann, Planner 1 Diana DuCroz, Deputy City Attorney Nghiem Doan and Planning Administrative Secretary Judy Krajca.

II. NEW BUSINESS

**A. CONSIDERATION & POSSIBLE ACTION - ZONE CHANGE
APPLICATION NO. 1234**

A request by Kerry R. Gilbert and Associates, Inc. applicant for WCF Development, LLC, owner, for an amendment to the Land Use and Urban Development Ordinance of said City -

1. From classification Suburban Development District (SD) to Commercial District (C), on the following described property, to wit:

Legal Description: 9.6167 acres of land being all of Lot 2 in Block 21

2. From classification Suburban Development District (SD) and Office and Professional District (OP) to Planned Unit Development (PUD), on the following described property, to wit:

Legal Description: 14.3755 acres of land being all of Lot 3 and a portion of Lot 4 in Block 20, and 4.6323 acres being out of a portion of Lot 1 in Block 20 and Lot 3 in Block 21, all situated in the T.C.R.R. Company Survey, Section 4, Abstract 675, of the Allison Richey Gulf Coast Home Company's Part of

Suburban Gardens Subdivision, according to the plat thereof recorded in Volume 2, Page 99, of the Brazoria County Map Records, City of Pearland, Brazoria County, Texas

General Location: At the Northwest Corner of SH 288 and FM 518 (Broadway Street)

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

Chairperson Sandars asked the staff to give their report.

Planning Director Lata Krishnarao discussed the Staff Comments. These comments are for the L-shaped property. First item is:

1. The 25-foot wide landscaped buffer and the 75-foot no-building area should be shown from the eastern edge of the platted roadway and not from the centerline. Platting of the property will require the western property line of the subject parcel to move easterly to coincide with the edge of roadway.

Planning Director Krishnarao stated that their first comment, after additional research, was to consider the 40-foot roadway, on the plat, joining the Shadow Creek Ranch tract. If the developer wants to keep the 40-foot roadway, the landscape easement should start at the edge of the 40 feet.

The second option during platting, if the developer does not need that anymore, they can abandon it. The Planning Dept. would have to check into the legalities of this. Because half of this is on the Shadow Creek Ranch side.

There was much discussion about the roadway, among Commissioners, Staff., and those in attendance, Kerry R. Gilbert, owner, and Christy Smidt with Kerry R. Gilbert and Associates.

Planning Director brought up the 2nd item of the agenda:

2. The 75-foot No-building area does not prohibit dumpsters and loading/unloading areas as discussed by some members of the P & Z.

There was much discussion among the Commissioners and Staff. Commissioners would consider that in addition to this item no building or structure would be allowed.

Planning Director Krishnarao read the 3rd item of the agenda:

3. Staff recommends that the landscaped buffer prohibit any site lighting over 4 feet, to prevent glare on adjoining residential properties.

There was discussion among the Commissioners and Staff.

Last, Planning Director Krishnarao read the 4th item of the agenda:

4. Outdoor Storage: Staff recommends that the last sentence under "Outdoor Storage" be replaced by "At this time outdoor storage is not permitted". If outdoor storage is proposed at a later date, a Specific Use Permit needs to be granted by the City Council as per the Land Use and Urban Development Ordinance.

There was much discussion among the Commissioners, Staff, and Kerry Gilbert and Christy Smidt, with Kerry R. Gilbert and Associates.

Chairperson Sandars stated she would like to amend the motion to state we have a 25-foot landscape buffer and a 50-foot no-building zone. This would make 75 feet from whatever is determined as the property line. buffer. Add there will be No dumpsters (only thing allowed is driveway - no structure, no dumping) and state the lighting not be over 4-foot to spill over into the residence. Outdoor storage is not permitted. If at a later date it is requested, then it would be granted by the City council per the Land Use and Urban Development.

Executive Director Nick Finan drew a diagram on the board for all to view. There was much discussion, ending with Commissioner Dumont amending the diagram on the board.

Chairperson Ruby Sandars made the motion to vote on the 1st item. Commissioner Greiner seconded the motion.

III. ADJOURNMENT

The Special Meeting adjourned at 7:11 p.m.

IV. UDC – CHAPTER 5

Discussion began at 7:14 p.m. Chairperson Sandars read thru each page consisting of the definitions.

Executive Director Nick Finan excused himself at 7:35 to attend the Council Meeting in the Council Chambers.

Chairperson Sandars excused herself at 7:45 to attend the Council Meeting, and Commissioner West took over. Chairperson Sandars returned at 7:55.

There was much discussion on Chapter 5.

Chairperson Sandars again excused herself at 7:59 to attend the Council Meeting. Deputy Attorney Niehm Doan arrived at 8:10.

At 8:23, all items in Chapter 5 was finished going through.

Planning Director Krishnarao stated that they were open to Discussion for Chapters 3 & 4. There was no further discussion.

Commissioner West adjourned the meeting at 8:26 p.m.

These minutes respectfully submitted by:

Judy Krajca, Planning Administrative Secretary

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

Ruby Sandars
Planning & Zoning Commission Chairperson

MINUTES
REGULAR MEETING
CITY OF PEARLAND PLANNING AND ZONING COMMISSION
June 20, 2005 AT 6:30 P.M.
CHAMBER COUNCIL
CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TX

I. CALL TO ORDER

The Regular Meeting was called to order at 9:00 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
P & Z Commissioner Peter Dumont
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, Deputy City Attorney Nghiem Doan and Planning Administrative Secretary Judy Krajca.

II. APPROVAL OF MINUTES: June 6, 2005 – Regular Meeting

Commissioner Dumont made a motion to approve the minutes as presented, and Commissioner Greiner seconded.

Minutes were approved 6-0.

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION - ZONE CHANGE APPLICATION NO. 1232

A request by Mayra Palacios, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Estate Lot Single Family Dwelling District (R-E), on the following described property, to wit:

Legal Description: 1.00 acres of land out of and a part of Lot 168 of the Zychlinski Subdivision in Section 27 of the H.T. & B.R.R. Company Survey, Abstract 308, according to the map or plat thereof recorded in Volume 29, Page 9, of the Deed Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas

General Location: Located on the South Side of Keis Road, and East of Wells Drive

Commissioner Dumont made a motion to approve the motion for discussion, and Commissioner Greiner seconded.

There was no discussion by the Commissioners/Staff.

The vote was 6-0 for approval of the zone change.

B. CONSIDERATION & POSSIBLE ACTION - ZONE CHANGE
APPLICATION NO. 1233

A request by Byron Stephen Sutherland, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to General Business District (GB), on the following described property, to wit:

Legal Description: 0.5238 acres of land out of Lot 1 of the Allison Richey Gulf Coast Home Company Subdivision of Section 10, Tract 1 E, H.T. & B.R.R. Company Survey, Abstract 505, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the East Side of Stone Road, and South of Brookside Road.

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

Applicant Steve Sutherland, owner of property, spoke how he built the business, how he became a licensed counselor, and how the outside of the building has been refurbished.

Commissioner McWhorter asked if Mr. Sutherland lived in Pearland. Mr. Sutherland replied he did, but he also owned in Liverpool. He resided in both places.

Commissioner Ransom questioned his type of counseling that he does. Mr. Sutherland replied it was more like a business office, and had a partner. Office and classes housed there.

Peggy Berrthal, resident at said property, and business partner with Mr. Sutherland also spoke. She stated they would be open to OP zoning. She understood the City wanted all residential in the area. She read from page four of the agenda items. She named several commercial and industrial types of businesses in the area. She submits that their business is perfect for NS. She stated they were an office space, with someone living at the residence, and they were promoting 'live and work in Pearland'.

Commissioner Dumont stated that when land is zoned a particular zone, it had to be used as a particular zone. The Commissioners have to think 10 years down the road with the vision of the property.

Mr. Sutherland said he would like to refurbish the facade and build out office space, so that it would be impossible to revert to anything other than office space.

Chairperson Sandars said it was there duty to zone the land and backed what Commissioner Dumont was saying.

Mr. Sutherland stated he needed a zone so that down the road he could resale. Chairman Sandars stated that this is their duty to look at this. Commissioner Dumont and Commissioner Ransom also commented on zoning of other properties in the area.

Ms. Berthal had a question about Residential Low Density. She asked if density would change, and would it affect them. Chairperson Sandars said it probably would not.

