

PLANNING AND ZONING COMMISSION

MINUTES OF A REGULAR MEEING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON JULY 17, 2006, AT 7:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

The Regular Meeting was called to order at _____ p.m., with the following present:

P & Z Vice-Chairperson Sheryl Greiner
P & Z Commissioner Neil West
P & Z Commissioner Darrell Diggs
P & Z Commissioner Jerry Koza, Jr.
P & Z Commissioner Henry Fuertes
P & Z Commissioner Susan Sherrouse

Also in attendance: Assistant City Manager Nick Finan, Planning Director Lata Krishnarao; Senior Planner Theresa Grahmann; Plans and Plat Administrator Richard Keller, Planner I Diana DuCroz, Planning Administrative Secretary Judy Krajca, and Assistant City Attorney Nghiem Doan

E. CONSIDERATION & POSSIBLE ACTION - ZONE CHANGE NO. 2006-Z

A request by Mike Pollak, applicant for Signature Eubanks and Associates, Ltd., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification General Business Retail District (GB) with an approved Specific Use Permit and Single Family -1 District (R-1) to Townhouse Residential District (TH), located on the North Side of Fite Road, and Approximately 1,100 Feet West of FM 1128 (Manvel Road)

Vice Chairperson Greiner made a motion to consider as PD instead of TH.

Assistant City Attorney Doan stated that the motion must pertain to what was requested.

Commissioner Diggs made a motion to approve, and Commissioner West seconded.

There was discussion regarding screening or open space between the town homes and residential homes next to the development.

The vote was 6-1 for approval. Commissioner Greiner voted in opposition.

PLANNING AND ZONING COMMISSION

APPROVAL OF MINUTES

Vice-Chairperson Sheryl Griener made the motion to approve, and Commissioner Susan Sherrouse seconded. The vote was 7-0 for approval.

NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2006-3

A request by Affiliated Machinery, Inc., applicant for Associated Properties, owner, for approval of a Conditional Use Permit for a "Machinery Sales, Storage, and Repair" facility in the General Commercial District (GC), on the following described property, located on the South Side of Alice Street, and approximately 1,000 Feet East of State Highway 35 (Main Street)

Vice-Chairperson Greiner made a motion to accept with stipulation as stated "The applicant comply with all applicable requirements in the Unified Development Code", Commissioner West seconded.

Commissioner Diggs asked if comment # 4 " the applicant will be required to comply with all requirements in the Unified Development Code pertaining to the development of this site", then why does the commission need to stipulate this. Assistant City Attorney Doan stated that it does not, nor does it need to be stated because it is in the Unified Development Code. Staff has requested this be stated because if a site plan is attached, there may be confusion that the site plan may be approved and not be up to code as stipulated in the Unified Development Code.

Vice-Chairperson Greiner amended the motion to strike the comment in regards to comply with all applicable requirements in the Unified Development Code to approval of a conditional use permit does not imply or mean acceptance of any documentation that was furnished with the request such as a site plan or letter. Commissioner West seconded the motion.

Commissioner Diggs had a question regarding the outside display or outside storage if there is a code restriction. Planning Director Krishnararo explained that there were screening standards that addressed the outside storage.

The vote was 6-0-1 for approval. Commissioner Koza abstained from the vote due to personal involvement.

PLANNING AND ZONING COMMISSION

B. CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2006-5

A request by Spasco, Ltd., and Sandy P. Aron, applicant for Judy Ley Allen and Linda Ley Ament, owners, for approval of a Conditional Use Permit for a "Convenience store with Gasoline Sales" facility in the Spectrum District, District S1: The Beltway District (SPD 1), on the following described property, located on the South Side of Beltway, and on the West Side of Kirby Drive.

Commissioner Sherrouse made the motion to approve for comments, Vice-Chairperson Greiner seconded.

Commissioner Diggs asked if this is first and only gas station in the Spectrum District at this time. Planning Director Krishnarao stated this was the first development in the area.

There was discussion among the Commissioners and Staff clarifying the SPD zoning.

Chairperson Sandars stated that the same comment, as before should be placed, that approval of the Conditional Use permit does not imply approval of attached documents.

The vote was 7-0 for approval.

C. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-21Z

A request by James B. Purcell, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification General Business Retail District (GB) to Single Family Residential – 2 District (R2), on the following described property, located on the North Side of Walnut Street, and Approximately 150 Feet West of Johnston Street.

Vice-Chairperson Greiner made a motion to approve, Commissioner Sherrouse seconded.

The vote was 7-0 for approval.

D. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-20Z

A request by Irene Flores, applicant for Daniel Flores, owner, for an

PLANNING AND ZONING COMMISSION

amendment to Ordinance No. 2000M, the Zoning Map of the city of Pearland, for approval of a change in zoning district from classification Suburban Residential – 15 District (SR-15) to Neighborhood Service District (NS), located on the East Side of Manvel Road (FM 1128), and on the North Side of West Lea Lane.

Vice-Chairperson Greiner made a motion to table so that the applicant can get all the paperwork turned into staff.

Senior Planner Grahmann clarified the comment “commercial reserve”.

Motion dies for lack of second.

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

Commissioner Fuentes asked if the Commission were to approve the request, would the applicant still have to meet the deed restrictions, which states they cannot have the daycare. Assistant City Attorney Doan stated that Legal has not gotten involved enforcing deed restrictions.

Vice-Chairperson Greiner asked if the applicant could accomplish with less, such as Residential with a Conditional Use Permit. Senior Planner Grahmann explained that was not an option under the new ordinances. There was further discussion regarding what deed restrictions are and how applied.

Chairperson Sandars stated that Neighborhood Services (NS) means a lot of other things could be put in there, i.e. gas station, dry cleaners, etc. Ms. Sandars also spoke about the dangers of spot zoning.

Planning Director Krishnarao clarified the daycare verbiage in regards to the zoning and ordinances. Commissioner Fuentes stated that daycare was a wonderful idea but the location is not good.

The vote was 0-7 for approval. The reasons for denial are as follows:

1. Not a conforming use.
2. Maintain the residential complexion.
3. Consists of spot zoning.

F. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-25Z

WITHDRAWN FROM AGENDA BY APPLICANT PRIOR TO MEETING

PLANNING AND ZONING COMMISSION

G. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-24Z

A request by M. Arif, applicant for Sohail Noor, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Garden O'Day Mixed Use District (GO-MU) to Planned Development District (PD), located on the West Side of Garden Road, and Approximately 1,600 Feet South of Brookside Road.

Vice-Chairperson Greiner made a motion to approve for discussion, Commissioner Diggs seconded.

Vice-Chairperson Greiner stated that when originally presented it was a conforming use for the area, but now has diverged from the original intent.

There was discussion between the Commissioners and Staff regarding the use of the land, buffer restrictions, traffic issues, density, and height restrictions, and use variance with town homes and school in the development.

The vote 0-7 for approval. The reasons for denial are as follows:

1. Adverse effect on the subdivision
2. 2 uses not allowed in the base district
3. Traffic issues
4. Density

H. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-23Z

A request by Osborne Development, applicant for Trinity Leasing, Ltd, owner, for an amendment to Ordinance No. 2000 M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 1 District (R-1) to Planned Development District (PD), located on the West Side of Miller Ranch Road (County Road 93), and Approximately 1,000 Feet North of FM 518 (Broadway Street).

Commissioner West made a motion to approve with Staff's comments, Commissioner Koza seconded.

Chairperson Sandars asked if dealing with a PD in an OP district or a PD with underlying GC.

PLANNING AND ZONING COMMISSION

There was discussion in clarification of what the applicant was wanting.

Planning Director Krishnarao stated that there were several issues that would need to be addressed in the PD. Staff does recommend approval but the PD is not complete.

Vice-Chairperson Greiner made a motion to table this zone change until the applicant could address the issues in the PD and present a complete PD. Chairperson Sandars seconded the motion.

The vote was 7-0 to table.

I. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT AVALON TERRACE SECTION TWO

A request by Scott Wright, Jones & Carter, Inc. for MHI Partnership, Ltd., owner, for approval of a Final Plat subdivision of 16.8790 acres in the E.T.J. for 77 residential lots. The property is located North of Broadway West of Max Road.

Planner I Diana DuCroz read the staffs report. There three conditions outstanding:

1. Leinholders subordination agreement needs to be recorded and date added to plat.
2. The TBM must be labeled
3. Three sets of mylars needed

Vice-Chairperson Greiner made the motion to approve with staff comments, and Commission Koza seconded.

The vote was 7-0 for approval.

J. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF PRIMROSE SCHOOL AT PEARLAND

A request by Tina Kast, Texas Engineering and Mapping, for Papadopulus Holdings II, owner, for approval of a Final Plat of 1.8667 acres zoned General Business (GB) for one lot. The property is located on the west side of Pearland Parkway, North of 518.

Planner I Diana DuCroz read the staffs report. There was only one outstanding item; signatures and seal need to be added to plat.

Vice-Chairperson Greiner made a motion to approve with Staff's

PLANNING AND ZONING COMMISSION

comments, Commissioner Sherrouse seconded.

The vote was 7-0 for approval.

K. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SHADOW CREEK RANCH MF-5A

WITHDRAWN BY APPLICANT PRIOR TO MEETING

L. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SOUTHERN TRAILS WEST SECTION ONE

A request by Dausha Moore for Stoddard Group Ltd., owner, for approval of Final Plat subdivision of 39.3506 acres for 112 residential lots. The plat is located in the Southern Trails PUD west of Kingsley Drive.

Planner I Diana DuCroz read the staffs report. There was one outstanding items; need BDD 4 approval.

Vice-Chairperson Greiner made the motion to approve with Staff's comments, and Commissioner Diggs seconded.

The vote was 7-0 for approval.

M. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF TELEPHONE ROAD SUBDIVISION

A request by Gregg Wiltshire, Wilson Survey Group, for PMSV Telephone LP, owner, for approval of Final Plat of 5.1905 acres zoned Commercial (C) for one lot. The property is located at 1525 N Main at intersection of McHard Road.

Planner I Diana DuCroz read the staffs report. There was one item outstanding; signatures and seal added to mylar.

Vice-Chairperson Greiner made a motion to approve with Staff's comments, Commissioner Koza seconded.

The vote was 7-0 for approval.

N. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF VILLAGES TOWNE LAKE

A request by Bobby Marlowe, Rekha Engineering, for Villages of Towne Lake, LP, owner, for approval of a Final Plat of 34.9454 acres zoned PUD

PLANNING AND ZONING COMMISSION

for a multifamily development. The property is located east of Main Street South of Oiler Drive.

Planner I Diana DuCroz read the staffs report. There are 14 outstanding items.

Commissioner West made a motion to approve, and Commissioner Koza seconded.

The vote was 0-7. The plat was denied. The Commissioner's denied the plat based upon the 14 outstanding items listed in Staff's report.

O. NEXT MEETING

July 3, 2006 No Meeting

July 10, 2006 Possible Meeting

July 17, 2006 JPH & Regular P&Z Meeting

ADJOURNMENT

The meeting was adjourned at 11:10 p.m.

These minutes are respectfully submitted by:

Betty J. Foreman for Judy D. Krajca
Planning Administrative Secretary

Minutes approved as submitted and/or corrected on this 19th day of June, A.D., 2006.

Ruby Sandars
P&Z Chairperson

PLANNING AND ZONING

MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON 7-17-06, 2006, AT ___:___ P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The Regular Meeting was called to order at 8:50 pm. with the following present:

- P & Z Chairperson Ruby Sandars
- P & Z Vice-Chairperson Sheryl Greiner
- P & Z Commissioner Neil West
- P & Z Commissioner Henry Fuentes
- P & Z Commissioner Susan Sherrouse
- P & Z Commissioner Darrell Diggs
- P & Z Commissioner Jerry Koza, Jr.

Also in attendance: Assistant City Manager 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:

Dates: P&Z (followed JPH)

*Neil / Jerry
le-o appr.*

Dates: P&Z (Regular Meeting)

Neil made the motion to approve the minutes, (w/staff comments) or (for the sake of discussion) and Jerry seconded. (Chairperson Sandars stated ___ correction(s) needed to be made on the ___ minutes. Change is:) ___
date

The vote passed le-o to approve with corrections.

PLANNING AND ZONING

JPH

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION 2006-6

Susan made a motion to recommend approval, (w/staff comments) or (for the sake of discussion) and Denny seconded.

~~There was no discussion.~~

There was brief discussion.

There was much discussion. Topics discussed were:

Council asked for buffer

Neighbor is providing 6ft hedge.
Mr. Slaton said he will do any kind of fencing. Owner will have a very nice facade on bldg.

Nghiem recommended P&Z decide what type fence or hedge.
There was much discussion

~~combination of tall masonry fence~~
combination of masonry fence w/landscape

The vote was 12-0.
approved/denied/tables.

This motion was

Reasons for denial were:

- 1.
2. w/ conditions
- 3.
- 4.
- 5.

(A) 6 ft. tall height minimum

Masonry Fence up front (solid masonry)
10 ft. landscape buffer between st. & fence
remaining 3 sides w/ wrought iron
w/ ~~brick~~ masonry pillars - 6 ft high

Susan amend approved
that all UDC codes applied
w/ the

w/

Henry 2nd.

(B) or

Westminister
6 ft tall
~~wrought~~ wrought
iron decorative
fence w/ long front
w/ masonry pillars &
~~detention~~
decorative
maintained
landscaped
detention
pond

Susan amended
by adding
option B

Henry 4
2nd
Approved
6-0

JPH

PLANNING AND ZONING

III. NEW BUSINESS

B. **CONSIDERATION & POSSIBLE ACTION - 2006-282**

Warrel made a motion to recommend approval, (w/staff comments) or (for the sake of discussion) and Neil seconded.

There was no discussion.

There was brief discussion.

There was much discussion. Topics discussed were:

Mr. Gonzalez brought up the fact of ~~there~~ being 15 yr. old oak trees. He wants to keep them & make a part of landscaping.

Nghiem suggested P&Z act on what we know now & not on what T&D will do.
No restrictions - just asked owner to look at set backs

The ~~vote~~ was 10-0
approved/denied/tabled.

This motion was

Reasons for denial were:

- 1.
- 2.
- 3.
- 4.
- 5.

JPH

PLANNING AND ZONING

III. NEW BUSINESS

CA CONSIDERATION & POSSIBLE ACTION - 2006-292

Wray made a motion to recommend approval,
(w/staff comments) or (for the sake of discussion) and
Neil seconded.

There was no discussion.
There was brief discussion. re: Best use (Hotel) for the zoning
There was much discussion. Topics discussed were:

- brought up ⁶⁴ ₃ hour / 1
Height restrictions
- brought up by Henry

The vote was 6-0
approved/denied/tabled.
Reasons for denial were:

This motion was

- 1.
- 2.
- 3.
- 4.
- 5.

PLANNING AND ZONING

III. NEW BUSINESS

D. CONSIDERATION & POSSIBLE ACTION - 2006-272

Sheryl

Darrell made a motion to recommend approval, (w/staff comments) or (for the sake of discussion) and Jerry seconded.

There was no discussion.
There was brief discussion.
There was much discussion. Topics discussed were:

Negative impact on neighboring community.
i.e. Traffic ~~Service~~ Service Vehicles

Jerry in favor - but the detention area being left as R-3 is not good. (between Her. Rep & subj. prop).

Darrell agrees w/Jerry.
Data - Staff will have to do research (drainage rpt)
Darrell - who is responsible for upkeep of det. pond?
~~Staff~~ Discussion ensued among the P&Z Comm. & Staff

Data asked the Commission if they would rather the applicant come back w/a P.D. Mr. Muthalaly spoke of what they want and will be as creative as possible w/the buffer & detention so they don't bother homeowners.

The vote was ~~2-4~~ 2-4 This motion was approved/denied/tabled.

Reasons for denial were:
1. ~~Stated use does not to be used~~

2.
3.
4.
5.
O.P. too broad of use
PUD would be better way to go.

JPH

PLANNING AND ZONING

III. NEW BUSINESS

E

CONSIDERATION & POSSIBLE ACTION - 2006-207

Neil made a motion to recommend approval,
(w/staff comments) or (for the sake of discussion) and
Jerry seconded.

There was no discussion

~~There was brief discussion.~~

There was much discussion. Topics discussed were:

The vote was 5-0.
approved/denied/tabled.

This motion was

Reasons for denial were:

- 1.
- 2.
- 3.
- 4.
- 5.

F. Remove from table Jerry Neil } 5-0 appr

PLANNING AND ZONING

JPH

III. NEW BUSINESS

G

CONSIDERATION & POSSIBLE ACTION - 2006-232

Neil made a motion to recommend approval, (w/staff comments) or (for the sake of discussion) and Jerry seconded.

There was no discussion.
There was brief discussion.
There was much discussion. Topics discussed were:

Discussion ensued re: Detention
Commission wants a
Final conceptual document / PD

Question?
are we ok w/ Ph 1 in case Ph 2 does not occur?

Define detention amenities

Options

- Table til then Council will meet on left w/ packet late
- Recom. appr. & City Counse listen to Lata for approval of amenities
- Not satisfied to council

The vote was 5-0. This motion was approved/denied/tabled.

Reasons for denial were:

- 1.
- 2.
- 3.
- 4.
- 5.

Jerry Motion to table
Susan

Sheryl & Susan recommend table

Item #

PUBLIC HEARING

SEE NEXT ITEM

- i. Call to order
- ii. Purpose of Hearing
- iii. Application Information and Case Summary
 - A. Staff Report
 - B. Applicant Presentation
- iv. Persons wishing to speak for or against the proposed request
- v. Commission/Staff discussion
- vi. Adjournment

PLANNING AND ZONING

8.
I.

CONSIDERATION & POSSIBLE ACTION - Final Plat/
Preliminary Plat of R1

~~Henry~~ read the Staff Report. There were
no/ 1 outstanding items.

Jerry made a motion to recommend approval,
(w/staff comments) or (for the sake of discussion) and
Henry seconded.

There was no discussion.
There was brief discussion.
There was much discussion. Topics discussed were:

*Amendment to motion
Henry to appro.
w/staff recon*

*Jerry 2nd
5-0*

The 5-0 vote was 5-0. This motion was
approved/denied/tabled.

Reasons for denial were:

1. street light
- 2.
- 3.
4. on Scott St.
- 5.

*per staffs comments
which*

PLANNING AND ZONING

J **CONSIDERATION & POSSIBLE ACTION** - Final Plat/
Preliminary Plat of 18B

_____ read the Staff Report. There were
no/_____ outstanding items.

_____ made a motion to recommend approval,
(w/staff comments) or (for the sake of discussion) and
_____ seconded.

There was no discussion.
There was brief discussion.
There was much discussion. Topics discussed were:

Withdrawn

The vote was _____ - _____. This motion was
approved/denied/tabled.

Reasons for denial were:

- 1.
- 2.
- 3.
- 4.
- 5.

PLANNING AND ZONING

F. CONSIDERATION & POSSIBLE ACTION - Final Plat/
Preliminary Plat of Disc Bay Dr

Diana read the Staff Report. There were no/ 0 outstanding items.

Henry made a motion to recommend approval, (w/staff comments) or (for the sake of discussion) and Susan seconded.

There was no discussion.

There was brief discussion.

There was much discussion. Topics discussed were:

Hee

The vote was 5-0. This motion was approved/denied/tabled.

Reasons for denial were:

- 1.
- 2.
- 3.
- 4.
- 5.

PLANNING AND ZONING

Plats
P&Z

F. CONSIDERATION & POSSIBLE ACTION - ~~Final Plat~~
Preliminary Plat of Broadway

Diana read the Staff Report. There were no/ 1 outstanding items. *str. lt layout may need to be revised*

Susan made a motion to recommend approval, (w/staff comments) or (for the sake of discussion) and Jerry seconded. ~~6/7~~

There was no discussion.

There was brief discussion.

There was much discussion. Topics discussed were:

The vote was 5-0.
approved/denied/tabled.

This motion was

Reasons for denial were:

- 1.
- 2.
- 3.
- 4.
- 5.

PLANNING AND ZONING

Plats
P&Z

F. CONSIDERATION & POSSIBLE ACTION - Waiver
Preliminary Plat of Final Plat
Stable Stone Lane

much

_____ read the Staff Report. There were no/_____ outstanding items.

Neil made a motion to recommend approval, (w/staff comments) or (for the sake of discussion) and _____

Jerry seconded. *to grant ext. of time*

There was no discussion.

There was brief discussion.

There was much discussion Topics discussed were:

between Legal & Staff.

~~*Neil*~~

The vote was 5-0.
approved/denied/abled.

This motion was

Reasons for denial were:

- 1.
- 2.
- 3.
- 4.
- 5.

PLANNING AND ZONING

DISCUSSION ITEMS:

IV. ADJOURNMENT

The meeting was adjourned at 10:56 p.m.

~~The vote was _____~~

These minutes are respectfully submitted by:

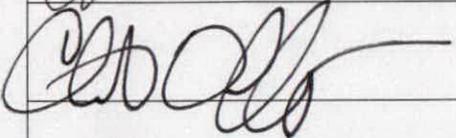
Judy Krajca
Planning Administrative Secretary

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

Ruby Sandars
Planning and Zoning Chairperson

PLANNING & ZONING COMMISSION MEETING

DATE: _____

NAME	COMPANY	ITEM OF INTEREST	COMMENTS
Rodney Slaton	Slaton & Son	CUP along Westminster	
George Muthalaly	M Consulting	2006-272	
Jzsm Bonds	LJA Eng.	Shadow Creek Ranch	
Monty Hossain	BWH ENG	2006-297	
Richard Gonzalez	RMMMA	2006-282	
JAY JAVADI	Donya, LLC	2006-006	
Sheila Wagnon	Osborne Development	2006-232	
Charles Wade	_____	_____	
	BOUNDARY ONE SURVEYS	Rios Subdivision	

PLANNING AND ZONING COMMISSION

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON JUNE 19, 2006, AT 7:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

The Regular Meeting was called to order at 10:02 p.m., with the following present:

P & Z Chairperson Ruby Sandars
P & Z Vice-Chairperson Sheryl Greiner
P & Z Commissioner Neil West
P & Z Commissioner Darrell Diggs
P & Z Commissioner Jerry Koza, Jr.
P & Z Commissioner Henry Fuertes
P & Z Commissioner Susan Sherrouse

Also in attendance: Planning Director Lata Krishnarao; Senior Planner Theresa Grahmann; Plans and Plat Administrator Richard Keller, Planner J. Diana DuCroz, Engineering Administrative Secretary Betty Foreman, and Assistant City Attorney Nghiem Doan

E. CONSIDERATION & POSSIBLE ACTION - ZONE CHANGE NO. 2006-22Z

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Vice Chairperson Greiner made a motion to consider as PD instead of TH.

Assistant City Attorney Doan stated that the motion must pertain to what was requested.

Commissioner Diggs made a motion to approve, and Commissioner West seconded.

There was discussion regarding screening or open space between the town homes and residential homes next to the development.

PLANNING AND ZONING COMMISSION

The vote was 6-1 for approval. Commissioner Greiner voted in opposition.

APPROVAL OF MINUTES

Vice-Chairperson Sheryl Griener made the motion to approve, and Commissioner Susan Sherrouse seconded. The vote was 7-0 for approval.

NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2006-3

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Vice-Chairperson Greiner made a motion to accept with stipulation as stated "The applicant comply with all applicable requirements in the Unified Development Code", Commissioner West seconded.

Commissioner Diggs asked if comment # 4 " the applicant will be required to comply with all requirements in the Unified Development Code pertaining to the development of this site", then why does the commission need to stipulate this. Assistant City Attorney Doan stated that it does not, nor does it need to be stated because it is in the Unified Development Code. Staff has requested this be stated because if a site plan is attached, there may be confusion that the site plan may be approved and not be up to code as stipulated in the Unified Development Code.

Vice-Chairperson Greiner amended the motion to strike the comment in regards to comply with all applicable requirements in the Unified Development Code to approval of a conditional use permit does not imply or mean acceptance of any documentation that was furnished with the request such as a site plan or letter. Commissioner West seconded the motion.

Commissioner Diggs had a question regarding the outside display or outside storage if there is a code restriction. Planning Director Krishnararo explained that there were screening standards that addressed the outside storage.

The vote was 6-0-1 for approval. Commissioner Koza abstained from the

PLANNING AND ZONING COMMISSION

vote due to personal involvement.

B. CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2006-5

A request by Spasco, Ltd., and Sandy P. Aron, applicant for Judy Ley Allen and Linda Ley Ament, owners, for approval of a Conditional Use Permit for a "Convenience store with Gasoline Sales" facility in the Spectrum District, District S1: The Beltway District (SPD 1), on the following described property, located on the South Side of Beltway, and on the West Side of Kirby Drive.

Commissioner Sherrouse made the motion to approve for comments, Vice-Chairperson Greiner seconded.

