

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JANUARY 16, 2012 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. 2012-01Z

A request of Sherry L. Stockwell-Tarrer, applicant, on behalf of Emil J. Hrbacek, owner, for approval of a zone change from the Single-Family Residential-1 (R-1) zone to General Business (GB) zone for 2.261 acres on the following described property, to wit:

Legal Description: Boundary Survey 188' X 523.9', West ½ of lot 48, Allison Richey Gulf Coast Home Company Survey, Section 19, H.T. & B.R.R. Company Survey, Abstract 243, Brazoria County, Texas

General Location: 8013 W. Broadway, Pearland, TX

- 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 JANUARY 16, 2012

Zone Change No. 2012-01Z

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General Location: 8013 W. Broadway, Pearland, TX

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

Planning and Zoning Commission: January 16, 2012*

City Council for First Reading: February 13, 2012*

City Council for Second Reading: February 27, 2012*

(*dates subject to change)

SUMMARY: Sherry L. Stockwell-Tarrer, applicant, for Emil J. Hrbacek, owner, is requesting approval of a zone change from the Single-Family Residential-1 (R-1) zone, to General Business (GB) zone for 2.261 acres for the above referenced location. The property is currently developed as and is being used as a single-family home. The owner has stated that the reason for the request is to be able to sell the property as a commercial property. With the exception of the rear of the property (to the north), the property is surrounded by commercial zoning districts and developments. Additionally, the City's Comprehensive Plan, discussed in this report, calls for commercial zoning for this area.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Single-Family Residential-1 (R-1)	Residential
South	General Business (GB)	Vacant
East	Neighborhood Service (NS) and General Business (GB)	Commercial
West	General Commercial (GC)	Residential

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): As previously mentioned, the property is currently zoned Single-Family Residential-1 (R-1). As the property is currently being requested to be rezoned to General Business (GB), a breakdown between those requirements and the site current configuration is provided below:

	<u>General Business</u>	<u>Existing Site</u>
Lot Size:	22,500 sq ft	98,491 sq ft
Lot Width:	150'	188'
Lot Depth:	125'	523.90'
Front Setback:	25'	196.60'
Rear Setback:	25'	~200'
Side Setback:	10'	17.9'

As previously mentioned, the property is currently being used as single-family residence and all bulk regulations for the property are currently met, and the property is currently in conformance with the Unified Development Code. If the requested zone change is approved, redevelopment of the property to a land use permitted in the General Business (GB) zoning district would be required to meet all bulk requirements of the Unified Development Code for that zoning district.

PLATTING STATUS: The property is not currently platted. Platting will be required at the time of development.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current Comprehensive Plan (latest update in 2009) indicates *Business Commercial* for the subject property. The existing use, a single-family home, would not be a permitted use in that land use designation. Therefore, the current zoning is not in conformance with the Comprehensive Plan. If the zone change is approved and the property is developed into commercial, the property would be in conformance with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Broadway, a major thoroughfare, with a minimum of 120' right-of-way, which is

in conformance with the Thoroughfare Plan.

AVAILABILITY OF UTILITIES: The subject parcel does have access to public water and sewer.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: It is not anticipated that redevelopment of this property to a business use will have any significant negative impact of existing for future developments in the area. If the zone change is approved, the property will be able to be developed in the same manner as other commercial properties in the area. The only property in the vicinity which is zoned non-commercial, is residential property located to the north, and the site being proposed for rezoning is large enough to provide the required buffer between residential and commercial properties.

As the exact nature of development is not known at this time, a Traffic Impact Analysis (TIA) may be required at the time of site plan review by the City's Engineering department to determine if there are any potentially negative traffic impacts anticipated as a result of the proposed development at that time. If a TIA is required, and mitigation measures are deemed necessary as a result, the applicant would be responsible for implementing those measures.

ADDITIONAL COMMENTS: This request has been reviewed by the City's Development Review Committee and there are no additional comments from other departments at the time of this report.

SITE PLAN CONSIDERATIONS: A site plan is not required for a zone change. As future development of the site is not known at this time, a site plan has not been submitted for informational purposes.

PUBLIC NOTIFICATION: 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 notification sign was placed on the subject property.

OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST: Staff has not received any comments either in opposition to or in support of the proposed zone change request at the time of this report.

STAFF RECOMMENDATION: Staff recommends approval of the Zone Change 2012-01Z as proposed by the applicant for the following reasons:

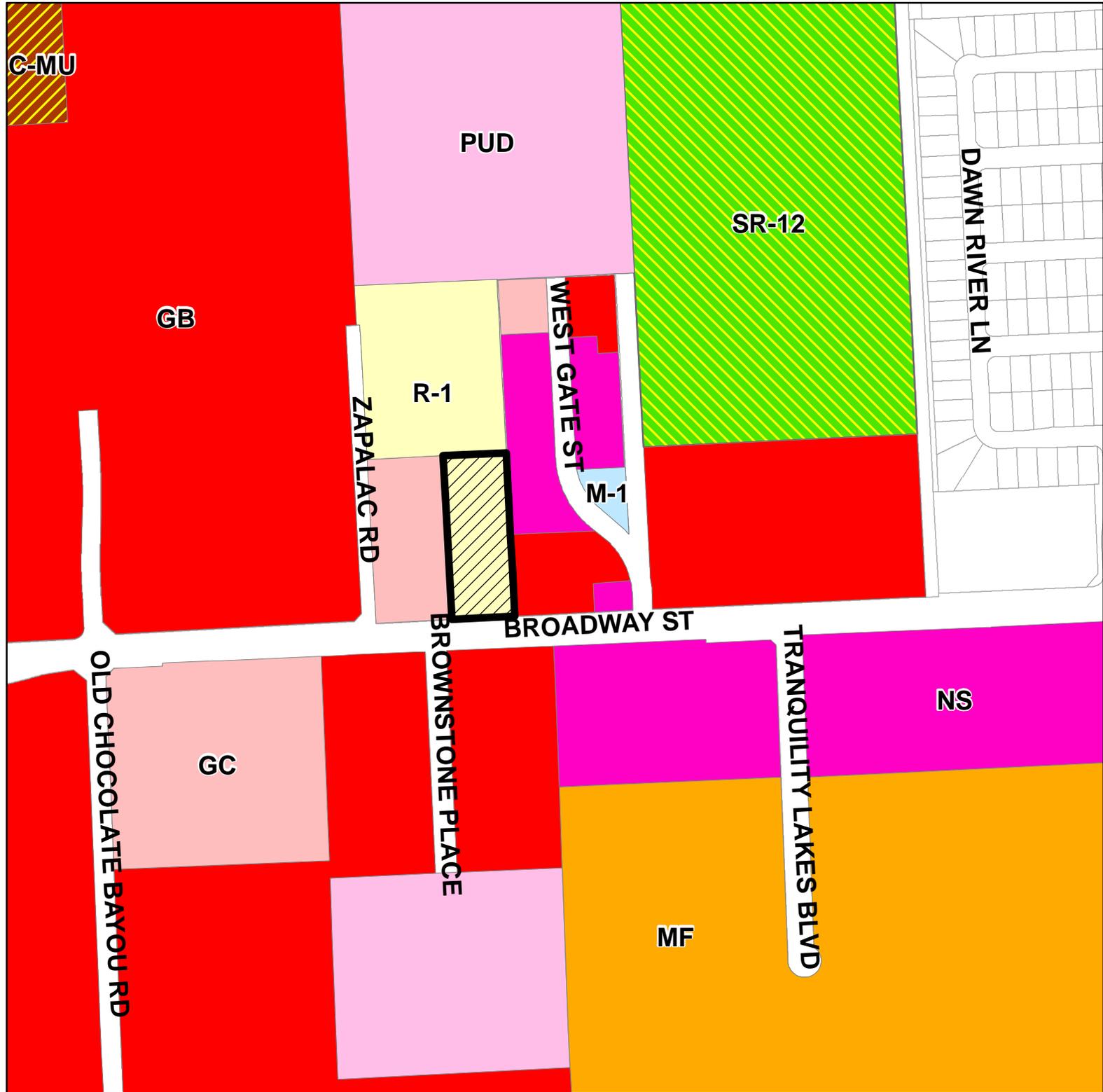
1. Approval of the zone change will result in conformance with the surrounding zoning as well as current and future land uses.
2. The proposed zone change should not have any significant negative impact on the

surrounding properties and developments.

3. The proposed zone change will bring the property into compliance with the approved Future Land Use Plan.
4. The proposed zone change would allow for uses on the property that would be compatible with nearby commercial development, and also be appropriate along Broadway.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents



Zoning & Vicinity Map
Zone Change 2012-01Z
8013 Broadway

This product is for information 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.

0 5310 220 Feet





Abutter Map

Zone Change 2012-01Z

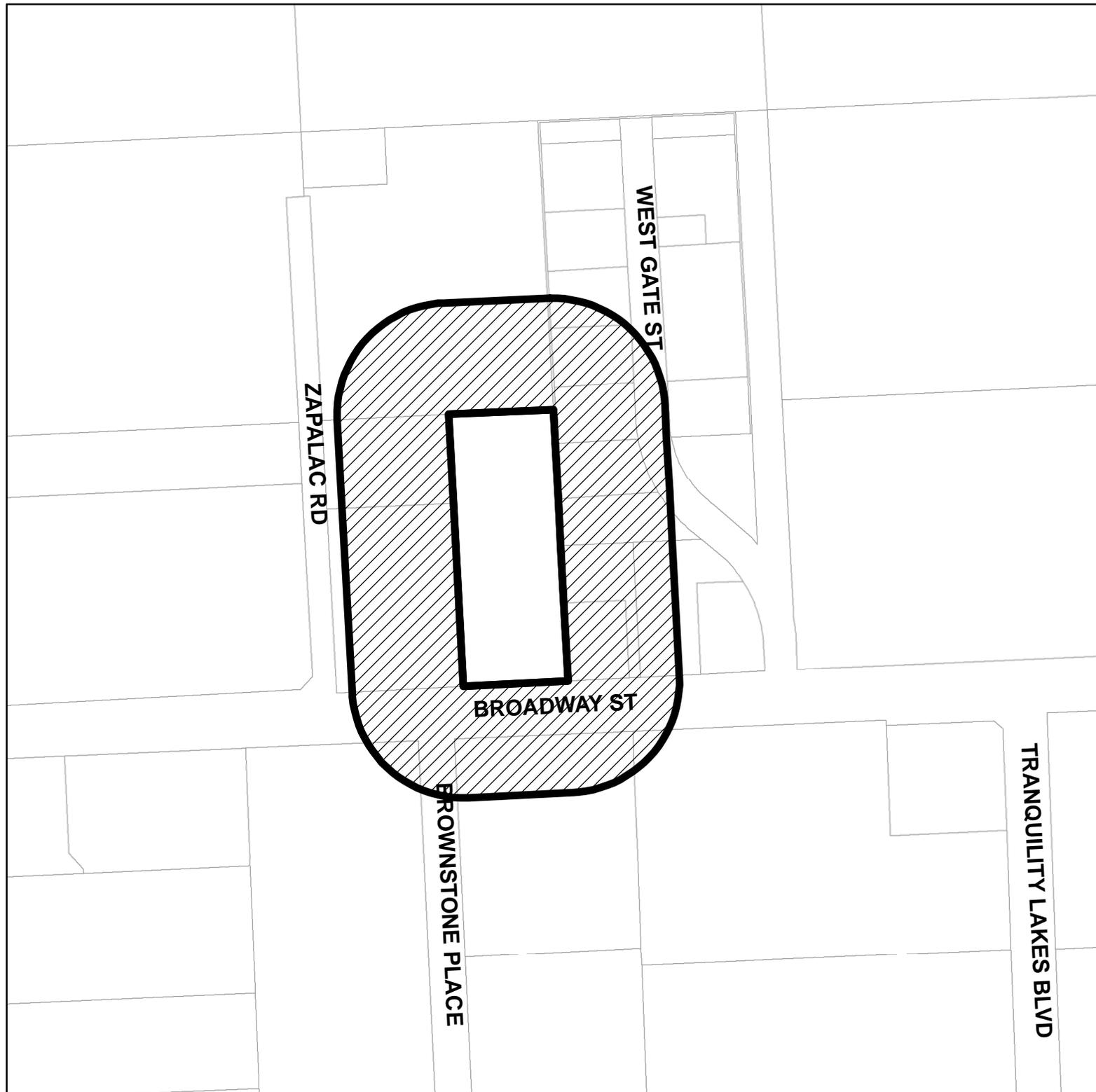
8013 W. Broadway

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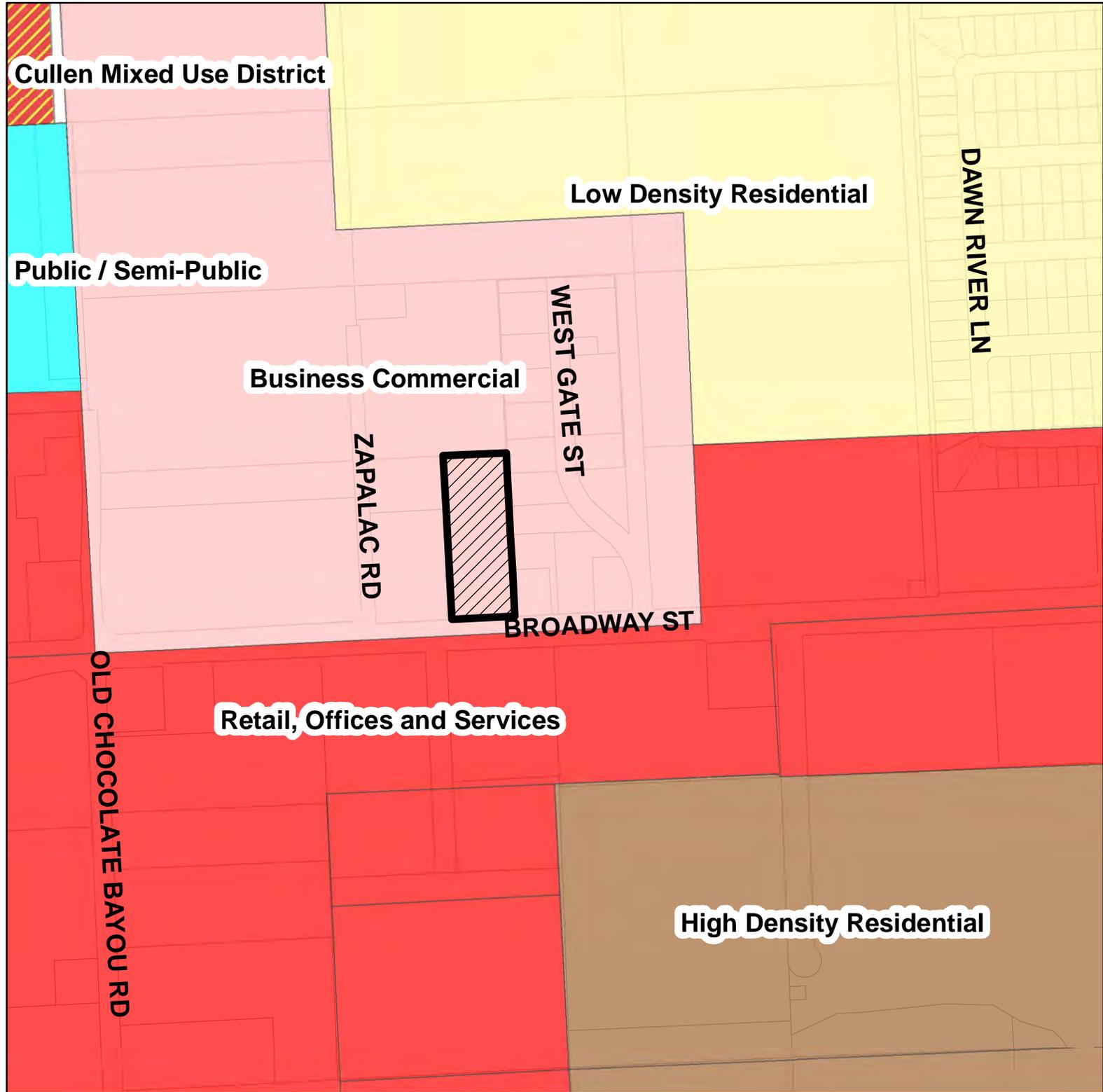
620 Feet



N



Name	Address	City	State	Zip
ZAPALAC ROBIN D	2539 ZAPALAC RD	PEARLAND	TX	77581
GOERIG GILBERT JOSEPH	PO BOX 730	FRIENDSWOOD	TX	77549
BERTRAM RICKY D & KIM	603 LINSON LN	FRIENDSWOOD	TX	77546
BURNS ROBERT	PO BOX 580591	HOUSTON	TX	77258
HRBACEK EMIL J	8013 BROADWAY ST	PEARLAND	TX	77581
FAVOR WILLIAM M	8027 BROADWAY ST	PEARLAND	TX	77581
CORTE LOUIS A	PO BOX 854	PEARLAND	TX	77588
RODRIGUEZ ANA E & ESTEBAN V	PO BOX 84110	PEARLAND	TX	77584
MORENO EMMA E	7937 BROADWAY ST	PEARLAND	TX	77581
HUGHES-WEST INVESTMENTS LTD	7918 BROADWAY ST STE 106	PEARLAND	TX	77581
SHERRY L. STOCKWELL-TARRER	11606 WATERCASTLE CT	PEARLAND	TX	77584

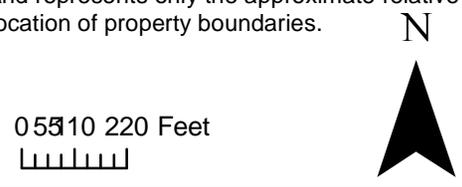


FLUP Map

Zone Change 2012-01Z

8013 Broadway

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Aerial Map

Zone Change 2012-01Z

8013 Broadway

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0 3060 120 Feet
[Scale bar with 5 segments]

Nov. 21, 2011



APPLICATION FOR A CHANGE IN ZONING

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1639
281-652-1702 fax
www.ci.pearland.tx.us

Please check one:

- Change in Zoning Classification from: R-1 RESIDENTIAL to: GB GENERAL BUSINESS COMMERCIAL
(list current zoning) (list proposed zoning)
- Specific Use Permit Request for : _____
(list proposed use)

Property Information:

Address: 8013 8313 W. BROADWAY ST.

Subdivision: HT+BRR Lot: 48A1 Block: _____

Tax I.D. Number: 0243-0061-000

** For unplatted property, attach a copy of the metes and bounds description**

Current use of property (type of structures on property): RESIDENCE

Future/proposed use of property and reason for zone change: TO SELL

PROPERTY OWNER INFORMATION:

NAME EMIL J. HRBACEK

ADDRESS 8013 8313 W. BROADWAY

CITY PEARLAND STATE TX ZIP 77581

PHONE(281) 485-9578

FAX() NONE

E-MAIL ADDRESS NONE

APPLICANT INFORMATION: (SAME)

NAME Sherry L. Stockwell-Tarrer

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE(713) 436-6095

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: Emil J. Hrbacek Date: 9-19-11

Agent's Signature: Sherry L. Stockwell-Tarrer Date: 11/21/2011

OFFICE USE ONLY: FEES PAID: _____ DATE PAID: _____
RECEIVED BY: _____ APPLICATION NO. _____

Date: 26 September 2011

To: City of Pearland
Planning & Zoning Dept

RE: Application to Rezone Property
8313 Broadway St, Pearland, TX 77581

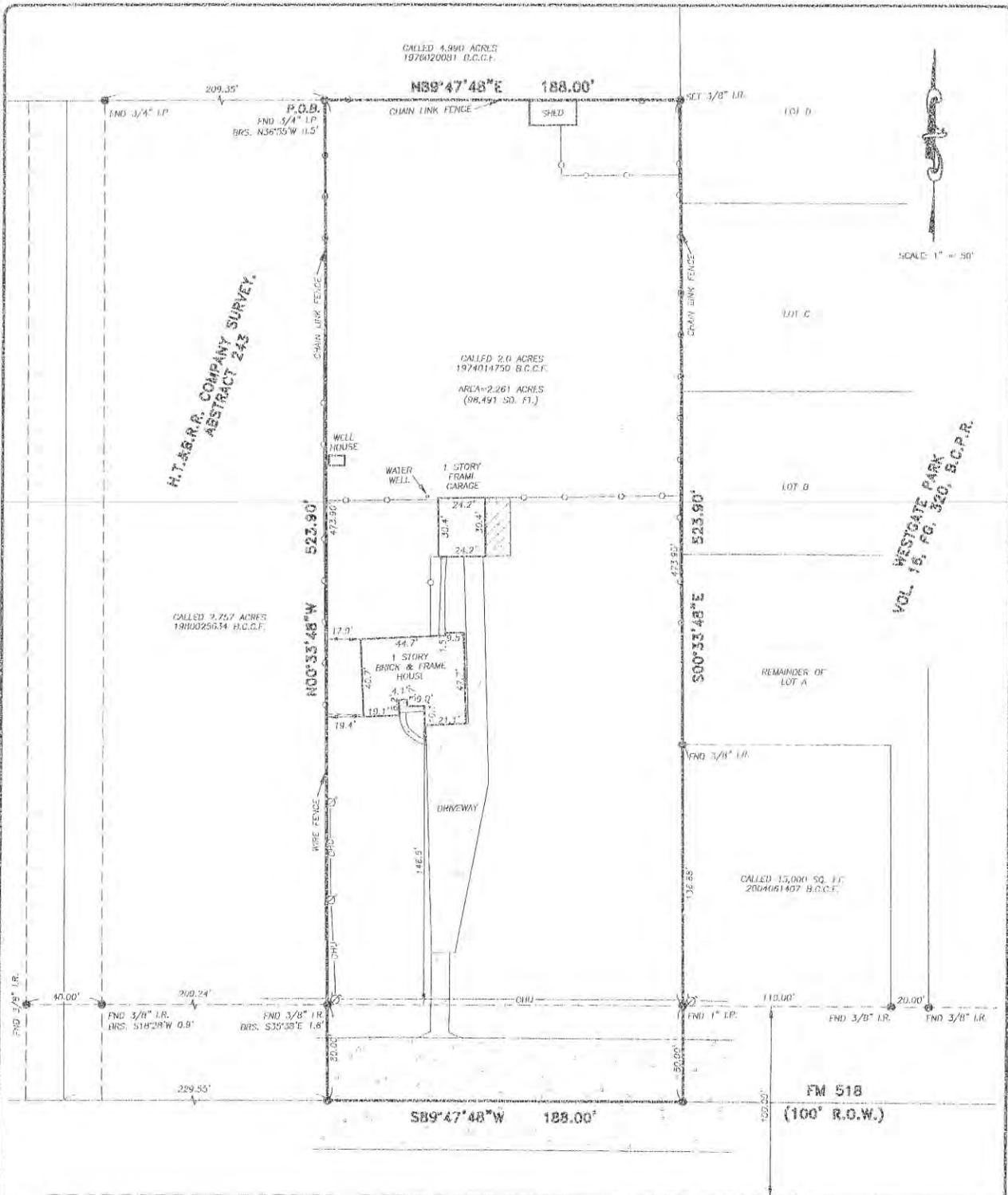
AGENT AUTHORIZATION

I hereby authorize Richard A. Tarrer, or Sherry L. Stockwell-Tarrer, to represent me for the above-referenced purpose, before the City of Pearland, and/or the Planning & Zoning Department.

