

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

SEPTEMBER 16, 2013 6:30 p.m.

Henry Fuertes
P&Z CHAIRPERSON

Matthew Hanks
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Linda Cowles

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, SEPTEMBER 16, 2013, AT 6:30 P.M., 2nd FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. APPROVAL OF MINUTES

Approve the Minutes of the August 19, 2013, P&Z Regular Meeting, held at 6:30 p.m.

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2013-14Z

A request of Jawad Hussain, applicant and owner, for approval of a zone change from the Neighborhood Service (NS) zone to the General Business (GB) zone for 0.63 acres on the following described property, to wit:

Legal Description: 0.3727 acres of land, being a part of Reserve “A”, in the Replat of Corrigan Addition, Section One, according to the plat as recorded in Volume 11, Page 97-98, Plat Records, Brazoria County, Texas, situated in the H. T. & B Railroad Company Survey, Abstract 240, Brazoria County, Texas; and 0.2548 acres of land, out of Reserve “B”, in the Replat of Corrigan Addition, Section One, according to the plat as recorded in Volume 11, Page 97-98, Plat Records, Brazoria County, Texas, situated in the H. T. & B Railroad Company Survey, Abstract 240, Brazoria County, Texas

General Location: 5306 Broadway, Pearland, TX

B. CONSIDERATION & POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2013-15Z

A request of Kerry Gilbert & Associates, applicant, on behalf of Parkside 59/288, Ltd., owner, for approval of a zone change from the Planned Development (PD) zone to the Planned Development (PD) zone for 38.909 acres on the following described property, to wit:

Legal Description: 38.909 acres of land in the H. T. & B. R. R. Company Survey, Section 81, Abstract No. 300, Brazoria County, Texas, being a portion

of lots 38, 39, 40, 49, and 50 of the Allison Richey Gulf Coast Home Company's part of Suburban Gardens, a subdivision of record, Volume 2, Page 98, of the Plat Records of said Brazoria County (B.C.P.R.), more particularly being the residue of that certain called 30.583 acre tract (described as Part One), and the residue of that certain called 9.990 acre tract (described as Part Two) conveyed from Compass Bank to Parkside 59/288 Ltd, by an instrument of record under Document Number 2011012491, of the Official Public Records of said Brazoria County (B.C.O.P.R.)

General Location: Northwest corner CR59/SH288, Pearland, TX

C. CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF OAKBROOK ESTATES SECTION 9

Decision Date:
9/20/2013

A request by Alex Van Duzer of Cobb Fendley, applicant, on behalf of Oakbrook Estates, Ltd, owner, for approval of a Preliminary Plat of Oakbrook Section 9, a 46 lot single-family residential subdivision, to wit:

Legal Description: A subdivision of 15.3788 acres in the W.D.C. Hall League, Abstract No. 70, Brazoria County MUD 17, City of Pearland, Brazoria County, Texas.

General Location: 3800 Block of Oak Bent Dr., Pearland, TX

D. CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF LAUREL HEIGHTS AT SAVANNAH SECTION ONE

Decision Date:
9/20/2013

A request by Geoff Freeman of Kerry R. Gilbert and Associates., applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Laurel Heights at Savannah Section One, generally located at the Northeast corner of Post Road (CR 58) and Linden Creek Lane, proposing a 61 lot single-family residential subdivision, to wit:

Legal Description: Being 17.1 acres of land located in the H.T. & B.R.R. Survey, Abstract 302, Official Records of said Brazoria County, Texas

General Location: Located at the Northeast corner of Post Road (CR 58) and Linden Creek Lane, Pearland, TX

E. CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF LAUREL HEIGHTS AT SAVANNAH SECTION TWO

Decision Date:
9/20/2013

A request by Geoff Freeman of Kerry R. Gilbert and Associates., applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Laurel Heights at Savannah Section Two, generally East of Linden

Creek Lane, North of Laurel Heights at Savannah Section One, proposing a 40 lot single-family residential subdivision, to wit:

Legal Description: Being 9.1 acres of land located in the H.T. & B.R.R. Survey, Abstract 302, Official Records of said Brazoria County, Texas

General Location: Located east of Linden Creek Lane, north of Laurel Heights at Savannah Section, Pearland, TX

F. CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF LAUREL HEIGHTS AT SAVANNAH SECTION THREE

**Decision
Date:
9/20/2013**

A request by Geoff Freeman of Kerry R. Gilbert and Associates., applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Laurel Heights at Savannah Section Three, generally located at the Northwest corner of Post Road (CR 58) and Linden Creek Lane, proposing a 28 lot single-family residential subdivision, to wit:

Legal Description: Being 31.2 acres of land located in the H.T. & B.R.R. Survey, Abstract 302, Official Records of said Brazoria County, Texas

General Location: Located at the Northwest corner of Post Road (CR 58) and Linden Creek Lane, Pearland, TX

G. CONSIDERATION & POSSIBLE ACTION – COVINGTON ESTATES CLUSTER DEVELOPMENT PLAN

A request by Covington Estates, LLC., applicant and owner, for approval of an amendment to a previously approved Cluster Plan on a 9.637 acre tract of land for a single-family residential subdivision, generally located north of Hughes Ranch Road on Hillhouse Road.

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

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

General Location: North of Hughes Ranch Road on Hillhouse Road

H. DISCUSSION ITEMS

1. Commissioners Activity Report
2. State APA Conference
3. Next JPH/PZ Meeting – October 7, 2013

IV. ADJOURNMENT

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

I, Judy Brown, Office Coordinator of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 13th day of September, 2013, A.D., at 5:30 p.m.

Judy Brown, Office Coordinator

Agenda removed _____ day of September 2013.

APPROVAL

OF

MINUTES

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON MONDAY, AUGUST 19, 2013, AT 6:30 P.M., 2nd FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

CALL TO ORDER

P&Z Chairperson Henry Fuertes called the meeting to order at 6:53 p.m.

The following were present:

P&Z Chairperson Henry Fuertes
P&Z Commissioner Elizabeth McLane
P&Z Commissioner Mary Starr
P&Z Commissioner Ginger McFadden

P&Z Vice Chairperson Matthew Hanks
P&Z Commissioner Daniel Tunstall
P&Z Commissioner Linda Cowles

APPROVAL OF MINUTES

P&Z Commissioner Mary Starr made the motion to approve the minutes of the August 5, 2013, P&Z Regular Meeting, and P&Z Commissioner Elizabeth McLane seconded.

The vote was 7-0. The minutes of the P&Z Regular Meeting of August 5, 2013 were approved.

NEW BUSINESS

CONSIDERATION & POSSIBLE ACTION – WAIVER OF DECISION OF TIME FOR PRELIMINARY PLAT OF AVALON TERRACE SECTION 4

A request for a waiver of decision of time by Brent Lindelof of Jones and Carter, applicant, on behalf of MHI, owner, for approval of a waiver of decision for the Preliminary Plat of Avalon Terrace Section 4, a 57 lot single-family residential subdivision, to wit:

Legal Description: subdivision of 16.94 acres of land out of the H.T. & B.R.R. Co. Survey, Abstract-505 Brazoria County, Texas.

General Location: The northwest corner of Max Rd. and Hughes Ranch Rd.

P&Z Commissioner Mary Starr made the motion to approve, and P&Z Commissioner Linda Cowles seconded.

Planner II Ian Clowes stated that the applicant was requesting more time to address

staff comments. Staff recommended approval.

The vote was 7-0. The Waiver of Decision for Time of Time for Preliminary Plat of Avalon Terrace Section 4 was approved.

CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF AVALON TERRACE SECTION 4

A request by Brent Lindelof of Jones and Carter, applicant, on behalf of MHI, owner, for approval of a Preliminary Plat of Avalon Terrace Section 4, a 57 lot single-family residential subdivision, to wit:

Legal Description: subdivision of 16.94 acres of land out of the H.T. & B.R.R. Co. Survey, Abstract-505 Brazoria County, Texas.

General Location: The northwest corner of Max Rd. and Hughes Ranch Rd.

Planner II Ian Clowes stated no action was needed since the waiver of decision for time was approved.

CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT SOUTHERN TRAILS SECTION 16

A request by Geoff Freeman 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 16, a 12 lot single-family residential subdivision.

Legal Description: Being 3.6 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: 12000 Block of Southern Trails Dr.

P&Z Vice Chairperson Matthew Hanks made the motion to approve, and P&Z Commissioner Daniel Tunstall seconded.

Planner II Ian Clowes read the staff report stating there were no outstanding items and staff recommended approval.

The vote was 7-0. The Preliminary Plat of Southern Trails Section 16 was approved.

CONSIDERATION & POSSIBLE ACTION – PLANNING AND ZONING VARIANCE 2013-01

A request by Warren Escovy of LJA Engineering, applicant, on behalf of Meritage Homes, owner, for approval a Variance from Section 3.2.6.4 to allow for a cul-de-sac to exceed the 600' maximum length, generally located along Snow Pine Dr and Darling Amy.

Legal Description: Being a subdivision of 60.052 acres of land situated in the T.J. Green Survey, Abstract 290, City of Pearland, Harris County, Texas also being a Part of lots 41, 42, 54-61, 70-74, 73-78, 87-89, 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: Snow Pine Lane and Darling Amy Dr.

P&Z Commissioner Linda Cowles made the motion to approve, and P&Z Commissioner Mary Starr seconded.

Planner II Ian Clowes read the staff report with staff recommending approval.

There was much discussion with regards to what the basis for the hardship was, and whether this was a hardship of the land. Director of Community Development Lata Krishnarao asked the Commission to consider if the Unified Development Code (UDC) needs to be amended so that cul-de-sacs can be longer, rather than approving variances for specific situations.

P&Z Commissioner Ginger McFadden stated she was okay with the variance as it is only 12 feet. Families tend to prefer cul-de-sacs. P&Z Commissioner Matthew Hanks stated he also was okay with the 12 feet, as it is only 2% over the allowed amount.

The vote was 6-1. Variance No. 2013-01 was approved. P&Z Chairperson Henry Fuertes voted in opposition.

CONSIDERATION & POSSIBLE ACTION – PLANNING AND ZONING VARIANCE 2013-02

A request by Warren Escovy of LJA Engineering, applicant, on behalf of Meritage Homes, owner, for approval a Variance from Section 3.2.6.4 to allow for a cul-de-sac to exceed the 600' maximum length, generally located along Pine Meadow Creek Ln.

Legal Description: Being a subdivision of 60.052 acres of land situated in the T.J. Green Survey, Abstract 290, City of Pearland, Harris County, Texas also being a Part of lots 41, 42, 54-61, 70-74, 73-78, 87-89, 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: Pine Meadow Creek Ln.

P&Z Commissioner Elizabeth McLane made the motion to approve, and P&Z Commissioner Mary Starr seconded.

Planner II Ian Clowes read the staff report stating that after working with the applicant, prior to the meeting, staff changed their recommendation to approval with conditions. The conditions were:

1. Temporary emergency access road as shown in Riverstone Ranch Section 2 Preliminary Plat, must be fully constructed as a permanent public street
2. A permanent emergency access must be constructed in Reserve B in Riverstone Ranch Section 2, connection Pine Meadow Creek Lane to Meadow Wind Drive.

Deputy City Attorney Nghiem Doan stated, per the UDC, the applicant does not have to prove a hardship.

P&Z Commissioner Elizabeth McLane made the motion to amend her original motion, and P&Z Commissioner Mary Starr seconded, with the following conditions:

1. Temporary emergency access road as shown in Riverstone Ranch Section 2 Preliminary Plat, must be fully constructed as a permanent public street
2. A permanent emergency access must be constructed in Reserve B in Riverstone Ranch Section 2, connection Pine Meadow Creek Lane to Meadow Wind Drive.

Discussion ensued further with regards to access and whether the lack of connectivity will hurt circulation throughout the subdivision.

The vote was 0-7. Variance No. 2013-02 was denied.

CONSIDERATION & POSSIBLE ACTION – “AMENDED” MASTER PLAT OF RIVERSTONE RANCH

A request by Warren Escovy – LJA Engineering Inc., applicant, on behalf of Meritage Homes of Texas, LLC, owner, for approval of a Master Plat of Riverstone Ranch, a 236 lot single-family residential subdivision, to wit

Legal Description: Being a subdivision of 60.052 acres of land situated in the T.J. Green Survey, Abstract 290, City of Pearland, Harris County, Texas also being a Part of lots 41, 42, 54-61, 70-74, 73-78, 87-89, 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 south of the City of Houston ETJ border, Pearland, TX.

Planner II Ian Clowes stated for the record that this plat is an Amended Master plat.

P&Z Commissioner Linda Cowles made the motion to approve, and P&Z Vice Chairperson Matthew Hanks seconded.

Planner II Ian Clowes read the staff report stating staff had concerns with the amended Master Plat as proposed by the applicant for the following reasons:

1. The proposed amended master plat eliminates a vital point of access and will limit circulation throughout the development
2. This proposed amended plat creates two cul-de-sac sections that exceed the allowed 600'
3. Proposed layout and access points were not approved by the Fire Marshal

The applicant, Warren Escovy of LJA Engineering was present and explained their thought process.

Director of Community Development Lata Krishnarao explained that the Commission could deny the plat in order to see changes and see it again when it was brought back; or, could approve with conditions as approved and denied with the previous variances.

P&Z Vice Chairperson Matthew Hanks stated he would prefer to deny the plat and let them come back with changes, and then approve.

Mr. Warren Escovy, applicant, stated he would be willing to redesign the cul-de-sac so as to not exceed the 600 feet maximum. Deputy City Attorney Nghiem Doan stated this could be done by adding a condition to the approval.

P&Z Commissioner Linda Cowles made the motion to amend her original motion with the proposed condition, and P&Z Vice Chairperson Matthew Hanks seconded.

The vote was 7-0. The Amended Master Plat of Riverstone Ranch was approved with the following condition:

1. Pine Meadow Creek Lane must meet the maximum cul-de-sac length requirement per the UDC.

CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT RIVERSTONE RANCH AT CLEAR CREEK SECTION 2

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 2, a 90 lot single-family residential subdivision, to wit

Legal Description: Being a subdivision of 25.997 acres of land situated in the T.J. Green Survey, Abstract 290, City of Pearland, Harris County, Texas also being a Replat of lots 54, 55, 56, 57, 70-74, and 87-90 of the Allison Richey Gulf Coast Home Company Subdivision, Section "G", a subdivision of record in Volume 4, Page 48, Map Records of Harris County, Texas.

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

Commissioner Henry Fuertes seconded, with the condition that Pine Meadow Creek Lane meet the cul-de-sac requirements, per the UDC.

Planner II Ian Clowes read the staff report stating staff recommended with the conditions of approval, as stated above.

There was discussion with regards to HL&P easement and changes that might occur in the next amendment of the Unified Development Code (UDC) T-17.

The vote was 7-0. The Preliminary Plat of Riverstone Ranch at Clear Creek Section 2 was approved with one condition:

1. Pine Meadow Creek Lane must meet the maximum cul-de-sac length requirement per the UDC

CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF OAKBROOK ESTATES SECTION 9

A request by Alex Van Duzer of Cobb Fendley, applicant, on behalf of Oakbrook Estates, Ltd, owner, for approval of a Preliminary Plat of Oakbrook Section 9, a 28 lot single-family residential subdivision, to wit

Legal Description: A subdivision of 7.2962 acres in the W.D.C. Hall League, Abstract No. 70, Brazoria County MUD 17, City of Pearland, Brazoria County, Texas.

General Location: 1920 Grandoak Dr.

P&Z Commissioner Linda Cowles made the motion, and P&Z Commissioner Elizabeth McLane seconded.

Planner II Ian Clowes read the staff report stating staff recommends denial as a number of comments have not yet been addressed. Discussion ensued with regards to outstanding items.

Mr. Alex Van Duzer of Cobb Fendley stated that some comments were not noted on the plat.

The vote was 0-7. The Preliminary Plat of Oakbrook Estates Section 9 was denied.

DISCUSSION ITEMS

1. Commissioners Activity Report – P&Z Commissioner Linda Cowles inquired how the committee will be picked for the Comprehensive Plan. Director of Community Development Lata Krishnarao stated that a group of names was being put together, consisting of various committee members and business members of the city.
2. State APA Conference – City Planner Harold Ellis stated the conference would be in Galveston on October 3-5, 2013. Commissioner Elizabeth McLane stated she was interested in attending.
3. No PZ Meeting on September 2, 2013
4. Next JPH/PZ Meeting – September 16, 2013

ADJOURNMENT

P&Z Chairperson Henry Fuertes adjourned the P&Z Regular meeting of August 19, 2013 at 8:38 p.m.

These minutes are respectfully submitted by:

Judy Brown, Office Coordinator

Minutes approved as submitted and/or corrected on this 19th day of August, 2013, A.D.

NEW BUSINESS

**P&Z AGENDA
ITEM**

A

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 16, 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. 2013-14Z

A request of Jawad Hussain, applicant and owner, for approval of a zone change from the Neighborhood Service (NS) zone to the General Business (GB) zone for 0.63 acres on the following described property, to wit:

Legal Description: 0.3727 acres of land, being a part of Reserve "A", in the Replat of Corrigan Addition, Section One, according to the plat as recorded in Volume 11, Page 97-98, Plat Records, Brazoria County, Texas, situated in the H. T. & B Railroad Company Survey, Abstract 240, Brazoria County, Texas; and 0.2548 acres of land, out of Reserve "B", in the Replat of Corrigan Addition, Section One, according to the plat as recorded in Volume 11, Page 97-98, Plat Records, Brazoria County, Texas, situated in the H. T. & B Railroad Company Survey, Abstract 240, Brazoria County, Texas

General Location: 5306 Broadway, Pearland, TX

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

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



JOINT PUBLIC HEARING AGENDA ITEM MEETING OF SEPTEMBER 16, 2013

Zone Change No. 2013-14Z

A request of Jawad Hussain, applicant and owner, for approval of a zone change from the Neighborhood Service (NS) zone to the General Business (GB) zone for 0.63 acres on the following described property, to wit:

Legal Description: 0.3727 acres of land, being a part of Reserve "A", in the Replat of Corrigan Addition, Section One, according to the plat as recorded in Volume 11, Page 97-98, Plat Records, Brazoria County, Texas, situated in the H. T. & B Railroad Company Survey, Abstract 240, Brazoria County, Texas; and 0.2548 acres of land, out of Reserve "B", in the Replat of Corrigan Addition, Section One, according to the plat as recorded in Volume 11, Page 97-98, Plat Records, Brazoria County, Texas, situated in the H. T. & B Railroad Company Survey, Abstract 240, Brazoria County, Texas

General Location: 5306 Broadway, Pearland, TX

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

Planning and Zoning Commission:	September 16, 2013*
City Council for First Reading:	October 14, 2013*
City Council for Second Reading:	October 28, 2013*

(*dates subject to change)

SUMMARY: Jawad Hussain, applicant and owner, is requesting approval of a zone change from the Neighborhood Service (NS) zone to the General Business (GB) zone. The property is currently developed, and includes a fuel station and associated convenience store, and one attached tenant build-out space (currently not occupied).

The General Business (GB) zoning district will allow additional allowable uses on site, per the Unified Development Code's Land Use Matrix. The tenant lease space most recently was occupied by a flooring business. They have since moved out and the applicant would now like to allow for a consignment store to open up in the unoccupied space. This would require approval of a zone change.

The applicant began the zone change process in November of 2012 but withdrew the

application once it was determined that the property in question did not meet the minimum size requirements of the GB zone. The applicant has since completed a minor plat of the property, combining two lots at the hard corner of Broadway and Corrigan. The combined lots now meet the requirements of the GB zone.

Following the approval of the subdivision plat, this case was scheduled for the August 19, 2013 Joint Public Hearing. It was removed from that agenda after the required notification sign was not placed on the property and rescheduled for the current September 16, 2013 agenda.

SURROUNDING ZONING AND LAND USES:

	Zoning	Land Use
North	General Business (GB)	Single Family Residential & Middle School
South	General Business (GB)	Detention & Single Family Residential
East	Neighborhood Service (NS)	Commercial/Bank
West	General Business (GB)	Commercial/Shopping Center

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): As previously mentioned, the property is currently zoned Neighborhood Service (NS). A comparison of the NS and GB zoning district is listed below, as well as a comparison to the existing site:

	<u>NS</u>	<u>GB</u>	<u>Existing site</u>
Lot Area	12,500 Sq. Ft.	22,500 Sq. Ft.	27,442 Sq. Ft.
Lot Width	100'	150'	244.08'
Lot Depth	100'	125'	206.5'

The parcel meets the lot size and area requirements of the General Business (GB) zone.

PLATTING STATUS: The property was recently platted combining two previously existing lots into one in order to meet the General Business (GB) zone regulations.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current Comprehensive Plan (latest update in 2009) indicates *Retail, Offices, and Services* for the subject property. As indicated by the Comprehensive Plan, corresponding zoning districts for *Retail, Offices, and Services* are Neighborhood Service (NS), Office Professional (OP), and General Business (GB). The requested zoning of General Business (GB) would be consistent with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Broadway, a major thoroughfare, with a minimum of 120' right-of-way and Corrigan Drive, a local street with a minimum of 60' right-of-way. Adequate right-of-way exists and no further dedication is required.

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

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: It is not anticipated that approval of this zone change request will have any significant negative impact on existing or future developments in the area. If the zone change is approved, the property will be able to be operated and developed in the same manner as other commercial properties in the general area along Broadway. The property is surrounded by General Business (GB) zoned property on three sides, and the only property in the immediate vicinity not zoned (GB) is the existing bank to the east which is zoned Neighborhood Service (NS). Additionally, as discussed above, this zone change would be in conformance with the Future Land Use Plan.

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.

The current zoning boundaries are not the same as the property boundary. During the next update of the Pearland zoning map, staff will address this discrepancy.

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

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

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

STAFF RECOMMENDATION: Staff recommends approval of the Zone Change 2013-14Z as proposed by the applicant for the following reasons:

1. Approval of the zone change will result in conformance with the surrounding zoning.
2. The proposed zone change should not have any significant negative impact on the surrounding properties and developments.

3. The proposed zone change will bring the property into compliance with the approved Future Land Use Plan.
4. The proposed zone change would allow for uses on the property that would be compatible with nearby commercial development, and also be appropriate along Broadway.

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

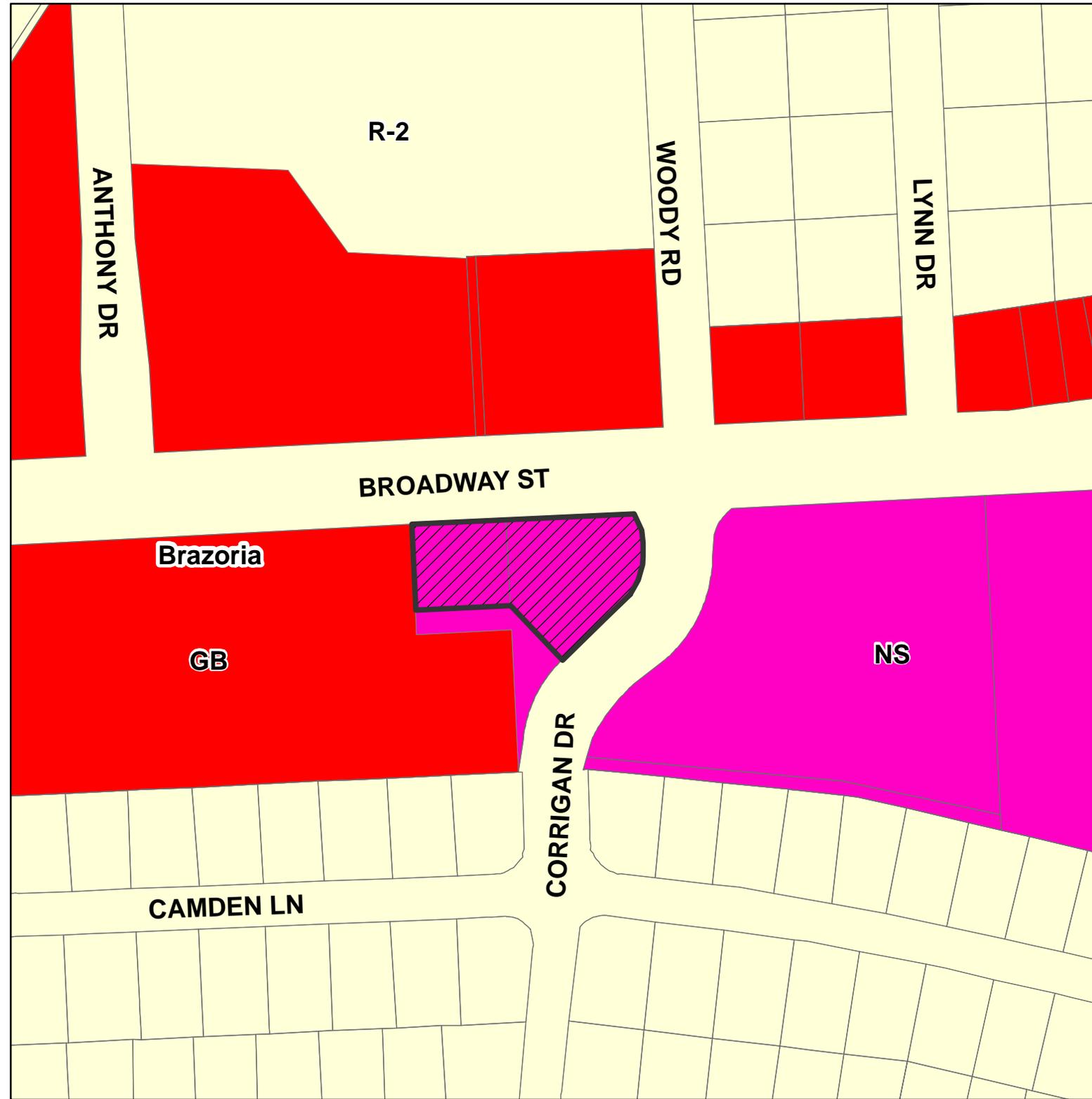
Zone Change 2013-14Z

5306 Broadway 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.

N

0 37.5 75 150 Feet





Abutter Map

Zone Change 2013-14Z

5306 Broadway 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 37.5 75 150 Feet



Zone Change 2013-14Z

5306 Broadway - NS to GB

List of Abutting Property Owners Within 200 feet

Name	Address	City	State	Zip
PURVIS GLORIA	5209 CAMDEN LN	PEARLAND	TX	77584-1151
CHILDS B A	5301 CAMDEN LN	PEARLAND	TX	77584-1149
LEWIS JUDITH SCARDINO	5303 CAMDEN LN	PEARLAND	TX	77584-1149
SHAKIR MARIE D	5207 CAMDEN LN	PEARLAND	TX	77584-1151
BRADLEY JEFFREY B	5305 CAMDEN LN	PEARLAND	TX	77584-1149
FROST NATIONAL BANK	100 W HOUSTON ST	SAN ANTONIO	TX	78205-1414
PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588-0007
COX LUCY	164 SUNSET LAKE RD	HUNTSVILLE	TX	77340-9715
PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588-0007
HACKNEY MARTY & PHARRIS	5203 BROADWAY ST	PEARLAND	TX	77581-3942
HUSSAIN JAWAD	10333 MARKET STREET RD	HOUSTON	TX	77029-2343



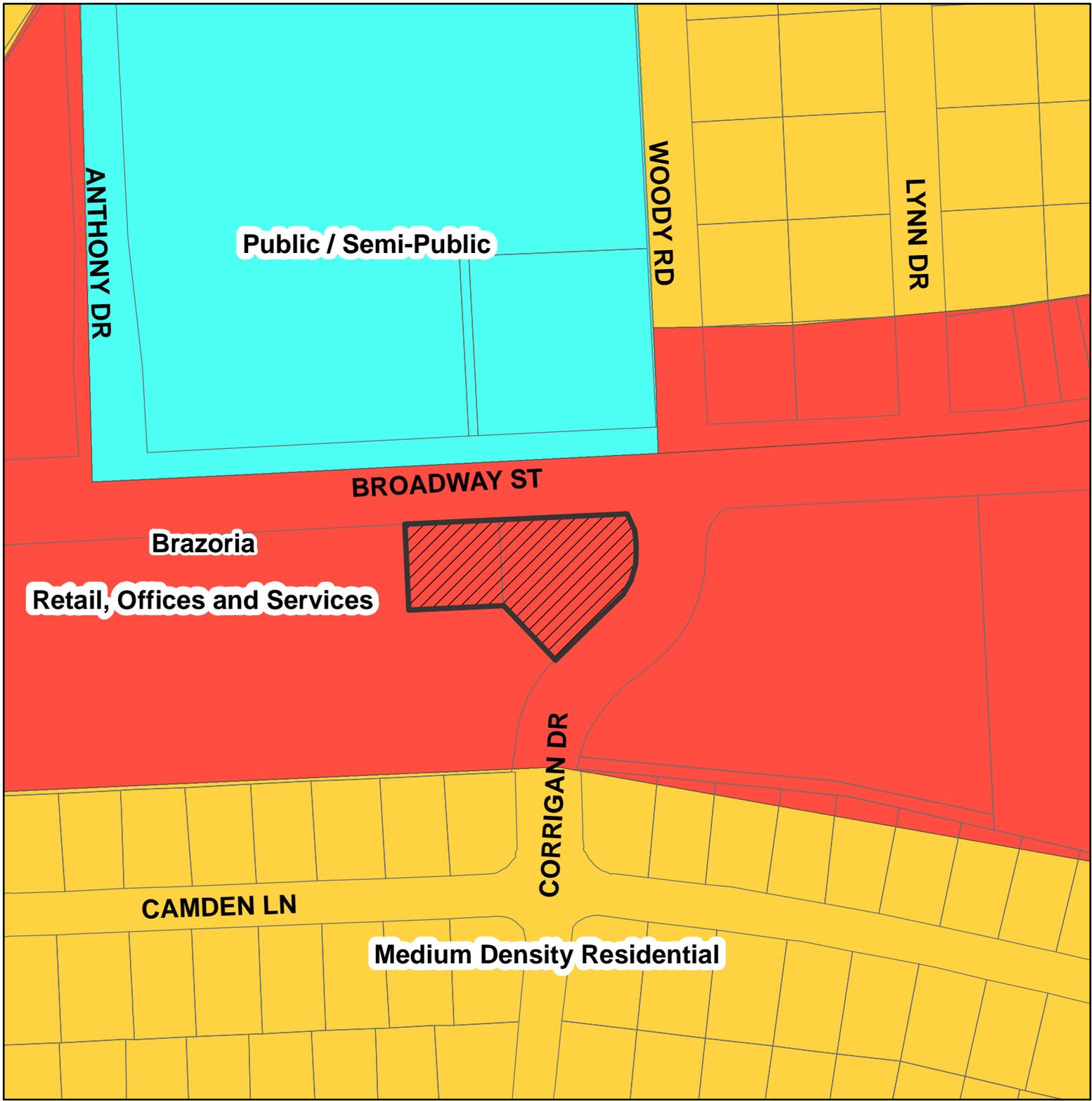
FLUP Map

Zone Change 2013-14Z

5306 Broadway St.

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0 37.575 150 Feet





Aerial Map

Zone Change 2013-14Z

5306 Broadway 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.

N



0 37.575 150 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: NS

Proposed Zoning District: GB

Property Information:

Address or General Location of Property: 5306 Broadway - FM 518
Pearland, TX 77581

Tax Account No. 0240-0013-000

Subdivision: Reserve B Carrigan NE PT Lot: 701 Block: _____

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

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

NAME Jawad Hussain
ADDRESS 10333 Market St. Rd.
CITY Houston STATE Tx ZIP 77029
PHONE (713) 672-7494
FAX (_____) _____
E-MAIL ADDRESS Jawad133@yahoo.com

NAME Jawad Hussain
ADDRESS 10333 Market St. Rd.
CITY Houston STATE Tx ZIP 77029
PHONE (713) 672-7494
FAX (_____) _____
E-MAIL ADDRESS Jawad133@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: Jawad Hussain Date: 10.19.12

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

OFFICE USE ONLY:

FEES PAID: <u>\$750.00</u>	DATE PAID: <u>10/19/12</u>	RECEIVED BY: <u>HE</u>	RECEIPT NUMBER: <u>21064</u>
----------------------------	----------------------------	------------------------	------------------------------

Application No. 2012-152

October 18, 2012

Jawad Hussain
Property owner
5304 and 5306 Broadway FM 518
Pearland, Texas 77581

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

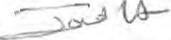
I am requesting a zoning change concerning the property at the above addresses.

I am enclosing a copy of the 2011 Tax statement and the Application for a change in zoning.

I am asking the zoning to be changed from NS to GB.

Thank you for your attention to this matter,

Jawad Hussain

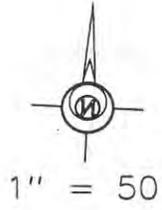


I can be reached at:
713-672-7494
10333 Market Street
Houston, TX 77029

FARM TO MARKET ROAD 518



LOT A-1
 CORRIGAN PLAZA, SEC. 1
 REPLAT NO. 1
 DOC NO. 2008043428 ORRPBCT



FIDELITY NATIONAL TITLE INSURANCE COMPANY
 GF NO. FTH-38F-FTH11007180AA

SURVEY MAP SHOWING A 0.2548 ACRE TRACT, OUT OF RESERVE "B" IN THE REPLAT OF CORRIGAN ADDITION, SECTION ONE, ACCORDING TO THE PLAT AS RECORDED IN VOLUME 11, PAGE 97 - 98, PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND A 0.3727 ACRE TRACT, BEING A PART OF A 0.440 ACRE TRACT, AS DESCRIBED IN DOCUMENT NUMBER 2008031888, OFFICIAL RECORDS OF REAL PROPERTY, BRAZORIA COUNTY, TEXAS, SITUATED IN THE H. T. & B. RAILROAD COMPANY SURVEY, ABSTRACT 240, BRAZORIA COUNTY, TEXAS.

This survey was made on the ground on August 22, 2011, under my supervision, and conforms to the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying, as revised June 2006.

