

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

JULY 18, 2011

6:30 p.m.

Jerry Koza, Jr.
P&Z CHAIRPERSON

Vacant
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Neil West

Henry Fuentes



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, JULY 18, 2011, AT 6:30 P.M., 2nd FLOOR CONFERENCE ROOM/COUNCIL CHAMBERS, CITY HALL 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES P&Z Regular Meeting of June 20, 2011

III. OLD BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2011-07Z

A request of J.G. Meade, Executor of Myrtle Meade Estate, owner, for approval of a zone change from the Single-Family Residential Estate (R-E) zone, to General Business (GB) zone for approximately 18 acres on the following described property, to wit:

Legal Description: Field Note Description of a 20.00 Acre Tract of Land Being all of Lots 10 and 14 of Kanawha-Texas Company Subdivision of parts of Sections 18 and 22, H.T. & B. R.R. CO., according to the Map or Plat thereof Recorded in Volume 2, Page 51, of the Plat Records of Brazoria County, Texas;

SAVE AND EXCEPT that 2.000 acre tract described as follows:

Field Note Description of a 2.000 Acre Tract of Land Being out of Lot 14, of Kanawha-Texas Company Subdivision of Parts of Section 18 & 22, H.T. & B. R.R. CO., According to the Map or Plat thereof Recorded in Volume 2, Page 51 of the Plat Records of Brazoria County, Texas.

General Location: Northwest Corner of Manvel Rd and Bailey Rd.

IV. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NOT. CUP 2011-09

A request of Furniture Repair Solutions, LLC., applicant, on behalf of Michael McGibben, owner, for approval of a Conditional Use Permit to allow for a Furniture Repair business in the General Business (GB) District, on the following described property, to wit:

Legal Description: All of that certain 0.4784 acre tract situated in the A.C.H. & B. RR Company Survey, Section 1, Abstract No. 147, Brazoria County, Texas, being the inclusive boundary of Tracts I and II, as described in instrument filed for record in Volume 983, Page 714, of the Deed Records of Brazoria County, Texas

General Location: 3520 E. Broadway, Pearland

B. CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF SOUTHERN TRAILS SECTION ELEVEN

A request by Kerry R. Gilbert and Associates, applicant, on behalf of C.L. Ashton Woods, LP, owner for approval of a Preliminary Plat for Southern Trails Section Eleven, generally located 1500 feet south from the southeast corner the intersection of Southern Trails Drive and Kingsley Drive for approximately 23.2 acres, on the following described property, to wit

Legal Description: All that certain 23.2 acres of land, out of the 522.62 acre tract described in the deed from Ashton Southern Trails Joint Venture to CL Ashton Woods, LP., recorded under Doc. #2005016204, in the Official Records of Brazoria County, Texas, in the H.T. & B.R.R. Company Survey, Sec. 80, A-564, Brazoria County.

C. CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF SOUTHERN TRAILS SECTION TWELVE

A request by Kerry R. Gilbert and Associates, applicant, on behalf of C.L. Ashton Woods, LP, owner for approval of a Preliminary Plat for Southern Trails Section Twelve, generally located 1600 feet south from the southeast corner the intersection of Southern Trails Drive and Kingsley Drive for approximately 16.8 acres, on the following described property, to wit

Legal Description: All that certain 16.8 acres of land, out of the 522.62 acre tract described in the deed from Ashton Southern Trails Joint Venture to CL Ashton Woods, LP., recorded under Doc. #2005016204, in the Official Records of Brazoria County, Texas, in the H.T. & B.R.R. Company Survey, Sec. 80, A-564, Brazoria County.

D. CONSIDERATION & POSSIBLE ACTION – REQUEST FOR A WAIVER OF DECISION FOR THE FINAL PLAT OF SERENE GARDENS

A request by Chris Hendrick of Wilson Survey., applicant, on behalf of Hieppham Incorporated owner, for approval of a Final Plat for Serene

Gardens, generally located approximately 1,250 feet east of Hughes Ranch Road and Smith Ranch Road, proposing an 8-lot single-family residential subdivision on the following described property, to wit

Being 9.7979 acres of the east one-half of lots 11 & 12E, all of Allison-Richey Gulf Coast Home Company Subdivision of Section 85 in the H.T. & B.R.R. Co. Survey Abstract 304, Brazoria County Texas.

E. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SERENE GARDENS

A request by Chris Hendrick of Wilson Survey., applicant, on behalf of HiepPham Incorporated owner, for approval of a Final Plat for Serene Gardens, generally located approximately 1,250 feet east of Hughes Ranch Road and Smith Ranch Road, proposing an 8-lot single-family residential subdivision on the following described property, to wit

Being 9.7979 acres of the east one-half of lots 11 & 12E, all of Allison-Richey Gulf Coast Home Company Subdivision of Section 85 in the H.T. & B.R.R. Co. Survey Abstract 304, Brazoria County Texas.

F. CONSIDERATION & POSSIBLE ACTION - VARIANCE REQUEST NO. 2011-04 REQUESTING A VARIANCE FROM SECTION 3.1.1.1 (C) REGARDING THE VALUATION OF WORK PERMITTED FOR THE ISSUANCE OF A BUILDING PERMIT ON UNPLATTED PROPERTY.

A request by Tegrity Homes, applicant, on behalf of Dao Dung, owner, for approval of a Planning and Zoning Variance of Section 3.1.1.1(C) to allow an increased valuation of work for issuance of a building permit on unplatted property, generally located at 1818 Roy Road #9 (1818 Sharon Drive #9) on the following described property, to wit:

All that certain tract or parcel containing 0.42 acres, (18,321 square feet), of land known as 49-50 (PT) (Called W/2 LT 9) of an unrecorded subdivision situation in the H.T. & B. Railroad Survey, A-234 in Brazoria County, Texas

General Location: Located 805 feet west of the Northwest corner of the intersection of Sharon Drive and Roy Road (Brazoria CAD Property ID: 493917).

G. CONSIDERATION & POSSIBLE ACTION – ELECTION OF OFFICERS

H. DISCUSSION ITEMS

1. Spectrum update
2. Annexation update
3. P&Z Strategic Priorities
4. Scenic City
5. Next P&Z Regular Meeting August 1,2011
6. Zoning Updates August 1, 2011
7. Next JPH Meeting August 15, 2011

V. ADJOURNMENT

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

I, Judy Krajca, Planning Office Coordinator of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 15th day of July 2011, A.D., at 5:30 p.m.

Judy Krajca, Planning Office Coordinator

Agenda removed _____ day of July, 2011.

APPROVAL

OF

MINUTES

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD JUNE 20, 2011 AT 6:30 P.M., IN THE 2ND 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 8:37 p.m. with the following present:

P&Z Chairperson Jerry Koza, Jr.
P&Z Vice-Chairperson Susan Sherrouse
P&Z Commissioner Henry Fuyertes
P&Z Commissioner Richard Golden
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, Assistant City Manager Mike Hodge, Deputy City Attorney Nghiem Doan and Planning Office Coordinator Judy Krajca.

APPROVAL OF MINUTES

P&Z Vice-Chairman Susan Sherrouse made the motion to approve the minutes of the Regular Meeting of June 6, 2011, and P&Z Commissioner Henry Fuyertes seconded.

The vote was 5-0. The minutes of June 6, 2011 were approved.

NEW BUSINESS

CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2011-07Z

A request of J.G. Meade, Executor of Myrtle Meade Estate, owner, for approval of a zone change from the Single-Family Residential Estate (R-E) zone, to General Business (GB) zone for approximately 18 acres on the following described property, to wit:

Legal Description: Field Note Description of a 20.00 Acre Tract of Land Being all of Lots 10 and 14 of Kanawha-Texas Company Subdivision of parts of Sections 18 and 22, H.T. & B. R.R. CO., according to the Map or Plat thereof Recorded in Volume 2, Page 51, of the Plat Records of Brazoria County, Texas;

SAVE AND EXCEPT that 2.000 acre tract described as follows:

Field Note Description of a 2.000 Acre Tract of Land Being out of Lot 14, of Kanawha-Texas Company Subdivision of Parts of Section 18 & 22, H.T. & B. R.R. CO., According

to the Map or Plat thereof Recorded in Volume 2, Page 51 of the Plat Records of Brazoria County, Texas.

General Location: Northwest Corner of Manvel Rd and Bailey Rd.

Senior Planner Harold Ellis read the staff report stating staff recommended approval of the zone change.

Discussion ensued about the ownership of the property near the school and the detention area.

P&Z Commissioner Henry Fuertes inquired about the southeast corner being in the Pearland ETJ, and the southwest corner being in the Manvel ETJ. Discussion ensued further.

P&Z Commissioner Henry Fuertes asked the question “do we want to allow a General Business (GB) zone next to a school”. Discussion ensued with the land being better suited for the property being zoned Neighborhood Services (NS) with a CUP to allow a dance studio.

Discussion further ensued with regards to the retail node at the intersection of FM 1128 and CR 101. P&Z Commission Henry Fuertes stated he was still concerned with the node acreage, and GB zone next to the school and the neighborhood. He asked if this was the highest and best use of the land.

P&Z Commissioner Richard Golden stated this is a major intersection, and Planning Director Lata Krishnarao referred to the Thoroughfare plan being based on population and nodes at intersections. P&Z Commissioner Henry Fuertes stated he does not foresee a big box store coming to this location, and therefore feels that GB zone is not the best use of this land. Planning Director Lata Krishnarao stated that staff could speak with the applicant about submitting for a NS zone with a CUP for the dance studio.

P&Z Commissioner Henry Fuertes made the motion to postpone Zone Change No. 2011-07Z, and P&Z Vice-Chairperson Susan Sherrouse seconded.

The vote was 4-1. Zone Change No. 2011-07Z was approved. P&Z Chairperson Jerry Koza, Jr. voted in opposition.

CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE NO. 2011-08Z

A request of SHT/Kirby, LTD., a Texas limited partnership, applicant, for approval of a zone change from the Spectrum District 1 (SP1) zone, to Planned Development (PD) zone for 11.9337 acres on the following described property, to wit:

Legal Description: Being a tract or parcel of land containing 11.9337 acres of land or 519,832 square feet, located in the James Hamilton Survey, Abstract 876, Harris County, Texas, Said 11.9337 acre tract being out of and a part of a 36.166 acre tract of record in the name of SHT/Kirby, Ltd. In Harris County Clerk's File (H.C.C.F.) Number 20080049996, said 36.166 acre tract being out of and part of Block "F" of the Allison-Richey Gulf Coast Homes Subdivision of record in Volume 3, Page 40 in the Map Records of Harris County, Texas

General Location: Northwest Corner of Kirby Drive and Riley Road

Senior Planner Harold Ellis read the staff report stating staff recommends approval of the zone change to a PD zone.

P&Z Commissioner Richard Golden made the motion to approve, and P&Z Commissioner Henry Fuyertes seconded.

P&Z Chairperson Jerry Koza, Jr. expressed concern over the lack of a regional detention plan for the Spectrum area and felt the city needs to move forward quickly to get this in place so that each applicant does not have to put in a detention area. P&Z Commissioner Henry Fuyertes also expressed concern over the detention area taking up parking spaces. Planning Director Lata Krishnarao addressed this concern by stating a regional detention plan for the area is in the works.

The vote was 5-0. Zone Change No. 2011-08Z was approved.

CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. 2011-07

A request of Steve Upham, applicant, on behalf of First Church of Pearland, owner, for approval of a Conditional Use Permit to allow for an alternative building material (new technology) from what is permitted by-right in the City of Pearland's Unified Development Code for an exterior building façade material, in the General Business (GB) and Single-Family Residential-1 (R-1) District, on the following described property, to wit:

Legal Description: Brazoria CAD Property ID: 266468
Willets (A0070 W D C Hall) (Pearland), Lot 1B-2A-25-25B-25C-25D, Acres 10.320

AND

Legal Description: Brazoria CAD Property ID: 232449
Naggegang (A0070 W D C Hall) (Pearland), Lot 32, Acres 1.00

General Location: First Church of Pearland, 1850 E. Broadway

Senior Planner Harold Ellis read the staff report stating staff recommends denial due to the alternative material being proposed not being in character with the surrounding area.

Assistant City Manager Mike Hodge added that the Unified Development Code requires Masonry exterior. The proposed structure does not meet the UDC requirements, and so the question before the Commission is are they willing to allow this.

Much discussion ensued with regards to the site being seen from Broadway along the main corridor, as well as the issue of the site being seen from the surrounding neighborhood. P&Z Vice-Chairperson Susan Sherrouse stated that the UDC requires consideration similar to masonry, and this is not similar to masonry, then we as the Commission would be overruling our own rules. P&Z Commissioner Richard Golden stated in the past, the Commission has held firm to the UDC code on sites much less visible than this site.

Discussion ensued with regards to transparency. The applicant asked if the transparency requirement would be required if future buildings were placed in front of the structure; but added that if required, they would provide the required transparency.

P&Z Chairperson Jerry Koza, Jr. asked if staff had received any comments. Senior Planner Harold Ellis replied there were two in favor, and two in opposition.

P&Z Commissioner Richard Golden stated he does not like the way this looks aesthetically. P&Z Commissioner Henry Fuertes stated that at 400 feet back, he is not sure he can tell the roof material. His biggest concern was with the neighbors opposing. Mr. Fuertes added that he wonders who was there first, and if the neighbors truly thought nothing would be developed on the vacant land in the future.

Discussion ensued with regards to the site plan and the landscaping. Planning Director Lata Krishnarao stated that if the Commission is going to consider approval, they might want to request substantial landscaping for screening. Planning Director Lata Krishnarao stated that staff is willing to work with the applicant.

Planning Director Lata Krishnarao apologized that staff may not seem as prepared as they should be; however, the presentation that the applicant presented tonight was the first time staff viewed this, and the original application changed from being a temporary structure to a permanent structure.

Planning Director Lata Krishnarao asked the Commission to consider if they are okay with the material. Then the item could be postponed until staff could meet with the applicant and work out the conditions set forth by the Commission.

P&Z Commissioner Henry Fuertes recommended postponing the meeting, and P&Z Commissioner Neil West stated he agreed.

P&Z Commissioner Henry Fuertes made the motion to postpone, and P&Z Commissioner Richard Golden seconded.

The vote was 5-0. Conditional Use Permit No. 2011-07 was postponed.

CONSIDERATION & POSSIBLE ACTION- CONDITIONAL USE PERMIT NO. 2011-08

A request of The Church for All People, applicant and owner, for approval of a Conditional Use Permit to allow for a Church in the Single-Family Residential-1 (R-1) and Single-Family Residential-2 (R-2) District, on the following described property, to wit:

Legal Description: 4.7417 acre tract of land, Reserve "A" of the Final Plat of Twin Wood Subdivision, being a part of a 25.839 acre tract out of Tracts 72, 77, 92, and 93 of the Zychinski's Subdivision of Section 1, H.T. & B.R.R. Company Survey, Abstract 233, and being a part of Tract 1 and Tract 2, as recorded in Volume 1437, Page 605, of the Brazoria County Deed Records, City of Pearland, Brazoria County, Texas

General Location: 1255 Old Alvin Road, East Side of Old Alvin Road and approximately 110' South of Glastonbury Drive

Senior Planner Harold Ellis read the staff report stating staff was in favor of the CUP.

P&Z Vice-Chairperson Susan Sherrouse made the motion to approve, and P&Z Commissioner Henry Fuertes seconded.

There was not discussion or conditions.

The vote was 5-0. Conditional Use Permit No. 2011-08 was approved.

DISCUSSION ITEMS

1. Under Commissioners Activity Report, P&Z Commissioner Henry Fuertes talked about the timeline for an applicant to obtain a permit.
2. Planning Director Lata Krishnarao talked briefly on the progress of the 2011 P&Z Strategic Priorities.
3. Update of Annexation Area 5 was discussed stating the items have been postponed as the City is working on an agreement with Denbury Onshore, LLC.
4. There will be no P&Z Meeting on July 4, 2011 due to it being a holiday.
5. Next P&Z Meeting will be on July 18, 2011.
6. Election of Officers will be on July 18, 2011.

ADJOURNMENT

P&Z Chairperson Jerry Koza, Jr. adjourned the P&Z Regular Meeting at 9:48 p.m.

These minutes are respectfully submitted by:

Judy Krajca, Planning Office Coordinator

Minutes approved as submitted and/or corrected on this 18th day of July 2011, A.D.

P&Z Chairperson Jerry Koza, Jr.

OLD BUSINESS

P&Z Agenda Item

A

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JUNE 20, 2011, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. PURPOSE OF HEARING

ZONE CHANGE APPLICATION NO. 2011-07Z

A request of J.G. Meade, Executor of Myrtle Meade Estate, owner, for approval of a zone change from the Single-Family Residential Estate (R-E) zone, to General Business (GB) zone for approximately 18 acres on the following described property, to wit:

Legal Description: Field Note Description of a 20.00 Acre Tract of Land Being all of Lots 10 and 14 of Kanawha-Texas Company Subdivision of parts of Sections 18 and 22, H.T. & B. R.R. CO., according to the Map or Plat thereof Recorded in Volume 2, Page 51, of the Plat Records of Brazoria County, Texas;

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General Location: Northwest Corner of Manvel Rd and Bailey Rd.

- III. APPLICATION INFORMATION AND CASE SUMMARY
 - A. STAFF REPORT
 - B. APPLICANT PRESENTATION
- IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST
- V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION
- VI. ADJOURNMENT

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

JOINT PUBLIC HEARING AGENDA ITEM MEETING OF JUNE 20, 2011

Zone Change No. 2011-07Z

A request of J.G. Meade, Executor of Myrtle Meade Estate, owner, for approval of a zone change from the Single-Family Residential Estate (R-E) zone, to General Business (GB) zone for approximately 18 acres on the following described property, to wit:

Legal Description: Field Note Description of a 20.00 Acre Tract of Land Being all of Lots 10 and 14 of Kanawha-Texas Company Subdivision of parts of Sections 18 and 22, H.T. & B. R.R. CO., according to the Map or Plat thereof Recorded in Volume 2, Page 51, of the Plat Records of Brazoria County, Texas; SAVE AND EXCEPT that 2.000 acre tract described as follows: Field Note Description of a 2.000 Acre Tract of Land Being out of Lot 14, of Kanawha-Texas Company Subdivision of Parts of Section 18 & 22, H.T. & B. R.R. CO., According to the Map or Plat thereof Recorded in Volume 2, Page 51 of the Plat Records of Brazoria County, Texas.

General Location: Northwest Corner of Manvel Rd and Bailey Rd

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

Planning and Zoning Commission: June 20, 2011*
City Council for First Reading: July 11, 2011*
City Council for Second Reading: July 25, 2011*

(*dates subject to change)

SUMMARY: Mr. J.G. Meade, executor for Myrtle Meade Estate, owner of above referenced property, has applied for a zone change from Single-Family Estate (RE) to General Business (GB). The property has not been developed and is currently vacant. The owner has stated that while there are no immediate plans to develop the property, there is a contract for the sale of a portion of the property (northern portion) which is dependent on the outcome of the proposed zone change. The parties interested in purchasing a portion of the land would be interested in relocating an existing dance school business to the property in coming years. A dance school would be permitted in a General Business zoning district by-right.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Single-Family Estate (RE)	Massey Ranch School
South	ETJ	Residential/Commercial
East	Single-Family Residential-2	Single-Family Residential
West	Single-Family Estate (RE)	Vacant

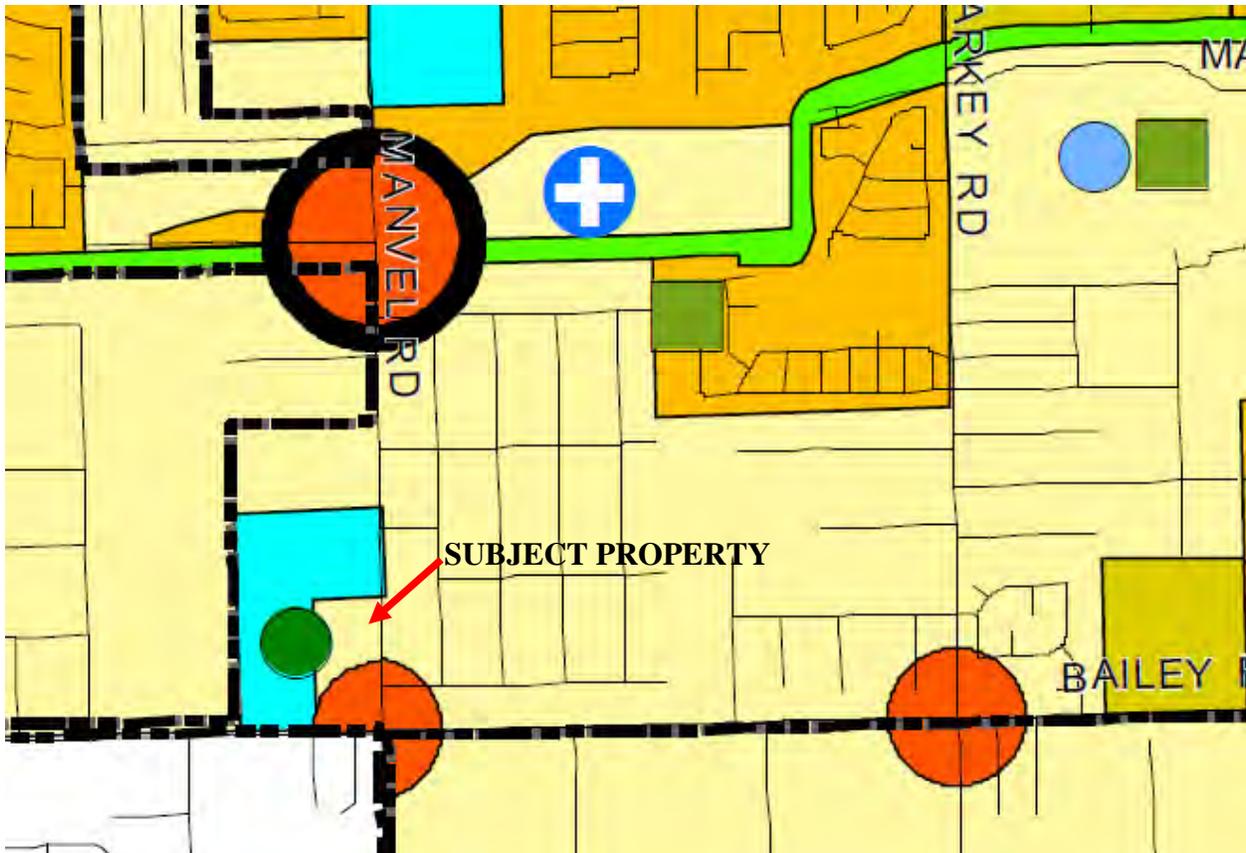
CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): The subject property is currently zoned as Single-Family Estate (RE). The minimum lot size requirements for the current district as well as the proposed General Business (GB) are as follows:

	<u>RE</u>	<u>GB</u>	<u>Lot in Question</u>
<u>Lot Area:</u>	21,780 sq. ft.	22,500 sq. ft.	784,080 sq. ft.
<u>Lot Depth:</u>	90'	125'	645'
<u>Lot Width:</u>	120'	150'	1220'

As indicated above, the property meets the development regulations of the General Business (GB) zoning district.

PLATTING STATUS: The property has not been platted which will be required at the time of development of the property.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current adopted Comprehensive Plan's Future Land Use Map indicates that northern portion of this area should be low-density residential and that the southern portion of this property is a minor retail node, as indicated on the excerpt of the Future Land Use Plan below. Therefore, the designation of GB being requested could be considered consistent with the intent of the Comprehensive Plan. As has been mentioned with prior zone change cases, the Future Land Use Map is intended to be used as a guide for Staff, Commission, and Council to use when considering zone change cases. It is not intended to be a parcel specific map.



CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Manvel Road and Bailey Road, both major thoroughfares with right-of-way of width of 120 feet required. Right-of-way needed to achieve the necessary width for future widening's may be required at the time of platting.

AVAILABILITY OF UTILITIES: The subject parcel does have access to public water and sewer. The applicant will be responsible for extending the utilities to their site at the time of development.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed zone change should not have any negative impact on any surrounding properties or developments. At the time of development of the subject property a Traffic Impact Analysis may be required (as required by the Engineering Department). Additionally, all requirements of the City's Unified Development Code will be required to be met with any future development.

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

SITE PLAN CONSIDERATIONS: A site plan is not required for a zone change, and has not been submitted at this time.

PUBLIC NOTIFICATION: Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. A legal notice of public hearing was published in the local newspaper, and a notification sign was placed on the subject property.

