

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 18, 2005, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

*Mayor 1:50*

**II. PURPOSE OF HEARING**

*Co-Chairman Jocco Head*

Zone Change Application No. 1236 and Specific Use Permit Application No. 149

A request by Shepherd of the Heart Methodist, applicant for Anh Ho and Arlin Harwell, owners, 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-1), and approval of a Specific Use Permit for a church (R-1(S)), on the following described property, to wit:

Legal Description: 10.00 acres in the J.S. Talmage Survey, Abstract 564, and being a part of Lot 36 of the Allison Richey Gulf Coast Home Company Suburban Gardens Subdivision recorded in Volume 2, Page 98 of the Plat Records of Brazoria County, City of Pearland, Brazoria County, Texas

General Location: Located on the North Side of County Road 59, and West 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.**

**JOINT PUBLIC HEARING AGENDA ITEM  
MEETING OF JULY 18, 2005**

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**Zone Change Application No. 1236 &  
Specific Use Permit Application No. 149**

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

**SUBJECT:** A request by Shepherd of the Heart Methodist, applicant for Anh Ho and Arlin Harwell, owners, 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-1), and approval of a Specific Use Permit for a church (R-1(S))

**LEGAL DESCRIPTION:** 10.00 acres in the J.S. Talmage Survey, Abstract 564, and being a part of Lot 36 of the Allison Richey Gulf Coast Home Company Suburban Gardens Subdivision recorded in Volume 2, Page 98 of the Plat Records of Brazoria County, City of Pearland, Brazoria County, Texas

**GENERAL LOCATION:** Located on the North Side of County Road 59, and West 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: July 18, 2005\*  
City Council for First Reading: August 8, 2005\*  
City Council for Second Reading: August 22, 2005\*

(\*dates subject to change if item is tabled)

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**SUMMARY:** The applicant is requesting a change in zoning on the subject property for single family residential uses, as well as a Specific Use Permit for a church and related church facilities. The subject property was annexed into the City in 1999 and was

subsequently zoned as SD. The subject property is currently undeveloped. The applicant has indicated that they plan to construct a church on the subject property.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Suburban Development District (SD)	Undeveloped tracts
South	Not in City Limits or City ETJ (City of Manvel ETJ)	Undeveloped tract
East	Estate Lot Single Family Dwelling District (R-E)	Single family residence
West	Suburban Development District (SD)	Undeveloped tracts

**CONFORMANCE TO THE LAND USE AND URBAN DEVELOPMENT ORDINANCE:** The applicant is requesting an R-1 zoning district. The minimum lot size for the R-1 district is 8,800 square feet and the minimum lot width is 80 feet. The subject property in its present configuration meets these minimum requirements, as the subject property is 660 feet wide and is approximately 10.00 acres in size.

The applicant will be required to comply with all other requirements of the Land Use and Urban Development Ordinance.

**PLATTING STATUS:** Based on the legal description and survey 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 Subdivision Ordinance, prior to issuance of a building permit. The plat will need to address all requirements listed in the Subdivision Ordinance, and be approved by the Planning and Zoning Commission. The plat will need to be filed for record with the County Clerk, prior to issuance of a building permit.

If the applicant is able to submit documentation indicating that the subject property has been in its present configuration since March 1981, platting may not be required. March 1981 is the effective date of the Subdivision Ordinance, which requires all properties within the City of Pearland to be platted upon a change in configuration.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends "Low Density Residential" for the subject property and for many of the surrounding properties on County Road 59. The Comprehensive Plan further indicates that the appropriate zoning districts for "Low Density Residential" are the Estate Lot Single Family Dwelling District (R-E) and the Single Family Dwelling District R-1. Therefore, the proposed zone change conforms to the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on County Road 59, a secondary thoroughfare with an ultimate right-of-way of 100 feet that is to be widened in the future as necessary. If the applicant is required to plat the subject property, additional right-of-way dedication will be required for County Road 59.

Future Kirby Drive will be located east of the subject property.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** There is currently not any City water and sewer service available for the subject property, nor within close proximity to the subject property. During the review of the building permit application, utility service will be reviewed.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The applicant has chosen to request a residential zoning district as the underlying zoning district. A church is permitted by approval of a Specific Use Permit in any of the residential zoning districts. A church is permitted by right in the other non-residential zoning districts, such as OP, NS, GB, and C. The applicant chose the residential zoning district rather than a non-residential zoning district due to the adjacent land uses within the subject area, due to the low density residential recommendation in the Comprehensive Plan, and to be more compatible with the existing and future land uses within the area. If the church project does not occur for whatever reason, the subject property would have an underlying zoning district of R-1 and could be developed with single family residences.

If the zone change and specific use permit are 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.

The applicant has submitted a site plan for informational purposes only. The site plan has not yet been reviewed by the City for conformance with various codes and ordinances. A complete set of site plan and building plans will need to be submitted by the applicant along with the application for a building permit, at which time a complete review will be completed.

### **Specific Use Permit Considerations:**

The proposed Specific Use Permit is a discretionary item for review by the Planning and Zoning Commission and City Council, and additional safeguards and conditions can be placed on the approval of the Specific Use Permit. With the subject property being requested for R-1 zoning, several ordinances would not apply to residential properties. A church is not a residential use, but is not considered a commercial use and would not be subject to certain ordinances under the R-1 district regulations. Because of this, Staff recommends that the following items be taken into consideration:

1. **Dumpster screening.** Tracts zoned R-1 typically do not have dumpsters located upon them. If the applicant intends to place dumpsters in site, Staff recommends that the following requirement be specified within the motion: "All refuse containers placed on the subject property shall be screened from public view on 3 sides with an opaque fence."
  
2. **Landscaping.** The Landscape Ordinance does not apply to R-1 zoned properties. Therefore, in order to have the development of the subject property comply with the landscape ordinance, Staff recommends that the following requirement be specified within the motion: "Development of the subject property shall comply with Sections 22.1 through 22.5 of the Land Use and Urban Development Ordinance."  
(sections 22.1 through 22.5 are the sections that state the minimum requirements for landscaping)
  
3. **Building façade.** The building façade ordinance does not apply to R-1 zoned districts, or any other residential district. Since the subject property is located on a secondary thoroughfare, County Road 59, Staff recommends that the following requirement be specified within the motion: "Development of the subject property shall comply with Section 22.6 (A) of the Land Use and Urban Development Ordinance."  
(section 22.6 (A) requires 100 percent masonry or glass on and walls visible from a public or private roadway or abutting residential zoned districts)
  
4. **Screening (fence) between uses.** The subject property is surrounded on two sides by properties zoned Suburban Development District (SD), and an R-E tract to the east. These surrounding properties to the north and west are undeveloped, and the property to the east is developed with a single family residence. It is anticipated that these surrounding tracts zoned SD would be zoned residential, in accordance with the Comprehensive Plan, at some point in the future. If the Commission and Council believe that a screening fence is necessary, the type, height, and location of the fence would have to be specified in the motion. Staff is of the opinion that a screening fence is not necessary, and would provide obstacles to linkages between the residential and future residential properties on the north side of County Road 59.

**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 R-1 and the Specific Use Permit for a church, for the following reasons:

1. The proposed zone change for R-1 conforms to the "Low Density Residential" land use designation as recommended by the Comprehensive Plan, and a church is permitted by approval of a Specific Use Permit in the R-1 district (if the church project does not come to fruition, the subject property could be developed with R-1 lots).
2. The proposed zone change for R-1 is consistent and compatible with existing residential districts and single family residential land uses within the subject area, and a church tends to be compatible with residential land uses.

Staff also recommends that the following items be conditions of the Specific Use Permit:

1. "All refuse containers placed on the subject property shall be screened from public view on 3 sides with an opaque fence."
2. "Development of the subject property shall comply with Sections 22.1 through 22.5 of the Land Use and Urban Development Ordinance." (Landscape Requirements)
3. "Development of the subject property shall comply with Section 22.6 (A) of the Land Use and Urban Development Ordinance." (Building Façade)

**SUPPORTING DOCUMENTS:**

- Notice of Public Hearing
- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Proposed Site Plan/Floor Plan
- Zoning Map
- Future Land Use Plan

**ZONE CHANGE APPLICATION NO. 1236 and SPECIFIC USE PERMIT APPLICATION NO. 149**

**NOTICE OF A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, REGARDING:**

A request by Shepherd of the Heart Methodist, applicant for Anh Ho and Arlin Harwell, owners, 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-1), and approval of a Specific Use Permit for a church (R-1(S)), on the following described property, to wit:

10.00 acres in the J.S. Talmage Survey, Abstract 564, and being a part of Lot 36 of the Allison Richey Gulf Coast Home Company Suburban Gardens Subdivision recorded in Volume 2, Page 98 of the Plat Records of Brazoria County, City of Pearland, Brazoria County, Texas (Located on the North Side of County Road 59, and West of Future Kirby Drive)

**PUBLIC HEARINGS WILL BE HELD IN THE  
COUNCIL CHAMBER OF CITY HALL  
LOCATED AT  
3519 Liberty Drive, Pearland, Texas  
on  
MONDAY, JULY 18, 2005, AT 6:30 P.M.**

An application and map are enclosed for your information. This notice has been sent to all owners of real property within 200 feet of the request, as such ownership appears on the last approved city tax roll, in accordance with notification guidelines established by City Ordinance and State law.

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. If you are unable to attend, but wish to have your opinions made a part of the public record, please complete the enclosed form and return it prior to the public hearing.

If you have any questions or need additional information please contact the City of Pearland Planning Department at (281) 652-1742 or [tgrahmann@ci.pearland.tx.us](mailto:tgrahmann@ci.pearland.tx.us).

**Property Owner Notice**



# 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

Please check one:

- Change in Zoning Classification from: SD (list current zoning) to: R1 (list proposed zoning)
- Specific Use Permit Request for: CHURCH AND CHURCH FACILITIES (list proposed use)

### Property Information:

Address: CR. 59 PEARLAND Tax Account No. BCAD SHORT ACCT. # R179001  
 Subdivision: ALLISON-RICHEY Lot: 36 Block: 0564-0016-000

**\*\* Attach a copy of the metes and bounds description, survey, or legal description\*\***

Current use of property (type of structures on property): RAW LAND

Future/proposed use of property and reason for zone change: TO ACCOMMODATE BUILDING OF A NEW CHURCH ON THE EAST 10 ACRES OF THE 13 TOTAL ACRES. - FULLY DESCRIBED ON THE ATTACHED M/B. & SURVEY.

### PROPERTY OWNER INFORMATION:

NAME ANH HO & ARLIN HARWELL  
 ADDRESS 5005 WOODVILLE LN.  
 CITY PEARLAND STATE TX ZIP 77584  
 PHONE (281) 485 6745  
 FAX (281) 485 7537 (TITLE Co.)  
 E-MAIL ADDRESS \_\_\_\_\_

### APPLICANT INFORMATION:

NAME SHEPHERD OF THE HEART METHODIST  
 ADDRESS 6801 BROADWAY STE H.  
 CITY PEARLAND STATE TX. ZIP 77581  
 PHONE (281) 997 8750 / 281 703 1425  
 FAX (281) 997 8750 / 281 480 9939  
 E-MAIL ADDRESS \_\_\_\_\_

