

# AGENDA

## CITY OF PEARLAND PLANNING & ZONING COMMISSION

OCTOBER 21, 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, OCTOBER 21, 2013, AT 6:30 P.M., CITY COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

**II. APPROVAL OF MINUTES**

Approve the Minutes of the October 07, 2013, P&Z Regular Meeting, held at 6:30 p.m.

**III. NEW BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION – CONDITIONAL USE PERMIT NO. CUP 2013-08**

A request of Greg McGahey, applicant for Rebound Properties, Limited, owner, for approval of a Conditional Use Permit, within a General Business Retail District (GB) on approximately 1.01 acres of land, to allow an Emergency Care Clinic on the following described property, to wit:

**Legal Description:** Reserve “A,” being 1.01 acres of the Final Plat of Sunrise Lake Village; a 8.42 acre tract, situated in the John W. Maxey Survey, Abstract 721, and being part of and out of a 208.10 acre tract described by deed recorded in Volume 1107, Page 859 of the Deed Records of Brazoria County, City of Pearland, Texas.

**General Location:** 2752 Sunrise Blvd., Pearland, TX

**B. CONSIDERATION AND POSSIBLE ACTION – ZONE CHANGE NO. 2013-16Z**

A request of James Leach, applicant/owner, for approval of a change in zoning from Garden/O’Day-Mixed Use (G/O-MU) zoning district to General Commercial (GC) zoning district on approximately for .63 acres of land, on the following described property, to wit:

**Legal Description:** Block 3, Lot 9, being .63 acres of the Final Plat of Hickory Creek Place; a subdivision of 100.09 acres of land comprised of 10 blocks and 133 lots; being s subdivision of tracts 17, 18, 19, 20, 21, 30, 31, 32, 33 and 34 of a subdivision of the H.T. & B. R.R. CO. Survey, Section 7, Abstract 219, Brazoria

County, Texas.

**General Location:** 2106 O'Day Road, Pearland, TX

**C. CONSIDERATION AND POSSIBLE ACTION - CONDITIONAL USE PERMIT NO. CUP 2013-09**

A request of James Leach, applicant/owner, for approval of a Conditional Use Permit, within a proposed General Commercial (GC) zoning district, to allow an *Auto Repair (Major)* facility on approximately for .63 acres of land, on the following described property, to wit:

**Legal Description:** Block 3, Lot 9, being .63 acres of the Final Plat of Hickory Creek Place; a subdivision of 100.09 acres of land comprised of 10 blocks and 133 lots; being s subdivision of tracts 17, 18, 19, 20, 21, 30, 31, 32, 33 and 34 of a subdivision of the H.T. & B. R.R. CO. Survey, Section 7, Abstract 219, Brazoria County, Texas.

**General Location:** 2106 O'Day Rd, Pearland, TX

**D. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF HIGHLAND CROSSING SECTION 1**

Decision Date  
10/25/13

A request by Rene Rodriguez of LJA Engineering, Inc., applicant, on behalf of Beazer Homes Texas, LP, owner for approval of the Final Plat of Highland Crossing Section 1, generally located at the 1300 Block of Old Alvin Road, on the following described property, to wit

**Legal Description:** Being 28.1 acres of land out of the H.T. &B.R.R. Co. Survey, A-233 and R.B. Lyle Survey, A-542 City of Pearland. Brazoria County, Texas.

**General Location:** 1300 Block of Old Alvin Road

**E. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF SAVANNAH BEND SECTION 5**

Decision Date:  
10/25/13

A request by Rene Rodriguez of LJA Engineering, Inc., applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Bend Section Five, a 30 lot single-family residential subdivision located at the 13000 Block of Savannah Bend Dr. on the following described property, to wit

**Legal Description:** Being 15.5 acres of land located in the A.C.H. & B. Survey, Abstract 403 and J.S. Tamage Survey, Abstract 562, Brazoria County, Texas, more particularly being a portion of the residue of a called 161.460 acre tract (described as Tract 5) conveyed to Savannah Development, LTD., by an instrument of record File #00-037203, Official Records of said Brazoria County, Texas (B.C.O.R.) also being an instrument of record in File No. 200080225, Official Public Records of Fort Bend County, Texas.

**General Location:** 13000 Block of Savannah Bend Drive

**F. CONSIDERATION AND POSSIBLE ACTION - MASTER PLAT OF SILVERLAKE PARKWAY TRACT**

Decision  
Date:  
10/25/13

A request by Geoff Freeman of Kerry R. Gilbert and Associates, applicant, on behalf of Beazer Homes, LP c/o Greg Coleman, owner for approval of the Master Plat of Silverlake Parkway Tract, generally located at the 2500 Block of Miller Ranch Rd. on the following described property, to wit

**Legal Description:** Being 33.3 acres of land out of the H.T. &B.R.R.R. Co. Survey, A-233 and R.B. Lyle Survey, Section 85, A-304 City of Pearland. Brazoria County, Texas.

**General Location:** 2500 Block of Miller Ranch Road

**G. CONSIDERATION AND POSSIBLE ACTION – PRELIMINARY PLAT OF SILVERLAKE PARKWAY TRACT SECTION 1**

Decision  
Date:  
10/25/13

A request by Geoff Freeman of Kerry R. Gilbert and Associates, applicant, on behalf of Beazer Homes, LP c/o Greg Coleman, owner for approval of the Preliminary Plat of Silverlake Parkway Tract Section 1, generally located at the 2500 Block of Miller Ranch Rd. on the following described property, to wit

**Legal Description:** Being 21 acres of land out of the H.T. &B.R.R.R. Co. Survey, A-233 and R.B. Lyle Survey, Section 85, A-304 City of Pearland. Brazoria County, Texas.

**General Location:** 2500 Block of Miller Ranch Road

Decision  
Date:  
10/25/13

## H. CONSIDERATION AND POSSIBLE ACTION – MASTER PLAT OF THE CENTER AT PEARLAND PARKWAY

A request by Kristin LeBlanc of Halff Associates, Inc., applicant, on behalf of Stream Realty Partners, owner for approval of the Master Plat of The Center at Pearland Parkway, generally located at the 11200 Block of Pearland Parkway., on the following described property, to wit

**Legal Description:** Being 27.0508 acres of land located in the Thomas J. Green Survey, Abstract Number 198, City of Pearland. Brazoria County, Texas.

**General Location:** 11200 Block of Pearland Parkway

## I. DISCUSSION ITEMS

1. Comprehensive Plan Update
2. Commissioners Activity Report
3. Next P&Z Regular Meeting – November 4, 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, Debbie Cody, Office Assistant 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 18<sup>th</sup> day of October, 2013, A.D., at 5:30 p.m.

\_\_\_\_\_  
Debbie Cody, Office Assistant

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

**APPROVAL**

**OF**

**MINUTES**

**MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, OCTOBER 7, 2013, AT 6:30 P.M., 2<sup>nd</sup> FLOOR CONFERENCE ROOM, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**CALL TO ORDER**

**P&Z Chairperson Henry Fuertes called the P&Z Regular Meeting to order at 6:30 p.m. with the following present:**

**P&Z Chairperson Henry Fuertes  
P&Z Vice-Chairperson Matthew Hanks  
P&Z Commissioner Elizabeth McLane  
P&Z Commissioner Ginger McFadden**

**P&Z Commissioner Mary Starr  
P&Z Commissioner Linda Cowles  
P&Z Commissioner Daniel Tunstall**

**APPROVAL OF MINUTES**

A motion was made by Commissioner Mary Starr and seconded by Commissioner Elizabeth McLane. The Minutes of the July 15, 2013 P&Z Regular Meeting were approved 7 – 0.

**OLD BUSINESS**

**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.

**Legal Description:** A 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.

A motion was made by Commissioner Starr and seconded by Commissioner Linda Cowles. Associate Planner Ian Clowes presented the staff report and indicated that staff was recommending approval. There were no issues presented by the Commissioners and the vote was approved 7 – 0.

**NEW BUSINESS**

## **CONSIDERATION & POSSIBLE ACTION – PRELIMINARY PLAT OF SHADOW RIDGE SECTION 1**

A request by Geoff Freeman of Kerry Gilberts and associates, applicant, on behalf of Development Consultants Inc., owner for approval of a Preliminary Plat of Shadow Ridge Section 1, a residential subdivision on 34.2 acres of land, and consisting of 115 single family lots.

**Legal Description:** Being 34.2 acres of land out of the William Pettus League Survey, A-68 City of Pearland, Brazoria County, Fort Bend County, Texas.

**General Location:** 13000 Block of Broadway

A motion was made by Commissioner Cowles and seconded by Commissioner Starr. Associate Planner Clowes presented the staff report. He explained that it is part of the Shadow Creek Planned Development (PD). Director of Community Development Lata Krishnarao stated that there was some question at the beginning as to whether this was part of the PD or not. It was confirmed that it was and that this parcel could be used for residential. She also indicated that the other parcels that did not have a land use designation and it would be up to the property owners to ask for a land use designation that would be within the PD. There were no questions or discussion that followed and a vote was approved 7 – 0.

## **DISCUSSION ITEMS**

Zoning Update – City Planner Harold Ellis went through the list of zonings. Chairperson Henry Fuertes asked about one in particular that stated that the Commission had tabled it, but the Council approved it back in April. City Planner explained that the Commission had requested further information, ultimately tabling it. Community Development Director Lata Krishnarao clarified Chairperson Fuerte’s question stating that he was really asking how it could be table by the Commission and approved by the Council. City Planner stated that it would have ultimately come back to the Commission for approval. He stated there should be an additional column on the list for an intermediate date. He was going to double check his records.

Commissioners Activity Report – City Planner Ellis mentioned that it would be better to discuss the Planners Association Conference in Galveston on the first meeting in November. Chairperson Fuertes stated that there was a handout given to each Commissioner regarding the Open House Workshop for the Comprehensive Plan and Community Director Krishnarao expanded briefly on the purpose of the workshop and what it would entail including the unveiling of the “Mind Mixer” on the website.

Next JPH/PZ Meeting – October 16, 2013 – Chairperson Fuertes questioned the Commission as to any possible absences for the upcoming meeting. There was no indication of any.

## **ADJOURNMENT**

P&Z Chairperson Henry Fuertes adjourned the P&Z Regular meeting at 6:51 p.m.

These Minutes are respectfully submitted by:

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Debbie Cody, Office Assistant

Minutes approved as submitted and/or corrected on this 21<sup>st</sup> day of October, 2013, A.D.

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Henry Fuertes, P&Z Chairperson

# **NEW BUSINESS**

**P&Z AGENDA  
ITEM**

**A**

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD OCTOBER 21, 2013, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Conditional Use Permit No. CUP 2013-08**

A request of Greg McGahey, applicant for Rebound Properties, Limited, owner, for approval of a Conditional Use Permit, within a General Business Retail District (GB) on approximately 1.01 acres of land, to allow an *Emergency Care Clinic* on the following described property, to wit:

**Legal Description:** Reserve "A," being 1.01 acres of the Final Plat of Sunrise Lake Village; a 8.42 acre tract, situated in the John W. Maxey Survey, Abstract 721, and being part of and out of a 208.10 acre tract described by deed recorded in Volume 1107, Page 859 of the Deed Records of Brazoria County, City of Pearland, Texas.

**General Location:** 2752 Sunrise Blvd., 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 OCTOBER 21, 2013

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### Conditional Use Permit No. CUP 2013-08

A request of Greg McGahey, applicant for Rebound Properties, Limited, owner, for approval of a Conditional Use Permit, within a General Business Retail District (GB) on approximately 1.01 acres of land, to allow an *Emergency Care Clinic* on the following described property, to wit:

**Legal Description:** Reserve "A," being 1.01 acres of the Final Plat of Sunrise Lake Village; a 8.42 acre tract, situated in the John W. Maxey Survey, Abstract 721, and being part of and out of a 208.10 acre tract described by deed recorded in Volume 1107, Page 859 of the Deed Records of Brazoria County, City of Pearland, Texas.

**General Location:** 2752 Sunrise Blvd., Pearland, TX

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

Planning and Zoning Commission:	October 21, 2013*
City Council for First Reading:	November 11, 2013*
City Council for Second Reading:	November 25, 2013*

(\*dates subject to change)

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**SUMMARY:** Greg McGahey, applicant for Rebound Properties Limited, owner, is requesting approval of a Conditional Use Permit (CUP) to allow for an *Emergency Care Clinic*; First Choice Emergency Room (FCEM), in the General Business Retail (GB) zone. The site is currently developed with a 10,302 square foot building, which was most recently used as a restaurant, and has been vacant since March 2012. Of the 10, 302 square feet, approximately 7,657 square feet will be used as the ER area and 2,455 square feet as office space.

The applicant has indicated that the scope of work on the interior of the existing building will include patient care areas, x-ray, CT examination rooms, lobby and support space, and an administrative office connected to the emergency room. The scope of work on the exterior of the building will include removal of the existing wood deck and replacing it with

landscaping. The applicant also proposes to reuse existing exterior materials, where possible and permitted by the current Unified Development Code (UDC), with some added materials to help match the corporate prototype of FCEM. The added materials include limestone feature walls and an entrance tower. The existing pitched roof towers will be modified to match the new entrance tower, but will remain at the height of the existing tower.

There will be no additional square footage added to the building. Two new entrances with canopies will serve the emergency room; one for patient drop off and one for ambulance pick up on the west side of the building. There will be a separate entrance to the office on the south side of the building fronting Broadway Street.

**SURROUNDING ZONING AND LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	General Business Retail (GB)	Sunrise Lake Village Professional Office Building
<b>South</b>	Extraterritorial Jurisdiction (ETJ)	Retail Shopping Center/Undeveloped
<b>East</b>	General Business Retail (GB)	Retail Shopping Center
<b>West</b>	General Business Retail (GB)	Retail Shopping Center

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is located within the General Business Retail District (GB) and meets the general regulations of the zoning district. The purpose of the GB zoning district is to permit an extensive variety of commercial uses, including retail trade, personal and business service establishments, offices and commercial recreational uses of limited scope. These types of commercial uses are conducted wholly within an enclosed building but may incidentally display merchandise wholly under a permanent part of the main business structure, such as a marquee.

A comparative analysis of the general regulations of the zoning district and site details follow:

<b>General Regulations</b>	<b>GB</b>	<b>Existing Site</b>
Minimum Lot Size	22,500 sq. ft.	43,797 sq. ft.
Minimum Lot Width	150 ft.	150 ft.
Minimum Lot Depth	125 ft.	211.42 ft.
Minimum Front Setback	25 ft.	13 ft.

Minimum Side Setback	10 ft.	20 ft.
Minimum Rear Setback	25 ft.	35 ft.

With the exception of the front yard setback, further discussed below, the site appears to meet the bulk requirements of the Unified Development Code.

**SITE HISTORY:** A variance (ZBA 2008-01) was approved, with conditions, by the Zoning Board of Adjustment on January 3, 2008, to allow encroachment into the front yard setback. This variance was to permit a front yard covered patio which did not meet the front yard setback. The applicant is proposing to remove this patio and replace it with landscaping as part of the project.

In preparing to redevelop the site from the former restaurant to the proposed *Emergency Care Clinic*, the applicant attended a pre-development meeting with city staff to obtain feedback on improvements necessary as part of the development process.

**PLATTING STATUS:** The property was platted in 2003 as Block 1, Reserve A, Sunrise Lake Village.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The site is located within the *Retail, Offices and Services Future Land Use Designation*. The Comprehensive Plan indicates that appropriate corresponding zoning districts include *Office and Professional (OP)*, *Neighborhood Services (NS)* and *General Business Retail District (GB)*. The subject site is located within the GB zoning district and therefore the proposed use is consistent with the Comprehensive Plan with approval of a Conditional Use Permit (CUP).

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on Broadway Street; a major thoroughfare with a minimum required right-of-way of 120 feet, and Sunrise Blvd, a local street with a minimum required right-of-way of 50 feet.

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

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The subject property is developed with an approximately 10,302 square foot building which is currently vacant. The vacant building was most recently occupied by a restaurant. The subject property is surrounded by commercial uses, including restaurants and retail establishments. It is not anticipated that adjacent commercial and undeveloped properties will be negatively impacted, given that it is compatible with the existing surrounding uses, and that the immediate area is commonly zoned. Additionally, the Engineering Department has indicated that the proposed *Emergency Care Clinic* will generate less traffic than the previous restaurant use.

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

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

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

**CRITERIA FOR APPROVAL:** When considering an application for a Conditional Use Permit, the Planning and Zoning Commission and City Council shall evaluate the impact of the proposed use on and its compatibility with surrounding properties and residential areas to ensure the appropriateness of the use at the particular location, and shall consider the extent to which:

- (1) The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;
- (2) The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
- (3) The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
- (4) The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
- (5) The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
- (6) The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and

- (7) The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

**Conditions:** The City Council may require such modifications in the proposed use and attach such conditions to the Conditional Use Permit as the City Council deems necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of this section. It should be noted that at this time staff has not identified negative impacts which will need to be mitigated as a result of the proposed redevelopment. However, in order to ensure that the site is redeveloped in accordance with the current proposal, staff is recommending that the site plan submitted with this application be added to the adopting ordinance, if approved by Council, in the form of a condition of approval. Should City Council identify impacts which it feels should be mitigated, additional conditions and modifications may be placed on the approval of the Conditional Use Permit.

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit (CUP 2013-08) to allow the operation of an *Emergency Care Clinic* facility within a General Business Retail (GB) zoning district for the following reasons and subject to the following condition:

1. It is not anticipated that the proposed use will have any significant negative impacts on surrounding undeveloped or developed properties.
2. The proposed request would result in reuse of an existing building directly adjacent to an existing shopping center.
3. The proposed request will conform to the Unified Development Code and Comprehensive Plan's Future Land Use Map with approval of the Conditional Use Permit.
4. The proposed request appears to meet the criteria of approval listed above.

**Recommended Conditions:**

1. The site shall be redeveloped in accordance with the site plan, as submitted by the applicant, and all applicable City requirements.

**SUPPORTING DOCUMENTS:**

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



**Vicinity and Zoning Map**

**CUP 2013-08**

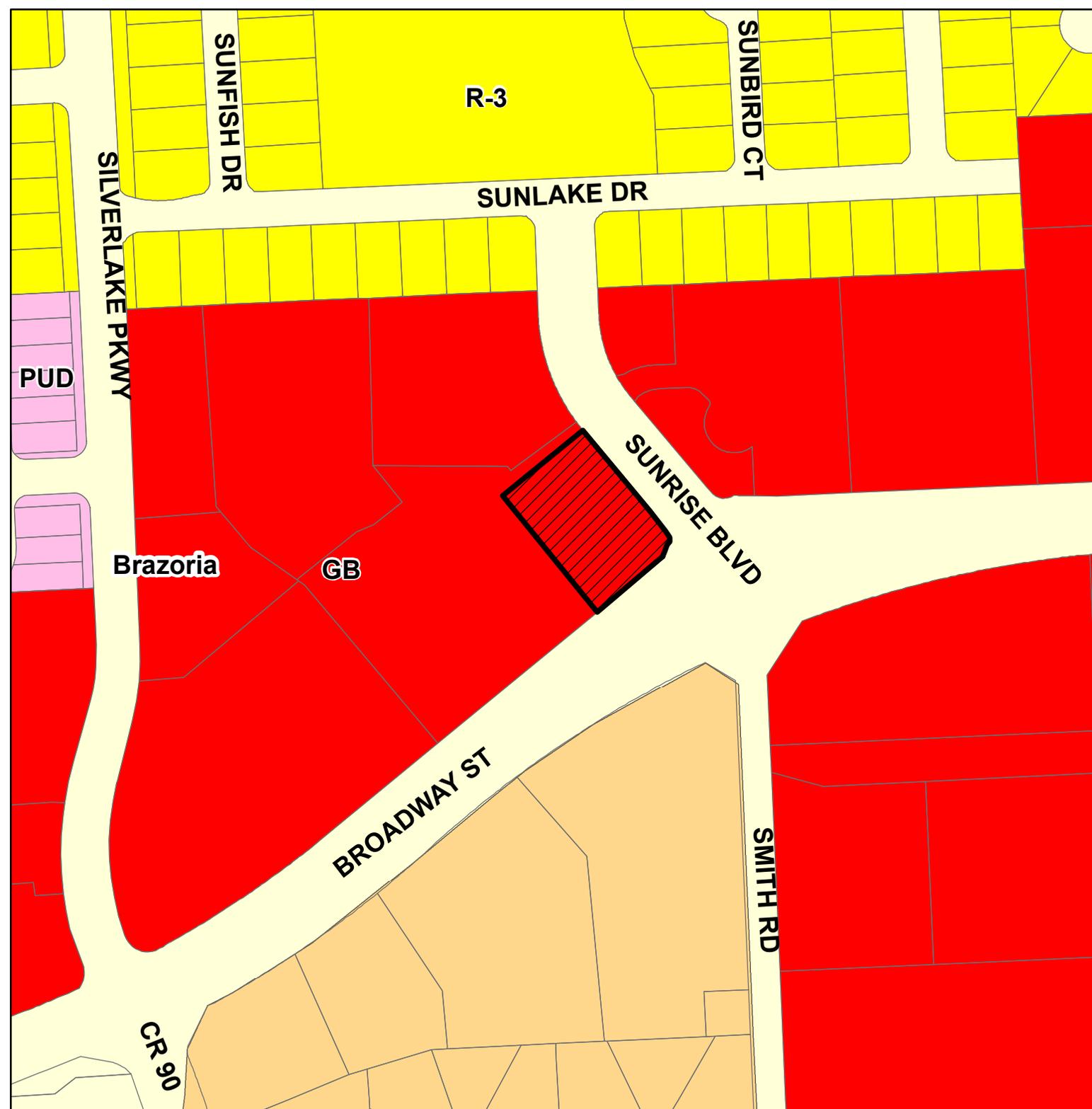
**2752 Sunrise Blvd.**

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 55 110 220 Feet





**Abutter Map**

**CUP 2013-08**

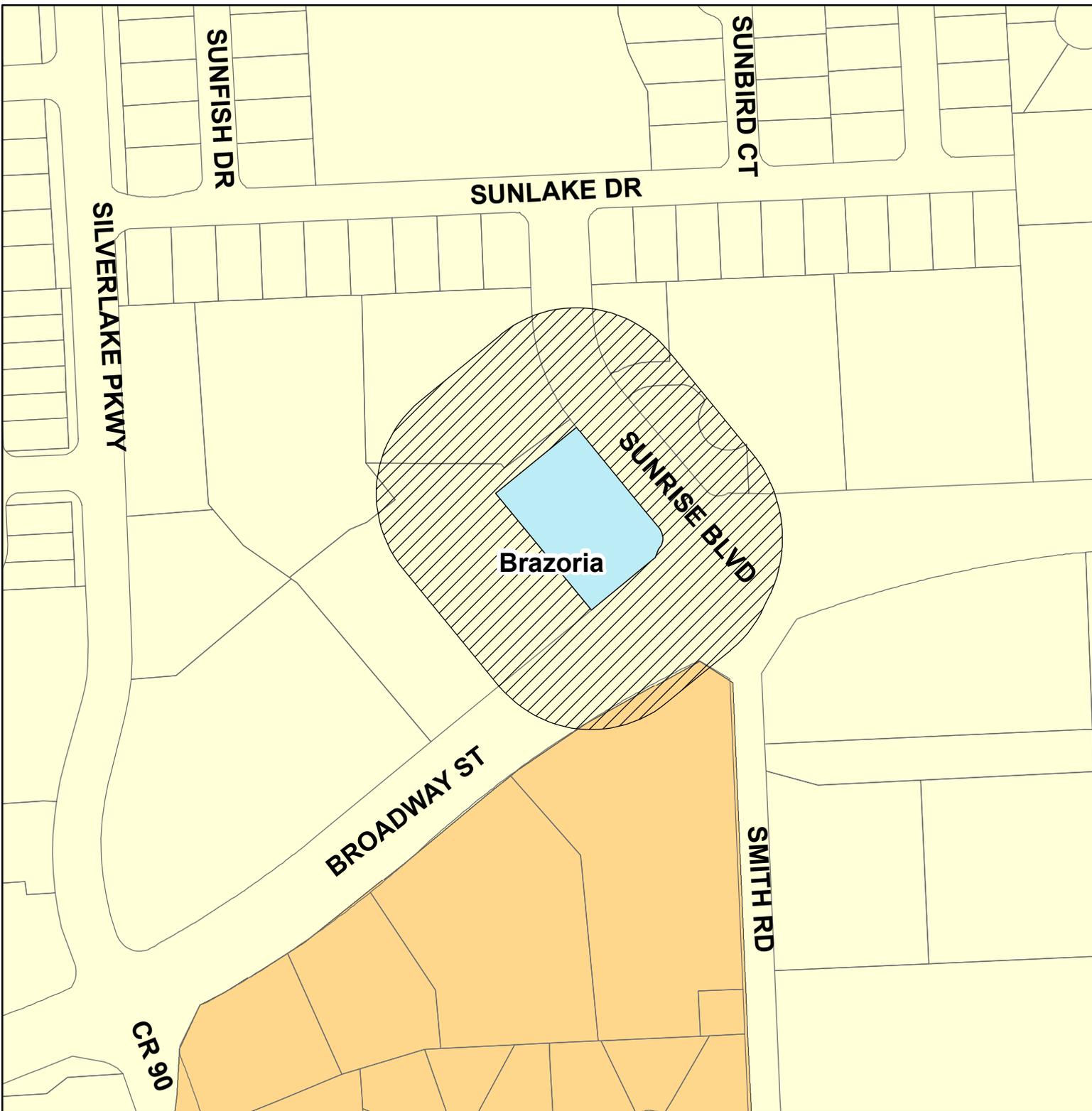
**2752 Sunrise Blvd.**

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0 55 110 220 Feet



## CUP 2013-08

2752 Sunrise Blvd.

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
CITY NATIONAL BANK	555 S FLOWER ST 16TH FL	LOS ANGELES	CA	90071
US BANK NA TRUSTEE %C-III ASSET MANAGEMENT LLC	5221 N O'CONNOR BLVD SUITE 600	IRVING	TX	75039
PLAKA PEARLAND LLC	PO BOX 7092	RANCHO SANTA FE	CA	92067
GREG MCGAHEY	8080 PARK LANE, STE 800	DALLAS	TX	75231
REBOUND PROPERTIES, LTD	PO BOX 1406	SPRING	TX	77383



FLUP Map

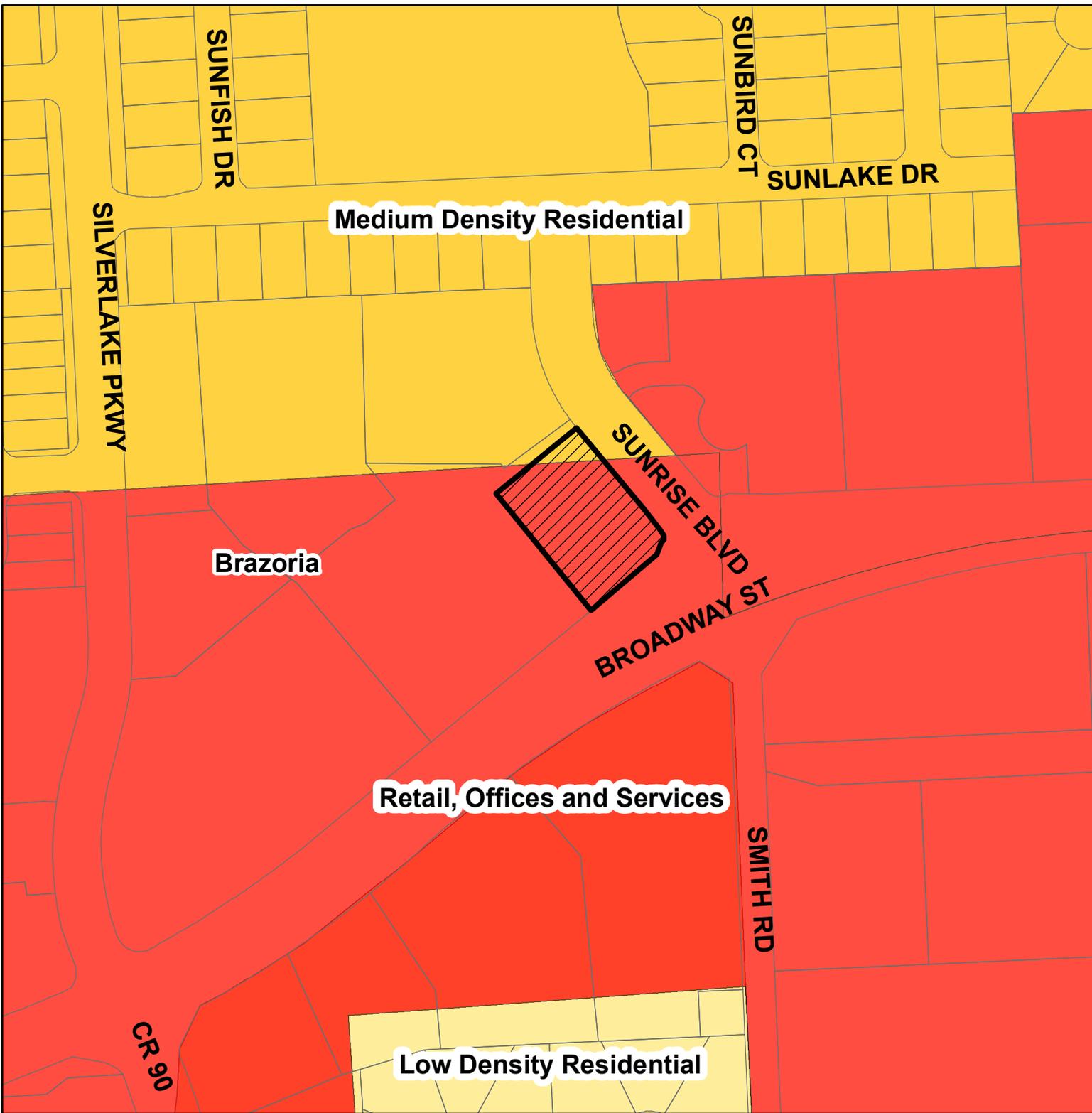
CUP 2013-08

2752 Sunrise Blvd.

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0 55 110 220 Feet





**Aerial Map**

**CUP 2013-08**

**2752 Sunrise Blvd.**

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0 55 110 220 Feet





# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

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

Conditional Use Permit Request for: First Choice Emergency Room  
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: General Business Retail District

**Property Information:**

Address or General Location of Property: 2752 Sunrise Blvd

Tax Account No. 553971

Subdivision: Sunrise Lake Village Lot: Reserve A Block: 1

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

**PROPERTY OWNER INFORMATION:**

**APPLICANT/AGENT INFORMATION:**

NAME REBOUND PROPERTIES LIMITED  
ADDRESS P.O. BOX 1406  
CITY SPRING STATE TX ZIP 77383  
PHONE (281) 728-8063  
FAX (281) 201-7944  
E-MAIL ADDRESS TRANSNATIONALMGT@GMAIL.COM

NAME Greg McGahey  
ADDRESS 8080 Park Lane, Suite 800  
CITY Dallas STATE TX ZIP 75231  
PHONE (214) 252-6262  
FAX (214) 523-0800  
E-MAIL ADDRESS gmcgahey@ucr.com

\*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.  
As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: [Signature] Date: 8/26/2013

Agent's/  
Applicant's Signature: [Signature] Date: 9/12/13

**OFFICE USE ONLY:**

FEES PAID: <u>250.00</u>	DATE PAID: <u>9-19-13</u>	RECEIVED BY: <u>DC</u>	RECEIPT NUMBER: <u>358344</u>
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Application No. CUP2013-08



May 14, 2013

**UCR Development Services authorization letter**

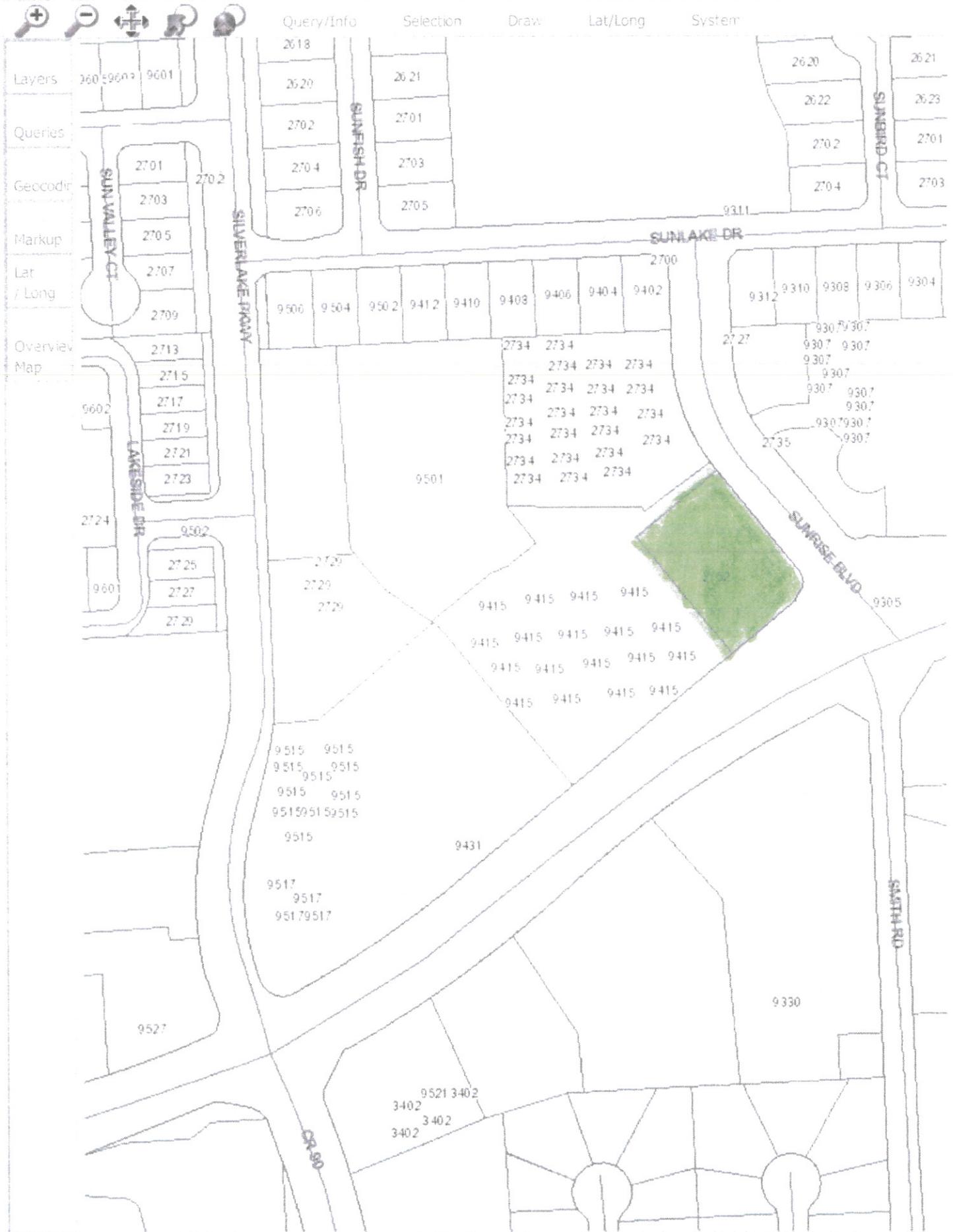
Rebound Properties, LLC, ( Landlord) hereby gives authorization to UCR Development Services to submit for the Conditional Use Permit to the City of Pearland. Feel free to contact me at the numbers below with any questions.