LETTER OF INTENT

It is my intention to rezone the above-referenced property from R-1 (Residential) to GB (General Business), the "zoning" recommended by the City of Pearland, for the purpose of either selling, or later development, of said property.

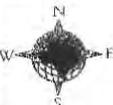
Owner's Signature: Emil J. Hrbacek _____
Emil J. Hrbacek Date



- NOTES:
1. BEARINGS BASED ON WESTGATE PARK VOL. 16, PG. 320, B.C.P.R.
 2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, SUBJECT TO APPLICABLE RESTRICTIVE COVENANTS IF ANY.
 3. EASEMENT AND BUILDING LINES PER RECORDED PLAT.
 4. SURVEYOR HAS NOT ABSTRACTED SUBJECT PROPERTY, THERE MAY BE EASEMENTS, BUILDING LINES AND OTHER MATTERS OF RECORD NOT SHOWN HEREON. THIS SURVEY IS BEING PROVIDED SOLELY FOR THE USE OF THE CURRENT PARTIES AND THAT NO LICENSE HAS BEEN CREATED, EXPRESS OR IMPLIED, TO COPY THE SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION.

BOUNDARY SURVEY

188' X 523.9' WEST 1/2 OF LOT 48
ALLISON RICHEY GULF COAST HOME
COMPANY SUBDIVISION, SECTION 19,
H.T. & B.R.R. COMPANY SURVEY, ABSTRACT
243, BRAZORIA COUNTY, TEXAS


GGC SURVEY, PLLC
 TEL. (832) 929-7256
 4419 Zimmery Court
 Sugar Land, Texas 77479 D.D.

SEE METES & BOUNDS OF SAME DATE

F.I.R.M. NO.	480386	PANEL	0040
EFFECTIVE DATE	09/22/1999	ZONE	7

FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE LOCATION OF THE SUBJECT TRACT ON THE FLOOD INSURANCE RATE MAPS. THE INFORMATION SHOULD BE USED TO DETERMINE FLOOD INSURANCE RATES ONLY AND IS NOT INTENDED TO IDENTIFY SPECIFIC FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE CLIENT'S ACCURACY.

SURVEYED FOR: LMI, J. HERBACEK
 ADDRESS: 8013 BROADWAY ST. PEARLAND, TX

TITLE COMPANY: N/A
 OF. NO.: N/A
 G.F. EFFECTIVE DATE: N/A
 JOB NO.: 100703

CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY SHOWING ANY IMPROVEMENTS, FROM LEGAL DESCRIPTIONS SUPPLIED BY CLIENT. THIS SURVEY IS ONLY CERTIFIED FOR BOUNDARY AND THIS TRANSACTION ONLY. SURVEYOR DID NOT ABSTRACT PROPERTY, EASEMENTS, BUILDING LINES, ETC. SHOWN ARE AS IDENTIFIED BY THE TITLE COMMITMENT.


 GEORGE R. LARDIZABAL, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6051

Brazoria CAD

Property Search Results > 166499 HRBACEK EMIL J for Year 2011

Property

Account

Property ID: 166499 Legal Description: A0243 H T & B R R, TRACT 48A1, ACRES 2.000
 Geographic ID: 0243-0061-000 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: 8013 W BROADWAY ST FM 518 Mapsco:
 PEARLAND,
 Neighborhood: ABST 243,504,234,506, 310 AND SUBS 1990 AND NEWER Map ID:
 Neighborhood CD: A0243.ARE1

Owner

Name: HRBACEK EMIL J Owner ID: 34198
 Mailing Address: 8013 BROADWAY ST % Ownership: 100.0000000000%
 PEARLAND, TX 77581-7760
 Exemptions: DV4, HS, OV65

Values

(+) Improvement Homesite Value: + \$87,560
 (+) Improvement Non-Homesite Value: + \$0
 (+) Land Homesite Value: + \$106,290
 (+) Land Non-Homesite Value: + \$0 Ag / Timber Use Value
 (+) Agricultural Market Valuation: + \$0 \$0
 (+) Timber Market Valuation: + \$0 \$0

 (=) Market Value: = \$193,850
 (-) Ag or Timber Use Value Reduction: - \$0

 (=) Appraised Value: = \$193,850
 (-) HS Cap: - \$0

 (=) Assessed Value: = \$193,850

Taxing Jurisdiction

Owner: HRBACEK EMIL J
 % Ownership: 100.0000000000%
 Total Value: \$193,850

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax	Tax Ceiling
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$193,850	\$181,850	\$0.00	
CPL	CITY OF PEARLAND	0.685100	\$193,850	\$136,850	\$937.56	\$1,065.99
DR4	BRAZORIA COUNTY DRAINAGE DISTRICT #4 (PEARLAND)	0.156000	\$193,850	\$68,080	\$106.20	
GBC	BRAZORIA COUNTY	0.413101	\$193,850	\$43,080	\$177.97	
RDB	ROAD & BRIDGE FUND	0.060000	\$193,850	\$43,080	\$25.85	
SPL	PEARLAND INDEPENDENT SCHOOL DISTRICT	1.419400	\$193,850	\$153,050	\$485.36	\$485.36
Total Tax Rate:		2.733601				
					Taxes w/Current Exemptions:	\$1,732.94
					Taxes w/o Exemptions:	\$5,299.09

Improvement / Building

Improvement #1: Residential State Code: A1 Living Area: 1814.0 sqft Value: \$82,760

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	4+	R1	1995	1814.0
OPF	OPEN PORCH	4+		1995	58.0
BG	BRICK GARAGE	4+		1995	420.0

Improvement #2:	Misc Imp	State Code:	A1	Living Area:	sqft	Value:	\$4,590
Type	Description	Class CD	Exterior Wall	Year Built	SQFT		
DFG	DETACHED FRAME GARAGE	3		1995	720.0		

Improvement #3:	Misc Imp	State Code:	A1	Living Area:	sqft	Value:	\$210
Type	Description	Class CD	Exterior Wall	Year Built	SQFT		
RC2	CANOPY	3		1995	390.0		

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	C-HS	COMMERCIAL HOMESTEAD	2.0000	87120.00	0.00	0.00	\$106,290	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2012	N/A	N/A	N/A	N/A	N/A	N/A
2011	\$87,560	\$106,290	0	193,850	\$0	\$193,850
2010	\$90,840	\$106,290	0	197,130	\$0	\$197,130
2009	\$47,030	\$279,920	0	326,950	\$40,346	\$286,604
2008	\$41,110	\$254,480	0	295,590	\$35,041	\$260,549
2007	\$47,920	\$234,520	0	282,440	\$45,577	\$236,863
2006	\$44,950	\$184,320	0	229,270	\$13,940	\$215,330
2005	\$48,890	\$176,620	0	225,510	\$29,760	\$195,750
2004	\$45,680	\$176,620	0	222,300	\$44,350	\$177,950
2003	\$91,260	\$98,210	0	189,470	\$27,700	\$161,770
2002	\$73,400	\$73,660	0	147,060	\$0	\$147,060
2001	\$73,400	\$73,660	0	147,060	\$0	\$147,060

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
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Questions Please Call (979) 849-7792

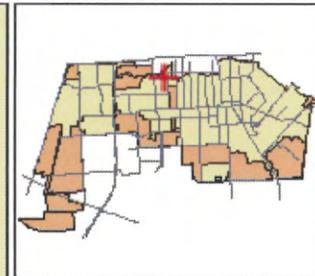
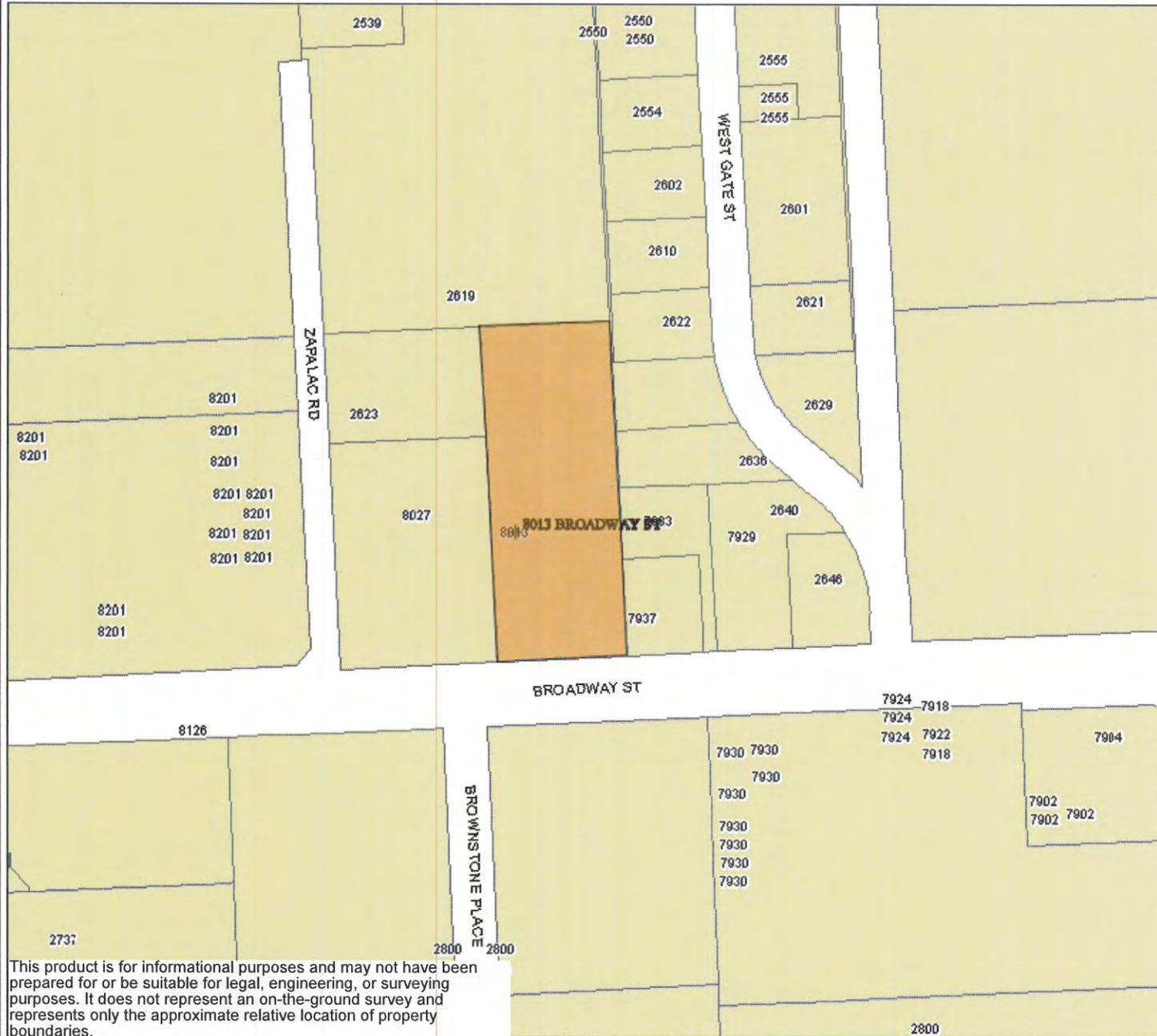
Website version: 1.2.2.2

Database last updated on: 12/14/2011 5:52 AM

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Privacy Notice

This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+.

8013 W. Broadway



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Scale 1:2,370
1 in = 198 ft

CITY OF PEARLAND

*** CUSTOMER RECEIPT ***

Oper: WVILSON Type: OC Drawer: 1
Date: 12/13/11 01 Receipt no: 70167

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$275.00
Trans number:		3560638

ZONE CHANGE BA
8013 BROADWAY
ENIL J BRBACEK
SAME AS OWNER

Tender detail		
CR CHECK	2029	\$275.00
Total tendered		\$275.00
Total payment		\$275.00

Trans date: 12/12/11 Time: 15:59:30

**POSTING OF ZONING NOTIFICATION SIGNS
ON PROPERTY UNDER CONSIDERATION
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (5) The signs shall be as follows:
 - A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
 - At least 2 feet above the ground
 - Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
 - Message content as follows:

ZONE CHANGE
PROPOSED (SPECIFY REQUEST)
Contact City of Pearland
281-652-1768

*Signs must be professionally made; handwritten signs are not allowed.

*Signs must be freestanding and cannot be attached to a tree, fence, or building.

Emil D. Hubert

2010 TAX STATEMENT

(979) 388-1320
(979) 864-1320
(281) 756-1320



Ro'Vin Garrett, RTA
BRAZORIA COUNTY TAX ASSESSOR- COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515

Mailing Address

HRBACEK EMIL J
8013 BROADWAY ST
PEARLAND TX 77581-7760

0079 0117

Legal Description

A0243 H T & B R R, TRACT 48A1, ACRES
2.000



Legal Acres: 2.0000
Parcel Address: 8013 W BROADWAY

Account No: 0243-0061-000

As of Date: 10/11/10

Print Date: 10/15/10

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Value	Non-Qualifying Value
Land	Improvement						
\$106,290	\$90,840	\$197,130	\$197,130		\$197,130		

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	2010 Tax
		Code	Amount			
BRAZORIA COUNTY	\$197,130	HOM 065 VET	\$151,426	\$45,704	.40310100	\$184.23
SPECIAL ROAD & BRIDGE	\$197,130	HOM 065 VET	\$151,426	\$45,704	.06000000	\$27.42
PEARLAND ISD	\$197,130	HOM 065 VET	\$40,800	\$156,330	1.4194000	\$485.36
BRAZORIA DRAINAGE DIST 4	\$197,130	HOM 065 VET	\$126,426	\$70,704	.15600000	\$110.30
CITY OF PEARLAND	\$197,130	HOM 065 VET	\$57,000	\$140,130	.66510000	\$932.00

Amount saved by additional sales tax revenue \$34.55

Exemptions:

HOM HOMESTEAD 065 OVER 65
VET VETERAN

TOTAL TAX: \$1,739.31
TOTAL TAX PAID TO DATE: \$.00
TOTAL TAX REMAINING: \$1,739.31

AMOUNT DUE IF PAID BY END OF:

OCTOBER 2010	NOVEMBER 2010	DECEMBER 2010	JANUARY 2011	FEBRUARY 2011	MARCH 2011
\$1,739.31	\$1,739.31	\$1,739.31	\$1,739.31	\$1,861.07	\$1,895.85

PLEASE PUT YOUR ACCOUNT NUMBER ON ALL CORRESPONDENCE

TAXES ARE DUE UPON RECEIPT. TAXES WILL BECOME DELINQUENT FEB. 1, 2011. PENALTY AND INTEREST WILL BE ADDED MONTHLY BEGINNING FEB 1, 2011
CERTAIN PERSONAL PROPERTY TAXES REMAINING DELINQUENT ON APRIL 1, 2011, MAY INCUR AN ADDITIONAL COLLECTION FEE OF UP TO 20 %
FEBRUARY -- 7% MARCH -- 9% APRIL -- 11% MAY -- 13% JUNE -- 15% JULY -- 18% + UP TO 20% ATTORNEY FEE

**TO PAY BY CREDIT CARD VISIT www.brazoria-county.com/tax
OR DIAL 1-866-549-1010 - BUREAU CODE 5820032**



MR. EMIL J. HRBACEK
8013 BROADWAY ST. PH. 485-9578
PEARLAND, TX 77581

99-2597/1191 1910
DATE 1-16-11

PAY TO Ro'vin Garrett RTA \$ 1,739.31
THE ORDER OF one thousand seven hundred thirty nine and 31/100 DOLLARS

PEARLAND State BANK
2811 485-9511
20000 89, PEARLAND, TEXAS 77581
281-485-1800 24 HOUR TOLL FREE BANKING SERVICE

MEMO Emil J. Hrbacek

Acct # 345835, Ck # 1910, 01/20/2011, \$1739.31

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JANUARY 16, 2012, 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. 2012-02Z

A request of J. Kent Marsh, applicant, on behalf of Tom Alexander, Jr., owner, for approval of a zone change from the General Business (GB) zone to Single-Family Residential-3 (R-3) zone for 20.992 acres on the following described property, to wit:

Legal Description: 20.992 acre tract in the W.D.C. Hall Survey, Abstract No. 70 in the City of Pearland, Brazoria County, Texas. Said 20.992 is a part of a 36.685 acre tract described in a deed to T & R Realty investment, LLC as recorded in Clerk's File No. 2011028636

General Location: 2411 E. Broadway, Pearland, TX

- 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 JANUARY 16, 2012

Zone Change No. 2012-02Z

A request of J. Kent Marsh, applicant, on behalf of Tom Alexander, Jr., owner, for approval of a zone change from the General Business (GB) zone to Single-Family Residential-3 (R-3) zone for 20.992 acres on the following described property, to wit:

Legal Description: 20.992 acre tract in the W.D.C. Hall Survey, Abstract No. 70 in the City of Pearland, Brazoria County, Texas. Said 20.992 is a part of a 36.685 acre tract described in a deed to T & R Realty investment, LLC as recorded in Clerk's File No. 2011028636

General Location: 2411 E. Broadway, Pearland, TX

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

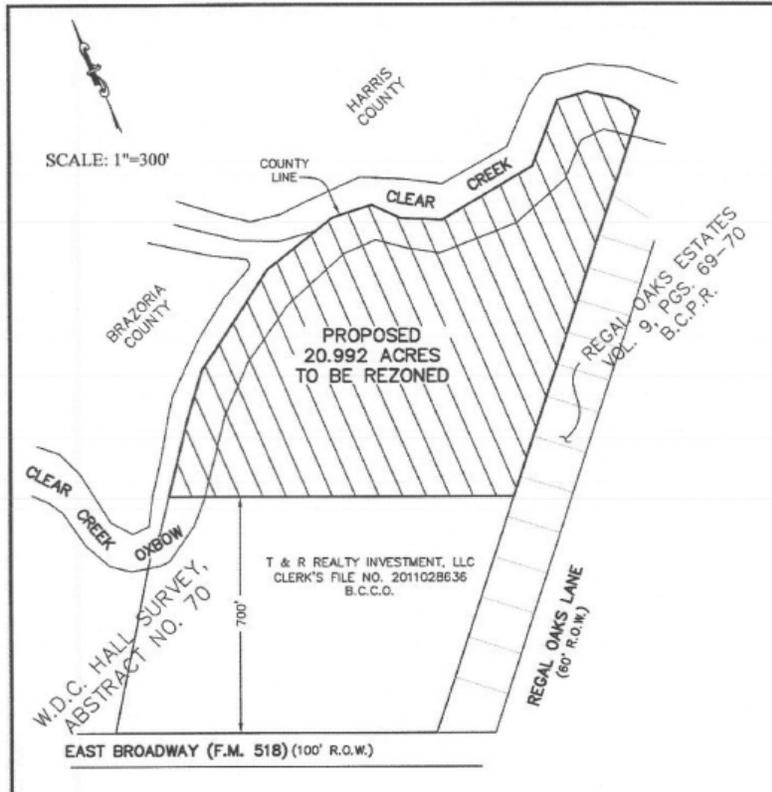
Planning and Zoning Commission: January 16, 2012*
City Council for First Reading: February 13, 2012*
City Council for Second Reading: February 27, 2012*

(*dates subject to change)

SUMMARY: J. Kent Marsh, applicant, for Tom Alexander, Jr., owner, is requesting approval of a zone change from the General Business (GB) zone, to Single-Family Residential-3 (R-3) zone for 20.992 acres for the above referenced location. The 20.992 acres is the rear portion of a larger tract of land containing 36.685 acres, which fronts Broadway, just east of the intersection of Broadway and Liberty Drive. The entire site is currently zoned General Business (GB) and all of the property is currently undeveloped.

Single-Family Residential-3 (R-3) zoning allows for the development of residential lots with a minimum lot size of 6,000 square feet. The applicant is proposing to rezone the rear portion of the property to residential (R-3) and construct one single-family home, and allow for the possibility of one additional lot in the future. Access to the proposed lot will be from Broadway, across the remaining General Business (GB) property, not currently developed. At the time of platting, an access easement formally allowing for access to the rear portion of the property will be dedicated.

The exhibit below illustrates the proposal:



SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Single-Family Residential-1 (R-1)	Residential
South	General Business (GB)	Vacant/Commercial
East	Single-Family Residential-1 (R-1)	Residential
West	General Business (GB)	Vacant/Commercial

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): As previously mentioned, the property is currently zoned General Business (GB). As the property is currently being requested to be rezoned to Single-Family Residential-3 (R-3), a breakdown between those requirements and the site current configuration is provided below:

	<u>Single-Family Residential-3 (R-3)</u>	<u>Existing Site</u>
Lot Size:	6,000 sq ft	914,411 sq ft
Lot Width:	60'	~750'
Lot Depth:	90'	~925'
Front Setback:	25'	n/a (vacant site)
Rear Setback:	20'	n/a (vacant site)
Side Setback:	7' 6"	n/a (vacant site)

As indicated above, the property meets the development regulations of the proposed Single-Family Residential-3 (R-3) zoning district.

