

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

October 03, 2016

6:00 p.m.

Daniel Tunstall
P&Z CHAIRPERSON

Thomas Duncan
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Troy Pradia



Derrell Isenberg

Mary Starr

Ginger McFadden

David Selsky

In accordance with the Texas Open Meeting Act the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located at the front entrance of the City Hall, 3519 Liberty Drive.



AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, MONDAY, OCTOBER 3, 2016, AT 6:00 P.M., HELD IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. CONSENT AGENDA

All items listed under the “Consent Agenda” are considered to be routine and require little or no deliberation by the P&Z Commission. These items will be enacted / approved by one motion unless a commissioner requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action (*ix. Matters removed from Consent Agenda*). Approval of the Consent Agenda enacts the items of legislation.

A. CONSIDERATION & POSSIBLE ACTION – EXCUSED ABSENCE

1. Excuse the absence of P&Z Commissioner Ginger McFadden and David Selsky from the September 26, 2016 P&Z Regular Meeting.

III. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION – P&Z VARIANCE NO. VARP 16-00005

A request by Mona Miller, applicant and agent for Eddie Wojcik owner; for approval of a Variance as per Section 2.2.5.2 (a) (4), of the Unified Development Code, Ordinance No. 2000-T, to reduce the minimum lot width from 150 feet to 50 feet and the minimum lot area from 22,500 square feet to 6,250 square feet for an existing lot zoned General Business located on the north side of 2nd Street about 220 feet west of Main Street on 0.143 acres of land, to wit:

Legal Description: Lot 17, Block 2 of Air Port Site Subdivision, Brazoria County, Texas as recorded in Volume 5, Page 57 in the Brazoria County Plat Records.

General Location: north side of 2nd Street about 220 feet west of Main Street.

B. DISCUSSION ITEMS

1. Commissioners Activity Report
2. Communication – P&Z packet format
3. Next P&Z Meeting, – October 17, 2016 – JPH and Regular P&Z meeting

IV. ADJOURNMENT



This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

I, Alma Gonzales, Office Assistant of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 30th day of September 2016, A.D., at 5:30 p.m.

Alma Gonzales, Office Assistant

Agenda removed _____ day of October ____, 2016.

II. Consent Agenda Items

All items listed under the “Consent Agenda” are considered to be routine and require little or no deliberation by the P&Z Commission.

These items will be enacted / approved by one motion unless a commissioner requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action (ix. Matters removed from Consent Agenda). Approval of the Consent Agenda enacts the items of legislation.

**A. CONSIDERATION &
POSSIBLE ACTION –
EXCUSED ABSENCE**

1. Excuse the absence of P&Z
Commissioner Ginger
McFadden and David Selsky
from the September 26, 2016
P&Z Regular Meeting.

III. NEW BUSINESS

**A. CONSIDERATION AND
POSSIBLE ACTION – P&Z
VARIANCE NO. VARP 16-
00005**

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Staff Report

To: Planning and Zoning Commission

From: Planning Department VH

Meeting Date: October 3, 2016

Re: A request by Mona Miller, applicant and agent for Eddie Wojcik owner; for approval of a Variance as per Section 2.2.5.2 (a) (4), of the Unified Development Code, Ordinance No. 2000-T, to reduce the minimum lot width from 150 feet to 50 feet and the minimum lot area from 22,500 square feet to 6,250 square feet for an existing lot zoned General Business located on the north side of 2nd Street about 220 feet west of Main Street on 0.143 acres of land, to wit:

Legal Description: Lot 17, Block 2 of Air Port Site Subdivision, Brazoria County, Texas as recorded in Volume 5, Page 57 in the Brazoria County Plat Records.

General Location: north side of 2nd Street, approximately 220 feet west of Main Street.

