

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

MAY 6, 2013

6:30 p.m.

Henry Fuertes
P&Z CHAIRPERSON

Linda Cowles
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Neil West

Ginger McFadden



Matthew Hanks

Mary Starr

Daniel Tunstall

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

AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, MAY 6, 2013, AT 6:30 P.M., COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES

Approve the Minutes of the April 15, 2013, P&Z Regular Meeting, held at 6:30 p.m.

III. EXCUSE ABSENCE

Excuse absence of Vice-Chairperson Linda Cowles from the P&Z Regular Meeting of April 15, 2013.

Excuse absence of Commissioner Ginger McFadden from the P&Z Regular Meeting of April 15, 2013.

IV. OLD BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2013-07Z

A request of Christy Smidt (Kerry G. Gilbert & Assoc.), applicant and Beeman E. Strong (for the Settegast Family), owner, for approval of a zone change from the Planned Development (PD) zone to the Planned Development (PD) zone for 31.3165 acres, to wit:

Legal Description: Being a 30.7935 acre (1,341,365 square foot) tract of land situated in the Thomas J. Green Survey, Abstract Number 198 in Brazoria County, Texas, and being out of and a part of the called 118.775 acre tract of land described in deed to Marion E. Settegast, et al as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, said 31.3165 acre tract of land.

General Location: Approximately 700' North of Broadway on Pearland Pkwy

V. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – MASTER PLAT OF BUSINESS CENTER PD

A request by Eric D. Johnson of IDS Engineering Group, applicant, on behalf of Joe L. Moody, owner for approval of a Master Plat of Business Park PD, a commercial subdivision on 38.90 acres of land, generally located at the 3600 Block of County Road 59.

<p>Decision Date: 5/10/2013</p>
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Legal Description: A subdivision of 38.9 acres of land out of the H.T. & B.R.R. Survey, Abstract 300, City of Pearland, Brazoria County, Texas.

General Location: 3600 Block of County Road 59

B. CONSIDERATION & POSSIBLE ACTION - PRELIMINARY PLAT OF CANTERBURY PARK SECTION 2

**Decision
Date:
5/10/2013**

A request by Pape-Dawson Engineers, Inc., applicant, on behalf of KB Home Lone Star, Inc., owner for approval of a Preliminary Plat of Canterbury Park section 2, a 51 lot subdivision on 13.21 acres of land, generally located at the 4000 Block of Springfield Ave.

Legal Description: A subdivision of land containing 13.2144 acres out of the Canterbury Park Section 1 Survey, City of Pearland Texas, County of Brazoria, Texas.

General Location: 4000 Block of Springfield Ave.

C. CONSIDERATION & POSSIBLE ACTION - PRELIMINARY PLAT OF GOLFCREST ESTATES

**Decision
Date:
5/10/2013**

A request by Chad Gormly of Gormly Surveying, Inc., applicant, on behalf of Howard Palmer, owner for approval of a Preliminary Plat of Golfcrest Estates, a 7 lot subdivision on 4.59 acres of land, generally located at the 2700 Block of Country Club Drive.

Legal Description: A 4.59 acre tract of land, being out of a tract of land as conveyed to Golfcrest Country Club by deed as recorded in Volume 7259, Page 5, Deed Records, Harris County, Texas, Situated in the W.D.C Hall Survey, abstract 23, Harris County, Texas.

General Location: 2700 Block of Country Club Drive

D. DISCUSSION ITEMS

1. Commissioners Activity Report
2. Zoning Update
3. Next P&Z Meeting– May 20, 2013
4. Next Joint Public Hearing – May 20, 2013
5. National APA Conference in Chicago

VI. ADJOURNMENT

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

I, Debbie Cody, Administrative Clerk 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 3rd day of May, 2013, A.D., at 5:30 p.m.

Debbie Cody, Administrative Clerk

Agenda removed _____ day of May 2013.

APPROVAL

OF

MINUTES

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, APRIL 15, 2013, AT 6:30 P.M., CITY COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

CALL TO ORDER

P&Z Chairperson Henry Fuertes called the meeting to order at 8:45 p.m. with the following present:

P&Z Commissioner Neil West
P&Z Commissioner Matthew Hanks
P&Z Commissioner Daniel Tunstall
P&Z Commissioner Mary Starr

Also in attendance were: Director of Community Development Lata Krishnarao, City Planner Harold Ellis, Assistant City Manager Mike Hodge, Assistant City Attorney Nghiem Doan, Assistant City Engineer Richard Mancilla, and Administrative Clerk Debbie Cody.

APPROVAL OF MINUTES

A motion was made by Commissioner Mary Starr to approve the minutes of April 1, 2013 P&Z Regular Meeting and seconded by Commissioner Neil West. The vote to approve was 5 – 0.

EXCUSE ABSENCE

A motion was made by Commissioner Mary Starr and seconded by Commissioner Matthew Hanks to excuse absence of Chairperson Henry Fuertes and Commissioner Ginger McFadden from the P&Z Regular Meeting of April 1, 2013. The vote carried 5 – 0 in favor of excusing their absences.

NEW BUSINESS

CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. CUP 2013-02

A the request of Esteban V. Rodriguez, applicant for Condor Auto Care Center, LLC., owner, for approval of a Conditional Use Permit to allow for Minor Auto Repair in the General Business (GB) zone, on property located at 7929 Broadway, more specifically described property, to wit:

Legal Description: Plat of survey of a 0.6984 acre tract being a part of lot “A” of Westgate Park a subdivision of 9.575 acres of land out of lots 47 and 48 of the Allison Richey Gulf Coast Home Company Subdivision of Section 19 of the H. T. & B. Railroad Company survey, Abstract 243, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 16, page 320, of the plat records of Brazoria County, Texas

General Location: 7929 Broadway St., Pearland, TX

A motion was made by Commissioner Matthew Hanks with conditions set forth by staff and seconded by Commissioner Mary Starr.

Staff report was presented by City Planner Harold Ellis stating that there would be no negative impact as a result of the proposed minor auto repair facility, it was in conformance with the Unified Development Code (UDC), and that the recommendation was that the bays do not face Broadway. Commissioner Neil West asked if the property had been properly maintained, to which City Planner Ellis answered that it would be once the CUP was in place. Commissioner Hanks mentioned that there was a billboard there that came down and City Planner Ellis stated that it had been a condition of the last CUP. City Planner Ellis illustrated in the presentation that the bays did not face Broadway and that it was the same site plan as what was proposed last year. He further explained that another way to ensure that would be to attach the site plan to the CUP.

Commissioner Matthew Hanks amended the motion to approve with the site plan and Commissioner Starr seconded the motion.

Chairperson Fuytes asked what the hours of operation would be and it was stated by City Planner Ellis the hours indicated were 8 – 6 pm. Chairperson Fuytes was fine with that, but wanted it stated for the record. City Planner Ellis explained that typically it is not customary to add hours of operation as conditions of approval due to difficulty of enforcement of that stipulation. It was clarified that there were no nearby neighbors. Chairperson Fuytes asked if the site plan was the one that had been amended, but not the rendition and City Planner Ellis explained that what they were looking at was a conceptual design. Chairperson Fuytes was not concerned as long as City rules would be followed for construction. Commissioner Hanks was not inclined to tie an architectural rendering into the approval of CUP. There was no further discussion and a vote was taken resulting in 5 – 0 approval.

CONSIDERATION & POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. CUP 2013-03

A request of Lyle Henkel, Terra Associates, applicant for HEB Grocery Co, LP – Todd Piland, owner, for approval of a Conditional Use Permit to allow for Auto Wash – Self Service in the General Business (GB) zone, on property located at the northwest corner of Broadway and Pearland Pkwy., more specifically described property:

Legal Description: Being a tract containing 22.7711 acres of land situated in the Thomas J, Green Survey, abstract Number 198, Brazoria County, Texas, and being out of and a portion of the called 118.755 acre tract as described in the deed to Marion E. Sattgest, et al, recorded in Volume 1421, Page 25, of the Brazoria County Deed Records, Brazoria County, Texas.

General Location: Northwest corner of Broadway (FM 518) and Pearland Parkway

A motion was made by Commissioner Daniel Tunstall and seconded by Commissioner Matthew Hanks.

City Planner Harold Ellis reported that there were no negative impacts of the proposed carwash that would hinder approval; it was in conformance with the Unified Development Code, and compatible with neighboring properties. There is currently no development on the property. Questions ensued from the Commissioners regarding the location of the entryway and exit of carwash and also regarding what materials of construction would be used. The discussion also

included the continuance of connectivity on this site with the adjoining property to the north. Chairperson Fuertes questioned if the materials for construction would be required to match that of the future store to be built on the site. City Planner Ellis stated that it would need to be addressed now or by overlay requirements. He further clarified that if the Commission wanted the buildings to match, the corridor overlay district would have masonry requirements but not requirements to match the store. Community Development Director Lata Krishnarao pointed out that the Commission could put conditions in the Conditional Use Permit (CUP) to address those concerns. Chairperson Fuertes explained the intention of all the questioning was to be clear that the end product would look nice. Community Development Director Krishnarao clarified that if the Commission is concerned about how the carwash is going to look, it can be addressed through the CUP process. It was also clarified that the CUP is for the entire 22.7 acres, and not just the carwash acreage.

Commissioner Mary Starr voiced the opinion that it should match and conform to the main building and also that none of the bays would face Pearland Parkway. There were questions regarding the type of pavement to be used and whether it should be asphalt or concrete. Commissioner Starr suggested that if possible, it be stipulated that it be consistent with the entire parking lot. Community Development Director Krishnarao emphasized the right of the Commission to ask for building elevations. She then summarized the issues at hand:

- 1 - What is the building going to look like? She stated that it would be easily resolved by asking for a building elevation; a color rendering of what it would look like and make it a condition of approval.
- 2 – Is it going to match the architecture of remainder of the development? She cited the language from the corridor overlay district as a means to tie the architecture consistency of the building to the CUP to address specifics of ensuring the store, fueling station, and carwash are aesthetically consistent.
3. What is the paving going to be? She again emphasized that this concern could be addressed in the CUP to require the paving to be all concrete, if the Commission should so choose.

She also reiterated that unless you tie the site plan to the CUP, then the carwash could be placed anywhere on the 22 acres. It was strongly recommended that there not only be a site plan, but also building elevations with the CUP. That way it would be clear where the building would be and how it would be built. If the site plan were to change, it would have to come before the Commission again. Chairperson Fuertes questioned what would happen if a Jack in the Box came in and would they be forced to comply with the same aesthetics. Community Development Director Krishnarao explained that with specific language applying to the main HEB store, carwash, and fuel station as shown on the site plan, it would eliminate those issues for future development.

There was also concern voiced by Commissioner Hanks that the Commission did not over-reach in what to ask for, namely the issue of what paving to use at the carwash.

There was an amendment to the original motion made by Commissioner Tunstall and seconded by Commissioner Matthew Hanks to approve with the following conditions:

1. that the façade and architecture of the carwash should be similar to the architectural design, color, and materials consistent with the overall theme of the HEB store
2. excluding EIFS and stucco
3. the bays of the carwash do not face Pearland Parkway per the site plan submitted by the applicant

The vote was unanimous at 5 – 0.

CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2013-06Z

A request of Richard Gonzalez applicant and owner, for approval of a zone change from the Single Family R-2 zone to the Neighborhood Services (NS) zone on the following described property, to wit:

Legal Description: Being a .460 acre tract of land out of the H.T. & B. R.R Company Survey, section 11, abstract 239, City of Pearland, Brazoria County, Texas.

General Location: 4608 Walnut St.

A motion was made by Commissioner Daniel Tunstall and seconded by Commissioner Neil West.

City Planner Harold Ellis presented the staff report, illustrating the aerial map and mentioned that the applicant was not present. Commissioner Matthew Hanks referred to the Joint Public Hearing with the City Council and questioned if changing to NS was even the appropriate zoning for this applicant. He referred to the Joint Public Hearing in which the applicant mentioned having outside tables and it was stipulated that for NS Zoning, that would not be allowed. City Planner Ellis stated that it was a minor component in relation to the business itself. The main component of the business was inside sales based on pre-development meetings. He further stated that this is the most restrictive commercial zone and any other zone related to outdoor activity would allow more, but be less compatible with neighboring properties. Chairperson Henry Fuyertes was concerned that with changing this zone, if there were a catastrophic loss, the applicant would not be able to use this property as a residence if need be. City Planner Ellis addressed that concern by clarifying that if there were a loss, the applicant could go before the Zoning Board of Adjustment for a special exception.

Chairperson Fuyertes called for the vote and the item was approved by a 5 – 0 vote.

CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2013-07Z

A request of Christy Smidt (Kerry G. Gilbert & Assoc.), applicant and Beeman E. Strong (for the Settegast Family), owner, for approval of a zone change from the Planned Development (PD) zone to the Planned Development (PD) zone for 31.3165 acres, to wit:

Legal Description: Being a 30.7935 acre (1,341,365 square foot) tract of land situated in the Thomas J. Green Survey, Abstract Number 198 in Brazoria County, Texas, and being out of and a part of the called 118.775 acre tract of land described in deed to Marion E.

Settegast, et al as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, said 31.3165 acre tract of land.

General Location: Approximately 700' North of Broadway on Pearland Pkwy

A motion was made by Commissioner Neil West and seconded by Commissioner Mary Starr.

City Planner Harold Ellis presented the staff report, illustrating the undeveloped property just north of the HEB property. He presented the proposed layout plan with several concerns regarding the need for additional exhibits related to landscaping, the design plan needing to be more specific as the per the Unified Development Code, and the need for elevations and renderings for signage. He also mentioned façade variations needed to be more tied down and a need for more information on lighting. He was confident that the concerns could be resolved before the first reading, thus recommending approval, as the Planned Development (PD) would allow for a higher quality development with a larger amount of amenities. Community Development Director Krishnarao added that it was the wish of the Commission to have a final version of the PD before it goes to a reading, and suggested working with the applicant to bring a final version of the PD. Chairperson Fuertes further mentioned that a company name was in the PD document and questioned whether that should be removed. City Planner Ellis explained that the applicant could address that and ask that it be removed. Chairperson Fuertes asked about the language in UDC of a site plan being submitted with a PD and City Planner Ellis stated that it needs to have one and that a 10% deviation is allowed.

Commission recessed at 9:49 and reconvened at 9:55 pm

City Planner Ellis recapped the previous conversation regarding the need for more specifics and how to address those issues. There was much discussion regarding signage and the need to see what was being proposed; if additional and/or larger signs were being requested. The issue at hand was three signs of varying heights which, as explained by Community Development Director Lata Krishnarao, would be a variance from the code unless the third sign were treated like a main entry feature. However the issue was the need for details and both the applicant and staff felt confident there could be an agreement reached. Christy Smidt of Kerry Gilbert and Associates showed the signage exhibit on a map indicating the three multi-tenant sign locations. Community Development Director Krishnarao pointed out that the Unified Development Code (UDC) would only allow 2 multi-tenant signs and what was illustrated was another multi-tenant sign and a project identifier sign. She explained that if the entrance were treated to where it gives one a sense of place and creates a unique environment there, then two more multi-tenant signs would work. She made the suggestion of two ten foot signs and one twenty foot sign to give identity to the whole center; a sense of entry and a sense of place. She explained the reasoning behind asking for more details is that it would be very difficult to implement the current site plan when the applicant applies for a permit without details which, she added, are not in the UDC. Mr. Kerry Gilbert of Kerry Gilbert and Associates explained the rationale behind the third sign proposal was a small grouping of buildings on the south corner of the property which was a specific request of staff. It was more community oriented, thus the need for their own sign. He clarified with the Commission that the third sign being proposed was not a main entrance sign and the reason for the height of twenty feet in the proposal was because of the number of businesses involved. Community Development Director Krishnarao explained to the

Commission that if there was any disagreement, it would still go to the Council for the first reading, but staff would not be able to ensure that requirements had been met, possibly placing staff in a negotiating mode after the Planning and Zoning Commission had approved something. She expressed one more issue that staff was not able to come to an agreement with applicant on and that was the exterior building façade. She referenced a previous joint workshop with the City Council in which their wishes were to have higher standards and we had suggested that a Planned Development (PD), as opposed to a General Business (GB) zoning would accomplish that.

Community Development Director Krishnarao emphasized the reasons why changing to a PD were superior to GB

1. Eliminate linear building at the back to get away from the strip center look.
2. Create public gathering places and play areas with pedestrian connectivity
3. Enhanced entry features that would create a sense of place so that it would not be another generic place
4. Landscaped median and meandering walkway
5. Walkways and landscaping along rear buildings
6. Concrete pavement at strategic locations to allow for pedestrian gathering
7. Unified Lighting
8. 2 different building materials for the façade to enhance aesthetics
9. Comprehensive sign packet to bring the development together

Commissioner Tunstall made a motion to postpone until the next Planning and Zoning Meeting and allow staff to work out the details with the applicant and put in a document that upon which the Commission could vote and Commissioner Hanks seconded.

The vote was 5-0 approving the postponement.

CONSIDERATION & POSSIBLE ACTION – REPLAT OF LOT 2, BLOCK 1 OF KIRBY COMMONS

A request by Chris L. Hendrick, applicant, on behalf of 518 @ Kirby, LLC, owner for approval of a Partial Replat of Lot 2, Block 1 of Kirby Crossing. The site is located near the northwest corner of Kirby and Broadway on the following described property, to wit

Legal Description: A Subdivision of 1.333 acres in the T.C. & B.R.R. CO. Survey, section 3, Abstract No. 678, in the City of Pearland, Brazoria County, Texas.

General Location: Located at the northwest corner of Kirby Dr. and Broadway St.

Commissioner Matthew Hanks made a motion and it was seconded by Commissioner Daniel Tunstall.

City Planner Harold Ellis presented the staff report showing retail offices and services on currently undeveloped land and recommended approval. There was no discussion by the Commission and a vote was cast at 5 – 0 approval.

CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF COVINGTON ESTATES

A request by John English of Rekha Engineering, Inc., applicant and R. West Development, Inc., owner, for approval of the Preliminary Plat of Covington Estates, a 20 lot subdivision on a 9.64 acre tract of land, generally located at 2014 Hillhouse Road.

Legal Description: A tract of land containing 4.82 acres known as Tract 20-A, situated in Lot 20 of the Allison Richey Gulf Coast Home Company Subdivision, Abstract No. 506, as recorded in Volume 2, Page 23 of the Brazoria County Map Records, and;

A tract of land containing 4.82 acres known as Tract 20, situated in Lot 20 of the Allison Richey Gulf Coast Home Company Subdivision, Abstract No. 506, as recorded in Volume 2, Page 23 of the Brazoria County Map Records.

General Location: 2014 Hillhouse Road

A motion was made by Commissioner Matthew Hanks and seconded by Commissioner Mary Starr. City Planner Harold Ellis presented the staff report illustrating an approved Cluster Plan west of Cullen in an aerial view behind the high school.

Commissioner Daniel Tunstall questioned if the detention facility was classified as a pump-out facility and if the applicant was aware of the design criteria per Section 5.8.5. The Assistant City Engineer Richard Mancilla responded to the Commissioner's list of questions by explaining that the applicant (not present) had access to his comments electronically, which referenced the design criteria of Section 5.8.5 and emphasized that those requirements would need to be met prior to approval of the final plat. Commissioner Tunstall also questioned if there was an escrow account for future maintenance of the facility. Assistant City Engineer Mancilla reiterated that it was one of the stipulations set forth in Section 5.8.5 required prior to approval of the final plat.

Commissioner Tunstall also indicated that the amenities shown in the package were not representative of the drawing shown in C3B referring to actual depth and static water elevation. He referred to a fountain in the pond which would require a three foot depth, but the drawing only indicated two feet. He suggested a note be added that the pond design is per the design criteria of Section 5.8.5. It was determined from discussion between the Assistant City Engineer and the Assistant City Attorney that a note would not be required since the requirement was on his checklist anyway.

The vote was 4-1 with the dissenting vote from Commissioner Tunstall due to comments on detention facility and misrepresentations in documents and the fact that the applicant was not present.

CONSIDERATION & POSSIBLE ACTION – WAIVER OF DECISION OF FINAL PLAT OF PRESERVE OF HIGHLAND GLEN SECTION 2

A request by Rene Rodriguez, from LJA Engineering, applicant, on behalf of Beazer Homes Texas, LP, owner, for approval of a Waiver of Decision on a Final 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 Hughes Road and Pearland Parkway.

City Planner Harold Ellis stated the item didn't need action due to a bond being in place, thus allowing Commission to act on the Final Plat next on the agenda.

CONSIDERATION & POSSIBLE ACTION – FINAL PLAT OF PRESERVE OF HIGHLAND GLEN SECTION 2

A request by Rene Rodriguez, from LJA Engineering, applicant, on behalf of Beazer Homes Texas, LP, owner, for approval of a Final 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 Hughes Road and Pearland Parkway.

A motion was made by Commissioner Mary Starr and seconded by Commissioner Daniel Tunstall.

City Planner Harold Ellis presented the staff report recommending approval of the plat, stating the current zoning to be R1 and undeveloped currently. Chairperson Henry Fuertes questioned if there were any outstanding items and/or exceptions or major concerns at this time to which City Planner Ellis answered that the item had been resolved. There was no further discussion and the item passed 5 – 0.

CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF BUSINESS CENTER PLANNED DEVELOPMENT TRACTS C-3 AND C-4

A request by Eric D. Johnson, P.E. from IDS Engineering Group, applicant, on behalf of Joe Moody, owner, for approval of a Preliminary Development Plat of Business Center Planned Development Tracts C-3 and C-4.

Legal Description: Being 3.35 acres of land, in the H.T. & B.R.R. Co. Survey, A-300, Brazoria County, Texas, being a portion of the 30.583 acre tract described in the deed from Compass Bank to Parkside 59/288, Ltd. Recorded under Document No. 2011012491, in the Official Public Records of Brazoria County, Texas.

General Location: Northwest corner of Business Center Drive and County Road 59.

Community Development Director Lata Krishnarao reported that this item actually needed to come back to the Commission as a Master Plat. She further explained that it would likely be on the May 6th meeting agenda and once approved, they will go forward with a Development Plat. With no action required, there was no motion made.

DISCUSSION ITEMS

1. Commissioners Activity Report – Chairperson Henry Fuentes stated that he would discuss the APA Convention trip to Chicago at the next meeting.
2. Next P&Z/Workshop (Cluster Development) – May 06, 2013
3. Next Joint Public Hearing – May 20, 2013 - Chairperson Henry Fuentes asked if anyone knew they would not be here for the next two meetings and the answer was no unanimously.

- I. **ADJOURNMENT** – Chairperson Henry Fuentes adjourned the meeting at 11:10 pm.

These minutes are respectfully submitted by:

Debbie Cody, Administrative Clerk

Minutes approved as submitted and/or corrected on this 6th day of May 2013, A.D.

P&Z Chairperson Henry Fuentes

EXCUSE ABSENCE

OLD BUSINESS

**P&Z AGENDA
ITEM**

A



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Harold Ellis, City Planner
DATE: May 1, 2013
AGENDA ITEM SUBJECT: Zone Change 2013-07Z, Tabled at 4/15/13 P&Z Meeting

Old Business **New Business** **Discussion Item** **Workshop**

1. **Summary:** At the April 15, 2013 Planning and Zoning Commission meeting, the following case was tabled:

CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2013-07Z

A request of Christy Smidt (Kerry G. Gilbert & Assoc.), applicant and Beeman E. Strong (for the Settegast Family), owner, for approval of a zone change from the Planned Development (PD) zone to the Planned Development (PD) zone for 31.3165 acres, to wit:

Legal Description: Being a 30.7935 acre (1,341,365 square foot) tract of land situated in the Thomas J. Green Survey, Abstract Number 198 in Brazoria County, Texas, and being out of and a part of the called 118.775 acre tract of land described in deed to Marion E. Settegast, et al as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, said 31.3165 acre tract of land.

General Location: Approximately 700' North of Broadway on Pearland Pkwy

Key items of discussion included needing clarification on the following items:

- Signage being proposed (including conceptual images)
- Building materials being proposed
- Specifications on landscaping for medians
- Specifications on lighting
- Flexibility in proposed document exceeding UDC requirements
- Lack of a final PD document for the Commission to review

Since the last meeting, the applicant has revised and resubmitted the Planned Development document, addressing the above referenced items, as summarized below:

Signage being proposed: The applicant has included conceptual images of the signage being proposed. Additionally, the applicant has clarified that the signs for the proposed development will comply with the Unified Development Code's size and area requirements and that the deviation being requested with the Planned Development pertains to additional multi-tenant signs, as illustrated on *Exhibit J*.

