

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JUNE 5, 2006, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**OLD TOWNSITE ORDINANCE**

A request of the City of Pearland, for approval of the Old Townsite Ordinance, generally affecting properties on the North Side of Walnut Street, on the South Side of Orange Street, on the West Side of Galveston Street, and on the East Side of Mykawa Road.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

**IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST**

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

**VI. 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.**



## CITY OF PEARLAND PLANNING & ZONING

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### JOINT PUBLIC HEARING ITEM

**DATE:** May 30, 2006

**TO:** City Council and Planning and Zoning Commission

**FROM:** Lata Krishnarao, AICP, Planning Director

**SUBJECT:** Old Townsite Downtown Development District Plan Regulation Code

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This item is scheduled for a Joint Public Hearing on June 5, 2006.

The planning department presented the Regulatory Code for Old Town Site prepared by the consultant H3 Studio on November 21, 2005 to the City Council and Planning and Zoning Commission. At that meeting, Council discussed the proposed codes and expressed some concerns regarding the proposed codes. The Steering Committee members and the public also echoed Council's concerns that the code was unrealistic, too stringent, too restrictive, unfeasible and large scale for Pearland. The Council then directed planning staff to examine some alternatives to address some of the concerns that were discussed at the workshop.

Planning staff then prepared two alternatives and presented those to the council on January 30, 2006. The first alternative proposed modifications to the codes proposed by H3 Studio within the framework of form-based codes. The second alternative explored possible regulations based on the more traditional zoning codes and current zoning practice in Pearland.

After hearing the two alternatives, the council directed staff to workshop with the Downtown Steering Committee to discuss the two options and finalize the regulations. Two workshops were held with the Downtown Steering Committee on February 9, 2006 and March 2, 2006. The Steering Committee expressed their preference for traditional zoning codes over form based codes and assisted staff in constructing a new set of regulations for the Old Townsite.

At the Joint Workshop on March 27, 2006, the Council and the Planning and Zoning Commission directed staff to proceed with proposed regulations. Since then Planning Staff has incorporated comments from the March 27<sup>th</sup> workshop and worked with City's legal staff to prepare these set of regulations. The proposed regulations are scheduled for a Joint Public Hearing on June 5, 2006 in conjunction with the zoning map revision that will identify the zones proposed for the Old Townsite. The proposed regulations will replace section 2.4.3.4 of the UDC.

Attached is a copy of the existing section 2.4.3.4 of the UDC, proposed regulations and the revised zoning map. If you have any questions please feel free to contact me at 281-652-1635.

### Section 2.4.3.4 OT, Old Townsite District

(a) **Purpose.**

The purpose of the Old Townsite District (OT) is to:

- (1) Promote good building and streetscape design.
- (2) Reinforce existing land use patterns and character.
- (3) Categorize area into zoning districts as per the Unified Development Code with modifications.
- (4) Promote downtown as a walkable, pedestrian friendly district.
- (5) Promote multiple types of development and uses.
- (6) Set forth general provisions and architectural regulations to ensure quality of streetscape and building construction.
- (7) Allow reduced parking ratios, shared parking and flexibility to encourage re-use of existing buildings.
- (8) Allow flexibility in building codes and façade requirements to encourage relocation and re-use of existing buildings.
- (9) Emphasize mixed uses and focus on the streetscape and public spaces to create pedestrian-friendly mixed-use developments.

(b) **Proposed Zoning Districts.**

The OT is comprised of three zoning districts – Old Townsite General Business District (OT-GB), Old Townsite Single Family Dwelling District (OT-R), and Old Townsite Mixed Use District (OT-MU).

(1) **Old Townsite General Business District (OT-GB)**

- a. **Development Standards.** All development standards of the General Business District (GB), section 2.4.4.4 of the UDC shall apply, with the following exceptions:

Minimum Lot Area: Three thousand square feet (3000 sq. ft.)

Minimum Front Yard: *For yards abutting Main Street and/or Broadway Street required front yard shall be determined by the existing street right of way. The minimum front yard required shall result in a 120' right of way and zero front building setback.*

Zero feet (0') for yards abutting Main Street and/or Broadway Street with one hundred and twenty feet (120') right of way.  
Twenty-five feet (25') along other streets.

Minimum Rear Yard: Twenty feet (20'); Twenty-five feet (25') if abutting a residential zoning district; seven and a half feet (7.5') if abutting an alley.

Minimum Lot Width: Fifty feet (50')  
Reconstruction or development on narrower lots shall be allowed if the lot was in existence in its current configuration and under separate ownership from adjoining lots on or before June \_\_\_ 2006. (Date of adoption of this ordinance).

Maximum Height: None.

- b. **Permitted Uses.** All uses permitted in the GB zone, section 2.4.4.4 of the UDC with the following exceptions:  
Uses permitted in GB zone permitted on all floors, but required on first floor even for parking structures unless institutional / governmental uses are proposed.  
Residential on upper floors allowed by a Conditional Use Permit (CUP).  
Institutional / governmental uses permitted with City's approval by a CUP.
- c. **Accessory buildings.** All accessory buildings shall comply with section 2.5.3.1 of the UDC with the following exceptions:  
Minimum Front Setback – Accessory building shall be located behind the front building setback line established by the primary building.  
Minimum Side Setback - Five feet (5').  
Minimum Rear Setback - Seven and a half feet (7.5') if located along an alley, twenty feet (20') if no alley.
- d. **Primary Building Street Façade.** At least seventy five percent (75%) of street facade must be constructed to front building line. At least 50% of street facade must be constructed to front building line if wider sidewalks (than that required under section 3.2.11.1) or courtyard spaces are provided along the street. For lots with less than one hundred feet (100') wide frontage this percentage may be reduced to allow a twenty-five feet (25') wide driveway to access the rear of the property.
- e. **Projecting Façade Elements.** Awnings, canopies, balconies, colonnades, arcades, bay windows, stoops and front porches may be permitted in City's right of way with appropriate approvals from the City and in conformance with Development Guidelines specified below under section 2.4.3.4 (c) 6. Approval from Texas Department of Transportation (TXDOT) shall be required for elements along state roads.

- f. **Outdoor Seating.** Outdoor seating for restaurants, may be permitted, as accessory and adjacent to the principal building, on sidewalks and public ROW along City streets, as long as a minimum of three feet (3') wide clear passageway is provided for pedestrians and subject to an approval of a Conditional Use Permit (CUP). TXDOT approval shall be required for state roads.
- g. **Parking.** On street parking shall be subject to the following:
1. No parking shall be permitted in the front yard.
  2. Non-residential uses in existing structures may be permitted to reduce by 50% the number of parking spaces required by the Unified Development Code (UDC) for that use. The number of parking spaces may be reduced even further as determined by a traffic report and approved by the City of Pearland. All new additions, and existing and new multi-family uses, shall meet the parking requirements in chapter 4 of the UDC, unless specified herein.
  3. Shared parking between properties shall be permitted as long as the total number of parking spaces meet the requirements of subsection 2 above for each use and all parking spaces as required under subsection 2 above are located within five hundred (500') of the building.
  4. Stacked parking (parallel parking without the access aisle) for up to 3 cars shall be permitted for existing residential uses being converted to other non-residential use and where the converted area does not exceed six hundred square feet (600 sq. ft.) of floor area. Length of the parking spaces shall meet the requirements of parallel parking spaces in chapter 4 of the UDC.

**(2) Old Townsite Residential District (OT-R)**

- a. **Development Standards.** All development standards of the Single Family Dwelling District (R-4), section 2.4.2.8 of the Unified Development Code shall apply, with the following exceptions:

Minimum Lot Area: Three thousand square feet (3000 sq. ft.)

Minimum Front Yard: Twenty feet (20').

Minimum Rear Yard: Twenty feet (20'); seven and a half feet (7.5') if abutting an alley.

Minimum Lot Width: Fifty feet (50')  
Reconstruction or development on narrower lots shall be allowed if the lot was

in existence in its current configuration and under separate ownership from adjoining lots on or before June \_\_\_\_ 2006. (Date of adoption of this ordinance).