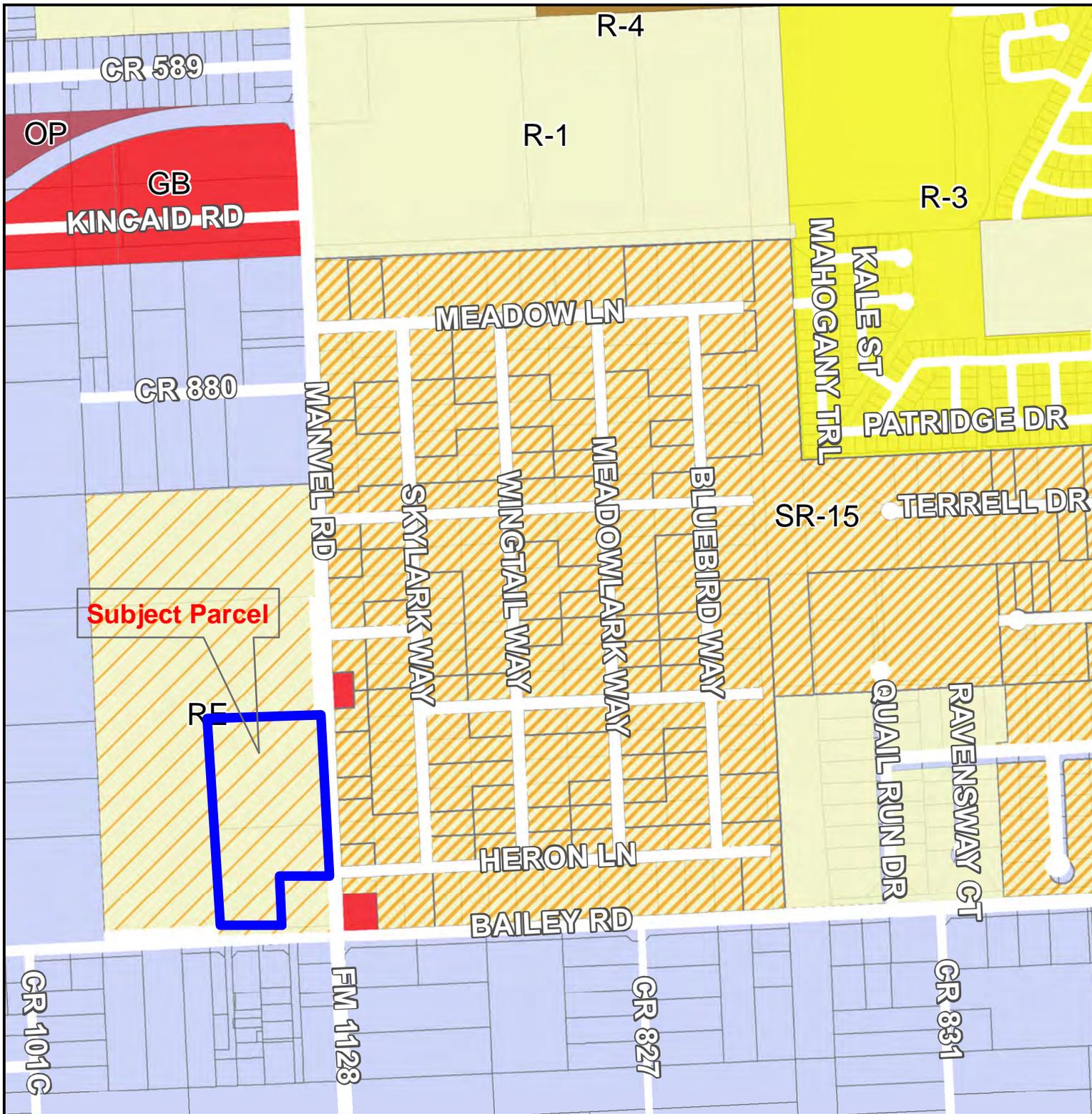
OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST: Staff has not received any comments either in opposition to or in support of the proposed zone change request.

STAFF RECOMMENDATION: Staff recommends approval of the Zone Change 2011-07Z as proposed by the applicant for the following reasons:

1. The proposed zone change should not have any significant negative impact on the surrounding properties and developments.
2. The proposed zone would be in compliance with the latest approved Future Land Use Plan.
3. The proposed zone change would be in conformance with nearby commercial developments at the intersection of Bailey and Manvel Road.
4. Bailey and Manvel Roads are both major thoroughfares based on the City's Thoroughfare Plan, which is typically an appropriate location for retail and commercial type developments.

SUPPORTING DOCUMENTS:

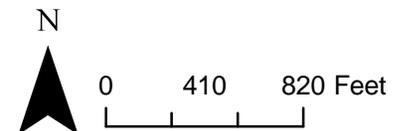
- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents
- Related Documents



Vicinity & Zoning Map

Zone Change 2011-07

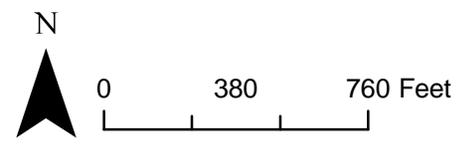
**Northwest Corner
Manvel/Bailey Rd**

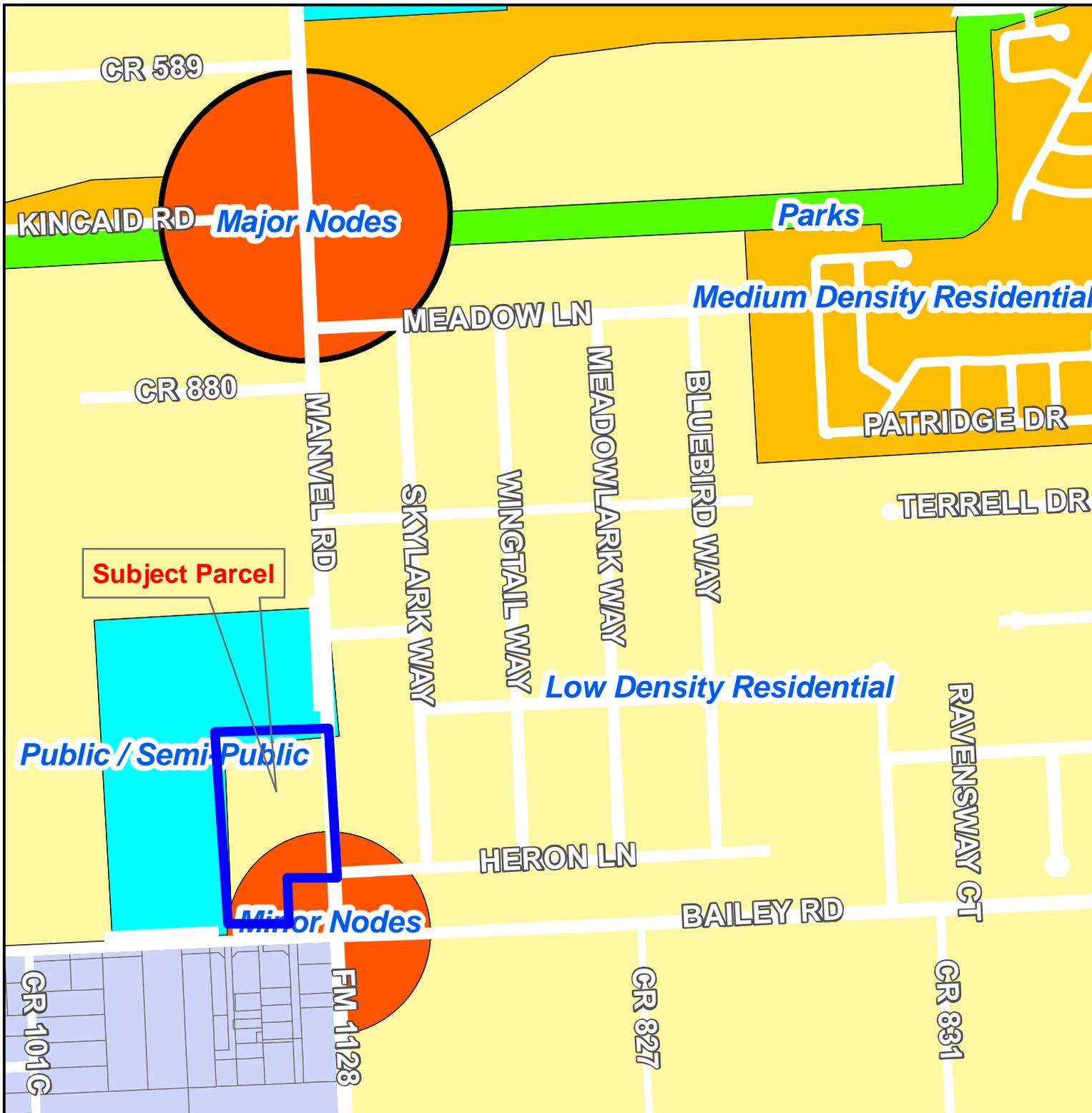


Owner	Address	City	State	Zip
ALI NOORMOHAMMED & AKBAR MOMIN	14203 FAIR KNOLL WAY	HOUSTON	TX	77062
FUQUA LORETTA KAY MONROE BONIN ETAL	7230 BAILEY RD	PEARLAND	TX	77584
LANGSTON ROBERT G	7134 BAILEY RD	PEARLAND	TX	77584
JACKSON RONALD K	7218 BAILEY RD	PEARLAND	TX	77584
ALVARADO JOSE	7226 BAILEY RD	PEARLAND	TX	77584
TRAN TUYEN QUANG TRUSTEE	2013 TALL TIMBERS LN	PEARLAND	TX	77581
REFERENCE ONLY	CMBD W/ACC 8230-0122-920			99999
MEADE MYRTLE MASSEY ESTATE C/O JUDITH MEADE	451 OLD SAN ANTONIO HWY APT 207	BANDERA	TX	78003
FIGUEROA ALEJANDRO	3933 MANVEL RD	PEARLAND	TX	77584
ROSAS JOSE DAVID & MARTHA L	11410 SHARPVUE DR	HOUSTON	TX	77072
VU DUC	5222 BLUE SAGE DR	PEARLAND	TX	77584
BARE SUZANNE P SPOON ESTATE C/O BARE GERALD THOMAS	4005 MANVEL RD	PEARLAND	TX	77584
TREVINO FRANK SR	4022 SKYLARK WAY	PEARLAND	TX	77584
CONFIDENTIAL	4033 MANVEL RD	PEARLAND	TX	77584
FORREST MURIEL ALFORD	PO BOX 461	PEARLAND	TX	77588
KNJ ENTERPRISES INC	4915 SHAPIRO CT	MISSOURI CITY	TX	77459
PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588
MEADE MYRTLE MASSEY ESTATE C/O JG MEADE	4613 BUESCHER	PEARLAND	TX	77584



Abutter Map
Zone Change 2011-07Z
Northwest Corner
Manvel/Bailey Rd

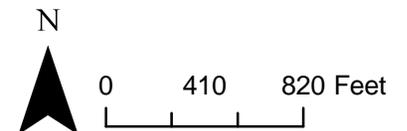




Future Land Use Map

Zone Change 2011-07

**Northwest Corner
Manvel/Bailey Rd**

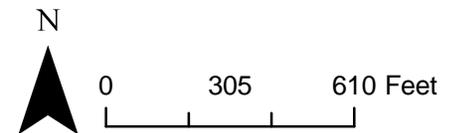




Aerial Map

Zone Change 2011-07

**Northwest Corner
Manvel/Bailey Rd**



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



APPLICATION FOR A CHANGE IN ZONING

Current Zoning District: Residential

Proposed Zoning District: General Business

Property Information:

Address or General Location of Property: 7m 1128 X Bailey Road N/W Corner
18.048 Ac Abs. 0547 HT+BRR, Tract 10-14

Tax Account No. 177549

Subdivision: _____ Lot: _____ Block: _____

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

PROPERTY OWNER INFORMATION:

Estate c/o J.G. MEADE
Executor
NAME Myrtle Meade
ADDRESS 4613 Buescher Ct.
CITY Pearland STATE TX ZIP 77584
PHONE (281) 485-1500
FAX() _____
E-MAIL ADDRESS Gregory.MEADE@yahoo.com

APPLICANT/AGENT INFORMATION:

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

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

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

Owner's Signature: [Signature] Date: 5/20/11

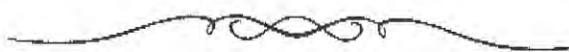
Agent's/Applicant's Signature: _____ Date: _____

OFFICE USE ONLY:

FEES PAID: <u>275.00</u>	DATE PAID: <u>5/20/11</u>	RECEIVED BY: <u>HE</u>	RECEIPT NUMBER: <u>3359438</u>
--------------------------	---------------------------	------------------------	--------------------------------

Application No. _____

Letters Testamentary



THE STATE OF TEXAS

IN THE COUNTY COURT AT LAW #1

& PROBATE COURT OF

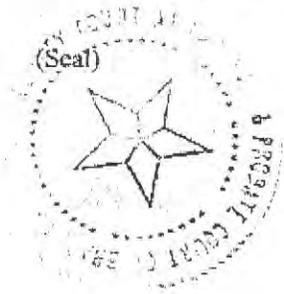
COUNTY OF BRAZORIA

BRAZORIA COUNTY, TEXAS

Cause No. PR027990

I, Joyce Hudman, Clerk of the County Court of Brazoria County, Texas, do hereby certify that on the 27th Day Of May, A. D. 2005 , Judith Meade Hodges and James Gregory Meade were duly granted by said Court Letters Testamentary of the Estate of Myrtle Massey Meade, Deceased, and that they qualified as Independent Co-Executors of said Estate on the 27th Day Of May, A.D. 2005 as the law requires, and that said appointment is still in full force and effect.

Given under my hand and seal of office at Angleton, Texas, the 27th day of May, A.D., 2005.



Joyce Hudman, County Clerk
Brazoria County, Texas

By: T. Belote, Deputy
T. Belote

TRUE MERIDIAN



P.O. Box 566•Pearland, Texas 77588-0566•Office: (281) 412-0149•Fax: (281) 412-5390
Email: truemarid@sbcglobal.net

FIELD NOTE DESCRIPTION OF A 20.00 ACRE TRACT OF LAND BEING ALL OF LOTS 10 AND 14, OF KANAWHA-TEXAS COMPANY SUBDIVISION OF PARTS OF SECTIONS 18 AND 22, H.T. & B. R.R. CO., ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 51 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS.

BEGINNING at the Southeast corner of said Lot 14 being the centerline intersection of Bailey Road (County Road 101, width varies) and within the right-of-way of FM 1128 (width varies);

THENCE S 87°19'01" W along the South line of Lot 14 and the centerline of Bailey Road, a distance of 660.00 feet to the Southwest corner of Lot 14;

THENCE N 02°40'59" W along the West line of Lots 10 and 14, a distance of 1,320.00 feet to the Northwest corner of Lot 10;

THENCE N 87°19'01" E along the North line of Lot 10, a distance of 660.00 feet to the Northeast corner of Lot 10 within the right-of-way of FM 1128;

THENCE S 02°40'59" E along the East line of Lots 10 and 14, a distance of 1,320.00 feet to the PLACE OF BEGINNING and containing 20.00 acres of land, more or less.

SAVE AND EXCEPT that 2.000 acre tract described as follows:

FIELD NOTE DESCRIPTION OF A 2.000 ACRE TRACT OF LAND BEING OUT OF LOT 14, OF KANAWHA-TEXAS COMPANY SUBDIVISION OF PARTS OF SECTIONS 18 & 22, H.T. & B. R.R. CO., ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 51 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING at the Southeast corner of said Lot 14 being in the centerline intersection of Bailey Road (County Road 101, width varies) and within the existing occupied right-of-way of F.M. 1128 (width varies);

THENCE N 02°40'59" W along the East line of Lot 14 and within the right-of-way of FM 1128, a distance of 60.00 feet to a point for corner;

THENCE S 87°19'01" W a distance of 38.48 feet to a 1/2 inch iron rod set for the PLACE OF BEGINNING same being the Southeast corner of this herein described tract of land at the intersection of the proposed West right-of-way line of FM 1128 (proposed 120 feet R.O.W.) and the proposed North right-of-way line of Bailey Road (proposed 120 feet R.O.W.);

THENCE S 87°19'01" W along said proposed North right-of-way line of Bailey Road a distance of 295.16 feet to a 1/2 inch iron rod set at the Southwest corner of this herein described tract of land;

THENCE N 02°40'59" W parallel with the East line of Lot 14, a distance of 295.15 feet to a 1/2 inch iron rod set at the Northwest corner of this herein described tract of land;

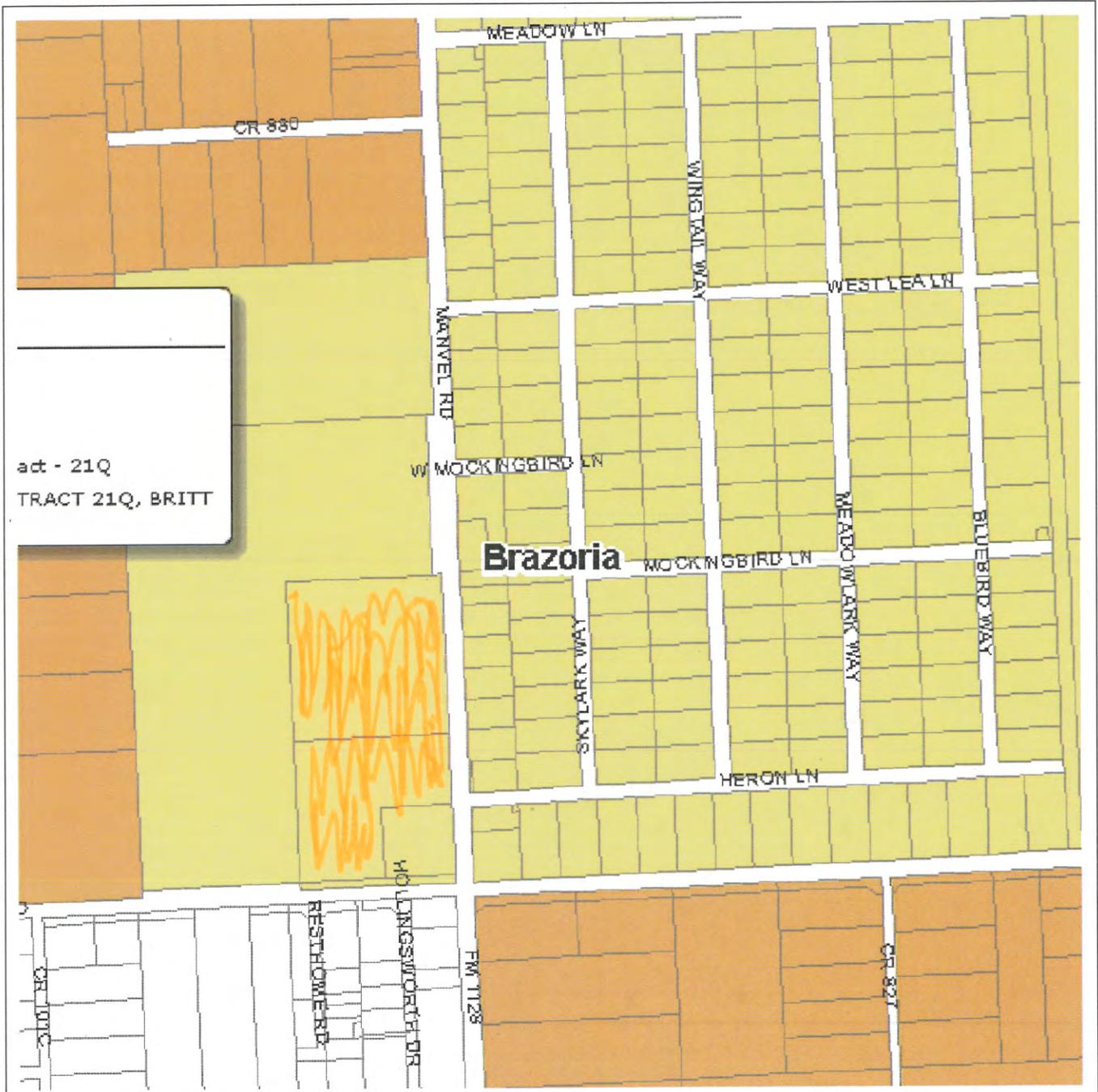
THENCE N 87°19'01" E parallel with the South line of Lot 14, a distance of 295.45 feet to a 1/2 inch iron rod set on the proposed West right-of-way line of FM 1128 same being the Northeast corner of this herein described tract of land;

THENCE S 02°37'33" E along the proposed West right-of-way line of FM 1128, a distance of 295.15 feet to the PLACE OF BEGINNING and containing 2.000 acres of land, more or less.



Todd J. Slaton, RPLS No. 5082
May 20, 2011





act - 21Q
TRACT 21Q, BRITT

Vicinity Map - Pearland, TX



Planning purposes only - Not survey grade.

5-20-11

From: J. G. MEADE
4613 Buescher Ct.
Pearland, Texas 77584

Dear P+Z,

Please consider our request to change our property from residential zoning to general business. Our property is on the master plan as retail. Our property is at the intersection of two major roads. We currently have no plans to develop this property. I do have a contract on the north 5 acres. The buyer plans to relocate the dance school he and his wife have to this parcel in the next few years. The sale of this 5 acres is dependent on the rezoning.

Respectfully
J. G. Meade

CITY OF PEARLAND
*** CUSTOMER RECEIPT ***

Oper: KHARRIS Type: OC Drawer: 1
Date: 5/20/11 01 Receipt no: 213092

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$275.00
Trans number:		3359438

NW CORNER OF BAILEY
OWNER MYRTLE HEADE ESTATE
JAMES G HEADE
4613 BUESCHER CT.
PEARLAND, TX 77584
KH

Tender detail		
CK CHECK	2485	\$275.00
Total tendered		\$275.00
Total payment		\$275.00

Trans date: 5/20/11 Time: 13:12:08

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

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

Such sign(s) shall be located as follows:

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

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

5-20-11

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

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

Friday, May 20 11:11

Property Tax Status

[Begin a New Search](#) [Go to Your Portfolio](#) [Tax Office FAQ's](#)

[Request a Tax Statement](#)

Make your check or money order payable to:

Ro'Vin Garrett, RTA

111 E Locust

Angleton, Texas 77515



A **Convenience Fee** of up to 2.65% will be charged for all credit card payments by the vendor providing this service. For eChecks, a convenience fee of \$1.50 will be charged for each transaction. The fee covers the cost of making payments by credit card possible. The fee will appear as a charge to 'Certified Payments'. No part of this fee is retained by Brazoria County.

Unless otherwise noted, all data refers to tax information for 2010. All amounts due include penalty, interest, and attorney fees when applicable. Due to the large volume of work during heavy payment periods amounts due may not reflect payments that have been received but not yet processed.

Account Number: 05470028000

Address:

MEADE MYRTLE MASSEY ESTATE
% JUDITH MEADE
451 OLD SAN ANTONIO HWY
APT 207
BANDERA, TX 78003-3440

Property Site Address:

FM 1128

Legal Description:

A0547 H T & B R R, TRACT 10-14, ACRES
18.048

Current Tax Levy: \$53.80

Current Amount Due: \$0.00

Prior Year Amount Due: \$0.00

Total Amount Due: \$0.00

Last Payment Amount for Current Year Taxes:

Not Received

Pending Credit Card or E-Check Payments:

No Payment Pending

Jurisdictions:

BRAZORIA COUNTY
BRAZORIA DRAINAGE DIST 4
CITY OF PEARLAND
PEARLAND ISD
SPECIAL ROAD & BRIDGE

Market Value: \$619,000

Land Value: \$619,000

Improvement Value: \$0

Capped Value: \$0

Agricultural Value: \$1,990

Exemptions: None

Last Certified Date: 08/30/2010

[Taxes Due Detail by Year and Jurisdiction](#)

[Payment Information](#)

[Click Here](#) to see your estimated amount due for a different date. You can see this information by year and by both year and jurisdiction.

Tax Office:

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[Appraisal District](#)
[Your Tax Portfolio](#)

Brazoria County:

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[Holiday Schedule](#)
[Job Postings](#)

[Tax Rates & Entities](#)
[Related Links](#)

[County Directory](#)
[Related Links](#)

[Tax Office FAQ](#)
[Tax Office Home Page](#)

[Commissioner's Court](#)
[Courthouse History](#)

E-mail: roving@brazoria-county.com
111 E. Locust Suite
Angleton, TX 77515
(979) 864-1320

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APPLICATION CHECKLIST FOR THE FOLLOWING

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

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

*Letter of Intent is not required for a PD.

- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)

- **Zero (0) to less than 25 acres:**
 - \$ 250.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 400.00 if requesting a Planned Development (PD)
- **25 to less than 50 acres:**
 - \$ 300.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 450.00 if requesting a Planned Development (PD)
- **50 to less than 75 acres:**
 - \$ 350.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 500.00 if requesting a Planned Development (PD)
- **75 to less than 100 acres:**
 - \$ 400.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 550.00 if requesting a Planned Development (PD)
- **100 acres and above:**
 - \$ 450.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 600.00 if requesting a Planned Development (PD)

- For PD's Only: the proposed PD document in electronic form by date of application (either emailed or on a CD) (see PD Format for guidelines on how to prepare the PD).

- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

Additional Information:

- Upon making an application for a zoning change or conditional use permit, the applicant shall place sign(s) as required. The City shall inspect such sign(s) to ensure compliance as required by the UDC.
- After the zoning change or conditional use permit request is approved by the City Council, denied by the City Council, or withdrawn by the applicant, the applicant shall remove the sign from the area of the request within ten (10) days of such event.
- It shall be unlawful for anyone to remove, destroy, deface or obstruct the view of a sign which gives notice that a zoning change or conditional use permit has been requested.
- In the event the applicant shall fail to erect and/or maintain signs in accordance with this section, then the public hearing before the Planning and Zoning Commission/City Council shall be postponed to a date in the future, which would allow time for compliance.
- The erection of any sign required by this section shall not require a permit under Section 4.1.2.6 of this UDC.
- The owner or applicant shall promptly notify the Planning Department of any sign required by this section, which becomes lost, stolen or vandalized. The Planning and Zoning Commission shall have the power to decide whether or not there has been substantial compliance with the posting requirements in the case of lost, stolen or vandalized signs.

NEW BUSINESS

P&Z Agenda Item

A

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 18, 2011, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. PURPOSE OF HEARING

Conditional Use Permit No. CUP 2011-09

A request of Furniture Repair Solutions, LLC., applicant, on behalf of Michael McGibben, owner, for approval of a Conditional Use Permit to allow for a Furniture Repair business in the General Business (GB) District, on the following described property, to wit:

Legal Description: All of that certain 0.4784 acre tract situated in the A.C.H. & B. RR Company Survey, Section 1, Abstract No. 147, Brazoria County, Texas, being the inclusive boundary of Tracts I and II, as described in instrument filed for record in Volume 983, Page 714, of the Deed Records of Brazoria County, Texas

General Location: 3520 E. Broadway, Pearland

III. APPLICATION INFORMATION AND CASE SUMMARY

A. STAFF REPORT

B. APPLICANT PRESENTATION

IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

VI. ADJOURNMENT

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

P&Z Agenda Item

B

PLANNING AND ZONING COMMISSION MEETING OF JULY 18, 2011

Preliminary Plat of Southern Trails Section Eleven

A request by Kerry R. Gilbert and Associates, applicant, on behalf of C.L. Ashton Woods, LP, owner for approval of the Preliminary Plat for Southern Trails Section Twelve for approximately 23.2 acres, on the following described property, to wit

Legal Description: All that certain 23.2 acres of land, out of the 522.62 acre tract described in the deed from Ashton Southern Trails Joint Venture to CL Ashton Woods, LP., recorded under Doc. #2005016204, in the Official Records of Brazoria County, Texas, in the H.T. & B.R.R. Company Survey, Sec. 80, A-564, Brazoria County.

General Location Approximately 1,500 feet south from the southeast corner the intersection of Southern Trails Drive and Kingsley Drive

SUMMARY: On behalf of C.L. Ashton Woods, Christy Smidt from Kerry R. Gilbert and Associates has applied for a to the approved Preliminary Plat for Southern Trails Section Eleven, which includes a total of 55 single-family residential lots and three reserves. This modification of Southern Trails Section Twelve reduces from 81 to the proposed 55 single-family residential lots. This Preliminary Plat has also been submitted with the Preliminary Plat for Section Eleven as the original boundaries of this plat have also been reduced.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Current Land Use</u>
North	PUD (Southern Trails)	Drainage
South	PUD (Southern Trails)	Vacant Land, future Single Family homes
East	PUD (Southern Trails)	Vacant Land, portion of Southern Trails
West	Extra-Territorial Jurisdiction	Vacant and Future Southern Trails Section 12

COMPARISON OF PREVIOUSLY APPROVED SOUTHERN TRAILS SECTION ELEVEN:

On 03/01/2010, the Planning and Zoning Commission approved the Preliminary Plat Eleven of Southern Trails. This plat contained a total of 30.1 acres, 81 lots and three reserves. This major amendment reduces the total acreage to 23.2 acres, number of lots to 58 and reduces the original boundary of Section Eleven (See Plat Exhibit Proposed and Original).

CONFORMANCE WITH THE SOUTHERN TRAILS PUD: The above submittal is in conformance with the Southern Trails Planned Development.

PLATTING STATUS: This is a revised version of Southern Trails Section 11, site improvements including roads will be in conformance with this Preliminary Plat. After the engineering department has accepted the infrastructure, a Final Plat can be approved and recorded.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject land is Low Density Residential. This designation allows for a maximum of 4 dwelling units an acre. This Preliminary Plat is in conformance with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property is served by Kingsley Road, a 120-foot Major Thoroughfare.

AVAILABILITY OF UTILITIES: The subject parcel is served by public water and sewer lines, from the existing Southern Trails Development.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed Preliminary Plat should not have any significant adverse impacts on any surrounding structures or uses.

ADDITIONAL COMMENTS: There have not been any additional comments from other departments regarding this Preliminary Plat for Southern Trails Section Eleven.

STAFF RECOMMENDATION: Staff recommends approval of this Preliminary Plat as proposed by the applicant for the following reasons:

Reasons for recommending approval:

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 Southern Trails Planned Unit Development.
3. The approval of this plat will satisfy the goals of the Southern Trails Planned Unit Development.

OUTSTANDING ITEMS:

No outstanding Items have been identified

SUPPORTING DOCUMENTS:

Vicinity and Zoning Map

Future Land Use Plan

Aerial Photograph

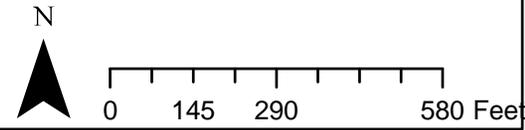
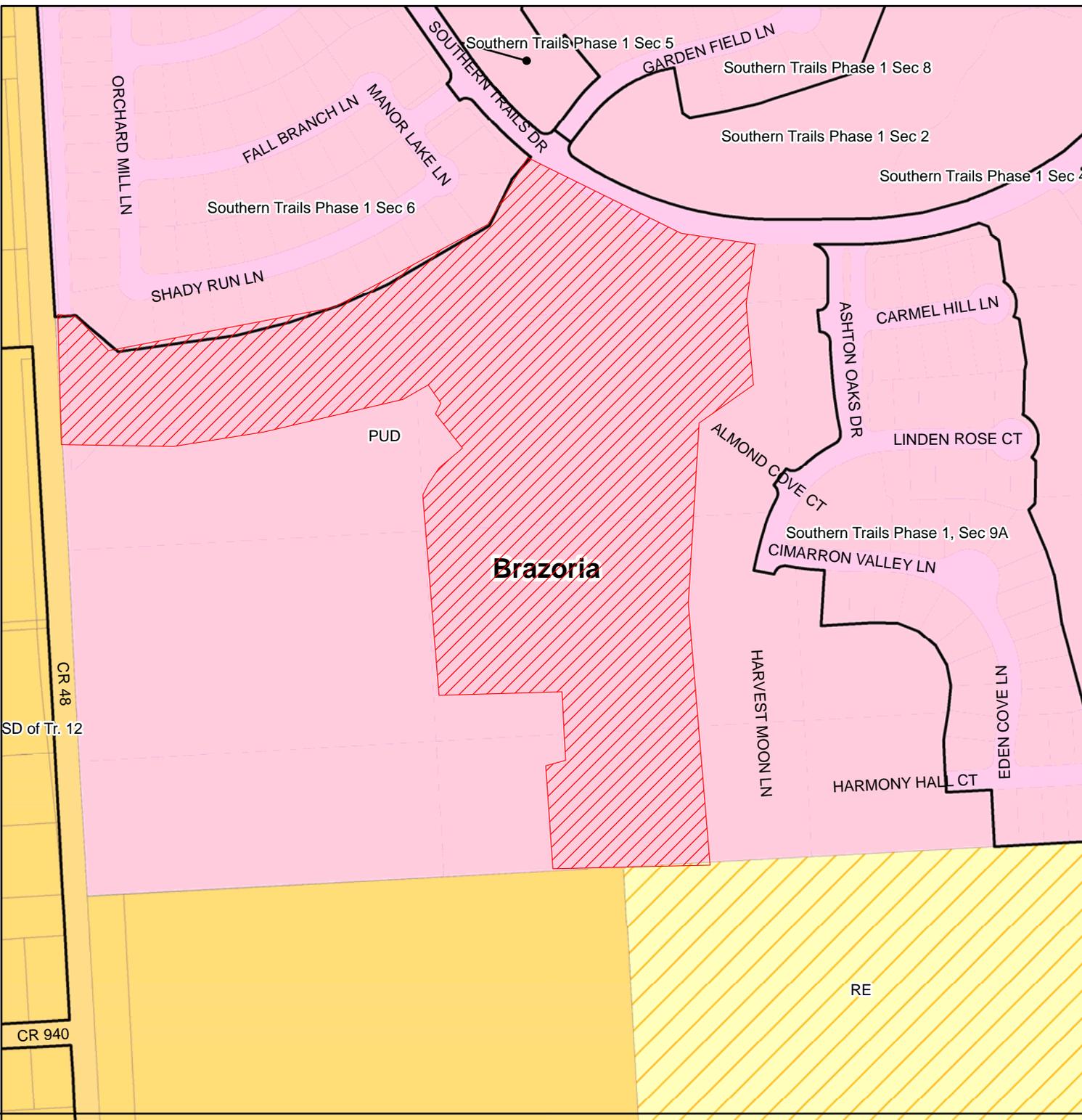
Plat Exhibit Proposed

Plat Exhibit Existing

Preliminary Plat of Southern Section Eleven

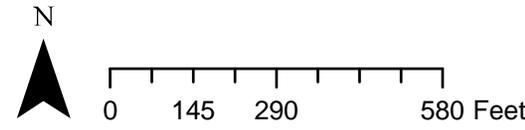
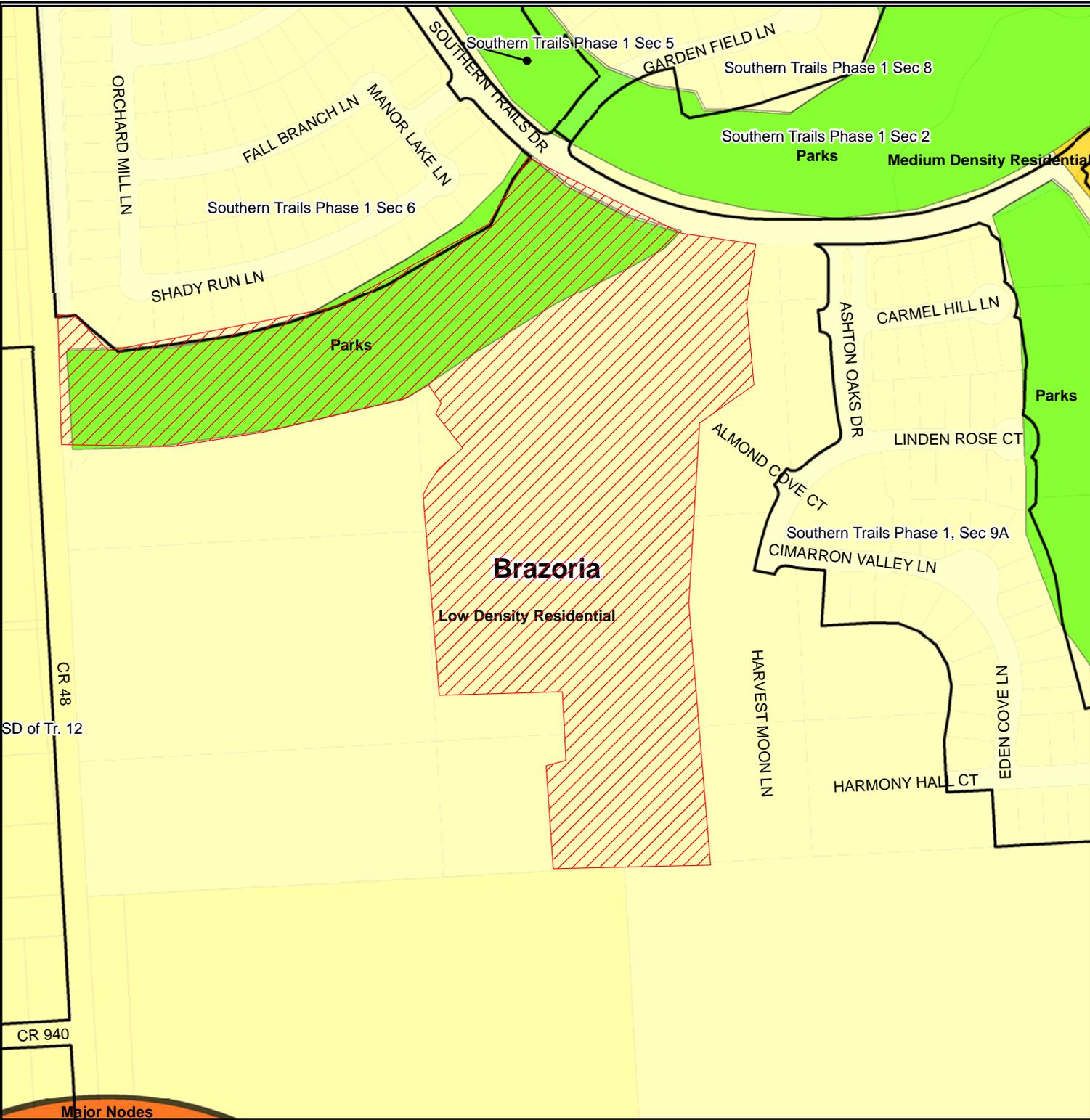


Zoning and Vicinity Map Southern Trails Section 11



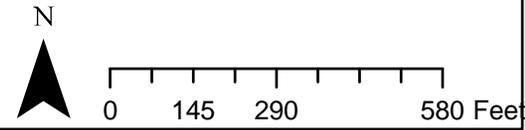


Future Land Use Plan Southern Trails Section 11



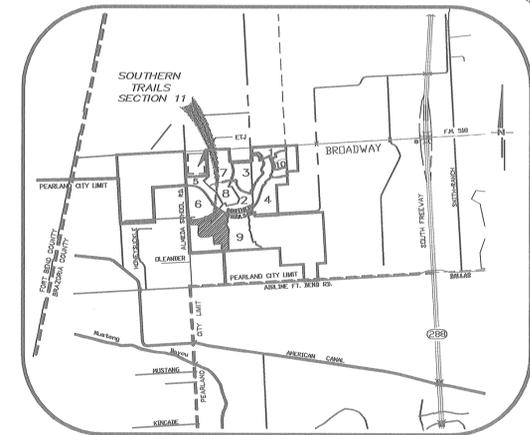


Zoning and Vicinity Map Southern Trails Section 11

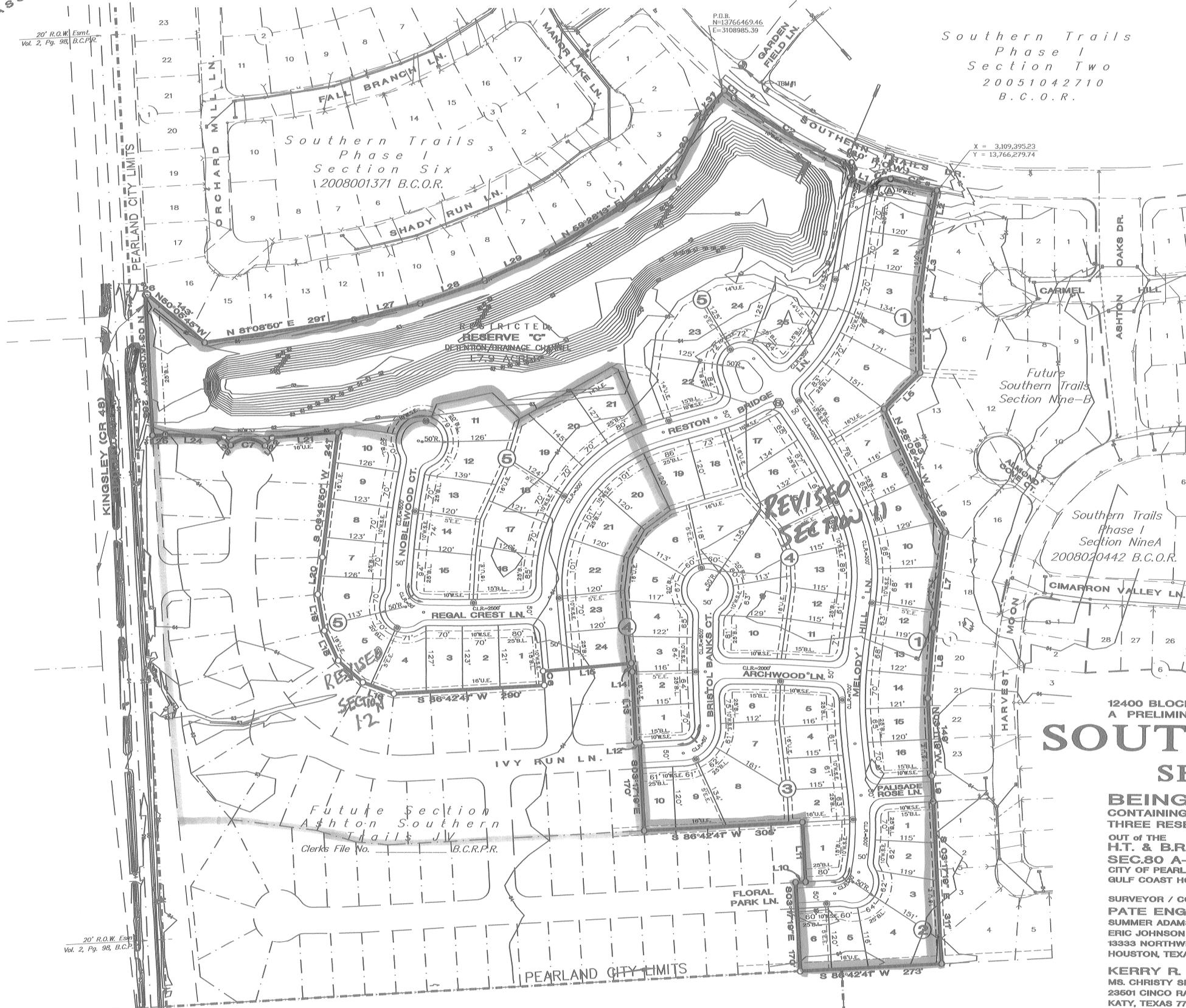


20' R.O.W. Easmt.
Vol. 2, Pg. 98, B.C.P.R.

Southern Trails
Phase I
Section Two
20051042710
B.C.O.R.



Vicinity Map
KEY MAP GALV/BRAZ 612 & 613
SCALE: 1"=5000'



LINE DATA

LINE	BEARING	DISTANCE
L1	N 69°45'10" W	50'
L2	S 10°47'30" W	72'
L3	S 08°21'14" W	138'
L4	S 01°06'24" E	142'
L5	S 44°37'34" W	98'
L6	S 29°25'47" E	87'
L7	N 06°33'27" E	183'
L8	S 04°20'05" W	136'
L9	N 03°25'64" W	60'
L10	S 86°42'41" W	16'
L11	N 03°17'18" W	116'
L12	N 86°42'41" E	7'
L13	N 03°17'18" E	137'
L14	S 06°07'07" E	17'
L15	S 84°51'43" W	171'
L16	S 70°28'02" E	64'
L17	N 48°47'59" W	63'
L18	N 25°08'13" W	63'
L19	N 10°21'46" W	71'
L20	S 06°49'50" W	72'
L21	S 85°16'39" W	127'
L22	S 42°03'64" W	20'
L23	N 40°44'07" W	20'
L24	S 87°38'00" E	113'
L25	S 86°47'10" E	25'
L26	N 86°47'10" E	6'
L27	N 76°14'38" E	137'
L28	N 70°39'08" E	137'
L29	N 65°03'40" E	137'
L30	N 25°34'10" E	126'
L31	N 93°45'18" E	68'

CURVE DATA

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	1036'	01°18'34"	24'	12'	S 61°53'56" E	24'
C2	830'	14°56'18"	245'	122'	S 60°02'64" E	245'
C3	26'	85°30'04"	37'	23'	S 24°47'30" E	34'
C4	26'	89°06'33"	39'	26'	N 61°64'23" E	36'
C5	830'	06°59'38"	82'	46'	S 76°22'40" E	82'
C6	2476'	00°58'18"	28'	14'	S 0°44'08" E	28'
C7	60'	82°47'56"	72'	44'	N 89°20'03" W	66'

LAND USE TABLE			
RESERVE	LAND USE	ACREAGE	SQ. FT.
(A)	OPEN SPACE	±0.09	3,837
(B)	OPEN SPACE	±0.04	1,922
(C)	DETENTION/ DRAINAGE CHANNEL	±7.9	345,182

12400 BLOCK OF SOUTHERN TRAILS DRIVE
A PRELIMINARY PLAT OF
SOUTHERN TRAILS
SECTION ELEVEN

BEING 30.4± ACRES OF LAND
CONTAINING 81 LOTS (61' X 115'/70' X 120' TYP.) AND
THREE RESERVES IN FIVE BLOCKS.

OUT OF THE
H.T. & B.R.R. CO. SURVEY, SEC. 84 A-538 &
SEC. 80 A-564
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, ALSO BEING OUT OF ALLISON-RICHEY
GULF COAST HOME COMPANY SUBDIVISION AS RECORDED IN VOLUME 2, PAGE 98 B.C.P.R.

SURVEYOR / CONSULTING ENGINEER:
PATE ENGINEERS, INC.
SUMMER ADAMS, R.P.L.S.
ERIC JOHNSON P.E. (713) 462-3178
13333 NORTHWEST FREEWAY, SUITE 300
HOUSTON, TEXAS 77040

KERRY R. GILBERT & ASSOCIATES, INC.
MS. CHRISTY SMIDT (281) 579-0340
23601 CINCO RANCH BLVD. SUITE A-250
KATY, TEXAS 77494

OWNER:
C.L. ASHTON WOODS, L.P.
MR. MARK JANIK (281) 661-7773
11375 W. SAM HOUSTON PARKWAY #100
HOUSTON, TEXAS 77031

KERRY R. GILBERT & ASSOCIATES, INC.

