

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, February 26, 2014
TIME: 6:00 p.m.
PLACE: Rosenberg City Hall
City Hall Council Chamber
2110 4th Street
Rosenberg, Texas 77471
PURPOSE: Rosenberg Planning Commission Meeting

Call to order: Council Chamber

AGENDA

1. Consideration of and action on minutes of the Regular Planning Commission Meeting of January 22, 2014. (LeLaurin)
2. Consideration of and action on a Preliminary Plat of Walnut Creek Irby Cobb Dr. Street Dedication No. Two, being 3.4 acres of land out of the Eugene Wheat Survey, A-396 and Wiley Martin League, A-56, Fort Bend County, Texas. (Tanner)
3. Consideration of and action on a Preliminary Plat of Walnut Creek Section Seven, being 9.6 acres of land containing 31 lots (60' x 120' typ.) and one reserve in three blocks out of the Eugene Wheat Survey, A-396, Fort Bend County, Texas. (Tanner)
4. Consideration of and action on a Preliminary Plat of Walnut Creek Section Eleven, being 8.7 acres of land containing 27 lots (60' x 120' typ.) and one reserve in two blocks out of the Eugene Wheat Survey, A-396 & Wiley Martin League, A-56, Fort Bend County, Texas. (Tanner)
5. Consideration of and action on a Short Form Final Plat of Lamar CISD Elementary School No. 23; 0 lots, 1 block, 1 reserve; being 14.26 acres in the Robert E. Handy Survey, Abstract 187, City of Rosenberg, Fort Bend County, Texas. (Tanner)
6. Hold public hearing on a Short Form Final Plat of Myska Corner, 2 lots, 1 block, 0 reserves, being a replat of Lot 6 and the east 85 feet of Lot 5, Block 2, Louis Polka Subdivision (Volume 241, Page 631, D.R.F.B.C.T.) in the Henry Scott League, Abstract 83, City of Rosenberg, Fort Bend County, Texas. (Tanner)
7. Consideration of and action on a Short Form Final Plat of Myska Corner, 2 lots, 1 block, 0 reserves, being a replat of Lot 6 and the east 85 feet of Lot 5, Block 2, Louis Polka Subdivision (Volume 241, Page 631, D.R.F.B.C.T.) in the Henry Scott League, Abstract 83, City of Rosenberg, Fort Bend County, Texas. (Tanner)
8. Consideration of and action on a Final Plat of Our Lady of Guadalupe Catholic Church, a subdivision of 4.6750 acres or 203,644 square feet of land being a partial replat of Lots 1-8, 11-16 and a portion of Lots 9 & 10, Block 8, Lots 10-16 and portions of Lots 5-8, Block 5, Kaffenberger Addition, recorded under Volume 6, Page 16, Plat Records of Fort Bend County, in the Henry Scott League, Abstract No. 83, City of Rosenberg, Fort Bend County, Texas. (Tanner)
9. Hold public hearing on a Final Plat of the Reserve at Brazos Town Center Section Three, a 17.5794 acre tract of land being a partial replat of Reserve "H", Block 4, the Villages at Rosenberg (Slide No. 1945 A&B; F.B.C.P.R.) conveyed to Figure Four Partners, Ltd. (F.B.C.C.F. No. 2013159055) in the Jane H. Long League, Abstract No. 55, and in the Simon Jones Survey, Abstract No. 271, City of Rosenberg, Fort Bend County, Texas; 2 reserves, 62 lots, 3 blocks. (Tanner)
10. Consideration of and action on a Final Plat of the Reserve at Brazos Town Center Section Three, a 17.5794 acre tract of land being a partial replat of Reserve "H", Block 4, the Villages at Rosenberg (Slide No. 1945 A&B; F.B.C.P.R.) conveyed to Figure Four Partners, Ltd. (F.B.C.C.F. No. 2013159055) in the Jane H. Long League, Abstract No. 55, and in the Simon Jones Survey, Abstract No. 271, City of Rosenberg, Fort Bend County, Texas; 2 reserves, 62 lots, 3 blocks. (Tanner)

11. Review and discuss ornamental street light policy, and take action as necessary to direct staff. (Tanner)
12. Consideration of and action on a revised Planning Commission Meeting Schedule and Submittal Deadlines Calendar to be implemented by July 2014. (Tanner)
13. Consideration of and action on the Staff Report of Current Activities and Requests for Future Agenda Items. (Tanner)
14. Announcements.
15. 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 20th day of February 2014, at 2:45p. m. by
Linda Cernosek

Linda Cernosek
Attest:
Linda Cernosek, TRMC, City Secretary



[Signature]
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. Planning Commission Regular Meeting Minutes for January 22, 2014.**

PLANNING COMMISSION MEETING MINUTES

DRAFT

On this the 22nd day of January 2014, 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 4th Street, Rosenberg, Texas 77471.

COMMISSIONERS PRESENT

Pete Pavlovsky	Planning Commission Chairperson
Wayne Poldrack	Planning Commission Secretary
Alicia Casias	Planning Commissioner
Mike Parsons	Planning Commissioner
James Urbish	Planning Commissioner

COMMISSIONERS ABSENT

Lester Phipps, Jr.	Planning Commission Vice Chairperson
--------------------	--------------------------------------

STAFF PRESENT

Cynthia McConathy	Councilor, At Large Position Two
Travis Tanner	Planning Director
Charles Kalkomey	City Engineer
Renée LeLaurin-Moore	Secretary II

GUESTS PRESENT

Taylor Gunn	Perry Homes (Reserve at Brazos Town Center)
Matt Tucker	Windrose Land Services (Our Lady of Guadalupe)
Rene R.	LJA Engineering (Bonbrook Plantation)
Geoff Freeman	Kerry R. Gilbert & Assoc. (Bonbrook and Reserve at BTC)
Carol Redd	EHRA (River Run at the Brazos)

CALL TO ORDER

Chairperson Pavlovsky called the meeting to order at 6:00 p.m.

AGENDA

1. CONSIDERATION OF AND ACTION ON MINUTES OF THE REGULAR PLANNING COMMISSION MEETING ON DECEMBER 18, 2013.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias, to approve the minutes of the December 18, 2013 Planning Commission meeting as written. The motion carried unanimously by those present.

2. CONSIDERATION OF AND ACTION ON THE PRELIMINARY PLAT OF BONBROOK PLANTATION NORTH SECTION TEN, BEING 12.3 ACRES OF LAND CONTAINING 39 LOTS (65' X 115' TYP.) AND ONE RESERVE IN THE THREE BLOCKS OUT OF THE WILEY MARTIN LEAGUE, A-56, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.

Executive Summary: The proposed Preliminary Plat of Bonbrook Plantation North Section Ten is located off of Blossom Terrace Lane in the northeast part of the overall Bonbrook Plantation Development. It is in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 155. The Plat contains approximately 12.3

acres and thirty-nine (39) single-family residential lots. There is also one (1) landscape reserve consisting of 0.92 acres and containing an existing pipeline easement.

The typical lot size for the subdivision is 65 feet in width. Each lot is a minimum of 65 feet in width at the front building line. In the lot summary table, some lots (5) are noted as being less than 65-foot lots due to being less than 50 feet at the right-of-way. The subdivision is in compliance with the approved Land Plan for Bonbrook Plantation. Per previous requests, the applicant also provided the number of lots in Bonbrook Plantation North (617) and the percentage of lots 60 feet or greater in width (53%) and less than 60 feet in width (47%).

The proposed Preliminary Plat is not in conflict with any applicable regulations or with the approved Land Plan for Bonbrook Plantation. That being said, staff recommends approval of the Preliminary Plat of Bonbrook Plantation North Section Ten.

Key Discussion:

- Mr. Tanner reviewed the Executive Summary.
- Chairperson Pavlovsky inquired how much of the development would be left to plat after tonight.
- Mr. Tanner replied that he believes there is a small section yet to be platted on the north side but that should be the last to be platted.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Poldrack, to approve the Preliminary Plat of Bonbrook Plantation North Section Ten, being 12.3 acres of land containing 39 lots (65' x 115' typ.) and one reserve in the three blocks out of the Wiley Martin League, A-56, City of Rosenberg, Fort Bend County, Texas. The motion carried unanimously by those present.

3. CONSIDERATION OF AND ACTION ON THE PRELIMINARY PLAT OF BONBROOK PLANTATION NORTH SECTION ELEVEN, BEING 8.9 ACRES OF LAND CONTAINING 35 LOTS (65' X 115' TYP.) IN THREE BLOCKS OUT OF THE WILEY MARTIN LEAGUE, A-56, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.

Executive Summary: The proposed Preliminary Plat of Bonbrook Plantation North Section Eleven is located off of Blossom Terrace Lane in the northeast part of the overall Bonbrook Plantation Development. It is in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 155. The Plat contains approximately 8.9 acres and thirty-five (35) single-family residential lots.

The typical lot size for the subdivision is 65 feet in width. Each lot is a minimum of 65 feet in width at the front building line. In the lot summary table, some lots (3) are noted as being less than 65-foot lots due to being less than 50 feet at the right-of-way. The subdivision is in compliance with the approved Land Plan for Bonbrook Plantation. As discussed in the previous Agenda item, the applicant provided the number of lots in Bonbrook Plantation North (617) and the percentage of lots 60 feet or greater in width (53%) and less than 60 feet in width (47%).

The proposed Preliminary Plat is not in conflict with any applicable regulations or with the approved Land Plan for Bonbrook Plantation. That being said, staff recommends approval of the Preliminary Plat of Bonbrook Plantation North Section Eleven.

Key Discussion:

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

Action Taken: Commissioner Parsons moved, seconded by Commissioner Poldrack, to approve the Preliminary Plat of Bonbrook Plantation North Section Eleven, being 8.9 acres of land containing 35 lots (65' x 115' typ.) in three blocks out of the Wiley Martin League, A-56, City of Rosenberg, Fort Bend County, Texas. The motion carried unanimously by those present.

4. CONSIDERATION OF AND ACTION ON THE PRELIMINARY PLAT OF BONBROOK PLANTATION NORTH SECTION TWELVE, BEING 8.5 ACRES OF LAND CONTAINING 34 LOTS (65' X 115' TYP.) IN TWO BLOCKS OUT OF THE WILEY MARTIN LEAGUE, A-56, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.

Executive Summary: The proposed Preliminary Plat of Bonbrook Plantation North Section Twelve is located off of Blossom Terrace Lane in the northeast part of the overall Bonbrook Plantation Development. It is in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 155. The plat contains approximately 8.5 acres and thirty-four (34) single-family residential lots.

The typical lot size for the subdivision is 65 feet in width. Each lot is a minimum of 65 feet in width at the front building line. In the lot summary table, some lots (5) are noted as being less than 65-foot lots due to being less than 50 feet at the right-of-way. The subdivision is in compliance with the approved Land Plan for Bonbrook Plantation. As discussed in previous Agenda items, the applicant provided the number of lots in Bonbrook Plantation North (617) and the percentage of lots 60 feet or greater in width (53%) and less than 60 feet in width (47%).

The proposed Preliminary Plat is not in conflict with any applicable regulations or with the approved Land Plan for Bonbrook Plantation. That being said, staff recommends approval of the Preliminary Plat of Bonbrook Plantation North Section Twelve.

Key Discussion:

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

Action Taken: Commissioner Urbish moved, seconded by Commissioner Casias, to approve the Preliminary Plat of Bonbrook Plantation North Section Twelve, being 8.5 acres of land containing 34 lots (65' x 115' typ.) in two blocks out of the Wiley Martin League, A-56, City of Rosenberg, Fort Bend County, Texas. The motion carried unanimously by those present.

5. CONSIDERATION OF AND ACTION ON THE PRELIMINARY PLAT OF BONBROOK PLANTATION SOUTH SECTION FIVE, A SUBDIVISION OF 49.784 ACRES OF LAND SITUATED IN THE WILEY MARTIN LEAGUE, ABSTRACT 56, FORT BEND COUNTY, TEXAS; 115 LOTS, 7 RESERVES (18.984 ACRES), 2 BLOCKS.

Executive Summary: The proposed Preliminary Plat of Bonbrook Plantation South Section Five is located off of Reading Road in the southeast part of the overall Bonbrook Plantation Development. It is in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 155. The Plat contains approximately 49.784 acres and 115 single-family residential lots. There are also seven (7) reserves consisting of nineteen (19) acres, including a 14-acre reserve for detention.

The subdivision contains a number of lot sizes, ranging from 50-foot to 65-foot and greater lots. Mainly, it includes 65-foot and 55-foot lots per the approved Land Plan. Each lot is a minimum of 55 feet in width at the front building line; however, in the lot summary table, some cul-de-sac and "knuckle" lots (18) are noted as being only 50-foot lots due to being only approximately 40 feet wide as measured at the right-of-way line. The subdivision is in compliance with the approved Land Plan for Bonbrook Plantation. Bonbrook Plantation South Section Five is the final section in Bonbrook Plantation South.

The proposed Preliminary Plat is not in conflict with any applicable regulations or with the approved Land Plan for Bonbrook Plantation. That being said, staff recommends approval of the Preliminary Plat of Bonbrook Plantation South Section Five.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired, as a matter of interest, how many lots are 50-foot lots and how many are 65-foot lots.
- Mr. Tanner referred to the lot summary table.
- Commissioner Parsons inquired how many 50-foot lots are in the total development.
- Mr. Tanner replied that he would need to look that up and bring it to the next meeting.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias, to approve the Preliminary Plat of Bonbrook Plantation South Section Five, a subdivision of 49.784 acres of land situated

in the Wiley Martin League, Abstract 56, Fort Bend County, Texas; 115 lots, 7 reserves (18.984 acres), 2 blocks. The motion carried unanimously by those present.

6. **CONSIDERATION OF AND ACTION ON THE PRELIMINARY PLAT OF THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE, BEING 20.2 ACRES OF LAND CONTAINING 62 LOTS (50' X 130' TYP.) AND THREE RESERVES IN THREE BLOCKS OUT OF THE JANE H. LONG LEAGUE SURVEY, A-55, & SIMON JONES SURVEY, A-271, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.**

Executive Summary: The Preliminary Plat of The Reserve at Brazos Town Center Section Three is located off of Town Center Boulevard, to the north of its intersection with Vista Drive. It is located within the City Limits and in Fort Bend County MUD No. 167. The plat consists of approximately 20.2 acres, with 62 single-family residential lots and three (3) reserves.

The typical lot size for the subdivision is 50 feet in width. This is per the approved Land Plan, as amended on December 18, 2013 (see attached). Per the amended Development Agreement, homes in this subdivision will be a minimum of 51 percent masonry construction.

The proposed Preliminary Plat is not in conflict with any applicable regulations or with the approved Land Plan for Brazos Town Center. That being said, staff recommends approval of the Preliminary Plat of The Reserve at Brazos Town Center Section Three.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Poldrack inquired if there has been a change in ownership of that tract of land.
- Mr. Tanner replied that the ownership has changed.
- Commissioner Poldrack inquired if the new owners can "piggy-back" the old plan.
- Mr. Tanner replied that the restrictions run with the land and not changed by ownership.
- Commissioner Parsons stated that this section was previously planned for patio homes. Do we have any idea who the builder is?
- Mr. Tanner replied the builder is Perry Homes.
- Commissioner Parsons inquired what the relative value of each residence will be based on Perry's predictions.
- Mr. Taylor Gunn of 2203 Chelsea Creek Lane, Spring, Texas, stepped forward to address the Commission. Perry is not certain which product will be put out though the ordinance states they must be at least 1,650 square feet and we will definitely be over that. We anticipate a similar product to what is already in Brazos Town Center Section Two. The average should be about 2,400 square feet and \$250,000.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias to approve the Preliminary Plat of the Reserve at Brazos Town Center Section Three, being 20.2 acres of land containing 62 lots (50' x 130' typ.) and three reserves in three blocks out of the Jane H. Long League Survey, A-55, & Simon Jones Survey, A-271, City of Rosenberg, Fort Bend County, Texas. The motion carried unanimously by those present.

7. **CONSIDERATION OF AND ACTION ON THE FINAL PLAT OF OUR LADY OF GUADALUPE CATHOLIC CHURCH, A SUBDIVISION OF 4.6750 ACRES, OR 203,644 SQUARE FEET OF LAND, BEING A PARTIAL REPLAT OF LOTS 1-8, 11-16 AND A PORTION OF LOTS 9 & 10, BLOCK 8, LOTS 10-16 AND PORTIONS OF LOTS 5-8, BLOCK 5, KAFFENBERGER ADDITION, RECORDED UNDER VOLUME 6, PAGE 16, PLAT RECORDS OF FORT BEND COUNTY, IN THE HENRY SCOTT LEAGUE, ABSTRACT NO. 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 1 BLOCK, 2 RESERVES, 0 LOTS.**

Executive Summary: The Final Plat of Our Lady of Guadalupe Catholic Church consists of 4.6750 acres and two (2) reserves. Approval and subsequent recordation of the Plat would consolidate property owned by the Church and eliminate any potential issues with setbacks from interior property lines. The Plat/Replat also proposes to abandon City rights-of-way (the majority of Carlisle Street between Avenues D and E, and the entire alley between Mulcahy and Carlisle) and will facilitate redevelopment of the site with a new sanctuary.

If abandoned, the rights-of-way will be replaced by utility easements as shown on the Plat to accommodate the following:

- Access and maintenance of City water line on Carlisle and sanitary sewer line in the alley
- Access and maintenance of existing dry utilities (gas, electric, phone and cable) in rights-of-way
- Continued emergency access to Carlisle

Per Chapter 24 of the Code of Ordinances, City Council action is required to abandon City right-of-way following a recommendation from the Planning Commission. The Planning Commission approved the Preliminary Plat on October 23, 2013, and recommended approval to City Council on the issue of the right-of-way abandonment. The proposed Final Plat is consistent with the approved Preliminary Plat and staff does not find the Plat to be in conflict with any City regulations. Staff recommends the Planning Commission recommend approval of the Final Plat of Our Lady of Guadalupe Catholic Church to City Council subject to City Council approval of the right-of-way abandonment. The right-of-way abandonment will be brought to City Council simultaneously with the Final Plat at a future meeting.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired if there had been any change from the Preliminary Plat.
- Mr. Tanner replied that there had been no change.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Poldrack, to recommend approval to City Council, contingent upon City Council approval of the request to abandon related right-of-way, of the Final Plat of Our Lady of Guadalupe Catholic Church, a subdivision of 4.6750 acres, or 203,644 square feet of land, being a partial replat of Lots 1-8, 11-16 and a portion of Lots 9 & 10, Block 8, Lots 10-16 and portions of Lots 5-8, block 5, Kaffenberger Addition, recorded under Volume 6, Page 16, Plat Records of Fort Bend County, in the Henry Scott League, Abstract No. 83, City of Rosenberg, Fort Bend County, Texas; 1 block, 2 reserves, 0 lots. The motion carried unanimously by those present.

8. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF RIVER RUN AT THE BRAZOS SECTION THREE-B, BEING A SUBDIVISION OF 8.4897 ACRES OUT OF THE WM. LUSK SURVEY, A-276, IN FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 158); 36 LOTS, 3 BLOCKS, 0 RESERVES.

Executive Summary: The Final Plat of River Run at the Brazos Section Three-B is located in the central part of River Run at the Brazos off of Longvale and Dragonfly Drives. It is in the ETJ and in Fort Bend County MUD No. 158. The Plat contains 8.4897 acres and thirty-six (36) lots.

The proposed Final Plat is consistent with the Preliminary Plat, which was approved by the Planning Commission on April 25, 2012. Typically, the Preliminary Plat would have expired after six (6) months; however, the Final Plats for Section Three have been submitted in phases. Section Three-A was approved before the expiration date. The typical lot size for this subdivision is sixty (60) feet in width per the approved Land Plan.

The Final Plat is not in conflict with any regulations or with the approved Land Plan. That said, staff recommends approval of the Final Plat of River Run at the Brazos Section Three-B.

Key Discussion:

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

Action Taken: Commissioner Casias moved, seconded by Commissioner Parsons to recommend approval to City Council of the Final Plat of River Run at the Brazos Section Three-B, being a subdivision of 8.4897 acres out of the Wm. Lusk Survey, A-276, in Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 158); 36 lots, 3 blocks, 0 reserves. The motion carried unanimously by those present.

9. CONSIDERATION OF AND ACTION ON THE STAFF REPORT OF CURRENT ACTIVITIES AND REQUESTS FOR FUTURE AGENDA ITEMS.

Executive Summary: The Staff Report of Current Activities consists of projects that staff is currently working on as well as other updates that are relevant to the Planning Commission. This item also allows the Planning Commission the opportunity to request that items be placed on future agendas.

For this month's report, a report on residential development activity in 2013 has been compiled and is attached. The City and its Extraterritorial Jurisdiction (ETJ) experienced significant growth in 2013. Following is an overview:

- House Starts:
 - 642 new home starts; 220 in the City and 422 in the ETJ
 - Nearly twice as many house starts in 2013 (642) than in 2012 (325)
 - Bonbrook Plantation (157), Sunrise Meadow (118), and River Run at the Brazos (101), all of which are in the ETJ, had the most house starts.
 - In the City, The Reserve at Brazos Town Center (86) and Summer Lakes (73) had the most house starts.
- Lots Platted:
 - Plats for 893 new lots were submitted in 2013 compared to only 546 in 2012; 235 were in the City and 658 were in the ETJ.
 - Bonbrook Plantation had the most lots platted with 283; Summer Lakes (191), Sunrise Meadow (173), and Walnut Creek (127) followed.
 - Of the 893 lots platted, 58 percent were 60-foot or greater lots
 - 30 percent were 55-foot lots and only 12 percent were 50-foot lots.

At the meeting, staff will also provide updates on the Comprehensive Plan update process and "Sign" Ordinance amendments, which are the main items the Planning Department is focused on at this time.

Key Discussion:

- Mr. Tanner presented the item and reviewed the 2013 Residential Development Report.
- Commissioner Parsons inquired if a reasonable person may conclude, based on the actions of this Commission or the Impact Fee Task Force, that those actions did not dampen the growth in the City.
- Mr. Tanner replied that there has been significant growth in 2013 whether or not those actions had an impact. We are seeing a trend in larger lot sizes due to actions taken by the Commission to determine minimum lot sizes. Mr. Tanner estimated the current population to be 34,692 (conservatively). In 2014, there have already been 170 new lots platted. In addition to the staff report, there are a few other things that Planning has been working on that have been prioritized by City Council - the Comprehensive Plan update and the "Sign" Ordinance. Staff put out an RFQ in November 2013 and we were fortunate to receive a number of good submittals from consulting firms. Staff has narrowed the submittals down to the top three, which will be presenting to the Professional Services/Engineering Project Review Committee on January 27th. As for the "Sign" Ordinance, staff anticipates bringing back those regulations for Avenues H, I, and SH 36 on February 18th. That will cover all the major corridors.
- Commissioner Parsons inquired if we will be looking at the Comprehensive Plan as a Commission and if we will be comparing the 1995 Comprehensive Plan to this current update.
- Mr. Tanner replied that the Commission will be working on updating the Comprehensive Plan update and we anticipate seeing several changes.
- Commissioner Parsons stated that as the City evolves and there are more people coming, the Comprehensive Plan will give us some direction for the next twenty to twenty-five years. If we do not focus on anticipating that growth, we will have havoc here and it will not be the kind of growth this area deserves.
- Commissioner Poldrack inquired when we should expect to see a final product.
- Mr. Tanner replied that he would expect the final product in one to two years. The consultant will need to be selected by City Council and that will initiate the process. We do not want to rush it and want to ensure we get a lot of input and reach people by different avenues. It will be a major project for us for the next year or two.
- Commissioner Poldrack inquired if the Planning Department is looking at any aspects of

transportation.

- Mr. Tanner replied yes, the Master Thoroughfare Plan was updated a year ago.
- Commissioner Poldrack stated that the City has traffic issues. He thought the City looked at impact fees for roads and thoroughfares.
- Commissioner Parsons stated that the problem with these fees is that there is a one to two year delay before they become effective. There have been at least three submissions from the Water/Wastewater Impact Fee Task Force. What is occurring is that no other City in the area does impact fees on roads and thoroughfares and therefore, it is not a good idea. But if one examines the economic directions of us vs. some other districts in terms of growth, it is something that should really be a good return on investment plus people moving to the area are paying for those improvements. He stated that there is no movement on this issue and it is a mistake that will land us with more debt for folks to get upset over.
- Commissioner Poldrack replied that if the justification for not doing it is because no one else is doing it, he has a problem with that.
- Commissioner Parsons replied that he agrees but there was a giant fear that the fees would hurt development and people are still coming. If the City does not get progressive, it will be havoc.
- Chairperson Pavlovsky inquired of Mr. Kalkomey what his opinion is regarding the Comprehensive Plan.
- Mr. Kalkomey replied that it is definitely needed. We need to look at transportation routes, especially during the construction phase over the next three years. One big change is that many streets that we have now were not in the vision in the 1995 plan.
- Chairperson Pavlovsky inquired what we can do in the near future since the inner City areas are landlocked. We have discussed running streets parallel with US 59 but none of that area is being developed yet.
- Mr. Kalkomey stated that transportation needs to be reviewed. Is 4th Street a viable option to get to US 59? Would Mons Avenue need to be extended east? Graeber was meant to come south. We also need to look at standards with respect to turning lanes. Are right turn lanes needed in some areas? We currently have an issue with the Walgreen's at Brazos Town Center to reconfigure that intersection somewhat to better move traffic. There may be an additional street light put in at Spacek and Reading. Many streets need to be looked at and it takes money.
- Commissioner Parsons stated that impact fees for roads and thoroughfares do not have anything to do with existing streets. But, as we grow, there will be additions to those streets and if we borrow money to work on existing streets, we should have a means to address street development. He does not claim to be an expert in this area but the only way to determine if these proposed road fees are a positive or negative is through a consulting company. For water/wastewater impact fees, he believes we paid 200k for the consulting but have collected 2.5M in fees and those fears were eliminated.
- Councilor McConathy inquired when was the last time the Task Force presented this idea to City Council.
- Commissioner Parsons replied that it has been recommended three times in a row, the last time being sometime in 2012. The current Task Force wanted to gather more information before making this recommendation to City Council again.
- Mr. Kalkomey replied that most cities that have impact fees for roads and thoroughfares are all in north Texas and in zoned cities.
- Commissioner Poldrack stated that the idea of adding some kind of fee is going to chase off development is nonsense. They will continue to build.

