

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, JUNE 10, 1996, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

The meeting was called to order at 7:40 p.m. with the following present:

Chairman	Pat Lopez
Vice Chairman	Emil Beltz
Commissioner	Marshall Eggers
Commissioner	Rob Larsen
Commissioner	Jeffery O'Brien
Commissioner	Randy Patro
Commissioner	Peggy Mayfield-Royer
Assistant City Manager	Richard Burdine
Secretary	Judy Highburger

City Engineer John Hargrove was absent.

**II. APPROVAL OF MINUTES: Minutes of May 20, 1996**

A motion to change the order of business to consider New Business first and then approval of Minutes, was made by Commissioner Peggy Mayfield-Royer and seconded by Commissioner Jeffery O'Brien.

**Motion Passed 7 to 0**

**III. NEW BUSINESS**

- A. CONSIDERATION AND POSSIBLE ACTION** - Application No. 65, request of Swanelle Spradley, agent for Ted K. Spradley, owner, for an amendment to the Land Use and Urban Development Ordinance of said City from Classification Suburban Development District, Industrial Compatible (SD-1) to Heavy Industrial District (M-2) on the following described property, to-wit:

14.0513 acres of land, being all of Lots 9 & 12 and part of Lot 7 of the

partition of the east 1/2 of the northwest 1/4 of Section 15, H.T. & B.R.R. Co. Survey, A-241, Brazoria County, Texas, according to the plat recorded in Vol. 441, Pg. 265 of the Deed Records of Brazoria County, Texas (6906 Broadway).

Lot 8, containing 2.50 acres, out of the T.V. Mahanay 80 acre tract, being the east 1/2 of the northwest 1/4 of Section 15, H.T. & B.R.R. Co. Survey, A-241, Brazoria County, Texas, according to the Map recorded in Vol. 441, Pg. 265, of the Deed Records of Brazoria County, Texas (6906 Broadway).

The Chairman asked for comments or questions from the Commissioners.

Discussion ensued regarding clarification of options available to Application No. 65.

Commissioner Mayfield-Royer questioned Mr. Richard Spradley, representing Spradley Auto Salvage, if he was aware that the Commission has granted plats for residential building in the area around the sand pit on County Road 403. Mr. Spradley replied that they have been in Pearland since 1964 in the development and construction business, and have been aware of that. The owner of the salvage yard has a long term lease on the property now and no longer own the business, just the property. The owners may choose to stay in that location or they may choose to vacate, he is unaware of their plans. Commissioner Mayfield-Royer asked Mr. Spradley if he knew the length of the lease, to which Mr. Spradley answered that it was a ten year lease.

Further discussion followed with Richard Burdine referencing an aerial map to pinpoint the area and show the location of a lake. There was discussion of future problems with the close proximity of the lake to the residential areas as to the safety of the children.

Commissioner Mayfield-Royer asked what were the requirements on the fence surrounding the salvage yard. Mr. Burdine said the current fence is required under State law. Mr. Spradley explained that the salvage yard was the first major operator, and Brazoria County Commissioners toured the yard and wrote the specifications for the fence. The salvage yard would have erected a fence on its own to keep it looking as clean as possible, as they own other properties in the area.

Vice Chairman Emil Beltz asked if vandals had damaged the fence in certain areas or had the cars. Mr. Spradley said that it appears the forks were responsible, and an agency had been contacted to repair the fence.

A homeowner, Mr. Patschke, spoke to Mr. Spradley and informed him that on the east side of the salvage yard where he lived, there was no fence except for one he erected of barbed wire. Mr. Spradley replied they had had very good neighbors over the years and there was no need for a fence in that area. Mr. Patschke asked if Mr. Spradley was aware of vandals entering the yard and stealing parts off cars at all hours of the night. Mr. Spradley said no matter what kind of fence you put up, you will have problems with vandals coming over the fence to steal parts because it is quick, easy money and it is difficult to keep them out.

Commissioner O'Brien made a motion to leave the area zoned as Suburban Development District, Industrial Compatible (SD-1). Mr. Burdine requested the Chairman act on Application No. 65, whether to grant or deny the request to Heavy Industrial (M-2). Commissioner O'Brien restated his motion that Application No. 65 be denied. The motion was seconded by Vice Chairman Beltz.

The Chairman asked for discussion, and an unidentified person asked about Lot 8 and what prompted all this, and Mr. Spradley replied that Allbritton Soil Yard wanted to lease it and put a soil lot in that location and in that current setup, that is not feasible. That's what generated all this, they didn't have to bring the salvage yard into it, but since they were going through the process, they would go ahead and do it, as they were instructed by the City that it would have to be done anyway. Their main thrust was to try to get income off a piece of property because they cannot legally dump a load of sand and load it on a vehicle the way it is now. The main objective was trying to move a much cleaner business in there. They had a lease drawn up and found out they could have a salvage yard there and not a soil lot. Mr. Spradley wished there was another classification other than Heavy Industrial because that conjures up chemical plants moving in next door, and that is not their intent. They just want to be able to use their property to its fullest and best use there.