SCALE: 1" = 100'
0 50 100 200
SHEET: 1 OF 2

PLAT NO. P-612U-2010-0003
FEBRUARY 22, 2010
KGA# 06101

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

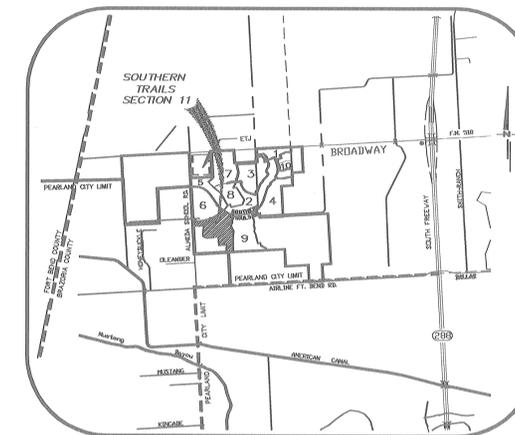
Called 20.08 Ac.
Carolyn Washington
B.C.C.F. No. 97-018860

Called 40 Ac.
Habari Trust No. 2
B.C.C.F. No. 99-046946

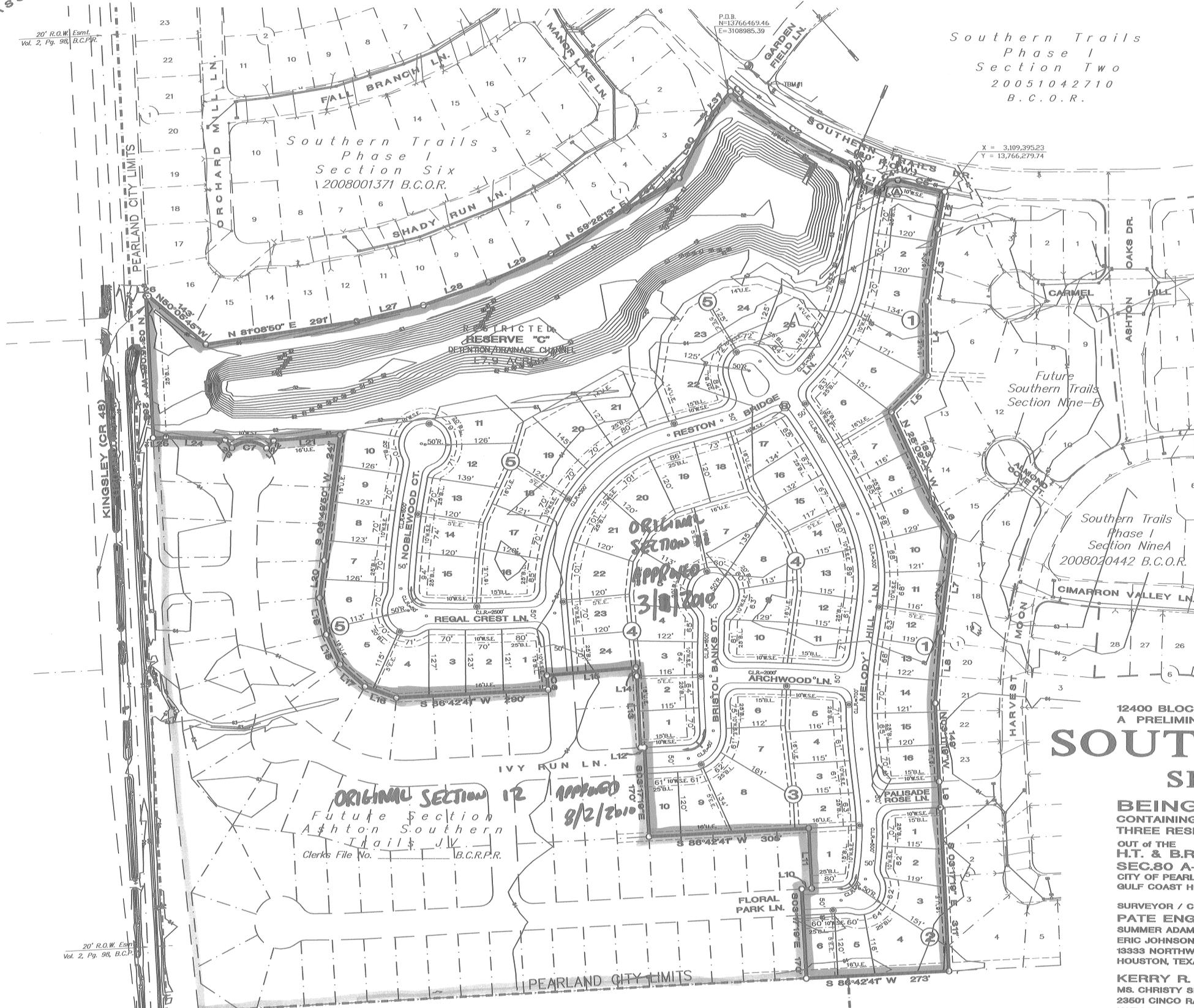
DISCLAIMER AND LIMITED WARRANTY
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20' R.O.W. Esmt
Vol. 2, Pg. 98, B.C.P.R.

Southern Trails
Phase I
Section Two
20051042710
B.C.O.R.



Vicinity Map
KEY MAP GALV/BRAZ 612 & 613
SCALE: 1"=5000'



LINE DATA

LINE	BEARING	DISTANCE
L1	N 68°45'10" W	60'
L2	S 10°47'30" W	72'
L3	S 08°21'14" W	138'
L4	S 07°06'24" E	142'
L5	S 44°31'34" W	98'
L6	S 29°26'47" E	81'
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L10	S 86°42'41" W	19'
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L12	N 86°42'41" E	7'
L13	N 03°17'19" W	137'
L14	S 08°07'07" E	17'
L15	S 84°57'43" W	177'
L16	S 70°28'02" E	64'
L17	N 48°47'59" W	63'
L18	N 26°08'13" W	63'
L19	N 10°27'48" W	77'
L20	S 08°49'50" W	72'
L21	S 85°16'39" W	127'
L22	S 42°08'54" W	20'
L23	N 40°44'07" W	20'
L24	S 87°38'00" E	118'
L25	S 86°47'10" W	26'
L26	N 86°47'10" E	6'
L27	N 76°14'35" E	137'
L28	N 70°39'08" E	137'
L29	N 66°03'40" E	137'
L30	N 26°34'10" E	126'
L31	N 39°46'18" E	68'

CURVE DATA

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	1030'	01°18'34"	24'	12'	S 61°52'59" E	24'
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C3	26'	85°50'04"	37'	23'	S 24°47'30" E	34'
C4	26'	89°06'33"	39'	26'	N 61°54'23" E	36'
C5	890'	08°08'39"	62'	46'	S 78°22'40" E	92'
C6	2476'	00°38'18"	28'	14'	S 0°44'09" E	28'
C7	60'	82°47'56"	72'	44'	N 88°20'03" W	68'

LAND USE TABLE

RESERVE	LAND USE	ACREAGE	SQ. FT.
(A)	OPEN SPACE	±0.09	3,837
(B)	OPEN SPACE	±0.04	1,922
(C)	RETENTION/ DRAINAGE CHANNEL	±7.9	345,182

12400 BLOCK OF SOUTHERN TRAILS DRIVE
A PRELIMINARY PLAT OF
SOUTHERN TRAILS
SECTION ELEVEN

BEING 30.4± ACRES OF LAND
CONTAINING 81 LOTS (61' X 115'/70' X 120' TYP.) AND
THREE RESERVES IN FIVE BLOCKS.

OUT OF THE
H.T. & B.R.R. CO. SURVEY, SEC. 84 A-538 &
SEC. 80 A-564
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, ALSO BEING OUT OF ALLISON-RICHEY
GULF COAST HOME COMPANY SUBDIVISION AS RECORDED IN VOLUME 2, PAGE 98 B.C.P.R.

SURVEYOR / CONSULTING ENGINEER:
PATE ENGINEERS, INC.
SUMMER ADAMS, R.P.L.S.
ERIC JOHNSON P.E. (713) 482-3178
13333 NORTHWEST FREEWAY, SUITE 300
HOUSTON, TEXAS 77040

KERRY R. GILBERT & ASSOCIATES, INC.
MS. CHRISTY SMIDT (281) 579-0340
23501 CINCO RANCH BLVD. SUITE A-250
KATY, TEXAS 77494

OWNER:
C.L. ASHTON WOODS, L.P.
MR. MARK JANIK (281) 561-7773
11375 W. SAM HOUSTON PARKWAY #100
HOUSTON, TEXAS 77031

KERRY R. GILBERT & ASSOCIATES, INC.

SCALE: 1" = 100'
0 50 100 200
SHEET: 1 OF 2

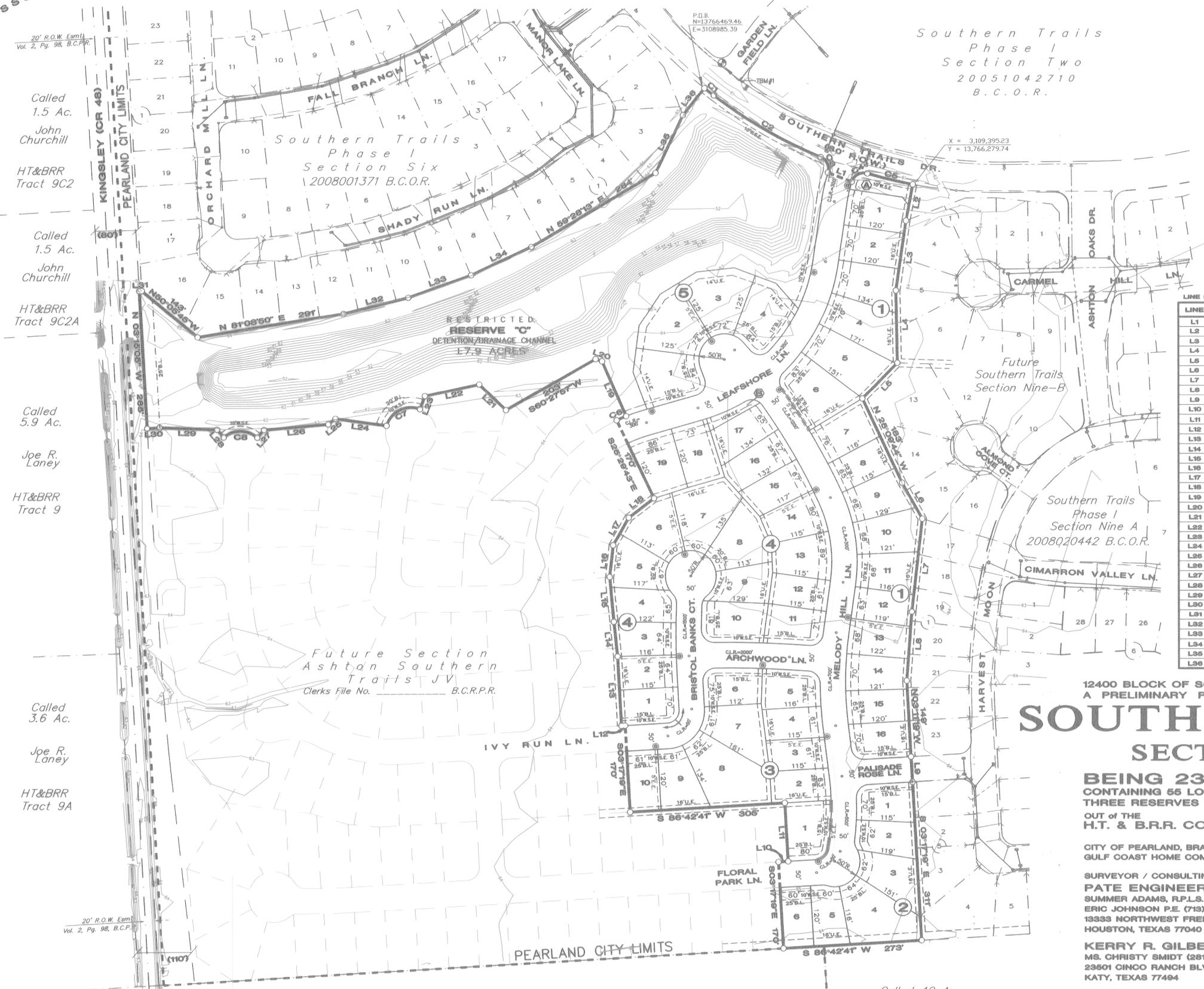
PLAT NO. P-612U-2010-0003
FEBRUARY 22, 2010
KGA# 06101

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

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Called 20.08 Ac.
Carolyn Washington
B.C.C.F. No. 97-018860

Called 40 Ac.
Habari Trust No. 2
B.C.C.F. No. 99-046946



Called 1.5 Ac.
John Churchill

HT&BRR
Tract 9C2

Called 1.5 Ac.
John Churchill

HT&BRR
Tract 9C2A

Called 5.9 Ac.

Joe R. Laney

HT&BRR
Tract 9

Called 3.6 Ac.

Joe R. Laney

HT&BRR
Tract 9A

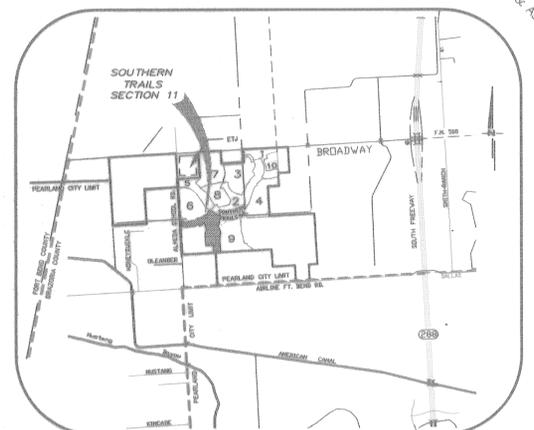
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Southern Trails
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20051042710
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L14	N 08°01'07" W	68'
L15	N 05°14'30" W	89'
L16	N 09°22'58" E	62'
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L18	N 62°22'49" E	62'
L19	N 23°40'34" W	118'
L20	S 71°9'19" E	13'
L21	N 46°04'53" W	72'
L22	N 77°56'53" E	109'
L23	S 21°04'19" W	27'
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L25	N 52°22'57" E	18'
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L28	N 40°44'01" W	20'
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C1	1030'	01°18'34"	24'	12'	S 51°53'59" E	24'
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C3	25'	86°50'04"	57'	25'	S 24°47'30" E	54'
C4	25'	89°05'33"	59'	25'	N 61°54'23" E	55'
C5	930'	08°38'59"	92'	44'	S 78°22'40" E	92'
C6	325'	03°34'59"	20'	10'	S 68°17'46" W	20'
C7	60'	94°22'29"	62'	64'	N 69°44'04" E	73'
C8	50'	82°47'55"	72'	44'	N 88°20'09" W	68'

LAND USE TABLE

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12400 BLOCK OF SOUTHERN TRAILS DRIVE
A PRELIMINARY PLAT OF
SOUTHERN TRAILS
SECTION ELEVEN

BEING 23.2± ACRES OF LAND
CONTAINING 55 LOTS (61' X 115'/70' X 120' TYP) AND
THREE RESERVES IN FIVE BLOCKS.

OUT OF THE
H.T. & B.R.R. CO. SURVEY, SEC. 80 A-564

CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, ALSO BEING OUT OF ALLISON-RICHEY
GULF COAST HOME COMPANY SUBDIVISION AS RECORDED IN VOLUME 2, PAGE 98 B.C.P.R.

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11375 W. SAM HOUSTON PARKWAY #100
HOUSTON, TEXAS 77031

KERRY R. GILBERT & ASSOCIATES, INC.

SCALE: 1" = 100'
SHEET: 1 OF 2

PLAT NO. P-612U-2011-0030
JULY 13, 2011
KGA# 08101

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

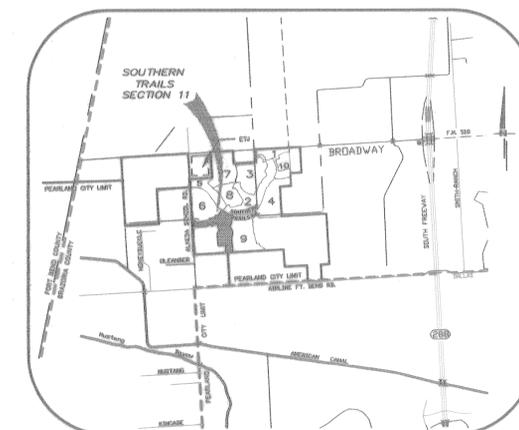
GENERAL NOTE:

- 1.) "C.L.R." INDICATES CENTERLINE RADIUS.
- 2.) "B.L." INDICATES BUILDING LINE.
- 3.) "U.E." INDICATES UTILITY EASEMENT.
- 4.) "W.L.E." INDICATES WATER LINE EASEMENT.
- 5.) "STM. SWR. ESMT." INDICATES STORM SEWER EASEMENT.
- 6.) "S.S.E." INDICATES SANITARY SEWER EASEMENT.
- 7.) "W.S.E." INDICATES WATER LINE / SANITARY SEWER EASEMENT.
- 8.) "D.E." INDICATES DRAINAGE EASEMENT.
- 9.) "⊙" = STREET LIGHT LOCATION.
- 10.) "E.E." INDICATES ELECTRICAL EASEMENT.
- 11.) "B.C.P.R." INDICATES BRAZORIA COUNTY PLAT RECORDS.
- 12.) "B.C.D.R." INDICATES BRAZORIA COUNTY DEED RECORDS.
- 13.) "B.C.C.F." INDICATES BRAZORIA COUNTY CLERK RECORDS.
- 14.) "B.C.R.P.R." INDICATES BRAZORIA COUNTY REAL PROPERTY RECORDS.
- 15.) THERE ARE 14 STREETLIGHTS ON THIS PLAT.
- 16.) THIS TRACT LIES IN ZONE X OF THE F.I.R.M. FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS, FLOODPLAIN PANEL #48039C0020H EFFECTIVE JUNE 5, 1989. CONTACT THE BRAZORIA COUNTY FLOODPLAIN ADMINISTRATOR FOR BASE FLOOD INFORMATION.
- 17.) BENCHMARKS:
 CITY OF PEARLAND REFERENCE BENCHMARK:
 MONUMENT GPS - 9. BRASS SET FLUSH IN CONCRETE. STAMPED "CITY OF PEARLAND 9 - GPS MONU. 1995". THE MONUMENT IS LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF THE WEST ACCESS ROAD TO HIGHWAY 288 AND COUNTY ROAD 92 AND F.M. 518. THE MONUMENT IS APPROXIMATELY 500 FEET NORTH OF COUNTY ROAD 92 AND 32.5 FEET NORTHWEST OF THE SOUTHWEST CORNER OF A CONCRETE PAD FOR STORM DRAIN INLETS.
 ELEVATION = 59.03 NGVD 29, 1987 ADJUSTMENT
 ADD 0.19 FEET FOR NAVD 88, 1991
 PROJECT REFERENCE BENCHMARK:
 N.G.S. BRASS DISK STAMPED "R668 1942" LOCATED ALONG F.M. 521, EAST OF THE PRESENT ROAD, IN THE NORTHEAST CONCRETE HEADWALL OF THE FORMAL HIGHWAY BRIDGE OVER A CANAL, ABOUT 0.15 NORTH OF THE FORT BEND - HARRIS COUNTY LINE, ELEV. 61.786, NAVD 88, 1991 ADJUSTMENT
- 18.) T.B.M.
 T.B.M. #1
 X-IN CONCRETE AT THE NORTHWEST CORNER OF PROPOSED GARDEN FIELD LANE AND SOUTHERN TRAILS DRIVE APPROXIMATELY 65 FT. FROM THE WATER HYDRANT TO THE NORTHWEST, CUT IN THE GUTTER INTERSECTION.
 N=18766507.191
 E=3109013.567
 ELEVATION =60.51 NAVD 88, 1991 ADJUSTMENT
- 19.) ALL SIDE LOT LINES ARE THE CENTERLINE OF 6' DRAINAGE EASEMENT TO EACH ADJACENT LOT.
- 20.) 4' SIDEWALK REQUIRED ON ALL INTERNAL PUBLIC STREET RIGHT-OF-WAYS CONTAINED WITHIN THE PLAT.
- 21.) NO LOT SHALL HAVE DIRECT ACCESS TO SOUTHERN TRAILS DR.
- 22.) THIS SUBDIVISION IS CONSISTANT WITH THE SINGLE FAMILY DWELLING DISTRICT IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT BETWEEN ASHTON SOUTHERN TRAILS JOINT VENTURE AND THE CITY OF PEARLAND DATED FEBRUARY 19, 2004.
- 23.) THIS PROPERTY IS LOCATED WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT No 34.
- 24.) PER THE APPROVED PUD, A SIX(6) FOOT WIDE SIDEWALK IS REQUIRED ALONG THE WESTERN RIGHT-OF-WAY OF SOUTHERN TRAILS DRIVE, AND A SIX-FOOT HIGH TUBULAR STEEL FENCE WILL BE REQUIRED ALONG THE ENTIRE NORTHERN EDGE OF RESERVE "C".
- 25.) WATER / SANITARY SEWER PRO RATA DUE AT TIME OF FINAL PLAT.
- 26.) BDD #4 UNIT NO. A128-04-00, PURPOSE OF RESERVE "C" IS DETENTION.
- 27.) A PEDESTRIAN TRAIL WILL BE ESTABLISHED ALONG THE SOUTHERN EDGE OT THE DETENTION LOCATED WITHIN RESERVE "C".
- 28.) DRIVEWAY ACCESS FOR CORNER LOTS IS DENIED ON THE SIDE STREET, UNLESS EQUAL TO THE FRONT SETBACK.

SOUTHERN TRAILS, SECTION ELEVEN, LOT ANALYSIS

LOT	SQ. FT.	LOT FRONTAGE AT B.L.
BLOCK 1		
LOT 1	8,316	70'
LOT 2	8,400	70'
LOT 3	9,352	70'
LOT 4	11,945	70'
LOT 5	12,890	70'
LOT 6	12,660	83'
LOT 7	9,269	76'
LOT 8	7,669	65'
LOT 9	8,895	68'
LOT 10	9,728	68'
LOT 11	8,681	68'
LOT 12	7,390	63'
LOT 13	8,010	68'
LOT 14	8,087	70'
LOT 15	7,753	65'
LOT 16	8,105	70'
BLOCK 2		
LOT 1	8,145	70'
LOT 2	7,764	62'
LOT 3	9,665	62'
LOT 4	14,479	64'
LOT 5	7,558	60'
LOT 6	7,210	60'
BLOCK 3		
LOT 1	9,896	80'
LOT 2	7,362	63'
LOT 3	7,031	61'
LOT 4	7,047	61'
LOT 5	8,512	71'
LOT 6	8,282	75'
LOT 7	10,980	61'
LOT 8	16,139	60'
LOT 9	8,992	61'
LOT 10	7,301	61'

LOT	SQ. FT.	LOT FRONTAGE AT B.L.
BLOCK 4		
LOT 1	7,908	70'
LOT 2	7,470	64'
LOT 3	7,777	64'
LOT 4	8,169	65'
LOT 5	8,993	67'
LOT 6	10,158	60'
LOT 7	12,862	60'
LOT 8	11,288	60'
LOT 9	8,043	63'
LOT 10	9,937	81'
LOT 11	8,331	71'
LOT 12	7,015	61'
LOT 13	8,997	89'
LOT 14	8,450	80'
LOT 15	8,122	67'
LOT 16	8,842	67'
LOT 17	8,253	65'
LOT 18	8,879	73'
LOT 19	9,664	86'
BLOCK 5		
LOT 1	12,441	84'
LOT 2	12,968	72'
LOT 3	12,971	72'
LOT 4	11,744	84'



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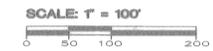
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SCALE: 1" = 100'

PLAT NO. P-612U-2011-0030
 JULY 13, 2011
 KGA# 06101

SHEET: 2 OF 2

ENCUMBRANCE CERTIFICATE

This is to certify that I, SUMMER ADAMS, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground; that all exterior boundary corners of the actual survey have been set; that all block corners, reserve corners, lot corners, permanent reference monuments and permanent control points will be set at completion of construction; and that this plat correctly represents that survey made by me. All corners will be marked by iron rods 5/8-inch in diameter and 3-feet long. Except lot corners which will be marked with iron rods 1/2-inch in diameter. This tract is within the City Limits of Pearland.

SUMMER ADAMS, R.P.L.S.
 Registration No.5684

APPROVED for the City of Pearland, Texas, this _____ day of _____, 2011.

DARRIN COKER
 City of Pearland, City Attorney

NARCISO LIRA III, P.E.
 City of Pearland, City Engineer

JERRY KOZA
 Chair, Planning Commission

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

P&Z Agenda Item

C

PLANNING AND ZONING COMMISSION MEETING OF JULY 18, 2011

Preliminary Plat of Southern Trails Section Twelve

A request by Kerry R. Gilbert and Associates, applicant, on behalf of C.L. Ashton Woods, LP, owner for approval of the Preliminary Plat for Southern Trails Section Twelve for approximately 16.8 acres, on the following described property, to wit

Legal Description: All that certain 16.8 acres of land, out of the 522.62 acre tract described in the deed from Ashton Southern Trails Joint Venture to CL Ashton Woods, LP., recorded under Doc. #2005016204, in the Official Records of Brazoria County, Texas, in the H.T. & B.R.R. Company Survey, Sec. 80, A-564, Brazoria County.

General Location 1,600 feet south from the southeast corner the intersection of Southern Trails Drive and Kingsley Drive

SUMMARY: On behalf of C.L. Ashton Woods, Christy Smidt from Kerry R. Gilbert and Associates has applied for a Preliminary Plat for Southern Trails Section Twelve, which includes a total of 58 single-family residential lots and two reserves. This modification of Southern Trails Section Twelve reduces the number of lots and includes a portion of the original plan for Southern Trails Section Eleven. This Preliminary Plat has also been submitted with the Preliminary Plat for Section Eleven as the original boundaries of both plats have changed.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Current Land Use</u>
North	PUD (Southern Trails)	Drainage
South	PUD (Southern Trails)	Vacant Land, future Single Family homes
East	PUD (Southern Trails)	Vacant Land, portion of Southern Trails Section Eleven
West	Extra-Territorial Jurisdiction	Vacant and Drainage

COMPARISON OF PREVIOUSLY APPROVED SOUTHERN TRAILS SECTION TWELVE:

On 08/02/2010, the Planning and Zoning Commission approved the Preliminary Plat Twelve of Southern Trails. This plat contained a total of 17.6 acres, 68 lots and two reserves. This revision reduces the total acreage to 16.8 acres, number of lots to 58 and adds several lots that were originally in Section Eleven (See Plat Exhibit Proposed and Original).

