

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. PURPOSE OF HEARING

**ZONE CHANGE APPLICATION NO. 2012-08Z**

A request of Alan Mueller, applicant, on behalf of S. E. Cemeteries of Texas, Inc., owner, for approval of a zone change from the General Commercial (GC) and Single Family Residential-1 (R-1) zone to the Single Family Residential-2 (R-2) zone for 67.4 acres on the following described property, to wit:

**Legal Description:** Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69, and 94 of the W. Zychlinski Subdivision of record in Volume 29, Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.)

**General Location:** East and West sides of Old Alvin Road, north of McHard

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

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



## JOINT PUBLIC HEARING AGENDA ITEM MEETING OF SEPTEMBER 17, 2012

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### Zone Change No. 2012-08Z

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**Legal Description:** Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69, and 94 of the W. Zychlinski Subdivision of record in Volume 29, Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.)

**General Location:** East and West sides of Old Alvin Road, north of McHard

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

Planning and Zoning Commission: September 17, 2012\*  
City Council for First Reading: October 8, 2012\*  
City Council for Second Reading: October 22, 2012\*

(\*dates subject to change)

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**SUMMARY:** Alan Mueller, applicant, on behalf of S. E. Cemeteries of Texas, Inc., owner, is requesting approval of a zone change from the General Commercial (GC) and Single Family Residential-1 (R-1) zone to the Single Family Residential-2 (R-2) zone. The property is currently undeveloped, and includes 13.6 acres of land on the east side of Old Alvin Road, north of McHard, that is currently zoned Single-Family Residential-1 (R-1) and 53.8 acres of land on the west side of McHard Road currently zoned General Commercial (GC). The applicant would like to rezone the entire property to Single-Family Residential-2 (R-2), and has indicated that if the zone change is approved, they will be submitting a subsequent Cluster Development plan for the entire property.

**SURROUNDING ZONING AND LAND USES:**

	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North	General Business (GB) and Single-Family Residential-2	Church/undeveloped
South	General Commercial (GC) and Single-Family Residential-1 (R-1)	Undeveloped
East	Single-Family Residential-1 (R-1)	Undeveloped
West	General Commercial (GC)	Undeveloped

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** As previously mentioned, the property is currently zoned General Commercial (GC) and Single-Family Residential-1 (R-1). At this time it appears that all bulk regulations set forth in the Unified Development Code are met for the existing zoning districts, as well as the proposed zoning District of Single-Family Residential-2 (R-2), based on the size of the property. A comparison of the of the R-1 and R-2 zoning district is listed below:

	<b><u>R-1</u></b>	<b><u>R-2</u></b>
Lot Area	8,800 Sq. Ft.	7,000 Sq. Ft.
Lot Width	80'	70'
Lot Depth	90'	90'
Density	3.2 Units/acre	4.0 Units/acre

**PLATTING STATUS:** The property is not currently platted. Platting will be required at the time of development.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The current Comprehensive Plan (latest update in 2009) indicates *Low Density Residential* for the subject property. As indicated by the Comprehensive Plan, corresponding zoning districts for *Low Density Residential* are Residential Estate (RE) and Single-Family Residential-1 (R-1). The requested zoning of Single-Family Residential-2 (R-2) would be consistent with the Comprehensive Plan's classification of *Medium Density Residential*. Prior to the 2004 update of the Comprehensive Plan, the *Low Density Residential* classification included RE, R-1, and R-2 as appropriate corresponding zoning districts. However, following Councils direction at the time of the 2004 update, the R-2 corresponding classification was moved to *Medium Density Residential*. Therefore, this request would not be in conformance with the Comprehensive Plan.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on Old Alvin Road road, a major collector, with a minimum of 80' right-of-way.

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

sewer.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** If the zone change is approved, it may result in potentially negative impacts on the subject property as well as surrounding and nearby properties. The main impact identified at this time would be development of smaller lots than have been planned for this area, based on the Current Comprehensive Plan.

A Traffic Impact Analysis (TIA) may be required at the time of subdivision plat review by the City's Engineering department to determine if there are any potentially negative traffic impacts anticipated as a result of the proposed development at that time. Mitigation measures that are deemed necessary as a result would be responsibility of the applicant to implement.

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

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

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

**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed zone change request. At the time of this report, one information inquiry has been received.

**STAFF RECOMMENDATION:** Staff is unable to recommend approval of Zone Change 2012-08Z as proposed by the applicant for the following reasons and with the following conditions:

1. The property appears to be able to be developed in conformance with the Future Land Use Plan.
2. The proposed zone change will not bring the property into compliance with the latest approved Future Land Use Plan.
3. Approval of the zone change would not be in conformance with the surrounding zoning.
4. The proposed zone change may negatively impact on the surrounding properties and developments.

**SUPPORTING DOCUMENTS:**

- Proposed Planned Development Amendment
- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents
- Related Documents



