

AGENDA

CITY OF PEARLAND PLANNING & ZONING COMMISSION

October 17, 2016

6:30 p.m.

Daniel Tunstall
P&Z CHAIRPERSON

Thomas Duncan
P&Z VICE-CHAIRPERSON

COMMISSIONERS

Troy Pradia



Derrell Isenberg

Mary Starr

Ginger McFadden

David Selsky

In accordance with the Texas Open Meeting Act the Agenda is posted for public information, at all times, for at least 72 hours preceding the scheduled time of the meeting on the bulletin board located at the front entrance of the City Hall, 3519 Liberty Drive.



AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, MONDAY, OCTOBER 17, 2016, AT 6:30 P.M., HELD IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. CONSENT AGENDA

All items listed under the “Consent Agenda” are considered to be routine and require little or no deliberation by the P&Z Commission. These items will be enacted / approved by one motion unless a commissioner requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action (*ix. Matters removed from Consent Agenda*). Approval of the Consent Agenda enacts the items of legislation.

A. CONSIDERATION & POSSIBLE ACTION – APPROVAL OF MINUTES AND EXCUSED ABSENCE

1. Approval the Minutes of the October 3, 2016 Regular P&Z Meetings.
2. Excuse the absence of P&Z Commissioner Troy Pradia from the October 3, 2016 P&Z Regular Meeting.

B. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF BAKERS LANDING SECTION 2A

DECISION DEADLINE

OCTOBER 21, 2016

A request of Jason Price, LJA Engineering, the applicant; on behalf of D.R. Horton, Texas, Ltd, owner; for approval of the Final Plat of Bakers Landing Section 2A, creating 50 single family lots and 4 reserves on 10.800 acres of land, to wit:

Legal Description: A subdivision of 10.800 acres of land in the A.C.H.&B. Survey, Abstract 147 and the H.T. & B.R.R. Company Survey 11, Abstract 239, City of Pearland, Brazoria County, Texas, being out of Tracts M, L and P, Pearland Pavilion, A subdivision recorded on Volume 17, Pages 385-386, Plat Records of Brazoria County, Texas.

General Location: the east side of Galveston Avenue between Hampshire Street and future Kaman Lane.

C. CONSIDERATION AND POSSIBLE ACTION – PRELIMINARY PLAT OF



SAVANNAH PARKWAY AND RESERVES FROM LAUREL HEIGHTS DRIVE TO ARROWHEAD POINT LANE

1. A request of Jennifer Curtis, BGE / Kerry R. Gilbert & Associates, the applicant; on behalf Brian Gibson of Savannah Development, Ltd, owner; for approval of the Preliminary Plat of Savannah Parkway and Reserves from Laurel Heights Drive to Arrowhead Point Lane dedicating 100 feet of right of way for Savannah Parkway and creating two reserves on ± 8.9 acres of land, described to wit:

Legal Description: Being ± 8.9 acres of land containing 2 reserves in one block out of the H.T. & B.R.R. Company Survey, A-302 Brazoria County, Texas.

General Location: Savannah Parkway from Laurel Heights Drive to Arrowhead Point Lane.

D. CONSIDERATION AND POSSIBLE ACTION – PRELIMINARY PLAT OF STEWART HEIGHTS AT SAVANNAH SECTION 6

1. A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullen Stone Ltd. / FYCW, Ltd., owner; for approval of the Final Plat of Lake Park Subdivision Section 1, Phase 2, creating 2 lots, on 5.0019 acres of land on the east side of Cullen Parkway at Brookside Road, described to wit:

Legal Description: A subdivision of 5.0019 acres / 217,884 square feet of land, situated in the W.T. Dobson Survey, Abstract No. 187, City of Pearland, Brazoria County, Texas.

General Location: Savannah Parkway from Laurel Heights Drive to Arrowhead Point Lane.

III. MATTERS REMOVED FROM CONSENT AGENDA

A. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF LAKE PARK SECTION 1, PHASE 1

DECISION DEADLINE

OCTOBER 21, 2016

WITHDRAWN A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullin Stone Ltd. / FYCW, Ltd., owner; for approval of the Final Plat of Lake Park Subdivision Section 1, Phase 1, creating 2 lots, on 30.6687 acres of land on the north side of Brookside Road in the 8000 block, described to wit:



Legal Description: A subdivision of 30.6687 acres / 1,335,927 square feet of land, situated in the W.T. Dobson Survey, Abstract No. 187, City of Pearland, Brazoria County, Texas.

General Location: North side of Brookside Road in the 8000 block.

B. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF LAKE PARK SECTION 1, PHASE 2

DECISION DEADLINE

OCTOBER 21, 2016

WITHDRAWN A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullen Stone Ltd. / FYCW, Ltd., owner; for approval of the Final Plat of Lake Park Subdivision Section 1, Phase 2, creating 2 lots, on 5.0019 acres of land on the east side of Cullen Parkway at Brookside Road, described to wit:

Legal Description: A subdivision of 5.0019 acres / 217,884 square feet of land, situated in the W.T. Dobson Survey, Abstract No. 187, City of Pearland, Brazoria County, Texas.

General Location: east side of Cullen Parkway at Brookside Road.

C. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF LAKE PARK SECTION 1, PHASE 3

DECISION DEADLINE

OCTOBER 21, 2016

WITHDRAWN A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James M. Johnson, Pearland Cullen Properties, LLC, owner; for approval of the Final Plat of Lake Park Subdivision Phase 1, Section 3, creating 1 lot on .9999 acres of land located on the east side of Cullen Parkway about 1,000 feet north of Brookside Road, described to wit:

Legal Description: A subdivision of 0.9999 acres / 43,557 square feet of land, situated in the W.T. Dobson Survey, Abstract No. 187, City of Pearland, Brazoria County, Texas.

General Location: east side of Cullen Parkway about 1,000 feet north of Brookside Road.

D. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF LAKE PARK SECTION 1, PHASE 4

DECISION DEADLINE

OCTOBER 21, 2016

WITHDRAWN A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullen Stone Ltd., owner; for



approval of the Final Plat of Lake Park Section 1, Phase 4, creating 1 restricted reserve, on 3.1609 acres of land on the east side of Cullen Parkway about 1,800 feet north of Brookside Road, described to wit:

Legal Description: a subdivision of 3.1609 acres / 137,689 square feet of land, situated in the W.T. Dobson Survey, Abstract No. 187, City of Pearland, Brazoria County, Texas.

General Location: on the east side of Cullen Parkway about 1,800 feet north of Brookside Road.

IV. NEW BUSINESS

A. CONSIDERATION AND POSSIBLE ACTION – CONDITIONAL USE PERMIT APPLICATION NO. CUP 2016-00007

A request of Leslie K Padilla, for Sovereign Grace Church of Pearland, applicant, on behalf of Pearland Westside II Associates, LP, owner; for approval of a Conditional Use Permit to allow for a church in the Neighborhood Services (NS) zoning district; on approximately 0.846 acres of land.

Legal Description: A certain 218.00 by 169.00 tract of land out of a tract "A" of the West Side Plaza adjoining McLean Road on the East and Walnut Street (F.M. 518) on the north, said tract containing 0.846 acre, more or less.

General Location: 5004 Broadway Street, Pearland, TX.

B. CONSIDERATION AND POSSIBLE ACTION – CONDITIONAL USE PERMIT APPLICATION NO. CUP 2016-00008

A request of Jose Urioste, applicant, on behalf of Rafael Ortega, owner; for approval of a Conditional Use Permit to allow for a grocery store and general retail in the Light Industrial (M-1) zoning district; on approximately 1.99294 acres of land.

Legal Description: All of that certain 1.99294 acre tract or parcel of land in the A.C.H. & B. Survey, Section 1, Abstract No. 147 in Brazoria County, Texas, being a portion of the North one-half of tract 123 of the subdivision of the A.C.H. & B. Survey, Section 1 according to the plat of same recorded in Volume 2, Page 1 of the Plat Records of Brazoria County, Texas, said tract being that portion of the north one-half of Tract 123 lying West of State Highway No. 35 (a.k.a Main Street)



General Location: 3200 block of Main Street, south of Swensen Road, on the west side of Main Street.

C. CONSIDERATION AND POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. ZONE 2016-00013

A request of Eriberto and Maria Martinez, applicant, on behalf of Jeremy Murphy, Access Church, owner; for approval of a change in zoning from Single-Family Residential-1 (R-1) and Office & Professional (OP) to a General Business (GB) zoning district; on approximately 2.0424 acres of land.

Legal Description: Being a 1.9001 acres of land situated in lots 1 and 2 block 3, Skyway Manor Subdivision, being a subdivision of 68.24 acres out of the west half of the northwest ¼ of Section 15 H.T.&B.R.R. Co. survey, abstract 241, Brazoria County, Texas; and

Tract II, being a 0.1423 portion of lot 1, in block 3, of Skyway Manor Subdivision, being a subdivision of 68.24 acres out of the west half of the northwest ¼ of section 15, H.T.&B.R.R. Co. survey, abstract 241, Brazoria County, Texas, according to the recorded map or plat thereof in volume 7, page 67 of the plat records of Brazoria County, Texas

General Location: 7030 W Broadway Street, Pearland, TX

D. DISCUSSION ITEMS

1. Commissioners Activity Report
2. Zoning Update:
 - 1st Reading 10-10-16
 - ZONE 2016-00006: Stonebridge PD amendment
 - ZONE 2016-00007: Highland Glen PD amendment
 - ZONE 2016-00008: Oakbrook PD amendment
 - CUP 2016-00003: 8541 Broadway St. - CUP for Hotel/motel in GB
 - CUP 2016-00005: 2125 Garden Rd. - CUP for Light manufacturing in G/O-MU
 - CUP 2016-00006: 3401 S. Main St. - CUP for Forklift in GC
 - UDC T-22 – Manvel Rd to COD
 - UDC T-23 – Lighting, Liquor, and E-Cigarette lounges
3. Next P&Z Meeting, – November 7, 2016 – Regular P&Z meeting (plats only)

V. ADJOURNMENT



This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

I, Alma Gonzales, Office Assistant of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 14th day of October 2016, A.D., at 5:30 p.m.

Alma Gonzales, Office Assistant

Agenda removed _____ day of October ____, 2016.

II. Consent Agenda Items

All items listed under the “Consent Agenda” are considered to be routine and require little or no deliberation by the P&Z Commission.

These items will be enacted / approved by one motion unless a commissioner requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action (ix. Matters removed from Consent Agenda). Approval of the Consent Agenda enacts the items of legislation.

A. CONSIDERATION & POSSIBLE ACTION – APPROVAL OF MINUTES AND EXCUSED ABSENCE

1. Approval the Minutes of the October 3, 2016 Regular P&Z Meetings.
2. Excuse the absence of P&Z Commissioner Troy Pradia from the October 3, 2016 P&Z Regular Meeting.

MINUTES OF THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, MONDAY, OCTOBER 03, 2016, AT 6:00 P.M., HELD IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

CALL TO ORDER

P&Z Chairperson Daniel Tunstall opened the meeting for the P&Z Regular Meeting at 6:00 p.m.

In attendance were:

P&Z Chairperson Daniel Tunstall
P&Z Vice-Chairperson Thomas Duncan
P&Z Commissioner Derrell Isenberg
P&Z Commissioner Ginger McFadden
P&Z Commissioner David Selsky
P&Z Commissioner Mary Starr

Also present were Deputy City Attorney Lawrence Provins, Community Development Director Lata Krishnarao, Sr. Planner Martin Griggs, Associate Planner Vince Hustead, Associate Engineer Matt Brown and Office Assistant Alma Gonzales.

CONSENT AGENDA

P&Z Chairperson Daniel Tunstall read the items on the consent agenda. P&Z Commissioner Mary Starr made a motion to approve the consent agenda, P&Z Commissioner David Selsky seconded the motion. The motion passes by a vote of 6-0. P&Z Chairperson Daniel Tunstall, P&Z Vice-Chairperson Thomas Duncan, P&Z Commissioners Derrell Isenberg, Ginger McFadden, David Selsky, and Mary Starr voted in favor of the motion.

CONSIDERATION & POSSIBLE ACTION – EXCUSED ABSENCE

1. Excuse the absence of P&Z Commissioners David Selsky and Ginger McFadden from the September 26, 2016 P&Z Regular Meeting.

NEW BUSINESS

P&Z Commissioner Daniel Tunstall read the P&Z Variance No. VARP 16-00005. P&Z Commissioner David Selsky made the motion to approve, P&Z Vice-Chairperson Thomas Duncan seconded the motion.

CONSIDERATION AND POSSIBLE ACTION – P&Z VARIANCE NO. VARP 16-00005

A request by Mona Miller, applicant and agent for Eddie Wojcik owner; for approval of a Variance as per Section 2.2.5.2 (a) (4), of the Unified Development Code, Ordinance No. 2000-T, to reduce the minimum lot width from 150 feet to 50 feet and the minimum lot area from 22,500 square feet to 6,250 square feet for an existing lot zoned General Business located on the north side of 2nd Street about 220 feet west of Main Street on 0.143 acres of land, to wit:

Legal Description: Lot 17, Block 2 of Air Port Site Subdivision, Brazoria County, Texas as recorded in Volume 5, Page 57 in the Brazoria County Plat Records.

