

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

SEPTEMBER 17, 2012

6:30 p.m.

Henry Fuertes
P&Z CHAIRPERSON

Linda Cowles
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Neil West

Ginger McFadden



Daniel Tunstall

Matthew Hanks

Mary Starr

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, SEPTEMBER 17, 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 August 20, 2012, p.m. P&Z Regular Meeting, held at 6:30 p.m.

III. EXCUSE ABSENCE

Excuse the Absence of P&Z Chairperson Henry Fuertes and P&Z Commissioner Matthew Hanks from the P&Z Regular Meeting, held on August 20, 2012.

IV. NEW BUSINESS

A. ZONE CHANGE APPLICATION NO. 2012-08Z

A request of Alan Mueller, applicant, on behalf of S. E. Cemeteries of Texas, Inc., owner, for approval of a zone change from the General Commercial (GC) and Single Family Residential-1 (R-1) zone to the Single Family Residential-2 (R-2) zone for 67.4 acres on the following described property, to wit:

Legal Description: Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69, and 94 of the W. Zychlinski Subdivision of record in Volume 29, Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.)

General Location: East and West sides of Old Alvin Road, north of McHard

B. ZONE CHANGE APPLICATION NO. 2012-09Z

A request of Chris Lesak, applicant, on behalf of Vivien Naeve, owner, for approval of a zone change from the Neighborhood Service (NS) zone to the Single Family Residential-1 (R-1) zone for 18.26 acres on the following described property, to wit:

Legal Description: All of that certain 18.26 acres of land out of the 18.284 acre tract described in the deed from Dan Michael Worrall, Et. Ux. To Vivien Naeve recorded under document No. 2004 018266, In the Official Records of

Brazoria County, Texas

General Location: East of the northeast corner of Pearland Pkwy and John Lizer Road

C. CONSIDERATION & POSSIBLE ACTION – REPLAT OF CROSSPOINT CHURCH

Decision
Date
09/20/12

A request by Aaron Bourgeois of Lentz Engineering, L.C., applicant, on behalf of Crosspoint Fellowship, owner, for approval of a Replat Plat of Crosspoint Church generally located at the 1100 Block of Old Alvin Road south of Hickory Slough on the following described property, to wit

Being 32.0019 acres of land being a partial replat of R.B. Lyle Survey Lots 72, 73, and 77, Block 1 Zychlinski Subdivision as recorded in Volume 23, Page 49 Brazoria County Deed Records. Also being a replat of Final Plat Crosspoint Fellowship Church as recorded in Volume 22, Pages 53-54, Brazoria County Deed Record located in the R.B. Lyle Survey, Abstract No. 542 and the H.T. & B.R. Co. Survey Abstract No. 233 City of Pearland Brazoria County, Texas.

D. CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF SAVANNAH MEADOWS SECTION TEN

Decision
Date
09/20/12

A request by Christy Smidt of Kerry Gilbert & Associates, applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Savannah Meadows Section Ten, generally located at the Southeast corner of Post Road (CR 58) and Linden Creek Lane, proposing a 26 single-family residential subdivision on the following described property, to wit

Being 10.2 acres of land located in the A.C.H.& B. Survey, Abstract 403 and J.S. Tamage Survey, Abstract 562, Brazoria County Texas, more particularly being a portion of the residue of a called 161.450 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.

E. CONSIDERATION & POSSIBLE ACTION – REQUEST FOR A WAIVER OF DECISION FOR FINAL PLAT OF SAVANNAH MEADOWS SECTION NINE

A request by LJA Engineering, INC., applicant, on behalf of Savannah Development, LTD, owner for approval of a Waiver of Decision on the Final Plat of Savannah Meadows Section 9, to allow time to resolve inspection fees with the city. The site is located between Post Rd. (CR 58) and Savannah Bend Dr. and is approximately 6.073 acres on the following described property, to wit

Being 6.073 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 161.450 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.

F. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SAVANNAH MEADOWS SECTION NINE

Decision
Date
09/20/12

A request by LJA Engineering, INC., applicant, on behalf of Savannah Development, LTD, owner for approval of the Final Plat of Savannah Meadows Section 9, located between Post Rd. (CR 58) and Savannah Bend Dr. encompassing approximately 6.073 acres on the following described property, to wit

Being 6.073 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 161.450 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.

G. CONSIDERATION & POSSIBLE ACTION – REQUEST FOR A WAIVER OF DECISION FOR FINAL 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 Waiver of Decision for Final Plat of 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.

H. CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF SOUTHERN TRAILS SECTION TWELVE

Decision
Date
09/20/12

A request by Kerry R. Gilbert and Associates, applicant, on behalf of C.L. Ashton Woods, LP, owner for approval of the Final 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.

I. CONSIDERATION & POSSIBLE ACTION - Proposed Comprehensive Plan Amendment - Grand Avenue Plan

J. CONSIDERATION & POSSIBLE ACTION - Proposed Comprehensive Plan Amendment – Lower Kirby Urban Center

K. DISCUSSION ITEMS

1. Commissioners Activity Report
2. P&Z Strategic Plan
3. 2012 Texas APA Planning Excellence Award
4. Next P&Z Regular Meeting, October 1, 2012

V. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfinq 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 14th day of September 2012, A.D., at 5:30 p.m.

Judy Brown, Office Coordinator

Agenda removed _____ day of August, 2012.

APPROVAL

OF

MINUTES

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD AUGUST 20, 2012 AT 6:30 P.M., IN THE 2ND FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

P&Z Vice-Chairperson Linda Cowles called the meeting to order at 8:38 p.m. with the following present:

P&Z Vice-Chairperson Linda Cowles
P&Z Commissioner Neil West
P&Z Commissioner Ginger McFadden
P&Z Commissioner Mary Starr
P&Z Commissioner Daniel Tunstall

Also in attendance were: City Planner Harold Ellis, Planner II Ian Clowes, Deputy City Attorney Nghiem Doan, Assistant City Engineer Richard Mancilla, Director of Community Development Lata Krishnarao, and Office Coordinator Judy Brown.

APPROVAL OF MINUTES

P&Z Commissioner Mary Starr made the motion to approve the minutes of the P&Z Regular Meeting of August 6, 2012, and P&Z Commissioner Daniel Tunstall seconded.

The vote was 5-0. The minutes of the P&Z Regular Meeting of August 6, 2012 were approved.

EXCUSE ABSENCE

P&Z Commissioner Neil West made the motion to approve the excused absence of P&Z Commissioner Linda Cowles from the P&Z Regular Meeting of July 16, 2012, and P&Z Commissioner Mary Starr seconded.

The vote was 5-0. The excused absence of Linda Cowles from the P&Z Regular Meeting of July 16, 2012 was approved.

NEW BUSINESS

CONSIDERATION & POSSIBLE ACTION - ZONE CHANGE APPLICATION NO. 2012-05Z

A request of Daniel Frayne, applicant, on behalf of JDI Ventures, Inc., owner, for approval of a zone change from the Spectrum District (District S5) (SP5) zone to the Light Industrial (M-1) zone for 17.7063 acres on the following described property, to wit:

Legal Description: Being a 17.7063 acre (771,287 square feet) tract of land out of the R. T. Blackburn Survey, Abstract 160, Harris County, Texas; and being out of and a portion of Lot 22 and Lot 30 of the Orchard Ridge Addition to Almeda as recorded by plat filed in Volume 64, page 7 of the Deed Records of Harris County, Texas; and being all of and the same as the certain called 7.410 acre tract of land and all of and the same as the certain called 0.400 acre tract of land, both as conveyed to CSBWMD All Terrain Vehicles, Inc., in Warranty Deed dated September 18, 1989, as recorded in File Number M-327774 of the Clerk's Files of Harris County, Texas; and being all of the same as that certain called 9.896 acre tract of land as conveyed to CSBWMD All Terrain Vehicles, Inc., in Warranty Deed dated September 18, 1989, as recorded in File Number M-327773 of the Clerk's Files of Harris County, Texas

General Location: 322 Riley Road, Pearland, TX

City Planner Harold Ellis read the staff report stating staff was not in favor of the zone change.

There was discussion regarding the condition of existing improvements on the property, how approval of a zone change may not necessarily change improvements that would be required to redevelop the site, annexation history and initial zoning of the property. Also discussed was the option of the applicant requesting a Special Exception from the Zoning Board of Adjustment to operate a nonconforming use on the property and that process and timeframe; as well as, the Boards ability to approve a Special Exception with conditions of approval which could potentially change the development requirements, and the property would be required to come into compliance as it is redeveloped. Discussion ensued regarding differences in allowable uses in the SP5 versus M-1 zoning district. The Commission also discussed potential life/safety code updates which may be triggered for redevelopment or reuse of the property not wanting to allow all the uses permitted in the M-1 zoning district to occur on this property, as well as the fact that the zone change would run with the property until changed again by Council, rather than the current land owner or any potential uses currently being considered.

Mr. John Wilhoite spoke as someone familiar with the owner of the property. He stated the company folded due to the economy. He stated there is a buyer interest in the property with M-1 use, and would comply with the landscaping, and façade improvement to the front.

P&Z Commissioner Ginger McFadden inquired if the Commission voted to deny, would it go straight to the Zoning Board of Adjustments (ZBA). City Planner Harold Ellis stated it would still go to City Council for a vote, and then the applicant could make application to the ZBA.

P&Z Commissioner Neil West made a motion to approve the Zone Change, and was seconded by P&Z Commissioner Daniel Tunstall.

The vote was 1 to 4. The motion failed for Zone Change Application No. 2012-05Z.

CONSIDERATION & POSSIBLE ACTION - ZONE CHANGE APPLICATION NO. 2012-06Z

A request of South Park Funeral Home, owner and applicant, for approval of a zone change from the Light Industrial (M-1) zone to the General Commercial (GC) zone for 103.6405 acres on the following described property, to wit:

Legal Description: A survey of two tracts of land being a 101.1405 acre tract out of lots 64 & 74 of the W. Zychlinski Subdivision located in Section 2 of the H. T. & B. R. R. Co. Survey, A-542 and out of lots 70, 75, & 79 of the W. Zychlinski Subdivision located in Section 3 of the H. T. & B. R. R. Co. Survey, A-232 and a tract of land being a 2.500 acre tract out of lot 64 of the W. Zychlinski Subdivision located in Section 2 of the H. T. & B. R. R. Co. Survey, A-542, Brazoria County, Texas

General Location: 1310 N. Main, Pearland, TX

City Planner Harold Ellis made the staff presentation.

There was no discussion among the Commission or staff.

P&Z Commissioner Ginger McFadden made the motion to approve the zone change, and was seconded by P&Z Commissioner Daniel Tunstall.

The vote was 5-0. Zone Change Application No. 2012-06Z was approved.

CONSIDERATION & POSSIBLE ACTION - ZONE CHANGE APPLICATION NO. 2012-07Z

A request of Kerry Gilbert & Associates, applicant, on behalf of Beltway 23, Ltd., owner, for approval of a zone change from the Suburban Development (SD) zone to the General Business (GB) zone for 20.3 acres on the following described property, to wit:

Legal Description: The herein described 20.3 acres, more or less, being generally located in Section 80, J. S. Talmage Survey Abstract 564, Brazoria County, Texas; the south line being along the south line of Lot 2, Section 80, J. S. Talmage Survey, Abstract 564 according to the plat thereof as filed in Volume 2, Page 98 Brazoria County Plat Records; the west line being the east line of City of Pearland Ordinance No. 1035; the north line being the south right-of-way line of County Road 92 and the extension of City of Pearland Ordinance 924 and the east line being the west line of City of Pearland Ordinance No 924; All that certain 20.3 acres, more or less, annexed into

the City of Pearland by Pearland Ordinance 1465 and being all of Lots 1 & 2, Section 80, J. S. Talmage Survey, Abstract 564.

General Location: Southeast corner Broadway/Kingsley

City Planner Harold Ellis stated the applicant had withdrawn their application for a zone change, and would submit for a Planned Development.

No action was needed due to withdrawal.

CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF THE PRESERVE AT HIGHLAND GLEN SECTION 2

A request by Christy Smidt, from Kerry Gilbert & Associates, applicant, on behalf of Beazer Homes, owner, for approval of a Preliminary Plat of Preserve at Highland Glen, Sec. 2, a 143 lot single-family residential subdivision, to wit

Legal Description: Being 36.5 acres of land located in the Derril H.M. Hunter Survey, Abstract 36, Harris County, Texas, more particularly being a portion of a called 56.233 acre tract conveyed to Beazer Homes Texas, L.P., by an instrument of record in File No. 20110092185, Official Public Records of Said Harris County, Texas (H.C.O.P.R.R.P.), being a portion of a called 61.217 acre tract conveyed to Beazer Homes Texas, L.P., by an instrument of record in File No. 20110092165, H.C.O.P.R.R.P., an undivided one-half (1/2) interest in said 56.233 acres and said 61.217 acres conveyed to Lennar Homes of Texas Land and Construction, Ltd by instrument of record in File No. 20110407994, H.C.O.P.R.R.P.

General Location: A half mile northeast of the intersection of Barry Rose and Pearland Parkway.

Planner II Ian Clowes read the staff report stating staff recommends with staff comments.

Applicant Christy Smidt of Kerry Gilbert & Associates spoke about the details of the amenities.

There was brief discussion among the Commission and staff.

P&Z Commissioner Neil West made a motion to approve with the following conditions, and was seconded by P&Z Commissioner Mary Starr

- 1) All amenities, except for city trail, in Phase 1 and 2 be fully complete and operational
- 2) A plan be submitted outlining completion of city approved trail along Clear Creek

The vote was 5-0. The Preliminary Plat of the Preserve at Highland Glen Section 2 was approved with the following conditions:

- 1) All amenities, except for city trails, in Phase 1 and 2 be fully complete and operational
- 2) A plan be submitted outlining completion of city approved trail along Clear Creek

CONSIDERATION & POSSIBLE ACTION – APPEAL OF TREE DISPOSITION PLAN AT 2415 BROADWAY STREET

A request by Kent Marsh, applicant, on behalf of Tom Alexander, Jr., owner, to Appeal a Tree Disposition Plan, pursuant to Section 4.2.3.5 (e), for property located at 2415 Broadway, further described as:

Legal Description: Minor Plat of Alexander Estates, A subdivision of 14.576 acres in the W.D.C. Hall Survey, A-70, City of Pearland, Brazoria County, Texas

General Location: 2415 Broadway, Pearland, TX

Planner II Ian Clowes stated the request for an Appeal of Tree Disposition Plan at 2415 Broadway had been withdrawn.

No action was needed due to withdrawal.

DISCUSSION ITEMS

1. Commissioners Activity Report – there was no discussion.
2. P&Z Strategic Plan – City Planner Harold Ellis spoke briefly that this item would be on a future agenda.
3. Upcoming Guest Speakers – City Planner Harold Ellis stated staff is working on lining up guest speakers. Commissioner Neil West asked that the City Engineer speak with regards to traffic and TIA's. Commissioner West also requested to have the Master Trails Plan discussed.
4. No P&Z Regular Meeting, September 3, 2012 – due to city Holiday
5. Next JPH, September 17, 2012

ADJOURNMENT

P&Z Vice-Chairperson Linda Cowles adjourned the P&Z Regular Meeting at 9:40 p.m.

These minutes are respectfully submitted by:

Judy Brown, Planning Office Coordinator

Minutes approved as submitted and/or corrected on this 17th day of September 2012,
A.D.

Linda Cowles, P&Z Vice-Chairperson

AGENDA ITEM III.

EXCUSE ABSENCES



Re: P&Z Agenda Packets
henryahoo

to:
JBrown@ci.pearland.tx.us
08/19/2012 05:34 AM

Cc:
"nwest0290@att.net", "g.h.mcfadden@gmail.com", "starr.mary@yahoo.com", Linda Cowles, "matt@matthankslaw.com", "dmtunstall@gmail.com", "Harold_Ellis/COP@ci.pearland.tx.us"
Show Details

Sorry to tell you all that I will be out of town for Mondays meeting. I will review the materials & send my comments to Linda & Harold.

My apologies for missing. I don't make it a habit to miss P&Z meetings.

Henry Fuertes

281-451-7827

Henryahoo@aol.com

--Sent from my iPhone--

On Aug 17, 2012, at 6:27 PM, JBrown@ci.pearland.tx.us wrote:

The Agenda packet for August 20, 2012 has been downloaded to the ftp site for you to view and download.

The P&Z Regular Meeting, Joint Public Hearings and Workshops are all posted for 6:30 p.m., Attached is a summary detailing the order in which the meetings will take place.

In this email, only the agendas are being attached. The entire packet will be downloaded on USB drives for you to download at the meeting.

Have a great weekend and we will see you Monday night.

Judy (Krajca) Brown
Office Coordinator
Community Development Department
City of Pearland
(281) 652-1768

<August 20 2012 JPH Agendas.pdf>

<August 20 2012 PZ Workshops.pdf>

<August 20, 2012 P&Z Agenda.pdf>

<SUMMARY.doc>



Fw: P&Z Agenda Packets
Harold Ellis
to:
Judy Brown
09/14/2012 12:13 PM
Show Details

Harold Ellis
City Planner
City of Pearland
281.652.1742 tel
281.652.1702 fax



----- Forwarded by Harold Ellis/COP on 09/14/2012 12:13 PM -----

From: Matthew Hanks <matth@matthhanks.com>
To: "henryahoo@aol.com" <henryahoo@aol.com>
Cc: "JBrown@ci.pearland.tx.us" <JBrown@ci.pearland.tx.us>, "nwest0290@att.net" <nwest0290@att.net>, "g.h.mcfadden@gmail.com" <g.h.mcfadden@gmail.com>, "starr.mary@yahoo.com" <starr.mary@yahoo.com>, Linda Cowles <lcowles1@att.net>, "dmtunstall@gmail.com" <dmtunstall@gmail.com>, "Harold_Ellis/COP@ci.pearland.tx.us" <Harold_Ellis/COP@ci.pearland.tx.us>
Date: 08/20/2012 05:03 PM
Subject: Re: P&Z Agenda Packets

I am sorry for the late notice, however I have become ill and unable to make it to our p&z meeting.

Sorry for the absence.

Matt

Sent from my iPad

On Aug 19, 2012, at 5:34 AM, henryahoo@aol.com wrote:

Sorry to tell you all that I will be out of town for Mondays meeting. I will review the materials & send my comments to Linda & Harold.

My apologies for missing. I don't make it a habit to miss P&Z meetings.

Henry Fuertes
281-451-7827
Henryahoo@aol.com
--Sent from my iPhone--

On Aug 17, 2012, at 6:27 PM, JBrown@ci.pearland.tx.us wrote:

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Have a great weekend and we will see you Monday night.

Judy (Krajca) Brown
Office Coordinator
Community Development Department
City of Pearland
(281) 652-1768

<August 20 2012 JPH Agendas.pdf>
<August 20 2012 PZ Workshops.pdf>
<August 20, 2012 P&Z Agenda.pdf>
<SUMMARY.doc>

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 SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

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

ZONE CHANGE APPLICATION NO. 2012-08Z

A request of Alan Mueller, applicant, on behalf of S. E. Cemeteries of Texas, Inc., owner, for approval of a zone change from the General Commercial (GC) and Single Family Residential-1 (R-1) zone to the Single Family Residential-2 (R-2) zone for 67.4 acres on the following described property, to wit:

Legal Description: Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69, and 94 of the W. Zychlinski Subdivision of record in Volume 29, Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.)

General Location: East and West sides of Old Alvin Road, north of McHard

- 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 SEPTEMBER 17, 2012

Zone Change No. 2012-08Z

A request of Alan Mueller, applicant, on behalf of S. E. Cemeteries of Texas, Inc., owner, for approval of a zone change from the General Commercial (GC) and Single Family Residential-1 (R-1) zone to the Single Family Residential-2 (R-2) zone for 67.4 acres on the following described property, to wit:

Legal Description: Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69, and 94 of the W. Zychlinski Subdivision of record in Volume 29, Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.)

General Location: East and West sides of Old Alvin Road, north of McHard

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

Planning and Zoning Commission: September 17, 2012*
City Council for First Reading: October 8, 2012*
City Council for Second Reading: October 22, 2012*

(*dates subject to change)

SUMMARY: Alan Mueller, applicant, on behalf of S. E. Cemeteries of Texas, Inc., owner, is requesting approval of a zone change from the General Commercial (GC) and Single Family Residential-1 (R-1) zone to the Single Family Residential-2 (R-2) zone. The property is currently undeveloped, and includes 13.6 acres of land on the east side of Old Alvin Road, north of McHard, that is currently zoned Single-Family Residential-1 (R-1) and 53.8 acres of land on the west side of McHard Road currently zoned General Commercial (GC). The applicant would like to rezone the entire property to Single-Family Residential-2 (R-2), and has indicated that if the zone change is approved, they will be submitting a subsequent Cluster Development plan for the entire property.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	General Business (GB) and Single-Family Residential-2	Church/undeveloped
South	General Commercial (GC) and Single-Family Residential-1 (R-1)	Undeveloped
East	Single-Family Residential-1 (R-1)	Undeveloped
West	General Commercial (GC)	Undeveloped

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): As previously mentioned, the property is currently zoned General Commercial (GC) and Single-Family Residential-1 (R-1). At this time it appears that all bulk regulations set forth in the Unified Development Code are met for the existing zoning districts, as well as the proposed zoning District of Single-Family Residential-2 (R-2), based on the size of the property. A comparison of the of the R-1 and R-2 zoning district is listed below:

	<u>R-1</u>	<u>R-2</u>
Lot Area	8,800 Sq. Ft.	7,000 Sq. Ft.
Lot Width	80'	70'
Lot Depth	90'	90'
Density	3.2 Units/acre	4.0 Units/acre

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

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current Comprehensive Plan (latest update in 2009) indicates *Low Density Residential* for the subject property. As indicated by the Comprehensive Plan, corresponding zoning districts for *Low Density Residential* are Residential Estate (RE) and Single-Family Residential-1 (R-1). The requested zoning of Single-Family Residential-2 (R-2) would be consistent with the Comprehensive Plan's classification of *Medium Density Residential*. Prior to the 2004 update of the Comprehensive Plan, the *Low Density Residential* classification included RE, R-1, and R-2 as appropriate corresponding zoning districts. However, following Councils direction at the time of the 2004 update, the R-2 corresponding classification was moved to *Medium Density Residential*. Therefore, this request would not be in conformance with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Old Alvin Road road, a major collector, with a minimum of 80' right-of-way.

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

sewer.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: If the zone change is approved, it may result in potentially negative impacts on the subject property as well as surrounding and nearby properties. The main impact identified at this time would be development of smaller lots than have been planned for this area, based on the Current Comprehensive Plan.

A Traffic Impact Analysis (TIA) may be required at the time of subdivision plat review by the City's Engineering department to determine if there are any potentially negative traffic impacts anticipated as a result of the proposed development at that time. Mitigation measures that are deemed necessary as a result would be responsibility of the applicant to implement.

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.

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

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

STAFF RECOMMENDATION: Staff is unable to recommend approval of Zone Change 2012-08Z as proposed by the applicant for the following reasons and with the following conditions:

1. The property appears to be able to be developed in conformance with the Future Land Use Plan.
2. The proposed zone change will not bring the property into compliance with the latest approved Future Land Use Plan.
3. Approval of the zone change would not be in conformance with the surrounding zoning.
4. The proposed zone change may negatively impact on the surrounding properties and developments.