Building materials proposed: The applicant is proposing that the building facades for the development will comply with the Unified Development Code. In addition to that, the facades will have 30% of stone or brick material resulting in two different types of masonry materials for each store front and multi-tenant pad sites. The original proposal indicated the secondary masonry material would be 10%. In order to result in a superior development, the applicant has agreed to increase the percentage to 30%.

Specifications on landscaping for medians: The applicant is proposing a boulevard entry from Pearland Parkway to the main multi tenant building towards the rear of the property. The initial Planned Development document indicated that this area would be landscaped, but did not provide quantifiable specifications on the amount of landscaping being proposed. The revised document indicates that the landscaping (trees) will be in the form of hardwood and ornamental trees at a ratio of 1" in caliper for every one foot of median length, with a minimum of 2" per tree.

Specifications on lighting: The applicant's original Planned Development document indicated that proposed lighting for the subject site would *emulate decorative style and height of light structures* for the proposed adjacent HEB store. As the referenced development does not have any lighting requirements above and beyond the Unified Development Code, it was recommended that the Center at Pearland Parkway, if proposing different lighting standards that the UDC requires, specify those in the document. The applicant has now indicated that their development will have a *cohesive lighting plan* with specific heights, not to exceed the height of the building they are serving.

Flexibility in proposed document exceeding UDC requirements: The Unified Development Code has precise language which regulates the flexibility given to a Planned Development (Section 2.2.2.6 (b)). It indicates that changes in building position or layout may deviate less than 10% in size without P&Z or Council action. The applicant, with the revised document, has removed language in the PD document which exceeded the UDC requirement for flexibility. Specifically, the applicant has removed language stating that *Everything depicted on the Design Plan is general and nothing is precise because the project is not yet designed and The location of building's including pad sites may shift or be altered in size, dimension, and number. Such changes may be made without separate or further approvals from the City Council or Planning and Zoning Commission so long as the basic concept and intent of the Master plan remains intact.*

Lack of a final PD document for the Commission to review: As the above changes have been made, the Commission now has a final copy of the Proposed Planned Development to review.

2. Staff Recommendation: Approval of the Planned Development Document.

Agenda Reviewed by:
HE _____
Date Reviewed:
05/01/2013 _____

Planned Development
for
Center at Pearland Parkway

Prepared For
Stream Realty

Kerry R. Gilbert & Associates, Inc.

April 2013

**Center at Pearland Parkway
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I. Introduction

A. Description of the Subject Property

The Center at Pearland Parkway is located on Pearland Parkway north of Broadway (FM 518) and directly next to the future HEB grocery store located at the corner of Broadway and Pearland Parkway. The site contains ± 28.0 acres situated to the east of an existing 85 foot wide Brazoria Drainage District #4 drainage easement which provides approximately 130 feet of separation from an existing multi-family complex and the rear side of a single-family residential neighborhood. The site is currently vacant as is the property to the north. Stream Realty Partners has contracted to buy and develop the site. Refer to Exhibit A – Project Location.

B. Description of Proposed Development.

The Center at Pearland Parkway will be developed as a mix of neighborhood service retail establishments in clusters and pad sites that are designed and situated such that the resulting center conveniently accommodates customers and their vehicles while focusing on internal and external pedestrian activity. Originally, the site was part of the Pearland Commons PD, a larger ± 53.3 acre tract, approved by the City in 2008. However, in 2010, HEB purchased the 22.0 acres located at the hard corner for a grocery store, fuel station and a few pad sites. Although there is separate ownership, the intent of our retail development is to interconnect in a cohesive fashion with the HEB site so that they are one project, and not two different projects. Interconnectivity will occur within the parking lot to allow vehicles and pedestrians to move throughout the project. The architectural style of our project will compliment the style to be established by the HEB site. Key elements of the overall site plan include:

1. Primary project entry located on Pearland Parkway at the entry across from Providence Village Drive near the center of the overall site. Project identifier and enhanced landscaping will occur at this entrance.
2. The primary entrance transforms into a landscaped, linear walkway with landscaping, special paving treatments, and a sidewalk for pedestrian connectivity to the retail space in the rear of the development. The median width will be twenty (20) feet wide with a meandering six (6) foot wide sidewalk and enhanced landscaping on either side of the sidewalk. Trees, shrubs and the seasonal plantings will provide some shade and buffer from the parking lot. Refer to Exhibit E – Conceptual Plan.
3. The Plaza, an outdoor playground, deck and/or grassy, open area with covered patio areas is nestled among a cluster of eateries and boutique shopping site located centrally to the shopping and the HEB site. This area is designed to create a Plaza that is accessible via pedestrian walkways throughout the project. Internal and external plazas will accompany these specialty restaurant and retail sites providing a perfect complement to the deck/grassy, open area. The Plaza is nestled among three buildings, each of which will include multiple small retail establishments.
4. Driveways along Pearland Parkway are limited to essential locations and are coordinated with existing driveways and esplanade openings. The one exception to this is the proposed driveway near the northern boundary on Pearland Parkway. This driveway has been situated to line up with Pebble Creek Drive to allow for a new esplanade opening. The location of all of the driveways will ensure traffic entering and exiting the project is accommodated in the most efficient and safe manner.
5. A 30' wide landscape buffer is provided along the entire frontage of Pearland Parkway. This area will contain landscaping, shrubbery and walkways designed to screen the adjacent parking areas from the abutting roadways with naturally aesthetic appeal.

6. The rear facade of the buildings within the center will be a continuation of the underlying architectural theme of the project consisting of a textured paint treatment coupled with the variation of building depths and offsets in the rear elevations of the various buildings in the center. The landscaping area will include a combination of shrubs and trees near the detention facility and will enhance the screening of the center along the western property line.

7. Proposed tenants include more than a half dozen national tenants ranging in size up to 26,000 square feet; multiple pad sites occupied by national restaurants, banks, and /or stand alone retail uses; approximately 20,000 square feet of specialty and/or in-line retail space.



8. All parking areas will be constructed of concrete rather than asphalt to enhance the quality and longevity of the project.

9. The proposed landscaping and open space shown on the site plan will be 15% of the total gross area of the project including the covered patio, playground and deck area along with the various pockets of landscaping.

C. Describe the area of land in acreage.

The total land area is ± 28.0 acres. Refer to Exhibit B – Site Location and Exhibit C – Survey and Legal Description.

D. A statement as to the purpose and intent of the PD district established therein.

The purpose and intent of the PD district is to facilitate the design and implementation of retail development that is designed to aesthetically and harmoniously complement the adjacent residential and commercial areas.

II. Zoning and Land Use

A. Describe the existing zoning districts and the boundaries of said districts.

The existing zoning is the Pearland Commons PD overlay on a GB District. This was part of a larger ± 53.3 acre PD. Since then, HEB purchased ± 22.0 acres and with approval from City Council, removed the acreage from the PD. Refer to Exhibit D – Existing Zoning.

B. Describe the base zoning district(s) to be overlaid.

The current zoning is a PD overlay on the GB district.

C. The general standards applicable to development within the district

The site, regardless of zoning district, is located on Pearland Parkway, a designated corridor within the Corridor Overlay District. The Corridor Overlay District affects any tract located along specified major thoroughfares in Pearland. The project complies with the GB and the COD districts. The COD is discussed further in Section III of this document. Other aspects of the project such as the parking, signage, lighting, etc. are discussed further in Section III of this document.

The management of the project will be overseen by a professional commercial property manager with expertise in maintenance and continuity of the common areas. The phasing plan is discussed further in Section V of this document.

Standards within Zoning District Table

	GB
Density	None listed
Lot Area (Min.)	22,500 sq. ft.
Lot Depth (Min.)	125'
Lot Width (Min.)	150'
Lot Coverage	None listed
Building Height	45'
Building Elevation	Variation required
Front Setback	25'
Side Setback	10' or 25' if abut Major Thoroughfare
Rear Setback	25'

1. Provide the percentage of use in each zoning classification.

The land use in the overall project is 100% commercial/retail and will be in accordance with the land uses permitted in GB zone, except for prohibited uses listed below. There is no parkland dedication requirement, and there are no public streets located internally to the project.

2. Prohibited Uses

Currently, the GB zone allows for several uses that are not suited for a retail development. Exhibit L is a list of all the prohibited uses that otherwise are allowed in the GB zone.

D. The permitted, conditional and accessory uses authorized in the district, the location of such uses, the residential densities or other measurements of development intensity associated with base districts or phases of the development in conformance with the approved Design Plan.

The Center at Pearland Parkway is a proposed retail project and at this time, the tenants have not been selected. There are no accessory uses associated with this project. The intent of the development is to incorporate the design and architectural style of the adjacent HEB site, however, at this time this information is not available.

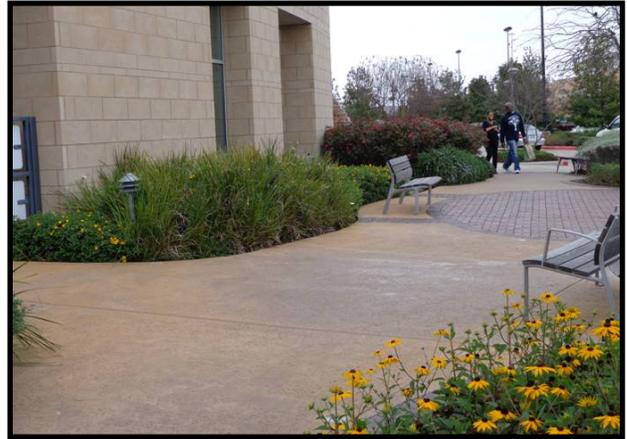
III. Design standards applicable to the development

A. Design Standards. Specific design standards, including signage, building height, landscaping, fencing, parking, etc., that are applicable to this development are the standards set forth for the GB zoning district which are listed in Chapter 2, Article 4, Division 4, Section 4 of the UDC and the design standards for the Corridor Overlay District, as listed in Chapter 2, Article 4, Division 5, Section 1 of the UDC. Refer to Exhibit E – Conceptual Plan.

1. Building Materials: The project complies with the current UDC standards. Beyond minimum standards, buildings within this project will be required to include two types of materials for each store front and multi-tenant pad site, a stucco, or tilt-wall, building with a stone material. Each building will include a percentage of stone &/or brick material. This minimum is 30% of the non-

transparency area of the building. In addition to the two types of materials, architectural enhancements will also be included on each building. No outside storage will be permitted regardless of use.

2. **Landscape Enhancements**: The project complies with the current UDC. The project will also incorporate landscape enhancements above the minimum standards on the primary entry median and along the façade of the buildings. The central median will be landscaped. The western median segment is twenty (20) feet wide will be enhanced with trees, shrubs and plantings along with a six (6) foot sidewalk and the eastern median segment is twelve (12) feet wide. The medians will be landscaped with a combination of hardwood and ornamental trees, at one inch of caliper per one foot of median. Refer to Exhibit G for sizes and location. The project identifier will be located in the entry median. The material for the monument will be a stone or brick material. Additionally, the store fronts will incorporate plantings and benches along the sidewalk in front of the store fronts providing a pleasant walking experience. These are additional amenities unique to this site.



3. **The Plaza**: A park area, not required for retail developments, has been incorporated to allow for families and friends to gather in a passive park setting next to small eatery and boutique shops. Adjacent to the three multi-tenant buildings, this is an ideal location to gather with friends and family after shopping or eating at one of the restaurants. The location is central to the shopping in both this development and the HEB development. Proximity to the activity associated with HEB is important to the energy of The Plaza. Refer to Exhibit F- The Plaza.
4. **Sidewalks**: The sidewalk located along Pearland Parkway complies with the width and material standards stated in the current UDC 2.4.5.1(l). The sidewalk in the primary boulevard median is six (6) feet wide and will meander throughout the twenty (20) foot wide median. The sidewalks that compose the internal pedestrian circulation, as shown on Exhibit E, will be a minimum of six (6) feet in width and will be a defined sidewalk by utilizing concrete with pavers at the cross-section. Refer to Exhibit E – Conceptual Plan for general location and proposed curved alignment of the sidewalks.
5. **Parking, Vehicular Circulation, and Lighting**: The project complies with the current UDC. This section also includes standards of lighting of the parking lot and sidewalks. Although not required, the project is designed to provide interconnectivity for vehicles and pedestrians between this project and the HEB site for a cohesive development plan. The lighting height will be a cohesive plan with a maximum of 20 foot height around the pad sites and the 39 foot height in the middle section of the development. However, no light pole will be taller than the building it serves. Refer to Exhibit E - Conceptual Plan for general layout of the parking lot and the vehicle circulation plan and to Exhibit K – Lighting Plan.

6. **Fencing:** The project contemplates an expansion of land through the purchase of the adjacent tract to the north. However, at this time; the adjacent tract is zoned residential, which requires masonry fencing or a 25' landscape buffer. Since the development will be enlarged in the future, the 25' landscape buffer will be included in the future development. The project will blend with the HEB tract to the south and the future expansion tract to the north, to give the appearance of one large retail development.
7. **Corridor Overlay District:** The project complies with the current UDC standards for the COD. These standards apply because the project abuts Pearland Parkway. Included within these standards are requirements for building articulation and building material, increased building line and landscape enhancements along the street and the increased screening standards along any parking areas.

B. Refer to Design Plan and describe which aspects of plan are precise and which are general.

The Design Plan in this document is included for the sole purpose of establishing general design guidelines as to the basic character and physical relationships of the planned uses and facilities. The ideas and plans represent the intent of the developer and the quality and character of the development. Adjustments to the Design Plan that do not introduce or remove new public facilities, do not deviate substantially from the Design Plan and otherwise comply with the intent of the various requirements within The Center at Pearland Parkway PD and other city ordinances and regulations in effect at the time this document is adopted shall not require separate or additional approvals from City Council or the Planning & Zoning Commission. It is essential to the success of The Center at Pearland Parkway PD to maintain flexibility in the site plan process in order to respond to ever changing market conditions and retail demand. Listed below are criteria to further define the flexibility, or lack thereof, with respect to the Master plan.

- The location of the open space may shift within the project to accommodate specific change in the dimensions of buildings, parking and pad sites so long as the basic concept and intent of the Master plan remains intact.
- In general, it is the intent that the variations and offsets be constructed as shown in these exhibits. The actual variation and offsets will be determined in the future as each tenant is decided upon, but in no case shall there be a continuous facade longer 400 feet of the collective building and each offset shall be no less than a minimum of 5 feet.

C. A specific list of deviations from standards in the base zoning district(s), together with any standards in the ordinance which are to be varied for development within the PD district.

The intent of the proposed plan is to comply with the standards of the GB zoning district for the entire project with the exception of those items listed below.

1. **Signage:** Section 4.2.5.4 (b)(2) places a maximum of two multi-user/multi-tenant signs per street frontage separated by a minimum of 600' for an integrated business development. The frontage the project possesses along Pearland Parkway is ±1,172 feet. Due to the number of tenants proposed for this development, an additional multi-tenant sign, for a total of three signs, is required to accommodate signage for all of the tenants. Two of the multi-tenant signs will accommodate the tenants in the rear of the property, while the third multi-tenant sign will accommodate the multiple tenants in the three

building sites adjacent to The Plaza. Each building site will hold approximately three to five tenants. All three signs will be consistent in material and style. The multi-user/multi-tenant signs will comply with maximum height and maximum area as stated in the current UDC. We request that signage requirements apply to the PD rather than to the parcels of land within the PD that may fall under separate ownership. Refer to Exhibit – J Signage Exhibit.

2. **Buffer to Residential**: Section 2.4.4.5(k) requires a 25' landscape buffer adjacent to residential use or district. The vacant land along Pearland Parkway and north of this tract is most likely to be developed for retail/commercial. Additionally, this development may expand in the future into the adjacent tract at which time, any open space buffer would be removed.

D. All requirements of the Unified Development Code will be met, except those specifically mentioned above in Section III C of this Planned Development.

IV. Required dedications of land or public improvements

Center at Pearland Parkway is solely commercial and does not require dedication of land for parkland or public improvements to any roadways, unless required by the TIA or the City.

V. A phasing schedule for the project

The project is divided into two phases. The development within this PD is Phase I.



EXHIBIT **A**

a project location map for

THE CENTER AT PEARLAND PARKWAY

± 28.0 ACRES OF LAND

prepared for

STREAM REALTY

KERRY R. GILBERT & ASSOCIATES, INC. Land Planning Consultants

NOT TO SCALE

MARCH 2013
KGA #I-215A

23501 Cinco Ranch Blvd.
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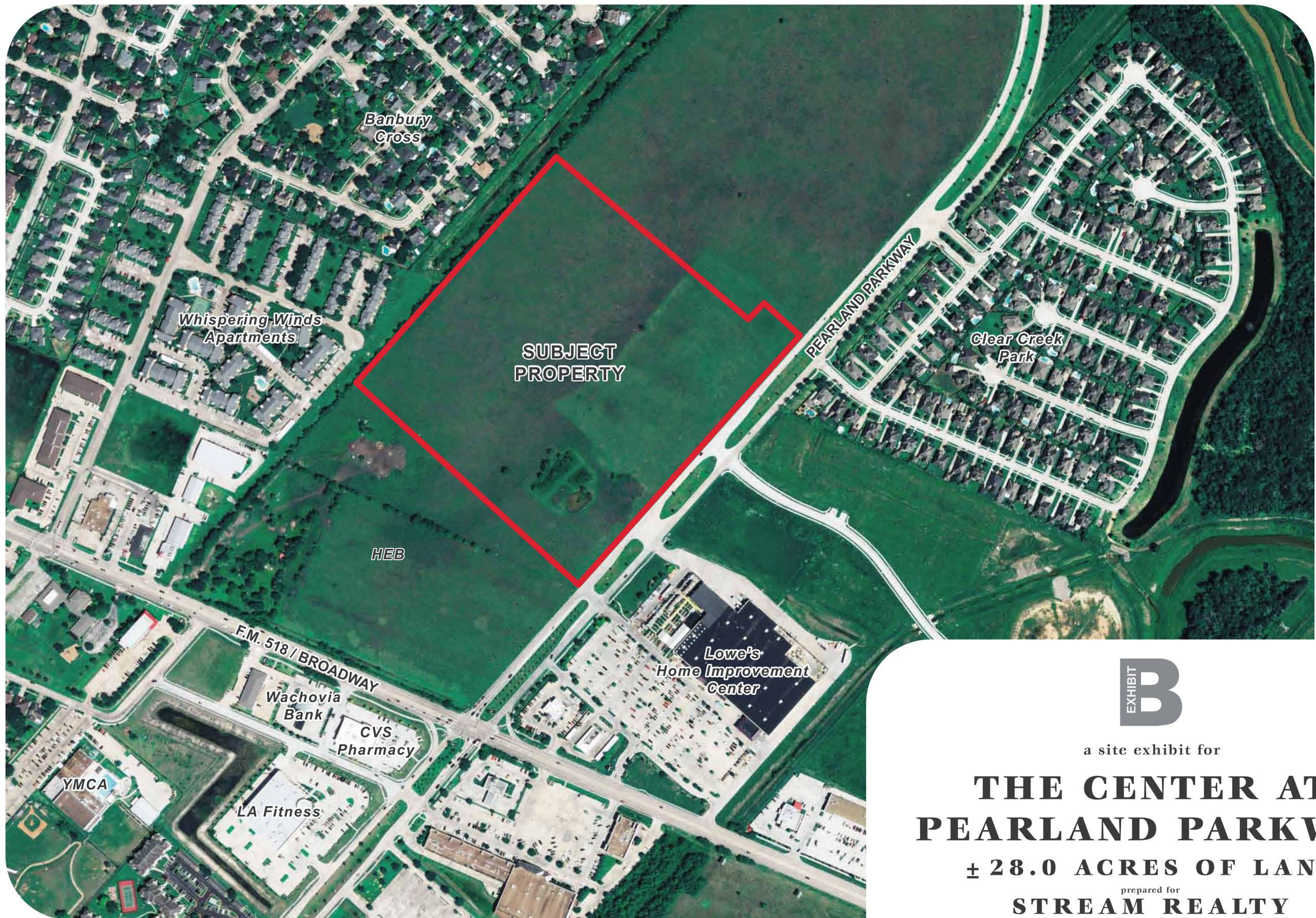


EXHIBIT B

a site exhibit for

THE CENTER AT PEARLAND PARKWAY

± 28.0 ACRES OF LAND

prepared for

STREAM REALTY

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LEGAL DESCRIPTION

BEING a 30.7935 acre (1,341,365 square foot) tract of land situated in the Thomas J. Green Survey, Abstract Number 198 in Brazoria County, Texas, and being out of and a part of the called 118.775 acre tract of land described in deed to Marion E. Settegast, et al as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, said 30.7935 acre tract of land being more particularly described as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

BEGINNING at a 5/8 inch iron rod with cap stamped "TERRA SURVEYING" found in the southwesterly right-of-way line of Whitehead Road (30 feet wide, unimproved) for the north corner of a 22.3385 acre tract of land described in deed to HEB Grocery Company, LP as recorded under Brazoria County Clerk's File Number 2011030072 and being the west corner of the herein described tract of land;

THENCE with the southwesterly right-of-way line of said Whitehead Road, North 41 degrees 52 minutes 28 seconds East, a distance of 1,199.55 feet to the north corner of the herein described tract of land;

THENCE departing the southwesterly right-of-way line of said Whitehead Road, South 48 degrees 04 minutes 19 seconds East, a distance of 1,120.56 feet to the northeasterly right-of-way line of Pearland Parkway (a variable width right-of-way) for the east corner of the herein described tract of land;

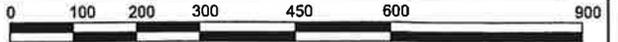
THENCE with the northeasterly right-of-way line of said Pearland Parkway the following courses and distances:

South 41 degree 55 minutes 41 seconds West, a distance of 947.88 feet to an angle point in the herein described tract of land;

South 46 degrees 30 minutes 07 seconds West, a distance of 150.48 feet to an angle point in the herein described tract of land;

South 41 degrees 55 minutes 41 seconds West, a distance of 101.67 feet to the east corner of the aforesaid 22.3385 acre tract of land and the south corner of the herein described tract of land;

THENCE departing the northeasterly right-of-way line of Pearland Parkway with the northerly line of said 22.3385 acre tract, North 48 degrees 04 minutes 19 seconds West, a distance of 1,107.43 feet to the **POINT OF BEGINNING** and containing 30.7935 acres (1,341,365 square feet) of land.



SCALE IN FEET

THOMAS J. GREEN SURVEY
 ABSTRACT NUMBER 198

PEBBLE CREEK DRIVE
 60' Right-of-Way
 S 48°04'19" E 1,120.56'



WHISPERING WINDS GENERAL
 BUSINESS RESERVE
 VOLUME 17, PAGE 93 & 94 B.C.P.R.

N 41°52'28" E 1,199.55'

Proposed
30.7935 ACRES
 1,341,365 Sq. Ft.

Marion E. Settegast, Et Al
 Volume 1421, Page 25 B.C.D.R.

S 46°30'07" W 150.48'
 S 41°55'41" W 101.67'

0.0634 ACRE
 2,760 Sq. Ft.

N 48°04'19" W 1,107.43'

Called 22.3385 Acres
 HEB Grocer Company, LP

WHITEHEAD ROAD
 30' Right-of-Way

PEARLAND COMMONS
 NUMBER 2011029757 B.C.P.R.

0.0834 ACRE
 3,634 Sq. Ft.

0.0634 ACRE
 2,760 Sq. Ft.

N 41°52'28" E 1,065.32'

WEST BROADWAY STREET (F.M. 518)
 Variable Width Right-of-Way

PEARLAND PARKWAY S 41°55'41" W 947.88'

130' Right-of-Way

LOWE'S HOME
 CENTER PEARLAND
 VOLUME 20, PAGE 395
 & 396 B.C.P.R.

