

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

November 17, 2014 7:00 p.m.

Henry Fuertes
P&Z CHAIRPERSON

Daniel Tunstall
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Elizabeth McLane

Derrick Reed



Mary Starr

Ginger McFadden

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, MONDAY, NOVEMBER 17, 2014, AT 7:00 P.M., HELD IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. CONSENT AGENDA

All items listed under the “Consent Agenda” are considered to be routine and require little or no deliberation by the P&Z Commission. These items will be enacted / approved by one motion unless a commissioner requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action (*ix. Matters removed from Consent Agenda*). Approval of the Consent Agenda enacts the items of legislation.

A. CONSIDERATION & POSSIBLE ACTION – APPROVAL OF MINUTES AND EXCUSED ABSENCES

1. Approve the Minutes of the October 20, 2014 P&Z Regular Meeting, held at 6:30 p.m.
2. Excuse the Absence of Linda Cowles and Ginger McFadden from the October 20, 2014 P&Z Regular meeting.

B. CONSIDERATION AND POSSIBLE ACTION – REPLAT OF SHADOW CREEK RANCH – SF 57

Decision
Date
11/21/14

A request by Rene Rodriguez, from LJA, applicant, on behalf of 741 SCR, LTD, owner, for approval of a Replat of Shadow Creek Ranch - SF 57, a 94 lot residential subdivision on 23,470 acres of land, to wit:

Legal Description: A subdivision of 23.470 acres of land situated in the F. Hooper Survey, Abstract 198 and the H.T.& B.R.R. Co. Survey, Section 83, Abstract 761, City of Pearland, Fort Bend County, Texas, same being a Partial Replat of Shadow Creek Ranch SF-57, a subdivision recorded in Plat No. 20060296, Plat Records of Fort Bend County, Texas.

General Location: Located at the northeast corner of Windward Bay Drive and Broadway Street.

C. CONSIDERATION AND POSSIBLE ACTION – REPLAT OF SHADOW CREEK RANCH – SF 58

Decision
Date
11/21/14

A request by Rene Rodriguez, from LJA, applicant; on behalf of 741 SCR,

LTD, owner; for approval of a Replat of Shadow Creek Ranch - SF 58, a 54 lot residential subdivision located on 12.975 acres of land, to wit:

Legal Description: A subdivision of 12.975 acres of land situated in the H.T. & B.R.R. Company Survey, Section 83, Abstract 761, City of Pearland, Fort Bend County, Texas, same being a Partial Replat of Shadow Creek Ranch SF-58, a subdivision recorded in Plat No. 20060297, Plat Records of Fort Bend County, Texas.

General Location: Located on the south side of Windward Bay Drive north of Shadow Ridge.

D. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF HIGHLAND PARK

Decision
Date
11/21/14

A request by Rene Rodriguez of LJA Engineering, applicant; on behalf of Beazer Homes Texas, LP, owner; for approval of a Final Plat of Highland Park, a 56 lot subdivision on 19.445 acres of land, to wit:

Legal Description: A subdivision of land containing 19.455 acres of land situated in the H.T. & B.R.R. Co. Survey, Section 1, Abstract 233, and the D.H.M. Hunter Survey Abstract 76, City of Pearland Texas, County of Brazoria, Texas.

General Location: Generally located at the intersection of Old Alvin Rd. and Highland Park Dr.

E. CONSIDERATION AND POSSIBLE ACTION- FINAL PLAT OF HIGHLAND CROSSING SECTION 4

Decision
Date
11/21/14

A request by Geoff Freeman of BGE Kerry Gilbert and Associates, applicant, on behalf of Beazer Homes, owner for approval of the Final Plat of Highland Crossing Section 4, a 34 lot single family subdivision on 14.8 acres of land generally located 1000 feet northeast from the intersection of McHard Rd. and Old Alvin Rd. to wit:

Legal Description: Being 14.8 acres of land out of the H.T. & B.R.R. Co. Survey, A-233 and D.H.M. Hunter Survey, A-76 City of Pearland. Brazoria County, Texas.

General Location: Approximately 1000 feet northeast from the intersection of McHard Rd. and Old Alvin Rd.

III. MATTERS REMOVED FROM CONSENT AGENDA

IV. OLD BUSINESS – NONE (ITEMS POSTPONED TO JANUARY 30, 2015)

A. CONSIDERATION AND POSSIBLE ACTION – CONDITIONAL USE PERMIT APPLICATION NO. 2014-09

POSTONED
UNTIL
JANUARY
30, 2015

A request of BGE Kerry R. Gilbert & Associates, applicant; on behalf of George Fishman, owner; for approval of a Conditional Use Permit to allow for a Nursing/Convalescent Home within the Business Park – 288 (BP-288) zoning district, on approximately 9.4 acres of land, to wit:

Legal Description: Being a 9.4083 tract of land located in the H.T. & B.R.R. Company Survey, Abstract 300, Brazoria County Texas; said 9.4083 acre tract being all of a called 3.39 acre tract of land recorded in the name of George D. and Mary Fishman in Clerk's File Number 2005061002 of the Official Records of Brazoria County (O.R.B.C.) Texas, the remainder of a called 3.3 acre tract of land (North 3.3 acres) recorded in the name of George D. and Mary Fishman in Clerk's File Number 97-015077 of the O.R.B.C. and the remainder of a called 3.3 acre tract of land (South 3.3 acres) recorded in the name of George D. and Mary Fishman in Clerk's File Number 97-010496 of the O.R.B.C.

General Location: West side of Business Center Drive, south of Pearland Town Center, Pearland, TX

B. CONSIDERATION AND POSSIBLE ACTION – PLANNING AND ZONING VARIANCE 2014-05

POSTONED
UNTIL
JANUARY
30, 2015

A request by Luther Daly of Costello, Inc., applicant; on behalf of George and Mary Fishman, owner; for approval of a Planning and Zoning Variance to allow for a flag lot within the existing Business Park 288 (BP-288) zoning district on 9.4083 acres of land, to wit:

Legal Description: A subdivision of 9.4083 acres of land located in the H.T.& B.R.R. Company Survey, Abstract 300, Brazoria County, Texas.

General Location: Located on the west side of Business Center Drive, south of Pearland Town Center.

V. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2014-19Z

A request of Chad Thumann, applicant; on behalf of Wayne Thumann, owner; for approval of a change in zoning from the General Commercial (GC) and General Business (GB) zoning districts to the General Business (GB) and Single Family - 1 (R-1) zoning districts; on approximately 2.734 acres of land, to wit:

Legal Description: Being 1.385 acres of land out of called 14.0513 acres of land, said 14.135 being all of Lots 9 and 12 and Part of Lot 7 of partition of the East ½ of Northwest ¼ of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas and being the South 183.60 feet of Lot 8, and a portion of Lot 7 out of a called 14.0513 acre tract being all of Lots 9 and 12 and Part of Lot 7 of partition of the East ½ of Northwest ¼ of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas. According to the Plat recorded in Vol. 441, Page 265 of the Deed Records of Brazoria County, Texas

General Location: 6906 Broadway Street, Pearland, TX

B. CONSIDERATION AND POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2014-20Z

A request of BGE Kerry R. Gilbert and Associates, applicant; on behalf of CL Ashton Woods, LP., owner; for approval of a change in zoning to amend the Southern Trails Planned Development (PD), from an overlay zoning district which allows for Civic/Church uses to General Business (GB) uses; on approximately 0.9 acres of land of the total 522.62 acres, to wit:

Legal Description: A certain parcel of ground together with all the buildings and improvements being a portion of No. 2 Southern Trails Commercial No. 1, H.T. and B.R.R. Company Survey, Section 84, A-538, City of Pearland, Brazoria County, Texas

General Location: South side of Broadway Street, between Windward Bay Drive to the west and Kinglsey Drive to the east, Pearland, TX

C. CONSIDERATION AND POSSIBLE ACTION – LONGVIEW CLUSTER DEVELOPMENT PLAN

A request by Jonathan Woodruff of DR Horton, applicant; on behalf of Assan Tran, owner; for approval of a Cluster Development Plan, on a 9.56 acre tract of land, for a single-family residential subdivision, to wit:

Legal Description: Being a 9.560 acre tract in the W.D.C. Hall League, Abstract No. 70, Brazoria County, Texas. Said tract is a part of Lot 15 of the Geo. W. Jenkins Subdivision as recorded in Volume 657, Page 616-617 of the Brazoria County Map Records and is further described in deeds to W. O. Forrest and Mary Evelyn Forrest as recorded in Volume 657, Page 275 and Volume 694, Page 401 of the Brazoria County Deed Records.

General Location: Northwest corner of Dixie Farm Road and Forrest Lane Drive.

D. CONSIDERATION AND POSSIBLE ACTION – INDEPENDENCE PLACE CLUSTER DEVELOPMENT PLAN

A request by Jonathan Woodruff of DR Horton, applicant; on behalf of Matt Pasternak, owner; for approval of a Cluster Development Plan, on a 8.64 acre tract of land, for a single-family residential subdivision, to wit:

Legal Description: Being a 4.818 acre tract of land, located in the T.D. Yocum Survey, A-399, Brazoria County, Texas, out of 35.8 acre tract described as Second Tract, in the deed from Rose S. Settegast and Julius J. Settegast Jr. to Aaron Pasternak, Trustee, as described under Volume 1023, Page 297, in the County Clerk's Records of Brazoria County, Texas, and;

Being a 3.806 acre tract of land, located in the W.D.C. Hall Survey, A-70, Brazoria County, Texas, out of 297.58 acre tract described as First Tract, in the deed from Rose S. Settegast, and Julius J. Settegast Jr. to Aaron Pasternak, Trustee, as described under Volume 1023, Page 297, in the County Clerk's Records of Brazoria County, Texas

General Location: Northwest corner of Liberty Drive and John Lizer Road.

E. CONSIDERATION AND POSSIBLE ACTION – VARIANCE. 2014-06

A request by Green Hollow Ltd., applicant; and owner; for approval of a Planning and Zoning Variance to allow for a total of 62 residential lots with one means of vehicular access where 2 means of vehicular access is required within the existing Single Family – 4 (R-4) zoning district on 16.26 acres of land., on the following described property:

General Location: Located at the 1300 Block of Broadway Street.

F. DISCUSSION ITEMS

1. Commissioners Activity Report
2. Comprehensive Plan Update
3. Next P&Z Meeting, December 1, 2014 – Regular Meeting and Staff Training

VI. ADJOURNMENT

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

I, Jennifer Tatum, 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 13th day of November 2014, A.D., at 5:30 p.m.

Jennifer Tatum, Office Assistant

Agenda removed _____ day of November, 2014.

CONSENT AGENDA

**P&Z AGENDA
ITEM**

A

APPROVAL

OF

MINUTES

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, CITY OF PEARLAND, TEXAS, HELD ON MONDAY, OCTOBER 20, 2014, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE

CALL TO ORDER

P&Z Chairperson Henry Fuertes opened the meeting for the P&Z Regular Meeting at 8:15 p.m.

In attendance were:

P&Z Chairperson Henry Fuertes
P&Z Vice Chairperson Daniel Tunstall
P&Z Member Elizabeth McLane
P&Z Member Derrick Reed
P&Z Member Mary Starr

Also in attendance were Director of Community Development Lata Krishnarao, City Planner Johnna Matthews, Senior Planner Ian Clowes, Deputy City Attorney Nghiem Doan and Office Assistant Jennifer Tatum.

CONSENT AGENDA

CONSIDERATION & POSSIBLE ACTION – APPROVAL OF MINUTES:

Approve the Minutes of the October 6, 2014 P&Z Regular Meeting, held at 6:30 p.m. Excuse the Absence of Henry Fuertes and Elizabeth McLane from the October 6, 2014 P&Z Regular meeting.

P&Z Vice Chairperson Daniel Tunstall made the motion to approve the Consent Agenda, P&Z Commissioner Derrick Reed seconded.

The vote was 5 – 0. The Items on the Consent Agenda were approved.

NEW BUSINESS

CONSIDERATION AND POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2014-17Z

A request of Sergio Guzman, owner/applicant; for approval of a change in zoning from Single Family Residential-1 (R-1) to General Business (GB) on approximately 0.90 acres of land, to wit:

Legal Description: Tract No. 26 of Westchester Estates, according to the Jack C. McKnight Survey thereof dated April 6, 1962, a partition in the H.T. & B. Railroad

Survey, Abstract 242, Brazoria County, Texas.

General Location: 2701 Westchester Circle, Pearland, TX

City Planner Johnna Matthews read the staff report and stated staff recommended approval.

P&Z Vice Chairperson Daniel Tunstall inquired if the land was just under one acre and if it had a driveway on Broadway Street. Senior Planner Ian Clowes replied yes. Mr. Tunstall also asked if there were any other buildings on the property. City Planner Johnna Matthews stated no. P&Z Chairperson Henry Fuyertes stated that he remembered another property on Westchester had applied for a zone change and it was denied due to it not facing Broadway Street. He wanted it noted that if this zone change was approved, it did not mean that others would be approved as well.

P&Z Vice Chairperson Daniel Tunstall made the motion to approve Zone Change Application 2014-17Z, P&Z Commissioner Elizabeth McLane seconded.

The vote was 5-0. Zone Change Application No. 2014-17Z was approved.

CONSIDERATION AND POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. 2014-18Z

A request of Arnold A Patterson, applicant; on behalf of Pearland New Harvest Christian Fellowship, Inc. owner; for approval of a change in zoning from the Single Family Residential – 1 (R-1) zoning district to the General Business (GB) zoning district; on approximately 3.850 acres of land, to wit:

Legal Description: Being a 3.850 acre tract in the H.T. & B.R.R. Company Survey, Abstract No. 564, Brazoria County, Texas. Said 3.850 acre tract is in Lot 1, Block 1 of the New Harvest Christian Fellowship Subdivision as recorded in Clerk's File No. 2010052506 in the Brazoria County Official Public Records, Brazoria County, Texas

General Location: 12216 Broadway Street, Pearland, TX

Senior Planner Ian Clowes read the staff report and stated that staff could not recommend approval due to the Future Land Use Designation and the abutting residential neighborhood.

P&Z Chairperson Henry Fuyertes stated that the homeowners in the neighborhood behind the site bought their homes with the understanding that a church would be the only thing developed on that land. Mr. Fuyertes stated that letting anything else be developed on this site would be unfair to them. Mr. Fuyertes also spoke about Candlewood suites in regards to height restrictions, and whether or not a CUP would be a better option. Deputy City Attorney Nghiem Doan stated that the R-1 zone did allow for a CUP, but a zone change would need to be done first. P&Z Commissioner

Mary Starr inquired if Office Professional would be a better option. Director of Community Development Lata Krishnarao stated that this property was eligible for a Planned Development. P&Z Vice Chairperson Daniel Tunstall stated that he did not want to approve a GB zone change for this property. Mr. Tunstall also stated that the residents did their research before purchasing their property and did not want a business behind their homes.

P&Z Vice Chairperson Daniel Tunstall made the motion to approve Zone Change Application 2014-18Z, P&Z Commissioner Mary Starr seconded.

The vote was 0-5. Zone Change Application 2014-18Z was denied.

CONSIDERATION AND POSSIBLE ACTION – CONDITIONAL USE PERMIT APPLICATION NO. 2014-09

A request of BGE Kerry R. Gilbert & Associates, applicant; on behalf of George Fishman, owner; for approval of a Conditional Use Permit to allow for a Nursing/Convalescent Home within the Business Park – 288 (BP-288) zoning district, on approximately 9.4 acres of land, to wit:

Legal Description: Being a 9.4083 tract of land located in the H.T. & B.R.R. Company Survey, Abstract 300, Brazoria County Texas; said 9.4083 acre tract being all of a called 3.39 acre tract of land recorded in the name of George D. and Mary Fishman in Clerk's File Number 2005061002 of the Official Records of Brazoria County (O.R.B.C.) Texas, the remainder of a called 3.3 acre tract of land (North 3.3 acres) recorded in the name of George D. and Mary Fishman in Clerk's File Number 97-015077 of the O.R.B.C. and the remainder of a called 3.3 acre tract of land (South 3.3 acres) recorded in the name of George D. and Mary Fishman in Clerk's File Number 97-010496 of the O.R.B.C.

General Location: West side of Business Center Drive, south of Pearland Town Center, Pearland, TX

P&Z Commissioner Mary Starr excused herself and left the chamber.

City Planner Johnna Matthews read the staff report and stated staff recommended approval with the following conditions:

1. In addition to the proposed screening wall, staff recommends a vegetative screen, on the east side of the proposed screening wall (within the proposed 30-foot buffer) to provide a visual screen from the proposed wall. The vegetative screen shall incorporate plantings and shrubs. Shrubs shall be placed a minimum of 3 feet on center.
2. The applicant has also applied for a variance to create a flag lot. All conditions approved with the variance must also be adhered to. Staff's recommended conditions for the reference include the following:

3. The access easement located within the pole portion of the subject parcel shall be treated as City Street, requiring 1 caliper inch of tree for every 15 feet of frontage on either side of the easement, with each tree having a minimum of 2 caliper inches.
4. Sidewalks shall be required along both sides of the access easement located within the pole portion of the subject parcel and connect to both Business Center Drive, and to planned walkways within the development.

P&Z Chairperson Henry Fuertes stated that the applicant/owner was creating their own hardship regarding the detention and stated that the applicant was not being forced to do this. Mr. Fuertes stated that he would like to see wet detention and inquired what staff wanted. City Planner Johnna Matthews stated that staff would like to see amenitized detention. P&Z Vice Chairperson Daniel Tunstall inquired about the height of the proposed building. Kathryn Edwards with BGE Kerry Gilbert & Associates stated it would probably be one (1) story, no more than two (2). P&Z Commissioner Elizabeth McLane inquired about the sidewalks and coming to an agreement with staff about them. Ms. Edwards stated that the easement belonged to Centerpoint and she was unsure about being able to put the sidewalks in. Mr. Fuertes stated that the owner of the property was able to put in sidewalks. Mr. Fuertes also inquired if the city had a preference on type of detention. Interim City Engineer Richard Mancilla stated the city did not have a preference, just concerned with capacity. P&Z Vice Chairperson Daniel Tunstall stated he would like to see more amenities and landscaping. Discussion ensued concerning the quality of the site plan that was provided and lack of photos. Ms. Edwards stated she would provide more photos in the future. Ms. Edwards also stated that this was going to be a high end development and would provide vegetative screening on all sides of the development. Discussion ensued in regards to postponing the application.

P&Z Commissioner Derrick Reed made the motion to postpone Conditional use Permit Application 2014-09Z, and P&Z Vice Chairperson Daniel Tunstall seconded.

The vote was 4-0. Zone Change Application 2014-09Z was postponed until January 30, 2015.

CONSIDERATION AND POSSIBLE ACTION – PLANNING AND ZONING VARIANCE 2014-04

A request by Luther Daly of Costello, Inc., applicant; on behalf of George and Mary Fishman, owner; for approval of a Planning and Zoning Variance to allow a minimum of 145.42 -foot lot width where 150 feet is required within the existing Business Park 288 (BP-288) zoning district on 9.4083 acres of land, to wit:

Legal Description: A subdivision of 9.4083 acres of land located in the H.T. & B.R.R. Company Survey, Abstract 300, Brazoria County, Texas.

General Location: Located on the west side of Business Center Drive, south of Pearland Town Center.

P&Z Commissioner Elizabeth McLane made the motion to approve Planning and Zoning Variance 2014-04Z, P&Z Vice Chairperson Daniel Tunstall seconded.

Senior Planner Ian Clowes read the staff report and stated that staff was unable to recommend approval.

Ms. Kathryn Edwards stated the applicant's intent was to produce as many lots as possible. Senior Planner Ian Clowes stated that there was not a hardship of the land and that a flag lot was not the only option. Mr. Clowes stated if the flag pole was done away with, the applicant could move the lots around. Deputy City Attorney Nghiem Doan stated that the applicant was making this a hard ship on themselves. Discussion ensued in regards to postponement.

The vote was 3-1 with Henry Fuentes in favor. Planning & Zoning Variance 2014-04Z was denied.

CONSIDERATION AND POSSIBLE ACTION – PLANNING AND ZONING VARIANCE 2014-05

A request by Luther Daly of Costello, Inc., applicant; on behalf of George and Mary Fishman, owner; for approval of a Planning and Zoning Variance to allow for a flag lot within the existing Business Park 288 (BP-288) zoning district on 9.4083 acres of land, to wit:

Legal Description: A subdivision of 9.4083 acres of land located in the H.T. & B.R.R. Company Survey, Abstract 300, Brazoria County, Texas.

General Location: Located on the west side of Business Center Drive, south of Pearland Town Center.

P&Z Vice Chairperson Daniel Tunstall made the motion to approve Planning and Zoning Variance 2014-05, P&Z Commissioner Derrick Reed seconded.

Senior Planner Ian Clowes read the staff report stating staff recommended approval with the following conditions:

1. The access easement located within the pole portion of the subject parcel shall be treated as a City Street, requiring 1 caliper inch per each 15 feet of frontage on either side of the easement, with each tree having a minimum of 2 caliper inches.
2. Sidewalks shall be required along both sides of the access easement located within the pole portion of the subject parcel and connect to both

Business Center Drive, and to planned walkways within the development.

P&Z Vice Chairperson Daniel Tunstall stated that this was not a normal layout and that he was opposed to a flag lot. Discussion ensued in regards to the variance, lay out of the lot, and conditions listed in the UDC.

P&Z Vice Chairperson Daniel Tunstall made the motion to postpone Planning & Zoning Variance 2014-05 until January 30, 2015. P&Z Commissioner Elizabeth McLane seconded.

The vote was 4-0. Planning & Zoning Variance 2014-05 was postponed until January 30, 2015

CONSIDERATION AND POSSIBLE ACTION – AMENDMENT TO DIXIE FARM AND TALL OAK CLUSTER DEVELOPMENT PLAN

A request by Korie Johnston of DR Horton, applicant and Kathy Jan Freeman and Kim Freeman, owner (s), for approval of an extension of a Cluster Development Plan on a 14.3 acre tract of land for a single-family residential subdivision, to wit:

Legal Description: Being 11.933 acres of land located in the W.D.C. Hall League, Abstract 70, Brazoria County, Texas, more particularly being a portion of Lot 3 and Lot 4 of the George W. Jenkins Subdivision, a subdivision of record in Volume 79, Page 616 of the Brazoria County Deed Records (B.C.D.R.) also being the residue of a 7.5 acre tract (described as the Southwest $\frac{3}{4}$ of Lot 3) of which an undivided one-half interest was conveyed to Kim Freeman by instrument of record in File Number 99-010744 of the Brazoria County Official Records (B.C.O.R.) and an un-divided $\frac{1}{4}$ interest, each, was to Kim Freeman and Kathy Jan Freeman, by instrument of record in File number 96-044065 of said B.C.O.R., and the residue of a 5 acre tract (described as southwest $\frac{1}{2}$ of Lot 4) of which an undivided one-half interest was conveyed to Kathy Freeman, by instrument of record in File number 99-0010744, of said B.C.O.R. and an undivided one fourth interest, each, was conveyed to Kim Freeman and Kathy Jan Freeman by instrument of record in File Number 96-044065, of said B.C.O.R., and; Being 2.387 acres of land located in the W.D.C. Hall League, Abstract 70, Brazoria County, Texas, more particularly being a portion of Lot 3 of the George W. Jenkins Subdivision, a subdivision of record in Volume 79, Page 616 of the Brazoria County Deed Records (B.C.P.R.), and being the residue of a 2.5 acre tract (described as the Northeast $\frac{1}{4}$ of Lot 3) conveyed to Kathy Freeman by instrument of record in Volume 1009, Page 57 of said B.C.D.R.

General Location: Northeast corner of Dixie Farm Road and Tall Oak Drive, Pearland, TX.

P&Z Commissioner Elizabeth McLane made the motion to approve Amendment to Dixie Farm and Tall Oak Cluster Development Plan with conditions. P&Z Commissioner Derrick Reed seconded.

Senior Planner Ian Clowes read the staff report stating staff recommended approval with the following conditions:

1. Label the overall layout exhibit.
2. Provide a legend for symbols on overall layout exhibit.
3. Masonry fences along the rear portions of the lots adjacent to Dixie Farm Road are required to be installed per 4.2.4.1 (c) (1) of the UDC.
4. Provide originally approved exercise stations as an amenity around the proposed amenitized detention area.
5. Emergency Access Easement must be relocated in order to meet the requirements of the International Fire Code.

P&Z Vice Chairperson Daniel Tunstall inquired about the issues the Fire Department had with the plan and wanted to know when the Commission would be able to see the plat. Mr. Tunstall also stated that several of the lots were dangerous due to their location to the pipeline easement. Senior Planner Ian Clowes stated that there were 30 lots so it would need a 2nd access point and the plat would be provided once it was submitted. Mr. Alan Mueller with Gromax Development stated he agreed with staff conditions. Mr. Mueller stated they had a different builder, added exercise stations back into the plan, and needed more detention. Senior Planner Ian Clowes stated that staff had not seen the revised plans, but if conditions were met then staff would be able to move forward.

The vote was 4-1 with Daniel Tunstall opposed. Amendment to Dixie Farm and Tall Oak Cluster Development was approved with the following conditions:

1. Label the overall layout exhibit.
2. Provide a legend for symbols on overall layout exhibit.
3. Masonry fences along the rear portions of the lots adjacent to Dixie Farm Road are required to be installed per 4.2.4.1 (c) (1) of the UDC.
4. Provide originally approved exercise stations as an amenity around the proposed amenitized detention area.
5. Emergency Access Easement must be relocated in order to meet the requirements of the International Fire Code.

DISCUSSION ITEMS

Commissioners Activity Report – Lata Krishnarao stated we would talk about the state APA conference at the next meeting and that the Nationals are in April.

Comprehensive Plan Update – Lata Krishnarao stated there was not an update and that staff was still working with the consultant.

Commissioner Expiration of Term – City Planner Johnna Matthews stated that P&Z Commissioners Linda Cowles and Daniel Tunstall terms end in November of 2014 and that interviews would be held on November 3, 2014.

ADJOURNMENT

P&Z Chairperson Henry Fuertes adjourned the P&Z Regular meeting at 9:49 p.m.

These minutes were respectfully submitted by:

Jennifer Tatum, Office Assistant

Minutes approved as submitted and/or corrected on this 3rd day of November 2014, A.D.

Henry Fuertes, Chairperson

EXCUSE ABSENCES

Excuse the Absence of Linda Cowles and Ginger
McFadden from the October 20, 2014 P&Z Regular meeting.

**P&Z AGENDA
ITEM**

B



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 10/017/2014
AGENDA ITEM SUBJECT: Replat of Shadow Creek Ranch - SF 57

Old Business **New Business** Discussion Item Workshop

Summary: A request by Rene Rodriguez, from LJA, applicant; on behalf of 741 SCR, LTD, owner; for approval of a Replat of Shadow Creek Ranch - SF 57, a 94 lot residential subdivision on 23.470 acres of land, generally located at the northeast corner of Windward Bay Drive and Broadway Street.

Staff Recommendation: Approval



PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 6, 2014

REPLAT OF SHADOW CREEK RANCH – SF 57

A request by Rene Rodriguez, from LJA, applicant, on behalf of 741 SCR, LTD, owner, for approval of a Replat of Shadow Creek Ranch - SF 57, a 94 lot residential subdivision on 23,470 acres of land, to wit:

Legal Description: A subdivision of 23.470 acres of land situated in the F. Hooper Survey, Abstract 198 and the H.T.& B.R.R. Co. Survey, Section 83, Abstract 761, City of Pearland, Fort Bend County, Texas, same being a Partial Replat of Shadow Creek Ranch SF-57, a subdivision recorded in Plat No. 20060296, Plat Records of Fort Bend County, Texas.

General Location: Located at the northeast corner of Windward Bay Drive and Broadway Street.

ZONING: The proposed subdivision is located within the Shadow Creek Ranch Planned Unit Development (PUD) and is currently zoned Single Family Residential – 5 (R-5); a zoning district that is unique to Shadow Creek Ranch, and was created with the PUD. The Shadow Creek Ranch PUD was approved in September of 1999 for approximately 3,305 acres of land within the city of Pearland. The original plat was approved in November of 2006 and was for 106 single family lots. The current replat proposes a slight change in the road layout, adds an additional access point on Windward Bay Drive, and reduces the total lot count from 106 to 94 total lots.

SHADOW CREEK RANCH PUD: The proposed subdivision is in conformance with the Shadow Creek Ranch PUD

UNIFIED DEVELOPMENT CODE: The Unified Development Code does not apply to the subject development as the PUD was approved under the previous Land Use and Urban Development Ordinance.

LAND USE & URBAN DEVELOPMENT ORDINANCE: The proposed subdivision is in conformance with the Land Use and Urban Development Ordinance.

COMFORMANCE TO THE COMPREHENSIVE PLAN: The subject property is within the Medium Density Residential future land use designation. The proposed subdivision is in conformance with this future land use designation as the proposed lots are a

minimum of 6,600 square feet.

CONFORMANCE TO THE THOROUGHFARE PLAN: This section of Shadow Creek will be served by Windward Bay Drive, a minor collector with a right-of-way of 60’.

AVAILABILITY OF UTILITIES: Public water and sewer are available for this site, and have been extended to the site by the developer.

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

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

PARKLAND FEES: Park fees are not required within the Shadow Creek Ranch Development.

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

PUBLIC NOTIFICATION: Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

STAFF RECOMMENDATION: Staff recommends approval of the Replat of Shadow Creek Ranch – SF 57 as proposed by the applicant for the following reasons:

1. The proposed replat will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the comprehensive plan.
3. This request is in conformance with the Shadow Creek Ranch Development as well as the Land Use and Urban Development Ordinance.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Aerial Map
- Replat of Shadow Creek Ranch – SF 57



ZONING MAP

**Final Plat of Shadow
Creek Ranch
SF-57**

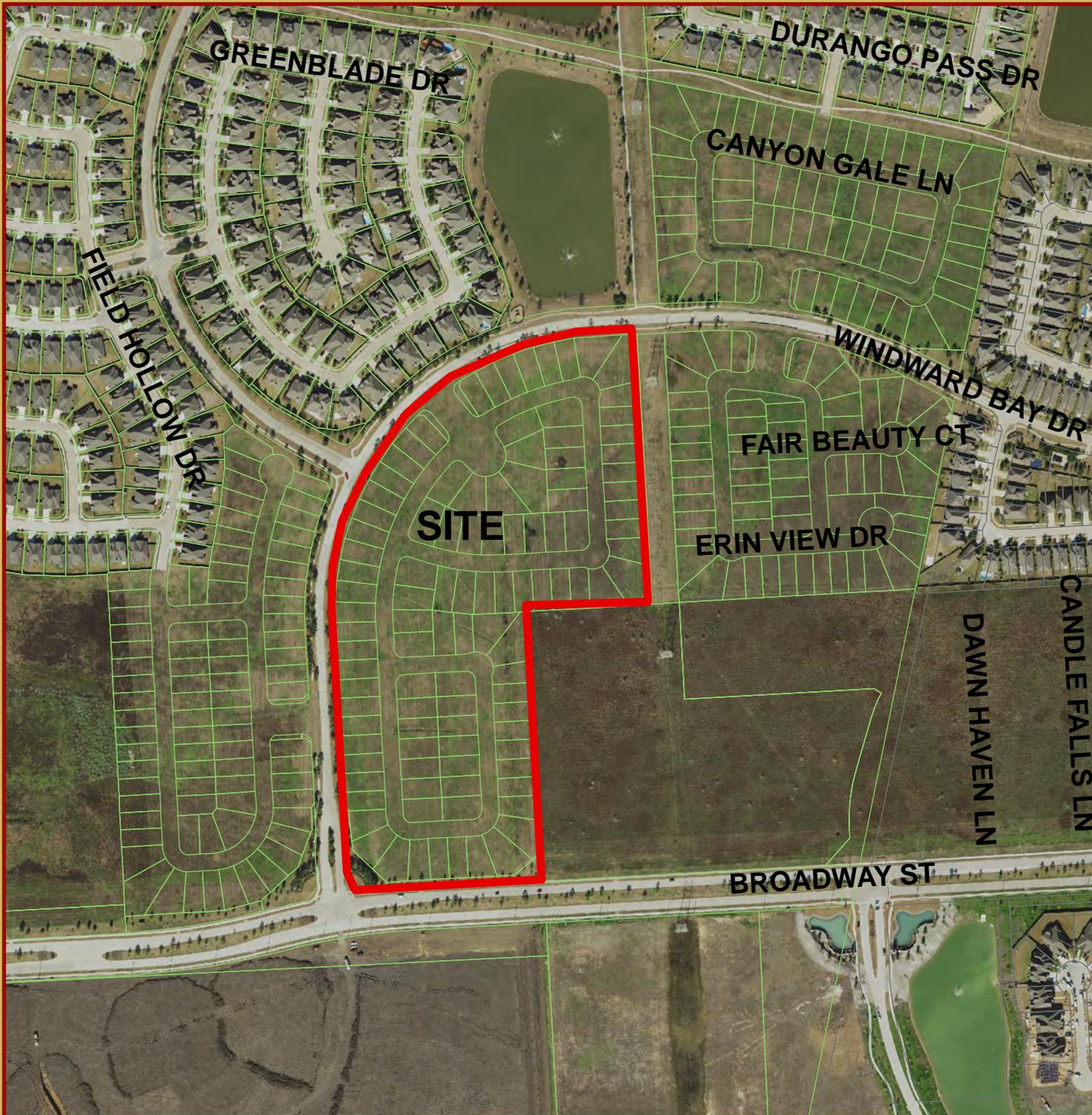


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 423 feet

OCTOBER 2014
PLANNING DEPARTMENT





AERIAL MAP

Final Plat of Shadow Creek Ranch SF-57



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1 inch = 423 feet

OCTOBER 2014
PLANNING DEPARTMENT



**P&Z AGENDA
ITEM**

C



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 10/017/2014
AGENDA ITEM SUBJECT: Replat of Shadow Creek Ranch - SF 58

Old Business **New Business** Discussion Item Workshop

Summary: A request by Rene Rodriguez, from LJA, applicant; on behalf of 741 SCR, LTD, owner; for approval of a Replat of Shadow Creek Ranch - SF 58, a 54 lot residential subdivision located on 12.975 acres of land, generally located at the south side of Windward Bay Drive north of Shadow Ridge.

Staff Recommendation: Approval



PLANNING AND ZONING COMMISSION MEETING OF OCTOBER 6, 2014

REPLAT OF SHADOW CREEK RANCH – SF 58

A request by Rene Rodriguez, from LJA, applicant; on behalf of 741 SCR, LTD, owner; for approval of a Replat of Shadow Creek Ranch - SF 58, a 54 lot residential subdivision located on 12.975 acres of land, to wit:

Legal Description: A subdivision of 12.975 acres of land situated in the H.T. & B.R.R. Company Survey, Section 83, Abstract 761, City of Pearland, Fort Bend County, Texas, same being a Partial Replat of Shadow Creek Ranch SF-58, a subdivision recorded in Plat No. 20060297, Plat Records of Fort Bend County, Texas.

General Location: Located on the south side of Windward Bay Drive north of Shadow Ridge.

ZONING: The proposed subdivision is located within the Shadow Creek Ranch Planned Unit Development (PUD) and is currently zoned Single Family Residential – 5 (R-5); a zoning district that is unique to Shadow Creek Ranch, and was created with the PUD. The Shadow Creek Ranch PUD was approved in September of 1999 for approximately 3,305 acres of land within the city of Pearland. The original plat was approved in November of 2006 and was for 59 single family lots. The current replat proposes a slight change in the road layout and reduces the total lot count from 59 to 54 total lots.

SHADOW CREEK RANCH PUD: The proposed subdivision is in conformance with the Shadow Creek Ranch PUD

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

LAND USE & URBAN DEVELOPMENT ORDINANCE: The proposed subdivision is in conformance with the Land Use and Urban Development Ordinance.

COMFORMANCE TO THE COMPREHENSIVE PLAN: The subject property is within the Medium Density Residential future land use designation. The proposed subdivision is in conformance with this future land use designation as the proposed lots are a

minimum of 6,600 square feet.

CONFORMANCE TO THE THOROUGHFARE PLAN: This section of Shadow Creek will be served by Windward Bay Drive, a minor collector with a right-of-way of 60’.

AVAILABILITY OF UTILITIES: Public water and sewer are available for this site, and have been extended to the site by the developer.

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

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

PARKLAND FEES: Park fees are not required within the Shadow Creek Ranch Development.