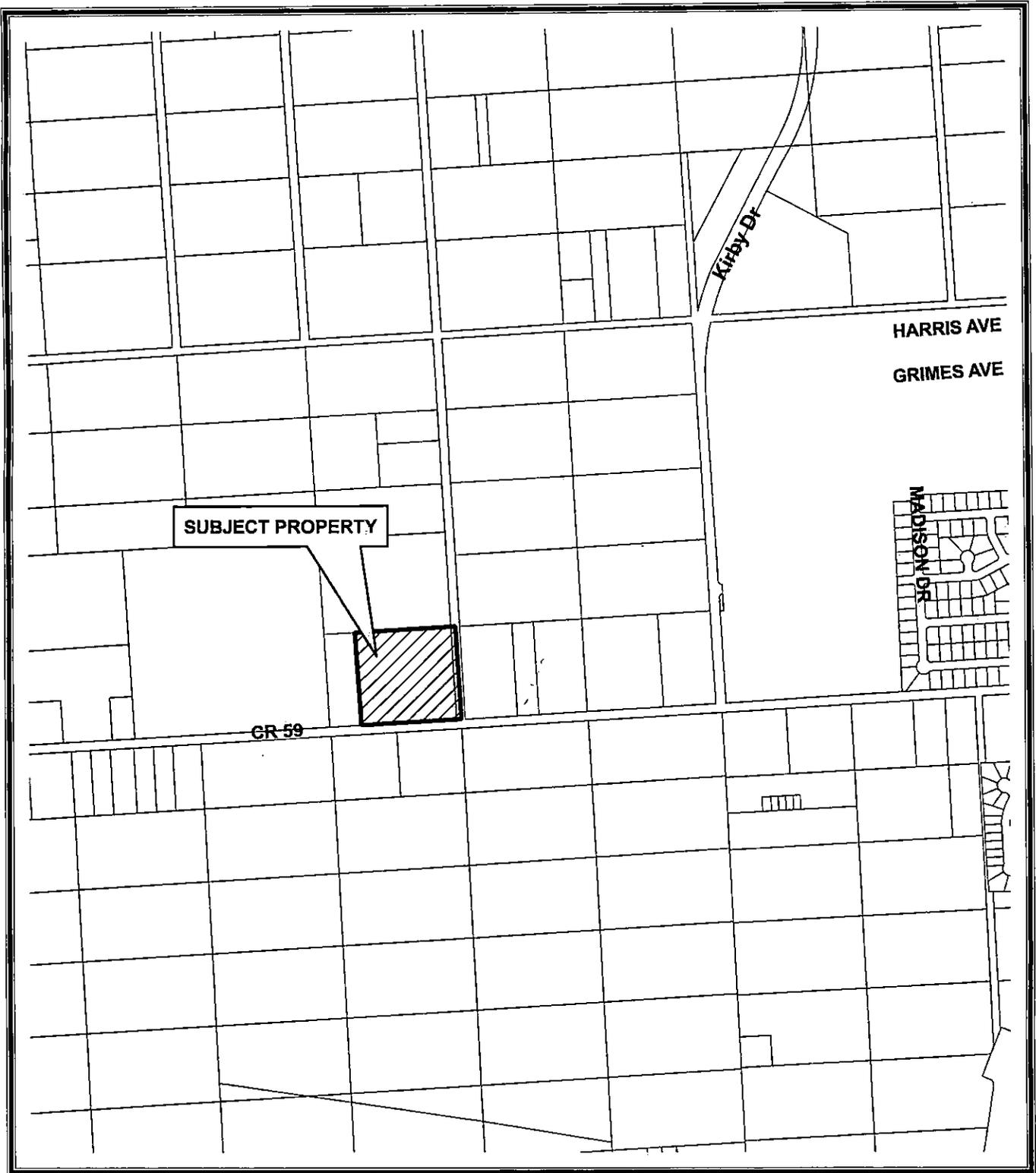
PETITION: As owner/agent, I hereby petition the City of Pearland for approval of the above described request as provided for by the laws of the State of Texas and ordinances of the City of Pearland. I certify to the best of my knowledge that this is a true description of the property upon which I have requested the above checked action. I understand that I am fully responsible for the correctness of the legal description given.

Owner's Signature: x [Signature] Date: 5/23/05  
 Agent's Signature: [Signature] Date: 6/16/05

### OFFICE USE ONLY:

FEES PAID: <u>\$ 275.00</u>	DATE PAID: <u>6/16/05</u>	RECEIVED BY: <u>[Signature]</u>	APPLICATION NUMBER: <u>1236 + SUP 149</u>
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\*\*\*APPLICATION IS CONSIDERED INCOMPLETE WITHOUT A METES AND BOUNDS DESCRIPTION OR SURVEY AND THE APPLICATION FEE\*\*\*

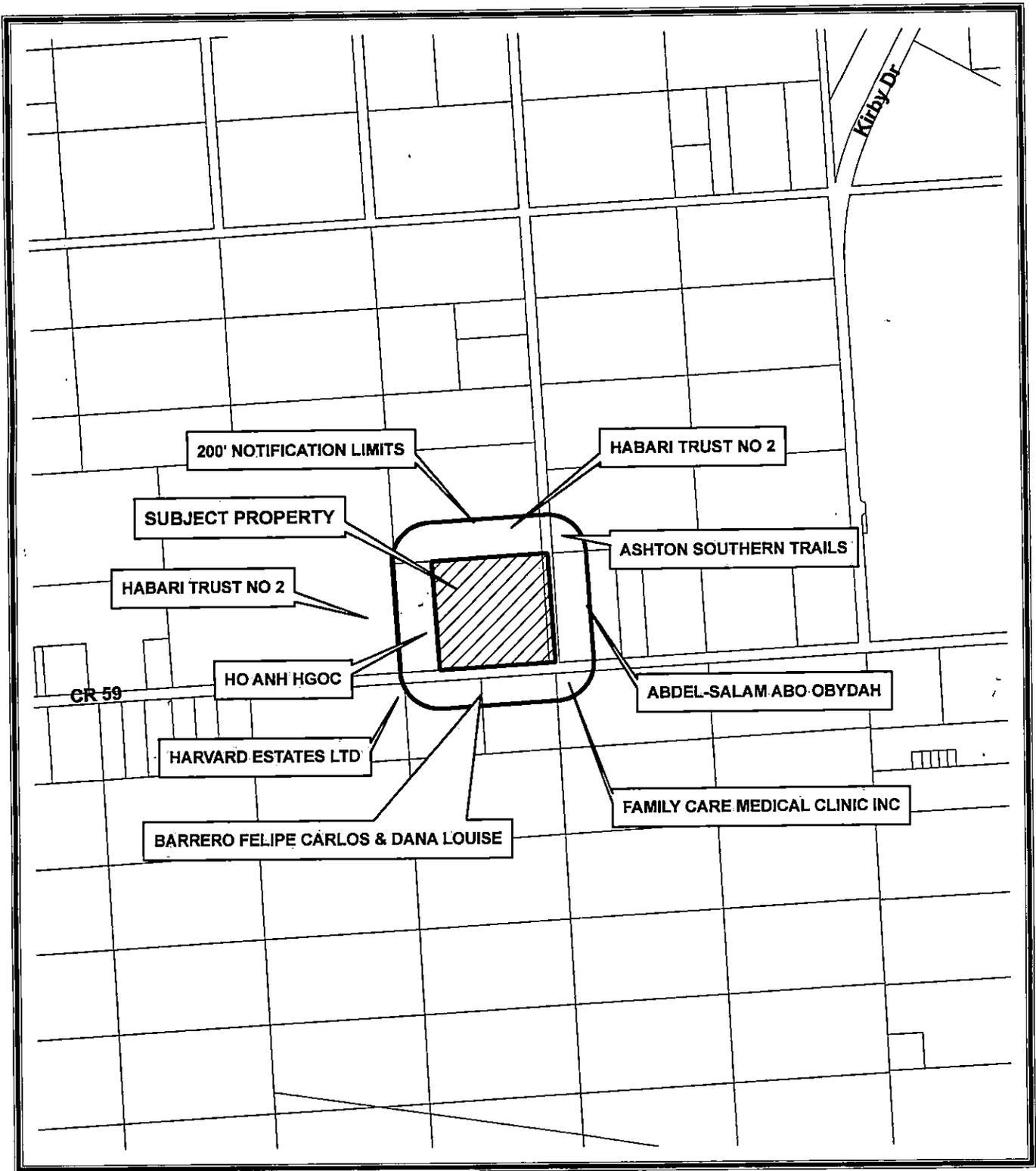


**LOCATION MAP**  
**Zone Change Application**  
**No. 1236 and**  
**Specific Use Permit No. 149**



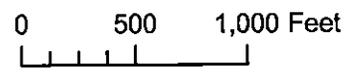
0 500 1,000 Feet  
[Scale bar with four tick marks]

Map Prepared on July 1, 2005



# OWNERSHIP MAP

Zone Change Application  
 No. 1236 and  
 Specific Use Permit No. 149

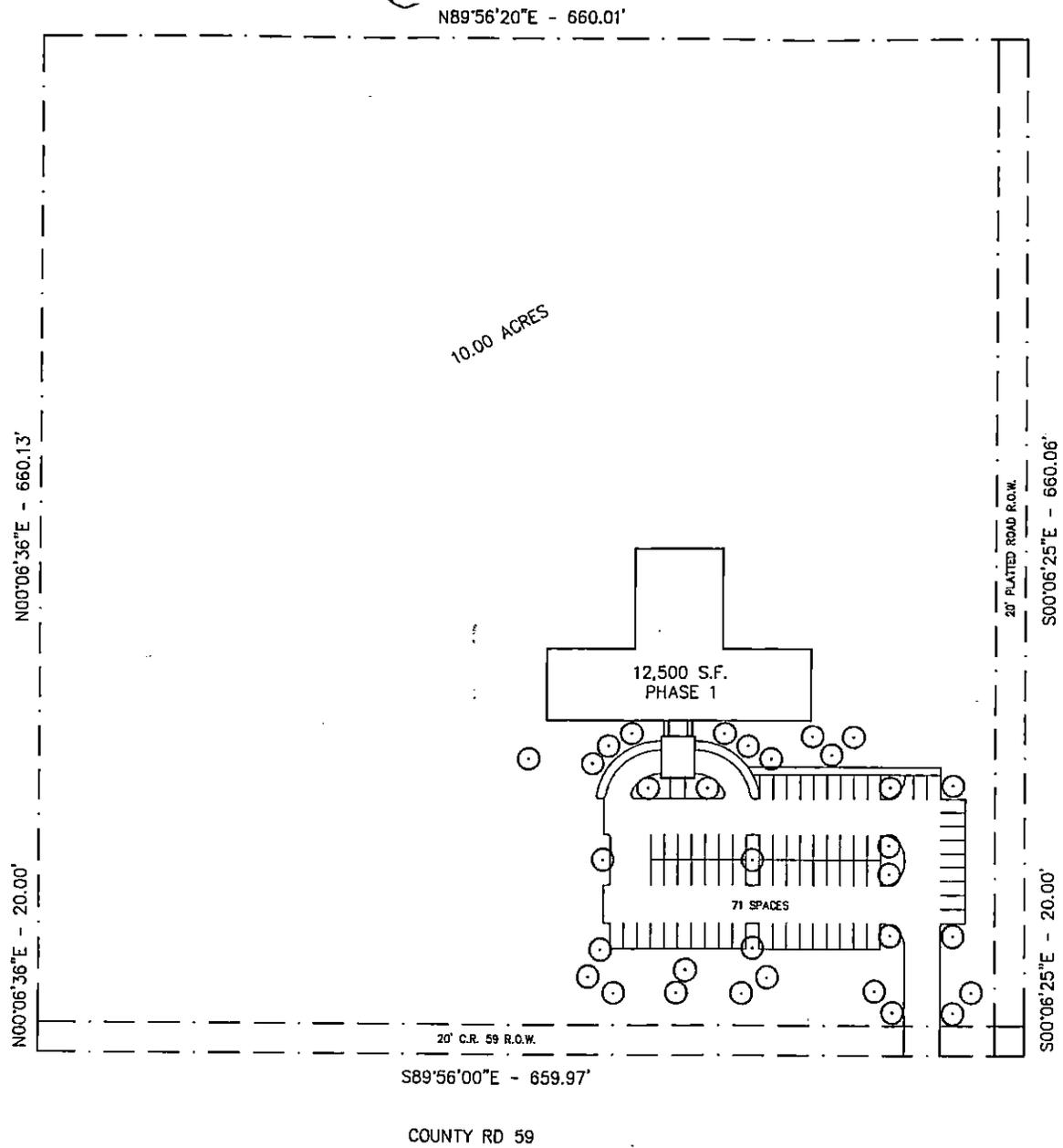


Map Prepared on July 1, 2005

**ZONE CHANGE APPLICATION NO. 1236 AND SPECIFIC USE PERMIT APPLICATION NO. 149**  
**Property Owner Notification List**

<u>PROP ID</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>ST</u>	<u>ZIP CODE</u>	<u>LEGAL DESCRIPTION</u>
R179020	HABARI TRUST NO 2	2101 CRAWFORD ST STE 204	HOUSTON	TX	77002-8941	A0564 H T & B R R, TRACT 35-57, ACRES 53.333
R178996	ASHTON SOUTHERN TRAILS	11375 W SAM HOUSTON PKY STE 100	HOUSTON	TX	77031	A0564 H T & B R R, TRACT 45, ACRES 10.000
R179020	HABARI TRUST NO 2	2101 CRAWFORD ST STE 204	HOUSTON	TX	77002-8941	A0564 H T & B R R, TRACT 35-57, ACRES 53.333
R505971	ABDEL-SALAM ABO OBYDAH	11905 CR 59	PEARLAND	TX	77584	A0564 H T & B, BL 1, TR 1, ELIM SD, ACRES 5.00
R179001	HO ANH HGOC & ARLIN O HARWELL	5005 WOODVILLE LN	PEARLAND	TX	77584-1222	A0564 H T & B R R, TRACT 36, ACRES 13.300
R168068	BARRERO FELIPE CARLOS & DANA LOUISE	2360 COUNTY ROAD 59	MANVEL	TX	77578	A0298 H T & B R R, TRACT 31-32-33, ACRES 30.30
	SHEPHERD OF THE HEART METHODIST	6801 BROADWAY ST STE H	PEARLAND	TX	77581	APPLICANT
R168056	FAMILY CARE MEDICAL CLINIC INC	14215 S POST OAK RD	HOUSTON	TX	77045-5233	A0298 H T & B R R, TRACT 41-42-43, ACRES 30.000
R168055	HARVARD ESTATES LTD	5100 SAN FELIPE ST UNIT 221	HOUSTON	TX	77056-3600	A0298 H T & B R R, TRACT 21, ACRES 9.596