General Location: north side of 2nd Street about 220 feet west of Main Street.

Associate Planner Vince Hustead gave a brief presentation and informed the Commission that Staff does not recommend approval for the following reasons :

The requested variance of 100 feet from the minimum lot width would be a variance of 66%, and the variance of 16,250 square feet from the minimum lot area would be a variance of 72% and due to the other requirements of the UDC such as setbacks, parking, and detention, this parcel would be difficult to develop in conformance with the UDC. The property should be combined with an adjacent lot in order to create a development fitting the requirements of the UDC.

Owner of the property, Eddie Wojcik, 8702 Kings Oak Dr. Damon, TX 77430, gave a brief presentation. Plans Designer for the property, Tom Trevino, 7034 Beechnut, Houston TX, explained the setbacks and detention plans. Applicant and Agent for owner, Mona Miller, 2524 Westminister, Pearland TX, discussed the operation of the business and intentions for the variance.

P&Z Chairperson Daniel Tunstall made an inquiry on the number of existing businesses near the said property but is not against the variance. P&Z Vice-Chairperson Thomas Duncan stated that he is not against the variance. P&Z Commissioner Mary Starr raised concerns on the lot size.

The motion passes 6-0. P&Z Chairperson Daniel Tunstall, P&Z Vice-Chairperson Thomas Duncan, P&Z Commissioners Derrell Isenberg, Ginger McFadden, David Selsky, and Mary Starr voted in favor of the motion.

DISCUSSION ITEMS

1. Commissioners Activity Report - NONE
2. Communication – P&Z packet format – Sr. Planner Martin Griggs explained new procedure
3. Next P&Z Meeting, – October 17, 2016 – JPH and Regular P&Z meeting

ADJOURNMENT

P&Z Chairperson Daniel Tunstall adjourned the P&Z Regular meeting at 6:18 p.m.

These minutes were respectfully submitted by:

Alma Gonzales, Office Assistant

Minutes approved as submitted and/or corrected on this 17th day of October 2016, A.D.

Daniel Tunstall, P & Z Chairperson

B. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF BAKERS LANDING SECTION 2A

A request of Jason Price, LJA Engineering, the applicant; on behalf of D.R. Horton, Texas, Ltd, owner; for approval of the Final Plat of Bakers Landing Section 2A, creating 50 single family lots and 4 reserves on 10.800 acres of land, to wit:



Staff Report

To: Planning and Zoning Commission

From: Planning Department VH (Staff Planner)

Meeting Date: October 17, 2016

Re: A request of Jason Price, LJA Engineering, the applicant; on behalf of D.R. Horton, Texas, Ltd, owner; for approval of the Final Plat of Bakers Landing Section 2A, creating 50 single family lots and 4 reserves on 10.800 acres of land, to wit:

Legal Description: A subdivision of 10.800 acres of land in the A.C.H.&B. Survey, Abstract 147 and the H.T. & B.R.R. Company Survey 11, Abstract 239, City of Pearland, Brazoria County, Texas, being out of Tracts M, L and P, Pearland Pavilion, A subdivision recorded on Volume 17, Pages 385-386, Plat Records of Brazoria County, Texas.

General Location: the east side of Galveston Avenue between Hampshire Street and future Kaman Lane.

SUMMARY

The request will result in the creation of 50 single family residential lots and 4 reserves in conformance to the Master Plat of Bakers Landing, approved Preliminary Plat of Bakers landing Section 2A and the approved Bakers Landing Planned Development. The lots will be approximately 55 feet wide and 125 feet deep.

SITE HISTORY

This plat is located in the area covered by the Bakers Landing Master Plat approved on January 4, 2016. The Preliminary Plat of Bakers Landing Section 2A was approved on June 20, 2016.

STAFF RECOMMENDATION

Staff recommends approval of the Final Plat of Bakers Landing Section 2A, as proposed by the applicant, for the following reasons:

1. The proposed final plat conforms to the Preliminary Plat of Bakers Landing Section 2A.
2. The proposed final plat conforms to the Master Plat of Bakers Landing.

3. The proposed final plat conforms to the Bakers Landing Planned Development.

Agreements and Documents

Needed item	Completion Status
Development Agreement	N/A
Deed of Trust Agreement (For onsite public improvements)	N/A
Escrow Agreement (For onsite public improvements)	N/A
Parkland Dedication	Parkland Fees Paid
Regional Detention Agreement	Detention Improvement Agreement approved by City
Payment for Regional Detention	Detention Improvement Agreement approved by City
Drainage easement through lots	N/A
Utility Improvements Escrow	N/A

SIA Status

Application Item	Status
SIA Application	Completed
Cost Breakdown	Completed
Application Fee	Completed
SIA Agreement	Completed
Bond	Completed

Permitting Status

Item	Status
Master Plat	Approved
Preliminary Plat	Approved
Final Plat	Under review
Permits	Under review (pending recordation of final plat)

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Future Land Use Plan 2015 shows the area under review designated as Village District. All of the surrounding property including the non-residential property to the north is shown as Village District.

SURROUNDING ZONING AND LAND USES

The applicant's property is located in the recently approved Bakers Landing Planned Development district. The property outside the plat under review located between Galveston Avenue and Main Street is located within the Bakers Landing Planned Development. The non-residential property to the north along Beechcraft Street is zoned GC- General Commercial.

	ZONING	LAND USE
NORTH	The Bakers Landing PD / General Commercial (GC)	Commercial
SOUTH	The Bakers Landing PD	Undeveloped
EAST	The Bakers Landing PD	Undeveloped
WEST	The Bakers Landing PD	Undeveloped

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC)

The lots meet the minimum lot width of 55 feet as specified by the Planned Development. The following table shows the difference between the lot area and setback standards for the underlying R-4 Single Family zoning district and the standards for the Bakers Landing 55 foot wide lots

Parameter	UDC Standards	Bakers Landing 55 foot Lot Standard
Minimum Lot Width	50 feet	55 feet
Minimum Lot Depth	90 feet	125 feet
Minimum Lot Area	5,000 square feet	6,875 feet
Front Setback	20 feet	25 feet (cul de sacs 20 feet)

CONFORMANCE WITH THE THOROUGHFARE PLAN

Hampshire Street and Galveston Avenue are both shown as Minor Collector Streets of sufficient width. The future Westland Lane and Kaman Lane will both be local streets with 50 feet of right-of-way.

UTILITIES AND INFRASTRUCTURE

Water and sewer lines are located along Main Street, Hampshire Street, Galveston Avenue and Old Alvin Road. Water and sewer lines will need to be extended to the lots located in Bakers Landing Section 2A.

DRAINAGE

A Detention Improvement Agreement has been approved by the City

PARKS, OPEN SPACE, AND TREES

Parkland fees of \$750.00 per lot, parkland fess of \$37,500 have been paid to the city.

ADDITONAL COMMENTS

This request has been reviewed by the City's Development Review Committee and there were no additional comments.

SUPPORTING DOCUMENTS

- Aerial Map
- Zoning Map

- Future Land Use Plan 2015
- Final Plat of Bakers Landing Section 2A
- Bakers Landing Master Plat



