JOINT PUBLIC HEARING
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS,
MONDAY, DECEMBER 15, 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. 2014-21Z

A request of Alan Mueller, applicant; on behalf of Joe and Darlene Laney and John McMahan, owner; for approval of a zoning designation of Single Family - 1 (R-1) on approximately 32.3 acres of land, more specifically described as:

Legal Description: The East one half (1/2) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 84, H.T.& B.R.R. Survey, Abstract No. 538, Brazoria County, Texas and being the same land conveyed to B. Frank Wood by Jay C. Tulk by Deed dated April 11, 1955, Recorded in Volume 627, Page 278, Deed Records, Brazoria County, Texas and;

The West one half (1/2) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 84, H.T.& B.R.R. Survey, Abstract No. 538, called Tract No. 8, Brazoria County, Texas according to the recorded map or plat therof appearing of record in the office of the County Clerk of Galveston County, Texas and being the same land described from J.T. McMahan to R. D. McMahan, dated October 27, 1964, recorded in Volume 895, Page 22, Deed Records of Brazoria County, Texas and being that same 20 acres more or less, conveyed to John T. McMahan by R.D. McMahan and wife, Eunice McMahan, by Deed dated December 29, 1994, Filed of Record March 13, 2003, recorded under Brazoria County Clerks File No. 03 015336, and;

A 2.72 acre tract, being the remainder of two (2) 1.5 acre tracts, recorded in Volume (87) 403, Page 70 [Tract 1] and Volume (87) 403, Page 73 [Tract 2], of the Official Records of Brazoria County, Texas, out of the North ½ of the East ½ of the Southeast ¼ of the Northeast ¼ of section 84, of the H.T.& B. Railroad Company Survey, Abstract 538, Brazoria County, Texas.

General Location: West of County Road 48 and 2000 feet south of Broadway St., 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: December 15, 2014

Re: Zone Change Application Number 2014-21Z

A request of Alan Mueller, applicant; on behalf of Joe and Darlene Laney and John McMahan, owner; for approval of a zoning designation of Single Family - 1 (R-1) on approximately 32.3 acres of land, located West of County Road 48 and 2000 feet south of Broadway St., Pearland, TX

Proposal

The subject property includes approximately 32.3 acres of land; of which approximately 20 acres is currently zoned Residential Estate (RE) with the remaining 12 acres currently being within the City of Pearland's Extra Territorial Jurisdiction (ETJ) and is in the process of annexation. The applicant is requesting that the entire 32.3 acre parcel be zoned Single Family Residential – 1 (R-1). According to the applicant's letter of intent, the purpose of the requested change is to allow for a single family residential subdivision. The applicant is also seeking approval from the Planning and Zoning Commission of a Cluster Development Plan for this property. The Cluster Development Plan approval would allow for the developer to decrease the lot width from the required 80 feet down to a proposed mix of 60 and 55 foot wide lots.

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 for a zoning designation of R-1 for the approximately 32.3 acre site for the following reasons:

1. The change in zoning is in conformance with the Comprehensive Plan, as the requested zoning of R-1 complies with the Low Density Residential Land Use.
2. The subject parcel is adjacent to a single family subdivision on three sides which is of similar design and scope to the proposed development.
3. The proposed zone change should not have any negative impacts on the surrounding properties.
4. All requirements of the UDC 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

The subject property includes approximately 32.3 acres of land, of which approximately 20 acres is currently zoned Residential Estate (RE) with the remaining 12 acres currently being within the City of Pearland's Extra Territorial Jurisdiction (ETJ) and is in the process of annexation. The applicant is requesting that the entire 32.3 acre parcel be zoned Single Family Residential – 1 (R-1). According to the applicant's letter of intent, the purpose of the requested change is to allow for a single family residential subdivision. The applicant is also seeking approval from the Planning and Zoning Commission of a Cluster Development Plan for this property. The Cluster Development Plan approval would allow for the developer to decrease the lot width from the required 80 feet down to a proposed mix of 60 and 55 foot wide lots.

Site History

The subject property includes a total of 32.3 acres of mostly undeveloped land. Approximately 20 acres of land is currently within the city limits and zoned RE. The remainder (along County Road 48) is in the process of annexation.

The site is surrounded by residential zoning (PD – R2) to the north, east, and west. The property to the south is currently outside of the city limits. The majority of this property appears to be used for large lot residential purposes.

The below table identifies surrounding uses and zoning districts:

	Zoning	Land Use
North	Planned Development – Residential (Southern Trails)	Single Family Residential Subdivision
South	Extra Territorial Jurisdiction (ETJ)	Large Lot Residential
East	Planned Development – Residential (Southern Trails)	Single Family Residential Subdivision
West	Planned Development – Residential (Southern Trails)	Single Family Residential Subdivision

Conformance with the Unified Development Code

The property is currently partially developed with a few single family structures located in the portion outside of the city limits along CR 48. The applicant will be seeking approval from the Planning and Zoning Commission of a Cluster Development Plan that will allow them to reduce the required lots width of each individual lot to a mix of 60 and 55 foot wide lots from the required 80 foot width. All other requirements of the UDC will need to be met upon development of the site.

Conformance with the Comprehensive Plan

The proposed zoning R-1 on the subject property is in conformance with the future land use designation of the Comprehensive Plan which is "Low Density Residential."

Conformance with the Thoroughfare Plan

The property has frontage on County Road 48 (Kingsley Drive); a major thoroughfare of with a required width of 120 feet of right-of-way. Additional right-of-way may need to be acquired during the platting process. Internal local roads, constructed to city standards, will be built by the developer in order to access the residential subdivision. The proposed roads will require a minimum right-of-way of 50 feet.

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 does not currently have access to public infrastructure. Water and sewer lines will need to be extended by the developer in order to serve the subject property.

Impact on Existing and Future Development

The R-1 zone would be considered appropriate for this section of CR 48 (Kingsley) due to the existing surrounding uses and based on the future land use plan. The subject property is in conformance with the existing Southern Trails Planned Development that is adjacent to it on the north, east and west. During the platting process, a Traffic Impact Analysis may be required. This would determine if any improvements will be required to be constructed by the developer to CR 48. Overall, the proposed plan is in conformance with the surrounding land uses and is not anticipated to have a negative impact on the general area.

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 for a zoning designation of R-1 for the approximately 32.3 acre site for the following reasons:

1. The change in zoning is in conformance with the Comprehensive Plan, as the requested zoning of R-1 complies with the Low Density Residential Land Use.
2. The subject parcel is adjacent to a single family subdivision on three sides which is of similar design and scope to the proposed development.
3. The proposed zone change should not have any negative impacts on the surrounding properties.
4. All requirements of the UDC will be met upon development of the site.

