

AGENDA – REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND TO BE HELD MONDAY, SEPTEMBER 17, 2001, AT 6:30 P.M. IN THE SECOND FLOOR CONFERENCE ROOM OF THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

- II. APPROVAL OF MINUTES** August 6, 2001 (corrected)
August 13, 2001

III. NEW BUSINESS

- A. CONSIDERATION & POSSIBLE ACTION** – Preliminary Plat of Villages at Mary's Creek Section One, A subdivision of 62.018 acres located in the Warren D.C. Hall League, Abstract 70, Brazoria County, Texas.
- B. CONSIDERATION & POSSIBLE ACTION** – Final Plat of Bellavita at Green Tee Section Two, being a subdivision of 25.4528 acres of land out of the W.D.C. Hall Survey, A-23, City of Pearland, Harris County, Texas.
- C. CONSIDERATION & POSSIBLE ACTION** – Preliminary Plat of Oakbrook Estates Section Five, a subdivision of 29.251 acres in the W.D.C. Hall League, Abstract A-70, Brazoria County, Texas.
- D. CONSIDERATION & POSSIBLE ACTION** – A Partial Amending Plat of Lots 8 and 9, Block 1 of Hickory Place Subdivision, a subdivision of 2.0000 acres of land out of Lots 8 & 9, Hickory Place Subdivision, Volume 18, Page 333-334, B.C.P.R., located in the H.T.&B. R.R. Company Survey, Abstract 310, in the City of Pearland, Brazoria County, Texas.
- E. CONSIDERATION & POSSIBLE ACTION** – Final Plat of Cotton-Farrington Subdivision, being a subdivision containing 0.6198 acre of land located in the west one-half of the northwest one-fourth of the northeast one-fourth of Section 15, H.T.&B. R.R. Co. Survey, Abstract 241, Brazoria County, Texas.
- F. CONSIDERATION & POSSIBLE ACTION** – Final Plat of Hampton Inn at Pearland Section One, being 1.7376 acres (75,689 s.f.) of land located in the H.T.&B. R.R. Co. Survey, A-241 Brazoria County, Texas.

- G. CONSIDERATION & POSSIBLE ACTION** – Preliminary Plat of Savannah Trace Section Two, being 35.8 acres of land, containing 98 lots and four reserves 5.4 acres in five blocks, out of the A.C.H & B. Survey, A-403, Brazoria County, Texas.
- H. CONSIDERATION & POSSIBLE ACTION** – Preliminary Plat of Savannah Ridge Section Two, being 18.5 acres of land containing 77 lots and two reserves in four blocks, out of the A.C.H & B. Survey, A-403, Brazoria County, Texas.
- I. CONSIDERATION & POSSIBLE ACTION** – Final Plat of Savannah Meadows Section One, a subdivision of 17.93 acres of land out of the A.C.H.&B. Survey, A-403, Brazoria County, Texas.
- J. CONSIDERATION & POSSIBLE ACTION** – Final Plat of Savannah Ridge Section One, a subdivision of 18.20 acres of land out of the A.C.H.&B. Survey, A-403, Brazoria County, Texas.
- K. CONSIDERATION & POSSIBLE ACTION** – Preliminary Plat of Silverlake Commercial Park Phase 10, A subdivision of 11.4064 acres of land out of the R.B. Lyle Survey, Abstract No. 539, Brazoria County, Texas.
- L. CONSIDERATION & POSSIBLE ACTION** – Preliminary Plat of Silverlake Commercial Park Phase 11, A subdivision of 17.4437 acres of land out of the H.T.&B. R.R. Co. Survey, Abstract 300 and the R.B. Lyle, Abstract 539, Brazoria County, Texas.
- M. CONSIDERATION & POSSIBLE ACTION** – Preliminary Plat of Silverlake Commercial Park Phase 12, a subdivision of 2.5703 acres of land out of the R.B. Lyle Survey, Section No. 86, Abstract No. 539, Brazoria County, Texas.
- N. CONSIDERATION & POSSIBLE ACTION** – Final Plat of Cabot Cove Section One, a subdivision of 36.0068 acres located in the H.T.&B. R.R. Co. Survey, Abstract 508, City of Pearland, Brazoria County, Texas.
- O. CONSIDERATION & POSSIBLE ACTION** – Final Plat of Shadow Creek Ranch SF-2, 31.997 acres being out of the T.C.R.R. Co. Survey, Section 3, Abstract 678, Brazoria County, Texas. (Previously denied on 08/20/01)