PLATTING STATUS: The property is not currently platted. Platting will be required at the time of development.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current Comprehensive Plan (latest update in 2009) indicates *Medium Density Residential* and *Retail, Offices, and Services* for the entire parcel. The portion of the property shown as *Medium Density Residential* is the rear portion of the property, and makes up the approximate area the applicant is requesting the zone change for. The Comprehensive Plan indicates that appropriate zoning districts for *Medium Density Residential* are Single-Family Residential-2,3, and 4 (R-2, R-3, R-4). The portion of the property shown as *Retail, Offices, and Services* is towards the front of the parcel, fronting Broadway. The Comprehensive Plan indicates that appropriate zoning districts for *Retail, Offices, and Services* are Neighborhood Service (NS), Office Professional (OP), and General Business (GB). Therefore, as the zone change is for Single-Family Residential-3 (R-3), if approved, the zone change would be in conformance with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Broadway, a major thoroughfare, with a minimum of 120' right-of-way.

AVAILABILITY OF UTILITIES: The subject parcel does have access to public water and sewer.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed single family home is not anticipated to have any negative impacts on existing surrounding or future developments. As previously mentioned, the Single-Family Residential-3 (R-3) zone allows for residential lots with a minimum area of 6,000 square feet. If Council is concerned the property potentially being developed into a residential subdivision in the future as the zoning being requested would allow, Council may consider a residential zoning district requiring larger lots, such as Single-Family Estate District (RE).

ADDITIONAL COMMENTS: This request has been reviewed by the City's Development Review Committee and there are no additional comments from other departments at the time of this report.

SITE PLAN CONSIDERATIONS: At this time, a conceptual site plan has not been submitted indicating proposed development of the property. A site plan is not required as part of the zone change process.

PUBLIC NOTIFICATION: 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 notification sign was placed on the subject property.

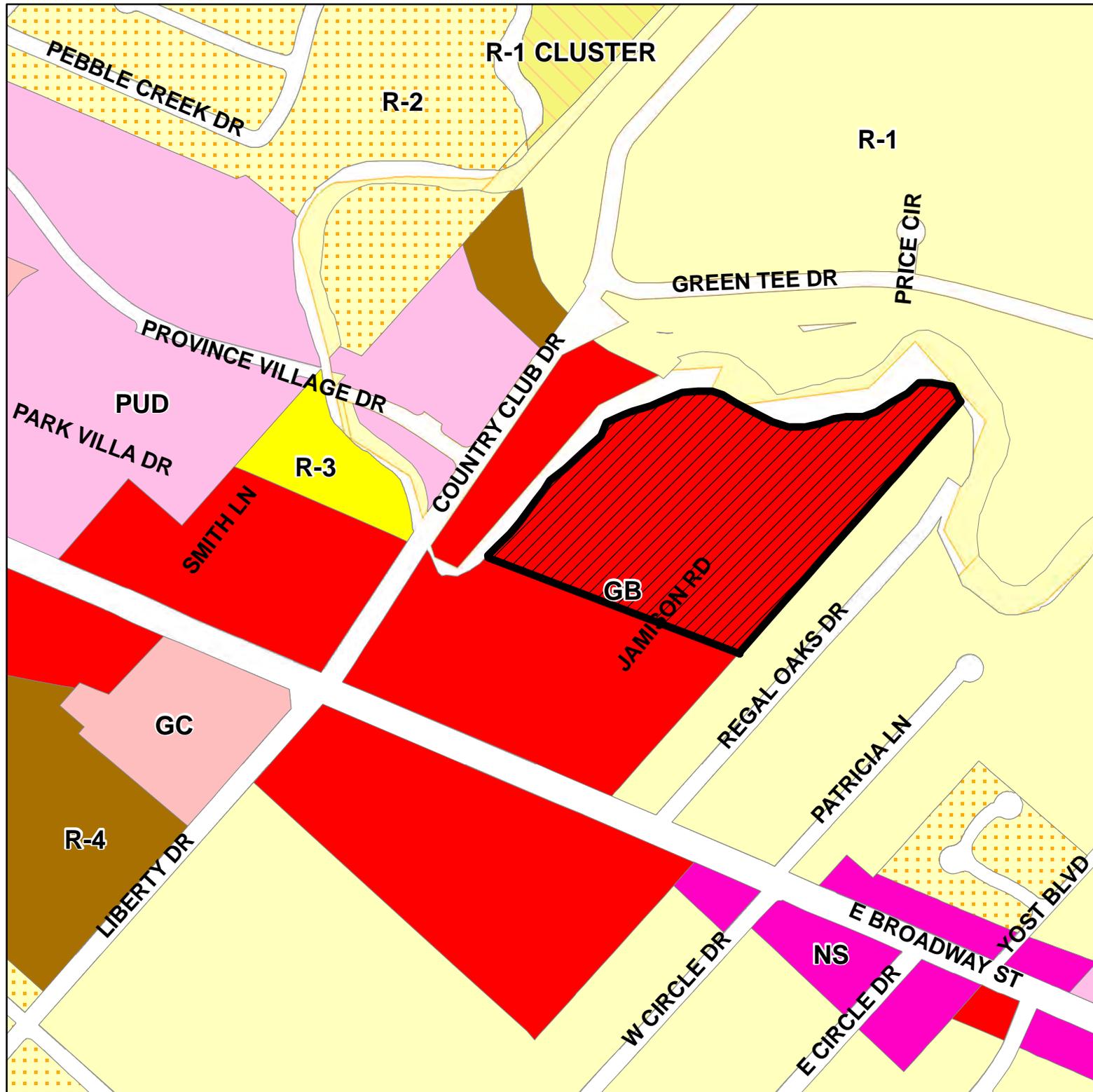
OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST: Staff has not received any comments either in opposition to or in support of the proposed zone change request at the time of this report.

STAFF RECOMMENDATION: Staff recommends approval of the Zone Change 2012-02Z as proposed by the applicant for the following reasons:

1. Approval of the zone change would be in compatible with surrounding zoning and uses.
2. The proposed zone change should not have any negative impact on the surrounding properties and developments.
3. The proposed zone would be in compliance with the latest approved Future Land Use Plan.
4. Single-Family Residential-3 (R-3) zoning will allow for a density of 4.7 units per acre. If Council is concerned with this density, a Single-Family Estate District (RE) would be an option, which would allow a density of 1.3 units per acre.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents



Vicinity & Zoning Map

Zone Change 2012-02Z

2411 E. Broadway

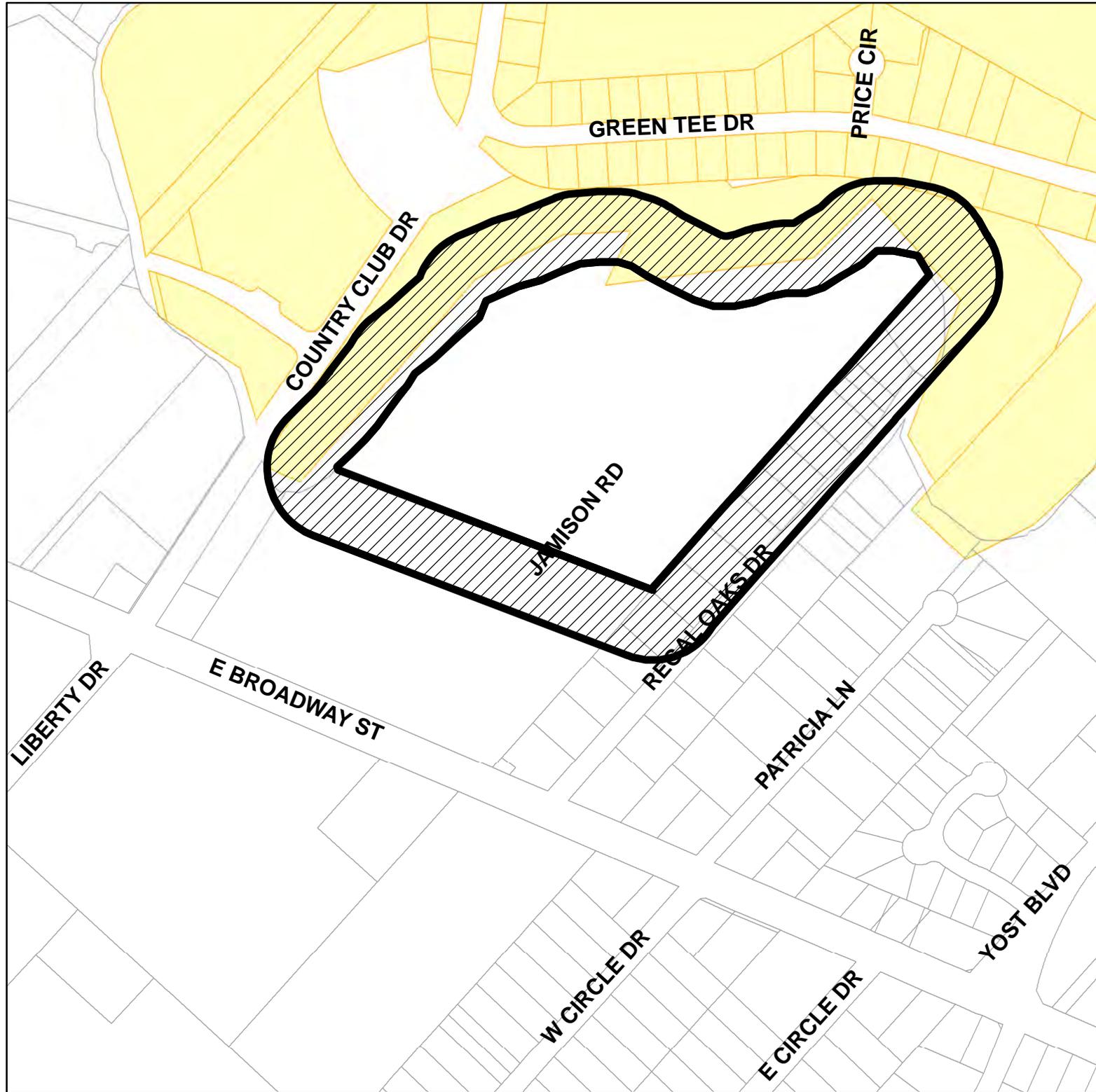
This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

0 80160 320 Feet



N





Abutter Map

Zone Change 2012-02Z

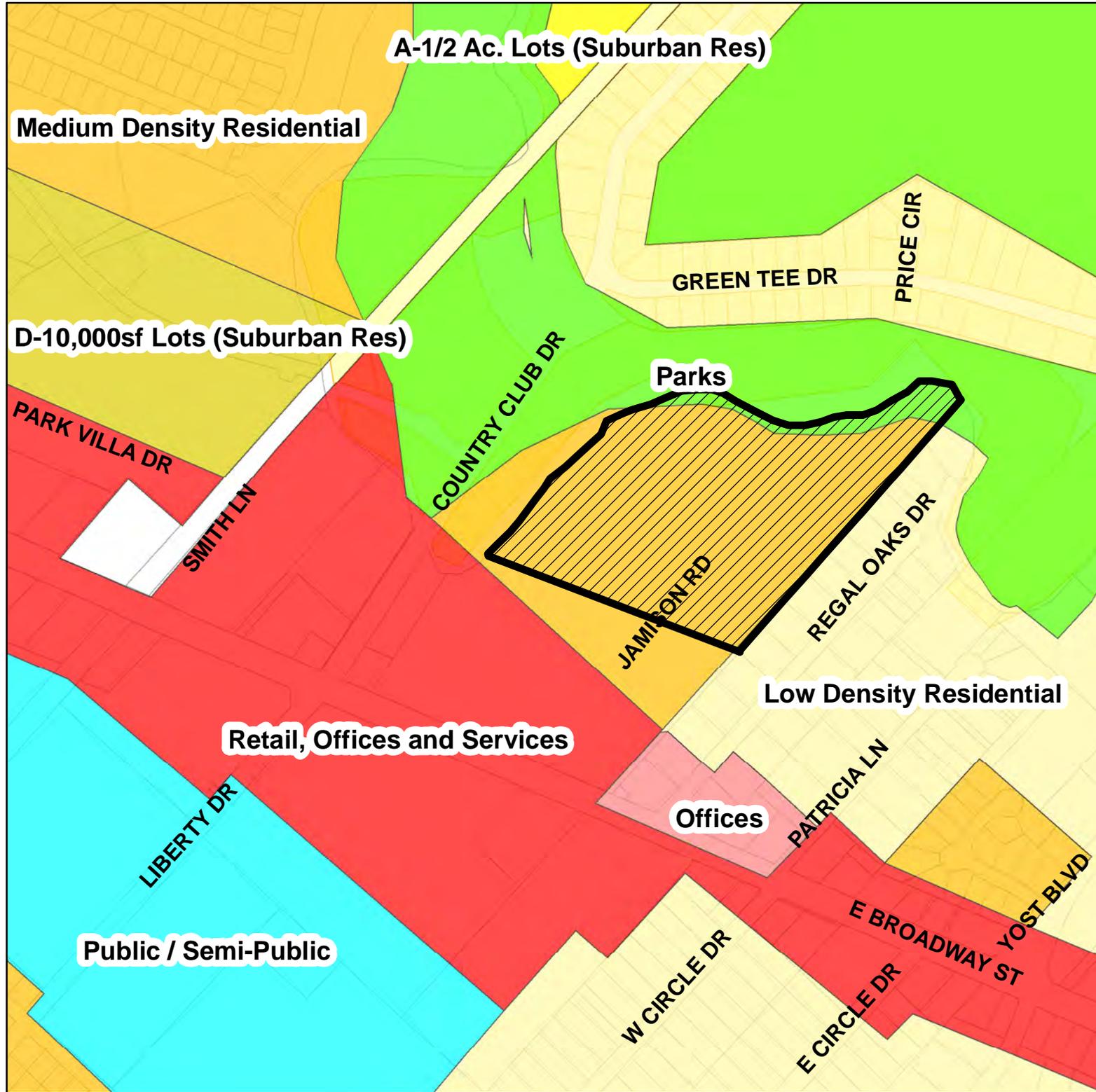
2411 E. Broadway

This product is for information 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.

062.525 250 Feet



Owner	Address	City	State	Zip
CITY OF PEARLAND	3519 LIBERTY DR	PEARLAND	TX	77581
ROYSE PAIGE DANELL	PO BOX 3304	PEARLAND	TX	77588
FOWLER ROBERT E & SUZETTE J	3212 REGAL OAKS DR	PEARLAND	TX	77581
ALEXANDER T & B FAMILY LTD PRTNSHP	2411 PARK AVE	PEARLAND	TX	77581
LOCKWOOD JOHN W	3214 REGAL OAKS DR	PEARLAND	TX	77581
U S HOUSING & URBAN DEVELOPMENT	5040 ADDISON CIR STE 300	ADDISON	TX	75001
SULLENDER R P	PO BOX 1712	PEARLAND	TX	77588
JAMES JOSEPH E	3220 REGAL OAKS DR	PEARLAND	TX	77581
LAIRD VERNON	3222 REGAL OAKS DR	PEARLAND	TX	77581
LAIRD BILLY LEE	3224 REGAL OAKS DR	PEARLAND	TX	77581
518 HOLDINGS LP	4141 SOUTHWEST FWY STE 300	HOUSTON	TX	77027
GALLIEN LESSIE	3204 REGAL OAKS DR	PEARLAND	TX	77581
DICKSON JAMES & MARGERY M	3017 GREEN TEE DR	PEARLAND	TX	77581
AUSTIN JOHN D	3015 GREEN TEE DR	PEARLAND	TX	77581
MCANINCH GARY L & RAMONA	3019 GREEN TEE DR	PEARLAND	TX	77581
T & B ALEXANDER FAMILY	2411 PARK AVE	PEARLAND	TX	77581
J. KENT MARSH	8955 KATY FWY, STE 215	HOUSTON	TX	77024



FLUP Map
Zone Change 2012-02Z
2411 E. Broadway

This product is for information 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.

0 80160 320 Feet
[Scale bar]





Aerial Map

Zone Change 2012-02Z

2411 E. Broadway

This product is for information 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.

0 80160 320 Feet





APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: GB, General Business Retail District

Proposed Zoning District: R-3, Single Family Residential-3 District

Property Information:

Address or General Location of Property: Tract 7A (PT) in the W.D.C. Hall Survey, A-70, Brazoria County, TX; 2411 E. Broadway St.

Tax Account No. 155200 (Geo ID 0070-0028-000)

Subdivision: N/A Lot: N/A Block: N/A

A complete application must include all information shown on the Application Checklist attached to this application.

PROPERTY OWNER INFORMATION:

Mr. Tom Alexander, Jr. at
NAME T&R Realty Investments, LLC
ADDRESS 2411 Park Avenue
CITY Pearland STATE TX ZIP 77581
PHONE(281) 485-2455
FAX(281) 485-2456
E-MAIL ADDRESS Tompa58121@aol.com

APPLICANT/AGENT INFORMATION:

Mr. J. Kent Marsh at
NAME Marsh Darcy Partners, Inc.
ADDRESS 8955 Katy Freeway, Suite 215
CITY Houston STATE TX ZIP 77024
PHONE(713) 647-9880
FAX(713) 647-6448
E-MAIL ADDRESS kmarsh@marshdarcypartners.com

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

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

Owner's Signature: Tom Alexander Jr Date: 12-9-11

Agent's/Applicant's Signature: J. Kent Marsh Date: 12-14-11

OFFICE USE ONLY:

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

Application No. _____

APPLICATION CHECKLIST FOR THE FOLLOWING

- **Zone Changes**
- **Planned Development Districts (PD)**

- Application, filled out completely, and signed by the owner of the property to be considered for the zone change or planned development district
- Metes and Bounds Description, (Survey, or a Plat of the property that provides or contains the metes and bounds description).
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- Letter of Intent, explaining the zone change request in detail and why the zoning is being requested to be changed, and state the uses being proposed

*Letter of Intent is not required for a PD.

- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
 - **Zero (0) to less than 25 acres:**
 - \$ 250.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 400.00 if requesting a Planned Development (PD)
 - **25 to less than 50 acres:**
 - \$ 300.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 450.00 if requesting a Planned Development (PD)
 - **50 to less than 75 acres:**
 - \$ 350.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 500.00 if requesting a Planned Development (PD)
 - **75 to less than 100 acres:**
 - \$ 400.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 550.00 if requesting a Planned Development (PD)
 - **100 acres and above:**
 - \$ 450.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 600.00 if requesting a Planned Development (PD)

- For PD's Only: the proposed PD document in electronic form by date of application (either emailed or on a CD) (see PD Format for guidelines on how to prepare the PD).
- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.

December 14, 2011

City of Pearland
Planning & Zoning Commission/City Council
c/o Community Development Department
3523 Liberty Drive (Community Center)
Pearland, Texas 77581

Re: Proposed Re-Zoning of GB, General Business Retail (part of total tract) to R-3, Single-Family Residential -3

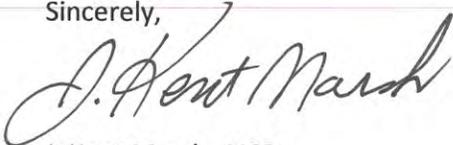
TO WHOM IT MAY CONCERN:

On behalf of our client, T & R Realty Investments LLC, and as their authorized agent, we are submitting this attached application package for re-zoning a part of the subject tract from GB, General Business Retail District to R-3, Single-Family Residential District. We have included with our submission the following:

1. Agent Authorization Letter from the Owner
2. Application Checklist for Zoning Change
3. Application signed by Owner and Agent
4. Metes and bounds description of re-zone area
5. Parcel Map from the City of Pearland GIS website locating the proposed rezoning area
6. Letter of Intent
7. Application fee of \$275.00
8. Sign Installation Communication Emails
9. Current Tax Certificate for paid taxes

Our Pre-Development Meeting with the City of Pearland city staff was held on October 5, 2011. We will post the notice sign, per enclosed sign wording, on site no later than Thursday, January 5, 2012 for an expected Joint Public Hearing of the Planning and Zoning Commission and City Council on Monday, January 16, 2012.

Sincerely,



J. Kent Marsh, AICP
Vice President

T & R Realty Investments, LLC

2411 Park Avenue

Pearland, Texas 77581

November 15, 2011

RE: 36.685 Acre Tract in the W. D. C. Hall Survey, A-70, in the City of Pearland, Brazoria County, Texas – Owner of Record: T & R Realty Investments, LLC

TO WHOM IT MAY CONCERN:

As legal fee-simple owner of the above referenced property, in conformance with the City of Pearland, Unified Development Ordinance, Article 2 –Universal Procedures, Division 1 – Application Processing, Section 1.2.1.1 – Initiation of Application, (a) – Initiation Only By Owner, I hereby designate Mr. J. Kent Marsh and his firm; Marsh Darcy Partners, Inc., as my designated agent, authorized to file a re-zoning application with the City of Pearland, Texas on my behalf.



Tom Alexander, Jr.