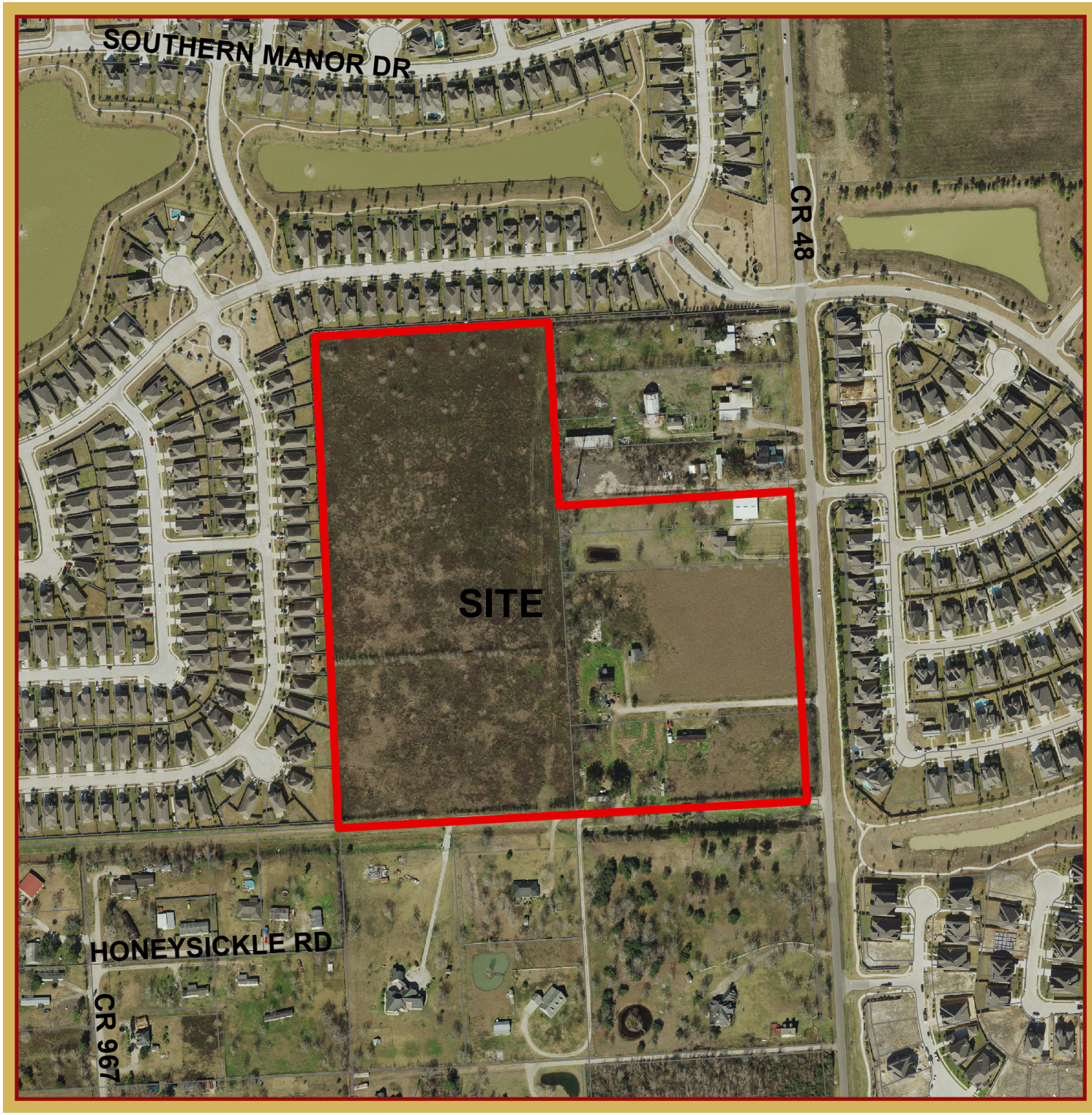


Exhibit 2

AERIAL MAP

Zone Change 2014-21Z

West of CR 48

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

N

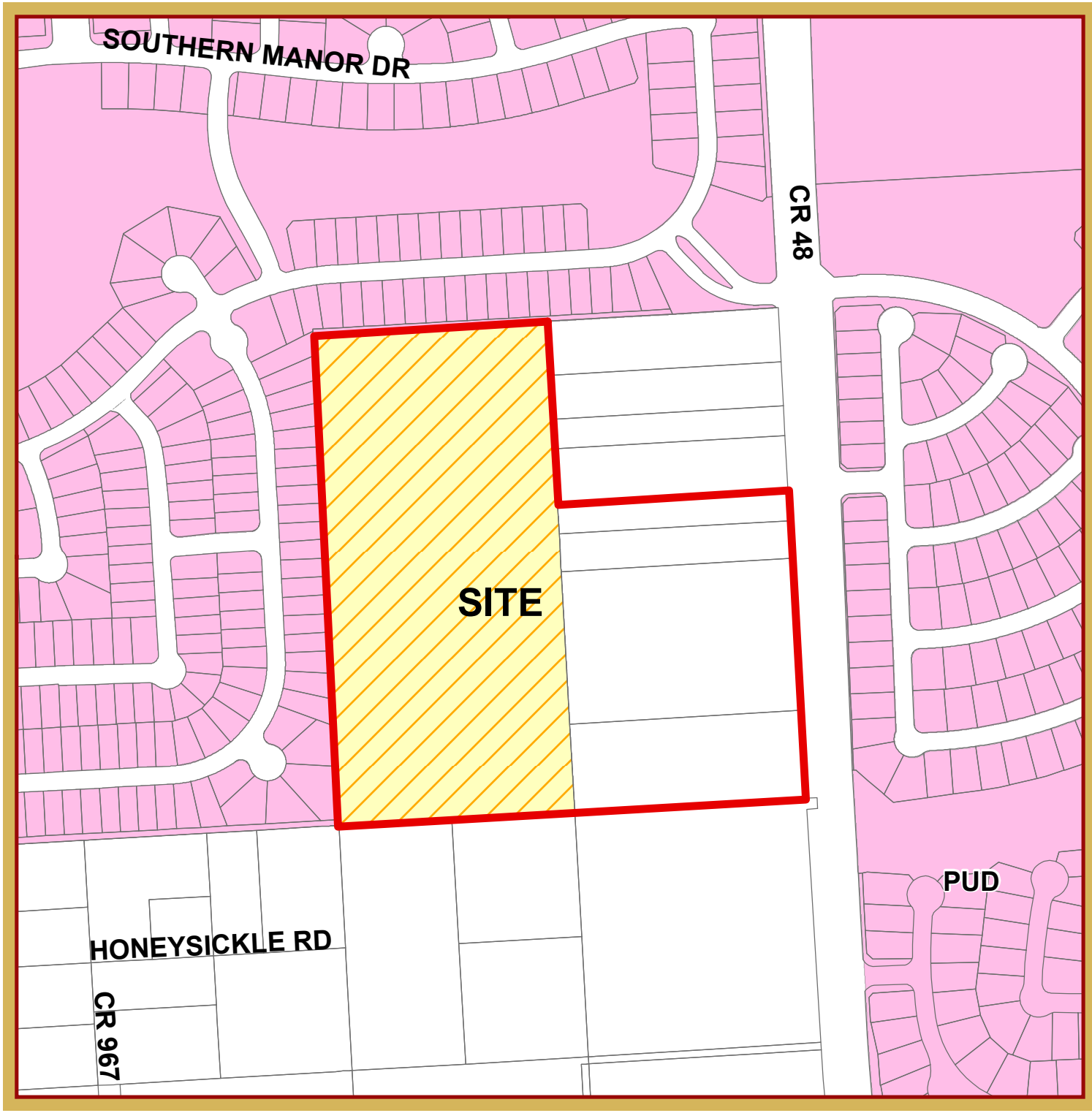


Exhibit 3

ZONING MAP

Zone Change 2014-21Z

West of CR 48

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

N

Exhibit 4

FLUP MAP

Zone Change 2014-21Z

West of CR 48

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

N

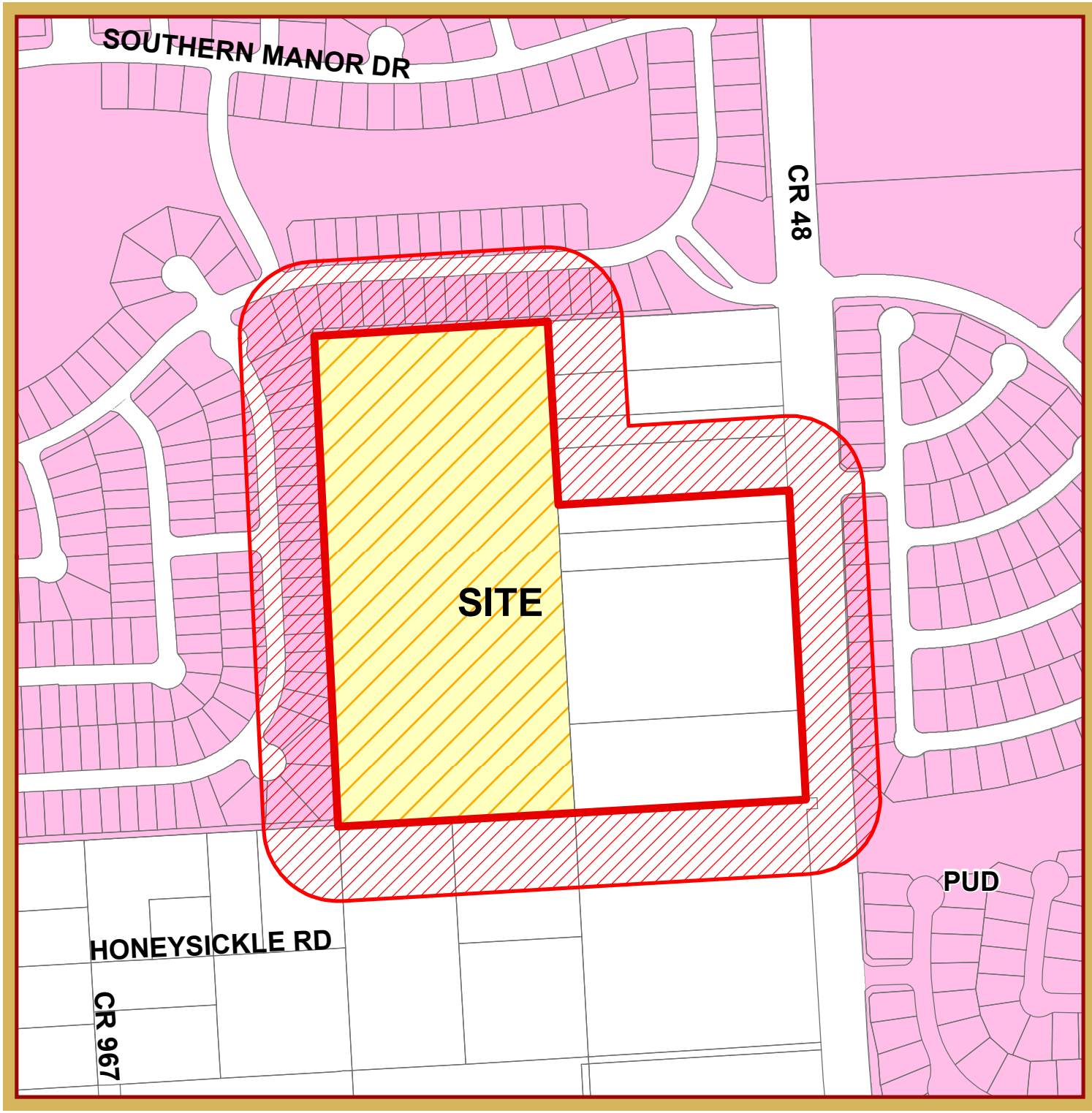


Exhibit 5

NOTIFICATION MAP

Zone Change 2014-21Z

West of CR 48

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

N

Owner	Address	City	State
SPEZIALE MICHAEL	12804 SOUTHERN VALLEY DR	PEARLAND	TX
TULLIS STEPHANIE D	12913 SOUTHERN VALLEY DR	PEARLAND	TX
WASHINGTON TIFFANY R	3302 ORCHARD MILL LN	PEARLAND	TX
DOWSON THOMAS E	3214 ORCHARD MILL LN	PEARLAND	TX
BURKS JOHN & MARY	3219 TRAIL HOLLOW DR	PEARLAND	TX
SNOOK MELANIE A	3512 DESERT MESA RD	ROANOKE	TX
STODDARD GROUP LTD	14040 WELCH RD	DALLAS	TX
SUELLO SHEILA B	12912 SOUTHERN VALLEY DR	PEARLAND	TX
HUCKABY FRANCINE	12910 SOUTHERN VALLEY DR	PEARLAND	TX
WANG JOANNA HOPE	12902 SOUTHERN VALLEY DR	PEARLAND	TX
AUGUST ERIN	12906 SOUTHERN VALLEY DR	PEARLAND	TX
PALMER DEBRA	12904 SOUTHERN VALLEY DR	PEARLAND	TX
WANG JOANNA HOPE	12902 SOUTHERN VALLEY DR	PEARLAND	TX
ATCHISON MARTIN V III	12818 SOUTHERN VALLEY DR	PEARLAND	TX
JESSIE ADRIANNE J	12816 SOUTHERN VALLEY DR	PEARLAND	TX
LANDRUM STEPHEN	3215 TRAIL HOLLOW DR	PEARLAND	TX
