

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, May 21, 2014
TIME: 4:00 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 April 23, 2014. (LeLaurin)
2. Consideration of and action on a Preliminary Plat of Summer Lakes Section Six, being a subdivision of 17.14 acres out of the Joseph Kuykendahl Survey, A-49 and the Wiley Martin Survey, A-56, in the City of Rosenberg, in Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 144); 80 lots, 6 blocks, 3 reserves. (Tanner)
3. Consideration of and action on a recommendation regarding the FY2015 Capital Improvements Program (CIP). (Maresh)
4. Review and discuss outside display of merchandise in commercial parking lots, and take action as necessary to direct staff. (Tanner)
5. Review and discuss the parking of vehicles on unimproved surfaces in residential front yards, and take action as necessary to direct staff. (Tanner)
6. Consideration of and action on the Staff Report of Current Activities and Requests for Future Agenda Items. (Tanner)
7. Announcements.
8. Adjournment.

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

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the 16th day of May 2014, at 8:35 A. m. by
Linda Cernosek



Linda Cernosek
Attest:
Linda Cernosek, TRMC, City Secretary

Robert Gracia
Approved for Posting:
Robert Gracia, City Manager

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

ITEM 1

Minutes:

- 1. Planning Commission Regular Meeting Minutes for April 23, 2014.**

PLANNING COMMISSION MEETING MINUTES

DRAFT

On this the 23rd day of April 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
Lester Phipps, Jr.	Planning Commission Vice Chairperson
Wayne Poldrack	Planning Commission Secretary
Alicia Casias <i>*arrived 6:10 p.m.</i>	Planning Commissioner
Mike Parsons	Planning Commissioner
James Urbish	Planning Commissioner

STAFF PRESENT

Travis Tanner	Executive Director of Community Development
Justin Jurek	Fire Marshal
Mike Garcia	Rental Inspector
Charles Kalkomey	City Engineer
Lora Lenzsch	City Attorney
Renée LeLaurin	Secretary II

OTHERS PRESENT

Llarance Turner	Kelly R. Kaluza & Associates, Inc.
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CALL TO ORDER

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

AGENDA

1. *(This item was considered and action taken after Item No. 6)*
CONSIDERATION OF AND ACTION ON MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF MARCH 26, 2014.

Key Discussion:

- Chairperson Pavlovsky inquired of Ms. Lenzsch if it is allowable for Commissioner Urbish to serve on the Business Assistance Grant Review Committee. The Charter states that Planning Commissioners may not serve on any other committees.
- Ms. Lenzsch replied that there are two specific committees, one of which is the Planning Commission, and that individuals may not serve on both. The other committees are discretionary.
- Commissioner Parsons replied that the Charter restricts Commissioners from serving on other committees.
- Mr. Tanner replied that staff will need to look into it as the Review Committee guidelines specifically call for a representative of the Planning Commission to serve. We will need to look at that conflict.
- Commissioner Parsons suggested changing the Review Committee's name to Task Force. Planning Commissioners may serve on Task Forces.
- Commissioner Urbish replied that the Charter also states that it is up to the pleasure of City Council if they wish for you to take on other roles.
- Ms. Lenzsch stated that she will have an answer later in the meeting.

Following discussion of Item No. 6, the Commission returned to deliberate the minutes.

- Ms. Lenzsch stated that according to Section 8.03 of the City Charter, that City Council may appoint a Planning Commission of 6 members that may not serve in any other capacity of City government. Arguably, the Planning Commission is not part of the City government but since there is another provision for the composition of the Planning Commission, it could also be considered as part of City government. Historically, the Commissioners have not been allowed to serve on any other boards or committees.
- Commissioner Parsons replied that in his service to the City as a Commissioner, he has only been able to serve on groups that are Task Forces.
- Ms. Lenzsch replied that "task force" indicates there is a single purpose of the group and there is a start and finish to their work.
- Mr. Tanner stated that the guidelines approved by Council include a Planning Commissioner to serve on the Business Assistance Grant Program Committee. He does not feel there is an issue. Council approved this committee and its make-up and that overrides any ambiguity in the Charter.

Action Taken: Commissioner Urbish moved, seconded by Commissioner Casias, to approve the minutes of the March 26, 2014 Planning Commission meeting as written. The motion carried by a vote of five "ayes" to one abstention. **Ayes:** *Chairperson Pavlovsky, Vice Chairperson Phipps, Commissioners Casias, Poldrack and Urbish.* **Abstention:** *Commissioner Parsons.*

2. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF BUSINESS PARK DRIVE AND INNOVATION COURT STREET DEDICATION, A SUBDIVISION OF 6.727 ACRES CONTAINING 3,462 L.F. OF R.O.W. OUT OF THE S.B. PENTECOST SURVEY, A-378, FORT BEND COUNTY, TEXAS.

Executive Summary: This item consists of the Final Street Dedication Plat of Business Park Drive and Innovation Court. The proposed street dedication is located in the Rosenberg Business Park and will connect to the southeast side of FM 2218 between the intersections of FM 2218, Bryan and Danziger Roads. This is the right-of-way dedication that is needed for the Rosenberg Development Corporation (RDC) and City to construct the street and utilities per the approved Development Agreement.

The proposed Plat contains 3,462 linear feet of right-of-way and 6.727 acres. At its intersection with FM 2218, Business Park Drive's right-of-way width is 100 feet. It later tapers down to an 80-foot right-of-way width in accordance with the Agreement. Innovation Court is a proposed 80-foot right-of-way cul-de-sac street.

The streets are consistent with the Development Agreement and approved Land Plan for the Rosenberg Business Park. The Land Plan was approved by the Planning Commission on June 26, 2013. There may be additional rights-of-way dedicated depending on future users in the Business Park and their impact on the roadway system. At this time, however, the Plat is in accordance with the Agreement, with the Land Plan, and with the Preliminary Plat, which was approved by the Planning Commission on June 26, 2013, and for which a six-month extension of approval was granted on December 18, 2013.

There were no issues with the layout of the Preliminary Plat; however, the street names were subject to approval by the RDC before Final Plat approval. The Preliminary Plat was submitted as containing Business Park Drive and Park Court. Park Court was changed to Innovation Court per the recommendations of the RDC. There being no remaining issues, staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of Business Park Drive and Innovation Court Street Dedication.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Chairperson Pavlovsky inquired if the east end would ever tie into the freeway.
- Mr. Tanner replied that this plat does not have any freeway frontage.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Urbish, to recommend

approval to City Council of the Final Plat of Business Park Drive and Innovation Court Street Dedication, a subdivision of 6.727 acres containing 3,462 l.f. of R.O.W. out of the S.B. Pentecost Survey, A-378, Fort Bend County, Texas. The motion carried unanimously by those present.

3. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF WALSH ROAD INDUSTRIAL PARK, A SUBDIVISION OF 24.259 ACRES OF LAND OVERALL BEING A PARTIAL REPLAT OF RESERVE "C" (CALL 14.2272 ACRES – TRACT I; FORT BEND COUNTY CLERK'S FILE NO. 2013125509) AND A PARTIAL REPLAT OF RESERVE "D" (CALL 7.9822 ACRES – TRACT II & CALL 2.0025 ACRES – TRACT III; FORT BEND COUNTY CLERK'S FILE NO. 2013125509) OF FIFTY-NINE SOUTH INDUSTRIAL PARK SUBDIVISION (VOLUME 27, PAGE 11; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) BEING IN THE HENRY SCOTT SURVEY, ABSTRACT NO. 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 0 LOTS, 20 RESERVES, 3 BLOCKS.**

Executive Summary: The Preliminary Plat of Walsh Road Industrial Park is a proposed subdivision consisting of approximately 24.26 acres and 20 reserves. It is located immediately north of the intersection of Walsh and Klauke Roads. The proposed reserves are an average of one (1) acre in size. Also included are proposed Reserves "A" and "M" restricted to drainage use for detention purposes.

From a development standpoint, the proposed deed restrictions for the subdivision generally limit the property to office, warehouse, distribution and light manufacturing use. The restrictions also provide for the association to maintain common areas such as the detention pond. The restrictions shall be recorded prior to filing of the Plat and Note No. 21 on the Plat will be completed. It is also important to note that the West Fort Bend Management District (WFBMD) bisects the property being replatted and encompasses six (6) of the proposed reserves or building sites, and a portion of two (2) others. The WFBMD's standards will play a role in the future development of those sites.

The proposed Plat also constitutes a partial replat of Fifty-Nine South Industrial Park, originally platted in 1981. That being said, a public hearing was held when the Preliminary Plat came before the Planning Commission on December 18, 2013. The Preliminary Plat was approved by the Commission. City staff has reviewed the proposed Final Plat and has found it not to be in conflict with any regulations. Staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of Walsh Road Industrial Park.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired if there were any changes from the Preliminary Plat.
- Mr. Tanner replied that there were changes but nothing to affect compliance with the regulations.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Poldrack, to recommend approval to City Council of the Final Plat of Walsh Road Industrial Park, a subdivision of 24.259 acres of land overall being a partial replat of Reserve "C" (call 14.2272 acres – Tract I; Fort Bend County Clerk's File No. 2013125509) and a partial replat of Reserve "D" (call 7.9822 acres – Tract II & call 2.0025 acres – Tract III; Fort Bend County Clerk's File No. 2013125509) of Fifty-Nine South Industrial Park Subdivision (Volume 27, Page 11; Plat Records of Fort Bend County, Texas) being in the Henry Scott Survey, Abstract No. 83, City Of Rosenberg, Fort Bend County, Texas; 0 lots, 20 reserves, 3 blocks.

Additional Discussion:

- Chairperson Pavlovsky inquired if any consideration had been given to the turn on Klauke Road.
- Mr. Tanner replied that is a unique intersection. We did not look at it with this development as they are just north of that intersection and they do not own any of that ROW. It is not anything we have specifically looked at.
- Chairperson Pavlovsky stated that it may be a good idea to look at that before changing addresses to avoid confusion.

Action Taken: Upon voting, the motion carried unanimously by those present.

4. REVIEW AND DISCUSS THE CITY'S MULTI-FAMILY REGULATIONS, RENTER-OCCUPIED HOUSING STATISTICS, AND THE RENTAL INSPECTION PROGRAM, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.

Executive Summary: The Planning Commission requested a discussion item on the Rental Inspection Program and multi-family development standards at the March 26, 2014, meeting. For review, attached are Code excerpts from Chapter 6, Articles VIII – Multi-Family Developments, XVI – Parking Lot Standards and Specifications, and XIX – Rental Registration and Inspection. It should be noted that Section 6-461 of Article XIX specifies that rental inspections will be made to determine compliance with applicable standards in the City's building, housing, property maintenance, electrical, plumbing, health, and zoning codes. The City recently adopted updated codes for several of these sections in late 2013 but these Ordinances have not yet been codified.

Questions have recently been asked regarding the percentages of multi-family development and renter-occupied housing currently in the City. Based on data compiled in-house, the City's housing stock is approximately 28 percent (28%) multi-family. Based on 2010 U.S. Census data, the City's occupied housing stock is approximately 52 percent (52%) owner-occupied and 48 percent (48%) renter-occupied, whereas Fort Bend County overall is 79 percent (79%) owner-occupied versus 21 percent (21%) renter-occupied. The proportion of multi-family development has shrunk recently with the number of single-family residences being constructed and perhaps due in part to City ordinances.

To better demonstrate the latter trend, staff has provided information on single- and multi-family population over the previous five (5) years that was recently compiled for the Utilities Department. The information is attached. With the exception of one (1) new multi-family development in 2012, the population in multi-family dwellings has stayed the same while the population living in single-family residences has increased significantly. The multi-family units that have been constructed, and are likely to be constructed in the future, are those in existing developments, such as Brazos Town Center and Fort Bend County MUD No. 144, that predate the City's current multi-family parking requirement.

Staff recommends the Planning Commission review the current regulations and direct staff to make any revisions deemed necessary. A representative of the Fire Department, which oversees the rental program, will be present to answer questions. Staff will return with any proposed amendments to be considered on a future Agenda for recommendation to City Council. It is suggested that this discussion be included as part of the forthcoming Comprehensive Plan update.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary. Mr. Tanner pointed out that the City's proportion of multi-family development has decreased as a result of all the single family construction going on recently as well as due to the City's multi-family ordinance. Staff also compiled some data showing that the number of single family homes has increased significantly over the previous five years. Only one apartment complex was added in 2012 but that is the only multi-family development since 2009. The multi-family units likely to be developed in the future are the ones in existing developments, such as Brazos Town Center and the MUD No. 144 PUD (Summer Lakes/Waterford Park) which are under the City's previous regulations. Representatives of the Fire Department are here this evening to answer any questions you may have on the rental inspection program.
- Commissioner Poldrack inquired if there are any other multi-family developments aside from Brazos Town Center that have yet to begin construction.
- Mr. Tanner replied that the MUD No. 144 PUD for Summer Lakes and Waterford Park have several hundred units yet to be built.
- Commissioner Parsons inquired if Mr. Tanner attributed the decline in multi-family developments to the changes this Commission made to the multi-family ordinance.
- Mr. Tanner replied that he believes so.
- Commissioner Parsons replied that based on the fact that there have been no new applications, it indicates that we do not need to tighten those regulations any further.
- Mr. Tanner replied that there is not much more than can be done. The acreage lost to the

- parking requirements is significant and costly.
- Commissioner Poldrack stated that in a number of newer multi-family developments, he has noticed they are putting in private garages. Would that be something we would want to consider requiring?
 - Mr. Tanner replied that 30% of the parking must be covered parking but garages are not required.
 - Commissioner Poldrack stated that he believes requiring garages would assist in public safety.
 - Mr. Tanner replied that additional regulations can be added to the ordinance but the parking requirement is steep and is effectively deterring development. He does not believe additional regulations are needed.
 - Commissioner Poldrack inquired if we currently require on-site management.
 - Mr. Tanner replied that we do not.
 - Commissioner Poldrack inquired if that would be something to consider. If a complex has a certain number of units, then on-site management would be required. Would that be a deterrent to problems?
 - Mr. Tanner replied that he believes that would be a deterrent to properties that are not well maintained and addresses maintenance issues. About a year ago, there was some concern that the parking regulations are too strict and we looked at making them less restrictive. The direction at that time was that we did not want to loosen up the parking ordinance. If someone were to loosen it in the future, his advice would be to add some other requirements.
 - Commissioner Parsons stated that if nearly 50% of the residents are renters, he does not see any need to make it easier to build more rental housing.
 - Chairperson Pavlovsky stated to Commissioner Poldrack that many apartment complexes have a police officer living on site for security purposes.
 - Fire Marshal Jurek replied that as far as having them on site as a deterrent, it would not really be a deterrent from the Fire Department's view. What would help would be time to get our units back in service so we can turn things over to the property manager when there is damage. Would it be a crime deterrent? Most complexes in the City already have security on site or they have management on site. In speaking with Inspector Garcia, he confirmed that just about every multi-family property has management, maintenance, or security officers living on site.
 - Chairperson Pavlovsky inquired if any complexes have security guards or police officers.
 - Inspector Garcia replied that the majority of security for these complexes is by local police officers.
 - Commissioner Poldrack inquired if the Fire Department feels confident that the multi-family complexes are somewhat safe and secure.
 - Fire Marshal Jurek replied that the security officers are not always on site; they have their regular jobs but are available on an on-call basis. Some have agreements to walk the property a certain number of times. Is that a crime deterrent? Yes, it is. Is it adequate? He is not a specialist in this area but he believes it to be adequate.
 - Commissioner Parsons stated that the police department at one time kept a list of incidents at apartment complexes. Is this list still maintained? It may be worth looking at statistical data gathered over the years to see if this is working.
 - Chairperson Pavlovsky inquired if the rental inspectors have any issues with management not being cooperative and allowing access to certain areas.
 - Fire Marshal Jurek replied that the main problem is availability in the nighttime hours from 10:00 p.m. to 7:00 a.m. if they do not live on site.
 - Chairperson Pavlovsky replied that it may be beneficial to require on site management for multi-family of a certain size.
 - Commissioner Poldrack replied that the number should be reasonable; 20-30 residents would require on-site management.
 - Mr. Tanner replied that the City of Sugar Land does their multi-family by planned unit developments such as the one we have here in MUD No. 144, and they have criteria for their PUDs for on-site management and amenities that enhance the quality of development to ensure they have the type of development they want.
 - Commissioner Parsons stated that the last discussion we had on renters involved rental houses as well and how those property owners are required to keep their properties livable. One of the

questions we had was that there appears to be a number of houses that do not have water. The idea to bring in the rental inspector was to see how often we run into these problems when the inspections are done. Is there any idea of how many houses are rentals but are not registered as rental properties?

