

MINUTES OF THE JOINT PUBLIC HEARING FOR THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION, CITY OF PEARLAND, TEXAS, HELD ON MONDAY MARCH 19, 2018 AT 6:30 P.M., IN COUNCIL CHAMBERS, PEARLAND CITY HALL, 3519 LIBERTY DR.

CALL TO ORDER

Mayor Tom Reid opened a series of public hearings at 6:30 p.m.

The following were present:

Council Member Tony Carbone	P&Z Chairperson Daniel Tunstall
Council Member Gary Moore	P&Z Vice-Chairperson Thomas Duncan
Council Member David Little	P&Z Commissioner Layni Cade
Council Member Trent Perez	P&Z Commissioner David Selsky
Council Member Keith Ordeneaux	P&Z Commissioner Mary Starr
Council Member Woody Owens	

Also present were Deputy City Attorney Lawrence Provins, Assistant City Manager Trent Epperson, Community Development Director John McDonald, City Planner Jimontanae McBride, Senior Planner Martin Griggs, Planning Technician Samin Bazargan, Director of Engineering Robert Upton, Associate Engineer Matt Brown and Office Assistant Alma Gonzales

Senior Planner Martin Griggs read the order of agenda and the format of the meeting.

CALL TO ORDER

Mayor Tom Reid opened the public hearing for Zone Change Application No. Zone 17-00023

P&Z Chairperson Daniel Tunstall read into the record the Zone Change Application No. Zone 17-00023

PURPOSE OF HEARING

Zone Change Application No. ZONE 17-00023

A request of Houston Memorial Gardens Cemetery, applicant, on behalf of Sophie Allbritton, represented by Carolyn Gamble POA for owner of Lot 60, Estate of Blanche Gore, represented by Richard R. Royall for owner of Lot 61, Evelyne L. Brown, Cynthia Kirkland, Ind. executrix for owner of Lot 62; for approval of an addendum to an existing Planned Development changing zoning from a Suburban Residential-12 (SR-12) to a Planned Development (PD) (Houston Memorial Gardens Cemetery Planned Development) zoning

district; on approximately 29.99 acres of land

Legal Description: Lot 60: Being a 9.998 acre (435,525 square feet) tract of land being all of Lot 60, of Allison Richey Gulf Coast Home Company's Subdivision of Section 19, H. T. B. & RR Co Survey, A-243, Brazoria County, Texas according to the map or plat thereof as recorded in Volume 2, Page 23 & 24 of the Map Records of Brazoria County (M.R.B.C).

Lot 61: Being a 9.996 acre (435,445 square feet) tract of land being all of Lot 61, of Allison Richey Gulf Coast Home Company's Subdivision of Section 19, H. T. B. & RR Co Survey, A-243, Brazoria County, Texas according to the map or plat thereof as recorded in Volume 2, Page 23 & 24 of the Map Records of Brazoria County (M.R.B.C).

Lot 62: Being a 9.996 acre (435,445 square feet) tract of land being all of Lot 62, of Allison Richey Gulf Coast Home Company's Subdivision of Section 19, H. T. B. & RR Co Survey, A-243, Brazoria County, Texas according to the map or plat thereof as recorded in Volume 2, Page 23 & 24 of the Map Records of Brazoria County (M.R.B.C).

General Location: North of West Gate Street, east of Cullen Parkway, south of Hawke Meadows Road, and west of Avalon Terrace Subdivision.

APPLICATION INFORMATION AND CASE SUMMARY

Senior Planner Martin Griggs presented the Staff report with exhibits. He informed that four notices were received, two were in opposition and two were in favor of the request. Seven calls were received requesting further information. Staff recommended approval of the requested change in zoning from SR-12 to PD, with a minor change as noted below, on the approximately 29.99 acre site for the following reasons:

1. Rezoning the subject property would allow continued use and expansion of the cemetery use including a funeral home, mortuary/cemetery, and mausoleum/crematorium. Staff recommends the addition of a 15' street tree planting along Cullen Parkway in-lieu of the standard Corridor Overlay District planting to be completed when that portion of the cemetery is platted.
2. The cemetery has a current Planned Development which limits the allowed uses to funeral types of development and the proposed PD maintains that limitation. If approved, the zone change would be one of the least intense commercial uses compatible with the Future Land Use Plan and in conformance with the Comprehensive Plan.
3. The proposed PD results in a superior development introducing greater design along the main entrance of Cullen Parkway. If the residence were to be sold, the base zoning district would require a buffer against the residential use as per the UDC requirement.
4. The proposed design plan maintains compatibility with adjacent uses.
5. The proposed design plan maintains a configuration of uses which are compatible with existing adjacent developments.
6. The proposed development will have little impact on public facility plans.
7. The original PD (2000M-85) had no additional amenities. This PD would continue that baseline with the addition of the proposed landscaping noted above.

Applicant Janice B. Howard, 2426 Cullen Pkwy., Pear. TX 77581 gave a brief presentation and was available for comments and questions.

No Staff wrap up.

PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

Mr. Luke Griggs, 2350 Hawk Meadows, Pear. TX 77581 and Mr. Fred Boden, 2349 Hawk Meadows were both in opposition for the proposed request.

COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

Councilmember Tony Carbone inquired if any person stated their reason for their opposition on the comment forms received. Mr. Griggs informed that copies of the comment forms received were given to each Councilmember and P&Z Commissioners. Mr. Carbone asked if there were any fencing or buffer requirements. Mr. Griggs explained the applicant would need to follow the UDC requirements which would be 25ft. with a masonry wall or 30ft. without a wall. Mr. Carbone asked for clarification on recommendation number three. Mr. Griggs explained the residential structure recommendation. Mr. Carbone asked applicant if there was a crematory currently on site. Mrs. Howard answered that there was not currently one. Councilmember Trent Perez inquired on grades on the landscape buffer. Mr. Perez commented on drainage and detention pond. Councilmember Woody Owens inquired on the well water. A Citizen explained the information he researched on new wells.

P&Z Commissioner Mary Starr commented that this was the best use for this property.

ADJOURNMENT

Mayor Tom Reid adjourned the public hearing for Zone Change Application No. Zone 17-00023 at 7:05 p.m.

CALL TO ORDER

Mayor Tom Reid opened the public hearing for Zone Change Application No. Zone 18-00001 at 7:05 p.m.

P&Z Chairperson Daniel Tunstall read into the record the Zone Change Application No. Zone 18-00001

PURPOSE OF HEARING

Zone Change Application No. ZONE 18-00001

A request of Edward Lang representing Biggie Crane and Rigging, applicant, on behalf of John Clinton Bybee Jr., owner; for approval of a change in zoning from the Spectrum District Sub-district 5 (S5) zoning to a Light Industrial (M-1) zoning district; on approximately 9.719 acres of land.

Legal Description:

Being a tract of land containing 9.719 acres, located in the R.T Blackburn Survey, Abstract 160, in Harris County, Texas; said 9.719 acre tract being out of Lot 30 of Orchard Ridge

Addition to Almeda, a subdivision of record in Volume 64, Page 7, of the Harris County Deed Records (H.C.D.R.), same being all of the remainder of a called 9.7917 acre tract of land recorded in the name of John Clinton Bybee, Jr., in Harris County Clerk's File Number (H.C.C.F. No.) 20130220749.

General Location:

South of Riley Road, east side of Almeda School Road, immediately south of 14739 Almeda School Road.

APPLICATION INFORMATION AND CASE SUMMARY

Senior Planner Martin Griggs presented the Staff report with exhibits. He informed that no comment forms were received and one call inquiring for further information. Staff recommended approval of the requested change in zoning from S5 to M-1 on the approximately 9.719 acre site for the following reasons:

1. While the proposal is not consistent with the Future Land Use Plan, as this area is designated for Lower Kirby Urban District which has a higher standard of development; rezoning the subject property would allow the creation of a cohesive development under a single owner, allowing a more unified industrial development to occur.
2. The proposed use of the property for drainage and access to Almeda School Road are appropriate to the surrounding area of land to be reclassified.
3. The proposed change in zoning will enable a traffic pattern that will decrease the amount of tractor-trailer movement on Riley Road.
4. The parcel is adjacent to M-1 zoned parcels on the north side. The rezoning of this parcel from S5 to M-1 would be compatible to adjacent parcels while providing a buffer to the existing developments along Almeda School Road after completion of improvements.

Applicant representative Mr. Edward Lang with Biggie Crane, 322 Riley Rd., Pear. TX 77581, gave a brief presentation and was available for comments and questions.

No Staff wrap up.

PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

Mr. Larry Marcott, 3606 Inverness Ct., Pear. TX 77581 spoke in favor of the proposed request.

COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

Councilmember Trent Perez had concerns with considering a City driven zone change. Councilmember David Little had no problem with the unified development. Councilmember Gary Moore asked Staff how wide would the thoroughfare widening consist of and when would this happen. City Engineer Robert Upton explained the future access and accessibility.

No comments from the P&Z Commission.

ADJOURNMENT

Mayor Tom Reid adjourned the public hearing for Zone Change Application No. Zone 18-00001 at 7:17 p.m.

CALL TO ORDER

Mayor Tom Reid opened the public hearing for Zone Change Application No. Zone 18-00002 at 7:17 p.m.

P&Z Chairperson Daniel Tunstall read into the record the Zone Change Application No. Zone 18-00002

PURPOSE OF HEARING

Zone Change Application No. ZONE 18-00002

A request of Pengo Realty, LLC. Represented by Andrew Allemand of Windrose Land Services, applicant, on behalf of Sealy Carlita Settegast and Brentwood Partners, LP representing Beeman Strong & Co. Inc., owner; for approval of an addendum to add land and change the zoning from the Single-Family Residential-2 (R-2) zoning district to a Planned Development (PD) (Center at Pearland Parkway) zoning district; on approximately 8.438 acres of land.