SUMMARY

The applicant is requesting two variances from the minimum lot width of 150 feet and the minimum lot area of 22,500 square feet required in the General Business (GB) zoning district to allow an existing lot to be platted through the Development Plat process. The applicant is requesting a variance of 100 feet from the minimum lot width of 150 feet required by the GB zoning district. Additionally, a lot area variance of 16,250 square feet is being requested, from the 22,500 square feet minimum lot area required by the GB zoning district. The 125 foot deep lot meets the minimum lot depth requirement of the GB zoning district.

	Required Dimension	Proposed Lot	Percentage Change
Lot Area	22,500 square feet	6,250 square feet	72%
Lot Width	150 feet	50 feet	66%
Lot Depth	125 feet	125 feet	0%

The lot was originally platted in 1948 with the Air Port Site Subdivision. Today, the lot is zoned GB in an area surrounded by GB and Light Industrial (M-1) zoning classifications and in an area designated as "Light Industrial" on the 2015 Future Land Use Plan.

PLATTING STATUS

The lot is recorded as Lot 17, Block 2 of Air Port Site Subdivision, Brazoria County, Texas as recorded in Volume 5, Page 57 in the Brazoria County Plat Records created prior to the adoption of the city's subdivision regulations and therefore does not meet the platting requirements as per the Unified Development Code (UDC). If the variances are granted then the Development Plat process would allow the lot to be platted under the current UDC process and become a city recognized plat.

STAFF RECOMMENDATION

Staff does not recommend approval of the requested variance from Section 2.4.4.5 (c) (1) a and b of the UDC, Ordinance No. 2000-T, to reduce the minimum lot frontage from 150 feet to 50 feet and to reduce the minimum lot area from 22,500 square feet to 6,250 square feet for proposed lot for the following reasons:

1. The requested variance of 100 feet from the minimum lot width would be a variance of 66%, and the variance of 16,250 square feet from the minimum lot area would be a variance of 72%.
2. Due to the other requirements of the UDC such as setbacks, parking, and detention, this parcel would be difficult to develop in conformance with the UDC. The property should be combined with an adjacent lot in order to create a development fitting the requirements of the UDC.

SURROUNDING ZONING AND LAND USES

	Zoning	Land Use
North	M-1 Light Industrial	Industrial
South	GB – General Business	Single Family Residential
East	GB – General Business	Single Family Residential
West	M-1 Light Industrial	Industrial

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC)

The proposed lot will not be in conformance with the area regulations, specifically lot width and area requirements of the UDC.

CONFORMANCE WITH THE 2015 COMPREHENSIVE PLAN

The applicant's property and all of the neighboring properties are shown as Light Industrial in the Future Land Use Plan (FLUP). The parcel, if platted in its current configuration will not encourage uses that would be in conformance with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN

Second Street has a 60 foot right-of-way but serves as a local street and dead ends at the railroad right of way. The 60 foot right-of-way is greater than the 50 foot minimum right-of-way required and is in conformance with the Thoroughfare Plan.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT

The property is located between State Highway 35 and a railroad right-of-way. The State Highway is approximately 220 feet to the east and with the railroad right-of-way approximately 310 feet to the west. The zoning, Future Land Use Plan and close proximity to State Highway 35 make it unlikely that property small commercial operation would be successful on this property. The property should be combined with an adjacent lot in order to create a development fitting the requirements of the UDC.

SECTION PERMITTING THE REQUEST

Section 2.2.5.2 Variances

(a) Purpose, Applicability and Effect

(4) Variances from the requirements of Chapters 2, 4, and 5 shall be decided by the Zoning Board of Adjustments, and variances from the requirements of Chapter 3 shall be decided by the Planning and Zoning Commission.