Freddy A. Gormly

Freddy A. Gormly, Registered Professional Land Surveyor No. 1918
 P. O. Box 862, Alvin, Texas 77512-0862 Phone (281) 331-0883

SOURCE OF BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983(SOUTH CENTRAL ZONE) AS COMPUTED FROM GPS OBSERVATIONS.
 Freddy A. Gormly has not performed an Abstract of Title on the above surveyed property.

This tract subject to the following easements:
 Houston Pipeline Company R-O-W in Volume 288, Page 337, Deed Records, Brazoria County, Texas.
 Houston pipeline Company R-O-W in Volume 856, Page 567, Deed Records, Brazoria County, Texas.
 Texas Pipeline Company R-O-W in Volume 412, Page 265, Deed Records, Brazoria County, Texas.

THIS DOCUMENT IS PART OF A PROFESSIONAL LAND SURVEYING REPORT CONSISTING OF THIS MAP AND A METES AND BOUNDS DESCRIPTION.



GORMLY SURVEYING
REGISTERED PROFESSIONAL LAND SURVEYORS
P. O. BOX 862, ALVIN, TEXAS, 77512-0862
PHONE (281) 331-0883

METES AND BOUNDS

0.3727 acres of land, being a part of Reserve "A", in the Replat of Corrigan Addition, Section One, according to the plat as recorded in Volume 11, Page 97 – 98, Plat Records, Brazoria County, Texas, situated in the H. T. & B. Railroad Company Survey, Abstract 240, Brazoria County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point for the northeast corner of Reserve "B" of the Replat of Corrigan Addition, Section One, in the south line of Farm to Market Road 518(100' ROW);

THENCE North 87 deg. 20 min. 40 sec. East along and with the south line of Farm to Market Road 518, a distance of 133.08 feet to a ½ inch iron rod found for corner and the beginning of a curve to the right;

THENCE 35.39 feet along the arc of said curve, having a radius of 20.0 feet, delta = 101 deg. 23 min. 06 sec., a chord of 30.95 feet bearing South 41 deg. 57 min. 47 sec. East to a 5/8 inch iron rod found for corner of another curve to the right;

THENCE 99.05 feet along the arc of said curve, having a radius of 121.25 feet, delta = 46 deg. 48 min. 13 sec., a chord of 96.32 feet bearing South 32 deg. 17 min. West to a 5/8 inch iron rod found for corner of another curve;

THENCE 72.44 feet along the arc of said curve, having a radius of 206.50 feet, delta = 20 deg. 05 min. 53 sec., a chord of 72.06 feet bearing South 45 deg. 27 min. 09 sec. West to a ½ inch iron rod set for the South corner of the herein described tract, being the east corner of Corrigan Plaza, Section 1, as recorded in Document 2008043528, Official Records of Real Property, Brazoria County, Texas;

THENCE North 43 deg. 21 min. 12 sec. West, along and with a lower east line of Lot A-1 of Corrigan Plaza, Section 1, a distance of 67.3 feet to a ½ inch iron rod set for angle point, being the southeast corner of a called 0.253 acre tract, in the east line of Reserve "B", Replat of Corrigan Addition Section One;

THENCE North 02 deg. 39 min. 20 sec. West, along and with the east line of said Reserve "B", a distance of 100.0 feet to the PLACE OF BEGINNING and containing 0.3727 acres of land.

METES AND BOUNDS WRITTEN AUGUST 22, 2011

BY: *Freddy A. Gormly*
Freddy A. Gormly
Registered Professional Land Surveyor No. 1918



GORMLY SURVEYING
REGISTERED PROFESSIONAL LAND SURVEYORS
P. O. BOX 862, ALVIN, TEXAS, 77512-0862
PHONE (281) 331-0883

METES AND BOUNDS

0.2548 acres of land, out of Reserve "B", in the Replat of Corrigan Addition, Section One, according to the plat as recorded in Volume 11, Page 97 – 98, Plat Records, Brazoria County, Texas, situated in the H. T. & B. Railroad Company Survey, Abstract 240, Brazoria County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found for the northwest corner of the herein described tract, in the south line of Farm to Market Road 518(100' ROW);

THENCE North 87 deg. 20 min. 40 sec. East along and with the south line of Farm to Market Road 518, a distance of 111.0 feet to a point for the northeast corner of Reserve "B", Replat of Corrigan Addition, Section One;

THENCE South 02 deg. 39 min. 20 sec. East, along and with the east line of said Reserve "B", a distance of 100.0 feet to a ½ inch iron rod set for the southeast corner of the herein described tract;

THENCE South 87 deg. 20 min. 40 sec. West, along and with a lower north line of Lot A-1 of Corrigan Plaza, Section 1, a distance of 111.0 feet to a ½ inch iron rod set for the southwest corner of the herein described tract, and an interior corner of said Lot A-1;

THENCE North 02 deg. 39 min. 20 sec. West, along and with a east line of said Lot A-1, a distance of 100.0 feet to the PLACE OF BEGINNING and containing 0.2548 acres of land.

METES AND BOUNDS WRITTEN AUGUST 22, 2011

BY: *Freddy A. Gormly*

Freddy A. Gormly
Registered Professional Land Surveyor No. 1918



Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



Brazoria CAD

[Property Search](#) [Map Search](#) [Map Administration](#) [Login](#)

Property Search Results > Property ID 166300 HUSSAIN JAWAD for Year 2011

New Search

Details Map

Help

Account Property ID: 166300 Geo. ID: 0240-0013-000 Type: Real Legal Description: A0240 H T & B R R (PEARLAND), TRACT RESERVE B CORRIGAN NE PT (LT 7D1), ACRES 0.250	Location Situs Address: 5306 BROADWAY FM 518 PEARLAND, Neighborhood: COMM ACCTS Mapsco: Jurisdictions: CAD, CPL, DR4, GBC, RDB, SPL	Owner Owner Name: HUSSAIN JAWAD Mailing Address: , 10333 MARKET STREET RD., HOUSTON, TX 77029-2343	Property Appraised Value: \$196670
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Layers

- Parcels Group
- Abstracts
- City Limits
- Lakes
- Streets
- County

Radius Search Map Search

DISCLAIMER

© 2011 LPS True Automation

CITY OF PEARLAND
R E P R I N T

*** CUSTOMER RECEIPT ***

Oper: AGONZALES Type: OC Drawer: 1
Date: 10/19/12 01 Receipt no: 21064

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$750.00
Trans number:		3869992

ZONE CHANGE 2012-142
HUSSAIN BROS. INC
10333 MARKET ST
713.672.7494

Tender detail		
CK CHECK	4761	\$750.00
Total tendered		\$750.00
Total payment		\$750.00

Trans date: 10/19/12 Time: 14:28:33

DUPLICATE TAX RECEIPT



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

Certified Owner:

**HUSSAIN JAWAD
10333 MARKET STREET RD
HOUSTON, TX 77029-2343**

Legal Description:

A0240 H T & B R R (PEARLAND), TRACT
RESERVE B CORRIGAN NE PT (LT 7D1),
ACRES 0.250

Parcel Address: 5306 BROADWAY FM 518
Legal Acres: 0.2500

Remit Seq No: 20034653
Receipt Date: 01/24/2012
Deposit Date: 01/24/2012
Print Date: 10/18/2012
Printed By: NINAE

Deposit No: 112411030939
Validation No: 353
Account No: 0240-0013-000
Operator Code: SAND

Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2011	Brazoria County	196,670	0.413101	812.45	0.00	0.00	812.45
2011	Special Road & Bridge	196,670	0.060000	118.00	0.00	0.00	118.00
2011	Pearland Isd	196,670	1.419400	2,791.53	0.00	0.00	2,791.53
2011	Brazoria Drainage Dist 4	196,670	0.156000	306.81	0.00	0.00	306.81
2011	City Of Pearland	196,670	0.685100	1,347.39	0.00	0.00	1,347.39
				\$5,376.18	\$0.00	\$0.00	\$5,376.18

Check Number(s):
00004638

PAYMENT TYPE: PARTIAL PAYMENT

Checks: \$5,376.18

Exemptions on this property:

Total Applied: \$5,376.18

Change Paid: \$0.00

BALANCE DUE AS OF 10/18/2012 IS \$6,004.93

PAYER:
**HUSSAIN JAWAD
10333 MARKET STREET RD
HOUSTON, TX 77029-2343**

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

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

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

Such sign(s) shall be located as follows:

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

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

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

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

Jad Al...

APPLICATION CHECKLIST FOR THE FOLLOWING

- Zone Changes
- Planned Development Districts (PD)

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

*Letter of Intent is not required for a PD.

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

- Zero (0) to less than 25 acres:**

- \$ 750.00 plus \$25.00 per each type of zoning district requested; or
- \$ 800.00 if requesting a Planned Development (PD)

- **25 to less than 50 acres:**

- \$ 800.00, plus \$25.00 per each type of zoning district requested; or
- \$ 850.00 if requesting a Planned Development (PD)

- **50 to less than 75 acres:**

- \$ 850.00, plus \$25.00 per each type of zoning district requested; or
- \$ 900.00 if requesting a Planned Development (PD)

- **75 to less than 100 acres:**

- \$ 900.00, plus \$25.00 per each type of zoning district requested; or
- \$ 950.00 if requesting a Planned Development (PD)

- **100 acres and above:**

- \$ 950.00, plus \$25.00 per each type of zoning district requested; or
- \$ 1000.00 if requesting a Planned Development (PD)

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

- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.

Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

Additional Information:

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

**P&Z AGENDA
ITEM**

B

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 16, 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. 2013-15Z

A request of Kerry Gilbert & Associates, applicant, on behalf of Parkside 59/288, Ltd., owner, for approval of a zone change from the Planned Development (PD) zone to the Planned Development (PD) zone for 38.909 acres on the following described property, to wit:

Legal Description: 38.909 acres of land in the H. T. & B. R. R. Company Survey, Section 81, Abstract No. 300, Brazoria County, Texas, being a portion of lots 38, 39, 40, 49, and 50 of the Allison Richey Gulf Coast Home Company's part of Suburban Gardens, a subdivision of record, Volume 2, Page 98, of the Plat Records of said Brazoria County (B.C.P.R.), more particularly being the residue of that certain called 30.583 acre tract (described as Part One), and the residue of that certain called 9.990 acre tract (described as Part Two) conveyed from Compass Bank to Parkside 59/288 Ltd, by an instrument of record under Document Number 2011012491, of the Official Public Records of said Brazoria County (B.C.O.P.R.)

General Location: Northwest corner CR59/SH288, Pearland, TX

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

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



JOINT PUBLIC HEARING AGENDA ITEM MEETING OF SEPTEMBER 16, 2013

Zone Change No. 2013-15Z

A request of Kerry Gilbert & Associates, applicant, on behalf of Parkside 59/288, Ltd., owner, for approval of a zone change from the Planned Development (PD) zone to the Planned Development (PD) zone for 38.909 acres, to wit:

Legal Description: 38.909 acres of land in the H. T. & B. R. R. Company Survey, Section 81, Abstract No. 300, Brazoria County, Texas, being a portion of lots 38, 39, 40, 49, and 50 of the Allison Richey Gulf Coast Home Company's part of Suburban Gardens, a subdivision of record, Volume 2, Page 98, of the Plat Records of said Brazoria County (B.C.P.R.), more particularly being the residue of that certain called 30.583 acre tract (described as Part One), and the residue of that certain called 9.990 acre tract (described as Part Two) conveyed from Compass Bank to Parkside 59/288 Ltd, by an instrument of record under Document Number 2011012491, of the Official Public Records of said Brazoria County (B.C.O.P.R.)

General Location: Northwest corner CR59/SH288, Pearland, TX

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

Planning and Zoning Commission: September 16, 2013*

City Council for First Reading: October 14, 2013*

City Council for Second Reading: October 28, 2013*

(*dates subject to change)

SUMMARY: Kerry Gilbert & Associates, applicant, on behalf of Parkside 59/288 Ltd, owner, is requesting an amendment of a previously approved Planned Development (PD) for 38.9 acres for the above referenced location. The applicant is proposing to amend the existing *Business Center PD* which was approved by City Council on November 26, 2012. The Unified Development Code (UDC) requires that a PD amendment be processed similar to a zone change process. The property in question is located at the northwest corner of State Highway 288 and County Road 59 and is currently undeveloped. The property is divided by Business Center Drive, and is

generally located southeast of Pearland Town Center.

The formerly approved PD proposed a development which is divided into three Land Use Areas, as indicated in the submittal, including a variety of proposed commercial developments, such as restaurants, hotels, auto related uses (gas, wash, and minor auto repair), senior multi-family housing, museum, and manufacturing. The base zoning for the property is BP-288.

The basis for the amendment to the previously approved PD is to make changes which pertain to existing overhead power. The current Planned Development requires that the existing overhead utility line which was relocated due to the construction of Business Center Drive be removed. The amendment will allow that line to remain to serve future development, located on the east side of Business Center Drive. Any future connections to the line will be underground with any supporting ground equipment being screened with landscaping. Developments on the west side of Business Center Drive will be serviced by new overhead lines to be located along the rear and westerly property line as shown in Exhibit E in the PD document. There are no other changes being proposed with the amended document.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	Business Park District-288 (BP-288)	Vacant
South	City of Manvel	Vacant, Single-Family Residential
East	City of Pearland ETJ	Vacant/Bank
West	Single-Family Residential-2 (R-2)	Single-Family Residential

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): As previously mentioned, the property is currently zoned Planned Development (PD) with Business Park District-288 (BP-288) as the base zoning district. A breakdown between the (BP-288) requirements and the site current configuration is provided below:

	<u>BP-288</u>	<u>Existing Site</u>
Lot Size:	43,560 sq ft	38.9 Acres
Lot Width:	150'	n/a – new lots to be created w/development
Lot Depth:	200'	n/a – new lots to be created w/development

As approved with the original Planned Development document, the amended (PD) deviates from the Unified Development Code with regards to Landscaping (parking setback) buffer width requirement (15' being proposed and 30' required), non-amenitized detention facilities where amenitized is required, and additional allowable uses are being proposed than are currently permitted in the BP-288 zoning district. Any requirement of

the Unified Development Code not specifically addressed in the Planned Development document will be required to be met.

PLATTING STATUS: The property does not currently have a recorded plat. A master plat, required for land within the boundary of a Planned Development, has been approved for Land Use Area 2. Formal subdivision platting will be required at the time of development.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The current Comprehensive Plan (latest update in 2009) indicates *Business Park* for the subject property. The base zoning district in the proposed Planned Development is Business Park-288 (BP-288). The allowable uses do not substantially change the intent of that zoning designation, and therefore the zone change request would be considered to be in conformance with the approved Future Land Use Plan/Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on County Road 59 and Business Center Drive, both secondary thoroughfares, with a minimum of 100' right-of-way. County Road 59 is not currently constructed to the standards of a secondary thoroughfare for the entire length of the street, however has recently been widened where immediately adjacent to this property. Business Center Drive is currently in the process of being constructed.

AVAILABILITY OF UTILITIES: Utilities are in the process of being extended down Business Center Drive. The subject parcel will have the ability to connect to these utilities when they are completed.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: A conceptual site plan for the proposed Planned Development was submitted by the applicant for the original Planned Development and has not been changed with the amended Planned Development. The (PD) document separates allowable uses and development regulations based on three proposed land use areas. Based on this plan, it does not appear that there will be any adverse impacts that are not able to be mitigated. There will be a significant buffer between existing single family residential to the west of the proposed development consisting of the detention pond required for this development. This buffer is approximately 235'.

The approved Planned Development, as well as the proposed amendment establishes Business Center Drive as a Corridor Overlay District, which does require underground electrical utilities. While the amendment does allow an existing overhead utility line to remain, connections to the line as development occurs will be underground. Any supporting equipment will also be ground mounted and screened with landscaping.

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 conceptual site plan for the proposed Planned Development has been submitted by the applicant. The site plan indicates three (3) land use areas and the proposed PD document separates allowable uses and development regulations based on the land use areas. The proposed amendments do not indicate any change to the previously approved conceptual site plan.

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: At the time of this report, staff has not received any comments either in opposition to or in support of the proposed zone change request.

STAFF RECOMMENDATION: The Planned Development amendment is to allow location of overhead electrical utility lines which were relocated due to Business Center Drive construction. Staff is not opposed to the amendment as proposed by the applicant for the following reasons:

1. The proposed Planned Development, as did the original Planned Development, will result in development with higher standards than the former zoning of Business Park-288 (BP-288).
2. The proposed amendment will continue to encourage development along both sides of Business Center Drive.

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
- Proposed Planned Development Amendment
- Related Documents



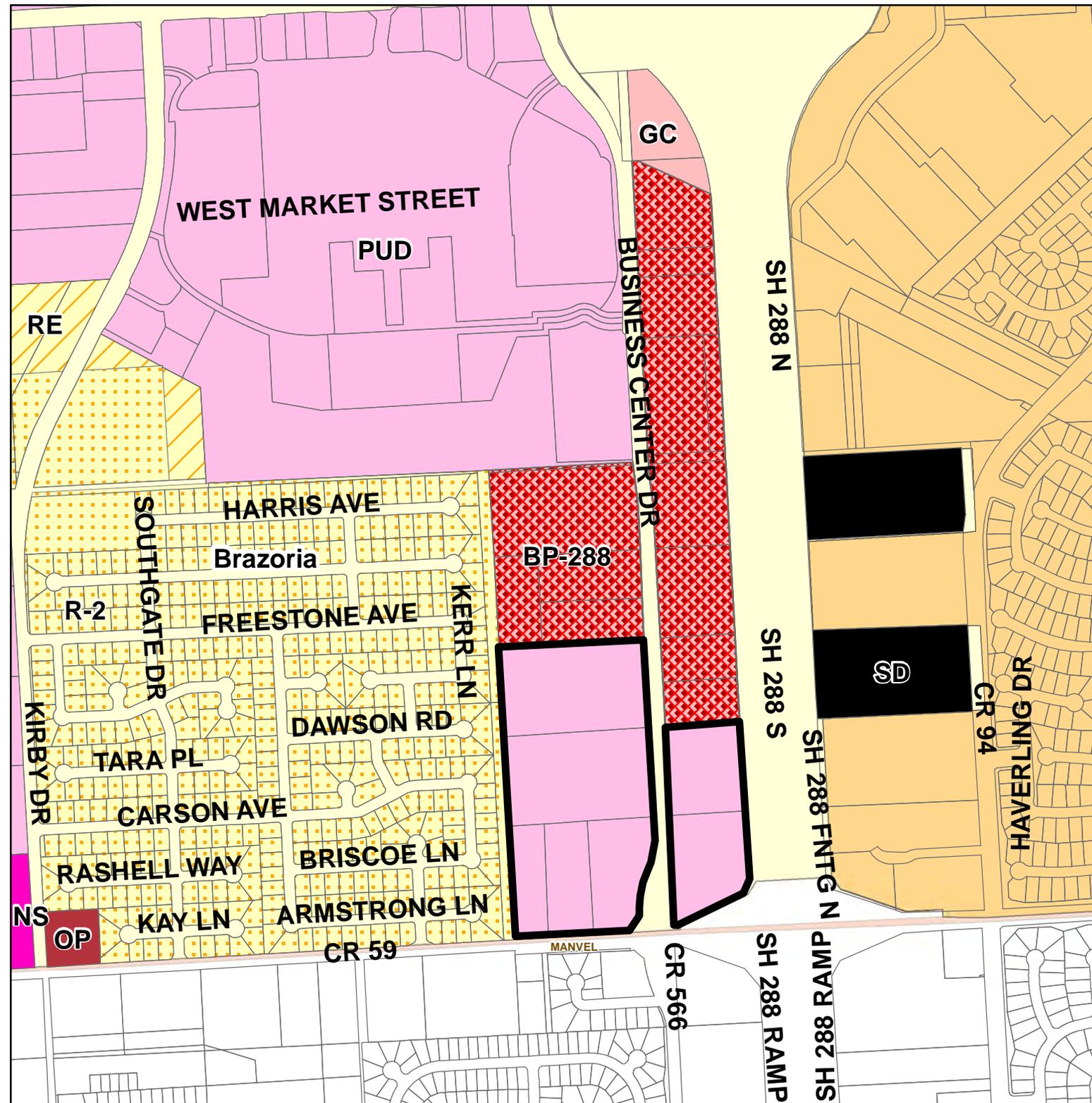
Vicinity and Zoning Map

Business Center PD

**Northwest Corner
CR59/SH288**

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 185370 740 Feet





Abutter Map

Business Center PD

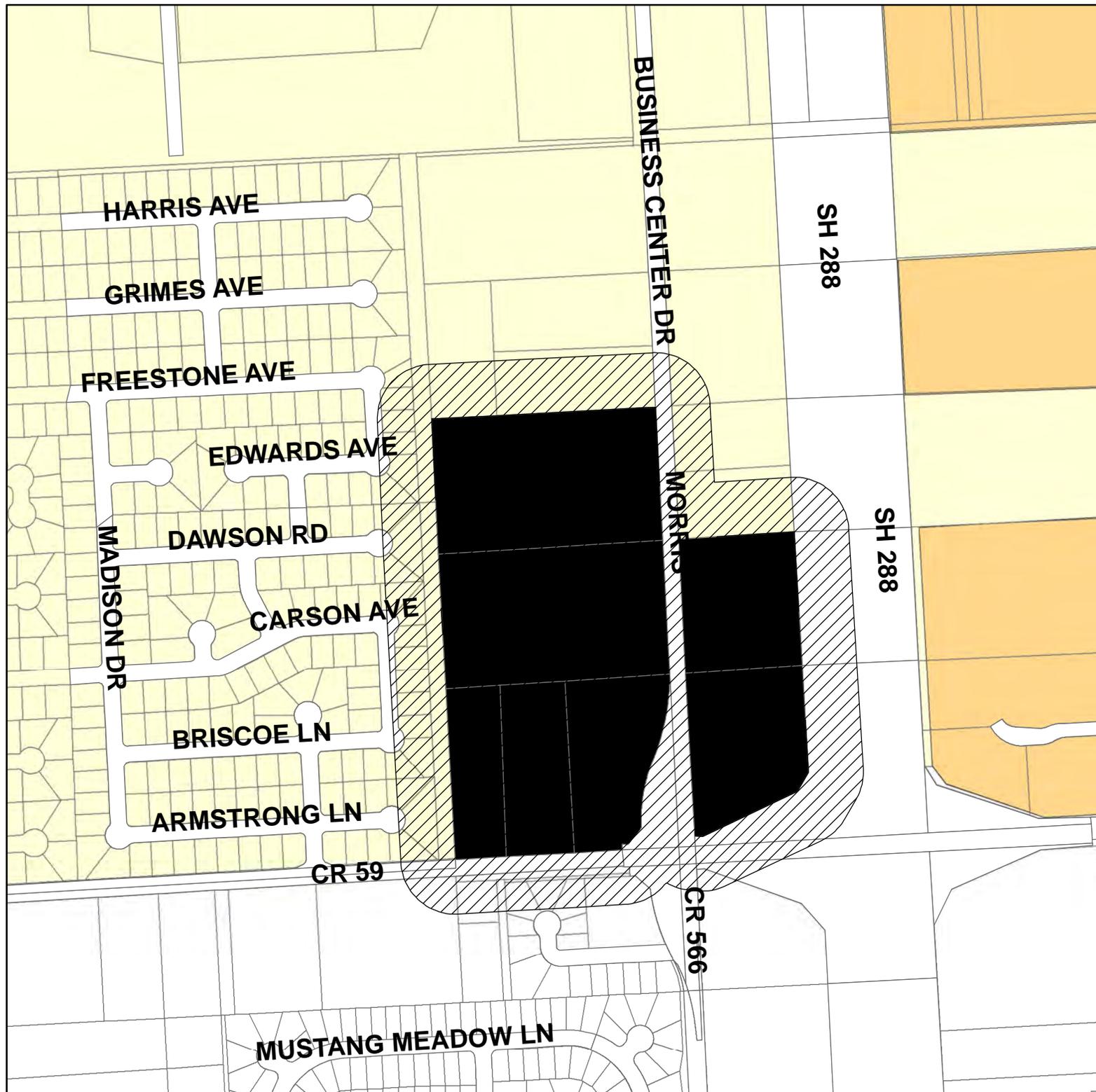
**Northwest Corner
SH288/CR59**

**Per UDC Requirements
only properties within
Pearland City Limits
received personal
notification.**

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

0 135 270 540 Feet



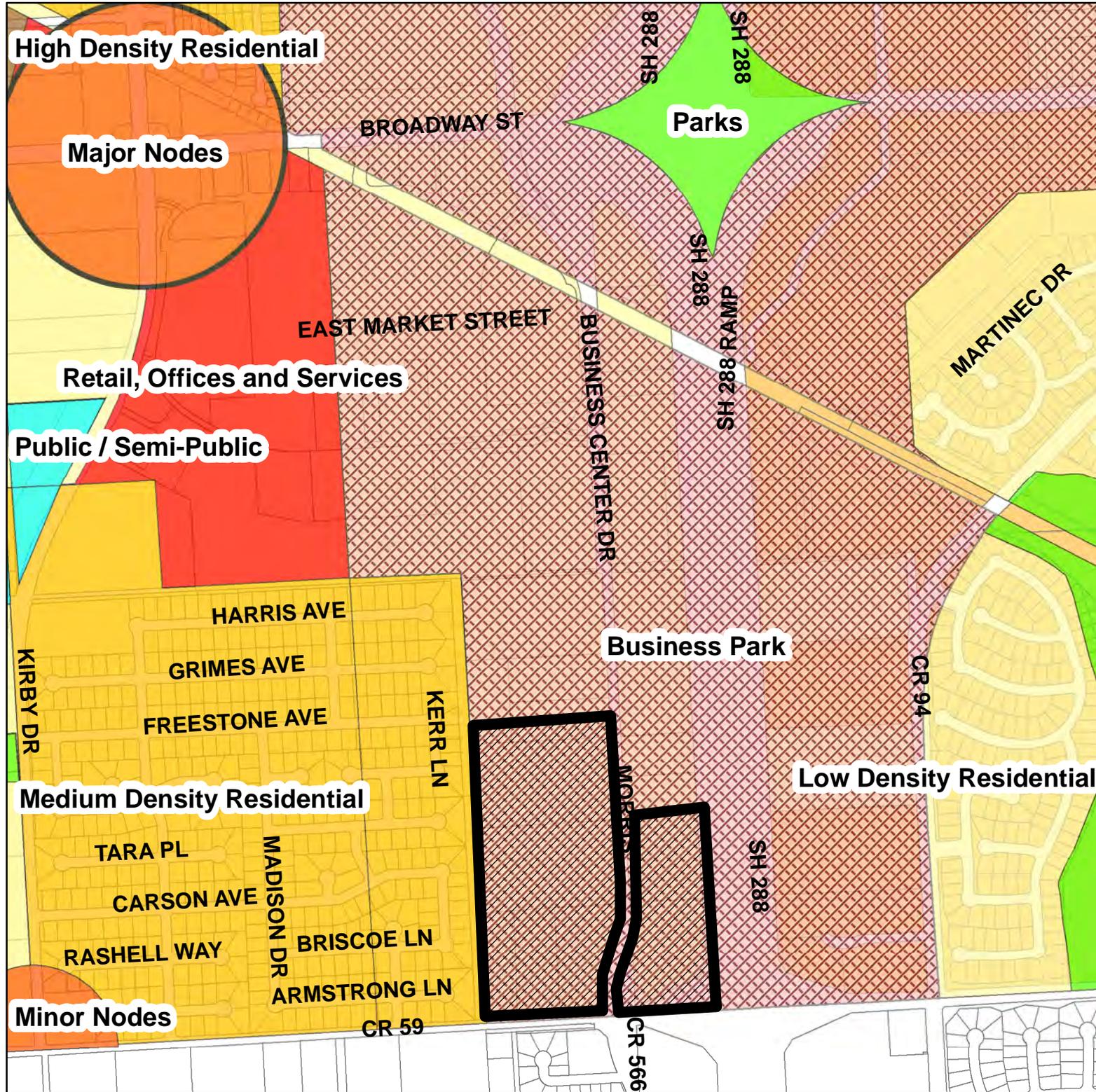
Zone Change 2013-15Z

NW Corner CR59/SH288 - PD to PD

List of Abutting Property Owners Within 200 feet

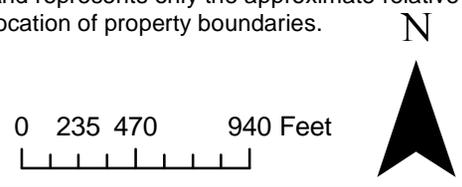
Name	Address	City	State	Zip
MCKAIG CLARK C	3509 KAUFMAN AVE	PEARLAND	TX	77584-7247
ROYCE LAND LP			TX	
FISHMAN GEORGE & MARY	3406 HAMPSHIRE ST	PEARLAND	TX	77581-4829
RIDDLE SIMONE	3401 KERR LN	PEARLAND	TX	77581
TRAN DANNY T & CELINE P	3403 KERR LN	PEARLAND	TX	77584-5535
ESCOBEDO HUMBERTO & SHERRY	3006 COUNTY ROAD 59	MANVEL	TX	77578-4233
SOUTHGATE COMMUNITY ASSOC	PO BOX 3217	PEARLAND	TX	77588-3217
GOLD STAR DEVELOPMENT C/O WILLIAM YEH	6229 RICHMOND AVE	HOUSTON	TX	77057-6211
VIRANI AHMADALI	2814 ACORN WOOD WAY	HOUSTON	TX	77059-5808
PARKSIDE 59/288 LTD C/O JOE MOODY -				
PARKSIDE CAPITAL INVESTMENTS	3003 W ALABAMA ST	HOUSTON	TX	77098-2001
YLT 288 PARTNERS	5855 SOVEREIGN DR STE B	HOUSTON	TX	77036-2337
DDRP HOLDINGS				
BRAZORIA COUNTY MUD #25 C/O YVONNE ONAK & ALLEN HUMPHRIES				
ROBINSON	3200 SOUTHWEST FREEWAY SUITE 2600	HOUSTON	TX	77027
LINGO SOUTHFORK LTD	3900 MAGNOLIA ST	PEARLAND	TX	77584-1610
THOMAS ELIZABETH R	3405 KERR LN	PEARLAND	TX	77584-5535
HARVISON MELINDA	3407 KERR LN	PEARLAND	TX	77584-5535
STRIPAY MARK	3409 KERR LN	PEARLAND	TX	77584-5535
OLIVAREZ RAMONA A & ANDRES	11102 EDWARDS AVE	PEARLAND	TX	77584-5590
SUMNERS BRANDON & TONYA	11103 DAWSON RD	PEARLAND	TX	77584-7245
BEAN KENNETH & CECILIA	11101 DAWSON RD	PEARLAND	TX	77584-7245
PATEL SAMIR B & TEJAL M	11102 DAWSON RD	PEARLAND	TX	77584-7244
WOODS EMMETT B & BILLIE J	11101 CARSON AVE	PEARLAND	TX	77584-7243

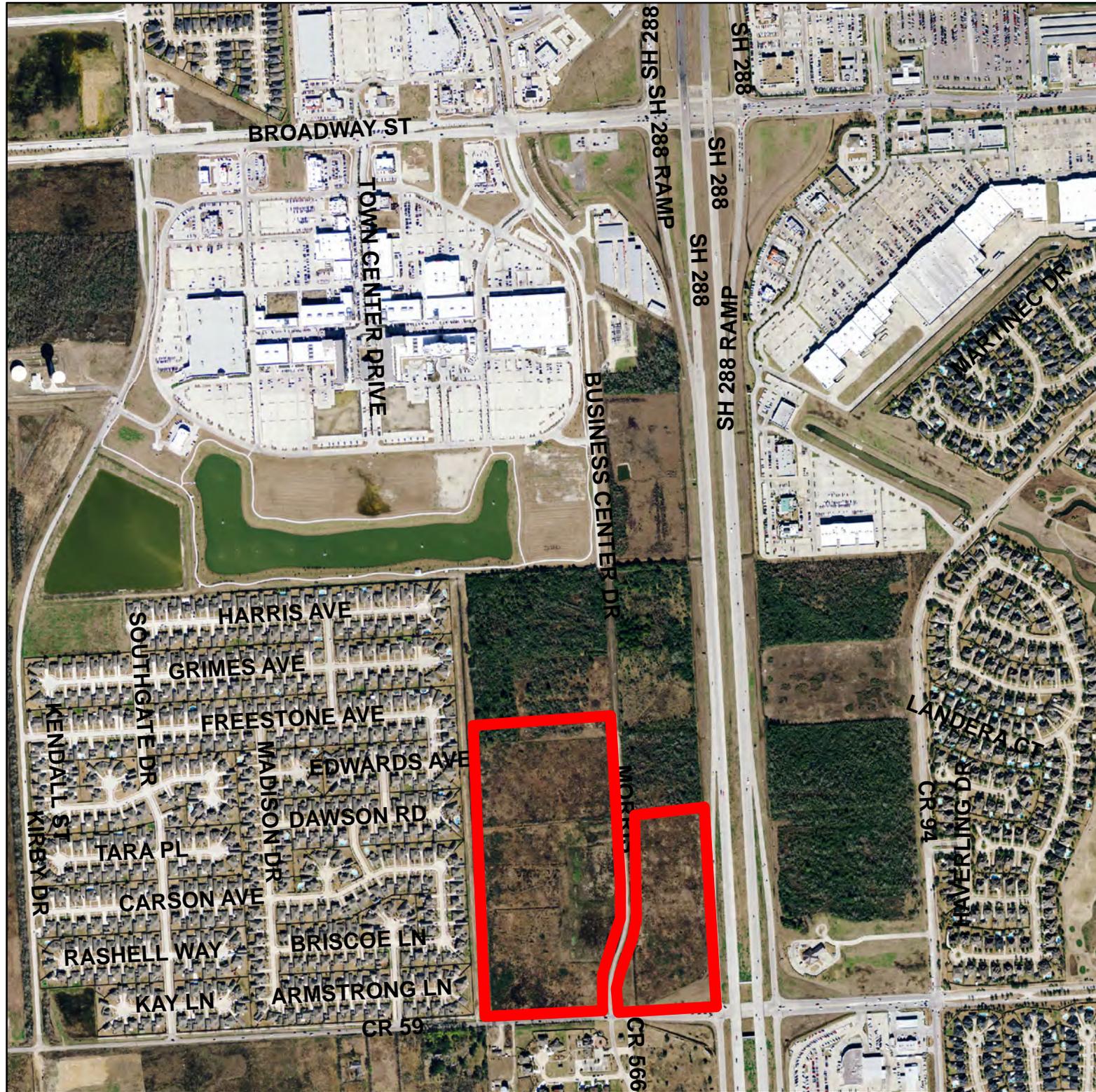
CRUZ FLOR A & MANUEL L	3501 KAUFMAN AVE	PEARLAND	TX	77581
TRAN KIM LOAN	3503 KAUFMAN AVE	PEARLAND	TX	77584-7247
BENNETT JOHN R & RUTH W	3505 KAUFMAN AVE	PEARLAND	TX	77584-7247
SOLORZANO RODOLFO H & MARIA	3507 KAUFMAN AVE	PEARLAND	TX	77584-7247
BOLLINGER WILLIAM BLAKE & ALLISON				
DRYDEN BOLLINGER	4619 BENTN SMITH RD	NASHVILLE	TN	37215
TARIQ MUHAMMAD A	3513 KAUFMAN AVE	PEARLAND	TX	77584
PITTS GREGORY & LADONNA	11102 BRISCOE LN	PEARLAND	TX	77584-7240
HARRIS LYVESTRA	11103 ARMSTRONG	PEARLAND	TX	77581
ROBLES PETER & YVONNE ROSALES	832 DAVIS RD	LEAGUE CITY	TX	77573-2823
ZAMARRIPA HECTOR & CINDY	11102 ARMSTRONG LN	PEARLAND	TX	77584-7235



FLUP Map
Business Center PD
Northwest Corner
SH288/CR59

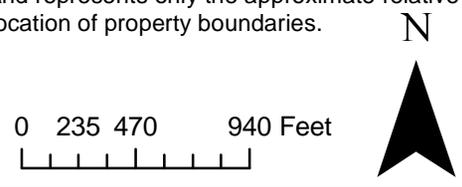
This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





Aerial Map
Business Center PD
Northwest Corner
SH288/CR59

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





APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: PD

Proposed Zoning District: PD

Property Information:

Address or General Location of Property: Northwest corner of Hwy 288 & CR 59

Tax Account No. 0300000600, 03000010000, 03000015000, 03000020000, 03000024000, 03000025002

Subdivision: _____ Lot: _____ Block: _____

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

PROPERTY OWNER INFORMATION:

NAME Parkside 59/288 Ltd.
ADDRESS 3003 W. Alabama Street
CITY Houston STATE TX ZIP 77098
PHONE(713) 773-5537
FAX(_____) _____
E-MAIL ADDRESS joe.moody@parksidecap.com

APPLICANT/AGENT INFORMATION:

NAME Kerry R. Gilbert & Associates, Inc.
ADDRESS 23501 Cinco Ranch Blvd., Suite A-250
CITY Katy STATE TX ZIP 77494
PHONE(281) 579-0340
FAX(_____) _____
E-MAIL ADDRESS gfreeman@krga.com

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

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

Owner's Signature: _____ Date: 8-27-13

Applicant/Agent's Signature: _____ Date: 08.27.13

OFFICE USE ONLY:

FEES PAID: <u>\$ 850.00</u>	DATE PAID: <u>8/30/13</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>337568</u>
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Application No. 2013-152

August 27, 2013

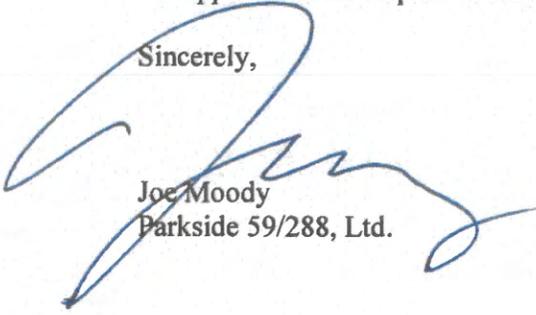
Lata Krishnarao, Director
Planning Department
3523 Liberty Drive
Pearland, Texas 77581

RE: Rezone application request – owner authorization

Dear Lata,

Parkside 59/288, Ltd, is owner of the 38.9 acres of property located at CR 59 and Business Center Drive. We authorize Kerry R. Gilbert & Assoc., Inc. to be our agent in our application for request to rezone the subject tract.