SUPPORTING DOCUMENTS:

- Proposed Planned Development Amendment
- 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



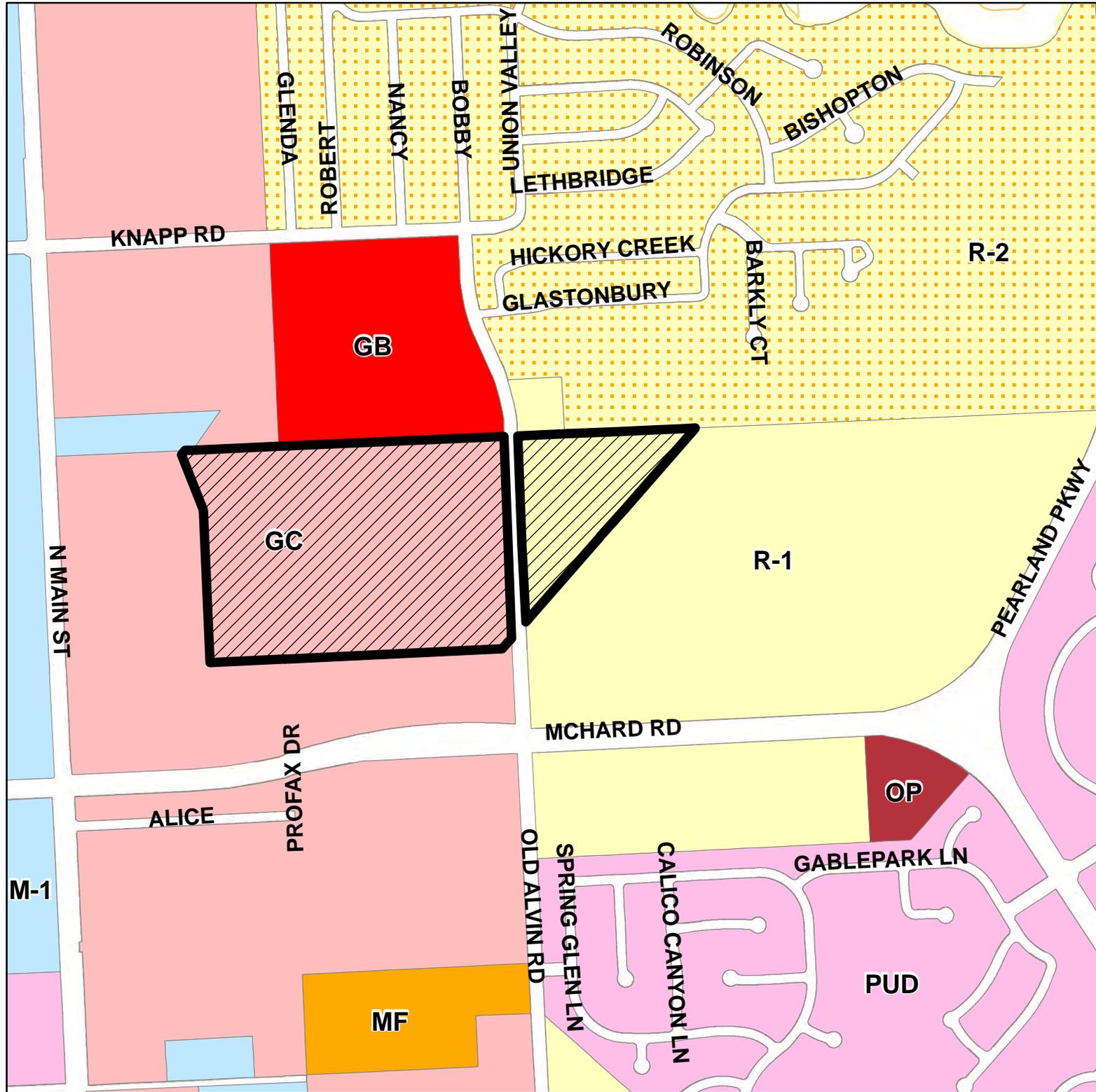
Vicinity and Zoning Map

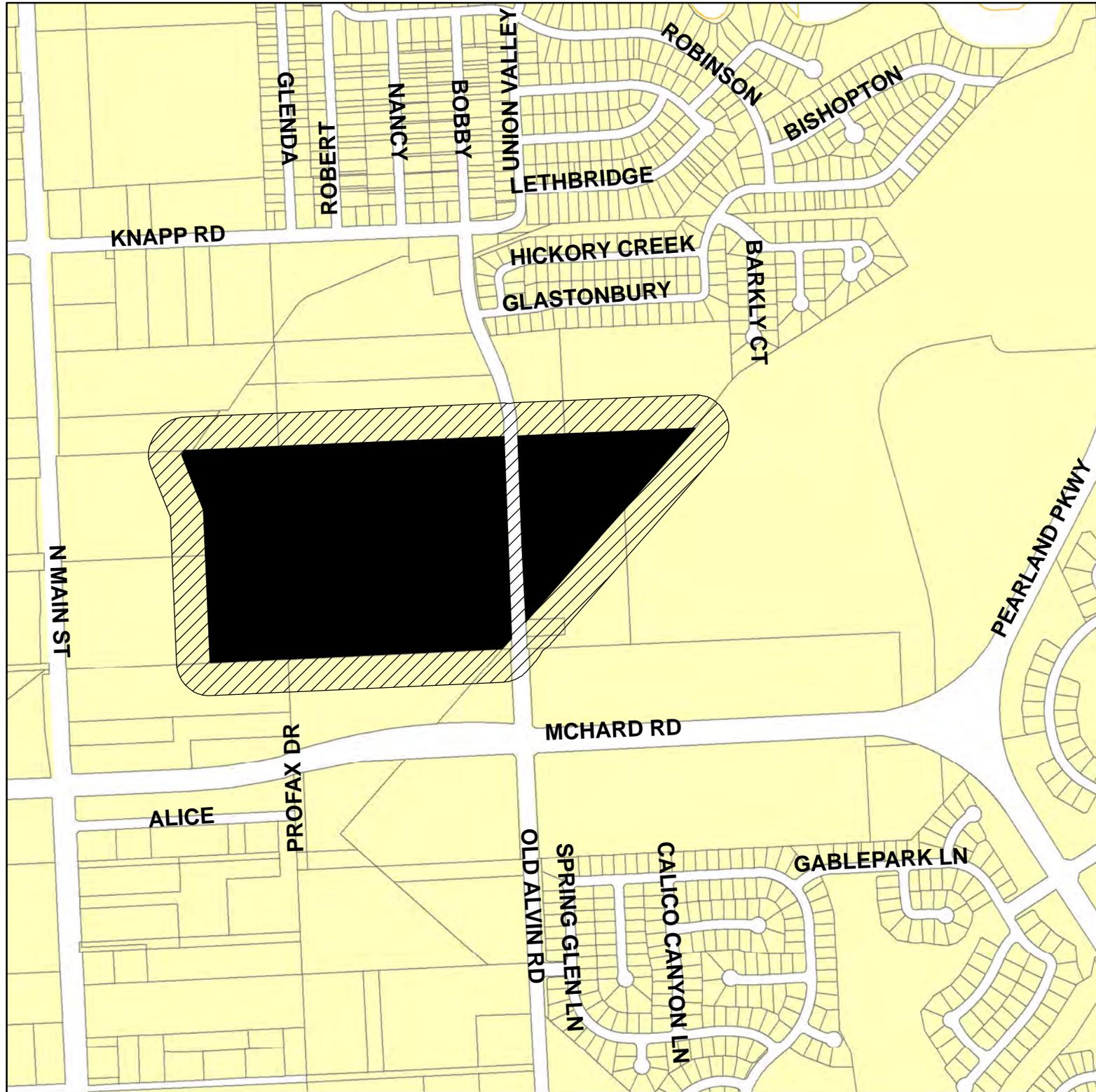
Zone Change 2012-08Z

Old Alvin Road North of McHard

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

N



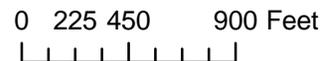


Abutter Map

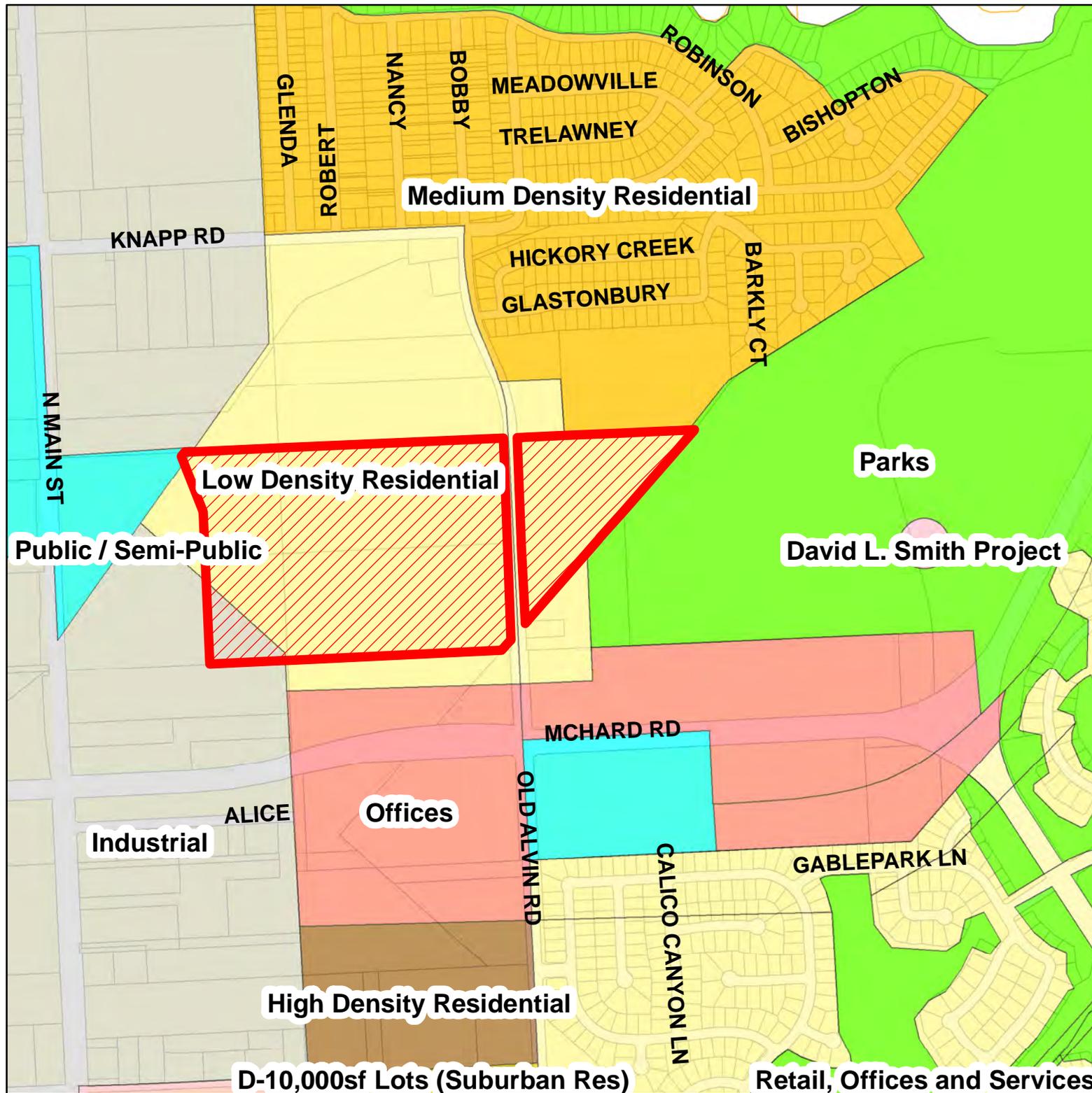
Zone Change 2012-08Z

Old Alvin Road North of McHard

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



Owner	Address	City	State	Zip
CROSSPOINT FELLOWSHIP RESTLAND OF DALLAS, C/O CHRIS THREADGILL	1134 OLD ALVIN RD	PEARLAND	TX	77581
THE CHURCH FOR ALL PEOPLE MACKIN JOSEPH L	13005 GREENVILLE AVE PO BOX 752343	DALLAS HOUSTON	TX TX	75243-1916 77275-2343
MCHARD INTERESTS LTD HAIRSTON BETTIE RAE	1511 OLD ALVIN RD 9525 KATY FWY STE 130	PEARLAND HOUSTON	TX TX	77581-3005 77024-1434
BERNAL FRANCISCO	PO BOX 1608 6141 GRIGGS RD	MONTGOMERY HOUSTON	TX TX	77356-1608 77023
AS ACQUISITION CORP C/O JACOBSEN RICK ALAN MUELLER	1323 N MAIN ST 4201 BROADWAY	PEARLAND PEARLAND	TX TX	77581-2224 77581
S. E. CEMETERIES OF TEXAS C/O ROBERT C MURRAY C MURRAY	523 S. MAIN ST	GRAPEVINE	TX	76051



FLUP Map

Zone Change 2012-08Z

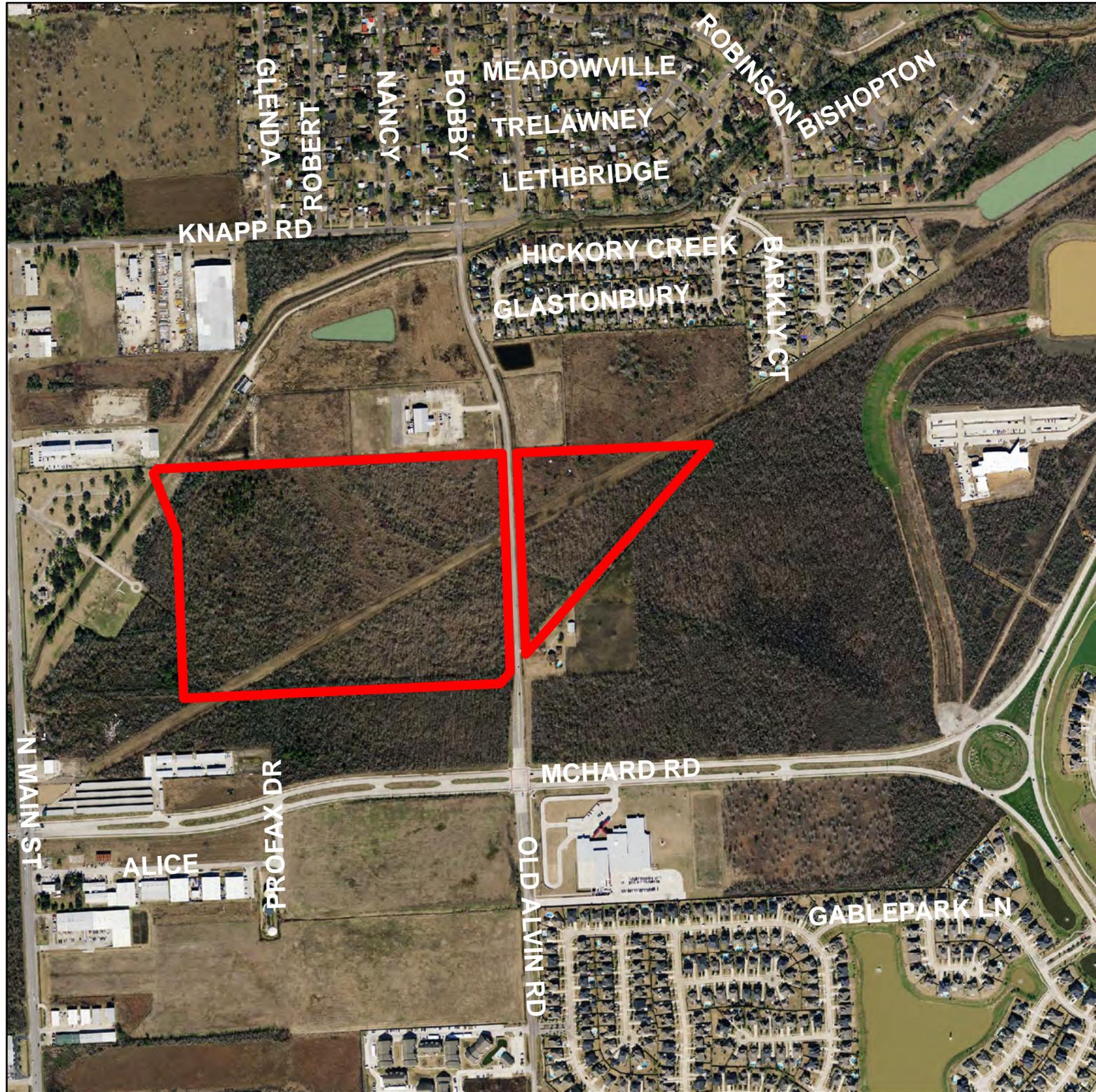
**Old Alvin Road
North of McHard**

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

N

0 225 450 900 Feet





Aerial Map

Zone Change 2012-08Z

**Old Alvin Road
North of Mchard**

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

0 210 420 840 Feet





APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: GC, R1

Proposed Zoning District: R2

Property Information:

Address or General Location of Property: Both sides of old Alvin Road,
North of McHard Road

Tax Account No. Property ID #: 165790, 165788, 165787, 1771A5

Subdivision: Abstract 233, HT & BRR Survey Lot: 62, 63, 68, 69, 94 Block: _____

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

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

NAME S.E. Cemeteries of Texas Inc/ Robert C. Murray, Pres
ADDRESS 523 S. Main St
CITY Grapevine STATE TX ZIP 76051
PHONE (281) 733-9196
FAX () _____
E-MAIL ADDRESS RCMurray@stei.com

NAME Alan Mueller
ADDRESS 4201 Broadway
CITY Pearland STATE TX ZIP 77581
PHONE (281) 412 9210
FAX (281) 412 9060
E-MAIL ADDRESS alaneg@metexas.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: [Signature] Date: 8/14/12

Agent's/Applicant's Signature: [Signature] Date: 8/16/12

OFFICE USE ONLY:

FEES PAID: <u>375-</u>	DATE PAID: <u>8/17/12</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>303852</u>
------------------------	---------------------------	---------------------------------	-------------------------------

Application No. 2012-082

Designated Agent Letter

**(with documentation of name change of
property owner from “Restland of Dallas”
to “S.E. Cemeteries of Texas”)**

Lata Krishnarao
Director of Planning
City of Pearland
3519 Liberty Drive
Pearland TX 77581

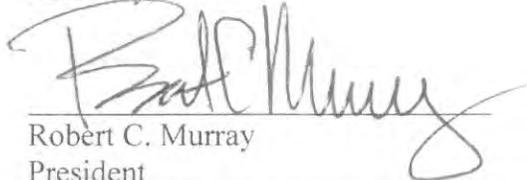
RE:

Ms. Krishnarao:

I hereby assign Alan Mueller as agent on behalf of S.E. Cemeteries of Texas, Inc. (formerly Restland of Dallas), for the sole purpose of representing S.E. Cemeteries of Texas, Inc. in its zoning application for approximately 78.9 acres on Old Alvin Road, north of McHard Road. This representation as agent is only for this transaction and would not be for any other use. This authorization as agent does not include the power to bind S.E. Cemeteries of Texas, Inc. to any liability or payment obligation.

Please contact me if you have any questions.

Sincerely,



Robert C. Murray
President
S.E. Cemeteries of Texas, Inc.
(Formerly Known as Restland of Dallas)
523 South Main Street
Grapevine, Texas 76051

Date 8/6/12



Office of the Secretary of State

February 02, 2005

Law Offices Chaffe, McCall, Phillips, Toler & Sarpy, LLP
2300 Energy Centre, 1100 Poydras Street
New Orleans, LA 70163 USA

RE:
S. E. Cemeteries of Texas, Inc. (Filing Number: 37248600)

It has been our pleasure to approve and place on record your articles of merger. The appropriate evidence is attached for your files. Payment of the filing fee is acknowledged by this letter.

If we can be of further service at any time, please let us know.

Sincerely,

Corporations Section
Statutory Filings Division

Enclosure



Office of the Secretary of State

CERTIFICATE OF MERGER

The undersigned, as Secretary of State of Texas, hereby certifies that the attached articles of merger of

BLUEBONNET HILLS MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 12370700]

HIGHLAND MEMORIAL GARDENS, INC.

Domestic Business Corporation

[Filing Number: 42830400]

HILLTOP MEMORIAL PARK

Domestic Business Corporation

[Filing Number: 10977100]

LAUREL LAND MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 5662300]

LAUREL LAND OF FORT WORTH, INC.

Domestic Business Corporation

[Filing Number: 101957300]

LITTLE BETHEL MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 76152400]

ROSELAWN MEMORIAL GARDENS, INC.

Domestic Business Corporation

[Filing Number: 63384700]

SOUTH MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 18339000]

Into

→ S. E. Cemeteries of Texas, Inc. [Prior Name : RESTLAND OF DALLAS, INC.] ←

Domestic Business Corporation

[Filing Number: 37248600]



Office of the Secretary of State

have been filed in this office as of the date of this certificate.

Accordingly, the undersigned, as Secretary of State, and by the virtue of the authority vested in the secretary by law, hereby issues this certificate of merger.

Dated: 02/01/2005

Effective: 02/01/2005 @ 12:01 a.m.



A handwritten signature in black ink, appearing to read "G. Connor".

