

## **NOTICE OF PLANNING COMMISSION MEETING**

NOTICE IS HEREBY GIVEN THAT THE PLANNING COMMISSION OF THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, WILL MEET IN REGULAR SESSION OPEN TO THE PUBLIC AS FOLLOWS:

**DATE:** Wednesday, July 15, 2015  
**TIME:** 4:00 p.m.  
**PLACE:** Rosenberg City Hall  
City Hall Council Chamber  
2110 4<sup>th</sup> Street  
Rosenberg, Texas 77471  
**PURPOSE:** Rosenberg Planning Commission Meeting

Call to order: Council Chamber

### **AGENDA**

#### **MINUTES**

1. Consideration of and action on minutes of the Regular Planning Commission Meeting for June 17, 2015. (Janet Eder, Secretary II)

#### **PUBLIC HEARINGS**

2. Hold public hearing on a Short Form Final Plat of Reading Road Office Park Replat No. One, a total of 0.3756 acres being a replat of Lot 13, Reading Road Office Park in the James Lowery 1/3 League, A-275, City of Rosenberg, Fort Bend County, Texas, recorded under Fort Bend County Plat No. 20110006; 2 lots, 1 block, 0 reserves. (Charles Kalkomey, City Engineer)

#### **VARIANCE REQUESTS**

None

#### **SUBDIVISION LAND PLANS AND PRELIMINARY PLATS**

None

#### **FINAL PLATS**

3. Consideration of and action on a Final Plat of Fort Bend County MUD No. 184 Lift Station Site, a subdivision of 0.15 acres of land out of the Wiley Martin Survey, A-56, Fort Bend County, Texas; 1 block, 1 reserve. (Charles Kalkomey, City Engineer)
4. Consideration of and action on a Final Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site, a subdivision of 4.13 acres of land out of the Wiley Martin Survey, A-56, Fort Bend County, Texas; 1 block, 1 reserve. (Charles Kalkomey, City Engineer)
5. Consideration of and action on a Short Form Final Plat of Reading Road Office Park Replat No. One, a total of 0.3756 acres being a replat of Lot 13, Reading Road Office Park in the James Lowery 1/3 League, A-275, City of Rosenberg, Fort Bend County, Texas, recorded under Fort Bend County Plat No. 20110006; 2 lots, 1 block, 0 reserves. (Charles Kalkomey, City Engineer)

#### **DISCUSSION ITEMS**

6. Consideration of and action on requests for future Agenda items. (Charles Kalkomey, City Engineer)
7. Announcements.
8. Adjournment.

The Planning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney).

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the 8<sup>th</sup> day of July 2015, at 4:45 p.m. by Linda Cernosek



Linda Cernosek

Attest:  
Linda Cernosek, TRMC, City Secretary

Robert Gracia

Approved for Posting:  
Robert Gracia, City Manager

Reasonable accommodation for the disabled attending this meeting will be available; persons with disabilities in need of special assistance at the meeting should contact the City Secretary at (832) 595-3340.

# **ITEM 1**

## **Minutes:**

- 1. Regular Planning Commission Meeting Minutes for June 17, 2015**

# PLANNING COMMISSION MEETING MINUTES

\*\*\*DRAFT\*\*\*

On this the 17th day of June 2015, the Planning Commission of the City of Rosenberg, Fort Bend County, Texas, met in a regular meeting at the Rosenberg City Hall Council Chamber, 2110 4<sup>th</sup> Street, Rosenberg, Texas 77471.

## COMMISSIONERS PRESENT

Pete Pavlovsky	Planning Commission Chairperson
Wayne Poldrack	Planning Commission Secretary
Alicia Casias	Planning Commissioner
James Urbish	Planning Commissioner
Lester Phipps	Planning Commissioner

## COMMISSIONERS ABSENT

Mike Parsons	Planning Commissioner
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## STAFF PRESENT

Travis Tanner	Executive Director of Community Development
Janet Eder	Secretary II

## OTHERS PRESENT

Christian Lentz	Kendig Keast Collaborative
Jordan Konesheck	Pape-Dawson Engineers (The Trails at Seabourne Parke Section Three)

## CALL TO ORDER

Chairperson Pavlovsky called the meeting to order at 4:00 p.m.

## AGENDA

### 1. CONSIDERATION OF AND ACTION ON MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF MAY 20, 2015.

**Action Taken:** Commissioner Casias moved, seconded by Commissioner Urbish, to approve the minutes of the Regular Planning Commission Meeting of May 20, 2015, as written. The motion carried unanimously by those present.

### 2. CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF THE TRAILS AT SEABOURNE PARKE SECTION THREE, A SUBDIVISION OF 23.495 ACRES LOCATED IN THE G.M. STONE 1/3 LEAGUE SURVEY, ABSTRACT 312 CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 147); 97 LOTS, 2 RESERVES, 2 BLOCKS.

**Executive Summary:** The Preliminary Plat of The Trails at Seabourne Parke Section Three consists of approximately 23.495 acres and 97 single-family residential lots. It is located south of J. Meyer Road off of Sandy Sea Road, east of The Trails at Seabourne Parke Section Two and south of The Trails at Seabourne Parke Section One. It is generally in the southeast quadrant of The Trails at Seabourne Parke adjoining Seabourne Creek to the east. The Plat is located within the City Limits and in Fort Bend County MUD No. 147.

All proposed lots are fifty feet (50') in width and a minimum of 6,000 square feet in size since the Land Plan was approved before the current standards relating to lot size. The Plat conforms to the approved Land Plan dated June 2003 (see attached). The development was assigned to LGI Homes in 2014, and they are developing in accordance with the previously approved Land Plan.

There being no conflicts with applicable regulations or with the original Land Plan, staff recommends approval of the Preliminary Plat of The Trails at Seabourne Parke Section Three. In addition to the Utility Agreement and Land Plan, this Plat/development is subject to a Road Improvement Agreement related to improvements to J Meyer Road that was recently amended to address the needed improvements before approval of the Final Plat of

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Poldrack inquired why the Preliminary Plat of The Trails at Seabourne Parke Section Three was subject to approval prior to the completion of road improvements to J Meyer Road.
- Mr. Tanner replied that when the utility agreement was assigned, the terms stated that the J Meyer Road improvement agreement had to be approved prior to approval of the Final Plat of The Trails at Seabourne Parke Section Two. Mr. Tanner explained that a twelve-month timeline for the completion of the J Meyer Road had been addressed at the June City Council Meeting.
- Mr. Tanner stated that nothing would prevent the Commission from approving.
- Commissioner Poldrack inquired about what benefit the City or the developer had.
- Mr. Tanner stated that obtaining approval of the preliminary layout prior to spending money on designing streets and utilities for the subdivision was the purpose.
- Commissioner Poldrack inquired about a mechanism for obtaining a Homeowner's Association (HOA) for the subdivision.
- Mr. Tanner replied that there was a HOA.
- Commissioner Poldrack inquired if the HOA would be administered by the homeowners, a management company or by the developer.
- Mr. Tanner directed this question to Jordan Konesheck, Pape Dawson Engineers.
- Mr. Konesheck did not have an answer to the question.
- Mr. Tanner replied that private management companies usually manage an HOA.
- Commissioner Poldrack expressed concern about the property maintenance of Rosenberg subdivisions. Commissioner Poldrack stated that The Reserve at Brazos Town Center was the best example of a well maintained subdivision, while Bayou Crossing, located off Airport Road, was not. Commissioner Poldrack stated that Bayou Crossing must not have a HOA because of the appearance of the subdivision. The City apparently does not have the authority to enforce maintenance regulations in the subdivision.
- Mr. Tanner stated that the City recently approved an ordinance for fence repairs and other property maintenance issues.
- Commissioner Poldrack inquired if future developments would be mandated to have a HOA.
- Mr. Tanner replied that restrictive covenants apply. After long periods of time, and after a subdivision has been built out, the restrictions depend on the economic status of the subdivision. Mr. Tanner stated that the City does not have the authority to enforce deed restrictions.
- Commissioner Poldrack inquired if the City could enforce deed restrictions in subdivisions.
- Mr. Tanner replied that this question would have to be addressed with the City attorney, but he did not think so.
- Commissioner Poldrack inquired if a developer could be required to have a HOA.
- Mr. Tanner replied that the subdivision ordinance would need to be reviewed before the City could mandate a subdivision to have a HOA.

**Action Taken:** Commissioner Casias moved, seconded by Commissioner Phipps, to approve the Preliminary Plat of The Trails at Seabourne Parke Section Three, a subdivision of 23.495 acres located in the G.M. Stone 1/3 League Survey, Abstract 312 City of Rosenberg, Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 147); 97 lots, 2 reserves, 2 blocks. The motion carried by a vote of four "ayes" to one "no". **AYES: Chairperson Pavlovsky, Vice Chairperson Phipps, and Commissioners Casias and Urbish. NOES: Commissioner Poldrack.**

**3. CONSIDERATION OF AND ACTION ON REQUESTS FOR FUTURE AGENDA ITEMS.**

**Executive Summary:** This item allows the Planning Commission the opportunity to request that items be placed on future agendas.

**Key Discussion:**

- Chairperson Pavlovsky questioned if an existing development had been purchased by another developer, do they have to subsequently comply with current standards.
- Chairperson Pavlovsky requested that addressing this issue in future development agreements be placed on next month's agenda.
- Mr. Tanner stated that a development agreement format has been in place and that a developer must meet current standards after a ten- to twelve-year period.

- Mr. Tanner explained that, generally speaking, new regulations do not apply to developers because of a change of ownership, but rather because of a change of property use.
- Commissioner Poldrack requested that current development standards be enforced even when there has been a transfer of ownership.
- Mr. Tanner stated that new development agreements must be assigned to new developers and the agreement will be subject to City Council approval.
- Mayor McConathy requested that shared parking space requirements be added to next month's agenda.
- Mayor McConathy stated the importance of meeting parking space requirements, opposed to resorting to a PUD because parking requirements could not be met.
- Mr. Tanner replied that the Comprehensive Plan is addressing similar concerns regarding parking.
- Mayor McConathy suggested having more joint parking.
- Chairperson Pavlovsky inquired how code enforcement addressed deteriorating fences.
- Mr. Tanner replied that City Council recently passed an ordinance to address maintenance issues with fences.

***No action taken.***

**4. ANNOUNCEMENTS.**

There were no announcements.

**5. ADJOURNMENT.**

There being no further business, Chairperson Pavlovsky adjourned the Rosenberg Planning Commission meeting at 5:10 p.m.

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Janet Eder  
Secretary II



# PLANNING COMMISSION COMMUNICATION

July 15, 2015

ITEM #	ITEM TITLE
2	Public Hearing on Short Form Final Plat of Reading Road Office Park Replat No. One

## MOTION

Hold public hearing on a Short Form Final Plat of Reading Road Office Park Replat No. One, a total of 0.3756 acres being a replat of Lot 13, Reading Road Office Park in the James Lowery 1/3 League, A-275, City of Rosenberg, Fort Bend County, Texas recorded under Fort Bend County Plat No. 20110006; 2 lots, 1 block, 0 reserves.

## RECOMMENDATION

Staff recommends the public hearing be held.

MUD #	City/ETJ	ELECTION DISTRICT
N/A	City	1

## SUPPORTING DOCUMENTS:

1. Short Form Final Plat of Reading Road Office Park Replat No. One.

## APPROVAL

Submitted by:

Charles Kalkomey, P.E.  
City Engineer

Reviewed by:

Executive Director of Community Development *TLT*  
 City Engineer

## EXECUTIVE SUMMARY

The Short Form Final Plat of Reading Road Office Park Replat No. One is a replat of Lot 13, Reading Road Office Park in the James Lowery 1/3 League, A-275, City of Rosenberg, Fort Bend County, Texas recorded under Fort Bend County Plat No. 20110006. The Plat consists of 0.3756 acres.