Sincerely,

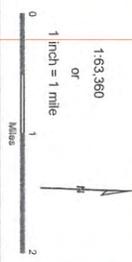


Joe Moody
Parkside 59/288, Ltd.

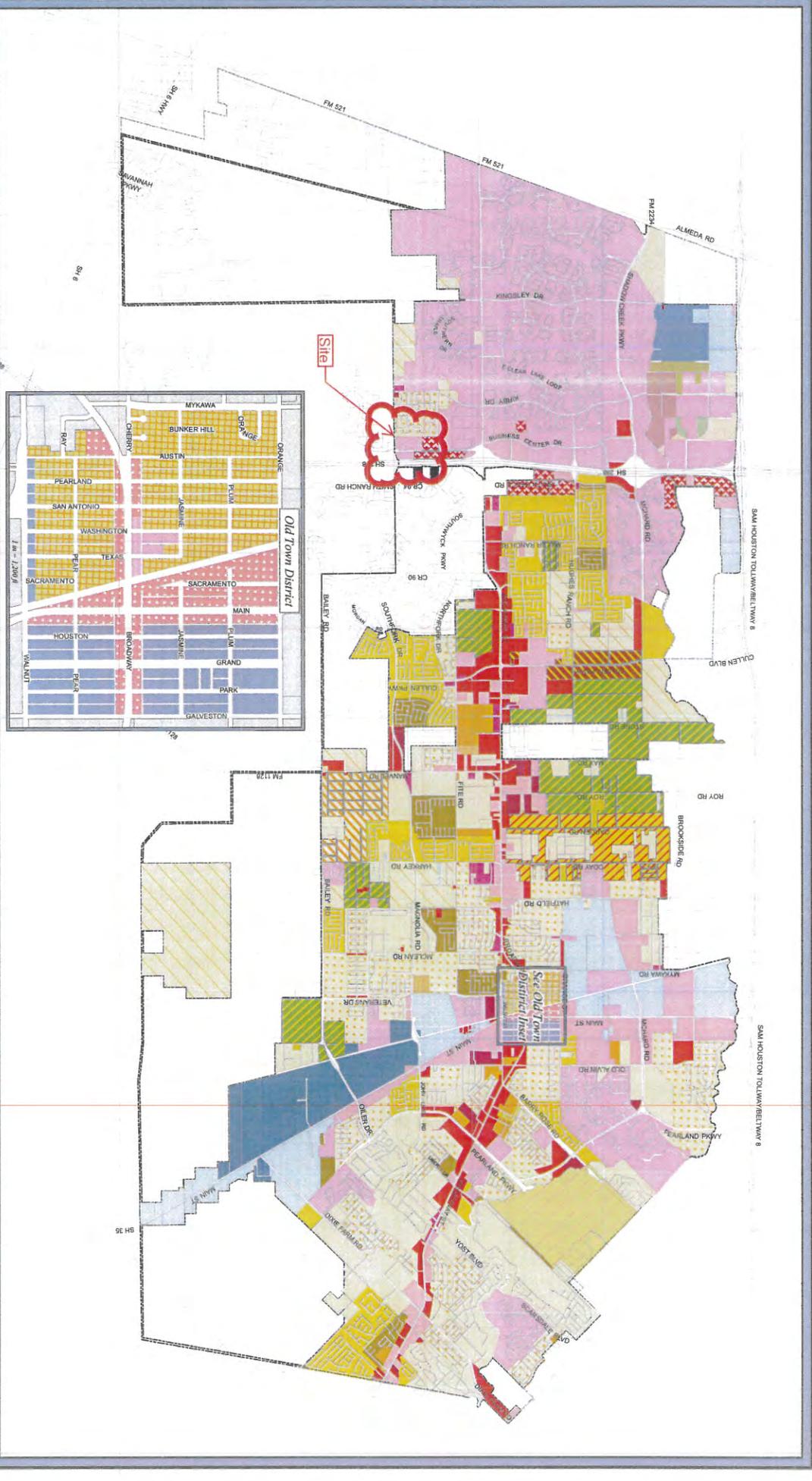
CITY OF PEARLAND ZONING DISTRICTS

Map Current Through Ord. 2000A-106 (22 JUL 2013)

-  BP-288
-  C-MU
-  GB
-  GC
-  GO-MU
-  M-1
-  M-2
-  MF
-  MH
-  NS
-  OP
-  OT-GB
-  OT-MU
-  OT-R
-  PD
-  R-1
-  R-2
-  R-3
-  R-4
-  RE
-  SR-15
-  SR-12
-  SD
-  SP1
-  SP2
-  SP3
-  SP4
-  SP5
-  TH
-  R-1 CLUSTER



THE ZONING DISTRICT DESIGNATIONS AND BOUNDARIES SHOWN ON THIS ZONING DISTRICT DESIGNATION MAP ARE FOR INFORMATIONAL PURPOSES ONLY. THE BOUNDARIES OF ANY OF THE DISTRICTS SHOWN ON THIS MAP DO NOT CONSTITUTE AN OFFICIAL REPRESENTATION OF THE CITY OF PEARLAND. THE CITY OF PEARLAND IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY APPEAR ON THIS MAP. THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND DOES NOT HAVE ANY LEGAL EFFECT. IT DOES NOT REPRESENT AN OFFICIAL ACTION OF THE CITY OF PEARLAND.



See Old Town District Inset

Business Center PD

Prepared for:

Parkside 59/288, Ltd.

Prepared by:

Kerry R. Gilbert & Assoc., Inc.

August 28, 2013

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I. Introduction

A. Description of Property

Parkside 59/288, Ltd. is the owner of the subject property which contains ±38.9 acres of land and is located at the northwest corner of CR 59 and US 288. Business Center Drive extends north to Broadway, bisecting the property into two developable tracts. Business Center Drive will also provide the primary entry points into each of the two tracts. Driveway access will also be taken from CR 59 to the south; however, there will be no direct driveway access to US 288 to the east. A 60 foot wide Brazoria County Drainage District Easement forms the western boundary of the tract. South Gate, a single-family residential subdivision is situated west of the drainage easement and proposed 176 foot wide detention pond. The subject tract is vacant, except for an asphalt roadway (the location of future Business Center Drive) that dead ends at northern edge of the property. Exhibit A – Location Map and Exhibit B – Survey depicts the location and boundary of project.

B. Description of Proposed Development

The location of this project at the intersection of a major highway and a major thoroughfare lends itself for commercial, retail, and office development. There are a variety of possible uses for each tract, including small pad sites (banks, restaurants, gas station/convenience store, etc.), large big box retail (home improvement store, grocery store, etc.), hotel/motel, and office buildings.

Exhibit D – Land Use Areas illustrates how the subject tract is affected by the future extension of Business Center Drive. Business Center Drive bisects the project into two commercial areas ±9.7 acres east of Business Center Drive and ±29.2 acres on the west. The storm water detention requirement of ±6.8 acres will be located along the western boundary and provide an excellent buffer between the commercial and residential development. The width of the proposed detention is 176' wide which provides a significant buffer distance between the residential and commercial developments. Construction of the fence will occur as the development in LUA 2 and 3 occur.

Exhibit D – Land Use Areas shows the location of the detention between the single family residential and the commercial.

C. Describe the area of land in acreage and legal description

Approximately 38.9 acres comprise the subject site. Exhibit B – Survey, Metes & Bounds description, describes the site.

D. Statement as to the purpose and intent of the PD

The intent of this PD is to allow flexibility of uses with the commercial, retail, and office land uses within the project.

II. Zoning and Land Uses

A. Describe existing zoning district surrounding the site

The site is zoned BP-288. The surrounding uses are as follows:

- North: Pearland Town Center PUD and BP-288
- West: R-2 (Southgate neighborhood, Brazoria County Drainage District Easement)
- South: ETJ (single-family residential use),
- East: ETJ (vacant)

Exhibit C – Surrounding Properties/Zoning Map depicts the zoning districts of the adjacent tracts.

B. Describe the acreage difference between the Base Zoning and proposed district

The base zoning district is BP-288. The proposed district overlays the entire 38.9 acre tract since the location of each specific land use has not yet been determined.

C. General standards applicable to project

Development and land uses along SH 288 will conform to the BP-288 District (Section 2.4.3.3) and development and land uses along Business Center Drive and CR 59 will conform to the Corridor Overlay District (Section 2.4.5.1) except for the specific design standards listed in III. Design Standards Section C of this document, and land uses listed in the land use table.

D. Permitted and conditional uses allowed

The intent of the PD is to allow for a variety of land uses, including a mix of commercial, office, hotel/motel, retail and restaurants. To this end, three distinct Land Use Areas (LUA) are being defined that would confine specific land uses to certain portions of the tract. Location and size of a tract coupled with market conditions are factors in determining the best use for the tract. The LUA designations define the best uses for the tract and set specific design elements for particular uses. The design elements set up standards based on the land use.

Exhibit D – Land Use Areas depicts three land use areas and the respective acreage within each area. The table below lists the potential types of uses within each LUA plus design elements specific to those uses. Any land use permitted or conditionally permitted in the BP-288 district listed in the UDC Land Use Matrix is allowed along with the additional uses listed in the Land Use Area Table within this document. Any uses listed in the Land Use Area Table below are considered Permitted Uses in addition to the Permitted uses in the UDC Land Use Matrix for BP-288. The land uses listed in the table below are restricted to that specific Land Use Area. Additionally, the land uses listed are restricted to a maximum acreage within that specific Land Use Area. The acreage for that use is listed next to the use.

The acreage within each LUA may shift within 15% to allow for flexibility in land uses. The size of the LUA could change depending upon the actual use that is constructed so the ability to increase and decrease the acreage within the LUA is important.

Land Use Area Table

	Types of Uses and Maximum Acreages	Design Element
<p>Land Use Area 1 + 9.9 Acres</p>	<p>Restaurant (Drive-thru)*.....(9.9 acres) Restaurant (Dine-in)..... (9.9 acres) Hotel/Motel and Extended Stay**.....(6 acres) Gas/Convenience Store ***.....(3 acres) Auto Repair (minor)(5 acres) Auto Wash (full service/detail)(5 acres) Auto Wash (self-service)(5 acres) Laundry/ Dry Cleaning(2 acres) Garden / Nursery Store(8 acres) Shopping Center(8 acres)</p>	<p>Shared Driveways</p> <p>Orientation of bay windows shall not face Business Center Drive or SH 288.</p> <p>Drive-thru windows that face the street will be buffered per City Corridor Overlay District and BP-288 District requirements.</p>
<p>Land Use Area 2 + 5.8 Acres</p>	<p>Restaurant (Drive-thru)*(5.8 acres) Restaurant (Dine-in)(5.8 acres) Gas/Convenience Store ***.....(3 acres) Auto Wash (self-service) associated with a gas station only</p>	<p>Shared Driveways</p> <p>Orientation of service bay doors shall not face Business Center Drive.</p> <p>Drive-thru windows that face the street will be buffered per City Corridor Overlay District and BP-288 District requirements.</p>
<p>Land Use Area 3 + 23.4 Acres</p>	<p>Nursing/Convalescent Home....(14 acres) Flex / Back Office(12 acres) Museum(5 acres) Bio-tech, High-tech Manufacturing(10 acres) Shopping Center(12 acres)</p>	<p>Shared Driveways</p> <p>Nursing/Convalescent Home as defined by the UDC The design of the complex will incorporate interior hallways.</p> <p>Businesses to be oriented towards Business Center Drive, or if designed with a motor court, business can be oriented towards another business.</p> <p>Orientation of overhead doors and service bay doors shall not face Business Center Drive</p> <p>Flex/Back Office and Bio-tech, High-tech Manufacturing to be one-story industrial product with tilt wall or similar concrete construction that can accommodate 25% to 100% office use; dock high doors shall not face Business Center Drive.</p>

* Restaurant (Drive-Thru) limited to three (3) establishments in LUA 1 and two (2) establishments in LUA 2.
 ** Hotel/Motel/Extended Stay limited to two (2) establishments in LUA 1.
 ***Gas/Convenience Store limited to one (1) facility in LUA 1 and one (1) facility in LUA 2.

III. Design Standards

A. Design Standards

1. Exterior Materials and Colors: No more than three (3) dominant materials should be used on a building exterior. Acceptable materials are concrete, tilt wall concrete, concrete block, glass, glass block, brick, split face concrete block, stone, stucco, and trade designs, as permitted in Sec 2.6.2.1 of UDC, and as approved by the City Planner. Earth tones with limited pastel alternative as recommended for dominant wall colors for build materials. An accent color may be applied to trim, fascia boards, door panels, or miscellaneous metals. Accent colors will not exceed more than 20% of the building façade for any side of the building. Prohibited colors include colors considered to be fluorescent, iridescent, or dayglo.

2. Minimum Setback for Structures: The minimum setback for structures along the public right-of-way shall be twenty (20) feet.

3. Minimum Setback for Parking Buffer: The minimum setback for the off-street parking, maneuvering and loading area from the right-of-way shall be fifteen (15) feet.

4. Landscaping: A landscaping plan will be developed along the perimeter of the project to ensure uniformity. The landscaping plan will be in conformance with the Corridor Overlay District along Business Center Drive and CR 59 and BP-288 District along SH 288 for landscaping, parking lot screening, trash receptacle screening and tree plantings, except the minimum setback, which is discussed above.

5. Lighting: - Lighting in the parking lots and on the commercial buildings will be in conformance with the current City of Pearland Code.

6. Outside Storage: Outside storage operations are allowed only for those businesses in which outside storage is a function of the business, such as a nursery. The outside storage must be screened from public view and those standards will be in conformance with Sec 4.2.4.1 plus in no case shall outside storage be permitted along any yard that abuts any street or public right-of-way.

7. Parking: On and off street parking requirements will be in conformance with the City of Pearland UDC. Bicycle parking will also be in conformance with the Section 2.4.5.1.F in the Corridor Overly District.

8. Service Access and Service Areas: Service drives and service areas shall not interfere with parking, driveways or walkways and must be screened from adjoining properties, all public right-of-way and from the office area of any other building which share the site. A service area shall be provided at the rear (side opposite the street) of all buildings.

9. Vehicular Access: Location of ingress and egress will be controlled. Vehicular access will be designed to minimize auto-pedestrian conflicts, manage curb cut distances along the public right-of-way, and minimize automobile conflicts. Shared driveways will be planned to limit the number of driveways along CR 59 and Business Center Drive. Parkside 59/288, Ltd. has been working with the City of Pearland on the design of

Business Center Drive to ensure optimal driveway and cross access conditions for future development.

10. Screening: Screening will be in conformance with the City of Pearland UDC except for any exclusions listed below in Section C. The screening for the detention facility will consist of a six (6) foot tall masonry or pre-cast masonry wall along the eastern side of the facility, along LUA 2 and 3. The fence will be constructed in conjunction with the building it is screening within LUA 2 and 3. Exhibit J illustrates the proposed screening.

11. Utilities: Overhead power lines exist along the north side of CR 59 and inside the right of way of Business Center Drive. The overhead line along Business Center Drive will remain in place and provide primary power for all land east of Business Center Drive. Additionally, new overhead lines will be constructed by Centerpoint along the west boundary of the Property, as shown on Exhibit E. Overhead lines will be used to distribute power, as shown on Exhibit E. Overhead power shall setback a minimum of twenty (20) feet behind the front of the building structure closest to Business Center Drive or 150' from the Business Center Drive right-of-way line, whichever is greater, so to maintain clean view corridors along Business Center Drive. The City Planner may review the screening requirements to minimize the view of the overhead poles from Business Center Drive. As sites are sold and developed, utilities to these sites will be constructed per the location specified listed above and as shown on Exhibit E. Exhibit E – Utility Plan depicts the location of existing and proposed overhead power lines.

*Underground power delivery to Land Use Area 1 may include above ground terminal poles. The configuration and engineering of underground power will be determined by Centerpoint. All transformers and similar equipment need to be ground mounted, and not pole mounted, for any connection to or extension from existing overhead lines along Business Center Drive. It should be noted, however, that underground service may require a terminal pole to initiate service. This provision shall include the 150' setback for above ground power along Business Center right-of-way. Additionally, ground mounted transformers or similar equipment shall be screened per UDC Section 4.2.4.1 (d), *General Screening*.

12. Detention Facility: The primary detention for this development will be located along the western boundary of the tract. The detention will provide a buffer between the proposed commercial development and the South Gate neighborhood. The detention facility (including the high bank and berm) is 176 feet wide. The existing Brazoria Drainage District ditch is 60 feet wide. The combination of these two drainage areas provides a single, 236 foot wide buffer between the existing residential and proposed commercial. A screen wall, six (6') tall masonry or pre-cast wall will be constructed along the east side of the detention facility to enhance the screening between uses. The wall will be constructed as buildings are constructed. Landscape plantings of trees and shrubs will also be incorporated along the frontage of CR 59 to provide a visual screen from the public right-of-way.

C. Specific list of deviations.

1. Section 2.4.5.1.C.1 and Section 2.4.4.3.C: Land Use Area 1 has dual frontage for Land Use Area 1 and driveway access to the site is limited to Business Center Drive. A twenty foot (20') front building line along both sides of Business Center Drive allows for better design of the project.
2. Section 2.4.5.1.C.2: A setback of fifteen feet (15') for off-street parking, maneuvering and loading area within the project will allow for better design of the tract.
3. Section 2.4.5.1.D.2.d: Building materials are discussed above and include restrictions in the Corridor Overlay District. Trade Designs shall be approved by the City Planner.
4. Section 2.4.5.1.D.3: Building colors are limited to earth tones and pastel as discussed above, and should not require the additional approval of the Planning Director.
5. Section 2.4.4.3.A.1: Permitted uses in BP-288 are listed on the UDC Land Use Matrix. We request additional uses be permitted as listed in the Land Use Table in Section 2 above. Prohibited uses include "Pet Care Facility/Animal Kennel (with outdoor pens)" and "Office, Parole-Probation, Bail Bonds".
6. Section 2.4.4.3.F: Regional detention facilities are required to be incorporated as an amenity. The regional detention required for this development is better served as a buffer to the single family residential than as a lake amenity for the project. The total width of the detention and drainage area is 236 feet. The distance, coupled with the six foot (6') wall provides a sufficient buffer and screen for the residential neighborhood to the west.
7. Section 2.4.5.1.M: Overhead utilities will be utilized west of Business Center Drive. Overhead lines will be setback a minimum of 150' from Business Center Drive. Power will be distributed underground to the Property east of Business Center Drive from overhead power located in Business Center Drive. The underground power will be distributed in a manner determined by Centerpoint.

D. All requirements of the Unified Development Code will be met, unless specifically mentioned in this document

IV. Required dedications of land or public improvements

This development is primarily commercial, retail and office and therefore no dedication to parkland required.

VI. Exhibits

- A - Location Map
- B - Survey, metes & bounds description
- C - Surrounding Properties/ Zoning Map
- D - Land Use Areas
- E - Power Line Exhibit
- F - Landscape/Screening along CR 59 and the Detention Basin



a location map for

BUSINESS CENTER PD

± 38.9 ACRES OF LAND

PARKSIDE 59/288 LTD.

prepared for

KERRY R. GILBERT & ASSOCIATES, INC.
 Land Planning Consultants
 2501 Cimarron Ranch Dr.
 Katy, Texas 77484
 (281) 579-0340
 Fax (281) 579-0212

JUNE 15, 2012

NOT TO SCALE

EXHIBIT A

location map

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. IT IS NOT TO BE USED FOR CONSTRUCTION OR CONSTRUCTION PURPOSES. THE CONSULTANT HAS CONDUCTED VISUAL VERIFICATION OF THE LOCATION AND GENERAL CHARACTER OF THE SITE AND SURROUNDING AREAS AND SHOULD NOT BE RELIED UPON FOR ENGINEERING AND DRAINAGE, FLOOD PLANS AND OTHER TECHNICAL INFORMATION. THE CONSULTANT HAS CONDUCTED VISUAL VERIFICATION OF THE LOCATION AND GENERAL CHARACTER OF THE SITE AND SURROUNDING AREAS AND SHOULD NOT BE RELIED UPON FOR ENGINEERING AND DRAINAGE, FLOOD PLANS AND OTHER TECHNICAL INFORMATION. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

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June 19, 2012
Job No. 1352-1003-202

DESCRIPTION OF
38.909 ACRES
(1,694,878 SQUARE FEET)

Being 38.909 acres of land located in the H.T. & B. R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being a portion of Lots 38, 39, 40, 49, and 50 of the Allison Richey Gulf Coast Homes Company's Part of Suburban Gardens, a subdivision of record in Volume 2, Page 98, of the Plat Records of said Brazoria County (B.C.P.R.), more particularly being the residue of that certain called 30.583 acre tract (described as Part One) and the residue of that certain called 9.990 acre tract (described as Part Two) conveyed from Compass Bank to Parkside 59/288, Ltd., by an instrument of record under Document Number 2011012491, of the Official Public Records of said Brazoria County, (B.C.O.P.R.), said 38.909 acres being more particularly described in two parts by metes and bounds as follows: Part One being 29.226 acres (1,273,076 square feet) and Part Two being 9.683 acres (421,802 square feet), all bearings referenced to the Texas Coordinate System, South Central Zone, NAD83 (1993 adjustment), Epoch 2002.02;

PART ONE

BEGINNING at a 5/8-inch iron rod with cap stamped "LJA ENG" found for the northwest corner of said 30.583 acre tract and the southwest corner of that certain called 3.39 acre tract conveyed from Brazoria County Land & Cattle Co. to George D. Fishman and wife, Mary Fishman by an instrument of record under Document Number 2005061002, of the Official Records of said Brazoria County, (B.C.O.R.), said point being on the east line of Southgate Section Two, a subdivision of record in Volume 24, Pages 278-279, B.C.P.R., said point also being common west corner of Lots 37 and 38 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision;

38.909 acres

June 19, 2012
Job No. 1352-1003-202

Thence, North $86^{\circ} 42' 55''$ East, along the common line of said Lots 37 and 38, along the north line of said 30.583 acre tract, the south line of said 3.39 acre tract and said south line of that certain called 3.33 acre tract conveyed from Ky-Tex to George Fishman and Mary Fishman by an instrument of record under File Number 96-040466 and corrected under File Number 97-010496, B.C.O.R., 826.97 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set on the west right-of-way line of Business Center Drive (100 feet wide) as described under Document Numbers 2012007382, 2012007390, 2012007393, and 2012007402, B.C.O.P.R., from which a 3/4-inch iron pipe found for the common corner of said Lots 37, 38, 47 and 48 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision bears North $86^{\circ} 42' 55''$ East, 49.51 feet;

Thence, South $03^{\circ} 16' 00''$ East, along the west right-of-way line of said Business Center Drive, 1,025.77 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, the beginning of a curve;

Thence, continuing along the west right-of-way line of said Business Center Drive, (width varies), 169.54 feet along the arc of a tangent curve to the right having a radius of 750.00 feet, a central angle of $12^{\circ} 57' 08''$, and a chord that bears South $03^{\circ} 12' 34''$ West, 169.18 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner at the intersection of the west right-of-way line of said Business Center Drive and the west right-of-way line of County Road 566 (width varies) as described in Volume 2, Page 98, B.C.P.R., Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.R., the beginning of a curve;

Thence, along the west right-of-way line of said County Road 566 the following four courses:

1. 66.34 feet along the arc of a non-tangent curve to the right having a radius of 686.20 feet, a central angle of $05^{\circ} 32' 22''$, and a chord that bears South $18^{\circ} 58' 03''$ West, 66.32 feet to a concrete right-of-way monument found for corner;

2. South $21^{\circ} 45' 33''$ West, 13.71 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner, the beginning of a curve;
3. 275.59 feet along the arc of a non-tangent curve to the left having a radius of 746.20 feet, a central angle of $21^{\circ} 09' 40''$, and a chord that bears South $11^{\circ} 09' 26''$ West, 274.03 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, from which a found concrete right-of-way monument bears North $51^{\circ} 07' 14''$ West, 1.18 feet;
4. South $42^{\circ} 42' 06''$ West, 71.88 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north right-of-way line of County Road 59 (width varies) as described in Volume 2, Page 98 and Volume 24, Page 33-36, B.C.P.R.;

Thence, South $86^{\circ} 44' 15''$ West, along said north right-of-way line, 10.00 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on the north right-of-way line of said County Road 59, said point being the northeast corner of that certain called 0.5248 acre tract conveyed to the City of Pearland as a donation for right-of-way as described under Document Number 2012007390, B.C.O.P.R.;

Thence, South $86^{\circ} 40' 26''$ West, along the north right-of-way line of said County Road 59 as described under Document Number 2012007390, B.C.O.P.R., 646.10 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for the northwest corner of said 0.5248 acre tract, said point being on the west line of the aforementioned 30.583 acre tract, said point being the southeast corner of Southgate Section One, a subdivision of record in Volume 24, Pages 33-36, B.C.P.R.;

38.909 acres

June 19, 2012
Job No. 1352-1003-202

Thence, North $03^{\circ} 18' 06''$ West, along the west line of said 30.583 acre tract, the west line of said Lots 38, 39 and 40, and the east line of said Southgate Section One, passing at 1,330.57 feet a 5/8-inch iron rod with cap stamped "DALE HARDY RPLS 4847" found for the northeast corner of said Southgate Section One and the southeast corner of of the aforementioned Southgate Section Two, continuing along the west line of said Lot 38 and the east line of said Southgate Section Two, in all 1,583.44 feet to the POINT OF BEGINNING and containing 29.226 acre (1,273,076 square feet) of land.

PART TWO

BEGINNING a 5/8-inch iron rod found for the northeast corner of said 9.990 acre tract and the southeast corner of that certain called 2.515 acre tract conveyed from DXB Richmond, Inc to Gold Star Development by an instrument of record under Document Number 2008031966, B.C.O.P.R., said point also being on the west right-of-way line of SH 288 (width varies) as described in Volume 1041, Page 460, Volume 1041, Page 888, and Volume 1052, Page 159, B.C.D.R., said point being on the common lot line of said Lot 48 and 49 of said Section 81, from which a found 3/4-inch iron pipe bears South $52^{\circ} 36' 37''$ East, 0.93 feet;

Thence, South $03^{\circ} 14' 03''$ East, along the common line of said 9.990 acre tract and said westerly right-of-way line, 877.70 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on said common line;

Thence, South $30^{\circ} 49' 10''$ West, continuing along said common line, 82.81 feet to a broken concrete right-of-way monument found for an angle point on said common line;

Thence, South $64^{\circ} 55' 07''$ West, continuing along said common line, 381.06 feet to a broken concrete right-of-way monument found for an angle point on said common line;

38.909 acres

June 19, 2012
Job No. 1352-1003-202

Thence, South $86^{\circ} 45' 24''$ West, continuing along said common line, 30.02 feet to a broken concrete right-of-way monument found for the southwest corner of said 9.990 acre tract, same being the intersection on said westerly right-of-way line and the east right-of-way line of County Road 566 (width varies) as recorded in Volume 2, Page 98, B.C.P.R., Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.R.;

Thence, North $03^{\circ} 17' 17''$ West, departing said common line and along the west line of said 9.990 acre tract and along the east right-of-way line of said County Road 566, 371.60 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set at the intersection of the east right-of-way line of said County Road 566 and the east right-of-way line of said Business Center Drive (100 feet wide) as described under Document Numbers 2012007382, 2012007390, 2012007393, and 2012007402, B.C.O.P.R., the beginning of a curve;

Thence, along the east right-of-way line of said Business Center Drive, 187.07 feet along the arc of a non-tangent curve to the left having a radius of 850.00 feet, a central angle of $12^{\circ} 36' 35''$, and a chord that bears North $03^{\circ} 02' 17''$ East, 186.69 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner;

Thence, North $03^{\circ} 16' 00''$ West, continuing along the east right-of-way line of said Business Center Drive, 531.11 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north line of the aforementioned 9.990 acre tract and the south line of the aforementioned 2.515 acre tract, said point also being on the common lot line of Lots 48 and 49 of the aforementioned Allison Richey Gulf Coast Homes Company's Part of Suburban Gardens subdivision;

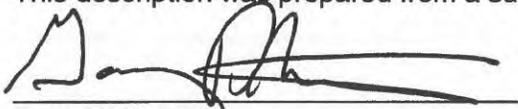
Thence, North $86^{\circ} 47' 22''$ East, along the common line of said 9.990 and 2.515 acre tracts and said common lot line, 410.34 feet to the POINT OF BEGINNING and containing 9.683 acres (421,802 square feet) of land.