Action Taken:

Chairperson Pavlovsky requested an Agenda item for the next meeting to revise the meeting date schedule from Wednesdays.

10. ANNOUNCEMENTS.

- Commissioner Poldrack addressed the Commission and stated that it was said at last night's City Council meeting that he had recanted his support of the Planning Commission's Resolution to

continue Wednesday meetings. Commissioner Poldrack would like his fellow Commissioners to know, and the record to reflect, that he had no change of heart and would like to continue to meet on Wednesdays.

- Commissioner Urbish also stated for the record that he continues to support the Planning Commission's Resolution despite what was said at last night's City Council meeting. He, too, has been misquoted as having recanted his support. That was not a true statement and if he had to vote again, his vote to keep meeting on Wednesdays would go unchanged.

11. ADJOURNMENT.

There being no further business, Chairperson Pavlovsky adjourned the Rosenberg Planning Commission Meeting at 6:44 p.m.

Renée LeLaurin-Moore
Secretary II



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
2	Preliminary Plat of Walnut Creek Irby Cobb Dr. Street Dedication No. Two

MOTION

Consideration of and action on a Preliminary Plat of Walnut Creek Irby Cobb Dr. Street Dedication No. Two, being 3.4 acres of land out of the Eugene Wheat Survey, A-396 and Wiley Martin League, A-56, Fort Bend County, Texas.

RECOMMENDATION

Staff recommends approval of the Preliminary Plat of Walnut Creek Irby Cobb Dr. Street Dedication No. Two with one (1) condition:

- Irby Cobb Drive to be changed to Irby Cobb Boulevard on Final Plat for consistency with existing street name

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

SUPPORTING DOCUMENTS:

1. Preliminary Plat of Walnut Creek Irby Cobb Dr. Street Dedication No. Two
2. Land Plan for Walnut Creek

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

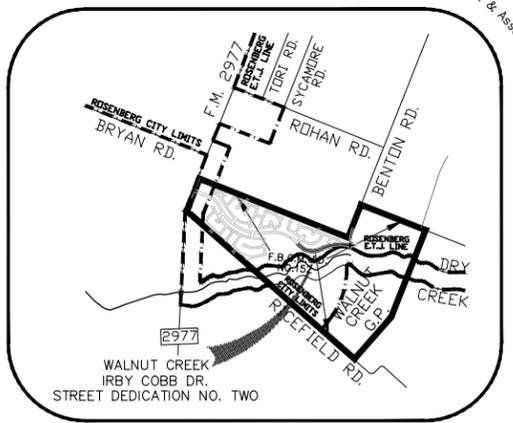
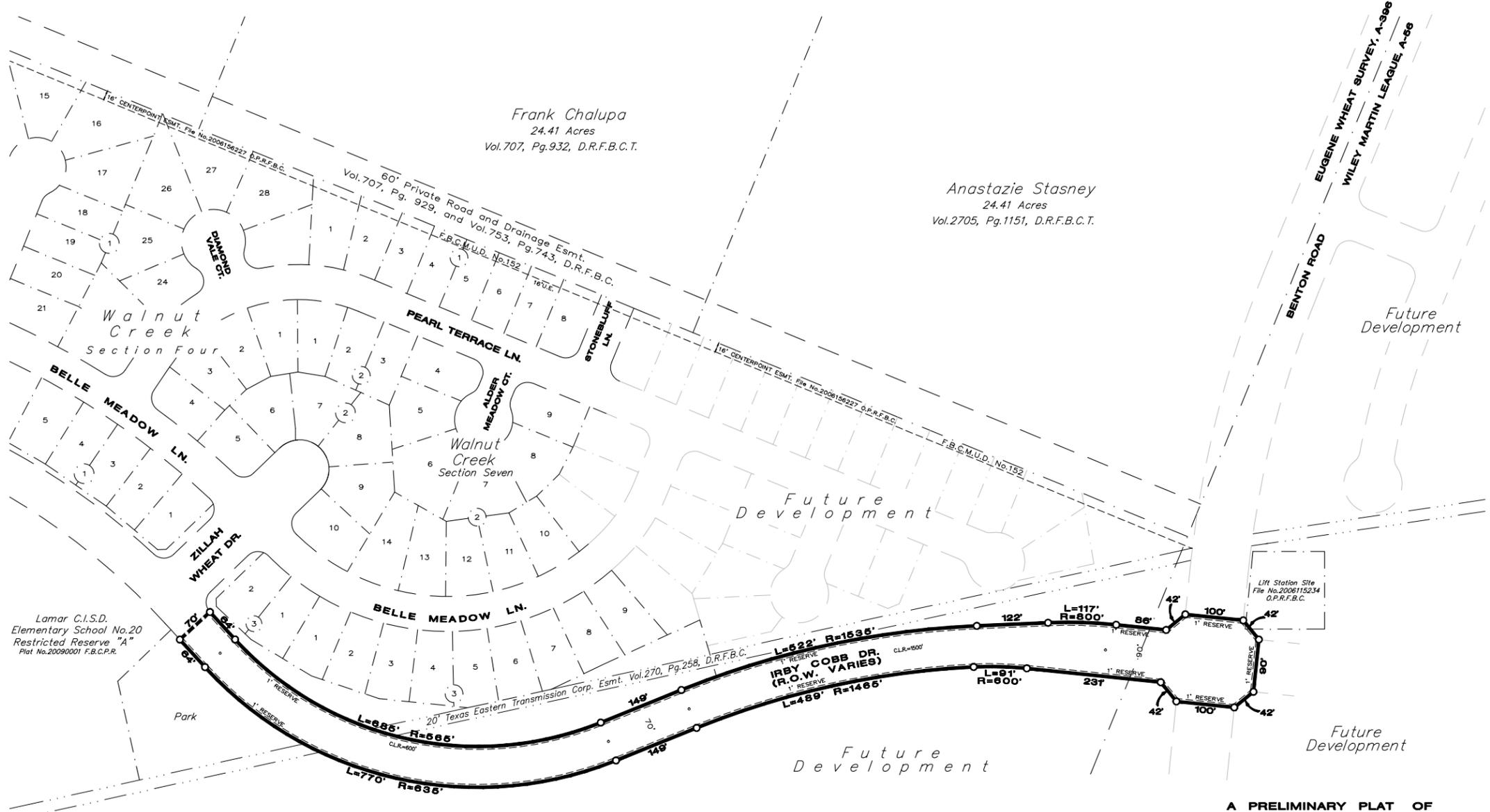
Reviewed by:

- Executive Director of Community Development
- City Engineer *OK*

EXECUTIVE SUMMARY

The Preliminary Plat of Walnut Creek Irby Cobb Drive Street Dedication No. 2 is a proposed right-of-way dedication plat consisting of 3.4 acres. It is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins Walnut Creek Sections Seven and Eleven and will connect Irby Cobb Boulevard to its future intersection with Benton Road.

The Preliminary Plat is consistent with the street layout per the approved Land Plan, will provide access further east into the development, and will facilitate an eventual second point of access into the development from Benton Road. The proposed Preliminary Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152. That being said, staff recommends approval of the Preliminary Plat of Walnut Creek Irby Cobb Dr. Street Dedication No. Two provided that on the Final Plat, the street name suffix is changed from Drive to Boulevard per the existing street name.



Vicinity Map



A PRELIMINARY PLAT OF
**WALNUT CREEK
 IRBY COBB DR.
 STREET DEDICATION NO. TWO**
 BEING 3.4± ACRES OF LAND

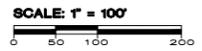
OUT OF THE
 EUGENE WHEAT SURVEY, A-396 &
 WILEY MARTIN LEAGUE, A-56
 FORT BEND COUNTY, TEXAS

OWNER:
 LENNAR HOMES OF TEXAS LAND CONSTRUCTION
 550 GREENS PARKWAY, #100
 HOUSTON, TEXAS 77067
 ATTN: MR. MARK JANIK (281) 875-1000

ENGINEER/SURVEYOR:
 IDS ENGINEERS
 13333 NORTHWEST FREEWAY, #300
 HOUSTON, TEXAS 77040
 ATTN: MR. CHAD ABRAM, P.E. (713) 462-3178

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

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



JANUARY 14, 2014
 KGA# 05604

- GENERAL NOTE:
- "B.L." INDICATES BUILDING LINE.
 - "U.E." INDICATES UTILITY EASEMENT.
 - "1' RES." INDICATES ONE FOOT RESERVE.
 dedicated to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent carriage tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and vest in the dedicator, his heirs assigns, or successors.
 - ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
 - ALL LOT WIDTH AND DEPTH DIMENSIONS ARE APPROXIMATE, AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE, AND OR THE REAR BUILDING PAD LINE. ALL RADIAL LOTS HAVE A WIDTH OF FORTY FEET AT THE RIGHT OF WAY LINE.
 - IN ACCORDANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO.48157C0220L, FORT BEND COUNTY, TEXAS MAP REVISED JANUARY 3, 1997, THE PROPERTY CONTAINED WITHIN THE BOUNDARIES OF THIS PRELIMINARY PLAT LIES WITHIN ZONE "X" AND IS OUTSIDE OF THE 100 YEAR FLOOD PLAIN.
 - ALL LOTS CONTAINED WITHIN THIS PRELIMINARY PLAT ARE HEREBY RESTRICTED TO SINGLE FAMILY RESIDENTIAL USE.

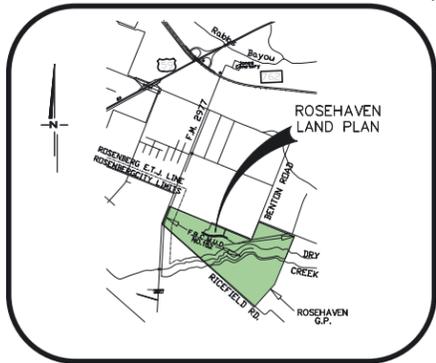
DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ROSENBERG SUBDIVISION ORDINANCE IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF ROSENBERG PLANNING COMMISSION. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER KERRY R. GILBERT & ASSOCIATES, INC., NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.

LOT ANALYSIS

ENTIRE PROJECT	SUB TOTAL	
(TYP.50'X120')	450 LOTS	752 LOTS (50%)
(TYP.55'X110')	302 LOTS	
(TYP.60'X110'/120')	757 LOTS	757 LOTS (50%)

1,509 TOTAL LOTS



Vicinity Map NTS

ROW WIDTH
60' (PATIO HOME ACCESS RD.)
60' (OTHER)
70'

PAVING WIDTH
36'
27'
39'

* City is granted access into 5' of the landscape reserve along each side of Irby Cobb Dr. for maintenance purposes.

ROSEHAVEN PARKLAND ANALYSIS (Revised 2008)

Park	Area (Ac.)	Credit (%)	Park Area	Park Area Status
Pocket Park 1	0.27	10%	0.03	Completed
Pocket Park 2	0.48	10%	0.05	Completed
Pocket Park 3	0.22	10%	0.02	To Be Completed
Pocket Park 4	0.36	10%	0.04	To Be Completed
Open Space	1.1	50%	0.5	To Be Completed
Neighborhood Park 1	4.5	50%	2.25	To Be Completed
Neighborhood Park 2	3.2	50%	1.6	To Be Completed
Linear Park	5.70	10%	0.57	14% Completed
Detention (NE)	3.0	25%	0.75	To Be Completed
Detention (SW)	10.05	25%	2.51	To Be Completed
Detention (SE)	7.95	25%	1.99	To Be Completed
Detention (NW)	25.1	25%	6.27	25% Completed

Total Private Park Provided = 16.58 Ac.

Total Parkland Required= 1509 Lots/160 Lots/Ac. = 9.43 Ac.
Total Private Parkland Required= 9.43 Ac. * 50% = 4.71 Ac.
Amount of Parkland Remaining (Money in Lieu of Land) = 4.71 Ac.
Payment Required = 4.71 Ac. * 160 Lots/Ac. * \$350 = \$263,760

- Notes:**
- Maintenance Responsibility for Pocket Parks, Neighborhood Park, and Open Space will be the Homeowner's Association.
 - Maintenance Responsibility for Detention Areas NW, NE, SW, & SE will be proposed FBMD No.152.
 - Neighborhood Park 1 shall contain the following improvements:
 - *Swimming Pool
 - *Cabana
 - *Playground
 - *Parking

a general plan for
WALNUT CREEK
BEING ± 527.3 ACRES of LAND

OUT of THE
EUGENE WHEAT SURVEY, A-396
FORT BEND COUNTY, TEXAS

OWNER:
LENNAR HOMES OF TEXAS LAND CONSTRUCTION
550 GREENS PARKWAY, #100
HOUSTON, TEXAS 77067
ATTN: MR. JAVIER MARTINEZ (281) 874-4467

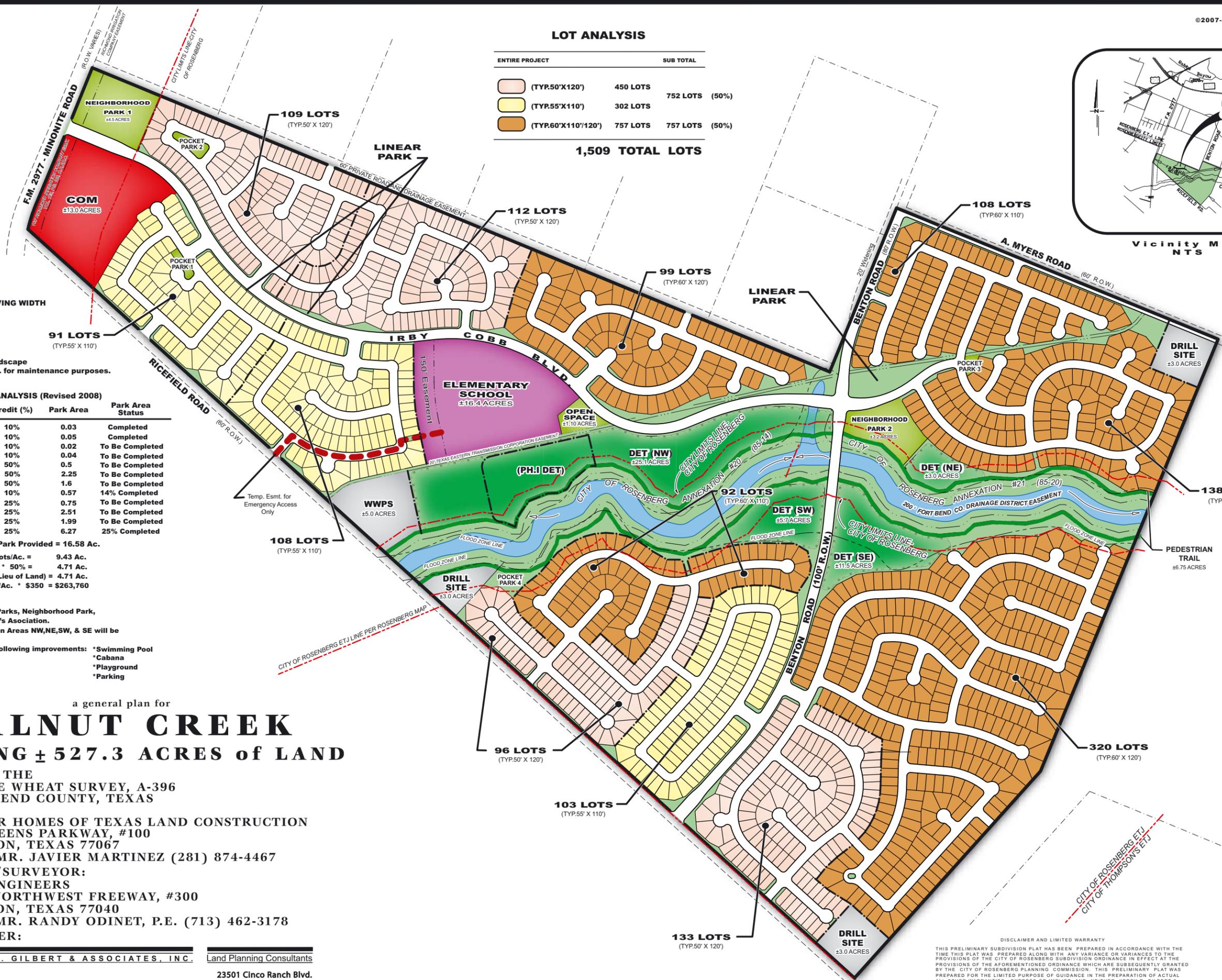
ENGINEER/SURVEYOR:
PATE ENGINEERS
13333 NORTHWEST FREEWAY, #300
HOUSTON, TEXAS 77040
ATTN: MR. RANDY ODINET, P.E. (713) 462-3178

PLANNER:
KERRY R. GILBERT & ASSOCIATES, INC.

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



JANUARY 09, 2008
KGA #05504



DISCLAIMER AND LIMITED WARRANTY
THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE CITY OF ROSENBERG SUBDIVISION ORDINANCE IN EFFECT AT THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF ROSENBERG PLANNING COMMISSION. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER KERRY R. GILBERT & ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ASSOCIATES, INC. NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER SUBDIVISION PLAT.



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
3	Preliminary Plat of Walnut Creek Section Seven

MOTION

Consideration of and action on a Preliminary Plat of Walnut Creek Section Seven, being 9.6 acres of land containing 31 lots (60' x 120' typ.) and one reserve in three blocks out of the Eugene Wheat Survey, A-396, Fort Bend County, Texas.

RECOMMENDATION

Staff recommends approval of the Preliminary Plat of Walnut Creek Section Seven.

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

SUPPORTING DOCUMENTS:

1. Preliminary Plat of Walnut Creek Section Seven
2. Land Plan for Walnut Creek – Please refer to previous Agenda item

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

Executive Director of Community Development

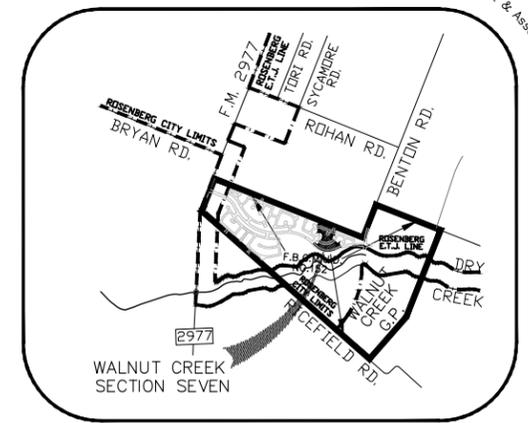
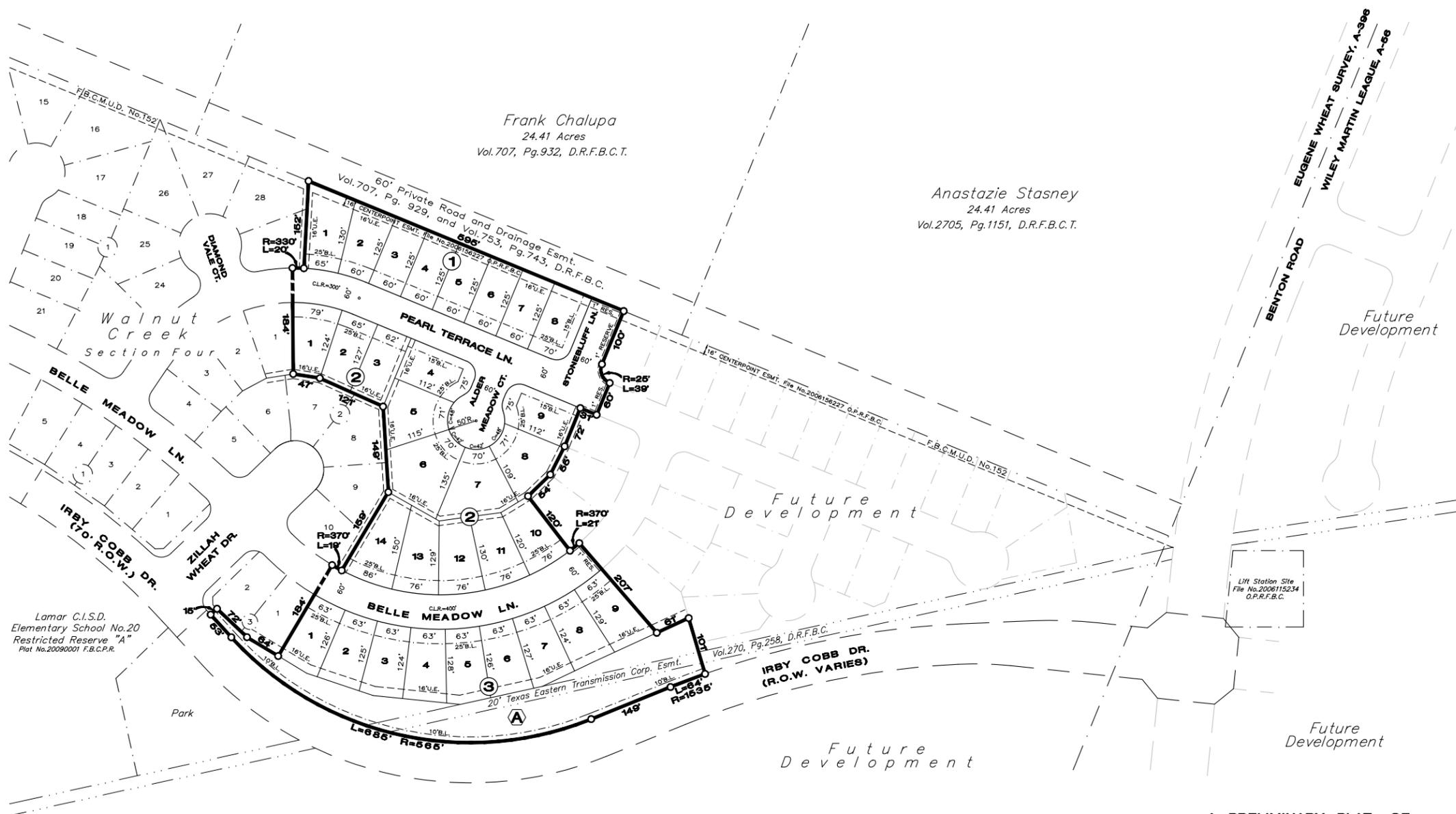
City Engineer *OK*

EXECUTIVE SUMMARY

The Preliminary Plat of Walnut Creek Section Seven is a proposed subdivision consisting of thirty-one (31) residential lots located off of Irby Cobb Boulevard in the north central part of the Walnut Creek Development. The proposed Plat is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins Walnut Creek Section Four to the immediate west.

The subdivision generally consists of sixty-foot (60') lots in accordance with the approved Land Plan for Walnut Creek. Four (4) of the lots are identified as being less than 60' lots due to being less than fifty feet (50') as measured at the right-of-way. All lots are a minimum of 60' as measured at the front building line. Additionally, the subdivision contains a 1.36-acre landscape reserve abutting the future Irby Cobb right-of-way.

The proposed Preliminary Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152. That being said, staff recommends approval of the Preliminary Plat of Walnut Creek Section Seven.



Vicinity Map



- GENERAL NOTE:
- "B.L." INDICATES BUILDING LINE.
 - "U.E." INDICATES UTILITY EASEMENT.
 - "1' RES." INDICATES ONE FOOT RESERVE.
dedicated to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent across tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and vest in the dedicant, his heirs assigns, or successors.
 - ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
 - ALL LOT WIDTH AND DEPTH DIMENSIONS ARE APPROXIMATE, AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE, AND OR THE REAR BUILDING PAD LINE. ALL RADIAL LOTS HAVE A WIDTH OF FORTY FEET AT THE RIGHT OF WAY LINE.
 - IN ACCORDANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO.4815700220J, FORT BEND COUNTY, TEXAS MAP REVISED JANUARY 3, 1997, THE PROPERTY CONTAINED WITHIN THE BOUNDARIES OF THIS PRELIMINARY PLAT LIES WITHIN ZONE "X" AND IS OUTSIDE OF THE 100 YEAR FLOOD PLAIN.
 - ALL LOTS CONTAINED WITHIN THIS PRELIMINARY PLAT ARE HEREBY RESTRICTED TO SINGLE FAMILY RESIDENTIAL USE.

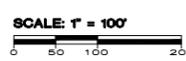
A PRELIMINARY PLAT OF
WALNUT CREEK SECTION SEVEN
 BEING 9.6± ACRES OF LAND
 CONTAINING 31 LOTS (60' X 120' TYP.) AND ONE RESERVE IN THREE BLOCKS.