CONFORMANCE WITH THE SOUTHERN TRAILS PUD: The above submittal is in conformance with the Southern Trails Planned Unit Development.

PLATTING STATUS: This is a revised version of Southern Trails Section 12, site improvements including roads will be in conformance with this Preliminary Plat. After the engineering department has accepted the infrastructure, a Final Plat can be approved and recorded.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject land is Low Density Residential. This designation allows for a maximum of four dwelling units an acre. This Preliminary Plat is in conformance with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property is served by Kingsley Road, a 120-foot Major Thoroughfare.

AVAILABILITY OF UTILITIES: The subject parcel is served by public water and sewer lines, from the existing Southern Trails Development.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed Preliminary Plat should not have any significant adverse impacts on any surrounding structures or uses.

ADDITIONAL COMMENTS: There have not been any additional comments from other departments regarding this Preliminary Plat for Southern Trails Section Twelve.

STAFF RECOMMENDATION: Staff recommends approval of this Preliminary Plat as proposed by the applicant for the following reasons:

Reasons for recommending approval:

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 Southern Trails Planned Unit Development.
3. The approval of this plat will satisfy the goals of the Southern Trails Planned Unit Development.

OUTSTANDING ITEMS:

There are no outstanding items.

SUPPORTING DOCUMENTS:

Vicinity and Zoning Map

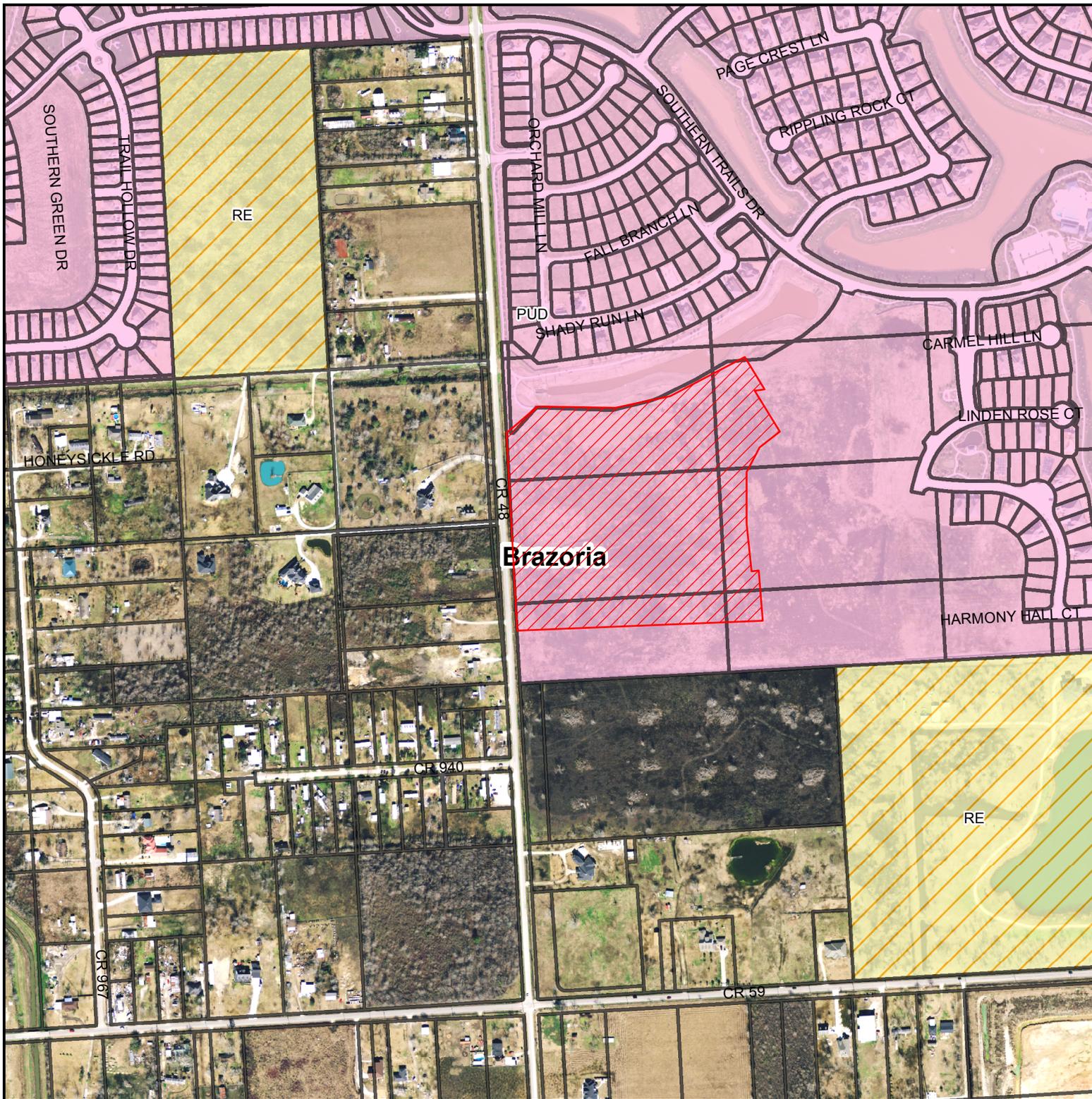
Future Land Use Plan

Aerial Photograph

Plat Exhibit Proposed

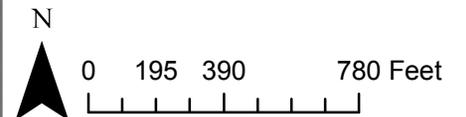
Plat Exhibit Existing

Preliminary Plat of Southern Section Twelve

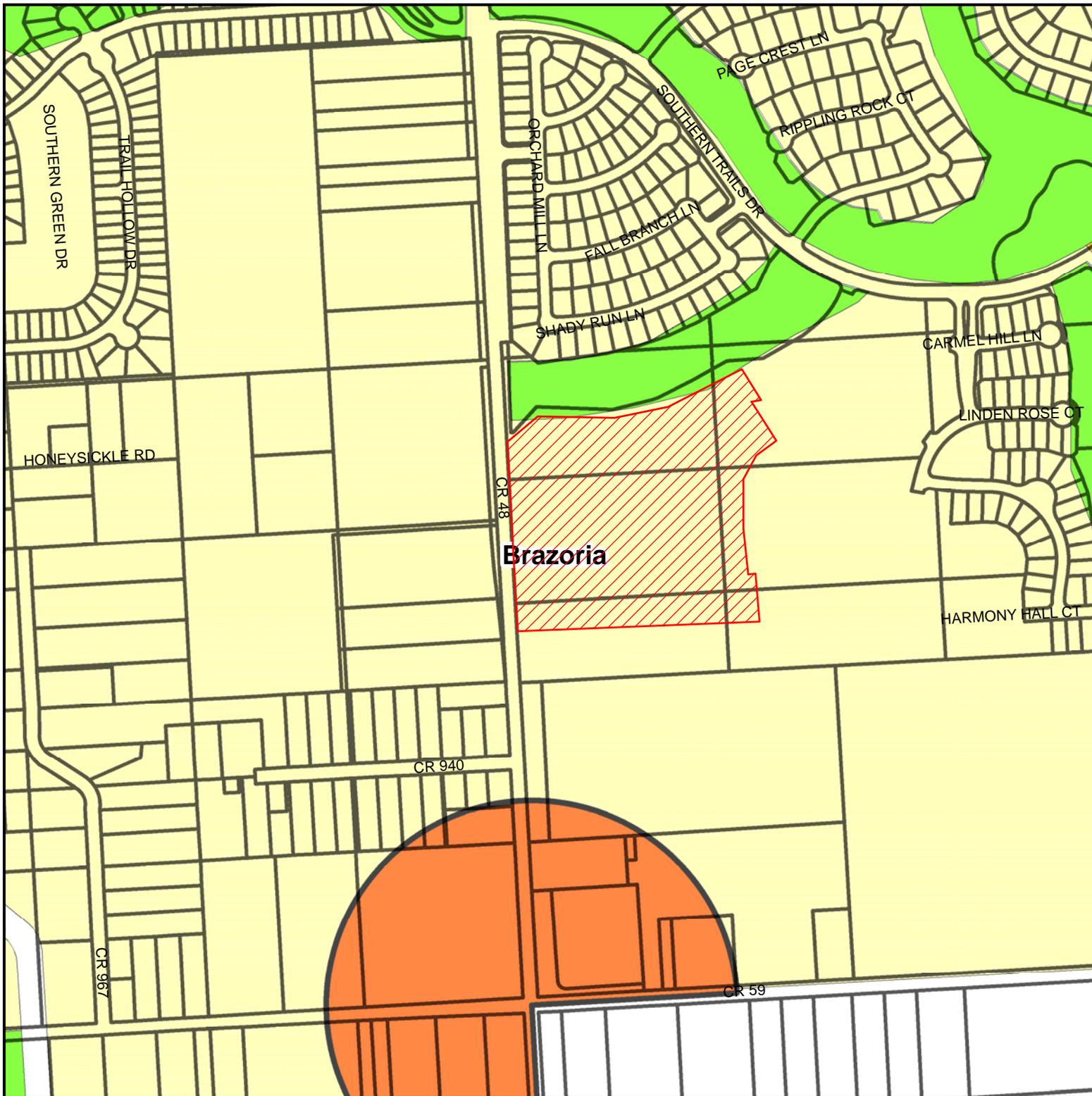


Zoning & Vicinity Map

Southern Trails Section 12

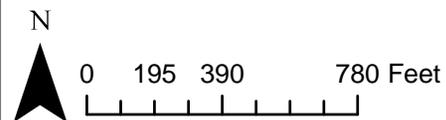


Map created on 06/14/2011



Future Land Use Map

Southern Trails Section 12

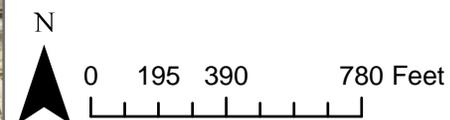


Map created on 06/14/2011



Aerial Map

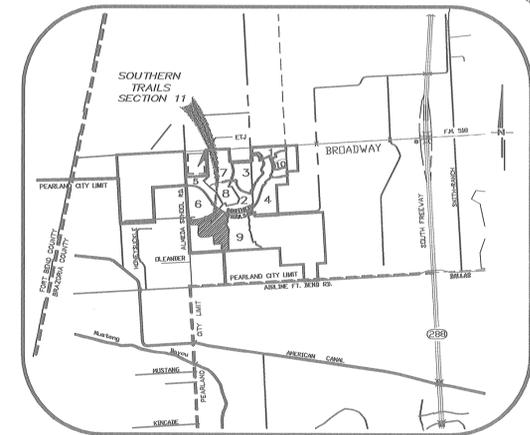
Southern Trails Section 12



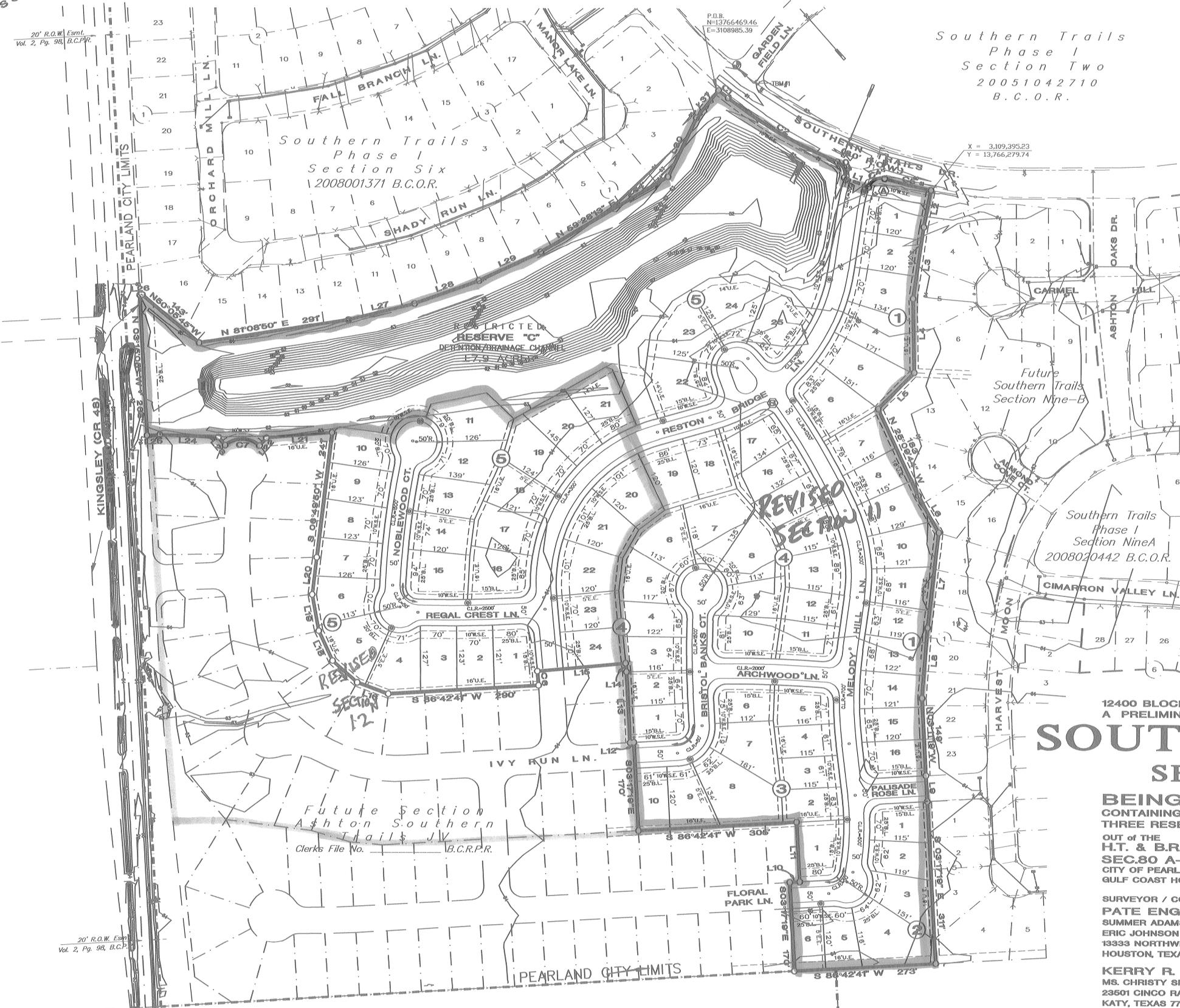
Map created on 06/14/2011

20' R.O.W. Easmt.
Vol. 2, Pg. 98, B.C.P.R.

Southern Trails
Phase I
Section Two
20051042710
B.C.O.R.



Vicinity Map
KEY MAP GALV/BRAZ 612 & 613
SCALE: 1"=5000'



LINE DATA

LINE	BEARING	DISTANCE
L1	N 69°45'10" W	50'
L2	S 10°47'30" W	72'
L3	S 08°21'14" W	138'
L4	S 01°06'24" E	142'
L5	S 44°37'34" W	98'
L6	S 29°25'47" E	87'
L7	N 06°33'27" E	183'
L8	S 04°20'05" W	136'
L9	N 03°25'64" W	60'
L10	S 86°42'41" W	16'
L11	N 03°17'18" W	116'
L12	N 86°42'41" E	7'
L13	N 03°17'18" E	137'
L14	S 06°07'07" E	17'
L15	S 84°51'43" W	171'
L16	S 70°28'02" E	64'
L17	N 48°47'59" W	63'
L18	N 25°08'13" W	63'
L19	N 10°21'46" W	71'
L20	S 06°49'50" W	72'
L21	S 85°16'39" W	127'
L22	S 42°03'64" W	20'
L23	N 40°44'07" W	20'
L24	S 87°38'00" E	113'
L25	S 86°47'10" E	25'
L26	N 86°47'10" E	6'
L27	N 76°14'38" E	137'
L28	N 70°39'08" E	137'
L29	N 65°03'40" E	137'
L30	N 25°34'10" E	126'
L31	N 93°45'18" E	68'

CURVE DATA

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	1036'	01°18'34"	24'	12'	S 61°53'56" E	24'
C2	830'	14°56'18"	245'	122'	S 60°02'64" E	245'
C3	26'	85°30'04"	37'	23'	S 24°47'30" E	34'
C4	26'	89°06'33"	39'	26'	N 61°64'23" E	36'
C5	890'	06°59'38"	62'	46'	S 76°22'40" E	62'
C6	2476'	00°58'18"	28'	14'	S 0°44'08" E	28'
C7	60'	82°47'56"	72'	44'	N 89°20'03" W	66'

LAND USE TABLE			
RESERVE	LAND USE	ACREAGE	SQ. FT.
(A)	OPEN SPACE	±0.09	3,837
(B)	OPEN SPACE	±0.04	1,922
(C)	DETENTION/ DRAINAGE CHANNEL	±7.9	345,182

12400 BLOCK OF SOUTHERN TRAILS DRIVE
A PRELIMINARY PLAT OF
SOUTHERN TRAILS
SECTION ELEVEN

BEING 30.4± ACRES OF LAND
CONTAINING 81 LOTS (61' X 115'/70' X 120' TYP.) AND
THREE RESERVES IN FIVE BLOCKS.

OUT OF THE
H.T. & B.R.R. CO. SURVEY, SEC. 84 A-538 &
SEC. 80 A-564
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, ALSO BEING OUT OF ALLISON-RICHEY
GULF COAST HOME COMPANY SUBDIVISION AS RECORDED IN VOLUME 2, PAGE 98 B.C.P.R.

SURVEYOR / CONSULTING ENGINEER:
PATE ENGINEERS, INC.
SUMMER ADAMS, R.P.L.S.
ERIC JOHNSON P.E. (713) 462-3178
13333 NORTHWEST FREEWAY, SUITE 300
HOUSTON, TEXAS 77040

KERRY R. GILBERT & ASSOCIATES, INC.
MS. CHRISTY SMIDT (281) 579-0340
23601 CINCO RANCH BLVD. SUITE A-250
KATY, TEXAS 77494

OWNER:
C.L. ASHTON WOODS, L.P.
MR. MARK JANIK (281) 661-7773
11375 W. SAM HOUSTON PARKWAY #100
HOUSTON, TEXAS 77031

KERRY R. GILBERT & ASSOCIATES, INC.

SCALE: 1" = 100'
0 50 100 200
SHEET: 1 OF 2

PLAT NO. P-612U-2010-0003
FEBRUARY 22, 2010
KQA# 06101

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

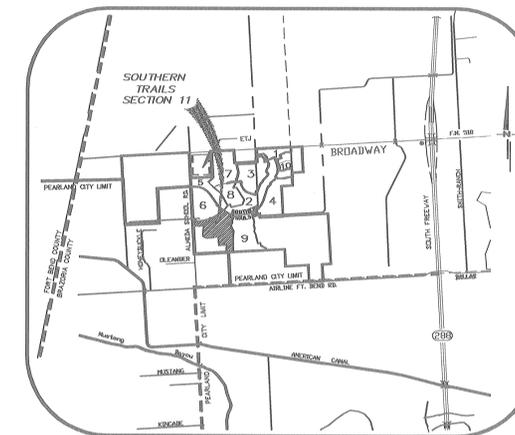
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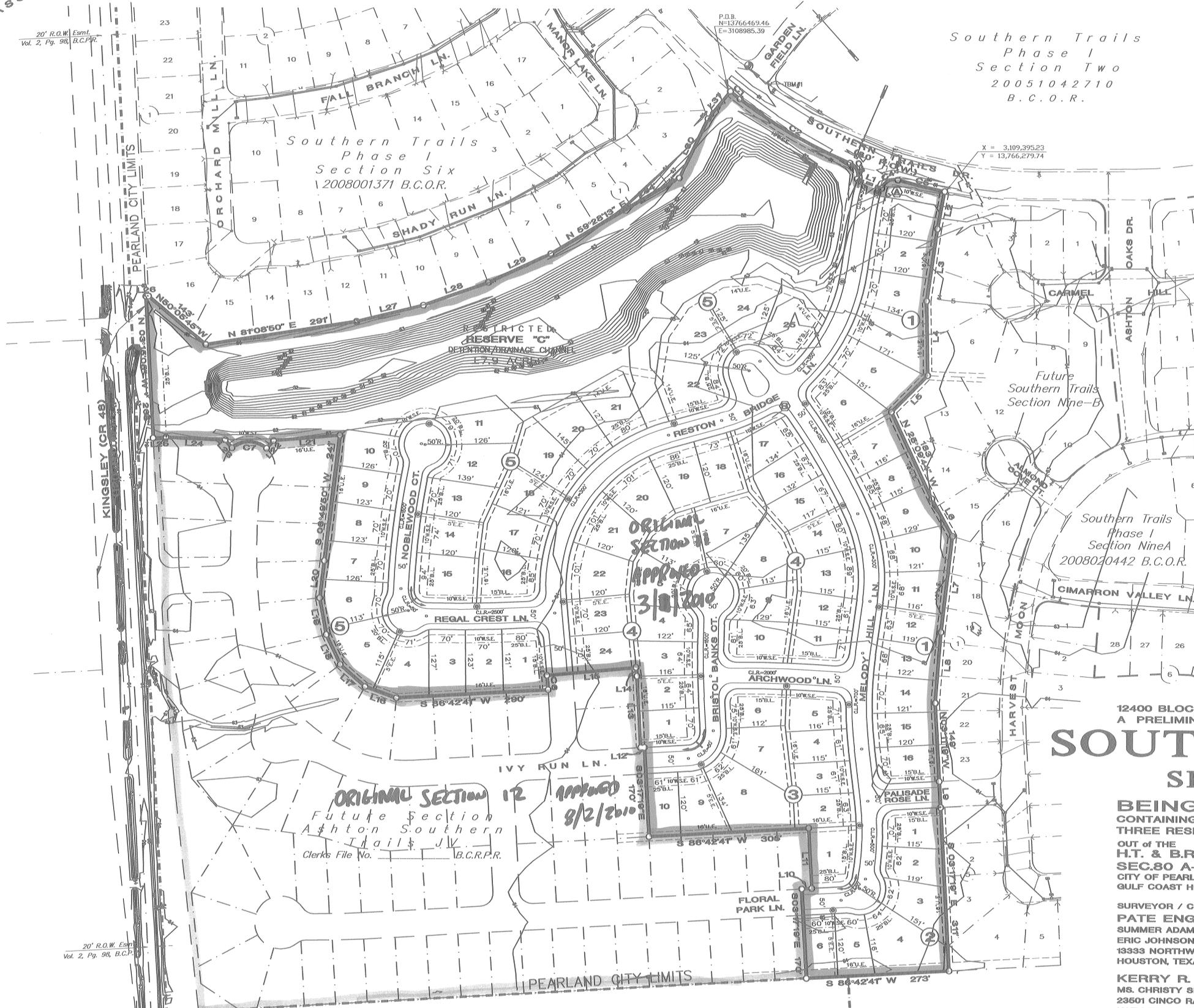
DISCLAIMER AND LIMITED WARRANTY
THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF PEARLAND UNIFIED DEVELOPMENT CODE IN EFFECT AT THE TIME THIS PLAT WAS PREPARED, ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE FOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE PEARLAND PLANNING & ZONING COMMISSION AND/OR CITY COUNCIL. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER KERRY R. GILBERT & ASSOCIATES, INC., NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.

20' R.O.W. Esmt
Vol. 2, Pg. 98, B.C.P.R.