Because this is a replat of a previous subdivision, a public hearing is required per State law and the City's "Subdivision" Ordinance. That being said, staff recommends holding the hearing prior to the Planning Commission taking action on the Plat in a subsequent Agenda item.

**LEGEND**

B.L. = BUILDING LINE  
 FIRM = FLOOD INSURANCE RATE MAP  
 IR = IRON ROD or IP = IRON PIPE  
 ROW = RIGHT OF WAY  
 RPLS=REGISTERED PROFESSIONAL LAND SURVEYOR  
 FND.=FOUND  
 W/=WITH  
 F.B.C.C.F. NO.=FORT BEND COUNTY CLERK'S FILE NUMBER  
 F.B.C.D.R.=FORT BEND COUNTY DEED RECORDS  
 F.B.C.P.R.=FORT BEND COUNTY PLAT RECORDS  
 F.B.C.M.R.=FORT BEND COUNTY MAP RECORDS  
 O.P.R.=OFFICIAL PUBLIC RECORDS  
 VOL.=VOLUME  
 PG.=PAGE

**NOTES:**

- B.L. INDICATES BUILDING LINE; U.E. INDICATES UTILITY EASEMENT; STEM, S.E. INDICATES STORM SEWER EASEMENT; W.L.E. INDICATES WATER LINE EASEMENT; S.S.E. INDICATES SANITARY SEWER EASEMENT; D.E. INDICATES DRAINAGE EASEMENT; P.L. INDICATES PROPERTY LINE (PVT) INDICATES PRIVATE.
- Benchmark: City of Rosenberg Control Monument No. 39 - Brass disk located on C-Inlet on north side of Reading Rd. NE corner of inlet 300 feet east of US Highway 59 NAVD88, 2001 Adj. (GEOD 03) Elevation = 98.41 feet
- Project Benchmark: Brass Disk set in concrete 15.85 feet southeast of the northwest corner of Reserve "A" of Reading Road Office Park subdivision, State Plane Coordinates N = 13762759.38, E = 2994236.28 Elev. = 97.00 feet NAVD88, 2001 Adj. (GEOD 03).
- Elevations used for delineating contour lines are based upon City of Rosenberg Monument No. 39 Datum, NAVD 88 (2001 ADJ.)
- The coordinates and bearings shown hereon are Texas State Plane Coordinates South Central Zone (Grid NAD 83) and may be brought to the surface by applying the following combined scale factor of 0.99986997545.
- This tract was prepared to meet the City of Rosenberg, West Fort Bend Management District and Fort Bend County requirements.
- Surveyor did not abstract subject property, this plat was prepared with information contained in the title commitment by First National Title Insurance Company, File No. 15-216533-C7, effective date May 19, 2015. All of the property located within the foregoing plat is located wholly within the property described in said title commitment.
- This plat lies wholly within Fort Bend Subdivision District, Fort Bend County Drainage District, Lamar Consolidated L.S.D., and City Limits of Rosenberg and Fort Bend County.
- There are no pipeline or pipeline easements on this tract except as shown hereon.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map Number 48157C0245 L revised date April 2, 2014, the subject property lies within Unshaded Zone "X", areas determined to be outside the 500-year floodplain.
- All drainage easements are to be kept clear of fences, buildings, vegetation, and other obstructions to the operation and maintenance of the drainage facility. All property is required to drain into the drainage easement through an approved drainage structure.
- Approval of this plat will expire one year from City Council approval if not recorded in the Real Property Records of the County of Fort Bend.
- Five-Eighths inch (5/8") iron rods three feet (36") in length are set on all perimeter boundary corners, all angle points, all points of curvature and tangency, and all block corners, unless otherwise noted.
- The minimum slab elevation shall be 99.50 feet, twelve inches (12") above the 100-year flood plain elevation and maximum ponding elevation, eighteen inches (18") above natural ground, or twelve inches (12") above the top of curb at the front of the lot, whichever is higher.
- The drainage system for this subdivision shall be designed to meet the requirements of the Fort Bend County drainage criteria manual which allows street ponding during intense rainfall events.
- All easements are centered on lot lines unless otherwise indicated.
- This plat lies within Fort Bend County Lighting Ordinance Zone No. LZ3.
- Site plans shall be submitted to the City of Rosenberg for staff review and approval prior to construction, driveway requirements for the locations, widths and offset from an intersection and any existing driveways or proposed driveways, shall conform to the design standards of the City of Rosenberg.
- The subdivision contains one or more permanent access easements that have not been dedicated to the public or accepted by the City of Rosenberg or any other local government agency as public right-of-way. The City of Rosenberg has no obligation, nor does any other local government agency have obligation, to maintain or improve any permanent easement within the subdivision, which obligation shall be the sole responsibility of the property owners of this subdivision.
- Plat is subject to that certain blanket easement to CenterPoint Energy Houston Electric, LLC secured November 13, 2013 and recorded under Fort Bend County Clerk's File 2013153649 of the Official Public Records.
- Subject to the West Fort Bend Management District Development Standards. West Fort Bend Management District requires a tree survey and tree preservation plan prior to removal of any trees 18" in diameter or greater from property. West Fort Bend Management District shall be notified prior to any site clearing or construction. Site plans shall be submitted to the City of Rosenberg and West Fort Bend Management District for staff review and approval prior to construction. This plat was prepared to meet City of Rosenberg, Fort Bend County, and West Fort Bend Management District requirements.
- Subject to those restrictive covenants recorded in Slide Numbers 2469A and File No. 20110006 of the Fort Bend County Map Records, Volume 583, Page 108 of the Fort Bend County Deed Records, File No. 2003012380, File No. 2011122778, File No. 2015037090, File No. 2015041799 for the Fort Bend County Official Public Records.

STATE OF TEXAS  
 COUNTY OF FORT BEND  
 CITY OF ROSENBERG

I, Thomas Juarez, President of Richwest Investors, LLC and Robert B. Brunson, President, General Partner of Richwest Investors, LLC, owner of the 0.3756 acre tract described in the above and foregoing map of READING ROAD OFFICE PARK REPLAT NO. ONE, do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself, my heirs and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, I do hereby dedicate for public utility purposes an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, I do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any public or private street, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, I do hereby covenant and agree that all of the property within the boundaries of this subdivision and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, excessive vegetation and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owner does hereby declare that the parcels of land designated as reserves on this plat are non-residential.

IN TESTIMONY WHEREOF, the Richwest Investors, LLC has caused these presents to be signed by Thomas G. Juarez their Managing Partner and Robert B. Brunson their Managing Partner, hereunto authorized, this \_\_\_\_nd day of \_\_\_\_\_, 2015.

RICHWEST INVESTORS, LLC

By: \_\_\_\_\_  
 Thomas G. Juarez, Managing Partner  
 Attest: \_\_\_\_\_  
 Robert B. Brunson, Managing Partner

STATE OF TEXAS  
 COUNTY OF FORT BEND

BEFORE ME, the undersigned authority, on this day personally appeared Thomas G. Juarez, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_day of \_\_\_\_\_, 2015.

Notary Public in and for  
 Fort Bend County, Texas

STATE OF TEXAS  
 COUNTY OF FORT BEND

BEFORE ME, the undersigned authority, on this day personally appeared Robert B. Brunson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_day of \_\_\_\_\_, 2015.

Notary Public in and for  
 Fort Bend County, Texas

We, Branch National Bank, owner and holder of a lien against the property described in the plat known as READING ROAD OFFICE PARK, REPLAT NO. ONE, against the property described instrument of record under Clerk's File Number 2013104505 of the Official Records of Fort Bend County, Texas, do hereby in all things subordinate to said plat said lien and we hereby in all things subordinate to said plat said lien and we hereby confirm that we are the present owner of said lien and have not assigned the same nor any part thereof.

STATE OF TEXAS  
 COUNTY OF FORT BEND

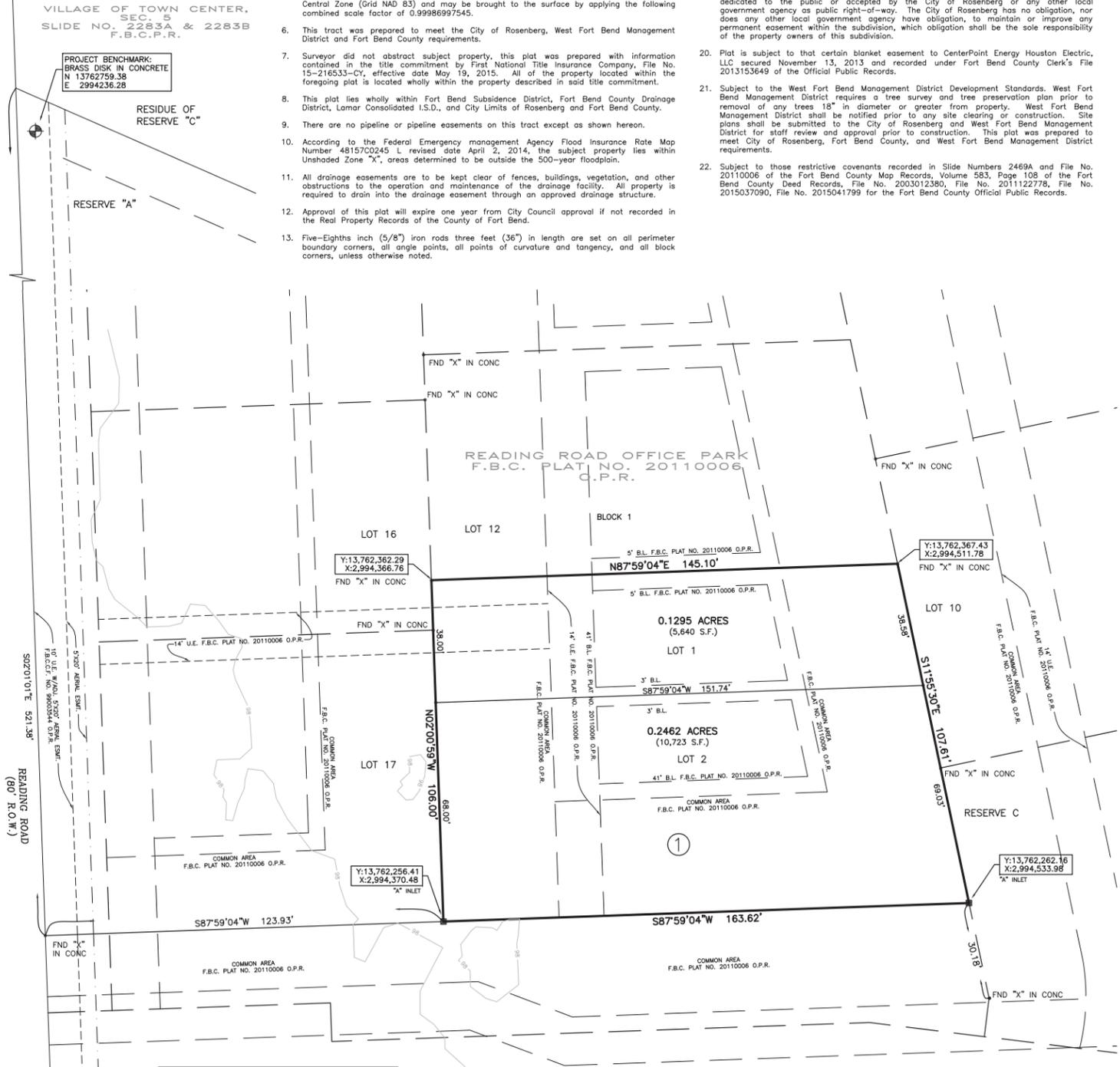
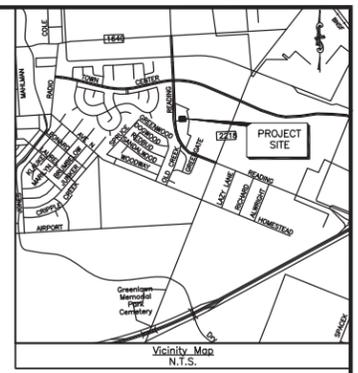
BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_day of \_\_\_\_\_, 2015.