- Fire Marshal Jurek replied that he cannot provide a number to that question due to the fact that they have to run across unregistered rentals to get those numbers. CAD research would not provide us with that information as not everyone has homesteaded their properties.
- Commissioner Parsons inquired how many single family homes are on the rental role.
- Fire Marshal Jurek replied that he does not have that number but can provide it later.
- Commissioner Parsons inquired if there is any correlation between how many cars are parked at a residence vs. being renter occupied or owner occupied? The renter gets the family in and requires the family to pay the water bill. We should be able to tell which homes do not receive a water bill.
- Inspector Garcia replied that when Citizen Relations gets a complaint, they will send it to Code Enforcement and to Rental Inspection. If the complaint is regarding a rental property, we will investigate. If the property is occupied by home owners, Code Enforcement will get involved. If the property is rental, the Rental Inspector will get involved. This comes up about twice a month.
- Commissioner Urbish inquired what the breakdown is between rental properties without water or homesteads without water. There are plenty of homes in Rosenberg that have renters occupying them and he would be curious see what percentage is a problem versus the rest of the population.
- Commissioner Parsons stated that from the last conversation, it appears this issue comes up quite a bit.
- Ms. Lenzsch replied that it goes in spurts. We have not seen many in the last several months but prior to those months, it was very frequent.
- Commissioner Parsons inquired if the court keeps records of these charges.
- Ms. Lenzsch replied that the court can sort by offense but sometimes they just show up as code violation and we cannot tell which code was violated.
- Commissioner Casias stated that the rental inspections occur once a year for compliance. After the registration, how are the inspections conducted? Is it annually or random selection?
- Inspector Garcia replied that the inspections are random. If he does not have a complaint that week, the majority of his inspections are on a complaint basis. If he does not have anything, and would just select random rentals for inspection and known problem areas.
- Commissioner Casias inquired about the small complexes on Avenue G and 8th Street. Are those problem areas?
- Inspector Garcia replied yes, those are problem areas. The number of complaints on that area is very high.
- Commissioner Casias inquired if we have the capability to close the structure.
- Inspector Garcia replied that the City may not close it unless it is an actual dangerous building. The complaint basis is termination of water. That particular complex on Avenue G is a four unit complex which is also connected to a duplex owned by the same person. They are all on one meter and when the property owner neglects to pay the bill, the water is shut off.
- Commissioner Parsons inquired what the penalty is for recurring offenders without water.
- Fire Marshal Jurek replied that the ordinance allows them time to comply. As long as they reconnect before the second inspection, there are no penalties.
- Commissioner Parsons inquired if there is anything that staff or Council may do to instill penalties. We have a large number of repeat offenders need to have some fine to teach them that this is not in their best interest to allow this to occur. It costs the City to investigate and months later, the same re-offenders are at it again.
- Fire Marshal Jurek replied that the rental inspection program is under review and current processes are being evaluated to see where we can improve. We can take your recommendations under consideration to add something to the program along those lines.
- Commissioner Poldrack stated that there are some unregistered rental properties. Has the department ever considered comparing the CAD database with the Customer Service database to match up the properties?

- Fire Marshal Jurek replied that would be very time consuming.
- Inspector Garcia stated that many unregistered rental properties are simply ignorant of the program. It is all about advertisement and education about the program. He catches them by their yard signs advertising the property for lease. Once contacted, many of the property owners or management companies leasing single family homes are simply unaware of the program. He is working with local management companies to help educate them and make them aware of the ordinance. He is also working with customer service to receive a list of all properties that come in to apply for new water service. He is also working to make sure the property is registered and requiring registration before new service could be activated.
- Commissioner Poldrack replied that a database may be time consuming to establish but ultimately would be very useful.
- Inspector Garcia replied that there have been occasions when checking a property on CAD that the property is still listed as a homestead and not a rental property.
- Commissioner Parsons inquired if there is a fine for those that do not register as rental property.
- Inspector Garcia replied there is a fine. The fine would apply to those that know about the program and do not register their properties in time. The fine could not be applied to those who are unaware of the program.
- Commissioner Parsons stated that if anyone has any suggestions on how to ensure rental properties are registered, including a significant fine if they do not and distribute that information to realtors, it then becomes their responsibility to get rental property registered. For those that may have registered two properties as homesteads should be reported.
- Fire Marshal Jurek stated that this is part of their review of the current program - ensuring that this information is distributed on the City's website and other means to get the word out and how that may be improved. A property owner purchasing a property to be leased out has 60 days in which to register that rental property.
- Commissioner Parsons replied that there needs to be a penalty in place that is sufficient to make people want to comply with the ordinance.
- Chairperson Pavlovsky inquired if there are specific problem areas.
- Fire Marshal Jurek replied that the department is aware of some specific areas that require them to go out numerous times. There are also instances where residents are skewing the intent of the program by reporting landlords for false violations. Each inspection must be made with an open mind.
- Chairperson Pavlovsky inquired if the majority of problem areas are in multi-family complexes or single family dwellings.
- Inspector Garcia replied that single family dwellings are more problematic. In cases of multi-family violations, some troubled property owners have been working diligently to resolve their issues and get properties cleaned up. There have been some successes and you may have noticed a few complexes that have greatly improved and cleaned up.
- Commissioner Casias inquired if there is a public database where citizens can look up and see which houses around them are registered as rental.
- Fire Marshal Jurek replied there is not a database but he recommends using the Open Records Request to obtain that information.
- Commissioner Poldrack stated that landlords who repeatedly violate the Code need to be held accountable to provide decent rental housing to our citizens. For continual violators, he thinks there needs to be strong penalties for those people.

No action taken.

5. REVIEW AND DISCUSS THE CITY'S SPECIAL ELECTION REGARDING THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) "ONE-WAY PAIRS" PROJECT, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.

Executive Summary: This discussion item was requested at the March 26, 2014 Planning Commission Meeting. The "One-Way Pairs" Project has recently generated a significant amount of discussion and public input. City Council was presented with a petition in December 2013 calling for proposed legislation as follows:

"That the City shall not donate to any person or entity, including TxDOT, the real property owned by the City, and located in the City between Avenue H and Avenue I, and Damon and Louise Streets, for the roadway project known as the "One-Way Pairs" Project. The property may only be sold in the future for fair market value, as determined by independent appraisal."

A Special Election will be held on May 10, 2014, to vote on the petition language above.

Key Discussion:

- Mr. Tanner stated that staff does not have a recommendation for this item. It was requested at the last meeting and we are bringing it forward.
- Commissioner Parsons stated that he knows this is an emotional project that is dividing the City, but he believes under Section 8.03 that we have an obligation to require restrictions be placed on the use of property in the City. From a historical standpoint, it is interesting that we discussed changing Commissioners in the future and the Planning Commission taking a different route. He is sure everyone is aware that this project has gone before City Council four times, starting in 2005. It also went through the Planning Commission for approval is about 2007. He is often asked how he knows the project will work. There is no academic way to prove the project will improve mobility. There some substantial examples in comparable cities that are pure examples of fixing mobility issues in congested areas. In addition to that, a lot of the reluctance opposing this project is change. I have been here for 30 years but those hear longer that do not want change are in for a rude awakening as change is coming. He also believes that we are one group that has an obligation to define what we want this City to look like in twenty to twenty-five years. That may or may not include how we get trash picked up or whether or not certain roads are swept. Mobility must be put on the table and something needs to be done before the population starts. We need to do everything we can to help develop a plan in conjunction with the County and with TxDOT. We need to understand that they know something about mobility that we do not. I think this is an opportunity to send a message.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias, to have roll call vote to determine if the Rosenberg Planning Commission endorses the "One-Way Pairs - Triple Fork" Project.

Additional Discussion:

- Commissioner Parsons stated that both projects are planned but one must come before the other. The funds have been set aside for "One-Way Pairs". The upcoming election on this project means absolutely nothing. As Hartman said in the newspaper the other day, the contract has been let. There is some idea that the City can make the state of Texas change its mind.
- Commissioner Urbish replied that is exactly why the Planning Commission does not need to have a vote on this. It is a "done deal" and it has been beaten to death. He does not see any point in endorsing a project that is going to be built anyway.
- Commissioner Parsons replied that we are joining groups like the Fort Bend Chamber Alliance, the Greater Fort Bend Economic Development Council, and the Fort Bend Chamber of Commerce who have all endorsed the project because they have the foresight to understand this is best for the City of Rosenberg. He thinks we need to see how the Commission feels about this project. We are the people who have constantly gone to Council over the years with one idea after another, to make Rosenberg better. We support this project because we cannot have growth without mobility. All of this is ludicrous spin that people are going to run into each other is foolishness. He believes it is the Commission's duty to endorse the project.
- Commissioner Poldrack replied that he is for mobility but from what he had heard from TxDOT was that it would basically increase green light time for north/south. When he thinks of TxDOT, he recalls that the FM 723 overpass was built too narrow, that wants to build an overpass at the hospital entrance that will cut off Collins Road and Lane Drive.
- Chairperson Pavlovsky stated that he agrees with much of Commissioner Parsons comments in addition to the fact that if this project is not completed, it will be a nightmare. The "One-Way Pairs" Project will help get the area more mobile but it's that triple fork overpass that will really help. He will put his vote with the traffic engineers.

- Commissioner Poldrack requested to hear Mr. Kalkomey's opinion.
- Mr. Kalkomey replied that the "One-Way Pairs" Project will improve mobility. It takes him approximately 7-8 minutes to cross town and he hits every light in the morning. It will greatly improve mobility and safety. Eliminating left-hand movements will tremendously decrease accidents in the area.

Action: Upon voting, the roll call vote in favor of the "One-Way Pairs – Triple Fork" Project is as follows:

- Chairperson Pavlovsky – For
- Vice Chairperson Phipps – For
- Commissioner Poldrack – Abstained
- Commissioner Casias – For
- Commissioner Parsons – For
- Commissioner Urbish - Abstained

6. 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 during the first quarter of 2014 has been compiled and is attached. The City and its Extraterritorial Jurisdiction (ETJ) again experienced significant growth during the first three (3) months of 2014. Following is an overview:

- House Starts:
 - 183 new home starts; 76 in the City and 107 in the ETJ
 - 20 percent more house starts than this time last year
 - Summer Lakes/Summer Park (46), Bonbrook Plantation (43), and River Run at the Brazos (27) had the most house starts.
- Lots Platted:
 - Plats for 230 new lots were submitted; 166 were in the ETJ and 64 were in the City.
 - Bonbrook Plantation had the most lots platted with 108, followed by the Reserve at Brazos Town Center (62) and Walnut Creek (58)
 - Of the 230 lots platted, 73 percent were 60-foot or greater lots.
 - The proportion of larger lots continues to climb as newer developments comply with City ordinances

At the meeting, staff will also provide updates on the Comprehensive Plan 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 Executive Summary. At last night's City Council meeting, staff was directed to move forward with the "Sign" Ordinance for Avenues H and I and State Highway 36. Staff will be taking the professional services agreement for the comprehensive plan update on the May 6th Council Agenda. The residential development activity includes 183 new home starts in the City and ETJ in the first quarter of 2014 as compared to 151 in 2013 so we are above and beyond last year's growth for this quarter. There have been 107 new house starts in the ETJ and 76 in the City. We are seeing more in-City development than we have seen recently. Summer Lakes and Summer Park had the most housing starts followed by Bonbrook Plantation and River Run at the Brazos. Lots platted includes about 230 new plats, the largest number was in Bonbrook followed by Brazos Town Center and Walnut Creek. There are a much greater number of lots greater than 60 feet in width being platted than we have previously seen as well.

No action taken.

7. ANNOUNCEMENTS.

There were no announcements.

8. ADJOURNMENT.

There being no further business, Chairperson Pavlovsky adjourned the Rosenberg Planning Commission meeting at 7:12 p.m.

Renée LeLaurin
Secretary II



PLANNING COMMISSION COMMUNICATION

May 21, 2014

ITEM #	ITEM TITLE
2	Preliminary Plat of Summer Lakes Section Six

MOTION

Consideration of and action on a Preliminary Plat of Summer Lakes Section Six, being a subdivision of 17.14 acres out of the Joseph Kuykendahl Survey, A-49 and the Wiley Martin Survey, A-56, in the City of Rosenberg, Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 144); 80 lots, 6 blocks, 3 reserves.

RECOMMENDATION

Staff recommends approval of the Preliminary Plat of Summer Lakes Section Six.

MUD #	City/ETJ	ELECTION DISTRICT
144 (Summer Lakes/Waterford Park)	City	4

SUPPORTING DOCUMENTS:

1. Preliminary Plat of Summer Lakes Section Six
2. Revised Land and Parcel Plan for MUD No. 144 Planned Unit Development – 11-01-11

APPROVAL

Submitted by:

Travis Tanner

Travis Tanner, AICP
Executive Director of Community
Development

Reviewed by:

Executive Director of Community Development
 City Engineer **CAK/rl**

EXECUTIVE SUMMARY

Summer Lakes Section Six Preliminary Plat contains 17.14 acres and 80 single-family residential lots. It is located within the City Limits and in Fort Bend County MUD No. 144. Specifically, the proposed Plat is located off of Round Lake Drive in the northeast part of Summer Lakes. It consists of the following lot sizes:

- 52, or 65 percent, 50-foot lots
- 28, or 35 percent, 60-foot or greater lots

The above lot sizes are in accordance with the MUD No. 144 Planned Unit Development (PUD) Agreement (see attached Exhibit B, Land Use & Parcel Plan). The Land Use & Parcel Plan simply identifies single-family residential as the proposed use for the areas of the Plat. The Agreement calls for the lots to be a minimum of fifty (50) feet in width and 6,000 square feet. The average lot size is over 8,000 square feet and no lots are less than fifty (50) feet in width or 6,000 square feet.

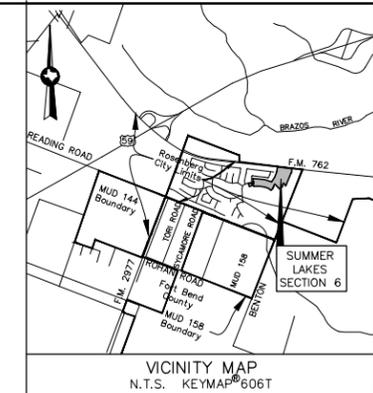
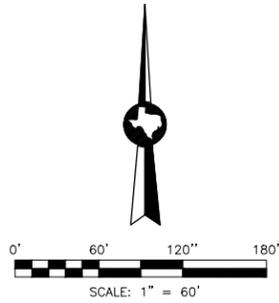
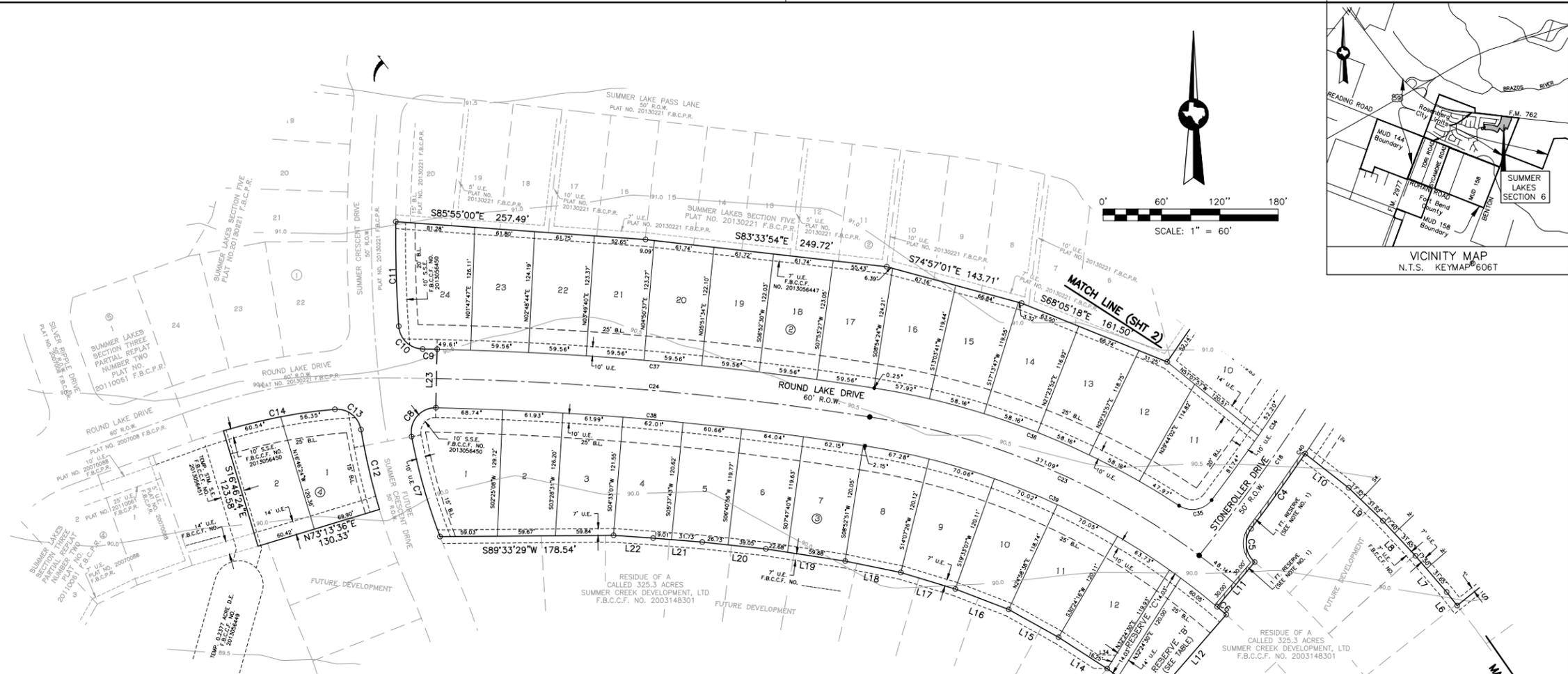
The proposed Preliminary Plat is in conformance with the MUD No. 144 Planned Unit Development (PUD) Agreement. There being no further issues, staff recommends approval of the Preliminary Plat of Summer Lakes Section Six.

