

# AGENDA

## CITY OF PEARLAND PLANNING & ZONING COMMISSION

JULY 15, 2013

6:30 p.m.

Henry Fuertes  
P&Z CHAIRPERSON

Linda Cowles  
P&Z VICE-CHAIRPERSON

### COMMISSIONERS

Matthew Hanks

Mary Starr



Daniel Tunstall

Ginger McFadden

Elizabeth McLane

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, JULY 15, 2013, AT 6:30 P.M., 2<sup>ND</sup> FLOOR CONFERENCE ROOM, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

**II. APPROVAL OF MINUTES**

Approve the Minutes of the July 1, 2013, P&Z Regular Meeting, held at 6:30 p.m.

**I. NEW BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION - ZONE CHANGE APPLICATION NO. 2013-12Z**

A request of Erinn Brown, applicant and owner, for approval of a zone change from the Single Family Residential (R-2) zone to the Office Professional (OP) zone, on the following described property, to wit:

**Legal Description:** Being a tract of land 100 feet X 200 feet out of the Northwest Quarter of the Northwest Quarter of Section 11, of the H.T. & B. Railway Survey, Abstract 239, Brazoria County, Texas.

**General Location:** 4606 Walnut St.

**B. CONSIDERATION AND POSSIBLE ACTION - ZONE CHANGE APPLICATION NO. 2013-13Z**

A request of Keith Schoonover of Lennar Homes, applicant for Lennar Homes of Texas, Inc., owner, for approval of a zone change from the Single Family Residential (R-3) zone to the General Business (GB) zone, on the following described property, to wit:

**Legal Description:** Being 2.00 acres of land situated in the C.J. Hall Survey, Abstract No. 215, in Brazoria County, Texas; being a part of that same tract of land designated as Tract 8 and described in the deed of Lennar Homes of Texas, Inc. recorded in Brazoria County Clerks File No. 94-009151, Official Records of Brazoria County, Texas

**General Location:** Northwest corner of McHard Rd. and Cullen Blvd.

**C. CONSIDERATION AND POSSIBLE ACTION – CONDITIONAL USE PERMIT APPLICATION NO. 2013-05**

A request of Raymond JJ Zhuo, applicant for Houston Chinese Church, owner, for approval of a Conditional Use Permit to allow for a Church, Temple, or Place of Worship in the Single Family Residential (R-1) zone, on the following described property, to wit:

**Legal Description:** Being 5.00 acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas. Being the same land described as 5.00 acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as document No. 2007039242, official records of Brazoria County, Texas.

**General Location:** 2500 Block of Miller Ranch Rd.

**D. CONSIDERATION AND POSSIBLE ACTION – CONDITIONAL USE PERMIT APPLICATION NO. 2013-06**

A request of Renea Sartain, applicant for James C. Pace, owner, for approval of a Conditional Use Permit to allow for an Adult Daycare in the Old Townsite Mixed Use (OT-MU) zone, on the following described property, to wit:

**Legal Description:** Being lots 13, 14 and 15, Block E, Pearland, Brazoria County, Texas, according to the map or plat thereof recorded in the Office of the County Clerk of Brazoria County, Texas in Volume 29, Page 41 of the Deed Records, Brazoria County, Texas.

**General Location:** 3901 Plum St.

**E. CONSIDERATION AND POSSIBLE ACTION – PRELIMINARY PLAT OF HIGHLAND CROSSING SECTION 2**

**Decision Date:**

**07/19/13**

A request by Geoff Freeman of Kerry R. Gilbert and Associates, applicant, on behalf of Beazer Homes, owner for approval of the Preliminary Plat of Highland Crossing Section 2, generally located 600 feet northwest from the intersection of McHard Rd. and Old Alvin Rd. for 46 lots on 14.9 acres, on the following described property, to wit

**Legal Description:** Being 14.9 acres of land out of the H.T. & B.R.R. Co. Survey, A-233 and D.H.M. Hunter Survey, A-76 City of Pearland. Brazoria County, Texas.

**General Location:** Approximately 600 feet northwest from the intersection of McHard Rd. and Old Alvin Rd.

**F. CONSIDERATION AND POSSIBLE ACTION – REVISED MASTER PLAT OF KIRBY CROSSING**

**Decision Date:**

**07/19/13**

A request by Rene Rodriguez of LJA Engineering, applicant, on behalf of New Broadway, LTD, owner for approval a Revised Master Plat of Kirby Crossing on 21.871 acres of land, on the following described property, to wit:

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

**General Location:** Southwest corner of Broadway Street and Kirby Drive.

**G. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF SHELTON RIDGE LANE PHASE 2**

**Decision Date:**

**07/19/13**

A request by Rene Rodriguez – LJA Engineering, applicant, on behalf of 518 SCR, LTD, owner, for approval of a Final Plat of Shelton Ridge Lane Phase 2, a 8.163 acre street dedication located within the Southlake Subdivision, to wit

**Legal Description:** Being a subdivision of 8.163 acres of land located in the H. T. & B. R.R. Co. Survey, Sec. 84, Abstract Number 538, City of Pearland, Fort Bend County, Texas, being a portion of that certain called 315.292 acre tract of land conveyed to 518SCR, LTD. by instrument of record in File No. 2011089118, Official Public Records, Fort Bend County, Texas (F.B.C.O.P.R.) and in Document No. 2011036869, Official Public Records, Brazoria County, Texas (B.C.O.P.R.).

**General Location:** A half mile west of the southwest corner of Broadway Street and Kingsley Drive.

**H. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF SOUTHLAKE SECTION 3**

**Decision Date:**

**07/19/13**

A request by Rene Rodriguez, from LJA, applicant, on behalf of 518 SCR, LTD, owner, for approval of a Final Plat of Southlake Section Three, a 41 lot single-family residential subdivision, to wit

**Legal Description:** A subdivision of 14.485 acres of land located in the H.T. & B.R.R. Co. Survey, Sec. 84, Abstract Number 538, City of Pearland, Brazoria County, Texas, being a portion of that certain called 315.292 acre tract of land conveyed to 518SCR, LTD. By instrument of record in File No. 2011089118, Official Public Records, Fort Bend County, Texas (F.B.C.O.P.R.) and in Document No. 2011036869, Official Public Records, Brazoria County, Texas (B.C.O.P.R.).

**General Location:** Approximately three quarters of a mile south of the intersection of Broadway and Shelton Ridge Lane.

**I. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF SOUTHLAKE SECTION 4**

**Decision  
Date:**

**07/19/13**

A request by Rene Rodriguez, from LJA, applicant, on behalf of 518 SCR, LTD, owner, for approval of a Preliminary Plat of Southlake Section Four, a 52 lot single-family residential subdivision, to wit

**Legal Description:** A subdivision of 13.177 acres of land located in the H.T. & B.R.R. Co. Survey, Sec. 84, Abstract Number 538, City of Pearland, Brazoria County, Texas, being a portion of that certain called 315.292 acre tract of land conveyed to 518SCR, LTD. By instrument of record in File No. 2011089118, Official Public Records, Fort Bend County, Texas (F.B.C.O.P.R.) and in Document No. 2011036869, Official Public Records, Brazoria County, Texas (B.C.O.P.R.).

**General Location:** Approximately three quarters of a mile south of the intersection of Broadway and Shelton Ridge Lane.

**J. DISCUSSION ITEMS**

1. Commissioners Activity Report
2. Texas APA Conference – October 2 – 5, 2013
3. Next P&Z/JPH Regular Meeting – August 5, 2013

**II. 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 12<sup>th</sup> day of July, 2013, A.D., at 5:30 p.m.

\_\_\_\_\_  
Debbie Cody, Administrative Clerk

Agenda removed \_\_\_\_\_ day of July 2013.

**APPROVAL**

**OF**

**MINUTES**

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, JULY 1, 2013, AT 6:30 P.M., 2<sup>ND</sup> FLOOR CONFERENCE ROOM, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**CALL TO ORDER**

Chairperson Henry Fuertes called the meeting to order at 6:31 PM with the following in attendance:

Chairperson Henry Fuertes  
Vice-Chairperson Linda Cowles  
Commissioner Mary Starr  
Commissioner Matthew Hanks  
Commissioner Daniel Tunstall  
Commissioner Ginger McFadden

Also in attendance were Deputy City Attorney Nghiem Doan, City Planner Harold Ellis, Planner II Ian Clowes, Deputy City Engineer Richard Mancilla, and Community Development Clerk Debbie Cody.

**APPROVAL OF MINUTES**

Approve the Minutes of the June 17, 2013, P&Z Regular Meeting, held at 6:30 p.m.

A motion was made by Commissioner Mary Starr and seconded by Commissioner Ginger McFadden to approve the minutes of June 17, 2013 P&Z Regular Meeting. The vote was approved 6 – 0.

**EXCUSE ABSENCE**

Excuse absence of Vice-Chairperson Linda Cowles from the P&Z Regular Meeting of June 17, 2013.

Excuse absence of Commissioner Daniel Tunstall from the P&Z Regular Meeting of June 17, 2013.

A motion was made by Commissioner Ginger McFadden and seconded by Commissioner Mary Starr to excuse the absences of Vice-Chairperson Linda Cowles and Commissioner Daniel Tunstall from the P&Z Regular Meeting of June 17, 2013. The vote was approved 6 – 0.

## **ELECTION OF OFFICERS**

Annual Election of officers: P&Z Chairperson and P&Z Vice-Chairperson

A nomination for Chairperson was made by Commissioner Daniel Tunstall and seconded by Vice-Chairperson Linda Cowles for Chairperson Henry Fuyertes. There were no other nominations and a vote was not necessary.

A nomination for Vice-Chairperson was made by Commissioner Mary Starr for Commissioner Matthew Hanks. There were no other nominations and a vote was not necessary.

## **OLD BUSINESS**

### **CONSIDERATION AND POSSIBLE ACTION - PRELIMINARY PLAT OF SHADOW OAKS SECTION 1**

A request by Christy Smidt of Kerry R. Gilberts and Associates, applicant, on behalf of Richard Marek of KB Homes, owner, for approval of a Preliminary Plat of Shadow Oaks Section 1, a 130 lot single-family residential subdivision.

**Legal Description:** Being 52.1 acres of land located in the A.B. Langerman Survey, A-555, City of Pearland, Fort Bend County, Texas.

**General Location:** The southern intersection of Broadway St. and Windward Bay Dr.

A motion was made by Commissioner Mary Starr and seconded by Commissioner Matthew Hanks.

Planner II Ian Clowes presented the staff report, explaining that there was a waiver of decision that had been approved from the June 17, 2013 meeting. He highlighted the location of the preliminary plat on the area map and stated that it is the first plat for this section of Shadow Oaks Section 1. It was stated that the applicant had made all corrections necessary and staff recommended approval. There were no questions or discussion that ensued. The vote was approved 6 – 0.

### **CONSIDERATION AND POSSIBLE ACTION - FINAL PLAT OF RIVERSTONE RANCH AT CLEAR CREEK SECTION 1**

A request by Warren Escovy – LJA Engineering Inc., applicant, on behalf of Meritage Homes of Texas, LLC, owner, for approval of a Preliminary Plat of Riverstone Ranch at Clear Creek Section 1, a 59 lot single-family residential subdivision, to wit

**Legal Description:** Being a subdivision of 34.055 acres of land situated in the T.J. Green Survey, Abstract 290, City of Pearland, Harris County, Texas also being a Replat of lots 41, 42, 54-61, 70, 73-78, 90 and 91 of the Allison Richey Gulf Coast, Section "G", a subdivision of record in Volume 4, Page 48, Map Records of Harris County, Texas.

**General Location:** Southeast of Riverstone Ranch Drive, approximately 1200 feet south of the City of Houston ETJ border, Pearland, TX.

A motion was made by Commissioner Matthew Hanks and seconded by Commissioner Mary Starr.

Planner II Clowes presented the staff report indicating that a waiver of decision had been approved at the June 17, 2013 meeting. At the time the waiver was approved, there were some issues with parkland dedication. He explained that the approved cluster plan requires land to be dedicated to the city for parkland and an agreement was made where the developer would pay parkland fees for section 1 at \$750 per lot. He further stated that prior to approval of section 2, the developer will have either dedicated the required parkland or will have gained approval to amend the cluster plan to allow for parkland fees in lieu of parkland dedication. He stated that with that agreement, the staff was recommending approval. The measure passed 6 – 0.

## **CONSIDERATION AND POSSIBLE ACTION - PRELIMINARY PLAT OF SOUTHERN TRAILS SECTION 15**

A request by Christy Smidt of Kerry R. Gilberts and Associates, applicant, on behalf of CL Ashton Woods, LP, owner, for approval of a Preliminary Plat of Southern Trails Section 15, a 42 lot single-family residential subdivision.

**Legal Description:** Being 20.2 acres of land located in the H.T. & B.R.R. Co. Survey, Section 84 A-538 and Section 80 A-564, City of Pearland, Brazoria County, Texas, also being out of Allison-Richey Gulf Coast Home Company Subdivision as recorded in Volume 2, Page 98 B.C.P.R.

**General Location:** The northwest corner of Kirby Dr. and Magnolia Crossing

A motion was made by Vice-Chairperson Linda Cowles and seconded by Commissioner Daniel Tunstall.

Planner II Ian Clowes presented the staff report indicating that a waiver of decision had been approved at the June 17, 2013 meeting. He highlighted the plat on the area map

and stated that staff was recommending approval with no adverse impacts on the surrounding properties, conformance with the Comprehensive Plan and Land Use and Urban Development Ordinance, and also conformance with the Southern Trails Planned Unit Development. There were no questions or discussion and the measure was approved 6 – 0.

## **NEW BUSINESS**

### **CONSIDERATION AND POSSIBLE ACTION – MASTER PLAT OF AVALON TERRACE**

A request by Brent Lindelof of Jones and Carter, applicant, on behalf of MHI, owner, for approval of a Master Plat of Avalon Terrace, a 206 lot single-family residential subdivision.

**Legal Description:** A subdivision of 52.13 acres of land out of the H.T. & B.R.R. Co. Survey, Abstract-505 Brazoria County, Texas,

**General Location:** The southwest corner of Max Rd. and Cliffstone

A motion was made by Commissioner Daniel Tunstall and seconded by Vice-Chairperson Linda Cowles.

Planner II Clowes presented the staff report highlighting the plat location on the map and indicating that it is in our extra-territorial jurisdiction (ETJ). He further reported that this plat will dedicate 40 feet of right-of-way which will allow the city to complete the full width of Hughes Ranch Road. Commissioner Daniel Tunstall commented that the east side of Cliff Stone Rd does not line up with the west side of Cliff Stone Rd and he had hoped that when Max Road was improved, that the intersection would be corrected. Deputy City Engineer Richard Mancilla stated that it would be looked into. He however did state that in general offset intersections are allowed. Planner Clowes mentioned that an expansion of Max Road was being looked at.

The vote to approve was 6 - 0.

### **CONSIDERATION AND POSSIBLE ACTION – PRELIMINARY PLAT OF ROCKY CREEK ESTATES**

A request by Chuck Davis, applicant, on behalf of Meritage Homes of Texas, owner, for approval of a Preliminary Plat of Rocky Creek Estates, a 56 lot single-family residential subdivision.

**Legal Description:** Being 19.1974 acres out of lots 25 & 26 out of Section 21 Allison –

Richey Gulf Coast Homes Co.'s Subdivision (Vol. 2, Pg. 24 B.C.P.R.) in the H.T. 7 B. R. R. Co. Survey, Abstract 309 City of Pearland, Brazoria County, Texas.

**General Location:** 8500 Block of Fite Rd.

A motion was made by Commissioner Ginger McFadden and seconded by Commissioner Matthew Hanks.

Planner II Clowes presented the staff report stating this is a 56 lot single-family residential subdivision. Chairperson Henry Fuertes asked if these had once been patio homes and Mr. Clowes was not aware of that. Chairperson Fuertes then indicated he was thinking of a different property.

The vote to approve was 5 – 1 with the dissent from Commissioner Tunstall.

## **DISCUSSION ITEMS**

1. Zoning Update – City Planner Harold Ellis reported three zone changes pending approval and gave a briefing on each.
2. Commissioners Activity Report – Chairperson Fuertes announced there would be a small gathering for Commissioner Neil West in appreciation of his service to the city.
3. Unified Development Code Updates – City Planner Ellis passed out a list of various items brought to the Planning Department by the development community or by other boards or commissions. He stated that the list would be researched by the Planning Department, but also solicited the Commission to study the list and add to it if necessary. The first workshop would be on July 15<sup>th</sup>. Vice-Chairperson Linda Cowles asked about “establish minimum patio cover separation requirements” and whether that had to do with retail establishments. City Planner Ellis stated it had to do with residential and further clarified regarding the attachment of patio covers to a house and the need for specific language regarding such. Commissioner Tunstall mentioned amenitized detention ponds and the lack of a clear definition of such.
4. Texas APA Conference – October 2 – 5, 2013 – City Planner Ellis mentioned that this is a “save the date” and that it would be a day trip, clarifying there would be no overnight stay.
5. Next P&Z/JPH Regular Meeting – July 15, 2013 – Planner II Clowes identified the items that would be on the next Joint Public Hearing, that being two Conditional Use Permits (CUPs) and two zone changes.

## **ADJOURNMENT**

Chairperson Fuertes adjourned the meeting at 7:15 PM.

These minutes are respectfully submitted by:

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Debbie Cody, Administrative Clerk

Minutes approved as submitted and/or corrected on this the 15<sup>th</sup> day of July, 2013 A.D.

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Henry Fuertes, P&Z Chairperson

# **NEW BUSINESS**

**P&Z AGENDA  
ITEM**

**A**

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 15, 2013, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**ZONE CHANGE APPLICATION NO. 2013-12Z**

A request of Erinn Brown, applicant and owner, for approval of a zone change from the Single Family Residential – 2 (R-2) zone to the Office Professional (OP) zone on the following described property, to wit:

**Legal Description:** Being a tract of land 100 feet X 200 feet out of the Northwest Quarter of the Northwest Quarter of Section 11, of the H.T. & B. Railway Survey, Abstract 239, Brazoria County, Texas.

**General Location:** 4606 Walnut St.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

**B. APPLICANT PRESENTATION**

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

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

**VI. ADJOURNMENT**

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



## JOINT PUBLIC HEARING AGENDA ITEM MEETING OF JULY 15, 2013

### Zone Change No. 2013-12Z

A request of Erinn Brown, applicant and owner, for approval of a zone change from the Single Family Residential - 2 (R-2) zone to the Office Professional (OP) zone, to wit:

**Legal Description:** Being a tract of land 100 feet X 200 feet out of the Northwest Quarter of the Northwest Quarter of Section 11, of the H.T. & B. Railway Survey, Abstract 239, Brazoria County, Texas.

**General Location:** 4606 Walnut, Pearland, TX

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

Planning and Zoning Commission:	July 15, 2013*
City Council for First Reading:	August 12, 2013*
City Council for Second Reading:	August 26, 2013*
	(*dates subject to change)

**SUMMARY:** Erinn Brown applicant and owner, is requesting approval of a zone change from the Single Family Residential - 2 (R-2) zone to the Office Professional (OP) zone for the above referenced location. If approved, this zone change will allow the applicant to convert the existing single family home on site into an office space for a law practice. As discussed later in this report, this is the second recent zone change in the immediate area from residential to commercial, indicating a potential transition of the area into more of a mixed use neighborhood similar to the Old Townsite.

### SURROUNDING ZONING AND LAND USES:

	Zoning	Land Use
<b>North</b>	Single Family (R-2)	Single Family Home
<b>South</b>	Single Family (R-2)	Single Family Home
<b>East</b>	Single Family (R-2)	Vacant Home
<b>West</b>	Neighborhood Services (NS)	Coffee Shop

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** As previously mentioned, the property is currently zoned Single Family (R-2). As the property is currently being requested to be rezoned to Neighborhood Services (NS), a breakdown between those requirements is provided below:

	<u>R2</u>	<u>NS</u>	<u>Existing Site</u>
Lot Size:	7,000 sq ft	12,500 sq ft	20,000 sq ft
Lot Width:	70'	100'	100
Lot Depth:	90'	100'	200'
Front Setback:	25'	25'	~25'
Rear Setback:	20'	10'	~25'
Side Setback:	7.5'	10'	~10'

In addition to these requirements, the site will be required to conform to the landscaping, parking, and façade standards of the Unified Development Code. Parking will need to be added to comply with the commercial guidelines for the proposed use. Landscaping, including shrubs to screen the additional parking will be required.

**PLATTING STATUS:** The property is not currently platted. Platting would be required prior to the release of any future building permits.

**SITE HISTORY:** The site currently has a structure on site that was originally built for single family residential purposes. To the east is another single family home which currently zoned for residential purposes. To the west is a single family home that was recently rezoned to Neighborhood Services (NS) to allow for the operation of a coffee shop.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The current Comprehensive Plan (latest update in 2009) indicates *Medium Density Residential* for the subject property. The Comprehensive Plan further indicates that OP would not be an appropriate zoning district for *Medium Density Residential*. The property's current zoning of Single Family (R-2) is considered an appropriate zoning district for the *Medium Density Residential* designation in the Comprehensive Plan.

Though this zone change would not be in conformance with the Future Land Use Plan, staff feels that a potential amendment to the land use plan for this area may be appropriate. The area overall is in transition to a more mixed use neighborhood and is located just outside the Old Townsite District. Staff feels that extending the boundaries of the Old Townsite westward along Walnut would benefit the neighborhood by allowing more mixed use developments and allow for further future investment in the neighborhood.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on Walnut St, a major collector, with a minimum of 80' right-of-way.

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

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed zone change, if approved, is not anticipated to have any negative impacts on existing or future developments in the immediate area. The proposed site is located next door to a parcel which recently obtained a zone change from Single Family Residential - 2 (R-2) to Neighborhood Services (NS) in order to allow for a future coffee shop. To the west of that parcel there is an Office Professional (OP) zoned parcel with an existing law office. The area appears to be in a mode of transition from residential to mixed use. This proposed zone change could act as a good transition or buffer from the remaining residential and the existing commercial.

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

**SITE PLAN CONSIDERATIONS:** A site plan is not required for a zone change. The property is currently developed as a single family residence.

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

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

**STAFF RECOMMENDATION:** Staff recommends approval of the Zone Change 2013-12Z as proposed by the applicant for the following reasons:

1. Approval of the zone change will result in conformance with the surrounding zoning and act as a transition zone between commercial and residential uses.
2. The proposed zone change should not have any significant negative impact on the surrounding properties and developments.
3. The area overall is in transition to a more mixed use neighborhood and is located just outside the Old Townsite District. Staff feels that extending the boundaries of the Old Townsite westward along Walnut would benefit the neighborhood by allowing more mixed use developments

**SUPPORTING DOCUMENTS:**

- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan

- Aerial Photograph
- Zone Change Application and Applicant Documents
- Related Documents



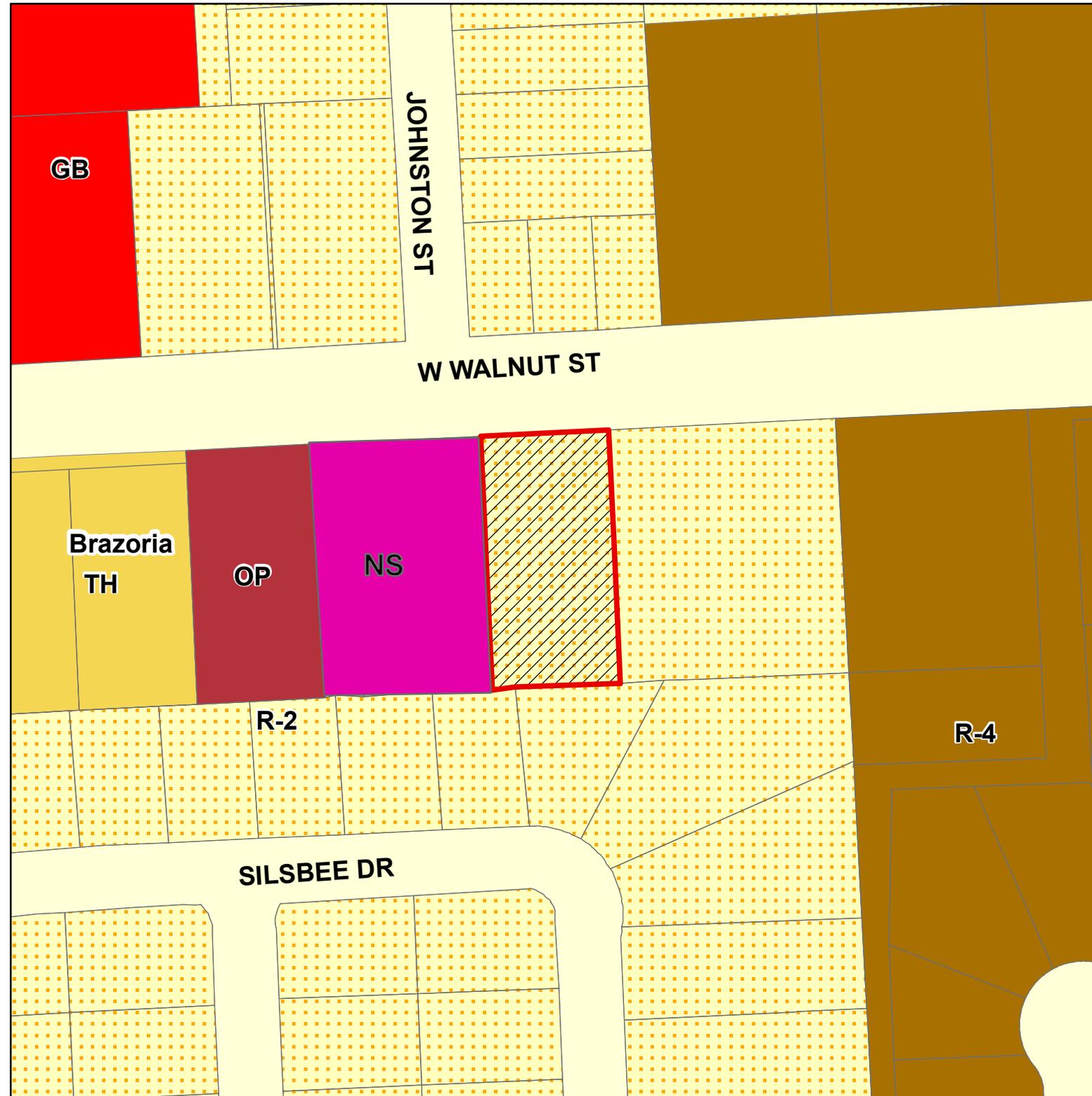
### Zoning and Vicinity Map

### Zone Change 2013-12Z

4606 Walnut St.

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.

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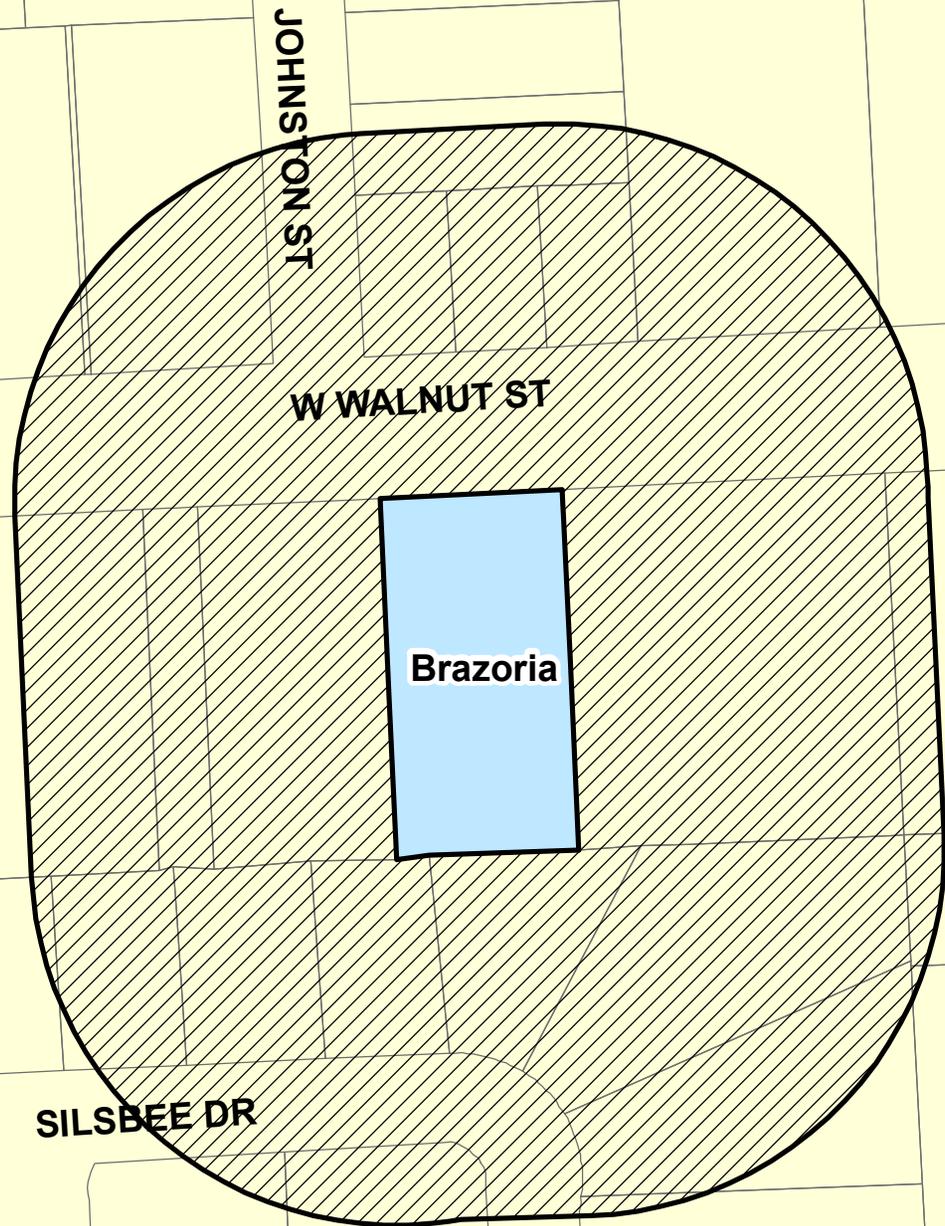
**Abutter Map**

**Zone Change 2013-12Z**

**4606 Walnut St.**

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0 25 50 100 Feet



## Zone Change 2013-12Z

4606 Walnut St. - R-2 to Op

<b>Name</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
PETERS JAMES C	2702 HOLLY SPRINGS DR	PEARLAND	TX	77584-1311
GONGORA ROBERTO	1113 SHADOWBEND ST	PEARLAND	TX	77581-6794
PEARLAND LODGE #1384	PO BOX 1932	PEARLAND	TX	77588-1932
HARLAND JULIA F	2701 HOLLY SPRINGS DR	PEARLAND	TX	77584-1315
PARKS AT WALNUT BEND	12603 LOUETTA RD STE 101	CYPRESS	TX	77429-0001
GUERRERO RACHEL	4604 W WALNUT ST	PEARLAND	TX	77581-3919
ADVANTAGE HOUSE BUYERS INC	15729 NORTH FWY I-45	HOUSTON	TX	77090-5825
4608 W WALNUT LLC	1607 N VENICE DR	PEARLAND	TX	77581-7506
BAZAN ROGER	4801 SILSBEE DR	PEARLAND	TX	77584-1313
THOMPSON BRANDON L & JUDY EASON	4803 SILSBEE DR	PEARLAND	TX	77584-1313
LEE VIRGINIA L	4805 SILSBEE DR	PEARLAND	TX	77584-1313
GARCIA DAVID O	4807 SILSBEE	PEARLAND	TX	77581
SUSTALA JIM & JANICE	4809 SILSBEE DR	PEARLAND	TX	77584-1313
LOPEZ SANTIAGO T	4811 SILSBEE DR	PEARLAND	TX	77584-1313
DRIVER ADRIA GAY	2701 HOT SPRINGS DR	PEARLAND	TX	77584
DUNLAP GAIL LYNN	2703 HOLLY SPRINGS DR	PEARLAND	TX	77584-1315
MCCARTY MICHAEL J	4615 W WALNUT ST	PEARLAND	TX	77581-3918
PRICE JOHN C	4619 W WALNUT ST	PEARLAND	TX	77581-3918
GONZALEZ MICHAEL W	4702 W WALNUT AVE	PEARLAND	TX	77581



**FLUP Map**

**Zone Change 2013-12Z**

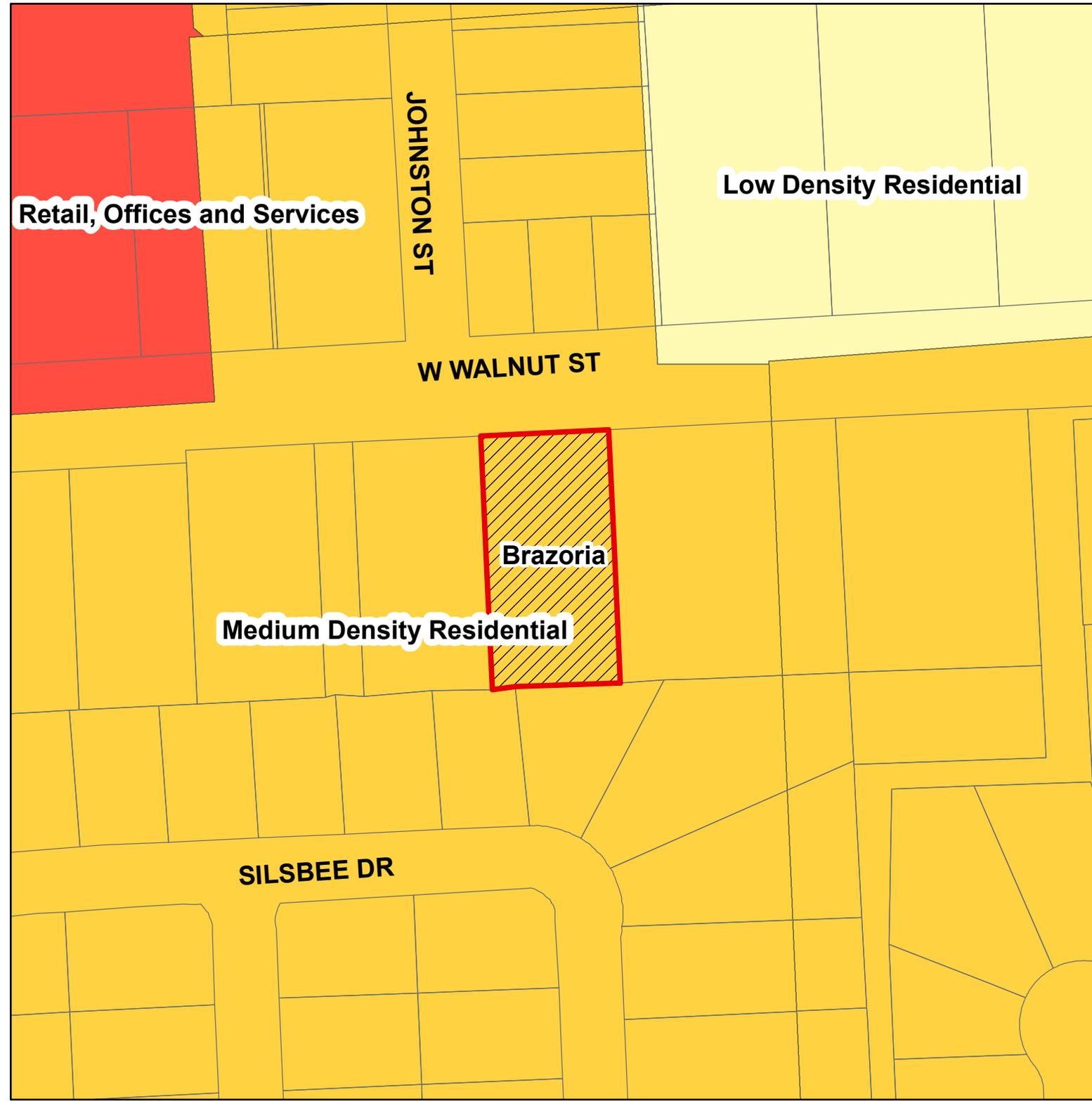
**4606 Walnut St.**

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**Aerial Map**

**Zone Change 2013-12Z**

**4606 Walnut St.**

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# APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: R-2

Proposed Zoning District: CP

### Property Information:

Address or General Location of Property: 4606 W. Walnut St.