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

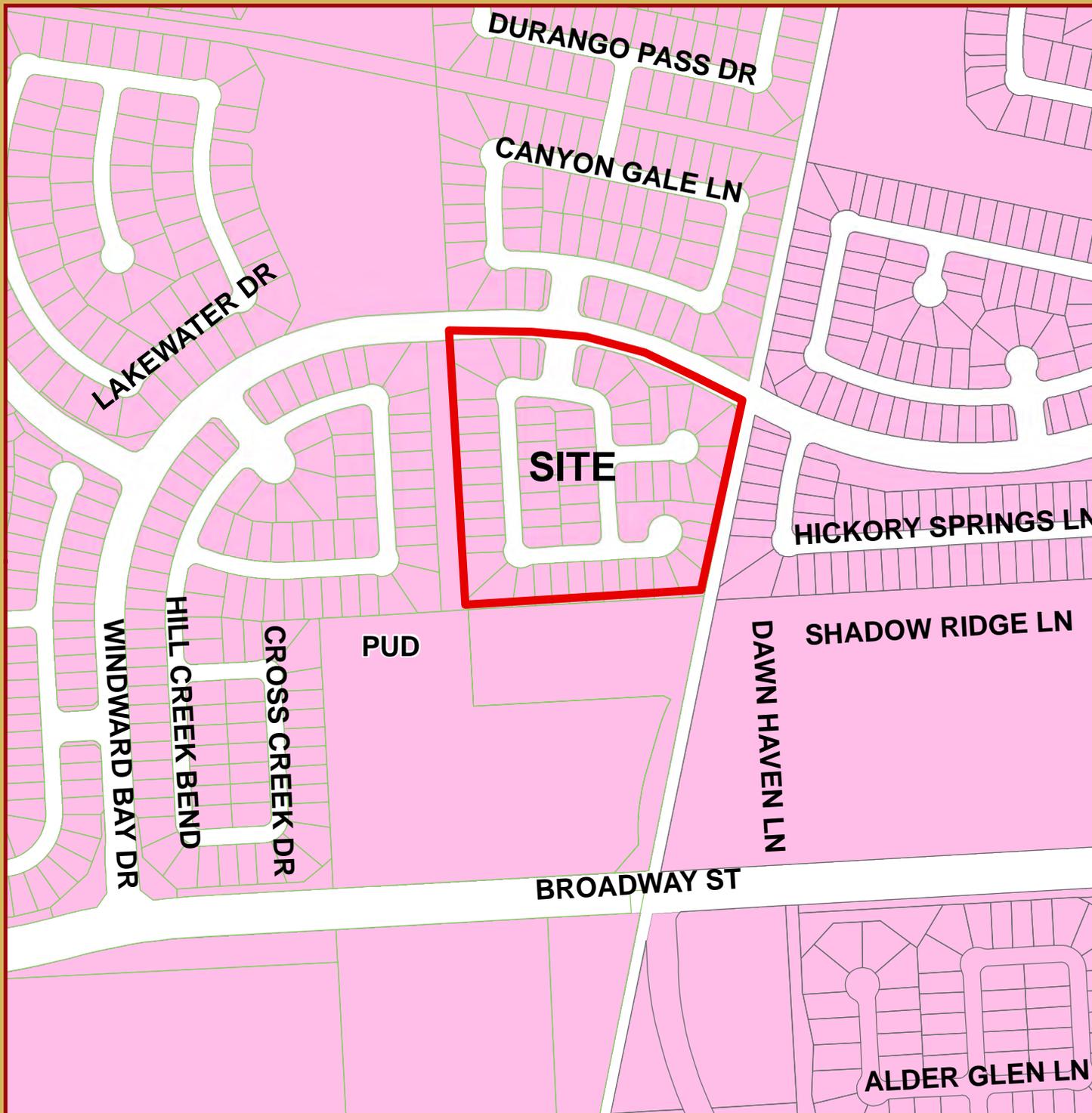
PUBLIC NOTIFICATION: Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

STAFF RECOMMENDATION: Staff recommends approval of the Replat of Shadow Creek Ranch – SF 57 as proposed by the applicant for the following reasons:

1. The proposed replat will not cause any adverse impacts on the surrounding properties.
2. This request is in conformance with the comprehensive plan.
3. This request is in conformance with the Shadow Creek Ranch Development as well as the Land Use and Urban Development Ordinance.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Aerial Map
- Replat of Shadow Creek Ranch – SF 57



ZONING MAP

Final Plat of Shadow Creek Ranch SF-58

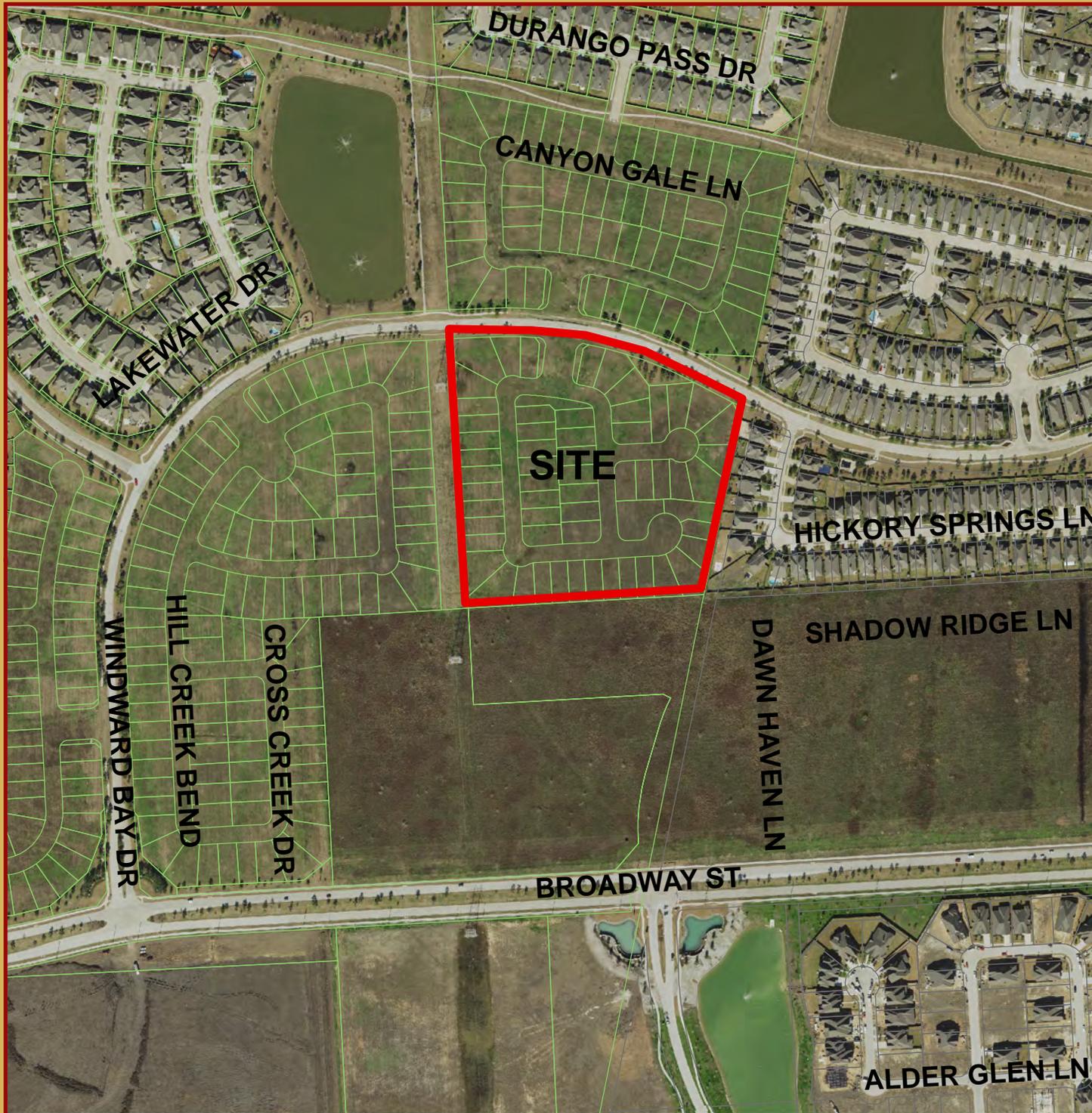


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1 inch = 423 feet

OCTOBER 2014
PLANNING DEPARTMENT





AERIAL MAP

Final Plat of Shadow Creek Ranch SF-58



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1 inch = 423 feet

OCTOBER 2014
PLANNING DEPARTMENT



**P&Z AGENDA
ITEM**

D



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 11/17/2014
AGENDA ITEM SUBJECT: Final Plat of Highland Park

Old Business **New Business** Discussion Item Workshop

Summary: A request by Rene Rodriguez of LJA Engineering, applicant; on behalf of Beazer Homes Texas, LP, owner; for approval of a Final Plat of Highland Park, a 56 lot residential subdivision on 19.445 acres of land, generally located at the intersection of Old Alvin Rd. and Highland Park Dr.

Staff Recommendation: Approval



PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 17, 2014

FINAL PLAT OF HIGHLAND PARK

A request by Rene Rodriguez of LJA Engineering, applicant; on behalf of Beazer Homes Texas, LP, owner; for approval of a Final Plat of Highland Park, a 56 lot subdivision on 19.445 acres of land, to wit:

Legal Description: A subdivision of land containing 19.455 acres of land situated in the H.T. & B.R.R. Co. Survey, Section 1, Abstract 233, and the D.H.M. Hunter Survey Abstract 76, City of Pearland Texas, County of Brazoria, Texas.

General Location: Generally located at the intersection of Old Alvin Rd. and Highland Park Dr.

ZONING: The proposed subdivision is located within the Old Alvin Rd. Cluster Development Plan and is currently zoned Single Family – 1 (R-1).

The Old Alvin Rd. Cluster Development Plan was approved in August of 2013. The plan requires a minimum of 3 acres of non-amenitized dry detention and 4 acres of open space, in the form of green space with pedestrian circulation, picnic areas, playground, exercise stations, landscaping, and an upgraded wood fence with masonry columns.

UNIFIED DEVELOPMENT CODE: The proposed subdivision is in conformance with all requirements of the Unified Development Code.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The subject property is within the Offices and High Density Residential future land use designation. This submittal is not in conformance with this future land use designation.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property is served by Old Alvin Rd., a major collector with a right-of-way of 80 feet. The proposed plat is in conformance with the thoroughfare plan.

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

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

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.

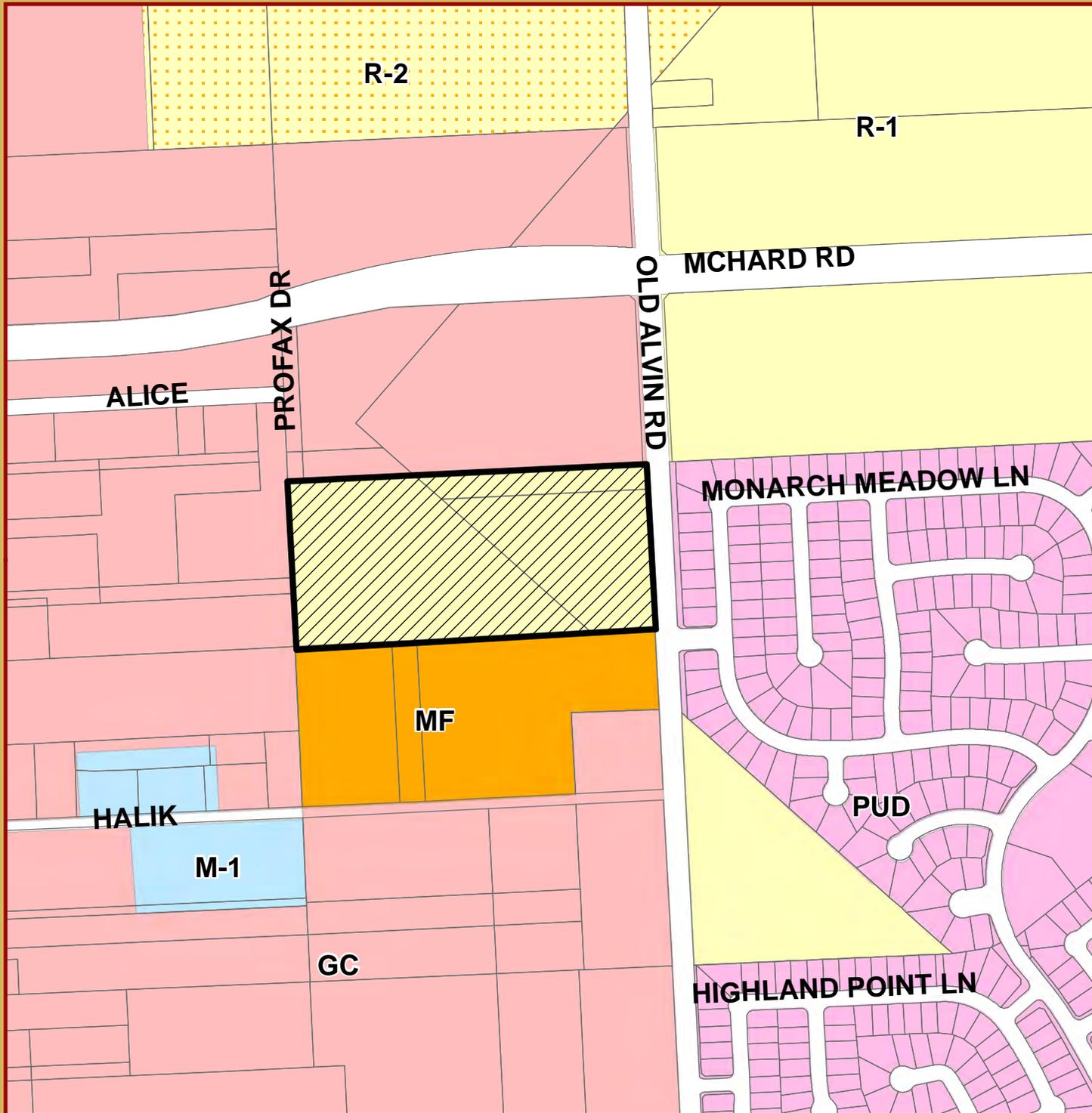
ADDITIONAL COMMENTS: This request has been reviewed by the city's Development Review Committee and there were no additional comments.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Highland Park 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 Development Plan
3. The request is in conformance with the approved Old Alvin Rd. Cluster Development Plan.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Future Land Use Plan
- Aerial Map
- Final Plat of Highland Park



ZONING MAP

Final Plat of Highland Park

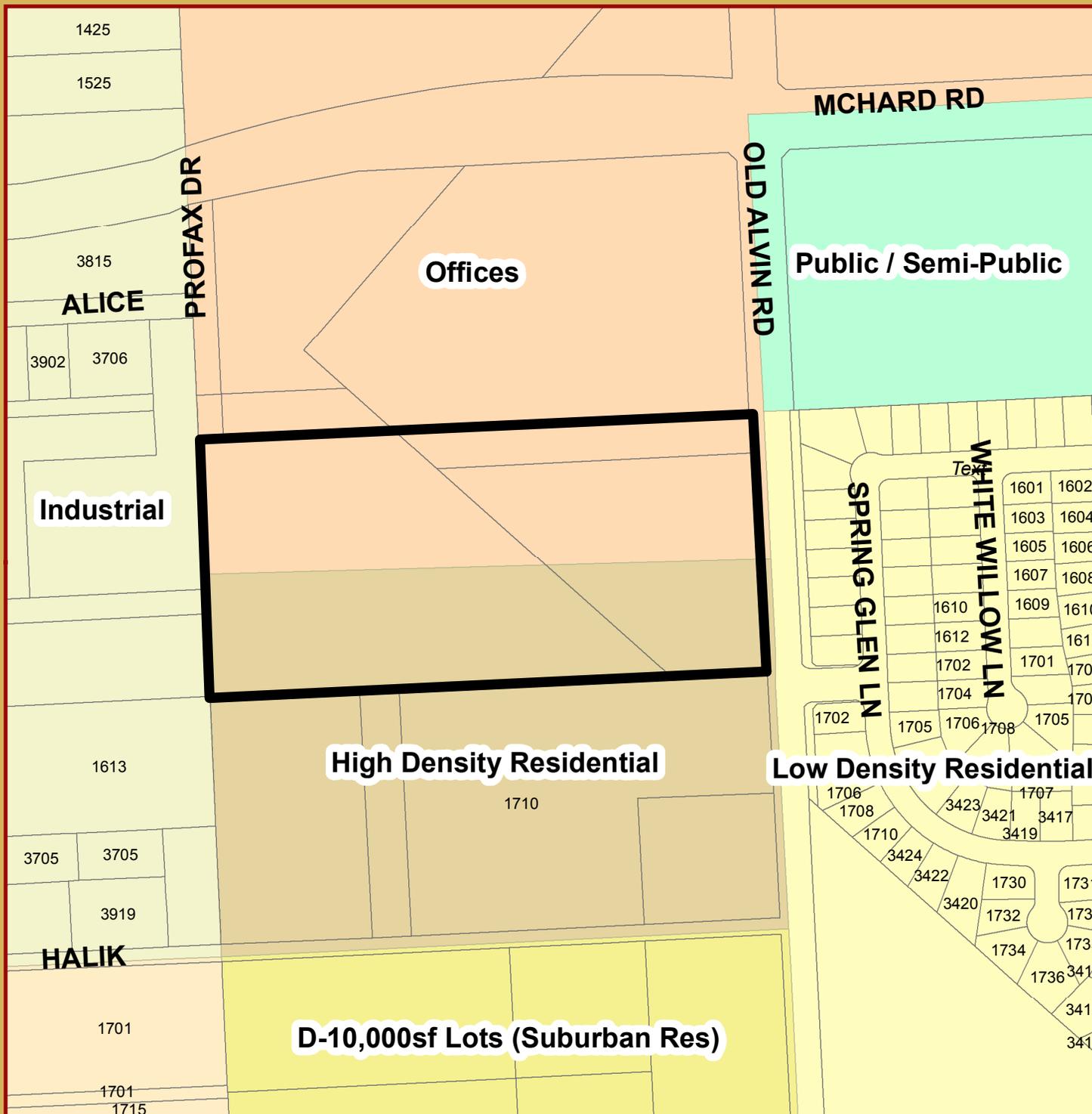


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1 inch = 544 feet

MAY 2014
PLANNING DEPARTMENT





FLUP MAP

Final Plat of Highland Park

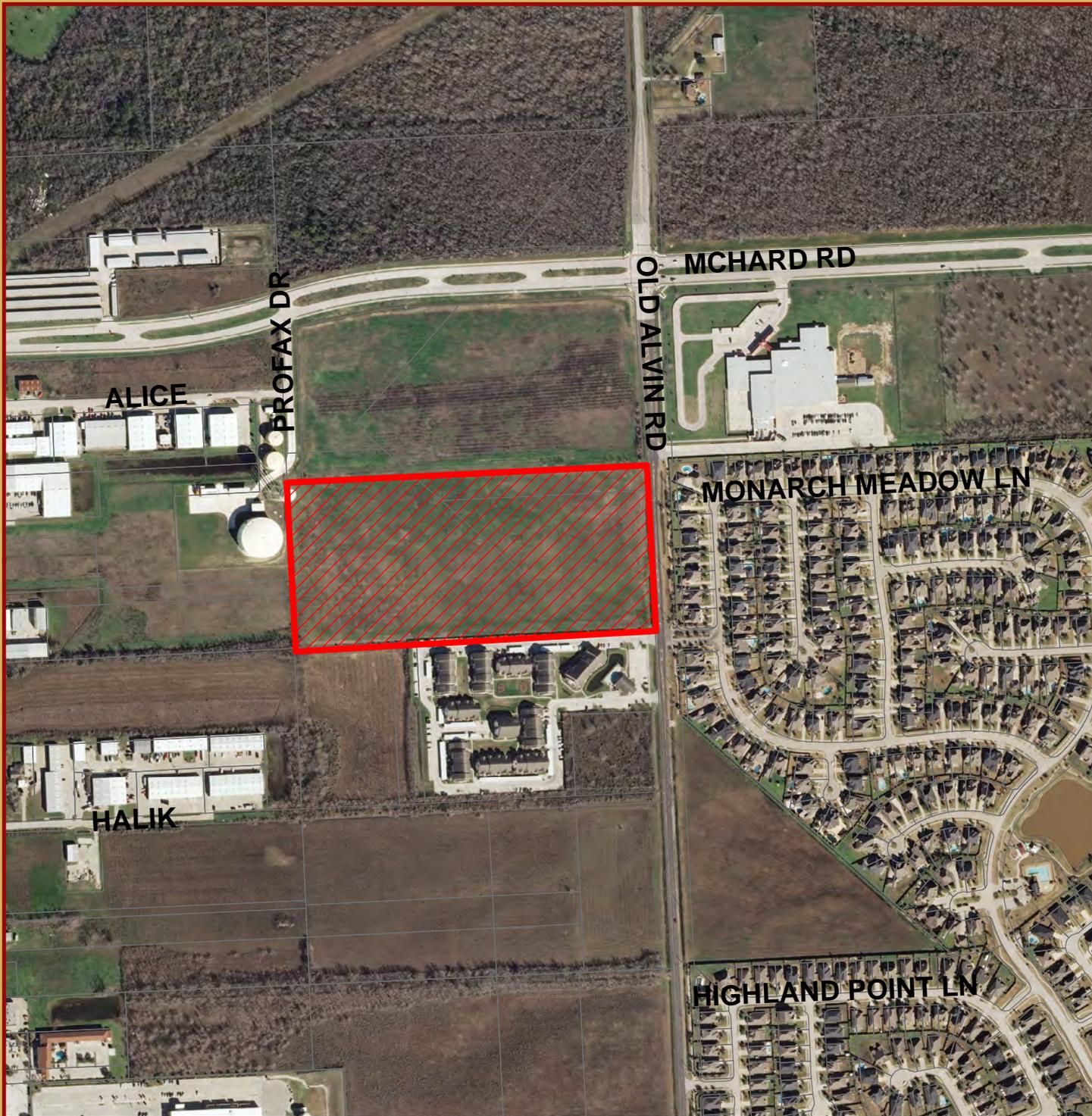


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1 inch = 352 feet

22 MAY 2014
PLANNING DEPARTMENT





AERIAL MAP

Final Plat of Highland Park



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1 inch = 544 feet

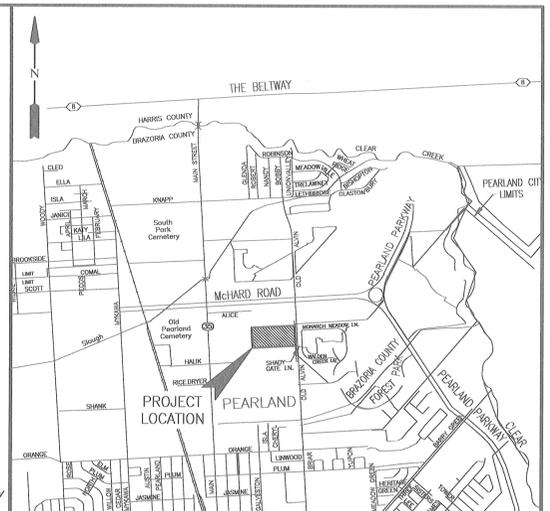
MAY 2014
PLANNING DEPARTMENT



RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	1.728	75,277	RESTRICTED TO LANDSCAPE/OPEN SPACE/DETENTION
B	1.384	60,269	RESTRICTED TO LANDSCAPE/OPEN SPACE/DETENTION
C	1.475	64,268	RESTRICTED TO LANDSCAPE/OPEN SPACE/UTILITIES
D	0.073	3,195	RESTRICTED TO LANDSCAPE/OPEN SPACE/UTILITIES
E	0.052	2,267	RESTRICTED TO LANDSCAPE/OPEN SPACE/UTILITIES
F	2.392	104,200	RESTRICTED TO LANDSCAPE/OPEN SPACE
TOTAL	7.104	309,476	

RESIDUE OF 20.03 ACRES
GERALD KOZA, ET AL.
F.N. 1998012733
O.R.B.C.T.

SCALE: 1"=60'



VICINITY MAP
SCALE: 1"= 2,400'
KEY MAP NO. 615B

- LEGEND**
- EXIST. INDICATES EXISTING
 - U.E. INDICATES UTILITY EASEMENT
 - W.L.E. INDICATES WATERLINE EASEMENT
 - STM.S.E. INDICATES STORM SEWER EASEMENT
 - S.S.E. INDICATES SANITARY SEWER EASEMENT
 - W.S.E. INDICATES WATER AND SEWER EASEMENT
 - D.E. INDICATES DRAINAGE EASEMENT
 - E.E. INDICATES ELECTRICAL EASEMENT
 - B.C.P.R. INDICATES BRAZORIA COUNTY PLAT RECORDS
 - B.C.D.R. INDICATES BRAZORIA COUNTY DEED RECORDS
 - B.C.C.F. INDICATES BRAZORIA COUNTY CLERKS FILE
 - B.C.O.P.R. INDICATES BRAZORIA COUNTY OFFICIAL PROPERTY RECORDS
 - B.C.M.U.D. INDICATES BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT
 - ⊙ INDICATES PROPOSED STREET LIGHT
 - ⊙ INDICATES EXISTING STREET LIGHT
 - ⊙ INDICATES STREET NAME CHANGE
 - F.N. INDICATES FILE NUMBER
 - S.N. INDICATES SEE NOTE
 - R.O.W. INDICATES RIGHT-OF-WAY
 - C.M. INDICATES CONCRETE MONUMENT
 - O.R.B.C.T. INDICATES OFFICIAL RECORDS
 - D.R.B.C.T. INDICATES DEED RECORDS BRAZORIA COUNTY TEXAS



CURVE TABLE						
CURVE	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
C1	50.00	90-00-00	78.54	50.00	70.71	S 47-49-17 E
C2	50.00	90-00-00	78.54	50.00	70.71	S 47-49-17 E
C3	50.00	90-00-00	78.54	50.00	70.71	S 42-10-43 W
C4	50.00	90-00-00	78.54	50.00	70.71	N 47-49-17 W
C5	25.00	30-27-58	13.29	25.00	35.36	S 47-49-17 E
C6	25.00	30-27-58	13.29	25.00	35.36	S 47-49-17 E
C7	50.00	150-55-56	131.71	192.87	96.80	S 47-49-17 E
C8	25.00	30-27-58	13.29	25.00	35.36	S 12-24-42 W
C9	25.00	90-00-00	39.27	25.00	35.36	S 47-49-17 E
C10	25.00	89-52-43	39.22	24.95	35.32	N 42-14-22 E
C11	25.00	90-07-17	39.32	25.05	35.39	N 47-45-38 W
C12	25.00	90-00-00	39.27	25.00	35.36	S 42-10-43 W
C13	25.00	30-27-58	13.29	25.00	35.36	S 18-03-16 E
C14	50.00	150-55-56	131.71	192.87	96.80	S 42-10-43 W
C15	25.00	30-27-58	13.29	25.00	35.36	N 77-35-18 W
C16	25.00	30-27-58	13.29	25.00	35.36	S 71-56-44 W
C17	50.00	150-55-56	131.71	192.87	96.80	N 47-49-17 W
C18	25.00	30-27-58	13.29	25.00	35.36	N 12-24-42 E
C19	25.00	90-00-00	39.27	25.00	35.36	N 47-49-17 W
C20	75.00	90-00-00	117.81	75.00	106.07	N 47-49-17 W
C21	25.00	90-00-00	39.27	25.00	35.36	N 42-10-43 E
C22	25.00	90-00-00	39.27	25.00	35.36	S 47-49-17 E
C23	25.00	90-00-00	39.27	25.00	35.36	S 42-10-43 W
C24	25.00	90-00-00	39.27	25.00	35.36	N 47-49-17 W

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 87-10-43 W	78.54
L2	S 31-17-11 E	33.18
L3	S 87-10-43 W	25.00

LOT	SQ. FT.	LOT FRONTAGE
BLOCK 1		
LOT 1	6,599	55.00
LOT 2	6,600	55.00
LOT 3	6,600	55.00
LOT 4	6,600	55.00
LOT 5	6,600	55.00
LOT 6	6,600	55.00
LOT 7	6,600	55.00
LOT 8	6,600	55.00
LOT 9	6,600	55.00
LOT 10	6,600	55.00
LOT 11	6,600	55.00
LOT 12	6,600	55.00
LOT 13	6,600	55.00
LOT 14	6,600	55.00
LOT 15	6,600	55.00
LOT 16	6,269	55.75
LOT 17	10,532	27.64
LOT 18	10,532	27.64
LOT 19	6,266	55.75
LOT 20	6,600	55.00
LOT 21	7,666	65.00

LOT	SQ. FT.	LOT FRONTAGE
BLOCK 2		
LOT 1	7,666	65.00
LOT 2	6,600	55.00
LOT 3	6,213	55.44
LOT 4	6,875	34.43
LOT 5	6,439	61.01
LOT 6	6,531	55.78
LOT 7	6,639	55.00
LOT 8	6,631	55.00
LOT 9	6,623	55.00
LOT 10	6,615	55.00
LOT 11	7,783	65.19

LOT	SQ. FT.	LOT FRONTAGE
BLOCK 3		
LOT 1	7,666	65.00
LOT 2	6,600	55.00
LOT 3	6,600	55.00
LOT 4	6,600	55.00
LOT 5	6,600	55.00
LOT 6	6,600	55.00
LOT 7	6,600	55.00
LOT 8	6,600	55.00
LOT 9	6,600	55.00
LOT 10	6,600	55.00
LOT 11	6,600	55.00
LOT 12	7,666	65.00
LOT 13	7,666	65.00
LOT 14	6,600	55.00
LOT 15	6,600	55.00
LOT 16	6,600	55.00
LOT 17	6,600	55.00
LOT 18	6,600	55.00
LOT 19	6,600	55.00
LOT 20	6,600	55.00
LOT 21	6,600	55.00
LOT 22	6,600	55.00
LOT 23	6,600	55.00
LOT 24	7,666	65.00

FINAL PLAT OF HIGHLAND PARK

A SUBDIVISION OF 19.445 ACRES OF LAND SITUATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 1, ABSTRACT 233, AND THE D.H.M. HUNTER SURVEY ABSTRACT 76 CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

56 LOTS 6 RESERVES (7.104 ACRES) 3 BLOCKS
NOVEMBER 6, 2014 JOB NO. 1406-3510C-309

OWNERS:
BEAZER HOMES TEXAS, L.P.
BY: BEAZER HOMES TEXAS HOLDING, INC.
ITS GENERAL PARTNER
BRUCE CRAIG, SENIOR 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 Suite 600 Houston, Texas 77042
Phone 713.953.5200 Fax 713.953.5026 FRN - F-1386 T.B.P.L.S. Firm No. 10110501

STATE OF TEXAS
COUNTY OF HARRIS

WE, BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP, BY ITS GENERAL PARTNER, BEAZER HOMES TEXAS, INC., ACTING BY AND THROUGH BRUCE CRAIG, SENIOR DIVISION PRESIDENT AND GREG COLEMAN, AUTHORIZED AGENT, OWNERS OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF HIGHLAND PARK, 19.445 ACRES OUT OF THE H.T. & B.R.R. CO. SURVEY SECTION 1, ABSTRACT 233, DERRIL H.M. HUNTER SURVEY, ABSTRACT 76, 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 DESIGNATED 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, UNOBSSTRUCTED 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 (I.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, UNOBSSTRUCTED 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 (I.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY EACH AERIAL EASEMENT TOTALS THIRTY FEET (30'0") IN WIDTH.

IN TESTIMONY HERETO, BEAZER HOMES TEXAS, L.P., A DELAWARE LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED AND SEALED BY BRUCE CRAIG, SENIOR DIVISION PRESIDENT, BY GREG COLEMAN, AUTHORIZED AGENT, GREG COLEMAN, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS DAY OF _____, 2014.

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

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

BY: _____
BRUCE CRAIG, SENIOR DIVISION PRESIDENT

ATTEST: _____
GREG COLEMAN, AUTHORIZED AGENT

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BRUCE CRAIG, SENIOR DIVISION PRESIDENT OF BEAZER HOMES TEXAS HOLDING INC., GENERAL PARTNER OF BEAZER HOMES TEXAS, L.P., A DELAWARE CORPORATION, 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 _____, 2014.

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, AUTHORIZED AGENT, OF BEAZER HOMES TEXAS HOLDING, INC., GENERAL PARTNER OF BEAZER HOMES TEXAS, L.P., A DELAWARE CORPORATION, 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 _____, 2014.

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, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4797

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF HIGHLAND PARK 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 _____, 2014.

HENRY N. FUERTES, CHAIRPERSON
PLANNING & ZONING COMMISSION
CITY OF PEARLAND, TEXAS

APPROVED FOR THE CITY OF PEARLAND, TEXAS THIS _____ OF _____, 2014.

DARRIN COKER, CITY ATTORNEY
RICHARD MANCILLA, P.E., INTERIM CITY ENGINEER

NOTES:

1. THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND.
2. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, FILE NO. 140339333, EFFECTIVE DATE AUGUST 27, 2014. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
3. ALL BEARINGS REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE NAD 83, 2011 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 0.999869913.
4. ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
5. FIVE-EIGHTHS INCH (5/8") IRON 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.
6. BENCHMARK MONUMENT GPS - 2 BRASS CAP SET FLUSH IN CONCRETE, STAMPED "CITY OF PEARLAND 2 GPS MONU, 1995". THE MONUMENT IS LOCATED IN THE SOUTHERLY INTERSECTION OF BROADWAY ROAD (FM 518) AND LIBERTY DRIVE. THE MONUMENT IS 4.0 FEET SOUTHWESTERLY FROM THE WEST SIDE OF BROADWAY BACK OF CURB AND 8.7 FEET NORTHWESTERLY FROM METAL POLE.
X= 3158802.368 Y= 13767483.585
ELEVATION= 42.48, NGVD 29 1987 ADJUSTMENT
SUBTRACT 0.48 FEET FOR NAD 88, 2011 ADJUSTMENT
7. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP, MAP NO. 48201C 1035L, EFFECTIVE DATE JUNE 18, 2007, THE PROPERTY IS LOCATED PARTIALLY IN ZONE "A" AND PARTIALLY IN "X" (AREAS TO BE DETERMINED TO BE PARTIALLY WITHIN THE 100-YEAR FLOOD PLAIN).
8. ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
9. ACCESS RIGHTS TO DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING RESIDENTIAL PROPERTIES.
10. 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.
11. ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENT OF THE CITY OF PEARLAND AND/OR BRAZORIA COUNTY FLOOD CONTROL.
12. THIS PROPERTY IS LOCATED WHOLLY WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 28.
13. ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
14. A FOUR (4) FOOT SIDEWALK IS REQUIRED ON ALL INTERNALLY PUBLIC STREET RIGHT-OF-WAY CONTAINED WITHIN THE PLAT, AND ALONG OLD ALVIN ROAD.
15. THERE ARE 16 STREET LIGHTS PROPOSED ON THIS PLAT.
16. DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTH, AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CHAPTER 7 OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL.
17. CORNER LOTS ARE RESTRICTED TO FRONT ACCESS ONLY.

BEING 19.445 ACRES OF LAND, LOCATED IN THE H. T. & B. R. R. CO. SURVEY, SECTION 1, ABSTRACT 233, AND THE D. H. M. HUNTER SURVEY, ABSTRACT 76, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 42, OF W. ZYCHLINSKI'S SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 29, PAGE 43, BRAZORIA COUNTY DEED RECORDS, B.C.D.R., AND BEING THE REMAINDER OF LOT 4, WALCOTT'S PEARLAND SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 35, PAGE 239-241, B.C.D.R. AND BEING ALL OF THAT CERTAIN CALLED 19.4462 ACRE TRACT CONVEYED TO T. & B. ALEXANDER FAMILY LTD. PARTNERSHIP BY AN INSTRUMENT OF RECORD UNDER FILE NO. 96-044930, OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, O.R.B.C.T., SAID 19.445 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (2011 ADJUSTMENT):

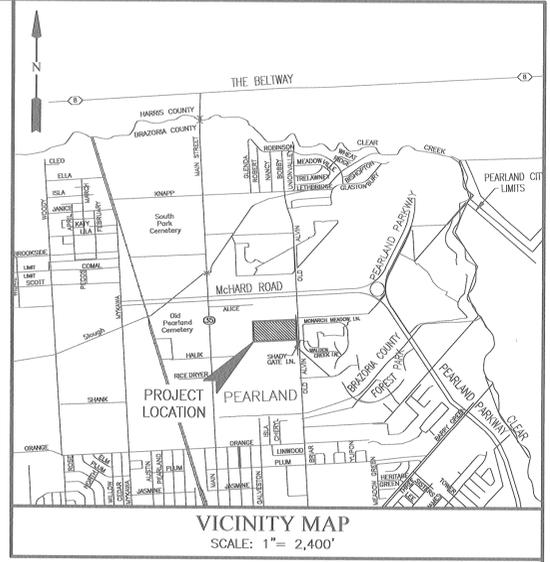
BEGINNING AT A 5/8-INCH IRON ROD WITH PLASTIC CAP MARKED "LJA ENG." FOUND FOR THE SOUTHEAST CORNER OF SAID 19.4462 ACRE TRACT AND ALSO BEING AN ANGLE POINT ON THE WEST RIGHT-OF-WAY LINE OF OLD ALVIN ROAD (WIDTH VARIES);

THENCE, WITH SAID WEST RIGHT-OF-WAY LINE OF OLD ALVIN ROAD, SOUTH 87° 10' 28" WEST, AT 12.10 FEET PASS AN ANGLE POINT IN SAID WEST RIGHT-OF-WAY LINE OF OLD ALVIN ROAD AND ALSO THE NORTHEAST CORNER OF CALLED OAKBRIDGE APARTMENTS, A SUBDIVISION OF RECORD UNDER VOLUME 23, PAGES 347-348, BRAZORIA COUNTY PLAT RECORDS, B.C.P.R., CONTINUING ALONG THE LINE COMMON TO SAID 19.4462 ACRES AND SAID OAKBRIDGE APARTMENTS, AT 910.21 FEET PASS THE COMMON NORTH CORNER OF SAID OAKBRIDGE APARTMENTS AND THE REMAINDER OF TRACT 1 CONVEYED TO PEARLAND L/H, L.L.C. BY AN INSTRUMENT OF RECORD UNDER FILE NO. 97-035426, O.R.B.C.T., FROM WHICH A FOUND IRON ROD WITH CAP MARKED "ANDREW LONNIE SYKES" BEARS NORTH 44° 57' 53" EAST, 0.24 FEET, AND CONTINUING ALONG THE LINE COMMON TO SAID 19.4462 ACRES AND SAID PEARLAND L/H, L.L.C. TRACT FOR A TOTAL DISTANCE OF 1,337.36 FEET TO A 1/2-INCH IRON PIPE IN CONCRETE FOUND FOR CORNER IN THE WEST LINE OF SAID LOT 42 AND ALSO BEING THE COMMON EAST CORNER OF LOTS 43 AND 48, OF SAID MAP OR PLAT OF W. ZYCHLINSKI'S SUBDIVISION, FROM WHICH A FOUND 5/8-INCH IRON ROD BEARS NORTH 38° 32' 24" WEST, 1.59 FEET;

THENCE, ALONG THE LINE COMMON TO SAID LOT 42 AND 48, NORTH 02° 40' 02" WEST, 633.48 FEET TO A 5/8-INCH IRON ROD WITH PLASTIC CAP MARKED "LJA ENG." FOUND FOR CORNER, BEING THE COMMON WEST CORNER OF SAID 19.4462 ACRES AND THE RESIDUE OF THAT CERTAIN CALLED 20.03 ACRE TRACT CONVEYED TO GERALD KOZA, ET AL BY AN INSTRUMENT OF RECORD UNDER FILE NO. 1998012733, O.R.B.C.T.;

THENCE, DEPARTING SAID COMMON LOT LINE AND ALONG THE LINE COMMON TO SAID 19.4462 ACRES AND SAID KOZA TRACT, NORTH 87° 10' 43" EAST, 1,337.00 FEET TO A 5/8-INCH IRON ROD WITH PLASTIC CAP MARKED "LJA ENG." FOUND FOR CORNER ON AFOREMENTIONED WEST RIGHT-OF-WAY LINE OF OLD ALVIN ROAD, FROM WHICH AN IRON ROD WITH CAP FOUND FOR THE NORTHWEST CORNER OF LOT 8, BLOCK 1, OF THE LAKES AT HIGHLAND GLEN, SECTION ONE, A SUBDIVISION OF RECORD IN VOLUME 23, PAGES 35-36, B.C.P.R., BEARS NORTH 87° 10' 43" EAST, 106.13 FEET;

THENCE, ALONG SAID WEST RIGHT-OF-WAY LINE OF OLD ALVIN ROAD, SOUTH 02° 42' 00" EAST, 633.38 FEET (CALLED 633.48 FEET) TO THE POINT OF BEGINNING AND CONTAINING 19.445 ACRES OF LAND.