GENERAL NOTES

- (1) One-foot reserve dedicated to the public in fee as a buffer separation between the side or end of streets in subdivisions where such streets abut adjacent acreage. The condition of such dedication being that when the adjacent property is subdivided or resubdivided 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.
- (2) B.L. indicates Building Line.
F.B.C.F. NO. indicates Fort Bend County Clerk's File Number
F.B.C.P.R. indicates Fort Bend County Plot Records
O.P.R.O.P. indicates Official Public Records of Real Property.
P.U.D. indicates Planned Unit Development.
R.O.W. indicates Right-Of-Way.
S.S.E. indicates Sanitary Sewer Easement.
S.M.S.E. indicates Storm Sewer Easement.
U.E. indicates Utility Easement.
W.L.E. indicates Waterline Easement.
S indicates Street Name Change.
- (3) All lots shall be restricted to single family residential use.

LOT SQUARE FOOTAGE CHART

BLOCK	LOT	SQ. FT.
1	1	6000
	2	6168
	3	7129
	4	15836
	5	9391
	6	6785
	7	6247
	8	6012
	9	6120
	10	6087
	11	6012
	12	6247
	13	7880
	14	8649
	15	6788
	16-22	6000
	23	8293
	24	11390
	25	9169
	26	6003
	27-28	6000
2	1	6652
	2	6590
	3	6070
	4	6139
	5	6160
	6	6000
	7	6000
	8	6014
	9	6082
	10	6256
	11	8409
	12	7426
	13	7331
	14	7371
	15	7442
	16	7597
	17	7519
	18	7425
	19	7396
	20	7434
	21	7483
	22	7592
	23	7587
	24	9852
3	1	10510
	2	7779
	3	7541
	4	7372
	5	7152
	6	7513
	7	7318
	8	7704
	9	7759
	10	7714
	11	7717
	12	7420
	13	7744
4	1	8259
	2	7402
5	1	10169
	2	6276
	3	6224
	4	6215
6	1	8495
	2-8	6000
	9	6003
	10	9637



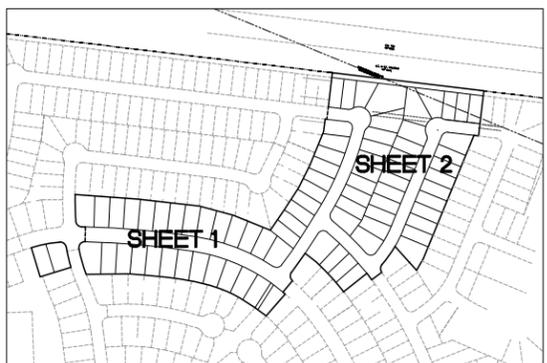
THE SUBJECT PROPERTY LIES WITHIN ZONE "X" (UNSHADED), DEFINED AS AREAS DETERMINED TO BE OUTSIDE 500-YR FLOOD PLAIN, AS DEPICTED ON FLOOD INSURANCE RATE MAP NO. 48157C0265 L, DATED APRIL 2, 2014 ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, BASED ON A SCALED LOCATION OF THE SUBJECT PROPERTY ON THE REFERENCED MAP ON PAGES 1 & 2, HEREIN.

BENCH MARK: NGS W 865, DISK 0.6 MILES EAST OF CRABB, 0.6 MILES EAST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT CRABB, FORT BEND COUNTY, NEAR MILE POLE 58, OPPOSITE RAILROAD BRIDGE 58 A, AT A CONCRETE BRIDGE ON PAVED ROAD PARALLEL TO THE TRACK, IN TOP OF THE SOUTH WALL, 2.2 FEET WEST OF THE EAST END, 22 FEET SOUTH OF THE CENTERLINE OF THE ROAD, 1.5 FEET HIGHER THAN THE ROAD.

ELEVATION = 81.66 FEET, NGVD 29

PROJECT TBM: SQUARE CUT ON BACK OF CURB AT NOSE OF ESPLANADE AT THE EXISTING EASTERLY END OF READING ROAD AT THE WEST RIGHT-OF-WAY LINE OF F.M. 2977.

ELEVATION = 95.80 FEET, NGVD 29



RESERVE	RESTRICTED TO	ACREAGE	SQUARE FEET
A	LANDSCAPE & AMENITIES	0.2846	12,396
B	LANDSCAPE & AMENITIES & DRAINAGE	0.1392	6,064
C	LANDSCAPE & AMENITIES	0.0386	1,680

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	500.89	10°25'43"	91.17	S35°46'47"W	91.04
C2	25.00	78°01'52"	34.05	S01°58'43"W	31.48
C3	1279.89	01°28'45"	33.04	N37°46'43"W	33.04
C4	1821.53	2°59'05"	94.89	S35°49'51"W	94.88
C5	25.00	87°11'50"	38.05	S06°16'31"E	34.48
C6	739.50	07°27'20"	12.33	S49°23'46"E	12.33
C7	597.65	10°14'10"	106.77	N15°56'37"W	106.63
C8	25.00	102°01'56"	44.52	N40°11'25"E	38.87
C9	3359.34	01°15'21"	15.01	N88°58'18"W	15.01
C10	25.00	85°11'29"	37.17	N46°27'15"W	33.84
C11	1362.23	4°31'03"	107.40	N01°35'59"W	107.38
C12	647.65	7°26'46"	84.17	N13°03'01"W	84.11
C13	25.00	85°44'11"	37.41	N52°11'43"W	34.02
C14	573.50	11°40'39"	116.89	S79°05'52"W	116.88
C15	50.00	97°30'50"	85.10	N34°25'51"W	75.19
C16	1196.48	18°09'32"	379.21	N23°24'20"E	377.62
C17	1943.11	1°34'21"	53.33	S31°41'56"W	53.33
C18	1796.53	8°08'09"	255.10	N34°58'50"E	254.89
C19	1064.50	10°20'39"	182.19	N48°13'46"W	181.92
C20	1304.24	6°01'14"	137.05	N40°02'50"W	136.98
C21	476.89	2°32'23"	195.53	N34°08'47"E	194.16
C22	50.00	74°26'10"	64.96	S59°35'39"W	60.49
C23	769.50	31°12'54"	419.23	N65°28'54"W	414.06
C24	3359.34	7°42'17"	447.70	N84°56'29"W	447.37
C25	25.00	37°53'49"	16.54	N77°51'49"E	16.24
C26	50.00	171°54'57"	150.02	N35°07'37"W	99.75
C27	25.00	36°35'14"	15.96	S32°32'15"W	15.69
C28	25.00	97°30'50"	42.55	N34°25'51"W	37.60
C29	1171.48	18°09'32"	371.28	N23°24'20"E	369.73
C30	1221.48	16°39'45"	355.23	N22°33'26"E	353.98
C31	25.00	81°55'12"	35.74	S10°04'18"E	32.78
C32	1089.50	7°58'28"	151.64	N47°02'40"W	151.51
C33	1968.11	1°34'21"	54.02	S31°41'56"W	54.02
C34	1771.53	8°28'57"	199.40	N43°08'14"E	199.30
C35	25.00	85°48'37"	37.44	N80°16'01"E	34.04
C36	799.50	24°15'40"	338.54	N68°57'31"W	336.01
C37	3359.34	7°42'17"	451.74	N84°56'29"W	451.40
C38	3299.34	7°42'17"	443.67	N84°56'29"W	443.34
C39	739.50	31°12'54"	402.89	N65°28'53"W	397.92
C40	1821.53	5°58'10"	189.78	N34°20'19"E	189.69
C41	25.00	98°20'39"	42.91	S80°31'33"W	37.83
C42	1039.50	7°31'49"	136.62	N46°32'13"W	136.52
C43	1279.89	5°47'08"	129.24	N39°55'54"W	129.18
C44	1329.25	1°42'38"	39.68	N42°12'08"W	39.68
C45	25.00	99°59'43"	43.63	N88°39'20"E	38.30
C46	450.89	16°16'55"	128.13	N30°31'01"E	127.70
C47	25.00	48°11'23"	21.03	N01°43'08"W	20.41
C48	50.00	142°22'23"	124.24	S45°22'22"W	94.66
C49	25.00	19°44'49"	16.62	S73°19'51"E	15.77
C50	25.00	74°26'10"	32.48	S59°35'39"W	30.24
C51	500.89	18°37'05"	162.76	N31°41'06"E	162.05

LINE	BEARING	DISTANCE
L1	S51°48'44"W	19.80
L2	N83°11'16"W	19.05
L3	S29°49'00"W	56.22
L4	N41°56'34"W	130.74
L5	S52°57'40"W	50.00
L6	N38°10'05"W	17.52
L7	N40°35'52"W	49.15
L8	N43°05'47"W	49.04
L9	N46°04'08"W	48.93
L10	N52°07'01"W	56.90
L11	S40°07'34"W	60.00
L12	S41°04'54"W	117.46
L13	N53°50'01"W	56.07
L14	N57°11'45"W	59.51
L15	N60°58'12"W	58.73
L16	N69°04'30"W	58.71
L17	N73°10'04"W	58.66
L18	N78°30'33"W	58.42
L19	N81°16'11"W	82.58
L20	N83°50'05"W	65.78
L21	N85°23'04"W	50.74
L22	N85°59'38"W	40.73
L23	N01°12'22"E	60.00
L24	N34°37'19"E	101.11
L25	N33°03'03"E	106.99
L26	N26°34'57"E	101.08
L27	N22°28'08"E	54.59
L28	N22°22'33"E	91.64
L29	N06°48'44"E	52.01
L30	S83°11'16"E	7.10
L31	N83°11'16"W	82.17
L32	S54°52'52"W	11.08
L33	N49°15'14"W	2.68
L34	S88°06'30"E	18.35
L35	N70°34'17"W	19.19
L36	N65°02'20"W	18.58
L37	S64°06'34"E	22.40
L38	S59°42'22"E	13.68
L39	S57°13'17"E	22.66
L40	S57°50'08"E	31.97

LOT SUMMARY		
AVERAGE LOT AREA	SQ. FT.	QUANTITY PERCENTAGE
8,116		
50' LOTS	52	65.0%
60' LOTS	28	35.0%

SUMMER LAKES SECTION SIX (PRELIMINARY PLAT)

BEING A SUBDIVISION OF 17.14 ACRES OUT OF THE JOSEPH KUYKENDAHN SURVEY, A-49 AND THE WILEY MARTIN SURVEY, A-56 IN THE CITY OF ROSENBERG, IN FORT BEND COUNTY, TEXAS.

(FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144)

80 LOTS 6 BLOCKS 3 RESERVES

OWNER
FORESTAR (USA) REAL ESTATE GROUP, INC.
 1500 CITY WEST BLVD.
 HOUSTON, TEXAS 77042
 PHONE: (713) 783-0308
 FAX: (713) 783-0704

MAY 2, 2014

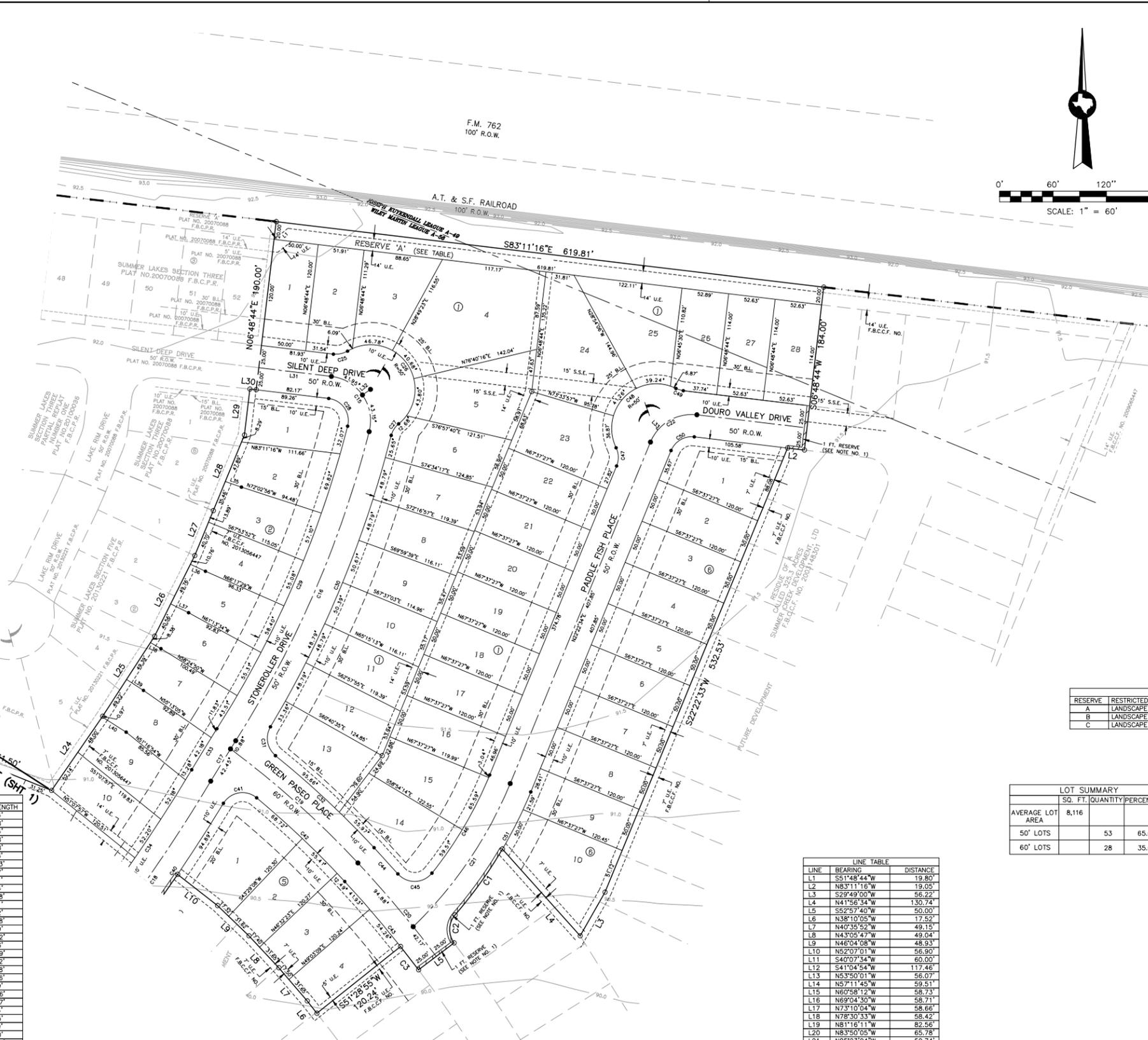
LOT SQUARE FOOTAGE CHART

BLOCK	LOT	SQ. FT.
1	1	6000
1	2	6168
1	3	7129
1	4	15836
1	5	9391
1	6	6785
1	7	6247
1	8	6012
1	9	6120
1	10	6087
1	11	6012
1	12	6247
1	13	7880
1	14	8649
1	15	6788
1	16-22	8000
1	23	8293
1	24	11390
1	25	9169
1	26	6003
1	27-28	6000
2	1	6652
2	2	6590
2	3	6070
2	4	6139
2	5	6160
2	6	6000
2	7	6000
2	8	6014
2	9	6082
2	10	6256
2	11	8409
2	12	7426
2	13	7331
2	14	7371
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2	24	9852
3	1	10510
3	2	7779
3	3	7541
3	4	7372
3	5	7152
3	6	7513
3	7	7318
3	8	7704
3	9	7759
3	10	7714
3	11	7717
3	12	7420
3	13	7744
4	1	8259
4	2	7402
5	1	10169
5	2	6276
5	3	6224
5	4	6215
5	1	8495
6	1	8495
6	2-8	6000
6	9	6003
6	10	9637