Southern Trails
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20051042710
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Vicinity Map
KEY MAP GALV/BRAZ 612 & 613
SCALE: 1"=5000'



LINE DATA

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L1	N 68°45'10" W	60'
L2	S 10°47'30" W	72'
L3	S 08°21'14" W	138'
L4	S 07°06'24" E	142'
L5	S 44°31'34" W	98'
L6	S 29°25'47" E	81'
L7	N 06°33'27" E	183'
L8	S 04°20'05" W	136'
L9	N 03°26'54" W	60'
L10	S 86°42'41" W	19'
L11	N 03°17'19" W	116'
L12	N 86°42'41" E	7'
L13	N 03°17'19" W	137'
L14	S 08°07'07" E	17'
L15	S 84°57'43" W	177'
L16	S 70°28'02" E	64'
L17	N 48°47'59" W	63'
L18	N 26°08'13" W	63'
L19	N 10°27'48" W	77'
L20	S 08°49'50" W	72'
L21	S 85°16'39" W	127'
L22	S 42°08'54" W	20'
L23	N 40°44'07" W	20'
L24	S 87°38'00" E	118'
L25	S 86°47'10" W	26'
L26	N 86°47'10" E	6'
L27	N 76°14'35" E	137'
L28	N 70°39'08" E	137'
L29	N 66°03'40" E	137'
L30	N 26°34'10" E	126'
L31	N 39°46'18" E	68'

CURVE DATA

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	1030'	01°18'34"	24'	12'	S 61°52'59" E	24'
C2	930'	14°56'16"	248'	122'	S 60°02'54" E	248'
C3	26'	85°50'04"	37'	23'	S 24°47'30" E	34'
C4	26'	89°06'33"	39'	26'	N 61°64'23" E	36'
C5	930'	08°58'39"	62'	46'	S 78°22'40" E	92'
C6	2475'	00°38'18"	28'	14'	S 0°44'09" E	28'
C7	60'	82°47'55"	72'	44'	N 88°20'03" W	68'

LAND USE TABLE

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SHEET: 1 OF 2

PLAT NO. P-612U-2010-0003
FEBRUARY 22, 2010
KGA# 06101

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Called 20.08 Ac.
Carolyn Washington
B.C.C.F. No. 97-018860

Called 40 Ac.
Habari Trust No. 2
B.C.C.F. No. 99-046946

Called 1.5 Ac.
John Churchill
HT&BRR
Tract 9C2A

Called 5.9 Ac.
Joe R. Laney
HT&BRR
Tract 9

Called 3.6 Ac.
Joe R. Laney
HT&BRR
Tract 9A

Called 20.08 Ac.
Carolyn Washington
B.C.C.F. No. 97-018860

CURVE DATA

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	325'	03°34'56"	20'	10'	S 66°17'46" W	20'
C2	4910'	03°09'50"	271'	196'	N 04°50'00" W	271'
C3	60'	82°47'55"	72'	44'	S 89°20'03" E	66'
C4	60'	94°22'25"	82'	54'	S 63°44'04" W	73'

LINE DATA

LINE	BEARING	DISTANCE
L1	S 52°52'49" W	62'
L2	S 29°37'54" W	62'
L3	N 06°22'58" E	62'
L4	S 05°14'30" E	89'
L5	S 05°07'07" E	68'
L6	N 86°42'41" E	7'
L7	S 85°04'46" E	62'
L8	N 73°57'14" W	78'
L9	S 83°38'59" W	40'
L10	N 06°23'07" W	61'
L11	S 86°47'10" W	25'
L12	S 40°44'01" E	20'
L13	S 42°03'54" W	20'
L14	S 52°22'57" W	18'
L15	N 82°04'09" W	102'
L16	N 21°04'19" E	27'
L17	S 46°04'53" E	73'
L18	N 71°36'18" W	13'

SOUTHERN TRAILS SECTION TWELVE LOT ANALYSIS

LOT	SQ. FT.	LOT FRONTAGE AT B.L.
BLOCK 1		
LOT 1	10,595	101'
LOT 2	10,596	101'
LOT 3	10,597	101'
LOT 4	8,400	70'
LOT 5	8,462	70'
LOT 6	8,554	70'
LOT 7	9,483	80'
BLOCK 2		
LOT 1	7,303	61'
LOT 2	7,301	61'
LOT 3	7,301	61'
LOT 4	8,241	70'
BLOCK 3		
LOT 1	9,431	80'
LOT 2	8,504	70'
LOT 3	9,404	70'
LOT 4	9,610	70'
LOT 5	9,522	70'
LOT 6	10,811	71'
LOT 7	13,719	71'
LOT 8	10,648	70'
LOT 9	10,054	70'
LOT 10	9,758	70'
LOT 11	9,092	70'
BLOCK 4		
LOT 1	9,112	70'
LOT 2	9,389	70'
LOT 3	10,494	83'
BLOCK 5		
LOT 1	11,263	87'
LOT 2	9,545	70'
LOT 3	9,891	77'
LOT 4	9,153	77'
LOT 5	9,425	84'
LOT 6	10,745	102'
LOT 7	10,744	102'
LOT 8	10,680	102'
LOT 9	9,528	85'
LOT 10	8,400	70'
LOT 11	8,400	70'
LOT 12	9,515	80'
LOT 13	9,710	80'
LOT 14	8,641	70'
LOT 15	8,753	70'
LOT 16	9,996	71'
LOT 17	11,254	70'
LOT 18	9,600	70'
LOT 19	8,916	70'
LOT 20	8,774	70'
LOT 21	8,670	70'
LOT 22	8,410	70'
BLOCK 6		
LOT 1	11,616	79'
LOT 2	9,762	71'
LOT 3	9,080	70'
LOT 4	8,617	74'
LOT 5	10,793	94'
LOT 6	10,915	85'
LOT 7	9,420	70'
LOT 8	9,278	70'
LOT 9	10,888	70'
LOT 10	10,489	70'
LOT 11	10,905	80'

LAND USE TABLE

RESERVE	LAND USE	ACREAGE	SQ. FT.
A	OPEN SPACE	±0.28	12,254
B	OPEN SPACE	±0.11	4,687

- GENERAL NOTE:
- "C.L.R." INDICATES CENTERLINE RADIUS.
 - "B.L." INDICATES BUILDING LINE.
 - "U.E." INDICATES UTILITY EASEMENT.
 - "W.L.E." INDICATES WATER LINE EASEMENT.
 - "S.M. SWR. ESMT." INDICATES STORM SEWER EASEMENT.
 - "S.S.E." INDICATES SANITARY SEWER EASEMENT.
 - "W.S.E." INDICATES WATER LINE / SANITARY SEWER EASEMENT.
 - "D.E." INDICATES DRAINAGE EASEMENT.
 - "⊙" = PROPOSED STREET LIGHT LOCATION.
 - "⊙" = EXISTING STREET LIGHT LOCATION.
 - "E.E." INDICATES ELECTRICAL EASEMENT.
 - "B.C.P.R." INDICATES BRAZORIA COUNTY PLAT RECORDS.
 - "B.C.D.R." INDICATES BRAZORIA COUNTY DEED RECORDS.
 - "B.C.C.F." INDICATES BRAZORIA COUNTY CLERK RECORDS.
 - "B.C.P.R." INDICATES BRAZORIA COUNTY REAL PROPERTY RECORDS.
 - THERE ARE 15 STREETS/LIGHTS ON THIS PLAT.
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP NO. #480300020H EFFECTIVE DATE JUNE 5, 1989, THE PROPERTY IS LOCATED IN ZONE "X". ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
- REMARKS:
- CITY OF PEARLAND REFERENCE BENCHMARK: MONUMENT GPS - 9 BRASS SET FLUSH IN CONCRETE. STAMPED CITY OF PEARLAND 1995. THE MONUMENT IS LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF THE WEST ACCESS ROAD TO HIGHWAY 288 AND COUNTY ROAD 92 AND F.M. 516. THE MONUMENT IS APPROXIMATELY 500 FEET NORTH OF COUNTY ROAD 92 AND 125 FEET WEST OF F.M. 516. THE MONUMENT IS A CONCRETE PAD FOR STORM DRAIN INLETS. ELEVATION = 59.03 NGVD 29, 1987 ADJUSTMENT. ADD 0.19 FEET FOR NAVD 88, 1991.
 - PROJECT REFERENCE BENCHMARK: BRASS DISK STAMPED 519 ON TOP OF INLET ON SOUTH SIDE OF FALL BRANCH LANE, 3-440 FEET EAST OF INTERSECTION OF FALL BRANCH LANE AND ORCHARD MILL (N=1376512.63, E=31083.923, ELEV. 61.23, NAVD 88, 1991 ADJUSTMENT).
 - T.B.M. #1: 3-IN CONCRETE AT THE NORTHWEST CORNER OF PROPOSED GARDEN FIELD LANE AND SOUTHERN TRAILS DRIVE APPROXIMATELY 65 FT FROM THE WATER HYDRANT TO THE NORTHWEST, CUT IN THE GUTTER INTERSECTION. N=18766507.191, E=310803.347, ELEVATION = 60.51 NAVD 88, 1991 ADJUSTMENT.
 - 4' SIDEWALK REQUIRED ON ALL INTERNAL PUBLIC STREET RIGHT-OF-WAYS CONTAINED WITHIN THE PLAT.
 - NO LOT SHALL HAVE DIRECT ACCESS TO KINGSLEY (C.R.48).
 - THIS SUBDIVISION IS CONSISTENT WITH THE SINGLE FAMILY DWELLING DISTRICT IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT BETWEEN ASHTON SOUTHERN TRAILS JOINT VENTURE AND THE CITY OF PEARLAND DATED FEBRUARY 19, 2004.
 - THIS PROPERTY IS LOCATED WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 34.
 - WATER / SANITARY SEWER PRO RATA DUE AT TIME OF FINAL PLAT.
 - 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 DOMINION TITLE, LLC, FILE NO. 1103907017, EFFECTIVE DATE MAY 24, 2011.
 - 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 OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
 - 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 THE 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 #4.
 - ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
 - LOT LINES SHALL BE THE CENTER OF A 6 FOOT WIDE DRAINAGE EASEMENT.
 - DRIVEWAY ACCESS FOR CORNER LOTS IS DENIED ON THE SIDE STREET, UNLESS EQUAL TO THE FRONT SETBACK.

3400 BLOCK OF KINGSLEY
A PRELIMINARY PLAT OF
SOUTHERN TRAILS SECTION TWELVE
BEING 16.8± ACRES OF LAND
CONTAINING 58 LOTS (70' X 120' TYP) AND
TWO RESERVES IN SIX BLOCKS.
OUT OF THE
H.T. & B.R.R. CO. SURVEY, SEC. 80 A-564

CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, ALSO BEING OUT OF ALLISON-RICHEY GULF COAST HOME COMPANY SUBDIVISION AS RECORDED IN VOLUME 2, PAGE 98 B.C.P.R.

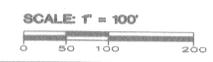
SURVEYOR / CONSULTING ENGINEER:
PATE ENGINEERS, INC.
SUMMER ADAMS, R.P.L.S.
ERIC JOHNSON P.E. (713) 462-3178
13333 NORTHWEST FREEWAY, SUITE 300
HOUSTON, TEXAS 77040

KERRY R. GILBERT & ASSOCIATES, INC.
MS. CHRISTY SMIDT (281) 579-0340
23501 CINCO RANCH BLVD. SUITE A-250
KATY, TEXAS 77494

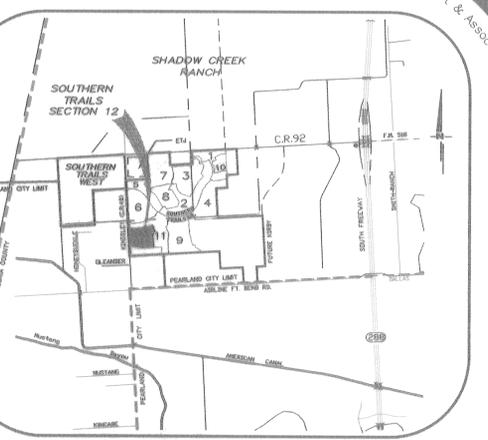
OWNER:
C.L. ASHTON WOODS, L.P.
MR. GREG MCKENZIE (281) 857-8126
11375 W. SAM HOUSTON PARKWAY #100
HOUSTON, TEXAS 77031

KERRY R. GILBERT & ASSOCIATES, INC.

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



JULY 18, 2011
KGA# 06101



Vicinity Map
KEY MAP GALV/BRAZ 612 & 613
SCALE: 1"=5000'

APPROVED for the City of Pearland, Texas, this _____ day of _____ 2011.

DARRIN COKER
City Attorney

MARCISO LIRA III, P.E.
City of Pearland, City Engineer.

JERRY KOZA
Planning Commission, Chair



DISCLAIMER AND LIMITED WARRANTY
THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF PEARLAND UNIFIED DEVELOPMENT CODE IN EFFECT AT THE TIME THIS PLAT WAS PREPARED. ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE FOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE PEARLAND PLANNING & ZONING COMMISSION AND/OR CITY COUNCIL. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER KERRY R. GILBERT & ASSOCIATES, INC., NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.

P&Z Agenda Item

D



THE WILSON SURVEY GROUP, INC.
PROFESSIONAL LAND SURVEYORS

Monday, July 11, 2011

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

Re: Serene Gardens

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. Chris L. Hendrick (Wilson Survey Group) hereby requests an additional 40 days (no fewer than the number of days until P&Z's next scheduled meeting and no more than 40) before the Planning & Zoning Commission must act upon the plat known as Serene Gardens. The purpose of this extension request is to allow the City of Pearland additional time to review the submittal package.

Chris L. Hendrick agrees that the above 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,

*Chris L. Hendrick
Project Coordinator
The Wilson Survey Group, Inc.
2006 E. Broadway, # 105
Pearland, Texas 77581*

P&Z Agenda Item

E

PLANNING AND ZONING COMMISSION MEETING OF July 18, 2011

PLANNING AND ZONING FINAL PLAT

A request by Chris Hendrick of Wilson Survey., applicant, on behalf of Hiepgham Incorporated owner, for approval of a Final Plat Serene Gardens, generally located approximately 1,250 feet east of Hughes Ranch Road and Smith Ranch Road, proposing an 8-lot single-family residential subdivision on the following described property, to wit

Legal Description: A 9.7979 acre tract in the east one-half (1/2) of Lot 11 and Lot 12 in the Allison-Richey Gulf Coast Home Company Subdivision of Section 85, H.T. & B.R.R. Company Survey, Abstract 304, Brazoria County, Texas as recorded in Volume 2, Page 107 & 108 of Plat Records of Brazoria County, Texas. Said 9.7979 acre tract is further described in a Special Warranty deed to Hiepgham, Incorporated d/b/A/ Argo Pearland Investment as recorded under Document No. 2007051199 of the Official Records of Brazoria County.

General Location: Approximately 1,250 feet east of Hughes Ranch Road and Smith Ranch Road.

Planning and Zoning Commission: July 18th, 2011

SUMMARY: The applicant is requesting approval of a Final Plat for an 8-lot single-family subdivision. This development is within the City of Pearland within the R-3 (Single-Family Residential-3) District.

UNIFIED DEVELOPMENT CODE: R-3 (SINGLE-FAMILY RESIDENTIAL 3) DISTRICT

Area Regulations: R-3 (Single-Family Residential-3)		
Size of Lots	Required	Proposed
a) Minimum Lot Area	6,000 SF	21,781 SF
b) Minimum Lot Width	60 Feet	93.12 Feet
c) Minimum Lot Depth	90 Feet	183.26 Feet
d) Maximum Lot Coverage	50%	< 50%

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	R-3 (Single-Family Residential-3)	Single Family Residential Subdivision
South	R-3 (Single-Family Residential-3)	Vacant/Drainage
East	R-3 (Single-Family Residential-3)	Single Family Residential Subdivision
West	R-3 (Single-Family Residential-3)	Vacant

CONFORMANCE TO THE COMPREHENSIVE PLACE: The subject property is within the Medium-Density Residential land use plan designation. The proposed subdivision is well below the density and other requirements of the Medium-Density Residential land use designation.

PLATTING STATUS: This is the Final Plat submitted for Serene Gardens. The preliminary plat was approved on 04/08/2011. A substantial amount of infrastructure has already been constructed on this subdivision including road and cul-de-sac. Currently, the City of Pearland is awaiting approval of the infrastructure from the engineering department.

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property accessed through Hughes Ranch Road, a Secondary Thoroughfare. This designation requires a 100-foot wide right-of-way, so that Hughes Ranch Road satisfies the Comprehensive Plan requirement for a Secondary Thoroughfare. This subdivision will dedicate 30 feet as required for Hughes Ranch Road.

SITE PLAN CONSIDERATIONS: There have not been any site plans submitted with this proposed development, but future development will have to satisfy the requirements of the Unified Development Code.

TRAFFIC AND TRANSPORTATION: A traffic impact analysis has been submitted with the previous submittal and an update is not required for this subdivision.

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

STORMWATER MANAGEMENT: Detention for this subdivision is already provided by an already construction detention pond located in a proposed reserve.

PARKS, OPEN SPACE, AND TREES: Park fees have not been paid and will be required during prior to the recordation of the Final Plat.

FINAL PLAT CONSIDERATIONS: Prior to the recordation of the Final Plat, landscaping and conforming subdivision fence on the north property line will have to be constructed in adherence to the Unified Development Code.

STAFF RECOMMENDATION: Staff recommends denial of the subject Final Plat as proposed by the applicant, for the following reasons:

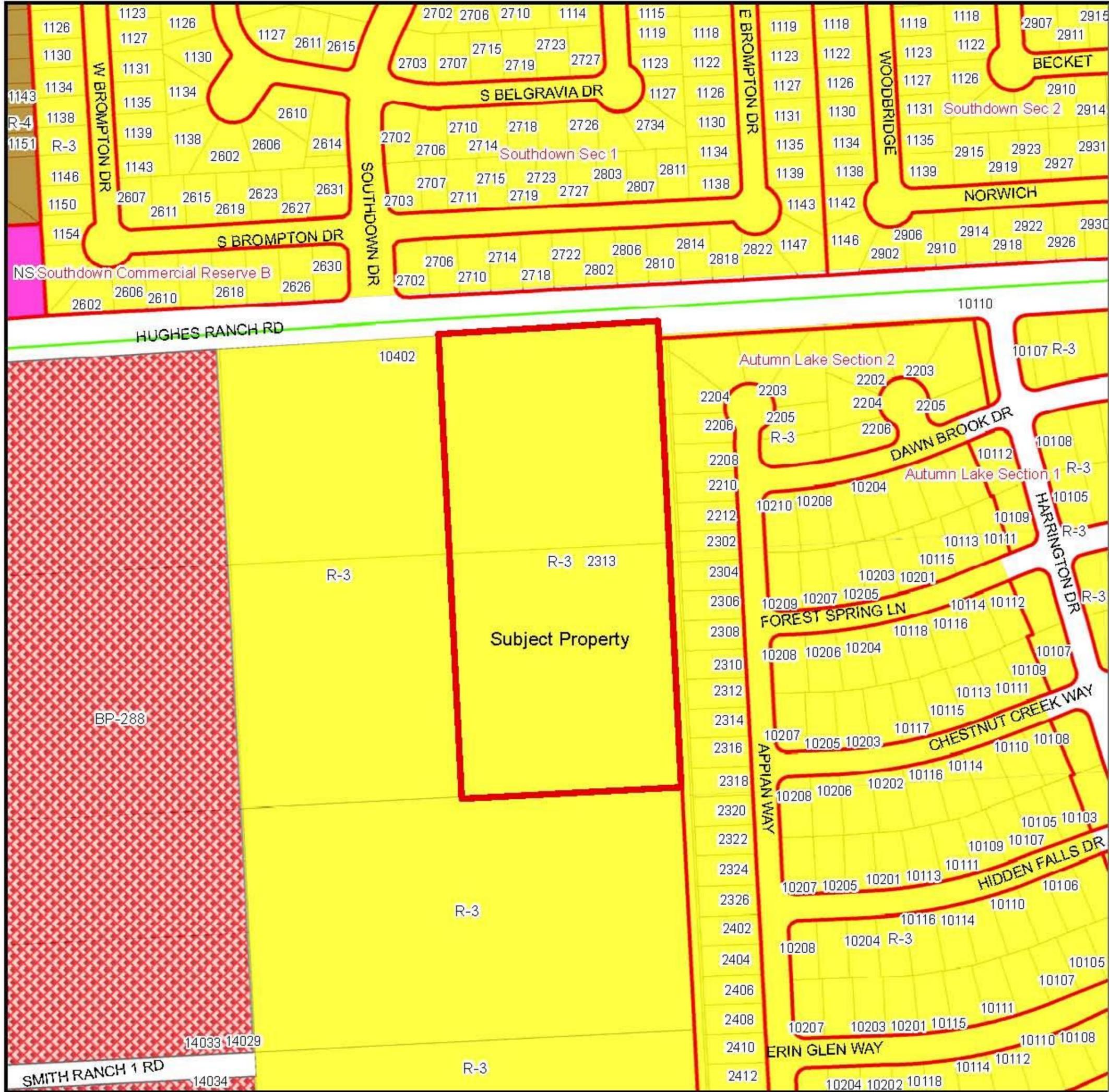
1. The applicant has not submitted a re-submittal package as of writing this staff report.
2. The applicant is in the process of getting their infrastructure approved by the Engineering Department.

OUTSTANDING ITEMS:

1. A complete review of the re-submittal of this Final Plat
2. Acceptance of the infrastructure
3. Landscaping along Hughes Ranch Road to the Unified Development Code Standards.
4. Construction of a Subdivision Fence in compliance with the Unified Development Code.

SUPPORTING DOCUMENTS:

- Vicinity/Zoning Map
- Land Use Map
- Aerial Map
- Serene Gardens Final Plat



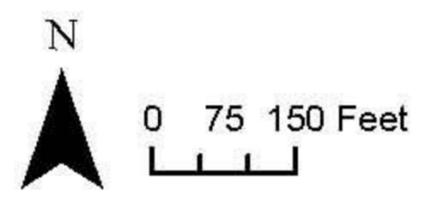
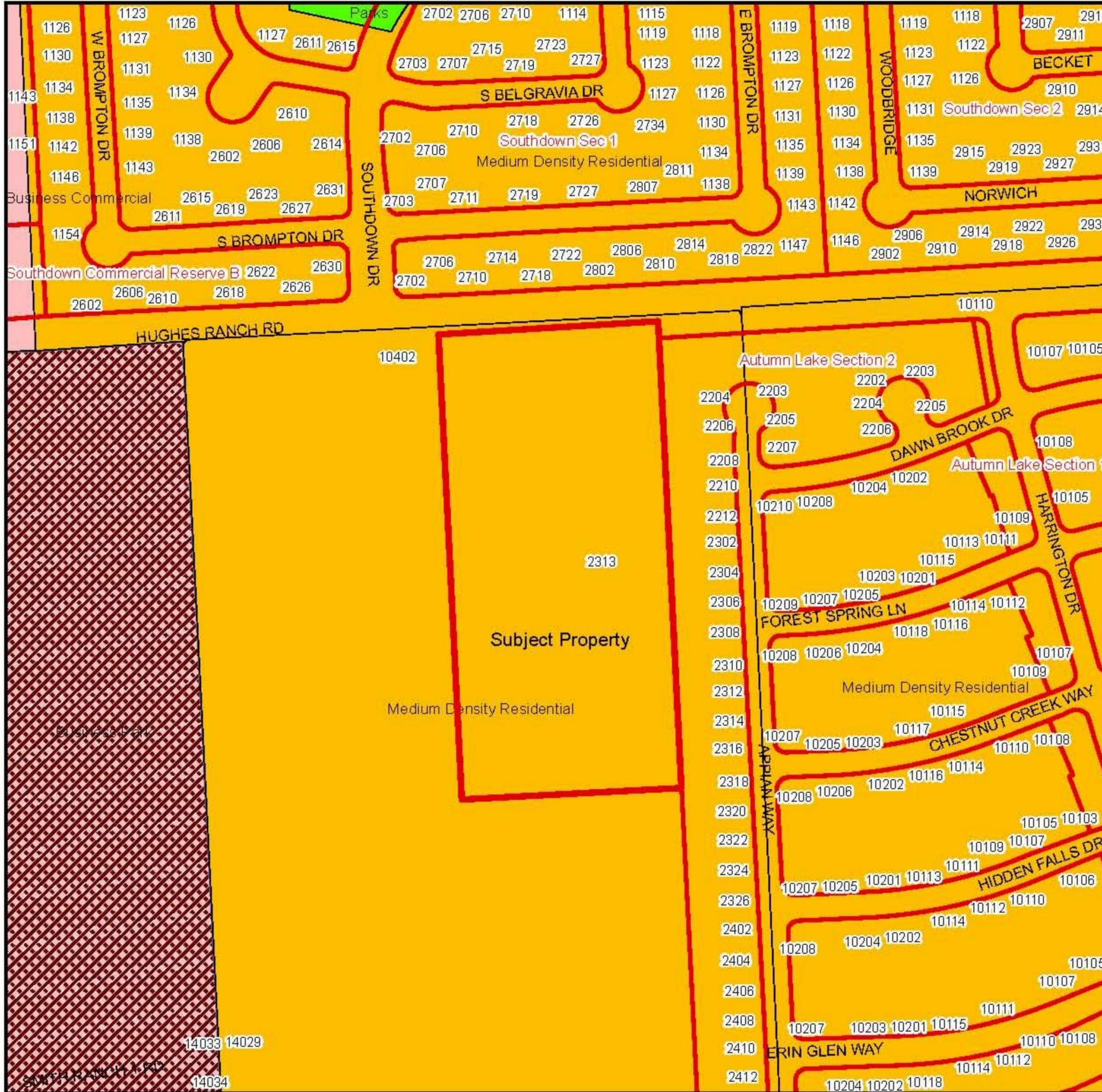
Final Plat of Serene Gardens

Zoning and Vicinity Map



Final Plat of Serene Gardens

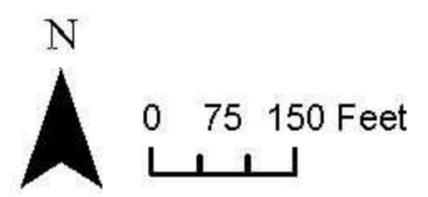
Future Land Use Map





Final Plat of Serene Gardens

Aerial Map



STATE OF TEXAS
COUNTY OF BRAZORIA

I, HIEP PHAM (CEO HIEPPHAM INC. D/B/A/ ARGO PEARLAND INVESTMENT), OWNER OF THE PROPERTY SUBDIVIDED IN THE MAP HEREOF OF THE "SERENE GARDENS", IN PEARLAND, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY, ACCORDING TO THE PROPERTY LINES, LOTS, BUILDING LINES, 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 RIGHT-OF-WAY, 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.