SITE PLAN  
SCALE: 1"=40'-0"



REFERENCE: INKS, PENS, AND MARKERS TO BE USED IN THIS DRAWING SHALL BE AS SHOWN IN THE LISTING ON THE NEXT PAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**Demare Architecture**  
1000 1st Ave.  
St. Paul, MN 55102  
Phone: 763-444-7700  
Fax: 763-444-7701

**SHEPHERD OF THE HEART U.M.C.**

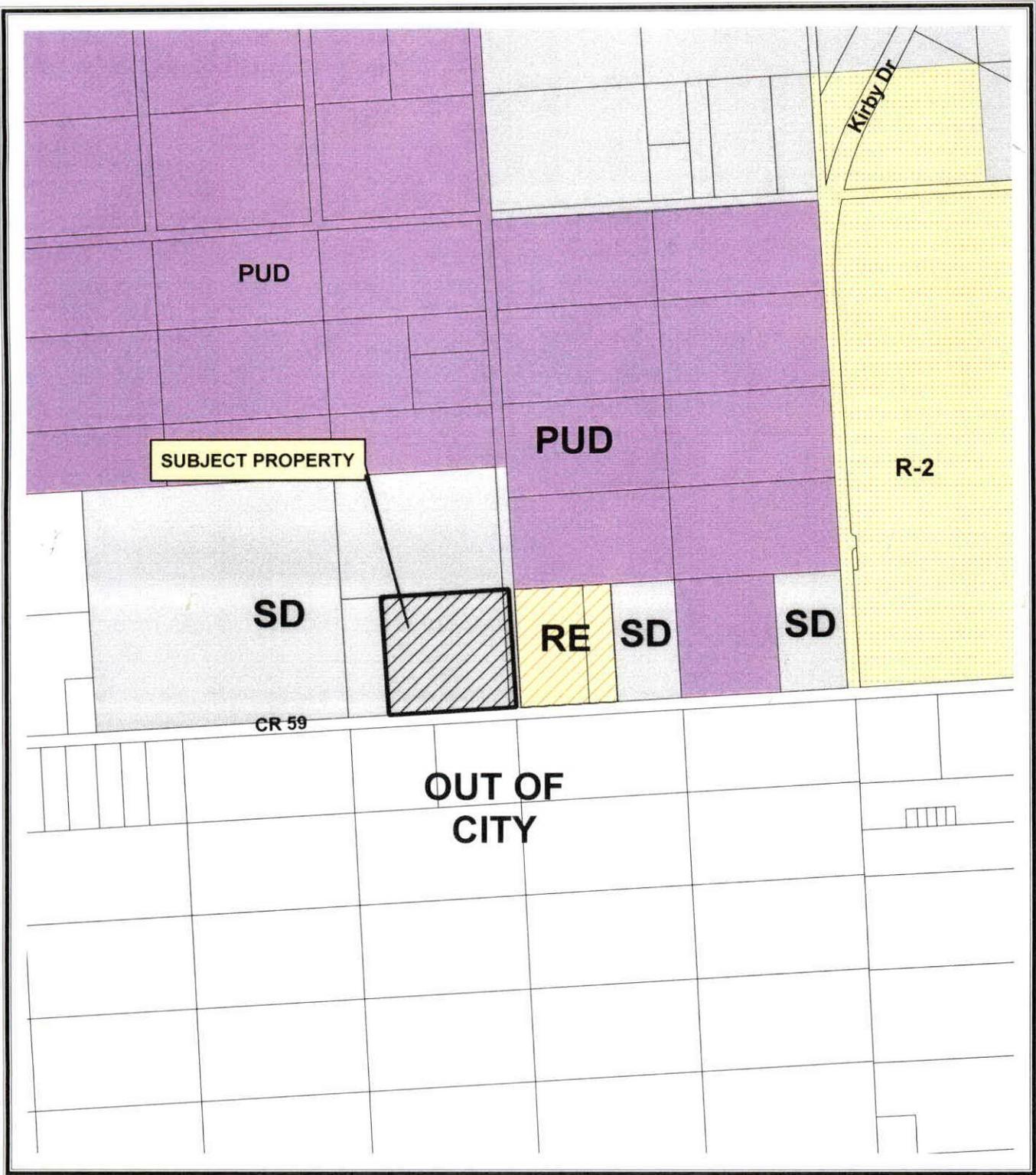
REFERENCE INKS.  
DRAWING ISSUES / REVISIONS

SITE P

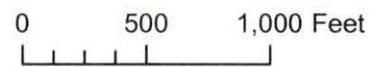
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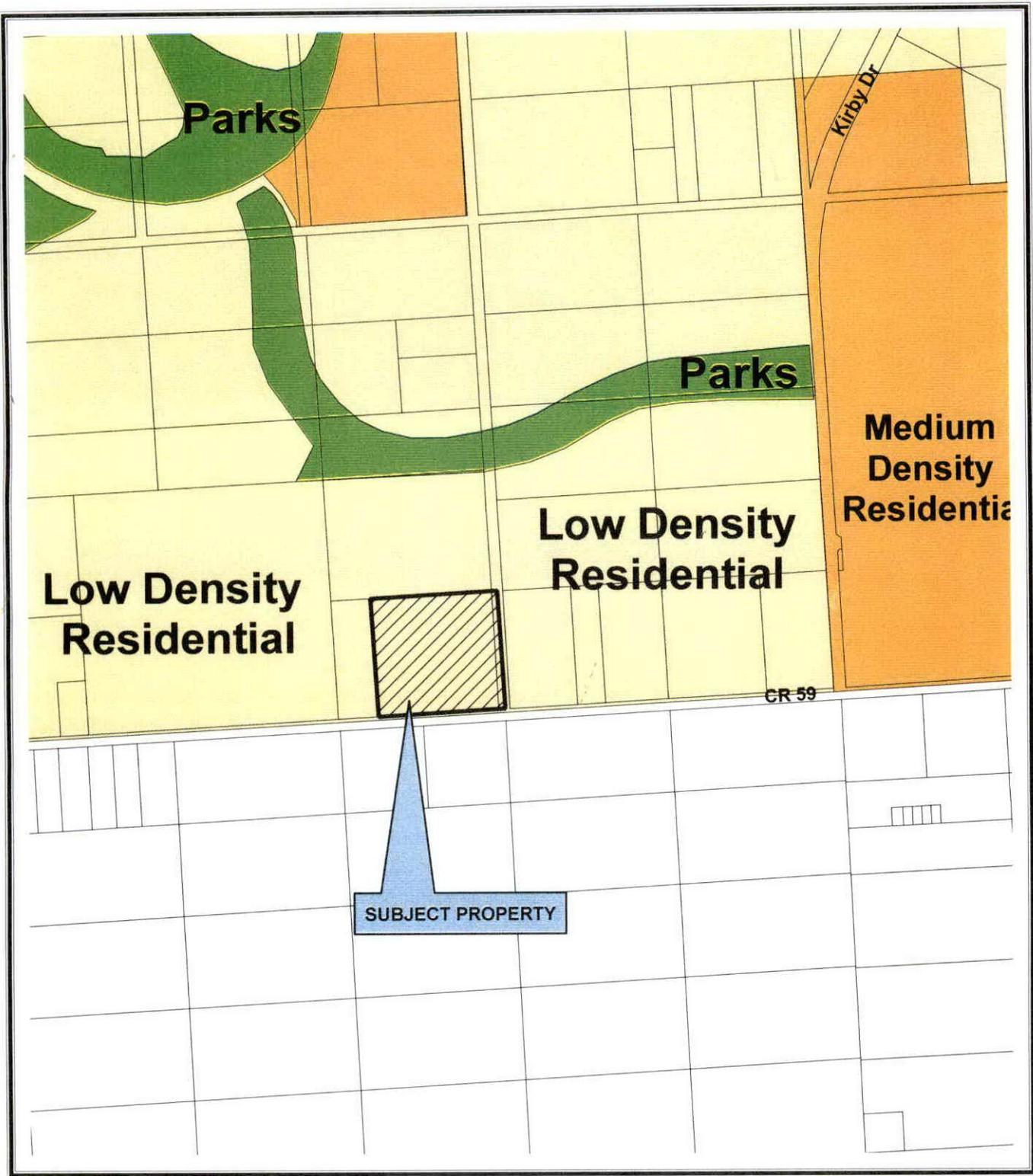




**ZONING MAP**  
Zone Change Application  
No. 1236 and  
Specific Use Permit No. 149



Map Prepared on July 1, 2005



# FUTURE LAND USE PLAN

Zone Change Application  
 No. 1236 and  
 Specific Use Permit No. 149



Map Prepared on July 1, 2005

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 18, 2005, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

Specific Use Permit Application No. 150

A request by Jack McGuff, Jr., AIA, applicant for A. R. Hixson, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a Specific Use Permit for an Industrial Manufacturing Facility with Blending and/or Packing Facilities, in the Heavy Industrial District (M-2(S)), on the following described property, to wit:

Legal Description: 30.155 acres out of Lot 4, Section 12, H.T. & B.R.R. Company Survey, Abstract 508, Pearland, Brazoria County, Texas, and being a portion of that certain tract described in a deed dated 12-29-2000 from Patrick L. Dooley to A.R. Hixson as filed in Official Records of Real Property of Brazoria County at Clerk's File Number 01-009725, City of Pearland, Brazoria County, Texas

General Location: Located on the South Side of Magnolia Street, and East of Veterans 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 SUMMARY**  
**JOINT PUBLIC HEARING OF THE**  
**CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION**  
**OF THE CITY OF PEARLAND, TEXAS,**  
**JULY 18, 2005, AT 6:30 P.M.**  
**COUNCIL CHAMBERS, CITY HALL,**  
**3519 LIBERTY DRIVE, PEARLAND, TEXAS**

*Theresa introduced*

*7:31 Mayor opened*

**1. Zone Change Application No. 1237**

*7:35*

A request by Wallace and Edith Longoria, owners, 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-1)

[Located at 2627 Lazy Bend Street]

*Co-Chairman read*  
*Sr. Planner Drahena read summary & showed slide*  
*Staff recommends approval*

**2. Zone Change Application No. 1235 and Specific Use Permit Application No. 148**

*7:40*

A request by Sovereign Grace Church, applicant for Dr. Ted Cleaves, 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 Estate Lot Single Family Dwelling District (R-E), and approval of a Specific Use Permit for a church (R-E(S))

[Located on the West Side of Max Road, and South of Brookside Road]

*Co-Chairman read*  
*Sr. Planner Drahena read summary & staff recommendation*

**3. Zone Change Application No. 1236 and Specific Use Permit Application No. 149**

*7:50*

A request by Shepherd of the Heart Methodist, applicant for Anh Ho and Arlin Harwell, owners, 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-1), and approval of a Specific Use Permit for a church (R-1(S))

[Located on the North Side of County Road 59, and West of Future Kirby Drive]

*Focco read*  
*Sr. Planner Drahena read summary & showed map & staff recommendation*

**4. Specific Use Permit Application No. 150**

*7:54*

A request by Jack McGuff, Jr., AIA, applicant for A. R. Hixson, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a Specific Use Permit for an Industrial Manufacturing Facility with Blending and/or Packing Facilities, in the Heavy Industrial District (M-2(S))

[Located on the South Side of Magnolia Street, and East of Veterans Drive]

*Focco read*  
*Kata read*

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 18, 2005, 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 Application No. 1237

A request by Wallace and Edith Longoria, owners, 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-1), on the following described property, to wit:

Legal Description: Lot 6, Block 4, of Garden Acres Subdivision, Section 2, H.T. & B.R.R. Company Survey, Abstract 219, City of Pearland, Brazoria County, Texas

General Location: Located at 2627 Lazy Bend Street

**III. APPLICATION INFORMATION AND CASE SUMMARY**

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**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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**JOINT PUBLIC HEARING AGENDA ITEM  
MEETING OF JULY 18, 2005**

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**Zone Change Application No. 1237**

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

**SUBJECT:** A request by Wallace and Edith Longoria, owners, 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-1)

**LEGAL DESCRIPTION:** Lot 6, Block 4, of Garden Acres Subdivision, Section 2, H.T. & B.R.R. Company Survey, Abstract 219, City of Pearland, Brazoria County, Texas

**GENERAL LOCATION:** Located at 2627 Lazy Bend Street

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

Planning and Zoning Commission: July 18, 2005\*  
City Council for First Reading: August 8, 2005\*  
City Council for Second Reading: August 22, 2005\*

(\*dates subject to change if item is tabled)

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**SUMMARY:** The applicant is requesting a change in zoning on the subject property for single family residential uses. The subject property was annexed into the City in 1995 and was subsequently zoned as SD. The subject property is currently developed with the applicant's residence. The applicant has indicated that they plan to construct an addition to the residence if the zone change is approved.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Single Family Dwelling District (R-1)	Single family residence
South	Commercial District (C)	Various commercial establishments (motel and restaurant)
East	Commercial District (C)	Commercial activities
West	Single Family Dwelling District (R-1)	Single family residences

**CONFORMANCE TO THE LAND USE AND URBAN DEVELOPMENT ORDINANCE:** The applicant is requesting an R-1 zoning district. The minimum lot size for the R-1 district is 8,800 square feet and the minimum lot width is 80 feet. The subject property in its present configuration meets these minimum requirements, as the subject property is over 100 feet wide and is over one-half acre in size.