Commissioner Diggs asked if this is first and only gas station in the Spectrum District at this time. Planning Director Krishnarao stated this was the first development in the area.

There was discussion among the Commissioners and Staff clarifying the SPD zoning.

Chairperson Sandars stated that the same comment, as before should be placed, that approval of the Conditional Use permit does not imply approval of attached documents.

The vote was 7-0 for approval.

C. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-21Z

A request by James B. Purcell, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification General Business Retail District (GB) to Single Family Residential – 2 District (R2), on the following described property, located on the North Side of Walnut Street, and Approximately 150 Feet West of Johnston Street.

Vice-Chairperson Greiner made a motion to approve, Commissioner Sherrouse seconded.

The vote was 7-0 for approval.

D. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-20Z

PLANNING AND ZONING COMMISSION

A request by Irene Flores, applicant for Daniel Flores, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the city of Pearland, for approval of a change in zoning district from classification Suburban Residential – 15 District (SR-15) to Neighborhood Service District (NS), located on the East Side of Manvel Road (FM 1128), and on the North Side of West Lea Lane.

Vice-Chairperson Greiner made a motion to table so that the applicant can get all the paperwork turned into staff.

Senior Planner Grahmann clarified the comment “commercial reserve”.

Motion dies for lack of second.

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

Commissioner Fuentes asked if the Commission were to approve the request, would the applicant still have to meet the deed restrictions, which states they cannot have the daycare. Assistant City Attorney Doan stated that Legal has not gotten involved enforcing deed restrictions.

Vice-Chairperson Greiner asked if the applicant could accomplish with less, such as Residential with a Conditional Use Permit. Senior Planner Grahmann explained that was not an option under the new ordinances. There was further discussion regarding what deed restrictions are and how applied.

Chairperson Sandars stated that Neighborhood Services (NS) means a lot of other things could be put in there, i.e. gas station, dry cleaners, etc. Ms. Sandars also spoke about the dangers of spot zoning.

Planning Director Krishnarao clarified the daycare verbiage in regards to the zoning and ordinances. Commissioner Fuentes stated that daycare was a wonderful idea but the location is not good.

The vote was 0-7 for approval. The reasons for denial are as follows:

1. Not a conforming use.
2. Maintain the residential complexion.
3. Consists of spot zoning.

F. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-25Z

PLANNING AND ZONING COMMISSION

WITHDRAWN FROM AGENDA BY APPLICANT PRIOR TO MEETING.

G. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-24Z

A request by M. Arif, applicant for Sohail Noor, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Garden O'Day Mixed Use District (GO-MU) to Planned Development District (PD), located on the West Side of Garden Road, and Approximately 1,600 Feet South of Brookside Road.

Vice-Chairperson Greiner made a motion to approve for discussion, Commissioner Diggs seconded.

Vice-Chairperson Greiner stated that when originally presented it was a conforming use for the area, but now has diverged from the original intent.

There was discussion between the Commissioners and Staff regarding the use of the land, buffer restrictions, traffic issues, density, and height restrictions, and use variance with town homes and school in the development.

The vote 0-7 for approval. The reasons for denial are as follows:

1. Adverse effect on the subdivision
2. 2 uses not allowed in the base district
3. Traffic issues
4. Density

H. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-23Z

A request by Osborne Development, applicant for Trinity Leasing, Ltd, owner, for an amendment to Ordinance No. 2000 M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 1 District (R-1) to Planned Development District (PD), located on the West Side of Miller Ranch Road (County Road 93), and Approximately 1,000 Feet North of FM 518 (Broadway Street).

Commissioner West made a motion to approve with Staff's comments, Commissioner Koza seconded.

Chairperson Sandars asked if dealing with a PD in an OP district or a PD

PLANNING AND ZONING COMMISSION

with underlying GC.

There was discussion in clarification of what the applicant was wanting.

Planning Director Krishnarao stated that there were several issues that would need to be addressed in the PD. Staff does recommend approval but the PD is not complete.

Vice-Chairperson Greiner made a motion to table this zone change until the applicant could address the issues in the PD and present a complete PD. Chairperson Sandars seconded the motion.

The vote was 7-0 to table.

I. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT AVALON TERRACE SECTION TWO

A request by Scott Wright, Jones & Carter, Inc. for MHI Partnership, Ltd., owner, for approval of a Final Plat subdivision of 16.8790 acres in the E.T.J. for 77 residential lots. The property is located North of Broadway West of Max Road.

Planner I Diana DuCroz read the staffs report. There three conditions outstanding:

1. Leinholders subordination agreement needs to be recorded and date added to plat.
2. The TBM must be labeled
3. Three sets of mylars needed

Vice-Chairperson Greiner made the motion to approve with staff comments, and Commission Koza seconded.

The vote was 7-0 for approval.

J. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF PRIMROSE SCHOOL AT PEARLAND

A request by Tina Kast, Texas Engineering and Mapping, for Papadopulus Holdings II, owner, for approval of a Final Plat of 1.8667 acres zoned General Business (GB) for one lot. The property is located on the west side of Pearland Parkway, North of 518.

Planner I Diana DuCroz read the staffs report. There was only one outstanding item; signatures and seal need to be added to plat.

PLANNING AND ZONING COMMISSION

Vice-Chairperson Greiner made a motion to approve with Staff's comments, Commissioner Sherrouse seconded.

The vote was 7-0 for approval.

K. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SHADOW CREEK RANCH MF-5A

WITHDRAWN BY APPLICANT PRIOR TO MEETING

L. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SOUTHERN TRAILS WEST SECTION ONE

A request by Dausha Moore for Stoddard Group Ltd., owner, for approval of Final Plat subdivision of 39.3506 acres for 112 residential lots. The plat is located in the Southern Trails PUD west of Kingsley Drive.

Planner I Diana DuCroz read the staffs report. There was one outstanding items; need BDD 4 approval.

Vice-Chairperson Greiner made the motion to approve with Staff's comments, and Commissioner Diggs seconded.

The vote was 7-0 for approval.

M. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF TELEPHONE ROAD SUBDIVISION

A request by Gregg Wiltshire, Wilson Survey Group, for PMSV Telephone LP, owner, for approval of Final Plat of 5.1905 acres zoned Commercial (C) for one lot. The property is located at 1525 N Main at intersection of McHard Road.

Planner I Diana DuCroz read the staffs report. There was one item outstanding; signatures and seal added to mylar.

Vice-Chairperson Greiner made a motion to approve with Staff's comments, Commissioner Koza seconded.

The vote was 7-0 for approval.

N. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF VILLAGES TOWNE LAKE

PLANNING AND ZONING COMMISSION

A request by Bobby Marlowe, Rekha Engineering, for Villages of Towne Lake, LP, owner, for approval of a Final Plat of 34.9454 acres zoned PUD for a multifamily development. The property is located east of Main Street South of Oiler Drive.

Planner I Diana DuCroz read the staffs report. There are 14 outstanding items.

Commissioner West made a motion to approve, and Commissioner Koza seconded.

The vote was 0-7. The plat was denied. The Commissioner's denied the plat based upon the 14 outstanding items listed in Staff's report.

O. NEXT MEETING

July 3, 2006 No Meeting

July 10, 2006 Possible Meeting

July 17, 2006 JPH & Regular P&Z Meeting

ADJOURNMENT

The meeting was adjourned at 11:10 p.m.

These minutes are respectfully submitted by:

Betty J. Foreman for Judy D. Krajca
Planning Administrative Secretary

Minutes approved as submitted and/or corrected on this 19th day of June, A.D., 2006.

Ruby Sandars
P&Z Chairperson

Remove item

from

table



CITY OF PEARLAND PLANNING & ZONING

MEMO

DATE: July 11, 2006

TO: Planning & Zoning Commission

FROM: Planning Staff

SUBJECT: Zone Change No. 2006-23Z – Proposed PD Generally Located on the West Side of Miller Ranch Road (County Road 93), and Approximately 1,000 Feet North of FM 518 (Broadway Street).

The applicant is requesting a change in zoning on the subject property for a Planned Development District (PD). The subject property consists of approximately 11.6 acres of land. The applicant is seeking approval of a PD for a skilled nursing facility and an assisted living senior residential facility. The facility, which will include 160 residents and 70 staff, is proposed to be located on 1.9 acres. Approximately 50% of the site is proposed to be used for landscape and open space. The proposed open detention pond and open area, on the north west part of the property would serve as a buffer between this use and the adjoining residential subdivision. The subject property is currently undeveloped.

The Joint Public Hearing was held on June 19, 2006. The P & Z Commission at their meeting on June 19, 2006 tabled action on the application. A revised PD document has been attached for your review. The outstanding issues at the time of P & Z's meeting on June 19, 2006, and applicant's responses in the revised PD have been listed below.

1. Open Space Requirements: Add a note in the PD that all Common Open Space requirements of the MF zone in the UDC will be met. *The applicant has complied.*
2. Parkland Dedication: Add a note that City of Pearland's parkland dedication requirements (\$750.00 per unit/room/suite) will be met. *Complied. The applicant has indicated in the PD that the fees will be paid.*
3. Design Plan: The PD regulations require that location and arrangement of all uses need to be consistent with the "Design Plan". Please modify language in page 3 to clarify this. The general location of buildings, open space, detention etc. needs to conform to the Design Plan. Only minor variations would be allowed from the plan shown in the PUD document so it needs to be a fairly precise layout. Also, all

anticipated variations from the Land Use Summary Table need to be defined in terms of percentages or otherwise. *Complied.*

4. The location of driveways, ROW dedications and other traffic requirements would be determined by a Traffic Impact Analysis (TIA). Please add a note in this regard in the PD. Note IV on page 4 needs to be modified or removed. *Complied.*
5. Page 4, Section III – Add a note that all development standards and requirements of the UDC and other City ordinances will be met. This would include screening, parking, landscape, signage etc. That note will cover sections III. A, B & C, which need to be eliminated. *Complied.*
6. Page 4, Section IV – Replace with a statement - "All requirements of the Thoroughfare Plan, TIA and other City Ordinances will be complied with." *Complied.*
7. Page 4, Section V – Add a note that all required off-site and on-site improvements will be completed for each phase before a building permit or CO is issued for that phase. In this regard remove the last two paragraphs regarding landscaping and detention on page 3. *Complied.*
8. The uses as proposed will follow the definitions in the UDC. If any variations are proposed please define them. Also add a table showing the square footage, number of residents, and number of employees for each facility. *Complied.*
9. The detention pond needs to be treated as an amenity, with trails, trees, lake etc. Please include a general landscape design plan showing these amenities. Also, show connectivity to adjoining sites by a trail system, as recommended by the Council and Commission. Please contact the Parks Director Rhonda Cyrus (281-652-1674) in this regard.
Partially addressed. On page 3, the PD indicates that Phase Two will include enhancement of the detention pond as an amenity. However the site plan does not indicate or show what amenities will be provided and where. Applicant has indicated that due to the use of the property and a need for security, connectivity to adjoining sites has not been provided.
10. Screening of residential property – Staff recommends that the 25' wide green space shown in the site plan be landscaped. Please add a note in this regard and add a note that this buffer will be in addition to any yard requirements. *Complied.*
11. Add a note that the building elevations will maintain the residential look and character as shown in the exhibits in the PD. *Complied.*

Staff would recommend that a detail landscaping and amenity plan be provided for the detention area showing the treatment of the banks, trails, general landscaping and other amenities.

Planned Development District (PD) Zoning Request

I. Introduction

A. Description of the Subject Property.

The property faces Miller Ranch Road and is the northernmost part of the abandoned cement plant. It is vacant except for a few concrete pilings and pads on the south and a green area of small cottonwood and scrub on the north. It forms an irregular rectangle (see exhibit A). The property begins 950 feet from the north ROW of Broadway (F.M. 518) and resides 637 feet along Miller Ranch Road (the only bordering street). The natural gas pipe-line comprises the southern border, the detention facility for Pearland Retail Fitness forms the southwest corner, the west boundary follows the regional drainage canal, the northernmost boundary borders a private lake, and a single family residence comprises the northeast corner.

B. Description of Proposed Development.

We propose to build two senior residential facilities. The first phase will be a Skilled Nursing Facility (SNF) and the second an Assisted Living Senior Residential Facility (AL) as per our proposed site plan (exhibit A).

C. Describe the area of land in acreage.

The total acreage is 11.64 acres. Of this approximately 3.8 acres offsets on the northwest corner. This area will be used primarily for a detention facility. It aligns with the planned detention facility for Pearland Retail Fitness on the south and the private lake on the north. The balance is approximately 7.9 acres which will be utilized for our two construction projects.

D. Purpose and Intent of the PD district established therein.

Our single aim here is building these two senior residential facilities. We have no other purpose for this property. Under Office Professional (OP) base zoning with a PD overlay, both the SNF and the AL may be permitted as conditional uses. We request that every other classification of permitted and conditional use for the underlying zone of OP be excluded from our request. In summary, all we want is permission to build these two specific conditional uses under the base zoning of Office Professional.

These buildings will be homes for seniors and residential in essence. This meets a particular need in the Pearland area which the State of Texas recognized in issuing Osborne Development the waiver to develop the Skilled Nursing Facility. This building, in conjunction with the Assisted Living Residential Facility, will offer the most up-to-date care for the needs of the areas' seniors.

The PD district applied to this property will serve as an excellent transition from the retail/commercial at Broadway (e.g. Home Depot, Pearland Retail Fitness, and the proposed Hotel) to the residential area to the north.

II. Zoning and Land Use.

A. Describe the existing zoning districts and the boundaries of said districts.
 Currently the property in question as well as two contiguous parcels to the north are zoned R-1. Property west and across the drainage canal is zoned R-3 as well as the property across Miller Ranch Road to the east. Immediately to the south the single approximately 2 acre parcel is zoned R-1 with General Business covering the corner of Broadway and Miller Ranch Road.

B. Describe the base zoning district(s) to be overlaid, together with the boundaries of the district(s), and describe the areas in acreage of each different district.

Our request, consistent with City of Pearland staff recommendation, is that the total acreage be zoned Office Professional with a Planned Development district overlay eliminating all Permitted uses except the SNF and the AL. Per City of Pearland staff recommendation the PD will follow the Common Open Space requirements of a MF zone.

In accordance with Pearland PD regulations, the location and arrangement of uses will be consistent with the Design Plan. Minor variations from the table below will be limited to possible modifications in building layout normal during the planning phase of development. Any such variations and Subsequent Development Applications will comply with the requirements of Uniform Development Code (UDC), unless specifically authorized by the Planning and Zoning Commission and/or City Council.

Land Use Summary

Use	Acres	Percentage Total Acres	Zoning District
Landscape and Open Space 20% or less Anticipated Variations	6.4	55%	OP
Detention 20% or less Anticipated Variations	1.44	12.5%	OP
Thoroughfares/ROW 10% or less Anticipated Variations	0.44	4%	OP
Internal Streets/Vehicular Circulation and parking 10% or less Anticipated Variations	1.46	12.5%	OP
Buildings 10% or less Anticipated Variations	1.9	16%	OP

III. Design standards applicable to the development.

All development standards and requirements of the UDC and City Ordinances (not repealed by the UDC) will be met, unless specifically mentioned in this Planned Development or authorized by the Planning and Zoning Commission and/or the City Council. Building elevations will maintain the residential look and character as shown in the exhibits in the original PD.

A. Phase One.

Pursuant to City of Pearland staff recommendations the PD will follow the Common Open Space requirements of a MF zone of 900 sq. ft. per unit. (Phase One: 900 sq. ft. x 60 room/units = 54,000 sq. ft. of Common Open Space.)

Phase One will include a walk path for the enjoyment of the residents of the Facility. There will be a 25' wide green space buffer with a screen between our property and the home immediately and north along Miller Ranch Road.

B. Phase Two.

Phase Two will also follow the Common Open Space requirements of a MF zone of 900 sq. ft. per unit.

(Phase Two: 900 sq. ft. x 60 room/units = 54,000 sq. ft. of Common Open Space.)

Phase Two will include enhancement of the detention pond, created during Phase One, into an amenity for the enjoyment of the residents of the Facilities.

IV. Required dedications of land or public improvements.

The locations of driveways, ROW dedications and other Traffic requirements have been determined by a Traffic Impact Analysis (TIA). All requirements of the Thoroughfare Plan, TIA, the UDC and other City Ordinances will be complied with unless specifically mentioned in this Planned Development or authorized by the Planning and Zoning Commission and/or the City Council.

A. Phase One.

The City of Pearland's parkland dedication fee requirements for Phase One will be paid pursuant to city planning staff's recommendation for sixty (60) units, at \$750.00 per unit/room/suite.

(60 rooms/units x \$750.00 = \$ 45,000.00)

B. Phase Two.

The City of Pearland's parkland dedication fee requirements for Phase Two will be paid at same rate per unit as Phase One, and prior to the start of construction of the AL.

(60 rooms/units x \$750.00 = \$ 45,000.00)

V.

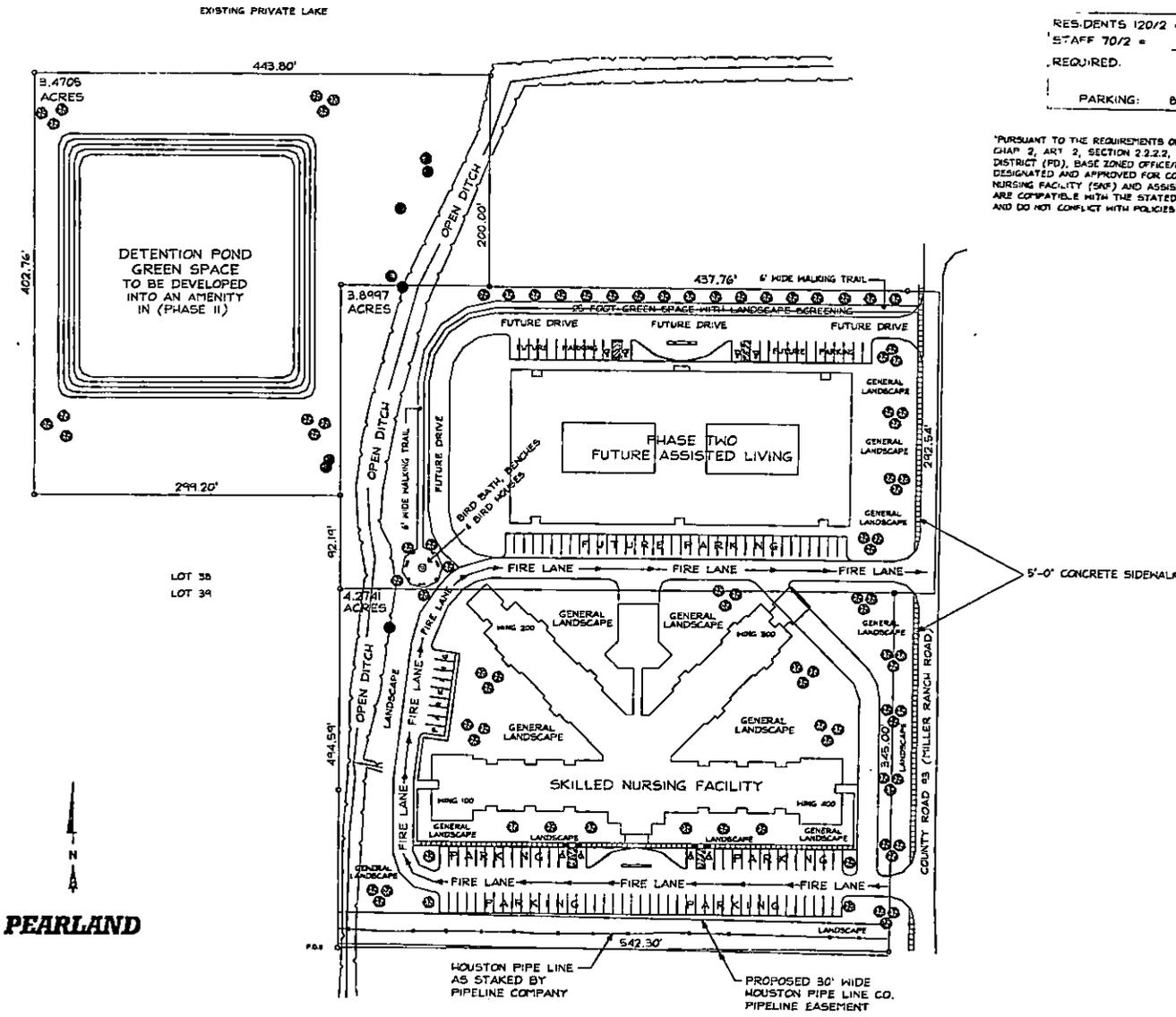
Phasing schedule for the project.

All required off-site and on-site improvements will be completed for each phase before a building permit or CO is issued for that phase.

The SNF is the First Phase of the project. The SNF is possible because of a state of Texas waiver which holds a time-limit of completion. Texas Department of Aging and Disability Services (TDADS) requires this project be completed by June, 2007. Applications and Plans for platting and permitting of the construction of this building are in preparation.

Once substantial progress is made on Phase One, we will begin Phase Two, the Assisted Living Senior Residential Facility. This is scheduled for 2007.

Phase 1 (SNF)	
Square Footage	42,223
Number of Residents	120
Number of Employees	100+
Phase 2 (AL)	
Square Footage	40,565
Number of Residents	60
Number of Employees	40+



PEARLAND

PROPOSED SITE PLAN
11.6443 ACRES TOTAL

RESIDENTS 120/2 =	60 SPACES
STAFF 70/2 =	35 SPACES
REQUIRED:	70 SPACES
PARKING:	84 PROVIDED

PURSUANT TO THE REQUIREMENTS OF THE CITY OF PEARLAND UDC, CHAP. 2, ART. 2, SECTION 2.22.2, THIS PLANNED DEVELOPMENT DISTRICT (PD), BASE ZONED OFFICE/PROFESSIONAL (OP), HAS BEEN DESIGNATED AND APPROVED FOR CONDITIONAL USE AS A SKILLED NURSING FACILITY (SNF) AND ASSISTED LIVING (AL). SAID USES ARE COMPATIBLE WITH THE STATED PURPOSES OF THE DISTRICT AND DO NOT CONFLICT WITH POLICIES IN THE COMPREHENSIVE PLAN.

PRELIMINARY, NOT FOR CONSTRUCTION, BIDDING OR PERMITTING

SKILLED NURSING FACILITY
PEARLAND, TEXAS

OSBORN ENGINEERING
ARCHITECTS
9417 E. 54TH STREET
DALLAS, TEXAS 75227 (409) 251-7878

DATE: 11/17/2024
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
SCALE: AS SHOWN

C1

PRELIMINARY, NOT FOR CONSTRUCTION, BIDDING OR PERMITTING

ELEVATIONS

SKILLED NURSING FACILITY

PEARLAND, TEXAS

ARCHITECTURE
5417 E. 54TH ST. STE. 101
DALLAS, TEXAS 75242

DATE: 12/20/02
PROJECT: 1
SHEET: 02-01
SCALE: AS SHOWN



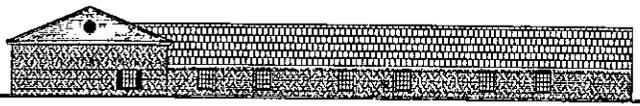
1 FRONT ELEVATION



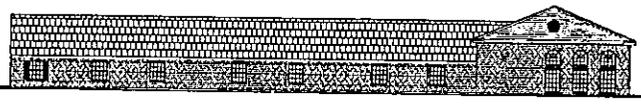
WING 100



WING 400



WING 400 BACK



WING 100 BACK



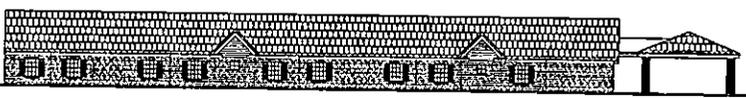
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WING 200 BACK



WING 300 BACK



WING 300 FRONT

JOINT PUBLIC HEARING AGENDA ITEM
MEETING OF JUNE 19, 2006

Zone Change No. 2006-23Z

TO: City Council
Planning and Zoning Commission

SUBJECT: A request by Osborne Development, applicant for Trinity Leasing, Ltd., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 1 District (R-1) to Planned Development District (PD)

LEGAL DESCRIPTION: 11.6443 acres of land, being out of Lot 38 and 39, Allison-Richey Gulf Coast Home Company Subdivision, part of Suburban Gardens, Section 85, as recorded in Volume 2, Page 107, Brazoria County Plat Records, H. T. & B.R.R. Company Survey, Abstract 304, City of Pearland, Brazoria County, Texas

GENERAL LOCATION: Generally Located on the West Side of Miller Ranch Road (County Road 93), and Approximately 1,000 Feet North of FM 518 (Broadway Street)

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

Planning and Zoning Commission: June 19, 2006*
City Council for First Reading: July 10, 2006*
City Council for Second Reading: July 24, 2006*

(*dates subject to change if item is tabled)

SUMMARY: The applicant is requesting a change in zoning on the subject property for a Planned Development District (PD). The subject property consists of approximately 11.6 acres of land. The applicant is seeking approval of a PD for a skilled nursing facility and an assisted living senior residential facility. The facility, which will include 120 residents and

70 staff, is proposed to be located on 1.9 acres. Approximately 50% of the site is proposed to be used for landscape and open space. The proposed open detention pond and open area, on the north west part of the property would serve as a buffer between this use and the adjoining residential subdivision.