T & R Realty Investments, LLC

Office 281-485-2455

Fax 281-485-2456

T & R Realty Investments, LLC
Re-Zone Tract
20.992 Acres

W.D.C. Hall Survey
Abstract No. 70

STATE OF TEXAS §

COUNTY OF BRAZORIA §

METES AND BOUNDS DESCRIPTION of a 20.992 acre tract in the W.D.C. Hall Survey, Abstract No. 70 in the City of Pearland, Brazoria County, Texas. Said 20.992 is a part of a 36.685 acre tract described in a deed to T & R Realty Investment, LLC as recorded in Clerk's File No. 2011028636 in the Brazoria County Clerk's Office and is more particularly described by metes and bounds as follows:

COMMENCING at a 1/2-inch iron rod found for the point of intersection of the northerly right-of-way line of East Broadway, (a.k.a. FM 518, based on a width of 100-feet), with the westerly right-of-way line of Regal Oaks Lane, (based on a width 60-feet), said point is the most southerly corner of Lot 15, Block 1 of Regal Oaks Estates as recorded in Volume 9, Pages 69-70 in the Brazoria County Plat Records;

THENCE, North 66°50'59" West, along the northerly line of said East Broadway, same being the southwesterly line of said Lot 15 for a distance of 171.30 feet to the southwesterly corner of said Regal Oaks Estates;

THENCE, North 41°03'23"E, along the northwesterly line of said Regal Oaks Estates for a distance of 735.63 feet to the POINT OF BEGINNING of the herein described tract;

THENCE, North 66°50'59" West, 700-foot northeasterly and parallel to the northerly line of said East Broadway for a distance of 1003.27 feet to a point for corner in the centerline of the original "oxbow" of Clear Creek;

THENCE, northeasterly along the centerline of said original "oxbow" of Clear Creek with the following four (4) meanders:

1. North 36°41'34" East, for a distance of 226.82 feet to a point for corner;
2. North 39°00'38" East, for a distance of 161.49 feet to a point for corner;
3. North 55°39'05" East, for a distance of 351.44 feet to a point for corner;
4. North 74°32'00" East, for a distance of 249.03 feet to the point of intersection of

the centerline of the present day main channel of Clear Creek, same being the County Line between Harris County and Brazoria County;

THENCE, along the centerline of the present day main channel of Clear Creek, same being the County Line between Harris County and Brazoria County, the following eight (8) meanders:

1. South 84°48'32" East, for a distance of 118.70 feet to a point for corner;
2. South 41°42'51" East, for a distance of 92.98 feet to a point for corner;
3. South 64°34'58" East, for a distance of 117.96 feet to a point for corner;
4. North 82°27'37" East, for a distance of 307.59 feet to a point for corner;
5. North 43°46'48" East, for a distance of 207.41 feet to a point for corner;

6. South 82°31'58" East, for a distance of 90.95 feet to a point for corner;
7. South 54°08'08" East, for a distance of 94.08 feet to a point for corner;
8. South 34°30'55" East, for a distance of 69.18 feet to the northeasterly corner of the herein described tract, said point is the northwesterly corner of the aforementioned Regal Oaks Estates;

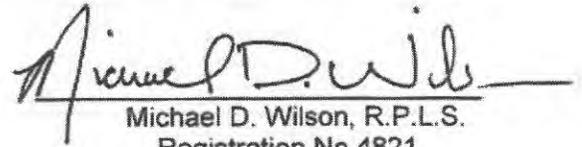
THENCE, South 41°03'23" West, along the northwesterly line of said Regal Oaks Estates for a distance of 1,196.02 feet to the POINT OF BEGINNING, containing a computed area of 20.992 acres (914,417 square feet).

NOTE:

1. The bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (NAD 83).
2. A separate Exhibit Map has been prepared in connection with this description.
3. This tract has not been marked on the ground at the request of the client.

The Wilson Survey Group, Inc.
2006 East Broadway, Suite 105
Pearland, Texas 77581
(281) 485-3991
Job No. 11-157




Michael D. Wilson, R.P.L.S.
Registration No 4821

12/08/11



SCALE: 1"=300'

HARRIS COUNTY

COUNTY LINE

CLEAR CREEK

BRAZORIA COUNTY

PROPOSED
20.992 ACRES
TO BE REZONED

REGAL OAKS ESTATES
VOL. 9, PGS. 69-70
B.C.P.R.

CLEAR CREEK
OXBOW

W.D.C. HALL SURVEY,
ABSTRACT NO. 70

T & R REALTY INVESTMENT, LLC
CLERK'S FILE NO. 2011028636
B.C.C.O.

700'

REGAL OAKS LANE
(60' R.O.W.)

EAST BROADWAY (F.M. 518) (100' R.O.W.)

NOTES:

1. A SEPARATE METES AND BOUNDS DESCRIPTION HAS BEEN PREPARED IN CONNECTION WITH THIS EXHIBIT MAP.

COPYRIGHT 2011, THE WILSON SURVEY GROUP, INC

DWN: C.L.H. CAD FILE: 11-157(REZONE).dwg SCALE: 1"=300'



THE WILSON SURVEY GROUP
PROFESSIONAL LAND SURVEYORS
2006 E. BROADWAY PEARLAND, TEXAS

ORIGINAL PLOT
DATE: 12/BD/11

SHEET
1 / OF 1

T & R REALTY INVESTMENT, LLC

December 16, 2011

City of Pearland
Planning & Zoning Commission/City Council
c/o Community Development Department
3523 Liberty Drive (Community Center)
Pearland, Texas 77581

Re: Proposed Re-Zoning of GB, General Business Retail (part of total tract) to R-3, Single-Family Residential -3

TO WHOM IT MAY CONCERN:

On behalf of our client, T & R Realty Investments LLC, and as their authorized agent, we are submitting this attached application for re-zoning a part of the subject tract from GB, General Business Retail District to R-3, Single-Family Residential District. The entire 36.685 acre tract is currently zoned as GB, General Business Retail. The owner of the property wishes to plat one single-family residential lot and construct one single-family residence for his family and allow for a possible future replat of the single residential lot into two residential lots. Such use and construction is not allowed within a GB zone. As such, the owner is requesting a portion, that area sufficient for his proposed family home, be re-zoned to allow the proposed single-family use. The proposed area to be rezoned is approximately 21 acres.

As the property owner does not have any plans for the remainder of the overall tract, it is not possible to plat the remainder of the property at this time and it will remain zoned as GB. It should be noted that the current Future Land Use Plan of the currently adopted City of Pearland Comprehensive Plan indicates this portion of the property to be a desired land use of medium-density residential and the property owner, in compliance with the Future Land Use Plan of the City of Pearland is making this request for R-3, Single-Family Residential which is one of three zoning districts (R-2, R-3, and R-4) that are in conformance with the medium-density residential land use. While the minimum lot area for the R-3 District is six thousand (6,000) square feet and such minimum lot size would be in conformance with the Comprehensive Plan, the property owner recognizes the unique character of the site and will provide a subdivision plat restriction that will allow single family lots no smaller than one (1) acre or forty-three thousand, five hundred, and sixty (43,560) square feet.

We will attend the joint public hearing for this request and will be happy to answer questions at that time.

Sincerely,



J. Kent Marsh, AICP
Vice President (and authorized agent)

CITY OF PEARLAND
R E P R I N T

*** CUSTOMER RECEIPT ***

Oper: AGONZALES Type: OC Drawer: 1
Date: 12/09/11 @1 Receipt no: 68309

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS		
	1.00	\$275.00
Trans number:		3550673

T&R REALTY INVSTMENTS
2411 S PARK AVE 77581
J KENT MARSH
TON ALEXANDER, JR

Tender detail		
CK CHECK	1024	\$275.00
Total tendered		\$275.00
Total payment		\$275.00

Trans date: 12/09/11 Time: 13:03:44

Kent Marsh

From: Kent Marsh
Sent: Wednesday, November 16, 2011 1:58 PM
To: 'printing@parkwaytexas.com'
Subject: Need Sign Quote
Attachments: 111116 ALEX00107 Notice Sign Form.pdf

Luis, attached is sign posting requirements for the City of Pearland. I need a quote that can meet these requirements for one sign to be posted in Pearland (probably after Jan 1). Thanks.

J. Kent Marsh
Vice President

marshdarcy
PARTNERS

8955 Katy Freeway, Suite 215
Houston, Texas 77024
tel 713.647.9880 | fax 713.647.6448
www.marshdarcypartners.com



Please don't print this e-mail unless you really need to.

Kent Marsh

From: PARKWAY PRINTING [PRINTING@PARKWAYTEXAS.COM]
Sent: Wednesday, November 16, 2011 2:42 PM
To: Kent Marsh
Subject: Fwd: Need Sign Quote

Kent,

We have received your request.

We are familiar with the process.

The quote for the preparation, installation and removal of the 2'x3' sign as noted on the attached requirement layout is \$350 + tax.

The installation and material will be identical to what we use on the City of Houston signs we prepare for you.

Please call me if any other questions.

Thanks

Luis

Parkway Printing

281-798-9198

Begin forwarded message:

From: "Kent Marsh" <kmarsh@marshdarcypartners.com>
Date: November 16, 2011 1:58:05 PM CST
To: <printing@parkwaytexas.com>
Subject: Need Sign Quote

Luis, attached is sign posting requirements for the City of Pearland. I need a quote that can meet these requirements for one sign to be posted in Pearland (probably after Jan 1). Thanks.

J. Kent Marsh
Vice President

<image001.gif>

8955 Katy Freeway, Suite 215
Houston, Texas 77024
tel 713.647.9880 | fax 713.647.6448
www.marshdarcypartners.com



Please don't print this e-mail unless you really need to.

<111116 ALEX00107 Notice Sign Form.pdf>

North side of FM 518 (E. Broadway St.)

ZONE CHANGE APPLICATION Page 4 of 5 Updated June 2010)

between Country Club Dr. & Regal Oaks Dr.

**POSTING OF ZONING NOTIFICATION SIGNS
ON PROPERTY UNDER CONSIDERATION
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (5) The signs shall be as follows:
 - A minimum sign size of 2 feet by 3 feet but no larger than 4 feet by 4 feet
 - At least 2 feet above the ground
 - Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
 - Message content as follows:

**PROPOSED (SPECIFY REQUEST)
Contact City of Pearland
281-652-1768**

PROPOSED ZONING CHANGE

*Signs must be professionally made; handwritten signs are not allowed.
*Signs must be freestanding and cannot be attached to a tree, fence, or building.

TAX CERTIFICATE



RO'VIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515

Issued To:

MARSH DAREY PARTNERS
8955 KATY FRWY #215
HOUSTON, TX 77024

Legal Description:

A0070 W D C HALL (PEARLAND), TRACT 7A
(PT), ACRES 36.22

Fiduciary Number: 21515105

Parcel Address: BROADWAY

Legal Acres: 36.2200

>--

Account Number: **0070-0028-000**

Certificate No: 185068649

Certificate Fee: \$10.00

Print Date: 12/01/2011

Paid Date: 12/01/2011

Issue Date: 12/01/2011

Operator ID: STAC

<--

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2010. TAXES THRU 2010 ARE PAID IN FULL. TAXES HAVE NOT BEEN CREATED FOR YEAR(S): 2011.

Exemptions:

Certified Owner:

T&R REALTY INVESTMENT LLC
3322 E WALNUT AVE SUITE11
PEARLAND, TX 77581-

Certified Tax Unit(s):

1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

2010 Value:	1,263,080
2010 Levy:	\$34,148.65
2010 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Reference (CF) No: N/A

Issued By: *Heidi Wade*
RO'VIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JANUARY 16, 2012, 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. 2012-03Z

A request of Louis McKinney, applicant, on behalf of Janice and Bonnie Howard, owner(s), for approval of a zone change from the Planned Development (PD), General Business (GB), Cullen Mixed-Use (C/MU), Single-Family Residential-3 (R-3) and Suburban Residential-12 (SR-12) zone(s) to Planned Development (PD) zone for **133.6907** acres on the following described property, to wit:

Legal Descriptions:

Houston Memorial Gardens Cemetery Sections 34, 35, 36, 37, 38, 39, 40, A perpetual care cemetery containing **9.982** acres and being a partial replat the amended plat of Paradise Cemetery South, Volume 16, Page 275-276, B.C.P.R. and being in lot 28, of the Allison Richey Gulf Coast Home Company Subdivision, Vol 20, Pg. 67-68, P.R.B.C. out of the H.T. & B.R.R. CO. Survey, Sec. 19, A-243 Brazoria County, Texas;

Final Plat of Houston Memorial Gardens Cemetery, a **20.0737** acre tract of land being lots 13 and 29, and part of lot 12, of the Allison Richey Gulf Coast Home Company Subdivision, Section 19, and being situated in the H.T.& B.R.R. Company Survey, Abstract 243, Brazoria County, Texas;

Boundary survey of a **8.434** acre tract out of Section 19, H.T. & B.R.R. Survey, A-243, Brazoria County, Texas;

Partial Replat of Houston Memorial Garden Cemetery, being a **57.231** acre tract of land, all of tracts 41, 42, 55, 56, 57, & 58 in the Allison Richey Gulf Coast Home Subdivision, as recorded in Plat Book 2, Page(s) 24, of the Brazoria County Plat Records, located in the H.T. & B. Company Survey, Section 20, Abstract No. 506 in Brazoria County, Texas;

Boundary survey of a **19.97** acre tract out of Section 19, H T & B RR Survey, A-243, Brazoria County, Texas;

Lot 44 (**10 ac**) of the Allison-Richey Gulf Coast Home Company Subdivision, Section 19, H.T. & B.R.R. Company Survey, Abstract 243, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 2, Page 23 of the plat records of Brazoria County, Texas;

The North ½ of Lot 28 (**5ac**) of Allison Richey Subdivision out of Section 20, H.T. & B.R.R. Company Survey, Abstract No. 506, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 2, Page 23, of the plat records of Brazoria County, Texas;

A0506 H T & B R R Co Survey, Tract 54A1, F B Drake, **3.000 Acres**.

General Location: 2426 Cullen, Pearland, TX
Houston Memorial Gardens Cemetery

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 JANUARY 16, 2012

Zone Change No. 2012-03Z

A request of Louis McKinney, applicant, on behalf of Janice and Bonnie Howard, owner(s), for approval of a zone change from the Planned Development (PD), General Business (GB), Cullen Mixed-Use (C/MU), Single-Family Residential-3 (R-3) and Suburban Residential-12 (SR-12) zone(s) to Planned Development (PD) zone for **133.6907** on the following described property, to wit:

Legal Descriptions:

Houston Memorial Gardens Cemetery Sections 34, 35, 36, 37, 38, 39, 40, A perpetual care cemetery containing **9.982** acres and being a partial replat the amended plat of Paradise Cemetery South, Volume 16, Page 275-276, B.C.P.R. and being in lot 28, of the Allison Richey Gulf Coast Home Company Subdivision, Vol 20, Pg. 67-68, P.R.B.C. out of the H.T. & B.R.R. CO. Survey, Sec. 19, A-243 Brazoria County, Texas;

Final Plat of Houston Memorial Gardens Cemetery, a **20.0737** acre tract of land being lots 13 and 29, and part of lot 12, of the Allison Richey Gulf Coast Home Company Subdivision, Section 19, and being situated in the H.T.& B.R.R. Company Survey, Abstract 243, Brazoria County, Texas;

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Boundary survey of a **19.97** acre tract out of Section 19, H T & B RR Survey, A-243, Brazoria County, Texas;

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The North ½ of Lot 28 (**5ac**) of Allison Richey Subdivision out of Section 20, H.T. & B.R.R. Company Survey, Abstract No. 506, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 2, Page 23, of the plat records of Brazoria County, Texas;

A0506 H T & B R R Co Survey, Tract 54A1, F B Drake, **3.000 Acres**.

General Location: 2426 Cullen, Pearland, TX
Houston Memorial Gardens Cemetery

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

Planning and Zoning Commission: January 16, 2012*

City Council for First Reading: February 13, 2012*

City Council for Second Reading: February 27, 2012*

(*dates subject to change)

SUMMARY: Louis C. McKinney, applicant, for Janice and Bonnie Howard, owner(s), is requesting approval of a zone change from the Planned Development (PD), General Business (GB), Cullen Mixed-Use (C/MU), Single-Family Residential-3 (R-3) and Suburban Residential-12 (SR-12) zone(s) to Planned Development (PD) for 133.6907 acres for the above referenced location. This acreage makes up all of the property owned by and operated as Houston Memorial Gardens Cemetery.

As stated by the applicant, Houston Memorial Gardens Cemetery was established in 1954 with an initial 10 acres of land. Since that time, the cemetery has grown to the current total of 133.6907 acres. After completing the most recent addition to the cemetery, in 2011, the owners of Houston Memorial Gardens met with the Planning Department to inquire about a zone change from Suburban Residential-12 (SR-12), which is the existing zoning district for the latest area of expansion, to a General Business (GB) district which would allow for the operation of a cemetery. This would allow the expansion of the cemetery onto the most recently acquired land. As the property does have multiple zoning districts, staff's recommendation to the owners was to amend an existing Planned Development, established in 2007 for 20 acres of Houston Memorial Gardens Cemetery property, to include all of the cemetery site. This would create one unified zoning district for the entire property and cemetery operations for Houston Memorial Gardens.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Cullen Mixed-Use (C/MU), General Business (GB), Suburban Residential-12 (SR-12) and Single-Family Residential-3 (R-3)	Residential, Cemetery, vacant
South	Cullen Mixed-Use (C/MU), General Business (GB), and Single-Family Residential-1 (R-1)	Vacant, commercial
East	Suburban Residential-12 (SR-12)	Vacant
West	Single-Family Residential-3 (R-3)	Residential

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): As previously mentioned, the property is currently zoned Planned Development (PD), General Business (GB), Cullen Mixed-Use (C/MU), Single-Family Residential-3 (R-3) and Suburban Residential-12 (SR-12) zone. As the property is 133.6907 acres, the bulk regulations of all of the zoning district regulations are met.

PLATTING STATUS: As Houston Memorial Gardens has expanded since originally being chartered by the state, the property currently has 8 legal descriptions. These descriptions are both in the form of survey and recorded plat. Unplatted portions of the property will be required to be platted as they are developed. Staff has recommended that the entire property be replatted as one plat which would result in a clear legal description of the entire property, and result in conformance with the Unified Development Code. Without platting of the entire property, portions of the property are landlocked, without required frontage on a public street.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current Comprehensive Plan (latest update in 2009) indicates *Cullen Mixed Use, Business Commercial, Medium Density Residential, and Low Density Residential* for the entire parcel. A cemetery is a permitted use in the General Business, General Commercial, and Cullen Mixed-Use zoning district with the approval of a Conditional Use Permit. As this is an existing cemetery, and the use is permitted by right in multiple existing zoning districts on the property, and is a permitted use in the proposed Planned Development, if approved, the zone change would be in conformance with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Cullen, a major thoroughfare, with a minimum of 100' right-of-way.

AVAILABILITY OF UTILITIES: The subject parcel does have access to public water and sewer.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed expansion of the cemetery is not anticipated to have any negative impacts on existing surrounding or future developments.

ADDITIONAL COMMENTS: This request has been reviewed by the City's Development Review Committee and there are no additional comments from other departments at the time of this report.

SITE PLAN CONSIDERATIONS: At this time, a conceptual site plan has not been submitted. A site plan is not required as part of the zone change process.

PUBLIC NOTIFICATION: 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 notification sign was placed on the subject property.

OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST: Staff has not received any comments either in opposition to or in support of the proposed zone change request at the time of this report.

STAFF COMMENTS:

Staff is working with the applicant to generate an amended Planned Development document, based on the original Planned Development being amended with this proposal.

At this time, staff has the following comments on the document submitted:

1. Please add a purpose statement to the Introduction section of the document.
2. The correct acreage of the property, based on submitted legal descriptions, is 133.6907. Please revise (I) (A) and (I) (C) of document.
3. The proposed use for the Planned Development is cemetery use and one existing single-family home. Please revise (I) (B) of document.
4. Please specify acreage for cemetery use and single-family residential use in (I) (C) of document.
5. Please amend chart following (II) (B) in proposed document. The title of the chart should be *Proposed Land Use Table*. There should also be two use rows, one for cemetery, and one for single-family residential.
6. Please remove language under (II) (B) chart referring to density calculations and cemetery use.
7. For (III) (B), please specify that the base zoning district for the cemetery portions of the Planned Development will be General Business and add the base zoning for the residential as Suburban Residential-12 (SR-12).
8. Please remove (III) (B) and (III) (C).
9. Please add the following statement to (III) (D), *No other uses in the General Business (GB) district will be permitted.*

10. Please remove (IV) and (V).

11. For (VI) (A), please remove Design Plan and n/a, and add Location Map.

STAFF RECOMMENDATION: Staff recommends approval of the Zone Change 2012-03Z as proposed by the applicant for the following reasons:

1. Approval of the zone change would be in compatible with surrounding zoning and uses.
2. The proposed zone change should not have any negative impact on the surrounding properties and developments.
3. The proposed zone change would expand an existing Planned Developed which was established for a cemetery use and reduce the total number of zoning districts for this property.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents
- Originally approved Planned Development Document
- Proposed amended Planned Development Document



Zoning & Vicinity Map

Zone Change 2012-03Z

2426 Cullen

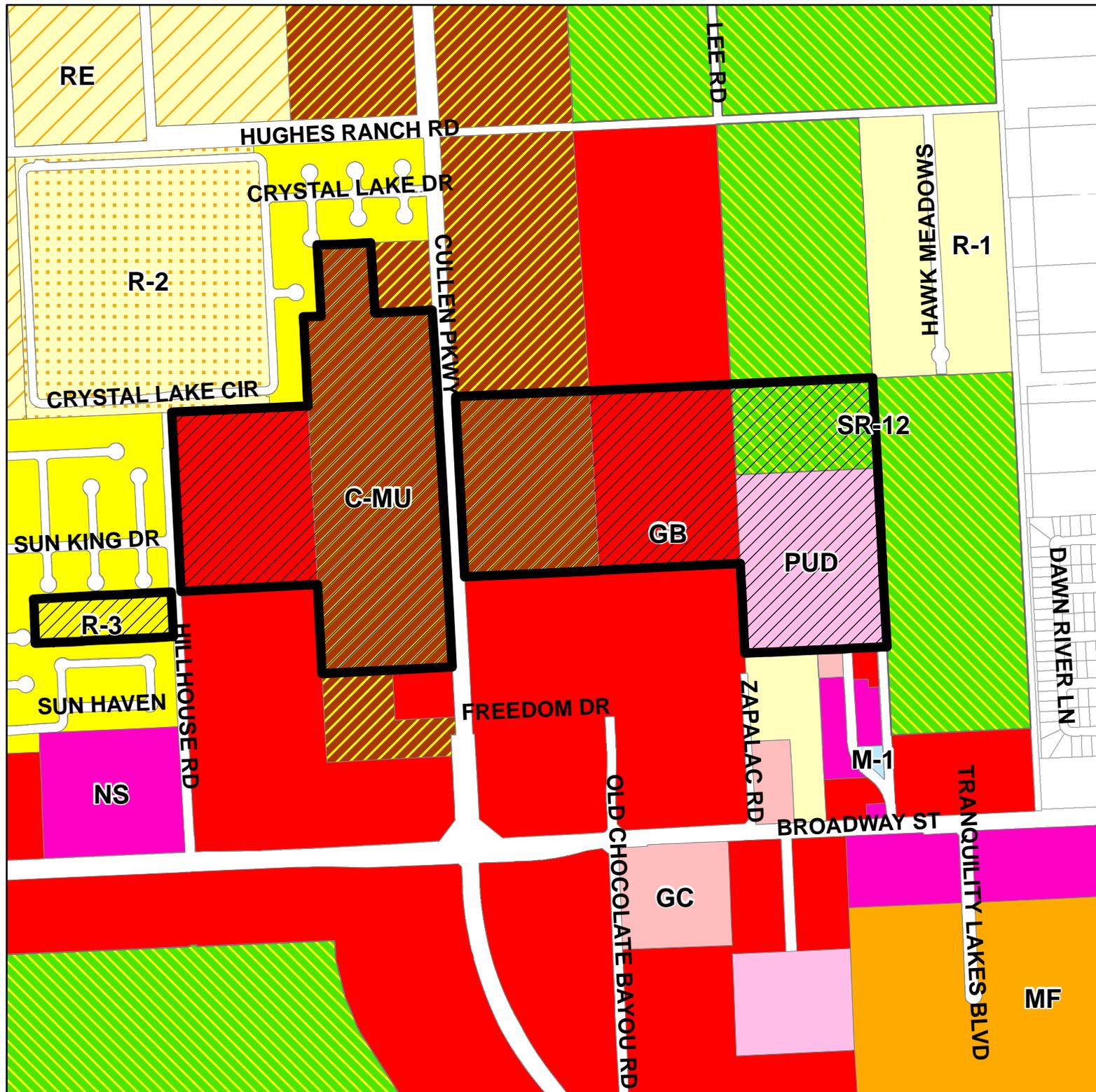
Houston Memorial Gardens

This product is for information 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.

