Mayor called to order 7:11 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 FEBRUARY 19, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS** TAG read the Process of the JPH

Present:
Mayor Reid
Tetens
Beckman
Sabor
Kyle
Cole

**I. CALL TO ORDER** Mayor opened @ 7:14 for council & P&Z

**II. PURPOSE OF HEARING**

Ruby read:

Conditional Use Permit No. CUP2007-01

A request by Cisneros Design Group and James Elmore, applicant for Silver Sky Investments LLC and Hung Ngo, owners, for approval of a Conditional Use Permit for a "Minor Auto Repair" facility in the General Business Retail District (GB), on the following described property, to wit:

Ruby Sanders
Greine
Huertas
Sherrow
Diggs
Koza, J
West

Legal Description: 1.8060 acres of land, being a portion of Lot 60 of the Allison Richey Gulf Coast Home Company's Subdivision as recorded in Book 2, Page 23, Brazoria County Map Records, situated in the H.T. & B.R.R. Company Survey, Abstract 506, Brazoria County, Texas, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the North Side of FM 518 (Broadway Street), and Approximately 600 Feet West of Cullen Boulevard

Eisen,
Ivan
arrived @ 8:05 → Hodge,
D. Coker
D. Kneuppe
T. Epperson
N. Doan

**III. APPLICATION INFORMATION AND CASE SUMMARY**

← **A. STAFF REPORT** TAG read...

**B. APPLICANT PRESENTATION**

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

Lata,
TAG
RK
Tim
J. Krajca

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

**VI. ADJOURNMENT** 7:48

**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.**

III. A. Appl. is requesting a cond. use permit for the minor auto repair. The Full Service car wash is permitted.

Staff recommends apprvl. w/ conditions listed ~~under~~ the agenda item

III B. Applicant present - but did not ~~feel~~ speak

IV Bob Amos, 7825 Hughes Ranch Rd.
Concern w/ traffic on Cullen. Needs Right turn lanes put in all along Cullen.

I. Sabre inquired about Staffs recommendation to Bays ~~position~~ orientation and elevation
TAG stated staff ~~recommended~~ screening, landscaping Sabre, along access to entrance of property joining shared parking.
P.O. can't grant access due to security. Property to west would not grant access.

Cole asked if City has approached owner to west for mutual access / joint access.
D. Kneupper stated they have talked w/ owner - he does not want, and there is no platted mutual or joint access.
Mayor - isn't it mandated in Corridor overlay?
Cole - But this was platted before Corridor overlay & they were grandfathered.
Cole - are there going to be medians on ——— DK-Yes
will this be a right in, right out only. DK - Yes

# 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:** Bob Amos

**Full Address:** 7825 Hughes Ranch Rd

**(include zip)** 77581

**I wish to speak regarding Item No.** Cullen Traffic

2nd and 4th monday

03/2005

P&Z

B. continued (tape approx ½ way)

easement ownership

much discussion about lot, landscaping, lease agreement

trees at time of applying for permits.

5-2 approval.

Neil (Sheryl) voted against.

I asst. Henry could P.O. back their fence up to allow access?

Ruby - recommends they turn the bay before seeing again
TAB - or could do a wall.

# JOINT PUBLIC HEARING AGENDA ITEM
# MEETING OF FEBRUARY 19, 2007

Babe - asked applicant about layout of car wash, the exit Right in Right out is ~~only~~ best option

## Conditional Use Permit No. CUP2007-01

A request by Cisneros Design Group and James Elmore, applicant for Silver Sky Investments LLC and Hung Ngo, owners, for approval of a Conditional Use Permit for a "Minor Auto Repair" facility in the General Business Retail District (GB)

Kyle - asked applicant to come forward

**LEGAL DESCRIPTION:** 1.8060 acres of land, being a portion of Lot 60 of the Allison Richey Gulf Coast Home Company's Subdivision as recorded in Book 2, Page 23, Brazoria County Map Records, situated in the H.T. & B.R.R. Company Survey, Abstract 506, Brazoria County, Texas, City of Pearland, Brazoria County, Texas

Ernie Davis - applicant came forward.

Kyle - asked applicant to show the in & out of the cars.

**GENERAL LOCATION:** Generally Located on the North Side of FM 518 (Broadway Street), and Approximately 600 Feet West of Cullen Boulevard

Mr. Davis used diagram & explained.

He showed an alternative mtg. Council & Commissions request.

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested conditional use permit application will be considered as follows:

Henry made suggestion . . . ? Tetens agree?

Planning and Zoning Commission: February 19, 2007

Much discussion ensued about Rt in/Rt out.

(7:40 pm a little more than 1/2 way thru)

Kata suggested proposal to mirror the project.

**SUMMARY:** The applicant is requesting approval of a Conditional Use Permit (CUP) for a "Minor Auto Repair" facility in the General Business Retail District (GB). The subject property is currently undeveloped.

Mr. Davis showed drawing of alternate

The subject property is zoned GB and the area is rapidly developing with retail, office, and related uses.

Neil suggested the appl. work w/ Planning Staff. TAB stated they will work w/ appl.

The proposed facility is a combination of a full service car wash facility with minor auto repair. The minor auto repair consists of oil changes, lubrications, transmission servicing, replacement of lamps and wiper blades, state inspections, and other similar minor uses. The applicant has submitted a preliminary site plan for review as part of this Conditional Use Permit. If the CUP is approved, the applicant will be required to submit a building permit application, in which the site plan, landscape plan, and all other building plans and site development will be reviewed for conformance with all codes and ordinances applicable.

Mayor closed @ 7:45

**SURROUNDING ZONING AND LAND USES:**
*** surrounding zoning districts based on the new map adopted February 27, 2006**

| | Zoning | Land Use |
|---|---|---|
| North | Cullen Mixed Use District (C-MU) | Post Office |
| South | General Business Retail District (GB) | Undeveloped tract |
| East | General Business Retail District (GB) | Undeveloped tract |
| West | General Business Retail District (GB) | Retail and office development |

**CONFORMANCE TO UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned as GB. The minimum lot size for the GB district is 22,500 square feet and the minimum lot width is 150 feet. The subject property meets these requirements, as the subject property is approximately 1.8 acres in size and approximately 151 feet in width along Broadway Street.

The applicant will be required to comply with all other requirements of the Unified Development Code.

**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 City, and the plat will need to be 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 "Cullen Mixed Use" uses for the subject property. The Comprehensive Plan further indicates that the appropriate zoning districts for "Cullen Mixed Use" is the Cullen Mixed Use District. The subject property was recently rezoned from Cullen Mixed Use District to General Business District in a City initiated zone change, due to its location on Broadway Street. The proposed minor auto repair facility is allowed in GB by approval of a Conditional Use Permit.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Broadway Street (FM 518), a major thoroughfare with an ultimate right-of-way of 120 feet. Additional right-of-way for FM 518 may be necessary and will be reviewed when the subject property is platted.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** There is a 16 inch water line on the south side of Broadway Street. There is an 30 inch gravity main sanitary sewer line located along the north side of Broadway Street and along the east side of the subject property.

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:** The proposed conditional use permit for minor auto repair should not have a negative impact on the surrounding properties.

The subject property is located within a larger area that is developing with retail, office, and service related uses. The entire area that fronts on Broadway Street, between Hillhouse Road and Cullen Boulevard, on both sides of Broadway Street, is currently zoned as GB and is developing with GB uses.

**SITE PLAN CONSIDERATIONS:**
The applicant has submitted a preliminary site plan for review. The following is a list of requirements that pertain to the site under the GB district:

Building Setbacks:
Minimum front yard: 25 feet
Minimum side yard: 10 feet
Minimum rear yard: 25 feet
Maximum height: 45 feet

It appears that the proposed site plan meets these setbacks outlined in the GB district.

Outside display:
Any display areas outside shall be confirmed to a pedestrian walkway immediately adjacent to the building, and shall not extend more than 10 feet from the building. The applicant has not indicated whether or not they will have any outside storage or

display.

The detailing and drying function associated with the car wash facility is permitted on the outside of the building.

Corridor Overlay District:
Broadway Street is designated as a "corridor overlay" in the Unified Development Code. The applicant will be responsible for complying with all applicable requirements of the corridor overlay district as it pertains to the subject property. The corridor overlay district contains increased standards on building façade, landscaping, and lighting, as well as others.

Building Façade:
The Unified Development Code requires that the building be 100 percent masonry or glass for the walls or portions of wall visible from the adjacent roadway.

The corridor overlay district contains standards that pertain to building articulation and building materials. Regarding building materials, at least 25 percent of the exterior walls facing Broadway Street would need to be transparent. The applicant will have to provide this calculation on the building permit plans. Also, the corridor overlay district requires that building colors meet the colors on the City's approved color palette.

Parking:
The applicant will be required to provide parking spaces in accordance with the Unified Development Code.

Screening:
Screening is not required because the subject property is surrounded by other General Business District and related uses.

Traffic:
A traffic impact analysis (TIA) may be required when the subject property is platted for development. The TIA would determine the impact of the development on the surrounding properties and adjacent roadways, and would also determine the location of driveways.

Service Bays:
In the recent past during the review of a conditional use permit for other minor auto repair facilities, the Commission and Council expressed concerns with the vehicle service bays opening towards FM 518. It was suggested that either the bays be

turned to the side, away from FM 518, or additional landscaping be provided as a means to buffer the view into the service bays.

The site plan shows 3 service bays towards the back of the building. The service bays face Broadway Street. The applicant has indicated to Staff that they did not want to turn the service bays to face the east or west. Instead, they have provided a 36 inch retailing wall, with a berm and shrubbery and trees to try to screen the view into the bays. The view of these screening features and how they would screen the service bays is shown on one of the attached drawings. It appears that the total height of the screening would be approximately 4.5 feet.

If the Commission believes that the bays should be oriented away from FM 518, or if additional landscaping should be provided instead, it needs to be stated in the motion.

**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.

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit, as proposed by the applicant, for the following reasons:

1. The proposed conditional use permit provides for a minor auto repair facility in an area that is currently zoned GB and the surrounding areas are developing with GB uses. The GB district allows minor auto repair by approval of a Conditional Use Permit.

2. The proposed facility should not have any impact on the surrounding retail, office, or service developments.

3. The proposed facility should be compatible and consistent with other similar auto related uses within the subject area.

4. The applicant will be required to comply with all requirements in the Unified Development Code pertaining to the development of the site.

5. The site plan, landscape plan, and building elevations will be reviewed again as part of a Building Permit Application, for compliance with all codes and ordinances applicable to the site.

Staff recommends that the Planning and Zoning Commission add this specific condition to the approval of the Conditional Use Permit:

1. The applicant comply with all applicable requirements in the Unified Development Code.

2. The applicant reorient the service bays so that they do not face FM 518, or provide additional landscaping to screen the bays.

**SUPPORTING DOCUMENTS:**

- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Aerial Photograph
- Proposed Site Plans

# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

Page 1 of Application

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

**Conditional Use Permit Request for:** Auto Repair Minor (Quick Lube / Inspection)
(list proposed use)

**Current Zoning District:** General Business/Corridors Overlay

**Property Information:**

Address or General Location: 8535 Broadway, Pearland TX 77584

Tax Account No.: 0506 0045 000

Subdivision: NGO Plaza Subdivision

~~Lot:~~ Reserve A ~~Block:~~ e

**PROPERTY OWNER INFORMATION*:** If there are multiple property owners, please list on a separate sheet of paper and attach to this application.

NAME Silver Sky Investments LLC / Hung Ngo
ADDRESS 2702 Garden Falls Dr.
CITY Manvel STATE TX ZIP 77578
PHONE (832) 515-0999
FAX (281) 862-7138
E-MAIL ADDRESS VHCorporation@yahoo.com

* Must be the current property owner at the time of the submittal of the application, not the party that has the property under contract.

**APPLICANT INFORMATION:**

NAME Cisneros Design Group / James Elmore
ADDRESS 308 West Polk
CITY Houston STATE TX ZIP 77019
PHONE (713) 524-2880
FAX (713) 524-9803
E-MAIL ADDRESS Cisneros@houston.rr.com

# CONDITIONAL USE PERMIT REQUEST

## 8535 West Broadway Zoned: GB/COD

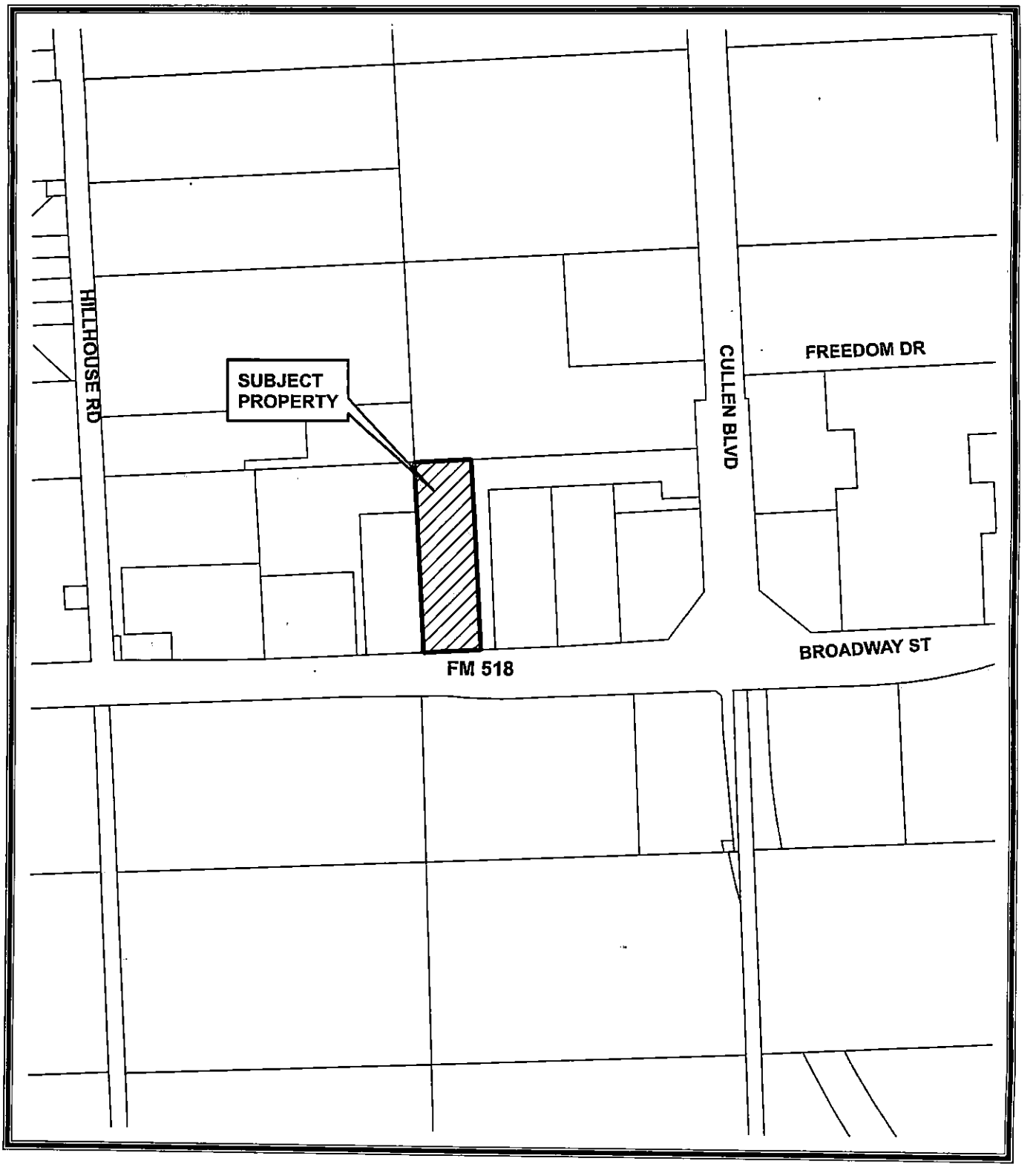
**Requested Use:** Minor Automotive to be built ancillary to full service car wash

**Scope of Services:** The following services would be provided under Conditional Use Permit

- Lubrication
- Oil Change
- Transmission Service only
- Replace Lamps/ Wiper Blades/ Filters
- Vehicle inspections

**Location of Services:**

- 250 Lineal Feet From Roadway
- Screened by vacuum area
- Screened by 3 foot berm
- Screened by 18" shrubs and 4" trees



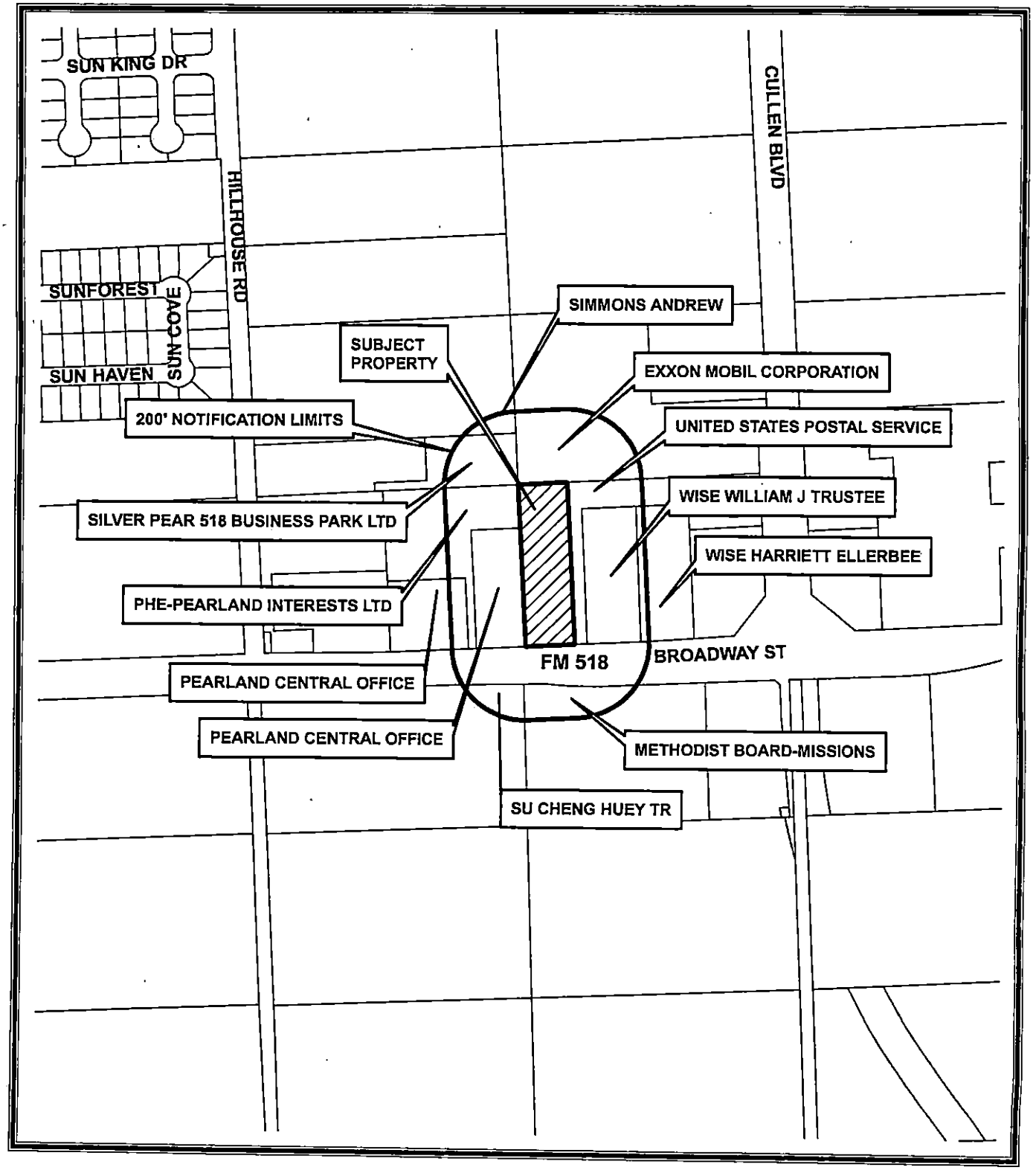

# LOCATION MAP

**Conditional Use Permit**
**No. CUP2007-1**

N
W E
S

0 300 600 Feet

Map Prepared on January 30, 2007




# OWNERSHIP MAP

## Conditional Use Permit No. CUP2007-1

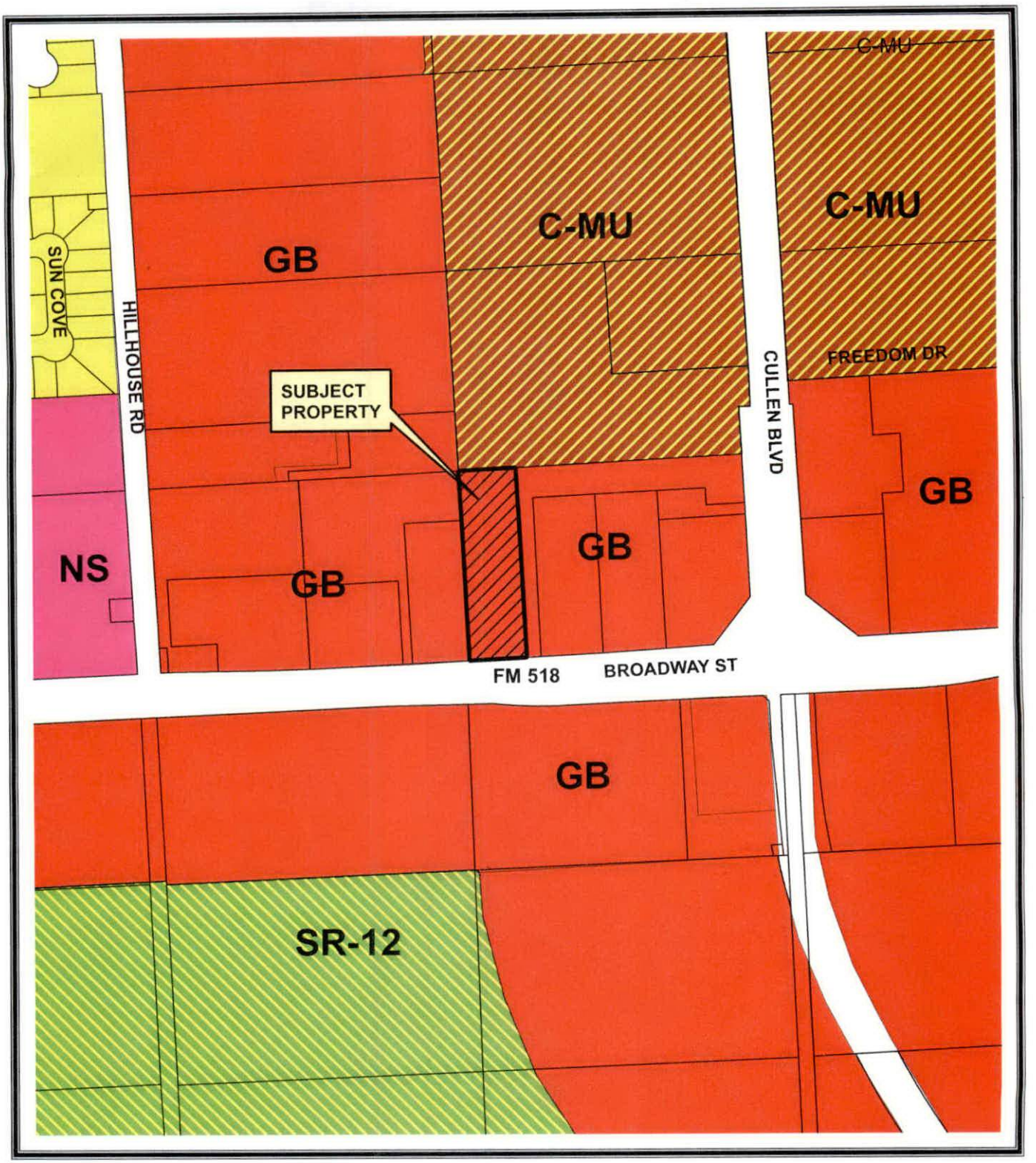
N
W E
S

0 300 600 Feet

Map Prepared on January 30, 2007

# CONDITIONAL USE PERMIT NO. CUP2007-01
## Property Owner Notification List

| TAX ACCT | OWNER | ADDRESS | CITY | ST | ZIP CODE |
|---|---|---|---|---|---|
| 0506-0046-120 | EXXON MOBIL CORPORATION | PO BOX 53 | HOUSTON | TX | 77001-0053 |
| 0506-0048-000 | SIMMONS ANDREW | 4830 MALLOW ST | HOUSTON | TX | 77033-4006 |
| 0506-0037-001 | SILVER PEAR 518 BUSINESS PARK LTD | 6161 SAVOY DR STE 1212 | HOUSTON | TX | 77036-3316 |
| 0506-0045-000 | SILVER SKY INVESTMENTS LLC | 3402 ROSE WATER DR | MANVEL | TX | 77578 |
| | SILVER SKY INVESTMENTS HUNG NGO | 2702 GARDEN FALLS DR | MANVEL | TX | 77578 |
| | CISNEROS DESIGN GROUP JAMES ELMORE | 308 WEST POLK | HOUSTON | TX | 77019 |
| 0506-0046-111 | UNITED STATES POSTAL SERVICE | PO BOX 667180 | DALLAS | TX | 75266-7180 |
| 2585-0001-001 | PHE-PEARLAND INTERESTS LTD | 7757 SAN FELIPE ST STE 204 | HOUSTON | TX | 77063-1606 |
| 0506-0046-122 | WISE HARRIETT ELLERBEE | 6720 SAN PEDRO AVE | SAN ANTONIO | TX | 78216-7217 |
| 0506-0046-110 | WISE WILLIAM J TRUSTEE%SAVELL LTD | 6720 SAN PEDRO AVE | SAN ANTONIO | TX | 78216-7217 |
| 2585-0001-002 | PEARLAND CENTRAL OFFICE PARK LTD | 7757 SAN FELIPE ST STE 204 | HOUSTON | TX | 77063 |
| 2585-0001-003 | PEARLAND CENTRAL OFFICE PARK LTD | 7757 SAN FELIPE ST STE 204 | HOUSTON | TX | 77063 |
| 0309-0021-000 | METHODIST BOARD-MISSIONS HOUSTON | 5215 MAIN ST | HOUSTON | TX | 77002-9752 |
| 0309-0008-000 | SU CHENG HUEY TR | 102 PEBBLEBROOK CT | SUGAR LAND | TX | 77478-3935 |



