

Wylie Planning and Zoning Commission Regular Meeting

February 07, 2023 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

INVOCATION & PLEDGE OF ALLEGIANCE

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Commission regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Commission requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Commission is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider, and act upon, the approval of the January 17, 2023 Minutes.
- B. Consider, and act upon a recommendation to City Council regarding a Preliminary Plat of Lots 1-7, Block A of 544 Gateway Addition, establishing seven commercial lots on 12.234 acres, generally located on east of the intersection of Business Way and Commerce Drive.
- C. Consider, and act upon a recommendation to City Council regarding a Final Plat of Lots 1-7, Block A of 544 Gateway Addition, creating seven lots on 12.234 acres, generally located on east of the intersection of Business Way and Commerce Drive.

REGULAR AGENDA

WORK SESSION

RECONVENE INTO REGULAR SESSION

EXECUTIVE SESSION

RECONVENE INTO OPEN SESSION

Take any action as a result from Executive Session.

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on February 3, 2023 at 5:00 p.m. on the outside bulletin board at

Wylie City Hall, 300 Country Club Road, Building 100, Wylie, Texas, a place convenient and readily accessible to the public at all times.

Stephanie Storm, City Secretary

Date Notice Removed

The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020. Hearing impaired devices are available from the City Secretary prior to each meeting.

If during the course of the meeting covered by this notice, the Commission should determine that a closed or executive meeting or session of the Commission or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the Commission at the date, hour and place given in this notice as the Commission may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with an attorney for the City.



Planning & Zoning Commission

AGENDA REPORT

Department: Planning

Item: A

Prepared By: Mary Bradley

Subject

Consider, and act upon, minutes from the June 21, 2022 Regular Meeting.

Recommendation

Motion to approve Item A as presented.

Discussion

The minutes are attached for your consideration

Wylie Planning and Zoning Commission Regular Meeting

January 17, 2023 – 6:00 PM

Council Chambers - 300 Country Club Road, Building #100, Wylie, Texas 75098



CALL TO ORDER

Chair Bryan Rogers called the meeting to order at 6:01pm. Commissioners present: Chair Bryan Rogers, Vice Chair Joshua Butler, Commissioner Jacques Loraine III, Commissioner Jennifer Grieser, Commissioner Harold Gouge, Commissioner James Byrne and Commissioner Keith Scruggs. Staff present were: Community Services Director Jasen Haskins, Senior Planner Kevin Molina, Development Engineering Manager Than Nguyen, Wylie Economic Development Director Jason Greiner and Administrative Assistant Mary Bradley.

INVOCATION & PLEDGE OF ALLEGIANCE

Vice Chair Butler gave the Invocation and Commissioner Loraine led the Pledge of Allegiance.

COMMENTS ON NON-AGENDA ITEMS

Any member of the public may address Commission regarding an item that is not listed on the Agenda. Members of the public must fill out a form prior to the meeting in order to speak. Commission requests that comments be limited to three minutes for an individual, six minutes for a group. In addition, Commission is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

No one approached the Commissioners on Non-Agenda Items.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Commission and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider, and act upon, the approval of the December 6, 2022 Regular Meeting Minutes
- B. Consider, and act upon a recommendation to City Council regarding a Final Plat for Dement Addition, being Lot 1 & 2, Block A, establishing two lots on 4.374 acres partially within the city limits of Wylie and partially within the City of Wylie Extra Territorial Jurisdiction, located at 950 Paul Wilson Road.
- C. Consider, and act upon a recommendation to City Council regarding a Final Plat for Collins ET, establishing two lots on 2.345 acres located in the City of Wylie Extra Territorial Jurisdiction north of and adjacent to 1224 Bozman Road.
- D. Consider, and act upon a recommendation to City Council regarding a Final Plat for Browngate Pointe Addition, establishing 39 residential, seven open space, and one commercial lot on 6.55 acres, generally located at the northeast corner of W. Brown Street and Sanden Boulevard.
- E. Consider, and act upon a recommendation to City Council regarding a Final Plat for Dominion of Pleasant Valley Phase 4, establishing 95 single family residential lots and four open space lots on 23.436 acres, generally located at the northeast corner of Pleasant Valley Road and Dominion Drive.