OUT OF THE EUGENE WHEAT SURVEY, A-396
 FORT BEND COUNTY, TEXAS

OWNER:
LENNAR HOMES OF TEXAS LAND CONSTRUCTION
 550 GREENS PARKWAY, #100
 HOUSTON, TEXAS 77067
 ATTN: MR. MARK JANIK (281) 875-1000

ENGINEER/SURVEYOR:
IDS ENGINEERS
 13333 NORTHWEST FREEWAY, #300
 HOUSTON, TEXAS 77040
 ATTN: MR. CHAD ABRAM, P.E. (713) 462-3178

PLANNER:
KERRY R. GILBERT & ASSOCIATES, INC. Land Planning Consultants
 23501 Cinco Ranch Blvd.
 Suite A-250
 Katy, Texas 77494
 (281) 579-0340



DATE: FEBRUARY 06, 2014
 KGA# 05604

PARK LAND DEDICATION TABLE

TOTAL NUMBER OF LOTS:	31 LOTS
PUBLIC PARK REQUIREMENT:	31 LOTS/160=0.19 AC.
PUBLIC PARK DEDICATION:	0
PRIVATE PARK CREDIT PROVIDED WITH THE RECREATION CENTER. RECREATION SITE IS ±3.9 ACRES. NO. OF PLATTED LOTS THUS FAR (SEC.1,2,3,4,5,6,7,8,9&10)=502 LOTS. 502/2 = 251 LOTS 251 LOTS/160 = 1.57 ACRES OF CREDIT USED.	
MONEY IN LIEU OF PUBLIC PARK LAND DEDICATION:	31 LOTS/2=15 LOTS 15 LOTS X \$350.00/LOT=\$5,250,000

LOT WIDTH TABLE

WIDTH < 60'	4 LOTS (13%)
WIDTH > 60'	27 LOTS (87%)
LOTS TOTAL: 31	

LOT AREA SUMMARY

BLOCK 1			BLOCK 2			BLOCK 3		
LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.
1	65'	10,216	1	79'	8,496	1	63'	9,487
2	60'	8,379	2	65'	7,830	2	63'	8,621
3	60'	7,500	3	62'	8,032	3	63'	8,631
4	60'	7,500	4	75'	9,272	4	63'	8,588
5	60'	7,500	5	71'	9,879	5	63'	8,851
6	60'	7,500	6	70'	13,483	6	63'	8,581
7	60'	7,500	7	70'	11,269	7	63'	8,610
8	70'	8,606	8	71'	9,554	8	63'	8,522
			9	75'	9,295	9	63'	8,602
			10	76'	8,315			
			11	76'	8,804			
			12	76'	8,835			
			13	76'	9,359			
			14	86'	10,885			

DISCLAIMER AND LIMITED WARRANTY
 THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ROSENBERG SUBDIVISION ORDINANCE IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF ROSENBERG PLANNING COMMISSION. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER KERRY R. GILBERT & ASSOCIATES, INC. NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
4	Preliminary Plat of Walnut Creek Section Eleven

MOTION

Consideration of and action on a Preliminary Plat of Walnut Creek Section Eleven, being 8.7 acres of land containing 27 lots (60' x 120' typ.) and one reserve in two blocks out of the Eugene Wheat Survey, A-396 & Wiley Martin League, A-56, Fort Bend County, Texas.

RECOMMENDATION

Staff recommends approval of the Preliminary Plat of Walnut Creek Section Eleven with one (1) condition:

- Provision of two (2) water line easements in Reserve "A" on Final Plat

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

SUPPORTING DOCUMENTS:

1. Preliminary Plat of Walnut Creek Section Eleven
2. Land Plan for Walnut Creek – Please refer to Agenda Item No. 2

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

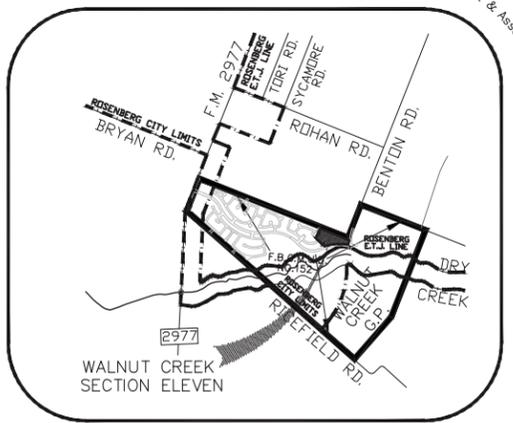
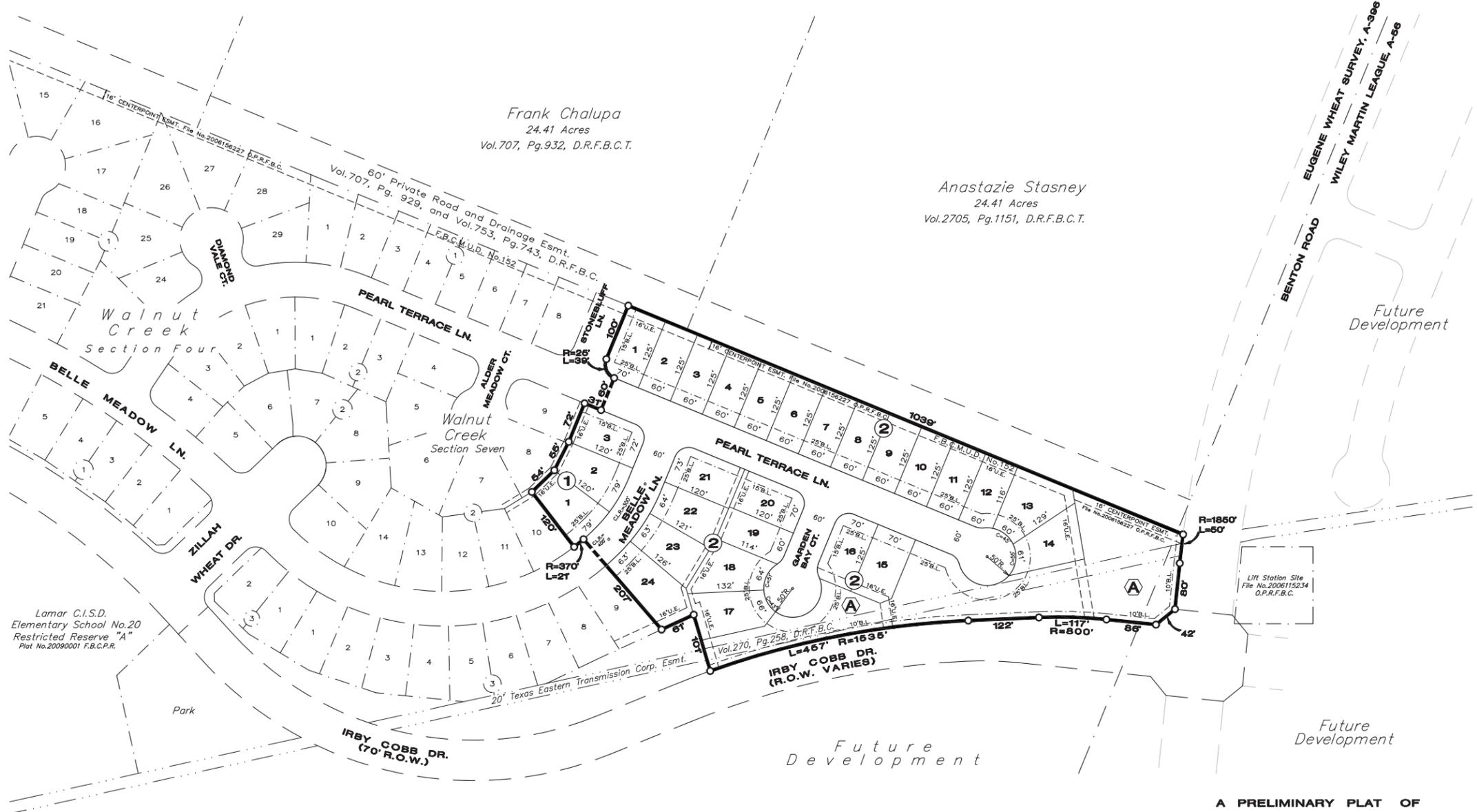
Executive Director of Community Development
 City Engineer *OK*

EXECUTIVE SUMMARY

The Preliminary Plat of Walnut Creek Section Eleven is a proposed subdivision consisting of twenty-seven (27) residential lots located off of Irby Cobb Boulevard in the north central part of the Walnut Creek Development. The proposed Plat is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins Walnut Creek Section Seven to the immediate west.

The subdivision generally consists of sixty-foot (60') lots in accordance with the approved Land Plan for Walnut Creek. Four (4) of the lots are identified as being less than 60' lots due to being less than fifty feet (50') as measured at the right-of-way. All lots are a minimum of 60' as measured at the front building line. Additionally, the subdivision contains a 1.88-acre landscape reserve abutting the future Irby Cobb right-of-way. This reserve should contain two (2) water line easements on the Final Plat to provide for the subdivision's water lines to connect to the main water line in the Irby Cobb right-of-way. Staff recommends this requirement as a condition of Final Plat approval.

The proposed Preliminary Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152. That being said, staff recommends approval of the Preliminary Plat of Walnut Creek Section Eleven.



Vicinity Map



- GENERAL NOTE:
- "B.L." INDICATES BUILDING LINE.
 - "U.E." INDICATES UTILITY EASEMENT.
 - "1' RES." INDICATES ONE FOOT RESERVE.
dedicated to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent across tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and vest in the dedicant, his heirs assigns, or successors.
 - ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
 - ALL LOT WIDTH AND DEPTH DIMENSIONS ARE APPROXIMATE, AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE, AND OR THE REAR BUILDING PAD LINE. ALL RADIAL LOTS HAVE A WIDTH OF FORTY FEET AT THE RIGHT OF WAY LINE.
 - IN ACCORDANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO.4815700220J, FORT BEND COUNTY, TEXAS MAP REVISED JANUARY 3, 1997, THE PROPERTY CONTAINED WITHIN THE BOUNDARIES OF THIS PRELIMINARY PLAT LIES WITHIN ZONE "X" AND IS OUTSIDE OF THE 100 YEAR FLOOD PLAIN.
 - ALL LOTS CONTAINED WITHIN THIS PRELIMINARY PLAT ARE HEREBY RESTRICTED TO SINGLE FAMILY RESIDENTIAL USE.

Lamar C.I.S.D. Elementary School No.20 Restricted Reserve "A" Plat No.20090001 F.B.C.P.R.

A PRELIMINARY PLAT OF
WALNUT CREEK SECTION ELEVEN
 BEING 8.7± ACRES OF LAND
 CONTAINING 27 LOTS (60' X 120' TYP.) AND
 ONE RESERVE IN TWO BLOCKS.

OUT OF THE
**EUGENE WHEAT SURVEY, A-396 &
 WILEY MARTIN LEAGUE, A-56**
 FORT BEND COUNTY, TEXAS

OWNER:
LENNAR HOMES OF TEXAS LAND CONSTRUCTION
 550 GREENS PARKWAY, #100
 HOUSTON, TEXAS 77067
 ATTN: MR. CHRIS GILBERT (281) 875-1000

ENGINEER/SURVEYOR:
IDS ENGINEERS
 13333 NORTHWEST FREEWAY, #300
 HOUSTON, TEXAS 77040
 ATTN: MR. CHAD ABRAM, P.E. (713) 462-3178

PLANNER:
KERRY R. GILBERT & ASSOCIATES, INC. Land Planning Consultants
 23501 Cinco Ranch Blvd.
 Suite A-250
 Katy, Texas 77494
 (281)579-0340

PARK LAND DEDICATION TABLE

TOTAL NUMBER OF LOTS:	27 LOTS
PUBLIC PARK REQUIREMENT:	27 LOTS/160=0.17 AC.
PUBLIC PARK DEDICATION:	0
PRIVATE PARK CREDIT PROVIDED WITH THE RECREATION CENTER. RECREATION SITE IS ±3.9 ACRES.	
NO. OF PLATTED LOTS THUS FAR (SEC.1,2,3,4,5,6,7,8,9,10&11)=529 LOTS.	
529/2 = 265 LOTS	
265 LOTS/160 = 1.66 ACRES OF CREDIT USED.	
MONEY IN LIEU OF PUBLIC PARK LAND DEDICATION:	27 LOTS/2=14 LOTS 14 LOTS X \$350.00/LOT=\$4,900.000

LOT WIDTH TABLE

WIDTH < 60'	4 LOTS (15%)
WIDTH > 60'	23 LOTS (85%)
LOTS TOTAL: 27	

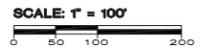
LOT AREA SUMMARY

BLOCK 1			BLOCK 2		
LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.
1	79'	8,451	1	70'	8,593
2	79'	8,532	2	60'	7,500
3	72'	8,493	3	60'	7,500
			4	60'	7,500
			5	60'	7,500
			6	60'	7,500
			7	60'	7,500
			8	60'	7,500
			9	60'	7,500
			10	60'	7,500
			11	60'	7,500
			12	60'	7,382
			13	60'	10,336
			14	60'	8,936
			15	70'	8,637
			16	70'	8,517
			17	66'	9,298
			18	64'	9,081
			19	60'	7,169
			20	70'	8,259
			21	73'	8,619
			22	64'	8,284
			23	63'	8,526
			24	63'	10,880

NOTE:
 RESTRICTED RESERVE "A"
 LANDSCAPE/OPEN SPACE
 ±1.88 ACRES

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ROSENBERG SUBDIVISION ORDINANCE IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF ROSENBERG PLANNING COMMISSION. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER KERRY R. GILBERT & ASSOCIATES, INC. NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.



FEBRUARY 06, 2014
 KGA# 05604



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
5	Short Form Final Plat of Lamar CISD Elementary School No. 23

MOTION

Consideration of and action on a Short Form Final Plat of Lamar CISD Elementary School No. 23; 0 lots, 1 block, 1 reserve; being 14.26 acres in the Robert E. Handy Survey, Abstract 187, City of Rosenberg, Fort Bend County, Texas.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to City Council of the Short Form Final Plat of Lamar CISD Elementary School No. 23.

MUD #	City/ETJ	ELECTION DISTRICT
144	City	4

SUPPORTING DOCUMENTS:

1. Short Form Final Plat of Lamar CISD Elementary School No. 23
2. Land Use and Parcel Plan for Summer Lakes/Waterford Park (MUD No. 144 PUD)

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

Executive Director of Community Development

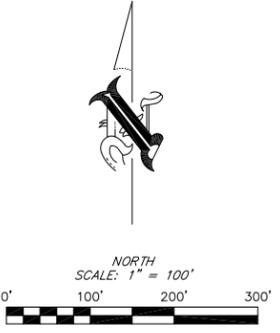
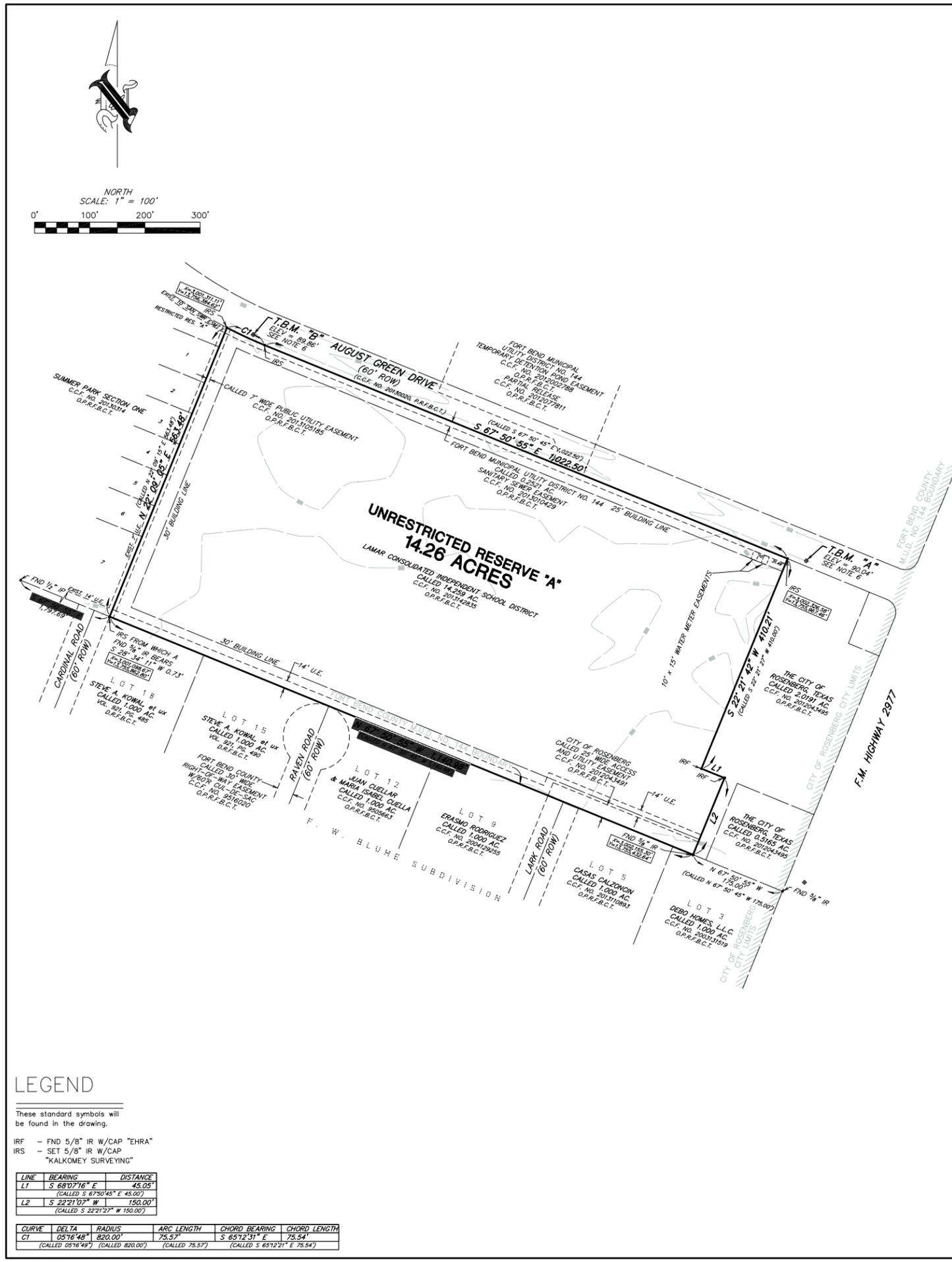
City Engineer *OK*

EXECUTIVE SUMMARY

The Short Form Final Plat of Lamar CISD Elementary School No. 23 fronts on the south side of August Green Drive, west of FM 2977 and adjoining the site of the City's Fire Station No. 3, currently under construction. It is located within the City Limits and in Fort Bend County MUD No. 144. The Plat consists of one (1) reserve and 14.26 acres.

Because the Plat has only one (1) reserve and does not require the dedication or alteration of any streets, it meets the criteria for a short form final plat under the "Subdivision" Ordinance. This essentially means that a Preliminary Plat did not have to be submitted. The proposed Plat is consistent with the approved Land Plan for Summer Lakes and Waterford Park, which calls for commercial development of this tract (as opposed to residential).

The proposed Short Form Final Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 144. That being said, staff recommends that the Planning Commission recommend approval to City Council of the Short Form Final Plat of Lamar CISD Elementary School No. 23.



LEGEND

These standard symbols will be found in the drawing.

IRF - FND 5/8" IR W/CAP "EHRA"
 IRS - SET 5/8" IR W/CAP "KALKOMEY SURVEYING"

LINE	BEARING	DISTANCE
L1	S 68°07'16" E	43.05' (CALLED S 67°50'45" E 43.00')
L2	S 22°21'07" W	150.00' (CALLED S 22°21'27" W 150.00')

CURVE	DELTA	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
CI	05°16'48"	820.00'	75.57'	S 65°12'31" E	75.54' (CALLED 05°16'48")

State of Texas
 County of Fort Bend

We, Michael Richard, President, and Karen Mendoza, Secretary, being officers of Lamar Consolidated School District, owner of a 14.26 acre tract of land described in the foregoing map of LAMAR CISD ELEMENTARY SCHOOL NO 23 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.

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

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat 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 obstructions shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

IN TESTIMONY WHEREOF, Lamar Consolidated Independent School District, has caused these presents to be signed by Michael Richard, its President hereunto authorized, attested by Karen Mendoza, its Secretary, this ____ day of _____, 2014.

Lamar Consolidated Independent School District

By: _____ Attest: _____
 Michael Richard, President Karen Mendoza, Secretary

BEFORE ME, the undersigned authority, on this day personally appeared Michael Richard, as President, Lamar Consolidated Independent School District Board of Trustees, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2014.

Notary Public in and for the State of Texas

BEFORE ME, the undersigned authority, on this day personally appeared Karen Mendoza, as Secretary, Lamar Consolidated Independent School District Board of Trustees, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2014.

Notary Public in and for the State of Texas

This is to certify that the City Council of the City of Rosenberg, Texas has approved this plat and subdivision of the LAMAR CISD ELEMENTARY SCHOOL NO 23, in conformance with the laws of the State of Texas and the ordinances of the City of Rosenberg as shown hereon and authorized the recording of this plat this ____ day of _____, 2014.

Vincent M. Morales, Jr., Mayor Linda Cernosek, Secretary

This is to certify that the City Planning Commission of the City of Rosenberg, Texas, has approved this plat and subdivision of the LAMAR CISD ELEMENTARY SCHOOL NO 23, in conformance with the laws of the State of Texas and the ordinances of the City of Rosenberg as shown hereon and authorized the recording of this plat this ____ day of _____, 2014.

Pete Pavlovsky, Chair
 Wayne Poldrack, Secretary

I, Dianne Wilson, County Clerk in and for Fort Bend County, hereby certify that the foregoing instrument with its certificate of authentication was filed for recordation in my office on _____, 2014 at _____ o'clock ____ m. in Plat No. _____ of the Plat Records of Fort Bend County for said county. Witness my hand and seal of office, at Rosenberg, Texas, the day and date last above written.

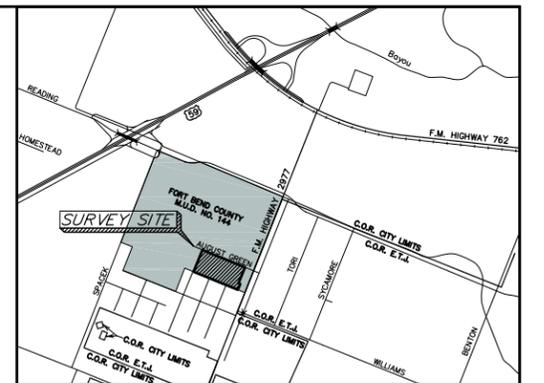
Dianne Wilson, County Clerk
 Fort Bend County, Texas
 Deputy

I, Chris D. Kalkomey, am 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; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron pipes having a minimum outside diameter of five-eighths (5/8) inch and length of not less than three (3) feet.

Chris D. Kalkomey, Registered Professional Land Surveyor
 Texas Registration No. 5869

OWNER:
LAMAR CONSOLIDATED INDEPENDENT SCHOOL DISTRICT
 3911 AVENUE J
 ROSENBERG, TEXAS 77471
 (281) 341-3100

PLAT BY:
CHARLIE KALKOMEY Surveying, Inc.
 Land Surveyors
 6415 READING ROAD
 ROSENBERG, TX 77471-5655
 (281) 342-2033 FAX: (281) 232-9909



VICINITY MAP KEY MAP: 605
 (SCALE: 1" = 2,000') (PANEL "2")

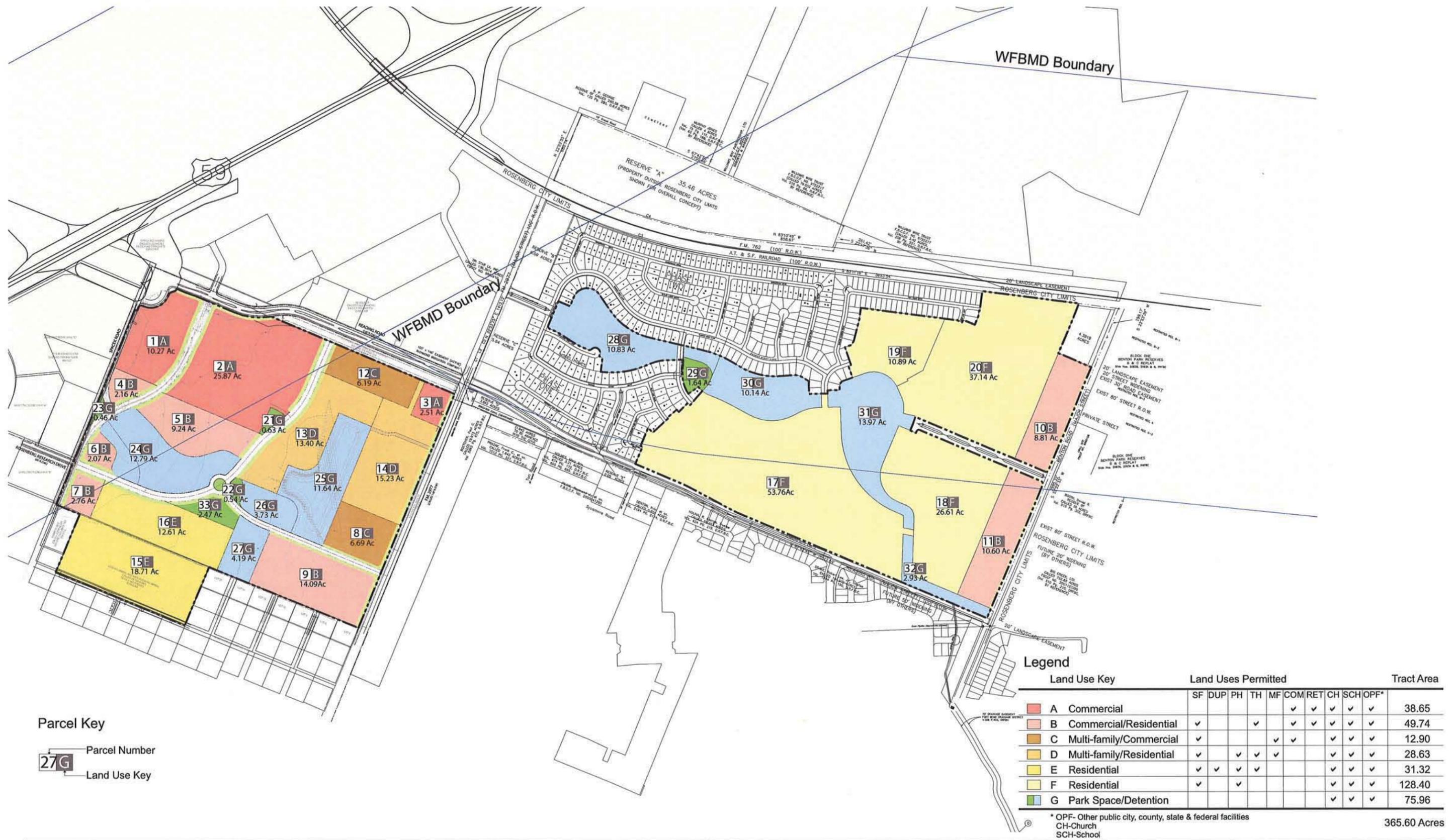
- GENERAL NOTES:
- This tract lies within Zone "X" of the Flood Insurance Rate Map, Community No. 480232, Map Numbers 4815700245L & 4815700265L, Panels 0245 & 0265, Suffix "L" with a date of April 2, 2104, for Fort Bend County, Texas and incorporated areas. Zone "X" is defined as areas determined to be outside the 0.2% annual chance floodplain.
 - This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
 - The location of the flood zone lines shown hereon were determined by scaling from said FIRM map. The actual location as determined by elevation contours may differ. Charlie Kalkomey Surveying, Inc. assumes no liability as to the accuracy of the location of the flood zone limits.
 - All visible easements and easements of records affecting these tracts as reflected upon title report from Fidelity National Title Insurance Co., G.F. Number 522500108, dated January 26, 2014, shown hereon. Surveyor has relied upon the above-mentioned title commitment, with regard to any easements, setbacks, restrictions, or rights-of-way affecting the subject property. No additional research regarding the existence of easements, setbacks, restrictions, rights-of-way, or other matters of record, has been performed by the surveyor.
 - Bearings and coordinates are based upon the Texas Coordinate System, South Central Zone, NAD83, based upon GPS observations of City of Rosenberg monument RS09.
 - Elevations shown hereon based upon GPS observations of City of Rosenberg Control Monument RS09, Elevation 94.82' (NAVD88).
 - The coordinates shown hereon are Texas State Plane Coordinates, South Central Zone (NAD83) and may be brought to survey by applying the following combined scale factor of 0.99986920.
 - Temporary Benchmark "A" being a cut "X" in a concrete inlet. Located along the Southwest curb of August Green Drive, and the Northeast line of a called 2.0191 acre tract recorded in C.C.F. No. 2012043495, O.P.R.F.B.C.T. Elevation = 90.04' (NAVD88).
 - Temporary Benchmark "B" being a cut "X" in a concrete inlet. Located along the Southwest curb of August Green Drive, and being ±1,082 feet Northwest of TBM "A". Elevation = 89.86' (NAVD88).
 - This plat was prepared to meet City of Rosenberg and Fort Bend County requirements.
 - This survey does not provide any determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.
 - The drainage system for this subdivision is designed in accordance with the Fort Bend County Drainage Criteria Manual which allows street ponding with intense rainfall events.
 - 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 easements through an approved drainage structure.
 - 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.
 - There are no pipelines or pipeline easements on this tract except as shown hereon.
 - This tract lies wholly within Fort Bend County, Lamar Consolidated Independent School District, the City of Rosenberg, and Fort Bend County M.U.D. No. 144.
 - 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.
 - This tract is located in Lighting Zone #3.
 - Five-eighths inch (5/8") 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.
 - The top of all floor slabs shall be a minimum of 91.8' above mean sea level. The top of slab elevation at any point on the perimeter of the slab shall not be less than eighteen (18) inches above natural ground.
 - B.L. indicates building line; U.E. indicates utility easement; S.T.M. S.E. indicates storm sewer easement; W.L.E. indicates water line easement; S.S.E. indicates sanitary sewer easement; H.L. & P.E. indicates Houston Lighting & Power easement; D.E. indicates drainage easement; P.L. indicates property line.
 - Elevations used for delineating contour lines are based upon U.S.C.&G.S. datum, NAVD88.
 - Sidewalks shall be built of caused to be built through restrictive covenants within all road right-of-ways dedicated to the public.