The subject property is currently undeveloped.

SURROUNDING ZONING AND LAND USES:

*** surrounding zoning districts based on the new map adopted February 27, 2006**

	<u>Zoning</u>	<u>Land Use</u>
North	Single Family Residential-1 District (R-1)	Single family residence; large detention pond
South	Single Family Residential-1 District (R-1); Single Family Residential-1 District (R-1), with an approved Specific Use Permit for detention facilities	Currently undeveloped
East	Single Family Residential-3 District (R-3)	Single family residences within Sunrise Lakes
West	Single Family Residential-3 District (R-3)	Single family residences within Autumn Lakes

CONFORMANCE TO UNIFIED DEVELOPMENT CODE (UDC): The applicant is requesting a Planned Development District (PD), with a base zoning district of General Commercial District (GC). The GC District required a minimum lot size of 22,500 sq. ft. and minimum lot width of 150 feet. The subject property meets all area regulations of GC.

The applicant will be required to comply with all other requirements of the Unified Development Code, unless specifically mentioned in the PD.

PLATTING STATUS: Based on the legal description submitted with the zone change application, it appears that the subject property has not been platted. The subject property will need to be platted in accordance with the Unified Development Code, Chapter 3, Subdivision Regulations, prior to issuance of a building permit. The plat will need to address all requirements listed in Chapter 3, and be approved by the Planning and Zoning Commission. The plat will need to be approved and filed for record with the County Clerk, prior to issuance of a building permit.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Comprehensive Plan (2004

update adopted on July 26, 2004) recommends "10,000 Square Foot Suburban Residential" for the subject property and for many of the surrounding properties, especially to the north and west sides of the subject property. The Comprehensive Plan further indicates that the appropriate zoning districts for "10,000 Square Foot Suburban Residential" is a new residential zoning district. At the time that the Comprehensive Plan was updated in 2004, it was intended that the City would create a SR-10 residential zoning district with a minimum lot size of 10,000 square feet. However, the SR-10 district was not created due to the existing R-1 district (8,800 square foot lot) and the proposed SR-12 zoning district (12,000 square foot lot) being too close in lot size. Nevertheless, the appropriate zoning district for the subject property would be SR-12 or R-1, or even the RE district (half-acre lot).

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property has frontage on Miller Ranch Road 9CR 93), a local street with an ultimate right-of-way of 50 feet. The Thoroughfare Plan does not specify any improvements to Miller Ranch Road. When the subject property is platted, the applicant may need to dedicate right-of-way as necessary for Miller Ranch Road.

No other roadways affect the subject property.

AVAILABILITY OF UTILITIES: There is currently a 12-inch water line located within Miller Ranch Road.

There are sanitary sewer lines located at further to the south of the subject property along Miller Ranch Road.

Availability and adequacy of utilities will be reviewed during the review of any subdivision plat or building permit applications submitted for the subject property.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT:

Even though the proposed development is not in conformance with the Comprehensive Plan or the UDC, it is a relatively low intensity use. Since the applicant intends to limit the use of the property for skilled nursing and assisted living, this use would serve as a buffer between the commercial uses to the south and single-family residential areas to the north. Land immediately south of this parcel, currently zoned R-1, is being considered for non-residential uses. Due to the fact that the applicant is proposing to leave 51% of the lot (6 acres of land) as open space in addition to adequate landscaped buffers along areas abutting residential zones, staff does not anticipate that this facility will have any adverse impact on surrounding areas.

The applicant has indicated that the residents of the facility will not be driving their personal vehicles and the only traffic generated will be due to the employees and visitors. This will

have reduced traffic impact on Miller Ranch Road as compared to other non-residential uses. A Traffic Impact Analysis will be required and improvements would need to be done accordingly to accommodate additional traffic.

Further, proximity of the site to other activities such as retail and service businesses, restaurants, movie theatre and other facilities renders this location suitable for the proposed use.

RECOMMENDED ZONING:

Staff is of the opinion that the requested zoning category of GC (General Commercial) is not appropriate for this area. Staff recommends a PD with the underlying zone of OP (Office Professional) since the development standards for an OP district would ensure that this development is more compatible to the adjoining residential than a GC zoning district. The requested uses are permitted by a Conditional use Permit (CUP) in an OP zone and an OP-PD would allow the development as proposed by the applicant.

DISCUSSION ITEMS:

1. **Conditional Use Permit (CUP) Criteria:** As per the UDC, criteria for approval of a CUP would consider compatibility with the character and integrity of adjacent developments and neighborhoods, and if the proposed on-site of right of way improvements mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.

Would this PUD, that would allow uses permitted by CUP, adversely affect the neighborhood?

It is staff's opinion that the proposed use would meet the CUP criteria. The applicant is not seeking any variances on buffer requirements and is proposing additional buffers and open space that exceeds the requirements.

2. **PD District Intention:** PD districts are intended to "encourage flexibility and creative planning, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a higher quality of development for the community than that would result from the use of conventional zoning districts."

Would the proposed PD meet these intentions?

It is staff's opinion that this development in general would meet the intent of PD.

3. **PD Criteria:** As requested by the Planning and Zoning Commission and City Council during the UDC process, a section on applicability was added to assist in the decision making process. The UDC states - A PD district may only be established in one of the following circumstances:

- a. The land is located in close proximity to established residential neighborhoods where conventional zoning classifications may not adequately address neighborhood concerns regarding the quality or compatibility of the adjacent development, and where it may be desirable to the neighborhood, the developer or the City to develop and implement mutually-agreed, enforceable development standards;
- b. The land, or adjacent property that would be impacted by the development of the land, has sensitive or unique environmental features requiring a more flexible approach to zoning and clustering of uses, or special design standards, in order to afford the best possible protection of the unique qualities of the site or the adjacent property;
- c. The land is proposed for development as a mixed-use development or a traditional neighborhood development requiring more flexible and innovative design standards;
- d. The land consists of Old Townsite and/or other older sections of Pearland that are proposed for redevelopment or infill development, and special design considerations are deemed desirable;
- e. The land serves as transition between different and seemingly incompatible land uses;
- f. The land is proposed for development as a major office, retail, commercial or industrial employment center, and special design standards may be warranted;
- g. The land is of such a character that it is in the community's best interest to encourage high quality development through flexible development standards to further the goals and objectives of the City's Comprehensive Plan; and
- h. The land consists of unusually configured parcels that cannot be developed efficiently under the base district standards.

Does the PUD meet the criteria set forth in UDC?

It is staff's opinion that the PD meets items a, b and e from the above list.

4. **Open Space Requirements:** Typically multi-family uses, similar to the proposed use, are not permitted by right in OP or GC district. Therefore the OP and GB zones do not contain open space standards. Staff recommends that the PD follow the Common Open Space requirements of the MF zone (900 sq. ft. per unit and parkland dedication).

If MF (multi-family zone) standards were applied, for 120 units as proposed, 2.2 acres of Common Open Space would be required. PD indicates that 5.98 acres of open space are provided. If the applicant desires and upon approval by the Parks Director, the 5.98 acres could potentially meet the requirements of parkland dedication (one acre per 100 units) also, if developed as an amenity and open to public. If the applicant does not want to develop this area as a public amenity, then a parkland dedication fee of \$750.00 per unit would be required at the time of permit.

Open Space calculations, reference to Common Open Space standards of MF zone, and notes regarding parkland dedication need to be included in the PD.

Additionally amenities provided in the Common Open Space need to be included in the PD and Design Plan.

5. Other Staff Comments:

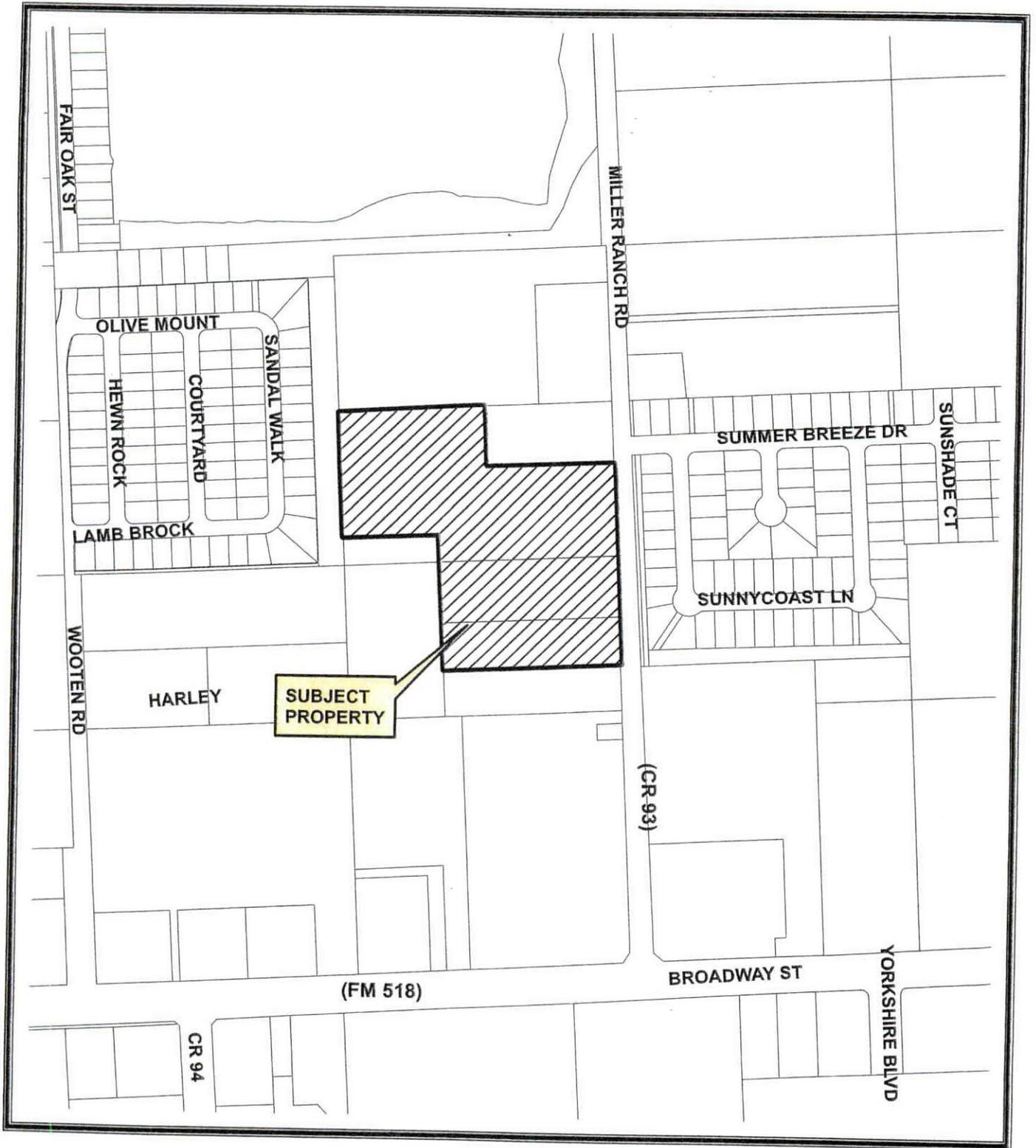
- a. **Design Plan:** The PD regulations require that location and arrangement of all uses need to be consistent with the "Design Plan". Please modify language in page 3 to clarify this. The general location of buildings, open space, detention etc. needs to conform to the Design Plan. Only minor variations would be allowed from the plan shown in the PUD document so it needs to be a fairly precise layout.
Also, all anticipated variations from the Land Use Summary Table need to be defined in terms of percentages or otherwise.
- b. The location of driveways and other traffic requirements would be determined by a Traffic Impact Analysis (TIA). Please add note in this regard in the PD.
- c. Page 4, Section III – Add a note that all development standards and requirements of the UDC and other City ordinances will be met. This would include screening, parking, landscape, signage etc. That note will cover sections III. A, B & C, which should be eliminated.
- d. Page 4, Section IV – Replace with a statement - "All requirements of the Thoroughfare Plan, TIA and other City Ordinances will be complied with."
- e. Page 4, Section V – Add a note that all required off-site and on-site improvements will be completed for each phase before a building permit or CO is issued for that phase. In this regard remove the last two paragraphs regarding landscaping and detention on page 3.
- f. The uses as proposed will follow the definitions in the UDC. If any variations are proposed please define them. Also add a table showing the square footage, number of residents, and number of employees for each facility.

These comments are based on preliminary review. Additional comments may be generated after a detailed review by staff, discussions at the Joint Public Hearing and public input.

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

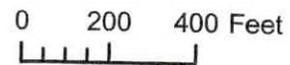
SUPPORTING DOCUMENTS:

- Notice of Public Hearing
- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Planned Development District (PD) Document

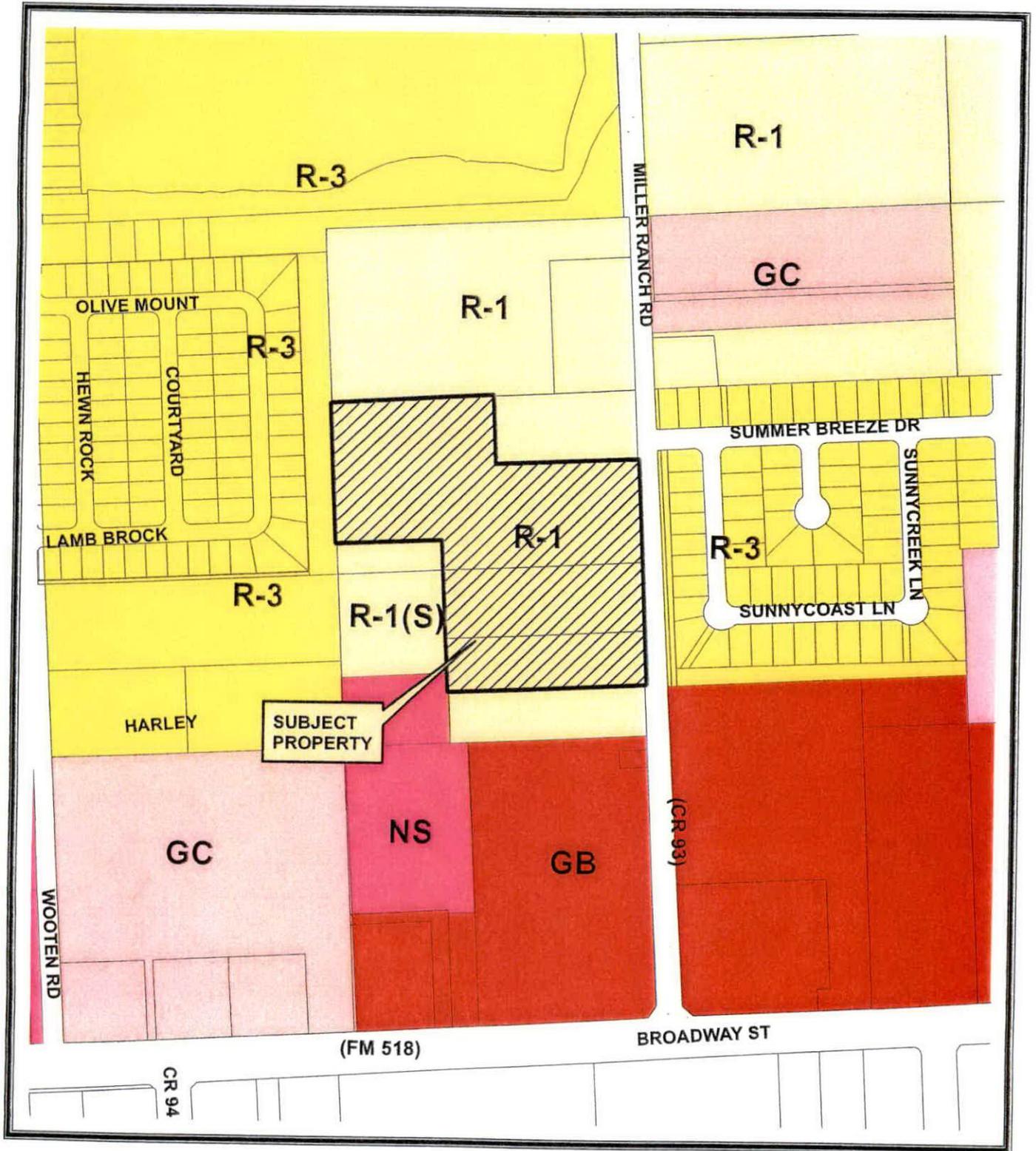


LOCATION MAP

Zone Change
No. 2006-23Z



Map Prepared on May 30, 2006



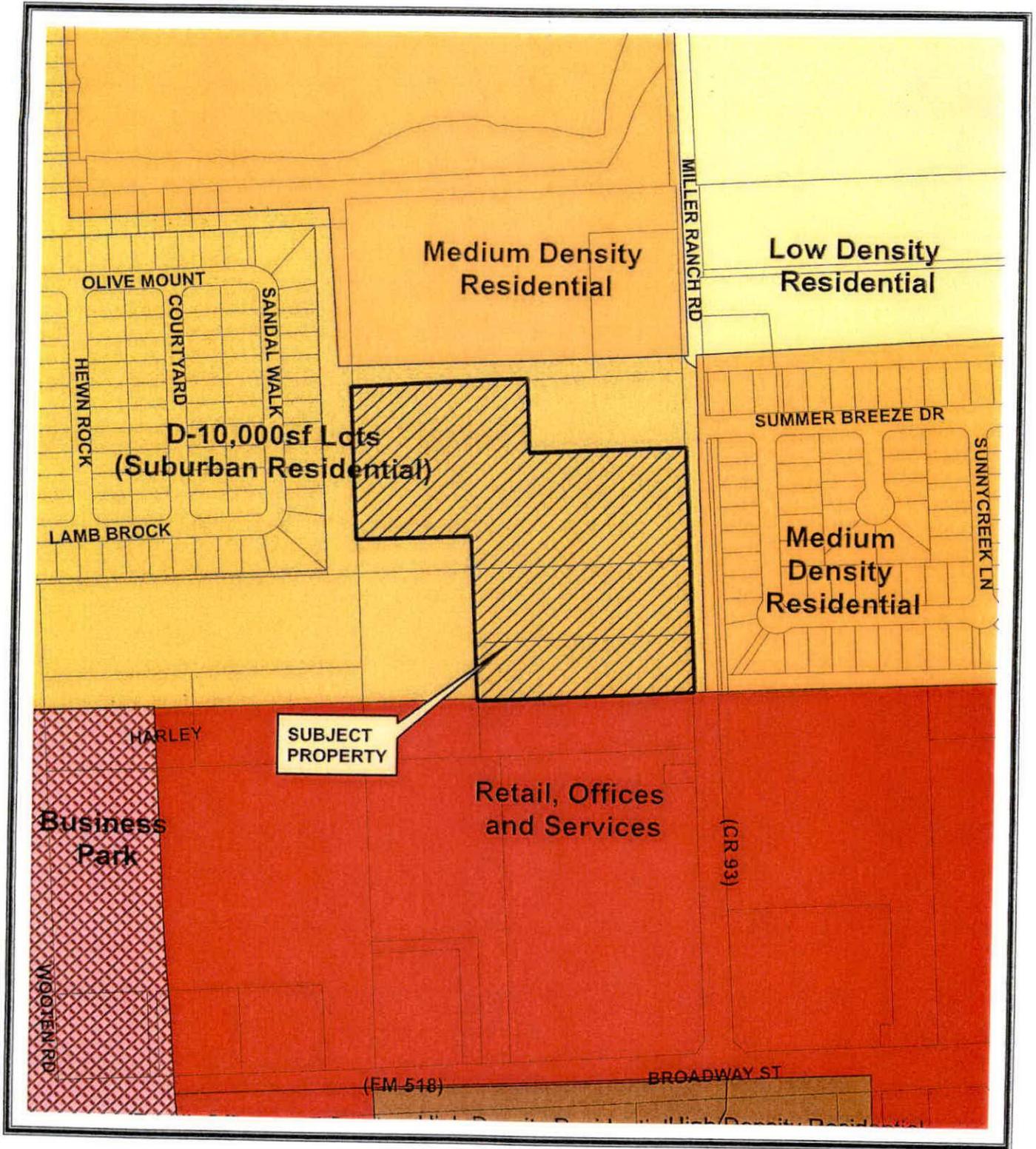
ZONING MAP

Zone Change
No. 2006-23Z



0 200 400 Feet

Map Prepared on May 30, 2006



FUTURE LAND USE PLAN

Zone Change
No. 2006-23Z



0 200 400 Feet

Map Prepared on May 30, 2006

PLAT APPLICATION

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

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat*
- Final Subdivision Plat*
- Minor (Subdivision) Plat*
- Amending Plat*
- Master Plat*
- Preliminary Development Plat*
- Final Development Plat*
- Replat*

MAY 30 2006

SUBDIVISION
NAME: RIOS SUBDIVISION

NUMBER OF LOTS: 3

GENERAL
LOCATION: SOUTHEAST CORNER OF
WOODY AND SCOTT

* A complete application must include all items shown on the corresponding checklist for each different type of plat.

PRIMARY CONTACT: CHRISTIAN OFFENBURGER, RPLS
MAILING ADDRESS: 150 W. SHADOWBEND, SUITE 303
CITY, STATE, ZIP: FRIENDSWOOD, TX 77546
PHONE: (281) 648-3131 FAX: (281) 648-3737
E-MAIL ADDRESS: christian@boundaryone.com

OWNER NAME: ABELIO RIOS, ET UX
MAILING ADDRESS: 4819 SCOTT ST.
CITY, STATE, ZIP: PEARLAND, TX 77581
PHONE: (281) 782-7217 FAX: ---
E-MAIL ADDRESS: ---

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: [Signature] Date: 5/30/06

Applicant's Signature: [Signature] Date: 5/30/06

Fees Not
Required for
Staff Review
Plats

FEES PAID: <u>412.00</u>	DATE PAID: <u>5.30.06</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>150934</u>
--------------------------	---------------------------	---------------------------------	-------------------------------

Application
No.

RIOS SUBDIVISION

FINAL PLAT (REPLAT) – STAFF REPORT

P & Z MEETING DATE: July 17, 2006

APPLICANTS: Christian Offenburger, RPLS, Boundary One, LLC, for Abelio Rios, owner.

REQUEST: Final Plat of 0.663 acre zoned Low Density Single Family (R-1) to subdivide two existing lots in the Rawls Subdivision into three lots. The Preliminary Plat was approved on March 6, 2006.

GENERAL LOCATION: Southeast corner of Woody Road at Scott Street. See Vicinity Map below.

ZONING: R-1, Low Density Single Family, minimum lot size 8,800 square feet. The proposed plat is consistent with the zoning.

SURROUNDING USES: All surrounding properties to the north, west, and east are zoned R-1. The area to the south is zoned Commercial.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Light Industrial use, which is inconsistent with the current zoning designation of low density residential.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis is not required.

UTILITIES: Water and sewer are available to this plat.

STORMWATER MANAGEMENT: Stormwater detention will be addressed by site plans.

PARKS, TREES: Park fees have been paid. The property owner has submitted a letter stating that the three protected trees on site will not be disturbed.

OUTSTANDING ITEMS:

1. One proposed streetlight needs to be shown on Scott Street, and the number of existing and proposed streetlights should be indicated in Note No. 7.