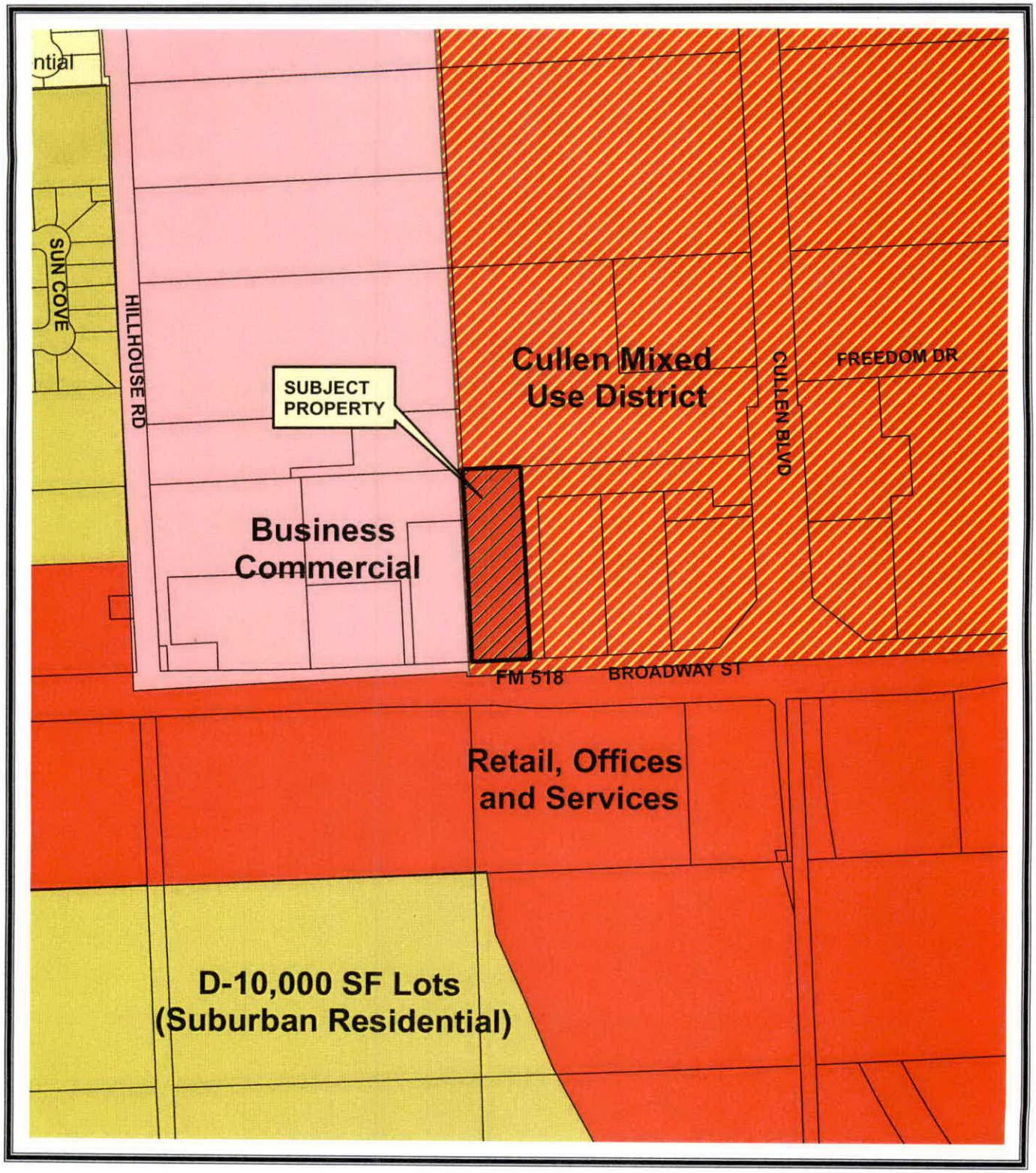

# ZONING MAP

**Conditional Use Permit**
**No. CUP2007-1**

N
W E
S

0 300 600 Feet

Map Prepared on January 30, 2007



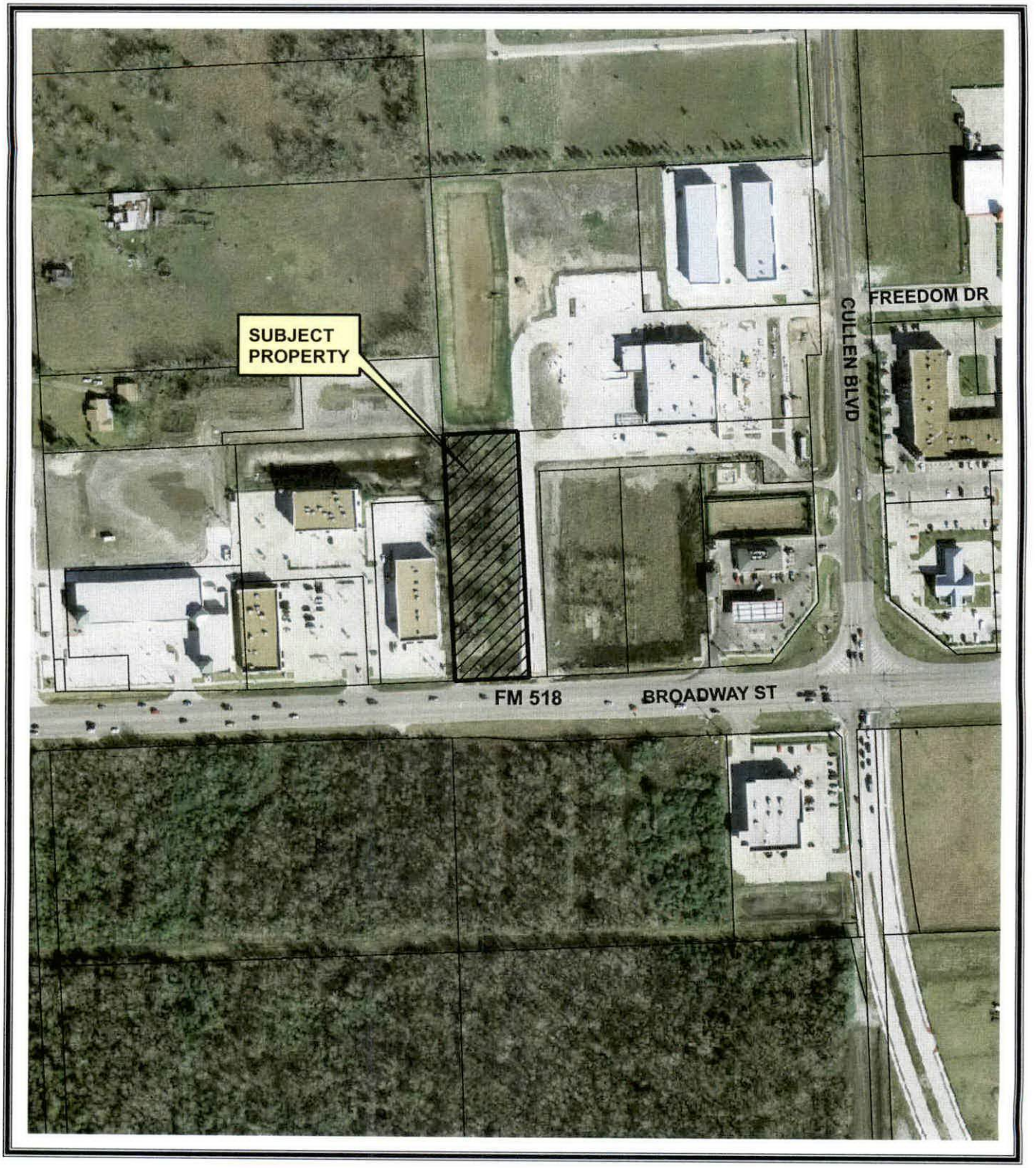

# FUTURE LAND USE PLAN

**Conditional Use Permit No. CUP2007-1**

N
W E
S

0 300 600 Feet

Map Prepared on January 30, 2007



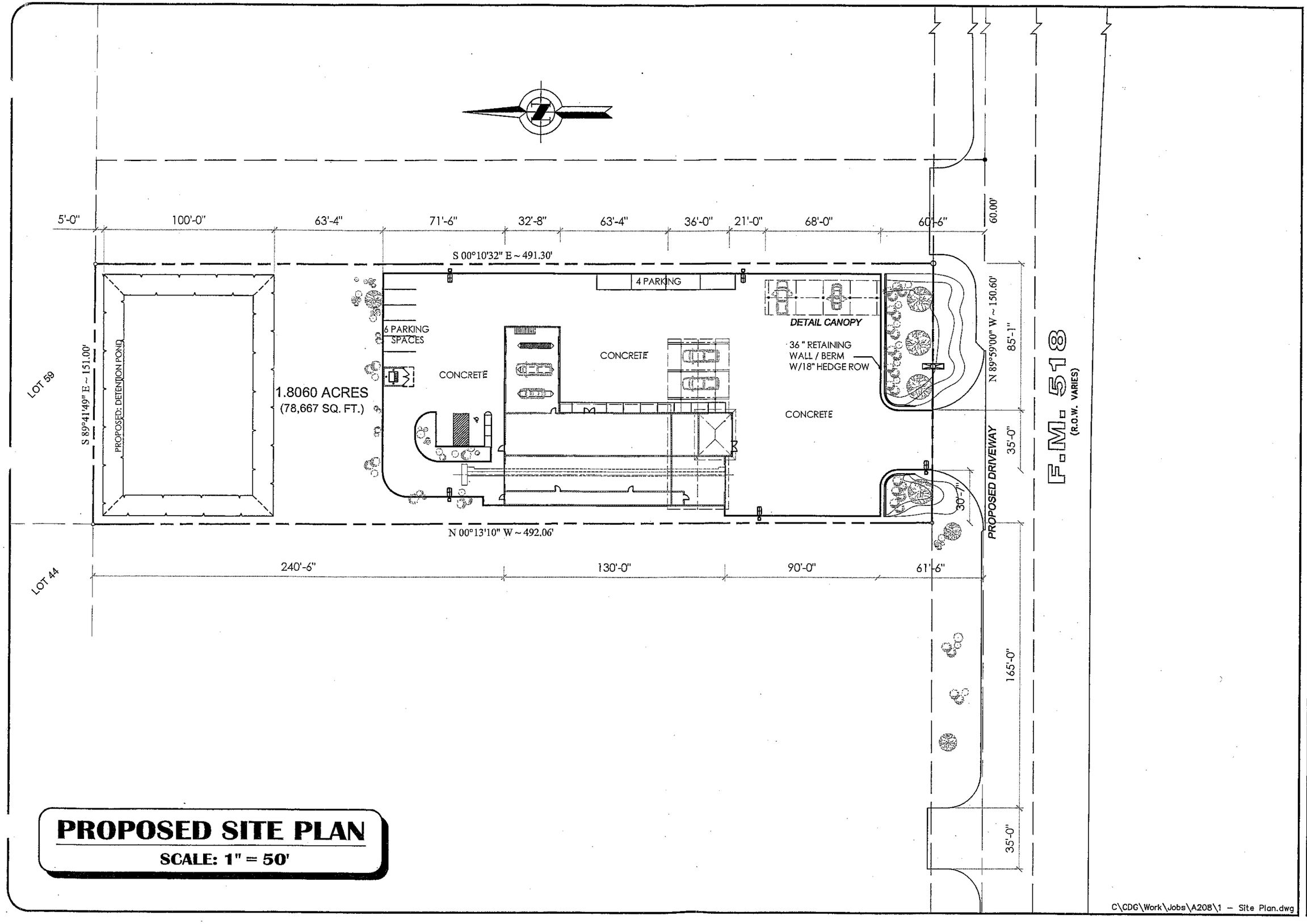

# AERIAL PHOTOGRAPH

**Conditional Use Permit**
**No. CUP2007-1**

N
W E
S

0 200 400 Feet

Map Prepared on January 30, 2007




# PROPOSED SITE PLAN

**SCALE: 1" = 50'**

C\CDG\Work\Jobs\A208\1 – Site Plan.dwg


CDG
OFFICE: 713. 524. 2880
FAX: 713. 524. 9803
CISNEROS DESIGN GROUP
308 WEST POLK STREET
HOUSTON, TEXAS 77019


CAR WASH & LUBE CENTER
F.M. 518, PEARLAND, TEXAS
PRELIMINARY / DEVELOPMENT FLOOR PLAN

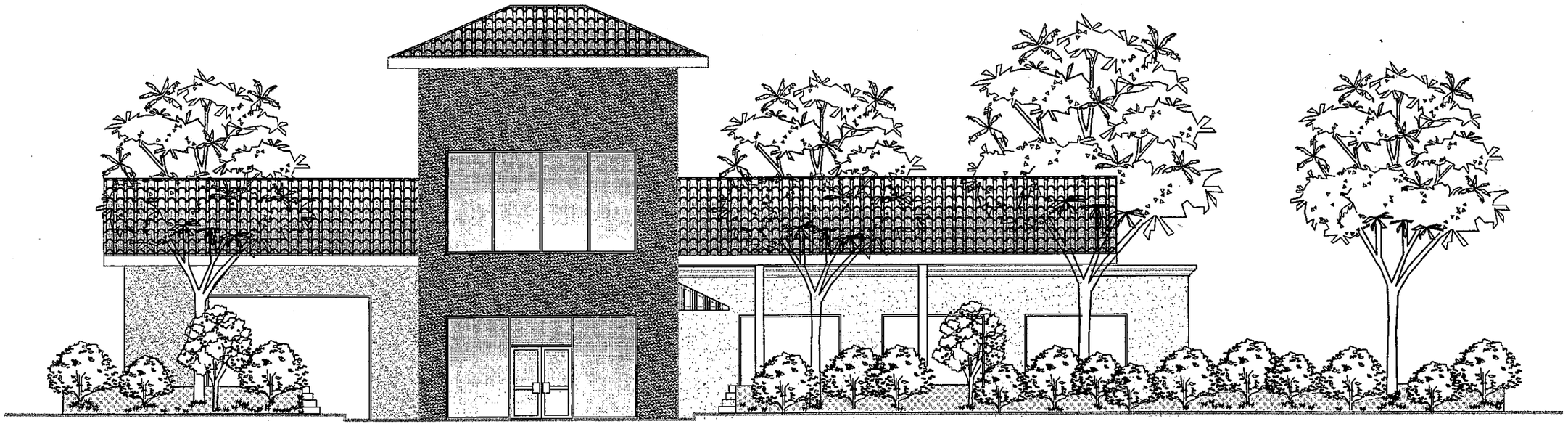
| DATE | REV |
|---|---|
| 04/06/06 | 1 |
| 06/06/06 | 2 |
| 06/27/06 | 3 |
| 08/10/06 | 4 |
| 10/10/06 | 5 |
| 12/20/06 | 6 |

DRAWN BY: Héctor Flores

DATE: 01/ 19 / 2007

SCALE: 1" = 50'

SHEET # SP



36 " RETAINING ALL / BERM
W/18" HEDGE ROW
TYP. BOTH SIDES

# 3 EXTERIOR ELEVATION:STREET VIEW

**SCALE: 3/32" = 1'-0"**


CDG
OFFICE:
713. 524. 2880
FAX:
713. 524. 9803

CISNEROS DESIGN GROUP
308 WEST POLK STREET
HOUSTON, TEXAS 77019


CAR WASH & LUBE CENTER
F.M. 518, PEARLAND, TEXAS
PRELIMINARY / DEVELOPMENT FLOOR PLAN

| DATE | REV |
|---|---|
| 09/09/06 | 1 |
| 10/10/06 | 2 |

DRAWN BY:
Héctor Flores

DATE:
09 / 04 / 2006

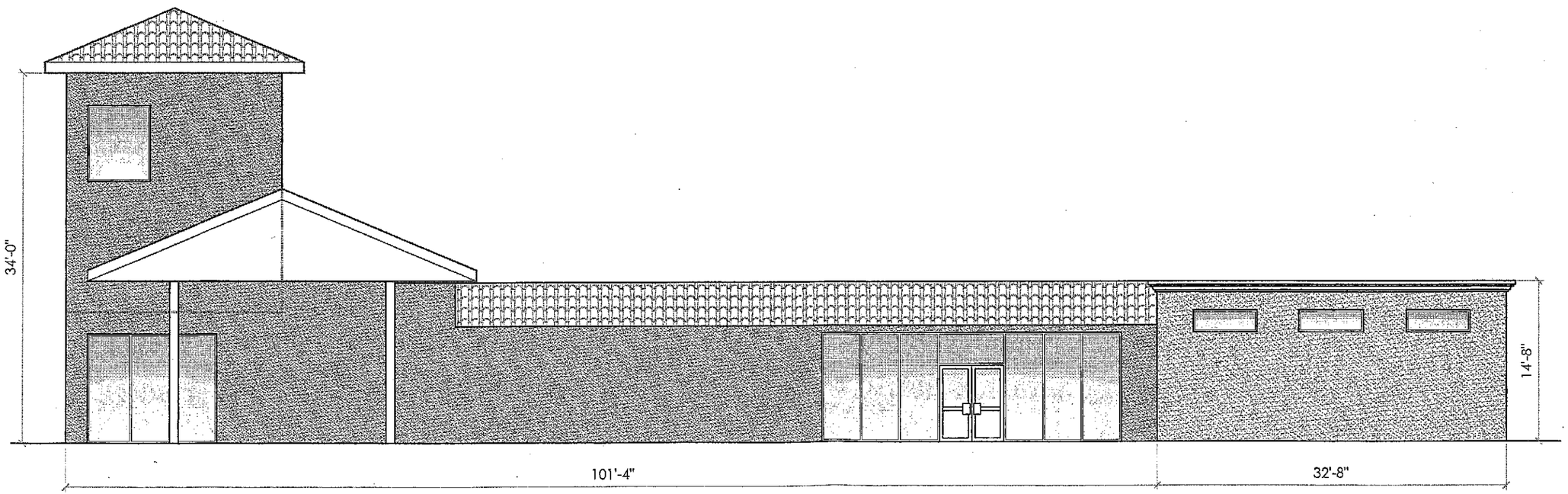
SCALE:
3/32" = 1'-0"

SHEET #
A1

C:\CDG\Work\Jobs\A208\3 - Exterior Elev.dwg

# 1 EXTERIOR ELEVATION: PAVING VIEW

**SCALE: 3/32" = 1'-0"**




# 2 EXTERIOR ELEVATION: PROFILE

**SCALE: 3/32" = 1'-0"**

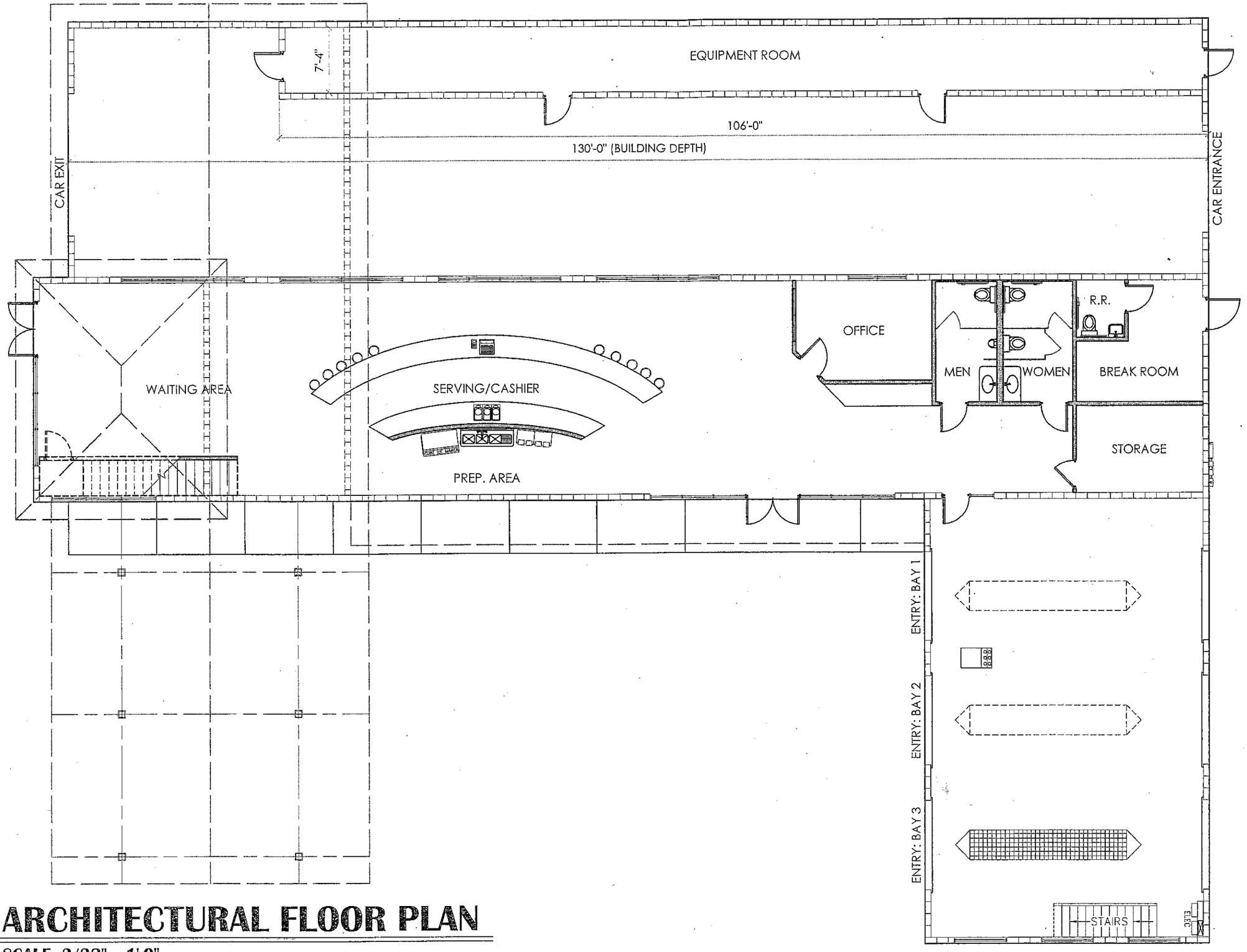
C:\CDG\Work\Jobs\A208\3 - Exterior Elev.dwg