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	500.89'	10°25'43"	91.17'	S30°46'47"W	91.04'
C2	25.00'	78°01'52"	34.05'	S01°58'43"W	31.48'
C3	1279.89'	01°28'45"	33.04'	N37°46'43"W	33.04'
C4	1821.53'	2°59'08"	94.89'	S35°49'51"W	94.98'
C5	25.00'	87°11'50"	38.05'	S06°16'31"E	34.48'
C6	739.50'	0°57'20"	12.33'	S49°23'46"E	12.33'
C7	597.65'	10°14'10"	106.77'	N15°56'37"W	106.63'
C8	25.00'	102°01'53"	44.52'	N40°11'25"E	38.87'
C9	3329.34'	0°15'21"	15.01'	N85°55'18"W	15.01'
C10	25.00'	85°11'29"	37.17'	N46°27'15"W	33.84'
C11	1362.23'	4°31'03"	107.40'	N01°35'59"W	107.38'
C12	647.65'	7°26'46"	84.17'	N13°03'01"W	84.11'
C13	25.00'	85°44'11"	37.41'	N52°11'43"W	34.02'
C14	573.50'	1°14'03"	116.89'	S75°05'52"W	116.68'
C15	50.00'	97°30'50"	85.10'	N34°25'51"W	75.19'
C16	1196.48'	18°09'32"	379.21'	N23°24'20"E	377.62'
C17	1943.11'	1°34'21"	53.33'	S31°41'56"W	53.33'
C18	1796.53'	8°08'09"	255.10'	N34°58'50"W	253.89'
C19	1064.50'	10°20'39"	192.19'	N48°13'46"W	191.92'
C20	1304.24'	6°01'14"	137.05'	N40°02'50"W	136.98'
C21	475.89'	2°32'27"	195.53'	N34°08'47"E	194.16'
C22	50.00'	74°26'10"	64.96'	S59°35'39"W	60.49'
C23	769.50'	3°12'54"	419.23'	N34°25'51"W	414.06'
C24	3329.34'	7°42'17"	447.70'	N84°56'29"W	447.37'
C25	25.00'	37°53'49"	16.54'	N77°51'49"E	16.24'
C26	50.00'	171°54'57"	150.02'	N35°07'37"W	99.75'
C27	25.00'	36°35'14"	15.96'	S32°32'15"W	15.69'
C28	25.00'	97°30'50"	42.65'	N34°25'51"W	37.60'
C29	1171.48'	18°09'32"	371.28'	N23°24'20"E	369.73'
C30	1221.48'	16°39'45"	355.23'	N22°33'26"E	353.98'
C31	25.00'	81°55'12"	35.74'	S10°04'18"E	32.78'
C32	1089.50'	7°58'28"	151.64'	N47°02'40"W	151.51'
C33	1968.11'	1°34'21"	54.02'	S31°41'56"W	54.02'
C34	1771.53'	6°26'57"	199.40'	N34°08'14"E	199.30'
C35	25.00'	85°48'37"	37.44'	N80°16'01"E	34.04'
C36	799.50'	24°15'40"	338.54'	N68°57'31"W	336.01'
C37	3359.34'	7°42'17"	451.74'	N84°56'29"W	451.40'
C38	3299.34'	7°42'17"	443.57'	N84°56'29"W	443.34'
C39	739.50'	31°12'54"	402.88'	N65°28'53"W	397.92'
C40	1821.53'	5°58'10"	189.78'	N34°20'19"E	189.69'
C41	25.00'	98°20'39"	42.91'	S80°31'33"W	37.83'
C42	1039.50'	7°31'49"	136.62'	N46°32'13"W	136.52'
C43	1279.89'	0°47'08"	129.24'	N39°55'54"W	129.18'
C44	1529.25'	1°42'38"	39.68'	N42°12'08"W	39.68'
C45	25.00'	99°59'43"	43.63'	N88°39'20"E	38.30'
C46	450.89'	16°16'55"	128.13'	N30°31'01"E	127.70'
C47	25.00'	48°11'23"	21.03'	N01°43'08"W	20.41'
C48	50.00'	142°22'33"	124.24'	S45°22'22"W	94.66'
C49	25.00'	19°44'49"	8.62'	S73°18'51"E	8.57'
C50	25.00'	74°26'10"	32.48'	S59°35'39"W	30.24'
C51	500.89'	18°37'05"	162.76'	N31°41'06"E	162.05'

MATCH LINE (SHT 1)

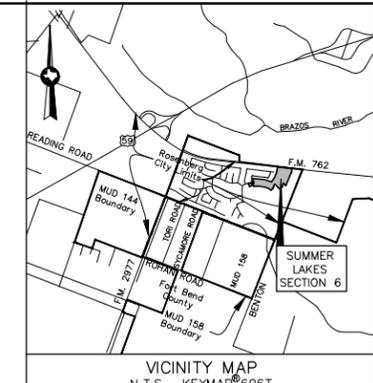
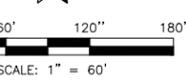
MATCH LINE (SHT 1)



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B	LANDSCAPE & AMENITIES & DRAINAGE	0.1392	6,084
C	LANDSCAPE & AMENITIES	0.0386	1,680

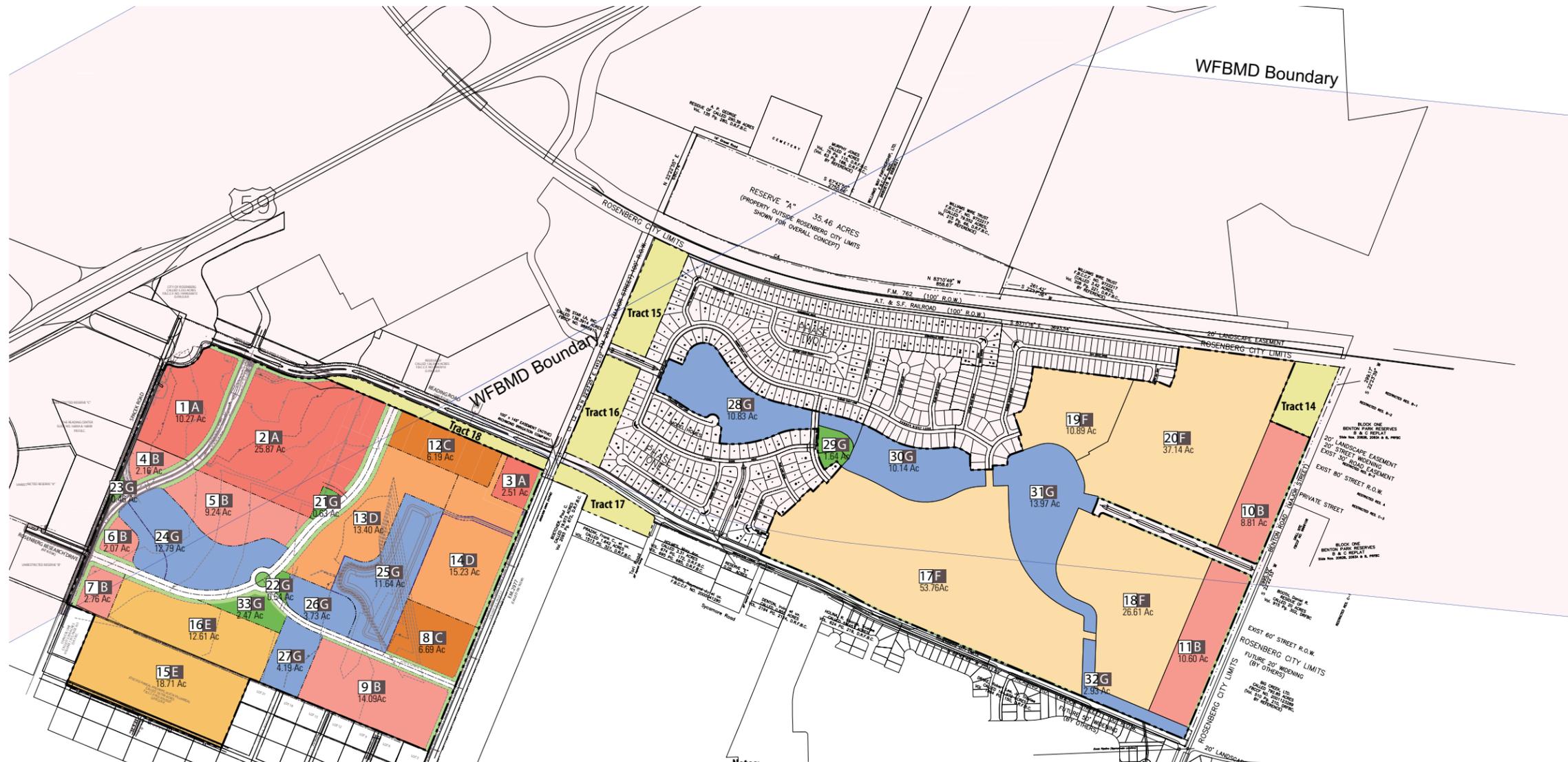
LOT SUMMARY			
AVERAGE LOT AREA	SQ. FT.	QUANTITY	PERCENTAGE
8,116			
50' LOTS	53		65.0%
60' LOTS	28		35.0%

LINE	BEARING	DISTANCE
L1	S51°48'44"W	19.80'
L2	N83°11'16"W	19.05'
L3	S29°49'00"W	56.22'
L4	N41°56'34"W	130.74'
L5	S52°57'40"W	50.00'
L6	N38°10'05"W	17.52'
L7	N40°35'52"W	49.15'
L8	N43°05'47"W	49.04'
L9	N46°04'08"W	48.93'
L10	N52°07'01"W	56.90'
L11	S40°07'34"W	60.00'
L12	S41°04'54"W	117.46'
L13	N53°50'01"W	56.07'
L14	N57°11'45"W	59.51'
L15	N60°58'12"W	58.73'
L16	N69°04'30"W	58.71'
L17	N73°10'04"W	58.66'
L18	N78°30'33"W	58.42'
L19	N81°16'11"W	101.11'
L20	N83°50'05"W	65.78'
L21	N85°23'04"W	50.74'
L22	N85°59'38"W	40.73'
L23	N01°12'22"E	60.00'
L24	N34°37'19"E	101.11'
L25	N37°03'03"E	106.99'
L26	N26°34'57"E	101.08'
L27	N22°28'08"E	54.59'
L28	N22°22'33"E	91.64'
L29	N06°48'44"E	52.01'
L30	S83°11'16"W	7.10'
L31	N83°11'16"W	82.17'
L32	S54°52'52"W	11.08'
L33	N49°15'14"W	2.68'
L34	S88°06'30"E	18.35'
L35	N70°34'17"W	19.19'
L36	N65°02'20"W	18.58'
L37	S64°06'34"E	22.40'
L38	S59°42'22"E	13.68'
L39	S57°13'17"E	22.66'
L40	S57°50'08"E	31.97'



SUMMER LAKES SECTION SIX (PRELIMINARY PLAT)
 BEING A SUBDIVISION OF 17.14 ACRES OUT OF THE JOSEPH KUYKENDAHLE SURVEY, A-49 AND THE WILEY MARTIN SURVEY, A-56 IN THE CITY OF ROSENBERG, IN FORT BEND COUNTY, TEXAS.
 (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144)
 80 LOTS 6 BLOCKS 3 RESERVES
 OWNER
 FORESTAR (USA) REAL ESTATE GROUP, INC.
 1500 CITY WEST BLVD.
 HOUSTON, TEXAS 77042
 PHONE: (713) 783-0308
 FAX: (713) 783-0704

MAY 2, 2014



Parcel Key



Notes:

*Note 1: Tracts 14, 15, 16, 17 & 18 depicted on Exhibit "A" on the MUD 144 PUD (hereinafter referred to as "Limited Control Tracts") are included within the PUD boundary for the sole purpose of applying Exhibit "H", Exhibit "I" and Table "5" PUD standards to the Limited Control Tracts.

** Note 2: Tract 18 (depicted on Exhibit "A" of the MUD 144 PUD) is encumbered by easements (including but not limited to landscaping, signage, access and other easements) for the benefit of the "Adjacent Parcel" referred to as the "Summer Creek Subdivision Tract" (identified as Tract 1, 2, 3, 4 and 5 as depicted on Exhibit "A" to the MUD 144 PUD herof) filed under Fort Bend County Clerk's File No's 2006155450 and 2010079053 ("Easements"). A Benefitted Party of the Summer Creek Subdivision Tract shall be entitled to meet the requirements Exhibit "H", Exhibit "I" and Table "5" of the MUD 144 PUD in connection with and subject to said Easement rights on Tract 18.

*** Note 3: The ±2 acre difference between the PUD Tract total acreage and the Parcel sums listed on Exhibit B is attributable to a portion of Lake Commons Drive in Summer Lakes that is included in the Tract summary but excluded from the Land Use inventory.

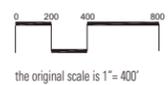
Tract #	Tract Area Acres
14	4.56
15	6.2395
16	5.8758
17	3.78
18**	4.1667
	24.622 Acres

Legend

Land Use Key	Land Uses Permitted								Parcel Areas		
	SF	DUP	PH	TH	MF	COM	RET	CH		SCH	OPF*
A Commercial						✓	✓	✓	✓	✓	38.65
B Commercial/Residential	✓			✓		✓	✓	✓	✓	✓	49.74
C Multi-family/Commercial	✓				✓			✓	✓	✓	12.90
D Multi-family/Residential	✓				✓	✓			✓	✓	28.63
E Residential	✓	✓	✓	✓					✓	✓	31.32
F Residential	✓		✓						✓	✓	128.40
G Park Space/Detention								✓	✓	✓	75.96
* OPF- Other public city, county, state & federal facilities										365.60 Acres	
CH-Church											
SCH-School											

Land Use & Parcel Plan: Exhibit B

S L A Studio • Land
Land Planning • Landscape Architecture



Fort Bend County Municipal Utility District No. 144 PUD
SY1902
April 8, 2010
Revised June 18, 2010
Revised July 22, 2010
Revised October 26, 2011



PLANNING COMMISSION COMMUNICATION

May 21, 2014

ITEM #	ITEM TITLE
3	Proposed FY2015 Capital Improvements Program (CIP)

MOTION

Consideration of and action on a recommendation regarding the proposed FY2015 Capital Improvements Program (CIP).

RECOMMENDATION

Staff recommends approval of the proposed FY2015 Capital Improvements Program (CIP).

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

SUPPORTING DOCUMENTS:

1. Proposed FY2015 Capital Improvements Program (CIP)

APPROVAL

Submitted by:

John Maresh
Assistant City Manager of Public Services

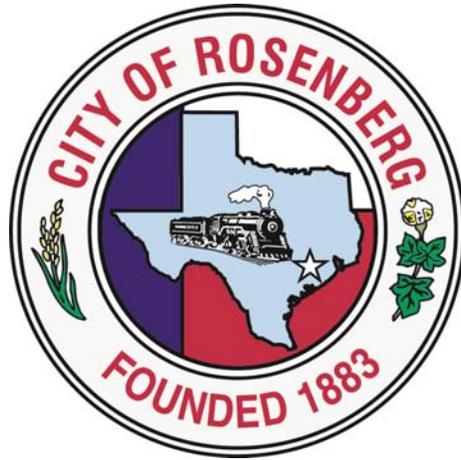
Reviewed by:

___ Executive Director of Community Development

___ City Engineer

EXECUTIVE SUMMARY

Per the City Charter, Article VIII, Section 8.03 (d), the Planning Commission is required to submit annually, not less than ninety (90) days prior to the beginning of the budget year, a list of recommendations for capital improvements. Assistant City Manager of Public Services John Maresh will review staff recommendations for the proposed FY2015 Capital Improvement Program (CIP) and he, along with Joyce Vasut, Executive Director of Administrative Services, will be available to answer questions from the Commission. Detailed information on the proposed CIP is attached for reference.



CITY OF ROSENBERG

FY2015 Capital
Improvements Projects

PRELIMINARY FY2015 CAPITAL IMPROVEMENT PROJECTS

GENERAL/STREETS AND DRAINAGE PROJECTS

1. Airport Avenue – Phase Two
2. Bamore Road – Phase Four
3. Bryan Road – Phase One
4. Drainage Improvements East of Lane Drive
5. Dry Creek Drainage Improvements
6. FM 2218 from US Highway 59 to State Highway 36 (TxDOT)
7. Road Extension and Drainage to serve FM 2218 Rosenberg Business Park
8. Seabourne Creek Drainage – Phase Three
9. Sidewalks – Replace/Removal of Existing
10. Spacek Road Improvements
11. Traffic Signal at Reading Road and Town Center Boulevard
12. Traffic Signal and other improvements for Reading Road, Kroger entrance, and US 59 Frontage Road
13. US Highway 59/I-69 Expansion from FM 762 to Spur 10 (TxDOT)

WATER AND WASTEWATER PROJECTS

14. Alternate Water Project
15. Backup and Portable Generators for Utility System
16. FM 2977 Water Line Extension
17. FM 2977 Water Storage Tank (GRP)
18. Lift Station No. 11 Replacement
19. North Side Water Improvements – Phase Two
20. Sanitary Sewer Pipe Bursting Project
21. Spacek Road Sewer Lift Station
22. Spacek Road Sewer Line
23. Utility Adjustments for US 59/I-69 Project (TxDOT)
24. Utility Extensions to serve FM 2218 Rosenberg Business Park
25. Utility Replacement/Relocation for Avenue H, Avenue I and Downtown

Streets and Drainage Projects Summary

Project Title:	Airport Avenue Project - Phase Two	
Project Number:	CP1501	
Bid Award:	N/A	
Department:	Public Works	
Staff:	Assistant City Manager Project Director	
Engineer:	Costello, Inc.	
Contractor:	N/A	
Cost Estimate:	*See Note Below	
Authorized Funding:	CO 2013 Bond Funds	\$380,000
	2013 County Mobility Funds	<u>\$2,200,000</u>
	Total	\$2,580,000
Council Approval Date:	N/A	
Election District:	District 4	
Project Summary:	Phase One of the project reconstructed Airport Avenue from two (2) lanes with open roadside ditches into a three-lane concrete roadway with a continuous center left turn lane, concrete curb and gutter, sidewalk, and underground storm drainage system. Phase One was from FM 2218 to Graeber Road. Phase Two includes reconstructing Airport Avenue from Graeber Road to Louise Street.	
Supporting Documentation:	N/A	

*Costello, Inc. is currently working on an updated cost estimate.