VU NGUYEN T & LUU T BUI	12814 SOUTHERN VALLEY DR	PEARLAND	TX
VARNER KELLI	12812 SOUTHERN VALLEY DR	PEARLAND	TX
BONNEY DIANNE	30329 VALLEY CENTER RD	VALLEY CENTER	CA
VUONG DANNY D	12808 SOUTHERN VALLEY DR	PEARLAND	TX
TURNER NATASHA	12911 SOUTHERN VALLEY DR	PEARLAND	TX
AKANU STANLEY O	12909 SOUTHERN VALLEY DR	PEARLAND	TX
GARRIS PAUL & JEANA	12907 SOUTHERN VALLEY DR	PEARLAND	TX
DAVI ANTHONY J	12905 SOUTHERN VALLEY DR	PEARLAND	TX
RUBERG KEITH P	12903 SOUTHERN VALLEY DR	PEARLAND	TX
GILLESPIE JOSEPH JR	12901 SOUTHERN VALLEY DR	PEARLAND	TX
NUANJING CHATUPORN	12811 SOUTHERN VALLEY DR	PEARLAND	TX
SCHMIDL WILLIAM & XIA LAI	3408 CROSSBRANCH CT	PEARLAND	TX
HOANG HOAN & LOAN KIEU	12805 SOUTHERN VALLEY DR	PEARLAND	TX
MARTIN COURTNEY LYNN	12803 SOUTHERN VALLEY DR	PEARLAND	TX
ZAPATA MARIA	2714 COUNTY ROAD 48	ROSHARON	TX
VASQUEZ JOHN G & YOLANDA	2330 COUNTY ROAD 48	ROSHARON	TX
MHI PARTNERSHIP LTD	7676 WOODWAY DR	HOUSTON	TX
MARTINEZ MARLA BEATRIZ	3310 ORCHARD MILL LN	PEARLAND	TX
ASHIT MOHANLAL	3306 ORCHARD MILL LN	PEARLAND	TX
PORRAS MARICOR TEOLOGO	3304 ORCHARD MILL LN	PEARLAND	TX
SNEARL ALICIA WILLIAMS	3308 ORCHARD MILL LN	PEARLAND	TX
KOLAY SUBRATA & SHARMISTHA	12904 TRAIL HOLLOW CT	PEARLAND	TX
WOODARD YALE	12905 TRAIL HOLLOW CT	PEARLAND	TX
MONTALVO LORINDA	3315 TRAIL HOLLOW DR	PEARLAND	TX
BROWN FRANKLIN E	3316 TRAIL HOLLOW DR	PEARLAND	TX
ROSS SUSAN	3313 TRAIL HOLLOW DR	PEARLAND	TX
NIETO ROMAN SR & HORTENCIA	3311 TRAIL HOLLOW DR	PEARLAND	TX

