

# SUMMARY

## PLANNING & ZONING COMMISSION

March 7, 2011

5:15 P.M.

**Dinner will arrive at 5:15 p.m.**  
**Menu is from Carino's Italian Catering**

Homemade 16 layer Lasagna  
Chicken Parmigiana with Spaghetti and Tomato sauce  
Roasted Rosemary Potatoes  
Minestrone Soups  
House salads  
Individual Classic Grilled Chicken Salads - (*Darrell & Susan*)  
(ranch and Italian dressing)  
Tiramisu dessert

6:30 P.M.

**Planning & Zoning Commission Regular Meeting**  
*2<sup>nd</sup> floor Conference Room*

6:30 P.M.

**City Council Special Meeting**  
*Council Chambers*

6:30 P.M.

**Workshops: City Council**  
2011 Citizen Survey  
Recreation and Natatorium 6 month Review  
Parks and Recreation Accreditation  
Creation of Cultural Arts Plan  
*Council Chambers*

# AGENDA

## CITY OF PEARLAND PLANNING & ZONING COMMISSION

MARCH 7, 2011

6:30 p.m.

Jerry Koza, Jr.  
P&Z CHAIRPERSON

Susan Sherrouse  
P&Z VICE-CHAIRPERSON

### COMMISSIONERS

Neil West

Henry Fuyertes



Darrell Diggs

Richard Golden

Vacant

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

**AGENDA – REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, MARCH 7, 2011, AT 6:30 P.M., 2<sup>nd</sup> FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

**II. APPROVAL OF MINUTES**                      **Regular Meeting of February 7, 2011**

**III. OLD BUSINESS**

**A. CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. CUP 2010-08**

A request of CenterPoint Energy, applicant and owner, for approval of a Conditional Use Permit for an Automated Meter Systems tower on the following described property:

Legal Description: Approximately 1.995 acres out of the T.J. Green Survey, Abstract No. 198, recorded in Vol.96, Pg. 91 of the Brazoria County Deed Records, City of Pearland, Brazoria County, Texas

General Location: 2617 Broadway St. Pearland, Texas

**IV. NEW BUSINESS**

**A. CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF ENERGY ESTATES**

A request by Chris L. Hendrick of Wilson Survey, applicant, on behalf of Bill & Katherine Mars, owner, for approval of a Preliminary Plat of Energy Estates, generally located approximately 230 feet south of Kelly Lane and Stevens Drive, proposing three (3) single-family residential lots on the following describe property, to wit:

Being a 5.611 acre tract in Lot 35 of the H.T. & B.R.R. Co. Survey, Section 7, Abstract No. 219 in Brazoria County, Texas.

**B. CONSIDERATION & POSSIBLE ACTION - CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SAVANNAH MEADOWS SECTION EIGHT**

A request by Rene Rodriguez of LJA Engineering & Surveying, inc., applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Meadows Section Eight generally located approximately 1,800

feet east of Savannah Parkway and Croix Road, proposing a 28-lot single-family residential subdivision on the following describe property, to wit:

Being 7.749 acres of land located in the J.S. Talmage Survey, Abstract 562, Brazoria County, Texas.

**C. CONSIDERATION & POSSIBLE ACTION – REQUEST FOR A WAIVER OF DECISION FOR FINAL PLAT OF SAVANNAH COVE SECTION THREE**

A request by Rene Rodriguez of LJA Engineering & Surveying, inc., applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Cove Section Three, generally located approximately 1,300 feet west of Croix Road and Savannah Parkway, proposing a 27-lot single-family residential subdivision on the following described property, to wit

Being 9.166 acres of land located in the A. C. H. & B. Survey, abstract 403, Brazoria County, Texas.

**D. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SAVANNAH COVE SECTION THREE**

A request by Rene Rodriguez of LJA Engineering & Surveying, inc., applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Cove Section Three, generally located approximately 1,300 feet west of Croix Road and Savannah Parkway, proposing a 27-lot single-family residential subdivision on the following described property, to wit

Being 9.166 acres of land located in the A. C. H. & B. Survey, abstract 403, Brazoria County, Texas.

**E. CONSIDERATION & POSSIBLE ACTION – CLUSTER DEVELOPMENT PLAN FOR THE PRESERVE AT CLEAR CREEK**

A request of Kerry R. Gilbert & Assoc., applicant, for approval of a Cluster Development Plan for The Preserve at Clear Creek, generally located east of Pearland Parkway, north of proposed Hughes Road and east of Clear Creek, for (3) tracts of land including approximately 130 acres, generally located on the following described property, to wit

Legal Description: 61.217 acres of land located in the Derril H.M. Hunter Survey, Abstract 36, Harris County, Texas.

**F. DISCUSSION ITEMS**

1. Commissioner's Activity Report



**APPROVAL**

**OF**

**MINUTES**

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD FEBRUARY 7, 2011 AT 6:30 P.M., IN THE 2<sup>ND</sup> FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**CALL TO ORDER**

P&Z Chairperson Jerry Koza, Jr. called the meeting to order at 6:34 p.m. with the following present:

P&Z Chairperson Jerry Koza, Jr.  
P&Z Vice-Chairperson Susan Sherrouse  
P&Z Commissioner Richard Golden  
P&Z Commissioner Henry Fuyertes  
P&Z Commissioner Neil West

Also in attendance were: Planning Director Lata Krishnarao, Senior Planner Harold Ellis, Planner II Evan DuVall, Planner I Ian Clowes, Deputy City Attorney Nghiem Doan, and Planning Office Coordinator Judy Krajca.

**APPROVAL OF MINUTES**

P&Z Commissioner Henry Fuyertes made the motion to approve the minutes of the Regular Meeting of February 7, 2011, and P&Z Vice-Chairperson Susan Sherrouse seconded.

The vote was 5-0. The minutes of February 7, 2011 were approved.

**OLD BUSINESS**

**CONSIDERATION & POSSIBLE ACTION – Conditional Use Permit No. CUP 2010-08**

A request of CenterPoint Energy, applicant and owner, for approval of a Conditional Use Permit for an Automated Meter Systems tower on the following described property:

Legal Description: Approximately 1.995 acres out of the T.J. Green Survey, Abstract No. 198, recorded in Vol.96, Pg. 91 of the Brazoria County Deed Records, City of Pearland, Brazoria County, Texas

General Location: 2617 Broadway St. Pearland, Texas

P&Z Chairperson Jerry Koza, Jr. read the purpose of the Conditional Use Permit. Planning Director Lata Krishnarao explained that staff is waiting for them to re-submit their items. Conditional Use Permit No. CUP 2010-08 was asked to be postponed.

P&Z Commissioner Neil West made the motion to postpone, and P&Z Commissioner Henry Fuertes seconded.

The vote was 5-0. Conditional Use Permit No. CUP 2010-08 was approved for postponement.

## **NEW BUSINESS**

### **CONSIDERATION & POSSIBLE ACTION – VARIANCE REQUEST NO. 2011-01 REQUESTING A VARIANCE FROM SECTION 2.4.4.5 (c)(1)(b) REQUIRING A MINIMUM LOT WIDTH IN THE R-E (SINGLE-FAMILY ESTATE DISTRICT) ZONING DISTRICT**

A request by Erica Stephens Applicant/Owner, for Variance from the requirements of the Unified Development Code Section 2.4.2.2 (c)(1)(b) to allow a minimum of ninety foot (90') wide lots where one-hundred and twenty feet (120') is required in the R-E (Single-Family Estate District).

P&Z Vice-Chairperson Susan Sherrouse made the motion to approve with the condition the lots are developed as shown on the attached plans, which includes an internal driveway providing access, and P&Z Commissioner Henry Fuertes seconded.

The vote was 5-0. P&Z Variance Request No. 2011-01 was approved with the condition the lots are developed as shown on the attached plans, which includes an internal driveway providing access, and P&Z Commissioner Henry Fuertes seconded.

### **CONSIDERATION & POSSIBLE ACTION – ADOPTION OF THE PLANNING & ZONING STRATEGIC PRIORITIES**

Planning Director Lata Krishnarao explained the revisions that were asked to be made by the commission. P&Z Commissioner Henry Fuertes asked about the Brownfield Development and an example of such an area. Planner I Ian Clowes stated a good example was the gas station at the corner of Main Street and Broadway.

P&Z Commissioner Neil West made the motion to approve, and P&Z Commissioner Henry Fuertes seconded.

The vote was 5-0. The 2011 Planning & Zoning Strategic Priorities was adopted.

## **DISCUSSION ITEMS**

Under the P&Z Commissioners Activity Report, Commissioner Neil West inquired about Conditional Use Permit No. 2010-08 and why it continues to be postponed. Planning Director Lata Krishnarao stated that the Commission could deny it, or continue to

postpone it, or give the applicant a deadline to make a decision by. The commission decided that a revised submission needed to be made by February 21, 2011 or denied. Planner I Ian Clowes gave a report on Removal of Notification Signs and how staff is notifying the owner on removing the signs. Senior Planner Harold Ellis discussed the Update of Zoning Cases. Planner I Ian Clowes spoke on the Update of Project Stars. Planning Director Lata Krishnarao spoke about the Annexation Update. The next step is for Council to give the okay on the Service Plan. Council will decide on February 14, 2011. Office Coordinator Judy Krajca informed the Commission that a webinar was available on "Current Issues in Cell Tower Regulation and Zoning Rules" and asked if the Commission would be interested in purchasing. The Commission indicated that they felt this would be good, and that it would also help to meet one of the P&Z Strategic Priorities pertaining to cell towers in the city. P&Z Chairperson Jerry Koza, Jr. stated it was important that the Commission notify staff if they were not able to attend the meeting, as Mr. Koza will be out for the February 21<sup>st</sup> meeting through March 7<sup>th</sup>, and Commissioner Neil West would not be able to attend the March 7<sup>th</sup> meeting.

## **ADJOURNMENT**

P&Z Chairperson Jerry Koza, Jr. adjourned the meeting at 7:00 p.m.

These minutes are respectfully submitted by:

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Judy Krajca, Planning Office Coordinator

Minutes approved as submitted and/or corrected on this 7th day of March 2011, A.D.

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P&Z Vice-Chairperson Susan Sherrouse

# **OLD BUSINESS**



## CITY OF PEARLAND PLANNING & ZONING

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### MEMO

**DATE:** March 3, 2011  
**TO:** Planning and Zoning Commission  
**FROM:** Ian Clowes, Planner I  
**SUBJECT:** Update on CUP 2010-08

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Staff met with representatives from Centerpoint Energy on March 2, 2011, in relation to CUP 2010-08. Centerpoint is eager to move forward with the CUP and is requesting that they be heard during the regular meeting of the Planning and Zoning Commission on March 21<sup>st</sup>. This will enable them to produce the required information requested by staff.

Staff outlined the requests from the Planning and Zoning Commission and set a deadline of March 14<sup>th</sup> for Centerpoint to provide all required information. Staff therefore is recommending that CUP 2010-08 be postponed until the March 21<sup>st</sup> meeting.

# **P&Z Agenda Item**

**A**

# JOINT PUBLIC HEARING AGENDA ITEM MEETING OF OCTOBER 18, 2010

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## Conditional Use Permit No. CUP 2010-08

A request of CenterPoint Energy, applicant and owner, for approval of a Conditional Use Permit for an Automated Meter Systems Tower on the following described property:

**Legal Description:** Approximately 1.995 acres out of the T.J. Green Survey, Abstract No. 198, recorded in Vol. 961, Pg. 91 of the Brazoria County Deed Records, City of Pearland, Brazoria County, Texas

**General Location:** 2617 Broadway St. Pearland, Texas.

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested conditional use permit application will be considered as follows:

Planning and Zoning Commission: October 18, 2010\*  
City Council for First and Only Reading: October 25, 2010\*

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

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**SUMMARY:** The Applicant is proposing a 150 foot tall Automated Meter System (AMS) tower located within an existing electrical substation. The property is zoned General Business (GB) and the proposed use is permitted with an approved conditional use permit.

The proposed tower will reach a maximum height of one hundred fifty feet (150'). The applicant has stated that the proposed tower will be either a monopole or lattice tower.

The existing Electrical Substation has access from Broadway and has minimal landscaping along the street frontage.

The applicant is seeking a Conditional Use Permit to allow the construction of the proposed tower within the electrical substation. CenterPoint currently owns the property where the substation is located and would like to locate the proposed tower on site considering the

use is directly related to electrical service. No other towers in the direct vicinity are available for use.

As of the date of this report, the applicant has not provided staff with the following:

(1) An inventory of the applicant's existing towers that are either within the City or within one mile of the corporate limits, specifying the location, height, and design of each tower. The Planning Department may share the information with other applicants for a conditional use permit under this article.

(2) Site plans to scale specifying the location of tower(s), transmission building and other accessory uses, street access, parking, fences, landscaped areas, and adjacent land uses.

(3) Each applicant must make a good faith effort to substantially demonstrate that no existing towers could accommodate the applicant's proposed antenna

(4) A letter of intent to lease excess space on the tower and to lease additional excess land on the tower site when the shared use potential of the tower is absorbed, if structurally and technically possible.

The site plan and vicinity map provided is not for this specific tower and does not accurately show all ground equipment that will be added on site. The report state that a ten foot (10') twelve foot (12') shelter will be added to the site but is not shown on the site plan.

The most recent newly constructed tower was approved at 2320 Hatfield (Knights of Columbus) in September of 2008. It was approved with the following conditions:

1. The facility be fully enclosed in a masonry building or by brick walls, tall enough to obscure the equipment, transformer, and bridge, with landscaping around, to be compatible with the character of the general area.
2. A paved road be provided to access the facility.
3. Stealth technique: specifically a flag pole or single mono pole, with no exterior mounts, be considered to ensure that the facility is compatible to the area.
4. A detailed site plan showing the type and amount of landscaping, type and height of fencing, setbacks of the proposed tower and leased area from the property boundaries, and paving of the access road be provided.
5. A 20 foot wide landscaped buffer with trees, at least 6' at planting and up to a minimum of 20' tall at full growth, be provided in the north west area of the

subject property abutting residential uses, to provide visual screening, and seek input from staff and neighbors approval.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Province Village (PD)	Vacant
South	General Business (GB)	Commercial Strip Center
East	General Business (GB)	Episcopal Church
West	Province Village (PD)	Commercial Strip Center

**CONFORMANCE TO THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned General Business (GB). The minimum lot size for the GB zoning district is 22,500 square feet, the minimum lot width is 150 feet, and the minimum lot depth is 125 feet. The subject property exceeds these minimum requirements, as the property is approximately 2 acres in size, 246 in width, and 368 in depth. The subject property is in conformance with the current Unified Development Code. The proposed use is permitted with an approved conditional use permit.

**PLATTING STATUS:** The subject property is not currently platted. No permits will be released until a plat has been approved and recorded.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan recommends “General Business” for the subject property and the surrounding properties to the north, east, south and west. The Comprehensive Plan further indicates that the appropriate zoning districts are “Neighborhood Service (NS), General Business (GB), and Office Professional (OP).” The current GB Zoning District conforms to the current Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Broadway, a major thoroughfare with a width of 120 feet. The street is planned to be widened in the future. The subject property is in conformance to the current thoroughfare plan.

**AVAILABILITY OF UTILITIES:** The subject parcel is served by public water and sewer lines.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed site is already home to an existing substation electrical substation. The proposed tower would be built

on the same site. The subject property is surrounded by commercial development.

The current site has driveway access off of Broadway. The addition of a new tower will not drastically increase traffic to the site. No additional driveways will be added on Broadway.

The applicant will be required to comply with all other requirements of the Unified Development Code including screening, landscaping, and access.

The proposed addition of an AMS tower at this site will not have a negative impact on the surrounding area.

**ADDITIONAL COMMENTS:** There are no additional comments from other departments.

**SITE PLAN CONSIDERATIONS:** A proposed site plan was submitted with the conditional use permit. The vicinity map shows an inaccurate location for this tower. The site plan does not have adequate information for staff to review conformance with the requirements of the UDC. All requirements need to be met at the time of permit approval.

**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 Zoning 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.

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit No. 2010-08 as proposed by the applicant and owner with the conditions listed below, for the following reasons:

1. The proposed use should not have any significant negative impact on the surrounding properties and developments.
2. The proposed use would be conforming to the comprehensive plan with an approved conditional use permit.
3. The proposed use would be conforming to the current Unified Development Code with an approved conditional use permit. The subject property is in conformance with the current Unified Development Code.
4. The proposed use is in line with the existing uses located near subject property due

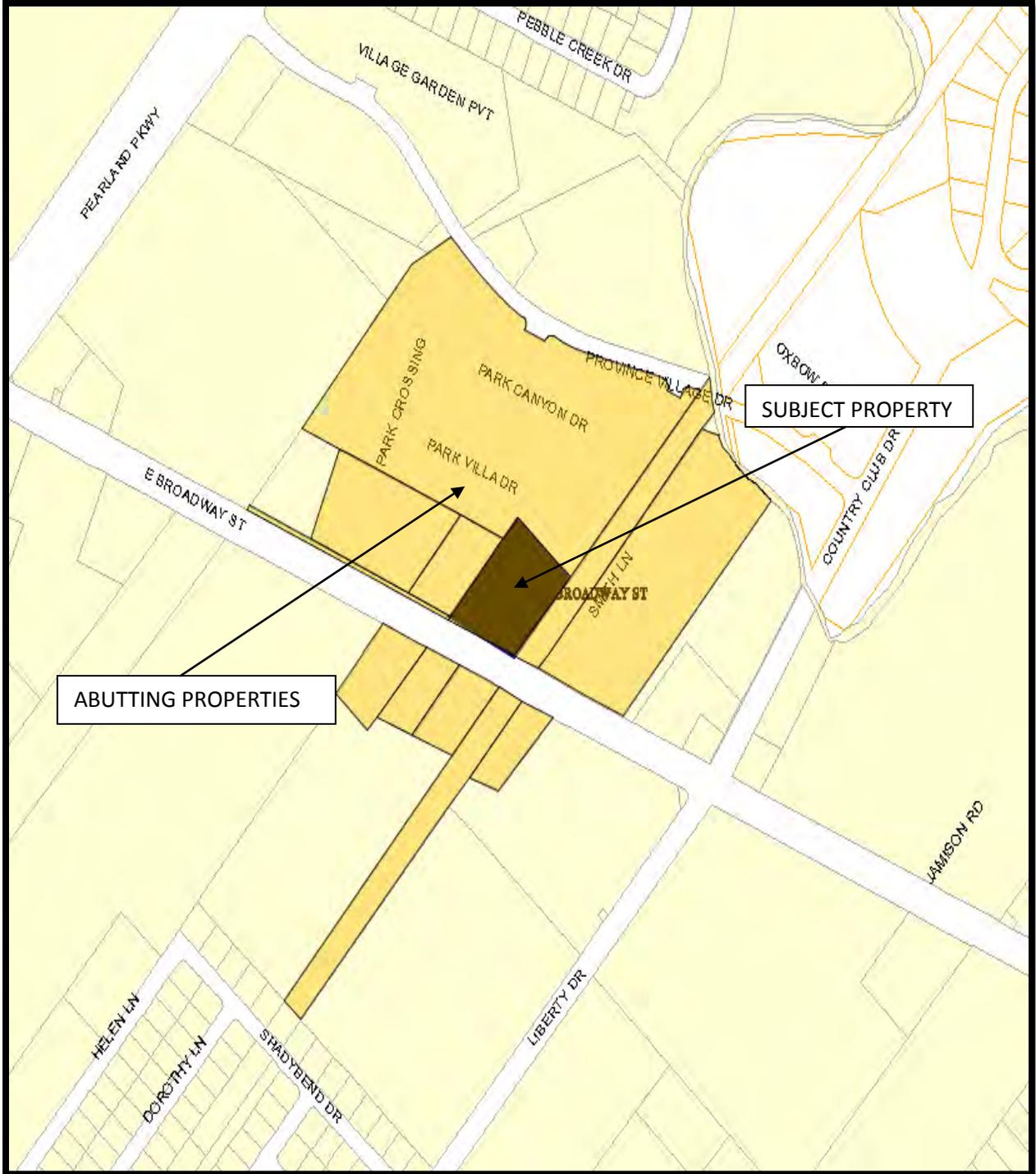
to the commercial nature of Broadway and due to the existing substation.

Conditions to be considered:

1. Stealth technique: specifically a single mono pole, with no exterior mounts, be considered to ensure that the facility does not add visual clutter above what exists now.
2. A detailed site plan showing the type and amount of landscaping, type and height of fencing, setbacks of the proposed tower and leased area from the property boundaries, and paving of the access road be provided. Landscaping will help in screening some of the existing equipment from Broadway that is a Corridor Overlay District.
3. Complete information to be provided for review, as per the UDC.
  - a. An inventory of the applicant's existing towers that are either within the City or within one mile of the corporate limits, specifying the location, height, and design of each tower. The Planning Department may share the information with other applicants for a conditional use permit under this article.
  - b. Site plans to scale specifying the location of tower(s), transmission building and other accessory uses, street access, parking, fences, landscaped areas, and adjacent land uses.
  - c. Each applicant must make a good faith effort to substantially demonstrate that no existing towers could accommodate the applicant's proposed antenna.
  - d. A letter of intent to lease excess space on the tower and to lease additional excess land on the tower site when the shared use potential of the tower is absorbed, if structurally and technically possible.

**SUPPORTING DOCUMENTS:**

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

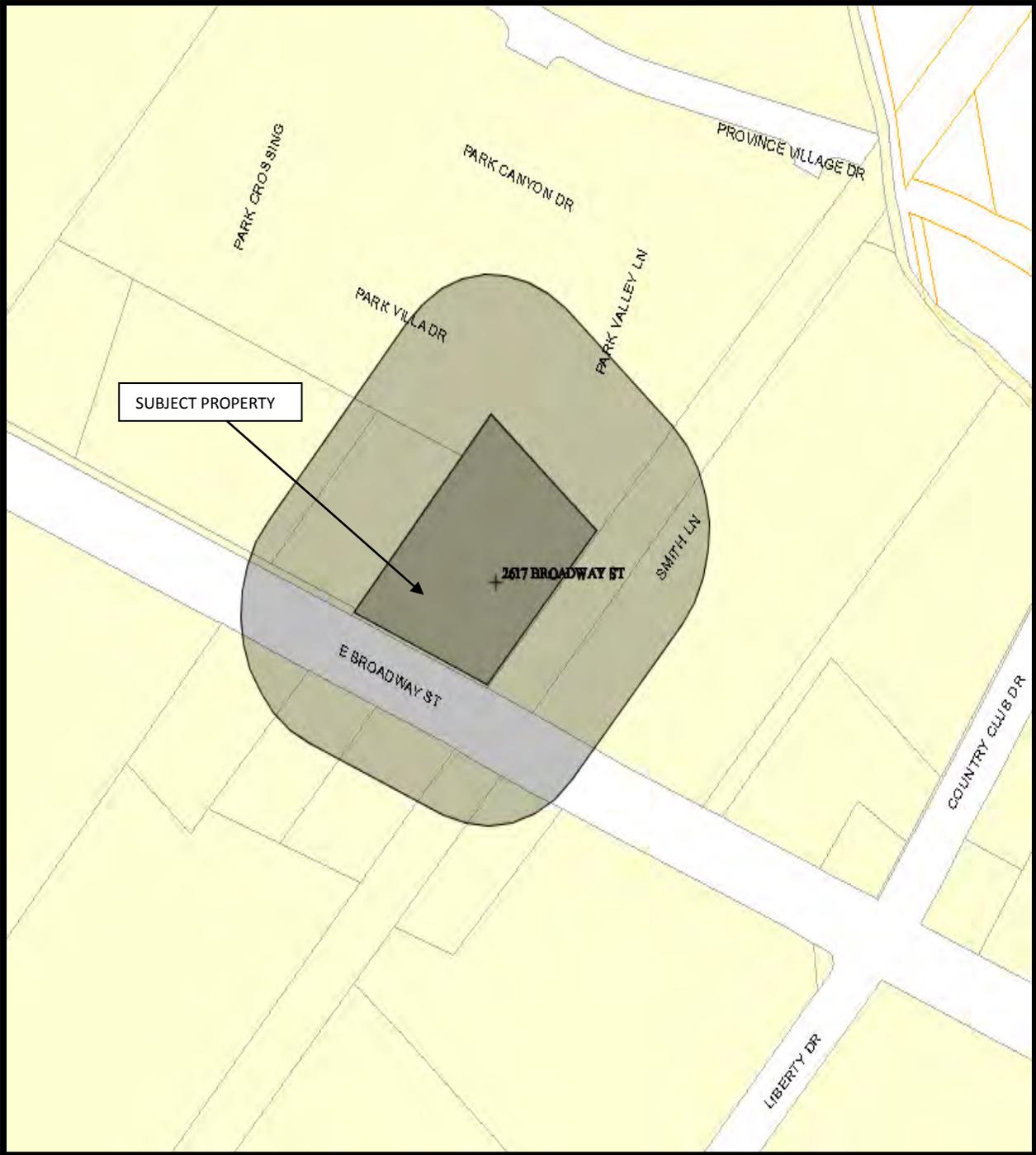


## VICINITY MAP

**CONDITIONAL USE PERMIT CUP 2010-08**  
**2617 BROADWAY ST.**



**NORTH**



**ABUTTER MAP**

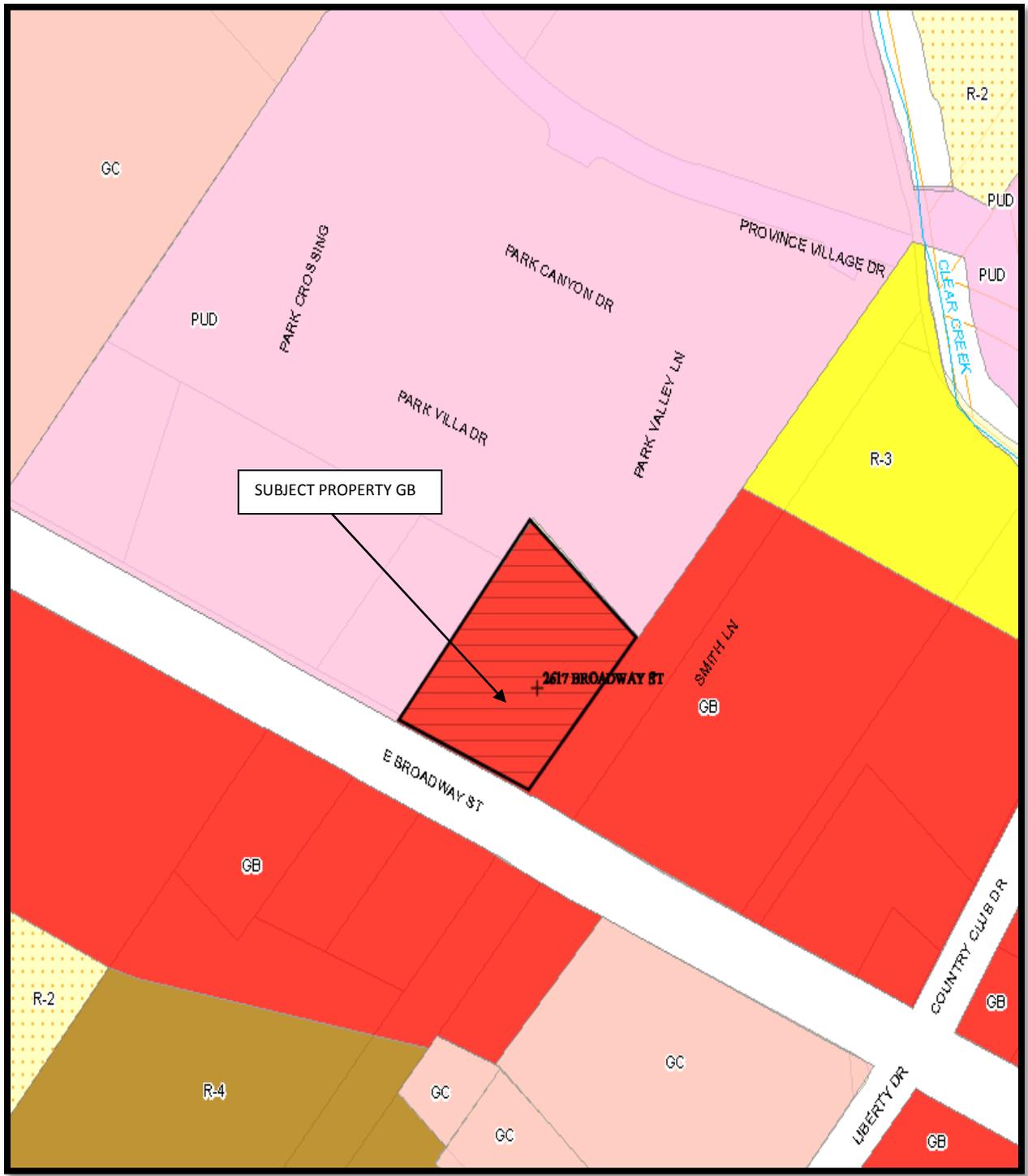
**CONDITIONAL USE PERMIT CUP 2010-08**  
**2617 BROADWAY ST.**