ATTACHMENTS:

1. Application Form
2. Final Plat



JULY
~~JUN 10~~ 2006

FINAL PLAT SUBMITTAL APPLICATION

DATE FILED: 06-05-06 P&Z MEETING DATE: 7-17-06

SUBDIVISION NAME/LOCATION: Shadow Creek Ranch Commercial
Site No. 18B

Lot(s): 5 Block(s): 0 Reserve(s): 0

PRIMARY CONTACT: LJA Engineering - Jason Banda
MAILING ADDRESS: 2929 Brizorpark Drive Suite 600
CITY, STATE, ZIP: Houston TX 77042
PHONE: 713.953.5200 FAX: 713.953.5026
E-MAIL ADDRESS: _____

OWNER NAME: CG-Shadow Creek Ranch Village, LP
MAILING ADDRESS: 2121 Sage Suite 290
CITY, STATE, ZIP: Houston TX 77056
PHONE: 713.266.9200 FAX: _____
E-MAIL ADDRESS: _____

The following required documents must accompany a final plat when submitted to Staff:

- | | |
|--|--|
| <input checked="" type="checkbox"/> 22 folded prints of Final Plat | <input checked="" type="checkbox"/> Final Plat Staff Review Mark-Up |
| <input checked="" type="checkbox"/> 2 sets of Final Plat mylars (3 sets if in ETJ) | <input checked="" type="checkbox"/> Completed Checklist |
| <input type="checkbox"/> Show Approval of Construction Plans | <u>n/a</u> Any variance requests submitted in letter form |
| <input checked="" type="checkbox"/> Show Approval of Drainage Report | <input type="checkbox"/> Application fee (\$400, plus \$4 per lot, or \$25 per acre) |
| <input type="checkbox"/> Show Approval of Traffic Impact Analysis | <input checked="" type="checkbox"/> Certified Tax Certificates (no taxes can be due) |
| <input checked="" type="checkbox"/> Tree Disposition Plan | <u>n/a</u> Park Fees (if required) |
| <input checked="" type="checkbox"/> Current Title Report | |

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

Signature: _____

Signature: J Banda

Fee: \$ 703.03 (Owner)

Date Paid: 6-5-06

Receipt No.: _____ (Agent)

SHADOW CREEK RANCH COMMERCIAL SITE No. 18B
FINAL PLAT— STAFF REPORT

P & Z MEETING DATE: July 17, 2006

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for CG-Shadow Creek Ranch Village LP, owner.

REQUEST: Final Plat of 12.121 acres for five commercial lots. A small portion of the property is located within the Shadow Creek Ranch PUD. The remainder is zoned Business Park-288.

GENERAL LOCATION: The plat is located on the north side of Shadow Creek Parkway between Kirby Drive and S.H. 288. See Vicinity Map below.

PROPERTY DESCRIPTION: The property is undeveloped.

ZONING: The westernmost third of the property is part of the Shadow Creek Ranch PUD. The remainder of the property is zoned BP-288, which requires one-acre lots.

SURROUNDING USES: Clear Creek is north of the property. All surrounding parcels to the west and east are part of Shadow Creek Ranch, and church property is to the south.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates most of the site for High and Medium Density Residential. However, the property is primarily zoned Business Park-288, which allows for commercial uses.

TRAFFIC AND TRANSPORTATION: The Traffic Impact Analysis is still under review.

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

STORMWATER MANAGEMENT: Stormwater detention may be required if the Shadow Creek Ranch Master Drainage Plan did not address this area.

PARKS, OPEN SPACE, AND TREES: A tree disposition plan is still needed.

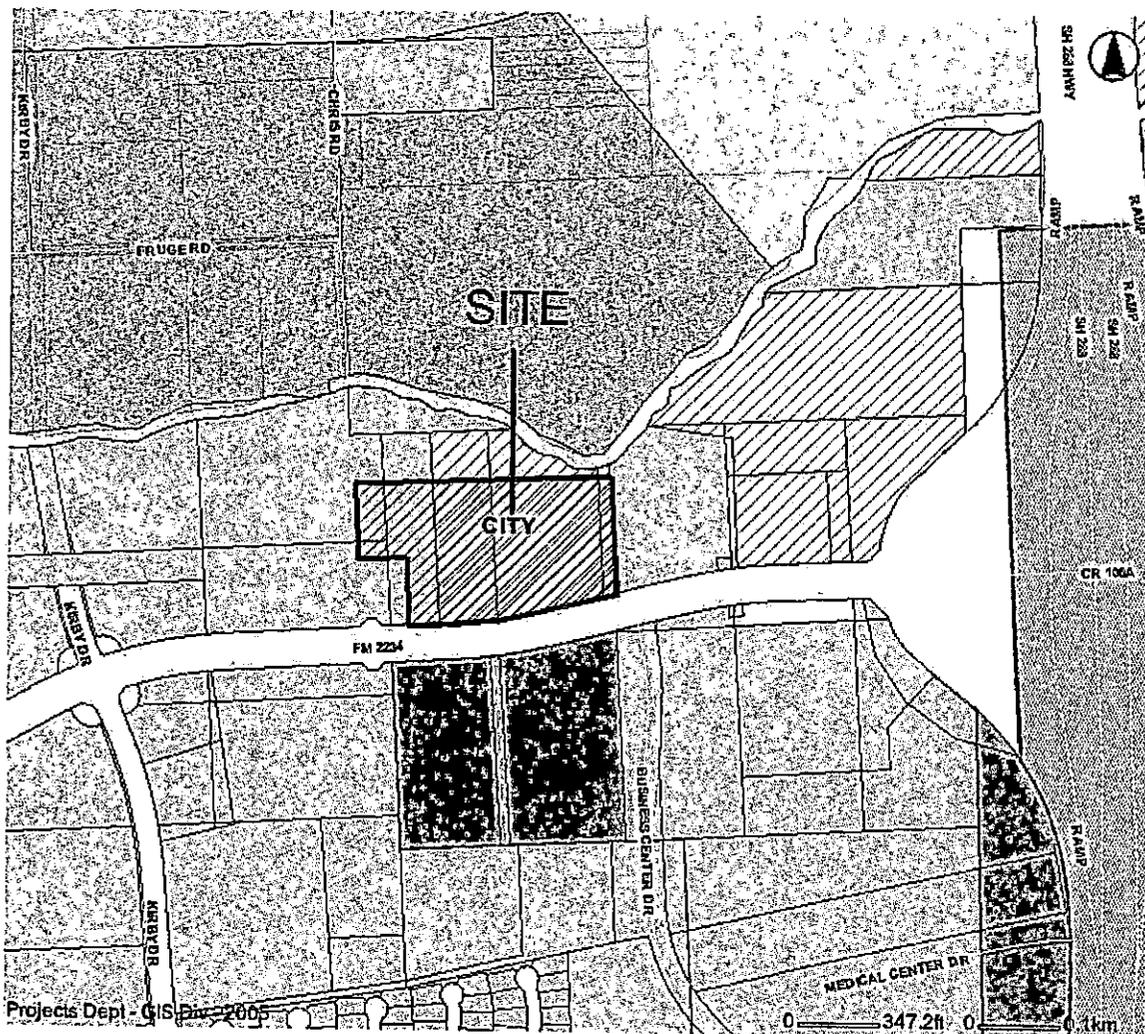
OUTSTANDING ITEMS:

1. The Traffic Impact Analysis needs to be approved.
2. Utility plans need to be approved.
3. Easements for fire lines, hydrants and any other city-maintained utilities must be plotted on the plat.
4. Mutual access easements on Lots "A", "C", and "D" allowing all of lots to use a common driveway must be indicated on the plat.
5. A copy of the recorded lienholder subordination is needed; add recordation data to plat or record plat at same time as lienholder subordination.

6. If no streetlights are proposed, proposed streetlight symbol and Note No. 11 are not necessary.
7. The dashed line along southern edge of Lot "A" should be labeled.
8. The flood plain note on the plat and Note No.8 are confusing if the entire tract has been removed from floodplain. What is significance of Note No. 9 to floodplain?
9. Any easements requested by the telephone company in their letter dated March 30, 2006, should be added.
10. The tree disposition plan that was submitted does not meet city requirements and cannot be approved. Please revise and resubmit.
11. Signed and sealed mylars need to be provided.
12. The acreage in the land use tabulation and in the title block should be revised to be consistent with each other.

ATTACHMENTS:

1. Application Form
2. Final Plat



PLAT APPLICATION

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

JUL 10 2006

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat*
- Final Subdivision Plat*
- Minor (Subdivision) Plat*
- Amending Plat*
- Master Plat*
- Preliminary Development Plat*
- Final Development Plat*
- Replat*

SUBDIVISION

NAME: SHADOW CREEK RANCH DISCOVERY WAY
DRIVE EXTENSION

NUMBER OF LOTS: _____

GENERAL LOCATION:

* A complete application must include all items shown on the corresponding checklist for each different type of plat.

PRIMARY CONTACT: LJA Engineering - Jason Bunde
 MAILING ADDRESS: 2929 Briarpark Drive Suite 600
 CITY, STATE, ZIP: Houston, TX 77042
 PHONE: 713.953.5200 FAX: 713.953.5026
 E-MAIL ADDRESS: _____

OWNER NAME: SHADOW CREEK RANCH DEV. CO.
 MAILING ADDRESS: 2947 E. BROADWAY SUITE 300
 CITY, STATE, ZIP: PEARLAND, TX 77581
 PHONE: 281.412.3733 FAX: _____
 E-MAIL ADDRESS: _____

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: _____ Date: _____
 Applicant's Signature: J Bunde Date: 07.07.06

Fees Not Required for Staff Review Plats

FEE PAID: <u>418.03</u>	DATE PAID: <u>7/10/06</u>	RECEIVED BY: <u>J Krajca</u>	RECEIPT NUMBER: <u>180481</u>
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Application No. _____

**SHADOW CREEK RANCH – RIGHT-OF-WAY FOR DISCOVERY BAY DRIVE
EXTENSION**

FINAL PLAT – STAFF REPORT

P & Z MEETING DATE: July 17, 2006

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for Shadow Creek Ranch Development Co, owner.

REQUEST: Final Right-of-Way Plat of 0.721 acres in Shadow Creek Ranch for the extension of Discovery Bay Drive between Business Center Drive and S.H. 288.

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

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

UTILITIES: Water and sewer are available.

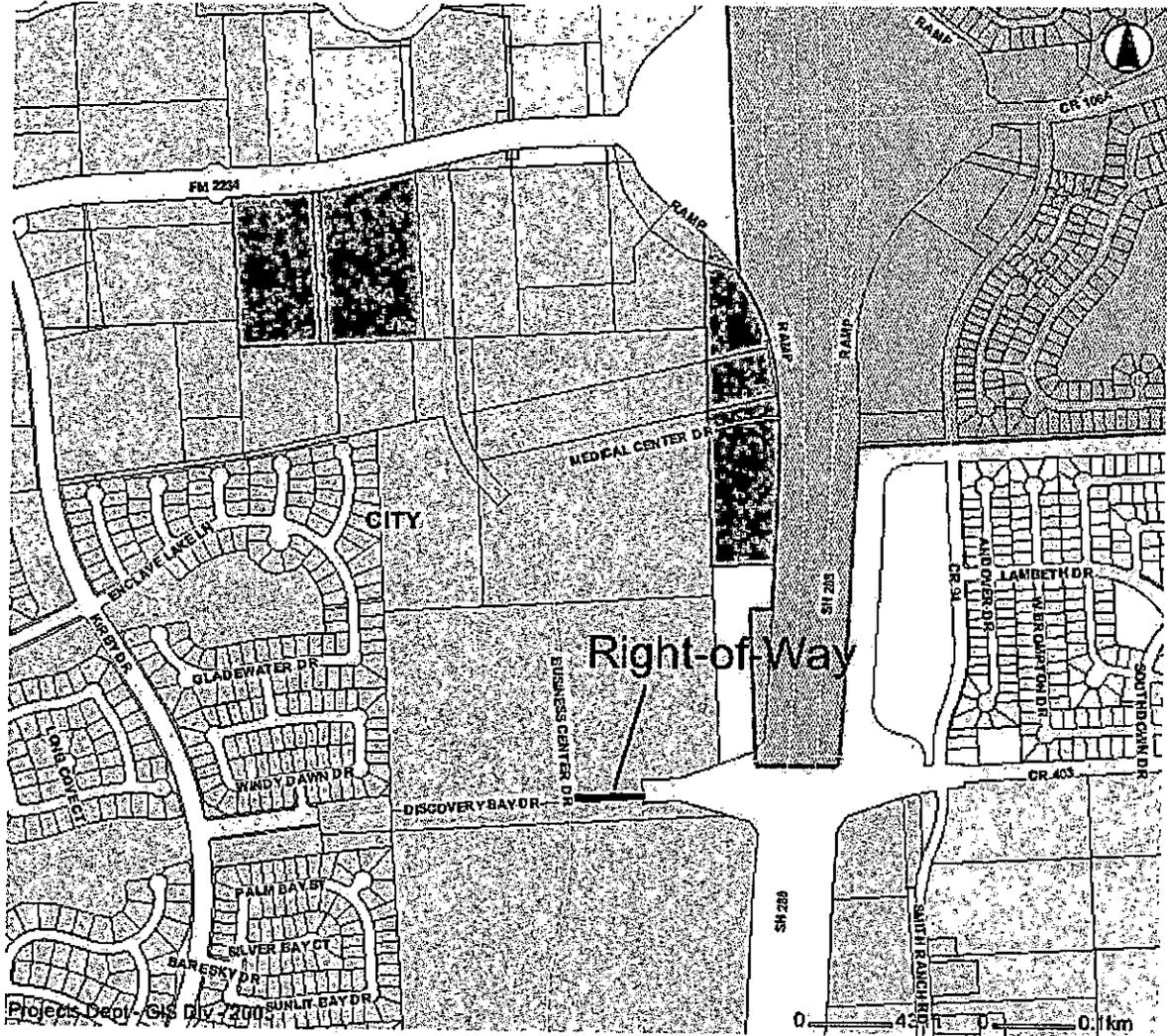
STORMWATER MANAGEMENT: Stormwater detention will be provided offsite in accordance with the Master Plan for the development.

PARKS AND OPEN SPACE: Not applicable to this plat.

OUTSTANDING ITEMS: None.

ATTACHMENTS:

1. Application Form
2. Final Plat



PLAT APPLICATION

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

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat*
- Final Subdivision Plat*
- Minor (Subdivision) Plat*
- Amending Plat*
- Master Plat*
- Preliminary Development Plat*
- Final Development Plat*
- Replat*

SUBDIVISION

NAME: SHADOW CREEK RANCH BROADWAY STREET
EXTENSION FROM KINGSLEY DRIVE TO BRAZORIA
COUNTY LINE

NUMBER OF LOTS: 0

**GENERAL
 LOCATION:** _____

* A complete application must include all items shown on the corresponding checklist for each different type of plat.

PRIMARY CONTACT: WJA ENGINEERING - JASON BANDA
MAILING ADDRESS: 2929 BRIARPARK DRIVE SUITE 600
CITY, STATE, ZIP: HOUSTON, TX 77042
PHONE: 713.953.5200 **FAX:** 713.953.5026
E-MAIL ADDRESS: _____

OWNER NAME: PEARLAND INVESTMENTS, LP
MAILING ADDRESS: 5195 LAS VEGAS BOULEVARD SOUTH
CITY, STATE, ZIP: LAS VEGAS, NV 89119
PHONE: 702.736.6151 **FAX:** _____
E-MAIL ADDRESS: _____

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: _____ Date: _____

Applicant's Signature: J Banda Date: 07.07.06

Fees Not Required for Staff Review Plats

FEES PAID: <u>767.23</u>	DATE PAID: <u>6-19-06</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>166369</u>
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Application No. _____

**SHADOW CREEK RANCH – RIGHT-OF-WAY FOR BROADWAY EXTENSION
PRELIMINARY PLAT – STAFF REPORT**

P & Z MEETING DATE: July 17, 2006

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

REQUEST: Preliminary Right-of-Way Plat of 12.241 acres in Shadow Creek Ranch for the extension of Broadway from Kingsley Drive east to the Fort Bend/Brazoria County line.

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

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

UTILITIES: Water and sewer will be extended by the developer.

STORMWATER MANAGEMENT: Stormwater detention will be provided offsite in accordance with the Master Plan for the development.

PARKS AND OPEN SPACE: Not applicable to this plat.

OUTSTANDING ITEMS:

1. The streetlight layout may need to be revised at the time of final plat review.

ATTACHMENTS:

1. Application Form
2. Preliminary Plat



July 11, 2006

Mr. Richard Keller, PE
Plans and Plat Administrator
City of Pearland
3523 Liberty Drive
Pearland, TX 77581

Re: Stable Stone Lane
BGE NO: GRO02-6T

Dear Mr. Keller:

We, Brown & Gay Engineers, Inc., would like to request an extension of time to resubmit the requested items on August 14. We look forward to resubmitting the revised plat for your review.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerald Grissom".

Gerald Grissom
Assistant Project Manager



PLANNING DAY

Join us for our Planning Day Presentation

- ★ WHEN: Thursday, July 20, 2006
3:00 p.m. to 4:00 p.m
- ★ WHERE: 3523 Liberty Drive, Community Center
- ★ TOPICS: * **Utility Easements**
* **Update on Platting Procedures**

This is an informational quarterly series brought to you by the City of Pearland's Planning Department.

Please RSVP to Judy @ (281) 652-1768

less than 1 foot
areas protected by
Flood Insurance
latest available
ood statement does
ents thereon will
ea is subject to
shed on channel

t Street.
easement to each
Road at the time

common line of Lots 2 and 3, RAWLS SUBDIVISION, a distance of 113.00 feet to the southerly common corner of said Lots 2 and 3 and for the southeast corner of the herein described tract, from which a found 5/8-inch iron rod bears North 89°56' West, 0.55 feet;
THENCE, North 89°56'00" West, along the northerly line of Lot "A", RAWLS SUBDIVISION, at 134.99 feet passing a 5/8-inch iron rod found marking the southerly common corner of Lots 1 and 2, RAWLS SUBDIVISION, continuing in all for a total distance of 254.69 feet to a 5/8-inch iron rod found in the easterly R.O.W. line of said Woody Road and for the westerly common corner of Lot 1 and "A", RAWLS SUBDIVISION; said iron rod for the southwest corner of the herein described tract;
THENCE, NORTH, along said easterly R.O.W. line, a distance of 93.64 feet to a 5/8-inch iron rod with orange plastic cap stamped "BOUNDARY ONE" set marking a point of curvature for a tangent curve to the right;
THENCE, Northeasterly, an arc distance of 31.44 feet along said curve to the right, having a central angle of 90°04'00", a radius of 20.00 feet and a chord which bears North 45°02'00" East, 28.30 feet to the POINT OF BEGINNING and containing 0.663 acre (28,862 square feet) of land. This description is based on the Preliminary Plat prepared by Boundary One Surveyors, LLC and titled RIOS SUBDIVISION, dated December 13, 2005, Project Number 1861-0172.

MAY 30 2006

FINAL PLAT
RIOS SUBDIVISION

BEING A REPLAT OF 0.663 ACRE OF LAND
ALL OF LOTS 1 AND 2, RAWLS SUBDIVISION
AS RECORDED IN VOLUME 17, PAGE 399 B.C.P.R.
IN THE H.T. & B.R.R. COMPANY SURVEY SECTION 4, A-543
CITY OF PEARLAND
BRAZORIA COUNTY, TEXAS

1 BLOCK 3 LOTS 0 RESERVES

REASON FOR REPLAT: TO CONVERT LOTS 1 AND 2, RAWLS SUBDIVISION INTO 3 RESIDENTIAL LOTS AND TO CONVERT THE ORIGINAL 10' R.O.W. DEDICATION ALONG SCOTT STREET INTO A 10' W.S.E.

OWNER:
ABELIO RIOS, ET UX
4819 SCOTT STREET
PEARLAND, TEXAS 77581
(281) 782-7217

SURVEYOR:
BOUNDARY ONE, L.L.C.
150 W SHADOWBEND, SUITE 303
FRIENDSWOOD, TEXAS 77546
(281) 648-3131

CONTACT: ABELIO RIOS

CONTACT: CHRISTIAN OFFENBURGER, R.P.L.S.

DATE: APRIL 24, 2006 SCALE: 1" = 20' SHEET 1 OF 1

JUL 10 2006

FINAL PLAT OF
SHADOW CREEK RANCH
COMMERCIAL SITE NO. 18B

12.121 ACRES

BEING OUT OF THE T.C.R.R. CO. SURVEY,
SECTION 4, ABSTRACT 675, AND THE
OBEDIAH PITTS SURVEY, ABSTRACT 717,
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

5 LOTS

2006

OWNER:

SCALE: 1" = 100'

CG-SHADOW CREEK RANCH VILLAGE, L.P.

TOD M. GREENWOOD, MANAGING PARTNER
2121 SAGE, SUITE 290, HOUSTON, TEXAS 77056 PH. (713) 266-9200

JOB NO. 1947-0006-310

ENGINEER:

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026

CONTACT: JASON BANDA

SHEET 1 OF 2

JUL 10 2006

**FINAL RIGHT-OF-WAY PLAT OF
SHADOW CREEK RANCH
DISCOVERY BAY DRIVE
EXTENSION**

0.721 ACRES

BEING OUT OF THE WILLIAM MORRIS SURVEY,
ABSTRACT 344, CITY OF PEARLAND,
BRAZORIA COUNTY, TEXAS

JUNE 2006

OWNER:

SHADOW CREEK RANCH DEVELOPMENT COMPANY
LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP
HAS AS ITS GENERAL PARTNER, SHADOW CREEK RANCH, INC.

GARY COOK, PRESIDENT

2947 EAST BROADWAY SUITE 300 PEARLAND, TEXAS 77581 (281) 412-3733

JOB NO. 1546-0504-304

ENGINEER:

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026

CONTACT: JASON BANDA

PRELIMINARY RIGHT-OF-WAY PLAT OF
HADOW CREEK RANCH
ROADWAY STREET EXTENSION
FROM KINGSLEY DRIVE TO
BRAZORIA COUNTY LINE

12.241 ACRES

OUT OF THE H.T. & B.R.R. CO., SECTION 83,
ABSTRACT 305, BRAZORIA COUNTY, TEXAS

T. & B.R.R. CO., SECTION 83, ABSTRACT 761,
FORT BEND COUNTY, TEXAS

THE H.T. & B.R.R. CO. SURVEY, SECTION 84,
TRACT 767, FORT BEND COUNTY, TEXAS, AND

E H.T. & B.R.R. CO. SURVEY, SECTION 82,
ABSTRACT 565, CITY OF PEARLAND,
BRAZORIA COUNTY, TEXAS

JUNE 2006

SCALE: 1" = 100'

OWNER:

PEARLAND INVESTMENTS, LIMITED PARTNERSHIP,
A NEVADA LIMITED PARTNERSHIP

BY ITS GENERAL PARTNER, M.M.L.B. CORP.

PAULINE COLLINS, PRESIDENT

15 LAS VEGAS BOULEVARD S. LAS VEGAS, NEVADA 89119 PH. (702) 736-6151

JOB NO. 1546-5181-303

ENGINEER:

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026

CONTACT: JASON BANDA

SHEET 1 OF 3

PLANNING AND ZONING COMMISSION

MINUTES OF A REGULAR MEEING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON JULY 17, 2006, AT 7:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

The Regular Meeting was called to order at 8:50 p.m., with the following present:

P & Z Vice-Chairperson Sheryl Greiner
P & Z Commissioner Neil West
P & Z Commissioner Darrell Diggs
P & Z Commissioner Jerry Koza, Jr.
P & Z Commissioner Henry Fuyertes
P & Z Commissioner Susan Sherrouse

Also in attendance: Assistant City Manager Nick Finan, Planning Director Lata Krishnarao, Senior Planner Theresa Grahmann, Plans and Plat Administrator Richard Keller, Planner I Diana DuCroz, Planning Administrative Secretary Judy Krajca, and Assistant City Attorney Nghiem Doan

APPROVAL OF MINUTES

Commissioner Neil West made the motion to approve, and Commissioner Jerry Koza, Jr. seconded. The vote was 6-0 for approval.

NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2006-6

A request by Rodney Slaton, applicant for Mahmud Hedayati, owner, for approval of a Conditional Use Permit for a "Mini-Warehouse/Self Storage" facility in the General Business Retail District (GB), on the following property located on the East Side of Westminister Street, and Approximately 300 Feet North of FM 518 (Broadway Street)

Commissioner Sherrouse made a motion to approve with discussion, and Commissioner Fuyertes seconded.

Ms. Krishnarao stated that Council asked that the P&Z Commission address the ~~UDC requirements regarding~~ buffering.

There was much discussion among the Commission and Staff on the buffering and fencing.

PLANNING AND ZONING COMMISSION

Commissioner Sherrouse amended her motion to approve with all UDC codes being applied. Commissioner Fuytes seconded.

Much discussion ensued regarding the masonry fence, wrought iron fence and masonry pillars all being 6 feet in height.

The Commission recommended 2 different options.

Option A was presented asking for a 6 feet tall (minimum height) fence, ~~Being Masonry fence~~ (solid masonry) up front along Westminister, with a 10 feet landscape buffer between the street and the fence. The remaining three sides would have wrought iron fence with masonry pillars – 6 feet in height.

Commissioner Sherrouse amended her motion again to add Option B, and Commissioner Fuytes seconded.

Option B was a 6 feet tall wrought iron decorative fence along Westminister, with masonry pillars and a maintained landscape detention pond, and the three remaining sides with wrought iron fence and masonry pillars – 6 feet in height.

The vote was 6-0 for approval of the Conditional Use Permit with conditions that the owner chooses from either Option A or B.

B. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-28Z

A request by Richard Gonzalez, applicant for RMMA Investments, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 2 District (R-2) to Townhouse Residential District (TH), on the property located on the South Side of Walnut Street, and Approximately 400 Feet East of McLean Road.