VICINITY MAP
SCALE: 1"= 2,400'
KEY MAP NO. 615B

FINAL PLAT OF HIGHLAND PARK

A SUBDIVISION OF 19.445 ACRES OF LAND SITUATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 1, ABSTRACT 233, AND THE D.H.M. HUNTER SURVEY ABSTRACT 76 CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

56 LOTS 6 RESERVES (7.104 ACRES) 3 BLOCKS
NOVEMBER 6, 2014 JOB NO. 1406-3510C-309

OWNERS:
BEAZER HOMES TEXAS, L.P.
BY: BEAZER HOMES TEXAS HOLDING, INC.
ITS GENERAL PARTNER
BRUCE CRAIG, SENIOR 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 Suite 600 Houston, Texas 77042
Phone 713.953.5200 Fax 713.953.5026 FRN - F-1386 T.B.P.L.S. Firm No. 10110501

MTCAR CHECK: COORD. DIR.

Path\Name : R:\Projects\GUTTING\406\WP\TV\Highland_Par...
Date\Time : Wed, 05 Nov 2014 : 11:05:00

**P&Z AGENDA
ITEM**

E



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Ian Clowes
DATE: 11/17/2014

AGENDA ITEM SUBJECT: Final Plat of Highland Crossing Section 4

Old Business New Business Discussion Item Workshop

Summary: A request by Geoff Freeman of BGE Kerry Gilbert and Associates, applicant, on behalf of Beazer Homes, owner for approval of the Final Plat of Highland Crossing Section 4, generally located 1000 feet northeast from the intersection of McHard Rd. and Old Alvin Rd. for 34 lots on 14.8 acres.

Staff Recommendation: Approval



PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 17, 2014

FINAL PLAT OF HIGHLAND CROSSING SECTION 4

A request by Geoff Freeman of BGE Kerry Gilbert and Associates, applicant, on behalf of Beazer Homes, owner for approval of the Final Plat of Highland Crossing Section 4, a 34 lot single family subdivision on 14.8 acres of land generally located 1000 feet northeast from the intersection of McHard Rd. and Old Alvin Rd. to wit:

Legal Description: Being 14.8 acres of land out of the H.T. &B.R.R. Co. Survey, A-233 and D.H.M. Hunter Survey, A-76 City of Pearland, Brazoria County, Texas.

General Location: Approximately 1000 feet northeast from the intersection of McHard Rd. and Old Alvin Rd.

ZONING: The request is for approval of a Final Plat of Highland Crossing Section 4, a proposed 34 lot single-family residential subdivision on approximately 14.8 acres. The proposed subdivision is zoned R-2 and has an approved Cluster Development Plan in place. The final plat is Section 4 of the Master Plat of Old Alvin Tract.

UNIFIED DEVELOPMENT CODE: All requirements of the Unified Development Code have been met.

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.

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

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

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

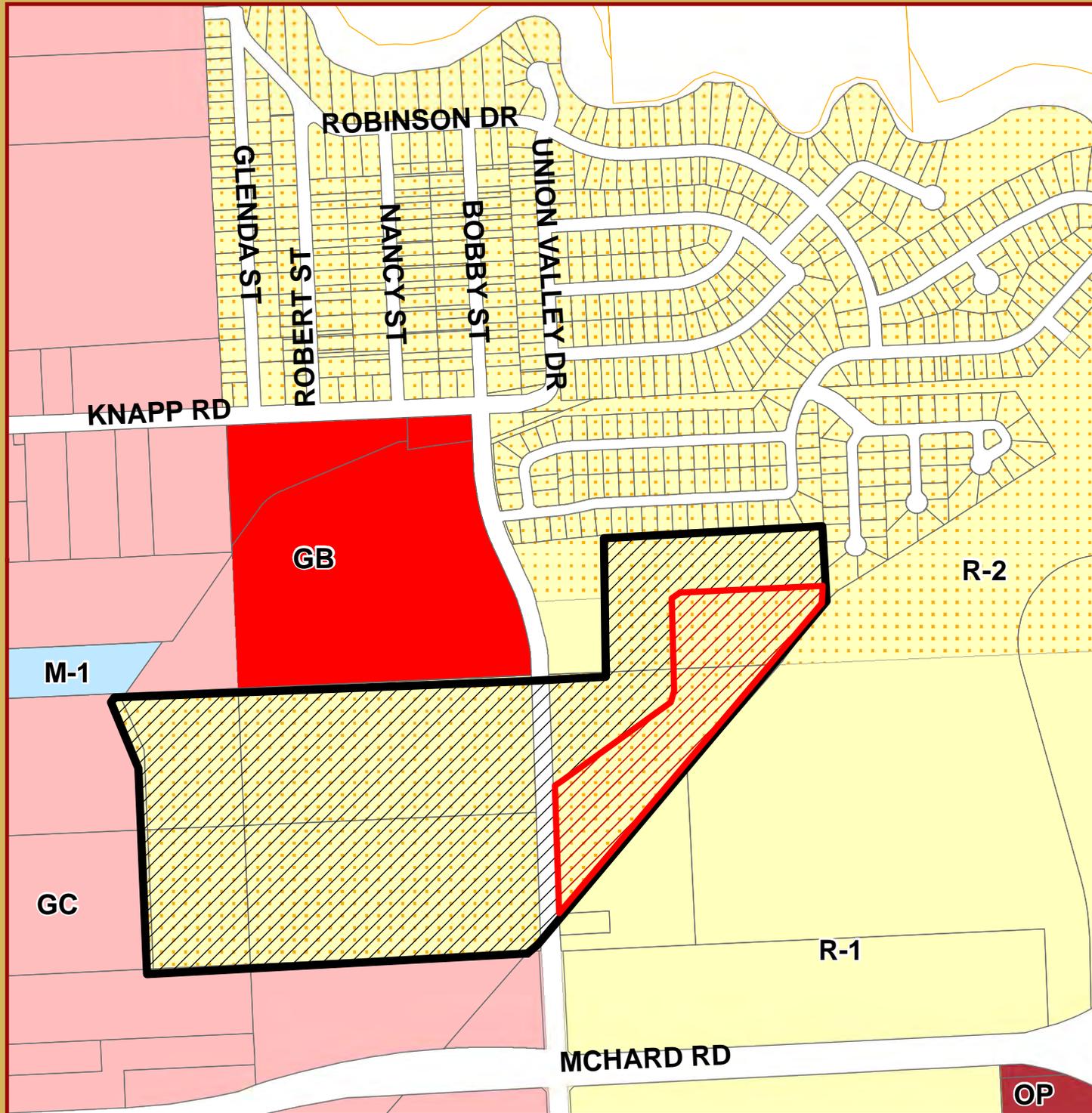
ADDITIONAL COMMENTS: This request has been reviewed by the city's Development Review Committee and there were no additional comments.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Highland Crossing Section 4 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 Development Plan
3. The request is in conformance with the approved Old Alvin Tract Cluster Development Plan.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Aerial Map
- Final Plat of Highland Crossing Section 4



VICINITY MAP

Final Plat of Highland Crossing Section 4

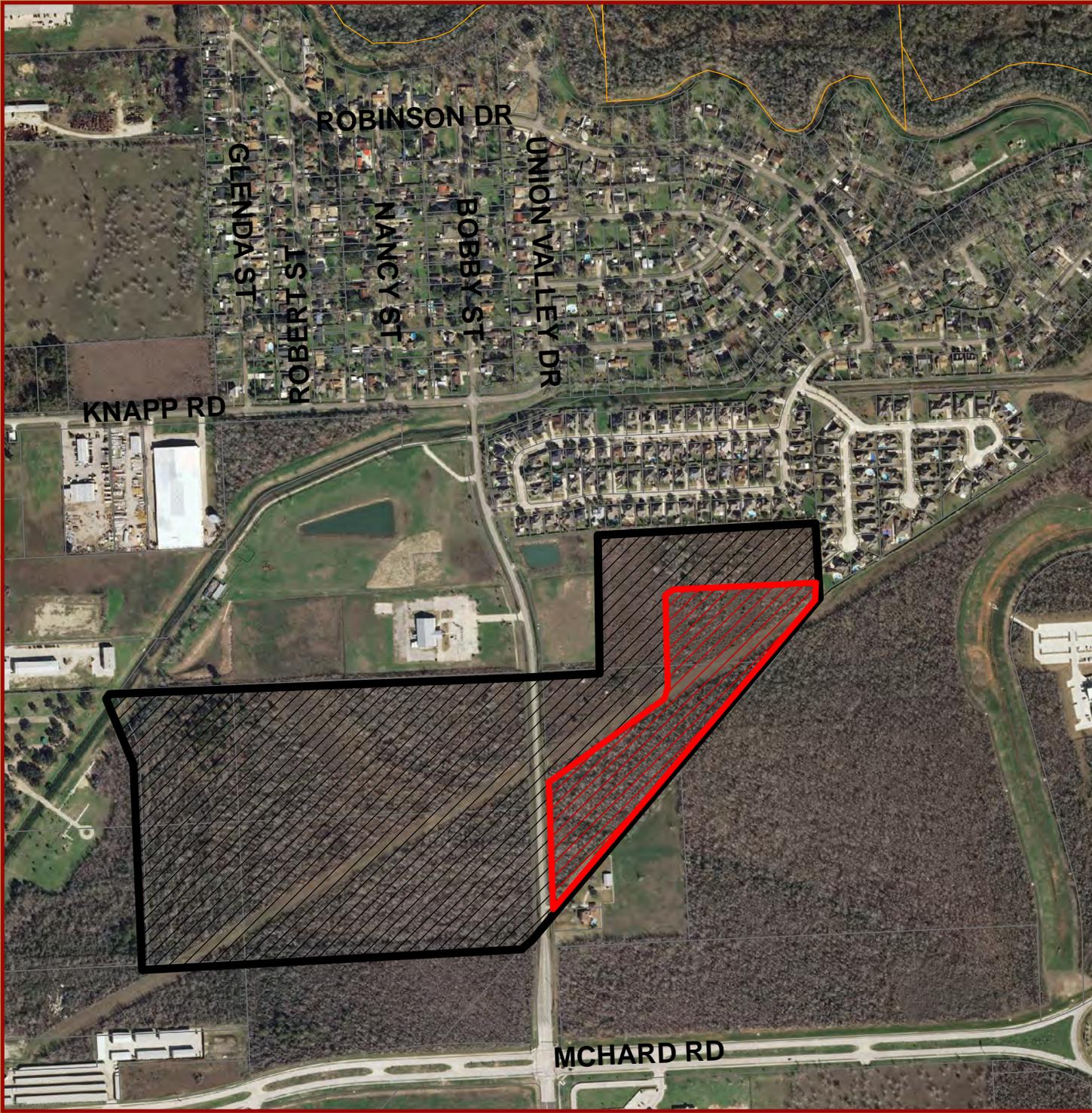


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 667 feet

MAY 2014
PLANNING DEPARTMENT





AERIAL MAP

**Final Plat of
Highland Crossing
Section 4**



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

1 inch = 667 feet

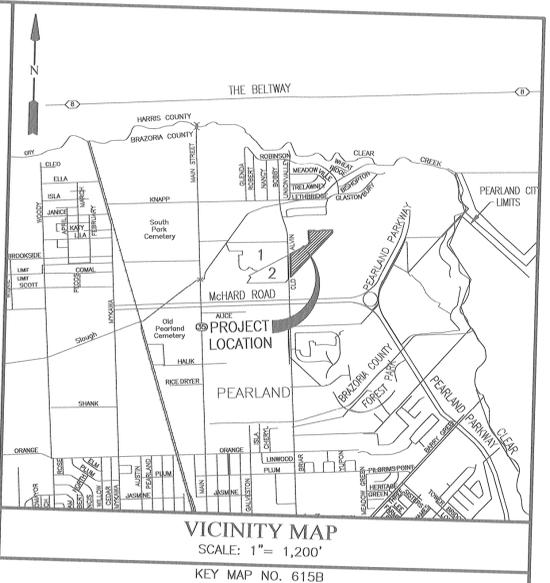
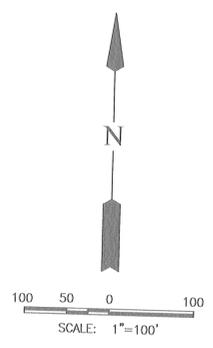
MAY 2014
PLANNING DEPARTMENT



TWIN WOOD SUBDIVISION
(VOL. 17, PG. 295-296 B.C.P.R.)

HIGHLAND CROSSING
SECTION THREE
DOC. NO. 2014037515
B.C.P.R.

TWIN WOOD SUBDIVISION
SECTION 2
(VOL. 24, PG. 26 B.C.P.R.)



RESERVE	ACREAGE	SQ.FT.	TYPE
A	0.798	34,795	RESTRICTED TO LANDSCAPE/OPEN SPACE/PIPELINE
B	1.739	75,742	RESTRICTED TO LANDSCAPE/OPEN SPACE/PIPELINE/DRAINAGE
C	1.182	51,472	RESTRICTED TO LANDSCAPE/OPEN SPACE/PIPELINE
D	2.362	102,904	RESTRICTED TO DRAINAGE/EMERGENCY ACCESS
TOTAL	6.081	264,873	

CURVE	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
C1	1775.00	0-16-27	8.49	4.25	8.49	N 51-59-20 W
C2	1825.00	0-55-28	29.44	14.72	29.44	S 51-39-50 E
C3	50.00	73-15-25	63.93	37.17	59.66	N 33-03-15 E
C4	400.00	41-49-51	292.03	152.87	285.59	S 48-46-02 W
C5	300.00	27-43-23	145.16	74.03	143.75	S 43-56-50 E
C6	500.00	16-57-24	147.98	74.53	147.44	N 36-19-49 E
C7	1800.00	6-16-28	197.12	98.66	197.02	N 48-59-20 W
C8	1600.00	3-18-48	92.52	46.27	92.51	S 43-09-07 W
C9	50.00	71-01-12	61.98	35.68	58.08	N 77-00-20 E
C10	75.00	73-15-25	95.89	55.76	89.49	S 33-03-15 W
C11	375.00	41-49-51	273.78	143.31	267.74	S 48-46-02 W
C12	525.00	16-57-24	155.37	78.26	154.81	S 36-19-49 W
C13	1575.00	3-18-48	91.08	45.55	91.07	S 43-09-07 W
C14	100.00	71-01-12	123.95	71.36	116.17	S 77-00-20 W
C15	50.00	198-58-48	173.64	299.11	98.63	N 32-00-20 E
C16	25.00	90-00-00	39.27	25.00	35.36	N 86-29-43 E
C17	1625.00	0-09-46	4.62	2.31	4.62	N 41-34-36 E
C18	25.00	89-06-02	38.88	24.81	35.08	N 02-53-32 W
C19	1775.00	4-41-01	145.10	72.59	145.06	N 49-47-03 W
C20	1825.00	4-43-41	150.80	75.34	150.56	S 49-45-43 E
C21	25.00	87-47-36	38.31	24.06	34.67	N 88-42-19 E
C22	475.00	16-57-24	140.58	70.81	140.06	N 36-19-49 E
C23	425.00	3-57-08	29.32	14.66	29.31	N 29-49-41 E
C24	25.00	81-01-02	35.35	21.36	32.48	N 08-42-16 W
C25	325.00	9-13-50	52.36	26.24	52.30	N 44-35-52 W
C26	25.00	43-25-55	18.95	9.96	18.50	N 61-41-55 W
C27	50.00	275-55-39	240.79	45.08	66.96	N 54-32-57 E
C28	25.00	54-18-53	23.70	12.82	22.82	S 14-38-39 E
C29	275.00	6-22-22	30.59	15.31	30.57	S 44-59-17 E
C30	25.00	87-14-40	38.07	23.83	34.50	N 88-12-13 E
C31	425.00	25-06-05	186.19	94.62	184.71	N 57-07-55 E
C32	25.00	73-15-25	31.96	18.59	29.83	N 33-03-15 E
C33	25.00	49-40-44	21.68	11.57	21.00	S 06-57-53 W

LINE	BEARING	DISTANCE
L1	N 37-52-26 E	50.00
L2	N 24-54-47 E	105.07
L3	S 75-54-47 E	101.39
L4	S 03-34-27 E	2.91
L5	S 03-34-27 E	70.87
L6	N 03-34-27 W	73.41
L7	N 69-40-58 E	103.95
L8	N 27-51-07 E	100.00
L9	N 44-48-31 E	112.29
L10	S 67-29-04 E	39.13
L11	S 03-34-27 E	73.41
L12	S 69-40-58 W	103.95
L13	S 27-51-07 W	100.00
L14	S 44-48-31 W	112.29
L15	N 67-29-04 W	12.69
L16	S 48-30-17 E	20.74
L17	N 44-48-31 E	102.99
L18	N 27-51-07 E	100.00
L19	N 69-40-58 E	103.95
L20	N 03-34-27 W	73.41
L21	N 60-41-40 E	30.10
L22	S 68-38-44 E	79.36
L23	S 60-40-30 W	33.93
L24	S 41-29-43 W	134.95
L25	N 68-03-05 W	56.83
L26	S 60-40-30 W	144.90
L27	S 29-53-42 W	95.07
L28	S 02-38-45 E	47.09
L29	S 47-38-45 E	21.21
L30	N 87-21-15 E	86.98
L31	N 76-13-11 E	20.00
L32	S 25-30-53 E	28.57

- 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. INDICATES VOLUME
 - PG. INDICATES PAGE

LOT	SQ. FT.	LOT FRONTAGE
BLOCK 1		
LOT 1	11,414	57.15
LOT 2	10,845	57.55
LOT 3	9,534	40.94
LOT 4	12,603	36.57
LOT 5	11,882	36.57
LOT 6	9,574	36.57
LOT 7	7,398	57.79
LOT 8	8,459	68.20
LOT 9	8,889	56.78
LOT 10	7,915	52.76
LOT 11	6,852	55.00
LOT 12	7,907	58.28

LOT	SQ. FT.	LOT FRONTAGE
BLOCK 2		
LOT 1	6,875	55.00
LOT 2	8,524	52.46
LOT 3	7,724	52.43
LOT 4	7,288	52.90
LOT 5	6,950	55.07
LOT 6	7,293	55.09
LOT 7	7,404	55.01
LOT 8	7,404	55.01
LOT 9	6,875	55.00
LOT 10	6,875	55.00
LOT 11	6,875	55.00
LOT 12	6,875	55.00
LOT 13	6,875	55.00
LOT 14	6,875	55.00
LOT 15	8,169	54.43
LOT 16	9,245	37.20
LOT 17	10,010	36.57
LOT 18	11,494	36.57
LOT 19	8,635	64.44
LOT 20	6,840	57.00
LOT 21	6,600	55.00
LOT 22	6,421	55.00

**FINAL PLAT OF
HIGHLAND CROSSING
SECTION 4**

A SUBDIVISION OF 14.773 ACRES OF LAND SITUATED IN THE
H.T. & B. R.R. SURVEY, ABSTRACT 233, CITY OF PEARLAND, BRAZORIA
COUNTY, TEXAS.

34 LOTS 4 RESERVES (6.081 ACRES) 2 BLOCKS
NOVEMBER 6, 2014 JOB NO. 1406-3140C-310

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., SUITE A-100, HOUSTON, TEXAS 77064
PH. (713) 849-5017

ENGINEER:
LJA Engineering, Inc.
2929 Briarpark Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
FRN-F-1386
TBPLS FIRM NO. 10110511

CROSSPOINT
FELLOWSHIP CHURCH
VOL. 22 P. 53
B.C.P.R.

HIGHLAND CROSSING
SECTION ONE
DOC. NO. 2013056972
B.C.O.R.

HIGHLAND CROSSING
SECTION TWO
DOC. NO. 2014022498
B.C.O.P.R.

TELEPHONE ROAD SUBDIVISION
DOC. NO. 2006038796
B.C.P.R.

P.O.B.
NAD83 GRID COORDINATES
X= 3,151,766.01
Y= 13,762,681.49

LOT 94
W. ZYCHLINSKI
SUBDIVISION
Vol. 29, Pg. 43
B.C.D.R.

PEARLAND GATEWAY
SUBDIVISION
DOC. NO. 2009019090
B.C.P.R.

Data Time: Wed, 05 Nov 2014 10:22:00
Pch Name: I:\Project\PEATING\1406\FINPLT\Highland Crossing_4_FF.dwg
MPLR CHECK: COORD. DIR.

STATE OF TEXAS
COUNTY OF BRAZORIA

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 4, 14,773 ACRES OUT OF THE H.T. & B.R.R. COMPANY SURVEY, ABSTRACT 233, D.H.M. HUNTER SURVEY, ABSTRACT 76 CITY OF PEARLAND, 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, UNOBTSTRUCTED 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, UNOBTSTRUCTED 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 _____, 2014.

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 _____, 2014.

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 _____, 2014.

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, R.P.L.S.,
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4797

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS SUBDIVISION OF HIGHLAND CROSSING SECTION 4 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 _____, 2014.

HENRY N. FUERTES, CHAIRPERSON
PLANNING & ZONING COMMISSION
CITY OF PEARLAND, TEXAS

APPROVED FOR THE CITY OF PEARLAND, TEXAS THIS _____ OF _____, 2014.

DARRIN COKER, CITY ATTORNEY
RICHARD MANCILLA, P.E.,
INTERIM 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. 1403938885, EFFECTIVE DATE SEPTEMBER 4, 2014. 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 0.99987510.
- 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: TSRAP MONUMENT 010150 = ALUMINUM ROD IN CASING LOCATED AT THE NORTH SIDE OF A CHAIN LINK FENCE FOR A SANITARY SEWER LIFT STATION LOCATED AT WHEATBRIDGE STREET. POINT CAN BE LOCATED +/- 412 FEET EAST FROM THE END OF ASPHALT PAVEMENT OF WHEATBRIDGE STREET AND +/- 19 FEET NORTH FROM THE NW BUILDING CORNER OF THE LIFT STATION.
ELEV.= 41.99 FEET NAVD88 2001 ADJ.
- T.B.M. INDICATES TEMPORARY BENCHMARK: POINT 100 = TOP OF SET 5/8" IRON ROD WITH PLASTIC CAP STAMPED "LJA ENG CONTROL" LOCATED AT THE EAST SIDE OLD ALVIN RD IN THE APPROXIMATE CENTERLINE OF A PIPELINE RIGHT OF WAY. POINT CAN BE FOUND +/- 1,420 FEET NORTH OF THE INTERSECTION OF MICHARD RD AND OLD ALVIN RD AND +/- 79 FEET EAST OF THE CENTERLINE OF OLD ALVIN RD IN THE PIPELINE RIGHT OF WAY.
ELEV.= 41.68 FEET NAVD 88 2001 ADJ.
- ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP, MAP NO. 48039C0035 I, 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 I, 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 PLAIN AND ZONE "X" (UNSHADED) IS DEFINED AS AREAS OUTSIDE OF 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 ASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- A FOUR (4) FOOT SIDEWALK IS REQUIRED ON ALL INTERNAL PUBLIC STREET RIGHT-OF-WAY CONTAINED WITHIN THE PLAT, AND ALONG OLD ALVIN ROAD.
- 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 UNITED DEVELOPMENT CODE.
- CORNER LOTS ARE RESTRICTED TO FRONT ACCESS ONLY.
- THERE ARE 10 PROPOSED STREET LIGHT.
- THIS PROPERTY IS LOCATED WHOLLY WITHIN BRAZORIA COUNTY MUD NO. 28.

BEING 14,773 ACRES OF LAND LOCATED IN THE H.T. & B. R.R. CO. SURVEY, ABSTRACT 233, BRAZORIA COUNTY, TEXAS, MORE PARTICULARLY BEING A PORTION OF THAT CERTAIN CALLED 81.572 ACRE TRACT (DESCRIBED AS PART 2), CONVERTED TO BEAZER HOMES TEXAS, L.P. BY INSTRUMENT OF RECORD UNDER FILE NUMBER 2013005259, OF THE OFFICIAL PUBLIC RECORDS OF SAID BRAZORIA COUNTY, (B.C.O.P.R.) AND A PORTION OF LOTS 93 AND 94 OF THE W. ZYCHLINSKI SUBDIVISION OF RECORD IN VOLUME 29, PAGE 43 OF THE DEED RECORDS OF SAID BRAZORIA COUNTY, (B.C.O.P.R.), SAID 14,773 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 FOUND ON THE LINE COMMON TO OLD ALVIN ROAD (60- FEET WIDE) AND THE AFOREMENTIONED 81.572 ACRE TRACT AND ON THE COMMON SURVEY LINE OF SAID J. & B. R.R. CO. SURVEY, ABSTRACT 233 AND THE D.H.M. HUNTER SURVEY, ABSTRACT 76, BRAZORIA COUNTY, TEXAS;

THENCE, NORTH 02° 38' 45" WEST, WITH THE LINE COMMON TO SAID OLD ALVIN ROAD AND 81.572 ACRE TRACT, 702.34 FEET TO A POINT FOR CORNER;

THENCE, NORTH 60° 26' 40" EAST, DEPARTING SAID COMMON LINE, 174.75 FEET TO A POINT FOR CORNER;

THENCE, NORTH 60° 41' 40" EAST, 262.45 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

THENCE, 8.49 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1,775.00 FEET, A CENTRAL ANGLE OF 00° 16' 27", AND A CHORD WHICH BEARS NORTH 51° 59' 20" WEST, 8.49 FEET TO A POINT FOR CORNER;

THENCE, NORTH 37° 52' 26" EAST, 50.00 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

THENCE, 29.44 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1,025.00 FEET, A CENTRAL ANGLE OF 00° 55' 28", AND A CHORD WHICH BEARS SOUTH 51° 39' 50" EAST, 29.44 FEET TO A POINT FOR CORNER;

THENCE, NORTH 60° 41' 40" EAST, 134.62 FEET TO A POINT FOR CORNER;

THENCE, NORTH 24° 57' 01" EAST, 105.07 FEET TO A POINT FOR CORNER;

THENCE, NORTH 14° 34' 03" WEST, 130.35 FEET TO A POINT FOR CORNER;

THENCE, NORTH 02° 43' 24" WEST, 220.00 FEET TO A POINT FOR CORNER;

THENCE, NORTH 87° 14' 19" EAST, 181.72 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 75° 54' 47" EAST, 101.39 FEET TO A POINT FOR CORNER;

THENCE, NORTH 75° 38' 38" EAST, 145.94 FEET TO A POINT FOR CORNER;

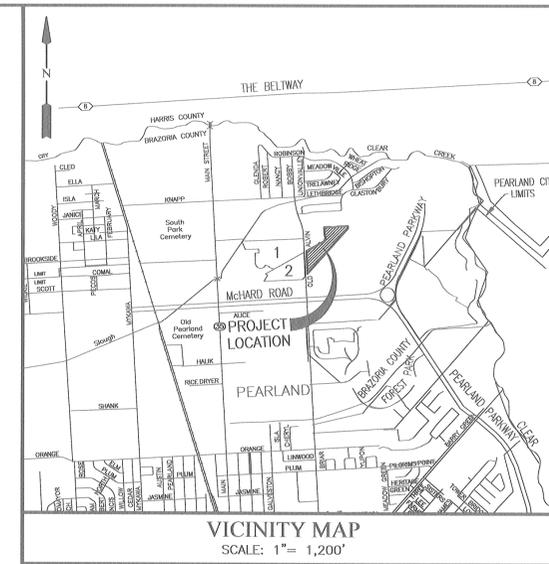
THENCE, NORTH 87° 15' 06" EAST, 126.41 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 03° 34' 27" EAST, 2.91 FEET TO A POINT FOR CORNER;

THENCE, NORTH 86° 25' 33" EAST, 185.00 FEET TO A POINT FOR CORNER ON THE LINE COMMON TO TWIN WOOD SECTION 2 AMENDING PLAT OF RECORD IN VOLUME 24, PAGE 26, PLAT RECORDS OF SAID BRAZORIA COUNTY (B.C.P.R.) AND THE AFOREMENTIONED 81.572 ACRE TRACT;

THENCE, SOUTH 03° 34' 27" EAST, WITH SAID COMMON LINE, 70.87 FEET TO A POINT FOR THE MOST EASTERLY SOUTHEAST CORNER OF SAID 81.572 ACRE TRACT THE COMMON SURVEY LINE OF SAID H.T. & B. R.R. CO. SURVEY AND THE D.H.M. HUNTER SURVEY;

THENCE, SOUTH 41° 29' 43" WEST, WITH THE SOUTHEASTERLY LINE OF SAID 81.572 ACRE TRACT AND SAID COMMON SURVEY LINE, 1,887.78 FEET TO THE POINT OF BEGINNING AND CONTAINING 14,773 ACRES OF LAND.



FINAL PLAT OF HIGHLAND CROSSING SECTION 4

A SUBDMISION OF 14.773 ACRES OF LAND SITUATED IN THE
H.T.& B. R.R. SURVEY, ABSTRACT 233, CITY OF PEARLAND, BRAZORIA
COUNTY, TEXAS.

34 LOTS 4 RESERVES (6.081 ACRES) 2 BLOCKS
NOVEMBER 6, 2014 JOB NO. 1406-3140C-310

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., SUITE A-100, HOUSTON, TEXAS 77064
PH. (713) 849-5017

ENGINEER:
LJA Engineering, Inc.
2929 Briarpark Drive Phone 713.953.5200
Suite 600 Houston, Texas 77042 Fax 713.953.5026
FRN-F-1396
TBPLS FIRM NO. 10110511

CONTACT: RENE RODRIGUEZ SHEET 2 OF 2

Data Name : Wed, 05 Nov 2014 - 10:28am
Path Name : \\P:\client\PLATTING\1406\Final\Highland Crossing-4_FP.dwg

**MATTERS
REMOVED FROM
CONSENT
AGENDA**

OLD BUSINESS

**P&Z AGENDA
ITEM**

A

ITEM POSTPONED UNTIL
JANUARY 30, 2015

**P&Z AGENDA
ITEM**

B

ITEM POSTPONED UNTIL
JANUARY 30, 2015

NEW BUSINESS

**P&Z AGENDA
ITEM**

A



JOINT PUBLIC HEARING
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF
THE CITY OF PEARLAND, TEXAS,
MONDAY, NOVEMBER 17, 2014, AT 6:30 P.M.
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

I. CALL TO ORDER

II. PURPOSE OF HEARING

Zone Change Application No. 2014-19Z

A request of Chad Thumann, applicant; on behalf of Wayne Thumann, owner; for approval of a change in zoning from the General Commercial (GC) and General Business (GB) zoning districts to the General Business (GB) and Single Family - 1 (R-1) zoning districts; on approximately 2.734 acres of land, to wit:

Legal Description: Being 1.385 acres of land out of called 14.0513 acres of land, said 14.135 being all of Lots 9 and 12 and Part of Lot 7 of partition of the East $\frac{1}{2}$ of Northwest $\frac{1}{4}$ of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas and being the South 183.60 feet of Lot 8, and a portion of Lot 7 out of a called 14.0513 acre tract being all of Lots 9 and 12 and Part of Lot 7 of partition of the East $\frac{1}{2}$ of Northwest $\frac{1}{4}$ of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas. According to the Plat recorded in Vol. 441, Page 265 of the Deed Records of Brazoria County, Texas

General Location: 6906 Broadway Street, Pearland, TX

III. APPLICATION INFORMATION AND CASE SUMMARY

- A. STAFF REPORT
- B. APPLICANT PRESENTATION
- C. STAFF WRAP UP

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.



Memo

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: November 17, 2014

Re: Zone Change Application Number 2014-19Z

A request of Chad Thumann, applicant; on behalf of Wayne Thumann, owner; for approval of a change in zoning from the General Commercial (GC) and General Business (GB) zoning districts to the General Business (GB) and Single Family - 1 (R-1) zoning districts; on approximately 2.734 acres of land, located at 6906 Broadway Street, Pearland, TX

Proposal

The subject property includes approximately 2.743 acres of land, of which the applicant is requesting a change in zoning of 1.385 acres from the General Commercial (GC) to General Business (GB) zoning district and 1.349 acres from General Business (GB) and General Commercial (GC) to Single Family Residential – 1 (R-1) zoning district. According to the applicant's letter of intent, the purpose of the requested change is to allow for a mixed use subdivision with property fronting Broadway Street having a zoning designation of GB for and a single family residential subdivision to the south zoned R-1.

Public Notification/Comment

Staff sent public notices, comment forms and a vicinity map to the applicant, owner of the property, and to property owners within 200 feet of the site. Additionally, a legal notice of public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

As of the date of this writing, staff has not received any returned notices from property owners within 200 feet of the site in favor or in opposition to the request.

Recommendation

Staff recommends approval of the request to change the zoning of the approximately 2.743 acre site from GB and GC to GB and R-1 for the following reasons:

1. The change in zoning will result in conformance with the Comprehensive Plan, as the requested zoning of GB and R-1 complies with the Business Commercial Land Use Designation along Broadway and the Low Density Residential Land Use Designation adjacent to the south.
2. The subject parcel has frontage on Broadway, a major thoroughfare and is surrounded by residential on its southern portion. A zone change to GB along Broadway and R-1 to the south would be in compliance with the surrounding land uses and zoning designations.
3. The existing residential adjacency standards and the COD regulations will ensure that any proposed non-residential use has no major impact on any existing or future single family homes.
4. All requirements of the UDC and the Engineering Design Criteria Manual will be met upon development of the site.

Exhibits

1. Staff Report
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Notification Map
6. Notification List
7. Applicant Packet



Exhibit 1 Staff Report

Summary of Request

Proposal

The subject property includes approximately 2.743 acres of land, of which the applicant is requesting a change in zoning of 1.385 acres from the General Commercial (GC) to General Business (GB) zoning district and 1.349 acres from General Business (GB) and General Commercial (GC) to Single Family Residential – 1 (R-1) zoning district. According to the applicant's letter of intent, the purpose of the requested change is to allow for a mixed use subdivision with property fronting Broadway Street having a zoning designation of GB for and a single family residential subdivision to the south zoned R-1.

Site History

The subject property includes a total of 16.55 acres of mostly undeveloped land. Approximately 2.5 acres of land fronting on Broadway recently was utilized as a landscaping business. All existing structures on site will be removed prior to further development.

The site is surrounded by commercial zoning (GB and GC) to the north, northwest and east, with R-1 abutting the property to the south and southeast. Across Broadway, to the north, are developed commercial parcels with existing auto repair, commercial retail, and medical offices.

The below table identifies surrounding uses and zoning districts:

	Zoning	Land Use
North	General Business (GB), General Commercial (GC)	General Retail, Auto Repair, Medical Office
South	Single Family Residential -1 (R-1)	Undeveloped Residential
East	General Business (GB)	Undeveloped Commercial
West	General Business (GB), Single Family	Air Strip, Dry Cleaners,

	Residential – 1 (R-1)	Single Family Subdivision
--	-----------------------	---------------------------

Conformance with the Unified Development Code

The property is currently undeveloped with a small portion along Broadway previously being used for a landscaping business. The proposed site dimensions of 320 feet by 573 feet exceed the requirements of the GB and R-1 zones. All other requirements of the UDC will need to be met upon development of the site including the requirements of the Corridor Overlay District.

A comparison of the existing GB and GC zones and the proposed R-1 and GB zoning districts follow as it relates to the site in terms of the general regulations:

		R-1 Zoning District Requirements	GB/GC Zoning Requirements	Site
Minimum Area	Lot	8,800 square feet	22,500 square feet	119,354 square feet (2.743 acres)
Minimum Width	Lot	80 feet	150 feet	320 feet
Minimum Depth	Lot	90 feet	125 feet	573 feet
Minimum Front Yard	Front	25 feet	25 feet	25 feet (30 feet if parking is up front)
Minimum Side Yard	Side	7.5 feet	10 feet	10 feet/25 feet (where adjacent to residential)
Minimum Rear Yard	Rear	20 feet	25 feet	20 feet in R-1, 25 feet in GB
Residential Adjacency		N/A	30 foot with hedge or 25 foot with masonry wall	30 foot with hedge or 25 foot with masonry wall (where applicable)

Conformance with the Comprehensive Plan

The proposed change in zoning from GB and GC to R-1 and GB on the subject property is in conformance with the future land use designation of the Comprehensive Plan which is "Business Commercial." Property adjacent to the south has a land use

designation of “Low Density Residential,” which is in compliance with the proposed R-1 zone change adjacent to the north.

Conformance with the Thoroughfare Plan

The property has frontage on Broadway Street; a major thoroughfare of sufficient width which requires 120 feet of right-of-way. A road, constructed to city standards, will be built by the developer in order to access the residential subdivision to the south. The proposed road will require a minimum right-of-way of 50 feet. Other improvements may be required, based on the Engineering Design Criteria Manual.

Platting Status

The property has not been platted. A Preliminary and Final plat will be required prior to the issuance of any building permits for the site.

Availability of Utilities

The subject property has access to public infrastructure. According to GIS records, there is an existing 16 inch water line on the south side of Broadway. Additionally, there is an existing 8 inch sewer line along the south side of Broadway. At the time of development, the developer will be required to tap into the provided services and payment of impact fees will be required.