Geoffrey S. Connor
Secretary of State

Page 2 cont'd

**Metes &
Bounds
Description
with Exhibit**

DESCRIPTION OF
67.4 ACRES

Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69 and 94 of the W. Zychlinski Subdivision of record in Volume 29 Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.), said 67.4 acres being more particularly described in two (2) parts by metes and bounds as follows;

PART 1

BEGINNING at the southwest corner of Crosspoint Fellowship Church, a subdivision of record in Volume 22, Pages 53-54, of the Plat Records of Brazoria County, Texas, (B.C.P.R.), same being a point on the westerly right-of-way line of Old Alvin Road and a point on the northerly line of aforementioned Lot 68;

Thence, South $00^{\circ} 18' 53''$ West, along said westerly right-of-way line of Old Alvin Road, 1,185.9 feet to a point for corner, same being on the southeasterly line of aforementioned Lot 62 and a point on the common line of the H.T. & B. R.R. Co. Survey and the D.H.M. Hunter Survey, Abstract 76;

Thence, South $44^{\circ} 18' 48''$ West, along the westerly line of Lot 62 and said common survey line, 115.9 feet to a point for corner, same being an angle point on south line of said Lot 62;

Thence, departing said common survey line, with the south line of Lot 62 and aforementioned Lot 63, West, 1,756.3 feet to a point for corner;

Thence, departing the southerly line of Lot 63, North, 1,003.7 feet to a point for corner;

Thence, North $21^{\circ} 31' 03''$ West, 256.0 feet to a point for corner;

Thence, North $38^{\circ} 28' 57''$ East, 34.4 feet to a point for corner on the north line of aforementioned Lot 69;

67.4 acres

August 16, 2012
Job No. 1406-3102

Thence, East, with the north line of said Lot 69 and aforementioned Lot 68, 1,916.2 feet to the POINT OF BEGINNING and containing 53.8 acres of land;

PART 2

Beginning at the intersection of north line of aforementioned Lot 94 and the east right-of-way line of Old Alvin Road, same being the southwest corner of Twin Wood Subdivision, of record in Volume 17, Pages 295 and 296, B.C.P.R.;

Thence, East, with the common line of said Lot 94 and Twin Wood Subdivision, at 286.07 feet pass the most southerly southeast corner of said Twin Wood Subdivision, continuing with the common line of said Lot 94 and Lot 93 of aforementioned W. Zychlinski Subdivision, in all a distance of 1,071.3 feet to the common easterly corner of said Lots 93 and 94, same being on the common line of aforementioned H.T. & B. R.R. Co. Survey and the D.H.M. Hunter Survey;

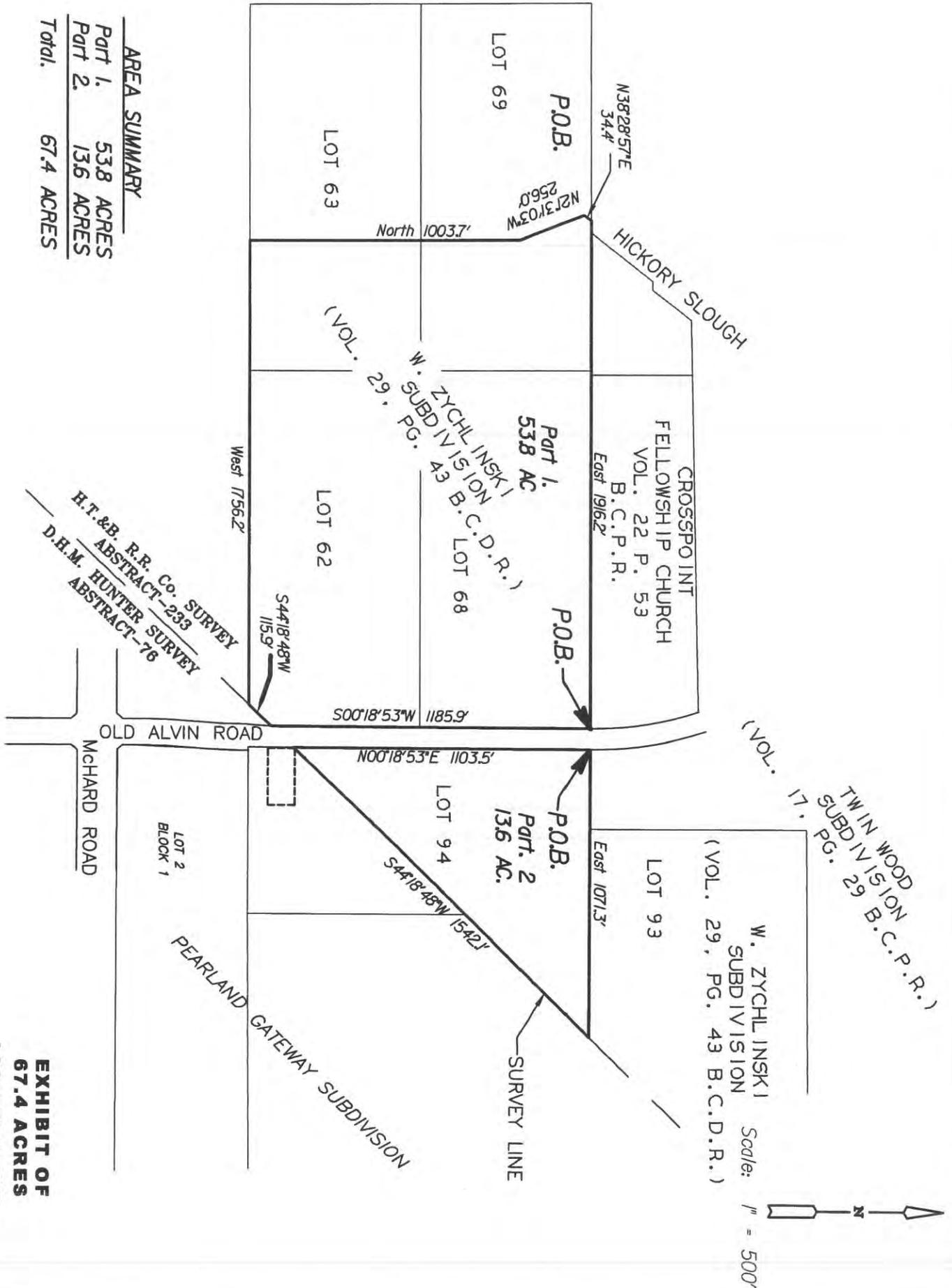
Thence, with the southeasterly line of said Lot 94, and said common survey line, South $44^{\circ} 18' 48''$ West, 1,542.1 feet, to a point for corner on the east right-of-way line of Old Alvin Road;

Thence, leaving said southeasterly line and said common survey line, with said east right-of-way line, North $00^{\circ} 18' 53''$ East, 1,103.5 feet to the POINT OF BEGINNING and containing 13.6 acres of land;

Said Part 1 and Part 2 containing a total of 67.4 acres of land.

This description is based on record information only and does not reflect an on the ground survey. Corners were not set at the client's request.

LJA Engineering, Inc.



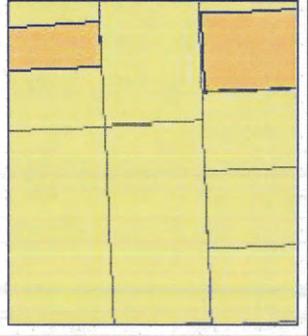
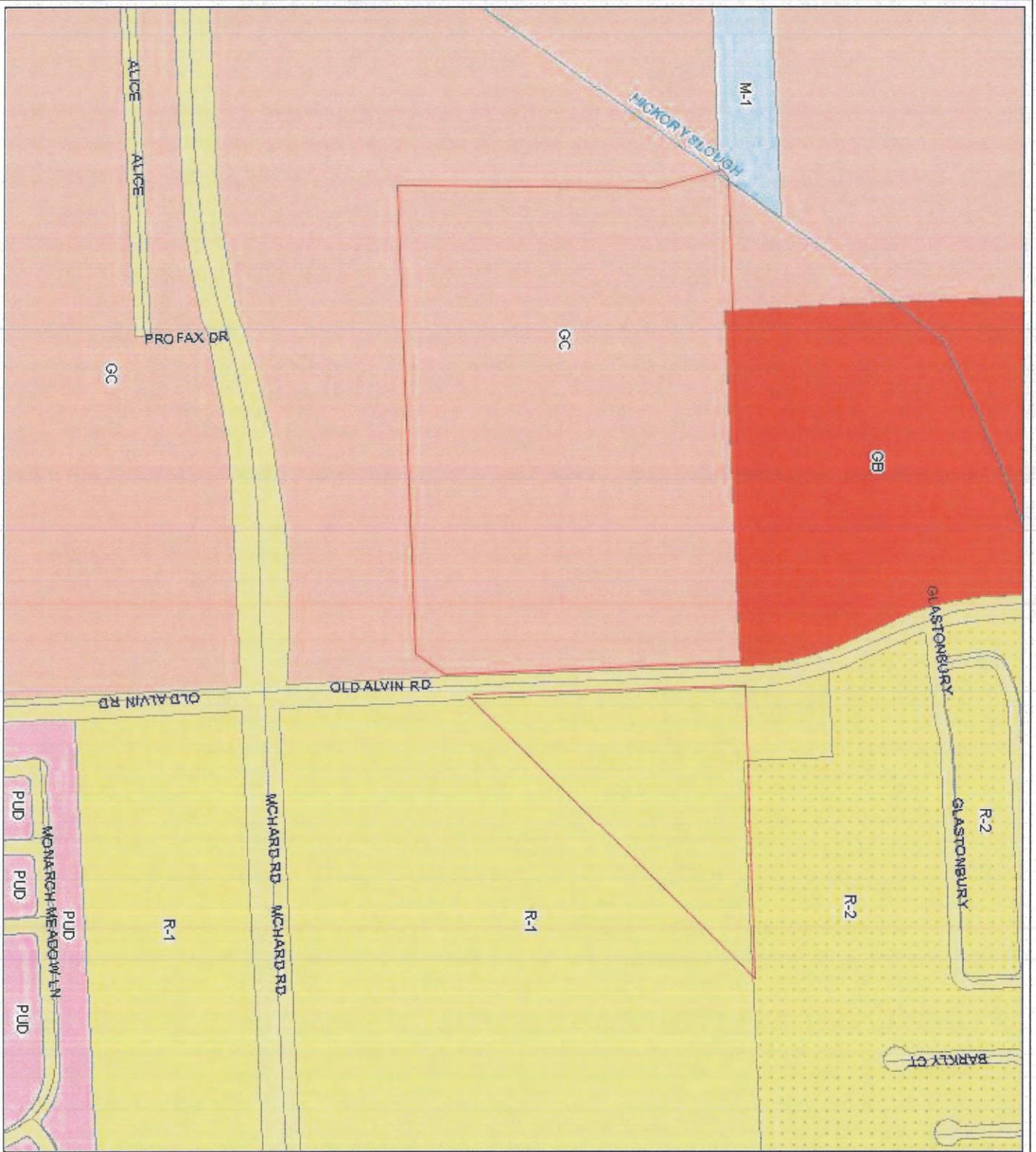
AREA SUMMARY

Part 1.	53.8 ACRES
Part 2.	13.6 ACRES
Total.	67.4 ACRES

H.T.&B. R.R. Co. SURVEY
 ABSTRACT-233
 D.H.M. HUNTER SURVEY
 ABSTRACT-76

**EXHIBIT OF
 67.4 ACRES
 LOCATED IN THE
 H.T. & B. R.R. SURVEY, A-233
 BRAZORIA COUNTY, TEXAS**

**Parcel Map
Printed from
City Website**



Scale 1:6,129
1 in = 511 ft

Letter of Intent

Lata Krishnarao
Director of Community Development
City of Pearland
3519 Liberty Drive
Pearland TX 77581

RE: Rezoning Application
Letter of Intent

Ms. Krishnarao:

The applicant is requesting rezoning of the subject property to zoning category R-2 Residential. The intended use of the property is a single family residential neighborhood. A separate cluster plan application is anticipated. We believe this zoning category is appropriate for several reasons:

- The existing Hickory Creek neighborhood adjacent to the north and east of the applicant's property is already zoned and developed as R-2.
- Crosspoint Church is directly north of the applicant's property; an R-2 use would be compatible with the existing use. Crosspoint is currently beginning construction of a larger sanctuary on their property.
- The comprehensive plan depicts the subject property as low density residential uses. R-2 is not considered a low density use, but R-2 is consistent with surrounding existing and proposed uses.
 - The comprehensive plan depicts the property south of the applicant's property as office uses. R-2 is more compatible with the proposed adjacent office uses than larger lot residential uses would be.
 - The comprehensive plan depicts the property east of the applicant's property as industrial uses. R-2 is more compatible with the proposed adjacent industrial uses than larger lot residential uses would be.
- The R-2 category is consistent with surrounding properties and is responsive to current and projected home buyer demands for this area.
- A portion of the applicant's property (not part of this zoning request) is already zoned R-2.

Upon successful completion of the zoning process, the development/builder team intends to move directly to platting and development of the first phase of the subdivision.

Please contact me if you have questions.

Sincerely,



Alan R. Mueller

CITY OF PEARLAND
R E P R I N T

*** CUSTOMER RECEIPT ***

Oper: CBLAIR Type: OC Drawer: 1
Date: 8/17/12 02 Receipt no: 303852

Description	Quantity	Amount
RA BOARD OF ADJUSTMENTS	1.00	\$375.00
Trans number:		3004115

ALAN MUELLER
523 S. MAIN
S. E. CEMETERIES OF TEXAS
ROBERT C. MURRAY

Tender detail	
BR CREDIT CARD	\$375.00
Total tendered	\$375.00
Total payment	\$375.00

Trans date: 8/17/12 Time: 9:03:46

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.

Tax Certificates

TAX CERTIFICATE



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

Issued To:

GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND, TX 77581

Legal Description:

A0233 H T & B R R (PEARLAND), TRACT 94,
ACRES 14.800

Fiduciary Number: 1474828

Parcel Address: OLD ALVIN RD

Legal Acres: 14.8000

>--

Account Number: 0233-0036-130

Print Date: 08/14/2012

Certificate No: 194818359

Paid Date: 08/14/2012

Certificate Fee: \$10.00

Issue Date: 08/14/2012

Operator ID: JENNY

<--

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

RESTLAND OF DALLAS
%CHRIS W THREADGILL
13005 GREENVILLE AVE
DALLAS, TX 75243-1916

Table with 2 columns: Description and Amount. Rows include 2011 Value (\$148,000), 2011 Levy (\$4,045.73), 2011 Levy Balance (\$0.00), Prior Year Levy Balance (\$0.00), Total Levy Due (\$0.00), P&I + Attorney Fee (\$0.00), and Total Amount Due (\$0.00).

Certified Tax Unit(s):

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

ID # 165790

Reference (GF) No: N/A

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

TAX CERTIFICATE



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

Issued To:

GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND, TX 77581

Legal Description:

A0233 H T & B R R (PEARLAND), TRACT 68,
ACRES 20.000

Fiduciary Number: 1474828

Parcel Address: OLD ALVIN RD

Legal Acres: 20.0000

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Account Number: **0233-0036-110**

Print Date: 08/14/2012

Certificate No: 194818360

Paid Date: 08/14/2012

Certificate Fee: \$10.00

Issue Date: 08/14/2012

Operator ID: JENNY

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TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

RESTLAND OF DALLAS
%CHRIS W THREADGILL
13005 GREENVILLE AVE
DALLAS, TX 75243-1916

2011 Value:	200,000
2011 Levy:	\$5,467.20
2011 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Certified Tax Unit(s):

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

ID # 165788

Reference (GF) No: N/A

Issued By: *Jenny Phillips*
RO'VIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 338-1320, (281) 756-1320

TAX CERTIFICATE



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

Issued To:

GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND, TX 77581

Legal Description:

A0233 H T & B R R (PEARLAND), TRACT 62,
ACRES 19.850

Fiduciary Number: 1474828

Parcel Address: OLD ALVIN RD

Legal Acres: 19.8500

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Account Number: 0233-0036-000

Print Date: 08/14/2012

Certificate No: 194818361

Paid Date: 08/14/2012

Certificate Fee: \$10.00

Issue Date: 08/14/2012

Operator ID: JENNY

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TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

RESTLAND OF DALLAS
%CHRIS W THREADGILL
13005 GREENVILLE AVE
DALLAS, TX 75243-1916

2011 Value:	198,500
2011 Levy:	\$5,426.20
2011 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Certified Tax Unit(s):

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

ID # 165787

Reference (GF) No: N/A

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

TAX CERTIFICATE



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

Issued To:

GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND, TX 77581

Legal Description:

DBA SOUTH MEMORIAL PARK LTS 64-74-74A
PT LTS 63-69 542 H T & B PEARLAND,
ACRES 40.210

Fiduciary Number: 1474828

Parcel Address: N MAIN ST HWY 35

Legal Acres: 40.1985

>--

Account Number: 0542-0076-111

Certificate No: 194818363

Certificate Fee: \$10.00

Print Date: 08/14/2012

Paid Date: 08/14/2012

Issue Date: 08/14/2012

Operator ID: JENNY

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TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

EXEMPT

Certified Owner:

RESTLAND OF DALLAS
%CHRIS W THREADGILL
13005 GREENVILLE AVE
DALLAS, TX 75243-1916

Certified Tax Unit(s):

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

Table with 2 columns: Description and Amount. Rows include 2011 Value (401,990), 2011 Levy (\$0.00), 2011 Levy Balance (\$0.00), Prior Year Levy Balance (\$0.00), Total Levy Due (\$0.00), P&I + Attorney Fee (\$0.00), and Total Amount Due (\$0.00).

ID# 177145

Reference (GF) No: N/A

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

**P&Z AGENDA
ITEM**

B

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

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

ZONE CHANGE APPLICATION NO. 2012-09Z

A request of Chris Lesak, applicant, on behalf of Vivien Naeve, owner, for approval of a zone change from the Neighborhood Service (NS) zone to the Single Family Residential-1 (R-1) zone for 18.26 acres on the following described property, to wit:

Legal Description: All of that certain 18.26 acres of land out of the 18.284 acre tract described in the deed from Dan Michael Worrall, Et. Ux. To Vivien Naeve recorded under document No. 2004 018266, In the Official Records of Brazoria County, Texas

General Location: East of the northeast corner of Pearland Pkwy and John Lizer Road

- 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 SEPTEMBER 17, 2012

Zone Change No. 2012-09Z

A request of Chris Lesak, applicant, on behalf of Vivien Naeve, owner, for approval of a zone change from the Neighborhood Service (NS) zone to the Single Family Residential-1 (R-1) zone for 18.26 acres on the following described property, to wit:

Legal Description: All of that certain 18.26 acres of land out of the 18.284 acre tract described in the deed from Dan Michael Worrall, Et. Ux. To Vivien Naeve recorded under document No. 2004 018266, In the Official Records of Brazoria County, Texas

General Location: East of the northeast corner of Pearland Pkwy and John Lizer Road

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

Planning and Zoning Commission: September 17, 2012*

City Council for First Reading: October 8, 2012*

City Council for Second Reading: October 22, 2012*

(*dates subject to change)

SUMMARY: Chris Lesak, applicant, on behalf of Vivien Naeve, owner, is requesting a zone change from the Neighborhood Service (NS) zoning district to the Single Family Residential-2 (R-2). The property contains 18.26 acres of land, is currently undeveloped, and located just east of the northwest corner of John Lizer and Pearland Pkwy. The property owner has indicated that they would like to sell the property to a developer who would like to develop the property into a residential subdivision. As indicated below, the property immediately abuts General Business (GB) zoning to the north and to the west, and Single Family Residential-2 (R-2) to the east.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	General Business (GB)	Detention/Assisted Living Facility
South	Single-Family Residential-1	Detention/Undeveloped

	(R-1)	
East	General Business (GB)	Undeveloped
West	Single-Family Residential-2 (R-2)	Single Family Residential

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): The subject property is currently zoned as Neighborhood Service (NS). The minimum lot sizes requirements for the current district as well as the proposed Single-Family Residential-1 (R-1) are as follows:

	<u>NS</u>	<u>R-1</u>	<u>Property in Question</u>
<u>Lot Area:</u>	12,500 sq. ft.	8,800 sq. ft.	795,343 sq. ft.
<u>Lot Depth:</u>	100'	90'	1,678' (at deepest point)
<u>Lot Width:</u>	100'	80'	377' (at front setback)

As indicated above, the property meets the development regulations of the Single Family Residential-1 (R-1) zoning district.

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

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current adopted Comprehensive Plan's Future Land Use Map indicates this area should be *Offices*. Therefore, the designation of Single Family Residential-1 (R-1) being requested would not be consistent with the Comprehensive Plan. When the City's Comprehensive Plan was updated, the *Office* designation for this property was intended to serve as a buffer between the commercial (General Business, GB) property immediately to the west of this site, and the Single-Family Residential-2 (R-2) immediately to the east of this site.

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

AVAILABILITY OF UTILITIES: The subject parcel is served by public water.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed zone change may negatively impact surrounding properties. As previously mentioned, this property currently services as a buffer, as Neighborhood Service (NS), between General Business (GB) and Single Family Residential-2 (R-2). If the zone change is approved, that buffer would no longer exist, and would permit single family homes to be constructed immediately adjacent to future commercial development.

A Traffic Impact Analysis (TIA) may be required at the time of site plan review by the City's Engineering department to determine if there are any potentially negative traffic

impacts anticipated as a result of the proposed development at the time. Mitigation measures that are deemed necessary as a result would be responsibility of the applicant to implement.

ADDITIONAL COMMENTS: This request has been reviewed by the City's Development Review Committee. Pending specific future subdivision layout details, the Fire Marshall has indicated fire access (second point of access) may need to be addressed.

SITE PLAN CONSIDERATIONS: A site plan is not required for a zone change.

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.

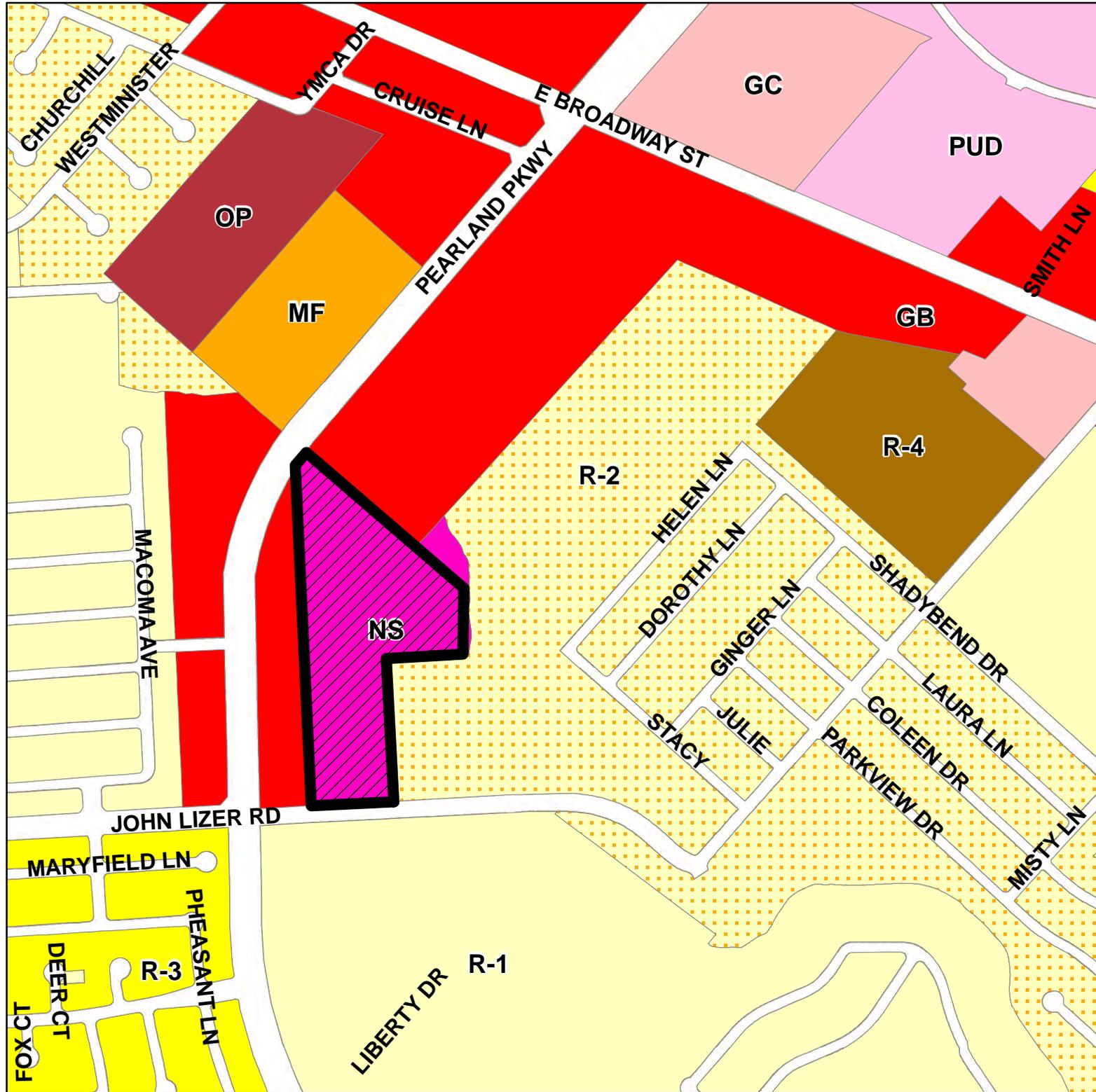
OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST: Staff has not received any comments either in opposition to or in support of the proposed zone change request.

STAFF RECOMMENDATION: Staff is unable to recommend approval of the Zone Change 2012-09Z as proposed by the applicant for the following reasons:

1. Approval of the zone change would not be in conformance with the surrounding zoning.
2. Approval of the zone change would remove the existing buffer between existing residential uses and future commercial uses.
3. The proposed zone change may negatively impact on the surrounding properties and developments.
4. The proposed zone change will not bring the property into compliance with the latest approved Future Land Use Plan.