Commissioner Diggs made the motion to approve for the sake of discussion, and Commissioner West seconded.

There was discussion pertaining to the old Oak trees being 75 years old, and the applicant wanting to preserve them as part of the landscaping. *There was also discussion about plans for the walnut street.*

Deputy Attorney Doan suggested that the Commission act on what was known now, and not on what TxDOT may or may not do.

The vote was 6-0 for approval of the Zone Change.

C. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-29Z

PLANNING AND ZONING COMMISSION

A request by Monty Hudson, applicant for Jasvant C. Patel, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 1 District (R-1) to Office and Professional District (OP), on the property Located on the West Side of Miller Ranch Road (County Road 93), and Approximately 800 Feet North of FM 518 (Broadway Street),

Commissioner Koza, Jr. made the motion to approve, and Commissioner West seconded.

There was brief discussion pertaining to the best use of this property for the zoning, and height restrictions.

The vote was 6-0 for approval of the Zone Change.

D. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-27Z

A request by George Muthalaly, applicant for Moritz V. Craven, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 3 District (R-3) to Office and Professional District (OP), on the property Located on the East Side of Wooten Road, and Approximately 1,100 Feet North of FM 518 (Broadway Street).

Commissioner Diggs made the motion to approve for the sake of discussion, and Commissioner Koza, Jr. seconded.

Discussion began with there being a negative impact on the neighboring community, such as traffic, and service vehicles.

Commissioner Koza, Jr. stated that he was in favor of this zone change, but the detention being left as R-3 was not best. Commissioner Diggs agreed with Commissioner Koza, Jr. Commissioner Diggs asked who was responsible of the upkeep of the detention pond. Planning Director Krishnarao commented that staff will have to do research of the ~~drainage~~ *it,* ~~report.~~

Ms. Krishnarao asked the Commission if they would rather the applicant come back with a Planned Development (PD). Mr. Muthalaly spoke of what they want and will be as creative as possible with the buffer and detention so that they do not bother the homeowners.

The vote was 2-4. The Zone Change was denied. Reasons for denial were stated as the Office Profession District was too broad of use, and that a Planned Development (PD) would be better.

*C.M. Fuentes - Koza voted for the motion to approve. CM
voted against the motion to approve.*

PLANNING AND ZONING COMMISSION

E. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-26Z

A request by Al Osborn (Osborn and Vane Architects), applicant for Donya, LLC, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 4 District (R-4) to General Commercial District (GC), on the property Located Approximately 500 Feet West of Liberty Drive, and Approximately 300 Feet South of FM 518 (Broadway Street).

Commissioner West made the motion to approve, and Commissioner Koza, Jr. seconded.

There was no discussion.

Commissioner Diggs excused himself from the meeting at 9:56 p.m.

The vote was 5-0 for approval of the Zone Change.

F. CONSIDERATION & POSSIBLE ACTION – REMOVE FROM TABLE ZONE CHANGE No. 2006-23Z

Commissioner Koza, Jr. made the motion to remove from table, and Commissioner West seconded.

G. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-23Z (Revised document)

A request by Osborne Development, applicant for Trinity Leasing, Ltd., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 1 District (R-1) to Planned Development District (PD), on the property Located on the West Side of Miller Ranch Road (County Road 93), and Approximately 1,000 Feet North of FM 518 (Broadway Street).

Commissioner West made the motion to approve for the sake of discussion, and Commissioner Koza, Jr. seconded.

There was discussion about the detention. The Commission asked to see a final conceptual document – Planned Development (PD).

Deputy Attorney Doan asked the Commission if they were okay with Phase I if case Phase 2 did not occur.

PLANNING AND ZONING COMMISSION

The Commission asked staff to define detention and amenities.

~~The following options were posed: Table until August 7, 2006, with Council meeting on August 14, 2006 with the packet arriving late; or recommend approval and City Council listen to what Planning Director Krishnarao had to say about approval of amenities; or, the Commission let Council know they are not satisfied.~~

Vice-Chairperson Greiner and Commissioner Sherrouse recommended this be tabled again.

Commissioner Koza, Jr. made the motion to table the Zone Change, and Commissioner Sherrouse seconded.

The vote was 5-0 for approval.

The Commission called for a brief recess at 10:25 p.m.

The Commission resumed at 10:41 p.m.

H. PUBLIC HEARING – Replat of Lots 1 and 2 Rawls Subdivision as Rios Subdivision

A request by Christian Offenburger, RPLS, Boundary One, LLC, for Abelio Rios, owner, for approval of a replat of Lots 1 and 2 of the Rawls Subdivision as the Rios Subdivision Final Plat in order to subdivide the two existing lots into three lots. The parcel is 0.663 acre and is located at Woody Road at Scott Street, and is described as follows:

0.663 acre of land, all of Lots 1 and 2, Rawls Subdivision as recorded in Volume 17, Page 399 B.C.P.R. in the H.T. & B.R.R. Company Survey Section 4, A-543, City of Pearland, Brazoria County, Texas.

Vice-Chairperson Greiner called the Public Hearing to order at 10:41 p.m. and read the purpose of the hearing.

There was no one present to speak for or against this replat.

Planner I DuCroz gave the staff report stating that a Replat requires a public hearing, as the applicant is subdividing the two existing lots into three lots.

The hearing was adjourned at 10:45 p.m.

I. CONSIDERATION & POSSIBLE ACTION – Final Plat of Rios Subdivision

PLANNING AND ZONING COMMISSION

A request by Christian Offenburger, RPLS, Boundary One, LLC, for Abelio Rios, owner, for approval of a replat of Lots 1 and 2 of the Rawls Subdivision as the Rios Subdivision Final Plat in order to subdivide the two existing lots into three lots. The parcel is 0.663 acre and is located at Woody Road at Scott Street, and is described as follows:

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Planner I DuCroz read the Staff Report. There was one outstanding item.

Commissioner Koza, Jr. made a motion to approve, and Commissioner Fuertes seconded.

Commissioner Fuertes made an amendment to the motion to approve with Staff's recommendations. Commissioner Koza, Jr. seconded.

The vote was 5-0 for approval with Staff's comments, regarding the street light on Scott Street.

J. CONSIDERATION & POSSIBLE ACTION – Final Plat of Shadow Creek Ranch Commercial Site No. 18B

A request by Jason R. Banda, LJA Engineering & Surveying, Inc. for CG-Shadow Creek Ranch Village LP, owner, for approval of a Final Plat of 12.121 acres for five commercial lots. The plat is located on Shadow Creek Parkway between Kirby Drive and S.H. 288, and is described as follows:

12.121 acres, being out of the T.C.R.R. Co. Survey, Section 4, Abstract 675, and the Obediah Pitts Survey, Abstract 717, City of Pearland, Brazoria County, Texas.

Planner I DuCroz stated that this Plat had been withdrawn.

K. CONSIDERATION & POSSIBLE ACTION – Final Right-of-Way Plat of Shadow Creek Ranch Discovery Bay Drive Extension

A request by Jason Banda, LJA Engineering & Surveying, Inc. for Shadow Creek Ranch Development Co, owner, for approval of a Final Right-of-Way Plat of 0.721 acres in Shadow Creek Ranch for a portion of Discovery Bay Drive. The property is located between Business Center Drive and S.H. 288, and is described as follows:

PLANNING AND ZONING COMMISSION

0.721 acres being out of the William Morris Survey, Abstract 344, City of Pearland, Brazoria County, Texas.

Planner I DuCroz read the Staff Report. There were no outstanding items.

Commissioner Fuertes made the motion to approve, and Commissioner Sherrouse seconded.

The vote was 5-0 for approval.

L. CONSIDERATION & POSSIBLE ACTION – Preliminary Right-of-Way Plat of Shadow Creek Ranch Broadway Extension

A request by Jason Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, owner, for approval of a Preliminary Right-of-Way Plat of 12.241 acres in Shadow Creek Ranch for the extension of Broadway from Kingsley Drive west to the Fort Bend/Brazoria County line. The property is described as follows:

12.241 acres being out of the H.T. & B.R.R. Co., Section 83, Abstract 305, Brazoria County, Texas, the H.T. & B.R.R. Co., Section 83, Abstract 761, Fort Bend County, Texas, and the H.T. & B.R.R. Co. Survey, Section 84, Abstract 767, Fort Bend County, Texas, and the H.T. & B.R.R. Co. Survey, Section 82, Abstract 565, City of Pearland, Brazoria County, Texas.

Planner I DuCroz read the staff report. There was one outstanding item with the street light layout possibly needing to be revised.

Commissioner Sherrouse made the motion to approve with staff's comments, and Commissioner Koza, Jr. seconded.

The vote was 5-0 for approval with staff's comments.

M. CONSIDERATION & POSSIBLE ACTION – Waiver of Decision Time for Stable Stone Lane Final Plat

A request by Gerald Grissom, Brown & Gay Engineers, for a waiver of the decision time for the Final Plat of Stable Stone Lane until the August 21 P&Z meeting.

Planner I DuCroz stated that the applicant had asked for a Waiver, and that they were requesting an extension of time.

PLANNING AND ZONING COMMISSION

Commissioner West made the motion to approve the extension of time, and Commissioner Koza, Jr. seconded.

There was much discussion between Legal and Staff regarding the request of a waiver for an extension of time.

The vote was 5-0 for approval of the extension of time.

- N. NEXT MEETING** August 7, 2006 P&Z Meeting
- O. DISCUSSION ITEMS** Texas APA Conference-Corpus Christi, TX
October 18-21, 2006

ADJOURNMENT

The meeting was adjourned at 10:56 p.m.

These minutes are respectfully submitted by:

Judy D. Krajca
Planning Administrative Secretary

Minutes approved as submitted and/or corrected on this _____ day of _____, A.D., 2006.

Ruby Sandars
P&Z Chairperson

SUMMARY OF AGENDA ITEMS
July 17, 2006

City Council
Only

6:00 p.m. WORKSHOP OF THE CITY COUNCIL, Council Chambers

Council
And
P&Z

6:30 p.m. JOINT PUBLIC HEARING, Council Chambers

P&Z only

7:00 p.m. PLANNING AND ZONING MEETING, 2nd Floor Conference Room

City Council
Only

7:30 p.m. SPECIAL MEETING OF THE CITY COUNCIL, Council Chambers

Council Agenda's are attached for you to view

**AGENDA – WORKSHOP OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS,
TO BE HELD ON JULY 17, 2006, AT 6:00 P.M., IN THE COUNCIL CHAMBERS, CITY
HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

I. CALL TO ORDER

II. PURPOSE OF THE WORKSHOP:

- 1. COUNCIL INPUT AND DISCUSSION: REGARDING UNPLATTED
PROPERTIES / SUBDIVISIONS. *Mr. Nick Finan, Assistant City
Manager.***

III. ADJOURNMENT

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

AGENDA – SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON JULY 17, 2006, AT 7:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. PURPOSE OF THE MEETING:

NEW BUSINESS:

- 1. CONSIDERATION AND POSSIBLE ACTION – REGARDING APPOINTMENTS TO THE PARKS, RECREATION AND BEAUTIFICATION BOARD. Ms. Rhonda Cyrus, Parks and Recreation Director.**

OTHER BUSINESS:

EXECUTIVE SESSION UNDER TEXAS GOVERNMENT CODE

- 1. SECTION 551.074 – PERSONNEL MATTERS – REGARDING APPOINTMENTS TO THE PEARLAND ECONOMIC DEVELOPMENT CORPORATION BOARD. Mr. Bill Eisen, City Manager.**
- 2. SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY – REGARDING POTENTIAL LITIGATION ASSOCIATED WITH CITY INFRASTRUCTURE. Mr. Darrin Coker, City Attorney.**

NEW BUSINESS CONTINUED:

- 2. CONSIDERATION AND POSSIBLE ACTION – REGARDING APPOINTMENTS TO THE PEARLAND ECONOMIC DEVELOPMENT CORPORATION BOARD. City Council.**
- 3. CONSIDERATION AND POSSIBLE ACTION – REGARDING POTENTIAL LITIGATION ASSOCIATED WITH CITY INFRASTRUCTURE. City Council**

III. ADJOURNMENT

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

Planning and Zoning Commission

AGENDA - MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 17, 2006, AT :00 P.M., IN THE COUNCIL CHAMBERS, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. **CALL TO ORDER** *8:50 p.m.*
- II. **APPROVAL OF MINUTES** **June 19, 2006 – Regular Meeting** *approved 6-0*

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Conditional Use Permit No. 2006-6

*approved 6-0
with conditions*

A request by Rodney Slaton, applicant for Mahmud Hedayati, owner, for approval of a Conditional Use Permit for a "Mini-Warehouse/Self Storage" facility in the General Business Retail District (GB), on the following property located on the East Side of Westminister Street, and Approximately 300 Feet North of FM 518 (Broadway Street)

B. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-28Z

approved 6-0

A request by Richard Gonzalez, applicant for RMMA Investments, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 2 District (R-2) to Townhouse Residential District (TH), on the property located on the South Side of Walnut Street, and Approximately 400 Feet East of McLean Road

C. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-29Z

approved 6-0

A request by Monty Hudson, applicant for Jasvant C. Patel, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 1 District (R-1) to Office and Professional District (OP), on the property Located on the West Side of Miller Ranch Road (County Road 93), and Approximately 800 Feet North of FM 518 (Broadway Street)

D. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-27Z

denied 2-4

A request by George Muthalaly, applicant for Moritz V. Craven, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification

Planning and Zoning Commission

Single Family Residential – 3 District (R-3) to Office and Professional District (OP), on the property Located on the East Side of Wooten Road, and Approximately 1,100 Feet North of FM 518 (Broadway Street)

E. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-26Z

A request by Al Osborn (Osborn and Vane Architects), applicant for Donya, LLC, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 4 District (R-4) to General Commercial District (GC), on the property Located Approximately 500 Feet West of Liberty Drive, and Approximately 300 Feet South of FM 518 (Broadway Street)

F. CONSIDERATION & POSSIBLE ACTION – REMOVE FROM TABLE ZONE CHANGE No. 2006-23Z

per motioned item 2nd 5-0

G. CONSIDERATION & POSSIBLE ACTION – Zone Change No. 2006-23Z (Revised document)

A request by Osborne Development, applicant for Trinity Leasing, Ltd., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 1 District (R-1) to Planned Development District (PD), on the property Located on the West Side of Miller Ranch Road (County Road 93), and Approximately 1,000 Feet North of FM 518 (Broadway Street)

H. PUBLIC HEARING – Replat of Lots 1 and 2 Rawls Subdivision as Rios Subdivision

A request by Christian Offenburger, RPLS, Boundary One, LLC, for Abelio Rios, owner, for approval of a replat of Lots 1 and 2 of the Rawls Subdivision as the Rios Subdivision Final Plat in order to subdivide the two existing lots into three lots. The parcel is 0.663 acre and is located at Woody Road at Scott Street, and is described as follows:

0.663 acre of land, all of Lots 1 and 2, Rawls Subdivision as recorded in Volume 17, Page 399 B.C.P.R. in the H.T. & B.R.R. Company Survey Section 4, A-543, City of Pearland, Brazoria County, Texas.

I. CONSIDERATION & POSSIBLE ACTION – Final Plat of Rios Subdivision

A request by Christian Offenburger, RPLS, Boundary One, LLC, for Abelio Rios, owner, for approval of a replat of Lots 1 and 2 of the Rawls Subdivision as the Rios Subdivision Final Plat in order to subdivide the

Warrell Dismissed @ 9:56 pm.

approved 5-0

Dismissed

Resumed

Dismissed @

Resumed @ 10:41

approved 5-0

Planning and Zoning Commission

two existing lots into three lots. The parcel is 0.663 acre and is located at Woody Road at Scott Street, and is described as follows:

0.663 acre of land, all of Lots 1 and 2, Rawls Subdivision as recorded in Volume 17, Page 399 B.C.P.R. in the H.T. & B.R.R. Company Survey Section 4, A-543, City of Pearland, Brazoria County, Texas.

J. CONSIDERATION & POSSIBLE ACTION – Final Plat of Shadow Creek Ranch Commercial Site No. 18B

Withdrawn
A request by Jason R. Banda, LJA Engineering & Surveying, Inc. for CG-Shadow Creek Ranch Village LP, owner, for approval of a Final Plat of 12.121 acres for five commercial lots. The plat is located on Shadow Creek Parkway between Kirby Drive and S.H. 288, and is described as follows:

12.121 acres, being out of the T.C.R.R. Co. Survey, Section 4, Abstract 675, and the Obediah Pitts Survey, Abstract 717, City of Pearland, Brazoria County, Texas.

K. CONSIDERATION & POSSIBLE ACTION – Final Right-of-Way Plat of Shadow Creek Ranch Discovery Bay Drive Extension

A request by Jason Banda, LJA Engineering & Surveying, Inc. for Shadow Creek Ranch Development Co, owner, for approval of a Final Right-of-Way Plat of 0.721 acres in Shadow Creek Ranch for a portion of Discovery Bay Drive. The property is located between Business Center Drive and S.H. 288, and is described as follows:

0.721 acres being out of the William Morris Survey, Abstract 344, City of Pearland, Brazoria County, Texas.

L. CONSIDERATION & POSSIBLE ACTION – Preliminary Right-of-Way Plat of Shadow Creek Ranch Broadway Extension

A request by Jason Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, owner, for approval of a Preliminary Right-of-Way Plat of 12.241 acres in Shadow Creek Ranch for the extension of Broadway from Kingsley Drive west to the Fort Bend/Brazoria County line. The property is described as follows:

12.241 acres being out of the H.T. & B.R.R. Co., Section 83, Abstract 305, Brazoria County, Texas, the H.T. & B.R.R. Co., Section 83, Abstract 761, Fort Bend County, Texas, and the H.T. & B.R.R. Co. Survey, Section 84, Abstract 767, Fort Bend County, Texas, and the H.T. & B.R.R. Co.

Planning and Zoning Commission

Survey, Section 82, Abstract 565, City of Pearland, Brazoria County, Texas.

M. CONSIDERATION & POSSIBLE ACTION – Waiver of Decision Time for Stable Stone Lane Final Plat

A request by Gerald Grissom, Brown & Gay Engineers, for a waiver of the decision time for the Final Plat of Stable Stone Lane until the August 21 P&Z meeting.

N. NEXT MEETING August 7, 2006 P&Z Meeting

O. DISCUSSION ITEMS Texas APA Conference-Corpus Christi, TX
October 18-21, 2006

IV. ADJOURNMENT

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

Susan -yes
Neil -yes

Planning and Zoning Commission

AGENDA - MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 17, 2006, AT :00 P.M., IN THE COUNCIL CHAMBERS, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. APPROVAL OF MINUTES June 19, 2006 – Regular Meeting

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Conditional Use Permit No. 2006-6

A request by Rodney Slaton, applicant for Mahmud Hedayati, owner, for approval of a Conditional Use Permit for a "Mini-Warehouse/Self Storage" facility in the General Business Retail District (GB), on the following property located on the East Side of Westminster Street, and Approximately 300 Feet North of FM 518 (Broadway Street)

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Planning and Zoning Commission

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Planning and Zoning Commission

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Planning and Zoning Commission

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N. NEXT MEETING August 7, 2006 P&Z Meeting

O. DISCUSSION ITEMS Texas APA Conference-Corpus Christi, TX
October 18-21, 2006

IV. ADJOURNMENT

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PLANNING AND ZONING COMMISSION

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON JUNE 19, 2006, AT 7:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

The Regular Meeting was called to order at 10:02 p.m., with the following present:

P & Z Chairperson Ruby Sandars
P & Z Vice-Chairperson Sheryl Greiner
P & Z Commissioner Neil West
P & Z Commissioner Darrell Diggs
P & Z Commissioner Jerry Koza, Jr.
P & Z Commissioner Henry Fuertes
P & Z Commissioner Susan Sherrouse

Also in attendance: Planning Director Lata Krishnarao; Senior Planner Theresa Grahmann; Plans and Plat Administrator Richard Keller, Planner I Diana DuCroz, Engineering Administrative Secretary Betty Foreman, and Assistant City Attorney Nghiem Doan

E. CONSIDERATION & POSSIBLE ACTION - ZONE CHANGE NO. 2006-22Z

A request by Mike Pollack, applicant for Signature Eubanks and Associates, Ltd., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification General Business Retail District (GB) with an approved Specific Use Permit and Single Family -1 District (R-1) to Townhouse Residential District (TH), located on the North Side of Fite Road, and Approximately 1,100 Feet West of FM 1128 (Manvel Road)

Vice Chairperson Greiner made a motion to consider as PD instead of TH.

Assistant City Attorney Doan stated that the motion must pertain to what was requested.

Commissioner Diggs made a motion to approve, and Commissioner West seconded.

There was discussion regarding screening or open space between the town homes and residential homes next to the development.

PLANNING AND ZONING COMMISSION

The vote was 6-1 for approval. Commissioner Greiner voted in opposition.

APPROVAL OF MINUTES

Vice-Chairperson Sheryl Griener made the motion to approve, and Commissioner Susan Sherrouse seconded. The vote was 7-0 for approval.

NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2006-3

A request by Affiliated Machinery, Inc., applicant for Associated Properties, owner, for approval of a Conditional Use Permit for a "Machinery Sales, Storage, and Repair" facility in the General Commercial District (GC), on the following described property, located on the South Side of Alice Street, and approximately 1,000 Feet East of State Highway 35 (Main Street)

Vice-Chairperson Greiner made a motion to accept with stipulation as stated "The applicant comply with all applicable requirements in the Unified Development Code", Commissioner West seconded.

Commissioner Diggs asked if comment # 4 " the applicant will be required to comply with all requirements in the Unified Development Code pertaining to the development of this site", then why does the commission need to stipulate this. Assistant City Attorney Doan stated that it does not, nor does it need to be stated because it is in the Unified Development Code. Staff has requested this be stated because if a site plan is attached, there may be confusion that the site plan may be approved and not be up to code as stipulated in the Unified Development Code.

Vice-Chairperson Greiner amended the motion to strike the comment in regards to comply with all applicable requirements in the Unified Development Code to approval of a conditional use permit does not imply or mean acceptance of any documentation that was furnished with the request such as a site plan or letter. Commissioner West seconded the motion.

Commissioner Diggs had a question regarding the outside display or outside storage if there is a code restriction. Planning Director Krishnararo explained that there were screening standards that addressed the outside storage.

The vote was 6-0-1 for approval. Commissioner Koza abstained from the

PLANNING AND ZONING COMMISSION

vote due to personal involvement.

B. CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2006-5

A request by Spasco, Ltd., and Sandy P. Aron, applicant for Judy Ley Allen and Linda Ley Ament, owners, for approval of a Conditional Use Permit for a "Convenience store with Gasoline Sales" facility in the Spectrum District, District S1: The Beltway District (SPD 1), on the following described property, located on the South Side of Beltway, and on the West Side of Kirby Drive.

Commissioner Sherrouse made the motion to approve for comments, Vice-Chairperson Greiner seconded.

Commissioner Diggs asked if this is first and only gas station in the Spectrum District at this time. Planning Director Krishnarao stated this was the first development in the area.

There was discussion among the Commissioners and Staff clarifying the SPD zoning.

Chairperson Sandars stated that the same comment, as before should be placed, that approval of the Conditional Use permit does not imply approval of attached documents.

The vote was 7-0 for approval.

C. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-21Z

A request by James B. Purcell, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification General Business Retail District (GB) to Single Family Residential – 2 District (R2), on the following described property, located on the North Side of Walnut Street, and Approximately 150 Feet West of Johnston Street.

Vice-Chairperson Greiner made a motion to approve, Commissioner Sherrouse seconded.

The vote was 7-0 for approval.

D. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-20Z

PLANNING AND ZONING COMMISSION

A request by Irene Flores, applicant for Daniel Flores, owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the city of Pearland, for approval of a change in zoning district from classification Suburban Residential – 15 District (SR-15) to Neighborhood Service District (NS), located on the East Side of Manvel Road (FM 1128), and on the North Side of West Lea Lane.

Vice-Chairperson Greiner made a motion to table so that the applicant can get all the paperwork turned into staff.

Senior Planner Grahmann clarified the comment “commercial reserve”.

Motion dies for lack of second.

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

Commissioner Fuentes asked if the Commission were to approve the request, would the applicant still have to meet the deed restrictions, which states they cannot have the daycare. Assistant City Attorney Doan stated that Legal has not gotten involved enforcing deed restrictions.

Vice-Chairperson Greiner asked if the applicant could accomplish with less, such as Residential with a Conditional Use Permit. Senior Planner Grahmann explained that was not an option under the new ordinances. There was further discussion regarding what deed restrictions are and how applied.

Chairperson Sandars stated that Neighborhood Services (NS) means a lot of other things could be put in there, i.e. gas station, dry cleaners, etc. Ms. Sandars also spoke about the dangers of spot zoning.