The applicant will be required to comply with all other requirements of the Land Use and Urban Development Ordinance.

**PLATTING STATUS:** Based on the legal description and survey submitted with the zone change application, it appears that the subject property has been platted as Lot 6, Block 4, of the Garden Acres Subdivision. No further platting is required at this time.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends "Low Density Residential" for the subject property and for many of the surrounding properties on Lazy Bend Street. The Comprehensive Plan further indicates that the appropriate zoning districts for "Low Density Residential" are the Estate Lot Single Family Dwelling District (R-E) and the Single Family Dwelling District R-1. Therefore, the proposed zone change conforms to the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Lazy Bend Street, a local/residential street. The Thoroughfare Plan does not specify any improvements to Lazy Bend Street.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** There is City water and sewer service available for the subject property.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed zone change should not negatively impact any surrounding properties. Even though the property is zoned as SD, it has been developed with a single family residence for several years now. Most of the lots along Lazy Bend Street are zoned as R-1, although a few are still zoned as SD.

**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 R-1 as proposed by the applicant, for the following reasons:

1. The proposed zone change provides for an R-1 lot, consistent with Low Density Residential as recommended by the Comprehensive Plan, thereby being in conformance with the Comprehensive Plan.
2. The proposed zone change is consistent with existing R-1 zoning districts within the subject areas, as well as being consistent with existing single family residential uses within the subject area.

**SUPPORTING DOCUMENTS:**

- Notice of Public Hearing
- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan

**ZONE CHANGE APPLICATION NO. 1237**

**NOTICE OF A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND  
THE PLANNING AND ZONING COMMISSION OF THE CITY OF  
PEARLAND, TEXAS, REGARDING:**

A request by Wallace and Edith Longoria, owners, 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-1), on the following described property, to wit:

Lot 6, Block 4, of Garden Acres Subdivision, Section 2, H.T. & B.R.R. Company Survey, Abstract 219, City of Pearland, Brazoria County, Texas (Located at 2627 Lazy Bend Street)

**PUBLIC HEARINGS WILL BE HELD IN THE  
COUNCIL CHAMBER OF CITY HALL  
LOCATED AT  
3519 Liberty Drive, Pearland, Texas  
on  
MONDAY, JULY 18, 2005, AT 6:30 P.M.**

An application and map are enclosed for your information. This notice has been sent to all owners of real property within 200 feet of the request, as such ownership appears on the last approved city tax roll, in accordance with notification guidelines established by City Ordinance and State law.

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. If you are unable to attend, but wish to have your opinions made a part of the public record, please complete the enclosed form and return it prior to the public hearing.

If you have any questions or need additional information please contact the City of Pearland Planning Department at (281) 652-1742 or [tgrahmann@ci.pearland.tx.us](mailto:tgrahmann@ci.pearland.tx.us).

**Property Owner Notice**

C

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



# APPLICATION FOR A CHANGE IN ZONING

Please check one:

- Change in Zoning Classification from: "SD" Agricultural (list current zoning) to: "R-1" Residential (list proposed zoning)
- Specific Use Permit Request for: addition to domicile (list proposed use)

### Property Information:

Address: 2627 LAZY BEND ST. Tax Account No. R 211 205  
4271-0130-000  
 Subdivision: A0219 HT + BRR Lot: 6 Block: 4 SEC. 2  
GARDEN ACRES

**\*\* Attach a copy of the metes and bounds description, survey, or legal description\*\***

Current use of property (type of structures on property): DOMICILE - ONE STORY - SINGLE FAMILY - BRICK

Future/proposed use of property and reason for zone change: DOMICILE  
LIVING SPACE ADDITION

### PROPERTY OWNER INFORMATION:

NAME WALLACE/EDITH LONGORIA  
 ADDRESS 2627 LAZY BEND STREET  
 CITY PEARLAND STATE TX ZIP 77581  
 PHONE (281) 425-2623  
 FAX ( )  
 E-MAIL ADDRESS

### APPLICANT INFORMATION:

NAME SAME  
 ADDRESS  
 CITY STATE ZIP  
 PHONE ( )  
 FAX ( )  
 E-MAIL ADDRESS

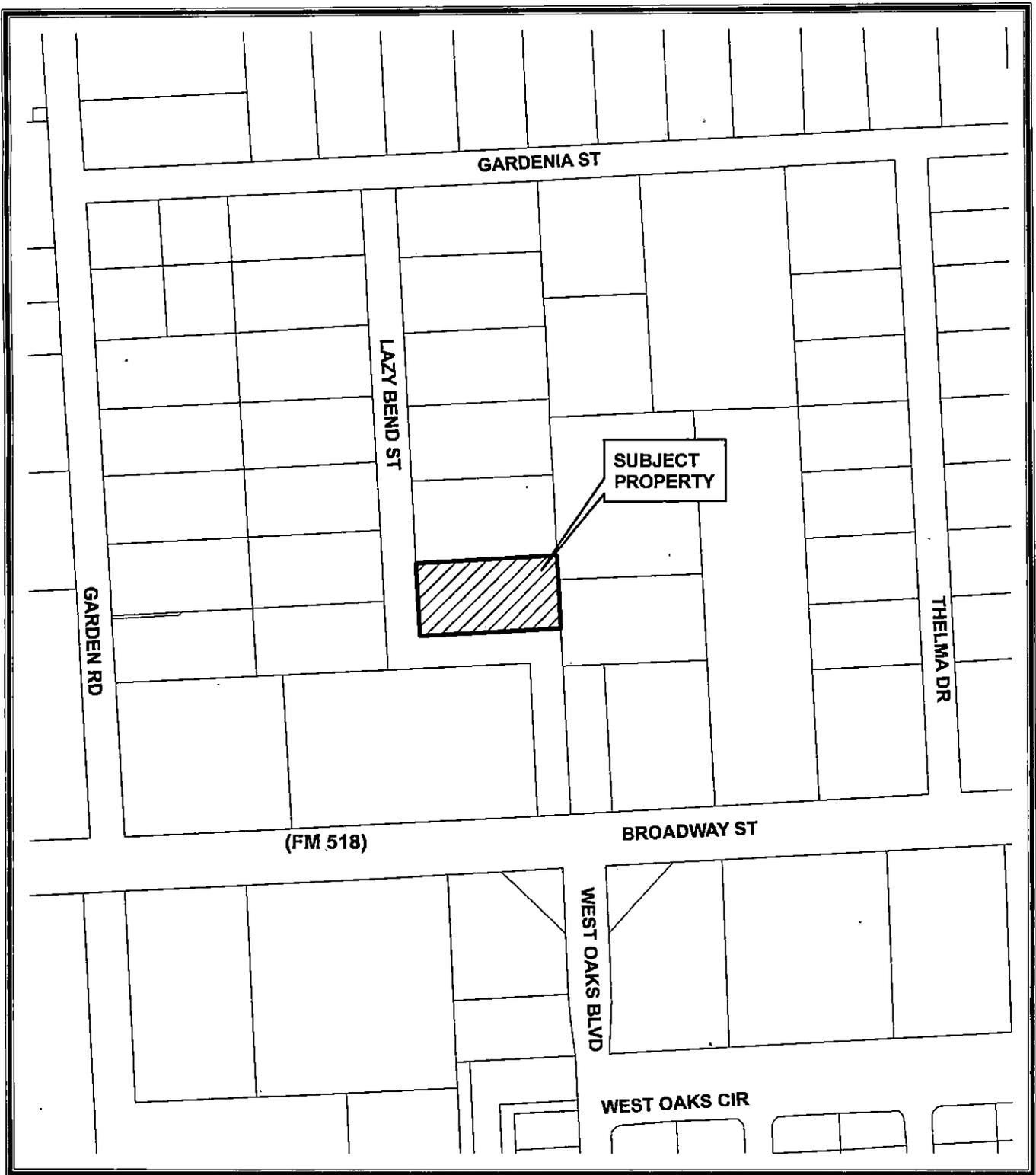
PETITION: As owner/agent, I hereby petition the City of Pearland for approval of the above described request as provided for by the laws of the State of Texas and ordinances of the City of Pearland. I certify to the best of my knowledge that this is a true description of the property upon which I have requested the above checked action. I understand that I am fully responsible for the correctness of the legal description given.

Owner's Signature: Wallace L. Longoria  
Edith Webb Longoria Date: 5-31-05  
 Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### OFFICE USE ONLY:

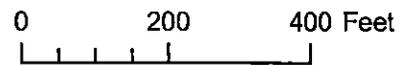
FEES PAID: <u>\$275<sup>00</sup></u>	DATE PAID: <u>5/31/05</u>	RECEIVED BY: <u>EQ</u>	APPLICATION NUMBER: <u>1237</u>
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**\*\*\*APPLICATION IS CONSIDERED INCOMPLETE WITHOUT A METES AND BOUNDS DESCRIPTION OR SURVEY AND THE APPLICATION FEE\*\*\***