Josh Gordon

A handwritten signature in black ink, appearing to read 'J. Gordon', with a long, sweeping horizontal stroke extending to the right.

Property Manager







ENGINEERS ■ SURVEYORS ■ PLANNERS  
LANDSCAPE ARCHITECTS ■ ENVIRONMENTAL SCIENTISTS

4800 Sugar Grove Boulevard  
Suite 316  
Stafford, TX 77477  
281.494.0360 Fax 281.494.0309

Sept. 12, 2013

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

RE: Conditional Use Permit Application  
First Choice ER – Pearland Silverlake site

Dear Sirs:

This letter is a notice of intent to file a Conditional Use Permit Application for our site at 2752 Sunrise Blvd., located within the Sunrise Lake Village Shopping Center. Our intended use for this site is a 24-hour emergency care clinic. The current zoning classification is General Business Retail District and an emergency care clinic may be approved as a Conditional Use.

Our plan is to renovate an existing vacant 10,112 SF restaurant into an emergency care clinic consisting of patient care areas, x-ray and CT examination rooms, lobby and support space. There will also be an area built out to serve as administrative office space connected to the ER. The exterior will be renovated as described below with the existing wood deck removed and replaced by a grass lawn. No expansion or additional square footage to the building is planned. There will be two new entrances serving the ER, one for patient drop-off and one for ambulance pick-up. Both are required by State law and will have new canopies to provide weather protection for patients. There will also be a separate entrance to the office area. Existing exterior materials will be reused where possible with some added materials to help match the corporate prototype image of FCER. These include added limestone "feature walls" and an entrance tower. The existing pitched roof towers will be modified to match the new entrance tower but will remain at the height of the existing steel. Where possible we will continue to utilize the existing utilities and fire protection system.

The only site improvements planned is to re-grade the parking lot only where necessary to bring the entrances into ADA and TDLR compliance. This will include

the drop-off entrance as well. Currently we anticipate three ground signs, two of which are required by State law to direct patients to the emergency entrance.

If you have any questions, or need additional information, please do not hesitate to contact us.

Thank you for your time and consideration,

A handwritten signature in blue ink, appearing to read "Jim Evans", is written over a horizontal line.

Jim Evans  
Assistant Project Manger

JEE

Attachments: CUP application set

**ZONE CHANGE/ VARIANCE/ PLAT/ RECORDATION**

(Circle one)  
**BA** or **PP** or **FE**

*CUP*

Description: Input who the check is from

*\$250.00*

COMMENTS/DESCRIPTION (F10):

Location or

Address \_\_\_\_\_

*First Choice Emergency Room*

Applicant \_\_\_\_\_

Owner *Rebound Properties*

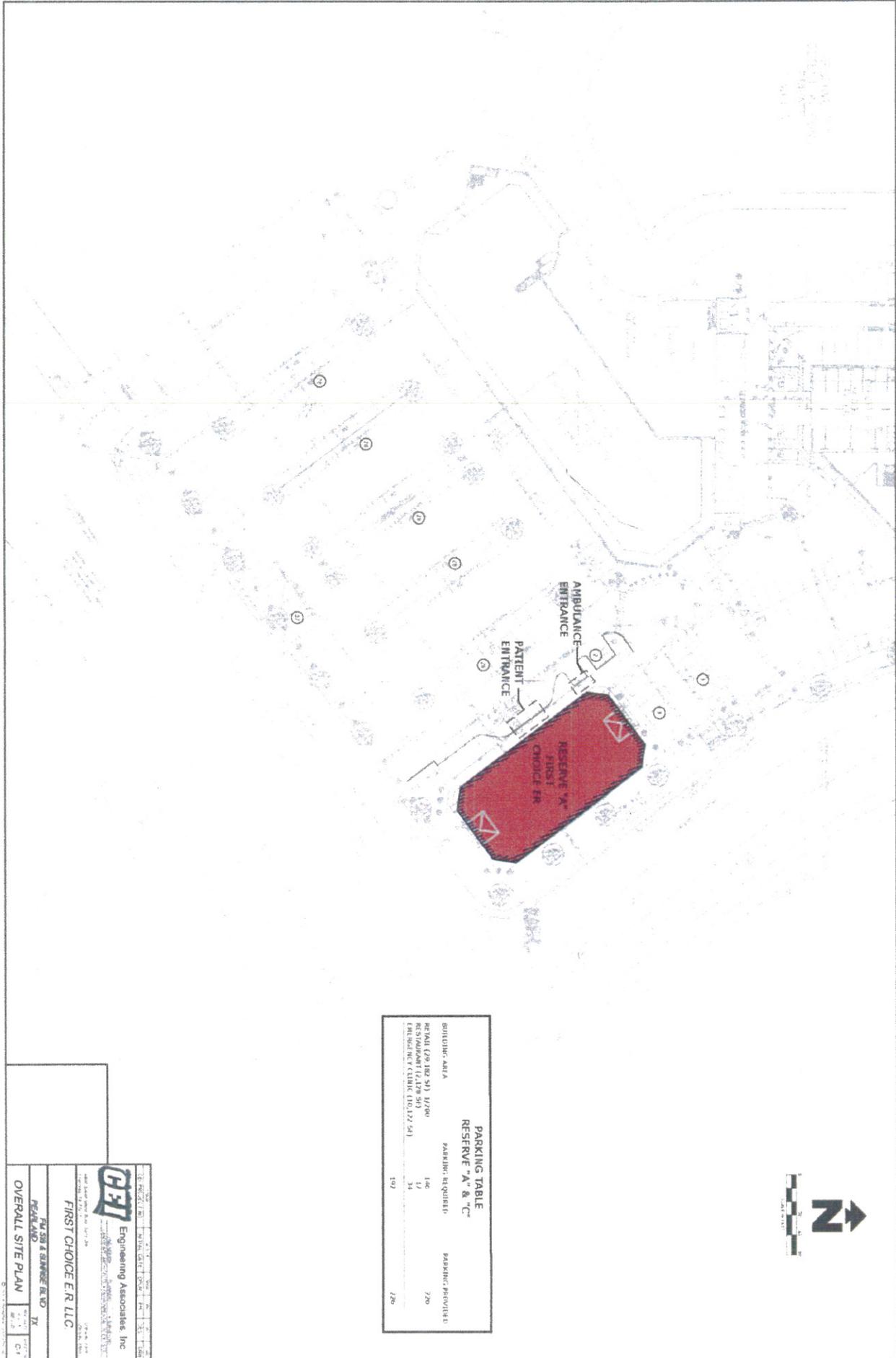
CITY OF PEARLAND  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: JCOTTER Type: OC Drawer: 1  
Date: 9/28/13 01 Receipt no: 358344

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$250.00
Trans number:		4218945

FIRST CHOICE EMERGENCY ROOM  
REBOUND PROPERTIES  
FIRST CHOICE ER  
2941 S LAKE VISTA DR  
SUITE 200  
LEWISVILLE

Tender detail  
CK CHECK 3481 \$250.00  
Total tendered \$250.00  
Total payment \$250.00

Trans date: 9/19/13 Time: 10:55:25



PARKING TABLE RESERVE "A" & "C"			
BUILDING AREA	PARKING REQUIRED	PARKING PROVIDED	
RETAIL (29,882 SQ) 1/200	146	226	
RESTAURANT (2,128 SQ) 1/1	17		
ENTRANCE (1,017 SQ)	14		
	177	226	



**GFI** Engineering Associates, Inc.  
1000 N. GARDEN AVENUE, SUITE 100, DENVER, CO 80202, PHONE: (303) 733-8800

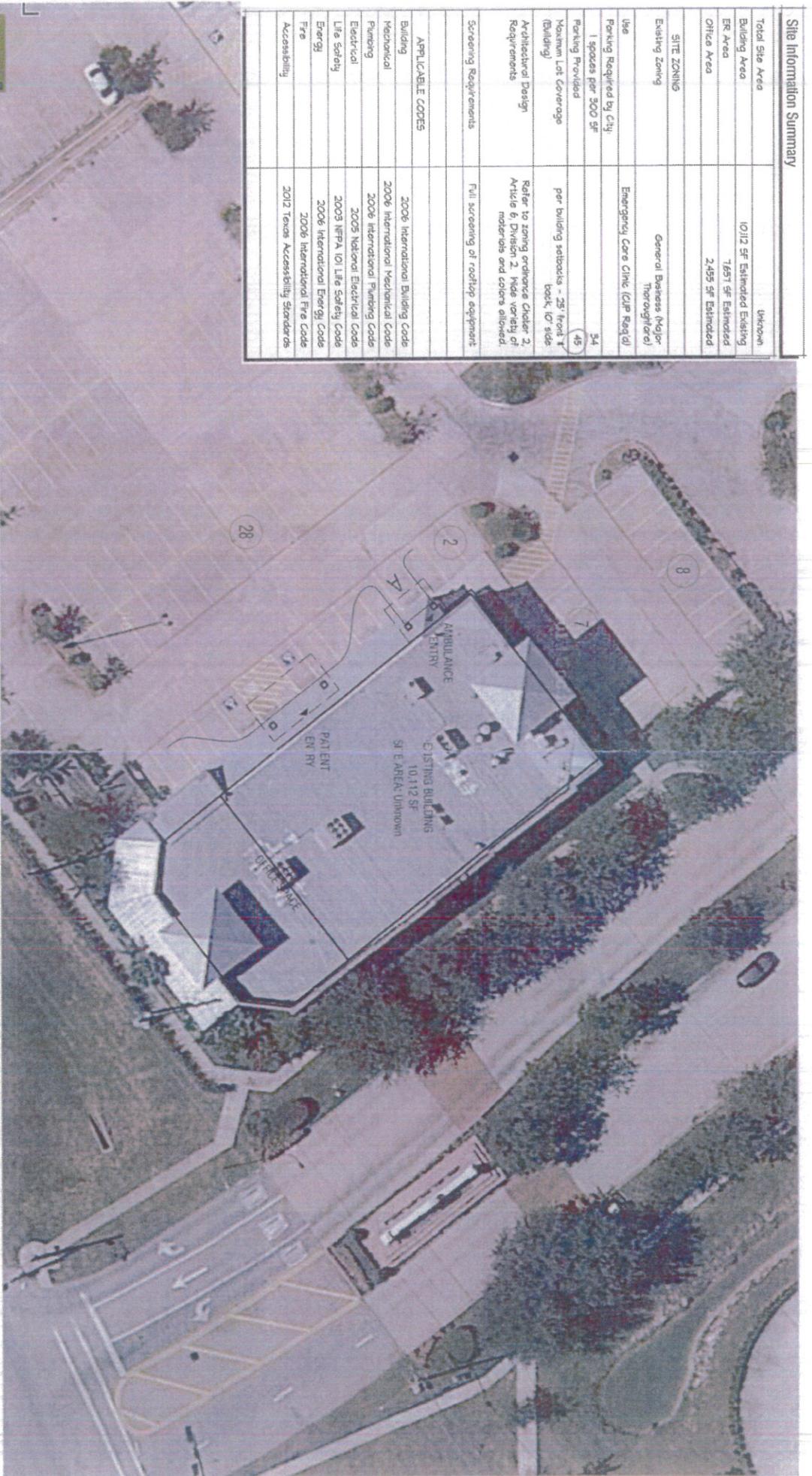
**FIRST CHOICE E.R. LLC**  
1000 N. GARDEN AVENUE, SUITE 100, DENVER, CO 80202, PHONE: (303) 733-8800

**PREPARED BY:** TX  
**DATE:** 8/14/24  
**SCALE:** C-1

**OVERALL SITE PLAN**

Site Information Summary

Total Site Area	Unknown
Building Area	10112 SF Estimated Existing
ER Area	1687 SF Estimated
Office Area	2495 SF Estimated
<b>SITE ZONING</b>	
Existing Zoning	General Business (Major Thoroughfare)
Use	Emergency Care Clinic (CIP Reg'd)
Parking Required by City	34
Parking Provided	45
Minimum Lot Coverage (Building)	per building setbacks - 25' front, 7' back, 10' side
Architectural Design Requirements	Refer to zoning ordinance Chapter 2, Article 6, Division 2. Wide variety of materials and colors allowed.
Screening Requirements	Full screening of rooftop equipment
<b>APPLICABLE CODES</b>	
Building	2006 International Building Code
Mechanical	2006 International Mechanical Code
Plumbing	2006 International Plumbing Code
Electrical	2005 National Electrical Code
Life Safety	2003 NFPA 101 Life Safety Code
Energy	2006 International Energy Code
Fire	2006 International Fire Code
Accessibility	2012 Texas Accessibility Standards



**UCR**  
 CHAINLINKS  
 CHAINLINKS  
 NORTH  
 0 5 30 45  
 Scale: 1" = 30'-0"



NWQ of Broadway St. & Sunrise Blvd. - Pearland, TX

CSP-1.1





ENGINEERS ■ SURVEYORS ■ PLANNERS  
LANDSCAPE ARCHITECTS ■ ENVIRONMENTAL SCIENTISTS

4800 Sugar Grove Boulevard  
Suite 316  
Stafford, TX 77477  
281.494.0360 Fax 281.494.0309

Sept. 12, 2013

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

RE: Conditional Use Permit Application  
Acknowledgement of Sign Posting  
First Choice ER – Pearland Silverlake site

Dear Sirs:

This letter is an acknowledgement that a sign, manufactured to the standards of the City of Pearland's CUP application, indicating the property is under consideration for a Conditional Use Permit will be posted on the property as prescribed in the application.

Thank you for your time and consideration,



Jim Evans  
Assistant Project Manger

JEE  
Attachments: CUP application set

**2013 TAX STATEMENT**



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

**Certified Owner:**

US BANK NA TRUSTEE  
 % C-III ASSET MANAGEMENT LLC  
 5221 N O CONNOR BLVD  
 STE 600  
 IRVING, TX 75039-4414

**Account No: 9751-2218-500**

**As of Date: 10/07/2013**

**Appr. Dist. No.: 633633**

**Legal Description:**

FURN FIXT EQUIP OTHER PERSONAL  
 PROPERTY, (FKA SAM'S BOAT)

**Legal Acres: .0000**

**Parcel Address: 2752 SUNRISE BLVD**

**Print Date: 10/07/2013**

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$0	\$3,500	\$3,500	\$3,500	\$0	\$0	\$0	\$3,500

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
BRAZORIA COUNTY	\$3,500		\$0.00	\$3,500	0.4320200	\$15.12
<i>Amount saved by additional sales tax revenue \$3.31</i>						
SPECIAL ROAD & BRIDGE	\$3,500		\$0.00	\$3,500	0.0600000	\$2.10
PEARLAND ISD	\$3,500		\$0.00	\$3,500	1.4157000	\$49.55
BRAZORIA DRAINAGE DIST 4	\$3,500		\$0.00	\$3,500	0.1560000	\$5.46
CITY OF PEARLAND	\$3,500		\$0.00	\$3,500	0.7051000	\$24.68
RENDITION PENALTY	\$0		\$0.00	\$0	0.0000000	\$9.69
<i>Amount saved by additional sales tax revenue \$5.00</i>						

**Total Tax:** \$106.60  
**Total Tax Paid to date:** \$0.00  
**Total Tax Remaining:** \$106.60

**Exemptions:**

**AMOUNT DUE IF PAID BY THE END OF:**

OCT 2013 0%	NOV 2013 0%	DEC 2013 0%	JAN 2014 0%	FEB 2014 7%	MAR 2014 9%
\$106.60	\$106.60	\$106.60	\$106.60	\$114.07	\$116.19
APR 2014 11 + up to 20%	MAY 2014 13 + up to 20%	JUN 2014 15 + up to 20%	JUL 2014 18 + up to 20%	AUG 2014 19 + up to 20%	SEP 2014 20 + up to 20%
\$128.84	\$131.16	\$133.49	\$145.73	\$146.96	\$148.20

**School Information:**

PEARLAND ISD 2013 M&O 1.0400000 I&S .37570000 Total 1.4157000 2012 M&O 1.0400000 I&S .37940000 Total 1.4194000

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

4.148 ✂

**Print Date:** 10/07/2013

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

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



9751-2218-500  
 US BANK NA TRUSTEE  
 % C-III ASSET MANAGEMENT LLC  
 5221 N O CONNOR BLVD  
 STE 600  
 IRVING, TX 75039-4414

**AMOUNT PAID:**

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

97512218500 2013 102013 00000010660 00000010660 00000010660 0

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

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

**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 OCTOBER 21, 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. 2013-16Z**

A request of James Leach, applicant/owner, for approval of a change in zoning from Garden/O'Day-Mixed Use (G/O-MU) zoning district to General Commercial (GC) zoning district on approximately for .63 acres of land on the following described property, to wit:

**Legal Description:** Block 3, Lot 9, being .63 acres of the Final Plat of Hickory Creek Place; a subdivision of 100.09 acres of land comprised of 10 blocks and 133 lots; being s subdivision of tracts 17, 18, 19, 20, 21, 30, 31, 32, 33 and 34 of a subdivision of the H.T. & B. R.R. CO. Survey, Section 7, Abstract 219, Brazoria County, Texas.

**General Location:** 2106 O'Day Road, 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 OCTOBER 21, 2013

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### Zone Change No. 2013-16Z

A request of James Leach, applicant/owner, for approval of a change in zoning from Garden/O'Day-Mixed Use (G/O-MU) zoning district to General Commercial (GC) zoning district on approximately for .63 acres of land, on the following described property, to wit:

**Legal Description:** Block 3, Lot 9, being .63 acres of the Final Plat of Hickory Creek Place; a subdivision of 100.09 acres of land comprised of 10 blocks and 133 lots; being s subdivision of tracts 17, 18, 19, 20, 21, 30, 31, 32, 33 and 34 of a subdivision of the H.T. & B. R.R. CO. Survey, Section 7, Abstract 219, Brazoria County, Texas.

**General Location:** 2106 O'Day Road, Pearland, TX

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

Planning and Zoning Commission: October 21, 2013\*

City Council for First Reading: November 11, 2013\*

City Council for Second Reading: November 25, 2013\*

(\*dates subject to change)

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**SUMMARY:** James Leach, applicant/owner is requesting approval of a zone change from the Garden/O'Day-Mixed Use (G/O-MU) to the General Commercial (GC) on approximately .63 acres of land located on the west side of O'Day Road; between Butler Road to the north and Olin Drive to the south. The applicant proposes a full service automotive repair shop, similar to Lewis Auto Service located on Harkey Road, which is also owned by the applicant.

The proposed use is classified as *Auto Repair (Major)* by the Unified Development Code (UDC)'s Land Use Matrix and is not a permitted use in the existing zoning district of G/O-MU. The proposed zoning district of GC allows the proposed use with approval of a Conditional Use Permit (CUP). In conjunction with the zoning change request, the applicant has also submitted application for a CUP (CUP 2013-09), to allow the requested use.

As indicated in the UDC, the purpose of the GC zoning district is to permit a wide variety of businesses characterized by those uses that may require an extensive amount of land for the conduct of business and/or that may require outside storage areas.

The site is currently developed with an approximately 4,000 square foot office/warehouse building, which, according to appraisal district records, was originally constructed in 1993, with improvements added in 2004. According to City utility records, the prior business at the subject site was Roy Shugart Glass and Mirror; a company which specialized in custom glass and window repair. This business operated at the subject site from August, 2004 to November 12, 2012.

**SURROUNDING ZONING AND LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Garden/O’Day Mixed Use (G/O-MU)	Storage/Warehouse, predominantly Single Family Residential
<b>South</b>	Garden/O’Day Mixed Use (G/O-MU)	Storage/Warehouse, predominantly Single Family Residential
<b>East</b>	Garden/O’Day Mixed Use (G/O-MU)	Single Family Residential
<b>West</b>	Single Family Residential 1 (R-1)	Single Family Residential

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is located within the Garden/O’Day Mixed Use zoning district. The general lot and bulk regulations of the existing and proposed zoning districts are consistent. The existing building is nonconforming as it relates to the minimum lot width and the minimum side yard setback on the south side of the property. The minimum side yard is 10 feet. The existing building encroaches into the side yard setback. The minimum lot width in both zoning districts is 150 feet. The site width is 125 feet. A comparative analysis of the general regulations of the existing (G/O-MU), and proposed (GC) zoning districts, as well as existing site conditions follows:

<b>General Regulations</b>	<b>GO-MU (Existing)</b>	<b>GC (Proposed)</b>	<b>Existing Site</b>
Minimum Lot Size	22,500 sq. ft.	22,500 sq. ft.	27, 500 sq. ft.
Minimum Lot Width	150 ft.	150 ft.	125 ft.
Minimum Lot Depth	125 ft.	125 ft.	220 ft.
Minimum Front Setback	25 ft.	25 ft.	40.49 ft.

Minimum Side Setback	10 ft.	10 ft.	5.32 ft. & 45 ft.
Minimum Rear Setback	30 ft.*	30 ft.*	45 ft.

\* The minimum rear yard is 25 feet in both the existing (GO-MU) and proposed (GC) zoning districts, except there shall be a minimum 30-foot wide landscape buffer between nonresidential and single family if screening is achieved by a vegetative screen and not an opaque screening wall. A 25-foot wide buffer may be used, if in conjunction with a masonry wall.

**SITE HISTORY:** Prior to the adoption of the UDC in 2006, the subject property was located within the Commercial (C) zoning district, contained in the Urban Land Use and Development Ordinance. The proposed use of *Auto Repair (Major)* was classified as *Auto Sales and Repair (in Building)*, and was a permitted use. The current UDC does not permit the proposed use in the property’s existing zoning district of G/O-MU.

**PLATTING STATUS:** The property was platted in 1965 as Block 3, Lot 9, Hickory Creek Place.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The site is located within the *Garden O’Day Mixed Use Future Land Use Designation*. The goal of the 1999 Future Land Use Plan in relation to the O’Day Road area was to transition the area from existing uses to residential uses with allowances for General Business uses with the intent to permit an extensive variety of commercial uses, including retail trade, personal and business service establishments, offices and commercial recreational uses of limited scope.

As a result of the 2004 Comprehensive Plan Update, it was determined that the O’Day Road area should include mixed use developments in order to maintain consistency between the City’s adopted plan and the UDC. Acceptable land uses within the Garden/O’Day Mixed Use District include the following:

- Single-family residential
- Manufacturing businesses
- Fabrication businesses
- Technology businesses
- Retailing
- Manufactured homes
- Light commercial

As a result of the transition of this area, most of the existing non-residential uses are considered nonconforming. One of the main goals of the Garden O’Day Mixed Use District is to bring the majority of existing nonresidential uses into conformance. New uses should be closely defined and should be consistent with the types of uses that preserve the residential character of the district. There are currently no existing Auto Repair facilities within the vicinity.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has

frontage on O'Day Road; a secondary thoroughfare, with a minimum of 100' right-of-way. It appears that there is sufficient right-of-way to comply with the thoroughfare plan.

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

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed use of *Auto Repair (Major)* is a permitted use in the proposed GC zoning district with approval of a Conditional Use Permit (CUP). However, the proposed use is not a permitted use in the existing zoning district of G/O-MU, with or without approval of a CUP. If the zone change is approved as requested, the proposed use will allow nonresidential uses which may prove to be incompatible with existing uses and would contradict the intent of the district, which is to allow the continuation of existing nonresidential uses, while respecting and preserving residential uses that now co-exist with nonresidential uses.

While this is not a complete list of allowed uses in the GC zone, the following uses may not be compatible with existing nearby residential development; however would be permitted in the GC, zone if the request is approved:

- Commercial Amusement (Indoor)
- Commercial Amusement (Outdoor)
- Dinner Theatre
- Commercial Swimming Pool
- All-Terrain Vehicle (Go-Carts & Motor Cycle) Dealer/Sales
- Auto Accessory and/or Parts Sales
- Auto Glass Repair/Tinting
- Auto Interior Shop/Upholstery
- Auto Rental
- Auto Sales
- Auto Repair Major/Minor
- Auto Wash
- Auto Wrecker Services
- Boat Sales
- Commercial Transit Terminal
- Gasoline Station
- Limousine/Taxi Service
- Motorcycle Sales/Dealer
- Parking Lot or Garage for Passengers
- Tire Sales
- Truck (Heavy) and Bus Rental or Sales
- Truck or Freight Terminal
- Automatic Teller Machine
- Automobile Driving School
- Bed and Breakfast Inn
- Check Cashing Service

- Extended Stay Hotel/Motel
- Laundromat (Self Service Laundry)

A Traffic Impact Analysis (TIA) is not required for the proposed use to determine any adverse effects on traffic as no expansions for the current proposal are anticipated. There is currently no detention on site and will be required for any future expansions.

The site is currently considered non-conforming. As a result of the change in use, improvements would be required including façade requirements, to include 100% masonry where visible from the right-of-way or abutting residential properties; parking lot screening, and refuse container screening.

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

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

**PUBLIC NOTIFICATION:** Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. 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:** Based on notices that the applicant sent to nearby property owners, staff has received six (6) notices from property owners within 200 feet of the site in opposition to the request, which represents 39% of the total land area within 200 feet of the site. Per Section 211.006 of the Texas Local Government Code, a supermajority vote is required by City Council to approve this zone change request, as opposition within 200 feet of the site exceeds 20% of the land area within the required notification range.

Additionally staff received 65 notices within the vicinity, including the adjacent neighborhood, but outside of the 200 foot buffer area, which are opposed to the request. The notices submitted do not indicate opposition to the Zone Change or associated Conditional Use Permit, rather they indicate opposition to the proposed use. The opposition letters received at the time of this report have been provided to Council.

**STAFF RECOMMENDATION:** Staff is unable to recommend approval of the request to rezone the subject .63 acres of land from Garden/O'Day-Mixed Use (G/O-MU) zone to General Commercial (GC) zone for the following reasons:

1. The proposed zoning district does not conform to the Future Land Use element of the Comprehensive Plan, and if approved, would contradict the intent of the G/O-MU district.
2. The proposed zoning district could introduce uses to the neighborhood that

may be considered incompatible.

3. If approved, the proposed request could result in adverse impacts to the nearby properties which are not able to be mitigated and negatively affect the quality of life.
4. The proposed zoning district will create an isolated zoning district surrounded by a larger zoning district.