0 185370 740 Feet



N





Abutter Map

Zone Change 2012-03Z

2426 Cullen

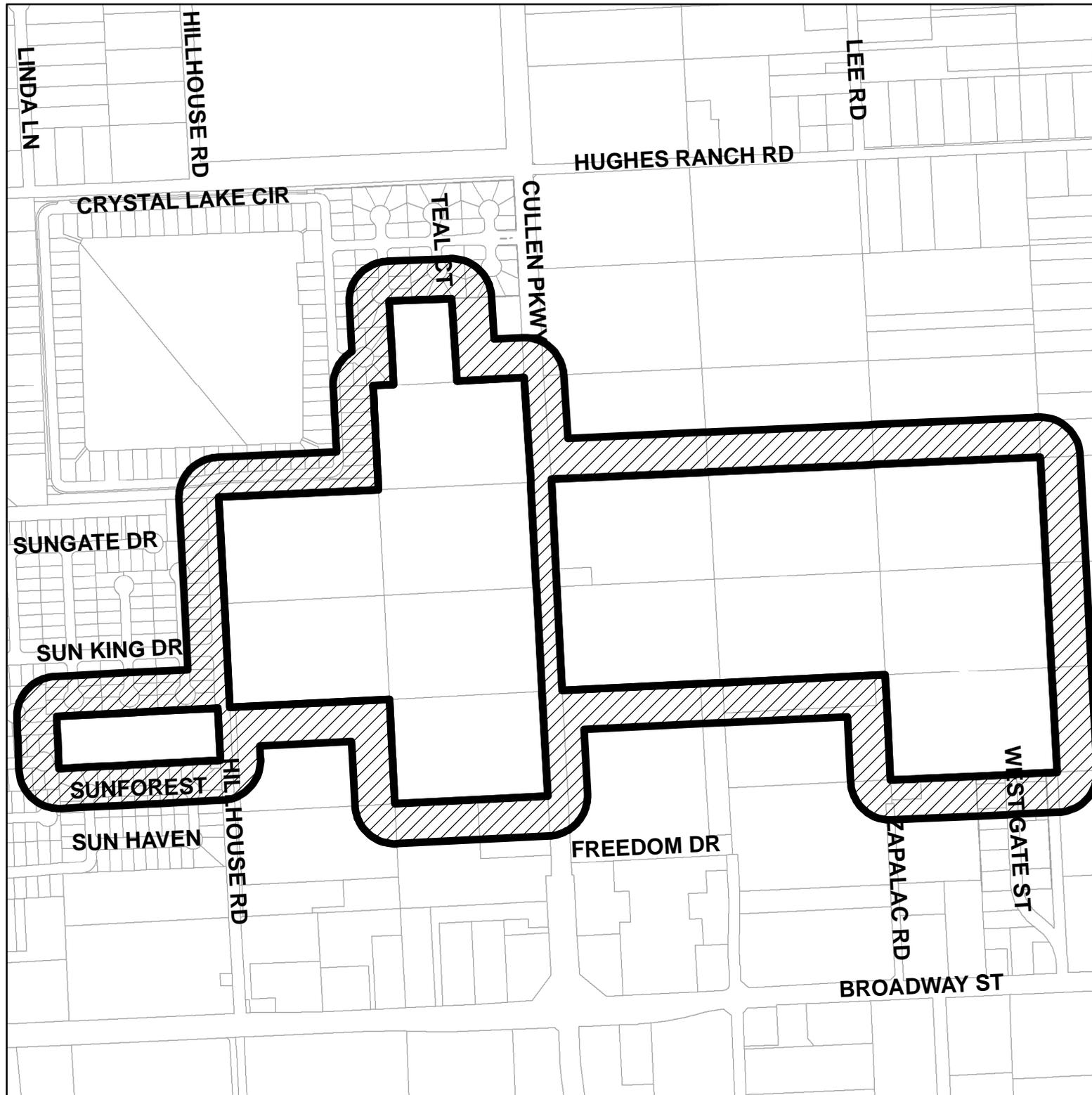
Houston Memorial Gardens

This product is for information 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.

010200 400 Feet



N



Owner	Address	City	State	Zip
HUNTER ROY D SR	PO BOX 2429	TEXAS CITY	TX	77592
MANSON JOLEAN	1302 TEAL CT S	PEARLAND	TX	77584
BROWN MARSHA M	1303 S KINGFISHER CT	PEARLAND	TX	77581
LA PRADE JOHN DAVID & THERESA L	1302 KINGFISHER CT S	PEARLAND	TX	77584
MOSLEY ERIC & LINDA & DORIS GERARD	1306 SANDPIPER CT S	PEARLAND	TX	77584
MORRISON GREGORY D & IRENE M	1307 TEAL CT S	PEARLAND	TX	77584
CARTER STACEY	1306 TEAL CT S	PEARLAND	TX	77584
PARADISE CEMETARY SOUTH	10401 W MONTGOMERY RD	HOUSTON	TX	77088
JOHNSON JANET G	1307 KINGFISHER CT S	PEARLAND	TX	77584
BRADICICH MARK A	1306 KINGFISHER CT S	PEARLAND	TX	77584
FOLTYN FRANK S & LISA W	1310 SANDPIPER CT S	PEARLAND	TX	77584
HARRISON STEVEN P	1311 TEAL CT S	PEARLAND	TX	77584
DOUGHERTY PATRICK M & KATHRYN G	1310 TEAL CT S	PEARLAND	TX	77584
SEYMOUR EDWARD C JR & JACQUELYN R	1311 KINGFISHER CT S	PEARLAND	TX	77584
BURNS STEVEN O	1315 SANDPIPER CT S	PEARLAND	TX	77584
WILLIAMS MATTHEW J JR & MARIAN A	1310 KINGFISHER CT S	PEARLAND	TX	77584
WILSON STANLEY D & SOLYMAR	1311 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
MARTIN RONALD L	1315 TEAL CT S	PEARLAND	TX	77584
MILLIGAN LAURIE M	1315 KINGFISHER CT S	PEARLAND	TX	77584
LAWRENCE-WALLS LORRAINE D	1314 KINGFISHER CT S	PEARLAND	TX	77584
ELLIOTT DAVID III & SABRINA M ECHOLS-ELLIOTT	1315 CRYSTAL LAKE CIR	PEARLAND	TX	77584
CHAVERO FELIX R	1318 KINGFISHER CT S	PEARLAND	TX	77584
CRYSTAL LAKE PROPERTY OWNERS ASSOC	PO BOX 63178	PIPE CREEK	TX	78063
JONES LATANYA D	1322 KINGFISHER CT S	PEARLAND	TX	77584
MULLINS PEGGY S & SANDRA J LAZEROFF	1319 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
GREINER EDWIN THOMSON	1323 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
4114 FLAMINGO COURT LAND TRUST	PO BOX 684	DEER PARK	TX	77536
BAILEY JEFFREY & GRETZA MARCIE	4110 FLAMINGO CT	PEARLAND	TX	77584
VINING PAUL & SARAH METZ	4106 FLAMINGO CT	PEARLAND	TX	77584
SPENCER JAY V JR	4102 FLAMINGO CT	PEARLAND	TX	77584
BRAZORIA CO DRAINAGE #4	4805 BROADWAY ST	PEARLAND	TX	77581
CARTER CASEY TODD & TONI P	4115 FLAMINGO CT	PEARLAND	TX	77584
PARADISE CEMETARY SOUTH	10401 W MONTGOMERY RD	HOUSTON	TX	77088

URIAS MARIA ANGELA	4107 FLAMINGO CT	PEARLAND	TX	77584
MITCHELL JANIE	4103 FLAMINGO CT	PEARLAND	TX	77584
MORROW DEIDRE XAN	4111 FLAMINGO CT	PEARLAND	TX	77584
PARADISE CEMETARY SOUTH	10401 W MONTGOMERY RD	HOUSTON	TX	77088
HASS JAMES ALFRED & JOANNE	1415 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
RUSSO PATRICIA A ESTATE	1419 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
POSTON WILLIAM S & JUDY	1423 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
MOORE WILLIAM R	1427 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
AUBIN-SAMS KAREN & SAMS TOM	3939 CRYSTAL LAKE CIR S	PEARLAND	TX	77584
RASMUSSEN NORMAN O JR	4035 CRYSTAL LAKE CIR S	PEARLAND	TX	77584
RENFROW JENNIFER ET UX	1431 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
SYED AMUNAL HASAN	5412 STURBRIDGE DR	HOUSTON	TX	77056
ZAREMBA CHESTER & MARY	4027 CRYSTAL LAKE CIR S	PEARLAND	TX	77584
YAO JOSEPH D	4023 CRYSTAL LAKE CIR S	PEARLAND	TX	77584
PHILBROOK ROBERT M TRUST	4019 CRYSTAL LAKE CIR S	PEARLAND	TX	77584
MCLAURIN MARIA MARTHA	4015 CRYSTAL LAKE CIR S	PEARLAND	TX	77584
PONOMAREV ARTEM L	1392 SAN REMO LN	LEAGUE CITY	TX	77573
WELCOME ELAINE T & STEPHEN B	4007 CRYSTAL LAKE CIR S	PEARLAND	TX	77584
LANCASTER ROBERT L & KAREN C	4003 CRYSTAL LAKE CIR S	PEARLAND	TX	77584
SABLATURA DAVID & NORMA	3935 CRYSTAL LAKE CIR S	PEARLAND	TX	77584
ARDOIN PHIL S & VALERIE M	1435 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
JACKSON TERRY D	1439 CRYSTAL LAKE CIR E	PEARLAND	TX	77584
CRYSTAL LAKE PROPERTY OWNERS ASSOC	PO BOX 63178	PIPE CREEK	TX	78063
HOUSTON MEMORIAL GARDENS	PO BOX 330350	HOUSTON	TX	77233
MARYFIELD LIMITED	1616 S VOSS RD	HOUSTON	TX	77057
WATKINS STEVEN D REVOCABLE TRUST	2401 SUNBURST LN	PEARLAND	TX	77584
FRANK BILLY	2403 SUNBURST LN	PEARLAND	TX	77584
STEWART GREGORY & TOY	2405 SUNBURST LN	PEARLAND	TX	77584
DAVENPORT DAVID W & FRANCES	2407 SUNBURST LN	PEARLAND	TX	77584
HOUSTON MEMORIAL GARDENS	PO BOX 330350	HOUSTON	TX	77233
RUMBAOA RUEL D & BECKY L	2409 SUNBURST LN	PEARLAND	TX	77584
KAATZ MICHAEL J JR & JENNIFER L	2501 SUNBURST LN	PEARLAND	TX	77584
JANKOWSKI BOHDAN & MARIA	2503 SUNBURST LN	PEARLAND	TX	77584
IVERSON ARTHUR	2505 SUNBURST LN	PEARLAND	TX	77584

ARMSTRONG CYNTHIA	2507 SUNBURST LN	PEARLAND	TX	77584
BROWN CHARLES W ESTATE	7709 EVALINE LN	AUSTIN	TX	78745
SCHWING ALAN MICHAEL & KATELYN M	9002 SUN KING DR	PEARLAND	TX	77581
CARROLL JOHN W III	9004 SUN KING DR	PEARLAND	TX	77584
HOUSTON MEMORIAL GARDENS	PO BOX 330350	HOUSTON	TX	77233
TALBOT JOSEPH E & SANDRA L	2509 SUNBURST LN	PEARLAND	TX	77584
WHITE KEVIN S & LISA B	2510 SUNBURST LN	PEARLAND	TX	77584
THORSON PHILIP K	2510 SUNFIRE LN	PEARLAND	TX	77584
KUMAR HARSH & RITA	4701 SAN JACINTO ST	HOUSTON	TX	77004
MCMINN MICHELLE R & KEVIN T	2509 SUN SPOT LN	PEARLAND	TX	77584
WILLIAMS JAMES M JR & ALVEDA	2510 SUN SPOT LN	PEARLAND	TX	77584
LAM BIEU & DINH NGO	2509 SUNFIRE LN	PEARLAND	TX	77584
KUMAR HARSH & RITA	4701 SAN JACINTO ST	HOUSTON	TX	77004
STROM KYLE B & JODY K	2511 SUNBURST LN	PEARLAND	TX	77584
YANG YAN P	11909 SHADY SANDS PL	PEARLAND	TX	77584
CITY OF PEARLAND	3519 LIBERTY DR	PEARLAND	TX	77581
CHEN DONGNING & YU ZHIYIN	2511 SUN SPOT LN	PEARLAND	TX	77584
STRATTON ROBERT W	2512 SUN SPOT LN	PEARLAND	TX	77584
BRENNAN MARTIN MICHAEL JR & STEFANI A	9001 SUN GLEN CT	PEARLAND	TX	77584
ARENS JOEL & LINDA	2511 SUNFIRE LN	PEARLAND	TX	77584
COLBERT JONIQUE	9003 SUN GLEN CT	PEARLAND	TX	77584
SANDERS MONIQUE	2512 SUNFIRE LN	PEARLAND	TX	77584
HOUSTON MEMORIAL GARDENS	PO BOX 330350	HOUSTON	TX	77233
CARR ERIC M & ROXANNE	2513 SUNBURST LN	PEARLAND	TX	77584
BREEDLOVE MICHAEL JR	2514 SUNBURST LN	PEARLAND	TX	77584
CHABARRIA NATHEN N & CYNTHIA A	2513 SUN SPOT LN	PEARLAND	TX	77584
BALLEW KIMBERLY	2514 SUN SPOT LN	PEARLAND	TX	77584
NEWBERRY RENITA C	2513 SUNFIRE LN	PEARLAND	TX	77584
WALKER THOMAS W & DEBORAH R	2514 SUNFIRE LN	PEARLAND	TX	77584
KOCHUMMAN GEORGE & ANIE GEORGE	9002 SUN GLEN CT	PEARLAND	TX	77584
BIGGS TERESA R	9004 SUN GLEN CT	PEARLAND	TX	77584
ATANG AZIEBONG & NCHE CHI	4719 DIAMOND SPRINGS DR	MISSOURI CITY	TX	77459
ROSENBAUM MENNY	128 WHIPPLE DR	BELLAIRE	TX	77401
WHYTE ANDREA D	9005 SUNDOWN DR	PEARLAND	TX	77584

NIELSEN BRIAN	8809 SUNFOREST LN	PEARLAND	TX	77584
HURST RICHARD B	8811 SUNFOREST LN	PEARLAND	TX	77584
LARRY WILLIAM F & SLAID STEPHANIE E	8801 SUNFOREST LN	PEARLAND	TX	77584
JACKSON MICHAEL	175 DICKERSON ST	NEWARK	NJ	07107
PHAM MANH V	8803 SUNFOREST LN	PEARLAND	TX	77584
LODRIGUE RAY & GLADYS	8805 SUNFOREST LN	PEARLAND	TX	77584
CALHOUN RAYMOND & ANNIE M	8807 SUNFOREST LN	PEARLAND	TX	77584
15/21 JAPHET REALTY LTD	PO BOX 22957	HOUSTON	TX	77227
DANG TUONG V & TRINH T TRAN	8813 SUNFOREST LN	PEARLAND	TX	77581
MARTIN PAUL C & ASHLEY	8815 SUNFOREST LN	PEARLAND	TX	77584
DIAZ ROSSYBELL S	8817 SUNFOREST LN	PEARLAND	TX	77584
NGUYEN JONATHON	8819 SUNFOREST LN	PEARLAND	TX	77584
MCGUIRE MATTHEW DAVID & MELISSA R	2602 SUN FLARE LN	PEARLAND	TX	77581
ZHANG SHAOJIE	9004 SUNDOWN DR	PEARLAND	TX	77584
MATUS SHANNON E & JULIUS C II	9006 SUNDOWN DR	PEARLAND	TX	77584
ALSING JASON C	2601 SUN COVE LN	PEARLAND	TX	77584
YIN XING & TING ZHANG	9008 SUNDOWN DR	PEARLAND	TX	77584
ZAPALAC ROBIN D	2539 ZAPALAC RD	PEARLAND	TX	77581
GLASS A RAY	PO BOX 1293	PEARLAND	TX	77588
KUMAR HARSH & RITA	4701 SAN JACINTO ST	HOUSTON	TX	77004
ANDERSON EDWIN D	13403 CHEROKEE ROSE CT	ROSHARON	TX	77583
WAGNER CHRISTOPHER D	2604 SUN FLARE LN	PEARLAND	TX	77584
LARGENT CHARLES E & JO	6210 RAINTREE DR	PEARLAND	TX	77584
NGUYEN JONATHAN & TRAN PHUONG	9001 SUNNY BROOK LN	PEARLAND	TX	77584
TETevi STELLA M DEKUTSE	2603 SUN COVE LN	PEARLAND	TX	77584
ARRAMBIDE JASON	9003 SUNNY BROOK LN	PEARLAND	TX	77584
VEETIL BINDU C & FERNANDAS CHIRAYATH	9005 SUNNY BROOK LN	PEARLAND	TX	77584
STAI SCOTT A & AMBER L	66 OAK RIDGE DR	MANVEL	TX	77578
DOWLER KIMBERLY LYNN	8804 SUNFOREST LN	PEARLAND	TX	77584
SELDNER JORGE H & MARIA T HERRERA	8806 SUNFOREST LN	PEARLAND	TX	77584
HAMMINGS DANIEL P & LINDSAY L WILSON	8808 SUNFOREST LN	PEARLAND	TX	77584
KWAK JUNG HWAN	2621 SUNFISH DR	PEARLAND	TX	77584
PHAM JACQUELINE K	10019 CITRUSWOOD LN	HOUSTON	TX	77089
IBENEME SOPHIA	8812 SUNFOREST LN	PEARLAND	TX	77584

NASH MARK A	8814 SUNFOREST LN	PEARLAND	TX	77584
INVESTCORP BROADWAY 8535	3007 DAVEY OAKS ST	PEARLAND	TX	77584
SMITH GARY W & DAVIS SHARA D	2606 SUN FLARE LN	PEARLAND	TX	77584
CORTE LOUIS A	PO BOX 854	PEARLAND	TX	77588
CAVAZOS JOSE J	2338 HAWK MDWS	PEARLAND	TX	77581
GRIGGS GEORGE W & JACQUELYN C	2350 HAWK MEADOW DR	PEARLAND	TX	77581
ALLBRITTON GLEN W	2615 VAN DEE AVE	GREENBANK	WA	98253
JOY JAMES K & REBECCA	2802 NEWBURY CT	PEARLAND	TX	77584
GORE BLANCHE A TRUSTEE	PO BOX 52	ROUND TOP	TX	78954
CITY OF PEARLAND	3519 LIBERTY DR	PEARLAND	TX	77581
SIMMONS ANDREW	4830 MALLOW ST	HOUSTON	TX	77033
CRYSTAL LAKE PROPERTY OWNERS ASSOC	PO BOX 63178	PIPE CREEK	TX	78063
WALLS ERIC & THERESA A	5105 MAKENA DR	RALEIGH	NC	27615
SOUTHERN MEMORIAL CEMETERY	PO BOX 33350	HOUSTON	TX	77033
LOUIS C KCKINNEY	16310 QUAIL PARK DRIVE	MISSOURI CITY	TX	77489