Streets and Drainage Projects Summary

Project Title: Bamore Road - Phase Four

Project Number: CP1317

Bid Award: N/A

Department: Public Works

Staff: Assistant City Manager
Project Director

Engineer: IDC, Inc.

Contractor: N/A

Cost Estimate: \$1,662,024 (includes engineering and construction)

Authorized Funding:

RDC Funds (construction only)	\$750,000
CO 2013 Bond Funds	\$250,000
County Mobility Project Funds 2007	<u>\$573,185</u>
Total	\$1,573,185

Council Approval Date: May 07, 2013 by Resolution No. R-1657

Election District: District 2

Project Summary: Phase One was completed from US Highway 59 to Klauke Road.

Phase Two was completed from Klauke Road to north of Southgate Drive.

Phase Three, from north of Southgate Drive to Avenue K, is under construction.

Phase Four, south of Avenue K to Spur 529, will complete the Bamore Road Paving and Drainage Improvements Project.

Seabourne Creek - CenterPoint Lateral Drainage Phase Three is required to complete Bamore Road Phase Four. (See Seabourne Creek - CenterPoint Lateral Drainage Phase Three Project Summary for details.)

Supporting Documentation: Resolution No. R-1657
Resolution No. R-1725

Streets and Drainage Projects Summary

Project Title: Bryan Road - Phase One

Project Number: CP1103

Bid Award: N/A

Department: Public Works

Staff: Assistant City Manager

Engineer: Landtech Consultants, Inc.

Contractor: N/A

Cost Estimate: *See note below

Authorized Funding:

CO 2010B Bond Funds	\$240,000
CO 2012 Bond Funds	\$150,000
CO 2013 Bond Funds	\$500,000
County Mobility Funds (2007)	\$1,100,000
County Mobility Funds (2013)	<u>\$4,700,000</u>
Total	<u>\$6,690,000</u>

Council Approval Date: March 19, 2013 by Resolution No. R-1634

Election District: District 4

Project Summary: Reconstruction from two (2) lane open ditch to four (4) lanes with concrete, curb and gutter, sidewalks, and storm drainage system. This project also includes realigning Bryan Road at FM 2218.

Supporting Documentation: Resolution No. R-1634

*Landtech Consultants, Inc. is currently working on an updated cost estimate.

Streets and Drainage Projects Summary

Project Title:	Drainage Improvements east of Lane Drive
Project Number:	N/A
Bid Award:	N/A
Department:	Public Works
Staff:	Assistant City Manager
Engineer:	N/A
Contractor:	N/A
Cost Estimate:	N/A
Proposed Funding:	N/A
Council Approval Date:	N/A
Election District:	District 1
Project Summary:	<p>This area drains into the City of Richmond's drainage system and eventually into Rabbs Bayou. During heavy rainfall events, the drainage facilities in Richmond experience flooding.</p> <p>A drainage study was completed for this area by the City of Richmond with a recommendation for the City of Rosenberg to construct a drainage retention basin. No further action was taken. The first step would be for Rosenberg to determine which option/recommendation identified in the study will be utilized. Next the City would acquire property and complete construction plans. Then Rosenberg could work with the Fort Bend Drainage District to construct the detention basin to be maintained by the City.</p>
Supporting Documentation:	N/A

Streets and Drainage Projects Summary

Project Title: Dry Creek Drainage Improvements

Project Number: CP1405

Bid Award: N/A

Department: Public Works

Staff: Assistant City Manager
City Engineer

Engineer: LJA, Inc.

Contractor: N/A

Estimate Cost: \$12,000,000

Authorized Funding:

GO 2007 Bond Funds	\$27,764
GO 2014 Bond Funds	<u>\$1,565,000</u>
Total	\$1,592,764

Council Approval Date: November 20, 2012 by Resolution No. R-1578
August 02, 2011 by Resolution No. R-1350
October 19, 2010 by Resolution No. R-1231
March 02, 2010 by Resolution No. R-1125
October 27, 2009 by Resolution No. R-1052
December 18, 2007 (No resolution)
March 20, 2007 (No resolution)

Election District: District 3 and District 4

Project Summary: Update of drainage basin study has been completed. Improvements will include a regional detention facility and improvements to drainage channel to be completed over a multi-year period. City has purchased the property for the regional detention facility. LJA Engineering, Inc., has completed construction plans for the facility. Fort Bend Drainage District has provided improvements to the Dry Creek channel between Louise Street and Airport Avenue, as well as between Bryan Road and FM 2218. LJA has also completed construction plans for the regional detention basin control structure and to increase the capacity of the box culvert structures at Louise Street.

Supporting Documentation: Resolution No. R-1578
Resolution No. R-1350
Resolution No. R-1231
Resolution No. R-1125
Resolution No. R-1052
LJA Change Order No. 1 - December 19, 2007
LJA Agreement - March 29, 2007

Streets and Drainage Projects Summary

Project Title:	FM 2218 from US Highway 59 to State Highway 36 (TxDOT)
Project Number:	N/A
Bid Award:	N/A
Department:	Public Works
Staff:	N/A
Engineer:	N/A
Contractor:	N/A
Cost Estimate:	N/A
Authorized Funding:	TxDOT
Council Approval Date:	April 02, 2013 by Resolution No. R-1642
Election District:	District 2 and 4
Project Summary:	<p>This is a TxDOT funded project. Reconstruction to match improvements north of US Highway 59. This will be four (4) lanes with median.</p> <p>If there are any additional improvements that would improve the safety and access to Seabourne Creek Regional Park, the City may be responsible for a portion of those costs.</p>
Supporting Documentation:	Resolution No. R-1642

Streets and Drainage Projects Summary

Project Title:	Road Extension and Drainage to serve FM 2218 Rosenberg Business Park	
Project Number:	N/A	
Bid Award:	N/A	
Department:	Public Works	
Staff:	Economic Development Director	
Engineer:	N/A	
Contractor:	N/A	
Cost Estimate:	\$3,400,000	
Proposed Funding:	RDC Funds	\$3,400,000
Council Approval Date:	February 05, 2013 by Resolution No. R-1613 RDC approval on April 11, 2013 by Resolution No. RDC-81	
Election District:	District 4	
Project Summary:	The RDC has executed an agreement to assist with road extension and drainage to serve the development of a business park on FM 2218.	
Supporting Documentation:	Resolution No. R-1613 Resolution No. RDC-81 Resolution No. R-1745	

Streets and Drainage Projects Summary

Project Title:	Seabourne Creek Drainage Phase Three	
Project Number:	CP1403	
Bid Award:	N/A	
Department:	Public Works	
Staff:	Assistant City Manager City Engineer	
Engineer:	Jones & Carter, Inc.	
Contractor:	N/A	
Cost Estimate:	\$342,700 (includes engineering and construction)	
Authorized Funding:	2010 Bond Funds	\$96,177
	2012 Bond Funds	\$168,374
	2013 Bond Funds	\$30,000
	FY2012 Street Paving	\$38,699
	FY2013 Street Paving	\$5,949
	Seabourne Creek Detention	\$2,892
	Seabourne Creek Capacity Fund	<u>\$13,127</u>
	Total	\$355,218
Council Approval Date:	N/A	
Election District:	District 2	
Project Summary:	<p>This project includes drainage improvements that are necessary for the Bamore Road Project and adjacent properties. Phase Three is necessary to accommodate the drainage needed for Phase Four of the Bamore Road Project.</p> <p>This cost estimate includes engineering and construction costs. Right-of-way costs are not included.</p>	
Supporting Documentation:	Cost Estimate - August 27, 2013	

Streets and Drainage Projects Summary

Project Title:	Sidewalks - Replace/Removal of existing	
Project Number:	CP1315	
Bid Award:	N/A	
Department:	Public Works	
Staff:	Assistant City Manager Planning Director	
Engineer:	N/A	
Contractor:	N/A	
Cost Estimate:	\$1,200,000	
Authorized Funding:	CO 2013 Bond Fund	\$250,000
Council Approval Date:	N/A	
Election District:	City Wide	
Project Summary:	Establish a program to repair and replace existing sidewalks.	
Supporting Documentation:	N/A	

Streets and Drainage Projects Summary

Project Title: Spacek Road Improvements Phase Two

Project Number: CP1212

Bid Award: N/A

Department: Public Works

Staff: Assistant City Manager

Engineer: Landtech Consultants, Inc

Contractor: N/A

Cost Estimate: *See Note Below

Authorized Funding:

CO2010A Bond Fund	\$9,000
County Mobility 2007 Reimbursement	\$504,578
County Mobility (Mud 144)	\$151,725
County Mobility 2007 Available	<u>\$968,392</u>
Total	\$1,633,695

Council Approval Date: N/A

Election District: District 2

Project Summary: In conjunction with Bryan Road, Spacek Road will be reconstructed from two (2) lane open ditch into a three (3) lane concrete roadway with a continuous left turn lane, concrete curb and gutter, sidewalk, and underground storm drainage system. Phase two includes, reconstructing Spacek Road from Bryan Road to the northern end of the Oaks of Rosenberg subdivision.

Supporting Documentation:

*Landtech Consultants, Inc is currently working on an updated cost estimate.

Streets and Drainage Projects Summary

Project Title: Traffic Signal at Reading Road and Town Center Boulevard

Project Number: N/A

Bid Award: N/A

Department: Public Works

Staff: Assistant City Manager

Engineer: N/A

Contractor: N/A

Cost Estimate: \$230,750

Proposed Funding:	Developer	\$115,375
	City of Rosenberg	<u>\$115,375</u>
		\$230,750

Council Approval Date: September 21, 2010

Election District: District 2 and 4

Project Summary: Per the development agreement between the City of Rosenberg and 16 Rose LTD, the City is required to install a traffic signal at the intersection of Town Center Boulevard and Reading Road. The Developer agrees to pay fifty percent (50%) of the engineering and construction cost. The Developer agrees to make a payment to the City before the first Certificate of Occupancy is issued with the tract. The City Shall construct the traffic signal within 180 days of receiving the payment.

Supporting Documentation: Resolution No. R-1214

Streets and Drainage Projects Summary

Project Title:	Traffic Signal for Reading Road at Spacek Road
Project Number:	N/A
Bid Award:	N/A
Department:	Public Work
Staff:	Assistant City Manager City Engineer
Engineer:	N/A
Contractor:	N/A
Cost Estimate:	N/A
Proposed Funding:	TxDOT
Council Approval Date:	April 02, 2013 by Resolution No. R-1642
Election District:	District 2 and 4
Project Summary:	<p>Reconstruct US Highway 59 to interstate standards with additional lanes and new interchanges.</p> <p>Phase One includes improvements from Spur 10 to south of Reading Road.</p> <p>Phase Two is from south of Reading Road to State Highway 99 (Grand Parkway).</p> <p>At the completion of the I-69/Reading Road interchange reconstruction, the City will need to evaluate the traffic impacts at the Reading Road and Spacek Road intersection to determine if a traffic signal is warranted.</p>
Supporting Documentation:	Resolution No. R-1642

Streets and Drainage Projects Summary

Project Title:	US Highway 59/I-69 Expansion from FM 762 to Spur 10 (TxDOT)
Project Number:	N/A
Bid Award:	N/A
Department:	Public Works
Staff:	Assistant City Manager
Engineer:	N/A
Contractor:	N/A
Cost Estimate:	N/A
Proposed Funding:	TxDOT
Council Approval Date:	April 02, 2013 by Resolution No. R-1642
Election District:	District 2 and 4
Project Summary:	<p>Reconstruct US Highway 59 to Interstate 69 standards with additional lanes and new interchanges.</p> <p>Phase One includes improvements from Spur 10 to Reading Road.</p> <p>Phase Two is from Reading Road to FM 762.</p> <p>TxDOT will provide funding for engineering design and construction. City will be responsible for the relocation of City utilities. Cost for utility relocation will be reimbursed by TxDOT.</p>
Supporting Documentation:	Resolution No. R-1642

Water/Wastewater Fund Projects Summary

Project Title:	Alternate Water Project (GRP)
Project Number:	N/A
Bid Award:	N/A
Department:	Water/Wastewater
Staff:	City Manager/Assistant City Manager/City Engineer
Engineer:	N/A
Contractor:	N/A
Cost Estimate:	\$27,000,000 (Rosenberg's estimated cost for a groundwater or surface water option)
Proposed Funding:	Future Bond Issues supported by Subsidence Fees
Council Approval Date:	N/A
Election District:	N/A
Project Summary:	<p>The Alternate Water Project is required by Groundwater Reduction Mandates established by the Fort Bend Subsidence District. Such mandates require Rosenberg and Richmond to reduce groundwater withdrawal by 30% of total water demand by 2016. There are currently two options that are being considered:</p> <ol style="list-style-type: none">1. Treating surface water from the Brazos River2. Transporting groundwater or obtaining surface water from outside Fort Bend County. <p>Rosenberg will share the costs associated with this project with the City of Richmond.</p> <p>Either option will require additional improvements to Rosenberg's water distribution system. Additional projects may include but are not limited to:</p> <ol style="list-style-type: none">1. Water Plant No. 5 Improvements2. Elevated Storage Tank at FM 29773. Water Plant No. 6 Ground Storage Tank4. Water Line Extension and Connection from Bonbrook Subdivision to Bridlewood Subdivision5. Automatic Control Valve on Avenue I6. Chloramine Conversions for Water Plants No. 2, No. 3, No. 4, No. 5, and No. 6. <p>The mandate further requires that groundwater withdrawal be reduced by 60% of total water demand by 2025.</p>
Supporting Documentation:	N/A

Water/Wastewater Fund Projects Summary

Project Title:	Backup and Portable Generators for Utility System	
Project Number:	N/A	
Bid Award:	N/A	
Department:	Water/Wastewater	
Staff:	Assistant City Manager Utilities Director	
Engineer:	N/A	
Contractor:	N/A	
Cost Estimate:	\$1,050,000	
Authorized Funding:	Water/Wastewater Supplemental Fund-FY2014	\$75,000
	Water/Wastewater Supplemental Fund-FY2015	<u>\$150,000</u>
	Total	\$225,000
Council Approval Date:	May 21, 2013 by Resolution No. R-1663	
Election District:	City Wide	
Project Summary:	<p>The City has made it a priority to continue implementation of a plan to provide backup power to sanitary sewer lift stations. This portion of the project includes:</p> <ol style="list-style-type: none">1. Acquire one (1) additional Portable Generators2. Installation of manual transfer switches at additional lift stations3. Installation of an automatic transfer switch and backup generator at Waste Water Treatment Plant# 1A <p>Texas Legislature mandates cities to maintain water system operations during electric power outages. This portion of the project has been completed and included a backup generator for Water Plant No. 5 and a backup generator for Water Plant No. 3.</p>	
Additional Funding Needs:		
Supporting Documentation:	Resolution No. R-1663	

Water/Wastewater Fund Projects Summary

Project Title: FM 2977 Water Line Extension

Project Number: CP1409

Bid Award: N/A

Department: Water/Wastewater

Staff: Assistant City Manager
City Engineer

Engineer: Jones & Carter, Inc.

Contractor: N/A

Cost Estimate: \$800,000

Authorized Funding:	FM2977 Water Improvement Fund 523	\$425,000
	Impact Fees - Updated Plan	\$87,227
	GRP Fund/Subsidence Fund	<u>\$287,773</u>
	Total	\$800,000

Council Approval Date: N/A

Election District: District 4

Project Summary: Construct a sixteen (16) inch water line to complete a loop that will connect the water line along Reading Road to the water line along Bryan Road. The water line loop will also connect the proposed elevated storage tank that will be constructed next to Fire Station No. 3. This water line extension is part of the City's GRP and engineering design and easement acquisition should be completed in 2014. Followed by construction in 2015.

Phase One was installed by MUD No. 144 in 2013 as part of the property purchase for Fire Station No. 3.

Supporting Documentation: Resolution No. R-1759

Water/Wastewater Fund Projects Summary

Project Title:	FM 2977 Water Storage Tank (GRP)
Project Number:	N/A
Bid Award:	N/A
Department:	Water/Wastewater
Staff:	Assistant City Manager City Engineer
Engineer:	Jones & Carter, Inc.
Contractor:	N/A
Cost Estimate:	*See Note Below
Proposed Funding:	GRP Fund
Council Approval Date:	N/A
Election District:	District 4
Project Summary:	Construct a one million gallon elevated storage tank behind Fire Station No. 3.
Supporting Documentation:	N/A

*Cost estimate is being updated.