The Chairman stated a motion was made and was there any more discussion, and hearing none the Commission voted to **deny** Application No. 65.

**Motion Passed 7-0.**

## **II. APPROVAL OF MINUTES**

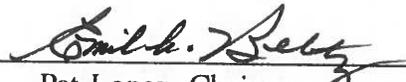
A motion was made by Vice Chairman Beltz to approve the Minutes, and seconded by Commissioner Marshall Eggers.

**Motion Passed 6 - 0** with one abstention (Commissioner O'Brien was absent at last meeting).

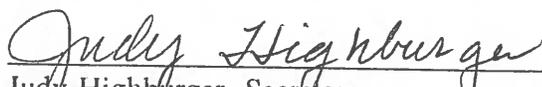
**IV. NEXT MEETING DATE:** Monday, June 24, 1996; 7:00 p.m.

**V. ADJOURNED:** 8:00 p.m.

Minutes approved as submitted this 17<sup>th</sup> day of June  
A.D., 1996.

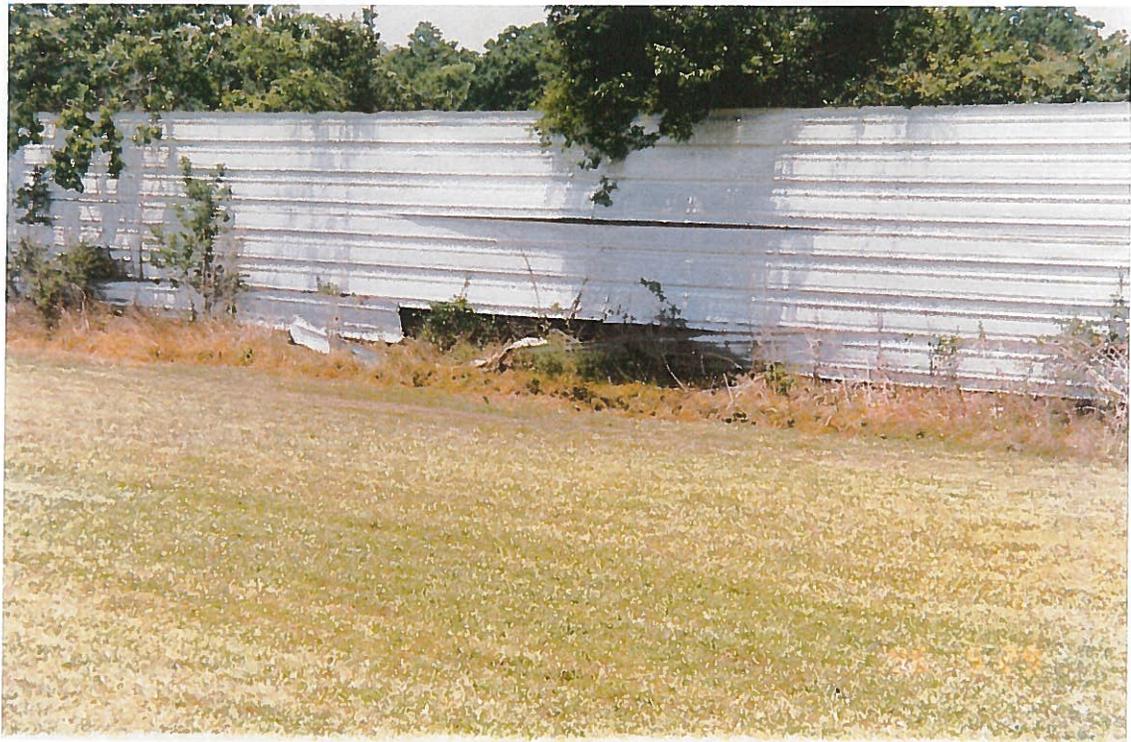
  
\_\_\_\_\_  
Pat Lopez, Chairman  
*Vice*

ATTEST:

  
\_\_\_\_\_  
Judy Highburger, Secretary

















CITY OF PEARLAND  
ZONE CHANGE APPLICATION  
revised 3/5/96

Change in Zoning Classification from: SD1 to: M2

Change in Regulations in Section #: \_\_\_\_\_

Specific Use for: \* \_\_\_\_\_

Property address: ? 6906 Broadway

Part Lot: 7, 8, 9, 12 Block: Sec 15

Subdivision: H & B Survey

Metes & Bounds Description:  
(unplatted property only; attach survey)

Tax I.D. number:

Proposed use of land within requested designation: Recycling

Record owner's name: Ted K Spradley

Owner's mailing address: P.O. Box 2187, Pearland, TX 77588

Owner's telephone number: 713-485-3990

Agent's name: Swanella Spradley

Agent's mailing address: P.O. Box 622, Pearland, TX 77588

Agent's telephone number: 713-485-3990

PETITION: As owner/agent, I hereby petition the City for approval of the above described request as provided by the laws of the State of Texas and Ordinances of the City of Pearland. \*On a Specific Use Permit request to allow a residential use in a business zone (OP, NS, GB), I acknowledge that such use may be incompatible with current and future uses on properties in my vicinity.