Pearland, TX 77581

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 Erinn Brown

ADDRESS 4606 W. Walnut St.

CITY Pearland STATE TX ZIP 77581

PHONE( 281 ) 412-3529

FAX( 281 ) 412-0322

E-MAIL ADDRESS erinn@bmattorney.com

### APPLICANT/AGENT INFORMATION:

NAME Erinn Brown

ADDRESS 7930 Broadway St. Ste. 122

CITY Pearland STATE TX ZIP 77581

PHONE( 281 ) 412-3529

FAX( 281 ) 412-0322

E-MAIL ADDRESS erinn@bmattorney.com

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

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

Owner's Signature: [Signature] Date: 5-23-13

Agent's/Applicant's Signature: [Signature] Date: 5-23-13

### OFFICE USE ONLY:

FEES PAID: <u>\$775.00</u>	DATE PAID: <u>5/24</u>	RECEIVED BY: <u>IC</u>	RECEIPT NUMBER: <u>238564</u>
----------------------------	------------------------	------------------------	-------------------------------

Application No. 2013-122

**BROWN AND MAHONEY, PC**

7930 Broadway, Ste. 122  
Pearland, Texas 77581



281.412.3529 P  
281.412.0322 F

Erinn G. Brown

Matthew W. Mahoney

---

May 24, 2013

To Whom It May Concern:

I, Erinn Brown, hereby authorize Brian Costley, to apply for the rezoning, including any necessary permits for the following address: 4606 W. Walnut St., Pearland, Texas 77581.

Should you have any questions or concerns, please do not hesitate to contact me. I can be reached at my office number of: 281.412.3529 or my cell: 713.446.5164.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Erinn Brown".

Erinn Brown

**BROWN AND MAHONEY, PC**

7930 Broadway, Ste. 122  
Pearland, Texas 77581



281.412.3529 P  
281.412.0322 F

Erinn G. Brown

Matthew W. Mahoney

---

May 24, 2013

To Whom It May Concern:

Please allow this correspondence to serve as my Letter of Intent with respect to the proposed zoning change for the property located at: 4606 W. Walnut St., Pearland, Texas 77581.

Currently, the property is zoned residential. It is my intention to relocate my law office into this building, upon the zoning change being approved. I am requesting that above address be re-zoned to "OP," or Office Professional.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Erinn Brown".

Erinn Brown



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

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

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.

(5) The signs shall be as follows:

- A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
- At least 2 feet above the ground
- Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
- Message content as follows:

EB

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

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

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

CITY OF PEARLAND  
R E P R I N T  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: JCOTTER Type: DC Drawer: 1  
Date: 5/28/13 01 Receipt no: 238564

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$775.00

Trans number: 4094846

4606 WALNUT ERINN BROWN  
BROWN AND MAHONEY PC  
7930 BROADWAY ST STE 122  
PEARLAND

Tender detail		
CK CHECK	4205	\$775.00
Total tendered		\$775.00
Total payment		\$775.00

Trans date: 5/24/13 Time: 14:13:59

**ZONE CHANGE OR VARIANCE** (circle one)

Zone # BA

Description: Input who the check is from

COMMENTS (F10):

Address 4606 Walnut

Applicant Erinn Brown

Owner Erinn Brown

Explanation: Zone Change CUP or Variance  
(circle one)

\$775.00

**P&Z AGENDA  
ITEM**

**B**

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 15, 2013, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**ZONE CHANGE APPLICATION NO. 2013-13Z**

A request of Keith Schoonover of Lennar Homes, applicant for Lennar Homes of Texas, Inc., owner, for approval of a zone change from the Single Family Residential (R-3) zone to the General Business (GB) zone on the following described property, to wit:

**Legal Description:** Being 2.00 acres of land situated in the C.J. Hall Survey, Abstract No. 215, in Brazoria County, Texas; being a part of that same tract of land designated as Tract 8 and described in the deed of Lennar Homes of Texas, Inc. recorded in Brazoria County Clerks File No. 94-009151, Official Records of Brazoria County, Texas.

**General Location:** Northwest corner of McHard Rd. and Cullen Blvd.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

**B. APPLICANT PRESENTATION**

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

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

**VI. ADJOURNMENT**

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



## JOINT PUBLIC HEARING AGENDA ITEM MEETING OF JULY 15, 2013

### Zone Change No. 2013-13Z

A request of Keith Schoonover of Lennar Homes, applicant for Lennar Homes of Texas, Inc., owner, for approval of a zone change from the Single Family Residential (R-3) zone to the General Business (GB) zone, to wit:

**Legal Description:** Being 2.00 acres of land situated in the C.J. Hall Survey, Abstract No. 215, in Brazoria County, Texas; being a part of that same tract of land designated as Tract 8 and described in the deed of Lennar Homes of Texas, Inc. recorded in Brazoria County Clerks File No. 94-009151, Official Records of Brazoria County, Texas.

**General Location:** Northwest corner of McHard Rd. and Cullen Blvd., Pearland, TX

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

Planning and Zoning Commission:	July 15, 2013*
City Council for First Reading:	August 12, 2013*
City Council for Second Reading:	August 26, 2013*
	(*dates subject to change)

**SUMMARY:** Keith Schoonover, applicant for Lennar Homes of Texas, owner, is requesting approval of a zone change from the Single Family (R-3) zone to the General Business (GB) zone for the above referenced location. If approved, this zone change will allow the applicant to market and sell the property for future commercial use. At this time the applicant does not have a specific use proposed for the site.

**SURROUNDING ZONING AND LAND USES:**

	Zoning	Land Use
<b>North</b>	Single Family (R-3)	Detention Pond
<b>South</b>	Cullen Mixed Use (C-MU)	Single Family Home
<b>East</b>	Single Family (RE)	Vacant
<b>West</b>	Single Family (R-3)	Vacant

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** As previously mentioned, the property is currently zoned Single Family Residential – 3 (R-3). As the property is currently being requested to be rezoned to General Business (GB), a breakdown between those requirements is provided below:

	<u>R3</u>	<u>GB</u>	<u>Existing Site</u>
Lot Size:	6,000 sq ft	22,500 sq ft	2 Acres
Lot Width:	60'	150'	255.12'
Lot Depth:	90'	125'	295.53'
Front Setback:	25'	25'	n/a
Rear Setback:	20'	20'	n/a
Side Setback:	7.5'	25'	n/a

**PLATTING STATUS:** The property is not currently platted. Platting would be required prior to the release of any building permits.

**SITE HISTORY:** The site is currently vacant and is currently zoned for residential uses. The owner has 2 acres at the hard corner and would like to sell the property for commercial purposes. The Comprehensive Plan was updated in 2009. As part of those updates, major retail nodes were placed in areas around primary intersections that were thought to be ideal for commercial uses centered around the hard corners. The intersection of McHard and Cullen was identified as one of these intersections.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The current Comprehensive Plan (latest update in 2009) indicates *Low Density Residential* for the subject property with a *Major Retail Node* located over the intersection of McHard and Cullen. Major retail nodes usually allow for up to 25 acres of commercial property located around the hard corners of the intersection. This site would be the first corner to be rezoned commercial. The Comprehensive Plan further indicates that GB would be an appropriate zoning district for a *Major Retail Node*.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on McHard and Cullen, both of which are major thoroughfares with a minimum of 120' right-of-way.

**AVAILABILITY OF UTILITIES:** The subject parcel does have access to public water along Cullen.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed zone change, if approved, is not anticipated to have any negative impacts on existing or future developments in the immediate area. With the completion of the adjacent section of McHard and the expansion of Cullen, this intersection was considered to be a logical area for a major retail node. The maximum total acreage for a retail node is suggested to not exceed 25 acres. The proposed zone change is for 2 acres.

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

**SITE PLAN CONSIDERATIONS:** A site plan is not required for a zone change, however the property is currently developed.

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

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

**STAFF RECOMMENDATION:** Staff recommends approval of the Zone Change 2013-13Z as proposed by the applicant for the following reasons:

1. Approval of the zone change will result in conformance with the surrounding zoning as well as current and future land uses.
2. The proposed zone change should not have any significant negative impact on the surrounding properties and developments.
3. The proposed zone change is in compliance with the approved Future Land Use Plan which shows a major retail node located at the subject intersection.

**SUPPORTING DOCUMENTS:**

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



### Zoning and Vicinity Map

### Zone Change 2013-13Z

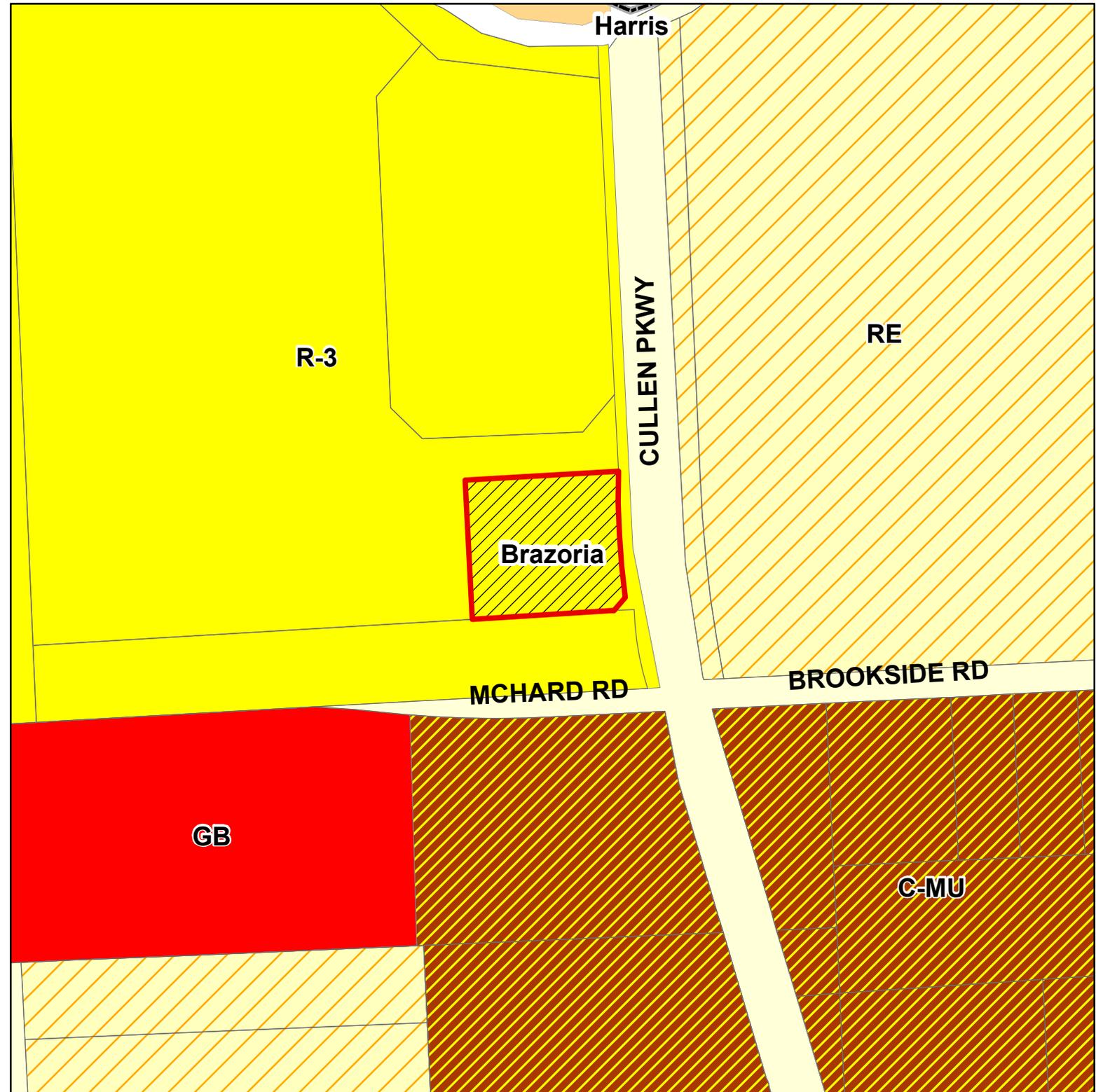
### NW Corner of Mchard and Cullen

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 65 130 260 Feet





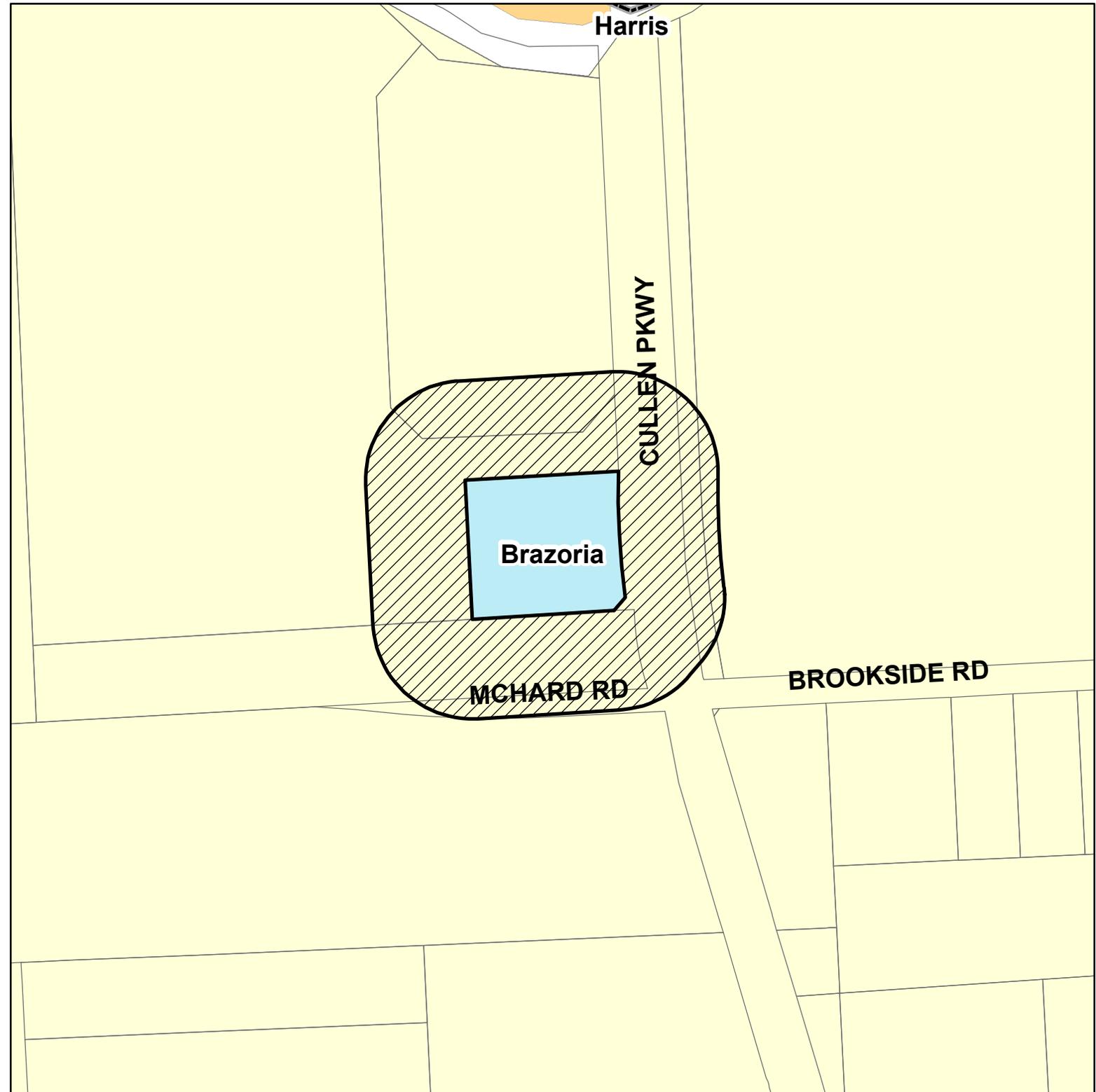
**Abutter Map**

**Zone Change 2013-13Z**

**NW Corner of Mchard  
and Cullen**

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

0 65 130 260 Feet



## Zone Change 2013-13Z

NW Corner of Cullen and McHard. - R-3 to GB

<b>Name</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
FYCW LTD	104 SOUTHERN PINES DR	LAFAYETTE	LA	70508
LENNAR HOMES OF TEXAS SALES & MARKETING LTD	550 GREENS PKWY STE 200	HOUSTON	TX	77067-4538



**FLUP Map**

**Zone Change 2013-13Z**

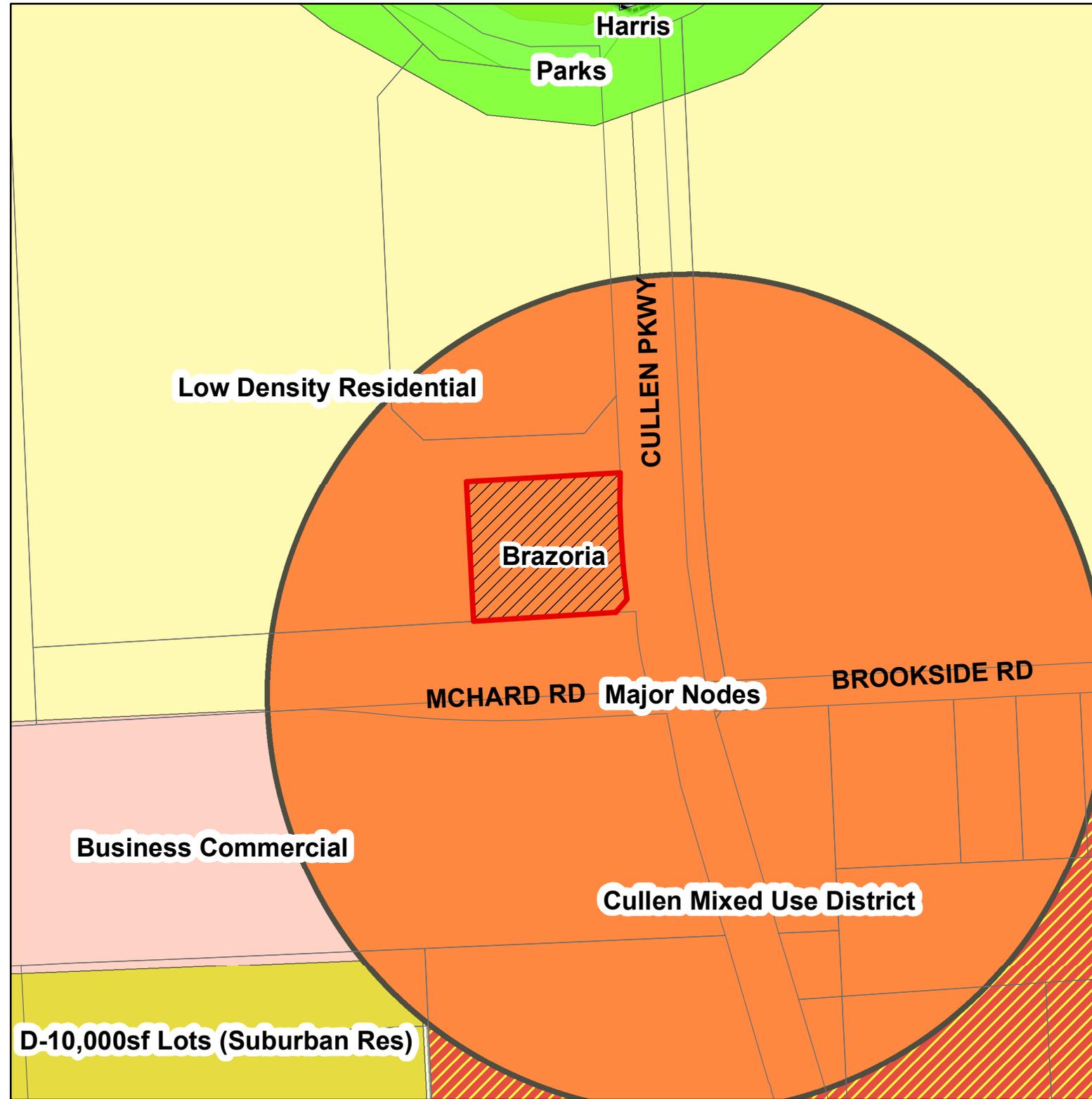
**NW Corner of Mchard  
and Cullen**

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 65 130 260 Feet





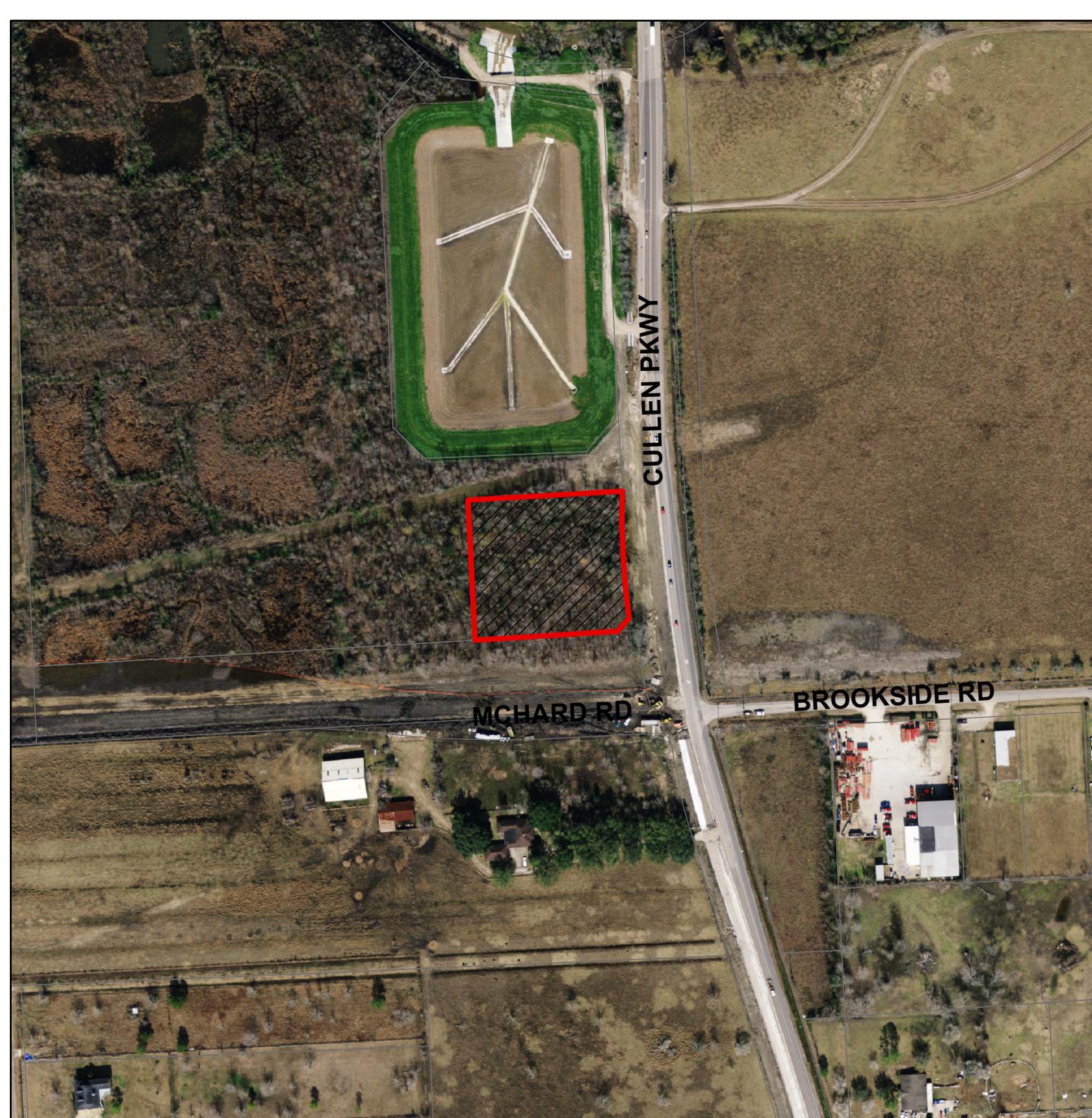
**Aerial Map**

**Zone Change 2013-13Z**

**NW Corner of Mchard  
and Cullen**

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

0 65 130 260 Feet





# APPLICATION FOR A CHANGE IN ZONING

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

**Current Zoning District:** R-3 (from map current through Ord. 200M-99-25 Feb 2013)

**Proposed Zoning District:** GB

**Property Information:**

Address or General Location of Property: Property is +2.0 acres located at the northwest corner of the intersection of McHard Road and Cullen Rd

Tax Account No. 164351

Subdivision: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

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

**PROPERTY OWNER INFORMATION:**

**APPLICANT/AGENT INFORMATION:**

Lennar Homes of Texas Land and Construction, Ltd	
NAME <u>successor by merger to Lennar Homes of Texas, Inc</u>	NAME _____
ADDRESS <u>550 Greens Pkwy, Ste 100</u>	ADDRESS _____
CITY <u>Houston</u> STATE <u>Tx</u> ZIP <u>77067</u>	CITY _____ STATE _____ ZIP _____
PHONE( <u>281</u> ) <u>875-1552</u>	PHONE( _____ ) _____
FAX( <u>281</u> ) <u>872-4207</u>	FAX( _____ ) _____
E-MAIL ADDRESS <u>keith.schoonover@lennar.com</u>	E-MAIL ADDRESS _____

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

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

Owner's Signature: *Keith Schoonover* Date: 6/10/13

Agent's/Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OFFICE USE ONLY:**

FEES PAID: <u>\$775</u>	DATE PAID: <u>6/13/13</u>	RECEIVED BY: <u>IC</u>	RECEIPT NUMBER: <u>259197</u>
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Application No. 2013-132



**FRIENDSWOOD**  
**DEVELOPMENT COMPANY**  
*A Lennar Company*

June 4, 2013

City of Pearland  
Community Development  
3523 Liberty Drive  
Pearland, Texas 77581

Re. Letter of Intent for Zone Change Request  
±2.0 Acre Lennar Property  
Intersection of Cullen Boulevard (FM 865) and McHard Road (CR 106)

To the City:

Lennar Homes of Texas Land and Construction, Ltd., DBA Friendswood Development Company ("FDC") requests a zone change for a property located at the northwest corner of Cullen Boulevard and McHard Road. The property ("Property") is ±2.0 acres with frontage on the southbound lanes of Cullen Boulevard and the westbound lanes of McHard Road. FDC is the record owner of the Property.

**ZONE CHANGE REQUEST:**

The current zoning for the Property is R-3, as demonstrated on the "City of Pearland Zoning Districts" map dated February 25, 2013. By this letter, FDC requests the property be rezoned from R-3 to GB, to allow for permitted retail activities allowed in this zoning district, including the sale of motor fuels.

**JUSTIFICATION FOR ZONING CHANGE:**

- "The City of Pearland Land Use Plan" (from Pearland's "Comprehensive Plan") identifies the intersection of Cullen Boulevard and McHard Road as a "Major Retail Node (50 acres)." Accordingly, our request to change from R-3 to GB is consistent with the Comp Plan and Pearland 20/20.
- The highest and best use for the Property is commercial and the most appropriate commercial Zoning District is GB. The newly-reconstructed major thoroughfares of Cullen Boulevard and McHard will provide significant traffic to encourage commercial development, and provide services to the immediate area.
- The developed Property (with improvements) would provide significant incremental real and personal property tax base for the City.

- The property is currently undeveloped and is too small and too remote to be viable as a residential development

#### **PROPOSED USE FOR THE PROPERTY**

FDC plans to market the property for any permitted uses in the GB Zoning District. However, the best and most obvious use for the property is for a convenience store and motor fuel station (typically referred to as a "C-Store"). Based on that market assessment, FDC will actively market the property to companies involved in that business.

Thank you for consideration of this Letter of Intent for Zoning Change Request. If you have questions or need further information, feel free to contact me at (281) 874-8502 or by email at [keith.schoonover@lennar.com](mailto:keith.schoonover@lennar.com).

Sincerely,



Keith Schoonover  
Community Development Manager

**NOTES:**

1. B.C.C.F. No. = BRAZORIA COUNTY CLERKS FILE NUMBER
2. D.R.B.C.T. = DEED RECORDS OF BRAZORIA COUNTY TEXAS  
O.R.B.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
3. BEARINGS ARE BASED FROM THE WEST LINE OF TRACT 8 DESCRIBED IN THE DEED RECORDED IN BRAZORIA COUNTY CLERKS FILE No. 94-009151, OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS AND FROM THE EAST LINE OF THAT CERTAIN 62.0485 ACRE TRACT OF LAND DESCRIBED IN THE DEED RECORDED IN BRAZORIA COUNTY CLERKS FILE No. 93-023280, OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS.
4. SEE ATTACHED SHEET FOR METES AND BOUNDS DESCRIPTION.
5. THE RIGHT-OF-WAY OF CULLEN BOULEVARD SHOWN HEREON IS BASED FROM SURVEYS AND ELECTRONIC FILES PREPARED BY OTHERS FOR THE CITY OF PEARLAND. A MAP ENTITLED "RIGHT-OF-WAY MAP - WEST ROAD" DATED DECEMBER 29, 1936 OBTAINED FROM TxDOT DEPICTS A 100-FOOT WIDE RIGHT-OF-WAY FOR CULLEN BOULEVARD. NO DOCUMENTS OF RECORD HAVE BEEN FOUND FOR THE ACCEPTANCE, DEDICATION OR CONVEYANCE OF SAID RIGHT-OF-WAY. A NOTE ON SAID MAP STATES "NO RECORD OF CONVEYANCE OR CONDEMNATION COVERING THIS RIGHT-OF-WAY. BRAZORIA COUNTY CLAIMS PRESCRIPTIVE TITLE."
6. THE RIGHT-OF-WAY OF PROPOSED MCHARD ROAD SHOWN HEREON IS BASED FROM ELECTRONIC FILES PREPARED BY OTHERS FOR THE CITY OF PEARLAND.
7. 5/8" H-Z = 5/8" HUITT-ZOLLARS PLASTIC CAPPED IRON ROD.