**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 2013-16Z**

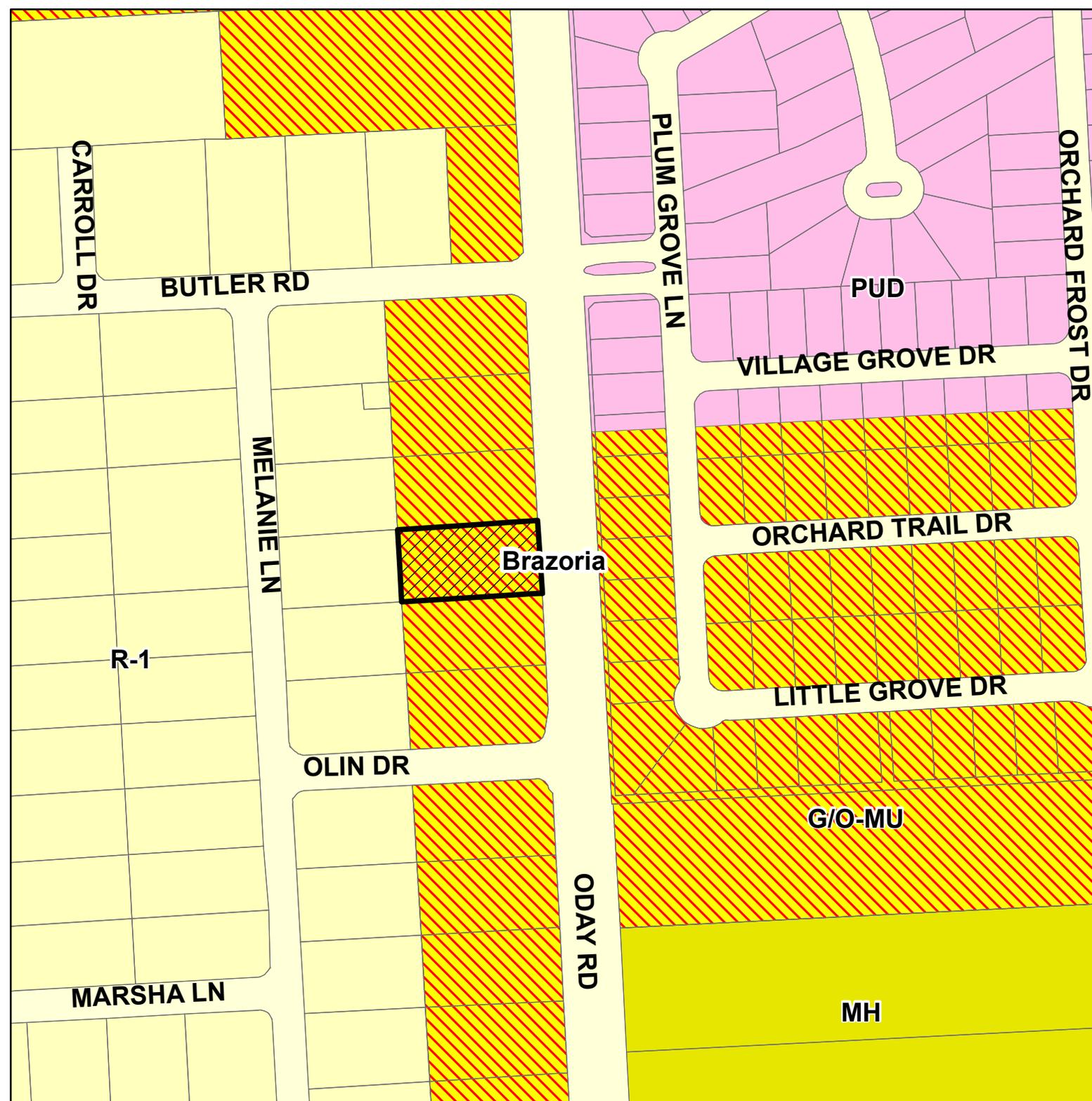
**2106 O'Day Rd.**

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 55 110 220 Feet



N





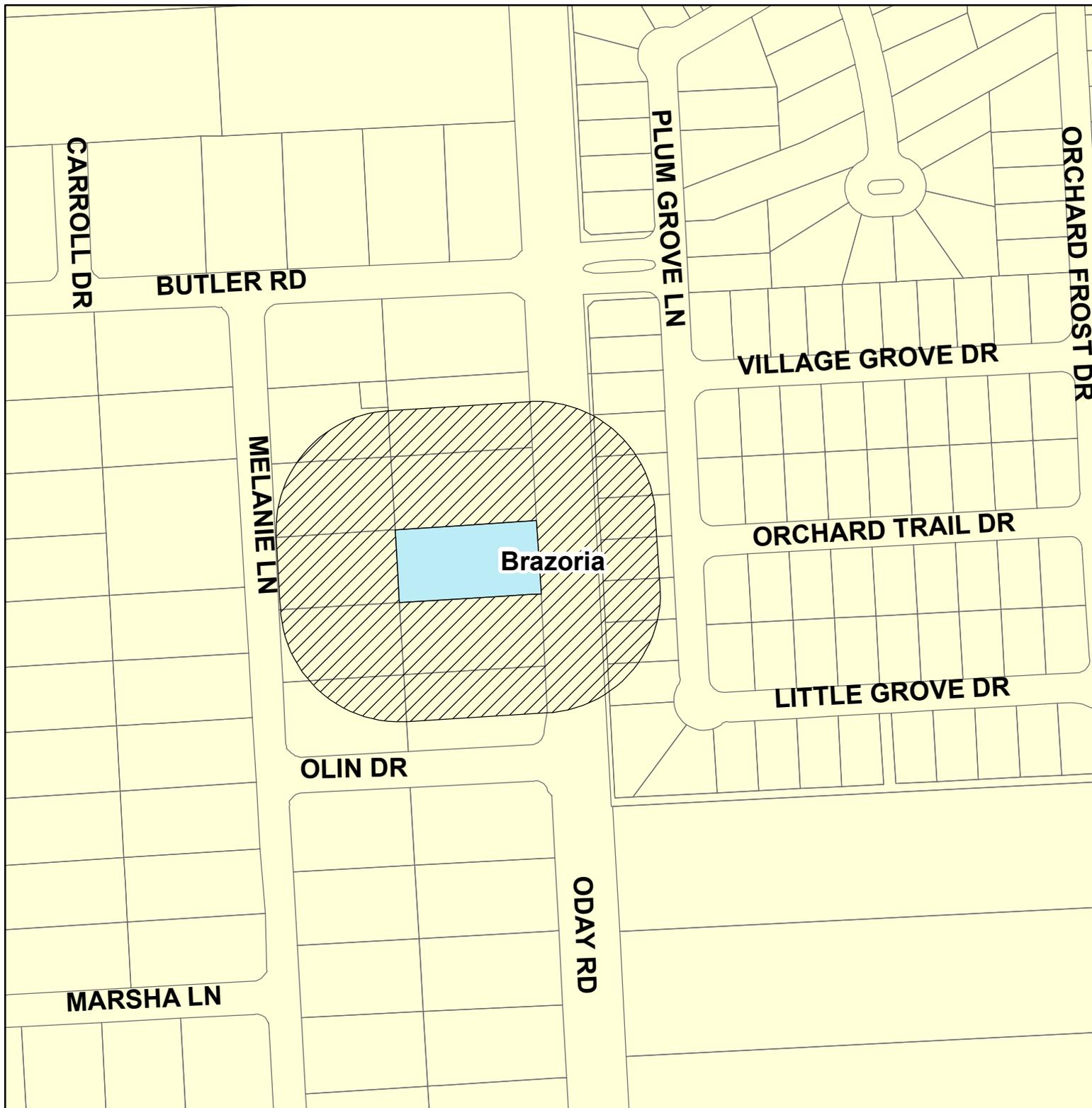
**Abutter Map**

**Zone Change 2013-16Z**

**2106 O'Day 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 55 110 220 Feet



## Zone Change 2013-16Z

2106 O'Day - G/O-MU to GC

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
KB HOME LONE STAR LP	11320 RICHMOND AVE	HOUSTON	TX	77082
JONES CECIL H JR	2018 PLUM GROVE LN	PEARLAND	TX	77581
VILLAGE GROVE HOMEOWNER ASSN INC	12603 LOUETTA RD #101	CYPRESS	TX	77429
O'NEILL ROBIN RENEE	PO BOX 890548	HOUSTON	TX	77289
MCCRACKEN MYRNA LEE	2045 MELANIE LN	PEARLAND	TX	77581
PINTO ERWIN A MIXCO	2117 MELANIE LN	PEARLAND	TX	77584
JONES STANLEY	2125 MELANIE LN	PEARLAND	TX	77581
RATCLIFF JOHN C	4803 ARROWHEAD LAKE DR	MISSOURI CITY	TX	77459
BARNES RALPH W JR	2049 MELANIE LN	PEARLAND	TX	77584
SHUGART ROY M & KYLE A	1102 CHEYENNE RIDGE DR	ROSHARON	TX	77583
BRESEE WALTER & GLENDA	2105 MELANIE LN	PEARLAND	TX	77581
MORTON MICHAEL D & ELIZABETH C	PO BOX 410	PEARLAND	TX	77588
MARTINEZ OSCAR J & NELDA	2126 ODAY RD	PEARLAND	TX	77581

Public / Semi-Public

CARROLL DR

BUTLER RD

MELANIE LN

Brazoria

Low Density Residential



Garden/O'Day Mixed Use Dist

PLUM GROVE LN

VILLAGE GROVE DR

ORCHARD FROST DR

LITTLE GROVE DR

OLIN DR

ODAY RD

MARSHA LN



FLUP Map

Zone Change 2013-16Z

2106 O'Day 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 55 110 220 Feet





**Aerial Map**

**Zone Change 2013-16Z**

**2106 O'Day 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.

N

0 40 80 160 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: G/O - MU

Proposed Zoning District: BC

### Property Information:

Address or General Location of Property: 2106 ODAY RD.

Tax Account No. 213562

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

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

### PROPERTY OWNER INFORMATION:

NAME James Leach  
ADDRESS 4619 Sylvia Lane  
CITY Manvel STATE Tx ZIP 77578  
PHONE (713) 515-1954  
FAX (281) 485-6620  
E-MAIL ADDRESS LAD Lewis @ sbcglobal.net

### APPLICANT/AGENT INFORMATION:

NAME Same  
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: [Signature] Date: 9/19/13

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

### OFFICE USE ONLY:

FEES PAID: <u>775.00</u>	DATE PAID: <u>9/19/13</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>358428</u>
--------------------------	---------------------------	---------------------------------	-------------------------------

Application No. 2013-162

This property is located in the 100 year flood plain & is in insurance rate zone AE, as per map 48835E-00301 dated 89-22-99.

SCALE: 1" = 80'

**LEGEND**

- R.O.W. - RIGHT OF WAY
- I.R. - IRON ROD
- FND. - FOUND
- o-o- CHAIN LINK FENCE
- B.L. - BUILDING LINE
- R.O.W. - RIGHT-OF-WAY
- CP - POWER POLE
- U.E. - UTILITY EASEMENT
- A.E. - AERIAL EASEMENT
- B.C.D.R. - BRAZORIA COUNTY DEED RECORDS

**NOTES**

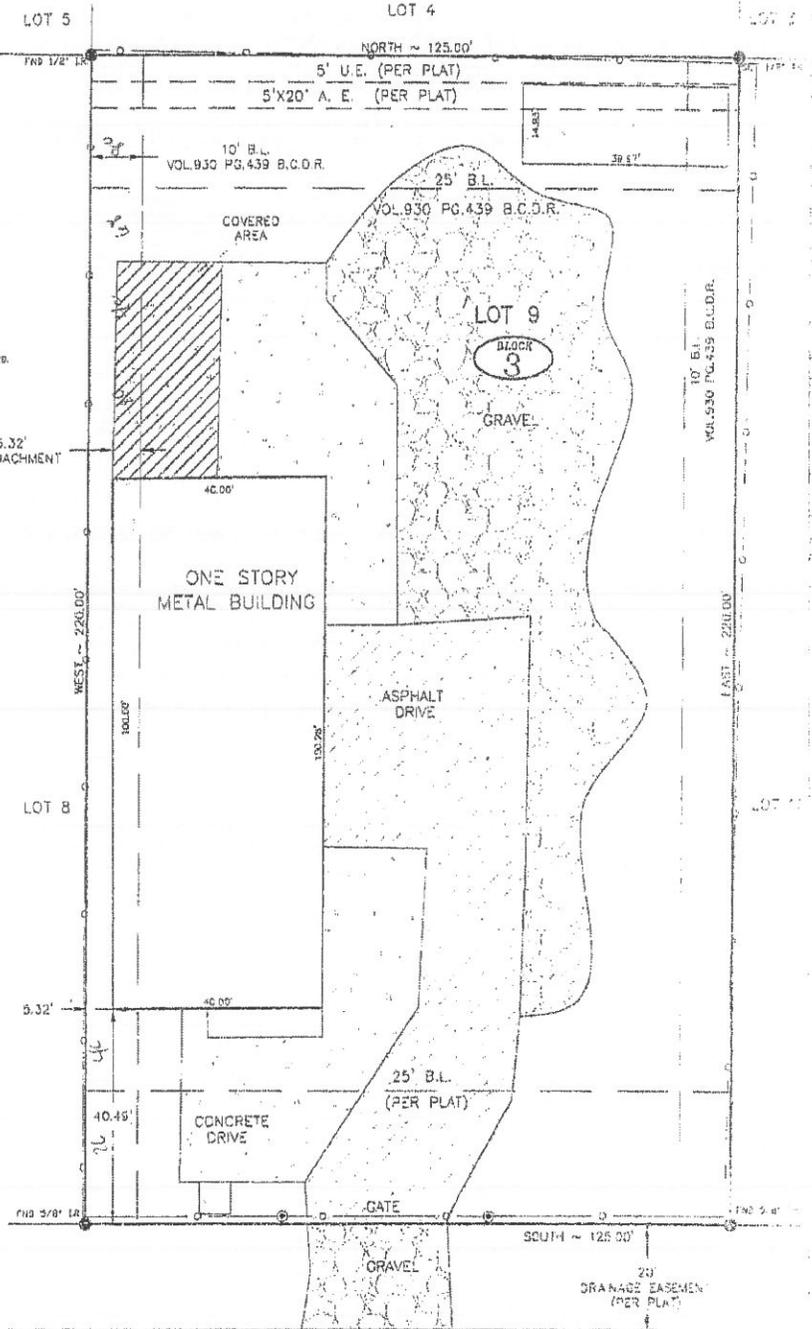
- 1) BASIS FOR BEARINGS ASSUMED AS PLATTED
- 2) DISTANCES SHOWN ARE GROUND DISTANCES
- 3) ALL ASSUMED DONE BY TITLE COMPANY
- 4) SURVEY BASED ON BEST OF EVIDENCE FOUND.



I, MICHAEL D. MORTON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PLAT HEREON CORRECTLY REPRESENTS THE RESULTS OF AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN.

DATED THIS THE 14 DAY OF May 2013

*MDM*  
MICHAEL D. MORTON - R.P.L.S. NO. 3696



**O'DAY ROAD (a.k.a. - Co. Rd. 558)**  
60' R.O.W.

THIS CERTIFICATION IS REVOKED AND THIS SURVEY IS NULL AND VOID IF THIS DOCUMENT IS ALTERED IN ANY MANNER, USED OR RELIED UPON BY ANY ONE OTHER THAN THE PARTIES ADDRESSED BELOW, OR DOES NOT BEAR AN ORIGINAL SIGNATURE AND SEAL OF THE R.P.L.S. MICHAEL D. MORTON, NO. 3696.

LOT(S)	9	BLOCK	3	NEIGHBORHOOD	HICKORY CREEK PLACE	COUNTY	BRAZORIA
SECTION	11	RANGE	1	PLAT	VC 1111	LENDER	WELLS FARGO BANK
ADDRESS	2106 O'DAY ROAD		CITY	PEARLAND	STATE	TX 77581	
PURCHASER	JAMES F. LEACH		TITLE COMPANY	TITLE RESOURCES GUARANTY CO.			
FILED BY	MM	DATE	05-14-13	ARROW SURVEYING			
DRAWN BY	SM	DATE	05-14-13	P.O. BOX 410 PEARLAND, TEXAS 77581			
CHECKED BY	MM	DATE	05-14-13	(281) 412-8284 FAX(281) 412-2312			

GIS Mapping Interface showing a street map of Pearland, Texas. The map displays a grid of lots with various lot numbers. A specific lot, 2106, is highlighted with a thick black border. The map includes street names such as ODAY RD, MARSHALL, and LINCOLN. The interface features a toolbar at the top with icons for navigation and search, and a sidebar on the left with search and navigation controls.

Layers  
Queries  
Geocoding  
Street:   
Go Clear  
Manager  
2106 ODAY RD

Mapup  
Lat / Long  
Overview Map

Tool: Zoom In X: 31.98567

## LETTER OF INTENT

To Whom It May Concern:

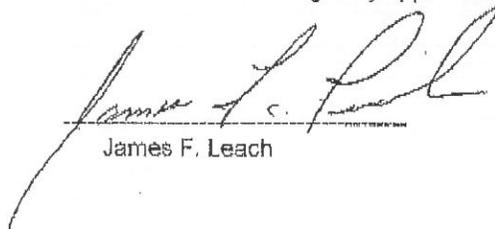
We are James and Paula Leach. We own Lewis Auto Service on Harkey Road. We are a full service automotive repair shop that has served Pearland since 1986. We perform general automotive repair such as general mechanical, ac, computer diagnostics, emissions repair, brakes, etc. We are open from 8 am to 6 pm Monday thru Friday and 8 to 12 on Saturdays.

As of 7/2013 we purchased the property at 2106 Oday Road. The intended use of this property was to be used as an overflow for Lewis Auto Service. We work for several companies that require we pickup the vehicle, repair it, and return it to the company. (ie: Strickland Chevrolet, Clayton Funeral Home, Evergreen Livery, Beck and Masten etc). This would be the primary use of the Oday facility.

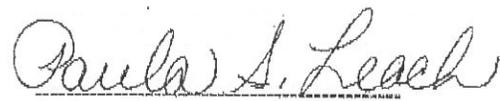
After we purchased the property we started work on the building. The electrical was repaired, fire extinguishers installed, offices repainted, phone system installed, computer access installed, engineering checks to meet Texas Windstorm and flood and fire insurance etc. We have plans to bring the building and property up to conform with the city. We are looking at having the building stuccoed and bring the parking and landscape into compliance.

Upon filing for a certificate of occupancy we were informed of a zoning discrepancy. The property is listed by the City of Pearland as the Garden Road Oday Mixed Use District (ie: commercial, industrial and/or residential). It is our understanding that the City considers Automotive as General Commercial and would require a zoning change. After several meetings with the Planning Department it was further decided that after the zone change we will need a conditional use permit.

Your consideration in this matter is greatly appreciated.



James F. Leach



Paula S. Leach

**ZONE CHANGE/ VARIANCE/ PLAT/ RECORDATION**

# 775.00 (circle one) **BA** or **PF** or **FE**

Description: Input who the check is from

*Zone Change Request*

COMMENTS/DESCRIPTION (F10):

Location or Address 2106 O Day Road

Applicant James Leech

Owner    "   

CITY OF PEARLAND  
R E P R I N T  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: AGONZALES Type: OC Drawer: 1  
Date: 9/19/13 01 Receipt no: 358428

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$775.00
Trans number:		4219036

ZONE CHANGE  
2103 O DAY RD-JAMES LEACH

Tender detail	
BR CREDIT CARD	\$775.00
Total tendered	\$775.00
Total payment	\$775.00

Trans date: 9/19/13 Time: 13:52:23

**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:

*1/2  
9/9/13*

*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.**

2106

We are James and Paula Leach. We purchased the building at 2106 Oday Road. We also own Lewis Auto Service and were planning to use this property as an extension of this business. The city of Pearland seems to object to the use of this property as an Automotive Repair Facility. We have served the citizens of this community for close to 40 years and have been honest and fair with our customers. We need your support in this endeavor. This information will be turned over to the City of Pearland.

I support the use of 2106 Oday Road as an Automotive Repair Facility.

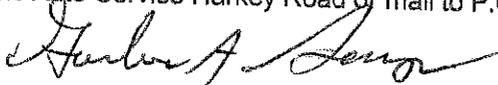
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: GORDON SAUSAGE  
ADDRESS 2033 KELLY  
CITY/ST PEARLAND TEX 77581  
PHONE 409-939-4874

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Lillie A Watson  
ADDRESS: 2157 Garden Rd  
CITY/ST: Pearland Tx 77581  
PHONE: 281-485-3700

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Lillie Ann Watson*

We are James and Paula Leach. We purchased the building at 2106 Oday Road. We also own Lewis Auto Service and were planning to use this property as an extension of this business. The city of Pearland seems to object to the use of this property as an Automotive Repair Facility. We have served the citizens of this community for close to 40 years and have been honest and fair with our customers. We need your support in this endeavor. This information will be turned over to the City of Pearland.

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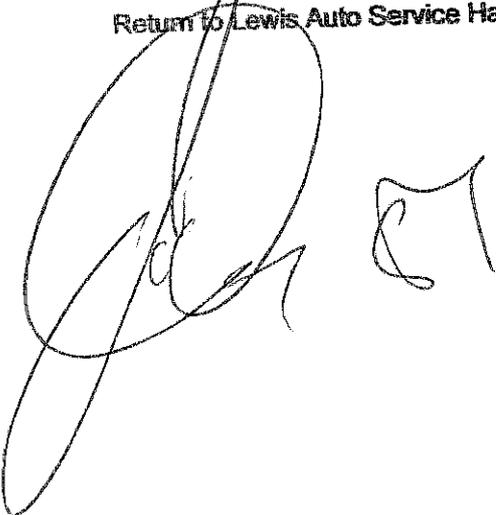
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Jason Olson  
ADDRESS 2117 Mellanck  
CITY/ST Pearland Tx 77581  
PHONE 281 614 9142

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

A large, stylized handwritten signature, possibly 'Jason Olson', is written over the return address. To its right are the initials 'JL'.

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Diana Pham  
ADDRESS 2117 Melanie Lane  
CITY/ST Pearland, TX  
PHONE (832) 833-0308

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: EDGAR GUILBEAU  
ADDRESS 6421 KELLY  
CITY/ST PEARLAND, TX 77581  
PHONE 281-485-6053

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Edgar Guilbeau*

We are James and Paula Leach. We purchased the building at 2106 Oday Road. We also own Lewis Auto Service and were planning to use this property as an extension of this business. The city of Pearland seems to object to the use of this property as an Automotive Repair Facility. We have served the citizens of this community for close to 40 years and have been honest and fair with our customers. We need your support in this endeavor. This information will be turned over to the City of Pearland.

I support the use of 2106 Oday Road as an Automotive Repair Facility.  
 I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Marie Victoria Castillo  
ADDRESS 6209 Butler  
CITY/ST Pearland, TX  
PHONE (832) 877-1161

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

Marie V. Castillo

We are James and Paula Leach. We purchased the building at 2106 Oday Road.

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Linda Freeman  
ADDRESS 2234 Kelly Dr  
CITY/ST Pearland, TX  
PHONE 832-405-9265

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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Duplicate

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Joseph Freeman  
ADDRESS 7234 Kelly Dr.  
CITY/ST Pearland, Tx  
PHONE 832-405-5441

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Arlene Henning  
ADDRESS 2206 Kelly Dr.  
CITY/ST Pearland Tx  
PHONE 281-485-3367

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa, Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Arlene Henning*

*Duplicate*

We are James and Paula Leach. We purchased the building at 2106 Oday Road.

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Vicki Roesler  
ADDRESS 2206 Kelly Drive  
CITY/ST Pearland Tx  
PHONE 8174541467

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Vicki Roesler*

2106

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Billy Roesler  
ADDRESS 2206 Kelly DR.  
CITY/ST PEARLAND, TX  
PHONE (281) 412-0712

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Billy Roesler*

2106

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Mary Ann Shields  
ADDRESS 2118 Kelly Dr  
CITY/ST Pearland Tx 77581  
PHONE 281-485-5378

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

Mary Ann Shields

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: LARRY C. RILEY  
ADDRESS 2049 KELLY DR.  
CITY/ST PEARLAND TX  
PHONE 281-485-5019

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Larry C. Riley*

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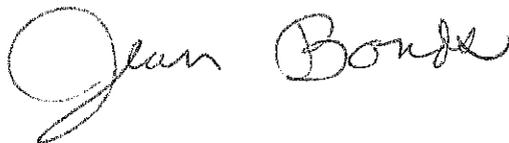
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: JEAN BONDS  
ADDRESS 2053 KELLY DR.  
CITY/ST PEARLAND TX 77581  
PHONE 281-485-1542

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christoper Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Sandra K Dunn  
ADDRESS 6414 Kelly Lane  
CITY/ST Pearland  
PHONE 806-236-0008

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Herkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Raymond Martin  
ADDRESS 6406 MARSHA  
CITY/ST PEARLAND  
PHONE 832 274 2039

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

A large, stylized handwritten signature in black ink, appearing to be the name 'Raymond Martin'.

2106

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: L. Kennedy  
ADDRESS 2214 oday  
CITY/ST Pearland, TX  
PHONE 281.748-7833

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, TX 77588

*Lepeda Kennedy*

We are James and Paula Leach. We purchased the building at 2106 Oday Road. We also own Lewis Auto Service and were planning to use this property as an extension of this business. The city of Pearland seems to object to the use of this property as an Automotive Repair Facility. We have served the citizens of this community for close to 40 years and have been honest and fair with our customers. We need your support in this endeavor. This information will be turned over to the City of Pearland.

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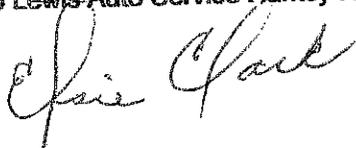
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Elsie CHARK  
ADDRESS 2126 Kelly DR.  
CITY/ST PEARLAND TX.  
PHONE 281 4850439

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa, Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



Duplicate

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     I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Sherry GREENE

ADDRESS 2126 Kelly

CITY/ST PEARLAND TX 77581

PHONE 713-447-2743

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Sherry Greene*

We are James and Paula Leach. We purchased the building at 2106 Oday Road. We also own Lewis Auto Service and were planning to use this property as an extension of this business. The city of Pearland seems to object to the use of this property as an Automotive Repair Facility. We have served the citizens of this community for close to 40 years and have been honest and fair with our customers. We need your support in this endeavor. This information will be turned over to the City of Pearland.

I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: HAI MAI  
ADDRESS 6201 BUTLER RD  
CITY/ST Pearland  
PHONE (713) 792-2132

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



We are James and Paula Leach. We purchased the building at 2106 Oday Road. We also own Lewis Auto Service and were planning to use this property as an extension of this business. The city of Pearland seems to object to the use of this property as an Automotive Repair Facility. We have served the citizens of this community for close to 40 years and have been honest and fair with our customers. We need your support in this endeavor. This information will be turned over to the City of Pearland.

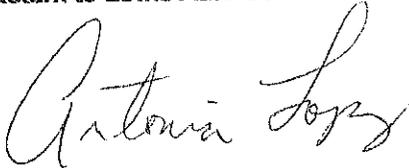
I support the use of 2106 Oday Road as an Automotive Repair Facility.  
 I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: John & Antonia Lopez  
ADDRESS 2137 O'Day Rd  
CITY/ST Pearland, Tx 77581  
PHONE 281-997-8082

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



2106

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Abiel SALINAS  
ADDRESS 6125 KELLY, DR  
CITY/ST PEARLAND, TX 77581  
PHONE 281-414-7274

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

Abiel Salinas  
Abiel SALINAS

9-25-13

2106

We are James and Paula Leach. We purchased the building at 2106 Oday Road.

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME:

HENRY GUILLORY

ADDRESS

2042 KELLY DR.

CITY/ST

PEARLAND, TX. 77581

PHONE

281-772-0534

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harley Road or mail to P.O. Box 1225 Pearland, Tx 77588



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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: CLIFFORD HAMM

ADDRESS 2205 Kelly DR.

CITY/ST PEARLAND TX

PHONE 713-471-9440

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: James Adams  
ADDRESS 6405 Kelly Lane  
CITY/ST Pearland, TX 77581  
PHONE 606-922-1881

Thank you, James Adams

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa, Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

James Adams

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I support the use of 2106 Oday Road as an Automotive Repair Facility.  
 I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Susan Adams *Susan Adams*  
ADDRESS: 6905 Kelly Lane  
CITY/ST: Pearland, TX 77581  
PHONE: 606-694-2443

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa, Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Susan Adams*

*Duplicate*

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- I support the use of 2106 Oday Road as an Automotive Repair Facility.
- I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Angelica M Williams  
ADDRESS 2057 Michael Rd  
CITY/ST Pearland, TX 77581  
PHONE 281-412-2520

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa, Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*AM Williams*

We are James and Paula Leach. We purchased the building at 2106 Oday Road.

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Judy Gabel  
ADDRESS 2117 Michael Ln  
CITY/ST Pearland TX 77581  
PHONE 281/746-8141

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Judy Gabel*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.  
 I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Sylvia Clark  
ADDRESS 6205 Butler  
CITY/ST Pearland, TX 77581  
PHONE 713-553-1393

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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*Sylvia Clark*

2106

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: James Bakerstaff

ADDRESS 6409 Butler

CITY/ST Pearland

PHONE 281-947-2425

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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*James M. Bakerstaff*

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Dwayne Comer  
ADDRESS 6417 Butler Rd.  
CITY/ST Pearland Texas  
PHONE 281 412 9578

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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*Dwayne Comer*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Bill Fielder  
ADDRESS 6227 Kelly Dr  
CITY/ST Pearland TX 7758  
PHONE 281-485-3638

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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*William Fielder III*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Susan Harvey  
ADDRESS 2229 Melanie  
CITY/ST Pearland Tx 77581  
PHONE 281-997-7520

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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*Susan G Harvey*

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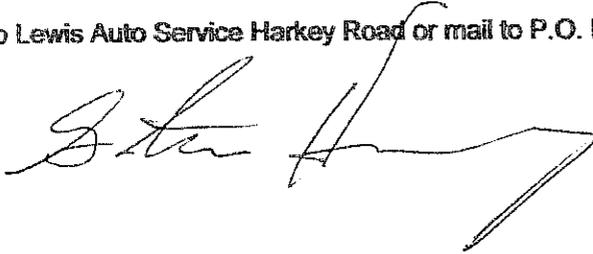
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Steve Harvey  
ADDRESS 2229 Melanich Ln.  
CITY/ST Pearland  
PHONE 281 997 7520

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Alice Moore  
ADDRESS 6206 Kelly  
CITY/ST Pearland, TX  
PHONE 281-485-2708

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christoper Rogers, Tino Nava, Beau Alexander, and David Myers

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*Alice Moore*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Harold D. Moore  
ADDRESS 6206 Kelly  
CITY/ST Kennelton, Ky  
PHONE 281 485 2708

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Harold Moore*

*Duplicate*

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Marla Boegler  
ADDRESS 2141 Melanie Ln  
CITY/ST Pearland TX  
PHONE 8327884883

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Marla Boegler*

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Lisa Frey  
 ADDRESS 2154 Michael Ln  
 CITY/ST Pearland, TX 77581  
 PHONE 713-410-6122

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Lisa Frey*

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: C. B. FREY  
 ADDRESS 2154 MICHAEL LN  
 CITY/ST PEARLAND, TX  
 PHONE 713-470-8697

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
 Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*C. B. Frey*

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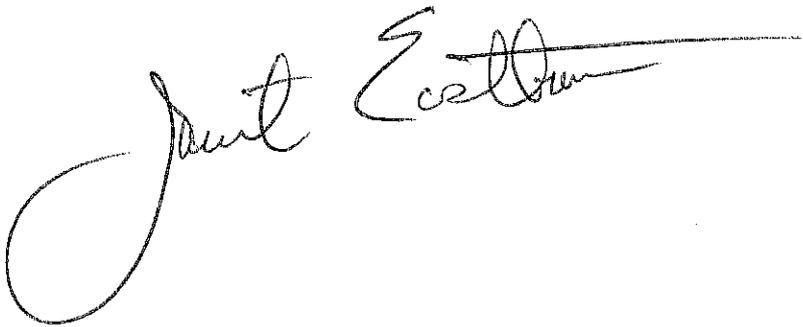
NAME: Paul Eastman  
ADDRESS: 6306 Marsha  
CITY/ST: Pearland TX  
PHONE: 281-485-4238

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.  
 I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Tia Youngblood  
ADDRESS 2042 Michael Lane  
CITY/ST Pearland, TX  
PHONE 713 470 8600

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Tia Youngblood*

2106

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: FRANK DITTA  
ADDRESS 2056 MELANIE LANE  
CITY/ST PEARLAND, TEXAS 77581  
PHONE 281-485-1478

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Frank Ditta*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Lola Ditta  
ADDRESS 2250 MELODIE WAY  
CITY/ST PEARLAND, TEXAS 77581  
PHONE 281-485-4478

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Lola Ditta*

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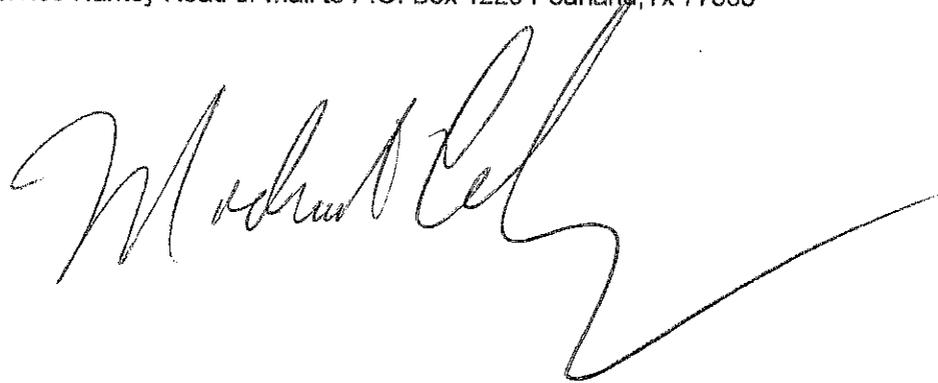
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Micahel Calaya  
ADDRESS: 2038 WILANIR LN  
CITY/ST: Pearland TX  
PHONE: 281-485-1068

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



Duplicate

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I support the use of 2106 Oday Road as an Automotive Repair Facility.  
 I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Sylvia Ortega  
ADDRESS 2038 Molanae Ln  
CITY/ST Pearland Tx 77581  
PHONE 281-960-0029

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa, Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: MARGIE PERRY  
ADDRESS 2154 MELANIE LANE  
CITY/ST PEARLAND TX. 77581  
PHONE 281-485-2876

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



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I support the use of 2106 Oday Road as an Automotive Repair Facility.  
 I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Kenneth Hawkins  
ADDRESS: 2033 Melanie Ln  
CITY/ST: Pearland TX  
PHONE: 281-433-278

Thank you,  
James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers  
Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Byron Baker  
ADDRESS 2010 Carroll Dr.  
CITY/ST Pearland, Tx 77581  
PHONE 832-474-1849

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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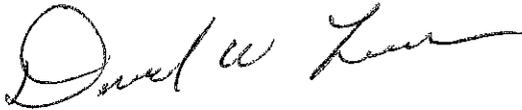
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Donald Lucas  
ADDRESS 6433 Dotler DR.  
CITY/ST Pearland TX  
PHONE 281485 5757

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



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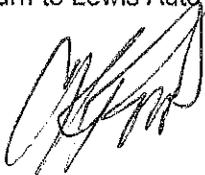
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: KENT FORD  
ADDRESS: 2145 KELLY DR  
CITY/ST: PEARLAND, TX  
PHONE: 281-414-5409

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Kerri Beam  
ADDRESS 2226 Kelly Dr  
CITY/ST Pearland, TX  
PHONE 281-997-0645

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Kerri Beam*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: KAY LEE  
ADDRESS 6306 Kelly  
CITY/ST Pearland TX  
PHONE 281-485-5263

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christoper Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Kay Lee*

We are James and Paula Leach. We purchased the building at 2106 Oday Road. We also own Lewis Auto Service and were planning to use this property as an extension of this business. The city of Pearland seems to object to the use of this property as an Automotive Repair Facility. We have served the citizens of this community for close to 40 years and have been honest and fair with our customers. We need your support in this endeavor. This information will be turned over to the City of Pearland.