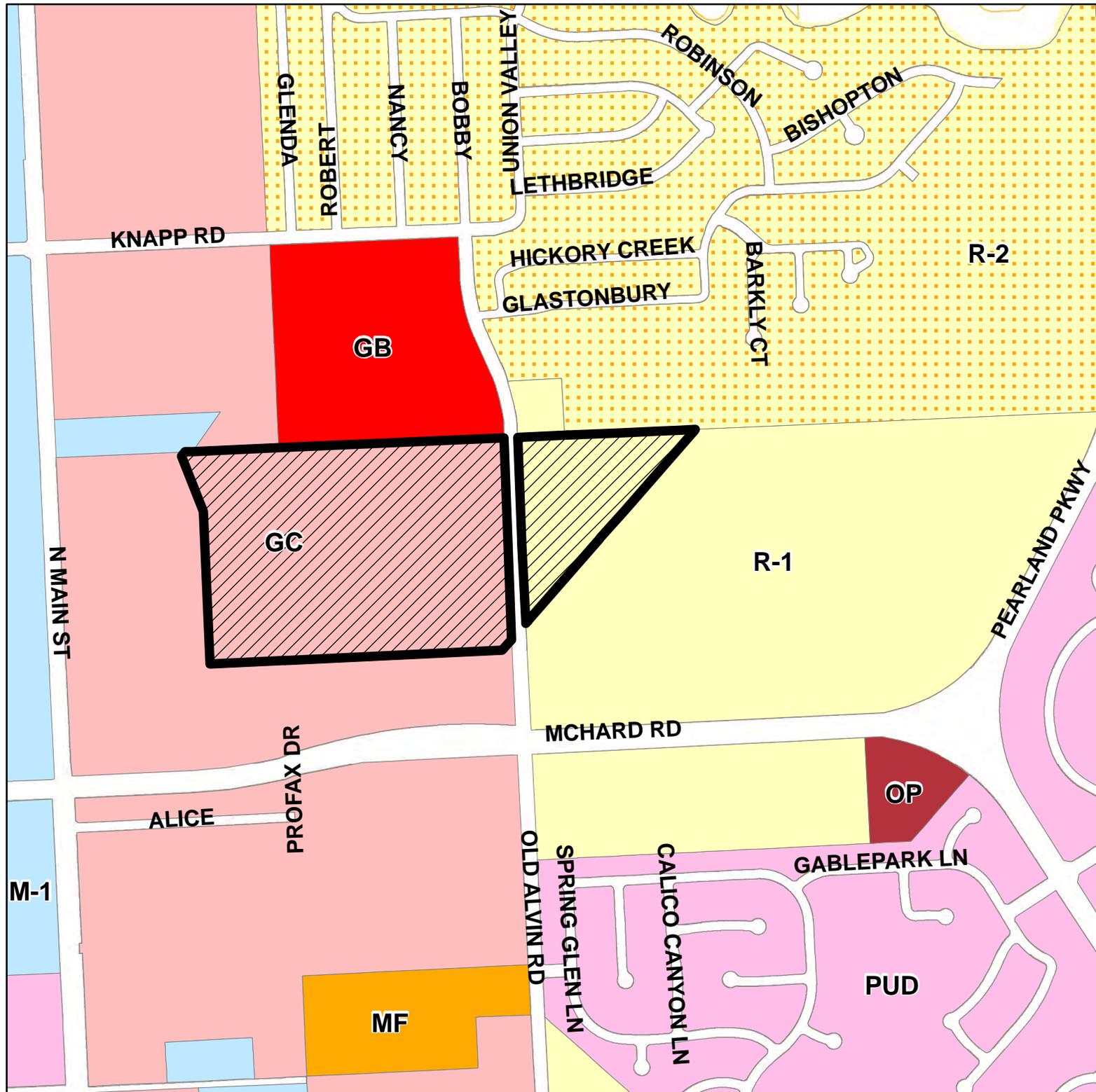
### Vicinity and Zoning Map

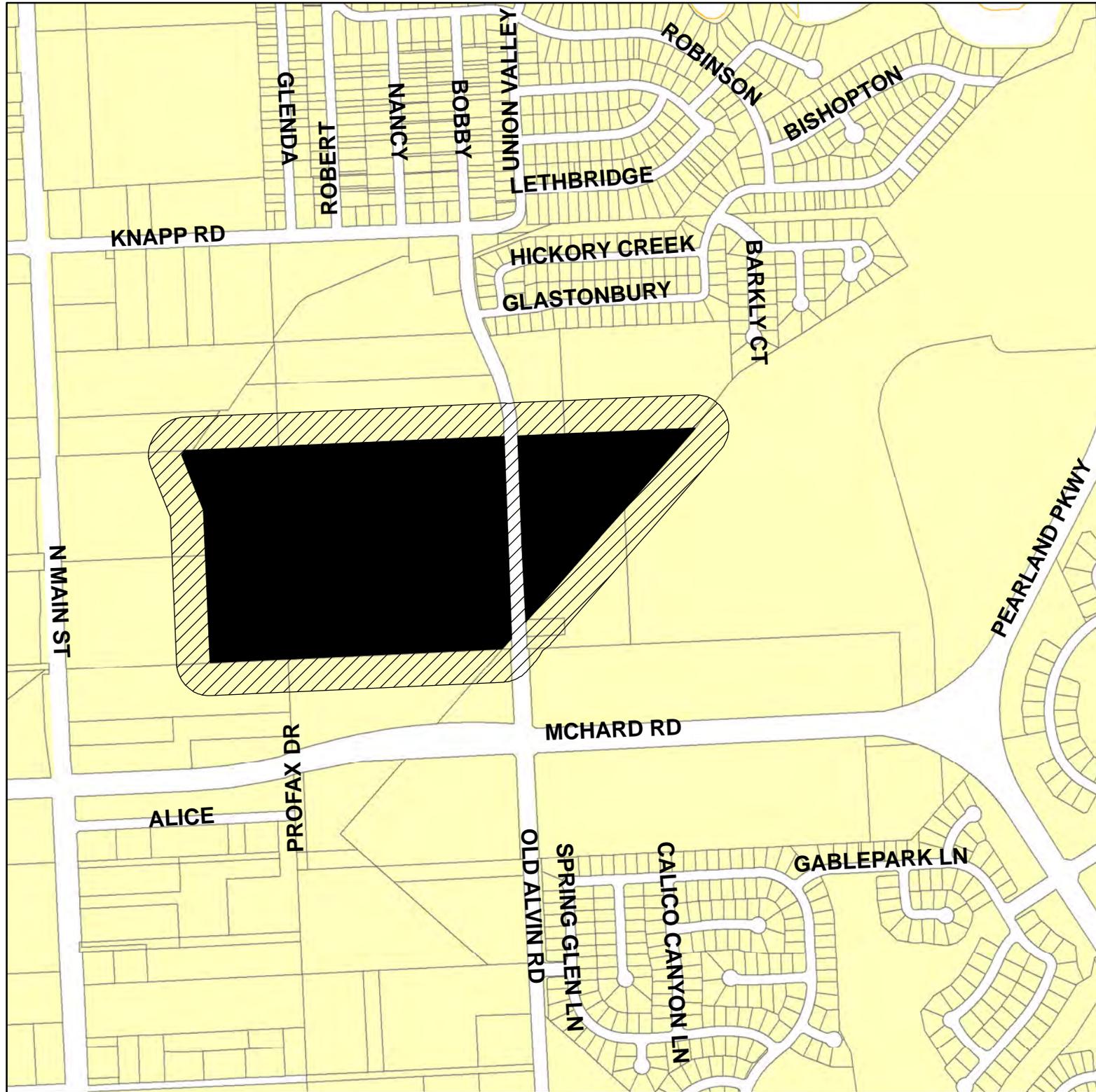
### Zone Change 2012-08Z

### Old Alvin Road North of McHard

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

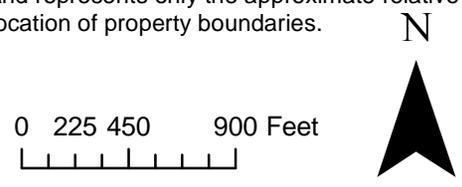
0 225 450 900 Feet





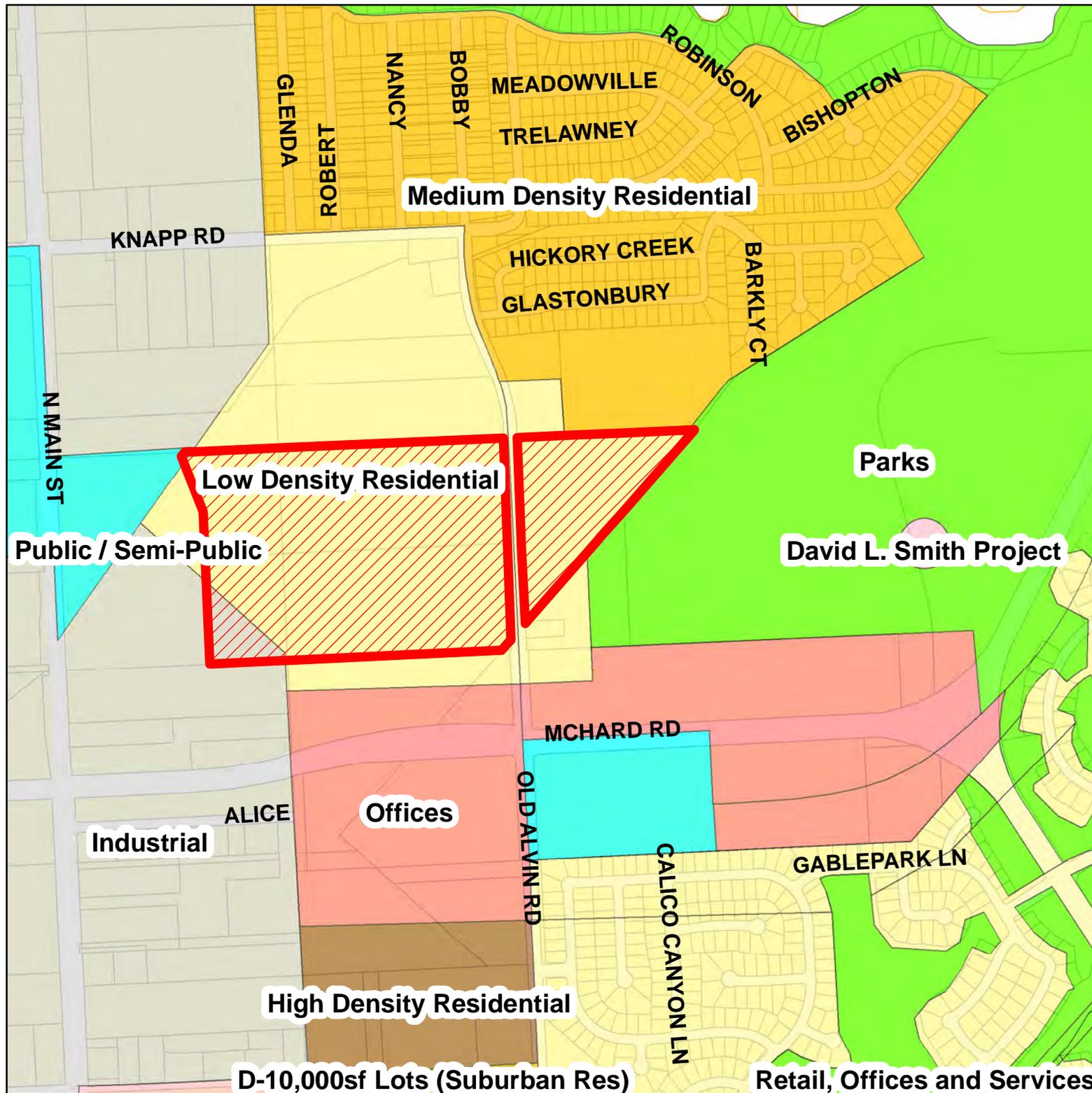
**Abutter Map**  
**Zone Change 2012-08Z**  
**Old Alvin Road**  
**North of McHard**

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



<b>Owner</b>	<b>Address</b>	<b>City</b>
CROSSPOINT FELLOWSHIP RESTLAND OF DALLAS, C/O CHRIS THREADGILL	1134 OLD ALVIN RD	PEARLAND
THE CHURCH FOR ALL PEOPLE MACKIN JOSEPH L MCHARD INTERESTS LTD	13005 GREENVILLE AVE PO BOX 752343	DALLAS HOUSTON
HAIRSTON BETTIE RAE BERNAL FRANCISCO	1511 OLD ALVIN RD 9525 KATY FWY STE 130	PEARLAND HOUSTON
	PO BOX 1608 6141 GRIGGS RD	MONTGOMERY HOUSTON
AS ACQUISITION CORP C/O JACOBSEN RICK ALAN MUELLER	1323 N MAIN ST 4201 BROADWAY	PEARLAND PEARLAND
S. E. CEMETERIES OF TEXAS C/O ROBERT C MURRAY C MURRAY	523 S. MAIN ST	GRAPEVINE

<b>State</b>	<b>Zip</b>
TX	77581
TX	75243-1916
TX	77275-2343
TX	77581-3005
TX	77024-1434
TX	77356-1608
TX	77023
TX	77581-2224
TX	77581
TX	76051



