

**CITY OF DEER PARK
NOVEMBER 19, 2018 - 6:15 PM
PLANNING AND ZONING COMMISSION
HEARING MEETING - FINAL**

Don Tippit, Chair
Ray Balusek, Vice Chair
Douglas Cox



**COUNCIL CHAMBERS
710 E SAN AUGUSTINE
DEER PARK, TX 77536**

Stan Garrett
Danielle Wendeburg

Notice is hereby given that the Planning and Zoning Commission of the City of Deer Park will hold the following public hearing(s) at which time and place they will hear all persons desiring to be heard on or in connection with any matter or question relating to the following request(s):

Public Hearing

1. Greenbriar Real Estate Services Inc, representing Shirley Hill, is requesting to rezone 2300 East 13th Street(Lot 607 of out lots to the town of La Porte, an addition in Harris County, Texas) from General Commercial (GC) to Light Industrial (M1) for the future corporate headquarters of Atlas Copco Rentals.

[PH 18-074](#)

Recommended Action: Hear comments for or against
Attachments: [PZ_PPH_111918_Hill,Shirley](#)
[2300 E. 13th 11.19.18](#)

Shannon Bennett, TRMC
City Secretary

Posted on Bulletin Board
November 15, 2018

City Hall is wheelchair accessible and accessible parking spaces are available. Hearing assistance devices are available. Requests for accommodations services must be made 72 hours prior to any meeting. Please contact the City Secretary's office at 281-478-7248 for further information.

The Mission of the City of Deer Park is to deliver exemplary municipal services that provide the community a high quality of life consistent with our history, culture and unique character.



Legislation Details (With Text)

File #: PH 18-074 **Version:** 1 **Name:**
Type: Public Hearing(s) **Status:** Agenda Ready
File created: 11/12/2018 **In control:** Planning and Zoning Commission Hearing
On agenda: 11/19/2018 **Final action:**
Title: Greenbriar Real Estate Services Inc, representing Shirley Hill, is requesting to rezone 2300 East 13th Street(Lot 607 of out lots to the town of La Porte, an addition in Harris County, Texas) from General Commercial (GC) to Light Industrial (M1) for the future corporate headquarters of Atlas Copco Rentals.

Sponsors:

Indexes:

Code sections:

Attachments: [PZ_PPH_111918_Hill,Shirley](#)
[2300 E. 13th 11.19.18](#)

Date	Ver.	Action By	Action	Result
11/19/2018	1	Planning and Zoning Commission	Hearing	

Greenbriar Real Estate Services Inc, representing Shirley Hill, is requesting to rezone 2300 East 13th Street(Lot 607 of out lots to the town of La Porte, an addition in Harris County, Texas) from General Commercial (GC) to Light Industrial (M1) for the future corporate headquarters of Atlas Copco Rentals.

Summary: Industrial Equipment Rental, Group 36 is only allowed in an Industrial Zoning District. A rezone is required to operate the Industrial Equipment Rental business.

Fiscal/Budgetary Impact:

Hear comments for or against

NOTICE OF PRELIMINARY PUBLIC HEARING

Notice is hereby given that the Planning and Zoning Commission of the City of Deer Park, Texas will hold a preliminary public hearing at City Hall, 710 East San Augustine Street, Deer Park, Texas at 6:15 p.m. on the 19th day of November, 2018 at which time and place they will hear all persons desiring to be heard on or in connection with any matter or question relating to the request from Shirley and Kelley Hill and the listing broker Greenbriar Real Estate Services to rezone 7.254 acres located at 2300 East Thirteenth Street from General Commercial (GC) to Light Industrial (M1).