Senior Planner Theresa Grahmann stated the Planning department did the Comprehensive Plan update last year, and Stone Road was one of the roads they looked at because of the mix of uses. There were not enough mixed uses to call it a mixed use area. Commissioner Ransom thanked Ms. Grahmann.

Commissioner Dumont asked if it could be SD but apply Specific Use Permit to it, like in West Oaks. Deputy Assistant Attorney Niehm Doan was asked to comment. There was much discussion.

Planning Director Lata Krishnarao stated that it is not listed as a specific use permit.

Chairperson Sandars stated we must look at our overall plan with the steering committee and not spot rezoning.

Mr. Sutherland presented a plea that this is his business and is his life. He would like to establish this business. Chairperson Sandars stated that the Board empathized and sympathized with his situation. Their job was to the use of the land.

There was no further discussion.

Chairperson Sandars called the vote. The vote was 0-6 for denial of the zone change.

The Commissioners agreed the 3 reasons for denial would be left the same as the staff's recommendation for denial.

C. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 1231

A request by Mary Frances Lentz, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) to Commercial District (C), on the following described property, to wit:

Legal Description: 20 acres, being Tract 61 and 62, Abstract 234, H.T. & B.R.R. Company Survey, City of Pearland, Brazoria County, Texas

General Location: Located on the West Side of Roy Road, and North of FM 518 (Broadway Street)

Commissioner Greiner made a motion to approve for purpose of discussion, and Commissioner Ransom seconded.

Commissioner Ransom had two questions regarding existing uses and those of the surrounding area. Discussion was minimal between Commissioner Ransom, Senior Planner Theresa Grahmann and Planning Director Lata Krishnarao

Commissioner Dumont stated that a Public Comment Form was received by Food Town, opposing this zone change. Food Town was not present to comment on their opposition.

There were no other comments and no further discussion.

The vote was 6-0 for approval of the zone change.

**D. CONSIDERATION & POSSIBLE ACTION – Zone Change
Application No. 1234**

A request by Kerry R. Gilbert and Associates, Inc. applicant for WCF Development, LLC, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from classification Suburban Development District (SD) and Office and Professional District (OP) to Commercial District (C), on the following described property, to wit:

Legal Description: 9.6167 acres of land being all of Lot 2 in Block 21, and 14.3755 acres of land being all of Lot 3 and a portion of Lot 4 in Block 20, and 4.6323 acres being out of a portion of Lot 1 in Block 20 and Lot 3 in Block 21, all situated in the T.C.R.R. Company Survey, Section 4, Abstract 675, of the Allison Richey Gulf Coast Home Company's Part of Suburban Gardens Subdivision, according to the plat thereof recorded in Volume 2, Page 99, of the Brazoria County Map Records, City of Pearland, Brazoria County, Texas

General Location: Generally Located at the Northwest Corner of SH 288 and FM 518 (Broadway Street)

Commissioner Ransom made a motion to approve for purpose of discussion, and Commissioner Greiner seconded.

Commissioner McWhorter asked for clarity on the application and were these two applications or did it have to be voted one application as a whole.

Senior Planner Theresa Grahmann stated that it came in as two applications, but because it was one large development, it was placed on the agenda as one application. She stated we could vote on it separately. Commissioner Greiner asked the applicant if this was possible. Mr. Fox stated no, but if he could not get it as two, and if the best he can get is the approval of one, with the other tabled, he guess that this would be best.

Commissioner Ransom commented that the intent here is clear on what is wanted. We should zone this commercial with a 75 feet of buffer, and 25 feet landscaping like the applicant has already agreed to, and address the outside storage area. He also brought up the discussion of the original zoning of Commercial back in 2001.

Chairman Sandars said she moved that this be tabled until the applicant comes back with a PUD document and reviewed. Mr. Fox stated the PUD would encompass the L-shaped property, with 75 feet strip of no build zone, 25 feet of landscape, and the rest would have all the rules, restrictions and applications that C would have.

Commissioner McWhorter asked the applicant if he had any issues with the landscaping. Mr. Fox stated no.

Chairperson Sandars asked if there was a second to table this. There continued to be much discussion regarding the 75 ft. buffer, the landscaping, and the storage area.

It was determined that a PUD would be submitted to the Planning Department by the end of the week.

Commissioner West seconded the motion to table this.

The vote was 6-0 to table this for a special meeting to be held on Monday, June 27, 2005.

Chairperson Sandars thanked Mr. Fox.

E. CONSIDERATION & POSSIBLE ACTION – SPECIFIC USE PERMIT APPLICATION NO. 145

A request by Paul Marcaccio, applicant for West Oaks Homeowners Association, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for a Specific Use Permit for an Unscheduled/New Recreational Use, and more specifically, a subdivision homeowners association recreation center, in the Suburban Development District (SD(S)), on the following described property, to wit:

Legal Description: 0.855 acres of land, Block 1, of the West Oaks Recreation Center Phase A, Abstract 241, H.T. & B.R.R. Company Survey, City of Pearland, Brazoria County, Texas

General Location: Located at 6601 Old Oaks Boulevard

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

No was no discussion by Commissioners/Staff.

The vote was 6-0 for approval of the Specific Use Permit.

F. CONSIDERATION & POSSIBLE ACTION – Specific Use Permit

Application No. 146

A request by Edwards and Kelcey, applicant for Southwestern Bell Communications, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for a Specific Use Permit for Telephone Exchange Switching Relay and Transmitting Equipment, in the Suburban Development District (SD(S)), on the following described property, to wit:

Legal Description: 0.0413 acres of land out of Lot 22, Section 8, Abstract 504, Allison Richey Gulf Coast Home Company Subdivision, City of Pearland, Brazoria County, Texas

General Location: Located at 2633 Roy Road

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

Commissioner Dumont began discussion about the fencing and landscape facade and the noise at night.

Chairperson Sandars asked if there needed to be consideration of a fence. There was much discussion regarding the type of fence. Chairperson Sandars asked if requirements needed to be placed on the fencing, landscaping and building façade.

There was much discussion again about the fence.

Commissioner Ransom made the motion to amend the motion to apply GB Development Standards to Specific Use Permits. Chairperson Sandars asked what this would do for them. There was further discussion.

There was not a second to Commissioner Ransom's motion to amend; therefore, the amendment died for lack of seconding it.

Chairperson Sandars brought up the discussion of type of fence. Commissioner Dumont stated a motion should be made to do a specific type of fence. Chairperson Sandars made an amendment that they do masonry fence facing Roy Road, and existing around the other part. Planning Director Krishnarao clarified that Chairperson Sandars was referencing the existing fence. Commissioner Dumont seconded the motion that the fence facing Roy Road would be masonry, and the existing fence would remain the same with landscaping around it. Discussion continued as the question came up that the fence is on the property line, and shrubbery/landscaping cannot be planted on land that is not theirs.

Commissioner Dumont made the motion to reject the motion that was just made. Deputy Assistant Attorney stated that since this was already seconded, the motion had to be voted. Chairperson Sandars suggested they vote it denied. The vote was 0-6 to deny the motion.

Discussion continued about the fencing and landscaping.

Planning Director suggested the staff go back to SBC and see what they can come back with.

Discussion continued regarding the fence and gate.

Commissioner Dumont made a motion to require 100 percent perimeter masonry fence. Chairperson Sandars seconded the motion.

The amendment was to have 100 percent perimeter masonry fence with fence and gate 6 feet tall. The vote failed 2-3. Chairperson Sandars and Commissioner Dumont voted to approve, while Commissioners McWhorter, Greiner, Ransom and West voted to oppose. The Amendment was denied.

Chairperson Sandars asked if anyone wished to comment on the 3-levels/ 3 things staff suggested. Commissioner MCWhorter stated that he felt this was a relationship issue. That it was up to SBC to maintain the area. Planning Director Krishnarao stated that if the Commission wants something, that they can make suggestions, but we don't have any ordinance now that requires us to ask these things of SBC. Discussion continued on this subject.

Chairperson Sandars stated it was time to vote on the motion to give Special Use Permit.

The vote was 6-0 to approve the Special Use Permit.

G. CONSIDERATION & POSSIBLE ACTION - Specific Use Permit Application No. 147

A request by Edwards and Kelcey, applicant for the Southwestern Bell Communications, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for a Specific Use Permit for Telephone Exchange Switching Relay and Transmitting Equipment, in the Neighborhood Service District (NS(S)), on the following described property, to wit:

Legal Description: 0.057 acres out of the south one-half of Lot 30 of the Allison Richey Gulf Coast Home Company Subdivision, Section 21, H.T. & B.R.R. Company Survey, Abstract 309, City of Pearland, Brazoria County, Texas

General Location: Located at 8301-A Fite Road

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

Commissioner Dumont stated this was different, as a residence was nearby. There was much discussion about the chain length fence, Fite Road, and the residential area nearby.