38.909 acres

June 19, 2012
Job No. 1352-1003-202

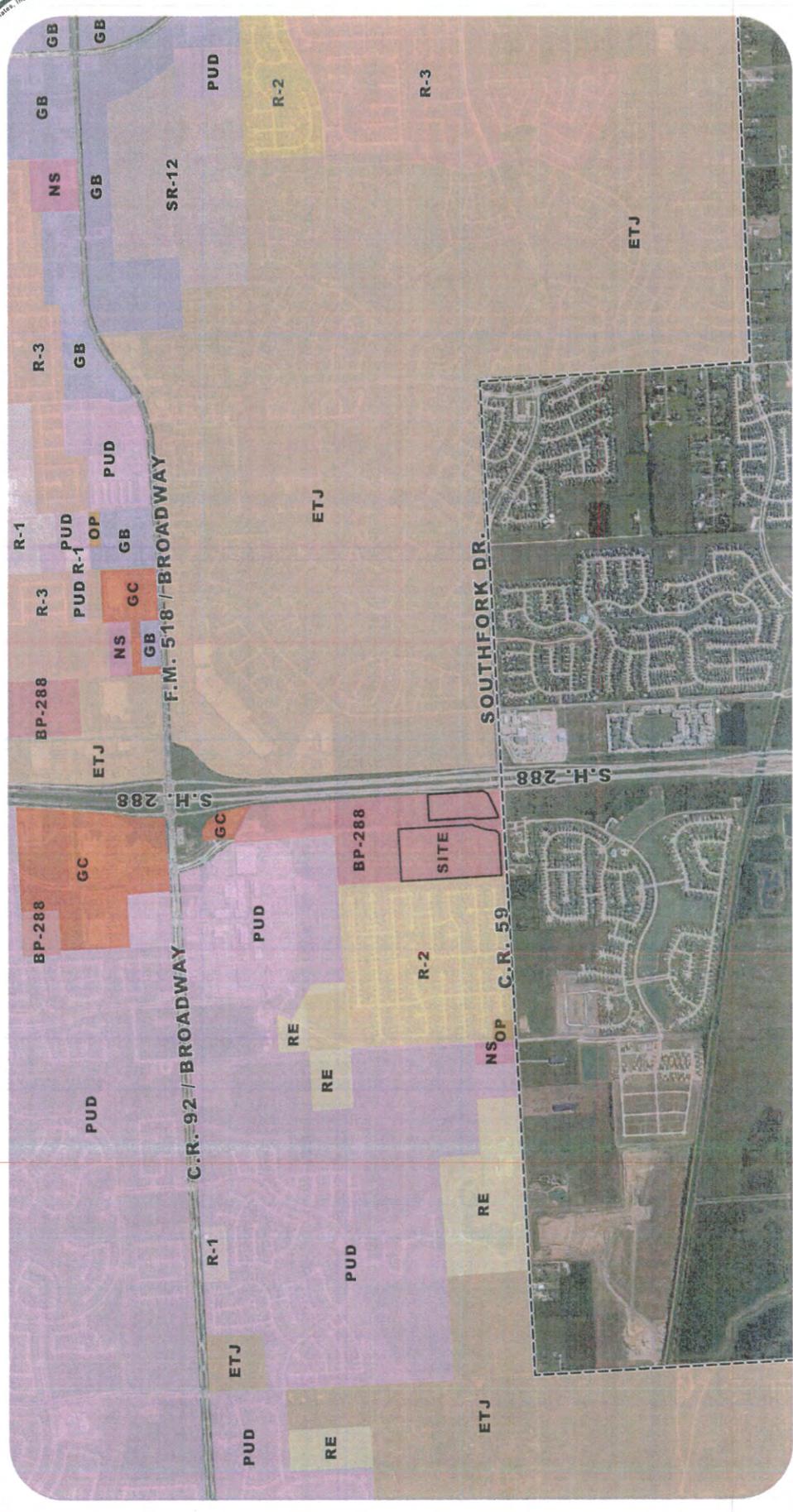
Said Part One and Part Two containing a total of 38.909 acres (1,694,878 square feet) of land.

This description was prepared from a survey prepared by the undersigned dated June 19, 2012.



Gary D. Nutter
Registered Professional Land Surveyor
Texas Registration Number 5659
LJA Engineering & Surveying, Inc.





current zoning map

a zoning map for
BUSINESS CENTER PD
 ± 38.9 ACRES OF LAND
 prepared for
PARKSIDE 59/288, LTD.

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE DRAWING IS NOT TO BE USED FOR ANY PURPOSE AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY THE CONSULTANT OR ANY OTHER PARTY. THE CONSULTANT'S LIABILITY IS LIMITED TO THE DESIGN AND PREPARED PLANS AND DRAWINGS. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

KERRY R. GILBERT & ASSOCIATES, INC.
 Land Planning Consultants
 25007 Cimarron
 Suite A-250
 Katy, Texas 77494
 Tel: (281) 578-8210
 Fax: (281) 578-8210

DATE: 11/15/12
 KGA-177A

NOT TO SCALE

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR CONSTRUCTION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO KERRY R. GILBERT & ASSOCIATES, INC. BY OTHER CONSULTANTS RELATIVE TO THE PROJECT. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

APPLIED CONCERNING THE ACTUAL DESIGN, LOCATION AND CHARACTER OF THE FACILITIES ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

EXHIBIT D

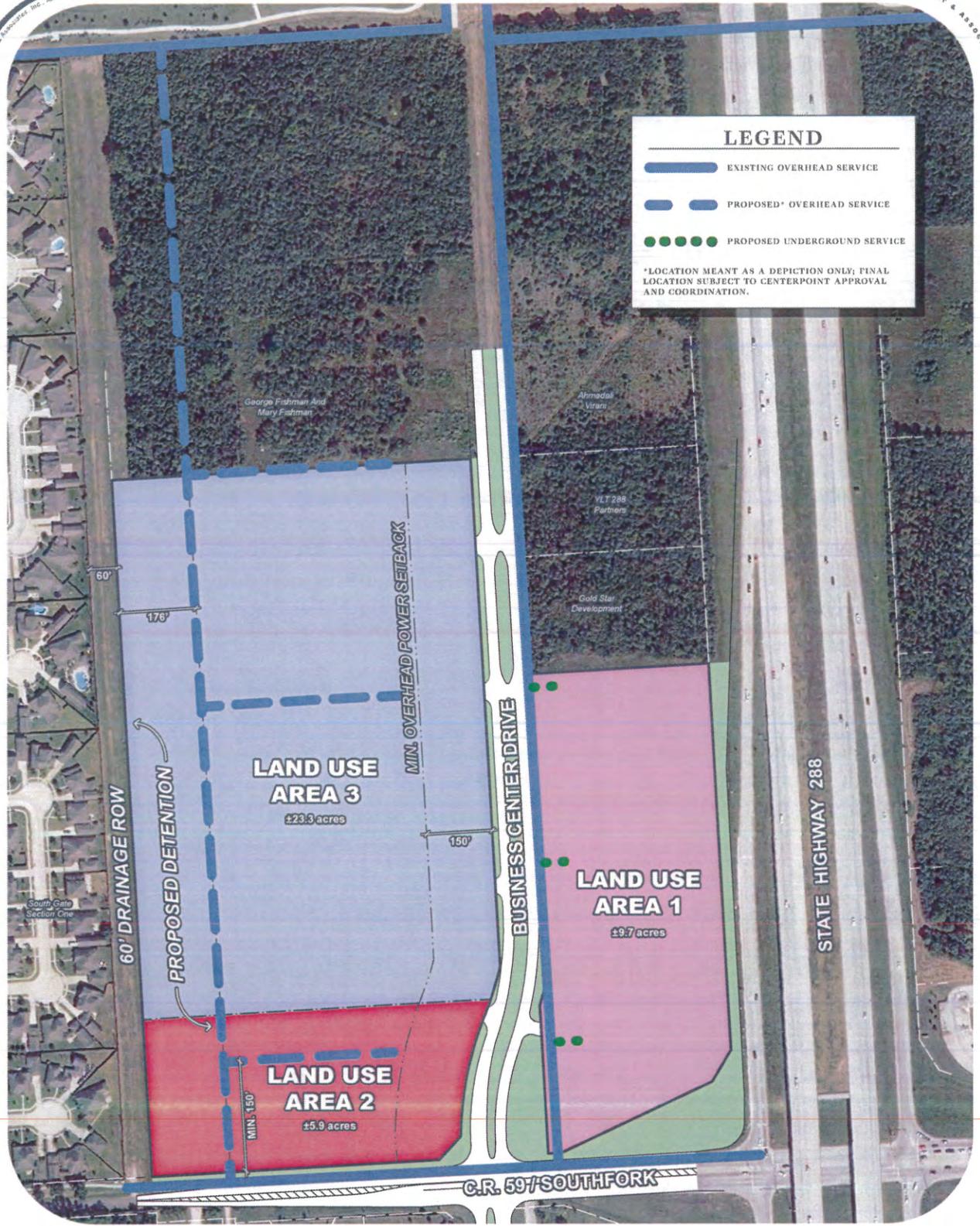
land use areas

BUSINESS CENTER PD ± 38.9 ACRES OF LAND

a land use area exhibit for

PARKSIDE 59/288, LTD.





LEGEND

- EXISTING OVERHEAD SERVICE
- - - - PROPOSED* OVERHEAD SERVICE
- PROPOSED UNDERGROUND SERVICE

*LOCATION MEANT AS A DEPICTION ONLY; FINAL LOCATION SUBJECT TO CENTERPOINT APPROVAL AND COORDINATION.

NOTE: All transformers and similar equipment need to be ground mounted, and not pole mounted, for any connection to or extension from existing overhead lines along Business Center Drive. It should be noted, however, that underground service may require a terminal pole to initiate service. This provision shall include the 150' setback for above ground power along Business Center right-of-way. Additionally, ground mounted transformers or similar equipment shall be screened per UDC Section 4.2.4.1 (d), General Screening.

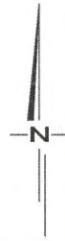


EXHIBIT E power line locations

a power line exhibit for
BUSINESS CENTER PD
 ± 38.9 ACRES OF LAND
 prepared for
PARKSIDE 59/288, LTD.

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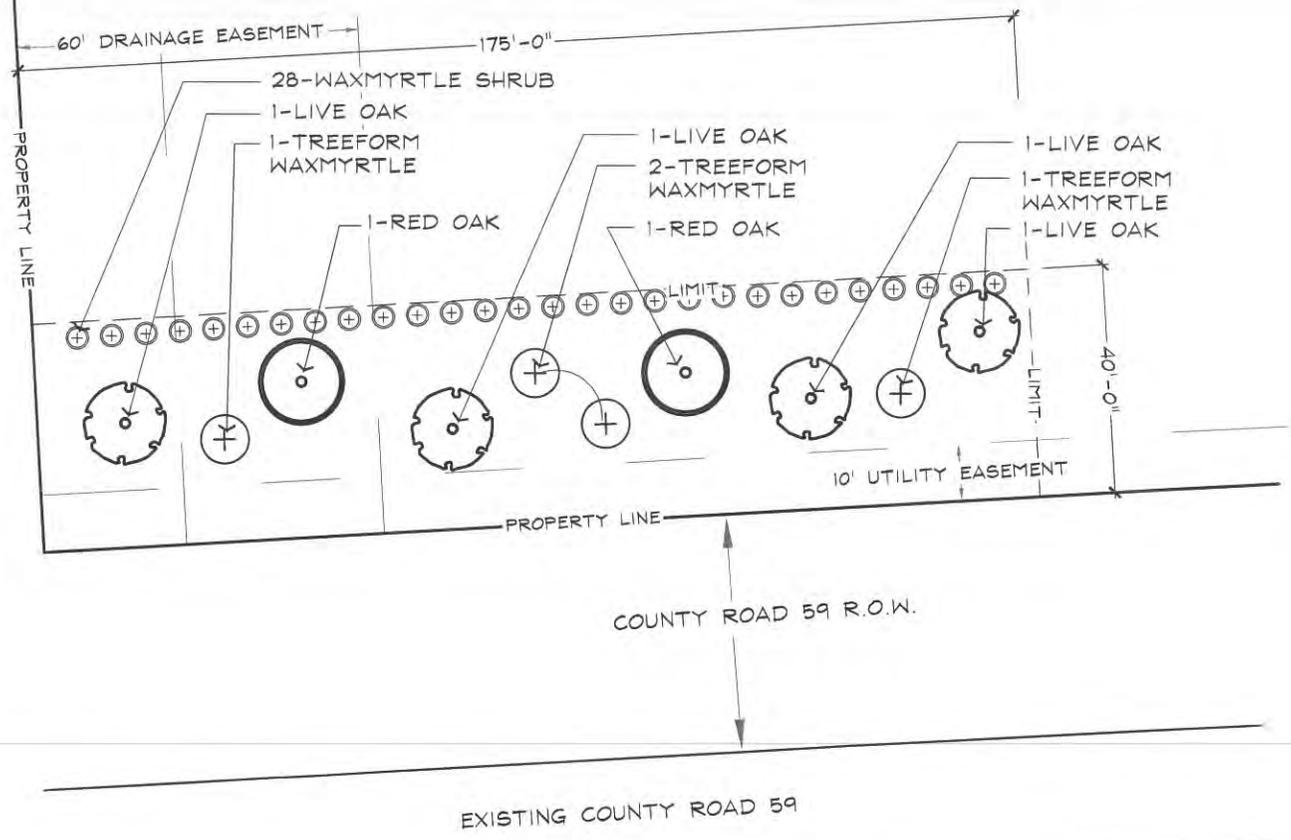
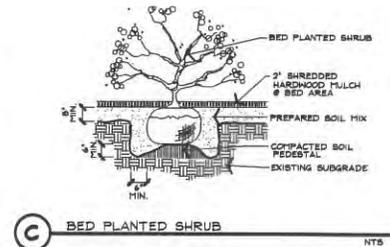
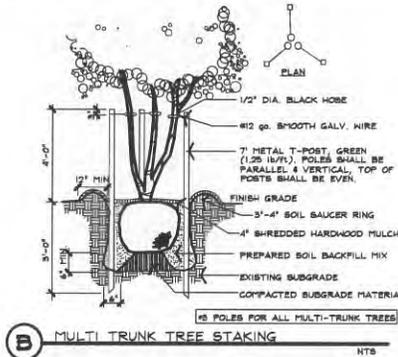
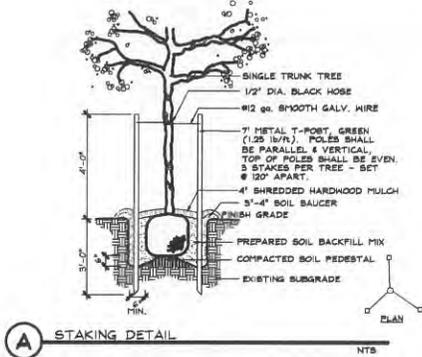
SCALE

AUGUST 30, 2013
 KGA #1-175A

Land Planning Consultants
 23501 Cinco Ranch Blvd.
 Suite A-250
 Katy, Texas 77494
 (281) 579-0340
 Fax (281) 579-8212

PLANT LIST

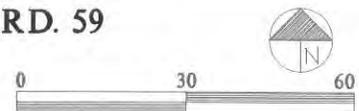
BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
<i>Quercus shumardii</i>	Red Oak	65 Gal.	Container	12'-14' Ht., 5'-6' sprd., full, straight trunk
<i>Quercus virginiana</i>	Live Oak	65 Gal.	Container	12'-14' Ht., 5'-6' sprd., full, straight trunk
<i>Myrica cerifera</i>	Tree Form Waxmyrtle	30 Gal.	Container	Multi-trunk, 7'-8' Ht., 5'-6' sprd., 3 to 5 canes, full
<i>Myrica cerifera</i>	Waxmyrtle (shrub-form)	15 Gal.	Container	Full Pot, 2'-3' sprd., 4'-5' ht., 6' O.C.



BUSINESS CENTER PD

EXHIBIT F

LANDSCAPE AND SCREENING AREA, BETWEEN CO. RD. 59 AND DETENTION BASIN



**P&Z AGENDA
ITEM**

C



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 09/10/2013
AGENDA ITEM SUBJECT: Preliminary Plat of Oakbrook Section 9

Old Business **New Business** Discussion Item Workshop

Summary: A request by Alex Van Duzer of Cobb Fendley, applicant, on behalf of Oakbrook Estates, Ltd, owner, for approval of a Preliminary Plat of Oakbrook Section 9, a 28 lot single-family residential subdivision, generally located at 3800 Block of Oak Bent Dr.

Staff Recommendation: Approval

Agenda Reviewed by:

HE

Date Reviewed:

09/12/2013



PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2013

Preliminary Plat of the Oakbrook Estates Section 9

A request by Alex Van Duzer of Cobb Fendley, applicant, on behalf of Oakbrook Estates, Ltd, owner, for approval of a Preliminary Plat of Oakbrook Section 9, a 28 lot single-family residential subdivision, to wit

Legal Description: A subdivision of 15.3788 acres in the W.D.C. Hall League, Abstract No. 70, Brazoria County MUD 17, City of Pearland, Brazoria County, Texas.

General Location: 3800 Block of Oak Bent Dr.

SUMMARY: On behalf of Oakbrook Estates, Alex Van Duzer of Cobb Fendley has applied for a Preliminary Plat for Section Nine of Oakbrook Estates, which includes 46 single family lots and three reserves. The property is located north of the northwest corner of Dixie Farm and the proposed Pearland Parkway expansion, and is a continuation of the Oakbrook Estates subdivision. This single family residential development at build-out has a total of 388 planned dwelling units. Currently there have been a total of 306 lots platted, this section will add an additional 46 which gives us a total of 352 lots. That allows for 36 additional lots to be platted in the future.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	PUD (Oakbrook)	Single Family Subdivision
South	Single Family – 2 (R-2)	Single Family Subdivision
East	PUD (Oakbrook)	Single Family Residential
West	Single Family – 1 (R-1)	Single Family Residential

CONFORMANCE WITH THE OAKBROOK PLANNED UNIT DEVELOPMENT (PUD):

The above submittal is in conformance with the Oakbrook Planned Unit Development. The proposed section meets the required density of 3.22 units per acre and is in conformance with the approved layout.

PLATTING STATUS: This is the Preliminary Plat for Oakbrook Section Nine. The applicant previously was denied approval of a preliminary plat for this section on August 19, 2013 due to a number of outstanding items regarding right-of-way dedication, the amount of acreage that should be shown on the plat, and other comments regarding language to be shown on the plat. The applicant has now addressed all of staffs concerns and has resubmitted the preliminary plat for approval by the commission.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject property is Medium Density Residential. This designation allows for a maximum of 10 dwelling units an acre. The Oakbrook Planned Unit Development limits the maximum density to 3.22 units per acre. This proposed section currently has a proposed 2.99 units per acre. This is in conformance with the Comprehensive plan and the Planned Unit Development.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property is served by two local roads within the existing Oakbrook Planned Development. These local roads include Oakridge Drive which connects to Oak Top Dr., both local roads with minimum right-of-way of 50'. The future alignment of Pearland Parkway, a major thoroughfare, will be on the southwest boundary of this section with Oakridge Dr. connecting to it. The right-of-way requirement for a major thoroughfare is 120' and the required right-of-way for the Pearland Parkway expansion is shown as being dedicated by this plat.

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

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

PARKS, OPEN SPACE, AND TREES: Park fees will be paid at the time of Final Plat approval.

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

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Oakbrook Section 9 as proposed by the applicant, for the following reasons:

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

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Future Land Use Plan
- Aerial Photograph
- Preliminary Plat of Oakbrook Section Nine



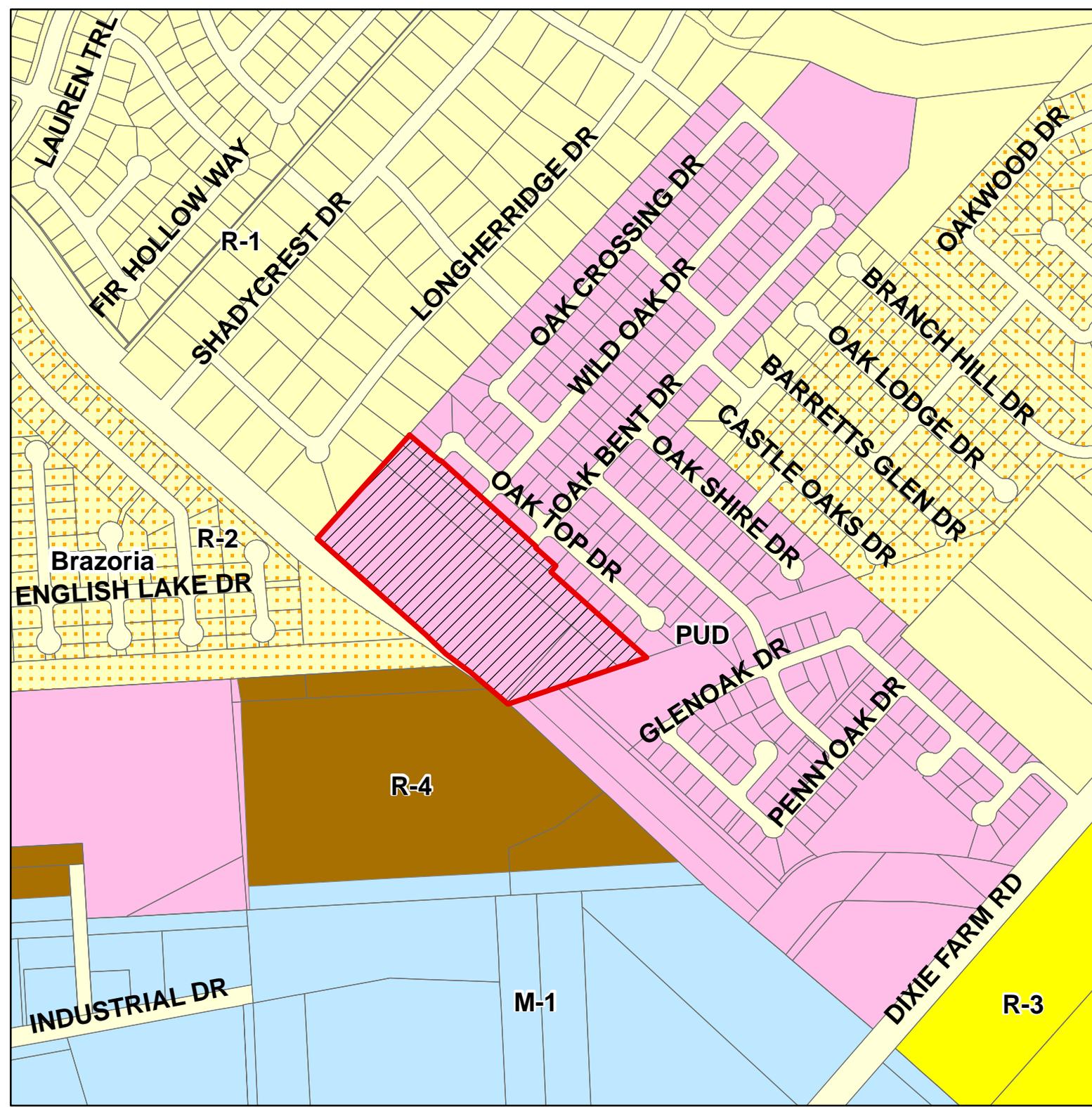
Vicinity and Zoning Map

Preliminary Plat of Oakbrook Section 9

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 135270 540 Feet





FLUP Map

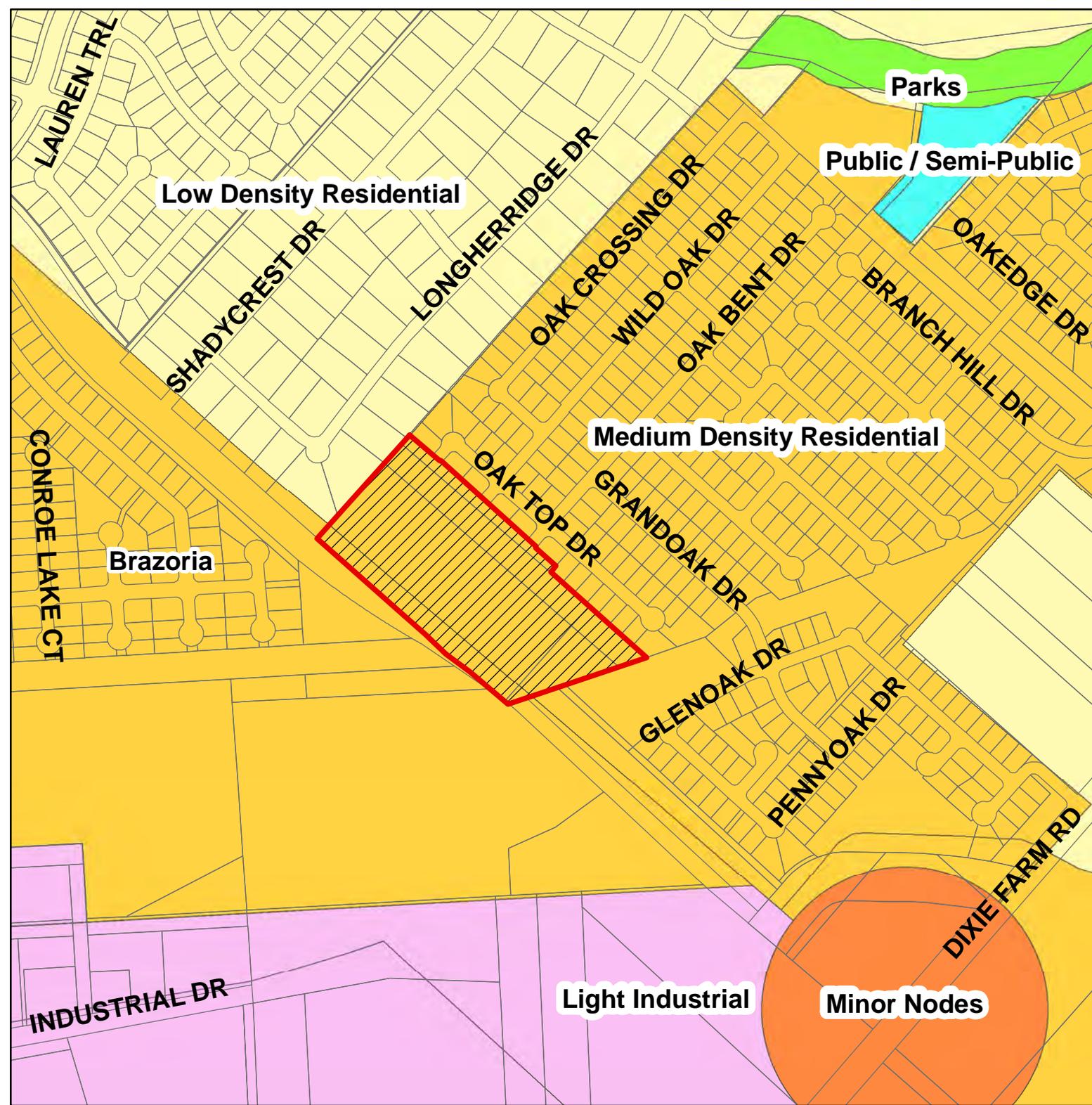
**Preliminary Plat of
Oakbrook Section 9**

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 135270 540 Feet





Aerial Map

**Preliminary Plat of
Oakbrook Section 9**

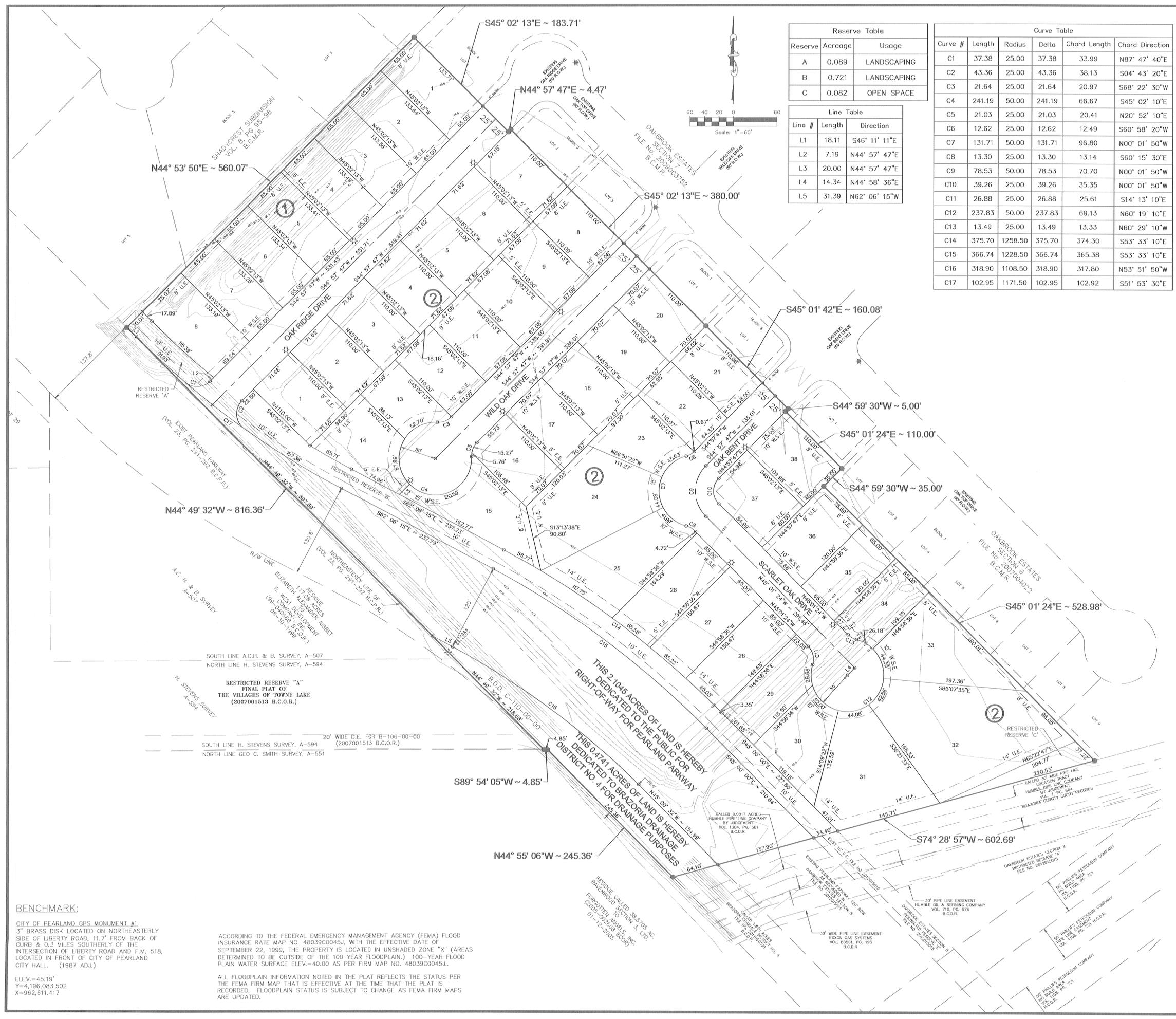
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N



0 135270 540 Feet

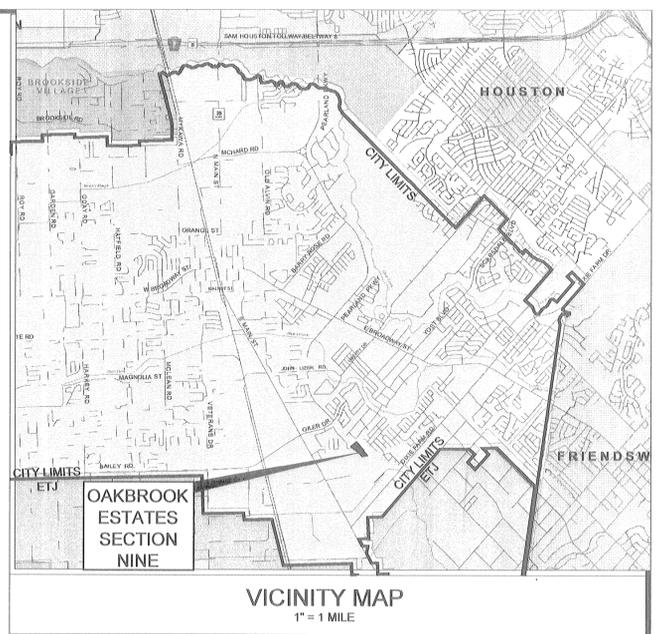




Reserve	Acres	Usage
A	0.089	LANDSCAPING
B	0.721	LANDSCAPING
C	0.082	OPEN SPACE

Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	37.38	25.00	37.38	33.99	N87° 47' 40"E
C2	43.36	25.00	43.36	38.13	S04° 43' 20"E
C3	21.64	25.00	21.64	20.97	S68° 22' 30"W
C4	241.19	50.00	241.19	66.67	S45° 02' 10"E
C5	21.03	25.00	21.03	20.41	N20° 52' 10"E
C6	12.62	25.00	12.62	12.49	S60° 58' 20"W
C7	131.71	50.00	131.71	96.80	N00° 01' 50"W
C8	13.30	25.00	13.30	13.14	S60° 15' 30"E
C9	78.53	50.00	78.53	70.70	N00° 01' 50"W
C10	39.26	25.00	39.26	35.35	N00° 01' 50"W
C11	26.88	25.00	26.88	25.61	S14° 13' 10"E
C12	237.83	50.00	237.83	69.13	N60° 19' 10"E
C13	13.49	25.00	13.49	13.33	N60° 29' 10"W
C14	375.70	1258.50	375.70	374.30	S53° 33' 10"E
C15	366.74	1228.50	366.74	365.38	S53° 33' 10"E
C16	318.90	1108.50	318.90	317.80	N53° 51' 50"W
C17	102.95	1171.50	102.95	102.92	S51° 53' 30"E

Line #	Length	Direction
L1	18.11	S46° 11' 11"E
L2	7.19	N44° 57' 47"E
L3	20.00	N44° 57' 47"E
L4	14.34	N44° 58' 36"E
L5	31.39	N62° 06' 15"W



- LEGEND:**
- UE UTILITY EASEMENT
 - WLE WATER LINE EASEMENT
 - DE DRAINAGE EASEMENT
 - SSE SANITARY SEWER EASEMENT
 - EE ELECTRICAL EASEMENT
 - PSE PLANTING SCREEN EASEMENT
 - PBM PERMANENT BENCHMARK
 - WSE WATER AND SEWER EASEMENT
 - TBM TEMPORARY BENCH MARK
 - POB POINT OF BEGINNING
 - EXIST STREET LIGHT
 - STREET LIGHT, THERE ARE 9 ON THIS PLAT.
 - N=XXXXXXXX.XX TEXAS STATE PLANE COORDINATES (SOUTH CENTRAL ZONE) NAD 83, CURRENTLY AT GRID, SURFACE TO GRID=0.999871327.
 - E=XXXXXXXX.XX

GENERAL PROPERTY ADDRESS:
3800 BLOCK OF OAK BENT DRIVE
PEARLAND, TEXAS 77581

PRELIMINARY PLAT OF OAKBROOK ESTATES SECTION NINE

A SUBDIVISION OF 15.3788 ACRES
IN THE W.D.C. HALL LEAGUE, ABSTRACT NO. 70
BRAZORIA COUNTY MUD 17
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS
46 LOTS, 3 RESERVES (0.892 AC.), 2 BLOCKS
SCALE: 1"=60' AUGUST 2013

OWNER:
OAKBROOK ESTATES, LTD.,
GREATMARK INTERNATIONAL, INC., GENERAL PARTNER
CLINTON F. WONG, PRESIDENT
7676 WOODWAY, SUITE 238
HOUSTON, TEXAS 77063
713-784-6102

CobbFendley
Texas Registration No. 274
13430 Northwest Freeway, Suite 1100
Houston, Texas 77040
713.462.3242 | fax 713.462.3262
www.cobbhendley.com
ALEXANDER J. VAN DUZER, P.E.