## CUP 2010-08

Communications Tower 2617 Broadway

<b>Owner</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
E BROADWAY PLAZA LP	2640 E. BROADWAY, SUITE 109	PEARLAND	TX	77581
HARTSOOK DAVID L	PO BOX 1890	PEARLAND	TX	77588
CLAWS & PAWS VETERINARY HOSPITAL PC	2556 BROADWAY ST	PEARLAND	TX	77581
JWP INC	2610 BROADWAY ST	PEARLAND	TX	77581
CENTERPOINT ENERGY INC	PO BOX 1475	HOUSTON	TX	77251
TEXPROJ2008 LLC	3049 S SHERWOOD BLVD SUITE 300	BATON ROUGE	LA	70816
PROTESTANT EPISCOPAL CHUR	8200 BROOKRIVER DR	DALLAS	TX	75247

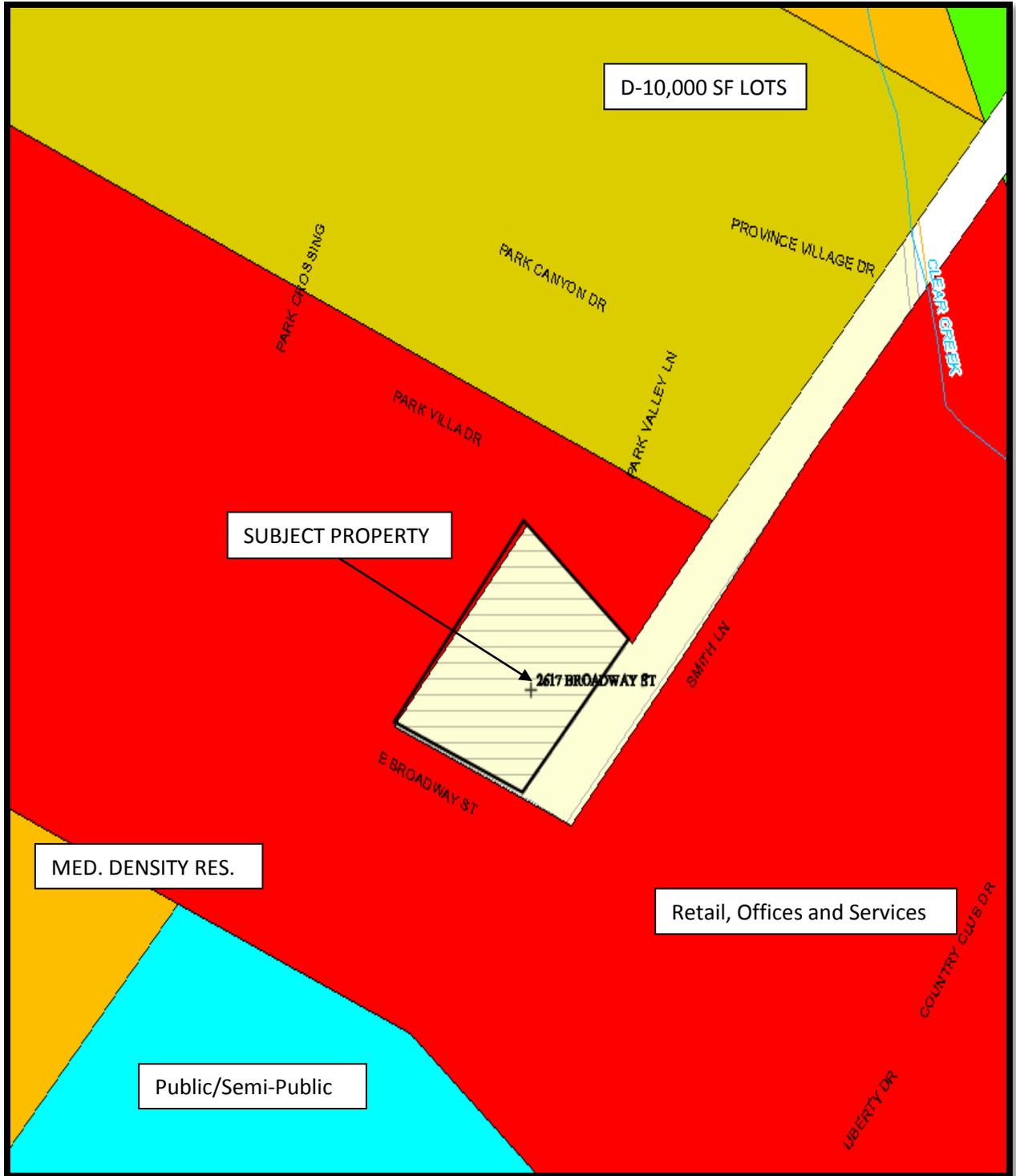


# ZONING MAP

**CONDITIONAL USE PERMIT CUP 2010-08**  
**2617 BROADWAY ST.**



**NORTH**



# FUTURE LAND USE MAP

CONDITIONAL USE PERMIT CUP 2010-08  
 2617 BROADWAY ST.





**AERIAL**



**CONDITIONAL USE PERMIT CUP 2010-08**  
**2617 BROADWAY ST.**

**NORTH**

# **NEW BUSINESS**

# **P&Z Agenda Item**

**A**

# PLANNING AND ZONING COMMISSION MEETING OF MARCH 7, 2011

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## PLANNING AND ZONING PRELIMINARY PLAT

A request by Chris L. Hendrick of Wilson Survey, applicant, on behalf of Bill & Katherine Mars, owner, for approval of a Preliminary Plat of Energy Estates located approximately 230 feet south of Kelly Lane and Stevens Drive, proposing three (3) single-family residential lots on the following describe property, to wit:

**Legal Description:** A 5.611 acre tract in Lot 35 of the H.T. & B.R. Co. Survey Section 7, Abstract No. 219 in Brazoria County, Texas, Said 5.611 acre tract is the same tract of land described in a deed to Michael P. O'Day and Constance O'Day as recorded in Clerk's File No. 2006062134 in the Brazoria County Clerk's Office.

**General Location:** Approximately 230 feet south of Kelly Lane and Stevens Drive.

Planning and Zoning Commission: March 7<sup>th</sup>, 2011

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**SUMMARY:** The applicant is proposing a three-lot (3) single-family residential subdivision, which will be accessed from an extension of an existing dead end street of Stevens Drive. The applicant is proposing to a cul-de-sac, which will provide the required access to this subdivision.

### **UNIFIED DEVELOPMENT CODE:R-1 (SINGLE-FAMILY RESIDENTIAL-1 DISTRICT):**

<b>Area Regulations: R-1 (Single-Family Residential-1)</b>		
<b>Size of Lots</b>	<b>Required</b>	<b>Proposed</b>
a) Minimum Lot Area	8,800 SF	34,195 SF
b) Minimum Lot Width	80 Feet	126 Feet
c) Minimum Lot Depth	90 Feet	192 Feet
d) Maximum Lot Coverage	50%	< 50%

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	R-1 (Single-Family Residential-1)	Single Family Homes
South	G/O-MU (Garden/O'Day Mixed Use District)	Commercial, Single Family Home
East	R-1 (Single-Family Residential-1)	Single Family Home, Vacant
West	G/O-MU (Garden/O'Day Mixed Use District)	Vacant, Single Family Home

**PLATTING STATUS:** The applicant has submitted this Preliminary Plat of Energy Estates for approval. Once this Preliminary Plat is approved, the infrastructure can be constructed, and a Final Plat can be approved by the Planning and Zoning Commission.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan recommends Low Density Residential for the subject property. The R-1 (Single-Family Residential -1 District) is in conformance with this land use designation.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Stevens Road, which are both local streets on the Thoroughfare Plan, requiring 50 feet of right-of-way. The extension of Stevens Road, including the cul-de-sac will be accepted and dedicated during the final plat process.

**ADDITIONAL COMMENTS:** No additional comments have been submitted.

**SITE PLAN CONSIDERATIONS:** There has not been a formally submitted site plan regarding the development of these three single-family homes. When permits are received for this development they will be reviewed to conform to the minimum requirements of a R-1 (Single-Family Residential-1 District).

**STAFF RECOMMENDATION:** Staff recommends approval of the subject Preliminary Plat of Energy Estates as proposed by the applicant, for the following reasons:

1. The proposed subdivision conforms to the Future Land Use Plan and Unified Development Code requirements.
2. The proposed subdivision will not cause any significant adverse impacts to the surrounding properties.
3. The Unified Development Code will assure the development of this property is in

conformance with the goals of the city.

**OUTSTANDING ISSUES:** No outstanding issues.

**SUPPORTING DOCUMENTS:**

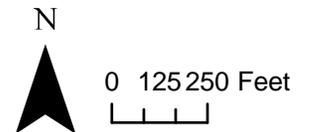
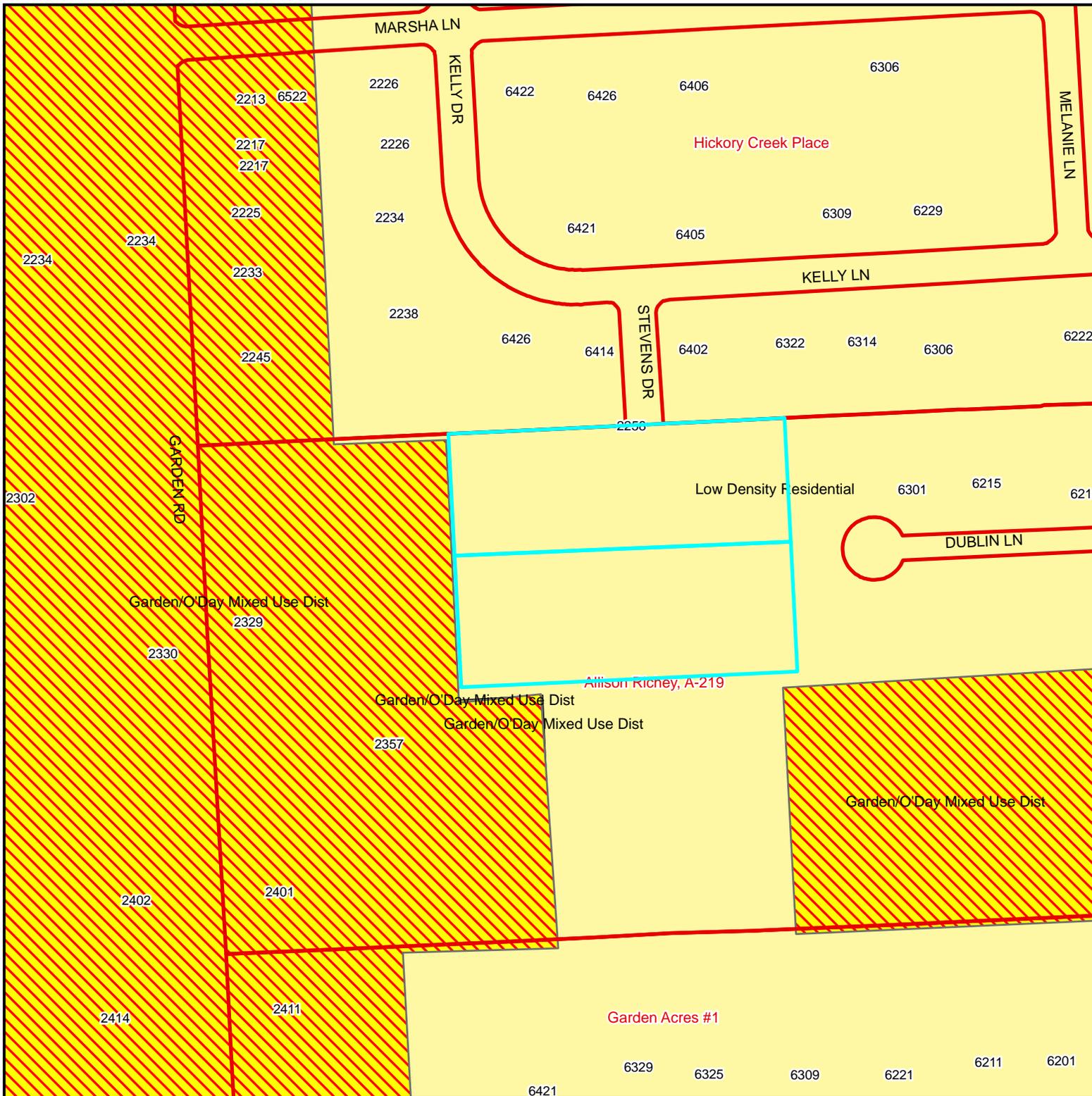
- Location/Zoning Map
- Future Land Use Plan
- Aerial Map
- Preliminary Energy Estates





# Preliminary Plat of Energy Estates

## Future Land Use Plan





STATE OF TEXAS  
COUNTY OF BRAZORIA

WE, WILLIAM THOMAS MARS AND KATHERINE M. MARS, OWNERS OF THE PROPERTY SUBDIVIDED IN ENERGY ESTATES, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY, ACCORDING TO THE PROPERTY LINES, LOTS, AND EASEMENTS SHOWN HEREON, AND DO HEREBY DEDICATE FOREVER FOR THE USE OF THE PUBLIC, AS SUCH, THE LAND SHOWN HEREON AS HEREBY DEDICATED TO THE PUBLIC FOR EASEMENT, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES, AS APPROVED, FOR THE EASEMENT DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OF AND PORTION OF THE DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS, AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED, SUBJECT, TO ALL MATTERS OF RECORD.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL FIVE FEET, SIX INCHES (5'6") FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21'6") IN WIDTH.

WITNESS MY HAND IN \_\_\_\_\_ COUNTY,  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2011.

BY: WILLIAM THOMAS MARS

BY: KATHERINE M. MARS

STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, WILLIAM THOMAS MARS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

SIGNATURE: \_\_\_\_\_  
NOTARY PUBLIC IN AND FOR \_\_\_\_\_ COUNTY, TEXAS

MY COMMISSION EXPIRES: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, KATHERINE M. MARS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

SIGNATURE: \_\_\_\_\_  
NOTARY PUBLIC IN AND FOR \_\_\_\_\_ COUNTY, TEXAS

MY COMMISSION EXPIRES: \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF BRAZORIA §

METES AND BOUNDS DESCRIPTION of a 5.611 acre tract in Lot 35 of the H.T. & B.R.R. CO. Survey, Section 7, Abstract No. 219 in Brazoria County, Texas. Said 5.611 acre tract is that same tract of land described in a deed to Michael P. O'Day and Constance O'Day as recorded in Clerk's File No. 2006062134 in the Brazoria County Clerk's Office and is more particularly described by metes and bounds as follows:

COMMENCING at the point of intersection of the north line of a 4.0293 acre tract of land described in a deed to Loi Van Nguyen and Ha Ngoc Phan as recorded in Clerk's File No. 2008008307 in the Brazoria County Clerk's Office with the east right-of-way line of Garden Road, (based on a width of 70 feet), said point being in the south line of Hickory Place Subdivision as recorded in Volume 11, Pages 1 & 2 in the Brazoria County Plat Records;

THENCE, North 87°22'44" East, along the north line of said 4.0293 acre tract, same being the south line of said Hickory Place Subdivision, for a distance of 408.51 feet to a 5/8-inch iron rod found for the POINT OF BEGINNING and northwest corner of the herein described tract;

THENCE, North 87°22'44" East, along the north line of the aforementioned 5.611 acre tract, same being the south line of said Hickory Place Subdivision, at 315.39 feet pass the west right-of-way line of Steven Drive, (based on a width of 60-feet), at 315.39 feet pass the east right-of-way line of Steven Drive, and continue for a total distance of 568.90 feet to a 5/8-inch iron rod found for the northeast corner of the herein described tract, said point being the northwest corner of a 0.725 acre tract described in a deed to Michael P. O'Day and Constance O'Day as recorded in Clerk's File No. 2007000005 in the Brazoria County Clerk's Office;

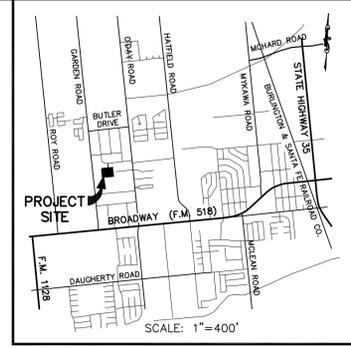
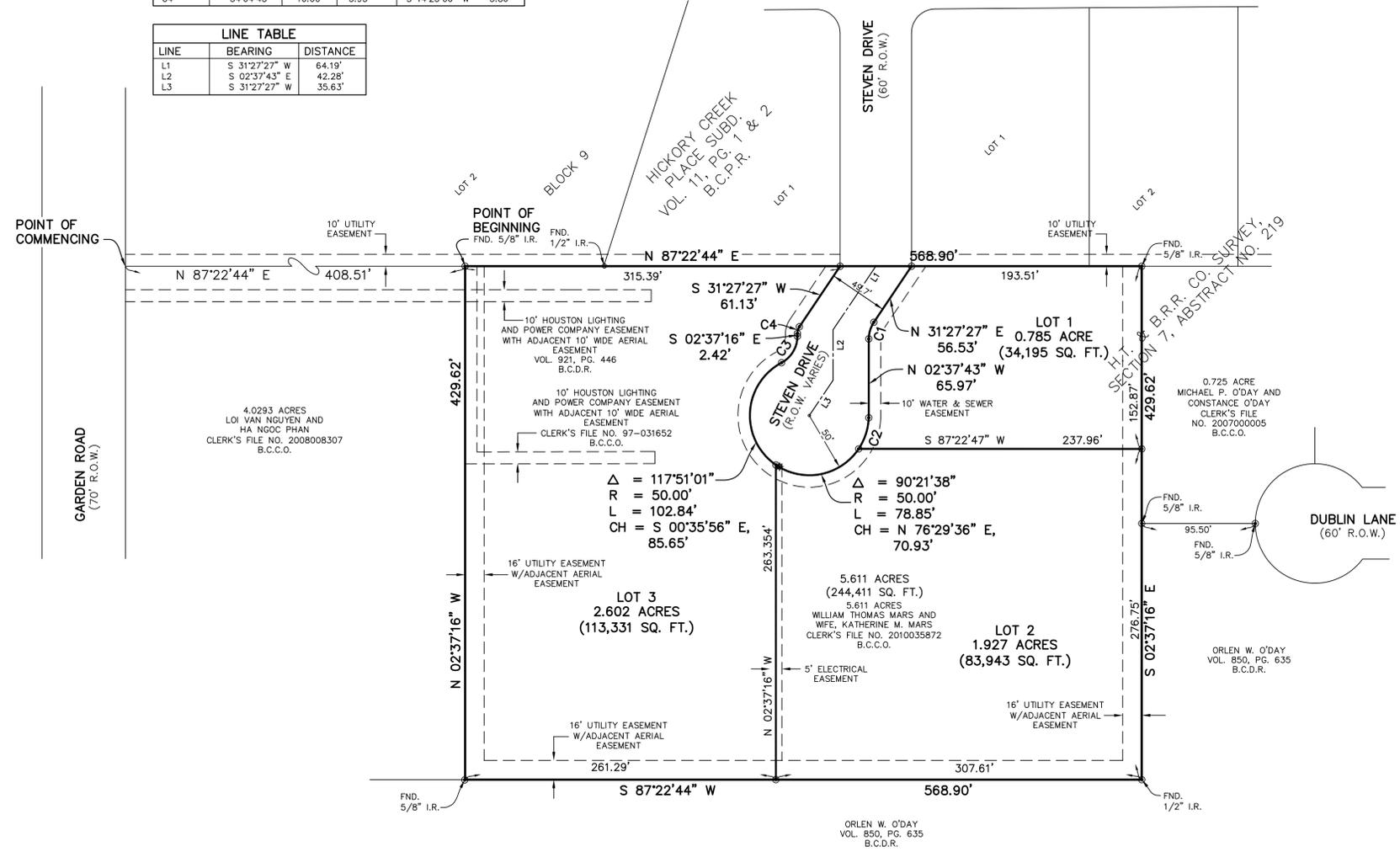
THENCE, South 02°37'16" East, along the east line of said 5.611 acre tract, same being the west line of said 0.725 acre tract, at a distance of 215.10 feet pass a 5/8-inch iron rod found for the southwest corner of said 0.725 acre tract, said point being the most northerly northwest corner of a tract of land described in a deed to Orlan W. O'Day as recorded in Volume 850, Page 635 in the Brazoria County Deed Records, and continue for a total distance of 429.62 feet to a 1/2" iron rod found for the southeast corner of said 5.611 acre tract, said point being the southeast corner of the herein described tract;

THENCE, South 87°22'44" West, along the south line of said 5.611 acre tract, same being a northerly line of said Orlan W. O'Day tract, for a distance of 568.90 feet to a 5/8-inch iron rod found for the southwest corner of the herein described tract, said point being the southeast corner of the aforementioned 4.0293 acre tract;

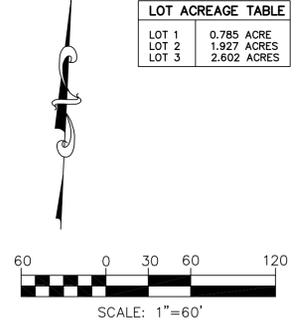
THENCE, North 02°37'16" West, along the west line of said 5.611 acre tract, same being the east line of said 4.0293 acre tract for a distance of 429.62 feet to the POINT OF BEGINNING, containing a computed area of 5.611 acres (244,411 square feet).