Aerial Map

Final Plat of Bakers Landing Section 2A

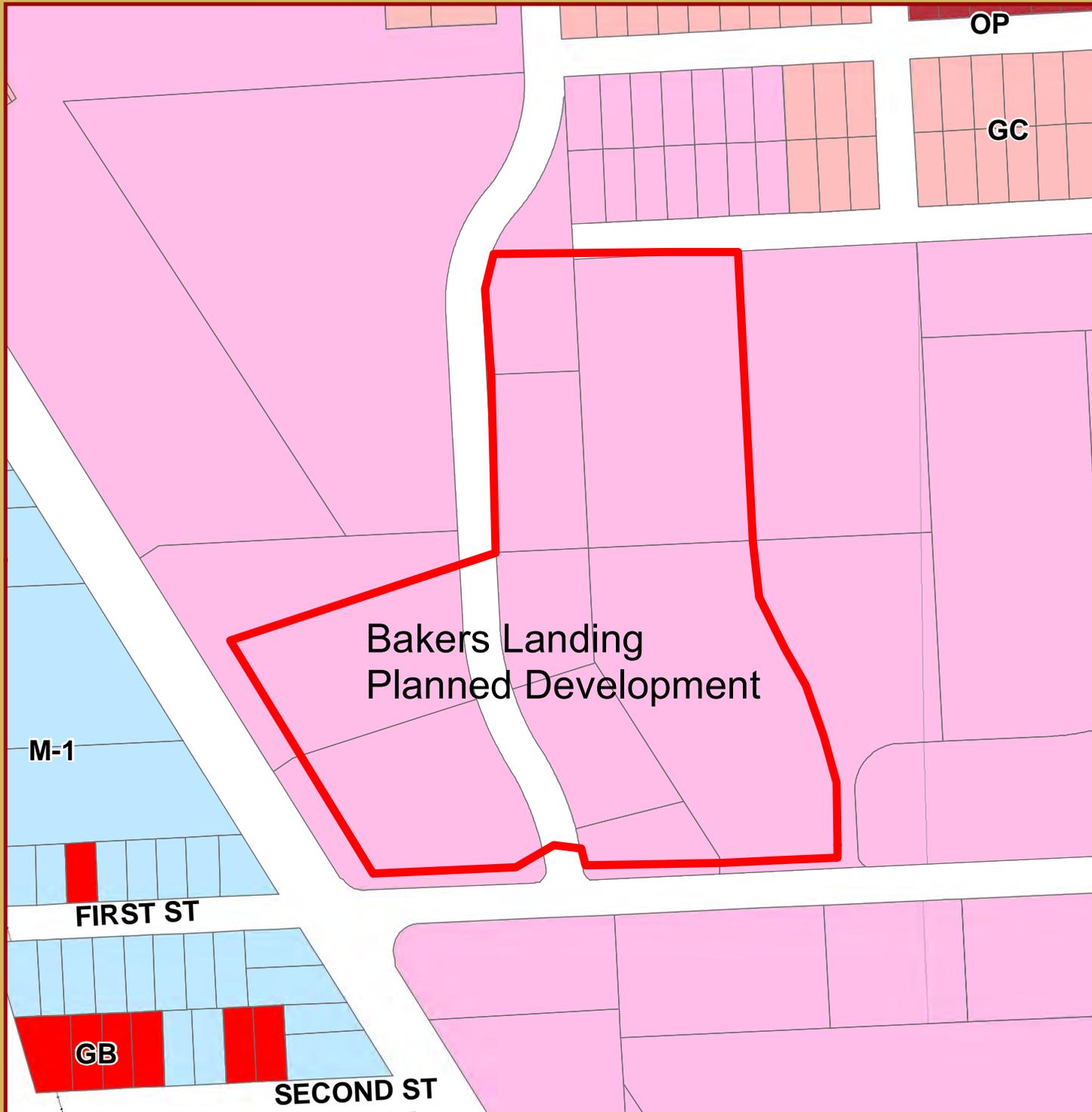


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 237 feet

OCTOBER 2014
PLANNING DEPARTMENT





Zoning Map

Final Plat of Bakers Landing Section 2A

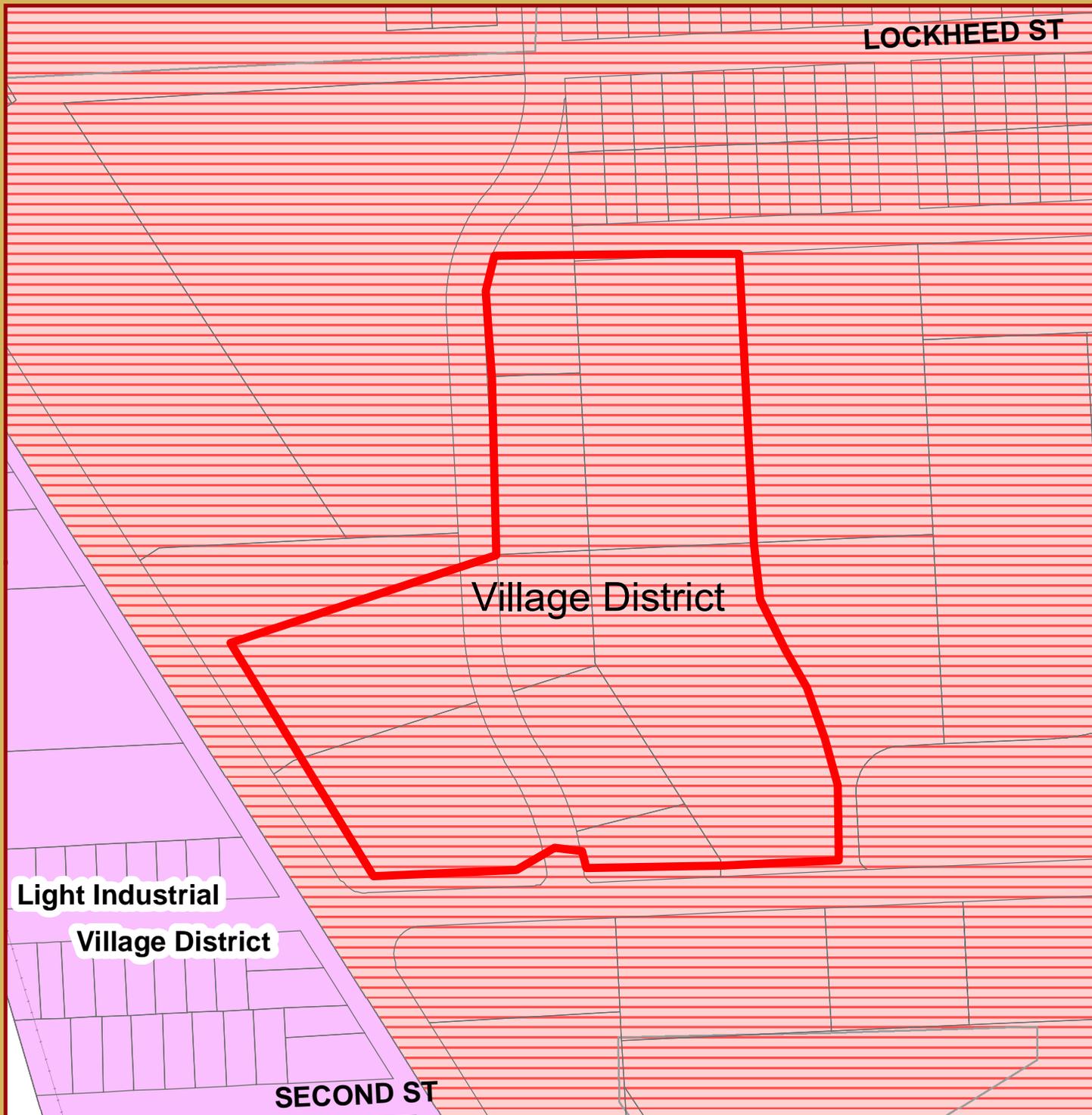


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OCTOBER 2014
PLANNING DEPARTMENT





**Future Land Use
Plan 2015**

**Final Plat of
Bakers Landing
Section 2A**



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1 inch = 237 feet

OCTOBER 2014
PLANNING DEPARTMENT



STATE OF TEXAS
COUNTY OF BRAZORIA

WE, D.R. HORTON—TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH CHRIS LINDHORST, PRESIDENT, BEING AN OFFICER OF D.R. HORTON—TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP, HEREINAFTER REFERRED TO AS OWNERS OF THE 10.800 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF BAKERS LANDING SECTION 2A, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION PLAT OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND DO HEREBY BIND OURSELVES, OUR HEIRS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED, HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK-TO-BACK GROUND EASEMENTS OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH.

FURTHER, OWNERS DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION OF BAKERS LANDING SECTION 2A WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

IN TESTIMONY WHEREOF, D.R. HORTON—TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY CHRIS LINDHORST, ITS PRESIDENT, THEREUNTO AUTHORIZED, THIS _____ DAY OF _____, 2016.

D.R. HORTON—TEXAS, LTD.
A TEXAS LIMITED PARTNERSHIP

BY: _____
CHRIS LINDHORST, PRESIDENT

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED CHRIS LINDHORST, PRESIDENT OF D.R. HORTON—TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2016.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTES:

- 1. THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND.
2. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, FILE NO. 1650159CPL, DATED MAY 11, 2016.
3. ALL BEARINGS ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.
4. FIVE-EIGHTHS INCH (5/8") IRON RODS THREE FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
5. BENCHMARK: CITY OF PEARLAND MONUMENT GPS-11: BRASS CAP SET FLUSH IN CONCRETE IN FRONT OF CITY HALL 3519 LIBERTY DRIVE PEARLAND TX, 77581. POINT IS LOCATED +/- 46 FEET NORTHWEST OF THE NORTHERLY CORNER OF THE CONCRETE CITY HALL SIGN AND +/- 15 FEET SOUTHEAST OF THE SOUTHEASTERLY EDGE OF PAVEMENT OF LIBERTY DRIVE. ELEVATION = 45.19 FEET NGVD29 1987 ADJ.
6. TM INDICATES TEMPORARY BENCHMARK TM "A": TOP OF A 5/8" IRON ROD WITH PLASTIC CAP STAMPED LJA CONTROL AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH MAIN STREET AND HAMPSHIRE STREET. THE POINT IS LOCATED +/- 5 FEET SOUTH OF THE SOUTHERN EDGE OF PAVEMENT OF HAMPSHIRE STREET AND +/- 39 FEET EAST OF THE PROJECTED EASTERLY EDGE OF PAVEMENT LINE OF SOUTH MAIN STREET. ELEVATION = 48.00 FEET NGVD29 1987 ADJ.

- 7. THIS TRACT LIES IN ZONE "AE" AND "X" OF THE FLOOD INSURANCE RATE MAP (F.I.R.M.) FOR BRAZORIA COUNTY, TEXAS, DATED JUNE 5, 1989, MAP NO. 48339C 0045J. CONTACT THE BRAZORIA COUNTY FLOODPLAIN ADMINISTRATOR FOR THE FLOOD INFORMATION.

ALL FLOOD PLAIN INFORMATION IN THE PLAT REFLECTS THE STATUS PER THE FEMA MAP THAT IS EFFECTIVE AT THE TIME THE PLAT IS RECORDED. FLOOD PLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.

- 8. ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A DEDICATED EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.

- 9. ACCESS RIGHTS TO PARKING AREAS AND DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING RESIDENTIAL PROPERTIES.

- 10. THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.

- 11. ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA DRAINAGE DISTRICT #4.

- 12. THIS PROPERTY IS LOCATED WITHIN HARRIS—BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 509.

- 13. ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.

- 14. DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL AND UNIFIED DEVELOPMENT CODE.

- 15. ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.

- 16. ALL FENCING ALONG CORRIDOR OVERLAY DISTRICTS AND ABUTTING NON-RESIDENTIAL IS TO BE SHOWN ON THE BAKERS LANDING MASTER PLAT.

- 17. STREET NAMES WILL BE USED TO ASSIGN ADDRESSES FOR PERMITS OR UTILITIES, INFRASTRUCTURE AND AMENITIES.

A 10.80 ACRE TRACT OF LAND, LOCATED IN THE H.T.&B. R.R. CO. SURVEY, A--239, BRAZORIA COUNTY, TEXAS, AND THE A.C.H.&B SURVEY, A--147, BRAZORIA COUNTY, TEXAS, OUT OF TRACTS 1-A, 1-B, AND 7 DESCRIBED IN THE 74.72 ACRE DEED FROM FELTON M. BAKER AND MARCY C. BAKER REVOCABLE TRUST TO D.R. HORTON—TEXAS, LTD., A TEXAS LIMITED PARTNERSHIP, RECORDED UNDER FILE NUMBER 201608665 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS, SAID 10.80 ACRE TRACT MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, 1993 ADJUSTMENT).

TRACT 1 - 2.074 ACRES

BEGINNING AT A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE NORTHEAST CORNER OF RESERVE "A" OF BAKERS LANDING RESERVES A SUBDIVISION OF RECORD UNDER FILE NUMBER 2016015048 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS, IN THE WEST RIGHT-OF-WAY LINE OF SOUTH GALVESTON AVENUE (60' WIDE) RECORDED UNDER VOLUME 17, PAGE 387, OF THE BRAZORIA COUNTY PLAT RECORDS;

THENCE, ALONG SAID RESERVE "A" AND THE HEREIN DESCRIBED TRACT THE FOLLOWING FIVE (5) BEARINGS AND DISTANCES:
THENCE, SOUTH 74° 25' 21" WEST, 15.00 FEET, TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;
THENCE, SOUTH 51° 00' 50" WEST, 101.53 FEET, TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;
THENCE, SOUTH 87° 21' 51" WEST, 117.77 FEET, TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;
THENCE, NORTH 67° 54' 33" WEST, 81.07 FEET, TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR THE MOST WESTERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 32° 16' 27" WEST, 222.53 FEET, TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 57° 45' 48" EAST, 183.47 FEET, TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;
THENCE, NORTH 71° 02' 36" EAST, 141.54 FEET, TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, IN THE WEST RIGHT-OF-WAY OF SAID SOUTH GALVESTON AVENUE, THE BEGINNING OF A CURVE;

THENCE, 72.57 FEET ALONG THE SAID WEST RIGHT-OF-WAY LINE, ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 489.33 FEET, A CENTRAL ANGLE OF 08° 29' 49", AND A CHORD WHICH BEARS SOUTH 13° 19' 00" EAST 72.50 FEET TO A 5/8" IRON ROUND FOUND FOR THE BEGINNING OF A COMPOUND CURVE;

THENCE, 125.13 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 489.33 FEET, A CENTRAL ANGLE OF 14° 39' 05", AND A CHORD WHICH BEARS SOUTH 24° 53' 06" EAST 124.79 FEET TO A POINT FOR CORNER, FROM WHICH A 1/2" IRON ROD BEARS SOUTH 65° 33' 51" EAST, 0.21', THE BEGINNING OF A REVERSE CURVE;

THENCE, 115.70 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 398.48 FEET, A CENTRAL ANGLE OF 16° 38' 10", AND A CHORD WHICH BEARS SOUTH 23° 53' 44" EAST 115.29 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.074 ACRES OF LAND.

TRACT 2 - 8.725 ACRES

BEGINNING AT A 5/8" IRON ROD SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE NORTHWEST CORNER OF RESERVE "B" OF SAID BAKERS LANDING RESERVES, IN THE NORTHEAST RIGHT-OF-WAY CUTBACK CURVE AT THE INTERSECTION OF SAID SOUTH GALVESTON AVENUE AND HAMPSHIRE STREET (60' WIDE) RECORDED UNDER VOLUME 17, PAGE 387, OF THE BRAZORIA COUNTY PLAT RECORDS, THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE, 3.77 FEET ALONG SAID NORTHEAST RIGHT-OF-WAY CUTBACK CURVE, ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 10° 47' 58", AND A CHORD WHICH BEARS NORTH 11° 42' 51" WEST 3.76 FEET TO 5/8" IRON ROD FOUND FOR THE NORTH END OF SAID NORTHEAST RIGHT-OF-WAY CUTBACK CURVE, THE BEGINNING OF A REVERSE CURVE;

THENCE, 207.24 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF AFORESAID SOUTH GALVESTON AVENUE, ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 458.48 FEET, A CENTRAL ANGLE OF 25° 53' 54", AND A CHORD WHICH BEARS NORTH 19° 15' 51" WEST 205.48 FEET TO A POINT FOR CORNER, FROM WHICH A 5/8" IRON ROD BEARS SOUTH 38° 43' 02" EAST, 0.28', THE BEGINNING OF A REVERSE CURVE;

THENCE, 220.00 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH GALVESTON AVENUE, ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, (AT 109.96' PASSING A 1/2" IRON ROD FOUND FOR THE MIDPOINT OF SAID CURVE), HAVING A RADIUS OF 429.33 FEET, A CENTRAL ANGLE OF 29° 21' 35", AND A CHORD WHICH BEARS NORTH 17° 32' 01" WEST 217.60 FEET TO 1/2" IRON ROD FOUND FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 02° 51' 13" WEST, 471.33 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID SOUTH GALVESTON AVENUE, TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, THE BEGINNING OF A CURVE;

THENCE, 39.17 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89° 46' 51", AND A CHORD WHICH BEARS SOUTH 42° 44' 39" EAST 35.29 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 87° 21' 56" EAST, 455.09 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02° 38' 04" EAST, 50.00 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87° 21' 56" WEST, 54.80 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02° 51' 13" EAST, 290.38 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 05° 24' 03" EAST, 55.05 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 08° 50' 02" EAST, 50.25 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 22° 54' 26" EAST, 51.75 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 30° 01' 22" EAST, 111.62 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 21° 37' 27" EAST, 53.31 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 15° 26' 00" EAST, 105.08 FEET A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02° 38' 09" EAST, 111.46 FEET, TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, IN THE NORTH LINE OF RESERVE "C" OF AFORE SAID BAKERS LANDING RESERVES;

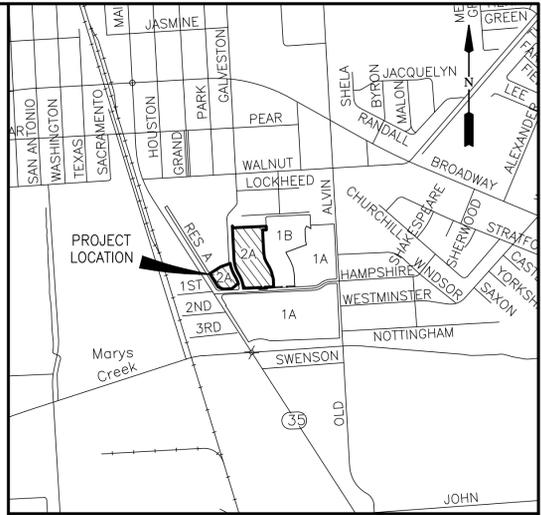
THENCE, SOUTH 87° 21' 51" WEST, 123.88 FEET ALONG THE NORTH LINE OF SAID RESERVE "C", TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE NORTHWEST CORNER OF SAID RESERVE "C", THE BEGINNING OF A CURVE;

THENCE, 28.98 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 68° 25' 19", AND A CHORD WHICH BEARS SOUTH 59° 25' 30" EAST 27.39 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE SOUTHWEST CORNER OF SAID RESERVE "C", IN THE NORTH RIGHT-OF-WAY LINE OF AFORESAID HAMPSHIRE STREET;

THENCE, SOUTH 87° 21' 51" WEST, 100.00 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE SOUTHEAST CORNER OF AFORE SAID RESERVE "B", THE BEGINNING OF A CURVE;

THENCE, 28.98 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 68° 25' 19", AND A CHORD WHICH BEARS NORTH 54° 09' 11" EAST 27.39 FEET TO A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG" SET FOR AN ANGLE CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE NORTHEAST CORNER OF SAID RESERVE "B";

THENCE, SOUTH 87° 21' 51" WEST, 249.18 FEET ALONG THE NORTH LINE OF SAID RESERVE "B", TO THE POINT OF BEGINNING AND CONTAINING 8.725 ACRES OF LAND.



