

MINUTES OF THE JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON NOVEMBER 21, 2005, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

The Mayor called the public hearing to order at 7:50 p.m. with the following present:

Mayor Tom Reid	P & Z Chairperson Ruby Sandars
Mayor Pro-Tem Kevin Cole	P & Z Vice Chairperson Todd Iocco
Council Member Woody Owens	P & Z Commissioner Neil West
Council Member Larry Marcott	P & Z Commissioner Henry Fuentes
Council Member Richard Tetens	P & Z Commissioner Susan Sherrouse

Also in attendance: City Attorney Darrin Coker; City Manager Bill Eisen; Deputy City Attorney Nghiem Doan; Assistant City Manager Nick Finan; Planning Director Lata Krishnarao; Senior Planner Theresa Grahmann; Plan and Plat Administrator Richard Keller; Planner 1 Diana DuCroz, and Planning Administrative Secretary Judy Krajca.

Senior Planner Theresa Grahmann explained the Joint Public Hearing process for the attending public, and explained that the Planning & Zoning Commission Meeting will immediately follow the Joint Public Hearing.

PURPOSE OF HEARING

The Public Hearing for Zone Change Application No. 1250 was called to order at 7:51 p.m. by Mayor Tom Reid, and by Planning and Zoning Chairperson Ruby Sandars.

A. Zone Change Application No. 1250

A request by the City of Pearland (City initiated zoning request due to annexation) for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a change in zoning district from classification Suburban Development District (SD) to Single Family Dwelling District (R-2), Single Family Dwelling District (R-3), Single Family Dwelling District (R-4), Neighborhood Service District (NS), and General Business District (GB), on the following described property, to wit:

Legal Description: All of Municipal Utility District No. Five (MUD 5), including Crystal Lake Subdivision Section 1 and Section 2, Southdown Subdivision Section 1, Section 2, Section 3, Section 4, Section 5, Section 6, Section 7, Section 8, Section 9, Section 10, Section 11, Section 12, and Section 13; 6.270 acres in Abstract 174, James Crowley Survey, Tract 1C; 11.91 acres in Abstract 174, James Crowley Survey, Southdown Commercial Reserve Tract C; 0.135 acres in Abstract 174, James Crowley Survey, Southdown Commercial Reserve Tract B; 0.218 acres in Abstract 174, James Crowley Survey, Southdown Commercial Tract A-1; 0.298 acres in Abstract 174, James Crowley Survey, Southdown Commercial Tract A; 1.049 acres in Abstracts 174, 310, and 510, Southdown Commercial Subdivision Reserve B1; 4.010 acres in Abstract 310, H.T. & B.R.R. Company Survey, Tract 36A; 1.6060 acres in Abstract 310, H. T. & B.R.R. Company Survey, Tract 36 and Tract 1B2; and 62.048 acres in Abstract 215, Chas J Hall Survey, Tract 1,2B, 1G, 1H, 1I, 1J, and 1K, City of Pearland, Brazoria County, Texas

General Location: Includes all property within MUD 5; all of Southdown Subdivision Generally Located on the North Side of County Road 403 (Hughes Ranch Road) and on the East Side of State Highway 288; an undeveloped tract located on the west side of State Highway 288 and on the north side of Discovery Bay Drive; all of Crystal Lakes Subdivision, generally located on the west side of Cullen Boulevard, and south of County Road 403 (Hughes Ranch Road); and undeveloped tracts located on the north side of Brookside Road, and on the west side of Cullen Boulevard

Planning & Zoning Chairperson Ruby Sandars read the purpose into the record.

Assistant City Manager Nick Finan presented the Staff Report and Applicants presentation.

There was no one in the audience to speak for or against this Zone Change.

There was minimal discussion among the Council members, City Manager and Assistant City Manager.

There was no comment from the Commission/Staff.

The Public Hearing for Zone Change Application No. 1250 was adjourned at 8:03 p.m.