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	34°04'43"	25.00'	14.87'	N 14°25'06" E 14.65'
C2	31°49'16"	50.00'	27.77'	N 15°24'09" E 27.41'
C3	62°08'43"	50.00'	27.12'	S 28°27'05" W 25.81'
C4	34°04'43"	10.00'	5.95'	S 14°25'06" W 5.86'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 31°27'27" W	64.19'
L2	S 02°37'43" E	42.28'
L3	S 31°27'27" W	35.63'



LOT ACREAGE TABLE	
LOT 1	0.785 ACRE
LOT 2	1.927 ACRES
LOT 3	2.602 ACRES



- LEGEND**
- B.C.D.R. BRAZORIA COUNTY DEED RECORDS
  - B.C.P.R. BRAZORIA COUNTY PLAT RECORDS
  - B.C.C.O. BRAZORIA COUNTY CLERK'S OFFICE
  - FND. FOUND
  - I.P. IRON PIPE
  - I.R. IRON ROD
  - R.O.W. RIGHT OF WAY
  - ⊙ EXISTING STREETLIGHT
  - ⊛ PROPOSED STREETLIGHT
  - ⊙ POWER POLE
  - ⊙ SET 5/8" IRON ROD (UNLESS OTHERWISE NOTED)
  - OVERHEAD ELECTRICAL

PRELIMINARY PLAT  
OF  
**ENERGY ESTATES**

A SUBDIVISION OF 5.611 ACRES IN THE H.T. & B.R.R. CO. SURVEY, SECTION 7, ABSTRACT NO. 219 IN THE CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

MARCH 2011  
1 BLOCK 3 LOTS

OWNER:  
WILLIAM THOMAS MARS AND KATHERINE M. MARS  
2727 LAKECREST DRIVE  
PEARLAND, TEXAS 77584  
PH: (713) 557-6525

ENGINEER:

**Everest Design Group, llc**  
ENGINEERING & PLANNING  
907 S. FRIENDSWOOD DRIVE, SUITE 200  
FRIENDSWOOD, TX 77546  
PHONE: 281-993-3770 FAX: 281-648-2294

SURVEYOR:

**THE WILSON SURVEY GROUP**  
PROFESSIONAL LAND SURVEYORS  
2006 E. BROADWAY PEARLAND, TEXAS  
(281) 485-3991 FAX (281) 485-3998  
CONTACT: CHRIS L. HENDRICK

**CERTIFICATE OF CITY PLANNING COMMISSION**  
THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS PRELIMINARY PLAT OF ENERGY ESTATES AND IS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

JERRY KOZA, JR., CHAIRPERSON  
PLANNING AND ZONING COMMISSION  
CITY OF PEARLAND, TEXAS

NARCISO LIRA III, P.E.  
CITY ENGINEER

DARRIN COKER, CITY ATTORNEY

**CERTIFICATE OF SURVEYOR**

I, MICHAEL D. WILSON, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON RODS HAVING AN OUTSIDE DIAMETER OF FIVE-EIGHTH (5/8) INCH AND A LENGTH OF TWO (2) FEET, UNLESS OTHERWISE NOTED.

MICHAEL D. WILSON  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 4821

NOTES:

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY (OR HARRIS COUNTY OR FORT BEND COUNTY) AND THE CITY OF PEARLAND.
- THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY DEED LIENS & TITLE REPORTS, LLC, G.F. NO. 500-11-0283 EFFECTIVE DATE: FEBRUARY 8, 2011.
- BEARINGS AND DISTANCES SHOWN HEREON ARE SURFACE AND BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NAD83), SCALE FACTOR: 0.99987328988.
- PROJECT BENCHMARK IS CITY OF PEARLAND GPS NO. 7, ELEVATION = 50.33' NGVD 29 (87 ADJ.).
- TBM NO. 1 IS THE TOP OF RIM (NORTH SIDE) OF A MANHOLE LOCATED APPROXIMATELY 12 FEET EAST OF THE EAST EDGE OF ASPHALT OF STEVEN DRIVE AND APPROXIMATELY 8 FEET SOUTH OF THE SOUTH EDGE OF ASPHALT OF KELLEY LANE. ELEVATION = 50.68' NGVD 29 (87 ADJ.). N 13774362.56, E 3139044.49, (SCALE FACTOR 0.99987328988).
- ACCORDING TO THE F.I.R.M. NO. 48039C0030 I, DATED SEPTEMBER 22, 1999 A PORTION OF THE SUBJECT TRACT LIES WITHIN THE 100-YEAR FLOOD PLAIN. FLOOD PLAIN LINES SHOWN HEREON WERE SCALED FROM THE FLOOD MAP. ALL FLOODPLAIN INFORMATION NOTED ON THIS PLAT IS EFFECTIVE AT THE TIME OF RECORDING. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM INFORMATION IS UPDATED.
- ANY PROPOSED CONSTRUCTION WITHIN AN EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN REMOVAL OF ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET (12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS), OR 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN, (WHICHEVER IS HIGHER).
- SIDE LOT LINES SHALL BE THE CENTER OF A 6 FOOT WIDE DRAINAGE EASEMENT.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA: MANUAL AND UNIFIED DEVELOPMENT CODE.

# **P&Z Agenda Item**

**B**

# PLANNING AND ZONING COMMISSION MEETING OF MARCH 7, 2011

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## PLANNING AND ZONING FINAL PLAT

A request by Rene Rodriguez of LJA Engineering & Surveying, inc., applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Meadows Section Eight generally located approximately 1,800 feet east of Croix Road and Savannah Parkway, proposing a 28-lot single-family residential subdivision on the following describe property, to wit:

**Legal Description:** Being 7.49 acres of land located in the J.S. Talmage survey, abstract 562, Brazoria County, Texas, more particularly being a portion of the residue of a called 161.460 acre tract (Described as tract 5) conveyed to Savannah Development, LTD., by instrument of record in file No. 00-037203, official records of said Brazoria County (B.C.O.R.) and being recorded by instrument of record in file No. 2000080225, official public records, of Fort Bend County, Texas.

**General Location:** Approximately 1,800 feet east of Croix Road and Savannah Parkway.

**Planning and Zoning Commission:** March 7<sup>th</sup>, 2011

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**SUMMARY:** The applicant is requesting approval of this 28-lot single-family subdivision a portion of the area known Savannah. This proposed subdivision is fully in the Extraterritorial Jurisdiction (ETJ) of the city of Pearland and has a development agreement. This development does not have zoning, but does have requirements within the development agreement.

**UNIFIED DEVELOPMENT CODE:** Does not apply.

**SAVANNAH COVE DEVELOPMENT AGREEMENT:** There are several portions of the development agreement that apply to this submitted Final Plat of Savannah Meadows Section Eight.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	ETJ (None)	Vacant Land
South	ETJ (None)	Detention Pound, vacant Single Family lots
East	ETJ (None)	Vacant Single Family Lots
West	ETJ (None)	Single-Family Homes (Savannah Meadows Section 7)

**CONFORMANCE TO THE COMPREHENSIVE PLACE:** The subject property is within the Low-Density Residential land use plan designation. The proposed subdivision is within the guidelines of Low-Density Residential land use designation.

**PLATTING STATUS:** The Preliminary Plat for Savannah Meadows Section Eight was approved on 08/03/2010. This is a request for the Final Plat, which would create the separate lots and reserves.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is nested within the Savannah development with local streets. The northerly property line of this development abuts a future 120-foot Major Thoroughfare of Post Road.

**ADDITIONAL COMMENTS:** Additional comments were submitted by a representative of the engineering department in regards to a sidewalk issue within the Savannah Development. There are several portions of sidewalk within the development that need to be constructed; the engineering department is looking for a resolution to the sidewalk inconsistency in the development.

**SITE PLAN CONSIDERATIONS:** There have not been any site plans submitted with this document, but future development will have to satisfy the requirements of the Savannah Development Agreement. This agreement offers information as to the required setbacks and other development standards. As building permits are submitted, they will be reviewed in detail to satisfy the requirements of this agreement.

**TRAFFIC AND TRANSPORTATION:** A traffic impact analysis was submitted and approved as part of the Savannah Development Agreement.

**UTILITIES AND INFRASTRUCTURE:** Water and sewer service are available to for this subdivision.

**STORMWATER MANAGEMENT:** Detention will be provided in accordance to the Savannah Development Agreement.

**PARKS, OPEN SPACE, AND TREES:** Park fees are required and have not been paid, therefore a condition of approval has been added.

**STAFF RECOMMENDATION:** Staff recommends approval with conditions of the subject Preliminary Plat as proposed by the applicant, for the following reasons:

1. The proposed subdivision will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the comprehensive plan and Development Agreement.
3. The Savannah Development Agreement will assure the development of this property is in conformance with the goals of the city.

**CONDITIONS OF APPROVAL:**

1. Provide Mylars and fees for recordation.
2. Submit the required Park Fee as required by the Savannah Development Agreement.
3. Submit the County Road 58 fee as required by the Savannah Development Agreement.
4. On the most southerly portion of the development, please complete the 10-foot water and sewer easement on the portion of Reserve B that is missing.
5. Submit a plan acceptable to the city of Pearland's engineering department regarding the sidewalk inconsistencies within the Savannah development.

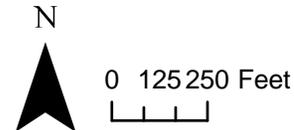
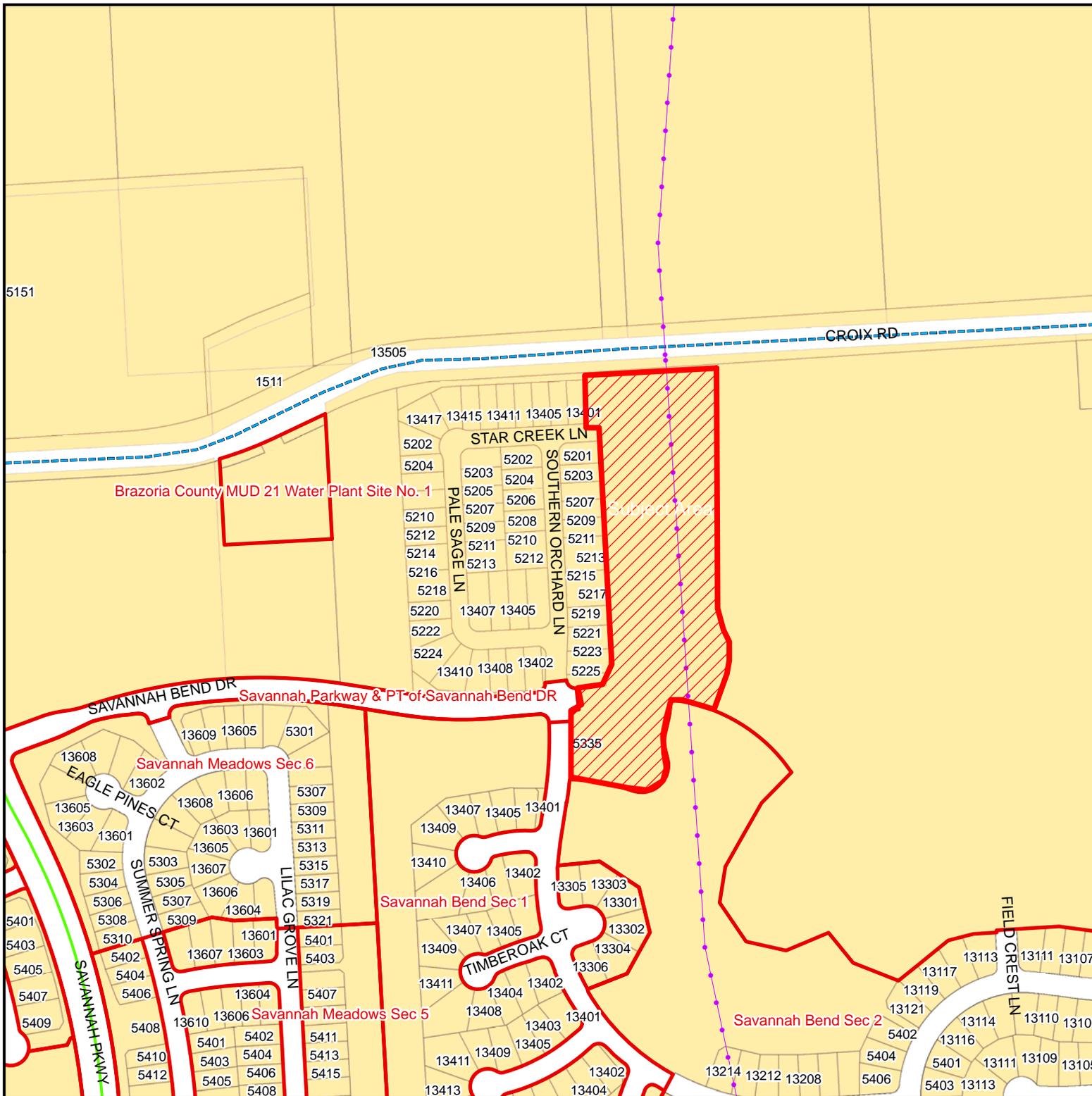
**SUPPORTING DOCUMENTS:**

- Location/Zoning Map
- Land Use Map
- Aerial Map
- Final Plat of Savannah Meadows Section Eight



# Final Plat of Savannah Meadows Section Eight

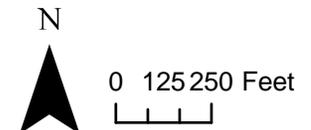
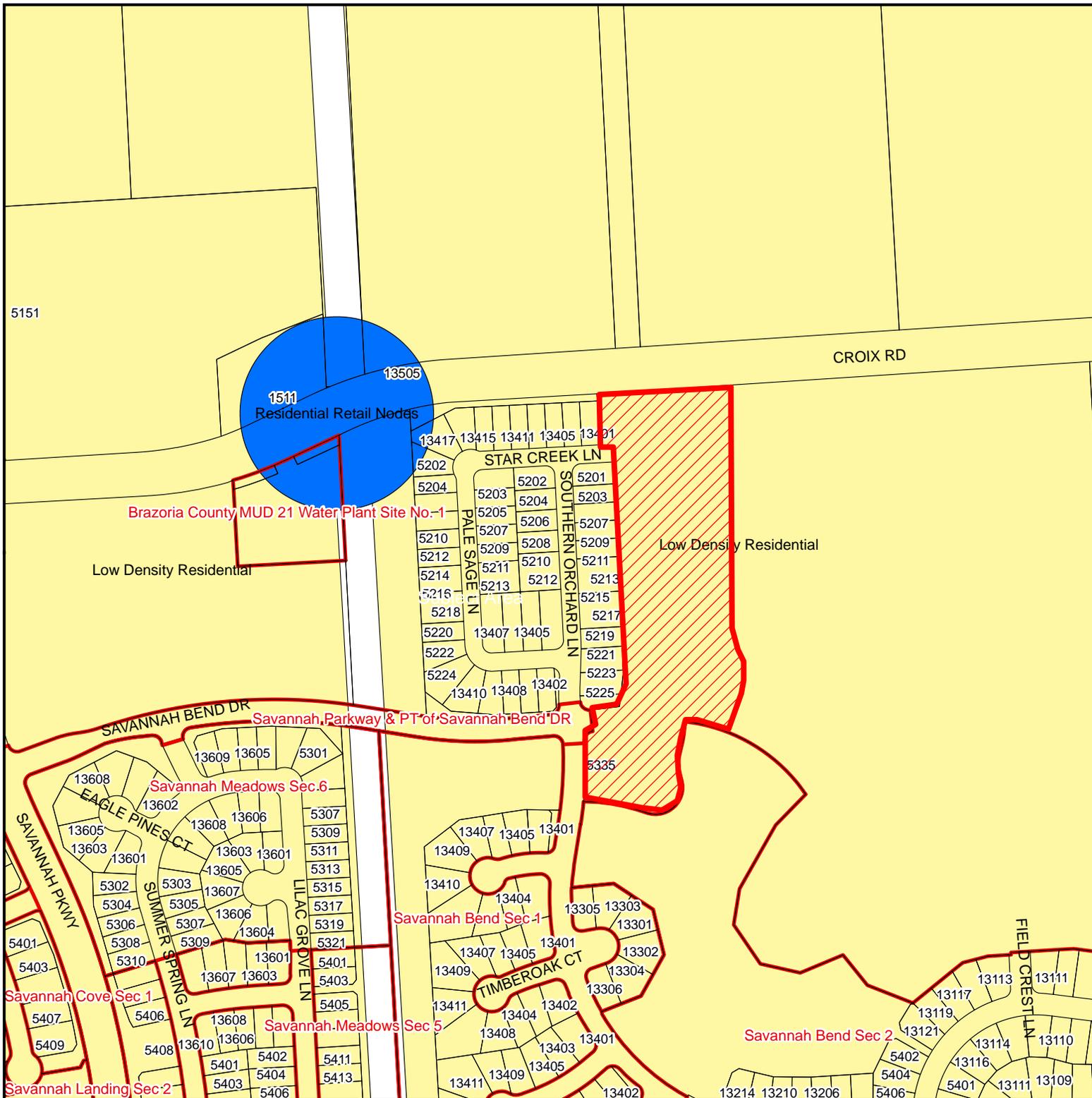
Vicinity Map





# Final Plat of Savannah Meadows Section Eight

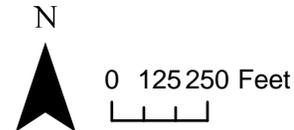
## Future Land Use Map





# Final Plat of Savannah Meadows Section Eight

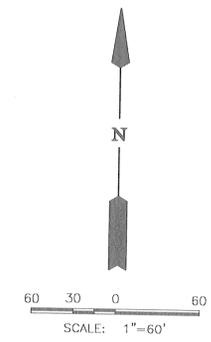
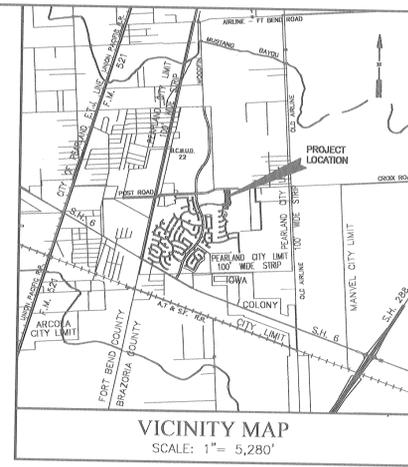
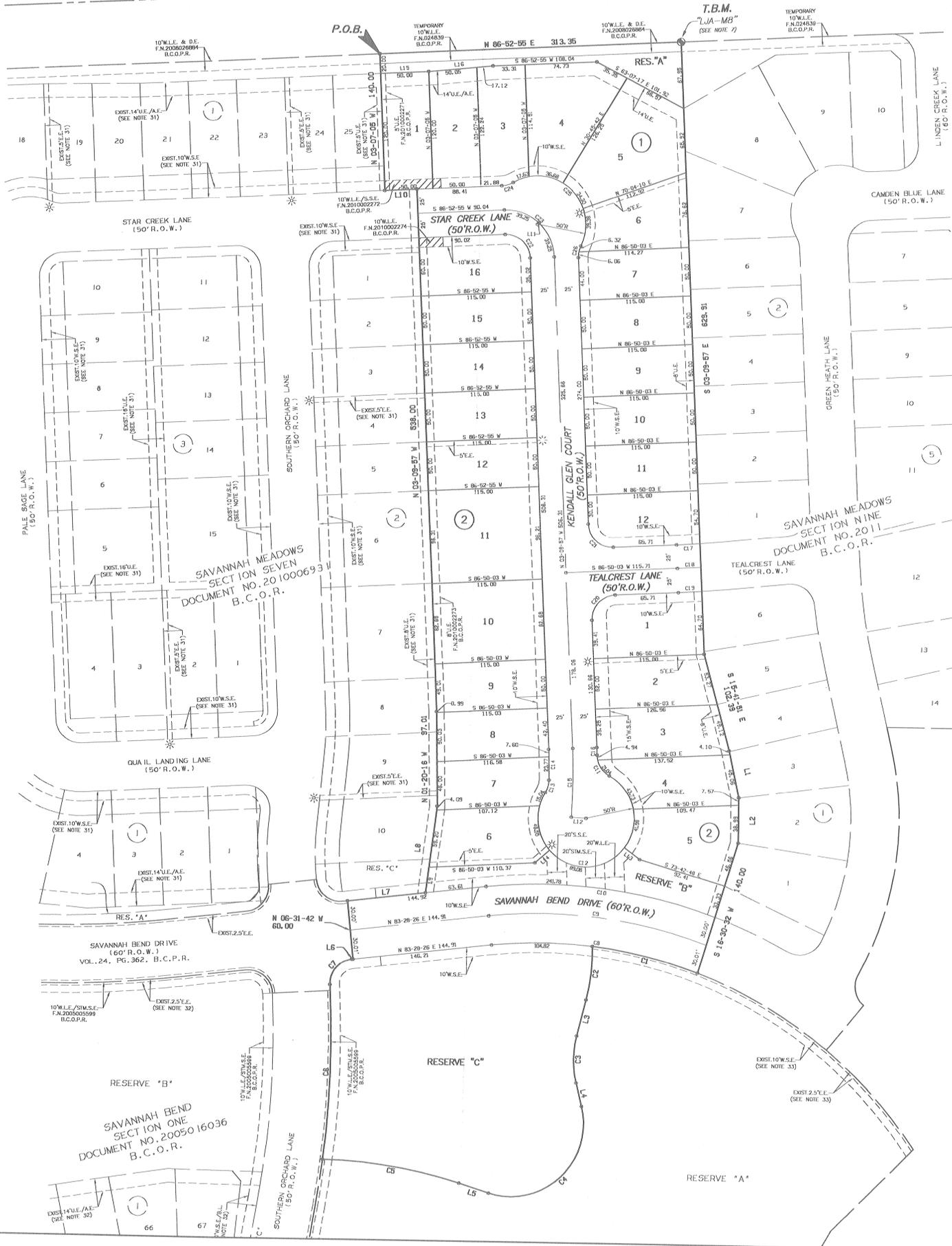
Aerial Map



POST ROAD - COUNTY ROAD 58  
(120' R.O.W.)

H.T. & B.R.R. SURVEY, ABSTRACT 302  
J.S. TALMAGE SURVEY, ABSTRACT 562

T.B.M.  
"LJA-MB"  
(SEE NOTE 7)



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 12-43-37 E	49.17
L2	S 00-13-22 E	46.56
L3	S 13-39-09 W	38.00
L4	S 14-22-46 E	24.50
L5	N 72-45-37 W	32.50
L6	N 63-20-26 E	1.30
L7	N 63-20-20 E	81.30
L8	N 06-47-41 E	90.01
L9	N 06-47-41 E	26.72
L10	S 86-53-56 W	33.47
L11	S 41-15-29 W	1.94
L12	N 86-25-02 W	15.36
L13	N 53-45-20 W	23.00
L14	N 48-19-11 E	23.00
L15	S 86-52-55 W	50.00
L16	S 84-19-19 W	67.17

**CURVE TABLE**

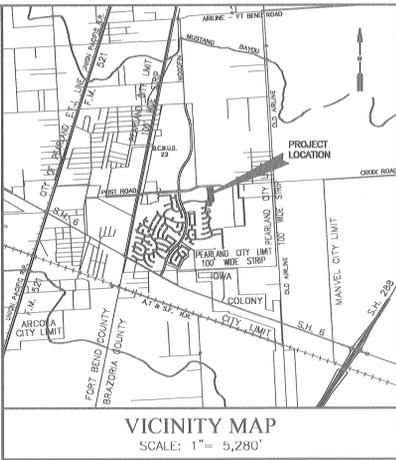
CURVE	RADIUS	TANGENT	CHORD	ARC	DELTA	CHORD BEARING
C1	470.00	56.69	112.57	112.84	013°45'19"	N 76-52-00 W
C2	200.00	27.93	56.30	56.61	015°54'07"	N 06-42-06 E
C3	100.00	24.98	48.44	48.92	028°01'59"	S 00-21-48 E
C4	75.00	134.25	130.95	159.20	121°57'09"	N 46-25-49 E
C5	500.00	72.72	143.94	144.44	016°53'09"	N 88-02-09 W
C6	1030.00	89.89	179.10	179.33	009°58'32"	N 01-20-00 E
C7	25.00	23.80	34.48	38.04	087°11'00"	S 39-56-30 W
C8	470.00	116.82	215.72	217.66	026°32'02"	N 83-15-23 W
C9	500.00	116.52	227.70	229.72	026°13'26"	N 83-21-51 W
C10	530.00	123.03	239.63	241.78	026°08'19"	N 83-27-27 W
C11	25.00	14.30	24.82	25.97	099°31'19"	S 32-12-27 E
C12	50.00	47.32	68.74	73.09	273°09'21"	N 74-36-33 E
C13	25.00	6.99	13.46	13.63	031°13'37"	N 15-34-25 E
C14	575.00	15.69	31.37	31.37	003°07'33"	N 01-36-10 W
C15	650.00	35.38	70.63	70.67	006°44'59"	N 00-12-31 E
C16	625.00	34.92	7.85	7.85	000°43'09"	N 02-48-22 W
C17	975.00	12.15	24.30	24.30	001°29'42"	N 86-07-13 E
C18	1000.00	12.15	24.30	24.30	001°23'32"	N 88-08-17 E
C19	1025.00	12.15	24.30	24.30	001°21'29"	N 88-09-18 E
C20	25.00	25.00	35.36	39.27	090°30'02"	S 41-50-03 W
C21	25.00	25.00	35.36	39.27	090°30'02"	S 48-59-57 E
C22	25.00	24.98	35.34	39.25	089°57'08"	N 48-08-33 W
C23	50.00	49.96	70.68	78.50	089°57'08"	N 48-08-33 W
C24	25.00	6.32	12.25	12.37	028°21'27"	N 72-42-11 E
C25	50.00	167.02	95.80	127.99	146°00'03"	N 48-08-33 W
C26	25.00	6.32	12.25	12.37	028°21'27"	S 11-00-47 W

**RESERVES**

RESERVE	ACREAGE	SQ. FT.	TYPE
A	0.179	7,818	RESTRICTED TO LANDSCAPE/OPEN SPACE
B	0.197	8,560	RESTRICTED TO LANDSCAPE/OPEN SPACE
C	1.403	61,136	RESTRICTED TO RECREATION CENTER
TOTAL	1.779	77,514	