Impact on Existing and Future Development

The GB zone is considered to be appropriate for this section of Broadway due to the existing surrounding uses. The subject property to the south, to be zoned R-1 will be in conformance with the existing R-1 property that is adjacent to it on the south, east and west. The applicant is proposing to construct a road with direct access to Broadway for the residential portion of the property. The lots fronting Broadway will be developed as commercial outparcels, with a 29 lot single family subdivision to the south. The proposed plan is in conformance with the surrounding land uses and is not anticipated to have a negative impact on the general are.

Additional Comments

The request has been reviewed by the City’s Development Review Committee (DRC), and there were no additional comments from other departments at the time of this report.

Public Notification

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the 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

As of the date of this writing, staff has not received any comments either in opposition to or in support of the proposed change in zoning request.

Recommendation

Staff recommends approval of the request to change the zoning of the approximately 2.743 acre site from GB and GC to GB and R-1 for the following reasons:

1. The change in zoning will result in conformance with the Comprehensive Plan, as the requested zoning of GB and R-1 complies with the Business Commercial Land Use Designation along Broadway and the Low Density Residential Land Use Designation adjacent to the south.
2. The subject parcel has frontage on Broadway, a major thoroughfare and is surrounded by residential on its southern portion. A zone change to GB along Broadway and R-1 to the south would be in compliance with the surrounding land uses and zoning designations.
3. The existing residential adjacency standards and the COD regulations will ensure that any proposed non-residential use has no major impact on any existing or future single family homes.
4. All requirements of the UDC will be met upon development of the site.

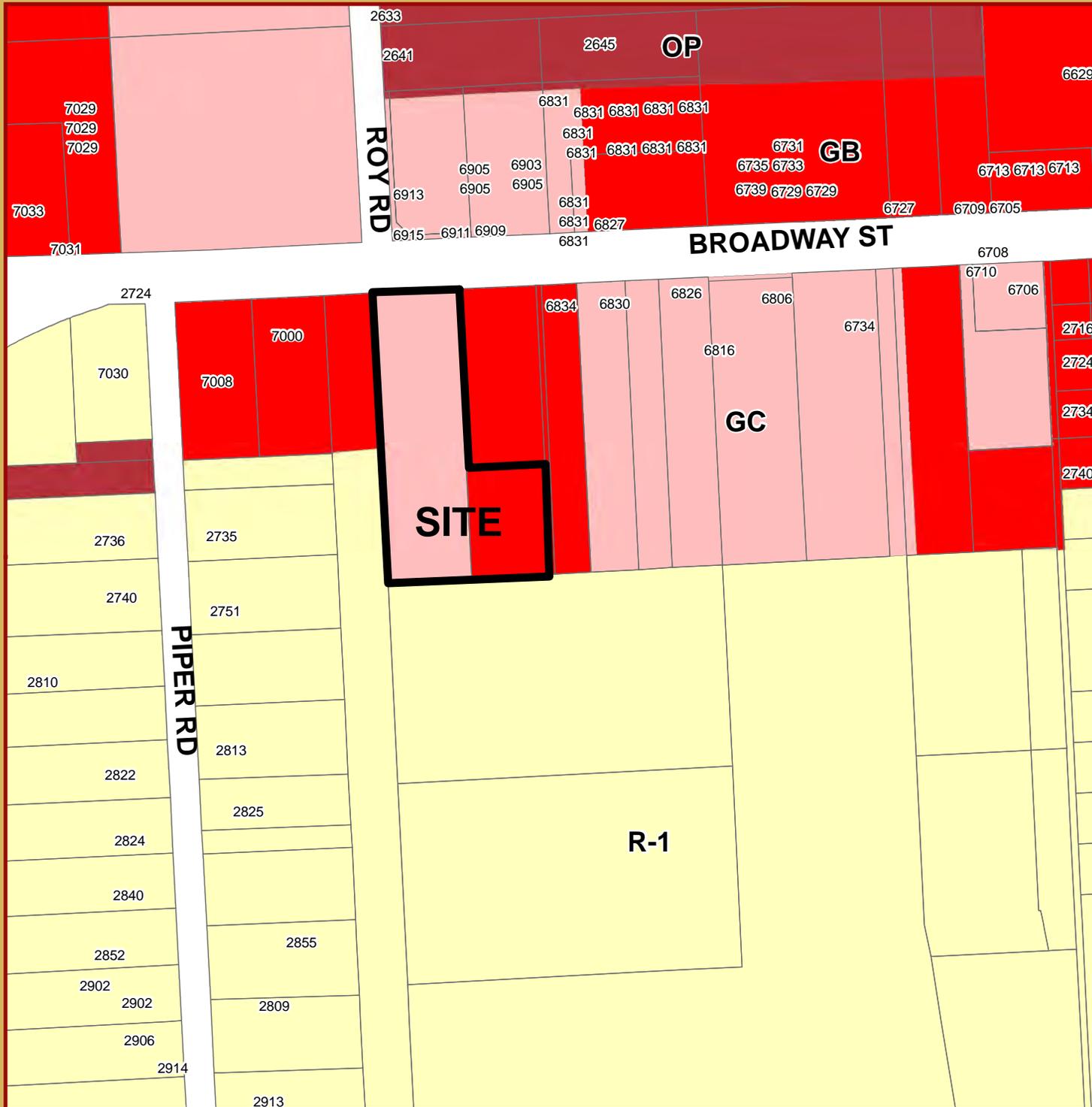


Exhibit 3

ZONING MAP

Zone Change 2014-19Z

6906 Broadway St.



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

1 inch = 283 feet

OCTOBER 2014
PLANNING DEPARTMENT



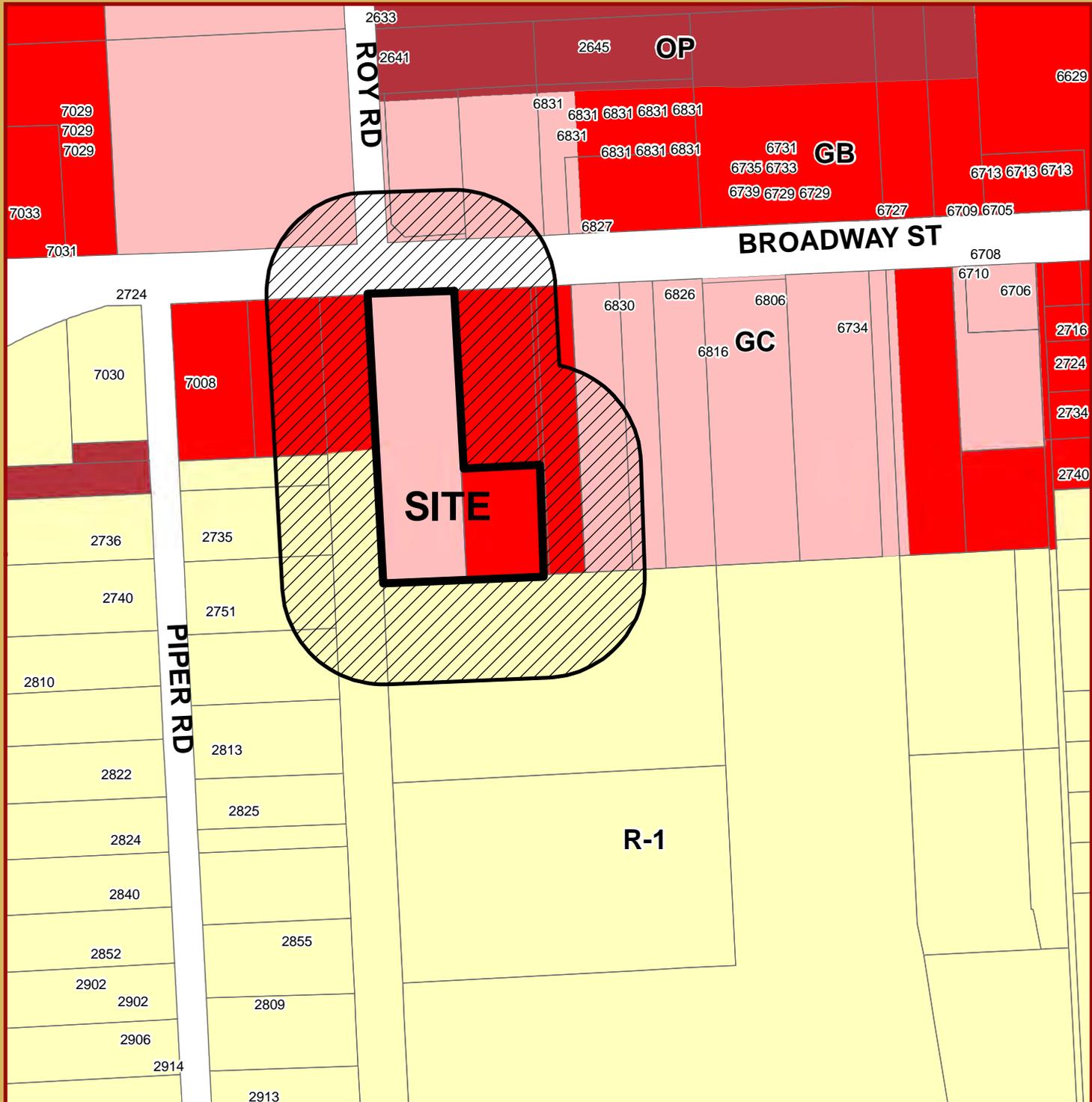


Exhibit 5

NOTIFICATION MAP

Zone Change 2014-19Z

6906 Broadway St.



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

1 inch = 283 feet

OCTOBER 2014
PLANNING DEPARTMENT



Exhibit 6

Zone Change 2014-19Z

Notification List

Owner	Address	City	State
II CB LP % ELLIS MANAGEMENT	2825 WILCREST DR STE 300	HOUSTON	TX
DAVID V BLOCK INVESTMENTS LLC	3500 DALROCK RD	ROWLETT	TX
SCHANK SYBIL M	2751 PIPER RD	PEARLAND	TX
PEARLAND DENTAL LABORTARY	PO BOX 740	PEARLAND	TX
ADAMS FRANCES P FAMILY INT PARTNERSHIP LTD	3305 CHURCHILL ST	PEARLAND	TX
PILGRIM WEST LLC	7600 JOPLIN ST	HOUSTON	TX
SKYWAY MANOR AIRCRAFT OWNR	2913 PIPER RD	PEARLAND	TX
K & T DRYCLEAN CORPORATION	7000 BROADWAY ST	PEARLAND	TX
WEBSTER MYRTLE LEE	3901 BLUEBIRD WAY	PEARLAND	TX
RODRIGUEZ ANA E & ESTEBAN V	PO BOX 84110	PEARLAND	TX
PATSCHKE ALLEN G ET UX	16911 COUNTY ROAD 831	PEARLAND	TX

Zip

77042

75088

77584

77588

77581

77087

77584

77581

77584

77584

77584



APPLICATION FOR A CHANGE IN ZONING

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1765
281-652-1702 fax
www.cityofpearland.com



Current Zoning District: GC + GB

Proposed Zoning District: Parcel R1 + GB

Property Information:

Address or General Location of Property: 6906 Broadway

Tax Account No. 166334 + 166324

Subdivision: MANANAY Lot: 7+8 Block: 1241 HT+B 15

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

PROPERTY OWNER INFORMATION:

NAME WAYNE THOMANN
ADDRESS 3823 FM 1128
CITY PEARLAND STATE TX ZIP 77584
PHONE (281) 914-5202
FAX () _____
E-MAIL ADDRESS Chad@rwestdevelopment.com

APPLICANT/AGENT INFORMATION:

NAME CHAD THOMANN
ADDRESS 3823 FM 1128
CITY PEARLAND STATE TX ZIP 77584
PHONE (281) 914-5202
FAX () _____
E-MAIL ADDRESS Chad@rwestdevelopment.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: Wayne Thomann Date: 9-15-14

Agent's/Applicant's Signature: Chad Thomann Date: 9-15-14

OFFICE USE ONLY:

FEE PAID: <u>\$800.00</u>	DATE PAID: <u>15 Sept. 14</u>	RECEIVED BY: <u>JM</u>	RECEIPT NUMBER: <u>361847</u>
---------------------------	-------------------------------	------------------------	-------------------------------

Application No. 2014-197

APPLICATION CHECKLIST FOR THE FOLLOWING

- **Zone Changes**
- **Planned Development Districts (PD)**

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

*Letter of Intent is not required for a PD.

- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
 - **Zero (0) to less than 25 acres:**
 - \$ 750.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 800.00 if requesting a Planned Development (PD)
 - **25 to less than 50 acres:**
 - \$ 800.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 850.00 if requesting a Planned Development (PD)
 - **50 to less than 75 acres:**
 - \$ 850.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 900.00 if requesting a Planned Development (PD)
 - **75 to less than 100 acres:**
 - \$ 900.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 950.00 if requesting a Planned Development (PD)
 - **100 acres and above:**
 - \$ 9450.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 1000.00 if requesting a Planned Development (PD)

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

- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

Additional Information:

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

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

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

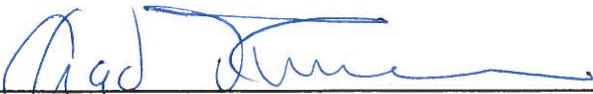
Such sign(s) shall be located as follows:

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

PROPOSED (SPECIFY REQUEST)
Contact City of Pearland
281-652-1765

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

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



Acknowledgement signature

9-24-14
Date

ZONE CHANGE / VARIANCE / PLAT / RECORDATION

(circle one)
\$ 800 **BA** or **PF** or **FE**

Description: Input who the check is from

COMMENTS/DESCRIPTION (F10):

Location or Address 6906 Broadway

Applicant Chad Thumann

Owner Wayne Thumann

City of Pearland Building Permits
3519 Liberty Dr
Pearland, TX 77581
Telephone: 281-652-1638

*** SALES SLIP ***

Oper: AGONZALES Type: OC Drawer: 1
Date: 9/24/14 01 Receipt no: 361847
Merch ID #: Seq no. 3598589
Cross ref#: 0002
762993

Card no: *****4555
Card type: DISCOVER CARD

Auth code: 02439B
Date: 9/24/14 Time: 14:00:00

Payment total: \$800.00

CARDHOLDER ACKNOWLEDGES RECEIPT OF GOODS AND/OR SERVICES IN THE AMOUNT OF THE TOTAL SHOWN HEREON AND AGREES TO PERFORM THE OBLIGATIONS SET FORTH IN THE CARD-HOLDER'S AGREEMENT WITH THE ISSUER.

Signature: CHAD A. THUMANN

CUSTOMER COPY

CITY OF PEARLAND
*** CUSTOMER RECEIPT ***
Oper: AGONZALES Type: OC Drawer: 1
Date: 9/24/14 01 Receipt no: 361847
Description Quantity Amount
BA BOARD OF ADJUSTMENTS 1.00 \$800.00
Trans number: 4604291
BOARD OF ADJ FOR:
6906 BROADWAY
CHAD THUMANN FOR WAYNE THUMANN
Tender detail
BR CREDIT CARD \$800.00
Total tendered \$800.00
Total payment \$800.00
Trans date: 9/24/14 Time: 14:00:00

Wayne Thumann
3823 FM 1128
Pearland, TX 77584

9-15-14

City of Pearland P&Z
Ian Clowes
3523 Liberty Dr
Pearland, TX 77584

Re: 6906 Broadway Zoning

MR Clowes,

In Regards to 6906 Broadway (Bacd properties 166334 and 166324), I would like to designate Chad Thumann to act on my behalf as acting agent in all matters concerning zoning.

Please process our application and put us on the next P&Z zoning agenda. Feel free to contact me with any concerns or questions.

Best Regards,



Wayne Thumann

9-15-14

City of Pearland P&Z
Ian Clowes
3523 Liberty Dr
Pearland, TX 77584

Re: 6906 Broadway Zoning

MR Clowes,

In Regards to 6906 Broadway (Bacd properties 166334 and 166324), we would like to request a zone change. We would like to have the front of the property zoned as GB to accommodate future commercial property. We would also like to have the rear of the property zoned to R1 to accommodate single family dwellings (see attached subdivision layout).

We would also like to request a variance on the commercial lot width. Our proposed commercial lot widths would be 135ft instead of the required 150ft.

Please process our application and put us on the next P&Z zoning agenda. Feel free to contact me with any concerns or questions.

Best Regards,



Chad Thumann

LEGEND * ITEMS THAT MAY APPEAR IN *
DRAWING BELOW

M.U.E. = MUNICIPAL UTILITY EASEMENT
U.E. = UTILITY EASEMENT
A.E. = AERIAL EASEMENT
D.E. = DRAINAGE EASEMENT
S.S.E. = SANITARY SEWER EASEMENT
S.W.S.E. = STORM SEWER EASEMENT
W.L.E. = WATER LINE EASEMENT

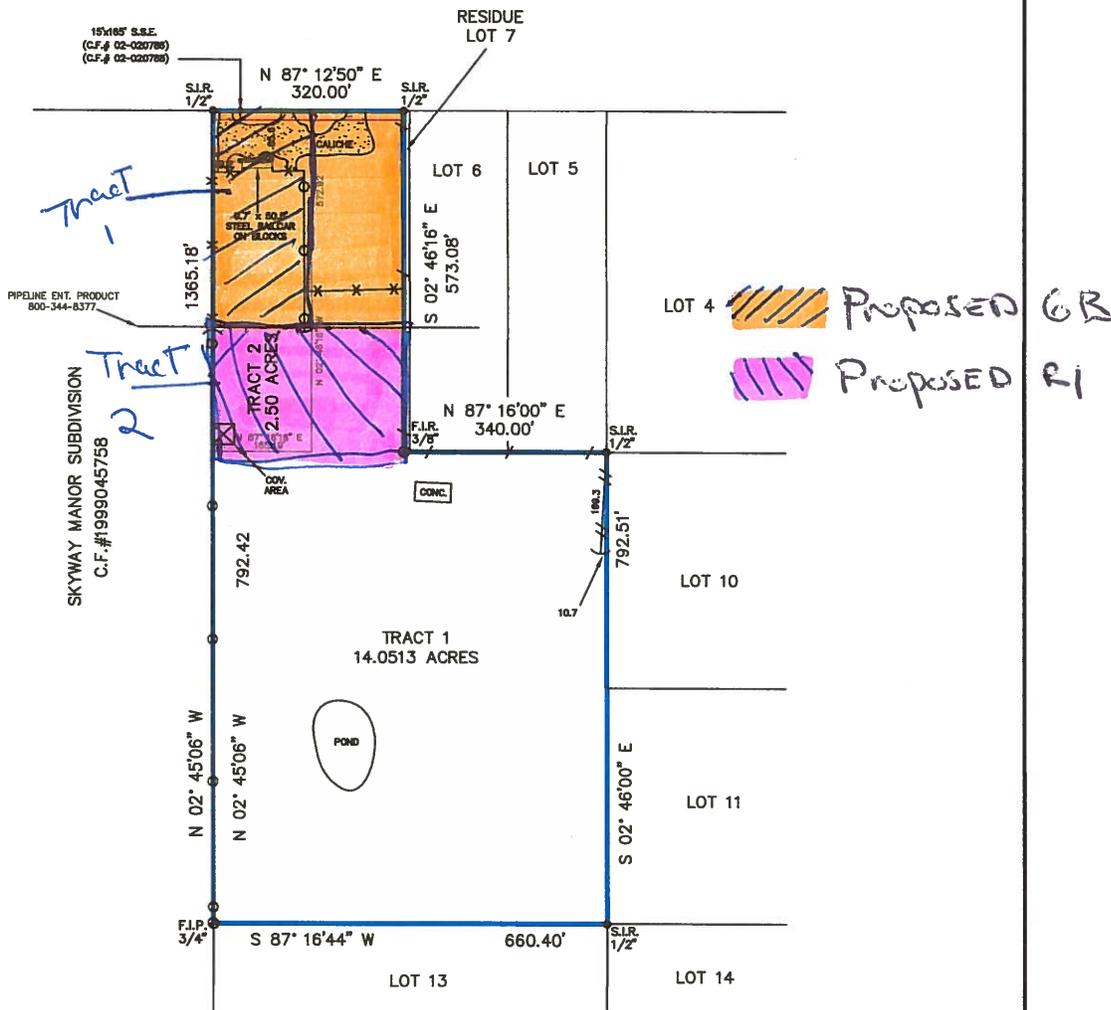
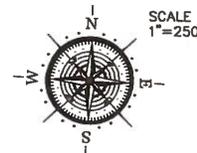
F.I.R. = FOUND IRON ROD
F.L.P. = FOUND LEAD PIPE
S.L.R. = SET IRON ROD
W.P. = WOODEN POST
M.P. = METAL POST
C.F.# = CLERK'S FILE NUMBER
P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
S.L. = BUILDING LINE
F.I.D. = FOUND
S.P. = SET

P.A.E. = PERMANENT ACCESS EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
W.S.E. = WATER & SEWER EASEMENT
E.E. = ELECTRIC EASEMENT
P.C. = POINT OF CURVATURE
P.T. = POINT OF TANGENCY
P.R.C. = POINT OF REVERSE CURVATURE
P.C.C. = POINT OF COMPOUND CURVATURE
P.P. = POWER POLE
S.F.M.F. = SEARCHED FOR, NOT FOUND
U.T.S. = UNABLE TO SET

⊙ = CONTROL MONUMENT
— = PROPERTY LINE
— = EASEMENT LINE
— = BUILDING SETBACK LINE
— = BUILDING WALL

— = WOODEN FENCE
— = CHAIN LINK FENCE
⊙ = SHEET METAL FENCE
— = WIRE FENCE
— = VINYL FENCE

6906 BROADWAY
F.M. 518



Reviewed & Accepted by: _____ Date _____ / _____ / _____ Date _____

NOTES:
 - BEARING BASIS: C.F.# 09-044577
 - SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS
 - SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED PROPERTY
 - UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY
 - THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS
 - SUBJECT TO RESTRICTIVE COVENANTS AS PER TITLE COMMITMENT
 - SUBJECT TO ZONING AND BUILDING ORDINANCES ENFORCED BY LOCAL MUNICIPALITIES
 - A PIPELINE EASEMENT TO HOUSTON PIPE LINE COMPANY WAS FILED IN VOL. 381, PG. 96, D.R.B.C. (SIZE NOT GIVEN), SAID EASEMENT WAS PARTIALLY RELEASED BY VOL. 1285, PG. 213, D.R.B.C.

LEGAL DESCRIPTION
 TRACT 1: 14.0513 ACRES OF LAND, BEING ALL OF LOTS 9 & 12 AND PART OF LOT 7 OF THE PARTITION OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, H.T. 88, R.R. CO. SURVEY, A-241, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOL. 441, PG. 285 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN METES AND BOUNDS AS ATTACHED
 TRACT 2: LOT 8, CONTAINING 2.50 ACRES, OUT OF THE T.P. MAHANAY 80 ACRE TRACT, BEING THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, H.T. 88, R.R. CO. SURVEY, A-241, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOL. 441, PG. 285 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS.

CLIENT CHAD THUMANN **ADDRESS** 6906 BROADWAY



I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON (OR ON ATTACHED SHEET), AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN, AND WAS DONE BY ME OR UNDER MY SUPERVISION, AND CONFORMS TO OR EXCEEDS THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

JOB # 1403234
DATE 03/27/2014
GF# 1900581-H109

PRO-SURV
 P.O. BOX 1366, FRIENDSWOOD, TX 77549
 PHONE- 281-996-1113 FAX - 281-996-0112
 EMAIL: orders@prosurv.net
 ONLY SURVEY MAPS WITH THE SURVEYOR'S ORIGINAL SIGNATURE ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND OPINION.
 ©2014 PRO-SURV - ALL RIGHTS RESERVED



Google earth

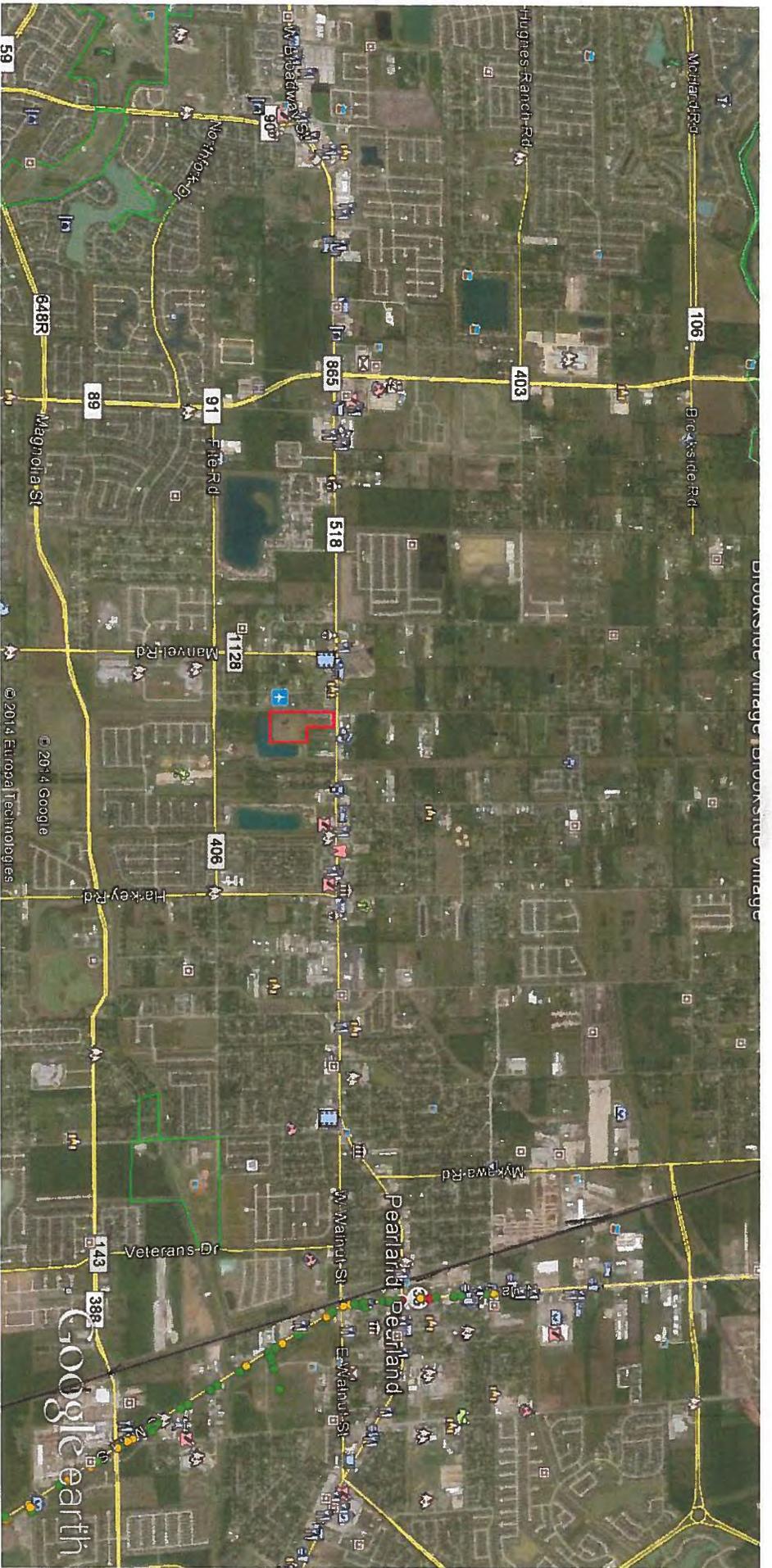
feet
meters



800



Google earth



Google earth

miles
km



The interface features a toolbar at the top with icons for navigation and map manipulation. Below the toolbar is a 'Layers' panel with the following options:

- All Layers
- Addresses
- Elevation Layers
- Land Marks
- Utilities
- Capital Projects
- Planning Layers
- Zoning

Below the layers panel are input fields for 'Queries', 'Address Locator', 'Markup', 'Lat / Long', and 'Overview Map'. The main map area displays a street grid with various zoning codes such as R-1, R-3, M-F, and GC. A blue box highlights a specific parcel on Broadway St. At the bottom, there is a scale bar showing '1: 11,237' and a 'Scales' section with 'Bookmarks'.

2013 TAX STATEMENT



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

Certified Owner:
 THUMANN WAYNE
 4002 QUAIL RUN DR
 PEARLAND, TX 77584

Legal Description:
 MAHANAY LT 7 241 H T & B 15, ACRES 2.039

Account No: 0241-0014-000

Appr. Dist. No.: 166324

Legal Acres: 2.0390

Parcel Address: 6906 BROADWAY FM 518

As of Date: 09/16/2014

Print Date: 09/16/2014

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$261,290	\$1,170	\$262,460	\$262,460	\$0	\$0	\$0	\$262,460

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
BRAZORIA COUNTY <i>Amount saved by additional sales tax revenue \$248.08</i>	\$262,460		\$0.00	\$262,460	0.4320200	\$1,133.88
SPECIAL ROAD & BRIDGE	\$262,460		\$0.00	\$262,460	0.0600000	\$157.48
PEARLAND ISD	\$262,460		\$0.00	\$262,460	1.4157000	\$3,715.65
BRAZORIA DRAINAGE DIST 4	\$262,460		\$0.00	\$262,460	0.1560000	\$409.44
CITY OF PEARLAND	\$262,460		\$0.00	\$262,460	0.7051000	\$1,850.61

Total Tax: \$7,267.06
Total Tax Paid to date: \$7,267.06
Total Tax Remaining: \$0.00

Exemptions:

AMOUNT DUE IF PAID BY THE END OF:

SEP 2014 20%	OCT 2014 21%	NOV 2014 22%	DEC 2014 23%	JAN 2015 24%	FEB 2015 25%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
MAR 2015 26%	APR 2015 27%	MAY 2015 28%	JUN 2015 29%	JUL 2015 30%	AUG 2015 31%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

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.

4.1.51

Print Date: 09/16/2014

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

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



* 0 2 4 1 0 0 1 4 0 0 0 *

0241-0014-000
 THUMANN WAYNE
 4002 QUAIL RUN DR
 PEARLAND, TX 77584

AMOUNT PAID:

\$ _____

02410014000 2013 092014 00000000000 00000000000 00000000000 3

FIELD NOTES

TRACT 1:
PROPOSED GB ZONING (1.385 ACRES)

1.385 acres of land out of a called 14.0513 acres of land, said 14.135 acres being all of Lots 9 & 12 and Part of Lot 7 of partition of the East 1/2 of the Northwest 1/4 of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas, according to the Plat recorded in Vol. 441, Page 265 of the Deed Records of Brazoria County, Texas, and said 1.385 acres being more particularly described as follows:

BEGINNING at a found 3/4 inch iron pipe for the Southwest corner of said Lot 12 and the Southwest corner of the herein described tract;

THENCE N 02 deg. 45 min. 06 sec. W along the West lines of Lot 12 and 9 a distance of 792.42 feet to a point for the Northwest corner of Lot 9;

THENCE N 87 deg. 16 min. 16 sec. E along the North line of Lot 9 and the South line of Lot 8 a distance of 165.19 feet to a point for the Southwest corner of Lot 7;

THENCE N 02 deg. 46 min. 16 sec. W along the West line of Lot 7 a distance of 183.67 feet to the POINT OF BEGINNING of the herein described proposed 1.385 acre tract to be rezoned GB1;

THENCE continuing along said line of Lot 7, a distance of 389.25 feet to a point for corner in the South R.O.W. line of Broadway (F.M. 518);

THENCE N 87 deg. 12 min. 50 sec. E along the South R.O.W. line of F.M. 518 a distance of 155.00 feet to a set 1/2 inch iron rod for corner;

THENCE S 02 deg. 46 min. 16 sec. E a distance of 389.31 feet to a point for corner for the Southeast corner of the herein described 1.385 acre tract;

THENCE S 87 deg. 14 min. 01 sec. W along the South line of Lot 7 a distance of 155.00 feet to the PLACE OF BEGINNING and containing 1.385 acres of land, more or less.

TRACT TWO:
PROPOSED R1 ZONING (1.349 ACRES)

The South 183.60 feet of Lot 8, and a portion of Lot 7 out of a called 14.0513 are tract being all of Lots 9 & 12 and Part of Lot 7 of partition of the East 1/2 of the Northwest 1/4 of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas, according to the Plat recorded in Vol. 441, Page 265 of the Deed Records of Brazoria County, Texas, and said 1.349 acres being more particularly described as follows:

BEGINNING at The Southwest corner of the aforementioned Lot 8;

THENCE North $02^{\circ}45'06''$ West, a distance of 183.60 feet to a point for corner in the West line of Lot 8;

THENCE North $87^{\circ}14'01''$ East, a distance of 320.13 feet to a point for corner;

THENCE S $02^{\circ}46'16''$ E a distance of 183.77 feet to a point for corner for the Southeast corner of the herein described 1.385 acre tract in the North line of Lot 9;

THENCE South $87^{\circ}16'00''$ West, a distance of 320.19 feet to the POINT OF BEGINNING of the herein described tract and containing 1.349 acres of land, more or less.

**P&Z AGENDA
ITEM**

B



JOINT PUBLIC HEARING

THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF
THE CITY OF PEARLAND, TEXAS,

MONDAY, NOVEMBER 17, 2014 AT 6:30 P.M.

COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

I. CALL TO ORDER

II. PURPOSE OF HEARING

Zone Change Application No. 2014-20Z

A request of BGE Kerry R. Gilbert and Associates, applicant; on behalf of CL Ashton Woods, LP., owner; for approval of a change in zoning to amend the Southern Trails Planned Development (PD), from an overlay zoning district which allows for Civic/Church uses to General Business (GB) uses; on approximately 0.9 acres of land of the total 522.62 acres, to wit:

Legal Description: A certain parcel of ground together with all the buildings and improvements being a portion of No. 2 Southern Trails Commercial No. 1, H.T. and B.R.R. Company Survey, Section 84, A-538, City of Pearland, Brazoria County, Texas

General Location: South side of Broadway Street, between Windward Bay Drive to the west and Kinglsey Drive to the east, Pearland, TX

III. APPLICATION INFORMATION AND CASE SUMMARY

- A. STAFF REPORT
- B. APPLICANT PRESENTATION
- C. STAFF WRAP UP

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.



Memo

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: November 17, 2014

Re: Zone Change Application Number 2014-20Z

A request of BGE Kerry R. Gilbert and Associates, applicant; on behalf of CL Ashton Woods, LP., owner; for approval of a change in zoning to amend the Southern Trails Planned Development (PD), from an overlay zoning district which allows for Civic/Church uses to General Business (GB) uses; on approximately 0.9 acres of land of the total 522.62 acres of land.

Proposal

The Southern Trails Planned Development (PD) includes approximately 522.62 acres of land located on the south side of Broadway Street; east and west sides of Kingsley Drive and west of Kirby Drive.

The applicant proposes to add the original 1.4-acre civic parcel designated for a Fire Station to the adjacent GB parcel. It is important to note that due to an increase in right-of-way and detention, the original 1.4 – acre civic parcel now includes 0.9 acres.

As part of the proposed amendment, the applicant also proposes to update the land use summary to reflect the proposed change, include a metes and bounds description and proposed plat for the new 3.6 acre GB site; and update Exhibits D (Conceptual Plan), Exhibit E (Trail System Plan) and Exhibit F (Monumentation Plan).

Public Notification/Comment

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the amendment to the Southern Trails PD. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant. As of the date of this writing, staff has not received any returned notices from property owners within 200 feet of the site.

Recommendation

Staff recommends approval of the proposed amendment to the Southern Trails PD, as identified above, and in detail within the attached Staff Report, identified as Exhibit 1; for the following reasons, and with the following condition:

1. The subject property was originally designated as a non-residential use; civic use for a Fire Station and will continue to be designated for non-residential uses allowed within the GB zoning district.
2. The PD and the proposed amendment general meet the intent of the future land use designation of “Retail, Offices and Services” by providing non-residential uses to serve the surrounding single family subdivisions; with limited general business strip centers, as recommended by the “Minor Node” future land use designation.
3. The base zoning district for the subject property is proposed to be GB and will comply with the requirements of the GB zoning district in the Unified Development Ordinance. This will ensure that the current requirements on side yards, lot coverage, and height will apply to development on this site.
4. When originally approved, the PD required landscaping along Broadway Street, which has not been planted. The street trees and landscaping needs to be planted along Broadway Street, as approved in the PD. This needs to be addressed in the PD prior to first reading.
5. Add a note on Exhibit E – Conceptual Development, stating that the subject 0.9 acre parcel will comply with all the regulations of the GB zoning district in the current Unified Development Code, prior to first reading.

Exhibits

1. Staff Report
2. Southern Trails Boundary Map
3. Aerial Map
4. Future Land Use Map
5. Notification Map
6. Notification List
7. Amendment # 2: Red-lined Southern Trails PD



Exhibit 1 Staff Report

Summary of Request

The Southern Trails Planned Development includes approximately 522.62 acres of land and was originally approved in February, 2004 to allow for mostly single family developments, with the exception of a 9.5 acre church parcel, a 2.7-acre General Business (GB) parcel and a 1.4 acre- civic use adjacent to the GB parcel; specifically for a Fire Station, and various amenities. As a result of right-of-way dedication and detention within the development, the original 1.4 – acre civic use site has decreased to 0.9 acres.

The applicant proposes to add the remaining 0.9 acres allocated for civic uses to the 2.7-acre GB site, for a total of 3.6 acres allocated to GB uses. As part of the proposed amendment, the applicant also proposes to update various exhibits and the Land Use Summary to reflect current acreages for all land uses within the development, as the PD allowed for an increase in acreage by up to 15%, as long as the total number of dwelling units did not exceed 1,506 units.

Site History

The subject property known as the Southern Trails Planned Development was annexed into the City of Pearland at various times. The PD is divided by Kingsley Drive. The property on the east side of Kingsley Drive was annexed into the City in 1999; and the property on the west side of Kingsley Drive was annexed into the City in 2001. To date, one (1) amendment to the PD was approved in April, 2011 to promote pedestrian safety, accessibility and ease of use. Specifically the 2011 amendment added a lit crossing at Kingsley Drive and Southern Trails Drive; modified the pedestrian trails; reduced sidewalk width from 8 feet to 6 feet along minor streets; notation was added regarding the construction of sidewalks on internal streets as development occurs; and finally the originally approved third “Tot Lot” was added to Exhibit E, as it was inadvertently not shown on the exhibit.