Water/Wastewater Fund Projects Summary

Project Title:	Lift Station No. 11 Replacement	
Project Number:	CP1411	
Bid Award:	N/A	
Department:	Water/Wastewater	
Staff:	Assistant City Manager City Engineer	
Engineer:	Jones & Carter, Inc.	
Contractor:	N/A	
Cost Estimate:	\$1,260,000	
Authorized Funding:	W/WW Fund Balance (Engineering)	\$160,000
	FY2014 Certificates of Obligation	<u>\$1,100,000</u>
	Total	<u>\$1,260,000</u>
Council Approval Date:	March 18, 2014 by Resolution No. R-1767	
Election District:	District 4	
Project Summary:	Replacement of Lift Station No. 11, located at FM 2218 and Airport Avenue due to age, capacity and reliability issues. Construct new lift station, including controls and SCADA next to existing lift station on City property to improve capacity and reliability.	
Supporting Documentation:	Resolution No. R-1767 Resolution No. R-1772	

Water/Wastewater Fund Projects Summary

Project Title: North Side Water Improvements Phase Two

Project Number: N/A

Bid Award: N/A

Department: Water/Wastewater

Staff: Assistant City Manager
Project Director

Engineer: N/A

Contractor: N/A

Cost Estimate: \$213,782

Authorized Funding:

CDBG	\$177,401
City Match/Water Fund	<u>\$36,381</u>
Total	\$213,782

Council Approval Date: March 18, 2014 by Resolution No. R-1766

Election District: District 1

Project Summary: This project would continue replacement of the water distribution system. Phase Two would replace a shallow, uncased 6 inch crossing under the railroad tracks at 6th street. The current 6 inch water line will be upgraded to a 12 inch waterline with casing. The current Primary funding is Community Development Block Grants (CDBG).

City will be required to match for engineering services and a portion of the construction costs in FY2015 Budget.

Supporting Documentation: Resolution No. R-1766

Water/Wastewater Fund Projects Summary

Project Title: Sanitary Sewer Pipe Bursting Project

Project Number: CP1410

Bid Award: N/A

Department: Water/Wastewater

Staff: Assistant City Manager
Project Director

Engineer: N/A

Contractor: N/A

Cost Estimate: \$12,000,000

Funding:

W/WW Fund (Engineering)	\$369,400
FY2014 Certificates of Obligation	<u>\$3,900,000</u>
Total	\$4,269,400

Council Approval Date: March 18, 2014 by Resolution No. R-1768
April 1, 2014 by Resolution No. R-1772

Election District: District 1

Project Summary: This project will continue replacement of the aging sanitary sewer collection system in the Wastewater Treatment Plant# 1A service area. This area has been experiencing issues with stoppages due to deteriorated, collapsed or missing pipe and inflow and infiltration during rainfall events. These improvements are necessary to maintain compliance with TCEQ regulations.

Supporting Documentation: Resolution No. R-1768
Resolution No. R-1772

Water/Wastewater Fund Projects Summary

Project Title:	Spacek Road Sewer Lift Station	
Project Number:	N/A	
Bid Award:	N/A	
Department:	Water/Wastewater	
Staff:	Assistant City Manager Utilities Director City Engineer	
Engineer:	N/A	
Contractor:	N/A	
Cost Estimate:	\$300,000	
Proposed Funding:	Bryan/Spacek Road Impact Fee Fund (Fund #516)	\$300,000
Council Approval Date:	N/A	
Election District:	District 4	
Project Summary:	<p>As development such as Brazos Town Center Phase Two and MUD No. 144 (Waterford Park) continues in this area, the existing facilities will reach capacity and have to be expanded.</p> <p>Development agreement fees have paid approximately \$380,000 towards this project. With the two (2) apartment complexes under construction, the City staff anticipates Phase One in 2014. This project will need to be coordinated with the Bryan Road project.</p>	
Supporting Documentation:	N/A	

Water/Wastewater Fund Projects Summary

Project Title:	Spacek Road Sewer Line
Project Number:	N/A
Bid Award:	N/A
Department:	Water/Wastewater
Staff:	Assistant City Manager Utilities Director City Engineer
Engineer:	N/A
Contractor:	N/A
Cost Estimate:	N/A
Proposed Funding:	N/A
Council Approval Date:	N/A
Election District:	District 4
Project Summary:	<p>The existing sewer serves Brazos Town Center Phase Two, MUD No. 144, and Spacek Road corridor. With the new development, the existing line will exceed capacity and will need to be upgraded. This could be implemented with road improvements to Bryan Road and Spacek Road.</p> <p>No cost estimate. No City funds available. MUD contributions are obligated to assist this project.</p>
Supporting Documentation:	N/A

Water/Wastewater Fund Projects Summary

Project Title:	Utility Adjustment for US 59/I-69 Project (TxDOT)
Project Number:	N/A
Bid Award:	N/A
Department:	Public Works and Utilities
Staff:	Assistant City Manager
Engineer:	
Contractor:	
Cost Estimate:	N/A
Proposed Funding:	TxDOT
Council Approval Date:	N/A
Election District:	District 2 and 4
Project Summary:	<p>The reconstruction of US Highway 59 to interstate standards will require some relocation of utilities. The City will be responsible for the utility relocations but the cost will be reimbursed by TxDOT.</p> <p>The majority of the water and sanitary sewer line relocations have been included in the TxDOT construction contract, with the exception of one (1), large diameter sanitary sewer line that is adjacent to but outside the proposed TxDOT right-of-way. A formal utility agreement will be entered into between the City and TxDOT at a future date.</p>
Supporting Documentation:	N/A

Water/Wastewater Fund Projects Summary

Project Title:	Utility Extensions to serve FM 2218 Rosenberg Business Park	
Project Number:	N/A	
Bid Award:	N/A	
Department:	Water/Wastewater	
Staff:	Economic Development Director	
Engineer:	N/A	
Contractor:	N/A	
Cost Estimate:	\$3,400,000	
Authorized Funding:	RDC Funds	\$3,400,000
Council Approval Date:	February 05, 2013 by Resolution No. R-1613 RDC approval on April 11, 2013 by Resolution No. RDC-81	
Election District:	District 4	
Project Summary:	The RDC has executed an agreement to assist with utility extension to serve the development of a business park on FM 2218. The utility extensions included water, sewer, and reclaimed water.	
Supporting Documentation:	Resolution No. R-1613 Resolution No. RDC-81 Resolution No. R-1745	

Water/Wastewater Fund Projects Summary

Project Title: Utility Replacement/Relocation for Avenue H, Avenue I, and Downtown

Project Number: CP1213

Bid Award: 2013-12

Department: Public Works

Staff: City Engineer
Assistant City Manager

Engineer: Jones & Carter, Inc.

Contractor: Horseshoe Construction

Cost Estimate: \$1,145,355 (sanitary sewer portion)

Authorized Funding: 2013 Certificates of Obligation \$1,300,000

Council Approval Date: December 04, 2012 by Resolution No. R-1584
May 07, 2013 by Resolution No. R-1658

Election District: District 1 and District 2

Project Summary: TxDOT is moving forward with the initial phase of the One-Way Pairs Project involving Avenue H and Avenue I that is scheduled in 2014. The City must complete any relocation or replacement of utilities in 2013 and 2014. Sewer line replacement has begun and is a priority project regardless of the One-Way Pairs Project status. Water line replacement is scheduled for 2014.

County mobility funds may reimburse the City \$1,100,000 for the water/wastewater line replacement should the One-Way Pairs Road Project be completed.

Supporting Documentation: Resolution No. R-1584
Resolution No. R-1658



PLANNING COMMISSION COMMUNICATION

May 21, 2014

ITEM #	ITEM TITLE
4	Merchandise Displayed at Site of Sale Discussion

MOTION

Review and discuss outside display of merchandise in commercial parking lots, and take action as necessary to direct staff.

RECOMMENDATION

Staff has no recommendation for this item.

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

SUPPORTING DOCUMENTS:

1. Sugar Land Code Excerpt – Chapter 2, Article II, Part 12. General Business District (B-2)
2. City Council Meeting Draft Minute Excerpt – 04-22-14
3. Code Excerpt – Proposed Amendment to Chapter 6, Article I – Redlined
4. Code Excerpt – Proposed Amendment to Chapter 6, Article XVI - Redlined

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 April 22, 2014, City Council discussed possible restrictions on the outside display of merchandise. Staff believes this issue could potentially be addressed in the "Parking" Ordinance and therefore should come before the Planning Commission.

To address this issue, Councilors requested that staff look at ordinances such as that of the City of Sugar Land, which is attached for reference. Sugar Land's Zoning Ordinance pertaining to their General Business (B-2) district provides for the following:

- Merchandise cannot be located on public property, in a required yard/setback, or in a required parking space.
- It cannot be displayed outside for more than 30 consecutive days or a total of 90 days in one (1) calendar year.
- It must be owned by the owner or lessee of the property.
- It cannot occupy an area greater than 10% of the area of the building or tenant space (the 10% restriction does not apply to landscaping materials in a fenced area).

It is important to keep in mind that certain items (e.g., landscaping materials, vehicles) should be exempted from this type of requirement. If not, it is anticipated that a similar ordinance would affect many existing businesses. The attached potential ordinance amendments exempt certain items. In order to avoid unintended consequences, other possible exemptions could be discussed by the Planning Commission.

If the Planning Commission believes this is a priority, the ordinance amendments prepared by staff could be recommended to City Council for future adoption following a thorough review. Input from the Planning Commission is requested for this Agenda item.

- SUPPLEMENT HISTORY TABLE
Chapter 2 - ZONING REGULATIONS
ARTICLE II. - ZONING DISTRICTS AND LAND USES

PART 12. GENERAL BUSINESS DISTRICT (B-2)

PART 12. GENERAL BUSINESS DISTRICT (B-2)

[Sec. 2-141. Statement of Intent.](#)

[Sec. 2-142. Permitted Uses.](#)

[Sec. 2-143. District Regulations.](#)

[Secs. 2-144—2-148. Reserved.](#)

Sec. 2-141. Statement of Intent.

The General Business district allows the development of a variety of general commercial uses including wholesale sales and services with restrictions. Limited outdoor storage and display of merchandise is permitted in this district as an Accessory Use to the principal use. The B-2 district is dependent on high traffic volumes and locations along or adjacent to arterial Streets and, thus, is appropriate for the development of most shopping centers.

Sec. 2-142. Permitted Uses.

As shown in the Land Use Classification Matrix.

Sec. 2-143. District Regulations.

The following regulations apply in the General Business District:

(a) Maximum Height of Structures:

- 100 ft. above finished grade
- Over 100 ft. with a conditional use permit
- Bulk plane requirements in (f).

(b) Minimum Yards:

(1) Front:

- 25 feet.
- 40 feet on arterial Streets or highways.

(2) Side and Rear:

- 10 feet if abutting a Nonresidential District or R-4
- A yard is not required where the common wall of a building is located on a shared rear or side lot line of two lots abutting a Nonresidential District or R-4.
- 25 feet if abutting a Residential District other than R-4.

- SUPPLEMENT HISTORY TABLE
Chapter 2 - ZONING REGULATIONS
ARTICLE II. - ZONING DISTRICTS AND LAND USES

PART 12. GENERAL BUSINESS DISTRICT (B-2)

- 40 feet on arterial Streets or highways.

(c) *Minimum Parking Lot Setbacks:*

- 25 feet from Street Side Lot Lines.

(d) *Minimum Open Space:*

- 15% of Lot Area.

(e) *Outside Use:*

- Merchandise may be temporarily displayed or stored outside the Building on the same premises if the merchandise:

(1) Is not located on public property or within a required Parking Space or Yard;

(2) Is not displayed or stored outside for more than 30 consecutive days or for more than 90 days within one calendar year;

(3) Is owned by the owner or lessee of the Building; and

(4) Does not occupy a contiguous area in of excess of 10% of the ground Floor Area of the Building or tenant space of the business displaying or storing the merchandise. The 10% restriction does not apply to landscaping materials for retail nurseries or lawn and garden supply stores, if displayed within a fenced area.

(f) *Bulk Plane.* If any portion of a proposed building is within 500 linear feet of a Residential District, other than R-4, the building may not extend beyond the Bulk Plane formed by a bulk plane ratio of a setback of 2 feet for each 1 foot in height over 24 feet.

(Ord. No. 1305, §§ 3, 8, 11-6-01; Ord. No. 1607, § 3, 2-20-07)

Secs. 2-144—2-148. Reserved.

- A copy of an invitation to a reception we will be doing with the businesses May 1st was provided to Council. This will allow staff to solicit their feedback on a three day event downtown.

Questions/Comments:

- Councilor McConathy stated it sounds good and if Council approves this we would have to budget for it. It's a great idea and she would support it.
- Councilor Benton likes the idea but we need to see what the cost would be. Is the three day event on one weekend? He would support it.
- Darren McCarthy stated the event would be held on Thursday, Friday and Saturday.
- Councilor Bolf stated she likes the idea. Would it replace the gazebo tree lighting?
- Darren McCarthy stated yes.
- Councilor Grigar agreed with it and he likes the Thursday, Friday and Saturday.
- Councilor Pena likes the idea and replacing the one day event would be a good thing.
- Councilor Euton agreed and if the downtown merchants agree with it then it would be great.
- Mayor Morales stated he is in favor of Thursday, Friday and Saturday. We need the feedback from the downtown merchants. He likes the idea of bringing it together to attract people to Rosenberg. We need to get the cost and look at doing sponsorships as well.
- No action was taken on the item.

RECESS SESSION, RECONVENE SESSION.

Mayor Morales recessed the Session at 8:18 p.m. and reconvened the Session at 8:28 p.m.

5. REVIEW AND DISCUSS MERCHANDISE PROMINENTLY DISPLAYED AT THE SITE OF SALE, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.

Executive Summary: This item has been added to the Agenda to offer City Council the opportunity to discuss regulations that might govern merchandise prominently displayed at the site of sale on a regular or long term basis.

A copy of the current Code regarding garage sales was included in the agenda packet.

Additionally, it was requested that City staff research the City of Sugar Land's ordinance related to this issue. Sugar Land's Zoning Ordinance provides for merchandise to be temporarily displayed or stored outside the Building on the same premises if the merchandise:

- Is not located on public property or within a required Parking Space or Yard;
- Is not displayed or stored outside for more than 30 consecutive days or for more than 90 days within one calendar year;
- Is owned by the owner or lessee of the building; and
- Does not occupy a contiguous area in of excess of 10% of the ground Floor Area of the Building or tenant space of the business displaying or storing the merchandise. The 10% restriction does not apply to landscaping materials for retail nurseries or lawn and garden supply stores, if displayed within a fenced area.

Key discussion points:

- Councilor Benton stated he requested this item be placed on the agenda for discussion and input from Council. There are concerns with people selling merchandise at the road and suggested requiring a setback or buffer.

Questions/Comments:

- Councilor Euton cautioned on how Council would want to handle this. There are a lot of vendors that have outdoor merchandise displays. She knows what this is geared towards and she would like to see it addressed through an existing code. She does not want to limit people from displaying wares outside.
- Councilor Pena asked if this is referring to panhandling. What is the ordinance regarding trash cans? He agrees this needs to be looked at and the trash can standards might be a

good one to go with.

- Councilor Grigar stated he has some of the same concerns Councilor Euton has. What about car lots, farmers markets, etc? He thinks this needs to be looked at and there needs to be a setback. He has a concern regarding the type of merchandise.
- Councilor Bolf agreed with Councilor Grigar. The Avenue H area looks like a full time rummage sale. She would like staff to see what can be done to get it cleaned up.
- Councilor McConathy stated the Avenue H area is what we are talking about and the resale businesses. She suggested looking for a solution within those boundaries. We are not saying we don't want resale shops. We are saying we don't want items from inside now on the front lawn and looking cluttered and not representing Rosenberg businesses. We may need to look at setbacks. It is more of a safety issue than not liking this particular business.
- Travis Tanner stated there are some restrictions we could add such as setback, amount of outside storage and require screening that would discourage that type of thing. We need clarification on if we can actually do it based on the type of item such as a resale item. We would have to investigate that before staff could bring it back to Council.
- Councilor Euton asked if we could restrict them on parking with the existing ordinances.
- Travis Tanner stated we already do that and you are not allowed to take up any required parking for the business. There are situations where we have enforced that and we try to monitor it. We don't allow items in the right-of-way and are covered in our current Ordinance.
- Councilor Euton stated she would like to see a strengthening and Code Enforcement making a priority to show they are in violation and letting the owners know they are not in compliance with parking and easements to see if that helps before we do more ordinances.
- Councilor Grigar suggested that it be limited to only a certain percentage of the wares outside the business to display. He has a concern with utilizing parking spaces for merchandise.
- Mayor Morales stated the consensus from Council is to tighten up the highlighted items as stated in the Executive Summary without adding an ordinance.
- No action was taken on the item.

6. **REVIEW AND DISCUSS A COMPREHENSIVE STOP SIGN PLAN FOR THE CITY, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This item has been added to the Agenda to offer City Council the opportunity to discuss the potential of establishing a comprehensive stop sign plan. A copy of the applicable Code Section and examples of policies from several other cities was included in the agenda packet.

Key discussion points:

- Councilor Benton had the item placed on the agenda for discussion and input
- A brief discussion was held regarding the existing guidelines that are in place. The use of traffic calming devices in areas of the City could be beneficial.
- Staff will provide a list of types and pricing of traffic calming devices to be considered during the budget process.
- No action was taken on the item.

7. **REVIEW AND DISCUSS "LONG-TERM" PARKING OF VEHICLES IN FRONT YARDS OF AREA RESIDENCES, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This item has been added to the Agenda to offer City Council the opportunity to discuss "long-term" parking of vehicles in front yards of area residences, and the potential addition of guidelines regarding same.

It was requested that City staff research the City of Sugar Land's ordinance related to this issue. Sugar Land prohibits the parking of vehicles on unimproved surfaces in front and side yards in residential zoning districts. There is an exception to the ordinance for cases where the vehicle has been parked on an unimproved surface prior to the effective date of the ordinance.