Planning and Zoning Commission

MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND HELD MONDAY, SEPTEMBER 17, 2001 IN THE SECOND FLOOR CONFERENCE ROOM OF THE CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

The meeting was called to order at 6:30 p.m. with the following present:

The meeting was called to order with the following present:

P&Z Vice-Chairman	Donald Glenn
P&Z Commissioner	Todd Iocco
P&Z Commissioner	Randy Patro
P&Z Commissioner	Russ Selemon
P&Z Commissioner	Robert Scherrer
City Engineer	John W. Hargrove
P&Z Secretary	Jennifer Gonzales

Chairman Viktorin was absent.

II. APPROVAL OF MINUTES

August 6, 2001 (corrected)
August 13, 2001

Commissioner Iocco made a motion to approve the corrected August 6, 2001 minutes and Commissioner Selemon seconded the motion.

**Motion to approve passed 4 to 0 (1 abstention).
(Commissioner Patro abstained).**

Commissioner Iocco made a motion to approve the August 13, 2001 minutes with the verification that Commissioner Scherrer agreed with the statement he made on Item A, Page 2 where he spoke for the both of them. Commissioner Scherrer stated that the statement was okay. Commissioner Selemon seconded the motion.

**Motion to approve passed 4 to 0 (1 abstention).
(Commissioner Patro abstained).**

III. NEW BUSINESS

A. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Villages at Mary's Creek Section One, A subdivision of 62.018 acres located in the Warren D.C. Hall League, Abstract 70, Brazoria County, Texas.

Planning and Zoning Commission

City Engineer Hargrove stated that staff recommends approval as presented with a note for the final plat:

1. The number of street lights need to be changed from 38 to 42.
2. The face of the wall inside must be 30'.

Commissioner Iocco made a motion to approve the Preliminary Plat of Villages at Mary's Creek Section One with staff's comments, and Commissioner Patro seconded the motion.

Motion to approve passed 5 to 0.

B. CONSIDERATION & POSSIBLE ACTION – Final Plat of Bellavita at Green Tee Section Two, being a subdivision of 25.4528 acres of land out of the W.D.C. Hall Survey, A-23, City of Pearland, Harris County, Texas.

City Engineer Hargrove stated that staff recommends approval with correction that need to be made before the he and the City Attorney will sign the plat. He listed the corrections as:

1. They need to show streetlights.
2. Lot 3 and 16 of block 1 need to have a 15' side lot building lines on the side streets, and also lot 12 of block 3.
3. They need to turn in the SWBT approval letter.

Commissioner Scherrer made a motion to approve the Final Plat of Bellavita at Green Tee Section Two with staff's comments, and Commissioner Selemon seconded the motion.

Motion to approve passed 5 to 0.

C. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Oakbrook Estates Section Five, a subdivision of 29.251 acres in the W.D.C. Hall League, Abstract A-70, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with a long list of comments for the final plat and listed the items as:

1. Lot 5, Block 3 requires a 15' building line.
2. There is a conflict between note 21 and 25.
3. The elevation of the benchmark needs to be shown.
4. They need to have an approved Traffic Impact Analysis.
5. The 30' drainage easement shown between lot 13 and 14 of block 2 must be a reserve.