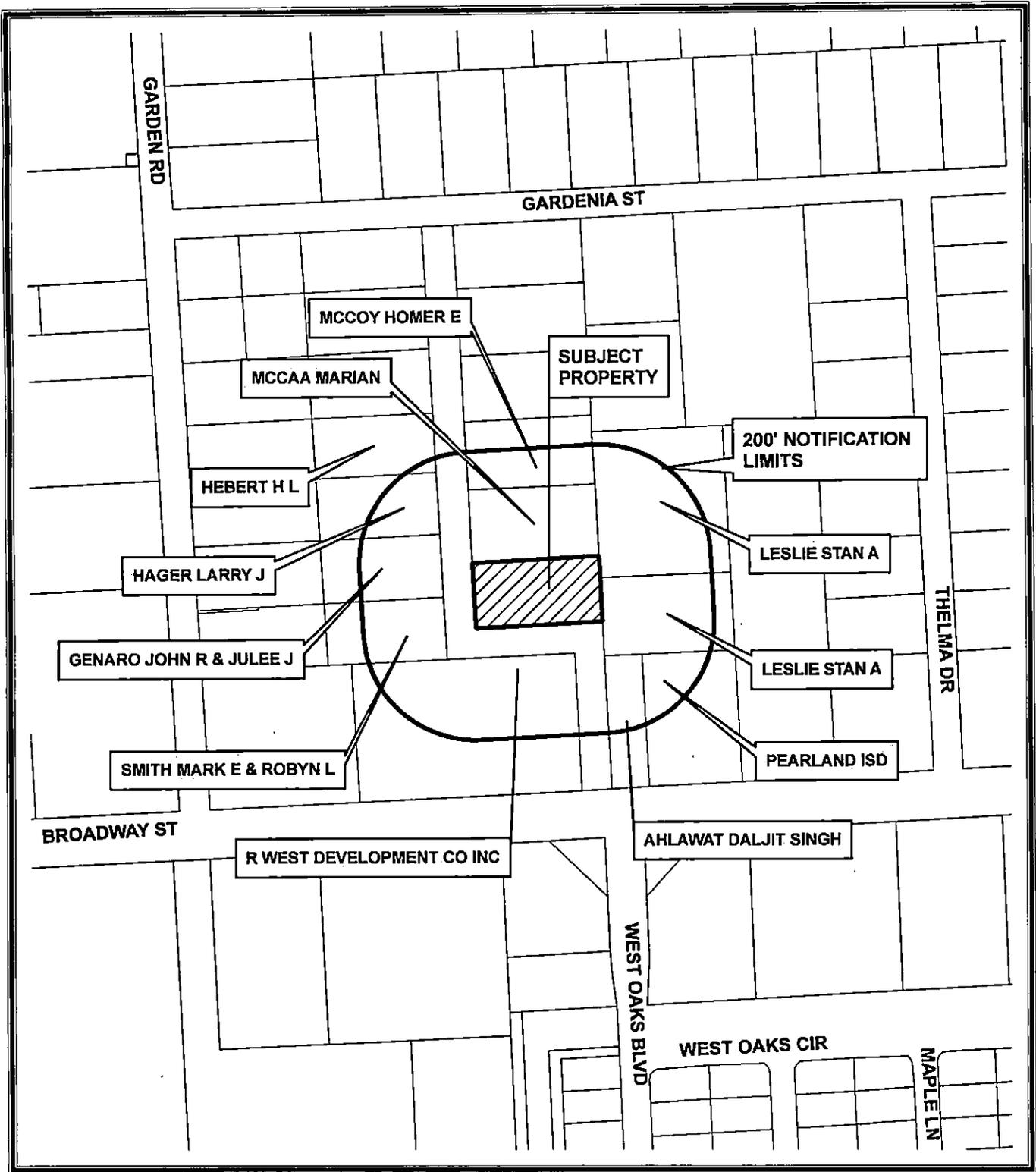


# LOCATION MAP

Zone Change Application  
No. 1237

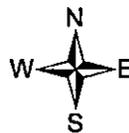


Map Prepared on July 1, 2005



# OWNERSHIP MAP

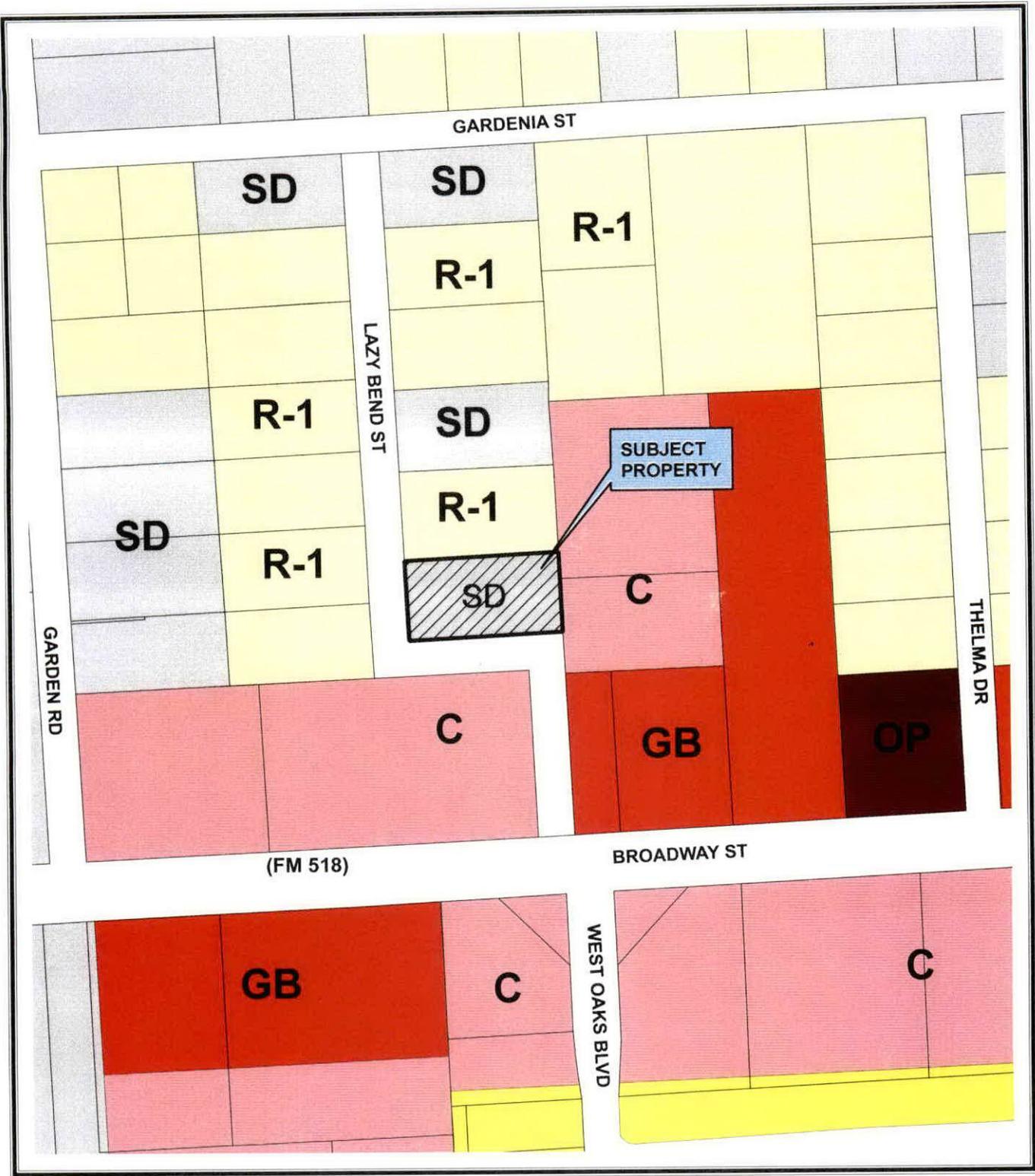
Zone Change Application  
No. 1237



Map Prepared on July 1, 2005

**ZONE CHANGE APPLICATION NO. 1237****Property Owner Notification List**

<u>PROP ID</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>ST</u>	<u>ZIP CODE</u>	<u>LEGAL DESCRIPTION</u>
R211203	MCCOY HOMER E	2601 LAZY BEND ST	PEARLAND	TX	77581-1005	GARDEN ACRES (A0219 H T & B R R), BLOCK 4, LOT 4 SEC 2, ACRES 0.790
R164488	LESLIE STAN A	2617 LAZY BEND ST	PEARLAND	TX	77581-1005	A0219 H T & B R R , TRACT 36H3, ACRES 1.780
R211204	MCCAA MARIAN	2613 LAZY BEND ST	PEARLAND	TX	77581-1005	GARDEN ACRES (A0219 H T & B R R), BLOCK 4, LOT 5 SEC 2, ACRES 0.790
R211199	SMITH MARK E & ROBYN L	2628 LAZY BEND ST	PEARLAND	TX	77581-1004	GARDEN ACRES (A0219 H T & B R R), BLOCK 3, LOT 7 SEC 2, ACRES 0.720
R164494	PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588-0007	A0219 H T & B R R, TRACT 1-2, ACRES 20.000
R211196	HEBERT H L	2554 LAZY BEND ST	PEARLAND	TX	77581-1002	GARDEN ACRES (A0219 H T & B R R), BLOCK 3, LOT 4 SEC 2, ACRES 0.720
R211197	HAGER LARRY J	2608 LAZY BEND ST	PEARLAND	TX	77581-1004	GARDEN ACRES (A0219 H T & B R R), BLOCK 3, LOT 5 SEC 2, ACRES 0.720
R211198	GENARO JOHN R & JULEE J	2620 LAZY BEND ST	PEARLAND	TX	77581-1004	GARDEN ACRES (A0219 H T & B R R), BLOCK 3, LOT 6, ACRES 0.720
R211205	LONGORIA WALLACE L	2627 LAZY BEND ST	PEARLAND	TX	77581-1005	GARDEN ACRES (A0219 H T & B R R), BLOCK 4, LOT 6 SEC 2, ACRES 0.790
R491439	LESLIE STAN A	2617 LAZY BEND ST	PEARLAND	TX	77581-1005	A0219 H T & B R R, TRACT 3 GABRIEL ENTERPRISES SUB, ACRES 1.000
R535761	R WEST DEVELOPMENT CO INC	7918 BROADWAY STE 106	PEARLAND	TX	77581	JOSEPH'S GRILLE SEC 1 (A219 HT&B), BL 1, LOT RES A, ACRES 2.5633
R491438	AHLAWAT DALJIT SINGH	2916 EAGLE LAKE DR	PEARLAND	TX	77581-4772	A0219 H T & B R R, TRACT 2 GABRIEL ENTERPRISES SUB, ACRES 0.516



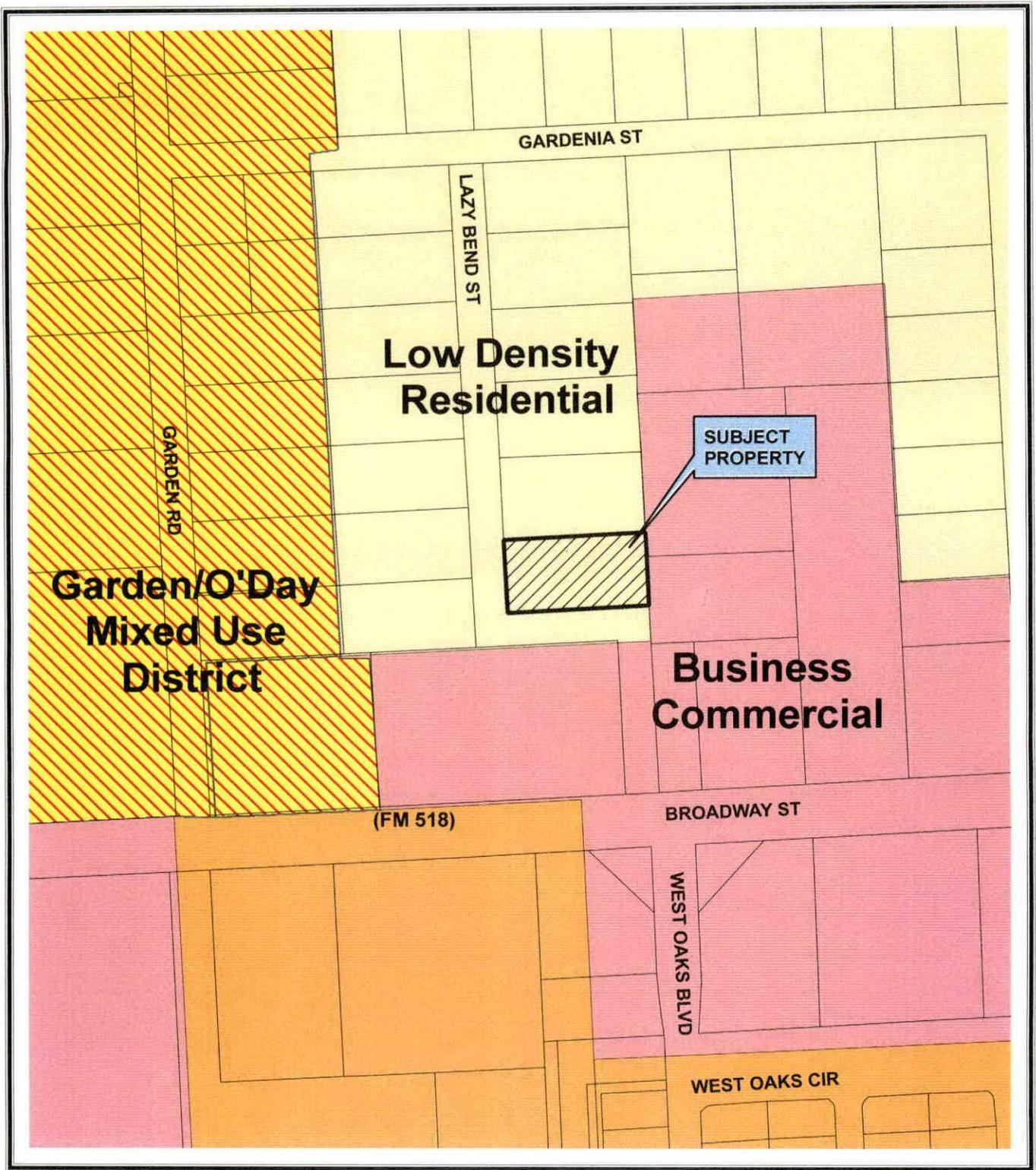
# ZONING MAP

Zone Change Application  
No. 1237



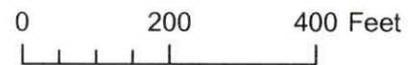
0 200 400 Feet

Map Prepared on July 1, 2005



# FUTURE LAND USE PLAN

Zone Change Application  
No. 1237



Map Prepared on July 1, 2005

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 18, 2005, 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 Application No. 1235 and Specific Use Permit Application No. 148

A request by Sovereign Grace Church, applicant for Dr. Ted Cleaves, 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 Estate Lot Single Family Dwelling District (R-E), and approval of a Specific Use Permit for a church (R-E(S)), on the following described property, to wit:

Legal Description: 9.989 acres of land, Lot 33, Section 10, H.T. & B.R.R. Company Survey, Abstract 505, Allison Richey Gulf Coast Home Company Subdivision, as recorded in Volume 2, Page 84, of the Brazoria County Plat Records, City of Pearland, Brazoria County, Texas

General Location: Located on the West Side of Max Road, and South of Brookside 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**

**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.**

**JOINT PUBLIC HEARING AGENDA ITEM  
MEETING OF JULY 18, 2005**

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**Zone Change Application No. 1235 &  
Specific Use Permit Application No. 148**

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

**SUBJECT:** A request by Sovereign Grace Church, applicant for Dr. Ted Cleaves, 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 Estate Lot Single Family Dwelling District (R-E), and approval of a Specific Use Permit for a church (R-E(S))

**LEGAL DESCRIPTION:** 9.989 acres of land, Lot 33, Section 10, H.T. & B.R.R. Company Survey, Abstract 505, Allison Richey Gulf Coast Home Company Subdivision, as recorded in Volume 2, Page 84, of the Brazoria County Plat Records, City of Pearland, Brazoria County, Texas

**GENERAL LOCATION:** Located on the West Side of Max Road, and South of Brookside Road

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

Planning and Zoning Commission: July 18, 2005\*  
City Council for First Reading: August 8, 2005\*  
City Council for Second Reading: August 22, 2005\*

(\*dates subject to change if item is tabled)

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**SUMMARY:** The applicant is requesting a change in zoning on the subject property for single family residential uses, as well as a Specific Use Permit for a church and related church facilities. The subject property was annexed into the City in 1998 and was subsequently zoned as SD. The subject property is currently undeveloped. The applicant has indicated that they plan to construct a church on the subject property.