SECTION GOVERNING LOT SIZE AND LOT DEPTH

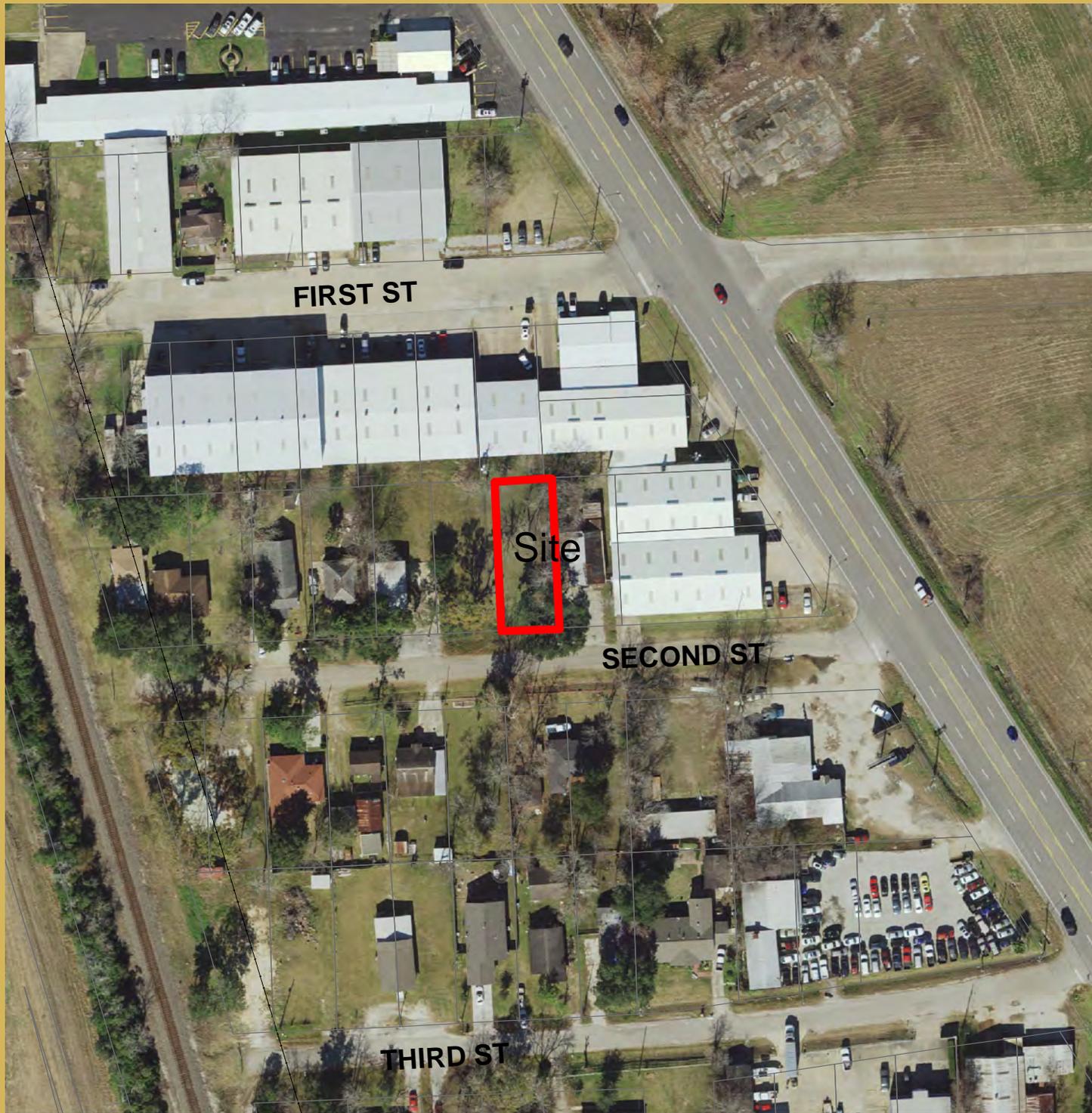
Section 2.4.4.5 GB, General Business Retail District

(c) Area Regulations

- (1) Size of Lots:
- a. Minimum Lot Size – Twenty-two thousand and five hundred (22,500) square feet in area.
 - b. Minimum Lot Width – One hundred and fifty feet (150’).