BENCHMARK:
CITY OF PEARLAND GPS MONUMENT #1
3" BRASS DISK LOCATED ON NORTHEASTERLY
SIDE OF LIBERTY ROAD, 11.7' FROM BACK OF
CURB & 0.3 MILES SOUTHERLY OF THE
INTERSECTION OF LIBERTY ROAD AND F.M. 518,
LOCATED IN FRONT OF CITY OF PEARLAND
CITY HALL. (1987 ADJ.)
ELEV.=45.19'
Y=4,196,083.502
X=962,611.417

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD
INSURANCE RATE MAP NO. 48039C0045J, WITH THE EFFECTIVE DATE OF
SEPTEMBER 22, 1999, THE PROPERTY IS LOCATED IN UNSHADED ZONE "X" (AREAS
DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN.) 100-YEAR FLOOD
PLAIN WATER SURFACE ELEV.=40.00 AS PER FIRM MAP NO. 48039C0045J.
ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER
THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS
RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS
ARE UPDATED.

SOUTH LINE A.C.H. & B. SURVEY, A-507
NORTH LINE H. STEVENS SURVEY, A-594
RESTRICTED RESERVE "A"
FINAL PLAT OF
THE VILLAGES OF TOWNE LAKE
(2007001513 B.C.O.R.)
SOUTH LINE H. STEVENS SURVEY, A-594
NORTH LINE GEO. C. SMITH SURVEY, A-551
20' WIDE D.E. FOR B-106-00-00
(2007001513 B.C.O.R.)

RESTRICTED RESERVE "A"
FINAL PLAT OF
THE VILLAGES OF TOWNE LAKE
(2007001513 B.C.O.R.)
SOUTH LINE A.C.H. & B. SURVEY, A-507
NORTH LINE H. STEVENS SURVEY, A-594

RESTRICTED RESERVE "B"
FINAL PLAT OF
THE VILLAGES OF TOWNE LAKE
(2007001513 B.C.O.R.)
SOUTH LINE A.C.H. & B. SURVEY, A-507
NORTH LINE H. STEVENS SURVEY, A-594

RESTRICTED RESERVE "C"
FINAL PLAT OF
THE VILLAGES OF TOWNE LAKE
(2007001513 B.C.O.R.)
SOUTH LINE A.C.H. & B. SURVEY, A-507
NORTH LINE H. STEVENS SURVEY, A-594

RESTRICTED RESERVE "D"
FINAL PLAT OF
THE VILLAGES OF TOWNE LAKE
(2007001513 B.C.O.R.)
SOUTH LINE A.C.H. & B. SURVEY, A-507
NORTH LINE H. STEVENS SURVEY, A-594

RESTRICTED RESERVE "E"
FINAL PLAT OF
THE VILLAGES OF TOWNE LAKE
(2007001513 B.C.O.R.)
SOUTH LINE A.C.H. & B. SURVEY, A-507
NORTH LINE H. STEVENS SURVEY, A-594

RESTRICTED RESERVE "F"
FINAL PLAT OF
THE VILLAGES OF TOWNE LAKE
(2007001513 B.C.O.R.)
SOUTH LINE A.C.H. & B. SURVEY, A-507
NORTH LINE H. STEVENS SURVEY, A-594

RESTRICTED RESERVE "G"
FINAL PLAT OF
THE VILLAGES OF TOWNE LAKE
(2007001513 B.C.O.R.)
SOUTH LINE A.C.H. & B. SURVEY, A-507
NORTH LINE H. STEVENS SURVEY, A-594

WE, OAKBROOK ESTATES, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH GREATMARK INTERNATIONAL, INC., AS GENERAL PARTNER AUTHORIZED REPRESENTATIVE ACTING BY AND THROUGH CLINTON F. WONG, PRESIDENT, OF GREATMARK INTERNATIONAL, INC., OWNERS HERINAFTER REFERRED TO AS OWNER OF THE 15.3788 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING MAP OR PLAT OF OAKBROOK ESTATES SECTION NINE, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID CORPORATION, ACCORDING TO THE LINES, LOTS, BUILDING LINES, STREETS, ALLEYS, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE, THE STREETS, ALLEYS, PARKS AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALIENATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FOREGOING PLAT OF WHERE BUILDING SETBACK LINES OF PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FOREGOING PLAN AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OF FIVE FEET, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (UE & A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10'0") FOR TEN FEET (10'0") BACK TO BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK TO BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (UE & A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

OAKBROOK ESTATES, LTD., BY AND THROUGH ITS DULY UNDERSIGNED AND AUTHORIZED OFFICER, DOES HEREBY STATE THAT IT FULLY REALIZES THAT IT IS APPLYING FOR A PERMIT FROM THE CITY OF PEARLAND TO BUILD WITHIN 100 FEET OF AN EXISTING OIL OR GAS PIPELINE OR PIPELINE EASEMENT, AND THAT THE CITY OF PEARLAND CONSIDERS BUILDING NEAR SUCH PIPELINE OR PIPELINE EASEMENT TO HAVE CERTAIN INHERENT DANGERS, INCLUDING, BUT NOT LIMITED TO, EXPLOSION AND RELEASE OF NOXIOUS, TOXIC AND FLAMMABLE SUBSTANCES. FOR THE AFOREMENTIONED REASONS, OAKBROOK ESTATES, LTD., DOES HEREBY RELEASE AND AGREES TO FOREVER HOLD HARMLESS THE CITY OF PEARLAND, TEXAS, ITS OFFICERS, SUCCESSORS AND ASSIGNS FROM ALL LIABILITY IN ANY WAY ARISING FROM THE BUILDING, USE OR HABITATION OF THE STRUCTURE DESCRIBED IN THE SAID PERMIT.

IN TESTIMONY WHEREOF, OAKBROOK ESTATES, LTD., BY GENERAL PARTNER, GREATMARK INTERNATIONAL, INC. HAS CAUSED THESE PRESENTS TO BE SIGNED BY CLINTON F. WONG, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY PHILLIP PEACOCK, ITS SECRETARY,
THIS _____ DAY OF _____, 2013.

OAKBROOK ESTATES, LTD.
GREATMARK INTERNATIONAL, INC.
GENERAL PARTNER

ATTEST:
BY: PHILLIP PEACOCK, SECRETARY
CLINTON F. WONG, PRESIDENT

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CLINTON F. WONG, PRESIDENT AND PHILLIP PEACOCK, SECRETARY OF GREATMARK INTERNATIONAL, INC., KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION. GIVEN UNDER MY HAND AND SEAL OF OFFICE.

THIS _____ DAY OF _____, 2013.

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

I, BLAINE FISHER, DO HEREBY CERTIFY THAT ALL EXISTING ENCUMBRANCES, SUCH AS VARIOUS TYPES OF EASEMENTS BOTH PUBLIC AND PRIVATE, FEE STRIPS AND ALL SIGNIFICANT TOPOGRAPHICAL FEATURES WHICH WOULD AFFECT THE PHYSICAL DEVELOPMENT OF THE PROPERTY ILLUSTRATED ON THIS PLAT ARE ACCURATELY IDENTIFIED AND LOCATED AND FURTHER CERTIFY THAT THIS PLAT REPRESENTS ALL OF THE CONTIGUOUS AND WHICH THE OAKBROOK ESTATES, LTD. ACTING BY AND THROUGH GREATMARK INTERNATIONAL, INC. GENERAL PARTNER OWNS OR HAS A LEGAL INTEREST IN. ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE SHOWN HAVE BEEN MARKED WITH IRON PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTER INCH (¾").

BLAINE FISHER
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 2500

DESCRIPTION OF
15.3788 ACRES (669,902 SQ. FT.) OF LAND
SITUATED IN THE W.D.C. HALL LEAGUE, A-70
BRAZORIA COUNTY, TEXAS

BEING ALL THAT CERTAIN 15.3788 ACRES (669,902 SQ. FT.) OF LAND SITUATED IN THE W.D.C. HALL LEAGUE, A-70, BRAZORIA COUNTY, TEXAS, AND BEING OUT OF A CALLED 45.5143 ACRE TRACT CONVEYED TO OAKBROOK ESTATES, LTD., AS RECORDED UNDER FILE NO. 03-0034446 OF THE BRAZORIA COUNTY DEED RECORDS (B.C.D.R.), SAID 15.3788 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT A 5/8-INCH IRON ROD WITH A CAP STAMPED "COBB FENDLEY & ASSOCIATES" FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE SOUTHWEST CORNER LOT 9, BLOCK 7 OF A PARTIAL REPLAT OF OAKBROOK ESTATES SECTION SIX SUBDIVISION AS RECORDED UNDER FILE NO. 2007004022 OF THE BRAZORIA COUNTY MAP RECORDS (B.C.M.R.), SAID POINT LYING IN THE NORTH LINE OF OAKBROOK ESTATES SECTION EIGHT AS RECORDED UNDER FILE NO. 2012015015 OF THE B.C.M.R.;

THENCE SOUTH 74°28'57" WEST, ALONG SAID NORTH LINE OF OAKBROOK ESTATES SECTION EIGHT, A DISTANCE OF 602.69 FEET TO A 5/8-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE NORTHWEST CORNER OF SAID OAKBROOK ESTATES SECTION EIGHT, SAID POINT LYING IN THE COMMON LINE OF SAID W.D.C. HALL LEAGUE, A-70 SURVEY AND THE H.T. & R.R. COMPANY SURVEY NO. 28, A-551, AND ALSO LYING IN THE NORTHEASTERLY LINE OF A CALLED 38.5705 ACRE TRACT CONVEYED TO FORGOTTEN ANGELS, INC. AS RECORDED UNDER FILE NO. 2005002608 OF THE B.C.D.R.;

THENCE NORTH 44°55'06" EAST, ALONG SAID COMMON SURVEY LINE AND SAID NORTHEASTERLY LINE OF 38.5707 ACRE TRACT, A DISTANCE OF 245.36 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "COBB FENDLEY & ASSOCIATES" SET FOR AN ANGLE POINT IN THE SOUTHWESTERLY LINE OF THE HEREIN DESCRIBED TRACT AND THE NORTHEAST CORNER OF SAID 38.5707 ACRE TRACT;

THENCE SOUTH 89°54'05" WEST, ALONG THE NORTH LINE OF SAID 38.5707 ACRE TRACT, A DISTANCE OF 4.85 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "COBB FENDLEY & ASSOCIATES" SET FOR AN ANGLE POINT IN THE SOUTHWESTERLY LINE OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 44°49'32" WEST, CONTINUING ALONG SAID COMMON SURVEY LINE, A DISTANCE OF 816.36 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "COBB FENDLEY & ASSOCIATES" SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND THE SOUTHWEST CORNER OF LOT 5, BLOCK 5, OF THE SHADYCREST SUBDIVISION AS RECORDED UNDER VOLUME 8, PG. 95 OF THE B.C.D.R.;

THENCE NORTH 44°53'50" EAST, ALONG THE SOUTH LINE OF SAID BLOCK 5 OF SHADYCREST SUBDIVISION, A DISTANCE OF 560.07 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "COBB FENDLEY & ASSOCIATES" SET FOR THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT AND WEST CORNER OF LOT 1, BLOCK 4 OF OAKBROOK ESTATES SECTION 7 AS RECORDED UNDER FILE NO. 2009003752 OF THE B.C.M.R.;

THENCE SOUTH 45°02'13" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID OAKBROOK ESTATES SECTION 7, A DISTANCE OF 183.71 FEET TO A 5/8-INCH IRON ROD FOUND FOR AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT AND SAID SOUTHWESTERLY LINE;

THENCE NORTH 44°57'47" EAST, CONTINUING ALONG SAID SOUTHEASTERLY LINE, A DISTANCE OF 4.47 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "COBB FENDLEY & ASSOCIATES" SET FOR AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT AND BEING THE WEST CORNER OF LOT 2, BLOCK 3 OF SAID OAKBROOK ESTATES SECTION 7;

THENCE SOUTH 45°02'13" EAST, CONTINUING ALONG SAID SOUTHWESTERLY LINE OF OAKBROOK ESTATES SECTION 7, AT 270.00 FEET PASSING A 5/8-INCH IRON ROD FOUND FOR THE WEST CORNER OF LOT 1, BLOCK 1 OF SAID OAKBROOK ESTATES SECTION 7, AND CONTINUING FOR A TOTAL DISTANCE OF 380.00 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "COBB FENDLEY & ASSOCIATES" SET FOR THE SOUTH CORNER OF SAID LOT 1, BLOCK 1, AND ALSO BEING THE WEST CORNER OF LOT 1, BLOCK 8 OF PARTIAL REPLAT OF OAKBROOK ESTATES SECTION 6 AS RECORDED UNDER FILE NO. 2007004022 OF THE B.C.M.R.;

THENCE SOUTH 45°01'42" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID OAKBROOK ESTATES SECTION 6, A DISTANCE OF 160.08 FEET TO A 5/8-INCH IRON ROD FOUND FOR AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT AND LYING IN THE NORTH LINE OF LOT 1, BLOCK 7 OF SAID OAKBROOK ESTATES SECTION 6, SAID POINT ALSO LYING IN THE SOUTH RIGHT-OF-WAY LINE OF OAK BENT DRIVE (50' WIDTH);

THENCE SOUTH 44°59'30" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 5.00 FEET TO A 5/8-INCH IRON ROD FOUND FOR THE WEST CORNER OF SAID LOT 1, BLOCK 7, AND AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 45°01'24" EAST, CONTINUING ALONG THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 110.00 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "COBB FENDLEY & ASSOCIATES" SET FOR AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT AND BEING THE SOUTH CORNER OF SAID LOT 1, BLOCK 7 AND LYING IN THE NORTH LINE OF LOT 2, BLOCK 7;

THENCE SOUTH 44°59'30" WEST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 35.00 FEET TO A 5/8-INCH IRON ROD WITH A CAP STAMPED "COBB FENDLEY & ASSOCIATES" SET FOR AN ANGLE POINT IN THE NORTHEASTERLY LINE OF THE HEREIN DESCRIBED TRACT AND THE WEST CORNER OF SAID LOT 2, BLOCK 7;

THENCE SOUTH 45°01'24" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 7, A DISTANCE OF 528.98 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.3788 ACRES (669,902 SQ. FT.) OF LAND MORE OR LESS.

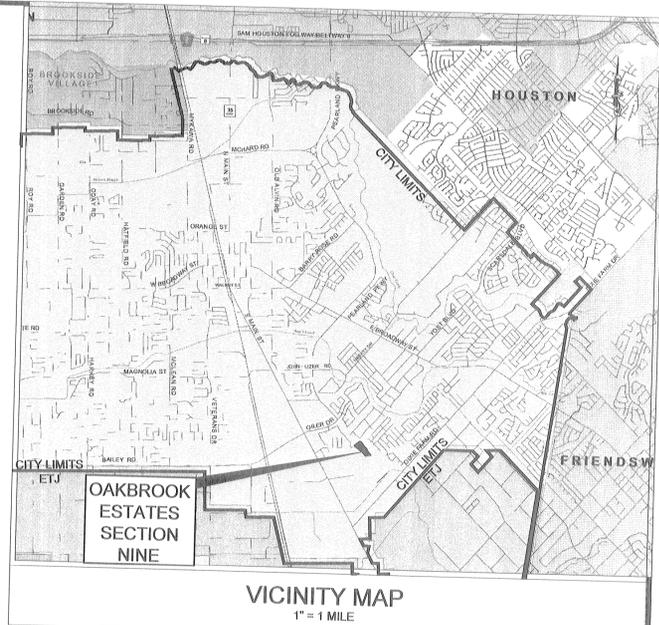
NOTES:
1. SQUARE FOOTAGE AREA SHOWN IS FOR INFORMATION ONLY AND SURVEYOR DOES NOT CERTIFY ACCURACY OF SURVEY TO NEAREST SQUARE FOOT.

GENERAL NOTES:

1. THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND.
2. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY CHARTER TITLE COMPANY, G.F. NO. 1038002467, EFFECTIVE DATE: 07/29/2013.
3. ALL BEARINGS REFERENCES ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE. COORDINATES SHOWN ARE TEXAS STATE PLANE GRID COORDINATES, NAD83, SOUTH CENTRAL ZONE. TO CONVERT TO SURFACE VALUES DIVIDE EACH COORDINATE BY A COMBINED AVERAGE SCALE FACTOR OF 0.999871327.
4. ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION, OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
5. FIVE-EIGHTHS INCH (5/8") IRON RODS THREE FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
6. BENCHMARK: CITY OF PEARLAND GPS MONUMENT #1
3" BRASS DISK LOCATED ON NORTHEASTERLY SIDE OF LIBERTY ROAD, 11.7' FROM BACK OF CURB & 0.3 MILES SOUTHERLY OF THE INTERSECTION OF LIBERTY ROAD AND F.M. 518, LOCATED IN FRONT OF CITY OF PEARLAND CITY HALL. (1987 ADJ.)
ELEV.=45.19'
Y=4,196,083.502
X=962,611.417
7. 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 EASEMENTS. THE RESPONSIBILITY OF SECURING APPROVAL FROM PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
8. THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET, OR 12 INCHES ABOVE THE 100 YEAR FLOOD PLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOOD PLAIN.
9. ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA DRAINAGE DISTRICT #4.
10. ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
11. 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.

BRAZORIA DRAINAGE DISTRICT NO. 4
SPECIAL NOTES

1. ANY GOVERNMENTAL BODY FOR PURPOSES OF DRAINAGE WORK MAY USE DRAINAGE EASEMENTS AND FEE STRIPS PROVIDED THE DISTRICT IS PROPERLY NOTIFIED.
2. PERMANENT STRUCTURES, INCLUDING FENCES AND PERMANENT LANDSCAPING, SHALL NOT BE ERRECTED IN A DRAINAGE EASEMENT OR FEE STRIPS.
3. MAINTENANCE OF DETENTION FACILITIES IS THE SOLE RESPONSIBILITY OF THE OWNER OF THE PROPERTY. THE DISTRICT WILL PROVIDE MAINTENANCE OF REGIONAL FACILITIES OWNED AND CONSTRUCTED BY THE DISTRICT, OR SUB-REGIONAL FACILITIES CONSTRUCTED BY DEVELOPER(S) FOR WHICH OWNERSHIP HAS BEEN TRANSFERRED TO THE DISTRICT WITH THE DISTRICT'S APPROVAL. THE DISTRICT IS RESPONSIBLE ONLY FOR THE MAINTENANCE OF FACILITIES OWNED BY THE DISTRICT UNLESS THE DISTRICT SPECIFICALLY CONTRACTS OR AGREES TO MAINTAIN OTHER FACILITIES.
4. CONTRACTOR SHALL NOTIFY THE DISTRICT IN WRITING AT LEAST FORTY-EIGHT (48) HOURS BEFORE PLACING ANY CONCRETE FOR DRAINAGE STRUCTURES.
5. THE DISTRICT'S PERSONNEL SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY FOR INSPECTION AT ANY TIME DURING CONSTRUCTION OR AS MAY BE WARRANTED TO ENSURE THE DETENTION FACILITY AND DRAINAGE SYSTEM ARE OPERATING PROPERLY.
6. APPROPRIATE COVER FOR THE SIDE SLOPES, BOTTOM AND MAINTENANCE BERM SHALL BE ESTABLISHED PRIOR TO ACCEPTANCE OF THE CONSTRUCTION BY THE DISTRICT. AT LEAST 95% GERMINATION OF THE GRASS MUST BE ESTABLISHED PRIOR TO ACCEPTANCE OF CONSTRUCTION BY THE DISTRICT.
7. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THIS DEVELOPMENT UNTIL THE DETENTION FACILITY HAS BEEN CONSTRUCTED AND APPROVED BY THE DISTRICT.
8. THE DISTRICT'S APPROVAL OF THE FINAL DRAINAGE PLAN (AND FINAL PLAT IF REQUIRED) DOES NOT AFFECT THE PROPERTY RIGHTS OF THIRD PARTIES. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING AND MAINTAINING ANY AND ALL EASEMENTS, FEE STRIPS AND/OR ANY OTHER RIGHTS-OF-WAY ACROSS THIRD PARTIES' PROPERTIES FOR PURPOSES OF MOVING EXCESS RUNOFF TO THE DISTRICT'S DRAINAGE FACILITIES AS CONTEMPLATED BY THE FINAL DRAINAGE PLAN AND FINAL PLAT.



GENERAL PROPERTY ADDRESS:
3800 BLOCK OF OAK BENT DRIVE
PEARLAND, TEXAS 77581

PRELIMINARY PLAT OF OAKBROOK ESTATES SECTION NINE

A SUBDIVISION OF 15.3788 ACRES
IN THE W.D.C. HALL LEAGUE, ABSTRACT NO. 70
BRAZORIA COUNTY MUD 17
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS
46 LOTS, 3 RESERVES (0.892 AC.), 2 BLOCKS
SCALE: 1"=60' AUGUST 2013

OWNER:
OAKBROOK ESTATES, LTD.,
GREATMARK INTERNATIONAL, INC., GENERAL PARTNER
CLINTON F. WONG, PRESIDENT
7676 WOODWAY, SUITE 238
HOUSTON, TEXAS 77063
713-784-6102

CobbFendley
Texas Registration No. 274
13430 Northwest Freeway, Suite 1100
Houston, Texas 77040
713.462.3242 | fax 713.462.3262
www.cobbfendley.com
ALEXANDER J. VAN DUZER, P.E.

**P&Z AGENDA
ITEM**

D



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission

REQUESTOR: Ian Clowes

DATE: 09/10/2013

AGENDA ITEM SUBJECT: Preliminary Plat of Laurel Heights at Savannah Sec. One

Old Business **New Business** Discussion Item Workshop

Summary: A request by Geoff Freeman of Kerry R. Gilbert and Associates., applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Laurel Heights at Savannah Section One, generally located at the Northeast corner of Post Road (CR 58) and Linden Creek Lane, proposing a 61 lot single-family residential subdivision

Staff Recommendation: Approval

Agenda Reviewed by:

HE

Date Reviewed:

09/12/2013



PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2013

PRELIMINARY PLAT OF LAUREL HEIGHTS AT SAVANNAH SECTION ONE

A request by Geoff Freeman of Kerry R. Gilbert and Associates., applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Laurel Heights at Savannah Section One, generally located at the Northeast corner of Post Road (CR 58) and Linden Creek Lane, proposing a 61 lot single-family residential subdivision, on the following described property, to wit

Legal Description: Being 17.1 acres of land located in the H.T. & B.R.R. Survey, Abstract 302, Official Records of said Brazoria County, Texas

General Location: Located at the Northeast corner of Post Road (CR 58) and Linden Creek Lane

SUMMARY: The applicant is requesting approval of a Preliminary Plat for a 61 lot single-family subdivision in Savannah. This proposed subdivision is fully within the Extraterritorial Jurisdiction (ETJ) of the City of Pearland and has a development agreement. As the property is in the ETJ, the city zoning ordinance does not apply. However, this development is governed by a development agreement which does adhere to the zoning ordinance dealing specifically with lot sizes, density, and setback requirements. The proposed section is in full compliance with the approved Development Agreement.

UNIFIED DEVELOPMENT CODE: Does not apply as this development is located within the ETJ.

SAVANNAH DEVELOPMENT AGREEMENT: The submitted Preliminary Plat of Laurel Heights at Savannah Section One appears to be in conformance with the approved Savannah Development agreement.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	ETJ (None)	Vacant Land
South	ETJ (None)	Post Rd. (CR 58)
East	ETJ (None)	Vacant Land
West	ETJ (None)	Vacant Land

CONFORMANCE TO THE COMPREHENSIVE PLAN: The subject property is within the Low-Density Residential land use plan designation. The proposed subdivision is not within the guidelines of Low-Density Residential land use designation as the average lot size is around 6,875 sq. ft. The proposed development is in conformance with the approved development agreement.

PLATTING STATUS: This is the first submitted plat for this section of Savannah. This is also the first section of the development north of Post Rd. (CR 58), to submit for plat approval.

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property is located at the corner of Post Rd. (CR 58), a major thoroughfare with a minimum right-of-way 120', and Linden Creek, a local street with a minimum right-of-way of 60'.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed Preliminary Plat should not have any significant adverse impacts on any surrounding structures or uses as the proposed development is in conformance with the approved development agreement.

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

TRAFFIC AND TRANSPORTATION: A traffic impact analysis was submitted and approved by the city's Engineering Department as part of the Savannah Development Agreement. All requirements of the analysis have been met.

UTILITIES AND INFRASTRUCTURE: Water and sewer service are available to for this subdivision through Municipal Utility District (MUD) 22.

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

PARKS, OPEN SPACE, AND TREES: Park fees will be paid at the time of Final Plat approval.

1% INSPECTION FEES: As required by the Savannah Development agreement, the 1% inspection fees will be paid at time of Final Plat.

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Laurel Heights at Savannah Section One as proposed by the applicant, for the following reasons:

1. The proposed subdivision will not cause any adverse impacts on the surrounding properties.

2. This request is in conformance with the comprehensive plan and Development Agreement.
3. The Savannah Development Agreement will assure the development of this property is in conformance with the goals of the city.

SUPPORTING DOCUMENTS:

- Vicinity Map
- Land Use Map
- Aerial Map
- Laurel Heights at Savannah Section One Plat



Zoning and Vicinity Map

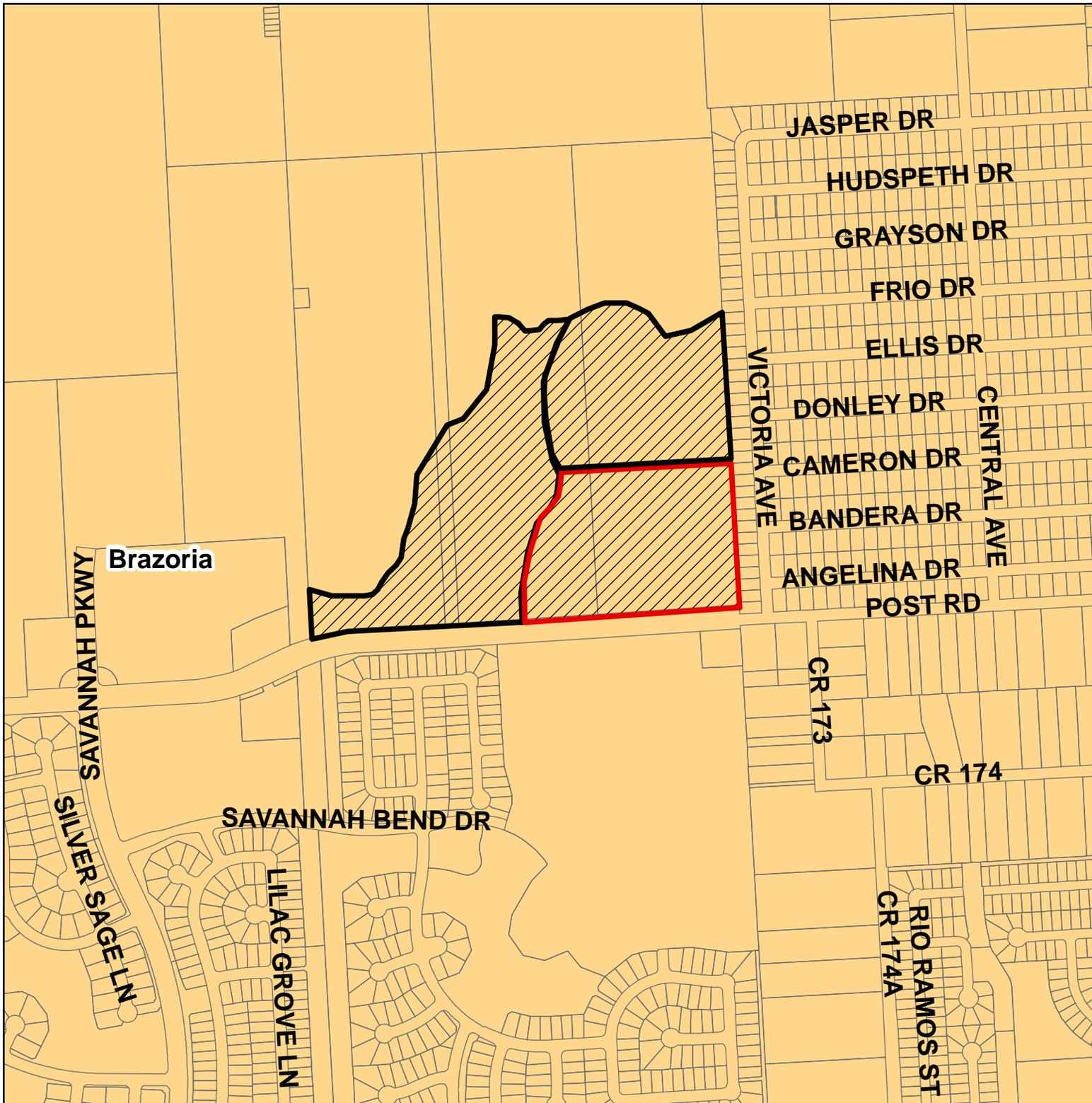
Preliminary Plat of Laurel Heights at Savannah Section One

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 170340 680 Feet



N





FLUP Map

**Preliminary Plat of
Laurel Heights at
Savannah Section One**

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N



0 170340 680 Feet





Aerial Map

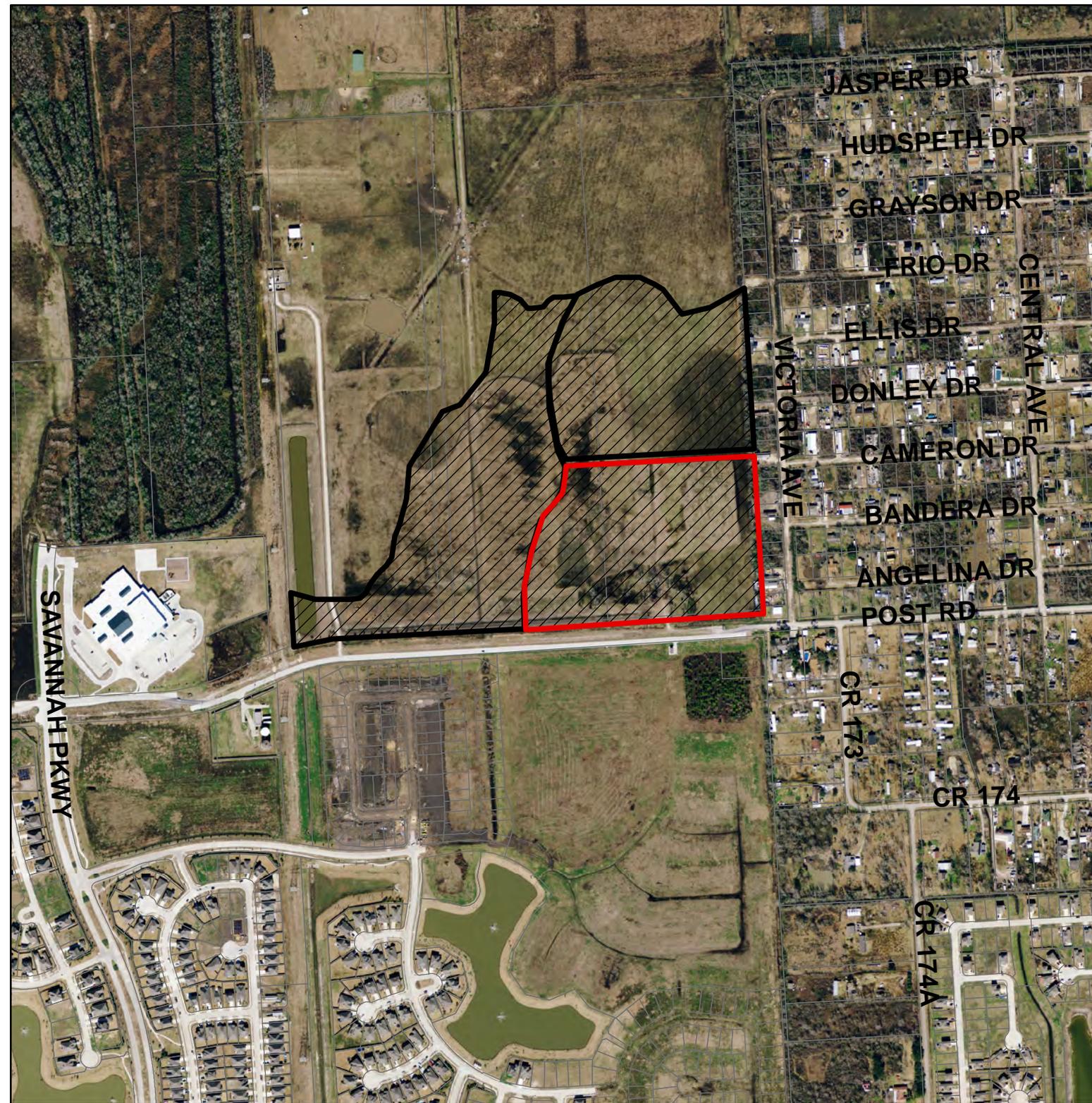
**Preliminary Plat of
Laurel Heights at
Savannah Section One**