VICINITY MAP
SCALE: 1"= 1,200'
KEY MAP NO. 615N & P

FINAL PLAT OF
BAKERS LANDING
SECTION 2A

A SUBDIVISION OF 10.800 ACRES OF LAND SITUATED IN THE A. C. H. & B. SURVEY, ABSTRACT 147 AND THE H.T. & B.R.R. COMPANY SURVEY 11, ABSTRACT 239, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, BEING OUT OF TRACTS M, L AND P, PEARLAND PAVILION, A SUBDIVISION RECORDED IN VOLUME 17, PAGES 385-386, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS.

50 LOTS 4 RESERVES (0.206 ACRES) 3 BLOCKS

JULY 5, 2016 JOB NO. 1931-1930P-310

OWNERS:

D.R. HORTON-TEXAS, LTD.
A TEXAS LIMITED PARTNERSHIP
CHRIS LINDHORST, PRESIDENT

14100 SOUTHWEST FREEWAY, SUITE 500, SUGAR LAND, TEXAS 77478
PHONE: (281) 566-2100

ENGINEER:

LJA Engineering, Inc.
2929 Briarpark Drive Suite 600 Houston, Texas 77042
Phone 713.953.5200 Fax 713.953.5026 FRN - F-1386 T.B.P.L.S. Firm No. 10110501

HEATHER L SIDES, R.P.L.S., P.L.S., CFedS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5997



THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF BAKERS LANDING SECTION 2A AND IS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2016.

DANIEL TUNSTALL, CHAIRPERSON
CITY PLANNING AND ZONING COMMISSION
CITY OF PEARLAND, TEXAS

APPROVED FOR THE CITY OF PEARLAND, TEXAS THIS _____ DAY OF _____, 2016.

DARRIN COKER
CITY OF PEARLAND, CITY ATTORNEY

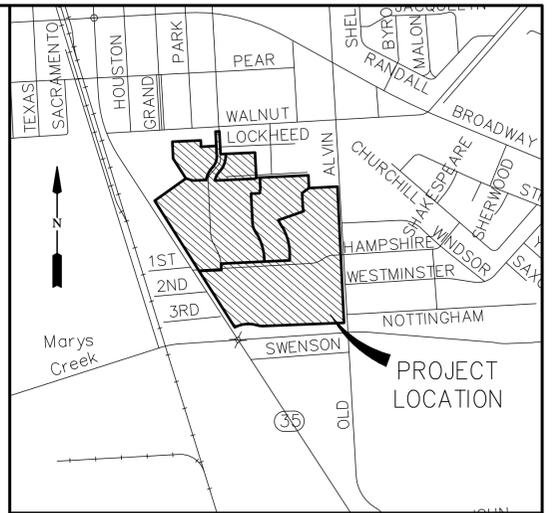
SUSAN POLKA, P.E.
CITY OF PEARLAND, CITY ENGINEER

DIR. SURV. CHECK: JAP. CAD: JAP.

Date/Time: 11:05:44 AM 2016
Path Name: I:\Projects\PLATING\1931\FINPL1\Bakers Landing 2A_LP.dwg

NOTE:
THIS IS A GENERAL LAYOUT AND SPECIFICS SUCH AS LOT SIZES, LOT DIMENSIONS, AND SETBACKS ARE NOT SHOWN, AS EACH PRELIMINARY AND FINAL IS APPROVED, ALL APPROPRIATE ORDINANCES WILL APPLY.

120 60 0 120
SCALE: 1" = 120'



VICINITY MAP
SCALE: 1" = 1000'
KEY MAP NO. 612P



- NOTES:
1. THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND.
 2. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY, FILE NO. 15039030411, DATED OCTOBER 19, 2015.
 3. ALL BEARINGS ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.
 4. FIVE-EIGHTS INCH (5/8") IRON RODS THREE FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
 5. BENCHMARK: CITY OF PEARLAND MONUMENT GPS-1: BRASS CAP SET FLUSH IN CONCRETE IN FRONT OF CITY HALL 3519 LIBERTY DRIVE PEARLAND TX, 77581. POINT IS LOCATED +/- 46 FEET NORTHWEST OF THE NORTHERLY CORNER OF THE CONCRETE CITY HALL SIGN AND +/- 15 FEET SOUTHEAST OF THE SOUTHEASTLY EDGE OF PAVEMENT OF LIBERTY DRIVE.
ELEVATION = 45.19 FEET NGVD29 1987 ADJ.
 6. TBM INDICATES TEMPORARY BENCHMARK. TBM "A": TOP OF A 5/8" IRON ROD WITH PLASTIC CAP STAMPED LJA CONTROL AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH MAIN STREET AND HAMPSHIRE STREET. THE POINT IS LOCATED +/- 5 FEET SOUTH OF THE SOUTHERN EDGE OF PAVEMENT OF HAMPSHIRE STREET AND +/- 39 FEET EAST OF THE PROJECTED EASTERLY EDGE OF PAVEMENT LINE OF SOUTH MAIN STREET.
ELEVATION = 48.00 FEET NGVD29 1987 ADJ.
 7. THIS TRACT LIES IN ZONE "AE" AND "X" OF THE FLOOD INSURANCE RATE MAP (F.I.R.M.) FOR BRAZORIA COUNTY, TEXAS, DATED JUNE 9, 1989, MAP NO. 48039C 0110H. CONTACT THE BRAZORIA COUNTY FLOODPLAIN ADMINISTRATOR FOR THE FLOOD INFORMATION.
ALL FLOOD PLAIN INFORMATION IN THE PLAT REFLECTS THE STATUS PER THE FEMA MAP THAT IS EFFECTIVE AT THE TIME THE PLAT IS RECORDED. FLOOD PLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
 8. ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A DEDICATED EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
 9. ACCESS RIGHTS TO PARKING AREAS AND DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING COMMERCIAL PROPERTIES.
 10. THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
 11. ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA DRAINAGE DISTRICT #4.
 12. THIS PROPERTY IS LOCATED WHOLLY WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 34.
 13. ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
 14. DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL AND UNIFIED DEVELOPMENT CODE.

A MASTER PLAN FOR BAKERS LANDING

A SUBDIVISION OF 79.10 ACRES IN THE
A. C. H. & B. SURVEY, SECTION 1, ABSTRACT 147 AND THE
H.T. & B.R.R. COMPANY SURVEY 11, ABSTRACT 239,
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

NOVEMBER 24, 2015

JOB NO. 1931-1910C-309

OWNERS:

D.R. HORTON-TEXAS, LTD.
A TEXAS LIMITED PARTNERSHIP

CHRIS LINDHORST, PRESIDENT
14100 SOUTHWEST FREEWAY, SUITE 500, SUGAR LAND, TEXAS 77478
(281) 566-2100

ENGINEER:

LJA Engineering, Inc.
2929 Briarpark Drive Suite 600 Houston, Texas 77042
Phone 713.953.5200 Fax 713.953.5026 FRN - F-1386 T.B.P.L.S. Firm No. 10110501



C. CONSIDERATION AND POSSIBLE ACTION – PRELIMINARY PLAT OF SAVANNAH PARKWAY AND RESERVES FROM LAUREL HEIGHTS DRIVE TO ARROWHEAD POINT LANE

1. A request of Jennifer Curtis, BGE / Kerry R. Gilbert & Associates, the applicant; on behalf Brian Gibson of Savannah Development, Ltd, owner; for approval of the Preliminary Plat of Savannah Parkway and Reserves from Laurel Heights Drive to Arrowhead Point Lane dedicating 100 feet of right of way for Savannah Parkway and creating two reserves on ±8.9 acres of land, described to wit:



Staff Report

To: Planning and Zoning Commission

From: Planning Department VH (Staff Planner)

Meeting Date: October 17, 2016

Re: A request of Jennifer Curtis, BGE / Kerry R. Gilbert & Associates, the applicant; on behalf Brian Gibson of Savannah Development, Ltd, owner; for approval of the Preliminary Plat of Savannah Parkway and Reserves from Laurel Heights Drive to Arrowhead Point Lane dedicating 100 feet of right of way for Savannah Parkway and creating two reserves on ± 8.9 acres of land, described to wit:

Legal Description: Being ± 8.9 acres of land containing 2 reserves in one block out of the H.T. & B.R.R. Company Survey, A-302 Brazoria County, Texas.

General Location: Savannah Parkway from Laurel Heights Drive to Arrowhead Point Lane.

SUMMARY

On behalf of Brian Gibson of Savannah Development Ltd., owner, Jennifer Curtis, BGE / Kerry R. Gilbert & Associates, has submitted a request for approval of the Preliminary Plat of Savannah Parkway and Reserves from Laurel Heights Drive to Arrowhead Point Lane to dedicate an approximately 1100 foot long and 100 foot wide section of right of way for Savannah Parkway from Laurel Heights Drive to Arrowhead Point Lane and two reserves. The proposed right of way dedication will link the northern portions of the Savannah Lakes Development to southern portion of Savannah Parkway providing access to Post Road. Reserve A will provide open space along the east side of Savannah Parkway. Reserve B will primarily serve as open space accommodating an 80 foot wide Houston Light and Power Company Easement.

SITE COMMENT

The dedication of the right of way will provide access to the northern sections of development in the Savannah Lakes area and provide the 100 wide right of way necessary for a Secondary Thoroughfare.

STAFF RECOMMENDATION

Staff recommends approval of the Preliminary Plat of Savannah Parkway and Reserves from

Laurel Heights Drive to Arrowhead Point Lane for the following reasons:

1. The proposed plat will not cause any adverse impacts on the surrounding properties.
2. The request is in conformance to the Savannah Lakes Development Agreement.
3. The request will provide the 100 wide right of way necessary for a Secondary Thoroughfare in conformance with the Thoroughfare Plan.
4. The request will also provide needed park land, landscape and open space areas.

Agreements and Documents

Needed item	Completion Status
Parkland Dedication	N/A
Drainage Study	Completed and approved

SIA Status

Application Item	Status
SIA Application	N/A
Cost Breakdown	N/A
Application Fee	N/A
SIA Agreement	N/A
Bond	N/A

Plat Status

Item	Status
Master Plat	Approved
Preliminary Plat	Approved
Final Plat	N/A

Conformance to Comprehensive Plan

The proposed right of way runs through an area shown as Low Density Residential on the Future Land Use Plan 2015. However, the property in question is covered by the Savannah Lakes Development Agreement.

Savannah Development Agreement

Savannah Parkway is the key north-south thoroughfare in providing access to the subdivisions covered by the Savannah Development Agreement.

The following table shows the relationship between the park and open space area provided by this plat and the overall park / recreation / and open spaces to be provided in the Savannah Lakes Development:

	Acreage	Percentage
Parks / Recreation / Open Space	158.5	12.70%
Current Plat	5.39	0.43%
Reserve A - Park	3.4	0.27%
Reserve B - Park	1.99	0.16%

Conformance with Unified Development Code

The Unified Development Code (UDC) does not apply to the subject development as the property is located within the City of Pearland Extra-Territorial Jurisdiction (ETJ):

	<u>Zoning</u>	<u>Land Use</u>
North	ETJ	Undeveloped
South	ETJ	Savannah Parkway R-O-W
East	ETJ	Undeveloped
West	ETJ	Future Stewart Heights Section 3

Conformance with Thoroughfare Plan

Savannah Parkway is classified as a Secondary Thoroughfare with Right of Way to be Acquired. The thoroughfare plan requires 100 feet of right of way to be dedicated for Savannah Parkway. This plat will dedicate 100 feet of Right of Way for Savannah Parkway; from Laurel Heights Drive to Arrowhead Point Lane.