SCHIELD MELVIN R	2342 COUNTY ROAD 48	ROSHARON	TX
MCMAHAN JOHN T	6 HUNTERS RIDGE CT	HOUSTON	TX
TRAN BANG VAN	10015 GIL JR LN	HOUSTON	TX
PENNING DUANE E	3309 TRAIL HOLLOW DR	PEARLAND	TX
WATERS LACY ANN	3307 TRAIL HOLLOW DR	PEARLAND	TX
SMITH DUSTIN D & LAUREN E	3305 TRAIL HOLLOW DR	PEARLAND	TX
LAVALLAIS KIMBERLEY M	3303 TRAIL HOLLOW DR	PEARLAND	TX
BATISTE ERICA	3301 TRAIL HOLLOW DR	PEARLAND	TX
PETTWAY CIARA	3221 TRAIL HOLLOW DR	PEARLAND	TX
MCMAHAN JOHN T	6 HUNTERS RIDGE CT	HOUSTON	TX
FEARNO CHARLOTTE	3217 TRAIL HOLLOW DR	PEARLAND	TX
PILLAI SIVADASAN	3208 TRAIL HOLLOW DR	PEARLAND	TX
POOLE RANDE & ELIZABETH	3209 TRAIL HOLLOW DR	PEARLAND	TX
STEPHENS SAMUEL R	3207 TRAIL HOLLOW DR	PEARLAND	TX
PANJWANI ABDUL G	3205 TRAIL HOLLOW DR	PEARLAND	TX
SHEN MINAN & SHAOBO WANG	1676 COOPER RD	SCOTCH PLAINS	NJ
SITAULA SANTOSH	3203 TRAIL HOLLOW DR	PEARLAND	TX
NGUYEN ALICE	3201 TRAIL HOLLOW DR	PEARLAND	TX
TANOUS DAVID K & TIFFANY M	12918 SOUTHERN VALLEY DR	PEARLAND	TX
WALKER QUENTIN	12916 SOUTHERN VALLEY DR	PEARLAND	TX
HORAK STEVEN G	2515 COUNTY ROAD 5	WEST COLUMBIA	TX
DELEON ARTHUR & ALICIA B	12806 SOUTHERN VALLEY DR	PEARLAND	TX
FRASER AMY S	3320 ORCHARD MILL LN	PEARLAND	TX
YARBROUGH SEAN P	3322 ORCHARD MILL LN	PEARLAND	TX
SCHIELD MELVIN R & DIANNA L	2342 COUNTY ROAD 48	ROSHARON	TX
ARCHER CONNIE	3314 TRAIL HOLLOW DR	PEARLAND	TX
RICHARDSON TIFFANY	3312 TRAIL HOLLOW DR	PEARLAND	TX
WERTZ SCOTT G & LAURA M	3310 TRAIL HOLLOW DR	PEARLAND	TX
SMITH ROY ALLEN & JANICE	3308 TRAIL HOLLOW DR	PEARLAND	TX
TAYLOR CHRISTOPHER EUGENE	3306 TRAIL HOLLOW DR	PEARLAND	TX
JOHNSON CHAD P & LIESL P	3304 TRAIL HOLLOW DR	PEARLAND	TX
ALLUMS KIMBERLY K	3216 TRAIL HOLLOW DR	PEARLAND	TX
VALDEZ SANDRA	3214 TRAIL HOLLOW DR	PEARLAND	TX
HASTINGS DAVID & BILLISHA	3206 TRAIL HOLLOW DR	PEARLAND	TX
PALACIOS JOSE & ELVIA	3204 TRAIL HOLLOW DR	PEARLAND	TX
BROOKS RICKIE	3302 TRAIL HOLLOW DR	PEARLAND	TX
BRAZORIA COUNTY MUD #34	3200 SOUTHWEST FWY	HOUSTON	TX

Zip
77584
77584
77584
77584
77584
76262
75244
77584
77584
77584
77584
77584
77584
77584
77584
77584
77584
77584
92082
77584
77584
77584
77584
77584
77584
77584
77584
77581
77584
77584
77583
77583
77063
77584
77584
77584
77584
77584
77584
77584
77584
77584
77584

77583
77024
77075
77584
77584
77584
77584
77584
77584
77024
77584
77584
77584
77584
77584
7076
77584
77584
77584
77584
77486
77584
77584
77584
77583
77584
77584
77584
77584
77584
77584
77584
77584
77584
77584
77584
77584
77027

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

APPLICATION FOR A CHANGE IN ZONING

RECEIVED NOV 14 2014

Current Zoning District: NA - ETJ Annexation in Progress

Proposed Zoning District: R-1

Property Information:

Address or General Location of Property: 9.5651 Acres - West of CR. 48 Approximately 2000' South of Broadway

Tax Account No. 0538-0012-000 & 0538-0012-120

Subdivision: HTBRR Abstract 538 Lot: Tracts 9 & 9A Block:

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

PROPERTY OWNER INFORMATION:

NAME Joe R. Laney & Darlene Laney
ADDRESS 2018 Mustang Lane
CITY Rosharon STATE TX ZIP 77583
PHONE (832) 643-3251
FAX (713) 970-1018
E-MAIL ADDRESS jessicapalmer4@gmail.com

APPLICANT/AGENT INFORMATION:

NAME Alan Mueller
ADDRESS 4201 Broadway
CITY Pearland STATE TX ZIP 77581
PHONE (281) 412-9210
FAX (281) 412-9060
E-MAIL ADDRESS alan@gromaxtexas.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: Joe R. Laney Darlene Laney Date: 10-24-14

Agent's/Applicant's Signature: Al R Mueller Date: 10/6/14

OFFICE USE ONLY:

FEES PAID: $25.00	DATE PAID: 11.14.14	RECEIVED BY: JM	RECEIPT NUMBER: 44540

Application No. 2014-217

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

APPLICATION FOR A CHANGE IN ZONING

Current Zoning District: RE

Proposed Zoning District: R1

Property Information:

Address or General Location of Property: 20 Acres - West of C.R. 48
Approximately 2,000' south of Broadway

Tax Account No. 0538-0006-000

Subdivision: HTBRR Abstract 538 Lot: Tract 8 Block:

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

PROPERTY OWNER INFORMATION:

NAME John T. McMahan
ADDRESS 1980 Postoak Blvd Suite 1101
CITY Houston STATE TX ZIP 77056
PHONE (713) 552-1101
FAX (713) 970-1018
E-MAIL ADDRESS srobinson@ardentrealtygroup.com

APPLICANT/AGENT INFORMATION:

NAME Alan Mueller
ADDRESS 4201 Broadway
CITY Pearland STATE TX ZIP 77581
PHONE (281) 412 9210
FAX (281) 412 9060
E-MAIL ADDRESS alan@gromaxtexas.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: 11/12/2014

Agent's/Applicant's Signature: Date: 10/6/14

OFFICE USE ONLY:

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

Application No.