**FLUP Map**

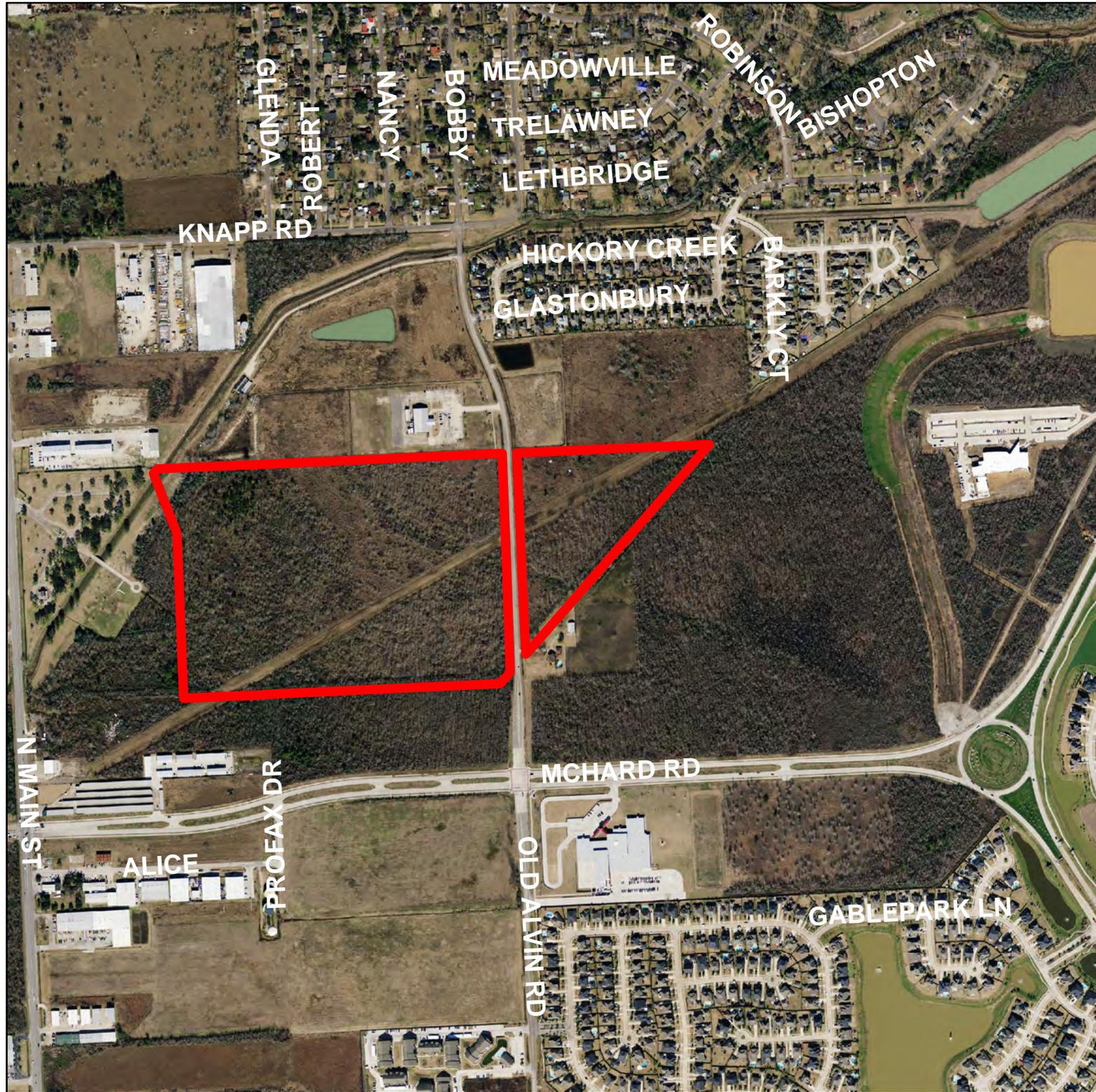
**Zone Change 2012-08Z**

**Old Alvin Road  
North of McHard**

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0 225 450 900 Feet





**Aerial Map**

**Zone Change 2012-08Z**

**Old Alvin Road  
North of Mchard**

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

0 210 420 840 Feet





# APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: GC, R1

Proposed Zoning District: R2

**Property Information:**

Address or General Location of Property: Both sides of old Alvin Road,  
North of McHard Road

Tax Account No. Property ID #: 165790, 165788, 165787, 1771A5

Subdivision: Abstract 233, HT & BRR Survey Lot: 62, 63, 68, 69, 94 Block: \_\_\_\_\_

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

**PROPERTY OWNER INFORMATION:**

NAME S.E. Cemeteries of Texas Inc/ Robert C. Murray, Pres  
ADDRESS 523 S. Main St  
CITY Grapevine STATE TX ZIP 76051  
PHONE (281) 733-9196  
FAX ( ) \_\_\_\_\_  
E-MAIL ADDRESS RCMurray@stei.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 alaneg@metexas.com

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

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

Owner's Signature: [Signature] Date: 8/14/12

Agent's/Applicant's Signature: [Signature] Date: 8/16/12

**OFFICE USE ONLY:**

FEES PAID: <u>375-</u>	DATE PAID: <u>8/17/12</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>303852</u>
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Application No. 2012-082

# **Designated Agent Letter**

**(with documentation of name change of  
property owner from “Restland of Dallas”  
to “S.E. Cemeteries of Texas”)**

Lata Krishnarao  
Director of Planning  
City of Pearland  
3519 Liberty Drive  
Pearland TX 77581

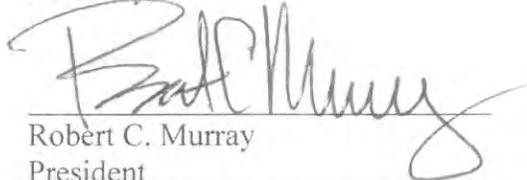
RE:

Ms. Krishnarao:

I hereby assign Alan Mueller as agent on behalf of S.E. Cemeteries of Texas, Inc. (formerly Restland of Dallas), for the sole purpose of representing S.E. Cemeteries of Texas, Inc. in its zoning application for approximately 78.9 acres on Old Alvin Road, north of McHard Road. This representation as agent is only for this transaction and would not be for any other use. This authorization as agent does not include the power to bind S.E. Cemeteries of Texas, Inc. to any liability or payment obligation.

Please contact me if you have any questions.

Sincerely,



Robert C. Murray  
President  
S.E. Cemeteries of Texas, Inc.  
(Formerly Known as Restland of Dallas)  
523 South Main Street  
Grapevine, Texas 76051

Date 8/6/12



## Office of the Secretary of State

February 02, 2005

Law Offices Chaffe, McCall, Phillips, Toler & Sarpy, LLP  
2300 Energy Centre, 1100 Poydras Street  
New Orleans, LA 70163 USA

RE:  
S. E. Cemeteries of Texas, Inc. ( Filing Number: 37248600 )

It has been our pleasure to approve and place on record your articles of merger. The appropriate evidence is attached for your files. Payment of the filing fee is acknowledged by this letter.

If we can be of further service at any time, please let us know.

Sincerely,

Corporations Section  
Statutory Filings Division

Enclosure



## Office of the Secretary of State

### CERTIFICATE OF MERGER

The undersigned, as Secretary of State of Texas, hereby certifies that the attached articles of merger of

BLUEBONNET HILLS MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 12370700]

HIGHLAND MEMORIAL GARDENS, INC.

Domestic Business Corporation

[Filing Number: 42830400]

HILLTOP MEMORIAL PARK

Domestic Business Corporation

[Filing Number: 10977100]

LAUREL LAND MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 5662300]

LAUREL LAND OF FORT WORTH, INC.

Domestic Business Corporation

[Filing Number: 101957300]

LITTLE BETHEL MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 76152400]

ROSELAWN MEMORIAL GARDENS, INC.

Domestic Business Corporation

[Filing Number: 63384700]

SOUTH MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 18339000]

Into

→ S. E. Cemeteries of Texas, Inc. [Prior Name : RESTLAND OF DALLAS, INC.] ←

Domestic Business Corporation

[Filing Number: 37248600]



## Office of the Secretary of State

have been filed in this office as of the date of this certificate.

Accordingly, the undersigned, as Secretary of State, and by the virtue of the authority vested in the secretary by law, hereby issues this certificate of merger.

Dated: 02/01/2005

Effective: 02/01/2005 @ 12:01 a.m.



A handwritten signature in black ink, appearing to read "G. Connor".

Geoffrey S. Connor  
Secretary of State

Page 2 cont'd

**Metes &  
Bounds  
Description  
with Exhibit**

DESCRIPTION OF  
67.4 ACRES

Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69 and 94 of the W. Zychlinski Subdivision of record in Volume 29 Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.), said 67.4 acres being more particularly described in two (2) parts by metes and bounds as follows;

PART 1

BEGINNING at the southwest corner of Crosspoint Fellowship Church, a subdivision of record in Volume 22, Pages 53-54, of the Plat Records of Brazoria County, Texas, (B.C.P.R.), same being a point on the westerly right-of-way line of Old Alvin Road and a point on the northerly line of aforementioned Lot 68;

Thence, South  $00^{\circ} 18' 53''$  West, along said westerly right-of-way line of Old Alvin Road, 1,185.9 feet to a point for corner, same being on the southeasterly line of aforementioned Lot 62 and a point on the common line of the H.T. & B. R.R. Co. Survey and the D.H.M. Hunter Survey, Abstract 76;

Thence, South  $44^{\circ} 18' 48''$  West, along the westerly line of Lot 62 and said common survey line, 115.9 feet to a point for corner, same being an angle point on south line of said Lot 62;

Thence, departing said common survey line, with the south line of Lot 62 and aforementioned Lot 63, West, 1,756.3 feet to a point for corner;

Thence, departing the southerly line of Lot 63, North, 1,003.7 feet to a point for corner;

Thence, North  $21^{\circ} 31' 03''$  West, 256.0 feet to a point for corner;

Thence, North  $38^{\circ} 28' 57''$  East, 34.4 feet to a point for corner on the north line of aforementioned Lot 69;

67.4 acres

August 16, 2012  
Job No. 1406-3102

Thence, East, with the north line of said Lot 69 and aforementioned Lot 68, 1,916.2 feet to the POINT OF BEGINNING and containing 53.8 acres of land;

PART 2

Beginning at the intersection of north line of aforementioned Lot 94 and the east right-of-way line of Old Alvin Road, same being the southwest corner of Twin Wood Subdivision, of record in Volume 17, Pages 295 and 296, B.C.P.R.;

Thence, East, with the common line of said Lot 94 and Twin Wood Subdivision, at 286.07 feet pass the most southerly southeast corner of said Twin Wood Subdivision, continuing with the common line of said Lot 94 and Lot 93 of aforementioned W. Zychlinski Subdivision, in all a distance of 1,071.3 feet to the common easterly corner of said Lots 93 and 94, same being on the common line of aforementioned H.T. & B. R.R. Co. Survey and the D.H.M. Hunter Survey;

Thence, with the southeasterly line of said Lot 94, and said common survey line, South  $44^{\circ} 18' 48''$  West, 1,542.1 feet, to a point for corner on the east right-of-way line of Old Alvin Road;