SUPPORTING DOCUMENTS

- Aerial Map
- Zoning Map
- Future Land Use Plan 2015
- Survey
- Site Plan



Aerial Map

VARP 16-00005



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 118 feet

OCTOBER 2014
PLANNING DEPARTMENT





Zoning Map

VARP 16-00005

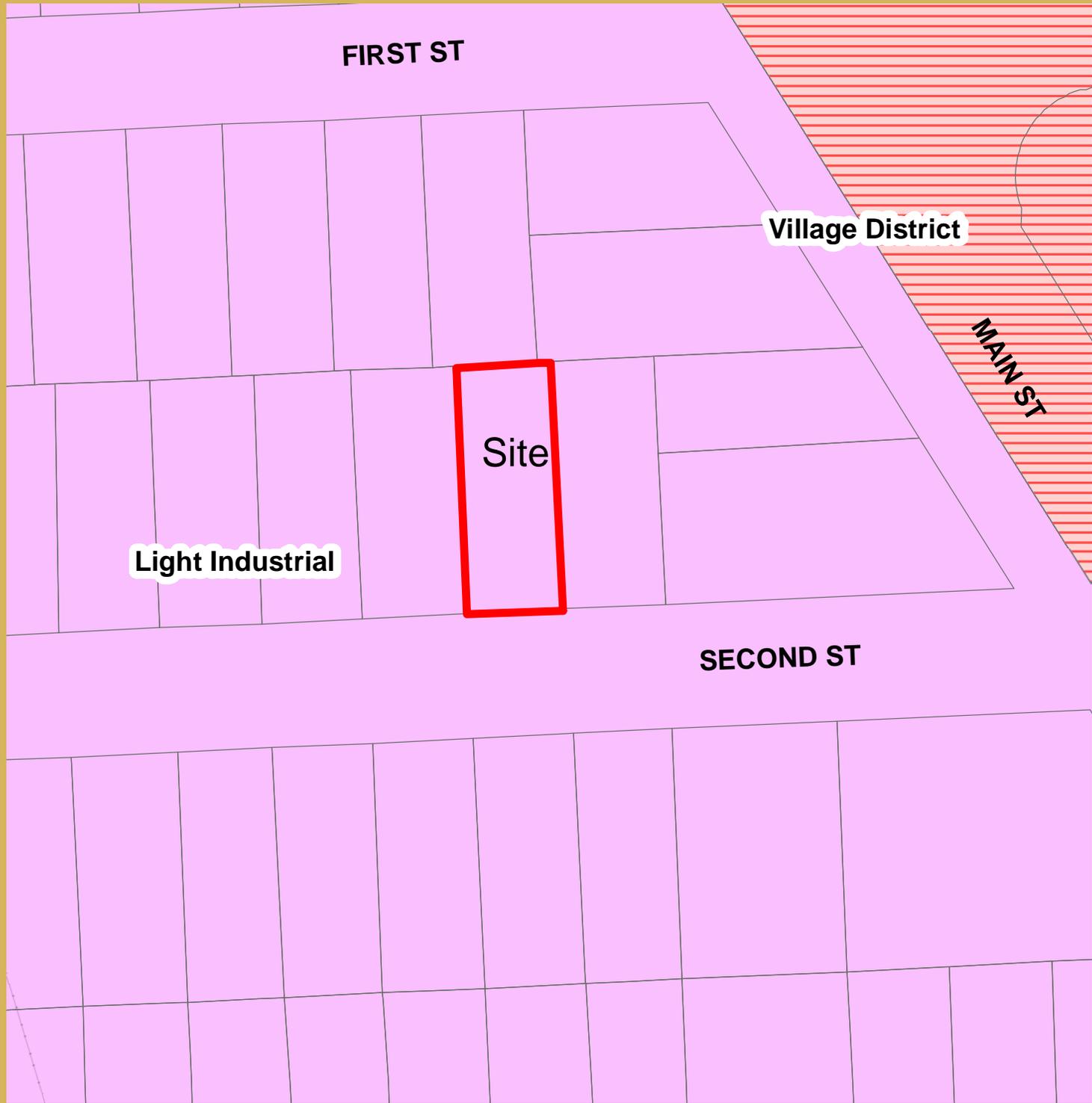


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1 inch = 71 feet

OCTOBER 2014
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**Future Land Use
Plan 2015**