- b. **Permitted Uses.** All uses permitted in R-4 district, townhomes and duplexes.  
All uses allowed in the OP district may be permitted with a Conditional Use Permit; all institutional uses allowed by a Conditional Use Permit.
- c. **Common Open Space Required.** Common open space, as defined in section 2.4.2.9.(g) of the Unified Development Code, shall be required for all townhouse and multi family developments and shall meet the following requirements:  
In all areas where Multi-Family Dwelling units are constructed, there shall be at least four hundred (400) square feet of common open space per dwelling unit. Each common open space shall be within three hundred (300) feet of all dwelling units it is intended to serve measured along a route of pedestrian access. Each required common open space shall be appropriately graded, turfed, surfaced or otherwise landscaped and provided with suitable drainage facilities. Facilities, such as pedestrian ways and swimming pools, may be counted toward the required common open space. Off-street parking areas, service drives, and detention facilities shall not be included in any calculation of required open space. Minimum dimension of any common open space shall be forty feet (40').
- d. **Accessory buildings.** All accessory buildings shall comply with the requirements of chapter 2.5.3.1 of the UDC with the following exceptions:  
Minimum Front Setback – Seventy-five feet (75').  
Minimum Side Setback - Three feet (3').  
Minimum Rear Setback - Seven and a half feet (7.5') if located along an alley, twenty feet (20') if no alley.
- e. **Primary Building Street Façade.** At least seventy five percent (75%) of street facade must be constructed to front building line. At least 50% of street facade must be constructed to front building line if wider sidewalks (than that required under section 3.2.11.1) or courtyard spaces are provided along the street.  
For lots with less that one hundred feet (100') wide frontage this percentage may be reduced to allow a twenty-five feet (25') wide driveway to access the rear of the property.
- f. **Projecting Façade Elements.** Awnings, canopies, balconies, colonnades, arcades, bay windows, stoops and front porches may be permitted in City's right of way with appropriate approval from the City and in conformance with Development Guidelines specified below

under section 2.4.3.4 (c) 6. Approval from Texas Department of Transportation (TXDOT) shall be required for elements along state roads.

- f. **Outdoor Seating.** Outdoor seating for restaurants, shall be permitted, as accessory and adjacent to the building, on sidewalks and public ROW along City streets, as long as a minimum of three feet (3') wide clear passageway is provided for pedestrians and subject to an approval of a Conditional Use Permit (CUP). TXDOT approval shall be required for state roads.
  
- g. **Parking.** On street parking shall be subject to the following:
  - 1. No parking shall be permitted in the in the front yard.
  - 2. Non-residential uses in existing structures may be permitted to reduce by fifty percent (50%) the number of parking spaces required by the Unified Development Code (UDC) for that use. The number of parking spaces may be reduced even further as determined by a traffic report and approved by the City of Pearland. All new additions, and existing and new multi-family uses, shall meet the parking requirements in chapter 4 of the UDC, unless specified herein.
  - 3. Shared parking between properties shall be permitted as long as the total number of parking spaces meet the requirements of subsection 2 above for each use and all parking spaces as required under subsection 2 above are located within five hundred (500') of the building.
  - 4. Stacked parking for up to 3 cars shall be permitted for existing residential uses being converted to other non-residential use and where the converted area does not exceed six hundred square feet (600 sq. ft.) of floor area. Length of the parking spaces shall meet the requirements of parallel parking spaces in chapter 4 of the UDC.

**(3) Old Townsite Mixed Use District (OT-MU)**

- a. **Development Standards.** All development standards of the General Business District (GB) of the UDC shall apply, with the following exceptions:

Minimum Lot Area: Three thousand square feet (3000 sq. ft.)

Minimum Front Yard: Zero feet (0').

Minimum Rear Yard: Twenty feet (20'); seven and a half feet (7.5') if abutting an alley.

Minimum Side Yard: Five feet (5') for detached structures; 0 feet for attached structures

Minimum Lot Width: Fifty feet (50')  
Reconstruction or development on narrower lots shall be allowed if the lot was in existence in its current configuration and under separate ownership from adjoining lots on or before June \_\_, 2006. (Date of adoption of this ordinance).

Maximum Height: Forty feet (40') or 3 stories, whichever is lesser.

b. **Permitted Uses.** All uses permitted in the Office and Professional District (OP), Townhouse Residential District (TH), and Single Family Dwelling District (R-4). Uses allowed in Multi Family District (MF) by a CUP

c. **Common Open Space Required.** Common open space, as defined in section 2.4.2.9.(g) of the UDC, shall be required for all townhouse and multi family developments and shall meet the following requirements:

In all areas where Multi-Family Dwelling units are constructed, there shall be at least four hundred (400) square feet of common open space per dwelling unit. Each common open space shall be within three hundred (300) feet of all dwelling units it is intended to serve measured along a route of pedestrian access. Each required common open space shall be appropriately graded, turfed, surfaced or otherwise landscaped and provided with suitable drainage facilities. Facilities, such as pedestrian ways and swimming pools, may be counted toward the required common open space. Off-street parking areas, service drives, and detention facilities shall not be included in any calculation of required open space. Minimum dimension of any common open space shall be forty feet (40').

d. **Accessory Buildings.** All accessory buildings shall comply with the requirements of section 2.5.3.1 the UDC with the following exceptions:

Minimum Front Setback – Accessory building shall be located behind front building setback line established by the principal building.

Minimum Side Setback – Three feet (3').

Minimum Rear Setback - Seven and a half feet (7.5') if located along an alley, twenty feet (20') if no alley.

- e. **Primary Building Street Façade.** At least seventy five percent (75%) of street facade must be constructed to front building line. At least 50% of street facade must be constructed to front building line if wider sidewalks (than that required under section 3.2.11.1) or courtyard spaces are provided along the street. For lots with less than one hundred feet (100') wide frontage this percentage may be reduced to allow a twenty-five feet (25') wide driveway to access the rear of the property. feet (25') wide driveway to access the rear of the property.
- f. **Projecting Façade Elements.** Awnings, canopies, balconies, colonnades, arcades, bay windows, stoops and front porches may be permitted in City's right of way with approval from City staff and in conformance with Development Guidelines specified below under section 2.4.3.4 (c) 6. Approval from Texas Department of Transportation (TXDOT) shall be required for elements along state roads.
- g. **Outdoor Seating.** Outdoor seating for restaurants, shall be permitted, as accessory and adjacent to the building, on sidewalks and public ROW along City streets, as long as a minimum of three feet (3') wide clear passageway is provided for pedestrians and subject to an approval of a Conditional Use Permit (CUP). TXDOT approval shall be required for state roads.
- h. **Parking.** On street parking shall be subject to the following:
1. No parking shall be permitted in the in the front yard.
  2. Non-residential uses in existing structures may be permitted to provide 50% of parking spaces required by the Unified Development Code (UDC) for that use. The number of parking spaces may be reduced even further as determined by a traffic report and approved by the City of Pearland. All new additions, and existing and new multi-family uses, shall meet parking the requirements of the UDC, unless specified herein.
  3. Shared parking between properties shall be permitted as long as the total number of parking spaces meet the requirements of subsection 2 above for each use and all parking spaces as required under subsection 2 above are located within five hundred (500') of the building.
  4. Stacked parking for up to 3 cars shall be permitted for existing residential uses being converted to other non-residential use and where the converted area does not exceed six hundred square feet (600 sq. ft.) of floor area. Length of the parking spaces shall meet the requirements of parallel parking spaces under the UDC.