CDG
OFFICE: 713. 524. 2880
FAX: 713. 524. 9803
CISNEROS DESIGN GROUP
308 WEST POLK STREET
HOUSTON, TEXAS 77019

CAR WASH & LUBE CENTER
F.M. 518, PEARLAND, TEXAS
PRELIMINARY / DEVELOPMENT FLOOR PLAN

| DATE | REV |
|---|---|
| 09/09/06 | 1 |
| 10/10/06 | 2 |

DRAWN BY: Héctor Flores
DATE: 09 / 04 / 2006
SCALE: 3/32" = 1'-0"
SHEET # A2




# 1 ARCHITECTURAL FLOOR PLAN

SCALE: 3/32" = 1'-0"

D

CDG
OFFICE: 713. 524. 2880
FAX: 713. 524. 9803

CISNEROS DESIGN GROUP
308 WEST POLK STREET
HOUSTON, TEXAS 77019

CAR WASH & LUBE CENTER CAFé
F.M. 518, PEARLAND, TEXAS
PRELIMINARY / DEVELOPMENT FLOOR PLAN

| DATE | REV |
|---|---|
| 08/10/06 | 1 |
| 09/04/06 | 2 |
| 09/09/06 | 3 |
| 10/10/06 | 4 |

DRAWN BY: Héctor Flores
DATE: 19 / 01 / 2007
SCALE: 3/32" = 1'-0"
SHEET # A1

C:\CDG\Work\Jobs\A208\2 – Floor Plan.dwg

# 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:** JIM DEY

**Full Address:** 6500 WESTLOOP SOUTH

**(include zip)** BELLAIRE, TEXAS 77401

**I wish to speak regarding Item No.** CUP 2007-02

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD FEBRUARY 19, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

opened @ 7:48

## I. CALL TO ORDER

## II. PURPOSE OF HEARING Ruby read...

Conditional Use Permit No. CUP2007-02

A request by James P. Dey, applicant for AT&T, owner, for approval of a Conditional Use Permit for a "Telephone Exchange Switching Relay and Transmitting Equipment" facility in the General Business Retail District (GB), on the following described property, to wit:

Legal Description: 0.066 acres of land, or 2,880 square feet, out of the F. B. Drake Survey, Abstract 508, being out of Reserve "C", Block 4, Westwood Village, Section 5, as recorded in Volume 17, Pages 343 and 344 of the Plat Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the East Side of McLean Road, and Approximately 1,400 Feet North of Bailey Road

## III. APPLICATION INFORMATION AND CASE SUMMARY

**A. STAFF REPORT** Tag read staff rpt. Sm. bldg housing internet, phone service. equip.

**B. APPLICANT PRESENTATION**

## 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.**

III A. UDC allows 4 alternatives to screening.
Staff recommends approval.

B. Jim Dey 5300 W Loop S., ~~Houston~~ Bellaire
applicant for AT&T. spoke.
Showed diagram of what bldg, fencing, landscaping will look like.

IV Larry Marcott 3606 Inverness Ct., Pearland
fences & gates left open in past.
Still not being locked. Still a concern.
AT&T needs to be spoken to.

V. Neil West. Question about area serving
Mr. Dey - stated it will serve Pearland.
w/in 3 cable miles.
Neil - why bldg. in such an open, public space
Mr. Dey - sometimes it's only place to find a piece of land. Prefer to hide.

Sheryl - asked about 4 alternatives. She likes the wrought iron. for safety of teen traffic (since its near a park).

Discussion ensued between commission & Mr. Dey
Neil brought up concern re:

adjourned @ 8:07

# JOINT PUBLIC HEARING AGENDA ITEM
# MEETING OF FEBRUARY 19, 2007

## Conditional Use Permit No. CUP2007-02

A request by James P. Dey, applicant for AT&T, owner, for approval of a Conditional Use Permit for a "Telephone Exchange Switching Relay and Transmitting Equipment" facility in the General Business Retail District (GB)

**LEGAL DESCRIPTION:** 0.066 acres of land, or 2,880 square feet, out of the F. B. Drake Survey, Abstract 508, being out of Reserve "C", Block 4, Westwood Village, Section 5, as recorded in Volume 17, Pages 343 and 344 of the Plat Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas

**GENERAL LOCATION:** Generally Located on the East Side of McLean Road, and Approximately 1,400 Feet North of Bailey Road

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested conditional use permit application will be considered as follows:

Planning and Zoning Commission: February 19, 2007

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**SUMMARY:** The applicant is requesting approval of a Conditional Use Permit (CUP) for a "telephone exchange switching relay and transmitting equipment" facility in the General Business Retail District (GB). The subject property is currently undeveloped.

**SURROUNDING ZONING AND LAND USES:**

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

| | Zoning | Land Use |
|---|---|---|
| North | General Business Retail District (GB) | Undeveloped tract |
| South | Single Family Residential – 2 District (SF-2) | Undeveloped tract |

| | | |
|---|---|---|
| East | Single Family Residential – 2 District (R-2) | Single family residences |
| West | Single Family Residential – 2 District (R-2) | Single family residences |

**CONFORMANCE TO UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned as GB. The minimum lot size for the GB district is 22,500 square feet and the minimum lot width is 150 feet. However, the subject property is an easement owned by AT&T and is not a lot, and therefore, would not have to meet these minimum lot requirements.

The applicant will be required to comply with all other requirements of the Unified Development Code.

**PLATTING STATUS:** Based on the legal description submitted with the zone change application, it appears that the subject property was platted as a reserve in the Westwood Village subdivision. The subject property consists of an easement that is owned by the applicant. No further platting is required at this time.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends "Medium Density Residential" uses for the subject property. However, the subject property is currently zoned as General Business Retail District. The current zoning of the property of GB is in conflict with the Comprehensive Plan. The proposed telephone equipment facility is allowed in GB by approval of a Conditional Use Permit.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on McLean Road, a major collector street with an ultimate right-of-way of 80 feet.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** Water and sanitary sewer facilities will not be required for the construction of the proposed use.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The entire site consists of a 2,000 square foot easement site and an access easement. The proposed building will be a

10 feet by 24 feet building, which is 240 square feet in size. The building will house networking equipment for communications associated with AT&T services.

When the Unified Development Code was adopted in 2006, a section for "screening for utility support structures and stations" was specifically added to address these telecommunications facilities. The UDC states that a utility support structure must have proper screening.

The applicant must provide screening meeting one of the following:

- 8' high masonry fence with up to a maximum of 4' long sections of wrought iron or similar style fencing material to allow for security. For walls or sides that have over 50% masonry as a component (not counting the gate) no landscaping would be required on that side. The gate may or may not be sight bearing, but would need to be wrought iron or metal in a neutral or natural color - not gray or steel. All drives and work areas will be paved with concrete within the area under the utilities control.

- Wrought iron fencing or substantially similar style, 8' high, with gate similar in style to the fencing shall be permitted, but shall require a concrete slab over the entire area under the utilities control including the drive or access to the support structure or station.

- Opaque or near–opaque live vegetative screening year-round from the ground to a height of at least 8' at installation along the boundary lines of the easement or area containing the utility facilities or apparatus. The screening shall provide a minimum of 50% screening during the growing season. The planting shall be a minimum of 8' in height at a spacing of at least 4' on center.

- A self-contained masonry building that houses the equipment, provided the structure is constructed consistent with the appearance of surrounding businesses or homes in the area in which it is located. Factors affecting appearance shall include, but not be limited to, pitched shingle roofs, façade articulations, color scheme, and architecture trim.

If constructed according to these requirements, the building should not have a negative impact on the adjacent neighborhoods.

**SITE PLAN CONSIDERATIONS:**

The applicant has submitted a preliminary site plan for review.

Driveway.

The site plan indicates that the driveway leading into the site will be concrete.

Building façade.
The applicant has indicated that the building will have a brick exterior and pitched roof, and will be of comparable style to that of the surrounding Westwood Village residential neighborhood.

Screening.
The entire easement will be surrounded by a 6 foot high wrought iron fence. Since the applicant is providing a masonry building to enclose all equipment inside the building, additional screening, such as landscaping, is not required.

On the drawings, it is not clear if there is a setback between the fence and walls of the structure. Staff recommends that all equipment be located within the masonry wall. The site plan needs to clearly indicate the masonry wall and wrought iron fence.

**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.

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit, as proposed by the applicant, for the following reasons:

1. The proposed conditional use permit provides for a telephone switching station to serve the surrounding properties.

2. The proposed facility should not have any impact on the surrounding residential neighborhoods.

3. The entire site will be required to conform to the Unified Development Code in terms of screening, façade, and others, as outlined within this report, for this use.

4. All equipment be located within the masonry wall, and the site plan needs to clearly indicate the building, the masonry wall, and the wrought iron fence.

**SUPPORTING DOCUMENTS:**

- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Aerial Photograph
- Proposed Site Plans

# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

Page 1 of Application

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

Conditional Use Permit Request for: TELE COMMUNICATION EQUIPTMENT ENCLOSURE
(list proposed use)

Current Zoning District: _____

Property Information:

Address or General Location: MCCLEAN ROAD & BENLEY

Tax Account No.: _____

Subdivision: WESTWOOD VILLAGE SECTION 1

Lot: _____ Block: _____

**PROPERTY OWNER INFORMATION*:** If there are multiple property owners, please list on a separate sheet of paper and attach to this application.

NAME JAMES P. DEY C/O AT&T
ADDRESS 6500 WEST LOOP SOUTH ZONE 1.2
CITY ~~WEST~~ BELLAIRE STATE TX ZIP 77401
PHONE(713) 567-8993
FAX(713) 660-2585
E-MAIL ADDRESS JD6141@ATT.COM

* Must be the current property owner at the time of the submittal of the application, not the party that has the property under contract.

**APPLICANT INFORMATION:**

NAME JAMES P. DEY C/O AT&T
ADDRESS 6500 WEST LOOP SOUTH ZONE 1.2
CITY BELLAIRE STATE TX ZIP 77401
PHONE(713) 567-8993
FAX(713) 660-2589
E-MAIL ADDRESS JD6141@ATT.COM

JIM DEY
MANAGER DESIGN AND CONSTRUCTION
AT&T SERVICES, INC.
6500 WESTLOOP SOUTH
ZONE 1.2
BELLAIRE, TEXAS 77401
PHONE: (713) 567-8993
MOBILE: (281) 795-6481
FAX: (713) 660-2585

January 4, 2007

CITY OF PEARLAND
COMMUNITY DEVELOPMENT
3523 LIBERTY DRIVE
PEARLAND, TEXAS 77581

RE: APPLICATION NUMBER 06-6915

TO WHOM IT MAY CONCERN:

PLEASE FIND THE ENCLOSED REQUEST FOR THE SPECIFIC USE PERMIT FOR THE MANVEL RT 1508 APPLICATION NUMBER 06-6915 TO BE CONSTRUCTED ON MCCLEAN ROAD BETWEEN BAILEY ROAD & SPRINGFIELD AVENUE IN THE CITY OF PEARLAND.

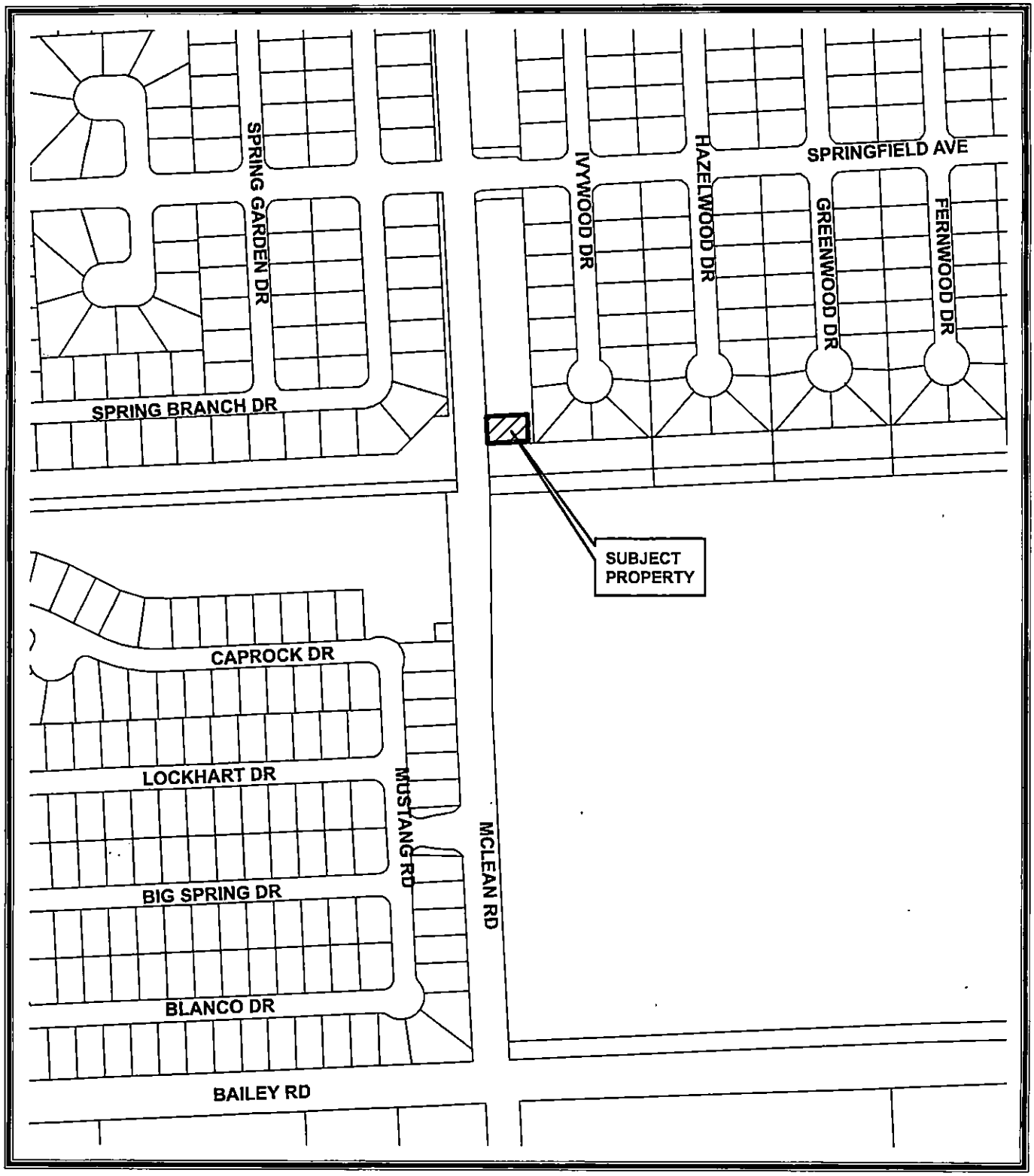
THE ENCLOSED PLANS SHOW AN RT HUT STRUCTURE 10' X 24' PRECAST CONCRETE STRUCTURE THAT IS COVERED WITH A BRICK AND ROOF SHELL, WITH A 6' WROUGHT IRON STYLE FENCE SURROUNDING OUR PROPERTY.

THIS BUILDING IS DESIGNED TO HOUSE TELLECOMMUNICATIONS EQUIPTMENT THAT WILL SERVE TELECOMMUNICATIONS GROWTH IN THE CITY OF PERLAND.

PLEASE FEEL FREE TO CONTACT ME WITH ANY QUESTIONS YOU MAY HAVE CONCERNING THIS REQUEST.

SINCERELY

JIM DEY
MANAGER DESIGN AND CONSTRUCTION



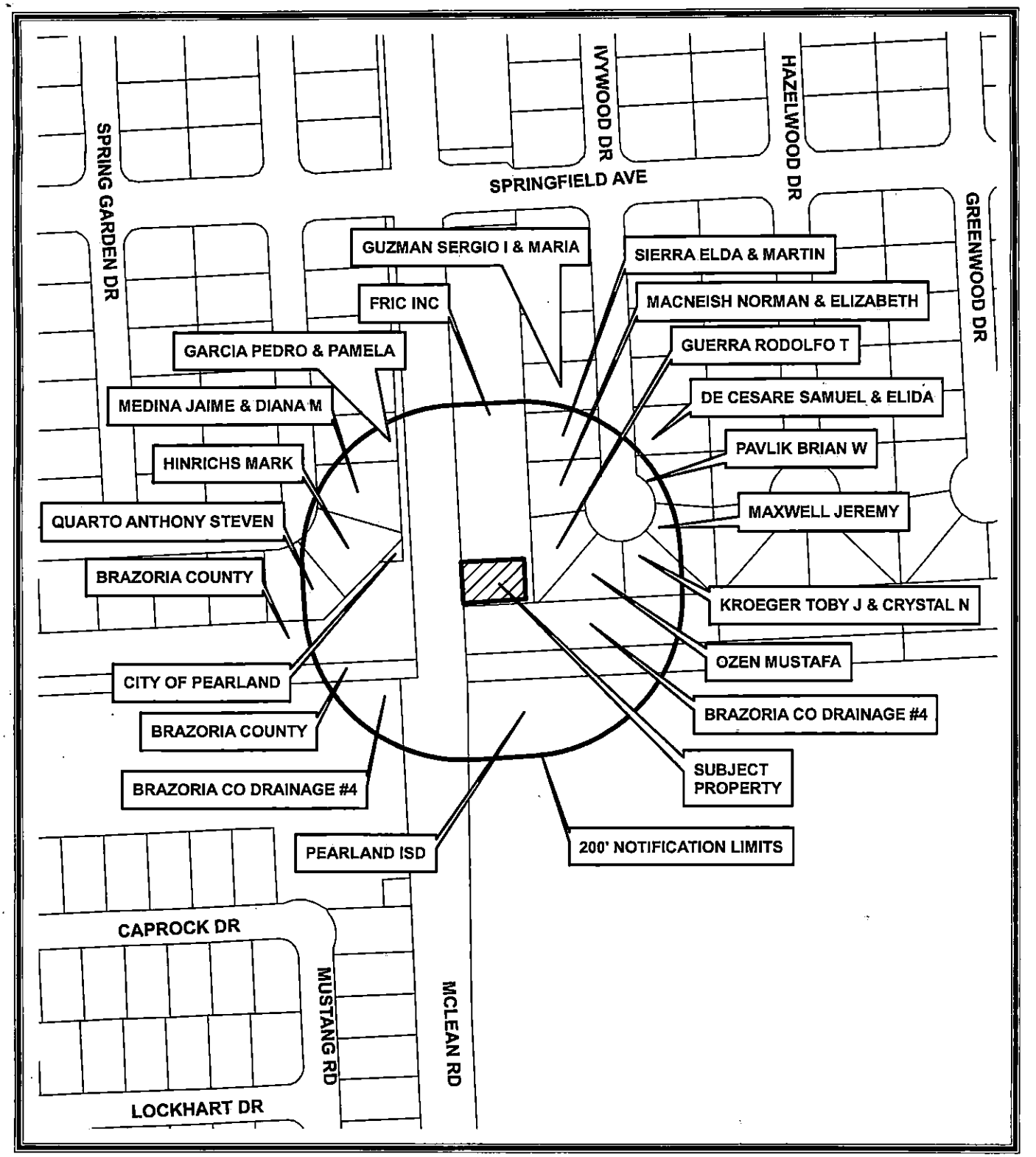

# LOCATION MAP

## Conditional Use Permit No. CUP2007-2

N
W E
S

0 200 400 Feet

Map Prepared on January 30, 2007




# OWNERSHIP MAP

## Conditional Use Permit No. CUP2007-2

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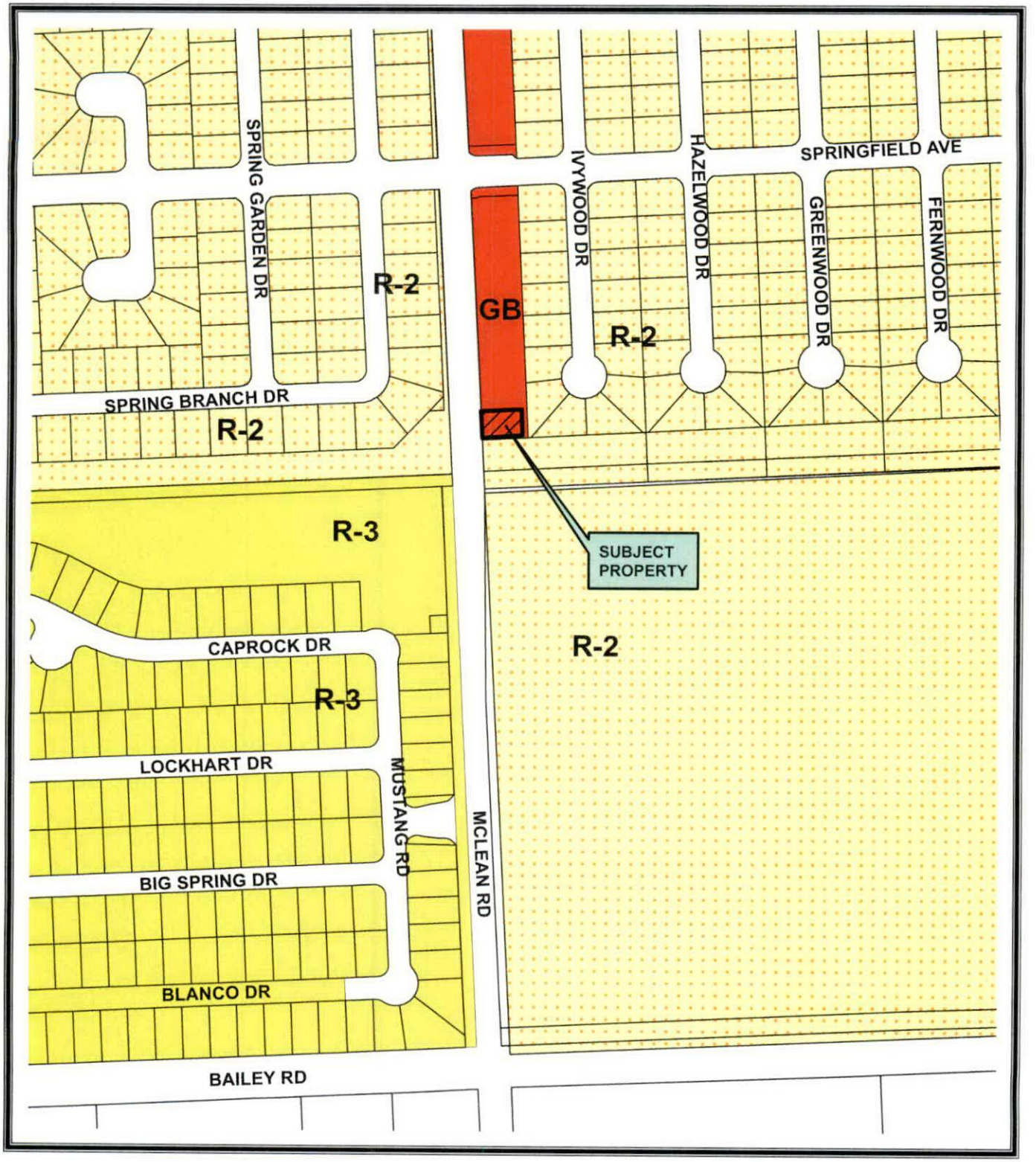
0 200 400 Feet