SUPPORTING DOCUMENTS:

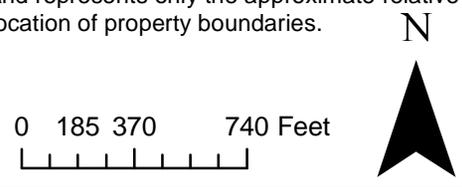
- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents
- Related Documents



Vicinity and Zoning Map
Zone Change 2012-09Z

**John Lizer/
Pearland Pkwy**

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

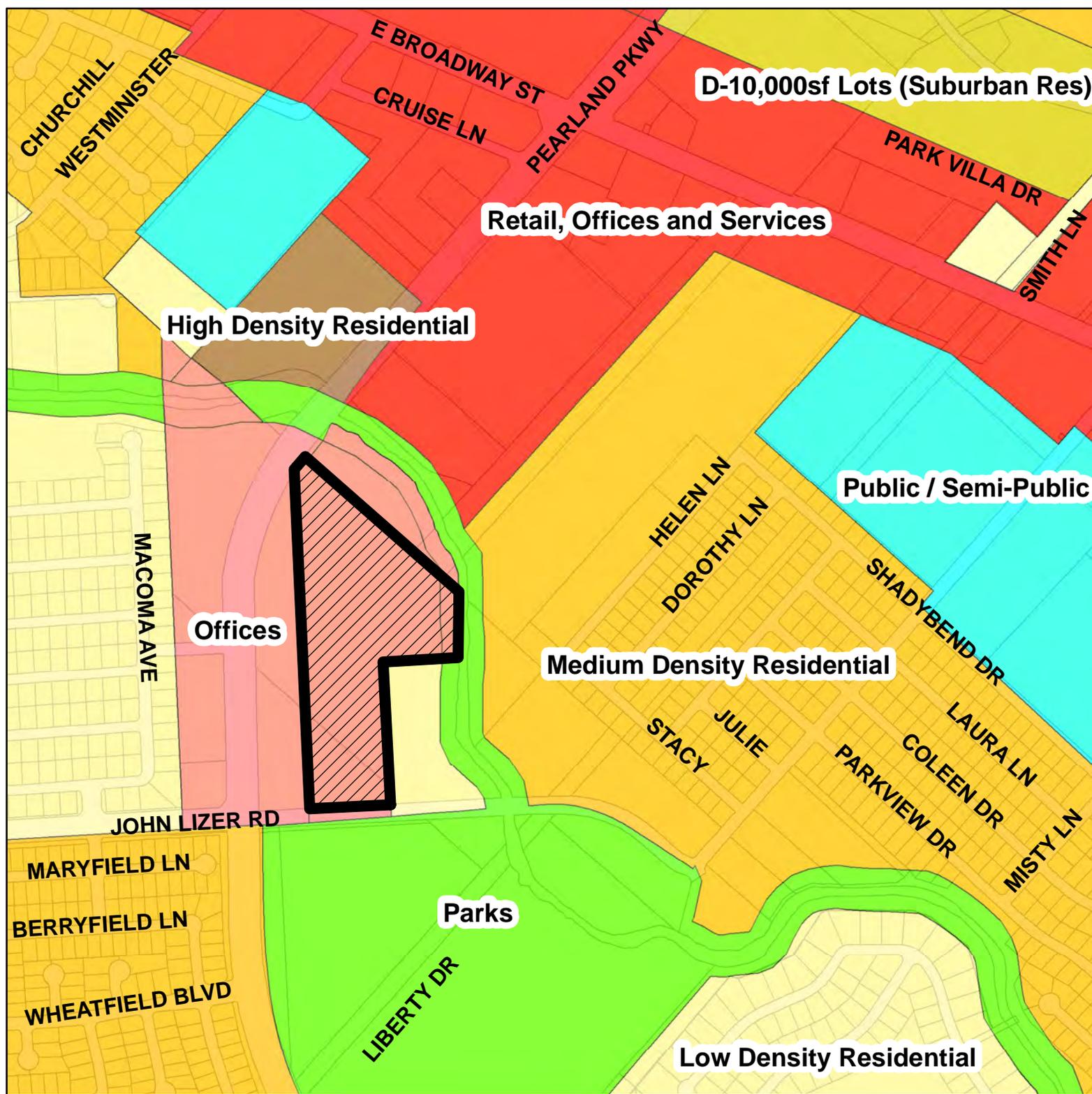


Abutter Map - Zone Change 2012-09Z



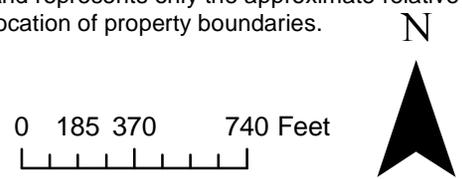
Scale 1:4,395
1 in = 366 ft

Name	Address	City	State	Zip
MARTINI FRANK M	3114 S MACGREGOR WAY	HOUSTON	TX	77021-1103
NAEVE VIVIEN	1201 COWARDS CREEK DR	FRIENDSWOOD	TX	77546-4603
CHRISMAN BURT H JR	2801 JOHN LIZER RD	PEARLAND	TX	77581-5215
PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588
CHRIS LESAK	PO BOX 18282	PEARLAND	TX	77496



FLUP Map
Zone Change 2012-09Z
**John Lizer/
Pearland Pkwy**

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



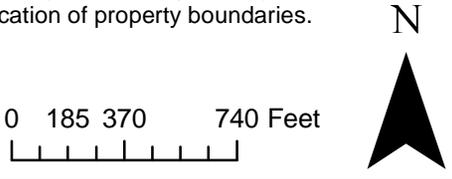


Aerial Map

Zone Change 2012-09Z

**John Lizer/
Pearland Pkwy**

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





APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: Neighborhood Service

Proposed Zoning District: R 1

Property Information:

Address or General Location of Property: John Lizer Rd 00775

A0399 TD YOCUM TRACT 1 PEARLAND ACRES 16.519

Tax Account No. 0399-006-001

Subdivision: _____ Lot: _____ Block: _____

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

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

NAME Vivian Naeve
ADDRESS 1926 Bissonnet
CITY Houston STATE Tx ZIP 77005
PHONE (713) 524 0990 / 713 8511406
FAX () _____
E-MAIL ADDRESS MHNaeve1120@hotmail.com

NAME Chris Lesak
ADDRESS P.O. Box 18282
CITY Sugar Land STATE Tx ZIP 77496
PHONE (281) 701-5569
FAX (713) 234-7116
E-MAIL ADDRESS Chris@chrislesak.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: Vivian Naeve Date: 8-16-2012

Agent's/Applicant's Signature: [Signature] Date: 8/27/12

OFFICE USE ONLY:

FEES PAID: <u>250.00</u>	DATE PAID: <u>8/16/12</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>303374</u>
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Application No. 2012-092



APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: Neighborhood Service

Proposed Zoning District: R 1

Property Information:

Address or General Location of Property: John Lizer Rd

Legal description A 0147 A C H + B Tract 127 Pearland Acres 1.865

Tax Account No. 0147 - 00 79 - 000

Subdivision: _____ Lot: _____ Block: _____

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

PROPERTY OWNER INFORMATION:

NAME Vivien Naeve
ADDRESS 1926 Bissonnet
CITY Houston STATE Tx ZIP 77005
PHONE (713) 524 0990
FAX (_____) _____
E-MAIL ADDRESS MHNAEVE1120@hotmail.com

APPLICANT/AGENT INFORMATION:

NAME Chris Lesak
ADDRESS P.O. Box 18282
CITY Sugar Land STATE TX ZIP 77496
PHONE (281) 701-5569
FAX (713) 234-7116
E-MAIL ADDRESS Chris@ChrisLesak.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: Vivien Naeve Date: 8-16-2012

Agent's/Applicant's Signature: [Signature] Date: 8-27-12

OFFICE USE ONLY:

FEES PAID: <u>250.00</u>	DATE PAID: <u>8/16/12</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>303374</u>
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Application No. 2012-092

MapTip BCAD2012

Table of Contents

Layer

Selection



BCAD2012

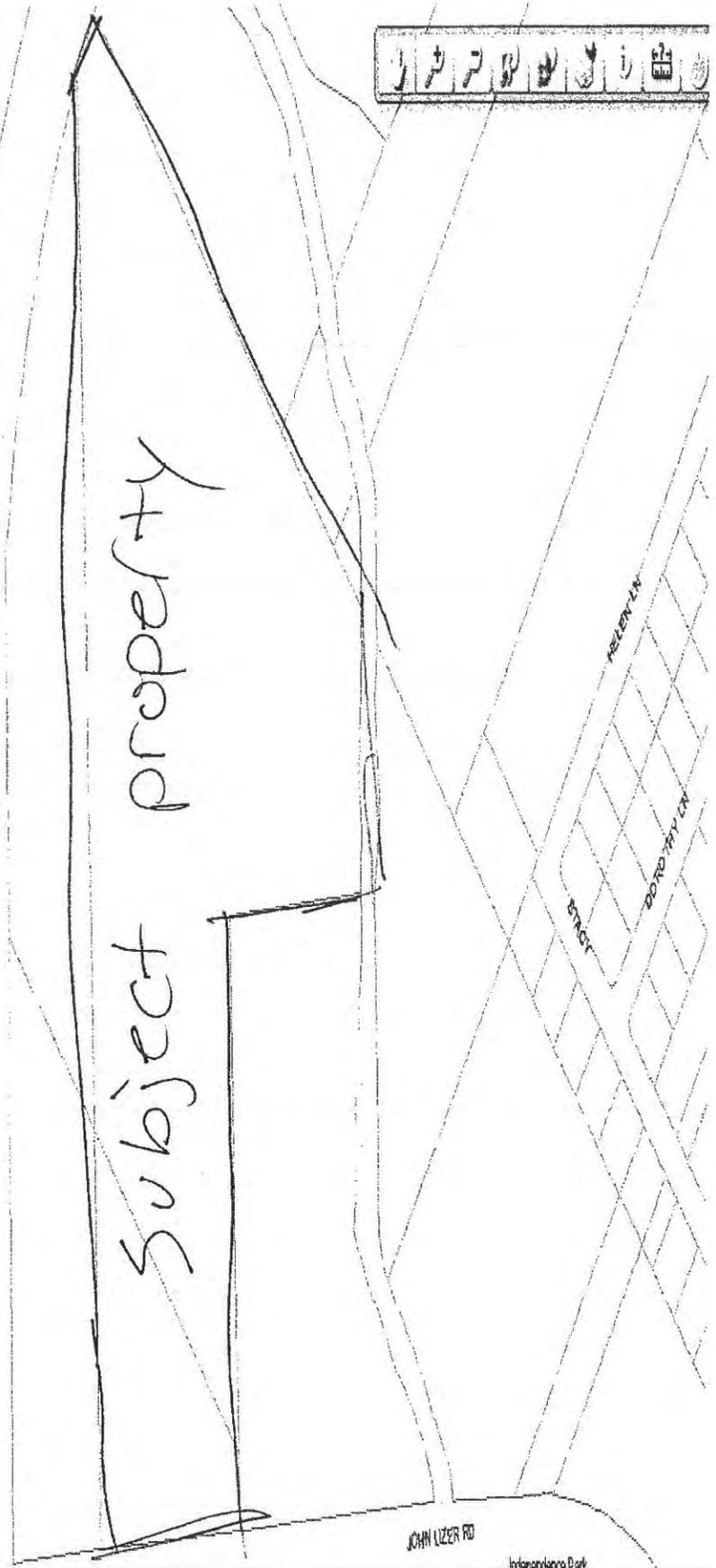
Selection Type: New

View Results



Markup

Address Search



JOHN LUZER RD

Independence Park



Mary's Creek

Subject Property
18.32 Acres

Independence Park

A

Attention: HAROLD ELLIS

To whom it MAY concerns,

My name is Vivien Naeve.
I own property that is zoned
neighborhood service and I
would like to have it rezoned R1.
There is someone interested
in building a small subdivision
of 30 homesites.

Thank you,
Vivien Naeve

Letter of Intent

CITY OF PEARLAND

*** CUSTOMER RECEIPT ***

Oper: AGONZALES Type: OC Drawer: 1
Date: 8/16/12 01 Receipt no: 303374

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$250.00
Trans number:		3003600

ZONE CHANGE TO R5 TO R1
VIVIEN HAEVE
1201 COWARDS CREEK DR.
FRWD., TX 77546

Tender detail		
CK CHECK	6200	\$250.00
Total tendered		\$250.00
Total payment		\$250.00

Trans date: 8/16/12 Time: 13:00:00

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

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

Such sign(s) shall be located as follows:

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

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

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

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

Kevin Naeve
8-16-2012

DUPLICATE TAX RECEIPT



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

Handwritten: 17-001-001
HAROLD PERE

Certified Owner:

NAEVE VIVIEN
1201 COWARDS CREEK DR
FRIENDSWOOD, TX 77546-4603

Legal Description:

A0147 A C H & B, TRACT 127, PEARLAND,
ACRES 1.865

Parcel Address: JOHN LIZER RD
Legal Acres: 1.8650

Remit Seq No: 20923495
Receipt Date: 05/23/2012
Deposit Date: 05/23/2012
Print Date: 08/23/2012
Printed By: LATOYA

Deposit No: 152311031727
Validation No: 29
Account No: **0147-0079-000**
Operator Code: SAND

Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2011	Brazoria County	65,280	0.413101	269.67	35.06	0.00	304.73
2011	Special Road & Bridge	65,280	0.060000	39.17	5.09	0.00	44.26
2011	Pearland Isd	65,280	1.419400	926.58	120.46	0.00	1,047.04
2011	Brazoria Drainage Dist 4	65,280	0.156000	101.84	13.24	0.00	115.08
2011	City Of Pearland	65,280	0.685100	447.23	58.14	0.00	505.37
				\$1,784.49	\$231.99	\$0.00	\$2,016.48

Check Number(s):
00006265

PAYMENT TYPE:

Checks: \$2,016.48

Exemptions on this property:

Total Applied: \$2,016.48

Change Paid: \$0.00

ACCOUNT PAID IN FULL

PAYER:
NAEVE VIVIEN
1201 COWARDS CREEK DR
FRIENDSWOOD, TX 77546-4603

DUPLICATE TAX RECEIPT



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

Attention
Handwritten notes

Certified Owner:

NAEVE VIVIEN
1201 COWARDS CREEK DR
FRIENDSWOOD, TX 77546-4603

Legal Description:

A0399 T D YOCUM, TRACT 1, PEARLAND,
ACRES 16.519

Parcel Address: JOHN LIZER RD
Legal Acres: 16.5190

Remit Seq No: 20367611
Receipt Date: 01/31/2012
Deposit Date: 02/03/2012
Print Date: 08/23/2012
Printed By: LATOYA

Deposit No: 1203410C
Validation No: 90000023475324
Account No: **0399-0006-001**
Operator Code: LATOYA

Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2011	Brazoria County	578,170	0.413101	2,388.43	0.00	0.00	2,388.43
2011	Special Road & Bridge	578,170	0.060000	346.90	0.00	0.00	346.90
2011	Pearland Isd	578,170	1.419400	8,206.54	0.00	0.00	8,206.54
2011	Brazoria Drainage Dist 4	578,170	0.156000	901.95	0.00	0.00	901.95
2011	City Of Pearland	578,170	0.685100	3,961.04	0.00	0.00	3,961.04
2010	Brazoria County	578,170	0.403101	499.73	119.94	123.93	743.60
2010	Special Road & Bridge	578,170	0.060000	74.37	17.85	18.44	110.66
2010	Pearland Isd	578,170	1.419400	1,759.69	422.33	327.30	2,509.32
2010	Brazoria Drainage Dist 4	578,170	0.156000	193.41	46.42	47.97	287.80
2010	City Of Pearland	578,170	0.665100	824.58	197.90	204.50	1,226.98
				\$19,156.64	\$804.44	\$722.14	\$20,683.22

Check Number(s):
13130

PAYMENT TYPE:

Checks: \$20,683.22

Exemptions on this property:

Total Applied: \$20,683.22

Change Paid: \$0.00

ACCOUNT PAID IN FULL

PAYER: 20492367
PROPEL FINANCIAL SERVICES, LLC
P.O.BOX 100350
SAN ANTONIO, TX 78201

**P&Z AGENDA
ITEM**

C



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 09/11/2012
AGENDA ITEM SUBJECT: Replat of Crosspoint Church

Old Business **New Business** Discussion Item Workshop

Summary: A request by Aaron Bourgeois of Lentz Engineering, L.C., applicant, on behalf of Crosspoint Fellowship, owner, for approval of a Replat Plat of Crosspoint Church generally located at the 1100 Block of Old Alvin Road south of Hickory Slough.

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.



PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 17, 2012

REPLAT OF CROSSPOINT CHURCH

A request by Aaron Bourgeois of Lentz Engineering, L.C., applicant, on behalf of Crosspoint Fellowship, owner, for approval of a Replat Plat of Crosspoint Church generally located at the 1100 Block of Old Alvin Road south of Hickory Slough on the following described property, to wit

Legal Description: Being 32.0019 acres of land being a partial replat of R.B. Lyle Survey Lots 72, 73, and 77, Block 1 Zychlinski Subdivision as recorded in Volume 23, Page 49 Brazoria County Deed Records. Also being a replat of Final Plat Crosspoint Fellowship Church as recorded in Volume 22, Pages 53-54, Brazoria County Deed Record located in the R.B. Lyle Survey, Abstract No. 542 and the H.T. & B.R. Co. Survey Abstract No. 233 City of Pearland Brazoria County, Texas.

General Location: Located at the 1100 Block of Old Alvin Road south of Hickory Slough

Planning and Zoning Commission: September 17, 2012

SUMMARY: The applicant is requesting approval of a Replat for a roughly 32 acre site located on Old Alvin Rd. just south of Hickory Slough. The existing plat, Crosspoint Fellowship Church, currently consists of 15 acres. The existing church on site has submitted building plans to expand north of their existing site on property owned by the church. The church would like to combine the existing platted lot with their unplatted property to north in order to allow them to receive building permits for the proposed expansion.

UNIFIED DEVELOPMENT CODE: The property is currently zoned General Business (GB). The proposed replat meets all of the requirements of the Unified Development Code.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Single Family - R2	Clear Creek Estates
South	General Commercial - GC	Vacant Commercial
East	Single Family - R2	Twin Wood Subdivision
West	General Commercial - GC	Existing Commercial/Industrial

CONFORMANCE TO THE COMPREHENSIVE PLAN: The subject property is within the Low-Density Residential land use plan designation. The proposed church expansion is in conformance with an approved conditional use permit.

PLATTING STATUS: This is the first submittal of the replat of Crosspoint Church. The original Minor Plat of Crosspoint Fellowship Church was approved by the city and recorded with the county on July 17, 2001.

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property is in conformance with the approved thoroughfare plan.

ADDITIONAL COMMENTS: This request has been reviewed by the city's Development Review Committee and there were no additional comments.

SITE PLAN CONSIDERATIONS: A site plan showing the proposed expansion has been submitted to the city as part of the building permit review. Final issuance of a building permit is contingent upon approval of the replat.

TRAFFIC AND TRANSPORTATION: A traffic impact analysis was not required at this time for the replat of Crosspoint Church.

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

STORMWATER MANAGEMENT: Detention will be provided in accordance to city requirements.

STAFF RECOMMENDATION: Staff recommends a conditional approval of the Replat of Crosspoint Church 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: The following items must be submitted to the city prior to recordation of the replat of Crosspoint Church.

1. Utility Letters of No Objection
2. Signed Mylars of the approved plat.

OUTSTANDING ITEMS:

There are no outstanding items regarding this plat.

SUPPORTING DOCUMENTS:

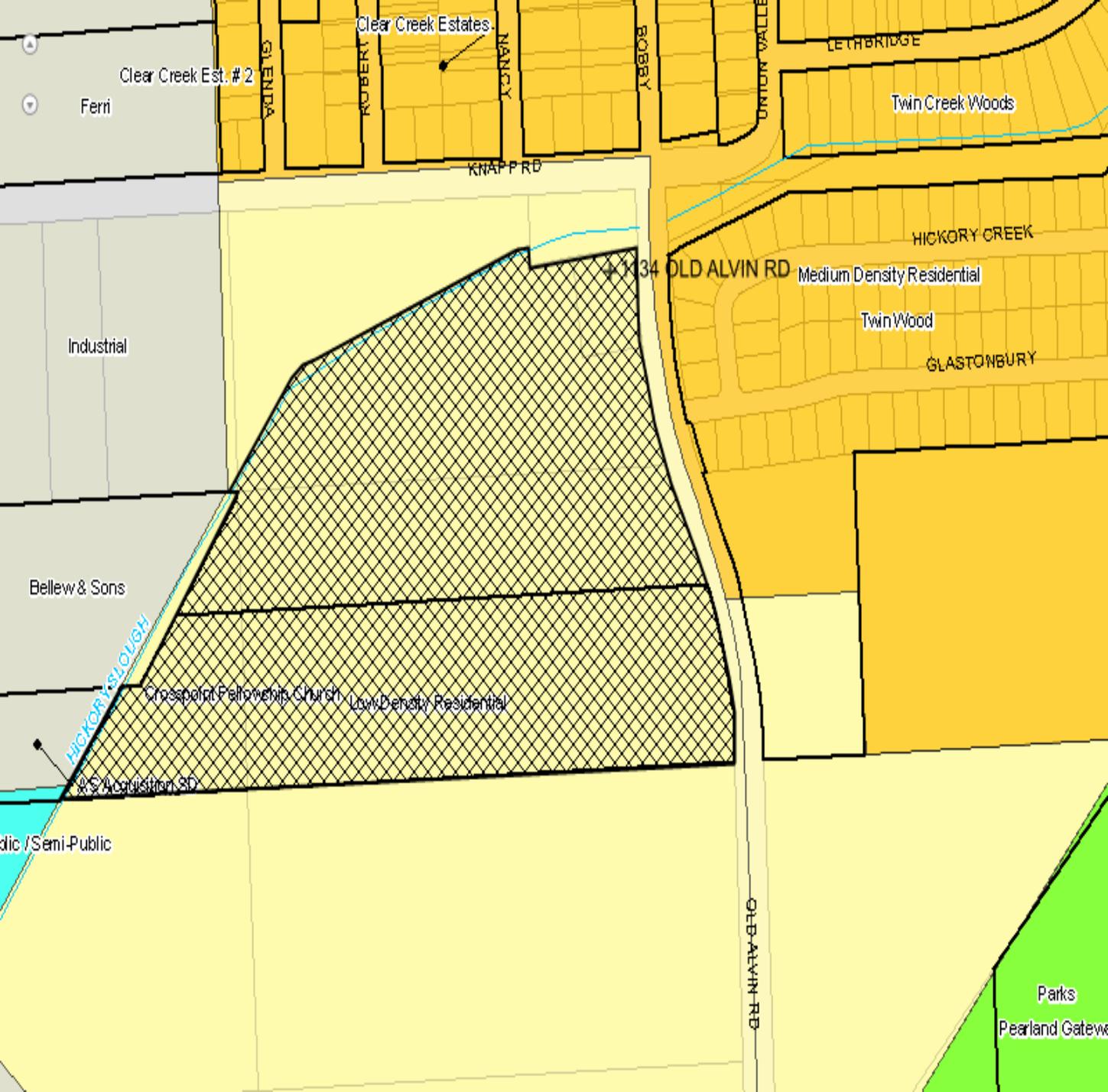
- Vicinity Map
- Land Use Map
- Aerial Map
- Crosspoint Church Replat