The Public Hearing for Zone Change Application No. 1247 was called to order at 8:03 p.m. by Mayor Tom Reid.

B. Zone Change Application No. 1247

A request by Mike Pollok, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a change in zoning district from classification Suburban Development District (SD) to Planned Unit Development District (PUD), on the following described property, to wit:

Legal Description: 20.3420 acres more or less, being Lot 25 and Lot 26, Allison-Richey Gulf Coast Home Company Subdivision, Part of Suburban Gardens, Section 21, H.T. & B.R.R. Company Survey, Abstract 309, as recorded in Volume 2, Page 23, Plat Records of Brazoria County, Texas, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the North Side of Fite Road, and West of Old Chocolate Bayou Road/Cullen Boulevard

Planning & Zoning Chairperson Ruby Sandars read the purpose into the record.

Planning Director Krishnarao presented the Staff Report. Staff had concerns that this PUD lacked creativity and amenity. Ms. Krishnarao stated that staff was in the process of reviewing this PUD. There were a number of comments listed in the staff report.

Mr. Alan Mueller, with LJA Engineering, was present and represented the owner, Mr. Mike Pollak. He spoke in favor of the PUD.

There were several in the audience that spoke against this PUD. They were: Leonard Schluns of 8405 Rayleine Drive, Pearland, TX 77584; Kurt Christensen of 8403 Rayleine Drive, Pearland, TX 77584; and Eric Heinroth of 8306 Nahas Court, Pearland, TX 77584.

The owner, Mr. Mike Pollak of 10614 Tarrington, Houston, TX 77024 was also present and spoke in favor of the PUD.

Mr. Schluns asked if the handouts passed out by both the staff and Mr. Mueller were available to the audience. City Attorney Coker replied that they were, through the request of the City Secretary.

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

There was much discussion between Council/Commission/Staff. Concerns addressed were the lack of creativity. P&Z Chairperson Sandars stated this was an issue when originally presented, and was still

an issue. Councilman Cole addressed Mr. Heinroth's question on density and brought up the Comprehensive Plan. Commissioner West questioned the landscaping, and both Councilman Marcott and Chairperson Sandars asked of this PUD was definite. Mr. Mueller concluded that they would follow codes if not addressed specifically in the PUD. Ms. Krishnarao brought up the Buffer area. She stated the Comprehensive Plan does require landscaping, and asked the applicant to submit some type of drawing.

Further discussion ensued between Council/Commission/Staff.

The Public Hearing for Zone Change Application No. 1247 was adjourned at 8:45 p.m.

The Public Hearing for Zone Change Application No. 1248 was called to order at 8:45 p.m.

C. Zone Change Application No. 1248

A request by C. Davis Wilson, applicant for Texas Heritage Village, LLC, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a change in zoning district from classification Estate Lot Single Family Dwelling District (R-E) to Planned Unit Development District (PUD), on the following described property, to wit:

Legal Description: 79.1925 acres of land, being part of the west one-half of the northeast quarter of Section 32, H.T. & B.R.R. Company Survey, Abstract 525, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the South Side of County Road 100 and West of Pearland Sites Road

General Location: Generally Located on the South Side of County Road 100 and West of Pearland Sites Road

Planning & Zoning Chairperson Ruby Sandars read the purpose into the record.

Planning Director Krishnarao presented the Staff Report.

The applicant, C. Davis Wilson was present and spoke briefly, introducing Alan Mueller, of LJA Engineering, to speak on his behalf, due to his poor health.

Mr. Mueller discussed topics such as: Community Need, Comprehensive Plan, Advantages for City of Pearland, Revenue and Service Comparison, Clarifications, and a Summary.

Also speaking in favor of this PUD was the owner, Mr. Nair Sasidharan.

There were several from the audience that spoke against this PUD. They were: Meta Ann Kirby of 17020 Berry Rd., Pearland, TX 77584; Karen Morgenthaler of 6513 Grace, Pearland, TX 77584; Mary Spencer of 16654 Berry Rd., Pearland, TX 77584; and Jim Quintanilla of 7003 Amie Lane, Pearland, TX 77584. Their concerns were the narrow road, flooding, crime in the area increasing, the Sri Lankin Temple already existing on the other side of this proposed subdivision, road issues, and Police and ambulance response.