LAMAR CISD ELEMENTARY SCHOOL NO 23
 0 LOTS, 1 BLOCK, 1 RESERVE
 BEING 14.26 ACRES IN THE
 ROBERT E. HANDY SURVEY, ABSTRACT 187
 CITY OF ROSENBERG
 FORT BEND COUNTY, TEXAS
 JANUARY 31, 2014

ENGINEER:
PRK
 TX FIRM F-3709
 11 GREENWAY PLAZA, 22nd FLOOR
 HOUSTON, TX 77046
 (713) 965-0608 FAX: (713) 961-4571
 TOLL FREE: 1-(800)-938-7272

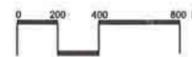
CHARLIE KALKOMEY Surveying, Inc.
 Land Surveyors
 6415 Reading Road Rosenberg, Texas 77471-5655
 281 342-2033 281 232-9909 (Fax)

a Jones & Carter Company
 Austin • Brehan • Bryan • Dallas • Houston
 Rosenberg • San Antonio • The Woodlands



Land Use & Parcel Plan: Exhibit B

SLA Studio-Land
Land Planning • LandscapeArchitecture



the original scale is 1" = 400'



north arrow

Fort Bend County Municipal Utility District No. 144 PUD
SY1902
April 8, 2010
Revised June 23, 2010
July 22, 2010



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
6	Public Hearing on Short Form Final Plat of Myska Corner

MOTION

Hold public hearing on a Short Form Final Plat of Myska Corner, 2 lots, 1 block, 0 reserves, being a replat of Lot 6 and the east 85 feet of Lot 5, Block 2, Louis Polka Subdivision (Volume 241, Page 631, D.R.F.B.C.T.) in the Henry Scott League, Abstract 83, City of Rosenberg, Fort Bend County, Texas.

RECOMMENDATION

Staff has no recommendation for this item.

MUD #	City/ETJ	ELECTION DISTRICT
N/A	City	3

SUPPORTING DOCUMENTS:

1. Short Form Final Plat of Myska Corner – Please refer to next Agenda item

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

Executive Director of Community Development

City Engineer *OK*

EXECUTIVE SUMMARY

The Short Form Final Plat of Myska Corner is located at the northeast corner of 4th Street and Bernie Avenue. It is a replat of Lot 6 and part of Lot 5 of Block 2 of the Louis Polka Subdivision. The subdivision was originally platted in 1947.

Because it is a replat, a public hearing is required per the "Subdivision" Ordinance and Chapter 212 of the Texas Local Government Code. Therefore a public hearing should be held. Staff has no recommendation for this item.



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
7	Short Form Final Plat of Myska Corner

MOTION

Consideration of and action on a Short Form Final Plat of Myska Corner, 2 lots, 1 block, 0 reserves, being a replat of Lot 6 and the east 85 feet of Lot 5, Block 2, Louis Polka Subdivision (Volume 241, Page 631, D.R.F.B.C.T.) in the Henry Scott League, Abstract 83, City of Rosenberg, Fort Bend County, Texas.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to City council of the Short Form Final Plat of Myska Corner.

MUD #	City/ETJ	ELECTION DISTRICT
N/A	City	3

SUPPORTING DOCUMENTS:

1. Short Form Final Plat of Myska Corner

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

___ Executive Director of Community Development

X City Engineer *OK*

EXECUTIVE SUMMARY

As discussed in the previous Agenda item, the Short Form Final Plat of Myska Corner is located at the northeast corner of 4th Street and Bernie Avenue. It is a replat of Lot 6 and part of Lot 5 of Block 2 of Louis Polka Subdivision. The subdivision was originally platted in 1947.

The Plat proposes to formally plat two (2) residential lots that were already subdivided by metes and bounds in 1972. There is no net increase in the number of units as there is already a residence on proposed Lot 1 and an existing mobile home on Lot 2. The proposed lots meet all the requirements for lot size, building lines, etc., as set forth in the "Subdivision" Ordinance. The Plat also does not render the remainder of Lot 5 out of compliance with any requirements. There is an existing residence on Lot 5 as well.

The Plat meets the criteria for a Short Form Final Plat based on the number of lots and no streets being created or altered. Therefore a preliminary plat submittal was not required. The Short Form Final Plat is not in conflict with any of the applicable regulations. Staff recommends that the Planning Commission recommend approval to City Council of the Short Form Final Plat of Myska Corner.



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
8	Final Plat of Our Lady of Guadalupe Catholic Church (Revised)

MOTION

Consideration of and action on the Final Plat of Our Lady of Guadalupe Catholic Church, a subdivision of 4.6750 acres, or 203,644 square feet of land, being a partial replat of Lots 1-8, 11-16 and a portion of Lots 9 & 10, Block 8, Lots 10-16 and portions of Lots 5-8, Block 5, Kaffenberger Addition, recorded under Volume 6, Page 16, Plat Records of Fort Bend County, in the Henry Scott League, Abstract No. 83, City of Rosenberg, Fort Bend County, Texas; 1 block, 2 reserves, 0 lots.

RECOMMENDATION

Staff recommends approval of the Final Plat of Our Lady of Guadalupe Catholic Church.

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

SUPPORTING DOCUMENTS:

1. Final Plat of Our Lady of Guadalupe Catholic Church (Revised)
2. City Council Meeting Draft Minute Excerpt – 02-04-14
3. Planning Commission Meeting Draft Minute Excerpt – 01-22-14

APPROVAL

Submitted by:

Travis Tanner
 Travis Tanner, AICP
 Executive Director of Community Services

Reviewed by:

___ Executive Director of Community Services
 City Engineer *OK*

EXECUTIVE SUMMARY

This Plat has been modified by the applicant to include unrestricted reserves as opposed to the reserves previously being restricted to religious uses. The Plat still is not in conflict with any regulations, but due to the change in use, staff believed it was appropriate for it to come before the Planning Commission again.

The Final Plat of Our Lady of Guadalupe Catholic Church consists of 4.6750 acres and two (2) reserves. Approval and subsequent recordation of the Plat would consolidate property owned by the Church and eliminate any potential issues with setbacks from interior property lines. The Plat/Replat also depicts the abandonment of City rights-of-way (the majority of Carlisle Street between Avenues D and E, and the entire alley between Mulcahy and Carlisle) and will facilitate redevelopment of the site with a new sanctuary.

Since the last time the Plat came before the Planning Commission, City Council approved an Ordinance No. 2014-06 on February 04, 2014, abandoning the rights-of-way. Therefore there are no remaining issues with the Plat. Staff recommends that the Planning Commission recommend approval to City Council of the revised Final Plat of Our Lady of Guadalupe Catholic Church.

STATE OF TEXAS
COUNTY OF FORT BEND

We, Our Lady of Guadalupe Church, hereinafter referred to as the Owners of the 4.5970 acre tract described in the above and foregoing map of OUR LADY OF GUADALUPE CATHOLIC CHURCH, do hereby make and establish said subdivision and development plan 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, or permanent access easements), 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, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted, hereon, whereby the aerial easement totals twenty one feet, six inches (21'6") in width.

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

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

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat 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, planting 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 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 that this site has complied with or has exceeded all lighting regulations as defined within this order as adopted by Fort Bend County Commissioners' Court on March 23, 2004, and any subsequent amendments.

IN TESTIMONY WHEREOF, Our Lady of Guadalupe Church, has caused these presents to be signed by The Most Reverend Daniel DiNardo, Archbishop of Galveston-Houston, thereunto authorized, this the _____ day of _____, 2014.

By: Our Lady of Guadalupe Church

The Most Reverend Daniel DiNardo
Archbishop of Galveston-Houston

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared The Most Reverend Daniel DiNardo, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 2014.

Notary Public in and for the
State of Texas

My Commission Expires: _____

I, Mike Kurkowski, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods have an outside diameter of not less than three quarter (3/4) inch and a length of not less than three (3) feet, unless otherwise noted, and that the plat boundary corners have been tied to the Texas State Plane Coordinate System.



Mike Kurkowski
Registered Professional Land Surveyor
Texas Registration No. 5101

This is to certify that the City Council of the City of Rosenberg, Texas, has approved this plat and subdivision of OUR LADY OF GUADALUPE CATHOLIC CHURCH in conformance with the laws of the State of Texas and the ordinances of the City of Rosenberg as shown hereon and authorized by the recording of this plat this _____ day of _____, 2014.

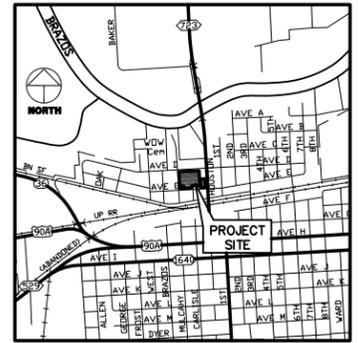
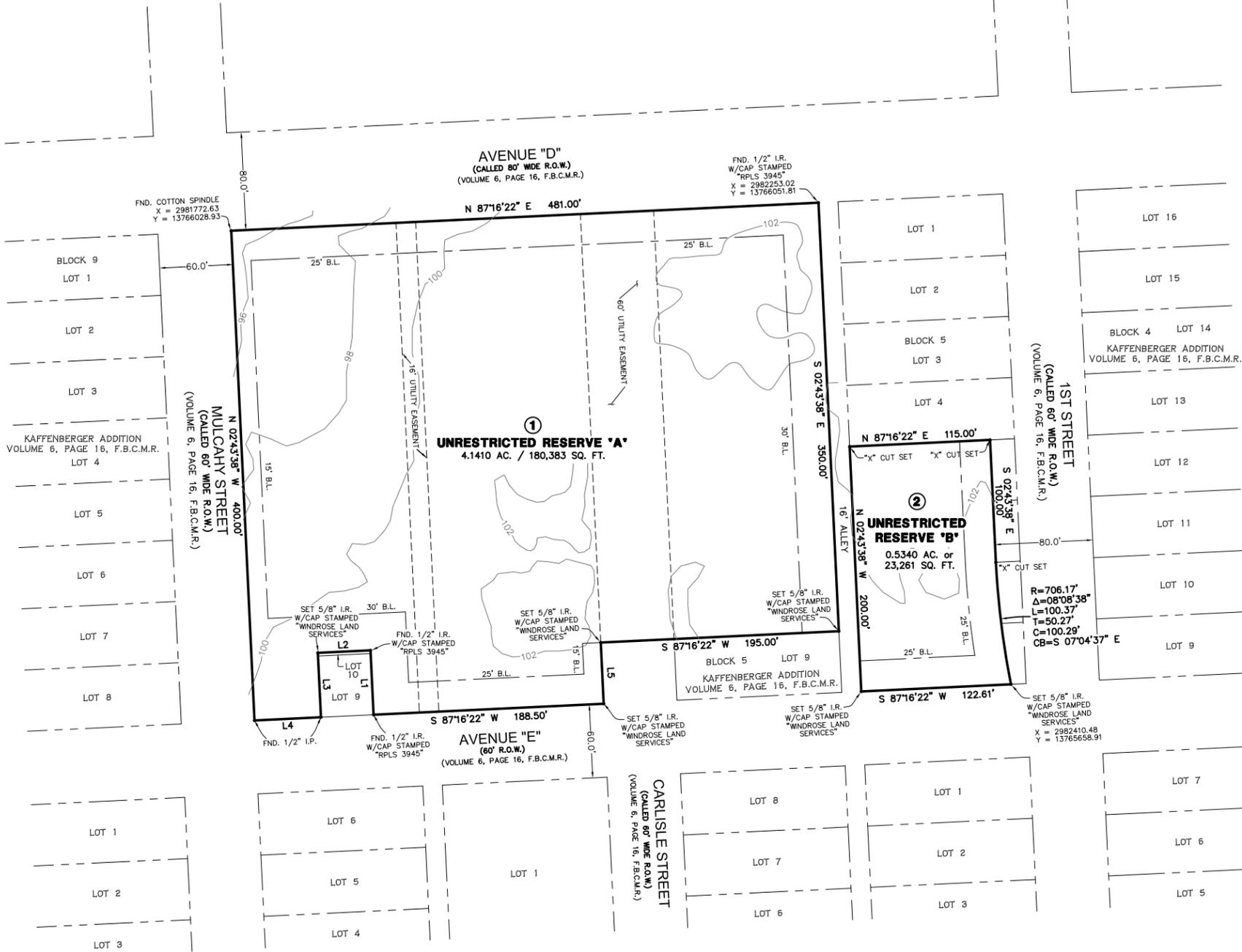
By: VINCENT M. MORALES, JR., MAYOR By: LINDA CERNOSEK, SECRETARY

I, Dianne Wilson, County Clerk in and for Fort Bend County, do hereby certify that the foregoing instrument with its certificate of authentication was filed for recordation in my office on _____, 2014, at _____ o'clock _____ m., and duly recorded on _____, 2014, in Plat No. _____ of the Map Records of Fort Bend County, for said county.

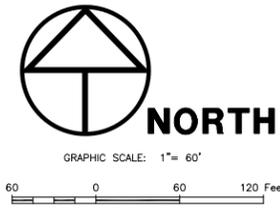
Witness my hand and seal of office, at Richmond, Texas, the day and date last above written.

Dianne Wilson
Clerk of the County Court
of Fort Bend County, Texas

By: _____ Deputy



FORT BEND COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'



DISTRICT NAMES

Table with 2 columns: District Name, Value. Includes WCID, MUD, LID, DID, SCHOOL, FIRE, IMPACT FEE AREA, CITY OR CITY ETJ, ELECTRICITY / GAS, TELEPHONE / CABLE.

LINE TABLE

Table with 3 columns: Line, Bearing, Distance. Lists lines L1 through L5 with their respective bearings and distances.

OUR LADY OF GUADALUPE CATHOLIC CHURCH

A SUBDIVISION OF 4.6750 ACRES OR 203,644 SQUARE FEET OF LAND BEING A PARTIAL REPLAT OF LOTS 1-8, 11-16 AND A PORTION OF LOTS 9 & 10, BLOCK 8, LOTS 10-16 AND PORTIONS OF LOTS 5-8, BLOCK 5, KAFFENBERGER ADDITION, RECORDED UNDER VOLUME 6, PAGE 16, PLAT RECORDS OF FORT BEND COUNTY, IN THE HENRY SCOTT LEAGUE, ABSTRACT NO. 83 CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS

1 BLOCK 2 RESERVES 0 LOTS
FEBRUARY 10, 2014

Owner: Catholic Diocese of Galveston-Houston
Engineer: ALJ Lindsey
Surveyor: Windrose Land Services, Inc.



Windrose Land Services, Inc.
3200 Wilcrest, Suite 325
Houston, Texas 77042
Phone (713) 458-2282 Fax (713) 461-1151
Professional Development Consultants
Land Surveying, Platting, Project Management, GIS Services

GENERAL NOTES

- 1) BENCHMARK: CITY OF ROSENBERG BENCHMARK, BRASS DISK STAMPED "RS 39" LOCATED ON STORM INLET ON THE NORTH SIDE OF READING ROAD EAST OF U.S. HIGHWAY 59 (NAVD-88). ELEVATION - 98.41'
- 2) TEMPORARY BENCHMARK: RAILROAD SPIKE LOCATED IN POWERPOLE ON THE WEST SIDE OF CARLISE STREET SOUTH OF AVENUE "D", ELEV. - 102.89'
- 3) ELEVATIONS USED FOR DELINEATING CONTOUR LINES ARE BASED UPON CITY OF ROSENBERG BENCHMARK "RS 39" (NAVD 1988)
- 4) THIS PLAT WAS PREPARED TO MEET CITY OF ROSENBERG AND FORT BEND COUNTY REQUIREMENTS.
- 5) THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY CHARTER TITLE COMPANY, ORDER NO. 2013-0220, EFFECTIVE DATE 12/30/2013. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- 6) THIS PLAT LIES WHOLLY WITHIN FORT BEND SUBSIDENCE DISTRICT, FORT BEND COUNTY DRAINAGE DISTRICT, LAMAR CONSOLIDATED I.S.D., AND THE CITY LIMITS OF ROSENBERG, WEST FORT BEND MGMT. DIST. AND FORT BEND COUNTY.
- 7) OUR LADY OF GUADALUPE CATHOLIC CHURCH LIES WITHIN ZONE X AS PER FLOOD INSURANCE RATE MAPS (FIRM) MAP NUMBER 48157C0230L, 48157C0235L, 48157C0240L & 48157C0245L, REVISED PRELIMINARY DATED MARCH 23, 2010.
- 8) 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.
- 9) NO PIPELINES AND/OR PIPELINE EASEMENTS ARE WITHIN THE LIMITS OF THIS SUBDIVISION.
- 10) FIVE-EIGHTHS INCH (5/8") 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.
- 11) THE MINIMUM SLAB ELEVATION SHALL BE 102.0' 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.
- 12) 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.
- 13) THIS PLAT LIES WITHIN FORT BEND COUNTY LIGHTING ORDINANCE ZONE NO. L23.
- 14) 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 COMBINE SCALE FACTOR OF 0.999871086.
- 15) 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.
- 16) NO OWNER OF THE LAND SUBJECT TO A PUBLIC EASEMENT MAY PLACE, BUILD OR CONSTRUCT ANY PERMANENT BUILDING, STRUCTURE OR OBSTRUCTION OF ANY KIND OVER, UNDER OR UPON THE EASEMENT, PROVIDED THAT SUCH OWNER MAY CROSS OR COVER THE EASEMENT WITH A PAVED DRIVEWAY/PARKING LOT UNDER THE FOLLOWING CONDITIONS. THE DRIVEWAY SHALL BE JOINTED AT THE BOUNDARY LINE OF THE EASEMENT TO LIMIT THE AMOUNT OF PAVING THAT MUST BE REMOVED TO PROVIDE ACCESS, AND THERE SHALL BE NO OBLIGATION OF THE CITY TO REPLACE/REPAIR ANY PAVING REMOVED IN THE EXERCISE OF THIS EASEMENT.
- 17) A PROJECT BENCHMARK WILL BE INSTALLED, PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE DEVELOPMENT ON THIS SITE.
- 18) PAVING OF UTILITY EASEMENTS SHALL BE PERMITTED; HOWEVER, THE CITY OF ROSENBERG IS NOT RESPONSIBLE FOR MAINTAINING OR REPLACING THE PAVEMENT IN THE EVENT CITY UTILITIES MUST BE ACCESSED.
- 19) EMERGENCY ACCESS SHALL BE MAINTAINED THROUGHOUT THE 60' UTILITY EASEMENT (FORMERLY CARLISE STREET).

ABBREVIATIONS

- ESMT. - EASEMENT
- FND - FOUND
- F.B.C.C.F. - FORT BEND COUNTY CLERK FILE
- F.B.C.D.R. - FORT BEND COUNTY DEED RECORDS
- F.B.C.P.R. - FORT BEND COUNTY PLAT RECORDS
- IP - IRON PIPE
- IR - IRON ROD
- NO. - NUMBER
- PG. - PAGE
- R.O.W. - RIGHT-OF-WAY
- SQ. FT. - SQUARE FEET
- VOL. - VOLUME
- B.L. - BUILDING LINE
- W.L.E. - WATER LINE EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- U.E. - UTILITY EASEMENT

\\WESSRV03\PROJECTS\DATA\PROJECTS\16189-OUR LADY OF GUADALUPE CATHOLIC CHURCH\PLATTING\DRAWINGS\OUR LADY OF GUADALUPE CATHOLIC CHURCH

Departments. The current Public Works Director, who is managing streets, drainage, water and wastewater operations, will be reclassified as Utility Director and manage only the water and wastewater operations. City staff is recommending the creation of a position for a Public Works Director, and requests approval of the Budget Amendment to fill the new position for the remainder of FY2014. Since the current position's salary was split between General Fund - Public Works and the Water/Wastewater Fund, the Budget Amendment will also have to be split between these two funds. The Finance/Audit Committee recommended approval of the new position.

Budget Amendment 14-06 is included as Exhibit "A" to Resolution No. R-1751 to fund the Public Works Director position for the remainder of FY2014. Staff recommends approval of Resolution No. R-1735 as presented.

- Joyce Vasut, Finance Director read the Executive Summary regarding Resolution No. R-1751.

Action: Councilor McConathy made a motion, seconded by Councilor Euton to approve Resolution No. R-1751, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 14-06 in the amount of \$65,063.00, for the addition of a Public Works Director position. The motion carried by a unanimous vote.

5. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-06, AN ORDINANCE FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF A 0.4821 ACRE TRACT BEING A PORTION OF CARLISLE STREET AS DEDICATED BY THE KAFFENBERGER ADDITION AS RECORDED IN VOLUME 6, PAGE 16 OF THE MAP RECORDS OF FORT BEND COUNTY, TEXAS, SITUATED IN THE HENRY SCOTT SURVEY, ABSTRACT NO. 83, FORT BEND COUNTY, TEXAS; AND, A PARCEL CONTAINING 0.1469 ACRE, BEING ALL OF A CALLED SIXTEEN (16) FOOT WIDE ALLEY AS DEDICATED BY THE KAFFENBERGER ADDITION AS RECORDED IN VOLUME 6, PAGE 16 OF THE MAP RECORDS OF FORT BEND COUNTY, TEXAS, SITUATED IN THE HENRY SCOTT SURVEY, ABSTRACT NO. 83, FORT BEND COUNTY, TEXAS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

Executive Summary: On July 10, 2013, Our Lady of Guadalupe Catholic Church (Church) approached the City and had a pre-construction meeting regarding the redevelopment of their property to include a new sanctuary. The Church owns the majority of the property bounded by Mulcahy Street, FM 723, and Avenues D and E. A vicinity map depicting property ownership is attached. In addition to the new development, part of their reason for meeting with the City was to request the City's release of Carlisle Street between Avenues D and E, and the alley between Carlisle and Mulcahy Streets, to facilitate their development. The reasons stated were for security purposes, including potentially "gating" the street and alley, and to avoid issues with setbacks from property lines. A vicinity map and metes and bounds and survey exhibits of the right-of-way tracts are attached.

The City stated that a request to abandon the right-of-way would be required in writing (see attached) and that the City would have to investigate utilities, property ownership, and other issues to formally respond.