I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: DONALD E LEE

ADDRESS 6306 KELLY

CITY/ST PEARLAND, TEXAS 77581

PHONE 281-485-5263

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, TX 77588

*Donald E. Lee*

*Duplicate*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: DAVID NUGENT  
ADDRESS 2213 MELANIE LANE  
CITY/ST PEARLAND TX  
PHONE 281-997-1589

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christoper Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*David E Nugent*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: James Medearis  
ADDRESS 2201 Medawre  
CITY/ST Pearland Tex  
PHONE 7139106160

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: TERRY PERRY  
ADDRESS 2046 MELANIE  
CITY/ST PEARLAND TX 77581  
PHONE 832-865-8819

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Terry L. Perry*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Megna McCracken  
ADDRESS: 7645 Melanie  
CITY/ST: Pearland Tx 77581  
PHONE: 281 485-2250

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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*Megna McCracken*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: RALPH BARNES  
ADDRESS 2049 MELANIE LN  
CITY/ST PEARLAND, TX  
PHONE 281-827-8324

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christoper Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Mary L. Freiley  
ADDRESS 2153 Michael Lane  
CITY/ST Pearland, Texas 77581  
PHONE 281-485-2540

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Mary L. Freiley*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Matt Johnson  
ADDRESS 2731 Melaine Ln  
CITY/ST Pearland, Tx  
PHONE 503-730-9281

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Wendy Johnson  
ADDRESS 2137 Melanie Lane  
CITY/ST Pearland  
PHONE 503-730-9834

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Stan Jones  
ADDRESS 2125 Melanie  
CITY/ST Pearland TX  
PHONE 281-485-4625

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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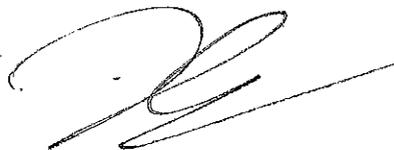
NAME: HAI MAI  
ADDRESS 6201 BUTLER RD  
CITY/ST Pearland  
PHONE (713) 732-2132

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: LINDA RANSOM

ADDRESS 2054 MICHAEL LA

CITY/ST PEARLAND

PHONE 281-997-2470

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: MARIO MARTENEZ  
ADDRESS 2129 Michael  
CITY/ST PEARLAND, TX  
PHONE \_\_\_\_\_

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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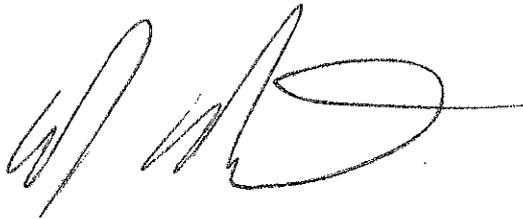
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Randy Marsh  
ADDRESS 6406 MARSHA  
CITY/ST PEARLAND  
PHONE 832 274 2039

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Charlie E. Price Jr.  
ADDRESS 6317 Butler  
CITY/ST Pearland, Tx. 77581  
PHONE 281-9141353

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Charlie E. Price Jr.*

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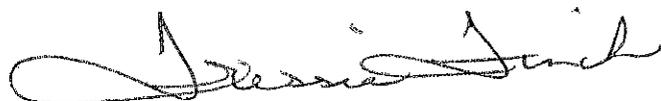
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Tressia Finch  
ADDRESS 6233 Butler  
CITY/ST Pearland TX  
PHONE 281-508-6222

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Garry Finckle  
ADDRESS 6233  
CITY/ST Pearland TX  
PHONE 281-508-6222

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, TX 77588



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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Guadalupe Pineda  
ADDRESS 6426 Kelly Ln  
CITY/ST Pearland TX  
PHONE 281 450 8212

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77586



2106

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: JOEHN CLARENCE H  
ADDRESS 2110 MICHAEL LN  
CITY/ST PEARLAND TEXAS  
PHONE 281-485-3689

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Clarence H. Koehn*

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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Byron & Nancy Guess  
 ADDRESS 6410 Butler Rd.  
 CITY/ST Pearland, TX  
 PHONE 713-823-3789

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Nancy Guess*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: LARRY C. RILEY  
 ADDRESS: 2049 KELLY DR.  
 CITY/ST: PEARLAND TX  
 PHONE: 281-485-5019

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Larry C. Riley*

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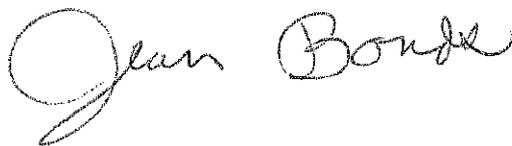
I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: JEAN BONDS  
ADDRESS 2053 KELLY DR.  
CITY/ST PEARLAND, TX 77581  
PHONE 281-485-1542

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



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I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: JOSEPH P FLANNAGAN

ADDRESS 2129 Kelly

CITY/ST Pearland, TX

PHONE 281 - 485 - 1389

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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     I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Sherry Greene  
ADDRESS 2126 Kelly  
CITY/ST PEARLAND TX 77581  
PHONE 713-447-2743

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa, Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Sherry Greene*

*Duplicate*

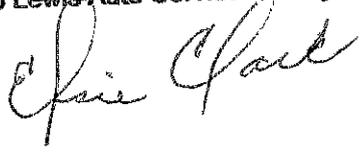
We are James and Paula Leach. We purchased the building at 2106 Oday Road. We also own Lewis Auto Service and were planning to use this property as an extension of this business. The city of Pearland seems to object to the use of this property as an Automotive Repair Facility. We have served the citizens of this community for close to 40 years and have been honest and fair with our customers. We need your support in this endeavor. This information will be turned over to the City of Pearland.

I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Elsie CHARK  
ADDRESS 2126 Kelly DR.  
CITY/ST PEARLAND TX.  
PHONE 2814850439

Thank you,  
James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christoper Rogers, Tino Nava, Beau Alexander, and David Myers  
Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588



Duplicate

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Bill Perry  
ADDRESS 2154 Melanie  
CITY/ST 77581  
PHONE 281 485 2874

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa, Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Bill Perry*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: NITA ANKENBRUCK  
 ADDRESS 6222 KELLY LN.  
 CITY/ST PEARLAND, TX 77581  
 PHONE 281-485-1703

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Nita Ankenbruck*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: John & Antonia Lopez  
 ADDRESS 2137 O'Day Rd  
 CITY/ST Pearland, Tx 77581  
 PHONE 281-997-8082

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Antonia Lopez*

2106

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Monica Lura  
ADDRESS 2106 Kelly Dr.  
CITY/ST Pearland TX 77581  
PHONE 713-319-4547

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Walter BRESET  
ADDRESS 2105 MELANIE Ln  
CITY/ST Pearland TX  
PHONE 281 997 9437

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Debbie Fuvor  
ADDRESS 6402 Kelly LN  
CITY/ST Pearland, Tx 77581  
PHONE 281-413-4489

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christoper Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Debbie Fuvor*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: TIM + MARY Hayden  
ADDRESS 6322 Kelly  
CITY/ST Pearland, TX 77581  
PHONE 281-485-6623

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,

Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Mary Hayden T. Hayden*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: LEO ZAMORA & JANIE ZAMORA  
ADDRESS 2110 Melanie Lane  
CITY/ST Pearland, Tx 77581  
PHONE 832 466 9728

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christoper Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Leo Zamora Janie Zamora*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.

I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Alfredo Sanchez  
ADDRESS 6508 Butlervd  
CITY/ST Pearland, TX 77581  
PHONE 832 969 1908

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christopher Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

*Alfredo Sanchez*  
*Martha Sanchez*

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I support the use of 2106 Oday Road as an Automotive Repair Facility.  
 I do not support the use of 2106 Oday Road as an Automotive Repair Facility.

NAME: Nelda Martinez  
ADDRESS 2126 Oday Rd  
CITY/ST Pearland TX 77581  
PHONE 713-854-9056

Thank you,

James Leach, Paula Leach, Christian Leach, Carlos Hinojosa, Andrew Hinojosa,  
Christoper Rogers, Tino Nava, Beau Alexander, and David Myers

Return to Lewis Auto Service Harkey Road or mail to P.O. Box 1225 Pearland, Tx 77588

**P&Z AGENDA  
ITEM**

**C**

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD OCTOBER 21, 2013, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**CONDITIONAL USE PERMIT NO. CUP 2013-09**

A request of James Leach, applicant/owner, for approval of a Conditional Use Permit, within a proposed General Commercial (GC) zoning district, to allow an *Auto Repair (Major)* facility on approximately for .63 acres of land, on the following described property, to wit:

**Legal Description:** Block 3, Lot 9, being .63 acres of the Final Plat of Hickory Creek Place; a subdivision of 100.09 acres of land comprised of 10 blocks and 133 lots; being s subdivision of tracts 17, 18, 19, 20, 21, 30, 31, 32, 33 and 34 of a subdivision of the H.T. & B. R.R. CO. Survey, Section 7, Abstract 219, Brazoria County, Texas.

**General Location:** 2106 O'Day Rd, 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 OCTOBER 21, 2013

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### Conditional Use Permit No. CUP 2013-09

A request of James Leach, applicant/owner, for approval of a Conditional Use Permit, within a proposed General Commercial (GC) zoning district on approximately .63 acres of land, on the following described property, to wit:

**Legal Description:** Block 3, Lot 9, being .63 acres of the Final Plat of Hickory Creek Place; a subdivision of 100.09 acres of land comprised of 10 blocks and 133 lots; being s subdivision of tracts 17, 18, 19, 20, 21, 30, 31, 32, 33 and 34 of a subdivision of the H.T. & B. R.R. CO. Survey, Section 7, Abstract 219, Brazoria County, Texas.

**General Location:** 2106 O'Day Rd, Pearland, TX

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

Planning and Zoning Commission:	October 21, 2013*
City Council for First Reading:	November 11, 2013*
City Council for Second Reading:	November 25, 2013*

(\*dates subject to change)

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**SUMMARY:** James Leach, applicant/owner is requesting approval of a Conditional Use Permit (CUP) to allow for an *Auto Repair (Major)* facility at the above referenced location. In order to facilitate the request, the applicant has also submitted application for a change in zoning (2013-16Z) from Garden/O'Day-Mixed Use (G/O-MU) to General Commercial (GC), as the proposed use is not permitted in the existing zoning district. In order for Council to approve this request, the associated Zone Change request must be approved prior to the approval of this request.

The applicant proposes a full service automotive repair shop, similar to Lewis Auto Service located on Harkey Road, which is also owned by the applicant. As mentioned, the proposed use is classified as *Auto Repair (Major)* by the Unified Development Code (UDC)'s Land Use Matrix and is not a permitted use in the existing zoning district of G/O-

MU.

The scope of work at the subject site (O'Day Road location) will be to run fleet work. The applicant/owner provides vehicle repair work to Strickland Chevrolet, Beck and Masten, Donlen Fleet, Xtreme Bedlines, etc., by picking up their vehicles, repairing them and delivering them back to the business. Normal hours of operation are from 8:00am to 6:00pm Monday-Friday, and 8:00am to 12:00pm on Saturdays.

The site is currently developed with an approximately 4,000 square foot office/warehouse building, which, according to appraisal district records, was originally constructed in 1993, with improvements added in 2004. According to City utility records, the prior business at the subject site was Roy Shugart Glass and Mirror; a company which specialized in custom glass and window repair. The aforementioned commercial use was located at the subject site from August, 2004 to November 12, 2012.

Due to the proposed change in occupancy, the existing building would have to conform to façade requirements. The site is located on a secondary thoroughfare, and as such, requires 100% masonry or glass on any wall or portion of a wall visible from the roadway (public or private) or abutting residential zoning districts. The standard would apply along the east side of the property fronting O'Day Road and portions of all facades, if visible from the roadway or abutting residential properties. A 25-foot wide buffer is required along the west property line; adjacent to existing residential uses, except this buffer shall be at least 30 feet wide if screening is achieved by a vegetative screen and not an opaque screening wall.

The parking requirements for *Auto Repair (Major)* is one space per 200 square feet of gross floor area, excluding office space. The site currently has 6 parking spaces, including 1 handicap parking space. The applicant will be required to add additional parking, however details on the exact number of spaces to be added will be addressed at the time of site plan.

**SURROUNDING ZONING AND LAND USES:**

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Garden/O'Day Mixed Use (G/O-MU)	Storage/Warehouse, predominantly Single Family Residential
<b>South</b>	Garden/O'Day Mixed Use (G/O-MU)	Storage/Warehouse, predominantly Single Family Residential
<b>East</b>	Garden/O'Day Mixed Use (G/O-MU)	Single Family Residential
<b>West</b>	Single Family Residential 1 (R-1)	Single Family Residential

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is located within the Garden/O’Day Mixed Use zoning district. The general regulations of the existing and proposed zoning districts are consistent. The existing building is nonconforming as it relates to the minimum lot width and the minimum side yard setback on the south side of the property. The minimum side yard is 10 feet. The existing building encroaches into the side yard setback. The minimum lot width in both zoning districts is 150 feet. The site width is 125 feet. A comparative analysis of the general regulations of the existing (G/O-MU), and proposed (GC) zoning districts, as well as existing site conditions follows:

<b>General Regulations</b>	<b>GO-MU (Existing)</b>	<b>GC (Proposed)</b>	<b>Existing Site</b>
Minimum Lot Size	22,500sq. ft.	22,500 sq. ft.	27, 500 sq. ft.
Minimum Lot Width	150 ft.	150 ft.	125 ft.
Minimum Lot Depth	125 ft.	125 ft.	220 ft.
Minimum Front Setback	25 ft.	25 ft.	40.49 ft.
Minimum Side Setback	10 ft.	10 ft.	5.32 ft. & 45 ft.
Minimum Rear Setback	30 ft.*	30 ft.*	45 ft.

\* The minimum rear yard is 25 feet in both the existing (GO-MU) and proposed (GC) zoning districts, except there shall be a minimum 30-foot wide landscape buffer between nonresidential and single family if screening is achieved by a vegetative screen and not an opaque screening wall. A 25-foot wide buffer may be used, if in conjunction with a masonry wall.

**SITE HISTORY:** Prior to the adoption of the UDC in 2006, the subject property was located within the Commercial (C) zoning district, contained in the Urban Land Use and Development Ordinance. The proposed use of *Auto Repair (Major)* was classified as *Auto Sales and Repair (in Building)*, and was a permitted use. The current UDC does not permit the proposed use in the property’s existing zoning district of G/O-MU.

**PLATTING STATUS:** The property was platted in 1965 as Block 3, Lot 9, Hickory Creek Place.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The site is located within the *Garden O’Day Mixed Use Future Land Use Designation*. The goal of the 1999 Future Land Use Plan in relation to the O’Day Road area was to transition the area from existing uses to residential uses with allowances for General Business uses with the intent to permit an extensive variety of commercial uses, including retail trade, personal and business service establishments, offices and commercial recreational uses of limited scope.

As a result of the 2004 Comprehensive Plan Update, it was determined that the O’Day Road area should include mixed use developments in order to maintain consistency between the City’s adopted plan and the UDC. Acceptable land uses within the

Garden/O'Day Mixed Use District include the following:

- Single-family residential
- Manufacturing businesses
- Fabrication businesses
- Technology businesses
- Retailing
- Manufactured homes
- Light commercial

As a result of the transition of this area, most of the existing non-residential uses are considered nonconforming. One of the main goals of the Garden O'Day Mixed Use District is to bring the majority of existing nonresidential uses into conformance. New uses should be closely defined and should be consistent with the types of uses that preserve the residential character of the district. There are currently no existing Auto Repair facilities within the vicinity.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on O'Day Road; a secondary thoroughfare, with a minimum of 100' right-of-way. It appears that there is sufficient right-of-way to comply with the thoroughfare plan.

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

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed use of *Auto Repair (Major)* is a permitted use in the proposed zoning GC zoning district with approval of a Conditional Use Permit (CUP). However, the proposed use is not a permitted use in the existing zoning district of G/O-MU, with or without approval of a CUP. If the zone change is approved as requested, the proposed use will allow nonresidential uses which may prove to be incompatible with existing uses and would contradict the intent of the district, which is to allow the continuation of existing nonresidential uses, while respecting and preserving residential uses that now co-exist with nonresidential uses.

A Traffic Impact Analysis (TIA) is not required for the proposed use to determine any adverse effects on traffic as no expansions for the current proposal are anticipated. There is currently no detention on site and will be required for any future expansions.

The site is currently considered non-conforming. As a result of the change in use, improvements would be required including façade requirements, to include 100% masonry where visible from the right-of-way or abutting residential properties; parking lot screening, and refuse container screening.

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

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

**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Based on notices that the applicant sent to nearby property owners, staff has received six (6) notices from property owners within 200 feet of the site in opposition to the request, which represents 39% of the total land area within 200 feet of the site. Per Section 211.006 of the Texas Local Government Code, a supermajority vote is required by City Council to approve this zone change request, as opposition within 200 feet of the site exceeds 20% of the land area within the required notification range.

Additionally staff received 65 notices within the vicinity, including the adjacent neighborhood, but outside of the 200 foot buffer area, which are opposed to the request. The notices submitted do not indicate opposition to the Zone Change or associated Conditional Use Permit, rather they indicate opposition to the proposed use. The opposition letters received at the time of this report have been provided to Council.

**CRITERIA FOR APPROVAL:** When considering an application for a Conditional Use Permit, the Planning and Zoning Commission and City Council shall evaluate the impact of the proposed use on and its compatibility with surrounding properties and residential areas to ensure the appropriateness of the use at the particular location, and shall consider the extent to which:

- (1) The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;
- (2) The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
- (3) The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
- (4) The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
- (5) The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development

generated traffic on neighborhood streets;

- (6) The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and
- (7) The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

**Conditions:** The City Council may require such modifications in the proposed use and attach such conditions to the Conditional Use Permit as the City Council deems necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of this section. Should City Council consider approving the request, and identifies negative impacts which it feels are able to be mitigated, conditions and modifications may be placed on the approval of the Conditional Use Permit.

**STAFF RECOMMENDATION:** Staff is unable to recommend approval of the Conditional Use Permit to allow the operation of an *Auto Repair Facility (Major)* in the proposed General Commercial (GC) zone for the following reasons:

1. The proposed request does not conform to the Future Land Use element of the Comprehensive Plan.
2. The requested use appears to be incompatible with nearby properties and surrounding residential uses.
3. If approved, the proposed request could result in adverse impacts to the quality of life of surrounding residents, which are not able to be mitigated.
4. The request does not appear to meet any of the criteria for approval for a Conditional Use Permit, as listed above.

**SUPPORTING DOCUMENTS:**

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



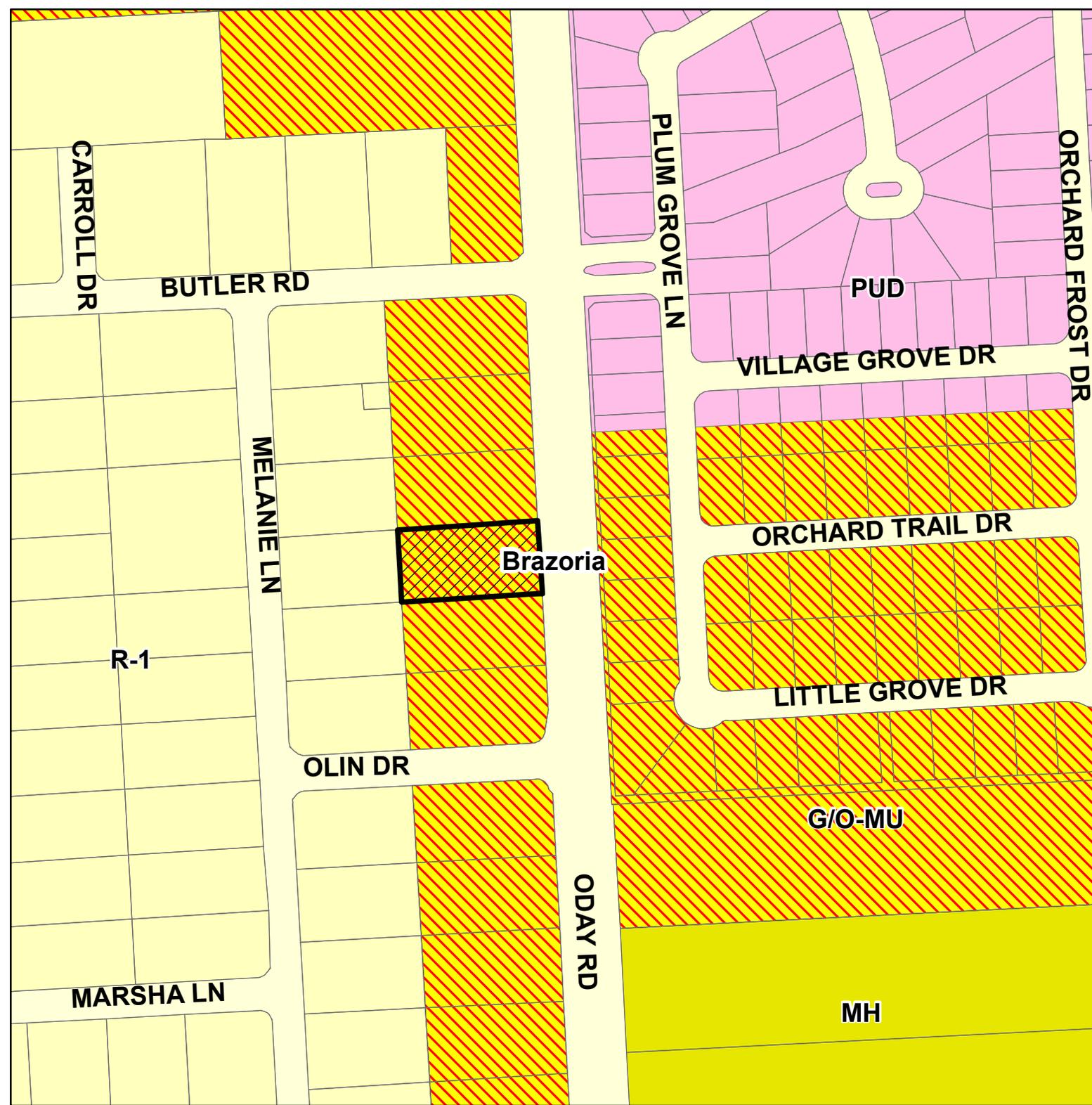
**Zoning and Vicinity Map**

**CUP 2013-09**

**2106 O'Day 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 55 110 220 Feet





**Abutter Map**

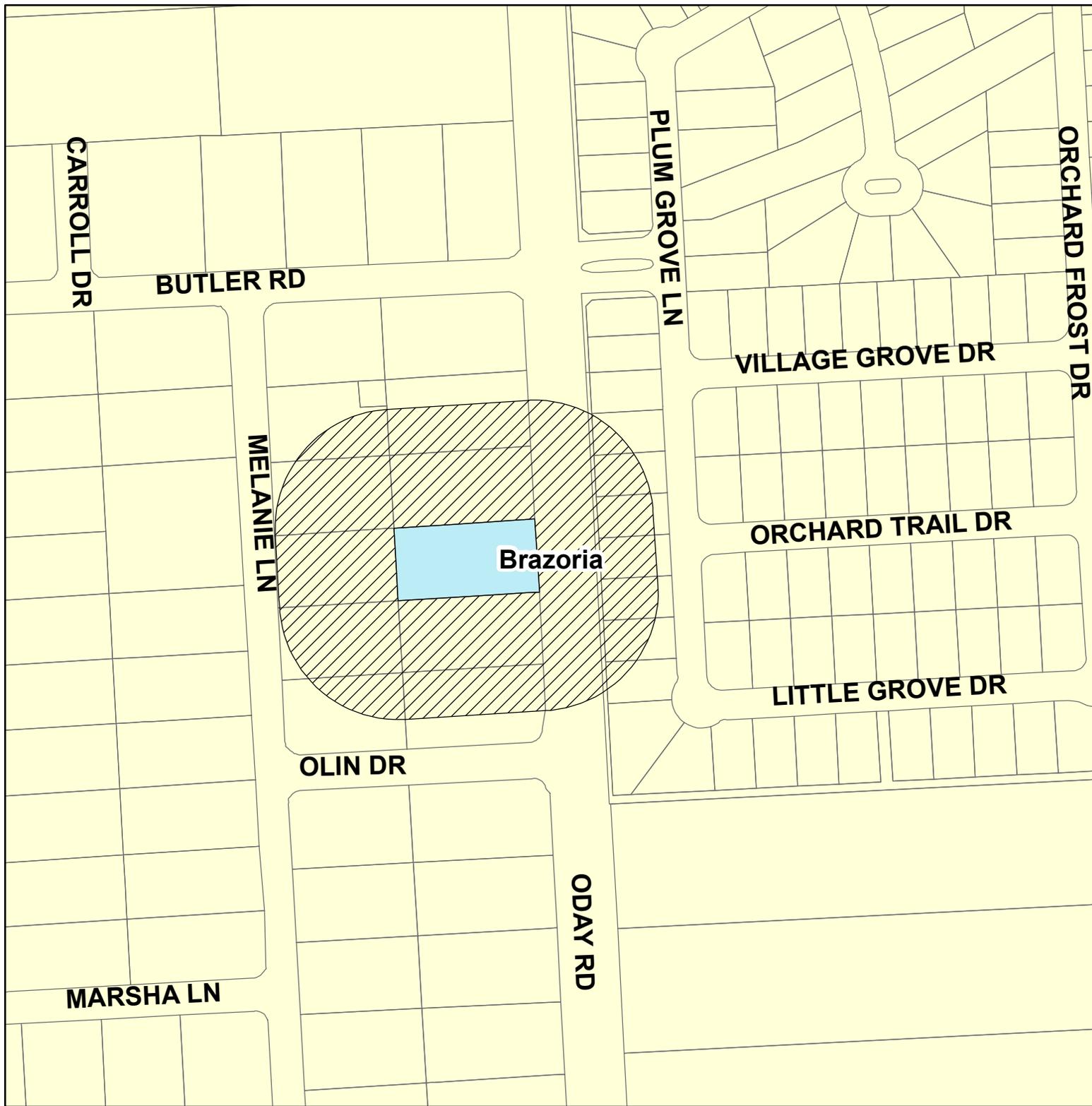
**CUP 2013-09**

**2106 O'Day Rd.**

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**N**

0 55 110 220 Feet



## CUP 2013-09

2106 O'Day

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
KB HOME LONE STAR LP	11320 RICHMOND AVE	HOUSTON	TX	77082
JONES CECIL H JR	2018 PLUM GROVE LN	PEARLAND	TX	77581
VILLAGE GROVE HOMEOWNER ASSN INC	12603 LOUETTA RD #101	CYPRESS	TX	77429
O'NEILL ROBIN RENEE	PO BOX 890548	HOUSTON	TX	77289
MCCRACKEN MYRNA LEE	2045 MELANIE LN	PEARLAND	TX	77581
PINTO ERWIN A MIXCO	2117 MELANIE LN	PEARLAND	TX	77584
JONES STANLEY	2125 MELANIE LN	PEARLAND	TX	77581
RATCLIFF JOHN C	4803 ARROWHEAD LAKE DR	MISSOURI CITY	TX	77459
BARNES RALPH W JR	2049 MELANIE LN	PEARLAND	TX	77584
SHUGART ROY M & KYLE A	1102 CHEYENNE RIDGE DR	ROSHARON	TX	77583
BRESEE WALTER & GLENDA	2105 MELANIE LN	PEARLAND	TX	77581
MORTON MICHAEL D & ELIZABETH C	PO BOX 410	PEARLAND	TX	77588
MARTINEZ OSCAR J & NELDA	2126 ODAY RD	PEARLAND	TX	77581

Public / Semi-Public

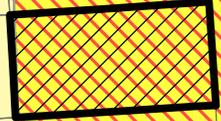
CARROLL DR

BUTLER RD

MELANIE LN

Brazoria

Low Density Residential



Garden/O'Day Mixed Use Dist

PLUM GROVE LN

VILLAGE GROVE DR

ORCHARD FROST DR

LITTLE GROVE DR

OLIN DR

ODAY RD

MARSHA LN



FLUP Map

CUP 2013-09

2106 O'Day Rd.

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0 55 110 220 Feet





Aerial Map

CUP 2013-09

2106 O'Day 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.

N

0 40 80 160 Feet





# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

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

Conditional Use Permit Request for: Auto Repair - Major  
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: G/O - M/U (BC Request in Process)

**Property Information:**

Address or General Location of Property: 2106 OPAV Rd

Tax Account No. \_\_\_\_\_

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

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

**PROPERTY OWNER INFORMATION:**

NAME James Leach  
ADDRESS 4419 Sylvia Lane  
CITY Manvel STATE Tx ZIP 77578  
PHONE( 281 ) 485-4435  
FAX( 281 ) 485-4620  
E-MAIL ADDRESS jaslewis@sbcglobal.net

**APPLICANT/AGENT INFORMATION:**

NAME Same  
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: [Signature] Date: 9/19/13

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

**OFFICE USE ONLY:**

FEES PAID: <u>\$250.00</u>	DATE PAID: <u>9/19/13</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>358429</u>
----------------------------	---------------------------	---------------------------------	-------------------------------

Application No. CUP 2013-09

This property is located in the 100 year flood plain & is in insurance rate trap zone 'AE' as per map 4889C 00301 dated 09-22-99.

SCALE: 1"=20'

**LEGEND**

- R.O.W. - RIGHT OF WAY
- I.R. - IRON ROD
- FND. - FOUND
- o--- CHAIN LINK FENCE
- B.L. - BUILDING LINE
- R.O.W. - RIGHT-OF-WAY
- PP - POWER POLE
- E.E. - UTILITY EASEMENT
- A.E. - AERIAL EASEMENT
- B.C.D.R. - BRAZORIA COUNTY DEED RECORDS

**NOTES**

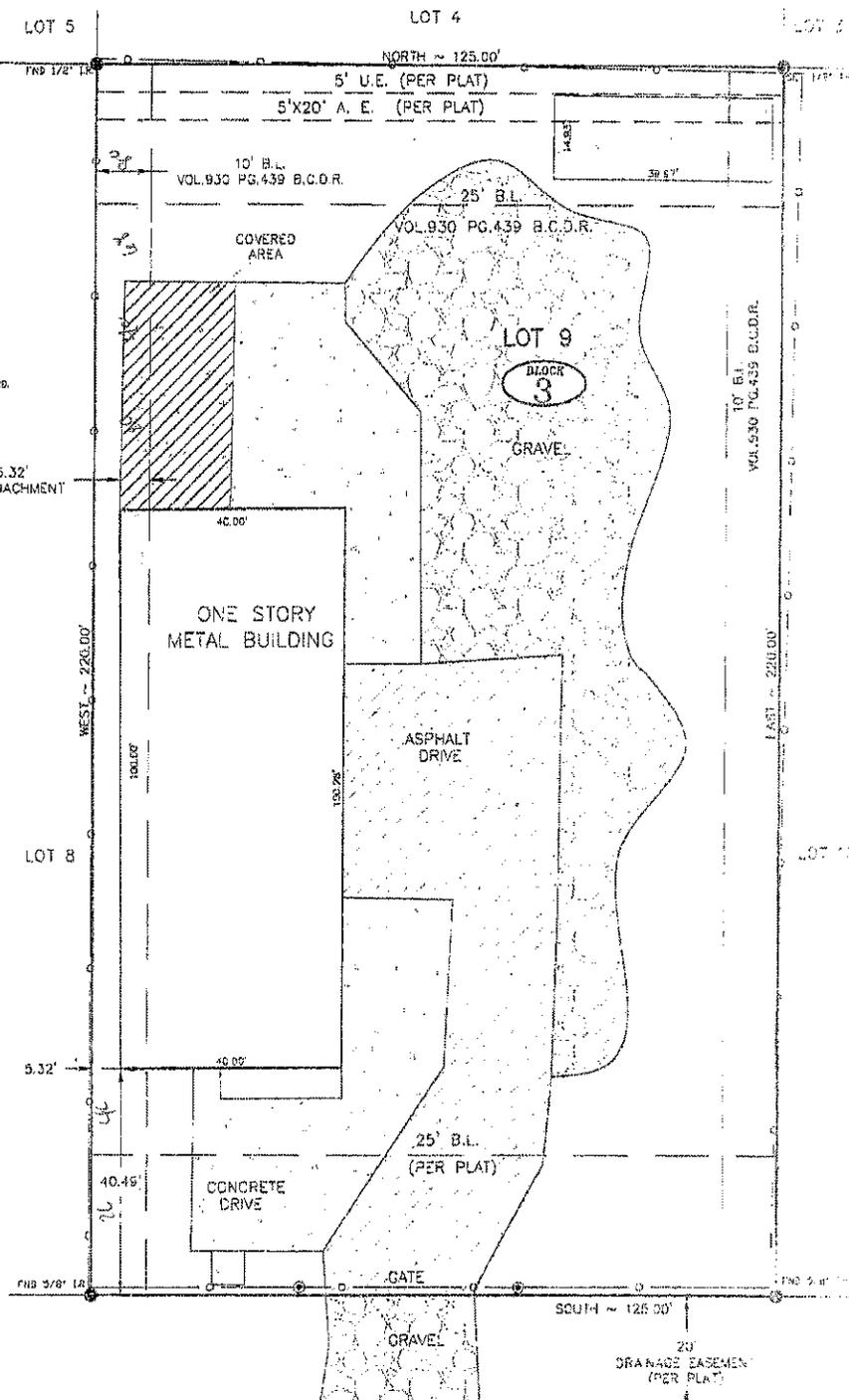
- 1) BASES FOR BEARINGS ASSUMED AS PLATTED
- 2) DISTANCES SHOWN ARE GROUND DISTANCES
- 3) ALL ADS "AS" DONE BY TITLE COMPANY
- 4) SURVEY BASED ON BEST OF EVIDENCE FOUND.



I, MICHAEL D. MORTON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE PLAT HEREON CORRECTLY REPRESENTS THE RESULTS OF AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN.