There was no one else to speak for or against this PUD.

Councilman Marcott spoke against this. He stated the land was zoned RE and needed to remain RE. Councilman Cole asked City Attorney Coker to comment on the Sri Lankin Temple, and Mr. Coker stated they could not speak on this issue. They could only speak about the land use. Mr. Cole stated he like the concept, just not the area. He was not sure he could support this. His concerns were traffic, emergency vehicles. The same concerns he had last time, they brought this forward. Chairperson Sandars stated she felt the same as she did last time this was discussed. Her concerns were traffic, density, location and the sign.

There was brief discussion between Staff and Council/Commission.

The Public Hearing for Zone Change Application No. 1248 was adjourned at 9:35 p.m.

A short recess was called by Mayor Reid.

The Public Hearing for Zone Change Application No. 1249 was called to order at 9:49 p.m. by Mayor Tom Reid.

D. Zone Change Application No. 1249

A request by Vernon G. Henry & Associates, Inc., applicant for CBL & Associates Properties, Inc., owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a change in zoning district from classification Suburban Development District (SD)

and General Business District (GB) to Planned Unit Development District (PUD), on the following described property, to wit:

Legal Description: 169.03 acres of land out of a called 154.0026 acre tract described in deed to Peyton Martin, Trustee, recorded under File Number 91-000518 of the Official Records of Brazoria County, and all of a called 2.30 acre tract described in deed to Peyton Martin, Trustee, recorded under File Number 02-041088, located in the H.T. & B.R.R. Company Survey, Abstract 300, Section 81, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the South Side of Broadway Street, and on the West Side of County Road 566, and also West of State Highway 288

Planning & Zoning Chairperson Ruby Sandars read the purpose into the record.

Planning Director Krishnarao presented the Staff Report.

Jeff Brewer, owner of CBL Properties in Chattanooga, TN gave a PowerPoint presentation. Also present to speak was Steve Moluse of KA Architects of 1468 W. 9th St., #600, Cleveland, OH 44113. He addressed the staff review comments as noted in a handout given to Council/Commission/Staff.

Present to speak in favor of the PUD was Michael Klaus of 5016 Groveton, Pearland, TX 77581.

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

There was much discussion between Council/Commission/Staff. Concerns were the hotel parking space, the apartments and the 900 s.f. of green space, low density and ownership. Also addressed was the parking and who would maintain it, and it's proximity to the Event Center. Mr. Marcott stated the handout that was given to them tonight by KA Architects was dated 11/18/05. Council, Commission and Staff did not have time to review prior to this hearing and therefore could not comment on it.

There was no further discussion between Council/Commission/Staff.

The Public Hearing for Zone Change Application No. 1249 was adjourned at 10:39 p.m.

Mayor Reid opened the docket at 10:40 and stated the Old Townsite Workshop would be moved to another night, as it was so late, and many people had left.

The Public Hearing for Specific Use Permit Application No. 156 was called to order at 10:40 p.m. by Mayor Tom Reid

E. Specific Use Permit Application No. 156

A request by James P. Dey, applicant for SBC, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a Specific Use Permit for Telephone Exchange Switching Relay and Transmitting Equipment, in the Planned Unit Development District – Shadow Creek Ranch Planned Unit Development (PUD(S)), on the following described property, to wit:

Legal Description: 0.062 acres of land located in the H.T. & B.R.R. Company Survey, Section 83, Abstract 305, more particularly being a portion of that certain called 50.980 acre tract described as north one-half of Davis Tract in "Agreed Final Judgment in Partition" of record under File No. 02-060920, Official Records of Brazoria County, Texas and File No. 2002136052, Official Public Records of Fort Bend County, Texas, City of Pearland, Brazoria County, Texas, and Fort Bend County, Texas

General Location: Generally Located on the South Side of Spinnaker Bay Drive, and East of Biscayne Springs Lane

Planning & Zoning Chairperson Ruby Sandars read the purpose into the record.