Replat of Crosspoint Church

Vicinity Map

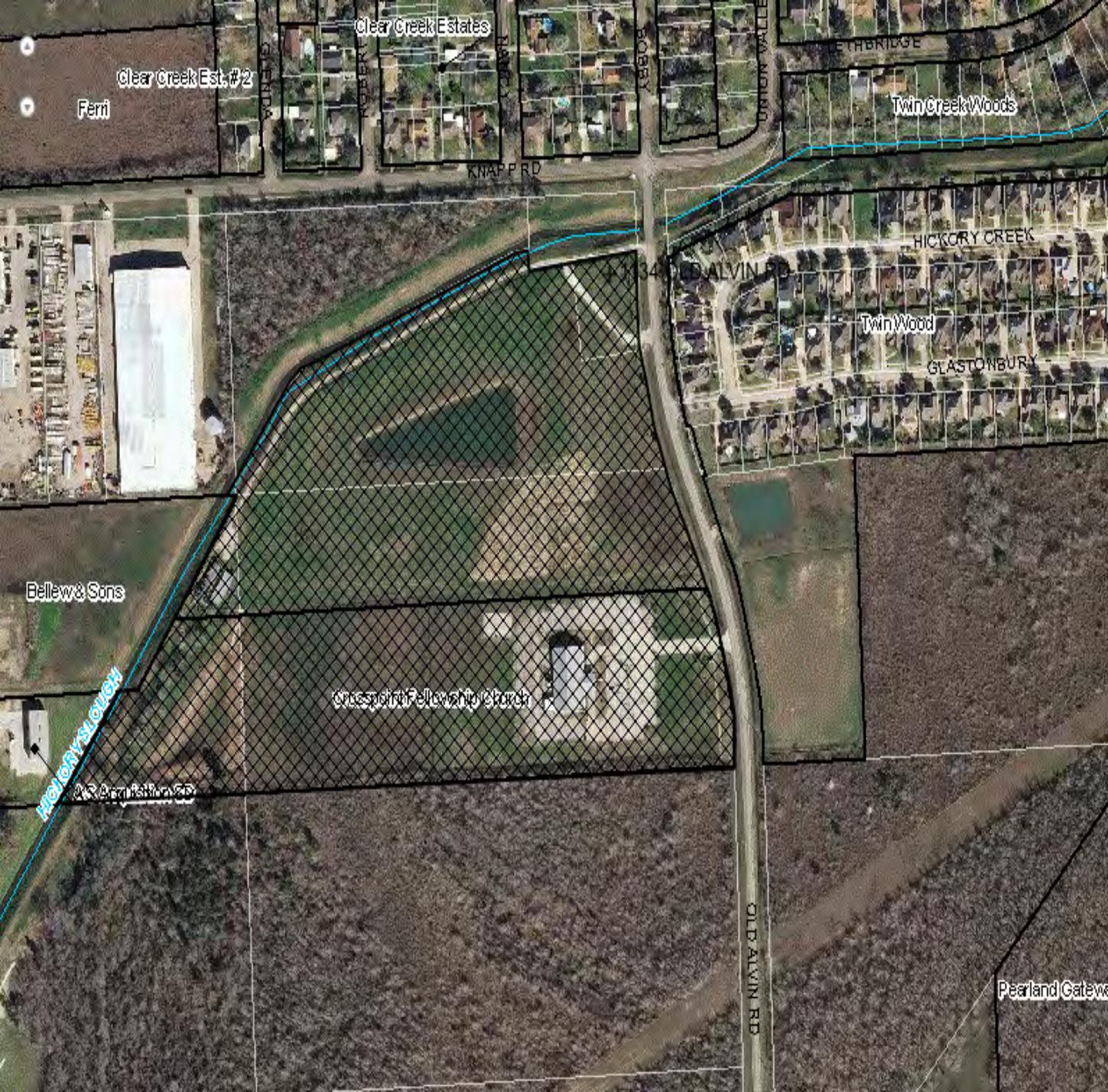




Replat of Crosspoint Church

Future Land Use Map

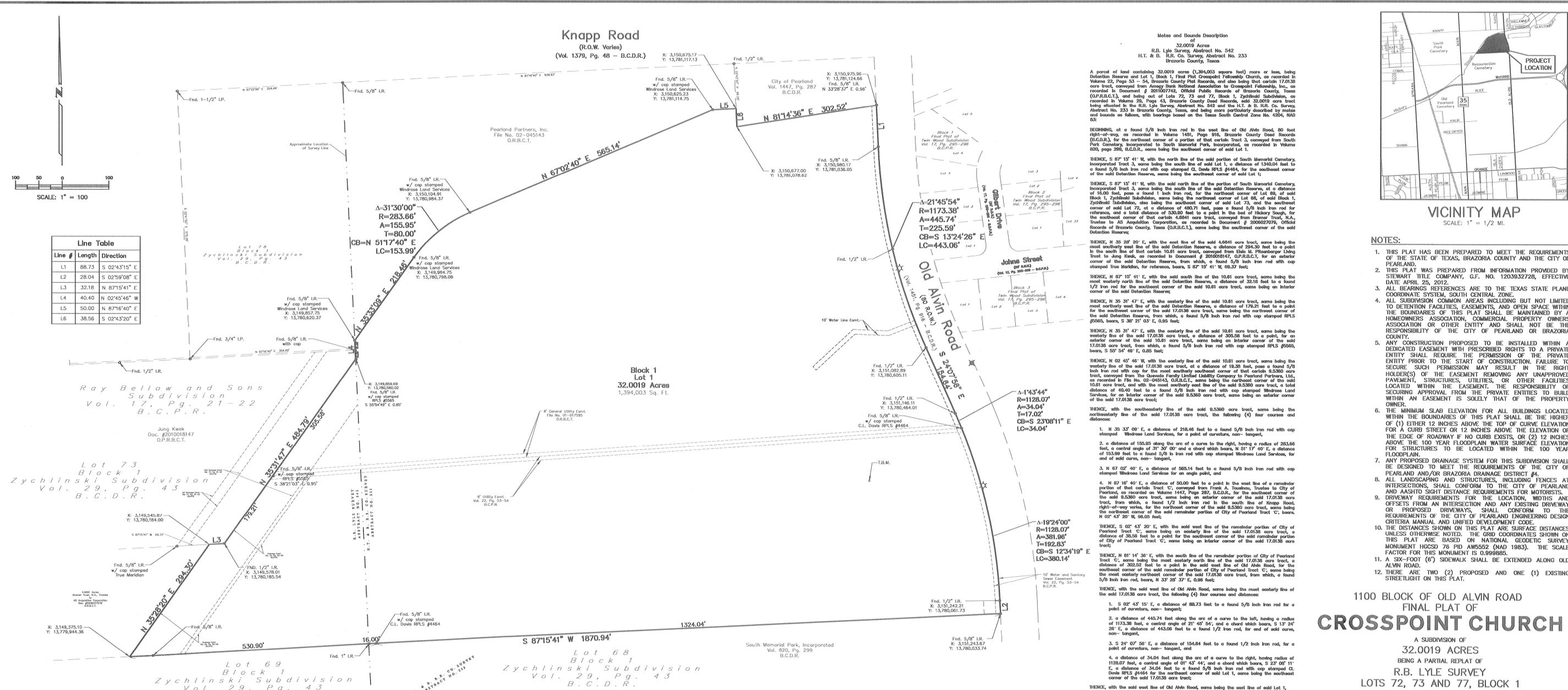




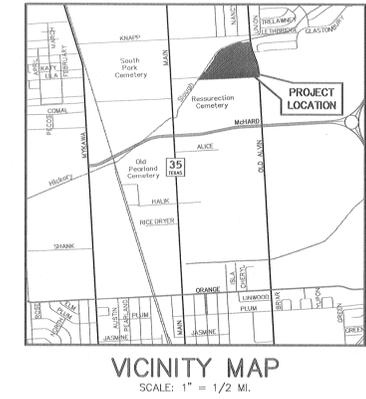
Replat of Crosspoint Church

Aerial Map





Line #	Length	Direction
L1	88.73	S 02°43'15" E
L2	28.04	S 02°59'08" E
L3	32.18	N 87°15'41" E
L4	40.40	N 02°45'46" W
L5	50.00	N 87°16'40" E
L6	38.56	S 02°43'20" E



Meters and Bounds Description of 32.0019 Acres R.D. Lyle Survey, Abstract No. 542 H.T. & B. R.R. Co. Survey, Abstract No. 233 Brazoria County, Texas

A parcel of land containing 32.0019 acres (1,394,003 square feet) more or less, being Detention Reserve and Lot 1, Block 1, First Plat Crosspoint Fellowship Church, as recorded in Volume 22, Page 33 - 54, Brazoria County Plat Records, and also being that certain 17,038 acre tract, conveyed from Anney Trust National Association to Crosspoint Fellowship, Inc., as recorded in Document # 201007749, Official Public Records of Brazoria County, Texas (O.P.R.C.T.), and being out of Lots 72, 73 and 77, Block 1, Zychlinski Subdivision, as recorded in Volume 29, Page 43, Brazoria County Plat Records, said 32.0019 acre tract being situated in the R.D. Lyle Survey, Abstract No. 542 and the H.T. & B. R.R. Co. Survey, Abstract No. 233 in Brazoria County, Texas, and being more particularly described by metes and bounds as follows, with bearings based on the Texas South Central Zone No. 4204, NAD 83:

- BEARING, of a found 5/8 inch iron rod in the east line of Old Alvin Road, 02 feet right-of-way, as recorded in Volume 1495, Page 916, Brazoria County Plat Records (B.C.D.R.), for the northeast corner of a portion of that certain Tract 3, conveyed from South Park Cemetery, Incorporated to South Memorial Park, Incorporated, as recorded in Volume 820, page 296, B.C.D.R., same being the southeast corner of said Lot 1;
- THENCE, S 87° 15' 41" W, with the north line of the said portion of South Memorial Cemetery, Incorporated Tract 3, same being the south line of said Lot 1, a distance of 1340.09 feet to a found 5/8 inch iron rod with cap stamped C.L. Davis RPLS #4464, for the southeast corner of the said Detention Reserve, same being the southeast corner of said Lot 1;
- THENCE, S 87° 15' 41" W, with the said north line of the portion of South Memorial Cemetery, Incorporated Tract 3, same being the south line of the said Detention Reserve, a distance of 16.00 feet, pass a found 1 inch iron rod, for the northeast corner of Lot 69, of said Block 1, Zychlinski Subdivision, same being the northeast corner of Lot 69, of said Block 1, Zychlinski Subdivision, also being the southeast corner of said Lot 73, and the southeast corner of said Lot 72, at a distance of 680.77 feet to a found 5/8 inch iron rod for reference, and a total distance of 830.90 feet to a point in the bed of Hickory Slough, for the southeast corner of the portion of said Tract 3, conveyed from Anney Trust, N.A. Trustee to AS Acquisition Corporation, as recorded in Document # 2006027076, Official Records of Brazoria County, Texas (O.P.R.C.T.), same being the southeast corner of the said Detention Reserve;
- THENCE, N 35° 28' 20" E, with the east line of the said 4.6941 acre tract, same being the most southerly west line of the said Detention Reserve, a distance of 294.30 feet to a point in the south line of the said 10.61 acre tract, same being the northeast corner of the said 17,038 acre tract, from which, a found 5/8 inch iron rod with cap stamped RPLS #6665, bears S 38° 21' 03" E, 0.85 feet;
- THENCE, N 87° 15' 41" E, with the said south line of the 10.61 acre tract, same being the most southerly north line of the said Detention Reserve, a distance of 32.18 feet to a found 1/2 inch iron rod for the southeast corner of the said 10.61 acre tract, same being an interior corner of the said Detention Reserve;
- THENCE, N 35° 31' 47" E, with the easterly line of the said 10.61 acre tract, same being the most southerly west line of the said Detention Reserve, a distance of 179.21 feet to a point in the southeast corner of the said 17,038 acre tract, same being the northeast corner of the said Detention Reserve, from which, a found 5/8 inch iron rod with cap stamped RPLS #6665, bears S 38° 21' 03" E, 0.85 feet;
- THENCE, N 35° 31' 47" E, with the easterly line of the said 10.61 acre tract, same being the most southerly west line of the said Detention Reserve, a distance of 294.30 feet to a point, for an interior corner of the said 10.61 acre tract, same being an interior corner of the said 17,038 acre tract, from which, a found 5/8 inch iron rod with cap stamped RPLS #6665, bears S 55° 54' 49" E, 0.85 feet;
- THENCE, N 02° 45' 46" W, with the easterly line of the said 10.61 acre tract, same being the southerly line of the said 17,038 acre tract, a distance of 18.30 feet, pass a found 5/8 inch iron rod with cap for the most southerly southeast corner of that certain 9,5360 acre tract, conveyed from the General Land Office to the City of Pearland, Texas, as recorded in File No. 02-94543, O.P.R.C.T., same being the northeast corner of the said 10.61 acre tract, and with the most southerly west line of the said 9,5360 acre tract, a total distance of 40.40 feet to a found 5/8 inch iron rod with cap stamped Withrowe Land Services, for an interior corner of the said 9,5360 acre tract, same being an interior corner of the said 17,038 acre tract;
- THENCE, with the southeasterly line of the said 9,5360 acre tract, same being the northerly line of the said 17,038 acre tract, the following (4) four courses and distances:
1. N 35° 33' 09" E, a distance of 218.46 feet to a found 5/8 inch iron rod with cap stamped Withrowe Land Services, for a point of curvature, non-tangent;
 2. a distance of 155.95 along the arc of a curve to the right, having a radius of 283.66 feet, a central angle of 31° 30' 00" and a chord which bears, N 01° 17' 40" E, a distance of 153.89 feet to a found 5/8 inch iron rod with cap stamped Withrowe Land Services, for an interior corner of the said 17,038 acre tract, non-tangent;
 3. N 67° 02' 40" E, a distance of 565.14 feet to a found 5/8 inch iron rod with cap stamped Withrowe Land Services for an end point, and
 4. N 87° 16' 40" E, a distance of 50.00 feet to a point in the east line of a remainder portion of that certain Tract 3, conveyed from State of Texas to Pearland, as recorded in Volume 1447, Page 287, B.C.D.R., for the southeast corner of the said 9,5360 acre tract, same being an interior corner of the said 17,038 acre tract, from which, a found 1/2 inch iron rod in the south line of Knapp Road, right-of-way, for the northeast corner of the said 9,5360 acre tract, same being the northeast corner of the said remainder portion of City of Pearland Tract 3; bears, N 02° 43' 20" W, 98.05 feet;
- THENCE, S 02° 43' 20" E, with the said west line of the remainder portion of City of Pearland Tract 3, same being an easterly line of the said 17,038 acre tract, a distance of 35.56 feet to a point for the southeast corner of the said remainder portion of City of Pearland Tract 3; same being an interior corner of the said 17,038 acre tract;
- THENCE, N 81° 14' 38" E, with the south line of the remainder portion of City of Pearland Tract 3, same being the most southerly north line of the said 17,038 acre tract, a distance of 302.50 feet to a point in the east line of Old Alvin Road, for the southeast corner of the said remainder portion of City of Pearland Tract 3; same being the most southerly northeast corner of the said 17,038 acre tract, from which, a found 5/8 inch iron rod, bears, N 33° 28' 37" E, 0.98 feet;
- THENCE, with the said west line of Old Alvin Road, same being the most southerly line of the said 17,038 acre tract, the following (4) four courses and distances:
1. S 02° 45' 15" E, a distance of 88.73 feet to a found 5/8 inch iron rod for a point of curvature, non-tangent;
 2. a distance of 445.74 feet along the arc of a curve to the left, having a radius of 1173.30 feet, a central angle of 21° 45' 54", and a chord which bears, S 13° 24' 28" E, a distance of 443.06 feet to a found 1/2 inch iron rod, for an end of said curve, non-tangent;
 3. S 24° 07' 58" E, a distance of 154.64 feet to a found 1/2 inch iron rod, for a point of curvature, non-tangent, and
 4. a distance of 34.04 feet along the arc of a curve to the right, having radius of 1128.07 feet, a central angle of 01° 43' 44", and a chord which bears, S 22° 02' 11" E, a distance of 34.04 feet to a found 5/8 inch iron rod with cap stamped C.L. Davis RPLS #4464 for the northeast corner of said Lot 1, same being the southeast corner of the said 17,038 acre tract;
- THENCE, with the said west line of Old Alvin Road, same being the east line of said Lot 1, the following (2) two courses and distances:
1. a distance of 301.98 feet along the arc of a curve to the right, having a radius of 1128.07 feet, a central angle of 01° 43' 44", and a chord which bears, S 12° 34' 19" E, a distance of 300.14 feet to a found 1/2 inch iron rod for an end of said curve, non-tangent, and
 2. S 02° 45' 08" E, a distance of 28.04 feet to the Point of Beginning, and containing 32.0019 acres (1,394,003 square feet) of land more or less.

- NOTES:
1. THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND.
 2. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, G.P. NO. 1203932728, EFFECTIVE DATE APRIL 25, 2012.
 3. ALL BEARINGS REFERENCES ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.
 4. ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY OWNERS ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
 5. ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A DEDICATED EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY SHALL REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
 6. 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 CURVE ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF 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.
 7. 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.
 8. ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS, SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SIGN DISTANCE REQUIREMENTS FOR MOTORISTS.
 9. 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.
 10. THE DISTANCES SHOWN ON THIS PLAT ARE SURFACE DISTANCES UNLESS OTHERWISE NOTED. THE GRID COORDINATES SHOWN ON THIS PLAT ARE BASED ON NATIONAL GEODETIC SURVEY MONUMENT HCGSD 76 PID AWM552 (NAD 1983). THE SCALE FACTOR FOR THIS MONUMENT IS 0.999885.
 11. A SIX-FOOT (6') SIDEWALK SHALL BE EXTENDED ALONG OLD ALVIN ROAD.
 12. THERE ARE TWO (2) PROPOSED AND ONE (1) EXISTING STREETLIGHT ON THIS PLAT.

1100 BLOCK OF OLD ALVIN ROAD FINAL PLAT OF CROSSPOINT CHURCH

A SUBDIVISION OF
32.0019 ACRES
BEING A PARTIAL REPLAT OF
R.B. LYLE SURVEY
LOTS 72, 73 AND 77, BLOCK 1
ZYCHLINKSKI SUBDIVISION

AS RECORDED IN VOLUME 23, PAGE 49
BRAZORIA COUNTY DEED RECORDS
ALSO BEING A REPLAT OF
FINAL PLAT CROSSPOINT FELLOWSHIP CHURCH
AS RECORDED IN VOLUME 22, PAGES 53-54
BRAZORIA COUNTY PLAT RECORDS

LOCATED IN THE
R.B. LYLE SURVEY
ABSTRACT NO. 542
AND THE
H.T. & B. R.R. CO. SURVEY
ABSTRACT NO. 233
CITY OF PEARLAND
BRAZORIA COUNTY, TEXAS
1 BLOCKS 1 LOT

SEPTEMBER 2012
PLAT NO. P-6158-2012-0057
OWNER:
CROSSPOINT FELLOWSHIP
CONTACT: ROBERT AYLOR
1134 OLD ALVIN ROAD
PEARLAND, TEXAS 77581
(281) 485-1848

Benchmark Elev. 50.33'

Brass Cap set flush in concrete, stamped 'City of Pearland GPS MONU #7, 1995'. The monument is located in the Southeast corner of the intersection of E.M. 518 and West Oaks Boulevard. Monument is 8.3 feet Eastward of the East back of curb of West Oaks Boulevard and 7.2 feet Southwesterly of the Southwest corner of concrete drain rip-rap. (NGVD 1929, 1987 Adjustment)

Temporary Benchmark Elev. 47.61'

Box cut in concrete base for an area light in the north side of the parking lot for Crosspoint Fellowship Church approximately 50' ± South of the North edge of concrete parking and approximately 65' ± West of the East curb line of the concrete parking, as shown on survey. (NGVD 1929, 1987 Adjustment)

Flood Statement

Flood Statement: The Federal Emergency Management Agency's Flood Insurance Rate Map for the City of Pearland, Brazoria County, Texas and Incorporated Areas, Community No. 480077, dated September 22, 1989, Map and Panel No. 48039C0035, indicates that this tract is within the following zones:

Zone 'X' Shaded: Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.

Zone 'AE': Special Flood Hazard Area subject to inundation by 100-year flood, base flood elevations determined. Base Flood Elevation=45' aced from above referenced map.

Floodway Areas in Zone 'AE': Areas wholly contained within the banks of Hickory Slough.

This determination has been made by scaling the property on the above referenced map and is not the result of an elevation survey. Warning: If this site is not within an identified Special Flood Hazard Area, this statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by manmade or natural causes. This flood statement shall not create liability on the part of the surveyor.

STATE OF TEXAS
COUNTY OF BRAZORIA

WE, CROSSPOINT FELLOWSHIP, ACTING BY AND THROUGH ROBERT AYLOR, ELDER/TRUSTEE, THEREUNTO AUTHORIZED, ATTESTED BY OWNERS OF THE PROPERTY AS SHOWN ON THE FOREGOING MAP OF CROSSPOINT CHURCH, IN PEARLAND, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY ACCORDING TO THE LINES, STREETS, ALLEYS, PARKS, AND EASEMENTS THEREON SHOWN AND DESIGNATE SAID SUBDIVISION AS CROSSPOINT CHURCH, SAME BEING OUT OF THE H.T. & R.B. LYLE SURVEY, ABSTRACT NO. 542, AND THE H.T. & B. R.R. CO. SURVEY, ABSTRACT NO. 233, LOCATED IN THE CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, AND DO HEREBY DEDICATE TO THE PUBLIC USE, AS SUCH, ALL OF THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN THEREON FOREVER AND DO HEREBY WAIVE ANY CLAIM FOR DAMAGES OCCASIONED BY THE ESTABLISHING OF GRADES AS APPROVED FOR THE STREETS AND ALLEYS DEDICATED OR OCCASIONED BY THE ALTERATION OF GRADES, AND DO HEREBY BIND OURSELVES AND SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

THIS IS TO CERTIFY THAT THE OWNERS OF THE PROPERTY SUBDIVIDED AS SHOWN UPON THE FOREGOING MAP OF CROSSPOINT CHURCH, HAVE COMPLIED OR WILL COMPLY WITH ALL RULES AND REGULATIONS OF THE CITY OF PEARLAND.

IN TESTIMONY WHEREOF, CROSSPOINT FELLOWSHIP HAS CAUSED THESE PRESENTS TO BE SIGNED BY ROBERT AYLOR, ITS ELDER/TRUSTEE, THEREUNTO AUTHORIZED, ATTESTED BY ITS _____, THIS _____ DAY OF AUGUST, 2012.

CROSSPOINT FELLOWSHIP
BY: _____ ATTEST: _____
ROBERT AYLOR
ELDER/TRUSTEE

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROBERT AYLOR AND _____ KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND AS ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF AUGUST, 2012.

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

THIS IS TO CERTIFY THAT THE CITY PLANNING COMMISSION OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THE PLAT OF PEARLAND FARMS, SECTION TWO, IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND ORDINANCES OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2012.

JERRY KOZA, JR.
CHAIRPERSON

APPROVED FOR THE CITY OF PEARLAND THIS _____ DAY OF _____, 2012.