Notary Public in and for  
 County, \_\_\_\_\_

I, Kevin Drew McRae, an authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct, was prepared from an actual survey of the property made under my supervision on the ground and that all boundary corners, angles points of curvature and other points of reference have been marked with iron (or other suitable permanent ferrous metal) pipes and a length of not less than three (3) feet.

Kevin Drew McRae  
 Texas Registration No. 5485



ALL LOTS ARE FOR COMMERCIAL OFFICE USE ONLY

LOT AREA SUMMARY TABLE		
BLOCK	NO	LOT AREA (SF)
1	1	5,640
	2	10,723

# READING ROAD OFFICE PARK REPLAT NO. ONE

A TOTAL OF 0.3756 ACRES BEING A REPLAT OF LOT 13, READING ROAD OFFICE PARK IN THE JAMES LOWERY 1/3 LEAGUE, A-275 CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS  
 RECORDED UNDER FORT BEND COUNTY PLAT NO. 20110006  
 2 LOTS 1 BLOCK 0 RESERVES

OWNER/DEVELOPER  
 RICHWEST INVESTORS, LLC  
 5702 FOURTH STREET  
 KATY, TEXAS 77493  
 JULY 21, 2015

**KM Surveying, LLC**  
 3902 REESE ROAD - SUITE C-100  
 ROSENBERG, TEXAS 77471  
 713-234-6627

TBPLS FIRM #10178700 www.kmsurveying.com



# PLANNING COMMISSION COMMUNICATION

July 15, 2015

ITEM #	ITEM TITLE
3	Final Plat of Fort Bend County MUD No. 184 Lift Station Site

## MOTION

Consideration of and action on a Final Plat of Fort Bend County MUD No. 184 Lift Station Site, a subdivision of 0.15 acres of land out of the Wiley Martin Survey, A-56, Fort Bend County, Texas. 1 block, 1 reserve.

## RECOMMENDATION

Staff recommends a recommendation of approval to City Council of the Final Plat of Fort Bend County MUD No. 184 Lift Station Site.

MUD #	City/ETJ	ELECTION DISTRICT
184 (Stonecreek Estates)	ETJ	N/A

## SUPPORTING DOCUMENTS:

1. Final Plat of Fort Bend County MUD No. 184 Lift Station Site
2. Preliminary Plat of Fort Bend County MUD No. 184 Lift Station Site
3. General Plan for Stonecreek Estates – 07-25-14
4. Planning Commission Meeting Minute Excerpt – 05-20-15

## APPROVAL

Submitted by:

Charles Kalkomey, P.E.  
City Engineer

Reviewed by:

Executive Director of Community Development *TLT*  
 City Engineer

## EXECUTIVE SUMMARY

The Final Plat of Fort Bend County MUD No. 184 Lift Station Site is a proposed lift station site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of 0.15 acres and is centrally located within the development.

The Planning Commission approved the Preliminary Plat of the Fort Bend Count MUD No. 184 Lift Station Site on May 20, 2015. The proposed Final Plat is consistent with the approved Preliminary Plat and is in conformance with City ordinances. Off-site easements will be recorded and instrument numbers added before Final Plat approval by City Council. It is recommended that the Planning Commission recommend approval to City Council of the Final Plat of Fort Bend County MUD No. 184 Lift Station Site.

STATE OF TEXAS §  
 COUNTY OF FORT BEND §  
 CITY OF ROSENBERG §

We, Dry Creek (Houston) ASLI VI, LLC, by Avanti Properties Group II, L.L.P., a Delaware limited liability limited partnership, its general partner, by Avanti Management Corporation, a Florida corporation, its general partner, acting by and through Andrew Dubill, its Vice President, owners of the 0.15 acre tract described in the above and foregoing map of FBC MUD No 184 LIFT STATION SITE, do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed, and do hereby bind ourselves, our heirs and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, We do hereby dedicate for public utility purposes an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, We do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, I (or we) do hereby dedicate to the public a strip of land twenty (20) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws and drainage ditches located in said subdivision, as easements for drainage purposes. Fort Bend County or any other governmental agency shall have the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, We do hereby covenant and agree that all of the property within the boundaries of this subdivision and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, excessive vegetation and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, We do hereby certify that I am (or we are) the owner(s) of all property immediately adjacent to the boundaries of the above and foregoing subdivision of FBC MUD No 184 LIFT STATION SITE where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.

FURTHER, We do hereby acknowledge the receipt of the "Orders for Regulation of Outdoor Lighting in the Unincorporated Areas of Fort Bend County, Texas", and do hereby covenant and agree and shall comply with this order as adopted by Fort Bend County Commissioners Court on March 23, 2004, and any subsequent amendments.

IN TESTIMONY WHEREOF, the Dry Creek (Houston) ASLI VI, LLC, by Avanti Properties Group II, L.L.P., a Delaware limited liability limited partnership, its general partner, by Avanti Management Corporation, a Florida corporation, its general partner has caused these presents to be signed by Andrew Dubill, its Vice President, hereto

authorized, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

DRY CREEK (HOUSTON) ASLI VI, LLC

By: Avanti Properties Group II, L.L.P.,  
 a Delaware limited liability limited partnership,  
 its general partner

By: Avanti Management Corporation,  
 a Florida corporation,  
 its general partner

By: \_\_\_\_\_  
 Andrew Dubill, Vice President

STATE OF FLORIDA §  
 COUNTY OF ORANGE §

BEFORE ME, the undersigned authority, on this day personally appeared Andrew Dubill, Vice President of Avanti Management Corporation known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for the State of Texas

Print Name

My Commission expires: \_\_\_\_\_

This is to certify that the Planning Commission of the City of Rosenberg, Texas has approved this plat and subdivision of FBC MUD No 184 LIFT STATION SITE in conformance with the laws of the State of Texas and the ordinances of the City of Rosenberg as shown hereon and authorizes the recording

of this plat this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Pete Pavlovsky, Chairman Wayne Poldrack, Secretary

This is to certify that the City Council of the City of Rosenberg, Texas has approved this plat and subdivision of FBC MUD No 184 LIFT STATION SITE in conformance with the laws of the State of Texas and the ordinances of the City of Rosenberg as shown hereon and authorizes the recording of this plat this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Cynthia McConathy, Mayor Linda Cernosek, City Secretary

I, Chris D. Kalkomey, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground and that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent ferrous metal) pipes and a length of not less than three (3) feet.

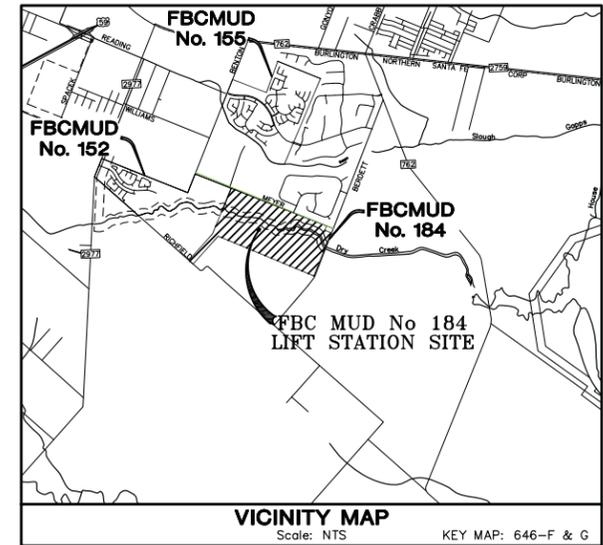
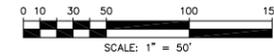
Chris D. Kalkomey  
 Registered Professional Land Surveyor  
 No. 5869

I, Janet M. Baccus, a Professional Engineer registered in the State of Texas, do hereby certify that this plat meets all requirements of Fort Bend County to the best of my knowledge.

Janet M. Baccus, P.E.  
 Professional Engineer  
 No. 90073

DISTRICT NAMES	
WCID	N/A
MUD	FBCMUD 184
LID	
DID	FORT BEND COUNTY DRAINAGE DISTRICT
SCHOOL	LAMAR CISD
FIRE	
CITY OR CITY ETJ	ROSENBERG
UTILITIES CO.	CENTERPOINT ENERGY

**A RESTRICTED RESERVE "A"**  
 Restricted to Lift Station  
 Purposes Only  
 0.15 AC  
 6,448 Sq Ft



I, Richard W. Stolleis, P.E., Fort Bend County Engineer, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the Fort Bend County Commissioners' Court. However, no certification is hereby given as to the effect of drainage from this subdivision on the intercepting drainage artery or parent stream or any other area or subdivision within the watershed.

Richard W. Stolleis, P.E. Date  
 Fort Bend County Engineer

APPROVED by the Commissioners' Court of Fort Bend County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Richard Morrison  
 Commissioner, Precinct 1

Grady Prestage  
 Commissioner, Precinct 2

Robert E. Hebert  
 County Judge

Andy Meyers  
 Commissioner, Precinct 3

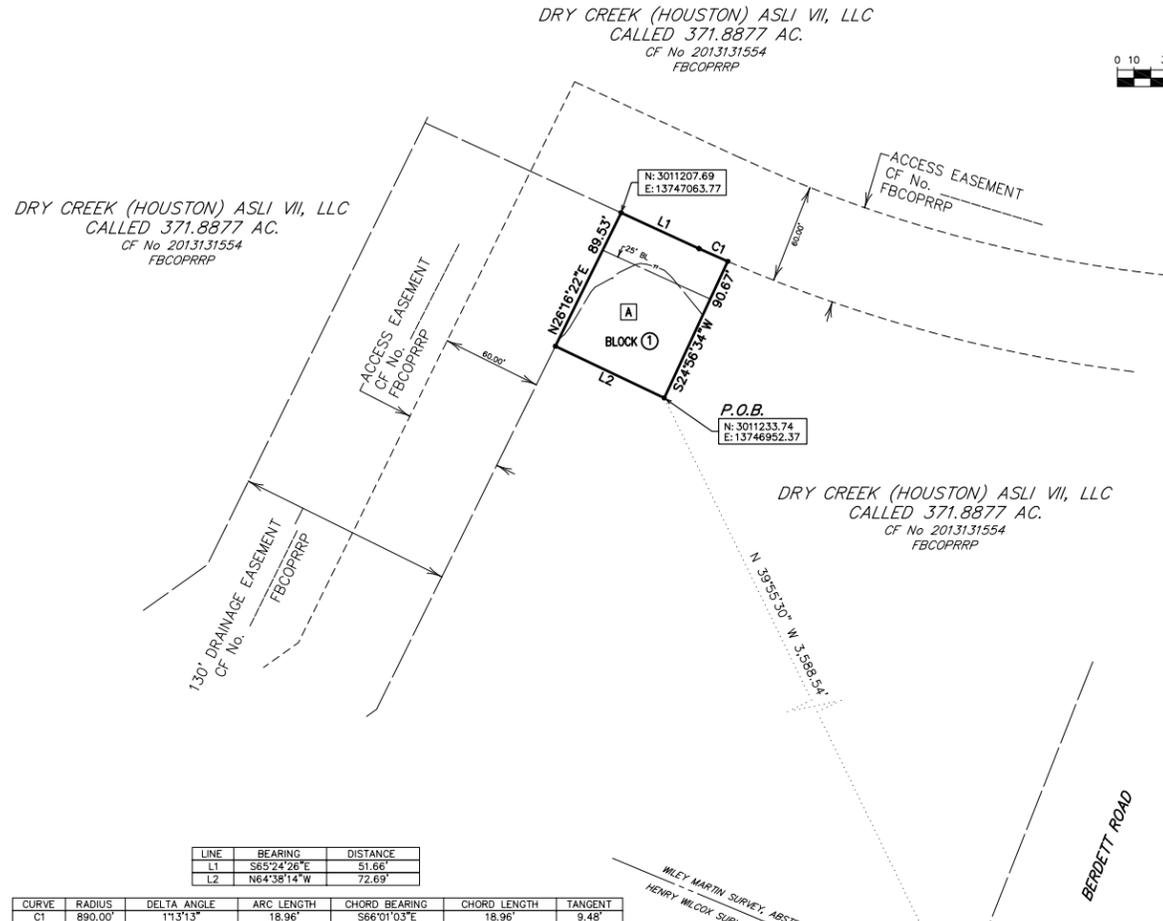
James Patterson  
 Commissioner, Precinct 4

I, Laura Richard, County Clerk in and for Fort Bend County, hereby certify that the foregoing instrument with its certificate of authentication was filed for registration in my office on \_\_\_\_\_, 2015, at \_\_\_\_\_ o'clock \_\_\_\_\_ in Plat No. \_\_\_\_\_ of the Plat Records of said County.