DATED THIS THE 14 DAY OF May 2013

MICHAEL D. MORTON - R.P.L.S. NO. 3686



O'DAY ROAD (a.k.a. - Co. Rd. 558)  
60' R.O.W.

THIS CERTIFICATION IS REVOKED AND THIS SURVEY IS NULL AND VOID IF THIS DOCUMENT IS ALTERED IN ANY MANNER, USED OR RELIED UPON IN ANY MANNER OTHER THAN THE PARTIES ADDRESSED BELOW, OR DOES NOT BEAR AN ORIGINAL SIGNATURE AND SEAL OF THE R.P.L.S. MICHAEL D. MORTON, NO. 3686.

LOTS	9	BLOCK	3	SECTION	30
RECORDATION	VOLUME 11, PAGE 1 B.C.M.S.			COUNTY	BRAZORIA
ADDRESS	2106 O'DAY ROAD	CITY	PEARLAND	ZIP CODE	77581
SURVEYOR	JAMES F. LEACH		TITLE RESOURCES GUARANTY CO.		
FILED BY	MW	DATE	05-06-13	ARROW SURVEYING	
DRAWN BY	AM	DATE	05-10-13	P.O. BOX 410 PEARLAND, TEXAS 77585	
CHECKED BY	JH	DATE	05-14-13	(281) 412-2284 FAX(281) 412-2314	



## LETTER OF INTENT

To Whom It May Concern:

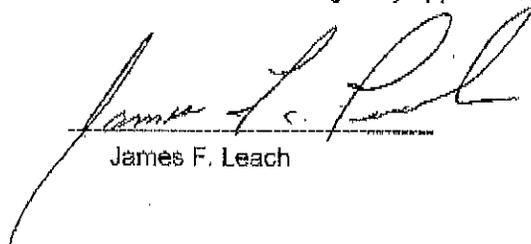
We are James and Paula Leach. We own Lewis Auto Service on Harkey Road. We are a full service automotive repair shop that has served Pearland since 1986. We perform general automotive repair such as general mechanical, ac, computer diagnostics, emissions repair, brakes, etc. We are open from 8 am to 6 pm Monday thru Friday and 8 to 12 on Saturdays.

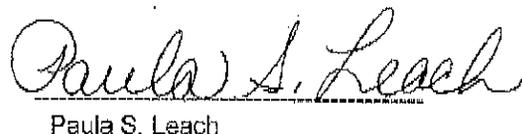
As of 7/2013 we purchased the property at 2106 Oday Road. The intended use of this property was to be used as an overflow for Lewis Auto Service. We work for several companies that require we pickup the vehicle, repair it, and return it to the company. (ie: Strickland Chevrolet, Clayton Funeral Home, Evergreen Livery, Beck and Masten etc). This would be the primary use of the Oday facility.

After we purchased the property we started work on the building. The electrical was repaired, fire extinguishers installed, offices repainted, phone system installed, computer access installed, engineering checks to meet Texas Windstorm and flood and fire insurance etc. We have plans to bring the building and property up to conform with the city. We are looking at having the building stuccoed and bring the parking and landscape into compliance.

Upon filing for a certificate of occupancy we were informed of a zoning discrepancy. The property is listed by the City of Pearland as the Garden Road Oday Mixed Use District (ie: commercial, industrial and/or residential). It is our understanding that the City considers Automotive as General Commercial and would require a zoning change. After several meetings with the Planning Department it was further decided that after the zone change we will need a conditional use permit.

Your consideration in this matter is greatly appreciated.

  
James F. Leach

  
Paula S. Leach

ZONE CHANGE/ VARIANCE/ PLAT/ RECORDATION

#250.00 (circle one) BA or PE or FE

CITY OF PEARLAND  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: AGONZALES Type: OC Drawer: 1  
Date: 9/19/13 01 Receipt no: 358429

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$250.00
Trans number:		4219837

CONDITIONAL USE PERMIT  
2106 O'DAY RD  
JAMES LEACH

Tender detail	
BR CREDIT CARD	\$250.00
Total tendered	\$250.00
Total payment	\$250.00

Trans date: 9/19/13 Time: 13:55:05

Description: Input who the check is from

*Conditional use permit*

COMMENTS/DESCRIPTION (F10):

Location or

Address 2106 O'Day Road

Applicant James Leach

Owner CL

### 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:

*Conditional Use Permit*  
**PROPOSED (SPECIFY REQUEST)**  
 Contact City of Pearland  
 281-852-1768

*J.L.  
10/8/13*

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

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

**P&Z AGENDA  
ITEM**

**D**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 10/15/2013  
**AGENDA ITEM SUBJECT:** Final Plat of Highland Crossing Section 1

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Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Rene Rodriguez of LJA Engineering, Inc., applicant, on behalf of Beazer Homes Texas, LP, owner for approval of the Final Plat of Highland Crossing Section 1, generally located at the 1300 Block of Old Alvin Road.

**Staff Recommendation: Approval**

**Agenda Reviewed by:**

HE  
\_\_\_\_\_

**Date Reviewed:**  
10/17/13  
\_\_\_\_\_



# PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 21, 2013

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## Final Plat of Highland Crossing Section 1

A request by Rene Rodriguez of LJA Engineering, Inc., applicant, on behalf of Beazer Homes Texas, LP, owner for approval of the Final Plat of Highland Crossing Section 1, generally located at the 1300 Block of Old Alvin Road, on the following described property, to wit

**Legal Description:** Being 28.1 acres of land out of the H.T. &B.R.R. Co. Survey, A-233 and R.B. Lyle Survey, A-542 City of Pearland. Brazoria County, Texas.

**General Location:** 1300 Block of Old Alvin Road

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**SUMMARY:** This is a request for a Final Plat of Highland Crossing Section 1, a proposed 59 lot single-family residential subdivision on approximately 28.1 acres. This proposed subdivision is zoned R-2 and has an approved cluster plan in place which allows deviation in lot sizes in return for additional open space and amenities which would not normally be required under the standard development requirements. This final plat is for the area located within Section 1 of the approved Master Plat of Old Alvin Tract.

### SURROUNDING ZONING AND LAND USES:

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

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

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

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

**PLATTING STATUS:** This is the first final plat for the Master Plat of Old Alvin Tract. The preliminary plat for this section was approved in January of 2013.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The subject property is within the *Low Density Residential* future land use designations. The *Low Density Residential* land designation is associated with the SR-12 and R-1 zoning designation. These zones require minimum lot sizes of 12,000 and 8,800 square feet. This proposed plat is not in conformance with the *Low Density Residential* land use designation as the proposed lots are not a minimum of 8,800 square feet. However, a zone change to the Single Family Residential-2 (R-2) zone, considered to be medium density residential, was approved by City Council in October 2012 for this site, allowing for the proposed lot sizes.

**CONFORMANCE WITH THE APPROVED CLUSTER DEVELOPMENT PLAN:** The required amenities indicated in the approved Cluster Development plan have been met for this section of the development. Details on the required amenities for this section will be presented at the Planning and Zoning Commission meeting.

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

**ADDITIONAL COMMENTS:** This plat was discussed at the Development Review Committee meeting. No additional comments were raised that have not been addressed by the applicant.

**TRAFFIC AND TRANSPORTATION:** A Traffic Impact Analysis has been reviewed and approved for this subdivision.

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

subdivision.

**STORMWATER MANAGEMENT:** A Drainage Plan has been approved by the Engineering Department.

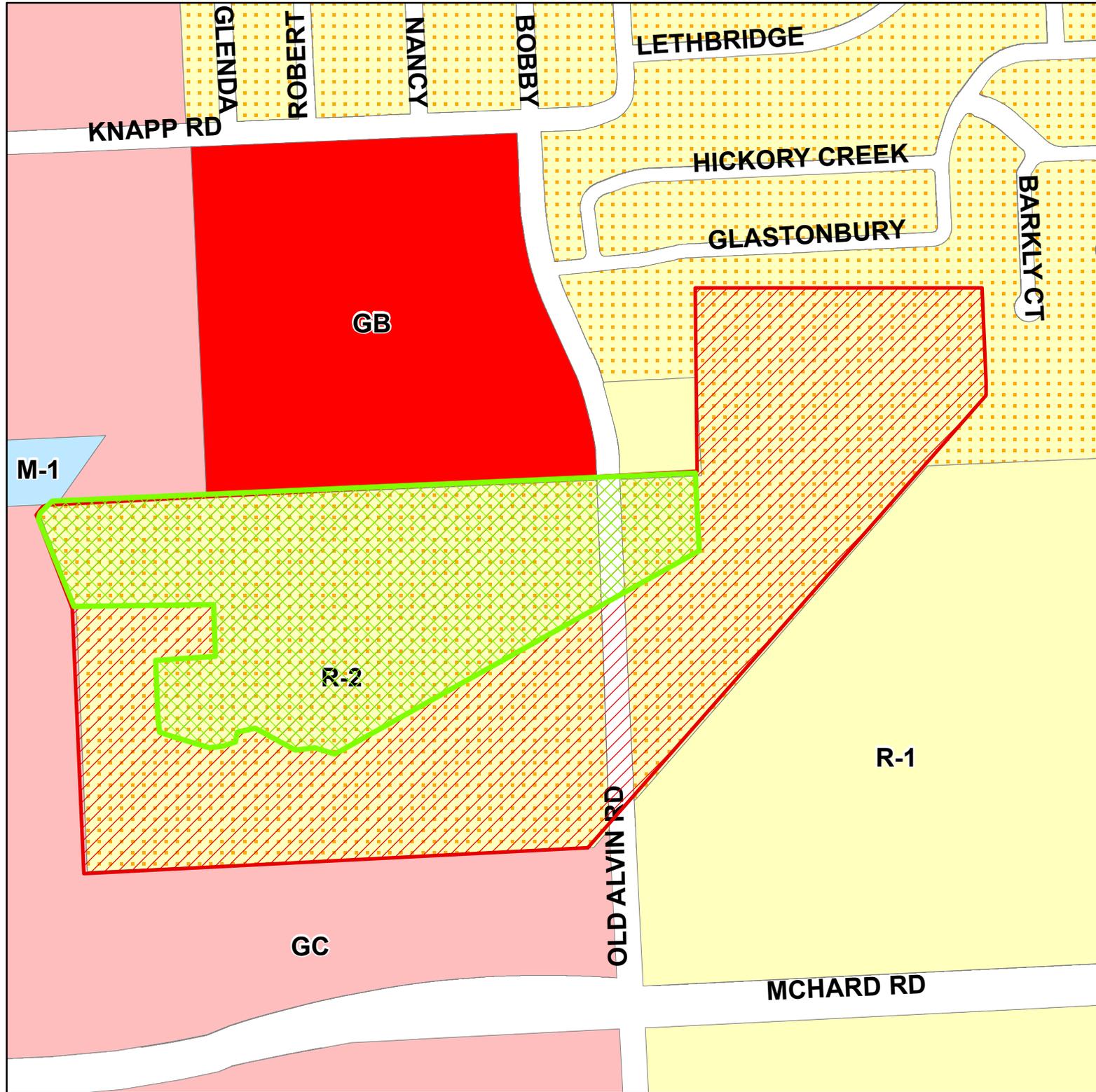
**PARKS, OPEN SPACE, AND AMENITIES:** Parkland dedication fees will be required prior to recordation of any Final Plats. As part of this section, a park will be required within Reserve A, and Reserve B will have to be landscaped to meet the Cluster plan requirements. The trail located along and within the pipeline easement will be constructed as part of Section 2. Staff had asked that the trail be included in Section 1, but due to planned pipeline maintenance in 2013, the applicant requested that it be built at a later time.

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

1. The proposed Final plat will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the Unified Development Code with the approved Cluster Plan
3. The request is in conformance with the approved Old Alvin Tract Master Plat

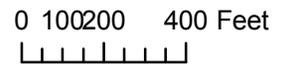
**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Zoning Map
- Aerial Map
- Final Plat of Highland Crossing Section 1



**Zoning & Vicinity Map**  
**Final Plat - Highland Crossing Sec. 1**

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.



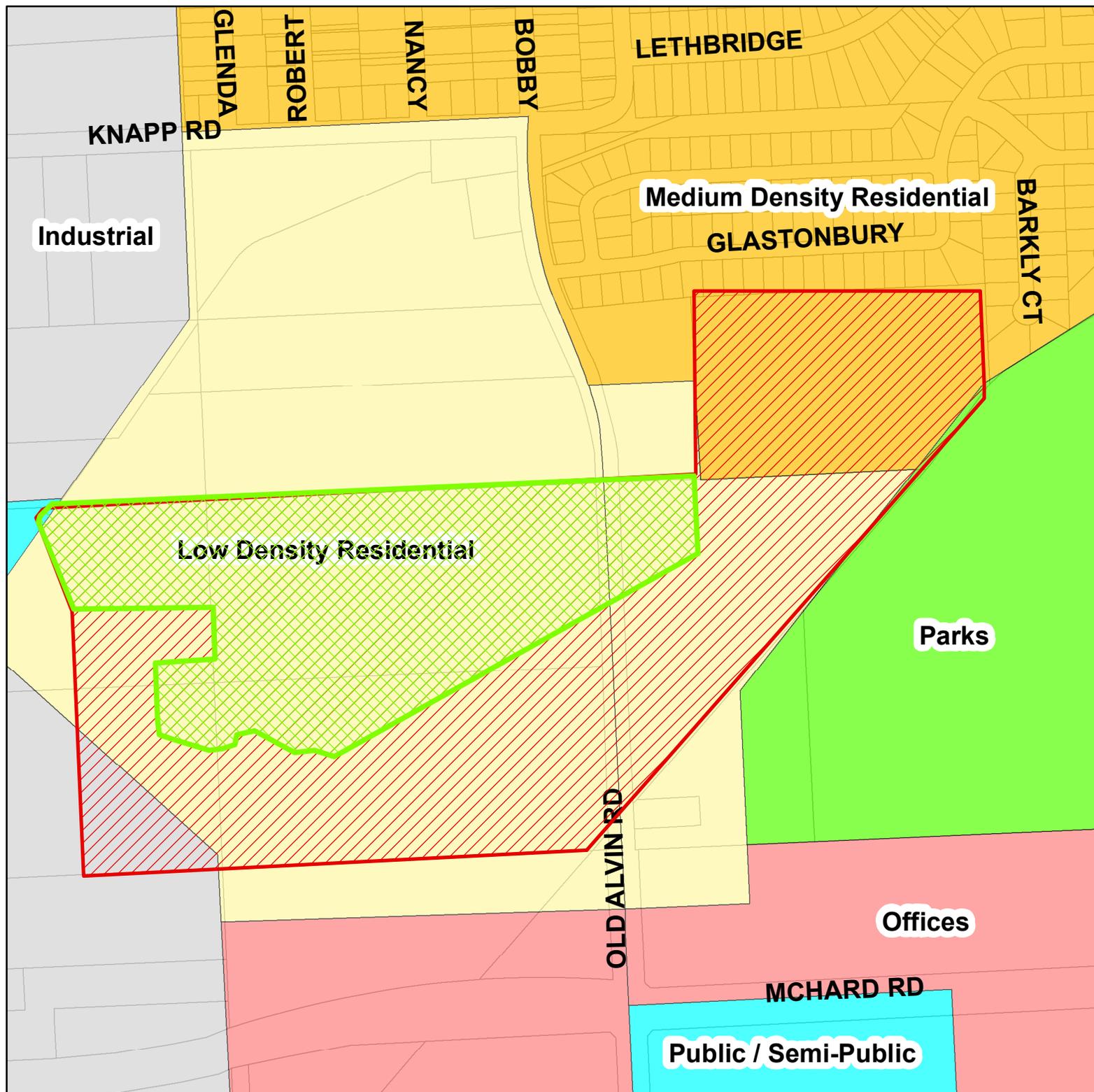


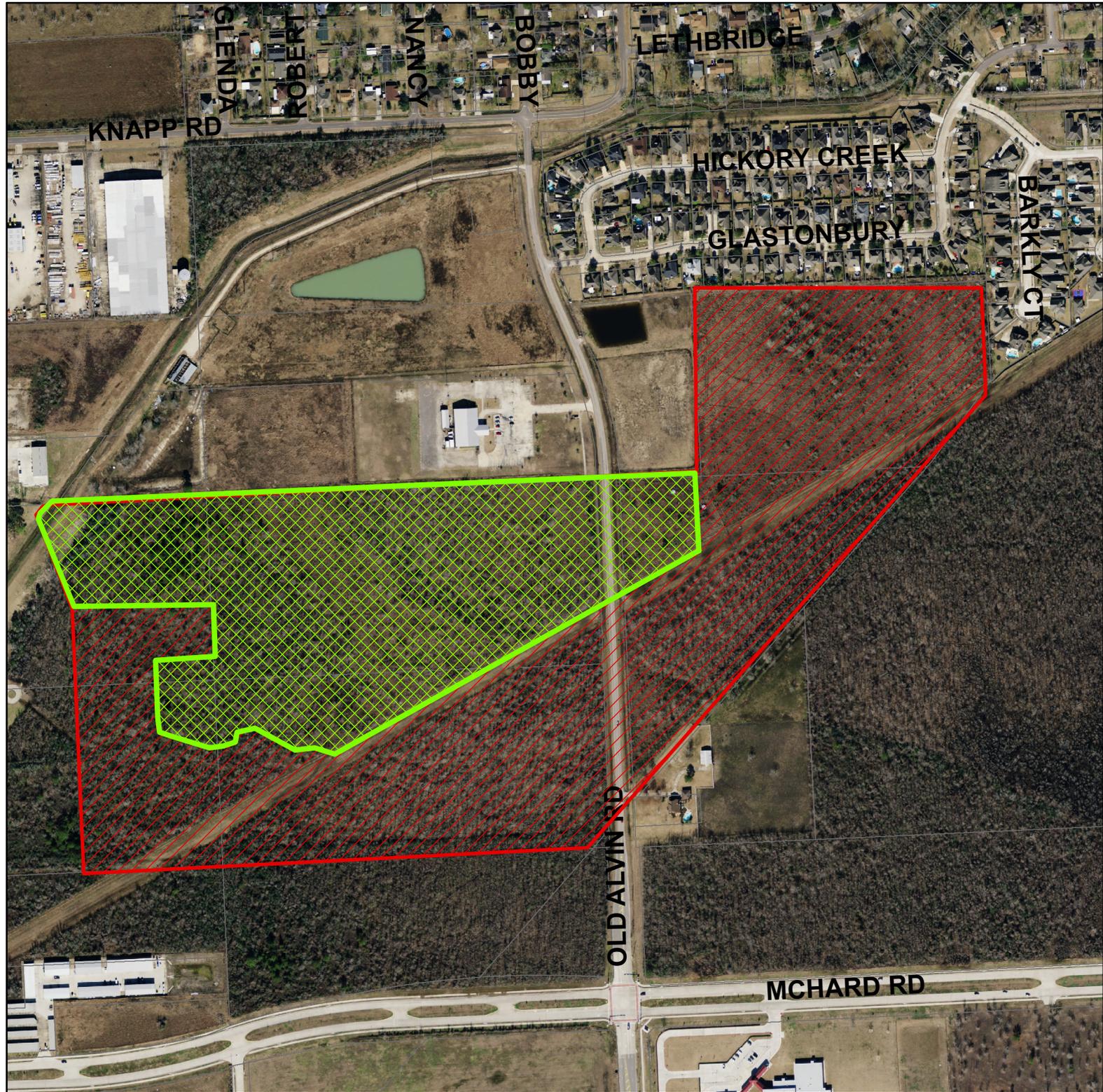
## Future Land Use Map

### Final Plat - Highland Crossing Sec. 1

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0 100 200 400 Feet





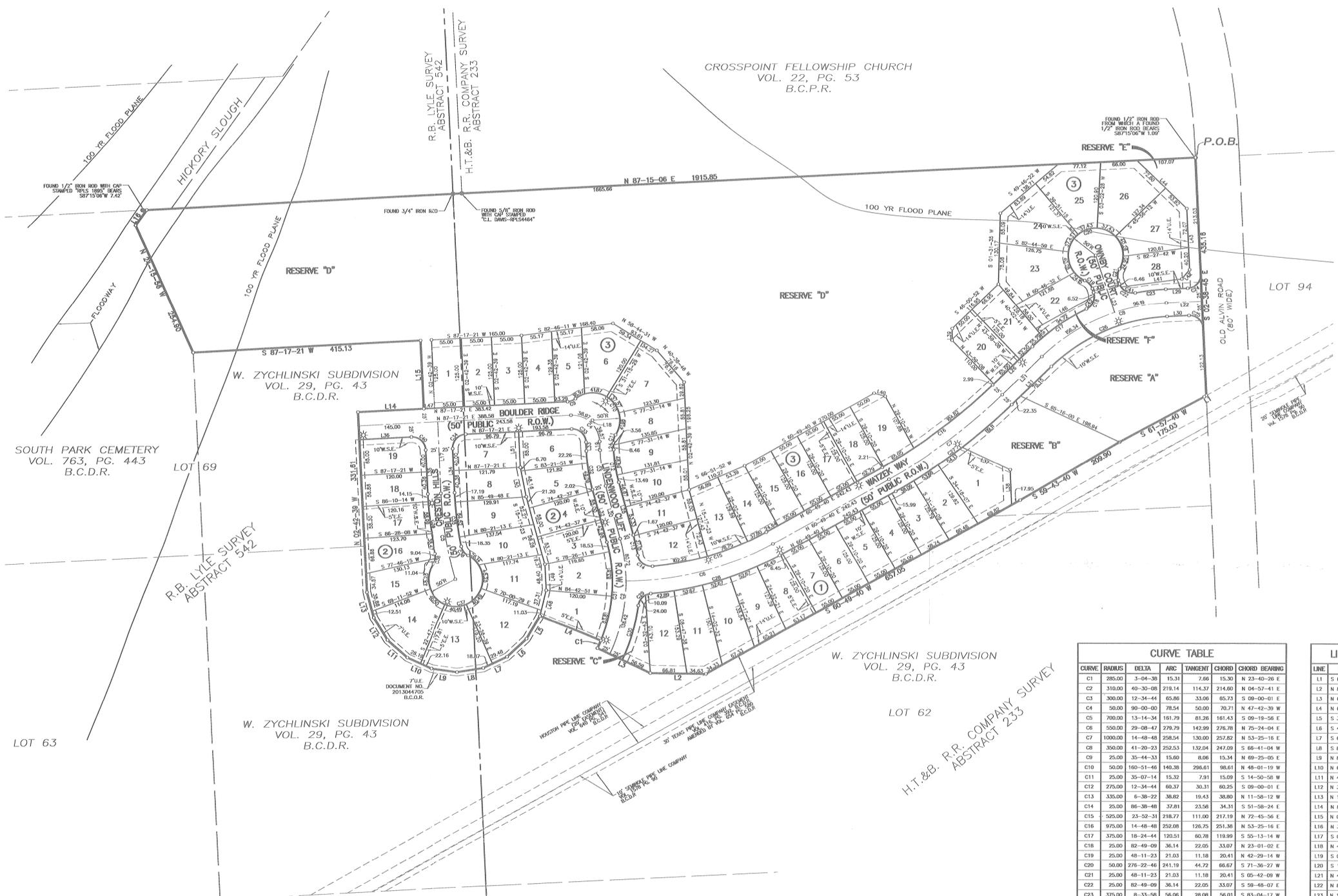
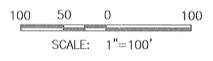
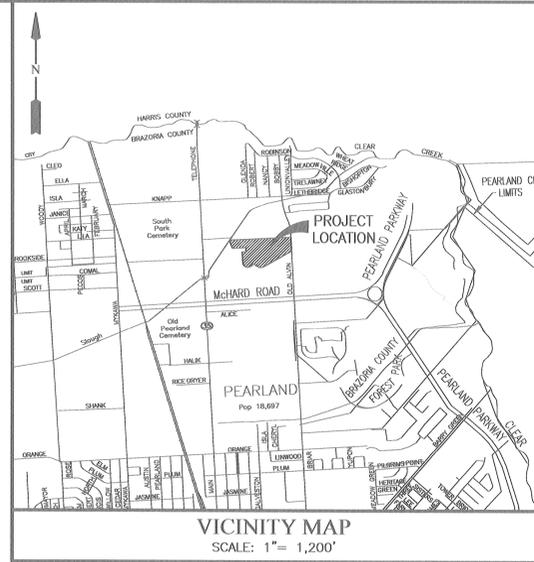
### Aerial Map

### Final Plat - Highland Crossing Sec. 1

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0 100200 400 Feet  
|-----|-----|-----|-----|





RESERVE	ACREAGE	SQ.FT.	TYPE
A	1.141	49,690	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE
B	0.582	25,360	RESTRICTED TO DRAINAGE
C	0.085	3,694	RESTRICTED TO LANDSCAPE/OPEN SPACE
D	12.053	525,024	RESTRICTED TO DRAINAGE
E	0.242	10,531	RESTRICTED TO LANDSCAPE/OPEN SPACE
F	0.039	1,706	RESTRICTED TO LANDSCAPE/OPEN SPACE
TOTAL	14.142	616,005	

- LEGEND**
- EXIST. INDICATES EXISTING
  - U.E. INDICATES UTILITY EASEMENT
  - W.S.E. INDICATES WATER AND SEWER EASEMENT
  - D.E. INDICATES DRAINAGE EASEMENT
  - E.E. INDICATES ELECTRICAL EASEMENT
  - B.C.P.R. INDICATES BRAZORIA COUNTY PLAT RECORDS
  - B.C.D.R. INDICATES BRAZORIA COUNTY DEED RECORDS
  - B.C.C.F. INDICATES BRAZORIA COUNTY CLERKS FILE
  - B.C.O.P.R. INDICATES BRAZORIA COUNTY OFFICIAL PROPERTY RECORDS
  - B.C.M.U.D. INDICATES BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT
  - F.N. INDICATES FILE NUMBER
  - ⊗ INDICATES PROPOSED STREET LIGHT
  - +— INDICATES STREET NAME CHANGE
  - VOL. VOLUME
  - PG. PAGE

CURVE	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
C1	285.00	3-04-36	15.31	7.64	15.30	N 23-40-26 E
C2	310.00	40-30-08	219.14	114.57	214.00	N 04-57-41 E
C3	300.00	12-34-44	65.86	33.06	65.73	S 09-00-01 E
C4	50.00	90-00-00	78.54	50.00	70.71	N 47-42-39 W
C5	700.00	13-14-34	161.79	81.26	161.43	S 09-19-56 E
C6	550.00	29-08-47	279.79	142.99	276.78	N 75-24-04 E
C7	1000.00	14-48-48	258.54	130.00	257.82	N 53-25-16 E
C8	350.00	41-20-23	252.53	132.04	247.09	S 66-41-04 W
C9	25.00	35-44-33	15.60	8.06	15.34	N 69-25-05 E
C10	50.00	160-51-46	140.38	296.61	96.61	N 48-01-19 W
C11	25.00	35-07-14	15.32	7.91	15.09	S 14-50-58 W
C12	275.00	12-34-44	60.37	30.31	60.25	S 09-00-01 E
C13	335.00	6-38-22	36.82	18.43	36.80	N 11-08-12 W
C14	25.00	88-38-48	37.81	23.56	34.31	S 51-58-24 E
C15	525.00	23-52-31	218.77	111.00	217.19	N 72-45-56 E
C16	975.00	14-48-48	252.98	128.75	251.38	N 53-25-16 E
C17	375.00	18-24-44	120.51	60.78	119.99	S 55-13-14 W
C18	25.00	62-49-09	36.14	22.05	33.07	N 23-01-02 E
C19	25.00	48-11-23	21.03	11.18	20.41	N 49-29-14 W
C20	50.00	276-22-46	241.19	44.72	46.07	S 71-36-57 W
C21	25.00	48-11-23	21.03	11.18	20.41	S 05-42-09 W
C22	25.00	82-49-09	36.14	22.05	33.07	S 59-48-07 E
C23	375.00	8-33-58	56.06	28.04	56.01	S 83-04-17 W
C24	25.00	90-00-00	39.27	25.00	35.36	N 42-21-15 E
C25	25.00	90-00-00	39.27	25.00	35.36	N 47-38-45 W
C26	325.00	41-20-23	234.49	122.61	229.44	S 66-41-04 W
C27	1025.00	14-48-48	265.01	133.25	264.27	N 53-25-16 E
C28	575.00	24-39-07	247.40	125.64	245.49	N 73-09-14 E
C29	25.00	78-07-07	34.09	20.29	31.51	S 46-25-14 W
C30	335.00	17-51-05	104.37	52.61	103.95	N 16-17-13 E
C31	285.00	40-30-08	201.47	105.15	197.30	N 04-57-41 E
C32	325.00	12-34-44	71.35	35.82	71.21	S 09-00-01 E
C33	25.00	90-00-00	39.27	25.00	35.36	N 47-42-39 W
C34	25.00	90-00-00	39.27	25.00	35.36	S 42-17-21 W
C35	675.00	8-29-35	100.06	50.12	99.96	S 06-57-26 E
C36	25.00	50-36-31	22.08	11.82	21.37	S 36-30-29 E
C37	50.00	276-17-51	241.11	44.79	46.72	N 76-20-11 E
C38	25.00	48-01-01	20.08	10.62	19.54	N 11-28-36 E
C39	725.00	8-49-16	111.82	55.92	111.51	S 07-07-17 E
C40	25.00	90-00-00	39.27	25.00	35.36	N 47-42-39 W
C41	25.00	68-00-24	29.87	16.86	27.98	N 67-12-39 W
C42	25.00	67-52-40	29.82	16.82	27.92	S 30-29-16 W

LINE	BEARING	DISTANCE
L1	S 60-26-40 W	4.21
L2	N 89-13-06 W	101.44
L3	N 64-47-15 W	106.59
L4	N 67-51-53 W	120.00
L5	S 30-33-36 W	48.35
L6	S 47-24-34 W	48.35
L7	S 64-15-32 W	48.35
L8	S 81-06-30 W	48.35
L9	N 82-02-32 W	48.35
L10	N 65-11-34 W	48.35
L11	N 48-20-36 W	48.35
L12	N 31-29-38 W	48.35
L13	N 15-00-26 W	48.39
L14	N 87-17-21 E	120.13
L15	N 02-42-39 W	125.00
L16	N 35-44-04 E	35.05
L17	S 02-42-39 E	130.36
L18	N 41-56-29 E	5.00
L19	S 02-42-39 E	16.64
L20	S 15-17-23 E	100.00
L21	N 46-00-52 E	100.50
L22	N 87-21-15 E	65.19
L23	N 18-23-33 W	109.82
L24	S 02-42-39 E	12.02
L25	S 15-17-23 E	100.00
L26	N 46-00-52 E	100.50
L27	N 18-23-33 W	7.16
L28	N 18-23-33 W	7.16
L29	N 87-21-15 E	40.18
L30	N 87-21-15 E	40.18
L31	N 46-00-52 E	100.50
L32	S 15-17-23 E	100.00
L33	S 02-42-39 E	16.64
L34	S 02-42-39 E	80.36
L35	S 02-42-39 E	80.36
L36	N 87-17-21 E	95.00
L37	N 65-16-00 W	96.84
L38	N 02-05-50 W	64.33
L39	S 01-00-52 W	21.21
L40	N 74-10-20 W	21.21
L41	N 82-27-42 E	111.75
L42	N 39-54-29 E	22.10
L43	N 05-38-45 W	112.27
L44	N 46-05-29 W	126.61
L45	N 40-02-41 W	20.35
L46	N 60-46-33 E	122.20
L47	S 87-17-21 W	20.00
L48	N 13-42-38 E	48.35
L49	N 02-43-46 W	48.40
L50	S 11-24-20 E	54.87
L51	S 02-42-39 E	65.00

**1300 BLOCK OF OLD ALVIN ROAD  
FINAL PLAT  
HIGHLAND CROSSING  
SECTION 1**

A SUBDIVISION OF 28.053 ACRES OF LAND SITUATED IN THE H.T. & B.R.R. COMPANY SURVEY, ABSTRACT 233 AND THE R.B. LYLE SURVEY, ABSTRACT 542, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

59 LOTS    6 RESERVES (14.142 ACRES)    3 BLOCKS  
OCTOBER 15, 2013    JOB NO. 1406-3110C

OWNERS:  
**BEAZER HOMES TEXAS, L.P.**  
BY: BEAZER HOMES TEXAS HOLDINGS, INC.  
ITS GENERAL PARTNER  
**BRUCE CRAIG, DIVISION PRESIDENT**  
10110 W. SAM HOUSTON PARKWAY N., STE. A-100, HOUSTON, TEXAS 77064  
PH. (713) 849-5017

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

STATE OF TEXAS  
COUNTY OF HARRIS

WE, BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP, BY ITS GENERAL PARTNER, BEAZER HOMES TEXAS HOLDINGS, INC., ACTING BY AND THROUGH BRUCE CRAIG, DIVISION PRESIDENT AND GREG COLEMAN, LD MANAGER-- HOUSTON, BEING OFFICERS OF BEAZER HOMES TEXAS, L.P.; OWNERS OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF HIGHLAND CROSSING SECTION 1, 28.053 ACRES OUT OF THE H.T. & B.R.R. COMPANY SURVEY, ABSTRACT 233 AND R.B. LYLE SURVEY, ABSTRACT 542, BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID PARTNERSHIP, ACCORDING TO THE LINES, LOTS, STREETS, ALLEYS, RESERVES, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE AS SUCH THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY PURPOSES FOREVER, UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS OR FIVE FOOT, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON WHEREBY EACH AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY 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 EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY EACH AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP, BY AND THROUGH ITS GENERAL PARTNER, HEREBY STATES THAT THEY FULLY REALIZE THAT THEY ARE APPLYING FOR A PERMIT FROM THE CITY OF PEARLAND TO BUILD WITHIN ONE HUNDRED FEET OF AN EXISTING OIL OR GAS PIPELINE EASEMENT AND THAT THE CITY OF PEARLAND CONSIDERS BUILDING NEAR SUCH A 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, BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP DO 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 HERETO, BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY BEAZER HOMES TEXAS HOLDINGS, INC., ITS GENERAL PARTNER, BY BRUCE CRAIG, ITS DIVISION PRESIDENT, ATTESTED HEREUNTO, BY ITS LD MANAGER-- HOUSTON, GREG COLEMAN, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

BEAZER HOMES TEXAS, L.P.,  
A DELAWARE LIMITED PARTNERSHIP

BY: BEAZER HOMES TEXAS HOLDINGS, INC.,  
ITS GENERAL PARTNER

BY: \_\_\_\_\_  
BRUCE CRAIG, DIVISION PRESIDENT

ATTEST: \_\_\_\_\_  
GREG COLEMAN, LD MANAGER-- HOUSTON

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BRUCE CRAIG, DIVISION PRESIDENT OF BEAZER HOMES TEXAS HOLDINGS, INC., GENERAL PARTNER OF BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ OF \_\_\_\_\_, 2013.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GREG COLEMAN, LD MANAGER-- HOUSTON, OF BEAZER HOMES TEXAS HOLDINGS, INC., GENERAL PARTNER OF BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ OF \_\_\_\_\_, 2013.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND IN ACCORDANCE WITH THE INFORMATION PROVIDED ME AND CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY AND IS TRUE AND CORRECT AND THAT ALL BOUNDARY CORNERS, LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE ARE PROPERLY MARKED WITH 5/8 INCH DIAMETER IRON RODS THREE FEET LONG OR AS SHOWN ON THE PLAT (SEE NOTE 5).