Approximately 85% of the project is developed. All amenities have been constructed, which include a trail system with natural open space, fitness stations and water fountains; picnic areas; lit common areas for nighttime enjoyment; 4 lakes totaling 7.3 acres; a 16.6 acre lake located within the center of the project; and parks.

The PD is surrounded by mostly single family subdivisions and PDs to the north, west and east; and unincorporated land to the south. The below table identifies surrounding uses and zoning districts:

	Zoning	Land Use
North	Shadow Creek Ranch PD	Single Family Undeveloped
South	Single Family Estate (RE) Extra-territorial Jurisdiction (ETJ)	Single Family
East	Ridge Rock PD	Undeveloped
West	Shadow Creek Ranch PD	Single Family

Conformance with the Thoroughfare Plan

The subject 0.9 acres has frontage on Broadway Street and will be combined with the GB tract located at the southeast corner of Broadway Street and Kingsley Drive. According to the Thoroughfare Plan, both Broadway Street and Kingsley Drive are Major Thoroughfares and require 120 feet of right-of-way. Broadway Street is of sufficient width and County Road 48 will be widened.

Conformance with the Unified Development Code

The Southern Trails PD was originally approved in 2004 under the Land Use and Urban Development Ordinance. The base zoning district for the subject property is proposed to be GB and will comply with the requirements of the GB zoning district in the Unified Development Ordinance. This is significant in light of the fact that the previous Land Use and Urban Development Ordinance did not have restrictions on side yards, lot coverage, and height. The GB district is intended to permit an extensive variety of commercial uses including retail trade, personal and business service establishment, offices and commercial recreational uses of limited scope. The district will follow the provisions provided within the Unified Development Code for GB zoning district.

Conformance with the Comprehensive Plan

The Southern Trails PD is located in various future land use designations, including Retail, Offices and Services; Minor Nodes; Low Density, Parks, etc. However, specific

to the 0.9 acres, the future land use designation is Retail, Offices and Services; and Minor Nodes. The proposed GB zoning district conforms to characteristics of the proposed GB overlay zoning district. Major characteristics of each of the two future land use designations follows:

Retail, Office and Services

- Neighborhood or convenience shopping centers , or developed as separate uses
- Preferably located at major intersections
- Limited outdoor retail activities
- Buffer from neighboring single family residential
- Appropriate zoning districts include Office & Professional (OP); Neighborhood Service (NS) and selected uses within the General Business (GB) zoning district

Minor Nodes

- Broadway Street-Kingsley Road intersection is designated as a minor node which are intended to comprise less than 25 acres of non-residential uses, including retail, office and services uses, with limited strip development for general business uses along Broadway Street.

Platting Status

The 0.9 acre subject property is not platted. Upon approval of the amendment, the applicant proposes to combine the subject property with the adjacent 2.7 acres which is currently platted as Block 1, Tract A, Southern Trails Commercial No. 1.

Availability of Utilities

The subject property has access to public water and sewer. According to GIS records, there is an existing 24 inch and 30-inch sewer line along the south side of Broadway Street and Kingsley Drive, respectively; and a 16 inch water line along the north side of Broadway Street. Utilities and the extension of utilities will be assessed at the time of platting.

Impact on Existing and Future Development

It is not anticipated that the proposed amendment to the Southern Trails PD to reallocate the 0.9 from a civic use (fire stations) to a GB use will have any significant impact on existing or future developments. The 0.9 acres will be combined with the adjacent property to the east, which is currently developed with a non-residential use, CVS. The subject property was designated as a non-residential use when the PD was originally adopted in 2004, and will continue to allow for non-residential uses permitted within the GB zoning district.

Additional Comments

The request has been reviewed by the Development Review Committee (DRC), and there are no further comments.

Public Notification

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for amendment to the Southern Trails PD. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

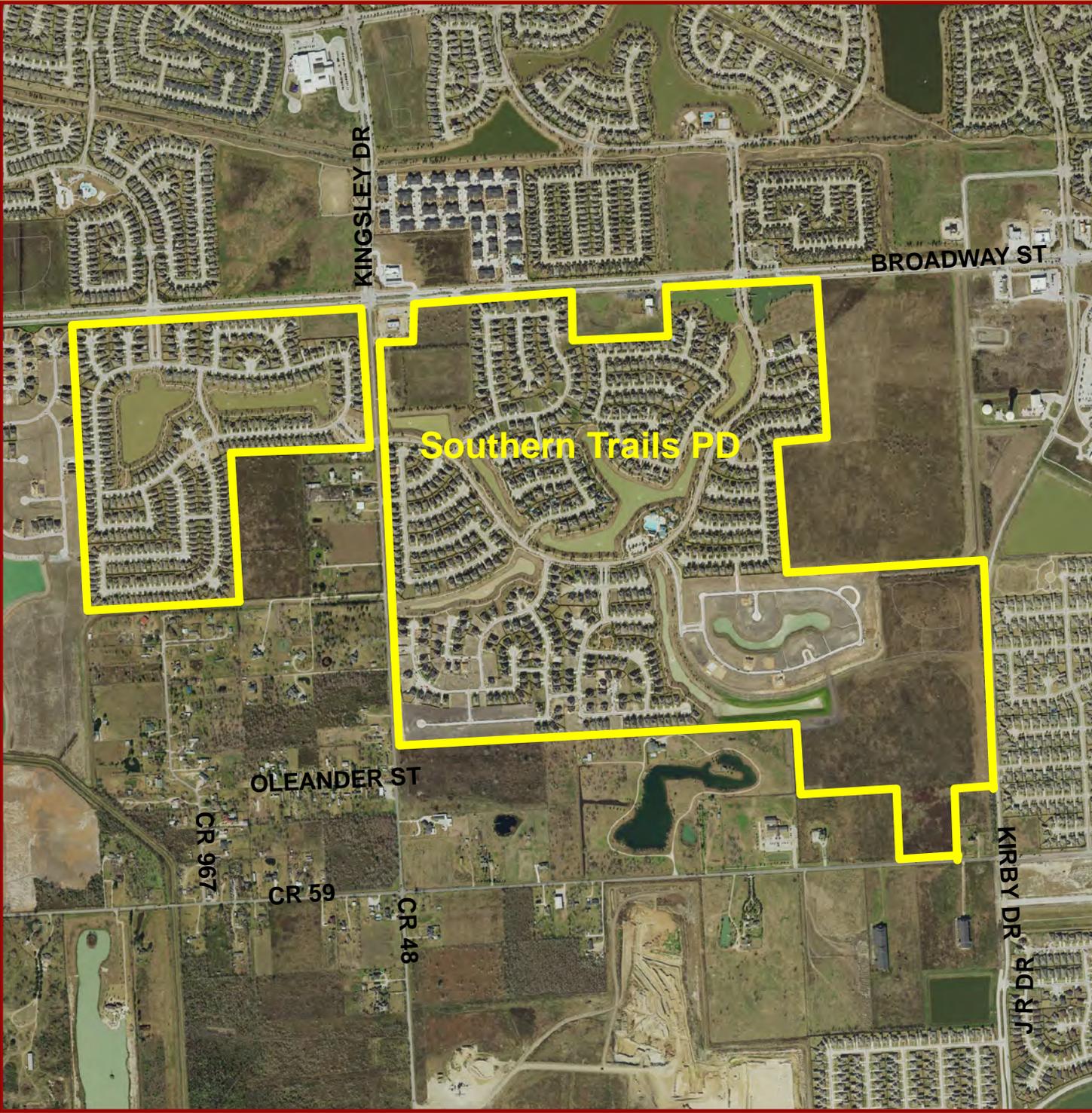
Opposition to or Support of Proposed Request

As of the date of this writing, staff has not received any comments either in opposition to or in support of the proposed change in zoning request to amend the PD.

Recommendation

Staff recommends approval of the amendment to the Southern Trails PD, to reallocate the 0.9 acres from a civic use to a GB use, for the following reasons:

1. The subject property was originally designated as a non-residential use; civic use for a Fire Station and will continue to be designated for non-residential uses allowed within the GB zoning district.
2. The PD and the proposed amendment general meet the intent of the future land use designation of “Retail, Offices and Services” by providing non-residential uses to serve the surrounding single family subdivisions; with limited general business strip centers, as recommended by the “Minor Node” future land use designation.
3. The base zoning district for the subject property is proposed to be GB and will comply with the requirements of the GB zoning district in the Unified Development Ordinance. This will ensure that the current requirements on side yards, lot coverage, and height will apply to development on this site.
4. When originally approved, the PD required landscaping along Broadway Street, which has not been planted. The street trees and landscaping needs to be planted along Broadway Street, as approved in the PD. This needs to be addressed in the PD prior to first reading.
5. Add a note on Exhibit E – Conceptual Development, stating that the subject 0.9 acre parcel will comply with all the regulations of the GB zoning district in the current Unified Development Code, prior to first reading.



AERIAL MAP

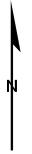
**ZONE CHANGE
2014-20Z**



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

1 inch = 1,274 feet

22 MAY 2014
PLANNING DEPARTMENT





AERIAL MAP
ZONE CHANGE
2014-20Z



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

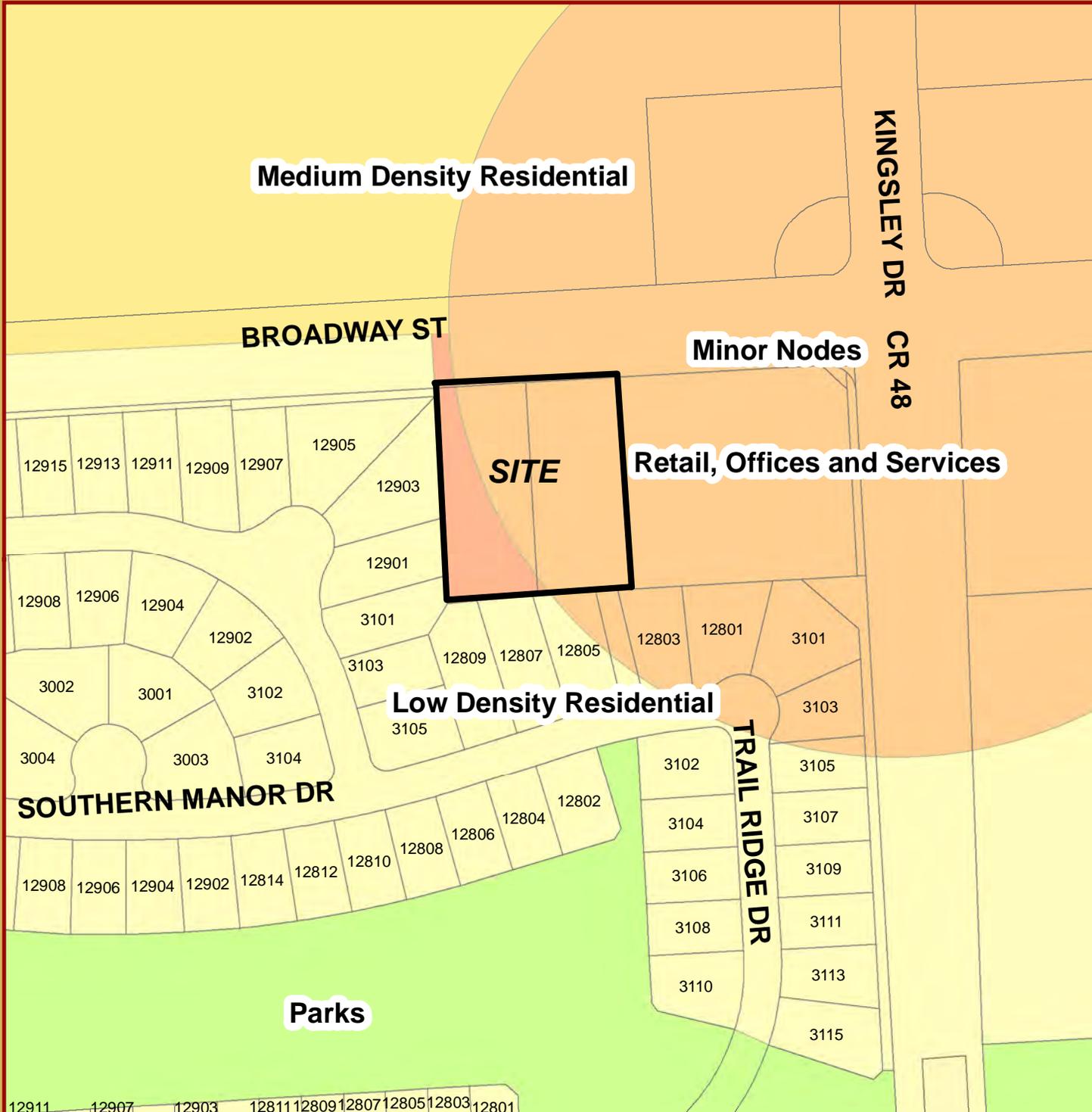
1 inch = 191 feet

22 MAY 2014
PLANNING DEPARTMENT



FLUP MAP

ZONE CHANGE 2014-202Z



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1 inch = 191 feet

22 MAY 2014
PLANNING DEPARTMENT



NOTIFICATION MAP

ZONE CHANGE

2014-20Z



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1 inch = 191 feet

22 MAY 2014
PLANNING DEPARTMENT



**Zone Change 2014-20Z
Notification List**

Owner	Address	SUITE
ASHTON HOUSTON RESIDENTIAL LLC	11375 S SAM HOUSTON PKWY W	STE 100
AYYAGARI SRINIVAS & SUNEETHA	3102 MOSSY TRAIL LN	
BIGI MARINUS A & AMANDA L	3008 MASON GROVE LN	
CHUNDRU GHOWTHAM & APARNA KAJA	3002 MASON GROVE LN	
DAVIS DARREL & DONNA MURRAY	12215 WILLOW BROOK LN	
DINH TUAN	12314 SHADY BROOK DR	
DONNELLY PAUL & DAWN	12213 WILLOW BROOK LN	
GAUVAIN TAGGART T & ERIN B	12406 SHADY BROOK DR	
GREEN BRIAN H & LISA M	3105 MASON GROVE LN	
HARRIS SHEILA H & STACY L	12211 WILLOW BROOK LN	
HEAD ANGELA	12416 SHADY BROOK DR	
JOSEPH JOSHY	3010 MASON GROVE LN	
KONGO DANIEL H	12312 SHADY BROOK DR	
LINVILLE CAIN & ERIKA SATO	3003 MASON GROVE LN	
LLAMAS RENATO L & IMELDA	3102 MASON GROVE LN	
NGUYEN CLIFF & TRACY T	3101 MASON GROVE LN	
NIEVE FERNANDO A & LETICIA	12216 WILLOW BROOK LN	
ORTEGA JESUS	12219 WILLOW BROOK LN	
PEARLAND NEW HARVEST	PO BOX 1966	
PERRY HOMES	PO BOX 34306	
POLAR MARTIN K & TIFFANY J	3103 MASON GROVE LN	
POPP CHARLES M & AMY J	12412 SHADY BROOK DR	
RAEZER SHERYL	3001 MASON GROVE LN	
RAVIKOYY LLC	15414 PALM GRASS CT	
RIGGINS CHELSIE	12410 SHADY BROOK DR	
SCHNITZER ALAN	12217 WILLOW BROOK LN	

SHADOW CREEK RANCH MAINTENANCE ASSOCIATION	12234 SHADOW CREEK PKWY	BLDG 3
SOUTHERN TRAILS RESIDENTIAL ASSOC INC	2500 LEGACY DR	STE 220
SPARKS KEITH	12318 SHADY BROOK DR	
THOMAS BINOY C & BINDHU M CHERIAN	3006 MASON GROVE LN	
THOMPSON FREDRICK & LOCKETT- THOMPSON KATRINA	12408 SHADY BROOK DR	
TILLMAN JASON A & WYKENA M LIPSCOMB	12401 CLOVER CREEK LN	
UNGER WILLIAM L & YOLAND	12414 SHADY BROOK DR	
WARREN RONALD P JR	3005 MASON GROVE LN	
WEYRICH STEVEN A JR	12404 SHADY BROOK DR	
BGE KERRY R GILBERT & ASSOCIATES BELTWAY 23, LTD CL ASHTON WOODS, L.P.	23501 CINCO RANCH BLVD 5855 SOVEREIGN DR. 10110 W. SAM HOUSTON PKWY N.	SUITE A-250 SUITE B SUITE A-200

PEARLAND	TX	77584
FRISCO	TX	75034
PEARLAND	TX	77584
KATY	TX	77494
HOUSTON	TX	77036
HOUSTON	TX	77064

**SOUTHERN TRAILS PLANNED UNIT DEVELOPMENT
AMENDMENT**

CITY OF PEARLAND, TEXAS

PREPARED FOR:

CL ASHTON WOODS, LP

PREPARED BY:

BGE| KERRY R. GILBERT & ASSOCIATES

OCTOBER 2014

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	AMENDMENT TO SOUTHERN TRAILS PUD (2011).....	1
III.	AMENDMENT TO SOUTHERN TRAILS PUD (2014).....	1
IV.	EXISTING CONDITIONS	2
	A. Site Description	
	B. Surrounding Land Use	
V.	GOALS AND OBJECTIVES	3
VI.	PLAN OF DEVELOPMENT	3
	A. Project Description	
	B. Current Land Use	
	C. Proposed Land Use	
	D. Land Use Changes	
	E. Parks and Recreation	
	F. Street Circulation	
	G. Utilities	
	H. Project Phasing / Development Schedule	
	I. Signage	
VII.	EXHIBITS	8
	APPENDIX A	9

I. INTRODUCTION TO SOUTHERN TRAILS

The Southern Trails planned unit development application was prepared on behalf of Conifer Development, Ltd. in accordance with the City of Pearland Zoning ordinance related to a planned Unit Development (“PUD”). It is the intent of the Developer to utilize a Planned Unit Development to establish a comprehensive land use plan and zoning guideline for the entire development project that will govern the future improvements, signage, landscaping, and use of open space.

Southern Trails is a 522.63 acre master planned community located west of SH 288 and south of Broadway in the eastern portion of the city limits of Pearland, Texas. The property has frontage on and is bordered by Broadway to the north, C.R. 48 to the west, C.R. 59 to the south, and future extension of Kirby to the east.

All of the property is within the Pearland City Limits. At the core of the community's identity is an extensive recreational trail network service as a link to the various neighborhoods and focal points throughout the community. The development plan consists of residential, ~~civic~~, church, and general business uses, including facilities such as a ~~fire station~~, parks, lakes and trails and significant open space.

II. AMENDMENT TO THE SOUTHERN TRAILS PUD (2011)

This application was prepared on behalf of CL Ashton Woods, LP and Taylor Morrison of Texas, Inc., pursuant to the City of Pearland ordinances related to the Planned Unit Development (PUD). The Southern Trails PUD was originally approved and codified under Ordinance Number 509-695 on February 9, 2004.

Currently, approximately 60% of the project has been developed. The intent of this amendment to the original PUD is to update exhibits to reflect current activity and propose revisions to the Trails System Plan Exhibit.

Southern Trails has been divided into two distinct developments divided by Kingsley Drive: Southern Trails and Southern Trails West. The current owner for Southern Trails is C.L. Ashton Woods, LP and the current owner for Southern Trails West is Taylor Morrison of Texas, Inc.

The revisions to the Trails System Plan Exhibit are described in detail in this document in Section IV.(E) Parks and Recreation.

III. AMENDMENT TO THE SOUTHERN TRAILS PUD (2014)

This application was prepared on behalf of CL Ashton Woods, LP, pursuant to the City of Pearland ordinances related to the Planned Unit Development (PUD). The Southern Trails PUD was originally approved and codified under Ordinance Number 509-695 on February 9, 2004.

Currently, approximately 85% of the project has been developed. The intent of this amendment to the original PUD is to update exhibits to reflect current activity and propose revisions to the overall land use acreages to reflect said revisions. Additionally, the proposed Fire Station site, which has decreased in size due to an increase in right of way

and detention requirements, is being reallocated to the General Business designation. Exhibit C.1 shows the property subject to the proposed amendment.

All of Southern Trails West has been developed and is privately owned. For Southern Trails, with the exception of the privately owned lots, the current owner is C.L. Ashton Woods, LP.

The revisions to the land use acreages are noted on Table 1: Acreage per Land Use Summary and can be seen on Exhibits D, E and F.

III IV. EXISTING CONDITIONS

A. Site Description

The property ~~is~~ ~~was~~ a compilation of fifteen tracts of various sizes and ~~is~~ ~~was~~ ~~currently~~ vacant and unimproved ~~at the time of acquisition and approval of the PUD~~. The property ~~has been~~ ~~was~~ used as farmland for growing milo and grain sorghum for generations. As shown on the Exhibit A-Area Map Exhibit aerial photograph, some of the development issues affecting the project ~~are~~ ~~were~~:

- Kingsley Drive (C.R. 48) divides the project
- There is a regional east-west drainage ditch bisecting the property which is owned and maintained by Brazoria County Drainage District #4. The improvements required for this ditch will be beyond the needs of this project in order to serve the region.
- A secondary north-south drainage ditch bisects much of the Property.
- The drainage outfall constraints increase the amount of land required for detention.
- The irregular shape of the property (See Exhibit A-Area Map Exhibit) impacts the public street design as well as the lot design/layout.
- The updated *Conceptual Plan* illustrates the platted lots that have been platted thus far.

B. Surrounding Land Use

The surrounding vicinity is characterized by recent residential development and a scattered mix of permanent residences and mobile homes. Recent residential activity illustrated in Exhibit A-Area Map Exhibit is:

- Shadow Creek Ranch to the north, as 3,300 acre master planned community, is immediately across and north of Broadway.
- Southgate, a 185 acre development, is located immediately to the east and across the future extension of Kirby Drive.
- Southfork, a 330 acre residential development, is located south of C.R. 59 and to the east in the City of Manvel.
- A proposed Alvin ISD High School west of Kirby Drive, between Southern Trails and Broadway.

There ~~are two proposed school sites (elementary and junior high)~~ is a new school adjacent to Southern Trails on the ~~east side of Kirby north side of Broadway~~. (See *Exhibit D Conceptual Development Plan*). ~~The developer has been in contact with representatives of Alvin ISD and is prepared to assist the school district should the need arise for an additional school site.~~

IV V. GOALS AND OBJECTIVES

The proposed Planned Unit Development will have its own guidelines and restrictions in addition to those imposed by the City of Pearland. The Southern Trails Planned Unit Development will establish a comprehensive land use plan and zoning regulations to guide future improvements, including signage, landscape architecture, and generous open space. The Planned Unit Development provisions will guarantee the long-term aesthetic quality and continuity of the development and preserve the character of the community over time.

Southern Trails residents will immediately know that they are within their community; however, the sense of place will not be conveyed by monumentation as much as the tone set by the design of the streetscape and orientation around pedestrian activity.

The recreational trails are designed to be highly visible, with proposed below grade (below the road) crossings for safety, accessibility, and ease of use.

Main arterial roads (minor collectors) through the project will be enhanced with street trees and additional landscaping.

Detention facilities for Southern Trails will be consolidated and constructed in such a manner as to provide usable open space incorporating the trails, parks, and other recreational facilities.

Open spaces will be designed with the goal of encouraging social interaction among residents, thus adding to the safety of the community as a whole.

V VI. PLAN OF DEVELOPMENT

A. Project Description

The 522.63 Planned Unit Development is entirely single family residential development with the exception of a ~~9.5~~ 9.3 acre church parcel ~~and~~ a general business parcel totaling ~~2.7~~ 3.6 acres at the southwest corner of Kingsley Drive (C.R. 48) and Broadway. ~~and a 1.4 acre civic use site on Broadway, adjacent to the commercial site.~~

There will be approximately ~~80 acres~~ 110 acres of open space and park areas within Southern Trails. The trail system will link lakes, recreational facilities, and residential neighborhoods creating a pedestrian friendly community.

Southern Trails design offers accessible water features that can be enjoyed by the entire community; this is accomplished through the strategic location of lakes in park areas, thereby abandoning the conventional development practices of completely surrounding lakes with waterfront homes.

B. Current Land Use

Southern Trails is located west of SH 288 and south of Broadway in the western portion of the city limits of Pearland, Texas. The property has frontage on and is bordered by Broadway to the north, Kingsley Drive (C.R. 48) to the west, C.R. 59 to the south and the future extension of Kirby to the east.

The property is a compilation of 17 tracts ranging in size from 1 acre to 120 acres, and is currently vacant and unimproved, consisting of flat coastal plain used farming row crops. The surrounding vicinity is characterized by vacant tracts of land, subdivision, and a scattered mix of rural residences and mobile homes.

The property lies within the city limits of Pearland. The current zoning designation of the surrounding properties are a mixture of medium and low density residential (R1, R2, R3) with scattered commercial uses. The subject property is currently zoned in mixed classifications of SD, RE, R1, and R2.

C. Proposed Land Use

The City of Pearland’s Comprehensive Plan indicates this portion of the planning area as medium and low density residential with appropriate commercial uses. The proposed Conceptual Development Plan presents a low density master planned community with a wide range of attractive housing in well defined neighborhoods.

The *Conceptual Development Plan* complies with the intent of the Comprehensive Plan with an overall density not to exceed 3.6 dwelling units per net acre based on a maximum of ~~1,506~~ 1390 homes on ~~418.4~~ 381.5 residential use acres. Gross calculations yield ~~2.88~~ 2.7 lots per acre based on 522.6~~3~~ acres as shown in the Land Use Plan.

TABLE 1: ACREAGE PER LAND USE SUMMARY

USE	ACRES	MIX
Single Family Residential (SFR)*	418.4 381.5	80.06% 73%
Multi Family Residential	0	0.00%
Light Industrial	0	0.00%
General Business	2.7 3.6	0.52% 1%
Civic/Church	10.9 9.3	2.08% 2%
Parks/Recreation/Open Spaces**	78.3 112.5	14.98% 22%
Major Thoroughfare Rights-of-Way	12.33 15.7	2.36% 3%
Total	522.63 522.6	100.00%

*Single family residential encompasses R-1 (~~158 acres~~ 180 acres); R-2 (~~158 acres~~ 145 acres); and R-3 (~~102.4 acres~~ 56.5 acres) single family dwelling districts as presented in Appendix "A" hereto.

Any district may, increase in acreage by up to 15%. The total increase in SFR is defined in the *Land Use Changes* section below.

**Parks, recreation and open space includes public and private parks, community recreation centers, linear parks and greenbelts, and open space, lakes, bayous and drainage ways.

D. Land Use Changes

Land use shall be regulated on a total acreage basis illustrated in Table 1 and by a finite cap on the number of dwelling units. Each land use category may be increased in acreage by up to 15% as long as the total number of dwelling units does not exceed ~~1,506~~ 1390. This flexibility is required to ensure the overall success of the development. If a proposed land use is requested to be an increase in an area by more than 15%, an amendment to this Planned Unit Development must be requested and approved by the City of Pearland. Land uses may be interchanged within the boundaries of the project provided they are in compliance with the acreage defined in Table 1, subject to the 15% allowable increase.

E. Parks and Recreation

The focal point of the Southern Trails Planned Unit Development is its proliferation of trails and lakes throughout the community. The comprehensive trail system is designed to be highly visible, with proposed below grade (below the road) crossings for safety, accessibility, and ease of use.

The Exhibit E *Trail System* illustrates the location of the proposed amenities. Some of the features of the development plan are:

- A continuous and easily accessible trail system with natural open space;
- Fitness stations and water fountains on the trail network;
- Passive use recreation facilities such as picnic areas;
- Common areas strategically lighted for nighttime enjoyment;
- Vantage points that offer visitors and residents beautiful views;
- A minimum of 6.7 acres of pedestrian trail system. (9,800 ft x 30 ft)
- Two of the ~~three~~ four lakes totaling ~~6.3~~ 7.3 acres will serve primarily as amenities intentionally designed with limited detention capacity creating nearly constant water levels in a park like setting;
- The third and largest lake (approximately ~~11.8~~ 16.6 acres) is located in the center of the project and acts as a "hub" for the trail network;

- A fourth lake, located within one of the single family sections, serves to provide additional amenities to the larger lots.
- In order to increase accessibility and enjoyment of the principals lake for the entire community, there will be a ~~2.8~~ 3.0 acres lakeside recreational facility;
- An additional ~~±0.9~~ 1.0 acre neighborhood park;
- An additional ~~±0.5~~ 0.6 acre neighborhood park;
- Three additional “~~tot lot parks~~” parks being ±0.5 acre each.

At this time, ~~many~~ all of the above stated amenities are constructed. ~~However,~~ In addition to the parks, there is a trail system connecting the entire Southern Trails community. ~~the~~ Exhibit E Trail System has been updated to depict revisions to the underground pedestrian tunnels and sidewalks. The following revisions are shown on the revised Exhibit E Trail System and are listed below:

Southern Trails

- The proposed below grade pedestrian crossing located on Southern Trails Drive south of Broadway, will not be constructed. Instead, the existing six (6) foot sidewalks along each side of Southern Trail Drive coupled with the signal controlled intersection with two-way ramps and crosswalks located at Broadway eliminate the need for the proposed crossing.
- ~~Construct~~ A six (6) foot sidewalk ~~was constructed~~ along ~~the~~ east side of Kingsley Drive, extending from Southern Trails Drive north to the northern property edge of the Southern Trails development and to install handicap ramps at each intersection.

Southern Trails West

- Construct a six (6) foot sidewalk along the westside of Kingsley Drive from Southern Trails Drive north to the Commercial site (option for developer to construct or pay City of Pearland in lieu of construction).
- Install crosswalk at grade on Kingsley with appropriate signage and striping, in lieu of a below grade pedestrian crossing (under Kingsley Drive).
- Not to construct a trail along the drainage easement on the southern boundary between Kingsley Drive and Trail Hollow Drive. The sidewalk along Southern Valley Drive provides a pedestrian pathway parallel to the drainage easement.

Construction of sidewalks interior to the development adjacent to the lots will be completed in conjunction with the home construction. Also, the construction of the sidewalks in front of the model homes will occur at the time of conversion from a model home to home ownership. The construction of fencing internal to the project will be constructed at the time of home construction.

The Parks Department has agreed to accept a cash payment in lieu of acreage dedication; however, the Developer and the City are currently discussing alternatives

F. Street Circulation

The Southern Trails 90-foot boulevard entrances (see *Exhibit F Project Monumentation*) will merge into the main arteries which adhere to the City of Pearland Comprehensive Plan and shall be 60-foot rights-of-ways with two 10-foot utility easement as required by City ordinance. The street design of the community is such that no home shall front the minor collectors, eliminating the need for direct access (driveways) and on-street parking. These streets will have 28-foot paving sections (see *Exhibit G Typical Collector Street Cross Section*) and 6' sidewalks will be constructed on both sides of the right-of-way. Local streets serving development pods will be a minimum of 50-foot rights-of-way with 28-foot paving.

G. Utilities

Southern Trails shall have over 78 acres of drainage and detention facilities. The drainage facilities include a network of landscaped linear detention systems throughout the development. The drainage plan was prepared by Brown and Gay Engineers, Inc.

All drainage plans will comply with Brazoria County Drainage District #4 and the City of Pearland's requirements.

H. Project Phasing / Development Schedule

The first phase of the Southern Trails will contain \pm 20 acres at an expense of approximately \$12.9 million. Future sections are illustrated in the *Conceptual Development Plan*.

The completion of the proposed Southern Trails Planned Unit Development ~~is~~ was originally anticipated in 2012, projecting a 9 year build out, with an estimated total cost of approximately \$65 million. However, the competition is now estimated to occur in 2018, resulting in a 15 year build out.

I. Signage

The *Project Monumentation Exhibit* illustrates the proposed entry monument. Except as otherwise provided for in the Planned Unit Development, the signage is the Planned Unit Development will comply with the City of Pearland signage regulations.

~~V~~ VII. Exhibits

A – Area Map

B – Survey

C – Metes & bounds description

C.1- Metes & bounds description (Amendment) – New

D – Conceptual Plan Exhibit – **Revised**

E – Trail System Plan Exhibit - **Revised**

F – Project Monumentation Exhibit – **Revised**

G – Typical Collector Street Cross Section

APPENDIX “A”

R-1 SINGLE FAMILY DWELLING DISTRICT

Purpose of District

The R-1 Dwelling District provides for large lot, single family detached dwellings. The district is the most restrictive of all residential districts, requiring large lots, and encourages a grouping of dwelling units to achieve larger open space area and community recreational uses. This district will follow the provisions provided in the City of Pearland Land Use and Urban Development Ordinance applicable to the R-1 PUD district, and amendments thereto.

R-2 SINGLE FAMILY DWELLING DISTRICT

Purpose of District

The R-2 Dwelling District is intended to permit the low density residential development of detached, single family dwelling units, and encourages a grouping of dwelling units to achieve larger open space area and community recreational uses. This district will follow the provisions provided in the City of Pearland Land Use and Urban Development Ordinance applicable to the R-2 PUD district, and amendments thereto.

R-3 SINGLE FAMILY DWELLING DISTRICT

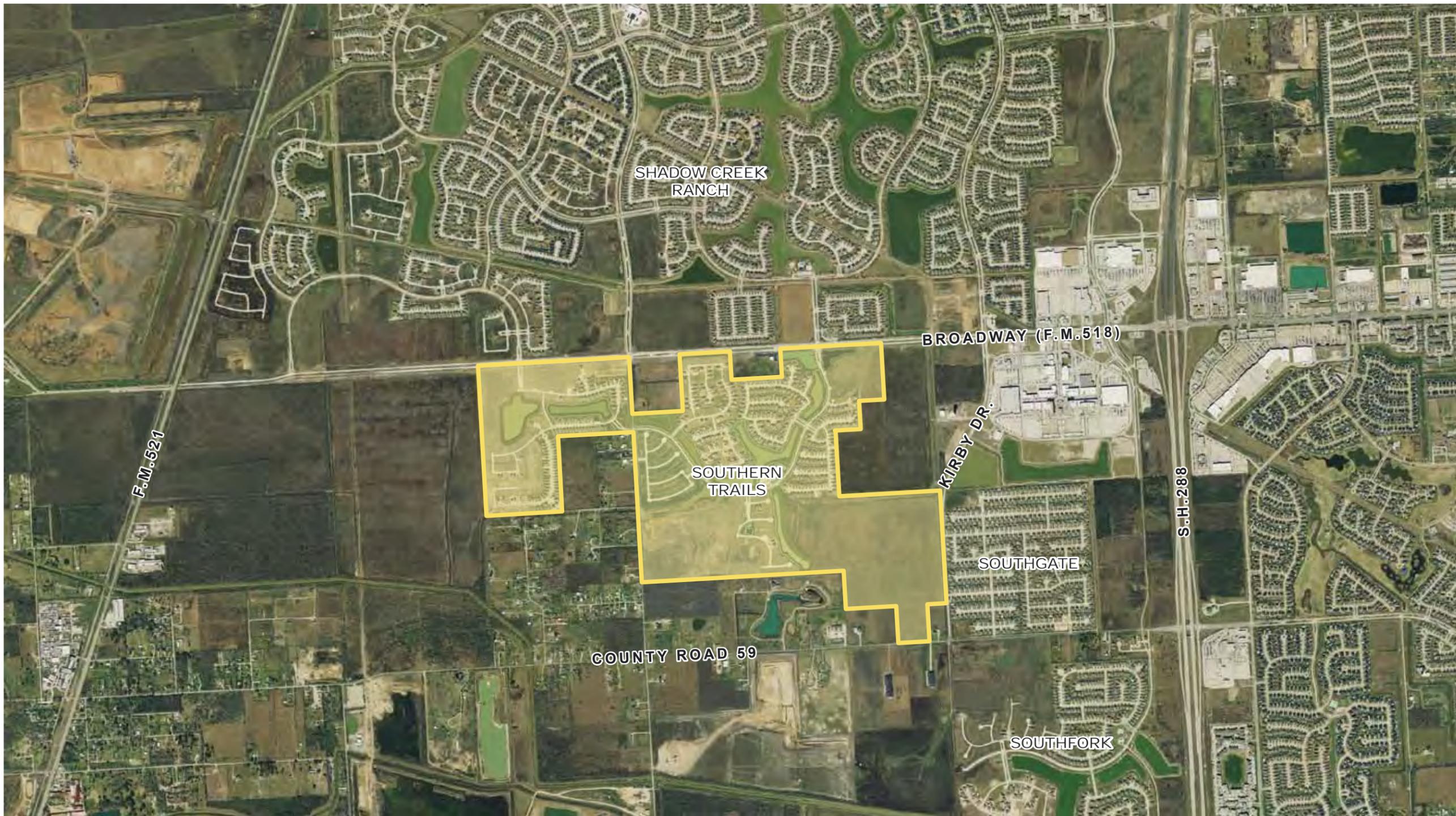
Purpose of District

The R-3 Dwelling District provides for medium density lot, single family detached dwelling units, an appropriate grouping of dwelling units to achieve larger open space areas and community recreational uses. This district will follow the provisions provided in the City of Pearland Land Use and Urban Development Ordinance applicable to the R-1 PUD district, and amendments thereto.

GB GENERAL BUSINESS DISTRICT

Purpose of District

The General Business district is intended to permit an extensive variety of commercial uses including retail trade, personal and business service establishments, offices and commercial recreational uses of limited scope. However, this district shall be restricted from sexually oriented businesses (i.e. modeling studios, bath houses, adult movie rentals, etc.). This district will follow the provisions provided in the City of Pearland Land Use and Urban Development Ordinance applicable to the GB PUD district, and amendments thereto.



**EXHIBIT
"A"**

an area map for

SOUTHERN TRAILS

± 522.63 ACRES OF LAND

prepared for

**C.L. ASHTON WOODS, L.P.
TAYLOR MORRISON OF TEXAS, INC.**

KERRY R. GILBERT & ASSOCIATES, INC.

