

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

MAY 7, 2012

6:30 p.m.

Jerry Koza, Jr.
P&Z CHAIRPERSON

Richard Golden
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Neil West

Henry Fuentes



Phil Cessac

Ginger McFadden

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

AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, MAY 7, 2012, AT 6:30 P.M., 2nd FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES

Approve the Minutes of the April 16, 2012, p.m. P&Z Regular Meeting, held at 6:30 p.m.

III. EXCUSE ABSENCE

Excuse P&Z Vice-Chairperson Richard Golden and P&Z Commissioner Phil Cessac's absence on April 16, 2012, Regular P&Z Meeting.

IV. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – REPLAT OF LOT 'C' OF THE RESERVE AT SHADOW CREEK RANCH

A request by Matt Tucker from Windrose Land Services, applicant, on behalf of CCAC Sam's Shadow Creek, LLC, owner, for approval of a Replat of lot 'C' of The Reserve at Shadow Creek Ranch into four lots, generally located 400 feet east of the southeast corner of Discovery Bay Drive and Business Center Drive, to wit

A tract or parcel containing 4.7677 acres or 207,682 square feet of land, being out of the residue of a called 202.51 acre tract of land to Pearland Investments Company, L.P. as recorded under Brazoria County Clerk's File Number 98-0222936, situated in the William Morris Survey, abstract No. 344, Brazoria County, Texas.

General Location: 400 feet east of the southeast corner of Discovery Bay Drive and Business Center Drive, to wit

B. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SAVANNAH BEND SECTION THREE

A request by Rene Rodriguez from LJA Engineering, applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Bend Section Three, proposing a 25 lot single-family residential subdivision on the following described property, to wit

Being 8.152 acres of land located in the J.S. Tamage Survey, Abstract 562, Brazoria County Texas, more particularly being a portion of the residue of a called 161.460 acre tract (described as Tract 5) conveyed to Savannah Development, LTD., by an instrument of record File #00-037203, Official Records of said Brazoria County, Texas (B.C.O.R.) also being an instrument of record in File No. 200080225, Official Public Records of Fort Bend County, Texas.

General Location: Savannah Bend Drive and Fieldcrest Lane

C. CONSIDERATION & POSSIBLE ACTION – EXTENSION OF TIME FOR THE MASTER PLAT OF RIVERSTONE RANCH PHASE ONE

A request by Warren Escovy from LJA Engineering, for approval of an extension of time for the Master Plat of Riverstone Ranch Phase One. This Master Plat was originally approved on 05/07/2007 by the Planning and Zoning Commission. There has been no development of the residential lots within this Master Plat since the approval date. According to the Unified Development Code, Section 3.1.2.5, the Planning and Zoning Commission has the ability to approve an extension of time for a like period of time. The applicant is requesting an extension of five years.

D. CONSIDERATION & POSSIBLE ACTION – EXTENSION OF TIME FOR CONDITIONAL USE PERMIT NO. CUP2011-06, ORDINANCE NO. 2000CUP-51

A request by Sudershan Jambulapati for an extension of time of one year for Conditional Use Permit No. CUP2011-06, Ordinance No. 2000CUP-51.

General Location: 7902/7904 Broadway, Pearland, Texas

E. DISCUSSION ITEMS

1. Commissioners Activity Report
2. Organizational change
3. P&Z Zoning Update
4. Laptops
5. Regional Plan for Sustainable Development, May 8, 2012
6. Next P&Z Regular Meeting, May 21, 2012
7. Two Joint Workshops, May 21, 2012
 - a. Lower Kirby Urban Center
 - b. Grand Avenue Plan
8. No Joint Public Hearings, May 21, 2012

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 Brown, 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 4th day of May 2012, A.D., at 5:30 p.m.

Judy Brown, Office Coordinator

Agenda removed _____ day of May, 2012.

APPROVAL

OF

MINUTES

MINUTES OF THE REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, APRIL 16, 2012, AT 6:30 P.M., 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 7:35 p.m.

Present were:

P&Z Chairperson Jerry Koza, Jr.
P&Z Commissioner Neil West
P&Z Commissioner Henry Fuertes
P&Z Commissioner Ginger McFadden

APPROVAL OF MINUTES

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

The vote was 4-0. The minutes of April 2, 2012 P&Z Regular meeting were approved.

EXCUSE ABSENCES

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

P&Z Commissioner Neil West inquired what the definition was for an excused or unexcused absence.

Deputy City Attorney Nghiem Doan stated there was not a definition and that the Commission could decide whether to approve or not, but stated he would check into this further. Attorney Doan stated he would also look into the number of absences.

P&Z Chairperson Jerry Koza, Jr. called for the vote.

The vote was 4-0. P&Z Commissioner Phil Cessac's absence was excused for the P&Z Regular Meeting of April 2, 2012.

NEW BUSINESS

CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. CUP 2012-02

At the request of Terri Lera, applicant, on behalf of Lee Mehta, owner for approval of a Conditional Use Permit to expand the floor area of an existing structure in the General Commercial (GC) District, on the following described property, to wit:

Legal Description: 18.5436 Acre (807,759 SQ. FT.) Tract of Land being out of Lot 51 and Lot 53 of the Allison-Richey Gulf Coast Home Company, Section 6, recorded in Vol. 135, PG. 501 H.C.D.R., located in the H.T. & B.R.R. Co. Survey, A-544, City of Pearland, Brazoria County, Texas

General Location: 5719 Broadway, Pearland, TX
Strickland Chevrolet

P&Z Commissioner Neil West made the motion to approve, and P&Z Commissioner Ginger McFadden seconded.

City Planner Harold Ellis presented a staff summary and stated the bases for the CUP is the existing used car sales office is expanding from approximately 1500 s.f., and Strickland Chevrolet is looking to increase it to approximately 5,000 s.f.

P&Z Commissioner Neil West inquired about the reason for the expansion. Mr. John Wykoff of Wykoff Construction was present and stated the need for expansion was to give them more office space

P&Z Commissioner Henry Fuertes asked staff about a previous conditional use permit that was brought before them a few years prior. Planning Director Lata Krishnarao stated she would look into that case and what it entailed. Commissioner Fuertes also asked about the number of driveways, and City Planner Harold Ellis replied that he worked with the City Engineering office and no driveways will need to be closed as a result of the CUP.

P&Z Chairperson Jerry Koza, Jr. called for the vote.

P&Z Commissioner Neil West amended his motion to approve, and P&Z Commissioner Ginger McFadden seconded.

The vote was 4-0. Conditional Use Permit No. CUP 2012-02 was approved.

CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2012-04Z

A request of Alan Mueller, applicant, on behalf of Musgrave-Grohman Ventures, Ltd. and Brandon Lee Investments, Inc., owner(s), for approval of a zone change from the Planned Development (PD) zone to the Planned Development (PD) zone for 123.33 acres on the following described property, to wit:

Legal Description: Being a 39.50 acre tract of land being out of the D.H.M. Hunter

Survey, Abstract 76, being a portion of the same 181.6209 acre survey as described in a deed dated June 4, 1981, from the C.H. Alexander Trust to Sue Alexander Morrison a.k.a. Susie Alexander Morrison, and recorded in Volume 1596, Page 93 et seq of the Brazoria County Deed Records (B.C.D.R.); and

Being a 83.83 acre tract of land being out of the D.H.M. Hunter Survey, Abstract 76 and the H.T. & B.R.R. Company Survey, Abstract 233, being a portion of the same 181.6209 acre survey as described in a deed dated June 4, 1981, from the C.H. Alexander Trust to Sue Alexander Morrison a.k.a. Susie Alexander Morrison, and recorded in Volume 1596, Page 93 et seq of the Brazoria County Deed Records (B.C.D.R.)

General Location: East and West Sides of Pearland Pkwy, North of Barry Rose Road
– Stonebridge Planned Development

P&Z Commissioner Henry Fuertes made the motion to approve, and P&Z Commissioner Ginger McFadden seconded.

Discussion ensued with regards to the lights, helipad, buffering, landscaping along the residential properties, fencing, trees and height.

Mr. Alan Mueller of Musgrave-Grohman Ventures, Ltd. stated there are no plans for a helipad, nor does the UDC allow for a helipad for this use. Mr. Mueller also stated they plan to enhance the buffering and landscaping along the residential property line.

Mr. Steve Greer of 1605 Brighton Brook Lane, Pearland, Texas 77581 asked to speak with concern of the tree replacement ratio. City Planner Harold Ellis explained that the applicant had a pre-development meeting in which the City's Urban Forester was present and addressed the tree replacement and tree ratio.

Discussion ensued with regards to the height of lighting not being higher than the lowest building.

P&Z Commissioner Henry Fuertes amended his motion to include staffs comments and to flip the building known as the Memory Care Unit to reflect a V shape, and P&Z Commissioner Ginger McFadden seconded.

The vote was 4-0. Zone Change No. 2012-04Z was approved with the following conditions:

- 1) A new site plan be presented to staff prior to the first reading, showing:
 - a) providing details on the new site plan regarding the proposed landscaping along the area abutting the residential property to ensure that the UDC landscaping and buffering requirements are met
 - b) Revise the site plan to incorporate flipping the memory care unit and

combining the two story office building from two 1-story buildings to one 2-story building

- 2) Provide calculation that the portion of the Planned Development being amended contained 20% open space as required by the Unified Development Code

CONSIDERATION & POSSIBLE ACTION – MASTER PLAT OF KIRBY CROSSING

A request by Daniel Coyer from TSC Engineering, applicant, on behalf of New Broadway, LTD, owner for approval a Master Plat of Kirby Crossing of 21.871 acres of land generally located at the southwest corner of Broadway Street and Kirby Drive, on the following described property, to wit

Legal Description: Being a 21.871 acres of land out of the H.T.&B.R.R Company Survey Section 81, Abstract 300, City of Pearland, Brazoria County, Texas.

P&Z Commissioner Neil West made the motion to approve, and P&Z Commissioner Ginger McFadden seconded.

There was brief discussion with regards to the plat and the drilling site.

P&Z Chairperson Jerry Koza, Jr. called for the vote asking to amend the motion to include the expunging of the previously approved Master Plat.

P&Z Commissioner Neil West amended his motion, and P&Z Commissioner Ginger McFadden seconded the motion to include expunging the previously approved Master Plat.

The vote was 4-0. The Master Plat of Kirby Crossing was approved with the following condition:

- 1) The previously approved Master Plat of Pearland Town Center, approved on March 16, 2012 is expunged.

DISCUSSION ITEMS

1. Under Commissioners Activity Report it was stated that P&Z Vice-Chairperson Richard Golden, Planner II Evan DuVall and former P&Z Commissioner Sheila Fischer were attending the National APA Conference in Los Angeles, California.
2. Planning Director Lata Krishnarao stated they will postpone the P&Z Strategic Plan Update until there is a full commission
3. Planning Director Lata Krishnarao stated the ribbon cutting for Project Stars was on Thursday, April 12, 2012 and a write-up would appear in the

April 18th and 19th Pearland newspapers in commemoration of San Jacinto Day.

4. Dr. Crompton, Texas A&M Professor, will be speaking on April 18, 2012 at 6:30 p.m. at the Pearland Recreation & Natatorium and it is highly recommended that the Commission attend.
5. The next P&Z Meeting is scheduled for May 7, 2012, and also in May will be two joint workshops with City Council for the Grand Avenue Plan, and the Lower Kirby Development District.
6. P&Z Chairperson Jerry Koza, Jr. stated he will not be able to attend the May 7th meeting as he will be out of the country.

ADJOURNMENT

P&Z Chairperson Jerry Koza, Jr. adjourned the P&Z Regular Meeting at 8:31 p.m.

These minutes are respectfully submitted by:

Judy Brown, Planning Office Coordinator

Minutes approved as submitted and/or corrected on this 7th day of May 2012, A.D.

P&Z Vice-Chairperson Richard Golden

**NEW
BUSINESS**

**P&Z AGENDA
ITEM**

A



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Evan M. DuVall
DATE: 05/02/2012
AGENDA ITEM SUBJECT: Replat of lot 'C' of the Reserve at Shadow Creek Ranch

Old Business **New Business** Discussion Item Workshop

Summary: A request by Matt Tucker from Windross Land Services, applicant, on behalf of CCAC Sam's Shadow Creek, LLC, owner, for approval of a Replat of lot 'C' of The Reserve at Shadow Creek Ranch into four lots, generally located 400 feet east of the southeast corner of Discovery Bay Drive and Business Center Drive.