Planning and Zoning Commission

6. They need to show spaces for the signatures for the additional Planning and Zoning Members.

Commissioner locco made a motion to approve the Preliminary Plat of Oakbrook Estates Section 5 with staff's comments for the final plat, and Commissioner Selemon seconded the motion.

Motion to approve passed 5 to 0.

D. CONSIDERATION & POSSIBLE ACTION – A Partial Amending Plat of Lots 8 and 9, Block 1 of Hickory Place Subdivision, a subdivision of 2.0000 acres of land out of Lots 8 & 9, Hickory Place Subdivision, Volume 18, Page 333-334, B.C.P.R., located in the H.T.&B. R.R. Company Survey, Abstract 310, in the City of Pearland, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with the following comments:

1. They need to provide signatures of the dedicatory block.
2. A park fee of \$350 is due for the additional lot created.
3. The volume of the detention needs to be put on the plat for the 2 lots.

Commissioner locco made a motion to approve the Amending Plat of lots 8 and 9, Block 1 of Hickory Place Subdivision with staff's comments, and Commissioner locco seconded the motion.

Motion to approve passed 5 to 0.

E. CONSIDERATION & POSSIBLE ACTION – Final Plat of Cotton-Farrington Subdivision, being a subdivision containing 0.6198 acre of land located in the west one-half of the northwest one-fourth of the northeast one-fourth of Section 15, H.T.&B. R.R. Co. Survey, Abstract 241, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with points to be completed before he and the City Attorney will sign the plat and listed the points as:

1. All the utility company approval letters need to be submitted.
2. Note 8 needs to be corrected to read, "Detention fees paid in leu of local detention."

Commissioner locco made a motion to approve the Final Plat of Cotton-Farrington Subdivision with staff's comments, and Commissioner Selemon seconded the motion.

Motion to approve passed 5 to 0.

F. CONSIDERATION & POSSIBLE ACTION – Final Plat of Hampton Inn at Pearland Section One, being 1.7376 acres (75,689 s.f.) of land located in the H.T.&B. R.R. Co. Survey, A-241 Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with the note that they need to have a surveyor seal and an approved Traffic Impact Analysis done before he and the City Attorney will sign the plats.

Commissioner Selemon made a motion to approve the Final Plat of Hampton Inn at Pearland Section One with staff's comments, and Commissioner Iocco seconded the motion.

Commissioner Selemon stated that he has a general question on note #6 and he asked why it is even though, and Mr. Hargrove replied that he does not have an answer for that and he said the owner just wanted to put that note on the plat.

Motion to approve passed 5 to 0.

G. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Savannah Trace Section Two, being 35.8 acres of land, containing 98 lots and four reserves 5.4 acres in five blocks, out of the A.C.H & B. Survey, A-403, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with notes for the final plat and listed them as:

1. A "Hold Harmless Statement" needs to be added to the plat.
2. They need to pay road and park fees before the final plat is approved.
3. On note 16 they need to add the word "side" between said and streets, and they also misspelled the word "from".

Commissioner Scherrer made a motion to approve the Preliminary Plat of Savannah Trace Section Two with staff's comments, and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

H. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Savannah Ridge Section Two, being 18.5 acres of land containing 77 lots and two reserves in four blocks, out of the A.C.H & B. Survey, A-403, Brazoria County, Texas.

Planning and Zoning Commission

City Engineer Hargrove stated that staff recommends approval as presented with a reminder that a Traffic Impact Analysis is required before the final plat is approved.

Commissioner Iocco made a motion to approve the Preliminary Plat of Savannah Ridge Section Two with staff's comment, and Commissioner Scherrer seconded the motion.

Motion to approve passed 5 to 0.

I. CONSIDERATION & POSSIBLE ACTION – Final Plat of Savannah Meadows Section One, a subdivision of 17.93 acres of land out of the A.C.H.&B. Survey, A-403, Brazoria County, Texas.