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N

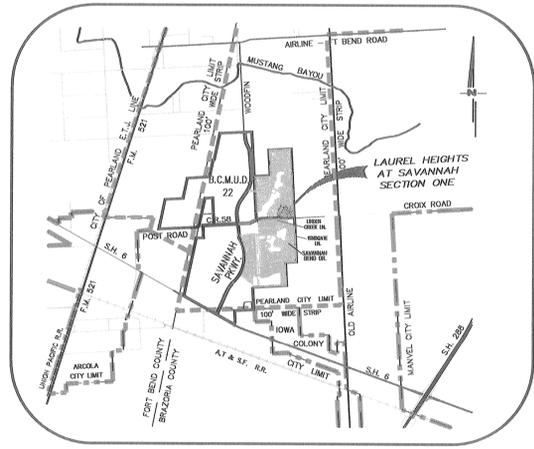


0 155310 620 Feet



GENERAL NOTE:

- THERE ARE 15 STREETLIGHTS ON THIS PLAT.
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 2200001000, WITH THE EFFECTIVE DATE OF JUNE 05, 2006, THE PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN). ALL FLOODPLAIN INFORMATION NOTED ON 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.
 - BRASS CAP SET WITH CONCRETE STAMPED "CITY OF PEARLAND 10 05 MON. 1005". THE MONUMENT IS LOCATED NORTHERLY ALONG THE SOUTHWEST CORNER OF LOT 2, BLOCK 1, APPROXIMATELY 2.00 FEET SOUTHERLY FROM THE INTERSECTION OF F.M. 518 AND HIGHWAY 288. THE MONUMENT IS WESTERLY 10 FEET FROM THE WEST EDGE OF ASPHALT OF THE SOUTHWEST CORNER OF LOT 2, BLOCK 1, APPROXIMATELY 105 FEET FROM A LARGE HIGHWAY LIGHT POLE #298 B. ELEVATION: 59.29 (NOV 29, '97 ADJUSTMENT)
 - T.B.M. "JA-1": BOX CUT IN CURB AT THE NOSE OF THE SOUTH MEDIAN OF SAVANNAH PARKWAY AT THE INTERSECTION OF COUNTY ROAD NO. 58. ELEVATION: 65.08 (NOV 29, 1978 ADJUSTMENT)
 - T.B.M. "JA-G3": 5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "JA G3" SET MARKING THE SOUTHWEST CORNER OF LOT 2, BLOCK 1 (AS SHOWN BY SYMBOL). ELEVATION: 63.54 (NOV 29, 1978 ADJUSTMENT)
- NOTE: TO CONVERT T.B.M.'S (NOV 29, 1978 ADJUSTMENT) TO THE CITY OF PEARLAND VERTICAL DATUM (NOV 29, '97 ADJUSTMENT) SUBTRACT 1.26 FEET
- NOTE: ALL ELEVATIONS ARE BASED ON THE VERTICAL CONTROL ESTABLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE WIDENING OF STATE HIGHWAY 6, FEDERAL AID PROJECT NO. 337(0)00001, CS 1000(0)0000, DATED OCTOBER 5, 1999. BROWN & GAY ENGINEERS PROJECT ELEVATIONS WERE ESTABLISHED FROM POINT CONTROL NO. 102 AS SHOWN IN TPOOT FIELD BOOK NO. 240, PAGE 16, FOR PROJECT NO. CS 1000(0)00001. CONTROL POINT "102" IS SHOWN IN SANITARY FIELD BOOK TO HAVE TEXAS STATE PLANE COORDINATE OF X = 315980.2764, Y = 620799.0878 AND AN ELEVATION OF 59.52 FEET, NOV 29 AND BEING ON THE 1978 ADJUSTMENT.
- NOTE: ALL BEARING AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND WILL BE CONVERTED TO GRID BY MULTIPLYING BY A CORRECTED ADJUSTMENT FACTOR OF 0.998570.
- A FOUR-FOOT SIDEWALK IS REQUIRED ON BOTH SIDES OF ALL STREETS CONTAINED WITHIN THIS PLAT. NO SIDEWALK ALONG POST ROAD (CLR.50) IS REQUIRED WITHIN THIS PLAT FOR THE DEVELOPMENT AGREEMENT REFERENCED BELOW IN NOTE #7.
 - THIS SUBDIVISION IS CONSISTANT WITH THE THIRD AMENDMENT SINGLE FAMILY DWELLING DISTRICT IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT BETWEEN SAVANNAH DEVELOPMENT LTD., A TEXAS LIMITED PARTNERSHIP, AND THE CITY OF PEARLAND DATED JUNE 15, 2005.
 - THIS PROPERTY IS WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 21, AT THE TIME OF PLATING.
 - LOTS WHICH SIDE ONTO A PUBLIC STREET RIGHT-OF-WAY ARE DENIED DIRECT DRAINAGE ACCESS TO THE SIDING PUBLIC STREET. ALL CORNER LOTS ARE FRONT ENTRY ONLY.
 - A SIX (6) FOOT HIGH MASONRY WALL SHALL BE PROVIDED ALONG POST ROAD (CLR.50) AT THE TIME OF DEVELOPMENT.
 - ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND APPLICABLE DISTANCE REQUIREMENTS FOR MOTORISTS.
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 - THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF 1) THREE (3) INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR TWELVE (12) INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY FOR A ROAD EXIST, OR 2) THREE (3) INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
 - DRAINAGE REQUIREMENTS FOR THE LOCATION, WIDTH AND OFFSET 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 UNLIMITED DEVELOPMENT CODE.
 - ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS AND OPEN SPACE WITHIN THE BOUNDARIES OF THE PLAT SHALL BE MAINTAINED BY A HOMEOWNER'S ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
 - THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY, AND THE CITY OF PEARLAND.
 - 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 VIOLATION 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.
 - THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, G.F. NO. 302393693, EFFECTIVE DATE AUGUST 15, 2013.
 - ALL BEARINGS REFERENCES ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.



Vicinity Map
SCALE= 1"=500'

BRAZORIA DRAINAGE DISTRICT #4 NOTES

- Any governmental body for purposes of drainage work may use drainage easements and fee strips provided the DISTRICT is properly notified.
- Permanent structures, including fences and permanent landscaping, shall not be erected in a drainage easement or fee strip.
- Maintenance of detention facilities is the sole responsibility of the owner of the property. The DISTRICT will provide maintenance of regional facilities owned and constructed by the DISTRICT, or subregional facilities owned and constructed by the developer for which ownership has been transferred to the DISTRICT with the DISTRICT'S approval. The DISTRICT is responsible only for the maintenance of facilities owned by the DISTRICT unless the DISTRICT specifically contracts or agrees to maintain other facilities.
- Contractor shall notify the DISTRICT in writing at least thirty-six (36) hours before placing any concrete for drainage structures.
- The DISTRICT'S personnel shall have the right to enter upon the property for inspection at any time during construction or as may be warranted to ensure the detention facility is operating properly.
- No building permit shall be issued for any lot within this development until the detention facility has been constructed and approved by the DISTRICT.
- The DISTRICT'S approval of the Final Drainage Plan and Final Plat does not affect the property rights of third parties. The developer is responsible for obtaining and maintaining any and all easements, fee strips and/or any other right-of-way across third parties' properties for purposes of moving access runoff to the DISTRICT'S drainage facilities as contemplated by the Final Drainage Plan and Final Plat.

APPROVED by Brazoria Drainage District No. 4

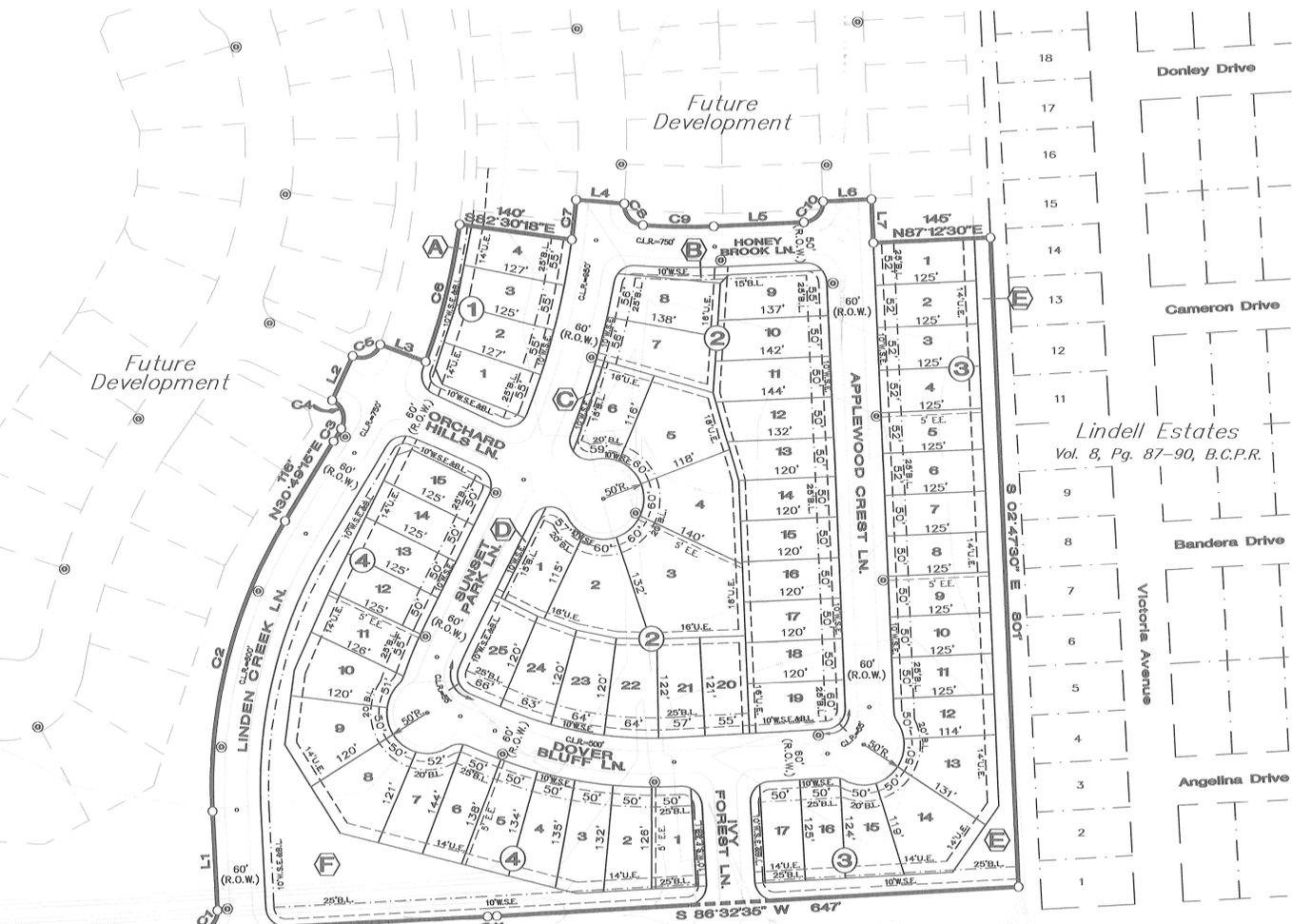
Michael Yost
Superintendent

Alfred E. Lentz, P.E., R.L.P.S.
District Engineer

ENCUMBRANCE CERTIFICATE

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

Registration No. _____ R.L.P.S.

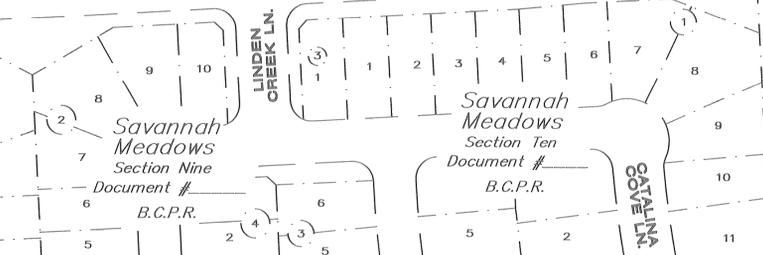


POST ROAD (COUNTY ROAD 58)
(120' R.O.W.)
DOC. NO. 2010006926
B.C.O.R.

Restricted Reserve "B"
Drill Site
±3.7 Acres

Branda Thomas
VOL. 1655, PG. 795
B.C.D.R.

David L. Allen, ET UX
TRACT 10
0.29595 AC.
87403 728, B.C.O.R.



CURVE DATA

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	25'	90°00'00"	39'	25'	S 41°52'57" W	35'
C2	630'	33°56'20"	373'	192'	N 43°47'05" E	368'
C3	720'	01°29'39"	18'	9'	N 30°04'25" E	18'
C4	25'	94°32'20"	41'	27'	S 17°58'34" E	37'
C5	25'	94°32'20"	41'	27'	S 87°37'05" W	37'
C6	780'	12°45'13"	174'	87'	S 43°52'16" W	173'
C7	920'	03°06'08"	50'	25'	S 05°56'40" W	50'
C8	25'	90°14'45"	39'	25'	S 40°43'46" E	35'
C9	725'	06°56'22"	88'	44'	N 89°18'19" W	88'
C10	25'	90°00'00"	39'	25'	S 42°12'30" W	35'
C11	1940'	00°20'25"	12'	6'	N 86°22'22" E	12'

LINE DATA

LINE	DISTANCE	BEARING
L1	123'	N 03°07'05" W
L2	60'	N 24°47'16" E
L3	60'	N 09°46'06" W
L4	60'	N 86°36'23" W
L5	112'	N 87°12'30" E
L6	60'	S 87°12'30" W
L7	54'	S 02°47'30" E

LOT AREA SUMMARY

BLOCK	LOT	LOT WIDTH AT B.L.	SO. FT.
BLOCK 1	1	55'	6,532
	2	55'	6,848
	3	55'	6,848
	4	55'	6,848
	5	55'	6,848
BLOCK 2	1	57'	7,155
	2	60'	10,408
	3	60'	16,749
	4	60'	11,010
	5	60'	11,492
	6	56'	7,294
	7	56'	6,917
	8	56'	7,966
	9	50'	7,271
	10	50'	6,970
	11	50'	7,224
	12	50'	6,889
	13	50'	6,296
	14	50'	6,000
	15	50'	6,000
	16	50'	6,000
	17	50'	6,000
BLOCK 3	1	52'	6,500
	2	52'	6,500
	3	52'	6,500
	4	52'	6,500
	5	52'	6,500
	6	52'	6,500
	7	50'	6,250
	8	50'	6,250
	9	50'	6,250
	10	50'	6,250
BLOCK 4	1	50'	6,513
	2	50'	6,881
	3	50'	7,295
	4	50'	7,212
	5	50'	7,203
	6	50'	7,002
	7	52'	6,793
	8	50'	6,254
	9	50'	6,467
	10	51'	7,761
BLOCK 5	1	50'	6,886
	2	50'	6,341
	3	50'	6,290
	4	50'	6,250
	5	50'	6,250
	6	50'	6,133
	7	50'	6,235
	8	50'	6,235
	9	50'	6,235
	10	50'	6,235

LAND USE TABLE

RESERVE	LAND USE	ACREAGE	SO. FT.
A	LANDSCAPE/ OPEN SPACE	0.11	4,808
B	LANDSCAPE/ OPEN SPACE	0.07	3,007
C	LANDSCAPE/ OPEN SPACE	0.02	1,035
D	LANDSCAPE/ OPEN SPACE	0.03	1,181
E	LANDSCAPE/ OPEN SPACE	0.61	26,503
F	LANDSCAPE/ OPEN SPACE	1.24	54,174

A PRELIMINARY PLAT OF
**LAUREL HEIGHTS
AT SAVANNAH**
SECTION ONE

BEING ±17.1 ACRES OF LAND
CONTAINING 61 LOTS (50' X 120' TYP.) AND
SIX RESERVES (2.08 AC.) IN FOUR BLOCKS.

OUT OF THE
H.T.&B.R.R. SURVEY, A-302
BRAZORIA COUNTY, TEXAS

SURVEYOR / CONSULTING ENGINEER:
LJA ENGINEERING & SURVEYING, INC.
BILL EHLER (713) 953-5200
2929 BRIARPARK DRIVE, SUITE 600
HOUSTON, TEXAS 77042

OWNER:
SAVANNAH DEVELOPMENT, LTD.,
A TEXAS LIMITED PARTNERSHIP
MR. SAWYER BLACKBURN (281) 875-1000
550 GREENS PARKWAY, SUITE 100
HOUSTON, TEXAS 77067

KERRY R. GILBERT & ASSOCIATES, INC.
CONTACT: GEOFF FREEMAN

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

SCALE: 1" = 100'
0 50 100 200

SEPTEMBER 08, 2013
KGA# 4708

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF PEARLAND SUBDIVISION AND ZONING ORDINANCES IN EFFECT AT THE TIME THIS PLAT WAS PREPARED. ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE PEARLAND PLANNING 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**

E



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission

REQUESTOR: Ian Clowes

DATE: 09/10/2013

AGENDA ITEM SUBJECT: Preliminary Plat of Laurel Heights at Savannah Sec. Two

Old Business **New Business** Discussion Item Workshop

Summary: A request by Geoff Freeman of Kerry R. Gilbert and Associates., applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Laurel Heights at Savannah Section Two, generally located east of Linden Creek Lane, north of Laurel Heights at Savannah Section One, proposing a 40 lot single-family residential subdivision

Staff Recommendation: Approval

Agenda Reviewed by:

HE

Date Reviewed:

09/12/2013



PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2013

PRELIMINARY PLAT OF LAUREL HEIGHTS AT SAVANNAH SECTION TWO

A request by Geoff Freeman of Kerry R. Gilbert and Associates., applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Laurel Heights at Savannah Section Two, generally East of Linden Creek Lane, North of Laurel Heights at Savannah Section One, proposing a 40 lot single-family residential subdivision, on the following described property, to wit

Legal Description: Being 9.1 acres of land located in the H.T. & B.R.R. Survey, Abstract 302, Official Records of said Brazoria County, Texas

General Location: Located East of Linden Creek Lane, North of Laurel Heights at Savannah Section.

SUMMARY: The applicant is requesting approval of a Preliminary Plat for a 40 lot single-family subdivision in Savannah. This proposed subdivision is fully within the Extraterritorial Jurisdiction (ETJ) of the City of Pearland and has a development agreement. As the property is in the ETJ, the city zoning ordinance does not apply. However, this development is governed by a development agreement which adheres to the zoning ordinance dealing specifically with lot sizes, density, and setback requirements. The proposed section is in full compliance with the approved Development Agreement.

UNIFIED DEVELOPMENT CODE: Does not apply as this development is located within the ETJ.

SAVANNAH DEVELOPMENT AGREEMENT: The submitted Preliminary Plat of Laurel Heights at Savannah Section Two appears to be in conformance with the approved Savannah Development agreement.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	ETJ (None)	Vacant Land
South	ETJ (None)	Section One
East	ETJ (None)	Vacant Land
West	ETJ (None)	Vacant Land

CONFORMANCE TO THE COMPREHENSIVE PLAN: The subject property is within the Low-Density Residential land use plan designation. The proposed subdivision is not within the guidelines of Low-Density Residential land use designation as the average lot size is around 6,250 sq. ft. The proposed development is in conformance with the approved development agreement.

PLATTING STATUS: This is the first submitted plat for this section of Savannah. This is the second section of the development north of Post Rd. (CR 58), to submit for plat approval.

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property is located north of the intersection of Post Rd. (CR 58), a major thoroughfare with a minimum right-of-way 120', and Linden Creek, a local street with a minimum right-of-way of 60'.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed Preliminary Plat should not have any significant adverse impacts on any surrounding structures or uses as the proposed development is in conformance with the approved development agreement.

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

TRAFFIC AND TRANSPORTATION: A traffic impact analysis was submitted and approved by the city's Engineering Department as part of the Savannah Development Agreement. All requirements of the analysis have been met.

UTILITIES AND INFRASTRUCTURE: Water and sewer service are available to for this subdivision through Municipal Utility District (MUD) 22.

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

PARKS, OPEN SPACE, AND TREES: Park fees will be paid at the time of Final Plat approval.

1% INSPECTION FEES: As required by the Savannah Development agreement, the 1% inspection fees will be paid at time of Final Plat.

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Laurel Heights at Savannah Section Two as proposed by the applicant, for the following reasons:

1. The proposed subdivision will not cause any adverse impacts on the surrounding properties.

2. This request is in conformance with the comprehensive plan and the Development Agreement.
3. The Savannah Development Agreement will assure the development of this property is in conformance with the goals of the city.

SUPPORTING DOCUMENTS:

- Vicinity Map
- Land Use Map
- Aerial Map
- Laurel Heights at Savannah Section Two Plat



Zoning and Vicinity Map

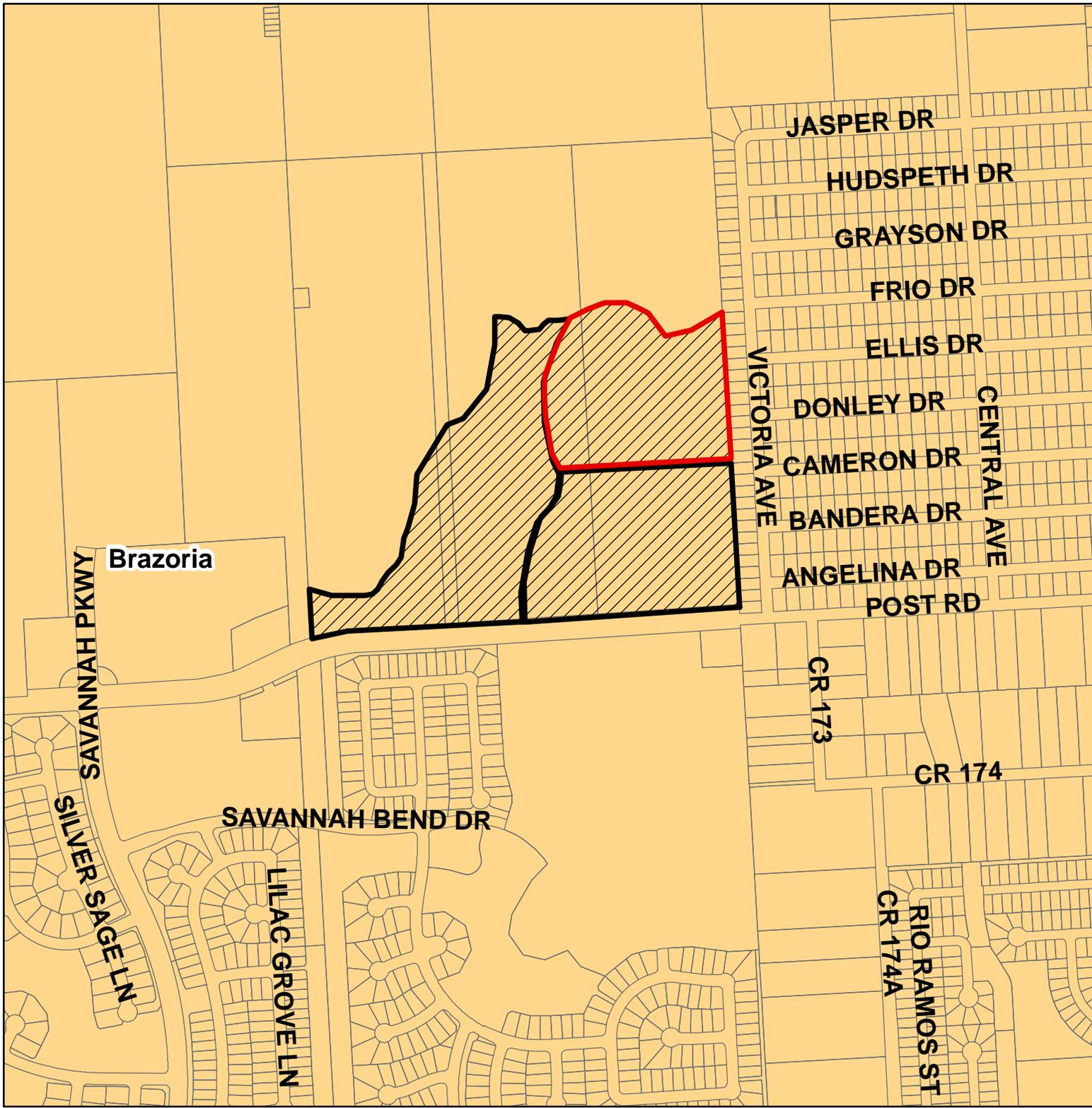
Preliminary Plat of Laurel Heights at Savannah Section Two

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 170340 680 Feet



N





FLUP Map

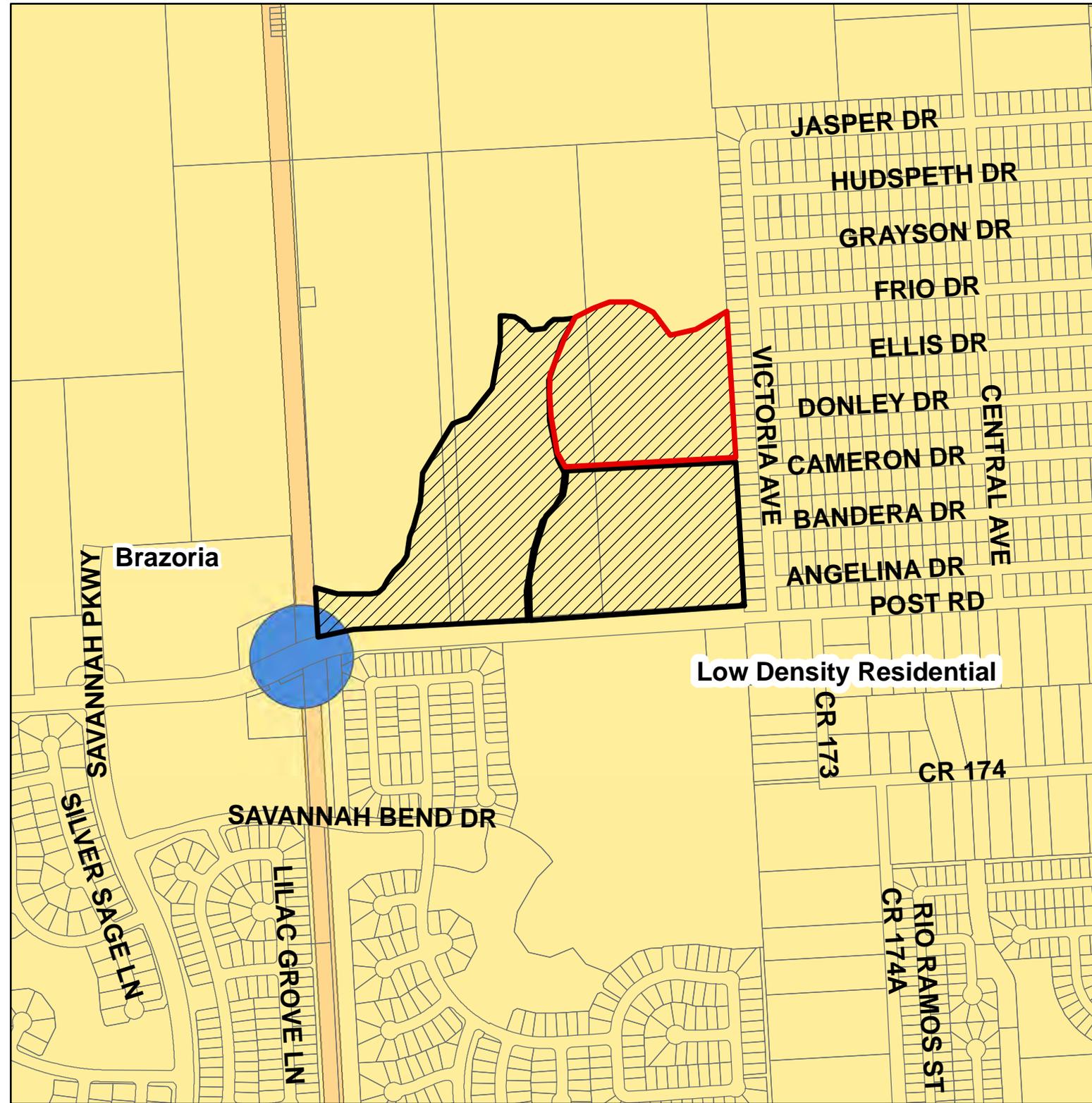
**Preliminary Plat of
Laurel Heights at
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N



0 170340 680 Feet





Aerial Map

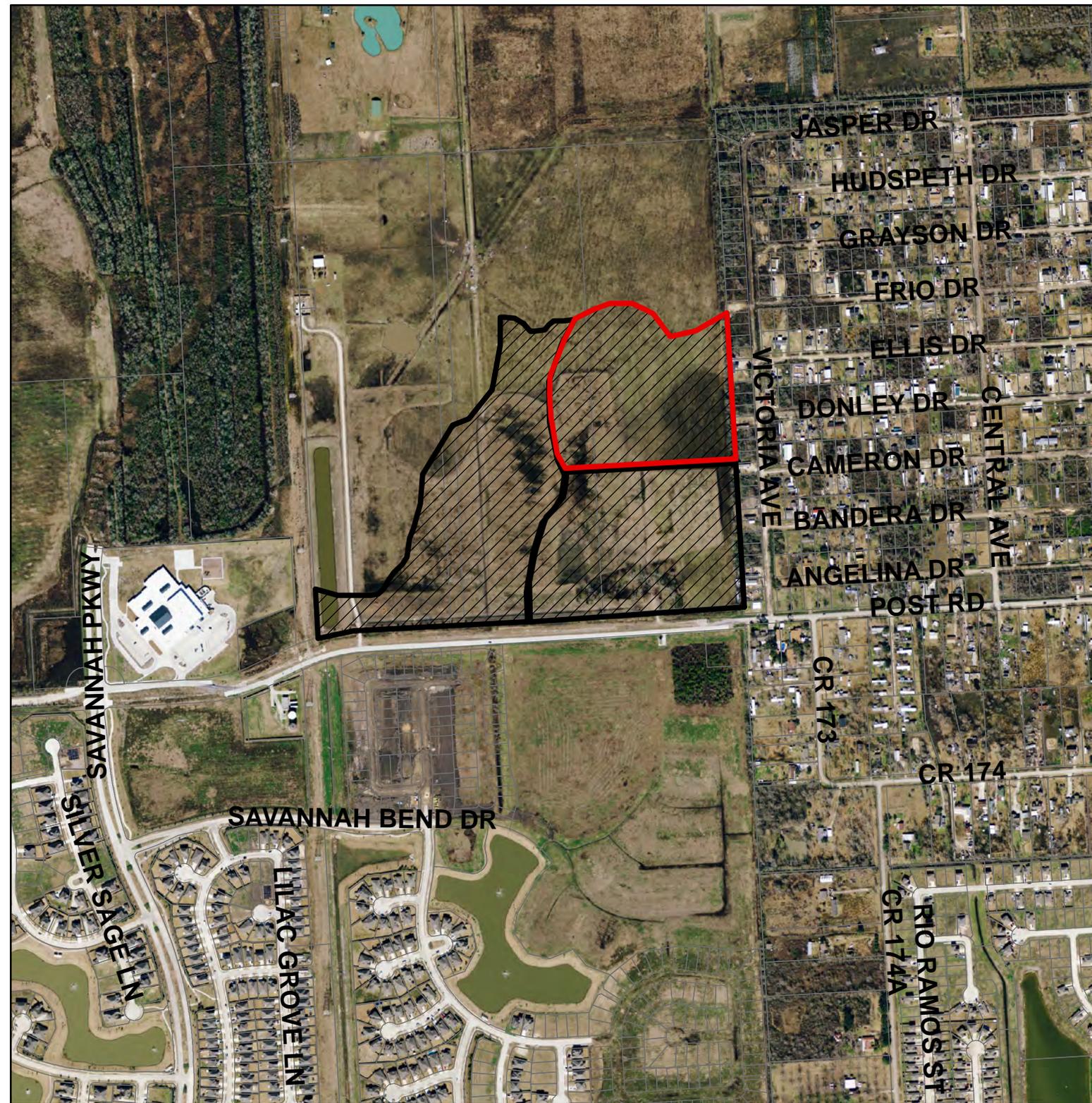
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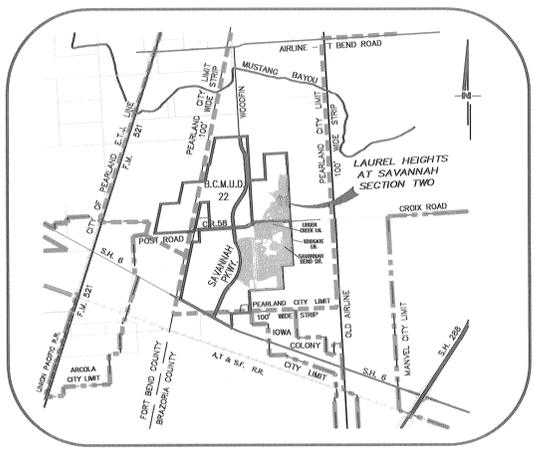


0 170340 680 Feet





- GENERAL NOTE:**
- THERE ARE 6 STREETS ON THIS PLAT.
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48030Z0201, WITH THE EFFECTIVE DATE OF JUNE 03, 1993, THE PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN). ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
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 - ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THE PLAT SHALL BE MAINTAINED BY A MEMBERS ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
 - THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY, AND THE CITY OF PEARLAND.
 - 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 HOLDERS OF THE EASEMENT REQUIRING ANY UNIMPROVED 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.
 - THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY G.P. NO. 1203036184, EFFECTIVE DATE AUGUST 13, 2013
 - ALL BEARINGS REFERENCES ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.



Vicinity Map
SCALE= 1"=500'

BRAZORIA DRAINAGE DISTRICT #4 NOTES

- Any governmental body for purposes of drainage work may use drainage easements and fee strips provided the DISTRICT is properly notified.
- Permanent structures, including fences and permanent landscaping, shall not be erected in a drainage easement or fee strip.
- Maintenance of detention facilities is the sole responsibility of the owner of the property. The DISTRICT will provide maintenance of regional facilities owned and constructed by the DISTRICT, or subregional facilities owned and constructed by the developer for which ownership has been transferred to the DISTRICT with the DISTRICT'S approval. The DISTRICT is responsible only for the maintenance of facilities owned by the DISTRICT unless the DISTRICT specifically contracts or agrees to maintain other facilities.
- Contractor shall notify the DISTRICT in writing at least thirty-six (36) hours before placing any concrete for drainage structures.
- The DISTRICT'S personnel shall have the right to enter upon the property for inspection at any time during construction or as may be warranted to ensure the detention facility is operating properly.
- No building permit shall be issued for any lot within this development until the detention facility has been constructed and approved by the DISTRICT.
- The DISTRICT'S approval of the Final Drainage Plan and Final Plat does not affect the property rights of third parties. The developer is responsible for obtaining and maintaining any and all easements, fee strips and/or any other right-of-way across third parties' properties for purposes of moving access runoff to the DISTRICT'S drainage facilities as contemplated by the Final Drainage Plan and Final Plat.