PROPOSED  
38.591 ACRE  
PARK

SET 5/8" HUITT-ZOLLARS  
PLASTIC CAPPED IRON ROD

R=2,929.20'  
L=1.42'  
D=00°01'40"

SET 5/8" HUITT-ZOLLARS  
PLASTIC CAPPED IRON ROD

2.000 ACRES

**DETAIL**  
NOT TO SCALE

PROPOSED WEST R.O.W.  
LINE OF CULLEN BLVD.

**C.J. HALL SURVEY**

A-215

20' TEXAS EASTERN TRANSMISSION  
CORPORATION EASEMENT  
VOL. 86278, PG. 428  
D.R.B.C.T.

EXISTING 100' WIDE  
PRESCRIPTIVE  
RIGHT-OF-WAY  
SEE NOTE No. 5

FOUND 5/8" HUITT-ZOLLARS  
PLASTIC CAPPED IRON ROD

SEE DETAIL

N89°55'22"E  
TO RAD. PT.

N89°33'11"E  
308.95'

PROPOSED 15'  
RIGHT-OF-WAY  
DEDICATION  
2.000 ACRES

R=2,929.20'  
L=255.12'  
D=04°59'25"

TRACT 8  
LENNAR HOMES OF TEXAS, INC.  
B.C.C.F. NO. 94-009151  
O.R.B.C.T.

N00°26'49"W  
279.77'

S42°07'41"W  
33.82'

S89°33'11"W  
295.53'

FOUND 5/8" HUITT-ZOLLARS  
PLASTIC CAPPED IRON ROD

POINT OF BEGINNING  
SET 5/8" HUITT-ZOLLARS  
PLASTIC CAPPED IRON ROD

R=2,914.20'  
L=168.79'  
D=03°19'07"

PROPOSED MCHARD ROAD  
SEE NOTE No. 6  
3,281.14'  
S89°32'07"W 3,403.00'

S89°33'11"W 40.06'

N81°05'55"E  
TO RAD. PT.

FOUND 1" PIPE

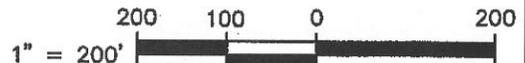
FOUND 5/8" HUITT-ZOLLARS  
PLASTIC CAPPED IRON ROD

POINT OF COMMENCING  
S89°32'07"W 15.47'

40.427 ACRES  
TO: CAROLYN WENGLAR  
VOL. 1748, PG. 168  
D.R.B.C.T.

**F.B. DRAKE SURVEY**

A-506



11-11-08

DATE: 05-28-08  
DRAWN BY: JWR  
CHECKED BY: SEW  
PROJ. No.: 02-1016-03

SHEET: 3 of 3

A PART OF A 47.207 ACRE  
TRACT OF LAND SITUATED IN  
THE C.J. HALL SURVEY,  
ABSTRACT No. 215 IN  
BRAZORIA COUNTY, TEXAS  
(PROPOSED  
COMMERCIAL SITE)

**FRIENDSWOOD DEVELOPMENT  
COMPANY**

550 GREENS PARKWAY, SUITE 100  
HOUSTON, TEXAS 77067-4526  
PH: 281-874-8562 FAX: 281-872-4207

**HUITT-ZOLLARS**

HUITT-ZOLLARS, INC.  
1500 S. DAIRY ASHFORD  
SUITE 200  
HOUSTON, TX 77077  
PHONE 281-498-0066  
FAX 281-498-0220

NO.	REVISION	DATE
1.	REVISED BOUNDARY	11-11-08

**METES AND BOUNDS DESCRIPTION  
2.000 ACRES OF LAND IN THE  
C. J. HALL SURVEY, ABSTRACT No. 215,  
IN BRAZORIA COUNTY, TEXAS  
(PROPOSED COMMERCIAL SITE)**

**BEING** 2.000 acres of land situated in the C. J. Hall Survey, Abstract No. 215, in Brazoria County, Texas; being a part of that same tract of land designated as Tract 8 and described in the deed to Lennar Homes of Texas, Inc. recorded in Brazoria County Clerks File No. 94-009151, Official Records of Brazoria County, Texas, said 2.000 acre tract is described by metes and bounds as follows:

**COMMENCING** at a point in Cullen Boulevard (FM 518, Old Chocolate Bayou Road) for the Southeast corner of said Tract 8, by deed call being the recognized and accepted Southeast corner of said C. J. Hall Survey, the Southwest corner of the W. T. Drake Survey, Abstract No. 187, on the North line of the F. B. Drake Survey, Abstract No. 506; **THENCE**, South 89 degrees 32 minutes 07 seconds West, along the South line of said Tract 8, 15.47 feet to a 5/8 inch Huitt-Zollars plastic capped iron rod on the West right-of-way line of Cullen Boulevard as recognized by the City of Pearland, said capped iron rod is lying on a non-tangent curve to the right whose radius is 2,914.20 feet and whose radius point bears North 81 degrees 05 minutes 55 seconds East; **THENCE**, in a Northerly direction along the West right-of-way line of Cullen Boulevard and along said curve through a central angle of 03 degrees 19 minutes 07 seconds, 168.79 feet to a 5/8 inch Huitt-Zollars plastic capped iron rod; **THENCE**, South 89 degrees 33 minutes 11 seconds West, 40.06 feet to a 5/8 inch Huitt-Zollars plastic capped iron rod and the **POINT OF BEGINNING** of this tract herein described;

**THENCE**, South 89 degrees 33 minutes 11 seconds West, 295.53 feet to a 5/8 inch Huitt-Zollars plastic capped iron rod;

**THENCE**, North 00 degrees 26 minutes 49 seconds West, 279.77 feet to a 5/8 inch Huitt-Zollars plastic capped iron rod;

**THENCE**, North 89 degrees 33 minutes 11 seconds East, 308.95 feet to a 5/8 inch Huitt-Zollars plastic capped iron rod on the proposed West right-of-way line of said Cullen Boulevard, said capped iron rod lying on a non-tangent curve to the left whose radius is 2,929.20 feet and whose radius point bears North 89 degrees 55 minutes 22 seconds East;

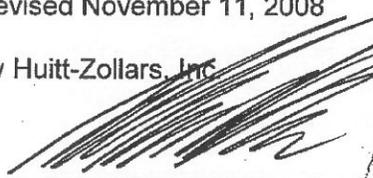
**THENCE**, in a Southerly direction along the proposed West right-of-way line of Cullen Boulevard, parallel to and 15 feet west of said existing West right-of-way line of Cullen Boulevard, and along said curve through a central angle of 04 degrees 59 minutes 25 seconds, 255.12 feet to the **POINT OF BEGINNING** and containing 2.000 acres of land.

Bearings are based on the West line of said Tract 8 described in the deed recorded in Brazoria County Clerks File No. 94-009151, Official Records of Brazoria County, Texas, and the East line of said 62.0485 acre tract of land described in the deed recorded in Brazoria County Clerks File No. 93-023280, Official Records of Brazoria County, Texas;

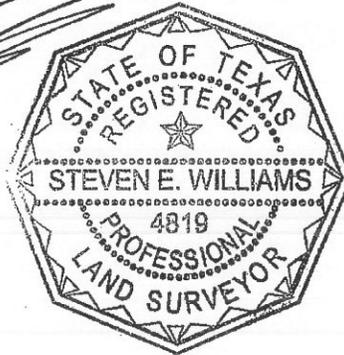
This description was prepared in conjunction with surveys made on the ground in June and July of 2005, February and May 2008, and with a survey drawing dated May 28, 2008 and last revised November 11, 2008

Revised November 11, 2008

By Huitt-Zollars, Inc

  
Steven E. Williams, R.P.L.S.  
Texas Registration No. 4819

11.11.08



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

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

Such sign(s) shall be located as follows:

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

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

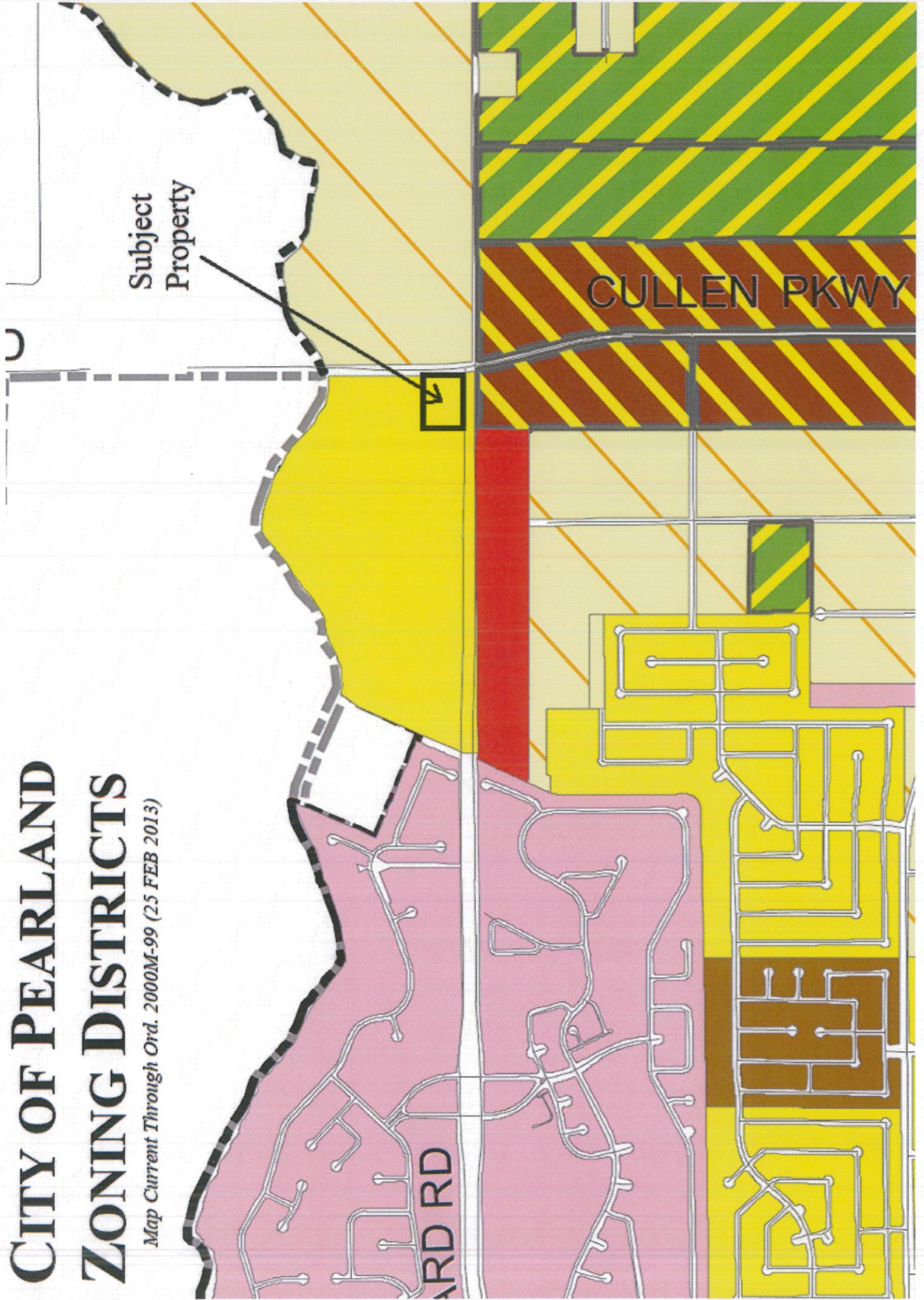
**\*Signs must be professionally made; handwritten signs are not allowed.**

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

*acknowledged - Keith Bloomer*

# CITY OF PEARLAND ZONING DISTRICTS

Map Current Through Ord. 2000M-99 (25 FEB 2013)



CITY OF PEARLAND  
R E P R I N T  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: JCOTTER Type: OC Drawer: 1  
Date: 6/13/13 01 Receipt no: 259197

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$775.00
Trans number:		4116144

NW CORNER OF CULLEN & MCHARD  
LENNER HOMES  
2013-132  
LENNAR HOMES OF TEXAS, LAND &  
CONSTR LTD  
FRIENDSWOOD DEVELOPMENT  
COMPANY  
550 GREENS PARKWAY SUITE 100  
HOUSTON

Tender detail		
CR CHECK	427282	\$775.00
Total tendered		\$775.00
Total payment		\$775.00

Trans date: 6/13/13 Time: 13:29:16

**ZONE CHANGE OR VARIANCE (circle one)**

Zone # BA

Description: Input who the check is from

COMMENTS (F10):

Address NW Corner of Cullen + McHard

Applicant Lennar Homes

Owner Lennar Homes

Explanation: Zone Change CUP or Variance  
(circle one)

\$ 775

2013-132

**P&Z AGENDA  
ITEM**

**C**

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 15, 2013, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Conditional Use Permit No. CUP 2013-05**

At the request of Raymond JJ Zhuo, applicant for Houston Chinese Church, owner, for approval of a Conditional Use Permit to allow for a Church, Temple, or Place of Worship in the Single Family Residential (R-1) Zoning District, on the following described property, to wit:

**Legal Description:** Being 5.00 acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas. Being the same land described as 5.00 acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as document No. 2007039242, official records of Brazoria County, Texas.

**General Location:** 2500 Block of Miller Ranch Rd.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

**B. APPLICANT PRESENTATION**

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

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

**VI. ADJOURNMENT**

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



## JOINT PUBLIC HEARING AGENDA ITEM MEETING OF JULY 15, 2013

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### Conditional Use Permit No. CUP 2013-05

At the request of Raymond JJ Zhuo, applicant for Houston Chinese Church, owner, for approval of a Conditional Use Permit to allow for a Church, Temple, or Place of Worship in the Single Family Residential (R-1) Zoning District, on the following described property, to wit:

**Legal Description:** Being 5.00 acres out of the G.T. & B.R.R. Company Survey, A-304 in Brazoria County, Texas. Being the same land described as 5.00 acres in a warranty deed from Steven C. Muth to Houston Chinese Church, dated July 5, 2007 and recorded as document No. 2007039242, official records of Brazoria County, Texas.

**General Location:** 2500 Block of Miller Ranch Rd.

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested Conditional Use Permit application will be considered as follows:

Planning and Zoning Commission:	July 15, 2013*
City Council for First Reading:	August 12, 2013*
City Council for Second Reading:	August 26 2013*

(\*dates subject to change)

---

**SUMMARY:** Raymond JJ Zhuo, applicant for Houston Chinese Church owner, is requesting approval of a Conditional Use Permit to allow for the operation of a Church, Temple, or Place of Worship at the above referenced location. The applicant has plans to construct a church campus in phases. Phase 1 will consist of roughly 7500 square feet dedicated to worship and classroom space.

The site is currently vacant and is surrounded by existing residential homes and vacant residentially zoned property. A recent zone change was approved for the property to the south and east changing from R-1 to R-3. That property owner has plans to develop a residential subdivision on the property.

**SURROUNDING ZONING AND LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Suburban Residential (SR-12)	Single Family Homes
<b>South</b>	Single Family (R-3)	Vacant
<b>East</b>	Single Family (R-3)	Vacant
<b>West</b>	Single Family (R-3)	Single Family Homes

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** As previously mentioned, the property is currently zoned Single Family Residential (R-1). A non-residential use located within a residential zone is required to meet the regulations of the Neighborhood Services (NS) zone. The NS zone requires a 25' setback in the front, 15' on the side' and 15' in the rear. The nonresidential use of a church or place of worship will be subject to all commercial screening requirements. This includes a 25' buffer with a masonry wall or a 30' buffer with a vegetative wall for all areas that abut residential property.

	<b>NS</b>	<b>Actual</b>
<b>Lot Width</b>	100'	247'
<b>Lot Depth</b>	100'	880'
<b>Total Lot Area</b>	12,500 Sq. Ft.	5 Acres

**PLATTING STATUS:** The property has not yet been platted. Platting will be required prior to the release of any building permits.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The current Comprehensive Plan (latest update in July 2004) indicates *Low Density Residential* for the subject property. The Comprehensive Plan further indicates that an appropriate zoning district for *Low Density Residential* is Single Family Residential (R-1). Therefore, as the subject property is currently zoned Single Family Residential (R-1), the proposed use, Church, Temple, or Place of Worship, would be in compliance with the current Comprehensive Plan with the approval of Conditional Use Permit.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on Miller Ranch Rd., a local street, with a minimum 60' right-of-way.

**AVAILABILITY OF UTILITIES:** The subject parcel currently has access to public water along Miller Ranch. Public Sewer is available to the north at Camelots Ct. and may be extended to the site by the applicant.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The site is currently vacant. Adding a worship facility to the site may generate an increase in traffic. A traffic impact analysis will be required as part of the platting and permitting process in order to determine if any improvements may be required before the use would be allowed to operate on site. As stated earlier, appropriate screening will be required in order to lessen the potential impact that the proposed facility may have on the surrounding residential properties

**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 for this use was submitted with the Conditional Use Permit application.

**PUBLIC NOTIFICATION:** Public notice, comment forms, and a vicinity map were mailed to property owners within 200 feet of the subject property under consideration for the Conditional Use Permit. A legal notice of public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

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

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit No. 2013-05 to allow the operation of a Church, Temple, or Place of Worship in the Single Family Residential (R-1) district as proposed by the applicant and owner for the following reasons, and with the following condition:

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

**CONDITION:**

1. The site be developed in accordance with the attached site plan provided by the applicant.

**SUPPORTING DOCUMENTS:**

- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- CUP Application and applicant packet
- Related Documents



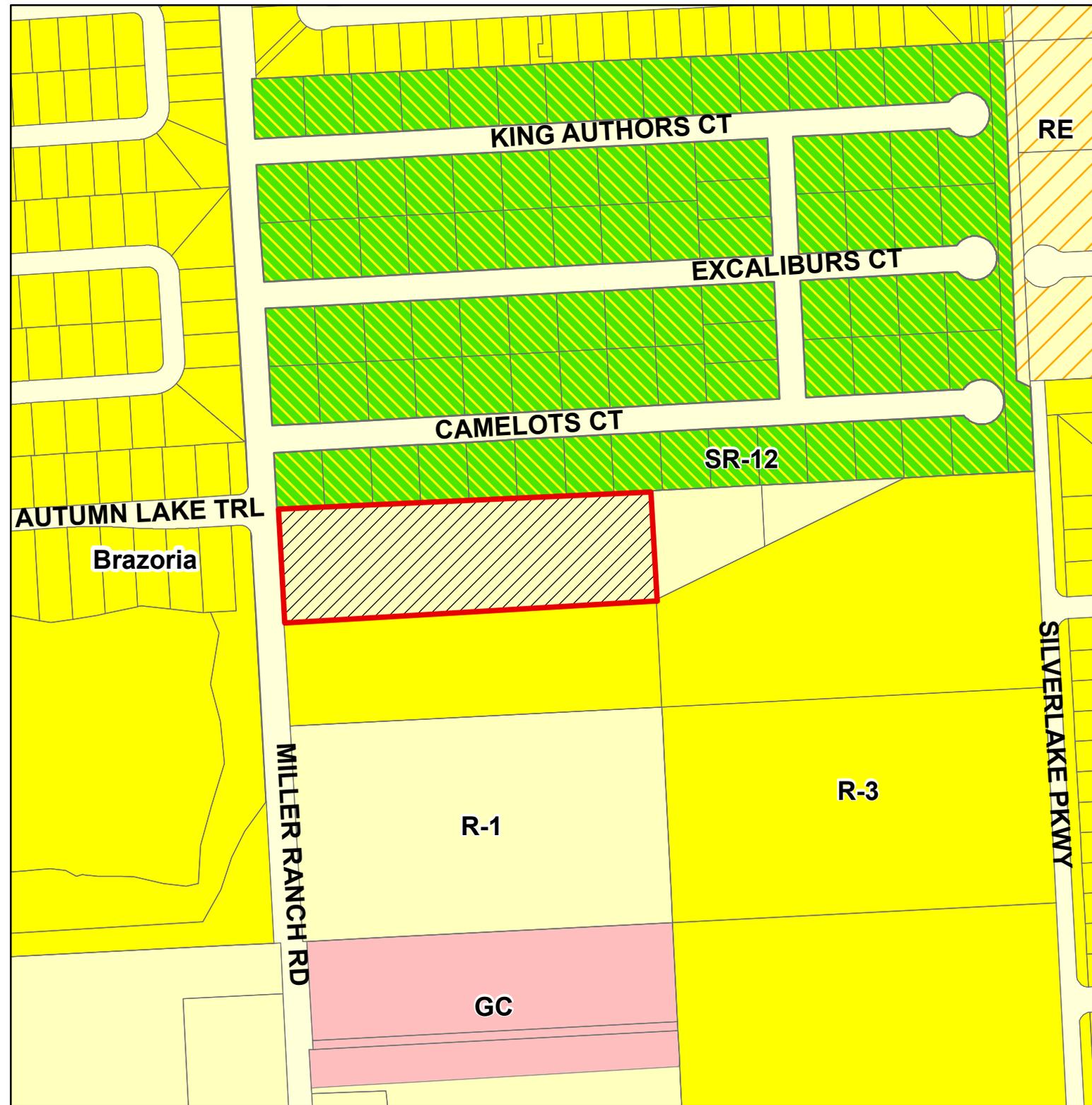
**Zoning and Vicinity Map**

**CUP 2013-05**

**2500 Block of Miller Ranch**

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

0 75 150 300 Feet





**Abutter Map**

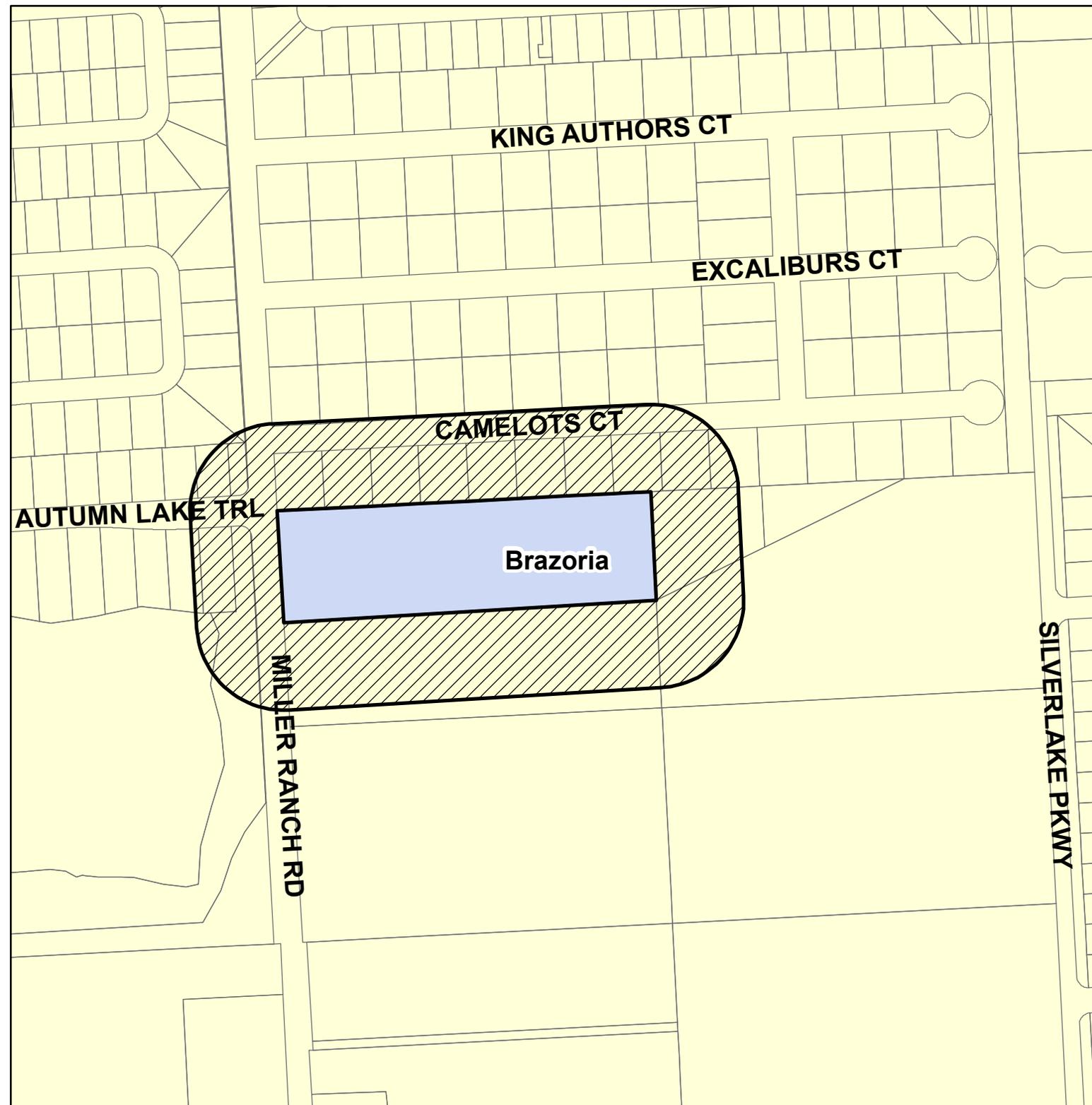
**CUP 2013-05**

**2500 Block of Miller Ranch**

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**N**

0 75 150 300 Feet



## CUP 2013-05

2500 Block of Miller Ranch Rd. - Church Temple, Place of Worship

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
CRUZ GERARDO	9726 CAMELOTS CT	PEARLAND	TX	77584-8521
GOLDEN RICHARD SYLVAN II	9904 AUTUMN LAKE TRL	PEARLAND	TX	77584-3053
RITCHEY KAREN	3110 BRUNO WAY	PEARLAND	TX	77581
BRAZORIA COUNTY MUD NO 19	3200 SOUTHWEST FWY STE 260	HOUSTON	TX	77027-7537
PEREZ GUADALUPE & BETZAIDA	9734 CAMELOTS CT	PEARLAND	TX	77584-8521
GRIFFITH BILL D	7235 PALMETTO ST	MANVEL	TX	77578-4753
TABORA REINA XIOMARA	9814 CAMELOTS CT	PEARLAND	TX	77584
AUTUMN LAKE PROPERTY	17049 EL CAMINO REAL STE	HOUSTON	TX	77058-2611
CARRANZA JESUS & GUADALUPE	3702 GRASSMERE ST	HOUSTON	TX	77051-3261
BROWN CHARLES D JR & MYRIS M	9901 AUTUMN LAKE TRL	PEARLAND	TX	77584-3054
GONZALEZ JOSE JR	1018 COUNTY ROAD 712B	ALVIN	TX	77511
ELUMIR ARTEMIO	9903 AUTUMN LAKE TRL	PEARLAND	TX	77584-3054
WHITWORTH KENNETH M	9906 CAMELOTS CT	PEARLAND	TX	77584-8525
MACKINNON ALEXANDER	275 SHIN OAK WAY	KERRVILLE	TX	78028-2084
RITCHEY KAREN	3110 BRUNO WAY	PEARLAND	TX	77581
TREADWAY GEORGANNE & J C	2302 ANTHONY LN	PEARLAND	TX	77581-3711
HOUSTON CHINESE CHURCH	10305 MAIN ST	HOUSTON	TX	77025-5509
WILLIAMS DAVID & CONSTANCE	9902 AUTUMN LAKE TRL	PEARLAND	TX	77584-3053
RAMIREZ OLGA V	9701 BERKSHIRE TRCE	PEARLAND	TX	77584-3058
FERNANDEZ EDWARD	16503 NIGHTENGALE FALLS CT	CYPRESS	TX	77429
GARCIA GUADALUPE	9733 CAMELOTS CT	PEARLAND	TX	77584
MARTINEZ BEATRIZ	9805 CAMELOTS CT	PEARLAND	TX	77584-8524
CLARK JEFFREY	9813 CAMELOTS CT	PEARLAND	TX	77584-8524
BISHOP JEFFERY A & ELIZABETH C	9821 CAMELOTS CT	PEARLAND	TX	77584-8524
OKORO EMMANUEL & ANNETTE	9905 CAMELOTS CT	PEARLAND	TX	77584-8526
HAYES BOBBY D & STEPHANIE SAU HAYES	4706 PECAN GROVE DR	PEARLAND	TX	77584-8602
MCGAHEE JAMES & JENNIFER	10006 BROOKSHORE LN	PEARLAND	TX	77584-3059
MCCLURE JASON R & CYNTHIA FREDRICK	10008 BROOKSHORE LN	PEARLAND	TX	77584-3059
TREADWAY GEORGANNE	2302 ANTHONY LN	PEARLAND	TX	77581-3711
GOSSETT KENNETH	9718 CAMELOTS CT	PEARLAND	TX	77584-8521



Public / Semi-Public

Medium Density Residential

KING AUTHORS CT

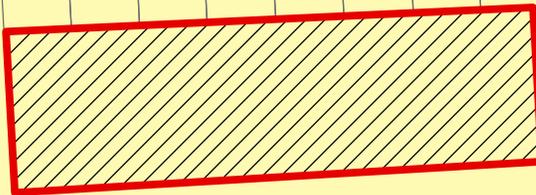
D-10,000sf Lots (Suburban Res)

EXCALIBURS CT

CAMELOTS CT

AUTUMN LAKE TRL

Brazoria



Low Density Residential

MILLER RANCH RD

SILVERLAKE PKWY

FLUP Map

CUP 2013-05

2500 Block of Miller Ranch

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 75 150 300 Feet





Aerial Map

CUP 2013-05

2500 Block of Miller Ranch

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 75 150 300 Feet





# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

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

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

Current Zoning District: R-1

**Property Information:**

Address or General Location of Property: Miller Ranch Rd. CR93  
Pearland, TX 77581 Tract 45, Acres 5.00 A0304 HT & BRR  
Tax Account No. 0304-0051-000  
Subdivision: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

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

**PROPERTY OWNER INFORMATION:**

NAME Houston Chinese Church  
ADDRESS 10305 Main St.  
CITY Houston STATE TX ZIP 77025  
PHONE (713) 663-7550  
FAX (713) 663-6896  
E-MAIL ADDRESS hccoffice@hcchome.org

**APPLICANT/AGENT INFORMATION:**

NAME Raymond JJ Zhuo  
ADDRESS 10002 Autumn Lake Trl.  
CITY Pearland STATE TX ZIP 77584  
PHONE (713) 503-8884  
FAX (\_\_\_\_\_) \_\_\_\_\_  
E-MAIL ADDRESS raymond-zhuo@yahoo.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.

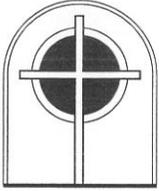
Owner's Signature: Andy Ly (on behalf of HCC) Date: 5/17/13

Agent's/  
Applicant's Signature: Raymond Zhuo Date: 5/17/2013

**OFFICE USE ONLY:**

FEES PAID: <u>\$ 250.00</u>	DATE PAID: <u>5/20/13</u>	RECEIVED BY: <u>Garbun</u>	RECEIPT NUMBER: <u>234169</u>
-----------------------------	---------------------------	----------------------------	-------------------------------

Application No. 2013-05



# HOUSTON CHINESE CHURCH

10305 S. Main Street, Houston, TX 77025  
Tel: (713) 663-7550 (800) 663-6691 Fax: (713) 663-6896  
hccoffice@hcchome.org www.hcchome.org

曉  
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May 11, 2013

To Whom It May Concern:

Raymond Zhuo and Andy Chang are authorized by the Houston Chinese Church Council to sign documents on behalf of Houston Chinese Church with regards to the Pearland Campus building, land development, and related needs up to the \$25,000.00 budget allocated. In the event Mr. Zhuo and Mr. Chang are not available to sign, any Trustee of Houston Chinese Church can sign the necessary documents.

Very Truly Yours,

Karen Ho, 2013 Deaconess, General Affairs  
2013 HCC Council Chair

May 17, 2013  
City of Pearland  
Community Development  
3523 Liberty Drive  
Pearland, TX 77581

RE: Letter of Intent – CUP Request

Proposed Project: Houston Chinese Church – Pearland Church Building

Subject Property: Property ID 168307

Existing Zoning: Residential

To Whom It May Concern,

On behalf of Houston Chinese Church (hereafter HCC), we hereby apply for a Conditional Use Permit (CUP) for the subject property with the intent to build and establish a church.

HCC has had a vision of Pearland ministry for a long time. Our first small group meeting in Pearland started in 1998, where throughout the years we have witnessed the growth of Chinese populations in this area. Based on an unofficial survey in 2007, there were more than 800 Chinese families in Pearland. As our Church leaders recognized the need of gospel for those Chinese families, HCC purchased a 5 acre lot in 2007 for our future church building. In May 2011, we started the Pearland Campus and held the Sunday service in Pearland area. It is exciting that we have witnessed the Pearland congregation growth in both of number of attendant and faith. We just recruited a full time pastor to minister the Pearland congregation and he will start in June 2013.