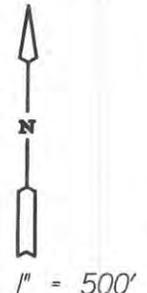
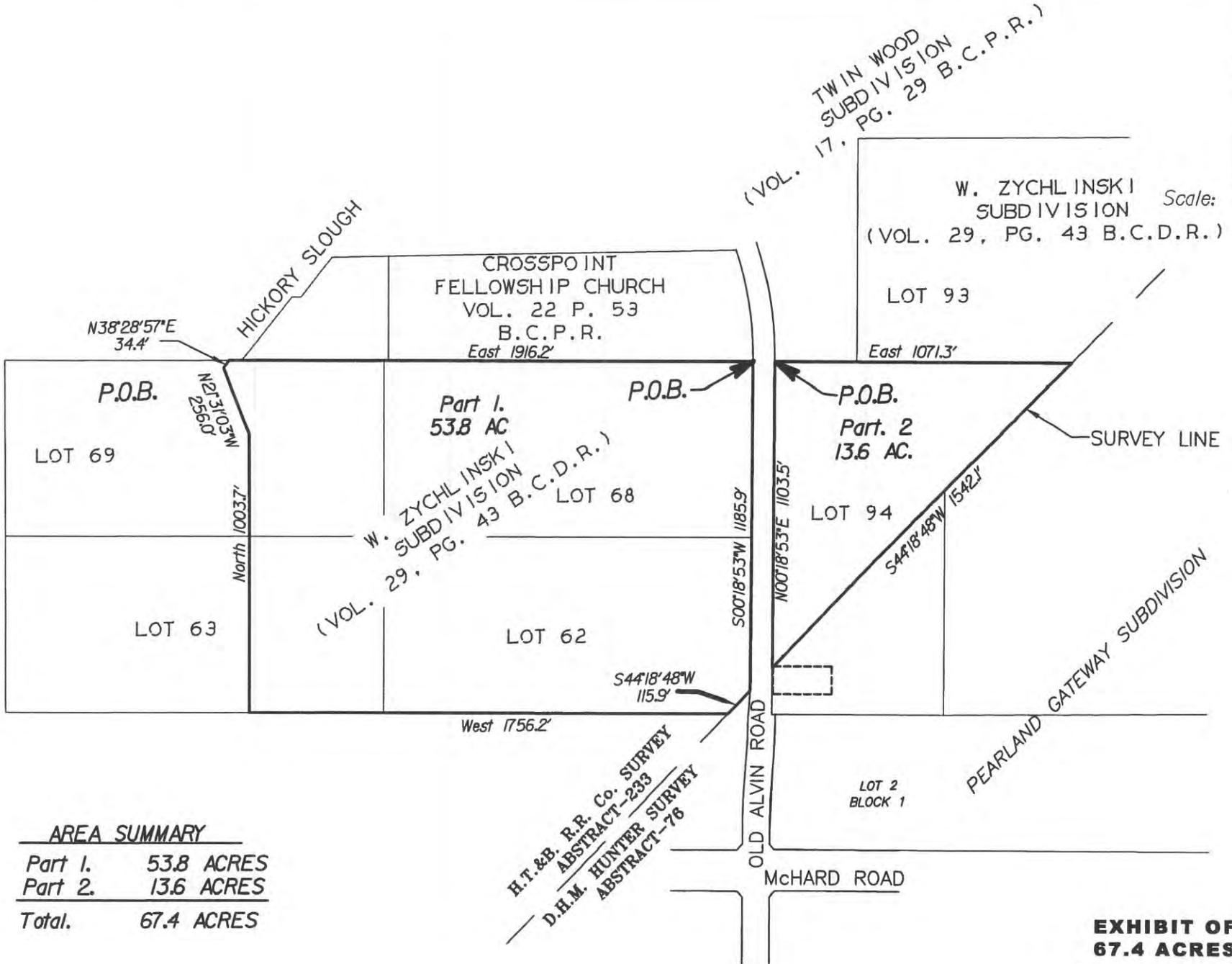
Thence, leaving said southeasterly line and said common survey line, with said east right-of-way line, North  $00^{\circ} 18' 53''$  East, 1,103.5 feet to the POINT OF BEGINNING and containing 13.6 acres of land;

Said Part 1 and Part 2 containing a total of 67.4 acres of land.

This description is based on record information only and does not reflect an on the ground survey. Corners were not set at the client's request.

LJA Engineering, Inc.

Main St. SH. 35



**AREA SUMMARY**

Part 1.	53.8 ACRES
Part 2.	13.6 ACRES
<b>Total.</b>	<b>67.4 ACRES</b>

H.T. & B. R.R. Co. SURVEY  
 ABSTRACT-233  
 D.H.M. HUNTER SURVEY  
 ABSTRACT-76

**EXHIBIT OF  
 67.4 ACRES  
 LOCATED IN THE  
 H.T. & B. R.R. SURVEY, A-233  
 BRAZORIA COUNTY, TEXAS**

**Parcel Map**  
**Printed from**  
**City Website**



Scale 1:6,129  
1 in = 511 ft

# Letter of Intent

Lata Krishnarao  
Director of Community Development  
City of Pearland  
3519 Liberty Drive  
Pearland TX 77581

RE: Rezoning Application  
Letter of Intent

Ms. Krishnarao:

The applicant is requesting rezoning of the subject property to zoning category R-2 Residential. The intended use of the property is a single family residential neighborhood. A separate cluster plan application is anticipated. We believe this zoning category is appropriate for several reasons:

- The existing Hickory Creek neighborhood adjacent to the north and east of the applicant's property is already zoned and developed as R-2.
- Crosspoint Church is directly north of the applicant's property; an R-2 use would be compatible with the existing use. Crosspoint is currently beginning construction of a larger sanctuary on their property.
- The comprehensive plan depicts the subject property as low density residential uses. R-2 is not considered a low density use, but R-2 is consistent with surrounding existing and proposed uses.
  - The comprehensive plan depicts the property south of the applicant's property as office uses. R-2 is more compatible with the proposed adjacent office uses than larger lot residential uses would be.
  - The comprehensive plan depicts the property east of the applicant's property as industrial uses. R-2 is more compatible with the proposed adjacent industrial uses than larger lot residential uses would be.
- The R-2 category is consistent with surrounding properties and is responsive to current and projected home buyer demands for this area.
- A portion of the applicant's property (not part of this zoning request) is already zoned R-2.

Upon successful completion of the zoning process, the development/builder team intends to move directly to platting and development of the first phase of the subdivision.

Please contact me if you have questions.

Sincerely,



Alan R. Mueller

CITY OF PEARLAND  
R E P R I N T

\*\*\* CUSTOMER RECEIPT \*\*\*

Oper: CBLAIR      Type: OC    Drawer: 1  
Date: 8/17/12 02    Receipt no: 303852

Description	Quantity	Amount
RA      BOARD OF ADJUSTMENTS	1.00	\$375.00
Trans number:		3004115

ALAN MUELLER  
523 S. MAIN  
S. E. CEMETERIES OF TEXAS  
ROBERT C. MURRAY

Tender detail	
BR CREDIT CARD	\$375.00
Total tendered	\$375.00
Total payment	\$375.00

Trans date: 8/17/12    Time: 9:03:46

## 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:**

- \$ 250.00, plus \$25.00 per each type of zoning district requested; or
- \$ 400.00 if requesting a Planned Development (PD)

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

- \$ 300.00, plus \$25.00 per each type of zoning district requested; or
- \$ 450.00 if requesting a Planned Development (PD)

- • **50 to less than 75 acres:**

- \$ 350.00, plus \$25.00 per each type of zoning district requested; or
- \$ 500.00 if requesting a Planned Development (PD)

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

- \$ 400.00, plus \$25.00 per each type of zoning district requested; or
- \$ 550.00 if requesting a Planned Development (PD)

- **100 acres and above:**

- \$ 450.00, plus \$25.00 per each type of zoning district requested; or
- \$ 600.00 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.

# Tax Certificates

TAX CERTIFICATE



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

Issued To:

GROMAX DEVELOPMENT  
4201 W. BROADWAY  
PEARLAND, TX 77581

Legal Description:

A0233 H T & B R R (PEARLAND), TRACT 94,  
ACRES 14.800

Fiduciary Number: 1474828

Parcel Address: OLD ALVIN RD

Legal Acres: 14.8000

>--

Account Number: 0233-0036-130

Print Date: 08/14/2012

Certificate No: 194818359

Paid Date: 08/14/2012

Certificate Fee: \$10.00

Issue Date: 08/14/2012

Operator ID: JENNY

<--

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 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

RESTLAND OF DALLAS  
%CHRIS W THREADGILL  
13005 GREENVILLE AVE  
DALLAS, TX 75243-1916

Certified Tax Unit(s):

1 BRAZORIA COUNTY  
9 SPECIAL ROAD & BRIDGE  
28 PEARLAND ISD  
54 BRAZORIA DRAINAGE DIST 4  
96 CITY OF PEARLAND

2011 Value:	148,000
2011 Levy:	\$4,045.73
2011 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

ID # 165790

Reference (GF) No: N/A

Issued By: *Jenny Phillips*  
RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
(979) 864-1320, (979) 388-1320, (281) 756-1320

TAX CERTIFICATE



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

Issued To:

GROMAX DEVELOPMENT  
4201 W. BROADWAY  
PEARLAND, TX 77581

Legal Description:

A0233 H T & B R R (PEARLAND), TRACT 68,  
ACRES 20.000

Fiduciary Number: 1474828

Parcel Address: OLD ALVIN RD

Legal Acres: 20.0000

>--

Account Number: **0233-0036-110**

Print Date: 08/14/2012

Certificate No: 194818360

Paid Date: 08/14/2012

Certificate Fee: \$10.00

Issue Date: 08/14/2012

Operator ID: JENNY

<--

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 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

RESTLAND OF DALLAS  
%CHRIS W THREADGILL  
13005 GREENVILLE AVE  
DALLAS, TX 75243-1916

2011 Value:	200,000
2011 Levy:	\$5,467.20
2011 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  
28 PEARLAND ISD  
54 BRAZORIA DRAINAGE DIST 4  
96 CITY OF PEARLAND

ID # 165788

Reference (CF) No: N/A

Issued By: *Jenny Phillips*  
RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
(979) 864-1320, (979) 338-1320, (281) 756-1320

TAX CERTIFICATE



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

Issued To:

GROMAX DEVELOPMENT  
4201 W. BROADWAY  
PEARLAND, TX 77581

Legal Description:

A0233 H T & B R R (PEARLAND), TRACT 62,  
ACRES 19.850

Fiduciary Number: 1474828

Parcel Address: OLD ALVIN RD

Legal Acres: 19.8500

>--

Account Number: 0233-0036-000

Print Date: 08/14/2012

Certificate No: 194818361

Paid Date: 08/14/2012

Certificate Fee: \$10.00

Issue Date: 08/14/2012

Operator ID: JENNY

<--

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 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

RESTLAND OF DALLAS  
%CHRIS W THREADGILL  
13005 GREENVILLE AVE  
DALLAS, TX 75243-1916

2011 Value:	198,500
2011 Levy:	\$5,426.20
2011 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
- 28 PEARLAND ISD
- 54 BRAZORIA DRAINAGE DIST 4
- 96 CITY OF PEARLAND

ID # 165787

Reference (GF) No: N/A

Issued By: *Jenny Phillips*  
RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
(979) 864-1320, (979) 388-1320, (281) 756-1320

TAX CERTIFICATE



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

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

Legal Description:
DBA SOUTH MEMORIAL PARK LTS 64-74-74A
PT LTS 63-69 542 H T & B PEARLAND,
ACRES 40.210

Fiduciary Number: 1474828

Parcel Address: N MAIN ST HWY 35

Legal Acres: 40.1985

>--
Account Number: 0542-0076-111
Certificate No: 194818363
Certificate Fee: \$10.00

Print Date: 08/14/2012
Paid Date: 08/14/2012
Issue Date: 08/14/2012
Operator ID: JENNY

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 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

EXEMPT

Certified Owner:

RESTLAND OF DALLAS
%CHRIS W THREADGILL
13005 GREENVILLE AVE
DALLAS, TX 75243-1916

Table with 2 columns: Description and Amount. Rows include 2011 Value (401,990), 2011 Levy (\$0.00), 2011 Levy Balance (\$0.00), Prior Year Levy Balance (\$0.00), Total Levy Due (\$0.00), P&I + Attorney Fee (\$0.00), and Total Amount Due (\$0.00).