*Re - Home to Residents*

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Suburban Development District (SD)	Single family residences
South	Suburban Development District (SD)	Undeveloped tract
East	Suburban Development District (SD)	Single family residence; various buildings
West	Suburban Development District (SD)	Single family residences on large acre tracts

**CONFORMANCE TO THE LAND USE AND URBAN DEVELOPMENT ORDINANCE:** The applicant is requesting an R-E zoning district. The minimum lot size for the R-E district is one-half acre (21,780 square feet) and the minimum lot width is 120 feet. The subject property in its present configuration meets these minimum requirements, as the subject property is 409 feet wide and is approximately 10.00 acres in size.

The applicant will be required to comply with all other requirements of the Land Use and Urban Development Ordinance.

**PLATTING STATUS:** Based on the legal description and survey 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 Subdivision Ordinance, prior to issuance of a building permit. The plat will need to address all requirements listed in the Subdivision Ordinance, and be approved by the Planning and Zoning Commission. The plat will need to be filed for record with the County Clerk, prior to issuance of a building permit.

If the applicant is able to submit documentation indicating that the subject property has been in its present configuration since March 1981, platting may not be required. March 1981 is the effective date of the Subdivision Ordinance, which requires all properties within the City of Pearland to be platted upon a change in configuration.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends "Low Density Residential" for the subject property and for many of the surrounding properties on Max Road. The Comprehensive Plan further indicates that the appropriate zoning districts for "Low Density Residential" are

the Estate Lot Single Family Dwelling District (R-E) and the Single Family Dwelling District R-1. Therefore, the proposed zone change conforms to the Comprehensive Plan.

The Future Land Use Plan also indicates that the southern portion of the subject property is designated as "Public/Semi Public" uses. The land use lines shown on the Future Land Use Plan are not definite lines and typically do not follow ownership lines, but are instead general lines. The tracts designated as "public" are owned by the Pearland Independent School District and may be the site of a future school.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Max Road, a major thoroughfare with an ultimate right-of-way of 120 feet that is to be widened in the future as necessary. If the applicant is required to plat the subject property, additional right-of-way dedication will be required for Max Road.

Future McHard Road will be located north (approximately 200 or more feet north) of the subject property.

No other roadways affect the subject property.

**AVAILABILITY OF UTILITIES:** There is currently not any City water and sewer service available for the subject property, nor within close proximity to the subject property. During the review of the building permit application, utility service will be reviewed.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The applicant has chosen to request a residential zoning district as the underlying zoning district. A church is permitted by approval of a Specific Use Permit in any of the residential zoning districts. A church is permitted by right in the other non-residential zoning districts, such as OP, NS, GB, and C. The applicant chose the residential zoning district rather than a non-residential zoning district due to the adjacent land uses within the subject area, due to the low density residential recommendation in the Comprehensive Plan, and to be more compatible with the existing and future land uses within the area. If the church project does not occur for whatever reason, the subject property would have an underlying zoning district of R-E and could be developed with estate lot single family residences.

If the zone change and specific use permit are 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.

The applicant has submitted a site plan/floor plan for informational purposes only. The site plan has not yet been reviewed by the City for conformance with various codes and ordinances. A complete set of site plan and building plans will need to be submitted by the applicant along with the application for a building permit, at which time a complete review

will be completed.

**Specific Use Permit Considerations:**

The proposed Specific Use Permit is a discretionary item for review by the Planning and Zoning Commission and City Council, and additional safeguards and conditions can be placed on the approval of the Specific Use Permit. With the subject property being requested for R-E zoning, several ordinances would not apply to residential properties. A church is not a residential use, but is not considered a commercial use and would not be subject to certain ordinances under the R-E district regulations. Because of this, Staff recommends that the following items be taken into consideration:

1. **Dumpster screening.** Tracts zoned R-E typically do not have dumpsters located upon them. If the applicant intends to place dumpsters in site, Staff recommends that the following requirement be specified within the motion: "All refuse containers placed on the subject property shall be screened from public view on 3 sides with an opaque fence."
  
2. **Landscaping.** The Landscape Ordinance does not apply to R-E zoned properties. Therefore, in order to have the development of the subject property comply with the landscape ordinance, Staff recommends that the following requirement be specified within the motion: "Development of the subject property shall comply with Sections 22.1 through 22.5 of the Land Use and Urban Development Ordinance."  
(sections 22.1 through 22.5 are the sections that state the minimum requirements for landscaping)
  
3. **Building façade.** The building façade ordinance does not apply to R-E zoned districts, or any other residential district. Since the subject property is located on a major thoroughfare, Max Road, Staff recommends that the following requirement be specified within the motion: "Development of the subject property shall comply with Section 22.6 (A) of the Land Use and Urban Development Ordinance."  
(section 22.6 (A) requires 100 percent masonry or glass on and walls visible from a public or private roadway or abutting residential zoned districts)
  
4. **Screening (fence) between uses.** The subject property is surrounded on three sides by properties zoned Suburban Development District (SD). These surrounding properties are either undeveloped, or developed with single family residences on large tracts. It is anticipated that these surrounding tracts would be zoned residential, in accordance with the Comprehensive Plan, at some point in the future. If the Commission and Council believe that a screening fence is necessary, the type, height, and location of the fence would have to be specified in the motion. Staff is of the opinion that a screening fence is not necessary, and would provide obstacles to linkages between the residential and future residential properties on the west side of Max Road.

**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 R-E and the Specific Use Permit for a church, for the following reasons:

1. The proposed zone change for R-E conforms to the "Low Density Residential" land use designation as recommended by the Comprehensive Plan, and a church is permitted by approval of a Specific Use Permit in the R-E district (if the church project does not come to fruition, the subject property could be developed with R-E lots).
2. The proposed zone change for R-E is consistent and compatible with existing residential districts and single family residential land uses within the subject area, and a church tends to be compatible with residential land uses.

Staff also recommends that the following items be conditions of the Specific Use Permit:

1. "All refuse containers placed on the subject property shall be screened from public view on 3 sides with an opaque fence."
2. "Development of the subject property shall comply with Sections 22.1 through 22.5 of the Land Use and Urban Development Ordinance." (Landscape Requirements)
3. "Development of the subject property shall comply with Section 22.6 (A) of the Land Use and Urban Development Ordinance." (Building Façade)

**SUPPORTING DOCUMENTS:**

- Notice of Public Hearing
- Zone Change Application
- Location Map
- Property Ownership Map
- Property Owner Notification List
- Proposed Site Plan/Floor Plan
- Zoning Map
- Future Land Use Plan

**ZONE CHANGE APPLICATION NO. 1235 and SPECIFIC USE PERMIT APPLICATION NO. 148**

**NOTICE OF A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, REGARDING:**

A request by Sovereign Grace Church, applicant for Dr. Ted Cleaves, 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 Estate Lot Single Family Dwelling District (R-E), and approval of a Specific Use Permit for a church (R-E(S)), on the following described property, to wit:

9.989 acres of land, Lot 33, Section 10, H.T. & B.R.R. Company Survey, Abstract 505, Allison Richey Gulf Coast Home Company Subdivision, as recorded in Volume 2, Page 84, of the Brazoria County Plat Records, City of Pearland, Brazoria County, Texas (Located on the West Side of Max Road, and South of Brookside Road)

**PUBLIC HEARINGS WILL BE HELD IN THE  
COUNCIL CHAMBER OF CITY HALL  
LOCATED AT  
3519 Liberty Drive, Pearland, Texas  
on  
MONDAY, JULY 18, 2005, AT 6:30 P.M.**

An application and map are enclosed for your information. This notice has been sent to all owners of real property within 200 feet of the request, as such ownership appears on the last approved city tax roll, in accordance with notification guidelines established by City Ordinance and State law.

At said hearing, all interested parties shall have the right and opportunity to appear and be heard on the subject. If you are unable to attend, but wish to have your opinions made a part of the public record, please complete the enclosed form and return it prior to the public hearing.

If you have any questions or need additional information please contact the City of Pearland Planning Department at (281) 652-1742 or [tgrahmann@ci.pearland.tx.us](mailto:tgrahmann@ci.pearland.tx.us).

**PROPERTY OWNER NOTICE**

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



# APPLICATION FOR A CHANGE IN ZONING

Please check one:

Change in Zoning Classification from: SD to: RE (S)  
(list current zoning) (list proposed zoning)

Specific Use Permit Request for: Church  
(list proposed use)

### Property Information:

Address: MAX ROAD Tax Account No. R175771  
05050007000

Subdivision: South of 1714 Max Road Lot: 33 Block: \_\_\_\_\_  
Allison Richley Gulf Coast Home  
Company Subdivision

**\*\* Attach a copy of the metes and bounds description, survey, or legal description\*\***

Current use of property  
(type of structures on property): N/A (Vacant Land)

Future/proposed use of property and reason for zone change: To Build Church

### PROPERTY OWNER INFORMATION:

NAME Dr. Ted Cleaves  
ADDRESS 241 Rosebud  
CITY Corpus Christi STATE TX ZIP 78404  
PHONE (361) 857-2872  
FAX (281) 482-8337 361-857-2946  
E-MAIL ADDRESS \_\_\_\_\_

### APPLICANT INFORMATION:

NAME Sovereign Grace Church  
ADDRESS P.O. Box 1053  
CITY Pearland STATE TX ZIP 77588  
PHONE (281) 528-8867  
FAX (281) 528-8867  
E-MAIL ADDRESS grady@sovereigngracehouston.org

PETITION: As owner/agent, I hereby petition the City of Pearland for approval of the above described request as provided for by the laws of the State of Texas and ordinances of the City of Pearland. I certify to the best of my knowledge that this is a true description of the property upon which I have requested the above checked action. I understand that I am fully responsible for the correctness of the legal description given.