APPROVED by Brazoria Drainage District No. 4

Michael Yost
Superintendent

Alfred E. Lentz, P.E., R.L.P.S.
District Engineer

ENCUMBRANCE CERTIFICATE

This is to certify that I, _____, a Registered Professional Land Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground; that all exterior boundary corners of the actual survey have been set; that all block corners, reserve corners, lot corners, permanent reference monuments and permanent control points will be set at completion of construction; and that this plat correctly represents that survey made by me. All corners will be marked by iron rods 5/8-inch in diameter and 24-inch long. Except lot corners which will be marked with iron rods 1/2-inch in diameter. This tract is within two miles of the City Limits of Pearland.

LEGEND

- "CLR." INDICATES CENTERLINE RADIUS.
- "BL." INDICATES BUILDING LINE.
- "UL." INDICATES UTILITY EASEMENT.
- "W.L." INDICATES WATER LINE EASEMENT.
- "S.W. SINK ESM." INDICATES STORM SEWER EASEMENT.
- "S.S.E." INDICATES SANITARY SEWER EASEMENT.
- "W.S.E." INDICATES WATER LINE / SANITARY SEWER EASEMENT.
- "DL." INDICATES DRAINAGE EASEMENT.
- "CO." INDICATES STREET LIGHT LOCATION.
- "EL." INDICATES ELECTRICAL EASEMENT.
- "B.C.P.R." INDICATES BRAZORIA COUNTY PLAT RECORDS.
- "B.C.C.R." INDICATES BRAZORIA COUNTY RECD RECORDS.
- "B.C.C.F." INDICATES BRAZORIA COUNTY CLERK FILE.
- "B.C.R.P.R." INDICATES BRAZORIA COUNTY REAL PROPERTY RECORDS.
- "B.C.C.A.U.D." INDICATES BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT.
- "* * *" INDICATES DRAINAGE OUTFALL.

LINE DATA

LINE	DISTANCE	BEARING
L1	47'	S 65°05'09" E
L2	46'	S 45°24'32" E
L3	46'	S 25°54'14" E
L4	120'	N 73°50'55" E
L5	60'	S 68°02'57" W
L6	54'	N 02°47'30" W
L7	60'	S 87°12'30" W
L8	112'	S 87°12'30" W
L9	60'	N 86°36'23" W
L10	140'	N 82°30'18" W

LOT AREA SUMMARY

BLOCK 1			BLOCK 2		
LOT	LOT WIDTH AT R.L.	SQ. FT.	LOT	LOT WIDTH AT R.L.	SQ. FT.
1	60'	7,200	1	56'	6,894
2	60'	7,200	2	57'	6,899
3	60'	7,186	3	58'	7,154
4	55'	6,875	4	55'	6,875
5	55'	6,875	5	55'	6,875
6	55'	7,029	6	55'	6,875
7	55'	7,329	7	55'	6,875
8	55'	7,200	8	55'	6,826
9	55'	9,717	9	55'	6,875
10	55'	11,070	10	55'	6,875
11	55'	10,763	11	55'	6,875
12	55'	10,236			
13	55'	6,832			
14	55'	6,905			
15	55'	6,860			
16	55'	6,735			
17	55'	6,860			
18	55'	6,888			

CURVE DATA

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	780'	35°14'33"	480'	248'	N 10°07'34" W	472'
C2	25'	82°44'51"	36'	22'	S 13°37'35" W	33'
C3	530'	23°34'13"	218'	111'	N 43°12'54" E	216'
C4	25'	90°00'00"	39'	25'	N 42°12'30" E	35'
C5	725'	06°56'22"	88'	44'	N 89°19'19" W	88'
C6	25'	90°14'45"	39'	25'	S 40°43'46" E	35'
C7	920'	03°06'05"	50'	25'	N 05°56'40" E	50'

LAND USE TABLE

RESERVE	LAND USE	ACREAGE	SQ. FT.
(A)	LANDSCAPE/ OPEN SPACE	0.45	19,380
(B)	LANDSCAPE/ OPEN SPACE	0.07	3,168
(C)	LANDSCAPE/ OPEN SPACE	0.31	13,486

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF PEARLAND SUBDIVISION AND ZONING ORDINANCES IN EFFECT AT THE TIME THIS PLAT WAS PREPARED. ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE FOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE PEARLAND PLANNING 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.

A PRELIMINARY PLAT OF LAUREL HEIGHTS AT SAVANNAH SECTION TWO

BEING ±9.1 ACRES OF LAND
CONTAINING 40 LOTS (55' X 120' TYP) AND
THREE RESERVES (0.83 AC) IN TWO BLOCKS.

OUT OF THE
H.T.&B.R.R. SURVEY, A-302
BRAZORIA COUNTY, TEXAS
SURVEYOR / CONSULTING ENGINEER:
LJA ENGINEERING & SURVEYING, INC.
BILL EHLEH (713) 953-5200
2929 BRIARPARK DRIVE, SUITE 600
HOUSTON, TEXAS 77042

OWNER:
SAVANNAH DEVELOPMENT, LTD.,
A TEXAS LIMITED PARTNERSHIP
MR. SAWYER BLACKBURN (281) 875-1000
650 GREENS PARKWAY, SUITE 100
HOUSTON, TEXAS 77067

KERRY R. GILBERT & ASSOCIATES, INC.
CONTACT: GEOFF FREEMAN

SCALE: 1" = 100'
0 50 100 200

AUGUST 05, 2013
KQA# 4708

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

**P&Z AGENDA
ITEM**

F



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 09/10/2013
AGENDA ITEM SUBJECT: Preliminary Plat of Laurel Heights at Savannah Sec. Three

Old Business **New Business** Discussion Item Workshop

Summary: A request by Geoff Freeman of Kerry R. Gilbert and Associates., applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Laurel Heights at Savannah Section Three, generally located at the Northwest corner of Post Road (CR 58) and Linden Creek Lane, proposing a 28 lot single-family residential subdivision

Staff Recommendation: Approval

Agenda Reviewed by:

HE

Date Reviewed:

09/12/2013



PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2013

PRELIMINARY PLAT OF LAUREL HEIGHTS AT SAVANNAH SECTION THREE

A request by Geoff Freeman of Kerry R. Gilbert and Associates., applicant, on behalf of Savannah Development LTD., owner, for approval of a Preliminary Plat of Laurel Heights at Savannah Section Three, generally located at the Northwest corner of Post Road (CR 58) and Linden Creek Lane, proposing a 28 lot single-family residential subdivision, on the following described property, to wit

Legal Description: Being 31.2 acres of land located in the H.T. & B.R.R. Survey, Abstract 302, Official Records of said Brazoria County, Texas

General Location: Located at the Northwest corner of Post Road (CR 58) and Linden Creek Lane

SUMMARY: The applicant is requesting approval of a Preliminary Plat for a 28 lot single-family subdivision in Savannah. Along with the proposed single family residential lots, this plat contains an 18.72 acre reserve for detention/amenity lake. This proposed subdivision is fully within the Extraterritorial Jurisdiction (ETJ) of the City of Pearland and has a development agreement. As the property is in the ETJ, the city zoning ordinance does not apply. However, this development is governed by a development agreement which adheres to the zoning ordinance dealing specifically with lot sizes, density, and setback requirements. The proposed section is in full compliance with the approved Development Agreement.

UNIFIED DEVELOPMENT CODE: Does not apply as this development is located within the ETJ.

SAVANNAH DEVELOPMENT AGREEMENT: The submitted Preliminary Plat of Laurel Heights at Savannah Section Three appears to be in conformance with the approved Savannah Development agreement.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	ETJ (None)	Vacant Land
South	ETJ (None)	Post Rd. (CR 58)
East	ETJ (None)	Vacant Land
West	ETJ (None)	Vacant Land

CONFORMANCE TO THE COMPREHENSIVE PLACE: The subject property is within the Low-Density Residential land use plan designation. The proposed subdivision is within the guidelines of Low-Density Residential land use designation as the average lot size is 8,750 sq. ft. The proposed development is in conformance with the approved development agreement.

PLATTING STATUS: This is the first submitted plat for this section of Savannah. This is third section of the development north of Post Rd. (CR 58), to submit for plat approval.

CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property is located at the corner of Post Rd. (CR 58), a major thoroughfare with a minimum right-of-way 120', and Linden Creek, a local street with a minimum right-of-way of 60'.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The proposed Preliminary Plat should not have any significant adverse impacts on any surrounding structures or uses as the proposed development is in conformance with the approved development agreement.

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

TRAFFIC AND TRANSPORTATION: A traffic impact analysis was submitted and approved by the city's Engineering Department as part of the Savannah Development Agreement. All requirements of the analysis have been met.

UTILITIES AND INFRASTRUCTURE: Water and sewer service are available to for this subdivision through Municipal Utility District (MUD) 22.

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

PARKS, OPEN SPACE, AND TREES: Park fees will be paid at the time of Final Plat approval.

1% INSPECTION FEES: As required by the Savannah Development agreement, the 1% inspection fees will be paid at time of Final Plat.

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Laurel Heights at Savannah Section Three as proposed by the applicant, for the following reasons:

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

SUPPORTING DOCUMENTS:

- Vicinity Map
- Land Use Map
- Aerial Map
- Laurel Heights at Savannah Section Three Plat



Zoning and Vicinity Map

Preliminary Plat of Laurel Heights at Savannah Section Three

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 170340 680 Feet



N





FLUP Map

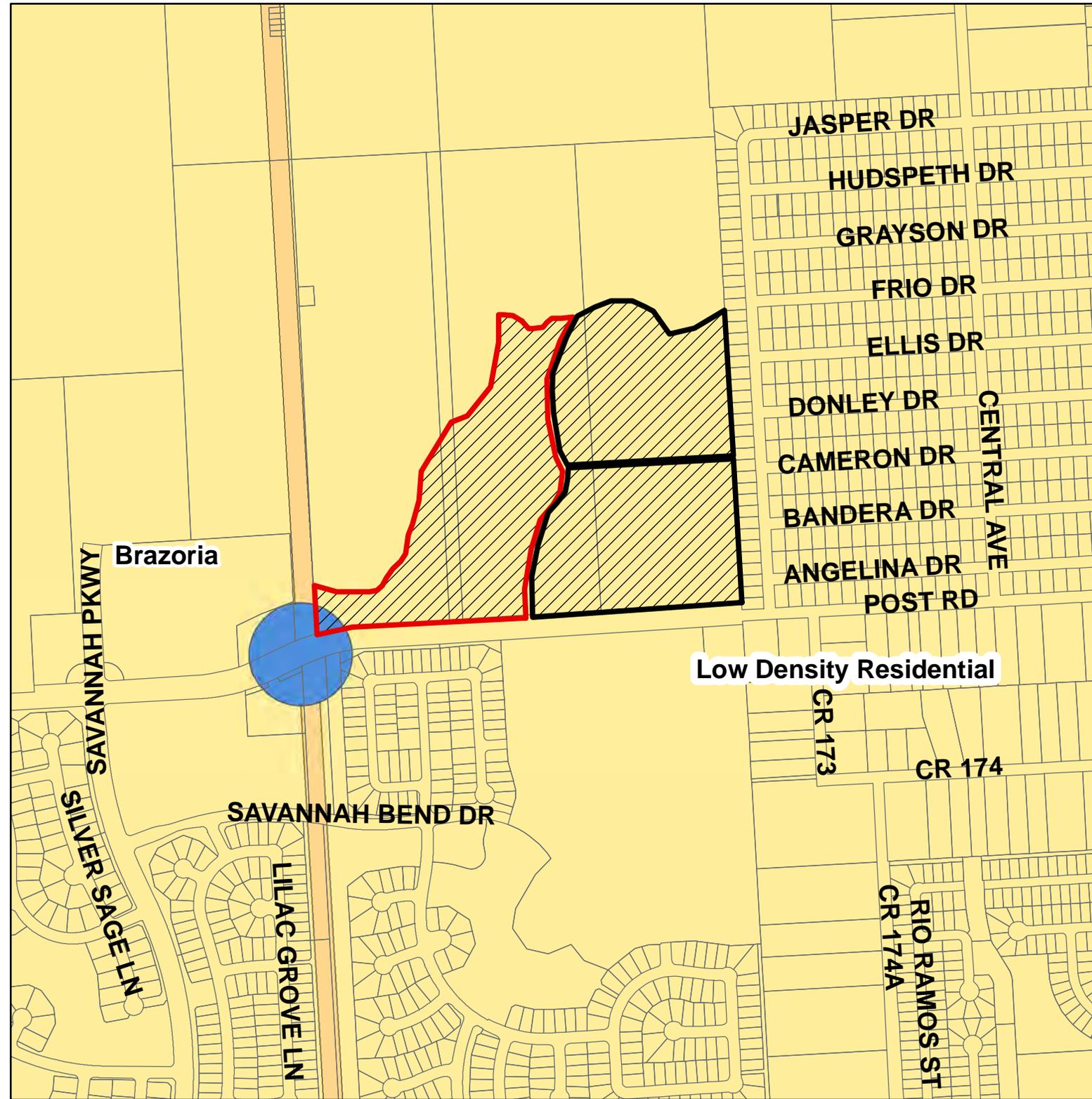
**Preliminary Plat of
Laurel Heights at
Savannah Section Three**

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 170340 680 Feet



N





Aerial Map

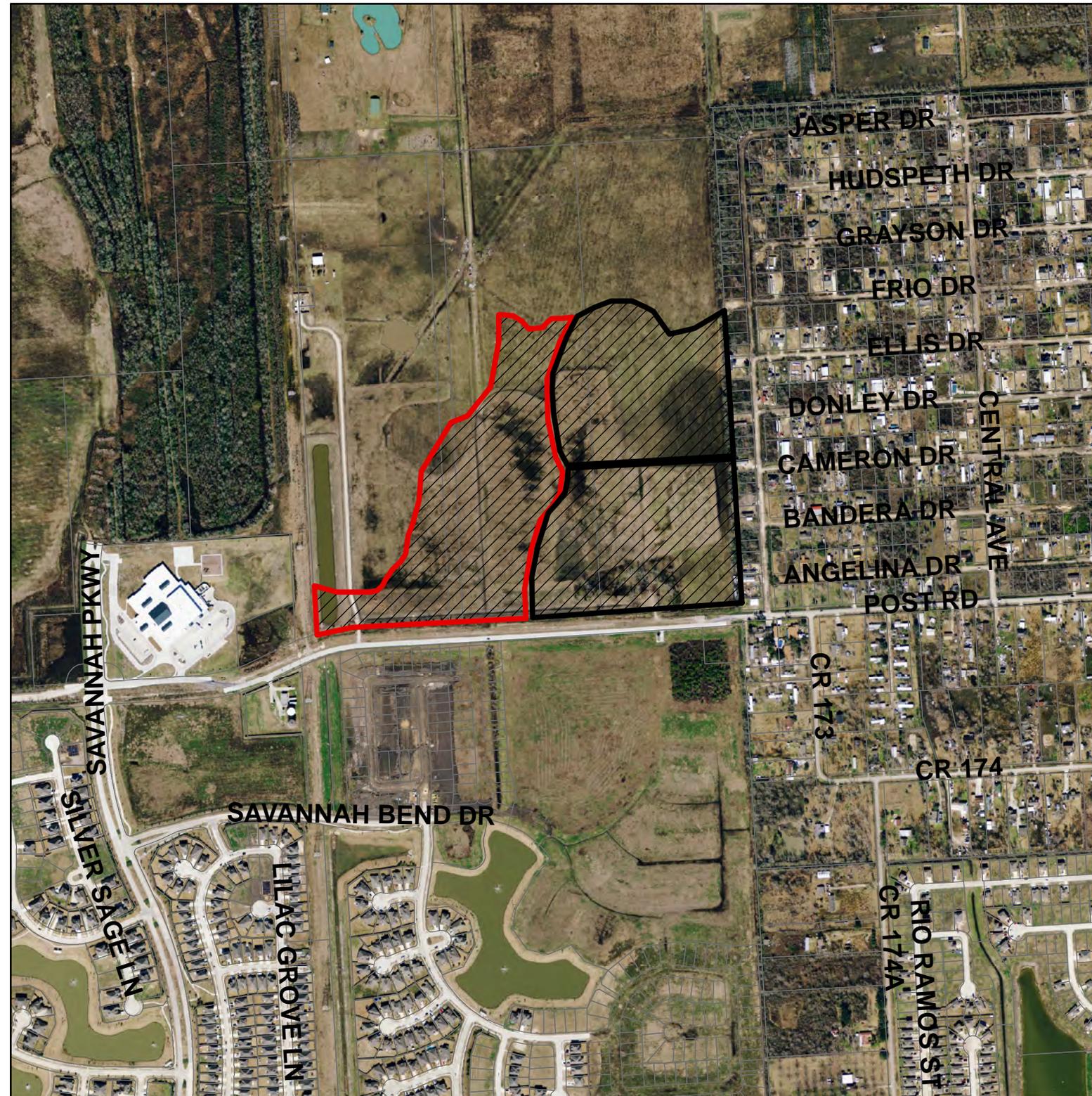
**Preliminary Plat of
Laurel Heights at
Savannah Section Three**

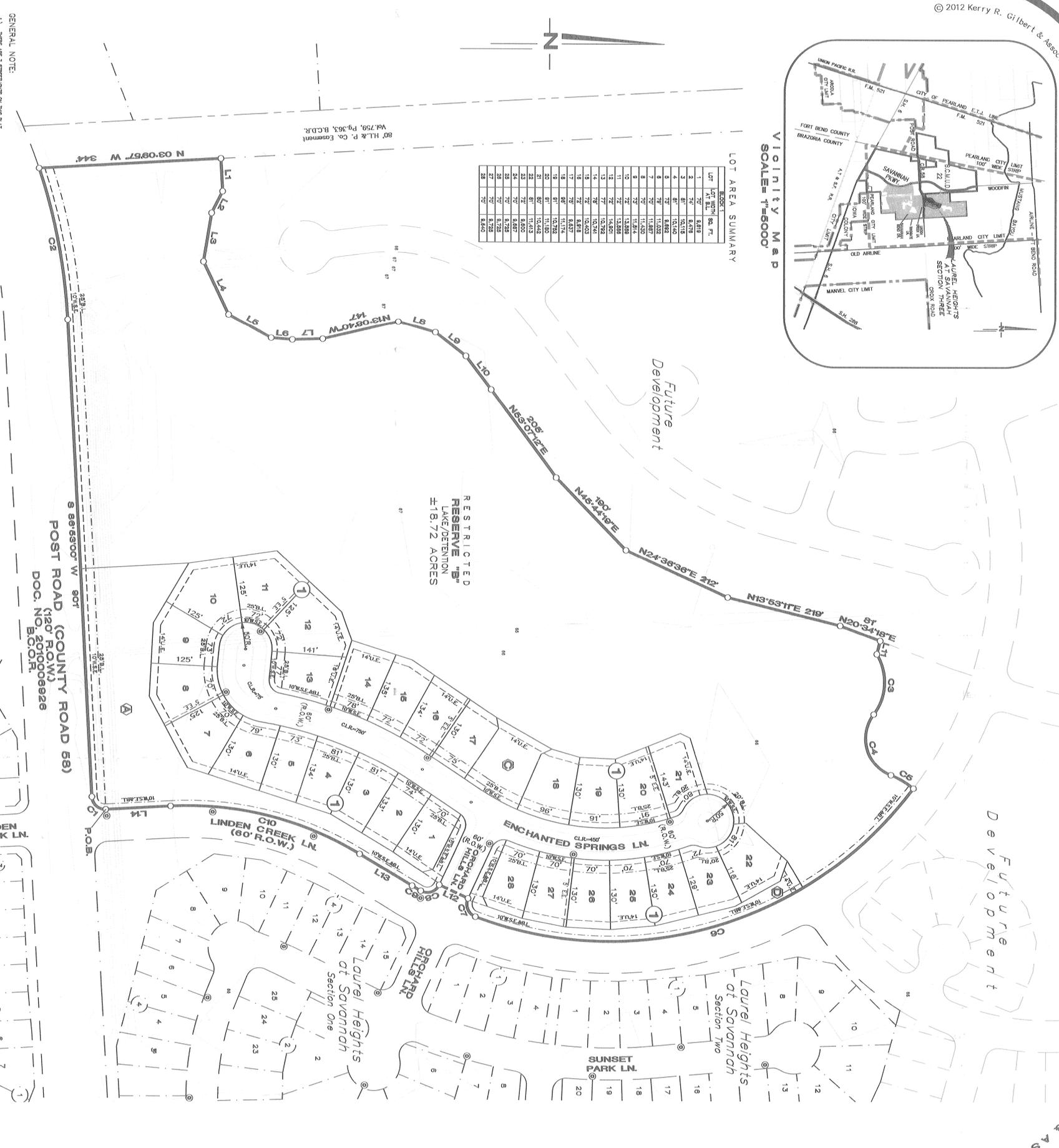
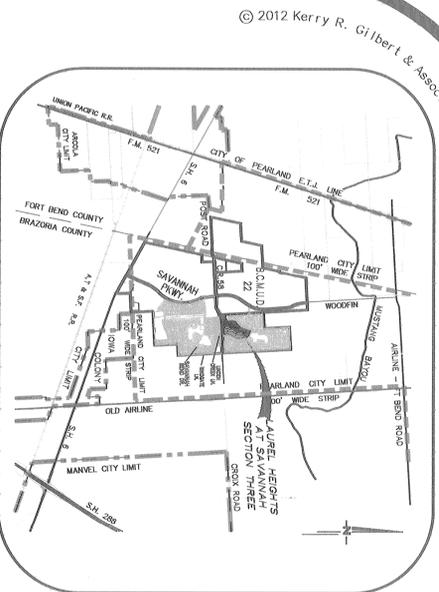
This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

N



0 170340 680 Feet





LOT AREA SUMMARY

LOT #	ACREAGE	SQ. FT.
1	.70	3,018
2	.70	3,018
3	.70	3,018
4	.70	3,018
5	.70	3,018
6	.70	3,018
7	.70	3,018
8	.70	3,018
9	.70	3,018
10	.70	3,018
11	.70	3,018
12	.70	3,018
13	.70	3,018
14	.70	3,018
15	.70	3,018
16	.70	3,018
17	.70	3,018
18	.70	3,018
19	.70	3,018
20	.70	3,018
21	.70	3,018
22	.70	3,018
23	.70	3,018
24	.70	3,018
25	.70	3,018
26	.70	3,018
27	.70	3,018
28	.70	3,018
29	.70	3,018
30	.70	3,018
31	.70	3,018
TOTAL	21.00	84,582

BRAZORIA DRAINAGE DISTRICT #4 NOTES

- Any governmental body for purposes of drainage work may use drainage summaries and the maps provided as a reference.
- Measurements of the area, boundary, volume and general topography shall not be needed in a drainage summary.
- Measurements of elevation within a lot and general topography of the entire lot shall be provided. The District will determine the accuracy of the elevation data provided. The District will not be responsible for the accuracy of the elevation data provided.
- Drainage maps shall be provided for each lot. The District will determine the accuracy of the drainage maps provided.
- The District personnel shall have the right to enter upon the property for inspection at any time during the construction and operation of the drainage system.
- The District shall be responsible for the maintenance and operation of the drainage system.
- The District shall be responsible for the maintenance and operation of the drainage system.

LEGEND

Symbol	Description
1	1" = 1" INDICATES CENTER POINTS
2	2" = 1" INDICATES CENTER POINTS
3	3" = 1" INDICATES CENTER POINTS
4	4" = 1" INDICATES CENTER POINTS
5	5" = 1" INDICATES CENTER POINTS
6	6" = 1" INDICATES CENTER POINTS
7	7" = 1" INDICATES CENTER POINTS
8	8" = 1" INDICATES CENTER POINTS
9	9" = 1" INDICATES CENTER POINTS
10	10" = 1" INDICATES CENTER POINTS
11	11" = 1" INDICATES CENTER POINTS
12	12" = 1" INDICATES CENTER POINTS
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18	18" = 1" INDICATES CENTER POINTS
19	19" = 1" INDICATES CENTER POINTS
20	20" = 1" INDICATES CENTER POINTS
21	21" = 1" INDICATES CENTER POINTS
22	22" = 1" INDICATES CENTER POINTS
23	23" = 1" INDICATES CENTER POINTS
24	24" = 1" INDICATES CENTER POINTS
25	25" = 1" INDICATES CENTER POINTS
26	26" = 1" INDICATES CENTER POINTS
27	27" = 1" INDICATES CENTER POINTS
28	28" = 1" INDICATES CENTER POINTS
29	29" = 1" INDICATES CENTER POINTS
30	30" = 1" INDICATES CENTER POINTS
31	31" = 1" INDICATES CENTER POINTS

LAND USE TABLE

RESERVE LAND USE	ACREAGE	SQ. FT.
RESERVE LAND USE	2.13	87,782
LANDSCAPE	18.72	814,823
DEFENTION	0.32	14,024
LANDSCAPE / OPEN SPACE	0.68	3,883

ENFORCEMENT CERTIFICATE

This is to certify that the above subdivision from an actual survey on the ground that of exterior boundary corners of the several survey from sheet 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

DISCLAIMER AND LIMITED WARRANTY

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**P&Z AGENDA
ITEM**

G



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Harold Ellis, City Planner
DATE: 09/10/2013
AGENDA ITEM SUBJECT: Covington Estates Cluster Development Plan Amendment

Old Business **New Business** Discussion Item Workshop

Summary: A request by Covington Estates, LLC., applicant and owner, for approval of an amendment to a previously approved Cluster Plan on a 9.637 acre tract of land for a single-family residential subdivision, generally located north of Hughes Ranch Road on Hillhouse Road. Details on the proposed amendment are provided in the attached staff report.

Staff Recommendation: Staff is unable to recommend approval of the requested amendment at this time.

Agenda Reviewed by:

HE

Date Reviewed:

09/12/2013



PLANNING AND ZONING COMMISSION MEETING OF SEPTEMBER 16, 2013

Covington Estates Cluster Development Plan – Amendment Request

A request by Covington Estates, LLC., applicant and owner, for approval of an amendment to a previously approved Cluster Plan on a 9.637 acre tract of land for a single-family residential subdivision, generally located north of Hughes Ranch Road on Hillhouse Road.

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

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

General Location: North of Hughes Ranch Road on Hillhouse Road

SUMMARY: This is a request for an amendment to the previously approved Covington Estates Cluster Development Plan on Hillhouse Road. The original approval was on February 18, 2013, and was for 20 single-family residential lots, with 2.94 acres of amenitized detention, and .4 acres of open space, in the form of a pocket park and entry sidewalk to the amenitized detention. The applicant, Chad Thumann of R. West Development, is requesting that the Cluster Development Plan be amended to allow for a 7' crushed granite trail surrounding the proposed detention pond, as opposed to the 7' concrete trail included in the approved Cluster Development Plan document. There are no other proposed changes regarding the development at this time. The applicant did ask the Commission to amend the site plan approved originally to allow for a crushed granite trail at the February 18, 2013 meeting referenced above. Details on this discussion will be provided later in this report.

The Cluster Plan is intended to allow flexibility with lot sizes for the developer and in return the applicant shall provide open space and amenities which are *not achieved through the application of minimum lot standards*. The Unified Development Code specifically defines both open space and amenities, and those definitions are provided later in this report. These open spaces and amenities are specifically listed as criteria of approval for a Cluster Development Plan, among other criteria listed in the Unified Development Code. (Section 2.2.4.4, UDC, Criteria of Approval for Cluster Development Plans)

As detailed in the original Cluster Development Plan staff report, the property is currently zoned Suburban Residential-12 (SR-12) which requires a minimum lot size of 12,000 square feet. This zoning is a result of a zone change the property received in November 2012 from Residential Estate (RE) which requires a minimum lot size of 21,780 square feet. Upon approval from Council to rezone the property to reduce density, lot size, and setback requirements, the applicant requested a Cluster Development plan to further reduce lot size requirements, as discussed below. Additionally, the applicant was granted a variance to the maximum cul-de-sac length requirement.

Additional detail on the amendment regarding amenities for the Cluster Development Plan in question are discussed in more detail in the *Impact on existing and future development*, and *Analysis of the Cluster Development Plan* section of this report.

For reference, below is a summary of the lot size and density requirements for the prior and existing zoning districts, as well as the approved Cluster Development Plan:

	<u>Approved Cluster</u>	<u>SR-12</u>	<u>RE</u>
Minimum lot area:	10,961 sq ft	12,000 sq ft	21,780 sq ft
Minimum lot width:	84.5'	100'	120'
Minimum lot depth:	140'	90'	90'
Density (units/acre)	2.08	2.3	1.3

*typical lot width and depth for the proposed Cluster Development Plan.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	RE	Residential Estate
South	RE	Residential Estate
East	RE	Residential Estate
West	R-3	Single Family Residential-3 (R-3)

UNIFIED DEVELOPMENT CODE: The subject property is currently zoned Suburban Residential-12 (SR-12). The approved Cluster Development Plan allows the developer to vary the size of lots as long as the overall density of the development does not go over 2.3 dwelling units an acre, as specified in Section 2.2.4.3 of the Unified Development Code. The approved site plan for the Cluster Development Plan indicates a cul-de-sac length over 600', which is the maximum permitted in section 3.2.6.4 (I) of the Unified Development Code. This is permitted due to the variance approved by the Planning and Zoning Commission to the maximum cul-de-sac length requirement at the time of original Cluster Development Plan approval. All other requirements of the Unified Development Code will be required to be met at the time of development.

APPROVAL CRITERIA OF THE CLUSTER DEVELOPMENT PLAN: The Planning and Zoning Commission, or the City Council on appeal, shall apply the following factors below when taking action on a Cluster Development Plan application, contained in Section 2.2.4.4 of the Unified Development Code. The Cluster Development Plan in question, with the proposed amendment, meets the first three criteria below. Staff is still concerned that the fourth criterion does not appear to be met.

1. The Cluster Development Plan meets the standards for residential density as outlined in the following in relation to each zoning district:

It appears that the Cluster Plan submitted would meet the 2.3 units per acre requirement, as the proposed density is 2.08 units per acre. There are no proposed changes to density with the requested amendment.

2. The Cluster Development Plan is consistent with other zoning district regulations, except minimum lot size, width and depth.

The approved Cluster Development Plan is consistent with the SR-12 (Suburban Residential-12) zoning district, with the exception of the variations on lot size, width and depth. As discussed earlier in this report, the Commission approved a variance to the Unified Development Code's maximum cul-de-sac street length of 600' with the original Cluster Development Plan.

3. The Cluster Development Plan contains sufficient buffering to assure compatibility with adjacent uses and the character of the neighborhood.

This Cluster Development Plan will abut Residential Estate (RE) zoning to the north and the south, and Single Family Residential-3 (R-3) to the west. Dawson High School property to the east. It is not anticipated that additional buffering will be necessary to mitigate any adverse impact and the requested amendment does not affect any buffering with adjacent uses.

4. The Cluster Development Plan provides open space or amenities to the development that could not be achieved through application of minimum lot size standards. As referred to herein, open space and amenities do not include any land dedicated to the City under the parkland dedication requirement in Chapter 3, Article 2, Division 10.

As discussed at the time of the original Cluster Plan request with the applicant and the Planning and Zoning Commission, it does not appear that the originally approved Cluster Development Plan provides usable open space or amenities which are accessible to the entire development,

the Cluster Development Plan to better meet the intent of a Cluster Plan with regards to amenities which are accessible to the entire development.

PLATTING STATUS: This property currently has an approved preliminary subdivision plat and will need to be final platted prior to development.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject land is Suburban Residential Development. The approved Comprehensive Plan further indicates that corresponding lot sizes for Suburban Residential would be 10,000, 12,000, or 15,000 square foot lots. Therefore, the previously approved Cluster Development Plan is not in conformance with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject contains frontage on Hillhouse Road, a minor collector with a minimum right-of-way of 60'. Hillhouse Road is currently constructed as a two lane road, with a width of approximately 20'.

AVAILABILITY OF UTILITIES: Public water and sewer are in the process of being extended to this site by the applicant.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: As it does not appear that the previously approved Cluster Development Plan meets the approval criteria listed in Section 2.2.4.4 of the Unified Development Code, and the applicant is proposing to further reduce the amenities proposed in the development, if the amendment is approved, it will have a negative impact on existing and future development in the area. This will result in a Cluster Development Plan which does not appear to meet the criteria of approval, specifically, in the area of amenities which are not achievable through a traditional subdivision process. Also as previously mentioned, the crushed granite material being proposed has long term maintenance and durability concerns and therefore staff is concerned that the trail will end up in poor condition after installation if not properly maintained. Additionally, recently approved Cluster Development Plans have required that multi-use trails be a minimum of 8' wide and constructed of concrete in order to be considered an amenity. This amendment, if approved, would be contrary to previous approvals with regards to these types of trails.

STAFF RECOMMENDATION: Staff is unable to recommend approval of the proposed Cluster Development Plan amendment for the following reasons:

- 1) Based on prior approvals, unpaved trails have not been considered to meet the amenity requirement of a Cluster Development Plan.
- 2) Staff does not believe that the proposed amendment *provides open space or amenities to the development that could not be achieved through application of minimum lot size standards*, which is the fourth criteria of approval listed in the Unified Development Code for a Cluster Development Plan.