Map Prepared on January 30, 2007

# CONDITIONAL USE PERMIT NO. CUP2007-2
## Property Owner Notification List

| TAX ACCT | OWNER | ADDRESS | CITY | ST | ZIP CODE |
|---|---|---|---|---|---|
| 7758-2000-001 | BRAZORIA COUNTY | 111 E LOCUST ST | ANGLETON | TX | 77515-4642 |
| 8266-0400-900 | FRIC INC | ADDRESS UNKNOWN | | | |
| 8266-0400-084 | GUZMAN SERGIO I & MARIA | 4008 IVYWOOD DR | PEARLAND | TX | 77584-9255 |
| | JAMES P DEY C/O AT&T | 6500 WEST LOOP SOUTH | BELLAIRE | TX | 77401 |
| 8266-0400-076 | DE CESARE SAMUEL & ELIDA | 4009 IVYWOOD DR | PEARLAND | TX | 77584-9229 |
| 8266-0400-083 | SIERRA ELDA & MARTIN | 4010 IVYWOOD DR | PEARLAND | TX | 77584-9255 |
| 7758-2004-005 | GARCIA PEDRO & PAMELA | 4009 SPRING BRANCH DR E | PEARLAND | TX | 77584-9377 |
| 8266-0400-077 | PAVLIK BRIAN W & DANI V BARESEL | 4011 IVYWOOD DR | PEARLAND | TX | 77584-9229 |
| 8266-0400-082 | MACNEISH NORMAN & ELIZABETH | 4012 IVYWOOD DR | PEARLAND | TX | 77584-9255 |
| 7758-2004-006 | MEDINA JAIME & DIANA M | 4011 SPRING BRANCH DR E | PEARLAND | TX | 77584-9377 |
| 8266-0400-078 | MAXWELL JEREMY & FRENCH MARAYA | 4013 IVYWOOD DR | PEARLAND | TX | 77584-9229 |
| 7758-2004-007 | HINRICHS MARK | 4013 SPRING BRANCH DR | PEARLAND | TX | 77584 |
| 8266-0400-081 | GUERRA RODOLFO T & MARIA F | 4014 IVYWOOD DR | PEARLAND | TX | 77584-9255 |
| 8266-0400-079 | KROEGER TOBY J & CRYSTAL N | 4015 IVYWOOD DR | PEARLAND | TX | 77584-9229 |
| 8266-0400-080 | OZEN MUSTAFA | 3027 RUSSETT PL W | PEARLAND | TX | 77584-7633 |
| 7758-2000-004 | CITY OF PEARLAND | 3519 LIBERTY DR | PEARLAND | TX | 77581-5416 |
| 7758-2004-008 | QUARTO ANTHONY STEVEN | 5002 SPRING BRANCH DR | PEARLAND | TX | 77584-9380 |
| 8266-0003-005 | BRAZORIA CO DRAINAGE #4 | 4805 BROADWAY ST | PEARLAND | TX | 77581-3934 |
| 0508-0016-000 | PEARLAND ISD | PO BOX 7 | PEARLAND | TX | 77588-0007 |
| 7758-2000-001 | BRAZORIA COUNTY | 111 E LOCUST ST | ANGLETON | TX | 77515-4642 |
| [illegible]990-1000-000 | BRAZORIA CO DRAINAGE #4 | 4805 BROADWAY ST | PEARLAND | TX | 77581-3934 |




# ZONING MAP

## Conditional Use Permit No. CUP2007-2

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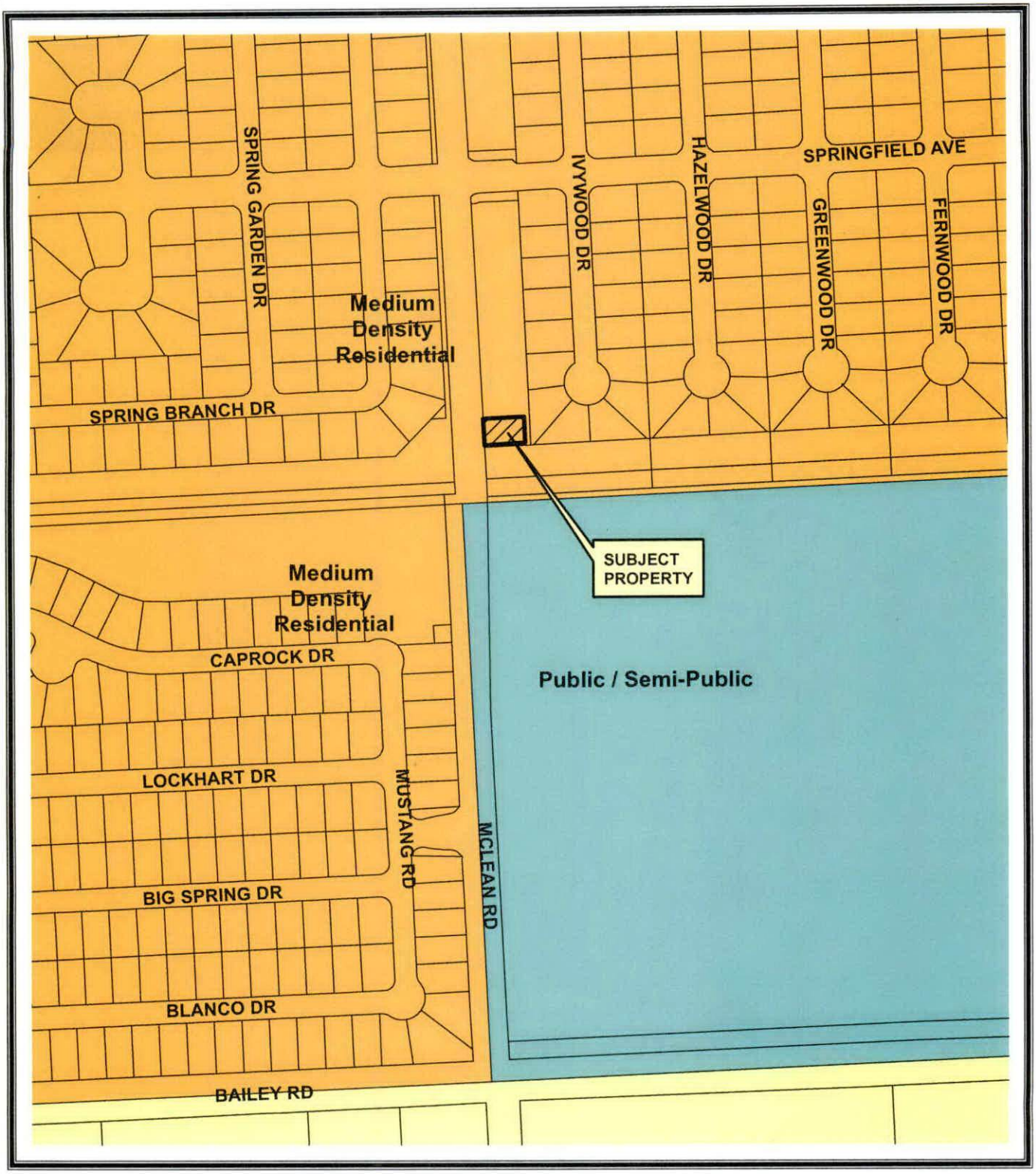
Map Prepared on January 30, 2007




# FUTURE LAND USE PLAN

**Conditional Use Permit**
**No. CUP2007-2**

0 200 400 Feet

N
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Map Prepared on January 30, 2007

# AERIAL PHOTOGRAPH

**Conditional Use Permit**
**No. CUP2007-2**

N
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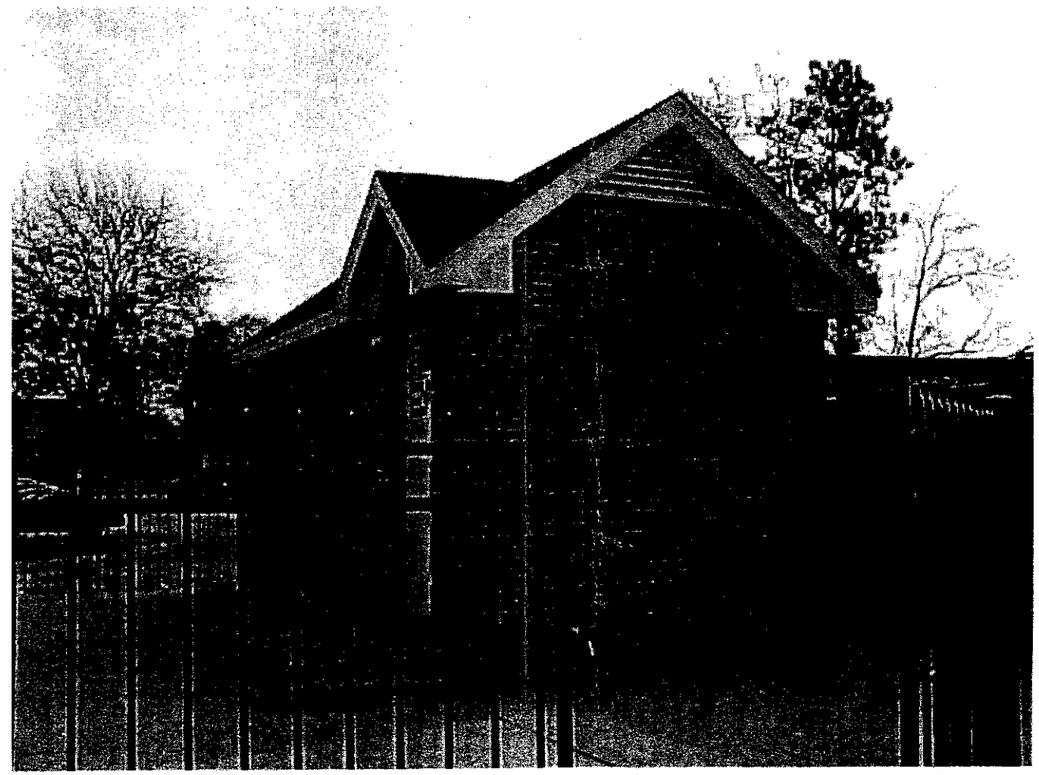
0 200 400 Feet

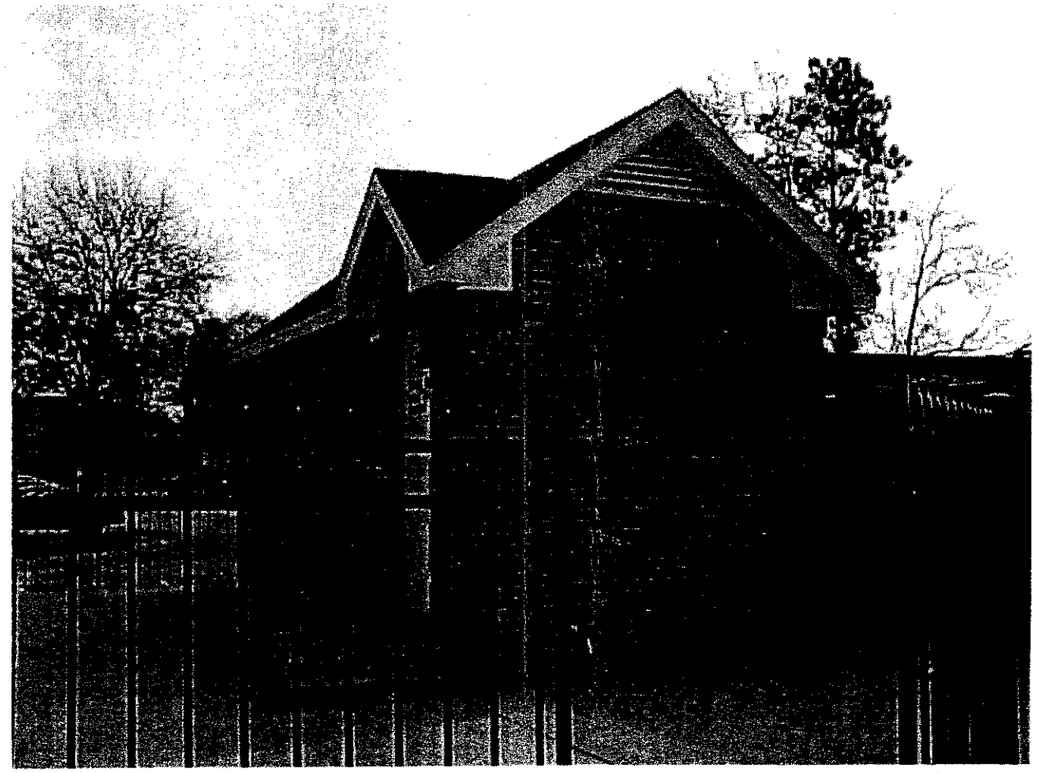
Map Prepared on January 30, 2007

# MANVEL RT 1508
# Mc CLEAN ROAD & BAILEY
# PEARLAND, TEXAS 77584

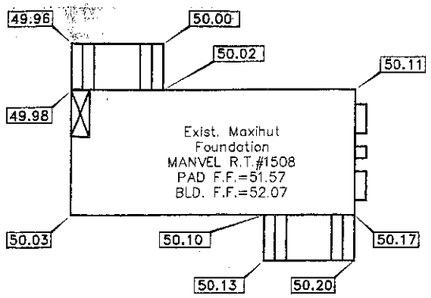


at&t

# MANVEL RT 1508
# Mc CLEAN ROAD & BAILEY
# PEARLAND, TEXAS 77584



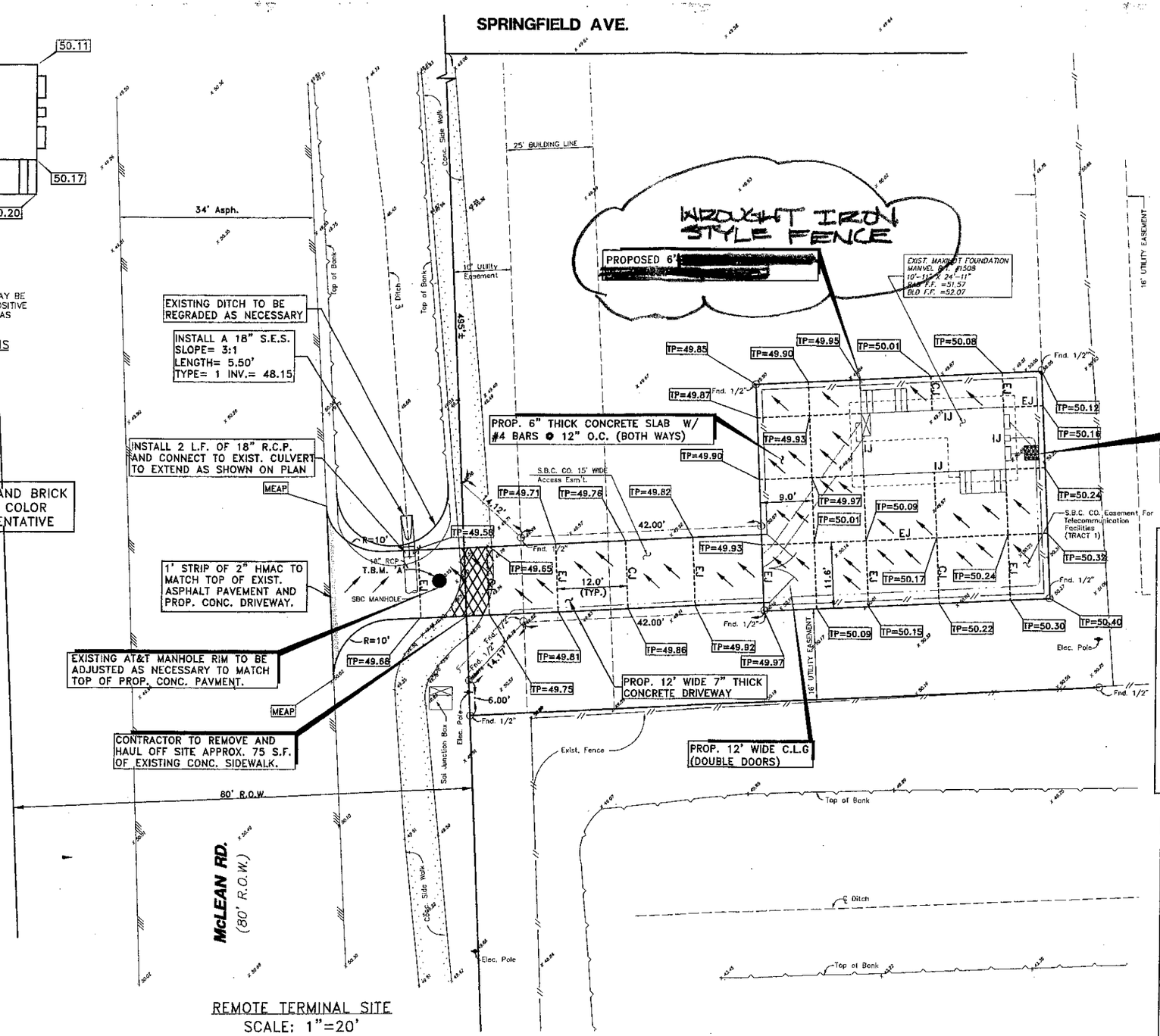
at&t



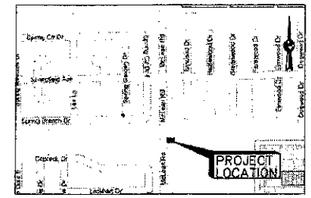

FINISH GRADES AT EXISTING BUILDING: GRADES MAY BE SLIGHTLY ADJUSTED AS NECESSARY TO INSURE POSITIVE DRAINAGE FROM ALL EDGES OF THE BUILDING AS APPROVED BY S.B.C. CO. ARCHITECT.

DETAILS OF PROPOSED ELEVATIONS NEAR BUILDING
N.T.S.

CONTRACTOR TO PLACE ROOF AND BRICK FACADE. VERIFY MATERIAL AND COLOR SELECTION WITH SWBT REPRESENTATIVE




REMOTE TERMINAL SITE
SCALE: 1"=20'




VICINITY MAP
KEY MAP #614-Z
N.T.S.

**LEGEND**

| | |
|---|---|
| MEAP | MATCH EXIST. ASPH. PVM'T ELEVATION |
| TP=98.19 | PROPOSED ELEVATION |
| x 97.61 | EXISTING ELEVATION |
| EJ | EXPANSION JOINT |
| CJ | CONSTRUCTION JOINT |
| CLJ | CONTROL JOINT |
| IJ | ISOLATION JOINT |
| | DRAINAGE PATH |
| ℄ | CENTER LINE |
| | BENCH MARK |
| —//— | PROP. CHAIN LINK FENCE |

**ABBREVIATIONS**

| | |
|---|---|
| BC | BACK OF CURB |
| PVC | POLY-VINYL CHLORIDE |
| CONC. | CONCRETE |
| C.L.G. | CHAIN LINK GATE |
| C.L.F. | CHAIN LINK FENCE |
| ELEV. | ELEVATION |
| F.F. | FINISHED FLOOR |
| FL | FLOW LINE |
| INV. | INVERT ELEVATION |
| R.O.W. | RIGHT OF WAY |
| R.T. | REMOTE TERMINAL |
| SES | SLOPED END SECTION |
| T.B.M. | TEMPORARY BENCH MARK |
| TP | TOP OF PAVEMENT |
| TYP. | TYPICAL |

BENCH MARK:

RM 3--45
"□" CHISELED AT THE CENTERLINE OF THE INTERSECTION OF SPRINGFIELD AND ASHWOOD DRIVE.

ELEV.=46.78

T.B.M. "A"
NORTH RIM OF EXISTING AT&T MANHOLE LOCATED INFRONT OF AT&T ACCESS EASEMENT AS SHOWN ON PLAN.

ELEV. = 50.15

UNITED ENGINEERS, INC. JOB NO. 26104-00

FINAL SITE WORK INCLUDING GRADING PAVING AND RELATED WORK

AREA DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN (ZONE-X) BASED ON F.I.R.M. #48039C0045J PANEL #45 OF 850 REVISED: SEP. 22 1999. (BASE FLOOD ELEV.=48.3)

at&

CORPORATE REAL ESTAT


Gensler
700 Milam Stre
Suite 400
Houston TX
Telephone 713.
Facsimile 713.