Owner's Signature: (see attached letter of authorization) Date: \_\_\_\_\_

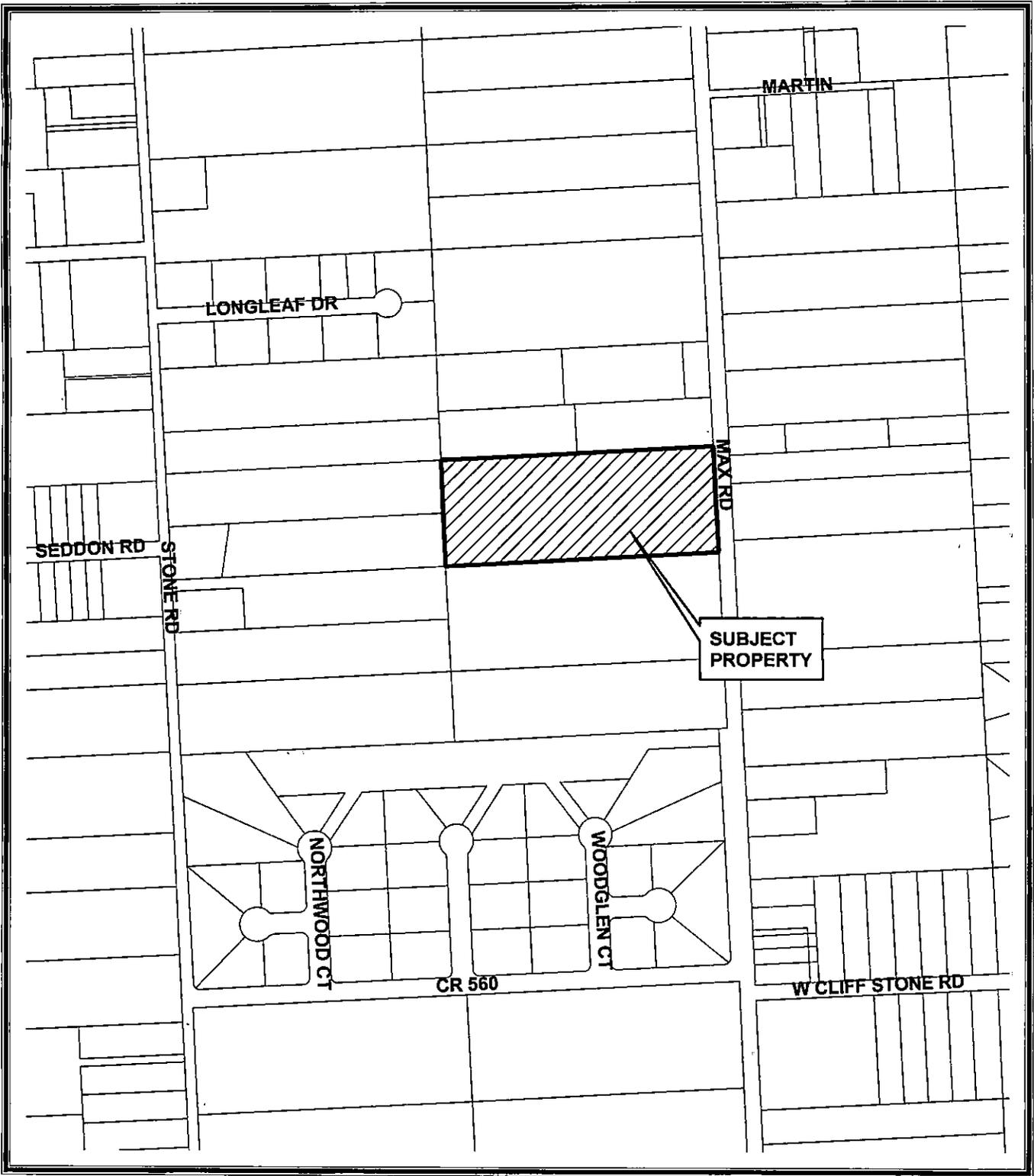
Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### OFFICE USE ONLY:

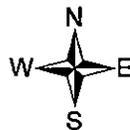
FEES PAID: <u>\$275</u>	DATE PAID: <u>5/27/05</u>	RECEIVED BY: <u>[Signature]</u>	APPLICATION NUMBER: <u>1235 + SUP148</u>
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**\*\*\*APPLICATION IS CONSIDERED INCOMPLETE WITHOUT A METES AND BOUNDS DESCRIPTION OR SURVEY AND THE APPLICATION FEE\*\*\***

(VISA)  
\$275.00

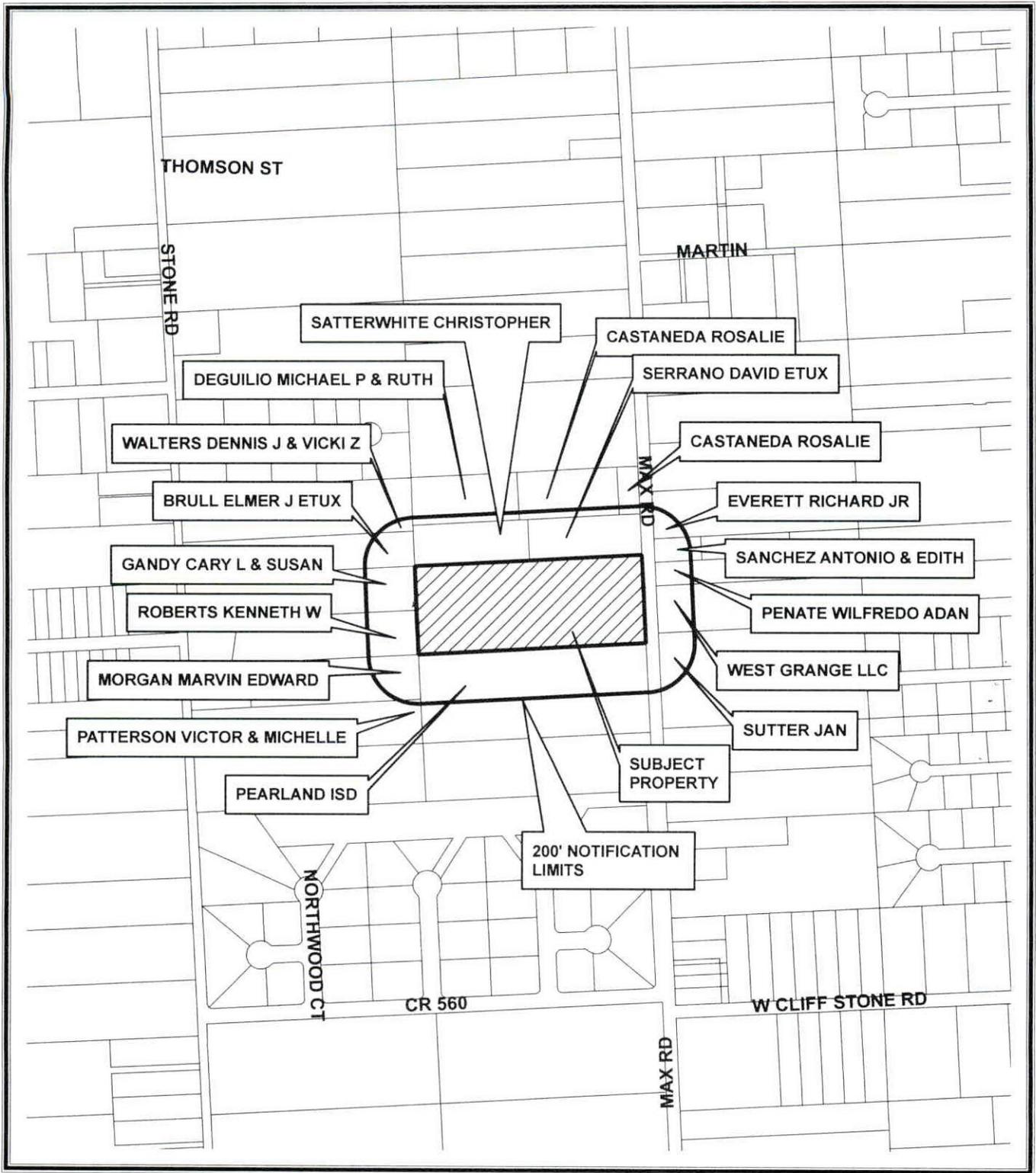


**LOCATION MAP**  
**Zone Change Application**  
**No. 1235 and**  
**Specific Use Permit No. 148**



0 200 400 Feet  
[Scale bar with three segments]

Map Prepared on July 1, 2005



**OWNERSHIP MAP**  
 Zone Change Application  
 No. 1235 and  
 Specific Use Permit No. 148

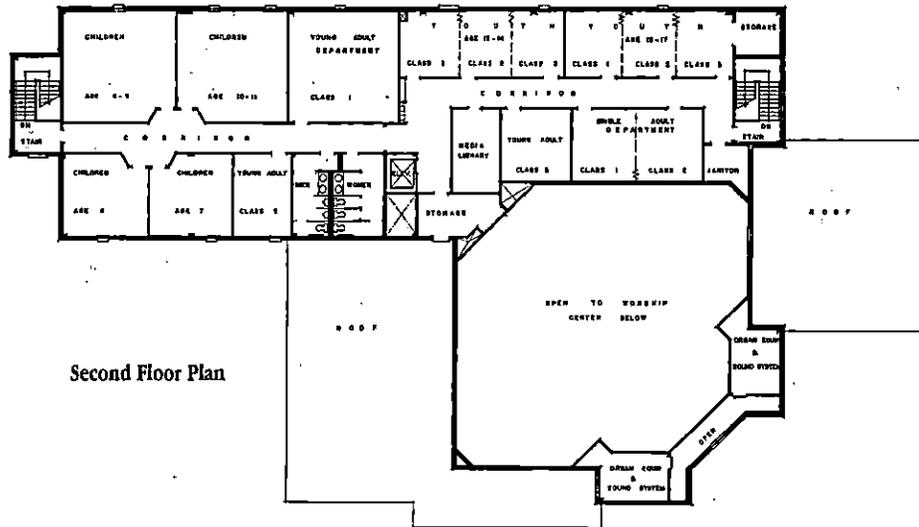
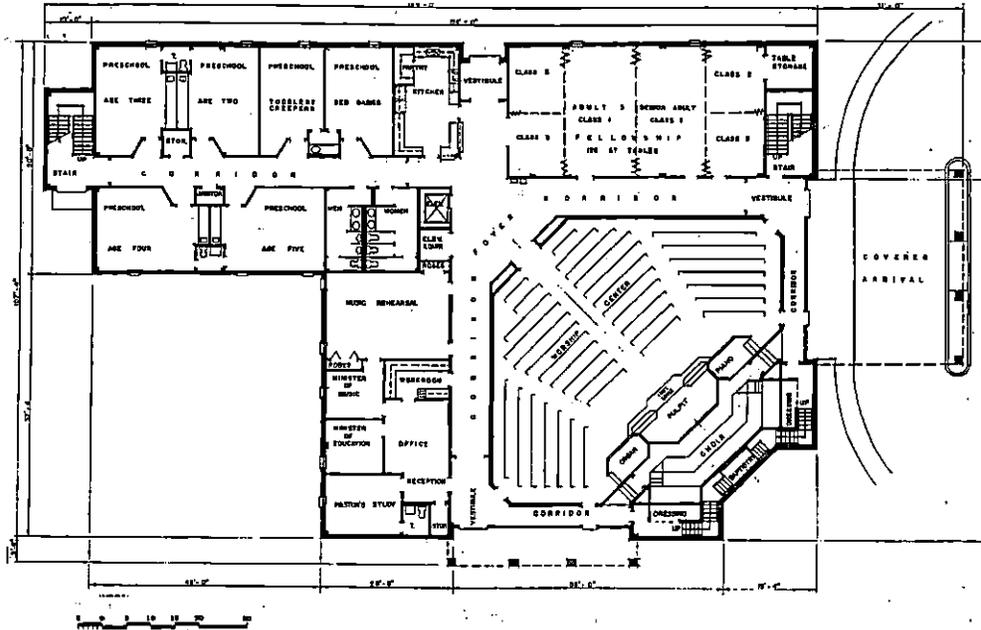


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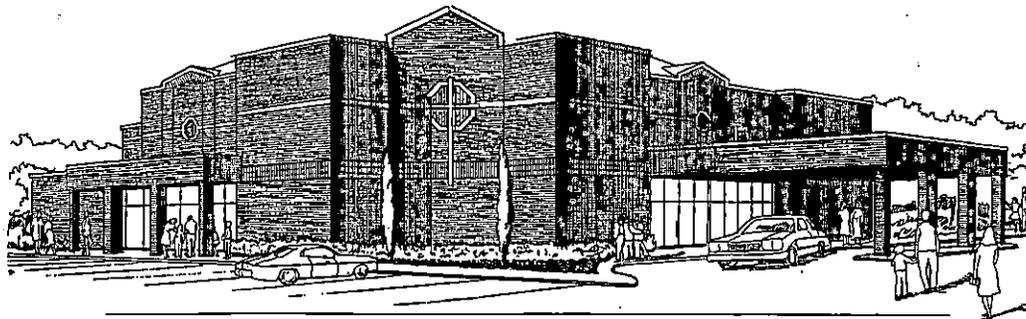
Map Prepared on July 1, 2005