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

APPLICATION FOR A CHANGE IN ZONING

Current Zoning District: NA -ETJ Annexation in Progress

Proposed Zoning District: R1

Property Information:

Address or General Location of Property: 2.72 Acres - West of C.R. 48
Approximately 2000' south of Broadway

Tax Account No. 0538-0012-150 and 0538-0012-160

Subdivision: HTBRR Abstract 538 Lot: Tracts 9C2 & 9C2A Block:

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

PROPERTY OWNER INFORMATION:

NAME John T. McMahan
ADDRESS 1980 Postoak Blvd, Suite 1101
CITY Houston STATE TX ZIP 77056
PHONE(713) 552-1101
FAX(713) 970-1018
E-MAIL ADDRESS srobinson@ardentrealtygroup.com

APPLICANT/AGENT INFORMATION:

NAME Alan Mueller
ADDRESS 4201 Broadway
CITY Pearland STATE TX ZIP 77581
PHONE(281) 412 9210
FAX(281) 412 9060
E-MAIL ADDRESS alan@gromartexas.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: 11/12/2014

Agent's/Applicant's Signature: Date: 10/6/14

OFFICE USE ONLY:

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

Application No.

Date 10/24/14

City of Pearland
3519 Liberty Dr.
Pearland TX 77581

RE: Zoning Representation

To Whom It May Concern:

The undersigned affirms that we are the owners of a 9.5651-acre tract of land (Tax ID 0538-0012-000 and 0538-0012-120) on the west side of County Road 48 approximately 2,000 feet south of Broadway. We hereby authorize Gromax Development, principally represented by Alan Mueller, to act on our behalf in the rezoning and cluster plan applications on said tracts. This representation may be withdrawn at any point prior to final approval of the rezoning by the city of Pearland.

Sincerely,

Joe R. Laney

Joe R. Laney
2018 Mustang Lane
Rosharon TX 77583

Darlene Laney

Darlene Laney 10-24-14
2018 Mustang Lane
Rosharon TX 77583

Laney

EXHIBIT "A"

Being the South one half (1/2) of the following described tract:

The East one half (1/2) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of Section 84, H.T. & B.R.R. Survey, Abstract No. 538, Brazoria County, Texas, and being the same land conveyed to B. Frank Wood by Jay C. Tulk by Deed dated April 11, 1955, recorded in Volume 627, Page 278, Deed Records, Brazoria County, Texas.

Save and Except: Being a 0.4349 acre parcel of land, out of the H.T. & B.R.R. Survey, Abstract No. 538, Brazoria County, Texas, being described in deed recorded in County Clerk's File No. 2007028839, Official Public Records, Brazoria County, Texas.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

ZONE CHANGE/ VARIANCE/[redacted] RECORDATION

$825.00 (circle one) **BA** or [redacted] or **FE**

Description: ***Input who the check is from***

COMMENTS/DESCRIPTION (F10):

Location or Address CR48 Zone Change

Applicant _____

Owner Alan Muellar

CITY OF PEARLAND
REPRINT
*** CUSTOMER RECEIPT ***

Oper: AGONZALES Type: OC Drawer: 1
Date: 11/17/14 01 Receipt no: 44540

Description	Quantity	Amount
BA	BOARD OF ADJUSTMENTS 1.00	$825.00
Trans number:		4657216

ZONE CHANGE
CR 48
ALAN MUELLAR

Tender detail	
BR CREDIT CARD	$825.00
Total tendered	$825.00
Total payment	$825.00

Trans date: 11/14/14 Time: 16:28:03

EXHIBIT "A"

McMahan

TRACT 1:

THE WEST ONE-HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 84, H.T. & B. SURVEY, ABSTRACT NO. 538, CALLED TRACT NO. 8, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE RECORDED MAP OR PLAT THEREOF APPEARING OF RECORD IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS, AND BEING THE SAME LAND DESCRIBED FROM J. T. MCMAHAN TO R.D. MCMAHAN, DATED OCTOBER 27, 1964, RECORDED IN VOLUME 895, PAGE 22, DEED RECORDS OF BRAZORIA COUNTY, TEXAS, AND BEING THAT SAME 20 ACRES, MORE OR LESS, CONVEYED TO JOHN T. MCMAHAN BY R.D. MCMAHAN AND WIFE, EUNCIE MCMAHAN, BY DEED DATED DECEMBER 29, 1994, FILED OF RECORD MARCH 13, 2003, RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE NO. 03 015336 (BR 2003015336).

TRACT 2:

A 2.72 ACRE TRACT, BEING THE REMAINDER OF TWO (2) 1 .50 ACRE TRACTS, RECORDED IN VOLUME (87) 403, PAGE 70 [TRACT 1] AND VOLUME (87) 403, PAGE 73 [TRACT 2], OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, OUT OF THE NORTH 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 84, OF THE H. T. & B. RAILROAD COMPANY SURVEY, ABSTRACT 538, BRAZORIA COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A 5/8" IRON ROD FOUND IN THE EAST LINE OF THE JOHN T. MCMAHAN TRACT, RECORDED IN B.C.C.F. NO. 03-015336, MARKING THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT AND THE NORTHWEST CORNER OF THE JOE R. LANEY, ET UX TRACT, RECORDED IN VOLUME 1310, PAGE 260, OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS.