FLUP Map

Zone Change 2012-03Z

2426 Cullen

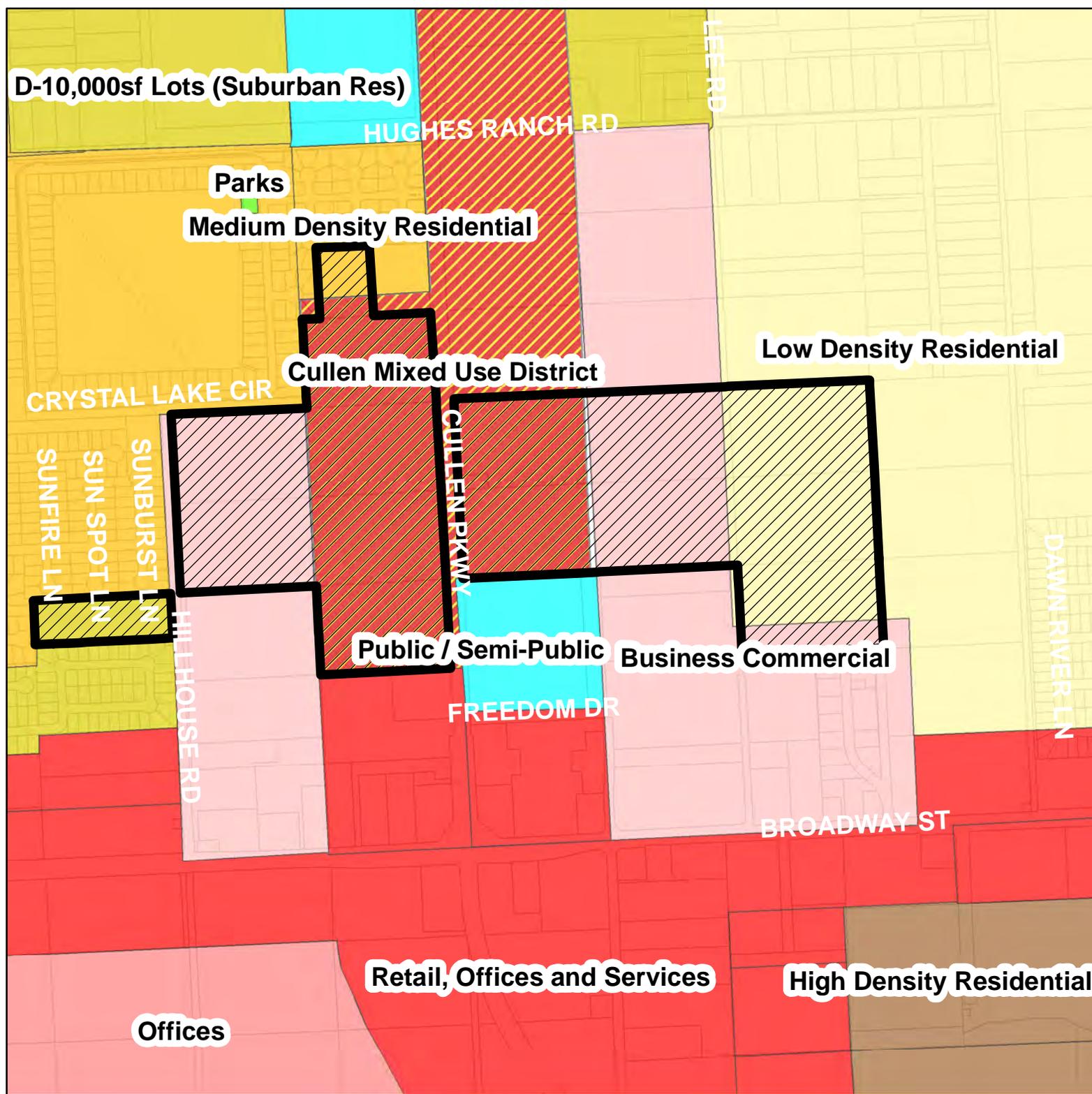
Houston Memorial Gardens

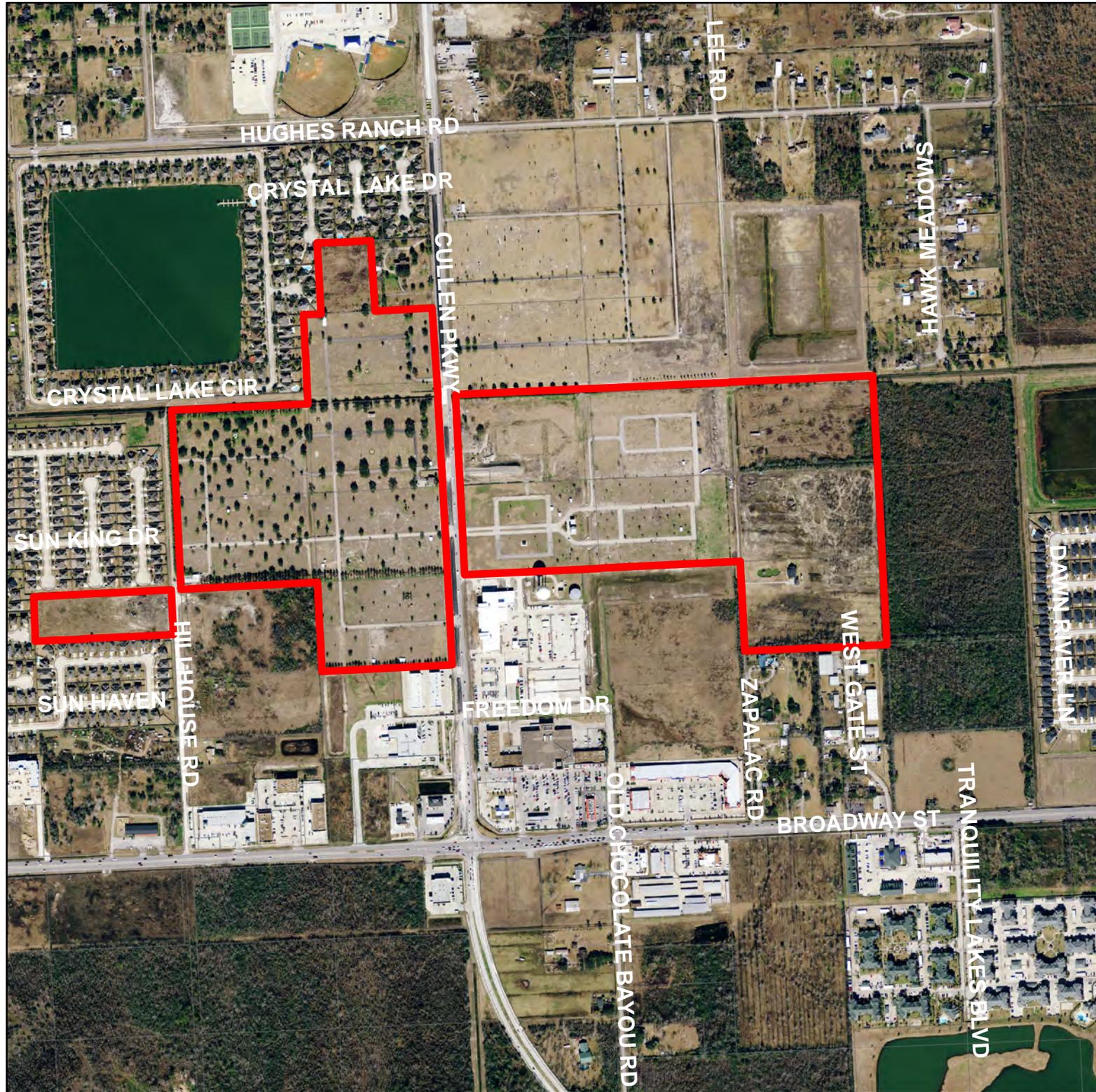
This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

N



0 185370 740 Feet





Aerial Map

Zone Change 2012-03Z

2426 Cullen

Houston Memorial Gardens

This product is for information 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.

0 185370 740 Feet
[Scale bar]





APPLICATION FOR A CHANGE IN ZONING

ZONE CHANGE APPLICATION Updated April 2010

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

Current Zoning District: General Business District

Proposed Zoning District: Planned Development District

Property Information:

Address or General Location of Property: 2426 FM 865 Cullen Road
See Attach legal description

Tax Account No. _____

Subdivision: N/A Lot: N/A Block: N/A

A complete application must include all information shown on the Application Checklist attached to this application.

PROPERTY OWNER INFORMATION:

NAME Bonnie & Janice Howard
ADDRESS 2426 FM 865 Cullen Road
CITY Pearland STATE TX ZIP 77581
PHONE(281) 485-2221
FAX(_____) _____
E-MAIL ADDRESS _____

APPLICANT/AGENT INFORMATION:

NAME Louis C. McKinney
ADDRESS 16310 Quail Park Dr.
CITY Missouri City STATE TX ZIP 77409
PHONE(281) 684-7459
FAX(281) 416-8677
E-MAIL ADDRESS redtoy@sbcglobal.net

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

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

Owner's Signature: Janice Howard Sr. Date: 12-14-11

Applicant/Agent's Signature: Louis C. McKinney Date: 12-14-11

OFFICE USE ONLY:

FEES PAID: <u>600.00</u>	DATE PAID: <u>12/16/11</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>73599</u>
--------------------------	----------------------------	---------------------------------	------------------------------

Application No. 2012-032

APPLICATION CHECKLIST FOR THE FOLLOWING

- **Zone Changes**
- **Planned Development Districts (PD)**

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.
- If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code.**
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- Letter of Intent, explaining the zone change request in detail and why the zoning is being requested to be changed, and state the uses being proposed

*Letter of Intent is not required for a PD.

- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
 - **Zero (0) to less than 25 acres:**
 - \$ 250.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 400.00 if requesting a Planned Development (PD)
 - **25 to less than 50 acres:**
 - \$ 300.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 450.00 if requesting a Planned Development (PD)
 - **50 to less than 75 acres:**
 - \$ 350.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 500.00 if requesting a Planned Development (PD)
 - **75 to less than 100 acres:**
 - \$ 400.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 550.00 if requesting a Planned Development (PD)
 - **100 acres and above:**
 - \$ 450.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 600.00 if requesting a Planned Development (PD)

- For PD's Only: the proposed PD document electronic form by date of application (either emailed or on a CD) (see PD Format for guidelines on how to prepare the PD).
- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

JANICE B. HOWARD
PRESIDENT

BONNIE HOWARD, SR.
SECRETARY / TREASURER

Houston Memorial Gardens, Inc.

"The Cemetery With A Heart"

P.O. Box 330350 - Houston, Texas 77233-0350

16000 Cullen

(281) 485-2221

December 14, 2011

City of Pearland
Planning Department
Pearland, Texas 77581

Attn: Senior Planner Harold Ellis

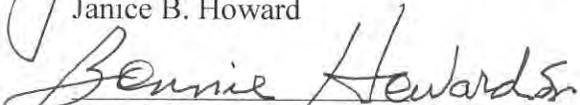
Houston Memorial Gardens, Inc. was chartered by the state of Texas in August 1954 as a perpetual care cemetery. At that time the cemetery was comprised of 10 acres of land. Another charter was issued in 1957 for another (10) ten acres of land under the name of Southern Memorial Gardens (which now operates under the umbrella of Houston Memorial Gardens, Inc.). Over the following 37 years the cemetery grew to 80 acres, all except 20 of these acres were dedicated for cemetery use while in Pearland's ETJ. Since 1994 there has been an additional 58 acres purchased by the company. The difference now is that the cemetery has been annexed by the City of Pearland which requires a zone change before the property can be used. We have now come before the city on many occasions for zone changes and received them. The problem now is that we have various zoning descriptions, which at times can be very confusing.

After meeting with you and the Director of the department, we are in agreement with both of you that one Planned Development District covering all the property belonging to the cemetery would best suit our needs. It is with this in mind that we, (Janice & Bonnie Howard, Sr.) the owners of Houston Memorial Gardens, Inc. authorize Louis McKinney (a licensed real estate broker in the state of Texas), to represent Houston Memorial Gardens, Inc. in the matter of this zone change.

We do not know what the future holds as far as land acquisitions are concerned, should that happen hopefully, those properties could also be added to the existing Planned Development.

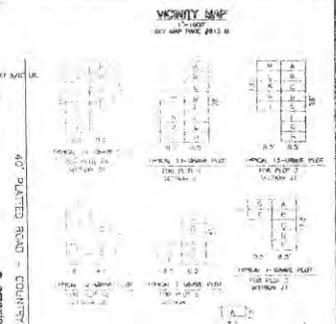
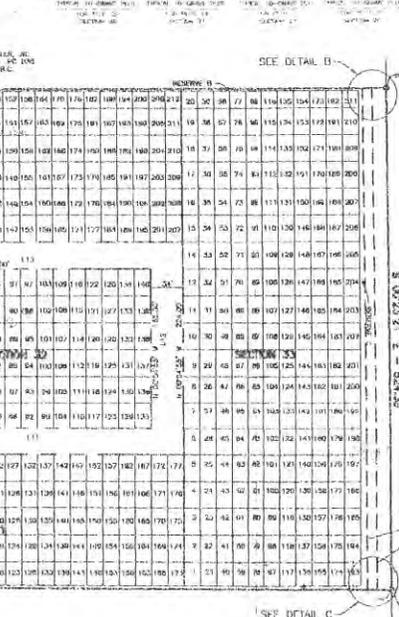
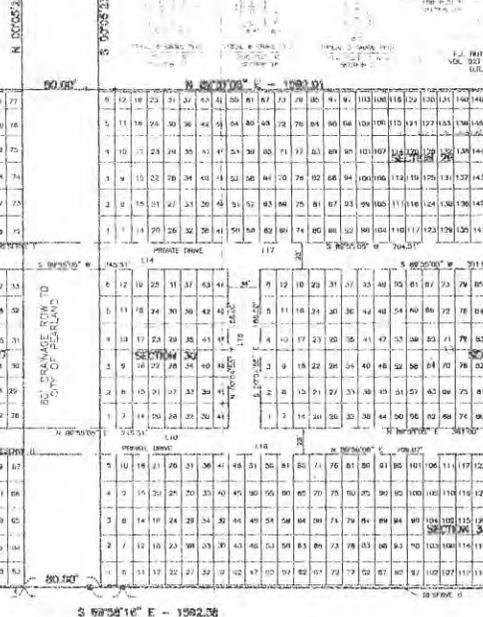
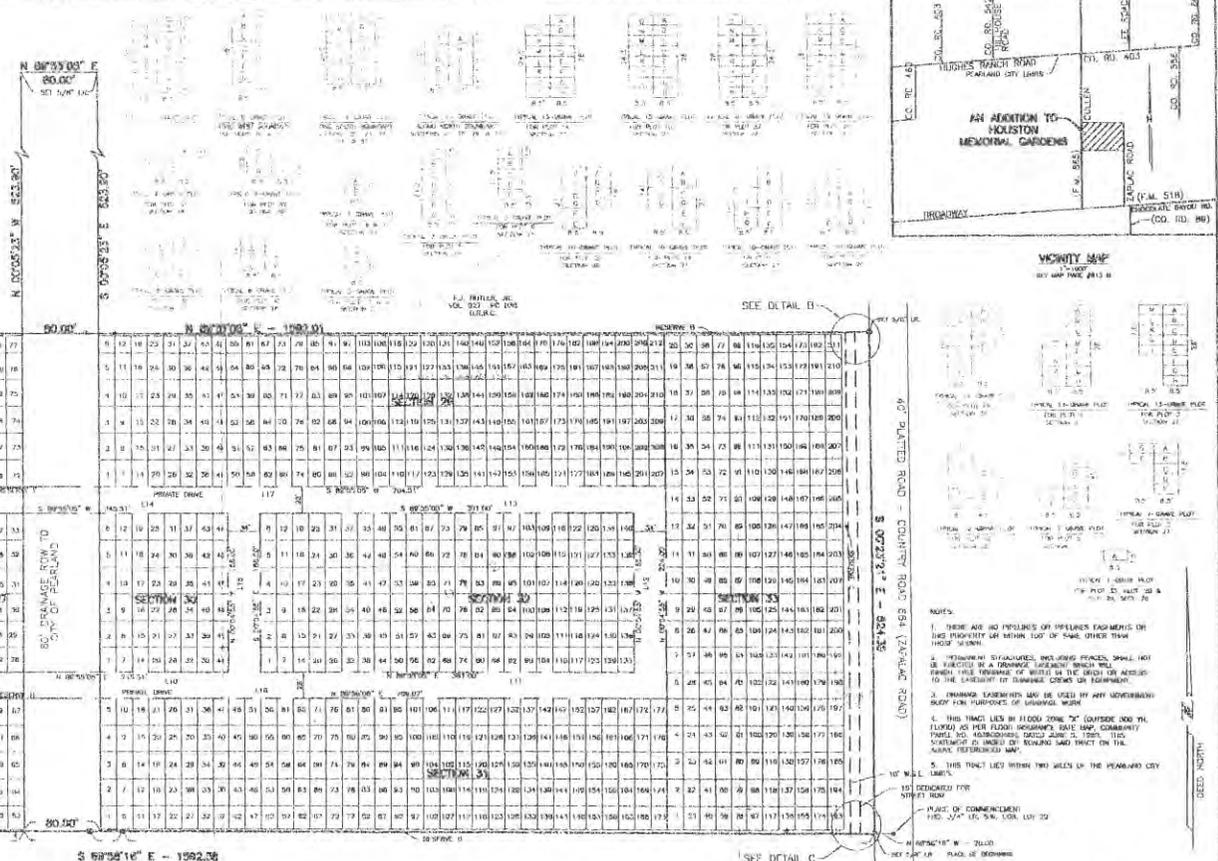
Thanking you in advance for all consideration.


Janice B. Howard


Bonnie Howard, Sr.

CURVE	RADIUS	DELTA	APC	TANGENT	BEARING	CHORD
C1	34.00	42.00°	28.70	14.76	S 87°20'52" W	28.32
C2	34.00	42.00°	28.70	14.76	S 87°20'52" W	28.32
C3	20.00	49.00°	15.21	8.08	S 67°34'52" E	15.31
C4	48.00	41.00°	32.70	18.08	N 67°34'52" W	36.74
C5	20.00	49.00°	15.21	8.08	N 67°34'52" W	15.31
C6	48.00	41.00°	32.70	18.08	S 87°20'52" W	36.74
C7	34.00	42.00°	28.70	14.76	S 87°20'52" E	28.32

LINE	DISTANCE	BEARING
L1	306.00	N 89°50'00" E
L2	306.00	N 89°50'00" E
L3	306.00	N 89°50'00" E
L4	162.00	N 89°50'00" E
L5	154.00	S 60°04'52" E
L6	154.00	S 60°04'52" E
L7	154.00	S 60°04'52" E
L8	112.00	N 44°50'00" E
L9	125.00	S 42°04'52" E
L10	262.51	N 89°50'00" E
L11	423.00	N 89°50'00" E
L12	198.00	N 89°50'00" E
L13	423.00	S 89°50'00" W
L14	198.00	S 89°50'00" W
L15	198.00	S 89°50'00" W
L16	667.51	S 89°50'00" W
L17	667.51	S 89°50'00" W
L18	33.16	N 89°50'00" E
L19	33.16	N 89°50'00" E



NOTES:

1. THERE ARE NO RECORDS OF PREVIOUS EASEMENTS OR ENCUMBRANCES ON THESE LOTS OR ANY OTHER PART OF THIS TRACT.
2. UNLAWFUL EASEMENTS, INCLUDING EASEMENTS, SHALL NOT BE ASSERTED IN A FUTURE EASEMENT RECORD UNLESS THE RECORD IS WRITTEN IN THE RECORD OR REFERRED TO THE RECORD BY A SUBSEQUENT RECORD OR EASEMENT.
3. EASEMENTS EASEMENTS MAY BE USED BY ANY ADJACENT PARTY FOR PURPOSES OF USUAL WORK.
4. THIS TRACT LIES IN FLOOD ZONE "X" (OUTSIDE THE FLOOD PLAIN AS PER FLOOD INSURANCE RATE MAP, COMMUNITY FLOOD HAZARD INFORMATION SYSTEM, 2003, 2004, THIS TRACT IS NOT IN A FLOOD HAZARD AREA AS PER THE ABOVE REFERENCED MAP).
5. THIS TRACT LIES WITHIN TWO FEET OF THE PEANUT CITY 10' WIDE LINES.

15' EASEMENT FOR STREET FRONT

PLANS OF COMMENTARY FILED JULY 10, 2004, UNDER 2004-000000000

BY: JAMES B. HOWARD, PRESIDENT

OWNER: HOUSTON MEMORIAL GARDENS, INC. JARICE B. HOWARD, PRESIDENT P.O. BOX 33350 HOUSTON, TEXAS 77233 PHONE: (281) 485-2221

ENGINEER: MUNICIPAL ENGINEERING CO., INC. 3331 FEDERAL STREET PASADENA, TEXAS 77534 PHONE: (713) 841-8088 FAX: (713) 841-0495

FINAL PLAN OF HOUSTON MEMORIAL GARDENS CEMETERY

1,417 - PLOTS
21,768 - LOTS

A 30,073' ACRES TRACT OF LAND BEING LOTS 13 AND 28 AND PART OF LOT 12, OF THE ALISON ROCKEY GOLF COURSE HOME OWNERS SUBDIVISION, SECTION 18, AND BEING SITUATED IN THE H.T. BULLOCK COMPANY SURVEY, INSTRUMENT 263, BRADSHAW COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF BRAZORIA

WE, JAMES B. HOWARD and JARICE B. HOWARD, President and Secretary respectively, of HOUSTON MEMORIAL GARDENS, INC., A TEXAS CORPORATION, owner of the property described in this plan of an addition to HOUSTON MEMORIAL GARDENS, do hereby make a declaration of our present and future intentions, according to the laws of this State, to hold, manage, control, operate, and administer, when herein provided, and do hereby agree to submit to the jurisdiction of the court of this State, to the establishment of a grade or approval for the streets or drainage easements, as mentioned in the instrument, or any part of the streets or drainage easements to be shown on this plan, and do hereby bind ourselves, our heirs, successors and assigns to accept and defend the title to the land as described.

I, Jarice B. Howard, Secretary of HOUSTON MEMORIAL GARDENS, INC., A TEXAS CORPORATION, do hereby certify that the signature of JAMES B. HOWARD, President, is subscribed, attested by the Secretary, JARICE B. HOWARD, and the number and date of articles, this day of _____, 2004.

JAMES B. HOWARD, PRESIDENT
JARICE B. HOWARD, SECRETARY

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, the undersigned authority, on this day personally appeared JAMES B. HOWARD and JARICE B. HOWARD, known to me to be the persons whose names are subscribed to the foregoing instrument, as President and Secretary of HOUSTON MEMORIAL GARDENS, INC., a Corporation, and acknowledged to me that they executed this plan for the purposes and consideration therein expressed, in the capacity stated, and as the act and deed of said corporation.