- LEGEND**
- EXIST. INDICATES EXISTING
  - U.E. INDICATES UTILITY EASEMENT
  - W.L.E. INDICATES WATERLINE EASEMENT
  - STIM.S.E. INDICATES STORM SEWER EASEMENT
  - S.S.E. INDICATES SANITARY SEWER EASEMENT
  - W.S.E. INDICATES WATER AND SEWER EASEMENT
  - D.E. INDICATES DRAINAGE EASEMENT
  - E.E. INDICATES ELECTRICAL EASEMENT
  - B.C.P.R. INDICATES BRZORIA COUNTY PLAT RECORDS
  - B.C.D.R. INDICATES BRZORIA COUNTY DEED RECORDS
  - B.C.C.F. INDICATES BRZORIA COUNTY CLERKS FILE
  - B.C.O.P.R. INDICATES BRZORIA COUNTY OFFICIAL PROPERTY RECORDS
  - B.C.M.U.D. INDICATES BRZORIA COUNTY MUNICIPAL UTILITY DISTRICT
  - \* INDICATES PROPOSED STREET LIGHT
  - \* INDICATES EXISTING STREET LIGHT

13500 BLOCK OF POST ROAD (CR 58)  
FINAL PLAT  
**SAVANNAH MEADOWS**  
SECTION EIGHT  
A SUBDIVISION OF 7.747 ACRES OF LAND SITUATED IN THE J.S. TALMAGE SURVEY, ABSTRACT 562, BRAZORIA COUNTY, TEXAS.  
28 LOTS 3 RESERVES (1.779 ACRES) 2 BLOCKS  
FEBRUARY 28, 2011 JOB NO. 0388-1082-309  
OWNERS:  
**SAVANNAH DEVELOPMENT, LTD.**  
BY: LENNAR TEXAS HOLDING COMPANY  
ITS GENERAL PARTNER  
JOHN W. HAMMOND, VICE PRESIDENT  
550 GREENS PARKWAY, SUITE 100, HOUSTON, TEXAS 77067  
PH. (281) 875-1000  
ENGINEER:  
**LJA Engineering & Surveying, Inc.**  
2929 Briarpark Drive Suite 600 Houston, Texas 77042  
Phone 713.953.5200 Fax 713.953.5026



VICINITY MAP  
SCALE: 1" = 5,280'

NOTES:

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND.
- THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, FILE NO. 1003932556, EFFECTIVE DATE JANUARY 23, 2011.
- BEARINGS ARE BASED ON THE RECORDED PLAT OF SAVANNAH MEADOWS SECTION SEVEN, RECORDED IN DOCUMENT NO. 2010008931 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.
- ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND.
- FIVE-EIGHTHS INCH (5/8") IRON RODS WITH PLASTIC CAP STAMPED "LJA ENG" THREE FEET IN LENGTH HAVE BEEN SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
- BENCHMARK: CITY OF PEARLAND C.P. 10 BRASS CAP SET FLUSH IN CONCRETE STAMPED "CITY OF PEARLAND 10 GPS MONU, 1995". THE MONUMENT IS LOCATED NORTHERLY ALONG THE SOUTHBOUND LANES OF HIGHWAY 288, APPROXIMATELY 2,000 FEET SOUTHERLY FROM THE INTERSECTION OF F.M. 518 AND HIGHWAY 288. THE MONUMENT IS WESTERLY 21 FEET FROM THE WEST EDGE OF ASPHALT OF THE SOUTHBOUND HIGHWAY 288 AND APPROXIMATELY 165 FEET FROM A LARGE HIGHWAY LIGHT POLE #288 B.  
ELEVATION: 59.29 (NGVD 29, '87 ADJUSTMENT)
- T.B.M. "LJA-1": BOX CUT IN CURB AT THE NOSE OF THE SOUTH MEDIAN OF SAVANNAH PARKWAY AT THE INTERSECTION OF COUNTY ROAD NO. 58.  
ELEVATION: 65.88 (NGVD 29, 1978 ADJUSTMENT)  
T.B.M. "LJA-M8": 5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "LJA ENG" SET MARKING THE NORTHEAST CORNER OF RESTRICTED RESERVE 'A' (AS SHOWN BY SYMBOL). ELEVATION: 64.53 (NGVD 29, 1978 ADJUSTMENT)  
NOTE: TO CONVERT T.B.M.'S (NGVD 29, 1978 ADJUSTMENT) TO THE CITY OF PEARLAND VERTICAL DATUM (NGVD 29, '87 ADJUSTMENT) SUBTRACT 1.28 FEET.
- THIS TRACT LIES IN ZONE "X" OF THE F.I.R.M. FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS, DATED JUNE 5, 1989, MAP NO. 48039C002H. CONTACT THE BRAZORIA COUNTY FLOODPLAIN ADMINISTRATOR FOR THE FLOOD INFORMATION.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE OWNER.
- ACCESS RIGHTS TO DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING RESIDENTIAL PROPERTIES.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND/OR BRAZORIA DRAINAGE DISTRICT NO. 4.
- THIS PROPERTY IS LOCATED WHOLLY WITHIN MUNICIPAL UTILITY DISTRICT NO. 21, AT THE TIME OF PLATTING.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND ASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL AND UNIFIED DEVELOPMENT CODE.
- LOTS WHICH SIDE ONTO A PUBLIC STREET RIGHT-OF-WAY ARE DENIED DIRECT DRIVEWAY ACCESS TO THE SIDING PUBLIC STREET.
- A SIX (6) FOOT HIGH MASONRY WALL SHALL BE PROVIDED ALONG POST ROAD (C.R.58) AT THE TIME OF DEVELOPMENT.
- A FOUR-FOOT SIDEWALK IS REQUIRED ON BOTH SIDES OF ALL STREETS CONTAINED WITHIN THIS PLAT.
- NO SIDEWALK ALONG POST ROAD (C.R.58) IS REQUIRED WITHIN THIS PLAT PER THE DEVELOPMENT AGREEMENT REFERENCED BELOW IN NOTE 20.
- THIS SUBDIVISION IS CONSISTENT WITH THE THIRD AMENDMENT SINGLE FAMILY DWELLING DISTRICT IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT BETWEEN SAVANNAH DEVELOPMENT LTD., A TEXAS LIMITED PARTNERSHIP AND THE CITY OF PEARLAND DATED JUNE 13, 2005.
- THERE ARE 4 PROPOSED STREET LIGHTS ON THIS PLAT.
- NO VERTICAL IMPROVEMENTS ARE PERMITTED WITHIN THIS FAULT ZONE OF INFLUENCE.
- ANY GOVERNMENTAL BODY, FOR PURPOSES OF DRAINAGE WORK, MAY USE DRAINAGE EASEMENTS AND FEE STRIPS PROVIDED THE DISTRICT IS PROPERLY NOTIFIED.
- PERMANENT STRUCTURES, INCLUDING FENCES AND PERMANENT LANDSCAPING, SHALL NOT BE ERECTED IN DRAINAGE EASEMENT STRIPS.
- MAINTENANCE OF DETENTION FACILITIES IS THE SOLE RESPONSIBILITY OF THE OWNER OF THE DISTRICT WILL PROVIDE MAINTENANCE OF REGIONAL FACILITIES OWNED AND CONSTRUCTED BY DISTRICT OR SUB-REGIONAL FACILITIES CONSTRUCTED BY DEVELOPER(S) FOR WHICH OWNERSHIP HAS BEEN TRANSFERRED TO THE DISTRICT'S APPROVAL. THE DISTRICT IS RESPONSIBLE ONLY FOR THE MAINTENANCE OF FACILITIES OWNED BY THE DISTRICT UNLESS THE DISTRICT SPECIFICALLY CONTRACTS OR AGREES TO MAINTAIN OTHER FACILITIES.
- CONTRACTOR SHALL NOTIFY THE DISTRICT IN WRITING AT LEAST THIRTY-SIX (36) HOURS BEFORE PLACING ANY CONCRETE FOR DRAINAGE STRUCTURES.
- THE DISTRICT'S PERSONNEL SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY FOR INSPECTION AT ANY TIME DURING CONSTRUCTION AND AS MAY BE WARRANTED TO ENSURE THE DETENTION FACILITY OF OPERATING PROPERLY.
- NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THE DEVELOPMENT UNTIL THE DETENTION FACILITY HAS BEEN CONSTRUCTED AND APPROVED BY THE DISTRICT.
- THE DISTRICT'S APPROVAL OF THE FINAL DRAINAGE PLAN AND FINAL PLAT DOES NOT AFFECT THE PROPERTY RIGHTS OF THIRD PARTIES. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING AND MAINTAINING ANY AND ALL EASEMENTS, FEE STRIPS AND/OR ANY OTHER RIGHTS-OF-WAYS ACROSS THIRD PARTIES' PROPERTIES FOR THE PURPOSES OF MOVING EXCESS RUNOFF TO THE DISTRICT'S DRAINAGE FACILITIES AS CONTEMPLATED BY THE FINAL DRAINAGE PLAN AND FINAL PLAT.
- THERE ARE NO EXISTING OR PROPOSED DISTRICT FACILITIES ON OR ADJACENT TO THIS TRACT, THEREFORE, NO EASEMENTS ARE REQUIRED.
- EASEMENTS AND/OR BUILDING LINES OF RECORD IS SHOWN ON THE RECORDED PLAT OF SAVANNAH MEADOWS SECTION SEVEN, A SUBDIVISION RECORDED IN DOCUMENT NO. 2010006931 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS.
- EASEMENTS AND/OR BUILDING LINES OF RECORD IS SHOWN ON THE RECORDED PLAT OF SAVANNAH BEND SECTION ONE, A SUBDIVISION RECORDED IN DOCUMENT NO. 2005016036 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS.
- EASEMENTS AND/OR BUILDING LINES OF RECORD IS SHOWN ON THE RECORDED PLAT OF SAVANNAH BEND SECTION TWO, A SUBDIVISION RECORDED IN DOCUMENT NO. 2007058922 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS.

BEING 7.749 ACRES OF LAND LOCATED IN THE J.S. TALMAGE SURVEY, ABSTRACT 562, BRAZORIA COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF THE RESIDUE OF A CALLED 161.460 ACRE TRACT (DESCRIBED AS TRACT 5) CONVEYED TO SAVANNAH DEVELOPMENT, LTD., BY INSTRUMENT OF RECORD IN FILE NO. 00-037203, OFFICIAL RECORDS, OF SAID BRAZORIA COUNTY (B.C.O.R.) AND BEING RECORDED BY INSTRUMENT OF RECORD IN FILE NO. 2000080225, OFFICIAL PUBLIC RECORDS, OF FORT BEND COUNTY, TEXAS, SAID 7.749 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS REFERENCED TO SAVANNAH MEADOWS SECTION SEVEN, A SUBDIVISION OF RECORD IN DOC. NO. 2010006931, B.C.O.R.);

BEGINNING AT THE NORTHEAST CORNER OF SAID SAVANNAH MEADOWS SECTION SEVEN, SAME BEING ON THE SOUTH RIGHT-OF-WAY LINE OF COUNTY ROAD 58 (A.K.A. POST ROAD, 120 FEET WIDE AT THIS POINT) AS SHOWN ON PORTIONS OF POST RD. (CO. RD. 58) & SAVANNAH PARKWAY, A STREET DEDICATION OF RECORD IN DOC. NO. 2010008926, B.C.O.R.;

THENCE, WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 58, NORTH 86° 52' 55" EAST, 313.35 FEET TO A POINT FOR CORNER;

THENCE, LEAVING THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 58, SOUTH 03° 09' 57" EAST, 629.91 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 15° 41' 51" EAST, 102.39 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 12° 43' 37" EAST, 49.17 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 00° 13' 22" EAST, 46.56 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 18° 30' 32" WEST, 139.99 FEET TO A POINT FOR CORNER ON A NORTHERLY LINE OF RESTRICTED RESERVE 'A' AS SHOWN ON SAVANNAH BEND SECTION TWO, A SUBDIVISION OF RECORD IN DOC. NO. 2007058922, B.C.O.R., THE BEGINNING OF A CURVE;

THENCE, WITH THE NORTHERLY LINE OF SAID RESTRICTED RESERVE 'A', THE FOLLOWING EIGHT (8) COURSES:

1) 112.81 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 470.00 FEET, A CENTRAL ANGLE OF 13° 45' 09" AND A CHORD WHICH BEARS NORTH 76° 52' 08" WEST, 112.54 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

2) 55.51 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 15° 54' 07" AND A CHORD WHICH BEARS SOUTH 05° 42' 05" WEST, 55.33 FEET TO A POINT FOR CORNER;

3) SOUTH 13° 39' 09" WEST, 38.00 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

4) 48.92 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 28° 01' 55" AND A CHORD WHICH BEARS SOUTH 07° 21' 48" EAST, 48.44 FEET TO A POINT FOR CORNER;

5) SOUTH 14° 22' 46" EAST, 24.50 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

6) 159.20 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 121° 57' 09" AND A CHORD WHICH BEARS SOUTH 46° 25' 48" WEST, 130.95 FEET TO A POINT FOR CORNER;

7) NORTH 72° 45' 37" WEST, 32.50 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

8) 144.44 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 16° 33' 05" AND A CHORD WHICH BEARS NORTH 81° 02' 09" WEST, 143.94 FEET TO A POINT FOR CORNER ON THE EAST RIGHT-OF-WAY LINE OF SOUTHERN ORCHARD LANE (CALLED 60 FEET WIDE) AS SHOWN ON SAVANNAH BEND SECTION ONE, A SUBDIVISION OF RECORD IN VOLUME 24, PAGE 360, B.C.O.R., THE BEGINNING OF A CURVE;

THENCE, WITH THE EAST RIGHT-OF-WAY LINE OF SAID SOUTHERN ORCHARD LANE AS SHOWN ON SAID SAVANNAH BEND SECTION ONE AND SAVANNAH PARKWAY PHASE THREE AND A PORTION OF SAVANNAH BEND DRIVE, A STREET DEDICATION OF RECORD IN VOLUME, 24, PAGE 362, B.C.O.R., THE FOLLOWING FOUR (4) COURSES:

1) 179.33 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1030.00 FEET, A CENTRAL ANGLE OF 09° 58' 32" AND A CHORD WHICH BEARS NORTH 01° 20' 00" EAST, 179.10 FEET TO A POINT FOR CORNER, THE BEGINNING OF A REVERSE CURVE;

2) 38.02 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 87° 07' 42" AND A CHORD WHICH BEARS NORTH 39° 54' 35" EAST, 34.46 FEET TO A POINT FOR CORNER;

3) NORTH 83° 28' 26" EAST, 1.32 FEET TO A POINT FOR CORNER;

4) NORTH 06° 31' 34" WEST, 60.00 FEET TO A POINT FOR CORNER ON THE SOUTH LINE OF THE AFOREMENTIONED SAVANNAH MEADOWS SECTION SEVEN;

THENCE, WITH THE SOUTH AND EAST LINE OF SAID SAVANNAH MEADOWS SECTION SEVEN, THE FOLLOWING SIX (6) COURSES:

1) NORTH 83° 28' 26" EAST, 81.30 FEET TO A POINT FOR CORNER;

2) NORTH 06° 47' 41" EAST, 90.01 FEET TO A POINT FOR CORNER;

3) NORTH 01° 20' 16" WEST, 97.01 FEET TO A POINT FOR CORNER;

4) NORTH 03° 09' 57" WEST, 538.00 FEET TO A POINT FOR CORNER;

5) SOUTH 86° 52' 55" WEST, 33.47 FEET TO A POINT FOR CORNER;

6) NORTH 03° 07' 05" WEST, 140.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.749 ACRES OF LAND.

STATE OF TEXAS  
COUNTY OF BRAZORIA

WE, SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH, JOHN W. HAMMOND, VICE PRESIDENT OF LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, GENERAL PARTNER OF SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, OWNERS OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF SAVANNAH MEADOWS SECTION EIGHT, 7.747 ACRES OUT OF THE J.S. TALMAGE SURVEY, ABSTRACT 562, BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID PARTNERSHIP, ACCORDING TO THE LINES, LOTS, STREETS, ALLEYS, RESERVES, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE AS SUCH THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY PURPOSES FOREVER, UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS OR FIVE FOOT, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON WHEREBY EACH AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY PURPOSES FOREVER, UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10'0") FOR TEN FEET (10'0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY EACH AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

IN TESTIMONY HERETO, SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, ITS GENERAL PARTNER, BY JOHN W. HAMMOND, VICE PRESIDENT, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

SAVANNAH DEVELOPMENT, LTD.  
A TEXAS LIMITED PARTNERSHIP

BY: LENNAR TEXAS HOLDING COMPANY,  
A TEXAS CORPORATION,  
ITS GENERAL PARTNER

BY: \_\_\_\_\_  
JOHN W. HAMMOND, VICE PRESIDENT

STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHN W. HAMMOND, VICE PRESIDENT OF LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, GENERAL PARTNER OF SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

WE, AMECY BANK, N.A., (F/K/A SOUTHWEST BANK OF TEXAS, N.A.), OWNER AND HOLDER OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS SAVANNAH MEADOWS SECTION EIGHT, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NO. 01 032290 OF THE O.P.R.O.R.P. OF BRAZORIA COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: \_\_\_\_\_  
MEREDITH TRIVINO, BANKING OFFICER

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MEREDITH TRIVINO, BANKING OFFICER, OF AMECY BANK, N.A., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID BANK.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES:

APPROVED BY BRAZORIA DRAINAGE DISTRICT NO. 4

JEFFERY H. BRENNAN, PRESIDENT

DAN KELLER, SECRETARY

ROBERT MEINEKE, COMMISSIONER

ALFRED E. LENTZ, P.E., R.P.L.S.  
DISTRICT ENGINEER

DATE

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF SAVANNAH MEADOWS SECTION EIGHT AND IS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

JERRY KOZA, JR., CHAIRPERSON  
PLANNING & ZONING COMMISSION  
CITY OF PEARLAND, TEXAS

APPROVED FOR THE CITY OF PEARLAND, TEXAS THIS \_\_\_\_\_ OF \_\_\_\_\_, 2011.

DARRIN COKER  
CITY ATTORNEY

NARCISO LIRA III, P.E.  
CITY ENGINEER

13500 BLOCK OF POST ROAD (CR 58)

FINAL PLAT  
SAVANNAH MEADOWS  
SECTION EIGHT

A SUBDIVISION OF 7.747 ACRES OF LAND SITUATED IN THE J.S. TALMAGE SURVEY, ABSTRACT 562, BRAZORIA COUNTY, TEXAS.

28 LOTS 3 RESERVES (1.779 ACRES) 2 BLOCKS

FEBRUARY 28, 2011

JOB NO. 0388-1082-309

OWNERS:

SAVANNAH DEVELOPMENT, LTD.  
BY: LENNAR TEXAS HOLDING COMPANY  
ITS GENERAL PARTNER

JOHN W. HAMMOND, VICE PRESIDENT  
550 GREENS PARKWAY, SUITE 100, HOUSTON, TEXAS 77067  
PH. (281) 875-1000

ENGINEER:

LJA Engineering & Surveying, Inc.  
2929 Briarpark Drive Phone 713.953.5200  
Suite 600 Houston, Texas 77042 Fax 713.953.5026

# **P&Z Agenda Item**

**C**

2929 Briarpark Drive      Phone    713.953.5200  
Suite 600                      Fax        713.953.5026  
Houston, Texas 77042-3703    www.ljaengineering.com

March 3, 2011

City of Pearland  
Planning Department  
3523 Liberty Drive  
Pearland, Texas 77581

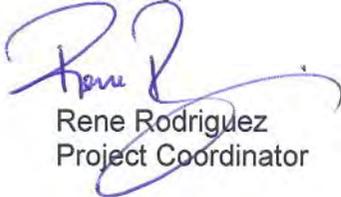
Re:    Preliminary Plat of Savannah Cove Section Three  
      LJA Job No. 0388-1032-304 (6.1)

Dear Planning & Zoning Commission/Planning Director:

Please accept for consideration the following request for waiver of decision time pursuant to Section 3.1.1.4 (b) of Pearland's UDC. LJA Engineering and Surveying, Inc., hereby request an additional 40 days before the Planning and Zoning must act upon the plat known as **Savannah Cove Section Three**. This extension is to resolve the issue regarding Lost Spring Lane.

**LJA Engineering and Surveying, Inc. (LJA) agrees that the waiver, if granted, shall be construed as tolling the official filing date of the above plat by the number of days granted pursuant to this request.**

Sincerely,



Rene Rodriguez  
Project Coordinator

RR/dl

Copy: File

# PLANNING AND ZONING COMMISSION MEETING OF MARCH 7, 2011

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## PLANNING AND ZONING PRELIMINARY PLAT

A request by Rene Rodriguez of LJA Engineering & Surveying, inc., applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Cove Section Three, generally located approximately 1,300 feet west of Croix Road and Savannah Parkway, proposing a 27-lot single-family residential subdivision on the following described property, to wit:

**Legal Description:** Being 9.166 acres of land located in the A. C. H. & B. Survey, abstract 403, Brazoria County, Texas, more particularly being a portion of the residue of a called 59.2393 acre tract conveyed to Savannah Development, LTD., by an instrument of record in file No. 00-037443, official records, of said Brazoria county (B.C.O.R.) and being a portion of the residue of a called 39.507 acre tract conveyed to Savannah Development, LTD, by an instrument of record in file No. 00-037203, B.C.O.R. and recorded in file No. 2000080225, official records of Fort Bend County.

**General Location:** Approximately 1,300 feet west of Croix Road and Savannah Parkway.

**Planning and Zoning Commission:** March 7<sup>th</sup>, 2011

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**SUMMARY:** The applicant is requesting approval of this 27-lot single-family subdivision a portion of the area known Savannah. This proposed subdivision is fully in the Extraterritorial Jurisdiction (ETJ) of the city of Pearland and has a development agreement. This development does not have zoning, but does have requirements within the development agreement.

**UNIFIED DEVELOPMENT CODE:** Does not apply.

**SAVANNAH COVE DEVELOPMENT AGREEMENT:** There are several portions of the Development Agreement that apply to this submitted Final Plat of Savannah Cove Section Three.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	ETJ (None)	Vacant Land
South	ETJ (None)	Detention Pound, vacant Single Family lots
East	ETJ (None)	Vacant Single Family Lots
West	ETJ (None)	Single-Family Home

**CONFORMANCE TO THE COMPREHENSIVE PLACE:** The subject property is within the Low-Density Residential land use plan designation. The proposed subdivision is within the guidelines of Low-Density Residential land use designation.

**PLATTING STATUS:** The Preliminary Plat for Savannah Cove Section Three was approved on 10/04/2010. This is a request for the Final Plat, which would create the separate lots and reserves.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is nested within the Savannah development with local streets. The northerly property line of this development abuts a future 120-foot Major Thoroughfare of Post Road.

**ADDITIONAL COMMENTS:** Additional comments were submitted by a representative of the engineering department in regards to a sidewalk issue within the Savannah Development. There are several portions of sidewalk within the development that need to be constructed; the engineering department is looking for a resolution to the sidewalk inconsistency in the development.

**SITE PLAN CONSIDERATIONS:** There have not been any site plans submitted with this document, but future development will have to satisfy the requirements of the Savannah Development Agreement. This agreement offers information as to the required setbacks and other development standards. As building permits are submitted, they will be reviewed in detail to satisfy the requirements of this agreement.

**TRAFFIC AND TRANSPORTATION:** A traffic impact analysis was submitted and approved as part of the Savannah Development Agreement.

**UTILITIES AND INFRASTRUCTURE:** Water and sewer service are available to for this subdivision.

**STORMWATER MANAGEMENT:** Detention will be provided in accordance to the Savannah Development Agreement.

**PARKS, OPEN SPACE, AND TREES:** Park fees are required and have not been paid, therefore a condition of approval has been added.

**STAFF RECOMMENDATION:** Staff recommends approval with conditions of the subject Preliminary Plat as proposed by the applicant, for the following reasons:

1. The proposed subdivision will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the comprehensive plan and Development Agreement.
3. The Savannah Development Agreement will assure the development of this property is in conformance with the goals of the city.

**CONDITIONS OF APPROVAL:**

1. Provide Mylars and fees for recordation.
2. Include portion of Lost Spring Lane within this Final Plat of Savannah Cove Section three.
3. Submit the required Park Fee as required by the Savannah Development Agreement.
4. Submit the required County Road 58 fee as required by the Savannah Development.
5. Submit a plan acceptable to the city of Pearland's engineering department regarding the sidewalk inconsistencies within the Savannah development.