Senior Planner Grahmann gave the Staff Report.

Jim Dey, a representative of ^{SBC} (SWBell/AT&T), spoke on behalf of the applicant. He stated that typically they don't landscape as everything is concrete, brick building, roof, and wrought iron fence. Subdivision usually does all the landscaping.

Michael Klaus of 5016 Groveton, Pearland, TX 77581 spoke, asking how are other ^{SBC} SWBell locations maintaining infrastructures.

No one else spoke for or against this SUP.

Councilman Cole asked for clarification on the landscaping, asking if an agreement was in place with Shadow Creek Ranch to do this. Brief discussion ensued further on the landscaping issue between Council/Commission/Staff.

The Public Hearing for Zone Change Application No. 1249 was adjourned at 10:54 p.m.

ADJOURNMENT

The Joint Public Hearing adjourned at 10:54 p.m.

These minutes are respectfully submitted by:

Judy D. Krajca
Planning Administrative Secretary

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

Tom Reid
Mayor

JPH ^{opened the clock} ~~introduced~~ opened by Mayor REID

@ 7:50 Mayor REID called to order

Senior Planner, ~~Grahmann~~ ^{went thru the} ~~gate details~~ of a JPH Process.

Those Present

Staff
Nick Finan
Darrin Coker,
Lata Krishnerao
Theresa Grahmann
Diana Ducroz
Richard Ketter Doan
Aghiem Judy Kraje

Mayor Tom REID
Richard Tetens
Woody Owens
Kevin Cole
Larry Marcott
Bill Eisen

cc

Ch. Ruby Sandars
Vice Ch. Todd Iocco
Neil West
Henry Fuentes
Susan Sherrouse

2/2

7:51 Mayor REID opened joint Pub. Hearing ^{for Council}
P&Z Chair Person opened joint Pub Hear ^{for P&Z} _{Comm}

Zone
Appl.
1250

Chps. Sandars read the Purpose of Hearing
Asst. City Mgr. Nick Finan gave Staff report, and Applicants presentation

IV. No one in the Audience spoke for or against this zone change

V. Councilman Cole asked specifically about vacant land (R-3)

No comments from P&Z Comm.
Mr. Bill Eisen questioned City already owning property near P. 00

VI Adjourned 8:03 p.m.

zone change
to
PUD
#1247

I

opened docket for Pub. Hearing on 1247 @ 8:03pm
chps. Sanders Read the Zone Change Reg.

III a. Lata Krishnarao read Staff Rpt.

- lack of creativity
- lack of amenity

Staff is in the process of reviewing the PUD. There were a number of comments listed in the Staff Rpt., including

b. Alan Mueller was present for the Applicant w/ LSA Engineer. - representing Mr. Mike Pollak who was present in the audience.
the Applicant

IV. Mr. Leonard Schlans 8409 Rayline Dr. 77584
spoke against

• Kurt Christensen 8403 Rayline Dr. 77584
spoke against

• Eric Heenroth 8306 Nahas Ct. 77584
spoke against w/ concerns & questions

• Mike Pollak 10614 Tarrington Houston 77024
spoke in favor

Mr. Schlans asked if the handouts that Staff handed out & Alan Mueller distributed were these

made public? Darrin Replied yes

No one else in and spoke for or against zone change

V. Mr. Tetens addressed questions to Mr. Mueller that a person from audience asked.

Mr. Marcott stated that P&Z would address this, as well.

chps. Sanders stated orig. said "lack of creativity" and it has not changed since then.
also - PUD

Staff comments rec'd Thurs/Sri. per Mr. Mueller

Mr. Cole referred to Mr. Heinroth's question on density and brought up Comprehensive Plan.