City Engineer Hargrove stated that there is a number of incidents during the platting stages where the plats run adjacent to each other and the developer is trying to keep track of the plats by adding the volume and page number of other recorded plats on their current plats. He stated that he does not mind this, however, the volume and page numbers need to be filled in before getting the plat recorded. His other comments were:

1. They need to have a point of beginning on the boundary description.
2. They need to submit the SWBT and Cable approval letters.

Commissioner Iocco made a motion to approve the Final Plat of Savannah Meadows Section One with staff's comments, and Commissioner Selemon seconded the motion.

Motion to approve passed 5 to 0.

J. CONSIDERATION & POSSIBLE ACTION – Final Plat of Savannah Ridge Section One, a subdivision of 18.20 acres of land out of the A.C.H.&B. Survey, A-403, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with the following comments:

1. They need to submit SWBT and Cable letter.
2. The need to correct the typo on note 14.
3. The width of Highway 6 needs to be shown on the plat.
4. The recordation notes need to be added to the plat before recordation.

Planning and Zoning Commission

Commissioner Scherrer made a motion to approve the Final Plat of Savannah Ridge Section One with staff's comments and Commissioner Patro seconded the motion.

Motion to approve passed 5 to 0.

K. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Silverlake Commercial Park Phase 10, A subdivision of 11.4064 acres of land out of the R.B. Lyle Survey, Abstract No. 539, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with the note that the vicinity map needs to be corrected and a Traffic Impact Analysis will need to be approved.

Commissioner Iocco made a motion to approve the Preliminary Plat of Silverlake Commercial Park Phase 10 with staff's recommendations and Commissioner Selemon seconded the motion.

Commissioner Selemon asked if there is any particular order the signatures should be obtained, and City Engineer Hargrove stated that Brazoria County would not even look at the plat with out the Brazoria Drainage District's signatures.

Cathy Mitchell, of Jones and Carter, Inc., stated that the mylars do have the signatures.

Motion to approve passed 5 to 0.

L. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Silverlake Commercial Park Phase 11, A subdivision of 17.4437 acres of land out of the H.T.&B. R.R. Co. Survey, Abstract 300 and the R.B. Lyle, Abstract 539, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with the note that a Traffic Impact Analysis will need to be approved for the final plat.

Commissioner Scherrer made a motion to approve the Preliminary Plat of Silverlake Commercial Park Phase 11 with staff's recommendations and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

Planning and Zoning Commission

M. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Silverlake Commercial Park Phase 12, a subdivision of 2.5703 acres of land out of the R.B. Lyle Survey, Section No. 86, Abstract No. 539, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval as presented.

Commissioner Iocco made a motion to approve the Preliminary Plat of Silverlake Commercial Park Phase 12 and Commissioner Selemo seconded the motion.

Motion to approve passed 5 to 0.

N. CONSIDERATION & POSSIBLE ACTION – Final Plat of Cabot Cove Section One, a subdivision of 36.0068 acres located in the H.T.&B. R.R. Co. Survey, Abstract 508, City of Pearland, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with a note of items that need to be completed before recordation:

1. The 15' drainage easement shown on the north property line needs to be removed.
2. The proportion of share for the improvement cost of the Magnolia and McLean Intersection is due and it is based on the following formula:
100 lots / Total # of lots X \$25,000. (Which is in accordance with the traffic studies)

Commissioner Iocco made a motion to approve with staff's recommendations and Commissioner Selemo seconded the motion.

Commissioner Patro stated that he has 2 questions and asked:

1. He is concerned about the street which is aligning across from Colonial Drive and referred to the different street name, and City Engineer Hargrove stated that they have the right to not extend the street name it is aligned with because it is an entry way and there will be no addresses on the street.
2. He is also concerned about the 16' utility easement that backs up to the subdivision of Barclay Place, and City Engineer Hargrove pointed out that the 15' drainage easement is not the same as a 16' utility easement. Commissioner Patro explained that the reason he is concerned is that those 3 lots on block 1 will have a 32' utility easement and on block 2 they are sharing a 16' utility easement and the drainage easement classification.