Land Planning Consultants

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

NOT TO SCALE

JANUARY 14, 2011
KGA #06101

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO KERRY R. GILBERT & ASSOCIATES, INC. BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOOD PLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

522.62 ACRES

DECEMBER 1, 2003
JOB NO. TER04-5T

DESCRIPTION OF A 522.62ACRE TRACT OF LAND
SITUATED IN THE
H.T. & B. RR COMPANY SURVEY, SECTION 80, ABSTRACT 564 AND
THE H.T. & B. RR COMPANY SURVEY, SECTION 84, ABSTRACT 538
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

BEING a 522.62 acre tract of land situated in the H.T. & B. RR Co. Survey, Section 80, Abstract 564 and the H.T. & B. RR Co. Survey, Section 80, Abstract 538, City of Pearland, Brazoria County, Texas; being all of a called 120.134 acre tract of land described in a deed recorded Volume (90) 820, Page 217, Volume (91) 866, Page 357 and Volume (92) 994, Page 172 all of the Brazoria County Deed Records, and Lots 3 through 8, 11 through 18, 20 through 26, 27 through 34, Lots 37 & 38 and the west 1/2 of Lot 39, all of Lots 42, 43, 44, 45, 52 through 55 and 8.11 acres of Lot 56 of the Allison-Richey Gulf Coast Home Company subdivision recorded in Volume 2, Page 98 of the Brazoria County Map Records; said 522.62 acre tract of land being more particularly described as follows:

BEGINNING at 5/8-inch iron rod found at the northwest corner of said called 120.134 acre tract being the common corner of a tract of land recorded in Volume (90)814, Page 189 of the Brazoria County Deed Records, a tract of land described in a deed recorded under Brazoria County Clerk's File Number 99-016180 and a tract of land described in a deed recorded under Brazoria County Clerk's File Number 99-016813 for the northwest corner of the herein described tract;

THENCE N 86°44'02" E, a distance of 2640.22 feet to the intersection of County Roads 92 and 48 being the northeast corner of said called 120.134 acre tract for a corner of the herein described tract from which a found RR spike bears N 86°45'10" E, 7.70 feet and a found 1/2-inch iron rod bears S 86°31'02" W, 29.70 feet;

THENCE S 03°17'01" E, a distance of 4.56 feet with the centerline of said County Road 48 (based on original 40' width) to a point for corner from which a found 1/2-inch iron rod bears S 60°00'12" E, 35.94 feet;

THENCE N 86°42'41" E, a distance of 0.96 feet with the centerline of said County Road 92 (based on original 40' width) and the north line of said Section 80 to a point for corner;

THENCE S 03°13'13" E, a distance of 993.60 feet with the center line of said County Road 48 (original 40.00 foot width) and the west line of said Lots 2 and 1 to a point for corner;

THENCE N 86°42'41" E, a distance of 881.19 feet to a found 3/4-inch iron pipe for corner;

THENCE N 03°17'19" W, a distance of 993.60 feet to a point in the centerline of said County Road 92 (based on original 40' width) for corner;

THENCE N 86°42'41" E, a distance of 880.00 feet with the centerline of said County Road 92 (based on original 40' width) to a point for corner;

THENCE S 03°17'19" E, at a distance of 20.00 feet pass a 1/2-inch iron rod, in all a total distance of 495.00 feet to a 1/2-inch iron rod found for corner;

THENCE N 86°42'41" E, a distance of 880.00 feet to a point for corner from which a found 60d nail with shiner;

THENCE N 03°17'19" W, at 475.00 feet pass a found 1/2-inch iron rod, in all a total distance of 495.00 feet to a point for corner;

THENCE N 86°42'41" E, a distance of 1760.00 feet with the centerline of said County Road 92 (based on original 40' width) to a point for corner;

THENCE S 03° 17' 19" E, along the East line of said Lot 37 and 38, passing at 19.74 feet and East 1.41 foot a 1/2-inch iron pipe, at 48.09 feet pass a 2-inch iron pipe and East 1.22', a total distance of 993.60 feet to a found 2-inch iron pipe;

THENCE S 86°42'41" W, a distance of 440.00 feet to a point for corner from which a found 5/8-inch iron rod bears S 72°58" W, 0.6 feet;

THENCE S 03°17'19" E, a distance of 495.00 feet to a found 5/8-inch iron rod bears S 86°23'W, 0.5 feet for corner;

THENCE S 86°42'41"W, a distance of 440.00 feet to a point for corner from which a found 1/2-inch iron pipe bears S 67°22' W, 0.40 feet;

THENCE S 03°17'19" E, a distance of 1155.00 feet to a 1/2-inch iron rod with a cap stamped "Gormly 1918" found for corner;

THENCE N 86°42'41" E, a distance of 1760.00 feet to a point for corner from which a found a 1/2-inch iron rod with a cap stamped "Gormly 1918" bears N 13°12'20" W, 1.22 feet and a found 5/8-inch iron rod bears N 15°42'41" W, 1.34 feet;

THENCE S 03°17'19" E, a distance of 1980.00 feet to a point for corner from which a found 1/2-inch iron pipe bears N 02° 22'32" E, 1.82 feet;

THENCE S 86°42'41" W, a distance of 335.59 feet to a point for corner from which a found 3/4-inch iron pipe bears N 07°31'57" E, 1.79 feet;

THENCE S 03°17'19" E, a distance of 649.00 feet to a point in the centerline of County Road 59 (based on original 40' width) from which a found 3/4-inch iron pipe bears N 01° 45' 50" W, 21.56 feet;

THENCE S 86°42'41" W, a distance of 544.41 feet to a point in the centerline of County Road 59 (based on original 40' width) from which a found 1/2-inch iron pipe bears N 02°04'04" W, 21.38 feet;

4
THENCE N 03°17'19" W, a distance of 649.00 feet to a point for corner from which a found 1/2-inch iron pipe and a 3/4-inch iron pipe bear N 07°04'14" E, 1.49 feet;

THENCE S 86°42'41" W, a distance of 880.00 feet to a point for corner from which a 1/2-inch iron

rod with a cap stamped "Gormly 1918" bears N 22°04'06" E, 0.99 feet;

THENCE N 03°17'19" W, a distance of 671.80 feet to a 1-inch iron pipe found for corner;

THENCE S 86°42'41" W, a distance of 3524.72 feet to a point in the centerline of said County Road 48 (based on original 40' width) from which a found 3/4-inch iron pipe bears N 87°42'35" E, 28.47 feet;

THENCE N 03°13'13" W, a distance of 2638.86 feet with the centerline of said County Road 48 (based on original 40' width) to a point from which a found 3/4-inch iron pipe with cap stamped "S. Adams 3666" bears S 87°06'43" W, 31.63 feet;

THENCE S 86°50'11" W, a distance of 1316.75 feet to a point for corner from which a found 3/4-inch iron pipe bears S 12°34'15" E, 5.57 feet and a found 3/4-inch iron pipe bears N 40°37'46" W, 49.20 feet;

THENCE S 03°07'48" E, a distance of 1320.57 feet to a 1 1/2-inch iron pipe found for corner from which a found 1/2-inch iron rod bears S 18°37'20" W, 6.28 feet;

THENCE S 86°33'32" W, a distance of 1322.77 feet to a 1/2-inch iron rod found for corner;

THENCE N 03°12'41" W, a distance of 2639.75 feet to the **POINT OF BEGINNING** and containing 497.71 acres of land.

In conclusion, the herein described 522.621 acre tract comprises a **TOTAL ACREAGE** of **522.62 ACRES**.

Bearing orientation is based on monumentation found on the west line of a called 120.134 acre tract of land described in a deed recorded in Volume (90)820, Page 217 of the Brazoria County Deed Records.

This metes and bounds description was prepared under 22 Texas Annotated Code # 663.21 and reflects the results of a survey completed on the ground, and the assembly of instruments of record to describe the political boundary limits of the Brazoria County MUD No. 34; and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which is was prepared.



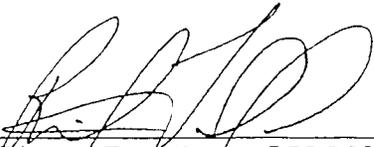

Richard Fussell RPLS No. 4148
Brown & Gay Engineers, Inc.
11490 Westheimer Road, Suite 700
Houston, Texas 77077
Telephone: (281) 558-8700

Exhibit C-1

LEGEND		
	EXIST. GUY WIRE	EXIST.
	EXIST. CONC. AREA	SMH
	EXIST. BOUNDARY LINE	EXIST. SEWER MANHOLE
	CONC.	EXIST. SEWER MANHOLE
	WATER METER	EXIST. DRAIN MANHOLE
	GAS METER	EXIST. SIGN
	GAS VALVE	EXIST. POWER OR TELEPHONE POLE
	WATER VALVE	HOSE BIB
	DENOTES IRON ROD FOUND	EXIST. STREET LIGHT
	DENOTES 1/2" IRON ROD SET	EXIST. DITCH
	DENOTES CROSS CUT SET	EXIST. TRAFFIC LIGHT
	LINE NOT TO SCALE	EXIST. FIRE HYDRANT
	TITLE	EXIST. DROP INLET
		DENOTES CROSS CUT
		ACTUAL

PLAT 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 FIDELITY NATIONAL TITLE INSURANCE COMPANY, G.F. NO. 1017002997, EFFECTIVE DATE: MAY 31, 2013. ISSUE DATE: JUNE 5, 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 OR BRAZORIA COUNTY.
- CITY OF PEARLAND GPS #9 WITH A PUBLISHED ELEVATION OF 59.03 1987 ADJUSTMENT.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 4803382020220, WITH THE EFFECTIVE DATE OF JUNE 5, 1989, THE PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN.) ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
- 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 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/OR BRAZORIA DRAINAGE DISTRICT #4. LOT LINES SHALL BE THE CENTER OF A 6 FOOT WIDE DRAINAGE EASEMENT.
- THIS PROPERTY IS LOCATED WHOLLY WITHIN MUNICIPAL UTILITY DISTRICT NO. 34.
- 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.
- BUILDINGS NOT SHOWN FOR CLARITY.

STATE OF TEXAS
COUNTY OF BRAZORIA:

WE, FIRST HARTFORD REALTY CORPORATION, A LIMITED PARTNERSHIP, ACTING BY AND THROUGH NEIL ELLIS, PRESIDENT, OWNERS OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF AMENDING PLAT NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1, 1.749 ACRES OUT OF THE H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID FIRST HARTFORD REALTY CORP., 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.

IN TESTIMONY HERETO, FIRST HARTFORD REALTY CORPORATION, A LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY NEIL ELLIS, PRESIDENT, THIS _____ DAY OF _____, 2014.

OWNER: FIRST HARTFORD REALTY CORPORATION A LIMITED PARTNERSHIP

BY: _____
NEIL ELLIS, PRESIDENT

STATE OF TEXAS
COUNTY OF _____:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED NEIL ELLIS, PRESIDENT OF FIRST HARTFORD REALTY CORPORATION, A 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 _____, 2014.

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

STATE OF TEXAS
COUNTY OF BRAZORIA:

WE, CL ASHTON WOODS, L.P., A LIMITED PARTNERSHIP, ACTING BY AND THROUGH _____ MANAGING MEMBER, OWNER OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF AMENDING PLAT NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1, 1.749 ACRES OUT OF THE H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID FIRST HARTFORD REALTY CORPORATION, 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.

IN TESTIMONY HERETO, CL ASHTON WOODS, L.P., A LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____ MANAGING MEMBER, THIS _____ DAY OF _____, 2014.

OWNER: CL ASHTON WOODS, L.P., A LIMITED PARTNERSHIP

BY: _____
MANAGING MEMBER

STATE OF TEXAS
COUNTY OF _____:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ MANAGING MEMBER OF CL ASHTON WOODS, L.P., A 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 _____, 2014.

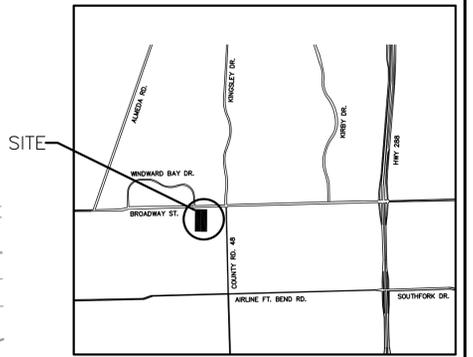
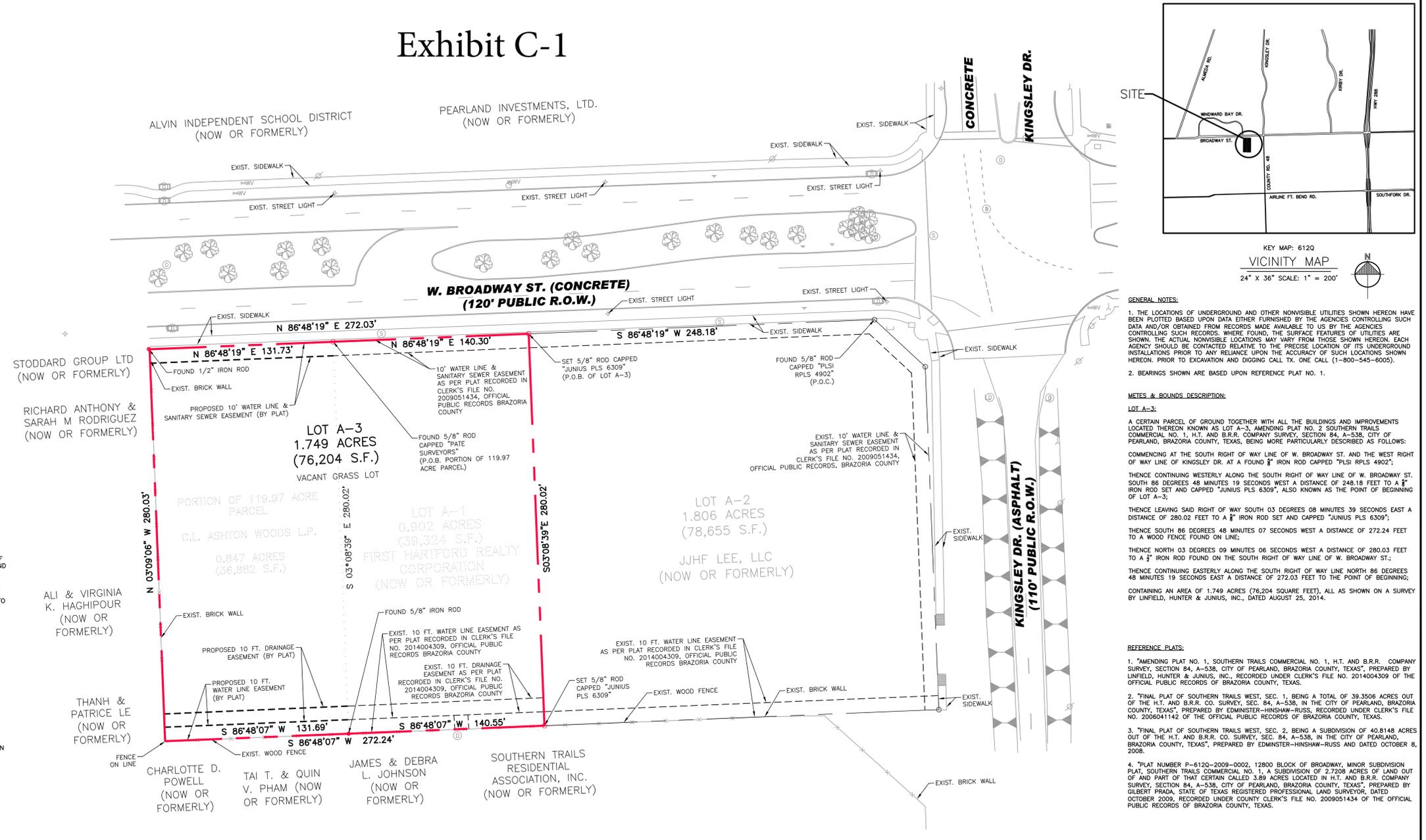
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES _____

STATE OF TEXAS
COUNTY OF BRAZORIA:

I, NATHAN J. JUNIUS, P.E., R.P.L.S., REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6309, 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.

NATHAN J. JUNIUS, P.E., R.P.L.S.
TEXAS REGISTRATION NO. 6309

DEPUTY _____ COUNTY CLERK OF BRAZORIA COUNTY, TEXAS



KEY MAP: 6120
VICINITY MAP
24" X 36" SCALE: 1" = 200'

GENERAL NOTES:

- THE LOCATIONS OF UNDERGROUND AND OTHER NONVISIBLE UTILITIES SHOWN HAVE BEEN PLOTTED BASED UPON DATA EITHER FURNISHED BY THE AGENCIES CONTROLLING SUCH DATA AND/OR OBTAINED FROM RECORDS MADE AVAILABLE TO US BY THE AGENCIES CONTROLLING SUCH RECORDS. WHERE FOUND, THE SURFACE FEATURES OF UTILITIES ARE SHOWN. THE ACTUAL NONVISIBLE LOCATIONS MAY VARY FROM THOSE SHOWN HEREON. EACH AGENCY SHOULD BE CONTACTED RELATIVE TO THE PRECISE LOCATION OF ITS UNDERGROUND INSTALLATIONS PRIOR TO ANY RELIANCE UPON THE ACCURACY OF SUCH LOCATIONS SHOWN HEREON. PRIOR TO EXCAVATION AND DIGGING CALL TX. ONE CALL (1-800-545-6005).
- BEARINGS SHOWN ARE BASED UPON REFERENCE PLAT NO. 1.

METS & BOUNDS DESCRIPTION:

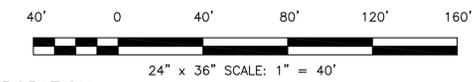
LOT A-3:
A CERTAIN PARCEL OF GROUND TOGETHER WITH ALL THE BUILDINGS AND IMPROVEMENTS LOCATED THEREON KNOWN AS LOT A-3, AMENDING PLAT NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1, H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST. AND THE WEST RIGHT OF WAY LINE OF KINGSLEY DR. AT A FOUND 1/2" IRON ROD CAPPED "PLS RPLS 4902"; THENCE CONTINUING WESTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST. SOUTH 86 DEGREES 48 MINUTES 19 SECONDS WEST A DISTANCE OF 248.18 FEET TO A 1/2" IRON ROD SET AND CAPPED "JUNIUS PLS 6309", ALSO KNOWN AS THE POINT OF BEGINNING OF LOT A-3;
THENCE LEAVING SAID RIGHT OF WAY SOUTH 03 DEGREES 08 MINUTES 39 SECONDS EAST A DISTANCE OF 280.02 FEET TO A 1/2" IRON ROD SET AND CAPPED "JUNIUS PLS 6309"; THENCE SOUTH 86 DEGREES 48 MINUTES 07 SECONDS WEST A DISTANCE OF 272.24 FEET TO A WOOD FENCE FOUND ON LINE;
THENCE NORTH 03 DEGREES 09 MINUTES 06 SECONDS WEST A DISTANCE OF 280.03 FEET TO A 1/2" IRON ROD FOUND ON THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST.; THENCE CONTINUING EASTERLY ALONG THE SOUTH RIGHT OF WAY LINE NORTH 86 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 272.03 FEET TO THE POINT OF BEGINNING; CONTAINING AN AREA OF 1.749 ACRES (76,204 SQUARE FEET), ALL AS SHOWN ON A SURVEY BY LINFIELD, HUNTER & JUNIUS, INC., DATED AUGUST 25, 2014.

REFERENCE PLATS:

- "AMENDING PLAT NO. 1, SOUTHERN TRAILS COMMERCIAL NO. 1, H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS", PREPARED BY LINFIELD, HUNTER & JUNIUS, INC., RECORDED UNDER CLERK'S FILE NO. 2014004309 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.
- "FINAL PLAT OF SOUTHERN TRAILS WEST, SEC. 1, BEING A TOTAL OF 39.3506 ACRES OUT OF THE H.T. AND B.R.R. CO. SURVEY, SEC. 84, A-538, IN THE CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS", PREPARED BY EDWINSTER-HINSHAW-RUSS, RECORDED UNDER CLERK'S FILE NO. 2006041142 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.
- "FINAL PLAT OF SOUTHERN TRAILS WEST, SEC. 2, BEING A SUBDIVISION OF 40.8148 ACRES OUT OF THE H.T. AND B.R.R. CO. SURVEY, SEC. 84, A-538, IN THE CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS", PREPARED BY EDWINSTER-HINSHAW-RUSS AND DATED OCTOBER 8, 2008.
- "PLAT NUMBER P-6120-2009-0002, 12800 BLOCK OF BROADWAY, MINOR SUBDIVISION PLAT, SOUTHERN TRAILS COMMERCIAL NO. 1, A SUBDIVISION OF 2.7208 ACRES OF LAND OUT OF AND PART OF THAT CERTAIN CALLED 3.89 ACRES LOCATED IN H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS", PREPARED BY GILBERT PRADA, STATE OF TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, DATED OCTOBER 2009, RECORDED UNDER COUNTY CLERK'S FILE NO. 2009051434 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.

AMENDING PLAT NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1 H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538 CITY OF PEARLAND, BRAZORIA COUNTY TEXAS

ONE (1) LOT ONE (1) BLOCK
REASON FOR PLAT AMENDMENT: COMBINE TWO (2) EXISTING LOTS INTO 1 LOT OF RECORD



OWNER -- LOT A-1:
FIRST HARTFORD REALTY CORPORATION
149 COLONIAL RD.
MANCHESTER, CT 06042
(860) 646-6555

OWNER -- PORTION OF 119.97 ACRE PARCEL
CL ASHTON WOODS, L.P.
3355 W. ALABAMA, SUITE 1240
HOUSTON, TX 77098
PH: (713) 255-7401

LINFIELD, HUNTER & JUNIUS, INC.
PROFESSIONAL ENGINEERS, ARCHITECTS
AND SURVEYORS
3608 18th Street, Suite 200
Metairie, Louisiana 70002
T.X.L.S. FIRM NO. 10193767
T.B.P.E. FIRM NO. 11654
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DATE OF LAST FIELD WORK: JULY 25, 2014
DATE OF PLAT MAP: AUGUST 25, 2014
LH&J JOB NO. 14-90
PRELIMINARY

Exhibit C-1

METES & BOUNDS DESCRIPTION:

OVERALL PARCEL:

A CERTAIN PARCEL OF GROUND TOGETHER WITH ALL THE BUILDINGS AND IMPROVEMENTS LOCATED BEING A PORTION OF NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1, H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST. AND THE WEST RIGHT OF WAY LINE OF KINGSLEY DR. AT A FOUND 5/8 INCH IRON ROD CAPPED "PLSI RPLS 4902";

THENCE SOUTH 48 DEGREES 10 MINUTES 35 SECONDS EAST A DISTANCE OF 49.48 FEET TO A 5/8 INCH IRON ROD SET AND CAPPED "JUNIUS PLS 6309" ON THE WEST RIGHT OF WAY LINE OF KINGSLEY DR.;

THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 03 DEGREES 09 MINUTES 29 SECONDS EAST A DISTANCE OF 245.00 FEET TO A 5/8 INCH IRON ROD SET AND CAPPED "JUNIUS PLS 6309";

THENCE LEAVING SAID RIGHT OF WAY SOUTH 86 DEGREES 48 MINUTES 07 SECONDS WEST A DISTANCE OF 283.00 FEET TO A 5/8 INCH IRON ROD SET AND CAPPED "JUNIUS PLS 6309";

THENCE SOUTH 86 DEGREES 48 MINUTES 07 SECONDS WEST A DISTANCE OF 140.55 FEET TO A 5/8 INCH IRON ROD FOUND;

THENCE SOUTH 86 DEGREES 48 MINUTES 07 SECONDS WEST A DISTANCE OF 131.69 FEET TO A WOOD FENCE FOUND ON LINE;

THENCE NORTH 03 DEGREES 09 MINUTES 06 SECONDS WEST A DISTANCE OF 280.03 FEET TO A 1/2 INCH IRON ROD FOUND ON THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST.;

THENCE CONTINUING EASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST. NORTH 86 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 131.73 FEET TO A 5/8 INCH IRON ROD FOUND AND CAPPED "PATE SURVEYORS";

THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 86 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 140.30 FEET TO A 5/8 INCH IRON ROD SET AND CAPPED "JUNIUS PLS 6309";

THENCE NORTH 86 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 248.18 FEET TO
THE POINT OF BEGINNING;

CONTAINING AN AREA OF 3.555 ACRES (154,859 SQUARE FEET).



EXHIBIT "D"

SOUTHERN TRAILS WEST

SOUTHERN TRAILS

LEGEND

-  PROPOSED MODEL HOME
-  (TYP 50'X120')..... 137 LOTS
-  (TYP 56'X120')..... 128 LOTS
-  (TYP 60'X120')..... 235 LOTS
-  (TYP 61'X115')..... 233 LOTS
-  (TYP 70'X115'/120')... 445 LOTS
-  (TYP 80'X120')..... 47 LOTS
-  (TYP 85'X130')..... 120 LOTS

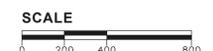
a master development plan for
SOUTHERN TRAILS

+ 522.63 Acres of land

prepared for
C.L. ASHTON WOODS, LP.

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

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



OCTOBER 01, 2014
 KGA# 06101B

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EXHIBIT "E"

LEGEND

-  Pedestrian Trail System
-  Pedestrian Underpass
-  Pedestrian at Grade Crossing
-  Recreation Park
-  Tot Lot / Park

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a master development plan for SOUTHERN TRAILS

+ 522.63 Acres of land

prepared for
C.L. ASHTON WOODS, LP.

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

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Suite A-250
Katy, Texas 77494
(281) 579-0340
Fax (281) 579-8212

SCALE
0 200 400 800

OCTOBER 01, 2014
KGA# 06101B



EXHIBIT "F"

LEGEND

-  PRIMARY ENTRY MONUMENT
-  SECONDARY IDENTIFIER MONUMENT
-  SECONDARY IDENTIFIER MONUMENT FOR SOUTHERN TRAILS WEST

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a master development plan for
SOUTHERN TRAILS

+ 522.63 Acres of land

prepared for
C.L. ASHTON WOODS, LP.

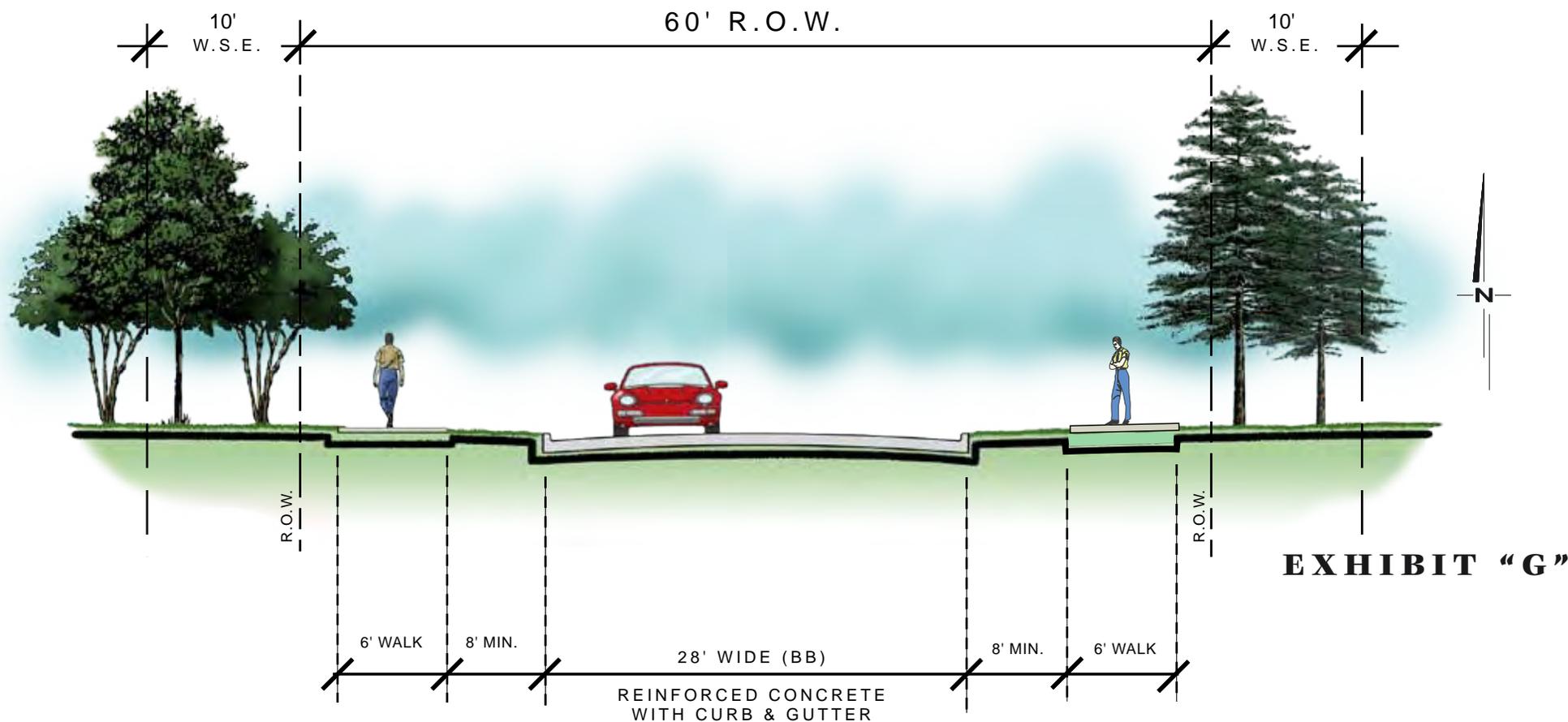
KERRY R. GILBERT & ASSOCIATES, INC.

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 Suite A-250
 Katy, Texas 77494
 (281) 579-0340
 Fax (281) 579-8212



OCTOBER 01, 2014
 KGA# 06101B



- * W.S.E. - WATER LINE/SANITARY SEWER EASEMENT
- * 6' SIDEWALK MEANDERS BETWEEN THE RIGHT-OF-WAY AND THE RESERVES.

an 28' cross section exhibit for

SOUTHERN TRAILS COLLECTOR STREETS

± 522.63 ACRES OF LAND

prepared for

**C.L. ASHTON WOODS, L.P.
TAYLOR MORRISON OF TEXAS, INC.**

KERRY R. GILBERT & ASSOCIATES, INC.

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

NOT TO SCALE

JANUARY 14, 2011
KGA #06101

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**P&Z AGENDA
ITEM**

C



P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Jonathan Woodruff of DR Horton Homes
DATE: 11/11/2014
AGENDA ITEM SUBJECT: Cluster Plan - Longview

Old Business **New Business** Discussion Item Workshop

Summary: A request by Jonathan Woodruff of DR Horton, applicant; on behalf of Assan Tran, owner; for approval of a Cluster Development Plan, on a 9.56 acre tract of land, for a single-family residential subdivision, generally located at the northwest corner of Dixie Farm Road and Forrest Lane Drive.

Staff Recommendation: Approval



PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 17, 2014

Longview Cluster Development Plan

A request by Jonathan Woodruff of DR Horton, applicant; on behalf of Assan Tran, owner; for approval of a Cluster Development Plan, on a 9.56 acre tract of land, for a single-family residential subdivision, to wit:

Legal Description: Being a 9.560 acre tract in the W.D.C. Hall League, Abstract No. 70, Brazoria County, Texas. Said tract is a part of Lot 15 of the Geo. W. Jenkins Subdivision as recorded in Volume 657, Page 616-617 of the Brazoria County Map Records and is further described in deeds to W. O. Forrest and Mary Evelyn Forrest as recorded in Volume 657, Page 275 and Volume 694, Page 401 of the Brazoria County Deed Records.

General Location: Northwest corner of Dixie Farm Road and Forrest Lane Drive.

SUMMARY: The request is for approval of a Cluster Development Plan (CDP) located on Dixie Farm Road. The proposed CDP is for a total of 9.56 acres of land, will contain 29 lots that are a minimum of 60 feet wide, and will include the following amenities as required per the CDP standards in the Unified Development Code (UDC).

AMENITIES	Proposed Cluster
Open Space:	1.65 acres (17% of total site area)
Trail:	6' Trail located within central pedestrian plaza.
Open Space Amenity:	Central pedestrian plaza to include a 6' concrete trail, 3 benches, 1 picnic table, 1 grill, and preservation of mature trees.
Central Plaza:	30' plaza, 4 planter bowls, 2 benches, upgraded landscaping
Exercise Stations:	2 Stations located within provided open space
Project Identification:	Entry monument along Dixie Farm with upgraded landscaping
Detention:	Detention will be provided offsite within the East Mary's Creek Regional Detention Site.

The proposed CDP will have direct access to Dixie Farm with the proposed street circling the proposed central pedestrian pavilion. A masonry subdivision wall will be provided along Dixie Farm Rd. with an expanded landscape reserve setback. Required street and ornamental trees along Dixie Farm will be planted at the time of Final Plat.

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

The property is currently zoned Low Density Residential R-1. The typical proposed lot size for the CDP is a minimum of 60' X 125', and a minimum lot area of 7,500 square feet. The minimum required lot size in the R-1 zone is 8,800 square feet, with minimum dimensions of 80' x 90'; and a residential density 3.2 for a CDP. The density being proposed is 3.0 units per acre. This information is further illustrated in the table below:

	<u>Proposed Cluster</u>	<u>R-1</u>
Minimum lot area:	7,500 sq. ft.	8,800 sq. ft.
Minimum lot width:	60'*	80'
Minimum lot depth:	125'*	90'
Density (units/acre)	3.0	3.2

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

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	R-1	Single Family Residential
South	R-1	Single Family Residential (Willow Lake Estates)
East	R-1	Single Family Residential
West	R-1	Single Family Residential (Willow Lake Estates)

UNIFIED DEVELOPMENT CODE: The subject property is currently zoned Low Density Residential - 1 (R-1). If approved for this site, a CDP would allow the developer to vary the size of lots as long as the overall density of the development does not exceed 3.2 dwelling units per acre, as specified in Section 2.2.4.3 of the Unified Development Code. All other development requirements in the Unified Development Code will be required to be met.

PLATTING STATUS: The subject property has not been platted. Formal subdivision platting will be required prior to development.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject land is *Low Density Residential*. The approved Comprehensive Plan further indicates that corresponding zones for *Low Density Residential* would be R-2, R-1, and SR-12. The existing zoning of R-1 is in conformance with the Future Land Use Plan. The lot sizes within the proposed CDP would not be in conformance with the Future Land Use Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The property subject contains frontage on Dixie Farm Road; a major thoroughfare with a minimum right-of-way of 120 feet. Dixie Farm Road is currently constructed as a four lane, divided roadway with a width of approximately 120 feet.

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

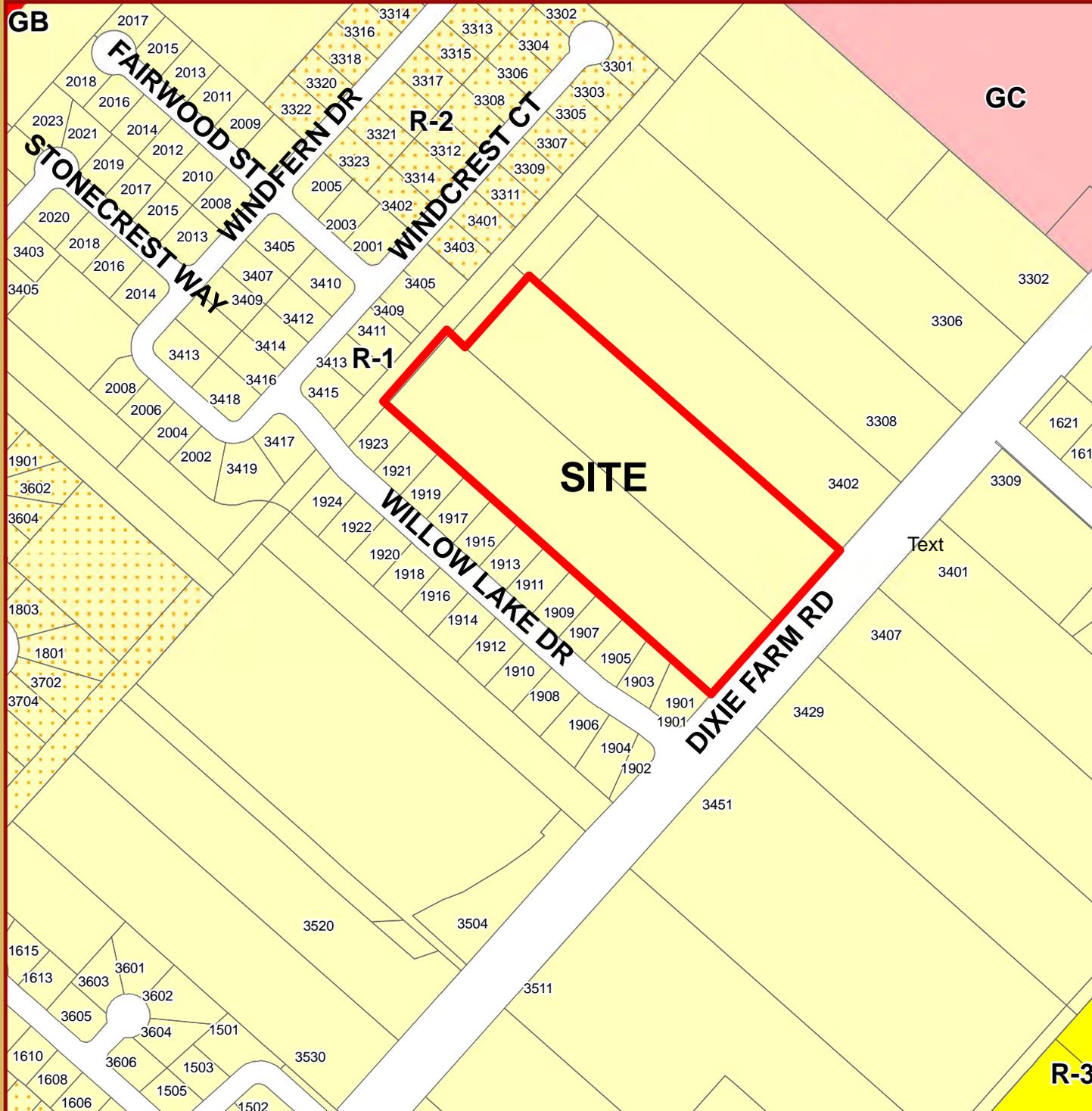
IMPACT ON EXISTING AND FUTURE DEVELOPMENT: It is not anticipated that the proposed CDP will have a significant negative impact on existing surrounding developments or future developments. Additionally, as the approved CDP meets the criteria of approval in the Unified Development Code, there are additional assurances that the development should not have a negative impact on existing and future development in the area.