- F. Consider, and act upon a recommendation to City Council regarding a Final Plat for Dominion of Pleasant Valley Phase 5, establishing 68 single family residential lots and five open space lots on 25.822 acres, generally located at the southwest intersection of Dominion Drive and Pleasant Valley Road.
- G. Consider, and act upon a recommendation to City Council regarding a Final Plat for Wellstar Addition, establishing two industrial lots on 2.31 acres and replating lots 12R, Block C and 15R, Block B of Regency Business Park, Phase Three, generally located east of the cul-de-sac of Capital street.
- H. Consider, and act upon a recommendation to City Council regarding a Final Plat of Lot 2R of Wyndham Estates Phase III, being a Replat of Lot 2, 3 & 4 of Wyndham Estates Phase III, establishing one industrial lot on 2.68 acres, located on the northeast corner of Eubanks Lane and Squire Drive.

Chair Rogers requested that Item G be pulled from the Consent Agenda and considered individually.

Board Action

A motion was made by Vice Chair Butler, seconded by Commissioner Loraine, to approve the Consent Agenda as presented with the exception of Item G. A vote was taken and the motion passed 6 – 0.

REGULAR AGENDA

Chair Rogers recused himself due to a Conflict of Interest for Item G.

- G. Consider, and act upon a recommendation to City Council regarding a Final Plat for Wellstar Addition, establishing two industrial lots on 2.31 acres and replating lots 12R, Block C and 15R, Block B of Regency Business Park, Phase Three, generally located east of the cul-de-sac of Capital street.

Board Action

A motion was made by Board Member Loraine, seconded by Commissioner Gouge to recommend approval to City Council for Item B. A vote was taken and carried 5 – 0.

Chair Rogers returned to the meeting.

1. Consider, and act upon, a Site Plan for Lot 2R of Wyndham Estates Phase III, for an office/warehouse development on 2.68 acres. Property generally located on the northeast corner of Eubanks Lane and Squire Drive.

Staff Comments

Senior Planner Molina approached the Commissioners, stating that the applicant is proposing to develop two office/warehouse buildings totaling 47,380 square feet on 2.68 acres located on the northeast corner of Eubanks Lane and Squire Drive. The property is zoned Light Industrial and allows for the proposed use. The development includes fire lanes and access drives to Eubanks Lane and Squire Drive. 68 parking spaces are being provided with four being handicapped spaces.

The exterior material of the structure consists of brick and metal panels. The entrances are architecturally enhanced with metal awnings and exterior wall offsets to meet the City's architectural requirements. Landscape screening is provided to hide the roll up doors from view of Eubanks Lane.

Board Comments

Commissioner Byrne asked staff if the project has accounted for the widening of Eubanks Lane. Senior Planner Molina stated that the project has dedicated Right-of-Way for Eubanks Lane and it has been shown on the plat being Item H of the Consent Agenda.

Commissioner Gouge asked staff for clarification on the report stating that the site is in general compliance with the design requirements of the Zoning Ordinance. Senior Planner Molina stated that the plan has some pending comments regarding driveway spacing requirements that will be addressed at a staff level during the civil plan review. Development Engineering Manager Than Nguyen explained how there is an existing driveway to the east that prevents the site plan from meeting the driveway spacing requirement. A proposed mutual access agreement to combine the two driveways will be considered.

Board Action

A motion was made by Commissioner Gouge, seconded by Commissioner Butler, to approve Item 1 as presented. A vote was taken and carried 6 – 0.