Planning and Zoning Commission

Commissioner Scherrer asked if a Traffic Impact Analysis is required, and City Engineer Hargrove replied that a traffic study was done and that's how they determined the cost of their share for the improvements at McLean and Magnolia.

Commissioner Scherrer stated that there is a four-way stop at Magnolia and Springfield and at Harkey Road. He stated that there is a four-way stop at every couple of hundred yards. He stated that they have already approved a lot of development at McLean and Bailey and he feels that is an awful lot of traffic for just a two-lane road. He also stated that you can't put turning lanes on this road.

City Engineer Hargrove pointed out that one of the things the city is really looking to happen with the bond election is to improve Bailey Road.

Commissioner Scherrer stated that the developers who are putting in 100-200 homes need to take into consideration putting 100-200 cars on the road and City Engineer Hargrove stated that everyone is inclined to their own opinion.

Commissioner Scherrer stated that with all the four-way stops and all the building going on, he doesn't see how the roads can handle this kind of traffic.

City Engineer Hargrove stated that the traffic implications for this subdivision are 500 cars per day.

Commissioner Scherrer showed concern regarding the "counts", and stated that when a subdivision comes in and they are putting 400 cars on the road (just a scenario) then does the City take into consideration the other subdivisions that are being built and the amount of cars they will also be putting on the road.

Commissioner Selemon asked what type of improvements would be done to the intersection, and City Engineer Hargrove replied that the turns would be widened.

Commissioner Iocco asked if the City would make the improvements or the developer, and City Engineer Hargrove replied that the developers are contributing for the City to do it.

Commissioner Iocco stated that even though the developer gives the money to the City, who knows when the City will actually do the improvements.

Commissioner Selemon stated that he would like to see a time frame on when the improvements would be done.

Vice-Chairman Glenn called for a vote.

Motion to approve failed by 2 to 3.

Planning and Zoning Commission

(Vice-Chairman Glenn and Commissioner Selemon voted for the motion to approve, and Commissioner Iocco, Commissioner Scherrer, and Commissioner Patro were against the motion to approve)

O. CONSIDERATION & POSSIBLE ACTION – Final Plat of Shadow Creek Ranch SF-2, 31.997 acres being out of the T.C.R.R. Co. Survey, Section 3, Abstract 678, Brazoria County, Texas. (Previously denied on 08/20/01)

City Engineer Hargrove stated that staff recommends approval with the following corrections:

1. Lots 11, 13, and 20 of Block 1 require a 15' building line.
2. They may not use the benchmark R6681942. He stated that the developer/engineer was told this and the comment was ignored. He then suggested that they use P6681993.

Commissioner Iocco asked if this was on the last list of comments from August 20th and Mr. Hargrove replied that it was on the Final Plat Staff Review Mark-up and commented at the last P&Z meeting. Mr. Hargrove stated that what upset him is that he never received any discussion on this subject.

Rosalyn Taylor of LJA Engineering stated that the benchmark has already been worked out with Jeb Borches last Friday. She stated that their surveyor has worked this out with the City.

David Tinney of LJA Engineering stated that this benchmark was fixed subsequent the submittal date for turning in the plats.

City Engineer Hargrove argued that there have been 2 other plats with the same notes.

Commissioner Selemon stated to LJA Engineering that if that is the case and it is corrected on the new mylars, then why didn't they run new copies for the Commissioners. He then stated that how is he supposed to know that the correction has been made.

Commissioner Scherrer stated that they are concerned about the other comments as well.

Gary Cook, president of Shadow Creek Ranch stated that this came up in their monthly staff meeting and the change in the ordinance was pending while the plats were being reviewed. He stated that Deputy City Manager Alan Mueller pointed out in the meeting that Shadow Creek Ranch is a "PUD" and there are very specific setbacks.