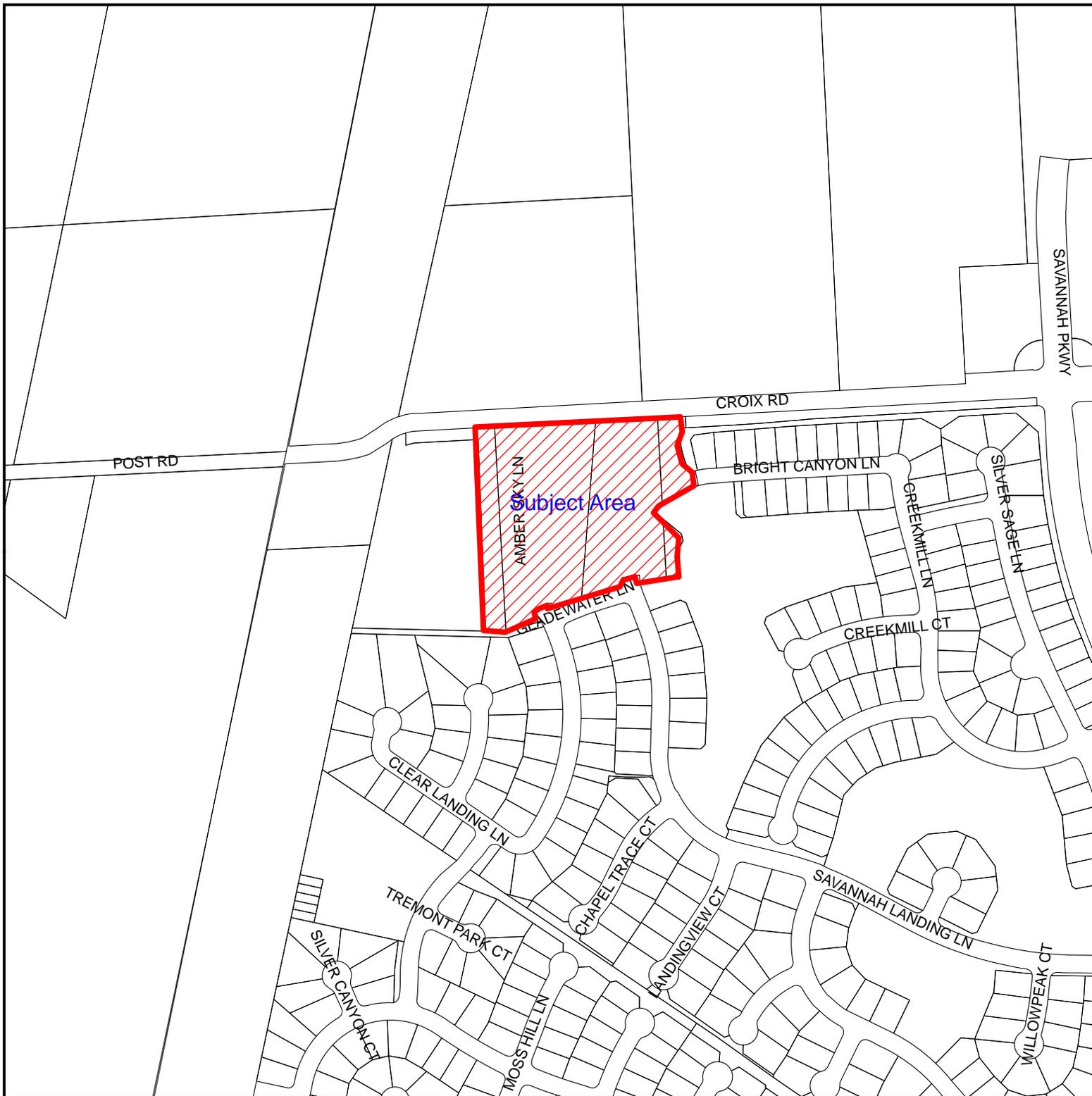
**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Aerial Map
- Final Plat of Savannah Cove Section Three

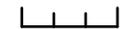


Final Plat of  
Savannah Cove  
Section Section Three

Vicinity Map



0 125 250 Feet





# Final Plat of Savannah Cove Section Section Three

## Future Land Use Map



0 125 250 Feet  
[Scale bar]



Final Plat of  
Savannah Cove  
Section Section Three

Aerial

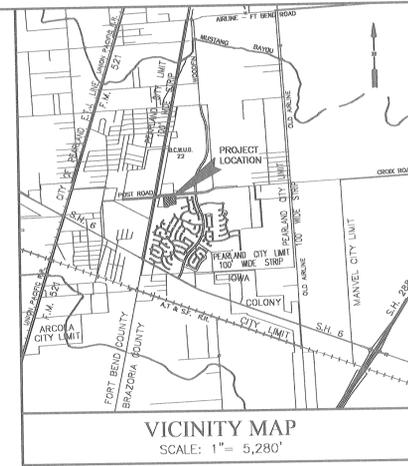
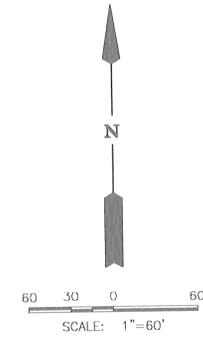


0 125 250 Feet



SAVANNAH DEVELOPMENT, LTD.  
F.N.00-037-203  
B.C.R.P.R.

POST ROAD - COUNTY ROAD 58  
(120' R.O.W.)



VICINITY MAP  
SCALE: 1" = 5,280'

CALLED 5.021 ACRES  
THOMAS AND MELANIE WALTER  
B.C.C.F. NO. 01-017892

SAVANNAH COVE  
SECTION TWO  
DOCUMENT NO. 2007058942  
B.C.O.R.

BRIGHT CANYON LANE  
(60' R.O.W.)

P.O.B.

RESERVE 'G'

T.B.M.  
"LJA-C3"  
(SEE NOTE 7)

SILENT FALLS LANE  
(50' R.O.W.)

SAVANNAH LANDING  
SECTION THREE  
DOCUMENT NO. 2005042968  
B.C.O.R.

RESERVES			
RESERVE	ACREAGE	SQ. FT.	TYPE
A	0.477	20,780	RESTRICTED TO LANDSCAPE/OPEN SPACE
TOTAL	0.477	20,780	

CURVE TABLE						
CURVE	RADIUS	TANGENT	CHORD	ARC	DELTA	CHORD BEARING
C1	25.00	23.71	34.41	37.95	086°57'54"	N 49-34-55 W
C2	530.00	66.33	131.63	131.97	0141°5'59"	S 13-13-58 E
C3	25.00	22.11	33.13	36.21	082°58'54"	S 61-51-24 E
C4	270.00	90.70	171.96	175.00	037°08'10"	S 58-05-04 W
C5	270.00	11.42	22.83	22.84	004°50'40"	S 10-32-37 E
C6	25.00	21.38	32.50	35.38	081°05'14"	N 32-25-23 E
C7	1030.00	74.62	146.86	146.98	008°17'19"	S 68-49-22 W
C8	25.00	24.43	34.95	38.70	088°41'07"	S 70-58-42 E
C9	500.00	6.45	16.89	16.89	002°56'09"	S 21-20-02 E
C10	530.00	1.74	3.48	3.48	000°22'39"	S 20-33-15 E
C11	25.00	20.81	31.99	34.72	079°20'41"	N 19-02-18 E
C12	270.00	246.43	354.03	395.48	084°46'23"	S 34-15-57 W
C13	300.00	273.88	404.46	445.87	084°46'23"	S 34-15-57 W
C14	330.00	112.72	213.34	213.25	037°43'08"	S 10-44-20 W
C15	330.00	37.68	74.87	75.03	019°01'38"	S 52-18-20 W
C16	25.00	21.70	32.77	35.74	081°54'12"	N 85-44-36 E
C17	25.00	21.70	32.77	35.74	081°54'12"	N 11-21-12 W
C18	25.00	11.18	20.41	21.03	048°11'23"	S 28-12-36 E
C19	25.00	11.18	20.41	21.03	048°11'23"	N 75-23-59 W
C20	50.00	44.72	66.67	241.19	276°22'46"	S 37-41-42 W
C21	370.00	77.74	152.16	153.26	023°43'56"	S 14-46-10 E
C22	400.00	84.05	164.50	165.68	023°43'56"	S 14-46-10 E
C23	430.00	90.35	176.84	178.11	023°43'56"	S 14-46-10 E
C24	25.00	13.70	24.14	25.20	057°44'51"	S 25-58-14 W
C25	50.00	60.83	77.25	225.88	258°50'19"	N 74-34-28 W
C26	25.00	4.65	9.15	9.20	021°55'24"	N 13-26-54 W
C27	25.00	10.49	19.39	19.67	045°21'41"	N 68-33-21 E
C28	25.00	6.21	15.61	15.67	036°22'31"	S 70-29-33 E

LINE TABLE		
LINE	BEARING	DI STANCE
L1	N 69-38-03 E	68.00
L2	S 13-20-51 E	68.00
L3	N 50-29-01 W	110.00
L4	N 12-19-10 W	23.59
L5	N 25-50-42 E	53.54
L6	N 08-41-20 W	55.36
L7	S 36-00-30 W	21.33
L8	N 80-42-13 E	116.76
L9	N 81-52-46 E	60.00
L10	N 72-58-00 E	53.67
L11	N 63-21-52 E	60.00
L12	N 26-38-08 W	40.20
L13	N 72-42-10 E	120.08
L14	S 69-12-31 E	97.75
L15	S 29-18-05 E	35.64
L16	S 52-18-18 E	124.19
L17	S 52-18-18 E	16.83
L18	S 52-18-18 E	16.83
L19	N 26-38-08 W	90.23
L20	N 26-38-08 W	90.23
L21	N 26-38-08 W	90.23
L22	N 02-54-12 W	137.10
L23	N 02-54-12 W	164.12
L24	N 02-54-12 W	100.74
L25	N 06-56-08 E	15.00
L26	N 41-28-23 E	104.74
L27	S 10-37-41 W	17.17
L28	S 20-13-02 E	83.68
L29	N 61-17-07 W	82.71
L30	N 70-24-20 E	64.50
L31	S 82-07-37 E	136.02
L32	N 85-26-35 E	88.44
L33	S 64-58-02 W	119.38
L34	N 04-37-02 W	52.83

LEGEND

- EXIST. INDICATES EXISTING
- U.E. INDICATES UTILITY EASEMENT
- W.L.E. INDICATES WATERLINE EASEMENT
- STM.S.E. INDICATES STORM SEWER EASEMENT
- S.S.E. INDICATES SANITARY SEWER EASEMENT
- W.S.E. INDICATES WATER AND SEWER EASEMENT
- D.E. INDICATES DRAINAGE EASEMENT
- E.E. INDICATES ELECTRICAL EASEMENT
- B.C.P.R. INDICATES BRZORIA COUNTY PLAT RECORDS
- B.C.D.R. INDICATES BRZORIA COUNTY DEED RECORDS
- B.C.C.F. INDICATES BRZORIA COUNTY CLERKS FILE
- B.C.O.P.R. INDICATES BRZORIA COUNTY OFFICIAL PROPERTY RECORDS
- B.C.M.U.D. INDICATES BRZORIA COUNTY MUNICIPAL UTILITY DISTRICT
- ☼ INDICATES PROPOSED STREET LIGHT

FINAL PLAT  
**SAVANNAH COVE**  
SECTION THREE

A SUBDIVISION OF 9.166 ACRES OF LAND SITUATED IN THE A.C.H. & B. SURVEY, ABSTRACT 403, BRAZORIA COUNTY, TEXAS.

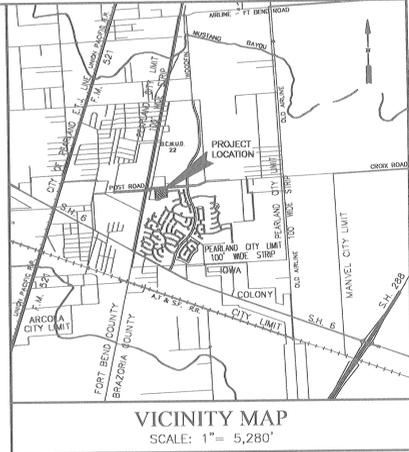
27 LOTS    1 RESERVE (0.477 ACRES)    2 BLOCKS

FEBRUARY 28, 2011    JOB NO. 0388-1032-309

OWNERS:  
**SAVANNAH DEVELOPMENT, LTD.**  
BY: LENNAR TEXAS HOLDING COMPANY  
ITS GENERAL PARTNER

**JOHN W. HAMMOND, VICE PRESIDENT**  
550 GREENS PARKWAY, SUITE 100, HOUSTON, TEXAS 77067  
PH. (281) 875-1000

ENGINEER:  
**LJA Engineering & Surveying, Inc.**  
2929 Briarpark Drive    Phone 713.953.5200  
Suite 600    Houston, Texas 77042    Fax 713.953.5026



VICINITY MAP  
SCALE: 1" = 5,280'

BEING 9.166 ACRES OF LAND LOCATED IN THE A. C. H. & B. SURVEY, ABSTRACT 403, BRAZORIA COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF THE RESIDUE OF A CALLED 59.2393 ACRE TRACT CONVEYED TO SAVANNAH DEVELOPMENT, LTD., BY AN INSTRUMENT OF RECORD IN FILE NO. 00-037442, OFFICIAL RECORDS, OF SAID BRAZORIA COUNTY (B.C.O.R.) AND BEING A PORTION OF THE RESIDUE OF A CALLED 39.507 ACRE TRACT CONVEYED TO SAVANNAH DEVELOPMENT, LTD. BY AN INSTRUMENT OF RECORD IN FILE NO. 00-057203, B.C.O.R. AND RECORDED IN FILE NO. 200080225, OFFICIAL PUBLIC RECORDS, OF FORT BEND COUNTY, SAID 9.166 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS REFERENCED SAVANNAH COVE SECTION TWO, A SUBDIVISION OF RECORD IN DOC. NO. 2007058942, B.C.O.R.);

BEGINNING AT THE SOUTHWEST CORNER OF BRIGHT CANYON LANE (CALLED 60 FEET WIDE) AS SHOWN ON SAID SAVANNAH COVE SECTION TWO, SAME BEING ON THE NORTH LINE RESTRICTED RESERVE "H" AS SHOWN ON SAVANNAH LANDING SECTION THREE, A SUBDIVISION OF RECORD IN DOC. NO. 2005042968, B.C.O.R., THE BEGINNING OF A CURVE WHOSE CENTER BEARS SOUTH 13° 20' 51" EAST;

THENCE, WITH THE NORTH LINE OF SAID SAVANNAH LANDING SECTION THREE, THE FOLLOWING SEVENTEEN (17) COURSES:

- 175.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 37° 08' 10" AND A CHORD WHICH BEARS SOUTH 58° 05' 04" WEST, 171.95 FEET TO A POINT FOR CORNER;
  - SOUTH 50° 29' 01" EAST, 110.00 FEET TO A POINT FOR CORNER;
  - SOUTH 12° 19' 10" EAST, 23.59 FEET TO A POINT FOR CORNER;
  - SOUTH 25° 50' 42" WEST, 53.54 FEET TO A POINT FOR CORNER;
  - SOUTH 08° 41' 20" EAST, 55.36 FEET TO A POINT FOR CORNER;
  - SOUTH 36° 00' 30" WEST, 21.33 FEET TO A POINT FOR CORNER;
  - SOUTH 80° 42' 19" WEST, 118.76 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
  - 22.84 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 04° 50' 46" AND A CHORD WHICH BEARS NORTH 10° 37' 37" WEST, 22.83 FEET TO A POINT FOR CORNER;
  - SOUTH 81° 52' 46" WEST, 60.00 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
  - 35.58 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 81° 05' 14" AND A CHORD WHICH BEARS SOUTH 32° 25' 23" WEST, 32.50 FEET TO A POINT FOR CORNER;
  - SOUTH 72° 58' 00" WEST, 53.67 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
  - 148.98 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,030.00 FEET, A CENTRAL ANGLE OF 08° 17' 15" AND A CHORD WHICH BEARS SOUTH 68° 49' 22" WEST, 148.85 FEET TO A POINT FOR CORNER, THE BEGINNING OF A REVERSE CURVE;
  - 38.70 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 88° 41' 07" AND A CHORD WHICH BEARS NORTH 70° 58' 42" WEST, 34.95 FEET TO A POINT FOR CORNER;
  - SOUTH 26° 38' 08" EAST, 40.20 FEET TO A POINT FOR CORNER;
  - SOUTH 72° 42' 10" WEST, 120.08 FEET TO A POINT FOR CORNER;
  - NORTH 89° 12' 34" WEST, 97.74 FEET TO A POINT FOR CORNER, THE SOUTHEAST CORNER OF THAT CERTAIN CALLED 5.021 ACRE TRACT CONVEYED TO THOMAS WALTER AND MELANIE L. WALTER, BY AN INSTRUMENT OF RECORD IN FILE NO. 01-017892, B.C.O.R.;
- THENCE, LEAVING SAID NORTH LINE AND WITH THE EAST LINE OF SAID 5.021 ACRE TRACT AND ITS' EXTENSION, NORTH 02° 54' 12" WEST, 662.69 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 86° 56' 08" EAST, 631.28 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
- THENCE, 37.95 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 86° 57' 54" AND A CHORD WHICH BEARS SOUTH 49° 34' 55" EAST, 34.41 FEET TO A POINT FOR CORNER, THE BEGINNING OF A REVERSE CURVE;
- THENCE, 131.97 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 14° 15' 59" AND A CHORD WHICH BEARS SOUTH 13° 13' 58" EAST, 131.63 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 69° 38' 03" EAST, 60.00 FEET TO A POINT FOR CORNER ON THE WEST LINE OF THE AFOREMENTIONED SAVANNAH COVE SECTION TWO, THE BEGINNING OF A CURVE;
- THENCE, WITH THE WEST LINE OF SAID SAVANNAH COVE SECTION TWO, 36.21 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 82° 58' 54" AND A CHORD WHICH BEARS SOUTH 61° 51' 24" EAST, 33.13 FEET TO A POINT FOR CORNER;
- THENCE, CONTINUING WITH SAID WEST LINE, SOUTH 13° 20' 51" EAST, 60.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.166 ACRES OF LAND.

## FINAL PLAT SAVANNAH COVE SECTION THREE

A SUBDIVISION OF 9.166 ACRES OF LAND SITUATED IN THE A.C.H.& B. SURVEY, ABSTRACT 403, BRAZORIA COUNTY, TEXAS.

27 LOTS 1 RESERVE (0.477 ACRES) 2 BLOCKS

FEBRUARY 28, 2011

JOB NO. 0388-1032-309

OWNERS:  
**SAVANNAH DEVELOPMENT, LTD.**  
BY: **LENNAR TEXAS HOLDING COMPANY**  
ITS GENERAL PARTNER  
**JOHN W. HAMMOND, VICE PRESIDENT**  
550 GREENS PARKWAY, SUITE 100, HOUSTON, TEXAS 77067  
PH. (281) 875-1000

ENGINEER:  
**LJA Engineering & Surveying, Inc.**  
2929 Briarpark Drive Phone 713.953.5200  
Suite 600 Fax 713.953.5206  
Houston, Texas 77042

### NOTES:

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND.
- THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, FILE NO. 1003932535, EFFECTIVE DATE JANUARY 23, 2011.
- BEARINGS ARE BASED ON THE RECORDED PLAT OF SAVANNAH LANDING SECTION THREE, RECORDED IN DOCUMENT NO. 2005042968 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.
- ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND.
- FIVE-EIGHTHS INCH (5/8") IRON RODS WITH PLASTIC CAP STAMPED "LJA ENG" THREE FEET IN LENGTH HAVE BEEN SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
- BENCHMARK: CITY OF PEARLAND C.P. 10 BRASS CAP SET FLUSH IN CONCRETE STAMPED "CITY OF PEARLAND 10 G.P.S. MON. 1987". THE MONUMENT IS LOCATED NORTHERLY ALONG THE SOUTHBOUND LANES OF HIGHWAY 288, APPROXIMATELY 2,000 FEET SOUTHERLY FROM THE INTERSECTION OF F.M. 518 AND HIGHWAY 288. THE MONUMENT IS WESTERLY 21 FEET FROM THE WEST EDGE OF ASPHALT OF THE SOUTHBOUND HIGHWAY 288 AND APPROXIMATELY 185 FEET FROM A LARGE HIGHWAY LIGHT POLE #288 B.  
ELEVATION: 59.29 (NGVD 29, '87 ADJUSTMENT)
- T.B.M. "LJA-1":  
BOX CUT IN CURB AT THE NOSE OF THE SOUTH MEDIAN OF SAVANNAH PARKWAY AT THE INTERSECTION OF COUNTY ROAD NO. 58.  
ELEVATION: 65.88 (NGVD 29, 1978 ADJUSTMENT)  
T.B.M. "LJA-C3":  
5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "LJA ENG" SET MARKING THE SOUTHWEST CORNER OF LOT 2, BLOCK 1 (AS SHOWN BY SYMBOL).  
ELEVATION: 63.54 (NGVD 29, 1978 ADJUSTMENT)  
NOTE: TO CONVERT T.B.M.'S (NGVD 29, 1978 ADJUSTMENT) TO THE CITY OF PEARLAND VERTICAL DATUM (NGVD 29, '87 ADJUSTMENT) SUBTRACT 1.28 FEET

- THIS TRACT LIES IN ZONE "X" OF THE F.I.R.M. FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS, DATED JUNE 5, 1989, MAP NO. 4805C0020H. CONTACT THE BRAZORIA COUNTY FLOODPLAIN ADMINISTRATOR FOR THE FLOOD INFORMATION.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE OWNER.
- ACCESS RIGHTS TO DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING RESIDENTIAL PROPERTIES.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND/OR BRAZORIA DRAINAGE DISTRICT NO. 4.
- THIS PROPERTY IS LOCATED WHOLLY WITHIN MUNICIPAL UTILITY DISTRICT NO. 21, AT THE TIME OF PLATING.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL AND UNIFIED DEVELOPMENT CODE.
- LOTS WHICH SIDE ONTO A PUBLIC STREET RIGHT-OF-WAY ARE DENIED DIRECT DRIVEWAY ACCESS TO THE SIDING PUBLIC STREET.
- A SIX (6) FOOT HIGH MASONRY WALL SHALL BE PROVIDED ALONG POST ROAD (C.R.58) AT THE TIME OF DEVELOPMENT.
- A FOUR-FOOT SIDEWALK IS REQUIRED ON BOTH SIDES OF ALL STREETS CONTAINED WITHIN THIS PLAT.
- NO SIDEWALK ALONG POST ROAD (C.R.58) IS REQUIRED WITHIN THIS PLAT PER THE DEVELOPMENT AGREEMENT REFERENCED BELOW IN NOTE 20.
- THIS SUBDIVISION IS CONSISTENT WITH THE THIRD AMENDMENT SINGLE FAMILY DWELLING DISTRICT IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT BETWEEN SAVANNAH DEVELOPMENT LTD., A TEXAS LIMITED PARTNERSHIP AND THE CITY OF PEARLAND DATED JUNE 13, 2005.
- THERE ARE 5 PROPOSED STREET LIGHTS ON THIS PLAT.

- NO VERTICAL IMPROVEMENTS ARE PERMITTED WITHIN THIS FAULT ZONE OF INFLUENCE.
- ANY GOVERNMENTAL BODY, FOR PURPOSES OF DRAINAGE WORK, MAY USE DRAINAGE EASEMENTS AND FEE STRIPS PROVIDED THE DISTRICT IS PROPERLY NOTIFIED.
- PERMANENT STRUCTURES, INCLUDING FENCES AND PERMANENT LANDSCAPING, SHALL NOT BE ERRECTED IN DRAINAGE EASEMENT STRIPS.
- MAINTENANCE OF DETENTION FACILITIES IS THE SOLE RESPONSIBILITY OF THE OWNER OF THE PROPERTY. THE DISTRICT WILL PROVIDE MAINTENANCE OF REGIONAL FACILITIES OWNED AND CONSTRUCTED BY DISTRICT OR SUB-REGIONAL FACILITIES CONSTRUCTED BY DEVELOPER(S) FOR WHICH OWNERSHIP HAS BEEN TRANSFERRED TO THE DISTRICT'S APPROVAL. THE DISTRICT IS RESPONSIBLE ONLY FOR THE MAINTENANCE OF FACILITIES OWNED BY THE DISTRICT UNLESS THE DISTRICT SPECIFICALLY CONTRACTS OR AGREES TO MAINTAIN OTHER FACILITIES.
- CONTRACTOR SHALL NOTIFY THE DISTRICT IN WRITING AT LEAST THIRTY-SIX (36) HOURS BEFORE PLACING ANY CONCRETE FOR DRAINAGE STRUCTURES.
- THE DISTRICT'S PERSONNEL SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY FOR INSPECTION AT ANY TIME DURING CONSTRUCTION AND AS MAY BE WARRANTED TO ENSURE THE DETENTION FACILITY OF OPERATING PROPERLY.
- NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THE DEVELOPMENT UNTIL THE DETENTION FACILITY HAS BEEN CONSTRUCTED AND APPROVED BY THE DISTRICT.
- THE DISTRICT'S APPROVAL OF THE FINAL DRAINAGE PLAN AND FINAL PLAT DOES NOT AFFECT THE PROPERTY RIGHTS OF THIRD PARTIES. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING AND MAINTAINING ANY AND ALL EASEMENTS, FEE STRIPS AND/OR ANY OTHER RIGHTS-OF-WAYS ACROSS THIRD PARTIES PROPERTIES FOR THE PURPOSES OF MOVING EXCESS RUNOFF TO THE DISTRICT'S DRAINAGE FACILITIES AS CONTEMPLATED BY THE FINAL DRAINAGE PLAN AND FINAL PLAT.
- THERE ARE NO EXISTING OR PROPOSED DISTRICT FACILITIES ON OR ADJACENT TO THIS TRACT, THEREFORE, NO EASEMENTS ARE REQUIRED.
- EASEMENTS AND/OR BUILDING LINES OF RECORD IS SHOWN ON THE RECORDED PLAT OF SAVANNAH LANDING SECTION THREE, A SUBDIVISION RECORDED IN DOCUMENT NO. 2005042968 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS.
- EASEMENTS AND/OR BUILDING LINES OF RECORD IS SHOWN ON THE RECORDED PLAT OF SAVANNAH COVE SECTION TWO, A SUBDIVISION RECORDED IN DOCUMENT NO. 2007058942 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS.