Given Under My Hand and Seal of Office this _____ day of _____, A.D. 19____.

Notary Public in and for Brazoria County, Texas. My commission expires _____.

It is to be certified that C. J. Gentry, Registrar of the Undersecretary, a Registered Professional Land Surveyor of the State of Texas, has filed this plan with the Undersecretary of the State of Texas, and that the same has been recorded in the public records of the State of Texas, and that the same is a true and correct copy of the original as the same appears from the records of the Undersecretary of the State of Texas, and that the same is a true and correct copy of the original as the same appears from the records of the Undersecretary of the State of Texas.

J. GARLAND BARNETT, JR. 24772
REGISTERED PROFESSIONAL LAND SURVEYOR

APPROVED BY PLANNING AND ZONING COMMISSION

DATE: _____

BY: _____

PLANNING AND ZONING COMMISSION

APPROVED BY HOUSTON CITY ENGINEER

DATE: _____

BY: _____

CITY ENGINEER

APPROVED BY PLANNING CITY ATTORNEY

DATE: _____

BY: _____

CITY ATTORNEY

APPROVED BY COUNTY CLERK

DATE: _____

BY: _____

COUNTY CLERK

APPROVED BY THE COMMISSIONER'S COURT OF BRAZORIA COUNTY, TEXAS

DATE: _____

BY: _____

COMMISSIONER

APPROVED BY COMMISSIONER PRESENT 1

COMMISSIONER PRESENT 2

COMMISSIONER PRESENT 3

COMMISSIONER PRESENT 4

APPROVED BY PLANNING AND ZONING COMMISSION

DATE: _____

BY: _____

PLANNING AND ZONING COMMISSION

APPROVED BY HOUSTON CITY ENGINEER

DATE: _____

BY: _____

CITY ENGINEER

APPROVED BY PLANNING CITY ATTORNEY

DATE: _____

BY: _____

CITY ATTORNEY

APPROVED BY COUNTY CLERK

DATE: _____

BY: _____

COUNTY CLERK

APPROVED BY THE COMMISSIONER'S COURT OF BRAZORIA COUNTY, TEXAS

DATE: _____

BY: _____

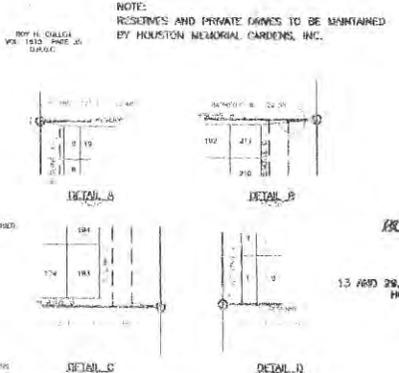
COMMISSIONER

APPROVED BY COMMISSIONER PRESENT 1

COMMISSIONER PRESENT 2

COMMISSIONER PRESENT 3

COMMISSIONER PRESENT 4



NOTE: RECORDS AND PRIVATE LINES TO BE MAINTAINED BY HOUSTON MEMORIAL GARDENS, INC.

BY: JAMES B. HOWARD, PRESIDENT

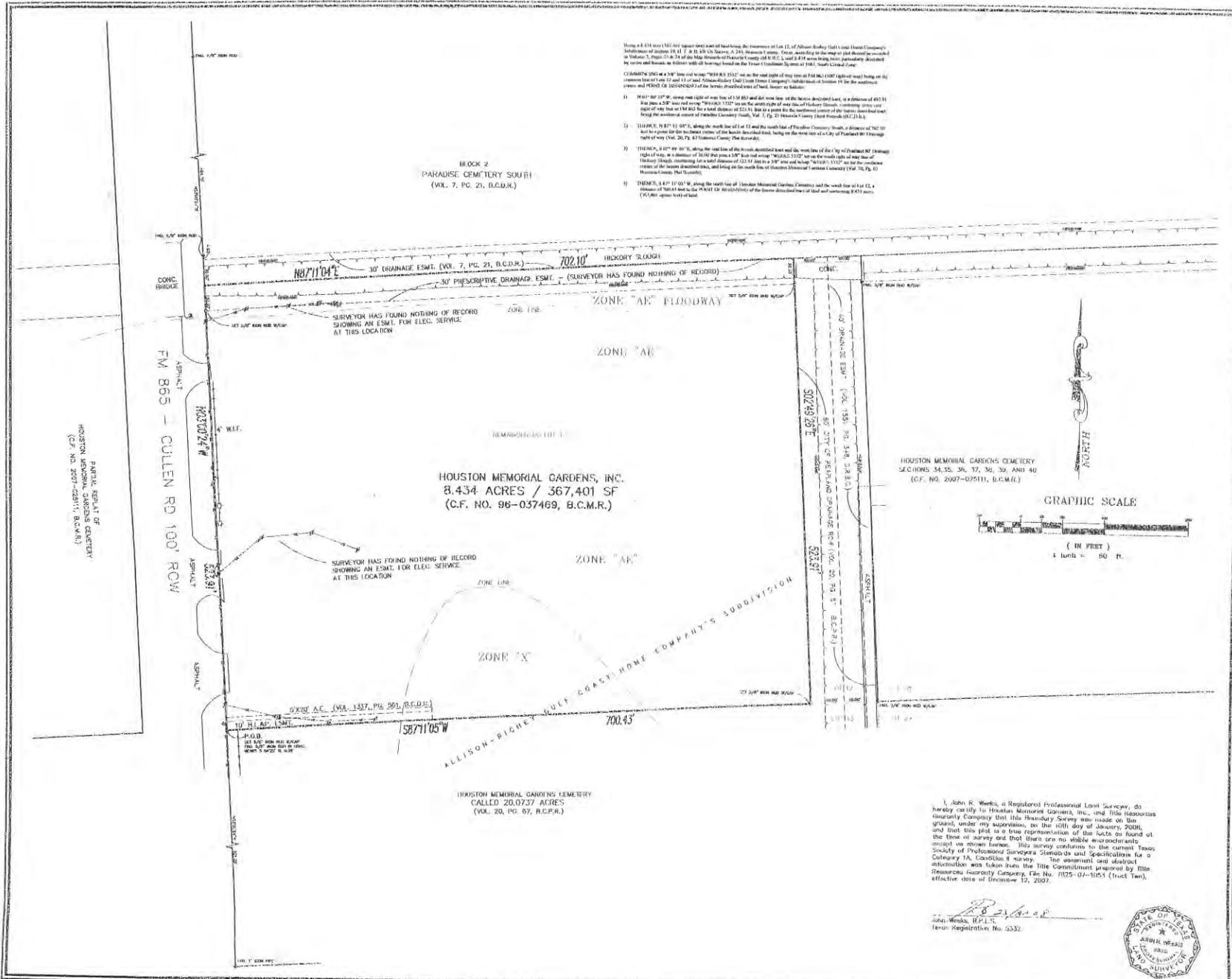
OWNER: HOUSTON MEMORIAL GARDENS, INC. JARICE B. HOWARD, PRESIDENT P.O. BOX 33350 HOUSTON, TEXAS 77233 PHONE: (281) 485-2221

ENGINEER: MUNICIPAL ENGINEERING CO., INC. 3331 FEDERAL STREET PASADENA, TEXAS 77534 PHONE: (713) 841-8088 FAX: (713) 841-0495

FINAL PLAN OF HOUSTON MEMORIAL GARDENS CEMETERY

1,417 - PLOTS
21,768 - LOTS

A 30,073' ACRES TRACT OF LAND BEING LOTS 13 AND 28 AND PART OF LOT 12, OF THE ALISON ROCKEY GOLF COURSE HOME OWNERS SUBDIVISION, SECTION 18, AND BEING SITUATED IN THE H.T. BULLOCK COMPANY SURVEY, INSTRUMENT 263, BRADSHAW COUNTY, TEXAS.



Being a 8.434 acre (84,340 square feet) tract of land being the remainder of Lot 12, of Houston Railway Light & Heat Company, (Certificate of title 19-11, 1-11-1915, U.S. Survey, 2-24-1899) same, (Tract) according to the map as shown and described in Volume 7, Page 27-28 of the Map Books of Brazoria County of B.C.M., and a 3.11 acre tract, being parcelly described by name and bearing as follows with all bearings based on the True Meridian by lines of 1881, True Meridian of 1881:

CLIMATEYARDS as a 30' wide and long "89° 05' 51.7\"/>

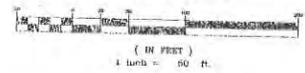
1. 1881-82-83, along north line of way line of 1881 and the south line of the tract described here, in a distance of 407.31 feet from a 30' wide and long "89° 05' 51.7\"/>
- 2. 1881-82-83, along the north line of Lot 12 and the south line of the tract described here, in a distance of 702.10 feet from the true meridian of the tract described here, being on the west side of said Parcel 817 through right of way (Vol. 20, Pg. 67 Brazoria County, The Record);
- 3. 1881-82-83, along the east line of the tract described here and the west line of the 1/4 of Parcel 817 (being the right of way, in a distance of 30.00 feet from a 30' wide and long "89° 05' 51.7\"/>
- 4. 1881-82-83, along the north line of Lot 12 and the south line of the tract described here, in a distance of 702.10 feet from the true meridian of the tract described here, being on the west side of said Parcel 817 through right of way (Vol. 20, Pg. 67 Brazoria County, The Record);



---	GAS LINE	---	WATER LINE
---	OVERHEAD ELECTRICAL	---	WIRE
---	SANITARY SEWER	---	EDGE OF DRAIN
---	STORM SEWER	---	VAULT
---	UNDERGROUND ELECTRICAL	---	MANHOLE
---	UNDERGROUND TELECOMMUNICATIONS	---	WATER MANHOLE
---		---	SPRINKLER HEAD
---		---	SPRINKLER VALVE
---		---	AREA LIGHT
---		---	EDGE OF ASPHALT
---		---	2-PYRE SIGN
---		---	BOLLARD
---		---	SAMPLE WELL
---		---	MONITOR WELL
---		---	WATER METER
---		---	ELECTRIC METER
---		---	GUY WIRE

HOUSTON MEMORIAL GARDENS CEMETERY
SECTIONS 34, 35, 36, 37, 38, 39, AND 40
(C.F. NO. 2007-025111, B.C.M.R.)

GRAPHIC SCALE



GENERAL NOTES

1. The subject tract lies in unincorporated Zone "X", Zone "W", and Zone "Z" (Zone) as depicted on the Brazoria County Management Agency (BMA) Flood Insurance Rate Map (FIRM) No. 17000-010, Brazoria County and Incorporated Precinct Community Plan No. 48825000-1, Map Revision dated Sep. 20, 1999.
2. The tract of land is within Brazoria County Drainage District No. 4.
3. Easement shown herein are referenced to the Texas Landlord System of 1961, South Central Zone.
4. The tract of land is within the City of Pearland and is subject to the terms, conditions, and provisions of the City of Pearland Ordinance, and amendments thereto, pertaining to the planning and building of real property and the establishment of building setbacks.

The Ephemeral Surveying Company
2630 Northshore
Houston, TX 77099
PHONE: (713) 721-4607 FAX: (713) 723-0820

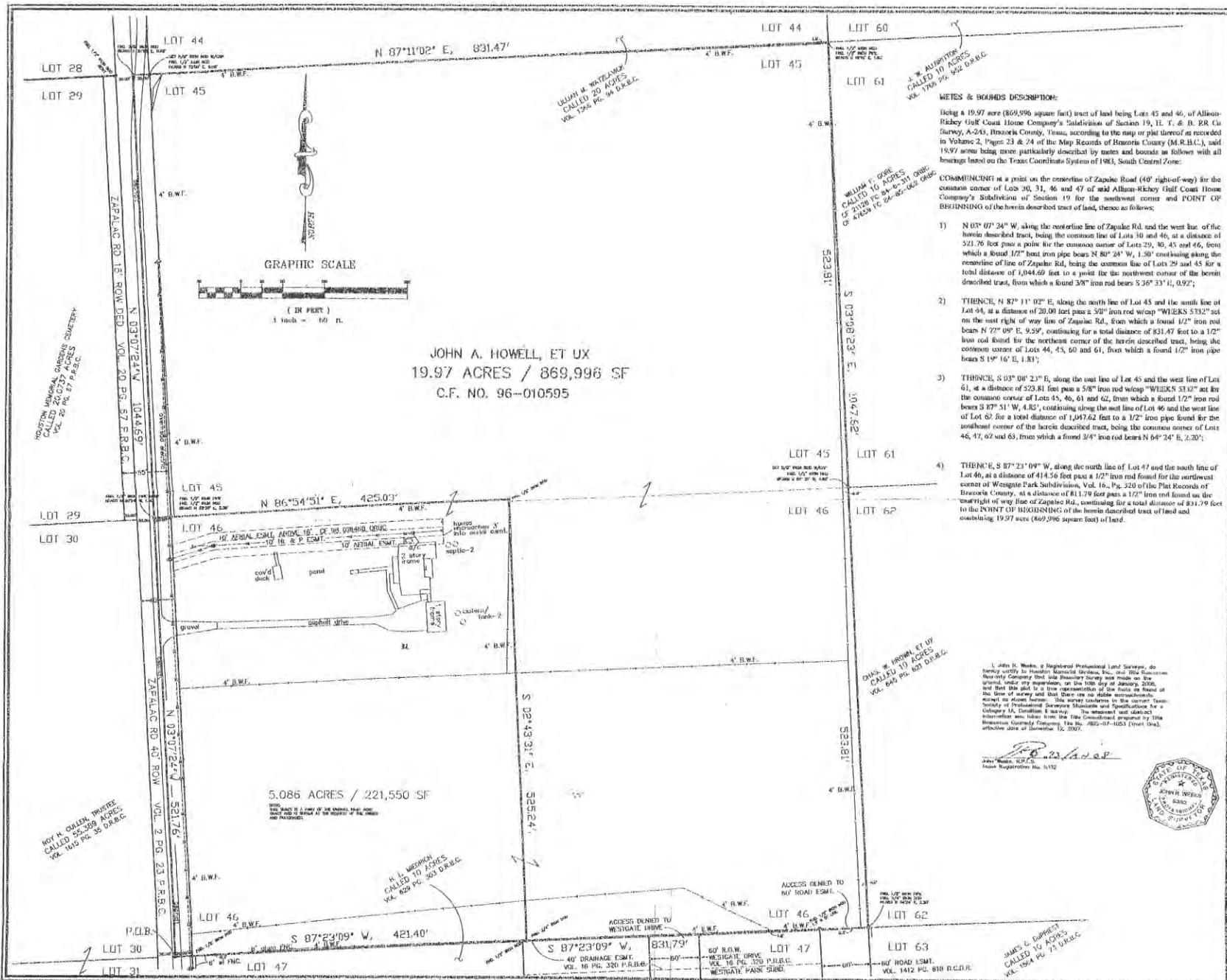
PROJECT:
**BOUNDARY SURVEY
OF A 8.434 ACRE TRACT
OUT OF SECTION 19,
H T + B PR SURVEY,
A-243, BRAZORIA COUNTY, TEXAS**

I, John R. Weeks, a Registered Professional Land Surveyor, do hereby certify to Houston Memorial Gardens, Inc., and Title Insurance Company that this Boundary Survey was made on the ground, under my supervision, on the 10th day of January, 2008, and that this plat is a true representation of the facts so found at the time of survey and that there are no unshown encroachments except as shown herein. This survey conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II survey. The assessment and abstract information was taken from the Title Commitment prepared by Title Resources Surety Company, File No. 7025-07-1053 (Tract Two), effective date of December 12, 2007.

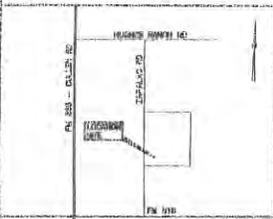
John R. Weeks
John Weeks, P.L.S.
Texas Registration No. 5332



PLAT NO. 06-00 SHEET NO.
DATE 01-21-08
DWG. BY JWR
CHECK BY JWR
SUR 1



VICINITY MAP
(NOT TO SCALE)



LEGEND

---	DAS LINE	○	TREE
---	OVERHEAD ELECTRICAL	○	EDGE OF SAND
---	SANITARY SEWER	○	VALVE
---	STORM SEWER	○	MANHOLE
---	UNDERGROUND ELECTRICAL	○	S.W.R. MANHOLE
---	UNDERGROUND TELECOMMUNICATIONS	○	SPRINKLER HEAD
---	WATERLINE	○	SPRINKLER VALVE
○	MESSAGE SIGN	○	AREA LIGHT
○	AREA LIGHT	○	DOCK OF SAND
○	AIR CONDITIONING	○	VALVE
○	CATCH BASIN	○	MANHOLE
○	CLEAN OUT	○	S.W.R. MANHOLE
○	CLEAN WORKING	○	SPRINKLER HEAD
○	FIRE HYDRANT	○	SPRINKLER VALVE
○	GAS METER	○	AREA LIGHT
○	SEWER	○	EDGE OF ASPHALT
○	B-I WELT	○	PIPE SIGN
○	STREET LIGHT	○	ROLLUP
○	STREET MARK	○	SAMPLE WELL
○	RAILROAD	○	WORTHY WELL
○	SEWER P.D.	○	WATER METER
○	UTILITY PILE	○	ELECTRIC METER
○		○	DRY WELL

- GENERAL NOTES**
- The subject tract lies in unincorporated Zone "A" and Zone "B" as created by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Brazoria County and Incorporated Areas, Community Panel No. 600000001, and 600000002, Map Revision 03-05-2000, 1999.
 - The tract of land is within Brazoria County drainage District No. 4.
 - Boundaries shown herein are referenced to the Texas Coordinate System of 1983, South Central Zone.
 - Property is subject to terms of easement/travelment system as referenced to district file no. 59-10-0000.
 - The tract of land is within the City of Houston and is subject to the terms, conditions, and provisions of the City of Houston Ordinance, and amendments thereto, pertaining to the siting and regulating of real property and the establishment of building setback lines.

The Ephemeral Surveying Company
 2448 24th Avenue
 Houston, TX 77008
 PHONE: (713) 721-4047 FAX: (713) 725-0325

PROJECT:
**BOUNDARY SURVEY
 OF A 19.97 ACRE TRACT
 OUT OF SECTION 18,
 T+9 R+8 SURVEY,
 A-243, BRAZORIA COUNTY, TEXAS**

FILE NO: 181-000 SHEET NO:
 DATE: 01-23-05
 DRAW BY: JAW
 CHECK BY: JAW

SUR 1

METES & BOUNDS DESCRIPTION:
 Being a 19.97 acre (869,996 square foot) tract of land being Lots 45 and 46, of Allison-Rickey Gulf Coast Home Company's Subdivision of Section 19, T. 9, S. 8, R. 8, Co. Brazoria, A-243, Brazoria County, Texas, according to the map or plat thereof as recorded in Volume 2, Pages 23 & 24 of the Map Records of Brazoria County (M.R.B.C.), said 19.97 acres being more particularly described by metes and bounds as follows with all bearings based on the Texas Coordinate System of 1983, South Central Zone:

- COMMENCING at a point on the eastern line of Zapalo Road (40' right-of-way) for the common corner of Lots 30, 31, 46 and 47 of said Allison-Rickey Gulf Coast Home Company's Subdivision of Section 19 for the southwest corner and POINT OF BEGINNING of the herein described tract of land, thence as follows:
- N 07° 07' 24" W, along the western line of Zapalo Rd. and the west line of the herein described tract, being the common line of Lots 30 and 46, at a distance of 521.76 feet pass a point for the common corner of Lots 29, 40, 45 and 46, from which a found 1/2" best iron pipe bears N 80° 24' W, 1.30' continuing along the western line of Zapalo Rd., being the common line of Lots 29 and 45 for a total distance of 1,044.69 feet to a point for the northwest corner of the herein described tract, from which a found 3/8" iron rod bears S 36° 33' 11", 0.92';
 - THENCE, N 87° 11' 02" E, along the north line of Lot 45 and the south line of Lot 44, at a distance of 20.00 feet pass a 5/8" iron rod w/cap "WILKES 5332" set on the east right of way line of Zapalo Rd., from which a found 1/2" iron rod bears N 72° 09' E, 8.29', continuing for a total distance of 531.47 feet to a 1/2" iron rod found for the northeast corner of the herein described tract, being the common corner of Lots 44, 45, 60 and 61, from which a found 1/2" iron pipe bears S 19° 16' E, 1.81';
 - THENCE, S 03° 09' 23" E, along the east line of Lot 45 and the west line of Lot 61, at a distance of 523.81 feet pass a 5/8" iron rod w/cap "WILKES 5332" set by the common corner of Lots 45, 46, 61 and 62, from which a found 1/2" iron rod bears S 87° 51' W, 4.83', continuing along the east line of Lot 46 and the west line of Lot 62 for a total distance of 1,047.62 feet to a 1/2" iron pipe found for the southeast corner of the herein described tract, being the common corner of Lots 46, 47, 62 and 63, from which a found 3/4" iron rod bears N 64° 24' E, 2.20';
 - THENCE, S 87° 23' 09" W, along the north line of Lot 47 and the north line of Lot 46, at a distance of 414.56 feet pass a 1/2" iron rod found for the northwest corner of Westgate Park Subdivision, Vol. 16, Pg. 320 of the Plat Records of Brazoria County, at a distance of 811.79 feet pass a 1/2" iron rod found on the east right of way line of Zapalo Rd., continuing for a total distance of 831.79 feet to the POINT OF BEGINNING of the herein described tract of land and containing 19.97 acre (869,996 square foot) of land.

I, John H. Weeks, a Registered Professional Land Surveyor, do hereby certify that I have examined the above described plat and the same is a true and correct representation of the field work made on the ground under my supervision, on the 18th day of January, 2005, and that the plat is a true representation of the field work done at the time of survey and that there are no other instruments, records or notes bearing thereon which conflict with the same. Witness my hand and the seal of my office at Houston, Texas, this 18th day of January, 2005.