Ruby addressed Lata on did P&Z recommend R- zoning

Neil West - questioned landscaping & addressed to Mr. Mueller.

Mr. Marcott & Ruby both questioned if PUD definate.

Per Mr. Mueller states they will follow codes if not in PUD.

Data - Buffer area. Comp Plan does require landscaping - so asking applicant to give us some type of drawing.

Much discussion between Council/comm/Staff

II adjourned 8:45

zone change 1248

Mayor opened docket for a Pub. Hear.

II Chrps Sanders read the request. Purpose of Hear

III Data read Staff rpt.

(a.) b. applicant c Davis Wilson ^{was} present to speak - he ^{briefly} spoke & asked Mr. Alan Mueller to speak on his behalf (due to Mr. Wilsons poor health)

Topics discussed: Community Need

- Comprehensive Plans
- Advantages For City of Pearl and
- Revenue & Services Comparison
- Clarifications
- Summary

^{also speaking was} Mr. Nair Sasicharan ^{the owner} - spoke in favor of this PUD.

IV Meta Ann Kirby spoke for neighbors in Berry Rd ^{residence}
17020 Berry Rd.
17551
spoke against

Concerns : narrow rd.
flooding
Crime in area has increased
Britton Acres Subd.

Sri Lanka → Temple on other side of subd.
parking
will it be only Indians or open to others
Karen Morgenthaler 6513 Grace 77584

Began
Tape 2

spoke against
numerous → road issues
Mary Spencer - 116654 Berry Rd 77584

Is a County resident (not a city resident)
ask to be a part of this so it will benefit them?
Please consider residence

Jim Quintanilla - 7003 Annie Lane
against this because of Sri Lanka Temple
and now this Heritage Village

No one else spoke for or against

II Mr. Marcott spoke against. Road speed.
RE ; needs to remain RE.

Kevin Cole asked Parrin to comment on Sri Lanka temple. Council cannot speak on that issue. About land use only. Like concept - just not the area. Not sure he can support this, in the area.

Concerns are traffic - emergency vehicles.
Same concerns as last time.

Ruby Sanders ^{feels} same as ^{before} against.

traffic issues

density

location

The Sign -

Mr. Marcott briefly commented again

can't support this, in this location

Data made clarification re. Park Ave

II adjourned @ 9:35

Mayor called for a short recess

I ^{Mayor} Opened docket for # 1249 @ 9:49

II Ruby Sanders read purpose of Hearing

III ^{a.} Data read staff rpt.

b. Appl. - Jeff Brewer gave Power Point present.
w/CBL Properties of Chattanooga, TN.

Steve ~~Meluse~~ w/KA architects from
Cleveland, OH (1468 W 9th St. #1600)
44113

addressed Staff review comments, ~~and~~ ^{as}

noted in handout to the Council/comm/Staff

referred to bottom pg. 15 & 16 section 10.

IV Michael Klaus 5016 Groveton
Pearland TX 77581

• In favor - but feels need interim phase

• Disliked Presentation on screen

• No one else spoke in favor or against

Zone
Chng
#1249

changed
Tape

V L. Marcott - Hotel / parking space

Staff - parking

Rm to parking space ratio

Marcott then addressed staff

Drainage manual - pg. 13 of
the booklet (10-3-05) needs to be
updated

tetens - concerns w/ apt. & 900 ~~sq.~~ green space
Stephen Moluse responded to this.

L. Marcott referred to handout letter dated

11/18 rec'd only tonight. Need to get them
in sooner. No one has had time to review.

Kevin Cole questioned mgnt co. ~~will~~ ^{will} maintain
parking. Mr. Moluse says yes.

Reedy says pup has to be complete

she read "could be" & "may".

Needs definites - in writing

- Concerns w/ parking near event center
- Low density mean R-1 or R-2 (2 houses
per acre) and they added it to read 600
units.

also Events center & "Name"

Mr. Jeff Brewer responded. Multifam. chosen
by Market.