Staff investigated and found (1) that there was a tract abutting Carlisle Street that is not owned by the Church and (2) the following utilities in the proposed rights-of-way:

- Carlisle Street: City water line; CenterPoint overhead utilities and streetlights
- Alley: City sanitary sewer; CenterPoint gas and overhead electric, and potential Comcast and AT&T utilities

As a result of these findings, it was staff's suggestion to the Church that (1) the portion of right-of-way abutting a separate property owner not be abandoned, (2) that any rights-of-way released by the City be kept at a minimum as utility easements, and (3) that emergency access be kept on Carlisle between Avenues D and E. Staff has also communicated to the Church that by Ordinance the City cannot incur any costs associated with the right-of-way abandonment and that the property must be appraised. As with other similar cases, the Church would be responsible for the cost of the appraisal and for payment to the City in an amount equal to the appraised value. Finally, staff has communicated to the Church that they must coordinate with CenterPoint, Comcast and AT&T regarding Letters of No Objection to the right-of-way abandonment. Staff was of the opinion that keeping the rights-of-way as utility easements would prevent issues with these utilities. At this time, the Church has secured Letters of No

Objection from all of the above utilities. The letters are attached as documentation.

With all of the above requirements having been met, staff does not object to the City abandoning the proposed rights-of-way because the subject portions of right-of-way would serve only the Church, and emergency access and access to utilities by the City would be kept. Per Section 24-1 of the Code of Ordinances (attached), abandonment of City rights-of-way requires City Council action following a review and recommendation by the Planning Commission. The Planning Commission unanimously recommended approval of this item on October 23, 2013. Staff recommends approval of Ordinance No. 2014-06.

Key discussion points:

- Travis Tanner, Planning Director explained the Executive Summary.

Questions/Comments:

- Councilor Grigar stated it is good for redevelopment on that side of town. On Carlisle Street where the one parcel is not owned by the Church, what is the reason to keep that portion of Carlisle Street instead of using Avenue E as an access?
- Travis Tanner stated we were erring on the side of caution because it does have frontage on Carlisle Street. The way the Ordinance is stated now it does not allow us to abandon right-of-way that they have access to currently.
- Councilor Pena asked if an easement will be obtained by the utilities. How will the street be identified on Carlisle? Will it be blocked off or is the Church planning to block that off?
- Travis Tanner stated yes. Easement will be shown on the plat and easements are part of the Ordinance before you tonight that the City will retain access for those utilities. The area was pointed out and will still be Carlisle and public right-of-way. The area of private property was pointed out on the map. The City will be releasing the right-of-way to the property owner.
- Councilor Euton stated it looks good and it will be great thing for the Church to be able to use all that property. She looks forward to that development.

Action: Councilor Benton made a motion, seconded by Councilor McConathy to approve Ordinance No. 2014-06, an Ordinance finding and determining that public convenience and necessity no longer require the continued existence of a 0.4821 acre tract being a portion of Carlisle Street as dedicated by the Kaffenberger Addition as recorded in Volume 6, Page 16 of the Map Records of Fort Bend County, Texas, situated in the Henry Scott Survey, Abstract No. 83, Fort Bend County, Texas; and, a parcel containing 0.1469 acre, being all of a called sixteen (16) foot wide alley as dedicated by the Kaffenberger Addition as recorded in Volume 6, page 16 of the Map Records of Fort Bend County, Texas, situated in the Henry Scott Survey, Abstract No. 83, Fort Bend County, Texas; and containing other provisions relating to the subject. The motion carried by a unanimous vote.

6. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1731, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, AN ENGINEERING SERVICES AGREEMENT FOR CONSTRUCTION PROJECT REPRESENTATION/INSPECTION SERVICES, BY AND BETWEEN THE CITY AND JONES AND CARTER, INC., IN AN AMOUNT UP TO \$100,000.00.**

Executive Summary: This item has been placed on the Agenda to offer City Council the opportunity to consider the Proposal for Engineering Services for Providing Construction Project Representation Services (Proposal) for 2014. The Proposal was initially presented to the Professional Services/Engineering Project Review Committee (Committee) on November 21, 2013. The Committee took action recommending the Proposal be placed on the next City Council Workshop Agenda to allow for further discussion. Subsequently, the Proposal was discussed at the City Council Workshop on January 28, 2014. The consensus of City Council members present was to place the Proposal onto an upcoming Agenda for additional discussion due to the unforeseen absence of two members.

City Council has annually approved the Proposal from Jones & Carter, Inc., since its inception in 2009 as a means to provide consistent construction project oversight and to control the overall construction management costs for Capital Projects. The contracted inspection services have worked out well for the City during the past five (5) years and the inspectors have been able to monitor and observe numerous construction projects simultaneously. The inspectors are able to communicate with the City's Project Director on a daily basis. Jones & Carter, Inc., has a full-service construction phase department with adequate resources to manage multiple project inspections. They also have a sufficient number of

in the Wiley Martin League, Abstract 56, Fort Bend County, Texas; 115 lots, 7 reserves (18.984 acres), 2 blocks. The motion carried unanimously by those present.

6. CONSIDERATION OF AND ACTION ON THE PRELIMINARY PLAT OF THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE, BEING 20.2 ACRES OF LAND CONTAINING 62 LOTS (50' X 130' TYP.) AND THREE RESERVES IN THREE BLOCKS OUT OF THE JANE H. LONG LEAGUE SURVEY, A-55, & SIMON JONES SURVEY, A-271, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.

Executive Summary: The Preliminary Plat of The Reserve at Brazos Town Center Section Three is located off of Town Center Boulevard, to the north of its intersection with Vista Drive. It is located within the City Limits and in Fort Bend County MUD No. 167. The plat consists of approximately 20.2 acres, with 62 single-family residential lots and three (3) reserves.

The typical lot size for the subdivision is 50 feet in width. This is per the approved Land Plan, as amended on December 18, 2013 (see attached). Per the amended Development Agreement, homes in this subdivision will be a minimum of 51 percent masonry construction.

The proposed Preliminary Plat is not in conflict with any applicable regulations or with the approved Land Plan for Brazos Town Center. That being said, staff recommends approval of the Preliminary Plat of The Reserve at Brazos Town Center Section Three.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Poldrack inquired if there has been a change in ownership of that tract of land.
- Mr. Tanner replied that the ownership has changed.
- Commissioner Poldrack inquired if the new owners can "piggy-back" the old plan.
- Mr. Tanner replied that the restrictions run with the land and not changed by ownership.
- Commissioner Parsons stated that this section was previously planned for patio homes. Do we have any idea who the builder is?
- Mr. Tanner replied the builder is Perry Homes.
- Commissioner Parsons inquired what the relative value of each residence will be based on Perry's predictions.
- Mr. Taylor Gunn of 2203 Chelsea Creek Lane, Spring, Texas, stepped forward to address the Commission. Perry is not certain which product will be put out though the ordinance states they must be at least 1,650 square feet and we will definitely be over that. We anticipate a similar product to what is already in Brazos Town Center Section Two. The average should be about 2,400 square feet and \$250,000.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias to approve the Preliminary Plat of the Reserve at Brazos Town Center Section Three, being 20.2 acres of land containing 62 lots (50' x 130' typ.) and three reserves in three blocks out of the Jane H. Long League Survey, A-55, & Simon Jones Survey, A-271, City of Rosenberg, Fort Bend County, Texas. The motion carried unanimously by those present.

7. CONSIDERATION OF AND ACTION ON THE FINAL PLAT OF OUR LADY OF GUADALUPE CATHOLIC CHURCH, A SUBDIVISION OF 4.6750 ACRES, OR 203,644 SQUARE FEET OF LAND, BEING A PARTIAL REPLAT OF LOTS 1-8, 11-16 AND A PORTION OF LOTS 9 & 10, BLOCK 8, LOTS 10-16 AND PORTIONS OF LOTS 5-8, BLOCK 5, KAFFENBERGER ADDITION, RECORDED UNDER VOLUME 6, PAGE 16, PLAT RECORDS OF FORT BEND COUNTY, IN THE HENRY SCOTT LEAGUE, ABSTRACT NO. 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 1 BLOCK, 2 RESERVES, 0 LOTS.

Executive Summary: The Final Plat of Our Lady of Guadalupe Catholic Church consists of 4.6750 acres and two (2) reserves. Approval and subsequent recordation of the Plat would consolidate property owned by the Church and eliminate any potential issues with setbacks from interior property lines. The Plat/Replat also proposes to abandon City rights-of-way (the majority of Carlisle Street between Avenues D and E, and the entire alley between Mulcahy and Carlisle) and will facilitate redevelopment of the site with a new sanctuary.

If abandoned, the rights-of-way will be replaced by utility easements as shown on the Plat to accommodate the following:

- Access and maintenance of City water line on Carlisle and sanitary sewer line in the alley
- Access and maintenance of existing dry utilities (gas, electric, phone and cable) in rights-of-way
- Continued emergency access to Carlisle

Per Chapter 24 of the Code of Ordinances, City Council action is required to abandon City right-of-way following a recommendation from the Planning Commission. The Planning Commission approved the Preliminary Plat on October 23, 2013, and recommended approval to City Council on the issue of the right-of-way abandonment. The proposed Final Plat is consistent with the approved Preliminary Plat and staff does not find the Plat to be in conflict with any City regulations. Staff recommends the Planning Commission recommend approval of the Final Plat of Our Lady of Guadalupe Catholic Church to City Council subject to City Council approval of the right-of-way abandonment. The right-of-way abandonment will be brought to City Council simultaneously with the Final Plat at a future meeting.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired if there had been any change from the Preliminary Plat.
- Mr. Tanner replied that there had been no change.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Poldrack, to recommend approval to City Council, contingent upon City Council approval of the request to abandon related right-of-way, of the Final Plat of Our Lady of Guadalupe Catholic Church, a subdivision of 4.6750 acres, or 203,644 square feet of land, being a partial replat of Lots 1-8, 11-16 and a portion of Lots 9 & 10, Block 8, Lots 10-16 and portions of Lots 5-8, block 5, Kaffenberger Addition, recorded under Volume 6, Page 16, Plat Records of Fort Bend County, in the Henry Scott League, Abstract No. 83, City of Rosenberg, Fort Bend County, Texas; 1 block, 2 reserves, 0 lots. The motion carried unanimously by those present.

8. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF RIVER RUN AT THE BRAZOS SECTION THREE-B, BEING A SUBDIVISION OF 8.4897 ACRES OUT OF THE WM. LUSK SURVEY, A-276, IN FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 158); 36 LOTS, 3 BLOCKS, 0 RESERVES.

Executive Summary: The Final Plat of River Run at the Brazos Section Three-B is located in the central part of River Run at the Brazos off of Longvale and Dragonfly Drives. It is in the ETJ and in Fort Bend County MUD No. 158. The Plat contains 8.4897 acres and thirty-six (36) lots.

The proposed Final Plat is consistent with the Preliminary Plat, which was approved by the Planning Commission on April 25, 2012. Typically, the Preliminary Plat would have expired after six (6) months; however, the Final Plats for Section Three have been submitted in phases. Section Three-A was approved before the expiration date. The typical lot size for this subdivision is sixty (60) feet in width per the approved Land Plan.

The Final Plat is not in conflict with any regulations or with the approved Land Plan. That said, staff recommends approval of the Final Plat of River Run at the Brazos Section Three-B.

Key Discussion:

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

Action Taken: Commissioner Casias moved, seconded by Commissioner Parsons to recommend approval to City Council of the Final Plat of River Run at the Brazos Section Three-B, being a subdivision of 8.4897 acres out of the Wm. Lusk Survey, A-276, in Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 158); 36 lots, 3 blocks, 0 reserves. The motion carried unanimously by those present.

9. CONSIDERATION OF AND ACTION ON THE STAFF REPORT OF CURRENT ACTIVITIES AND REQUESTS FOR FUTURE AGENDA ITEMS.



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
9	Public Hearing on Final Plat of the Reserve at Brazos Town Center Section Three

MOTION

Hold public hearing on a Final Plat of the Reserve at Brazos Town Center Section Three, a 17.5794 acre tract of land being a partial replat of Reserve "H", Block 4, the Villages at Rosenberg (Slide No. 1945 A&B; F.B.C.P.R.) conveyed to Figure Four Partners, Ltd. (F.B.C.C.F. No. 2013159055) in the Jane H. Long League, Abstract No. 55, and in the Simon Jones Survey, Abstract No. 271, City of Rosenberg, Fort Bend County, Texas; 2 reserves, 62 lots, 3 blocks.

RECOMMENDATION

Staff has no recommendation for this item.

MUD #	City/ETJ	ELECTION DISTRICT
167 (Brazos Town Center)	City	4

SUPPORTING DOCUMENTS:

1. Final Plat of the Reserve at Brazos Town Center Section Three – Please refer to next Agenda item

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

___ Executive Director of Community Development

X City Engineer *OK*

EXECUTIVE SUMMARY

The Final Plat of the Reserve at Brazos Town Center Section Three is located on the north side of Town Center Boulevard near its intersection with Vista Drive. The Plat consists of 17.58 acres and sixty-two (62) residential lots. The Land Plan was amended on December 18, 2013, to allow the proposed fifty-foot (50') lots on the tract.

The Plat also constitutes a partial replat of Reserve "H" of Block 4 of the Villages at Rosenberg. With the Land Plan being amended, the Plat is in compliance with all requirements; however, due to it being a replat, a public hearing is required per the Chapter 212 of the Texas Local Government Code and the "Subdivision" Ordinance.



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
10	Final Plat of the Reserve at Brazos Town Center Section Three

MOTION

Consideration of and action on a Final Plat of the Reserve at Brazos Town Center Section Three, a 17.5794 acre tract of land being a partial replat of Reserve "H", Block 4, the Villages at Rosenberg (Slide No. 1945 A&B; F.B.C.P.R.) conveyed to Figure Four Partners, Ltd. (F.B.C.C.F. No. 2013159055) in the Jane H. Long League, Abstract No. 55, and in the Simon Jones Survey, Abstract No. 271, City of Rosenberg, Fort Bend County, Texas; 2 reserves, 62 lots, 3 blocks.

RECOMMENDATION

Staff recommends the Planning Commission recommend approval to City Council of the Final Plat of the Reserve at Brazos Town Center Section Three.

MUD #	City/ETJ	ELECTION DISTRICT
167 (Brazos Town Center)	City	4

SUPPORTING DOCUMENTS:

1. Final Plat of the Reserve at Brazos Town Center Section Three
2. Preliminary Plat of the Reserve at Brazos Town Center Section Three – 01-22-14
3. Land Plan for the Reserve at Brazos Town Center – 12-18-13
4. Planning Commission Meeting Draft Minute Excerpt – 01-22-14

APPROVAL

Submitted by:

Travis Tanner
 Travis Tanner, AICP
 Executive Director of Community
 Development

Reviewed by:

___ Executive Director of Community Development
X City Engineer *AK*

EXECUTIVE SUMMARY

The Final Plat of the Reserve at Brazos Town Center Section Three is located on the north side of Town Center Boulevard near its intersection with Vista Drive. It is within the City Limits and in Fort Bend County MUD No. 167. The Plat consists of 17.58 acres, sixty-two (62) residential lots, and two (2) reserves. The Land Plan was amended on December 18, 2013, to allow the proposed fifty-foot (50') lots on the tract. Conditions for the approval of the 50' lots were as follows:

- Minimum house size of 1,650 square feet
- Minimum of fifty-one percent (51%) masonry exterior

The above conditions are noted on the Plat. The Preliminary Plat of this subdivision was approved by the Planning Commission on January 22, 2014. The proposed Final Plat is consistent with the approved Preliminary Plat. That being said, staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of the Reserve at Brazos Town Center Section Three.

STATE OF TEXAS
COUNTY OF FORT BEND

WE, FIGURE FOUR PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH GERALD W. NOTEBOOM, SENIOR EXECUTIVE VICE PRESIDENT OF PSWA, INC., A TEXAS CORPORATION, ITS SOLE GENERAL PARTNER, HERINAFTER REFERRED TO AS OWNERS OF THE 17.5794 ACRE TRACT, DESCRIBED IN THE ABOVE AND FOREGOING MAP OF THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAT OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID MAP 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 SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL SEVEN AND ONE-HALF FEET (7'-6"), FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES (ONLY ON ONE SIDE IF A PERMETER EASEMENT) AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. & A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH, EXCEPT ON PERMETER EASEMENTS WHERE IT TOTALS TWENTY-TWO AND ONE-HALF FEET (22' 6") IN WIDTH.

FURTHER, OWNERS 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, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN THREE (3) SQUARE FEET (24" DIAMETER).

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT 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, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

WE FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTIONS MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL CONFORM WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY AND THE COUNTY; WE, OUR SUCCESSORS AND ASSIGNS HEREBY MAKE ANY CLAIM, DAMAGE, OR CAUSE OF ACTION THAT WE MAY HAVE AS A RESULT OF THE DEDICATION OR EXACTIONS MADE HEREIN.

IN TESTIMONY WHEREOF, FIGURE FOUR PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY

GERALD W. NOTEBOOM, SENIOR EXECUTIVE VICE PRESIDENT OF PSWA, INC., A TEXAS CORPORATION AND ATTESTED BY _____
THEREUNTO AUTHORIZED, THIS _____ DAY OF _____, 2014.

FIGURE FOUR PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP

BY: PSWA, INC., A TEXAS CORPORATION,
ITS SOLE GENERAL PARTNER

BY: _____ ATTEST: _____
GERALD W. NOTEBOOM, SENIOR EXECUTIVE VICE PRESIDENT

STATE OF TEXAS
COUNTY OF HARRIS
PRINT NAME AND TITLE

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GERALD W. NOTEBOOM, SENIOR EXECUTIVE VICE PRESIDENT OF PSWA, INC., A TEXAS CORPORATION, THE SOLE GENERAL PARTNER OF FIGURE FOUR PARTNERS, LTD., A TEXAS LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND AS THE ACT AND DEED OF SAID COMPANY.

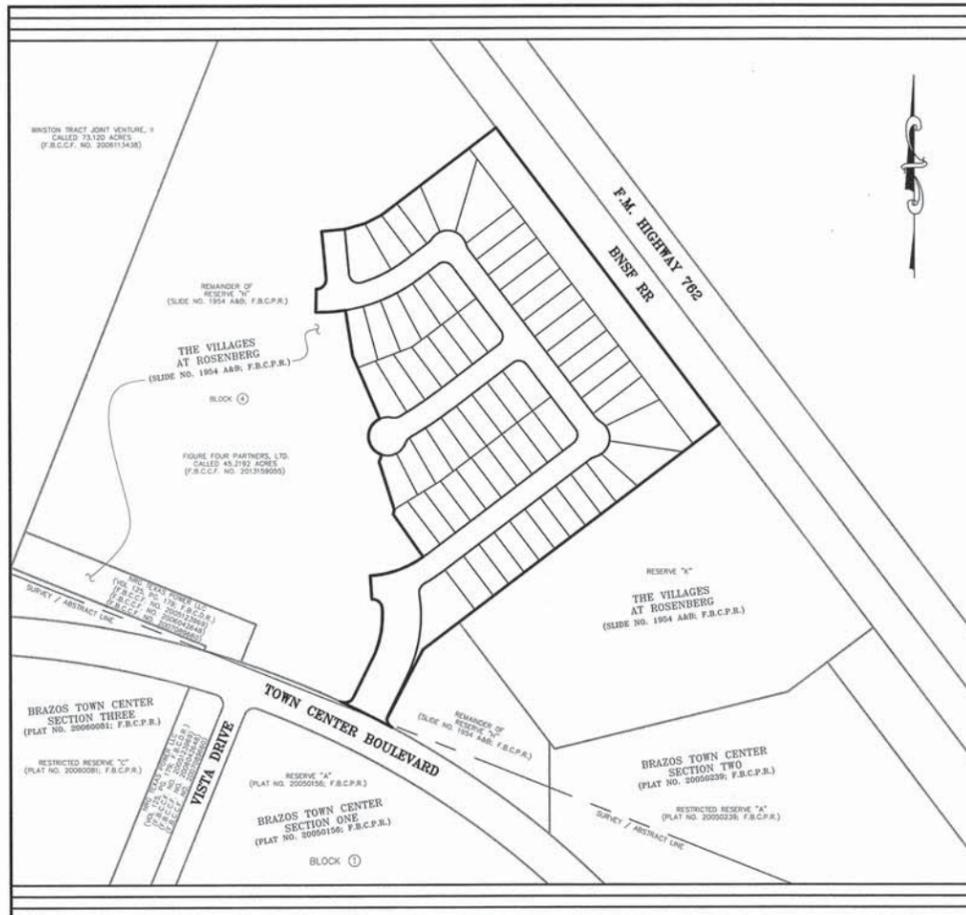
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2014.

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

NOTES:

- 1.) B.L. INDICATES BUILDING LINE; U.E. INDICATES UTILITY EASEMENT; S.M. S.E. INDICATES STORM SEWER EASEMENT; W.L.E. INDICATES WATER LINE EASEMENT; S.S.E. INDICATES SANITARY SEWER EASEMENT; H.L. & P.E. INDICATES HOUSTON LIGHTING AND POWER EASEMENT; P.L. INDICATES PROPERTY LINE.
- 2.) BENCHMARK: CITY OF ROSENBERG MARKER NO. 32 (RS 32) IS LOCATED AT THE CORNER OF A TYPE "C" INLET ON THE NORTH SIDE OF TOWN CENTER BOULEVARD, APPROXIMATELY 372 FEET SOUTHEAST OF VISTA DRIVE. ELEVATION=91.15' (NAVD 1988, 2001 ADJUSTMENT)
- 3.) A CITY OF ROSENBERG BENCHMARK WILL BE SET AFTER STREETS ARE INSTALLED. A BENCHMARK FORM WILL BE SUBMITTED TO THE CITY FOR APPROVAL.
- 4.) ELEVATIONS USED FOR DELINEATING CONTOUR LINES ARE BASED UPON CITY OF ROSENBERG MARKER NO. RS 32.
- 5.) THIS PLAT WAS PREPARED TO MEET CITY OF ROSENBERG AND FORT BEND COUNTY REQUIREMENTS.
- 6.) THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY EXECUTIVE TITLE COMPANY, EFFECTIVE DATE JANUARY 9, 2014. THE SURVEYOR HAS NOT ABSTRACTED THE SUBJECT PROPERTY.
- 7.) THIS PLAT LIES WHOLLY WITHIN THE MUNICIPAL UTILITY DISTRICT NO. 167, FORT BEND SUBSIDENCE DISTRICT, FORT BEND COUNTY DRAINAGE DISTRICT, THE CITY OF ROSENBERG, FORT BEND COUNTY, AND LAMAR CONSOLIDATED INDEPENDENT SCHOOL DISTRICT.
- 8.) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR FORT BEND COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NO. 48157-C-0220J EFFECTIVELY DATED JANUARY 03, 1997, THIS PROPERTY LIES IN ZONE "X", AN AREA NOT CONSIDERED IN THE 500-YR. FLOOD PLAIN.
- 9.) 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.
- 10.) THERE IS NO PHYSICAL EVIDENCE OF PIPELINES NOR PIPELINE EASEMENTS REFLECTED IN THE TITLE THAT AFFECT THE LIMITS OF THIS SUBDIVISION.
- 11.) FIVE-EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH ARE SET ON ALL PERMETER BOUNDARY CORNERS, ALL ANGLE POINTS, ALL POINTS OF CURVATURE AND TANGENCY, AND ALL BLOCK CORNERS, UNLESS OTHERWISE NOTED.
- 12.) THE MINIMUM SLAB ELEVATION (FINISHED FLOOR) SHALL BE 92.5' BUT NO LESS THAN 12 INCHES ABOVE THE FLOOD PLAIN ELEVATION, 18 INCHES ABOVE NATURAL GROUND, OR 12 INCHES ABOVE THE TOP OF CURB IN FRONT OF THE PROPERTY, WHICHEVER IS HIGHER.
- 13.) ALL LOTS SHALL HAVE A MINIMUM OF FIVE (5) FOOT SIDE BUILDING LINE.
- 14.) THE DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS FOR STREET PONDING DURING INTENSE RAINFALL EVENTS.
- 15.) THIS PLAT LIES WITHIN FORT BEND LIGHTING ORDINANCE ZONE NO. LZ3.
- 16.) ALL EASEMENTS ARE CENTERED ON LOT LINES UNLESS OTHERWISE INDICATED.
- 17.) BEARINGS AND COORDINATES SHOWN HEREON ARE SURFACE COORDINATES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, (NO. 4204, NAD 83), AS OBTAINED FROM THE CITY OF HOUSTON C.O.R.S. SYSTEM, AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.99986987372.
- 18.) A ONE FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREETS WHERE SUCH STREETS ABUT ADJACENT PROPERTY, THE CONDITIONS OF SUCH DEDICATION BEING THAT WHEN ADJACENT PROPERTY IS SUBDIVIDED OR RE-SUBDIVIDED IN A RECORDED PLAT, THE ONE-FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND THE FEE TITLE THERETO SHALL REVERT TO AND REST IN THE DEDICATOR, HIS HEIRS, ASSIGNS, OR SUCCESSORS.
- 19.) SIDEWALKS SHALL BE BUILT THROUGH RESTRICTIVE COVENANTS WITHIN ALL ROAD RIGHTS-OF-WAY DEDICATED TO THE PUBLIC.
- 20.) PARTS OF THIS SUBDIVISION ARE SUBJECT TO RESTRICTIVE COVENANTS RECORDED IN SLIDE NOS. 14618 AND 2008A AND IN FORT BEND COUNTY CLERK'S FILE NOS. 9619331, 2005080758, 2005059570, 2006082248, 2011053267, 2011053268, 2007049871, 2011053266, 2011053269 AND 20060172.
- 21.) SUBJECT TO AGREEMENT FOR UNDERGROUND ELECTRIC SERVICE AS RECORDED UNDER FORT BEND COUNTY CLERK'S FILE NO. 2011044804.
- 22.) SUBJECT TO TERMS, CONDITIONS, AND STIPULATIONS AS SET FORTH IN FORT BEND COUNTY CLERK'S FILE NOS. 2012019913 AND 2012009900.
- 23.) THE RESIDENTIAL DWELLINGS SHALL INCORPORATE AT LEAST 51 PERCENT MASONRY EXTERIORS AND BE A MINIMUM OF 1,650 SQUARE FEET IN SIZE.

THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE



I, BRIAN NAWARA, AM 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; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE WILL BE MARKED AFTER ROUGH GRADING HAS OCCURRED AND PUBLIC ROADS ARE CONSTRUCTED WITH IRON RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS (5/8) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET.

BRIAN NAWARA
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6060



THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE, 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 _____, 2014.

VINCENT M. MORALES, JR., MAYOR
LINDA CERNOSEK, SECRETARY

THIS IS TO CERTIFY THAT THE PLANNING COMMISSION OF THE CITY OF ROSENBERG, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE, 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 _____, 2014.

PETE PAVLOVSKY, CHAIRPERSON
WAYNE POLDRACK, SECRETARY

I, DR. DIANE WILSON, COUNTY CLERK IN AND FOR FORT BEND COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDATION IN MY OFFICE ON _____ 2014, AT _____ O'CLOCK _____ M., IN PLAT NUMBER(S) _____ OF THE PLAT RECORDS OF SAID COUNTY.
WITNESS MY HAND AND SEAL OF OFFICE, AT RICHMOND, TEXAS THE DAY AND DATE LAST ABOVE WRITTEN.

BY: DR. DIANE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS
DEPUTY

THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE

A 17.5794 ACRE TRACT OF LAND
BEING A PARTIAL REPLAT OF RESERVE "H",
BLOCK 4, THE VILLAGES AT ROSENBERG
(SLIDE NO. 1945 A&B; F.B.C.P.R.)
CONVEYED TO FIGURE FOUR PARTNERS, LTD.
(F.B.C.C.F. NO. 2013159055)
IN THE JANE H. LONG LEAGUE, ABSTRACT NO. 55,
AND IN THE SIMON JONES SURVEY, ABSTRACT NO. 271,
CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS

2 RESERVES 62 LOTS 3 BLOCKS

SHEET 1 OF 3

~ Owner ~
FIGURE FOUR PARTNERS, LTD.

9000 GULF FREEWAY
HOUSTON, TX 77017
(713) 948-7700

~ Engineer ~
DANNENBAUM ENGINEERING CORP

3100 WEST ALABAMA
HOUSTON, TX 77098
(713) 520-9570

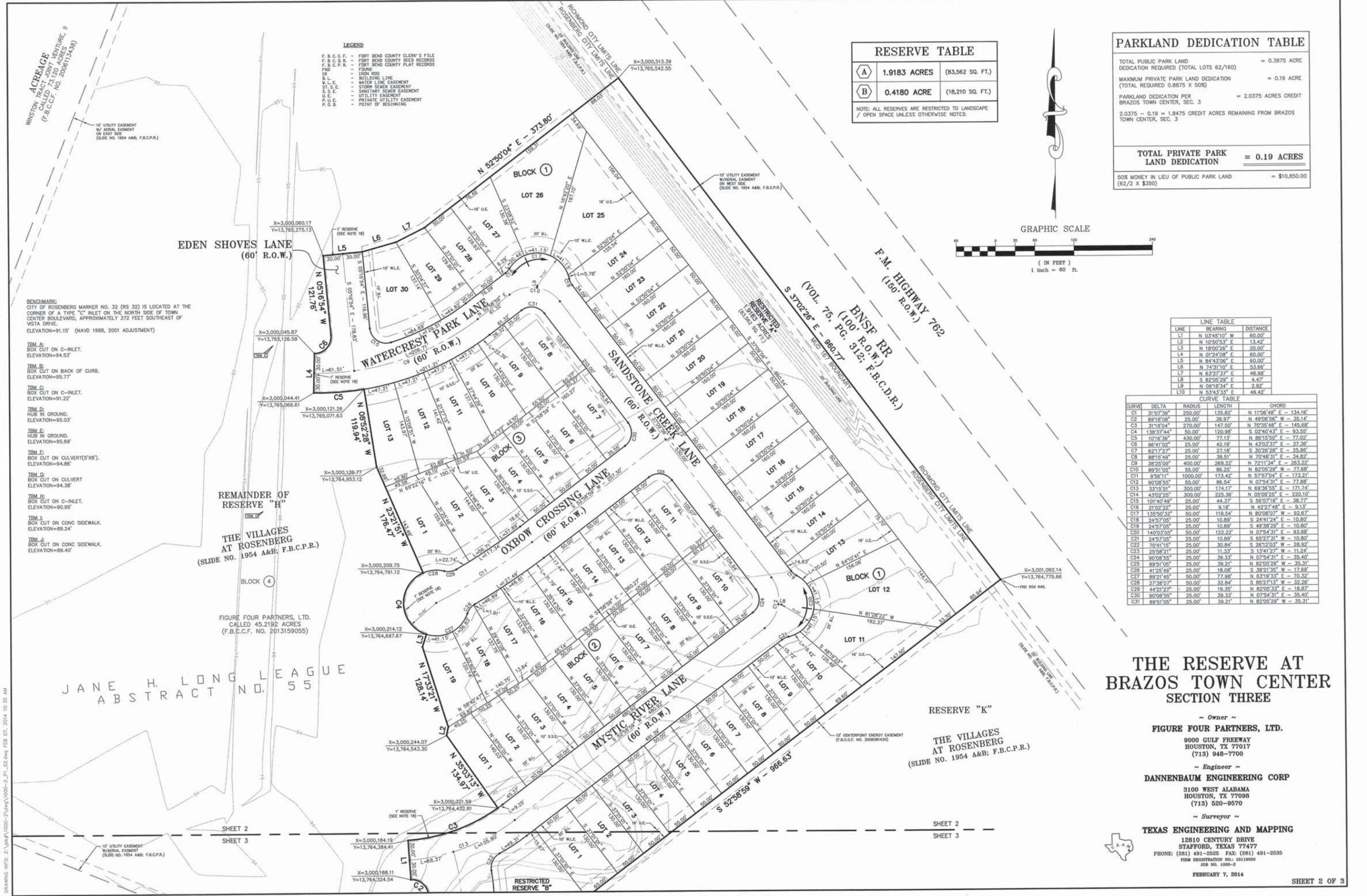
~ Surveyor ~
TEXAS ENGINEERING AND MAPPING

12910 CENTURY DRIVE
STAFFORD, TEXAS 77477
PHONE: (281) 491-2525 FAX: (281) 491-2535
FIRM REGISTRATION NO.: 10119000
JOB NO. 1000-2

FEBRUARY 7, 2014

REASON FOR REPLAT

TO CREATE 62 LOTS, 3 BLOCKS,
AND 2 RESERVES.



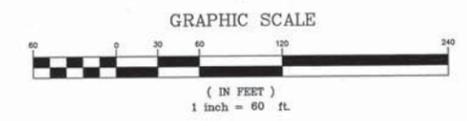
MINSTON ACREAGE
 CALL FOR POINT VENTURE, II
 (F.B.C.C.F. NO. 200813438)

- LEGEND**
- F.B.C.C.F. - FORT BEND COUNTY CLERK'S FILE
 - F.B.C.D.P. - FORT BEND COUNTY DEED RECORDS
 - F.B.C.P.P. - FORT BEND COUNTY PLAT RECORDS
 - FOUND
 - IRON ROD
 - BUILDING LINE
 - WATER LINE EASEMENT
 - STORM SEWER EASEMENT
 - SANITARY SEWER EASEMENT
 - UTILITY EASEMENT
 - PRIVATE UTILITY EASEMENT
 - P.O.B. - POINT OF BEGINNING

RESERVE TABLE		
A	1.9183 ACRES	(83,562 SQ. FT.)
B	0.4180 ACRE	(18,210 SQ. FT.)

NOTE: ALL RESERVES ARE RESTRICTED TO LANDSCAPE OPEN SPACE UNLESS OTHERWISE NOTED.

PARKLAND DEDICATION TABLE	
TOTAL PUBLIC PARK LAND DEDICATION REQUIRED (TOTAL LOTS 62/160)	= 0.3875 ACRE
MAXIMUM PRIVATE PARK LAND DEDICATION (TOTAL REQUIRED 0.8875 X 50%)	= 0.19 ACRE
PARKLAND DEDICATION PER BRAZOS TOWN CENTER, SEC. 3	= 2.0375 ACRES CREDIT
2.0375 - 0.19 = 1.8475 CREDIT ACRES REMAINING FROM BRAZOS TOWN CENTER, SEC. 3	
TOTAL PRIVATE PARK LAND DEDICATION	= 0.19 ACRES
50% MONEY IN LIEU OF PUBLIC PARK LAND (62/2 X \$350)	= \$10,850.00



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 03°45'10" W	60.00'
L2	N 10°50'53" E	13.42'
L3	N 18°00'28" E	20.00'
L4	N 01°24'08" E	60.00'
L5	N 84°33'08" E	60.00'
L6	N 74°31'10" E	53.66'
L7	N 63°37'37" E	48.98'
L8	S 82°05'29" E	4.47'
L9	N 09°18'34" E	2.92'
L10	N 53°43'33" E	49.42'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	31°07'39"	250.00'	135.82'
C2	89°16'08"	25.00'	38.97'
C3	31°18'04"	270.00'	147.50'
C4	138°37'44"	50.00'	120.98'
C5	10°16'36"	430.00'	77.13'
C6	95°41'02"	25.00'	42.19'
C7	62°17'22"	25.00'	27.18'
C8	88°15'49"	25.00'	36.61'
C9	38°25'09"	400.00'	268.22'
C10	89°51'05"	55.00'	86.25'
C11	9°56'11"	1000.00'	173.42'
C12	90°38'55"	35.00'	86.54'
C13	33°19'51"	300.00'	174.17'
C14	43°02'25"	300.00'	225.36'
C15	101°40'49"	25.00'	44.37'
C16	21°02'22"	25.00'	9.18'
C17	135°50'32"	50.00'	118.54'
C18	24°57'05"	25.00'	10.89'
C19	24°57'05"	25.00'	10.89'
C20	140°03'05"	50.00'	122.22'
C21	24°57'05"	25.00'	10.89'
C22	70°41'15"	25.00'	30.84'
C23	25°58'21"	25.00'	11.33'
C24	90°38'55"	25.00'	39.33'
C25	89°51'05"	25.00'	39.21'
C26	41°25'49"	25.00'	18.08'
C27	89°21'45"	50.00'	77.98'
C28	37°38'07"	50.00'	32.84'
C29	44°21'27"	25.00'	19.35'
C30	90°38'55"	25.00'	39.33'
C31	89°51'05"	25.00'	39.21'

THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE

RESERVE "K"
 THE VILLAGES AT ROSENBERG
 (SLIDE NO. 1954 A&B; F.B.C.P.R.)

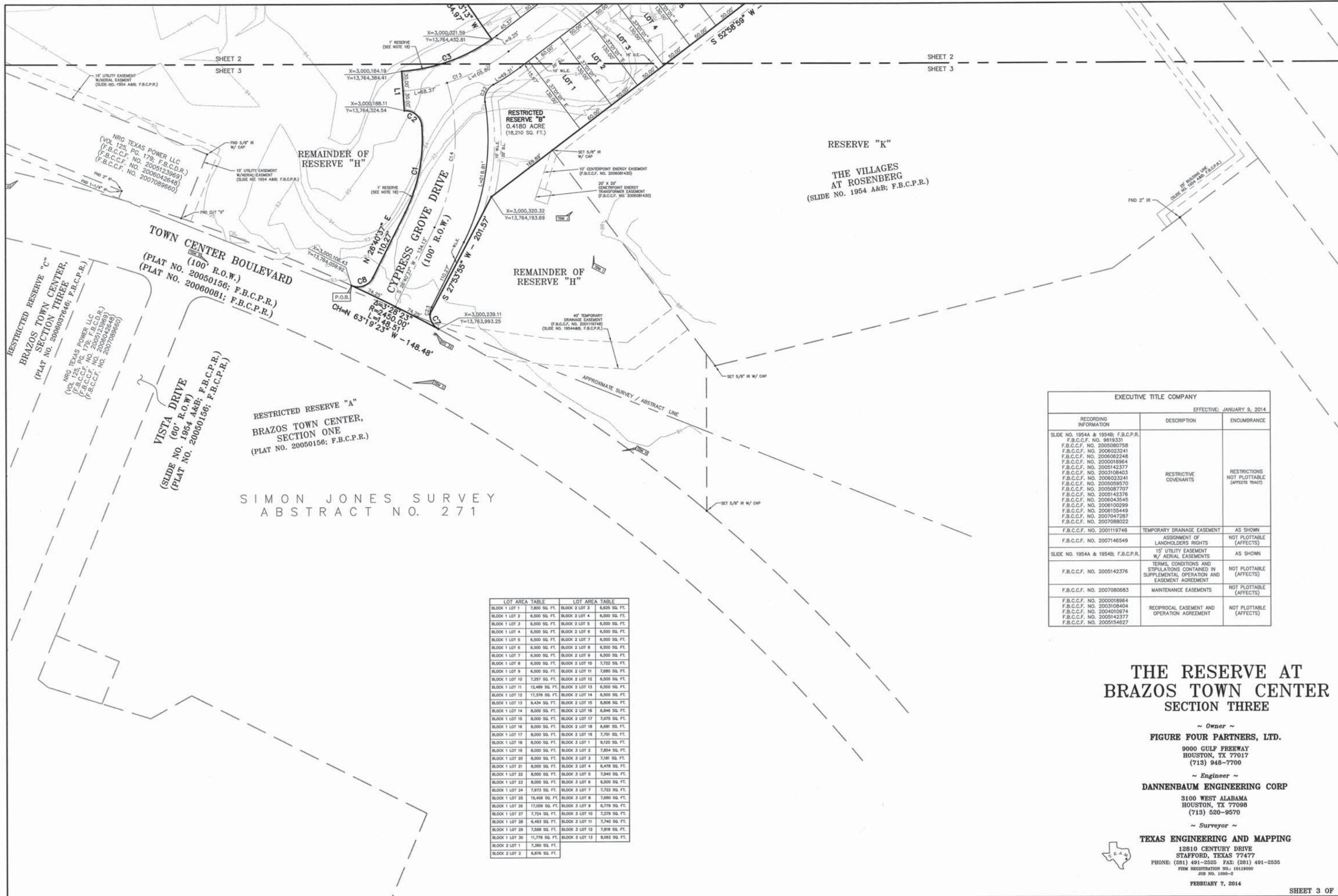
~ Owner ~
FIGURE FOUR PARTNERS, LTD.
 9000 GULF FREEWAY
 HOUSTON, TX 77017
 (713) 948-7700

~ Engineer ~
DANNENBAUM ENGINEERING CORP
 3100 WEST ALABAMA
 HOUSTON, TX 77098
 (713) 520-9570

~ Surveyor ~
TEXAS ENGINEERING AND MAPPING
 12810 CENTURY DRIVE
 STAFFORD, TEXAS 77477
 PHONE: (281) 491-2525 FAX: (281) 491-2535
 FIRM REGISTRATION NO.: 16119090
 JOB NO. 1000-2



DRAWING INFO: Z:\proj\1000-2\Drawings\1000-2_P1_52.dwg FEB 07, 2014 10:35 AM



SIMON JONES SURVEY
ABSTRACT NO. 271

LOT AREA TABLE		LOT AREA TABLE	
BLOCK 1 LOT 1	7,800 SQ. FT.	BLOCK 2 LOT 3	6,625 SQ. FT.
BLOCK 1 LOT 2	8,500 SQ. FT.	BLOCK 2 LOT 4	8,500 SQ. FT.
BLOCK 1 LOT 3	8,500 SQ. FT.	BLOCK 2 LOT 5	8,500 SQ. FT.
BLOCK 1 LOT 4	8,500 SQ. FT.	BLOCK 2 LOT 6	8,500 SQ. FT.
BLOCK 1 LOT 5	8,500 SQ. FT.	BLOCK 2 LOT 7	8,500 SQ. FT.
BLOCK 1 LOT 6	8,500 SQ. FT.	BLOCK 2 LOT 8	8,500 SQ. FT.
BLOCK 1 LOT 7	8,500 SQ. FT.	BLOCK 2 LOT 9	8,500 SQ. FT.
BLOCK 1 LOT 8	8,500 SQ. FT.	BLOCK 2 LOT 10	7,722 SQ. FT.
BLOCK 1 LOT 9	8,500 SQ. FT.	BLOCK 2 LOT 11	7,680 SQ. FT.
BLOCK 1 LOT 10	7,257 SQ. FT.	BLOCK 2 LOT 12	8,500 SQ. FT.
BLOCK 1 LOT 11	12,489 SQ. FT.	BLOCK 2 LOT 13	8,500 SQ. FT.
BLOCK 1 LOT 12	17,378 SQ. FT.	BLOCK 2 LOT 14	8,500 SQ. FT.
BLOCK 1 LOT 13	8,434 SQ. FT.	BLOCK 2 LOT 15	8,008 SQ. FT.
BLOCK 1 LOT 14	8,000 SQ. FT.	BLOCK 2 LOT 16	8,846 SQ. FT.
BLOCK 1 LOT 15	8,000 SQ. FT.	BLOCK 2 LOT 17	7,075 SQ. FT.
BLOCK 1 LOT 16	8,000 SQ. FT.	BLOCK 2 LOT 18	6,681 SQ. FT.
BLOCK 1 LOT 17	8,000 SQ. FT.	BLOCK 2 LOT 19	7,701 SQ. FT.
BLOCK 1 LOT 18	8,000 SQ. FT.	BLOCK 3 LOT 1	8,120 SQ. FT.
BLOCK 1 LOT 19	8,000 SQ. FT.	BLOCK 3 LOT 2	7,854 SQ. FT.
BLOCK 1 LOT 20	8,000 SQ. FT.	BLOCK 3 LOT 3	7,181 SQ. FT.
BLOCK 1 LOT 21	8,000 SQ. FT.	BLOCK 3 LOT 4	8,478 SQ. FT.
BLOCK 1 LOT 22	8,000 SQ. FT.	BLOCK 3 LOT 5	7,940 SQ. FT.
BLOCK 1 LOT 23	8,000 SQ. FT.	BLOCK 3 LOT 6	8,500 SQ. FT.
BLOCK 1 LOT 24	7,973 SQ. FT.	BLOCK 3 LOT 7	7,722 SQ. FT.
BLOCK 1 LOT 25	15,408 SQ. FT.	BLOCK 3 LOT 8	7,680 SQ. FT.
BLOCK 1 LOT 26	17,059 SQ. FT.	BLOCK 3 LOT 9	6,779 SQ. FT.
BLOCK 1 LOT 27	7,724 SQ. FT.	BLOCK 3 LOT 10	7,379 SQ. FT.
BLOCK 1 LOT 28	8,493 SQ. FT.	BLOCK 3 LOT 11	7,740 SQ. FT.
BLOCK 1 LOT 29	7,588 SQ. FT.	BLOCK 3 LOT 12	7,818 SQ. FT.
BLOCK 1 LOT 30	11,779 SQ. FT.	BLOCK 3 LOT 13	8,062 SQ. FT.
BLOCK 2 LOT 1	7,390 SQ. FT.		
BLOCK 2 LOT 2	8,876 SQ. FT.		

EXECUTIVE TITLE COMPANY		
EFFECTIVE: JANUARY 9, 2014		
RECORDING INFORMATION	DESCRIPTION	ENCUMBRANCE
SLIDE NO. 1954A & 1954B; F.B.C.P.R. F.B.C.C.F. NO. 9819331 F.B.C.C.F. NO. 2005080758 F.B.C.C.F. NO. 2006023241 F.B.C.C.F. NO. 2008062248 F.B.C.C.F. NO. 2000018964 F.B.C.C.F. NO. 2005142377 F.B.C.C.F. NO. 2003108403 F.B.C.C.F. NO. 2008023241 F.B.C.C.F. NO. 2005059570 F.B.C.C.F. NO. 2005087707 F.B.C.C.F. NO. 2005142376 F.B.C.C.F. NO. 2008043545 F.B.C.C.F. NO. 2006100299 F.B.C.C.F. NO. 2006155449 F.B.C.C.F. NO. 2007047287 F.B.C.C.F. NO. 2007088022	RESTRICTIVE COVENANTS	RESTRICTIONS NOT PLOTTABLE (AFFECTS TRACT)
F.B.C.C.F. NO. 200119748	TEMPORARY DRAINAGE EASEMENT	AS SHOWN
F.B.C.C.F. NO. 2007146549	ASSIGNMENT OF LANDHOLDERS RIGHTS	NOT PLOTTABLE (AFFECTS)
SLIDE NO. 1954A & 1954B; F.B.C.P.R.	15' UTILITY EASEMENT W/ AERIAL EASEMENTS	AS SHOWN
F.B.C.C.F. NO. 2005142376	TERMS, CONDITIONS AND STIPULATIONS CONTAINED IN SUPPLEMENTAL OPERATION AND EASEMENT AGREEMENT	NOT PLOTTABLE (AFFECTS)
F.B.C.C.F. NO. 2007080583	MAINTENANCE EASEMENTS	NOT PLOTTABLE (AFFECTS)
F.B.C.C.F. NO. 2000018964 F.B.C.C.F. NO. 2003108404 F.B.C.C.F. NO. 2004010974 F.B.C.C.F. NO. 2005142377 F.B.C.C.F. NO. 2005154627	RECIPROCAL EASEMENT AND OPERATION AGREEMENT	NOT PLOTTABLE (AFFECTS)

THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE

~ Owner ~
FIGURE FOUR PARTNERS, LTD.
9000 GULF FREEWAY
HOUSTON, TX 77017
(713) 948-7700

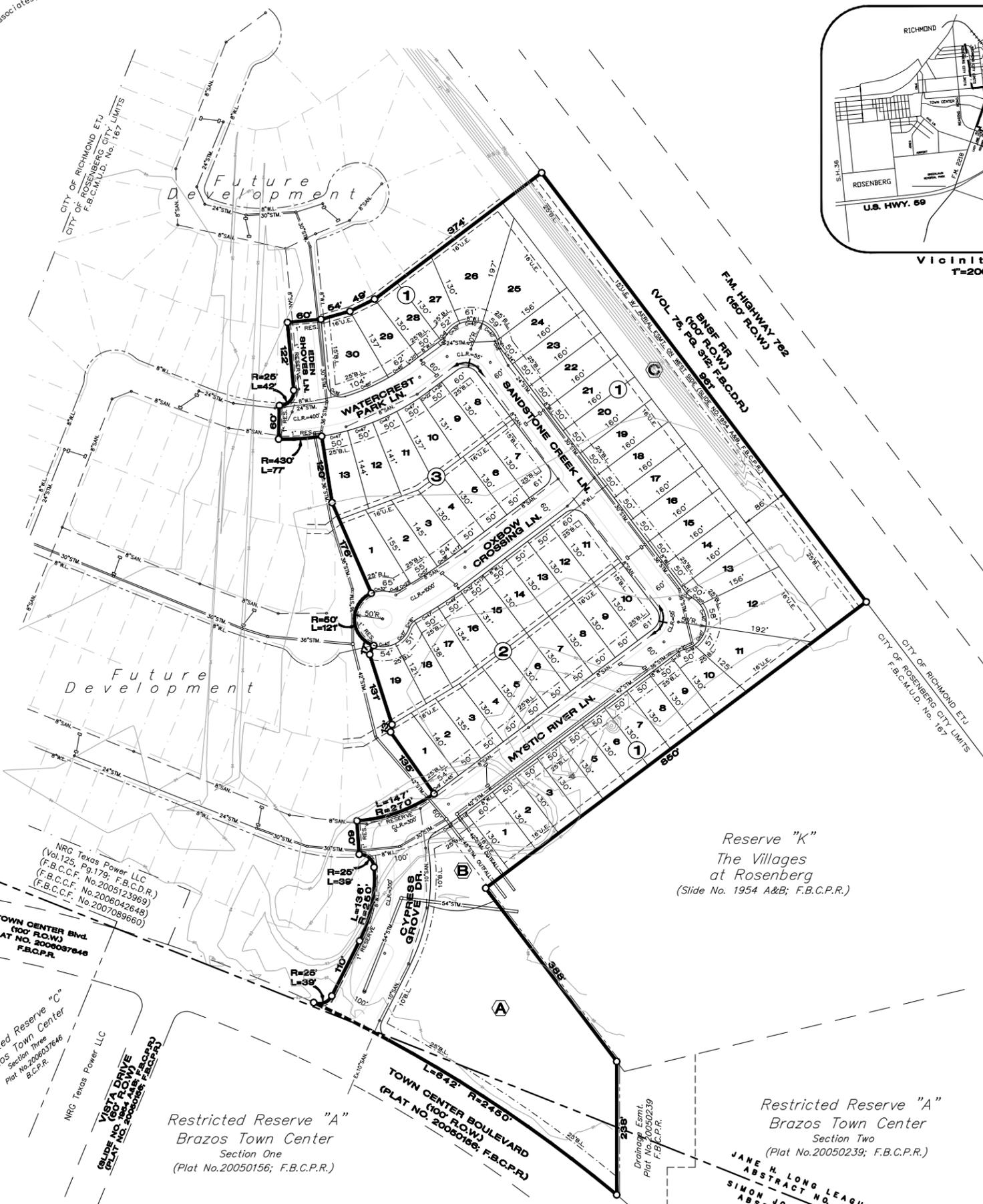
~ Engineer ~
DANNENBAUM ENGINEERING CORP
3100 WEST ALABAMA
HOUSTON, TX 77098
(713) 520-9570

~ Surveyor ~
TEXAS ENGINEERING AND MAPPING
12810 CENTURY DRIVE
STAFFORD, TEXAS 77477
PHONE: (281) 491-2525 FAX: (281) 491-2535
FIRM REGISTRATION NO.: 10119000
JOB NO. 1000-2
FEBRUARY 7, 2014





Vicinity Map
T=2000'



Reserve "K"
The Villages
at Rosenberg
(Slide No. 1954 A&B; F.B.C.P.R.)