Planning Director Krishnarao clarified the daycare verbiage in regards to the zoning and ordinances. Commissioner Fuentes stated that daycare was a wonderful idea but the location is not good.

The vote was 0-7 for approval. The reasons for denial are as follows:

1. Not a conforming use.
2. Maintain the residential complexion.
3. Consists of spot zoning.

F. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-25Z

PLANNING AND ZONING COMMISSION

WITHDRAWN FROM AGENDA BY APPLICANT PRIOR TO MEETING.

G. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-24Z

A request by M. Arif, applicant for Sohail Noor, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Garden O'Day Mixed Use District (GO-MU) to Planned Development District (PD), located on the West Side of Garden Road, and Approximately 1,600 Feet South of Brookside Road.

Vice-Chairperson Greiner made a motion to approve for discussion, Commissioner Diggs seconded.

Vice-Chairperson Greiner stated that when originally presented it was a conforming use for the area, but now has diverged from the original intent.

There was discussion between the Commissioners and Staff regarding the use of the land, buffer restrictions, traffic issues, density, and height restrictions, and use variance with town homes and school in the development.

The vote 0-7 for approval. The reasons for denial are as follows:

1. Adverse effect on the subdivision.
2. 2 uses not allowed in the base district
3. Traffic issues
4. Density

H. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2006-23Z

A request by Osborne Development, applicant for Trinity Leasing, Ltd, owner, for an amendment to Ordinance No. 2000 M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 1 District (R-1) to Planned Development District (PD), located on the West Side of Miller Ranch Road (County Road 93), and Approximately 1,000 Feet North of FM 518 (Broadway Street).

Commissioner West made a motion to approve with Staff's comments, Commissioner Koza seconded.

Chairperson Sandars asked if dealing with a PD in an OP district or a PD

PLANNING AND ZONING COMMISSION

with underlying GC.

There was discussion in clarification of what the applicant was wanting.

Planning Director Krishnarao stated that there were several issues that would need to be addressed in the PD. Staff does recommend approval but the PD is not complete.

Vice-Chairperson Greiner made a motion to table this zone change until the applicant could address the issues in the PD and present a complete PD. Chairperson Sandars seconded the motion.

The vote was 7-0 to table.

I. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT AVALON TERRACE SECTION TWO

A request by Scott Wright, Jones & Carter, Inc. for MHI Partnership, Ltd., owner, for approval of a Final Plat subdivision of 16.8790 acres in the E.T.J. for 77 residential lots. The property is located North of Broadway West of Max Road.

Planner I Diana DuCroz read the staffs report. There three conditions outstanding:

1. Leinholders subordination agreement needs to be recorded and date added to plat.
2. The TBM must be labeled
3. Three sets of mylars needed

Vice-Chairperson Greiner made the motion to approve with staff comments, and Commission Koza seconded.

The vote was 7-0 for approval.

J. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF PRIMROSE SCHOOL AT PEARLAND

A request by Tina Kast, Texas Engineering and Mapping, for Papadopulus Holdings II, owner, for approval of a Final Plat of 1.8667 acres zoned General Business (GB) for one lot. The property is located on the west side of Pearland Parkway, North of 518.

Planner I Diana DuCroz read the staffs report. There was only one outstanding item; signatures and seal need to be added to plat.

PLANNING AND ZONING COMMISSION

Vice-Chairperson Greiner made a motion to approve with Staff's comments, Commissioner Sherrouse seconded.

The vote was 7-0 for approval.

K. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SHADOW CREEK RANCH MF-5A

WITHDRAWN BY APPLICANT PRIOR TO MEETING.

L. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SOUTHERN TRAILS WEST SECTION ONE

A request by Dausha Moore for Stoddard Group Ltd., owner, for approval of Final Plat subdivision of 39.3506 acres for 112 residential lots. The plat is located in the Southern Trails PUD west of Kingsley Drive.

Planner I Diana DuCroz read the staffs report. There was one outstanding items; need BDD 4 approval.

Vice-Chairperson Greiner made the motion to approve with Staff's comments, and Commissioner Diggs seconded.

The vote was 7-0 for approval.

M. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF TELEPHONE ROAD SUBDIVISION

A request by Gregg Wiltshire, Wilson Survey Group, for PMSV Telephone LP, owner, for approval of Final Plat of 5.1905 acres zoned Commercial (C) for one lot. The property is located at 1525 N Main at intersection of McHard Road.

Planner I Diana DuCroz read the staffs report. There was one item outstanding; signatures and seal added to mylar.

Vice-Chairperson Greiner made a motion to approve with Staff's comments, Commissioner Koza seconded.

The vote was 7-0 for approval.

N. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF VILLAGES TOWNE LAKE

PLANNING AND ZONING COMMISSION

A request by Bobby Marlowe, Rekha Engineering, for Villages of Towne Lake, LP, owner, for approval of a Final Plat of 34.9454 acres zoned PUD for a multifamily development. The property is located east of Main Street South of Oiler Drive.

Planner I Diana DuCroz read the staffs report. There are 14 outstanding items.

Commissioner West made a motion to approve, and Commissioner Koza seconded.

The vote was 0-7. The plat was denied. The Commissioner's denied the plat based upon the 14 outstanding items listed in Staff's report.

O. NEXT MEETING

July 3, 2006 No Meeting

July 10, 2006 Possible Meeting

July 17, 2006 JPH & Regular P&Z Meeting

ADJOURNMENT

The meeting was adjourned at 11:10 p.m.

These minutes are respectfully submitted by:

Betty J. Foreman for Judy D. Krajca
Planning Administrative Secretary

Minutes approved as submitted and/or corrected on this 19th day of June, A.D., 2006.

Ruby Sandars
P&Z Chairperson

Remove item

from

table



CITY OF PEARLAND PLANNING & ZONING

MEMO

DATE: July 11, 2006

TO: Planning & Zoning Commission

FROM: Planning Staff

SUBJECT: Zone Change No. 2006-23Z – Proposed PD Generally Located on the West Side of Miller Ranch Road (County Road 93), and Approximately 1,000 Feet North of FM 518 (Broadway Street).

The applicant is requesting a change in zoning on the subject property for a Planned Development District (PD). The subject property consists of approximately 11.6 acres of land. The applicant is seeking approval of a PD for a skilled nursing facility and an assisted living senior residential facility. The facility, which will include 160 residents and 70 staff, is proposed to be located on 1.9 acres. Approximately 50% of the site is proposed to be used for landscape and open space. The proposed open detention pond and open area, on the north west part of the property would serve as a buffer between this use and the adjoining residential subdivision. The subject property is currently undeveloped.

The Joint Public Hearing was held on June 19, 2006. The P & Z Commission at their meeting on June 19, 2006 tabled action on the application. A revised PD document has been attached for your review. The outstanding issues at the time of P & Z's meeting on June 19, 2006, and applicant's responses in the revised PD have been listed below.

1. Open Space Requirements: Add a note in the PD that all Common Open Space requirements of the MF zone in the UDC will be met. *The applicant has complied.*
2. Parkland Dedication: Add a note that City of Pearland's parkland dedication requirements (\$750.00 per unit/room/suite) will be met. *Complied. The applicant has indicated in the PD that the fees will be paid.*
3. Design Plan: The PD regulations require that location and arrangement of all uses need to be consistent with the "Design Plan". Please modify language in page 3 to clarify this. The general location of buildings, open space, detention etc. needs to conform to the Design Plan. Only minor variations would be allowed from the plan shown in the PUD document so it needs to be a fairly precise layout. Also, all

anticipated variations from the Land Use Summary Table need to be defined in terms of percentages or otherwise. *Complied.*

4. The location of driveways, ROW dedications and other traffic requirements would be determined by a Traffic Impact Analysis (TIA). Please add a note in this regard in the PD. Note IV on page 4 needs to be modified or removed. *Complied.*
5. Page 4, Section III – Add a note that all development standards and requirements of the UDC and other City ordinances will be met. This would include screening, parking, landscape, signage etc. That note will cover sections III. A, B & C, which need to be eliminated. *Complied.*
6. Page 4, Section IV – Replace with a statement - “All requirements of the Thoroughfare Plan, TIA and other City Ordinances will be complied with.” *Complied.*
7. Page 4, Section V – Add a note that all required off-site and on-site improvements will be completed for each phase before a building permit or CO is issued for that phase. In this regard remove the last two paragraphs regarding landscaping and detention on page 3. *Complied.*
8. The uses as proposed will follow the definitions in the UDC. If any variations are proposed please define them. Also add a table showing the square footage, number of residents, and number of employees for each facility. *Complied.*
9. The detention pond needs to be treated as an amenity, with trails, trees, lake etc. Please include a general landscape design plan showing these amenities. Also, show connectivity to adjoining sites by a trail system, as recommended by the Council and Commission. Please contact the Parks Director Rhonda Cyrus (281-652-1674) in this regard.
Partially addressed. On page 3, the PD indicates that Phase Two will include enhancement of the detention pond as an amenity. However the site plan does not indicate or show what amenities will be provided and where. Applicant has indicated that due to the use of the property and a need for security, connectivity to adjoining sites has not been provided.
10. Screening of residential property – Staff recommends that the 25' wide green space shown in the site plan be landscaped. Please add a note in this regard and add a note that this buffer will be in addition to any yard requirements. *Complied.*
11. Add a note that the building elevations will maintain the residential look and character as shown in the exhibits in the PD. *Complied.*

Staff would recommend that a detail landscaping and amenity plan be provided for the detention area showing the treatment of the banks, trails, general landscaping and other amenities.

Planned Development District (PD) Zoning Request

I. Introduction

A. Description of the Subject Property.

The property faces Miller Ranch Road and is the northernmost part of the abandoned cement plant. It is vacant except for a few concrete pilings and pads on the south and a green area of small cottonwood and scrub on the north. It forms an irregular rectangle (see exhibit A). The property begins 950 feet from the north ROW of Broadway (F.M. 518) and resides 637 feet along Miller Ranch Road (the only bordering street). The natural gas pipe-line comprises the southern border, the detention facility for Pearland Retail Fitness forms the southwest corner, the west boundary follows the regional drainage canal, the northernmost boundary borders a private lake, and a single family residence comprises the northeast corner.

B. Description of Proposed Development.

We propose to build two senior residential facilities. The first phase will be a Skilled Nursing Facility (SNF) and the second an Assisted Living Senior Residential Facility (AL) as per our proposed site plan (exhibit A).

C. Describe the area of land in acreage.

The total acreage is 11.64 acres. Of this approximately 3.8 acres offsets on the northwest corner. This area will be used primarily for a detention facility. It aligns with the planned detention facility for Pearland Retail Fitness on the south and the private lake on the north.

The balance is approximately 7.9 acres which will be utilized for our two construction projects.

D. Purpose and Intent of the PD district established therein.

Our single aim here is building these two senior residential facilities. We have no other purpose for this property. Under Office Professional (OP) base zoning with a PD overlay, both the SNF and the AL may be permitted as conditional uses. We request that every other classification of permitted and conditional use for the underlying zone of OP be excluded from our request. In summary, all we want is permission to build these two specific conditional uses under the base zoning of Office Professional.

These buildings will be homes for seniors and residential in essence. This meets a particular need in the Pearland area which the State of Texas recognized in issuing Osborne Development the waiver to develop the Skilled Nursing Facility. This building, in conjunction with the Assisted Living Residential Facility, will offer the most up-to-date care for the needs of the areas' seniors.

The PD district applied to this property will serve as an excellent transition from the retail/commercial at Broadway (e.g. Home Depot, Pearland Retail Fitness, and the proposed Hotel) to the residential area to the north.

II. Zoning and Land Use.

A. Describe the existing zoning districts and the boundaries of said districts.
 Currently the property in question as well as two contiguous parcels to the north are zoned R-1. Property west and across the drainage canal is zoned R-3 as well as the property across Miller Ranch Road to the east. Immediately to the south the single approximately 2 acre parcel is zoned R-1 with General Business covering the corner of Broadway and Miller Ranch Road.

B. Describe the base zoning district(s) to be overlaid, together with the boundaries of the district(s), and describe the areas in acreage of each different district.

Our request, consistent with City of Pearland staff recommendation, is that the total acreage be zoned Office Professional with a Planned Development district overlay eliminating all Permitted uses except the SNF and the AL. Per City of Pearland staff recommendation the PD will follow the Common Open Space requirements of a MF zone.

In accordance with Pearland PD regulations, the location and arrangement of uses will be consistent with the Design Plan. Minor variations from the table below will be limited to possible modifications in building layout normal during the planning phase of development. Any such variations and Subsequent Development Applications will comply with the requirements of Uniform Development Code (UDC), unless specifically authorized by the Planning and Zoning Commission and/or City Council.

Land Use Summary

Use	Acres	Percentage Total Acres	Zoning District
Landscape and Open Space 20% or less Anticipated Variations	6.4	55%	OP
Detention 20% or less Anticipated Variations	1.44	12.5%	OP
Thoroughfares/ROW 10% or less Anticipated Variations	0.44	4%	OP
Internal Streets/Vehicular Circulation and parking 10% or less Anticipated Variations	1.46	12.5%	OP
Buildings 10% or less Anticipated Variations	1.9	16%	OP

III. Design standards applicable to the development.

All development standards and requirements of the UDC and City Ordinances (not repealed by the UDC) will be met, unless specifically mentioned in this Planned Development or authorized by the Planning and Zoning Commission and/or the City Council. Building elevations will maintain the residential look and character as shown in the exhibits in the original PD.

A. Phase One.

Pursuant to City of Pearland staff recommendations the PD will follow the Common Open Space requirements of a MF zone of 900 sq. ft. per unit. (Phase One: 900 sq. ft. x 60 room/units = 54,000 sq. ft. of Common Open Space.)

Phase One will include a walk path for the enjoyment of the residents of the Facility. There will be a 25' wide green space buffer with a screen between our property and the home immediately and north along Miller Ranch Road.

B. Phase Two.

Phase Two will also follow the Common Open Space requirements of a MF zone of 900 sq. ft. per unit.

(Phase Two: 900 sq. ft. x 60 room/units = 54,000 sq. ft. of Common Open Space.)

Phase Two will include enhancement of the detention pond, created during Phase One, into an amenity for the enjoyment of the residents of the Facilities.

IV. Required dedications of land or public improvements.

The locations of driveways, ROW dedications and other Traffic requirements have been determined by a Traffic Impact Analysis (TIA). All requirements of the Thoroughfare Plan, TIA, the UDC and other City Ordinances will be complied with unless specifically mentioned in this Planned Development or authorized by the Planning and Zoning Commission and/or the City Council.

A. Phase One.

The City of Pearland's parkland dedication fee requirements for Phase One will be paid pursuant to city planning staff's recommendation for sixty (60) units, at \$750.00 per unit/room/suite.

(60 rooms/units x \$750.00 = \$ 45,000.00)

B. Phase Two.

The City of Pearland's parkland dedication fee requirements for Phase Two will be paid at same rate per unit as Phase One, and prior to the start of construction of the AL.

(60 rooms/units x \$750.00 = \$ 45,000.00)

V.

Phasing schedule for the project.

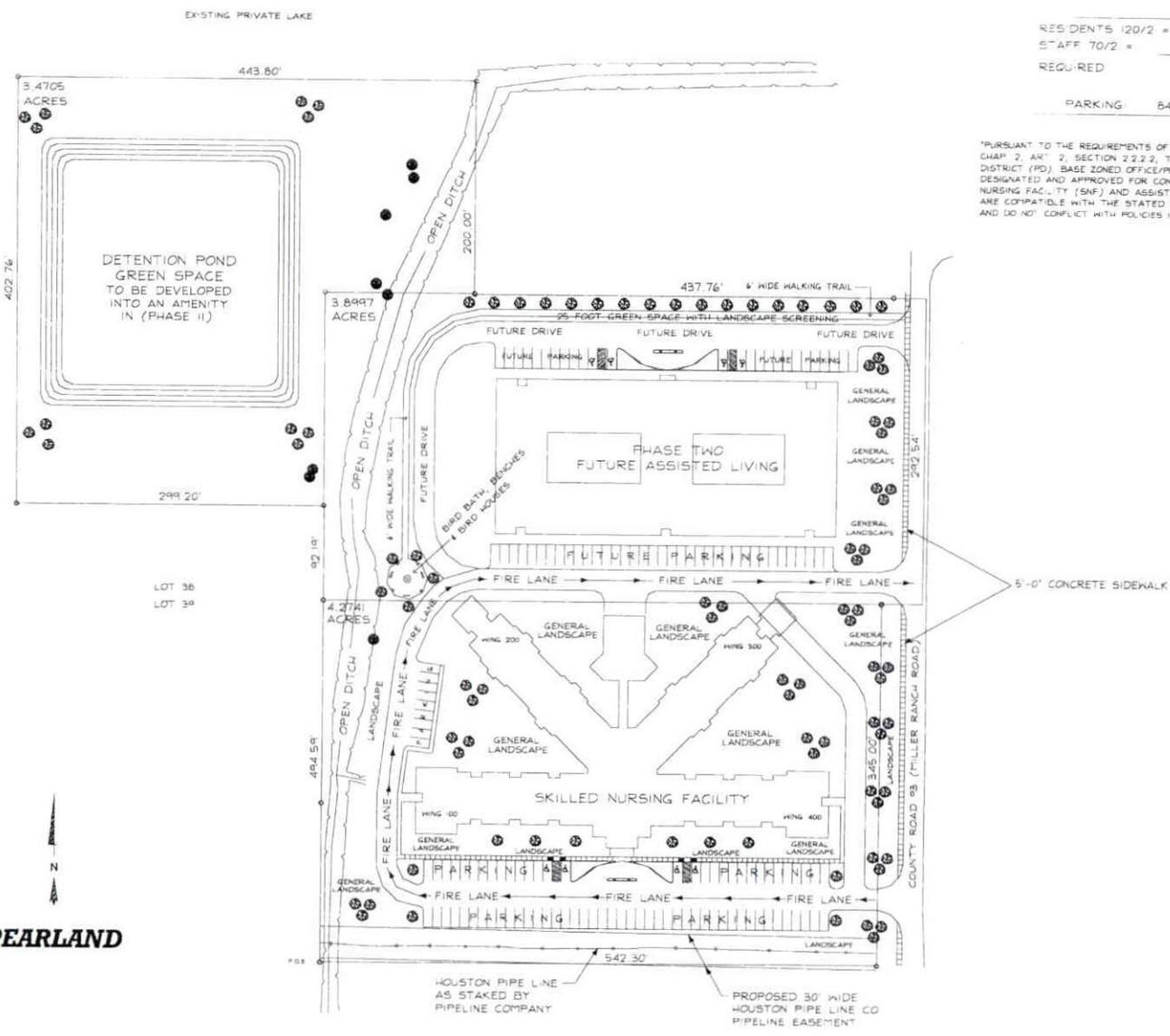
All required off-site and on-site improvements will be completed for each phase before a building permit or CO is issued for that phase.

The SNF is the First Phase of the project. The SNF is possible because of a state of Texas waiver which holds a time-limit of completion. Texas Department of Aging and Disability Services (TDADS) requires this project be completed by June, 2007. Applications and Plans for platting and permitting of the construction of this building are in preparation.

Once substantial progress is made on Phase One, we will begin Phase Two, the Assisted Living Senior Residential Facility. This is scheduled for 2007.

Phase 1 (SNF)	
Square Footage	42,223
Number of Residents	120
Number of Employees	100+
Phase 2 (AL)	
Square Footage	40,565
Number of Residents	60
Number of Employees	40+

PEARLAND



RESIDENTS 120/2 =	60 SPACES
STAFF 70/2 =	35 SPACES
REQUIRED	70 SPACES
PARKING	84 PROVIDED

"PURSUANT TO THE REQUIREMENTS OF THE CITY OF PEARLAND, JDC, CHAP. 2, ART. 2, SECTION 2.2.2.2, THIS PLANNED DEVELOPMENT DISTRICT (PD) BASE ZONED OFFICE/PROFESSIONAL (OP), HAS BEEN DESIGNATED AND APPROVED FOR CONDITIONAL USE AS A SKILLED NURSING FACILITY (SNF) AND ASSISTED LIVING (AL). SAID USES ARE COMPATIBLE WITH THE STATED PURPOSES OF THE DISTRICT AND DO NOT CONFLICT WITH POLICIES IN THE COMPREHENSIVE PLAN."

PROPOSED SITE PLAN
11.6443 ACRES TOTAL

PRELIMINARY, NOT FOR CONSTRUCTION, BIDDING OR PERMITTING

SKILLED NURSING FACILITY
PEARLAND, TEXAS

CONSULTING DESIGN
ARCHITECTURE
3417 E. 54TH STREET
DALLAS, TEXAS 75246

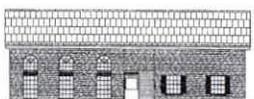
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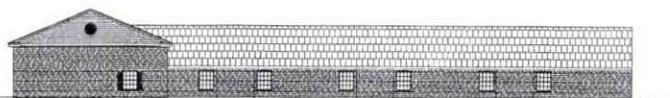
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NTS



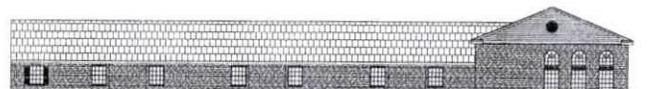
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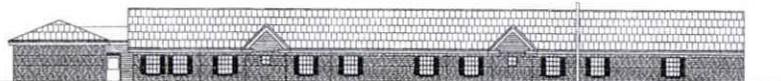
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WING 400 BACK



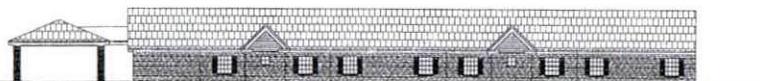
WING 100 BACK



WING 200 FRONT



WING 200 BACK



WING 300 BACK



WING 300 FRONT

PRELIMINARY, NOT FOR CONSTRUCTION, BIDDING OR PERMITTING

ELEVATIONS

SKILLED NURSING FACILITY
PEARLAND, TEXAS

OSBORNE DEVL
 ARCHITECTS
 3417 E 54TH STREET
 THIRDAVENUE, SUITE 100, DALLAS, TEXAS 75243

DATE: 6/24/06
 PROJECT NO: 06-09
 DRAWING NO: 01-1-01-01

JOINT PUBLIC HEARING AGENDA ITEM
MEETING OF JUNE 19, 2006

Zone Change No. 2006-23Z

TO: City Council
Planning and Zoning Commission

SUBJECT: A request by Osborne Development, applicant for Trinity Leasing, Ltd., owner, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval of a change in zoning district from classification Single Family Residential – 1 District (R-1) to Planned Development District (PD)

LEGAL DESCRIPTION: 11.6443 acres of land, being out of Lot 38 and 39, Allison-Richey Gulf Coast Home Company Subdivision, part of Suburban Gardens, Section 85, as recorded in Volume 2, Page 107, Brazoria County Plat Records, H. T. & B.R.R. Company Survey, Abstract 304, City of Pearland, Brazoria County, Texas

GENERAL LOCATION: Generally Located on the West Side of Miller Ranch Road (County Road 93), and Approximately 1,000 Feet North of FM 518 (Broadway Street)

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

Planning and Zoning Commission: June 19, 2006*
City Council for First Reading: July 10, 2006*
City Council for Second Reading: July 24, 2006*

(*dates subject to change if item is tabled)

SUMMARY: The applicant is requesting a change in zoning on the subject property for a Planned Development District (PD). The subject property consists of approximately 11.6 acres of land. The applicant is seeking approval of a PD for a skilled nursing facility and an assisted living senior residential facility. The facility, which will include 120 residents and

70 staff, is proposed to be located on 1.9 acres. Approximately 50% of the site is proposed to be used for landscape and open space. The proposed open detention pond and open area, on the north west part of the property would serve as a buffer between this use and the adjoining residential subdivision.

The subject property is currently undeveloped.

SURROUNDING ZONING AND LAND USES:

* surrounding zoning districts based on the new map adopted February 27, 2006

	<u>Zoning</u>	<u>Land Use</u>
North	Single Family Residential-1 District (R-1)	Single family residence; large detention pond
South	Single Family Residential-1 District (R-1); Single Family Residential-1 District (R-1), with an approved Specific Use Permit for detention facilities	Currently undeveloped
East	Single Family Residential-3 District (R-3)	Single family residences within Sunrise Lakes
West	Single Family Residential-3 District (R-3)	Single family residences within Autumn Lakes

CONFORMANCE TO UNIFIED DEVELOPMENT CODE (UDC): The applicant is requesting a Planned Development District (PD), with a base zoning district of General Commercial District (GC). The GC District required a minimum lot size of 22,500 sq. ft. and minimum lot width of 150 feet. The subject property meets all area regulations of GC.

The applicant will be required to comply with all other requirements of the Unified Development Code, unless specifically mentioned in the PD.