PART II - CODE OF ORDINANCES
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. IN GENERAL

ARTICLE I. IN GENERAL

[Sec. 6-1. Violations; penalties.](#)

[Sec. 6-2. Definitions.](#)

[Sec. 6-3. Review of decisions of building official.](#)

[Sec. 6-4. Appeals; procedure.](#)

[Secs. 6-5—6-25. Reserved.](#)

Sec. 6-1. Violations; penalties.

Any person violating any of the provisions of this chapter shall upon conviction be subject to the penalty in section 1-13 for each offense. This penalty shall be cumulative of any other provision of this chapter relative to revocation, suspension or cancellation of licenses issued hereunder.

[\(Ord. No. 2013-30, § 1, 6-18-13 \)](#)

Sec. 6-2. Definitions.

Building official shall mean the building official or their designee.

Improved surface shall mean an area used for the parking of vehicles that is paved with asphalt or concrete.

Merchandise shall mean items for sale, not including vehicles or landscaping materials.

Unimproved driveway shall mean an area used for the parking of vehicles that is constructed of gravel, crushed stone, or other equivalent materials.

[\(Ord. No. 2013-30, § 1, 6-18-13 \)](#)

PART II - CODE OF ORDINANCES
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE XVI. PARKING LOT STANDARDS AND SPECIFICATIONS

ARTICLE XVI. PARKING LOT STANDARDS AND SPECIFICATIONS ^[18]

[Sec. 6-416. Off-street parking regulations.](#)

[Sec. 6-417. Off-street parking landscaping \(twenty-five \(25\) spaces or more\).](#)

[Sec. 6-418. Schedule of parking regulations.](#)

[Sec. 6-419. Special exceptions for parking and landscaping for commercial uses with frontage on Avenue H, Avenue I, and State Highway 36 only.](#)

[Sec. 6-420. Outdoor displays of motor vehicles; paving requirements.](#)

[Secs. 6-421—6-424. Reserved.](#)

Sec. 6-416. Off-street parking regulations.

It is the intent of this section to ensure that adequate off-street parking is provided.

- (1) Required off-street parking spaces should be on the same lot, tract, parcel, or premises as the use being served.
- (2) Any existing use that is enlarged, structurally altered, or remodeled to the extent of increasing or changing the use by more than fifty (50) percent as it existed at the effective date of this article shall be accompanied by off-street parking for the entire building, or use in accordance with the required off-street parking regulations set forth in the section 6-418, schedule of parking regulations. Exemption may be permitted for a business that existed prior to the passage of this ordinance and requires less than twenty-five (25) spaces, and is rebuilt due to fire, storm, or other acts of God.
- (3) Existing parking spaces may not be used to satisfy additional off-street parking requirements unless the existing spaces proposed for use in meeting the requirements of the associated use exceed the number of spaces required for the building or use for which the existing spaces are associated. All parking associated with a building or use from which the spaces are drawn must meet all requirements of this article.
- (4) Off-street parking areas shall provide parking spaces with a minimum stall width of nine (9) feet (as measured from centerline to centerline) and a minimum length of twenty (20) feet. Off-street parking spaces shall be clearly marked with striping to indicate the location of the individual spaces.
- (5) All parking and paving areas shall meet the following setbacks:
 - a. Parking and paving areas shall be setback a minimum of ten (10) feet from any property line that abuts a street right-of-way or an access easement as defined in Article 1, of Chapter 25, Subdivisions, Section 25-1
 - b. Parking and paving areas shall be setback a minimum of five (5) feet from any side property line. For corner lots, parking and paving areas shall provide the minimum five (5) foot setback on both interior side yards, regardless of whether one (1) yard is considered a rear yard.
 - c. There shall be no parking or paving setback on the rear of a lot. Parking spaces abutting an adjoining property line in the rear shall be provided with wheel guards or bumper guards located so that no part of a normally parking vehicle shall extend beyond the property line.

PART II - CODE OF ORDINANCES
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE XVI. PARKING LOT STANDARDS AND SPECIFICATIONS

- d. Parking and paving areas shall be setback a minimum of five (5) feet from any alley.
 - e. For interior side property lines in commercial developments with shared parking, no setback from the interior property lines are required.
 - f. Single family residential parking shall be exempt from these setback requirements.
 - g. *Nonconforming parking and paving areas:*
 - i. Parking and paving areas which are in existence on the effective date of this ordinance, and which are nonconforming as it relates to the provisions of subsection 6-416(5), may be repaired or renovated provided that repairs or renovations do not exceed fifty (50) percent of the replacement cost of the parking or paving area as determined by two (2) or more independent estimates from licensed contractors.
 - ii. Repairs or renovations exceeding fifty (50) percent of the replacement cost of a nonconforming parking or paving area must result in conformance with subsection 6-416(5).
- (6) Approval of the parking area layout and design of all off-street parking areas shall be by the planning director or such designee. The planning director or such designee shall determine that spaces provided are useable and that the circulation pattern of the area is adequate.
- (7) All off-street parking areas shall be paved with a permanent all-weather surface of asphalt concrete or Portland cement concrete approved by the planning director.
- (8) All off-street parking areas within commercial or multi-family projects shall be provided with exterior lighting, which meets the following minimum standards:
- a. Proper illumination shall be provided for safety, which at a minimum, shall be the equivalent of one-foot candle average of illumination throughout the parking area. In commercial parking lots, lights should be operable at a minimum of one (1) hour before the business is open to a period at least one (1) hour after the business has closed.
 - b. All lighting shall be on a time clock or photo sensor system.
 - c. All lighting shall be designed to confine direct rays to the premises. No spill over beyond the property line shall be permitted, except onto public thoroughfares provided, however, that such light shall not cause hazard to motorists.
- (9) Access to parking areas for commercial or multi-family projects shall be provided as follows:
- a. Two-way access driveways shall have a width of no less than twenty (20) feet nor greater than forty-four (44) feet. In cases where one-way access drives are approved, a minimum width of twelve (12) feet is required.
 - b. The parking area shall be designed so that a vehicle within the parking area will not have to enter a public street to move from one (1) location to any other location within the parking area. (Businesses requiring twenty-five (25) spaces or less are exempt from this provision.)
 - c. Under no circumstances will spaces be approved that require a vehicle to back into a public right-of-way. (Businesses requiring twenty-five (25) spaces or less are exempt from this provision.)
 - d. This section relating to access for commercial or multi-family projects shall not be applicable for single-family residential parking requirements.
- (10) Access to parking area for single-family residential units shall be provided as follows:

PART II - CODE OF ORDINANCES
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE XVI. PARKING LOT STANDARDS AND SPECIFICATIONS

- a. The driveway shall be a minimum nine (9) feet wide and connect to all parking areas including garage.
- b. The driveway can permit a vehicle to safely back into a public right-of-way.
- c. The access drive may be of like material of the city street, but in no case less than an asphalt material. It does not have to match the parking space material.
- d. The design criteria shall be approved by the building official and be properly tied into the city street.
- e. It shall be unlawful for any person to park a motor vehicle, recreational vehicle, or trailer within the front yard of a residential property upon any surface other than an improved surface except on an unimproved driveway in existence prior to the effective date of this ordinance.

(11) The Downtown Area, as defined in this chapter, shall be exempt from the parking regulations set forth in this article.

(Ord. No. 2011-24, § 1, 12-20-11; Ord. No. 2011-34, § 1, 12-20-11; [Ord. No. 2012-41, § 1, 11-20-2012](#))

Sec. 6-421. Outside display of merchandise.

Merchandise, as defined in this chapter, shall not be displayed or stored outside of a fully enclosed building, except under the following circumstances:

- (1) It is not located within 25' of the public street right-of-way;
- (2) It is not located in a drive aisle or parking space that is designated for any business at any time;
- (3) It is owned by the owner or lessee of the property on which it is displayed or stored; and
- (4) It does not occupy a contiguous area in excess of 10 percent of the floor area of the building or tenant space, whichever is less, of the business displaying or storing the merchandise.



PLANNING COMMISSION COMMUNICATION

May 21, 2014

ITEM #	ITEM TITLE
5	Vehicle Parking in Front Yards Discussion

MOTION

Review and discuss the parking of vehicles on unimproved surfaces in residential front yards, and take action as necessary to direct staff.

RECOMMENDATION

Staff has no recommendation for this item.

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

SUPPORTING DOCUMENTS:

1. Sugar Land Code Excerpt – Chapter 5, Article IV, Division 6 – Stopping and Parking
2. City Council Meeting Draft Minute Excerpt – 04-22-14
3. Code Excerpt – Proposed Amendment to Chapter 6, Article I – Redlined
4. Code Excerpt – Proposed Amendment to Chapter 6, Article XVI - Redlined

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 April 22, 2014, City Council discussed possible regulations prohibiting long-term parking in residential yards. After some discussion, the consensus of City Council was to present the item to the Planning Commission for your review and recommendation.

Attached are staff recommendations for an ordinance amendment if Commissioners concur and believe this item is a priority. The amendment would require parking of vehicles to be on a paved surface, except in instances where an unimproved or gravel surface was in existence prior to the effective date of the ordinance. We believe that an exception is necessary for existing lots with unimproved drives due to the large number in existence in the City.

Staff believes this item should be reviewed carefully and welcomes recommendations from the Planning Commission to avoid potential issues with enforcement. It is believed that the attached ordinance would affect a number of properties within the City Limits even if parking on existing, unimproved drives is permitted.

PART II - CODE OF ORDINANCES
Chapter 5 - PUBLIC PROPERTY AND SERVICES
ARTICLE IV. - TRAFFIC

DIVISION 6. STOPPING AND PARKING

Sec. 5-141. Prohibited off-street parking in residential districts.

(a) *Definitions.* In this section:

Improved surface means an area used for the parking of vehicles that is overlaid or otherwise paved with concrete or asphalt and accessed by a street driveway approach.

Motor vehicle means a self-propelled device in, upon, or by which, any person or property is or may be transported.

Recreational vehicle means a portable vehicle designed primarily for temporary occupancy or use for travel, recreation, and vacation use, and includes boats, travel and tent trailers, pickup campers and shells, motorized travel homes and similar vehicles.

Trailer means a vehicle that:

- (1) Is designed or used to carry a load wholly on the trailer's own structure; and
- (2) Is drawn or designed to be drawn by a motor vehicle.

Unimproved driveway means a private, continuous surface that is constructed with gravel, crushed stone, or other equivalent material and provides ingress and egress for vehicles from an off-street parking area, such as a garage or carport, to an adjacent street, alley, or other improved public way.

(b) It is unlawful for any person to stop or park a motor vehicle, recreational vehicle, or trailer within the front and side yards of a residential property upon any surface other than an improved surface.

(c) *Affirmative defense.* It is an affirmative defense to a violation of this section that:

- (1) The person stopped or parked the vehicle on an unimproved driveway of a residential property; and
- (2) The unimproved driveway was in existence prior to the effective date of this section.

(d) All new construction of off-street parking areas commenced on or after the effective date of this section must adhere to sections 2-206 and 2-168 of the Development Code.

(Ord. No. 1845, § 1, 2-7-2012)

good one to go with.

- Councilor Grigar stated he has some of the same concerns Councilor Euton has. What about car lots, farmers markets, etc? He thinks this needs to be looked at and there needs to be a setback. He has a concern regarding the type of merchandise.
- Councilor Bolf agreed with Councilor Grigar. The Avenue H area looks like a full time rummage sale. She would like staff to see what can be done to get it cleaned up.
- Councilor McConathy stated the Avenue H area is what we are talking about and the resale businesses. She suggested looking for a solution within those boundaries. We are not saying we don't want resale shops. We are saying we don't want items from inside now on the front lawn and looking cluttered and not representing Rosenberg businesses. We may need to look at setbacks. It is more of a safety issue than not liking this particular business.
- Travis Tanner stated there are some restrictions we could add such as setback, amount of outside storage and require screening that would discourage that type of thing. We need clarification on if we can actually do it based on the type of item such as a resale item. We would have to investigate that before staff could bring it back to Council.
- Councilor Euton asked if we could restrict them on parking with the existing ordinances.
- Travis Tanner stated we already do that and you are not allowed to take up any required parking for the business. There are situations where we have enforced that and we try to monitor it. We don't allow items in the right-of-way and are covered in our current Ordinance.
- Councilor Euton stated she would like to see a strengthening and Code Enforcement making a priority to show they are in violation and letting the owners know they are not in compliance with parking and easements to see if that helps before we do more ordinances.
- Councilor Grigar suggested that it be limited to only a certain percentage of the wares outside the business to display. He has a concern with utilizing parking spaces for merchandise.
- Mayor Morales stated the consensus from Council is to tighten up the highlighted items as stated in the Executive Summary without adding an ordinance.
- No action was taken on the item.

6. **REVIEW AND DISCUSS A COMPREHENSIVE STOP SIGN PLAN FOR THE CITY, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This item has been added to the Agenda to offer City Council the opportunity to discuss the potential of establishing a comprehensive stop sign plan. A copy of the applicable Code Section and examples of policies from several other cities was included in the agenda packet.

Key discussion points:

- Councilor Benton had the item placed on the agenda for discussion and input
- A brief discussion was held regarding the existing guidelines that are in place. The use of traffic calming devices in areas of the City could be beneficial.
- Staff will provide a list of types and pricing of traffic calming devices to be considered during the budget process.
- No action was taken on the item.

7. **REVIEW AND DISCUSS "LONG-TERM" PARKING OF VEHICLES IN FRONT YARDS OF AREA RESIDENCES, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This item has been added to the Agenda to offer City Council the opportunity to discuss "long-term" parking of vehicles in front yards of area residences, and the potential addition of guidelines regarding same.

It was requested that City staff research the City of Sugar Land's ordinance related to this issue. Sugar Land prohibits the parking of vehicles on unimproved surfaces in front and side yards in residential zoning districts. There is an exception to the ordinance for cases where the vehicle has been parked on an unimproved surface prior to the effective date of the ordinance.

Key discussion points:

- Councilor Benton had the item placed on the agenda for consideration and discussion.
- A brief discussion was held on the item.
- Councilor Grigar stated the item needs to be taken to the Planning Commission for discussion.
- Mayor Morales stated there is a concern with this but not to the degree of over restricting the neighborhood. He agrees the item needs to be taken to the Planning Commission.
- The general consensus of Council was to have the Planning Commission review.
- No action was taken on the item.

8. **REVIEW AND DISCUSS PROPOSED AMENDMENT TO SECTION 6-367 OF THE CODE OF ORDINANCES PROVIDING RULES AND REGULATIONS GOVERNING THE PAINTING OF STREET NUMBERS ON CURBS, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**
Executive Summary: On April 01, 2014, City Council held discussions regarding the potential of amending the City's curb-painting regulations to include the Texas flag.

This item has been added to the agenda to offer City Council the opportunity to discuss the potential amendment of the rules and regulations governing the painting of street numbers on curbs. A copy of the current Code Section 6-367 was attached in the agenda packet.

Key discussion points:

- Councilor Benton placed the item on the agenda for consideration and discussion.
- Discussion was held and concerns expressed regarding the size of lettering and restriction to only the Texas flag.
- Lora Lenzsch reiterated the fact that it is unconstitutional to restrict it to the Texas flag. You cannot hold people criminally liable for painting other flags. The County Attorney would have to seek an Attorney General opinion on this.
- Councilor Grigar stated his intention was for staff to research it to see what kind of situation we are looking at. He expressed concern that the item was brought back by a Council Member and no backup provided. He would like to leave the ordinance the way it is currently.
- Mayor Morales stated the general consensus of Council is for staff to bring the item back with the Austin ordinance criteria. We can review this potential ordinance again after the budget process.
- No action was taken on the item.

9. **ADJOURNMENT.**

There being no further business Mayor Morales adjourned the meeting at 9:40 p.m.

Linda Cernosek, TRMC, City Secretary

PART II - CODE OF ORDINANCES
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. IN GENERAL

ARTICLE I. IN GENERAL

[Sec. 6-1. Violations; penalties.](#)

[Sec. 6-2. Definitions.](#)

[Sec. 6-3. Review of decisions of building official.](#)

[Sec. 6-4. Appeals; procedure.](#)

[Secs. 6-5—6-25. Reserved.](#)

Sec. 6-1. Violations; penalties.

Any person violating any of the provisions of this chapter shall upon conviction be subject to the penalty in section 1-13 for each offense. This penalty shall be cumulative of any other provision of this chapter relative to revocation, suspension or cancellation of licenses issued hereunder.

[\(Ord. No. 2013-30, § 1, 6-18-13 \)](#)

Sec. 6-2. Definitions.

Building official shall mean the building official or their designee.

Improved surface shall mean an area used for the parking of vehicles that is paved with asphalt or concrete.

Merchandise shall mean items for sale, not including vehicles or landscaping materials.

Unimproved driveway shall mean an area used for the parking of vehicles that is constructed of gravel, crushed stone, or other equivalent materials.