5/8" Iron rod with cap stamped "LANEY" found

POINT OF BEGINNING

5/8" Iron rod with cap stamped "TERRA SURVEYING" found

30' Drainage Easement

5/8" Iron rod with cap stamped "HALFF ASSOC. INC." found (2)

Legend

--- Boundary of original 53.342 Acres

W:\R2200_MON_FS_FW.plt
 Design
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 3/14/2013 10:37:41 AM mh2151 HALFF



TBPE FIRM# F-312
 14800 ST. MARY'S LANE, SUITE 160
 HOUSTON, TEXAS 77079-2943
 TEL (713) 588-2450
 FAX (281) 310-5259

AN EXHIBIT OF THE PROPOSED
 REZONING TRACT

IN THE THOMAS J. GREEN SURVEY,
 ABSTRACT NUMBER 198
 BRAZORIA COUNTY, TEXAS

Project No.: 29175
 Issued: 02/14/2013

VEXH002-PARC-29175.dgn

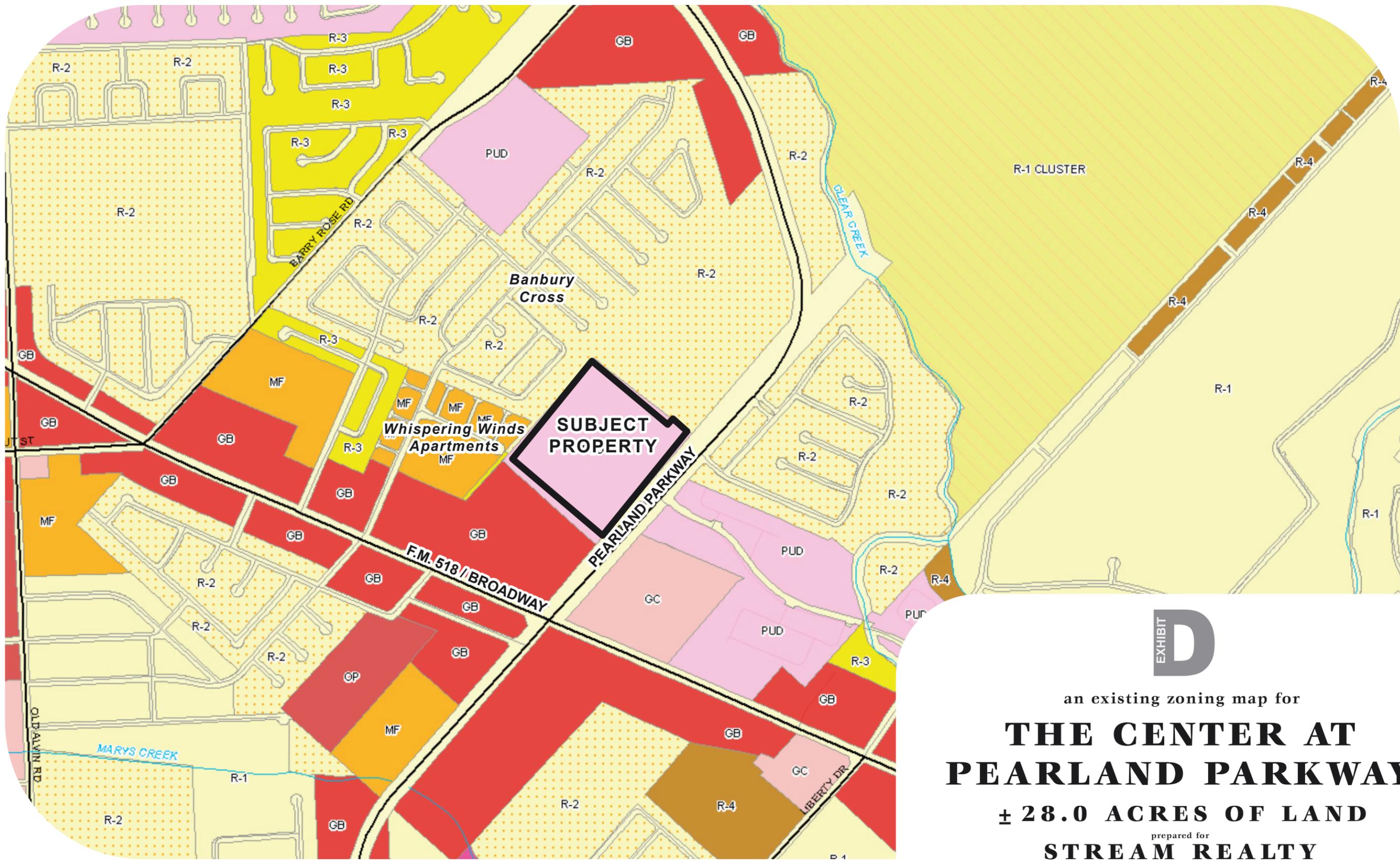


EXHIBIT D
 an existing zoning map for
THE CENTER AT PEARLAND PARKWAY
 ± 28.0 ACRES OF LAND
 prepared for
STREAM REALTY

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HEB
(GB ZONE)

POTENTIAL
PHASE II

PEARLAND PARKWAY

THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

04.26.2013

PHASE I - 28.0 Acres



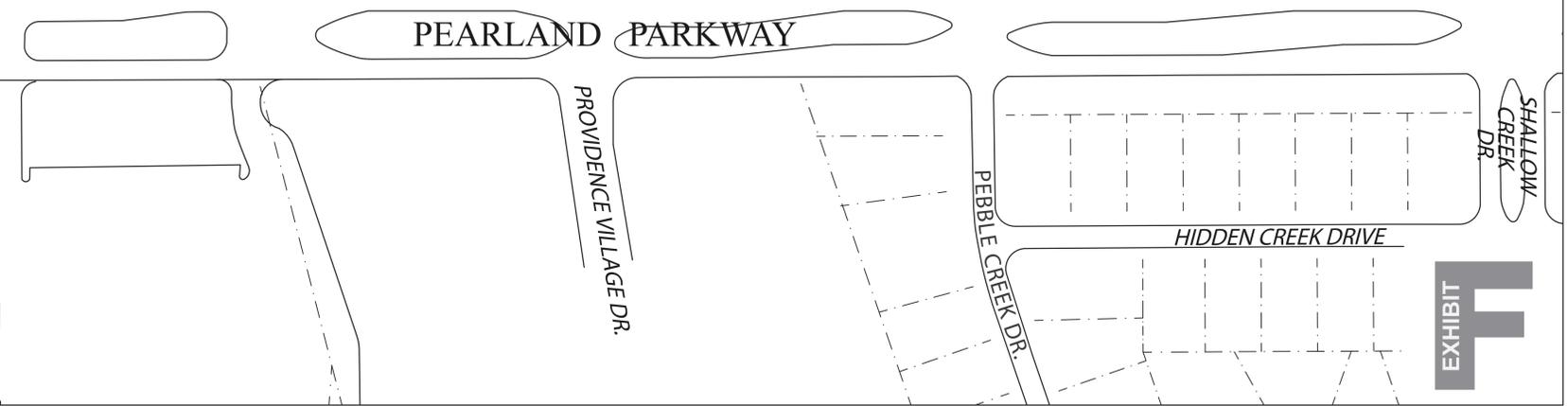
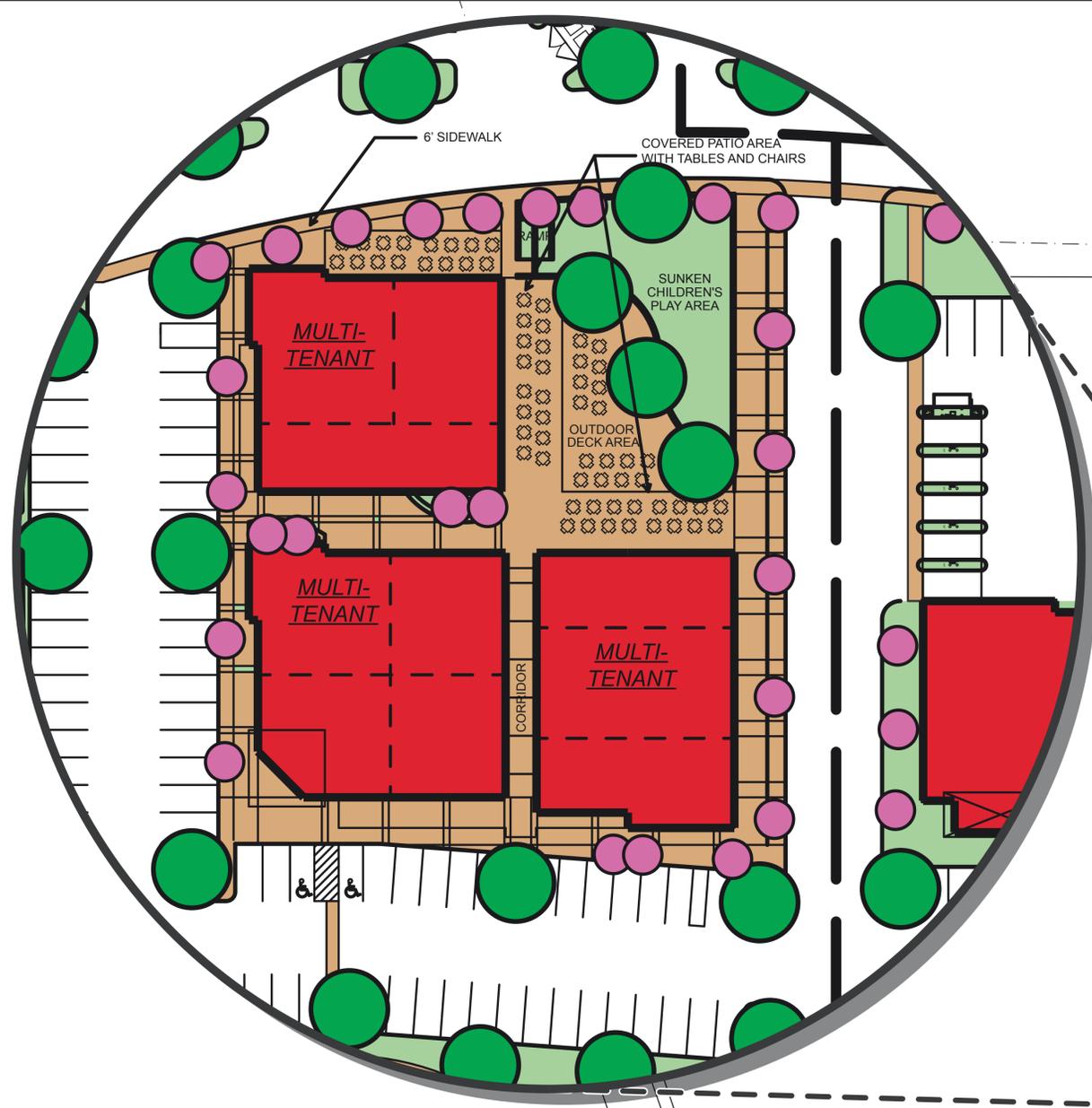


EXHIBIT F

SCALE: 0 50' 100' 200'



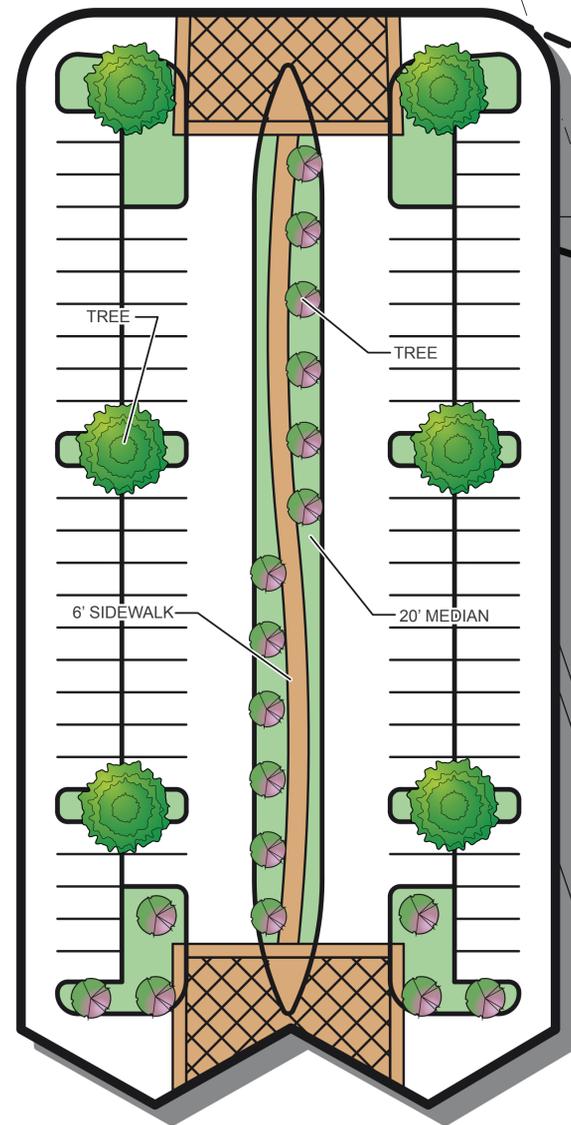
THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

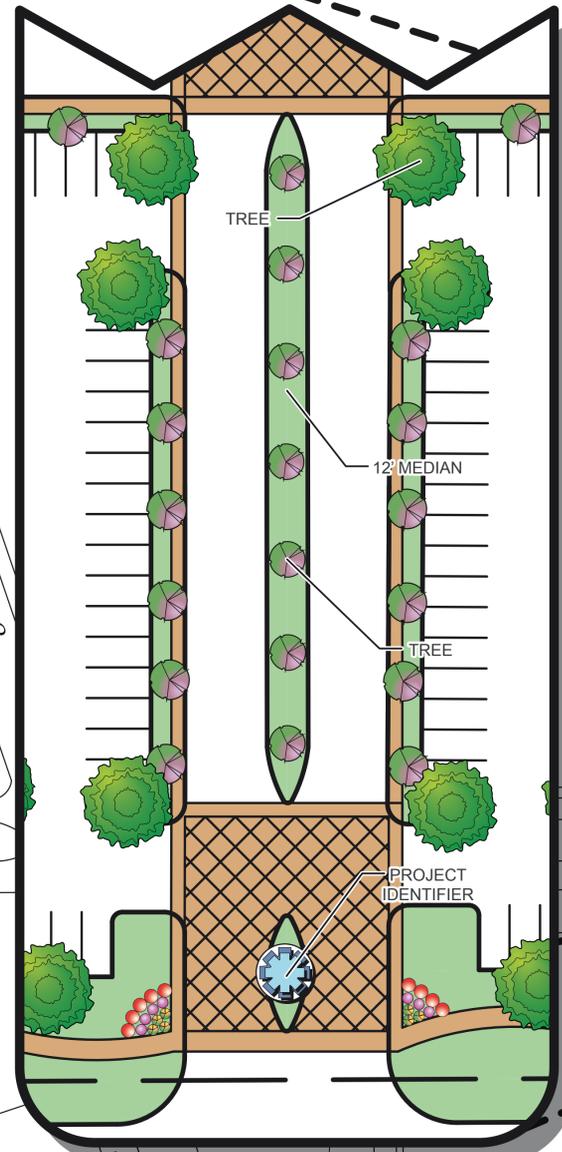
04.26.2013

PHASE I - 28.0 Acres

WESTERN



EASTERN



F.M. 518



PEARLAND PARKWAY

PROVIDENCE VILLAGE DR.

PEBBLE CREEK DR.

HIDDEN CREEK DRIVE

SHALLOW CREEK DR.

MEDIAN TREES

$\frac{\text{median length}}{10} = \text{caliper-inches required}$

Western Median - approx. 240'
(12 trees) x (2 caliper-inches each) = 24 caliper-inches
trees spaced evenly

Median - approx. 200'
(7 trees) x (3 caliper-inches each) = 21 caliper-inches
trees spaced evenly

SCALE: 0 50' 100' 200'



THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

04.26.2013

PHASE I - 28.0 Acres





THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

04.26.2013

PHASE I - 28.0 Acres

SCALE: 0 50' 100' 200'



EXHIBIT H



SCALE: 0 50' 100' 200'



PHASE I - 28.0 Acres

THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

04.26.2013

-  MULTI-TENANT SIGNAGE
-  PAD SITE SIGNAGE
-  PROJECT IDENTIFIER

EXHIBIT



WHISPERING OAKS

DETENTION

HEB
(GB ZONE)

POTENTIAL
PHASE II

F.M. 518

PEARLAND PARKWAY

PROVIDENCE VILLAGE DR.

PEBBLE CREEK DR.

HIDDEN CREEK DRIVE

SHALLOW CREEK DR.

EXHIBIT **K**

SCALE: 0 50' 100' 200'



THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

04.26.2013

LIGHTING STANDARDS

- BUILDING MOUNTED LIGHTING (MAX. 20FT)
- 39-FOOT LIGHTING STANDARD
- 20-FOOT LIGHTING STANDARD

PHASE I - 28.0 Acres

**Prohibited Uses List
Exhibit L**

Below is a list of land uses allowed in the General Business Zone, but which will be prohibited specifically within the Center at Pearland Parkway PD. Any CUP listed in GB would still require a CUP request.

Agriculture Field or crop
Agriculture Animal Husbandry
Farm/Ranch livestock
Boarding or Rooming House
Farm Accessory building
Off street parking incidental to residential main house
Social & Recreational building (homeowners association, neighborhood rec center
Country Club, private or public golf course
Swimming pool – private club
Tennis or swim club
Commercial Amusement Outdoor

Auto uses

All terrain vehicles – dealer, sales
Auto Parts Sales with outside storage
Auto sales/dealer (new and used auto sales)
Auto wash (full service, detail shop)
Commercial transit terminal
Parking lot or garage for passenger cars and trucks of less than one ton capacity

Office uses

Credit agency
Office, parole-probation, bail bonds
Bed & breakfast inn
Extended stay motel/hotel
Laundromat (self service laundry)
Rehabilitation care facility (halfway house)
Rehabilitation care institution (commercial)
Astrology, hypnotists or psychic arts
Bakery (wholesale)
Convenience store (without gasoline)
Food store/supermarket
Vet Office with outside pens
Antique Shop with outside storage
Check Cashing Services

Institutional and government uses

Adult day care (business)
Assisted living facility
Auction house
Child day care (business)
Child Day Nursery
Church, temple, or place of worship
Civic center (municipal)
Civic club

Convent or monastery
Day camp (for children)
Fraternal Organization
Fraternity or sorority house
Governmental building or use
Hospital (for profit or not for profit)
Institution of religious, education, or philanthropic nature
Library, public or museum (indoor)
Mortuary/cemetery
Municipal public administration offices
Nursing/Convalescent Home (Skilled Nursing facility)
School – elementary, junior or high school
School – other than public or parochial
Studio or radio and or television (no towers)

Commercial and related uses

Cabinet business
Exterminator service/company (no outdoor sales or storage)

Exhibit M
Multi-tenant Sign Maximum Dimension

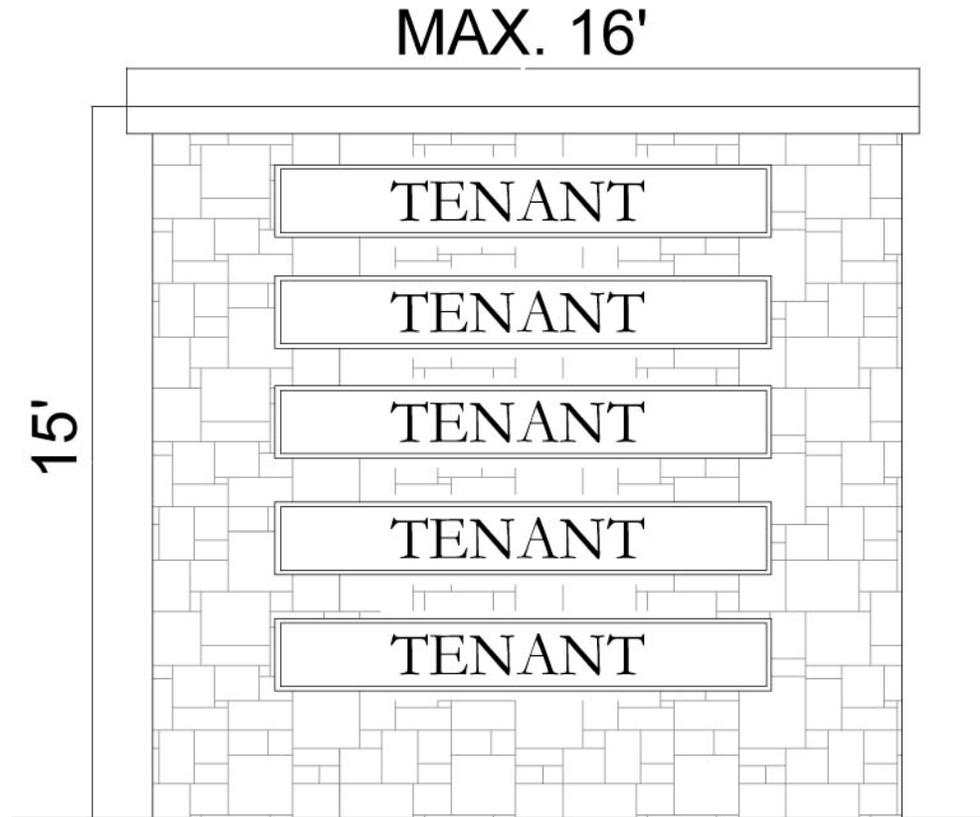


Exhibit N

Multi-tenant Sign Images



Exhibit O
Images of Project Identifier





JOINT PUBLIC HEARING AGENDA ITEM MEETING OF APRIL 15, 2013

Zone Change No. 2013-07Z

A request of Christy Smidt (Kerry G. Gilbert & Assoc.), applicant and Beeman E. Strong (for the Settegast Family), owner, for approval of a zone change from the Planned Development (PD) zone to the Planned Development (PD) zone for 31.3165 acres, to wit:

Legal Description: Being a 30.7935 acre (1,341,365 square foot) tract of land situated in the Thomas J. Green Survey, Abstract Number 198 in Brazoria County, Texas, and being out of and a part of the called 118.775 acre tract of land described in deed to Marion E. Settegast, et al as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, said 31.3165 acre tract of land.

General Location: Approximately 700' North of Broadway on Pearland Pkwy

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

Planning and Zoning Commission: April 15, 2013*
City Council for First Reading: May 13, 2013*
City Council for Second Reading: May 27, 2013*

(*dates subject to change)

CURRENT CASE: Christy Smidt, applicant, has applied for a zone change on behalf of Mr. Beeman Strong, representing the Settegast Family, owner, of 30.7935 acres of land located approximately 700' north of the northwest intersection of Broadway (FM 518) and Pearland Pkwy. The property in question is currently zoned Planned Development (PD) and contains land which is part of a Planned Development known as Pearland Commons which was approved by City Council in 2008. The applicant is requesting that the property be rezoned to a new and separate Planned Development (PD).

The total acreage of the previously approved Pearland Commons Planned Development is approximately 53 acres. Approximately 22 of these acres were rezoned in 2011 to General Business for a proposed commercial development.

The applicant is proposing a shopping center on the remaining 31 acre site which is intended to compliment the proposed development to the south. The development

would abut the residential subdivision to the west and have parking in front along Pearland Parkway.

SITE HISTORY: Prior to the adoption of the Pearland Commons PD in March 2008, the entire site (all 53 acres) had three zoning designations: General Business (GB), and two residential zones, R-3 and R-2. The acreage for the GB zoned property, located at the northwest intersection of Broadway and Pearland Pkwy was approximately 22 acres. This is the site that was rezoned back to GB in 2011. The remaining acreage remained as PD and is now requesting a new PD zone.

The GB zone was approved at the hard corner for a specific development and had assurances in place from the developer that the project would be of a higher quality than would normally be required. This adjoining 31 acre site is considered to be of similar importance to the city as was the 22 acre site at the hard corner.

The applicant originally requested a straight General Business (GB) zone change in February of 2013. This application was withdrawn by the applicant after the City Council and Planning and Zoning Commission voiced their concerns with allowing a straight GB zone change with no assurances as to the kind of development that would be constructed. With this in mind, staff has advised the applicant that a Planned Development may be a better option moving forward. The Unified Development Code states:

The purpose and intent of the PD district is to facilitate the design and implementation of retail development that is designed to aesthetically and harmoniously complement the adjacent residential and commercial areas.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Single-Family Residential-2 (R-2)	Vacant
South	General Business (GB)	Commercial
East	Planned Development (PD) and General Commercial (GC)	Commercial, Single Family Residential
West	Single-Family Residential-2 (R-2) and Multi-Family (MF)	Single Family Subdivision, Multi-Family Units

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): The subject property is currently zoned as Planned Development (PD).