PLATTING STATUS: Based on the legal description submitted with the zone change application, it appears that the subject property has not been platted. The subject property will need to be platted in accordance with the Unified Development Code, Chapter 3, Subdivision Regulations, prior to issuance of a building permit. The plat will need to address all requirements listed in Chapter 3, and be approved by the Planning and Zoning Commission. The plat will need to be approved and filed for record with the County Clerk, prior to issuance of a building permit.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Comprehensive Plan (2004

update adopted on July 26, 2004) recommends "10,000 Square Foot Suburban Residential" for the subject property and for many of the surrounding properties, especially to the north and west sides of the subject property. The Comprehensive Plan further indicates that the appropriate zoning districts for "10,000 Square Foot Suburban Residential" is a new residential zoning district. At the time that the Comprehensive Plan was updated in 2004, it was intended that the City would create a SR-10 residential zoning district with a minimum lot size of 10,000 square feet. However, the SR-10 district was not created due to the existing R-1 district (8,800 square foot lot) and the proposed SR-12 zoning district (12,000 square foot lot) being too close in lot size. Nevertheless, the appropriate zoning district for the subject property would be SR-12 or R-1, or even the RE district (half-acre lot).

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property has frontage on Miller Ranch Road 9CR 93), a local street with an ultimate right-of-way of 50 feet. The Thoroughfare Plan does not specify any improvements to Miller Ranch Road. When the subject property is platted, the applicant may need to dedicate right-of-way as necessary for Miller Ranch Road.

No other roadways affect the subject property.

AVAILABILITY OF UTILITIES: There is currently a 12-inch water line located within Miller Ranch Road.

There are sanitary sewer lines located at further to the south of the subject property along Miller Ranch Road.

Availability and adequacy of utilities will be reviewed during the review of any subdivision plat or building permit applications submitted for the subject property.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT:

Even though the proposed development is not in conformance with the Comprehensive Plan or the UDC, it is a relatively low intensity use. Since the applicant intends to limit the use of the property for skilled nursing and assisted living, this use would serve as a buffer between the commercial uses to the south and single-family residential areas to the north. Land immediately south of this parcel, currently zoned R-1, is being considered for non-residential uses. Due to the fact that the applicant is proposing to leave 51% of the lot (6 acres of land) as open space in addition to adequate landscaped buffers along areas abutting residential zones, staff does not anticipate that this facility will have any adverse impact on surrounding areas.

The applicant has indicated that the residents of the facility will not be driving their personal vehicles and the only traffic generated will be due to the employees and visitors. This will

have reduced traffic impact on Miller Ranch Road as compared to other non-residential uses. A Traffic Impact Analysis will be required and improvements would need to be done accordingly to accommodate additional traffic.

Further, proximity of the site to other activities such as retail and service businesses, restaurants, movie theatre and other facilities renders this location suitable for the proposed use.

RECOMMENDED ZONING:

Staff is of the opinion that the requested zoning category of GC (General Commercial) is not appropriate for this area. Staff recommends a PD with the underlying zone of OP (Office Professional) since the development standards for an OP district would ensure that this development is more compatible to the adjoining residential than a GC zoning district. The requested uses are permitted by a Conditional use Permit (CUP) in an OP zone and an OP-PD would allow the development as proposed by the applicant.

DISCUSSION ITEMS:

- 1. Conditional Use Permit (CUP) Criteria:** As per the UDC, criteria for approval of a CUP would consider compatibility with the character and integrity of adjacent developments and neighborhoods, and if the proposed on-site of right of way improvements mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.

Would this PUD, that would allow uses permitted by CUP, adversely affect the neighborhood?

It is staff's opinion that the proposed use would meet the CUP criteria. The applicant is not seeking any variances on buffer requirements and is proposing additional buffers and open space that exceeds the requirements.
- 2. PD District Intention:** PD districts are intended to "encourage flexibility and creative planning, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a higher quality of development for the community than that would result from the use of conventional zoning districts."

Would the proposed PD meet these intentions?

It is staff's opinion that this development in general would meet the intent of PD.
- 3. PD Criteria:** As requested by the Planning and Zoning Commission and City Council during the UDC process, a section on applicability was added to assist in the decision making process. The UDC states - A PD district may only be established in one of the following circumstances:

- a. The land is located in close proximity to established residential neighborhoods where conventional zoning classifications may not adequately address neighborhood concerns regarding the quality or compatibility of the adjacent development, and where it may be desirable to the neighborhood, the developer or the City to develop and implement mutually-agreed, enforceable development standards;
- b. The land, or adjacent property that would be impacted by the development of the land, has sensitive or unique environmental features requiring a more flexible approach to zoning and clustering of uses, or special design standards, in order to afford the best possible protection of the unique qualities of the site or the adjacent property;
- c. The land is proposed for development as a mixed-use development or a traditional neighborhood development requiring more flexible and innovative design standards;
- d. The land consists of Old Townsite and/or other older sections of Pearland that are proposed for redevelopment or infill development, and special design considerations are deemed desirable;
- e. The land serves as transition between different and seemingly incompatible land uses;
- f. The land is proposed for development as a major office, retail, commercial or industrial employment center, and special design standards may be warranted;
- g. The land is of such a character that it is in the community's best interest to encourage high quality development through flexible development standards to further the goals and objectives of the City's Comprehensive Plan; and
- h. The land consists of unusually configured parcels that cannot be developed efficiently under the base district standards.

Does the PUD meet the criteria set forth in UDC?

It is staff's opinion that the PD meets items a, b and e from the above list.

4. **Open Space Requirements:** Typically multi-family uses, similar to the proposed use, are not permitted by right in OP or GC district. Therefore the OP and GB zones do not contain open space standards. Staff recommends that the PD follow the Common Open Space requirements of the MF zone (900 sq. ft. per unit and parkland dedication).

If MF (multi-family zone) standards were applied, for 120 units as proposed, 2.2 acres of Common Open Space would be required. PD indicates that 5.98 acres of open space are provided. If the applicant desires and upon approval by the Parks Director, the 5.98 acres could potentially meet the requirements of parkland dedication (one acre per 100 units) also, if developed as an amenity and open to public. If the applicant does not want to develop this area as a public amenity, then a parkland dedication fee of \$750.00 per unit would be required at the time of permit.

Open Space calculations, reference to Common Open Space standards of MF zone, and notes regarding parkland dedication need to be included in the PD.

Additionally amenities provided in the Common Open Space need to be included in the PD and Design Plan.

5. Other Staff Comments:

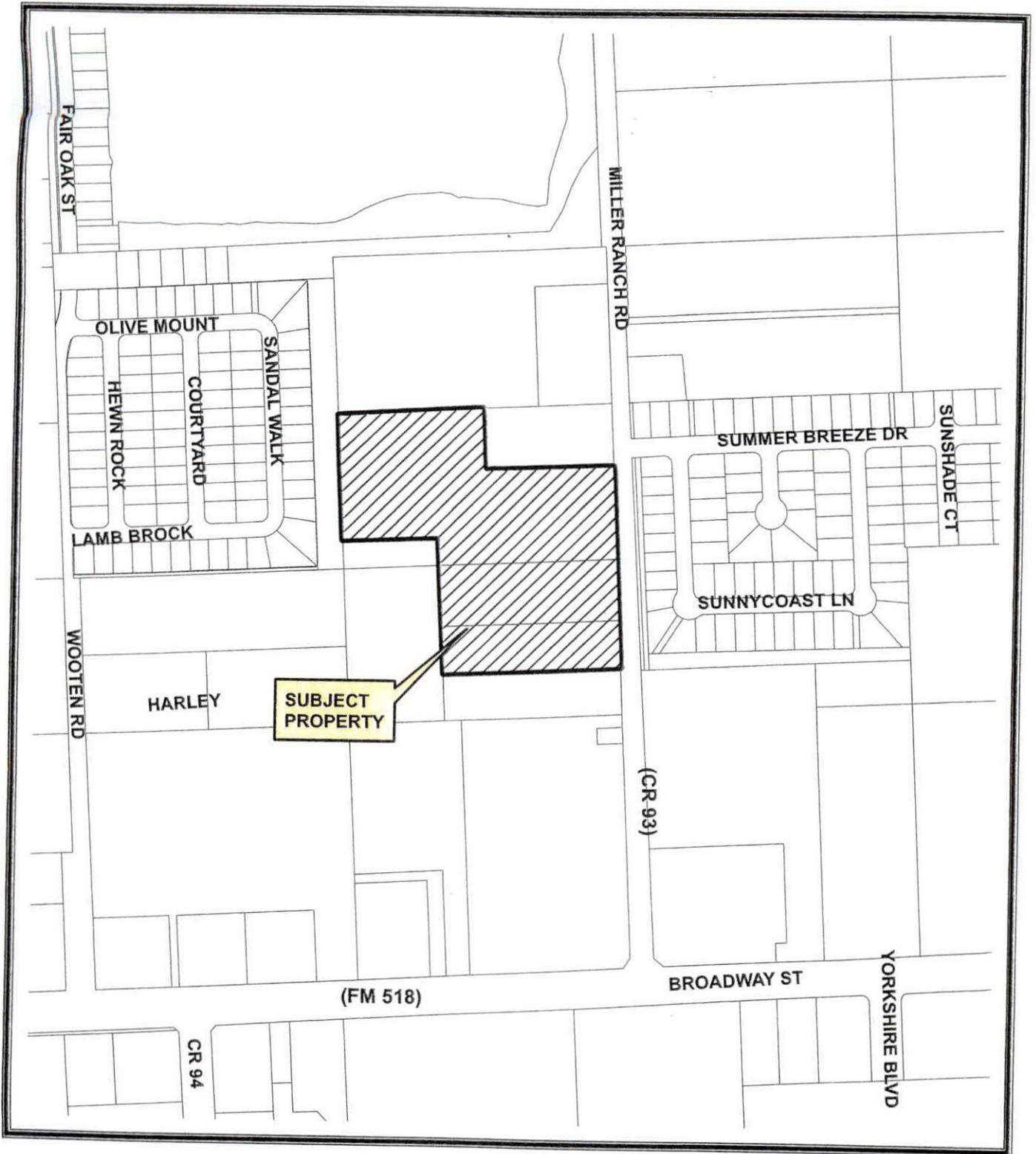
- a. **Design Plan:** The PD regulations require that location and arrangement of all uses need to be consistent with the "Design Plan". Please modify language in page 3 to clarify this. The general location of buildings, open space, detention etc. needs to conform to the Design Plan. Only minor variations would be allowed from the plan shown in the PUD document so it needs to be a fairly precise layout.
Also, all anticipated variations from the Land Use Summary Table need to be defined in terms of percentages or otherwise.
- b. The location of driveways and other traffic requirements would be determined by a Traffic Impact Analysis (TIA). Please add note in this regard in the PD.
- c. Page 4, Section III – Add a note that all development standards and requirements of the UDC and other City ordinances will be met. This would include screening, parking, landscape, signage etc. That note will cover sections III. A, B & C, which should be eliminated.
- d. Page 4, Section IV – Replace with a statement - "All requirements of the Thoroughfare Plan, TIA and other City Ordinances will be complied with."
- e. Page 4, Section V – Add a note that all required off-site and on-site improvements will be completed for each phase before a building permit or CO is issued for that phase. In this regard remove the last two paragraphs regarding landscaping and detention on page 3.
- f. The uses as proposed will follow the definitions in the UDC. If any variations are proposed please define them. Also add a table showing the square footage, number of residents, and number of employees for each facility.

These comments are based on preliminary review. Additional comments may be generated after a detailed review by staff, discussions at the Joint Public Hearing and public input.

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

SUPPORTING DOCUMENTS:

- Notice of Public Hearing
- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Planned Development District (PD) Document



LOCATION MAP

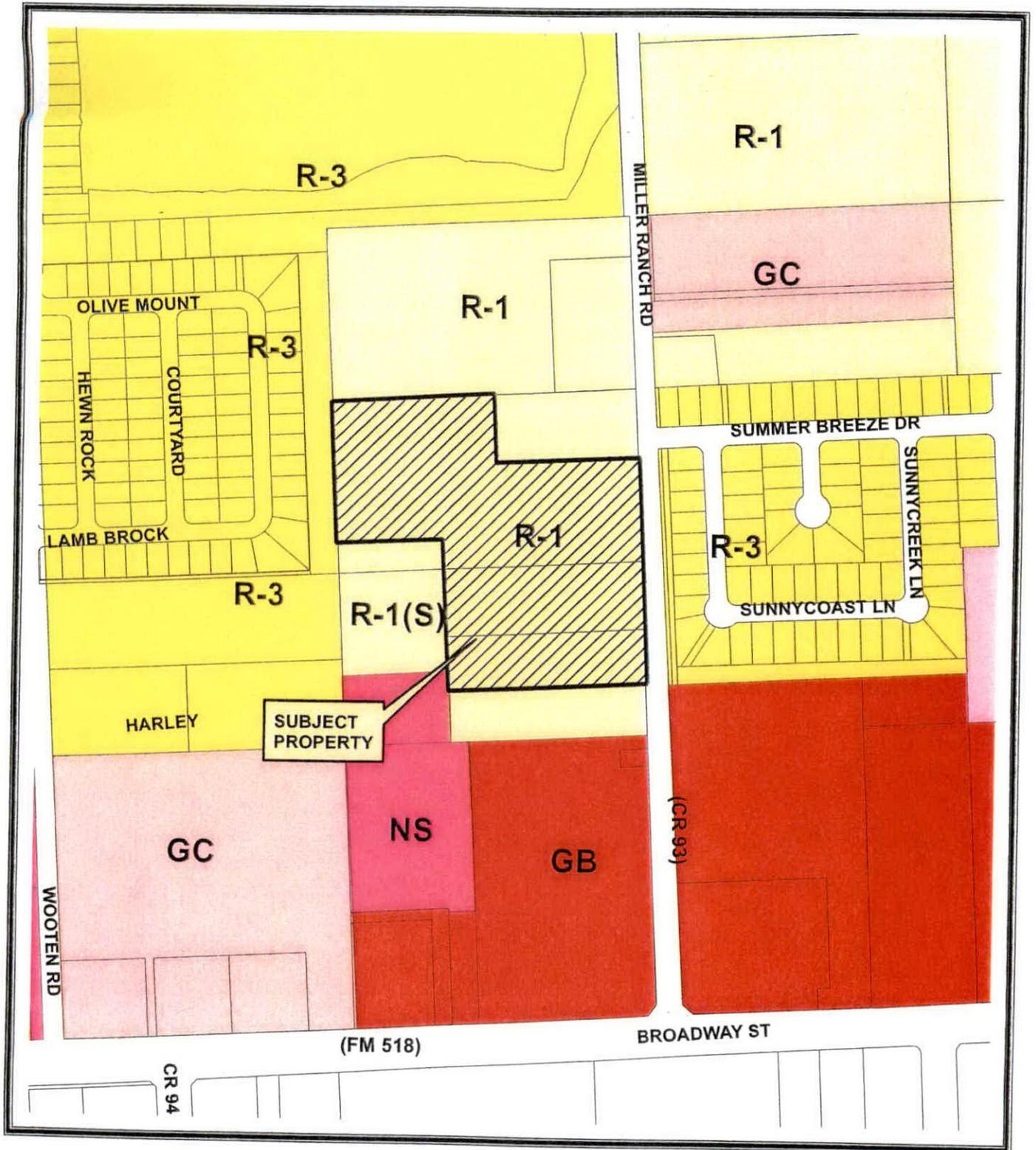
Zone Change
No. 2006-23Z



0 200 400 Feet

A horizontal scale bar with tick marks at 0, 200, and 400 feet.

Map Prepared on May 30, 2006



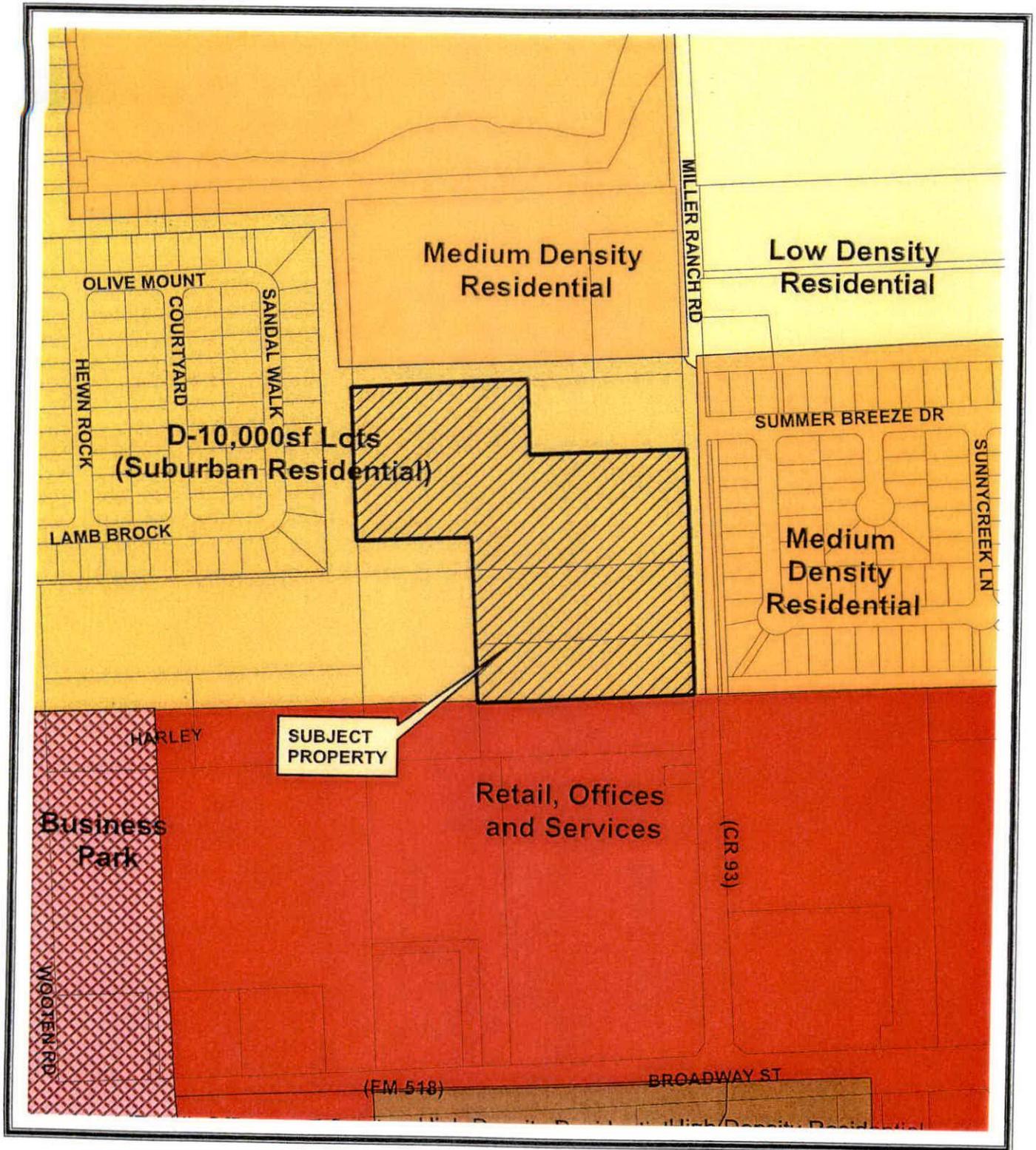
ZONING MAP

Zone Change
No. 2006-23Z



0 200 400 Feet

Map Prepared on May 30, 2006



FUTURE LAND USE PLAN

Zone Change
No. 2006-23Z



0 200 400 Feet

Map Prepared on May 30, 2006

PUBLIC HEARING

SEE NEXT ITEM

- I. Call to order
- II. Purpose of Hearing
- III. Application Information and Case Summary
 - A. Staff Report
 - B. Applicant Presentation
- IV. Persons wishing to speak for or against the proposed request
- V. Commission/Staff discussion
- VI. Adjournment

PLAT APPLICATION

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

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat*
- Final Subdivision Plat*
- Minor (Subdivision) Plat*
- Amending Plat*
- Master Plat*
- Preliminary Development Plat*
- Final Development Plat*
- Replat*

MAY 30 2006

SUBDIVISION NAME: RIOS SUBDIVISION

NUMBER OF LOTS: 3

GENERAL LOCATION: SOUTHEAST CORNER OF WOODY AND SCOTT

* A complete application must include all items shown on the corresponding checklist for each different type of plat.

PRIMARY CONTACT: CHRISTIAN OFFENBURGER, RPLS
MAILING ADDRESS: 150 W. SHADOWBEND, SUITE 303
CITY, STATE, ZIP: FRIENDSWOOD, TX 77546
PHONE: (281) 648-3131 FAX: (281) 648-3737
E-MAIL ADDRESS: christian@boundaryone.com

OWNER NAME: ABELIO RIOS, ET UX
MAILING ADDRESS: 4819 SCOTT ST.
CITY, STATE, ZIP: PEARLAND, TX 77581
PHONE: (281) 782-7217 FAX: ---
E-MAIL ADDRESS: ---

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: [Signature] Date: 5/30/06

Applicant's Signature: [Signature] Date: 5/30/06

Fees Not Required for Staff Review Plats

FEES PAID: <u>412.00</u>	DATE PAID: <u>5.30.06</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>150934</u>
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Application No.

RIOS SUBDIVISION
FINAL PLAT (REPLAT) – STAFF REPORT

P & Z MEETING DATE: July 17, 2006

APPLICANTS: Christian Offenburger, RPLS, Boundary One, LLC, for Abelio Rios, owner.

REQUEST: Final Plat of 0.663 acre zoned Low Density Single Family (R-1) to subdivide two existing lots in the Rawls Subdivision into three lots. The Preliminary Plat was approved on March 6, 2006.

GENERAL LOCATION: Southeast corner of Woody Road at Scott Street. See Vicinity Map below.

ZONING: R-1, Low Density Single Family, minimum lot size 8,800 square feet. The proposed plat is consistent with the zoning.

SURROUNDING USES: All surrounding properties to the north, west, and east are zoned R-1. The area to the south is zoned Commercial.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates the property for Light Industrial use, which is inconsistent with the current zoning designation of low density residential.

TRAFFIC AND TRANSPORTATION: A Traffic Impact Analysis is not required.

UTILITIES: Water and sewer are available to this plat.

STORMWATER MANAGEMENT: Stormwater detention will be addressed by site plans.

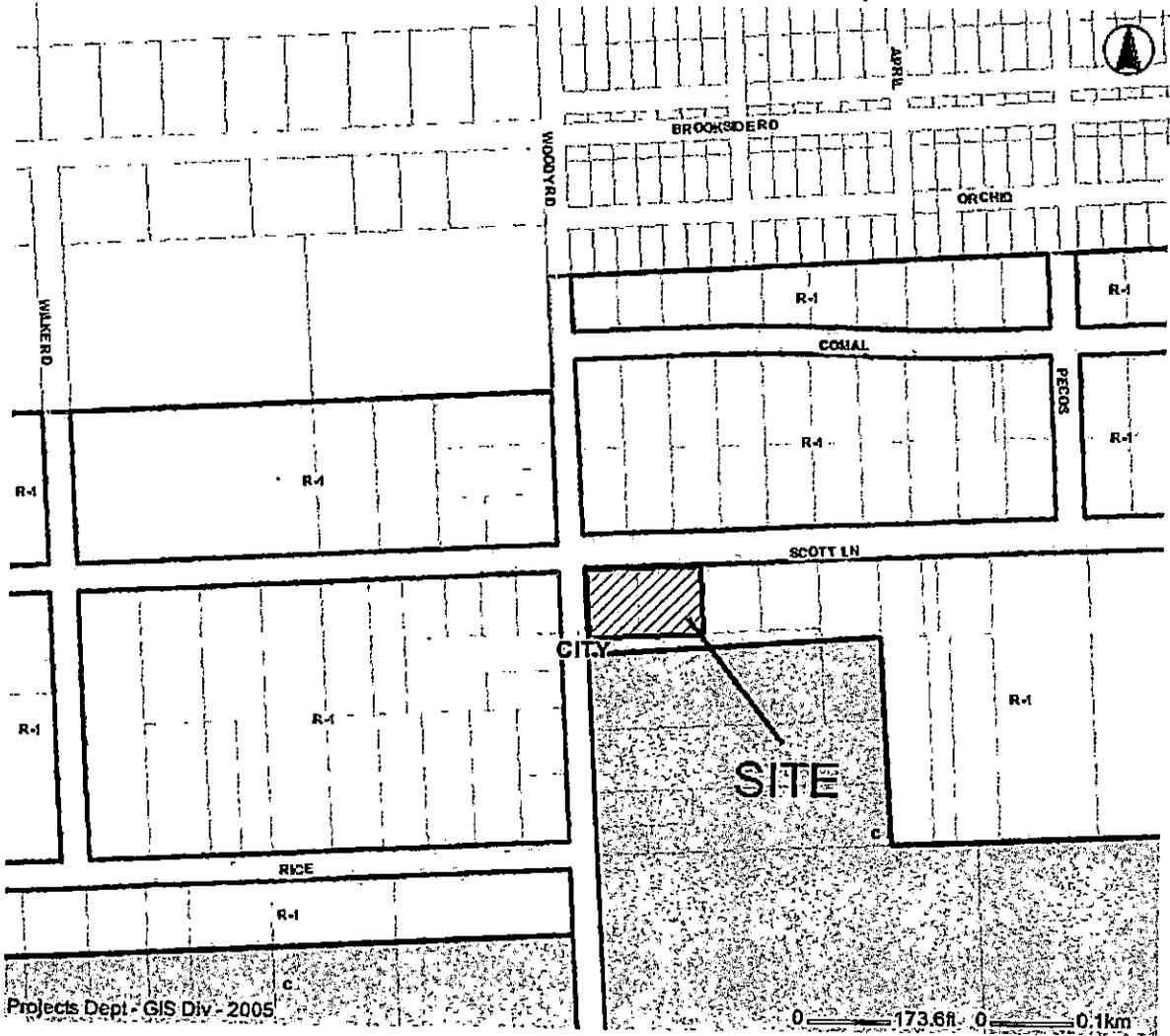
PARKS, TREES: Park fees have been paid. The property owner has submitted a letter stating that the three protected trees on site will not be disturbed.