(c) **Development Requirements**

All development requirements specified in the UDC will apply, with the following additional requirements and exceptions:

1. **Drive-Thru Facilities.** New drive-thru windows should not be located on the façade facing the primary streetscapes.  
Drive-thru facilities shall not hinder pedestrian flow or adjacent buildings and their functions.
2. **Utilities.**
  - a. For new building construction and significant building renovation (of over fifty percent of the value of the existing building and improvements) all utilities within the property shall be required to be underground. Only exception is if the utility is required to be above ground to operate properly.
  - b. All other utilities shall be required to be underground in accordance with the *city's right of way management ordinance*.
  - c. Location of above ground utility equipment shall avoid conflict with pedestrian movement and visually shield the equipment.
3. **Building Elevations.**  
Rear facing buildings and loading docks are prohibited on street facades for the following streets –  
Main, Broadway, Grand, Orange, Mykawa, Walnut, and Galveston.
4. **Concealed Equipment.** All equipment shall be located in rear yards or otherwise screened. Equipment shall include AC compressors and window and wall units, electric and utility meters and boxes, irrigation and pump pools, permanent barbecues, satellite dish antennas less than forty eight inches in (48") in height or diameter, loading docks, service areas, trash disposal facilities and backflow devices. Antennas over forty-eight inches (48") shall require a CUP.
5. **Accessory Structures.**
  - a. Shall be permitted in the back of lots.
  - b. Additional dwelling unit (one) and home occupation (as defined in UDC) in an accessory structure shall be permitted.
  - c. Accessory structures shall not be larger than 660 sq.ft. (footprint) or exceed two stories or 24 feet in height, whichever is less.
6. **Projecting Façade Elements.** Projecting façade elements include awnings, canopies, balconies, colonnades and arcades. These shall be permitted on city streets after approval by the City and on TX DOT ROW, if permitted by TXDOT and approved by City. The following requirements shall apply:
  - a. Not to project closer than two feet (2') to the curb.

- b. Eight feet (8') minimum clearance between sidewalk and bottom of awning or canopy; ten feet (10') minimum clearance between sidewalk and bottom of balconies, colonnades and arcades.
  - c. May project in public ROW if approved by the City.
  - d. Eight feet (8') minimum depth of sidewalk from building face to the inside column of colonnade or arcade.
  - e. Minimum two feet (2') between outer column face of colonnade or arcade and curb.
7. **Façade Regulations.** Shall meet all requirements of the UDC, except that wood and hardy plank will be permitted for facades.
8. **Transparency Requirements.** For non-residential facades facing public street, park, plaza or public space a minimum of fifteen percent (15%) of overall façade must be transparent. For non-residential, seventy five percent (75%) of façade wall area is required to have store front windows on ground floor.  
For residential buildings (both single family and multi family) a minimum of 15% of façade is required to comprise of window area.  
Remodeling or repair of existing buildings may be exempt from these requirements. Any new addition or construction shall be required to comply with these requirements.
9. **Windows, Skylights and Doors.** Windows, skylights and doors shall be oriented vertically for facades facing public areas including streets.
10. **Building Signs.** Projecting signs and awning signs shall be permitted in addition to wall signs upon approval by the City (*Recommend Planning and Building Departments*). Projections shall not be allowed on City right-of-way. All other requirements of the UDC regarding signage shall be applicable.
11. **Outdoor Display and Outdoor Seating.** Outdoor display and outdoor seating in all districts within the Old Townsite may be permitted by a CUP.

(d) **Development Recommendations**

- 1. **Mixed Use Development.** Mixed uses are encouraged on each block. Active uses such as shopping or dining are encouraged on street.
- 2. **Accentuate Primary Entrance.** Accentuate primary entrance (for both existing and new buildings) with architecture features such as:
  - o Art
  - o Breaking the building's rhythm
  - o Detail work
  - o Lighting
  - o Projecting façade elements
  - o Recessed entries

- o Signage
  - o Shelter pedestrian as they enter and exit.
  - o Well lit entrances.
3. **Response to Human Scale:** Developments are encouraged to address the scale of pedestrian, and create active storefronts by using lights, quality materials, and creative displays. Encourage lower floors to be architecturally different from but still compatible with the upper floors through level of detail and design.
4. **Alleys and Side Streets.** Alleys and side streets are encouraged to be the primary access for parking lots and loading docks behind the building.
5. **Landscape Features Permitted with City's Approval.** *(Need to determine the official/board or staff responsible)*
- a. Flowerpots in street-scape.
  - b. Hanging baskets in new light poles.
  - c. Store owners to have option of creating planting beds.
  - d. City to work with property owners to place landscape features in appropriate places.
- (e) **Relaxation of Building Codes.** To encourage re-use, rehabilitation of existing buildings (built prior to adoption of this ordinance) and relocation of buildings into the area the Building Official may approve relaxation of certain building codes as per the guidelines adopted by the City. *(Guidelines to be adopted by the City)*
- (f) **Non-conforming Buildings.** Buildings constructed prior to the adoption of this ordinance (if removed or destroyed due to any cause) can be rebuilt on either the existing footprint or per this ordinance. Buildings constructed after the adoption of this ordinance will be required to comply with this ordinance.
- (g) **Street Amenities.** The City will formulate a streetscape plan as per the recommendations of the Old Townsite Plan. *(This plan needs to be adopted)* . Once the standards have been adopted the property owner will be responsible for installation of street furniture (lights, benches, signs, tree lighting, etc.) when the property is developed. The streetscape guidelines may include - street amenities, pedestrian lighting, street furniture, public art and signage.
- (h) Unless specified herein under section 2.4.3.4, all other requirements of the UDC will apply.

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JUNE 5, 2006, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**UPDATED ZONING MAP**

A request of the City of Pearland, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval on an Updated Zoning Map, affecting various properties throughout the City of Pearland.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

**IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST**

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

**VI. ADJOURNMENT**

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**AGENDA REQUEST  
BUSINESS OF THE CITY COUNCIL  
CITY OF PEARLAND, TEXAS**

<b>AGENDA OF:</b> June 5, 2006	<b>ITEM NO.</b> _____
<b>DATE SUBMITTED:</b> May 25, 2006	<b>DEPT. OF ORIGIN:</b> Planning & Zoning
<b>PREPARED BY:</b> Theresa Grahmann, Senior Planner <b>PRESENTER:</b> Theresa Grahmann	
<b>SUBJECT:</b> Updated Zoning Map	
<b>EXHIBITS:</b> Various Maps	
<b>EXPENDITURE REQUIRED:</b> None	
<b>AMOUNT BUDGETED:</b> N/A	
<b>ACCOUNT NO.</b> N/A	
<b>ADDITIONAL APPROPRIATION REQUIRED:</b> N/A	
<b>ACCOUNT NO.</b> N/A	
<b>FUNDS AVAILABLE</b> _____ (Finance Department Approval)	

**EXECUTIVE SUMMARY**

In association with the approval of the Unified Development Code, the City of Pearland also adopted an Updated Zoning Map. The purpose of the updated zoning map was to zone many properties in accordance with the Comprehensive Plan, particularly properties that were zoned "SD" – Suburban Development District. In addition to properties zoned SD, other properties were rezoned as well, especially in areas along the Mixed Use Districts, particularly along Cullen Boulevard, Garden Road, and O'Day Road. This updated zoning map was approved on second reading by the City Council on February 27, 2006.

Since February 27, 2006, Staff became aware that several properties were inadvertently rezoned or downzoned to another district, and in some instances, developed properties were made non-conforming uses.

The zone changes are proposed in six (6) different areas. Attached to this report are six (6) maps, detailing the proposed zone changes. They are as follows:

**Map 1**  
**Cullen Boulevard/FM 518/Zapalac Road**

The properties at the northwest corner and northeast corner of FM 518 (Broadway Street) and Cullen Boulevard were zoned "GB" – General Business District prior to the adoption of the zoning map in February. Under GB, the existing uses at this corner were all conforming uses. However, under the Cullen Mixed Use District, a convenience store/gas sales (Exxon) and a supermarket (Kroger) are not permitted by right and were thereby made non-conforming uses as a result of the new zoning map.

Also, the property at the northeast corner of FM 518 and Zapalac Road was zoned "GC" – General Commercial District prior to the adoption of the map in February.