God has appealed us to start the next milestone of Pearland ministry, the church building. We have established a multiple-stages plan for the Pearland church. The 1<sup>st</sup> stage will be a building of around 7,500 square feet and is expected to be finished by the 1<sup>st</sup> quarter of 2015. The 1<sup>st</sup> Stage will include a multi-function fellowship, classrooms, kitchen, office rooms, and sanitary facilities. It will host our future Sunday service, Sunday school, children programs, fellowship activities, and some religious events.

We are grateful if you will take consideration of our needs and approve the application. Please don't hesitate to contact us if you need more information.

Sincerely,

Raymond Zhuo



## APPLICATION CHECKLIST FOR THE FOLLOWING Conditional Use Permits (CUP)

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.
- If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code.**
- Metes and Bounds Description, (Survey, or a Plat of the property that contain the metes and bounds description).
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- Letter of Intent, explaining the conditional use permit request in detail, specifying proposed uses, specific operations of the use, square footage of buildings, unique characteristics of the property, and any other necessary information
- Application fee of \$250.00, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
- Site Plan or Plot Plan showing the proposed layout of the subject property, including any proposed buildings, parking, landscaped areas, detention ponds, fences, and any other relevant information
- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

RECEIVED  
MAY 17 2013

BY:.....



Texas Star Surveying

15502 Old Galveston Rd Suite# 706 Webster, TX 77598

281-331-8414 Fax 281-486-0642

**FIELD NOTE DESCRIPTION**  
**5.000 ACRE TRACT, G. T. AND B. R. R. COMPANY SURVEY,**  
**ABSTRACT NO. 304**  
**BRAZORIA COUNTY, TEXAS**

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE G. T. AND B. R. R. COMPANY SURVEY, ABSTRACT NO. 304 IN BRAZORIA COUNTY, TEXAS. BEING THE SAME LAND DESCRIBED AS 5.000 ACRES IN A WARRANTY DEED FROM STEVEN C. MUTH TO HOUSTON CHINESE CHURCH, DATED JULY 5, 2007 AND RECORDED AS DOCUMENT NO. 2007039242, OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS. SAID 5.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8" IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 5.000 ACRE TRACT. SAID POINT FORMERLY BEING THE NORTHEAST CORNER OF THE NORTH HALF OF LOT 45 OF THE ALLISON RICHEY GULF COAST HOME COMPANY SUBDIVISION OF SECTION 85 IN SAID SURVEY, RECORDED BY PLAT, IN VOLUME 2, PAGE 107, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS;

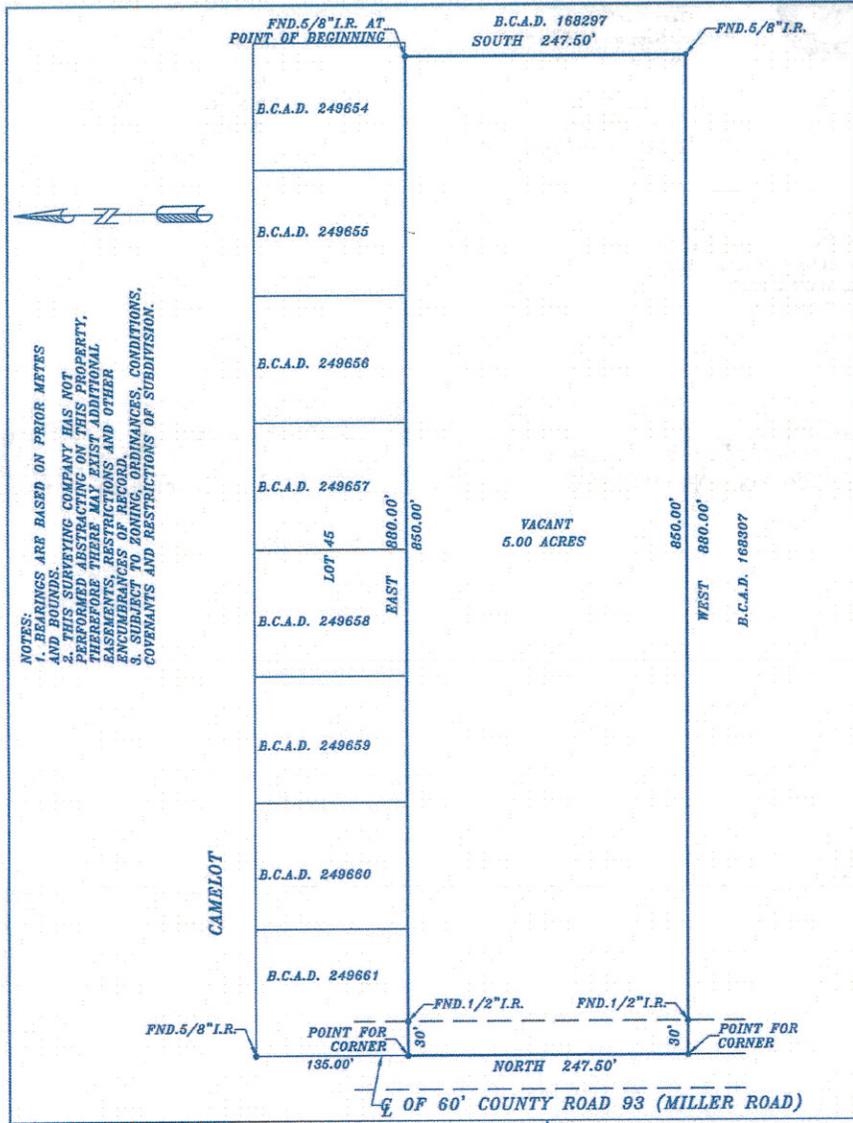
THENCE SOUTH, 247.50 FEET TO A 5/8" IRON ROD FOUND FOR CORNER;

THENCE WEST, 880.00 FEET TO A POINT FOR CORNER IN THE CENTER OF MILLER ROAD (60' RIGHT OF WAY). A 5/8" IRON ROD FOUND FOR REFERENCE BEARS EAST 30.00 FEET;

THENCE NORTH, WITH THE CENTER OF MILLER ROAD, SAME BEING THE WEST LINE OF SAID 5.000 ACRE TRACT, 247.50 FEET TO A POINT FOR CORNER IN SAME, AND BEING THE NORTHWEST CORNER OF SAID 5.000 ACRE TRACT. A 1/2" IRON ROD FOUND FOR REFERENCE BEARS EAST 30.00 FEET;

THENCE EAST WITH THE NORTH LINE OF 5.000 ACRE TRACT, 880.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.000 ACRES OF LAND.





NOTES:  
 1. BEARINGS ARE BASED ON PRIOR METES AND BOUNDS.  
 2. THIS SURVEYING COMPANY HAS NOT PERFORMED ABSTRACTING ON THIS PROPERTY. THEREFORE THERE MAY EXIST ADDITIONAL EASEMENTS, RESTRICTIONS, AND OTHER INTERESTS IN THIS PROPERTY.  
 3. THIS SURVEY IS SUBJECT TO ZONING ORDINANCES, CONDITIONS, COVENANTS AND RESTRICTIONS OF SUBDIVISION.

**BORROWER:** HOUSTON CHINESE CHURCH  
 ADDRESS: 0 MILLER ROAD - FEARLAND, TEXAS 77584

**LEGAL DESCRIPTION:** 5.000 ACRES OUT OF THE C. T. & B. R. R. COMPANY SURVEY, A-304, BRAZORIA COUNTY, TEXAS, STEVEN C. MUTE TO HOUSTON CHINESE CHURCH DATED JULY 5, 2007, DOCUMENT NO. 2007039242 O. R. BRAZORIA COUNTY, TEXAS.  
 (N.1/2 OF LOT 45, ALLISON RICHEY GULF COAST HOME COMPANY SUBD.)  
 (SEE METES AND BOUNDS)

This lot DOES NOT lie in the 100 year flood plain and is in ZONE A as located by the Federal Insurance Administration designated Flood Hazard Area Community Panel No. 280336-0030 dated 05-24-98.  
 No responsibility assumed for Flood Plain Determination or Floodway.

**LENDER:** \_\_\_\_\_ **TITLE COMPANY:** \_\_\_\_\_

I do certify that this survey was this day made on the ground and that this plat correctly represents the property legally described hereon. That the facts found at the time of this survey show the improvements and that there are no discrepancies apparent on the ground except as shown. This survey is based on the title commitment referenced in G. F. No. \_\_\_\_\_. This survey is certified for this transaction only.

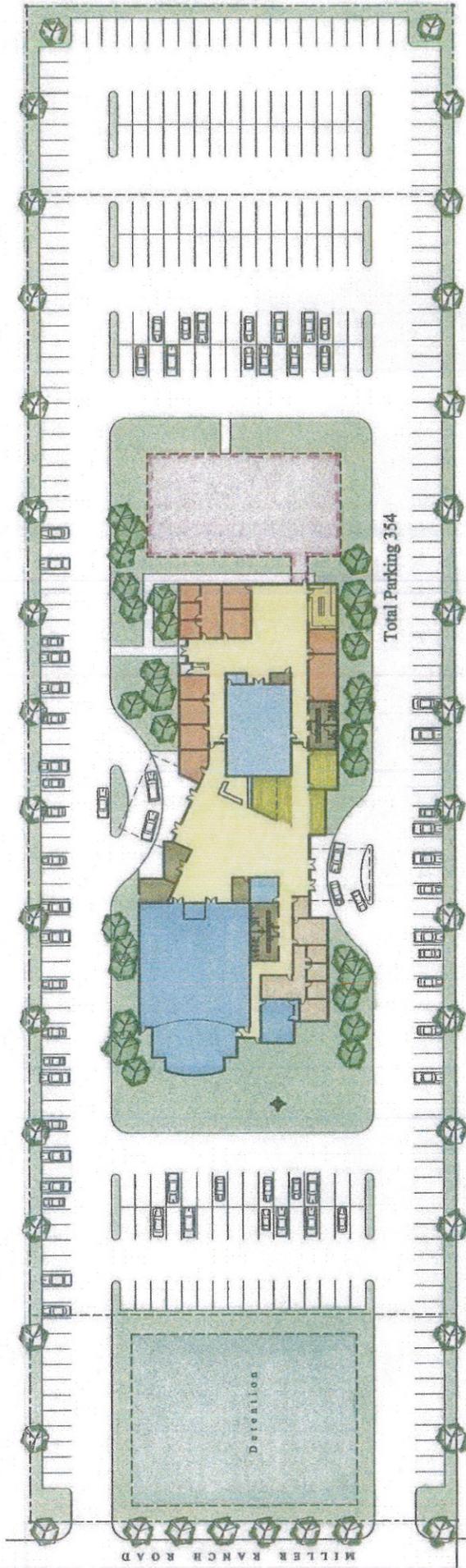


*Robert J. Creel*  
 TEXAS STAR SURVEYING  
 15502 Old Calveston Road, Webster, Texas 77598  
 PHONE (281) 331-8414 FAX (281) 488-0642

G.P. NO. \_\_\_\_\_  
 SCALE: 1"=100'  
 DATE: 05-14-13  
 JOB NO. 051213-57



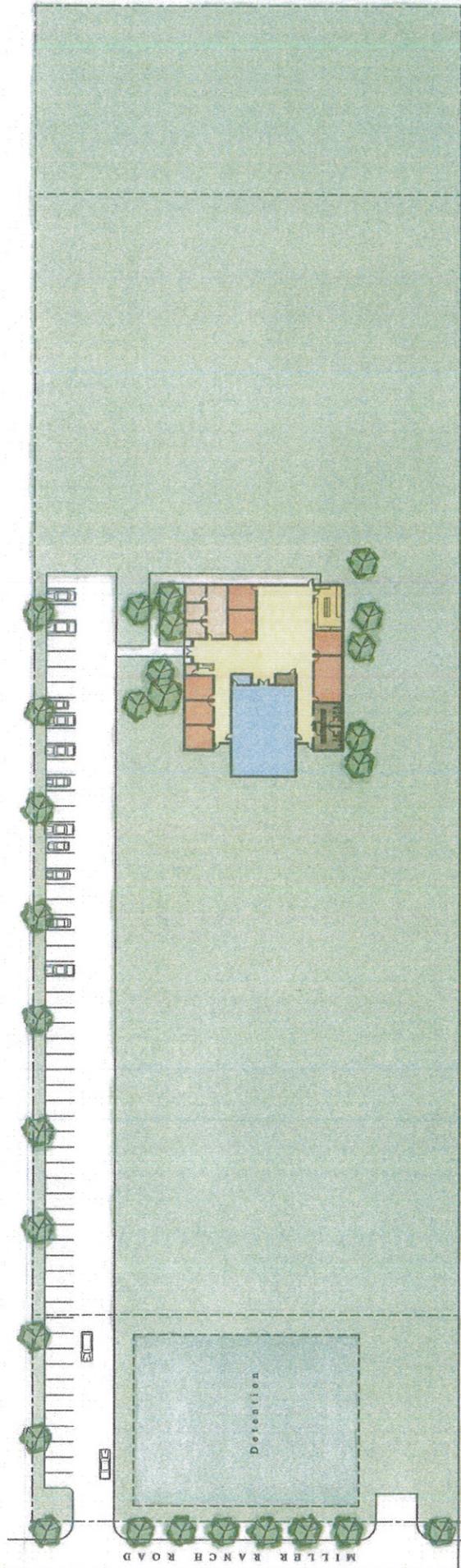
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



# HCC PEARLAND CAMPUS LAND USE PLAN



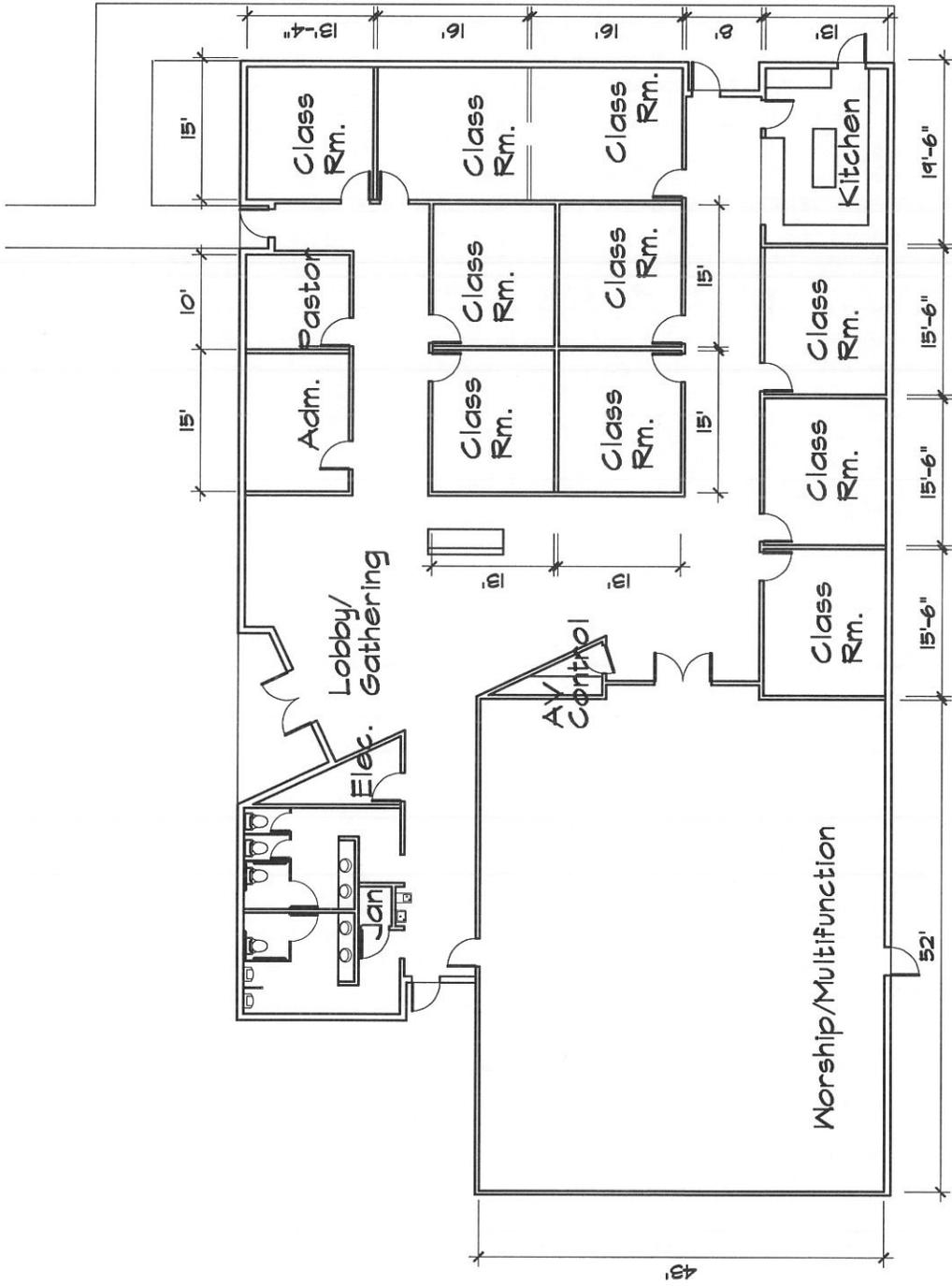
- WORSHIP
- WORSHIP MULTI-FUNCTION
- CIRCULATION
- ADMINISTRATION
- LIBRARY BOOKSTORE/CAFE
- KITCHEN
- SUPPORT
- LEARNING CENTER
- PHASE 3



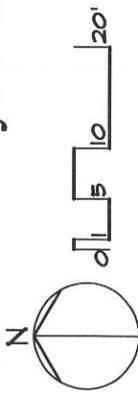
HCC PEARLAND CAMPUS  
LAND USE PLAN - PHASE I



-  WORSHIP  
MULTI-FUNCTION
-  ADMINISTRATION
-  CIRCULATION
-  KITCHEN
-  LEARNING  
CENTER
-  SUPPORT



Phase 1 - Layout 1520 s.f. 4/18/13



# 2012 TAX STATEMENT



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

**Ro'Vin Garrett, RTA**  
**BRAZORIA COUNTY TAX ASSESSOR- COLLECTOR**  
111 E. LOCUST  
ANGLETON, TEXAS 77515

Mailing Address

Legal Description

HOUSTON CHINESE CHURCH  
10305 MAIN ST  
HOUSTON TX 77025-5509

0190 0041

A0304 H T & B R R, TRACT 45, ACRES 5.0

Legal Acres: 5.0000  
Parcel Address: MILLER RANCH RD CR 93

Account No: 0304-0051-000

As of Date: 10/10/2012

Print Date: 10/12/12

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Value	Non-Qualifying Value
Land	Improvement						
\$78,750		\$78,750	\$78,750				\$78,750

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	2012 Tax
		Code	Amount			
BRAZORIA COUNTY	\$78,750		\$0	\$78,750	.42586000	\$335.36
SPECIAL ROAD & BRIDGE	\$78,750		\$0	\$78,750	.06000000	\$47.25
PEARLAND ISD	\$78,750		\$0	\$78,750	1.41940000	\$1,117.78
BRAZORIA DRAINAGE DIST 4	\$78,750		\$0	\$78,750	.15600000	\$122.85
CITY OF PEARLAND	\$78,750		\$0	\$78,750	.70510000	\$555.27

Amount saved by additional sales tax revenue \$63.47  
Exemptions:

TOTAL TAX: \$2,178.51  
TOTAL TAX PAID TO DATE: \$.00  
TOTAL TAX REMAINING: \$2,178.51

**MOUNT DUE IF PAID BY END OF:**

OCTOBER 2012	NOVEMBER 2012	DECEMBER 2012	JANUARY 2013	FEBRUARY 2013	MARCH 2013
\$2,178.51	\$2,178.51	\$2,178.51	\$2,178.51	\$2,331.01	\$2,374.57

**PLEASE PUT YOUR ACCOUNT NUMBER ON ALL CORRESPONDENCE**

TAXES ARE DUE UPON RECEIPT. TAXES WILL BECOME DELINQUENT FEB. 1, 2013. PENALTY AND INTEREST WILL BE ADDED MONTHLY BEGINNING FEB 1, 2013, CERTAIN PERSONAL PROPERTY TAXES REMAINING DELINQUENT ON APRIL 1, 2013, MAY INCUR AN ADDITIONAL COLLECTION FEE OF UP TO 20 %.

FEBRUARY - - 7%    MARCH - - 9%    APRIL - - 11%    MAY - - 13%    JUNE - - 15%    JULY - - 18%    + UP TO 20% ATTORNEY FEE

**TO PAY BY CREDIT CARD VISIT [www.brazoria-county.com/tax](http://www.brazoria-county.com/tax)**  
**OR DIAL 1-866-549-1010 - BUREAU CODE 5820032**  
(THERE WILL BE A SERVICE FEE CHARGED FOR USING YOUR CREDIT CARD)



PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT  
Please DO NOT staple payment to coupon!

**PAY IN U.S. CURRENCY ONLY**

IF NOT MAKING FULL PAYMENT, MARK A BOX

- SPLIT PAYMENT - PAY ONE-HALF BY NOVEMBER 30, 2012 AND ONE-HALF BY JUNE 30, 2013 WITHOUT PENALTY OR INTEREST
- OVER 65 OR DISABILITY HOMESTEAD INSTALLMENTS - PAY 1/4 OF TAXES DUE BY JAN. 31, AND 3 EQUAL INSTALLMENTS BY MARCH 31, MAY 31, AND JULY 31, WITHOUT PENALTY OR INTEREST. (YOU MUST BE RECEIVING THE HOMESTEAD/OVER 65 OR DISABILITY EXEMPTION)  
**PAYMENT OPTION DOES NOT APPLY TO DISABLED VETERANS EXEMPTION.**
- PARTIAL PAYMENT - PARTIAL PAYMENTS IN ANY AMOUNT ACCEPTED

VISA # \_\_\_\_\_  
 MASTERCARD # \_\_\_\_\_  
 DISCOVER CARD # \_\_\_\_\_  
 PHONE NUMBER: \_\_\_\_\_  
 EXPIRATION DATE: \_\_\_\_\_  
 SIGNATURE: \_\_\_\_\_

ACCOUNT NUMBER	CAD NUMBER	PAY BY	AMOUNT DUE
0304-0051-000	168307	JANUARY 31, 2013	\$2,178.51

MARK THIS BOX FOR CHANGE OF ADDRESS. PRINT YOUR NEW ADDRESS ON THE BACK OF COUPON

Certified Owner

HOUSTON CHINESE CHURCH  
10305 MAIN ST  
HOUSTON TX 77025-5509

AMOUNT PAID

**PAY TO:**  
Ro'Vin Garrett, RTA  
TAX ASSESSOR- COLLECTOR  
P.O. BOX 1586  
LAKE JACKSON, TEXAS 77566

ck # 17614  
1/20/13  
2,178.51



03040051000 2012 102012 00000217851 00000217851 00000217851 2

**OFFICIAL TAX RECEIPT**

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

Account No: 0304-0051-000  
Certified Owner: HOUSTON CHINESE CHURCH  
2012 VALUE: 78,750

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

A0304 H T & B R R, TRACT 45, ACRES 5.000

Jr	Year	Levy Paid	P&I
1	2012	335.36	0.00
9	2012	47.25	0.00
28	2012	1,117.78	0.00
54	2012	122.85	0.00
96	2012	555.27	0.00

Parcel Address: MILLER RANCH RD CR 93  
Legal Acres: 5.0000  
Appr No: 168307  
Deposit No: 21231104024  
Paid Date: 01/23/2013  
Total Paid: \$2,178.51  
Check No: 00017614  
Balance Due: \$0.00

Exemption(s): NONE

INT

HOUSTON CHINESE CHURCH  
10305 MAIN ST  
HOUSTON, TX 77025-5509

**WARRANTY DEED**

GF# 7601847

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

Date: July 5, 2007

Grantor: STEVEN C. MUTH

Grantor's Mailing Address: 3595 Hearthstone Court Flatwoods, KY 41139

Grantee: HOUSTON CHINESE CHURCH, a Texas nonprofit corporation

Grantee's Mailing Address: 10305 Main Street Houston, TX 77025

**Consideration:**

The sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the undersigned in hand paid by Grantee herein named, the receipt of which is hereby acknowledged

**Property (including any improvements):**

5.0000 acre tract being the north One-Half of Lot 45 of the Allison Richey Gulf Coast Home Company Subdivision of Section 85, G. T. & B. R.R. Co. Survey, Abstract 304, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 2, Page 107 of the Plat Records, Brazoria County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof

**Reservations from and Exceptions to Conveyance and Warranty:**

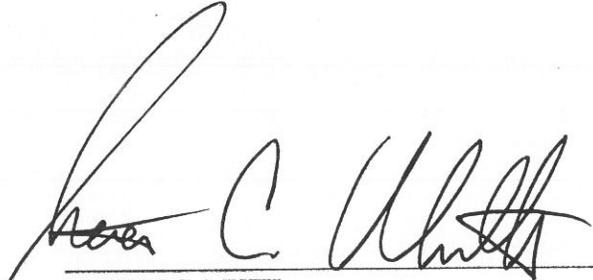
This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, conditions and easements, if any, relating to the herein above described property, but only to the extent they are still in effect, shown of record in the herein above mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the herein above described property.

Grantor, for the consideration and subject to the Reservations from and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee and Grantee's heirs, successors, or assigns forever. Grantor

binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from and Exceptions to Conveyance and Warranty.

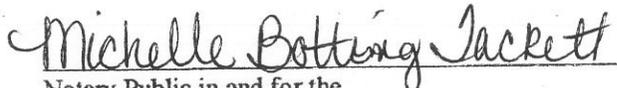
When the context requires, singular nouns and pronouns include the plural.

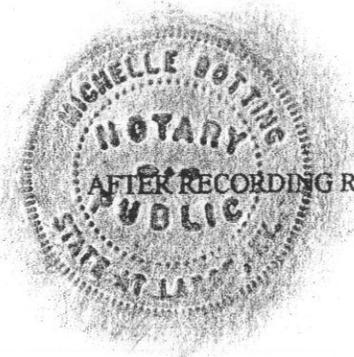
EXECUTED on the date first above written.

  
STEVEN C. MUTH

STATE OF Kentucky )  
COUNTY OF Greenup )

This instrument was acknowledged before me on the 5<sup>th</sup> day of July, 2007, by STEVEN C. MUTH.

  
Notary Public in and for the  
State of Kentucky



AFTER RECORDING RETURN TO:

BAL5/001

## EXHIBIT "A" - LEGAL DESCRIPTION

5.0000 acre tract being the NORTH One-Half of Lot 45 of the Allison Richey GULF Coast Home Company Subdivision of Section 85, G.T.&B.R.R. Co. Survey, Abstract 104, Brazoria County, Texas, according to the map or plat thereof recorded in Volume 2, Page 107, of the Plat Records Brazoria County, Texas, and being more particularly described by metes and bounds on Property Exhibit attached hereto and made apart hereof for

BEGINNING at a 1/2 inch iron rod found at the northeast corner of the aforementioned Lot 45;

THENCE SOUTH a distance of 247.50 feet to a 1/2 inch iron rod set for corner, from which a found 3/8 inch iron rod bears N 01° 06' 50" W, a distance of 6.03, and another found 3/8 inch iron rod bears S 01° 57' 19" W, a distance of 1.22 feet;

THENCE WEST, at a distance of 850.00 feet pass a 1/2 inch iron rod set for reference corner, continuing in all a total distance of 880.00 feet to a point for corner in the centerline of County Road 93 and the west line of Lot 45;

THENCE NORTH along the west line of said Lot 45 and the centerline of County Road 93, a distance of 247.50 feet to a point for corner, being the northwest corner of Lot 45;

THENCE EAST, along the north line of said Lot 45, at a distance of 30.85 feet pass a found old 1 inch pinched top iron pipe, continuing in all a total distance of 880.00 feet to the PLACE OF BEGINNING and containing 5.0000 acres of land, more or less.

**THE COMPANY DOES NOT REPRESENT THAT THE ABOVE  
ACREAGE CALCULATIONS ARE CORRECT.**

CITY OF PEARLAND  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: BDEROSA Type: OC Drawer: 1  
Date: 5/20/13 02 Receipt no: 234169

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$250.00

Trans number: 4090255

CUP HOUSTON CHINESE CHURCH  
MILLER RANCH RD 5 ACRES  
H, ZHUI & D. ZHUI JT TEN  
10002 AUTUMN LAKE TRL  
PEARLAND TX 77584

Tender detail		
CR CHECK	1002	\$250.00
Total tendered		\$250.00
Total payment		\$250.00

Trans date: 5/20/13 Time: 9:27:58

**PLAT FEE**

Payment Type/Code BA

Description: Input who the check is from  
\$250.00

COMMENTS (F10):  
Plat Name CUP

Houston Chinese Church  
Miller Ranch Rd.

Explanation: Plat Fee 5.00 acres

**P&Z AGENDA  
ITEM**

**D**

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD JULY 15, 2013, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Conditional Use Permit No. CUP 2013-06**

A request of Renea Sartain, applicant for James C. Pace, owner, for approval of a Conditional Use Permit to allow for an Adult Daycare in the Old Townsite Mixed Use (OT-MU) zone, on following described property, to wit:

**Legal Description:** Being lots 13, 14 and 15, Block E, Pearland, Brazoria County, Texas, according to the map or plat thereof recorded in the Office of the County Clerk of Brazoria County, Texas in Volume 29, Page 41 of the Deed Records, Brazoria County, Texas.

**General Location:** 3901 Plum St.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

**B. APPLICANT PRESENTATION**

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

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

**VI. ADJOURNMENT**

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



## JOINT PUBLIC HEARING AGENDA ITEM MEETING OF JULY 15, 2013

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### Conditional Use Permit No. CUP 2013-06

At the request of Renea Sartain, applicant for James C. Pace, owner, for approval of a Conditional Use Permit to allow for an Adult Daycare in the Old Townsite Mixed Use (OT-MU) Zoning District, on the following described property, to wit:

**Legal Description:** Being lots 13, 14 and 15, Block E, Pearland, Brazoria County, Texas, according to the map or plat thereof recorded in the Office of the County Clerk of Brazoria County, Texas in Volume 29, Page 41 of the Deed Records, Brazoria County, Texas.

**General Location:** 3901 Plum St.

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested Conditional Use Permit application will be considered as follows:

Planning and Zoning Commission:	July 15, 2013*
City Council for First Reading:	August 12, 2013*
City Council for Second Reading:	August 26 2013*

(\*dates subject to change)

---

**SUMMARY:** Renea Sartain, applicant for James C. Pace, owner, is requesting approval of a Conditional Use Permit (CUP) to allow for the operation of an Adult Daycare at the above referenced location. The applicant has purchased the property and is requesting the CUP to allow them to use the existing building on site for their Adult Daycare operations. Individuals at the facility participate in arts and crafts, work on money management skills and activities of daily living to assist them in functioning better at home and provide them with social interaction. Normal hours of operation will be 8:00am to 4:00pm. The building was formally occupied by a church which has since vacated the property.

The site currently meets all required development conditions for the Old Townsite set forth by the UDC. The building is approximate 3,950 square feet which would require 20 parking spaces. In the Old Townsite, they are permitted to reduce this requirement

by 50% because they are occupying an existing building. This would reduce the total number of required parking spaces to 10. The site currently has 14 spaces.

**SURROUNDING ZONING AND LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Old Town Mixed Use (OT-MU)	Storage Facility
<b>South</b>	Old Town Mixed Use (OT-MU)	Single Family Home
<b>East</b>	Old Town Mixed Use (OT-MU)	Single Family Home
<b>West</b>	Old Town General Business (OT-GB)	Gas Station

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** As previously mentioned, the property is currently zoned Old Townsite Mixed Use (OT-MU). The OT-MU zone allows for reduced setbacks of 0’ in the front, 5’ on the side and 7.5’ in the rear if the property abuts an alley. The current building on site meets these requirements.

	<b>NS</b>	<b>Actual</b>
<b>Lot Width</b>	50’	150’
<b>Lot Depth</b>	100’	125’
<b>Total Lot Area</b>	3,000 Sq. Ft.	18,750 Sq. Ft.

**PLATTING STATUS:** The property was platted as part of the original Pearland Townsite plat of 1894. Any expansion or future development on site would require a new minor plat.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The current Comprehensive Plan (latest update in July 2004) indicates *Village District* for the subject property. The Comprehensive Plan further indicates that an appropriate zoning district for *Village District* is Old Townsite Mixed Use (OT-MU). Therefore, as the subject property is currently zoned Old Townsite Mixed Use (OT-MU), the proposed use, Adult Daycare, would be in compliance with the current Comprehensive Plan with the approval of Conditional Use Permit.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on Plum St. and Houston Ave. Both are local streets, with a minimum 60’ right-of-way.

**AVAILABILITY OF UTILITIES:** The subject parcel has access to public water and public sewer along Houston Ave and Plum St.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The site is currently occupied by a structure that was formerly used for worship services. The proposed use would not generate a significant increase in traffic than the previous use. The property has acted as a transitional buffer from the heavier commercial properties to the west that front Main Street and the more residential uses along Houston and Plum. The proposed use would continue to act as this buffer without adding additional strain to the surrounding neighborhood.