Jeff says they will own some & will deed some
out (Foley will own, but CBL & ASSOC. will own some)

Tetens - questioned density

Giff Brewer stated one of tonight's handout
talked of ~~Maximum Density~~ ^{Land Use Area} table.

Much discussion ensued between Council,
P&Z Comm. & CBL & KA arch.

P&Z comm Henry Fuentes questioned 300 fronts
for 149 acres.

No further Discussion

II Adjournd @ 10:39

Mayor opened Docket @ 10:40

will move the Old Townsite Workshop
to another night.

SUP
NO.
156

Ruby read request

III^a TU. Graham gave staff rpt.

III^b Jim Dey repre. of SWB, AT&T.

spoke on behalf of applicant

typically they don't landscape. All is concrete.
brick bldg. w/ roof, wrought iron fence.

typically subd. does all landscaping

Mr Michael Klaus, 5016 Groveton

SWB @ other locations. How they are maintaining
in Fracture Lines.

No one else spoke for or against this suit.

~~V~~ Kevin Cole wanted clarification on landscaping.
do you have an agreement w/ SCR that they
will do landscaping.

Mr. Marcott addressed updating ~~to~~ older SWB boxes.

~~to~~ Landscaping was discussed again

VI adjourned @ 10:54

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Also in attendance: City Attorney Darrin Coker; City Manager Bill Eisen; Deputy City Attorney Nghiem Doan; Assistant City Manager Nick Finan; Planning Director Lata Krishnarao; Senior Planner Theresa Grahmann; Plan and Plat Administrator Richard Keller; Planner 1 Diana DuCroz, and Planning Administrative Secretary Judy Krajca.

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General Location: Includes all property within MUD 5; all of Southdown Subdivision Generally Located on the North Side of County Road 403 (Hughes Ranch Road) and on the East Side of State Highway 288; an undeveloped tract located on the west side of State Highway 288 and on the north side of Discovery Bay Drive; all of Crystal Lakes Subdivision, generally located on the west side of Cullen Boulevard, and south of County Road 403 (Hughes Ranch Road); and undeveloped tracts located on the north side of Brookside Road, and on the west side of Cullen Boulevard

~~Planning & Zoning~~ Chairperson Ruby Sandars read the purpose into the record.

Assistant City Manager Nick Finan presented the Staff Report ^{for the} and ~~Applicants presentation.~~ *proposed zoning of MUD 5.*

There was no one in the audience to speak for or against this Zone Change.

There was minimal discussion among the Council members, City Manager and ~~Assistant City Manager~~ *regarding the requested zoning and park site.*

^{were} There ~~was~~ ^{Mr. Finan} no comment from the Commission/Staff.

The Public Hearing for Zone Change Application No. 1250 was adjourned at 8:03 p.m.

The Public Hearing for Zone Change Application No. 1247 was called to order at 8:03 p.m. by Mayor Tom Reid.

B. Zone Change Application No. 1247

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General Location: Generally Located on the North Side of Fite Road, and West of Old Chocolate Bayou Road/Cullen Boulevard

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Planning Director Krishnarao presented the Staff Report. Staff had concerns that this PUD lacked creativity and amenity. Ms. Krishnarao stated that ~~staff was in the process of reviewing this PUD~~. There were a number of comments listed in the staff report. *the Commission*

Mr. Alan Mueller, with LJA Engineering, was present and represented the owner, Mr. Mike Pollak. He spoke in favor of the PUD.

There were several in the audience that spoke against this PUD. They were: Leonard Schluns of 8405 Rayleine Drive, Pearland, TX 77584; Kurt Christensen of 8403 Rayleine Drive, Pearland, TX 77584; and Eric Heinroth of 8306 Nahas Court, Pearland, TX 77584.

The owner, Mr. Mike Pollak of 10614 Tarrington, Houston, TX 77024 was also present and spoke in favor of the PUD.