Staff is proposing to rezone these properties on Cullen and FM 518 from "CMU" – Cullen Mixed Use District to "GB" – General Business District. The property on Zapalac Road is proposed to go back to "GC" – General Commercial District. This places all affected properties back to what they were prior to the adoption of the zoning map in February.

**Map 2**  
**Garden Road/FM 518/O'Day Road**

Similar to the situation at Cullen Boulevard discussed above, the properties at the corners of Garden Road and FM 518, and O'Day Road and FM 518, were zoned either "GB" – General Business District or "GC" – General Commercial District prior to the adoption of the zoning map. Under those existing zoning districts, the uses at these corners were conforming. However, under the Garden O'Day Mixed Use District, a convenience store/gas sales (Chevron) and a hotel/motel (Hampton Inn) are not permitted by right and were thereby made non-conforming uses as a result of the new zoning map.

Staff is proposing to rezone these properties on Garden Road and FM 518 and O'Day Road and FM 518 from "GOMU" – Garden O'Day Mixed Use District to the zoning districts that they were previously under the map prior to February, either "GB" – General Business District or "GC" – General Commercial District.

**Map 3**  
**Broadway Street/Miller Ranch Road**

The subject property in question was zoned "GB" – General Business District under the previous zoning map. The subject property, as well as the larger GB tract at this intersection, is proposed to be developed with a retail development, and has been platted for a retail development. The applicant is intending to develop the property with GB uses.

Staff is proposing to rezone this property from "NS" – Neighborhood Service District to "GB" – General Business District, which is the district that it was zoned prior to February.

**Map 4**  
**Max Road**

The property owner for this tract contacted Staff in an effort to begin development of their property. Staff indicated to the owner that the property was rezoned to "SR-12" – Single Family Residential with the adoption of the new zoning map. The applicant indicated that they zoned the property to "R-1" – Single Family Residential recently and were in the process of preparing the property for development. The lots have narrow widths that meet the standards of the R-1 district.

Staff is proposing to rezone this property from "SR-12" – Single Family Residential to "R-1" – Single Family Residential, due to this property being downzoned as a result of the zoning map approved in February.

**Map 5**  
**McLean Road/Walnut Street/Fite Road**

This property was inadvertently rezoned to "GB" – General Business District. This property was originally intended to be part of the Old Townsite District. Under the consultant's plan for the Old Townsite, the Old Townsite District was proposed to extend down McLean Road to Centennial Park located on McLean Road. When the zoning map was ready to be adopted in February, the Old Townsite Plan was being re-evaluated by Staff and was not ready to be zoned as an Old Townsite District, pending the revised Old Townsite Plan. The Old Townsite District was removed from the map, and the Zoning Map should have been revised to show these properties as they were zoned on the old map. However, the consultant showed these properties as GB. The

lots along McLean Road are currently developed with residences. The park should also be zoned under a residential category.

Staff is proposing to rezone Centennial Park to "R-2" – Single Family Residential, and the single family residential lots along McLean Road to "R-2" – Single Family Residential. The lot at the southwest corner of McLean Road and Walnut Street is proposed to be rezoned back to "NS" – Neighborhood Service District. The lot directly at the southeast corner of Walnut Street and McLean Road is proposed to remain as GB due to the fact that an applicant purchased that property based on the zoning map adopted in February and intends to develop that lot with a GB use, and that owner has already had a pre-development meeting with the City.

### **Map 6 Old Townsite Area**

As discussed in the previous item related to the Old Townsite, the subject properties are being rezoned in accordance with the Old Townsite Plan to "OT-GB" – Old Townsite General Business District, "OT-R" – Old Townsite Residential District, and "OT-MU" – Old Townsite Mixed Use District.

### **ATTACHMENTS**

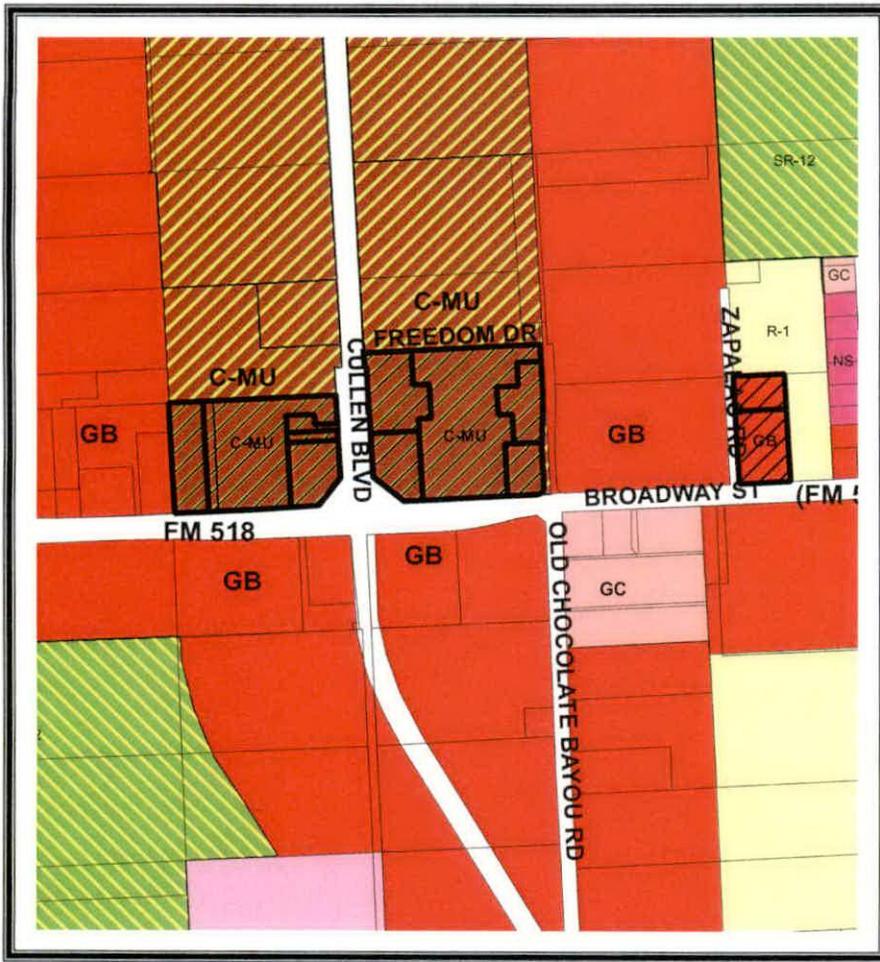
- Map 1 – Cullen Boulevard/FM 518 area
- Map 2 – Garden Road/FM 518/O'Day Road area
- Map 3 – Miller Ranch Road/FM 518 area
- Map 4 – Max Road area
- Map 5 – Walnut Street/McLean Road area
- Map 6 – Old Townsite Area