DARRIN COKER
CITY ATTORNEY

ANDREA BROUGHTON, P.E.
CITY ENGINEER

- LEGEND
- B.L. INDICATES BUILDING LINE
 - U.E. INDICATES UTILITY EASEMENT
 - W.S.E. INDICATES WATER & SEWER EASEMENT
 - P.B.M. INDICATES PERMANENT BENCHMARK
 - D.E. INDICATES DRAINAGE EASEMENT
 - B.C.D.R. INDICATES BRAZORIA COUNTY DEED RECORDS
 - B.C.P.R. INDICATES BRAZORIA COUNTY PLAT RECORDS
 - E.E. INDICATES ELECTRICAL EASEMENT
 - ☆ INDICATES PROPOSED STREETLIGHT
 - ⊗ INDICATES EXISTING STREETLIGHT

CLIFTON SEWARD
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4337



LE 12033 CS 12023

**P&Z AGENDA
ITEM**

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City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 09/11/2012
AGENDA ITEM SUBJECT: Preliminary Plat of Savannah Meadows Section Ten

Old Business **New Business** Discussion Item Workshop

Summary: A request by Christy Smidt of Kerry Gilbert & Associates, applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Savannah Meadows Section Ten, generally located at the Southeast corner of Post Road (CR 58) and Linden Creek Lane, proposing a 26 single-family residential subdivision

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.



PLANNING AND ZONING COMMISSION MEETING OF September 17, 2012

PRELINARY PLAT OF SAVANNAH MEADOWS SECTION TEN

A request by Christy Smidt of Kerry Gilbert & Associates, applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Savannah Meadows Section Ten, generally located at the Southeast corner of Post Road (CR 58) and Linden Creek Lane, proposing a 26 single-family residential subdivision on the following described property, to wit

Legal Description: Being 10.2 acres of land located in the A.C.H.& B. Survey, Abstract 403 and J.S. Tamage Survey, Abstract 562, Brazoria County Texas, more particularly being a portion of the residue of a called 161.450 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: Located at the Southeast corner of Post Road (CR 58) and Linden Creek Lane

Planning and Zoning Commission: September 17, 2012

SUMMARY: The applicant is requesting approval of a Preliminary Plat for a 26-lot single-family subdivision in Savannah. This proposed subdivision is fully in the Extraterritorial Jurisdiction (ETJ) of the City of Pearland and has a development agreement. As the property is in the ETJ, Zoning does not apply. However, this development is governed by a development agreement which adheres to the city ordinance dealing specifically with lot sizes, density, and setback requirements.

UNIFIED DEVELOPMENT CODE: Does not apply.

SAVANNAH DEVELOPMENT AGREEMENT: There are several portions of the Development Agreement that apply to this submitted Preliminary Plat of Savannah Meadows Section Ten.

SURROUNDING ZONING AND LAND USES:

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

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

PLATTING STATUS: This is the first submittal of the Preliminary Plat of Savannah Meadows Section Ten. The property is not currently platted.

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

ADDITIONAL COMMENTS: This request has been reviewed by the city’s Development Review Committee and there were no additional comments.

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

TRAFFIC AND TRANSPORTATION: A traffic impact analysis was submitted and approved by the city’s Engineering Department 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.

COUNTY ROAD 58 FEES: As required by the Savannah Development agreement, the CR-58 Fees will have to be paid at time of Final Plat.

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Savannah Meadows Section Nine 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.

OUTSTANDING ITEMS:

There are no outstanding items regarding this plat.

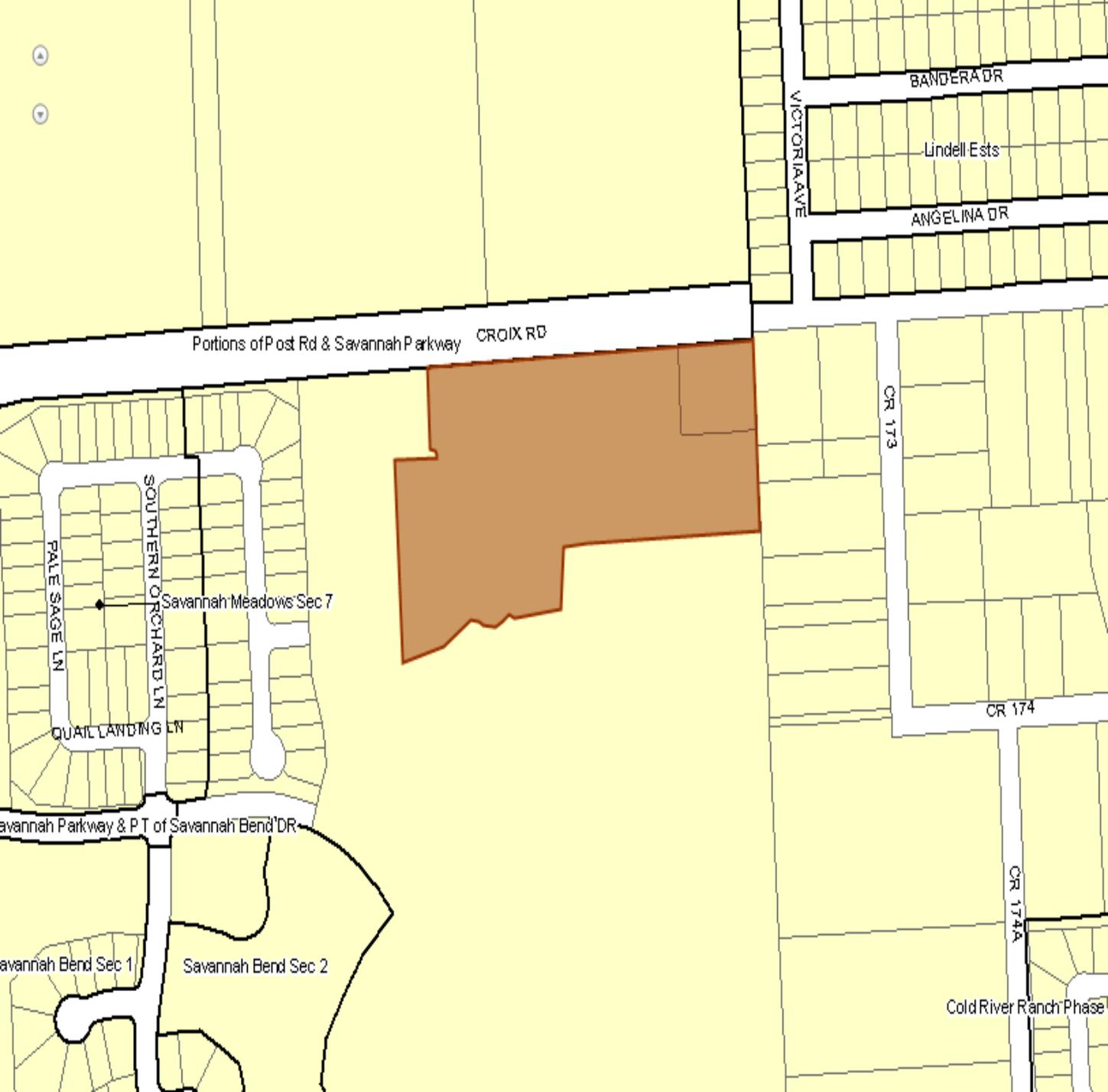
SUPPORTING DOCUMENTS:

- Vicinity Map
- Land Use Map
- Aerial Map
- Savannah Meadows Section Ten Plat



Preliminary Plat of
Savannah Meadows
Section 10

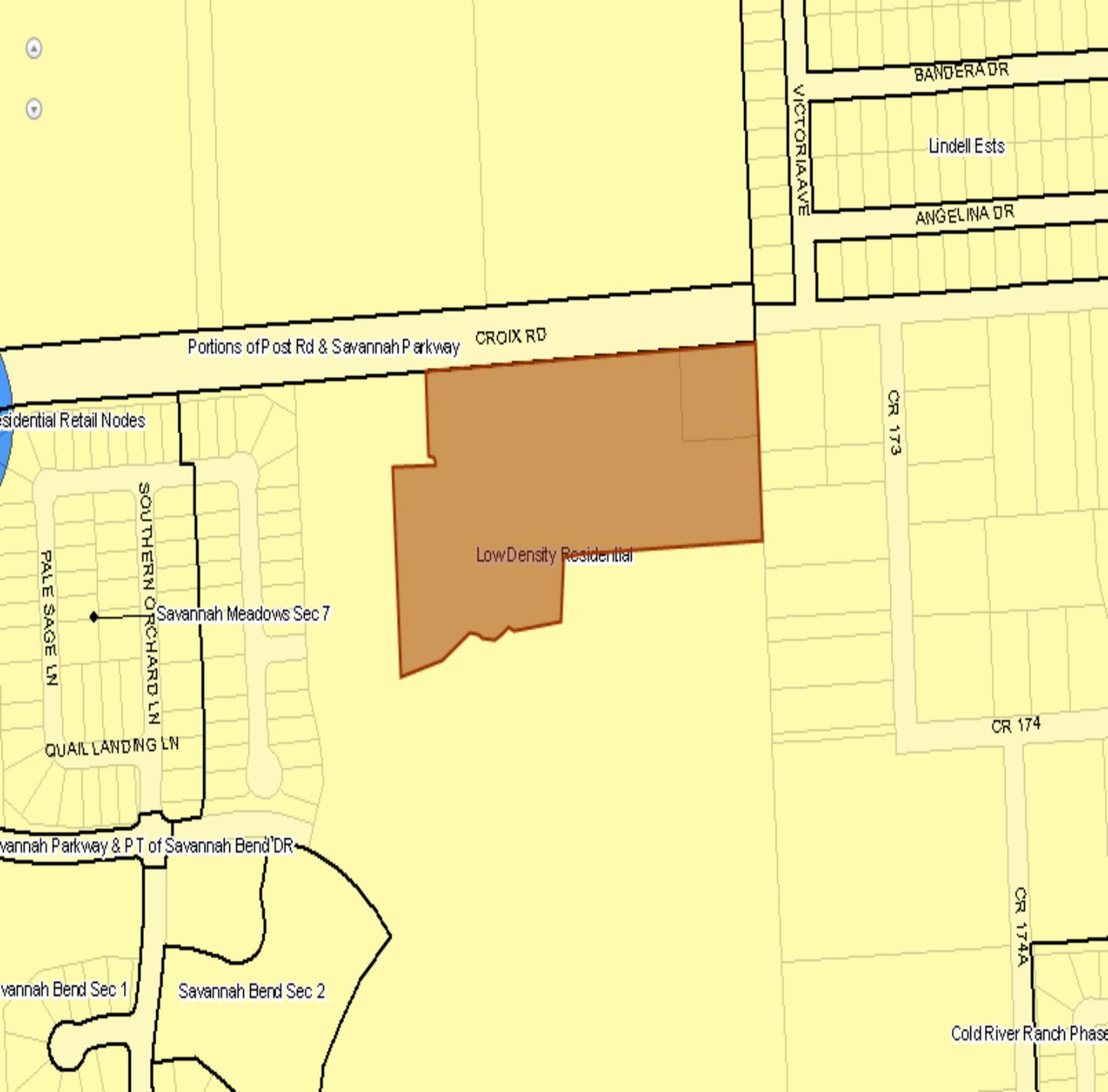
Vicinity Map





Preliminary Plat of
Savannah Meadows
Section 10

Future Land Use Map





Preliminary Plat of
Savannah Meadows
Section 10

Aerial Map



**P&Z AGENDA
ITEM**

E



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 09/11/2012
AGENDA ITEM SUBJECT: Final Plat of Savannah Meadows Section 9

Old Business **New Business** Discussion Item Workshop

Summary: A request by LJA Engineering, INC., applicant, on behalf of Savannah Development, LTD, owner for approval of a Waiver of Decision on the Final Plat of Savannah Meadows Section 9, to allow time to resolve inspection fees with the city. The site is located between Post Rd. (CR 58) and Savannah Bend Dr. and is approximately 6.073 acres.

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

September 7, 2012

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

Re: Final Plat of Savannah Meadows Section 9
LJA Job No. 0388-1092 (6.1)

Dear Planning & Zoning Commission/Planning Director:

Please accept for consideration the following request for waiver of decision time pursuant to Section 3.1.1.4 (b) of Pearland's UDC. LJA Engineering, Inc., hereby request an additional 40 days before the Planning and Zoning must act upon the plat known as **Savannah Meadows Section 9**. This extension is to **resolve the 1% inspection fee**.

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

Sincerely,

A handwritten signature in blue ink that reads 'Rene R.' with a stylized flourish at the end.

Rene Rodriguez
Sr. Project Coordinator

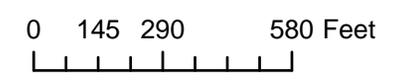
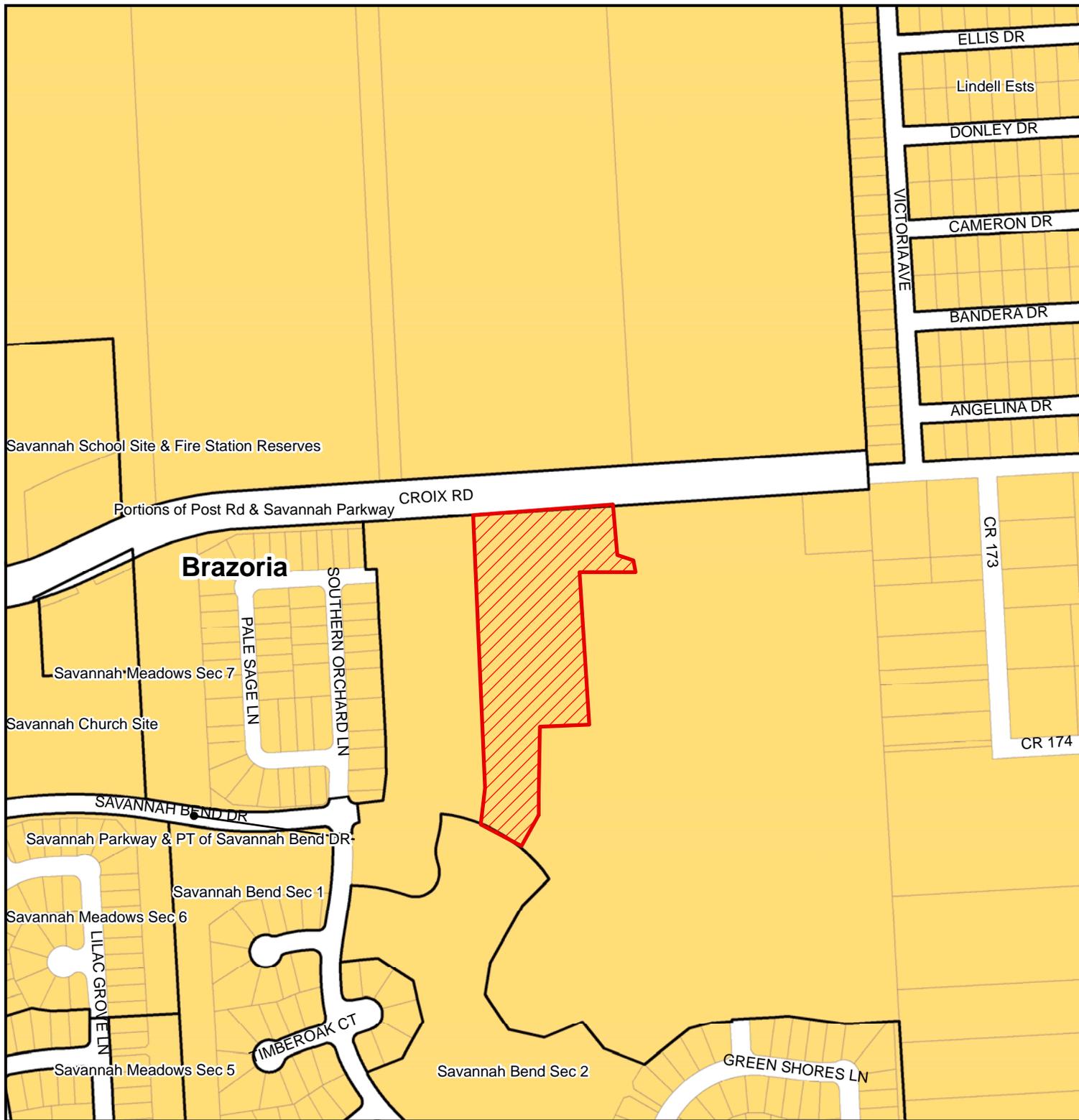
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Vicinity Map

Savannah Meadows Section 9

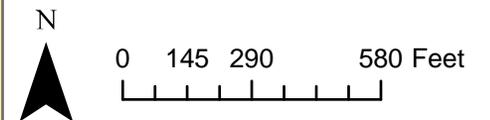
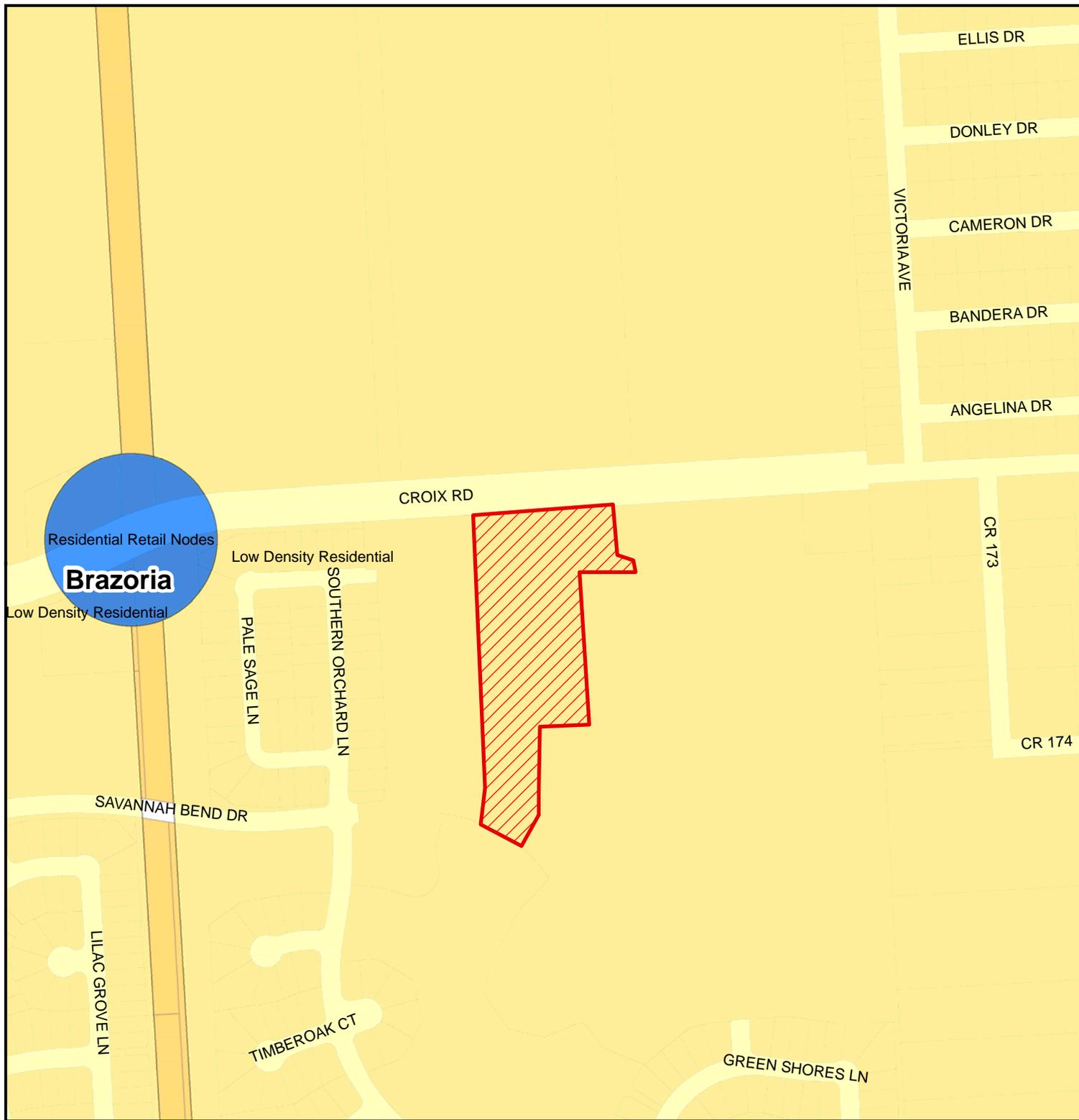


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Future Land Use

Savannah Meadows Section 9



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 Meadows Section 9



0 145 290 580 Feet

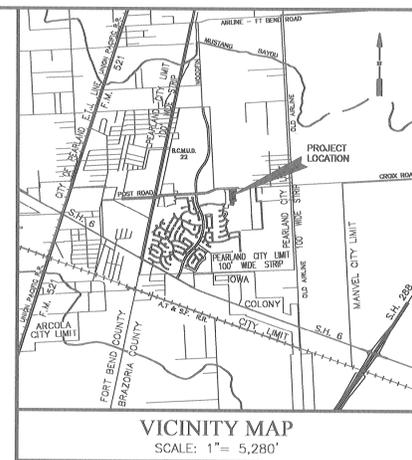
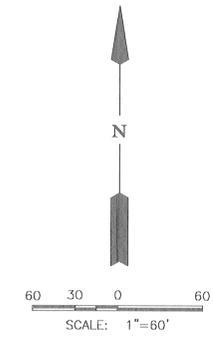
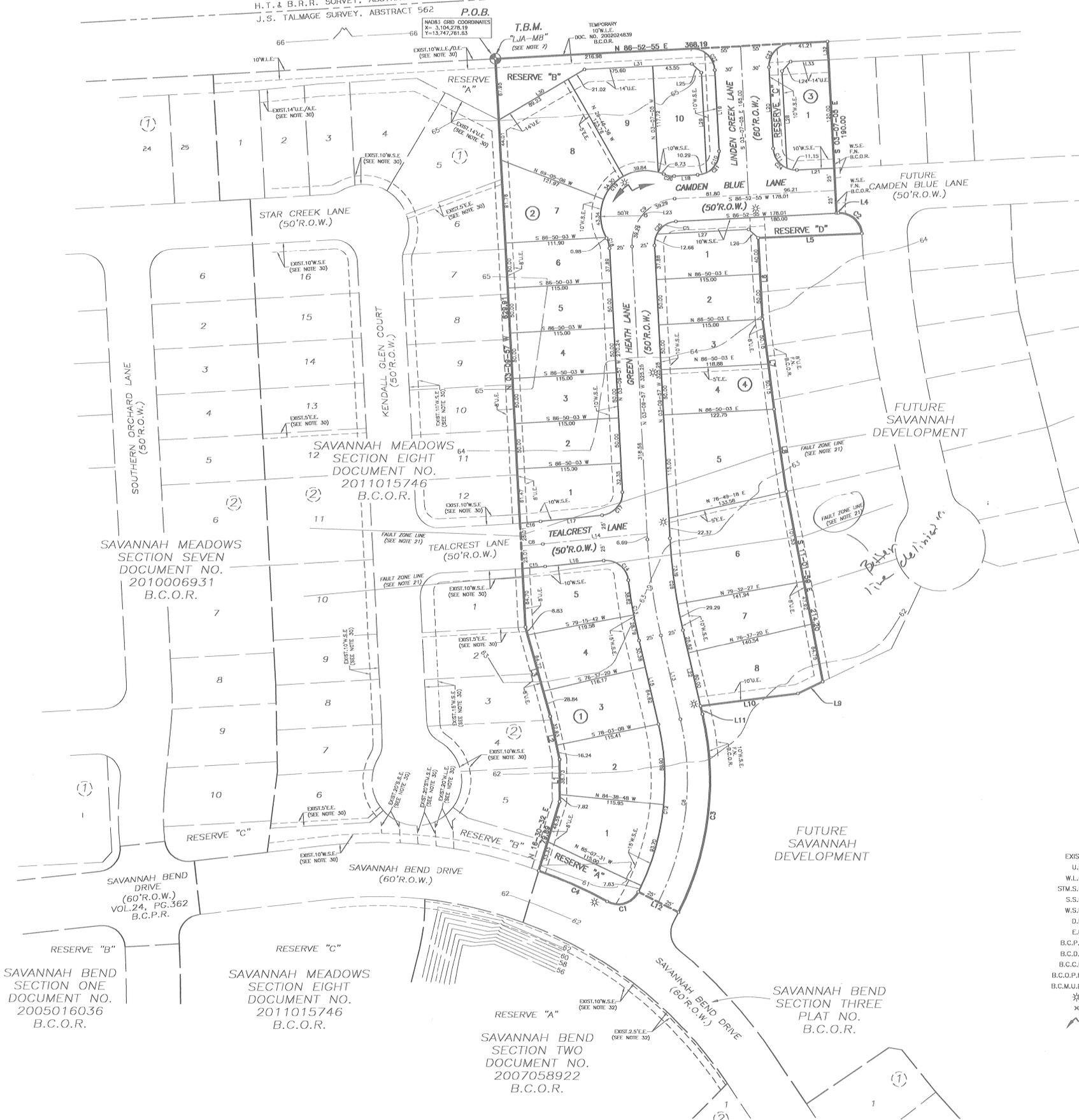
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

ACREAGE

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

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

PORTIONS OF POST ROAD (CO. RD. 58)
& SAVANNAH PARKWAY
DOC. NO. 201006926
B.C.O.R.