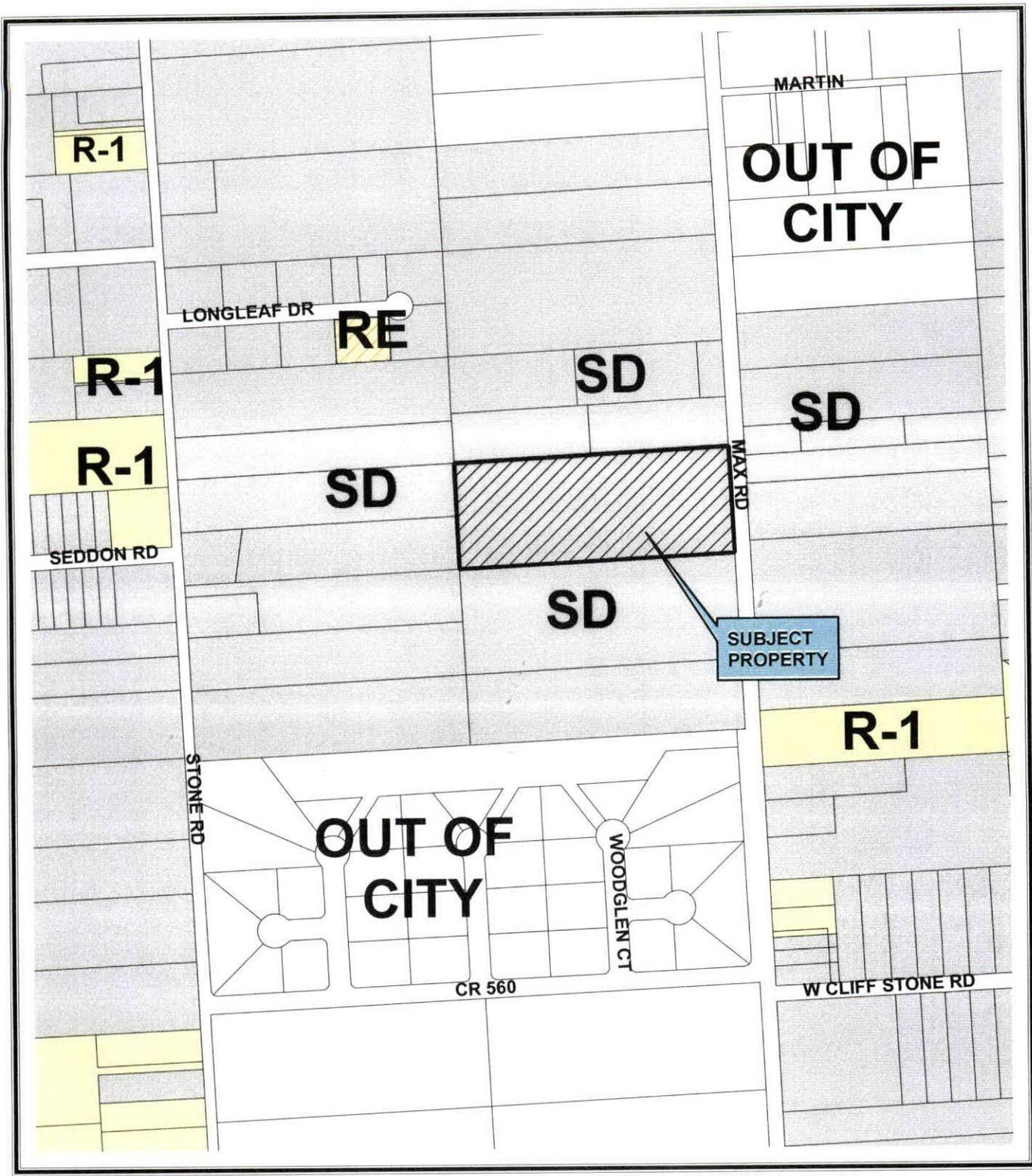
**ZONE CHANGE APPLICATION NO. 1235 AND SPECIFIC USE PERMIT APPLICATION NO. 148**  
**Property Owner Notification List**

<u>PROP ID</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>ST</u>	<u>ZIP CODE</u>	<u>LEGAL DESCRIPTION</u>
R175822	CASTANEDA ROSALIE	1710 MAX RD	PEARLAND	TX	77581-7662	A0505 H T & B R R, TRACT 32B, ACRES 2.355
R175824	DEGUILIO MICHAEL P & RUTH	1722 MAX RD	PEARLAND	TX	77581-7662	A0505 H T & B R R, TRACT 32, ACRES 2.370
R175821	SATTERWHITE CHRISTOPHER	1718 MAX RD	PEARLAND	TX	77581	A0505 H T & B R R, TRACT 32D, ACRES 2.370
R175769	BRULL ELMER J ETUX	1733 STONE RD	PEARLAND	TX	77581-8079	A0505 H T & B R R, TRACT 7 SOUTH PT, ACRES 4.000
R165894	PENATE WILFREDO ADAN &DELLAROSE	1733 MAX RD # CR 108	PEARLAND	TX	77581	LT 16B 234 H T & B, ACRES 2.461
R175771	BRAKEBILL CONSTANCE C%WILBUR R CLEAVES	241 ROSEBUD AVE	CRP CHRISTI	TX	78404-1734	A0505 H T & B R R, TRACT 33, ACRES 10.000
R175776	ROBERTS KENNETH W	1801 STONE RD	PEARLAND	TX	77581-8081	A0505 H T & B R R, TRACT 8A1-8A, ACRES 4.91
R175813	MORGAN MARVIN EDWARD	1817 STONE RD	PEARLAND	TX	77581-8081	A0505 H T & B R R, TRACT 9-9B, ACRES 4.910
	DR TED CLEAVES	241 ROSEBUD	CRP CHRISTI	TX	78404	PROPERTY OWNER
	SOVEREIGN GRACE CHURCH	PO BOX 1053	PEARLAND	TX	77588	APPLICANT
R175772	PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588-0007	A0505 H T & B R R, TRACT 34-35, ACRES 16.900
R175814	PATTERSON VICTOR & MICHELLE	1833 STONE RD	PEARLAND	TX	77581-8081	A0505 H T & B R R, TRACT 9A, ACRES 5.000
R175823	CASTANEDA ROSALIE	1710 MAX RD	PEARLAND	TX	77581-7662	A0505 H T & B R R, TRACT 32A, ACRES 0.553
R175807	WALTERS DENNIS J & VICKI Z	1721 STONE RD	PEARLAND	TX	77581-8079	A0505 H T & B R R, TRACT 7 (PT), ACRES 1.000
R165856	EVERETT RICHARD JR	1709 MAX RD	PEARLAND	TX	77581-7663	A0234 H T & B R R, TRACT 15, ACRES 5.000
R175825	SERRANO DAVID ETUX	1714 MAX RD	PEARLAND	TX	77581-7662	A0505 H T & B R R, TRACT 32C, ACRES 2.340
R165895	SANCHEZ ANTONIO & EDITH	1729 MAX RD	PEARLAND	TX	77581	LTS 16-16C-16D 234 H T & B, ACRES 2.461
R175812	GANDY CARY L & SUSAN	1745 STONE RD	PEARLAND	TX	77581-8079	A0505 H T & B R R, TRACT 8 N 1/2, ACRES 5.000
R165896	WEST GRANGE LLC	3530 DIXIE FARM RD	PEARLAND	TX	77581	A0234 H T & B R R, TRACT 16A, ACRES 4.895
R165967	SUTTER JAN & JILL S KREMLING	1833 MAX RD	PEARLAND	TX	77581-7665	A0234 H T & B R R, TRACT 17, ACRES 10.000



Second Floor Plan



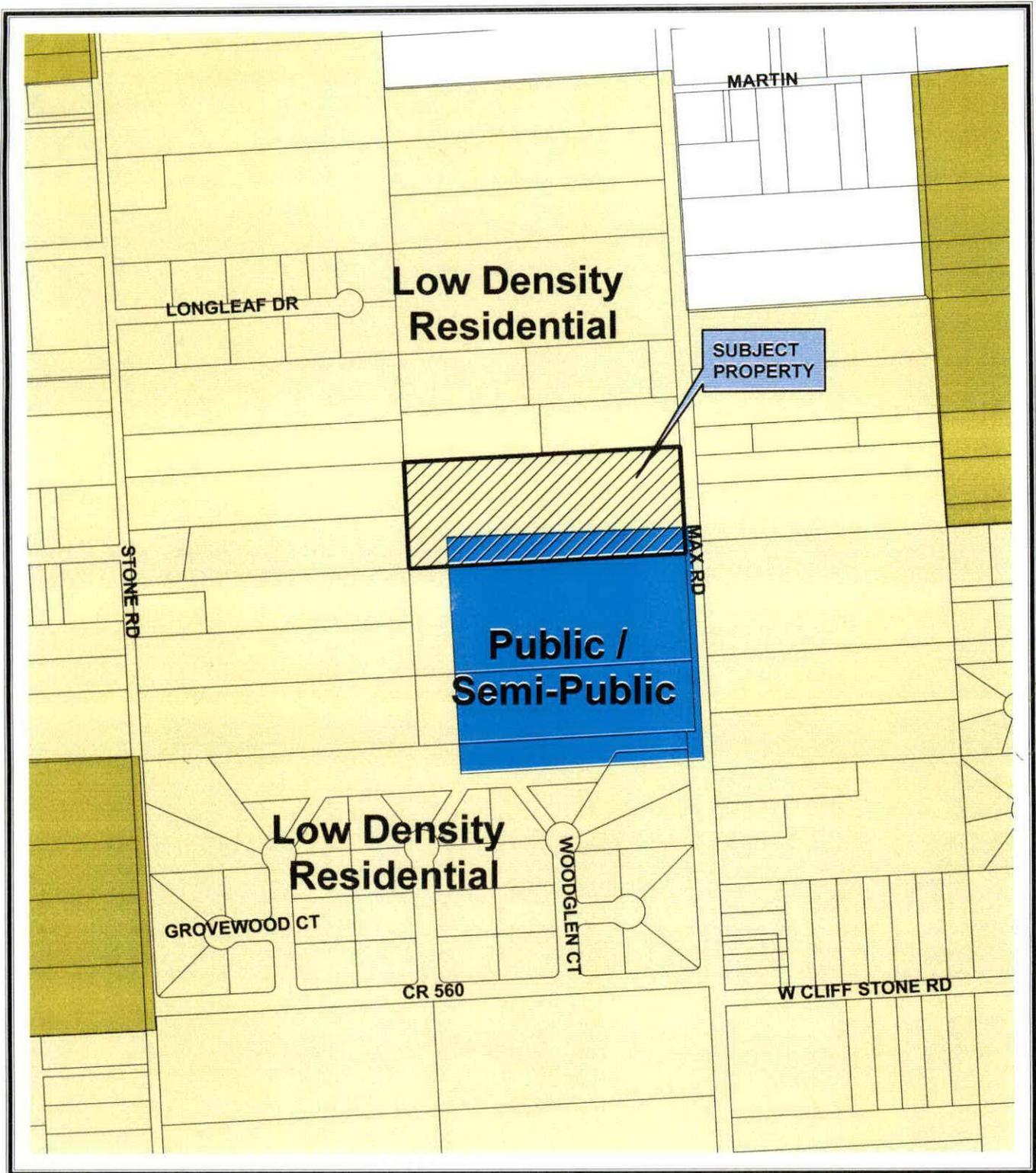


**ZONING MAP**  
 Zone Change Application  
 No. 1235 and  
 Specific Use Permit No. 148



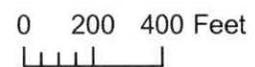
0 200 400 Feet  
 [Scale bar with tick marks]

Map Prepared on July 1, 2005



# FUTURE LAND USE PLAN

Zone Change Application  
 No. 1235 and  
 Specific Use Permit No. 148



Map Prepared on July 1, 2005

**AGENDA SUMMARY**  
**JOINT PUBLIC HEARING OF THE**  
**CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION**  
**OF THE CITY OF PEARLAND, TEXAS,**  
**JULY 18, 2005, AT 6:30 P.M.**  
**COUNCIL CHAMBERS, CITY HALL,**  
**3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**1. Zone Change Application No. 1237**

A request by Wallace and Edith Longoria, owners, 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-1)

[Located at 2627 Lazy Bend Street]

**2. Zone Change Application No. 1235 and Specific Use Permit Application No. 148**

A request by Sovereign Grace Church, applicant for Dr. Ted Cleaves, 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 Estate Lot Single Family Dwelling District (R-E), and approval of a Specific Use Permit for a church (R-E(S))

[Located on the West Side of Max Road, and South of Brookside Road]

**3. Zone Change Application No. 1236 and Specific Use Permit Application No. 149**

A request by Shepherd of the Heart Methodist, applicant for Anh Ho and Arlin Harwell, owners, 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-1), and approval of a Specific Use Permit for a church (R-1(S))

[Located on the North Side of County Road 59, and West of Future Kirby Drive]

**4. Specific Use Permit Application No. 150**

A request by Jack McGuff, Jr., AIA, applicant for A. R. Hixson, owner, for an amendment to the Land Use and Urban Development Ordinance of said City, for approval of a Specific Use Permit for an Industrial Manufacturing Facility with Blending and/or Packing Facilities, in the Heavy Industrial District (M-2(S))

[Located on the South Side of Magnolia Street, and East of Veterans Drive]