# MAP 1

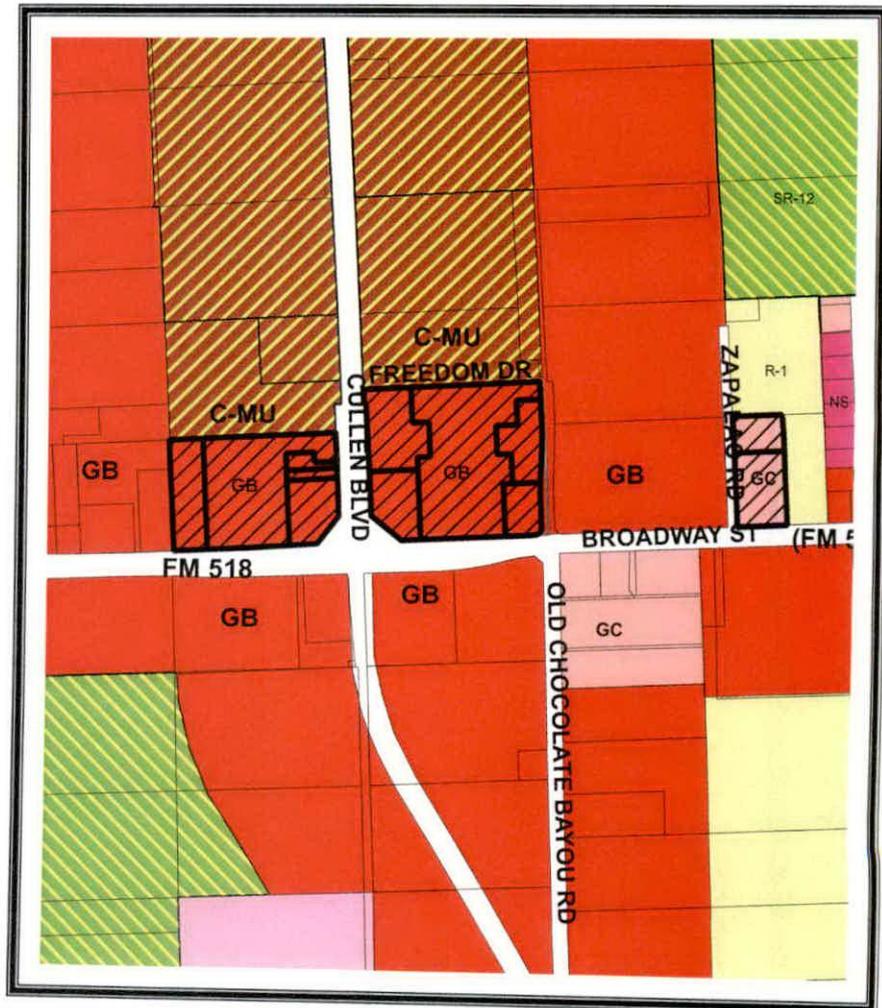


Map Prepared 05/17/06

Subject Property  
Shown in Crosshatching



EXISTING ZONING  
Approved 2/27/06



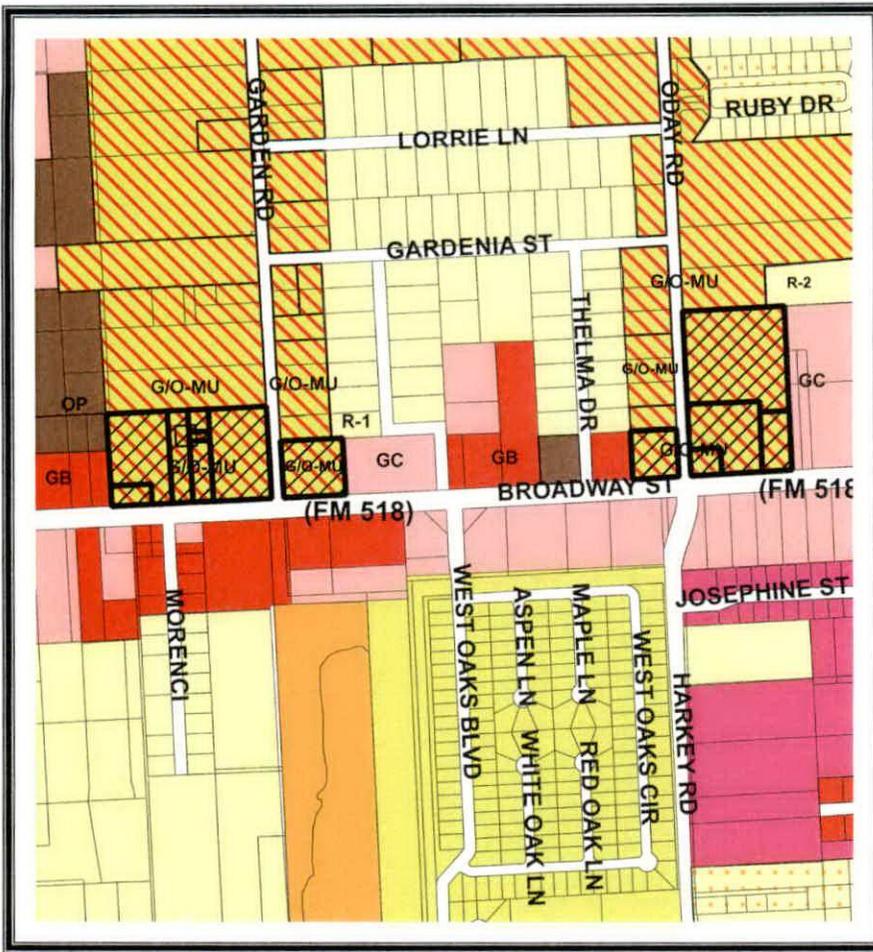
PROPOSED  
ZONING  
(and zoning prior to the  
adoption of the map on  
February 27, 2006)