Traffic and Transportation

A Traffic Impact Analysis is not required.

Availability of Utilities

This plat is located wholly within Municipal Utility District No. 22.

Parks, Open Space and Trees

Park fees are not required within the Savannah Lakes Development. However Tract A will provide open space along the east side of Savannah Parkway.

Additional Comments

This request has been reviewed by the Development Review Committee and there were no additional comments.

SUPPORTING DOCUMENTS

- Aerial Map
- Zoning Map
- Future Land Use Plan 2015
- Preliminary Plat of Savannah Parkway and Reserves from Laurel Heights Drive to Arrowhead Point Lane



Aerial Map

Preliminary Plat of Savannah Parkway and Reserves

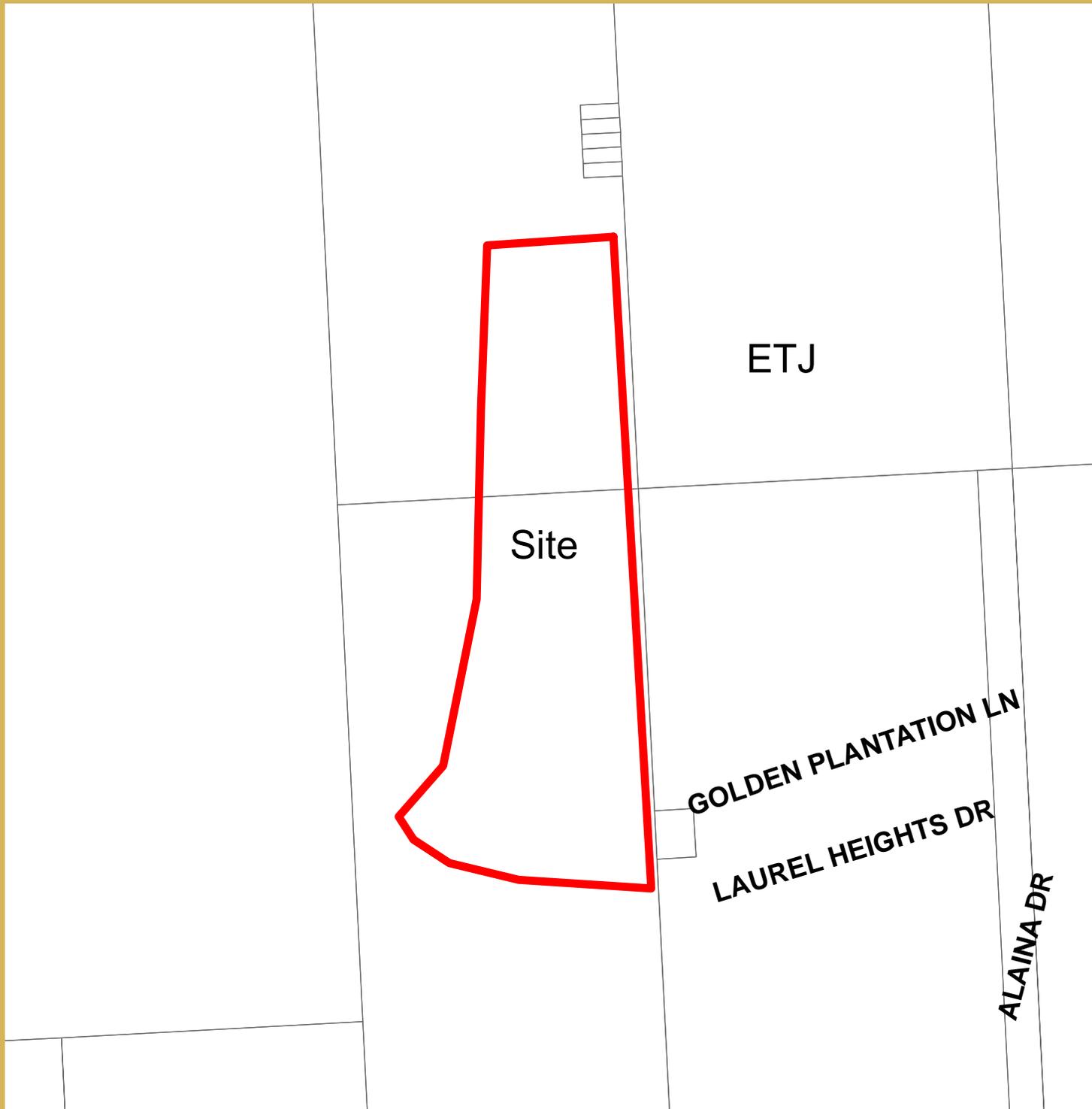


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1 inch = 296 feet

OCTOBER 2014
PLANNING DEPARTMENT





Zoning Map

Preliminary Plat of Savannah Parkway and Reserves



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Low Density Residential

Site

GOLDEN PLANTATION LN

LAUREL HEIGHTS DR

ALAINA DR

Future Land Use Plan 2015

Preliminary Plat of Savannah Parkway and Reserves

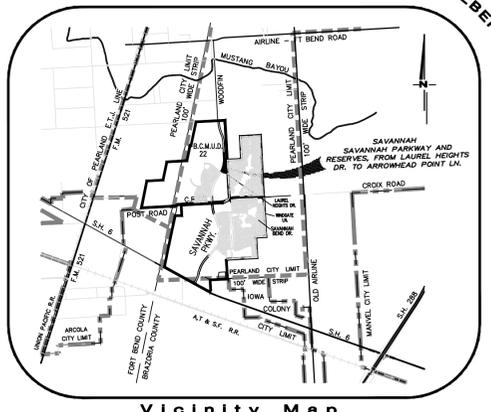
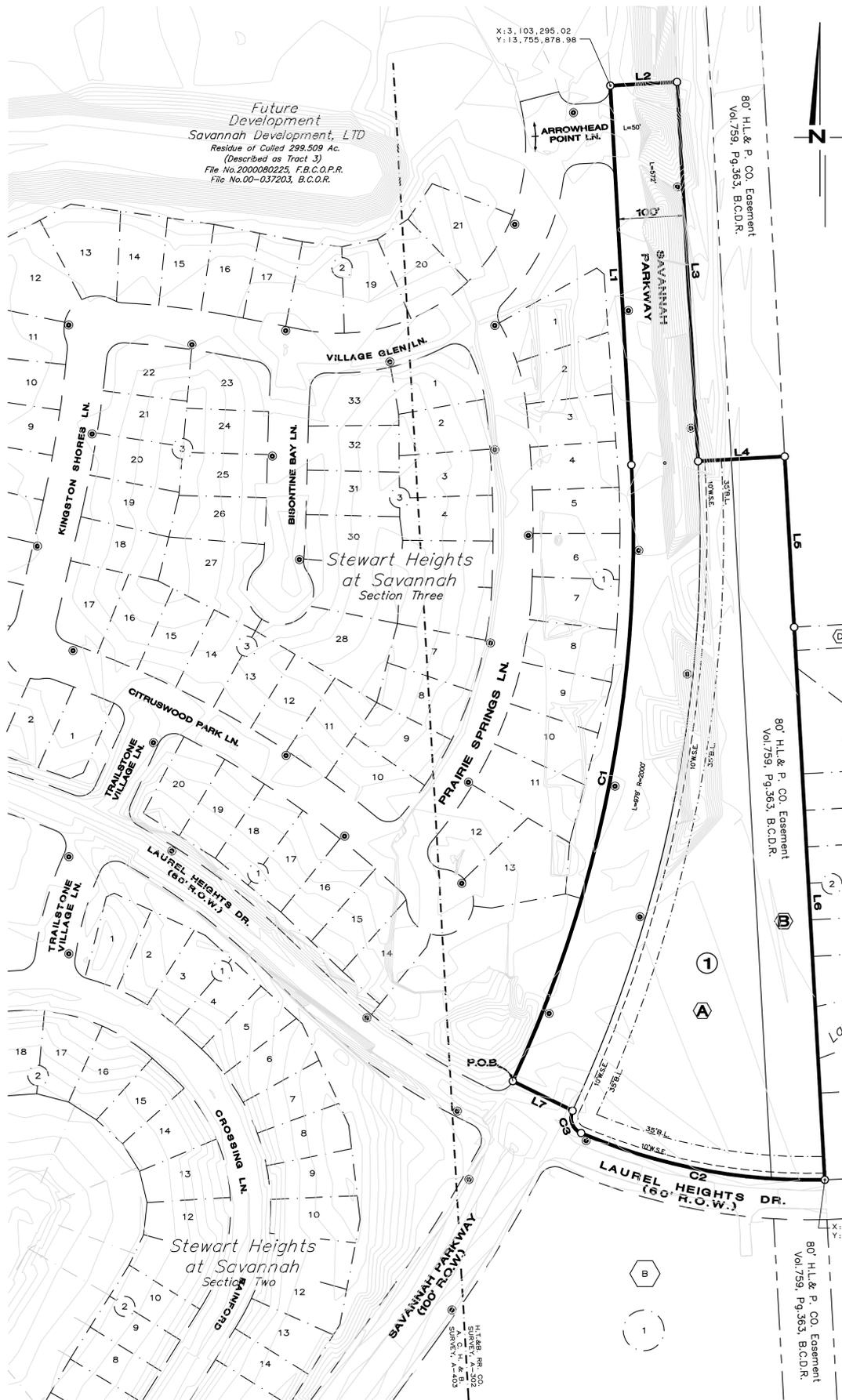


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PLANNING DEPARTMENT





Remainder of a called 75.537 Acres
 Tyrone Dorian
 Lillie Dorian
 Felipe Garcia
 Luisa Garcia
 B.C.C.F. No. 98-019056

LINE	DISTANCE	BEARING
L1	672'	S 03°09'57" E
L2	100'	N 86°50'03" E
L3	672'	S 03°09'57" E
L4	130'	S 86°50'03" W
L5	267'	S 03°09'50" E
L6	833'	S 03°09'16" E
L7	100'	N 63°29'18" W

CURVE	RADIUS	ARC	BEARING	CHORD
C1	1950'	964'	N 10°50'38" E	944'
C2	870'	374'	S 79°08'09" E	372'
C3	26'	40'	N 20°54'37" W	36'