VARP 16-00005

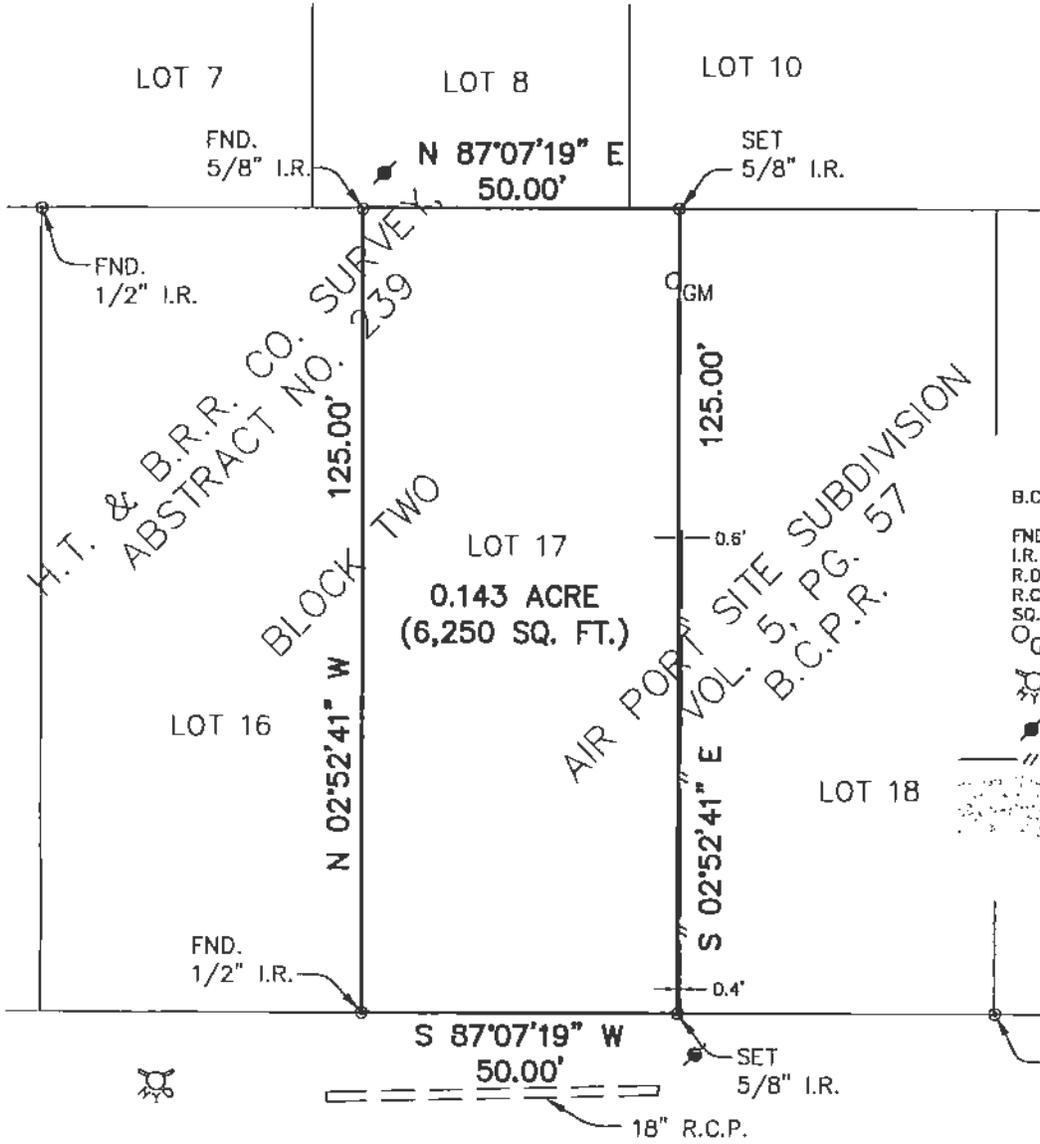
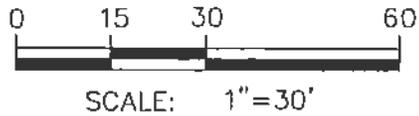