OUTSTANDING ITEMS:

1. One proposed streetlight needs to be shown on Scott Street, and the number of existing and proposed streetlights should be indicated in Note No. 7.

ATTACHMENTS:

1. Application Form
2. Final Plat



JULY
~~JUN 10~~ 2006

Development Handbook
May 2005

FINAL PLAT SUBMITTAL APPLICATION

DATE FILED: 06-05-06 P&Z MEETING DATE: 7-17-06

SUBDIVISION NAME/LOCATION: Shadow Creek Ranch Commercial
Site No. 18B

Lot(s): 5 Block(s): 0 Reserve(s): 0

PRIMARY CONTACT: LJA Engineering - Jason Bandz
MAILING ADDRESS: 2929 Brizzpark Drive Suite 600
CITY, STATE, ZIP: Houston TX 77042
PHONE: 713.953.5200 FAX: 713.953.5026
E-MAIL ADDRESS: _____

OWNER NAME: C6-Shadow Creek Ranch Village, LP
MAILING ADDRESS: 2121 Sage Suite 290
CITY, STATE, ZIP: Houston TX 77056
PHONE: 713.266.9200 FAX: _____
E-MAIL ADDRESS: _____

The following required documents must accompany a final plat when submitted to Staff:

- 22 folded prints of Final Plat
- 2 sets of Final Plat mylars (3 sets if in ETJ)
- Show Approval of Construction Plans
- Show Approval of Drainage Report
- Show Approval of Traffic Impact Analysis
- Tree Disposition Plan
- Current Title Report
- Final Plat Staff Review Mark-Up
- Completed Checklist
- n/a Any variance requests submitted in letter form
- Application fee (\$400, plus \$4 per lot, or \$25 per acre)
- Certified Tax Certificates (no taxes can be due)
- n/a Park Fees (if required)

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

Signature: _____ (Owner)

Signature: [Signature] (Agent)

Fee: \$ 703.03

Date Paid: 6-5-06

Receipt No.: _____

SHADOW CREEK RANCH COMMERCIAL SITE No. 18B
FINAL PLAT- STAFF REPORT

P & Z MEETING DATE: July 17, 2006

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for CG-Shadow Creek Ranch Village LP, owner.

REQUEST: Final Plat of 12.121 acres for five commercial lots. A small portion of the property is located within the Shadow Creek Ranch PUD. The remainder is zoned Business Park-288.

GENERAL LOCATION: The plat is located on the north side of Shadow Creek Parkway between Kirby Drive and S.H. 288. See Vicinity Map below.

PROPERTY DESCRIPTION: The property is undeveloped.

ZONING: The westernmost third of the property is part of the Shadow Creek Ranch PUD. The remainder of the property is zoned BP-288, which requires one-acre lots.

SURROUNDING USES: Clear Creek is north of the property. All surrounding parcels to the west and east are part of Shadow Creek Ranch, and church property is to the south.

COMPREHENSIVE PLAN: The City of Pearland Land Use Plan designates most of the site for High and Medium Density Residential. However, the property is primarily zoned Business Park-288, which allows for commercial uses.

TRAFFIC AND TRANSPORTATION: The Traffic Impact Analysis is still under review.

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

STORMWATER MANAGEMENT: Stormwater detention may be required if the Shadow Creek Ranch Master Drainage Plan did not address this area.

PARKS, OPEN SPACE, AND TREES: A tree disposition plan is still needed.

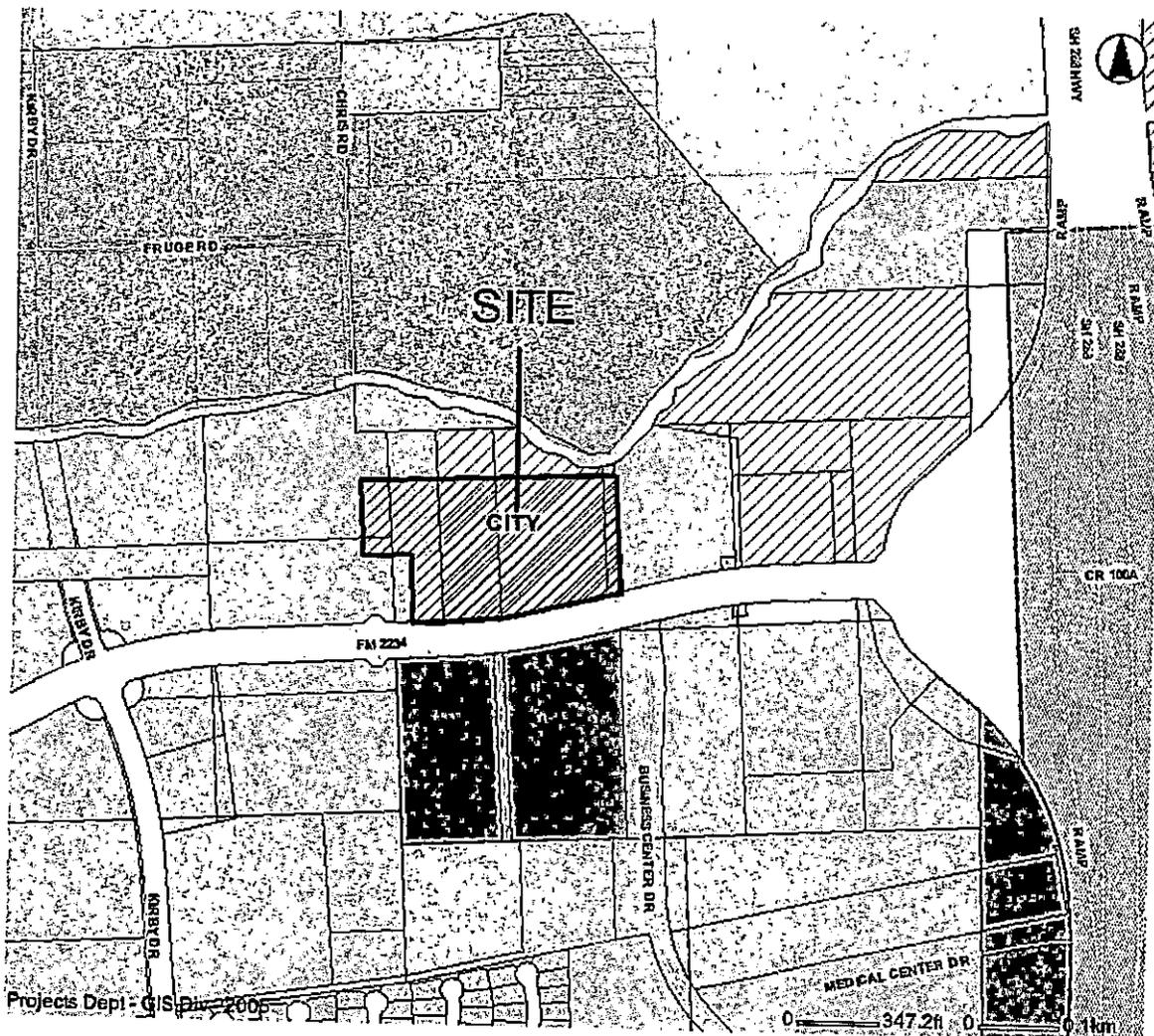
OUTSTANDING ITEMS:

1. The Traffic Impact Analysis needs to be approved.
2. Utility plans need to be approved.
3. Easements for fire lines, hydrants and any other city-maintained utilities must be plotted on the plat.
4. Mutual access easements on Lots "A", "C", and "D" allowing all of lots to use a common driveway must be indicated on the plat.
5. A copy of the recorded lienholder subordination is needed; add recordation data to plat or record plat at same time as lienholder subordination.

6. If no streetlights are proposed, proposed streetlight symbol and Note No. 11 are not necessary.
7. The dashed line along southern edge of Lot "A" should be labeled.
8. The flood plain note on the plat and Note No.8 are confusing if the entire tract has been removed from floodplain. What is significance of Note No. 9 to floodplain?
9. Any easements requested by the telephone company in their letter dated March 30, 2006, should be added.
10. The tree disposition plan that was submitted does not meet city requirements and cannot be approved. Please revise and resubmit.
11. Signed and sealed mylars need to be provided.
12. The acreage in the land use tabulation and in the title block should be revised to be consistent with each other.

ATTACHMENTS:

1. Application Form
2. Final Plat



PLAT APPLICATION

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

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat*
- Final Subdivision Plat*
- Minor (Subdivision) Plat*
- Amending Plat*
- Master Plat*
- Preliminary Development Plat*
- Final Development Plat*
- Replat*

JUL 10 2006

SUBDIVISION

NAME: SHADOW CREEK RANCH DISCOVERY BAY
DRIVE EXTENSION

NUMBER OF LOTS: _____

GENERAL

LOCATION: _____

* A complete application must include all items shown on the corresponding checklist for each different type of plat.

PRIMARY CONTACT: LJA Engineering - Jason Bando
 MAILING ADDRESS: 2929 Briarpark Drive Suite 600
 CITY, STATE, ZIP: Houston, TX 77042
 PHONE: 713.953.5200 FAX: 713.953.5026
 E-MAIL ADDRESS: _____

OWNER NAME: SHADOW CREEK RANCH DEV. CO.
 MAILING ADDRESS: 2947 E. BROADWAY SUITE 300
 CITY, STATE, ZIP: PEARLAND, TX 77581
 PHONE: 281.412.3733 FAX: _____
 E-MAIL ADDRESS: _____

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: _____ Date: _____

Applicant's Signature: J. Bando Date: 07.07.06

Fees Not Required for Staff Review Plats

FEE PAID: <u>418.00</u>	DATE PAID: <u>7/10/06</u>	RECEIVED BY: <u>J. Rajca</u>	RECEIPT NUMBER: <u>18095</u>
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Application No. _____

**SHADOW CREEK RANCH – RIGHT-OF-WAY FOR DISCOVERY BAY DRIVE
EXTENSION**

FINAL PLAT – STAFF REPORT

P & Z MEETING DATE: July 17, 2006

APPLICANT: Jason R. Banda, LJA Engineering & Surveying, Inc., for Shadow Creek Ranch Development Co, owner.

REQUEST: Final Right-of-Way Plat of 0.721 acres in Shadow Creek Ranch for the extension of Discovery Bay Drive between Business Center Drive and S.H. 288.

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

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

UTILITIES: Water and sewer are available.

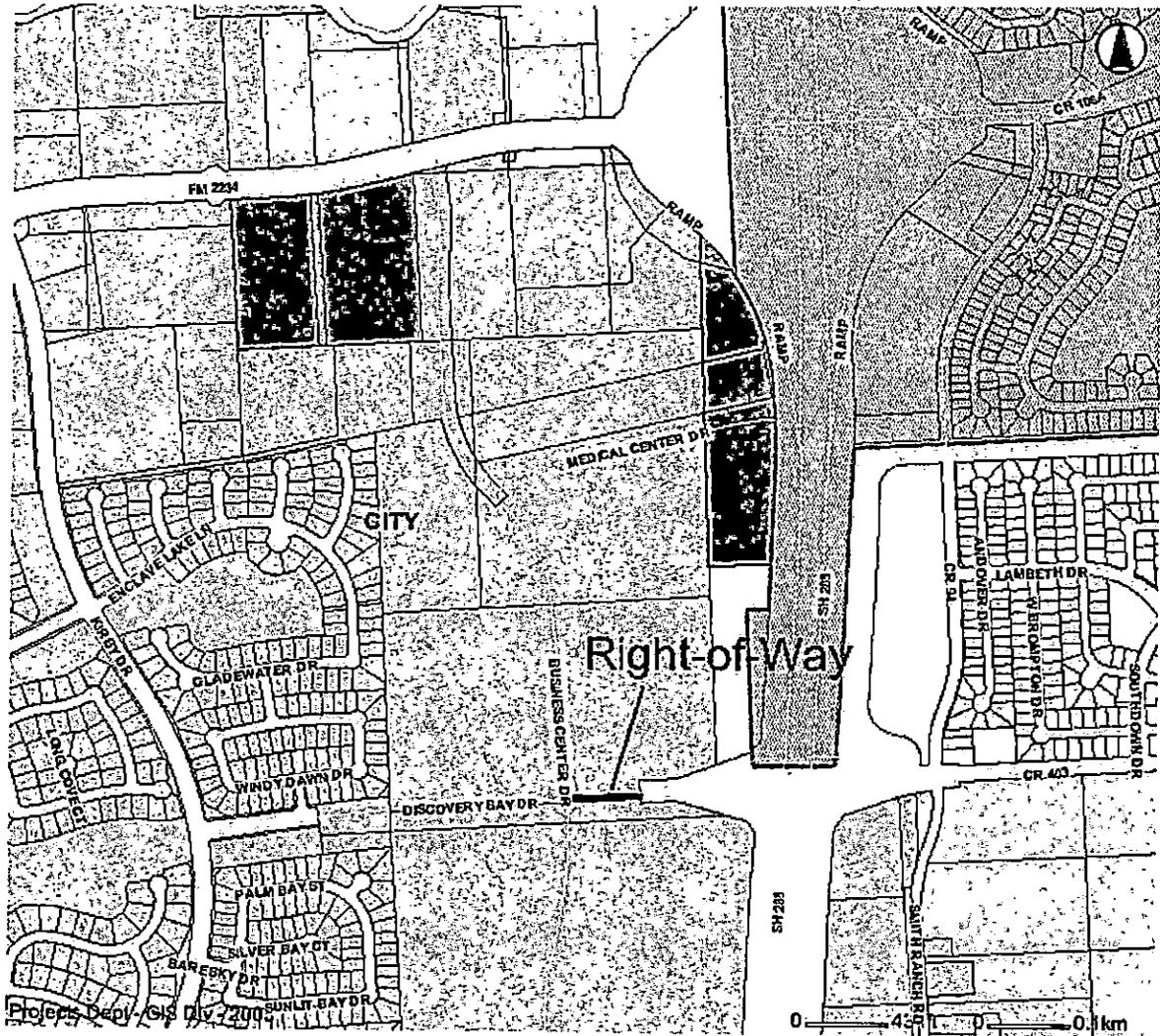
STORMWATER MANAGEMENT: Stormwater detention will be provided offsite in accordance with the Master Plan for the development.

PARKS AND OPEN SPACE: Not applicable to this plat.

OUTSTANDING ITEMS: None.

ATTACHMENTS:

1. Application Form
2. Final Plat



PLAT APPLICATION

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

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat*
- Final Subdivision Plat*
- Minor (Subdivision) Plat*
- Amending Plat*
- Master Plat*
- Preliminary Development Plat*
- Final Development Plat*
- Replat*

SUBDIVISION

NAME: SHADOW CREEK RANCH BROADWAY STREET
EXTENSION FROM KINGSLEY DRIVE TO BRAZORIA
COUNTY LINE

NUMBER OF LOTS: 0

GENERAL

LOCATION: _____

* A complete application must include all items shown on the corresponding checklist for each different type of plat.

PRIMARY CONTACT: LJA ENGINEERING - JASON BANDA
 MAILING ADDRESS: 2929 BRIARPARK DRIVE SUITE 600
 CITY, STATE, ZIP: HOUSTON, TX 77042
 PHONE: 713.953.5200 FAX: 713.953.5026
 E-MAIL ADDRESS: _____

OWNER NAME: PEARLAND INVESTMENTS, LP
 MAILING ADDRESS: 5195 LAS VEGAS BOULEVARD SOUTH
 CITY, STATE, ZIP: LAS VEGAS, NV 89119
 PHONE: 702.736.6151 FAX: _____
 E-MAIL ADDRESS: _____

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: _____ Date: _____

Applicant's Signature: J Banda Date: 07.07.06

Fees Not Required for Staff Review Plats

FEE PAID: <u>767.23</u>	DATE PAID: <u>6-19-06</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>166369</u>
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Application No.

**SHADOW CREEK RANCH – RIGHT-OF-WAY FOR BROADWAY EXTENSION
PRELIMINARY PLAT – STAFF REPORT**

P & Z MEETING DATE: July 17, 2006

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

REQUEST: Preliminary Right-of-Way Plat of 12.241 acres in Shadow Creek Ranch for the extension of Broadway from Kingsley Drive east to the Fort Bend/Brazoria County line.

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

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

UTILITIES: Water and sewer will be extended by the developer.

STORMWATER MANAGEMENT: Stormwater detention will be provided offsite in accordance with the Master Plan for the development.

PARKS AND OPEN SPACE: Not applicable to this plat.

OUTSTANDING ITEMS:

1. The streetlight layout may need to be revised at the time of final plat review.

ATTACHMENTS:

1. Application Form
2. Preliminary Plat



July 11, 2006

Mr. Richard Keller, PE
Plans and Plat Administrator
City of Pearland
3523 Liberty Drive
Pearland, TX 77581

Re: Stable Stone Lane
BGE NO: GRO02-6T

Dear Mr. Keller:

We, Brown & Gay Engineers, Inc., would like to request an extension of time to resubmit the requested items on August 14. We look forward to resubmitting the revised plat for your review.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerald Grissom".

Gerald Grissom
Assistant Project Manager



PLANNING DAY

Join us for our Planning Day Presentation

- ★ **WHEN:** Thursday, July 20, 2006
3:00 p.m. to 4:00 p.m
- ★ **WHERE:** 3523 Liberty Drive, Community Center
- ★ **TOPICS:**
 - * **Utility Easements**
 - * **Update on Platting Procedures**

This is an informational quarterly series brought to you by the City of Pearland's Planning Department.

Please RSVP to Judy @ (281) 652-1768

areas protected by
Flood Insurance
latest available
statement does
ents thereon will
is subject to
shed or channel

Common line of Lots 2 and 3, RAWLS SUBDIVISION, a distance of 113.00
feet to the southerly common corner of said Lots 2 and 3 and for the
southeast corner of the herein described tract, from which a found 5/8-
inch iron rod bears North 89°56' West, 0.55 feet;

THENCE, North 89°56'00" West, along the northerly line of Lot "A", RAWLS
SUBDIVISION, at 134.99 feet passing a 5/8-inch iron rod found marking
the southerly common corner of Lots 1 and 2, RAWLS SUBDIVISION,
continuing in all for a total distance of 254.69 feet to a 5/8-inch
iron rod found in the easterly R.O.W. line of said Woody Road and for
the westerly common corner of Lot 1 and "A", RAWLS SUBDIVISION; said
iron rod for the southwest corner of the herein described tract;

THENCE, NORTH, along said easterly R.O.W. line, a distance of 93.64
feet to a 5/8-inch iron rod with orange plastic cap stamped "BOUNDARY
ONE" set marking a point of curvature for a tangent curve to the right;

THENCE, Northeasterly, an arc distance of 31.44 feet along said curve
to the right, having a central angle of 90°04'00", a radius of 20.00
feet and a chord which bears North 45°02'00" East, 28.30 feet to the
POINT OF BEGINNING and containing 0.663 acre (28,862 square feet) of
land. This description is based on the Preliminary Plat prepared by
Boundary One Surveyors, LLC and titled RIOS SUBDIVISION, dated December
13, 2005. Project Number 1851-0172.

t Street.
easement to each
Road at the time

MAY 30 2006

FINAL PLAT
RIOS SUBDIVISION

BEING A REPLAT OF 0.663 ACRE OF LAND
ALL OF LOTS 1 AND 2, RAWLS SUBDIVISION
AS RECORDED IN VOLUME 17, PAGE 399 B.C.P.R.
IN THE H.T. & B.R.R. COMPANY SURVEY SECTION 4, A-543
CITY OF PEARLAND
BRAZORIA COUNTY, TEXAS

1 BLOCK 3 LOTS 0 RESERVES

REASON FOR REPLAT: TO CONVERT LOTS 1 AND 2, RAWLS SUBDIVISION
INTO 3 RESIDENTIAL LOTS AND TO CONVERT THE ORIGINAL 10' R.O.W.
DEDICATION ALONG SCOTT STREET INTO A 10' W.S.E.

OWNER:

ABELIO RIOS, ET UX
4819 SCOTT STREET
PEARLAND, TEXAS 77581
(281) 782-7217

CONTACT: ABELIO RIOS

SURVEYOR:

BOUNDARY ONE, L.L.C.
150 W. SHADOWBEND, SUITE 303
FRIENDSWOOD, TEXAS 77546
(281) 648-3131

CONTACT: CHRISTIAN OFFENBURGER, R.P.L.S.

DATE: APRIL 24, 2006

SCALE: 1" = 20'

SHEET 1 OF 1

JUL 10 2006

FINAL PLAT OF
SHADOW CREEK RANCH
COMMERCIAL SITE NO. 18B

12.121 ACRES

BEING OUT OF THE T.C.R.R. CO. SURVEY,
SECTION 4, ABSTRACT 675, AND THE
JOBEDIAH PITTS SURVEY, ABSTRACT 717,
TOWNSHIP OF PEARLAND, BRAZORIA COUNTY, TEXAS

5 LOTS

2006

OWNER:

SCALE: 1" = 100'

CG-SHADOW CREEK RANCH VILLAGE, L.P.

TOD M. GREENWOOD, MANAGING PARTNER

2121 SAGE, SUITE 290, HOUSTON, TEXAS 77056 PH. (713) 266-9200

JOB NO. 1947-0006-310

ENGINEER:

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026

CONTACT: JASON BANDA

SHEET 1 OF 2

JUL 10 2006

**FINAL RIGHT-OF-WAY PLAT OF
SHADOW CREEK RANCH
DISCOVERY BAY DRIVE
EXTENSION**

0.721 ACRES

BEING OUT OF THE WILLIAM MORRIS SURVEY,
ABSTRACT 344, CITY OF PEARLAND,
BRAZORIA COUNTY, TEXAS

JUNE 2006

OWNER:

SHADOW CREEK RANCH DEVELOPMENT COMPANY
LIMITED PARTNERSHIP, A NEVADA LIMITED PARTNERSHIP
HAS AS ITS GENERAL PARTNER, SHADOW CREEK RANCH, INC.

GARY COOK, PRESIDENT

2947 EAST BROADWAY SUITE 300 PEARLAND, TEXAS 77581 (281) 412-3733

JOB NO. 1546-0504-304

ENGINEER:

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026

CONTACT: JASON BANDA

PRELIMINARY RIGHT-OF-WAY PLAT OF
HADOW CREEK RANCH
ROADWAY STREET EXTENSION
FROM KINGSLEY DRIVE TO
BRAZORIA COUNTY LINE

12.241 ACRES

OUT OF THE H.T. & B.R.R. CO., SECTION 83,
ABSTRACT 305, BRAZORIA COUNTY, TEXAS

T. & B.R.R. CO., SECTION 83, ABSTRACT 761,
FORT BEND COUNTY, TEXAS

THE H.T. & B.R.R. CO. SURVEY, SECTION 84,
ABSTRACT 767, FORT BEND COUNTY, TEXAS, AND

THE H.T. & B.R.R. CO. SURVEY, SECTION 82,
ABSTRACT 565, CITY OF PEARLAND,

BRAZORIA COUNTY, TEXAS

JUNE 2006

SCALE: 1" = 100'

OWNER:

PEARLAND INVESTMENTS, LIMITED PARTNERSHIP,
A NEVADA LIMITED PARTNERSHIP

BY ITS GENERAL PARTNER, M.M.L.B. CORP.

PAULINE COLLINS, PRESIDENT

5 LAS VEGAS BOULEVARD S. LAS VEGAS, NEVADA 89119 PH. (702) 736-6151

JOB NO. 1546-5181-303

ENGINEER:

LJA Engineering & Surveying, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026

CONTACT: JASON BANDA

SHEET 1 OF 3