**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.

**PUBLIC NOTIFICATION:** Public notice, comment forms, and a vicinity map were mailed to property owners within 200 feet of the subject property under consideration for the Conditional Use Permit. A legal notice of public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

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

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit No. 2013-06 to allow the operation of a adult Daycare in the Old Townsite Mixed Use (OT-MU) district as proposed by the applicant and owner for the following reasons:

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

**SUPPORTING DOCUMENTS:**

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



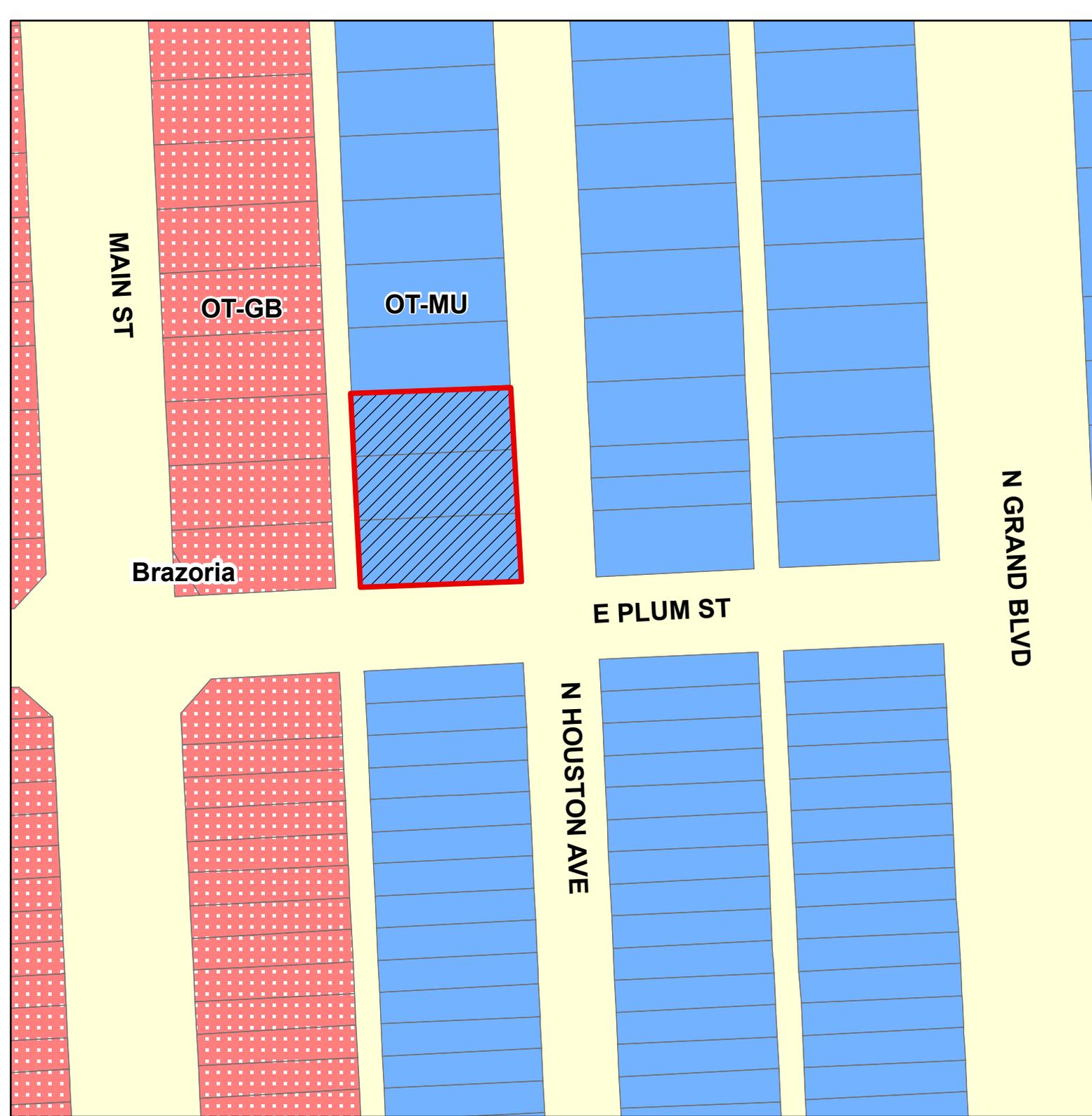
### Zoning and Vicinity Map

CUP 2013-06

3901 Plum St.

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

0 25 50 100 Feet

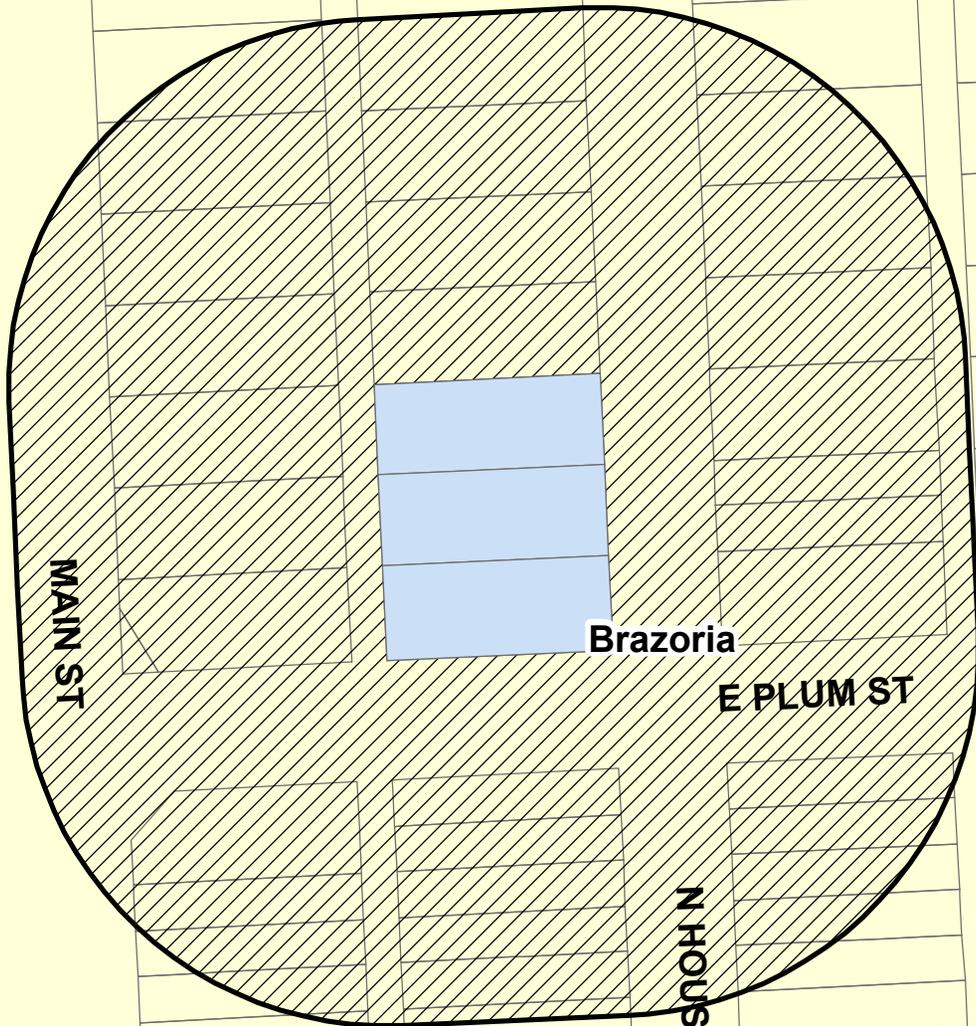




**Abutter Map**

**CUP 2013-06**

**3901 Plum St.**



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0 25 50 100 Feet



## CUP 2013-06

3901 Plum - Adult Daycare in the OT-MU zone

<b>Owner</b>	<b>Street</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
PEARLAND LUMBER CO	PO BOX 1700	PEARLAND	TX	77588-1700
SHAKARISAZ TONY R	601 BRAD CT	WEBSTER	TX	77598-4078
BALDY WILLIAM E	3714 WINGTAIL WAY	PEARLAND	TX	77584-5090
GOOSTREE ANN LOUISE MOCK	212 WESTWOOD DR	FRIENDSWOOD	TX	77546
ORAVETZ ROBERT A	2201 HOUSTON AVE	PEARLAND	TX	77581-4211
VAN EMAN CARY	17920 MACEY RD	HEARNE	TX	77859-9370
LONG CHARLES E & PEGGY F	2230 HOUSTON AVE	PEARLAND	TX	77581-4212
HALFORD HUBERT E JR	PO BOX 2181	PEARLAND	TX	77588-2181
LLEWELLYN CHARLES A & DOROTHY J Revocable Living Trust	12310 THORNBRIAR DR	PEARLAND	TX	77581-2027
RICHTER BEAU A	2113 HOUSTON AVE	PEARLAND	TX	77581
RICHTER BEAU A	2113 HOUSTON AVE	PEARLAND	TX	77581
HELTON MATTHEW A	2402 SHELIA ST	PEARLAND	TX	77581-4444
DAUGHERTY KEVIN & KIMBERLY	2119 HOUSTON AVE	PEARLAND	TX	77581-3403
RUSCHE PROPERTIES I LLC	555 E AIRTEX DR	HOUSTON	TX	77073-6099
HOWARD PAUL E	PO BOX 216	ROSHARON	TX	77583-0216



**FLUP Map**

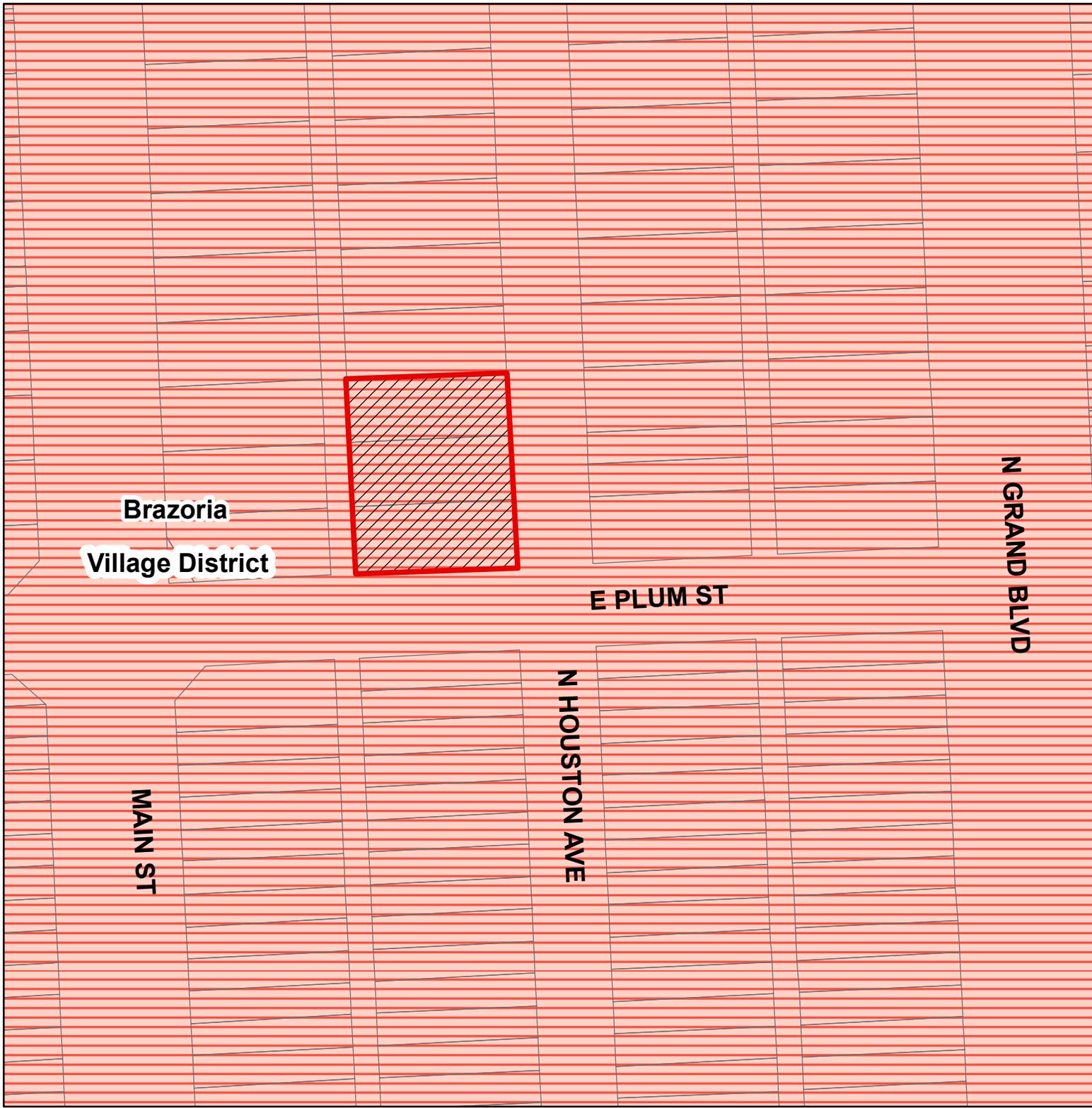
**CUP 2013-06**

**3901 Plum St.**

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**N**

0 25 50 100 Feet



**Brazoria**

**Village District**

**E PLUM ST**

**N GRAND BLVD**

**N HOUSTON AVE**

**MAIN ST**



Aerial Map

CUP 2013-06

3901 Plum St.

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N

0 25 50 100 Feet





# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

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

Conditional Use Permit Request for: Adult Day Habilitation Program  
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: OT-MU

**Property Information:**

Address or General Location of Property: 3901 E Plum St. Pearland, TX 77581

Tax Account No. 74-2357992

Subdivision: \_\_\_\_\_ Lot: 13,14,15 Block: E

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

**PROPERTY OWNER INFORMATION:**

NAME James C. Pace  
ADDRESS 8801 Young Lane  
CITY Austin STATE TX ZIP 78737  
PHONE (512) 947-5809  
FAX( ) \_\_\_\_\_  
E-MAIL ADDRESS jpace@pacetexas.com

**APPLICANT/AGENT INFORMATION:**

NAME Aerea Sartain  
ADDRESS 1101 Joyce Dr.  
CITY Kingview STATE TX ZIP 75604  
PHONE (903) 238-9523  
FAX (903) 238-9528  
E-MAIL ADDRESS rsartain@pacetexas.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: James C. Pace Date: 6-13-13

Agent's/  
Applicant's Signature: Aerea Sartain Date: 6-13-13

**OFFICE USE ONLY:**

FEES PAID: \$ 250	DATE PAID: 6-14-2013	RECEIVED BY: IC	RECEIPT NUMBER: n/a
-------------------	----------------------	-----------------	---------------------

Application No. 2013-06



1101 Jaycee Drive • Longview, TX 75604  
Ph. 903-238-9523 • Fax 903-238-9528

06/13/2013

To whom it may concern:

Pace Opportunity Centers Inc. is requesting the City of Pearland to grant us the option of transferring our Adult Day Habilitation Program to 3901 East Plum Street, Pearland from a previous location in Houston. The building was previously used as a Church, meeting facility for NA groups, and previously a wedding chapel. Our use of the facility would primarily be Monday through Friday 8:00am to 4:00pm for the training and recreation for Adults with intellectual and developmental disabilities. We have been in business for 9 years and operate 3 day habilitation programs throughout Eastern Texas and Houston. We operate under the rules and regulation of the Texas Department of Aging and Disabilities and undergo rigorous annual survey. Our clients are transported to and from our facility so parking of automobiles would only be for our direct care workers, case coordinators and visitors, approx. 10 vehicles at most. Please feel free to look at us online at [www.pacetexas.com](http://www.pacetexas.com) for more information. You will notice on the website that we take great pride in maintaining our facilities in top form. We contract all yard work, landscaping, and maintenance with local affiliates to maintain our facilities in excellent condition. Our individuals at the day habilitation program work on arts and crafts, money management skills, and activities of daily living to assist them in functioning better at home and to give them social interaction. Please contact me with any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Renea Sartain".

Renea Sartain, RN Administrator  
Pace Opportunity Centers, Inc.

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

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

Such sign(s) shall be located as follows:

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

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

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

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

RS/

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**Warranty Deed with Vendor's Lien**

**Date:** May 17, 2013

**Grantor:** VINEYARD CHRISTIAN FELLOWSHIP OF PEARLAND, INCORPORATED,  
a Texas non-profit corporation

**Grantor's Mailing Address:**

VINEYARD CHRISTIAN FELLOWSHIP OF PEARLAND, INCORPORATED  
a Texas non-profit corporation  
P.O. BOX 1577  
PEARLAND, TX 77588-1577  
BRAZORIA County

**Grantee:** JAMES C. PACE, also known as JIM PACE

**Grantee's Mailing Address:**

JIM PACE  
8801 Young Lane  
AUSTIN TX 78737  
TRAVIS County

**Consideration:**

Cash and a note of even date executed by Grantee and payable to the order of Grantor in the principal amount of TWENTY THOUSAND AND NO/100 DOLLARS (\$20,000.00). The note is secured by a first and superior vendor's lien and superior title retained in this deed and by a first-lien deed of trust of even date from Grantee to Susan B. Strickland, Trustee.

**Property (including any improvements):**

Lots 13, 14 and 15, Block E, Pearland, Brazoria County, Texas, according to the map or plat thereof recorded in the Office of the County Clerk of Brazoria County, Texas in Volume 29, Page 41 of the Deed Records, Brazoria County, Texas.

**Reservations from Conveyance:** None

**STEWART TITLE**

1103931834

107/CC

**Exceptions to Conveyance and Warranty:**

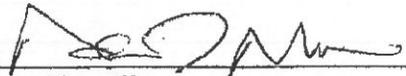
Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2013, which Grantee assumes and agrees to pay, but not subsequent assessments for 2013 and prior years due to change in land usage, ownership, or both, the payment of which Grantor assumes.

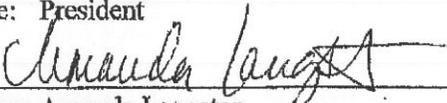
Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

When the context requires, singular nouns and pronouns include the plural.

VINEYARD CHRISTIAN FELLOWSHIP OF  
PEARLAND, INCORPORATED, a Texas non-  
profit corporation

By:   
Name: Alan Allen  
Title: President

By:   
Name: Amanda Langston  
Title: Secretary

STATE OF TEXAS )

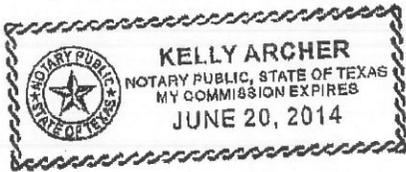
COUNTY OF BRAZORIA )

This instrument was acknowledged before me on May 22, 2013, by Alan Allen, as the President and Amanda Langston, as Secretary of VINEYARD CHRISTIAN FELLOWSHIP OF PEARLAND, INCORPORATED, a Texas non-profit corporation, on behalf of said corporation.

*Kelly Archer*

Notary Public, State of Texas

My commission expires: 6/20/14



AFTER RECORDING RETURN TO:

*Jim Pace*  
*2801 Young Lane*  
*Austin, TX 78737*

## FILED and RECORDED

Instrument Number: 2013024548

Filing and Recording Date: 05/23/2013 01:32:29 PM Pages: 4 Recording Fee: \$24.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in cursive script, appearing to read "Joyce Hudman".

---

Joyce Hudman, County Clerk  
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

***DO NOT DESTROY - Warning, this document is part of the Official Public Record.***

cclerk-jkeels

2012 TAX STATEMENT



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

**Certified Owner:**  
 VINEYARD CHRISTIAN FELLOWSHIP INC  
 PO BOX 1577  
 PEARLAND, TX 77588-1577

**Legal Description:**  
 PEARLAND, BLOCK E, LOT 13-14-15

Account No: 7025-0577-111

Appr. Dist. No.: 237318

Legal Acres: .4304  
 Parcel Address: 3901 E PLUM ST  
 Print Date: 06/14/2013

As of Date: 06/14/2013

Market Value		Appraised Value	Assessed Value	Capped Value	Homestead Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$56,250	\$188,810	\$245,060	\$245,060	\$0	\$0	\$0	\$245,060

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
BRAZORIA COUNTY	\$245,060	XMP	\$245,060.00	\$0	0.4258600	\$0.00
<i>Amount saved by additional sales tax revenue \$ .00</i>						
SPECIAL ROAD & BRIDGE	\$245,060	XMP	\$245,060.00	\$0	0.0600000	\$0.00
PEARLAND ISD	\$245,060	XMP	\$245,060.00	\$0	1.4194000	\$0.00
BRAZORIA DRAINAGE DIST 4	\$245,060	XMP	\$245,060.00	\$0	0.1560000	\$0.00
CITY OF PEARLAND	\$245,060	XMP	\$245,060.00	\$0	0.7051000	\$0.00

Total Tax: \$0.00  
 Total Tax Paid to date: \$0.00  
 Total Tax Remaining: \$0.00

**Exemptions:**  
 XMP EXEMPT

AMOUNT DUE IF PAID BY THE END OF:

JUN 2013 15%	JUL 2013 18%	AUG 2013 19%	SEP 2013 20%	OCT 2013 21%	NOV 2013 22%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DEC 2013 23%	JAN 2014 24%	FEB 2014 25%	MAR 2014 26%	APR 2014 27%	MAY 2014 28%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

School Information:  
 PEARLAND ISD 2012 M&O 1.0400000 I&S .37940000 Total 1.4194000 2011 M&O 1.0400000 I&S .37940000 Total 1.4194000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.148

Print Date: 06/14/2013

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

RO'VIN GARRETT, RTA  
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
 111 E. LOCUST  
 ANGLETON, TEXAS 77515  
 (979) 864-1320, (979) 388-1320, (281) 756-1320



\* 7 0 2 5 0 5 7 7 1 1 1 \*

7025-0577-111  
 VINEYARD CHRISTIAN FELLOWSHIP INC  
 PO BOX 1577  
 PEARLAND, TX 77588-1577

AMOUNT PAID:

\$ \_\_\_\_\_

70250577111 2012 062013 0000000000 0000000000 0000000000 1

**P&Z AGENDA  
ITEM**

**E**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 07/09/2013  
**AGENDA ITEM SUBJECT:** Preliminary Plat of Highland Crossing Section 2

---

Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Geoff Freeman of Kerry R. Gilbert and Associates, applicant, on behalf of Beazer Homes, owner for approval of the Preliminary Plat of Highland Crossing Section 2, generally located 600 feet northwest from the intersection of McHard Rd. and Old Alvin Rd. for 46 lots on 14.9 acres.

**Staff Recommendation: Approval**

Agenda Reviewed by:

HE  
\_\_\_\_\_

Date Reviewed:  
\_\_\_\_\_



# PLANNING AND ZONING COMMISSION MEETING OF JULY 15, 2013

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## Preliminary Plat of Highland Crossing Section 2

A request by Geoff Freeman of Kerry R. Gilbert and Associates, applicant, on behalf of Beazer Homes, owner for approval of the Preliminary Plat of Highland Crossing Section 2, generally located 600 feet northwest from the intersection of McHard Rd. and Old Alvin Rd. for 46 lots on 14.9 acres, on the following described property, to wit

**Legal Description:** Being 14.9 acres of land out of the H.T. &B.R.R. Co. Survey, A-233 and D.H.M. Hunter Survey, A-76 City of Pearland. Brazoria County, Texas.

**General Location:** Approximately 600 feet northwest from the intersection of McHard Rd. and Old Alvin Rd.

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**SUMMARY:** This is a request for a Preliminary Plat of Highland Crossing Section 2, a proposed 46 lot single-family residential subdivision on approximately 14.9 acres. This proposed subdivision is zoned R-2 and has an approved cluster plan in place that allows deviation in lot sizes in return for additional open space and amenities which would not normally be required under the standard development requirements. This preliminary plat is section 1 of the Master Plat of Old Alvin Tract.

The approved cluster plan has a large amount of open space mostly located near the center of the development. A trail is planned down the center of the project located within an existing pipeline easement. The central trail will branch out into the subdivision providing multiple access points.

## SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	GB, R-2	Crosspoint Church, Single Family Residential
South	R-2 Cluster	Old Alvin Tract Vacant Land
East	R-2 Cluster	Old Alvin Tract Vacant Land
West	GC	Vacant Land, Cemetery

**UNIFIED DEVELOPMENT CODE:** The subject parcel is in conformance with the Unified Development Code with the approved cluster plan. The cluster plan allows for a deviation in lot sizes in exchange for additional open and green space. This cluster plan was approved in December of 2012.

**OLD ALVIN CLUSTER PLAN:** The property is zoned R-2 and has an approved cluster plan which permits the applicant to deviate from the required lot sizes. Below is a table showing the requirements for R-2 and the approved cluster plan requirements.

	<b>Table 2: R-4 Single-Family Dwelling District</b>	
	<b>R-2 Requirements</b>	<b>R-2 Cluster Proposed</b>
Minimum Lot Size:	7,000 square feet	6,600 square feet
Minimum Lot Width:	70 Feet	55 Feet
Minimum Lot Depth:	90 Feet	120 Feet
Total Open Space:	No requirement	7.91 Acres

**PLATTING STATUS:** This is the second preliminary plat out of four from the original Master Plat of Old Alvin Tract.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The subject property is within the Low Density Residential land use designations. The Low Density Residential land designation would normally apply to the SR-12 and R-1 zoning designation. These zones require minimum lot sizes of 12,000 and 8,800 square feet. This proposed section is not in conformance with the Low Density Residential land use designation. As previously stated, a Zone Change and Cluster Plan were recently approved for this site, allowing for the proposed lot sizes.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is served by Old Alvin Rd., which is an 80-foot Major Collector. Currently Old Alvin has an approximate paved width of 24 feet. Internally this development will be served by 50-foot local roads.

**TRAFFIC AND TRANSPORTATION:** A Traffic Impact Analysis has been reviewed and accepted by the Engineering Department.

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

**STORMWATER MANAGEMENT:** A Preliminary Drainage Plan will have to be approved by the Engineering Department.

**PARKS, OPEN SPACE, AND AMENITIES:** Parkland dedication fees will be required

prior to approval of any Final Plats. The trail located along and within the pipeline easement will be constructed as part of this section and must be in place prior to the approval of any final plat.

**STAFF RECOMMENDATION:** Staff recommends approval of this Preliminary Plat 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 Unified Development Code with the approved Cluster Plan
3. The request is in conformance with the approved Old Alvin Tract Cluster plan.

**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Zoning Map
- Aerial Map
- Preliminary Plat of Highland Crossing Section 2



### Vicinity and Zoning Map

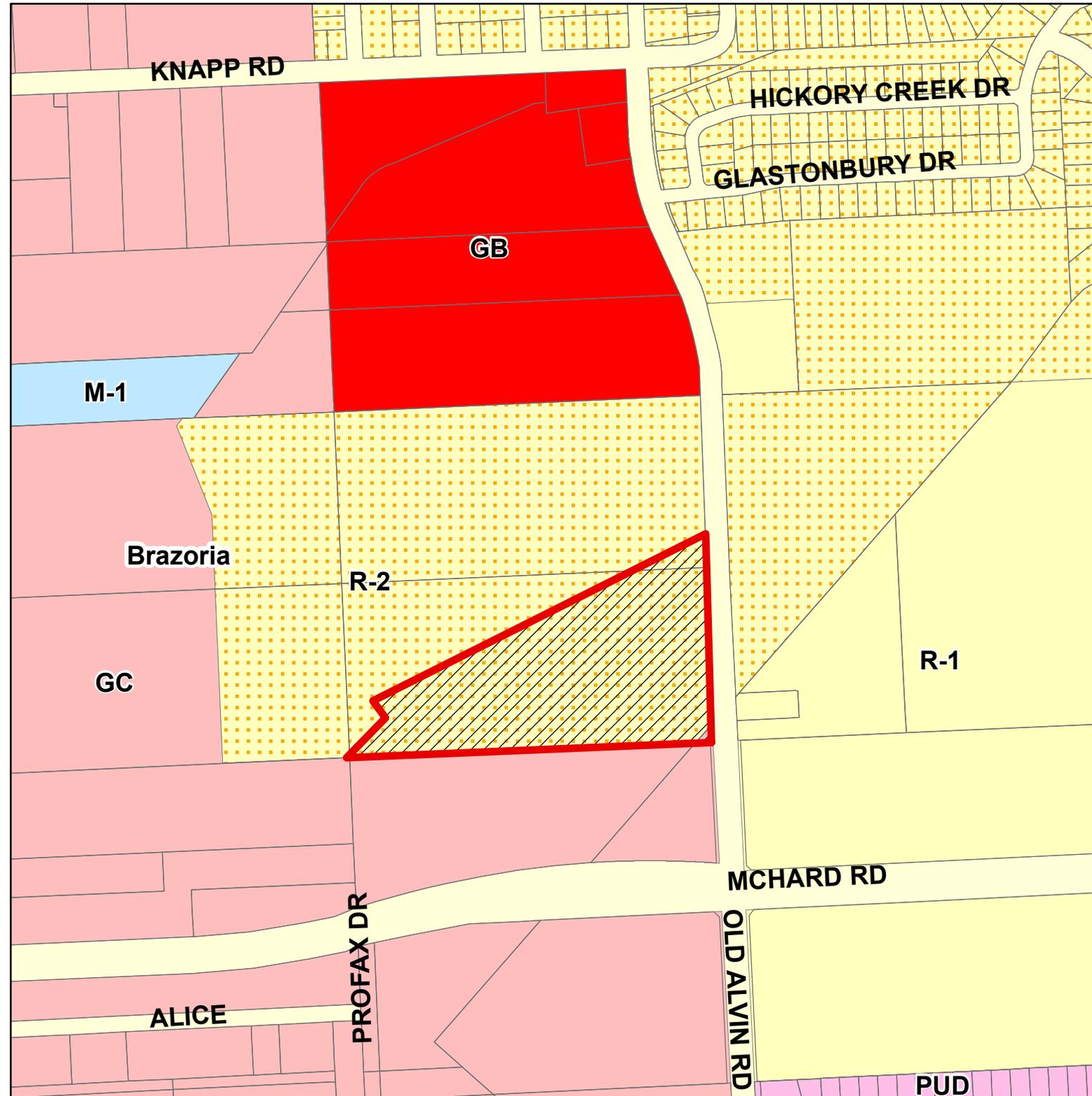
### Preliminary Plat of Highland Crossing Sec. 2

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.