KEITH W. MONROE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 4797

THIS IS TO CERTIFY THAT THE CITY PLANNING DIRECTOR OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF HIGHLAND CROSSING SECTION 1 AND IS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

HAROLD ELLIS  
CITY PLANNING DIRECTOR  
CITY OF PEARLAND, TEXAS

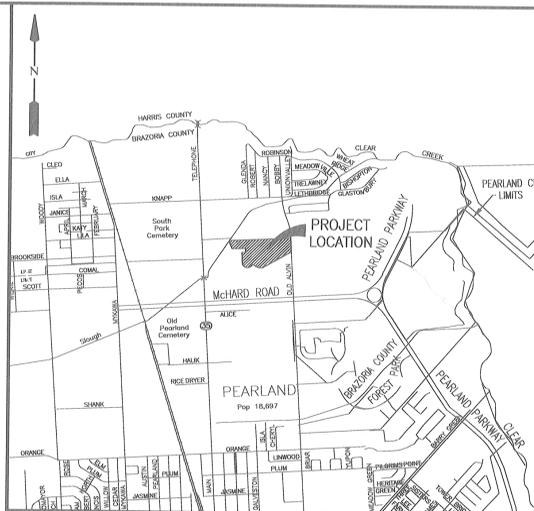
APPROVED FOR THE CITY OF PEARLAND, TEXAS THIS \_\_\_\_\_ OF \_\_\_\_\_, 2013.

DARRIN COKER  
CITY ATTORNEY

ANDREA BROUGHTON, P.E.  
CITY ENGINEER

NOTES:

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, HARRIS COUNTY AND THE CITY OF PEARLAND.
- THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, FILE NO. 1303935801 DATED JULY 1, 2013. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- ALL BEARINGS REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE NAD 83, 2001 ADJUSTMENT, WITH COORDINATES GIVEN IN FEET. COORDINATES SHOWN ARE SURFACE FOR NAD 83 AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A FACTOR OF 0.99987.
- 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.
- FIVE-EIGHTHS INCH (5/8") IRON ROD 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.
- BENCHMARK: TSARP MONUMENT 010150: ALUMINUM ROD IN CASING LOCATED ±19 FEET NORTH OF THE NORTHWEST CORNER OF THE WHEATRIDGE STREET LIFT STATION BUILDING. POINT CAN BE FOUND BY TRAVELING SOUTH ON TELEPHONE (NORTH MAIN/SH 35) ±0.4 MILE TO KNAPP, THEN EAST ±0.5 MILE ON KNAPP, THEN NORTH ±0.25 MILE ON UNION VALLEY, THEN EAST ±0.3 MILE ON WHEATRIDGE TO THE LIFT STATION.  
X=3,153,476.79 Y=1,378,467.20  
ELEVATION= 41.99, NVGD 88 2001 ADJUSTMENT
- ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP, MAP NO. 48039C0035 1, EFFECTIVE DATE SEPTEMBER 22, 1999, THE PROPERTY IS LOCATED PARTIALLY WITHIN ZONE "AE" (SHADED), ZONE "AE" (SHADED-CROSSHATCHED), ZONE "X" (SHADED) AND ZONE "X" (UNSHADED) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NO. 48039C0035 1, MAP REVISED SEPTEMBER 22, 1999. ZONE "AE" (SHADED) IS DEFINED TO BE A SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD, BASE FLOOD ELEVATIONS DETERMINED; ZONE "AE" (SHADED-CROSSHATCHED) IS DEFINED AS FLOODWAY AREAS IN ZONE "AE". ZONE "X" (SHADED) IS DEFINED AS AREAS IN 500-YEAR FLOOD. LJA DOES NOT WARRANT, NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.
- 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.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
- ACCESS RIGHTS TO DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING RESIDENTIAL PROPERTIES.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100-YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100-YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENT OF THE CITY OF PEARLAND AND BRAZORIA DRAINAGE DISTRICT NO. 4.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- A FOUR (4) FOOT SIDEWALK IS REQUIRED ON ALL INTERNALLY PUBLIC STREET RIGHT-OF-WAY CONTAINED WITHIN THE PLAT.
- 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.
- CORNER LOTS ARE RESTRICTED TO FRONT ACCESS ONLY.
- THERE ARE 12 PROPOSED STREET LIGHT.
- THIS PROPERTY IS LOCATED WHOLLY WITHIN BRAZORIA COUNTY MUD NO. 28.



BEING 28.053 ACRES OF LAND LOCATED IN THE H.T. & B. R.R. CO. SURVEY, ABSTRACT 233 AND THE R.B. LYLE SURVEY, ABSTRACT 542, BRAZORIA COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF THAT CERTAIN CALLED 53.976 ACRES TRACT, DESCRIBED AS PART 1, CONVEYED TO BEAZER HOMES TEXAS, L.P. BY INSTRUMENT OF RECORD IN FILE NUMBER 2013005259, OF THE OFFICIAL PUBLIC RECORDS OF SAID BRAZORIA COUNTY, (B.C.O.P.R.) AND A PORTION OF LOTS 62, 63, 68 AND 69 OF THE W. ZYCHLINSKI SUBDIVISION OF RECORD IN VOLUME 29 PAGE 43 OF THE DEED RECORDS OF SAID BRAZORIA COUNTY, (B.C.D.R.), SAID 28.053 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: ALL BEARINGS REFERENCED TO TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83, 2001 ADJUSTMENT;

BEGINNING AT A 1/2-INCH IRON ROD PREVIOUSLY FOUND MARKING THE NORTHEAST CORNER OF AFOREMENTIONED 53.976 ACRES, THE SOUTHEAST CORNER OF CROSSPOINT FELLOWSHIP CHURCH, A SUBDIVISION OF RECORD IN VOLUME 22, PAGES 53 AND 54, OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, (B.C.P.R.), SAME BEING A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF OLD ALVIN ROAD, 80 FEET WIDE, AND A POINT ON THE NORTHERLY LINE OF AFOREMENTIONED LOT 68;

THENCE, SOUTH 02° 38' 45" EAST, ALONG THE EAST LINE OF SAID 53.976 ACRES AND THE WESTERLY RIGHT-OF-WAY LINE OF SAID OLD ALVIN ROAD, 435.16 FEET TO A POINT FOR CORNER, SAME BEING A POINT ON THE NORTH LINE OF A 30 FEET WIDE TEXAS PIPE LINE COMPANY EASEMENT RECORDED IN VOLUME 416, PAGE 392, B.C.D.R AND AMENDED BY VOLUME 654, PAGE 580, B.C.D.R.;

THENCE, ALONG THE NORTH LINE OF SAID 30 FEET WIDE TEXAS PIPE LINE COMPANY EASEMENT, THE FOLLOWING FOUR (4) COURSES;

- SOUTH 60° 26' 40" WEST, 4.21 FEET TO A POINT FOR CORNER;
- SOUTH 61° 57' 40" WEST, 175.03 FEET TO A POINT FOR CORNER;
- SOUTH 59° 43' 40" WEST, 209.90 FEET TO A POINT FOR CORNER;
- SOUTH 60° 49' 40" WEST, 657.05 FEET TO A POINT FOR CORNER;

THENCE, NORTH 89° 13' 06" WEST, DEPARTING THE NORTH LINE OF SAID 30 FEET WIDE TEXAS PIPE LINE COMPANY EASEMENT, 101.44 FEET TO A POINT FOR CORNER;

THENCE, NORTH 64° 47' 15" WEST, 106.59 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

THENCE, 15.31 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 285.00 FEET, A CENTRAL ANGLE OF 03° 04' 38", AND A CHORD WHICH BEARS NORTH 23° 40' 26" EAST, 15.30 FEET TO A POINT FOR CORNER;

THENCE, NORTH 67° 51' 53" WEST, 120.00 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 30° 33' 36" WEST, 48.35 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 47° 24' 34" WEST, 48.35 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 64° 15' 32" WEST, 48.35 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 81° 06' 30" WEST, 48.35 FEET TO A POINT FOR CORNER;

THENCE, NORTH 82° 02' 32" WEST, 48.35 FEET TO A POINT FOR CORNER;

THENCE, NORTH 65° 11' 34" WEST, 48.35 FEET TO A POINT FOR CORNER;

THENCE, NORTH 48° 20' 36" WEST, 48.35 FEET TO A POINT FOR CORNER;

THENCE, NORTH 31° 29' 38" WEST, 48.35 FEET TO A POINT FOR CORNER;

THENCE, NORTH 15° 00' 26" WEST, 48.39 FEET TO A POINT FOR CORNER;

THENCE, NORTH 02° 42' 39" WEST, 331.61 FEET TO A POINT FOR CORNER;

THENCE, NORTH 87° 17' 21" EAST, 120.13 FEET TO A POINT FOR CORNER;

THENCE, NORTH 02° 42' 39" WEST, 125.00 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 87° 17' 21" WEST, 415.13 FEET TO A PREVIOUSLY SET 5/8-INCH IRON ROD WITH CAP STAMPED "LJA ENG", MARKING AN ANGLE POINT ON THE WEST LINE OF AFOREMENTIONED 53.976 ACRES;

THENCE, ALONG THE WEST LINE OF SAID 53.976 ACRES, THE FOLLOWING TWO (2) COURSES;

- NORTH 24° 15' 56" WEST, 254.90 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA ENG" PREVIOUSLY SET FOR CORNER;
- NORTH 35° 44' 04" EAST, 35.05 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA ENG" PREVIOUSLY SET FOR THE NORTHWEST CORNER OF SAID 53.976 ACRES ON THE NORTH LINE OF AFOREMENTIONED LOT 69, FROM WHICH A FOUND 1/2-INCH IRON ROD WITH CAP STAMPED "RPLS 1895", BEARS SOUTH 87° 15' 06" WEST, 7.42 FEET;

THENCE, NORTH 87° 15' 06" EAST, ALONG THE NORTH LINE OF SAID 53.976 ACRES AND THE NORTH LINE OF SAID LOT 69, PASSING AT 509.71 FEET A 3/4-INCH IRON ROD FOUND MARKING THE NORTHEAST CORNER OF SAID LOT 69, SAME POINT BEING THE NORTHWEST CORNER OF THE AFOREMENTIONED LOT 68 AND CONTINUING ALONG THE COMMON NORTH LINES OF SAID LOT 68 AND SAID 53.976 ACRES, PASSING AT 575.73 FEET A 5/8-INCH IRON ROD WITH CAP STAMPED "C.L. DAVIS-RPLS 4464", CONTINUING IN ALL A DISTANCE OF 1,915.85 FEET TO THE POINT OF BEGINNING AND CONTAINING 28.053 ACRES OF LAND.

1300 BLOCK OF OLD ALVIN ROAD  
FINAL PLAT  
HIGHLAND CROSSING  
SECTION 1

A SUBDIVISION OF 28.053 ACRES OF LAND SITUATED IN THE H.T. & B.R.R. COMPANY SURVEY, ABSTRACT 233 AND THE R.B. LYLE SURVEY, ABSTRACT 542, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

59 LOTS      6 RESERVES (14.142 ACRES)      3 BLOCKS  
OCTOBER 15, 2013      JOB NO. 1406-3110C

OWNERS:  
BEAZER HOMES TEXAS, L.P.  
BY: BEAZER HOMES TEXAS HOLDINGS, INC.  
ITS GENERAL PARTNER  
BRUCE CRAIG, DIVISION PRESIDENT  
10110 W. SAM HOUSTON PARKWAY N., STE. A-100, HOUSTON, TEXAS 77064  
PH. (713) 849-5017

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

Plot Name : \\proj\plm\1406 Final\1406 Highland Crossing\_1\_LF.dwg  
Date Plotted : 10/15/2013 10:08:31 AM  
User : brucecraig

**P&Z AGENDA  
ITEM**

**E**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 10/15/2013  
**AGENDA ITEM SUBJECT:** Final Plat of Savannah Bend Section Five

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Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Rene Rodriguez of LJA Engineering, Inc., applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Bend Section Five, a 30 lot single-family residential subdivision located at the 13000 Block of Savannah Bend Dr.

**Staff Recommendation: Approval.**

**Agenda Reviewed by:**

HE  
\_\_\_\_\_

**Date Reviewed:**  
10/17/13  
\_\_\_\_\_



# PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 21, 2013

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## Final Plat of Savannah Bend Section 5

A request by Rene Rodriguez of LJA Engineering, Inc., applicant, on behalf of Savannah Development LTD., owner, for approval of a Final Plat of Savannah Bend Section Five, a 30 lot single-family residential subdivision located at the 13000 Block of Savannah Bend Dr. on the following described property, to wit

**Legal Description:** Being 15.5 acres of land located in the A.C.H. & B. Survey, Abstract 403 and J.S. Tamage Survey, Abstract 562, Brazoria County, Texas, more particularly being a portion of the residue of a called 161.460 acre tract (described as Tract 5) conveyed to Savannah Development, LTD., by an instrument of record File #00-037203, Official Records of said Brazoria County, Texas (B.C.O.R.) also being an instrument of record in File No. 200080225, Official Public Records of Fort Bend County, Texas.

**General Location:** 13000 Block of Savannah Bend Drive.

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**SUMMARY:** This request is for the approval of a Final Plat for a 30-lot single-family subdivision within Savannah Development. This proposed subdivision is within the City of Pearland's Extraterritorial Jurisdiction (ETJ) and has a development agreement with the City. As the property is in the ETJ, zoning does not apply. However, this development is governed by a development agreement which adheres to the city ordinance dealing specifically with lot sizes, density, and setback requirements.

**UNIFIED DEVELOPMENT CODE:** The Unified Development Code does not apply for the Savannah Development Agreement as this was approved with the previous zoning ordinance, The Land Use and Urban Development Ordinance. The development agreement that is in place governs the overall development of the subdivision and was written to meet the guidelines of the Land Use and Urban Development Ordinance.

**SAVANNAH DEVELOPMENT AGREEMENT:** The submitted Savannah Bend Section 5 is in conformance with the approved Savannah Development Agreement. The exhibit below compares the requirements of the development agreement to the proposed subdivision:

<b>Exhibit 1: Savannah Development Agreement: R-3 (Single Family Dwelling District)</b>			
<b>Standard</b>	<b>Required</b>	<b>R-3 Standard</b>	<b>Minimum Provided</b>
<b>Minimum lot width</b>	N/A	60 Feet	Approximately 55 feet*
Minimum lot depth	N/A	N/A	115 feet
Minimum lot area	N/A	6,000 Square feet	Greater than 6,325 Square feet
Maximum Density	7 dwelling units an acre or less	N/A	3.07 Dwelling Units an acre.

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

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	ETJ (None)	Vacant Land, Single Family Residential
South	ETJ (None)	Vacant Land, Single Family Residential
East	ETJ (None)	Vacant Land, Drill Site
West	ETJ (None)	Vacant Land, Single Family Residential

**CONFORMANCE TO THE COMPREHENSIVE PLACE:** The subject property is within the *Low-Density Residential* future land use plan designation. The proposed subdivision is within the guidelines of *Low-Density Residential* land use designation as the average lot size is 6000 – 7000 sq. ft.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is located within the Savannah development and served by local streets. The Savannah Development is served by a future 120-foot Major Thoroughfare of Post Road (CR 58).

**ADDITIONAL COMMENTS:** This plat has been reviewed by the City’s Development Review Committee and there have been 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 serve this subdivision.

**STORMWATER MANAGEMENT:** Detention will be provided in accordance to the Savannah Development Agreement. Plans have been reviewed and approved by the Engineering Department.

**PARKS, OPEN SPACE, AND TREES:** Park fees have been paid for this section.

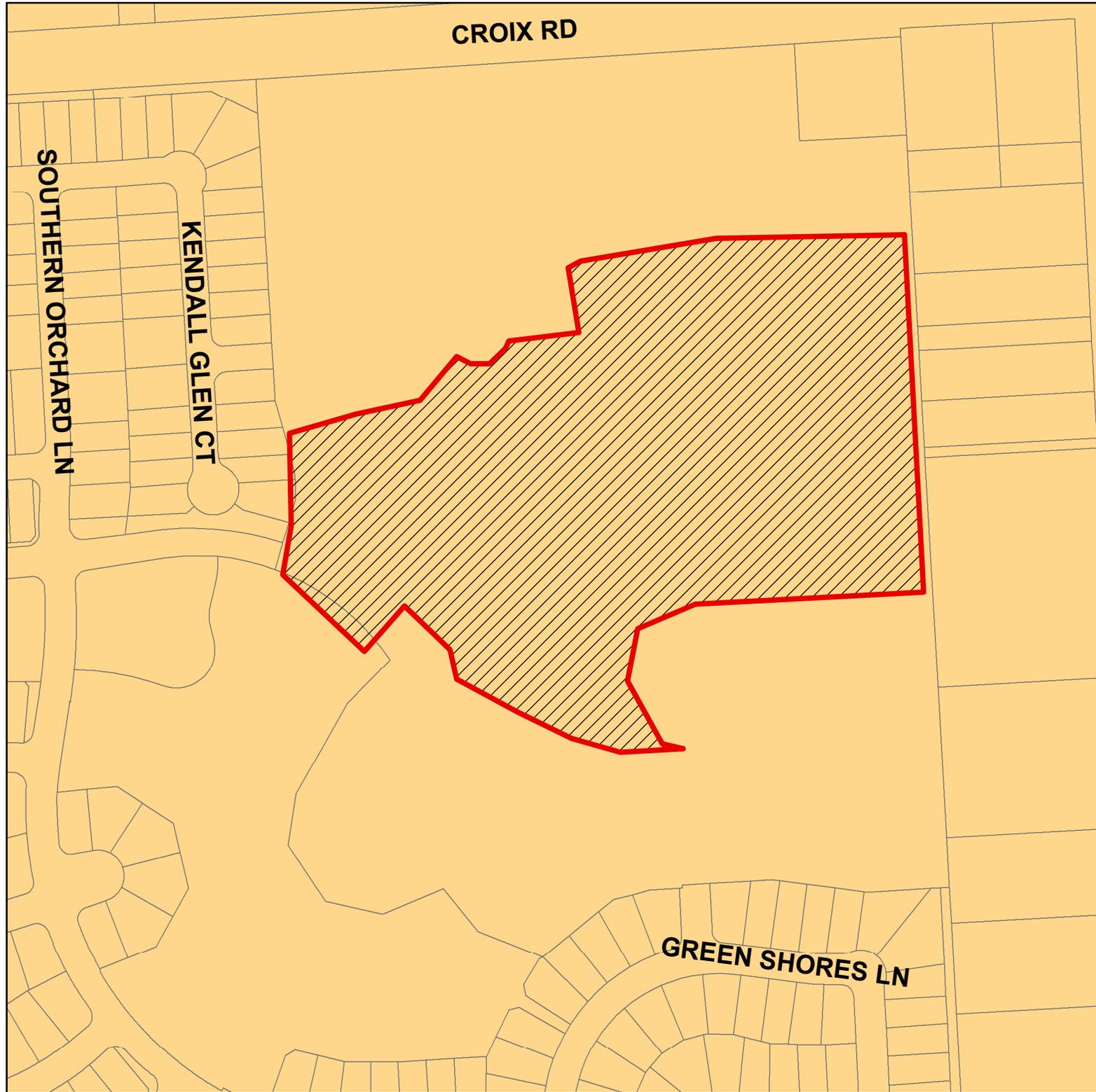
**1% INSPECTION FEES:** The required inspection fees for this section were paid at the time of submittal. An agreement has been reached with the city allowing the developer to pay previously unpaid inspection fees in installments.

**STAFF RECOMMENDATION:** Staff recommends approval of the Final Plat of Savannah Bend Section Five 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:**

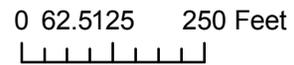
- Vicinity Map
- Land Use Map
- Aerial Map
- Savannah Bend Section Five Plat



**Vicinity Map**

**Final Plat of  
Savannah Bend  
Section 5**

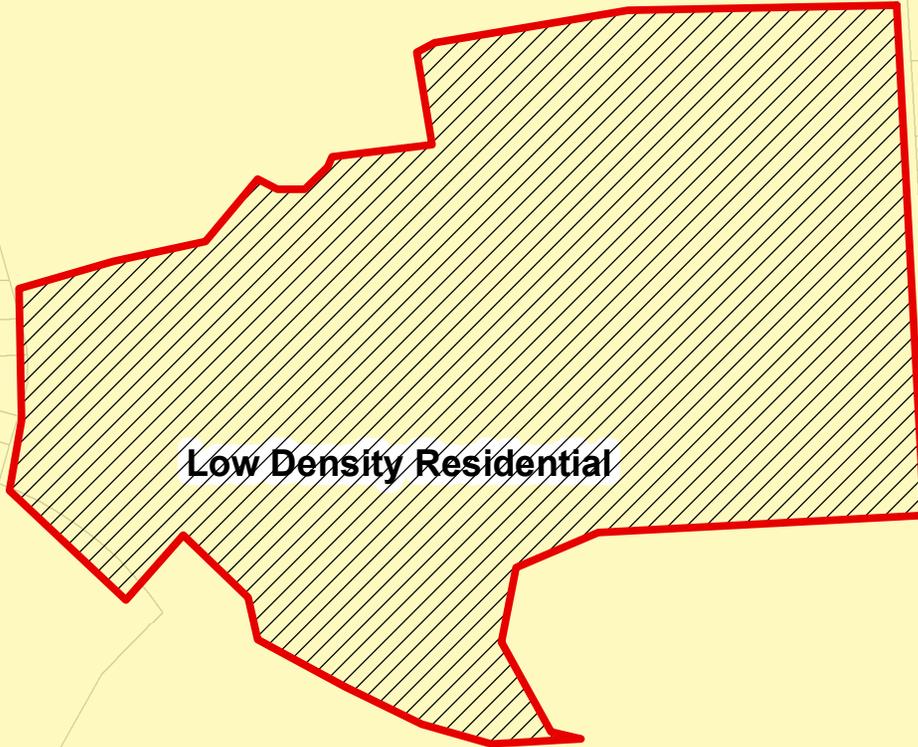
This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



CROIX RD

SOUTHERN ORCHARD LN

KENDALL GLEN CT



Low Density Residential

GREEN SHORES LN



## Future Land Use Map

### Final Plat of Savannah Bend Section 5

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 62.5125 250 Feet





### Aerial Map

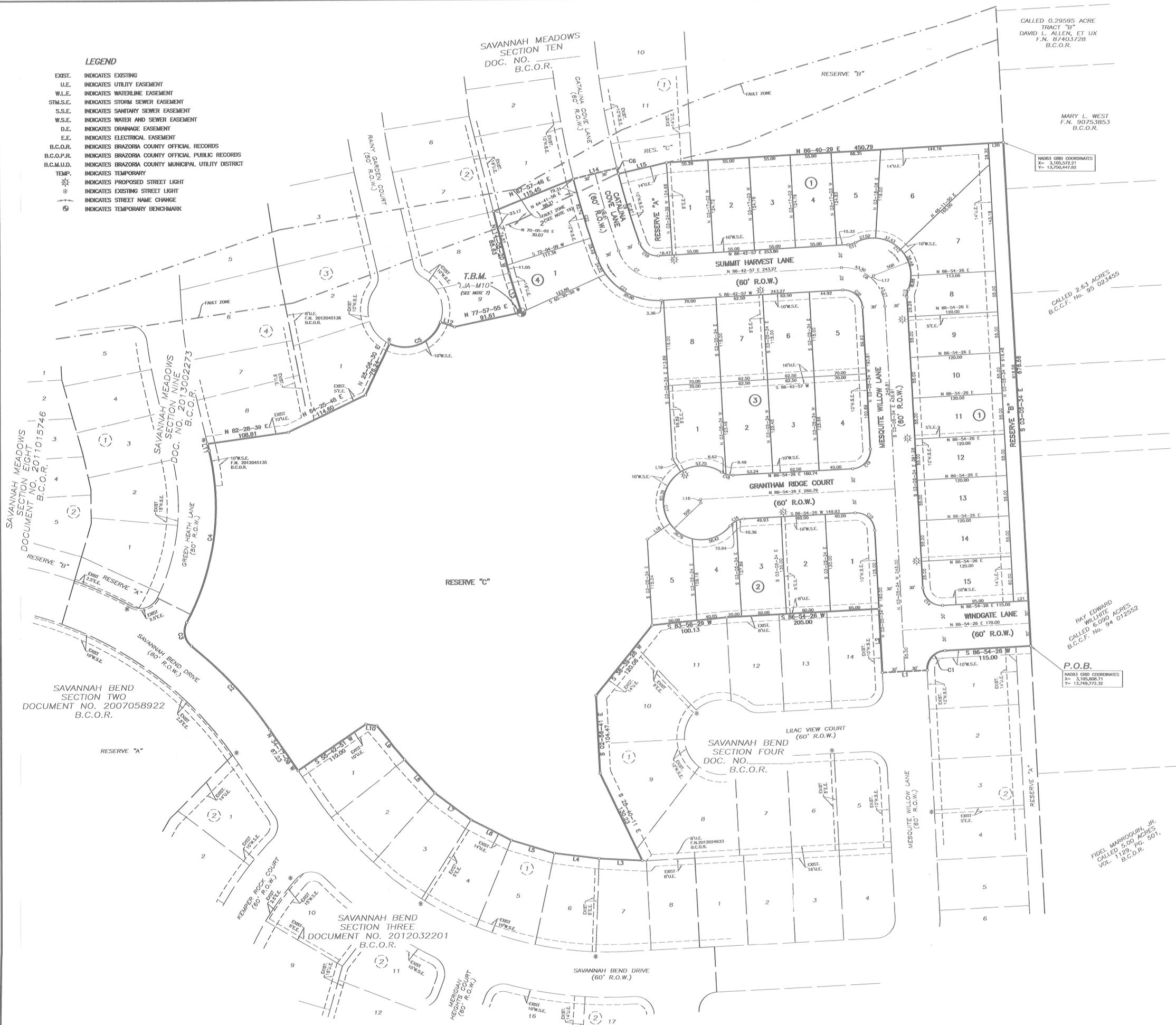
### Final Plat of Savannah Bend Section 5

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 62.5125 250 Feet  
[Scale bar with 5 segments]



- LEGEND**
- EXIST. INDICATES EXISTING
  - U.E. INDICATES UTILITY EASEMENT
  - W.L.E. INDICATES WATERLINE EASEMENT
  - STM.S.E. INDICATES STORM SEWER EASEMENT
  - S.S.E. INDICATES SANITARY SEWER EASEMENT
  - W.S.E. INDICATES WATER AND SEWER EASEMENT
  - D.E. INDICATES DRAINAGE EASEMENT
  - E.E. INDICATES ELECTRICAL EASEMENT
  - B.C.O.R. INDICATES BRAZORIA COUNTY OFFICIAL RECORDS
  - B.C.C.P.R. INDICATES BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS
  - B.C.M.U.D. INDICATES BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT
  - TEMP. INDICATES TEMPORARY
  - ⊙ INDICATES PROPOSED STREET LIGHT
  - ⊙ INDICATES EXISTING STREET LIGHT
  - ⊙ INDICATES STREET NAME CHANGE
  - ⊙ INDICATES TEMPORARY BENCHMARK



CALLED 0.29595 ACRE TRACT "B" DAVID L. ALLEN, ET UX F.N. 87403/28 B.C.O.R.

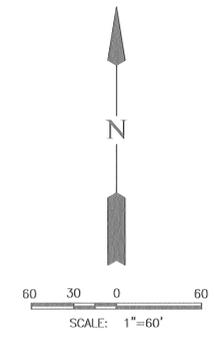
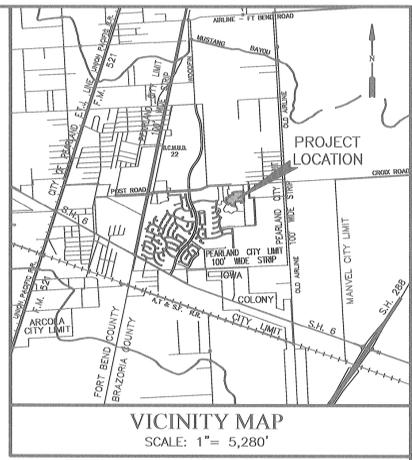
MARY L. WEST F.N. 9075385.3 B.C.O.R.

CALLED 2.63 ACRES B.C.C.F. No. 95 063455

PAY EDWARD WILHITE CALLED 6.090 ACRES B.C.C.F. No. 94 012552

P.O.B. NAD83 GRID COORDINATES X= 3,105,072.21 Y= 13,749,772.32

FIDEL MARPODIN, JR. CALLED 5.00 ACRES VOL. 129 PG. 501, B.C.O.R.



**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S 86-54-26 W	60.00
L2	N 03-05-34 W	85.00
L3	N 87-20-31 W	57.86
L4	N 83-02-55 W	60.38
L5	N 73-03-33 W	60.38
L6	N 62-58-10 W	60.38
L7	N 52-55-47 W	60.38
L8	N 42-27-31 W	60.34
L9	N 39-36-01 W	59.82
L10	N 80-58-30 W	14.55
L11	N 13-22-40 W	9.18
L12	S 70-53-23 E	20.00
L13	N 17-12-18 W	55.22
L14	N 75-55-25 E	60.00
L15	N 76-34-51 E	66.19
L16	N 03-05-34 W	4.96
L17	N 41-49-40 E	4.51
L18	S 55-33-57 W	36.88
L19	N 32-20-39 W	20.00
L20	N 86-40-29 E	20.00
L21	S 86-54-26 W	20.00

**CURVE TABLE**

CURVE	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
C1	25.00	90-00-00	39.27	25.00	35.36	S 41-54-26 W
C2	530.00	16-40-34	154.26	77.68	153.71	N 42-37-26 W
C3	25.00	79-32-28	34.71	20.81	31.99	N 11-11-29 W
C4	325.00	41-57-25	237.99	124.82	232.71	N 07-36-02 E
C5	50.00	95-59-53	83.77	50.53	74.31	N 07-06-34 E
C6	1170.00	9-23-53	8.13	4.07	8.13	S 14-16-32 E
C7	55.00	74-01-36	71.08	41.47	66.22	S 56-16-15 E
C8	55.00	90-11-29	86.58	55.18	77.91	N 48-11-18 W
C9	1170.00	5-10-52	105.80	52.94	105.78	S 16-40-01 E
C10	25.00	74-01-38	32.30	18.85	30.10	S 56-16-15 E
C11	25.00	24-57-05	10.89	5.53	10.80	N 74-14-25 E
C12	50.00	140-08-14	122.29	137.89	94.01	S 48-10-01 E
C13	25.00	24-59-40	10.91	5.54	10.82	S 09-24-16 W
C14	25.00	90-00-00	39.27	25.00	35.36	S 48-05-34 E
C15	25.00	90-00-00	39.27	25.00	35.36	N 48-05-34 E
C16	25.00	48-08-46	21.01	11.17	20.40	S 62-50-03 W
C17	50.00	265-04-12	231.32	54.50	73.69	S 08-42-14 E
C18	25.00	36-55-28	16.11	8.35	15.83	S 74-37-51 E
C19	25.00	90-00-00	39.27	25.00	35.36	N 41-54-26 E
C20	25.00	90-11-29	39.35	25.08	35.41	N 48-11-18 W
C21	85.00	74-01-36	109.82	64.08	102.34	N 56-16-15 W
C22	1230.00	9-10-52	111.22	56.65	111.19	N 16-40-01 E

**RESERVE TABLE**

RESERVE	TYPE	ACREAGE	SQ.FT.
"A"	RESTRICTED TO LANDSCAPE/OPEN SPACE	0.143	6,209
"B"	RESTRICTED TO LANDSCAPE/OPEN SPACE	0.283	12,330
"C"	RESTRICTED TO LAKE/DETENTION	7.722	336,371
TOTAL		8.148	354,910

13000 BLOCK OF SAVANNAH BEND DRIVE

**FINAL PLAT  
SAVANNAH BEND  
SECTION FIVE**

A SUBDIVISION OF 15.462 ACRES OF LAND SITUATED IN THE J.S. TALMAGE SURVEY, ABSTRACT 562, BRAZORIA COUNTY, TEXAS.