[\(Ord. No. 2013-30, § 1, 6-18-13 \)](#)

PART II - CODE OF ORDINANCES
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE XVI. PARKING LOT STANDARDS AND SPECIFICATIONS

ARTICLE XVI. PARKING LOT STANDARDS AND SPECIFICATIONS ^[18]

[Sec. 6-416. Off-street parking regulations.](#)

[Sec. 6-417. Off-street parking landscaping \(twenty-five \(25\) spaces or more\).](#)

[Sec. 6-418. Schedule of parking regulations.](#)

[Sec. 6-419. Special exceptions for parking and landscaping for commercial uses with frontage on Avenue H, Avenue I, and State Highway 36 only.](#)

[Sec. 6-420. Outdoor displays of motor vehicles; paving requirements.](#)

[Secs. 6-421—6-424. Reserved.](#)

Sec. 6-416. Off-street parking regulations.

It is the intent of this section to ensure that adequate off-street parking is provided.

- (1) Required off-street parking spaces should be on the same lot, tract, parcel, or premises as the use being served.
- (2) Any existing use that is enlarged, structurally altered, or remodeled to the extent of increasing or changing the use by more than fifty (50) percent as it existed at the effective date of this article shall be accompanied by off-street parking for the entire building, or use in accordance with the required off-street parking regulations set forth in the section 6-418, schedule of parking regulations. Exemption may be permitted for a business that existed prior to the passage of this ordinance and requires less than twenty-five (25) spaces, and is rebuilt due to fire, storm, or other acts of God.
- (3) Existing parking spaces may not be used to satisfy additional off-street parking requirements unless the existing spaces proposed for use in meeting the requirements of the associated use exceed the number of spaces required for the building or use for which the existing spaces are associated. All parking associated with a building or use from which the spaces are drawn must meet all requirements of this article.
- (4) Off-street parking areas shall provide parking spaces with a minimum stall width of nine (9) feet (as measured from centerline to centerline) and a minimum length of twenty (20) feet. Off-street parking spaces shall be clearly marked with striping to indicate the location of the individual spaces.
- (5) All parking and paving areas shall meet the following setbacks:
 - a. Parking and paving areas shall be setback a minimum of ten (10) feet from any property line that abuts a street right-of-way or an access easement as defined in Article 1, of Chapter 25, Subdivisions, Section 25-1
 - b. Parking and paving areas shall be setback a minimum of five (5) feet from any side property line. For corner lots, parking and paving areas shall provide the minimum five (5) foot setback on both interior side yards, regardless of whether one (1) yard is considered a rear yard.
 - c. There shall be no parking or paving setback on the rear of a lot. Parking spaces abutting an adjoining property line in the rear shall be provided with wheel guards or bumper guards located so that no part of a normally parking vehicle shall extend beyond the property line.

PART II - CODE OF ORDINANCES
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE XVI. PARKING LOT STANDARDS AND SPECIFICATIONS

- d. Parking and paving areas shall be setback a minimum of five (5) feet from any alley.
 - e. For interior side property lines in commercial developments with shared parking, no setback from the interior property lines are required.
 - f. Single family residential parking shall be exempt from these setback requirements.
 - g. *Nonconforming parking and paving areas:*
 - i. Parking and paving areas which are in existence on the effective date of this ordinance, and which are nonconforming as it relates to the provisions of subsection 6-416(5), may be repaired or renovated provided that repairs or renovations do not exceed fifty (50) percent of the replacement cost of the parking or paving area as determined by two (2) or more independent estimates from licensed contractors.
 - ii. Repairs or renovations exceeding fifty (50) percent of the replacement cost of a nonconforming parking or paving area must result in conformance with subsection 6-416(5).
- (6) Approval of the parking area layout and design of all off-street parking areas shall be by the planning director or such designee. The planning director or such designee shall determine that spaces provided are useable and that the circulation pattern of the area is adequate.
- (7) All off-street parking areas shall be paved with a permanent all-weather surface of asphalt concrete or Portland cement concrete approved by the planning director.
- (8) All off-street parking areas within commercial or multi-family projects shall be provided with exterior lighting, which meets the following minimum standards:
- a. Proper illumination shall be provided for safety, which at a minimum, shall be the equivalent of one-foot candle average of illumination throughout the parking area. In commercial parking lots, lights should be operable at a minimum of one (1) hour before the business is open to a period at least one (1) hour after the business has closed.
 - b. All lighting shall be on a time clock or photo sensor system.
 - c. All lighting shall be designed to confine direct rays to the premises. No spill over beyond the property line shall be permitted, except onto public thoroughfares provided, however, that such light shall not cause hazard to motorists.
- (9) Access to parking areas for commercial or multi-family projects shall be provided as follows:
- a. Two-way access driveways shall have a width of no less than twenty (20) feet nor greater than forty-four (44) feet. In cases where one-way access drives are approved, a minimum width of twelve (12) feet is required.
 - b. The parking area shall be designed so that a vehicle within the parking area will not have to enter a public street to move from one (1) location to any other location within the parking area. (Businesses requiring twenty-five (25) spaces or less are exempt from this provision.)
 - c. Under no circumstances will spaces be approved that require a vehicle to back into a public right-of-way. (Businesses requiring twenty-five (25) spaces or less are exempt from this provision.)
 - d. This section relating to access for commercial or multi-family projects shall not be applicable for single-family residential parking requirements.
- (10) Access to parking area for single-family residential units shall be provided as follows:

PART II - CODE OF ORDINANCES
Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE XVI. PARKING LOT STANDARDS AND SPECIFICATIONS

- a. The driveway shall be a minimum nine (9) feet wide and connect to all parking areas including garage.
- b. The driveway can permit a vehicle to safely back into a public right-of-way.
- c. The access drive may be of like material of the city street, but in no case less than an asphalt material. It does not have to match the parking space material.
- d. The design criteria shall be approved by the building official and be properly tied into the city street.
- e. It shall be unlawful for any person to park a motor vehicle, recreational vehicle, or trailer within the front yard of a residential property upon any surface other than an improved surface except on an unimproved driveway in existence prior to the effective date of this ordinance.

(11) The Downtown Area, as defined in this chapter, shall be exempt from the parking regulations set forth in this article.

(Ord. No. 2011-24, § 1, 12-20-11; Ord. No. 2011-34, § 1, 12-20-11; [Ord. No. 2012-41, § 1, 11-20-2012](#))

Sec. 6-421. Outside display of merchandise.

Merchandise, as defined in this chapter, shall not be displayed or stored outside of a fully enclosed building, except under the following circumstances:

- (1) It is not located within 25' of the public street right-of-way;
- (2) It is not located in a drive aisle or parking space that is designated for any business at any time;
- (3) It is owned by the owner or lessee of the property on which it is displayed or stored; and
- (4) It does not occupy a contiguous area in excess of 10 percent of the floor area of the building or tenant space, whichever is less, of the business displaying or storing the merchandise.



PLANNING COMMISSION COMMUNICATION

May 21, 2014

ITEM #	ITEM TITLE
6	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. Ordinance No. 2014-08 – 04-25-14

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 May 6th City Council meeting, City Council adopted the "Sign" Ordinance revisions applicable to State Highway 36 and Avenues H and I that have been in progress for several months. The approved Ordinance is attached for Commissioners' reference. The Professional Services Agreement for the Comprehensive Plan update was also presented to City Council. It was tabled for further/future discussion at a Workshop.

ORDINANCE NO. 2014-08

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROSENBERG, TEXAS, BY AMENDING SUBSECTIONS (a)(4) AND (a)(7) AND BY ADDING NEW SUBSECTIONS (a)(8), (a)(9) AND (a)(10) TO SECTION 6-362.2 OF ARTICLE XIII OF CHAPTER 6 THEREOF, PROVIDING FOR EXPANDED BOUNDARIES OF SIGN DISTRICT "B"; BY ADDING A NEW SECTION 6-362.3 OF ARTICLE XIII OF CHAPTER 6 THEREOF, ESTABLISHING SIGN DISTRICT "C" AND REGULATIONS FOR SIGN DISTRICT "C"; BY ADDING A NEW SECTION 6-362.4 OF ARTICLE XIII OF CHAPTER 6 THEREOF, ESTABLISHING A SIGN DISTRICT MAP; PROVIDING A PENALTY IN AN AMOUNT AS PROVIDED IN SECTION 1-13 OF THIS CODE FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:

Section 1. The Code of Ordinances of the City of Rosenberg, Texas, is hereby amended by amending subsections (a)(4) and (a)(7) and by adding new subsections (a)(8), (a)(9) and (a)(10) to Section 6-362.2; by adding a new Section 6-362.3; and by adding a new Section 6-362.4 to Article XIII of Chapter 6 thereof to provide as follows:

"Sec. 6-362.2. - Sign District "B".

(a) There is hereby created a Sign District "B", which shall include:

- (1) All property located within the City adjacent to and fronting on the right-of-way of FM 2218; and
- (2) All property located within the City adjacent to and fronting on the right-of-way of FM 2977; and
- (3) All property located within the City adjacent to and fronting on the right-of-way of FM 762; and
- (4) All property located within the City adjacent to and fronting on the right-of-way of FM 723 and not in the Downtown Area; and
- (5) All property located within the City adjacent to and fronting on the right-of-way of the sections of State Highway 36 that extend south of City Hall Drive and north of U.S. Highway 90A; and
- (6) All property located within the City adjacent to and fronting on the right-of-way of the section of U.S. Highway 90A that extends west of Spur 529; and

- (7) All property located within the City adjacent to and fronting on the right-of-way of Spur 529; and
 - (8) All property located within the City adjacent to and fronting on the right-of-way of the section of U.S. Highway 90A that extends east of 8th Street; and
 - (9) All property located within the City adjacent to and fronting on the right-of-way of the section of FM 1640 that extends east of Mahlmann Street; and
 - (10) All property located within the City adjacent to and fronting on the north side of the right-of-way of the section of FM 1640 between 8th and Mahlmann Streets; and
 - (11) All property located within the City adjacent to and fronting on the right-of-way of the section of Lane Drive between U.S. Highway 90A and Westwood Drive.
- (b) The following standards shall apply to single tenant signs within District "B":
- (1) The maximum height shall be sixteen (16) feet.
 - (2) The maximum size shall be one-hundred twenty (120) square feet.
- (c) The following standards shall apply to multi-tenant signs within District "B":
- (1) The maximum height shall be twenty-four (24) feet.
 - (2) The maximum overall size shall be three-hundred twenty (320) square feet.
 - (3) The maximum size per individual tenant shall be one-hundred twenty (120) square feet.

Sec. 6-362.3. - Sign District "C".

- (a) There is hereby created a Sign District "C", which shall include:
- (1) All property located within the City adjacent to and fronting on the right-of-way of the section of State Highway 36 between City Hall Drive and U.S. Highway 90A and not in the Downtown Area; and
 - (2) All property located within the City adjacent to and fronting on the right-of-way of the section of U.S. Highway 90A between Spur 529 and 8th Street and not in the Downtown Area; and
 - (3) All property located within the City adjacent to and fronting on the right-of-way of the section of FM 1640 between Spur 529 and 8th Street and not in the Downtown Area; and
 - (4) All property located within the City adjacent to and fronting on the south side of

the right-of-way of the section of FM 1640 between 8th and Mahlmann Streets.

(b) The following standards shall apply to single tenant signs within District "C":

- (1) The maximum height shall be twelve (12) feet.
- (2) The maximum size shall be sixty (60) square feet.

(c) The following standards shall apply to multi-tenant signs within District "C":

- (1) The maximum height shall be twelve (12) feet.
- (2) The maximum overall size shall be ninety-six (96) square feet.
- (3) The maximum size per individual tenant shall be sixty (60) square feet.

Sec. 6-362.4. – Sign District Map.

The Sign District Map, depicting Sign Districts "A," "B," and "C" and the Downtown Area of the City of Rosenberg, is attached hereto as Exhibit "A" and incorporated herein for reference purposes."

Section 2. Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount as provided in Section 1-13 of this Code. Each day of violation shall constitute a separate offense.

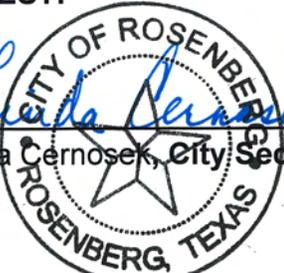
Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED by a vote of 6 "ayes" in favor and 0 "noes" against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the 6th day of May 2014.

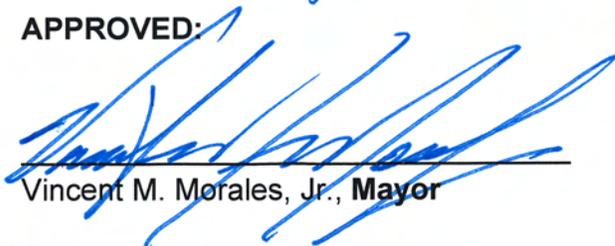
ATTEST:



Linda Cernosek, City Secretary



APPROVED:



Vincent M. Morales, Jr., Mayor

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "L. Lenzsch", written over a horizontal line.

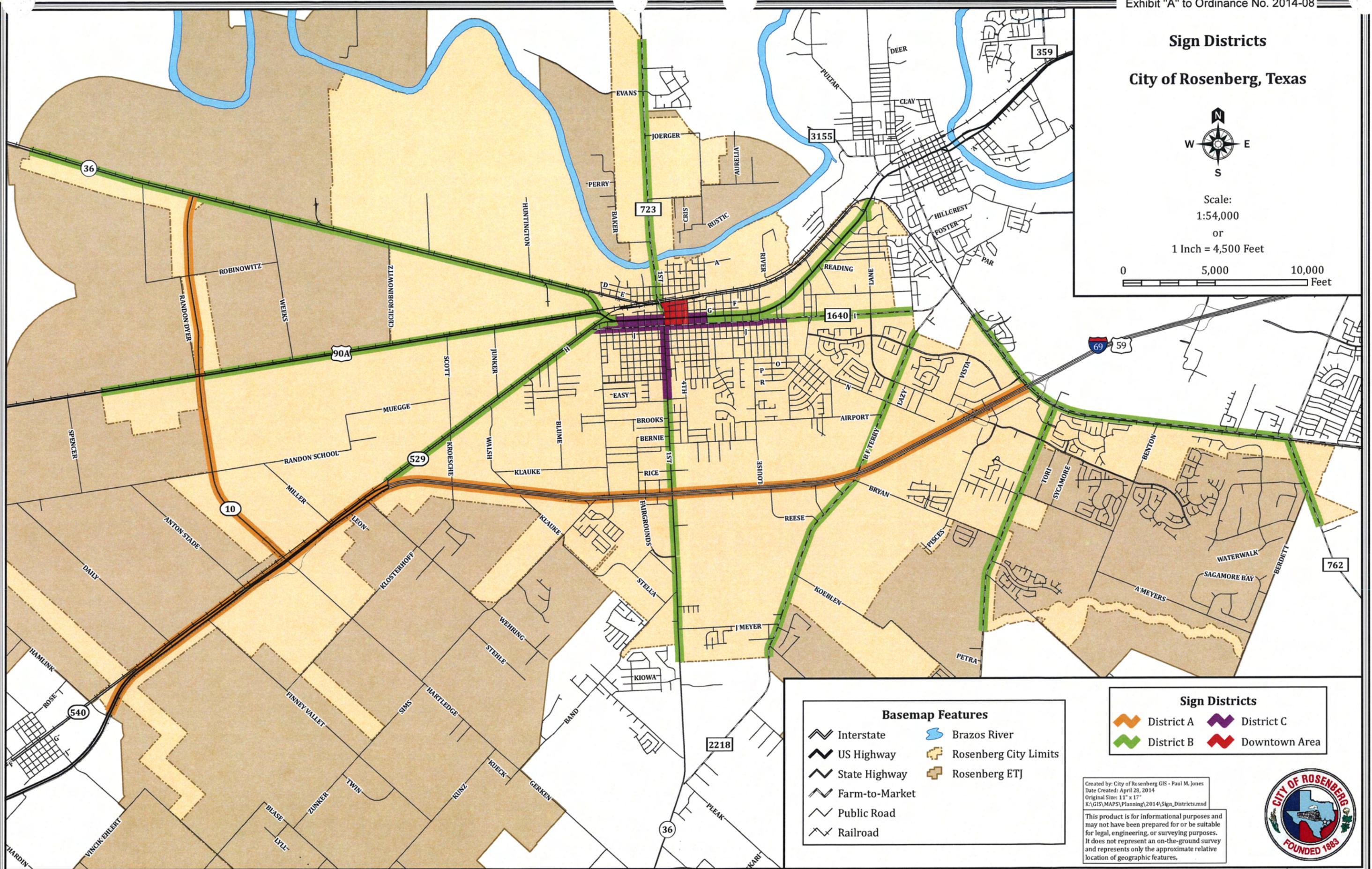
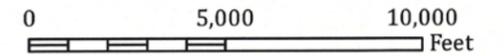
Lora Jean D. Lenzsch, **City Attorney**

Sign Districts

City of Rosenberg, Texas



Scale:
1:54,000
or
1 Inch = 4,500 Feet



Basemap Features

- Interstate
- US Highway
- State Highway
- Farm-to-Market
- Public Road
- Railroad
- Brazos River
- Rosenberg City Limits
- Rosenberg ETJ

Sign Districts

- District A
- District B
- District C
- Downtown Area

Created by: City of Rosenberg GIS - Paul M. Jones
 Date Created: April 28, 2014
 Original Size: 11" x 17"
 K:\GIS\MAPS\Planning\2014\Sign_Districts.mxd

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



ITEM 7

Announcements.

ITEM 8

Adjournment.