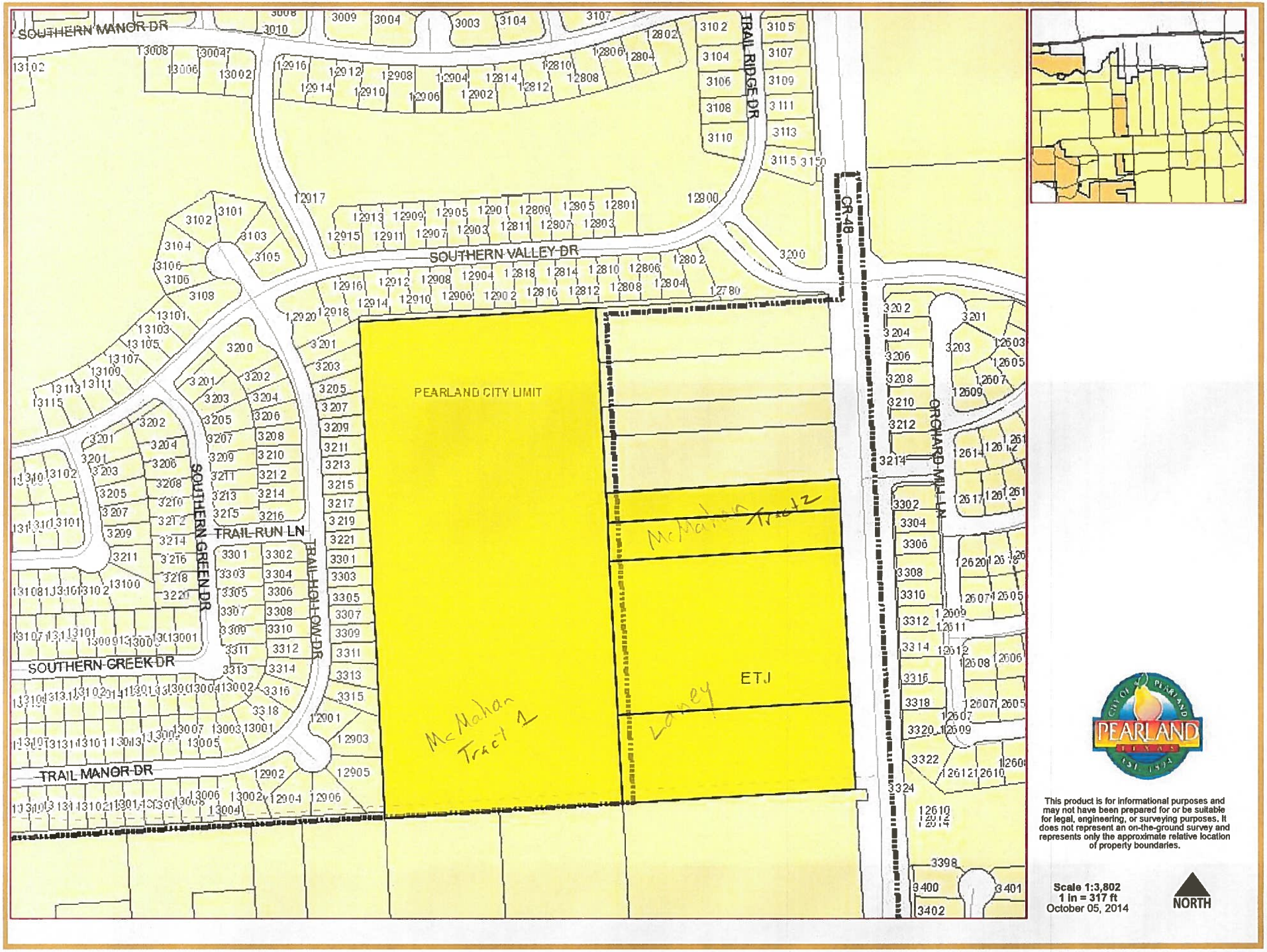
THENCE N. 01° 19' 04" W., WITH THE COMMON LINE OF HEREIN DESCRIBED TRACT AND SAID MCMAHAN TRACT, A DISTANCE OF 198.00' TO A 5/8" IRON ROD W/ "RPLS 1718" CAP SET, MARKING THE NORTHWEST CORNER OF HEREIN DESCRIBED TRACT AND THE SOUTHWEST CORNER OF THE MELVIN R. SCHIELD, ET UX TRACT, RECORDED IN VOLUME (86) 364, PAGE 974, OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS.

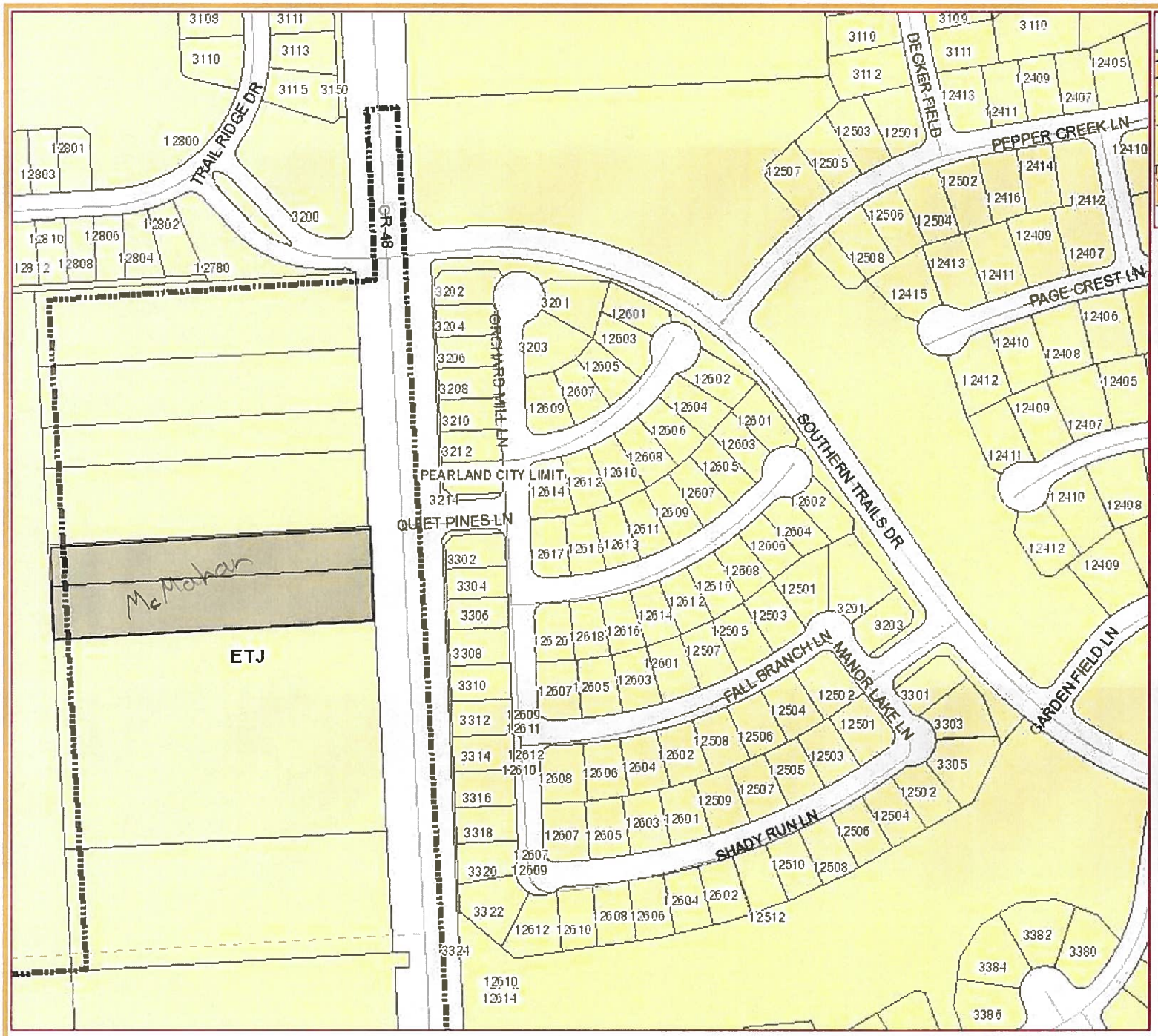
THENCE N. 88° 48' 47" E., WITH THE COMMON LINE OF HEREIN DESCRIBED TRACT AND SAID SCHIELD TRACT, A DISTANCE OF 600.00' TO A 5/8" IRON ROD W/ "RPLS 1718" CAP SET IN THE WEST R.O.W. LINE OF 120' COUNTY RD. 48, MARKING THE NORTHEAST CORNER OF HEREIN DESCRIBED TRACT, THE NORTHWEST CORNER OF A 30' R.O.W. GRANTED TO BRAZORIA COUNTY, RECORDED IN B.C.C.F. NO. 12-026896 AND THE SOUTHEAST CORNER OF SAID SCHIELD TRACT.