Witness my hand and seal of office, at Richmond, Texas, the day and date last above written.

Laura Richard, County Clerk  
 Fort Bend County, Texas

By: \_\_\_\_\_  
 Deputy



LINE	BEARING	DISTANCE
L1	S65°24'26"E	51.66'
L2	N64°38'14"W	72.69'

- General Notes
- 1) AE ..... "Aerial Easement"
  - BL ..... "Building Line"
  - CF ..... "Clerk's File"
  - DE ..... "Drainage Easement"
  - Esm ..... "Easement"
  - FC ..... "Film Code"
  - FBCPR ..... "Fort Bend County Plat Records"
  - FBCDR ..... "Fort Bend County Deed Records"
  - FBCMUD ..... "Fort Bend County Municipal Utility District"
  - FBCOPRRP ..... "Fort Bend County Official Public Records of Real Property"
  - No ..... "Number"
  - ROW ..... "Right-of-Way"
  - SSE ..... "Sanitary Sewer Easement"
  - Sq Ft ..... "Square Feet"
  - Stm SE ..... "Storm Sewer Easement"
  - UE ..... "Utility Easement"
  - Vol. Pg ..... "Volume and Page"
  - WLE ..... "Waterline Easement"
  - ..... "Set 3/4" iron rod w/cap marked "Cotton Surveying"

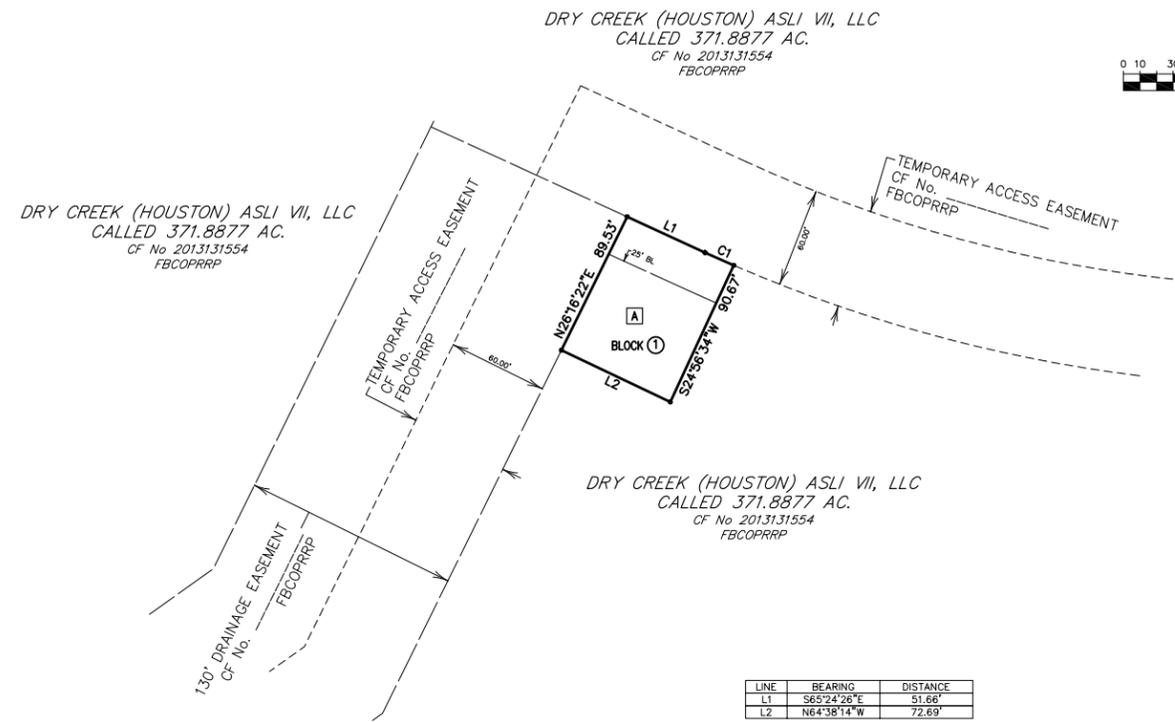
- 2) Approval of this plat will expire one year from City Council approval if not recorded in the Real Property Records of the County of Fort Bend.
- 3) Three-quarter inch (3/4") Iron Rods three feet (3') in length are set on all perimeter boundary corners, all angle points, all points of curvature and tangency, and all block corners, unless otherwise noted.
- 4) Elevations shown hereon are based upon GPS observations calibrated to the published values of HGCSO 71, and HGCSO 72 (NAVD 88).
- 5) Reference Benchmark. Elevations shown hereon are based upon GPS observations calibrated to the published values of HGCSO 71, and HGCSO 72 (NAVD 88).
- 6) The pipelines and/or pipeline easements within the limits of the subdivision are shown.
- 7) This plat lies within Fort Bend County Lighting Ordinance Zone No L2Z.
- 8) The minimum slab elevation shall be 78.9 feet, twelve inches (12") above the 100-year flood plain elevation and maximum ponding elevation, eighteen inches (18") above natural ground, or twelve inches (12") above top of curb at the front of the lot, whichever is higher.
- 9) The coordinates shown hereon are Texas State Plane Coordinates, South Central Zone (GRID NAD 83) and may be brought to surface by applying the following combined scale factor of 0.99986817.
- 10) The drainage system for this subdivision shall be designed to meet the requirements of the Fort Bend County Drainage Criteria Manual which allows street ponding during intense rainfall events. All drainage easements shall be kept clear of fences, buildings, vegetation, and other obstructions for the purpose of the operation and maintenance of the drainage facility by the appropriate entity.
- 11) FORT BEND COUNTY MUD No 184 LIFT STATION SITE lies within Unshaded Zone "X" as per Flood Insurance Rate Map, Community No 480228, Map No 48157C0265L, Panel 0265, Suffix "L" dated April 2, 2014.
- 12) This plat was prepared to meet city of Rosenberg and Fort Bend County Requirements.
- 13) This plat lies wholly within Fort Bend County Municipal Utility District No 184, Fort Bend Subsidence District, Fort Bend County Drainage District, Lamar Consolidated I.S.D., the ETJ of the City of Rosenberg and Fort Bend County.
- 14) Project Benchmark. Temporary Benchmark "A" being a set 3/4" iron rod with cap "Kalkomey Surv Control Point". Located ±116' Northeast of Fort Bend County MUD No 184 Lift Station Site. Elevation=78.17' (NAVD88).
- 15) Elevations used for delineating contour lines are based upon NAVD-88 datum.
- 16) This plat was prepared from information furnished by Stewart Title, G.F. No. 1515748293, Effective Date June 18, 2015. The surveyor has not obstructed the above property.
- 17) All property to drain into the drainage easement only through an approved drainage structure.

# FORT BEND COUNTY MUD No 184 LIFT STATION SITE

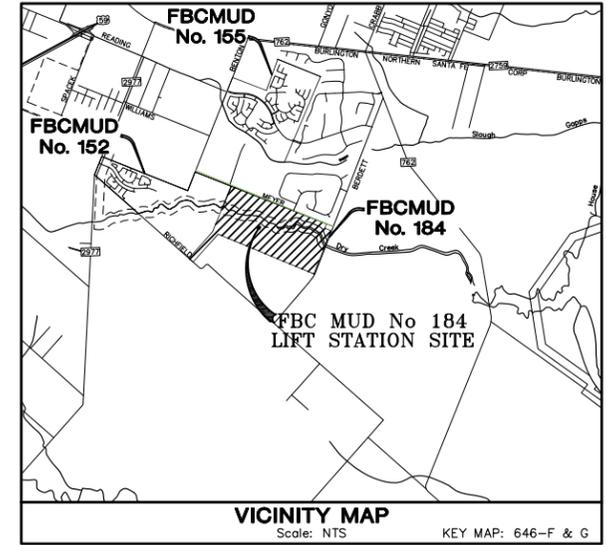
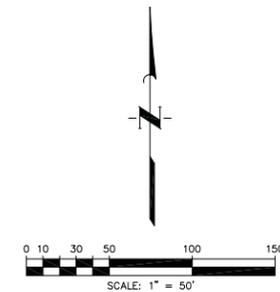
A SUBDIVISION OF 0.15 ACRE OF LAND  
 OUT OF THE  
 WILEY MARTIN SURVEY, A-56  
 FORT BEND COUNTY, TEXAS  
 1 BLOCK 1 RESERVE  
 JULY 1, 2015

OWNER:  
 DRY CREEK (HOUSTON) ASLI VI, LLC  
 9801 WESTHEIMER, SUITE 250  
 HOUSTON, TEXAS 77042  
 713-627-1015

ENGINEER/SURVEYOR:  
 JONES & CARTER  
 Texas Board of Professional Engineers Registration No. F-439  
 Texas Board of Professional Land Surveyors No. 10046104  
 6335 Gullton, Suite 100 • Houston, Texas 77081 • 713.777.5337



**A** RESTRICTED RESERVE "A"  
 Restricted to Lift Station  
 Purposes Only  
 0.1480 AC  
 6,448 Sq Ft



- General Notes
- 1) AE . . . . . "Aerial Easement"
  - BL . . . . . "Building Line"
  - CF . . . . . "Clerk's File"
  - DE . . . . . "Drainage Easement"
  - Eem . . . . . "Easement"
  - FC . . . . . "Film Code"
  - FBCPR . . . . . "Fort Bend County Plat Records"
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  - FBCOPRRP . . . . . "Fort Bend County Official Public Records of Real Property"
  - No . . . . . "Number"
  - ROW . . . . . "Right-of-Way"
  - SSE . . . . . "Sanitary Sewer Easement"
  - Sq Ft . . . . . "Square Feet"
  - Strm SE . . . . . "Storm Sewer Easement"
  - UE . . . . . "Utility Easement"
  - Vol \_ Pg \_ . . . . . "Volume and Page"
  - WLE . . . . . "Waterline Easement"

LINE	BEARING	DISTANCE
L1	S65°24'26"E	51.66'
L2	N64°38'14"W	72.69'