Mr. Schluns asked if the handouts passed out by both the staff and Mr. Mueller were available to the audience. City Attorney Coker replied that they were, through the request of the City Secretary. *through an open records*

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

There was much discussion between Council/Commission/Staff. Concerns ~~addressed were~~ the lack of creativity. ~~P&Z~~ Chairperson Sandars stated this was an issue when originally presented, and was still *one of the →*

an issue. Councilman Cole addressed Mr. Heinroth's question on density and brought up the Comprehensive Plan. Commissioner West questioned the landscaping, and both Councilman Marcott and Chairperson Sandars asked of this PUD was definite. Mr. Mueller concluded that they would follow ^{other} codes if not addressed specifically in the PUD. Ms. Krishnarao brought up the Buffer area. She stated the Comprehensive Plan does require landscaping, and asked the applicant to submit some type of drawing. *emceptual*

Further discussion ensued between Council/Commission/Staff, *regarding the comments within the staff report.*

The Public Hearing for Zone Change Application No. 1247 was adjourned at 8:45 p.m.

The Public Hearing for Zone Change Application No. 1248 was called to order at 8:45 p.m.

C. Zone Change Application No. 1248

A request by C. Davis Wilson, applicant for Texas Heritage Village, LLC, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a change in zoning district from classification Estate Lot Single Family Dwelling District (R-E) to Planned Unit Development District (PUD), on the following described property, to wit:

Legal Description: 79.1925 acres of land, being part of the west one-half of the northeast quarter of Section 32, H.T. & B.R.R. Company Survey, Abstract 525, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the South Side of County Road 100 and West of Pearland Sites Road

~~General Location: Generally Located on the South Side of County Road 100 and West of Pearland Sites Road~~

~~Planning & Zoning~~ Chairperson Ruby Sandars read the purpose into the record.

Planning Director Krishnarao presented the Staff Report.

The applicant, C. Davis Wilson, was present and spoke briefly, introducing Alan Mueller, of LJA Engineering, to speak on his behalf, due to his poor health.

the need for a retirement village in the community
Mr. Mueller discussed topics ~~such as:~~ ^{the} Community Need, Comprehensive Plan, ^{the} Advantages for City of Pearland, Revenue and Service Comparison, Clarifications, and a Summary.

Also speaking in favor of this PUD was the owner, Mr. Nair Sasidharan.

There were several from the audience that spoke against this PUD. They were: Meta Ann Kirby of 17020 Berry Rd., Pearland, TX 77584; Karen Morgenthaler of 6513 Grace, Pearland, TX 77584; Mary Spencer of 16654 Berry Rd., Pearland, TX 77584; and Jim Quintanilla of 7003 Amie Lane, Pearland, TX 77584. Their concerns were the narrow road, flooding, crime in the area increasing, the Sri Lankin Temple already existing on the other side of this proposed subdivision, road issues, and ^{traffic} Police and ambulance response. *(noise associated with the temple)*

There was no one else to speak for or against this PUD.

as it is not related to this zone change.
Councilman Marcott spoke against this. He stated the land was zoned RE and needed to remain RE. Councilman Cole asked City Attorney Coker to comment on the Sri Lankin Temple, and Mr. Coker stated they could not speak on this issue. They could only speak about the land use. Mr. Cole stated he like the concept, just not the area. He was not sure he could support this. His concerns were traffic, emergency vehicles. The same concerns he had ~~last time they brought forward this time.~~ *during the workshop are still the same.* Chairperson Sandars stated she felt the same as she did last time this was discussed. Her concerns were traffic, density, location, and the sign.

There was brief discussion between Staff and Council/Commission.

The Public Hearing for Zone Change Application No. 1248 was adjourned at 9:35 p.m.

A short recess was called by Mayor Reid.

The Public Hearing for Zone Change Application No. 1249 was called to order at 9:49 p.m. by Mayor Tom Reid.