THIS IS TO CERTIFY FURTHER THAT I, HIEP PHAM, OWNER OF THE PROPERTY SUBDIVIDED AS SHOWN HEREON HAVE COMPLETED OR WILL COMPLY WITH ALL RULES AND REGULATIONS.

WITNESS MY HAND IN _____ COUNTY, TEXAS
THIS _____ DAY OF _____, 2011.

BY: _____
HIEP PHAM, OWNER

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED HIEP PHAM, 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

I, DOLLY BAILEY, COUNTY CLERK OF BRAZORIA COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS DULY RECORDED ON _____, 2011 AT _____ O'CLOCK _____ M, IN VOLUME _____, PAGE _____ OF THE BRAZORIA COUNTY PLAT RECORDS.

WITNESS MY HAND AND SEAL OF OFFICE, AT BRAZORIA COUNTY, TEXAS, THE DAY AND DATE LAST WRITTEN ABOVE.

DOLLY BAILEY
COUNTY CLERK OF BRAZORIA COUNTY, TEXAS

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:

- 1. 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.
- 2. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY AMERPPOINT TITLE IN THE CITY PLANNING LETTER DATED MARCH 4, 2011.
- 3. BEARINGS AND DISTANCES SHOWN HEREON ARE SURFACE AND BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NAD83), SCALE FACTOR: 0.99987.
- 4. CITY OF PEARLAND G.P.S. MONUMENT # 9, LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF THE WEST ACCESS ROAD TO STATE HIGHWAY 288 AND COUNTY ROAD 92 (F.M. 518) ELEVATION = 59.03', NGVD 1929 (87 ADJ.).
- 5. TBM NO. 1 IS AN "X" CUT IN CONCRETE CURB ALONG THE NORTH SIDE OF HUGHES RANCH ROAD AT THE ENTRANCE OF SOUTHDOWN SUBDIVISION HAVING A TEXAS STATE PLANE SURFACE COORDINATE OF N 13,774,652.65', E 3,119,125.86', ELEVATION = 56.90' NGVD 29, (87 ADJ.).
- 6. ACCORDING TO THE F.I.R.M. NO. 48039C0010 I DATED SEPTEMBER 22, 1999 THE SUBJECT TRACT LIES IN A ZONE "X" AREA. 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.
- 7. A SIX-FOOT WIDE SIDEWALK SHALL BE CONSTRUCTED ALONG HUGHES RANCH ROAD PRIOR TO RECORDING OF THE FINAL PLAT.
- 8. CONTOURS SHOWN HEREON ARE BASED ON TOPOGRAPHIC INFORMATION COLLECTED IN THE FIELD IN APRIL 2004.
- 9. A SUBDIVISION FENCE WILL HAVE TO BE CONSTRUCTED TO THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE PRIOR TO RECORDING OF THE FINAL PLAT.
- 10. SIDE LOT LINES ARE CENTERLINES OF A SIX-FOOT WIDE DRAINAGE EASEMENT TO EACH ADJACENT LOT.
- 11. THE OWNERS OF THE LOTS WITHIN THE SUBDIVISION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE STORM WATER DETENTION POND.
- 12. LOT 1 AND LOT 8 DO NOT HAVE DIRECT ACCESS TO HUGHES RANCH ROAD.
- 13. THIS TRACT IS ZONED R-3.
- 14. THERE ARE FIVE (5) PROPOSED STREETLIGHTS FOR THIS SITE.
- 15. 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.
- 16. 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).
- 17. ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- 18. 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.

ABBREVIATIONS

- B.C.D.R. BRAZORIA COUNTY DEED RECORDS
- B.C.C.O. BRAZORIA COUNTY CLERK'S OFFICE
- B.C.P.R. BRAZORIA COUNTY PLAT RECORDS
- O.R.B.C. OFFICIAL RECORDS OF BRAZORIA COUNTY
- A.E. AERIAL EASEMENT
- D.E. DRAINAGE EASEMENT
- F.S.M.T. FIRE HYDRANT EASEMENT
- E.E. ELECTRICAL EASEMENT
- F.H.E. FIRE HYDRANT EASEMENT
- F.N.D. FOUND
- I.R. IRON ROD
- S.M.S.E. STORM SEWER EASEMENT
- U.E. UTILITY EASEMENT
- W.S.E. WATER & SEWER EASEMENT
- P.A.E. PRIVATE ACCESS EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT

CERTIFICATE OF CITY PLANNING COMMISSION
THIS IS TO CERTIFY THAT THE CITY PLANNING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HAS APPROVED THIS PLAT OF SERENE GARDENS, IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCE OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2011.

JERRY KOZA, JR., CHAIRPERSON
PEARLAND PLANNING & ZONING COMMISSION

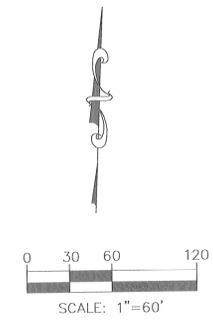
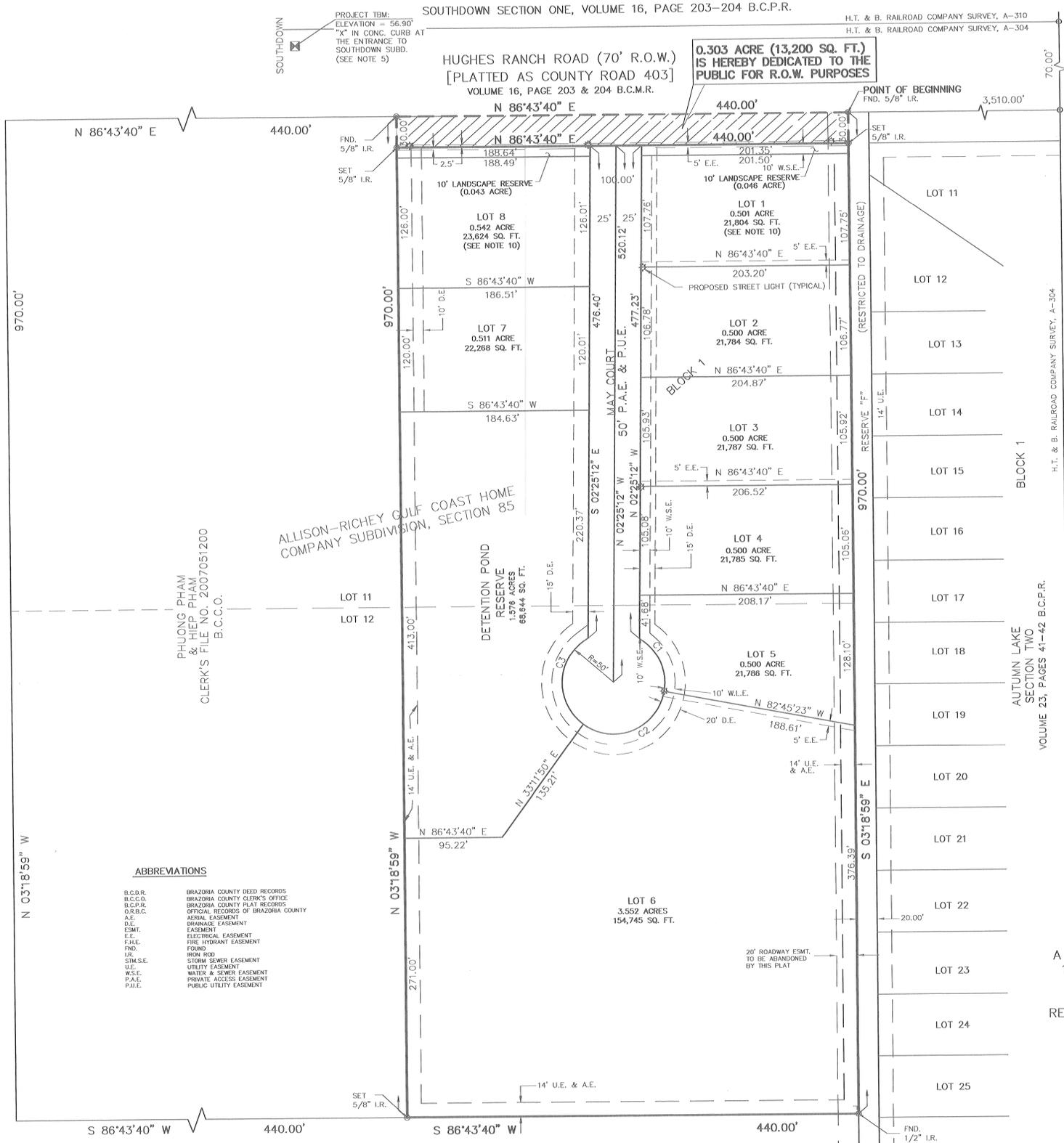
NARCISO LIRA III, P.E.
CITY ENGINEER

DARRIN COKER, CITY ATTORNEY

SOUTHDOWN SECTION ONE, VOLUME 16, PAGE 203-204 B.C.P.R.

HUGHES RANCH ROAD (70' R.O.W.)
[PLATED AS COUNTY ROAD 403]
VOLUME 16, PAGE 203 & 204 B.C.M.R.

0.303 ACRE (13,200 SQ. FT.)
IS HEREBY DEDICATED TO THE
PUBLIC FOR R.O.W. PURPOSES



PROJECT BENCHMARK
CITY OF PEARLAND G.P.S. MONUMENT # 9, LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF THE WEST ACCESS ROAD TO STATE HIGHWAY 288 AND COUNTY ROAD 92 (F.M. 518) ELEVATION = 59.03', NGVD 1929 (87 ADJ.).

Table with 5 columns: CURVE, RADIUS, LENGTH, TANGENT, DELTA, CHORD. Contains data for curves C1, C2, and C3.

STATE OF TEXAS §
COUNTY OF BRAZORIA §

METES AND BOUNDS DESCRIPTION OF A 9.7979 acre tract in the east one-half (1/2) of Lot 11 and Lot 12 in the Allison-Richey Gulf Coast Home Company Subdivision of Section 85, H.T. & B.R.R. Company Survey, Abstract No. 304, Brazoria County, Texas as recorded in Volume 2, Pages 107 & 108 of the Plat Records of Brazoria County, Texas. Said 9.7979 acre tract is further described in a Special Warranty deed to Hieppham, incorporated d/b/a/ Argo Pearland Investment as recorded under Document No. 2007051199 of the Official Records of Brazoria County and is more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northeast corner of said Lot 11, same being the northwest corner of Autumn Lake Subdivision, Section Two as recorded in Volume 23, Pages 41 & 42 of the Brazoria County Plat Records, said point is in the south line of County Road 403 (a.k.a. Hughes Ranch Road, based on a width of 70-feet);

THENCE, South 03° 18' 59" East, along the common lines between the said Autumn Lake Subdivision and the above mentioned Lots 11 and 12 for a distance of 970.00 feet to a 1/2 inch iron rod found for the southeast corner of said Lot 12 and of the herein described tract;

THENCE, South 86° 43' 40" West, along the common line between Lot 12 and Lot 13 for a distance of 440.00 feet to a 5/8 inch iron rod with cap set for the southwest corner of the herein described tract;

THENCE, North 03° 18' 59" West, along the east line of a parallel to the East line of Lot 12 and Lot 11 for a distance of 970.00 feet to a 5/8 inch iron rod found for the northwest corner of the herein described tract, said point is in the aforementioned south line of County Road 403;

THENCE, North 86° 43' 40" East, along the South line of County Road 403 for a distance of 440.00 feet to the POINT OF BEGINNING containing a computed area of 9.7979 acres (426,795 sq. ft.) of land.

**FINAL PLAT
OF
SERENE GARDENS**

A SUBDIVISION OF 9.7979 ACRES OF THE EAST ONE-HALF OF LOTS 11 & 12E, ALL OF ALLISON-RICHEY GULF COAST HOME COMPANY SUBDIVISION OF SECTION 85 IN THE H.T. & B.R.R. CO. SURVEY, ABSTRACT 304, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 107 AND 108 OF THE PLAT RECORDS OF BRAZORIA COUNTY, CITY OF PEARLAND, TEXAS
8 LOTS, 3 RESERVES (1.8156 ACRES) IN 1 BLOCK

JUNE 2011

OWNER:
HIEPPHAM, INCORPORATED
D/B/A ARGO PEARLAND INVESTMENT
4318 WEST FUQUA
HOUSTON, TX 77045
TEL. NO. 713-498-3417
CONTACT: HIEP PHAM

ENGINEER:
LENTZ ENGINEERING, L.C.
4710 BELLAIRE BLVD., SUITE 250
BELLAIRE, TX 77401
(713) 839-8900
CONTACT: JARRROD D. ADEN

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

CITY OF PEARLAND PLAT NO. P-613K-2011-011

Assr City Mgr - Mike Hooge

P&Z Agenda Item

F

PLANNING AND ZONING COMMISSION MEETING OF JULY 18, 2011

PLANNING AND ZONING VARIANCE NO. 2011-04

A request by Tegrity Homes, applicant, on behalf of Dao Dung, owner, for approval of a Planning and Zoning Variance of Section 3.1.1.1(C) to allow an increased valuation of work for issuance of a building permit on unplatted property, generally located at 1818 Roy Road #9 (1818 Sharon Drive #9) on the following described property, to wit:

Legal Description: All that certain tract or parcel containing 0.42 acres, (18,321 square feet), of land known as 49-50 (PT) (Called W/2 LT 9) of an unrecorded subdivision situation in the H.T. & B. Railroad Survey, A-234 in Brazoria County, Texas

General Location: Located approximately 805 feet west of the Northwest corner of the intersection of Sharon Drive and Roy Road (Brazoria CAD Property ID: 493917).

SUMMARY: This request by Steve Kimborowicz with Tegrity Homes on behalf of the owner Doa Dung and his family for a Variance of Section 3.1.1.1(C), which limits the valuation of a permit to \$50,000 for an expansion of an un-platted residential property. The proposed home has a valuation of \$98,000 and will replace an existing trailer that was damaged during the hurricane.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Current Land Use</u>
North	SR-12 (Suburban Residential-12 District)	Single Family Residential
South	SR-12 (Suburban Residential-12 District)	Vacant
East	SR-12 (Suburban Residential-12 District))	Trailer
West	SR-12 (Suburban Residential-12 District)	Trailer

PLATTING STATUS: The property has not been platted; The City of Pearland has initiated the platting process, but is currently on hold awaiting the resolution of a signatory issue.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject land is Low Density Residential. This designation allows for a maximum of four dwelling units an acre. The subject property is in conformance with the Comprehensive Plan.

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property is located off an un-platted road off of Roy Road. This road and the subdivision are in the process of being recorded and will resolve these issues. The right of way for this portion of road satisfies our requirement for a local road.

ADDITIONAL COMMENTS: No additional comments have been provided.

IMPACT ON NEIGHBORING PROPERTIES:

NEIGHBORHOOD: The subject property has existing damaged trailer from Hurricane Ike. The approval of this Variance would allow a home to be permitted with a valuation nearly four times that of the existing trailer. This would be an improvement to the neighborhood as well as the existing property owner and the city.

HISTORY OF LOT: This property is part of an un-platted property that the City of Pearland is working to resolve access and platting issues. Currently, the City is trying to resolve the signatory issue and will perform the platting after this issue is resolved. Approval of this permit will allow the applicant to obtain a residential construction permit through the procedures within the Unified Development Code with a survey.

STAFF RECOMMENDATION: Staff recommends approval of the subject Variance as proposed by the applicant, for the following reasons:

1. The proposed Planning and Zoning Variance, allowing an increased valuation will not cause any adverse impacts on the surrounding properties.
2. The proposed development will improve the neighborhood and promote a housing development in conformance to the Comprehensive Plan.
3. The Unified Development Code will assure the development of this property is in conformance with the goals of the city.

CONDITIONS OF APPROVAL:

Staff has no outstanding items related to this application.

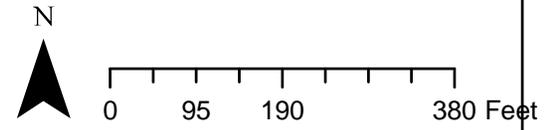
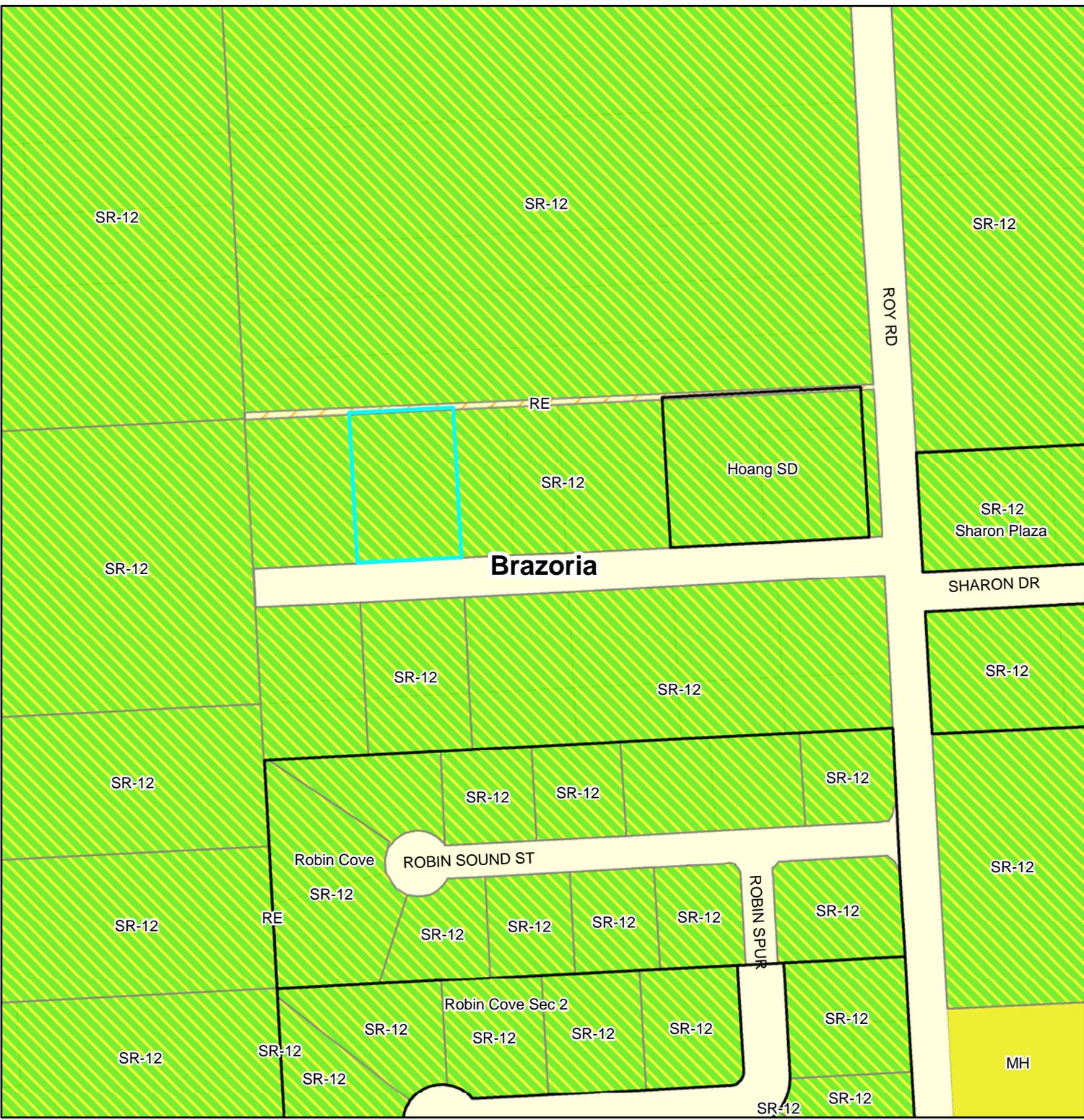
SUPPORTING DOCUMENTS:

- Location/Zoning Map
- Future Land Use Plan
- Aerial Map
- Application Package



Zoning and Vicinity Map

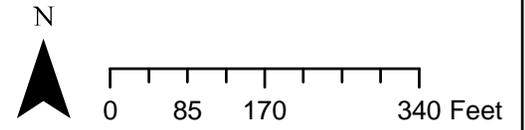
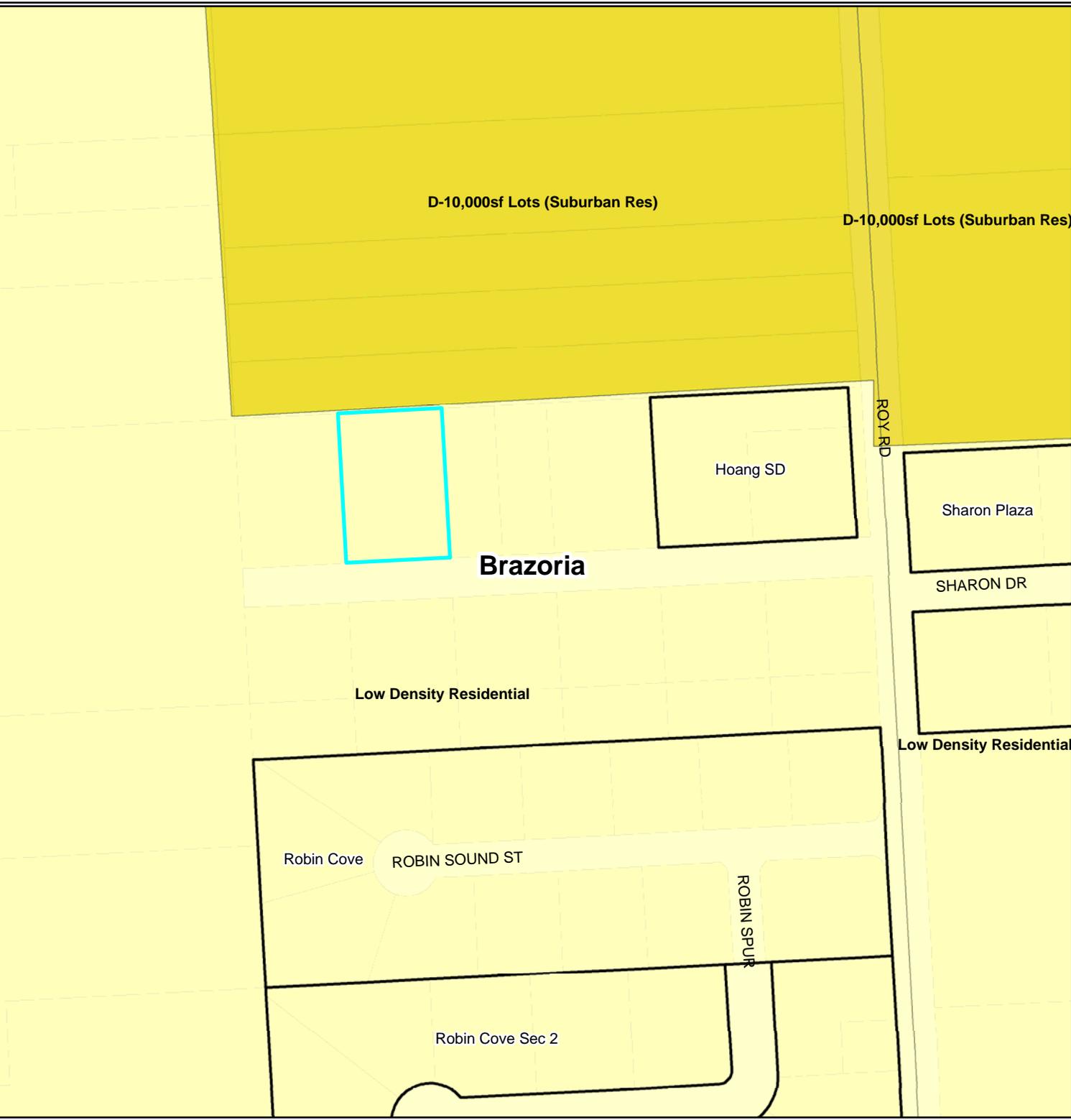
1818 Roy Road #9