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH	TANGENT
C1	890.00'	1°13'13"	18.96'	S66°01'03"E	18.96'	9.48'

# PRELIMINARY PLAT FORT BEND COUNTY MUD No 184 LIFT STATION SITE

A SUBDIVISION OF 0.1480 ACRES OF LAND  
 OUT OF THE  
 WILEY MARTIN SURVEY, A-56  
 FORT BEND COUNTY, TEXAS  
 1 BLOCK 1 RESERVE

**MAY 7, 2015**

OWNER:  
 DRY CREEK (HOUSTON) ASLI VI, LLC  
 9801 WESTHEIMER, SUITE 250  
 HOUSTON, TEXAS 77042  
 713-627-1015

ENGINEER:  
**JONES & CARTER, INC.**  
 ENGINEERS-PLANNERS-SURVEYORS  
Texas Board of Professional Engineers Registration No. 2-439  
 6333 Gulfport Dr., Suite 100 Houston, Texas 77061 (713) 777-5337

SURVEYOR:  
**CHARLES KALKOMEY**  
4415 Braiding Road - Springtown, Texas 77477-0665  
 281-348-2000 281-252-9000 (fax)  
 Texas Board of Professional Land Surveying Registration No. 10040104  
 a Jones & Carter Company  
 Austin • Bracken • Bryan • Dallas • Houston  
 Killebrew • San Antonio • The Woodlands



**LAND USE SUMMARY**

NON-RESIDENTIAL	
<b>N.R.</b>	±2.3 Ac
<b>N.R.</b>	±14.7 Ac
<b>SUBTOTAL</b>	<b>±17.0 Ac</b>
<b>REC</b>	RECREATION CENTER ±5.1 Ac
<b>PARK</b>	TOT LOTS/PARK ±3.1 Ac
<b>DRILL SITE/EASEMENT</b>	±5.5 Ac
<b>WWTP SITE</b>	±4.1 Ac
<b>DRAINAGE/DETENTION</b>	±77.5 Ac
<b>OS</b>	OPEN SPACE ±10.2 Ac
<b>SUBTOTAL</b>	<b>±105.5 Ac</b>
<b>SF</b>	SINGLE FAMILY ±349.6 Ac (MIN. 60' WIDTH, MIN. AVG. SIZE 7,000 S.F.) (MIN. SIZE 6,500 S.F.)
<b>SUBTOTAL</b>	<b>±349.6 Ac</b>

**MAXIMUM NO. OF LOTS : 1,400**

TOTAL PARKLAND REQUIRED =  $(1,400 \text{ LOTS}) (3 \text{ PERSONS/LOT}) (6.25 \text{ AC.})$   
1,000 PERSONS

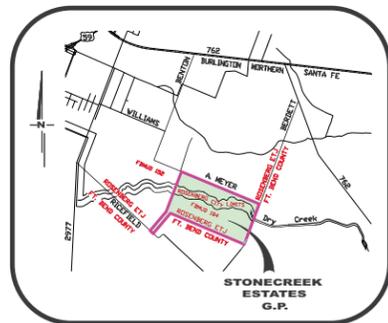
TOTAL PARKLAND REQUIRED = 26.3 AC.  
TOTAL PARKLAND TO BE PROVIDED = 26.3 AC. (MIN.)  
TOTAL PARKLAND REMAINING = 0 AC.

MIN. 10% FEE =  $(1,400 \text{ LOTS}) (\$1,700/\text{LOT})$   
10  
= \$238,000  
1,400 LOTS  
= \$170/LOT

a general plan of  
**STONECREEK ESTATES**  
 BEING ± 502.6 ACRES OF LAND  
 OUT OF THE  
**WILEY MARTIN SURVEY, A-56**  
**E.P. EVERETT SURVEY, A-387**  
 FORT BEND COUNTY, TEXAS

OWNER:  
**DRY CREEK (HOUSTON) ASLI, LLC**  
 9801 WESTHEIMER, SUITE-250  
 HOUSTON, TX. 77042  
 ATTN: VAHID TABRIZI (713) 627-1015

ENGINEER/SURVEYOR:  
**JONES & CARTER, INC.**  
 6335 GULFTON, SUITE-200  
 HOUSTON, TX. 77081  
 ATTN: CLAYTON BLACK (713) 777-5337



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

- Mr. Maresh stated that Airport construction would cost approximately 4.5 million, Bryan and Spacek Roads 8 million, and Old Richmond Road 3 million, if funded. Total expenditures estimated at approximately 20 million.
- Commissioner Casias inquired when the FY2016 Capital Improvements Program recommendation would be presented to City Council.
- Ms. Vasut replied that a recommendation for the FY2016 Capital Improvements Program would be addressed at the May 26, 2015 City Council Workshop meeting, however, no action would be taken.

**Action Taken:** Commissioner Parsons moved, seconded by Commissioner Urbish, to approve the recommendation regarding the FY2016 Capital Improvements Program (CIP). The motion carried unanimously by those present.

3. **HOLD PUBLIC HEARING ON A SHORT FORM FINAL PLAT OF BRIDLEWOOD ESTATES, SECTION ONE PARTIAL REPLAT ONE, BEING REPLAT OF LOT 30 & 31, BLOCK 9, BRIDLEWOOD ESTATES, SECTION ONE (1), AS RECORDED IN SLIDE NO. 1560/A & B, 1561/A & B AND 1562/A & B, OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS; BEING A SUBDIVISION OF 4.464 ACRES LOCATED IN THE WILEY MARTIN LEAGUE, A-56 FORT BEND COUNTY, TEXAS.**

*Chairperson Pavlovsky opened the public hearing at 4:02 pm. After three calls for speakers, no one stepped forward. Chairperson Pavlovsky closed the public hearing at 4:03 pm.*

4. **CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF FORT BEND COUNTY MUD NO. 184 LIFT STATION SITE, A SUBDIVISION OF 0.1480 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56, FORT BEND COUNTY, TEXAS. 1 BLOCK, 1 RESERVE.**

**Executive Summary:** This agenda item consists of a Preliminary Plat of a proposed lift station site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of only .148 acres. It is centrally located within the development.

Staff has no objections to the proposed Preliminary Plat. A Final Plat and infrastructure construction plans must be submitted in the future, and off-site easements must be recorded before Final Plat approval. Staff recommends approval of the Preliminary Plat of Fort Bend County MUD No. 184 Lift Station Site.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.

**Action Taken:** Commissioner Casias, seconded by Commissioner Parsons, to approve the Preliminary Plat of Fort Bend County MUD No. 184 Lift Station Site, a subdivision of 0.1480 acres of land out of the Wiley Martin Survey, A-56, Fort Bend County, Texas; 1 block, 1 reserve. The motion carried unanimously by those present.

5. **CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF FORT BEND COUNTY MUD NO. 184 WASTEWATER TREATMENT PLANT SITE, A SUBDIVISION OF 4.1262 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56, FORT BEND COUNTY, TEXAS. 1 BLOCK, 1 RESERVE.**

**Executive Summary:** This agenda item consists of a Preliminary Plat of a proposed wastewater treatment plant site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of 4.1262 acres overall. It is located on the south side of the development.

Staff has no objections to the proposed Preliminary Plat. A Final Plat and infrastructure construction plans must be submitted in the future, and off-site easements must be recorded before Final Plat approval. Staff recommends approval of the Preliminary Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired if Stonecreek Estates would be responsible for paying and maintaining the Wastewater Treatment Plant Site.
- Mr. Tanner replied that Stonecreek Estates would be responsible for paying for the Wastewater Treatment Plant and Fort Bend County MUD No. 184 would be responsible for maintaining.



# PLANNING COMMISSION COMMUNICATION

July 15, 2015

ITEM #	ITEM TITLE
4	Final Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site

### MOTION

Consideration of and action on a Final Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site, a subdivision of 4.13 acres of land out of the Wiley Martin Survey, A-56 Fort Bend County, Texas; 1 block, 1 reserve.

### RECOMMENDATION

Staff recommends a recommendation of approval to City Council of the Final Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site.

MUD #	City/ETJ	ELECTION DISTRICT
184 (Stonecreek Estates)	ETJ	N/A

### SUPPORTING DOCUMENTS:

1. Final Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site
2. Preliminary Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site
3. General Plan for Stonecreek Estates – 07-25-14 (Please refer to previous agenda item)
4. Planning Commission Meeting Minute Excerpt – 05-20-15

### APPROVAL

Submitted by:

Charles Kalkomey, P.E.  
City Engineer

Reviewed by:

Executive Director of Community Development *TLT*  
 City Engineer

### EXECUTIVE SUMMARY

The Final Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site is a proposed wastewater treatment site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of 4.13 acres and is located on the south side of the development.

The Planning Commission approved the Preliminary Plat of the Fort Bend Count MUD No. 184 Wastewater Treatment Plant Site on May 20, 2015. The proposed Final Plat is consistent with the approved Preliminary Plat and is in conformance with City ordinances. Off-site easements will be recorded and instrument numbers added before Final Plat approval by City Council. It is recommended that the Planning Commission recommend approval to City Council of the Final Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site.

STATE OF TEXAS §  
COUNTY OF FORT BEND §  
CITY OF ROSENBERG §

We, Dry Creek (Houston) ASLI VI, LLC, by Avanti Properties Group II, L.L.P., a Delaware limited liability limited partnership, its general partner, by Avanti Management Corporation, a Florida corporation, its general partner, acting by and through Andrew Dubill, its Vice President, owners of the 4.13 acre tract described in the above and foregoing map of FBC MUD No 184 WASTEWATER TREATMENT PLANT SITE, do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, We do hereby dedicate for public utility purposes an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, We do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, I (or we) do hereby dedicate to the public a strip of land twenty (20) feet wide on each side of the center line of any and all bays, creeks, gulches, ravines, draws and drainage ditches located in said subdivision, as easements for drainage purposes. Fort Bend County or any other governmental agency shall have the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, We do hereby covenant and agree that all of the property within the boundaries of this subdivision and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, excessive vegetation and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, We do hereby certify that I am (or we are) the owner(s) of all property immediately adjacent to the boundaries of the above and foregoing subdivision of FBC MUD No 184 WASTEWATER TREATMENT PLANT SITE where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.

FURTHER, We do hereby acknowledge the receipt of the "Orders for Regulation of Outdoor Lighting in the Unincorporated Areas of Fort Bend County, Texas", and do hereby covenant and agree and shall comply with this order as adopted by Fort Bend County Commissioners Court on March 23, 2004, and any subsequent amendments.

IN TESTIMONY WHEREOF, the Dry Creek (Houston) ASLI VI, LLC, by Avanti Properties Group II, L.L.P., a Delaware limited liability limited partnership, its general partner, by Avanti Management Corporation, a Florida corporation, its general partner has caused these presents to be signed by Andrew Dubill, its Vice President, hereto

authorized, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

DRY CREEK (HOUSTON) ASLI VI, LLC  
By: Avanti Properties Group II, L.L.P.,  
a Delaware limited liability limited partnership,  
its general partner  
By: Avanti Management Corporation,  
a Florida corporation,  
its general partner  
By: \_\_\_\_\_  
Andrew Dubill, Vice President

STATE OF FLORIDA §  
COUNTY OF ORANGE §

BEFORE ME, the undersigned authority, on this day personally appeared Andrew Dubill, Vice President of Avanti Management Corporation known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for the State of Texas  
Print Name  
My Commission expires: \_\_\_\_\_

This is to certify that the Planning Commission of the City of Rosenberg, Texas has approved this plat and subdivision of FBC MUD No 184 WASTEWATER TREATMENT PLANT SITE in conformance with the laws of the State of Texas and the ordinances of the City of Rosenberg as shown hereon and authorizes the recording

of this plat this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Pete Pavlovsky, Chairman Wayne Poldrack, Secretary

This is to certify that the City Council of the City of Rosenberg, Texas has approved this plat and subdivision of FBC MUD No 184 WASTEWATER TREATMENT PLANT SITE in conformance with the laws of the State of Texas and the ordinances of the City of Rosenberg as shown hereon and authorizes the recording of this

plat this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Cynthia McConathy, Mayor Linda Cernosek, City Secretary

I, Chris D. Kalkomey, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground and that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent ferrous metal) pipes and a length of not less than three (3) feet.