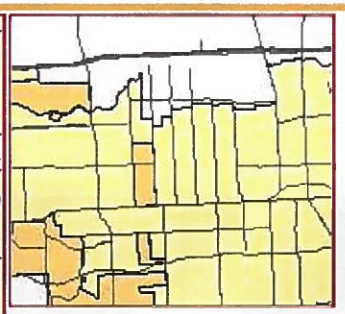
THENCE S. 01° 19' 04" E., ALONG THE WEST R.O.W. LINE OF SAID COUNTY RD. 48, A DISTANCE OF 198.00' TO A 5/8" IRON ROD W/ "RLPS 1718" CAP SET, MARKING THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT, THE SOUTHWEST CORNER OF SAID 30' R.O.W. AND THE NORTHEAST CORNER OF SAID LANEY TRACT.

THENCE S. 88° 48' 47" W., WITH THE COMMON LINE OF HEREIN DESCRIBED TRACT AND SAID LANEY TRACT, A DISTANCE OF 600.00' TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT, CONTAINING 2.72 ACRES OF LAND.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.


SOUTHERN MANOR DR
TRAIL RIDGE DR
SOUTHERN VALLEY DR
CR 48
ORCHARD MILL LN
PEARLAND CITY LIMIT
McMahan Tract 2
ETJ
Laney
McMahan Tract 1
SOUTHERN GREEN DR
TRAIL RUN LN
TRAIL HOLLOW DR
SOUTHERN CREEK DR
TRAIL MANOR DR
PEARLAND
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.
Scale 1:3,802
1 in = 317 ft
October 05, 2014
NORTH

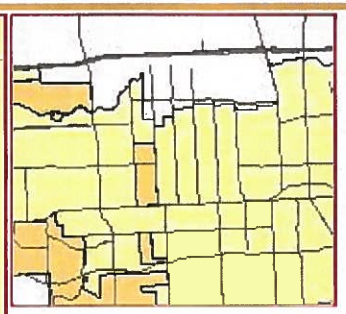




This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Scale 1:3,105
1 in = 259 ft
July 23, 2014

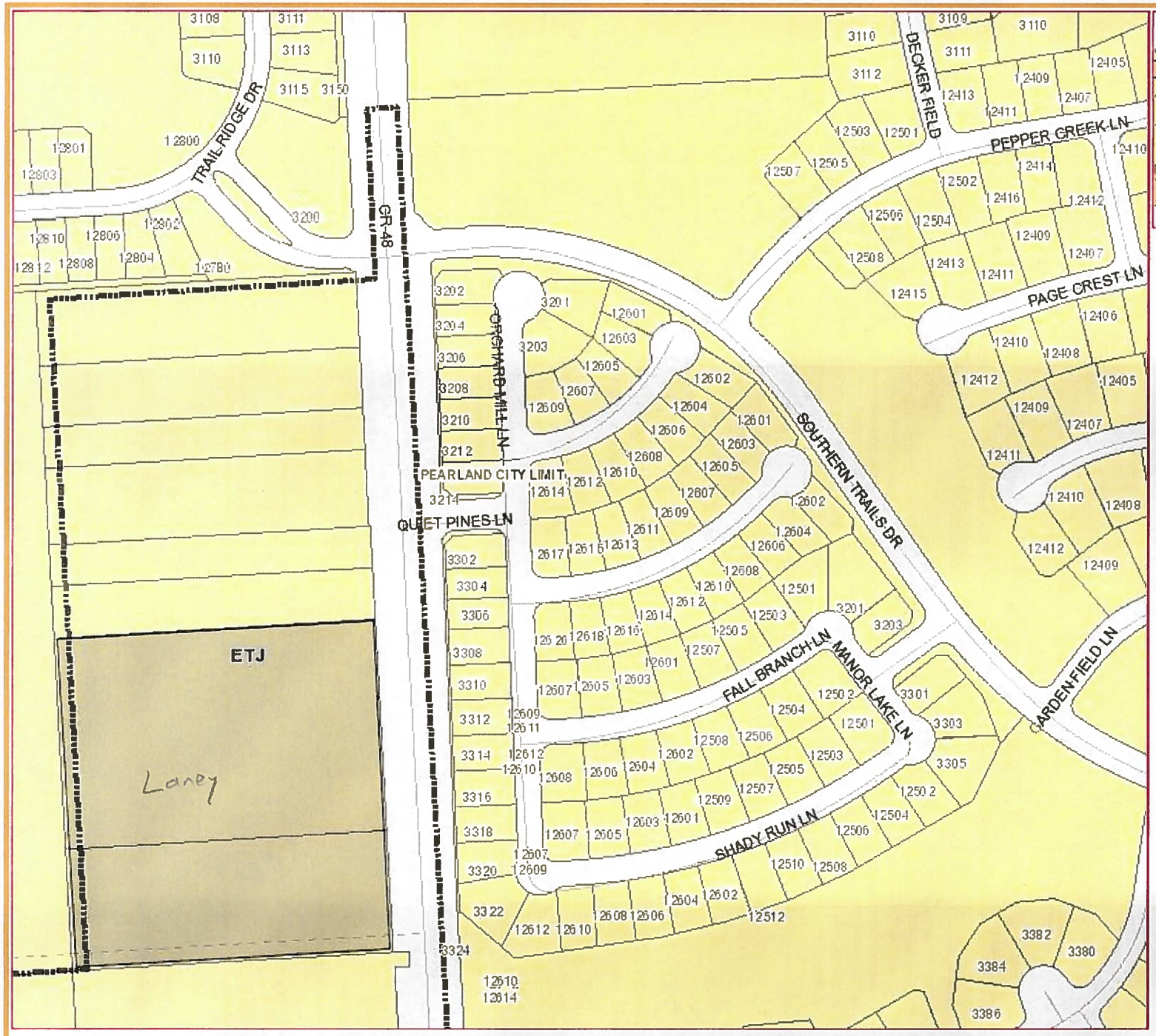
NORTH

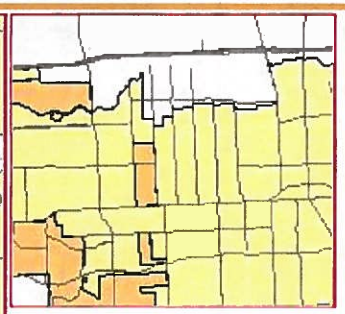


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Scale 1:5,070
1 in = 423 ft
October 03, 2014

NORTH





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.

Scale 1:3,105
1 in = 259 ft
July 23, 2014

NORTH

Zoning Letter of Intent
West side of County Road 48 – Approximately 2,000 feet south of Broadway

Intent:
The owners of the property desire to sell the property to a homebuilder for construction of a residential subdivision. The proposed zoning is R-1. The property consists of three parcels of 20 acres, 9.651 acres, and 2.72 acres, totaling 32.3 acres per tax records; however, due to recent right of way purchases by Brazoria County, the current survey indicates a total of 31.127 acres.

A portion of the property is currently within the city limits and the balance is currently undergoing an annexation process. Concurrent with this rezoning request, the applicants are submitting a cluster plan application covering the entire 31.1-acre parcel. The cluster plan reflects a mix of 55' x 125' and 60' x 125' lots with a central amenitized detention pond lake, fountain, trails, a park, a playground, and other features.

Justification/Support:
The portion of the property currently within the city limits is zoned RE. The future land use plan depicts this area of the city as low density residential. R-1 is consistent with the goals of the low density residential category and should, therefore, be approved.