Shannon Bennett, TRMC
City Secretary

Dated this 16th of October 2018

CITY OF DEER PARK

ReZoning



LN- 002094 -2018

PERMIT #: LN- 002094 -2018

ISSUED DATE:

PROJECT:

EXPIRATION DATE :

PROJECT ADDRESS:

2300 E THIRTEENTH ST

OWNER NAME: Shirley Hill

CONTRACTOR: GREENBRIAR REAL ESTATE SERVICES

ADDRESS: 1027 Harry St

ADDRESS: 5626 Fm 1960 West

CITY: LEXINGTON

CITY: HOUSTON

STATE : TX

STATE : TX

ZIP: 78447

ZIP: 77069

PHONE: (281)893-4633

PROJECT DETAILS

PROPOSED USE:

SQ FT: 0

DESCRIPTION: Rezone From Gc To M1

VALUATION : \$ 0.00

PERMIT FEES

TOTAL FEES : \$ 1,000.00

PAID: \$ 1,000.00

BALANCE: \$ 0.00

ALL PERMITS MUST BE POSTED ON THE JOBSITE AND VISIBLE FROM THE STREET

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 1 YEAR AT ANY TIME AFTER WORK IS STARTED. ALL PERMITS ARE SUBJECT TO THE FOLLOWING :

- ALL WORK MUST COMPLY WITH THE BUILDING , ELECTRICAL, PLUMBING, AND MECHANICAL CODES ADOPTED BY THE CITY OF DEER PARK AT THE TIME THE PERMIT IS ISSUED .
- IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO COMPLY WITH ALL STATE & FEDERAL DISABILITY REQUIREMENTS.
- ENCROACHMENTS OF EASEMENTS AND RIGHT-OF-WAYS ARE NOT ALLOWED .

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT . ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT . GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION .

SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT

DATE

APPROVED BY

DATE

TO SCHEDULE NEXT DAY INSPECTIONS CALL BY 4PM 281-478-7270
ALL REINSPECTIONS ARE SUBJECT TO A \$45.00 REINSPECTION FEE

You can request a morning or afternoon inspection and we will do our best to accommodate you but there are no guarantees, it will depend on the volume of inspections scheduled that day .

710 E San Augustine Deer Park, TX 77536 Fax 281-478-0394
www.deerparktx.gov/publicworks

Application for Amendment
to the
City of Deer Park, Texas Zoning Ordinance

To: City of Deer Park
Planning & Zoning Commission

Date Submitted: Oct. 5 2018

(I and/or We) Shirley Hill hereby make application for an amendment to the City of Deer Park Zoning Ordinance on the following described property (legal description):

LOT 607 OF OUT LOTS TO THE TOWN OF LA PORTE, AN ADDITION IN
HARRIS COUNTY, TEXAS, PROPERTY IS NEAR CORNER OF 13TH ST
AND EAST BLVD.

Currently zoned as General Commercial Request to be zoned to Light Industrial (M1)

Deed Restrictions on the above described property are as follows:

NONE

(I and/or We) ATLAS COPO RENTALS have paid the application fee of \$1,000.00 to the City of Deer Park City Secretary and a copy of the receipt is attached.

10/8/18
Date

Jim B...
Owner's Designated Representative (if any)

Shirley Hill
Property Owner's Signature

Other Representative (if any)

A copy of the certificate of ownership or title is attached to the application

Greenbriar Real Estate Services Inc.

October 8, 2018

City of Deer Park
Council Chambers of City Hall
710 Saint Augustine
Deer Park, Texas 77536



Re: 7.254 Acres Rezoning

To: Deer Park Planning and Zoning Commission:

Greenbriar Real Estate Services Inc., is the listing Broker of record for a property located at 2300 E. 13th Street @ East Boulevard, Deer Park, Texas and on behalf of the owner Mrs. Shirley Ann Hill and her son Kelley Hill respectfully request a rezoning of the parcel.