CURVE TABLE						
CURVE	RADIUS	TANGENT	CHORD	ARC	DELTA	CHORD BEARING
C1	25.00	25.97	36.02	40.22	92-10-24	N 72-35-12 E
C2	25.00	23.86	34.52	38.10	87-19-45	N 49-27-12 W
C3	325.00	117.79	221.48	228.03	39-50-35	N 08-52-37 E
C4	530.00	41.84	83.42	83.51	0-01-39	N 65-52-30 W
C5	25.00	14.74	25.39	26.64	61-02-38	S 56-21-36 W
C6	300.00	108.73	204.44	208.82	39-50-35	N 08-52-37 E
C7	600.00	53.81	108.80	106.94	10-12-43	S 08-16-19 E
C8	1000.00	12.62	24.04	24.04	1-22-39	N 84-45-12 E
C9	50.00	50.04	70.74	78.96	90-02-52	S 41-51-29 W
C10	25.00	16.37	27.39	28.96	66-25-19	N 30-05-34 E
C11	25.00	15.75	26.86	28.12	64-28-14	S 35-20-12 E
C12	275.00	99.67	189.40	191.23	39-50-34	N 08-52-37 E
C13	825.00	33.74	67.36	67.41	8-10-47	S 10-17-17 E
C14	25.00	24.46	34.96	38.72	88-44-14	N 51-34-03 W
C15	1025.00	12.63	25.29	25.25	1-24-41	N 84-46-13 E
C16	975.00	11.42	22.83	22.83	1-20-30	N 84-44-08 E
C17	25.00	23.82	34.48	36.06	87-13-50	N 40-26-58 E
C18	25.00	5.93	11.55	11.85	28-42-17	N 16-31-06 W
C19	50.00	151.44	94.96	125.19	143-27-27	S 41-51-29 W
C20	25.00	5.93	11.55	11.85	28-42-17	S 79-45-56 E
C21	25.00	25.00	35.36	39.27	90-00-00	N 41-52-50 E
C22	25.00	25.00	35.36	39.27	89-59-59	N 48-07-05 W
C23	25.00	25.00	35.36	39.27	90-00-00	S 41-52-50 W
C24	25.00	25.00	35.36	39.27	90-00-00	S 48-07-05 E
C25	25.00	25.02	35.37	39.29	90-02-52	S 41-51-29 W
C26	575.00	51.38	102.35	102.48	10-12-43	S 08-16-19 E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 00-13-22 W	46.06
L2	N 12-43-37 W	49.17
L3	N 15-41-51 W	102.39
L4	N 66-52-30 E	1.99
L5	S 87-23-46 W	114.98
L6	S 03-09-57 E	90.00
L7	S 07-30-51 E	100.30
L8	S 08-30-16 E	92.20
L9	S 64-25-48 W	30.33
L10	S 92-28-39 W	108.81
L11	S 13-22-40 E	9.18
L12	N 83-32-05 W	90.00
L13	N 13-22-40 W	95.00
L14	S 84-03-53 W	116.11
L15	N 13-22-40 W	95.00
L16	S 84-03-53 W	95.34
L17	S 84-03-53 W	88.47
L18	S 86-52-56 W	26.12
L19	S 03-07-05 E	90.00
L20	S 03-07-05 E	90.00
L21	S 86-52-56 W	41.21
L22	N 13-22-40 W	95.00
L23	N 48-08-31 W	3.31
L24	N 41-52-50 E	14.14
L25	N 48-07-05 W	14.14
L26	S 48-09-57 E	14.14
L27	N 86-50-03 E	101.86
L28	N 03-07-05 W	107.55
L29	N 03-07-05 W	110.91
L30	S 59-21-21 W	110.25
L31	S 86-52-56 W	119.15
L32	S 03-07-05 E	20.00
L33	N 86-52-56 E	42.00

RESERVES			
RESERVE	ACREAGE	SQ. FT.	TYPE
A	0.078	3,411	RESTRICTED TO LANDSCAPE/OPEN SPACE
B	0.189	8,239	RESTRICTED TO LANDSCAPE/OPEN SPACE
C	0.065	2,820	RESTRICTED TO LANDSCAPE/OPEN SPACE
D	0.091	3,954	RESTRICTED TO LANDSCAPE/OPEN SPACE
TOTAL	0.423	18,424	

AUG 2 2 2012 Submittal Date
 DRC Date AUG 2 8 2012
 Please review plat and return to the
 Planning Dept. by AUG 3 0 2012

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

FINAL PLAT
SAVANNAH MEADOWS
SECTION NINE

A SUBDIVISION OF 6.073 ACRES OF LAND SITUATED IN THE J.S. TALMAGE SURVEY, ABSTRACT 562, BRAZORIA COUNTY, TEXAS.
 24 LOTS 4 RESERVES (0.423 ACRES) 4 BLOCKS
 JULY 25, 2012 JOB NO. 0388-1092-304

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

PLAT NO.:

**P&Z AGENDA
ITEM**

F



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 09/11/2012
AGENDA ITEM SUBJECT: Final Plat of Savannah Meadows Section 9

Old Business **New Business** Discussion Item Workshop

Summary: A request by LJA Engineering, INC., applicant, on behalf of Savannah Development, LTD, owner for approval of the Final Plat of Savannah Meadows Section 9, located between Post Rd. (CR 58) and Savannah Bend Dr. encompassing approximately 6.073 acres.

Staff Recommendation: No Action required with approval of a Waiver of Decision.

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.

**P&Z AGENDA
ITEM**

G



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 09/11/2012
AGENDA ITEM SUBJECT: Final Plat of Southern Trails Section 12

Old Business **New Business** Discussion Item Workshop

Summary: A request by LJA Engineering, INC., applicant, on behalf of C.L. Ashton Woods, LP, owner for approval of a Waiver of Decision on the Final Plat of Southern Trails Section 12 to allow time to make necessary corrections. The site is approximately 800 feet south from the southeast corner the intersection of Broadway and Kingsley Drive for approximately 16.8 acres.

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.

2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026
www.ljaengineering.com

September 6, 2012

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

Re: Southern Trails Section 12
LJA Job No. 1021-0202

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 Unified Development Code. **LJA Engineering, Inc.**, hereby requests an additional forty (40) days before the Planning & Zoning Commission/Planning Director must act upon the plat known as **Southern Trails Section 12**. This extension is to allow time to make the corrections, including any updates, to the Master Plat.

Warren Escovy 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.

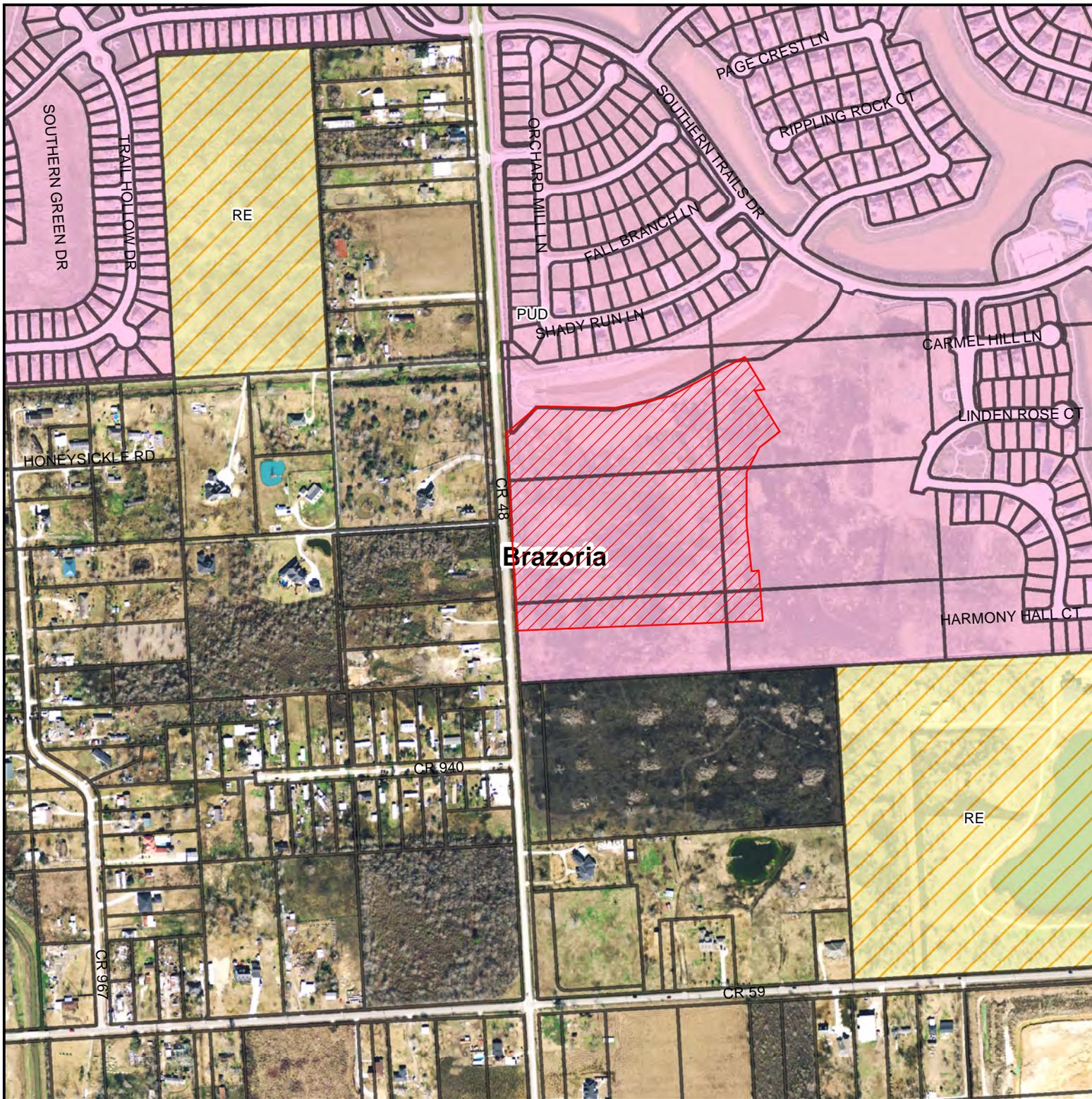
Sincerely,



Warren Escovy
Platting Group Manager

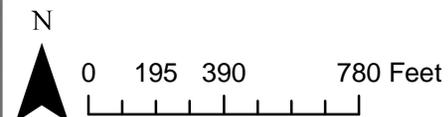
WE/rp

Copy: Alan McKee, LJA Engineering, Inc.

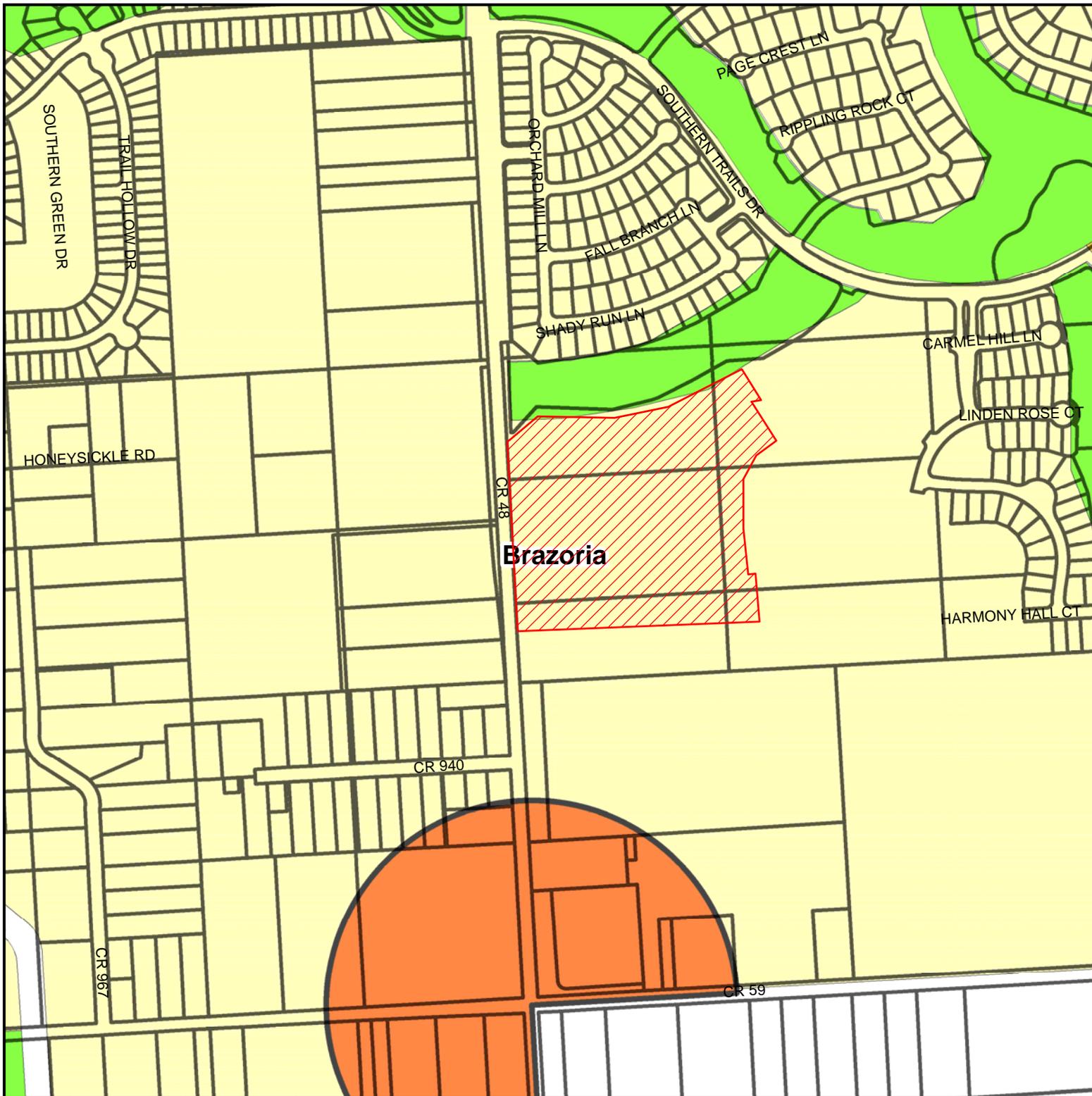


Zoning & Vicinity Map

Southern Trails Section 12



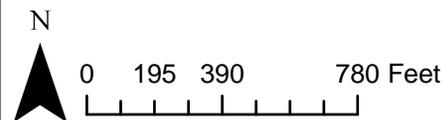
Map created on 06/14/2011



Future Land Use Map

Southern Trails Section 12

Brazoria

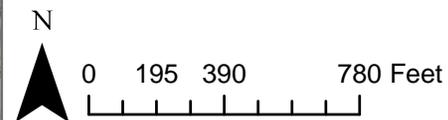


Map created on 06/14/2011



Aerial Map

Southern Trails Section 12



Map created on 06/14/2011

SOUTH 1/2 OF THE ACRES
SE 1/4 OF THE EAST 1/2 OF THE
W. HARRY PADGETT, ET UX
JOE R. LAWLEY, ET UX
VOL. 1310, PG. 280
O.R.B.C.

0.0606 ACRE
PART 2
CL ASHTON WOODS, LP
TO
BRAZORIA COUNTY, TEXAS
F.N. 2008 029929,
O.P.R.B.C.

ACREAGE
9.349 ACRES
LOT 13
RICHARD MENDOZE, ET UX.
TO
TOMMY SUWAT SUPPATKUL, ET AL.
FILE NO. 99 043615
O.R.B.C.
EXECUTED 8-27-99

RESTRICTED RESERVE B
4,548 SQ. FT.
0.1044 AC.
RESTRICTED TO OPEN SPACE,
LANDSCAPING AND UTILITIES

4.70 ACRES
TRI NGUYEN, ET UX.
TO
VIET LINH NGUYEN
F.N. 2004 055306
O.R.B.C.

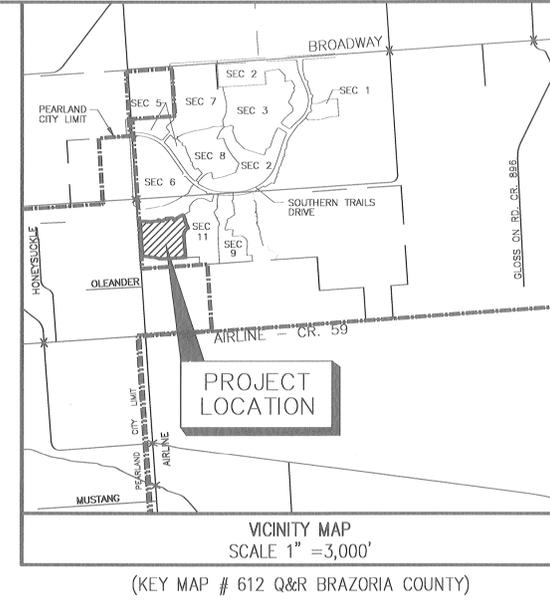
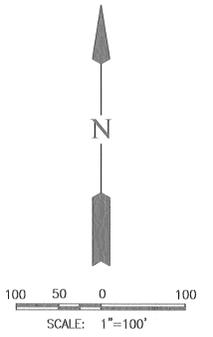
RESTRICTED RESERVE A
12,350 SQ. FT.
0.2835 AC.
RESTRICTED TO OPEN SPACE,
LANDSCAPING AND UTILITIES

RESIDUE OF
BECKER REVOCABLE TRUST NO. 2
TO
JAIME C. GONALEZ, ET UX
DOC. #921035 30
O.R.B.C.

20665 ACRES
JAIME C. GONALEZ, ET AL.
TO
ABELARDO FERNANDEZ, ET AL.
F.N. 03 035112
O.R.B.C.



Infrastructure?
-750' utilities



LINE	BEARING	DISTANCE
L1	N 86-44-13 E	23.58
L2	S 40-44-01 E	20.00
L3	N 41-59-48 E	19.91
L4	N 06-49-50 E	10.25
L5	N 52-22-51 E	26.83
L6	S 73-00-22 E	95.97
L7	N 20-20-19 E	27.45
L8	S 29-41-01 E	49.66
L9	S 78-43-00 E	17.08
L10	S 53-38-49 W	83.41
L11	S 30-02-28 W	83.41
L12	S 09-24-49 W	83.54
L13	N 86-42-41 E	8.43
L14	N 85-04-46 W	81.53
L15	N 73-17-14 W	78.25
L16	S 83-36-43 W	40.30
L17	N 06-23-17 W	54.21
L18	N 05-46-32 E	25.45
L19	S 46-31-14 W	35.77
L20	S 03-17-19 E	92.81
L21	N 86-10-38 E	25.01
L22	N 41-52-00 E	3.24
L23	N 51-42-57 E	8.44
L24	N 87-14-45 E	83.59
L25	N 03-17-19 W	42.81
L26	N 05-14-30 W	63.73
L27	S 05-14-30 E	135.56
L28	S 03-17-19 E	42.81
L29	N 86-42-41 E	106.98
L30	N 86-42-41 W	116.50
L31	S 87-14-45 W	82.70
L32	N 03-17-19 W	94.69
L33	S 03-17-19 E	94.69
L34	S 89-09-21 W	106.89
L35	N 47-03-13 W	21.86
L36	N 86-15-48 E	111.63
L37	N 41-00-00 E	14.32
L38	N 03-15-47 W	65.73
L39	N 13-21-08 W	88.37
L40	N 04-32-23 W	80.43
L41	S 06-40-10 W	89.81
L42	N 12-26-43 E	73.31
L43	S 70-24-48 E	63.19
L44	S 48-45-12 E	63.58
L45	S 25-08-13 E	63.30
L46	S 10-21-46 E	70.86
L47	N 03-15-47 W	213.84

CURVE	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
C1	4909.99	3-07-58	268.48	134.27	268.44	N 04-48-30 W
C2	50.00	82-43-49	72.20	44.03	66.09	S 89-22-07 E
C3	50.00	90-28-44	78.98	50.42	71.01	N 65-05-57 E
C4	325.00	2-40-54	15.21	7.61	15.21	S 66-47-26 W
C5	10.00	36-13-16	6.32	3.27	6.22	S 23-53-10 W
C6	1200.00	14-04-11	294.67	148.08	293.93	S 01-15-34 E
C7	300.00	84-59-40	445.03	274.87	405.33	S 50-47-29 E
C8	2500.00	1-57-11	85.22	42.61	85.21	N 04-15-54 W
C9	300.00	70-41-29	370.14	212.77	347.11	S 30-06-15 W
C10	2500.00	5-02-53	220.26	110.20	220.19	N 88-42-04 E
C11	50.00	91-14-45	79.63	51.10	71.46	S 43-09-07 E
C12	1500.00	10-10-13	266.26	133.48	265.91	S 07-33-23 W
C13	10.00	39-04-28	6.67	3.35	6.69	S 32-10-43 W
C14	25.00	89-29-28	36.05	24.78	35.90	S 48-00-31 E
C15	25.00	87-42-27	38.27	24.02	34.64	N 43-23-39 E
C16	1225.00	5-11-06	110.86	55.47	110.83	N 02-07-51 E
C17	25.00	45-20-51	19.79	10.44	19.27	N 17-57-02 W
C18	50.00	276-14-54	241.07	44.82	66.75	S 82-30-00 E
C19	25.00	51-08-33	22.32	11.96	21.58	S 30-03-10 W
C20	1175.00	12-46-33	262.00	131.55	261.46	S 01-54-23 E
C21	275.00	84-59-40	407.84	251.97	371.56	S 50-47-29 E
C22	25.00	90-00-00	39.27	25.00	35.36	N 41-42-41 E
C23	2475.00	1-57-11	84.36	42.19	84.36	N 04-15-54 W
C24	25.00	88-02-49	38.42	24.16	34.75	N 49-15-54 W
C25	2525.00	4-16-10	188.15	94.12	188.10	S 88-50-46 W
C26	25.00	37-09-45	16.22	8.40	15.93	S 72-23-58 W
C27	50.00	156-41-33	136.74	242.43	93.94	N 47-50-08 W
C28	25.00	28-15-27	12.33	6.29	12.21	N 18-22-55 E
C29	1925.00	9-04-03	241.34	120.92	241.09	N 06-47-14 E
C30	25.00	39-02-46	17.04	8.86	16.71	N 08-12-08 W
C31	50.00	275-08-50	240.11	45.70	67.46	S 70-09-06 E
C32	25.00	58-41-36	24.74	13.49	23.74	S 39-04-30 W
C33	1475.00	8-15-25	212.56	106.46	212.38	S 06-35-58 W
C34	25.00	91-14-45	39.81	25.55	35.74	S 43-09-07 E
C35	2475.00	4-27-38	192.89	96.39	192.64	N 88-59-42 E
C36	25.00	87-23-13	38.13	23.89	34.54	N 43-04-16 E
C37	325.00	66-04-20	374.78	211.35	354.36	N 32-24-49 E
C38	275.00	70-41-29	359.29	185.04	318.18	S 30-06-15 W
C39	2525.00	1-57-11	86.07	43.04	86.08	S 04-15-54 E
C40	25.00	90-00-00	39.27	25.00	35.36	S 48-17-19 E
C41	25.00	90-00-00	39.27	25.00	35.36	N 41-42-41 W
C42	25.00	90-00-00	39.27	25.00	35.36	N 48-17-19 W
C43	325.00	31-26-34	178.35	91.48	176.12	N 77-34-02 W
C44	100.00	44-51-19	78.28	41.27	76.30	N 84-16-24 W
C45	50.00	126-26-35	110.34	99.08	89.28	N 43-28-46 W
C46	100.00	44-51-19	78.28	41.27	76.30	N 02-41-08 W
C47	325.00	16-48-09	95.40	48.05	95.08	N 16-42-13 W
C48	25.00	3-14-51	69.43	34.73	69.42	N 06-40-13 W
C49	25.00	87-42-27	38.27	24.02	34.64	N 48-54-01 W
C50	25.00	90-30-32	39.49	25.22	35.51	S 41-59-29 W

RESERVE TABLE			
RESERVE	TYPE	ACREAGE	SQ. FT.
A	RESTRICTED TO OPEN SPACE/LANDSCAPING AND UTILITIES	0.284	12,350
B	RESTRICTED TO OPEN SPACE/LANDSCAPING AND UTILITIES	0.104	4,548
TOTAL		0.338	16,898

AUG 28 2012 Submittal Date
DRC Date AUG 28 2012
Please review plat and return to the
Planning Dept. by AUG 30 2012

BLOCK NO. OF PLAT LOCATION
FINAL PLAT OF
SOUTHERN TRAILS
SECTION 12
A SUBDIVISION OF 16.79 ACRES OF LAND SITUATED IN THE H.T. & B.R.R.
CO. SURVEY, SECTION 80, ABSTRACT 564,
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS
ALSO BEING OUT OF THE
ALLISON-RICHEY GULF COAST HOME COMPANY SUBDIVISION
PART OF LOTS 3,4,13,14,15 & 23 BLOCK 80
AS RECORDED IN VOLUME 2, PAGE 98, B.C.P.R.