STAFF RECOMMENDATION: Staff recommends approval of the Longview Cluster Development Plan, for the following reasons, and with the following conditions:

1. The proposed Cluster Development Plan appears to meet the criteria of approval in the Unified Development Code.
2. The proposed Cluster Development Plan appears to be compatible with surrounding zoning and uses.
3. The proposed Cluster Development Plan does not appear to have any adverse impact on surrounding zoning and land uses.

SUPPORTING DOCUMENTS:

- Zoning Map
- Future Land Use Plan
- Aerial Map
- Cluster Plan Exhibit



ZONING MAP

Cluster Development Plan

Dixie Farm and Forrest Lane

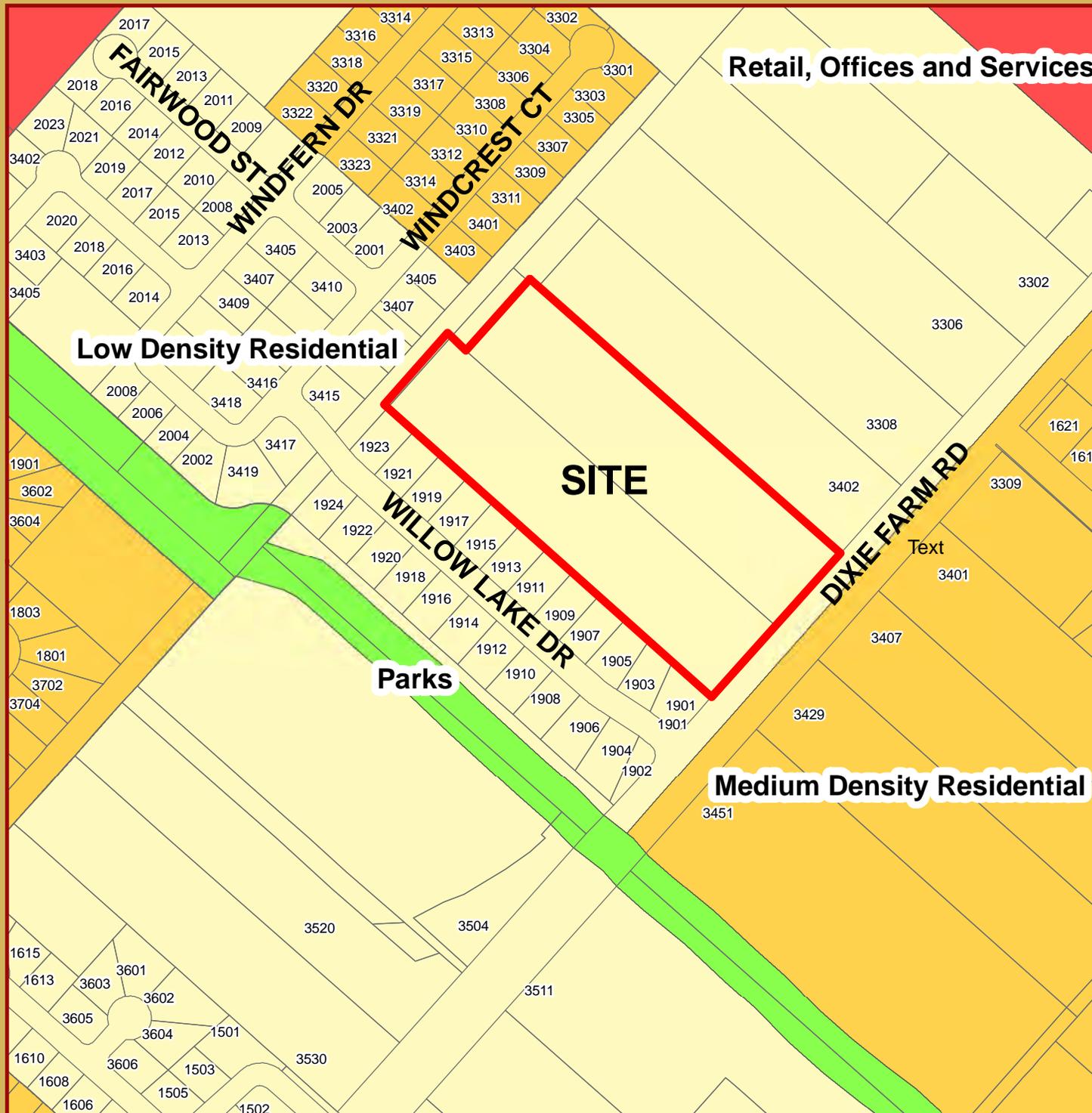


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1 inch = 327 feet

OCTOBER 2014
PLANNING DEPARTMENT





Retail, Offices and Services

Low Density Residential

SITE

Parks

Medium Density Residential

FLUP MAP

Cluster Development Plan

Dixie Farm and Forrest Lane

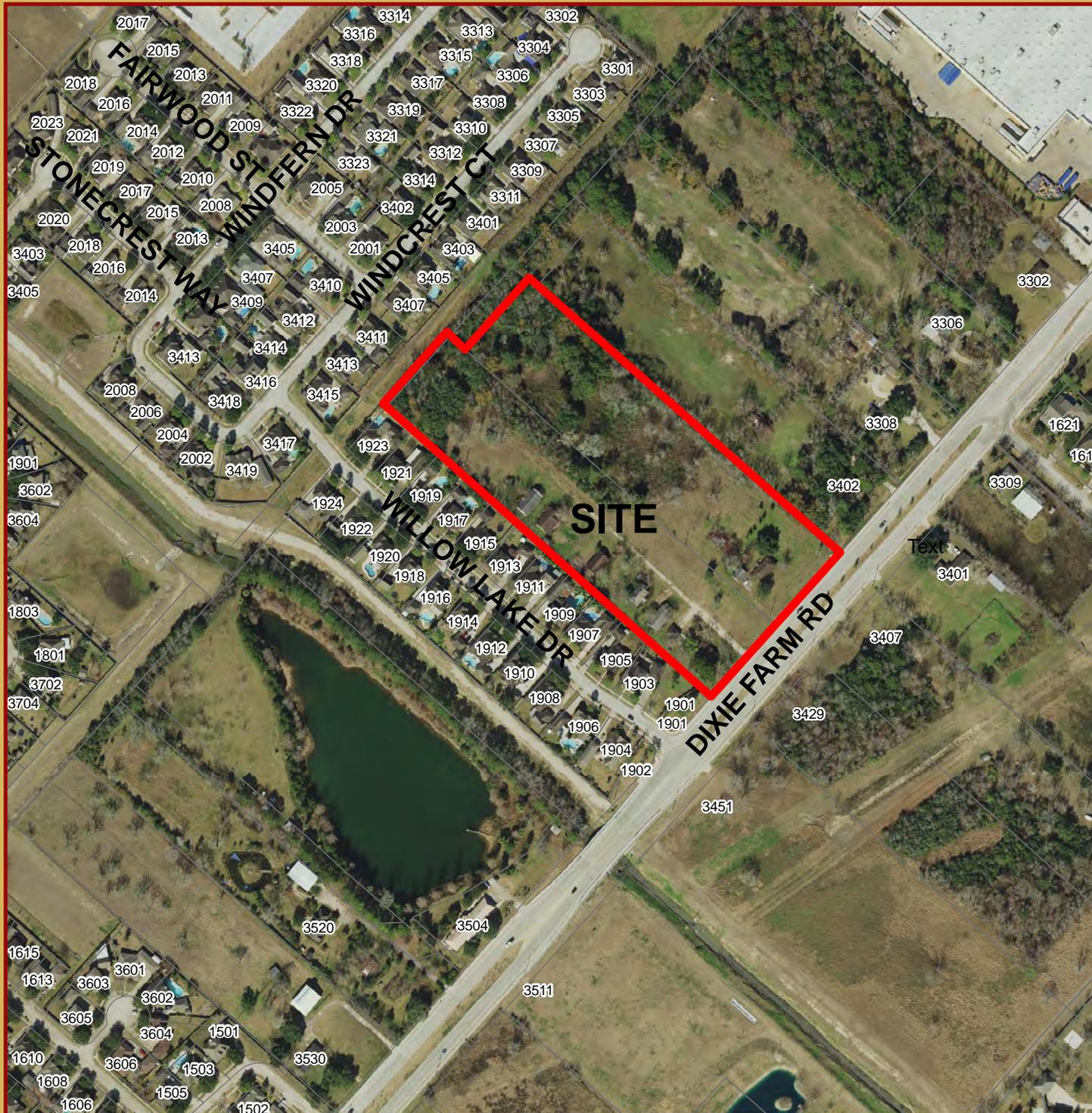


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PLANNING DEPARTMENT





AERIAL MAP

Cluster Development Plan

Dixie Farm and Forrest Lane



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1 inch = 327 feet

OCTOBER 2014
PLANNING DEPARTMENT



Cluster Plan Letter of Intent - Longview
Approximately 9.6 Acres
Dixie Farm Road at Forrest Lane

Proposed Uses:

The proposed use of the property is single family residential conforming to the requirements of an R-1 cluster plan consisting of 60' x 125' lots with a minimum nominal lot area of 7,500 square feet. The cluster plan enables infill redevelopment of this tract which currently contains several substandard structures and a substandard roadway. The focal feature of the plan is a central "village green" providing the opportunity for passive recreation and neighborhood gatherings. The plan anticipates off-site detention capacity purchased from the City in the East Mary's Creek Regional Detention Facility.

Specific Operations of the Use:

At 3.2 units/acre, a maximum of 31 lots are allowed. The expected price range of homes is \$209,000 - \$265,000. The property is expected to be developed in one phase.

Regarding regional detention, the East Mary's Creek Regional Detention Facility was conceived and constructed to serve as a regional detention facility. The City of Pearland Projects Department has tentatively approved, subject to approval of a final drainage plan, utilization of the East Mary's Creek Regional Detention Facility for this tract. The developer will be required to pay a fee of \$26,319 per acre-foot of detention required. Drainage from the property will outfall to the Dixie Farm Road storm sewer and then to Mary's Creek Bypass.

Square Footage of Buildings:

The homes are expected to range between 1,549 – 2,711 square feet.

Unique Characteristics of the Property:

There are several unique characteristics and constraints that affect the property: 1) There are several existing substandard structures on the property which need to be cleared before redevelopment; 2) The property is narrow and deep which creates challenges for meeting the fire access requirements; 3) The property does not have direct access to an outfall drainage channel; 4) There is an existing 12" sanitary sewer crossing the tract which the land plan must accommodate

Conformance to Cluster Plan Criteria:

1. Density: The plan depicts 29 lots, resulting in a density of 3.0 units/acre, which is less than the allowable 3.2 units/acre for R-1 zoning.
2. Compliance with Other Zoning Regulations: Development of the property will conform to the other requirements of R-1 zoning with the exception of lot width and area. The minimum nominal lot width is 60 feet and minimum nominal lot area is 7,500 square feet. All lots will

have a minimum nominal lot depth of 125 feet, which exceeds the minimum R-1 lot depth of 90 feet.

The lot count was specifically capped at 29 units in order to comply with the fire code requirements for a tract with a single point of access.

Proposed Land Uses

Component	Area (acres)
Total Site Area	9.6
Easements	0.04
Open Space Minus Easements (minimum)	1.65
Amenitized Detention	0
Non-Amenitized Detention	0

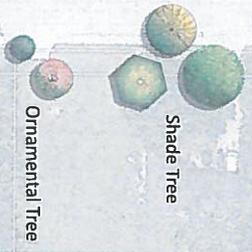
3. Buffering: The property is surrounded on all sides by residentially zoned and utilized properties. Therefore, no special buffering treatments are planned for the east, west, or north boundaries of the tract.

The south line of the tract abuts Dixie Farm Road. The required 30-foot setback along Dixie Farm Road will be provided. Buffering on the south side of the tract will conform to the requirements of UDC Section 4.2.4.1(c).

4. Amenities: The total open space equates to approximately 2,475 square feet per lot. Amenities shown on the Lotting and Amenity Plan will include the following improvements:
- a. A central "village green"
 - b. A six-foot concrete trail within the village green
 - c. Three Benches at various locations within the village green
 - d. A central pedestrian plaza with two additional benches and 4 planter bowls
 - e. One picnic table and grill
 - f. Two exercise stations
 - g. Preservation of several mature trees within the village green area
 - h. Irrigated landscaping throughout the village green and other open spaces
 - i. An extended landscape buffer adjacent to Dixie Farm Road, exceeding the minimum required by the overlay district
 - j. Entry monumentation

All amenity items will be completed prior to the issuance of the first single family home certificate of occupancy (excluding models). The applicant acknowledges that financial surety in a form acceptable to the City may be required for amenity items not completed prior to recordation of the final plat.

Exhibit: Lotting and Amenity Plan



Entry Monument (typ.)

Masonry Wall (typ.)

6' Concrete Trail (typ.)

Bench (typ.)

Plaza w/ Benches and Planter bowls

Masonry Wall

Shade Tree

Ornamental Tree

Willow Lake Estate

Fairwood St

12' S.S.

12' S.S.

12' S.S.

12' S.S.

DIXIE FARM

Masonry Wall

Upgraded Landscaping
Entry Monument

(2) Exercise Stations
Standard Wood Fence

Picnic Table
and Grill

Upgraded Landscaping
30'Ø Plaza w/ (2) Benches
and (4) Planter Bowls

Bench

Bench

10' Drainage Easement

10' Drainage Easement

Mature Tree Preserve

Detailed Area Calculation

Product Type:
60' x 125' : Estimated Yield = 29

Total Site Area = 9.6 Acres
Total Area of Easement = .04 Acres
Total Open Space minus Easement = 1.65 Acres



Lotting and Amenity Plan Longview Pearland, Texas

PLANNERS & ARCHITECTS
Landscape Architecture
Civil Engineering
Construction Management

LVA Engineering, Inc.
Landscape Architecture
Civil Engineering
Construction Management

3405 EAST AUSTIN AVENUE, SUITE 400
PEARLAND, TEXAS 77661
713.983.3333
WWW.LVAENGINEERING.COM
2025.05.14 10:55:14 AM

Reference Date: 11.05.24



APPLICATION FOR A CLUSTER DEVELOPMENT PLAN

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

A Cluster Development Plan for: Single Family Residential
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: R-1

Property Information:

Address or General Location of Property: Dixie Farm Road at Forrest Lane
9.6 Acres

Tax Account No. Property ID 218956

Subdivision: _____ Lot: _____ Block: _____

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

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

NAME Assan Tran
ADDRESS 902 Richey St
CITY Pasadena STATE TX ZIP 77506
PHONE (832) 347-5202
FAX (713) 664-5721
E-MAIL ADDRESS atran@lstoreofhouston.com

NAME DR Horton c/o Jonathan Woodruff
ADDRESS 14100 Southwest Fwy suite 500
CITY Sugarland STATE TX ZIP 77478
PHONE (281) 269 6844
FAX (—) _____
E-MAIL ADDRESS jwoodruff@drhorton.com

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

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

Owner's Signature: _____ Date: 10/2/14

Applicant/Agent's Signature: _____ Date: 10/3/14

OFFICE USE ONLY:

FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
------------	------------	--------------	-----------------

Application No. _____



Unofficial Copy

Unofficial Copy

Randall C. and Jan Casey
9.560 acres

W. D. C. HALL LEAGUE
ABSTRACT NO. 70

Unofficial Copy

STATE OF TEXAS §
COUNTY OF BRAZORIA §

Unofficial Copy

METES AND BOUNDS DESCRIPTION of a 9.560 acre tract in the W. D. C. Hall League Abstract No. 70, Brazoria County, Texas. Said tract is a part of Lot 15 of the Geo. W. Jenkins Subdivision as recorded in Volume 79, Pages 616-617 of the Brazoria County Map Records and is further described in deeds to W. O. Forrest and Mary Evelyn Forrest as recorded in Volume 657, Page 275 and Volume 694, Page 401 of the Brazoria County Deed Records. Said 9.560 acre tract is more particularly described by metes and bounds as follows:

Unofficial Copy

BEGINNING at a 3/4-inch iron rod found for the intersection of the common lot line between Lots 14 and 15 of the Geo. W. Jenkins Subdivision and the northwesterly right-of-way line of Dixie Farm Road (based on a width of 80 feet), said point bears North 44°00'00" West, 20.00 feet from the original most southerly corner of said Lot 15;

Unofficial Copy

THENCE, North 44°55'11" West, along said common line between Lots 14 and 15, same being the northeasterly line of Block 2 of Willow Lake Estates Subdivision as recorded in Volume 20, Page 281 of the Brazoria County Map Records, for a distance of 1006.67 feet to a 5/8-inch iron rod set for the most westerly corner of the herein described tract, a found 1-inch iron pipe bears North 44°55'11" West 1.02 feet

Unofficial Copy

THENCE, North 45°00'00" East, along the northwesterly line of the aforementioned Geo. W. Jenkins Subdivision for a distance of 212.10 feet to a 5/8-inch iron rod set for corner of the herein described tract;

Unofficial Copy

THENCE, South 44°55'11" East, along the northeast line of the southwest 1/2 of Lot 15 as recorded in the aforementioned Volume 694, Page 401 for a distance of 50.00 feet to a 5/8-inch iron rod set for corner of the herein described tract;

Unofficial Copy

THENCE, North 45°00'00" East, 50.00 feet southeast of and parallel to the original northwesterly line of the aforementioned Geo. W. Jenkins Subdivision for a distance of 212.10 feet to a 5/8-inch iron rod set for corner of the herein described tract, said point bears South 45°55'11" East, 50.00 feet from the original most northerly corner of said Lot 15;

Unofficial Copy

THENCE, South 44°55'11" East, along the common line between Lots 15 and 16 of said Geo. W. Jenkins Subdivision for a distance of 956.67 to a 1/2-inch iron rod found in the aforementioned northwesterly line of Dixie Farm Road being the most easterly corner of the herein described tract, said point bears North 44°55'11" West, 20.00 feet from the original most easterly corner of said Lot 15;

Unofficial Copy

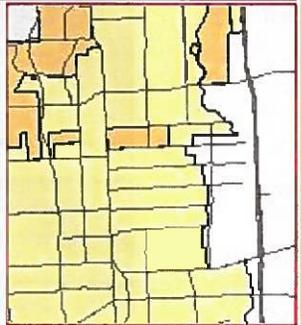
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Scale 1:5,073
1 in = 506 ft
September 22, 2014



Dixie Farm at Forrest Lane Cluster Plan - Planning Staff Comments

Please address the following:

1. The Comprehensive Plan states that each cluster plan shall have a minimum of 40% open space. As proposed, the submitted cluster plan only provides roughly 17% open space. This percentage would not permit staff to recommend approval for the cluster plan as it does not meet the intent of a cluster plan.

Response: The typical standard that has been applied in recent cluster plans is that the open space should be at least equal to or greater than the combined reduction in lot size in comparison to the underlying zoning minimum lot size. In this case, the R1 minimum (without a cluster) is 8,800 SF. The typical proposed lot is 7,500, which is 1,300 SF less than the standard. Multiplying 1,300 x 29 lots yields 37,700 SF (0.87 acres). The proposed plan provides 1.65 acres of open space. Therefore, the provided open space is almost double the combined lot size reduction of 0.87 acres. We believe this is a fair standard to apply as the UDC does not specify a specific open space requirement for cluster plans.

2. Please see the list of recommended amenities below. The proposed amount of amenities does not appear to meet the intent of a cluster plan, especially for one that is providing a relatively small amount of useable open space. Please add additional amenities. Recommended amenities have been highlighted.
 - More areas for passive and active recreation. Passive recreation could include gazebos, fountains, and common areas. Active recreation could include basketball courts, clubhouse, tennis courts, tot lots, pocket parks.
 - An enhanced boulevard entryway along entrances
 - Enhanced street lighting features
 - Residential façade requirements for materials and design
 - Enhanced fencing, including masonry subdivision perimeter fence (not otherwise required by code) – Proposed masonry fence is required thus cannot be included in list of provided amenities.
 - Water features, such as fountains
 - Enhanced subdivision entry feature
 - Flower bowls/boxes
 - Heavily wooded common area
 - Neighborhood art
 - Decorative street signs
 - Preservation of natural features
 - Multi-purpose trail
 - Amenitized detention
 - Seating node
 - Picnic tables with grills
 - Exercise stations
 - Sports field
 - Play structure
 - Community center
 - Pool

Response: Based on the context of the project location and the open space character, we have added the following items that were not included in the original application:

- Preservation of an existing wooded area
 - A central pedestrian plaza with two additional benches and four planter bowls
 - One picnic table and grill
 - Two exercise stations
3. Please provide further details in regards to the proposed offsite detention. The Planning and Zoning Commission is unable to approve a detailed cluster plan that does not provide specific information in regards to detention.

Response: A paragraph describing the applicability and conditions for utilizing regional detention is included in the updated submittal.

4. Please explain why an R-3 Zone change would not suffice for this property. The overall submitted plan appears to meet the requirements of the R-3 zone but overall comes up short of the requirements of a cluster plan. The proposed open space is merely land left over that is undevelopable for residential lots.

Response: It is our understanding that straight R3 zoning at this location would not be consistent with the comprehensive plan so a cluster plan with the amenity commitments it contains is more appropriate and provides an enhanced product over straight R3 zoning. Without the cluster plan, the central village green could be eliminated in favor of a simple double-loaded cul-de-sac street, so we believe the cluster provides a better product with open space that would not otherwise be achieved.

**P&Z AGENDA
ITEM**

D



P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Jonathan Woodruff of DR Horton Homes
DATE: 11/11/2014
AGENDA ITEM SUBJECT: Cluster Plan – Independence Place

Old Business **New Business** Discussion Item Workshop

Summary: A request by Jonathan Woodruff of DR Horton, applicant; on behalf of Matt Pasternak, owner; for approval of a Cluster Development Plan, on a 8.64 acre tract of land, for a single-family residential subdivision, generally located at the northwest corner of Liberty Drive and John Lizer Road.

Staff Recommendation: Denial



PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 17, 2014

Independence Place Cluster Development Plan

A request by Jonathan Woodruff of DR Horton, applicant; on behalf of Matt Pasternak, owner; for approval of a Cluster Development Plan, on a 8.64 acre tract of land, for a single-family residential subdivision, to wit:

Legal Description: Being a 4.818 acre tract of land, located in the T.D. Yocum Survey, A-399, Brazoria County, Texas, out of 35.8 acre tract described as Second Tract, in the deed from Rose S. Settegast and Julius J. Settegast Jr. to Aaron Pasternak, Trustee, as described under Volume 1023, Page 297, in the County Clerk's Records of Brazoria County, Texas, and;

Being a 3.806 acre tract of land, located in the W.D.C. Hall Survey, A-70, Brazoria County, Texas, out of 297.58 acre tract described as First Tract, in the deed from Rose S. Settegast, and Julius J. Settegast Jr. to Aaron Pasternak, Trustee, as described under Volume 1023, Page 297, in the County Clerk's Records of Brazoria County, Texas

General Location: Northwest corner of Liberty Drive and John Lizer Road.

SUMMARY: The request is for approval of a Cluster Development Plan (CDP) located on John Lizer Road. The proposed CDP is for a total of 8.64 acres of land, will contain 23 lots that are a minimum of 55 feet wide, and will include the following amenities as required per the CDP standards in the Unified Development Code (UDC).

AMENITIES	Proposed Cluster
Open Space:	1.41 acres (16% of total site area)
Trail:	6' Trail located along Mary's Creek
Open Space Amenity:	6' concrete trail, 3 benches, 1 picnic table, 1 grill, and preservation of mature trees.
Crosswalk:	Road Striping and pedestrian connectivity to existing trail within Independence Park.
Masonry Wall:	Upgraded masonry subdivision wall along John Lizer Road.
Project Identification:	Entry monument along Dixie Farm with upgraded landscaping
Detention:	Detention will be provided offsite within the Independence Park Detention Site.

The proposed CDP will have direct access to John Lizer Road. A masonry subdivision wall will be provided along John Lizer along with the required sidewalk and all required landscaping prior to Final Plat recordation.

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

The property is currently zoned Low Density Residential R-2. The typical proposed lot size for the CDP is a minimum of 55' X 120', and a minimum lot area of 6,600 square feet. The minimum required lot size in the R-2 zone is 7,000 square feet, with minimum dimensions of 70' x 90'; and a residential density 4.0 for a CDP. The density being proposed is 3.19 units per acre. This information is further illustrated in the table below:

	<u>Proposed Cluster</u>	<u>R-2</u>
Minimum lot area:	6,600 sq. ft.	7,000 sq. ft.
Minimum lot width:	55'	70'
Minimum lot depth:	120'*	90'
Density (units/acre)	3.19	4.0

*proposed lots range in depth from 120' up to 170'.

SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	R-2	Single Family Residential (Parkview)
South	R-2	Independence Park
East	R-2	Independence Park/ Golden Rule Adult Learning Facility
West	R-2	Single Family Residential

UNIFIED DEVELOPMENT CODE: The subject property is currently zoned Low Density Residential - 2 (R-2). If approved for this site, a CDP would allow the developer to vary the size of lots as long as the overall density of the development does not exceed 4.0 dwelling units per acre, as specified in Section 2.2.4.3 of the Unified Development Code. All other development requirements in the Unified Development Code will be required to be met.

PLATTING STATUS: The subject property has not been platted. Formal subdivision platting will be required prior to development.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The Future Land Use designation for the subject land is *Medium Density Residential*. The approved Comprehensive Plan further indicates that corresponding zones for *Medium Density Residential* would be R-2, R-3, and R-4. The existing zoning of R-2 is in conformance with the Future Land Use Plan. The lot sizes within the proposed CDP would also be in conformance with the Future Land Use Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property contains frontage on John Lizer Road and Liberty Drive; both major collectors with a minimum right-of-way of 80 feet. Any additional right-of-way required will be acquired at the time of platting.

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

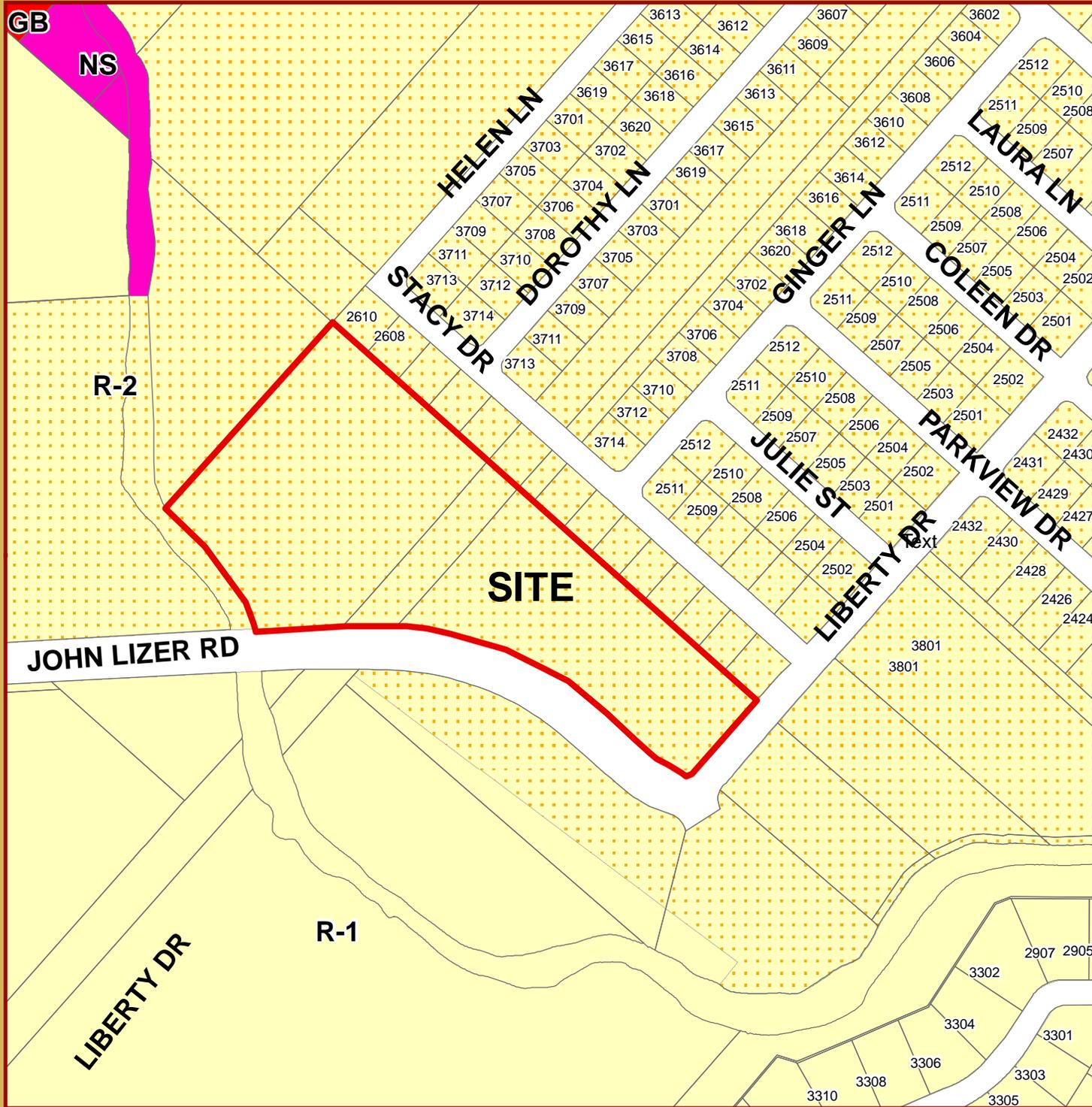
IMPACT ON EXISTING AND FUTURE DEVELOPMENT: It is not anticipated that the proposed CDP will have a significant negative impact on existing surrounding developments or future developments. Staff has concerns regarding the amount of proposed open space and amount of amenities proposed for the development. Improvements proposed for the neighboring Independence Park, though welcome, may not be considered as amenities required within the CDP guidelines. Furthermore, no approvals have been sought by the applicant or granted by the Parks and Recreation Department, for any work to be done within Independence Park. Therefore, any improvements proposed within the park cannot be counted towards required amenities for the CDP.

STAFF RECOMMENDATION: Staff recommends denial of the Independence Place Cluster Development Plan, for the following reasons, and with the following conditions:

1. The proposed Cluster Development Plan does not appear to meet the criteria of approval for a Cluster Development Plan in the Unified Development Code.
2. The proposed lot width reductions could be achieved by a Zone Change to R-4 along with lot width variances from the Planning and Zoning Commission or via an approved Planned Development.
3. Improvements proposed for Independence Park cannot count towards the Cluster Plan requirements and have not been approved by the City of Pearland Parks and Recreation Department.

SUPPORTING DOCUMENTS:

- Zoning Map
- Future Land Use Plan
- Aerial Map
- Cluster Plan Exhibit



ZONING MAP

Cluster Development Plan

Independence Place

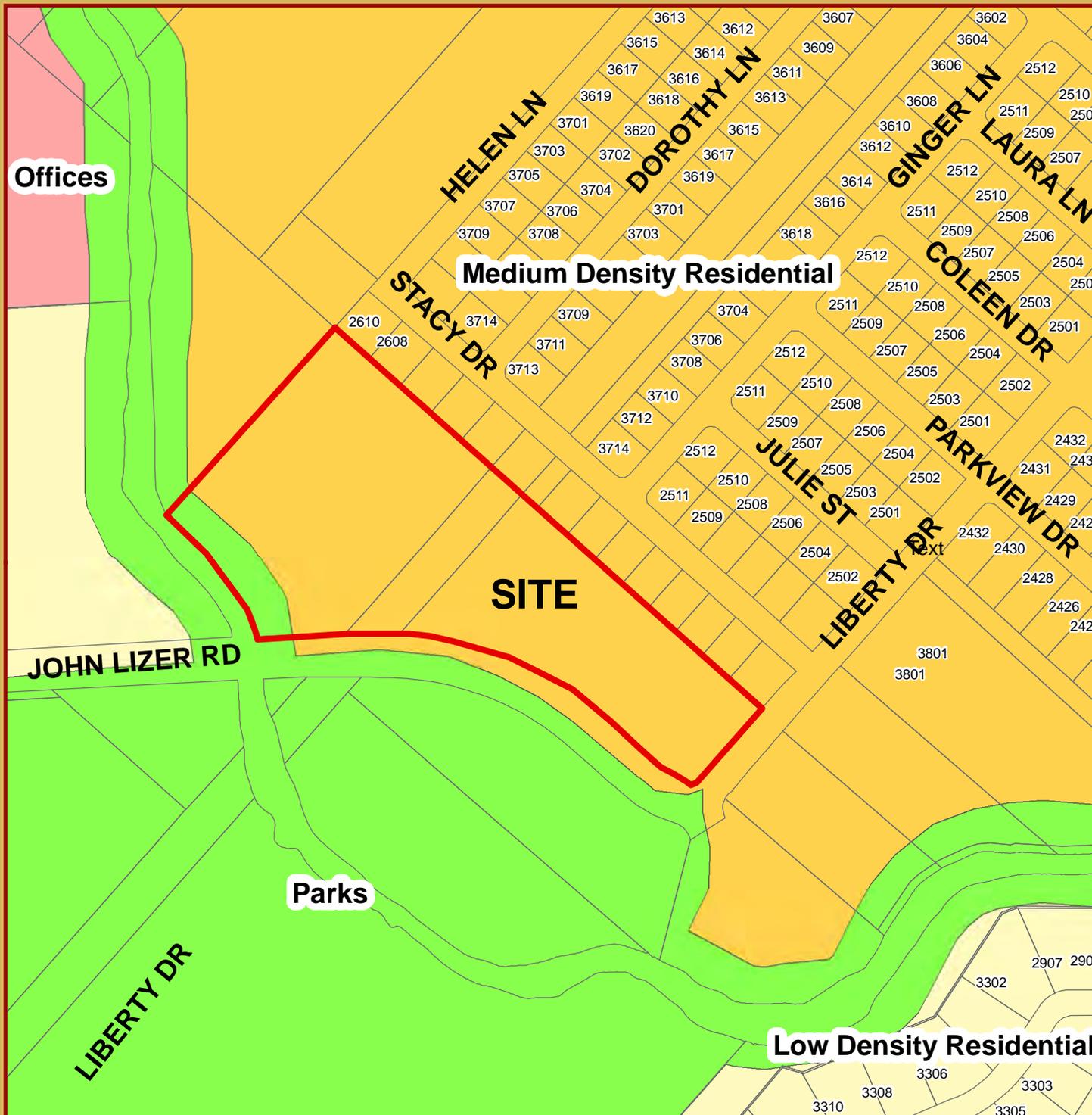


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 283 feet

OCTOBER 2014
PLANNING DEPARTMENT





FLUP MAP

Cluster Development Plan

Independence Place



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1 inch = 283 feet

OCTOBER 2014
PLANNING DEPARTMENT





AERIAL MAP

Cluster Development Plan

Independence Place



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1 inch = 283 feet

OCTOBER 2014
PLANNING DEPARTMENT



**Cluster Plan Letter of Intent – Independence Place
Approximately 8.62 Acres
John Lizer Road at Independence Park**

Proposed Uses:

The proposed use of the property is single family residential conforming to the requirements of an R-2 cluster plan with a total of 23 lots each with a minimum nominal lot width of 55 feet and a range of lot sizes as shown in the following table:

Number of Lots	Lot Depth (feet)	Lot Size (SF)
8	170	8,410 – 15,152
14	130	7,150
1	120	6,568

All of the lots greatly exceed the minimum R-2 lot depth of 90 feet. All lots, except one, exceed the minimum lot size of 7,000 SF for the underlying R-2 zoning. The cluster plan enables infill redevelopment of a tract containing several impediments, including an odd shape and boundary constraints, floodplain, and a Centerpoint fee strip. The goal of this cluster plan is to protect an open space corridor along Mary’s Creek and John Lizer Road, mirroring the existing open space of Independence Park and providing an extension of the existing Independence Park walking trail. The plan anticipates off-site detention capacity excavated by the developer as an expansion of the City’s Independence Park Regional Detention Facility.

Specific Operations of the Use:

Based on a site area of 7.21 acres net of easements, at 4.0 units/acre, a maximum of 29 lots are allowed. The expected price range of homes is \$209,000 - \$265,000. The property is expected to be developed in one phase.

Regarding regional detention, the Independence Park detention facility was conceived and constructed to serve as a regional detention facility. The City of Pearland Projects Department has tentatively approved, subject to approval of a final drainage plan, utilization of the Independence Park regional detention facility for this tract. The developer will be required to excavate the required volume from the pond and pay a fee to the City for the value of the land utilized for the expansion. Drainage from the property will outfall to the adjacent Brazoria Drainage District #4 channel.

Square Footage of Buildings:

The homes are expected to range between 1,549 – 2,711 square feet.

Unique Characteristics of the Property:

There are several unique characteristics and constraints that affect the property: 1) The property is an odd shape with boundary constraints including curving roads, an existing subdivision, and Mary’s Creek; 2) The property is impacted by flood plain that will need to be mitigated; 3) The property is bisected by a

Centerpoint power line fee strip; 4) A significant portion of the property will be dedicated for Mary’s Creek easement and widening. However, the property is located directly across the street from Independence Park, which creates a unique opportunity to visually expand the presence of the park along the John Lizer streetscape.

Conformance to Cluster Plan Criteria:

1. Density: The plan depicts 23 lots, resulting in a density of 3.19 units/acre, which is less than the allowable 4.0 units/acre for R-2 zoning.
2. Compliance with Other Zoning Regulations: Development of the property will conform to the other requirements of R-2 zoning with the exception of lot width. All lots, except one, exceed the typical R-2 minimum of 7,000 SF. The minimum nominal lot width is 55 feet. Lot depths range from 120 feet to over 170 feet, which exceeds the minimum R-2 lot depth of 90 feet.