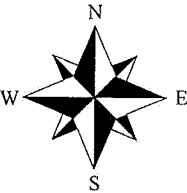
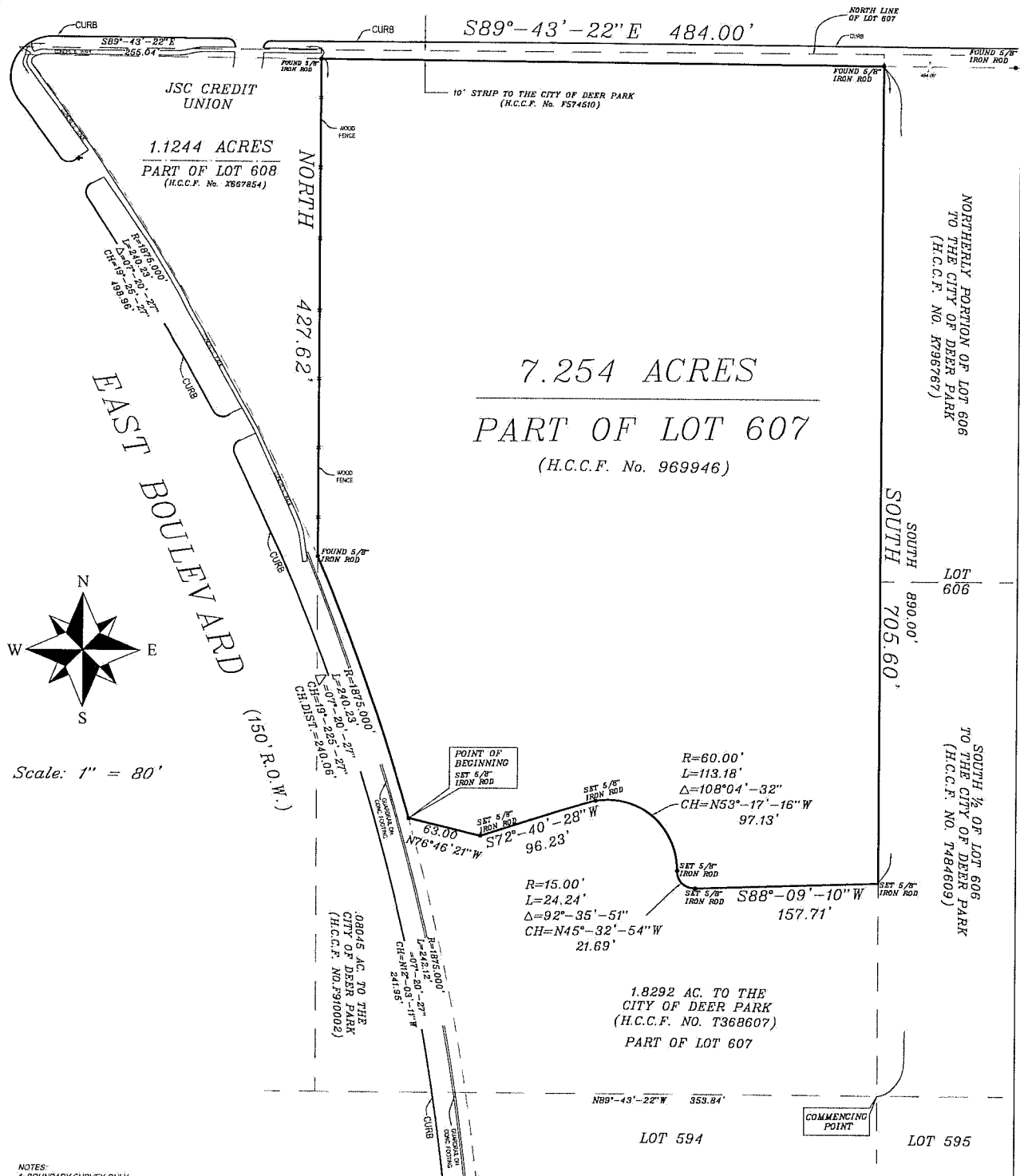
Currently, the property is zoned as **General Commercial** and the owners would like to rezone the property to **Light Industrial (M1)** for the intended purpose and future use as a **Corporate Headquarters** for a client represented by **Avison Young**. This should coincide with the existing Commercial and Industrial Owners on 13th Street. Thank you for your attention to this matter.

Sincerely,

 
Shirley A Hill and Kelley Hill

PROPERTY ADDRESS:
13th Street
Deer Park, Texas

13TH STREET (100' R.O.W.)



Scale: 1" = 80'



I, Thomas G. Robinson, certify that this survey was performed under my supervision on September 6, 2014; that there were no encroachments except as shown; that this survey conforms to T.S.P.S. Standards for a Category 1a, Condition III Survey; and that property is not in the 100 year Flood Plain and is in Zone "X" on F.I.R.M. Map # 48201C 0930 L dated June 18, 2007. This certifies only to easements and building lines shown on the recorded subdivision plat and on Commitment GF#420177290 of Stewart Title Company dated September 1, 2014.