ALLIANCE MEMBERS

H.C. BECK
6500 WEST LOOP SOUTH, ZONE 1.2
BELLAIRE, TEXAS 77401
713.567.8867 FAX:713.660.2040
CONTACT: RALPH MARQUEZ

CORD PARTNERS
808 TRAVIS STREET, SUITE 200
HOUSTON, TEXAS 77002
713.237.8900 FAX: 713.237.0123
CONTACT: JOHN GARDNER

UNITED ENGINEERS, INC.
CONSULTING ENGINEERS & SURVEYORS
8303 SOUTHWEST FRWY. TEL (713) 271-2
SUITE 600 FAX (713) 271-2
HOUSTON, TEXAS 77074 E-MAIL UNITEDEN



PROPRIETARY AT&T INFORMA

NOT FOR GENERAL USE OR DISCLOSURE OU OF AT&T
THIS INFORMATION MAY ONLY BE USED BY AUTHORIZED PERSONNEL OF THE LOCAL GOVERNMENT AGENCY IN CONNECTION WITI APPLICATION FOR PERMITS AND AUTHORIZA FOR BUILDINGS, CONSTRUCTION, AND/OR ZC CHANGES.


| | |
|---|---|
| AT&T PROJECT NUMBER | AT&T AUTHORIZATION |
| GEOTEC # | AT&T PROJECT MANAG |

| Issue | Date & Issue Description | By | Ch |
|---|---|---|---|
| XX | 01 MM/DD/YY ISSUE BY | CHEC | |

DRAWING ISSUE DESCRIPTION

Seal/Signature

STATE OF TEXAS
KEFELEGNE TESFAY
69706
CENSED
PROFESSIONAL ENGR

Project Name
MANVEL R.T. #1508

Project Number

CAD File Name

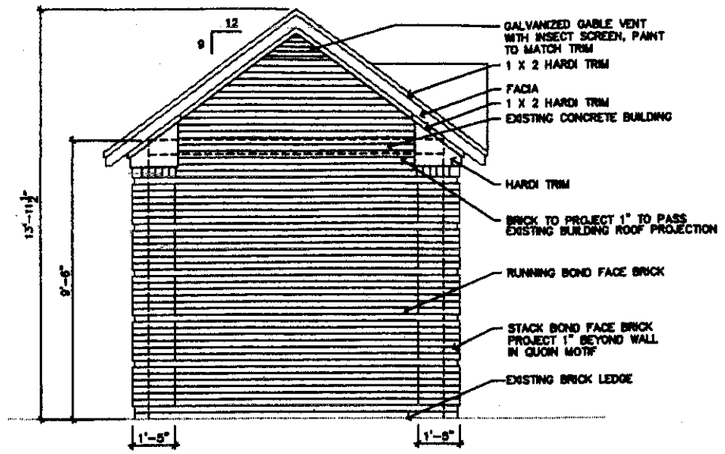
ALLIANCE NUMBER
XXXXXXXXXXX

Description
CONSTRUCTION PLAN

Scale
AS SHOWN

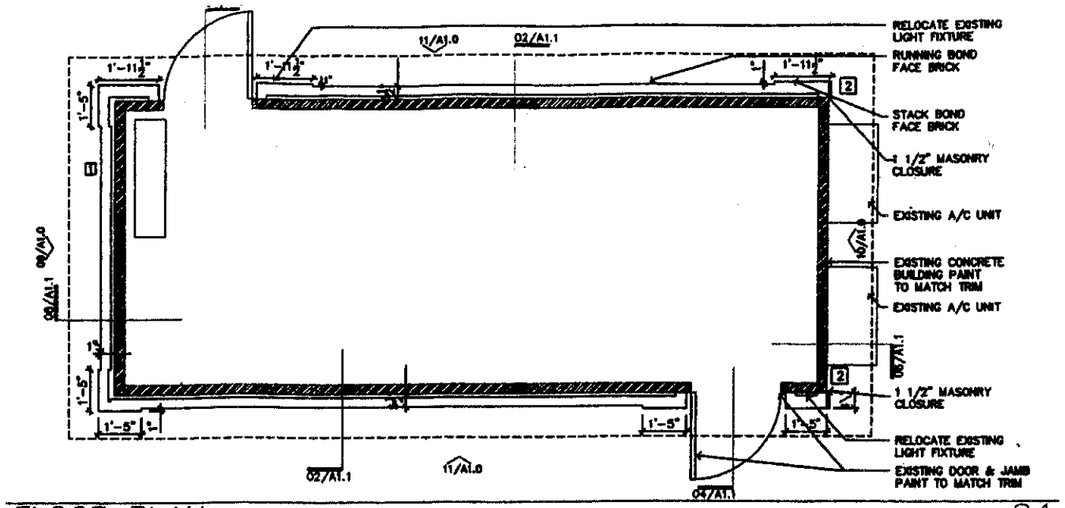
SHEET 2 OF 7

©2003 Gensler



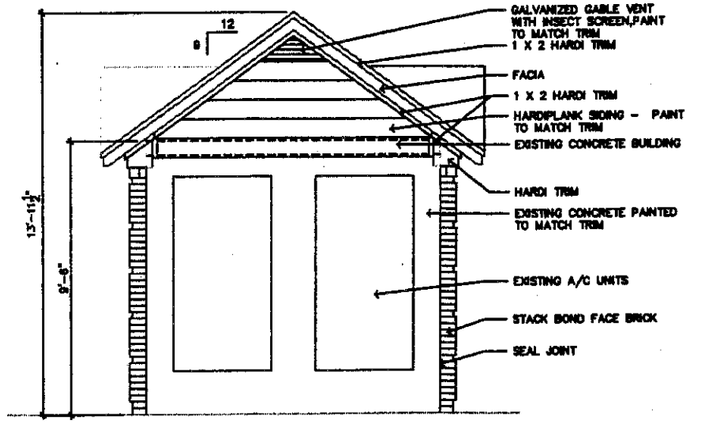

ELEVATION 09

026-E1-2003



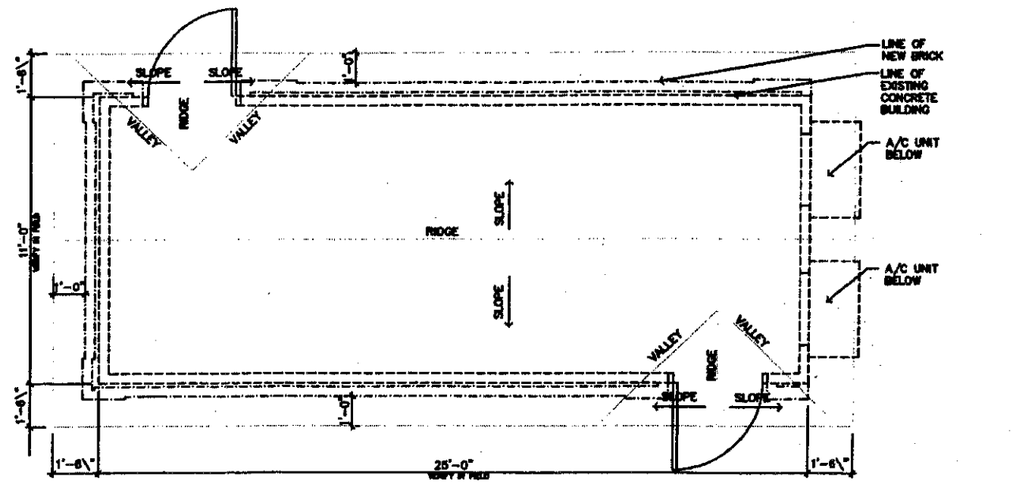

FLOOR PLAN 01

026-L01-2003



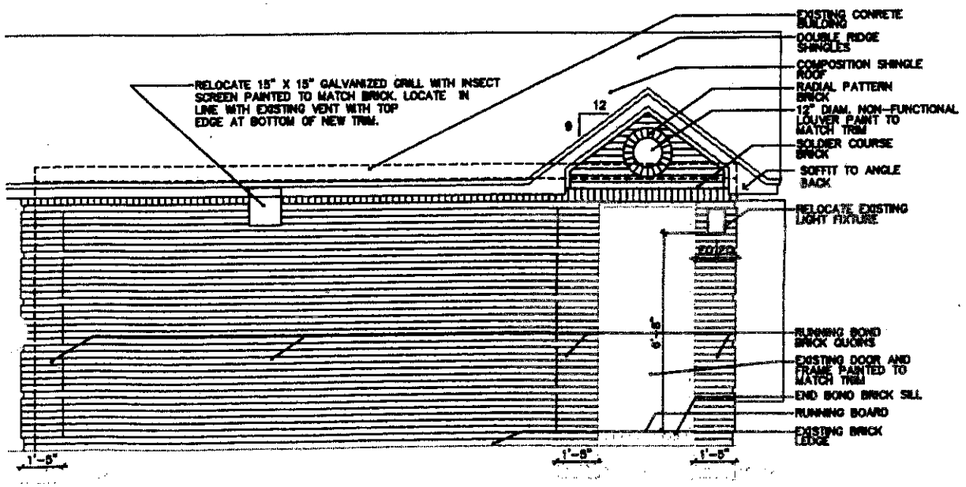

ELEVATION 10

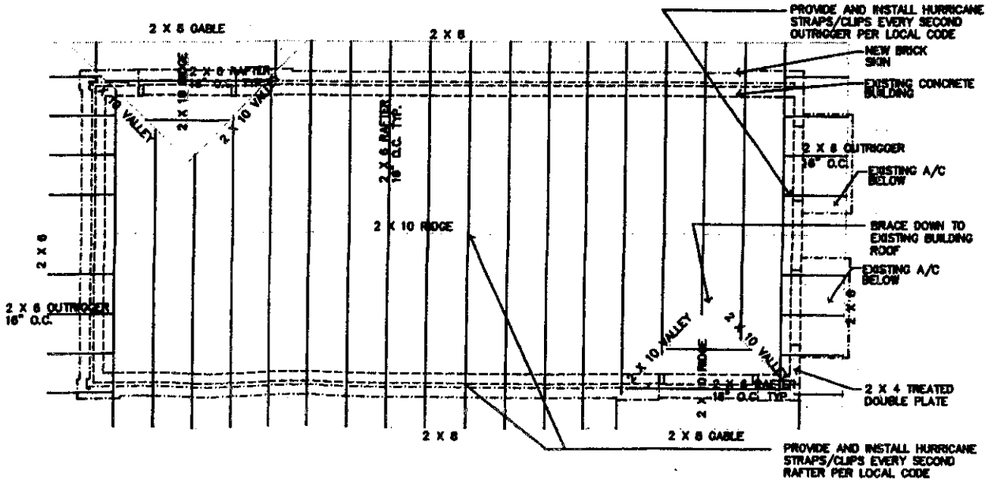
026-E2-2003




ROOF PLAN 02

026-R00F-2003




FRAMING PLAN

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD FEBRUARY 19, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER** opened @ 8:07

**II. PURPOSE OF HEARING** Ruby read...

Zone Change No. 2007-02Z

A request by Julio Lybrand, applicant for James and Debora Bailey, owners, 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 Estate District (RE) to Neighborhood Service District (NS), on the following described property, to wit:

Legal Description: 5.00 acres of land, more or less, being the east 5.00 acres of Lot 56 of the Allison Richey Gulf Coast Company Suburban Gardens Subdivision of Section 80, H.T. & B.R.R. Company Survey, Abstract 564, Brazoria County, Texas, according to the plat as recorded in Volume 2, Page 98, Plat Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas

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

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT** zone chng to NS does TAG read... complies w/ future land use plan. Staff recommends approval.

**B. APPLICANT PRESENTATION**

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

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

**VI. ADJOURNMENT** 8:15

**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.**

III. B. Julie Lybrand, New Braunfels, Tx.
Plan to acquire in April 2007.
will dedicate ROW of Kerby. & Sec.
neighborhood facility in future.

IV. No one present to speak.

V. Neil - how many retail nodes does city have working for the city
Southfork, Manvel & Bailey, Site.
Zoning approved - not all developed yet.
Darrell - clarify ETJ — CR 59 is city limit line.
TAB - we don't notify outside of City.
Data - reason nodes not developed,
Rds aren't built yet.
Major streets built (518) are Commercial.

VI adj. 8:15 pm

# JOINT PUBLIC HEARING AGENDA ITEM
# MEETING OF FEBRUARY 19, 2007

## Zone Change No. 2007-02Z

A request by Julio Lybrand, applicant for James and Debora Bailey, owners, 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 Estate District (RE) to Neighborhood Service District (NS)

**LEGAL DESCRIPTION:** 5.00 acres of land, more or less, being the east 5.00 acres of Lot 56 of the Allison Richey Gulf Coast Company Suburban Gardens Subdivision of Section 80, H.T. & B.R.R. Company Survey, Abstract 564, Brazoria County, Texas, according to the plat as recorded in Volume 2, Page 98, Plat Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas

**GENERAL LOCATION:** Generally Located on the North Side of County Road 59, and on the West Side of future Kirby Drive

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

Planning and Zoning Commission: February 19, 2007*
City Council for First Reading: March 12, 2007*
City Council for Second Reading: March 26, 2007*

(*dates subject to change if item is tabled)

**SUMMARY:** The applicant is requesting a change in zoning on the subject property for neighborhood service district uses. The subject property is currently zoned as Single Family Estate District (RE), and the applicant is requesting a zone change to the Neighborhood Service District (NS). The subject property is currently developed with a single family residence that is currently being lived in. If the zone change is approved, the

applicant intends to destroy the existing single family residence and construct retail and *office* uses on the subject property.

**SURROUNDING ZONING AND LAND USES:**
*** surrounding zoning districts based on the new map adopted February 27, 2006**

| | Zoning | Land Use |
|---|---|---|
| North | Planned Development District (PD) | Undeveloped tract |
| South | Out of City Limits and Out of City's ETJ | Large single family residence |
| East | Office and Professional District (OP); Single Family Residential –2 District (R-2) | Undeveloped tract; future single family residential lots within the Southgate residential subdivision |
| West | Planned Development District (PD) | Undeveloped tract |

**CONFORMANCE TO UNIFIED DEVELOPMENT CODE (UDC):** The applicant is requesting an NS zoning district. The minimum lot size for the NS district is 12,500 square feet, the minimum lot width is 100 feet, and the minimum lot depth is 100 feet. The subject property currently meets these minimum requirements, as the subject property is 5.00 acres in size, and has lot dimensions of approximately 335 feet and 649 feet.

The applicant will be required to comply with all other requirements of the Unified Development Code.

**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 City, and the plat will need to be 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 "Retail Node" uses for the subject property.

Retail nodes were discussed in the 1999 Comprehensive Plan. A retail node is an area of retail, office, and service uses at the intersection of two major thoroughfares, instead of

continuous strips along the length of either thoroughfare. A retail node can prevent undeveloped properties along streets from developing as sections of Broadway Street have developed through the center of Pearland. Retail nodes prevent shallow depth lots, numerous driveways that impair mobility, numerous small buildings with no architectural unity, and numerous signs. According to the Comprehensive Plan, a minor retail node should comprise less than 25 acres.

The proposed NS zoning district conforms to the Comprehensive Plan designation of retail, office, and services as part of a "Retail Node."

The subject property also appears to fall within the "Low Density Residential" land use designation on its northern end. However, the land use designations shown on the Future Land Use Plan are not definite zoning lines.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Kirby Drive and County Road 59, both secondary thoroughfares with ultimate rights-of-way of 100 feet. When the subject property is platted, additional right-of-way dedication may be necessary for Kirby Drive and County Road 59.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** There is a 12 inch water main located on the west side of Kirby Drive, but it stops at the north end of the subject property. There is a sanitary sewer line located on the west side of Kirby Drive and within the Southgate residential subdivision. The applicant will be required to extend any utilities as necessary to serve the subject property when it is developed.

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:** The requested NS district should have a minimal impact on the surrounding residential properties. The NS district is one of the lesser intense districts of all the non-residential districts. The NS district permits retail, office, and service uses.

The developer of the Southgate residential subdivision to the east of the subject property requested a zone change last year for the northeast corner of Kirby Drive and County Road 59. They asked for an OP district and OP was approved for their corner. The applicant had the option to request an OP district, but they chose the NS district instead in order to allow more variety of uses for the subject property.

The subject property is designated as a "retail node" in the Comprehensive Plan. The

Comprehensive Plan describes a retail node as an area of less than 25 acres that provides retail, office, and services uses to surrounding neighborhoods. Larger scale retail, office, and commercial developments will be located within the Business Park zoning districts along SH 288, that will serve a larger, regional area.

Retail nodes can be zoned a variety of districts, such as Office and Professional District (OP), Neighborhood Service District (NS), or even General Business Retail District (GB). The NS district is appropriate for the subject property and, together with the opposite corner being zoned OP, would provide for retail, office, and service uses to the adjacent neighborhoods in the area, such as the residential subdivisions of Southern Trails, Southgate, and Southfork.

If the zone change to NS is approved, the applicant will be responsible for compliance with the Unified Development Code (UDC). The UDC requires that, when a non-residential use is adjacent to a residential uses, the non-residential developer is responsible for the construction of a 6 foot high masonry fence along common property lines with the residential tracts, as well as a landscape buffer of 25 feet. Kirby Drive is also designated as a corridor overlay district (COD), and the applicant would have to comply with the COD district as well.

Also, if the zone change for NS is approved, the applicant may be responsible for the submittal of a traffic impact analysis (TIA) in order to determine the impact of the proposed development on adjacent roadways and adjacent properties, as well as the locations of driveways.

**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.

**STAFF RECOMMENDATION:** Staff recommends approval of the zone change for NS, as proposed by the applicant, for the following reasons:

1. The requested Neighborhood Service District (NS) conforms to the "Retail Node" designation in the Comprehensive Plan, which is to provide for small scale retail, office, and service uses.

2. The NS district will provide retail, office, and service uses to serve the nearby residential neighborhoods.

3. The NS district is one of the lesser intensive of the non-residential districts, and does not have the potential to cause a negative impact to the surrounding residential neighborhoods.

**SUPPORTING DOCUMENTS:**

- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Aerial Photograph

# APPLICATION FOR A CHANGE IN ZONING

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

**Current Zoning District:** "RE" SUBURBAN RESIDENTIAL

**Proposed Zoning District:** (NS) NEIGHBORHOOD SERVICE DISTRICT

**Property Information:**

Address or General Location of Property: 2645 CR 59, PEARLAND TX 77584

Tax Account No. _____

Subdivision: _____ Lot: _____ Block: _____

**A Complete Application must include all of this Information:**

- ☐ Fee (see Zoning Change Fee Schedule)
- ☐ Legal Description and/or Survey of the Property
- ☐ Letter Explaining the Zoning Change Request in detail (specify the existing zoning and why the zone change is being requested, current use of the property, and the proposed use of the property; if a PD is requested, see PD Format and Guidelines)

**PROPERTY OWNER INFORMATION:**

NAME JAMES + DEBORA BAILEY
ADDRESS 2645 CR 59
CITY PEARLAND STATE TX ZIP 77584
PHONE (713) 214-4553
FAX ( )
E-MAIL ADDRESS _____

**APPLICANT INFORMATION:**

NAME JULIO LYBRAND
ADDRESS 4545 POST OAK PLACE DR STE 225
CITY HOUSTON STATE TX ZIP 77027
PHONE (713) 471-0940
FAX (713) 965-0025
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: James B Bailey Debora A Bailey Date: 1/19/07

Agent's Signature: _____ Date: 1/22/07

**OFFICE USE ONLY:**

| FEES PAID: | DATE PAID: | RECEIVED BY: | RECEIPT NUMBER: |
|---|---|---|---|
| $275.00 | 1/29/07 | tag | N/A |

**Application No.** 2007-02

# PROPOSED ZONING CHANGE
# BAILEY PROPERTY
# 2645 CR 59, PEARLAND TX

CITY OF PEARLAND
COMMUNITY DEVELOPMENT
3523 LIBERTY DR
PEARLAND TX 77581

January 19, 2007

Madams / Gentlemen,

The purpose of this letter is to make a request to change the existing zoning on approximately 5 acres of land located on CR 59 at the proposed NWC of the intersection of Kirby Dr.( See attached map) The property currently has an existing home on the site owned by the Bailey family. The site is currently zoned Suburban Residential and the requested zone change is to (NS) Neighborhood Service District. The purpose of the zoning change is to convert the property from a residential use that in the near future will be an undesirable residential location when Kirby Dr is put in and CR 59 is improved, to a non-residential use (NS) that would complement and provide services and goods to the surrounding residential neighborhoods of Southern Trails and Southgate.

The overall site contains 5 acres of land but after dedications of right-of-way for both CR 59 and Kirby Dr, the site will shrink to approximately 3.89 acres. The detention requirement on the site has not been determined as of yet as this property will adjoin future sections of the Southern Trails Subdivision and the site could possibly get into their system. At a future date the tract would be developed into neighborhood retail and service establishments that would typically include a dry cleaner, donut / coffee shop, hair salon, and other standard retail shops as well as possible doctor, real estate / insurance and dentist offices. With the increased traffic that will be generated by the CBL Mall and opening of the CR 59 overpass, it is possible that a banking facility, pharmacy, day care facility, restaurant or gas station would locate on the site in the future. The existing house on the property would be demolished before any development of the property.

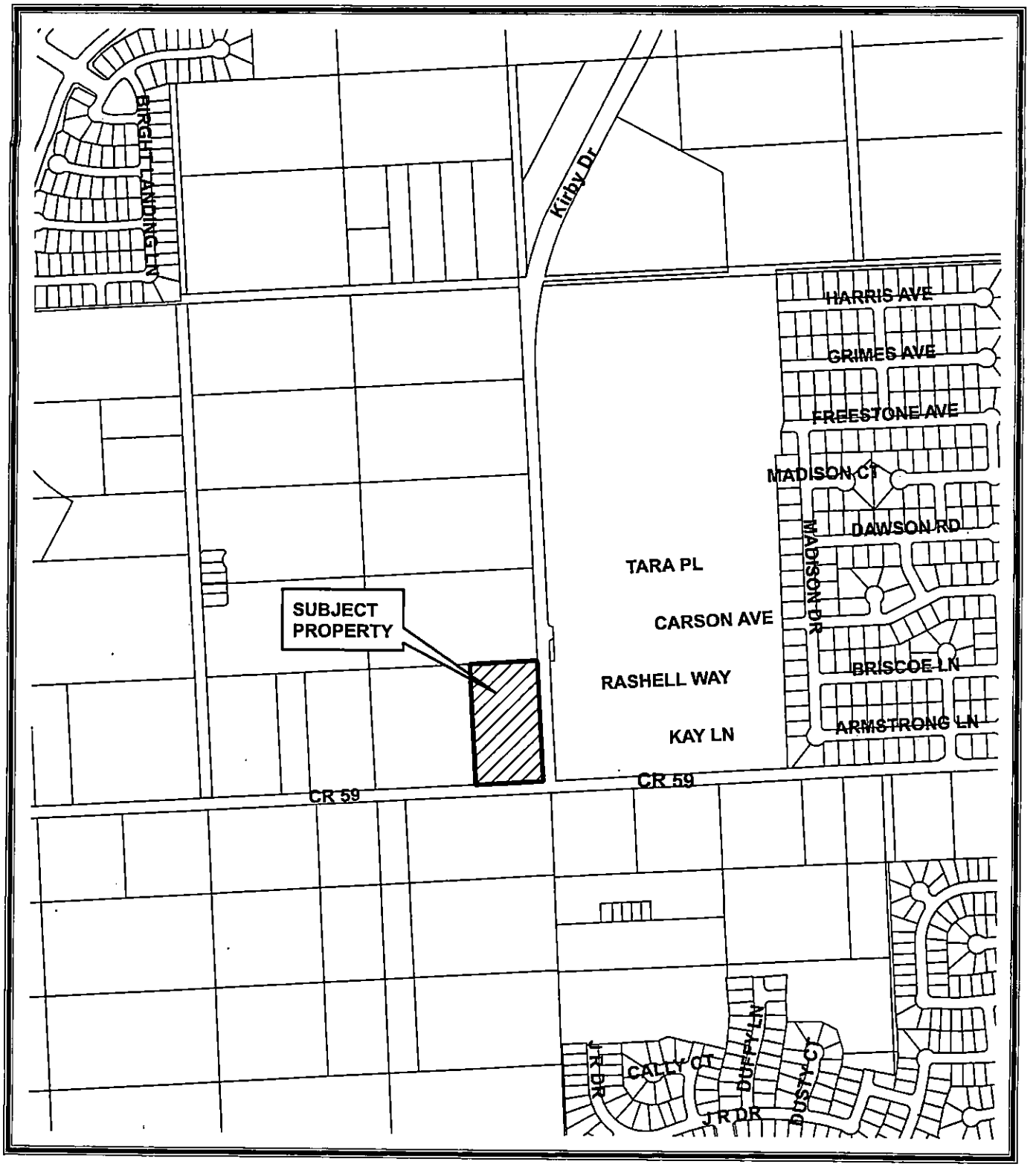
Your consideration of this request is greatly appreciated.