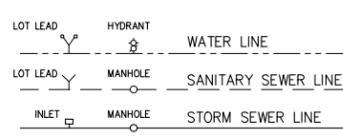
Restricted Reserve "A"
Brazos Town Center
Section One
(Plat No. 20050156; F.B.C.P.R.)

Restricted Reserve "A"
Brazos Town Center
Section Two
(Plat No. 20050239; F.B.C.P.R.)

LOT AREA SUMMARY

BLOCK 1			BLOCK 2			BLOCK 3		
LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.
1	60'	7,800	1	54'	7,385	1	65'	9,128
2	50'	6,500	2	50'	6,875	2	50'	7,852
3	50'	6,500	3	50'	6,825	3	54'	7,170
4	50'	6,500	4	50'	6,500	4	50'	6,500
5	50'	6,500	5	50'	6,500	5	50'	6,500
6	50'	6,500	6	50'	6,500	6	50'	6,500
7	50'	6,500	7	50'	6,500	7	61'	7,708
8	50'	6,500	8	50'	6,500	8	60'	7,667
9	50'	6,500	9	50'	6,500	9	50'	6,780
10	50'	7,253	10	61'	7,713	10	50'	7,282
11	57'	12,494	11	60'	7,664	11	50'	7,740
12	58'	17,383	12	50'	6,500	12	50'	7,818
13	50'	9,431	13	50'	6,500	13	50'	8,063
14	50'	8,000	14	50'	8,200			
15	50'	8,000	15	50'	6,867			
16	50'	8,000	16	50'	6,846			
17	50'	8,000	17	50'	7,075			
18	50'	8,000	18	51'	6,887			
19	50'	8,000	19	54'	7,727			
20	50'	8,000						
21	50'	8,000						
22	50'	8,000						
23	50'	8,000						
24	50'	7,973						
25	59'	15,410						
26	61'	17,065						
27	52'	7,731						
28	50'	6,493						
29	62'	7,594						
30	104'	11,762						

- NOTE:
- A** RESTRICTED RESERVE "A" LAKE/DETENTION ±2.60 ACRES
 - B** RESTRICTED RESERVE "B" LANDSCAPE/OPEN SPACE ±0.39 ACRE
 - C** RESTRICTED RESERVE "C" LANDSCAPE/OPEN SPACE ±1.92 ACRES



- GENERAL NOTE:
- 1.) "B.L." INDICATES BUILDING LINE.
 - 2.) "U.E." INDICATES UTILITY EASEMENT.
 - 3.) "W.L.E." INDICATES WATER LINE EASEMENT.
 - 4.) "S.W.R. ESMT." INDICATES STORM SEWER EASEMENT.
 - 5.) "S.S.E." INDICATES SANITARY SEWER EASEMENT.
 - 6.) ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
 - 7.) THE PROPERTY CONTAINED WITHIN THIS PRELIMINARY PLAT IS WITHIN FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 167.
 - 8.) "O.P.R.F.B.C." INDICATES OFFICIAL PUBLIC RECORDS FORT BEND COUNTY.
 - 9.) "1' RES." INDICATES ONE FOOT RESERVE. dedicated to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent acreage tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and rest in the dedicator, his heirs assigns, or successors.

A PRELIMINARY PLAT OF THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE

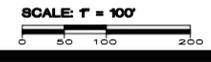
BEING 20.2± ACRES OF LAND
CONTAINING 62 LOTS (50' X 130' TYP) AND
THREE RESERVES IN THREE BLOCKS.

OUT OF THE
JANE H. LONG LEAGUE SURVEY, A-55 &
SIMON JONES SURVEY, A-271
CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS

OWNER:
PERRY HOMES

PLANNER:
KERRY R. GILBERT & ASSOCIATES, INC.

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

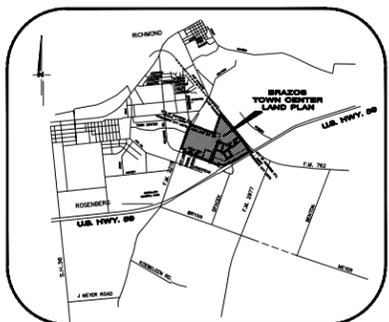
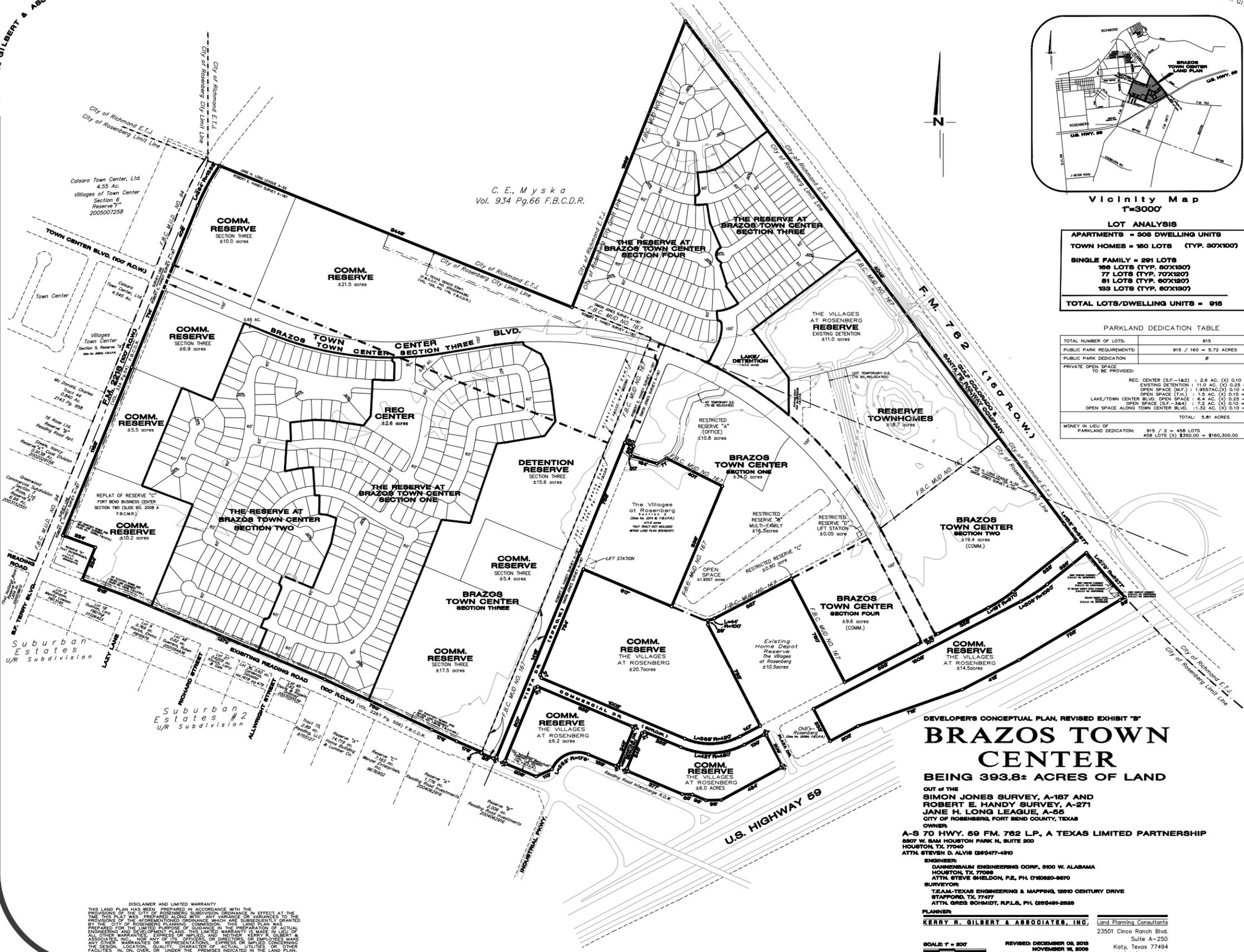


DECEMBER 09, 2013
KGA# I-118B

PARKLAND DEDICATION TABLE

TOTAL NUMBER OF LOTS:	62
PUBLIC PARK REQUIREMENTS:	62 / 160 = 0.39 ACRES
PUBLIC PARK DEDICATION:	0
PRIVATE OPEN SPACE TO BE DEDICATED BY THIS PLAT:	RESTRICTED RESERVE "B": 0.39 x 0.1 = .039 AC. RESTRICTED RESERVE "C": 1.92 x 0.1 = .192 AC. TOTAL: .231 ACRES
MONEY IN LIEU OF PUBLIC PARKLAND DEDICATION:	(62 LOTS / 2) x \$350.00 = \$10,850.00

DISCLAIMER AND LIMITED WARRANTY
THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ROSENBERG SUBDIVISION ORDINANCE IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF ROSENBERG PLANNING COMMISSION. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER KERRY R. GILBERT & ASSOCIATES, INC. NOR ANY OF ITS OFFICERS OR DIRECTORS OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY PLAT.



Vicinity Map
1"=3000'

LOT ANALYSIS

APARTMENTS = 306 DWELLING UNITS
 TOWN HOMES = 160 LOTS (TYP. 30'X100')
 SINGLE FAMILY = 291 LOTS
 188 LOTS (TYP. 60'X130')
 77 LOTS (TYP. 70'X120')
 81 LOTS (TYP. 60'X120')
 125 LOTS (TYP. 60'X150')

TOTAL LOTS/DWELLING UNITS = 915

PARKLAND DEDICATION TABLE

TOTAL NUMBER OF LOTS:	915
PUBLIC PARK REQUIREMENTS:	915 / 160 = 5.72 ACRES
PUBLIC PARK DEDICATION:	0
PRIVATE OPEN SPACE TO BE PROVIDED:	
REC. CENTER (S.F.-162) :	2.6 AC. (X) 0.10 = 0.26 AC.
EXISTING DETENTION :	11.0 AC. (X) 0.25 = 2.75 AC.
OPEN SPACE (M.F.) :	1.9557AC(X) 0.10 = .195 AC.
OPEN SPACE (T.H.) :	1.5 AC. (X) 0.10 = 0.15 AC.
LAKE/TOWN CENTER BLVD. OPEN SPACE :	6.4 AC. (X) 0.25 = 1.6 AC.
OPEN SPACE (S.F.-384) :	7.2 AC. (X) 0.10 = 0.72 AC.
OPEN SPACE ALONG TOWN CENTER BLVD. :	1.32 AC. (X) 0.10 = .132 AC.
TOTAL:	5.81 ACRES
MONEY IN LIEU OF PARKLAND DEDICATION:	915 / 2 = 458 LOTS 458 LOTS (X) \$350.00 = \$160,300.00

DEVELOPER'S CONCEPTUAL PLAN, REVISED EXHIBIT "B"
BRAZOS TOWN CENTER
 BEING 393.8± ACRES OF LAND

OUT OF THE
 SIMON JONES SURVEY, A-187 AND
 ROBERT E. HANDY SURVEY, A-271
 JANE H. LONG LEAGUE, A-55
 CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS

OWNER:
 A-S 70 HWY. 59 FM. 762 LP, A TEXAS LIMITED PARTNERSHIP
 8807 W. SAM HOUSTON PARK N, SUITE 200
 HOUSTON, TX 77040
 ATTN: STEVEN D. ALVIZ (281)477-4910

ENGINEER:
 DANIELSBALM ENGINEERING CORP., 5100 W. ALABAMA
 HOUSTON, TX 77098
 ATTN: STEVE SHELDON, P.E., PH. (713)620-0670

SURVEYOR:
 TEAM-TEXAS ENGINEERING & MAPPING, 12810 CENTURY DRIVE
 STAFFORD, TX 77477
 ATTN: GREG SCHMIDT, R.P.L.S., PH. (281)461-2825

PLANNER:
 KERRY R. GILBERT & ASSOCIATES, INC., Land Planning Consultants
 23501 Cinco Ranch Blvd., Suite A-250
 Katy, Texas 77494
 (281)579-0340

SCALE: 1" = 200'
 0 100 200 400

REVISED: DECEMBER 09, 2010
 NOVEMBER 09, 2006
 KGA# 1-108A

DISCLAIMER AND LIMITED WARRANTY
 THIS LAND PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ROSENBERG SUBDIVISION ORDINANCE. THE CITY OF ROSENBERG PLANNING COMMISSION HAS REVIEWED AND APPROVED THIS PLAN FOR THE LIMITED PURPOSES OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE LAND PLAN.

in the Wiley Martin League, Abstract 56, Fort Bend County, Texas; 115 lots, 7 reserves (18.984 acres), 2 blocks. The motion carried unanimously by those present.

6. CONSIDERATION OF AND ACTION ON THE PRELIMINARY PLAT OF THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE, BEING 20.2 ACRES OF LAND CONTAINING 62 LOTS (50' X 130' TYP.) AND THREE RESERVES IN THREE BLOCKS OUT OF THE JANE H. LONG LEAGUE SURVEY, A-55, & SIMON JONES SURVEY, A-271, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.

Executive Summary: The Preliminary Plat of The Reserve at Brazos Town Center Section Three is located off of Town Center Boulevard, to the north of its intersection with Vista Drive. It is located within the City Limits and in Fort Bend County MUD No. 167. The plat consists of approximately 20.2 acres, with 62 single-family residential lots and three (3) reserves.

The typical lot size for the subdivision is 50 feet in width. This is per the approved Land Plan, as amended on December 18, 2013 (see attached). Per the amended Development Agreement, homes in this subdivision will be a minimum of 51 percent masonry construction.

The proposed Preliminary Plat is not in conflict with any applicable regulations or with the approved Land Plan for Brazos Town Center. That being said, staff recommends approval of the Preliminary Plat of The Reserve at Brazos Town Center Section Three.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Poldrack inquired if there has been a change in ownership of that tract of land.
- Mr. Tanner replied that the ownership has changed.
- Commissioner Poldrack inquired if the new owners can "piggy-back" the old plan.
- Mr. Tanner replied that the restrictions run with the land and not changed by ownership.
- Commissioner Parsons stated that this section was previously planned for patio homes. Do we have any idea who the builder is?
- Mr. Tanner replied the builder is Perry Homes.
- Commissioner Parsons inquired what the relative value of each residence will be based on Perry's predictions.
- Mr. Taylor Gunn of 2203 Chelsea Creek Lane, Spring, Texas, stepped forward to address the Commission. Perry is not certain which product will be put out though the ordinance states they must be at least 1,650 square feet and we will definitely be over that. We anticipate a similar product to what is already in Brazos Town Center Section Two. The average should be about 2,400 square feet and \$250,000.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias to approve the Preliminary Plat of the Reserve at Brazos Town Center Section Three, being 20.2 acres of land containing 62 lots (50' x 130' typ.) and three reserves in three blocks out of the Jane H. Long League Survey, A-55, & Simon Jones Survey, A-271, City of Rosenberg, Fort Bend County, Texas. The motion carried unanimously by those present.

7. CONSIDERATION OF AND ACTION ON THE FINAL PLAT OF OUR LADY OF GUADALUPE CATHOLIC CHURCH, A SUBDIVISION OF 4.6750 ACRES, OR 203,644 SQUARE FEET OF LAND, BEING A PARTIAL REPLAT OF LOTS 1-8, 11-16 AND A PORTION OF LOTS 9 & 10, BLOCK 8, LOTS 10-16 AND PORTIONS OF LOTS 5-8, BLOCK 5, KAFFENBERGER ADDITION, RECORDED UNDER VOLUME 6, PAGE 16, PLAT RECORDS OF FORT BEND COUNTY, IN THE HENRY SCOTT LEAGUE, ABSTRACT NO. 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 1 BLOCK, 2 RESERVES, 0 LOTS.

Executive Summary: The Final Plat of Our Lady of Guadalupe Catholic Church consists of 4.6750 acres and two (2) reserves. Approval and subsequent recordation of the Plat would consolidate property owned by the Church and eliminate any potential issues with setbacks from interior property lines. The Plat/Replat also proposes to abandon City rights-of-way (the majority of Carlisle Street between Avenues D and E, and the entire alley between Mulcahy and Carlisle) and will facilitate redevelopment of the site with a new sanctuary.



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
11	Ornamental Street Light Policy Discussion

MOTION

Review and discuss ornamental street light policy, and take action as necessary to direct staff.

RECOMMENDATION

Staff recommends amending the City's ordinance/s pertaining to ornamental street lights.

MUD #	City/ETJ	ELECTION DISTRICT
All	Both	All

SUPPORTING DOCUMENTS:

1. City of Missouri City Design Standard Excerpt – Chapter 4, Section 4.05 – Ornamental Street Lights
2. Code Of Ordinances Excerpt, Sec. 25-71
3. Design Standards Excerpt, Sec. 2.9
4. Ornamental Street Light Example Photos
5. City Council Meeting Minute Excerpt – 01-28-14

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

___ Executive Director of Community Development

___ City Engineer

EXECUTIVE SUMMARY

Staff has received an inquiry from the developer of Summer Lakes/Waterford Park (Fort Bend County MUD No. 144) regarding ornamental street lights. They would like to install ornamental street lights, as opposed to the standard "cobra" lights, in the Summer Park portion of the development (the portion of MUD No. 144 south of Reading Road off of August Green Drive). They would also like the City to accept and maintain the street lights as with standards lights.

Currently, per City regulations (Code of Ordinances, Sec. 25-71; and Design Standards, Sec. 2.9), the location of street lighting systems are designed by CenterPoint Energy and approved by the City. The developer pays for the cost of installation of the lights plus three (3) year's maintenance. The developer can install, and the City will accept, standard lights. If the City were to accept non-standard or ornamental lights, it would require more lights to meet the same lighting standards because the ornamental lights are typically smaller. Therefore it would result in greater long-term costs to the City.

For example, in the subdivision for which this item is being discussed (Summer Park Section One), a standard street lighting system would require approximately thirty (30) lights. To utilize ornamental lights and still meet the same lighting standards would require approximately thirty-five (35) lights. If the lights cost approximately \$15 per light per month to maintain (a rough estimate), the ornamental lighting system would cost the City an additional \$900 annually if the City accepted the system. Under the current City Ordinance, however, there is the option to (1) use standard lighting or (2) have a private system that the Homeowners Association (HOA), not the City, would be responsible for maintaining.

The developer requested that this item be placed on City Council and Planning Commission Agendas to discuss further options whereby the HOA would not have to take on the lighting system in order to have

EXECUTIVE SUMMARY

upgraded street lights. There are not numerous examples of other cities' policies addressing this particular issue. Possibly the best example from the research staff conducted was the City of Missouri City, which will enter into an agreement whereby the HOA is responsible for additional ongoing costs above and beyond the standard number of street lights. The only risk in this case may be reliance on an HOA for the long term maintenance costs. This Agenda item was discussed at the January 28, 2014 City Council Workshop meeting, at which City Council directed staff to move forward with an amendment provided it wouldn't result in any additional costs to the City.

Staff is now requesting direction from the Planning Commission as to whether the City should (1) keep the current Ordinance as it is, or (2) proceed with an Ordinance Amendment similar to Missouri City's (attached) that would allow the developer to install ornamental lights provided the HOA is responsible for the costs associated with the additional lights. The latter could be done through an Amendment to the "Subdivision" Ordinance, and potentially the Design Standards. Should the Planning Commission direct staff to move forward, an amendment could be prepared and placed on a future City Council Agenda.

4.05 ORNAMENTAL STREET LIGHTS

- A. Developers, homeowner and property owner associations may desire to install street lights in a manner which deviates and/or exceeds the requirements set forth in this policy and such street lighting shall, to the extent it exceeds or deviates from these requirements set forth herein, be considered ornamental lighting and shall be permitted only upon prior application and approval by the Director of Public Works. In no event shall the street light layout and design fall below the standards set forth in this Chapter, nor exceed the standards set by the Illuminating Engineering Society. If the cost for such ornamental lights exceeds the cost for lights installed in accordance with the City standards, the cost above the City standard shall be paid by the developer, HOA or POA, under contract directly with the service provider, in perpetuity.
- B. The city standard for street lights on curb-and-gutter streets and in new developments is the "cobra head" street light mounted on a smooth, 35-foot or 40-foot metal pole. In areas where wooden poles and overhead lines are already prevalent, street lights may be located on existing wooden poles. Street lights that are not "cobra head" lights or that are not mounted above 30 feet are considered ornamental street lights.
- C. The installation, operation and maintenance of ornamental street lights shall not be the responsibility of the City of Missouri City, except in the following conditions:
 - 1. A variance request to install ornamental street lighting has been approved by the Public Works Department.
 - 2. A street lighting plan that shows that the lighting provided by the ornamental lights meets or exceeds the coverage and lumens to the requirements of this chapter for public lighting.
 - 3. An agreement is executed between the City and a perpetual entity acceptable to the City (i.e. a homeowners association), in which the perpetual entity agrees to cover the installation cost of all lighting and the monthly maintenance cost of all lights in excess of the number of lights required by this chapter for public lighting.

4.06 TECHNICAL REQUIREMENTS

4.06.1 Street Light Spacing

- A. In residential developments, not along major thoroughfares, where home sites are located on an average of less than every 100 linear feet, street lights shall be evenly spaced and located on an average of 350 feet apart from one another. In no event shall street lights be installed so that they are closer than 200 feet or further than 500 feet apart from one another unless it is because an intersection, major thoroughfare, or bridge is closer than the 200-foot minimum.
- B. In residential developments, not along major thoroughfares where home sites are platted on an average of one every 100 linear feet of street or more, street lights shall be evenly spaced and located on an average of 500 feet apart. In no event shall street lights be installed so that they are closer than 300 feet or further than

PART II - CODE OF ORDINANCES
Chapter 25 - SUBDIVISIONS
ARTICLE III. - SUBDIVISION DESIGN REQUIREMENTS (STANDARDS)

DIVISION 2. - SPECIFIC REQUIREMENTS

- a. A minimum building setback of twenty-five (25) feet shall be provided on the front of all interior lots that front upon minor and collector streets and major thoroughfares.
 - b. The minimum building setback requirements on the sides of interior lot lines shall be established in accordance with the most recently adopted version of the International Building Code.
 - c. A minimum building setback of sixty (60) feet shall be provided, for all industrial structures up to sixty (60) feet in height, on the rear of all interior lots that are adjacent to a residential use. An additional one (1) foot of setback shall be required for every additional one (1) foot in height of the industrial structure above sixty (60) feet.
- (3) The Downtown Area, as defined in [Chapter 6](#) of this Code, is exempt from the setback requirements set forth in this subsection; however, all structures constructed in the Downtown Area shall comply with all setback requirements established in the International Building Code and the International Fire Code, as adopted.

(Ord. No. 2008-06, § 3, 5-20-08; Ord. No. 2008-18, § 4, 8-19-08; Ord. No. 2008-24, § 6, 8-5-08)

Sec. 25-71. - Street lights.

Each subdivision shall have street lights installed with a maximum spacing of three hundred (300) feet between each light, and arranged so that one (1) light is installed at every street intersection. The wiring shall be placed underground and the light mounted on a steel standard. The light intensity of each lamp shall be a minimum of sixteen thousand (16,000) lumens and the light shall be high pressure sodium vapor. Each subdivider will be required to pay to the city, annually for three (3) years (beginning from the date the lights are installed), a fee equal to the actual cost to the city for the upcoming year of installing and maintaining newly installed streetlights requested by such subdivider, which cost will be established by the city's power provider in the beginning of each year.

(Ord. No. 2005-24, § 1, 10-18-05; Ord. No. 2008-06, § 2, 5-20-08; Ord. No. 2008-18, § 3, 8-19-08)

Note—Formerly [§ 25-70](#)

Sec. 25-72. - Subdivision—Unit of a larger tract.

Where the proposed subdivision constitutes a unit of a larger tract owned by the subdivider which is intended to be subsequently subdivided as additional units of the same subdivision, the preliminary and final plats shall be accompanied by a layout of the entire area showing the tentative proposed layout of streets, blocks, drainage, water, sewer and other improvements for such area. The overall layout, if approved by the commission, shall be attached to and filed with a copy of the approved subdivision plat in the permanent files of the city. Thereafter, plats of subsequent units of such subdivisions shall conform to such approved overall layout, unless changed by the commission. However, except where the subdivider agrees to such change, the commission may change such approved overall layout only when the commission finds:

- (1) That adherence to the previously approved overall layout will hinder the orderly subdivision of other land in the area in accordance with this chapter; or
- (2) That adherence to the previously approved overall layout will be detrimental to the public health, safety or welfare, or will be injurious to other property in the area.

(Ord. No. 2005-24, § 1, 10-18-05)

shall meet the requirements of Section 4.2.3.

- E. All street crossings shall be constructed in accordance with construction plans approved by the City. All street crossings shall be inspected by the Department of Public Works and meet the requirements of these Standards.

2.7.3 Railroad and Pipeline Crossings

- A. For railroad crossings, the carrier pipe shall be encased in steel pipe casing extending twenty-five (25') feet from the centerline of tracks.
- B. All construction within the railroad or pipeline right-of-way shall conform to minimum requirements set out in the agreement with the owner of the right-of-way.

2.7.4 Ditch and Stream Crossings

- A. Crossing under a stream or ditch is preferred by the City. The top of the carrier pipe shall be designed to provide a minimum clearance of at least four feet (4') below the ultimate flow line and sides of the ditch and with sufficient bottom length to exceed the ultimate future ditch sections.
- B. Where existing or proposed bridges have sufficient space and structural capacity for installing water mains or conduits (twelve inches (12") or smaller) under the bridge, but above the top of the bent cap elevation, such installation may be permitted upon specific approval of the construction plans. In all cases, the water main or conduit shall be above the bottom chord of the bridge and above the 100-year water surface elevation. All conduits attached to a bridge shall be constructed using steel pipe and shall extend a minimum of ten feet (10') beyond the bridge bent or to the right-of-way line, whichever is greater. All conduit attached to a bridge shall be maintained by the owner of the conduit or will be subject to removal.
- C. Separate, free-standing crossings across drainage ways are not allowed.
- D. All stream or ditch crossings shall be approved by City Engineer.