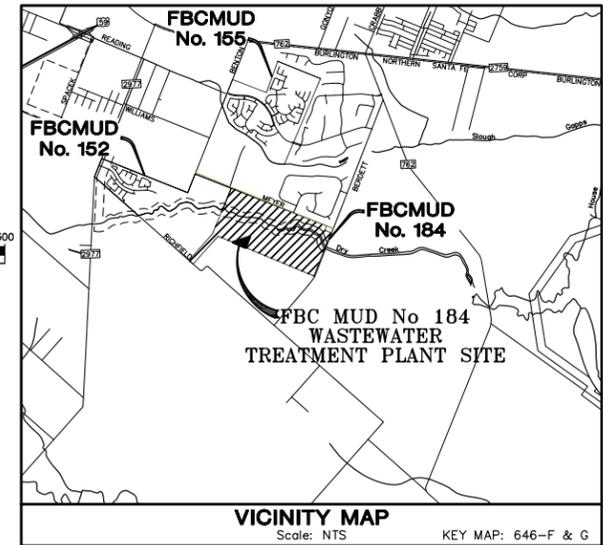
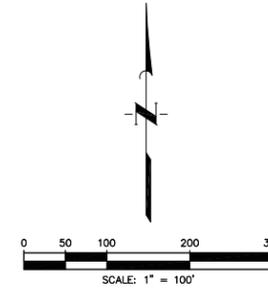
Chris D. Kalkomey  
Registered Professional Land Surveyor  
No. 5869

I, Janet M. Baccus, a Professional Engineer registered in the State of Texas, do hereby certify that this plat meets all requirements of Fort Bend County to the best of my knowledge.

Janet M. Baccus, P.E.  
Professional Engineer  
No. 90073

DISTRICT NAMES	
WCID	N/A
MUD	FBCMUD 184
LID	
DID	FORT BEND COUNTY DRAINAGE DISTRICT
SCHOOL	LAMAR CISD
FIRE	
CITY OR CITY ETJ	ROSENBERG
UTILITIES CO.	CENTERPOINT ENERGY

**[A] RESTRICTED RESERVE "A"**  
Restricted to Wastewater Treatment Plant Site  
Purposes Only  
4.13 AC  
179,738 Sq Ft



I, Richard W. Stolleis, P.E., Fort Bend County Engineer, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the Fort Bend County Commissioners' Court. However, no certification is hereby given as to the effect of drainage from this subdivision on the intercepting drainage artery or parent stream or any other area or subdivision within the watershed.

Richard W. Stolleis, P.E. Date  
Fort Bend County Engineer  
APPROVED by the Commissioners' Court of Fort Bend County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

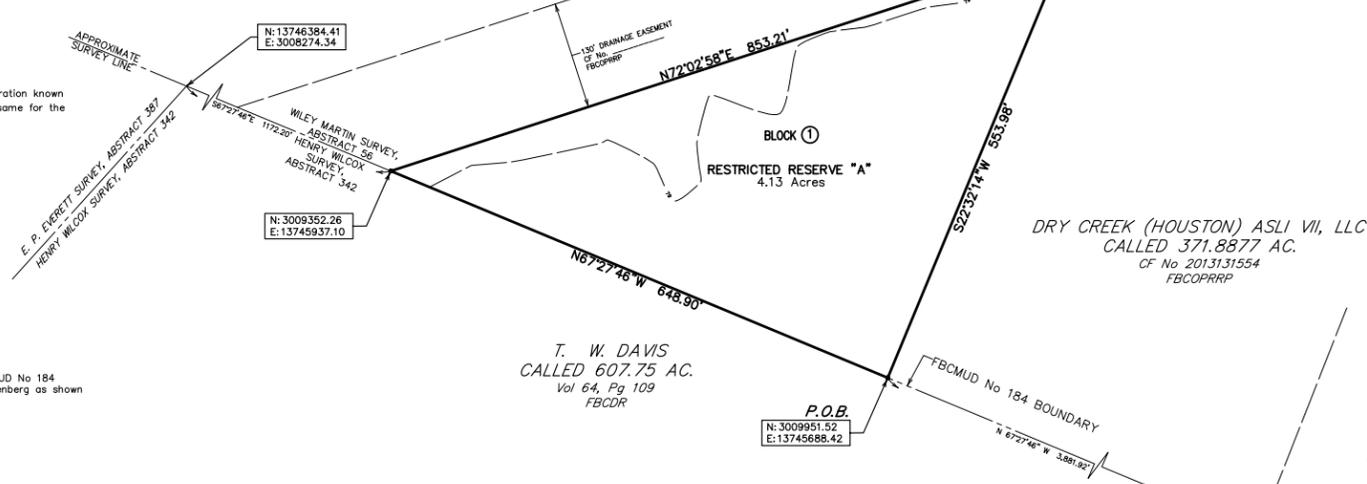
Richard Morrison, Precinct 1 Grady Prestage, Precinct 2  
Robert E. Hebert, County Judge  
Andy Meyers, Precinct 3 James Patterson, Precinct 4

I, Laura Richard, County Clerk in and for Fort Bend County, hereby certify that the foregoing instrument with its certificate of authentication was filed for registration in my office on \_\_\_\_\_, 2015, at \_\_\_\_\_ o'clock \_\_\_\_\_ in Plat No. \_\_\_\_\_ of the Plat Records of said County.

Witness my hand and seal of office, at Richmond, Texas, the day and date last above written.

Laura Richard, County Clerk  
Fort Bend County, Texas  
By: \_\_\_\_\_  
Deputy

DRY CREEK (HOUSTON) ASLI VI, LLC  
CALLED 371.8877 AC.  
CF No 2013131554  
FBCOPRRP



T. W. DAVIS  
CALLED 607.75 AC.  
Vol 64, Pg 109  
FBCDR

- General Notes
- 1) AE ..... "Aerial Easement"  
BL ..... "Building Line"  
CF ..... "Clerk's File"  
DE ..... "Drainage Easement"  
E ..... "Easement"  
FC ..... "Film Code"  
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ROW ..... "Right-of-Way"  
SSE ..... "Sanitary Sewer Easement"  
Sq Ft ..... "Square Feet"  
Stm SE ..... "Storm Sewer Easement"  
UE ..... "Utility Easement"  
Vol - Pg ..... "Volume and Page"  
WLE ..... "Waterline Easement"  
..... "Set 3/4" iron rod w/cap marked "Cotton Surveying"
  - 2) Approval of this plat will expire one year from City Council approval if not recorded in the Real Property Records of the County of Fort Bend.
  - 3) Three-quarter inch (3/4") Iron Rods three feet (3') in length are set on all perimeter boundary corners, all angle points, all points of curvature and tangency, and all block corners, unless otherwise noted.
  - 4) Elevations shown hereon on are based upon GPS observations calibrated to the published values of HGCS 71, and HGCS 72 (NAVD 88).
  - 5) Reference Benchmark Elevations shown hereon are based upon GPS observations calibrated to the published values of HGCS 71, and HGCS 72 (NAVD 88).
  - 6) The pipelines and/or pipeline easements within the limits of the subdivision are shown.
  - 7) This plat lies within Fort Bend County Lighting Ordinance Zone N.L22.
  - 8) The minimum slab elevation shall be 80.5 feet, twelve inches (12") above the 100-year flood plain elevation and maximum ponding elevation, eighteen inches (18") above natural ground, or twelve inches (12") above top of curb at the front of the lot, whichever is higher.
  - 9) The coordinates shown hereon are Texas State Plane Coordinates, South Central Zone (GRID NAD 83) and may be brought to surface by applying the following combined scale factor of 0.99986817.
  - 10) The drainage system for this subdivision shall be designed to meet the requirements of the Fort Bend County Drainage Criteria Manual which allows street ponding during intense rainfall events. All drainage easements shall be kept clear of fences, buildings, vegetation, and other obstructions for the purpose of the operation and maintenance of the drainage facility by the appropriate entity.
  - 11) FORT BEND COUNTY MUD No 184 WASTEWATER TREATMENT PLANT SITE lies within Unshaded Zone "X" as per Flood Insurance Rate Map, Community No 480228, Map No 48157C0265L, Panel 0265, Suffix "L" dated April 2, 2014.
  - 12) This plat was prepared to meet city of Rosenberg and Fort Bend County Requirements.
  - 13) This plat lies wholly within Fort Bend County Municipal Utility District No 184, Fort Bend Subsidence District, Fort Bend County Drainage District, Lamar Consolidated I.S.D., the ETJ of the City of Rosenberg and Fort Bend County.
  - 14) Project Benchmark Temporary Benchmark "A" being a set 3/4" iron rod with cap "Kalkomey Surv Control Point". Located ±193' Southeast of Fort Bend County MUD No 184 Wastewater Treatment Plant Site. Elevation=78.80' (NAVD88).
  - 15) Elevations used for delineating contour lines are based upon NAVD-88 datum.
  - 16) This plat was prepared from information furnished by Stewart Title, G.F. No. 1515748292, Effective Date June 18, 2015. The surveyor has not abstracted the above property.
  - 17) All property to drain into the drainage easement only through an approved drainage structure.