N



0 120 240 480 Feet





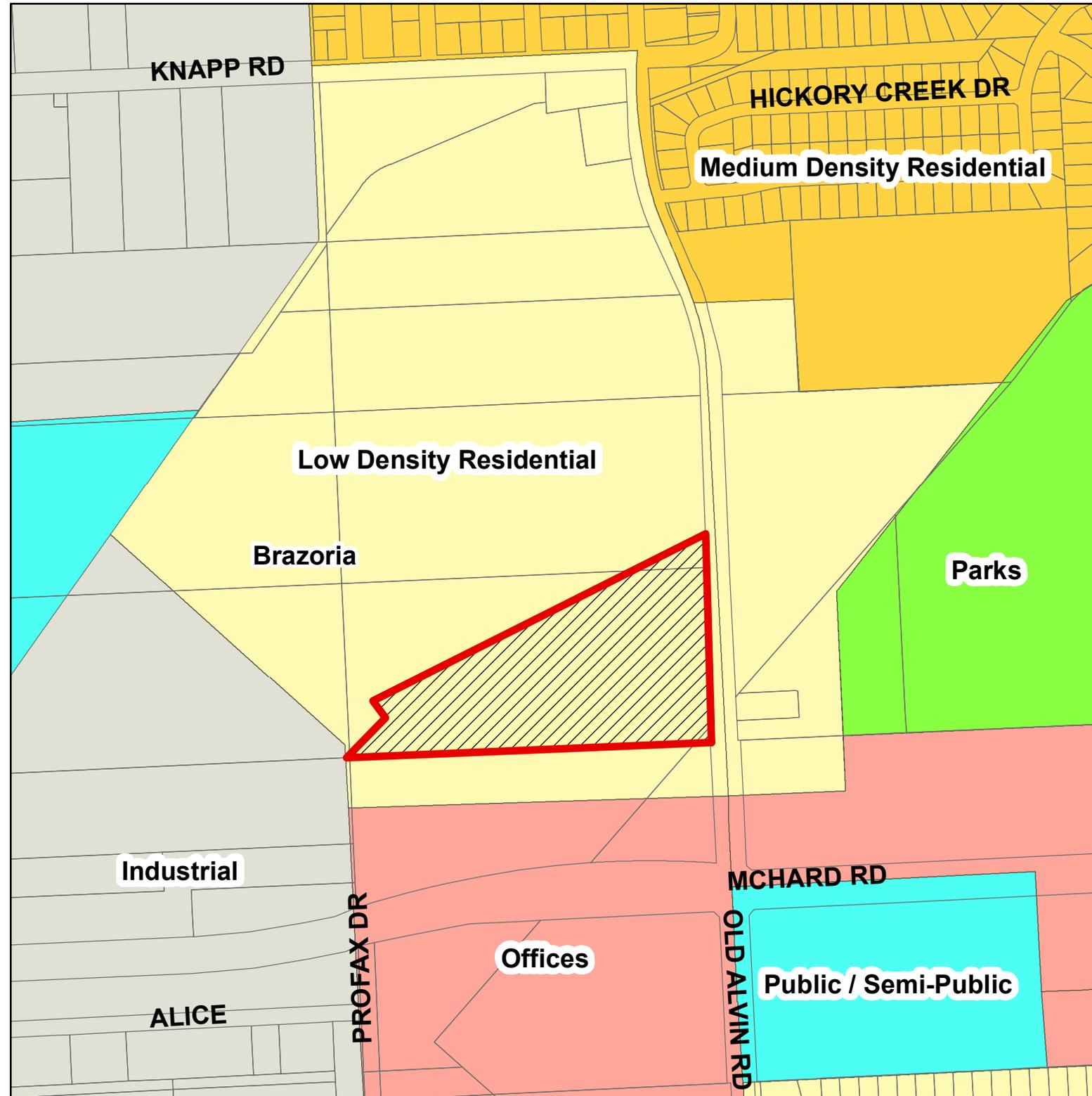
**FLUP Map**

**Preliminary Plat of  
Highland Crossing Sec. 2**

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N

0 120240 480 Feet



KNAPP RD

HICKORY CREEK DR

Medium Density Residential

Low Density Residential

Brazoria

Parks

Industrial

MCHARD RD

Offices

OLD ALVIN RD

Public / Semi-Public

ALICE

PROFAX DR



**Aerial Map**

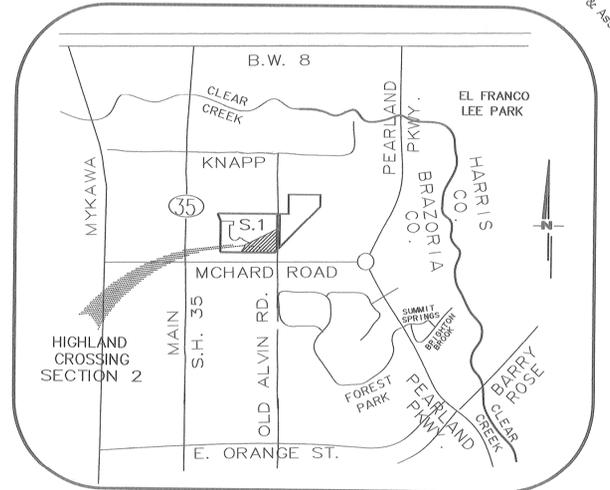
**Preliminary Plat of  
Highland Crossing Sec. 2**

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.

N

0 120240 480 Feet





Vicinity Map  
SCALE: 1"=3000'

- GENERAL NOTES:
- 1.) THERE ARE 11 STREETS/RIGHTS ON THIS PLAT. EACH STREET/RIGHT MAY NOT EXCEED A 200' SEPARATION FROM ONE ANOTHER.
  - 2.) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, WITH THE EFFECTIVE DATE OF SEPTEMBER 1998, THE PROPERTY IS LOCATED PARTIALLY IN ZONE "AE", "X" SHADED, AND "X" UNSHADED.
  - 3.) ALL FLOOR PLAN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP AS SHOWN AT THE TIME THAT THE PLAT IS RECORDED. FLOOR PLAN STATUS IS SUBJECT TO THAT AS FEMA FIRMS ARE UPDATED.
  - 4.) ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AUSTIN SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
  - 5.) ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA COUNTY FLOOD CONTROL.
  - 6.) THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF 3 FEET TWENTY (32) INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR TWENTY (20) INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR 2 FEET TWENTY (22) INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
  - 7.) EROSION REQUIREMENTS FOR THE LOCATION, WIDTH AND DEPTH FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL AND UNITED DEVELOPMENT CODE.
  - 8.) 4" SIDEWALK REQUIRED ON ALL INTERNAL PUBLIC STREET RIGHTS-OF-WAYS CONTAINED WITHIN THE PLAT AND A 6" SIDEWALK IS REQUIRED ALONG OLD ALVIN RD.
  - 9.) THIS SUBDIVISION IS CONSISTENT WITH THE R-2 CLUSTER DEVELOPMENT PLAN.
  - 10.) THIS PROPERTY IS LOCATED WHOLLY WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 3B.
  - 11.) ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
  - 12.) THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY, AND THE CITY OF PEARLAND.
  - 13.) ACCESS RIGHTS TO DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING RESIDENTIAL PROPERTIES.
  - 14.) 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 OF THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDERS OF THE EASEMENT REMAINING 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.
  - 15.) ALL RESERVES REFERENCED ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83), WITH COORDINATES GIVEN IN FEET. COORDINATES SHOWN ARE UNADJUSTED FOR BENCH MARK - MONUMENT GPS - 2 BRASS CAP SET FLUSH IN CONCRETE, STAMPED "CITY OF PEARLAND 2 GPS MON. 1995". THE MONUMENT IS LOCATED IN THE SOUTHWESTERLY INTERSECTION OF BROADWAY ROAD (24' SHD) AND LIBERTY. THE MONUMENT IS 4.0 FEET SOUTHWESTERLY FROM THE WEST SIDE OF BROADWAY BACK OF CURB AND 6.7 FEET NORTHEASTERLY FROM METAL POLE.  $X = 1376742.555$   
 $Y = 1376742.555$   
ELEVATION = 42.45, HWD 28, 1987 ADJUSTMENT. SUBTRACT 0.48 FEET FOR NAD 83 2001 ADJUSTMENT.
  - 16.) THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY TITLE RESOURCES GUARANTEE CO. G.F. NO.1499-12-1073, EFFECTIVE DATE DECEMBER 12, 2002.
  - 17.) ALL REQUIRED SECTION TWO AMENDMENTS PER THE APPROVED CLUSTER PLAN MUST BE CONSTRUCTED PRIOR TO APPROVAL OF THE FINAL PLAT OR A LETTER OF CREDIT IN LIEU OF CONSTRUCTION MUST BE SUBMITTED TO THE CITY PRIOR TO APPROVAL OF THE FINAL PLAT.

Francisco Bernal  
DOC. NO. 2011012498  
B.C.P.R.

Telephone Road Subdivision  
DOC. NO. 2006038796  
B.C.P.R.

H.T. & B.R.R. CO. SURVEY  
ABSTRACT-233  
D.H.M. HUNTER SURVEY  
ABSTRACT-78

LOT AREA SUMMARY

BLOCK 1			BLOCK 2			BLOCK 3		
LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.
1	55'	6,757	1	65'	7,998	1	65'	8,713
2	55'	6,800	2	55'	6,875	2	55'	6,452
3	55'	11,148	3	55'	6,875	3	71'	8,753
4	55'	11,053	4	55'	7,485	4	57'	7,630
5	56'	7,026	5	55'	6,182	5	65'	8,909
6	55'	6,875	6	55'	6,875	6	70'	8,963
7	55'	6,875	7	70'	8,463	7	70'	8,463
8	55'	6,875	8	72'	8,715	8	72'	8,715
9	55'	6,875	9	77'	8,266	9	77'	8,266
10	55'	6,875	10	58'	7,151	10	58'	7,151
11	55'	6,875	11	57'	7,159	11	57'	7,159
12	55'	6,875	12	55'	7,608	12	55'	7,608
13	55'	6,875	13	55'	7,335	13	55'	7,335
14	55'	6,875	14	55'	6,884	14	55'	6,884
15	65'	7,983	15	65'	7,857	15	65'	7,857
			16	65'	7,859	16	65'	7,859
			17	55'	6,597	17	55'	6,597
			18	56'	6,653	18	56'	6,653
			19	60'	7,066	19	60'	7,066
			20	60'	7,285	20	60'	7,285
			21	55'	6,461	21	55'	6,461
			22	65'	8,501	22	65'	8,501
			23	65'	8,174	23	65'	8,174
			24	55'	7,471	24	55'	7,471
			25	55'	7,006	25	55'	7,006

- LEGEND:
- 1.) "C.L.R." INDICATES CENTERLINE RADIUS.
  - 2.) "B.L." INDICATES BUILDING LINE.
  - 3.) "U.E." INDICATES UTILITY EASEMENT.
  - 4.) "W.L.E." INDICATES WATER LINE EASEMENT.
  - 5.) "S.W. SBR. ESMT." INDICATES STORM SEWER EASEMENT.
  - 6.) "S.S.E." INDICATES SANITARY SEWER EASEMENT.
  - 7.) "W.S.E." INDICATES WATER LINE / SANITARY SEWER EASEMENT.
  - 8.) "D.E." INDICATES DRAINAGE EASEMENT.
  - 9.) "S" = STREET LIGHT LOCATION.
  - 10.) "E.E." INDICATES ELECTRICAL EASEMENT.
  - 11.) "B.C.P.R." INDICATES BRAZORIA COUNTY PLAT RECORDS.
  - 12.) "B.C.D.R." INDICATES BRAZORIA COUNTY DEED RECORDS.
  - 13.) "B.C.C.P." INDICATES BRAZORIA COUNTY CLERK RECORDS.
  - 14.) "B.C.R.P.R." INDICATES BRAZORIA COUNTY REAL PROPERTY RECORDS.

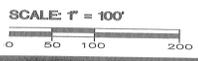
ENCUMBRANCE CERTIFICATE  
This is to certify that I, KEITH MONROE a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground; that all exterior boundary corners of the actual survey have been set; that all block corners, reserve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

KEITH MONROE, R.P.L.S.  
Registration No. 4707

1400 BLOCK OF OLD ALVIN ROAD  
A PRELIMINARY PLAT OF  
**HIGHLAND CROSSING SECTION TWO**  
BEING 14.9± ACRES OF LAND  
CONTAINING 46 LOTS (55' X 120' TYP.) AND  
FOUR RESERVES IN THREE BLOCKS.

OUT OF THE  
H.T. & B.R.R. CO. SURVEY, A-233  
D.H.M. HUNTER SURVEY, A-76  
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS  
OWNER:  
**BEAZER HOMES**  
1010 WEST SAM HOUSTON PARKWAY, #100  
HOUSTON, TEXAS 77064  
ATTN: JEFF ANDERSON, 713-897-2100  
ENGINEER:  
**LJA ENGINEERING, INC.**  
2929 BRIARPARK DRIVE, #600  
HOUSTON, TEXAS 77042  
ATTN: JAMES ROSS, 713-953-5200

PLANNER:  
**KERRY R. GILBERT & ASSOCIATES, INC.**  
Land Planning Consultants



JULY 08, 2013  
KGA# 0428  
23501 Cinco Ranch Blvd.  
Suite A-250  
Katy, Texas 77494  
(281)579-0340

- NOTE:
- A** RESTRICTED RESERVE "A"  
LANDSCAPE/OPEN SPACE  
±0.22 ACRE
  - B** RESTRICTED RESERVE "B"  
LANDSCAPE/OPEN SPACE/  
PIPELINE EASEMENT  
±2.58 ACRES
  - C** RESTRICTED RESERVE "C"  
LANDSCAPE/OPEN SPACE/  
DRAINAGE EASEMENT  
±0.77 ACRE
  - D** RESTRICTED RESERVE "D"  
LANDSCAPE/OPEN SPACE/  
PIPELINE EASEMENT  
±0.29 ACRE

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

**P&Z AGENDA  
ITEM**

**F**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning and Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 07/09/2013  
**AGENDA ITEM SUBJECT:** Master Plat of Kirby Crossing

---

Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Rene Rodriguez, from LJA, applicant, on behalf of New Broadway, LTD, owner for approval a Revised Master Plat of Kirby Crossing on 21.871 acres, generally located at the Southwest corner of Broadway Street and Kirby Drive.

**Staff Recommendation: Approval**

Agenda Reviewed by:

HE  
\_\_\_\_\_

Date Reviewed:  
\_\_\_\_\_



# PLANNING AND ZONING COMMISSION MEETING OF JULY 15, 2013

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## Revised Master Plat of Kirby Crossing

A request by Rene Rodriguez of LJA Engineering, applicant, on behalf of New Broadway, LTD, owner for approval a Revised Master Plat of Kirby Crossing on 21.871 acres of land, on the following described property, to wit:

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

**General Location:** Southwest corner of Broadway Street and Kirby Drive.

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**SUMMARY:** This is a request for a Revised Master Plat of Kirby Crossing, by Rene Rodriguez on behalf of New Broadway, LTD, for property located in the most westerly portion of the Town Center Planned Unit Development. The purpose of the Master Plat is to delineate the sequence and timing of development in order to determine compliance with the City's Comprehensive Plan and capacity of public improvements needed for this subdivision.

The previous Master Plat of Kirby Crossing was approved on in April of 2012 by the Planning and Zoning Commission. This new submittal of the Master Plat for Kirby Crossing is reconfiguring the location of the proposed detention reserve. The lots with frontage along Broadway are not changing and have since been final platted and sold. The rear portion of the development has not yet been final platted.

## **SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	PUD (Shadow Creek Ranch)	Vacant Land
South	PUD (Town Center)	Water Treatment and Fire Station
East	PUD (Town Center)	Pearland Town Center
West	PUD (Ridge Rock)	Vacant Land

**CONFORMANCE WITH THE TOWN CENTER PLANNED UNIT DEVELOPMENT:** The above submittal is in conformance with the Shadow Creek Ranch Planned Unit Development. The subject property is located within Sub-Areas “E” and “G” within this Planned Development. These areas are required to satisfy the parking, open space, and landscaping requirements of this Planned Development, and also have a development plan approved by the Planning Director prior to any building permit being issued.

As parcels within this area are developed, each parcel will have to satisfy the requirements of the Town Center Planned Development. These standards include requirements such as landscaping, undergrounding of utilities, storm water management and permitted uses.

**PLATTING STATUS:** The approval of this Master Plat will allow the continuation of platting of the subject property. A Minor Plat has been submitted and approved for the lots that front onto Broadway.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The Future Land Use designation for the subject land shows a Major Retail Node at the intersection of Broadway Street and Kirby Drive. Additionally, Low Density Residential is also shown on southerly portion of the proposed development. The proposed Master Plat is in conformance with the requirements of the Major Retail Node.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property is served by Broadway Street, a 120-foot Major Thoroughfare and Kirby Drive, a 100-foot Secondary Thoroughfare.

**AVAILABILITY OF UTILITIES:** This area has access to public water and sewer lines from the Broadway Street and Kirby Drive.

**TOWN CENTER IDENTIFYING SIGNAGE:** A total of two additional ground entrance signs depicted in the Town Center Development are permitted in Sub-Areas ‘E’ and ‘G’. These signs would be permitted to have a height of 15 feet and have a total of 100 square feet of signage per face (displaying the name of the development). This is not a requirement of the Pearland Town Center, but would add to the branding of this Western Town Center District.

**ADDITIONAL COMMENTS:** There was an additional comment regarding the entrances to the development and how they should be constructed with landscaping and/or other amenities to look more like a boulevard instead of a commercial driveway. This was approved under the previous Master Plat and has since been constructed per the approved plans.

**STAFF RECOMMENDATION:** Staff recommends approval of this Revised Master Plat as proposed by the applicant for the following reasons and with the following condition:

1. Approval of this Master Plat is in conformance with the Pearland Town Center Planned Development.
2. The planned phasing for this development will assure a high-quality development.
3. Master Plat reflects the approved Traffic Impact Analysis and Drainage Report.

**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Zoning Map
- Aerial Map
- Revised Master Plate of Kirby Crossing

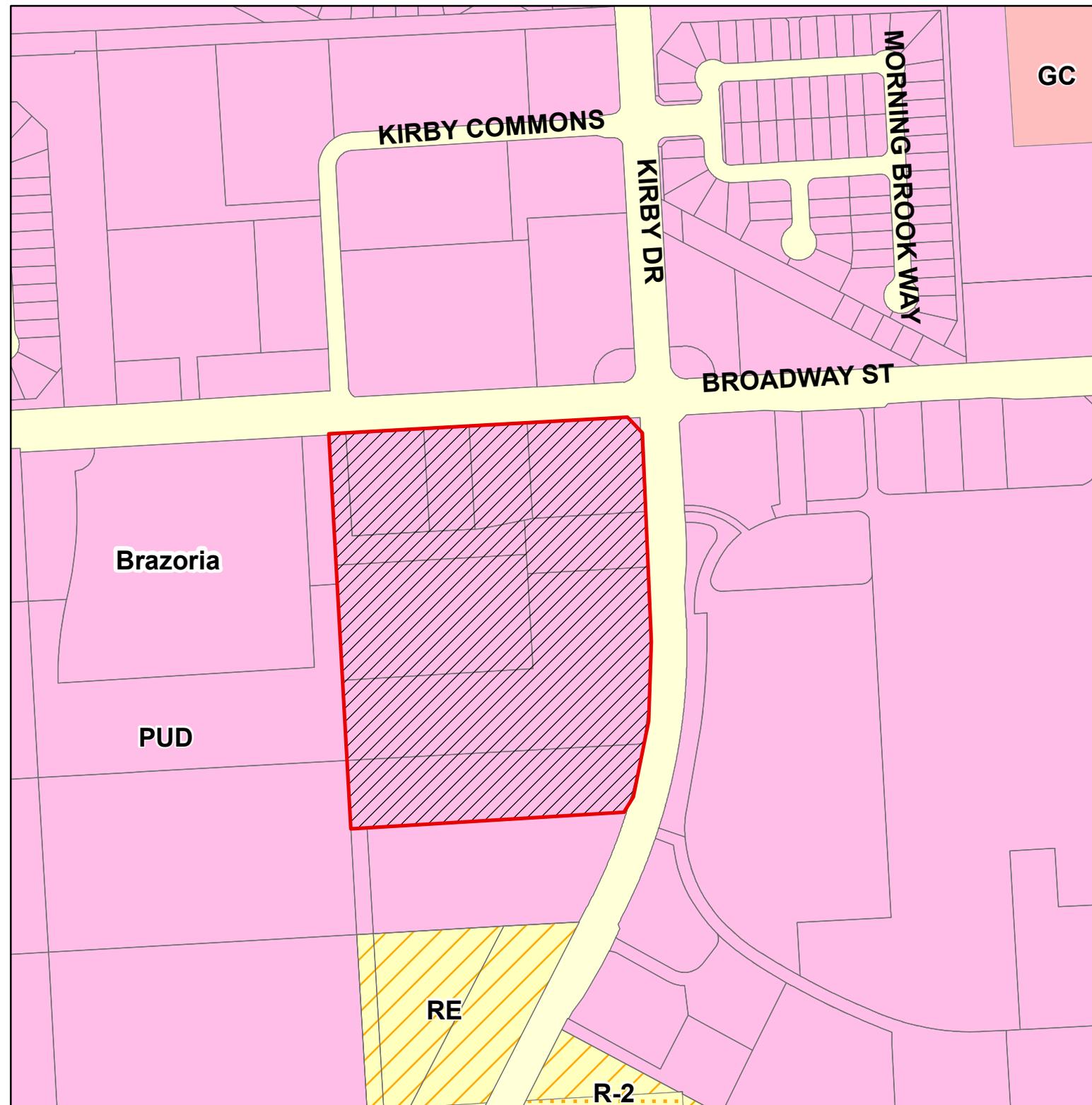


## Vicinity and Zoning Map

### Revised Master Plat of Kirby Crossing

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

0 90 180 360 Feet





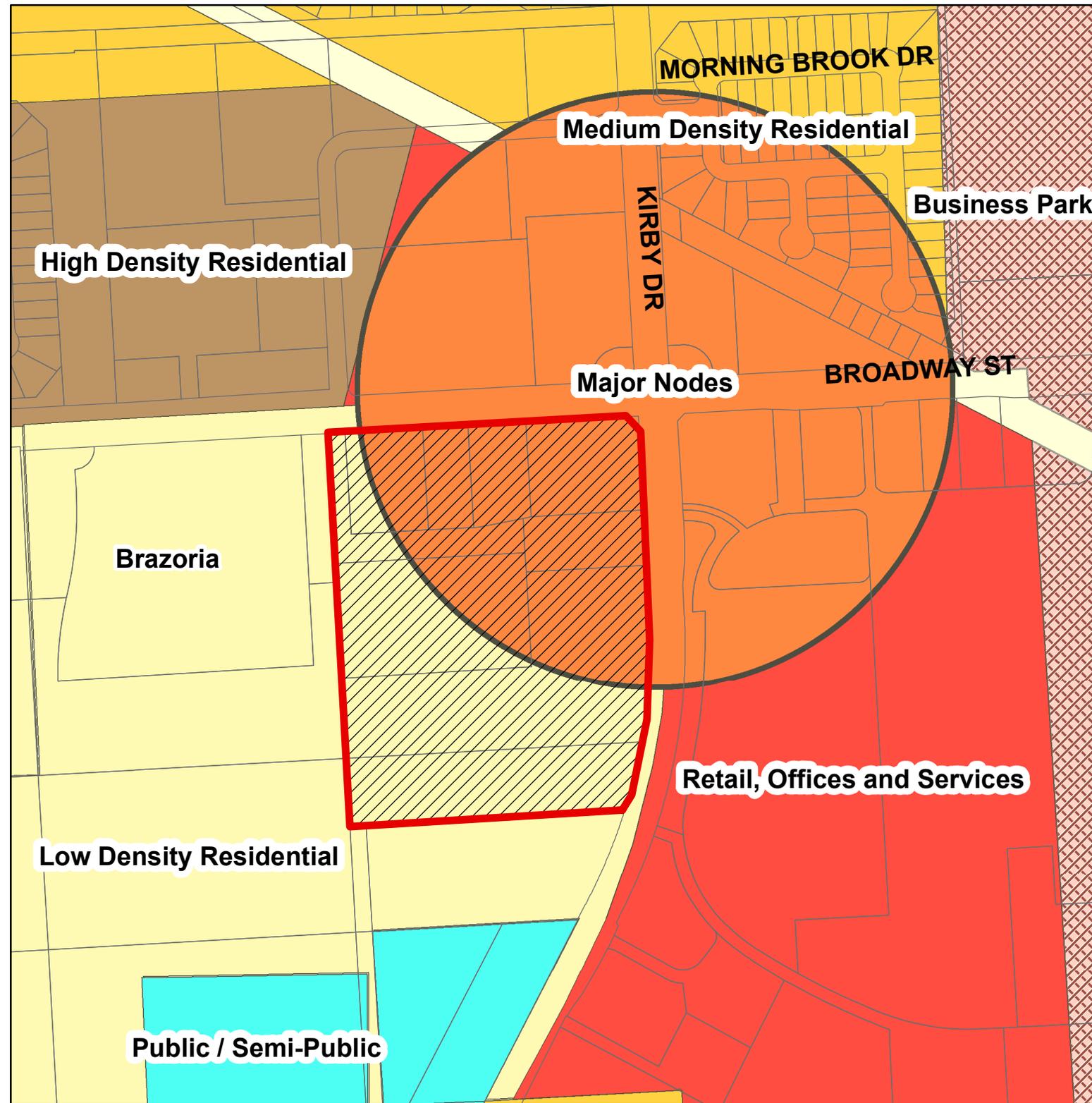
**FLUP Map**

**Revised Master Plat of Kirby Crossing**

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N

0 90 180 360 Feet





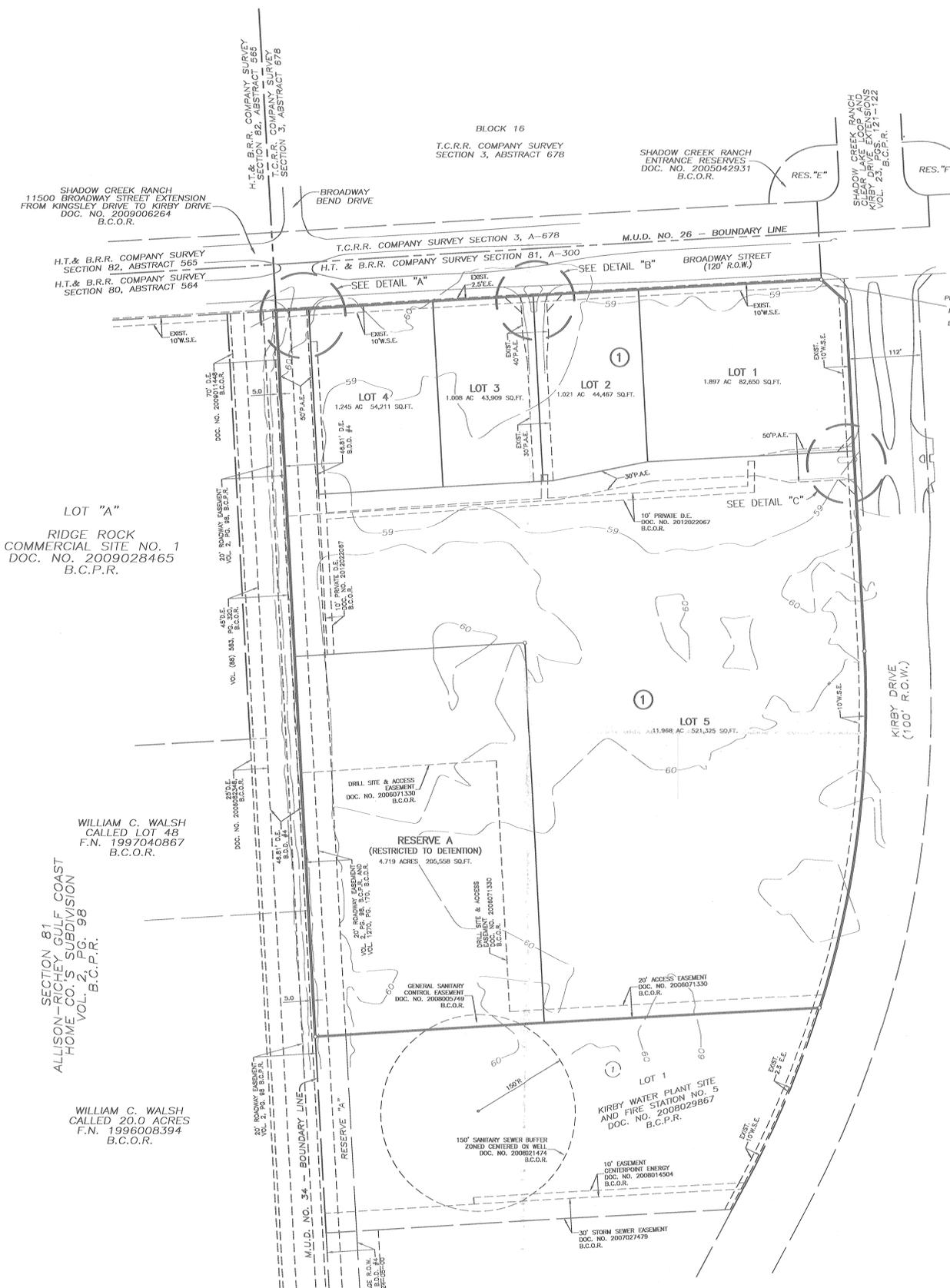
### Aerial Map

### Revised Master Plat of Kirby Crossing

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0 90 180 360 Feet





SHADOW CREEK RANCH  
COMMERCIAL SITE NO. 3  
DOC. NO. 2006023374  
B.C.O.R.

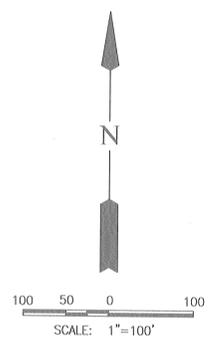
SHADOW CREEK RANCH  
ENTRANCE RESERVES  
DOC. NO. 2005042931  
B.C.O.R.

PEARLAND TOWN CENTER  
LIMITED PARTNERSHIP  
RESERVE OF A CALLED  
6.491 ACRE TRACT  
DOC. NO. 2006069002  
B.C.O.R.

PEARLAND TOWN CENTER  
LOT 1, BLOCK 1  
DOC. NO. 2007008914  
B.C.O.R.

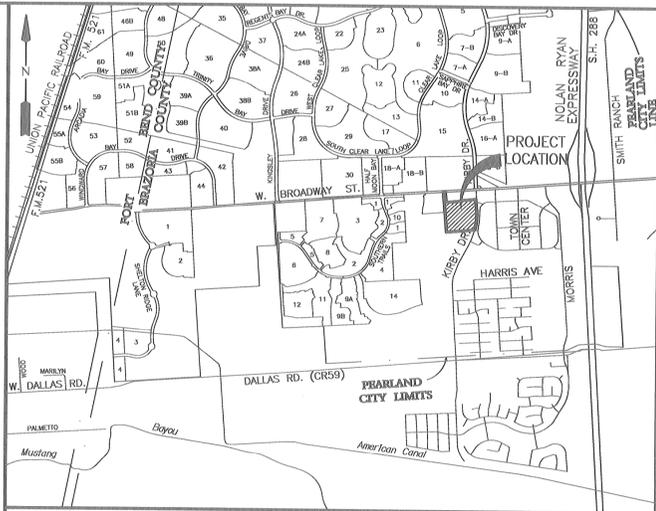
**LEGEND**

- EXIST. INDICATES EXISTING
- U.E. INDICATES UTILITY EASEMENT
- W.L.E. INDICATES WATERLINE EASEMENT
- STM.S.E. INDICATES STORM SEWER EASEMENT
- S.S.E. INDICATES SANITARY SEWER EASEMENT
- W.S.E. INDICATES WATER AND SEWER EASEMENT
- D.E. INDICATES DRAINAGE EASEMENT
- E.E. INDICATES ELECTRICAL EASEMENT
- B.C.P.R. INDICATES BRAZORIA COUNTY PLAT RECORDS
- B.C.D.R. INDICATES BRAZORIA COUNTY DEED RECORDS
- B.C.C.F. INDICATES BRAZORIA COUNTY CLERKS FILE
- B.C.O.P.R. INDICATES BRAZORIA COUNTY OFFICIAL PROPERTY RECORDS
- B.C.M.U.D. INDICATES BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT
- DOC. NO. INDICATES FILE NUMBER
- S.N. INDICATES SEE NOTE



**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 STARTEK TITLE COMPANY, G.F. NO. 7310704527, DATED JUNE 12, 2013. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
3. ALL BEARINGS REFERENCE ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 27), WITH COORDINATES GIVEN IN FEET. COORDINATES SHOWN ARE SURFACE FOR BOTH NAD 27 AND NAD 83 AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A FACTOR OF 0.99987.
4. FIVE-EIGHTHS INCH (5/8") IRON ROD THREE FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED.
5. BENCHMARK:  
CITY OF PEARLAND GPS MONUMENT #9: BRASS CAP SET FLUSH IN CONCRETE, STAMPED "CITY OF PEARLAND 9 GPS MONU, 1995. THE MONUMENT IS LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF THE WEST ACCESS ROAD TO HIGHWAY 288 AND BROADWAY STREET (F.M. 518). THE MONUMENT IS APPROXIMATELY 500 FEET NORTH OF COUNTY ROAD 92 AND 32.5 FEET NORTHWEST OF THE SOUTHWEST CORNER OF A CONCRETE PAD FOR STORM DRAIN INLETS.  
PUBLISHED ELEVATION = 59.03 FT., (NGVD 1929, H.G.C.S.D. 1987 ADJ.)
6. TBM INDICATES TEMPORARY BENCHMARK.  
SET 5/8" IRON ROD WITH TSC - GEOSURV CAP, LOCATED AT THE SOUTHEAST CORNER OF BROADWAY STREET (F.M. 518) AND KIRBY DRIVE.  
ELEVATION = 60.27 FT., (NGVD 1929, H.G.C.S.D. 1987 ADJ.)
7. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48039C 0020H, WITH THE EFFECTIVE DATE OF JUNE 5, 1989, THE PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOOD PLAIN).  
  
ALL FLOOD PLAN 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 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.
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 OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100 YEAR FLOOD PLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
11. ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA DRAINAGE DISTRICT NO. 4.
12. THIS PROPERTY IS NOT LOCATED WITHIN A MUNICIPAL UTILITY DISTRICT AT THE TIME OF PLATTING.
13. ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
14. DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL AND UNIFIED DEVELOPMENT CODE.
15. THIS PROPERTY IS ZONED SCR PUD AT THE TIME OF PLATTING.