# MAP 2

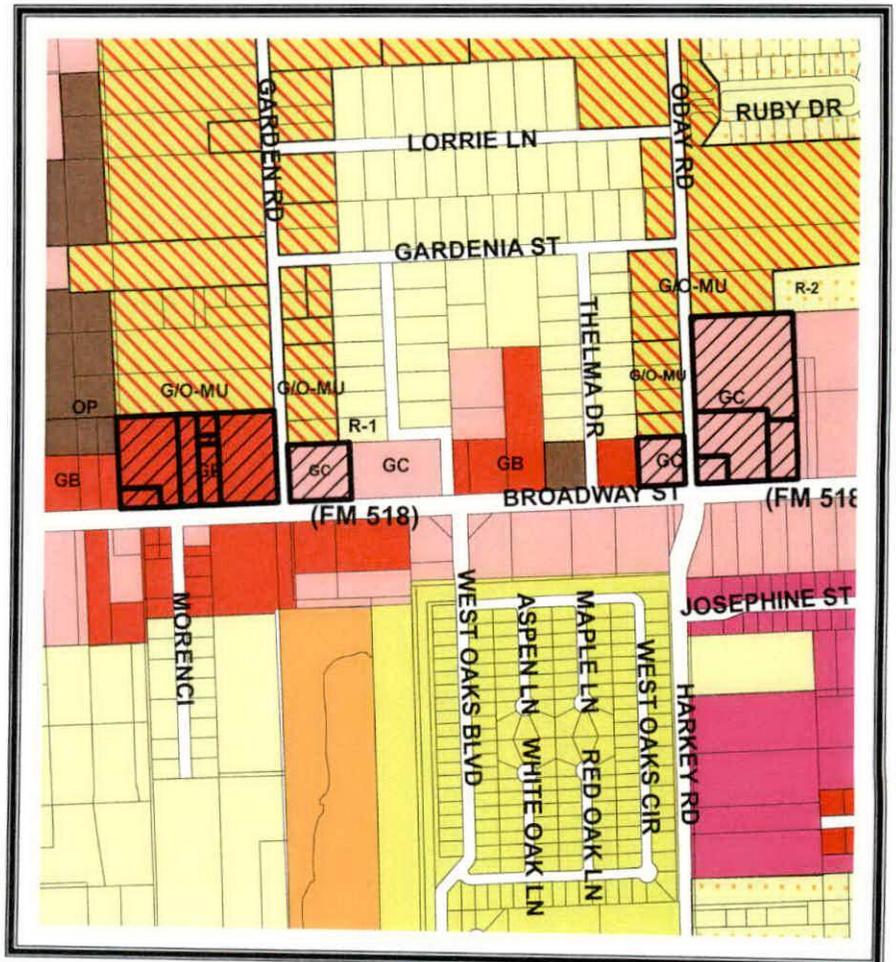


Map Prepared 05/17/06

Subject Property  
Shown in Crosshatching



EXISTING ZONING  
Approved 2/27/06



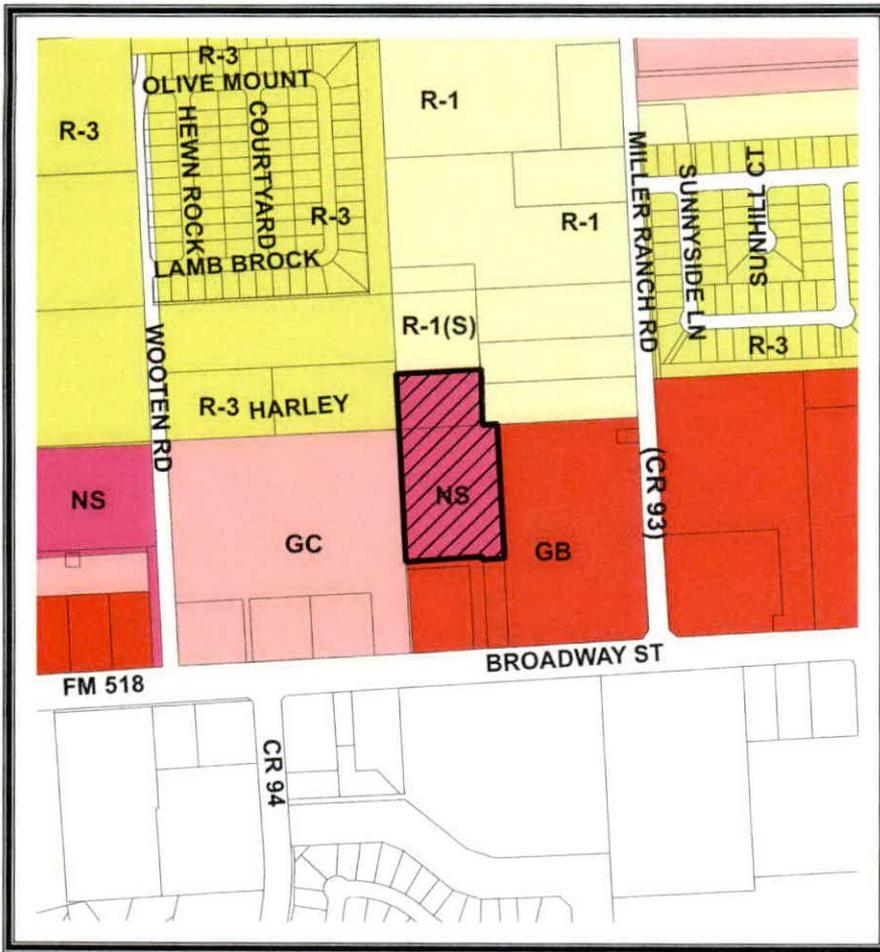
PROPOSED  
ZONING  
(and zoning prior to the  
adoption of the map on  
February 27, 2006)

# MAP 3

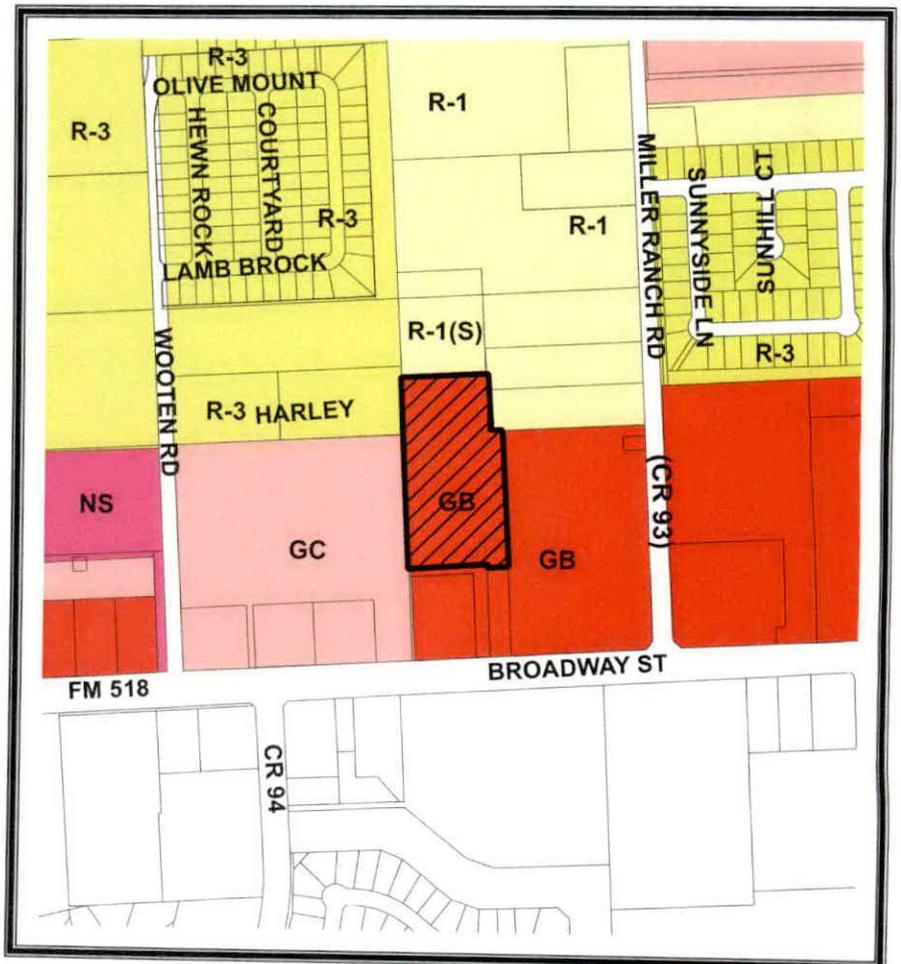


Map Prepared 05/17/06

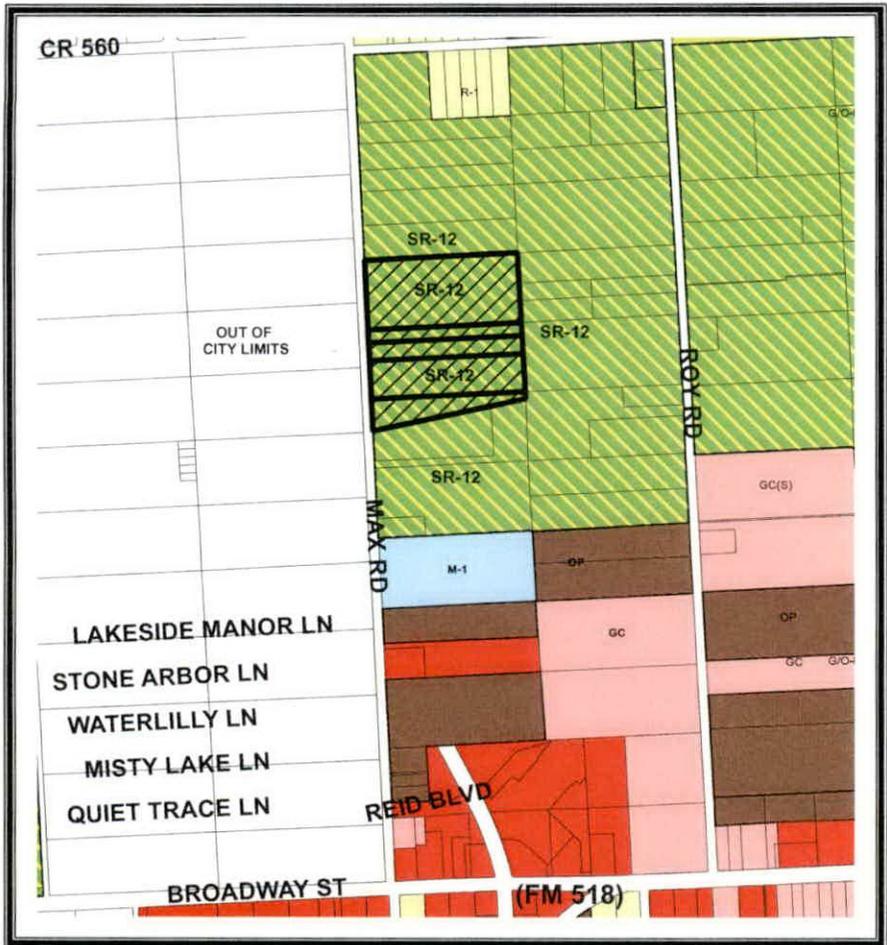
Subject Property  
Shown in Crosshatching