PLATTING STATUS: The property has not been platted. Platting will be required prior to development of the land.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current adopted Comprehensive Plan's Future Land Use Map indicates this area should be retail, offices, and service. Therefore, the designation of General Business (GB) being requested would be consistent with the intent of the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Pearland Pkwy, a major thoroughfare with sufficient width for right-of-way of 120 feet.

AVAILABILITY OF UTILITIES: Public water and sewer are available for this site.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed zone change, if approved, would allow all of the "Permitted By-Right" land uses in the City's Land Use Matrix for the General Business (GB) zoning district in the Unified Development Code excluding those listed in the PD as excluded uses. Overall, the proposed development would enhance the already approved development to the south and would include a number of amenities that would not be required in the Unified Development Code for a normal development of this kind.

At the original Joint Public Hearing for this development, City Council and the Planning and Zoning Commission had a number of concerns with allowing a straight GB zone change. The applicant appears to have addressed most of these concerns through the submitted PD document. The proposed PD would create a superior development by providing the following:

- Varied location of buildings and outparcels to prevent a generic strip center feel
- Linear building along the back of the development will include variable depths and off sets preventing a singular monotonous face.
- Public gathering and play areas are proposed around restaurant pad sites with pedestrian connectivity to other areas of the development and neighboring properties.
- Enhanced entry feature that will create a sense of place, with landscaped median and walkway leading from Pearland Parkway and continuing for the full depth of the development.
- Meandering walkways throughout the development and along Pearland Parkway will ensure pedestrian access to all areas of the development.
- Walkway along rear building will be enhanced with plantings and variations in

materials and design to ensure a more aesthetically appealing environment for the pedestrian.

- Concrete pavement will be required along with stained concrete and brick pavers to add variation to the design. No asphalt will be permitted.
- Light poles to service the pad sites along Pearland Parkway will be limited in height to 20' and lights along the rear of the development will be mounted on the building.
- All structures will be required to include two different building materials for the façade which will prevent monotonous design schemes. Stone will be required for a percentage of each building façade and metal and EIFS will only be permitted as trim.
- A comprehensive sign package has been requested that will enhance the overall development.

Though staff ultimately feels this development would be a compliment to the surrounding areas, there are still a number of outstanding concerns with the current PD document. These comments have been submitted to the applicant and have been provided to you as part of this packet.

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 has been provided as part of the application submittal.

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.

AGENTS AUTHORIZATION: The Planning Department has on file documentation from the Settegast family authorizing Beeman Strong to process this zone change application.

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

STAFF RECOMMENDATION: Staff recommends approval of the Zone Change 2013-07Z as proposed by the applicant for the following reasons and with the following condition:

1. Approval of the PD will allow for a higher quality development with a larger amount of amenities that would not normally be required for a development in a traditional zone.

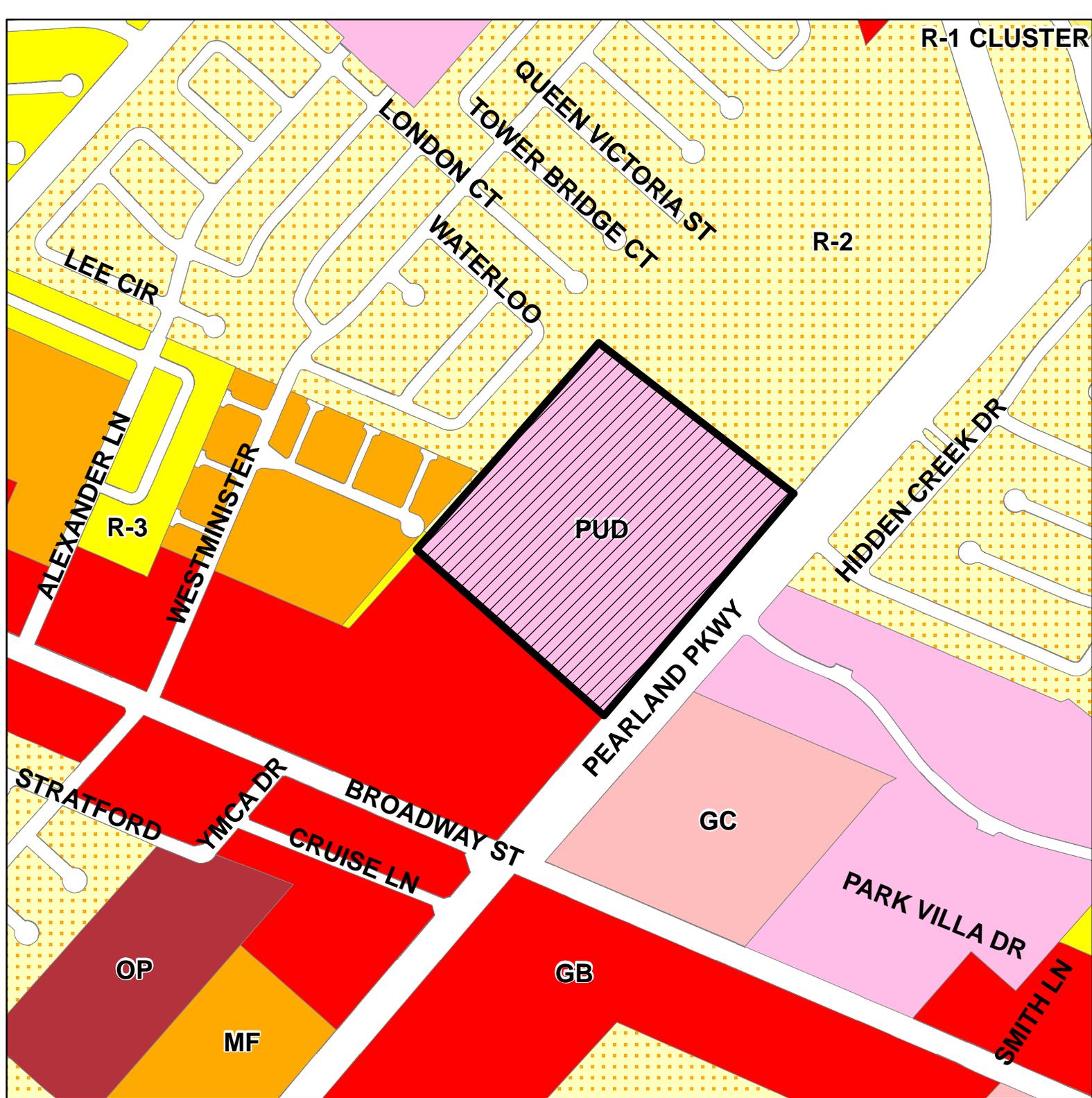
2. Approval of the PD will result in conformance with the surrounding zoning as well as current and future land uses.
3. The proposed PD should not have any significant negative impact on the surrounding properties and developments.
4. The proposed PD will bring the property into compliance with the approved Future Land Use Plan.

CONDITION:

1. All outstanding staff comments to be fully addressed and incorporated into the PD document prior to final approval.

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
- Initial Staff Comments and other Related Documents



R-1 CLUSTER

R-2

R-3

PUD

GC

GB

OP

MF

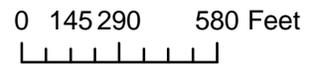


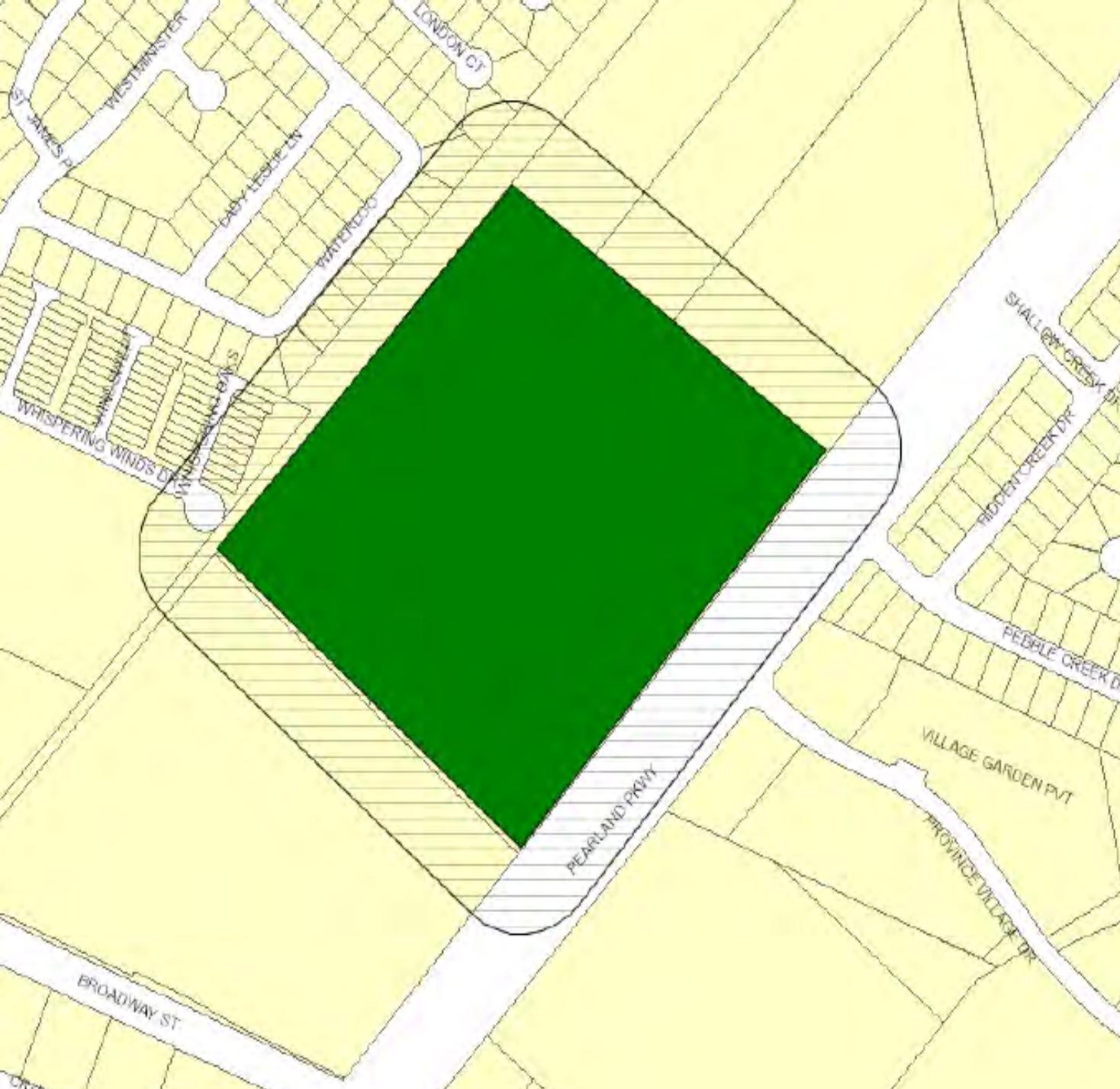
Vicinity and Zoning Map

Zone Change 2013-07Z

**Pearland Pkwy
North of Broadway**

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





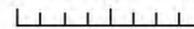
Abutter Map

Zone Change 2013-07Z

**Pearland Pkwy
North of Broadway**

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0 145 290 580 Feet



N

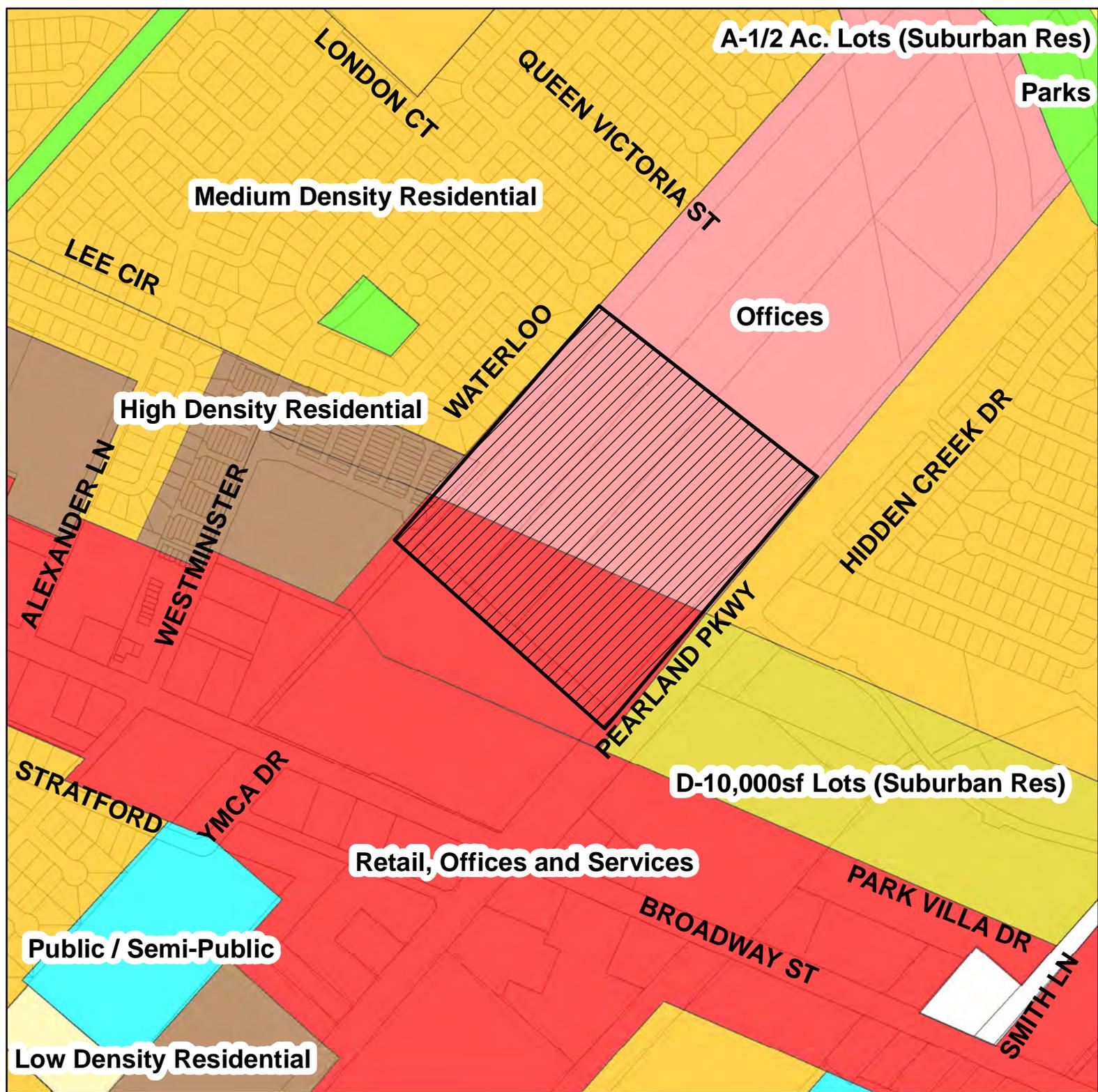


Zone Change 2013-07Z

31 Acres on Pearland Parkway - PD to PD

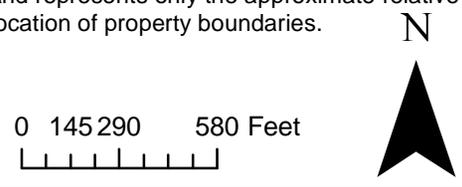
Name	Street Address
DRIS MOHAMED & Wafa Benachour	2926 Waterloo Rd
DAWSON STEVE & DEBORA	2924 Waterloo Rd
WHITE SONYA K	2922 Waterloo Rd
MOELLER CHANNING THEODORE & MELISSA	
ANN COOK	222 Settlers Haven Rd
WHISPERING APARTMENTS LLC	% CLAUDIA L CROCKER 2301 S Capital of Texas Hwy
ROBERTS DEANN M	2932 Waterloo Rd
CONFIDENTIAL	2930 Waterloo Rd
JOHNSON DEBORAH V	2928 Waterloo Rd
KING KIMBERLY C	2901 London Ct
HUTH MICHAEL & KRISTEN CASTILLO	2904 London Ct
CONFIDENTIAL	2902 London Ct
LEAL DAVID	2940 Waterloo Rd
MILLS JASON M	2938 Waterloo Rd
LEE-JENNINGS KATHLEEN BERNADETTE	2934 Waterloo Rd
WILLIAMS MATTHEW K	2836 Waterloo Rd

Unit	City	State	Zip
	PEARLAND	TX	77581
	PEARLAND	TX	77581-4542
	PEARLAND	TX	77581
	CLEVELAND	NC	27013
STE J102	AUSTIN	TX	78746-7706
	PEARLAND	TX	77581-4538
	PEARLAND	TX	77581-4538
	PEARLAND	TX	77581-4542
	PEARLAND	TX	77581-4533
	PEARLAND	TX	77581
	PEARLAND	TX	77581-4532
	PEARLAND	TX	77581-4538
	PEARLAND	TX	77581-4538
	PEARLAND	TX	77581-4538
	PEARLAND	TX	77581



FLUP Map
Zone Change 2013-07Z
Pearland Pkwy
North of Broadway

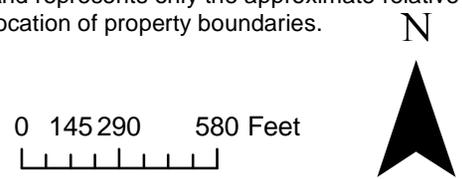
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Aerial Map
Zone Change 2013-07Z
Pearland Pkwy
North of Broadway

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



APPLICATION FOR A CHANGE IN ZONING

Current Zoning District: PD

Proposed Zoning District: PD

Property Information:

Address or General Location of Property: Pearland Parkway
north of FM 518

Tax Account No. _____

Subdivision: _____ Lot: _____ Block: _____

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

PROPERTY OWNER INFORMATION:

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

APPLICANT/AGENT INFORMATION:

NAME Christy Smith, Kerry R. Gilbert
ADDRESS 23501 Cinco Ranch Blvd. A-250
CITY Katy STATE TX ZIP 77494
PHONE(281) 579-0340
FAX(281) 579-8212
E-MAIL ADDRESS CSmidt@krga.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: _____ Date: _____

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

OFFICE USE ONLY:

FEE PAID: <u>\$825</u>	DATE PAID: <u>1/24/13</u>	RECEIVED BY: <u>HE</u>	RECEIPT NUMBER: <u>116672</u>
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Application No. 2013-072

EXHIBIT "A"

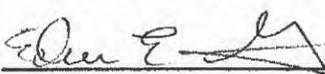
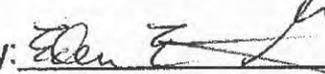
<p><u>THIRD COAST RESOURCES I, LTD.</u> BY: Third Coast Asset Resources, Inc. its general partner</p> <p>By: <u></u> Eden E. Settegast, President Date of Execution: _____</p>	<p><u>THIRD COAST RESOURCES II, LTD.</u> BY: Third Coast Asset Resources, Inc. its general partner</p> <p>By: <u></u> Eden E. Settegast, President Date of Execution: _____</p>
<p><u>BRENTWOOD PARTNERS L.P.</u></p> <p>BY: _____ William A. Langdon, Jr., Trustee General Partner Date of Execution: _____</p>	<p>BY: _____ William A. Langdon, Jr.</p> <p>Date of Execution: _____</p>
<p>BY: _____ Jennie S. Smith</p> <p>Date of Execution: _____</p>	<p>BY: _____ Marion Sullivan</p> <p>Date of Execution: _____</p>
<p>BY: _____ Carlita S. Laurent, Trustee</p> <p>Date of Execution: _____</p>	<p>BY: _____ Sandra S. Abadie</p> <p>Date of Execution: _____</p>
<p>BY: _____ Marion E. Settegast, III</p> <p>Date of Execution: _____</p>	<p>BY: _____ Carlita S. Sealy</p> <p>Date of Execution: _____</p>

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713-626-9110

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<p>BY:  Jennie S. Smith</p> <p>Date of Execution: <u>1/31/13</u></p>	<p>BY: _____ Marion Sullivan</p> <p>Date of Execution: _____</p>
<p>BY: _____ Carlita S. Laurent, Trustee</p> <p>Date of Execution: _____</p>	<p>BY: _____ Sandra S. Abadie</p> <p>Date of Execution: _____</p>
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<p>BY: <u>Carlita S. Laurent</u> Carlita S. Laurent, Trustee</p> <p>Date of Execution: <u>Jan 31, 13</u></p>	<p>BY: _____ Sandra S. Abadie</p> <p>Date of Execution: _____</p>
<p>BY: _____ Marion E. Settegast, III</p> <p>Date of Execution: _____</p>	<p>BY: _____ Carlita S. Sealy</p> <p>Date of Execution: _____</p>

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BY: _____ Jennie S. Smith Date of Execution: _____	BY: _____ Marion Sullivan Date of Execution: _____
BY: _____ Carlita S. Laurent, Trustee Date of Execution: _____	BY: _____ Sandra S. Abadie Date of Execution: _____
BY: <u>Marion E. Settegast III</u> Marion E. Settegast, III Date of Execution: <u>1/31/2013</u>	BY: _____ Carlita S. Sealy Date of Execution: _____

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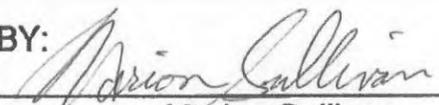
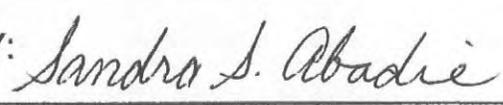
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<p>BY: _____ Jennie S. Smith</p> <p>Date of Execution: _____</p>	<p>BY:  Marion Sullivan</p> <p>Date of Execution: <u>2/1/13</u></p>
<p>BY: _____ Carlita S. Laurent, Trustee</p> <p>Date of Execution: _____</p>	<p>BY:  Sandra S. Abadie</p> <p>Date of Execution: <u>1-30-13</u></p>
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LEGAL DESCRIPTION

BEING a 30.7935 acre (1,341,365 square foot) tract of land situated in the Thomas J. Green Survey, Abstract Number 198 in Brazoria County, Texas, and being out of and a part of the called 118.775 acre tract of land described in deed to Marion E. Settegast, et al as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, said 30.7935 acre tract of land being more particularly described as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

BEGINNING at a 5/8 inch iron rod with cap stamped "TERRA SURVEYING" found in the southwesterly right-of-way line of Whitehead Road (30 feet wide, unimproved) for the north corner of a 22.3385 acre tract of land described in deed to HEB Grocery Company, LP as recorded under Brazoria County Clerk's File Number 2011030072 and being the west corner of the herein described tract of land;

THENCE with the southwesterly right-of-way line of said Whitehead Road, North 41 degrees 52 minutes 28 seconds East, a distance of 1,199.55 feet to the north corner of the herein described tract of land;

THENCE departing the southwesterly right-of-way line of said Whitehead Road, South 48 degrees 04 minutes 19 seconds East, a distance of 1,120.56 feet to the northeasterly right-of-way line of Pearland Parkway (a variable width right-of-way) for the east corner of the herein described tract of land;

THENCE with the northeasterly right-of-way line of said Pearland Parkway the following courses and distances:

South 41 degree 55 minutes 41 seconds West, a distance of 947.88 feet to an angle point in the herein described tract of land;

South 46 degrees 30 minutes 07 seconds West, a distance of 150.48 feet to an angle point in the herein described tract of land;

South 41 degrees 55 minutes 41 seconds West, a distance of 101.67 feet to the east corner of the aforesaid 22.3385 acre tract of land and the south corner of the herein described tract of land;

THENCE departing the northeasterly right-of-way line of Pearland Parkway with the northerly line of said 22.3385 acre tract, North 48 degrees 04 minutes 19 seconds West, a distance of 1,107.43 feet to the **POINT OF BEGINNING** and containing 30.7935 acres (1,341,365 square feet) of land.

0 100 200 300 450 600 900

SCALE IN FEET

N



THOMAS J. GREEN SURVEY
ABSTRACT NUMBER 198

PEBBLE CREEK DRIVE
60' Right-of-Way

S 48°04'19" E 1,120.56'

Proposed
30.7935 ACRES
1,341,365 Sq. Ft.

Marion E. Settegast, Et Al
Volume 1421, Page 25 B.C.D.R.