2. Hold a Public Hearing, consider, and act upon, a recommendation to City Council regarding a change in zoning from Commercial Corridor (CC) to Commercial Corridor - Special Use Permit (PD-SUP) on 0.917 acres located at 2505 FM 1378 (ZC 2022-17).

Staff Comments

Senior Planner Molina approached the Commissioners, stating that the applicant is requesting a Special Use Permit to allow for residential structure to be converted to a commercial building for an office use. The proposed plan adds seven parking spaces with a new proposed driveway entrance from FM 1378.

The SUP conditions allows for the existing residential structure design to be allowed within the Commercial Corridor design requirements and sets restrictions on any additions or major alterations being allowed.

Staff has recommended for the zoning request to be denied due to the property having a prior zoning case for Commercial Corridor with ground up commercial development and also due to the fact that the proposed request does not fit in line with the Comprehensive Plans goal of Local Commercial development along that portion of street frontage of 1378.

Notices were sent to four property owners within 200 feet as required by state law. One response was received in favor and none in opposition of the request.

Chair Rogers announced that Board member Grieser has arrived at 6:20pm

Board Comments

Mr. Newzad Brifki, the applicant, provided additional information regarding the intent of the proposed request. He stated that the building will be used for office use space. He stated his goal was to preserve the existing development with the goal of waiting until a larger strip of the land can be acquired for new commercial development.

Commissioner Byrne asked staff if it was possible to set a limitation on the Special Use Permit to render it null and void if the property were ever to change in ownership. Applicant Brifki stated that if that motion passed his property would not maintain its desirability and value.

Community Services Director Jasen Haskins stated that the conversion of the residential property to commercial would require an investment for the infrastructure and compliance of commercial building code life and safety standards.

Commissioner Loraine mentioned that allowing for this Special Use Permit and deviation of the Comprehensive Plan could set a precedent for future zoning changing requests that deviate from the intent of the city's land use plan.

Public Comments

Chair Rogers opened the Public Hearing on Item 2, with no questions, Chair Rogers closed the Public Hearing.

Board Action

A motion was made by Commissioner Byrne, seconded by Commissioner Grieser, to recommend approval of Item 3 to City Council with the condition that the Special Use Permit would be null and void if the property changed ownership. A vote was taken and carried 7 – 0.

Staff stated that the next Planning and Zoning meeting will be February 07, 2023. Staff and the Board thanked Administrative Assistant Mary Bradley for her years of service with the Planning and Zoning Commission board and congratulated her on her promotion to Administrative Assistant for the City Secretary's office.

ADJOURNMENT

A motion was made by Commissioner Gouge, and seconded by Commissioner Loraine to adjourn the meeting at 6:43PM. A vote was taken and carried 7 – 0.

Bryan Rogers, Chair

ATTEST

Mary Bradley, Secretary



Wylie Planning & Zoning Commission

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: B

Subject

Consider, and act upon a recommendation to City Council regarding a Preliminary Plat of Lots 1-7, Block A of 544 Gateway Addition, establishing seven commercial lots on 12.234 acres, generally located on east of the intersection of Business Way and Commerce Drive.

Recommendation

Motion to recommend **approval** as presented.

Discussion

OWNER: Wylie Economic Development Corporation

APPLICANT: Roome Land Surveying

The applicant has submitted a Preliminary Plat to create Lots 1-7 Block A of 544 Gateway Addition on 12.234 acres. The property is located east of the intersection of Business Way and Commerce Drive. The purpose of the Preliminary Plat is to create seven lots for the purpose of industrial and commercial development.

This plat is dedicating access, fire and utility easements for the seven lot development. An access point is provided from Commerce Drive that connects to State Highway 78.

The plat also includes proposed detention pond areas for future development.

The plat is technically correct and abides by all aspects of the City of Wylie Subdivision Regulations. Approval is subject to additions and alterations as required by the City Engineering Department.

The Planning and Zoning Commission must provide a written statement of the reasons for conditional approval or disapproval to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Government Code.