Certified Tax Unit(s):

- 1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

ID# 177145

Reference (GF) No: N/A

Issued By: Jenny Phillips
RO'VIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. PURPOSE OF HEARING

**ZONE CHANGE APPLICATION NO. 2012-09Z**

A request of Chris Lesak, applicant, on behalf of Vivien Naeve, owner, for approval of a zone change from the Neighborhood Service (NS) zone to the Single Family Residential-1 (R-1) zone for 18.26 acres on the following described property, to wit:

**Legal Description:** All of that certain 18.26 acres of land out of the 18.284 acre tract described in the deed from Dan Michael Worrall, Et. Ux. To Vivien Naeve recorded under document No. 2004 018266, In the Official Records of Brazoria County, Texas

**General Location:** East of the northeast corner of Pearland Pkwy and John Lizer Road

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

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



## JOINT PUBLIC HEARING AGENDA ITEM MEETING OF SEPTEMBER 17, 2012

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### Zone Change No. 2012-09Z

A request of Chris Lesak, applicant, on behalf of Vivien Naeve, owner, for approval of a zone change from the Neighborhood Service (NS) zone to the Single Family Residential-1 (R-1) zone for 18.26 acres on the following described property, to wit:

**Legal Description:** All of that certain 18.26 acres of land out of the 18.284 acre tract described in the deed from Dan Michael Worrall, Et. Ux. To Vivien Naeve recorded under document No. 2004 018266, In the Official Records of Brazoria County, Texas

**General Location:** East of the northeast corner of Pearland Pkwy and John Lizer Road

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

Planning and Zoning Commission: September 17, 2012\*  
City Council for First Reading: October 8, 2012\*  
City Council for Second Reading: October 22, 2012\*

(\*dates subject to change)

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**SUMMARY:** Chris Lesak, applicant, on behalf of Vivien Naeve, owner, is requesting a zone change from the Neighborhood Service (NS) zoning district to the Single Family Residential-2 (R-2). The property contains 18.26 acres of land, is currently undeveloped, and located just east of the northwest corner of John Lizer and Pearland Pkwy. The property owner has indicated that they would like to sell the property to a developer who would like to develop the property into a residential subdivision. As indicated below, the property immediately abuts General Business (GB) zoning to the north and to the west, and Single Family Residential-2 (R-2) to the east.

### SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	General Business (GB)	Detention/Assisted Living Facility
South	Single-Family Residential-1	Detention/Undeveloped

	(R-1)	
East	General Business (GB)	Undeveloped
West	Single-Family Residential-2 (R-2)	Single Family Residential

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned as Neighborhood Service (NS). The minimum lot sizes requirements for the current district as well as the proposed Single-Family Residential-1 (R-1) are as follows:

	<u>NS</u>	<u>R-1</u>	<u>Property in Question</u>
<u>Lot Area:</u>	12,500 sq. ft.	8,800 sq. ft.	795,343 sq. ft.
<u>Lot Depth:</u>	100'	90'	1,678' (at deepest point)
<u>Lot Width:</u>	100'	80'	377' (at front setback)

As indicated above, the property meets the development regulations of the Single Family Residential-1 (R-1) zoning district.

**PLATTING STATUS:** The property has not been platted. A subdivision plat will be required at the time of development.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The current adopted Comprehensive Plan's Future Land Use Map indicates this area should be *Offices*. Therefore, the designation of Single Family Residential-1 (R-1) being requested would not be consistent with the Comprehensive Plan. When the City's Comprehensive Plan was updated, the *Office* designation for this property was intended to serve as a buffer between the commercial (General Business, GB) property immediately to the west of this site, and the Single-Family Residential-2 (R-2) immediately to the east of this site.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on John Lizer, a secondary thoroughfare with a 100' minimum right-of-way requirement.

**AVAILABILITY OF UTILITIES:** The subject parcel is served by public water.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed zone change may negatively impact surrounding properties. As previously mentioned, this property currently services as a buffer, as Neighborhood Service (NS), between General Business (GB) and Single Family Residential-2 (R-2). If the zone change is approved, that buffer would no longer exist, and would permit single family homes to be constructed immediately adjacent to future commercial development.

A Traffic Impact Analysis (TIA) may be required at the time of site plan review by the City's Engineering department to determine if there are any potentially negative traffic

impacts anticipated as a result of the proposed development at the time. Mitigation measures that are deemed necessary as a result would be responsibility of the applicant to implement.

**ADDITIONAL COMMENTS:** This request has been reviewed by the City's Development Review Committee. Pending specific future subdivision layout details, the Fire Marshall has indicated fire access (second point of access) may need to be addressed.

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

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

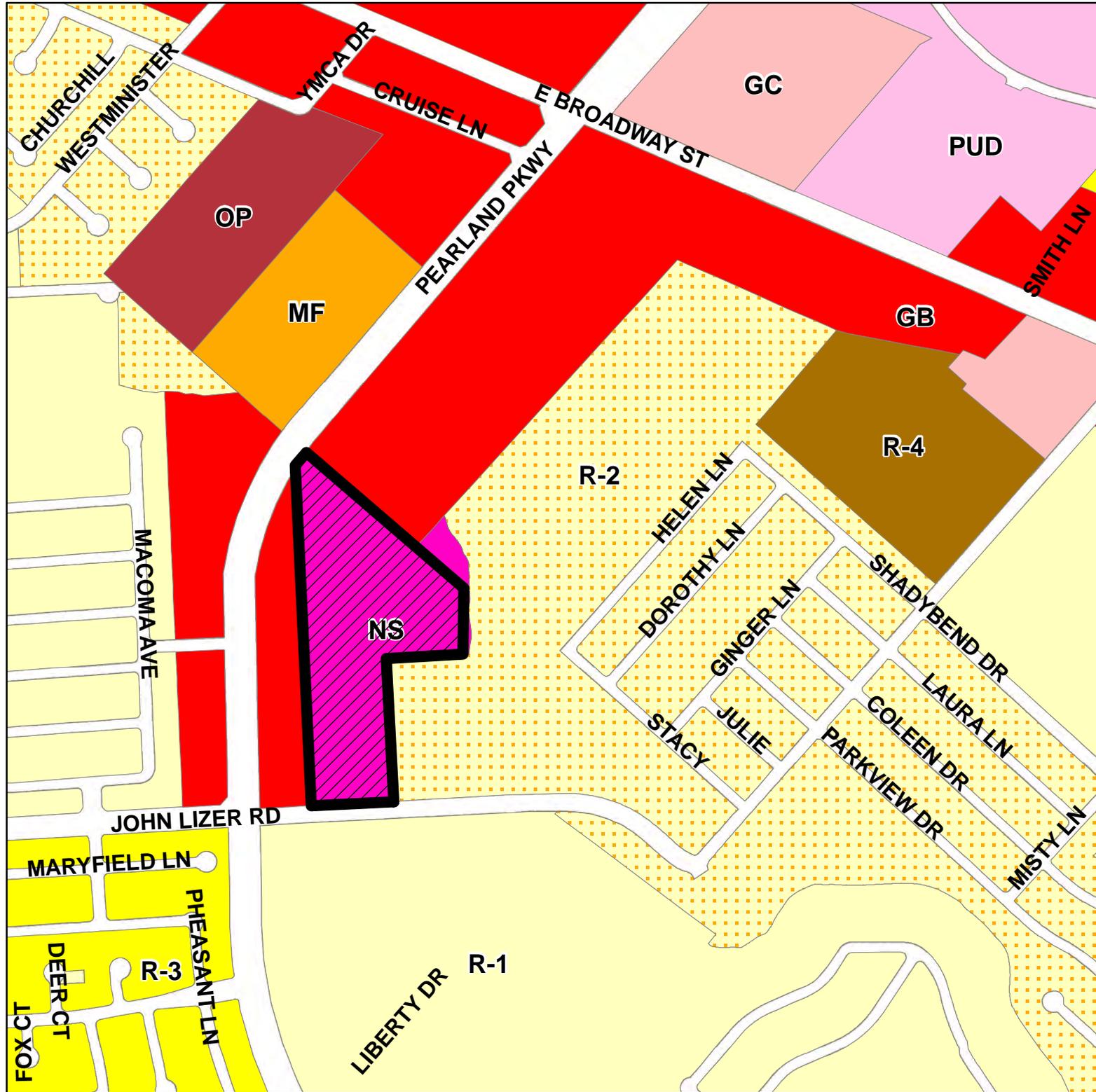
**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed zone change request.

**STAFF RECOMMENDATION:** Staff is unable to recommend approval of the Zone Change 2012-09Z as proposed by the applicant for the following reasons:

1. Approval of the zone change would not be in conformance with the surrounding zoning.
2. Approval of the zone change would remove the existing buffer between existing residential uses and future commercial uses.
3. The proposed zone change may negatively impact on the surrounding properties and developments.
4. The proposed zone change will not bring the property into compliance with the latest approved Future Land Use Plan.