I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND IN ACCORDANCE WITH THE INFORMATION PROVIDED ME AND CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY AND IS TRUE AND CORRECT AND THAT ALL BOUNDARY CORNERS, LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE ARE PROPERLY MARKED WITH 5/8 INCH DIAMETER IRON RODS WITH PLASTIC CAP MARKED "LJA ENG" THREE FEET LONG OR AS SHOWN ON THE PLAT. (SEE NOTE 6)

KEITH W. MONROE, R.P.L.S.  
TEXAS REGISTRATION NO. 4797

APPROVED BY BRAZORIA DRAINAGE DISTRICT NO. 4

JEFFERY H. BRENNAN, PRESIDENT DAN KELLER, SECRETARY

ROBERT MEINEKE, COMMISSIONER ALFRED E. LENTZ, P.E., R.P.L.S.  
DISTRICT ENGINEER

DATE

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF SAVANNAH COVE SECTION THREE AND IS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

JERRY KOZA, JR., CHAIRPERSON  
PLANNING & ZONING COMMISSION  
CITY OF PEARLAND, TEXAS

APPROVED FOR THE CITY OF PEARLAND, TEXAS THIS \_\_\_\_\_ OF \_\_\_\_\_, 2011.

DARRIN COKER, CITY ATTORNEY NARCISO LIRA III, P.E.  
CITY ENGINEER

STATE OF TEXAS  
COUNTY OF BRAZORIA

WE, SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH JOHN W. HAMMOND, VICE PRESIDENT OF LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, GENERAL PARTNER OF SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, OWNERS OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF SAVANNAH COVE SECTION THREE, 9.166 ACRES OUT OF THE A.C.H. & B. SURVEY, ABSTRACT 403, BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID PARTNERSHIP, ACCORDING TO THE LINES, LOTS, STREETS, ALLEYS, RESERVES, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE AS SUCH THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY PURPOSES FOREVER, UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS OR FIVE FOOT, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (I.E. AND A.E.) AS INDICATED AND DEPICTED HEREON WHEREBY EACH AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY PURPOSES FOREVER, UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10'0") FOR TEN FEET (10'0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (I.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY EACH AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

IN TESTIMONY HERETO, SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, ITS GENERAL PARTNER, BY JOHN W. HAMMOND, VICE PRESIDENT, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

SAVANNAH DEVELOPMENT, LTD.  
A TEXAS LIMITED PARTNERSHIP

BY: LENNAR TEXAS HOLDING COMPANY,  
A TEXAS CORPORATION,  
ITS GENERAL PARTNER

BY: JOHN W. HAMMOND, VICE PRESIDENT

STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHN W. HAMMOND, VICE PRESIDENT OF LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, GENERAL PARTNER OF SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

WE, AMEGY BANK, N.A., (F/K/A SOUTHWEST BANK OF TEXAS, N.A.), OWNER AND HOLDER OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS SAVANNAH COVE SECTION THREE, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NO. 01 032290 OF THE O.P.R.O.R.P. OF BRAZORIA COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: MEREDITH TREVINO, BANKING OFFICER

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MEREDITH TREVINO, BANKING OFFICER, OF AMEGY BANK, N.A., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID BANK.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES:

# **P&Z Agenda Item**

**D**

# PLANNING AND ZONING COMMISSION MEETING OF MARCH 7, 2011

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## PLANNING AND ZONING PRELIMINARY PLAT

A request by Rene Rodriguez of LJA Engineering & Surveying, inc., applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Cove Section Three, generally located approximately 1,300 feet west of Croix Road and Savannah Parkway, proposing a 27-lot single-family residential subdivision on the following described property, to wit:

**Legal Description:** Being 9.166 acres of land located in the A. C. H. & B. Survey, abstract 403, Brazoria County, Texas, more particularly being a portion of the residue of a called 59.2393 acre tract conveyed to Savannah Development, LTD., by an instrument of record in file No. 00-037443, official records, of said Brazoria county (B.C.O.R.) and being a portion of the residue of a called 39.507 acre tract conveyed to Savannah Development, LTD, by an instrument of record in file No. 00-037203, B.C.O.R. and recorded in file No. 2000080225, official records of Fort Bend County.

**General Location:** Approximately 1,300 feet west of Croix Road and Savannah Parkway.

**Planning and Zoning Commission:** March 7<sup>th</sup>, 2011

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**SUMMARY:** The applicant is requesting approval of this 27-lot single-family subdivision a portion of the area known Savannah. This proposed subdivision is fully in the Extraterritorial Jurisdiction (ETJ) of the city of Pearland and has a development agreement. This development does not have zoning, but does have requirements within the development agreement.

**UNIFIED DEVELOPMENT CODE:** Does not apply.

**SAVANNAH COVE DEVELOPMENT AGREEMENT:** There are several portions of the Development Agreement that apply to this submitted Final Plat of Savannah Cove Section Three.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	ETJ (None)	Vacant Land
South	ETJ (None)	Detention Pond, vacant Single Family lots
East	ETJ (None)	Vacant Single Family Lots
West	ETJ (None)	Single-Family Home

**CONFORMANCE TO THE COMPREHENSIVE PLACE:** The subject property is within the Low-Density Residential land use plan designation. The proposed subdivision is within the guidelines of Low-Density Residential land use designation.

**PLATTING STATUS:** The Preliminary Plat for Savannah Cove Section Three was approved on 10/04/2010. This is a request for the Final Plat, which would create the separate lots and reserves.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is nested within the Savannah development with local streets. The northerly property line of this development abuts a future 120-foot Major Thoroughfare of Post Road.

**ADDITIONAL COMMENTS:** Additional comments were submitted by a representative of the engineering department in regards to a sidewalk issue within the Savannah Development. There are several portions of sidewalk within the development that need to be constructed; the engineering department is looking for a resolution to the sidewalk inconsistency in the development.

**SITE PLAN CONSIDERATIONS:** There have not been any site plans submitted with this document, but future development will have to satisfy the requirements of the Savannah Development Agreement. This agreement offers information as to the required setbacks and other development standards. As building permits are submitted, they will be reviewed in detail to satisfy the requirements of this agreement.

**TRAFFIC AND TRANSPORTATION:** A traffic impact analysis was submitted and approved as part of the Savannah Development Agreement.

**UTILITIES AND INFRASTRUCTURE:** Water and sewer service are available to for this subdivision.

**STORMWATER MANAGEMENT:** Detention will be provided in accordance to the Savannah Development Agreement.

**PARKS, OPEN SPACE, AND TREES:** Park fees are required and have not been paid, therefore a condition of approval has been added.

**STAFF RECOMMENDATION:** Staff recommends approval with conditions of the subject Preliminary Plat as proposed by the applicant, for the following reasons:

1. The proposed subdivision will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the comprehensive plan and Development Agreement.
3. The Savannah Development Agreement will assure the development of this property is in conformance with the goals of the city.

**CONDITIONS OF APPROVAL:**

1. Provide Mylars and fees for recordation.
2. Include portion of Lost Spring Lane within this Final Plat of Savannah Cove Section three.
3. Submit the required Park Fee as required by the Savannah Development Agreement.
4. Submit the required County Road 58 fee as required by the Savannah Development.
5. Submit a plan acceptable to the city of Pearland's engineering department regarding the sidewalk inconsistencies within the Savannah development.

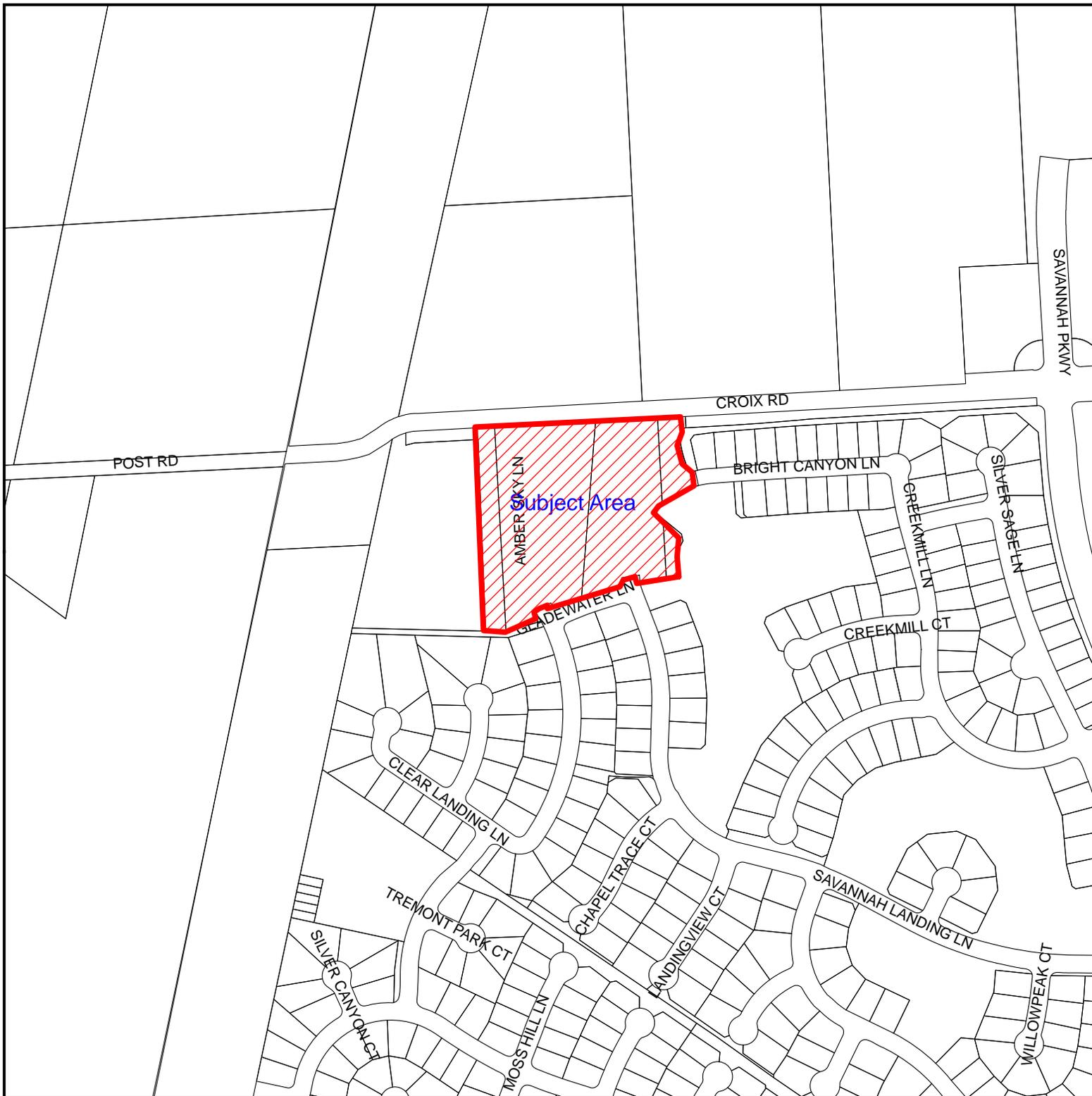
**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Aerial Map
- Final Plat of Savannah Cove Section Three

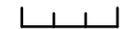


Final Plat of  
Savannah Cove  
Section Section Three

Vicinity Map



0 125 250 Feet





# Final Plat of Savannah Cove Section Section Three

## Future Land Use Map



0 125 250 Feet



Final Plat of  
Savannah Cove  
Section Section Three

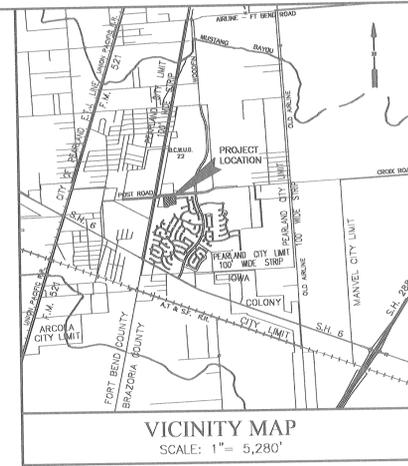
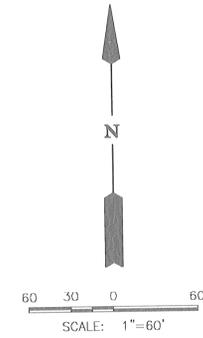
Aerial



0 125 250 Feet  
[Scale bar]

SAVANNAH DEVELOPMENT, LTD.  
F.N.00-037-203  
B.C.R.P.R.

POST ROAD - COUNTY ROAD 58  
(120' R.O.W.)



VICINITY MAP  
SCALE: 1" = 5,280'

CALLED 5.021 ACRES  
THOMAS AND MELANIE WALTER  
B.C.C.F. NO. 01-017892

SAVANNAH COVE  
SECTION TWO  
DOCUMENT NO. 2007058942  
B.C.O.R.

BRIGHT CANYON LANE  
(60' R.O.W.)

P.O.B.

RESERVE 'G'

T.B.M.  
"LJA-C3"  
(SEE NOTE 7)

SILENT FALLS LANE  
(50' R.O.W.)

SAVANNAH LANDING  
SECTION THREE  
DOCUMENT NO. 2005042968  
B.C.O.R.

RESERVES			
RESERVE	ACREAGE	SQ. FT.	TYPE
A	0.477	20,780	RESTRICTED TO LANDSCAPE/OPEN SPACE
TOTAL	0.477	20,780	

CURVE TABLE						
CURVE	RADIUS	TANGENT	CHORD	ARC	DELTA	CHORD BEARING
C1	25.00	23.71	34.41	37.95	086°57'54"	N 49-34-55 W
C2	530.00	66.33	131.63	131.97	0141°5'59"	S 13-13-58 E
C3	25.00	22.11	33.13	36.21	082°58'54"	S 61-51-24 E
C4	270.00	90.70	171.96	175.00	037°08'10"	S 58-05-04 W
C5	270.00	11.42	22.83	22.84	004°50'40"	S 10-32-37 E
C6	25.00	21.38	32.50	35.38	081°05'14"	N 32-25-23 E
C7	1030.00	74.62	146.86	146.98	008°17'19"	S 68-49-22 W
C8	25.00	24.43	34.95	38.70	088°41'07"	S 70-58-42 E
C9	500.00	6.45	16.89	16.89	002°56'09"	S 21-20-02 E
C10	530.00	1.74	3.48	3.48	000°22'39"	S 20-33-15 E
C11	25.00	20.81	31.99	34.72	079°20'41"	N 19-02-18 E
C12	270.00	246.43	354.03	395.48	084°46'23"	S 34-15-57 W
C13	300.00	273.88	404.46	445.07	084°46'23"	S 34-15-57 W
C14	330.00	112.72	213.34	213.25	037°43'08"	S 10-44-20 W
C15	330.00	37.68	74.87	75.03	019°01'38"	S 52-18-20 W
C16	25.00	21.70	32.77	35.74	081°54'12"	N 85-44-36 E
C17	25.00	21.70	32.77	35.74	081°54'12"	N 11-21-12 W
C18	25.00	11.18	20.41	21.03	048°11'23"	S 28-12-36 E
C19	25.00	11.18	20.41	21.03	048°11'23"	N 75-23-59 W
C20	50.00	44.72	66.67	241.19	276°22'46"	S 37-41-42 W
C21	370.00	77.74	152.16	153.26	023°43'56"	S 14-46-10 E
C22	400.00	84.05	164.50	165.68	023°43'56"	S 14-46-10 E
C23	430.00	90.35	176.84	178.11	023°43'56"	S 14-46-10 E
C24	25.00	13.70	24.14	25.20	057°44'51"	S 25-58-14 W
C25	50.00	60.83	77.25	225.88	258°50'19"	N 74-34-28 W
C26	25.00	4.65	9.15	9.20	021°55'24"	N 13-26-54 W
C27	25.00	10.49	19.39	19.67	045°21'41"	N 68-33-21 E
C28	25.00	6.21	15.61	15.67	036°22'31"	S 70-29-33 E

LINE TABLE		
LINE	BEARING	DI STANCE
L1	N 69-38-03 E	68.00
L2	S 13-20-51 E	68.00
L3	N 50-29-01 W	110.00
L4	N 12-19-10 W	23.59
L5	N 25-50-42 E	53.54
L6	N 08-41-20 W	55.36
L7	S 36-00-30 W	21.33
L8	N 80-42-13 E	116.76
L9	N 81-52-46 E	60.00
L10	N 72-58-00 E	53.67
L11	N 63-21-52 E	60.00
L12	N 26-38-08 W	40.20
L13	N 72-42-10 E	120.08
L14	S 69-12-31 E	97.75
L15	S 29-18-05 E	35.64
L16	S 52-18-18 E	124.19
L17	S 52-18-18 E	16.83
L18	S 52-18-18 E	16.83
L19	N 26-38-08 W	90.23
L20	N 26-38-08 W	90.23
L21	N 26-38-08 W	90.23
L22	N 02-54-12 W	137.10
L23	N 02-54-12 W	164.12
L24	N 02-54-12 W	100.74
L25	N 06-56-08 E	15.00
L26	N 41-28-23 E	104.74
L27	S 10-37-41 W	17.17
L28	S 20-13-02 E	83.68
L29	N 61-17-07 W	82.71
L30	N 70-24-20 E	64.50
L31	S 82-07-37 E	136.02
L32	N 85-26-35 E	88.44
L33	S 64-58-02 W	119.38
L34	N 04-37-02 W	52.83

LEGEND

- EXIST. INDICATES EXISTING
- U.E. INDICATES UTILITY EASEMENT
- W.L.E. INDICATES WATERLINE EASEMENT
- STM.S.E. INDICATES STORM SEWER EASEMENT
- S.S.E. INDICATES SANITARY SEWER EASEMENT
- W.S.E. INDICATES WATER AND SEWER EASEMENT
- D.E. INDICATES DRAINAGE EASEMENT
- E.E. INDICATES ELECTRICAL EASEMENT
- B.C.P.R. INDICATES BRZORIA COUNTY PLAT RECORDS
- B.C.D.R. INDICATES BRZORIA COUNTY DEED RECORDS
- B.C.C.F. INDICATES BRZORIA COUNTY CLERKS FILE
- B.C.O.P.R. INDICATES BRZORIA COUNTY OFFICIAL PROPERTY RECORDS
- B.C.M.U.D. INDICATES BRZORIA COUNTY MUNICIPAL UTILITY DISTRICT
- ☼ INDICATES PROPOSED STREET LIGHT

FINAL PLAT  
**SAVANNAH COVE**  
SECTION THREE

A SUBDIVISION OF 9.166 ACRES OF LAND SITUATED IN THE A.C.H. & B. SURVEY, ABSTRACT 403, BRAZORIA COUNTY, TEXAS.

27 LOTS    1 RESERVE (0.477 ACRES)    2 BLOCKS

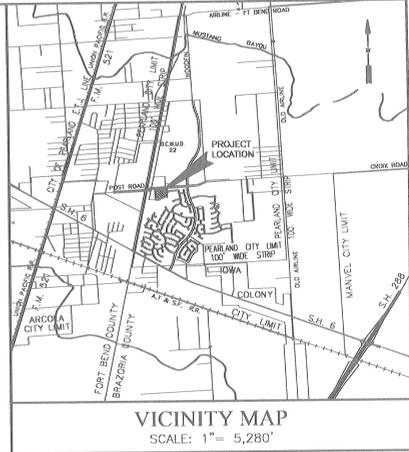
FEBRUARY 28, 2011    JOB NO. 0388-1032-309

OWNERS:  
**SAVANNAH DEVELOPMENT, LTD.**  
BY: LENNAR TEXAS HOLDING COMPANY  
ITS GENERAL PARTNER

**JOHN W. HAMMOND, VICE PRESIDENT**  
550 GREENS PARKWAY, SUITE 100, HOUSTON, TEXAS 77067  
PH. (281) 875-1000

ENGINEER:  
**LJA Engineering & Surveying, Inc.**  
2929 Briarpark Drive    Phone 713.953.5200  
Suite 600    Houston, Texas 77042    Fax 713.953.5026

User Name: erodriguez  
 Plot Name: P:\Projects\0388\Final\ Savannah Cove\_3\_Fp.dwg  
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VICINITY MAP  
SCALE: 1" = 5,280'

BEING 9.166 ACRES OF LAND LOCATED IN THE A. C. H. & B. SURVEY, ABSTRACT 403, BRAZORIA COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF THE RESIDUE OF A CALLED 59.2393 ACRE TRACT CONVEYED TO SAVANNAH DEVELOPMENT, LTD., BY AN INSTRUMENT OF RECORD IN FILE NO. 00-037442, OFFICIAL RECORDS, OF SAID BRAZORIA COUNTY (B.C.O.R.) AND BEING A PORTION OF THE RESIDUE OF A CALLED 39.507 ACRE TRACT CONVEYED TO SAVANNAH DEVELOPMENT, LTD. BY AN INSTRUMENT OF RECORD IN FILE NO. 00-057203, B.C.O.R. AND RECORDED IN FILE NO. 200080225, OFFICIAL PUBLIC RECORDS, OF FORT BEND COUNTY, SAID 9.166 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS REFERENCED SAVANNAH COVE SECTION TWO, A SUBDIVISION OF RECORD IN DOC. NO. 2007058942, B.C.O.R.);

BEGINNING AT THE SOUTHWEST CORNER OF BRIGHT CANYON LANE (CALLED 60 FEET WIDE) AS SHOWN ON SAID SAVANNAH COVE SECTION TWO, SAME BEING ON THE NORTH LINE RESTRICTED RESERVE "H" AS SHOWN ON SAVANNAH LANDING SECTION THREE, A SUBDIVISION OF RECORD IN DOC. NO. 2005042968, B.C.O.R., THE BEGINNING OF A CURVE WHOSE CENTER BEARS SOUTH 13° 20' 51" EAST;

THENCE, WITH THE NORTH LINE OF SAID SAVANNAH LANDING SECTION THREE, THE FOLLOWING SEVENTEEN (17) COURSES:

- 175.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 37° 08' 10" AND A CHORD WHICH BEARS SOUTH 58° 05' 04" WEST, 171.95 FEET TO A POINT FOR CORNER;
  - SOUTH 50° 29' 01" EAST, 110.00 FEET TO A POINT FOR CORNER;
  - SOUTH 12° 19' 10" EAST, 23.59 FEET TO A POINT FOR CORNER;
  - SOUTH 25° 50' 42" WEST, 53.54 FEET TO A POINT FOR CORNER;
  - SOUTH 08° 41' 20" EAST, 55.36 FEET TO A POINT FOR CORNER;
  - SOUTH 36° 00' 30" WEST, 21.33 FEET TO A POINT FOR CORNER;
  - SOUTH 80° 42' 19" WEST, 118.76 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
  - 22.84 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 04° 50' 46" AND A CHORD WHICH BEARS NORTH 10° 37' 37" WEST, 22.83 FEET TO A POINT FOR CORNER;
  - SOUTH 81° 52' 46" WEST, 60.00 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
  - 35.58 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 81° 05' 14" AND A CHORD WHICH BEARS SOUTH 32° 25' 23" WEST, 32.50 FEET TO A POINT FOR CORNER;
  - SOUTH 72° 58' 00" WEST, 53.67 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
  - 148.98 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,030.00 FEET, A CENTRAL ANGLE OF 08° 17' 15" AND A CHORD WHICH BEARS SOUTH 68° 49' 22" WEST, 148.85 FEET TO A POINT FOR CORNER, THE BEGINNING OF A REVERSE CURVE;
  - 38.70 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 88° 41' 07" AND A CHORD WHICH BEARS NORTH 70° 58' 42" WEST, 34.95 FEET TO A POINT FOR CORNER;
  - SOUTH 26° 38' 08" EAST, 40.20 FEET TO A POINT FOR CORNER;
  - SOUTH 72° 42' 10" WEST, 120.08 FEET TO A POINT FOR CORNER;
  - NORTH 89° 12' 34" WEST, 97.74 FEET TO A POINT FOR CORNER, THE SOUTHEAST CORNER OF THAT CERTAIN CALLED 5.021 ACRE TRACT CONVEYED TO THOMAS WALTER AND MELANIE L. WALTER, BY AN INSTRUMENT OF RECORD IN FILE NO. 01-017892, B.C.O.R.;
- THENCE, LEAVING SAID NORTH LINE AND WITH THE EAST LINE OF SAID 5.021 ACRE TRACT AND ITS' EXTENSION, NORTH 02° 54' 12" WEST, 662.69 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 86° 56' 08" EAST, 631.28 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;
- THENCE, 37.95 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 86° 57' 54" AND A CHORD WHICH BEARS SOUTH 49° 34' 55" EAST, 34.41 FEET TO A POINT FOR CORNER, THE BEGINNING OF A REVERSE CURVE;
- THENCE, 131.97 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 14° 15' 59" AND A CHORD WHICH BEARS SOUTH 13° 13' 58" EAST, 131.63 FEET TO A POINT FOR CORNER;
- THENCE, NORTH 69° 38' 03" EAST, 60.00 FEET TO A POINT FOR CORNER ON THE WEST LINE OF THE AFOREMENTIONED SAVANNAH COVE SECTION TWO, THE BEGINNING OF A CURVE;
- THENCE, WITH THE WEST LINE OF SAID SAVANNAH COVE SECTION TWO, 36.21 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 82° 58' 54" AND A CHORD WHICH BEARS SOUTH 61° 51' 24" EAST, 33.13 FEET TO A POINT FOR CORNER;
- THENCE, CONTINUING WITH SAID WEST LINE, SOUTH 13° 20' 51" EAST, 60.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.166 ACRES OF LAND.

## FINAL PLAT SAVANNAH COVE SECTION THREE

A SUBDIVISION OF 9.166 ACRES OF LAND SITUATED IN THE A.C.H.& B. SURVEY, ABSTRACT 403, BRAZORIA COUNTY, TEXAS.