After much discussion, Commissioner Ransom made the motion that the applicant

continues the existing fence around. Chairperson Sandars stated we need to specify the type of fence and where it is, and forget the specific fence. Commissioner Ransom then stated that this needed to be tabled until the applicant can come back and show the Commissioners what type of fence presently exist. Planning Director Krishnarao asked that the Board move on to the next item, while the staff pulled up the slides for viewing of the fence.

H. CONSIDERATION & POSSIBLE ACTION – Amending Plat of Villa Verde Section Three

Planner 1 Diana DuCroz stated that there were no outstanding items on this Amending Plat.

Commissioner Greiner made the motion to approve this Plat, and Commissioner McWhorter seconded.

There was no discussion among the Commissioners/Staff

The vote was 6-0 for approval.

I. CONSIDERATION & POSSIBLE ACTION – Final Plat of Medellin Addition

Planner 1 Diana DuCroz stated that there were no outstanding items on this Final Plat.

Commissioner Greiner made a motion to approve, Commissioner McWhorter seconded.

There was not discussion among the Commissioners/Staff.

The vote was 6-0 for approval.

J. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Emerald Stone

Planner 1 Diana DuCroz stated that each Variance needed to be voted on separately. She read each variance as stated in the staff notes.

Commissioner Greiner had to leave to take a phone call.

Chairperson Sandars asked if the applicant had a hardship. Commissioner West said he did not see it. Chairperson Sandars then asked if she had a motion to approve for discussion. Commissioner Dumont made the motion to approve, and Commissioner Ransom seconded.

Applicant, Kevin Cole, spokesperson for the development, was present to discuss the hardship. He presented the history behind the original design of the subdivision, the changes and the cul-de-sac hardship.

There was much discussion between the Commissioners/Staff and Mr. Cole.

Commissioner Ransom asked what was the hardship on the roadway. He said there was still room to meet the ordinance. Mr. Cole agreed. He stated the hardship would be on the residence because of the smaller lot size. He wants to give the homeowners as much lot as possible. Commissioner Ransom stated he just didn't see it. That Mr. Cole might be speaking for someone else, but he just doesn't see the hardship.

There was more discussion on the width of the cul-de-sac.

Chairperson Sandars said we need a motion to approve. Need to vote separately.

An amended motion was made by Commissioner Dumont, and seconded by Commissioner Ransom to vote for Variance A.

The motion on Variance A passed 5-0.

There was no more discussion.

The Variance A was then voted on. The vote was 2-3 for denial. Commissioner Dumont and McWhorter voted for the Variance, and Chairperson Sandars, Commissioner West and Ransom voted against the Variance.

The vote for Variance B was brought up. Commissioner Dumont motioned that they move Variance B for the purpose of discussion. Commissioner Ransom seconded it.

Mr. Cole withdrew Variance B and the Plat. A vote was not necessary, due to the withdrawal. Commissioner Greiner was not present during any of this discussion or voting.

The Planning Staff placed the pictures of the **Specific Use Permit No. 147** on the screen so discussion could be completed.

Chairperson Sandars asked for a motion to table this. There was more discussion on the fence and what the Commissioners wanted for now and the future.

The Commissioners asked the Planning staff to talk w/SBC on Wednesday at their meeting, about SBC's suggestions. Commissioner Greiner asked if the staff could look at other cities and what they require. Commissioner Dumont also asked the staff to look into the noise issue that the residences have complained about.

Commissioner Ransom made the motion to table this, and Commissioner Greiner seconded.

It was voted to table the Specific Use Permit No. 147.

K. UDC – CHAPTER 4

Executive Director of Community Services Nick Finan asked if there were any questions on Chapter 3. There were no questions. He then read through Chapter 4.

There was some discussion on Chapter 4.

Chairperson Sandars asked if there were any other questions or comments. Next meeting will be held on June 27th and would cover Chapter 5 – definitions.

L. P & Z COMMISSIONERS ATTENDANCE

Chairperson Sandars stated that each commissioner had his/her own personal attendance in their binder. Some meetings have been close whether they would make a quorum. Attendance is important. They are looking at consistency of absenteeism. Commissioner McWhorter apologized for his absences at the last 3 meetings, as he just started a new job.

II. NEXT MEETING DATES: June 20, 2005 – Regular P&Z & JPH

III. ADJOURNMENT

The Regular Meeting adjourned at 10:22 p.m.

These minutes respectfully submitted by:

Judy Krajca, Planning Administrative Secretary

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

Ruby Sandars
Planning & Zoning Commission Chairperson



ken roberts
<kenwroberts@yahoo.
com>

07/14/2005 11:55 PM

To: tgrahmann@ci.pearland.tx.us
cc:
Subject: Public Comment Form

I recently received from you a Public Comment Form to make comment regarding Zone Change Application No. 1235 & Specific Use Permit Application No. 148. The comment form states that I can make my opinion known via email. I am **AGAINST** the requested zoning change as explained in the public notice and feel that it should be denied.

Comment: I am against further changes/increased traffic that would result in further changes to the residential character of this community. Moreover, there are several facilities similar to the one being proposed here which already exist nearby on Cullen and FM 518, i.e. busier streets. Those locations are much more appropriate and would better accommodate the type of facility proposed here. I request that you protect the citizens of this community from further encroachment by such facilities. I strongly oppose this zoning application.

Ken Roberts
1801 Stone Rd.

Yahoo! Mail

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PUBLIC COMMENT FORM

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1742
281-652-1702 fax

ZONE CHANGE APPLICATION NO. 1235 & SPECIFIC USE PERMIT APPLICATION NO. 148

Joint Public Hearing to be held Monday, July 18, 2005, at 6:30 PM in the Council Chambers of City Hall, 3519 Liberty Drive, Pearland, Texas.

If you are unable to attend the Joint Public Hearing, but wish to have your opinions made a part of the public record, please complete this form and return to the above noted address (by mail, by fax, or in person, or email tgrahmann@ci.pearland.tx.us) prior to the Joint Public Hearing. You may complete this form and attend the Joint Public Hearing.

I am **FOR** the requested zoning as explained on the attached public notice.
(Checking "FOR" means that you support the zone change request and feel that the zoning should be approved accordingly.)

I am **AGAINST** the requested zoning as explained on the attached public notice.
(Checking "AGAINST" means that you are in opposition to the zone change request and feel that the request should be denied.)

Name: Elmer Brull

Address: 1733 Stone Road

Pearland Tax Account No. (If shown on enclosed map): _____

Signature: Elmer Brull Date: 7-14-05

COMMENTS: I WANT TO KEEP MY HOMESTEAD IN A FULL RESIDENTIAL AREA.

PROPERTY NOT MARKED FOR REZONING
NO SIGN



PUBLIC COMMENT FORM

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1742
281-652-1702 fax

ZONE CHANGE APPLICATION NO. 1237

Joint Public Hearing to be held Monday, July 18, 2005, at 6:30 PM in the Council Chambers of City Hall, 3519 Liberty Drive, Pearland, Texas.

If you are unable to attend the Joint Public Hearing, but wish to have your opinions made a part of the public record, please complete this form and return to the above noted address (by mail, by fax, or in person, or email tgrahmann@ci.pearland.tx.us) prior to the Joint Public Hearing. You may complete this form and attend the Joint Public Hearing.

For I am **FOR** the requested zoning as explained on the attached public notice.
(Checking "FOR" means that you support the zone change request and feel that the zoning should be approved accordingly.)

_____ I am **AGAINST** the requested zoning as explained on the attached public notice.
(Checking "AGAINST" means that you are in opposition to the zone change request and feel that the request should be denied.)

Name: MARIAN McCaa

Address: 2613 Lazy Bend St

Pearland Tax Account No. (if shown on enclosed map): 1237

Signature: Marian McCaa Date: 7-11-05

COMMENTS: _____



PUBLIC COMMENT FORM

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1742
281-652-1702 fax

ZONE CHANGE APPLICATION NO. 1237

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If you are unable to attend the Joint Public Hearing, but wish to have your opinions made a part of the public record, please complete this form and return to the above noted address (by mail, by fax, or in person, or email to torahmann@ci.pearland.tx.us) prior to the Joint Public Hearing. You may complete this form and attend the Joint Public Hearing.