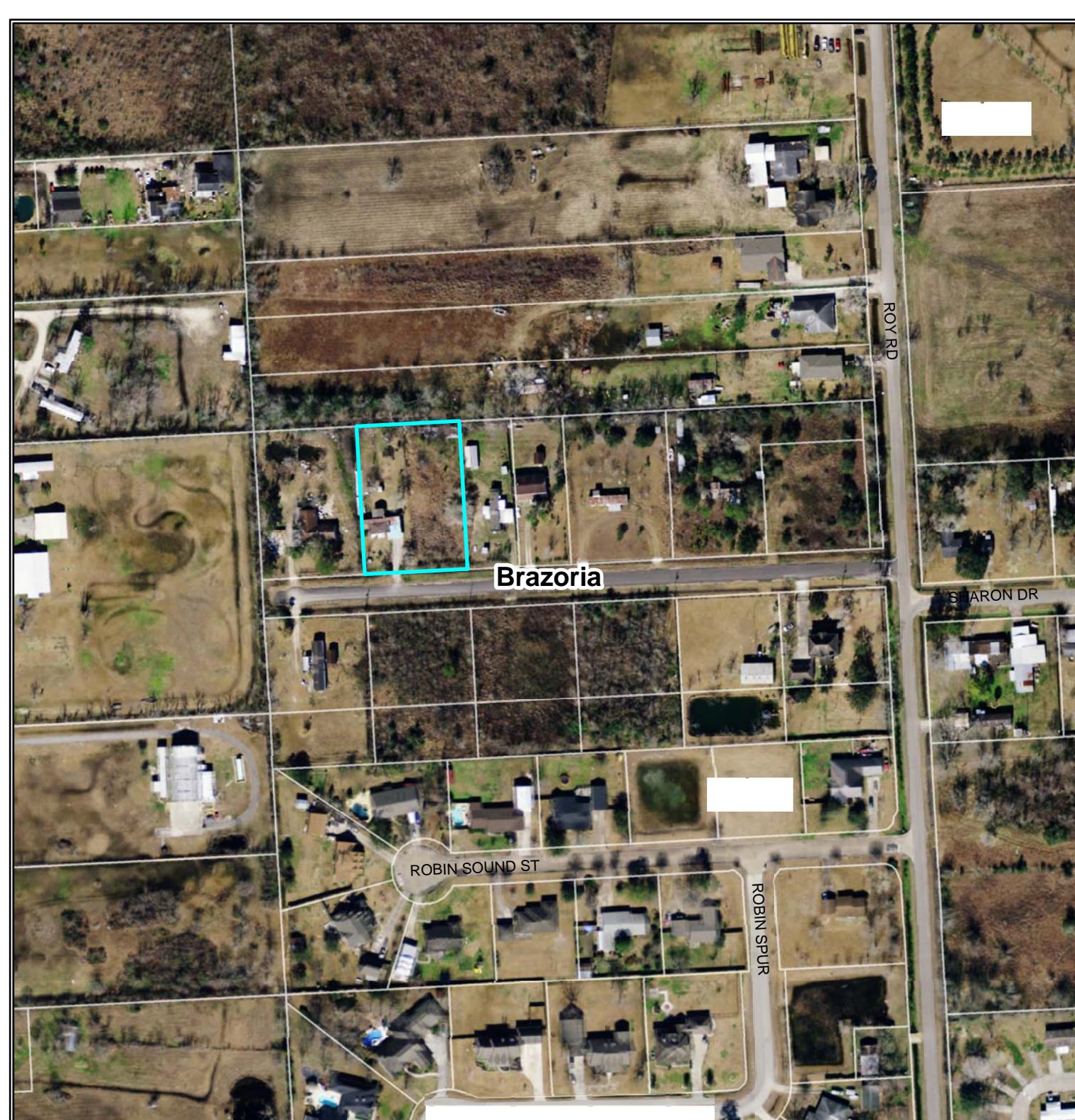
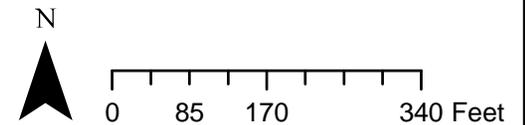
Future Land Use Map

1818 Roy Road #9





Future Land Use Map
1818 Roy Road #9



PLANNING & ZONING VARIANCE APPLICATION

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

Variance from Section No. : 3.1.1.1 (c)(3)(4)
(list section number from the Unified Development Code that pertains to requested variance)

General Description: See Attached letter

Property Information:

Address or General Location of Property: 1818 Roy Road (1818 Sharon Dr.)

In order for a variance to be considered, the property must be platted.
 Has the property ever been platted: Yes No

Subdivision: Hoang

Lot: Part of 9 Block: _____

PROPERTY OWNER INFORMATION (required):

NAME Dao Dung
 ADDRESS 1818 Roy Road
 CITY Pearland STATE Tx ZIP 77581
 PHONE(281) 412-9982
 FAX(_____)
 E-MAIL ADDRESS _____

APPLICANT INFORMATION:

NAME Tegrity Homes
 ADDRESS 5601 Democracy Dr ste 190
 CITY Plano STATE Tx ZIP 75024
 PHONE(972) 658-1448
 FAX(_____)
 E-MAIL ADDRESS Steve.Kimborowicz@TegrityHomes.com

A Complete Application must include all of this information:

- Fee of \$250.00
- Legal Description and/or Survey of the Property
- Site Plan, Plot Plan, or Drawing showing the requested variance
- Letter Explaining the variance in detail, including Description of Hardship
- Other necessary information (maps, drawings, pictures, etc.) to explain the variance

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

Owner's Signature: [Signature] Date: 6/29/2011

Agent's Signature: [Signature] Date: 6-29-11

OFFICE USE ONLY:

FEES PAID: <u>250.00</u>	DATE PAID: <u>06/30/11</u>	RECEIVED BY: _____	RECEIPT NUMBER: <u>248736</u>
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Application No. 2011-04

To whom it may concern

I am Steve Kimborowicz with Tegrity Homes working with the Houston area Council in the IKE recovery program for low income to no income families. Mr. Dung the owner of the property at 1818 Roy Road has been selected as a candidate for this program. We would like to tear down his damaged house and build him a new one with a grant from the state. We are unable to do this do to the fact the subdivision was annexed by the city and not at this time platted. The city is currently in the process of platting this neighborhood but will not be completed with it in the time constraints of the IKE program. We are asking for a variance of section 3.1.1.1 (c) (3) (c) which states that improvements cannot exceed the amount of 50,000 in a neighborhood not platted. We would like to ask for variance of this amount so we can get the house built within the programs time frame.

Mr Dung, wife and three children have a once in life time opportunity with this program to have a new 3 bedroom two bath (1344sqft) home built for them. We believe it would be an awful shame if they were to miss this opportunity to build a new home on their property for which it was intended for. We would like to ask the council to approve the variance so the Dungs could enjoy their property for which it was intended for.

Sincerely

Steve Kimborowicz

A handwritten signature in black ink, appearing to read 'Steve Kimborowicz', with a long horizontal line extending to the right.

Tegrity Homes

- i. Provide for pedestrian circulation that is appropriate for the various uses of land and buildings;
- j. Prevent pollution of the air, streams, bodies of water, and aquifers; assure the adequacy of drainage facilities; safeguard both surface and groundwater supplies, as well as natural resources and endangered or threatened plant and animal life; and encourage the wise use and management of natural resources throughout the municipality in order to preserve the integrity, stability and beauty of the community and the value of the land;
- k. Preserve the natural beauty and topography of the municipality, and ensure development that is appropriate with regard to these natural features;
- l. Establish adequate and accurate records of land subdivision;
- m. Ensure that public or private facilities are available and will have sufficient capacity to serve proposed and future developments and citizens within the City and its extraterritorial jurisdiction;
- n. Provide for adequate light, air and privacy; secure safety from fire, flood and other danger; and prevent overcrowding of the land and undue congestion of population;
- o. Encourage the development of residential areas that meet a wide range of income levels.

(c) Applicability.

- (1) The provisions of this Chapter 3 apply to any non-exempt (see Section 3.1.1.3) division of land, combination of separate land parcels, and/or development of land within the corporate boundaries of the City and within its extraterritorial jurisdiction.
- (2) No permit shall be issued for any building or structure on a property until a subdivision or a development plat has been approved and filed for record with the following exceptions:
 - a. Permits for repair or remodeling of an existing structure or for site improvements (parking areas, driveways, etc.) which involves no increase in square footage; or
 - b. Demolition permits, or permits for removal of a structure from a parcel or tract.
 - c. A building permit may be issued for a Public Educational Facility prior to platting, but no certificate of occupancy shall be issued until after approval and recordation of the final plat.
- (3) Notwithstanding any UDC provision to the contrary, a permit, variance, or special exception may be granted for an unplatted lot zoned residential and on which exists a structure used for residential purposes, to allow the expansion of said structure or the construction or expansion of an accessory structure located on the same lot, upon the determination by the Planning Director that the following conditions are met:

- a. The lot's configuration has remained unchanged since February 27, 2006;
- b. The lot has frontage on a public road or a private road built to the City's standards;
- c. The total value of the work being permitted does not exceed fifty thousand dollars (\$50,000.00), as determined by the Building Official;
- d. A survey of the lot prepared by a licensed surveyor for the State of Texas is filed with the City of Pearland in hard copy and electronic form with the following information:
 - 1. the corners and boundaries of the lot;
 - 2. the location of all existing structures and easements;
 - 3. the location and width of all abutting rights-of ways; and
 - 4. a floodplain statement for the lot;
- e. Any public dedication required by the City is achieved by separate conveyance to the City prior to the issuance of the permit; and
- f. No such permit was issued for the subject lot in the three (3) years prior to the issuance of the permit being sought.

(d) **Subdivision Rules.** The provisions of this Chapter 3, the standards governing water and wastewater facilities applicable to plats in Chapter 30 of the City Code of Ordinances, and the technical standards contained in the Engineering Design Criteria Manual (EDCM), as adopted by the City Council and as may be amended from time to time, constitute the subdivision rules of the City of Pearland, which apply to applications for plat approval inside City limits and within the City's extraterritorial jurisdiction.

Ord. No. 2000T-2, Section 3.1.1.1., February 26, 2007.

Ord. No. 2000T-10 Section 3.1.1.1., February 23, 2009.

Section 3.1.1.2 Types of Plats Required

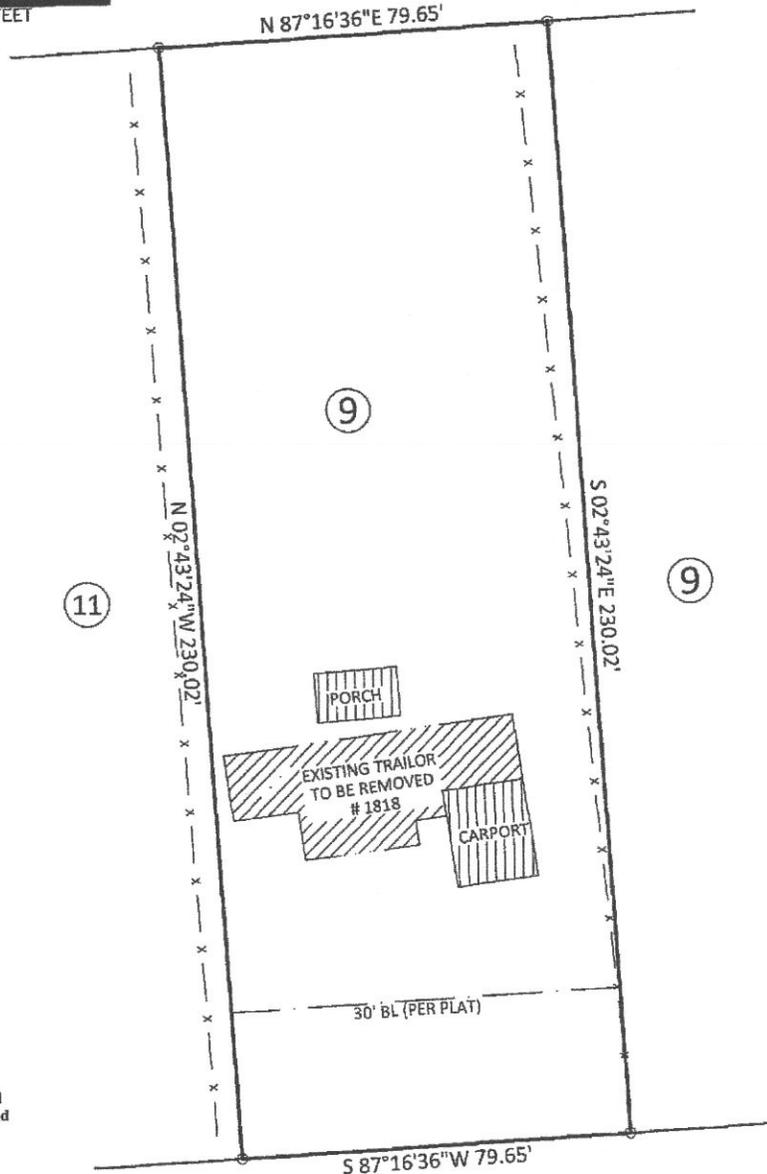
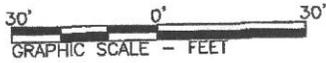
- (a) **Subdivision Plats.** A Final Subdivision Plat or a Minor Subdivision Plat shall be approved prior to any non-exempt land division.
- (b) **Development Plats.** A Final Development Plat shall be approved prior to development of any tract or parcel for which no subdivision plat is required, or prior to development of any lot in a subdivision for which dedication of any right-of-way for construction or maintenance of public improvements is required by this Unified Development Code. A development plat shall be required prior to approval of a manufactured home rental community, or to proposed non-residential development within the City's extraterritorial jurisdiction.

GENERAL NOTES

1. THIS PROPERTY IS SUBJECT TO ADDITIONAL EASEMENTS OR RESTRICTIONS OF RECORD.
2. CARTER LAND SURVEYORS IS UNABLE TO WARRANT THE ACCURACY OF BOUNDARY INFORMATION, STRUCTURES, EASEMENTS, AND BUFFERS THAT ARE ILLUSTRATED ON THE SUBDIVISION PLAT.
3. UTILITY EASEMENT HAS NOT BEEN FIELD VERIFIED BY SURVEYOR. CONTACT UTILITY CONTRACTOR FOR LOCATION PRIOR TO CONSTRUCTION. (IF APPLICABLE)
4. THIS PLAT IS FOR EXCLUSIVE USE BY CLIENT AND NOT FOR RECORDING. USE BY THIRD PARTIES IS AT THEIR OWN RISK.
5. DIMENSIONS FROM HOUSE TO PROPERTY LINES SHOULD NOT BE USED TO ESTABLISH FENCES.
6. THIS IS A PERMIT DRAWING AND NOT A BOUNDARY SURVEY.

SCALE: 1" = 30'

AREA: 18,321 S.F. ~ 0.42 ACRES
MAP VOL. 21, PAGE (S) 203



LEGEND:

- RBS- Rebar Set
- RBF- Rebar Found
- OTPF- Open Top Pipe Found
- CITPF- Crimp Top Pipe Found
- BL- Building Line
- DE- Drainage Easement
- PE- Perpetual Easement
- SSE- Sanitary Sewer Easement
- P- Porch
- UE- Utility Easement
- X- Fence
- D- Drainage Easement
- S- Sewer Easement
- CB- Catch Basin
- R/W- Right of Way
- CONC- Concrete
- Dk- Deck
- Pat- Patio
- S- Stoop

NOTE:
PROPOSED HOUSE TO BE SET
IN EXISTING HOUSE POSITION.

OWNER: DAO DUNG A NH
ADDRESS: 1818 SHARON DRIVE

SHARON DRIVE
60' /RW

SITE PLAN FOR:
TEGRITY HOMES

SUBDIVISION: HOANG
LOT: PART OF 9
CITY OF PEARLAND
BRAZORIA COUNTY, TEXAS
FIELD WORK DATE: 02/08/2011

2011020088 TEGRITY (JUSTIN)

**CARTER LAND SURVEYORS
AND PLANNERS**

2780 Peachtree Industrial Boulevard
Duluth, GA 30097



Ph: 770.495.9793

Toll Free: 866.637.1048

www.carterland.com

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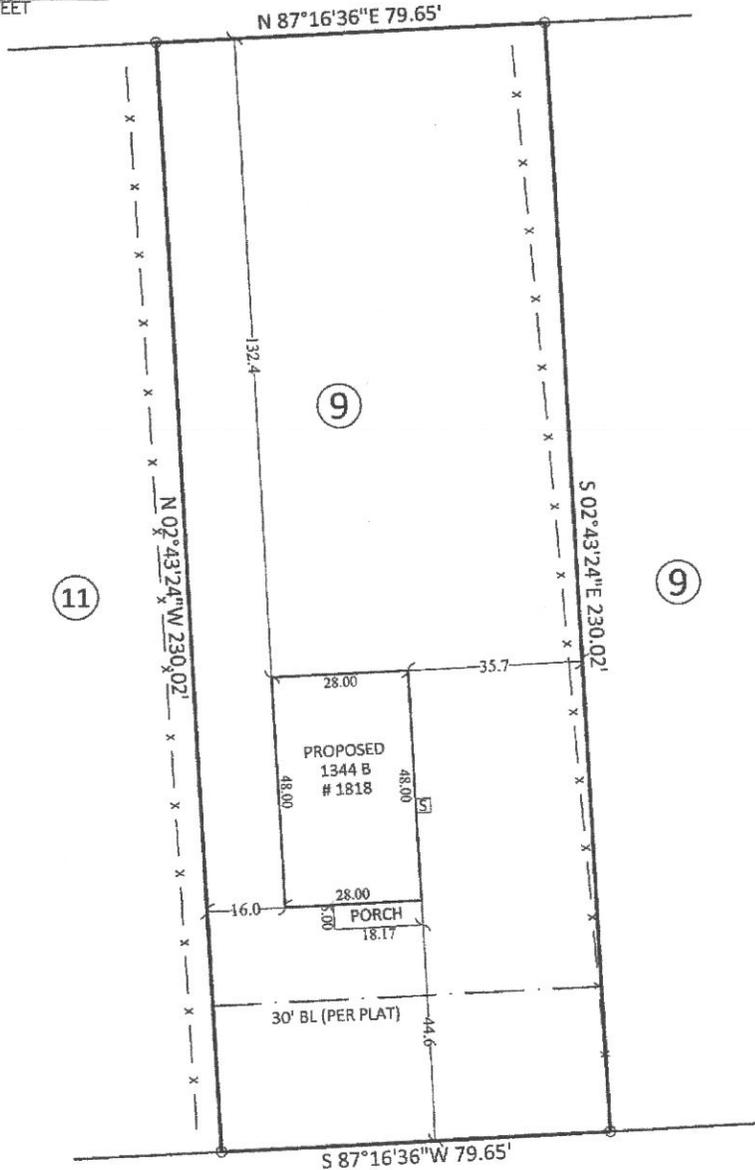
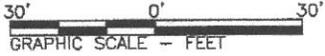
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NOTE:
PROPOSED HOUSE TO BE SET
IN EXISTING HOUSE POSITION.

OWNER: DAO DUNG A NH
ADDRESS: 1818 SHARON DRIVE

**SITE PLAN FOR:
TEGRITY HOMES**

SUBDIVISION: HOANG
LOT: PART OF 9
CITY OF PEARLAND
BRAZORIA COUNTY, TEXAS
FIELD WORK DATE: 02/08/2011

2011030422 TEGRITY (JUSTIN)

**CARTER LAND SURVEYORS
AND PLANNERS**

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A



City of Pearland
3519 Liberty Drive ~ Pearland, Texas 77581-5416

11-2891
RECEIVED
JUN 08 2011

BUILDING PERMIT APPLICATION
BUILDING INSPECTION DEPARTMENT
Phone 281-652-1638

JOB ADDRESS 1818 Roy Rd #09 (1818 Sharon Dr)		SUBDIVISION Hoang		TAX I.D. NO.
LEGAL 1 DESCR.	LOT NO. Part 59	BLK	TRACT Vol 21 Pg 203	SURVEY
OWNER 2	MAIL ADDRESS Das Dung 1818 Roy Road		ZIP 77581	PHONE 281-902-6628
CONTRACTOR 3	MAIL ADDRESS Territy Homes 5601 Democracy Dr suite 190		ZIP 75024	PHONE 972-658-1448
ARCHITECT OR DESIGNER 4	MAIL ADDRESS Davis Bews		ZIP 75126	PHONE 813-925-1300
ENGINEER 5	MAIL ADDRESS Eric L. Davis 425 Pinson Rd suite 6		ZIP 75126	PHONE 972-564-0592
LOT SIZE 6	18,321 S.F.		LAND VALUE	
USE OF BUILDING 7	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial		WILL ALCOHOLIC BEVERAGES BE SOLD OR CONSUMED? <input type="checkbox"/> Y <input type="checkbox"/> N	
8 CLASS OF WORK: <input checked="" type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> REPAIR <input type="checkbox"/> MOVE <input type="checkbox"/> DEMOLISH <input type="checkbox"/> SWIMMING POOL <input type="checkbox"/> OTHER				
DESCRIPTION OF WORK (LIST ALL OPTIONS): New 4 bed Room 2 Bath single story home			I understand that 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 private entities to build within an easement is solely that of the applicant and not the responsibility of the City of Pearland permitting staff. SK Initials	
PROPOSED USE:			Zoning of the Property:	
Land Use Classification as per the Land Use Matrix in the Unified Development Code:			VERIFIED BY PLANNING STAFF	
ELEVATION STYLE		PLAN NUMBER		CEILINGS
INTERIOR WALLS		EXTERIOR		FOUNDATION
FLOOR		ROOF		
VALUATION OF WORK: \$ 98,000		TYPE OF CONST. wood		OCCUPANCY GROUP
LIST ALL SPECIFIC OPTIONS:		LIVING AREA SQ FT. 1344		NO. OF STORIES one
		GARAGE AREA SQ FT. NA		USE ZONE
APPLICATION ACCEPTED BY		PLANS CHECKED BY		APPROVED FOR ISSUANCE BY
		SP JK		
NOTICE SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, HEATING, VENTILATING OR AIR CONDITIONING. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 1 YEAR AT ANY TIME AFTER WORK IS COMMENCED. I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT, THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATION CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.				
SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT		SIGNATURE OF OWNER (OF OWNER BUILDER)		
6-8-11				
(DATE)		(DATE)		
PRINT SIGNATURE				
Fees				
Plan Check Fee		\$ 200.		
Permit Fee		\$ 400.		
Water Impact Fee (if applicable)		\$		
Sewer Impact Fee (if applicable)		\$		
Other		\$		
Total Amount Due		\$		

P&Z Agenda Item

G

ELECTION OF OFFICERS

P&Z Agenda Item

H

DISCUSSION ITEMS

- 1. Spectrum Update**
- 2. Annexation Update**
- 3. P&Z Strategic Priorities**
- 4. Scenic City**
- 5. Next P&Z Regular Meeting**
- 6. Zoning Updates**
- 7. Next JPH Meeting**



CITY OF PEARLAND PLANNING & ZONING

TO: Planning and Zoning Commission

FROM: Ian Clowes, Planner I

DATE: July 14, 2011

SUBJECT: Scenic City

Pearland is a Scenic City!

The City of Pearland recently was awarded a Silver rating from the Scenic City Texas Organization. The rating is based on the quality of our development codes, and the implementation and enforcement of these codes. The result of such work, leads to a city full of both scenic roadways and scenic public and private developments.

The Scenic City Certification Program is a project of Scenic Texas. Scenic Texas has identified a direct correlation between the success of a city's economic development efforts and the visual appearance of its public spaces. In recognition of this link, Scenic Texas has developed the Scenic City Certification Program to support and recognize municipalities that implement high-quality scenic standards for public roadways and public spaces. The program recognizes Texas cities which already have strong scenic standards and provides an incentive to others to adopt and implement the kind of stringent criteria that has been proven to enhance economic development, improve quality of life and foster a sense of place

The Scenic City application contained 73 possible criteria that earn points, including a high percentage of park and open space, implementation of multi-use trails and recreation areas, strong litter enforcement laws, street lighting standards, parking lot landscaping, utility line management, a budget that supports these programs and their ongoing maintenance, and more.

The city will be presented with their award at the Texas Municipal League's Annual Conference on October 13th.

**ADJOURN
MEETING**