27 LOTS 1 RESERVE (0.477 ACRES) 2 BLOCKS

FEBRUARY 28, 2011

JOB NO. 0388-1032-309

OWNERS:  
**SAVANNAH DEVELOPMENT, LTD.**  
BY: **LENNAR TEXAS HOLDING COMPANY**  
ITS GENERAL PARTNER  
**JOHN W. HAMMOND, VICE PRESIDENT**  
550 GREENS PARKWAY, SUITE 100, HOUSTON, TEXAS 77067  
PH. (281) 875-1000

ENGINEER:  
**LJA Engineering & Surveying, Inc.**  
2929 Briarpark Drive Phone 713.953.5200  
Suite 600 Fax 713.953.5206  
Houston, Texas 77042

### NOTES:

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND.
- THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, FILE NO. 1003932535, EFFECTIVE DATE JANUARY 23, 2011.
- BEARINGS ARE BASED ON THE RECORDED PLAT OF SAVANNAH LANDING SECTION THREE, RECORDED IN DOCUMENT NO. 2005042968 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.
- ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND.
- FIVE-EIGHTHS INCH (5/8") IRON RODS WITH PLASTIC CAP STAMPED "LJA ENG" THREE FEET IN LENGTH HAVE BEEN SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
- BENCHMARK: CITY OF PEARLAND C.P. 10 BRASS CAP SET FLUSH IN CONCRETE STAMPED "CITY OF PEARLAND 10 G.P.S. MON. 1987". THE MONUMENT IS LOCATED NORTHERLY ALONG THE SOUTHBOUND LANES OF HIGHWAY 288, APPROXIMATELY 2,000 FEET SOUTHERLY FROM THE INTERSECTION OF F.M. 518 AND HIGHWAY 288. THE MONUMENT IS WESTERLY 21 FEET FROM THE WEST EDGE OF ASPHALT OF THE SOUTHBOUND HIGHWAY 288 AND APPROXIMATELY 185 FEET FROM A LARGE HIGHWAY LIGHT POLE #288 B.  
ELEVATION: 59.29 (NGVD 29, '87 ADJUSTMENT)
- T.B.M. "LJA-1":  
BOX CUT IN CURB AT THE NOSE OF THE SOUTH MEDIAN OF SAVANNAH PARKWAY AT THE INTERSECTION OF COUNTY ROAD NO. 58.  
ELEVATION: 65.88 (NGVD 29, 1978 ADJUSTMENT)  
T.B.M. "LJA-C3":  
5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "LJA ENG" SET MARKING THE SOUTHWEST CORNER OF LOT 2, BLOCK 1 (AS SHOWN BY SYMBOL).  
ELEVATION: 63.54 (NGVD 29, 1978 ADJUSTMENT)  
NOTE: TO CONVERT T.B.M.'S (NGVD 29, 1978 ADJUSTMENT) TO THE CITY OF PEARLAND VERTICAL DATUM (NGVD 29, '87 ADJUSTMENT) SUBTRACT 1.28 FEET
- THIS TRACT LIES IN ZONE "X" OF THE F.I.R.M. FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS, DATED JUNE 5, 1989, MAP NO. 4805C0020H. CONTACT THE BRAZORIA COUNTY FLOODPLAIN ADMINISTRATOR FOR THE FLOOD INFORMATION.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE OWNER.
- ACCESS RIGHTS TO DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING RESIDENTIAL PROPERTIES.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND/OR BRAZORIA DRAINAGE DISTRICT NO. 4.
- THIS PROPERTY IS LOCATED WHOLLY WITHIN MUNICIPAL UTILITY DISTRICT NO. 21, AT THE TIME OF PLATING.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL AND UNIFIED DEVELOPMENT CODE.
- LOTS WHICH SIDE ONTO A PUBLIC STREET RIGHT-OF-WAY ARE DENIED DIRECT DRIVEWAY ACCESS TO THE SIDING PUBLIC STREET.
- A SIX (6) FOOT HIGH MASONRY WALL SHALL BE PROVIDED ALONG POST ROAD (C.R.58) AT THE TIME OF DEVELOPMENT.
- A FOUR-FOOT SIDEWALK IS REQUIRED ON BOTH SIDES OF ALL STREETS CONTAINED WITHIN THIS PLAT.
- NO SIDEWALK ALONG POST ROAD (C.R.58) IS REQUIRED WITHIN THIS PLAT PER THE DEVELOPMENT AGREEMENT REFERENCED BELOW IN NOTE 20.
- THIS SUBDIVISION IS CONSISTENT WITH THE THIRD AMENDMENT SINGLE FAMILY DWELLING DISTRICT IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT BETWEEN SAVANNAH DEVELOPMENT LTD., A TEXAS LIMITED PARTNERSHIP AND THE CITY OF PEARLAND DATED JUNE 13, 2005.
- THERE ARE 5 PROPOSED STREET LIGHTS ON THIS PLAT.
- NO VERTICAL IMPROVEMENTS ARE PERMITTED WITHIN THIS FAULT ZONE OF INFLUENCE.
- ANY GOVERNMENTAL BODY, FOR PURPOSES OF DRAINAGE WORK, MAY USE DRAINAGE EASEMENTS AND FEE STRIPS PROVIDED THE DISTRICT IS PROPERLY NOTIFIED.
- PERMANENT STRUCTURES, INCLUDING FENCES AND PERMANENT LANDSCAPING, SHALL NOT BE ERRECTED IN DRAINAGE EASEMENT STRIPS.
- MAINTENANCE OF DETENTION FACILITIES IS THE SOLE RESPONSIBILITY OF THE OWNER OF THE PROPERTY. THE DISTRICT WILL PROVIDE MAINTENANCE OF REGIONAL FACILITIES OWNED AND CONSTRUCTED BY DISTRICT OR SUB-REGIONAL FACILITIES CONSTRUCTED BY DEVELOPER(S) FOR WHICH OWNERSHIP HAS BEEN TRANSFERRED TO THE DISTRICT'S APPROVAL. THE DISTRICT IS RESPONSIBLE ONLY FOR THE MAINTENANCE OF FACILITIES OWNED BY THE DISTRICT UNLESS THE DISTRICT SPECIFICALLY CONTRACTS OR AGREES TO MAINTAIN OTHER FACILITIES.
- CONTRACTOR SHALL NOTIFY THE DISTRICT IN WRITING AT LEAST THIRTY-SIX (36) HOURS BEFORE PLACING ANY CONCRETE FOR DRAINAGE STRUCTURES.
- THE DISTRICT'S PERSONNEL SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY FOR INSPECTION AT ANY TIME DURING CONSTRUCTION AND AS MAY BE WARRANTED TO ENSURE THE DETENTION FACILITY OF OPERATING PROPERLY.
- NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THE DEVELOPMENT UNTIL THE DETENTION FACILITY HAS BEEN CONSTRUCTED AND APPROVED BY THE DISTRICT.
- THE DISTRICT'S APPROVAL OF THE FINAL DRAINAGE PLAN AND FINAL PLAT DOES NOT AFFECT THE PROPERTY RIGHTS OF THIRD PARTIES. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING AND MAINTAINING ANY AND ALL EASEMENTS, FEE STRIPS AND/OR ANY OTHER RIGHTS-OF-WAYS ACROSS THIRD PARTIES PROPERTIES FOR THE PURPOSES OF MOVING EXCESS RUNOFF TO THE DISTRICT'S DRAINAGE FACILITIES AS CONTEMPLATED BY THE FINAL DRAINAGE PLAN AND FINAL PLAT.
- THERE ARE NO EXISTING OR PROPOSED DISTRICT FACILITIES ON OR ADJACENT TO THIS TRACT, THEREFORE, NO EASEMENTS ARE REQUIRED.
- EASEMENTS AND/OR BUILDING LINES OF RECORD IS SHOWN ON THE RECORDED PLAT OF SAVANNAH LANDING SECTION THREE, A SUBDIVISION RECORDED IN DOCUMENT NO. 2005042968 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS.
- EASEMENTS AND/OR BUILDING LINES OF RECORD IS SHOWN ON THE RECORDED PLAT OF SAVANNAH COVE SECTION TWO, A SUBDIVISION RECORDED IN DOCUMENT NO. 2007058942 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS.

I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND IN ACCORDANCE WITH THE INFORMATION PROVIDED ME AND CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY AND IS TRUE AND CORRECT AND THAT ALL BOUNDARY CORNERS, LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE ARE PROPERLY MARKED WITH 5/8 INCH DIAMETER IRON RODS WITH PLASTIC CAP MARKED "LJA ENG" THREE FEET LONG OR AS SHOWN ON THE PLAT. (SEE NOTE 6)

KEITH W. MONROE, R.P.L.S.  
TEXAS REGISTRATION NO. 4797

APPROVED BY BRAZORIA DRAINAGE DISTRICT NO. 4

JEFFERY H. BRENNAN, PRESIDENT

DAN KELLER, SECRETARY

ROBERT MEINEKE, COMMISSIONER

ALFRED E. LENTZ, P.E., R.P.L.S.  
DISTRICT ENGINEER

DATE

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF SAVANNAH COVE SECTION THREE AND IS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

JERRY KOZA, JR., CHAIRPERSON  
PLANNING & ZONING COMMISSION  
CITY OF PEARLAND, TEXAS

APPROVED FOR THE CITY OF PEARLAND, TEXAS THIS \_\_\_\_\_ OF \_\_\_\_\_, 2011.

DARRIN COKER  
CITY ATTORNEY

NARCISO LIRA III, P.E.  
CITY ENGINEER

STATE OF TEXAS  
COUNTY OF BRAZORIA

WE, SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH JOHN W. HAMMOND, VICE PRESIDENT OF LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, GENERAL PARTNER OF SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, OWNERS OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF SAVANNAH COVE SECTION THREE, 9.166 ACRES OUT OF THE A.C.H. & B. SURVEY, ABSTRACT 403, BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID PARTNERSHIP, ACCORDING TO THE LINES, LOTS, STREETS, ALLEYS, RESERVES, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE AS SUCH THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY PURPOSES FOREVER, UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS OR FIVE FOOT, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON WHEREBY EACH AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY PURPOSES FOREVER, UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10'0") FOR TEN FEET (10'0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY EACH AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

IN TESTIMONY HERETO, SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, ITS GENERAL PARTNER, BY JOHN W. HAMMOND, VICE PRESIDENT, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

SAVANNAH DEVELOPMENT, LTD.  
A TEXAS LIMITED PARTNERSHIP

BY: **LENNAR TEXAS HOLDING COMPANY,**  
A TEXAS CORPORATION,  
ITS GENERAL PARTNER

BY: **JOHN W. HAMMOND, VICE PRESIDENT**

STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHN W. HAMMOND, VICE PRESIDENT OF LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, GENERAL PARTNER OF SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

WE, AMEGY BANK, N.A., (F/K/A SOUTHWEST BANK OF TEXAS, N.A.), OWNER AND HOLDER OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS SAVANNAH COVE SECTION THREE, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NO. 01 032290 OF THE O.P.R.O.R.P. OF BRAZORIA COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: **MEREDITH TREVINO, BANKING OFFICER**

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MEREDITH TREVINO, BANKING OFFICER, OF AMEGY BANK, N.A., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID BANK.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES:

# **P&Z Agenda Item**

**E**

# PLANNING AND ZONING COMMISSION MEETING OF MARCH 7, 2011

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## PLANNING AND ZONING CLUSTER DEVELOP PLAN

A request of Kerry R. Gilbert & Assoc., applicant, for approval of a Cluster Development Plan for The Preserve at Clear Creek, generally located east of Pearland Parkway, north of proposed Hughes Road and east of Clear Creek, for (3) tracts of land including approximately 130 acres, generally located on the following described property, to wit

**Legal Description:** 61.217 acres of land located in the Derril H.M. Hunter Survey, Abstract 36, Harris County, Texas, more particularly being a portion of that certain called 155.4029 acre tract (designated as Partition No. 5) of record in Volume (91) 880, Page 476, Official Records of Brazoria County (B.C.O.R.) and File No. R840236, Official Public Records of Real Property of said Harris County (H.C.O.P.R.R.P.); and being 56.233 acres of land located in the Derril H.M. Hunter Survey, Abstract 36, Harris County, Texas more particularly being a portion of a called 181.6209 acre tract conveyed to Sue Alexander Morrison, by instrument of record in Volume 1596, Page 93, Deed Records of said Brazoria County Deed Records, and File No. H178351, Official Public Records of said Harris County (H.C.O.P.R.R.P.); and being 12.810 acres of land located in the Derril H.M. Hunter Survey, Abstract 36, Harris County, Texas, more particularly being all of that certain called 12.597 acre tract conveyed to Clear Brook City Municipal Utility District, by an instrument of record in File No. U800015, Official Public Records of Real Property of said Harris County (H.C.O.P.R.R.P.).

**General Location:** East of Pearland Parkway, north of proposed Hughes Road, and east of Clear Creek, and referred to as proposed The Preserve at Clear Creek subdivision

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**SUMMARY:** On behalf of Beazer Homes, Kerry R. Kilbert & Associates, Inc. has applied for a Cluster Development Plan for a proposed 285-lot single-single family subdivision. The intent of the request is for the applicant to develop The Preserve at Clear Creek, a proposed approximately 130 acre and 285 lot single-family home development located north of proposed Hughes Road and east of Pearland Pkwy and Clear Creek. Additional information on the proposed Cluster Development will be provided in this report.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Highland Glen PUD & City of Houston	Vacant/Single-Family Residential
South	Single-Family Residential-1 Single-Family Residential-3 Office Professional (OP)	Vacant/Approved Ridge Creek Cluster Development
East	City of Houston & Single-Family Residential-1	Single-Family Residential and Vacant
West	Highland Glen PUD & Single-Family Residential-3	Single-Family Residential and Vacant

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned as Single-Family Estate District (R-1). The minimum lot sizes and density requirements for the Single-Family Residential-1 (R-1) are as follows:

<u>Lot Area:</u>	<u>R-1</u> 8,800 sq. ft.
<u>Lot Depth:</u>	80'
<u>Lot Width:</u>	90'
<u>Density for Cluster Development:</u>	3.2 units/acre

**CLUSTER DEVELOPMENT PLAN REQUIREMENTS:**

The applicant has applied for a Cluster Development Plan with the Planning and Zoning Commission. The following are criteria which will be considered for the Cluster Development Plan:

(a) **Factors.** The Planning and Zoning Commission, or the City Council on appeal, shall apply the following factors in taking action on the Cluster Development Plan application:

- (1) The Cluster Development Plan meets the standards for residential density as outlined in the following in relation to each zoning district:
- (2) The Cluster Development Plan is consistent with other zoning district regulations, except minimum lot size, width and depth.
- (3) The Cluster Development Plan contains sufficient buffering to assure compatibility with adjacent uses and the character of the neighborhood.
- (4) The Cluster Development Plan provides open space or amenities to the development that could not be achieved through application of minimum lot size

standards. As referred to herein, open space and amenities do not include any land dedicated to the City under the parkland dedication requirement in Chapter 3, Article 2, Division 10.

- (b) **Conditions.** The Planning and Zoning Commission, or the Council on appeal, may impose such conditions on approval of the Cluster Development Plan as are necessary to assure compatibility with adjoining uses and neighborhood character.

**ANALYSIS OF THE CLUSTER DEVELOPMENT PLAN:**

1. The proposed Cluster Development Plan satisfies the dwelling units an acre for the Cluster Development within an R-1 (Single-Family Residential-1) zoning district. This proposal is requesting density of approximately 2.66 dwelling units an acre requirements as the density is below 3.2 dwelling units an acre.

<b>Cluster Development Plan: Density Calculation</b>				
<b>Type</b>	<b>Acreage</b>	<b>Lots</b>	<b>Du/Acre</b>	<b>Required</b>
The Preserve at Clear Creek	130	285		
Detention (Two Areas)	22.8			
<b>Net Acreage</b>	107.2	285	2.66	3.2

2. The proposed Cluster Development Plan is consistent with the R-1 (Single-Family Residential-1) zoning district, besides for the variations on lot size, width and depth. The smallest lot dimensions proposed in this development are 55-foot x 120-foot lots, 6,600 square feet. As compared to an R-1 (Single-Family Residence-1) zoning district this is a 25% decrease from the 8,000 square feet requirement. This development has a mixture of sized lots, with the smallest being the 6,600 square-foot lots.
3. This Cluster Development Plan will be adjoining a single-family residential development to the northeast. This development will be done in a matter that adheres to the Unified Development Code, including setbacks and landscaping and therefore will not be detrimental to the adjacent subdivision.
4. The proposed Cluster Development Plan will provide amenities and open space that would not be able to be provided by standard lot sizes. There are three neighborhood parks within this development which will include seating, playground, benches, shade structure and a picnic area. This development will incorporate an trail system thorough the development, including landscaping and seating. The drainage ditch will also be an amenity with landscaping and incorporating adjacent sections of trails.

The applicant has submitted density calculations proposal indicating the development would not exceed 3.2 units per acre. Therefore, the proposed development would be in general conformance with the Unified Development Code for the Single-Family Residential-1 (R-1) zoning district. For reference, gross residential density is calculated by including all

retention/detention areas, platted streets, open space, recreational areas and parks, provided the applicant is able to indicate these areas will be amenities for the development.

Areas excluded in calculating density are easements and thoroughfare rights-of-way. It should be noted that with the particular proposed Cluster Development, there is effectively more open area due to the large amount of area within floodway land.

**PLATTING STATUS:** The property has not been platted, but a Master Plat and a Preliminary Plat have been submitted and will be on the 03/21/2011 Planning and Zoning Agenda.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The Future Land Use designation for the subject land is Suburban Residential Development. This land use designation is in compliance with the Comprehensive Plan as this property is zoned R-1 (Single Family Residential-1).

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property will have frontage on the future Hughes Road expansion, a proposed secondary thoroughfare with sufficient width for right-of-way of 100 feet. This construction will need to be completed prior to building permit being issued for homes in the new development. The City will be constructing this extension (including the involved bridge) from Pearland Pkwy to the first entrance into the proposed development. The remainder will be constructed by the developer of Ridge Creek, and is not needed for the proposed Preserve at Clear Creek. Additionally, the property will have access from existing Azure Brook Lane, located in the Clear Brook subdivision, outside the City limits of Pearland.

**AVAILABILITY OF UTILITIES:** The subject parcel is not served by public water and sewer lines at this time. However, the applicant will be extending utilities as part of the proposed development.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed Cluster Development should not have any significant adverse impacts on any surrounding structures or uses. This would also permit the applicant to develop the property in overall accordance with the Future Land Use Plan recommendations. The densities in the general area of the proposal would not be adversely affected due to a large portion in floodway within the development which would remain undeveloped.

The applicant will be required to comply with all requirements of the Unified Development Code.

**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.

**STAFF RECOMMENDATION:** Staff recommends conditional approval of the Cluster

Development Plan for The Preserve of Clear Creek as proposed by the applicant with the following conditions, and for the following reasons:

Reasons for approval recommendation:

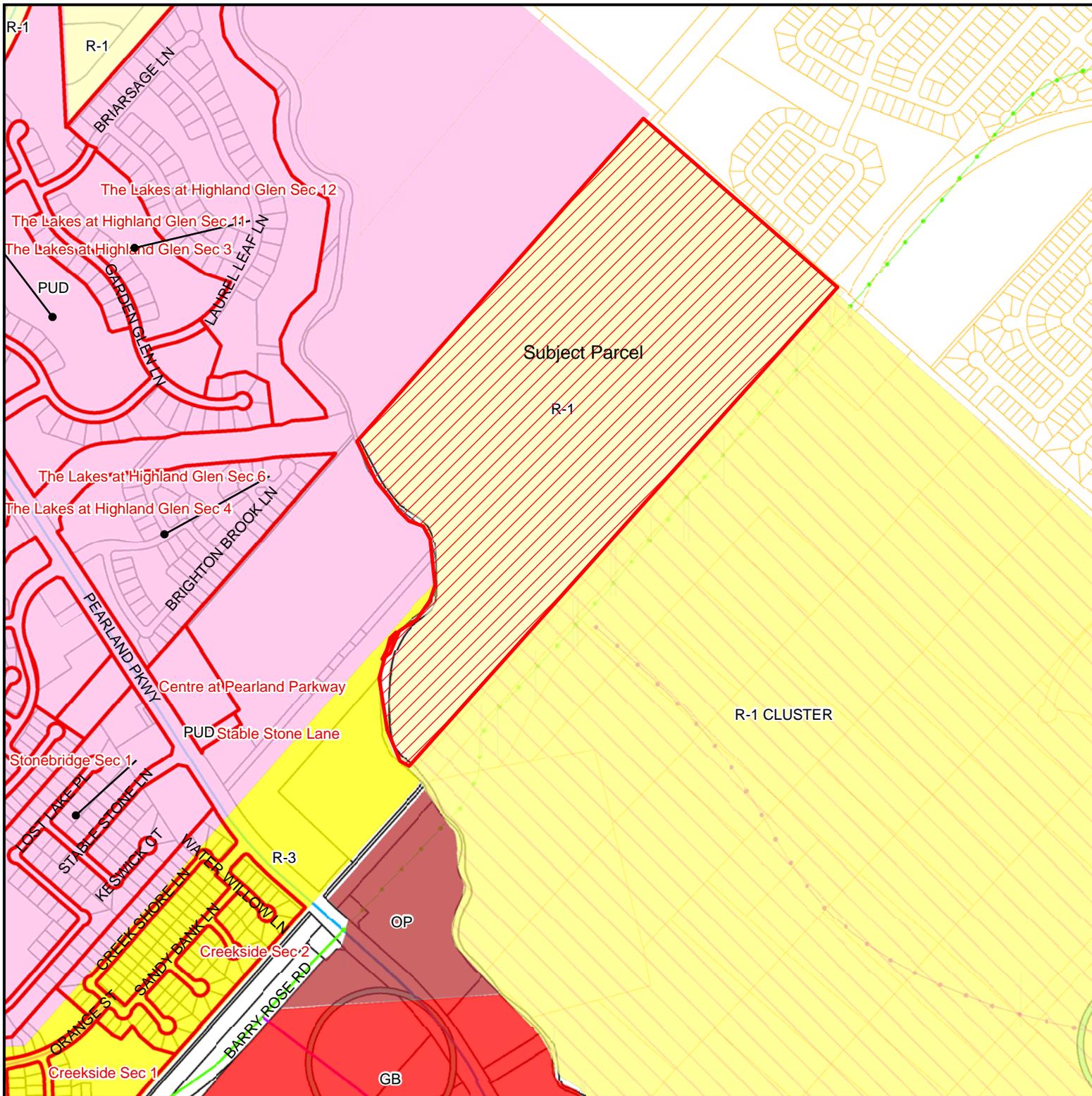
1. Approval of the Cluster Development Plan would be in conformance with the surrounding zoning and future land uses.
2. The Cluster Development Plan change should not have any significant negative impact on the surrounding properties and developments.
3. The proposed Cluster Development Plan adheres to the guidelines of the Unified Development Code will
4. The proposed Cluster Development which will likely have a positive impact on surrounding properties and the City of Pearland as a whole.

**Recommended Condition:**

1. Develop one side of the City of Pearland trail adjacent to Clear Creek, which will include landscaping, seating and a 10-foot wide concrete walkway.

**SUPPORTING DOCUMENTS:**

- Vicinity and Zoning Map
- Future Land Use Plan
- Aerial Photograph
- Landscaping Exhibit
- Open Space Exhibit



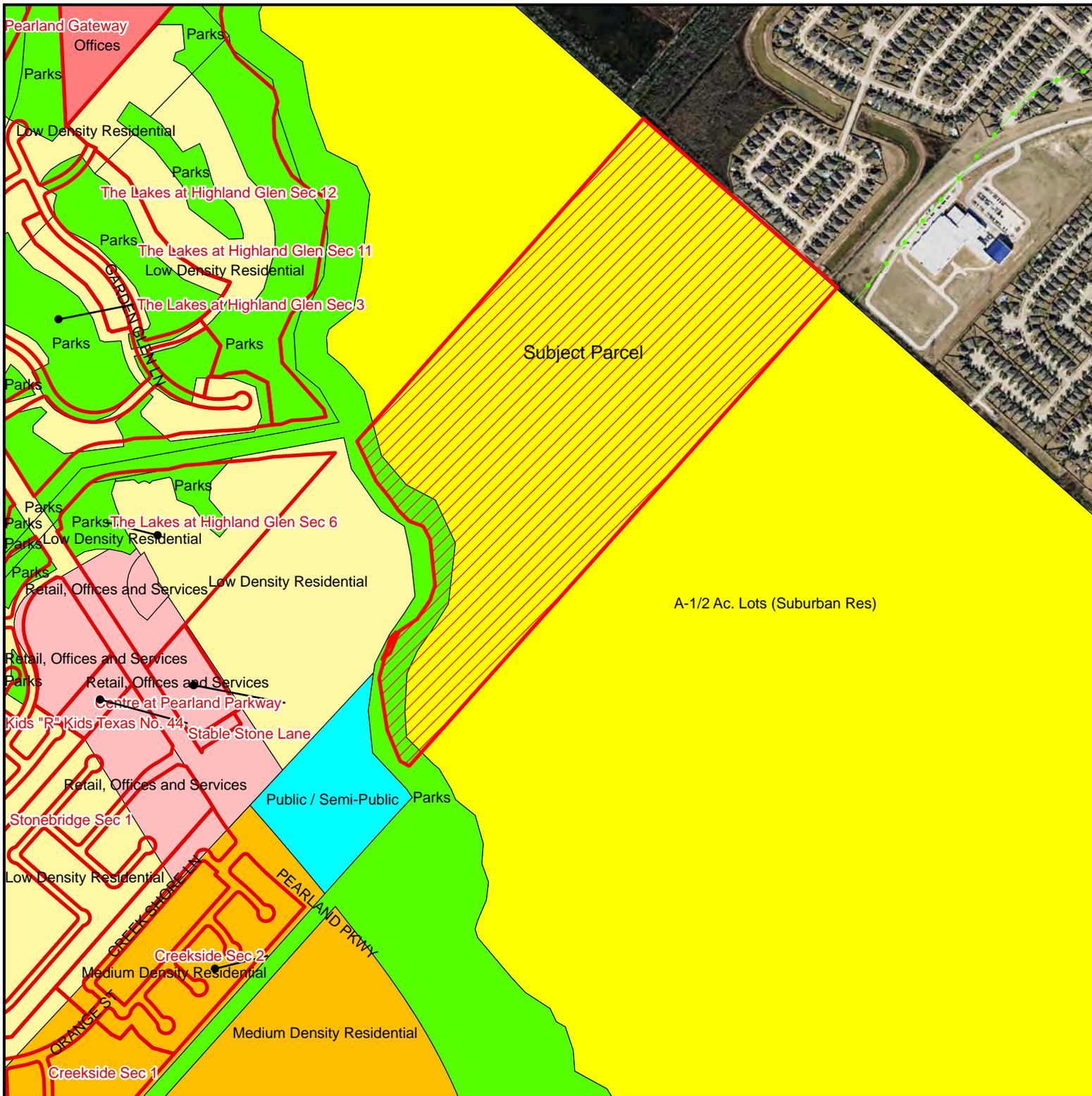
Cluster Development Plan:  
The Preserve at Clear Creek

Zoning and Vicinity Map



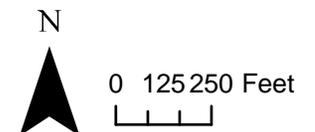
0 125 250 Feet

A graphic scale bar with three segments, labeled 0, 125, and 250 feet.