- GENERAL NOTE:
- THERE ARE 6 STREETLIGHTS ON THIS PLAT.
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 485030020N, WITH THE EFFECTIVE DATE OF JUNE 20, 1989, THE PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN). ALL FLOODPLAIN INFORMATION NOTED IN THIS PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRMS ARE UPDATED.
 - BENCHMARK: CITY OF PEARLAND C.P. 10
BRASS CAP SET FLUSH IN CONCRETE STAMPED
THE MONUMENT IS LOCATED NORTHERLY ALONG THE SOUTHBOUND LANES OF HIGHWAY 288, APPROXIMATELY 2,000 FEET SOUTHERLY FROM THE INTERSECTION OF T.M. 518 AND HIGHWAY 288. THE MONUMENT IS WESTERLY 21 FEET FROM THE WEST EDGE OF ASPHALT OF THE SOUTHBOUND HIGHWAY 288 AND APPROXIMATELY 185 FEET FROM A LARGE WOODEN LIGHT POLE #288 S. ELEVATION: 59.29 (NOV 29, 1978 ADJUSTMENT)
 - T.B.M. "LJA-1"
BOX CUT IN CURB AT THE NOSE OF THE SOUTH MEDIAN OF SAVANNAH PARKWAY AT THE INTERSECTION OF COUNTY ROAD NO. 58. ELEVATION: 65.88 (NOV 29, 1978 ADJUSTMENT)
 - T.B.M. "LJA-C3"
5/8-INCH IRON ROD WITH PLASTIC CAP STAMPED
(AS SHOWN BY SYMBOL). ELEVATION: 63.54 (NOV 29, 1978 ADJUSTMENT)
- NOTE: TO CONVERT T.B.M.'S (NOV 29, 1978 ADJUSTMENT) TO THE CITY OF PEARLAND '87 ADJUSTMENT) SUBTRACT 1.28 FEET
- NOTE: ALL ELEVATIONS ARE BASED ON THE VERTICAL CONTROL ESTABLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE WIDENING OF STATE HIGHWAY 6. FEDERAL AID PROJECT NO. 5700040000000000. CSI 192-02-036 DATED OCTOBER 5, 1999. BROWN & GAY ENGINEERS PROJECT ELEVATIONS WERE ESTABLISHED FROM "TODOT" CONTROL POINT DATA AS SHOWN IN "TODOT" FIELD BOOK NO. 246, PAGE 18. BOOK PROJECT NO. CSI 192-02-036. CONTROL POINT "102" IS SHOWN IN SAID FIELD BOOK TO HAVE A TEXAS STATE PLANE COORDINATE OF X = 33,039,074.14, Y = 6,007,807.87 AND AN ELEVATION OF 59.52 FEET, NOV 29 AND BEING ON THE 1978 ADJUSTMENT.
- NOTE: ALL BEARING AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.999997.
- THIS SUBDIVISION IS CONSEQUENT WITH THE THIRD AMENDMENT SINGLE FAMILY DWELLING DISTRICT IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT BETWEEN SAVANNAH DEVELOPMENT, LTD., A TEXAS LIMITED PARTNERSHIP AND THE CITY OF PEARLAND DATED JUNE 13, 2005.
 - THIS PROPERTY IS WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 22, AT THE TIME OF PLATING.
 - LOTS WHICH SIDE ONTO A PUBLIC STREET RIGHT-OF-WAY ARE DENIED DIRECT DRIVEWAY ACCESS TO THE SAID PUBLIC STREET. ALL CORNER LOTS ARE FROM DRIVE ONLY.
 - ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND ASHITO SITE DISTANCE REQUIREMENTS FOR MOTORISTS
 - ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA COUNTY DRAINAGE DISTRICT #4.
 - THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER TWELVE (12) INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR TWELVE (12) INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS OR (2) TWELVE (12) INCHES ABOVE THE 100 YEAR FLOODPLAIN SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
 - DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTH AND OFFSET FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE PEARLAND ENGINEERING DESIGN CRITERIA MANUAL AND UNIFIED DEVELOPMENT CODE.
 - THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY, AND THE CITY OF PEARLAND.
 - ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESERVED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDERS OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
 - THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY (S.T. NO. 130338184, EFFECTIVE DATE AUGUST 15, 2013)
 - ALL BEARINGS REFERENCED ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.
 - ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACES WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNER'S ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
 - SIDEWALKS WILL BE PROVIDED FOR ALL ADJOINING STREETS AT THE TIME OF DEVELOPMENT. PER THE LAKES OF SAVANNAH DEVELOPMENT AGREEMENT, AN EIGHT-FOOT (8') SIDEWALK IS REQUIRED ON ONE SIDE OF SAVANNAH PARKWAY, AND A SIX-FOOT (6') SIDEWALK IS REQUIRED ON ONE SIDE OF LAUREL HEIGHTS DRIVE.
 - LANDSCAPING ALONG LAUREL HEIGHTS DRIVE AND SAVANNAH PARKWAY SHALL BE PROVIDED IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS OF LAKES OF SAVANNAH DEVELOPMENT AGREEMENT.
 - THERE ARE NO PIPELINES WITHIN THIS PLAT.
 - ALL LOT LINES ARE THE CENTERLINE OF A SIX-FOOT (6') DRAINAGE EASEMENT TO EACH ADJACENT LOT.

LEGEND

- "C.L.R." INDICATES CENTERLINE RADIUS.
- "B.L." INDICATES BUILDING LINE.
- "U.E." INDICATES UTILITY EASEMENT.
- "W.L.E." INDICATES WATER LINE EASEMENT.
- "S.W.S.E." INDICATES STORM SEWER EASEMENT.
- "S.S.E." INDICATES SANITARY SEWER EASEMENT.
- "W.S.E." INDICATES WATER LINE / SANITARY SEWER EASEMENT.
- "D.E." INDICATES DRAINAGE EASEMENT.
- "S" INDICATES STREET LIGHT LOCATION.
- "E.L." INDICATES ELECTRICAL EASEMENT.
- "B.C.P.R." INDICATES BRAZORIA COUNTY PLAT RECORDS.
- "B.C.D.R." INDICATES BRAZORIA COUNTY DEED RECORDS.
- "B.C.C.F." INDICATES BRAZORIA COUNTY CLERK FILE.
- "B.C.P.R." INDICATES BRAZORIA COUNTY REAL PROPERTY RECORDS.
- "B.C.M.U.D." INDICATES BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT.
- "*"
- "←" INDICATES DRAINAGE OUTFALL.

LAND USE TABLE

RESERVE	LAND USE	ACREAGE	SQ. FT.
A	PARK	3.40	148,297
B	LANDSCAPE / OPEN SPACE	1.99	86,889

BRAZORIA DRAINAGE DISTRICT NO. 4 NOTES

- Any governmental body for the purposes of drainage work may use the drainage easements and fee strips provided the DISTRICT is properly notified.
- Permanent structures, including fences and permanent landscaping, shall not be erected in a drainage easement or fee strips.
- Maintenance of detention facilities is the sole responsibility of the owner of the property. The DISTRICT will provide maintenance of regional facilities owned and constructed by the DISTRICT, or any regional facilities constructed by developer(s) for which ownership has been transferred to the DISTRICT with the DISTRICT'S approval. The DISTRICT is responsible only for the maintenance of facilities owned by the DISTRICT unless the DISTRICT specifically contracts or agrees to maintain other facilities.
- Contractor shall notify the DISTRICT in writing at least forty-eight (48) hours before placing any concrete for drainage structures.
- The DISTRICT'S personnel shall have the right to enter upon the property for inspection at any time during construction or as may be warranted to ensure the detention facility and drainage system are operating properly.
- Appropriate cover for side slopes, bottom and maintenance berm shall be established prior to acceptance of the construction by the DISTRICT. At least 95% germination of the grass must be established prior to acceptance of construction by the DISTRICT.
- No building permit shall be issued for any lot within this development until the detention facility has been constructed and approved by the DISTRICT.
- The DISTRICT'S approval of the Final Drainage Plan (and Final Plat if required) does not affect the property rights of third parties. The developer is responsible for obtaining and maintaining any and all easements, fee strips and/or any other rights-of-way across third parties properties for the purposes of moving excess runoff to the DISTRICT'S drainage facilities and contemplated by the Final Drainage Plan and Final Plat.

Approved by Brazoria Drainage District No. 4

District Superintendent _____ Date _____

District Engineer _____ Date _____

The above signatures are valid for three hundred sixty-five (365) calendar days from the date shown above. The above signatures do not constitute authorization for any construction.

PRELIMINARY - NOT FOR RECORDING

A PRELIMINARY PLAT OF

SAVANNAH

SAVANNAH PARKWAY AND RESERVES, FROM LAUREL HEIGHTS DR. TO ARROWHEAD POINT LN.

BEING ±8.9 ACRES OF LAND CONTAINING TWO RESERVES (6.39 AC.) IN ONE BLOCK.

OUT OF THE
H.T.&B. R.R. CO. SURVEY, A-302
 BRAZORIA COUNTY, TEXAS

SURVEYOR / CONSULTING ENGINEER:
LJA ENGINEERING & SURVEYING, INC.
 BILL EHLER (713) 953-6200
 2929 BRIARPARK DRIVE, SUITE 600
 HOUSTON, TEXAS 77042

OWNER:
SAVANNAH DEVELOPMENT, LTD.,
 A TEXAS LIMITED PARTNERSHIP
 MR. BRIAN GIBSON (281) 875-1000
 560 GREENS PARKWAY, SUITE 100
 HOUSTON, TEXAS 77067

PLANNER:



- Land Planning Consultants -
 23501 Cinco Ranch Blvd., Suite A-250
 Katy, Texas 77494
 Tel: 281-579-0340
 CONTACT: CARLOS FRAGA

DISCLAIMER AND LIMITED WARRANTY

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

D. CONSIDERATION AND POSSIBLE ACTION – PRELIMINARY PLAT OF STEWART HEIGHTS AT SAVANNAH SECTION 6

1. A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullen Stone Ltd. / FYCW, Ltd., owner; for approval of the Final Plat of Lake Park Subdivision Section 1, Phase 2, creating 2 lots, on 5.0019 acres of land on the east side of Cullen Parkway at Brookside Road, described to wit:



Staff Report

To: Planning and Zoning Commission

From: Planning Department VH

Meeting Date: October 17, 2016

Re: A request of Jennifer Curtis, of BGE/Kerry Gilbert and Associates, the applicant; on behalf of Savannah Development, LTD., owner; for approval of the Preliminary Plat of Stewart Heights at Savannah Section 6 creating 31 single family lots, and 3 reserve on \pm 10.2 acres of land located west of Savannah Parkway, north of County Road 58, described to wit:

Legal Description: Being \pm 10.2 acres of land containing 31 lots and 3 reserve in three blocks out of the A.C.H.&B. Survey, A-403 and H.T.&B. R.R. Co. Survey, A-302 & J.S. Talmage Survey, A-566, Brazoria County, Texas

General Location: west of Savannah Parkway, north of County Road 58.

SUMMARY

On behalf of Savannah Development, LTD., owner, Jennifer Curtis, of BGE/Kerry Gilbert and Associates, has submitted a request for approval of the Preliminary Plat of Stewart Heights at Savannah Section 6, creating 31 single family lots and 3 reserves on \pm 10.2 acres of land located generally west of Savannah Parkway, north of County Road 58. The proposed lots are designed to be 65 feet wide and 125 feet deep for a lot area of 8,125 feet. The lot dimensions are 675 square feet smaller than the 8,800 square foot lot area required of R-1 Single Family lots located in city limits. The difference is that an R-1 zoned lot in city limits would be required to have a minimum lot width of 80 feet. However, the proposed lots will have an extra depth of 35 feet that an R-1 Single Family lot would not be required to have.

SITE COMMENTS

Stewart Heights at Savannah Section 6 will have direct access to Savannah Parkway via Arrowhead Point Lane. Due to the short distance of 100 feet from Savannah Parkway to the proposed Markstone Ridge Lane, the Reserves A and C will provide park and open space land at this location. Reserve B will provide a strip of open space between Lot 10 and the future right of way for Camden Lake Lane.

STAFF RECOMMENDATION

Staff recommends approval of the Preliminary Plat of Stewart Heights Section 6 as recommended by the applicant:

1. The plat will not have an adverse effect on surrounding development.
2. The plat conforms to the Savannah Lakes Development Agreement.

Agreements and Documents

Needed item	Completion Status
Parkland Dedication	N/A
Drainage Study	Completed and approved

SIA Status

Application Item	Status
SIA Application	N/A
Cost Breakdown	N/A
Application Fee	N/A
SIA Agreement	N/A
Bond	N/A

Plat Status

Item	Status
Master Plat	Approved
Preliminary Plat	Approved
Final Plat	N/A

SURROUNDING ZONING AND LAND USES

Table 1	<u>Zoning</u>	<u>Land Use</u>
North	ETJ	Developing Single Family
South	ETJ	Developing Single Family
East	ETJ	Undeveloped
West	ETJ	Developing Single Family

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC)

The Unified Development Code (UDC) does not apply to the subject development as the property is located within the City of Pearland Extra Territorial Jurisdiction. The property in question is covered by the Savannah Lakes Development Agreement.

SAVANNAH DEVELOPMENT AGREEMENT

The development agreement shows this area as single family residential. The proposed lots are generally 65 feet wide and 125 feet deep.

The following table shows the percentage of single family development acreage which will be provided by this plat for the Savannah Development.

Table 2	Acreage	Percentage
Single Family Residential	966.9	77.50%
R-1 Type Lots	261	20.90%
Stewart Heights Section 6	10.2	0.80%

FUTURE LAND USE PLAN 2015

The subject property is shown as Low Density Residential. However, the property in question is covered by the Savannah Lakes Development Agreement.

CONFORMANCE WITH THE THOROUGHFARE PLAN

The streets located the subdivision with 60 feet of Right of Way each as would be required by Minor Collector Streets.

UTILITIES AND INFRASTRUCTURE

This Plat is located within the Municipal Utility District No. 22.

DRAINAGE

A Drainage Plan has been approved by the Engineering Department.

PARKS, OPEN SPACE, AND TREES

Park Fees are not required within the Savannah Lakes Development.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT

This plat would serve to add single family housing along the west side of Savannah Parkway.

ADDITIONAL COMMENTS

This request has been reviewed by the City's Development Review Committee and there were no additional comments.