3) The proposed amendment will likely have a negative affect the operation of the detention pond by causing crushed stone to interfere with the pump system and spread to nearby properties due to close proximity of the trail to the property line.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Future Land Use Plan
- Aerial Photograph
- Originally Approved Cluster Development Plan
- Applicant packet including amended site plan



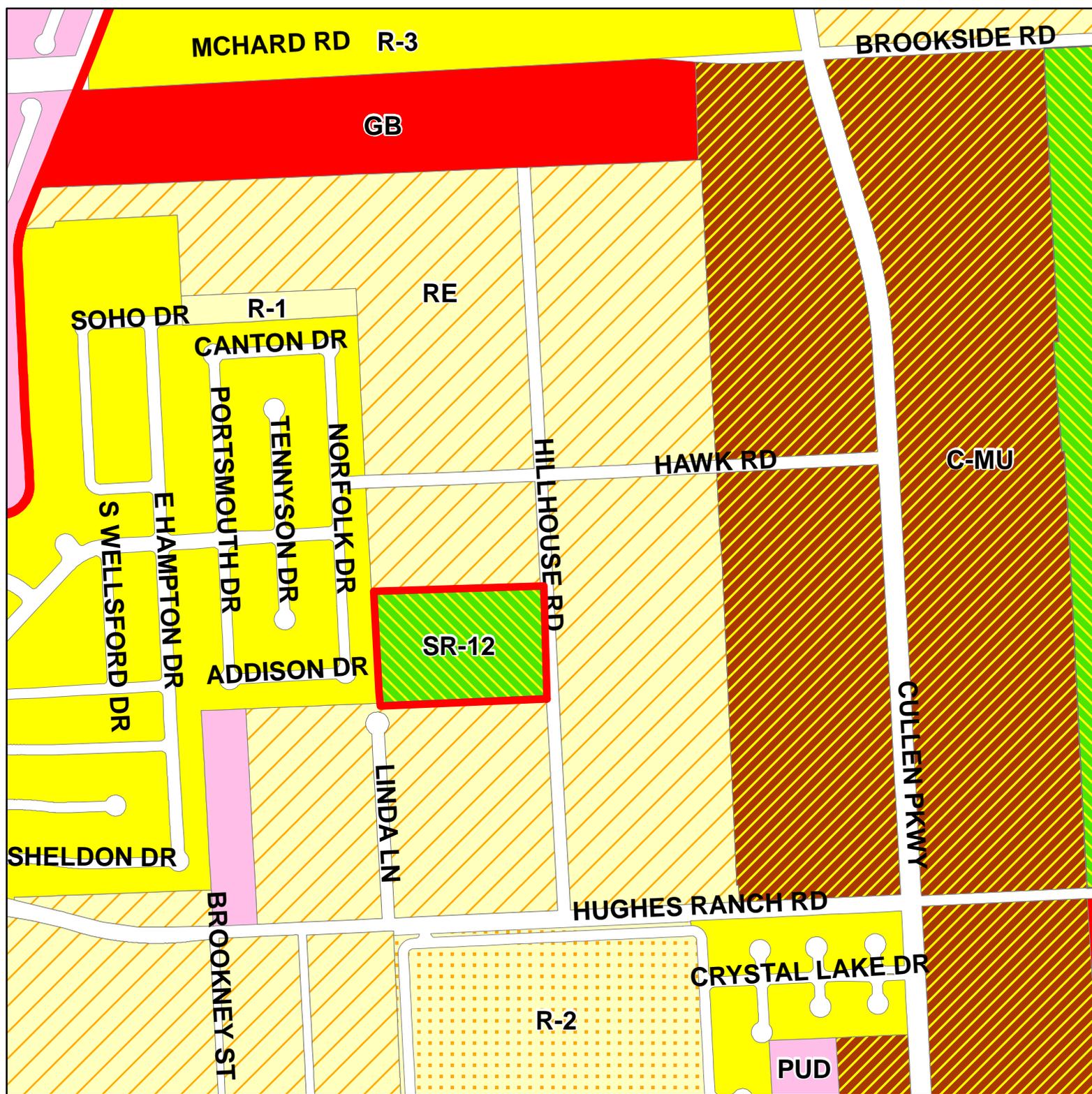
Covington Estates Amended Cluster Plan

Vicinity and Zoning Map

Hillhouse Road

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.

0 185 370 740 Feet





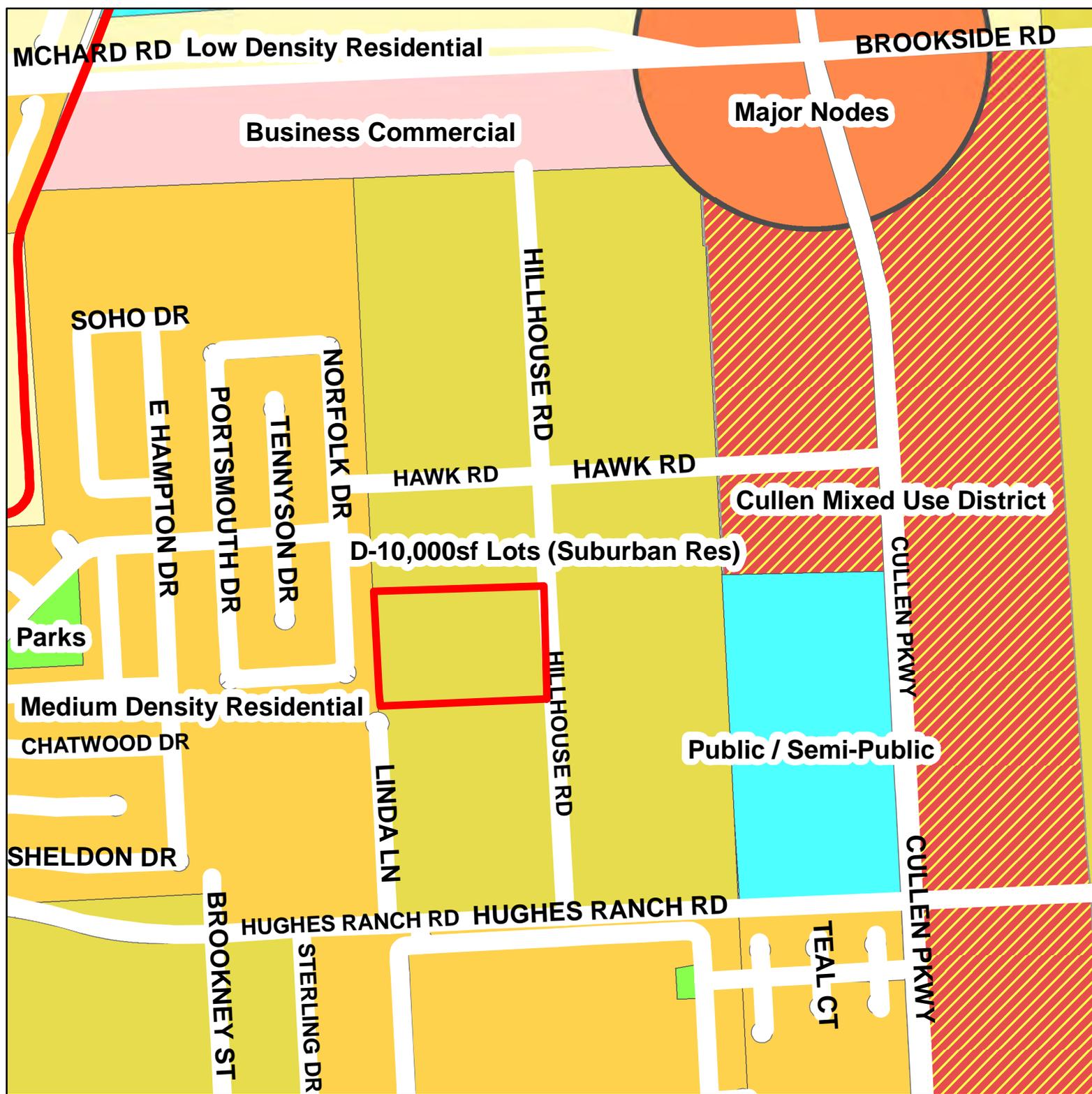
Covington Estates Amended Cluster Plan

FLUP Map

Hillhouse Road

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0 185 370 740 Feet





Covington Estates Amended Cluster Plan

Aerial Map

Hillhouse Road

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0 185 370 740 Feet



COVINGTON ESTATES
CLUSTER DEVELOPMENT
PLAN



APPLICATION FOR A CLUSTER DEVELOPMENT PLAN

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281.652.1768
281.652.1702 fax
cityofpearland.com

A Cluster Development Plan for: Covington ESTATES
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: SR 12

Property Information:

Address or General Location of Property: 2014 Hillhouse Rd
Pearland, TX 77581

Tax Account No. 175842 + 492357

Subdivision: Allison Richey Gulf Coast Home Co. Lot: 30-20A Block: _____

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

PROPERTY OWNER INFORMATION:

NAME Covington Estates LLC
ADDRESS 7918 Broadway
CITY Pearland STATE TX ZIP 77581
PHONE (281) 997-1500
FAX (281) 997-2886
E-MAIL ADDRESS Chad@Rwestdevelopment.com

APPLICANT/AGENT INFORMATION:

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

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

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

Owner's Signature: Chad [Signature] president by Mac West Date: 1-15-13
Manager

Applicant/Agent's Signature: _____ Date: _____

OFFICE USE ONLY:

FEES PAID: <u>\$400</u>	DATE PAID: <u>1/15/13</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: _____
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Application No. _____

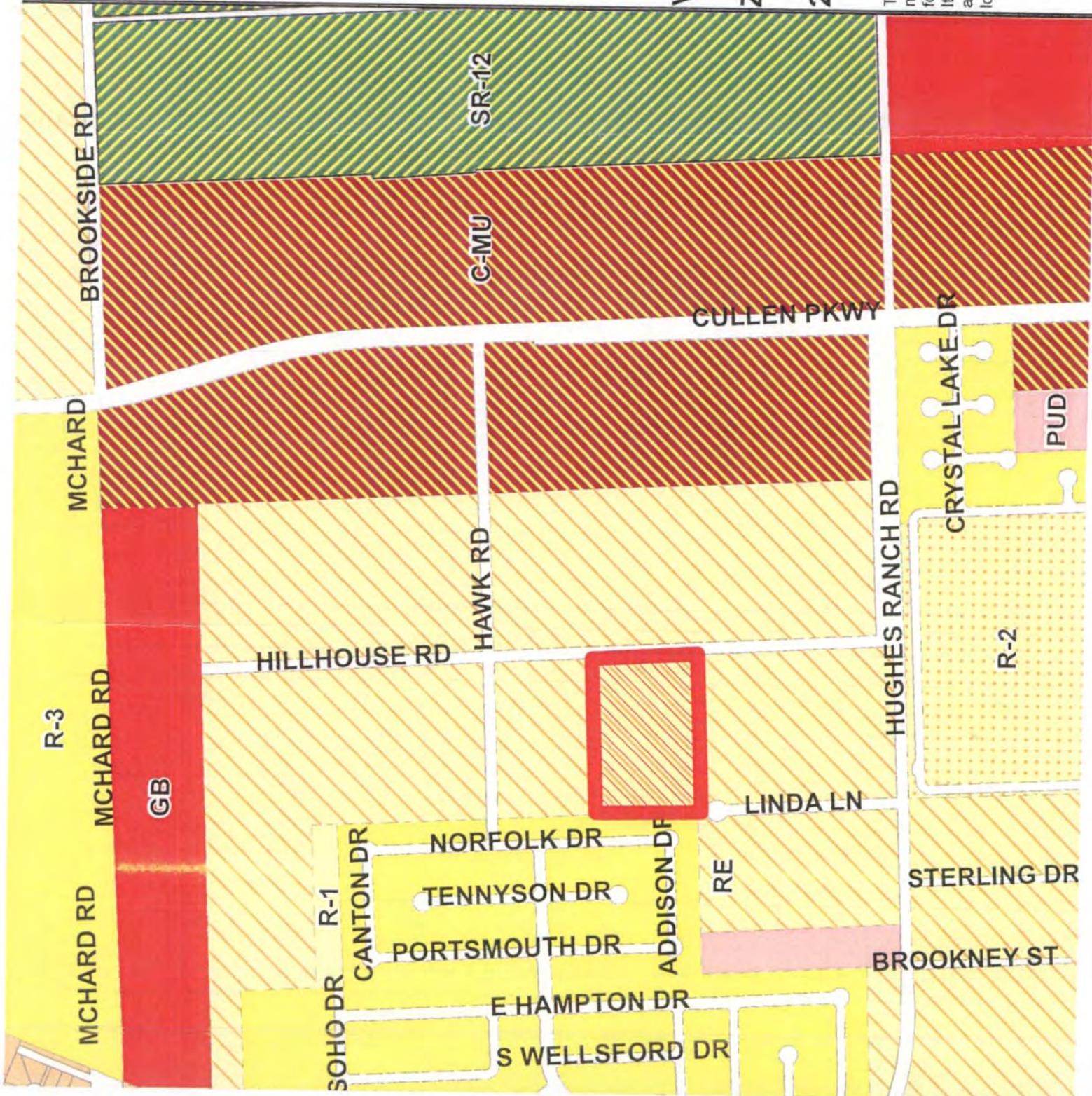


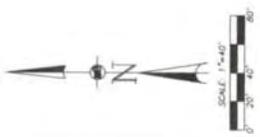
Vicinity & Zoning Map
 Zone Change 2012-11Z
 2014 Hillhouse Rd

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.

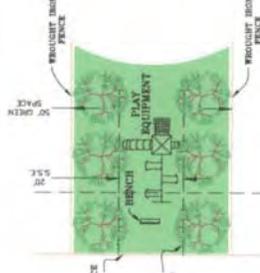


0 212.5425 850 Feet

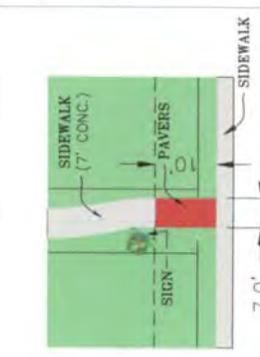




- Oak-Like**
Tree Size: Small
Leaf Type: Deciduous
- Dwarf Bottlebrush**
Tree Size: Small
Leaf Type: Deciduous
- Bald Cypress**
Common Name: Bald Cypress
Tree Size: Large
Leaf Type: Deciduous
- Crape Myrtle - Common**
Common Name: Crape Myrtle
Tree Size: Small
Leaf Type: Deciduous
- Ash - Texas**
Common Name: Texas Ash
Tree Size: Medium
Leaf Type: Deciduous



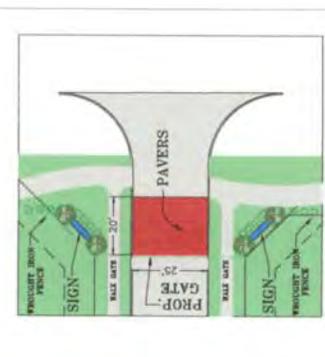
ENLARGED POCKET PARK



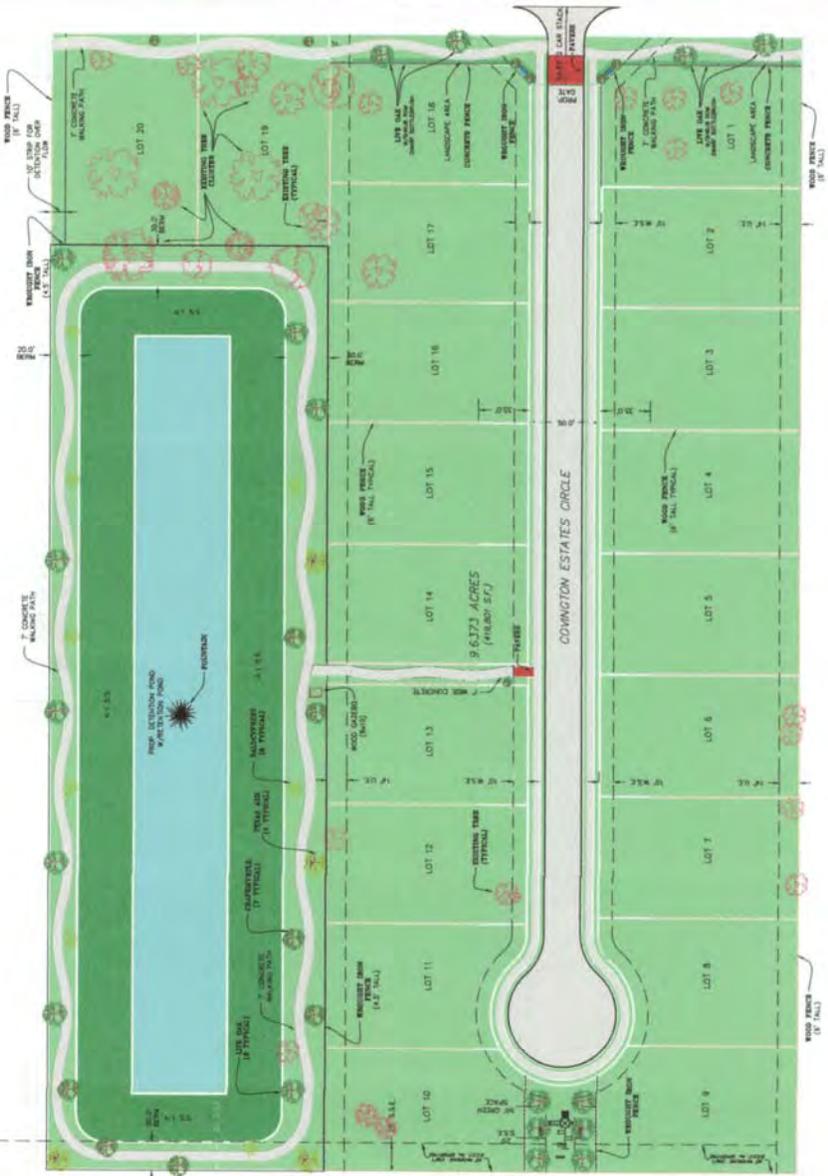
ENLARGED LAKE PATH



ENLARGED ENTRANCE



ENLARGED GAZEBO



"RENDERED CLUSTER PLAN"

PREPARED FOR
COVINGTON ESTATES
 HILLHOUSE ROAD
 PEARLAND, BRAZORIA COUNTY, TEXAS

REVELOPER
R. WEST DEVELOPMENT
 2918 BROADWAY, SUITE 106
 PEARLAND, BRAZORIA COUNTY, TEXAS

Letter of Intent

1-15-13

RE: Letter of Intent to the City of Pearland:

This Letter of Intent is to serve as an indication of our interest in establishing a Cluster Development Plan on the below-referenced property. It is understood that this letter constitutes an agreement of intent only. The general terms are as follows:

PROPERTY: A Vacant Tract of land consisting of 9.6 acres located at 2014 Hillhouse Rd Pearland, TX 77581 (see exhibit 1 for current land condition).

PURPOSE: Establish a Cluster Development Plan on the above referenced property, meeting the standards for residential density as outlined in the UDC and provide sufficient buffering and compatibility to the surrounding neighborhoods.

SCOPE: This Cluster Plan provides open space and amenities to the development, that can not be achieved through minimum lot size standards. The Cluster Development Plan is consistent with other zoning district regulations, except lot width and size. In order to provide open space and amenities to the development, (lots 1-20) width requirements and (10 lots) size requirements, could not be achieved through minimum lot standards.

A list of additional amenities that increase the desirability to the City of Pearland and its marketability to the public, are listed below:

ENHANCED ENTRY:

1. **Wrought Iron Electric Gate** providing security to the community(see example in exhibit 2).
2. **Wrought Iron Fence** beginning at gate and ending at the setback line.
3. **Masonry Fence** beginning at setback line and ending at rear lot line.

4. **Decorative Masonry Entry Sign** naming the subdivision.(see example in exhibit 3).
5. **Landscaping** around entry sign and across the wrought iron fence.
6. **Pavers Inserted in the Roadway** in front of the entrance gate.
7. **Sidewalk** on top of **Berms** winding in and out of the trees.
8. Four **Large Oak Trees** (5-7 inches in diameter).

POCKET PARK AREA:

1. **Multicolored Play Structure**, including two Slides , steps, sliding pole and Tic-Tac-Toe (see example in exhibit 4)
2. Two **Benches** for the parents, placed underneath trees (see example in exhibit 5).
3. Six **Large Oak Trees** (5-7 inches in diameter).

GAZEBO:

1. 8x10 **Gazebo** constructed of Wood, Hardy plank, and Stone (see example in exhibit 6)
2. Two **Benches**
3. Black Iron **Cooking Grill**(see example in exhibit 7)

LAKE:

1. Wet Detention **Pond with Water Feature** (see example in exhibit 8).
2. **Concrete Walking Trail** winding in and out of Trees surrounding the entire lake.
3. **Fountain** Water Feature in the middle of the Lake(see example in exhibit 9).
4. **26 Trees** (10 oak trees 5-7 inches in diameter)carefully placed around the pond and side walk to help achieve a natural look.
5. **Existing Hardwood Trees** including a 33'' Oak Tree
6. **Landscaped Sign** and Entry to a winding walkway leading to the lake.

REQUIRED INFORMATION:

Total Site Area: 418,176 sq ft

Total Area of Easements: 42,170 sq ft

Total of all Space Minus the Easements: 376,006 sq ft
Total Area of all Amenities: 144,912sq ft 3.33
Total Area of all Amenitized Detention: 127,787 sq ft 2.94
Total Area of all non-Amenitized detention: 0 sq ft
Total Amenity Percentage: $(144,912 / 376,006) = 39\%$

**Sincerely yours,
Covington Estates, LLC**

Chad Thumann

EXHIBIT 1



subject site 10AC







800-381-4491

AmericanParksCompany.com



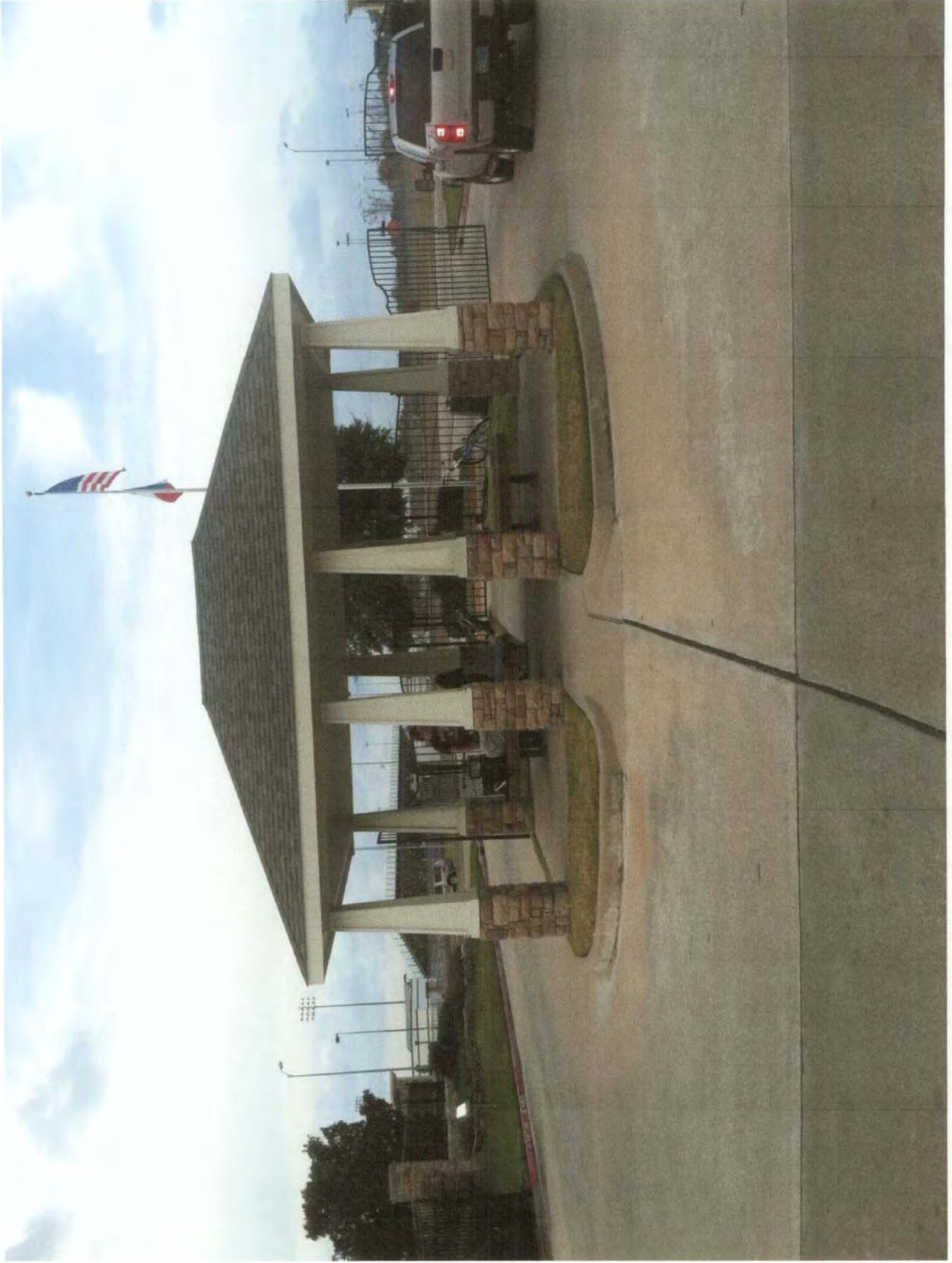
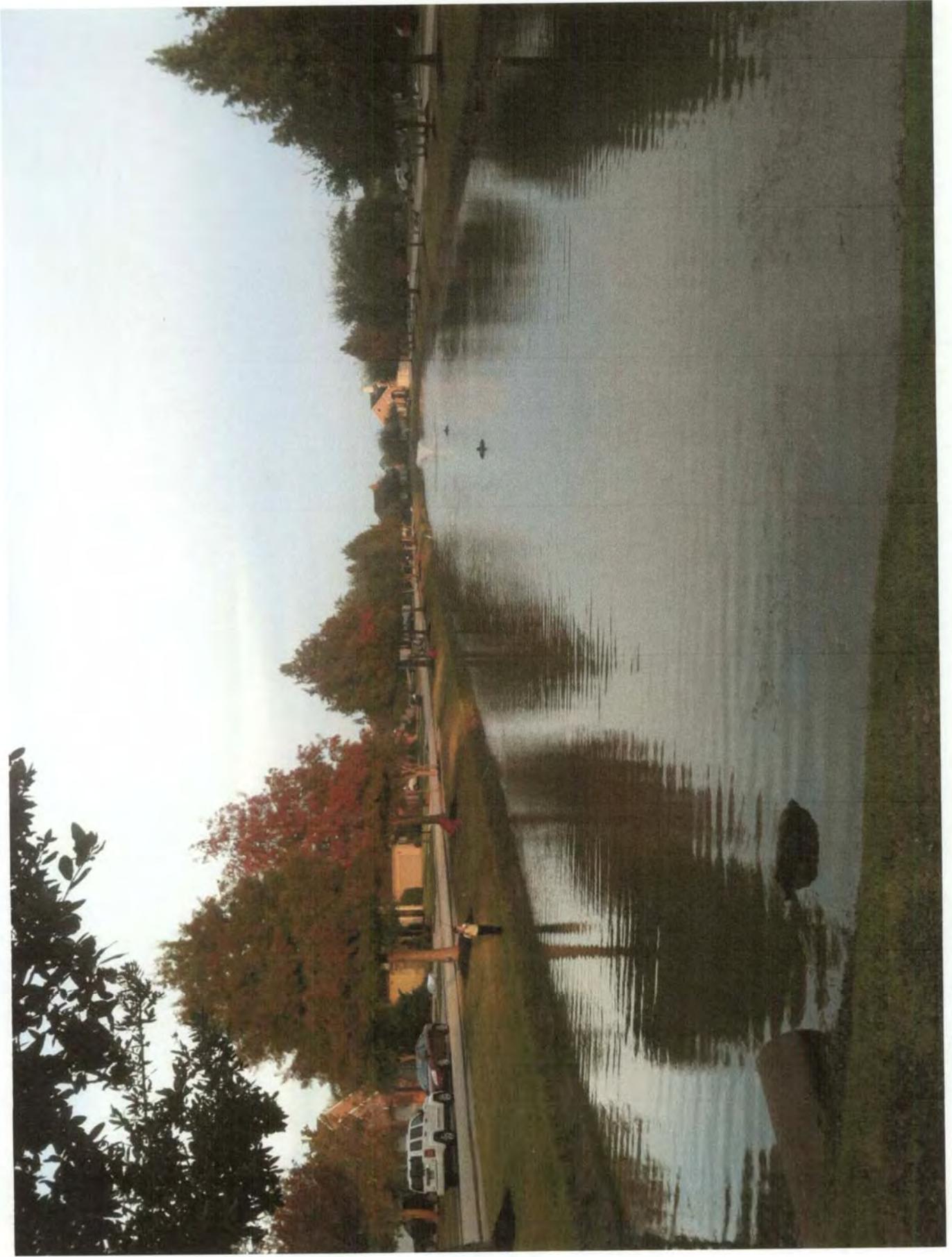




EXHIBIT 8







LOT 19 ADJACENT
 1000 ACRES TRACT 100
 1000 ACRES TRACT 100
 1000 ACRES TRACT 100
 1000 ACRES TRACT 100

DATE: 1/14/13
 1" = 40' SCALE
 1" = 40' SCALE



DRAWINGS INCOMPLETE
 ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS TO FACE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS TO SURFACE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS TO CENTERLINE UNLESS OTHERWISE NOTED.
 ALL DIMENSIONS TO SURFACE UNLESS OTHERWISE NOTED.

COMINGTON ESTATES
 1000 ACRES TRACT 100
 1000 ACRES TRACT 100

REV	DATE	DESCRIPTION
1	07/17/13	REVISIONS
2		
3		
4		
5		
6		
7		
8		
9		
10		

SCALE: 1"=40'
 DATE: 10/10/12

REKHA ENGINEERING INC.
 1000 ACRES TRACT 100
 1000 ACRES TRACT 100

C3B
 SHEET NO. 1 OF 1
 PROJECT: COMINGTON ESTATES, L.L.C.



CONTRACT
 1000 ACRES TRACT 100
 1000 ACRES TRACT 100

REKHA ENGINEERING INC.
 1000 ACRES TRACT 100
 1000 ACRES TRACT 100

CONINGTON ESTATES CIRCLE
 1000 ACRES TRACT 100
 1000 ACRES TRACT 100

1.00 ACRES TRACT 100
 1000 ACRES TRACT 100
 1000 ACRES TRACT 100

APPLICATION CHECKLIST FOR THE FOLLOWING Cluster Development

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit
- Metes and Bounds Description, (Survey, or a Plat of the property that provides or contains the metes and bounds description).
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- Letter of Intent, explaining the cluster development request in detail, specifying:
 - Proposed uses,
 - Specific operations of the use,
 - Square footage of buildings,
 - Unique characteristics of the property,
 - How the criteria of the Cluster Plan is met:
 - The Cluster Development Plan meets the standards for residential density as outlined in the Unified Development Code (UDC):
 - The Cluster Development Plan is consistent with other zoning district regulations, except minimum lot size, width and depth. Indicate deviation.
 - Provide details for the following:
 - Total site area
 - Total area of all easements
 - Total of all open space minus the easements
 - Total area of all amenitized detention
 - Total area of all non-amenitized detention
 - The Cluster Development Plan contains sufficient buffering to assure compatibility with adjacent uses and the character of the neighborhood.
 - The Cluster Development Plan provides open space and amenities to the development that could not be achieved through application of minimum lot size standards. As referred to herein, open space and amenities do not include any land dedicated to the City under the parkland dedication requirement in Chapter 3, Article 2, Division 10.
 - Amenities should be prominent and easily accessible to the entire development. Examples include trails, pocket parks, water features, enhanced entry way, upgraded fencing, decorative street signs and lights, playground, club house, pools, gazebos, outdoor picnic and cooking facilities, access to surrounding natural features and facilities etc.
 - **Definition of Amenity:** Aesthetic or other characteristics of a development that increase its desirability visually, desirability to the City of Pearland, and/or its marketability to the public. Amenities may vary according to the type and nature of development, but examples include a naturalized retention/detention pond (refer to definition herein), a recreational facility, landscaping, or large trees.

- **Definition of Amenitized Detention Pond:** An area that is designed to capture, store and release stormwater and that is designed as a site amenity by being aesthetically pleasing, by meeting the definition of "open space" herein, and be being constructed to seem natural (i.e., without visible concrete). Such areas have a natural edge and are constructed to resemble a naturally created lake or pond. Also refer to the definition of "amenity" below.

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

- 0 to <25 acres: \$400.00
- 25 to <50 acres: \$450.00
- 50 to <75 acres: \$500.00
- 75 to <100 acres: \$550.00
- 100 acres and above: \$600.00

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

R. WEST DEVELOPMENT COMPANY, INC.

7918 Broadway, Suite 106

Pearland, Texas 77581

8-12-13

Harold Ellis
City of Pearland
3523 Liberty Dr
Pearland, TX 77584

Re: Covington Estates Cluster Plan

Dear Mr Ellis,

In regards to the confusion of the Covington Estates Cluster Plan, We are requesting to be put on the City of Pearland Planning and Zoning Agenda. The city planning department is understanding that the paving material for the walking trail around the Covington Estates Detention Pond is concrete. However, the planning department was notified of our intention that the material would be crushed stone. Our intentions were indicated to the Planning department a week prior to the P&Z cluster plan approval. My understanding is that due to the absence of a motion to modify the printed document, the planning department has concluded it to be concrete. We would like request that the P&Z Department approve the motion to change the walking path to crushed stone as originally requested. Attached is a drawing showing the walking path as crushed stone. Please let us know when we have been added to a P&Z agenda. If you have any further questions regarding this matter, please feel free to contact me.

Best Regards,


Chad Thumann



Office: (281) 997-1500

FAX: (281) 997-2886

P&Z AGENDA ITEM

H

Discussion Items

1. Commissioners Activity Report
2. State APA Conference
3. Next JPH/PZ Meeting - October 7, 2013



*Annual
Texas State Planning Conference
and
Short Course for
Appointed and Elected Officials*



**ADJOURN
MEETING**