Cluster Development Plan:  
The Preserve at Clear Creek

Future Land Use Plan





Cluster Development Plan:  
The Preserve at Clear Creek

Aerial Map



0 125 250 Feet  
[Scale bar]



**GREENSPACE PLANTINGS**

- GREENWAY/PARK ZONE**
- 8,000 SF OF SHRUBS AND GROUNDCOVER
  - 640 CALIPER INCHES OF TREES
- DITCH ZONE**
- 190,000 SF OF NATIVE GRASS & WILDFLOWER SEED
  - 25,000 SF OF AQUATIC PLANTING
  - 273 CALIPER INCHES OF TREES
- DETENTION ZONE**
- AREAS TO BE GRADED AND SEEDED WITH NATIVE GRASSES
  - WHERE POSSIBLE, EXISTING TREES TO BE PRESERVED

PASSIVE PARK WITH MEANDERING TRAIL AND SEATING

DETENTION

POCKET PARK WITH SEATING, SHADE STRUCTURE, OPEN LAWN AND PICNIC TABLES

DETENTION

FUTURE CITY OF PEARLAND TRAIL - PER CITY TRAILS MASTER PLAN

POCKET PARK WITH PLAYGROUND, SPLASH PAD, BENCHES, SHADE STRUCTURE AND PICNIC AREA

CLEAR CREEK

DETENTION

FUTURE CITY OF PEARLAND TRAIL - PER CITY TRAILS MASTER PLAN

HUGHES ROAD

TUBE STEEL FENCE ALONG LOTS THAT BACK TO HUGHES ROAD

LIFT STATION SITE TO BE SCREENED

DITCH ZONE IMPROVEMENTS WITHIN 130' DRAINAGE EASEMENT. R.O.W. IMPROVEMENTS ALONG HUGHES ROAD ARE NOT PART OF THIS DEVELOPMENT

LINEAR PARK WITH MEANDERING TRAIL AND SEATING

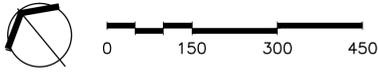
UPGRADED WOOD FENCE WITH EVERGREEN SHRUB SCREENING FOR SIDE LOTS THAT FACE HUGHES ROAD

PRIMARY ENTRY WITH ENHANCED CULVERT CROSSING ENTRY FEATURE, MONUMENT SIGN AND PLANTING

TUBE STEEL FENCE ALONG LOTS THAT BACK TO HUGHES ROAD

**CONNECTIVITY LEGEND**

- BUILDER WALK/CONNECTOR - 4' WIDE (CONCRETE)**
- COMMUNITY AMENITY TRAIL - 6' WIDE (CONCRETE)**
- FUTURE CITY OF PEARLAND TRAIL (CONCRETE)**

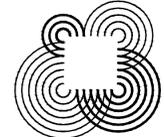


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CONCEPTUAL PLAN  
MARCH 01, 2011  
CCA PROJECT NO. 110-042

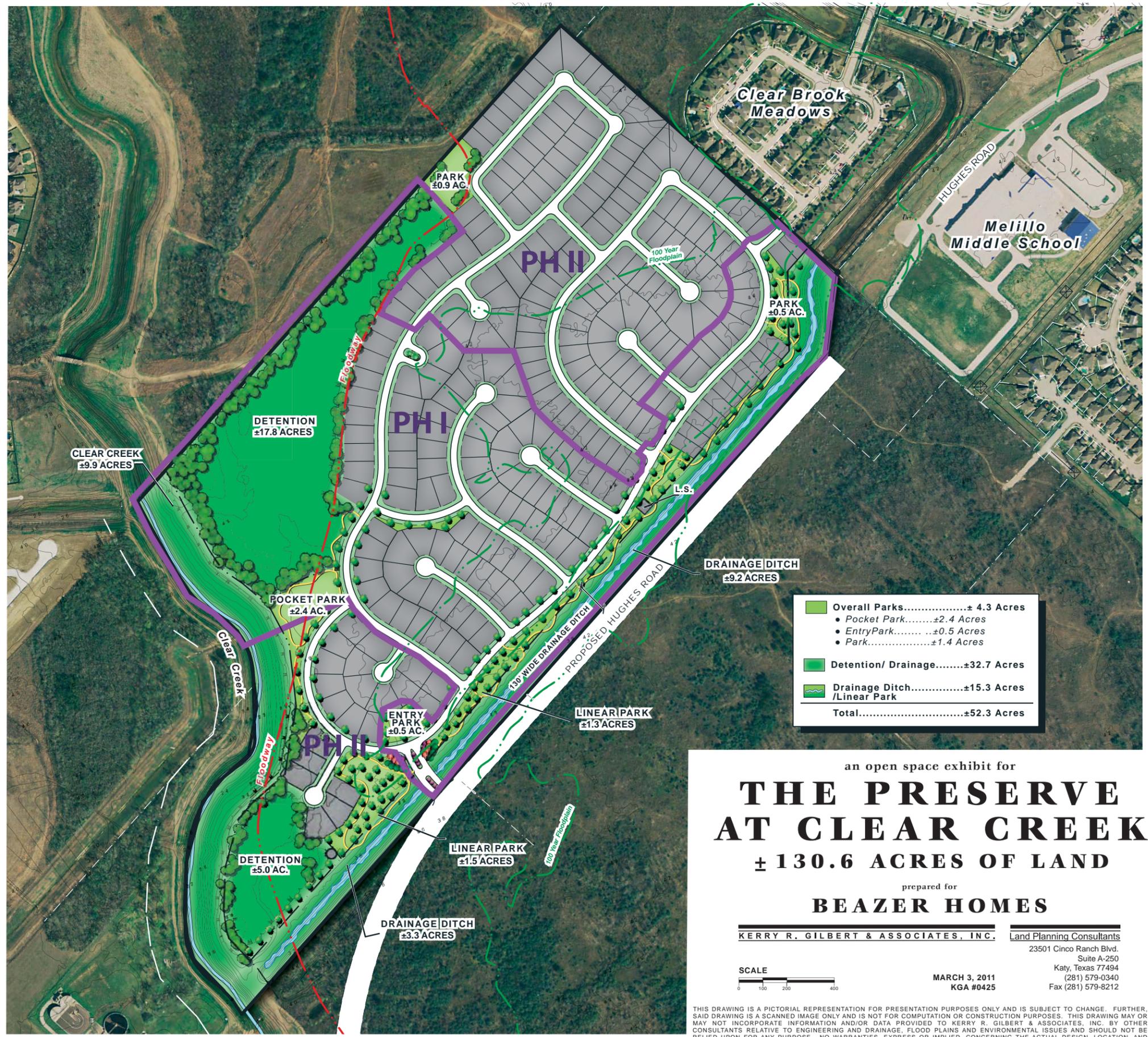
**THE PRESERVE AT CLEAR CREEK**

Programming Diagram  
Landscape Improvements  
Beazer Homes Texas  
Pearland, Texas



**CLARK CONDON ASSOCIATES**  
LANDSCAPE ARCHITECTURE

10401 Stella Link Road Houston, Texas 77025  
TEL 713.871.1414 FAX 713.871.0888  
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an open space exhibit for

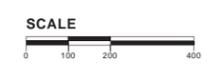
# THE PRESERVE AT CLEAR CREEK

± 130.6 ACRES OF LAND

prepared for  
**BEAZER HOMES**

**KERRY R. GILBERT & ASSOCIATES, INC.**

**Land Planning Consultants**  
23501 Cinco Ranch Blvd.  
Suite A-250  
Katy, Texas 77494  
(281) 579-0340  
Fax (281) 579-8212



MARCH 3, 2011  
KGA #0425

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landplan@krga.com

March 3, 2011

Evan Duvall, Planner II  
3523 Liberty Drive  
Pearland, Texas 77581

RE: Cluster Development Plan for Preserve at Clear Creek

Dear Mr. Duvall,

Following are responses to your questions and comments in an email dated February 28, 2011. We have also updated the exhibits "Open Space Plan" and the Landscape Improvements Plan" relative to staff comments and these exhibits are enclosed.

1. Statement on how this development satisfies factor 4 (Section 22.4.4) of the Cluster Development Plan.

Preserve at Clear Creek development strives to provide an abundance of park space and an extensive trail system. The open space, detention areas, parks and trails that will be provided comprise approximately 40% of the overall acreage (almost half the property). The highlights of the project are the improvements along the existing 130' wide drainage ditch combined with additional acreage to create the linear park and trail system all along the southeastern boundary of the development and several small pocket parks. The developer has chosen to provide these amenities. We could have designed a neighborhood that ignored the drainage ditch, construct masonry wall all along the channel (as required by the Pearland UDC), and utilize that acreage for developing homes. The 130' wide drainage ditch could be a  $\pm$  3,000 foot long eyesore along Hughes Road. Instead, Beazer Homes is proposing to open up this area, plant trees and shrubs, construct a 6 foot concrete trail that is open to the public. Another highlight to the project is the detention. Detention is required for all projects and we could have just dug a big hole in the ground and then hide it behind the houses. Instead, the detention areas were integrated into the design of the development in full view of the community. These areas will be landscaped to be aesthetically pleasing green space areas. Also incorporated into the design are the small park areas. These areas are strategically located around the neighborhood. All of these areas at a minimum will include trails and seating areas. The City's UDC does not require these additional park areas; however, we feel that these small parks add quality to the development.

2. The "Landscape Improvements Exhibit" has been updated to address Staff comments.
  - A. Trail System
    1. Community Trail (blue solid line) width will be 6 foot wide concrete trail. The Community Trail will be landscaped with seating areas, trees and shrubs. Hughes Road is a City project that will be constructed in the future.
    2. The "Builder Walk" (red dashed line) is the sidewalk to be constructed by the homebuilders as homes are built. These are 4 feet wide concrete sidewalks on both sides of the right-of-way as required by the City's UDC.
  - B. Fencing Detail
    1. Wood fencing will be used for the individual lots.

2. There are a few lots in which the rear of the lot faces Hughes Road. Those lots will have tubular steel fencing along the rear of the lot, as shown on the exhibit. All other fencing on the lots will be wood. The fencing will be constructed as the homes are constructed.
  - C. Beazer Homes has purchased the drainage channel and is working with the Clear Brook MUD in order to enhance to the look of the channel with landscaping while maintaining the channel for drainage purposes.
  - D. A chart has been added to the exhibit that provides more detail regarding the size and type of plantings for the different open space areas, including the drainage channel area and the Community Trail. As stated above, the future extension of Hughes Road is a City of Pearland project.
  - E. Included on the revised Landscape Improvement Exhibit is a list of amenities that will be provided in each park area. Please refer to Exhibit.
  - F. The City of Pearland has a Trail System Plan to construct a trail on both sides of Clear Creek. This is a city project. As typical with other subdivisions along Clear Creek (Highland Glen, Stonebridge) and along Mary's Creek (Village of Mary's Creek, Pearland Park Estates) the trail construction was not required. Rather a trail system easement was provided for future trail construction by the City. However, Beazer Homes is willing to work with the Parks Director and construct the 10' wide trail along the eastside of Clear Creek which would apply towards the City of Pearland required Parks Dedication requirement. Material of trail and specific location will need to be worked out with the City of Pearland and Harris County Flood Control.
3. The "Open Space Exhibit" has been updated to address Staff comments.
  - A. The drainage areas will be green landscaped areas and we will keep the color as is on the exhibit. We have clarified on the map the acreage specific to the drainage channel and the acreage specific to the adjacent open space areas.
  - B The entrance for both exhibits should match now.
  - C. The drainage channel, like most drainage channels, is necessary for conveyance of storm water. There are no plans to store water in the drainage channel; however, some water may remain in the bottom of the channel.
4. We are proposing the following lot sizes: 55'x120', 65'x120' and 75'x120'. Our first phase (Section One plat) will include a mix of these lot sizes. We are proposing 44 (55"x120'), 47 (65'x120') and 30 (75'x120') for a total of 121 lots in the first phase. The remainder of the lot sizes will depend upon market demand. We reserve the right to adjust the lot mix as long as the 3.2 units/acre is not exceeded.
5. The streetlights will be the traditional residential street lights. The entry boulevard may use decorative street lights, however, internal to the subdivision, the traditional street lights are proposed.

Page 3, Preserve at Clear Creek

We hope this addresses staff comments, please feel free to contact me for any further questions or additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Christy B. Smidt", with a long horizontal flourish extending to the right.

Christy B. Smidt  
Associate

cc: Lata Krishnarao, Planning Director, City of Pearland  
Dan Olson, Beazer Homes  
Kurt Watzek, Beazer Homes  
Greg Coleman, Beazer Homes  
Sheila Condon, Clark Condon & Associates  
Alan Mueller, Gromax Development

# **P&Z Agenda Item**

**F**

Zoning Update - September 2010-March 2011

Zone Changes

Appl No	Property Owner, Applicant	Address or Location of Property	JPH	P & Z Meeting	P & Z Action	Current Zoning	Proposed Zoning	City Council Status
2010-07Z	Crown Warehouse Services/Nancy Murphy	6301 Broadway	10/18/2010	10/18/2010	Approved w/conditions	PD	PD	Approved
2010-08Z	City of Pearland	SW Intersection of Pearland Pkwy/McHard Road	11/15/2010	11/15/2010	Approved	R-1	OP	Approved
2010-09Z	Denbury Onshore LLC/Laverne Lang	Hwy 35 S, 11.8 Acres, b/t Hastings Cannon/Field	1/17/2010	1/17/2010	Changed to ZBA case	M-1	M-2	n/a
2010-10Z	Denbury Onshore LLC/Thomas Thornton	Hwy 35 S, 9.6 Acres, 600' South of Oliver Rd	1/17/2010	1/17/2010	Changed to ZBA case	M-1	M-2	n/a
2010-11Z	Denbury Onshore LLC/Gann Scrivner Living Trust	Hwy 35S, 10 acres, b/t N and S Hastings Field Rd	1/17/2010	1/17/2010	Changed to ZBA case	M-1	M-2	n/a
2011-01Z	Alexander, Clear Brook City MUD, Sue Morrison	North of proposed Hughes Rd and E of Clear Creek	1/17/2010	1/17/2010	Approved	R-E	R-1	Approved
2011-02Z	Kerry Gilbert & Associates	522.62 acres South of Broadway and West of Kirby	3/21/2011	3/21/2011	in process	PD	PD	in process
2011-03Z	Burt Chrisman	2801 John Lizer	3/21/2011	3/21/2011	in process	NS	R-2	in process

CUP's

Appl No	Property Owner, Applicant	Proposed Use	Address or Location of Property	JPH	P & Z Meeting	P & Z Action	Current Zoning	City Council Status
CUP 2010-07	Silverlake Congregation/ Thomas Offenburger	Church	3545 Harkey	10/18/2010	10/18/2010	A w/Conditons	R-1	Approved
CUP 2010-08	CenterPointe Energy/CenterPointe Energy	Cell Tower	2617 Broadway	10/18/2010	10/18/2010	Postponed	GB	in process
CUP 2010-09	Patricia Casey & Claudia Lang/ Kevin Cole	Church	Dixie Farm and McDonald	10/18/2010	10/18/2010	Postponed	R-1	Withdrawn
CUP 2010-10	Gilbert Allision/Jon Quintero	Hardware Store	1855 Cullen Blvd	11/15/2010	11/15/2010	Approved	C-MU	Approved
CUP 2010-11	Bobby Plyler Applicant	Light Manufacturing	2125 Garden Rd	11/15/2010	11/15/2010	Withdrawn	G/O-MU	Withdrawn
CUP 2010-12	Denbury Onshore, LLC/Laverne Lang	Petroleum product extract	Hwy 35 S, 11.8 Acres, b/t Hastings Cann	1/17/2010	1/17/2010	Withdrawn	M-1	Withdrawn
CUP 2010-14	Denbury Onshore LLC/Thomas Thornton	Petroleum product extract	Hwy 35 S, 9.6 Acres, 600' South of Oliver	1/17/2010	1/17/2010	Withdrawn	M-1	Withdrawn
CUP 2010-15	Denbury Onshore LLC/Gann/Scrivner Living Trust	Petroleum product extract	Hwy 35 S, 10 Acres, b/t N and S Hastings	1/17/2010	1/17/2010	Withdrawn	M-1	Withdrawn
CUP 2011-01	Allan Mueller/The Carden-Jackson School	Institution of /Educational/Philanthropic Nature	3801 Liberty	1/17/2010	1/17/2010	Approved	R-2	Approved
CUP 2011-02	Hope Church Presbyterian/Gentry McColm	Church	Hughes Ranch Rd/Linda Ln.	na	na	on hold	R-E	n/a
CUP 2011-03	Barnett Drywall/Alan Haggard c/o Sprint/Nextel	Cellular antenna co-location	1417 E. Broadway	3/21/2011	3/21/2011	in process	GC	in process
CUP 2011-04	Rev. B. V. Barnett/same	Consignment Store	4904 W. Walnut	3/21/2011	3/21/2011	in process	OP	in process
CUP 2011-05	Airgas Speciality Gases	Bulk Petroleum Storage	4344 S. Main Street	3/21/2011	3/21/2011	in process	NS	in process

## **Expedited Review Process for LEED Certified Projects**

The city of Pearland is committed to encouraging green developments. In an effort to encourage and recognize builders that embrace the green principles, the city of Pearland is proposing an expedited review process for all projects that meet silver or higher of LEED certification.

### **About Leadership in Energy and Environmental Design (LEED) Certification System<sup>1</sup>:**

The U.S. Green Building Council's (USGBC) LEED green building certification program is an internationally recognized program that encourages and accelerates global adoption of sustainable green building and development practices through a suite of rating systems that recognize projects that implement strategies for better environmental and health performance.

The LEED green building certification system is the preeminent program for rating the design, construction and operation of green buildings. By using less energy, LEED-certified buildings save money for families, businesses and taxpayers; reduce greenhouse gas emissions; and contribute to a healthier environment for residents, workers and the larger community.

LEED is a third-party certification program and the nationally accepted benchmark for the design, construction and operation of high-performance green buildings. LEED gives building owners and operators the tools they need to have an immediate and measurable impact on their buildings' performance. LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality.

### **Eligibility:**

Project applying for silver or higher level of LEED rating will be eligible.

### **Expedited Process:**

- a. Staff review time will be reduced to one week (7 calendar days) from two weeks.
- b. A staff member will be designated to act as the City's project manager for that specific project to assist in the permitting processes, from pre-development to Certificate of Occupancy.
- c. A special pre-development meeting will be scheduled for such projects, outside of the scheduled times, if required.
- d. A special Design Review Committee meeting will be scheduled for the project with reviewers from the city and the applicant's team, to review staff's preliminary comments.

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<sup>1</sup> Excerpts from the U.S. Green Building Council's website – [www.usgbc.org](http://www.usgbc.org)



**CITY OF PEARLAND**  
**PLANNING AND ZONING COMMISSION**

**2011 Priorities**

*October 16, 2010*

The Management Connection, Inc. facilitated a Planning Conference with the City of Pearland's Planning and Zoning Commission on Saturday, October 16, 2010.

**2011 PRIORITIES**

1. Establish Annexation Process.
  - a. Assist in developing a Communication Plan
  - b. Assist in conducting a Cost/Benefit Analysis within defined boundaries
2. Conduct quarterly or as needed conferences with EDC and Chamber for the purpose of increasing communication/understanding.
3. Develop strategy to address Brownfield Development (opportunities).
4. Develop plan to address:
  - a. Transportation
  - b. Mass Transit
  - c. Connectivity (pedestrian access/mobility)
5. Update Land Use Matrix.
6. Update Comprehensive Plan
7. Develop a strategy for cell towers in the City



## Current Issues in Cell Tower Regulation and Zoning Rules - OnDemand Webinar

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This OnDemand Webinar will describe the major elements and issues under the 1996 Federal cell tower zoning statute, including the FCC's 2010 shot clock rule setting 90/150 day deadlines to act on zoning applications, the major federal zoning cases involving cellular towers and practice pointers on how municipalities can successfully handle cell tower zoning cases. You will gain a useful understanding regarding wireless communications technology for nontechnical staff, including overview discussions of cellular, PCS, DAS and WIMAX provided by wireless carriers. This OnDemand Webinar will also provide specific methods to deal with RF safety considerations. You will come away with knowledge of the major current issues and practical advice on how to handle and defend cellular tower zoning applications.

### Learning Objectives

- You will be able to recognize the FCC shot clock order.
- You will be able to identify the basics of wireless technology for municipalities and municipal attorneys.
- You will be able to discuss pointers for municipalities and municipal attorneys.
- You will be able to define current federal law and issues on cellular tower zoning.

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### Program Designed For:

Attorneys, planners, directors of development, city administrators, developers, council and board members, land use professionals, municipal government officials, engineers, architects, surveyors and real estate professionals.

Jonathan L. Kramer, Esq., FSCTE, BTS, BDS, BPS, CBT, Kramer  
Telecom Law Firm, P.C. John W. Pestle, Esq., Varnum



## Agenda

Background and Overview of Federal Law on Cell Tower Zoning,  
Current Proposed Changes, 1996 Federal Law Changes

- John W. Pestle, Esq.

Current Federal Law and Issues on Cellular Tower Zoning

- John W. Pestle, Esq.

- Which Statute Applies: Federal Communications Act Section 253 (Favored by Cellular Industry) or Section 332(C)(7) (Most Court Cases on Cell Tower Zoning to Date)? An Update on the Latest Developments in the Cases
- Providers Major Claims - No Substantial Evidence to Support Decision, Unreasonable Discrimination, Prohibition on Cellular Service and Procedural Errors
- Substantial Evidence Standard of Review
- Aesthetics, Effects on Property Values and Other Allowable Factors
- Consideration of Alternate Sites and Ways of Serving the Area - When Allowed and How?
- What Is a Gap in Coverage or Prohibition of Service?
- The Requirement for a Written Decision and a Written Record
- Exclusion of Health Concerns and RF Emissions From the Proceeding

Remedies the Bigger Risk for Municipalities

- John W. Pestle, Esq.

- Remedy of Injunction Allowing Tower to Be Built as Proposed
- Remand for Further Proceedings
- U.S. Supreme Court Ruling - No Attorneys' Fees or Damages Available Under Section 1983

FCC 2010 Cell Tower Shot Clock Order

- John W. Pestle, Esq.

- 150 Days to Decide on Zoning Applications for New Towers
- 90 Days for Additional Antennas on Existing Towers
- Applicability to Incomplete Applications, Requests for Additional Information
- Applicability of Time Limits to Administrative Appeals (such as to Zoning Board of Appeals)
- Overturn Court Decisions That There Is No Gap in Service If Any Provider Provides Service in Area

No Federal Cell Tower Backup Power Requirement

- John W. Pestle, Esq.

- Description of Backup Power Rule and Status Rule Overturned by Courts

Practice Pointers for Municipalities and Municipal Attorneys

- John W. Pestle, Esq.

- Compliance With State Zoning Rules
- Review of Coverage Maps and Quality of Service
- Record of Case vs. Written Decision

- Exclude Comments on Radio Frequency Emissions and Their Health Effects
- Good Ways to Comply With the Written Decision Requirement
- Know the Remedy Rule for Your Circuit and Act Accordingly

Basics of Wireless Technology for Municipalities and Municipal Attorneys

- Jonathan L. Kramer, Esq., FSCTE, BTS, BDS, BPS, CBT

- Basic Wireless Terms and Concepts You Need to Know
- Coverage vs. Capacity Issues
- Traditional Wireless Sites vs. Distributed Antenna Systems
- Alternative Site Analysis
- RF Safety Compliance Analysis to Determine Compliance With FCC Rules
- Site Camouflage Techniques and Considerations
- 700 MHz Band Technology Considerations
- WIMAX Deployment at Cellular and PCS Wireless Sites
- Future Technologies and Related Legal Considerations

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