30 LOTS    3 RESERVES (8.148 ACRES)    4 BLOCKS  
OCTOBER 15, 2013    JOB NO. 0388-1252-304

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

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

CONTACT: RENE RODRIGUEZ

DIR. MULAR CHECK: COORD. Data Time: 14 Oct 2013 2:28:38 PM Path Name: I:\Projects\0388\Final\Savannah\_Bend\_5\_FF.dwg

STATE OF TEXAS  
COUNTY OF BRAZORIA

WE, SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH, JOHN W. HAMMOND, VICE PRESIDENT OF LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, GENERAL PARTNER OF SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, OWNERS OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF SAVANNAH BEND SECTION FIVE, 15.462 ACRES, OUT OF THE J.S. TALMAGE SURVEY, ABSTRACT 562, BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID PARTNERSHIP, ACCORDING TO THE LINES, LOTS, STREETS, ALLEYS, RESERVES, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE AS SUCH THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY PURPOSES FOREVER, UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11'6") FOR TEN FEET (10'0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7'6") FOR FOURTEEN FEET (14'0") PERIMETER GROUND EASEMENTS OR FIVE FOOT, SIX INCHES (5'6") FOR SIXTEEN FEET (16'0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON WHEREBY EACH AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21'6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC, FOR PUBLIC UTILITY 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 EIGHT FEET (8'0") FOR FOURTEEN FEET (14'0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7'0") FOR SIXTEEN FEET (16'0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY EACH AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

IN TESTIMONY HERETO, SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, ITS GENERAL PARTNER, BY JOHN W. HAMMOND, VICE PRESIDENT, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

SAVANNAH DEVELOPMENT, LTD.  
A TEXAS LIMITED PARTNERSHIP

BY: LENNAR TEXAS HOLDING COMPANY,  
A TEXAS CORPORATION,  
ITS GENERAL PARTNER

BY: \_\_\_\_\_  
JOHN W. HAMMOND, VICE PRESIDENT

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JOHN W. HAMMOND, VICE PRESIDENT OF LENNAR TEXAS HOLDING COMPANY, A TEXAS CORPORATION, GENERAL PARTNER OF SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND IN ACCORDANCE WITH THE INFORMATION PROVIDED ME AND CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY AND IS TRUE AND CORRECT AND THAT ALL BOUNDARY CORNERS, LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE ARE PROPERLY MARKED WITH 5/8 INCH DIAMETER IRON RODS WITH PLASTIC CAP MARKED "LJA ENG" THREE FEET LONG OR AS SHOWN ON THE PLAT (SEE NOTE 5).

KEITH W. MONROE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. 4797

APPROVED BY BRAZORIA DRAINAGE DISTRICT NO. 4

JEFFERY H. BRENNAN, CHAIRMAN

DAN KELLER, SECRETARY

HARRISON ROGERS, COMMISSIONER

ALFRED E. LENTZ, P.E., R.P.L.S.  
DISTRICT ENGINEER

DATE

APPROVALS AS REFLECTED BY THE ABOVE SIGNATURES ARE VALID FOR ONE YEAR ONLY FROM THE DATE SHOWN. IF CONSTRUCTION HAS NOT COMMENCED BEFORE SAID APPROVAL EXPIRES, RE-APPROVAL BY THE DISTRICT IS REQUIRED.

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF SAVANNAH BEND SECTION FIVE AND IS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.

HENRY N. FUERTES, CHAIRPERSON  
CITY PLANNING & ZONING COMMISSION  
CITY OF PEARLAND, TEXAS

APPROVED FOR THE CITY OF PEARLAND, TEXAS THIS \_\_\_\_\_ OF \_\_\_\_\_, 2013.

DARRIN COKER  
CITY OF PEARLAND, CITY ATTORNEY

ANDREA BROUGHTON, P.E., C.F.M.  
CITY OF PEARLAND, CITY ENGINEER

NOTES:

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND.
- THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, FILE NO. 1203933557, DATED JANUARY, 2013.
- ALL BEARINGS REFERENCES ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE. THE COORDINATES SHOWN ARE GRID AND CAN BE BROUGHT TO SURFACE BY DIVIDING BY AN ADJUSTMENT FACTOR OF 0.99987.
- 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.
- FIVE-EIGHTHS INCH (5/8") IRON RODS WITH PLASTIC CAP MARKED "LJA ENG" THREE FEET IN LENGTH HAVE BEEN SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
- BENCHMARK: CITY OF PEARLAND C.P. 10 BRASS CAP SET FLUSH IN CONCRETE STAMPED "CITY OF PEARLAND 10 GPS MONU, 1995". THE MONUMENT IS LOCATED NORTHERLY ALONG THE SOUTHBOUND LANES OF HIGHWAY 288, APPROXIMATELY 2,000 FEET SOUTHERLY FROM THE INTERSECTION OF F.M. 518 AND HIGHWAY 288. THE MONUMENT IS WESTERLY 21 FEET FROM THE WEST EDGE OF ASPHALT OF THE SOUTHBOUND HIGHWAY 288 AND APPROXIMATELY 185 FEET FROM A LARGE HIGHWAY LIGHT POLE #288 8.  
ELEVATION: 59.29 (NGVD 29, '87 ADJUSTMENT)
- T.B.M. "LJA-1":  
BOX CUT IN CURB AT THE NOSE OF THE SOUTH MEDIAN OF SAVANNAH PARKWAY AT THE INTERSECTION OF POST ROAD (C.R. 58)  
ELEVATION: 65.88 (NGVD 29, 1978 ADJUSTMENT)  
T.B.M. "LJA-M10":  
5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED "LJA ENG" SET MARKING THE SOUTHWEST CORNER OF LOT 1, BLOCK 4 (AS SHOWN BY SYMBOL).  
ELEVATION: \_\_\_\_\_ (NGVD 29, 1978 ADJUSTMENT)  
NOTE: TO CONVERT T.B.M.'S (NGVD 29, 1978 ADJUSTMENT) TO THE CITY OF PEARLAND VERTICAL DATUM (NGVD 29, '87 ADJUSTMENT) SUBTRACT 1.28 FEET
- THIS TRACT LIES IN ZONE "X" OF THE F.I.R.M. FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS, DATED JUNE 5, 1989, MAP NO. 48039C 0020H. CONTACT THE BRAZORIA COUNTY FLOODPLAIN ADMINISTRATOR FOR THE FLOOD INFORMATION.  
ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE OWNER.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA DRAINAGE DISTRICT NO. 4.
- THIS PROPERTY IS LOCATED WHOLLY WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 21, AT THE TIME OF PLATING.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND ASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- 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.
- LOTS WHICH SIDE ONTO A PUBLIC STREET RIGHT-OF-WAY ARE DENIED DIRECT DRIVEWAY ACCESS TO THE SIDING PUBLIC STREET.
- A FOUR-FOOT SIDEWALK IS REQUIRED ON BOTH SIDES OF ALL STREETS CONTAINED WITHIN THIS PLAT.
- THIS NOTE IS INTENTIONALLY OMITTED.
- THERE ARE 7 PROPOSED STREET LIGHTS ON THIS PLAT.
- NO VERTICAL IMPROVEMENTS ARE PERMITTED WITHIN THIS FAULT ZONE OF INFLUENCE.
- 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 DRAINAGE EASEMENT STRIPS.
- 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 DISTRICT OR SUB-REGIONAL FACILITIES CONSTRUCTED BY DEVELOPER(S) FOR WHICH OWNERSHIP HAS BEEN TRANSFERRED TO 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 AND AS MAY BE WARRANTED TO ENSURE THE DETENTION FACILITY OF OPERATING PROPERLY.
- NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THE 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 RIGHTS-OF-WAYS ACROSS THIRD PARTIES PROPERTIES FOR THE PURPOSES OF MOVING EXCESS RUNOFF TO THE DISTRICT'S DRAINAGE FACILITIES AS CONTEMPLATED BY THE FINAL DRAINAGE PLAN AND FINAL PLAT.
- THERE ARE NO EXISTING OR PROPOSED DISTRICT FACILITIES ON OR ADJACENT TO THIS TRACT, THEREFORE, NO EASEMENTS ARE REQUIRED.
- ACCESS RIGHTS TO DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING RESIDENTIAL PROPERTIES.
- SECTIONS OF GREEN HEALTH AND SAVANNAH BEND THAT ABUT THE DETENTION LAKE WILL HAVE SIDEWALKS BUILT BY THE DEVELOPER.

BEING 15.462 ACRES OF LAND LOCATED IN THE J.S. TALMAGE SURVEY, ABSTRACT 562, BRAZORIA COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF THE RESIDUE OF A CALLED 161.460 ACRE TRACT (DESCRIBED AS TRACT 5) CONVEYED TO SAVANNAH DEVELOPMENT, LTD., BY AN INSTRUMENT OF RECORD IN FILE NO. 00-037203, OFFICIAL RECORDS OF SAID BRAZORIA COUNTY, TEXAS (B.C.O.R.) ALSO BEING RECORDED BY AN INSTRUMENT OF RECORD IN FILE NO. 2000002225, OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, SAID 15.462 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS REFERENCED TO SAVANNAH MEADOWS SECTION TWO, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2007058922, B.C.O.R.):

COMMENCING FOR REFERENCE AT THE NORTHEAST CORNER OF SAID SAVANNAH BEND SECTION TWO, SAME BEING THE NORTHEAST CORNER OF RESERVE "B" OF SAID SUBDIVISION;

THENCE NORTH 03° 05' 34" WEST, ALONG THE EAST LINE OF SAID 161.460 ACRE TRACT, 588.63 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 86° 54' 26" WEST, DEPARTING THE EAST LINE OF SAID 161.460 ACRE TRACT, 115.00 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

THENCE, 39.27 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90° 00' 00", AND A CHORD WHICH BEARS SOUTH 41° 54' 26" WEST, 35.36 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 86° 54' 26" WEST, 60.00 FEET TO A POINT FOR CORNER;

THENCE, NORTH 03° 05' 34" WEST, 85.00 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 86° 54' 26" WEST, 205.00 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 83° 56' 29" WEST, 100.13 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 38° 39' 28" WEST, 120.06 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 02° 56' 41" EAST, 104.47 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 25° 40' 11" EAST, 130.23 FEET TO A POINT FOR CORNER ON THE NORTHERLY LINE OF SAVANNAH BEND SECTION THREE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2012032201, B.C.O.R.;

THENCE, ALONG SAID NORTHERLY LINE THE FOLLOWING TWELVE (12) COURSES:

- NORTH 87° 20' 31" WEST, 57.86 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;
- NORTH 83° 02' 55" WEST, 60.38 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;
- NORTH 73° 00' 33" WEST, 60.38 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;
- NORTH 62° 58' 10" WEST, 60.38 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;
- NORTH 52° 55' 47" WEST, 60.38 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;
- NORTH 42° 27' 31" WEST, 60.34 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;
- NORTH 39° 36' 01" WEST, 59.82 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;
- NORTH 80° 58' 30" WEST, 14.55 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;
- SOUTH 55° 42' 51" WEST, 110.00 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;
- NORTH 34° 17' 09" WEST, 67.23 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER, THE BEGINNING OF A CURVE;
- 154.26 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 530.00 FEET, A CENTRAL ANGLE OF 16° 40' 34", AND A CHORD WHICH BEARS NORTH 42° 37' 26" WEST, 153.71 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER, THE BEGINNING OF A REVERSE CURVE;
- 34.71 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 79° 32' 28", AND A CHORD WHICH BEARS NORTH 11° 11' 29" WEST, 31.99 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER, THE BEGINNING OF A REVERSE CURVE;

THENCE, CONTINUING ALONG SAID NORTHERLY LINE, 11.99 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, PASSING A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR A COMMON NORTHERLY CORNER OF SAID SECTION THREE AND A EASTERLY CORNER OF SAVANNAH MEADOWS SECTION NINE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2012002273, B.C.O.R., CONTINUING A TOTAL OF 237.99 FEET ALONG THE EASTERLY LINE OF SAID SECTION NINE AND SAID CURVE TO THE LEFT HAVING A RADIUS OF 325.00 FEET, A CENTRAL ANGLE OF 41° 57' 25" AND A CHORD WHICH BEARS NORTH 07° 38' 02" EAST, 232.71 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;

THENCE, NORTH 13° 22' 40" WEST, CONTINUING ALONG SAID EASTERLY LINE, 9.18 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;

THENCE, NORTH 82° 28' 39" EAST, CONTINUING ALONG SAID EASTERLY LINE, 108.81 FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;

THENCE, NORTH 64° 25' 48" EAST, CONTINUING ALONG SAID EASTERLY LINE, PASSING AT 30.33 FEET A SOUTHEASTERLY CORNER OF THE AFOREMENTIONED SECTION NINE, CONTINUING 114.60 TOTAL FEET TO A 5/8-INCH IRON WITH A PLASTIC CAP STAMPED "LJA-ENG" FOUND FOR CORNER;

THENCE, NORTH 25° 06' 30" EAST, 76.24 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

THENCE, 83.77 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 95° 59' 53", AND A CHORD WHICH BEARS NORTH 67° 06' 34" EAST, 74.31 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 70° 53' 23" EAST, 20.00 FEET TO A POINT FOR CORNER;

THENCE, NORTH 77° 57' 55" EAST, 91.61 FEET TO A POINT FOR CORNER;

THENCE, NORTH 17° 12' 18" WEST, 55.22 FEET TO A POINT FOR CORNER;

THENCE, NORTH 14° 05' 20" WEST, 85.63 FEET TO A POINT FOR CORNER;

THENCE, NORTH 67° 57' 46" EAST, 115.45 FEET TO A POINT FOR CORNER;

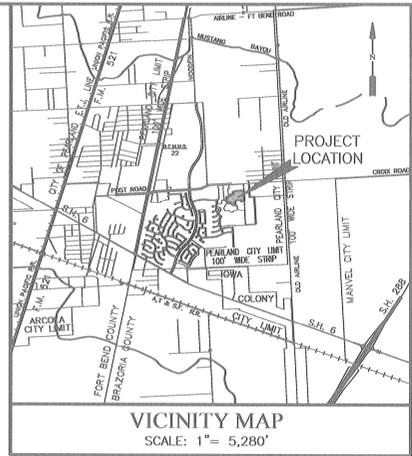
THENCE, NORTH 75° 55' 25" EAST, 60.00 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

THENCE, 8.13 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 1,170.00 FEET, A CENTRAL ANGLE OF 00° 23' 53", AND A CHORD WHICH BEARS SOUTH 14° 16' 32" EAST, 8.13 FEET TO A POINT FOR CORNER;

THENCE, NORTH 76° 34' 51" EAST, 66.19 FEET TO A POINT FOR CORNER;

THENCE, NORTH 86° 40' 29" EAST, 450.79 FEET TO A POINT FOR CORNER, ON THE EAST LINE OF THE AFOREMENTIONED 161.460 ACRE TRACT;

THENCE SOUTH 03° 05' 34" EAST, ALONG THE EAST LINE OF SAID 161.460 ACRE TRACT, 676.56 FEET TO THE POINT OF BEGINNING AND CONTAINING 15.462 ACRES OF LAND.



**P&Z AGENDA  
ITEM**

**F**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 10/15/2013  
**AGENDA ITEM SUBJECT:** Master Plat of Silverlake Parkway Tract

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Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Geoff Freeman of Kerry R. Gilbert and Associates, applicant, on behalf of Beazer Homes, LP c/o Greg Coleman, owner for approval of the Master Plat of Silverlake Parkway Tract, generally located at the 2500 Block of Miller Ranch Rd. for approximately 33.3 acres.

**Staff Recommendation: Approval**

Agenda Reviewed by:

HE  
\_\_\_\_\_

Date Reviewed:  
10/17/13  
\_\_\_\_\_



# PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 21, 2013

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## Master Plat of Silverlake Parkway Tract

A request by Geoff Freeman of Kerry R. Gilbert and Associates, applicant, on behalf of Beazer Homes, LP c/o Greg Coleman, owner for approval of the Master Plat of Silverlake Parkway Tract, generally located at the 2500 Block of Miller Ranch Rd. on the following described property, to wit

**Legal Description:** Being 33.3 acres of land out of the H.T. &B.R.R.R. Co. Survey, A-233 and R.B. Lyle Survey, Section 85, A-304 City of Pearland. Brazoria County, Texas.

**General Location:** 2500 Block of Miller Ranch Road

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**SUMMARY:** This is a request for a Master Plat of Silverlake Parkway Tract, a proposed 79 lot single-family residential subdivision on approximately 33.3 acres. This proposed subdivision is zoned Single Family Residential – 3 (R-3). Following approval of the master plat, the next step in the platting process will be to preliminary and subsequently final plat Section 1 and then Section 2 of the proposed subdivision for development.

### SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	SR-12, R-1	Single Family Residential (Somersetshire Estates)
South	R-3	Single Family Residential (Sunrise Lakes)
East	R-3	Single Family Residential (Sunrise Lakes)
West	GC, R-1	Office Warehouse, Vacant Land

**UNIFIED DEVELOPMENT CODE:** The subject parcel is in conformance with the Unified Development Code. The parcel is zoned Single Family Residential – 3 (R-3). The requirements for this zone can be found in the table shown below. The proposed master plat exceeds the requirements of the (R-3) zone.

	<b>Table 2: R-3 Single-Family Dwelling District</b>	
	<b>R-3 Requirements</b>	<b>Silverlake Parkway Tract</b>
Minimum Lot Size:	6,000 square feet	7,800 square feet
Minimum Lot Width:	60 Feet	65 Feet
Minimum Lot Depth:	90 Feet	120 Feet

**PLATTING STATUS:** This is the first phase of the platting process for the Silverlake Parkway Tract. As the developer will be developing the subdivision in two phases, the master plat process is required.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The subject property is within the *Low Density Residential* land use designation on the Future Land Use Plan. The *Low Density Residential* land use designation would be associated with the SR-12 and R-1 zoning designation. These zones require minimum lot sizes of 12,000 and 8,800 square feet, respectively. This proposed plat is not in conformance with the *Low Density Residential* land use designation as the proposed lots are not a minimum of 8,800 square feet. However, a zone change to the Single Family Residential-3 (R-3) zone, considered to be medium density residential, was approved by City Council in November 2012 for this site, allowing for the proposed lot sizes.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is served by Silverlake Parkway., which is an 80-foot Major Collector and Sunshade Ct, a 60-foot Local Street. As part of this development, Silverlake Parkway will need to be extended to the northern boundary of this subdivision.

**ADDITIONAL COMMENTS:** This plat was discussed at the Development Review Committee meeting. No additional comments were raised that have not been addressed by the applicant.

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

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

**STORMWATER MANAGEMENT:** A Preliminary Drainage Plan has been approved by the Engineering Department.

**PARKLAND FEES:** Parkland dedication fees will be required prior to approval of any Final Plats.

**STAFF RECOMMENDATION:** Staff recommends approval of the Master Plat of Silverlake Parkway Tract as proposed by the applicant for the following reason:

1. The proposed Master plat will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the Unified Development Code.

**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Zoning Map
- Aerial Map
- Master Plat of Silverlake Parkway Tract



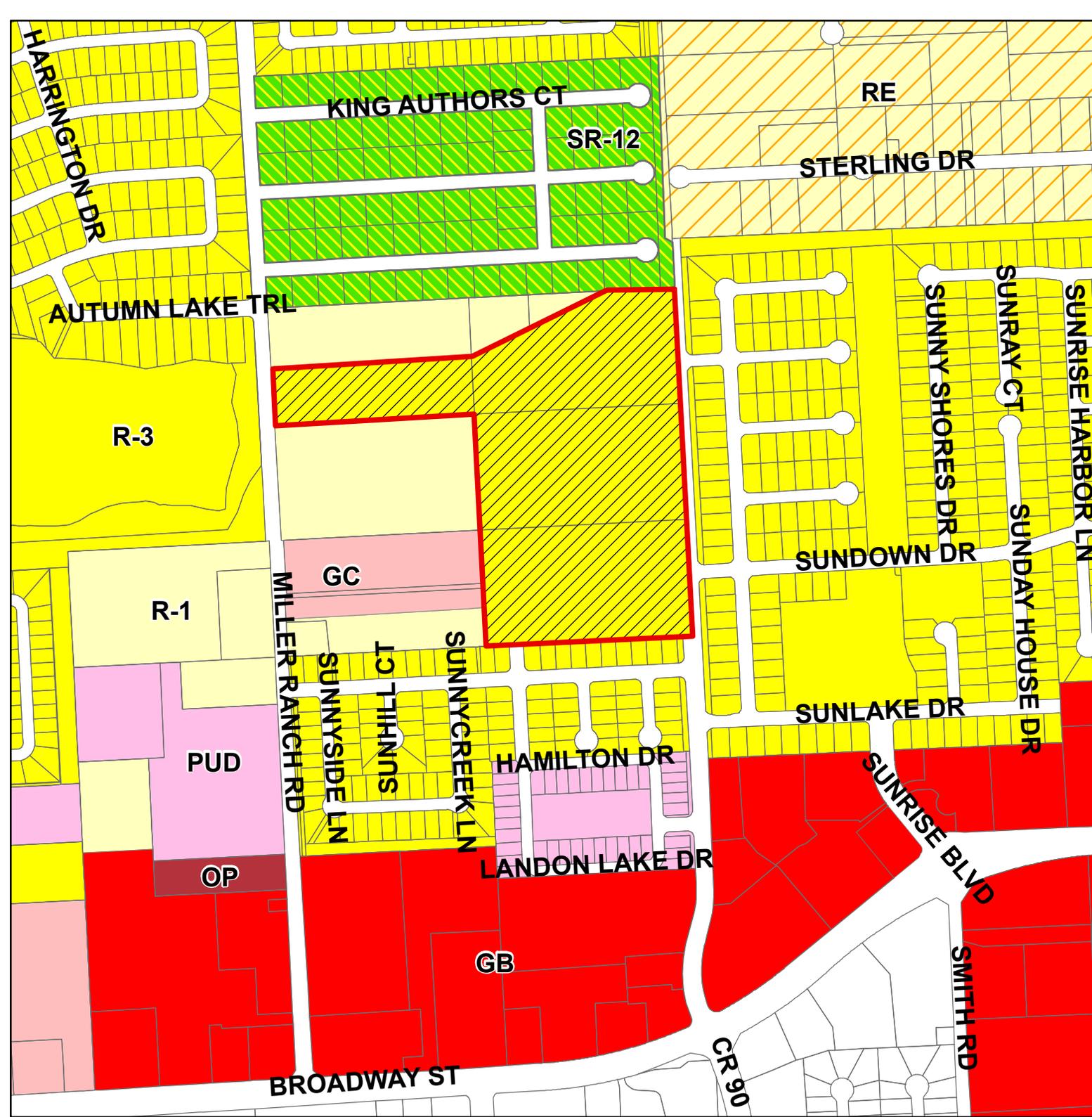
### Zoning and Vicinity Map

### Master Plat of Silverlake Parkway Tract

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 130260 520 Feet





FLUP Map

Master Plat of  
Silverlake Parkway Tract

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N



0 130260 520 Feet

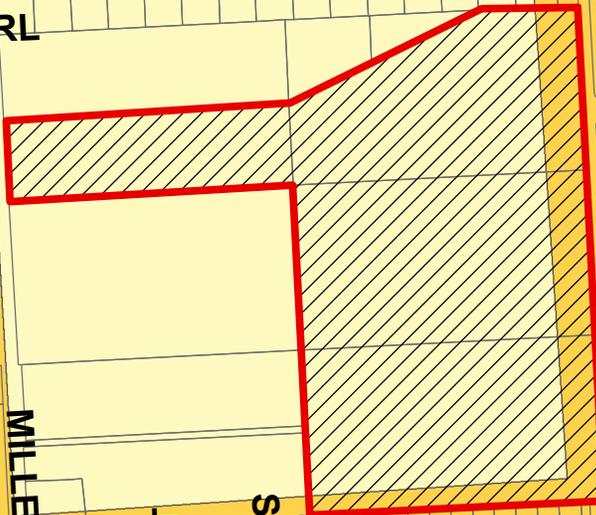


Public / Semi-Public

D-10,000sf Lots (Suburban Res)  
STERLING DR

Low Density Residential

AUTUMN LAKE TRL



SUNRAY CT  
SUNNY SHORES DR  
SUNRISE HARBOR LN  
SUNDOWN DR

Medium Density Residential

SUNLAKE DR

MILLER RANCH RD  
SUNNYCREEK LN  
LJ THIHNS  
SUNNYSIDE LN  
HAMILTON DR  
LANDON LAKE DR

Retail, Offices and Services

SUNRISE BLVD

High Density Residential

BROADWAY ST

CR 90

SMITH RD





**P&Z AGENDA  
ITEM**

**G**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 10/15/2013  
**AGENDA ITEM SUBJECT:** Preliminary Plat of Silverlake Parkway Tract Sec. 1

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Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Geoff Freeman of Kerry R. Gilbert and Associates, applicant, on behalf of Beazer Homes, LP c/o Greg Coleman, owner for approval of the Preliminary Plat of Silverlake Parkway Tract Section 1, generally located at the 2500 Block of Miller Ranch Rd. for approximately 21 acres.

**Staff Recommendation: Approval**

**Agenda Reviewed by:**

HE  
\_\_\_\_\_

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



# PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 21, 2013

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## Preliminary Plat of Silverlake Parkway Tract Section 1

A request by Geoff Freeman of Kerry R. Gilbert and Associates, applicant, on behalf of Beazer Homes, LP c/o Greg Coleman, owner for approval of the Preliminary Plat of Silverlake Parkway Tract Section 1, generally located at the 2500 Block of Miller Ranch Rd. on the following described property, to wit

**Legal Description:** Being 21 acres of land out of the H.T. &B.R.R.R. Co. Survey, A-233 and R.B. Lyle Survey, Section 85, A-304 City of Pearland. Brazoria County, Texas.

**General Location:** 2500 Block of Miller Ranch Road

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**SUMMARY:** This is a request for a Preliminary Plat of Silverlake Parkway Tract Section 1, a proposed 42 lot single-family residential subdivision on approximately 21 acres. This proposed subdivision is zoned Single Family Residential – 3 (R-3). This section of the development includes a 3 acre reserve for a detention lake and a 1 acre reserve for a neighborhood park that will front on Hickory Slough. A trail easement is being provided along Hickory Slough for the construction of a required primary trail.

### SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	SR-12, R-1	Single Family Residential (Somersetshire Estates)
South	R-3	Single Family Residential (Sunrise Lakes)
East	R-3	Single Family Residential (Sunrise Lakes)
West	GC, R-1	Office Warehouse, Vacant Land

**UNIFIED DEVELOPMENT CODE:** The subject parcel is in conformance with the Unified Development Code. The parcel is zoned Single Family Residential – 3 (R-3). The requirements for this zone can be found in the table shown below. The proposed preliminary plat exceeds the requirements of the (R-3) zone.

	Table 2: R-3 Single-Family Dwelling District	
	R-3 Requirements	Silverlake Parkway Tract
Minimum Lot Size:	6,000 square feet	7,800 square feet
Minimum Lot Width:	60 Feet	65 Feet
Minimum Lot Depth:	90 Feet	120 Feet

**PLATTING STATUS:** This is the first preliminary plat for the Silverlake Parkway Tract. As the proposed subdivision is to be developed in two section, as indicated on the Master Plat, Section 2 will be platted separately at a later time.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The subject property is within the *Low Density Residential* land use designation on the Future Land Use Plan. The *Low Density Residential* land use designation would be associated with the SR-12 and R-1 zoning designation. These zones require minimum lot sizes of 12,000 and 8,800 square feet, respectively. This proposed plat is not in conformance with the *Low Density Residential* land use designation as the proposed lots are not a minimum of 8,800 square feet. However, a zone change to the Single Family Residential-3 (R-3) zone, considered to be medium density residential, was approved by City Council in November 2012 for this site, allowing for the proposed lot sizes.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is served by Silverlake Parkway., which is an 80-foot Major Collector and Sunshade Ct, a 60-foot Local Street. As part of this development, Silverlake Parkway will need to be extended to the northern boundary of this subdivision.

**ADDITIONAL COMMENTS:** This plat was discussed at the Development Review Committee meeting. No additional comments were raised that have not been addressed by the applicant.

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

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

**STORMWATER MANAGEMENT:** A Preliminary Drainage Plan has been approved by the Engineering Department.

**PARKLAND FEES:** Parkland dedication fees will be required prior to approval of any Final Plats.

**STAFF RECOMMENDATION:** Staff recommends approval of the Preliminary Plat of Silverlake Parkway Tract Section 1 as proposed by the applicant for the following reasons:

1. The proposed Preliminary Plat will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the Unified Development Code.
3. The proposed Preliminary Plat is in conformance with the approved Master Plat of Silverlake Parkway Tract.