Staff Recommendation: Conditional Approval.

Regular P&Z meetings are held on the first and third Monday of every month. This form must be received 6 calendar days prior to the meeting in order to be included on the agenda.

PLANNING AND ZONING COMMISSION MEETING OF MAY 07, 2012

Replat of lot 'C' of the Reserve at Shadow Creek Ranch

A request by Matt Tucker from Windross Land Services, applicant, on behalf of CCAC Sam's Shadow Creek, LLC, owner, for approval of a Replat of lot 'C' of The Reserve at Shadow Creek Ranch into four lots, generally located 400 feet east of the southeast corner of Discovery Bay Drive and Business Center Drive, to wit

Legal Description: A tract or parcel containing 4.7677 acres or 207,682 square feet of land, being out of the residue of a called 202.51 acre tract of land to Pearland Investments Company, L.P. as recorded under Brazoria County Clerk's File Number 98-0222936, situated in the William Morris Survey, abstract No. 344, Brazoria County, Texas.

General Location: 400 feet east of the southeast corner of Discovery Bay Drive and Business Center Drive.

SUMMARY: This request is for a Replat of Lot 'C' from The Reserve at Shadow Creek Ranch, into four smaller lots. The Reserve at Shadow Creek Ranch was recorded on 10/18/2011 as a four lot subdivision of 31.1344 acres. This proposal will subdivide the original 4.7677 acre lot into four smaller lots.

SHADOW CREEK RANCH: This plat is within the Shadow Creek Ranch Development under the C (Commercial) Land Use Designation (See Exhibit 1: Shadow Creek Ranch Code Exert). This land use designation allows for a wide variety of commercial businesses. This submittal is in conformance with the Shadow Creek Ranch Planned Unit Development.

Exhibit 1: Shadow Creek Ranch Code Exert

C COMMERCIAL DISTRICT

Purpose of District

The commercial district is intended to permit a wide variety of businesses characterized by those uses that require an extensive amount of land for the conduct of business.

General Conditions

Additional Allowed Uses: See Compliant Use Matrix, Figure 11.

1. Area Requirements

The Commercial land use district of the planned unit development is required to meet the area requirements as defined by the City of Pearland's *Land Use and Urban Development Ordinance* for Planned Unit Developments.

Refuse containers. All refuse and refuse containers shall be screened from view and are subject to the Developer's design guidelines.

All other requirements of this district follow the provisions provided in the City of Pearland's Land Use and Urban Development Ordinance, p. 35-36 for Planned Unit Developments.

LAND USE & URBAN DEVELOPMENT ORDINANCE: The Shadow Creek Ranch Planned Unit Development has its own land use regulations from the approved PUD. That document indicates the 'C' commercial designation that refers to lot standards within the C (Commercial) Designation City of Pearland's previous zoning ordinance. This submittal is in conformance with the requirements of the Land Use & Urban Development Ordinance.

Land Use & Urban Development Ordinance: C (Commercial) Zoning District Planned Unit Development Regulations	
Minimum Lot Size	N/A
Minimum Lot Width	N/A
Height	N/A

Lot Coverage	Only if underground or multi-level parking is provided.
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Land Use & Urban Development Ordinance: C (Commercial) Zoning District		
Typical Requirements	C (Commercial)	Provided in Plat
Minimum Lot Size	22,500 SF	29,999 SF
Minimum Lot Width	150 Feet	56.24 Feet *
Minimum Lot Depth	125 Feet	200 Feet

* This proposal has a reduction from the typical width of a lot, but does satisfy the minimum width for a Flag Lot of 50'. The Planned Unit Development regulations allow for a reduce lot width.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Planned Unit Development	Vacant Land
South	Planned Unit Development	Vacant Land
East	Right-of-Way	288 Highway
West	Planned Unit Development	Vacant Land

COMFORMANCE TO THE COMPREHENSIVE PLAN: The subject property is within the Business Park Future Land Use Designation. The proposed subdivision is within the objectives of this Future Land Use Designation.

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property is served internally by a 50-foot Private Access Easement. Additionally, Discovery Bay Drive a secondary collector of adequate width to serve these four additional lots.

ADDITIONAL COMMENTS: This plat has been reviewed by the City's Development Review Committee and there are no additional comments.

SITE PLAN CONSIDERATIONS: A preliminary site plan has been submitted for the planned commercial development. This site plan depicts two drive through restaurants of 4,500 SF and 2,479 SF on lots C-3 and C-4. A retail strip development is shown on lot C-2, of approximately 16,639 SF. Lastly, a 3,233 SF bank is depicted on lot C-1. This site plan is preliminary and each development will be reviewed to satisfy the requirements of the Shadow Creek Ranch Planned Unit Development.

TRAFFIC AND TRANSPORTATION: A traffic impact analysis is being finalized by the

engineering department.

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

STORMWATER MANAGEMENT: Detention for this development will be provided as these lots are developed.

PARKS, OPEN SPACE, AND TREES: Park fees are not required for commercial development.

CRITERIA FOR APPROVAL:

Sec. 27-1. General

(a) In order to promote orderly development of the area and to secure adequate provision for transportation, drainage, water, sewer and other sanitary facilities, the city hereby adopts the following rules, regulations and requirements for the subdivision or resubdivision of land lying within the corporate limits of the city or within five (5) miles of the corporate limits.

(b) Before any plan, plat or replat of a subdivision or addition of land in the city or within five (5) miles of the city shall be recorded with the county clerk it shall first be approved by the planning and zoning commission.

(c) These rules, regulations and requirements and any future additions thereto and changes thereof will be binding on all new subdivisions within the jurisdiction of the city and must be complied with before approval or acceptance of the streets, utility easements, sanitary sewers, storm sewers, drainage ditches and water distribution systems by the city.
(Ord. No. 58, § 1, 4-18-63; Ord. No. 421, § 1, 3-23-81)

STAFF RECOMMENDATION: Staff recommends conditional approval of the Replat of Lot "C" of The Reserve at Shadow Creek Ranch as proposed by the applicant, for the following reasons:

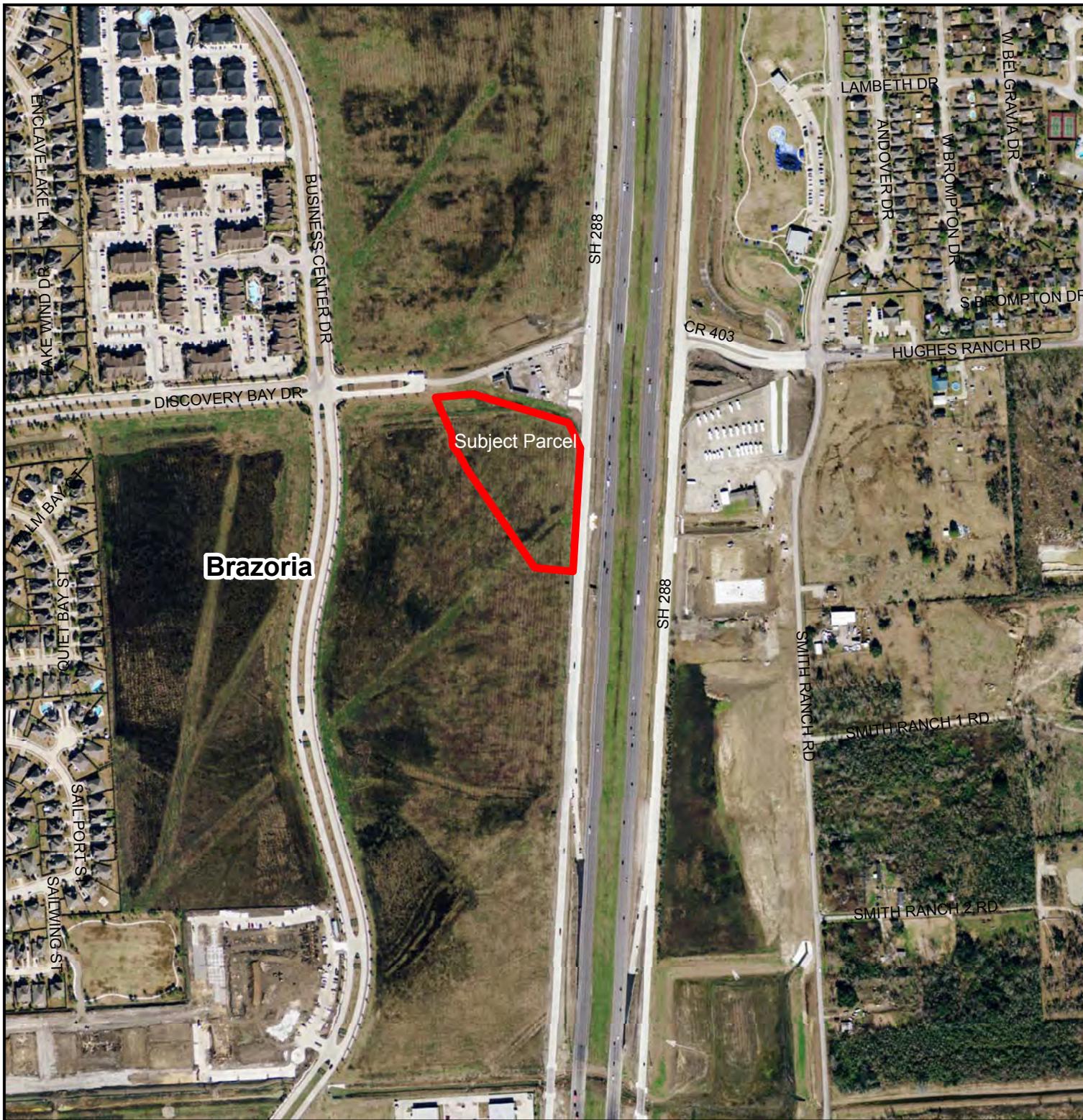
1. The proposed subdivision will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the Comprehensive Plan and Shadow Creek Ranch Planned Unit Development.
3. The development review process will assure the development of this property is in conformance with the building code and the Shadow Creek Ranch Planned Unit Development.

CONDITIONS OF APPROVAL:

1. Revise note #11 to state "City of Pearland and Brazoria County Drainage District #4"
2. Two Signed Mylar's to the Planning Department.
3. Three paper copies to the Planning Department.
4. Tax Certificates to the Planning Department.
5. Updated title letter (if over six months old) to assure all easements and ownership is correct.
6. 2006 Autocad Compatible CD to assure the property can easily be addressed on the City of Pearland's base map.
7. T.I.A. approval letter to assure the increased impact of this development is accounted for in traffic improvements.

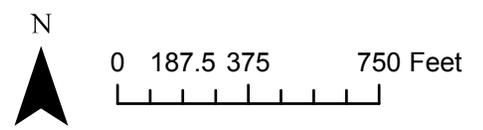
SUPPORTING DOCUMENTS:

- Vicinity Map
- Land Use Map
- Zoning Map
- Aerial Map
- First Partial Replat of the Reserve at Shadow Creek Ranch