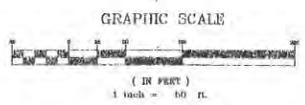


John H. Weeks, R.P.L.S.
 Texas Registration No. 14172

JAMES H. DUMMETT
 CALLED TO ACRES
 VOL. 1412 PG. 73 D.B.C.

JOHN A. HOWELL, ET UX
 19.97 ACRES / 869,996 SF
 C.F. NO. 96-010595

5.086 ACRES / 221,550 SF



HOUSTON METROPOLITAN CHANGING CALLED TO ACRES VOL. 82 PG. 17 D.B.C.

ROY H. GILLEN PROPERTY CALLED TO ACRES VOL. 1412 PG. 35 D.B.C.

H. L. WESBORN CALLED TO ACRES VOL. 429 PG. 303 D.B.C.

OMAS W. HOWELL ET UX CALLED TO ACRES VOL. 674 PG. 607 D.B.C.

ADDRESS DENIED TO WESTGATE ESMT.

ADDRESS DENIED TO WESTGATE ESMT.

40' DRAINAGE ESMT. VOL. 10 PG. 300 P.B.C.

60' R.O.W. WESTGATE DRIVE VOL. 15 PG. 320 P.B.C. WESTGATE PARK SUBD.

60' R.O.W. WESTGATE DRIVE VOL. 15 PG. 320 P.B.C. WESTGATE PARK SUBD.

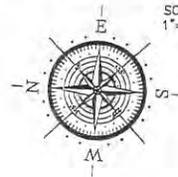
40' ROAD ESMT. VOL. 1412 PG. 618 D.B.C.

GRIGGS, GEORGE
V-2005/P-023255
H.C.D.R.

S.I.R. 1/2"
25.00'

LOT 60

SCALE
1"=130'



LOT 61

S 03°08'23" E

523.90'

F.I.R.
1/2"

LOT 44

831.32'

831.47'

LOT 43

LOT 45

DRAINAGE DITCH

N 87°11'02" E

S 87°11'02" W

13.7 x 50'
MANUFACTURED HOME

10' H.L.&P. ESMT.
(98-034186)

211.7

10'x16' H.L.&P. AERIAL ESMT.
(98-034186)

S.I.R. 1/2"
25.00'

20' ROAD ESMT.

N 03°07'24" W

523.90'

1571.70'

F.I.R.
5/8"

F.I.P.
3/4"

LEE ROAD/C.R. 664

Janice Howard *Bonnie Howard Sr*

LEGEND

- ⊙ CONTROL MONUMENT
- B.L. = BUILDING LINE
- U.E. = UTILITY EASEMENT
- POWER POLE
- CHAIN LINK FENCE

LEGAL DESCRIPTION

LOT 44 OF THE ALLISON-RICHEY GULF COAST HOME COMPANY SUBDIVISION, SECTION 19, H.T.&B.R.R. COMPANY SURVEY, ABSTRACT 243, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 23 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS.

NOTES:
 - BEARING BASIS: 08-005514, D.R.B.C.
 - SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS
 - SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED PROPERTY
 - UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY
 - THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS
 - SUBJECT TO RESTRICTIVE COVENANTS AS PER TITLE COMMITMENT
 - THIS PROPERTY DOES LIE IN A F.I.A. DESIGNATED FLOOD ZONE PER MAP NO. 48548 00301 9-22-99 ZONE AE
 - FLOOD INFORMATION IS BASED ON GRAPHIC PLOTTING ONLY, DUE TO INHERENT INACCURACIES ON FEMA MAPS, WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.
 - CANAL EASEMENTS TO BRAZOS VALLEY RICE COMPANY WAS FILED IN VOL. 485, PG. 396, D.R.B.C.

CLIENT

HOUSTON MEMORIAL
GARDENS CEMETERY

ADDRESS

LEE ROAD/C.R. 664
PEARLAND, TEXAS 77581



I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON (OR ON ATTACHED SHEET), AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN, AND WAS DONE BY ME OR UNDER MY SUPERVISION, AND CONFORMS TO OR EXCEEDS THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

JOB # 1111088

DATE 11-10-11

GF# 1103931718

PRO-SURV

P.O. BOX 1366, FRIENDSWOOD, TX 77549
 PHONE- 281-996-1113 FAX - 281-996-0112
 EMAIL: pro-surv@sbcglobal.net

ONLY SURVEY MAPS WITH THE SURVEYOR'S ORIGINAL SIGNATURE ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.

© 2011 PRO-SURV - ALL RIGHTS RESERVED

Handwritten signature

SCHEDULE A

File No: 9730252140

Policy No: O- 328643

Amount of Insurance: \$25,000.00

Date of Policy: June 18, 1997 at 8:00 A.M.

1. Name of Insured:

HOUSTON MEMORIAL GARDENS, INC.

2. The estate or interest in the land that is covered by this Policy is:

FEE SIMPLE

3. Title to the estate or interest in the land is insured as vested in:

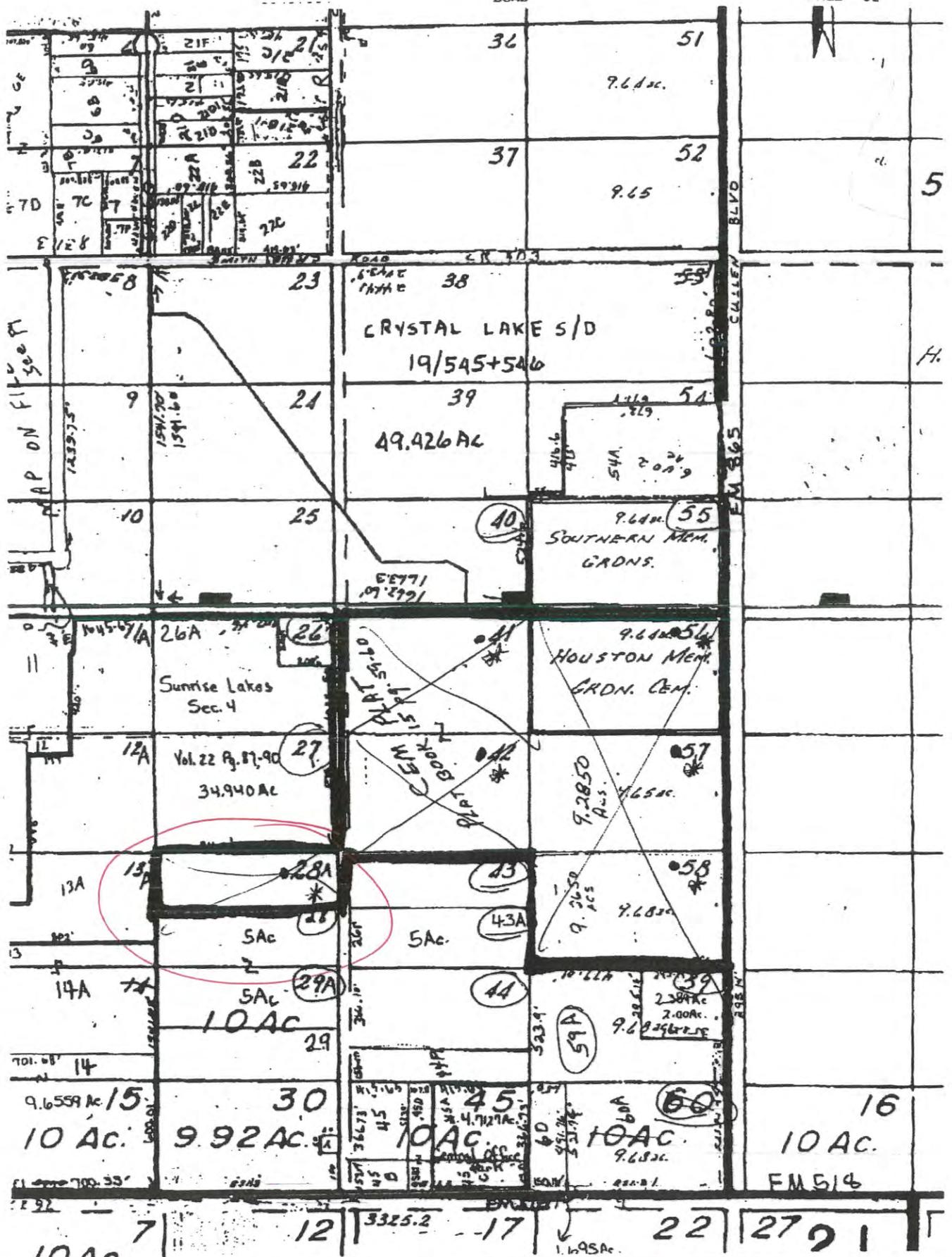
HOUSTON MEMORIAL GARDENS, INC.

4. The land referred to in this Policy is described as follows:

The North 1/2 of Lot 28 of ALLISON RICHEY SUBDIVISION out of Section 20, H.T. & B.R.R. Company Survey, Abstract No. 506, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 2, Page 23, of the Plat Records of Brazoria County, Texas.



5 acres



21F
21
21B
21C
21D
21E
21F
21G
21H
21I
21J
21K
21L
21M
21N
21O
21P
21Q
21R
21S
21T
21U
21V
21W
21X
21Y
21Z

36
51
9.6 Ac.
37
52
9.65

23
38
CRYSTAL LAKE S/D
19/545+546
24
39
49.426 AC
25
40
9.6 AC
SOUTHERN MEM.
GRONS.

26A
Sunrise Lakes
Sec. 4
27
Vol. 22 Pg. 87-90
34.940 AC
28A
28
5 Ac.
29A
29
5 Ac.
10 AC

30
9.92 AC
31
45
10 AC
39
2.38 AC
2.00 AC
9.68 AC
39A
39B
39C
39D
39E
39F
39G
39H
39I
39J
39K
39L
39M
39N
39O
39P
39Q
39R
39S
39T
39U
39V
39W
39X
39Y
39Z

5

54
55
56
57
58
59

54
55
56
57
58
59

16
10 AC
FM 514

7 | 12 | 17 | 22 | 27 | 31

Brazoria CAD

Property Search Results > 634927 HOWARD BONNIE & JANICE for Year 2011

Property

Account

Property ID: 634927 Legal Description: A0506 HT & B R R, TRACT 54A1, F B DRAKE, ACRES 3.000
 Geographic ID: 0506-0015-001 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: Mapsco:
 Neighborhood: ABST 243,234,504 AND SUBS Map ID:
 Neighborhood CD: A0243.ARE0

Owner

Name: HOWARD BONNIE & JANICE Owner ID: 1067038
 Mailing Address: PO BOX 330350 % Ownership: 100.0000000000%
 HOUSTON, TX 77233

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$126,760	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$126,760	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$126,760	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$126,760	

Taxing Jurisdiction

Owner: HOWARD BONNIE & JANICE
 % Ownership: 100.0000000000%
 Total Value: \$126,760

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$126,760	\$126,760	\$0.00
CPL	CITY OF PEARLAND	0.685100	\$126,760	\$126,760	\$868.43
DR4	BRAZORIA COUNTY DRAINAGE DISTRICT #4 (PEARLAND)	0.156000	\$126,760	\$126,760	\$197.75
GBC	BRAZORIA COUNTY	0.413101	\$126,760	\$126,760	\$523.65
RDB	ROAD & BRIDGE FUND	0.060000	\$126,760	\$126,760	\$76.06
SPL	PEARLAND INDEPENDENT SCHOOL DISTRICT	1.419400	\$126,760	\$126,760	\$1,799.23
Total Tax Rate:		2.733601			
Taxes w/Current Exemptions:					\$3,465.12
Taxes w/o Exemptions:					\$3,465.11

Improvement / Building

No improvements exist for this property.

Land



#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	S1	PRIMARY SITE	3.0000	130680.00	0.00	0.00	\$126,760	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2012		N/A	N/A	N/A	N/A	N/A
2011		\$0	\$126,760	0	126,760	\$0 \$126,760

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	10/22/2010 12:00:00 AM	WD	WARRANTY DEED	WALLS ERIC & THE	HOWARD BONNIE	10	045321	

Questions Please Call (979) 849-7792

Website version: 1.2.2.2

Database last updated on: 12/14/2011 5:52 AM

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This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+.

Navigation Draw Query/Info Lat/Long Selection System



- Layers
- Queries
- Markup
- Lat / Long
- Geocoding
- Overview Map

Tool: Pan X: 3127689.92, Y: 13773197.32, Longitude

CITY OF PEARLAND

*** CUSTOMER RECEIPT ***

Oper: AGONZALES Type: OC Drawer: 1
Date: 12/16/11 02 Receipt no: 73599

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$600.00
Trans number:		3564406

HOUSTON MEMORIAL GARDENS
2426 CULLEN
LEWIS MCKINNEY
281.485.2221
ZONE CHANGE

Tender detail		
CK CHECK	36379	\$600.00
Total tendered		\$600.00
Total payment		\$600.00

Trans date: 12/16/11 Time: 11:13:06

**Planned Development of Property Located at the
Houston Memorial Gardens Cemetery
Amendment Number 1**

I. Introduction

- A. The subject property is a 138 acre tract of cemetery land on Cullen Road. The property is on both the west and east side of Cullen Road. **See attached legal descriptions.**
- B. The proposed use of this property is for a cemetery.
- C. The subject property encompasses 138 acres of land.
- D. The subject property will be developed for use as a cemetery.

II. Zoning and Land Use.

- A. This property is currently zoned with a variety of different zoning districts; General Business, Planned Development, Cullen-Mixed Use, Suburban Residential-12, and Single-Family Residential-3. The boundaries are as follows: On the west side of Cullen, you have a General Business District, Single-Family Residential-3 and Cullen-Mixed Use District.
On the east side of Cullen, you have a General Business District, Suburban Residential-12 and the Planned Development District that we are amending.
- B. This Planned Development District will amend and expand previously approved Planned Development District known as, "Planned Development District of property located at 2519 Zaplac Road" approved on 11/26/07 for 20 acres.

Use	Acres	Percentage of Total Acres	Zoning District
General Business/ Commercial	138	100%	PD

Density Calculations for Residential- N/A

D. Cemetery Use

III. Design standards applicable to the development

A. The base zoning for this Planned Development District is General Business District. (GB)

B. Signage, Landscaping, Fencing, Parking, Screening, Trees, etc. Be sure to carefully consider all relevant regulations pertaining to the various land use requirements, and if necessary address them in PD. These may be addressed with specific separate plans or as a part of the Design Plan. State that these items are as per the UDC, or list variations. N/A

C. N/A

D. The only allowed land use for this Planned Development will be as follows, per city UDC: Funeral Home, Mortuary, Cemetery, including Mausoleum/ Crematorium.

E. All requirements of the Unified Development Code will be met, unless specifically mentioned in this Planned Development.

IV. Required dedications of land or public improvements. N/A Addressed at time of plating.

V. N/A

VI. Exhibits

A. Design Plan, N/A

ATTACHMENT:

Houston Memorial Gardens

Westside of Cullen –

Subdivision of TRACTS 41, 42, 55, 56, & 58, Allison Richey Gulf Coast Co. 60 ACRES.
Subdivision of section 20, H.T. & B.R.R. SURVEY ABSTRACT No. 506, Brazoria
County, Texas ; A0506 HT&BRR, TRACT 28A, ACRES 5.000; A0506 HT&BRR, TRACT
54A1, F.B. DRAKE, ACRES 3.000

East Side -

Allison Richey Gulf Coast Home Co. Subdivision, Section 19, and in the H.T. & B.R.R.
Company Survey, ABSTRACT 243, 20 ACRES, Brazoria County, Texas; Allison Richey
Gulf Coast Home Co. Subdivision of Section 19, H.T & B.R.R. Survey, ABSTRACT 243,
10 ACRES, Brazoria County, Texas; A0243 H.T& B.R.R., TRACT 45-46 (PT) ACRES
14.875; A0243 H.T&B.R.R., TRACT 46 (PT) ACRES 5.125; Allison Richey Gulf Coast
Home Co. Subdivision, Section 19, Lot 28, H.T.&B.R.R ABSTRACT No. 243, 10
ACRES; A0243 H.T.&B.R.R., TRACT 44, 10 ACRES, Brazoria County, Texas

Properties West Side of Cullen

Legal Description	Existing Acres	Existing Zone	Proposed Zone	Proposed Use
TRACTS: 41,42,55,56,& 58	60	GB	PD	CEMETERY
A0506, TRACT 28A	5	R-3	PD	CEMETERY
A0506, TRACT 54A1	3	C-M	PD	CEMETERY
TOTAL:	68			

Properties East Side of Cullen

Legal Description	Existing Acres	Existing Zone	Proposed Zone	Proposed Use
A0243 HT & BRR TRACT45-A6 (PT)	14.875	PD	PD	Cemetery
A0243 HT & BRR TRACT 46 (PT)	5.125	PD	PD	Cemetery
A0243 HT & BRR TRACT 12 (PT)	3.676	GB	PD	Cemetery
A0243 HT & BRR TRACT 12A	0.360	GB	PD	Cemetery
A0506 HT & BRR TRACT 28A	5.000	GB	PD	Cemetery
A0243 HT & BRR Lot 12	10.000	GB	PD	Cemetery
A0243 HT & BRR Lot 13, 29	20.000	GB	PD	Cemetery
A0243 HT & BRR Lot 28	10.000	GB	PD	Cemetery
Total:	70			

**POSTING OF ZONING NOTIFICATION SIGNS
ON PROPERTY UNDER CONSIDERATION
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (5) The signs shall be as follows:
 - A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
 - At least 2 feet above the ground
 - Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
 - Message content as follows:

**PROPOSED (SPECIFY REQUEST)
Contact City of Pearland
281-652-1768**

ZONE CHANGE

***Signs must be professionally made; handwritten signs are not allowed.**

***Signs must be freestanding and cannot be attached to a tree, fence, or building.**

*All notify signs will be posted on the properties no later than 01/06/12.
Rous C. McInerney 12/15/11*

JANICE B. HOWARD
PRESIDENT

BONNIE HOWARD, SR
SECRETARY/TREASURER

Houston Memorial Gardens, Inc.

"The Cemetery With A Heart"

P.O. Box 330350 - Houston, Texas 77233-0350

16000 Cullen

(281) 485-2221

December 15, 2011

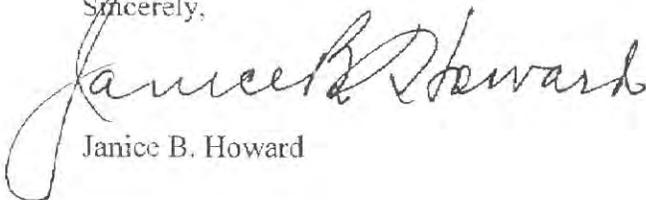
City of Pearland
Planning Department
Pearland, Texas 77581

Attn: Senior Planner Harold Ellis

Once property has been dedicated for cemetery use in the state of Texas it becomes tax-exempt. Such is the case with 90 acres of the property owned by Houston Memorial Gardens. Tax certificates have been provided for all of the remaining property except ten acres. The contract for this ten acres track was just completed on November 16, 2011. I am sending a copy of the closing statement showing that all taxes due were paid at the time of closing.

Should there be any questions please feel free to contact me at the above number.

Sincerely,



Janice B. Howard

Zapalae 10 acres

11/14/2011 10:33:40 AM

File Number: 1103E31713

*11/16/11
Purchase*

L. Settlement Charges			Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
700.	Total Sales/Broker's Commission based on price \$285,000.00 @ 3.000000% = \$8,550.00 Division of commission (line 700) as follows:			
701.				
702.	\$8,550.00 to McKinney - Portw Realty Group			
703.	Commission paid at settlement \$8,550.00			
704.		\$8,550.00		
800. Items Payable in Connection with Loan				
801.	Loan origination fee			
802.	Loan discount			
803.	Appraisal fee			
804.	Credit report			
805.	Lender's inspection fee			
806.	Mortgage insurance application fee			
807.	Assumption fee			
808.				
809.				
810.				
811.				
812.				
813.				
900. Items Required by Lender to Be Paid in Advance				
901.	Interest from			
902.	Mortgage insurance premium for			
903.	Hazard insurance premium for			
904.				
905.				
1000. Reserves Deposited with Lender				
1001.	Hazard insurance			
1002.	Mortgage insurance			
1003.	City property taxes			
1004.	County property taxes			
1005.	Annual assessments			
1006.				
1007.				
1008.				
1009.				
1100. Title Charges				
1101.	Settlement or closing fee			
1102.	Abstract or title search			
1103.	Title examination			
1104.	Title insurance binder			
1105.	Document preparation to Susan B. Strickland, Attorney		\$65.00	
1106.	Notary fees			
1107.	Attorney's fees to Includes above item numbers:			
1108.	Title insurance to Stewart Title Company Includes above item numbers:		\$2,105.65	
1109.	Lender's coverage			
1110.	Owner's coverage \$285,000.00 \$2,105.65 A&B \$274.65			
1111.	Escrow/Settlement fee to Stewart Title Company		350.00	
1112.	Tax Certificates to Stewart Title Company		\$64.95	
1113.	Messenger/Doc Delivery to Stewart Title Company		\$10.00	
1114.				
1115.	State of Texas Policy Guaranty Fee to Stewart Title Policy Gty Fee		\$5.00	
1200. Government Recording and Transfer Charges				
1201.	Recording fees: Deed \$32.00		\$32.00	
1202.	City/county tax/stamps:			
1203.	State tax/stamps:			
1204.				
1205.				
1206.				
1300. Additional Settlement Charges				
1301.	Survey to Pro-Surv		\$1,346.88	
1302.	Post Inspection			
1303.	2011 Property Taxes to RoVin Garrett, RTA		\$2,733.60	
1304.				
1305.				
1306.				
1307.				
1400.	Total Settlement Charges (enter on lines 103, Section J and 502, Section K)		\$15,463.08	\$0.00

Items marked "POC" were paid outside the closing by: Borrower (POCB), Lender (POCL), Mortgage Broker (POCM), Other (POCO), Real Estate Agent (POCR), or Seller (POCS).