Owner's signature: \_\_\_\_\_

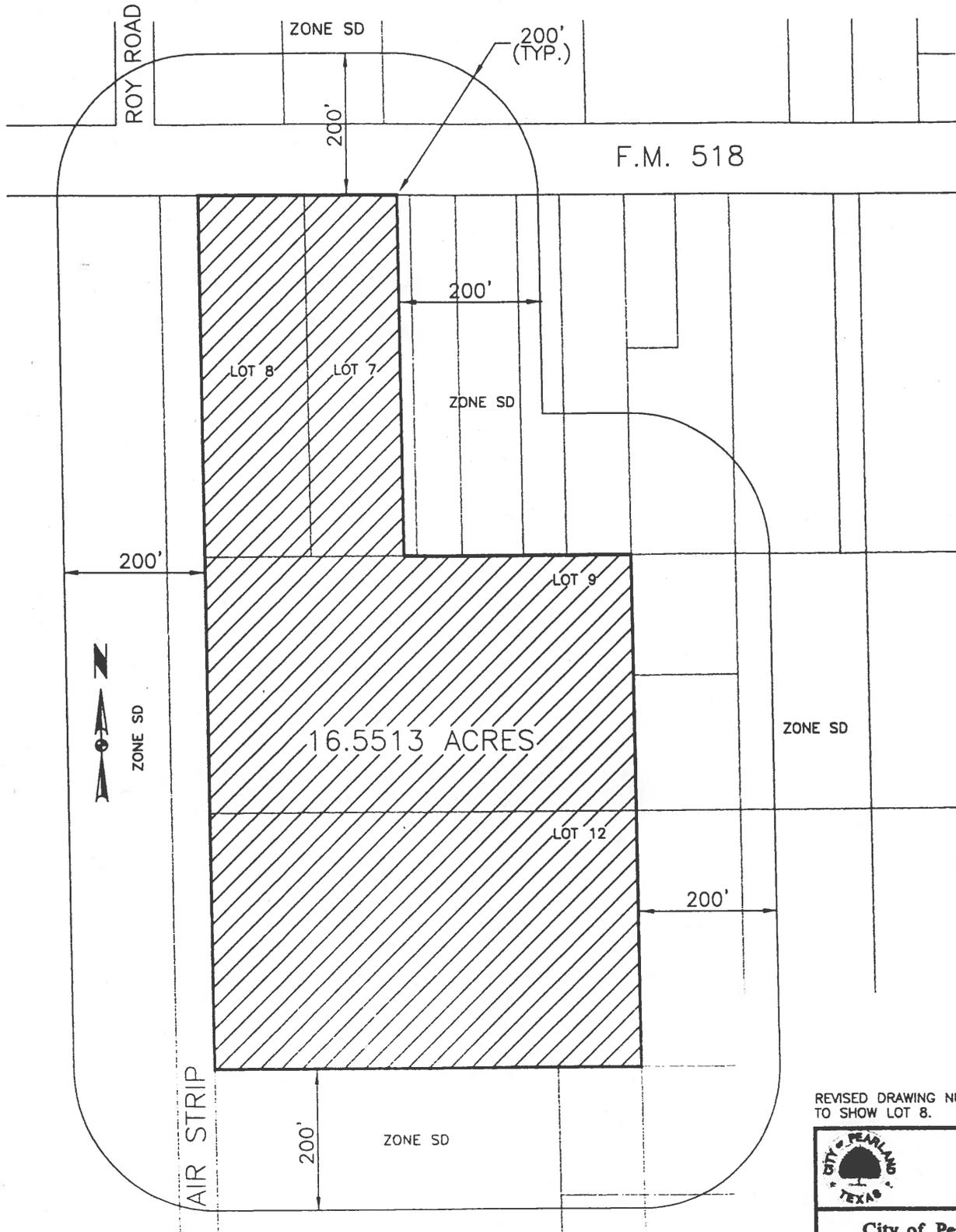
Agent's signature: Swanella Spradley

Fees paid: \$ N/C

Date paid: \_\_\_\_\_

Received by: DRS E-17-96

Application number: 65



REVISED DRAWING NUMBER 96-1153  
TO SHOW LOT 8.



City of Pearland, Texas

**ZONE CHANGE FOR  
TED K. SPRADLEY**

Job No.:	Scale:	SHEET <b>1</b> OF 1
Date: MAY, 1996	HORIZ: 1" = VERT: 1" =	
Drawn By: J.E.B.	CAD FILE:	
Checked By: J. HARGROVE	96-1153A	

**AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, JUNE 10, 1996, IMMEDIATELY FOLLOWING THE JOINT PUBLIC HEARING IN THE SECOND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

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**IV. NEXT MEETING DATE:** June 17, 1996

**V. ADJOURNMENT**

Posted: 10<sup>th</sup> Day of June, A.D., 1996  
2:00 P.M.

Removed: 11<sup>th</sup> Day of June, A.D., 1996