Aerial Map

First Partial Replat of
The Reserve at
Shadow Creek Ranch

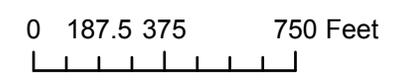
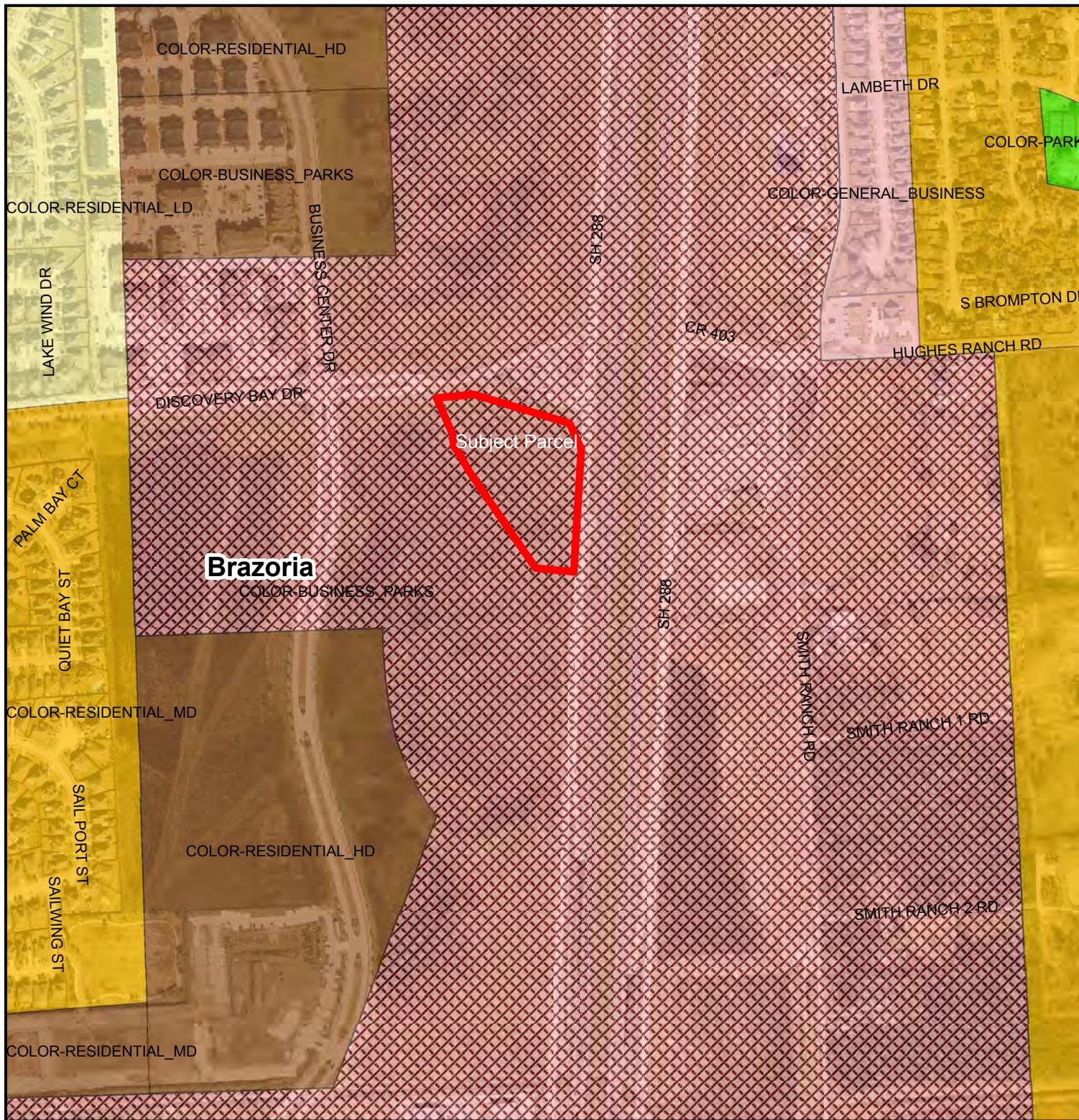


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Future Land Use Map

First Partial Replat of
The Reserve at
Shadow Creek Ranch

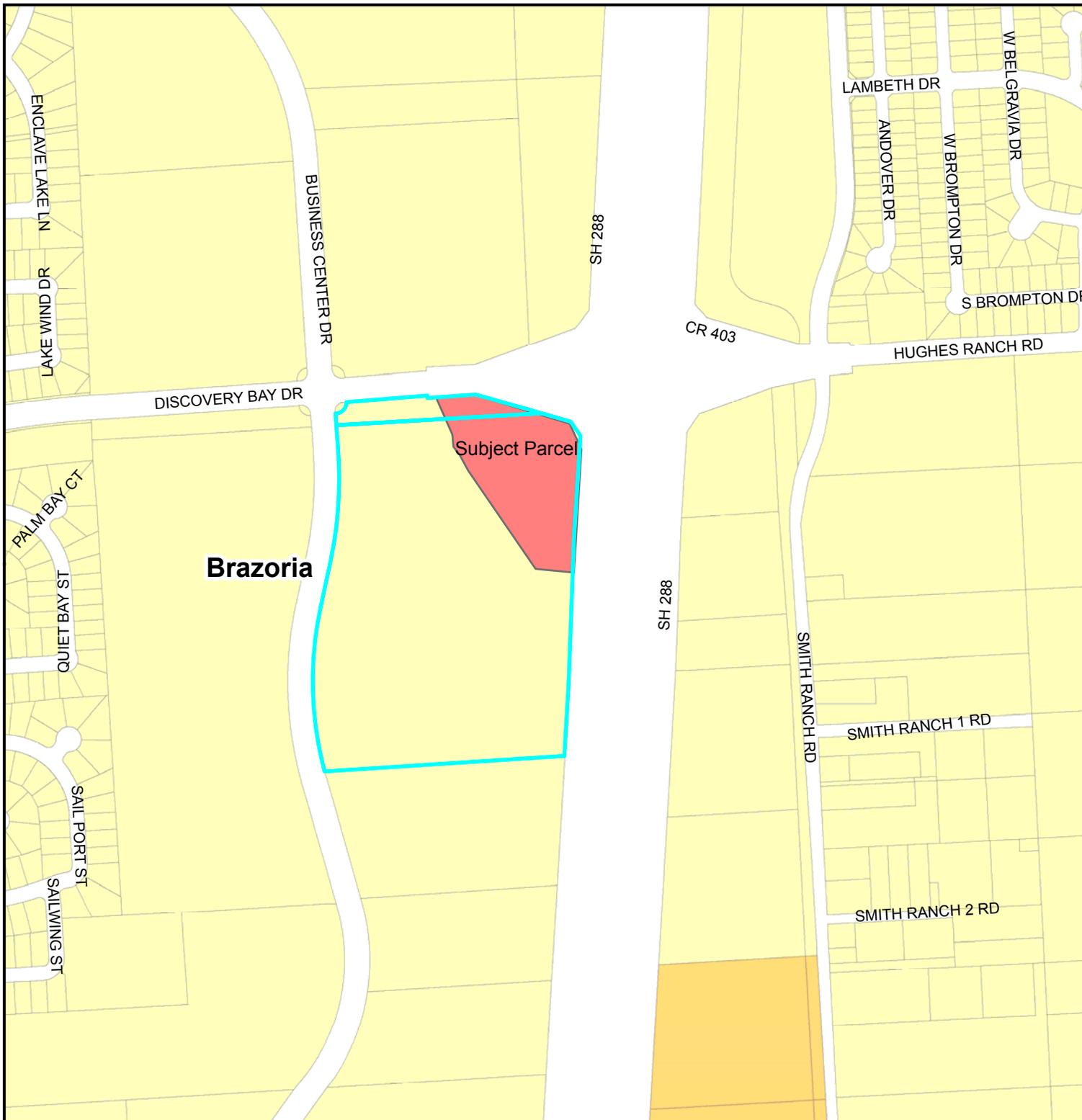


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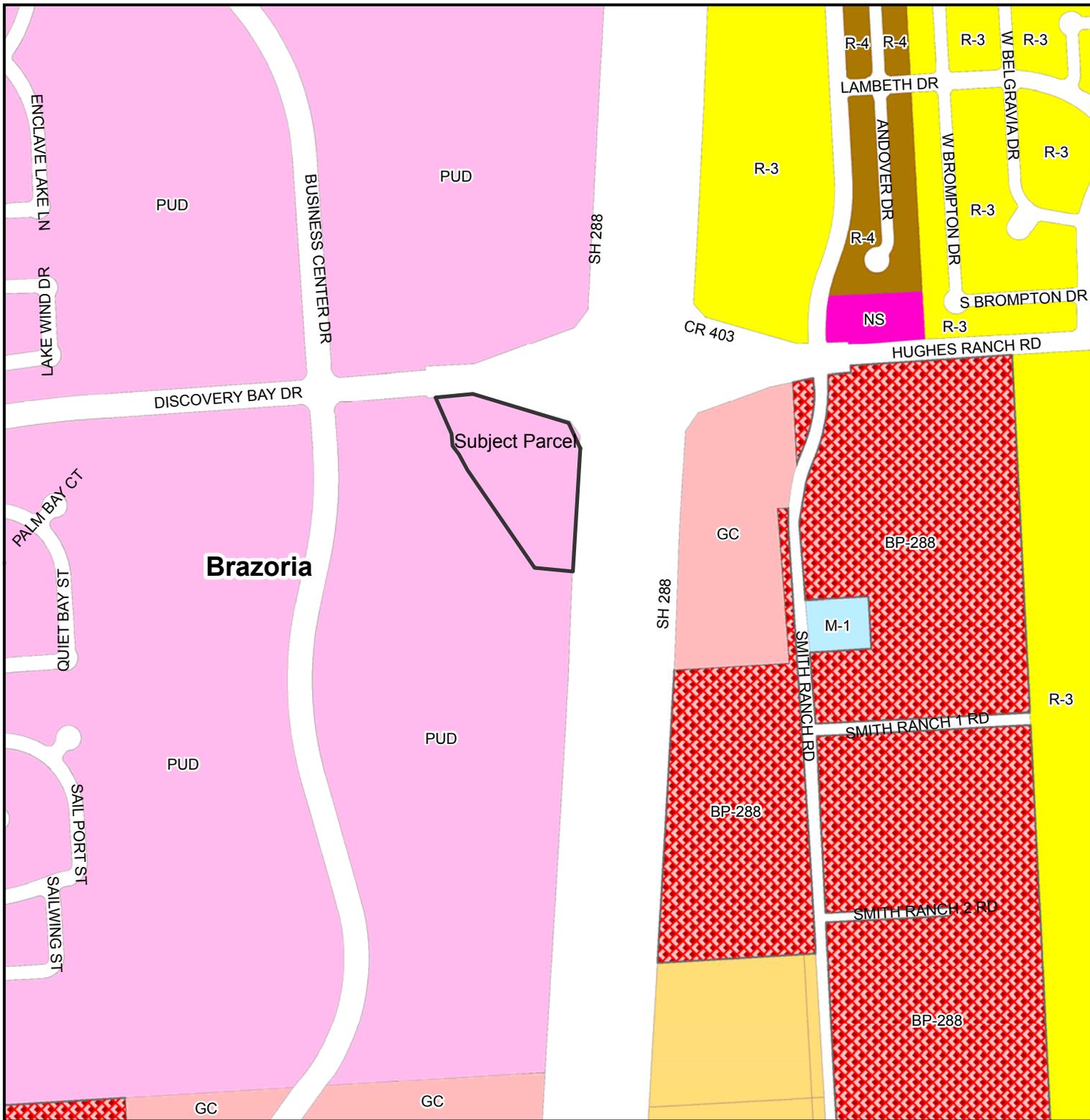
Vicinity Map

First Partial Replat of
The Reserve at
Shadow Creek Ranch



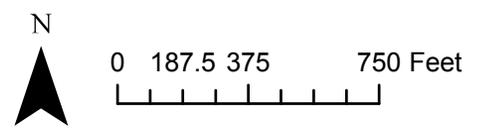
0 187.5 375 750 Feet

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Zoning Map

First Partial Replat of
The Reserve at
Shadow Creek Ranch



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**P&Z AGENDA
ITEM**

B



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Evan M. DuVall
DATE: 05/02/2012
AGENDA ITEM SUBJECT: Final Plat of Savannah Bend Section Three

Old Business **New Business** Discussion Item Workshop

Summary: A request by Rene Rodriguez from LJA Engineering, applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Bend Section Three, generally located at Savannah Bend Drive and Field Crest Lane, proposing a 25 lot single-family residential subdivision.

Staff Recommendation: Conditional Approval.

Regular P&Z meetings are held on the first and third Monday of every month. This form must be received 6 calendar days prior to the meeting in order to be included on the agenda.

PLANNING AND ZONING COMMISSION MEETING OF MAY 07, 2012

FINAL PLAT OF SAVANNAH BEND SECTION THREE

A request by Rene Rodriguez from LJA Engineering, applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Bend Section Three, a 25 lot single-family residential subdivision on the following described property, to wit

Legal Description: Being 8.152 acres of land located in the J.S. Tamage Survey, Abstract 562, Brazoria County Texas, more particularly being a portion of the residue of a called 161.460 acre tract (described as Tract 5) conveyed to Savannah Development, LTD., by an instrument of record File #00-037203, Official Records of said Brazoria County, Texas (B.C.O.R.) also being an instrument of record in File No. 200080225, Official Public Records of Fort Bend County, Texas.

General Location: Savannah Bend Drive and Fieldcrest Lane.

SUMMARY: This request is for the approval of a Final Plat for a 25-lot single-family subdivision within Savannah Development. This proposed subdivision is within the City of Pearland's Extraterritorial Jurisdiction (ETJ) and has a development agreement with the City.

UNIFIED DEVELOPMENT CODE: The Unified Development Code does not apply for the Savannah Development Agreement as this was approved with the previous zoning ordinance, The Land Use and Urban Development Ordinance.