Legal Description:

A tract or parcel containing 8.438 acres or 367,536 square feet of land being part of the residue of a called 118.755 acre tract of land conveyed to Marion E. Settegast Jr., et al as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records (B.C.D.R.), situated in the Thomas J. Green survey, Abstract No. 198, Brazoria County, Texas.

General Location:

North and east of 2550 Pearland Parkway directly across from Shallow Creek Drive.

APPLICATION INFORMATION AND CASE SUMMARY

Senior Planner Martin Griggs presented the Staff report with exhibits. He informed that one comment form was received in favor of the request and two phone calls inquires for further information. Staff recommended approval of an addendum to add land and change the zoning from the Single-Family Residential-2 (R-2) zoning district to a Planned Development (PD) (Center at Pearland Parkway) zoning district on approximately 8.438 acres of land with a minor change to the design plan for the following reasons:

1. The continued expansion of the Center at Pearland Parkway PD for what is effectively phase 3 of development is desirable to maintain an increased quality of development. The Pearland Economic Development Corporation, Community Development, and Engineering staff strongly recommend that the entrance to this phase of development be treated as a primary entrance with enhanced landscaping. The entrance will likely be the last full access (with left and right turn movements) allowed on Pearland Parkway. The Engineering Department has indicated that a right in only will be allowed before the turn but no other curb cuts will be permitted. Engineering staff continues to work with the applicant on the traffic impact analysis.
2. The PD will maintain development consistent with the retail, office, and service

classifications of the Future Land Use Plan with a variety of retail and service opportunities.

3. The proposed PD results in a mixed commercial strip development with big box retail, tenant retail space, and possible out-parcel space for a restaurant.
4. The proposed design plan maintains compatibility with adjacent uses. The previously approved list of uses requiring CUP (2000M-154) is added to this PD to maintain consistency for PD's along Pearland Parkway.
5. The proposed design plan maintains a configuration of uses which are compatible with existing adjacent developments.
6. The proposed expansion is not anticipated to have significant negative impacts on existing surrounding or future developments. Traffic will likely be increased as seen with the addition of previous big box retail developments. The recommendation of the addition of a primary entrance should assist with this.
7. The proposed PD maintains a high quality landscape above and beyond what is required by the UDC.

Applicant representative Mr. Andrew Allemand with Windrose Land Services, 3200 Wilcrest #325, Hou. TX 77042 gave a brief presentation and was available for comments and questions.

No Staff wrap up.

PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

Mrs. Darien Long, 2601 Marble Creek Dr., Pear. TX 77581 had concerns with increase traffic and noise with this type of development. Mrs. Janie Stevenson, 2610 Marble Creek Dr., Pear. TX 77581 was not against the proposal but had concerns with the left and right hand turns from Pearland Parkway and would like to have a traffic light install with this development. Mr. David Wood, 2709 Pebble Creek, Pear. TX 77581 had comments regarding the plans for future installation of a traffic signal.

COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

Councilmember Tony Carbone asked Staff of the signal light requirements. City Engineer Robert Upton explained the superstreet concept. Assistant City Manager Trent Epperson explained the traffic signal history for this particular development. Mr. Carbone asked for clarity on the TIA. Mr. Epperson explained the requirements for the super street concept. Councilmember Gary Moore had a question for Staff in regards to the sound study. Mr. Epperson explained there was not a mechanism for the sound study at this time. Mr. Moore would like to have a study done on the sound. Councilmember Keith Ordeneaux commented on a small traffic circle options and would like to get a PUD for the rest of the property tract and make amendments to the PUD in the future. Councilmember David Little commented on the concerns of sound and traffic control. Councilmember Trent Perez commented on the superstreet concept would not be a realistic plan. Mr. Perez asked the HOA President Mrs. Darien Long was convenience or safety there most priority concern on this development. Mrs. Long explained that it was both, closure of the median would impact the neighborhood. Mr. Perez explained the priority and cost of a traffic signal. Mr. Perez was okay with the zone use. Mr. Perez informed that he has had previous relationship with Windrose Land Services and asked the applicant if they would be okay with the entrance beautification that Staff proposed to them. Mr. Allemand explained that it

will be an enhanced entrance as phase I and II. The developer informed that the TIA that is currently being reviewed did recommend a traffic light. Mr. Perez commented on the existing sound walls. Councilmember Woody Owens commented on the front drive of the development and asked Staff about stacking lanes on the side. Mr. Upton explained it would be a requirement of the intersection. Mayor Tom Reid made a comment in regards to the quality of the economic development.

P&Z Chairperson Daniel Tunstall had a comment on a signal light requirement for the PD.

Senior Planner Martin Griggs informed to Council and Commission the revised site plan has not been reviewed by all required departments at this time.

ADJOURNMENT

Mayor Tom Reid adjourned the public hearing for Zone Change Application No. Zone 18-00002 at 8:00 p.m.

These minutes are respectfully submitted by:

Alma Gonzales, Office Assistant

Minutes approved as submitted on this 23rd day of April, 2018 A.D.



Mayor Tom Reid

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