Sincerely,

Julio Lybrand

Sincerely,

Ken Carter




# LOCATION MAP

**Zone Change**
**No. 2007-02Z**

N
W E
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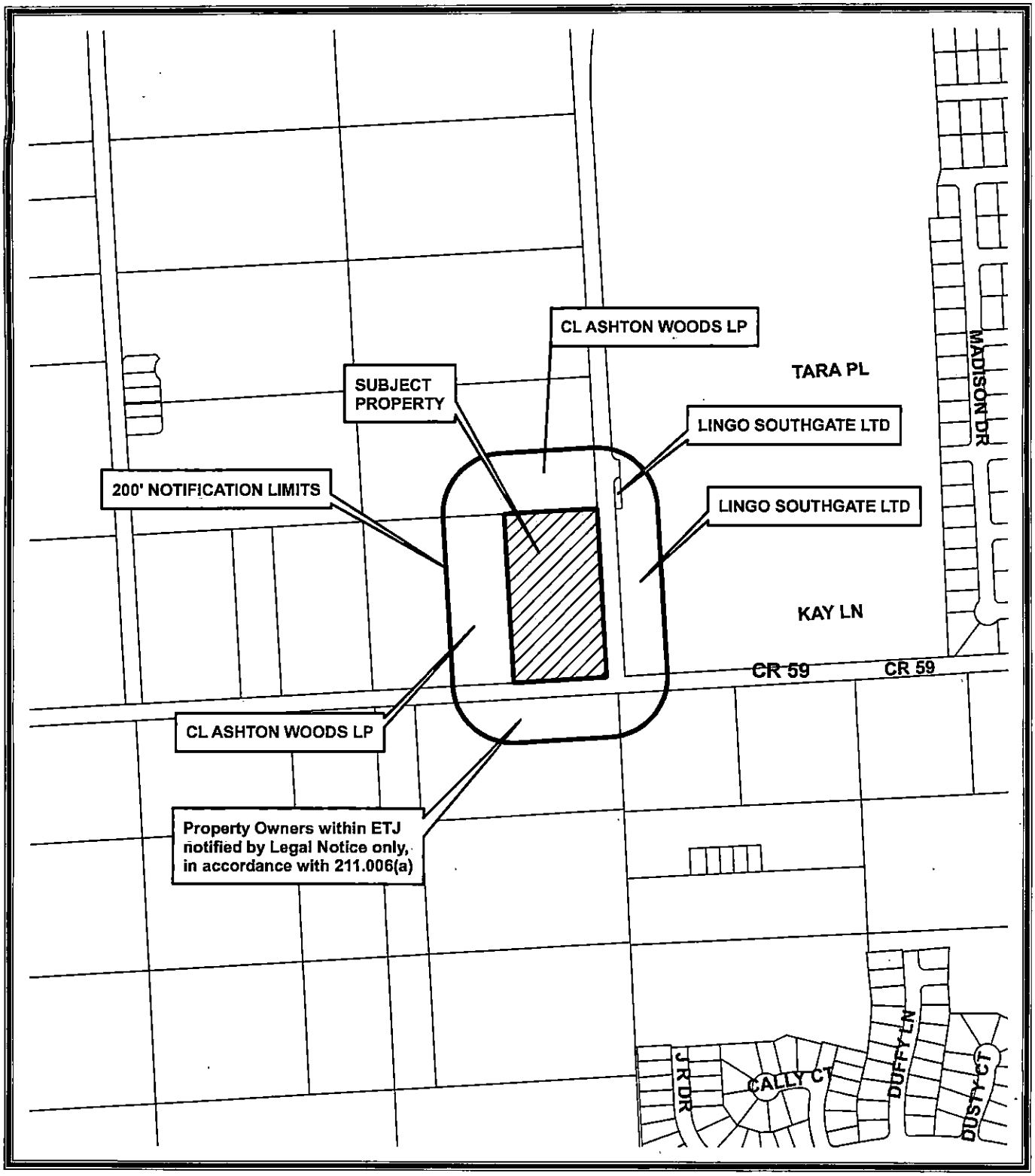
0 300 600 Feet

Map Prepared on January 30, 2007




# OWNERSHIP MAP

## Zone Change No. 2007-02Z

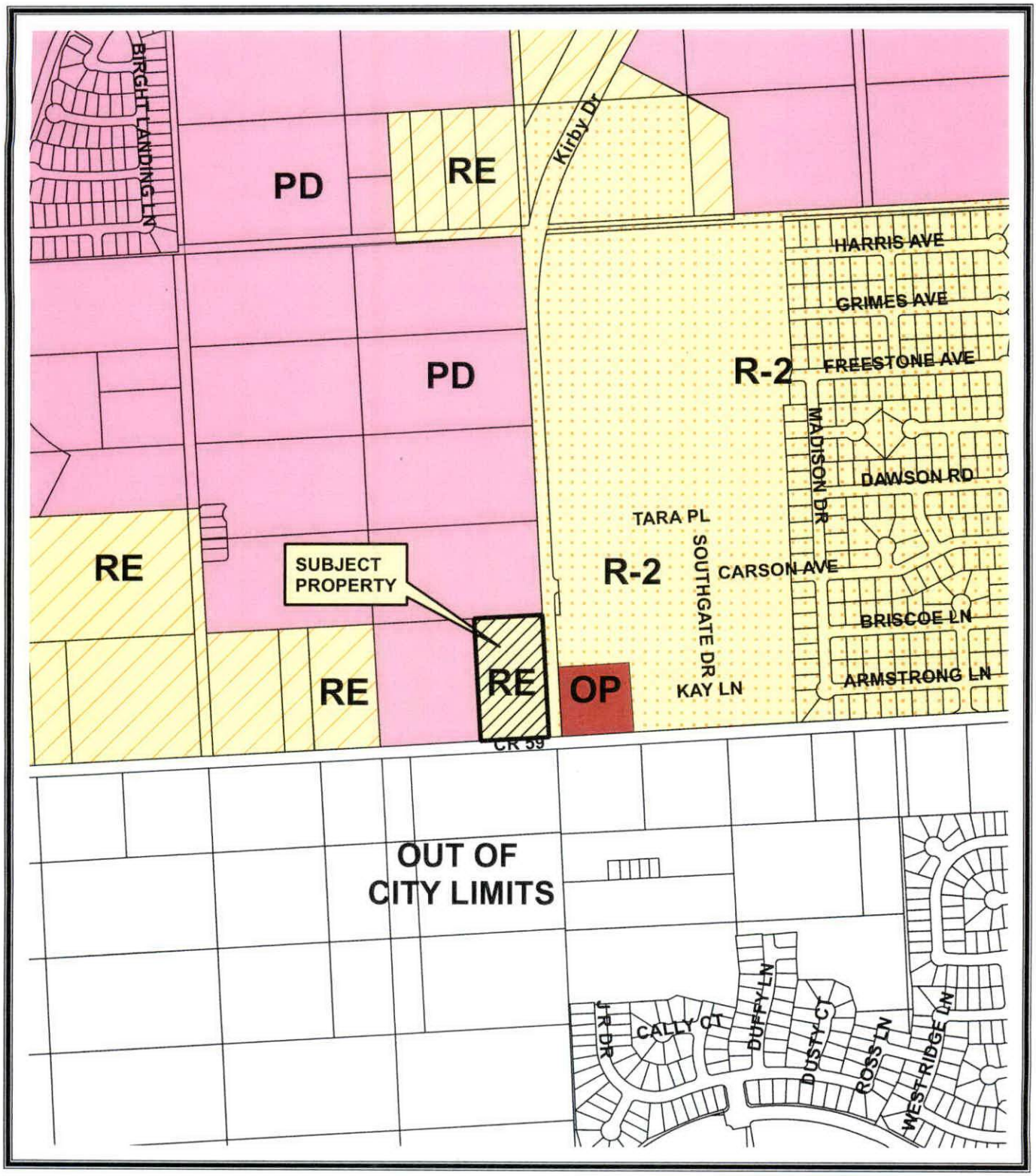
N
W E
S

0 300 600 Feet

Map Prepared on January 30, 2007

# ZONE CHANGE NO. 2007-02Z
## Property Owner Notification List

| TAX ACCT | OWNER | ADDRESS | CITY | ST | ZIP CODE |
|---|---|---|---|---|---|
| 0300-0013-000 | LINGO SOUTHGATE LTD | 3900 MAGNOLIA DR | PEARLAND | TX | 77584 |
| 0564-0005-000 | CL ASHTON WOODS LP | 11375 W SAM HOUSTON PARKWAY S STE 100 | HOUSTON | TX | 77031 |
| 7713-1000-003 | LINGO SOUTHGATE LTD | 3900 MAGNOLIA DR | PEARLAND | TX | 77584 |
| | JULIO LYBRAND | 4545 POST OAK PLACE DR STE 225 | HOUSTON | TX | 77027 |
| 0564-0033-105 | BAILEY JAMES A & DEBORA A | 2645 COUNTY ROAD 59 | PEARLAND | TX | 77584-2108 |
| 0564-0005-000 | CL ASHTON WOODS LP | 11375 W SAM HOUSTON PARKWAY S STE 100 | HOUSTON | TX | 77031 |



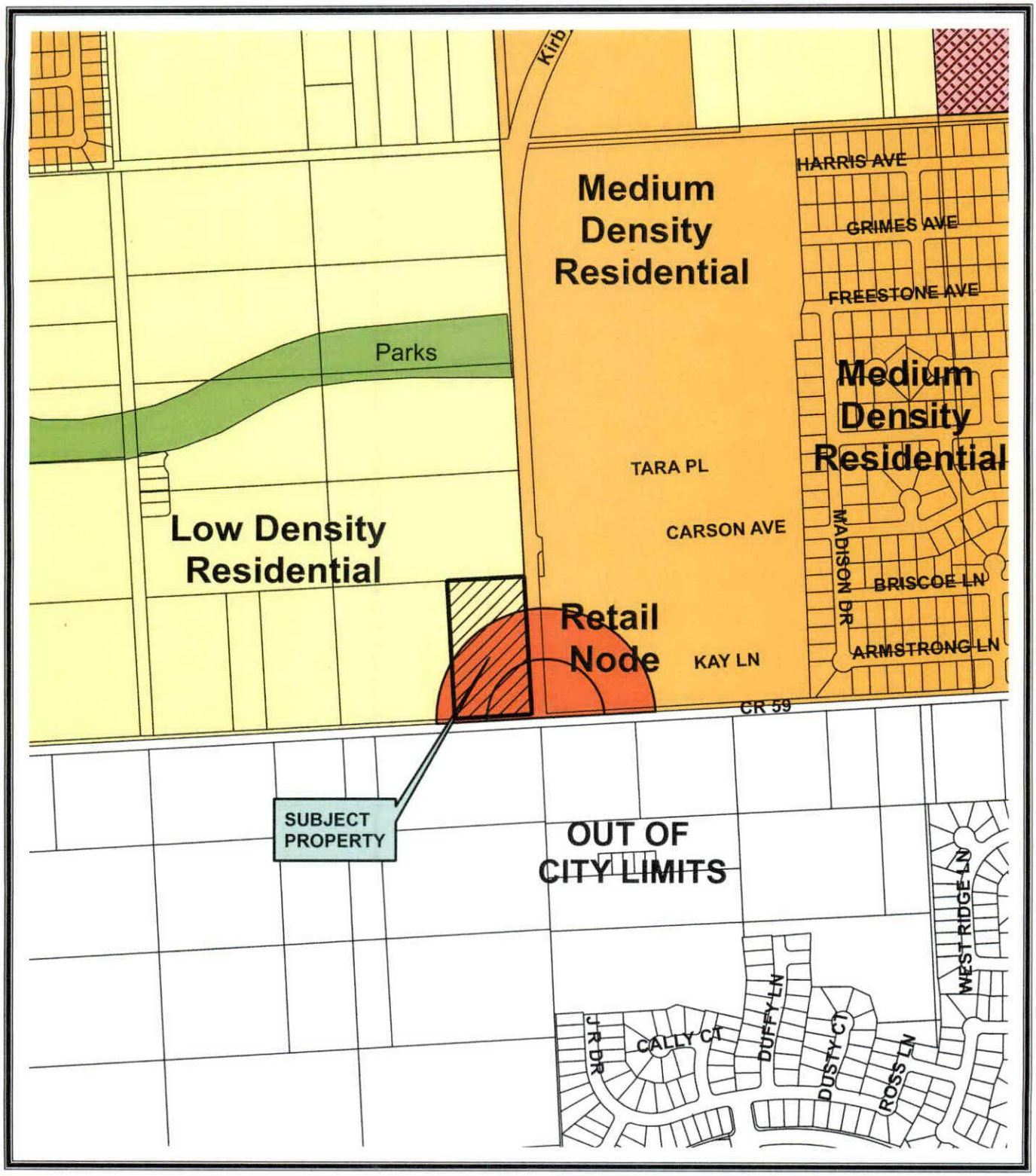

# ZONING MAP

**Zone Change No. 2007-02Z**

N
W E
S

0 300 600 Feet

Map Prepared on January 30, 2007



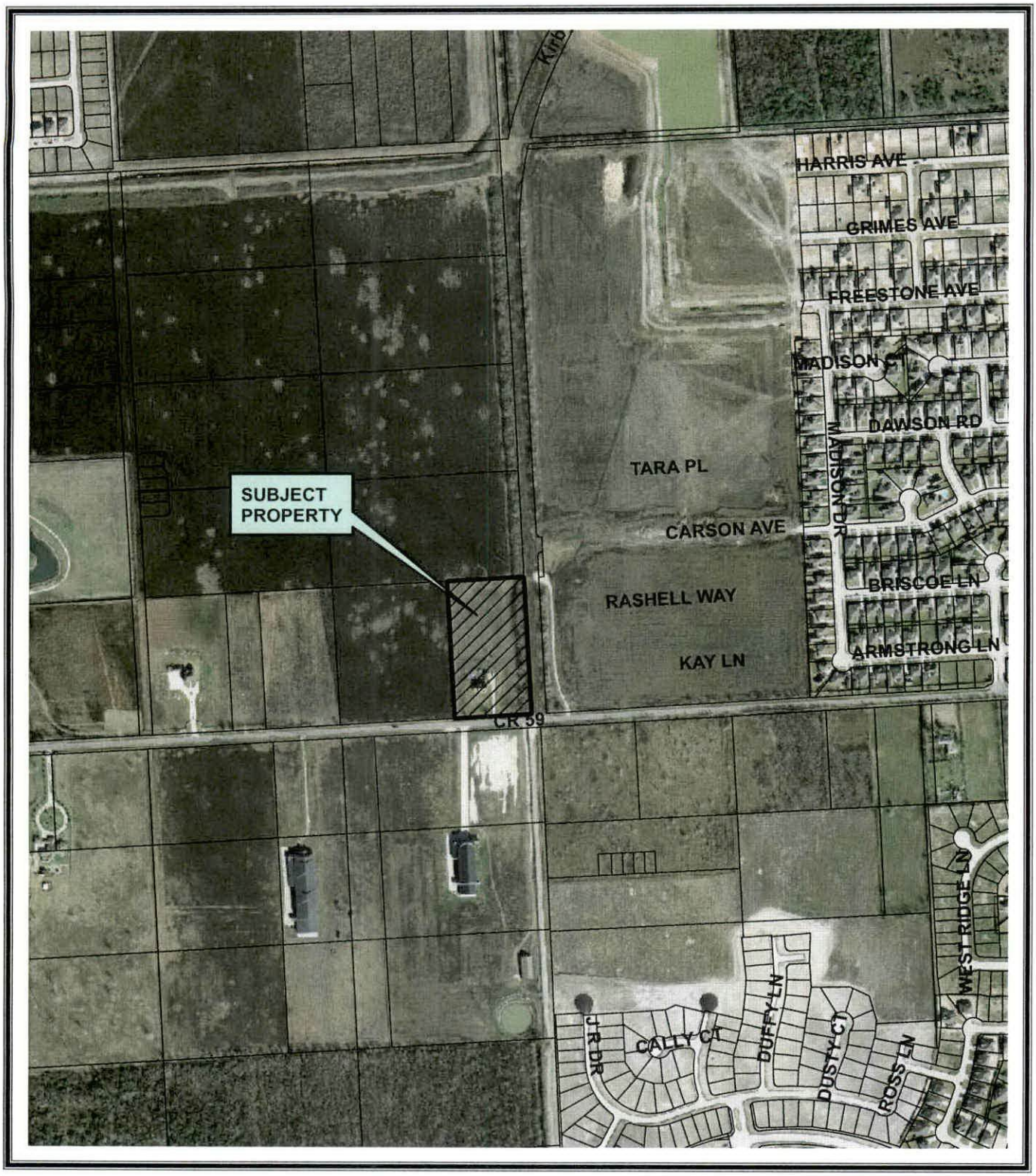

# FUTURE LAND USE PLAN

**Zone Change No. 2007-02Z**

0 300 600 Feet

N W E S

Map Prepared on January 30, 2007




# AERIAL PHOTOGRAPH

**Zone Change No. 2007-02Z**

0 300 600 Feet

N W E S

Map Prepared on January 30, 2007

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD FEBRUARY 19, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER** opened 8:15 pm.

**II. PURPOSE OF HEARING** Ruby read . . .

Zone Change No. 2007-03Z

A request by the City of Pearland, 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 Cullen Mixed Use District (C-MU) to General Business Retail District (GB), on the following described property, to wit:

Legal Description: 15.991 acres of land, situated in the H.T. & B.R.R. Company Survey, Section 19, Abstract 234, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the East Side of Cullen Boulevard, and Approximately 800 Feet North of FM 518 (Broadway Street)

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT** TAB read . . . City is appl. Future site of Public Safety Bldg. →

**B. APPLICANT PRESENTATION**

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

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

**VI. ADJOURNMENT** 8:37

**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.**

III A. Staff recommends apprvd.

Mayor - Police facility.
EMS center

IV Bob Amos 7825 Hughes Ranch Rd.

opposed due to traffic problem.
Will Cullen be widened for this project only?

V. Mayor referred to Cullen Blvd. Workshp earlier in the evening about working w/ state to widen to 4 lanes and working to expedite as quickly as possible.

Cole - appreciates Mr. Amos for coming in. Council has been talking of widening Cullen for a while.
Goal - get Cullen opened all the way by end of 2009.

Jerry - does Firestation have access to Chas. Bayou Rd?
- yes - 2 entrances/exit

Sheryl - why @ this location?
Cole - gave need to move west - this will be centrally located in Pearland
Nelson ① City owned prop.
② city's growth is West.

Ruby - what happens to old Pol. Stn. - Cole - it will become other city off. bldgs.

adj. 9:37

Mayor - Cullen is a FM 518 Rd. City is having to dig in our own pockets & wk w/ state for funding.

# JOINT PUBLIC HEARING AGENDA ITEM
# MEETING OF FEBRUARY 19, 2007

## Zone Change No. 2007-03Z

A request by the City of Pearland, 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 Cullen Mixed Use District (C-MU) to General Business Retail District (GB)

**LEGAL DESCRIPTION:** 15.991 acres of land, situated in the H.T. & B.R.R. Company Survey, Section 19, Abstract 234, City of Pearland, Brazoria County, Texas

**GENERAL LOCATION:** Generally Located on the East Side of Cullen Boulevard, and Approximately 800 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: February 19, 2007*
City Council for First Reading: March 12, 2007*
City Council for Second Reading: March 26, 2007*

(*dates subject to change if item is tabled)

**SUMMARY:** The City of Pearland is requesting a change in zoning on the subject property for general business district uses. The subject property is currently zoned as Cullen Mixed Use District (C-MU). The City of Pearland owns the subject property, which is currently developed with a fire station and water storage tank, and a large portion of the subject property is undeveloped at this time. The City is proposing to construct a new Public Safety Building on the subject property. The Cullen Mixed Use District limits the size of a building within this zoning district to 20,000 square feet, and the proposed public safety building is significantly larger than that. In order to allow the construction of this building, the City is requesting a zone change to General Business Retail District.

**SURROUNDING ZONING AND LAND USES:**
*** surrounding zoning districts based on the new map adopted February 27, 2006**

| | Zoning | Land Use |
|---|---|---|
| North | Cullen Mixed Use District (C-MU) | Cemetery |
| South | General Business Retail District (GB) | Kroger Shopping Center |
| East | General Business Retail District (GB) | Undeveloped tract |
| West | Cullen Mixed Use District (CMU) | Cemetery; Retail and Office Buildings |

**CONFORMANCE TO UNIFIED DEVELOPMENT CODE (UDC):** The applicant is requesting a GB zoning district. The minimum lot size for the GB district is 22,500 square feet, the minimum lot width is 150 feet, and the minimum lot depth is 150 feet. The subject property currently meets these minimum requirements, as the subject property is over 15 acres in size, and has lot dimensions well in excess of 150 feet.

The applicant will be required to comply with all other requirements of the Unified Development Code.

**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 City, and the plat will need to be 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 "Cullen Mixed Use District" for the subject property and for many of the surrounding properties within this overall area. The Comprehensive Plan further indicates that the appropriate zoning district for "Cullen Mixed Use District" land use is the Cullen Mixed Use District. Therefore, the proposed zone change for General Business District does not conform to the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Cullen Boulevard, a major thoroughfare with an ultimate right-of-way of 120 feet.

Freedom Drive, located on the south side of the subject property, is designated as a minor collector street with a right-of-way of 60 feet.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** There is a 20 inch water line located on the west side of Cullen Boulevard. There is also an 8 inch water line located within Freedom Drive.

There is an 8 inch gravity main sanitary sewer line located on the east side of Cullen Boulevard, and other sanitary sewer lines within Freedom Drive.

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:** The requested zone change for GB should not have any impact on surrounding properties. The City of Pearland currently owns the subject property and has definite plans to construct the public safety building on this property, so there shouldn't be any concern about what other uses under GB could be developed on the subject property.

The property to the south and east are currently zoned as General Business Retail District. Many of the properties at the intersection of Cullen Boulevard and FM 518 (Broadway Street) are zoned as GB and are developed with retail, office, and other general business district uses.

The proposed development will be subject to the Unified Development Code and all regulations contained within the UDC. The development will be required to meet the building façade ordinance, landscaping, signage, parking, as well as other requirements of the UDC.

**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.

**STAFF RECOMMENDATION:** Staff recommends approval of the zone change for GB, as proposed by the applicant, for the following reasons:

1. Although contrary to the Comprehensive Plan designation for "Cullen Mixed Use District," the proposed GB district is compatible with other GB districts within the area.

2. The GB district will provide for office and service uses to serve the City of Pearland.

3. The City of Pearland currently owns the subject property and has definite plans to construct a public safety building on the property, which should dispel any concerns about the variety of uses that are allowed within the GB district.

**SUPPORTING DOCUMENTS:**

- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Aerial Photograph

# APPLICATION FOR A CHANGE IN ZONING

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

**Current Zoning District:** "C-MU" - Cullen Mixed Use District

**Proposed Zoning District:** "GB" - General Business District

**Property Information:**

Address or General Location of Property: 2555 Cullen

Tax Account No. 0243-0060-105

Subdivision: _____ Lot: _____ Block: _____

**A Complete Application must include all of this information:**

- ☑ N/A Fee (see Zoning Change Fee Schedule)
- ☑ Legal Description and/or Survey of the Property
- ☑ Letter Explaining the Zoning Change Request in detail (specify the existing zoning and why the zone change is being requested, current use of the property, and the proposed use of the property; if a PD is requested, see PD Format and Guidelines)

**PROPERTY OWNER INFORMATION:**

NAME City of Pearland
ADDRESS 3519 Liberty Drive
CITY Pearland STATE TX ZIP 77581
PHONE( 281 ) 652-1600
FAX( 281 ) 652-1706
E-MAIL ADDRESS _____

**APPLICANT INFORMATION:**

NAME _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
PHONE( ) _____
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.