WD
13
Z

U969646

04/05/01 101539678 U969646

\$13.00

GENERAL WARRANTY DEED

Date:

February 21 ~~2000~~ 2001

Grantor:

L. A. HILL, JR. and wife, SHIRLEY ANN HILL

Grantor's Mailing Address (including county):

1027 Harry Street
Lexington, Texas 78447
Lee County

Grantee:

LUCHIES AVERY HILL, JR. AND SHIRLEY ANN HILL
REVOCABLE LIVING TRUST dated August 9, 2000,
Luchies Avery Hill, Jr. and Shirley Ann Hill, Co-Trustees

(3) Lee
200

Grantee's Mailing Address (including County):

1027 Harry Street
Lexington, Texas 78447
Lee County

Consideration:

TEN AND NO/100 DOLLARS and other good and valuable consideration

Property (including any improvements):

All of Lot 607 of the Outlots to the Town of LaPorte, according to the map or plat thereof recorded in Volume 1, Page 33, of the Map Records of Harris County, Texas. SAVE AND EXCEPT that certain portion sold by Grantor herein to The City of Deer Park, Texas, more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes.

D

Reservations From and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded instruments, other than liens and conveyances, that affect the property; taxes for the current year, the payment of which Grantee assumes.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executor, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors,

FILE FOR RECORD
8:00 AM

- 1 -

APR - 5 2001

Shirley L. Kayman
County Clerk, Harris County, Texas

administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

L. A. Hill, Jr.
L. A. HILL, JR.

Shirley Ann Hill
SHIRLEY ANN HILL

200

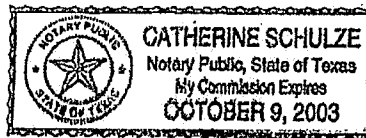
ACKNOWLEDGMENT

STATE OF TEXAS
COUNTY OF HARRIS

§
§

This instrument was acknowledged before me on the 10 day of February, 2001,
by L. A. HILL, JR. and wife, SHIRLEY ANN HILL.

Catherine Schulze
Notary Public, State of Texas



[Notary Stamp]

PREPARED BY THE OFFICE OF:
MICHAEL C. RIDDLE
Riddle & Brazil, L.L.P.
4201 FM 1960 West, Suite 550
Houston, Texas 77068

RETURN TO:
Mr. and Mrs. L. A. Hill, Jr.
1027 Harry Street
Lexington, Texas 78447

1.8292 acres of land being out of Lot 607, of the Out Lots to the Town of La Porte, according to the map or plat thereof recorded in Volume 1, Page 33, of the Map Records Harris County, Texas. Said Lot 607 being conveyed by deed dated December 29, 1988 to Douglas C. Hill, Kelly L. Hill, June L. Hill, and Nicklas R. Hill, as recorded in Harris County Clerk's File No. M003530. Said 1.8292 acres being located in the N. Clooper Survey, Abstract No. 198, Harris County, Texas and being more particularly described by metes and bounds as follows: (Bearings based on R.O.W. alignment of East Boulevard as recorded in Harris County Clerk's File No. G364933);

COMMENCING at a 5/8" iron rod found for the southeast corner of a called 3.0580 acre tract (Parcel 7) conveyed by deed dated September 12, 1979, to The City of Deer Park as recorded in Harris County Clerk's File No. G364933. Said iron rod also being at the intersection of the north line of "X" Street (based on a 80.00' R.O.W.) and the east line of East Boulevard (based on a 150.00' R.O.W.). Said iron rod also being located South 89° 43' 22" East, a distance of 150.00 feet, from the southwest corner of Lot 594, of said Out Lots to the Town of La Porte;

THENCE North 00° 00' 44" West, along the east line of said East Boulevard, for a distance of 828.10 feet to a 5/8" iron rod found for the beginning of a curve to the left;