58 LOTS 2 RESERVES (0.388 ACRES) 6 BLOCKS
DATE: AUGUST 16, 2012 JOB NO: 1021-0202-310

OWNERS:
C.L. ASHTON WOODS, L.P.
MS. JUSTINE KLINNE, (TITLE OF OFFICER)
675 BERING DRIVE, SUITE 500-HOUSTON, TEXAS 77057
PH. (713)554-1304
ENGINEER/SURVEYOR:

**P&Z AGENDA
ITEM**

H



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 09/11/2012
AGENDA ITEM SUBJECT: Final Plat of Southern Trails Section 12

Old Business **New Business** Discussion Item Workshop

Summary: A request by Kerry R. Gilbert and Associates, applicant, on behalf of C.L. Ashton Woods, LP, owner for approval of a Final Plat of 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

Staff Recommendation: No Action required with approval of a Waiver of Decision.

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.

**P&Z AGENDA
ITEM**

I

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. PURPOSE OF HEARING
Proposed Comprehensive Plan Amendment - Grand Avenue Plan
- 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**

J

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. PURPOSE OF HEARING
Proposed Comprehensive Plan Amendment – Lower Kirby Urban Center
- 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**

K



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Harold Ellis, City Planner
DATE: September 12, 2012
AGENDA ITEM SUBJECT: 2012 Planning & Zoning Commission Strategic Projects

Old Business New Business Discussion Item Workshop

1. Summary: In January of this year, the 2012 Strategic Projects for the Commission were discussed and identified. The agenda request for that meeting, which outlines the 2011 and 2012 Strategic Projects is attached to this memo. Since that time, the Commission has undergone changes in members, and due to a lack of a full Commission, the 2012 Strategic Projects were placed on hold. Now that the Commission is full, these priorities need to be discussed, and team members reassigned. Please review the attached agenda request which summarizes the projects and at the meeting we can re-assign and resume the projects.

2. Staff Recommendation: Evaluate priorities, assign new team members, and discuss future course of action.



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission

REQUESTOR: Lata Krishnarao, AICP, LEED ND

DATE: January 9, 2012

AGENDA ITEM SUBJECT: Discussion Items

Old Business New Business Discussion Item Workshop

Summary

The Management Connection, Inc. facilitated a Planning Workshop with the City of Pearland's Planning and Zoning Commission on Saturday, October 16, 2010. Seven priorities were identified by the Planning and Zoning Commission for 2011, as a result of this workshop.

Subsequently, Planning Department formed work teams to address these priorities and formulate recommendations for each priority. Each team consisted of two P & Z Commissioners, one lead planning staff, and the Planning Director. Each team presented their recommendations to the entire P & Z. The recommendations were finalized by P & Z, with input from ACM Mike Hodge.

In December 2011, P & Z reviewed their progress and identified the priorities for 2012.

Status of 2011 Priorities

2011 Priorities	2011 Teams	Status as for Dec. 2011
1. Establish Annexation Process a. Assist in developing a Communication Plan b. Assist in conducting a Cost/Benefit Analysis within the defined boundaries	Neil West, Henry Fuertes, Evan Duvall, Lata Krishnarao	Completed
2. Conduct quarterly or as needed conferences	Richard Golden,	Completed

with EDC and Chamber for the purpose of increasing communication/understanding	Henry Fuertes, Ian Clowes, Lata Krishnarao	
3. Develop strategy to address Brownfield Development (opportunities).	Darrell Diggs, Jerry Koza, Ian Clowes, Lata Krishnarao	Continue
4. Develop a plan to address: a. Transportation b. Mass Transit Connectivity (pedestrian access/ mobility)	Susan Sherrouse, Richard Golden, Harold Ellis, Lata Krishnarao	Continue
5. Update Land Use Matrix. Completed as part of the Unified Development Code Update T-12 and T-13.	P & Z Commission and Planning Staff	Completed
6. Update Comprehensive Plan.	Susan Sherrouse, Henry Fuertes, Evan DuVall, Lata Krishnarao	Continue
7. Develop a strategy for cell towers in the City.	Neil West, Darrell Diggs, Harold Ellis, Lata Krishnarao	Continue

2012 Priorities and Teams

2012 Priorities	2012 Teams
1. Develop strategy to address Brownfield Development (opportunities).	Phil Cessac, Henry Fuertes, Jerry Koza, Ian Clowes, Lata Krishnarao
2. Develop a plan to address: a. Transportation b. Mass Transit c. Connectivity (pedestrian access/ mobility)	Shiela Fischer, Richard Golden, Harold Ellis, Lata Krishnarao
3. Update Comprehensive Plan.	Shiela Fischer, Henry Fuertes, Evan DuVall,

	Lata Krishnarao
4.Develop a strategy for cell towers in the City.	Neil West, Phil Cessac, Henry Fuertes Harold Ellis, Lata Krishnarao

As in the 2011 report, each priority will be finalized in the following format:

- I Priority
- II Goal
- III Scope
- IV Tasks/milestones with completion dates
- V Findings
- VI Recommendations

The 2011 report on four priorities that are carried over is attached below.

Staff Recommendation

Discuss the future course of action and milestones.

PRIORITY 1

Team: Phil Cessac, Henry Fuertes, Jerry Koza, Ian Clowes, Lata Krishnarao

Develop strategy to address Brownfield Development (opportunities).

I Description

Identify and address how to best deal with Brownfield locations, within the city, and bring them up to the standards of the Unified Development Code. This will free up additional property, sometimes in key areas of the city, and produce additional tax revenue in the long run. At this time, the city does not currently have a policy in place that specifically deals with the redevelopment of these sites. It is to the city's benefit to develop a plan of action for future use.

II Outcome

Establish a plan of action by determining if any Brownfield sites currently exist in the city and how best to return these sites to income producing commercial or industrial businesses. This will free up additional property, sometimes in key areas of the city, and produce additional tax revenue in the long run.

III Scope

This project should address two main issues:

- a) Determine any existing Brownfield sites and develop a strategy to market these sites for redevelopment.
- b) Determine the causes of Brownfield status and enact a strategy to limit any future Brownfield sites within the city.

IV Tasks/milestones with completion dates

Kickoff/First Meeting: April 21, 2011

Aug 1 – Project conclusion*

Aug 15 – P & Z Discussion

Sept 12 – P & Z Finalization

July 25 – Refine scope/recommendation

Oct – P & Z Presentation to CC

Staff has researched Brownfield sites and discussed with local officials about possible incentives and actions that can be taken to remediate any potential hazards that may still exist.

V Findings

The City of Pearland has very limited sites that would be considered Brownfields. The few that do exist are mostly old gas stations and old industrial sites that may require some remediation before the sites will be a viable option for redevelopment. Pearland has three superfund sites located within our limits. These sites are monitored by the EPA and TCEQ and are not part of the Brownfield redevelopment scope.

VI Recommendations

- The City of Pearland should work with Pearland Economic Development Corporation to determine a course of action.
- Propose incentives such as tax breaks for a set amount of years that would encourage developers to redevelop these Brownfield's.
- Pearland is far from built out with a plethora of Greenfields to develop, incentives may be the main motivational factor for redevelopment of our Brownfield sites.

PRIORITY 2

Team: Shiela Fischer, Richard Golden, Harold Ellis, Lata Krishnarao

Develop a plan to address Connectivity (pedestrian/intra-City mobility)

I Description

The Commission felt that the City needed a comprehensive plan which addressed transportation, mass transit, and connectivity. Upon further research, it was discovered that the City is currently working with Houston Galveston Area Council on a number of different plans addressing the issues mentioned, both on a local and regional level. Upon further investigating those plans, it was discovered that they may not fully address recreational and non-recreational means of transportation. Therefore, the Commission would like that aspect to be addressed in a final transportation plan. The Commission felt that this proposed final transportation plan should combine all of the plans being worked on with the City and other regional entities into a comprehensive transportation plan, to be adopted as a part of the City's Comprehensive Plan to be used as a guide for future land use requests.

II Goal

Establish a comprehensive, city-wide mobility plan, to adopt and incorporate as a document in the comprehensive plan, to be used by the Commission when considering future land-use requests.

III Scope

This project should address intra-City connectivity and mobility for residents and visitors to the City. Specifically, this plan should address the following:

- a) Pedestrian and bicycle lanes or pathways, based on the City's thoroughfare plan and/or Parks Trails Master Plan, to effectively get people to major destination points
- b) Mobility within the City as a whole to Pearland's major destination points from various parts of the City via circulator system (e.g. Bus, trolley) developed as a result of this study.

IV Tasks/milestones with completion dates

Kickoff/First Meeting: April 6, 2011
May 6 – Detailed project goals
June 10 – Sugar Land Mobility Plan
July 25 – Refine scope/recommendation
Aug 1 – Project conclusion*
Aug 15 – P & Z Discussion

Sept 12 – P & Z Finalization
Oct – P & Z Presentation to CC

Staff has met with Engineering and City administration regarding coordination between various City projects which has resulted in the narrowed scope of this project.

V Findings

The City of Pearland already has plans or committees in place to address transportation (traffic flow, signal synchronization), regional transportation, connectivity within the City, and mass transit. At this time, the City's current Comprehensive Plan does not have a subsection in the Transportation Chapter of the Comprehensive Plan which would address the City's long-term goals for these issues.

VI Recommendations

- The City of Pearland should incorporate the findings and overall results of the various ongoing mobility projects into the City's next Comprehensive Plan update.
 - The new chapter of the Comprehensive Plan should serve as a guide for Staff, Commission, and Council to use when considering future development and its impact on transportation.
- Planning and Zoning Commission representation should be included as a stake holder in the review process of the ongoing City mobility projects once they are formalized to ensure that all aspects of intra-city transit are covered. This would be including but not limited to non-recreational bicycle connectivity within the City.

PRIORITY 3

Team: Shiela Fischer, Henry Fuertes, Evan DuVall, Lata Krishnarao

Develop a plan to update the Comprehensive Plan.

I Description

The Planning and Zoning Commission has prioritized developing a plan for updating the Comprehensive Plan as one of its Strategic Priorities.

The existing Comprehensive Plan was prepared in 1999, with minor updates in 2004 and 2009. In 2004, limited additions were made to the Comprehensive Plan to include topics that had not been addressed before. These topics included housing, community character, mixed uses, and others, that provided a basis for the new Unified Development Code adopted in 2006. In 2010, only the Future Land Use Map was reviewed with respect to vacant land and some changes were made.

During the last thirteen years, the City of Pearland has experienced almost a tripling of population. This substantial growth and emerging issues have diminished the effectiveness and validity of the current Plan.

Additionally, individual sections of the Plan, such as the Parks Plan, Water and Sewer Plan, Thoroughfare Plan, etc., have been updated independently of this document, but have not been incorporated.

The Comprehensive Plan is a document that guides public policy in terms of transportation, utilities, land use, recreation, housing, economic development and others. Texas state law requires municipalities that adopt zoning regulations to do so "in accordance with a comprehensive plan" (Texas Local Government Code §211.004). Aside from statutory requirements, having a plan provides the City with the opportunity to address issues related to growth and service provision in a proactive, coordinated manner that promotes the health, safety, and general welfare of residents.

Therefore P & Z believes that it is time to undertake a comprehensive update to make sure the Comprehensive Plan reflects current data, trends and community preferences. An updated Plan is imperative to guide future city's growth in the next twenty years. This need is further precipitated by the unprecedented growth in the last 10 years, from 37,640 in 2000 to 91,252 in 2010, the changes that the city has undergone, and regional changes in the Houston Galveston area.

II Outcomes

Provide a recommendation for updating the Comprehensive Plan for the City of Pearland to assure the goals of the City of Pearland are accomplished over the next twenty years.

III Scope

Review the goals of the City of Pearland's Comprehensive Plan and develop a strategy for updating the Comprehensive Plan.

IV Tasks/milestones with completion dates

Kickoff: March 07, 2011
Meeting: April 04, 2011
P&Z Discussion: August 15, 2011

V Findings

The City of Pearland's Comprehensive Plan (Plan) needs to be updated to reflect changes that have occurred over the past decade. Over the last six years two major updates have been completed; including the Future Land Use Plan and the 2006 Addendum. These updates have targeted only a few sections of the Plan and a substantial amount of the document is in its 1999 original adoption state. The 2004 update was an addendum and added some sections to the Comprehensive Plan. It did not revise the entire Plan. Similarly, the 2009 update focused on only a few sections and was not a comprehensive update.

1. The goals of the Comprehensive Plan have to be evaluated.

- a. Determine if goals established in 1999 are still applicable
 - i. Revise outdated goals.
 - ii. Examine if goals are being implemented by all departments of the city.
 1. Compare other documents utilized by other departments.
- b. Add additional goals
 - i. Determine if any additional goals are applicable to the City of Pearland.
 1. Sustainability
 2. Hazard Mitigation
 3. Mobility
- c. Facilitate Enforcement of the Plan among all departments
 - i. Assure that all departments are working together to obtain the future goals of the City of Pearland.

2. Complete update to the Comprehensive Plan

- a. Assure that the current information for the City of Pearland is accurate (Demographic, Cross Section for Streets, etc.)
- b. Add new information such as trails to the Comprehensive Plan.
- c. Add additional chapters as needed.

- i. Sustainability
- ii. Hazard Mitigation

3. Community involvement to validate the information contained in the Comprehensive Plan

- a. Community Meetings
- b. Online Surveys
- c. Open Houses

4. Need to assure city's departments are aligned

- a. Meetings with city departments
 - i. Review each department's implementation tools with the goals of the Plan to find opportunities or conflicts.

VI Recommendations

- The City of Pearland should do an all-inclusive update of the Comprehensive Plan for the City of Pearland.
 - This update will provide for a guide for the City of Pearland over the next twenty-years.
 - Explore additional resources required to complete this update.
 - Incorporate other Planning and Zoning Commission strategies in the Comprehensive Plan such as a Mobility Plan and Telecommunications Plan.

PRIORITY 4

Team: Neil West, Phil Cessac, Henry Fuertes, Harold Ellis, Lata Krishnarao

Develop a strategy for addressing future cell tower requests

I Description

Due to a number of past Conditional Use Permit requests related to cellular communication towers, the Commission felt that consideration for approvals lacked specific guidelines. Therefore, the Commission expressed a desire to have a future plan which establishes guidelines and policies to use as a basis for future cellular communication tower requests in the City to ensure future approvals are in the best interest of the City in terms of location, design, and coverage areas

II Goal

Develop a plan for the introduction of new cell towers over the next 10-15 years.

III Scope

Investigate existing telecommunication towers within the City limits and ETJ for capacity, height, locations, structures, with the purpose of developing a strategy for the introduction of new towers over the next 10-15 years.

IV Tasks/milestones with completion dates

Kickoff/1st Meeting: April 7, 2011 – Milestones Established

1. Review City's regulations and governance of telecommunication towers - met
2. Develop map of all existing towers within the City and ETJ - met
3. Investigate the possibility of a moratorium on new towers - met
4. Conduct a joint meeting between the Commission and tower owners and industry experts to develop a stealth plan - pending
5. Develop a coverage map for all towers within the City and ETJ - pending

July 15 – Project update/recommendation

Aug 1 – Project Conclusion

Aug 15 – P & Z Discussion

Sept 12 – P & Z Finalization

P & Z Presentation to City Council

V Findings

Milestones 1, 2, and 3, as listed above, have been completed. Item 4 will be addressed out of the recommendation for 5, which is to develop a coverage map for all towers, as well as proposing suggested stealth technologies and plan.

Additional findings to note:

- The City needs additional information regarding stealth technologies and practices of nearby communities
- The current Comprehensive Plan does not address cell towers
- The City needs a precise map showing not just locations of existing towers, but coverage capability of existing towers
- New technologies may phase out existing towers, the City needs a plan to address what will happen if this becomes an issue
- Grandfathering of towers makes improvements to existing towers difficult, research should be done on how to handle this issue

VI Recommendations

The City of Pearland should create a cellular coverage map for the City and ETJ. This study should take into account additional available capacity on existing towers to illustrate future coverage potential with existing towers. Additionally, the study should identify proposed stealth technologies based on the findings of the map, as well as other community regulations within the region. The study should also identify means of phasing out existing towers as technology changes the demand. The findings may then be discussed further with the Commission and Council to finalize an end product to be used when evaluating new towers and can be proposed for adoption with the annual Unified Development Code in 2012 (T-14).

Attachments:

Individual Commissioner Research and Input



**City of Pearland
Planning and Zoning Commission**

July 27, 2011

Subject: City of Pearland Cell Tower Strategy - Commissioner Input #1

Pursuant to the Planning and Zoning Commission Retreat conducted earlier this year, the Planning Director for the City of Pearland requested the commission to proactively pursue courses of action to ensure the identified goals and objectives might be attained. This request led to the formulation of several working groups within the commission to investigate in greater details the issues impacting the established goals. One such goal was the development of a strategy to guide the commission with regard to facilities siting of cell towers within the city and its extraterritorial jurisdiction (ETJ).

The Cell Tower workgroup comprised of Commissioner Darrell J. Diggs, Sr., Commissioner Neil West, and Senior Planner Harold Ellis met initially to identify the scope, milestones, and timeline. A final report is scheduled to be presented to the City Council on or before September 30, 2011. The project scope was defined as: *"Investigate existing telecommunication towers within the City limits and ETJ for capacity, height, location, and structure with the purpose of developing a strategy for introducing new towers over the next 10-15 years."*

The Cell Tower Workgroup also established the following milestones to ensure progress and to guide the completion of this task.

- Review of City's regulations and governance of telecommunication towers.
- Investigate the possibility of a moratorium on new towers.
- Develop a map of existing cell towers within the City and its ETJ.
- Develop a Stealth Plan governing the siting of towers throughout the City.
- Develop a coverage map for all towers within the City and ETJ.

This document identifies findings from Commissioner Darrell J. Diggs, Sr. research into federal data sources and regulations available from the Federal Communications Commission and Section 704 of the Telecommunications Act of 1996.

Section 704 of the Telecommunications Act of 1996 governs federal, state, and local government oversight of siting of "personal wireless service" (PWS) facilities. The act, while preserving local zoning authority, prohibits any action that would:

- discriminate between different providers of personal wireless services, and
- ban altogether the construction, modification, or placement of these kinds of facilities.

While the Telecommunications Act of 1996 clearly resolves the issue of placing moratoriums on the siting of new towers, its amendment to Section 332(c) of the Communications Act clearly preserves the authority of local government decisions regarding the placement, construction, and modification of PWS facilities.

This information, along with additional summary information regarding issues such as cellular market licensing management, effects of radio frequency emissions, and licensee requirements regarding Environmental Assessments are found on the FCC Wireless Telecommunications Bureau web site fact sheet (<http://wireless.fcc.gov/siting/fact1.html>).

The FCC site also contains publically available information on existing and proposed cellular tower siting facilities (see exhibit 1). The facilities database includes information such as:

- Registration Number,
- Tower Owner,
- Tower Address,
- Tower Height,
- Structure Type, and
- Date of Construction/Dismantling.

The following exhibit details the above information for the 28 towers currently within the City of Pearland and its ETJ. This information provides the basis for the completion of work by this group. Licensing information must be registered and approved by the Federal government and the availability of this licensing data can assist the Planning Department in its provision of factual and complete data regarding cell towers to the City Council and the P&Z Commission. In addition, the P&Z Commission can use this information in its deliberations regarding siting of new facilities.

*P & Z 2021 PROJECT GOAL; CELL TOWER STRATEGY
COMMENTS UPDATE, NEIL WEST, COMMISSIONER
08-08-11*

CELL TOWER STRATEGY DOES INCLUDE OTHER VIBLE ALTERNATIVES

CELL TOWER BASICS

*LOCATION-APPEARANCE-EFFECTIVENESS, NEED ADDRESSING
MORE EXTENSIVE USE OF TRANSMISSION POLES CURRENTLY
ALL CELLULAR TECHNOLOGY COULD BE UNDER A MASTER PLAN & MONITORED
PHASE CELL TOWERS OUT AS TECHNOLOGY ALLOWS,
NO GRANDFATHERING*

CUTTING EDGE TECHNOLOGY

*INVESTIGATE CURRENT TECHNOLOGY AVAILABL
KEEP UP TO DATE ON OTHER THAN TOWERS (SATELITES, OTHER TRANSMISSION
METHODS, ETC.)*

**ADJOURN
MEETING**