Planning and Zoning Commission

Commissioner Selemon asked the City Engineer what is best for him, and he stated that he doesn't specifically remember that conversation in the staff meeting.

Commissioner Iocco made a motion to table the Final Plat of Shadow Creek Ranch SF-2 until the questions are resolved, and Commissioner Scherrer seconded the motion.

Motion to table passed 5 to 0.

P. CONSIDERATION & POSSIBLE ACTION – Preliminary Plat of Shadow Creek Ranch Recreation Center No. 1, 2.655 acres being out of the T.C.R.R. Co. Survey, Section 3, Abstract 678, Brazoria County, Texas.

City Engineer Hargrove stated that staff recommends approval with the following comments:

1. The final plat needs to show a 10' water and sewer easement.
2. The benchmark language needs to be corrected.
3. Their needs to be an updated recreational center plan and he pointed out the "PUD" allows for a 15% change.

Mr. Hargrove stated that these comments could be resolved before the final plat.

Commissioner Patro made a motion to approve the Preliminary Plat of Shadow Creek Ranch Recreation Center No. 1 with staff's comments for the final plat and Commissioner Selemon seconded the motion.

Commissioner Scherrer asked if this is one of the other plats with the benchmark problem, and Commissioner Selemon reminded him that this is just preliminary and they have plenty of time to make the change.

Motion to approve passed 5 to 0.

Q. CONSIDERATION & POSSIBLE ACTION – Variance Request from Section 27-3(2)(b) of the Subdivision Ordinance to allow for construction to begin on the Shadow Creek Ranch Recreation Center No. 1 before final plat approval.

City Engineer Hargrove stated that there is a major time crunch problem with the completion of the facility and he briefly explained the ordinance which requires final plat approval before the permit can be issued. He stated that there is no reason to believe that the final plat will not be the same as the preliminary plat and this is just a one-time requested variance, therefore staff recommends approval.

Planning and Zoning Commission

Commissioner Scherrer made a motion to approve the variance request and Commissioner Iocco seconded the motion.

Motion to approve passed 5 to 0.

Vic Botrie, of Appaloosa Land Company, stated that they did a very in-depth traffic study and he asked if there is anything he can do to satisfy the Commission's concerns. He stated that he is looking for some guidance.

Omar Escobar, of LJA Engineering, stated that there was a detailed traffic study done and he would be glad to their share to correct any problems.

Mr. Botrie stated that the biggest problem will be from PISD, because they will be causing the most traffic. He stated that Bailey Road is going to be a major thoroughfare. He stated that they can't pay 100% for the improvements, and that there will be other subdivisions paying their share. He then suggested that he bring his traffic engineer to explain the study.

Commissioner Scherrer stated that he lives on it and it is a lot worse then he is explaining, and if it comes up again, they will look at it again. He stated that he wont give Mr. Botrie any suggestions or recommendations as to what needs to be done.

Commissioner Patro stated that it is not a dead subject and suggested that the developer take it to City Council because they can override the Commissioners.

Mr. Botrie stated that he feels that the Commissioners voted against the approval due to a lack of information and he would like to bring them more information.

Vice-Chairman Glenn pointed out that the City does have standards and guidelines for the traffic analysis.

R. DISCUSSION ITEM – PUD development standards

Executive Director of Community Services Tobin Maples put together a packet of information he gathered from different cities regarding their "PUD" ordinances.

Commissioner Iocco stated that maybe they should take the information for review and discuss the "PUD" standards at the next meeting.

Commissioner Iocco stated that he would like to enter into record that he thinks a "PUD" should be a classification of its own. Mr. Iocco also added that he would like to add classification for "low density" and "medium density".