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1 inch = 71 feet

OCTOBER 2014
PLANNING DEPARTMENT





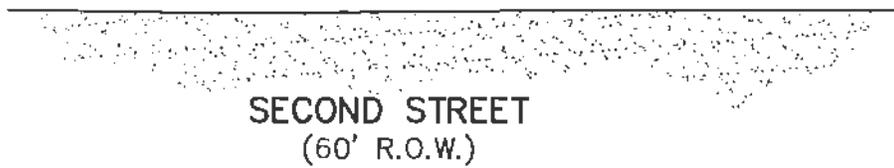
LEGEND

- B.C.P.R. BRAZORIA COUNTY PLAT RECORDS
- FND. FOUND
- I.R. IRON ROD
- R.D.W. RIGHT-OF-WAY
- R.C.P. REINFORCED CONCRETE PIPE
- SQ. FT. SQUARE FEET
- GM GAS METER
- FIRE HYDRANT
- POWER POLE
- CHAINLINK FENCE
- ASPHALT PAVING

H.T. & B.R.R. CO. SURVEY
ABSTRACT NO. 239

AIR PORT SITE SUBDIVISION
VOL. 5, PG. 57
B.C.P.R.

John Wilson Survey Co.



LEGAL DESCRIPTION:

LOT 17, BLOCK TWO OF AIR PORT SITE SUBDIVISION, BRAZORIA COUNTY, TEXAS AS RECORDED IN VOLUME 5, PAGE 57 IN THE BRAZORIA COUNTY PLAT RECORDS.

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.
2. ACCORDING TO THE F.I.R.M. NO. 48039C0045 J, DATED SEPTEMBER 22, 1999. THE SUBJECT TRACT LIES IN A SHADED ZONE "AF" ARFA.