# FORT BEND COUNTY MUD No 184 WASTEWATER TREATMENT PLANT SITE

A SUBDIVISION OF 4.13 ACRES OF LAND

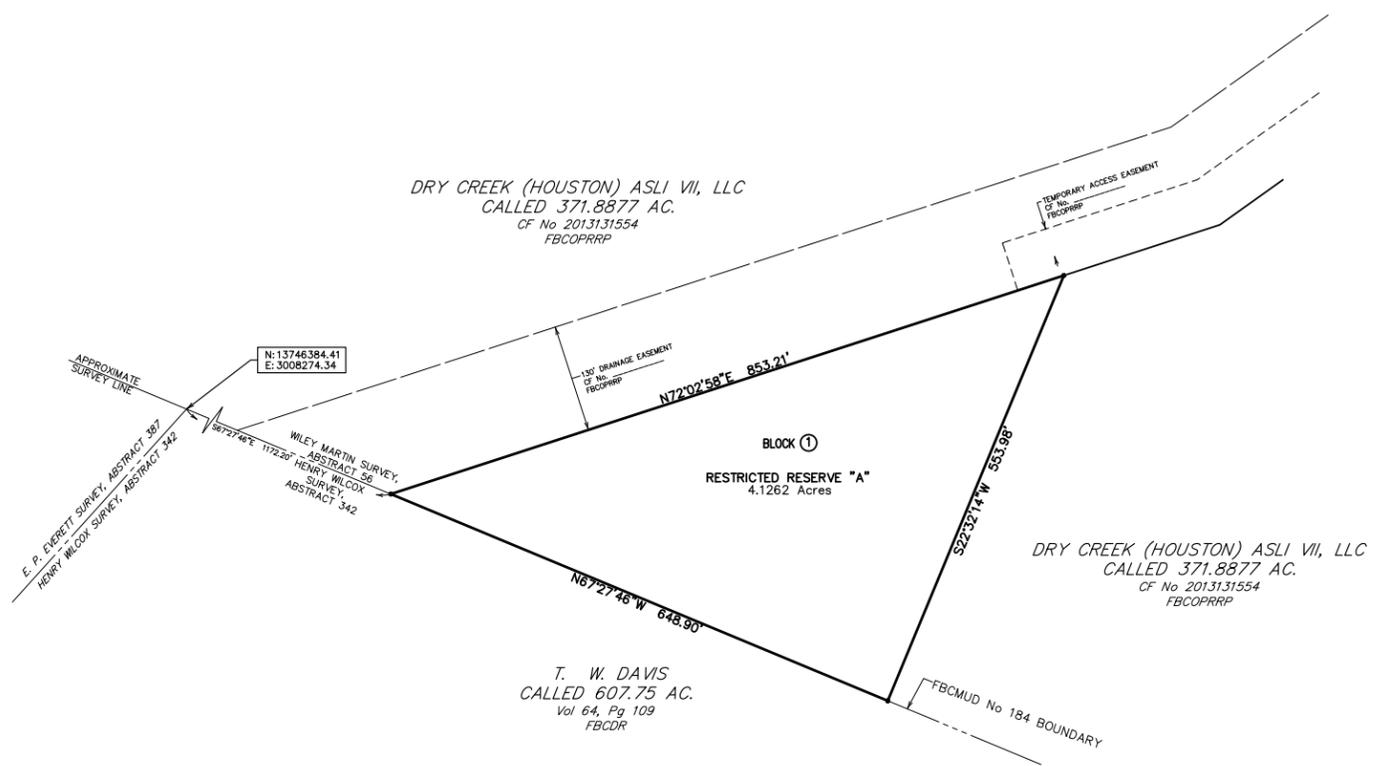
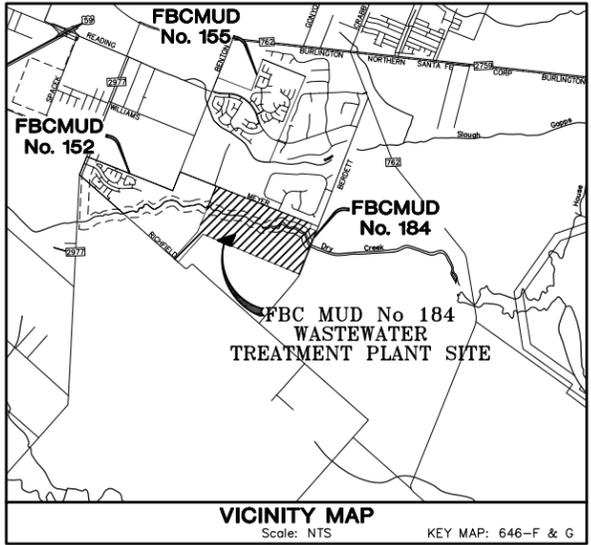
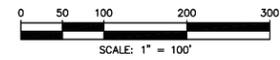
OUT OF THE  
WILEY MARTIN SURVEY, A-56  
FORT BEND COUNTY, TEXAS  
1 BLOCK 1 RESERVE

JULY 1, 2015

OWNER:  
DRY CREEK (HOUSTON) ASLI VI, LLC  
9801 WESTHEIMER, SUITE 250  
HOUSTON, TEXAS 77042  
713-627-1015

ENGINEER/SURVEYOR:  
**JONES CARTER**  
Texas Board of Professional Engineers Registration No. F-439  
Texas Board of Professional Land Surveyors No. 10046104  
6335 Guffin, Suite 100 • Houston, Texas 77081 • 713.777.5337

**A** RESTRICTED RESERVE "A"  
 Restricted to Wastewater Treatment Plant Site  
 Purposes Only  
 4.1262 AC  
 179,738 Sq Ft



- General Notes
- AE . . . . . "Aerial Easement"
  - BL . . . . . "Building Line"
  - CF . . . . . "Clerk's File"
  - DE . . . . . "Drainage Easement"
  - Esm . . . . . "Easement"
  - FC . . . . . "Firm Code"
  - FBCPR . . . . . "Fort Bend County Plat Records"
  - FBCDR . . . . . "Fort Bend County Deed Records"
  - FBCMUD . . . . . "Fort Bend County Municipal Utility District"
  - FBCOPRRP . . . . . "Fort Bend County Official Public Records of Real Property"
  - No . . . . . "Number"
  - ROW . . . . . "Right-of-Way"
  - SSE . . . . . "Sanitary Sewer Easement"
  - Sq Ft . . . . . "Square Feet"
  - Strm SE . . . . . "Storm Sewer Easement"
  - UE . . . . . "Utility Easement"
  - Vol - Pg . . . . . "Volume and Page"
  - WLE . . . . . "Waterline Easement"

# PRELIMINARY PLAT FORT BEND COUNTY MUD No 184 WASTEWATER TREATMENT PLANT SITE

A SUBDIVISION OF 4.1262 ACRES OF LAND  
 OUT OF THE  
 WILEY MARTIN SURVEY, A-56  
 FORT BEND COUNTY, TEXAS  
 1 BLOCK 1 RESERVE  
 MAY 7, 2015

OWNER:  
 DRY CREEK (HOUSTON) ASLI VI, LLC  
 9801 WESTHEIMER, SUITE 250  
 HOUSTON, TEXAS 77042  
 713-627-1015

ENGINEER:  
**JC JONES & CARTER, INC.**  
 ENGINEERS-PLANNERS-SURVEYORS  
Texas Board of Professional Engineers Registration No. 2-419  
 6335 Gullhorn Dr., Suite 100 Houston, Texas 77061 (713) 775-5337

- Mr. Maresh stated that Airport construction would cost approximately 4.5 million, Bryan and Spacek Roads 8 million, and Old Richmond Road 3 million, if funded. Total expenditures estimated at approximately 20 million.
- Commissioner Casias inquired when the FY2016 Capital Improvements Program recommendation would be presented to City Council.
- Ms. Vasut replied that a recommendation for the FY2016 Capital Improvements Program would be addressed at the May 26, 2015 City Council Workshop meeting, however, no action would be taken.

**Action Taken:** Commissioner Parsons moved, seconded by Commissioner Urbish, to approve the recommendation regarding the FY2016 Capital Improvements Program (CIP). The motion carried unanimously by those present.

3. **HOLD PUBLIC HEARING ON A SHORT FORM FINAL PLAT OF BRIDLEWOOD ESTATES, SECTION ONE PARTIAL REPLAT ONE, BEING REPLAT OF LOT 30 & 31, BLOCK 9, BRIDLEWOOD ESTATES, SECTION ONE (1), AS RECORDED IN SLIDE NO. 1560/A & B, 1561/A & B AND 1562/A & B, OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS; BEING A SUBDIVISION OF 4.464 ACRES LOCATED IN THE WILEY MARTIN LEAGUE, A-56 FORT BEND COUNTY, TEXAS.**

*Chairperson Pavlovsky opened the public hearing at 4:02 pm. After three calls for speakers, no one stepped forward. Chairperson Pavlovsky closed the public hearing at 4:03 pm.*

4. **CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF FORT BEND COUNTY MUD NO. 184 LIFT STATION SITE, A SUBDIVISION OF 0.1480 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56, FORT BEND COUNTY, TEXAS. 1 BLOCK, 1 RESERVE.**

**Executive Summary:** This agenda item consists of a Preliminary Plat of a proposed lift station site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of only .148 acres. It is centrally located within the development.

Staff has no objections to the proposed Preliminary Plat. A Final Plat and infrastructure construction plans must be submitted in the future, and off-site easements must be recorded before Final Plat approval. Staff recommends approval of the Preliminary Plat of Fort Bend County MUD No. 184 Lift Station Site.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.

**Action Taken:** Commissioner Casias, seconded by Commissioner Parsons, to approve the Preliminary Plat of Fort Bend County MUD No. 184 Lift Station Site, a subdivision of 0.1480 acres of land out of the Wiley Martin Survey, A-56, Fort Bend County, Texas; 1 block, 1 reserve. The motion carried unanimously by those present.

5. **CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF FORT BEND COUNTY MUD NO. 184 WASTEWATER TREATMENT PLANT SITE, A SUBDIVISION OF 4.1262 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56, FORT BEND COUNTY, TEXAS. 1 BLOCK, 1 RESERVE.**

**Executive Summary:** This agenda item consists of a Preliminary Plat of a proposed wastewater treatment plant site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of 4.1262 acres overall. It is located on the south side of the development.

Staff has no objections to the proposed Preliminary Plat. A Final Plat and infrastructure construction plans must be submitted in the future, and off-site easements must be recorded before Final Plat approval. Staff recommends approval of the Preliminary Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired if Stonecreek Estates would be responsible for paying and maintaining the Wastewater Treatment Plant Site.
- Mr. Tanner replied that Stonecreek Estates would be responsible for paying for the Wastewater Treatment Plant and Fort Bend County MUD No. 184 would be responsible for maintaining.

**Action Taken:** Commissioner Parsons moved, seconded by Commissioner Casias, to approve the Preliminary Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site, a subdivision of 4.1262 acres of land out of the Wiley Martin Survey, A-56, Fort Bend County, Texas; 1 block, 1 reserve. The motion carried unanimously by those present.

**6. CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF SUMMER LAKES SECTION NINE, BEING A SUBDIVISION OF 13.88 ACRES OUT OF THE W.M. LUSK SURVEY, A-276 IN THE CITY OF ROSENBERG, IN FORT BEND COUNTY, TEXAS. (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144); 65 LOTS, 4 BLOCKS, 1 RESERVE (0.1517 ACRE).**

**Executive Summary:** The Preliminary Plat of Summer Lakes Section Nine is located off of Green Paseo Place and Douro Valley Drive in the northeast part of the Summer Lakes development. The Plat consists of 13.88 acres, 65 residential lots, and one (1) reserve containing 0.1517 acres.

All proposed lots are a minimum of fifty (50') in width as measured at the front building line. The Plat complies with the Development Agreement and approved Land Plan for Fort Bend County MUD No. 144. The Land Plan, which is attached for reference, allows for single-family residential or commercial development of this area. The Development Agreement calls for a minimum lot width of fifty feet (50') and minimum size of 6,000 square feet. All proposed lots meet these requirements.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Casias inquired if Summer Lakes included another entrance or exit.
- Mr. Tanner replied that Summer Lakes had multiple entrances, including both Reading Rd. and FM 2977.
- Mr. Kalkomey stated that the development would include an entrance to the south off of Benton as the subdivision is platted.
- Chairperson Pavlovsky inquired about the section located to the northeast corner of the plat and if the section belonged to Summer Lakes.
- Mr. Tanner replied that the section had been sold as commercial property.
- Mr. Parsons inquired if lots were 50'.
- Mr. Tanner replied that all lots are 50'.

**Action Taken:** Commissioner Urbish moved, seconded by Commissioner Poldrack, to approve the Preliminary Plat of Summer Lakes Section Nine, being a subdivision of 13.88 acres out of the W.M. Lusk Survey, A-276 in the City of Rosenberg, in Fort Bend County, Texas. (Fort Bend County Municipal Utility District No. 144); 65 lots, 4 blocks, 1 reserve (0.1517 acre). The motion carried unanimously by those present.

**7. CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF TEXAS STATE TECHNICAL COLLEGE FORT BEND, A SUBDIVISION OF 80.033 ACRES OF LAND SITUATED IN THE B.B.B. AND C. RAILROAD COMPANY SURVEY, SECTION 13, ABSTRACT 140, AND IN THE FRANCIS H. DEMAY SURVEY, ABSTRACT 350 CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, BEING A REPLAT OF RESERVES A, D, E AND F, BARCAK ACRES, A SUBDIVISION RECORDED IN SLIDE NO. 1675A PLAT RECORDS OF FORT BEND COUNTY, TEXAS; 7 RESERVES, (74.913 ACRES), 3 BLOCKS.**

**Executive Summary:** The Preliminary Plat of Texas State Technical College Fort Bend consists of approximately 80 acres of land located on the north side of U.S. Highway 59 (IH-69) between Louise and FM 2218. Texas State Technical College (TSTC) has selected the site to develop a technical college campus.