SAVANNAH DEVELOPMENT AGREEMENT: There are several portions of the Development Agreement that apply to this Final Plat of Savannah Bend Section Three. The requirements of the development agreement are satisfied by the proposed Final Plat of Savannah Bend Section Three (see Exhibit 1).

Exhibit 1: Savannah Development Agreement: R-3 (Single Family Dwelling District)			
Standard	Required	R-3 Standard	Minimum Provided
Minimum lot width	N/A	60 Feet	Approximately 50 feet*
Minimum lot depth	N/A	N/A	111.14
Minimum lot area	N/A	6,000 Square feet	Greater than 7,000 Square feet
Maximum Density	7 dwelling units an acre or less	N/A	3.07 Dwelling Units an acre.

* The Savannah Development Agreement follows the R-3 PUD standards of the Land Use and Urban Design Ordinance, which does not have a required minimum lot size or width.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	ETJ (None)	Vacant Land, Single Family Residential
South	ETJ (None)	Detention Pond, vacant land
East	ETJ (None)	Vacant land
West	ETJ (None)	Drainage

COMFORMANCE TO THE COMPREHENSIVE PLACE: The subject property is within the Low-Density Residential future land use designation. The proposed subdivision is also within the density limitations of the of Low-Density Residential land use designation and therefore conforms to the Comprehensive Plan.

COMFORMANCE TO THE THOROUGHFARE PLAN: The subject property is nested within the Savannah development and served by local streets. The Savannah Development is served by a future 120-foot Major Thoroughfare of Post Road.

ADDITIONAL COMMENTS: This plat has been reviewed by the City's Development Review Committee and there have been no additional comments.

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

TRAFFIC AND TRANSPORTATION: A traffic impact analysis was submitted and

approved as part of the Savannah Development Agreement.

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

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

PARKS, OPEN SPACE, AND TREES: Park fees will be paid at the time of final plat and this has been added as a condition of approval.

COUNTY ROAD 58 FEES: As required by the Savannah Development agreement, the CR-58 Fees will be paid at time of Final Plat. A condition of approval has been added to pay the required CR-58 fees, which provides assurance of the infrastructure improvements of County Road 58.

1% INSPECTION FEES: One percent of the total cost of infrastructure will be paid at the time of Final Plat. A condition of approval has been added requiring the payment of 1% of the total cost of infrastructure improvements within Savannah Bend Section Three.

CRITERIA FOR APPROVAL:

Sec. 27-1. General.

(a) In order to promote orderly development of the area and to secure adequate provision for transportation, drainage, water, sewer and other sanitary facilities, the city hereby adopts the following rules, regulations and requirements for the subdivision or resubdivision of land lying within the corporate limits of the city or within five (5) miles of the corporate limits.

(b) Before any plan, plat or replat of a subdivision or addition of land in the city or within five (5) miles of the city shall be recorded with the county clerk it shall first be approved by the planning and zoning commission.

(c) These rules, regulations and requirements and any future additions thereto and changes thereof will be binding on all new subdivisions within the jurisdiction of the city and must be complied with before approval or acceptance of the streets, utility easements, sanitary sewers, storm sewers, drainage ditches and water distribution systems by the city. (Ord. No. 58, § I, 4-18-63; Ord. No. 421, § 1, 3-23-81)

STAFF RECOMMENDATION: Staff recommends conditional approval of the Final Plat of Savannah Bend Section Three as proposed by the applicant, for the following reasons:

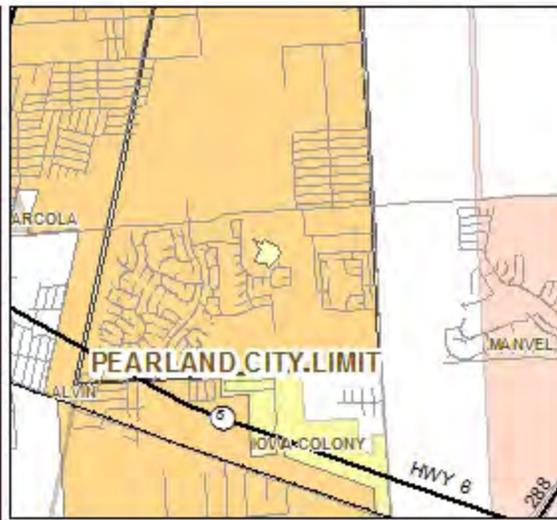
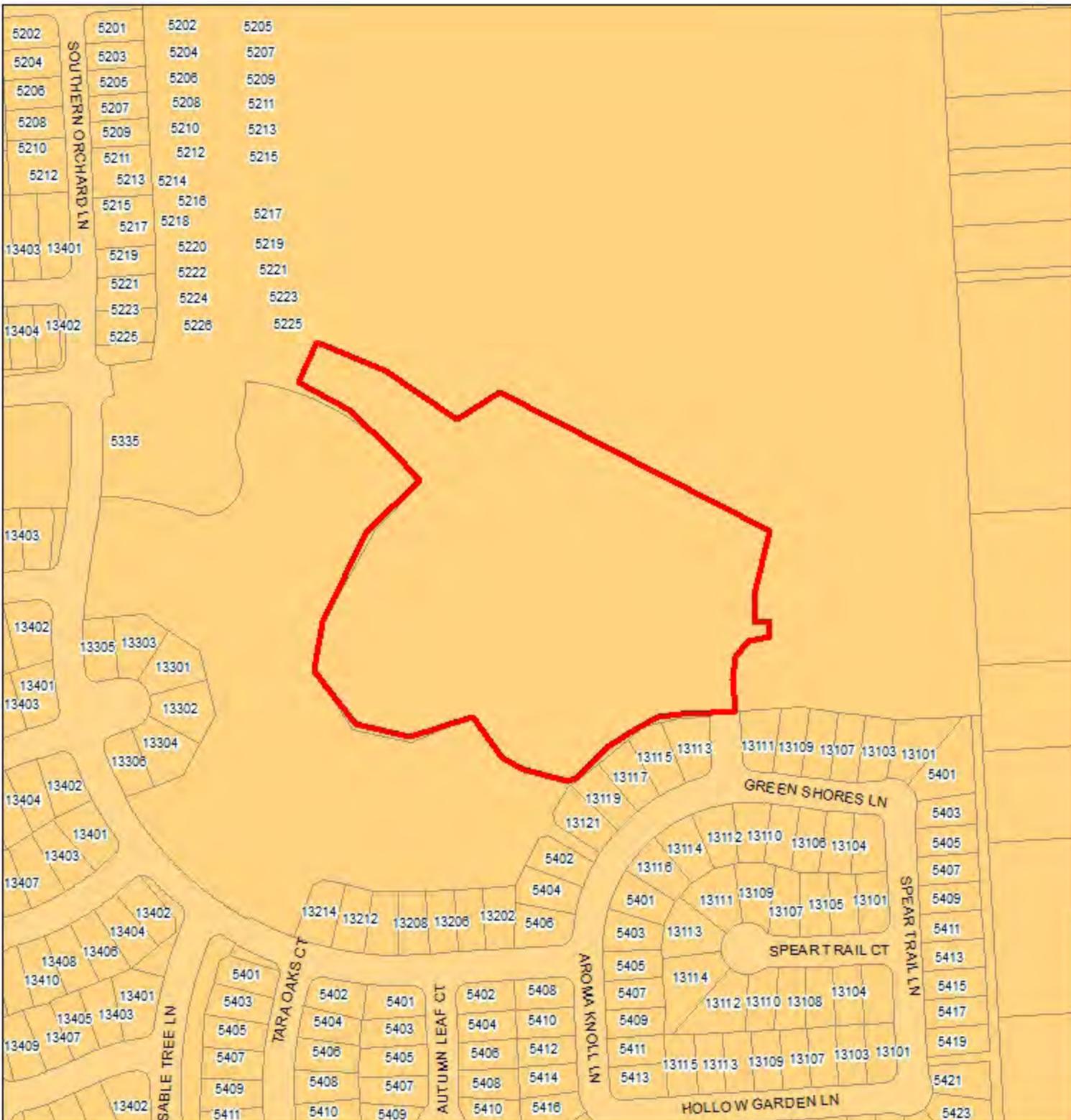
1. The proposed subdivision will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the Comprehensive Plan and Development Agreement.
3. The Savannah Development Agreement will assure the development of this property is in conformance with the goals of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

CONDITIONS OF APPROVAL:

1. Approval Letter from Brazoria County to the Planning Department,
2. Metes and Bounds description with 5/8 inch iron rods.
3. Add document numbers for the easements on the plat.
4. General Address above the title block.
5. Two Signed Mylar's (Three if a certified copy is requested) to the Planning Department.
6. Three paper copies to the Planning Department.
7. Parkland Fee's to the Planning Department.
8. 1% Inspection Fee to the Planning Department.
9. CR-58 Fee's to the Planning Department.
10. Tax Certificates to the Planning Department.
11. Updated title letter (if over six months old)

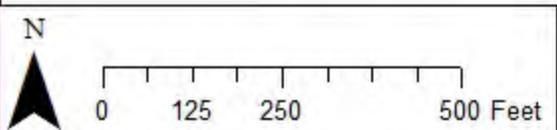
SUPPORTING DOCUMENTS:

- Vicinity Map
- Land Use Map
- Aerial Map
- Savannah Bend Section Three Plat

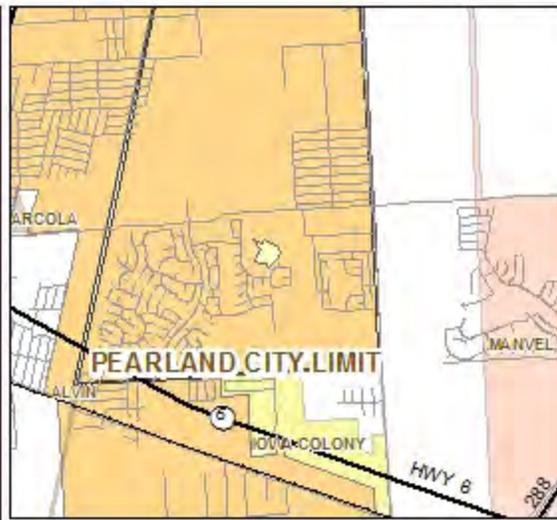
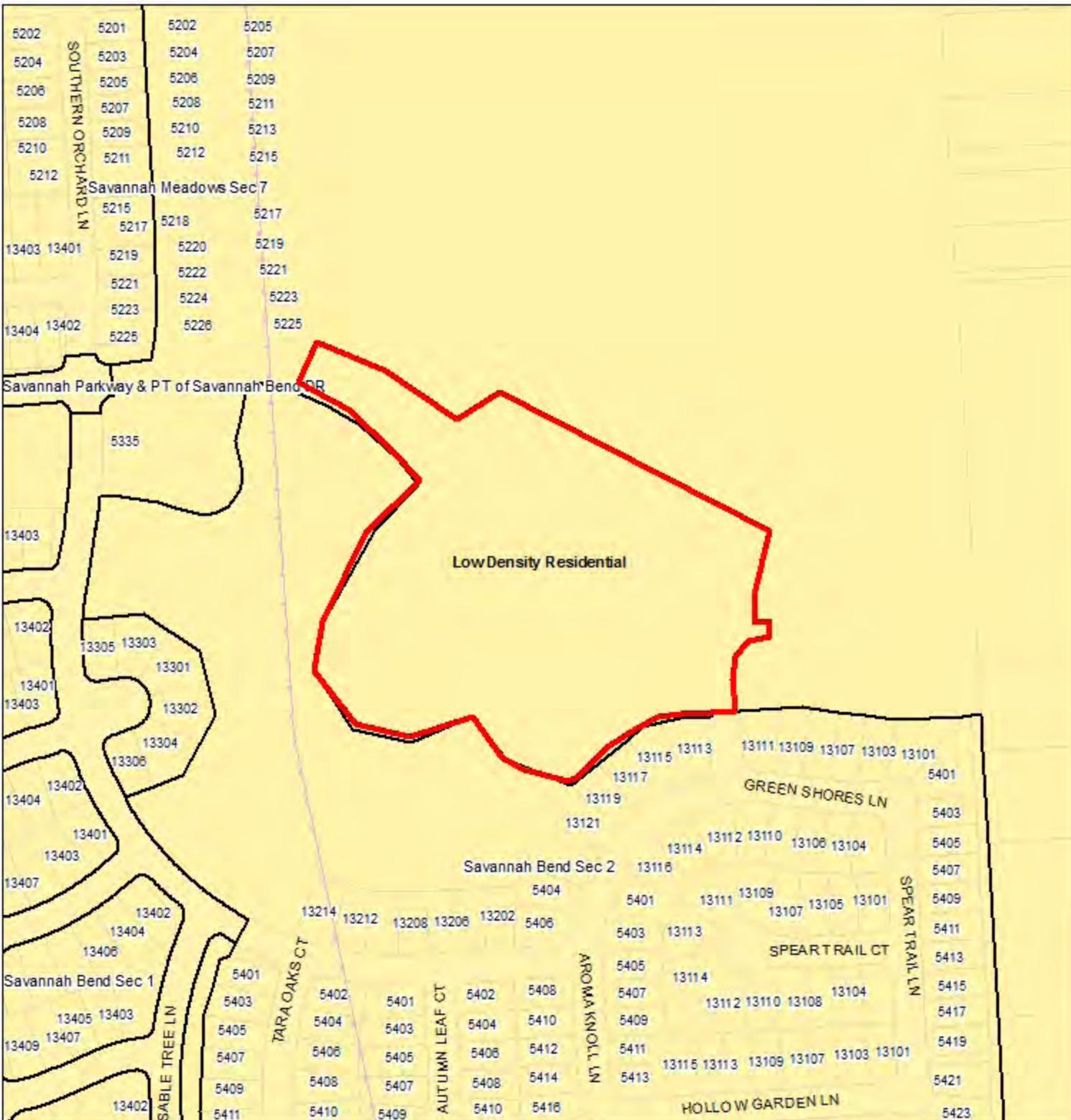


