

Planning and Zoning Commission

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON JANUARY 14, 2002, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARINGS IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 7:26 p.m. with the following present:

P&Z Chairman	H. Charles Viktorin
P&Z Commissioner	Todd Iocco
P&Z Commissioner	Kevin McDonald
P&Z Commissioner	Robert Scherrer
P&Z Commissioner	Don Sederdahl
P&Z Commissioner	Russ Selemon
Development Coordinator	Mona Phipps
P&Z Secretary	Jennifer Gonzales

P&Z Vice-Chairman Donald Glenn was absent.

II. APPROVAL OF MINUTES: January 7, 2002

Commissioner Scherrer made a motion to approve the January 7, 2002 minutes with a second made by Commissioner Sederdahl.

Commissioner Selemon stated that on page 4 in the third paragraph he would like to see it documented that he made a suggestion to decide ahead of time on the percentages needed for each zoning classification then allocate those percentages.

Motion to approve passed 6 to 0.

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 1015

Request 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:

Zone Change Application No. 1015

Legal Description: 3 acres, out of a 12 acre tract, being out of the South 99 acres of the H. T. & B. R.R. Co. survey, Section 7, A-219, and

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recorded in Volume 868, page 239, Deed Records of Brazoria Co., TX, (6301 Broadway Street)

Owner: James Marsh
7919 Montglen
Houston, TX 77061

Agent: Jimmy Vaughan

Commissioner Sederdahl made a motion to forward Zoning Application No. 1015 to City Council for denial with a second made by Commissioner Iocco.

Commissioner McDonald verified that the acreage is on the map matches the legal description and Development Coordinator Mona Phipps stated that it is correct.

Commissioner Iocco stated that the Commission is in a predicament with this property and explained that their concern is what could happen to this property with "Commercial" zoning. He explained that there was no problem with the property to the west because it was an on-going business. He also agreed with City Council and stated that he could deal with the front part as "General Business".

Commissioner Scherrer stated that he does not see how "spot-zoning" is a concern and explained that the property next to and adjacent to be "Commercial", and the request is certainly consistent with the other surrounding properties along FM 518.

Commissioner Selemon pointed out that there could be outside storage and this is a major distinction in their consideration. He stated that most landscaping businesses have piles of dirt and mulch.

Chairman Viktorin stated that he is concerned for this business because it used to be in the county and also because there is mixed zoning surrounding the request.

Commissioner Scherrer agreed and stated that if you look at the zoning map everything touching FM 518 is either "Commercial" or "General Business".

Commissioner Selemon stated that he would not have a problem with "General Business".

Discussion ensued between the Commission and Staff regarding the need for a masonry fence and Development Coordinator Mona Phipps pointed out that the north and the east side would have to have a 6' masonry fence.

Commissioner McDonald asked if the business could actually get started before the fence is built, and Development Coordinator Mona Phipps explained that the only way that would be possible were if the owner applied for a variance that would go before the Zoning Board of Adjustments.

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Commissioner Selemon stated that even if there were odors, the 6' fence would not help the odors.

Discussion ensued between the Commission and staff regarding the requirement for the 6' masonry fence in both "General Business" and "Commercial" zoning classifications.

Commissioner Iocco stated that the subject of the masonry fence should be further discussed.

Chairman Viktorin called for a vote.

Motion to deny passed 4 to 2.

Voting Record:

"Aye" – Commissioners Selemon, Iocco, Scherrer, and McDonald.

"No" – Chairman Viktorin and Commissioner Sederdahl.

B. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 1016

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

Zone Change Application No. 1016

**Legal Description: Lots 25-31, Block 1, Pearland Townsite, Brazoria Co., TX
(2246 N. Washington Ave)**

**Owner: Adult Reading Center, Inc.
2246 N. Washington Avenue
Pearland, TX 77581-4040**

Agent: Dale E. Pillow

Commissioner McDonald made a brief speech commending the applicant for this request and stated that this request is one of the more honorable changes.

Commissioner Sederdahl made a motion to forward Zoning Application No. 1016 to City Council for approval with a second made by Commissioner Iocco.

Motion to approve passed 6 to 0.

C. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 1011 & 1018

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

1. Zone Change Application No. 1011

Legal Description: .7016 acres, being Lot 4 of an unrecorded subdivision of 9.83 acres, being Lot 20, Allison Richey Gulf Coast Homes Subdivision, Section 9, H. T. & B. R.R. Co. survey, A-234, Brazoria Co., TX (1949 Max Road)

Owner: Clinton G. Whatley
1949 Max Road
Pearland, TX 77581

Agent: Paulette Burns

2. Zone Change Application No. 1018

Legal Description: 2.071 acres of land, out of Lot 53, Allison Richey Gulf Coast Home Co. Subdivision, Section 9, H. T. & B. R.R. Co. survey, A-234, Brazoria Co., TX, as recorded in Volume 2, page 24, plat records of Brazoria Co., TX (7010 W. Cliffstone Road)

Owner: Claudette Smikle
7010 W. Cliffstone Road
Pearland, TX 77581

Commissioner McDonald made a motion to forward Zoning Application Nos. 1011 and 1018 to City Council for approval with a second made by Commissioner Iocco.

Motion to approve passed 6 to 0.

D. CONSIDERATION & POSSIBLE ACTION – Zoning Application No. 1017

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

Zone Change Application No. 1017

Legal Description: 2.225 acres, in the H. T. & B. R.R. Co. survey, A-506, Brazoria Co., TX (Hillhouse Road)

Owner: Jorge and Lisa Aguirre
4831 Lochman Lane

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Pearland, TX 77584

Commissioner Scherrer made a motion to forward Zoning Application No. 1017 to City Council for approval with a second made by Commissioner Selemon.

Commissioner Selemon asked if this would be in compliance with the Cullen Blvd Land Use Plan that they have recommended to City Council and he pointed out that to the immediate north is McHard Road.

A brief discussion ensued and it was noted by the Commission that they did not think this request would be a problem.

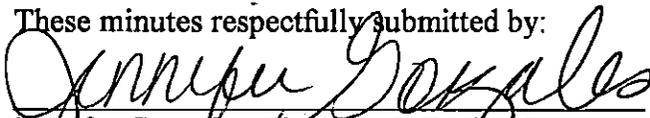
Motion to approve passed 6 to 0.

- IV. NEXT MEETING DATES:** January 21, 2002 (Workshop with City Council at 6:00 p.m. followed by a JPH & Regular Meeting)
February 4, 2002 (Regular P&Z Meeting)

V. ADJOURNMENT

The meeting adjourned at 7:54 p.m.

These minutes respectfully submitted by:


Jennifer Gonzales, Planning & Zoning Secretary

Minutes approved as submitted and/or corrected on this 21 day of Jan, 2002.


Charles Viktorin, Planning & Zoning Chairman

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AGENDA OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JANUARY 14, 2002, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARINGS IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

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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: 10th day of January, 2002 A.D.
REMOVED: 15th day of January, 2002 A.D.