D. Zone Change Application No. 1249

A request by Vernon G. Henry & Associates, Inc., applicant for CBL & Associates Properties, Inc., owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a change in zoning district from classification Suburban Development District (SD)

and General Business District (GB) to Planned Unit Development District (PUD), on the following described property, to wit:

Legal Description: 169.03 acres of land out of a called 154.0026 acre tract described in deed to Peyton Martin, Trustee, recorded under File Number 91-000518 of the Official Records of Brazoria County, and all of a called 2.30 acre tract described in deed to Peyton Martin, Trustee, recorded under File Number 02-041088, located in the H.T. & B.R.R. Company Survey, Abstract 300, Section 81, City of Pearland, Brazoria County, Texas

General Location: Generally Located on the South Side of Broadway Street, and on the West Side of County Road 566, and also West of State Highway 288

Planning & Zoning Chairperson Ruby Sandars read the purpose into the record.

Planning Director Krishnarao presented the Staff Report.

Jeff Brewer, ~~owner of~~ CBL Properties in Chattanooga, TN gave a PowerPoint presentation. Also present to speak was Steve Moluse of KA Architects of 1468 W. 9th St., #600, Cleveland, OH 44113. He addressed the staff review comments as noted in a handout given to Council/Commission/Staff.

Present to speak in favor of the PUD was Michael Klaus of 5016 Groveton, Pearland, TX 77581.

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

There was much discussion between Council/Commission/Staff. Concerns were the hotel parking space, the apartments and the 900 s.f. of green space, ~~low~~ density, and ownership. Also addressed was the parking and who would maintain it, and its proximity to the Event Center. Mr. Marcott stated the handout that was given to them tonight by KA Architects was dated 11/18/05. Council, Commission and Staff did not have time to review prior to this hearing and therefore could not comment on it.

There was no further discussion between Council/Commission/Staff.

The Public Hearing for Zone Change Application No. 1249 was adjourned at 10:39 p.m.

Mayor Reid opened ~~the docket at 10:40~~ ^{that} and stated the Old Townsite Workshop would be moved to another night, as it was so late, and many people ~~had left.~~ ^{interested in the Townsite had already left.}

The Public Hearing for Specific Use Permit Application No. 156 was called to order at 10:40 p.m. by Mayor Tom Reid

E. Specific Use Permit Application No. 156

A request by James P. Dey, applicant for SBC, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a Specific Use Permit for Telephone Exchange Switching Relay and Transmitting Equipment, in the Planned Unit Development District – Shadow Creek Ranch Planned Unit Development (PUD(S)), on the following described property, to wit:

Legal Description: 0.062 acres of land located in the H.T. & B.R.R. Company Survey, Section 83, Abstract 305, more particularly being a portion of that certain called 50.980 acre tract described as north one-half of Davis Tract in “Agreed Final Judgment in Partition” of record under File No. 02-060920, Official Records of Brazoria County, Texas and File No. 2002136052, Official Public Records of Fort Bend County, Texas, City of Pearland, Brazoria County, Texas, and Fort Bend County, Texas

General Location: Generally Located on the South Side of Spinnaker Bay Drive, and East of Biscayne Springs Lane

~~Planning & Zoning~~ Chairperson Ruby Sandars read the purpose into the record.

Senior Planner Grahmann gave the Staff Report.

Jim Dey, a representative of SBC, spoke on behalf of the applicant. He stated that typically they don't landscape as everything is concrete, brick building, roof, and wrought iron fence. ^{The adjacent} Subdivision usually does all the landscaping.

Michael Klaus of 5016 Groveton, Pearland, TX 77581 spoke, asking how are other SBC locations maintaining infrastructures.

No one else spoke for or against this SUP.

Councilman Cole asked for clarification on the landscaping, asking if an agreement was in place with Shadow Creek Ranch to do this. Brief discussion ensued further on the landscaping issue between Council/Commission/Staff.

The Public Hearing for Zone Change Application No. 1249 was adjourned at 10:54 p.m.

ADJOURNMENT

The Joint Public Hearing adjourned at 10:54 p.m.

These minutes are respectfully submitted by:

Judy D. Krajca
Planning Administrative Secretary

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

Tom Reid
Mayor