Vicinity Map

Savannah Bend Section Three



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



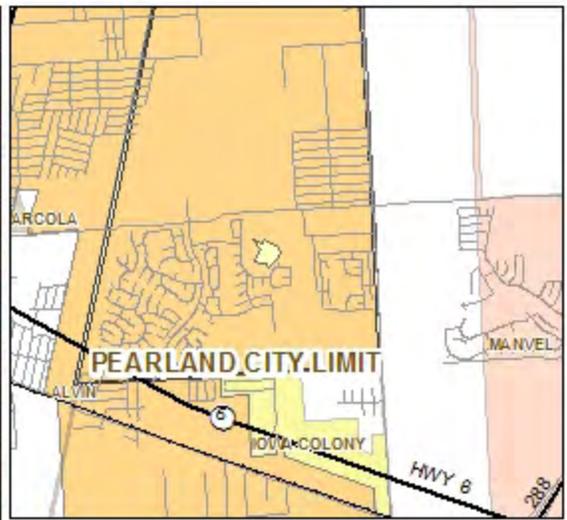
Land Use Plan

Savannah Bend Section Three

N

0 125 250 500 Feet

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



Aerial Map

Savannah Bend

Section Three

N

0 125 250 500 Feet

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



SAVANNAH DEVELOPMENT, LTD.
 161.460 ACRES
 F.W. 00-037203
 B.C.O.R.

RESERVE 'A'
 SAVANNAH BEND
 SECTION TWO
 DOCUMENT NO. 2007058922

RESERVE TABLE			
RESERVE	TYPE	ACREAGE	SO. FT.
'A'	RESTRICTED TO LANDSCAPE/OPEN SPACE	0.025	1.099
TOTAL		0.025	1.099

CURVE TABLE						
CURVE ID	ADIUS	TANGENT	CHORD	ARC	DELTA	CHORD BEARING
C1	150.00	41.94	83.82	13.51	9-01-39	S 65-52-30 E
C2	25.00	25.97	36.62	40.22	92-10-25	N 72-33-07 E
C3	325.00	6.00	11.99	11.99	2-08-50	S 27-31-00 W
C4	25.00	20.81	31.99	34.71	79-32-28	S 11-11-29 E
C5	350.00	77.68	153.71	154.26	16-40-34	S 42-37-28 E
C6	25.00	25.00	35.36	39.27	90-00-00	S 41-54-28 W
C7	470.00	151.37	288.18	292.88	35-42-12	N 52-08-15 W
C8	470.00	244.87	461.50	462.40	58-48-25	S 48-41-21 E
C9	25.00	25.00	35.36	39.27	90-00-00	N 48-05-34 W
C10	300.00	82.67	163.38	164.02	17-43-52	S 84-13-38 E
C11	25.00	22.63	33.56	36.79	84-18-48	S 62-28-05 W
C12	25.00	9.81	18.26	18.69	42-50-00	S 01-02-28 E
C13	50.00	53.93	73.33	231.84	265-40-01	S 69-40-28 E
C14	25.00	9.81	18.26	18.69	42-50-00	N 41-44-32 E
C15	25.00	22.63	33.56	36.79	84-18-48	N 21-49-51 W
C16	50.00	93.03	163.28	164.19	19-54-41	S 88-50-12 W
C17	25.00	28.89	36.62	41.09	94-10-30	S 54-01-52 E
C18	370.00	68.63	134.97	135.73	21-01-03	S 31-14-28 W
C19	25.00	10.86	19.90	20.47	46-54-51	S 02-42-31 E
C20	50.00	54.17	73.48	231.62	265-24-48	S 73-28-33 E
C21	25.00	6.98	13.68	17.24	39-21-04	N 39-28-20 E
C22	450.00	93.94	191.81	192.52	24-22-02	S 31-52-19 W
C23	25.00	28.89	36.62	41.09	94-10-30	N 53-52-22 E
C24	500.00	142.06	282.93	313.43	15-54-59	S 54-54-59 W
C25	500.00	281.78	403.88	513.19	15-54-59	S 52-14-30 W
C26	500.00	281.78	403.88	513.19	15-54-59	S 63-41-21 E
C27	400.00	136.86	273.88	283.73	37-46-36	S 31-44-58 W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 48-30-32 E	40.11
L2	S 64-30-00 E	50.00
L3	S 54-17-09 E	87.23
L4	N 56-42-51 E	110.00
L5	S 80-58-30 E	14.85
L6	S 39-36-01 E	19.82
L7	S 42-27-31 E	60.34
L8	S 52-50-47 E	60.38
L9	S 62-58-10 E	60.38
L10	S 73-00-33 E	60.38
L11	S 83-00-50 E	60.38
L12	S 87-20-31 E	63.13
L13	N 88-54-26 E	60.00
L14	S 03-00-34 E	60.00
L15	S 03-00-34 E	60.00
L16	S 88-54-26 W	60.00
L17	S 03-00-34 E	62.1
L18	S 03-00-34 E	62.1
L19	S 88-54-26 W	64.26
L20	N 39-21-04 W	17.82
L21	N 53-52-22 W	17.82
L22	S 62-32-48 W	17.82
L23	N 72-41-59 W	114.04
L24	N 09-10-22 E	101.20
L25	N 28-50-09 E	103.84
L26	N 28-50-09 E	89.88
L27	N 44-43-00 E	119.82
L28	N 34-17-09 W	115.23
L29	N 03-00-34 W	30.00
L30	N 03-00-34 W	30.00
L31	N 88-54-26 E	7.57
L32	N 20-19-32 E	20.27
L33	N 20-19-32 E	20.27
L34	N 34-17-09 W	88.69

LEGEND

EXIST. INDICATES EXISTING

U.E. INDICATES UTILITY EASEMENT

W.E. INDICATES WATERLINE EASEMENT

S.M.S.E. INDICATES STORM SEWER EASEMENT

S.S.E. INDICATES SANITARY SEWER EASEMENT

W.S.E. INDICATES WATER AND SEWER EASEMENT

D.E. INDICATES DRAINAGE EASEMENT

E.E. INDICATES ELECTRICAL EASEMENT

B.C.O.R. INDICATES BRAZORIA COUNTY OFFICIAL RECORDS

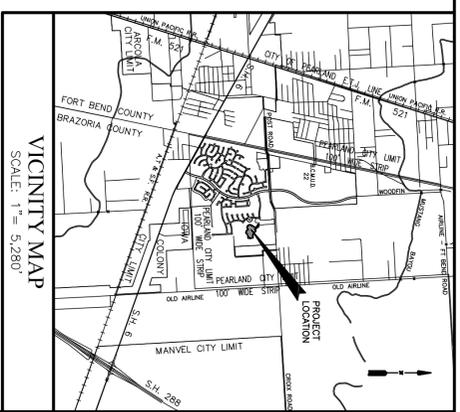
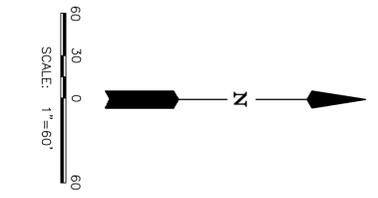
B.C.O.P.R. INDICATES BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS

B.C.M.U.D. INDICATES BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT

TEMP. INDICATES TEMPORARY

* INDICATES PROPOSED STREET LIGHT

* INDICATES EXISTING STREET LIGHT



PLAT NO.: P-612T-2012-022

SAVANNAH BEND DRIVE AND FIELDCREST LANE
 PRELIMINARY PLAT
 SAVANNAH BEND
 SECTION THREE

A SUBDIVISION OF 8.152 ACRES OF LAND SITUATED IN THE
 J.S. TALMAGE SURVEY, ABSTRACT 562,
 BRAZORIA COUNTY, TEXAS.

25 LOTS 1 RESERVE (0.025 ACRE) 2 BLOCKS
 MAY 2, 2012 JOB NO. 0388-1132-304

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

ENGINEER/SURVEYOR:
LJA Engineering, Inc.
 2929 Briarpark Drive
 Suite 600
 Houston, Texas 77042
 Phone 713.953.5200
 Fax 713.953.5026

**P&Z AGENDA
ITEM**

C



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission

REQUESTOR: Evan M. DuVall

DATE: 05/02/2012

AGENDA ITEM SUBJECT: Extension of time for the Master Plat of Riverstone Ranch Phase One

Old Business **New Business** Discussion Item Workshop

Summary: A request by Warren Escovy from LJA Engineering, for approval of an extension of time for the Master Plat of Riverstone Ranch Phase One. This Master Plat was originally approved on 05/07/2007 by the Planning and Zoning Commission. There has been no development of the residential lots within this Master Plat since the approval date. According to the Unified Development Code, Section 3.1.2.5, the Planning and Zoning Commission has the ability to approve an extension of time for a like period of time. The applicant is requesting an extension of five years.

Section 3.1.2.5

- (b) **Extension.** The expiration date for any phase of the development may be extended by the Planning and Zoning Commission under Chapter 1, Article 2, Division 5. Extension of the expiration date for the phase extends the expiration date for the Master Plat for a like period. A Master Plat is not subject to reinstatement following expiration.

Staff Recommendation: Approval.

Regular P&Z meetings are held on the first and third Monday of every month. This form must be received 6 calendar days prior to the meeting in order to be included on the agenda.

LJA Engineering, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026
www.ljaengineering.com

May 3, 2012

Mr. Evan Duvall, AICP
City of Pearland Planning Department
3519 Liberty Drive
Pearland, Texas 77581

Re: Master Plat Extension from City of Pearland Planning and Zoning
Master Plat for Riverstone Ranch at Clear Creek Phase One
LJA Job No. 1994-5031 (5.3)

Dear Mr. Duvall:

The following is a request to extend the master plat for Riverstone Ranch at Clear Creek Phase One on the upcoming City of Pearland Planning and Zoning Agenda on May 7, 2012. We are requesting an extension of the master plat for a period of five years.

Please contact me at 713.953.5212 if you have any questions regarding this request or if you require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Escovy', written over a horizontal line.

Warren Escovy
Platting Manager

WE/rp

**P&Z AGENDA
ITEM**

D



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Harold Ellis, Senior Planner
DATE: May 2, 2012
AGENDA ITEM SUBJECT: Extension of timeframe for CUP2011-06

Old Business New Business Discussion Item Workshop

1. **Summary:** On May 23, 2011 City Council, upon receiving a recommendation of approval from the Planning and Zoning Commission, approved Conditional Use Permit 2011-06 to allow for the operation of a Restaurant (with no drive-in or drive-thru service) in the Neighborhood Service (NS) zoning district. Since that time, the applicant has not applied for or been issued a permit to build-out space for a restaurant in the existing building on the property. Per Section 2.2.3.5 (b) (1), a Conditional Use Permit shall expire if *a building permit, if any, for the use has not been approved within one year of the date of approval of the permit.* Therefore, CUP2011-06 will expire on May 23, 2012. The applicant has indicated that they are in negotiations with a restaurant, but will be unable to apply for a building permit by that date.
- Section 2.2.3.5 (c) states that *City Council may, upon recommendation of the Planning and Zoning Commission, extend this time frame by up to one additional year from the date of approval of the Conditional Use Permit.* Based on this language, the applicant has requested the permit be extended for an additional year.