SUPPORTING DOCUMENTS

- Aerial Map
- Zoning Map
- Future Land Use Plan 2015
- Preliminary Plat of Stewart Heights at Savannah Section 6



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Preliminary Plat of Stewart Heights at Savannah Section 6

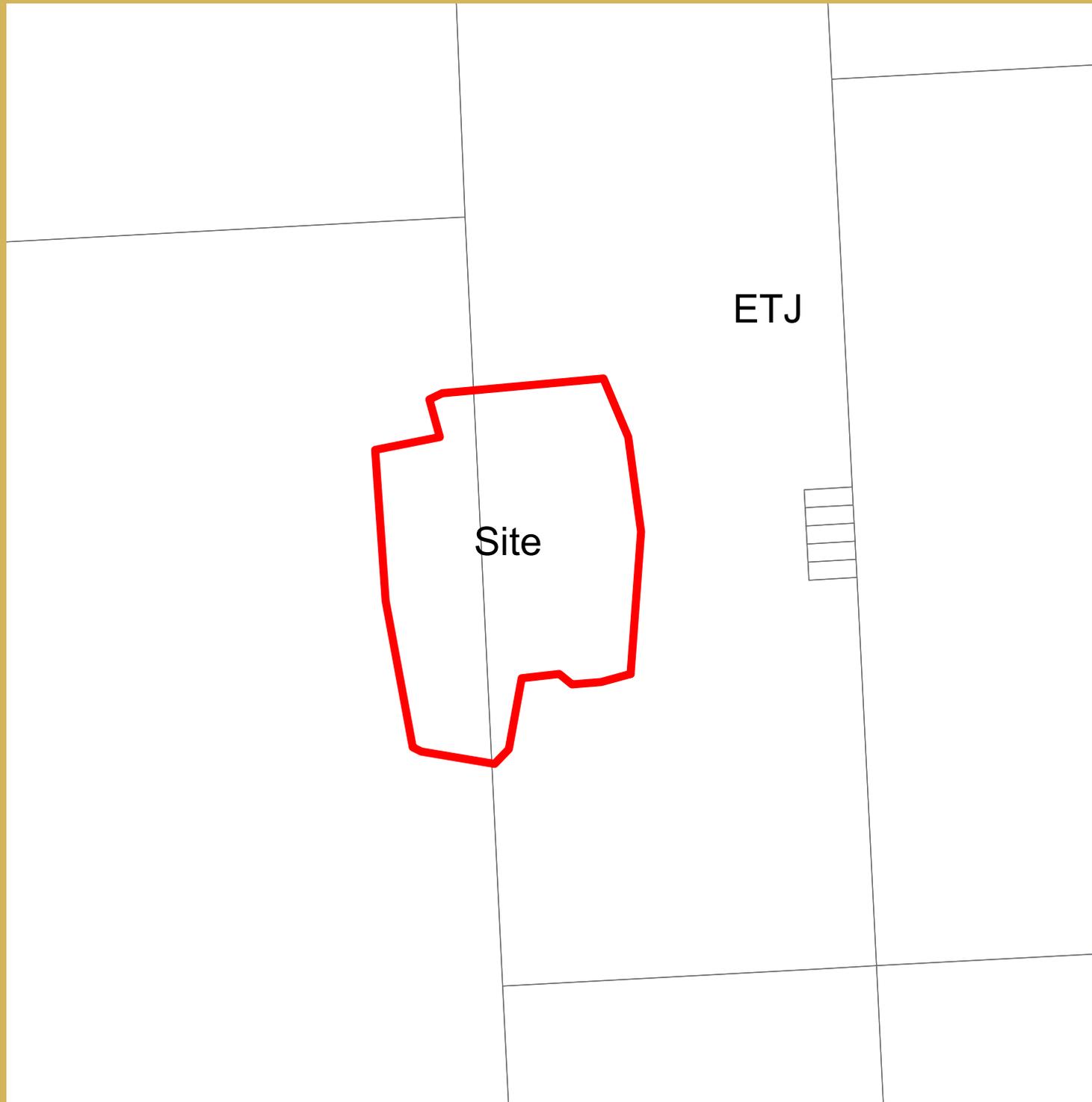


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OCTOBER 2014
PLANNING DEPARTMENT





Zoning Map

Preliminary Plat of Stewart Heights at Savannah Section 6



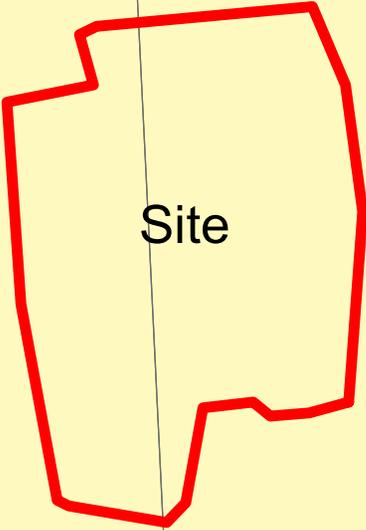
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Low Density Residential



Site

**Future Land Use
Plan 2015**

**Preliminary Plat of
Stewart Heights at
Savannah
Section 6**



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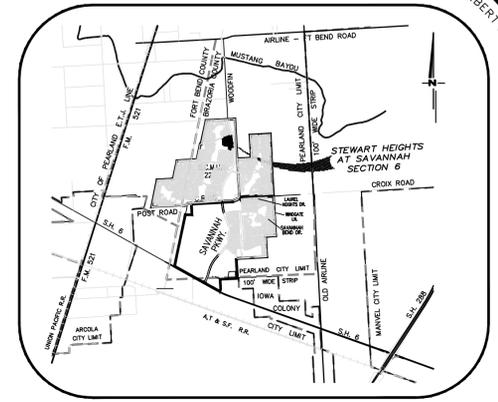
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- 15.) THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY STEWART TITLE COMPANY C.F. NO.1303936164, EFFECTIVE DATE AUGUST 15, 2013
- 16.) ALL BEARINGS REFERENCES ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.
- 17.) ALL STREETS WILL BE CONSTRUCTED WITH CURBS ON BOTH SIDES OF THE STREETS.
- 18.) AN EIGHT (8) FOOT SIDEWALK IS REQUIRED ALONG ONE SIDE OF SAVANNAH PARKWAY AND FOUR (4) FOOT SIDEWALKS ARE REQUIRED ON BOTH SIDES OF ALL OTHER STREETS WITHIN THIS PLAT.
- 19.) ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITH THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
- 20.) THERE ARE NO PIPELINES WITHIN THIS PLAT.
- 21.) ALL LOT LINES ARE THE CENTERLINE OF A SIX-FOOT (6") DRAINAGE EASEMENT TO EACH ADJACENT LOT.
- 22.) ACCESS RIGHTS TO DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING RESIDENTIAL PROPERTIES FOR DEVELOPMENT AND CONSTRUCTION PURPOSES ONLY.

LOT AREA SUMMARY

BLOCK 1			BLOCK 2			BLOCK 3		
LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.	LOT	LOT WIDTH AT B.L.	SQ. FT.
1	81'	12,117	1	65'	8,324	1	68'	9,025
2	65'	8,875	2	65'	8,328	2	68'	9,021
3	65'	8,742	3	65'	8,320	3	68'	9,028
4	65'	8,899	4	65'	8,320	4	68'	9,030
5	66'	11,085	5	65'	8,330	5	68'	9,097
6	70'	13,591	6	84'	11,264	6	65'	8,715
7	71'	9,455	7	80'	9,705	7	66'	8,719
8	72'	9,348	8	67'	8,248	8	100'	11,158
9	72'	9,207	9	68'	8,356	9	68'	8,354
10	72'	9,053	10	68'	8,354	10	68'	8,354
			11	68'	8,354			
			12	68'	8,354			
			13	68'	8,354			

LINE DATA

LINE	DISTANCE	BEARING
L1	28'	S 86° 50'03" W
L2	60'	S 75° 27'43" W
L3	130'	N 68° 37'02" W
L4	50'	N 24° 12'19" W
L5	142'	N 00° 23'16" W
L6	33'	S 87° 15'25" W
L7	250'	N 84° 55'05" W
L8	138'	S 49° 53'58" E
L9	150'	N 00° 15'01" E
L10	132'	N 04° 07'58" W
L11	66'	N 09° 51'25" W
L12	17'	N 08° 00'43" W
L13	22'	N 76° 04'16" E
L14	50'	S 13° 55'44" E
L15	185'	N 73° 30'52" E
L16	9'	S 15° 37'22" E
L17	185'	N 73° 11'16" E
L18	146'	N 74° 17'52" E
L19	307'	S 03° 09'57" E



Vicinity Map
SCALE= 1"=5000'

CURVE DATA

CURVE	RADIUS	ARC	TANGENT	BEARING	CHORD
C1	25'	39'	25'	N 41° 50'03" E	35'
C2	25'	34'	20'	N 53° 51'07" W	32'
C3	270'	54'	27'	N 08° 51'07" W	54'
C4	280'	120'	61'	S 09° 08'30" W	119'
C5	775'	80'	40'	N 79° 01'30" E	80'
C6	25'	40'	26'	S 29° 59'52" W	36'
C7	1360'	10'	5'	S 16° 16'50" E	10'
C8	1730'	34'	17'	N 16° 16'26" W	34'
C9	1950'	447'	224'	S 09° 43'48" E	446'

A PRELIMINARY PLAT OF
**STEWART HEIGHTS
AT SAVANNAH
SECTION SIX**

**BEING ±10.2 ACRES OF LAND
CONTAINING 31 LOTS (65' X 125' TYP.) AND
THREE RESERVES (1.49 AC.) IN THREE BLOCKS.**

OUT OF THE
**A.C.H.&B. SURVEY, A-403 & H.T.&B. R.R. CO. SURVEY, A-302 &
J.S. TALMAGE SURVEY, A-566
BRAZORIA COUNTY, TEXAS**

**SURVEYOR / CONSULTING ENGINEER:
LJA ENGINEERING & SURVEYING, INC.
BILL EHLER (713) 953-6200
2929 BRIARPARK DRIVE, SUITE 600
HOUSTON, TEXAS 77042**

**OWNER:
SAVANNAH DEVELOPMENT, LTD.,
A TEXAS LIMITED PARTNERSHIP
MR. BRIAN GIBSON (281) 874-8558
560 GREENS PARKWAY, SUITE 100
HOUSTON, TEXAS 77067
PLANNER:**



- Land Planning Consultants -
23501 Cinco Ranch Blvd., Suite A-250
Katy, Texas 77494
Tel: 281-579-0340
CONTACT: JENNIFER CURTIS

SCALE: 1" = 100'
0 50 100 200

OCTOBER 5, 2016
KGA# 4708
PAGE 1 OF 2

PRELIMINARY - NOT FOR RECORDING

DISCLAIMER AND LIMITED WARRANTY

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

BRAZORIA DRAINAGE DISTRICT NO. 4 NOTES

- 1) Any governmental body for the purposes of drainage work may use the drainage easements and fee strips provided the DISTRICT is properly notified.
- 2) Permanent structures, including fences and permanent landscaping, shall not be erected in a drainage easement or fee strips.
- 3) Maintenance of detention facilities is the sole responsibility of the owner of the property. The DISTRICT will provide maintenance of regional facilities owned and constructed by the DISTRICT, or sub regional facilities constructed by developer(s) for which ownership has been transferred to the DISTRICT with the DISTRICT'S approval. The DISTRICT is responsible only for the maintenance of facilities owned by the DISTRICT unless the DISTRICT specifically contracts or agrees to maintain other facilities.
- 4) Contractor shall notify the DISTRICT in writing at least forty-eight (48) hours before placing any concrete for drainage structures.
- 5) The DISTRICT'S personnel shall have the right to enter upon the property for inspection at any time during construction or as may be warranted to ensure the detention facility and drainage system are operating properly.
- 6) Appropriate cover for side slopes, bottom and maintenance berm shall be established prior to acceptance of the construction by the DISTRICT. At least 95% germination of the grass must be established prior to acceptance of construction by the DISTRICT.
- 7) No building permit shall be issued for any lot within this development until the detention facility has been constructed and approved by the DISTRICT.
- 8) The DISTRICT'S approval of the Final Drainage Plan (and Final Plat if required) does not affect the property rights of third parties. The developer is responsible for obtaining and maintaining any and all easements, fee strips and/or any other rights-of-way across third parties properties for the purposes of moving excess runoff to the DISTRICT'S drainage facilities and contemplated by the Final Drainage Plan and Final Plat.

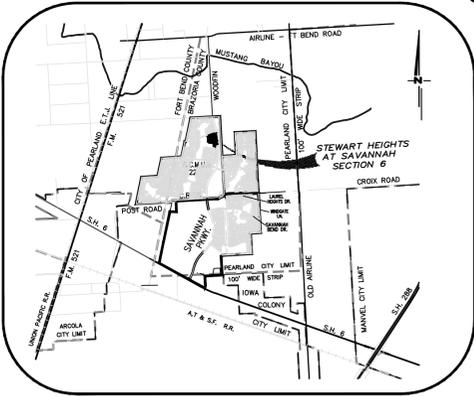
Approved by Brazoria Drainage District No. 4

District Superintendent _____ Date _____

District Engineer _____ Date _____

The above signatures are valid for three hundred sixty-five (365) calendar days from the date shown above. The above signatures do not constitute authorization for any construction.

Future
Development
Savannah Development, LTD
Residue of Called 299.509 Ac.
(Described as Tract 3)
File No. 2000080225, F.B.C.O.P.R.
File No. 00-037203, B.C.O.R.