**SUPPORTING DOCUMENTS:**

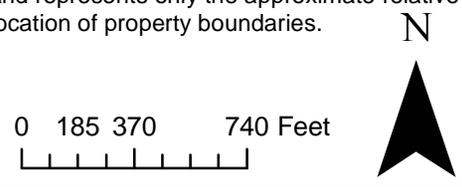
- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents
- Related Documents



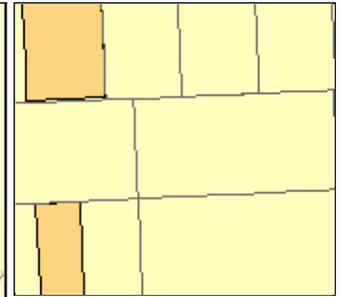
**Vicinity and Zoning Map**  
**Zone Change 2012-09Z**

**John Lizer/  
 Pearland Pkwy**

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



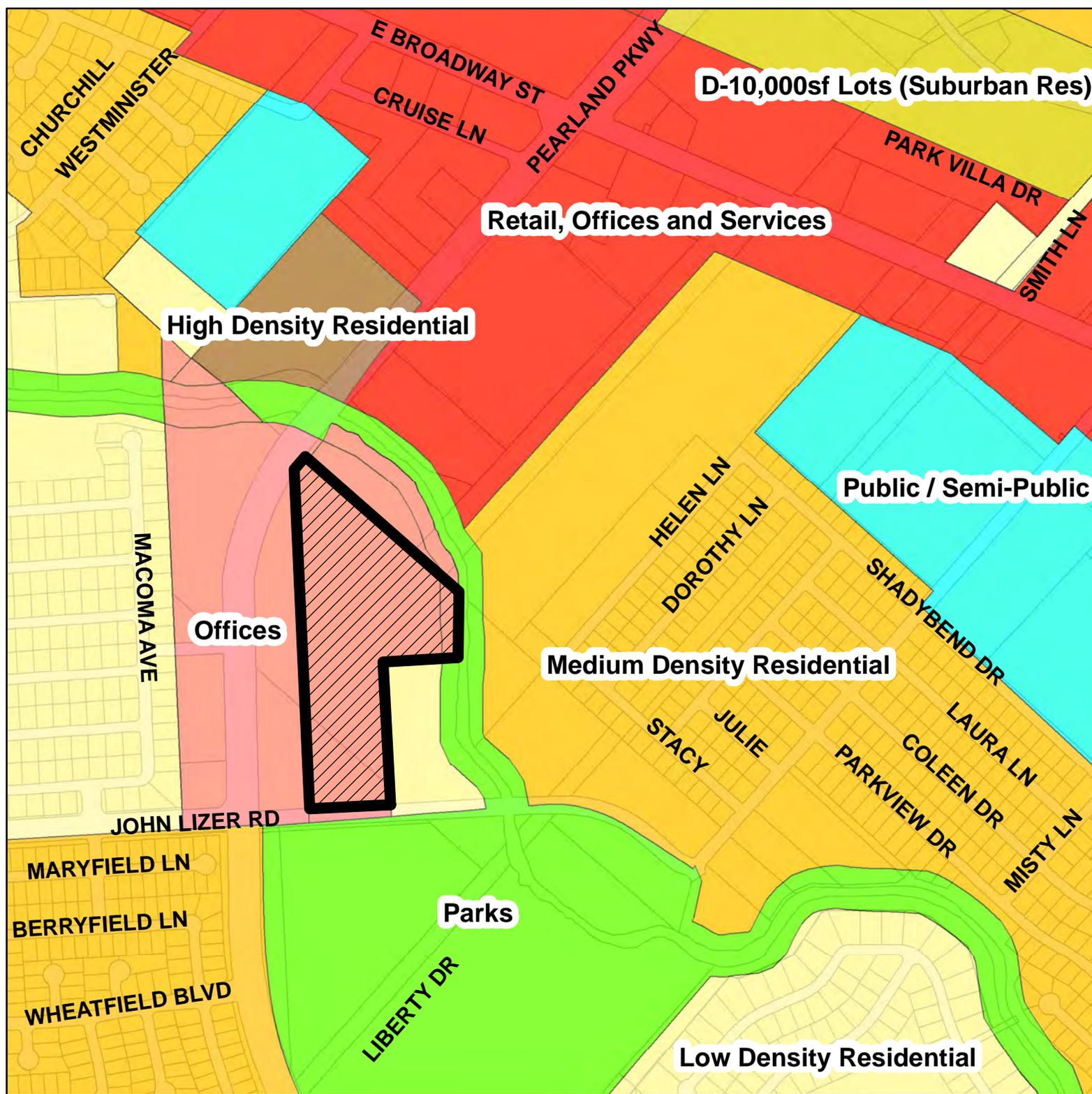
Abutter Map - Zone Change 2012-09Z



John Lizer/Pearland Pkwy

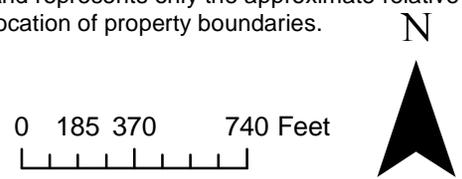
Scale 1:4,395  
1 in = 366 ft

<b>Name</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
MARTINI FRANK M	3114 S MACGREGOR WAY	HOUSTON	TX	77021-1103
NAEVE VIVIEN	1201 COWARDS CREEK DR	FRIENDSWOOD	TX	77546-4603
CHRISMAN BURT H JR	2801 JOHN LIZER RD	PEARLAND	TX	77581-5215
PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588
CHRIS LESAK	PO BOX 18282	PEARLAND	TX	77496



**FLUP Map**  
**Zone Change 2012-09Z**  
**John Lizer/  
Pearland Pkwy**

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



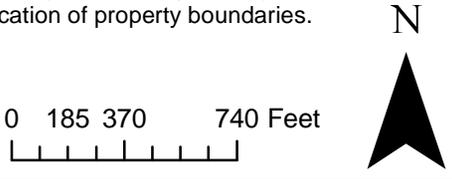


**Aerial Map**

**Zone Change 2012-09Z**

**John Lizer/  
Pearland Pkwy**

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





# APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: Neighborhood Service

Proposed Zoning District: R 1

**Property Information:**

Address or General Location of Property: John Lizer Rd 00775

A0399 TD YOCUM TRACT 1 PEARLAND ACRES 16.519

Tax Account No. 0399-006-001

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 Vivian Naeve  
ADDRESS 1926 Bissonnet  
CITY Houston STATE Tx ZIP 77005  
PHONE (713) 524-0990 / 713 8511406  
FAX ( ) \_\_\_\_\_  
E-MAIL ADDRESS MHNaeve1120@hotmail.com

NAME Chris Lesak  
ADDRESS P.O. Box 18282  
CITY Sugar Land STATE Tx ZIP 77496  
PHONE (281) 701-5569  
FAX (713) 234-7116  
E-MAIL ADDRESS Chris@chrislesak.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: Vivian Naeve Date: 8-16-2012

Agent's/Applicant's Signature: [Signature] Date: 8/27/12

**OFFICE USE ONLY:**

FEES PAID: <u>250.00</u>	DATE PAID: <u>8/16/12</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>303374</u>
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Application No. 2012-092



# APPLICATION FOR A CHANGE IN ZONING

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

Current Zoning District: Neighborhood Service

Proposed Zoning District: R 1

**Property Information:**

Address or General Location of Property: John Lizer Rd

Legal description A 0147 A C H + B Tract 127 Pearland Acres 1.865

Tax Account No. 0147 - 00 79 - 000

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

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

**PROPERTY OWNER INFORMATION:**

NAME Vivien Naeve  
ADDRESS 1926 Bissonnet  
CITY Houston STATE Tx ZIP 77005  
PHONE ( 713 ) 524 0990  
FAX ( \_\_\_\_\_ ) \_\_\_\_\_  
E-MAIL ADDRESS MHNAEVE1120@hotmail.com

**APPLICANT/AGENT INFORMATION:**

NAME Chris Lesak  
ADDRESS P.O. Box 18282  
CITY Sugar Land STATE TX ZIP 77496  
PHONE ( 281 ) 701-5569  
FAX ( 713 ) 234-7116  
E-MAIL ADDRESS Chris@ChrisLesak.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.

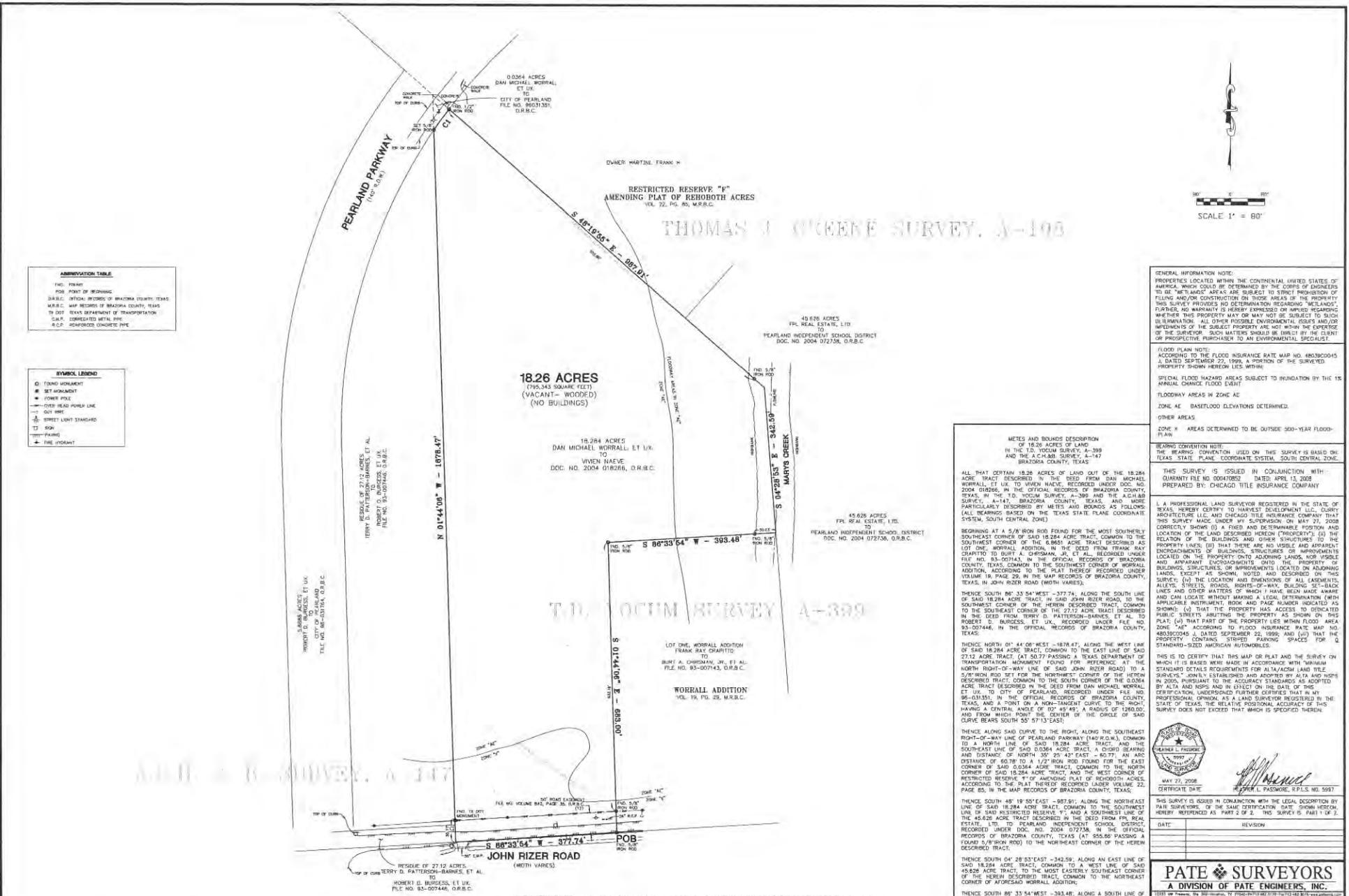
Owner's Signature: Vivien Naeve Date: 8-16-2012