Yes I am **FOR** the requested zoning as explained on the attached public notice.
(Checking "FOR" means that you support the zone change request and feel that the zoning should be approved accordingly.)

_____ I am **AGAINST** the requested zoning as explained on the attached public notice.
(Checking "AGAINST" means that you are in opposition to the zone change request and feel that the request should be denied.)

Name: Larry Hager

Address: 2608 Lazy Bend St -

Pearland Tax Account No. (if shown on enclosed map): R21197 4271-0105-000

Signature: Larry Hager Date: 7/16/05

COMMENTS: _____

July 18, 2005

TO: Pearland Planning & Zoning Commission and Pearland City Council

FROM: Homeowners of Pearland Farms Subdivision
(as represented by John & Kandy Glover and Tony & Sydney Finnelly)

RE: Response to Specific Use Permit Application 150 from Forward Enterprises for the proposed construction of a polyurethane resin manufacturing facility on Magnolia Road

WE ARE AGAINST THE REQUESTED ZONING VARIATION FOR THE FOLLOWING REASONS:

1. **SUP 150 contradicts current city zoning guidelines (per the Zoning section of city's Development Handbook 2005):**
 - a. SUPs are added to a zoning district where a particular use is not included in the zone's allowable uses, but with certain conditions granted by the permit could be compatible and acceptable.
 - i. Use being applied for is not even approved under city's heavy industry zoning – P&Z commission must grant an exception. We strongly urge you NOT to do so.
 - b. Proposed zoning variation contradicts factors for consideration that are stated in city's Zoning document.
 - i. Proposed zoning variation does not conform to city land use plan:
 1. City land use plan states that the city should designate sizable areas for industrial and light industrial economic development – ***not adjacent to any neighborhood.***
 - c. Compatibility to surrounding areas: per the city's Development Handbook of May 2005, one of the most important factors to consider is that the permitted use should be compatible and in harmony with existing surrounding area and should not significantly impose a negative impact on any surrounding properties or land uses.
 - i. ***Parcel in question is currently zoned heavy industrial – this is NOT compatible with surrounding residential areas!***
 1. Within the last year or two, the city has granted rezoning of the land that our neighborhood is built on from heavy industrial to residential, so residential areas now surround the parcel in question to the west and south.
 2. The city needs to rezone the parcel in question to be compatible with residential zoning -- heavy industrial use will always be incompatible.
 3. The city was aware that the parcel in question was allowed to remain heavy industrial – what was the plan? Was there any plan?
 - ii. ***The proposed facility WILL significantly negatively impact our neighborhood:***
 1. Housing resale values will decrease significantly

- a. our new homes range in value up to \$250K, and now we may have a polyurethane manufacturing plant over our back fences
 - b. homes are less than one year old
 - c. neighborhood is less than 50% built out, and the proposed manufacturing plant will undoubtedly drive off many potential home buyers and reduce the price that the developer could get for new homes
 - 2. Aesthetics: our view of adjacent land, plus the use and enjoyment of our yards, pools, and park areas would be significantly negatively impacted
 - d. The city should apply the higher development standards of the Overlay District to Magnolia Road (Pearland Farm and the parcel in question on Magnolia Road are in the center of the Pearland Parkway, McHard Road and Oiler Drive Overlay District).
 - i. The purpose of the Overlay District is to exercise greater control over the aesthetic, functional and safety characteristics along newly constructed major thoroughfares where higher development standards can effectively enhance the City's image as a desirable place to live, work and shop.
 - ii. The District supplements the standards of the underlying conventional districts with more restrictive standards. The standards apply to future development and use of all land within the depth of the lot up to 300 feet on either side of the street.
 - e. City provided very little notice to the public:
 - i. Only two homeowners on adjacent property were notified. Based on the rapid growth rate of Pearland, this is very inadequate!
 - ii. No signage was posted on parcel in question until two days before this hearing, after this deficiency was brought to the attention of city staff by homeowners
2. **Proposed zoning variance contradicts goals stated in the City Land Use Plan, (per the Land Use Plan for Pearland, Section 5.0):** this document reflects existing city and plans for future growth through 2020. Major goal is to accommodate anticipated growth while preserving sense of community, attractiveness and safety.
 - a. Goal 5: provide well-defined residential neighborhoods with centrally located parks
 - i. Allowing a heavy industrial facility adjacent to a residential neighborhood contradicts this goal
 - b. Goal 7: Designate sizable areas for industrial and light industrial economic development
 - i. Heavy industry should be segregated into areas away from residences
 - c. **Industrial land use: no adjacency to residential areas; appropriate zoning districts for light and heavy industry**
 - i. Proposed facility directly contradicts this goal
 - d. **Proposed facility contradicts all stated goals of City Land Use Plan**
3. **Specific concerns about proposed facility**
 - a. **Forward Enterprises has plans for future expansion:** FE states that current plans only include building on existing concrete pad near Magnolia Road entrance, but if this SUP is granted, what is to prevent them from expanding on the entire parcel of land, almost up to our fence lines?

- i. Company told us that they have plans in 5 years to expand toward RR tracks – does this mean that will they be using the RR siding? Will we hear noisy trains backing up and unloading?
- b. ***Safety Concerns: proposed manufacturing facility utilizes potential hazardous chemical raw materials***, and is not inoffensive and completely safe as Forward Enterprises states in the material presented to the city
 - i. Forward Enterprises product ingredients include three chemicals listed as OSHA hazardous components:
 - 1. **Polymethylene Polyphenol Isocyanate – *this chemical is cyanide-based***
 - a. Isocyanate raw material in liquid form will be trucked in and stored on-site
 - 2. Pyrolysis fuel oil
 - 3. Carbon black
 - 4. Plus other undesirable chemical components
 - ii. Polyurethane manufacturing where isocyanate is mixed with resin has a high risk of isocyanate exposure to workers
 - 1. The fumes must be vented while the product is curing
- c. Negative potential chemical effects: all isocyanates are hazardous substances that require care in handling. Greatest risks are from inhaling vapors, fine droplets and dust.
 - i. The company's own MSDS (Material Safety Data Sheets) state the following health and handling concerns
 - ii. Negative health effects of isocyanates: development of a range of short-range health problems
 - 1. irritation to eyes and respiratory tract
 - a. tightness of the chest, difficulty breathing
 - b. headaches
 - 2. skin irritation; dermatitis
 - a. reddening, swelling and blistering of exposed skin if not washed off
 - 3. allergic respiratory reactions
 - 4. sensitization by inhalation
 - 5. possible carcinogen – may cause cancer, based on animal testing data
 - iii. Precautions that must be taken in handling of isocyanates at plant site to protect workers include:
 - 1. face protection (although Forward Enterprises says they do not use masks in their plant)
 - 2. chemical-resistant gloves
 - 3. protective clothing
 - 4. do not eat or drink the substance
 - iv. Isocyanates must be stored in tightly sealed containers
 - 1. Isocyanates are very reactive with moisture and water
 - 2. Tanks must be vented to prevent build up of CO2 gas; the vented fumes will be released adjacent to our neighborhood
- d. The company told us that 6 chemical spills have been investigated by TCEQ (Texas Commission on Environmental Quality) at the company's other facility in South Houston

4. **We are extremely concerned about the close proximity of plant to neighborhood, the aesthetics, and the potential detractor from the use and enjoyment of our homes!**
 - a. Unsightliness of plant facility
 - b. Noise: estimated current four trucks per day, plus possible train siding usage
 - c. Light from facility
 - d. Smells/fumes and safety concerns
 - e. Increased heavy traffic on Magnolia Road
 - f. Potential hazardous material spills from trucking in and out, or train delivery, of isocyanate raw material
5. **Magnolia Road corridor is being improved by the city and developers – we urge you not to allow heavy industry to come in.**
 - a. Old and unattractive warehouse/light industrial facilities are being removed to make way for road expansion/overpass
 - i. Developer plans to put in attractive professional/office parks on both sides of Magnolia Road in front of Pearland Farms
 - ii. Proposed heavy industrial plant would severely detract from these improvements
6. **Information provided by Forward Enterprises to city planning department is not completely accurate and not detailed enough to support a decision on this zoning variation.**
 - a. Information is not completely accurate:
 - i. Information provided does not address safety issues related to the use of isocyanate chemicals
 - b. Information is not detailed: Theresa Grahmann, Sr. City Planner, stated that the company has not yet provided details of their planned facility, and do not plan to do so unless the SUP is approved.
 - i. How can the city or neighbors accurately evaluate the proposal without these details? They could do almost anything if the SUP is approved!
7. **City Council or PZ Commission can attach specific conditions to SUPs in order to maintain integrity of neighborhood or community, in the event that this SUP is approved in spite of the protests of all adjacent landowners.**
 - a. However, *the city planning staff recommends a 25' landscaped setback and 6' masonry wall – this would be grossly insufficient adjacent to a neighborhood,*
 - i. ***We request a 250' setback, preserving all existing trees and brush, plus a 6' masonry wall***
 - ii. ***Would YOU want a manufacturing plant 25' feet away from your back fence of your home?***

PLEASE DENY THIS ZONING VARIATION AND CHANGE THE ZONING OF THE PARCEL IN QUESTION TO BE COMPATIBLE WITH SURROUNDING RESIDENTIAL AREAS.