**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Zoning Map
- Aerial Map
- Preliminary Plat of Silverlake Parkway Tract Section 1

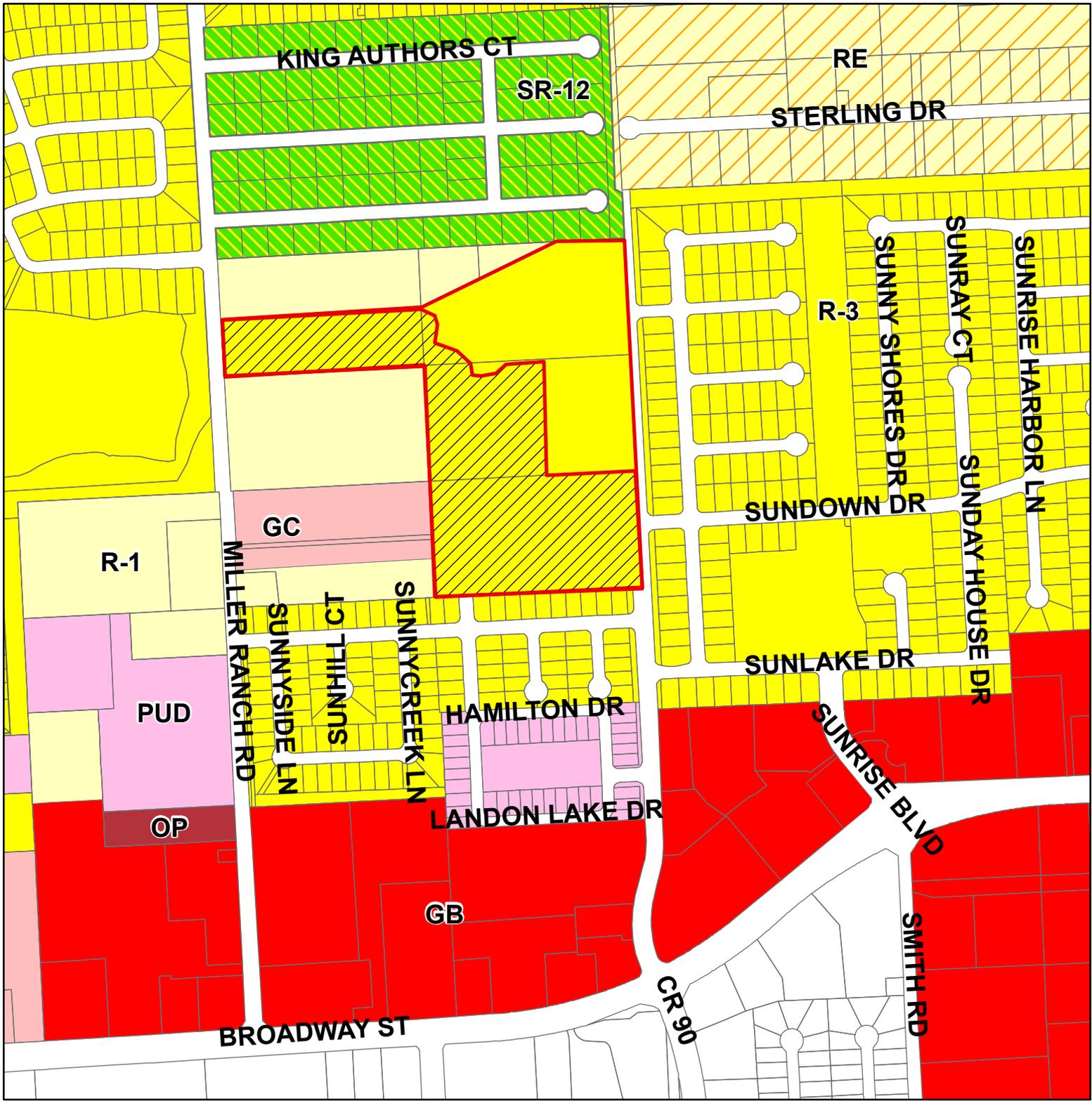


**Zoning and Vicinity Map**

**Preliminary Plat of Silverlake Parkway Tract Section 1**

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0 130260 520 Feet





FLUP Map

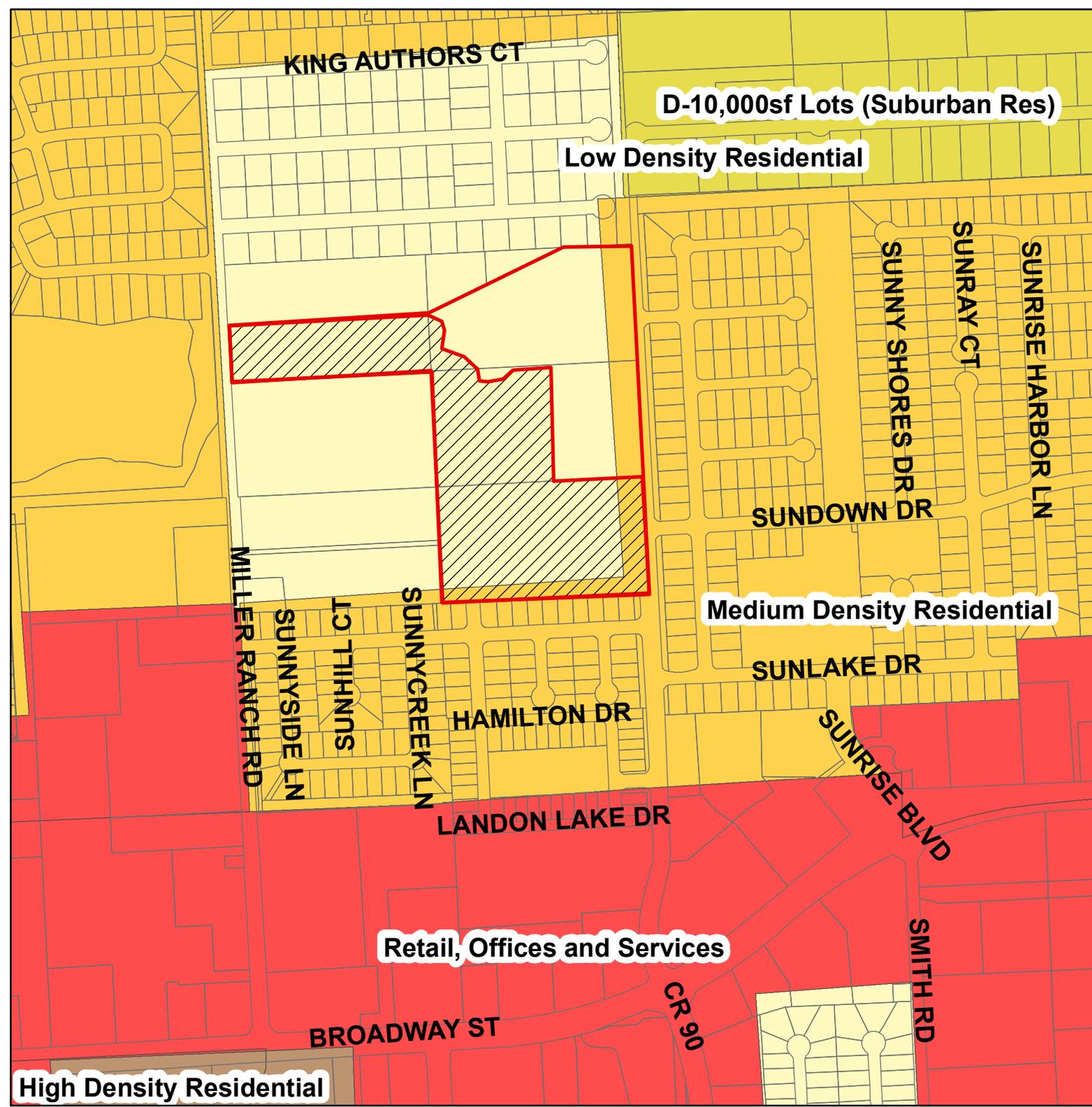
Preliminary Plat of  
Silverlake Parkway Tract  
Section 1

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N



0 130260 520 Feet



D-10,000sf Lots (Suburban Res)

Low Density Residential

Medium Density Residential

Retail, Offices and Services

High Density Residential



Aerial Map

Preliminary Plat of  
Silverlake Parkway Tract  
Section 1

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0 130260 520 Feet  
[Scale bar with 5 segments]





**P&Z AGENDA  
ITEM**

**H**



City of Pearland

## P&Z AGENDA REQUEST

**TO:** Planning & Zoning Commission  
**REQUESTOR:** Ian Clowes  
**DATE:** 10/15/2013  
**AGENDA ITEM SUBJECT:** Master Plat of The Center at Pearland Parkway

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Old Business     **New Business**     Discussion Item     Workshop

**Summary:** A request by Kristin LeBlanc of Halff Associates, Inc., applicant, on behalf of Stream Realty Partners, owner for approval of the Master Plat of The Center at Pearland Parkway, generally located at the 11200 Block of Pearland Parkway.

**Staff Recommendation: Approval**

Agenda Reviewed by:

HE  
\_\_\_\_\_

Date Reviewed:  
10/17/13  
\_\_\_\_\_



# PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 21, 2013

## Master Plat of The Center at Pearland Parkway

A request by Kristin LeBlanc of Halff Associates, Inc., applicant, on behalf of Stream Realty Partners, owner for approval of the Master Plat of The Center at Pearland Parkway, generally located at the 11200 Block of Pearland Parkway., on the following described property, to wit

**Legal Description:** Being 27.0508 acres of land located in the Thomas J. Green Survey, Abstract Number 198, City of Pearland. Brazoria County, Texas.

**General Location:** 11200 Block of Pearland Parkway.

**SUMMARY:** This is a request for a Master Plat of The Center at Pearland Parkway, a proposed 5 lot commercial subdivision with 1 detention reserve on approximately 27 acres. This proposed subdivision is zoned PD within an underlying GB zone. The PD, *The Center at Pearland Commons* calls for a mix of commercial uses with a large retail center in the rear, and a number of out parcel lots fronting on Pearland Parkway. The proposed master plat displays all of the required amenities as shown in the PD such as the landscaped entrance with boulevard and the outdoor community space on lot C.

### SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	R-2	Vacant Land
South	GB	HEB (Under Construction)
East	PD	Hometown Bank, Province Village PD
West	R-2	Single Family Residential (Banbury Cross)

**UNIFIED DEVELOPMENT CODE:** The subject parcel is in conformance with the Unified Development Code with the approved planned development.

**PLATTING STATUS:** This is the first phase of the platting process for The Center at Pearland Parkway. As the property is zoned Planned Development, a Master Plat is

required in order to illustrate all required amenities. A Development Plat is in process for the property that will be reviewed by staff and recorded.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The subject property is within the *Offices, and Retail, Offices, and Services* land use designation. The appropriate zoning designations for these land uses are listed as *Office Professional, Neighborhood Services, and General Business*. The proposed uses as described in the Planned Development are in conformance with the Future Land Use Plan. A Zone Change to the current Planned Development was recently approved for this site which also allows for the proposed uses.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property is served by Pearland Parkway, which is a 120-foot Major Thoroughfare.

**ADDITIONAL COMMENTS:** This plat was discussed at the Development Review Committee meeting. No additional comments were raised that have not been addressed by the applicant.

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

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

**STORMWATER MANAGEMENT:** A Preliminary Drainage Plan has been approved by the Engineering Department.

**STAFF RECOMMENDATION:** Staff recommends approval of the Master Plat of The Center at Pearland Parkway as proposed by the applicant for the following reasons:

1. The proposed Master Plat will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the Unified Development Code.
3. The request is in conformance with the approved Planned Development.

**SUPPORTING DOCUMENTS:**

- Vicinity Map
- Land Use Map
- Zoning Map
- Aerial Map
- Master Plat of The Center at Pearland Parkway

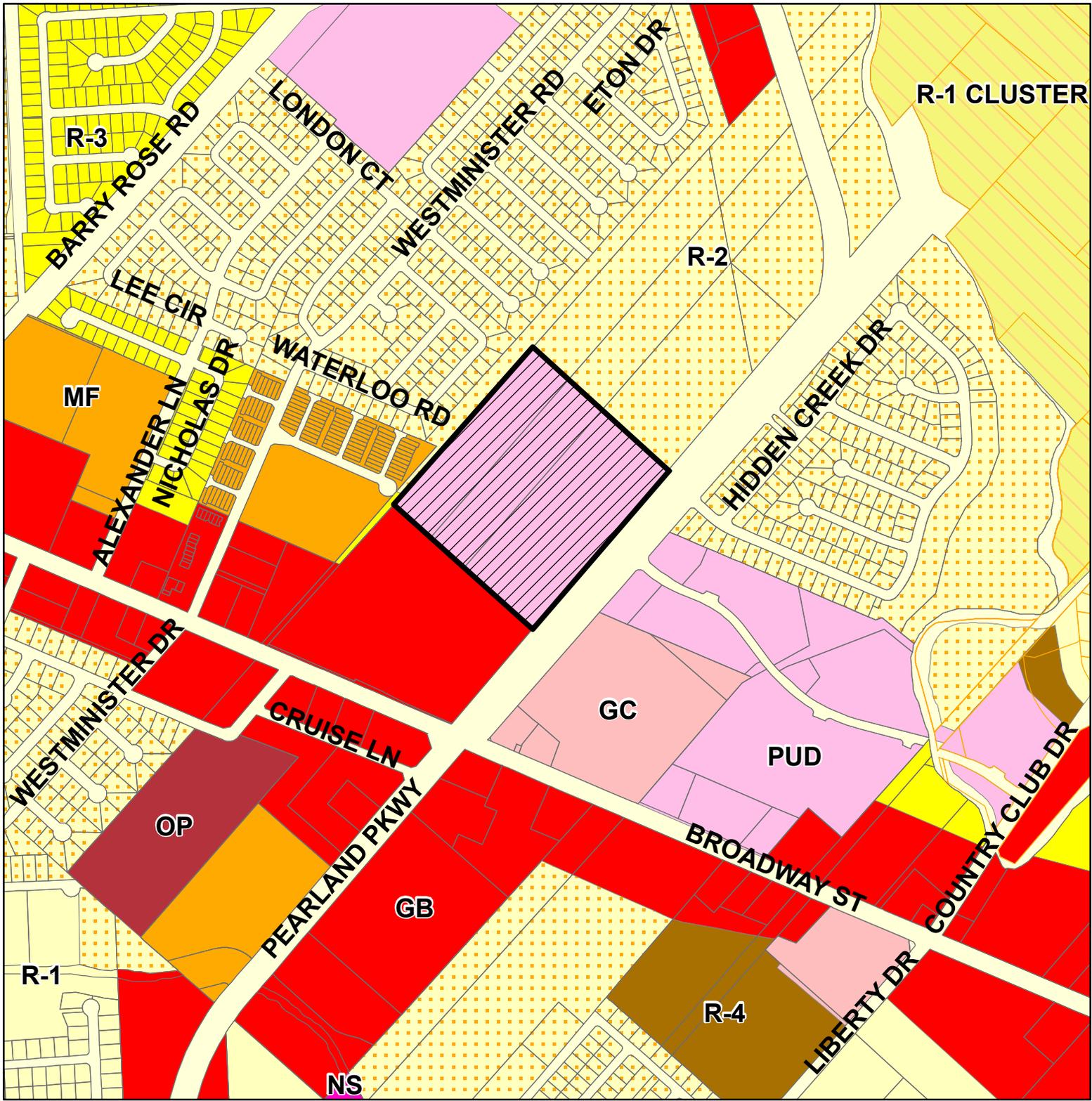


### Zoning and Vicinity Map

### Master Plat of The Center at Pearland Parkway

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0 17350 700 Feet  
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### FLUP Map

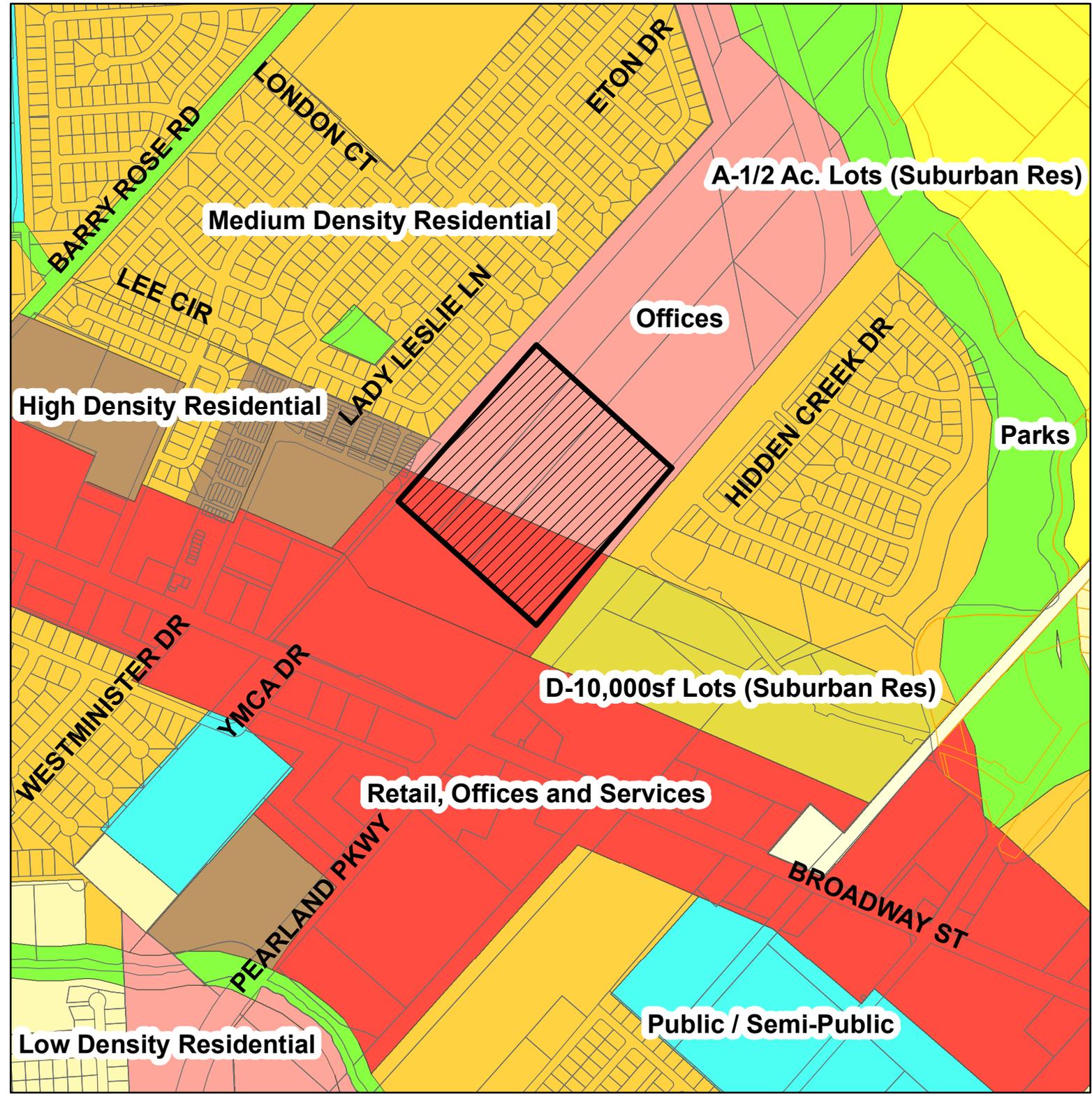
### Master Plat of The Center at Pearland Parkway

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N



0 175350 700 Feet





### Aerial Map

### Master Plat of The Center at Pearland Parkway

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N

0 175350 700 Feet



STATE OF TEXAS  
COUNTY OF BRAZORIA

We (or I), \_\_\_\_\_ (insert name of partnership, corporation, or individual(s) owning the property being platted), by its \_\_\_\_\_ (insert title and name of entity acting on behalf of the owner, if applicable), acting by and through \_\_\_\_\_ (insert name and title of person(s) who will sign the plat), owners of the property subdivided in this plat of the MASTER PLAT OF THE CENTER AT PEARLAND PARKWAY, 27.0508 acres out of the Thomas J. Green Survey, Abstract Number 198, Brazoria County, Texas, do hereby make subdivision of said property for and on behalf of said \_\_\_\_\_ (partnership, corporation, or individual), according to the lines, lots, streets, alleys, reserves, parks, and easements as shown hereon and dedicate for public use as such the streets, alleys, parks, and easements shown hereon forever, and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and defend the title to the land so dedicated.

Further, owners have dedicated and by these presents do dedicate to the use of the public, for public utility purposes forever, unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 0") for ten foot (10' 0") perimeter ground easements or seven feet, six inches (7' 0") for fourteen foot (14' 0") perimeter ground easements or five foot, six inches (5' 0") for sixteen foot (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 (I.E. and A.E.) as indicated and depicted hereon whereby each aerial easement totals twenty-one feet, six inches (21' 0") 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 foot (10' 0") back-to-back ground easements, or eight feet (8' 0") for fourteen foot (14' 0") back-to-back ground easements or seven feet (7' 0") for sixteen foot (16' 0") back-to-back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (I.E. and A.E.) as indicated and depicted hereon, whereby each aerial easement totals thirty feet (30' 0") in width.

In testimony hereof, \_\_\_\_\_ (insert name of owner) has caused these presents to be signed by \_\_\_\_\_ (insert name and title of person signing the plat) this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

THOMAS J. GREEN SURVEY  
ABSTRACT NUMBER 198

BY: \_\_\_\_\_  
(insert name of partnership, corporation, or individual)

BY: \_\_\_\_\_  
(insert name and title of entity acting on behalf of owner, if applicable)

BY: \_\_\_\_\_  
(insert name and title of entity acting on behalf of owner, if applicable)

(printed name and title of signatory)

STATE OF TEXAS  
COUNTY OF BRAZORIA

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ (insert name and complete title of person signing the plat), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that \_\_\_\_\_ (he or she) executed the same for the purposes and considerations therein expressed and in the capacity therein and heren stated.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_

CITY OF PEARLAND

This is to certify that the Planning and Zoning Commission of the City of Pearland, Texas has approved this final and subdivision of the MASTER PLAT OF THE CENTER AT PEARLAND PARKWAY and is in conformance with the laws of the State of Texas and the ordinances of the City of Pearland as shown hereon and authorizes the recording of this plat this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Henry Fuentuz, Chairperson  
Planning and Zoning Commission  
City of Pearland, Texas

Approved for the City of Pearland, Texas this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Darrin Coker, City Attorney  
Andrea Broughton, P.E., City Engineer

Design

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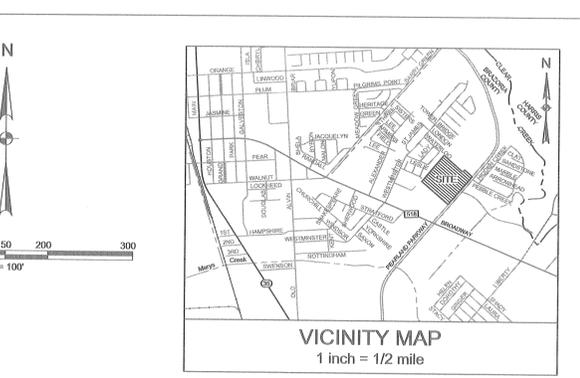
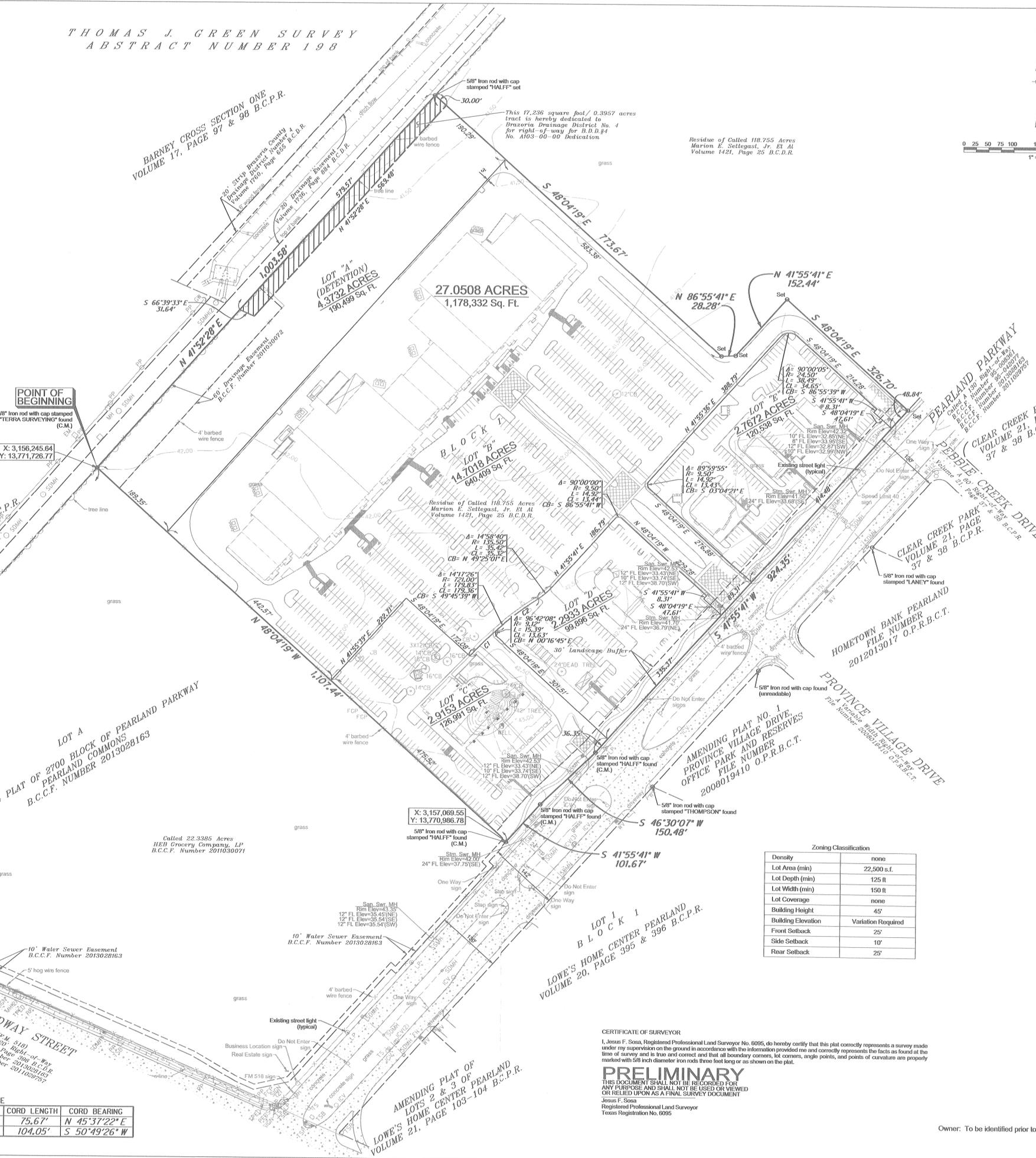
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LEGEND:

- AC AIR CONDITIONER UNIT
- BH BORE HOLE
- BL BOLLARD
- CB CHIMNEY TREE
- CI CURB INLET
- CM CONTROLLING MONUMENT
- ER ELECTRIC BOX
- EP ELECTRIC PEBER
- FOP FENCE CORNER POST
- FG FENCE GATE
- FI FIRE HYDRANT
- GR GRATE INLET
- GM GAS METER
- GW GUY WIRE
- GV GAS VALVE
- HW HANDBOOK SIGN
- ICV IRRIGATION CONTROL VALVE
- LI LIGHT PILE
- PP POWER POLE
- RCP REINFORCED CONCRETE PIPE
- SIH STORM SEWER MANHOLE
- SSCO SANITARY CLEAN-OUT
- SSM SANITARY SEWER MANHOLE
- SET SET 5/8" IRON ROD WITH CAP STAMPED "HALFF" FOUND (C.M.)
- WM WATER METER
- WV WATER VALVE
- N.C.C.F. HARRIS COUNTY CLERKS FILE
- H.C.M.A. HARRIS COUNTY MAP RECORDS
- EX-OFFICE ELECTRICAL OVERHEAD LINES

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CORD LENGTH	CORD BEARING
C1	06°00'53"	721.00'	75.69'	75.67'	N 45°37'22" E
C2	08°16'33"	721.00'	104.14'	104.05'	S 50°49'26" W



LEGAL DESCRIPTION

BEING a 27.0508 acre (1,178,332 square foot) tract of land situated in the Thomas J. Green Survey, Abstract Number 198 in Brazoria County, Texas, and being out of and a part of the called 118,755 acre tract of land described in deed to Marion E. Settegast, Jr. et al as recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, said 27.0508 acre tract of land being more particularly described as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

COMMENCING at a 5/8 inch iron rod with cap stamped 'HALFF' found at the intersection of the easterly right-of-way line of Whitehead Road (30 feet wide, unimproved) and the northerly right-of-way line of FM 518 (a variable width right-of-way) for the southwest corner of a 22,585 acre tract of land described in deed to HEB Grocery Company, LP as recorded under Brazoria County Clerk's File Number 2011030071, same being the southwest corner of Lot A, Amending Plat of 2700 Block of Pearland Parkway Pearland Commons subdivision as recorded under File Number 2013028163 of the Official Public Records of Brazoria County, Texas (O.P.R.B.C.T.);

THENCE with the easterly right-of-way line of said Whitehead Road, North 41 degrees 52 minutes 28 seconds East, a distance of 1,065.32 feet to a 5/8 inch iron rod with cap stamped 'TERRA SURVEYING' found at the northwest corner of said 22,585 acre tract for the POINT OF BEGINNING; and the westerly corner of the herein described tract of land;

THENCE continuing with the easterly right-of-way line of said Whitehead Road, North 41 degrees 52 minutes 28 seconds East, a distance of 1,003.26 feet to a 5/8 inch iron rod with cap stamped 'HALFF' set for the northerly corner of the herein described tract of land;

THENCE departing the easterly right-of-way line of said Whitehead Road over and across said 118,755 acre tract the following courses and distances:

South 48 degrees 04 minutes 19 seconds East, a distance of 773.67 feet to a 5/8 inch iron rod with cap stamped 'HALFF' set for an angle point in the herein described tract of land;

North 86 degrees 55 minutes 41 seconds East, a distance of 28.28 feet to a 5/8 inch iron rod with cap stamped 'HALFF' set for an angle point in the herein described tract of land;

North 41 degrees 55 minutes 41 seconds East, a distance of 152.44 feet to a 5/8 inch iron rod with cap stamped 'HALFF' set for an angle point in the herein described tract of land;

South 48 degrees 04 minutes 19 seconds East, a distance of 326.70 feet to the northerly right-of-way line of Pearland Parkway (a variable width right-of-way) to a 5/8 inch iron rod with cap stamped 'HALFF' set for the easterly corner of the herein described tract of land;

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

South 41 degrees 55 minutes 41 seconds West, a distance of 924.35 feet to a 5/8 inch iron rod with cap stamped 'HALFF' set for an angle point in the herein described tract of land;

South 48 degrees 30 minutes 07 seconds West, a distance of 150.48 feet to a 5/8 inch iron rod with cap stamped 'HALFF' set for an angle point in the herein described tract of land;

South 41 degrees 55 minutes 41 seconds West, a distance of 101.67 feet to a 5/8 inch iron rod with cap stamped 'HALFF' set at the northeast corner of the aforesaid 22,585 acre tract of land for the southerly corner of the herein described tract of land;

THENCE departing the northerly right-of-way line of said Pearland Parkway with the northerly line of said 22,585 acre tract, North 48 degrees 04 minutes 19 seconds West, a distance of 1,107.44 feet to the POINT OF BEGINNING and containing 27.0508 acre (1,178,332 square feet) of land.

- NOTES:
- This plat has been prepared to meet the requirements of the State of Texas, Brazoria County and the City of Pearland. This plat was prepared from information provided by Stewart Title Guaranty Company, of No. 1112201754-1, effective date August 7, 2013 and issued September 24, 2013. All bearings references are to the Texas State Plane Coordinate System, South Central Zone.
  - 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 and Brazoria County.
  - Five eighths inch (5/8") iron rods three feet in length are set at all perimeter boundary corners, unless otherwise noted. Lot corners or street right-of-ways have not been monumented.
  - Description: BM is a Brass Disk Stamped 'RM 010140K' northwest of the intersection of Tower Bridge and Westminster Watershed near stream A 100-00-00.
  - Datum: NAVD88, 2001 Adjustment and were determined as a result of an on-the-ground survey completed on July 14, 2008. Elevation: 38.74 feet
  - According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map No. 48029C0405J, with the effective date of September 22, 1999, the property is located in Zone 'X' unshaded (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.
  - 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 easement. The responsibility of securing approval from the private entities to build within an easement is solely that of the property owner.
  - Access rights to parking areas and driveways are hereby granted to all adjoining commercial properties.
  - The minimum slab elevation for all buildings located within the boundaries of this plat shall be the higher of (1) either 12 inches above the top of curb elevation for a curb street or 12 inches above the elevation of the edge of the roadway if no curb exists, or (2) 12 inches above the 100 year floodplain water surface elevation for structures to be located within the 100 year floodplain.
  - Any proposed drainage system for this subdivision shall be designed to meet the requirements of the City of Pearland and Brazoria County Drainage District #4.
  - This property is not located wholly within Municipal Utility District.
  - All landscaping and structures, including fences at intersections shall conform to the City of Pearland and AASHTO site distance requirements for motorists.
  - 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.
  - Whitehead Road is mentioned in the deed recorded in Volume 1421, Page 25 of the Brazoria County Deed Records, is 30 feet wide and is unimproved.
  - The bearings and coordinates shown hereon are referenced to the Texas Coordinate System of 1983, South Central Zone. Tropical Storm Allison Recovery Project Reference Mark Numbers 010125, 010130, 010135, 010140, and 010145 were held fixed using their published horizontal and vertical values. Distance and coordinates are surface and can be converted to grid by dividing by a combined scale factor of 1.000284386.
  - A 10 foot trail/sidewalk is required along Pearland Parkway.

Zoning Classification	
Density	none
Lot Area (min)	22,500 s.f.
Lot Depth (min)	125 ft
Lot Width (min)	150 ft
Lot Coverage	none
Building Height	45'
Building Elevation	Variation Required
Front Setback	25'
Side Setback	10'
Rear Setback	25'

MASTER PLAT OF  
THE CENTER AT  
PEARLAND PARKWAY  
BEING 27.0508 ACRES  
LOCATED IN THE  
THOMAS J. GREEN SURVEY  
ABSTRACT NUMBER 198  
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS  
1 BLOCK, 5 LOTS  
OCTOBER, 2013  
Reason for Plat: To create five lots  
Surveyor / Engineer:  
**HALFF**  
HALFF ASSOCIATES, INC.  
TYPE 3 REG 1029268  
TYPE FIRM# F-312  
14000 ST. MARY'S LANE, SUITE 100  
HOUSTON, TEXAS 77078-2945  
TEL (713) 588-2450  
FAX (281) 310-2529  
Owner: To be identified prior to recording.  
SCALE: 1" = 100' AVO: 29175 FILE: V501-MP-29175.dgn

CERTIFICATE OF SURVEYOR

I, Jesus F. Sosa, Registered Professional Land Surveyor No. 6095, do hereby certify that this plat correctly represents a survey made under my supervision on the ground in accordance with the information provided me and correctly represents the facts as found at the time of survey and is true and correct and that all boundary corners, lot corners, angle points, and points of curvature are properly marked with 5/8 inch diameter iron rods three feet long or as shown on the plat.

**PRELIMINARY**

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

Jesus F. Sosa  
Registered Professional Land Surveyor  
Texas Registration No. 6095

**P&Z AGENDA  
ITEM**

**1**

**ADJOURN  
MEETING**