S 46°30'07" W
150.48'

S 41°55'41" W
101.67'

0.0634 ACRE
2,760 Sq. Ft.

N 48°04'19" W 1,107.43'

Called 22.3385 Acres
HEB Grocer Company, LP

WHITEHEAD ROAD
30' Right-of-Way

0.0834 ACRE
3,634 Sq. Ft.

0.0634 ACRE
2,760 Sq. Ft.

5/8" Iron rod with cap stamped
"HALFF ASSOC. INC." found
(2)

WEST BROADWAY STREET (F.M. 518)
Variable Width Right-of-Way

Legend

--- Boundary of original 53.342 Acres

WHISPERING WINDS GENERAL
BUSINESS RESERVE
VOLUME 17, PAGE 93 & 94 B.C.P.R.

N 41°52'28" E 1,199.55'

S 41°55'41" W 947.88'

5/8" Iron rod with cap stamped "LANEY" found

LOWE'S HOME
CENTER PEARLAND
VOLUME 20, PAGE 395
& 396 B.C.P.R.

POINT OF BEGINNING

5/8" Iron rod with cap stamped
"TERRA SURVEYING" found

N 41°52'28" E 1,065.32' S

WHISPERING WINDS
SECTION 2
VOLUME 19, PAGE 163 &
164 B.C.P.R.

PEARLAND COMMONS
NUMBER 2011029757 B.C.P.R.

W_IR2200_MCN_FS_FW.dwg

Design

1329000408175CADDEXH002-PARC-29175.dgn

3/14/2013 10:57:41 AM and151 HALFF



TBPE FIRM# F-312
14800 ST. MARY'S LANE, SUITE 160
HOUSTON, TEXAS 77079-2943
TEL (713) 588-2450
FAX (281) 310-5259

AN EXHIBIT OF THE PROPOSED
REZONING TRACT

IN THE THOMAS J. GREEN SURVEY,
ABSTRACT NUMBER 198
BRAZORIA COUNTY, TEXAS

Project No.: 29175

Issued: 02/14/2013

VEXH002-PARC-29175.dgn

2 of 2

23501 Cinco Ranch Blvd.
Suite A-250
Katy, Texas 77494
(281) 579-0340
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landplan@krga.com

March 15, 2013

Harold Ellis, City Planner
City of Pearland
3523 Liberty Drive
Pearland, Texas

RE: Center at Pearland Parkway PD

Harold,

Enclosed is a hard copy of the PD per our meeting on February 27, 2013. We have included several of the ideas discussed, including building materials (pg. 3), landscape enhancements (pg. 4), and a list of Prohibited Uses. The building materials section includes two types of material on each façade with the addition of architectural features. However, the details will not be decided upon until we know the materials and architectural features of the HEB development. There are several landscape enhancements to encourage pedestrian activity. The first is the primary entry median (twenty foot wide median) that will include a six foot sidewalk, trees and plantings. The second enhancement is the open space area adjacent to the multi-tenant pad sites, called "The Plaza". The third enhancement will occur along the store fronts of the multi-tenant building in the rear of the tract. Planters, flower pots, benches will be added along the storefronts in the sidewalk.

We have also reduced our requests for deviations to signage and the 25' buffer required adjacent to residential zone.

Please feel free to contact me with any questions or concerns, or if you need any further details in order to process our request.

Sincerely,



Christy B. Smidt
Planner

cc: Ralph Tullier, Stream Realty
Mark Sondock, Stream Realty

**Planned Development
for
Center at Pearland Parkway**

Prepared For
Stream Realty

Kerry R. Gilbert & Associates, Inc.

March 2013

**Center at Pearland Parkway
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I. Introduction

A. Description of the Subject Property

The Center at Pearland Parkway is located on Pearland Parkway north of Broadway (FM 518) and directly next to the future HEB grocery store located at the corner of Broadway and Pearland Parkway. The site contains ± 28.0 acres situated to the east of an existing 85 foot wide Brazoria Drainage District #4 drainage easement which provides approximately 130 feet of separation from an existing multi-family complex and the rear side of a single-family residential neighborhood. The site is currently vacant as is the property to the north. Stream Realty Partners has contracted to buy and develop the site. Refer to Exhibit A – Project Location.

B. Description of Proposed Development.

The Center at Pearland Parkway will be developed as a mix of neighborhood service retail establishments in clusters and pad sites that are designed and situated such that the resulting center conveniently accommodates customers and their vehicles while focusing on internal and external pedestrian activity. Originally, the site was part of the Pearland Commons PD, a larger ± 53.3 acre tract, approved by the City in 2008. However, in 2010, HEB purchased the 22.0 acres located at the hard corner for a grocery store, fuel station and a few pad sites. Although there is separate ownership, the intent of our retail development is to interconnect in a cohesive fashion with the HEB site so that they are one project, and not two different projects. Interconnectivity will occur within the parking lot to allow vehicles and pedestrians to move throughout the project. The architectural style of our project will compliment the style to be established by the HEB site. Key elements of the overall site plan include:

1. Primary project entry located on Pearland Parkway at the entry across from Providence Village Drive near the center of the overall site. Project identifier and enhanced landscaping will occur at this entrance.
2. The primary entrance transforms into a landscaped, linear walkway with landscaping, special paving treatments, and a sidewalk for pedestrian connectivity to the retail space in the rear of the development. The median width will be twenty (20) feet wide with a meandering six (6) foot wide sidewalk and enhanced landscaping on either side of the sidewalk. Trees, shrubs and the seasonal plantings will provide some shade and buffer from the parking lot. Refer to Exhibit E – Conceptual Plan.
3. The Plaza, an outdoor playground, deck and/or grassy, open area with covered patio areas is nestled among a cluster of eateries and boutique shopping site located centrally to the shopping and the HEB site. This area is designed to create a Plaza that is accessible via pedestrian walkways throughout the project. Internal and external plazas will accompany these specialty restaurant and retail sites providing a perfect complement to the deck/grassy, open area. The Plaza is nestled among three buildings, each of which will include multiple small retail establishments.
4. Driveways along Pearland Parkway are limited to essential locations and are coordinated with existing driveways and esplanade openings. The one exception to this is the proposed driveway near the northern boundary on Pearland Parkway. This driveway has been situated to line up with Pebble Creek Drive to allow for a new esplanade opening. The location of all of the driveways will ensure traffic entering and exiting the project is accommodated in the most efficient and safe manner.
5. A 30' wide landscape buffer is provided along the entire frontage of Pearland Parkway. This area will contain landscaping, shrubbery and walkways designed to screen the adjacent parking areas from the abutting roadways with naturally aesthetic appeal.

6. The rear facade of the buildings within the center will be a continuation of the underlying architectural theme of the project consisting of a textured paint treatment coupled with the variation of building depths and offsets in the rear elevations of the various buildings in the center. The landscaping area will include a combination of shrubs and trees near the detention facility and will enhance the screening of the center along the western property line.
7. Proposed tenants include more than a half dozen national tenants ranging in size up to 26,000 square feet; multiple pad sites occupied by national restaurants, banks, and /or stand alone retail uses; approximately 20,000 square feet of specialty and/or in-line retail space.
8. All parking areas will be constructed of concrete rather than asphalt to enhance the quality and longevity of the project.
9. The proposed landscaping and open space shown on the site plan will be $\pm 15\%$ of the total gross area of the project including the covered patio, playground and deck area along with the various pockets of landscaping. This does not include the ± 4.7 acres of "Reserve Tract" vacant land located in the back of the center.



C. Describe the area of land in acreage.

The total land area is ± 28.0 acres. Refer to Exhibit B – Site Location and Exhibit C – Survey and Legal Description.

D. A statement as to the purpose and intent of the PD district established therein.

The purpose and intent of the PD district is to facilitate the design and implementation of retail development that is designed to aesthetically and harmoniously complement the adjacent residential and commercial areas.

II. Zoning and Land Use

A. Describe the existing zoning districts and the boundaries of said districts.

The existing zoning is the Pearland Commons PD overlay on a GB District. This was part of a larger +53.3 acre PD. Since then, HEB purchased +22.0 acres and with approval from City Council, removed the acreage from the PD. Refer to Exhibit D – Existing Zoning.

B. Describe the base zoning district(s) to be overlaid.

The current zoning is a PD overlay on the GB district.

C. The general standards applicable to development within the district

The site, regardless of zoning district, is located on Pearland Parkway, a designated corridor within the Corridor Overlay District. The Corridor Overlay District affects any tract located along specified major thoroughfares in Pearland. The project complies with the GB and the COD districts. The COD is discussed further in Section III of this document. Other aspects of the project such as the parking, signage, lighting, etc. are discussed further in Section III of this document.

The management of the project will be overseen by a professional commercial property manager with expertise in maintenance and continuity of the common areas. The phasing plan is discussed further in Section V of this document.

Standards within Zoning District Table

	GB
Density	None listed
Lot Area (Min.)	22,500 sq. ft.
Lot Depth (Min.)	125'
Lot Width (Min.)	150'
Lot Coverage	None listed
Building Height	45'
Building Elevation	Variation required
Front Setback	25'
Side Setback	10' or 25' if abut Major Thoroughfare
Rear Setback	25'

1. Provide the percentage of use in each zoning classification.

The land use in the overall project is 100% commercial/retail and will be in accordance with the land uses permitted in GB zone, except for prohibited uses listed below. There is no parkland dedication requirement, and there are no public streets located internally to the project.

2. Prohibited Uses

Currently, the GB zone allows for several uses that are not suited for a retail development. Exhibit L is a list of all the prohibited uses that otherwise are allowed in the GB zone.

D. The permitted, conditional and accessory uses authorized in the district, the location of such uses, the residential densities or other measurements of development intensity associated with base districts or phases of the development in conformance with the approved Design Plan.

The Center at Pearland Parkway is a proposed retail project and at this time, the tenants have not been selected. There are no accessory uses associated with this project. The intent of the development is to incorporate the design and architectural style of the adjacent HEB site, however, at this time this information is not available.

III. Design standards applicable to the development

A. Design Standards. Specific design standards, including signage, building height, landscaping, fencing, parking, etc., that are applicable to this development are the standards set forth for the GB zoning district which are listed in Chapter 2, Article 4, Division 4, Section 4 of the UDC and the design standards for the Corridor Overlay District, as listed in Chapter 2, Article 4, Division 5, Section 1 of the UDC. Refer to Exhibit E – Conceptual Plan.

1. Building Materials: The project complies with the current UDC standards. Beyond minimum standards, buildings within this project will be required to include two types of materials for each store front and multi-tenant pad site, a stucco, tilt-wall, or EIFS building with a stone material. Each building will

include a minimum of 10% stone material. In addition to the two types of materials, architectural enhancements will also be included on each building.

2. **Landscape Enhancements:** The project complies with the current UDC. The project will also incorporate landscape enhancements above the minimum standards on the primary entry median and along the façade of the buildings. The entry median which is twenty (20) feet wide will be enhanced with trees, shrubs and plantings along with a six (6) foot sidewalk. Additionally, the store fronts will incorporate plantings and benches along the sidewalk in front of the store fronts providing a pleasant walking experience. These are additional amenities unique to this site.



3. **The Plaza:** A park area, not required for retail developments, has been incorporated to allow for families and friends to gather in a passive park setting next to small eatery and boutique shops. Adjacent to the three multi-tenant buildings, this is an ideal location to gather with friends and family after shopping or eating at one of the restaurants. The location is central to the shopping in both this development and the HEB development. Proximity to the activity associated with HEB is important to the energy of The Plaza. Refer to Exhibit F- The Plaza.

4. **Sidewalks:** The sidewalk located along Pearland Parkway complies with the width and material standards stated in the current UDC 2.4.5.1(l). The sidewalk in the primary boulevard median is six (6) feet wide and will meander throughout the twenty (20) foot wide median. The sidewalks that compose the internal pedestrian circulation, as shown on Exhibit E, will be a minimum of six (6) feet in width and will be a defined sidewalk by utilizing several techniques such as staining or painting the concrete and the installation of pavers. Refer to Exhibit E – Conceptual Plan for general location and proposed curved alignment of the sidewalks.

5. **Parking and Vehicular Circulation:** The project complies with the current UDC. This section also includes standards of lighting of the parking lot and sidewalks. Although not required, the project is designed to provide interconnectivity for vehicles and pedestrians between this project and the HEB site for a cohesive development plan. The lighting plan will also emulate the decorative style and height of light structures of the HEB site. Refer to Exhibit E - Conceptual Plan for general layout of the parking lot and the vehicle circulation plan and to Exhibit K – Lighting Plan.

6. **Fencing:** The project contemplates an expansion of land through the purchase of the adjacent tract to the north. However, at this time; the adjacent tract is zoned residential, which requires masonry fencing or a 25' landscape buffer. Since the development will be enlarged in the future, the 25' landscape buffer will be included in the future development. The project will blend with the HEB tract to the south and the future expansion tract to the north, to give the appearance of one large retail development.

7. **Corridor Overlay District:** The project complies with the current UDC standards for the COD. These standards apply because the project abuts Pearland Parkway. Included within these standards are requirements for building articulation and building material, increased building line and landscape enhancements along the street and the increased screening standards along any parking areas.

B. Refer to Design Plan and describe which aspects of plan are precise and which are general.

The Design Plan in this document is included for the sole purpose of establishing general design guidelines as to the basic character and physical relationships of the planned uses and facilities. Everything depicted on the Design Plan is general and nothing is precise because the project is not yet designed. The ideas and plans represent the intent of the developer and the quality and character of the development. Adjustments to the Design Plan that do not introduce or remove new public facilities, do not deviate substantially from the Design Plan and otherwise comply with the intent of the various requirements within The Center at Pearland Parkway PD and other city ordinances and regulations in effect at the time this document is adopted shall not require separate or additional approvals from City Council or the Planning & Zoning Commission. It is essential to the success of The Center at Pearland Parkway PD to maintain flexibility in the site plan process in order to respond to ever changing market conditions and retail demand. Listed below are criteria to further define the flexibility, or lack thereof, with respect to the Master plan.

- Open space within the project including The Plaza, the boulevard median, landscape buffers along Pearland Parkway and along the rear of the project may not be reduced in size by more than 10% without the consent of City Council. In no case will the open space be less than the requirements set forth in the UDC.
- The location of the open space may shift within the project to accommodate specific change in the dimensions of buildings, parking and pad sites so long as the basic concept and intent of the Master plan remains intact.
- The location of buildings including pad sites may shift or be altered in size, dimension, and number. Such changes may be made without separate or further approvals from the City Council or the Planning and Zoning Commission so long as the basic concept and intent of the Master plan remains intact.

C. A specific list of deviations from standards in the base zoning district(s), together with any standards in the ordinance which are to be varied for development within the PD district.

The intent of the proposed plan is to comply with the standards of the GB zoning district for the entire project with the exception of those items listed below.

1. **Signage:** Section 4.2.5.4 (b)(2) places a maximum of two multi-user/multi-tenant signs per street frontage separated by a minimum of 600' for an integrated business development. The frontage the project possesses along Pearland Parkway is ±1,172 feet. Due to the number of tenants proposed for this development, an additional multi-tenant sign, for a total of three signs, is required to accommodate signage for all of the tenants. Two of the multi-tenant signs will accommodate the tenants in the rear of the property, while the third multi-tenant sign will accommodate the multiple tenants in the three building sites adjacent to The Plaza. Each building site will hold approximately three to five tenants. We also request that the multi-tenant sign located at the primary entry is allowed to be a height of twenty (20) feet and the other two multi-tenant signs will be fifteen (15) feet in height. This will allow the multi-

tenant sign located at the primary entry to include project monumentation that is typical for these developments. The multi-user/multi-tenant signs will comply with maximum height and maximum area as stated in the current UDC. We request that signage requirements apply to the PD rather than to the parcels of land within the PD that may fall under separate ownership. Refer to Exhibit – J Signage Exhibit.

2. **Buffer to Residential:** Section 2.4.4.5(k) requires a 25' landscape buffer adjacent to residential use or district. The vacant land along Pearland Parkway and north of this tract is most likely to be developed for retail/commercial. Additionally, this development may expand in the future into the adjacent tract, at which time any open space buffer would be removed.

D. All requirements of the Unified Development Code will be met, except those specifically mentioned above in Section III C of this Planned Development.

IV. Required dedications of land or public improvements

Center at Pearland Parkway is solely commercial and does not require dedication of land for parkland or public improvements to any roadways, unless required by the TIA or the City.

V. A phasing schedule for the project

The project is divided into two phases. The development within this PD is Phase I.

**Prohibited Uses List
Exhibit L**

Below is a list of land uses allowed in the General Business Zone, but which will be prohibited specifically within the Center at Pearland Parkway PD.

Agriculture Field or crop
Agriculture Animal Husbandry
Farm/Ranch livestock
Feed & grain store supply (C)
Boarding or Rooming House
Farm Accessory building
Guest, caretaker or security quarters (C)
Off street parking incidental to residential main house
Social & Recreational building (homeowners association, neighborhood rec center
Country Club, private or public golf course
Fairgrounds, Rodeo grounds (C)
Swimming pool – private club
Tennis or swim club
Tennis court (private/lighted) (C)

Auto uses

All terrain vehicles – dealer, sales
Auto glass repair/tinting (C)
Auto interior shop/upholstery (C)
Auto repair – minor (C)
Auto sales/dealer (new and used auto sales)
Auto wash (full service, detail shop)
Commercial transit terminal
Parking lot or garage for passenger cars and trucks of less than one ton capacity

Office uses

Credit agency
Office, parole-probation, bail bonds
Telemarketing agency (C)
Ambulance service (C)
Bed & breakfast inn
Extended stay motel/hotel
Funeral home (C)
Hotel/motel (C)
Laundromat (self service laundry)
Rehabilitation care facility (halfway house)
Rehabilitation care institution (commercial)
Astrology, hypnotists or psychic arts
Bakery (wholesale)
Convenience store (without gasoline)
Food store/supermarket
Garage and/or yard sales (C)

Institutional and government uses

Adult day care (business)

Assisted living facility
Auction house
Child day care (business)
Child Day Nursery
Church, temple, or place of worship
Civic center (municipal)
Civic club
Convent or monastery
Day camp (for children)
Fraternal Organization
Fraternity or sorority house
Governmental building or use
Home of alcoholic, narcotic or psychiatric patients (C)
Hospital (for profit or not for profit)
Institution of religious, education, or philanthropic nature
Library, public or museum (indoor)
Mortuary/cemetery
Municipal public administration offices
Nursing/Convalescent Home (Skilled Nursing facility)
School – elementary, junior or high school
School – other than public or parochial
Sheltered care facility (C)
Studio or radio and or television (no towers)

Commercial and related uses

Cabinet business
Cannery Wholesale (C)
Dance hall or night club (C)
Drive-in theater (C)
Exterminator service/company (no outdoor sales or storage)
Heating and air conditioning sales/service (C)
Mini-warehouse/self storage (C)
Moving and storage company (C)
News printing/book binding (C)
Outside storage (C)
Plumbing or carpenter shop (no outside storage) (C)
Printing equipment, supplies and repairs (C)

Industrial uses

Airport and helipad landing field (C)
Animal processing (C)
Asphalt batching plant/ asphalt/concrete batching plant (C)
Commercial – extraction of soil, sand or gravel (C)
Petroleum or petroleum product extraction (C)



EXHIBIT A

a project location map for
THE CENTER AT PEARLAND PARKWAY
± 28.0 ACRES OF LAND

prepared for
STREAM REALTY

KERRY R. GILBERT & ASSOCIATES, INC.

Land Planning Consultants

23501 Cinco Ranch Blvd.
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(281) 579-0340
Fax (281) 579-8212

NOT TO SCALE

MARCH 2013
KGA #I-215A

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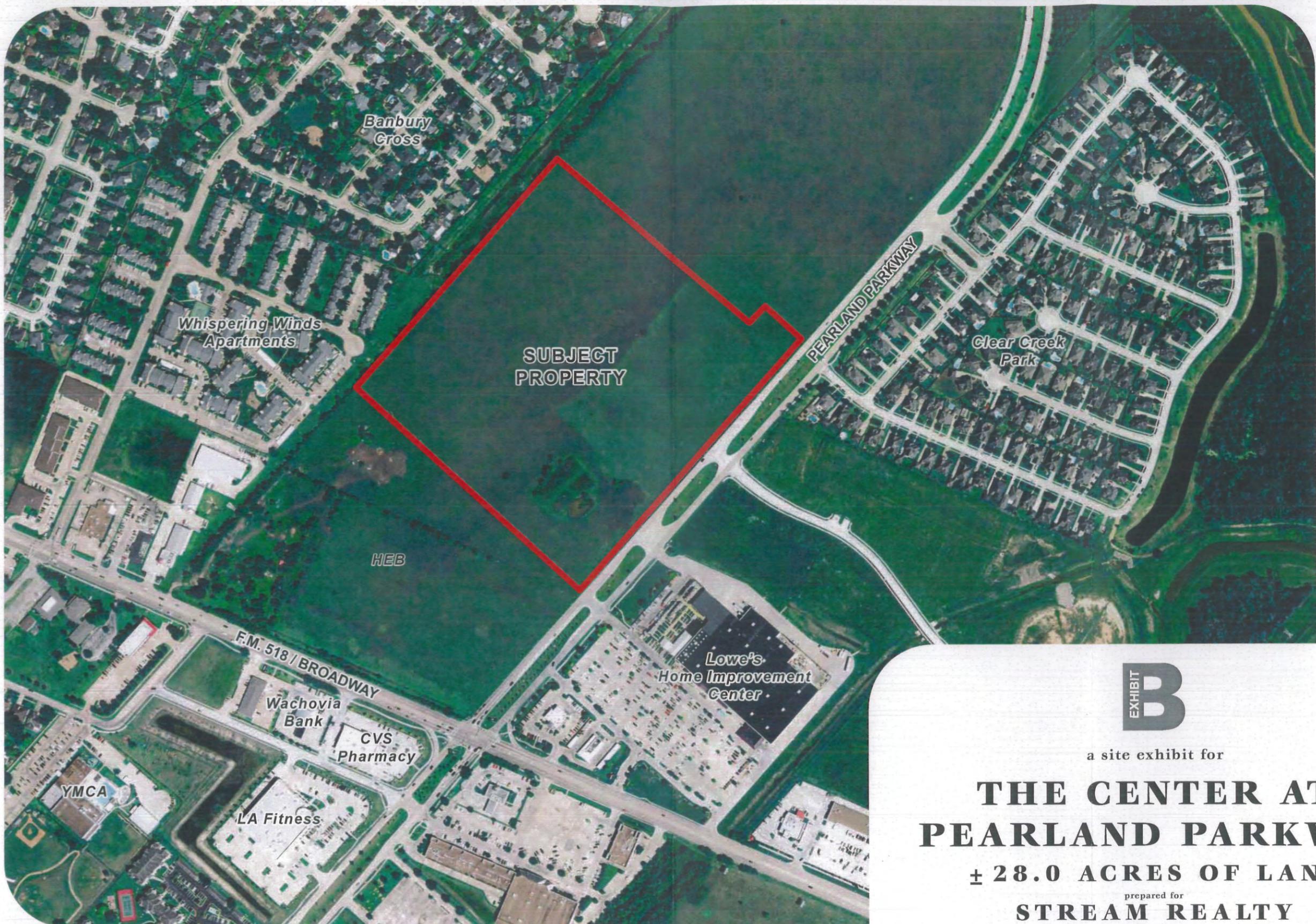