Wylie Planning & Zoning Commission

AGENDA REPORT

Department: Planning
Prepared By: Kevin Molina

Item Number: C

Subject

Consider, and act upon a recommendation to City Council regarding a Final Plat of Lots 1-7, Block A of 544 Gateway Addition, creating seven commercial lots on 12.234 acres, generally located on east of the intersection of Business Way and Commerce Drive.

Recommendation

Motion to recommend **approval** as presented.

Discussion

OWNER: Wylie Economic Development Corporation

APPLICANT: Roome Land Surveying

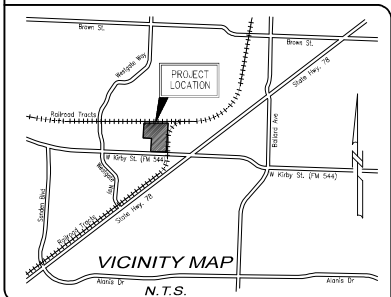
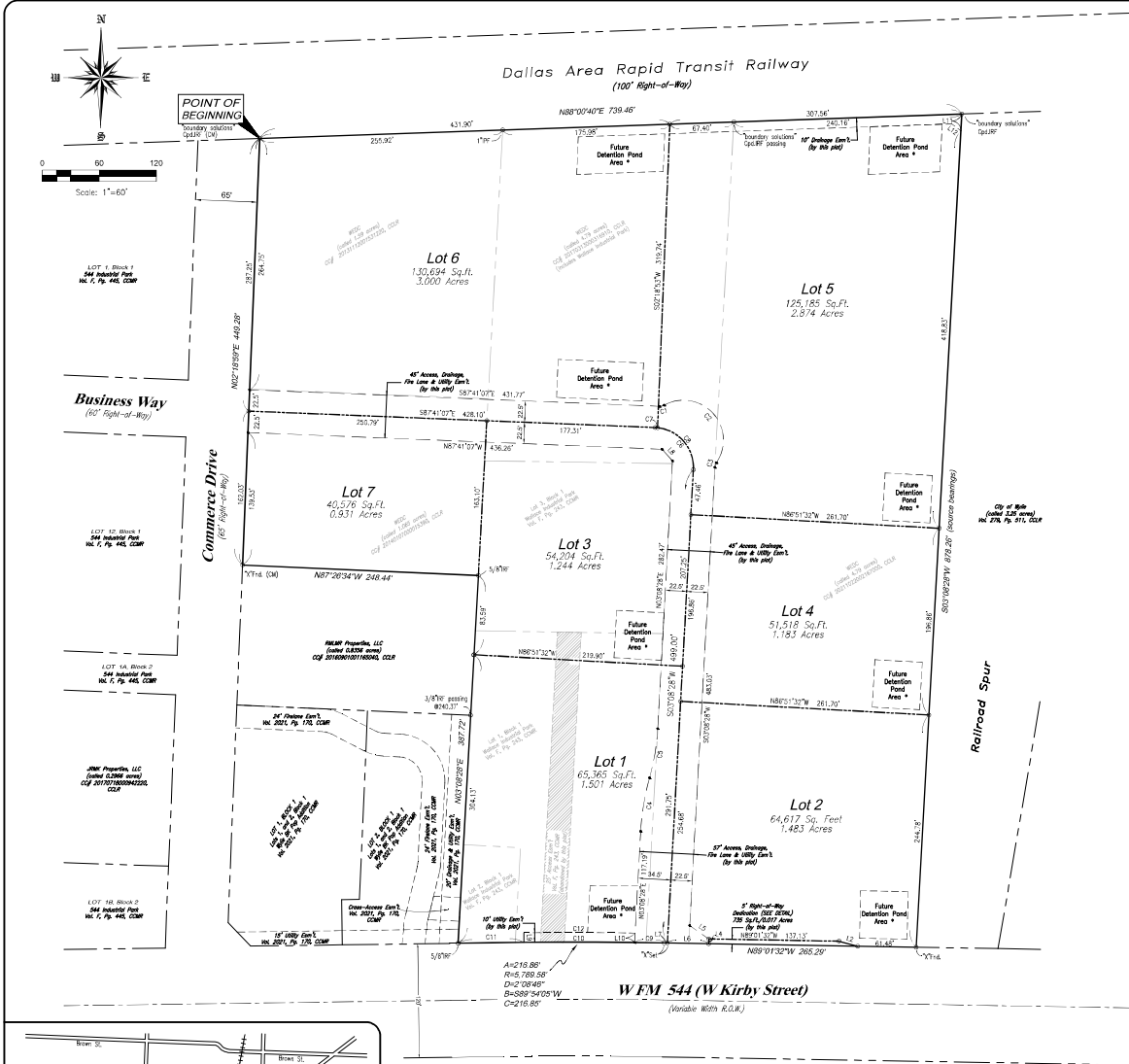
The applicant has submitted a Final Plat to create Lots 1-7 Block A of 544 Gateway Addition on 12.234 acres. The property is located east of the intersection of Business Way and Commerce Drive.