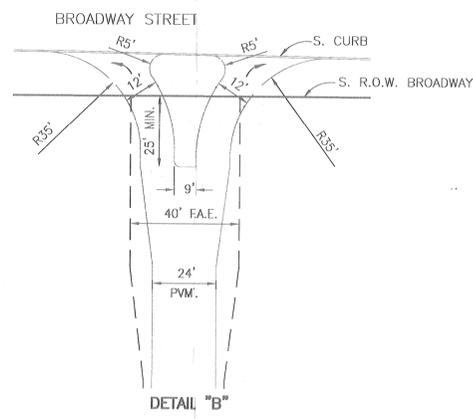
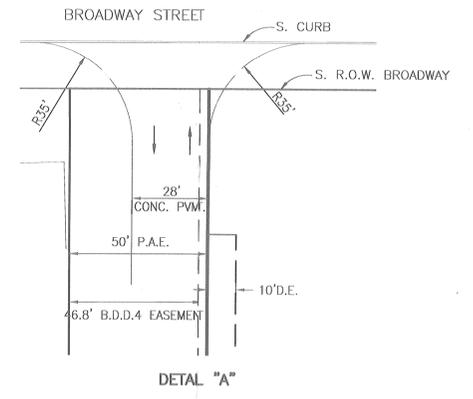


VICINITY MAP  
SCALE: 1"= 1/2 MILE  
KEY MAP NO. 612-R

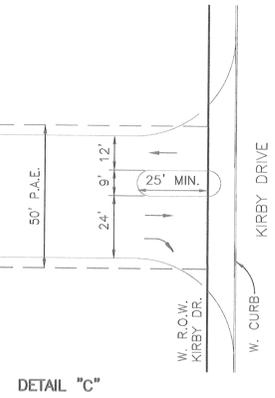
RESERVES/LOTS	PHASE
LOT 1	PHASE 1
10' D.E.	PHASE 1
30' P.A.E.	PHASE 1
LOT 2	PHASE 1
LOT 3	PHASE 1
LOT 4	PHASE 1
LOT 5	PHASE 2
RESERVE A	PHASE 2
50' P.A.E.	PHASE 2

PHASE 1 WILL INCLUDE PAVING BETWEEN LOTS 2 AND 3.  
PHASE 2 WILL INCLUDE PAVING WITHIN DEDICATED P.A.E.'S ON WESTSIDE OF LOT 4; AND ALONG THE SOUTH LINE OF LOTS 1, 2, 3 & 4.

6-19-13 Submitter Date  
DRC Date 6-25-13  
Please review plat and return to the Planning Dept. by 6-27-13



ENTRY WAY DETAILS  
SCALE: 1"=30'



DETAIL "C"

**MASTER PLAT  
KIRBY CROSSING**

A SUBDIVISION OF 21.871 ACRES OUT OF THE H.T. & B.R.R. COMPANY SURVEY, SECTION 81, ABSTRACT 300, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, BEING ALL OF KIRBY CROSSING SECTION ONE FIRST AMENDING PLAT, A SUBDIVISION RECORDED IN DOCUMENT NO. 2012041370, BRAZORIA COUNTY OFFICIAL RECORDS,

5 LOTS 1 RESERVE (4.719 ACRES) 1 BLOCK  
JUNE 19, 2013 JOB NO. 2068-0002-203

OWNERS:  
**NEW BROADWAY, LTD.**  
A TEXAS LIMITED PARTNERSHIP  
PEYTON MARTIN, PRESIDENT  
8807 W. SAM HOUSTON PARKWAY, SUITE 200  
HOUSTON, TEXAS 77040

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

**P&Z AGENDA  
ITEM**

**G**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 07/09/2013  
**AGENDA ITEM SUBJECT:** Final Plat of Shelton Ridge Lane Phase 2

---

Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Rene Rodriguez – LJA Engineering Inc., applicant, on behalf of 518SCR, LTD, owner, for approval of a Final Plat of Shelton Ridge Lane Phase 2 a 8.163 acre street dedication located within the Southlake Subdivision, generally located a half mile west of the southwest corner of Broadway Street and Kingsley Drive.

**Staff Recommendation: Approve**

<b>Agenda Reviewed by:</b> HE _____
<b>Date Reviewed:</b> _____



# PLANNING AND ZONING COMMISSION MEETING OF JULY 15, 2013

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## Final Plat of Shelton Ridge Lane Phase 2

A request by Rene Rodriguez – LJA Engineering, applicant, on behalf of 518 SCR, LTD, owner, for approval of a Final Plat of Shelton Ridge Lane Phase 2, a 8.163 acre street dedication located within the Southlake Subdivision, to wit

**Legal Description:** Being a subdivision of 8.163 acres of land located in the H. T. & B. R.R. Co. Survey, Sec. 84, Abstract Number 538, City of Pearland, Fort Bend County, Texas, being a portion of that certain called 315.292 acre tract of land conveyed to 518SCR, LTD. by instrument of record in File No. 2011089118, Official Public Records, Fort Bend County, Texas (F.B.C.O.P.R.) and in Document No. 2011036869, Official Public Records, Brazoria County, Texas (B.C.O.P.R.).

**General Location:** A half mile west of the southwest corner of Broadway Street and Kingsley Drive.

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**SUMMARY:** This is a request for a Final Plat of Shelton Ridge Lane Phase 2, a 8.163 acre street dedication located within the Southlake Subdivision. The proposed street is located within the Shadow Creek Ranch Addendum Planned Unit Development. The Shadow Creek Ranch Addendum was approved on February 23, 2006 for approximately 453 acres of land within the City of Pearland. This Preliminary Plat is for a portion of the road in phase 2 of this Development. This the second phase of the previously approved Shelton Ridge – Hannover Heights Final Plat, approved on January 7, 2013. This second phase will serve future sections of the Southlake Subdivision and complete the connection from Broadway to the edge of the development.

## SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	SD (Suburban Development)	Vacant Land
South	ETJ	Single Family Residential, Vacant Land
East	PUD (Planned Unit Development – Southern Trails), ETJ	Single Family Residential (Southern Trails)
West	ETJ	Vacant Land, Single Family Residential

**UNIFIED DEVELOPMENT CODE:** The Unified Development Code does not apply to the subject development as it is under the previous Subdivision Ordinance and Land Use and Urban Design Guidelines.

**LAND USE & URBAN DEVELOPMENT ORDINANCE:** The Shadow Creek Ranch Planned Unit Development has its own land use regulations from the approved PUD, in addition to the Land Use and Urban Development Ordinance. The proposed plat does conform to the Land Use and Urban Development Regulations.

**PLATTING STATUS:** The preliminary plat for this street was approved in March of 2013. This section is in conformance with the approved Master Plat of Shadow Creek Ranch Village 7.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** Southlake Section 1 and 2 will be served by the 80 foot street right-of-way called Shelton Ridge, which is shown in this plat. This next phase of Shelton Ridge Lane will serve future sections of the Southlake Subdivision including Section 3 and 4. This road is in conformance with the thoroughfare plan. The current plat shows a right-of-way of 70'. This is required to be an 80' right-of-way as per the approved Shadow Creek Ranch Planned Development.

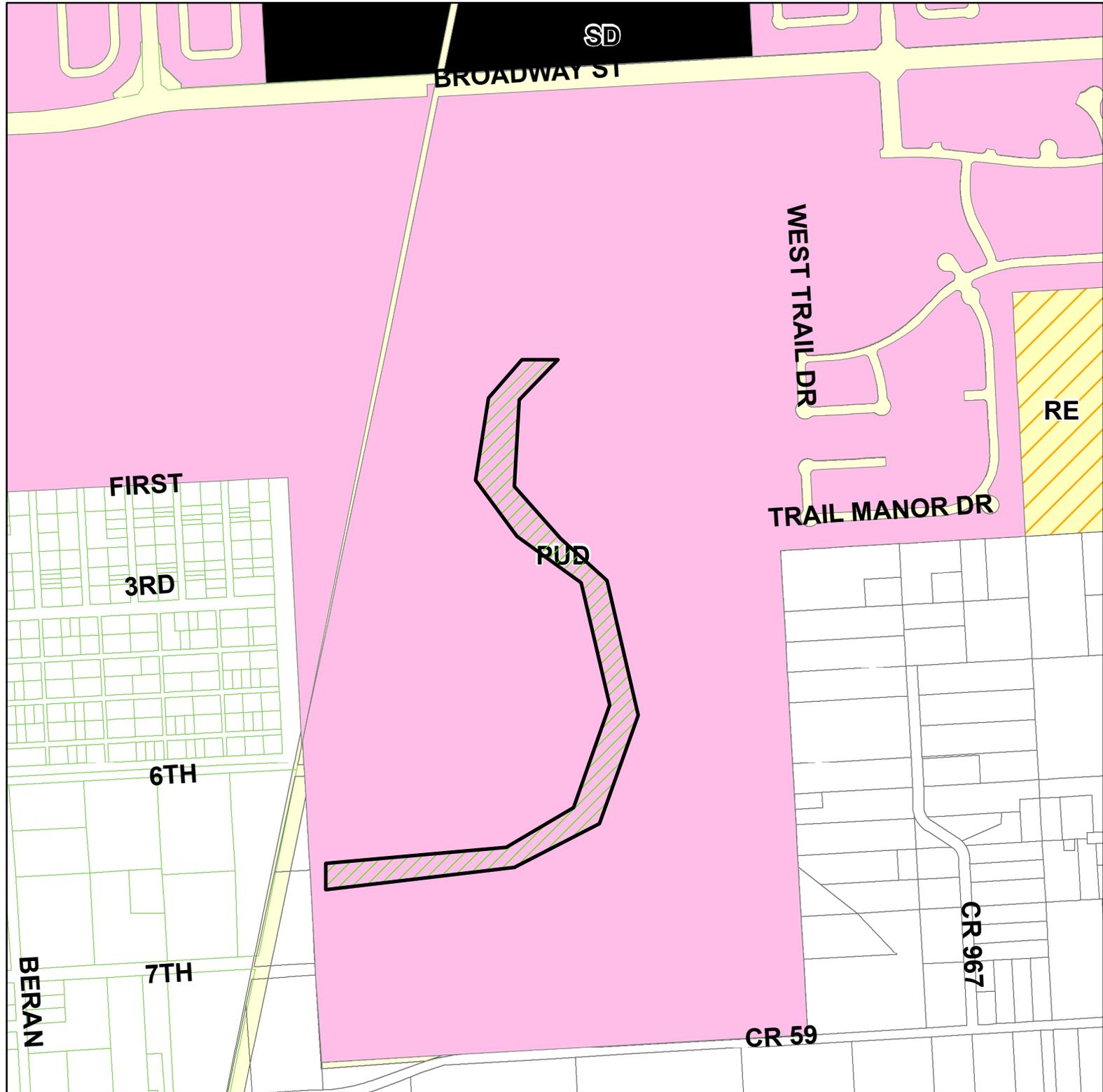
**TRAFFIC AND TRANSPORTATION:** A Traffic Impact Analysis has been reviewed and approved by the Engineering Department.

**STAFF RECOMMENDATION:** Staff recommends approval of this Final Plat as proposed by the applicant for the following reasons and the following condition:

1. The proposed final 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 Shadow Creek Ranch Development as well as the Land Use and Urban Development Ordinance.

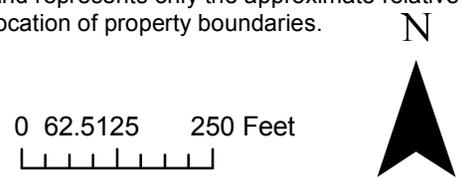
**SUPPORTING DOCUMENTS:**

- Vicinity and Zoning Map
- Land Use Map
- Aerial Map
- Final Plat of Shelton Ridge Lane Phase 2



**Vicinity Map**  
**Final Plat of**  
**Shelton Ridge Lane**  
**Phase 2**

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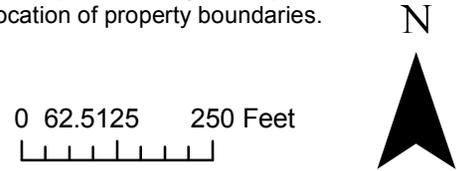




**FLUP Use Map**

**Final Plat of Shelton Ridge Lane Phase 2**

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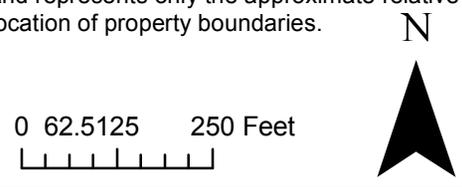


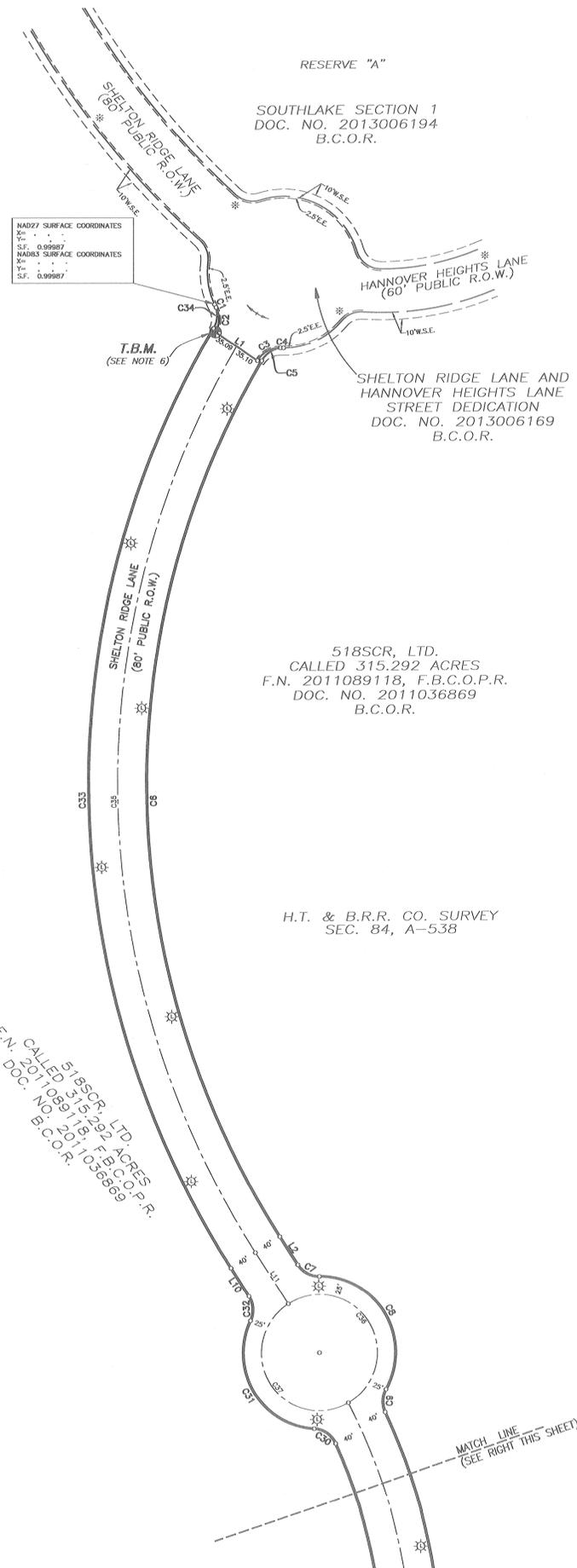


### Aerial Map

### Final Plat of Shelton Ridge Lane Phase 2

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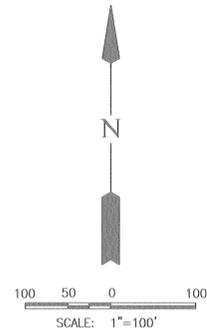


**LINE TABLE**

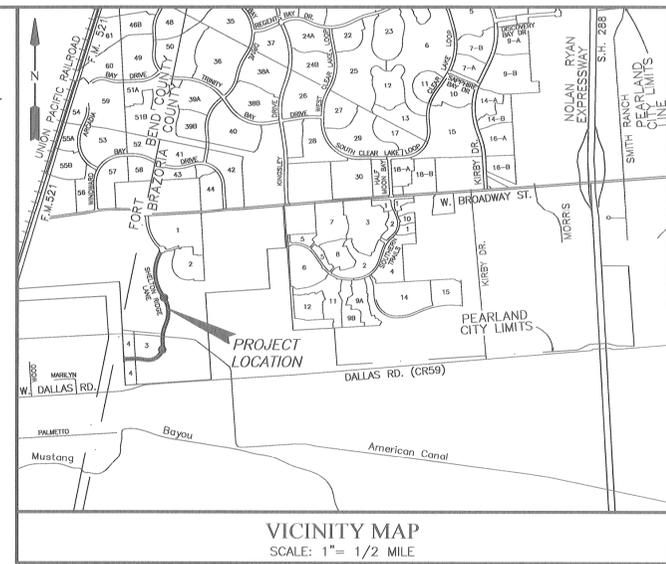
LINE	BEARING	DISTANCE
L1	S 55-29-04 E	70.19
L2	S 32-36-04 E	46.09
L3	S 04-43-48 W	172.26
L4	S 03-00-13 E	138.02
L5	N 80-38-27 W	137.45
L6	N 03-13-07 W	150.00
L7	S 80-38-27 E	137.45
L8	N 03-00-13 W	138.02
L9	N 04-43-48 E	172.26
L10	N 32-36-04 W	46.09
L11	S 32-36-04 E	84.31

**CURVE TABLE**

CURVE	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
C1	105.00	2-28-41	4.48	2.24	4.48	S 26-21-22 E
C2	35.00	57-58-44	35.42	19.39	33.83	S 01-24-39 W
C3	35.00	62-13-25	38.01	21.12	36.17	N 61-15-52 E
C4	105.00	2-20-25	4.29	2.14	4.29	S 88-47-38 E
C5	35.00	59-44-33	36.49	20.10	34.86	S 60-09-53 W
C6	1160.00	62-53-41	1273.35	709.38	1210.38	S 01-09-14 E
C7	35.00	57-36-27	35.19	19.24	33.73	S 61-24-18 E
C8	105.00	119-07-06	218.30	178.68	181.05	S 30-38-59 E
C9	35.00	53-51-59	32.91	17.78	31.71	S 01-58-34 W
C10	890.00	44-14-21	887.19	361.75	670.24	S 02-50-14 E
C11	410.00	14-33-08	104.13	52.35	103.85	S 12-00-22 W
C12	410.00	7-44-01	55.34	27.71	55.30	S 00-51-48 W
C13	490.00	5-41-59	48.75	24.39	48.73	S 00-09-13 E
C14	35.00	50-53-32	31.09	16.65	30.08	S 22-44-59 E
C15	105.00	128-43-26	237.73	223.76	190.11	S 18-39-58 W
C16	35.00	50-53-32	31.09	16.65	30.08	S 56-04-55 W
C17	490.00	68-43-24	587.73	335.03	553.13	S 64-59-51 W
C18	1155.00	12-34-40	253.55	127.29	253.04	N 86-55-47 W
C19	35.00	89-59-59	54.98	35.00	49.50	S 41-46-53 W
C20	35.00	89-59-59	54.98	35.00	49.50	S 48-13-07 E
C21	1235.00	12-34-40	271.11	136.10	270.57	S 86-55-47 E
C22	410.00	66-08-51	473.34	267.01	447.49	N 66-17-08 E
C23	35.00	66-15-29	40.47	22.84	38.26	N 00-04-58 E
C24	105.00	99-25-28	182.20	123.87	160.19	N 16-39-58 E
C25	35.00	66-15-29	40.47	22.84	38.26	N 33-14-58 E
C26	410.00	3-07-26	22.35	11.18	22.35	N 01-26-30 W
C27	490.00	7-44-01	66.14	33.12	66.09	N 00-51-48 E
C28	490.00	14-33-08	124.45	62.56	124.12	N 12-00-22 E
C29	810.00	43-31-51	615.40	323.41	600.71	N 02-28-59 W
C30	35.00	61-52-49	37.80	20.98	35.99	N 55-11-20 W
C31	105.00	111-08-08	203.67	153.16	173.21	N 30-33-41 W
C32	35.00	57-36-27	35.19	19.24	33.73	N 03-47-51 W
C33	1240.00	63-08-55	1366.67	782.09	1298.54	N 01-01-37 W
C34	35.00	55-40-52	34.01	18.49	32.69	N 02-42-25 E
C35	1200.00	62-52-53	1316.98	733.65	1251.88	S 01-09-38 E
C36	80.00	182-41-50	255.09	3398.12	159.96	S 31-15-09 E
C37	80.00	177-18-10	247.56	3398.12	159.96	S 31-15-09 E
C38	850.00	46-29-20	689.68	365.09	670.91	S 03-57-44 E
C39	450.00	14-33-08	114.29	57.46	113.99	S 12-00-22 W
C40	450.00	7-44-01	60.74	30.42	60.69	S 00-51-48 W
C41	450.00	0-28-13	74.38	37.27	74.29	S 01-43-54 W
C42	80.00	190-11-58	265.57	896.44	159.37	S 16-39-58 W
C43	80.00	169-48-02	237.09	896.44	159.37	S 16-39-58 W
C44	450.00	72-29-38	569.36	329.92	532.14	S 63-06-44 W
C45	1195.00	12-34-40	262.33	131.70	261.81	N 86-55-47 W



H.T. & B.R.R. CO. SURVEY  
SEC. 84, A-538



**LEGEND**

- ⊕ T.B.M. TEMPORARY BENCHMARK
- ⊙ PROPOSED STREET LIGHT
- ⊙ EXISTING STREET LIGHT
- E.E. ELECTRICAL EASEMENT
- U.E. UTILITY EASEMENT
- W.S.E. WATER AND SEWER EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- STM.S.E. STORM SEWER EASEMENT
- W.L.E. WATER LINE EASEMENT
- F.N. FILE NUMBER
- F.B.C.P.R. FORT BEND COUNTY PLAT RECORDS
- F.B.C.O.P.R. FORT BEND COUNTY OFFICIAL PUBLIC RECORDS
- F.B.C.D.R. FORT BEND COUNTY DEED RECORDS
- B.C.O.P.R. BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS
- B.C.D.R. BRAZORIA COUNTY DEED RECORDS
- B.C.P.R. BRAZORIA COUNTY PLAT RECORDS
- B.C.O.R. BRAZORIA COUNTY OFFICIAL RECORDS
- F.B.C.M.R. FORT BEND COUNTY MAP RECORDS
- STREET NAME CHANGE

6-19-13 Submittal Date  
DRC Date: 6-25-13  
Please review plat and return to the  
Platting Office by 6-27-13

13000 BLOCK OF SHELTON RIDGE LANE  
**FINAL PLAT OF  
SHELTON RIDGE LANE PHASE 2  
STREET DEDICATION**

A SUBDIVISION OF 9.122 ACRES OF LAND SITUATED IN THE  
H.T. & B.R.R. CO. SURVEY, SECTION 84, ABSTRACT 538,  
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

JUNE 19, 2013 JOB NO. 2027-0702C-310

OWNERS:  
**518SCR, LTD.,**  
A TEXAS LIMITED PARTNERSHIP  
BY: PSWA, INC., A TEXAS CORPORATION  
ITS SOLE GENERAL PARTNER  
GERALD W. NOTEBOOM, SENIOR EXECUTIVE VICE PRESIDENT  
9000 GULF FREEWAY, STE. 300, HOUSTON, TEXAS 77017

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

**P&Z AGENDA  
ITEM**

**H**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 07/09/2013  
**AGENDA ITEM SUBJECT:** Final Plat of Southlake Section 3

---

Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Rene Rodriguez, from LJA, applicant, on behalf of 518 SCR, LTD, owner, for approval of a Final Plat of Southlake Section Three, a 41 lot single-family residential subdivision, generally located Approximately three quarters of a mile south of the intersection of Broadway and Shelton Ridge Lane.

**Staff Recommendation: Approval**

Agenda Reviewed by:

HE  
\_\_\_\_\_

Date Reviewed:  
\_\_\_\_\_



# PLANNING AND ZONING COMMISSION MEETING OF JULY 15, 2013

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## Final Plat of Southlake Section Three

A request by Rene Rodriguez, from LJA, applicant, on behalf of 518 SCR, LTD, owner, for approval of a Final Plat of Southlake Section Three, a 41 lot single-family residential subdivision, to wit:

**Legal Description:** A subdivision of 14.485 acres of land located in the H.T. & B.R.R. Co. Survey, Sec. 84, Abstract Number 538, City of Pearland, Brazoria County, Texas, being a portion of that certain called 315.292 acre tract of land conveyed to 518SCR, LTD. By instrument of record in File No. 2011089118, Official Public Records, Fort Bend County, Texas (F.B.C.O.P.R.) and in Document No. 2011036869, Official Public Records, Brazoria County, Texas (B.C.O.P.R.).

**General Location:** Approximately three quarters of a mile south of the intersection of Broadway and Shelton Ridge Lane.

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**SUMMARY:** This is a request for a Final Plat of Southlake section three, a proposed 41 lot single-family residential subdivision on approximately 14.485 acres. This proposed subdivision is located within the Shadow Creek Ranch Addendum Planned Unit Development. The Shadow Creek Ranch Addendum was approved on February, 27 2006 for approximately 453 acres of land within the City of Pearland. This Final Plat is for section three of the second phase of this development. Sections 1 and 2 were approved and recorded in March of 2013.

This section of Southlake will be served by Shelton Ridge Lane. The final plat for the road dedication is on the same agenda as section 3 and 4 and must be approved prior to these sections. The street will be constructed as an 80' ROW with direct connection to Broadway. A stub out to the west will be built for future connection.

## **SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	PUD (Planned Unit Development – Shadow Creek)	Vacant Land
South	PUD (Planned Unit Development – Shadow Creek)	Vacant Land
East	PUD (Planned Unit Development – Shadow Creek)	Vacant Land
West	PUD (Planned Unit Development – Shadow Creek)	Southlake Section 4

**UNIFIED DEVELOPMENT CODE:** The Unified Development Code does not apply to the subject development as it is under the previous Subdivision Ordinance and Land Use and Urban Development Guidelines.

**SHADOW CREEK RANCH ADDENDUM:** The addendum to the Shadow Creek Ranch development allows for a combination of single family lots, parks, wet and dry detention and three drill sites. This Final Plat has 3.833 acres of reserve open space. Section Three of the Southlake Subdivision shows a required trail within the reserve to the west of the section. At this time the applicant has submitted a letter of credit for all infrastructure that is to be constructed on site, including all amenity trails that are required for this section.

**SHADOW CREEK RANCH: R-5 SINGLE FAMILY RESIDENTIAL DISTRICT:** This Final Plat depicts a variety of lot sizes, which fall under the R-5 Single Family Dwelling District. The requirements of the R-5 Single-Family Dwelling District have been summarized in Table 2. This Final Plat has a minimum lot size of 6,500 square foot lots (50' x 130'), which is above the required 6,000 SF that is required.

<b>Table 2: R-5 Single-Family Dwelling District</b>	
<b>Area and Height Requirements</b>	
Minimum Lot Size:	6,000 square feet
Minimum Lot Width:	50 Feet
Maximum Lot Coverage:	60%
Maximum Height	35 Feet

**LAND USE & URBAN DEVELOPMENT ORDINANCE:** The Shadow Creek Ranch Planned Unit Development has its own land use regulations from the approved PUD, in addition to the Land Use and Urban Development Ordinance. The proposed plat does conform to the Land Use and Urban Development Regulations.

**PLATTING STATUS:** The preliminary plat for this section was approved in April of 2013. This section is in conformance with the approved Master Plat of Shadow Creek Ranch Village 7.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The subject property is within the A-1/2 Acre Lots (Suburban Residential) land use designation. The A-1/2 Acre Lots land use designation is for larger lot single family development on ½ acre or larger lots. This submittal is not in conformance with this land use designation as the proposed lots are a minimum of 7,000 square feet or 0.13 acres. The City of Pearland uses the Future Land Use Plan as a guide to implement zoning, in this case, the approved Shadow Creek Ranch Addendum had a higher density than the Future Land Use Plan allows.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is served by Broadway Street, which is a 120-foot Major Thoroughfare. Internally this development will be served by Shelton Ridge Lane, an 80' collector street.

**TRAFFIC AND TRANSPORTATION:** A Traffic Impact Analysis has been reviewed and accepted by the Engineering Department.

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

**PARKS, OPEN SPACE, AND TREES:** Park fees are not required within the Shadow Creek Ranch Development.

**STAFF RECOMMENDATION:** Staff recommends approval of this Final Plat of Southlake Section Three as proposed by the applicant for the following reasons and with the following conditions:

1. The proposed final 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 Shadow Creek Ranch Development as well as the Land Use and Urban Development Ordinance.

**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Zoning Map
- Aerial Map
- Final Plat of Southlake Section Three



## Vicinity Map

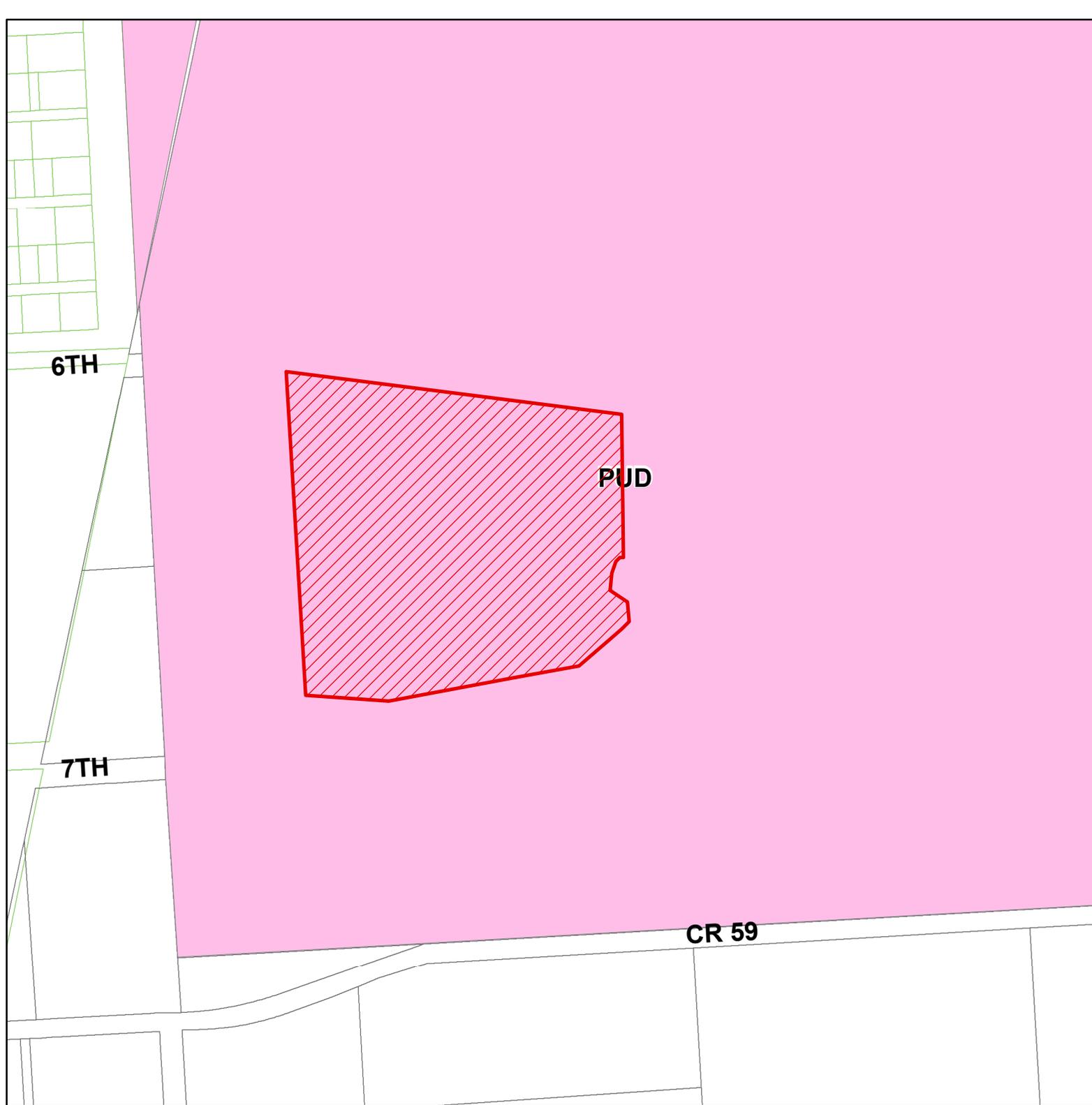
### Final Plat Southlake Section 3

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 90 180 360 Feet





**FLUP Map**

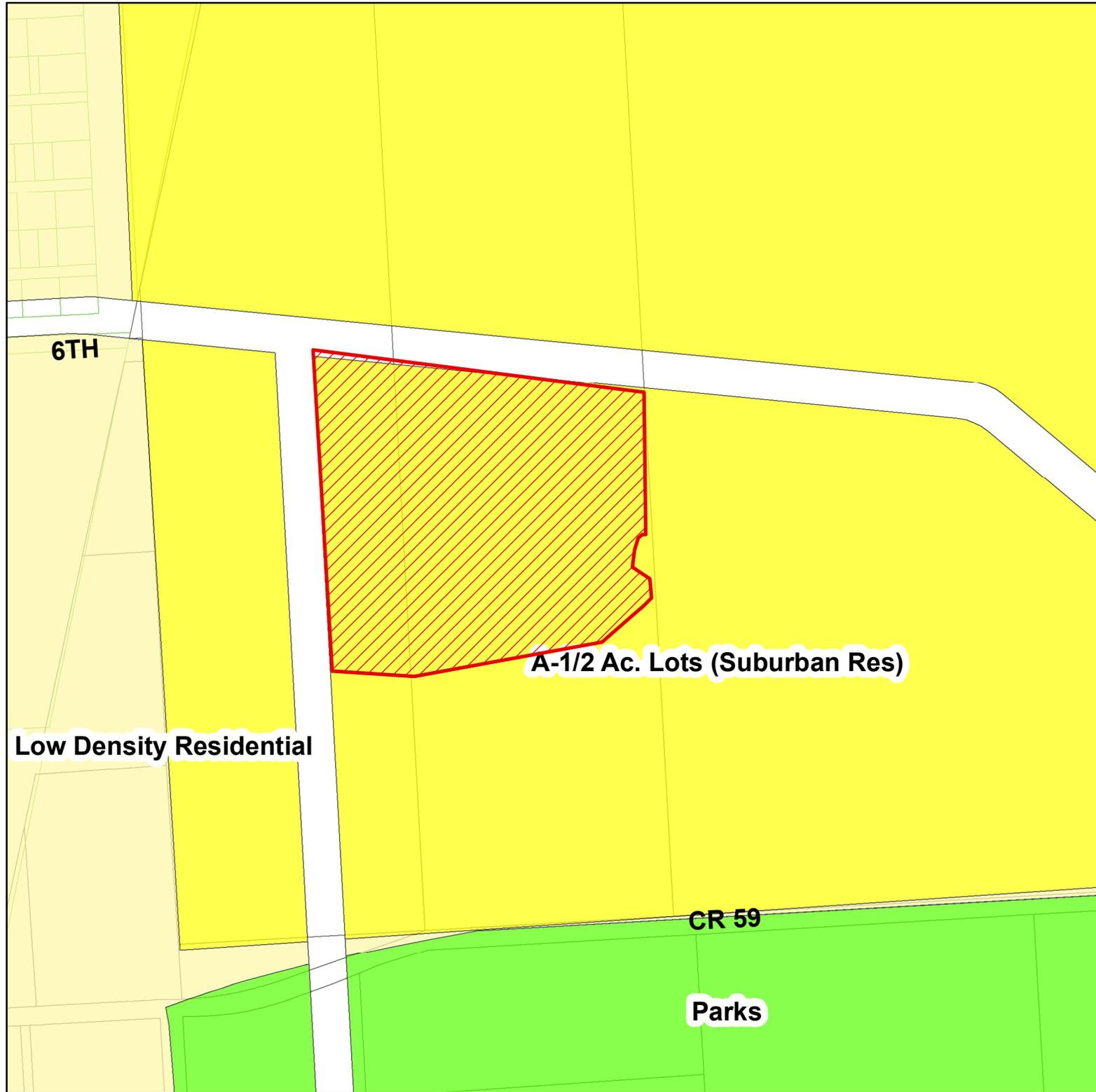
**Final Plat  
Southlake Section 3**

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N



0 90 180 360 Feet



6TH

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

**Low Density Residential**

CR 59

**Parks**



**Aerial Map**

**Final Plat  
Southlake Section 3**

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0 90 180 360 Feet  
|-----|-----|-----|-----|





**P&Z AGENDA  
ITEM**

**1**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 07/09/2013  
**AGENDA ITEM SUBJECT:** Final Plat of Southlake Section 4

---

Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Rene Rodriguez, from LJA, applicant, on behalf of 518 SCR, LTD, owner, for approval of a Final Plat of Southlake Section Four, a 52 lot single-family residential subdivision, generally located Approximately three quarters of a mile south of the intersection of Broadway and Shelton Ridge Lane.