EXHIBIT B

a site exhibit for

THE CENTER AT PEARLAND PARKWAY

± 28.0 ACRES OF LAND

prepared for

STREAM REALTY

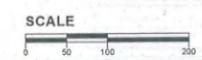
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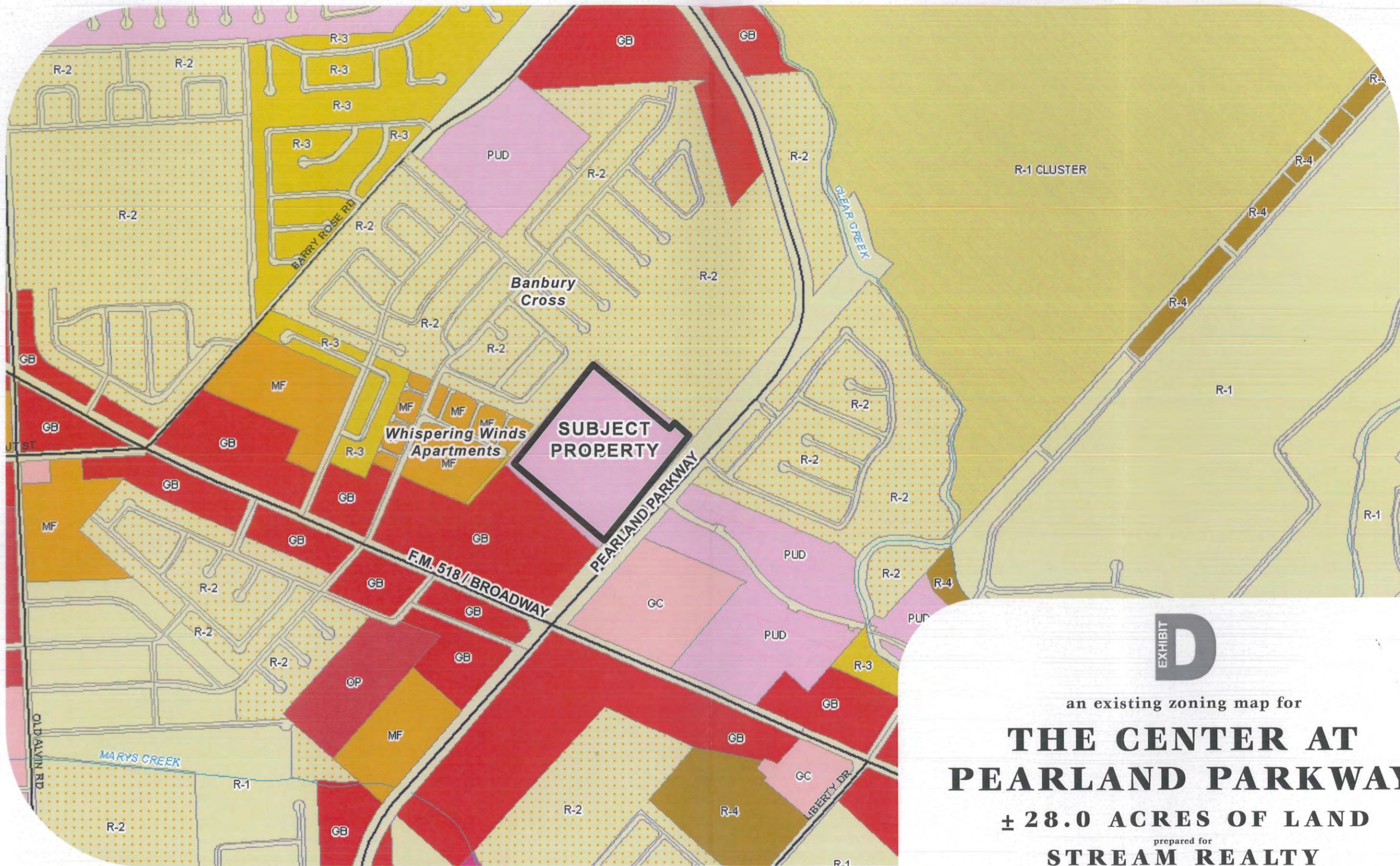


EXHIBIT D

an existing zoning map for
THE CENTER AT PEARLAND PARKWAY
 ± 28.0 ACRES OF LAND
 prepared for
STREAM REALTY

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MARCH 2013
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THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS
03.14.2013

PHASE I - 28.0 Acres



SCALE: 0 50' 100' 200'



THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS
03.14.2013

PHASE I - 28.0 Acres

SHALLOW CREEK DR.
PEBBLE CREEK DR.
HIDDEN CREEK DRIVE
PROVIDENCE VILLAGE DR.
PEARLAND PARKWAY
EXHIBIT F



SCALE: 0 50' 100' 200'



THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

03.14.2013

PHASE I - 28.0 Acres



SCALE: 0 50' 100' 200'



THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

03.14.2013

PHASE I - 28.0 Acres



HEB
(GB ZONE)

POTENTIAL
PHASE II

PEARLAND PARKWAY

PROVIDENCE VILLAGE DR.

PEBBLE CREEK DR.

HIDDEN CREEK DRIVE

SHALLOW
CREEK
DR.

EXHIBIT

SCALE: 0 50' 100' 200'



THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

03.08.2013

PHASE I - 28.0 Acres



MULTI-TENANT SIGNAGE



PAD SITE SIGNAGE



PROJECT IDENTIFIER



SCALE: 0 50' 100' 200'



THE CENTER AT PEARLAND PARKWAY

CITY OF PEARLAND, TEXAS

03.08.2013

LIGHTING STANDARDS

- BUILDING MOUNTED LIGHTING (MAX. 20FT)
- 39-FOOT LIGHTING STANDARD
- 20-FOOT LIGHTING STANDARD

PHASE I - 28.0 Acres

Planned Development – Center at Pearland Parkway ~31 acres

Staff comments:

- There is no need to specify that a 30' wide landscape buffer will be provided as this is a requirement within the Corridor Overlay District.
- It states that ±15% of the site will be landscaped. The UDC requires that a minimum of 15% be landscaped. Please remove the ± to ensure that this requirement is met.
- Will the 4.7 acre "reserve tract" be amenitized or landscaped? If not, there is no need to mention it within the landscape section of the PD.
- The use of EIFS as a building material has been removed from the UDC as an acceptable building façade material and thus should be removed from this PD.
- Stone should be used for at least 30% of the exterior of each building. The proposed 10% would not be sufficient.
- Please provide a detailed exhibit for the entry feature including proposed signage. The provided exhibit indicates minimal landscaping with only 2 trees shown. Please provide types of plantings and indicate total caliper inches of trees and shrubs that will be provided in order to show how this will be an enhancement to the project.
- For sidewalk section, please remove painted sidewalks as an option as these may be difficult to maintain. Stained concrete and pavers will be sufficient.
- For site lighting, there is no need to mention that they will emulate the lights of neighboring properties as those designs have not been approved by the city. Please provide an exhibit showing the types of lighting proposed and ensure that lighting height is in conformance with the UDC.
- Under section B, please remove the statement that everything depicted on the Design Plan is general and nothing is precise.
- Please remove the section that would allow deviations to the minimum amount of and location of the open space that is being proposed.
- Under requested deviations, staff recommends three signs, one at a height of 20' and two additional not to exceed 10' as opposed to the requested 15'.
- Please provide an exhibit that shows proposed sign elevations.

- Please state in the PD that there will be no outside storage permitted regardless of the use.
- The front facades of each building shall maintain variations and off sets as shown in these exhibits.
- Remove all “C’s” from the list of allowed uses and state that any use in the GB zone that is not excluded from this PD but would require a CUP still would require a CUP.
- Please add the following uses to your list of excluded uses.
 - *Commercial Amusement Outdoor*
 - *Auto Parts Sales w/outside storage.*
 - *Vet Office with Outside Pens*
 - *Antique Shop w/outside storage*
 - *Check Cashing Services*

NEW BUSINESS

**P&Z AGENDA
ITEM**

A



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 04/30/2013
AGENDA ITEM SUBJECT: Master Plat of Business Park PD

Old Business **New Business** Discussion Item Workshop

Summary: A request by Eric D. Johnson of IDS Engineering Group, applicant, on behalf of Joe L. Moody, owner for approval of a Master Plat of Business Park PD, a commercial subdivision on 38.90 acres of land, generally located at the 3600 Block of County Road 59.

Staff Recommendation: Approval

Agenda Reviewed by:

HE

Date Reviewed:

05/01/2013



PLANNING AND ZONING COMMISSION MEETING OF MAY 6, 2013

MASTER PLAT OF BUSINESS PARK PD

A request by Eric D. Johnson of IDS Engineering Group, applicant, on behalf of Joe L. Moody, owner for approval of a Master Plat of Business Park PD, a commercial subdivision on 38.90 acres of land, generally located at the 3600 Block of County Road 59.

Legal Description: A subdivision of 38.9 acres of land out of the H.T. & B.R.R. Survey, Abstract 300, City of Pearland, Brazoria County, Texas.

General Location: 3600 Block of County Road 59

SUMMARY: This is a request for a Master Plat of Business Center Planned Development. The property contains a total of 38.9 acres of a master planned commercial development. The property in question is part of an approved Planned Development. As part of the PD requirements in the Unified Development Code, a master plat is required for the entire development before any individual phases can be platted and developed.

The master plat references the requirements set forth in the planned development, more specifically regarding setbacks, driveway placement, and location of underground and overhead utility lines. Any major deviations from these locations would require an amendment to the master plat and to the PD document.

UNIFIED DEVELOPMENT CODE: The subject property is currently zoned Planned Development (PD). The proposed master plat is in conformance with the Unified Development Code and approved Planned Development.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	BP-288	Vacant
South	N/A	Outside City Limits
East	N/A	SH 288
West	R-2	Single Family Residential

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject land is Business Park. The approved Comprehensive Plan further indicates that corresponding zoning for this land use is Business Park – 288 (BP-288). The base zoning for the approved PD is BP-288. The proposed development is in conformance with the future land use plan.

PLATTING STATUS: This is the first plat for the subject property. A development plat will be required for each section depicted in the master plat.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject parcels contain frontage on Business Center Drive and County Road 59 (CR 59), both of which are secondary thoroughfares with a minimum right-of-way of 100'. Business Center Drive is currently under construction by the city and will be built to its full width. CR 59 is currently built as a two lane road, with a width of approximately 24'. Improvements have been made to the intersection of CR 59 and Business Center to accommodate additional traffic.

AVAILABILITY OF UTILITIES: Public water and sewer are available for this site, but will have to be extended to the site by the applicant.

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

STAFF RECOMMENDATION: Staff recommends approval of the Master Plat of Business Center PD as proposed by the applicant, for the following reasons:

1. The proposed master plat will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the comprehensive plan.
3. This request is in conformance with the approved Planned Development and the Unified Development Code.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Future Land Use Plan
- Aerial Map
- Master Plat of Business Center PD



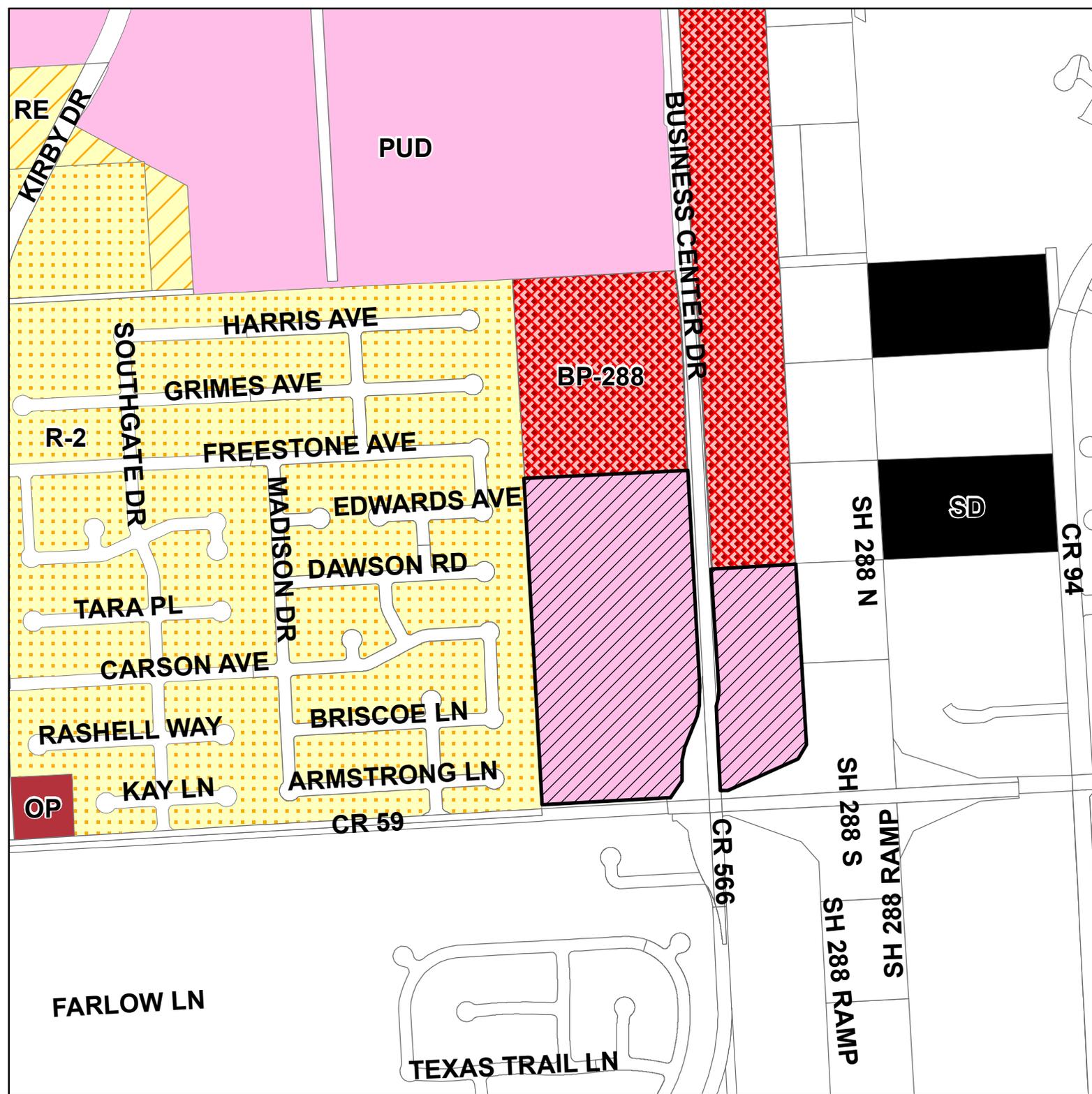
Vicinity and Zoning Map

Master Plat of Business Center PD

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

0 100 200 Feet





FLUP Map

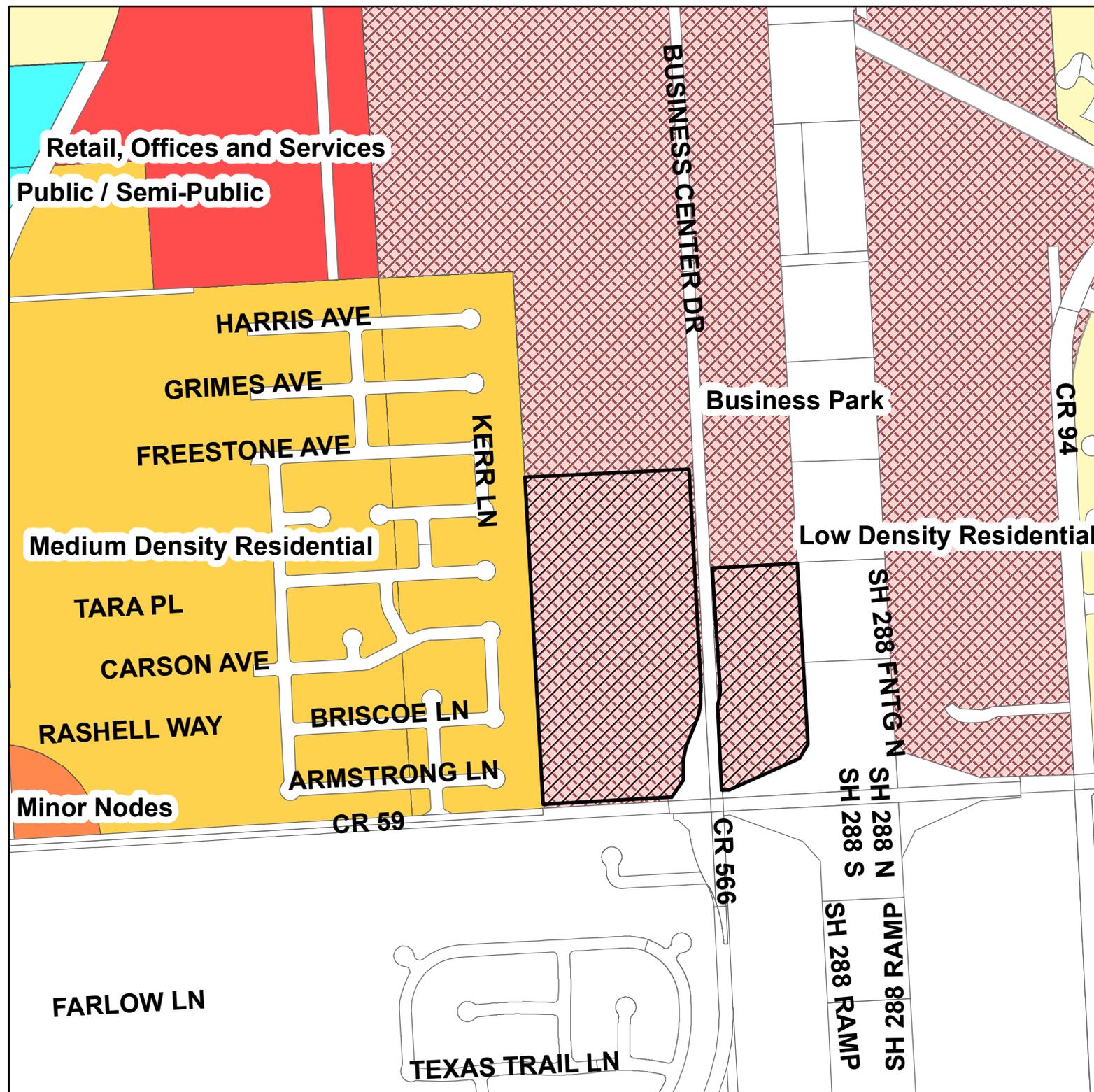
Master Plat of Business Center PD

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N



0 100 200 Feet





Aerial Map

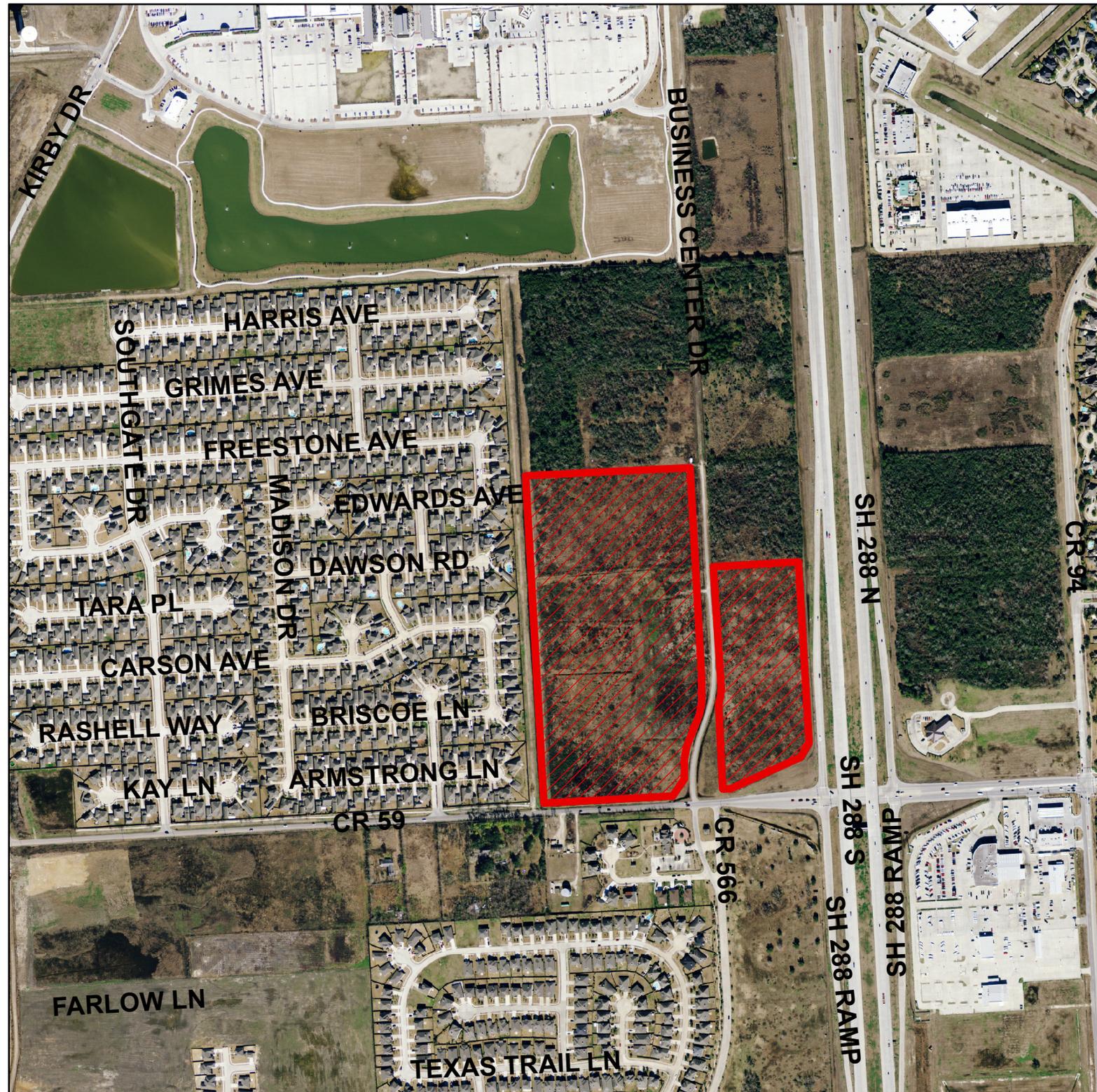
**Master Plat of
Business Center PD**

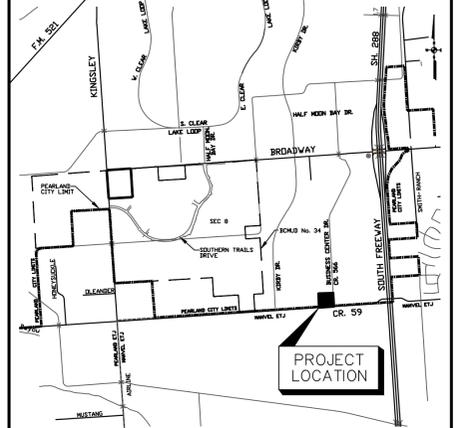
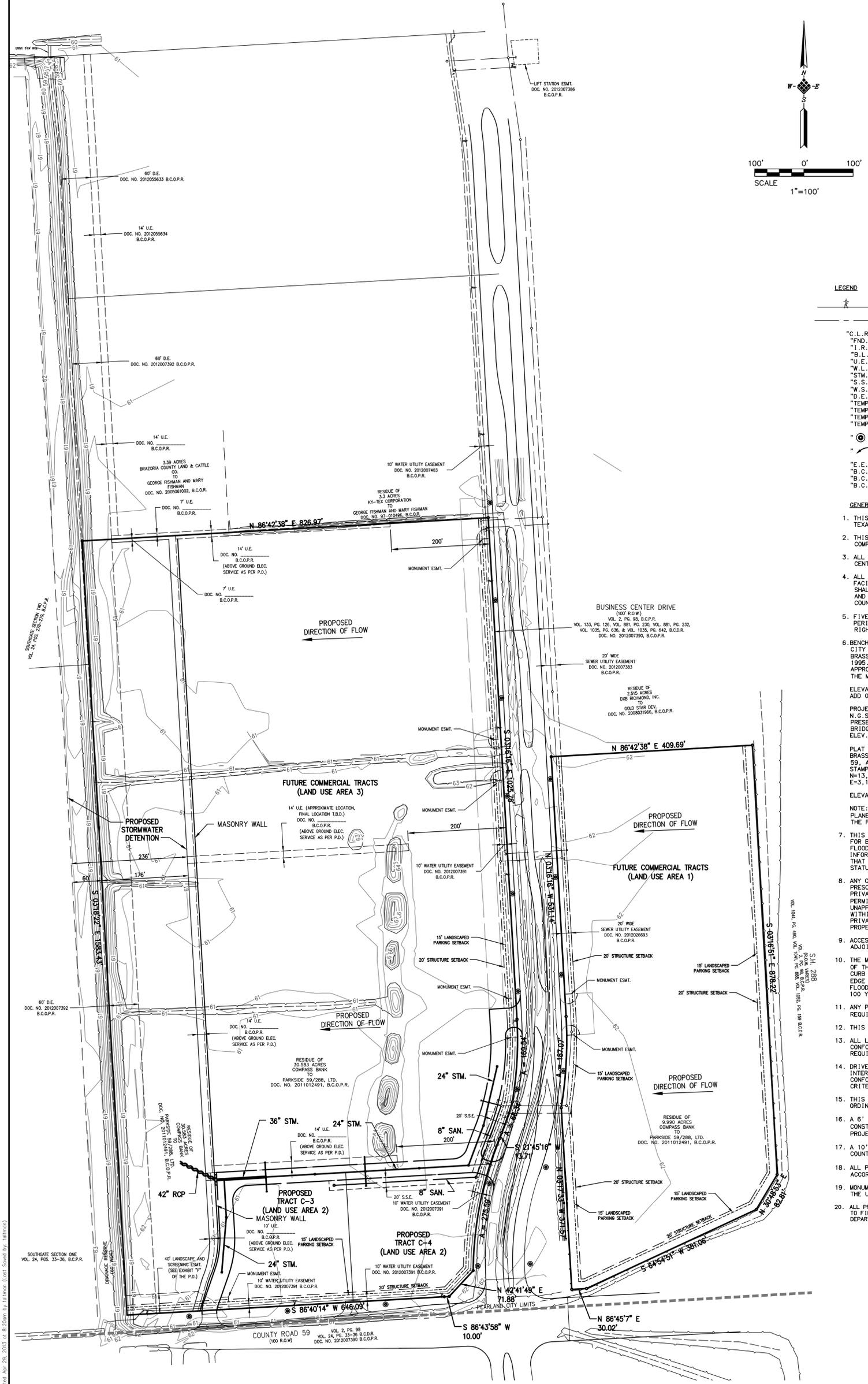
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N



0 50 100 Feet





- LEGEND**
- EXISTING FIRE HYDRANT
 - EXISTING WATER LINE
 - "C.L.R." INDICATES CENTERLINE RADIUS.
 - "FND." INDICATES FOUND.
 - "I.R." INDICATES IRON ROD.
 - "B.L." INDICATES BUILDING LINE.
 - "U.E." INDICATES UTILITY EASEMENT.
 - "W.L.E." INDICATES WATER LINE EASEMENT.
 - "STM. SWR. ESMT." INDICATES STORM SEWER EASEMENT.
 - "S.S.E." INDICATES SANITARY SEWER EASEMENT.
 - "W.S.E." INDICATES WATER LINE / SANITARY SEWER EASEMENT.
 - "D.E." INDICATES DRAINAGE EASEMENT.
 - "TEMP. D.E." INDICATES TEMPORARY DRAINAGE EASEMENT.
 - "TEMP. W.E." INDICATES TEMPORARY WATER LINE EASEMENT.
 - "TEMP. S.S.E." INDICATES TEMPORARY SANITARY SEWER EASEMENT.
 - "TEMP STM. SWR. ESMT." INDICATES TEMPORARY STORM SEWER EASEMENT.
 - = PROPOSED STREET LIGHT LOCATION. (APPROXIMATE)
 - = STREET NAME CHANGE.
 - "E.E." INDICATES ELECTRICAL EASEMENT.
 - "B.C.P.R." INDICATES BRAZORIA COUNTY PLAT RECORDS.
 - "B.C.D.R." INDICATES BRAZORIA COUNTY DEED RECORDS.
 - "B.C.O.P.R." INDICATES BRAZORIA COUNTY OFFICIAL PROPERTY RECORDS.