Sincerely,

John & Kandy Glover, 4001 E. Cedar Trail Court, Pearland, TX, 713.299.4093
Tony & Sydney Finnely, 4005 E. Cedar Trail Court, Pearland, TX, 281.485.5141

FORWARD ENTERPRISES, INC.

1. The proposed initial construction (Re: Site Plan) is Phase One of a Nine Phase development project, on a 30.1662 acre tract, zoned M2 (Heavy Industrial District).
2. Phase One will be a + - 28,000 sq.ft. (103' x 271') manufacturing building with blending and packaging facilities (Building "A" – Site Plan) on an existing concrete slab, located on the Northwest corner of the 30 acre tract, fronting on Magnolia Street.
3. Phase Two (Building "B" – Site Plan) will be constructed in approximately five (5) years, and will be located on the Northeast corner of the 30 acre tract, fronting on Magnolia Street, with Buildings "C", "D" to follow in later years, yet to be determined. Therefore, the manufacturing / blending facilities would be constructed along the East property line adjacent to the railroad tracks, approximately 1,050 feet to 1,100 feet from the West property line.
4. The remaining proposed buildings "E" through "I", would be Warehouse / Storage buildings.
5. There will be a proposed buffer zone (future detention area) of approximately 330' wide x 554' long (4.2 acres) between the West property line and future building "H".
6. The property is currently zoned M2 (Heavy Industrial). At the request of the City of Pearland, Forward Enterprises, Inc. is requesting a zone change from M2 to M2(S), Heavy Industrial Specific Use.

July 18, 2005

TO: Pearland Planning and Zoning Commission and Pearland City Council
FROM: Pearland Farms Homeowners (represented by John D. Glover)
RE: Response to Specific Use Permit Application 150 from Forward Enterprises for the construction of a polyurethane resin manufacturing facility on Magnolia Road

I am here today to speak AGAINST the proposed zoning variation by Forward Enterprises due to the following safety concerns.

1. Forward Enterprises plans on utilizing potentially hazardous chemical materials as part of their blending process. (See attachment 1). One chemical mentioned for application in the blending process are isocyanates. Isocyanate compounds are a group of ***cyanide based chemicals*** used in the manufacture of urethane foams. People exposed to isocyanates can develop a range of short-term health problems such as headache, sore eyes, sore throat, difficulty in breathing and skin irritation.
 - a. I don't doubt that Forward Enterprises plans on exercising all of the care that is necessary to protect their workers and the environment, **but that doesn't negate the fact that the chemicals are still hazardous and will still be stored in close proximity to our neighborhoods and homes.**
2. All of the chemicals listed on Forward Enterprises Material Safety Data Sheets (MSDS) (See attachments 1&2) must be housed in tightly-sealed containers. I can only assume that the purpose of this containment is to control the escape of potentially hazardous vapors that can evolve from these organic blends.
 - a. Again, I don't doubt that Forward Enterprises takes all of the necessary precautions when handling these materials on-site, **but does it have to be in our backyards? It seems that an industrial park or some isolated part of Pearland, would be far more appropriate.**
3. In addition to the health effects listed on Forward Enterprises' own MSDS's, there are some other potential health effects of the chemicals stored on site.
 - a. Irritation to the eyes and respiratory tracts
 - b. Skin irritation
 - c. Can cause allergic respiratory reactions.
 - d. Possible cancer hazard (Contains material which) may cause cancer based on animal data
 - e. Shortness of breath, irritation to the mucous membranes reductions in the pulmonary functions and asthma-like symptoms following exposure to levels that exist below the lowest recommended exposure levels). (Attachment 3).

4. Some of the personal protective equipment required when handling the chemicals to be stored on-site include:
 - a. Wear eye and face protection.
 - b. Wear appropriate gloves.
 - c. Wear suitable protective clothing.
 - d. *Note:* I will note that no breathing apparatus is required or used, according to one of Forward Enterprises' own representatives. This is true, however, only if good ventilation is available. So the question now becomes, when Forward Enterprises is venting to maintain a safe airborne level inside their plant, do they just vent to the outside air? If so, wouldn't that make it our problem as well?

Note: Again, Forward Enterprises might say that the venting is all approved by OSHA to be within a safe healthy range for breathing, but I wonder if the OSHA rules might be different knowing that a plant was going to be built so close to so many homes, and not in an industrial park.

I am urging the zoning committee to strongly consider this negative safety data when deciding whether or not to have a plant of this nature erected adjacent to so many neighborhoods. The risks of accepting this zoning variation will obviously out-weigh any benefit that it has to offer, in the opinion of the homeowners. Let's send a message that Pearland will not accept just any type of business or industry, and that the quality of life in Pearland is more important to us than just beefing up our tax base.

**PLEASE DECIDE AGAINST ALLOWING THIS FACILITY TO BE BUILT
ADJACENT TO OUR HOMES!**

Material Safety Data Sheet (MSDS)

Date Prepared: 04/01/2003

Revision Date: 10/13/2003

SECTION 1 - CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

Product Identifier: Poly-Ground Component A

Manufacturer:
Forward Enterprises, Inc.
9430 Telephone Road
Houston, Texas 77075
Customer Service: (800) 367-9273

24 Hour Emergency Telephone
Numbers:
CHEMTREC (800) 424-9300

SECTION 2 - COMPOSITION / INFORMATION ON INGREDIENTS

Chemical Name:	wt. %	CAS Registry #
Polymethylene Polyphenyl Isocyanate		9016-87-9
Pyrolysis Fuel Oil		69013-21-4
Aromatic Hydrocarbon		64742-94-5
Carbon Black		1333-86-4
Carbon Fibers		7440-44-0

OSHA HAZARDOUS COMPONENTS (29 CFR 1910.1200)

	EXPOSURE LIMITS		
	OSHA PEL	ACGIH TLV	Supplier
Polymethylene Polyphenyl Isocyanate	0.02 ppm	0.005 ppm	
Pyrolysis Fuel Oil	5 mg/m ³	0.2 mg/m ³	
Carbon Black	3.5 mg/m ³	3.5 mg/m ³	

COMMENTS:

Ingredient percentages withheld as trade secret pursuant to 29 CFR 1910.1200 (I)

SECTION 3 - HAZARDOUS IDENTIFICATION

EMERGENCY OVERVIEW

IMMEDIATE CONCERNS: May cause skin irritation. Allergic reactions are possible.

POTENTIAL HEALTH EFFECTS

Eyes: Moderately irritating to eyes and respiratory tracts.

Skin: May cause skin irritation.

Inhalation: May cause allergic respiratory reaction.

SECTION 4 - FIRST AID MEASURES

Eyes: Immediately flush eyes with plenty of water. Get medical attention, if irritation persists.

Skin: Wash affected area with soap and water. Get medical attention if irritation develops or persists.

Inhalation: Move victim to fresh air and treat symptomatically.

Ingestion: Get medical attention IMMEDIATELY.