Commissioner Selemon stated that he has not done any extensive study on the literature of a "PUD", however he does know that it is supposed to provide for

K G A . D E F O R E S T . D E S I G N , L L C

LANDSCAPE ARCHITECTURE

August 30, 2001

Mr. John Hargrove, City Engineer
City of Pearland
3519 Liberty Drive
Pearland, Texas 77581

15810 Park Ten Place

Re: Shadow Creek Ranch – Emerald Bay Village
Recreation Center

Suite 160

Dear John:

Houston, Texas 77084

We are writing as a follow-up to the conversation that was had in the August 21, 2001 monthly Shadow Creek Ranch meeting relative to permitting and starting construction of the Phase One Recreation Facility. We are requesting your consideration of a variance to your ordinance which precludes issuance of construction permits for projects that do not fall within an area that has Final Plat acceptance and recordation.

(281) 646-1602

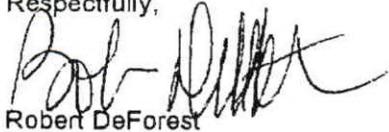
As discussed, for the Recreation Facility to be open in May of 2002, we must commence construction during September or early October. The Preliminary Plat for this site has been submitted by LJA Engineering and Surveying, Inc. but we would not anticipate Final Plat acceptance until November 2001, assuming the typical review process schedule.

(281) 646-1641 fax

Given the fact that the plat as submitted is very simple and consists of a single reserve, we request that our plans be reviewed for permitting and that such permit be issued prior to Final Plat Acceptance. We would not object to the occupancy permit being withheld pending recordation of the final plat.

We appreciate your consideration in this matter. Please feel free to call with any questions that you might have.

Respectfully,



Robert DeForest
Landscape Architect

RED/kc

cc: Gary Cook, Shadow Creek Ranch Development Company, LP
David Tinney, LJA Engineering and Surveying, Inc.
Kerry Gilbert, Kerry Gilbert & Associates, Inc.

R. West Development Co., Inc.
(281) 997-1500
(281) 997-2886 Fax

Facsimile Transmittal

To:
Jennifer Gonzales

From:
Terry Brooks

Company:
City of Pearland Engineering

Date:
9-17-01

Fax Number:
281-652-1702

Total No. of Pages Including Cover:
3

Phone Number:
281-652-1637

Sender's Reference Number:

Re:
Tax Certificates

Your Reference Number:

Urgent For Review Please Comment Please Reply Please Recycle

Let me know if fax copies are ok or if I need to bring you copies. Thanks.



Paul Bettencourt
Harris County Tax Assessor - Collector

No. 304258

September 17, 2001

Tax Certificate

Account 040-223-000-0030
REED WEST INVESTMENTS LTD
TRS 3 & 8
ABST 23 W D C HALL
101.5879 AC

I hereby certify that the tax records of Harris County show taxes paid through 2000 on the above referenced account. An exception to this would be when there is a change in land use or a change in exemption status during the year. This certificate does not cover exceptions.

Paul Bettencourt

FEE \$10.00

By *Randy G...*

- (a) The owner or subdivider of land shall first confer with the planning department and building inspector before preparing the preliminary plat of their proposed subdivision and to secure a copy of the rules and regulations governing subdivisions of land so that they may become thoroughly familiar with subdivision requirements and policies of the city, and with the features, provisions and recommendations of the various plans for the city that may relate to and have affect upon the general area in which the proposed subdivision is situated.
- (b) It is also suggested that each owner or subdivider of land review the comprehensive master plan of the city to ensure a subdivision layout consistent with this plan.

(2) *Special provisions.*

- (a) No building permit shall be issued by the city for the installation of septic tanks upon any lot in a subdivision for which a final plat has not been approved and filed for record, or upon any lot in a subdivision in which the standards contained herein or referred to herein have not been complied with in full.
- (b) No building, repair, plumbing or electrical permit shall be issued by the city for any structure on a lot in a subdivision for which a final plat has not been approved and filed for record, nor for any structure on a lot within a subdivision in which the standards contained herein have not been complied with in full.
- (c) The developer shall not install or provide any streets or public utility services in any subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full.

*Sub.
Ordinance*