- GENERAL 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, FILE NO. 120394295 CPL, EFFECTIVE DATE MARCH 8, 2013.
 3. ALL BEARING BASED ON 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 COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
 5. FIVE-EIGHT INCH (5/8") IRON RODS THREE FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
 6. BENCHMARKS:
CITY OF PEARLAND REFERENCE BENCHMARK:
BRASS CAP SET FLUSH IN CONCRETE STAMPED "CITY OF PEARLAND 10 GPS MONU. 1995" THE MONUMENT IS LOCATED NORTHERLY ALONG THE SOUTH BOUND HIGHWAY 288 APPROXIMATELY 2400 FEET FROM THE INTERSECTION OF F.M. 518 AND HIGHWAY 288. THE MONUMENT IS WESTERLY 21 FEET FROM LARGE HIGHWAY LIGHT #2888.
ELEVATION = 59.29 NAVD 29, 1987 ADJUSTMENT
ADD 0.19 FEET FOR NAVD 88, 1991 ADJUSTMENT
PROJECT REFERENCE BENCHMARK:
N.G.S. BRASS DISK STAMP "1968 1942" LOCATED ALONG F.M. 521, EAST OF THE PRESENT ROAD, IN THE NORTHEAST CONCRETE HEADWELL OF THE FORMAL HIGHWAY BRIDGE OVER A CANAL.
ELEV. 61.786, NAVD 88, 1991 ADJUSTMENT.
PLAT BENCHMARK (BM):
BRASS DISK SET ON TOP OF A CURB INLET ALONG THE NORTH SIDE OF COUNTY RD. 59, APPROXIMATELY 233' EAST OF THE CENTERLINE EXTENSION OF BUSINESS DRIVE, STAMPED: BCPD
N=13,763,947.01
E=3,116,886.33
ELEVATION= 61.78 NAVD 29, 1987 ADJUSTMENT
NOTE: THE COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE 1.00012997
 7. THIS TRACT LIES IN ZONE X OF THE FLOOD INSURANCE RATE NO. 4803900020 H MAP FOR BRAZORIA COUNTY, TEXAS, DATED JUNE 5, 1989. CONTACT THE BRAZORIA COUNTY FLOODPLAIN ADMINISTRATOR FOR BASE FLOOD INFORMATION. ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
 8. ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A DEDICATED EASEMENTS 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 EASEMENTS REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITIES OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
 9. ACCESS RIGHTS TO PARKING AREAS AND DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING COMMERCIAL PROPERTIES.
 10. 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 CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
 11. ANY PROPOSED DRAINAGE SYSTEM SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND/OR BRAZORIA DRAINAGE DISTRICT #4.
 12. THIS PROPERTY IS WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 34.
 13. ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTION SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
 14. DRIVEWAY REQUIREMENTS FOR THE LOCATIONS, WIDTHS AND OFFSETS FROM AN INTERSECTIONS 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.
 15. THIS PLAT IS SUBJECT TO THE BUSINESS CENTER PD IN ACCORDANCE WITH THE ORDINANCE NO. 2000M-94 DATED OCTOBER 15, 2012.
 16. A 6' SIDEWALK ALONG BUSINESS CENTER DRIVE IS BEING PROVIDED AS PART OF THE CONSTRUCTION OF BUSINESS CENTER DRIVE BY THE CITY OF PEARLAND (CITY PROJECT NO. TROB11).
 17. A 10' PRIMARY TRAIL IS REQUIRED TO BE CONSTRUCTED BY THE DEVELOPER ALONG COUNTY ROAD 59 AS PART OF THE CITY OF PEARLAND MASTER TRAIL PLAN.
 18. ALL PROPOSED ELECTRICAL SERVICE (ABOVE GROUND OR UNDERGROUND) SHALL BE IN ACCORDANCE WITH EXHIBIT "E" OF THE BUSINESS CENTER P.D.
 19. MONUMENT SIGN LOCATIONS ARE APPROXIMATE AND SUBJECT TO THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE.
 20. ALL PROPOSED STREET AND UTILITY LOCATIONS SHOWN ARE APPROXIMATE AND ARE SUBJECT TO FINAL CONSTRUCTION PLAN APPROVAL BY THE CITY OF PEARLAND ENGINEERING DEPARTMENT AND SUBSEQUENT CONSTRUCTION.

3600 BLOCK OF COUNTY ROAD NO. 59
 MASTER PLAT
BUSINESS CENTER PLANNED DEVELOPMENT
 A SUBDIVISION OF
38.90 ACRES
 OUT OF THE
 H.T. & B.R.R. CO. SURVEY, A-300
 CITY OF PEARLAND
 BRAZORIA COUNTY, TEXAS

OWNER: PARKSIDE 59/288, LTD.
 3000 N. ALABAMA - HOUSTON, TEXAS 77064 - MR. JOE MOODY - (713) 871-5000

ENGINEER: **IDS**
Engineering Group
 MR. ERIC D. JOHNSON, P.E. - (713) 482-8178

13333 NW. Freeway,
 Suite 300
 Houston, TX 77040
 713.462.3178

APRIL 29, 2013 IDS JOB NO. 2024-001-01

IDS DRAWING NO. _____

\mnt\03\Design\Projects\20240001\BUSINESS CENTER\CD\104\Design\JMS\Master-C-P41.dwg [SPT] Plotted Apr 29, 2013 at 8:20am by jolman (User Saved by jolman)

BUSINESS CENTER PLANNED DEVELOPMENT

**P&Z AGENDA
ITEM**

B



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 04/30/2013
AGENDA ITEM SUBJECT: Preliminary Plat of Canterbury Park Section 2

Old Business **New Business** Discussion Item Workshop

Summary: A request by Pape-Dawson Engineers, Inc., applicant, on behalf of KB Home Lone Star, Inc., owner for approval of a Preliminary Plat of Canterbury Park section 2, a 51 lot subdivision on 13.21 acres of land, generally located at the 4000 Block of Springfield Ave.

Staff Recommendation: Approval

Agenda Reviewed by:

HE

Date Reviewed:

05/01/2013



PLANNING AND ZONING COMMISSION MEETING OF MAY 6, 2013

PRELIMINARY PLAT OF CANTERBURY PARK SECTION 2

A request by Pape-Dawson Engineers, Inc., applicant, on behalf of KB Home Lone Star, Inc., owner for approval of a Preliminary Plat of Canterbury Park section 2, a 51 lot subdivision on 13.21 acres of land, generally located at the 4000 Block of Springfield Ave.

Legal Description: A subdivision of land containing 13.2144 acres out of the Canterbury Park Section 1 Survey, City of Pearland Texas, County of Brazoria, Texas.

General Location: 4000 Block of Springfield Ave.

SUMMARY: This is a request for a Preliminary Plat of Canterbury Park Section 2. The property contains a total of 13.21 acres with 51 proposed lots. The property contains two zoning designations, R-2 and PD. The proposed development meets the requirements of both the requirements of the PD and R-2 zone. This is part of the Canterbury Park Planned Development and is the second phase in the subdivision. Section 1 of the subdivision was approved in 2004. A preliminary plat for section 2, which showed a total of 97 lots, was approved in 2007 but was never acted on and has since expired. The proposed preliminary plat of section 2 meets all requirements of the Canterbury Park Planned Development.

UNIFIED DEVELOPMENT CODE: The subject property is currently zoned Single Family Residential-2 (R-2) and Planned Development (PD). The R-2 and PD zone require a minimum lot width of 70', minimum depth of 90' and minimum lot area of 7,000 sq. ft. All requirements of the Unified Development Code and Planned Development have been met.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	PD/R-2	Vacant
South	R-2	Vacant
East	PD/R-2	Vacant
West	PD/R-2	Single Family Residential

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject land is Low Density and Medium Density Residential. The approved Comprehensive Plan further indicates that corresponding lot sizes for these designations would be 10,000, 8,000, 7,000 or 6,000 square foot lots. Therefore, the proposed development is in conformance with the Comprehensive Plan.

PLATTING STATUS: This is the second preliminary plat for the subject property. A preliminary plat containing this section plus additional acreage was approved in 2007 but was never acted on and subsequently expired. A final plat will be required after the completion and acceptance of all public infrastructure and amenities and prior to the release of any building permits.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property will be served by Springfield Avenue and Canterbury Park Ln. which are part of Section 1. These roads are both platted as 60' right-of-ways.

AVAILABILITY OF UTILITIES: Public water and sewer are available for this site, but will have to be extended to the site by the applicant.

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

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Canterbury Park Section 2 as proposed by the applicant, for the following reasons:

1. The proposed preliminary plat will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the existing zoning and comprehensive plan.
3. This request is in conformance with the approved Planned Development and the Unified Development Code.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Future Land Use Plan
- Aerial Map
- Preliminary Plat of Canterbury Park section 2



Vicinity and Zoning Map

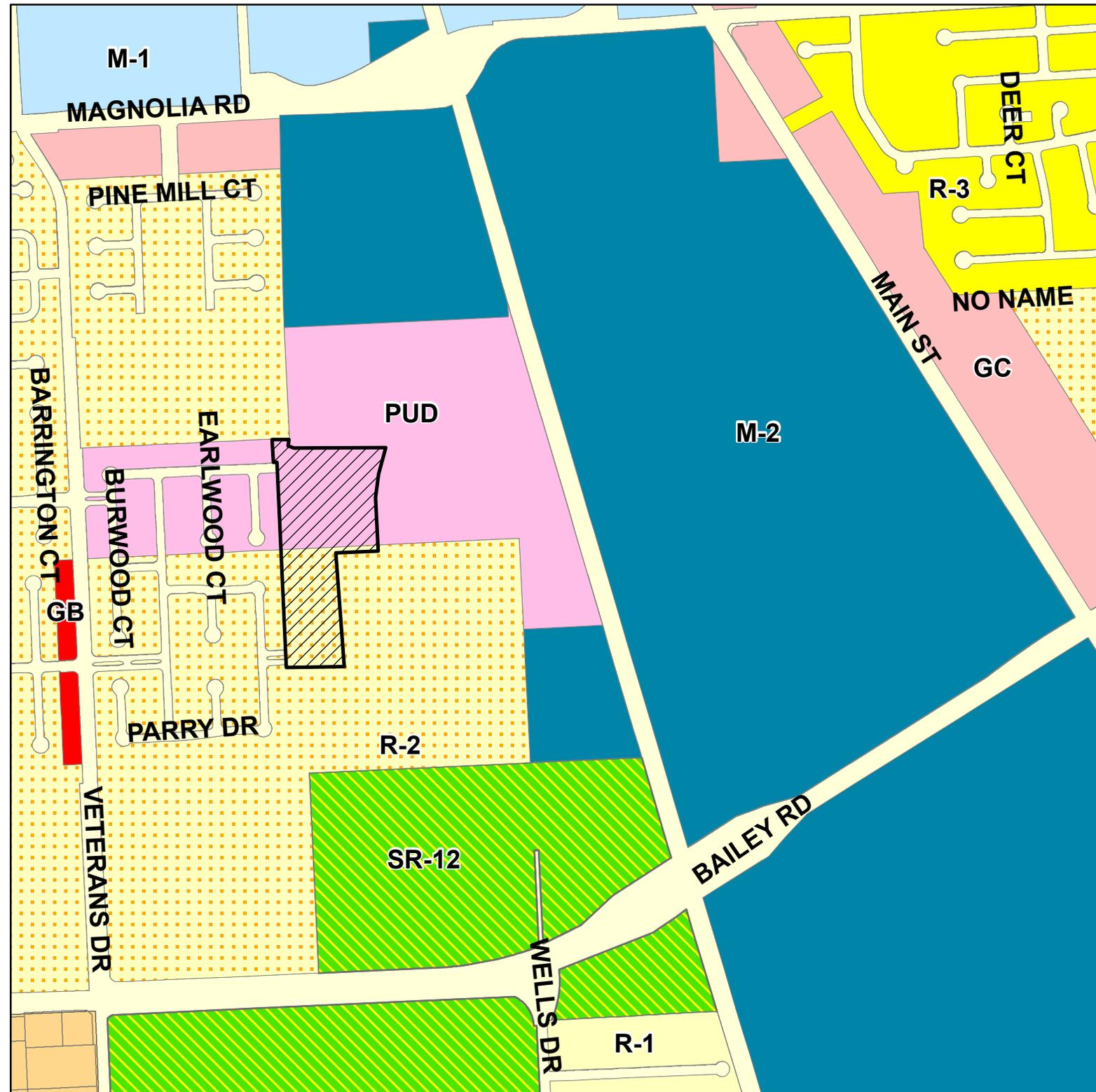
Preliminary Plat of Canterbury Park Section 2

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.

063060 Feet



N





FLUP Map

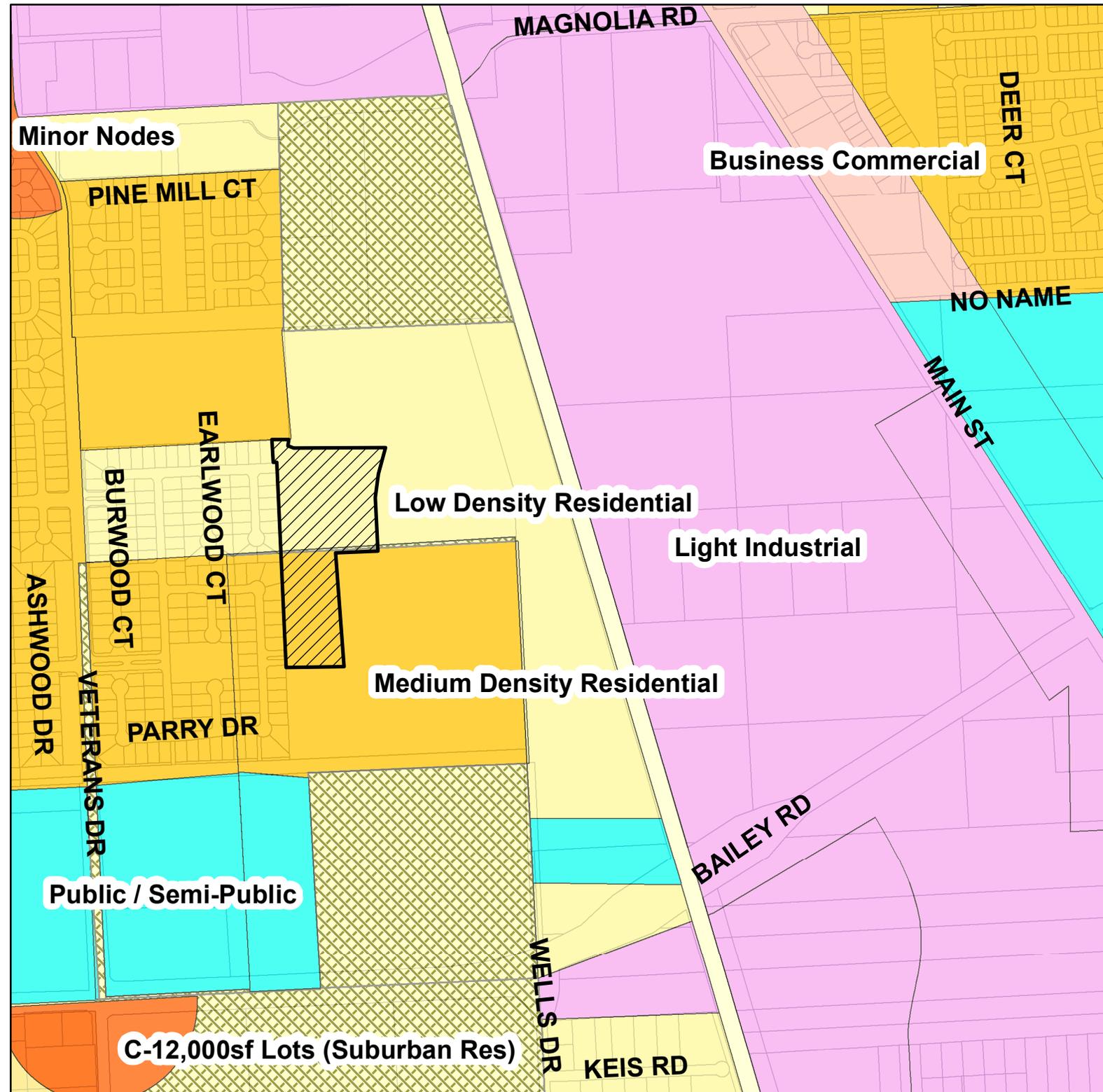
**Preliminary Plat of
Canterbury Park
Section 2**

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N



663060 Feet



Minor Nodes

Business Commercial

Low Density Residential

Light Industrial

Medium Density Residential

Public / Semi-Public

C-12,000sf Lots (Suburban Res)



Aerial Map

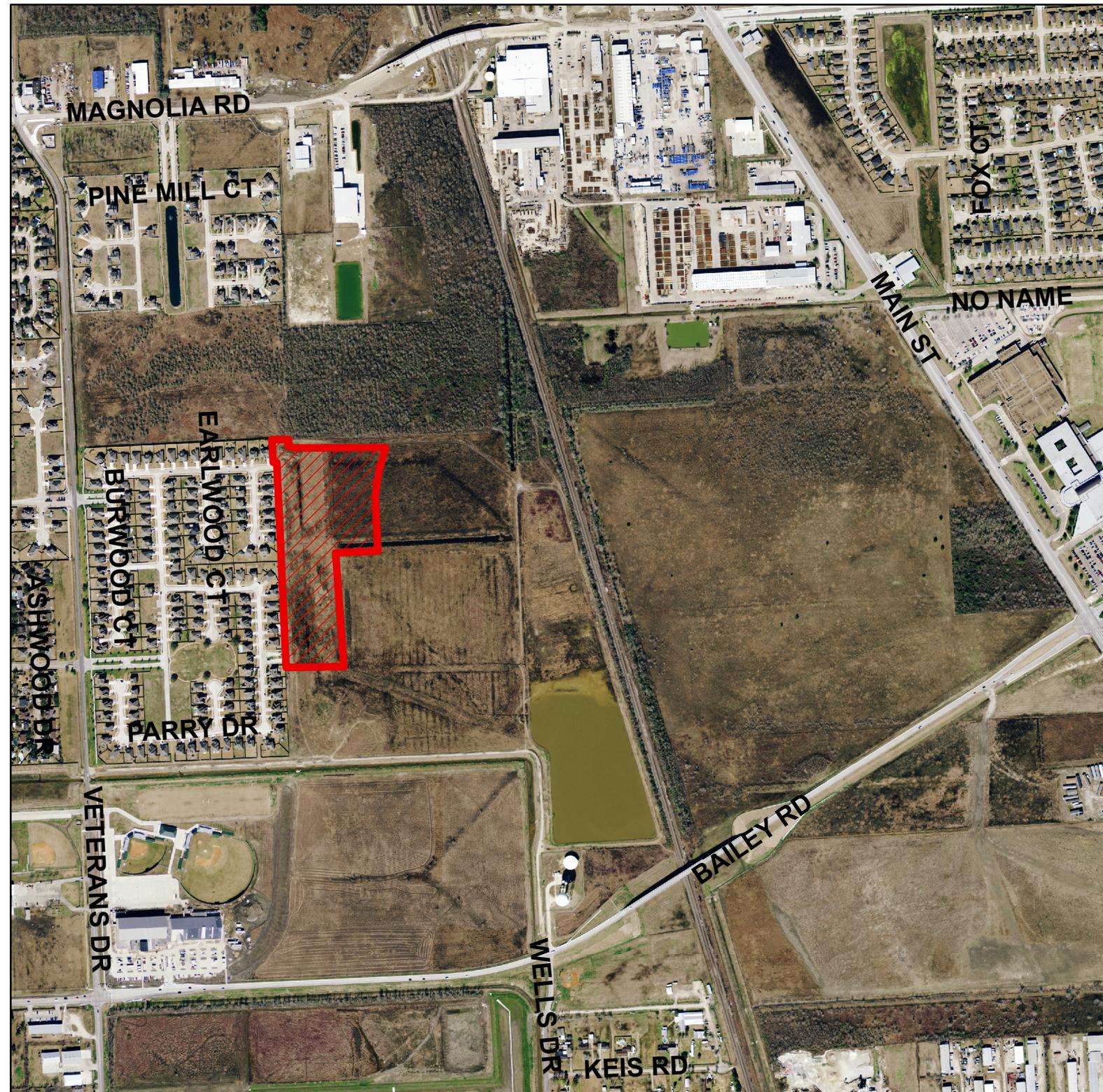
**Preliminary Plat of
Canterbury Park
Section 2**

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N



663060 Feet



We, KB Home Lone Star, Inc., a Texas Corporation, acting by and through its officers, Jay Douglas, Manager, Land Acquisition and Planning, and Jennifer G. Keller, P.E., Vice President of Land, owners of the property subdivided in this plat of Canterbury Park Section Two, 13.2144 Acres or 2,423,075 square feet, more or less, being a portion of Restricted Reserve "A" and Restricted Reserve "B", Canterbury Park Section 1 in the City of Pearland, Brazoria County, Texas, recorded in Volume 24, Page 112 of the Plat Records of Brazoria County, Texas, do hereby make subdivision of said property for and on behalf of said KB Home Lone Star, Inc., according to the lines, lots, streets, alleys, reserves, parks, and easements as shown hereon and dedicate for public use as such the streets, alleys, parks, and easements shown hereon forever, and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public, for public utility purposes forever, unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby each aerial easement totals twenty-one feet, six inches (21' 6") in width.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public, for public utility purpose forever, unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back-to-back ground easements, or eight feet (8' 0") for fourteen feet (14' 0") back-to-back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back-to-back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of single family residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby restricted to prevent the drainage of any septic tanks into any public or private street, permanent access easement, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all bays, creeks, gulches, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Pearland, Brazoria County, or any other governmental agency, the right to enter upon said easement at all and times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owners do hereby covenant and agree that those streets located within the boundaries of this plat specifically noted as private streets or permanent access easements, shall be hereby established and maintained as private streets or permanent access easements by the owners, heirs, successors and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for firefighters, fire fighting equipment, police and emergency vehicles of whatever nature at all times and do hereby bind ourselves, our heirs, successors and established as private streets or permanent access easements.