EXISTING ZONING  
Approved 2/27/06



PROPOSED ZONING  
(and zoning prior to the adoption of the map on February 27, 2006)



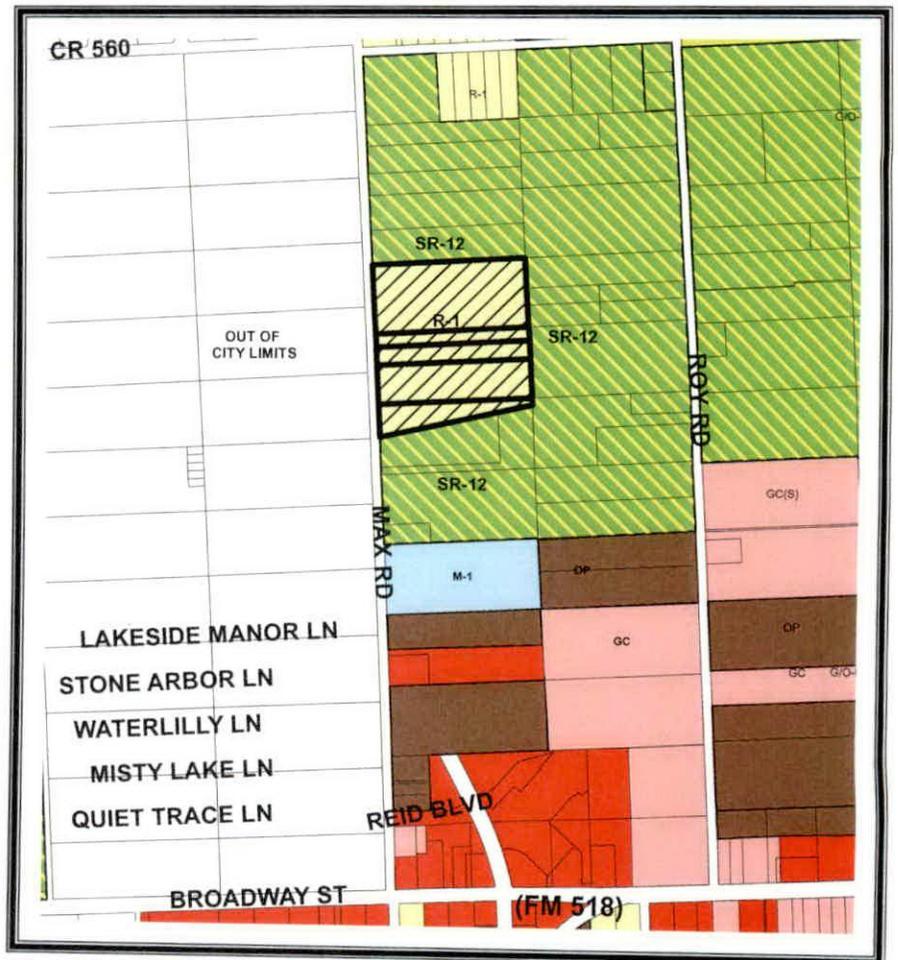
# MAP 4



Map Prepared 05/17/06

Subject Property  
Shown in Crosshatching

EXISTING ZONING  
Approved 2/27/06



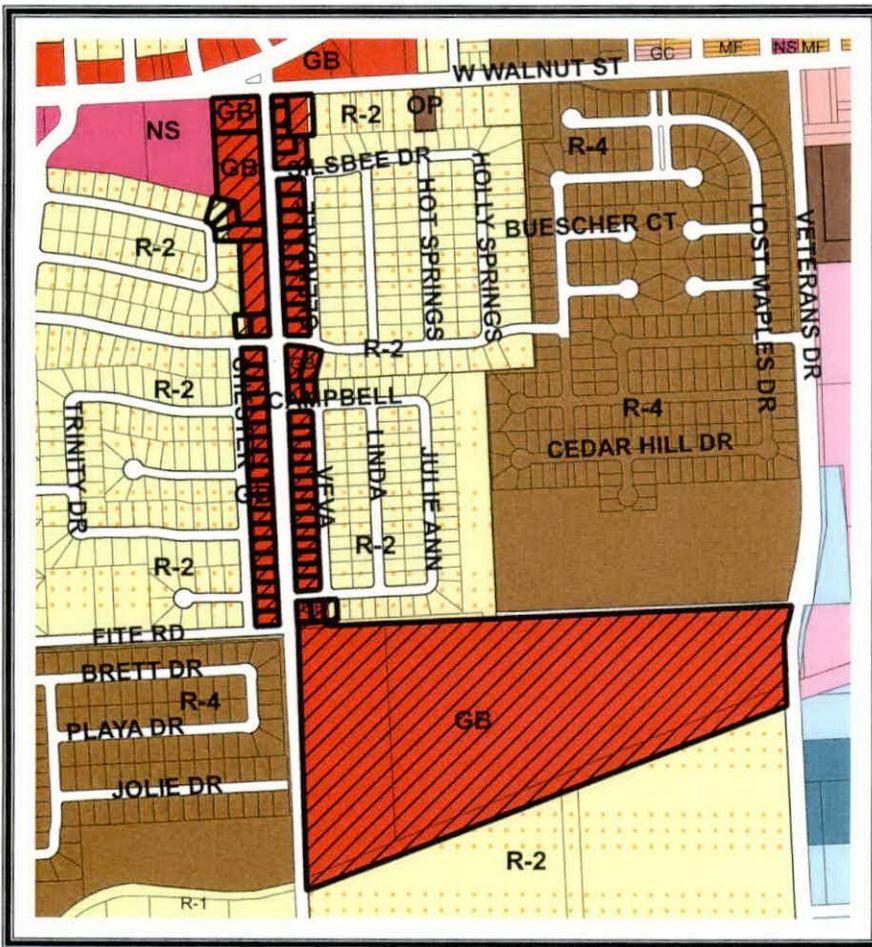
PROPOSED  
ZONING  
(and zoning prior to the  
adoption of the map on  
February 27, 2006)

# MAP 5

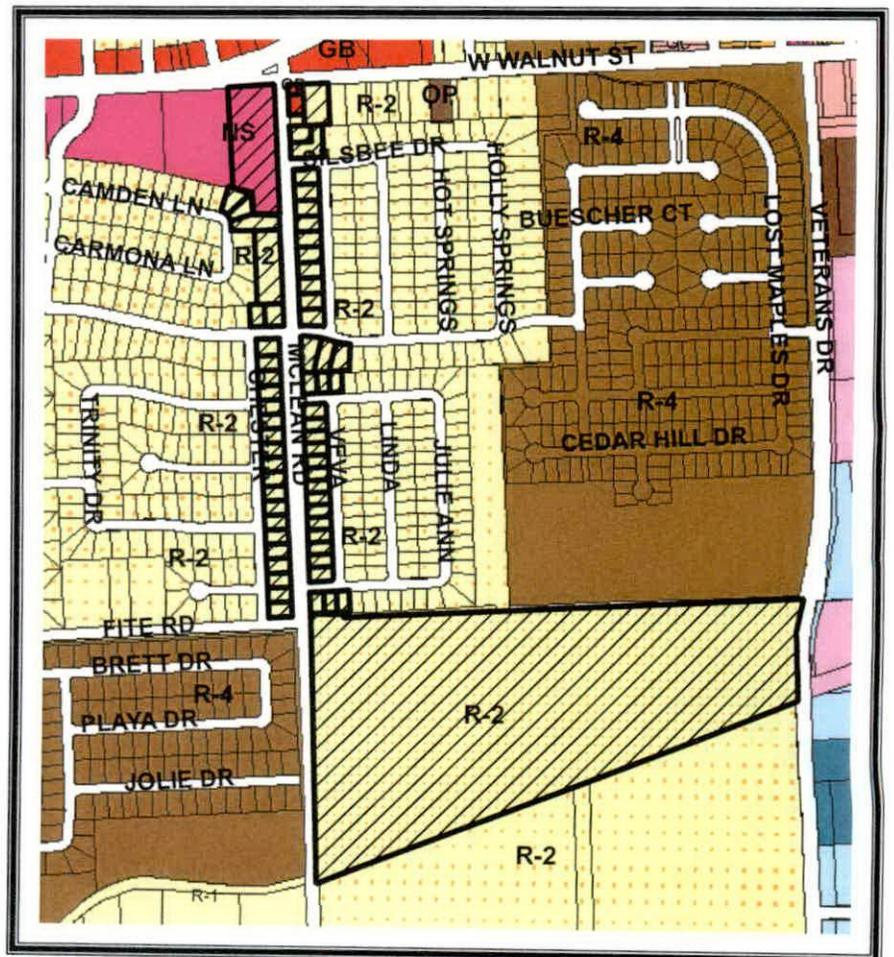


Map Prepared 05/17/06

Subject Property  
Shown in Crosshatching



EXISTING ZONING  
Approved 2/27/06



PROPOSED ZONING  
(and zoning prior to the  
adoption of the map on  
February 27, 2006)