Agent's/Applicant's Signature: [Signature] Date: 8-27-12

**OFFICE USE ONLY:**

FEES PAID: <u>250.00</u>	DATE PAID: <u>8/16/12</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>303374</u>
--------------------------	---------------------------	---------------------------------	-------------------------------

Application No. 2012-092



**ABBREVIATION TABLE**

IND. POINT  
 FOR POINT OF BEGINNING  
 PUBLIC MAP RECORDS OF BRAZORIA COUNTY, TEXAS  
 M.B.C. MAP RECORDS OF BRAZORIA COUNTY, TEXAS  
 TR. DOT TEXAS DEPARTMENT OF TRANSPORTATION  
 S.A.P. CORRODED METAL PIPE  
 R.C.P. REINFORCED CONCRETE PIPE

**SYMBOL LEGEND**

○ FOUND MONUMENT  
 ■ SET MONUMENT  
 ● POWER POLE  
 --- OVER HEAD POWER LINE  
 --- OUT WIRE  
 --- STREET LIGHT STANDARDS  
 □ SIGN  
 --- FENCE  
 ▲ THE POINT



**18.26 ACRES**  
 (VACANT - WOODED)  
 (NO BUILDINGS)

18.284 ACRES  
 DAN MICHAEL WORRALL, ET UX.  
 TO  
 VIVIAN NAEVE  
 DOC. NO. 2004 018286, O.B.R.C.

45,826 ACRES  
 FPL REAL ESTATE, LTD.  
 TO  
 PEARLAND INDEPENDENT SCHOOL DISTRICT  
 DOC. NO. 2004 072738, O.B.R.C.

45,826 ACRES  
 FPL REAL ESTATE, LTD.  
 TO  
 PEARLAND INDEPENDENT SCHOOL DISTRICT  
 DOC. NO. 2004 072738, O.B.R.C.

LOT ONE, WORRALL ADDITION  
 FRANK RAY GRANTITE  
 TO  
 BURT A. CHISHOLM, JR. ET AL.  
 FILE NO. 93-007143, O.B.R.C.

WORRALL ADDITION  
 VOL. 19, PG. 28, M.B.C.

**METES AND BOUNDS DESCRIPTION**  
 OF 18.26 ACRES OF LAND  
 IN THE T.D. YOCUM SURVEY, A-389  
 AND THE A.C.H.A.B. SURVEY, A-47  
 BRAZORIA COUNTY, TEXAS

ALL THAT CERTAIN 18.26 ACRES OF LAND OUT OF THE 18.284 ACRE TRACT DESCRIBED IN THE DEED FROM DAN MICHAEL WORRALL, ET UX. TO VIVIAN NAEVE, RECORDED UNDER DOC. NO. 2004 018286, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, IN THE T.D. YOCUM SURVEY, A-389 AND A C.H.A.B. SURVEY, A-47, BRAZORIA COUNTY, TEXAS, AND A C.H.A.B. SURVEY, A-47, BRAZORIA COUNTY, TEXAS, AND A C.H.A.B. SURVEY, A-47, BRAZORIA COUNTY, TEXAS, PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE):

BEING THAT A 5/8" IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID 18.284 ACRE TRACT, COMMON TO THE SOUTHWEST CORNER OF THE 6.856 ACRE TRACT DESCRIBED AS LOT ONE, WORRALL ADDITION, IN THE DEED FROM FRANK RAY GRANTITE TO BURT A. CHISHOLM, JR. ET AL., RECORDED UNDER FILE NO. 93-007143, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, COMMON TO THE SOUTHWEST CORNER OF WORRALL ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED UNDER VOLUME 19, PAGE 28, IN THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS, IN JOHN RIZER ROAD (WIDTH VARIES).

THENCE SOUTH 86° 33' 54" WEST - 377.74', ALONG THE SOUTH LINE OF SAID 18.284 ACRE TRACT, IN SAID JOHN RIZER ROAD, TO THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE SOUTHWEST CORNER OF THE 27.12 ACRE TRACT DESCRIBED IN THE DEED FROM TERRY D. PATTERSON-BARNES, ET AL. TO ROBERT E. BURGESS, ET UX., RECORDED UNDER FILE NO. 93-007446, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS;

THENCE NORTH 01° 44' 00" WEST - 1078.47', ALONG THE WEST LINE OF SAID 18.284 ACRE TRACT, COMMON TO THE EAST LINE OF SAID 27.12 ACRE TRACT, AT 50.77' PASSING A TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT FOUND FOR REFERENCE, AT THE NORTH RIGHT-OF-WAY LINE OF SAID JOHN RIZER ROAD) TO A 2 1/2" IRON ROD SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE SOUTH CORNER OF THE 0.0264 ACRE TRACT DESCRIBED IN THE DEED FROM DAN MICHAEL WORRALL, ET UX. TO CITY OF PEARLAND, RECORDED UNDER FILE NO. 93-007446, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, AND A POINT ON A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 107° 49' 49", A RADIUS OF 1200.00', AND FROM WHICH POINT THE CENTER OF THE CIRCLE OF SAID CURVE BEARS SOUTH 57° 13' EAST;

THENCE ALONG SAID CURVE TO THE RIGHT, ALONG THE SOUTHWEST RIGHT-OF-WAY LINE OF PEARLAND PARKWAY (140' R.O.W.), COMMON TO A NORTH LINE OF SAID 18.284 ACRE TRACT, AND THE SOUTHWEST LINE OF SAID 0.0264 ACRE TRACT, A CHORD BEARING AND DISTANCE OF NORTH 87° 49' EAST - 50.77', AND AN ARC DISTANCE OF 60.78' TO A 1/2" IRON ROD FOUND FOR THE EAST CORNER OF SAID 0.0264 ACRE TRACT, COMMON TO THE NORTH CORNER OF SAID 18.284 ACRE TRACT, AND THE WEST CORNER OF RESTRICTED RESERVE "F" AMENDING PLAT OF REHOBOTH ACRES, ACCORDING TO THE PLAT THEREOF RECORDED UNDER VOLUME 22, PAGE 85, IN THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS;

THENCE SOUTH 86° 33' 54" WEST - 897.91', ALONG THE NORTHEAST LINE OF SAID 18.284 ACRE TRACT, COMMON TO THE SOUTHWEST LINE OF SAID RESTRICTED RESERVE "F" AND A SOUTHWEST LINE OF THE 45.826 ACRE TRACT DESCRIBED IN THE DEED FROM FPL REAL ESTATE, LTD. TO PEARLAND INDEPENDENT SCHOOL DISTRICT, RECORDED UNDER DOC. NO. 2004 072738, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS (AT 955.80' PASSING A FOUND 5/8" IRON ROD TO THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT);

THENCE SOUTH 01° 44' 00" WEST - 342.59', ALONG AN EAST LINE OF SAID 18.284 ACRE TRACT, COMMON TO A WEST LINE OF SAID 45.826 ACRE TRACT, TO THE MOST EASTERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE NORTHEAST CORNER OF AFORESAID WORRALL ADDITION;

THENCE SOUTH 86° 33' 54" WEST - 393.48', ALONG A SOUTH LINE OF SAID 18.284 ACRE TRACT, COMMON TO THE NORTH LINE OF SAID WORRALL ADDITION, (AT 50.03' PASSING A FOUND 5/8" IRON ROD) TO A 5/8" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID WORRALL ADDITION, COMMON TO AN ANGLE CORNER OF SAID 18.284 ACRE TRACT;

THENCE SOUTH 01° 44' 00" EAST - 683.00', ALONG AN EAST LINE OF SAID 18.284 ACRE TRACT, COMMON TO THE WEST LINE OF SAID WORRALL ADDITION, (AT 533.18' PASSING A 5/8" IRON ROD FOUND AT THE INTERSECTION OF SAID EAST LINE AND THE RIGHT-OF-WAY LINE OF AFORESAID JOHN RIZER ROAD) TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT AND CONTAINING 18.26 ACRES OF LAND.

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	1200.00'	60.78'	2° 49' 49"	N 95° 28' 42" E	60.77'

**GENERAL INFORMATION NOTE:**  
 PROPERTIES LOCATED WITHIN THE CONTINENTAL UNITED STATES OF AMERICA WHICH COULD BE DETERMINED BY THE CORNER OF CHAINERS TO BE "WETLANDS" AREAS ARE SUBJECT TO STRICT PROVISIONS OF FILING AND/OR CONSTRUCTION ON THOSE AREAS OF THE PROPERTY. THIS SURVEY PROVIDES NO DETERMINATION REGARDING "WETLANDS", "FLORIDA" OR "WARRANTY" BY ENVIRONMENTAL AGENCIES REGARDING WHETHER THIS PROPERTY MAY OR MAY NOT BE SUBJECT TO SUCH DETERMINATION. ALL OTHER POSSIBLE ENVIRONMENTAL ISSUES AND/OR IMPROVEMENTS OF THE SUBJECT PROPERTY ARE NOT WITHIN THE EXPERTISE OF THE SURVEYOR. SUCH MATTERS SHOULD BE DEALT BY THE CLIENT OR PROSPECTIVE PURCHASER TO AN ENVIRONMENTAL SPECIALIST.