Further, the proposed development will be consistent with the quality and scale of the adjacent Southern Trails community. The existing Southern Trails lots to the north and west of the tract are 50' and 55' in width; the lots to the east of County Road 48 are 60' in width. As a condition of annexation into the Southern Trails MUD, the builder has agreed to meet or exceed the Southern Trails single family deed restrictions and design guidelines.

Summary/Conclusion:
The proposed development supported by this zone change meets a critical housing need and is consistent with the comprehensive plan. The proposed cluster plan will ensure a level of quality and amenities consistent with or exceeding adjacent communities and will meet the City's goals for high quality residential development.

TAX CERTIFICATE

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

Issued To:
GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND , TX 77581

Legal Description
A0538 H T & B R R TRACT 9 ACRES 5.9166

Fiduciary Number: 1474828

Parcel Address: COUNTY ROAD 48
Legal Acres: 5.9166

<--- ---->

Account Number: **0538-0012-000**

Certificate No: 223440533
Certificate Fee: $10.00

Print Date: 10/06/2014
Paid Date: 10/06/2014
Issue Date: 10/06/2014
Operator ID: STAC

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2013. TAXES THRU 2013 ARE PAID IN FULL. TAXES HAVE NOT BEEN CREATED FOR YEAR(S): 2014.

Exemptions:

Certified Owner:
LANEY JOE R
2018 MUSTANG LN
ROSHARON , TX 77583-2326

2013 Value:	137,640
2013 Levy:	$2,996.24
2013 Levy Balance:	$0.00
Prior Year Levy Balance:	$0.00
Total Levy Due:	$0.00
P&I + Attorney Fee:	$0.00
Total Amount Due:	$0.00

Certified Tax Unit(s):
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
27 ALVIN ISD
46 ALVIN COMMUNITY COLLEGE
54 BRAZORIA DRAINAGE DIST 4

Reference (GF) No: N/A

Issued By: Stacy Wade
RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

delinquent_tax_certificate.rdf v1.78

TAX CERTIFICATE

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

Issued To:
GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND , TX 77581

Legal Description
A0538 H T & B R R TRACT 9A ACRES 3.6485

Fiduciary Number: 1474828

Parcel Address: 2710 COUNTY ROAD 48
Legal Acres: 3.6485

<--- ---->

Account Number: **0538-0012-120**

Certificate No: 223440534
Certificate Fee: $10.00

Print Date: 10/06/2014
Paid Date: 10/06/2014
Issue Date: 10/06/2014
Operator ID: STAC

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2013. TAXES THRU 2013 ARE PAID IN FULL. TAXES HAVE NOT BEEN CREATED FOR YEAR(S): 2014.

Exemptions:

Certified Owner:
LANEY JOE R
2018 MUSTANG LN
ROSHARON , TX 77583-2326

2013 Value:	73,510
2013 Levy:	$1,600.23
2013 Levy Balance:	$0.00
Prior Year Levy Balance:	$0.00
Total Levy Due:	$0.00
P&I + Attorney Fee:	$0.00
Total Amount Due:	$0.00

Certified Tax Unit(s):
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
27 ALVIN ISD
46 ALVIN COMMUNITY COLLEGE
54 BRAZORIA DRAINAGE DIST 4

Reference (GF) No: N/A

Issued By: Stacy Wade
RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

TAX CERTIFICATE

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

Issued To:
GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND , TX 77581

Legal Description
A0538 H T & B R R, TRACT 8, ACRES 20.000

Fiduciary Number: 1474828

Parcel Address: COUNTY ROAD 48 OFF
Legal Acres: 20.0000

<--- ---->

Account Number: **0538-0006-000**

Certificate No: 223440529
Certificate Fee: $10.00

Print Date: 10/06/2014
Paid Date: 10/06/2014
Issue Date: 10/06/2014
Operator ID: STAC

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2013. TAXES THRU 2013 ARE PAID IN FULL. TAXES HAVE NOT BEEN CREATED FOR YEAR(S): 2014.

Exemptions:
OPEN SPACE 1-D-1

Certified Owner:
MCMAHAN JOHN T
6 HUNTERS RIDGE CT
HOUSTON , TX 77024-7634

2013 Value:	187,500
2013 Levy:	$63.39
2013 Levy Balance:	$0.00
Prior Year Levy Balance:	$0.00
Total Levy Due:	$0.00
P&I + Attorney Fee:	$0.00
Total Amount Due:	$0.00

Certified Tax Unit(s):
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
27 ALVIN ISD
46 ALVIN COMMUNITY COLLEGE
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

DUE TO ITS ASSIGNED USAGE, THE ABOVE LEGAL PROPERTY MAY HAVE RECEIVED SPECIAL VALUATION, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL VALUATION.

Reference (GF) No: N/A

Issued By: Stacy Wade
RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

delinquent_tax_certificate.rdf v1.78

TAX CERTIFICATE

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

Issued To:
GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND , TX 77581

Legal Description
A0538 H T & B R R, TRACT 9C2, ACRES 1.360

Fiduciary Number: 1474828

Parcel Address: 2406 COUNTY ROAD 48
Legal Acres: 1.3600

<--- ---->

Account Number: **0538-0012-150**

Certificate No: 223440530
Certificate Fee: $10.00

Print Date: 10/06/2014
Paid Date: 10/06/2014
Issue Date: 10/06/2014
Operator ID: STAC

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2013. TAXES THRU 2013 ARE PAID IN FULL. TAXES HAVE NOT BEEN CREATED FOR YEAR(S): 2014.

Exemptions:

Certified Owner:
MCMAHAN JOHN T
6 HUNTERS RIDGE CT
HOUSTON , TX 77024-7634

2013 Value:	114,150
2013 Levy:	$2,484.90
2013 Levy Balance:	$0.00
Prior Year Levy Balance:	$0.00
Total Levy Due:	$0.00
P&I + Attorney Fee:	$0.00
Total Amount Due:	$0.00

Certified Tax Unit(s):
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
27 ALVIN ISD
46 ALVIN COMMUNITY COLLEGE
54 BRAZORIA DRAINAGE DIST 4

Reference (GF) No: N/A

Issued By: Stacy Wade
RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

delinquent_tax_certificate.rdf v1.78

TAX CERTIFICATE

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

Issued To:
GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND , TX 77581

Legal Description
A0538 H T & B R R, TRACT 9C2A, ACRES 1.360

Fiduciary Number: 1474828

Parcel Address: 2402 COUNTY ROAD 48
Legal Acres: 1.3600

<--- ---->

Account Number: **0538-0012-160**

Certificate No: 223440532
Certificate Fee: $10.00

Print Date: 10/06/2014
Paid Date: 10/06/2014
Issue Date: 10/06/2014
Operator ID: STAC

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2013. TAXES THRU 2013 ARE PAID IN FULL. TAXES HAVE NOT BEEN CREATED FOR YEAR(S): 2014.

Exemptions:

Certified Owner:
MCMAHAN JOHN T
6 HUNTERS RIDGE CT
HOUSTON , TX 77024-7634

2013 Value:	143,590
2013 Levy:	$3,125.77
2013 Levy Balance:	$0.00
Prior Year Levy Balance:	$0.00
Total Levy Due:	$0.00
P&I + Attorney Fee:	$0.00
Total Amount Due:	$0.00

Certified Tax Unit(s):
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
27 ALVIN ISD
46 ALVIN COMMUNITY COLLEGE
54 BRAZORIA DRAINAGE DIST 4

Reference (GF) No: N/A

Issued By: Stacy Wade
RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

delinquent_tax_certificate.rdf v1.78