2. **Staff Recommendation:** Approval of the extension for the Conditional Use Permit.

4/24/2012

Sudershan Jambulapati
4606 Schiller Park Ln
Sugar Land, TX-77479

Mr. Harold Ellis
Senior Planner
City of Pearland
Planning and Zoning Department
Pearland, TX 77581

RE: Conditional Use Permit Application No. 2011-06, Ordinance No. 2000CUP-51
Location: 7902/7904 Broadway Pearland, Texas.

Dear Mr. Elis:

Due to the current economic condition it has been difficult to lease space for a restaurant as we intended. Currently we are negotiating with a restaurant operator and looks like we will have a lease very soon.

We request you to extend the May 23, 2012 expiration of the Conditional Use Permit and oblige.

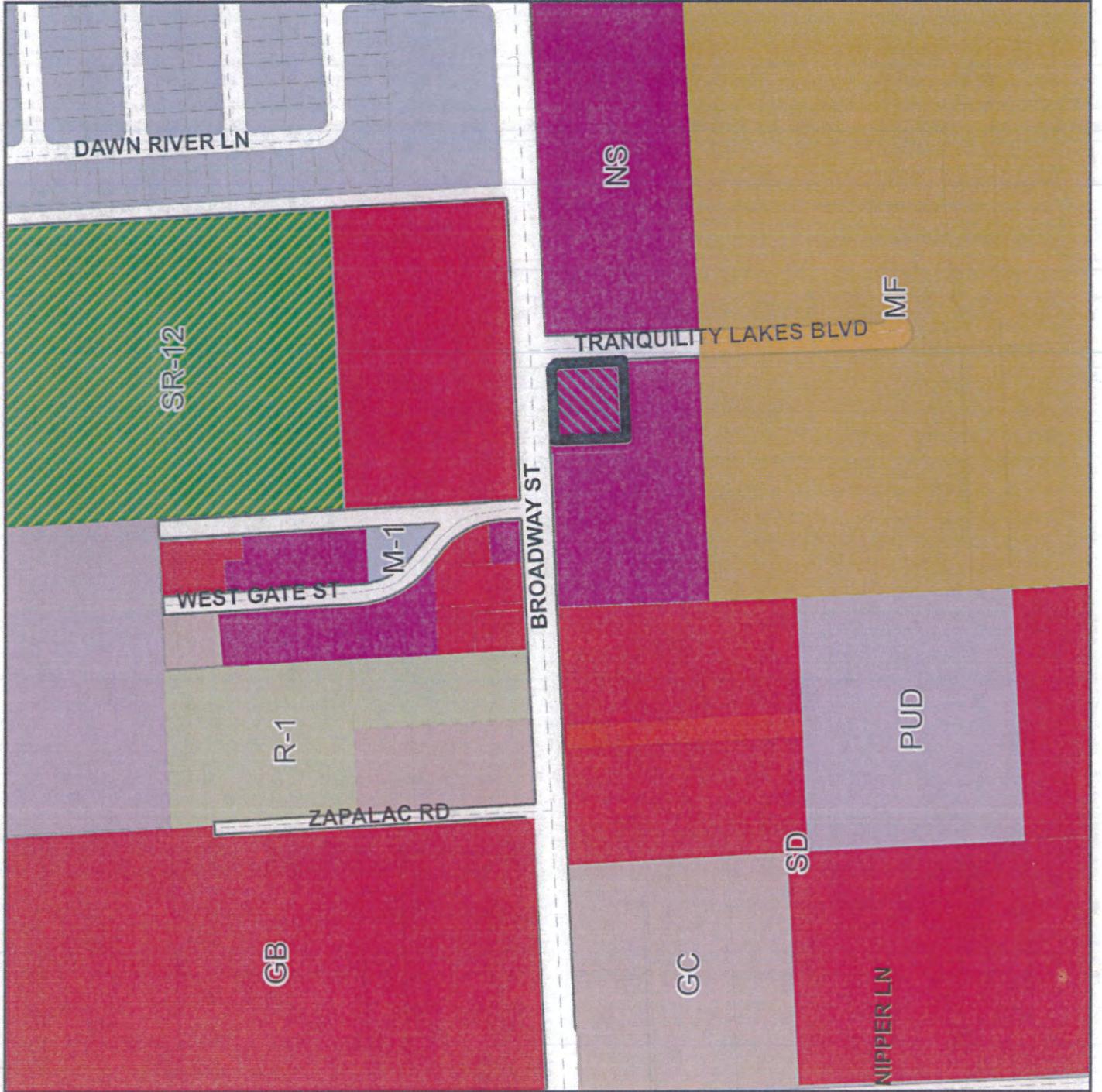
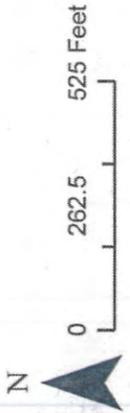
Sincerely,



Sudershan Jambulapati
SAI Plaza
Pearland, TX



Vicinity and Zoning Map
7902/7904 Broadway
CUP 2011-06



**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: May 9, 2011	ITEM NO.:
DATE SUBMITTED: April 28, 2011	DEPT. OF ORIGIN: Planning
PREPARED BY: Harold Ellis	PRESENTOR: Mike Hodge
REVIEWED BY:	REVIEW DATE:
SUBJECT: A request of Sudershan Jambulapati, applicant, for Guru Om Sai, LLC., owner, for approval of a Conditional Use Permit to allow for a Restaurant in the Neighborhood Service (NS) District	
EXHIBITS: Ordinance No. 2000CUP-50 and Exhibits (Exhibit A - Application, plans and supporting documents; Exhibit B - Vicinity Map; Exhibit D - P&Z Recommendation Letter), Joint Public Hearing Staff Report, Other Maps and Related Documents	
EXPENDITURE REQUIRED: N/A AMOUNT AVAILABLE: N/A ACCOUNT NO.: N/A	AMOUNT BUDGETED: N/A PROJECT NO.: N/A
ADDITIONAL APPROPRIATION REQUIRED: N/A ACCOUNT NO.: N/A PROJECT NO.: N/A	
To be completed by Department: <input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

Sudershan Jambulapati, applicant, for Guru Om Sai, LLC, owner, is requesting approval of a Conditional Use Permit to allow the operation of a restaurant (with no drive-thru service as classified in the Land Use Matrix contained in the City's Unified Development Code) at the above referenced location. If approved, the restaurant would be located in Sai Plaza, where construction has been recently completed.

Sai Plaza consists of two shell buildings, as indicated on the site plan included with the applicants submittal. The restaurant being proposed would be located in the smaller of the two buildings (approximately 2,500 sq. ft.) located towards the front of the site,

abutting Broadway, at the southwest intersection of Broadway and Tranquility Lakes Blvd. The restaurant is proposed to be dine-in and carry-out, and not serve alcoholic beverages. Other uses for the shopping center have not been finalized by the property owners.

At the Joint Public Hearing, no members of the public spoke regarding the request. Council discussion included concerns that there would be adequate parking at the site, as well as traffic circulation between this site and the adjacent commercial site.

At the time of site plan review with the City, the parking was evaluated for this site using the Unified Development Code's shopping center ratio (multi-tenant). The UDC requires 1 space per 200 square feet, thus requiring 54 parking spaces. As the site has 53 spaces, the Zoning Board of Adjustment granted a Special Exception pursuant to Section 4.2.1.2 (d) allowing the applicant to enter into a shared parking agreement with the adjacent commercial center, to meet the required parking.

Below is a response from the City's Engineering department addressing the concern regarding site circulation:

The Sai Plaza development was required to submit a traffic impact analysis (TIA) prior to approval of the construction permit application. The TIA for the development was submitted and approved and it was determined that the existing infrastructure was sufficient to withstand the impacts of this development. A continuous left turn lane along Broadway Street will permit westbound traffic to queue for a turning movement into the development without effecting thru traffic on Broadway and there was not sufficient justification to require a right turn lane for this property.

Traffic from this development may enter and exit from driveway(s) located on Broadway Street and Tranquility Lakes Boulevard. A raised median on Tranquility Lakes Boulevard will force exiting traffic onto that roadway and into a southbound movement rather than permitting an eastbound movement across two lanes of traffic, to head north to Broadway. This is a preferable condition considering this driveway's proximity to the intersection. Allowing a median opening along Tranquility Lakes Boulevard would not only violate the spacing required for median openings per the City of Pearland's Engineering Design Criteria Manual but would also cause a safety concern. Vehicles from Broadway turning south onto Tranquility Lake Boulevard may not have the necessary reaction time and stopping distance to prevent an accident if vehicles exiting the Sai Plaza driveway on Tranquility Lakes Boulevard were permitted to cross the southbound lanes into the path of vehicles turning south from Broadway.

As the shopping center exists today, there is no vehicular connectivity from the Sai Plaza center to the abutting commercial center.

STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit No. 2011-06 to allow the operation of a Restaurant in the Neighborhood Service (NS) district as proposed by the applicant and owner for the following reasons:

1. The proposed request should not have any significant negative impact on the surrounding properties and developments.
2. The proposed request would be in conformance with the Unified Development Code with the approval of a Conditional use Permit.
3. The proposed request would be in conformance with the Comprehensive Plan with the approval of a Conditional Use Permit.
4. The proposed request appears to be in conformance with the criteria of approval of a Conditional Use Permit listed in the Unified Development Code.

PLANNING AND ZONING COMMISSION DISCUSSION: At the regular meeting of the Planning and Zoning Commission on April 18, 2011, there was discussion regarding the basis for requiring a CUP for a restaurant, as well as ingress and egress concerns for the site. After the discussion, Commissioner Henry Fiertes made a motion to approve the Conditional Use Permit (CUP) and the motion was seconded by Commissioner Darrell Diggs. The vote was 4-0 and the motion passed.

STAFF RECOMMENDATION TO COUNCIL: Consider the conditional use permit.

ORDINANCE NO. 2000CUP-51

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, APPROVING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY, BEING A 0.9495 ACRE TRACT OF LAND SITUATED IN THE H.T. & B R.R. COMPANY SURVEY ABSTRACT 242 IN BRAZORIA COUNTY, TEXAS, BEING THE SAME TRACT OF LAND CONVEYED TO JOSEPH B BENES AND RECORDED IN VOLUME 408 PAGE 538 OF THE DEED RECORDS OF BRAZORIA COUNTY TEXAS LOCATED AT 7902/7904 BROADWAY, PEARLAND, TX (**CONDITIONAL USE PERMIT APPLICATION NO. CUP 2011-06**), TO ALLOW THE OPERATION OF A RESTAURANT, IN THE NEIGHBORHOOD SERVICE (NS) DISTRICT AT THE REQUEST OF SUDERSHAN JAMBULAPATI, APPLICANT, FOR GURU OM SAI, LLC., OWNER, CONTAINING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AN EFFECTIVE DATE AND OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS Sudershan Jambulapati, applicant, for Guru Om Sai, LLC., owner, filed an application for a Conditional Use Permit to allow the operation of a Restaurant, on certain property, said property being legally described in the original applications for amendment attached hereto and made a part hereof for all purposes as Exhibit "A", and more graphically depicted in the location map attached hereto and made a part hereof for all purposes as Exhibit "B"; and

WHEREAS, on the 18th day of April, 2011, a Joint Public Hearing was held before the Planning and Zoning Commission and the City Council of the City of Pearland, Texas, notice being given by publication in the official newspaper of the City, the affidavit of publication being attached hereto and made a part hereof for all purposes as Exhibit "C", said call and notice being in strict conformity with provisions of Section 1.2.2.2 of Ordinance No. 2000T; and

WHEREAS, on the 18th day of April, 2011, the Planning and Zoning Commission of the City submitted its report and recommendation to the City Council regarding the

ORDINANCE NO. 2000CUP- 51

proposed Conditional Use Permit application for Sudershan Jambulapati, applicant, for Guru Om Sai, LLC., owner, whereby the Commission recommended approval of the Conditional Use Permit, said recommendation attached hereto and made a part hereof for all purposes as Exhibit "D"; and

WHEREAS, upon receipt of the report from the Planning and Zoning Commission, the City Council considered this application and the recommendation of the Planning and Zoning Commission at a regular meeting on May 9, 2011; and

WHEREAS, the City Council, having fully heard the testimony and argument of all interested parties, and having been fully advised in the premises, finds that in the case of the application of Sudershan Jambulapati, applicant, for Guru Om Sai, LLC., owner, presented which, in the judgment of the City Council, would justify the approval of said application; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section I. The following described property located within the corporate limits of the City of Pearland, Texas, and presently classified as Neighborhood Service (NS), is hereby granted a Conditional Use Permit allow for the operation of a Restaurant in the Neighborhood Service (NS) zoning district; such property being more particularly described as:

Being a 0.9495 acre tract of land situated in the H.T. & B R.R. Company survey abstract 242 in Brazoria County, Texas, being the same tract of land conveyed to Joseph B Benes and recorded in volume 408 page 538 of the deed records of Brazoria County Texas – known as 7902/7904 Broadway, Pearland, TX

ORDINANCE NO. 2000CUP- 51

This Conditional Use Permit is for a Restaurant (With No Drive-In or Drive-Thru Service) as classified in the Land Use Matrix contained in the City's Unified Development Code.