**FLOOD PLAIN NOTE:**  
 ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 18053C045 A, DATED SEPTEMBER 27, 1999, A PORTION OF THE SURVEYED PROPERTY SHOWS HEREON LIES WITHIN:  
 SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT  
 FLOODWAY AREAS IN ZONE AE  
 FLOODWAY AREAS IN ZONE AE  
 ZONE AE BASEFLOOD ELEVATIONS DETERMINED.  
 OTHER AREAS  
 ZONE X AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN

**BEARING CONVENTION NOTE:**  
 THE BEARING CONVENTION USED ON THIS SURVEY IS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.

THIS SURVEY IS ISSUED IN CONJUNCTION WITH QUANTITY FILE NO. 00047082, DATED APRIL 13, 2008 PREPARED BY CHICAGO TITLE INSURANCE COMPANY

I, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF TEXAS, HEREBY CERTIFY TO HARVEST DEVELOPMENT LLC, CLARY ARCHITECTURE LLC, AND CHICAGO TITLE INSURANCE COMPANY THAT THIS SURVEY MADE UNDER MY SUPERVISION ON MAY 21, 2008 CORRECTLY SHOWS (1) A FIXED AND DETERMINABLE POSITION AND LOCATION OF THE LINES DESCRIBED HEREON ("PROPERTY"), (2) THE RELATION OF THE BUILDINGS AND OTHER STRUCTURES TO THE PROPERTY LINES, (3) THAT THERE ARE NO VISIBLE AND APPARENT ENCROACHMENTS OF BUILDINGS, STRUCTURES OR IMPROVEMENTS LOCATED ON THE PROPERTY ONTO ADJOINING LANDS, NOR VISIBLE AND APPARENT ENCROACHMENTS INTO THE PROPERTY OF BUILDINGS, STRUCTURES OR IMPROVEMENTS LOCATED ON ADJOINING LANDS, EXCEPT AS SHOWN, NOTED, AND AS SHOWN ON THIS SURVEY; (4) THE LOCATION AND DIMENSIONS OF ALL EASEMENTS, ALLEYS, STREETS, ROADS, RIGHTS-OF-WAY, BOUNDARIES, SET-BACK LINES AND OTHER MATTERS OF WHICH I HAVE BEEN MADE AWARE AND CAN LOCATE WITHOUT MAKING A LEGAL DETERMINATION (WITH APPLICABLE INSTRUMENT, BOOK AND PAGE NUMBER INDICATED AS SHOWN); (5) THAT THE PROPERTY HAS ACCESS TO DEDICATED PUBLIC STREETS ADJOINING THE PROPERTY AS SHOWN ON THIS PLAT; (6) THAT PART OF THE PROPERTY LIES WITHIN FLOOD AREA ZONE "AE" ACCORDING TO FLOOD INSURANCE RATE MAP NO. 48053C045, DATED SEPTEMBER 27, 1999, AND (7) THAT THE PROPERTY CONTAINS STRIPPED PARKING SPACES FOR 6 STANDARD-SIZED AMERICAN AUTOMOBILES.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH MINIMUM STANDARD DETAILS REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 2005, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSCORED FURTHER CERTIFIES THAT AS A PROFESSIONAL OPINION AS A LAND SURVEYOR REGISTERED IN THE STATE OF TEXAS, THE RELATIVE PROPORTIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.



*Robert L. Passmore*  
 ROBERT L. PASSMORE, R.P.L.S. NO. 5997  
 MAY 27, 2008  
 CERTIFICATE DATE

THIS SURVEY IS ISSUED IN CONJUNCTION WITH THE LEGAL DESCRIPTION BY PATE SURVEYORS, L.P. OF THE SAME CERTIFICATION, PLAT, JOHN HERRON, HEREBY REFERRED AS PART 2 OF 2. THIS SURVEY IS PART 1 OF 2.  
 DATE: REVISION:

**PATE SURVEYORS**  
 A DIVISION OF PATE ENGINEERS, INC.  
 1505 E. PATE BLVD., SUITE 100, PEARLAND, TEXAS 77656-1000  
 ALTA/ACSM LAND TITLE SURVEY  
**18.26 ACRES**  
 IN THE T.D. YOCUM SURVEY, A-389  
 AND THE A.C.H.A.B. SURVEY, A-47  
 BRAZORIA COUNTY, TEXAS

DATE: 05/21/08  
 TIME: 10:00 AM  
 SHEET: 1 OF 1  
 JOB NO. 11404-011-01-610

NOTES CORRECTING TO SCHEDULE B ITEMS LISTED ARE FROM SCHEDULE B OF THE COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY, 22 NO. DOWNTOWN, WITH AN EFFECTIVE DATE OF APRIL 13, 2008, AND RESUED APRIL 23, 2008.  
 12 - AFFECTS THE PROPERTY AND IS SHOWN HEREIN

MapTip BCAD2012

Table of Contents

Layer

Selection



BCAD2012

Selection Type: New

View Results



PEARLAND PKWY



Map Address Search

Open



Subject property

JOHN LUZER RD

Independence Park



Mary's Creek

Subject Property  
18.32 Acres

Independence Park

Pearland Pkwy

John Lutzer Rd

John Lutzer Rd

John Lutzer Rd

3804

3800

3848

3514

3600

2804

3882

2500

3822

3838

3374

2900

3006

Attention: HAROLD ELLIS

To whom it MAY CONCERN,

My name is Vivien Naeve.  
I own property that is zoned  
neighborhood service and I  
would like to have it rezoned R1.  
There is someone interested  
in building a small subdivision  
of 30 homesites.

Thank you,  
Vivien Naeve

Letter of Intent

CITY OF PEARLAND

\*\*\* CUSTOMER RECEIPT \*\*\*

Oper: AGONZALES    Type: OC    Drawer: 1  
Date: 8/16/12 01    Receipt no: 303374

Description	Quantity	Amount
BA	BOARD OF ADJUSTMENTS	
	1.00	\$250.00
Trans number:		3003600

ZONE CHANGE TO R5 TO R1  
VIVIEN HAEVE  
1201 COWARDS CREEK DR.  
FRWD., TX 77546

Tender detail		
CK CHECK	6200	\$250.00
Total tendered		\$250.00
Total payment		\$250.00

Trans date: 8/16/12    Time: 13:00:00

**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  
281-652-1768**

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

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

*Kevin Naewe  
8-16-2012*

# DUPLICATE TAX RECEIPT



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

*Handwritten:* 17-ent-001  
HAROLD PERE

**Certified Owner:**

NAEVE VIVIEN  
1201 COWARDS CREEK DR  
FRIENDSWOOD, TX 77546-4603

**Legal Description:**

A0147 A C H & B, TRACT 127, PEARLAND,  
ACRES 1.865

Parcel Address: JOHN LIZER RD  
Legal Acres: 1.8650

Remit Seq No: 20923495  
Receipt Date: 05/23/2012  
Deposit Date: 05/23/2012  
Print Date: 08/23/2012  
Printed By: LATOYA

Deposit No: 152311031727  
Validation No: 29  
Account No: **0147-0079-000**  
Operator Code: SAND

Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2011	Brazoria County	65,280	0.413101	269.67	35.06	0.00	304.73
2011	Special Road & Bridge	65,280	0.060000	39.17	5.09	0.00	44.26
2011	Pearland Isd	65,280	1.419400	926.58	120.46	0.00	1,047.04
2011	Brazoria Drainage Dist 4	65,280	0.156000	101.84	13.24	0.00	115.08
2011	City Of Pearland	65,280	0.685100	447.23	58.14	0.00	505.37
				<b>\$1,784.49</b>	<b>\$231.99</b>	<b>\$0.00</b>	<b>\$2,016.48</b>

Check Number(s):  
00006265

**PAYMENT TYPE:**

Checks: \$2,016.48

Exemptions on this property:

Total Applied: \$2,016.48

Change Paid: \$0.00

**ACCOUNT PAID IN FULL**

**PAYER:**  
NAEVE VIVIEN  
1201 COWARDS CREEK DR  
FRIENDSWOOD, TX 77546-4603

# DUPLICATE TAX RECEIPT



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

*Attention*  
*Handwritten notes*

**Certified Owner:**

NAEVE VIVIEN  
1201 COWARDS CREEK DR  
FRIENDSWOOD, TX 77546-4603

**Legal Description:**

A0399 T D YOCUM, TRACT 1, PEARLAND,  
ACRES 16.519

Parcel Address: JOHN LIZER RD  
Legal Acres: 16.5190

Remit Seq No: 20367611  
Receipt Date: 01/31/2012  
Deposit Date: 02/03/2012  
Print Date: 08/23/2012  
Printed By: LATOYA

Deposit No: 1203410C  
Validation No: 90000023475324  
Account No: **0399-0006-001**  
Operator Code: LATOYA

Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2011	Brazoria County	578,170	0.413101	2,388.43	0.00	0.00	2,388.43
2011	Special Road & Bridge	578,170	0.060000	346.90	0.00	0.00	346.90
2011	Pearland Isd	578,170	1.419400	8,206.54	0.00	0.00	8,206.54
2011	Brazoria Drainage Dist 4	578,170	0.156000	901.95	0.00	0.00	901.95
2011	City Of Pearland	578,170	0.685100	3,961.04	0.00	0.00	3,961.04
2010	Brazoria County	578,170	0.403101	499.73	119.94	123.93	743.60
2010	Special Road & Bridge	578,170	0.060000	74.37	17.85	18.44	110.66
2010	Pearland Isd	578,170	1.419400	1,759.69	422.33	327.30	2,509.32
2010	Brazoria Drainage Dist 4	578,170	0.156000	193.41	46.42	47.97	287.80
2010	City Of Pearland	578,170	0.665100	824.58	197.90	204.50	1,226.98
				<b>\$19,156.64</b>	<b>\$804.44</b>	<b>\$722.14</b>	<b>\$20,683.22</b>

Check Number(s):  
13130

**PAYMENT TYPE:**

Checks: \$20,683.22

Exemptions on this property:

Total Applied: \$20,683.22

Change Paid: \$0.00

**ACCOUNT PAID IN FULL**

**PAYER:** 20492367  
**PROPEL FINANCIAL SERVICES, LLC**  
**P.O.BOX 100350**  
**SAN ANTONIO, TX 78201**