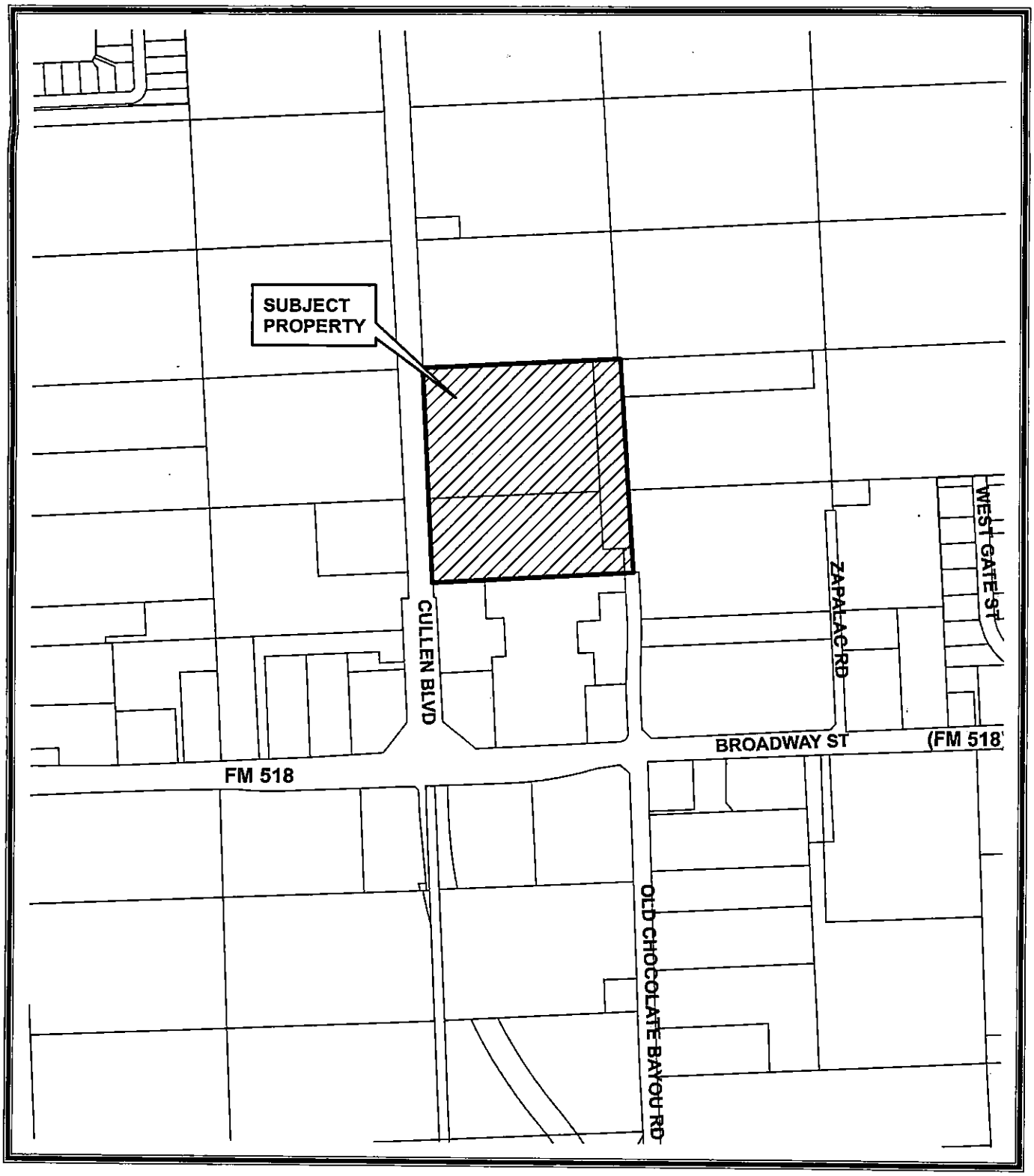
Owner's Signature: _____ Date: _____

Agent's Signature: _____ Date: _____

**OFFICE USE ONLY:**

| FEES PAID: N/A | DATE PAID: N/A | RECEIVED BY: tag | RECEIPT NUMBER: |
|---|---|---|---|

**Application No.** 2007-03



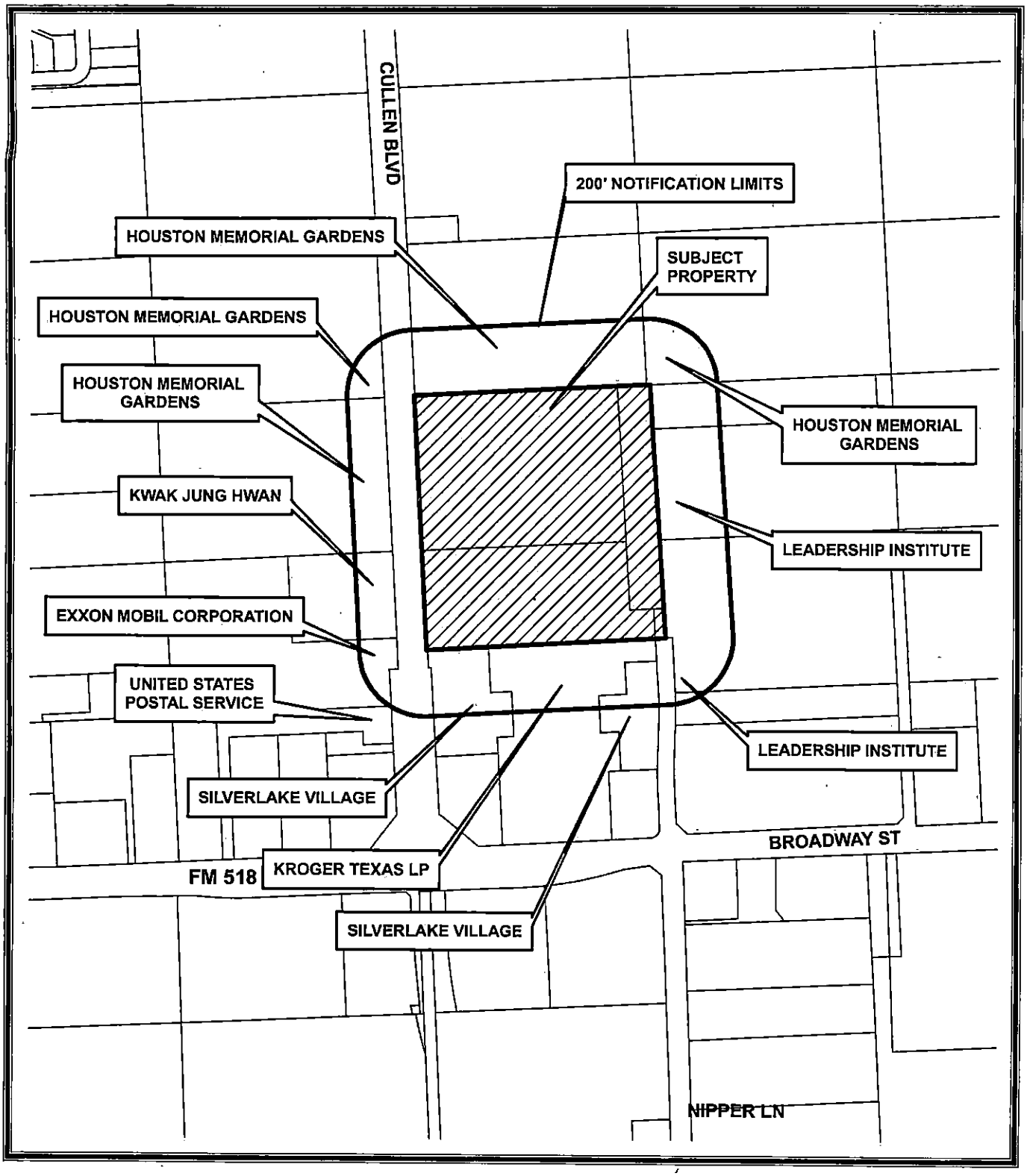

# LOCATION MAP

**Zone Change**
**No. 2007-03Z**

N
W E
S

0 300 600 Feet

Map Prepared on January 30, 2007




# OWNERSHIP MAP

## Zone Change No. 2007-03Z

N
W E
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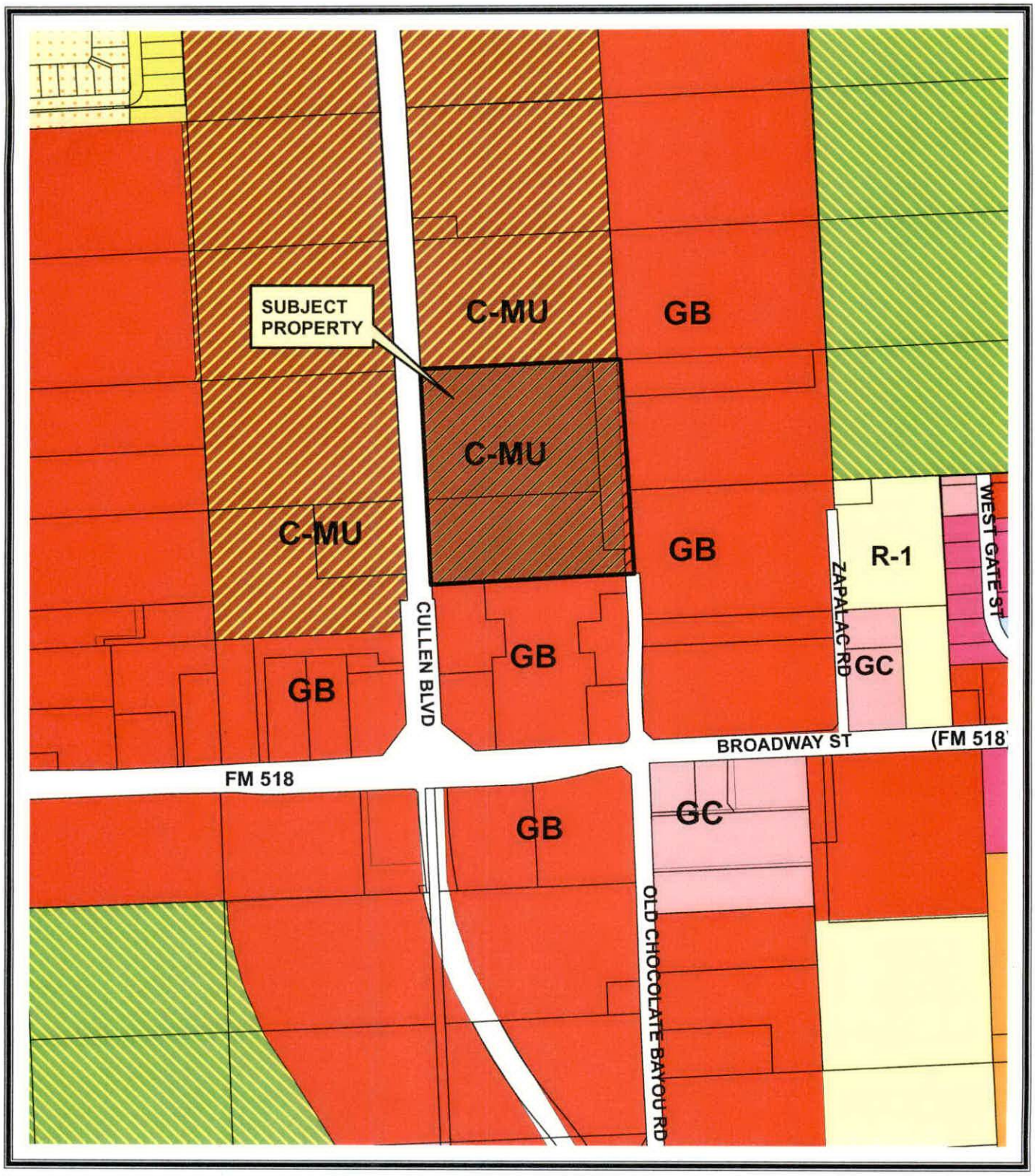
0 300 600 Feet

Map Prepared on January 30, 2007

# ZONE CHANGE NO. 2007-03Z
## Property Owner Notification List

| TAX ACCT | OWNER | ADDRESS | CITY | ST | ZIP CODE |
|---|---|---|---|---|---|
| 0243-0034-000 | HOUSTON MEMORIAL GARDENS | PO BOX 330350 | HOUSTON | TX | 77233-0350 |
| 0243-0034-000 | HOUSTON MEMORIAL GARDENS | PO BOX 330350 | HOUSTON | TX | 77233-0350 |
| 0506-0014-110 | HOUSTON MEMORIAL GARDENS | PO BOX 330350 | HOUSTON | TX | 77233-0350 |
| 0243-0060-000 | LEADERSHIP INSTITUTE | 1101 N HIGHLAND ST | ARLINGTON | VA | 22201-2807 |
| 3095-0001-006 | CITY OF PEARLAND | 3519 LIBERTY DR | PEARLAND | TX | 77581-5416 |
| 0243-0060-105 | CITY OF PEARLAND | 3519 LIBERTY DR | PEARLAND | TX | 77581-5416 |
| 0506-0010-000 | HOUSTON MEMORIAL GARDENS | PO BOX 330350 | HOUSTON | TX | 77233-0350 |
| 0243-0060-000 | LEADERSHIP INSTITUTE | 1101 N HIGHLAND ST | ARLINGTON | VA | 22201-2807 |
| 0243-0060-105 | CITY OF PEARLAND | 3519 LIBERTY DR | PEARLAND | TX | 77581-5416 |
| 0506-0045-110 | KWAK JUNG HWAN | 2621 SUNFISH DR | PEARLAND | TX | 77584-3041 |
| 0506-0046-120 | EXXON MOBIL CORPORATION | PO BOX 53 | HOUSTON | TX | 77001-0053 |
| 3095-0001-002 | KROGER TEXAS LP | PO BOX 1309 | HOUSTON | TX | 77251-1309 |
| 3095-0001-000 | SILVERLAKE VILLAGE LP | 1800 BERING DR STE 550 | HOUSTON | TX | 77057-3169 |
| 3095-0001-003 | SILVERLAKE VILLAGE LP | 1800 BERING DR STE 550 | HOUSTON | TX | 77057-3169 |
| 0506-0046-111 | UNITED STATES POSTAL SERVICE | PO BOX 667180 | DALLAS | TX | 75266-7180 |



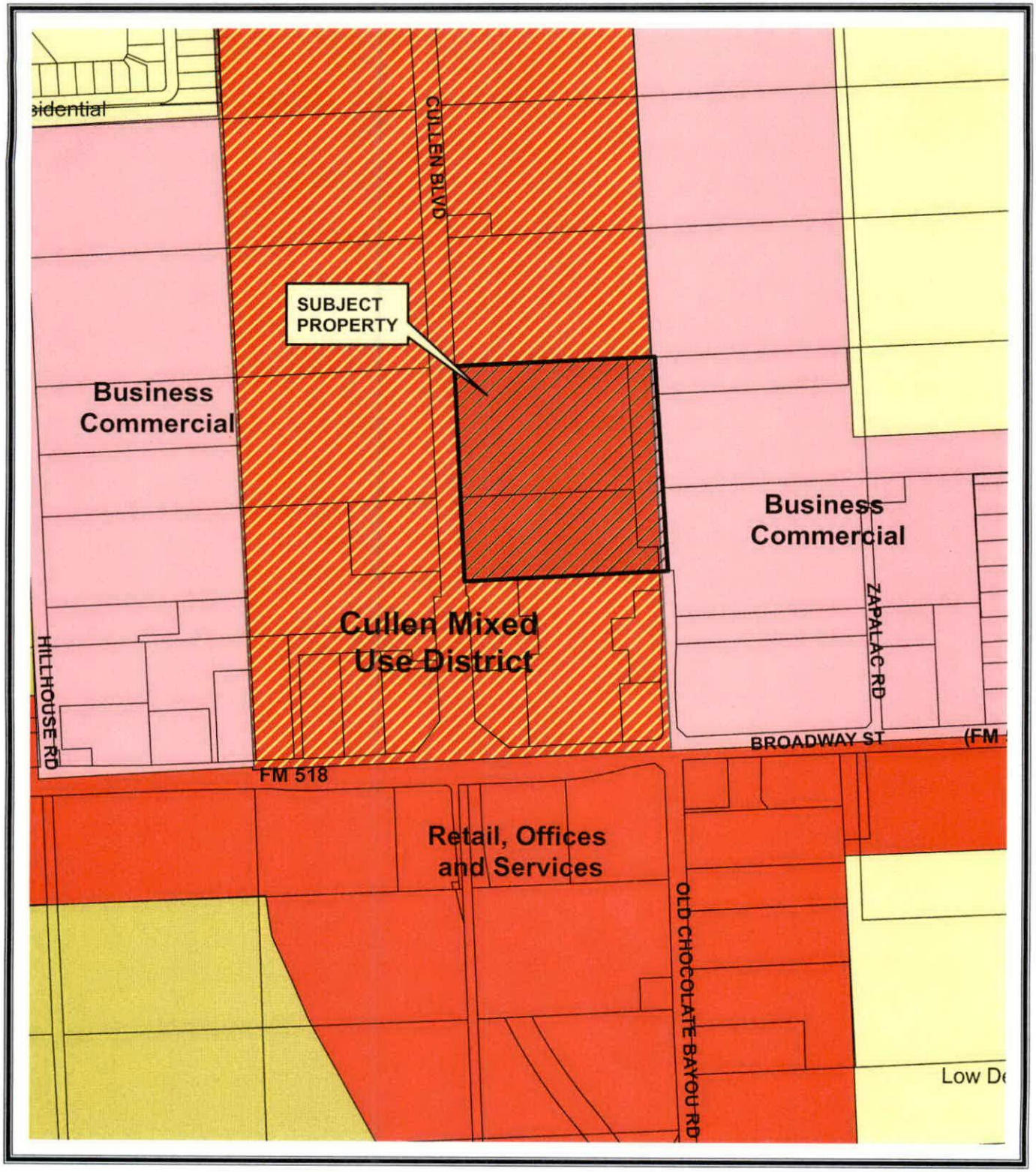

# ZONING MAP

**Zone Change**
**No. 2007-03Z**

N
W E
S

0 300 600 Feet

Map Prepared on January 30, 2007




# FUTURE LAND USE PLAN

**Zone Change No. 2007-03Z**

0 300 600 Feet

N W E S

Map Prepared on January 30, 2007

# AERIAL PHOTOGRAPH

**Zone Change No. 2007-03Z**

N
W E
S

0 300 600 Feet

Map Prepared on January 30, 2007

# SUMMARY OF AGENDA ITEMS
## February 19, 2007

| | | |
|---|---|---|
| Council only | **6:00 p.m.** | **SPECIAL MEETING, Council Chambers**<br>**Consideration & Possible Action of two Resolutions** |
| Council and P&Z | **6:30 p.m.** | **JOINT PUBLIC HEARINGS, Council Chambers** |
| Council only | **6:30 p.m.** | **WORKSHOP, Council Chambers**<br>**Council Input and Discussion of 3 items** |
| P & Z only | **6:30 p.m.** | **P&Z REGULAR MEETING, 2ND floor Conference Room** |

**Council Agenda's are attached for you to view**

**AGENDA – SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON FEBRUARY 19, 2007, AT 6:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

I. **CALL TO ORDER**

II. **PURPOSE OF THE MEETING:**

1. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2007-13 –** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AWARDING A BID FOR CONSTRUCTION OF A GROUND STORAGE TANK FOR THE LIBERTY DRIVE WATER STATION. *Mr. Bill Eisen, City Manager.*

2. **CONSIDERATION AND POSSIBLE ACTION – RESOLUTION NO. R2007-30 –** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, REGARDING THE CREATION OF A BRAZORIA COUNTY FIRE MARSHAL'S OFFICE. *Mr. Bill Eisen, 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 – WORKSHOP OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON FEBRUARY 19, 2007, AT 6:30 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 CAPITAL IMPROVEMENT PROJECTS BONDS. *Mr. Trent Epperson, Projects Director.*

2. **COUNCIL INPUT AND DISCUSSION:** REGARDING THE CULLEN PARKWAY PASS-THROUGH FINANCING STATUS. *Mr. Mike Hodge, Assistant City Manager.*

3. **COUNCIL INPUT AND DISCUSSION:** REGARDING THE PRESENTATION OF THE PAPERLESS AGENDA. *Mr. Young Lorfing, City Secretary.*

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.

**MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD FEBURARY 5, 2007 AT 6:30 P.M., IN THE COUNCIL CHAMBERS, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

## I. CALL TO ORDER

Vice-Chairperson Sheryl Greiner called the meeting to order at 6:32 p.m. with the following present:

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

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

## II. APPROVAL OF MINUTES

Commissioner Koza, Jr. made the motion to approve the minutes of January 15, 2007, and Commissioner Fuertes seconded.

The vote was 6-0 for approval.

## III. NEW BUSINESS

### A. CONSIDERATION & POSSIBLE ACTION – Replat of Wells Fargo at Shadow Creek Ranch

A request by Erika Lopez, GeoSolutions, LTD., for Lasco Shadow Creek, Ltd., owner, for approval of a replat of 2.637 acres zoned PUD into two lots for commercial use. The property is located at the southeast corner of Shadow Creek Parkway and Kirby Drive in Shadow Creek Ranch.

Plans and Plat Administrator Keller stated the applicant has requested a 30-day extension of time.

Commissioner West made the motion to approve, and Commissioner Koza, Jr. seconded. There was brief discussion brought up by Commissioner Diggs regarding the need to ask for a second extension of time, and Planning Director Krishnarao explained that once the Unified Development Code Amendments are approved by City Council in February 2007, applicants will only be able to request one extension for a Waiver of Decision.

The vote was 5-1 for approval of the extension. Commissioner Diggs voted against.

**B. CONSIDERATION & POSSIBLE ACTION – Final Plat of The Lakes at Highland Glen Section Seven**

A request by Chuck Davis, C. L. Davis & Company, for Beazer Homes Texas, L. P., owner, for approval of a Final Plat subdivision of 11.6926 acres zoned PUD into 40 lots for single-family residential use including three reserve areas for landscape/open space/drainage easement. The property is located on the east side of Highland Glen Lane north of Town Ditch.

Plans and Plat Administrator Keller read the Staff report. Mr. Keller stated that only two items remain outstanding.

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

There was no discussion among the Commission/Staff.

The vote was 6-0 for approval.

**C. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Shadow Creek Marketplace**

A request by Jason R. Banda, LJA Engineering & Surveying, Inc., for Don Strouhal, Jr., Nancy Strouhal Macha, Gene Strouhal, and C&S Asphalt Sealing Co., Inc., owners, for approval of a Preliminary Plat subdivision, including a replat of the C&S Asphalt Sealing Company subdivision, of 49.405 acres zoned PD into one lot for commercial use. The property is located on the northwest corner of Shadow Creek Parkway (F.M. 2234) and State Highway 288.

Plans and Plat Administrator Keller read the Staff report. Mr. Keller stated there were four outstanding items. Staff recommends approval.

There was brief discussion in regards to the four outstanding items, and the fact that it is a Preliminary Plat, with these items being corrected before the final plat is submitted.

Commissioner Diggs excused himself from the meeting at 6:42 p.m.

The vote was 5-0 for approval.