THENCE continuing along the east line of East Boulevard and said curve, having a central angle of 8° 20' 27", a radius of 1875.00 feet, an arc length of 272.97, a chord bearing of North 04° 10' 59" West, and a chord distance of 272.73 feet, to a 5/8" iron rod set in the common line of Lots 594 and 607 of said Out Lots to the Town of La Porte and the PLACE OF BEGINNING of the described tract;

THENCE continuing along the east line of East Boulevard, being in a curve to the left, having a central angle of 7° 23' 55", a radius of 1875.00 feet, an arc length of 242.12, a chord bearing of North 12° 03' 11" West, and a chord distance of 241.95 feet, to a 5/8" iron rod set for the northwest corner of the herein described tract;

THENCE South 76° 48' 11" East, for a distance of 63.14 feet to a 5/8" iron rod set;

THENCE North 72° 40' 28" East, for a distance of 96.23 feet to a 5/8" iron rod set for the beginning of a curve to the right;

THENCE along said curve, having a central angle of 108° 04' 32", a radius of 60.00 feet, an arc length of 113.18, a chord bearing of South 53° 17' 16" East, and a chord distance of 97.13 feet, to a 5/8" iron rod set for the beginning of a reverse curve;

THENCE along said curve, having a central angle of 92° 35' 51", a radius of 15.00 feet, an arc length of 24.24, a chord bearing of South 45° 32' 54" East, and a chord distance of 21.69 feet, to a 5/8" iron rod set for point of tangent;

THENCE North 88° 09' 10" East, for a distance of 157.71 feet to a 5/8" iron rod set for the corner in the east line of said Lot 607;

THENCE South 00° 00' 44" East, along the east line of said Lot 607, for a distance of 184.40 feet to a 5/8" iron rod set for the common corner of Lots 594, 595, 606 and 607 of said Out Lot to the Town of La Porte;

THENCE North 89° 43' 22" West, along the common line of said Lots 594 and 607, for a distance of 353.84 feet to the PLACE OF BEGINNING and herein containing within these calls 79,680 square feet or 1.8292 acres of land.

RECORDERS MEMORANDUM
ALL BLACKOUTS, ADDITIONS AND CHANGES
WERE PRESENT AT THE TIME THE INSTRUMENT
WAS FILED AND RECORDED.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL
PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS
I hereby certify that this instrument was FILED in the Number Sequence on the date and at the time
clerked herein by me; and was duly RECORDED in the Official Public Records of Real Property of Harris
County, Texas on.

APR - 5 2001



Beverly B. Layman
COUNTY CLERK
HARRIS COUNTY, TEXAS

THIS REPORT IS NOT TITLE INSURANCE. Liability hereunder is limited to the amount paid for same. This report is furnished solely as an accommodation to the party requesting same and should not be relied upon, as a warranty or representation as to the title to the property described herein and may not be given to or used by any third party. Stewart Title Company assumes no liability whatsoever for the accuracy of this report, nor for any omission or error with respect hereto. You agree to release, indemnify and hold harmless Stewart Title Company because of any negligence by Stewart Title Company (Whether sole, joint or otherwise) for any claim, loss liability or damages arising out of this report. This report is not title insurance. If a policy of title insurance is purchased, any liability thereunder shall be determined by the terms of such policy.

TITLE REPORT

FILE NO.: 1420187290

PRIOR FILE:

EFFECTIVE DATE: September 01, 2014 @ 8:00 A.M.

CLOSER: Nona Briscoe

EXAMINER: Al Stewart

ARB NO.: /607 U1/5

APPLICANT:

Examination from: Records of Stewart Title Company

Subject to: Claims of present occupants; discrepancies in area and boundaries; unpaid bills for labor or material in connection with repairs or new improvements; unpaid taxes.

OWNER OF RECORD APPEARS TO BE:

LUCHIES AVERY HILL, JR. AND SHIRLEY ANN HILL REVOCABLE LIVING TRUST dated August 9, 2000, Luchies Avery Hill, Jr. and Shirley Ann Hill, Co-Trustees

by virtue of Deed recorded in/under Clerk's File No. U969646 of the Real Property Records of Harris County, Texas.