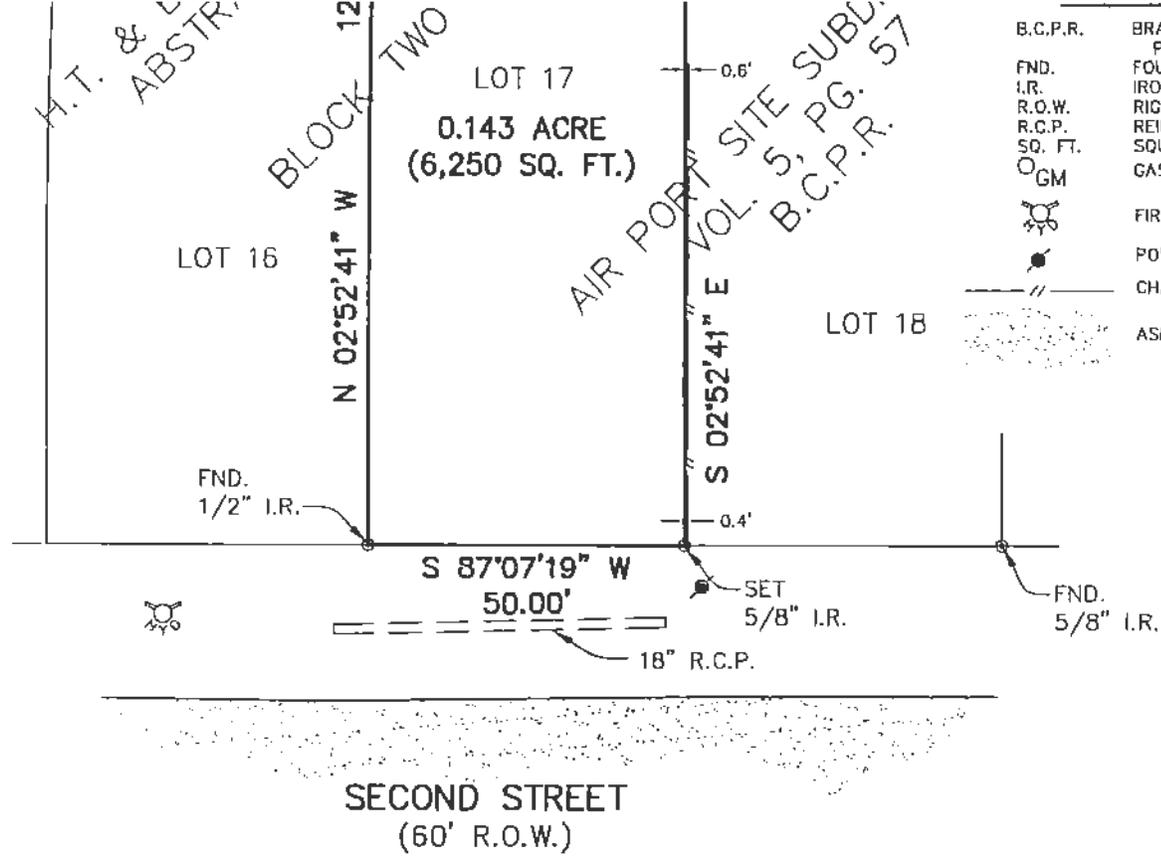
James H. ...

H.T. & ABSTR.

BLOCK TWO

AIR PORT SITE SUBD.
VOL. 5, PG. 57
B.C.P.R.

- B.C.P.R. BRAZORIA COUNTY PLAT RECORDS
- FND. FOUND
- I.R. IRON ROD
- R.O.W. RIGHT-OF-WAY
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- SQ. FT. SQUARE FEET
- GM GAS METER
- FIRE HYDRANT
- POWER POLE
- CHAINLINK FENCE
- ASPHALT PAVING



SECOND STREET
(60' R.O.W.)

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3. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE.



THIS SURVEY HAS BEEN MADE ON THE GROUND AND SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B, CONDITION II SURVEY.