The plat consists of seven (7) reserves with 74.913 acres in addition to 5.12 acres of proposed public right-of-way to be dedicated. The reason for the latter is that the City's Thoroughfare Plan calls for both a north-south (Graeber) and an east-west (Mons) collector on this property. The streets will be developed in phases, with Graeber being completed up to the north line of Reserve "A" during the first phase of construction of the campus. An agreement must be established to defer construction of the remaining phases of the collector street/s as appropriate since the property is being platted all at once. The agreement would have to be approved by the property owner and City Council before Final Plat approval by Council.

The proposed Preliminary Plat is not in conflict with the "Subdivision" Ordinance and is in conformance with the City's Thoroughfare Plan. Staff recommends approval of the Preliminary Plat of Texas State Technical College Fort Bend.



# PLANNING COMMISSION COMMUNICATION

July 15, 2015

ITEM #	ITEM TITLE
5	Short Form Final Plat of Reading Road Office Park Replat No. One

### MOTION

Consideration of and action on a Short Form Final Plat of Reading Road Office Park Replat No. One, a total of 0.3756 acres being a replat of Lot 13, Reading Road Office Park in the James Lowery 1/3 League, A-275, City of Rosenberg Fort Bend County, Texas recorded under Fort Bend County Plat No. 20110006; 2 lots, 1 block, 0 reserves.

### RECOMMENDATION

Staff recommends a recommendation of approval to City Council of the Short Form Final Plat of Reading Road Office Park Replat No. One.

MUD #	City/ETJ	ELECTION DISTRICT
N/A	City	1

### SUPPORTING DOCUMENTS:

1. Short Form Final Plat of Reading Road Office Park Replat No. One. (Please refer to Agenda Item No. 2)

### APPROVAL

Submitted by:

Charles A. Kalkomey, P.E.  
City Engineer

Reviewed by:

Executive Director of Community Development TLT  
 City Engineer

### EXECUTIVE SUMMARY

The Short Form Final Plat of Reading Road Office Park Replat No. One is a replat of Lot 13, Reading Road Office Park in the James Lowery 1/3 League, A-275, City of Rosenberg Fort Bend County, Texas recorded under Fort Bend County Plat No. 20110006. The Plat consists of only 0.3756 acres.

The original plat was recorded in 2011 and the developer now proposes to subdivide one of the existing lots into two (2). There is not an issue with the lot size (with it being commercial, not residential) or anything else in conflict with City ordinances. It should be noted that to have a three-foot (3') interior building line, a firewall will be required. However, this is not uncommon in the development; there are other lots with 3' building lines. A minimum ten-foot (10') building line is generally required (for commercial buildings) to not have a firewall per the International Building Code (IBC).

Also of note is that the development, per an agreement established in 2010, requires the installation of a traffic signal at Reading Road and Town Center Boulevard, which is partially funded by the City. The developer has submitted a request to City Council to delay the signal installation until Phase II of the development. This is tentatively scheduled to go before Council on July 21, 2015 and should be settled before Final Plat approval by Council at a subsequent meeting. The signal is tied to certificates of occupancy, not platting.

Staff recommends that the Planning Commission recommend approval to City Council of the Short Form Final Plat of Reading Road Office Park Replat No. One.



# PLANNING COMMISSION COMMUNICATION

July 15, 2015

ITEM #	ITEM TITLE
6	Requests for Future Agenda Items

## MOTION

Consideration of and action on requests for future Agenda items.

## RECOMMENDATION

N/A

MUD #	City/ETJ	ELECTION DISTRICT
N/A	N/A	N/A

## SUPPORTING DOCUMENTS:

1. City of Houston Shared Parking Ordinance

## APPROVAL

### Submitted by:

*Travis Tanner*

Travis Tanner, AICP  
Executive Director of Community  
Development

### Reviewed by:

\_\_\_ Executive Director of Community Development

\_\_\_ City Engineer

## EXECUTIVE SUMMARY

This item allows the Planning Commission the opportunity to request that items be placed on future agendas. At the last regular Planning Commission meeting held on June 17, 2015, the Commission discussed several potential future agenda items. Specifically the following were discussed:

- When would the street pavement width recommendation go to City Council? Most likely on a Workshop agenda once FY2016 budget issues have been addressed
- If/when the owner of a development changes, can the City require the approved Land Plan to be changed to meet current standards as part of the assignment of the agreement? City Attorney still must be consulted about this issue.
- Mayor McConathy brought up the issue of potentially amending the Parking Ordinance to allow for shared parking. I was recently told that the City of Houston does this, so I researched their ordinance and have provided it for the Commission's review.

- CODE OF ORDINANCES  
 Chapter 26 - PARKING  
 ARTICLE VIII. - OFF-STREET PARKING AND LOADING

DIVISION 2. REQUIREMENTS FOR PARKING SPACES AND BICYCLE SPACES

**Sec. 26-500. Shared parking requirements.**

- (a) Two or more different use classifications within one or more tracts that are not used for or restricted to single-family residential purposes may share parking spaces to reduce the overall parking space requirement as provided in this section. This section shall not be used to reduce the number of required bicycle spaces or loading berths.
- (b) The following formula and table shall be used to determine the adjustment of the minimum number of parking spaces required by this article:
  - (1) Determine the number of parking spaces required by this article for each use classification individually;
  - (2) Multiply the number derived from item (1) of this subsection for each individual use classification by the corresponding percentage listed in the rows of the table found in this subsection for each time period found in the columns of the table;
  - (3) Add the numbers derived from item (2) of this subsection for each time period found in the columns of the table. This is the column total for each column; and
  - (4) Determine the largest column total. This is the shared parking space requirement.

Class	Type of Use	Typical Weekday				Typical Weekend			
		Midnight to 7 AM	7 AM to 5 PM	5 PM to 9 PM	9 PM to Midnight	Midnight to 7 AM	7 AM to 5 PM	5 PM to 9 PM	9 PM to Midnight
Class 1. Office	Office	5%	100%	30%	5%	0%	10%	0%	0%
	Financial facility	0%	100%	10%	0%	0%	25%	0%	0%
Class 2. Residential	Apartment	100%	25%	50%	95%	100%	65%	50%	85%
	Hotel or motel	100%	10%	50%	85%	100%	10%	50%	75%
Class 3. Health Care Facilities	Clinic (medical complex)	5%	100%	50%	5%	0%	10%	0%	0%
	Clinic (medical or dental)	0%	100%	25%	0%	0%	25%	0%	0%

- CODE OF ORDINANCES  
 Chapter 26 - PARKING  
 ARTICLE VIII. - OFF-STREET PARKING AND LOADING

DIVISION 2. REQUIREMENTS FOR PARKING SPACES AND BICYCLE SPACES

	Veterinary clinic	0%	100%	5%	0%	0%	25%	0%	0%
Class 4. Industrial, Commercial Manufacturing	All	10%	100%	50%	10%	10%	25%	10%	0%
Class 5. Religious and Educational	Church	0%	5%	25%	0%	10%	100%	40%	0%
	Nursery/day care	0%	100%	5%	0%	0%	5%	0%	0%
	School	0%	100%	5%	0%	0%	10%	0%	0%
	Library	0%	100%	10%	0%	0%	25%	0%	0%
	Art gallery/ museum	0%	75%	50%	0%	0%	100%	60%	0%
Class 6. Recreation and Entertainment	Movie theater	0%	10%	50%	75%	0%	50%	80%	100%
	Bowling alley	0%	10%	50%	85%	0%	40%	75%	100%
	Theater, auditorium or arena	—	—	—	—	—	—	—	—
	Sports club or health spa	50%	25%	100%	10%	10%	50%	10%	5%

- CODE OF ORDINANCES  
 Chapter 26 - PARKING  
 ARTICLE VIII. - OFF-STREET PARKING AND LOADING

DIVISION 2. REQUIREMENTS FOR PARKING SPACES AND BICYCLE SPACES

Class 7. Food and Beverage	Dessert shop	0%	25%	100%	75%	0%	25%	100%	85%
	Small restaurant	10%	50%	75%	40%	15%	75%	100%	50%
	Neighborhood restaurant	10%	50%	75%	40%	15%	75%	100%	50%
	Restaurant	10%	50%	75%	40%	15%	75%	100%	50%
	Tavern or pub	0%	0%	25%	75%	0%	10%	80%	100%
	Small bar	0%	0%	25%	75%	0%	10%	80%	100%
	Bar, club or lounge	0%	25%	75%	75%	0%	40%	80%	100%
Class 8. Retail Services	All (excluding shopping center)	5%	50%	75%	10%	5%	100%	75%	10%
Class 9. Automobiles	Auto parts and supply store	0%	50%	75%	0%	0%	100%	50%	0%
All others		100%	100%	100%	100%	100%	100%	100%	100%

- 
- (c) A theater, auditorium, or arena use may share parking by submitting a parking study with a site plan that details the parking supply and demand of the intended use. The number of shared parking spaces shall be determined by the director after consideration of all relevant factors, including the factors of subsection (d) this section.
- (d) Upon written request of the applicant supported by information adequate to make a determination, the director may approve an additional reduction of up to ten percent of the required number of shared parking spaces after considering all relevant factors, including:

- CODE OF ORDINANCES  
Chapter 26 - PARKING  
ARTICLE VIII. - OFF-STREET PARKING AND LOADING

DIVISION 2. REQUIREMENTS FOR PARKING SPACES AND BICYCLE SPACES

- (1) The unique parking characteristics of each use classification, including employee, customer, and patron parking demand, hours of operation, and projected convenience and frequency of use of the shared parking.
  - (2) Whether the use of shared parking spaces will be injurious to public health, safety, and welfare including, but not limited to, whether the additional reduction of shared parking spaces will cause increased traffic congestion, potential harm to adjacent property owners, and spillover parking into surrounding residential neighborhoods; and
  - (3) The recommendation of the director of the public works and engineering department.
- (e) All shared parking spaces must conform to the following criteria:
- (1) A shared parking space shall not be reserved for or restricted to a specific use classification. A parking space reserved for a specific use classification shall not be considered a shared parking space;
  - (2) All shared and reserved parking spaces shall be identified on a site plan;
  - (3) Each shared parking space shall be clearly identified by signage on each tract and parking facility identifying the location and availability of the shared parking spaces for participating uses;
  - (4) Each shared parking space must be made available at all times for use by employees, customers, and patrons; and
  - (5) Shared parking spaces that are located on off-site parking facilities must comply with the provisions of section 26-499 of this Code for each individual use classification.
- (f) The director shall not approve a site plan that proposes to use shared parking spaces unless the applicant or responsible party submits a shared parking agreement to the department that takes the form of a memorandum of lease or a reciprocal easement agreement in a form approved by the city attorney. The shared parking agreement shall comply with the requirements of a memorandum of lease contained in section 26-501 of this Code.
- (g) After the director approves a site plan that uses shared parking spaces, any change in the use classification or parking factor shall require the applicant or responsible party to submit a new site plan to the department for approval and a revised shared parking agreement if necessary. The building official shall not issue a building permit or certificate of occupancy without a site plan approved by the director for the revised shared parking agreement.
- (h) Operation of a use classification without an approved site plan required by this subsection is a violation of this article.

(Ord. No. 2013-208, § 2(Exh. A), 3-6-2013)

# **ITEM 7**

**Announcements.**

# **ITEM 8**

**Adjournment.**