FURTHER, Owners do hereby covenant and agree that this plat requires compliance with landscaping requirements prior to occupancy of structures as mandated in "City of Pearland Land Use and Urban Development" Ordinance No. 509-H.

IN TESTIMONY HERETO, KB Home Lone Star, Inc., a Texas Corporation, has caused these presents to be signed by Jay Douglas, Manager, Land Acquisition and Planning, by Jennifer G. Keller, P.E., Vice President of Land, this day of _____, 20__.

By: KB Home Lone Star, Inc., A Texas Corporation
By: Jay Douglas, Manager, Land Acquisition and Planning
By: Jennifer G. Keller, P.E., Vice President of Land, Owners

STATE OF TEXAS
COUNTY OF BRAZORIA

Before me, the undersigned authority, on this day personally appeared Jay Douglas, Manager, Land Acquisition and Planning and Jennifer G. Keller, P.E., Vice President of Land, of KB Home Lone Star, Inc., a Texas Corporation, known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated.

Given under my hand and seal of office, this _____ of _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

BEARINGS NOTE:
The bearings shown on this plat are based on the North American Datum of 1983 (NA2011) epoch 2010.00, from the Texas Coordinate System established for the South Central Zone.

T.B.M. NOTE:
T.B.M.'s to be set with Final Plat.

FLOODPLAIN NOTE:
The subject property is within the following flood zone(s) as depicted on the Federal Emergency Management Agency (F.E.M.A.) Flood Insurance Rate Map Number 46039C0045J, dated September 22, 1999 for Brazoria County, Texas and incorporated areas. Structures built on lots in the designated flood plain must be elevated to the F.E.M.A. Base Flood Elevation. No building permits will be issued in a floodway below the base flood elevation (B.F.E.). Contact the Flood Plain Administrator's Office for specific information.

ZONE X (shaded), defined as: "Other Flood Areas; areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% chance flood."

ZONE AE, defined as: "Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood; Base flood elevations determined."

CITY OF PEARLAND
This is to certify that the Planning and Zoning Commission of the City of Pearland, Texas, has approved this final plat and subdivision of Canterbury Park Section Two and in conformance with the laws of the State of Texas and the ordinances of the City of Pearland as shown hereon and authorizes the recording of this plat this _____ of _____, 20__.

Jerry Kovar, Jr. / Chairman
Planning & Zoning Commission
City of Pearland, Texas
Approved by the City of Pearland, Texas this _____ of _____, 20__.
Darin Coker
City Attorney

I, Gerald L. Roberts, P.E., County Engineer of Brazoria County, do hereby certify that the plat of this subdivision complies with all existing rules and regulations of this office, as adopted by the court.

Gerald L. Roberts, P.E.
County Engineer

I, Joyce Hudman, County Clerk of Brazoria County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 20__, at _____ o'clock _____, and duly recorded on _____, 20__, at _____ o'clock _____, and at Film Code No. _____ of the Official Records of Real Property of Brazoria County.
Witness my hand and seal of office, the day and date last above written.

Joyce Hudman, County Clerk of Brazoria County, Texas
By: _____ Deputy

APPROVED by the Commissioners Court of Brazoria County, Texas, this day of _____, 20__.

County Judge

Commissioner, Precinct 1

Commissioner, Precinct 2

Commissioner, Precinct 3

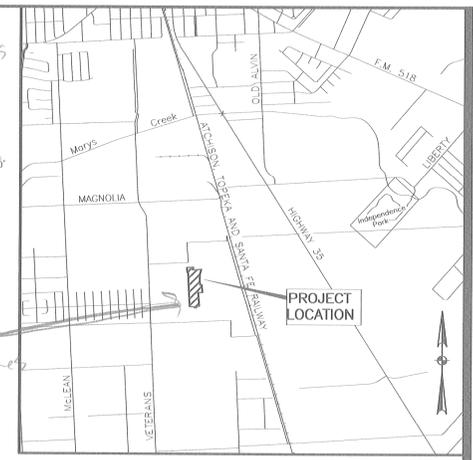
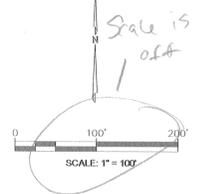
Commissioner, Precinct 4

I, David A. Casanova, Registered Professional Land Surveyor No. 4251, do hereby certify that this plat correctly represents a survey made under my supervision on the ground in accordance with the information provided me and correctly represents the facts as found at the time of survey and is true and correct and that all boundary corners, lot corners, angle points, and points of curvature are properly marked with a 3/8 inch diameter iron rod with yellow cap marked "Pape-Dawson" unless otherwise noted.

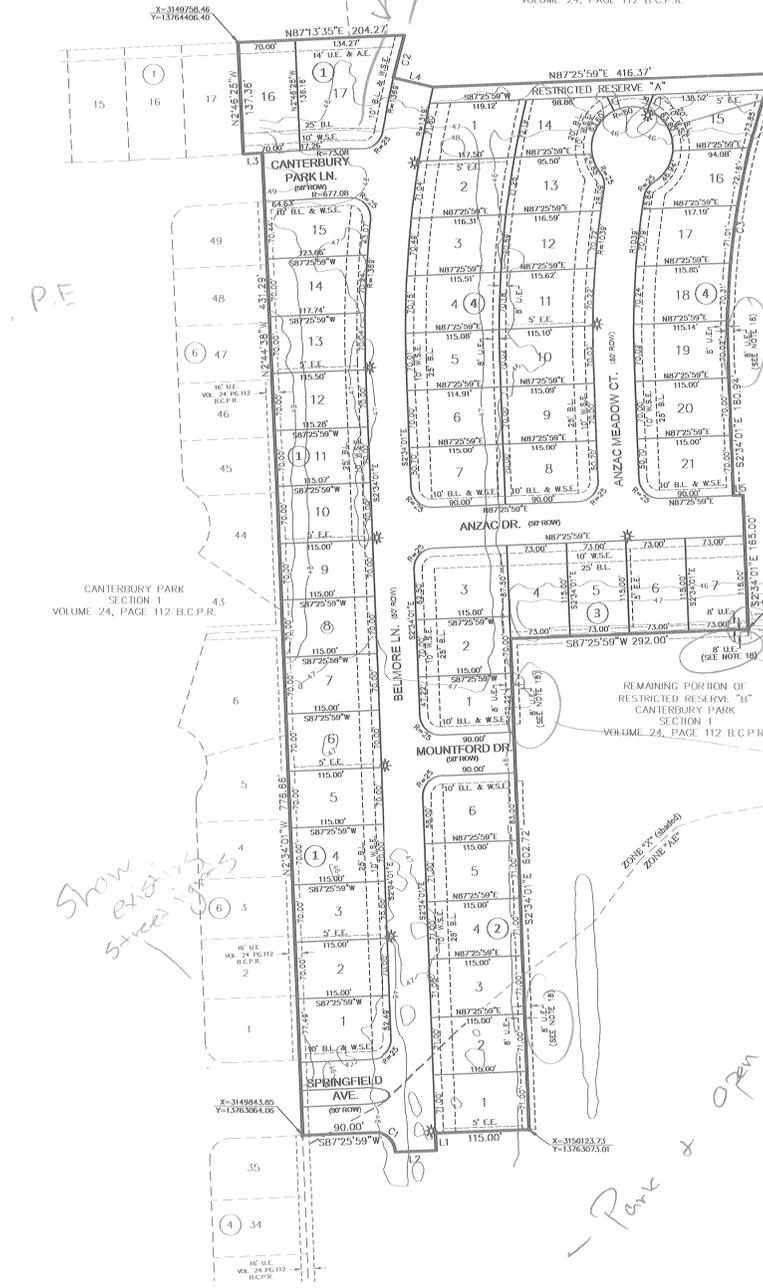
David A. Casanova
Texas Registration No. 4251

Line	Line Table Length	Bearing	Curve	Length	Radius	Curve Table Delta	Chord Direction	Chord Length
1	21.41	S02°34'01"E	1	39.28	25.00	90°00'54"	N47°34'01"W	35.36
2	50.00	S87°25'59"W	2	54.77	1369.00	02°17'32"	S13°54'05"W	54.76
3	23.36	S86°44'28"W	3	343.61	924.00	21°18'23"	S08°56'27"W	341.63

Reserves:
Restricted Reserve "A" = 8,301.5 Sq. Ft. (0.1905 acres)



- Legend:
- AC = Acre
 - A.E. = Aerial Easement
 - W.S.E. = Water & Sewer Easement
 - U.E. = Utility Easement
 - E.E. = Electrical Easement
 - B.L. = Building Line
 - R = Radius
 - R.O.W. = Right-of-Way
 - S.F. = Square Feet
 - * = Proposed Street Light
 - B.C.D.R. = Brazoria County Deed Records
 - B.C.P.R. = Brazoria County Plat Records
 - B.C.C.F. = Brazoria County Clerks File
 - O.P.R.P.B.C.Tx. = Official Public Records or Real Property of Brazoria County, Tx.



- GENERAL NOTES:
- This plat has been prepared to meet the requirements of the State of Texas, Brazoria County (or its successors) and the City of Pearland, as well as from information provided by Fidelity National Title Insurance Company, G.F. # 1017002903, effective date November 1, 2012.
 - Canterbury Park Section Two (13.2144 acres), residue of 55.626 acres, Restricted Reserve "B", Canterbury Park Section One Volume 24, Page 112 B.C.P.R..
 - The building lines (B.L.) shown on this subdivision plat comply with those required by Chapter 27, Code of Ordinances, City of Pearland, Texas.
 - All off-site utility easements to be dedicated by separate instrument prior to recordation.
 - This plat does not change any existing deed restrictions.
 - All easements are centered on lot line, unless otherwise noted. Any construction proposed to be installed within a property easement with prescribed rights to a private entity may require the permission of the private entity prior to the start of construction. Failure to secure such permission may result in the right holder(s) of the easement removing any unapproved pavement, structures, utilities, or other facilities located within the easement. The responsibility of securing approval from the private entities to build within an easement is solely that of the property owner.
 - All subdivision common areas including but not limited to detention facilities, easements, and open space within the boundaries of this plat shall be maintained by a homeowners association, commercial property association or other entity and shall not be the responsibility of the City of Pearland or Brazoria County.
 - The minimum slab elevation for all buildings located within the boundaries of this plat shall be higher of (1), either 12 inches above the top of curb elevation for a curbed street or 12 inches above the elevation of the edge of the roadway if no curb exists, or (2), 12 inches above the 100 year floodplain water surface elevation for structures to be located within the 100 year floodplain.
 - Any proposed drainage system for this subdivision shall be designed to meet the requirements of the City of Pearland and for Brazoria Drainage District #4. [Lot line shall be the center of a 6-foot wide drainage easement.]
 - The property is located wholly within Municipal Utility District No. 28
 - Zone "AE", defined as: "Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood; base flood elevations determined", as depicted on the F.E.M.A. Flood Insurance Rate Map No. 46039C0045J, dated September 22, 1999 for Brazoria County, Texas.
 - All landscaping and structures, including fences and intersections shall conform to the City of Pearland and AASHTO site distance requirements for motorists.
 - Driveway requirements for this location, widths and offsets from an intersection and any existing driveway or proposed driveways, shall conform to the requirements of City of Pearland Engineering Design Criteria Manual and unified Development Code.
 - The property is classified as a PUD/Planned Unit Development Zoning area; R-2/Single Family Residential-2.
 - Canterbury Park Section Two contains nine (9) street lights.
 - Corner lots are not to have side access. Otherwise, a 20 foot side lot building line will be required at the time of the building permit application.
 - Sidewalks will be provided (six-foot (6') wide for thoroughfares and collectors and four-foot (4') wide for minor streets) at the time of development for all adjoining streets.
 - Utility Easement intended to be one half of the 16' Utility Easement that is to be dedicated in the future design of the Remaining Portion of Restricted Reserve "B" Canterbury Park Section 1, Volume 24, Page 112 B.C.P.R.

4-10-13
4-16-13
4-18-13
SUBMITTAL DATE
DRC DATE
Please review plat and return to the District Dept. by
CANTERBURY PARK SECTION TWO
51 LOTS 4 BLOCKS 1 RESERVE
A SUBDIVISION CONTAINING 13.2144 ACRES
OUT OF THE CANTERBURY PARK SECTION 1 SURVEY
CITY OF PEARLAND, TEXAS 77584

PAPE-DAWSON ENGINEERS

10333 RICHMOND AVE SUITE 900 | HOUSTON, TEXAS 77042 | PHONE: 713.428.2400 FAX: 713.428.2420

PRELIMINARY PLAT
APRIL, 2013
OWNER:
KB HOME LONE STAR, INC.
JENNIFER G. KELLER, P.E.,
VICE PRESIDENT OF LAND HOUSTON DIVISION
11314 RICHMOND AVENUE
HOUSTON, TEXAS 77082
TEL. 713.688.3800

Date: Apr 09, 2013, 2:53pm User: D:\Thienschel File: K:\Projects\400\141\10-2-C-Design\2-4 Plot\2-4-3-1 Preliminary\A\Plot - Canterbury Section Two.dwg

**P&Z AGENDA
ITEM**

C



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 04/30/2013
AGENDA ITEM SUBJECT: Preliminary Plat of Golfcrest Estates

Old Business **New Business** Discussion Item Workshop

Summary: A request by Chad Gormly of Gormly Surveying, Inc., applicant, on behalf of Howard Palmer, owner for approval of a Preliminary Plat of Golfcrest Estates, a 7 lot subdivision on 4.59 acres of land, generally located at the 2700 Block of Country Club Drive.

Staff Recommendation: Approval

Agenda Reviewed by:

HE

Date Reviewed:

05/01/2013



PLANNING AND ZONING COMMISSION MEETING OF MAY 6, 2013

PRELIMINARY PLAT OF GOLFCREST ESTATES

A request by Chad Gormly of Gormly Surveying, Inc., applicant, on behalf of Howard Palmer, owner for approval of a Preliminary Plat of Golfcrest Estates, a 7 lot subdivision on 4.59 acres of land, generally located at the 2700 Block of Country Club Drive.

Legal Description: A 4.59 acre tract of land, being out of a tract of land as conveyed to Golfcrest Country Club by deed as recorded in Volume 7259, Page 5, Deed Records, Harris County, Texas, Situated in the W.D.C Hall Survey, abstract 23, Harris County, Texas.

General Location: 2700 Block of Country Club Drive.

SUMMARY: This is a request for a Preliminary Plat of Golfcrest Estates. The property contains a total of 4.59 acres with 7 proposed lots, located within the existing Green Tee subdivision. The proposed subdivision will be developed in an area that is currently open green space and is used as part of the existing golf course. The subdivision will require the abandonment and relocation of an access drive that will be utilized by an existing maintenance facility that will remain in place and will be located to the north of the proposed tract.

UNIFIED DEVELOPMENT CODE: The subject property is currently zoned Single Family Residential (R-1). R-1 requires a minimum lot width of 80', minimum lot depth of 90', and minimum lot area of 8,000 sq. ft. The proposed subdivision is in conformance with these requirements.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	R-1	Golf Course
South	R-1	Golf Course
East	R-1	Golf Course
West	R-4/R-1	Single Family Residential (R-1/4)

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject land is Parks. This designation was assigned due to the fact the property is currently a private golf course. The proposed subdivision will not interfere with the operation of the existing golf course.

PLATTING STATUS: This is the first plat for the subject property. A final plat will be required after the completion and acceptance of all public infrastructure and amenities and prior to the release of any building permits.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject contains frontage on Country Club Drive, a local street with a minimum right-of-way of 60'. The proposed subdivision will be served by the proposed Palmer Drive which will be a 60' right-of-way.

AVAILABILITY OF UTILITIES: Public water and sewer are available for this site, but will have to be extended to the site by the applicant.

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

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

1. Approval of the Preliminary Plat would be in conformance with the surrounding zoning.
2. The Preliminary Plat will not have any significant adverse impact on the surrounding properties and developments.
3. This request is in conformance with the Unified Development Code.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Future Land Use Plan
- Aerial Map
- Preliminary Plat of Golfcrest Estates



Vicinity and Zoning Map

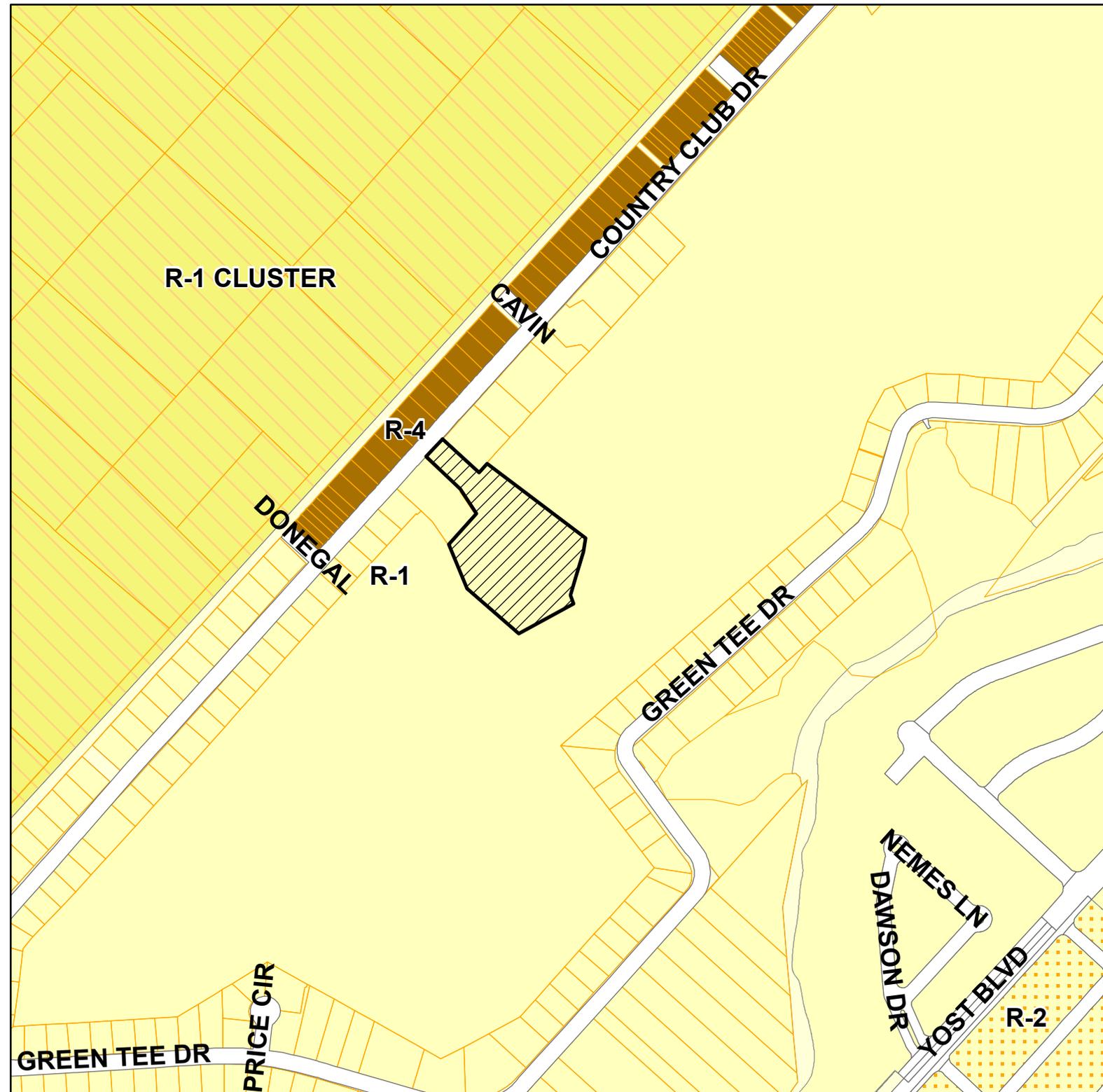
Preliminary Plat of Golfcrest Estates

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



0480160 Feet





FLUP Map

**Preliminary Plat of
Golfcrest Estates**

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



0480160 Feet



A-1/2 Ac. Lots (Suburban Res)

DONEGAL

Parks

COUNTRY CLUB DR

CAVIN

GREEN TEE DR

NEMES LN

YOST BLVD

Low Density Residential

Medium Density Residential



Aerial Map

Preliminary Plat of Golfcrest Estates

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N



0480160 Feet



P&Z AGENDA ITEM

D

- 1. Commission's Activity Report**
- 2. Zoning Update**
- 3. Next P&Z Meeting - May 20, 2013**
- 4. Next Joint Public Hearing - May 20, 2013**
- 5. National APA Conference - Chicago**



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Harold Ellis, City Planner
DATE: May 1, 2013
AGENDA ITEM SUBJECT: 6 Month Zone Change and CUP Update

Old Business New Business Discussion Item Workshop

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

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

Agenda Reviewed by:

HE

Date Reviewed:

05/01/2013

Zoning Update - December 2012 - May 2013

Zone Changes

Appl No	Property Owner, Applicant	Address or Location of Property	JPH	P & Z Meeting	P & Z Action	Current Zoning	Proposed Zoning	City Council Status
2013-01Z	Marilyn Bullard, Mike Pollak	NE Corner Magnolia/Manvel Roads	1/18/2013	1/18/2013	Approval of NS with CUP's	R-1	GB	Approved
2013-02Z	Karen Ritchey, Kevin Cole	2553 Miller Ranch (33.28 ac b/t Miller Ranch/Silver Lk)	1/18/2013	1/18/2013	Approval	R-1	R-3	Approved
2013-03Z	Tranquility Plaza	7902/7904 Broadway	1/18/2013	1/18/2013	Approval	NS	GB	Approved
2013-04Z	The Old Place, Inc., Lisa Marino	8809 Broadway	2/18/2013	2/18/2013	Approval	NS	GB	Approved
2013-05Z	Beeman Strong, Kerry Gilbert & Assoc	Pearland Pkwy, 700' N/ of Broadway	2/18/2013	n/a	n/a	PD	GB	Withdrawn
2013-06Z	Richard Gonzales	4608 Walnut	4/15/2013	4/15/2013	Approval	R-2	NS	Pending
2013-07Z	Beeman Strong, Kerry Gilbert & Assoc	Pearland Pkwy, 700' N/ of Broadway	4/15/2013	4/15/2013	Tabled	PD	PD	Pending
2013-08Z	Grocers Supply Co. Inc./Collin Tadlock	7201 Broadway	5/20/2013	5/20/2013	Pending	GB	GC	Pending
CUP's								
Appl No	Property Owner, Applicant	Proposed Use	Address or Location of Property	JPH	P & Z Meeting	P & Z Action	Current Zoning	City Council Status
CUP 2013-01	Crowne Warehouse/Mike Chance	Plumbing Shop (no outside storage)	6301 Broadway	3/25/2013	3/25/2013	Approved	GB	Approved
CUP 2013-02	Condor Auto Repair/Esteban Rodriguez	Minor Auto Repair	7929 Broadway	4/15/2013	4/15/2013	Approved	GB	Approved
CUP 2013-03	HEB Grocery Co./Lyle Henkel	Auto Wash - Self Service	NW Corner 518/Pearland Pkwy	4/15/2013	4/15/2013	Approved	GB	Pending
CUP 2013-04	Amegy Bank/James Elmore	Auto Wash - Self Service	8400 Block of Broadway	5/20/2013	5/20/2013	Pending	GB	Pending

**ADJOURN
MEETING**