Attachment 1

Page 1

SECTION 5 - FIRE FIGHTING MEASURES**Flashpoint and Method:** >221°F PENSKEY-MARTEN CC**Flammable Class:** Combustible liquid. Can form explosive mixtures at temperatures at or above the flash point.**Extinguishing Media:** Use alcohol foam, carbon dioxide, or watery spray when fighting fires involving this material.**Other Considerations:** As in any fire, wear self-contained breathing apparatus pressure-demand, (MSHA / NIOSH approved or equivalent) and full protective gear.**Fire Fighting Procedures:** Evacuate the area and fight fire from a safe distance.**SECTION 6 - ACCIDENTAL RELEASE MEASURES****Small Spill:** Soak up with inert absorbent, shovel into waste container, treat with reacting solution.**Special Protective Equipment:** See Section 8**SECTION 7 - HANDLING AND STORAGE****Handling:** When using do not eat or drink.**Storage:** Store in a tightly closed container.**SECTION 8 - EXPOSURE CONTROLS / PERSONAL PROTECTION****Engineering Controls:** Good general ventilation should be sufficient to control airborne levels.**PERSONAL PROTECTION****Eyes and Face:** Wear eye / face protection.**Skin:** Wear suitable gloves.**Protective Clothing:** Wear suitable protective clothing.**Work Hygienic Practices:** A respiratory protection program that meets OSHA 1910.134 and ANSI Z88.2 requirements must be followed whenever workplace conditions warrant a respirator's use.**SECTION 9 - PHYSICAL AND CHEMICAL PROPERTIES**

Physical State: Semiliquid	pH: 7.8	Boiling Point: 358°F
Percent Volatile: 17		Solubility in Water: Insoluble
Vapor Pressure: <0.1 mmHg		Evaporation Rate: <1 (n-Butyle Acetate = 1)
Vapor Density: >1 (air = 1)		Specific Gravity: 1.14 (water = 1)

SECTION 10 - STABILITY AND REACTIVITY**Stable:** Yes**Hazardous Polymerization:** No**Stability:** Stable**Polymerization:** Stable. However, may decompose if heated.**Conditions To Avoid:** Avoid high temperatures.**Incompatible Materials:** Oxidizing materials.

SECTION 11 - TOXICOLOGY

Sensitization: May cause sensitization by inhalation.

Carcinogenicity: NTP: Possible cancer hazard - (contains material which) may cause cancer based on animal data.

SECTION 12 - ECOLOGICAL INFORMATION

SECTION 13 - DISPOSAL CONSIDERATIONS

Disposal Method: Disposal must be in accordance with local, state, and federal regulations.

SECTION 14 - TRANSPORT INFORMATION

SECTION 15 - REGULATORY INFORMATION

United States: SARA TITLE III (Superfund Amendments and Reauthorization Act) 313 Reportable Ingredients:
CAS No. 101-68-8, maximum 40%

SECTION 16 - OTHER INFORMATION

Approval Date: 10/13/2003 **Revision #** 2

This MSDS replaces the June 17, 2003 MSDS. Any changes in information are as follows:
In Section 9, Specific Gravity (from) Percent Volatile

NFPA CODES
Fire: 1 **Health:** 3 **Reactivity:** 1

Material Safety Data Sheet (MSDS)

Date Prepared: 02/13/2002

Revision Date: 10/13/2003

SECTION 1 - CHEMICAL PRODUCT AND COMPANY IDENTIFICATION

Product Identifier: Poly-Set Component B

Manufacturer:
Forward Enterprises, Inc.
9430 Telephone Road
Houston, Texas 77075
Customer Service: (800) 367-9273

24 Hour Emergency Telephone
Numbers:
CHEMTREC (800) 424-9300

SECTION 2 - COMPOSITION / INFORMATION ON INGREDIENTS

Chemical Name:	wt. %	CAS Registry #
Aromatic Amino Polyol		68909-26-2
Aromatic Hydrocarbon		64742-94-5
Silicone Surfactant		
Tertiary Amine		
Organic Salt Solution		

COMMENTS:

Ingredient percentages withheld as trade secret pursuant to 29 CFR 1910.1200 (I)

SECTION 3 - HAZARDOUS IDENTIFICATION

EMERGENCY OVERVIEW

IMMEDIATE CONCERNS: May cause eye irritation.

POTENTIAL HEALTH EFFECTS

Eyes: Mildly irritating to the eyes.

Skin: May cause skin irritation.

Ingestion: May cause vomiting.

Inhalation: Vapor irritating.

SECTION 4 - FIRST AID MEASURES

Eyes: Flush eyes with water for 15 minutes. Get medical attention.

Skin: Wash with soap and water. Get medical attention if irritation develops or persists.

Inhalation: Move victim to fresh air and treat symptomatically.

Ingestion: Contact local poison control center or physician.

Attachment 2

Page 1

SECTION 5 - FIRE FIGHTING MEASURES**Flashpoint and Method:** 205°F Penskey-Marten CC**Flammable Class:** Combustible liquid. Can form explosive mixtures at temperatures at or above the flash point.**Extinguishing Media:** Use alcohol foam, carbon dioxide, or watery spray when fighting fires involving this material.**Other Considerations:** As in any fire, wear self-contained breathing apparatus pressure-demand, (MSHA / NIOSH approved or equivalent) and full protective gear.**Fire Fighting Procedures:** Evacuate the area and fight fire from a safe distance.**SECTION 6 - ACCIDENTAL RELEASE MEASURES****Small Spill:** Absorb liquid and scrub the area with detergent and water.**Special Protective Equipment:** See Section 8**SECTION 7 - HANDLING AND STORAGE****Handling:** When using do not eat or drink.**Storage:** Store in a tightly closed container.**SECTION 8 - EXPOSURE CONTROLS / PERSONAL PROTECTION****Engineering Controls:** Good general ventilation should be sufficient to control airborne levels.**PERSONAL PROTECTION****Eyes and Face:** Wear eye / face protection.**Skin:** Wear suitable gloves.**Protective Clothing:** Wear suitable protective clothing.**Work Hygienic Practices:** A respiratory protection program that meets OSHA 1910.134 and ANSI Z88.2 requirements must be followed whenever workplace conditions warrant a respirator's use.**SECTION 9 - PHYSICAL AND CHEMICAL PROPERTIES****Physical State:** Liquid**pH:** 9.8**Percent Volatile:** 8**Boiling Point:** 275°F to 410°F**Vapor Pressure:** <1 mmHg**Evaporation Rate:** <1 (n-Butyle Acetate = 1)**Vapor Density:** >1 (air = 1)**Specific Gravity:** 1.09 (water = 1)**SECTION 10 - STABILITY AND REACTIVITY****Stable:** Yes**Hazardous Polymerization:** No**Conditions To Avoid:** Avoid high temperatures.**Incompatible Materials:** Oxidizing materials.

SECTION 11 - TOXICOLOGY

SECTION 12 - ECOLOGICAL INFORMATION

SECTION 13 - DISPOSAL CONSIDERATIONS

Disposal Method: Disposal must be in accordance with local, state, and federal regulations.

SECTION 14 - TRANSPORT INFORMATION

SECTION 15 - REGULATORY INFORMATION

United States: SARA TITLE III (Superfund Amendments and Reauthorization Act) 313 Reportable Ingredients:
CAS No. 91-20-3 @ maximum 2%

SECTION 16 - OTHER INFORMATION

Approval Date: 10/13/2003 **Revision #** 6

This MSDS replaces the October 13, 2003 MSDS. Any changes in information are as follows:
In Section 9, Specific Gravity (from) Percent Volatile

NFPA Codes- Fire: 1 Health: 1 Reactivity: 0

Page 3

Material Safety Data Sheet

[Home] [Manufacturer] [Part Number] [NSN] [Help]

SECTION I - Material Identity

Item Name..... POLYMETHYLENE POLYPHENYL ISOCYANATE;
POLYMERIC ISOCYANATE
Part Number/Trade Name..... A COMPONENT ISOCYANATE DESIGNATED, 125-4S
120-3S, 113-3S,
National Stock Number..... 9330PAT405
CAGE Code..... 95314
Part Number Indicator..... A
MSDS Number..... 15002
HAZ Code..... C

SECTION II - Manufacturer's Information

Manufacturer Name..... UTAH FOAM PRODUCTS, INC.
Street..... 3609 SOUTH 700 WEST
City..... SALT LAKE CITY
State..... UT
Country..... US
Zip Code..... 84119
Emergency Phone..... 8012690600
Information Phone..... 8004249300

MSDS Preparer's Information

Date MSDS Prepared/Revised..... 120193
Active Indicator..... N

Alternate Vendors

SECTION III - Physical/Chemical Characteristics

Appearance/Odor..... BROWN LIQUID.
Boiling Point..... 392 DEG F
Melting Point..... N/R
Vapor Pressure..... 1X 10⁻⁵
Vapor Density..... 8.6
Specific Gravity..... 1.2
Evaporation Rate..... NR
Solubility in Water..... REACTS
Container Pressure Code..... 4
Temperature Code..... 8