Proposed Land Uses

Component	Area (acres)
Total Site Area	8.64
Easements	1.41
Open Space Minus Easements (minimum)	1.41
Amenitized Detention	0
Non-Amenitized Detention	0

3. Buffering: The northeast boundary of the property is adjacent to an existing residential neighborhood; no special buffering is proposed on this boundary due to the similarity of uses. The other boundaries of the property open to existing uses that contain significant open spaces which are not likely to be developed including Mary’s Creek, Independence Park, and a private educational facility. Buffering on these boundaries is comprised of dedicated open space, masonry walls, upgraded wood fencing, and other amenities as shown on the Lotting and Amenity Plan.
4. Amenities: The total open space of 1.41 acres is equal to approximately 2,670 square feet per lot. Amenities s shown on the Lotting and Amenity Plan will include the following improvements:
 - a. An extra-width open space corridor along John Lizer Road
 - b. Irrigated landscaping throughout the open space corridor
 - c. A six-foot concrete trail within the open space along Mary’s Creek, connecting to the required six-foot sidewalk along John Lizer Road
 - d. Trail extension and crosswalk striping to connect the trail into Independence Park
 - e. Three Benches at various locations along the trail
 - f. One picnic table and grill
 - g. Entry monumentation

- h. Approximately 0.73 acres of preserved mature trees (included within the 1.41 acres of total open space)
- i. 30 street trees planted on the Independence park side of John Lizer Road
- j. Upgraded wood fence (base board and cap rail) adjacent to the Centerpoint fee strip and Mary's Creek open space at the locations shown on the Amenity Plan.

All amenity items will be completed prior to the issuance of the first single family home certificate of occupancy (excluding models). The applicant acknowledges that financial surety in a form acceptable to the City may be required for amenity items not completed prior to recordation of the final plat.

Exhibit: Lotting and Amenity Plan

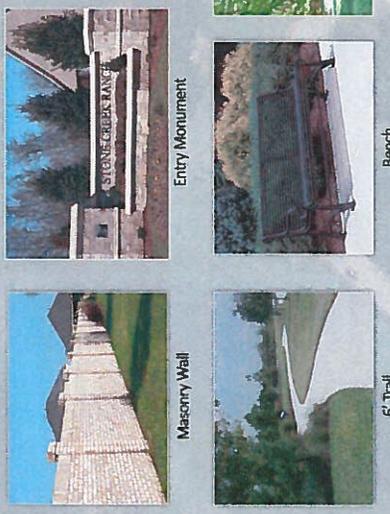


Reference Date: 11.05.14



Lotting and Amenity Plan Independence Place Pearland, Texas

Detailed Area Calculation
 Product Type: 55'x120'
 Estimated Yield: 23
 Total Site Area= 8.624 Acres
 Total Area of Easement = 1.41 Acres
 Total Open Space minus Easements = 1.41 Acres





APPLICATION FOR A CLUSTER DEVELOPMENT PLAN

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

A Cluster Development Plan for: Single Family Residential
(list proposed use from the Table of Uses of the UDC)



Current Zoning District: R-2

Property Information:

Address or General Location of Property: John Lizer Rd @ Liberty Dr.

Tax Account No. Property ID 171758 Acct #s: 0399-004-000 & 0070-0047-000

Subdivision: TD Vocum Abstract 399 Lot: Tract 2 Block: _____
WDC Hall Abstract 70 Part of Lot 6

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

PROPERTY OWNER INFORMATION:
313 Acre Pearland Joint Venture of S. Dora Ladin Testamentary Trust /
Frank Ladin & Rosalie Ladin Family Trust / Judy Weycer
c/o Pasternak Management Inc
NAME Attn: Matt Pasternak
ADDRESS 2142 Bolsover
CITY Houston STATE TX ZIP 77005
PHONE (713) 533 0515
FAX (713) 526 0515
E-MAIL ADDRESS matt.p@pasternakmgmt.com

APPLICANT/AGENT INFORMATION:
NAME DR Horton c/o John Woodruff
ADDRESS 14100 Southwest Fwy Suite 500
CITY Sugarland STATE TX ZIP 77478
PHONE (281) 269-6844
FAX () _____
E-MAIL ADDRESS jwoodruff@drhorton.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: Matt Pasternak, PRESIDENT Date: 10/03/14
Applicant/Agent's Signature: [Signature] Date: 10/3/14
PASTERNAK MANAGEMENT INC
MANAGER 313 ACRE PEARLAND JOINT VENTURE

OFFICE USE ONLY:

FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
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Application No. _____

October 1, 2014
Job No. 1931-1801-202

METES AND BOUNDS DESCRIPTION OF
TRACT 2
3.806 ACRES OF LAND
IN THE W.D.C. HALL SURVEY
ABSTRACT NO. 70
BRAZORIA COUNTY, TEXAS

All of that certain 3.806 acres of land, located in the W.D.C. Hall Survey, A-70, Brazoria County, Texas, out of the 297.58 acre tract described as First Tract, in the deed from Rose S. Settegast and Julius J. Settegast, Jr. to Aaron Pasternak, Trustee, as described under Volume 1023, Page 297, in the County Clerk's Records of Brazoria County, Texas, and more particularly described by metes and bounds as follows (Bearings based on Texas Coordinate System, South Central Zone, NAD83);

COMMENCING at a 1/2" iron rod found for the north corner of a plat described as PARKVIEW SUBDIVISION, Section One, recorded under Volume 15, Page 377 in the Plat Records of Brazoria County, Texas, in the west line of the 35.8 acre tract, described as Second Tract, in the deed from Rose S. Settegast and Julius J. Settegast, Jr. Aaron Pasternak, Trustee, as described under Volume 1023, Page 297; THENCE South 41° 22' 40" West – 1510.55' along the west line of said PARKVIEW SUBDIVISION, Section One, and the west line of said 35.8 acre tract, to a fence corner found at the west corner of said PARKVIEW SUBDIVISION, Section One; THENCE South 48° 26' 50" East, along the south line of said PARKVIEW SUBDIVISION, Section One, at 400.74' passing a 1/2" iron rod found for the south corner of Lot 5, Block 12, of said PARKVIEW SUBDIVISION, Section One, in the west line of the 6.298 acre tract described in the deed from Aaron Pasternak, Trustee to Houston Lighting & Power Company, recorded under Volume 1108, Page 358 in the County Clerk's Records of Brazoria County, Texas, continuing for a total distance of 480.74' to the north corner and **POINT OF BEGINNING** of the herein described tract, in the east line of said 6.298 acre tract;

THENCE South $48^{\circ} 26' 50''$ East continuing along the south line of said PARKVIEW SUBDIVISION, Section One, at 39.54' passing a 1/2" iron rod found for the west corner of Lot 1, Block 8, of said PARKVIEW SUBDIVISION, Section One, at 629.74' passing a 1/2" iron rod found for the south corner of Lot 8, Block 8, of said PARKVIEW SUBDIVISION, Section One, continuing for a total distance of 637.10' to a 5/8" iron rod with cap stamped "LJA-ENG" set for the east corner of the herein described tract in the west right-of-way line of Liberty Drive (60' R.O.W.), as described under Volume 1271, Page 566, of the County Clerk's Records of Brazoria County, Texas;

THENCE South $41^{\circ} 31' 49''$ West, along the west right-of-way line of said Liberty Drive, a distance of 188.21' to a 5/8" iron rod with cap stamped "LJA-ENG" set for the most easterly south corner of the herein described tract;

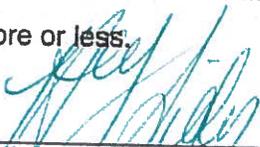
THENCE continuing along said right-of-way, and 62.55' along the arc of a non-tangent curve to the right having a radius of 40.00', a central angle of $89^{\circ} 35' 47''$, and a chord that bears South $86^{\circ} 19' 42''$ West, 56.37' to a 5/8-inch iron rod with cap stamped "LJA-ENG" set for the most westerly south corner of the herein described tract, common to the end of curve, in the north right-of-way line of John Lizer Road, (60' R.O.W.), as described under Volume 1271, Page 566, of the County Clerk's Records of Brazoria County, Texas,

THENCE North $48^{\circ} 44' 11''$ West, continuing along said north right-of-way line a distance of 180.44' to a 5/8" iron rod with cap stamped "LJA-ENG" set for an angle corner of the herein described tract;

THENCE continuing along said right-of-way, and 452.98' along the arc of a tangent curve to the left having a radius of 654.27', a central angle of $39^{\circ} 40' 06''$, and a chord that bears North $68^{\circ} 34' 14''$ West, 443.99' to a 5/8-inch iron rod with cap stamped "LJA-ENG" set for the west angle corner of the herein described tract common to the end of curve and the northeast corner of the 0.163 acre tract described in the Street, Road & Highway Easement deed from Houston Lighting & Power Company to The City of Pearland, recorded under Volume 1301, Page 479 in the Deed Records of Brazoria County, Texas, in the east line of aforesaid 6.298 acre tract;

October 1, 2014
Job No. 1931-1801-202

THENCE North 41° 31' 49" E, along the east line of said 6.298 acre tract, a distance of 381.88'
to the **POINT OF BEGINNING** of the herein described tract and containing 3.806 acres of land,
more or less.



Heather L. Sides, RPLS, CFedS
Registered Professional Land Surveyor
Texas Registration No. 5997
LJA Engineering, Inc.



Independence Place Cluster Plan - Planning Staff Comments

Please address the following:

1. The Comprehensive Plan states that each cluster plan shall have a minimum of 40% open space. As proposed, the submitted cluster plan only provides roughly 16% open space. This percentage would not permit staff to recommend approval for the cluster plan as it does not meet the intent of a cluster plan.

Response: The typical standard that has been applied in recent cluster plans is that the open space should be at least equal to or greater than the combined reduction in lot size in comparison to the underlying zoning minimum lot size. In this case, the R-2 minimum (without a cluster) is 7,000 SF. There is only one lot that is less than 7,000 SF; that lot is 6,568 SF, resulting in a required open space under this theory of only 432 SF (0.01 acres). So in this case, that standard would yield a very small open space requirement.

However, 22 of the 23 lots exceed the typical R-2 lot size minimum plus the proposed open space is 61,420 SF (1.41 acres). Therefore, we believe this is a reasonable balance. The dual goal of providing significant open space and larger lots is accomplished by having narrower, but much deeper lots, which provides a more useable backyard for residents. We believe this is a fair standard to apply as the UDC does not specify a specific open space requirement for cluster plans.

2. Please see the list of recommended amenities below. The proposed amount of amenities does not appear to meet the intent of a cluster plan, especially for one that is providing a relatively small amount of useable open space. Please add additional amenities. Recommended amenities have been highlighted.
 - o More areas for passive and active recreation. Passive recreation could include gazebos, fountains, and common areas. Active recreation could include basketball courts, clubhouse, tennis courts, tot lots, pocket parks.
 - o An enhanced boulevard entryway along entrances
 - o Enhanced street lighting features
 - o Residential façade requirements for materials and design
 - o Enhanced fencing, including masonry subdivision perimeter fence (not otherwise required by code)
 - o Water features, such as fountains
 - o Enhanced subdivision entry feature
 - o Flower bowls/boxes
 - o Heavily wooded common area
 - o Neighborhood art
 - o Decorative street signs
 - o Preservation of natural features
 - o Multi-purpose trail
 - o Amenitized detention
 - o Seating node
 - o Picnic tables with grills
 - o Exercise stations
 - o Sports field
 - o Play structure

- Community center
- Pool

Response: Based on the context of the project location and the open space character, we have added the following items that were not included in the original application:

- Preservation of an existing wooded area (was shown on the exhibit, but was not listed in the document)
- One picnic table and grill
- Six-foot width trail connection into Independence Park to connect to the existing park trail system with striped and signed cross-walk. (We also corrected a typo to match the trail width in the text to the width on the exhibit).
- 30 street trees planted on the Independence Park side of John Lizer to counterbalance the landscaping within the property
- We have also noted

3. Please provide further details in regards to the proposed offsite detention. The Planning and Zoning Commission is unable to approve a detailed cluster plan that does not provide specific information in regards to detention.

Response: A paragraph describing the applicability and conditions for utilizing regional detention is included in the updated submittal.

4. Provided trail along John Lizer would not be considered an amenity as a minimum 6' sidewalk would be required as a result of any type of development on site.

Response: We have removed this from the amenity list, but it is retained on the exhibit to depict the required nature of the improvement.

5. Please explain why an R-4 Zone change would not suffice for this property. The overall submitted plan appears to meet the requirements of the R-3 zone but overall comes up short of the requirements of a cluster plan. The proposed open space is merely land left over that is undevelopable for residential lots.

Response: It is our understanding that straight R4 zoning at this location would not be consistent with the comprehensive plan so a cluster plan with the amenity commitments it contains is more appropriate and provides an enhanced product over straight R4 zoning. This is an extremely difficult tract to develop given the size, configuration, and presence of the Centerpoint fee strip that separates the parcel. We believe the cluster provides a better product with open space that would not otherwise be achieved.

**P&Z AGENDA
ITEM**

E



P&Z AGENDA REQUEST

TO: Planning & Zoning Commission
REQUESTOR: Green Hollow, Ltd.
DATE: 11/11/2014
AGENDA ITEM SUBJECT: Planning and Zoning Variance 2014-06

Old Business **New Business** Discussion Item Workshop

Summary: A request by Green Hollow Ltd., applicant; and owner; for approval of a Planning and Zoning Variance to allow for a total of 62 residential lots with one means of vehicular access where 2 means of vehicular access is required within the existing Single Family – 4 (R-4) zoning district on 16.26 acres of land, for Jameson Landing subdivision located at the 1300 block of Broadway Street.



PLANNING AND ZONING COMMISSION MEETING OF NOVEMBER 17, 2014

PLANNING AND ZONING VARIANCE NO. 2014-06

A request by Green Hollow Ltd., applicant; and owner; for approval of a Planning and Zoning Variance to allow for a total of 62 residential lots with one means of vehicular access where 2 means of vehicular access is required within the existing Single Family – 4 (R-4) zoning district on 16.26 acres of land., on the following described property:

General Location: Located at the 1300 Block of Broadway Street.

SUMMARY: The property is currently developed as a Single Family Residential – 4 (R-4) subdivision with 59 lots. It was platted in 2010 and is mostly built out. The applicant would like to convert an existing reserve into 3 additional residential lots. The subdivision only has one point of access, located off of Broadway Street. The Unified Development Code (UDC) requires that all subdivisions with 60 or more lots must have a second point of access.

UNIFIED DEVELOPMENT CODE: The UDC states that all subdivisions with 60 or more lots must have at least two points of vehicular access. One of the access points may be utilized primarily for emergency vehicles only and may have an emergency gate to be approved by the Fire Marshal's Office to ensure all fire codes are met. The current subdivision, with 59 lots, is in compliance with the UDC.

PLATTING STATUS: The property has been platted and is mostly built out. The subject parcels are located within a platted reserved which was designated as an open landscape reserve.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The Comprehensive Plan recommends *Medium Density Residential* for the subject and surrounding properties. The current zoning of R-4 is in conformance with the future land use designation.

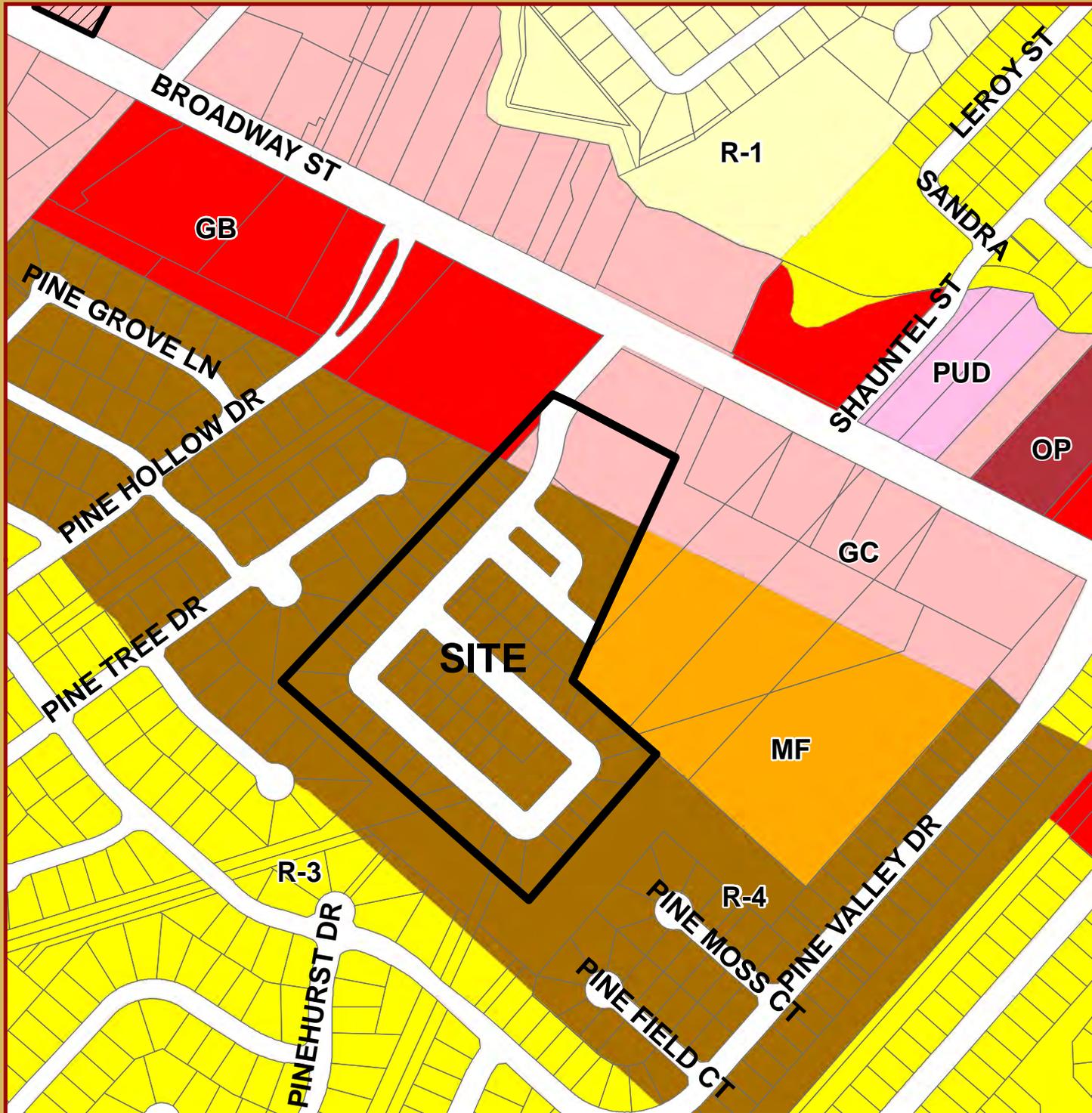
CONFORMANCE TO THE THOROUGHFARE PLAN: The subject property has frontage on Jamison Pine Dr. which is a local street with sufficient right-of-way width of 50 feet.

STAFF ANALYSIS: The proposed variance does not appear to meet the qualifications for approval. The applicant has the option to access the neighboring apartment

complex to the east to allow for a gated emergency access. The applicant has stated that they have attempted to come to an agreement with the neighbor but have been unsuccessful. This issue does not meet the criteria of an undue hardship as the applicant has the physical ability to meet the requirements of the UDC. The reserve being converted has potential to be the only open space for the subdivision.

SUPPORTING DOCUMENTS:

- Zoning Map
- Future Land Use Plan
- Aerial Map
- Application Package



ZONING MAP

P&Z Variance
2014-06

Jamison Landing

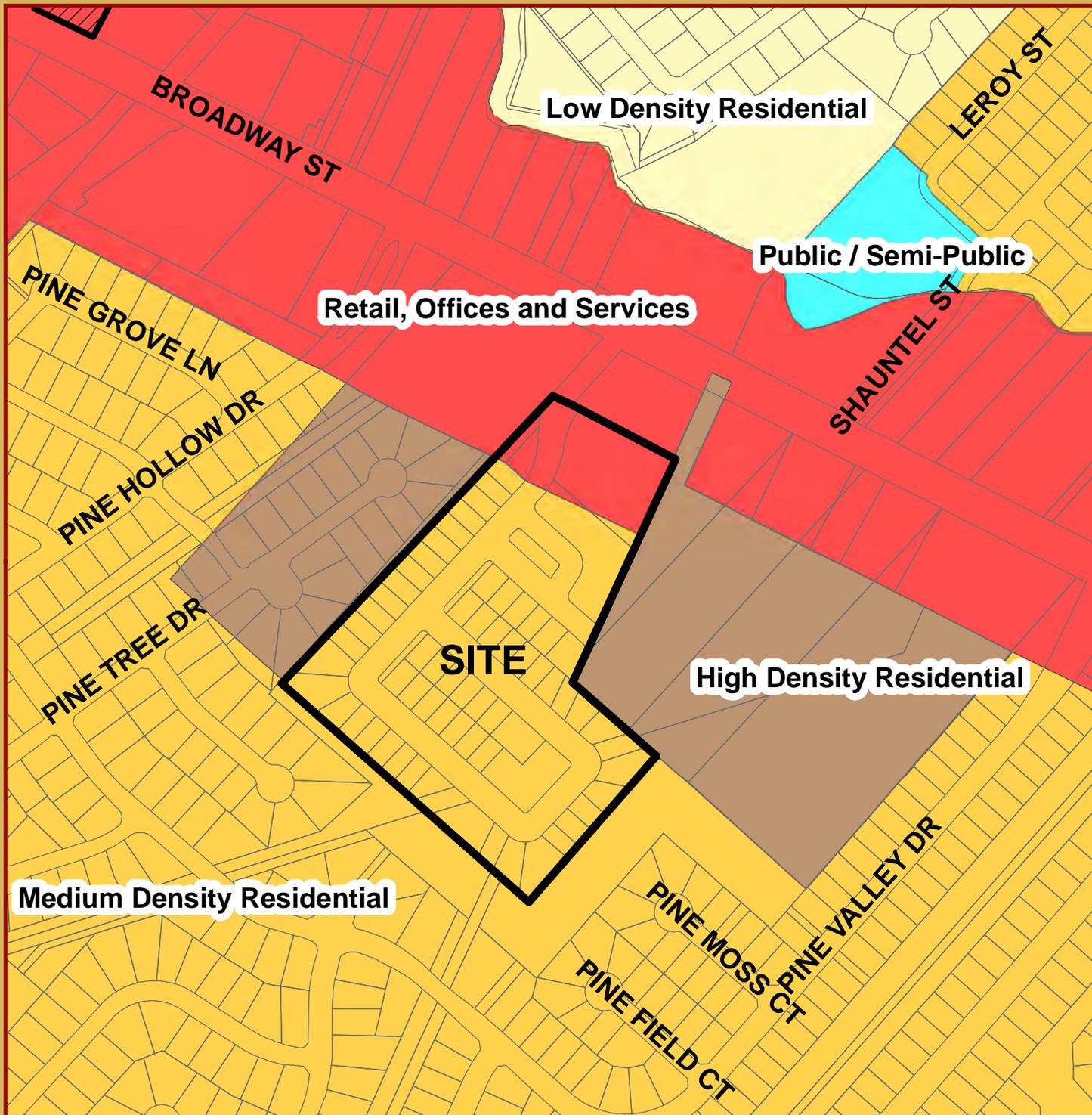


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 377 feet

OCTOBER 2014
PLANNING DEPARTMENT





FLUP MAP

P&Z Variance
2014-06

Jamison Landing



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1 inch = 377 feet

OCTOBER 2014
PLANNING DEPARTMENT





AERIAL MAP

**P&Z Variance
2014-06**

Jamison Landing



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1 inch = 188 feet

OCTOBER 2014
PLANNING DEPARTMENT



PLANNING & ZONING VARIANCE APPLICATION

City of Pearland
 Community Development
 3523 Liberty Drive (Community Center)
 Pearland, Texas 77581
 281-652-1765
 281-652-1702 fax
 www.cityofpearland.com

Variance from Section No. : 3.2.6.2 (d) U.D.C
(list section number from the Unified Development Code that pertains to requested variance)

General Description: Replat of Section K to ADD 3 more houses
10 ft.

Property Information:

Address or General Location of Property: Broadway Jamison Landing

In order for a variance to be considered, the property must be platted.
 Has the property ever been platted: Yes No

Subdivision: JAMISON LANDING

Lot: 1, 2, 3 Block: 1

PROPERTY OWNER INFORMATION (required):

NAME GREEN HOLLOW LTD.
 ADDRESS 2918 BROADWAY STE 106
 CITY PEARLAND STATE TX ZIP 77581
 PHONE (281) 997-1500
 FAX (281) 997-2886
 MAIL ADDRESS VICKIE@RWESTDEVELOPMENT.COM

APPLICANT INFORMATION:

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

A Complete Application must include all of this information:

- Fee of \$250.00
- Legal Description and/or Survey of the Property
- Site Plan, Plot Plan, or Drawing showing the requested variance
- Letter Explaining the variance in detail, including Description of Hardship
- Other necessary information (maps, drawings, pictures, etc.) to explain the variance



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] / Pres. Date: 10-22-14

Agent's Signature: _____ Date: _____

OFFICE USE ONLY:

FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
------------	------------	--------------	-----------------

Application No.



PLAT APPLICATION

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1765
281-652-1702 fax
www.cityofpearland.com

Please Check Type of Plat Requested:

- Preliminary Subdivision Plat
- Final Subdivision Plat
- Minor (Subdivision) Plat
- Amending Plat
- Master Plat
- Preliminary Development Plat
- Final Development Plat
- Replat WITH PUBLIC HEARING

***Please send any and all correspondence to:**

iclowes@pearlandtx.gov

SUBDIVISION NAME:

JAKE MINOR REPEAT OF RESERVEK JAMISON LANDING

NUMBER OF LOTS:

3

GENERAL LOCATION:

F.M. 518 AT JAMISON LANDING DR.

PRIMARY CONTACT: JOHN ENGLISH - PERHA ENGINEERING, INC.

MAILING ADDRESS: 5301 HOLLISTER, SUITE 190

CITY, STATE, ZIP: HOUSTON, TX 77040

PHONE: 713-895-8080

FAX: 713-895-7686

E-MAIL ADDRESS: jake1epdg.net

OWNER NAME: RENEE MCGUIRE - GREEN HOLLOW LTD

MAILING ADDRESS: 7918 BROADWAY

CITY, STATE, ZIP: PEARLAND, TX 77581

PHONE: 281-997-1500

FAX: 281-997-2886

E-MAIL ADDRESS: _____

A complete application must include all items shown on the corresponding submittal checklist for each different type of plat. See Page 2.

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

Owner's Signature: [Signature] Date: 10/22/14

Applicant's/Agent's Signature: [Signature] Date: 10/21/14

I acknowledge that this plat has been submitted on this day, 10-22-14, and the Plat filing date is 10-22-14, which will be the first day it will be reviewed by the Planning Staff. I hereby sign and date this acknowledgement.

Signature: [Signature] Date: 10/22/14

All Waiver of Decision requests must be received by the resubmittal time and date that corresponds to the Plat Resubmittal Deadline, per the Plat submittal schedule.

FEES PAID: _____

DATE PAID: _____

RECEIVED BY: _____

RECEIPT NO.: _____

GREEN HOLLOW, LTD.
7918 BROADWAY, SUITE 106
PEARLAND, TEXAS 77581
PH: (281) 997-1500/Fax: (281) 997-2886

October 22, 2014

City of Pearland
Planning & Zoning - Variance Committee
3519 Liberty
Pearland, Texas 77581

Ref: Jamison Landing Re-Plat

Dear Variance Board Members,

We are requesting a variance from the Unified Development Code, approved February, 2006, under Section 3.2.62(d)1, approved roads and access whereby "all subdivisions (60) or more lots must have at least two points of vehicular access (primarily for emergency vehicles)" and be connected to improved roadways. Approach Roads and Access. All subdivisions with sixty (60) or more lots must have at least two points of vehicular access (primarily for emergency vehicles), and must be connected with improved roadways to the City's improved thoroughfare and street system by one or more approach roads of the dimensions and standards hereinafter set forth. Requirements for dedication of right-of-way and improvements of approach roads may be increased depending upon the size or density of the proposed development, or if the need is demonstrated by traffic impact analysis.

(1) Points of vehicular access into subdivisions shall meet the requirements of the City's adopted Fire Code.

(2) The subdivision shall be designed to provide adequate emergency access for public safety vehicles.

The intent of this had only to do with the fire codes – see Section D107 attached, and in an Ordinance passed and dated August 2013 (see attached), "the Pearland Fire Marshall may accept" an alternate method of achieving compliance.

Dennis Bailey (Builder) went to staff and they recommended talking to the Fire Marshall. Fire Marshall gave alternate and we agreed to comply. He said to sprinkle all 3 houses.

The Jamison Landing subdivision was originally plated in August 2007, with 7 additional lots. It was not completed and in 2010, the city required they take 60 lots and over out. At that time Reserve K was plated.

In 2013 part of Reserve K was plated for detention leaving a small area that no one wants to maintain.

The apartments next door desperately need a second access for emergency vehicles, so it is a good thing the streets have the ability to go through. Additionally, based on what the city and Fire Marshall said, we have sold 3 houses and spent \$20,000 in plans etc.

We believe with the variance we accomplish the intent of the code. We respectfully request the variance.

Sincerely,

Renee L. McGuire

A handwritten signature in black ink, appearing to read 'Renee McGuire', written over the printed name.

Section 3.2.6.2 Adequacy of Streets and Thoroughfares

- (a) **Responsibility for Adequacy of Streets and Thoroughfares.** The property owner shall assure that the subdivision is served by adequate streets and thoroughfares, and shall be responsible for the costs of rights-of-way and street improvements, in accordance with the following policies and standards, and subject to the City's cost participation policies on oversized facilities.
- (b) **General Adequacy Policy.** Every subdivision shall be served by improved streets and thoroughfares adequate to accommodate the vehicular, bicycle and pedestrian traffic to be generated by the development. Proposed streets shall provide a safe, convenient and functional system for traffic circulation; shall be properly related to the City's Thoroughfare Plan, road classification system, Comprehensive Plan and any amendments thereto; and shall be appropriate for the particular traffic characteristics of each development.
- (c) **Road Network.** New subdivisions shall be supported by a road network having adequate capacity, ingress/egress, and safe and efficient traffic circulation. The adequacy of the road network for developments of two hundred (200) or more dwelling units, or for developments generating two thousand (2,000) or more "one-way" trips per day, or for developments involving collector streets or thoroughfares not appearing on the City's adopted Thoroughfare Plan, shall be demonstrated by preparation and submission, prior to or along with the preliminary plat application, of a traffic impact analysis prepared in accordance with this Article 2, Division 8 (Traffic Impact Analysis), which takes into consideration the need to accommodate traffic generated by the development, land to be developed in common ownership and other developed property.
 - (1) In the event the property to be developed is intended as a phase in a larger development project, or constitutes a portion of the land to be ultimately developed, the City Engineer may require a demonstration of adequacy pursuant to this article for additional phases or portions of the property as a condition of approval for the proposed preliminary plat.
- (d) **Approach Roads and Access.** All subdivisions with sixty (60) or more lots must have at least two points of vehicular access (primarily for emergency vehicles), and must be connected with improved roadways to the City's improved thoroughfare and street system by one or more approach roads of the dimensions and standards hereinafter set forth. Requirements for dedication of right-of-way and improvement of approach roads may be increased depending upon the size or density of the proposed development, or if the need is demonstrated by traffic impact analysis.
 - (1) Points of vehicular access into subdivisions shall meet the requirements of the City's adopted Fire Code.
 - (2) The subdivision shall be designed to provide adequate emergency access for public safety vehicles. Each residential lot in the subdivision shall have a minimum frontage on a dedicated public street as required by applicable zoning, or twenty-five feet (25'), whichever is greater, unless other provisions have been authorized through planned development approval. Each non-residential lot shall have a minimum frontage on a dedicated public street as

ORDINANCE NO. 1211-2013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS, AMENDING CHAPTER 10, *FIRE PREVENTION AND PROTECTION*, OF THE CITY OF PEARLAND CODE OF ORDINANCES, AS IT MAY HAVE BEEN, FROM TIME TO TIME, AMENDED, TO AMEND ARTICLE III, ENTITLED *FIRE CODE*; HAVING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND A REPEALER CLAUSE; AND PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEARLAND, TEXAS:

Section 1. That Chapter 10, *Fire Prevention and Protection*, of the City of Pearland Code of Ordinances, is hereby amended to AMEND Article III, entitled *Fire Code*, to read as follows:

"ARTICLE III. FIRE CODE

10-46. Fire code adopted.

There is hereby adopted the "City of Pearland Fire Code," which shall consist of the International Fire Code, 2012 Edition, including appendices as published by the International Code Council, Inc. A copy of said code shall be maintained in the office of the city secretary.

10-47. Local amendments.

The fire code adopted in Section 10-46 is hereby modified as follows:

(a) The following provisions are added:

~~(1)~~ **106.4.1 No waiver.** The failure of the Pearland Fire Marshal to enforce any provision of the fire code shall in no case constitute or be deemed a waiver of the applicability of said provision or the authority of the Fire Marshal to enforce it.

(2) **106.4.2 Acceptable compliance alternative.** The Pearland Fire Marshal or his designee may accept an alternative method of achieving compliance with any provision of the fire code proposed by the owner or user of a facility, if in the Fire Marshal's judgment

**SECTION D107
ONE- OR TWO-FAMILY RESIDENTIAL
DEVELOPMENTS**

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family *dwelling units* where the number of *dwelling units* exceeds 30 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

Exceptions:

1. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the *International Fire Code*, access from two directions shall not be required.
2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

❖ This section requires that one- and two-family dwelling subdivisions with more than 30 dwellings have more than one fire apparatus access road into the development. The second access road is needed in case one access road for any reason becomes unusable. The two access roads must also be remote from one another as required by Section D104.3 to reduce the likelihood that both access roads would be compromised by a single fire or other emergency event.

Exception 1 states that when there are more than 30 dwelling units equipped throughout with an approved sprinkler system in accordance with NFPA 13, 13R or 13D, as applicable or approved, a second access road is not required. This recognizes the effectiveness and reliability of properly designed and installed automatic sprinkler systems in mitigating the need to have two access points.

Exception 2 requires approval by the fire code official any time a new house is constructed on an existing access road. Once the maximum number of dwelling units allowed by this section has been reached, no further development may occur unless the fire code official determines that there will be a future road connection that will prevent creation of an excessive dead-end situation with no means for apparatus turn-around. Such determination by the fire code official should consider the phased-development of an individual project or adjacent projects. Requiring evidence of legal agreements for specific future development would be prudent, especially in times of economic uncertainty. This gives the fire code official an opportunity to assess whether additional access is required in the interim.

**D108
REFERENCED STANDARDS**

ASTM	F 2200—05	Standard Specification for Automated Vehicular Gate Construction	D103.5
ICC	IFC—12	International Fire Code	D101.5, D107.1
UL	325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through February 2006	D103.5

Bibliography

The following resource materials were used in the preparation of the commentary for this appendix of the code.
 2009 *International Code Interpretations*. Washington, DC: International Code Council, 2009.

ORDINANCE NO. 1211-2010

- (19) **D103.6.1 Posting of fire lanes.** Fire access roads that are required to be marked shall have a minimum width of 24 feet and shall be posted on both sides as a fire lane.

10-48. Life safety code adopted.

NFPA 101, **Life Safety Code Handbook, 2006 edition**, is hereby adopted and incorporated herein and made a part of hereof for all intents and purposes, and shall apply for repairs, alterations, renovations, and maintenance of all commercial buildings and appurtenances thereto. A copy of said code shall be maintained in the office of the city secretary.

10-49. Local amendments.

The life safety code adopted in Section 10-48 is hereby modified to delete the following provisions in their entirety:

- (1) 12.3.5.1
(2) 24.3.5.1

10-50. Penalty for violation.

(a) Any person, firm or corporation who violates or fails to comply with the requirements or provisions of the City of Pearland Fire Code or the City of Pearland Life Safety Code, as herein adopted, shall be deemed guilty of a misdemeanor, and shall, upon conviction by a court of competent jurisdiction, be punished as provided in section 1-11 of this Code.

(b) In prosecutions under this section, the requirement that a culpable mental state be pled and proven by the state is hereby waived."

Section 2. That Article VI, *Fire Lanes*, of Chapter 10, *Fire Prevention and Protection*, of the City of Pearland Code of Ordinances, is hereby amended to AMEND Section 10-115, entitled *Parking Prohibited Within Fire Lane*, to read as follows:

"10-115. Parking prohibited within fire lane.

When signs are erected giving notice thereof, it shall be unlawful for the owner or operator of any motor vehicle to allow, cause or permit such vehicle to be parked within any fire lane hereafter designated by the fire marshal."

ORDINANCE NO. 1211

no more than one (1) enclosed trailer, 8' x 8' x 20' or 1280 ft.³, located on-site.

- (20) D103.6.1 Posting of fire lanes. Fire access roads that are required to be marked shall have a minimum width of 24 feet and shall be posted on both sides as a fire lane.
- (21) D107.1 One or two-family residential developments. Developments of one or two-family dwellings where the number of dwelling units exceeds sixty (60) shall be provided with a separate and approved fire apparatus access road, and shall meet the requirements of Section D104.3.

Exceptions:

- (1) Where there are 60 or more units on a single public or private access way and all dwelling units are protected by an approved residential sprinkler system, access from two directions shall not be required.
- (2) The number of dwelling units on a single fire apparatus access road shall not be increased unless fire access apparatus roads will be connected with future development, as determined by the fire code official.

10-48. Life safety code adopted.

NFPA 101, Life Safety Code Handbook, 2003 edition, is hereby adopted and incorporated herein and made a part of hereof for all intents and purposes, and shall apply for repairs, alterations, renovations, and maintenance of all commercial buildings and appurtenances thereto. A copy of said code shall be maintained in the office of the city secretary.

10-49. Penalty for violation.

(a) Any person, firm or corporation who violates or fails to comply with the requirements or provisions of the "City of Pearland Fire Code," as herein adopted, shall be deemed guilty of a misdemeanor, and shall, upon conviction by a court of competent jurisdiction, be punished as provided in section 1-11 of this Code.

(b) In prosecutions under this section, the requirement that a culpable mental state be pled and proven by the state is hereby waived."

DISCUSSION ITEMS

**ADJOURN
MEETING**