CORRECT DESCRIPTION OF PROPERTY:

Lot 607 of Out Lots to the Town of La Porte, an addition in Harris County, Texas, according to the map or plat thereof recorded in/under Volume 1, Page 33 of the Map Records of Harris County, Texas, SAVE AND EXCEPT:

a. The North 10 feet thereof conveyed to The City of Deer Park, Texas by deed recorded in/under Clerk's File No. F574510 of the Real Property Records of Harris County, Texas;

b. A 0.8045 acre tract conveyed to The City of Deer Park, Texas by deed recorded in/under Clerk's File No. F910002 of the Real Property Records of Harris County, Texas; and

c. A 1.8292 acre tract conveyed to The City of Deer Park, Texas by deed recorded in/under Clerk's File No. T368607 of the Real Property Records of Harris County, Texas.

SUBJECT TO:

RESTRICTIONS:

None.

EASEMENTS AND RIGHTS OF WAY:

Subject to any easements, rights-of-way, roadways, encroachments, etc., which a survey or physical inspection of the premises might disclose.

MINERALS AND/OR ROYALTIES:

A 1/16 non-participating royalty interest in and to all oil, gas and other minerals on, in, under or that may be produced from the subject property is excepted herefrom as the same is set forth in instrument recorded in/under Clerk's File No. D815063 of the Real Property Records of Harris County, Texas. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

OTHER EXCEPTIONS:

None.

LIENS:

Notice filed by the City of Deer Park, Texas, in/under Clerk's File No. J574033 of the Real Property Records of Harris County, Texas, which determined the necessity of improving 13th Street and assessing a lien against the property abutting thereon.

Notice filed by the City of Deer Park, Texas, in/under Clerk's File Nos. S407155, S447892 and T706129 of the Real Property Records of Harris County, Texas, which determined the necessity of improving East Boulevard and assessing a lien against the property abutting thereon.

MISCELLANEOUS:

Adjoining deeds:

North side: Clerk's File No. F574510 of the Real Property Records of Harris County, Texas.

South side: Clerk's File No. T368607 of the Real Property Records of Harris County, Texas.

East side: Clerk's File Nos. K796767 and T730557 of the Real Property Records of Harris County, Texas.

West side: Clerk's File Nos. F910002 and X667854 of the Real Property Records of Harris County, Texas.

NOTES TO CLOSER:

We find a Release of Lien filed by the City of Deer Park, Texas under Clerk's File No. Y712180 of the Real Property Records of Harris County, Texas, which purports to release the lien notice under Clerk's File Nos. S407155 and S447892 of the Real Property Records of Harris County, Texas. We note that such release was filed in connection with a closing covering other property and it would appear that the intention of such release may have been to release such other property only from the lien. If requested to issue title insurance, we would require a specific release of subject property from the lien be obtained and filed for record.

HCAD Account 0231440000606 Map Facet 6055D-1

PPH 11.19.18 6:15 p.m.
MONUMENT AREA FCU
PO BOX 58346
HOUSTON, TX 77258-8346

PPH 11.19.18 6:15 p.m.
CIMA
PO BOX 866
DEER PARK, TX. 77536-0866

PPH 11.19.18 6:15 p.m.
CONROE HOSPITALITY LLC
4006 SPRAYBERRY LN
CONROE, TX 77303-5317

PPH 11.19.18 6:15 p.m.
HILL JR L A
30103 MISTY MEADOW DR
MAGNOLIA, TX 77355-2739

PPH 11.19.18 6:15 p.m.
LIBERTY PROPERTY LMTD. PARTNERSHIP
550 E SWEDESFORD RD
WAYNE, PA 19087-1610

PPH 11.19.18 6:15 p.m.
BEDFORD THOMAS C
PO BOX 70
DEER PARK, TX 77536-0070

PPH 11.19.18 6:15 p.m.
GREENBRIAR REAL ESTATE SVCS.
5626 FM 1960 WEST
HOUSTON, TX 77069

PPH 11.19.18 6:15 p.m.
SHIRLEY HILL
1027 HARRY STREET
LEXINGTON, TX 78447

PPH 11.19.18 6:15 p.m.
CITY OF DEER PARK
PO BOX 700
DEER PARK, TX 77536-0700