Attachment 3

Product State Code..... U

SECTION IV - Fire and Explosion Hazard Data

Flash Point Method..... UNK
Lower Explosion Limit..... N/R
Upper Explosion Limit..... N/R
Extinguishing Media..... WATER FOG, FOAM, DRY CHEMICAL OR CARBON DIOXIDE.
Special Fire Fighting Procedures..... SHOULD WEAR SELF-CONTAINED BREATHING APPARATUS IN ADDITION TO NORMAL PROTECTIVE TURNOUT CLOTHING.
Unusual Fire/Explosion Hazards..... AVOID WATER CONTAMINATION IN CLOSED CONTAINER OR CONFINED AREA. (CO2 EVOLVED EXOTHERMIC)

SECTION V - Reactivity Data

Stability..... YES
Stability Conditions to Avoid..... AVOID TEMPERATURES GREATER THAN 120 DEG F OR BELOW 75 DEG F
Materials to Avoid..... WATER, STRONG BASES, ALCOHOLS, METAL COMPOUNDS OR SURFACE ACTIVE AGENTS.
Hazardous Polymerization..... MAY
Polymerization Conditions to Avoid..... CONTAMINATION BY MOISTURE. STORE UNDER 40 DEG F DEW POINT AIR OR N2 OR OTHER MATERIALS THAT REACT WITH ISOCYANATES

SECTION VI - Health Hazard Data

Route of Entry: Skin..... YES
Route of Entry: Ingestion..... YES
Route of Entry: Inhalation..... YES
Symptoms of Overexposure..... BREATHLESSNESS, SEVERE COUGHING, CHEST DISCOMFORT, IRRITATION OF MUCOUS MEMBRANES, AND REDUCE PULMONARY FUNCTIONS (REACTION MAY BE DELAYED 4-8 HRS) MAY DEVELOPE SENSITIVITY LEAD TO ASTHMA-LIKE SYMPTOMS ON SUBSEQUENT EXPOSURE BELOW THE TLV
Medical Cond. Aggrevated by Exposure.... EYES, SKIN, INHALATION.
Emergency/First Aid Procedures..... INHAL= REMOVE TO FRESH AIR, RESTORE BREATHING IF NECESSARY, CALL PHY IMMED. EYES

SECTION VII - Precautions for Safe Handling and Use

Steps if Material Released/Spilled..... ONLY PROPERLY PROCECTED PERSONELL SHOULD REMAIN IN THE AREA. CONTAIN SPILL, COVER LIQUID WITH ABSORBANT MATERIAL = SAW DUST, OIL ABSORBANT, ETC.
Neutralizing Agent..... N/R

Waste Disposal Method..... PLACE IN OPEN TOP CONTAINER, . REMOVE TO VENTILATED AREA AND TREAT WITH DILUTED AMMONIA. LEAVE TO VENTILATE FOR 24-48 HRS

Handling and Storage Precautions..... N/R

Other Precautions..... N/R

SECTION VIII - Control Measures

Respiratory Protection..... FOR LONG TERM EXPOSURE, USE SELF CONTAINED WITH POSITIVE FLOW,

Ventilation..... GENERAL MECHANICAL EXHAUST TO MAINTAIN LEVELS BELOW TLV

Protective Gloves..... RUBBER GLOVES

Eye Protection..... CHEMICAL GOBBLES. FULL FACE SHIELD.

Work Hygenic Practices..... WASH WITH SOAP AND WATER AFTER EACH USAGE OF CHEMICALS.

Supplemental Health/Safety Data..... LAUNDER CLOTHING AFTER EACH USAGE.

Disposal Code..... O

SECTION IX - Label Data

Protect Eye..... YES

Protect Skin..... YES

Protect Respiratory..... YES

Chronic Indicator..... NO

Contact Code..... MODERATE

Fire Code..... UNKNOWN

Health Code..... UNKNOWN

React Code..... UNKNOWN

SECTION X - Transportation Data

Container Quantity..... 5

Unit of Measure..... GL

SECTION XI - Site Specific/Reporting Information

Volatile Organic Compounds (P/G)..... 0

Volatile Organic Compounds (G/L)..... 0

SECTION XII - Ingredients/Identity Information

Ingredient #..... 01

Ingredient Name..... DIPHENYLMETHANE -4,4'- DIISOCYANATE

CAS Number..... 26447879

Proprietary..... NO

Percent..... 50%

NOTICE: For additional information, contact BIOENVIRONMENTAL

HMMS Intranet - 18 Jul 2005 12:27 - web_msd.display - Visit the Official HMMS Website at www.hmms.com

No. 1237

①

Mr. Longoria spoke.

no one spoke in support
of or opposition of this
zone req.

Councilman Cole stated
there were 2 written
forms in favor

No comments from
Council or Staff

No. 1235 & 148

change to residential

Staff recommend appr.

Church is consider

residential / friendly

②

Rec'd 2 Public Forms

- 1 - Against ^{Public} form
- 1 - Email against

1 person wishing to speak:

→ Jan Sutter
1833 Max Rd.

(East & So. of property)

Is extremely low
piece of land. Assume
retention pond would
be necessary

2 nice homes to
north

No. 1235 / No. 148

(3)

No other comments
from audience

Councilman Cole
wants Mr. Sutter
question addressed by
staff

appl. has to flat &
apply for bldg permit.
and retention review

Open Meadowes brought up
parking situation.

Th. Dr. - based on seat
capacity.

Park-Lot & retreat might
restrict size of church size

(4)

Mayor said it would fall
under Plating

Councilman Cole backed
what Mr. Graham stated

Mr. Graham talked of
site plan

Rata suggested appl. attend
a Pre-Develop.

No other comments from
Council/comm/staff

closed 7:50

No. 1236

Nr. 149

(5)

Recommends appr.

Conditions be placed on
subj. prop.ie.. Dump
landsc
etc

No comment forms rec'd

Applicant

Robt Smith
rep. Shepherds of the Heart
Method.Will comply & are
aware & ready to
plat.

6

No one in audience
for or against

No comment from
Council / Pub / staff

adj. 7:54

No. 150

Lata spoke of location
appl. looking for SUP
of Chemical Blending
map shown

Future Land Use Plan
shows Resident.

Industrial has changed
not considered at conference

(7)

Pre. Staff rec.

Had Pre-Devel.

Spoke w/ Joe Marshall -
No Hazard

Data sheets attached

Is a blending facility

Blend
Package
& ship

Some outside stor.

all Blending inside

Hesitant to say Staffs
in favor - but Appl. &
use does comply.

⑨

Concerns:

- 1) 6 ft high masonry fence
- 2) 25 ft landsc. buffer

Applicant

Mr. McGuff passed out
Plans to staff & P42

Jack McCull of McGuff
architects
5208 Broadway
represent. applicant

(9)

1st Bldg 28000 bldg
fronting Magnolia

1st Phase built on existing
slab

M-2 - approx. 5 yr
addn. CME
corner
fronting on Magnolia

Remain bldg
warehouse (storage)

Prop. over zone M-2
(Heavy Industrial)

change to: M-2 spec. use

(10)

Norman Kirby
operations mgr.
of 20th Enterprise

Buy finished prod.

blend
make polyurethane

sell to Util. Co's.

they don't make the chem.
they mix the ~~2~~ two.

Class 3-B liquids

(11)

Mayor:

anyone in a

Public Spoke:

① Developer of Pearland Farms
 Always
 Evans → orig. zoned comm.
 now zone Resid.

Strongly

Larry Sutton

Built too close to
 1512 / Homes

John Glover
 4001 E Cedar

(12)

Mr. Glover

read from his notes
health concernsurging gov. committee
to declinePearland will not accept
this

Tony Finnelly

lives in Pearland Farms

reduce prop. ^{value} levels

reduce # of homes

would cause destraint to all
home owners

Candy Glover

share back fence

Prop. Value

zoning contradicts

goals stated, land use

zoning

don't Jessej ?

lives in Pearl and Farms

we deserve more

Roy Simpson
Fox Run
in Cobblestone

against
for safety of children

not opposed to Chem. in Leasing
but not near Residential

Feels more research
more info should
be available to public

Jeremy
4004 E Cedar

against - he's a
Paramedic

strongly oppose

Karen Ullas
4009 E Cedar

oppose strongly variation

Frank Fort
 against

Chris Sutton
 4010 E Cedar Trail &
 against

Delora White-Wick
 opposed

would like add to record
 to Mr Kirby or
 P & Z
 to buy a 170⁰⁰⁰ or 140⁰⁰⁰
 home & prudence

Concern about lightning
into backyard

what about chemicals

Don't neighborhoods deserve
pretty

~~Don't feel buffer wall will help~~

Mark Smith
4000 E Cedar Tr. Ct.