**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JUNE 5, 2006, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

P&Z vice chair Sheryl Greiner read purpose

**A. OLD TOWNSITE ORDINANCE**

A request of the City of Pearland, for approval of the Old Townsite Ordinance, generally affecting properties on the North Side of Walnut Street, on the South Side of Orange Street, on the West Side of Galveston Street, and on the East Side of Mykawa Road.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

Plan. Div. Kata K read Staff Rpt.

Kata recognized Steering Comm. Members present were: D. Smith, J. McBuff, Alma Nolen, Mickey Mark, Luther Cunningham

Topics discussed: Aesthetics, Land use, Development Standards, Walkable, Pedestrian friendly District

3-Proposed Districts: OTS GB (OT-GB), OTS Residential (OT-R)

**IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST**

Old T.S. mixed use Dist (OT-M)

Luther Cunningham spoke re: moving bldgs in from Houston  
Alma Nolen  
Betty Callaway

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

Helen Beckman westside residential where Reading Center owns land. Can Read. Ctr still exist?

Kata addressed moving bldgs. in re: relaxing codes. Question would be how do we judge what is historical/archit. to move something in. Rev. Cole asked how do we even-

**VI. ADJOURNMENT**

7:25 p.m.

### III. cont.

776 passed out ~~revised~~ Proposed zoning Map - Old Town Site Area,  
revised as of 6-5-06.

data passed out pgs 57 & 58 of Chp 2 from the UDC

re: section 2.4.3.4 OT, Old Townsite District

In conclusion,

follow up

Relaxation of Bldg Codes

Streetscap plan for OTS

Amendment to City's right of way Ordinance

IV. go about moving something like that in. The process, the codes.  
data said this issue would have to be discussed w/ Building Dept.

Nick addressed the issue. Get certified letters from that city  
could require a performance bond. He offered some examples of  
how it has been done in League City.

Selvia kept addressed terms & definitions of some of the terms  
so that the public can understand. data stated that  
a lot of these terms could be added, as well as found  
in chp 5 of UDC. - Definition

Rev. Cole inquired about the 75% glass on lower level storefront  
at feet this should be ~~re~~ re-addressed. data stated that when  
John Holtz presented, it was figured that it would be sidewalks  
w/ shops & offices. now needs to be readdressed. Selvia Kufe  
stated she agreed w/ K. Cole. so did Eden Beckman.

data asked if they should move away from percentage? K. Cole  
stated - need to lower percentage. St. Saboe - said need to  
address w/ setbacks.

~~purple paper~~ →

Mayor addressed audience. Only gathering info. & not make a  
decision.

cont.  
see purple  
p. 1

V cont.

→ Drainage. Lata address A. Nolan's question. City will address flood issues.

H. Saboe concerned w/ no positive comments from Steering Committee.

<sup>John</sup> Mickey Mark ISLA Dr. Praised Lata & Planning Staff. Feels we are going in right direction.

Darrell Digg asked about GB & Mu 50' minimum of lots or narrower.

Lata addressed (listen to tape)

Lata thanked Parrin, Nguyen & legal dept.

# Joint Public Hearing

## SPEAKER'S CARD

If you wish to speak during the Public Hearing, please complete the following information and give this card to the Recording Secretary either before or after your comments. Thank you.

Name:

Mickey Mark

Full Address:

Isla Dr.

(include zip)

\_\_\_\_\_

I wish to speak regarding Item No. \_\_\_\_\_

*addressed positive or negative of OTS.*

*Feels sidg cds addressed. Pl appreciate data's  
wk & staff.*

# Joint Public Hearing

## SPEAKER'S CARD

If you wish to speak during the Public Hearing, please complete the following information and give this card to the Recording Secretary either before or after your comments. Thank you.

Name:

Betty Callaway

Full Address:

11. Park

(include zip)

\_\_\_\_\_

I wish to speak regarding Item No. \_\_\_\_\_

*Asked for Clarification re:  
Bldg. being moved in*

# Joint Public Hearing

## SPEAKER'S CARD

If you wish to speak during the Public Hearing, please complete the following information and give this card to the Recording Secretary either before or after your comments. Thank you.

Name:

Alma Nolen

Full Address:

2106 N. Galveston

(include zip)

\_\_\_\_\_

I wish to speak regarding Item No. \_\_\_\_\_

re: Drainage

# Joint Public Hearing

## SPEAKER'S CARD

If you wish to speak during the Public Hearing, please complete the following information and give this card to the Recording Secretary either before or after your comments. Thank you.

Name:

Luther Cunningham

Full Address:

(include zip)

I wish to speak regarding Item No. \_\_\_\_\_

# Minutes

Mayor Reid opened @ ~~6:30~~ 7:26 p.m

## AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JUNE 5, 2006, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

### I. CALL TO ORDER

### II. PURPOSE OF HEARING

P&Z vice-chair Sheryl Greiner read purpose

#### A. UPDATED ZONING MAP

A request of the City of Pearland, for an amendment to Ordinance No. 2000M, the Zoning Map of the City of Pearland, for approval on an Updated Zoning Map, affecting various properties throughout the City of Pearland.

### III. APPLICATION INFORMATION AND CASE SUMMARY

#### A. STAFF REPORT

JAG gave report. Remind Council/Comm. of the adoption of UDC & Zon. Map. In using new map, have come across areas needing to be addressed

- Cullen mixed use District & Zapata Rd
- Garden O'Day Mixed Use Distr.
- Miller Ranch Rd & Broadway St. →

### IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

No one present to speak for/against.

### V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

map<sup>3</sup> K. Cole asked where a hotel was going to be questioned as Hotel. TAG said in R-1 area. K. Cole questioned a piece on Pineda Hwy originally. Nick stated it was addressed later - after adoption of new Zon. map. Left as SD. owner could come back for a ZU change →

### VI. ADJOURNMENT

7:44

III

- <sup>property</sup> off of ~~the~~ Max Rd.
- McLean Rd toward park
- OTS proposed zoning map

IV

St. Sabao  
 map 4: is it diff. owners or one owner. TAG stated 3 owners - but all family. only bottom should be rezoned - to keep other lots from being subdivided.

St. Saboe  
 map 5 - McLean & Walnut Concern w/ buffers & masonry fence.

K. Cole is owner aware of ~~it~~ not have 150' frontage for Gr.

St. Saboe questioned about Mr. Alexander's request.

Darrin stated was addressed in Rt. of way. Told they could apply for a zone change - himself.

St. Saboe - concern w/ why not city change.

Rata stated ca. Lemo's to come back w/ corrections to the changes to the zoning map.

K. Cole - if we identify an error. Do we have a process.  
 Discussion between Council / Staff / Legal.

~~Map~~ TAG addressed. If interested in zone map or OTS - it will be voted on by P&Z tonight and before Council in next 3 weeks