Section II. The City Council of the City of Pearland finds and determines that the recitations in the preamble hereof are true and that all necessary prerequisites of law have been accomplished. The City Council further finds and determines that there has been compliance with the mandates of law in the posting and presentation of this matter to the Planning and Zoning Commission and to the City Council for consideration and decision.

Section III. The City Council of the City of Pearland finds and determines that the approval herein granted promotes the health, safety, and general welfare of the public and is a proper valid exercise of the City's police powers.

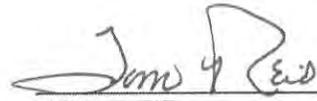
Section IV. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section V. All rights and remedies, which have accrued in the favor of the City under this Ordinance and its amendments thereto, shall be and are preserved for the benefit of the City.

ORDINANCE NO. 2000CUP-51

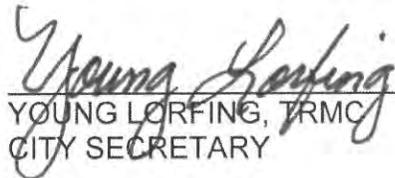
Section VI. This Ordinance shall become effective after its passage and approval on second and final reading.

PASSED, APPROVED, and ADOPTED on First Reading this 9th day of May, 2011.



TOM REID
MAYOR

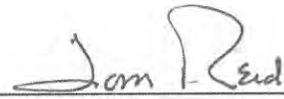
ATTEST:



YOUNG LORFING, TRMC
CITY SECRETARY

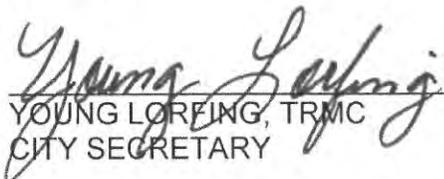


PASSED, APPROVED, and ADOPTED on Second and Final Reading this 23rd day of May, 2011.



TOM REID
MAYOR

ATTEST:



YOUNG LORFING, TRMC
CITY SECRETARY

APPROVED AS TO FORM:



DARRIN M. COKER
CITY ATTORNEY



CUP APPLICATION Page 1 of 6 (Updated June 2010)
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 CONDITIONAL USE PERMIT (CUP)

Conditional Use Permit Request for: Restaurant
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: Neighborhood service (NS)

Property Information:

Address or General Location of Property: 7902/4 BROADWAY
PEARLAND TX-77581

Tax Account No. 0242-0001-000
LEGAL A0242 HT & BKR BLOCK 1 TRACT A,
Subdivision: _____ Lot: _____ Block: 1

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

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

NAME GURU OM SAI LLC
ADDRESS 1214 IVORY MEADOW LN
CITY SUGAR LAND STATE TX ZIP 77479
PHONE (832) 724-7733 / 832 724 7733
FAX (281) 565-7699
E-MAIL ADDRESS PROFS789@AOL.COM

NAME SUDRISHAN JAMBULAPATI
ADDRESS 4606 SCHILLER PARK
CITY SUGAR LAND STATE TX ZIP 77479
PHONE (832) 877-6564
FAX (281) 565-7699
E-MAIL ADDRESS PROFS789@AOL.COM

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

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

Owner's Signature: J. Sudekhan Date: 3/2/2011

Agent's/
Applicant's Signature: J. Sudekhan Date: 3/2/2011

OFFICE USE ONLY:

FEES PAID: <u>250.00</u>	DATE PAID: <u>3/2/11</u>	RECEIVED BY: <u>KE</u>	RECEIPT NUMBER:
--------------------------	--------------------------	------------------------	-----------------

Application No. _____

APPLICATION CHECKLIST FOR THE FOLLOWING Conditional Use Permits (CUP)

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 contain 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 conditional use permit request in detail, specifying proposed uses, specific operations of the use, square footage of buildings, unique characteristics of the property, and any other necessary information

Application fee of \$250.00, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)

Site Plan or Plot Plan showing the proposed layout of the subject property, including any proposed buildings, parking, landscaped areas, detention ponds, fences, and any other relevant information

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.**

Ch.# 1069
3/2/14

3/2/2011

Map

Brazoria CAD

Property Search Results > Property ID 166350 GURU OM SAI LLC for Year 2010

Property Details

Account
Property ID: 166350
Geo ID: 0242-0001-000
Type: Real
A0242 HT & BRR
BLOCK 1
TRACT A,
7302 PM 518
ACRES
.9485

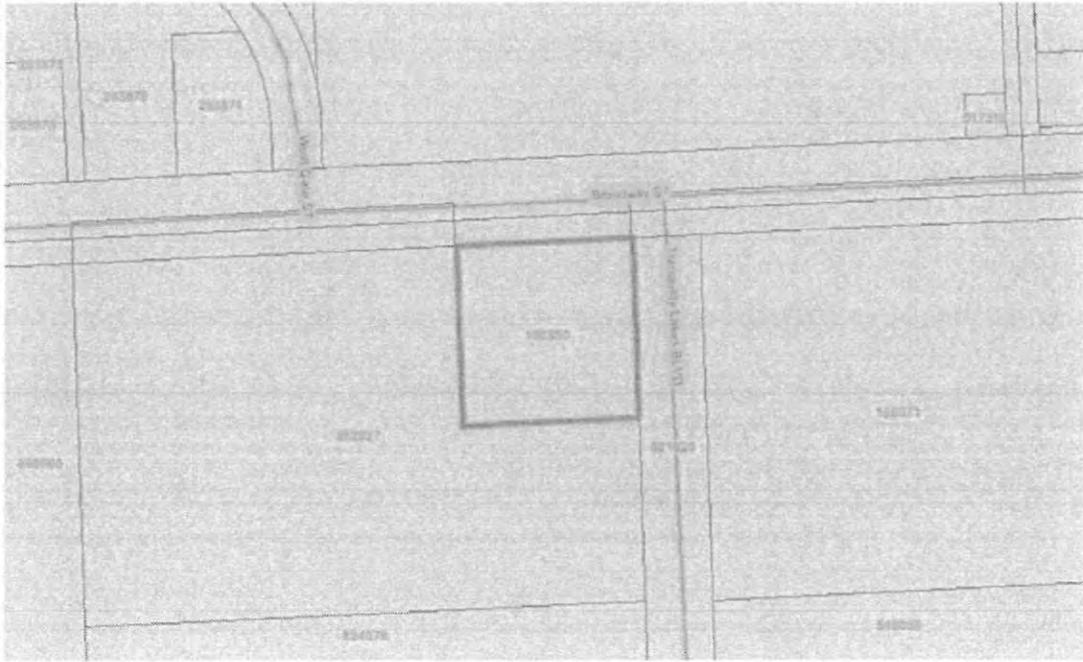
Location
Address: 7302 BROADWAY ST
PEARLAND,
COMM
ACCTS

Mapsco:
CAD, CRL
DIR, GBC,
RDB, SPL

Owner
Name: GURU OM
SAI LLC
Address: 1214 IVORY
MEADOW LN
SLUGAR
LAND, TX
77479-5457

Property
Appraised Value: \$533,170

1:



Map Layers

Radius Search

Website version: 1.2.2.0

Database last updated on: 2/25/2011 4:09 AM

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

Mr. Harold Ellis

Senior Planner

3/1/2011

3523 Liberty Drive

Pearland, Texas -77581

Guru Om Sai LLC

1214 Ivory Meadow Ln

Sugar Land, Texas-77581

Re: Sai Plaza, Conditional Use Permit for restaurant.

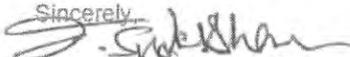
Mr. Ellis

We are intending to lease a 2400 Sq ft of space in Sai Plaza for a Restaurant. The Restaurant will be dining-in or Carryout and does not serve alcohol drinks. Sai Plaza is located on Broadway and will serve very well our Pearland Community.

I request you to grant us the needed conditional use permit and oblige.

Thanking You,

Sincerely,


Sudershan Jambulapati

CITY OF PEARLAND

R E P R I N T

*** CUSTOMER RECEIPT ***

Oper: CDUNN Type: OC Drawer: 1
Date: 3/02/11 @1 Receipt no: 141624

Description	Quantity	Amount
BA	BOARD OF ADJUSTMENTS	
	1.00	\$250.00
Trans number:		3285547

CUP
BURN ON 5A1 LLC
7502 ERDANWAY ST
SUDERSEHAN JAMSULAFATI
CDUNN

Tender detail		
CX CHECK	1000	\$250.00
Total tendered		\$250.00
Total payment		\$250.00

Trans date: 3/02/11 Time: 14:18:15

OFFICIAL TAX RECEIPT

ROVIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515
Account No: 0242-0001-000
Certified Owner: GURU OM SAI LLC
2010 VALUE: 533,170

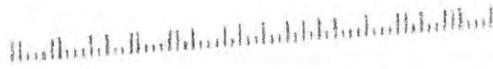
FIRST CLASS
U.S. POSTAGE PAID
PERMIT NO. 4
ANGLETON TX

A0242 H T & B R R BLOCK 1 TRACT A. 7902
FM 518 ACRES 9495

Jr	Year	Levy Paid
1	2010	1,490.98
9	2010	221.92
28	2010	5,250.04
54	2010	577.01
96	2010	2,460.05

P&I Parcel Address: 7902 BROADWAY
0.00 Legal Acres: 0.9495
0.00 Appr No: 166350
0.00 Deposit No: 01310083
0.00 Paid Date: 01/31/2011
0.00 Total Paid: \$10,000.00
Check No: 00094286
Exemption(s): NONE

GURU OM SAI LLC
1214 IVORY MEADOW LN
SUGAR LAND, TX 77479-5457



TAX RECEIPT



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

Certified Owner: _____

GURU OM SAI LLC
 1214 IVORY MEADOW LN
 SUGAR LAND, TX 77479-5457

Legal Description: _____

A0242 H T & B R R BLOCK I TRACT A, 7902
 FM 518 ACRES .9495

Parcel Address: 7902 BROADWAY
 Legal Acres: 0.9495

Remit Seq No: 18176792
 Receipt Date: 01/31/2011
 Deposit Date: 02/14/2011
 Print Date: 02/12/2011

Deposit No: 1104519C
 Validation No: 900000021376641
 Account No: **0242-0001-000**
 Operator Code: SQFI

Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2010	Brazoria County	533,170	0.403101	658.23	0.00	0.00	658.23
2010	Special Road & Bridge	533,170	0.060000	97.98	0.00	0.00	97.98
2010	Pearland Isd	533,170	1.419400	2,317.77	0.00	0.00	2,317.77
2010	Brazoria Drainage Dist 4	533,170	0.156000	254.74	0.00	0.00	254.74
2010	City Of Pearland	533,170	0.665100	1,086.06	0.00	0.00	1,086.06
				34,414.78	30.00	30.00	34,414.78

Check Number(s):
 1057

PAYMENT TYPE:

Checks: \$4,414.78

Exemptions on this property:

Total Applied: \$4,414.78
 Total Tendered: \$4,414.78
 (for accounts paid on 01/31/2011)
 Change Paid: \$0.00