2nd John Glovers
Comments
on Safety

In event of fire?

release valves?

chemical containment
continuation

water use/dispose

Richard Murphy

opposed retired from
Chem. Co. (30 yrs)

where will they stop?
contaminant?

what stops fumes?

Allison
Barnes ~~Elsa~~

3603 Shasta St.
Capit + Cove.

150 cyanate
para
carbon black

bio chemist
major

} works in
med. fld.

TOPS

TOPS

Monica Tommes

A lot of neighbors
did not get this

Can it get to neighbors

Workes in Transp. Industry

Carbon Black -

Haz.-Mat.

Matt Tommes

4517 Foxham

Dangers (Cobblestone) documented

Jacqueline Williams
 Barclay Subd.

Not worth Tax dollars

Bretchen Berry

Cabot Cool Salt

workers in
 chemistry Industry
 Chemist

John Skeels
 Bayway Homes

oppose sup
 because it continues
 forever

John Skeele

2) Prop tax these homes
bring in

3) as show of people here,
Prop. should be rezoned
as

~~ask~~
deny & rezone to Resid.

Michael Jawcett

employed by Bayway

extensive back ground:
Industrial R.E.

appr. term: External Adolescents
we hghts
stor. hghts

Res near Industrial
Appraiser would note
external adolescent

Brett Phillips

4909

against for all
reasons heard

chem. are cat. 3 out of 4

Jeff McClure

4512 Til . . .

worked for oil co 10 yrs

suffers from cond. from ys @ plant

? Containment

? Ground water

what about flooding?

chick

speech delayed due to ground water contamination in Calif.

Michelle Dineely

3509

Cobblestone

Oppose

Denise Bonner

oppose

Kelly ~~Qu~~
4520 Stonebridge

Seaver

oppose

Donna Smith

4? - 06 E. Cedar

oppose / A hint of Bris

Shannon McCawley
against

~~NO other com~~

applicants

Norm Kirby

1930

Operation Mgr.

Waters tested ea. time
it rains

Record spotless

every thing contained
in bldg.

Not a Chem. manufctr.

Have test records to
show clean record

Council

Cole - question for
Warren

If deemed
can city zone
residential

In past - a possibility

Now - do a down zoning
say had a vested
right.

More difficult
might run into
legal challenges

Mayor said ^{everyone} notified
w/in 200 ft.

Councilman Cole

uses Appr. Dist. records
Is this why we don't
have homeowners names

The. Graham

only 2 owners notified
the rest were Bldrs.

- Chase
- Bayway
- Kebble

Monica Tommo)

What happens to people
that did not get
notified?

Th. Graham

get notice
map
appl.

Council got ~~staff~~
30 against

more came in (another
5 or
more)

~~notices were sent~~

10 days

before hearing

sign posted by
before

The Grohmann

Published in Pearland
Reporter News
19~~th~~ day before

very about
6/29

Victorian
advised
to subscribe to
Pearland Paper
to get Pearland news

Please subscribe
Please pay attn.

Mayor
thanked all
"want to be fair"
Public is notified

Comm. Greener

Haz-Mat mat.

to: appl.

• what is absorbant?

subal

sand

? re: liquid?

liq detergent

amonia

soak it up

add liquid

applic

anything aromatic

can be carcinogenic

D-5 hq

Recovery vents covered

Blending tanks ^{enclosed} seal
double wallingno² Fail safe

no seals

Bldg has curbs (6"
all around bldg)

no drainage

Safety recordsTNRC storm water
permit

Insp. ea. 3 mo's

Sheryl Greenier asked Mr. Kerby

- Dore - (Sprinklers)
 Celec (lightning) to cause fire
- Venting - any pressure-vent opens/escapes
 no chemicals - only air
- Chemical - containers 1/2 full
- Water - no connection to water or sewer
 only city water for drink & toilets

Lata said fire marshal was @ Pro. Dev.

Confident Kareland would be able to fight fire

Councilman Owens

Believes in what residency say tonight.

Bldrs - maybe you should look into M~~2~~ Young next door

M2 is heaviest Industrial

Maybe a ^{residence} ~~apt.~~. Should check
w/ Bldr.

p & z Tocco

Adjourned

@ 9:22

P&Z opened

9:31

Tocco went over rules

Dreiner ~~the~~ motion ^{to}
ap

Joe Met 2nd

~~the~~ appre

A. 1237

ap

Shery motion

Joe 2nd

4-0 For

1235
Shery/

Neil

4-0 app.

col skin

1234Sheryl w/ staff &
rec.

plus fencing

Neil seconded

Kata needs clarification
on fenceSheryl screening (fence) on resid.
side
W, N & E sideKata W & N are vacant
but will probably be
Resid.

Sheryl N, E, & W - fencing

Joe - ~~is~~ Can fence
be required next
to residence,

Nikm - would not
recommend.

Choose to put it
in or not.

Joe - concerns about
fencing

Todd 10 acres - that's
a lot of \$ for
the church

Todd called vote Joe McWhorter
3 for 1 oppose
3-1

150

Sheryl app. to disc.

Joe 2nd

~~Today~~ Question for StaffTruck traffic off of
new bridgeData - Lot of Industrial
now. So road
will probably adjust
for thatJoe - opposed chemicals
near residential

Neil
no room for buffer
he opposes

Sheryl
no comments

Todd
around when land
spread (indus. to
Resid.

Prop. was hard fought

Prop in question was not
part of disc. to rezoning

Has problem ~~with~~ putting chem. near
resid.

He can sympathize w/
prop. owner.

cannot support it.

Motion to appr.

0

oppose

4

0 - 4 opposed
motion fails

Todd
 motion to
 combine
 E, F, G

Sheryl 2nd
 motion carries
 4-0

E.

SF 52

Diana Spoke
 resid. lots

- change name
- add contact person to plat

SF 54

- add right of way line
- 40 ft tract show abandon
- add contact person to plat

Entrance

add item to legend
 on Plat

Todd called
 for motion
 Neil YES
 Sheryl second

Carries 4-0
appr.

H. Country Club Plaza
show reg str. lightson Plot

Todd asked why we are seeing this
again?

Todd called for motion
Joe w/ staff comm
Shery rap
4-0 appr.

I Emerald Stone

Diana

street light

motion - De
appr.

Shery secured

4-0 appr

J. removed

K. Savannah
no outst
mot. Shery ap
Joe 2nd

4-0 appr

S.T.

ph 1 / sec. 5

3 outstanding items

Temp. Benchmark (TMB)

Shery app w/ staff

Jobs 2nd

Job - questions: are they

4-0 app.

M O Q 5
together

N P R T

consider as 2nd itz
Todd motion Shery / sec.

4-10 appr
to

Public Hearing

S. T.	Phl	/sec 1
	1	sec 2
	1	sec 3
	1	sec 4

Final
Plan

Todd: anyone wishing to
sp. for or against
above 4 items

No P&Z No Staff
disc.

Close & move on

Consider & Possibly action

	Ph 1	Sec 1
S.T.	Ph 1	2
	Ph 1	3
	Ph 1	4

~~Pat~~ Diane read staff
recomm. of each section

? not
to appr.

~~Pl 200~~

Today why are we doing
this

Richard's said their Atty
~~at~~ wants them called
Re-Plot

Joe why street lights
 Having to ~~be~~ put more in.

60/40 % split
 between city
 & developer
 of how str. lights pd.

Sheryl had quest. about
 files.

Later exp.

~~Tom~~
 SN city has resolved
 str. lights
 & fees

Todd
Any other
questions?

No

Stony
Joe

4-0 appr.

adjourned 10:09

Nick council holding a
~~mtg~~ workshop

8/11 UDC Council Mtg.
P & Z invited

If ~~more~~ 4 or more -
have to post it - for a
Quorum
8/23 UDC

Probably be a 3rd mtg
no dt. yet

Data

Planning Day
7/21/05

Invited P&Z members

Joe can't

adjourned
@ 10:11