**Staff Recommendation: Approval.**

Agenda Reviewed by:

HE  
\_\_\_\_\_

Date Reviewed:  
\_\_\_\_\_



# PLANNING AND ZONING COMMISSION MEETING OF JULY 15, 2013

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## Final Plat of Southlake Section Four

A request by Rene Rodriguez, from LJA, applicant, on behalf of 518 SCR, LTD, owner, for approval of a Final Plat of Southlake Section Four, a 52 lot single-family residential subdivision, to wit:

**Legal Description:** A subdivision of 13.177 acres of land located in the H.T. & B.R.R. Co. Survey, Sec. 84, Abstract Number 538, City of Pearland, Brazoria County, Texas, being a portion of that certain called 315.292 acre tract of land conveyed to 518SCR, LTD. By instrument of record in File No. 2011089118, Official Public Records, Fort Bend County, Texas (F.B.C.O.P.R.) and in Document No. 2011036869, Official Public Records, Brazoria County, Texas (B.C.O.P.R.).

**General Location:** Approximately three quarters of a mile south of the intersection of Broadway and Shelton Ridge Lane.

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**SUMMARY:** This is a request for a Final Plat of Southlake Section Four, a proposed 52 lot single-family residential subdivision on approximately 13.177 acres. This proposed subdivision is located within the Shadow Creek Ranch Addendum Planned Unit Development. The Shadow Creek Ranch Addendum was approved on February, 27 2006 for approximately 453 acres of land within the City of Pearland. This Preliminary Plat is for section Four of the second phase of this development. Sections 1 and 2 were approved and recorded in March of 2013.

This section of Southlake will be served by Shelton Ridge Lane. The final plat for the road dedication is on the same agenda as section 3 and 4 and must be approved prior to these sections. The street will be constructed as an 80' ROW with direct connection to Broadway. A stub out to the west will be built for future connection.

## **SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	PUD (Planned Unit Development – Shadow Creek)	Vacant Land
South	PUD (Planned Unit Development – Shadow Creek)	Vacant Land
East	PUD (Planned Unit Development – Shadow Creek)	Vacant Land
West	ETJ	Single Family and Vacant Land

**UNIFIED DEVELOPMENT CODE:** The Unified Development Code does not apply to the subject development as it is under the previous Subdivision Ordinance and Land Use and Urban Development Guidelines.

**SHADOW CREEK RANCH ADDENDUM:** The addendum to the Shadow Creek Ranch development allows for a combination of single family lots, parks, wet and dry detention and three drill sites. This Final Plat has 1.305 acres of reserve open space. Section Four of the Southlake Subdivision shows a required 6' trail to run along both sides of Shelton Ridge Lane. At this time the applicant has submitted a letter of credit for all infrastructure that is to be constructed on site, including all amenity trails that are required for this section.

**SHADOW CREEK RANCH: R-5 SINGLE FAMILY RESIDENTIAL DISTRICT:** This Preliminary Plat depicts a variety of lot sizes, which fall under the R-5 Single Family Dwelling District. The requirements of the R-5 Single-Family Dwelling District have been summarized in Table 2. This Preliminary Plat has a minimum lot size of 6,500 square foot lots (50' x 130'), which is above the required 6,000 SF that is required.

<b>Table 2: R-5 Single-Family Dwelling District</b>	
<b>Area and Height Requirements</b>	
Minimum Lot Size:	6,000 square feet
Minimum Lot Width:	50 Feet
Maximum Lot Coverage:	60%
Maximum Height	35 Feet

**LAND USE & URBAN DEVELOPMENT ORDINANCE:** The Shadow Creek Ranch Planned Unit Development has its own land use regulations from the approved PUD, in addition to the Land Use and Urban Development Ordinance. The proposed plat does conform to the Land Use and Urban Development Regulations.

**PLATTING STATUS:** The preliminary plat for this section was approved in April of 2013. This section is in conformance with the approved Master Plat of Shadow Creek Ranch Village 7.

**COMFORMANCE TO THE COMPREHENSIVE PLAN:** The subject property is within the A-1/2 Acre Lots (Suburban Residential) land use designation. The A-1/2 Acre Lots land use designation is for larger lot single family development on ½ acre or larger lots. This submittal is not in conformance with this land use designation as the proposed lots are a minimum of 7,000 square feet or 0.13 acres. The City of Pearland uses the Future Land Use Plan as a guide to implement zoning, in this case, the approved Shadow Creek Ranch Addendum had a higher density then the Future Land Use Plan allows.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is served by Broadway Street, which is a 120-foot Major Thoroughfare. Internally this development will be served by Shelton Ridge Lane, an 80' collector street.

**TRAFFIC AND TRANSPORTATION:** A Traffic Impact Analysis has been reviewed and accepted by the Engineering Department.

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

**PARKS, OPEN SPACE, AND TREES:** Park fees are not required within the Shadow Creek Ranch Development.

**STAFF RECOMMENDATION:** Staff recommends approval of this Final Plat of Southlake Section Four as proposed by the applicant for the following reasons:

1. The proposed final 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 Shadow Creek Ranch Development as well as the Land Use and Urban Development Ordinance.

**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Zoning Map
- Aerial Map
- Final Plat of Southlake Section Four



### Vicinity Map

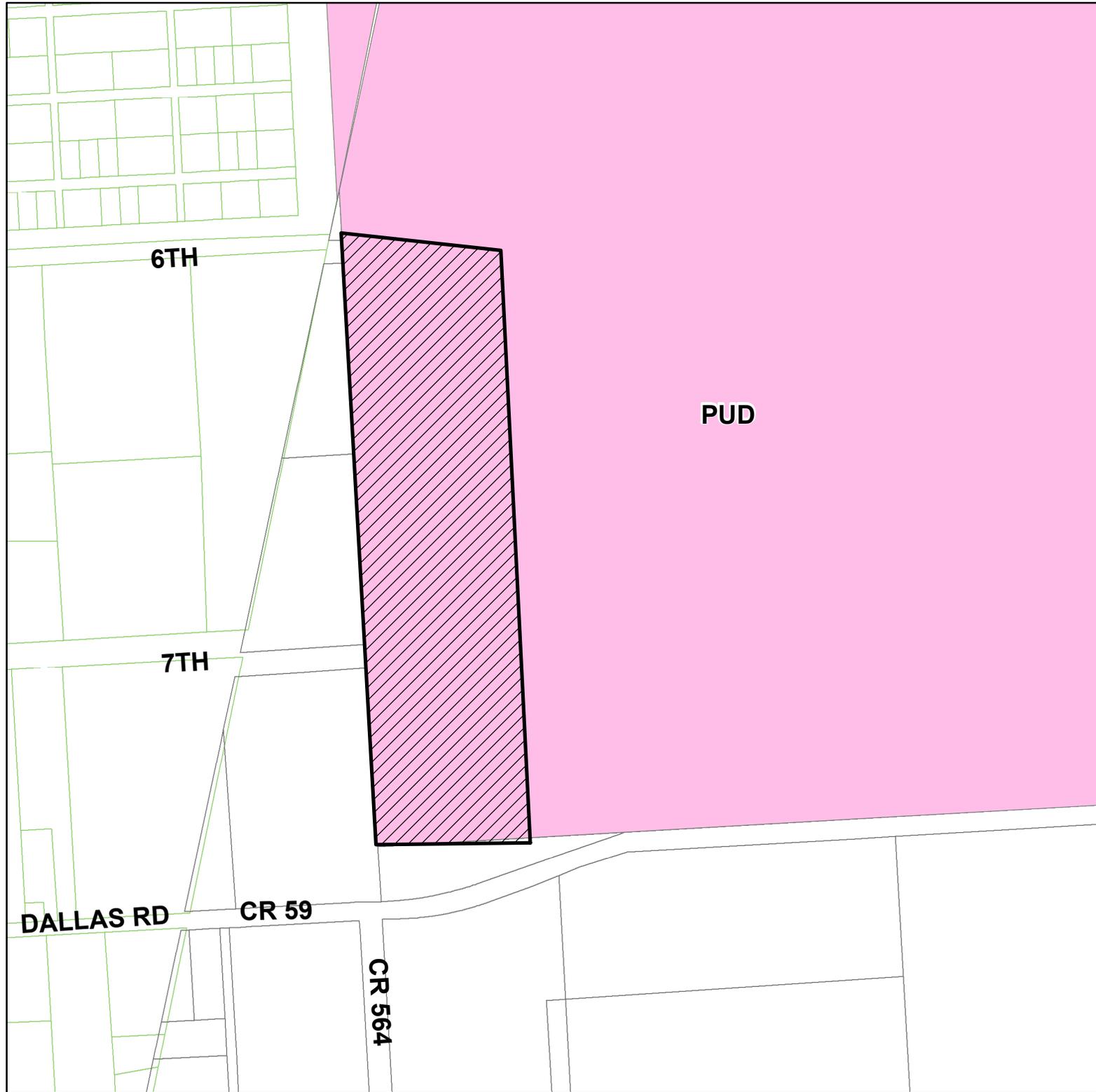
### Preliminary Plat Southlake Section 4

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 90 180 360 Feet





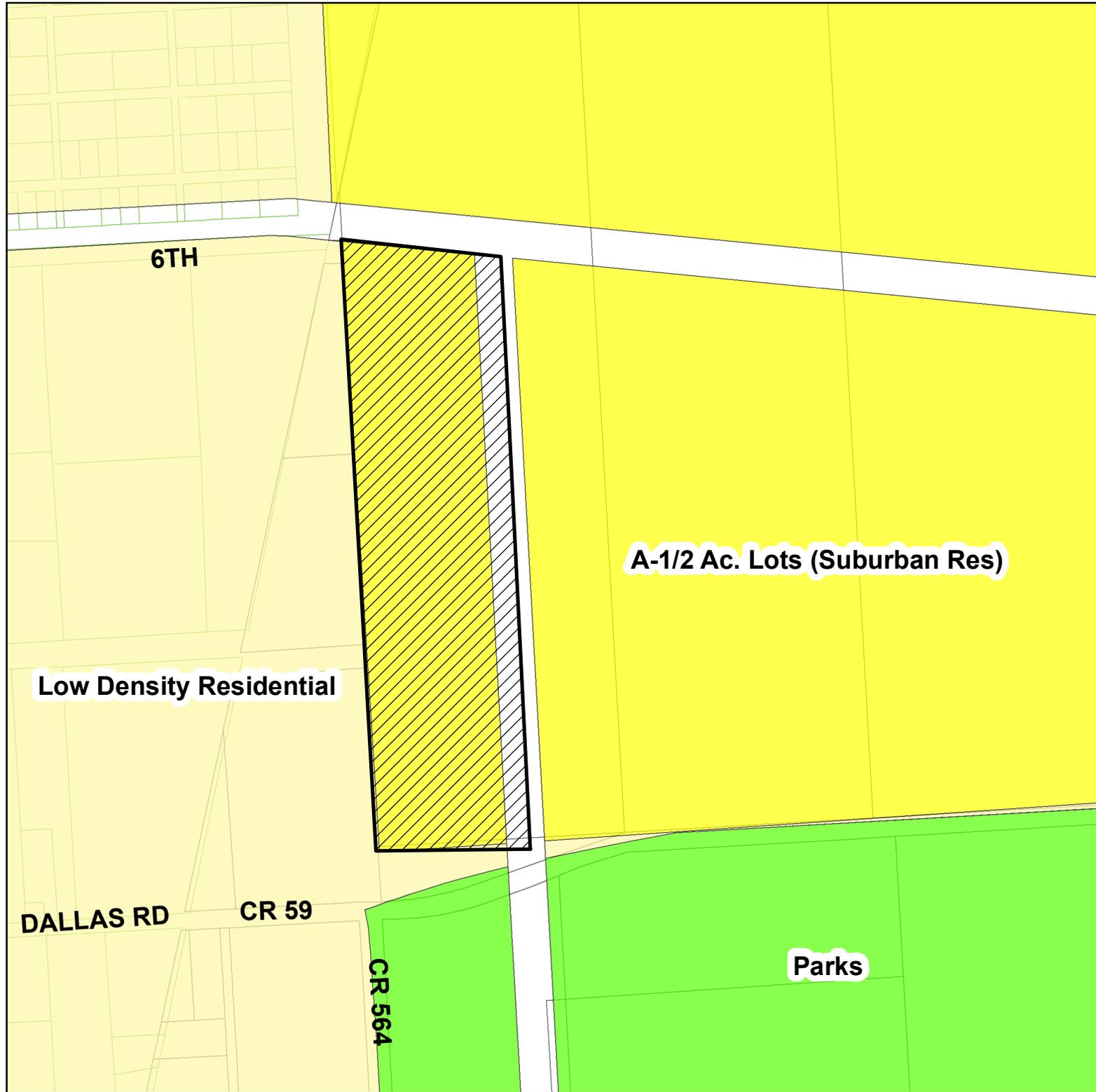
### FLUP Map

### Preliminary Plat Southlake Section 4

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 90 180 360 Feet



6TH

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

Low Density Residential

Parks

DALLAS RD

CR 59

CR 564

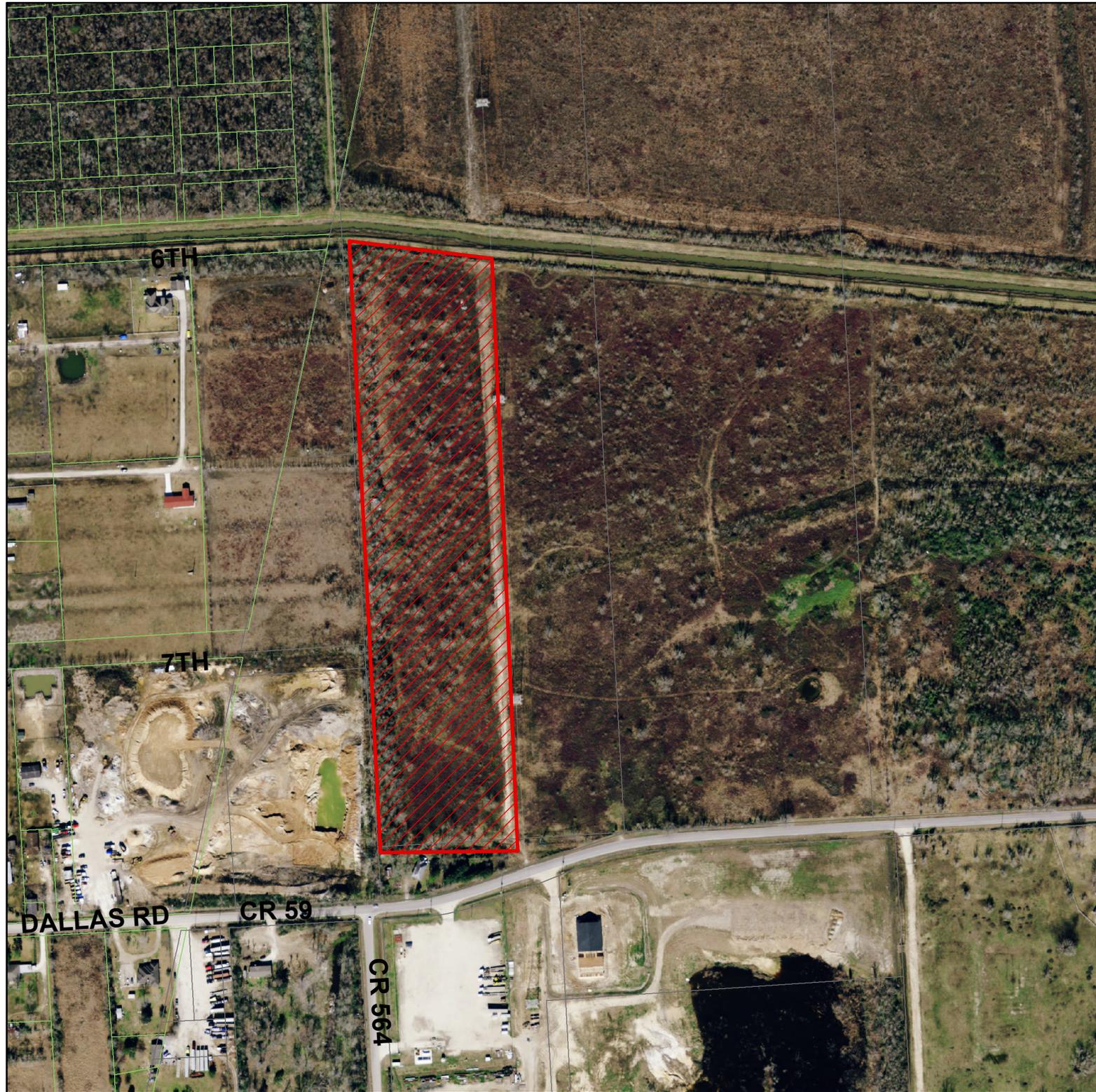


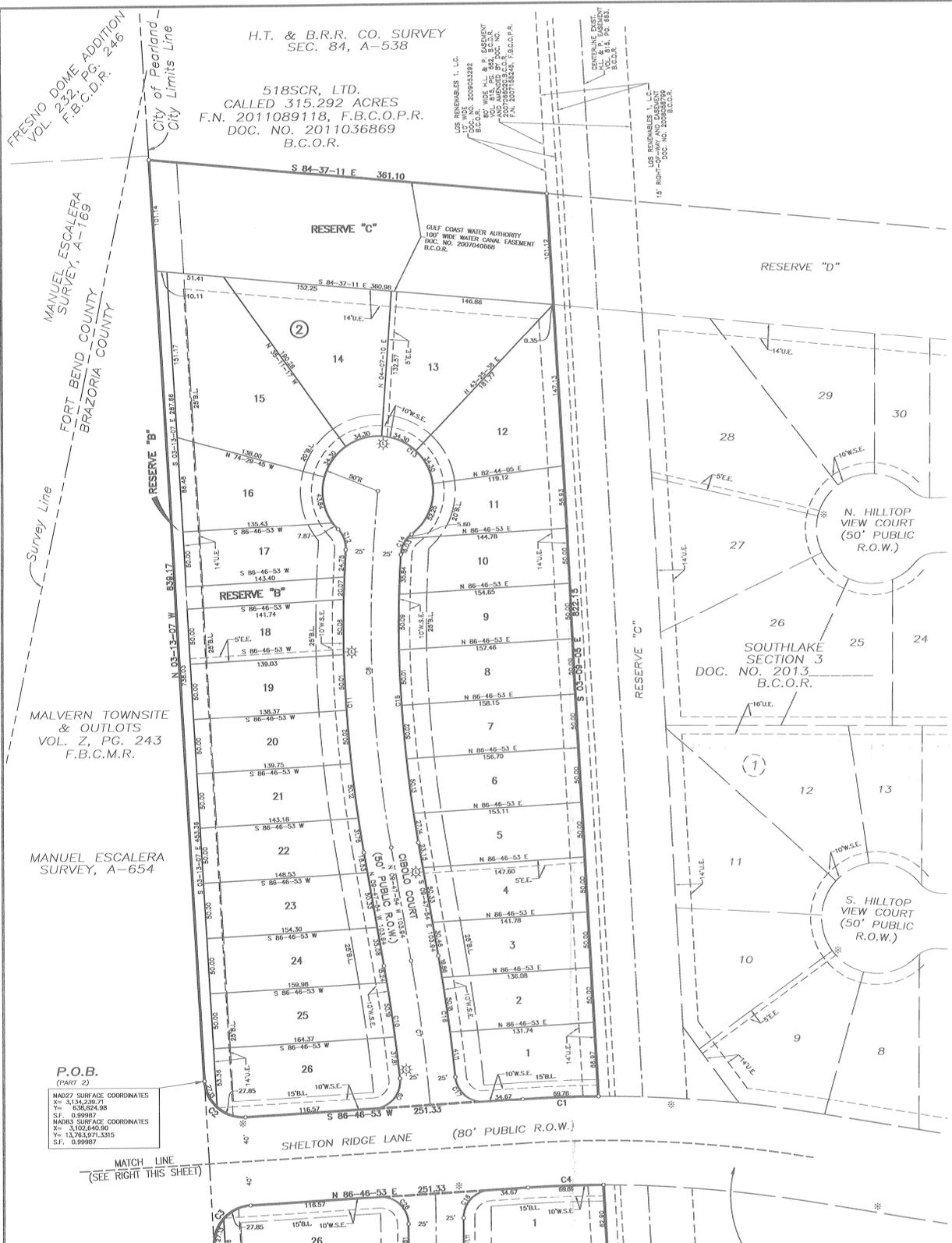
## Aerial Map

## Preliminary Plat Southlake Section 4

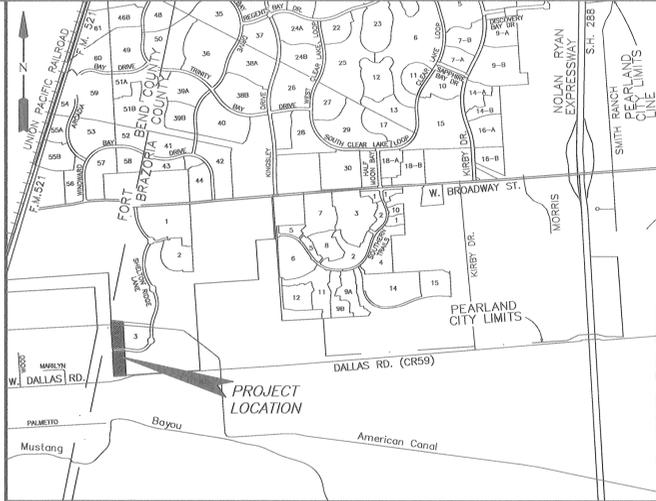
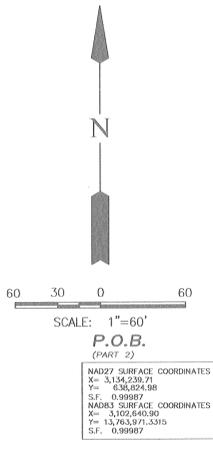
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0 90 180 360 Feet





RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	0.316	13,781	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE
B	0.239	10,392	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE
C	0.829	36,104	RESTRICTED TO CANAL EASEMENT
TOTAL	1.384	60,277	



VICINITY MAP  
SCALE: 1" = 1/2 MILE

P.O.B. (PART 2)  
NAD27 SURFACE COORDINATES  
X= 3,154,239.71  
Y= 63,024,938  
S.F. 0.99987  
NAD83 SURFACE COORDINATES  
X= 3,102,640.90  
Y= 13,763,091.670  
S.F. 0.99987

SHELTON RIDGE LANE  
PHASE 2  
STREET DEDICATION  
DOC. NO. 2013  
B.C.O.R.

518SCR, LTD.  
CALLED 315.292 ACRES  
F.N. 2011089118, F.B.C.O.P.R.  
DOC. NO. 2011036869  
B.C.O.R.

H.T. & B.R.R. CO. SURVEY  
SEC. 84, A-538

CURVE TABLE						
CURVE	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
C1	1235.00	3-14-14	69.78	34.90	69.77	S 88-24-00 W
C2	35.00	90-00-00	54.98	35.00	49.50	N 48-13-07 W
C3	35.00	90-00-00	54.98	35.00	49.50	N 41-46-53 E
C4	1155.00	3-27-25	69.69	34.86	69.68	N 88-30-36 E
C5	1200.00	15-33-44	325.93	163.98	324.93	N 04-25-12 W
C6	1500.00	5-03-06	132.25	66.17	132.21	N 00-50-07 E
C7	1500.00	5-03-06	132.25	66.17	132.21	N 07-16-21 W
C8	1200.00	15-33-44	325.93	163.98	324.93	N 02-01-02 W
C9	25.00	92-34-09	40.39	26.15	36.14	N 40-29-48 E
C10	1475.00	4-00-38	103.24	51.64	103.22	N 07-47-35 W
C11	1225.00	12-56-49	276.81	139.00	276.22	N 03-19-30 W
C12	25.00	46-53-43	20.46	10.84	19.90	N 20-17-57 W
C13	50.00	276-21-06	241.16	144.74	66.68	N 85-34-16 W
C14	25.00	49-34-03	21.63	11.54	20.96	S 27-49-15 W
C15	1175.00	12-50-08	263.22	132.17	262.67	S 03-22-50 E
C16	1525.00	4-10-35	111.16	55.60	111.13	S 07-42-37 E
C17	25.00	87-35-48	36.22	23.97	34.61	S 49-25-13 E
C18	25.00	87-35-48	36.22	23.97	34.61	S 42-58-59 W
C19	1525.00	4-10-35	111.16	55.60	111.13	S 01-16-23 W
C20	1175.00	12-50-08	263.22	132.17	262.67	S 03-03-24 E
C21	25.00	49-34-03	21.63	11.54	20.96	S 34-15-29 E
C22	50.00	276-21-06	241.16	144.74	66.68	S 79-08-02 W
C23	25.00	46-53-43	20.46	10.84	19.90	N 13-51-43 E
C24	1225.00	12-56-49	276.81	139.00	276.22	N 03-06-44 W
C25	1475.00	4-00-38	103.24	51.64	103.22	N 01-21-21 E
C26	25.00	92-34-09	40.39	26.15	36.14	N 46-56-02 W

MALVERN TOWNSITE & OUTLOTS  
VOL. Z, PG. 243  
F.B.C.M.R.

MANUEL ESCALERA SURVEY, A-654

- LEGEND
- ⊕ T.B.M. TEMPORARY BENCHMARK
  - ☉ PROPOSED STREET LIGHT
  - ⊙ EXISTING STREET LIGHT
  - E.E. ELECTRICAL EASEMENT
  - U.E. UTILITY EASEMENT
  - W.S.E. WATER AND SEWER EASEMENT
  - F.N. FILE NUMBER
  - F.B.C.D.R. FORT BEND COUNTY DEED RECORDS
  - B.C.O.P.R. BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS
  - B.C.D.R. BRAZORIA COUNTY DEED RECORDS
  - B.C.P.R. BRAZORIA COUNTY PLAT RECORDS
  - B.C.O.R. BRAZORIA COUNTY OFFICIAL RECORDS
  - F.B.C.M.R. FORT BEND COUNTY MAP RECORDS

6-19-13 Submitted Date  
6-25-13 Date  
Please review plat and return to the Planning Dept. by 6-27-13

13600 BLOCK OF SHELTON RIDGE LANE  
FINAL PLAT OF  
**SOUTHLAKE SECTION 4**  
A SUBDIVISION OF 13.177 ACRES OF LAND SITUATED IN THE  
H.T. & B.R.R. CO. SURVEY, SECTION 84, ABSTRACT 538,  
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS.  
52 LOTS 3 RESERVES (1.384 ACRES) 2 BLOCKS  
JUNE 19, 2013 JOB NO. 2027-0174-310

OWNERS:  
518SCR, LTD.,  
A TEXAS LIMITED PARTNERSHIP  
BY: PSWA, INC., A TEXAS CORPORATION  
ITS SOLE GENERAL PARTNER  
GERALD W. NOTEBOOM, SENIOR EXECUTIVE VICE PRESIDENT  
9000 GULF FREEWAY, STE. 300, HOUSTON, TEXAS 77017

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

CONTACT: RENE RODRIGUEZ SHEET 1 OF 2

LOT SUMMARY TABLE															
BLOCK	LOT	LOT AREA (SF)	BL. WIDTH	LOT DEPTH	BLOCK	LOT	LOT AREA (SF)	BL. WIDTH	LOT DEPTH	BLOCK	LOT	LOT AREA (SF)	BL. WIDTH	LOT DEPTH	
1	1	8,262	50.07	104.00	19	6,509	50.00	138.00	11	6,815	52.91	119.00			
	2	6,673	50.18	132.00	20	6,944	50.02	138.00	12	11,583	50.00	119.00			
	3	6,693	50.31	138.00	21	7,065	50.11	140.00	13	12,545	50.00	133.00			
	4	7,267	50.33	141.00	22	7,267	50.28	143.00	14	13,037	50.00	133.00			
	5	7,480	50.30	147.00	23	7,571	50.33	149.00	15	17,293	50.00	138.00			
	6	7,215	50.13	152.00	24	7,859	50.33	154.00	16	8,373	50.11	135.00			
	7	7,305	50.02	156.00	25	8,116	50.20	160.00	17	7,102	50.27	135.00			
	8	7,849	50.01	156.00	26	10,384	48.94	144.00	18	7,011	50.07	139.00			
	9	7,755	50.09	153.00	2	1	8,368	50.07	104.00	19	6,926	50.00	136.00		
	10	7,533	52.09	143.00	3	2	6,889	50.18	132.00	20	6,944	50.02	136.00		
	11	6,537	52.91	118.00	4	3	6,944	50.31	142.00	21	7,965	50.11	140.00		
	12	11,347	50.00	118.00	5	4	7,234	50.33	142.00	22	7,267	50.28	143.00		
	13	16,281	50.00	148.00	6	5	7,523	50.30	148.00	23	7,571	50.33	149.00		
	14	13,630	50.00	148.00	7	6	7,754	50.13	153.11	24	7,859	50.33	154.00		
	15	16,685	50.00	138.00	8	7	7,880	50.02	157.00	25	8,116	50.20	160.00		
	16	8,373	50.11	135.00	9	8	7,899	50.01	157.00	26	10,384	48.94	144.00		
	17	7,182	50.27	135.00	10	9	7,812	50.09	155.00						
	18	7,011	50.07	139.00	10	10	7,596	52.10	145.00						

P.O.B. (PART 1)  
NAD27 SURFACE COORDINATES  
X= 3,154,209.18  
Y= 63,045.32  
S.F. 0.99987  
NAD83 SURFACE COORDINATES  
X= 3,102,690.363  
Y= 13,763,091.670  
S.F. 0.99987

# **P&Z AGENDA ITEM**

## **J**

### **Discussion Items**

- 1. Commissioners Activity Report**
- 2. Texas APA Conference - October 2-5, 2013**
- 3. Next P&Z/JPH Regular Meeting - 8/5/2013**

**ADJOURN  
MEETING**