ACCOUNT PAID IN FULL

PAYER:
GURU OM SAI LLC
 1214 IVORY MEADOW LN
 SUGAR LAND, TX 77479-5457

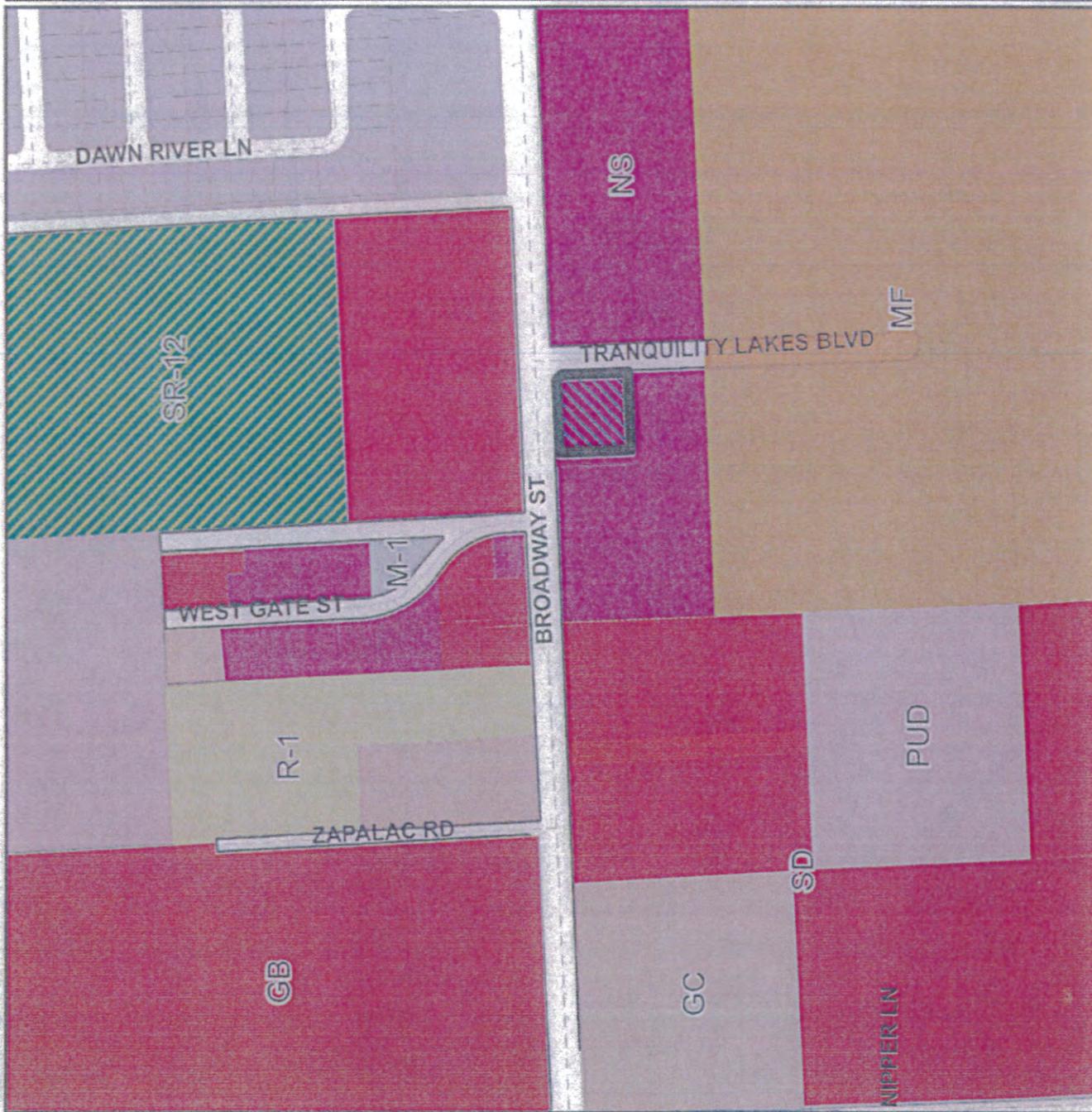
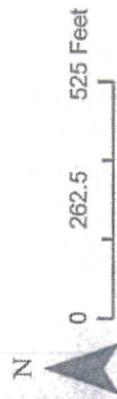
(979) 864-1320, (979) 388-1320, (281) 756-1320



Vicinity and Zoning Map

7902/7904 Broadway

CUP 2011-06



AFFIDAVIT OF PUBLIC

Exhibit "C"
Publications
Ordinance No. 2000CUP-51

The Pearland Reporter News
2404 Park Avenue
Pearland, Texas 77581

State of Texas
Brazoria and Harris Counties

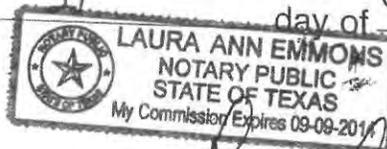
Lloyd Morrow, hereby certify that the notice hereby appended was published in
THE REPORTER NEWS, a newspaper of general circulation in Brazoria, Harris and
Galveston Counties, for 1 issues, as follows:

No. <u>1</u>	Date <u>3-30</u>	20 <u>11</u>
No. _____	Date _____	20 _____
No. _____	Date _____	20 _____
No. _____	Date _____	20 _____
No. _____	Date _____	20 _____

Lloyd Morrow
CFO

Subscribe and sworn to before me this 31 day of March

0.11



Laura Ann Emmons
Laura Ann Emmons, Publisher

Notary Public, State of Texas

CUP 2011-06

Published March 30 &
April 6, 2011

**NOTICE OF A JOINT
PUBLIC HEARING OF
THE CITY COUNCIL
AND THE PLANNING
AND ZONING COM-
MISSION OF THE CITY
OF PEARLAND,
TEXAS**

**CONDITIONAL
USE PERMIT NO.
CUP 2011-06**

Notice is hereby given
that on April 18, 2011, at
6.30 p.m., the City
Council and Planning
and Zoning Commission

LEGALS

of the City of Pearland,
in Brazoria, Harris and
Fort Bend Counties,
Texas, will conduct a
joint public hearing in
the Council Chambers
of City Hall, located at
3519 Liberty Drive,
Pearland, Texas, on the
request of Sudershan
Jambulapati, applicant,
for Guru Om Sai, LLC.,
owner, for approval of a
Conditional Use Permit
to allow for a Restaurant
in the Neighborhood
Service (NS) District, on
property located at
7902/7904 Broadway,
more specifically
described below:

BEING A 0.9495 ACRE
TRACT OF LAND SITU-
ATED IN THE H.T. & B
R.R. COMPANY SUR-
VEY ABSTRACT 242 IN
BRAZORIA COUNTY,
TEXAS, BEING THE
SAME TRACT OF
LAND CONVEYED TO
JOSEPH B BENES AND
RECORDED IN VOL-
UME 408 PAGE 538 OF
THE DEED RECORDS
OF BRAZORIA COUN-
TY TEXAS.

At said hearing, all inter-
ested parties shall have
the right and opportunity
to appear and be heard
on the subject. For addi-
tional information,
please contact the
Planning Department at
281-652-1768.

Harold Ellis
Senior Planner

P&Z AGENDA ITEM

E

DISCUSSION ITEMS

- 1. Commissioners Activity Report**
- 2. Organizational change**
- 3. P&Z Zoning Update**
- 4. Laptops**
- 5. Regional Plan for Sustainable Development, May 8, 2012**
- 6. Next P&Z Regular Meeting, May 21, 2012**
- 7. Two Joint Workshops, May 21, 2012**
 - a. Lower Kirby Urban Center**
 - b. Grand Avenue Plan**
- 8. No Joint Public Hearings, May 21, 2012**



Planning & Zoning Commission

Recommendation Letter

April 20, 2011

Honorable Mayor and City Council Members
3519 Liberty Drive
Pearland, TX 77581

Re: Recommendation on CUP 2011-06

Honorable Mayor and City Council Members:

At their meeting on April 18, 2011, the Planning and Zoning Commission considered the following:

A request of Sudershan Jambulapati, applicant, for Guru Om Sai, LLC., owner, for approval of a Conditional Use Permit to allow for a Restaurant in the Neighborhood Service (NS) District, on the following described property:

LEGAL DESCRIPTION: Being a 0.9495 acre tract of land situated in the H.T. & B R.R. company survey abstract 242 in Brazoria County, Texas, being the same tract of land conveyed to Joseph B Benes and recorded in volume 408 page 538 of the deed records of Brazoria County Texas

GENERAL LOCATION: 7902/7904 Broadway, Pearland Texas

After staff presentation and a discussion regarding the basis for requiring a CUP for a restaurant, as well as ingress and egress concerns for the site, Commissioner Henry Fuertes made a motion to approve the Conditional Use Permit (CUP). The motion was seconded by Commissioner Darrell Diggs. The vote was 4-0 and the motion passed.

Sincerely,

Harold Ellis, Senior Planner
On behalf of the Planning and Zoning Commission



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Harold Ellis, Senior Planner
DATE: April 23, 2012
AGENDA ITEM SUBJECT: 6 Month Zone Change and CUP Update

Old Business New Business Discussion Item Workshop

1. **Summary:** See attached spreadsheet.

2. **Staff Recommendation:** Provide feedback and questions to Staff.

Regular P&Z meetings are held on the first and third Monday of every month. This form must be received 6 calendar days prior to the meeting in order to be included on the agenda.

Zoning Update - November 2011 to April 2012

Zone Changes

Appl No	Property Owner, Applicant	Address or Location of Property	JPH	P & Z Meeting	P & Z Action	Current Zoning	Proposed Zoning	City Council Status
2012-01Z	Emil J. Hrbacek/Sherry L. Stockwell-Tarrer	8013 W. Broadway	1/16/2012	1/16/2012	Approval	R-1	GB	Approved
2012-02Z	Tom Alexander, Jr./J. Kent Marsh	2411 E. Broadway	1/16/2012	1/16/2012	Approval	GB	R-3	Approved
2012-03Z	Bonnie & Janice Howard/Louis McKinney	2406 Cullen	1/16/2012	1/16/2012	Approval	PD	PD	Approved
2012-04Z	Musgrave-Grohman Ventures/ Brandon Lee Investments/Alan Mueller	East and West Sides of Pearland Pkwy, North of Barry Rose - Stonebridge Planned Development	4/16/2012	4/16/2012	Approval	PD	PD	In Process
CUP's								
Appl No	Property Owner, Applicant	Proposed Use	Address or Location of Property	JPH	P & Z Meeting	P & Z Action	Current Zoning	City Council Status
CUP 2011-10	Mrs. Dale Pillow/Adult Reading Center	Inst of Religious, Edu, or Philanthropic Nature	2246 N. Washington	9/19/2011	9/19/2011	Approval	OTR	Approved
CUP 2011-11	Rec Time, RV/Ed Weatherall	Travel Trailer/RV Park/Campground (Short/Long T.)	2850 S. Sam Houston Pkwy	9/19/2011	9/19/2011	Approval	GC	Approved
CUP 2011-12	Esteban V. Rodriguez	Minor Auto Repair	7900 Block Broadway	11/21/2011	11/21/2011	Approval	GB	Approved
CUP 2011-13	Piper Precision/R D Homes	Servent, caretakers, or Security Quarters	4155 S. Main Street	11/21/2011	11/21/2011	Withdrawn	M1	Withdrawn
CUP 2012-02	Lee Mehta/Terri Lera	Expansion of existing Auto Sales/Dealer	5719 Broadway	4/16/2012	4/16/2012	In Process	GC	In Process



REMINDER

Public Open House

Tuesday, May 8, 2012

Glenda Dawson High School

2050 Cullen Boulevard

Pearland, Texas

6:00 p. m. – 7:30 p.m.

There will be a 15-minute presentation at 6:15 p.m. and at 7:00 p.m., but you may come at any time during the time period shown above.

What the meeting is about:

The Houston Galveston region is expected to be home to 4 million new residents in the next 30 years. Where will those residents live? How will this change affect quality of life? How will they get around? The **Houston Galveston Regional Plan for Sustainable Development** is an important chance to look forward and find ways to keep your community prosperous, healthy and attractive for generations to come.

The 13-county **Regional Plan for Sustainable Development** will explore opportunities to improve the region's most important resources, including clean air and water, good jobs, safe and attractive neighborhoods, affordable housing, transportation choices, and open spaces and parks. This effort is being led by a partnership of 25 organizations, including Houston-Galveston Area Council member governments, non-profit organizations, academic institutions, and other partners.

Please make plans to attend this important public meeting, which is co-sponsored by the **Houston-Galveston Area Council** and 25 partner organizations, along with the **Pearland Development Project, Inc.** *Additional information about this effort can be found at www.ourregion.org.*

**ADJOURN
MEETING**