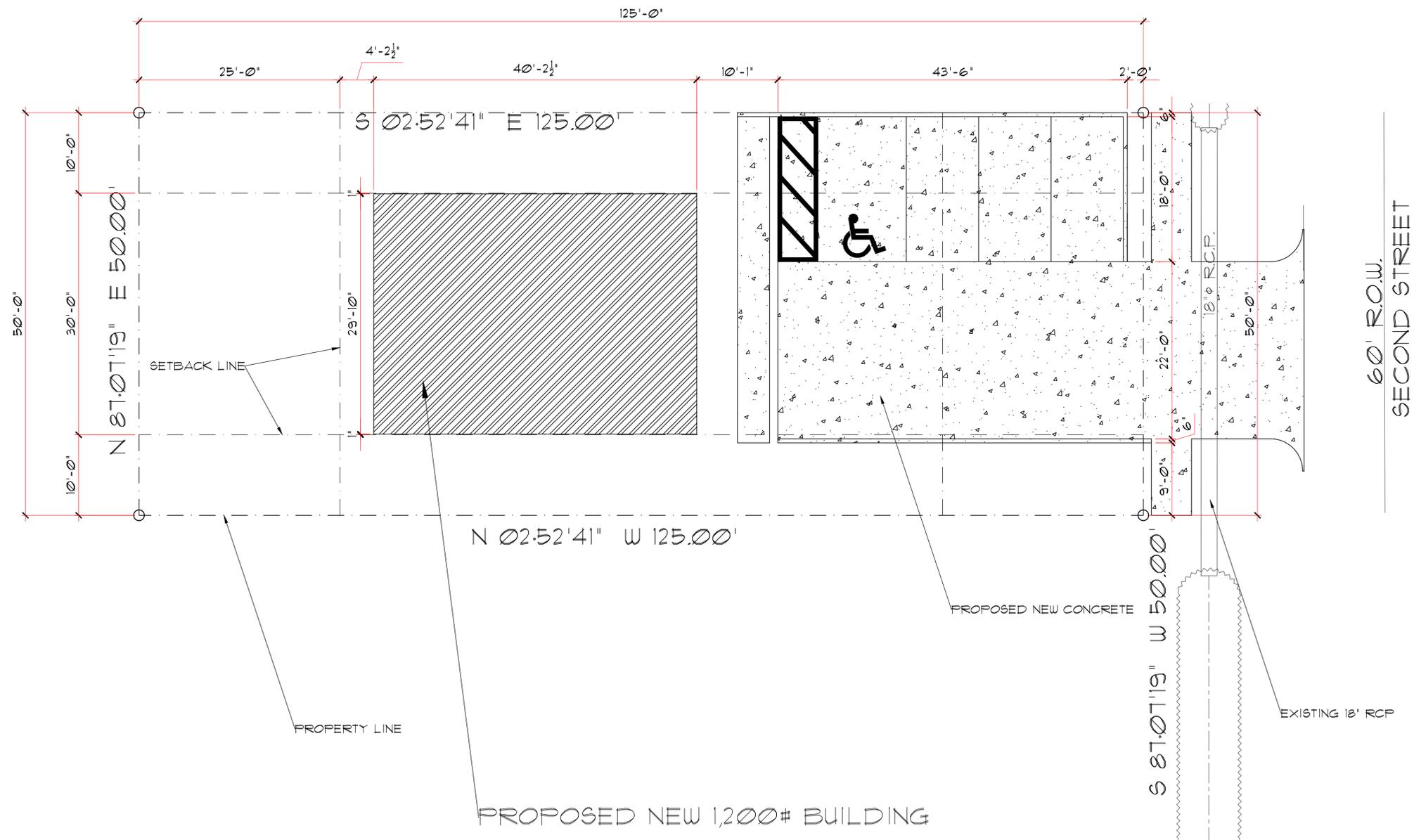
Michael D. Wilson

MICHAEL D. WILSON R.P.L.S.
TEXAS REGISTRATION NO. 4821

04/26/13

COPYRIGHT 2013, THE WILSON SURVEY GROUP, INC

DWN: C.L.H.	CAD FILE: 13-126.dwg	SCALE: 1"=30'	ORIGINAL PLOT DATE: 04/29/13
THE WILSON SURVEY GROUP PROFESSIONAL LAND SURVEYORS 2006 E. BROADWAY PEARLAND, TEXAS			
ZABDIEL E. HERNANDEZ			
BOUNDARY AND IMPROVEMENT SURVEY OF LOT 17, BLOCK TWO OF AIR PORT SITE SUBDIVISION IN THE H.T. & B.R.R. CO. SURVEY, A-239, IN BRAZORIA COUNTY, TEXAS			SHEET 1 OF 1



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DATE: 09/06/16
DESIGNER: T. TREVINO
SCALE: 1/8" = 1'-0"

PROPERTY ID # 180732
PEARLAND, TEXAS 77581

SITE PLAN

BOX
BUILDERS LLC

281-919-5815

A101
SHEET: 02 OF: 15

B. DISCUSSION ITEMS

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3. Next P&Z Meeting, – October 17,
2016 – JPH and Regular P&Z meeting

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