2.8 Trench Safety

All construction within the City of Rosenberg and its extraterritorial jurisdiction shall conform to the requirements of state and federal guidelines for trench safety. Adequate details for construction in accordance with applicable OSHA regulations will be required in all construction plans that are approved by the City of Rosenberg.

2.9 Street Lighting

- 2.9.1 The installation of street lighting shall be mandatory along all public streets in the City of Rosenberg. In addition, the installation of street lighting is strongly encouraged along existing or repaved streets. For areas in the extraterritorial jurisdiction of the City of Rosenberg, street lighting may be required and reviewed by the City of Rosenberg in accordance with these Standards.
- 2.9.2 The location of street lights will be designed by Centerpoint Energy and approved by the City of Rosenberg.

- 2.9.3 Private lighting systems may supplement or replace all or a portion of public street lighting. A perpetual entity, such as an incorporated homeowners association and/or an appropriate private entity, shall notify the City of Rosenberg of its agreement to pay for the operation, maintenance, and insurance of a private lighting system prior to installation of the system. The review by the City of Rosenberg will apply the same technical requirements as used for public street lighting.
- 2.9.4 Street lights shall be designed in accordance with the requirements set out in Appendix E.
- 2.9.5 Street lights shall comply with Fort Bend County orders for Regulation of Outdoor Lighting.

2.10 Bench Mark

- 2.10.1 A permanent bench mark shall be set in each subdivision section or at a spacing of one mile, whichever is greater. The bench mark shall have an elevation based on the National Geodetic Vertical Datum of 1929, current adjustment.
- 2.10.2 The bench mark elevation and location shall be certified by a Texas Registered Professional Land Surveyor in accordance with the Texas Society of Professional Surveyors "Standards and Specifications" for Category 8, Condition II, TSPS Second Order Vertical Control Survey. Accuracy shall comply with said specifications. All elevations will be based on the US Coast and Geodetic Datum of 1929 (NVD 1929).
- 2.10.3 The bench mark horizontal positions shall be certified by a Texas Registered Professional Land Surveyors "Standards and Specifications" for Category 7, Condition II, Second Order Horizontal Control. Accuracy shall comply with said specifications. All horizontal control will be based on the US Coast and Geodetic Datum of 1927 (NAD 1927).
- 2.10.4 All bench mark locations shall be provided with ties to existing monuments including coordinates using Texas Plane Coordinate System, South Central Zone.
- 2.10.5 Bench marks shall be constructed of a brass disc set in concrete as approved by the City. The concrete footing for the bench mark shall be eight inches (8") in diameter and three feet (3') deep. Concrete shall be reinforced with two number four (2 - #4) rebar.
- 2.10.6 The construction plans shall clearly identify the location of the bench mark and shall include a complete description, coordinates and elevation, with adjustment date, of the bench mark.

2.11 Residential Lots and Improvements

- 2.11.1 All residential lots shall drain to a public right-of-way directly adjoining the lot. Drainage from a residential lot to a public right-of-way at the rear or side of a lot may be permitted provided the drainage system has been properly designed to accept the flow. Drainage to a Fort Bend County drainage easement shall be approved by the Fort Bend County Drainage District.
- 2.11.2 A lot grading plan showing proposed minimum slab elevations will be included in the construction plans. If slab elevations do not change, a notice of minimum elevation will suffice. The minimum slab elevations shall also be shown on the subdivision plat.

Luminaire Choices

Granville
w/ Cage



Granville



Granville
Lunar Optics



Arlington



Postop



Traditionaire



Midtown



15' 6"
or
20'
Black
Only

Traditionaire Pole

Prior to the City's engagement of contracted inspection services with Jones & Carter, Inc., the engineering firm responsible for a specific project design and construction also provided the inspection services which were limited to only that project. With multiple projects underway simultaneously, the City was paying for multiple inspectors and this was not cost effective. In some cases, the City hired an engineering firm to design a project, but the firm did not offer construction phase/inspection services so the City had to hire another firm to provide the required services. In other instances, third party inspectors were not familiar with the City of Rosenberg construction standards resulting in construction delays, incorrect interpretations of the standards, or the already limited City staff members having to expend time and effort to review construction phase work.

Should City Council direct staff to move forward, this Proposal will be placed on a future Agenda for final consideration.

Key discussion points:

- John Maresh, Assistant City Manager explained the executive summary as stated above.
- Councilor McConathy asked when the City had previously reviewed the companies that provide the services that Jones and Carter currently does for the City. John Maresh answered the Professional Services Committee has not reviewed other companies specifically for construction work.
- Councilor McConathy said the City reviews the various engineering firm's services from time to time to see if the City wants to hire or allow other companies to present to the City for the possibility of changing out those services. I know that one of the Council Members leading this charge is not here tonight, so I might suggest we review this item again when both Councilors Pena and Grigar are present. According to the notes from the Professional Services Committee, it is just a general lengthy discussion, so we don't know the details of what was discussed and what was motivating this to come before Council tonight.
- Councilor Benton stated he is a member of the Professional Services Committee, and he missed the meeting where this was discussed. Councilor Benton stated he would also like to put this item back on the agenda when Councilors Pena and Grigar return.
- Councilor Bolf also agreed and would like to hear what Councilors Pena and Grigar's opinions are.
- Councilor Euton asked if the City ever had an in-house City Engineer person to do this job rather than outsourcing. She asked why the City does it this way. John Maresh answered that the number of the projects fluctuate and it doesn't justify having a lot of inspectors when many multiple projects are going on at one time.
- Councilor Benton asked if someone on the payroll could do other types of inspecting. John Maresh stated this is a different type of inspection. The issue is when you have multiple projects going on Jones and Carter will have two or three inspectors here at the same time. During the busy time, they can be multiple places at one time.

4. REVIEW AND DISCUSS ORNAMENTAL STREET LIGHT POLICY, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.

Executive Summary: Staff has received an inquiry from the developer of Summer Lakes/Waterford Park (Fort Bend County MUD No. 144) regarding ornamental street lights. They would like to install ornamental street lights, as opposed to the standard "cobra" lights, in the Summer Park portion of the development (the portion of MUD No. 144 south of Reading Road off of August Green Drive). They would also like the City to accept and maintain the street lights as with standards lights.

Currently, per City regulations (Code of Ordinances, Sec. 25-71; and Design Standards, Sec. 2.9), the location of street lighting systems are designed by CenterPoint Energy and approved by the City. The developer pays for the cost of installation of the lights plus three (3) years' maintenance. The developer can install, and the City will accept, standard lights. If the City were to accept non-standard or ornamental lights, it would require more lights to meet the same lighting standards because the ornamental lights are typically smaller. Therefore it would result in greater long-term costs to the City.

For example, in the subdivision for which this item is being discussed (Summer Park Section One), a standard street lighting system would require approximately thirty (30) lights. To utilize ornamental lights and still meet the same lighting standards would require approximately thirty-five (35) lights. If the lights cost approximately \$15 per light per month to maintain (a rough estimate), the ornamental lighting system would cost the City an additional \$900 annually if the City accepted the system. Under the current City Ordinance, however, there is the option to (1) use standard lighting or (2) have a private system that the Homeowners Association (HOA), not the City, would be responsible for maintaining.

The developer requested that this item be placed on a City Council Agenda to discuss further options whereby the HOA would not have to take on the lighting system in order to have upgraded street lights. There are not numerous examples of other cities' policies addressing this particular issue. Possibly the best example from the research staff conducted was the City of Missouri City, which will enter into an agreement where the HOA is responsible for additional ongoing costs above and beyond the standard number of street lights. The only risk in this case may be reliance on an HOA for the long term maintenance costs.

At this time, staff is requesting direction from City Council as to whether the City should (1) keep the current Ordinance as it is, or (2) proceed with an Ordinance Amendment similar to Missouri City's (attached) that would allow the developer to install ornamental lights provided the HOA is responsible for the costs associated with the additional lights. The latter could be done through an Amendment to the "Subdivision" Ordinance, and potentially the Design Standards. Should City Council direct staff to move forward with one of these options, this item will likely also need to be reviewed by the Planning Commission for their recommendation due to involving the "Subdivision" Ordinance and Design Standards?

Key discussion points:

- Travis Tanner, Planning Director gave an overview and presented a Power Point on the item.
- **Options Under Current Ordinance**
 - 1) Install standard lights and City accepts system and costs
 - 2) Install ornamental lights and HOA accepts costs
 - 3) Ornamental lights are smaller and require more lights to meet the same lighting standards
 - 4) Therefore ornamental lights would result in greater costs to the City if accepted by the City
- **Example**
 - Install standard lights and City accepts system and costs
 - Install ornamental lights and HOA accepts costs
 - Ornamental lights are smaller and require more lights to meet the same lighting standards
 - Therefore ornamental lights would result in greater costs to the City if accepted by the City
- **Recommendation**
 - Ornamental street light policy/ordinance that meets the following criteria:
 - No additional cost to the City
 - Does not discourage upgrading lights
 - Missouri City design standards allow City to accept ornamental lights if HOA pays the cost above and beyond standards lights
 - Similar ordinance is recommended
 - Councilor McConathy stated she researched this and cities like Seguin, Carrollton, Fresno, Corpus Christi, and Columbia in addition to others that have adopted ordinances such as this. Most of them put the expense on the HOA or the developer rather than the city carrying that expense. She gave an example of verbiage used.
 - Travis Tanner stated Missouri City is the only one staff could identify that has a hybrid where the city picks up the typical cost and the HOA pays for above and beyond. We focused on cities in our area. This is for new subdivisions.
 - Councilor McConathy stated we need to consider addressing where it is an existing one that wants to upgrade to decorative.
 - Travis Tanner stated this would serve that purpose as well and is something staff can look at

when we draft an ordinance.

- Councilor Benton stated he leans toward the HOA absorbing the entire cost because of accounting issues.
- Travis Tanner explained when someone develops a new subdivision in particular they can install the standard street lights and the city accepts that system and pays for the maintenance cost. That is the current policy. If someone installs decorative street lights it will require more lights. If the City wants to take on the entire maintenance cost we would incur more cost. We are talking about here is if someone wants to do decorative street lights the City would accept the typical cost, the cost of thirty lights, but the HOA would be responsible for the additional cost. We don't want to incur more cost but we also don't want to discourage someone from developing an upgraded product. We would require the HOA to pick up any additional cost. It would be done through separate accounts with CenterPoint.
- Councilor Benton asked if each light is metered. Travis Tanner said no but a separate account can be setup with CenterPoint that the HOA can pay for part and the City can pay for part.
- Councilor Benton stated when a new development comes in does the City or the developer pay for the light fixtures. Travis Tanner stated that CenterPoint designs a lighting system and the City nor the developer pays for the cost of the standard street lights. It is the on-going cost that the City accepts. If it is a decorative light the developer has to pay for that.
- Councilor Benton asked who pays the light bill. Travis Tanner stated the City pays for that for the standard lights.
- Joyce Vasut stated under the current ordinance the developer pays the first three years of the light bill upfront. The first three years they cover 100% of the cost. We collect that in advance and they pay us. CenterPoint will not install the fixtures until they have our approval that we have been paid for the first three years of operation of those lights. When the lights are installed they are setup in an account in the City of Rosenberg's name and we pay the bills but we have already been paid in advance for the first three years. After that, the City continues to pay that bill. Light bills are difficult to read but it is based on the number of certain types of lights with certain lumens. We pay for lights all around the City.
- Mayor Morales stated Center Point had a program for security lighting at one time with a fixed cost but they eliminated that program.
- Councilor Bolf stated she does not oppose to it as long as the HOA pays the difference in cost.
- Councilor Euton stated she has no objection to it if they pay the difference in cost.
- Mayor Morales stated based on what has been explained, it is to our advantage for them to upgrade and enhance their development. It helps the future of the City. At this point he would encourage staff to put the ordinance together based on those criteria.
- No action was taken on the item.

5. REVIEW AND DISCUSS PROPOSED AMENDMENTS TO THE "SOLICITATION" ORDINANCE, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.

Executive Summary: A request was made to review the City's current ordinances to address the practice of panhandling. Staff has reviewed the "Solicitation" Ordinance and applicable law and has developed several proposed changes to the existing Ordinance.

This Agenda item will provide an opportunity for City Council to discuss the Ordinance regulating itinerant vendors, solicitors and peddlers and make recommendations to staff.

Key discussion points:

- Dallis Warren, Interim Police Chief gave an overview of the proposed changes to the current City ordinance, Chapter 16, Article IV – Itinerant Vendors, Solicitors and Peddlers.
- We currently have no ordinance provisions for panhandling. Panhandling is a practice of approaching anyone in a public area and asking for money. This is a federally protected right. It is considered a freedom of speech issue whenever you regulate approaching people in a public area. The courts have ruled in can be regulated in three (3) different ways: 1) by behavior-regulate aggressive panhandling; 2) prohibited in specific locations, such as banks; 3) regulation by geographic area. The courts have a significant hurdle to regulate by geographic



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
12	Revised 2014 Meeting Schedule and Submittal Deadlines Calendar

MOTION

Consideration of and action on a revised Planning Commission Meeting Schedule and Submittal Deadlines Calendar to be implemented by July 2014.

RECOMMENDATION

Staff has no recommendation for this item.

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

SUPPORTING DOCUMENTS:

1. Planning Commission Meetings and Submittal Deadlines 2014 – Revised
2. City Council Meeting Minute Excerpt – 01-21-14

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

___ Executive Director of Community Development

___ City Engineer

EXECUTIVE SUMMARY

On January 21, 2014, the Planning Commission (Commission) brought forward a Resolution to City Council regarding the continuation of Wednesday meetings. At that time, City Council opted to maintain the recent policy change on meetings and directed the Commission to create a new meeting calendar establishing new meeting dates and plat submittal deadlines. The current calendar, as approved in October 2013, will be utilized through June 2014.

Staff has prepared the attached revised meeting calendar and submittal deadlines, proposed to begin in July 2014. In order to accommodate staff availability, the proposed calendar would move the regular Commission meetings to the fourth Monday of each month. Staff recommends the Commission review and discuss the proposed revised calendar for adoption or propose an alternate meeting date.

City of Rosenberg Planning Commission Meetings and Submittal Deadlines 2014

Planning Commission Deadlines

Initial Submittal	Revised Submittal from Applicant	Planning Commission Meeting
Friday, December 27, 2013	The Revised Submittal deadline will be communicated to applicants with the Initial Submittal Report.	Wednesday, January 22, 2014
Friday, January 31, 2014		Wednesday, February 26, 2014
Friday, February 28, 2014		Wednesday, March 26, 2014
Friday, March 28, 2014		Wednesday, April 23, 2014
Friday, May 02, 2014		Wednesday, May 28, 2014
Friday, May 30, 2014		Wednesday, June 25, 2014
<i>Wednesday, July 02, 2014</i>		<i>Monday, July 28, 2014</i>
<i>Wednesday, July 30, 2014</i>		<i>Monday, August 25, 2014</i>
<i>Wednesday, August 27, 2014</i>		<i>Monday, September 22, 2014</i>
<i>Wednesday, October 01, 2014</i>		<i>Monday, October 27, 2014</i>
<i>Wednesday, October 29, 2014</i>		<i>Monday, November 24, 2014</i>
<i>Wednesday, November 26, 2014</i>		<i>Monday, December 22, 2014</i>

Notes

1. A submittal is required each month on the "Initial Submittal" deadline, regardless of whether or not staff has previously reviewed the plat.
2. If required documents are not submitted on time, plats will not be placed on the agenda for that particular month.
3. Planning Commission Deadlines are at 12:00 p.m., City Council Deadlines are at 4:30 p.m, unless otherwise noted. Dates in *italics* signify deadlines that do not fall on the regularly scheduled **Wednesday** for Planning Commission or the regularly scheduled Thursday for City Council.
4. Schedule is subject to change. Please contact the Planning Department at 832-595-3500 to verify deadline dates and times.

City Council Deadlines

City Council Submittal	City Council Meeting
Thursday, December 19, 2013	Tuesday, January 07, 2014
Thursday, January 02, 2014	Tuesday, January 21, 2014
Thursday, January 16, 2014	Tuesday, February 04, 2014
Thursday, January 30, 2014	Tuesday, February 18, 2014
Thursday, February 13, 2014	Tuesday, March 04, 2014
Thursday, February 27, 2014	Tuesday, March 18, 2014
Thursday, March 13, 2014	Tuesday, April 01, 2014
Thursday, March 27, 2014	Tuesday, April 15, 2014
Thursday, April 17, 2014	Tuesday, May 06, 2014
Thursday, May 01, 2014	Tuesday, May 20, 2014
Thursday, May 15, 2014	Tuesday, June 03, 2014
Thursday, May 29, 2014	Tuesday, June 17, 2014
Thursday, June 12, 2014	Tuesday, July 01, 2014
Thursday, June 26, 2014	Tuesday, July 15, 2014
Thursday, July 17, 2014	Tuesday, August 05, 2014
Thursday, July 31, 2014	Tuesday, August 19, 2014
Thursday, August 14, 2014	Tuesday, September 02, 2014
Thursday, August 28, 2014	Tuesday, September 16, 2014
Thursday, September 18, 2014	Tuesday, October 07, 2014
Thursday, October 02, 2014	Tuesday, October 21, 2014
Thursday, October 16, 2014	Tuesday, November 04, 2014
Thursday, October 30, 2014	Tuesday, November 18, 2014
Thursday, November 13, 2014	Tuesday, December 02, 2014
<i>Wednesday, November 26, 2014</i>	Tuesday, December 16, 2014

REGULAR AGENDA

2. **RECEIVE PUBLIC COMMENT FROM FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 162 REGARDING INCREASE IN MONTHLY FIRE PROTECTION FEE PURSUANT TO THE RESTATED AND AMENDED FIRE PROTECTION AGREEMENT.**

Executive Summary: The Board of Directors for Municipal Utility District No. 162 (MUD No. 162) has requested an Agenda item to address City Council regarding the Restated and Amended Fire Protection Agreement (2012) as it relates to Resolution No. R-1701, which extended the compliance deadline for the provision of fire services to September 30, 2016.

Key discussion points:

- Lora Lenzsch, City Attorney stated that a representative from the MUD was supposed to be here to address Council.
- No one from the MUD was present at the meeting.
- No action was taken.

3. **CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE ROSENBERG PLANNING COMMISSION SUPPORTING THE CONTINUATION OF THE COMMISSION'S ESTABLISHED MEETING SCHEDULE OF THE FOURTH WEDNESDAY OF EACH MONTH, EXCLUDING NOVEMBER AND DECEMBER; AND, SUPPORTING THE ABILITY OF CITIZEN VOLUNTEERS SERVING EACH CITY BOARD, COMMITTEE, COMMISSION, AND TASK FORCE TO DETERMINE THE BEST MEETING DATE AND TIME TO PERFORM THE BUSINESS OF SAID BOARD, COMMITTEE, COMMISSION, AND TASK FORCE.**

Executive Summary: Rosenberg Planning Commission (Commission) is one volunteer group impacted by this change in policy as it meets on the fourth Wednesday of each month. In deference to the Commission's published meeting schedule and plat submittal deadlines, City Council has allowed the Commission to continue to meet as scheduled until June 2014.

In light of City Council's decision, staff scheduled a Commission Agenda item for November 20, 2013, for the Commission to consider alternative meeting days and times. The Commission discussed this policy change at its November meeting, and on December 18, 2013, and has prepared the attached Resolution in support of continuing to meet on its established meeting schedule and in support of all citizen volunteers serving the City to determine mutually agreeable meeting schedules for each group.

The Commission, while cognizant that its members serve at the pleasure of City Council, respectfully submits the attached Resolution and requests that the City Council revisit this policy change and let citizen volunteers determine their own group's meeting schedule.

Speakers:

- The following citizens spoke at the meeting:
- **Mike Parsons, 2635 Sequoia, Rosenberg, Texas.**
- On the topic of assigned non-meeting dates, once again, at the probable risk of not being re-elected to the Planning Commission for the next term, I will suggest that City Council extend their focus to what the City of Rosenberg will be 20 to 25 years from now, rather than micro-manage Volunteer Committees. We all realize that various religious organizations meet on various days. That being said, you regularly schedule workshops on Saturday where citizens of Jewish preference attend services. You continue to hold Council Meetings on Tuesday where the Knights of Columbus, a Catholic Organization meets.
- Why not simply leave the decisions of meeting dates to the volunteers themselves and allow the majority rule. That appears to be the feelings of four of the six members on Council trend with regards to the One Way Pairs....Council we simply see some consistency in your directions?
- With regards to growth, like it or not the City will grow. There is absolutely no question to that fact. How it grows is somewhat dependent on the foresight of Council. I understand that some Council Members scoff at the growth of Katy, Fulshear, Sugar Land and/or Pearland in their emails. If that is not what you want for Rosenberg I would assume at the next election you might inform us exactly what you would like it to be 20-25 years from now and how that is in contrast to

those that may be running against you.

- If you want Rosenberg to stay like it is please have the intestinal fortitude to make that public if and when you run again. Thank you.
- **Pete Pavlovsky, Planning Commission Chairman.**
- He stated there is a copy of the resolution in the packet for the record. The Planning Commission is asking that they be allowed to set a date, preferably maintain what they have been doing for years and years and years, meeting on Wednesday night except in November and December depending on how the holidays fall on those two months. He asked Council to let them serve when they feel like they can do the best job for the City.

Key discussion points:

- Councilor Euton asked what the vote was with the Commission. Pete Pavlovsky stated it was five to one. Five in favor and the other said it didn't matter to him.
- Councilor Pena stated he thought this had already been resolved. We voted to change the date and his vote will stay the same.
- Councilor Bolf stated that she appreciates people wanting to serve but when citizens came to present this, it would open the door for more. She understands the controversy but she believes that we agreed with Mr. Kalkomey's request that this could meet on Wednesday because of due dates to the end of May so things could be adjusted. Pete Pavlovsky stated until the end of June. Councilor Bolf stated this has been discussed and she thinks it opens the door for more. She does not understand why it is such an issue. She does not think they are micromanaging. She believes City meetings should not be on Wednesday.
- Councilor Benton stated he talked to Commissioners Urbish, Phipps and Poldrack and they have recanted their support of the proclamation. We no longer have five out of six. You have three out of six and the liaison that wishes that we consider folks that would go to church on Wednesday. As he reflects back with the City on committees we all served at the will of Council. When he joined the Image Committee in 2001 there were times we did not have a meeting. It was not a Council decision; it was Councilor Hopkins' decision. He was Chairman of the Committee. If he did not want to meet we did not meet. We didn't go to Council and get a representative to come up here. It was his decision. He thinks this Council has done due diligence in doing their best in letting Council make a decision. We have already reviewed this and voted. If we revisit every item we discuss twice we will have to start paying overtime. He would suggest that no action be taken on the item and uphold the policy we debated.
- Councilor McConathy stated we as a Council appreciate everybody voicing their opinion but she stands by her decision.
- Mayor Morales stated he thinks each committee should make their own decisions for meeting times.
- Lora Lenzsch stated since there are opposing positions regarding the item she suggested voting on it and putting it to rest.
- Councilor Benton disagreed. We have a policy in place.

Action: Councilor Benton made a motion, seconded by Councilor McConathy to uphold the decision made earlier and take no action. The motion carried by a vote of 5 to 2 as follows: **Yeses: Councilors Benton, McConathy, Pena and Euton. Noes: Mayor Morales and Councilor Grigar.**

4. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-03, AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY DELETING ALL OF SECTION 29-269 (E), OF ARTICLE VI OF CHAPTER 29, SERVICE UNITS; AND SUBSTITUTING THEREFOR A NEW SECTION 29-269 (E) OF ARTICLE VI OF CHAPTER 29, ESTABLISHING THE NUMBER OF LIVING UNIT EQUIVALENTS (LUES) FOR WATER METER (TAPS) EXCLUSIVELY FOR LANDSCAPE IRRIGATION SYSTEMS AS ZERO AND NO FEES SHALL BE COLLECTED; AND PROVIDING FOR SEVERABILITY.**

Executive Summary: On January 07, 2014, City Council considered Ordinance No. 2014-01 that would adopt the updated land use assumptions, capital improvements plan and both the maximum and effective water and wastewater impact fees. After discussion regarding the collection of water impact fees for landscape irrigation meters, City Council took action to table the Ordinance.



PLANNING COMMISSION COMMUNICATION

February 26, 2014

ITEM #	ITEM TITLE
13	Staff Report of Current Activities and Requests for Future Agenda Items

MOTION

Consideration of and action on the Staff Report of Current Activities and requests for future agenda items.

RECOMMENDATION

N/A

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

SUPPORTING DOCUMENTS:

1. None

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

___ City Engineer

EXECUTIVE SUMMARY

The Staff Report of Current Activities consists of projects that staff is currently working on as well as other updates that are relevant to the Planning Commission. This item also allows the Planning Commission the opportunity to request that items be placed on future agendas.

At the meeting, staff will provide updates on the Comprehensive Plan update process and "Sign" Ordinance amendments, which are the main items the Planning Department is focused on at this time. A Professional Services/Engineering Project Review Committee (Committee) meeting was held on February 11, 2014, to discuss consultants' qualifications for the Comprehensive Plan update. The Committee unanimously recommended to City Council that Kendig Keast Collaborative be selected to complete the project. A contract must be approved by City Council to move forward. This is a budgeted project.

Staff continues to work on completing the "Sign" Ordinance amendments that have been prioritized by City Council. On February 18, 2014, an Ordinance was presented to City Council regarding maximum freestanding sign heights and sizes for Avenues H and I and State Highway 36. The Ordinance was tabled by City Council and will be reviewed at a future meeting.

ITEM 14

Announcements.

ITEM 15

Adjournment.