**D. PUBLIC HEARING – Replat of a portion of CVS Sherwood**

A request by Kenneth Gruller, Reno & Associates, for 2900 Broadway, LP, Wachovia Bank, National Association, and CVS Pharmacy, Inc., owners, for approval of a replat of Block 1 of CVS Sherwood subdivision into four lots for commercial purposes. The property is located on the southwest side of Broadway (F.M. 518) between Pearland Parkway and Y.M.C.A. Drive and is described as follows:

4.8672 acres of land out of the Thomas J. Green Survey, A-198, and being a replat of Block 1 of CVS Sherwood, City of Pearland, Brazoria County, Texas

Vice-Chairperson Greiner opened the public hearing at 6:44 p.m.

Commissioner Diggs returned to the meeting at 6:45 p.m.

Plans and Plat Administrator Keller stated the purpose of the replat.

Steve Myer of 6949 Sherry Lane, Dallas, TX was present to represent Firestone.

The hearing was closed at 6:47 p.m.

**E. CONSIDERATION & POSSIBLE ACTION – Replat of CVS Sherwood**

A request by Kenneth Gruller, Reno & Associates, for 2900 Broadway, LP, Wachovia Bank, National Association, and CVS Pharmacy, Inc., owners, for approval of a replat of Block 1 of CVS Sherwood subdivision into four lots for commercial purposes. The property is located on the southwest side of Broadway (F.M. 518) between Pearland Parkway and Y.M.C.A. Drive.

Plans and Plat Administrator Keller read the Staff report. Mr. Keller stated that all the outstanding items had been addressed.

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

The vote was 6-0 for approval.

**F. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Silver Land Center**

A request by Gregg Wiltshire, The Wilson Survey Group, for Fortress Pearland Investments, LLC, owner, for approval of a preliminary plat subdivision of 8.2904 acres for General Business uses. The property is located at the southwest corner of Broadway (F.M. 518) and Hillhouse Road.

Plans and Plat Administrator Keller read the Staff report. Mr. Keller stated there were no outstanding items.

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

There was a brief question from Commissioner Diggs regarding the location of the storm water detention.

The vote was 6-0 for approval.

G. **CONSIDERATION & POSSIBLE ACTION – Final Plat of Shadow Creek Ranch Commercial Site No. 20-B**

A request by Jason R. Banda, LJA Engineering & Surveying, Inc., for Pearland Capital Group, LP, owner, for approval of a final plat subdivision of 4.250 acres zoned PUD into one lot for commercial uses consistent with the approved PUD. The property is located on the northeast corner of Shadow Creek Parkway (F.M. 2234) and Reflection Bay Drive.

Plans and Plat Administrator Keller read the Staff report. Mr. Keller stated there were still seven outstanding items and that only two had been addressed.

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

There was brief discussion between the Commission and Staff.

Commissioner Fuertes recused himself from the vote.

The vote was 0-5. The final plat was denied for reasons given by staff.

H. **CONSIDERATION & POSSIBLE ACTION – Final Plat of Shadow Creek Ranch Commercial Site No. 20-D**

A request by Jason R. Banda, LJA Engineering & Surveying, Inc., for Pearland Investments, Limited Partnership, owner, for approval of a final plat subdivision of 3.500 acres zoned PUD into one lot for commercial uses consistent with the approved PUD. The property is located on the north side of Shadow Creek Parkway (F.M. 2234) between Reflection Bay Drive and Kirby Drive.

Plans and Plat Administrator Keller read the Staff report. Mr. Keller stated items 2-7 were addressed; however, the Performance Bond remained outstanding.

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

There was brief discussion between the Commission and Staff. Commissioner West questioned why these plats were coming before the Commission with so many outstanding items remaining.

Commissioner Fuertes recused himself from the vote.

The vote was 0-5. The final plat was denied for reasons given by staff.

I. **CONSIDERATION & POSSIBLE ACTION – Final Plat of Southgate Section Three**

A request by Kyle Duckett, GeoSurv, LLC, for Lingo Southgate, Ltd., owner, for approval of a final plat subdivision of 38.9233 acres into 106 residential lots for single-family residential use including 4 reserves for landscape/public park/drainage/utilities/water & sewer easements. The property is located east of Kirby Drive between C. R. 59 and Broadway.

Plans and Plat Administrator Keller read the Staff report. The outstanding item remaining is the Bond and Traffic Impact Analysis.

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

Deputy City Attorney Doan stated that Staff/Legal/Engineering have met with Southgate. Engineering is comfortable with the plat being approved. Legal has discussed the bond and will have a decision to the Planning staff within the next four days.

There was some discussion among the Commission and Staff in regards to the two outstanding items remaining.

The vote was 6-0 for approval.

J. **REMOVE TABLED ITEM – ZONE CHANGE 34-Z**

Commissioner West made the motion to remove Zone Change No. 34-Z from the table. Commissioner Sherrouse seconded. The vote was 6-0 for approval to remove from table.

K. **CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE 34-Z**

A request by Julieta B. Guerra, applicant for Edward Tamez, 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), on the property located on the West Side of Harkey Road, and Approximately 200 feet North of Sharondale Street.

Senior Planner Grahmann read the staff report. Staff felt that residential use was best. Staff recommends denial.

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

There was much discussion regarding the location of the subject property and the daycare. Commissioner Diggs stated that it seemed the narrow road and traffic were a concern. Commissioner Koza, Jr. stated he was in favor of this zone change because no he doesn't feel anyone would want to build on Harkey anymore, a house will not maintain its value, and not enough property to tear down the existing building and rebuild. Commissioner Koza,

Jr. also stated that if we deny this, the City would be looking at a vacant building sitting there.

Commissioner Diggs made a motion to table this item and let staff come back with a better use. Vice-Chairperson Greiner stated that she agreed with Commissioner Diggs. The motion failed for lack of a second.

Much discussion continued among the Commission and Staff in regards to the Mixed Use District, the Comprehensive Plan, screening requirements, and best use of the property based on Staff's report. Commissioner Koza, Jr. reiterated that he was in favor of the zone change. Commissioner Diggs strongly stated he felt the zone change should be tabled until staff could do a more intensive search for the best use of the land.

The applicant, Julieta Guerra was addressed by the Commission, and spoke of her business, and what she had planned with this zone change. Commissioner Fuertes asked why she did not apply for an Office Professional zoning. Ms. Guerra stated she would be okay with an OP zoning, as long as they could still do what they wanted.

Commissioner West spoke in regards to structure. He stated that it did not appear that the building would need much modification, and that the Commission was there to determine the best use of the land. He also commented that if Staff was asked to come back with a report every time apiece of property touched or came near the thoroughfare, and then the Commission would not be doing Staff any favors. Commissioner Diggs stated that in response to Commissioner West comments that the only reason he would wish to table this zone change is because this property has an extensive amount of uses along the thoroughfare and this would be the only reason of why this needs to be addressed at this level.

Commissioner Koza, Jr. stated that all the houses along Harkey do not face Harkey, but instead you are looking at the back of the homes.

Commissioner Koza, Jr. made the motion to amend the motion to change the zoning classification to Office Professional (OP), and Commissioner Sherrouse seconded.

The vote was 5-1 to approve. Commissioner Diggs was against.

Commissioner Koza, Jr. made a motion to approve for OP, and Commissioner Sherrouse seconded.

The vote was 4-2 for approval to Office Professional. Commissioner Diggs and Vice-Chairperson Greiner voted against.

L. **CONSIDERATION & POSSIBLE ACTION – Riverstone Ranch Phase One Master Plat**

Plans and Plat Administrator Keller stated the applicant has requested another 40- day extension.

There was brief discussion in regards to the need for an extension.

The vote was 6-0 for approval.

## VI. ADJOURNMENT

Commissioner Koza, Jr. made the motion to adjourn the meeting, and Commissioner Diggs seconded.

Vice-Chairperson Greiner adjourned the meeting at 8:10 p.m.

These minutes are respectfully submitted by:

_____

Judy Krajca, Administrative Planning Secretary

Minutes approved as submitted and/or corrected on this19th day of February,A.D., 2007.

_____

Ruby Sandars
P&Z Chairperson

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD FEBRUARY 19, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

## I. CALL TO ORDER

## II. PURPOSE OF HEARING

Conditional Use Permit No. CUP2007-01

A request by Cisneros Design Group and James Elmore, applicant for Silver Sky Investments LLC and Hung Ngo, owners, for approval of a Conditional Use Permit for a "Minor Auto Repair" facility in the General Business Retail District (GB), on the following described property, to wit:

Legal Description: 1.8060 acres of land, being a portion of Lot 60 of the Allison Richey Gulf Coast Home Company's Subdivision as recorded in Book 2, Page 23, Brazoria County Map Records, situated in the H.T. & B.R.R. Company Survey, Abstract 506, Brazoria County, Texas, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the North Side of FM 518 (Broadway Street), and Approximately 600 Feet West of Cullen Boulevard

## III. APPLICATION INFORMATION AND CASE SUMMARY

### A. STAFF REPORT
### B. APPLICANT PRESENTATION

## 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.**

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD FEBRUARY 19, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

## I. CALL TO ORDER

## II. PURPOSE OF HEARING

Conditional Use Permit No. CUP2007-02

A request by James P. Dey, applicant for AT&T, owner, for approval of a Conditional Use Permit for a "Telephone Exchange Switching Relay and Transmitting Equipment" facility in the General Business Retail District (GB), on the following described property, to wit:

Legal Description: 0.066 acres of land, or 2,880 square feet, out of the F. B. Drake Survey, Abstract 508, being out of Reserve "C", Block 4, Westwood Village, Section 5, as recorded in Volume 17, Pages 343 and 344 of the Plat Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the East Side of McLean Road, and Approximately 1,400 Feet North of Bailey Road

## III. APPLICATION INFORMATION AND CASE SUMMARY

### A. STAFF REPORT
### B. APPLICANT PRESENTATION

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

## V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

## VI. ADJOURNMENT

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**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD FEBRUARY 19, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

## I. CALL TO ORDER

## II. PURPOSE OF HEARING

Zone Change No. 2007-02Z

A request by Julio Lybrand, applicant for James and Debora Bailey, owners, 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 Estate District (RE) to Neighborhood Service District (NS), on the following described property, to wit:

Legal Description: 5.00 acres of land, more or less, being the east 5.00 acres of Lot 56 of the Allison Richey Gulf Coast Company Suburban Gardens Subdivision of Section 80, H.T. & B.R.R. Company Survey, Abstract 564, Brazoria County, Texas, according to the plat as recorded in Volume 2, Page 98, Plat Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas

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

## III. APPLICATION INFORMATION AND CASE SUMMARY

### A. STAFF REPORT
### B. APPLICANT PRESENTATION

## 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.**

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD FEBRUARY 19, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

## I. CALL TO ORDER

## II. PURPOSE OF HEARING

Zone Change No. 2007-03Z

A request by the City of Pearland, 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 Cullen Mixed Use District (C-MU) to General Business Retail District (GB), on the following described property, to wit:

Legal Description: 15.991 acres of land, situated in the H.T. & B.R.R. Company Survey, Section 19, Abstract 234, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the East Side of Cullen Boulevard, and Approximately 800 Feet North of FM 518 (Broadway Street)

## III. APPLICATION INFORMATION AND CASE SUMMARY

### A. STAFF REPORT
### B. APPLICANT PRESENTATION

## 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.**

February 6, 2007

Ms. Erika Lopez
GeoSolutions, LTD
1440 Lake Forest Drive
Suite 110
The Woodlands, TX. 77380

Re: Replat – Wells Fargo at Shadow Creek Ranch

Dear Ms. Lopez:

The Pearland Planning & Zoning Commission (P&Z) granted a thirty-day extension of time for approval of this replat during their meeting on February 5, 2007. This extends the deadline for approval of this plat to March 13, 2007. In order for you to obtain approval prior to this date, you must resubmit for approval no later than 9:00 A.M. on February 26, 2007 for consideration at the March 5, 2007 P&Z meeting.

If you have any questions or need more information, please contact me at 281-652-1636.

Sincerely yours,

L. Richard Keller
Plans and Plat Administrator

Cc. LASCO Shadow Creek, Ltd.
3100 Edloe
Suite 270
Houston, Texas 77027

January 17, 2007

Mr. Jason R. Banda
LJA Engineering & Surveying, Inc.
2929 Briarpark Drive
Suite 600
Houston, TX. 77042-3703

Re: Shadow Creek Ranch SF-61 and SF-62
Final Plats

Dear Mr. Banda:

As you requested, the Pearland Planning & Zoning Commission (P&Z) granted a forty-day extension of time for approval of these plats during their meeting on January 15, 2007. This extends the deadline for approval of these plats to February 24, 2007. In order for you to obtain approval prior to this date, you must resubmit for approval no later than 9:00 A.M. on February 12, 2007 for consideration at the February 19, 2007 P&Z meeting.

If you have any questions or need more information, please contact me at 281-652-1636.

Sincerely yours,

L. Richard Keller

L. Richard Keller
Plans and Plat Administrator

Cc. Pearland Investments, Limited Partnership
5195 Las Vegas Boulevard S.
Las Vegas, Nevada 89119

January 17, 2007

Mr. Jason R. Banda
LJA Engineering & Surveying, Inc.
2929 Briarpark Drive
Suite 600
Houston, TX. 77042-3703

Re: Shadow Creek Ranch SF-61 and SF-62
Final Plats

Dear Mr. Banda:

As you requested, the Pearland Planning & Zoning Commission (P&Z) granted a forty-day extension of time for approval of these plats during their meeting on January 15, 2007. This extends the deadline for approval of these plats to February 24, 2007. In order for you to obtain approval prior to this date, you must resubmit for approval no later than 9:00 A.M. on February 12, 2007 for consideration at the February 19, 2007 P&Z meeting.

If you have any questions or need more information, please contact me at 281-652-1636.

Sincerely yours,

L. Richard Keller

L. Richard Keller
Plans and Plat Administrator

Cc. Pearland Investments, Limited Partnership
5195 Las Vegas Boulevard S.
Las Vegas, Nevada 89119

February 6, 2007

Ms. Jason R. Banda
LJA Engineering & Surveying, Inc.
2929 Briarpark Drive
Suite 600
Houston, TX. 77042-3703

Re: Master Plat of Riverstone Ranch – Phase One

Dear Mr. Banda:

The Pearland Planning & Zoning Commission (P&Z) granted a forty-day extension of time for approval of this master plat during their meeting on February 5, 2007. This extends the deadline for approval of this plat to March 27, 2007. In order for you to obtain approval prior to this date, you must resubmit for approval no later than 9:00 A.M. on March 12, 2007 for consideration at the March 19, 2007 P&Z meeting.

If you have any questions or need more information, please contact me at 281-652-1636.

Sincerely yours,

L. Richard Keller

L. Richard Keller
Plans and Plat Administrator

Cc. Mr. John Santasiero, President
SHS Partners, Ltd.
6115 Skyline Drive, Suite A
Houston, Texas 77057

# AVALON TERRACE SECTION THREE
FINAL PLAT – STAFF REPORT

**P & Z MEETING DATE:** FEBRUARY 19, 2006

**APPLICANT**: Scott Wright, Jones & Carter, Inc, for MHI Partnership, Ltd, owner.

**REQUEST**: Final Plat subdivision of 24.9311 acres in the E.T.J. for 111 residential lots. The Preliminary Plat was approved on June 5, 2006.

**GENERAL LOCATION**: The property is located in the City of Pearland E.T.J. north of Broadway west of Max Rd.

**PROPERTY DESCRIPTION**: The property is currently undeveloped.

**ZONING**: The property is located in the E.T.J. and is unzoned.

**SURROUNDING USES**: Avalon Terrace Sections One and Two are located to the west. The property to the north and south is undeveloped. To the east across Max Rd is a mix of commercial and residential uses.

**COMPREHENSIVE PLAN**: The City of Pearland Land Use Plan designates the property for Low Density Residential, or minimum average lot size of 7,500 square feet. Most of the lots in this plat fall between 6,600 to 7,900 square feet.

**TRAFFIC AND TRANSPORTATION**: A Traffic Impact Analysis was previously approved for the entire Avalon Terrace development.

**UTILITIES**: Water and sewer are available through M.U.D. No. 16.

**STORMWATER MANAGEMENT**: Stormwater detention will be provided on an adjoining tract.

**PARKS AND OPEN SPACE**: Not applicable.

**OUTSTANDING ITEMS:**

none

**ATTACHMENTS:**

1. Application Form
2. Final Plat

JULY 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

FEB 0 8 2007

SUBDIVISION NAME: Avalon Terrace Sec. 3

NUMBER OF LOTS: 111

GENERAL LOCATION: FM 518 & Max Rd

A complete application must include all items shown on the corresponding submittal checklist for each different type of plat. See Page 2.

PRIMARY CONTACT: Jones & Carter, Attn: Scott Wright

MAILING ADDRESS: 6335 Gulfton

CITY, STATE, ZIP: Houston, TX 77081

PHONE: 713-777-5337 FAX: 713-777-5976

E-MAIL ADDRESS: jwright@jonescarter.com

OWNER NAME: MHI Partnership

MAILING ADDRESS: 7676 Woodway, Suite 104

CITY, STATE, ZIP: Houston, TX 77063

PHONE: 713-952-6767 FAX:

E-MAIL ADDRESS: dwhitten@mhinc.com

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

Owner's Signature: _____ Date: 2/5/07

Applicant's Signature: _____ Date: 2/5/07

| FEES PAID: | DATE PAID: | RECEIVED BY: | RECEIPT NUMBER: |
|---|---|---|---|
| | | | |

I acknowledge that this plat has been submitted on this day, Feb. 8, 2006, and the Plat filing date is Feb. 12, 2006, which will be the first day it will be reviewed by the Planning Staff. I hereby sign and date this acknowledgement.

Signature: _____ Date: 2/8/06

ULI Houston
<newsletter@uli-houston.org>

02/13/2007 12:00 PM

Please respond to
ULI Houston
<newsletter@uli-houston.org>

To <lkrishnarao@ci.pearland.tx.us>
cc
bcc
Subject Feb. 21 Luncheon- pre-registration deadline this Thursday

Reminder: the pre-registration deadline for this luncheon is Thursday, Feb. 15th. After Thursday, February 15th, please call 713-349-8821 to check for availability. All registration fees increase $10 after pre-registration deadline.

ULI Houston — Urban Land Institute

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News & Events home

## news & events

Events

**Wednesday, February 21, 2007**
**District Council Monthly Luncheon**
**Improving Houston's Quality of Life Series, Part IV:**
***Improving Quality of Life Through Better Infrastructure Investments***

| | |
|---|---|
| **Speaker:** | **Hon. Tom Murphy**<br>**ULI Senior Resident Fellow and Klingbeil Family Chair for Urban Development;**<br>**Former Mayor of Pittsburgh, PA** |
| **Location:** | **Hilton Americas-Houston**<br>**Ballroom of the Americas DE**<br>**1600 Lamar**<br>**Houston, TX 77010** |
| **Schedule:** | **11:30 AM - 12:00 PM:** Registration<br>**12:00 PM - 1:30 PM:** Luncheon |

### Event Overview:

With federal funding for U.S. infrastructure becoming increasingly scarce, states and localities are scra including the private sector. Please join us as Tom Murphy, ULI Senior Resident Fellow and Klingbiel Fa factors that could contribute to solutions to the infrastructure funding shortfall, including: 1) bette planning; 2) public policies that address linkages between areas within an urban region; 3) incre emphasis on the relationship between infrastructure investment and quality of life; and 5) political lead

Prior to joining ULI, Murphy served three terms as the mayor of Pittsburgh, from January 1994 throu public-private partnership strategy that leveraged more than $4.5 billion in economic development in I $1 billion in funding for the development of two professional sports facilities, and a new convention ce United States. He developed strategic partnerships to transform more than 1,000 acres of blighted, al residential, retail and public uses; and he oversaw the development of more than 25 miles of new river

**Registration Links :**

There are three possible ways to register:

- Register online now by **clicking here**
- Register by **clicking here** for printable "fax-in" registration form and event flyer. ( .PDF fo
- Register by phone by calling 1-800-321-5011 and referencing **Meeting Code 8113-0714.**

**Pre-Registration Deadline: Thursday, February 15th, 2007**
After Thursday, February 15th, please call 713-349-8821 to check for availability. All registration fees i

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Houston District Council
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# ULI Houston

District Council Meeting
**Wednesday, February 21, 2007**
Meeting Code: 8113-0714

**Registration Types and Fees:**
**Please circle applicable rate below**

| | Member | Non-Member |
|---|---|---|
| **Private** | **$45** | **$60** |
| **Public/Non-Profit** | **$35** | **$50** |
| **Young Leader** | **$35** | **$50** |
| **Student** | **$35** | **$50** |

**Sponsor -Complimentary (see below)**

**Pre-Registration Deadline:**
**Thursday, February 15th, 2007**
***After Thursday, February 15th, please call 713-349-8821. All registration fees increase $10 after pre-registration deadline.***

**Confirmations will be emailed. Sorry, fax, checks and P.O.'s received after the registration deadline will not be included in meeting registry or guaranteed a prepared name badge.**

**Refund requests must be submitted in writing no later than the above registration deadline; refund requests will not be accepted after this date.**
**Fax request to: 202-624-7147.**

**SPONSORS: Please e-mail name and contact information for complimentary attendee to coordinator@houston.uli.org**

## REGISTRATION FORM

**Payment Methods:** *(Please check the appropriate box)*

☐ **REGISTER/PAY ONLINE**
- **Register online by visiting www.uli-houston.org**
- **Payment can be made by credit card.**
- **If you register and pay online, you will not need to fax this form.**

☐ **CREDIT CARD:**
- **FAX: 1-800-248-4585**

☐ Visa ☐ Mastercard ☐ AMEX
☐ Diners ☐ Discover ☐ Carte Blanche

- **Card Number:** _____
- **Exp. Date:** _____
- **Signature:** _____

☐ **CHECK:**
- **CALL: 1-800-321-5011** – If paying with check, telephone registration is required to ensure inclusion in the registry of attendees and to obtain a prepared name badge.
- **Make Checks Payable to: ULI Houston**
- **Mail check with completed registration form to:**
  ULI Houston District Council
  Department 304
  Washington, DC 20055-0304

☐ **PURCHASE ORDER: (Public Agencies Only)**
- **FAX: 1-800-248-4585** - Fax copy of signed P.O. and completed registration form to ensure inclusion in meeting registry of attendees and to obtain a prepared name badge.
- **Payment to follow by check payable to: ULI Houston**
- **Mail check with Purchase Order & original registration form to:**
  ULI Houston District Council
  Department 304
  Washington, DC 20055-0304

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**If payment has not been received prior to the registration deadline date, a credit card guarantee will be required on-site. No credit card charges will be processed if payment is received within 1 week of meeting date.**

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**IMPORTANT: The following information must be completed (unless registering online- see above):**

**ULI Member ID # (if applicable)** _____

**Name** _____ **Informal Name for Badge** _____

**Title** _____

**Company** _____

**Address** _____

**City/State/Zip** _____

**Telephone** _____ **Fax** _____

**E-mail*** _____

*8113-0714*

** Email is required in order to receive a confirmation**
*For multiple registrations, please duplicate this form.*

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JANUARY 10, 2007


SURVEYOR:
COTTON SURVEYING COMPANY
6335 GULFTON DR., SUITE 103
HOUSTON, TEXAS 77081
(713) 981-0275
ATTN: MARTIN HICKS, R.P.L.S.

ENGINEER:
JONES & CARTER, INC.
ENGINEERS • PLANNERS • SURVEYORS
6335 Gulfton Dr., Suite 100
Houston, Texas 77081
(713) 777-5337
ATTN: Bryon P. Kennedy, P.E.