The purpose of the Final Plat is to allow for the sale of the individual lots for the purpose of industrial and commercial development. All new development is pending review of Planned Development, Site Plan and Amending Plat submittals.

This plat is dedicating access, fire and utility easements for the seven lot development. An access point is provided from Commerce Drive that connects to State Highway 78. The plat also includes proposed detention pond areas for future development.

The plat is technically correct and abides by all aspects of the City of Wylie Subdivision Regulations. Approval is subject to additions and alterations as required by the City Engineering Department.

The Planning and Zoning Commission must provide a written statement of the reasons for conditional approval or disapproval to the applicant in accordance with Article 212, Section 212.0091 of the Texas Local Government Code.



Legend

Qd/R/F: Copied Iron Rod Found
RGRS: Copied Iron Rod Set
CMB: Dallas County Map Records
C/L: Dallas County Land Records
CM: Controlling Monument
WDC: Wylie Economic Development Corporation

Curve Table

CURVE	STATION	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	24.00	5.15	11.15	N11°15'30"E	11°15'30"
C2	42.00	112.48	81.78	S42°11'19"E	153°50'48"
C3	14.50	5.15	11.15	N11°15'30"E	11°15'30"
C4	260.00	57.19	57.07	N89°29'49"E	12°04'11"
C5	139.50	12.84	12.84	N89°29'49"E	12°04'11"
C6	42.00	66.58	55.85	N89°29'49"E	12°04'11"
C7	42.00	66.58	55.85	N89°29'49"E	12°04'11"
C8	42.00	66.58	55.85	N89°29'49"E	12°04'11"
C9	42.00	66.58	55.85	N89°29'49"E	12°04'11"
C10	42.00	66.58	55.85	N89°29'49"E	12°04'11"
C11	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C12	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C13	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C14	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C15	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C16	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C17	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C18	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C19	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C33	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C35	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C38	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C61	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C64	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C65	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C66	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C67	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C68	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C69	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C84	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C85	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C100	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C101	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C105	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C108	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C109	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C110	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C111	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C112	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C113	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C114	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C115	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C116	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
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C118	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C119	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C120	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C121	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C122	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C123	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C124	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C125	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C126	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C127	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C128	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C129	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C130	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C131	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C132	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C133	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C134	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C135	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C136	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C137	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C138	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C139	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C140	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C141	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C142	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C143	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C144	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C145	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C146	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C147	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C148	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C149	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C150	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C151	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C152	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C153	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C154	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C155	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C156	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C157	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C158	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C159	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C160	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C161	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C162	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C163	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C164	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C165	5789.58	31.12	31.12	N89°29'49"E	12°04'11"
C166	5789.58	31.12	31.12	N89°29'49"E	12°04'11"