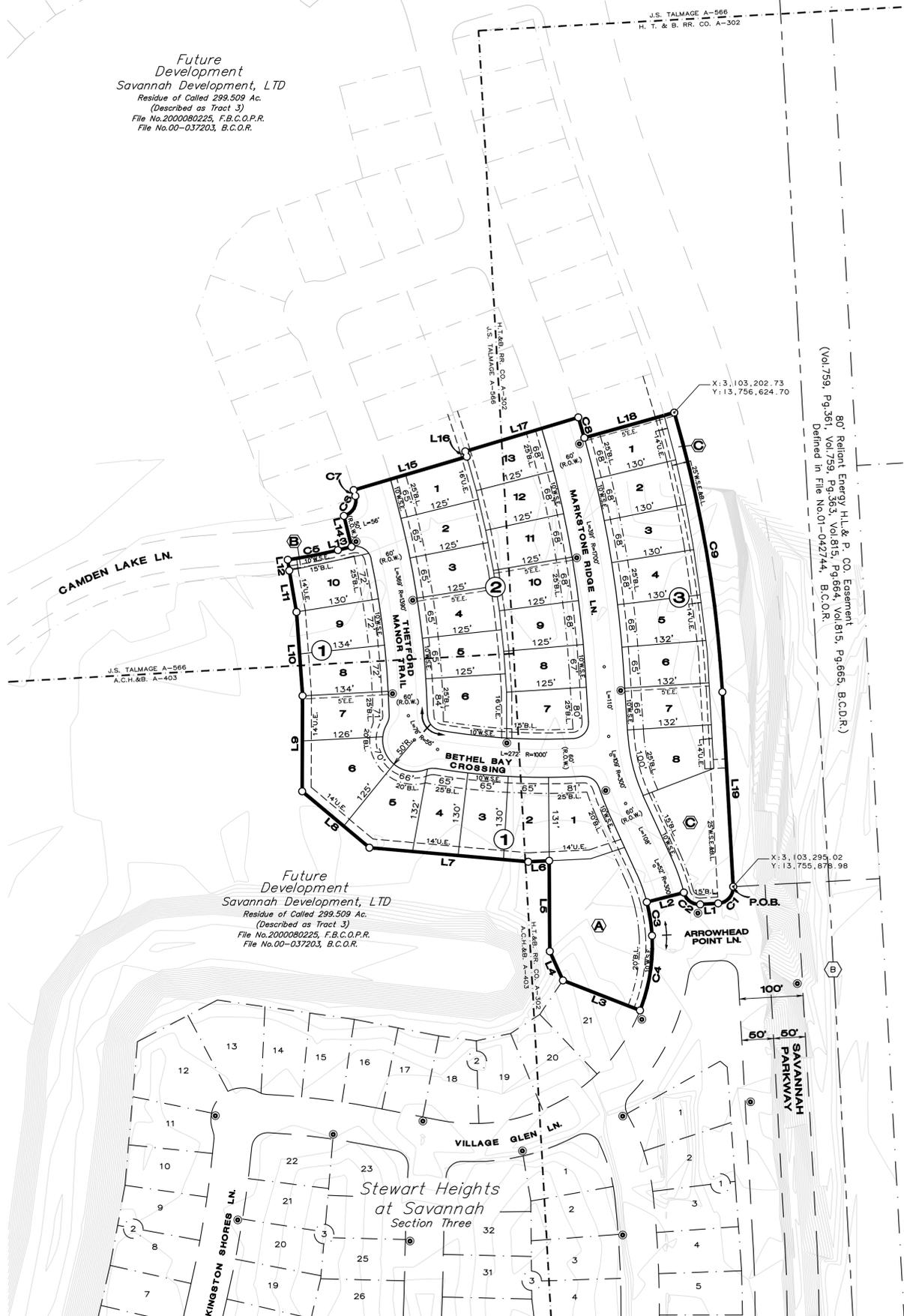


Vicinity Map
SCALE= 1"=5000'

Richard E. Okoloise
and Jamie Okoloise
Called 21.399 Acres
Doc. No. 2007042054
B.C.O.R.

80' Easement
Richard E. Okoloise & P. O. Co. Easement
Vol. 759, Pg. 361, Vol. 759, Pg. 363, Vol. 815, Pg. 664, Vol. 815, Pg. 665, B.C.O.R.
Defined in File No. 01-042744, B.C.O.R.

Remainder of a
called 75.537 Acres
Tyron Dorian
Lillie Dorian
Felipe Garcia
Luisa Garcia
B.C.C.F. No. 98-019056



Future
Development
Savannah Development, LTD
Residue of Called 299.509 Ac.
(Described as Tract 3)
File No. 2000080225, F.B.C.O.P.R.
File No. 00-037203, B.C.O.R.

A PRELIMINARY PLAT OF
**STEWART HEIGHTS
AT SAVANNAH
SECTION SIX**

BEING ±10.2 ACRES OF LAND
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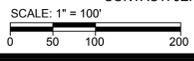
PLANNER:
**BGE KERRY R. GILBERT
& ASSOCIATES**

RESERVE	LAND USE	ACREAGE	SQ. FT.
A	PARK	0.74	32,249
B	LANDSCAPE/ OPEN SPACE	0.04	1,873
C	LANDSCAPE/ OPEN SPACE	0.71	30,937

- LEGEND**
- "C.L.R." INDICATES CENTERLINE RADIUS.
 - "B.L." INDICATES BUILDING LINE.
 - "U.E." INDICATES UTILITY EASEMENT.
 - "W.L.E." INDICATES WATER LINE EASEMENT.
 - "S.W.S.E.M.T." INDICATES STORM SEWER EASEMENT.
 - "S.S.E." INDICATES SANITARY SEWER EASEMENT.
 - "W.S.E." INDICATES WATER LINE / SANITARY SEWER EASEMENT.
 - "D.E." INDICATES DRAINAGE EASEMENT.
 - "S" INDICATES STREET LIGHT LOCATION.
 - "E.E." INDICATES ELECTRICAL EASEMENT.
 - "B.C.P.R." INDICATES BRAZORIA COUNTY PLAT RECORDS.
 - "B.C.O.R." INDICATES BRAZORIA COUNTY DEED RECORDS.
 - "B.C.C.F." INDICATES BRAZORIA COUNTY CLERK FILE.
 - "B.C.R.P.R." INDICATES BRAZORIA COUNTY REAL PROPERTY RECORDS.
 - "B.C.M.U.D." INDICATES BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT.
 - "D" INDICATES DRAINAGE OUTFALL.

PRELIMINARY - NOT FOR RECORDING

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



III. MATTERS REMOVED FROM CONSENT AGENDA

A. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF LAKE PARK SECTION 1, PHASE 1

A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullin Stone Ltd. / FYCW, Ltd., owner; for approval of the Final Plat of Lake Park Subdivision Section 1, Phase 1, creating 2 lots, on 30.6687 acres of land on the north side of Brookside Road in the 8000 block, described to wit:



Staff Report

To: Planning and Zoning Commission

From: Planning Department VH

Meeting Date: October 17, 2016

Re: A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullin Stone Ltd. / FYCW, Ltd., owner; for approval of the Final Plat of Lake Park Subdivision Section 1, Phase 1, creating 2 lots, on 30.6687 acres of land on the north side of Brookside Road in the 8000 block, described to wit:

Legal Description: A subdivision of 30.6687 acres / 1,335,927 square feet of land, situated in the W.T. Dobson Survey, Abstract No. 187, City of Pearland, Brazoria County, Texas.

General Location: north side of Brookside Road in the 8000 block.

SUMMARY

On behalf of James Johnson, of Cullin Stone Ltd. / FYCW Ltd., owner, Andrew Allemand, of Windrose Land Services, has submitted a request for approval of the Final Plat of Lake Park Phase 1, Section 1, creating 2 single large lots, on 30.6687 acres of land located on the north side of Brookside Road in the 8000 block.

The Lake Park Planned development designates approximately 20.4007 acres for multifamily development shown on the Master Plat as Section 1, Lot A. The planned development includes two large water features, a colonnade, and pavilion which will be on the 8.8735 acre tract designated as Lot B. Approval of this final plat will create the lots necessary to accommodate these features. Lot B will also accommodate the non-residential development along the Brookside Road frontage per Exhibit B in the Planned Development Document.

SITE HISTORY

This preliminary plat is located in the Lake Park Planned Development approved on October 27, 2014. The Lake Park Master Plat was approved by the Planning and Zoning Commission on

October 5, 2015. The Preliminary Plat of Lake Park Phase 1 Section 1 was also approved on October 5, 2015. On September 19, 2016 the Planning and Zoning Commission did not approve the Final Plat of Lake Park Phase 1 Section 1 since the escrow account was not funded prior to Planning and Zoning Commission approval. In addition, the 10 foot Public Utility Easement and 10 foot Water Line Easement along Cullen Parkway added by the applicant had not been reviewed by City Staff.

STAFF RECOMMENDATION

Staff recommends approval of the Final Plat of Lake Park Phase 1 Section 1 with the following conditions:

1. The escrow account for public improvements is required to be funded prior to Planning and Zoning Commission approval.
2. Deed of Trust needs to be recorded after the final plat is approved. Once the applicant closes on the property, this will be substituted for an escrow agreement similar to the one for off-site public improvements, pursuant to agreement dated March 21, 2016.

Agreements and Documents

Needed item	Completion Status
Development Agreement (Resolution no. R2016-7)	Completed
Deed of Trust Agreement (For onsite public improvements/amenities)	Completed
Escrow Agreement (For onsite public improvements)	Intend to submit an escrow agreement to substitute the above Deed of Trust in the future.
Parkland Dedication	Met through on site improvements
Regional Detention Agreement	N/A - onsite detention provided
Payment for Regional Detention	N/A - on site detention provided
Creek / Ditch Encroachment Agreement for improvements (walks, amenities, etc.)	Completed, recordation #2016014923
Drainage easement along the creek or DD4 channels	Shown on plat
Drainage easement through lots	Addressed
Offsite Utility Improvements Escrow	Agreement executed, required to be funded prior to final plat approval
Traffic Impact Analysis	Completed and approved

SIA Status

Application Item	Status
SIA Application	Satisfied, all improvements covered by the Development and Subdivision Improvement Agreement(Agreement)
Cost Breakdown	N/A – Agreement refers to the PD exhibits
Application Fee	N/A
SIA Agreement	Satisfied by the Development and Subdivision Improvement
Surety	Satisfied by Deed Trust

Permitting Status

Item	Status
Master Plat	Approved
Preliminary Plat	Approved
Final Plat	Under review (must address comments below)
Permits	Under review (pending recordation of final plat)

SURROUNDING ZONING AND LAND USES

Table 1	<u>Zoning</u>	<u>Land Use</u>
North	Lake Park PUD	Park / Open Space
South	Cullen – Mixed Use	Non-Residential
East	Lake Park PUD	Proposed Multifamily
West	Lake Park PUD	General Business / Office

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC)

The property under review is located in the Lake Park Planned Development approved on October 27, 2014. The following table is a list of items included in Phase 1 of the development:

Table 2: Lake Park Subdivision Section 1	
Proposed Use	
Multi-family units	238 Units
Lake	5.2 acres
Parkland Colonnade	1
Pavilion	1

FUTURE LAND USE PLAN 2015

The applicant's property is shown as part of a Major Node and Low Density Residential. The Planned Development specifies the construction of multi-family, large water features, that is not in conformance with the future land use.

CONFORMANCE WITH THE THOROUGHFARE PLAN

The Lake Park Planned Development is served by Cullen Road on the west and Brookside Road on the south. Cullen Road is classified as a Major Thoroughfare of sufficient width. Brookside Road is classified as a Major Thoroughfare to be widened. A Twenty foot wide strip of land will be dedicated by this plat to widen the right of way along the north side of Brookside Road.

UTILITIES AND INFRASTRUCTURE

Water is available on Cullen Road. Sewer lines are not available. The Escrow account is intended to insure that the utilities and infrastructure necessary for this development are installed. The property is not located in a Municipal Utility District

DRAINAGE

A Final Drainage Plan has been approved by the Brazoria Drainage District No.4 Board of Commissioners on November 3, 2015.

PARKS, OPEN SPACE, AND TREES

Lot A will provide space for 2.35 acre detention lake will be located in the center of Lot per the Planned Development. Lot B will provide space for a proposed 3.40 acre detention lake, colonnade and pavilion that are shown in on the Master Plat in conformance to the approved Planned Development. Due to the dedication of land and the development of recreational facilities, the applicant is under no financial obligation to pay park fees.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT

The plat under review will provide for new residential and commercial development near the intersection of Cullen Road and the future McHard Road corridor.

ADDITIONAL COMMENTS

This request has been reviewed by the City's Development Review Committee and there were no additional comments.

SUPPORTING DOCUMENTS

- Aerial Map
- Zoning Map
- Future Land Use Plan 2015
- Final Plat of Lake Park Phase 1 Section 1
- Lake Park Planned Development Exhibit B



Aerial Map

Final Plat Lake Park Subdivision Phase 1 Section 1

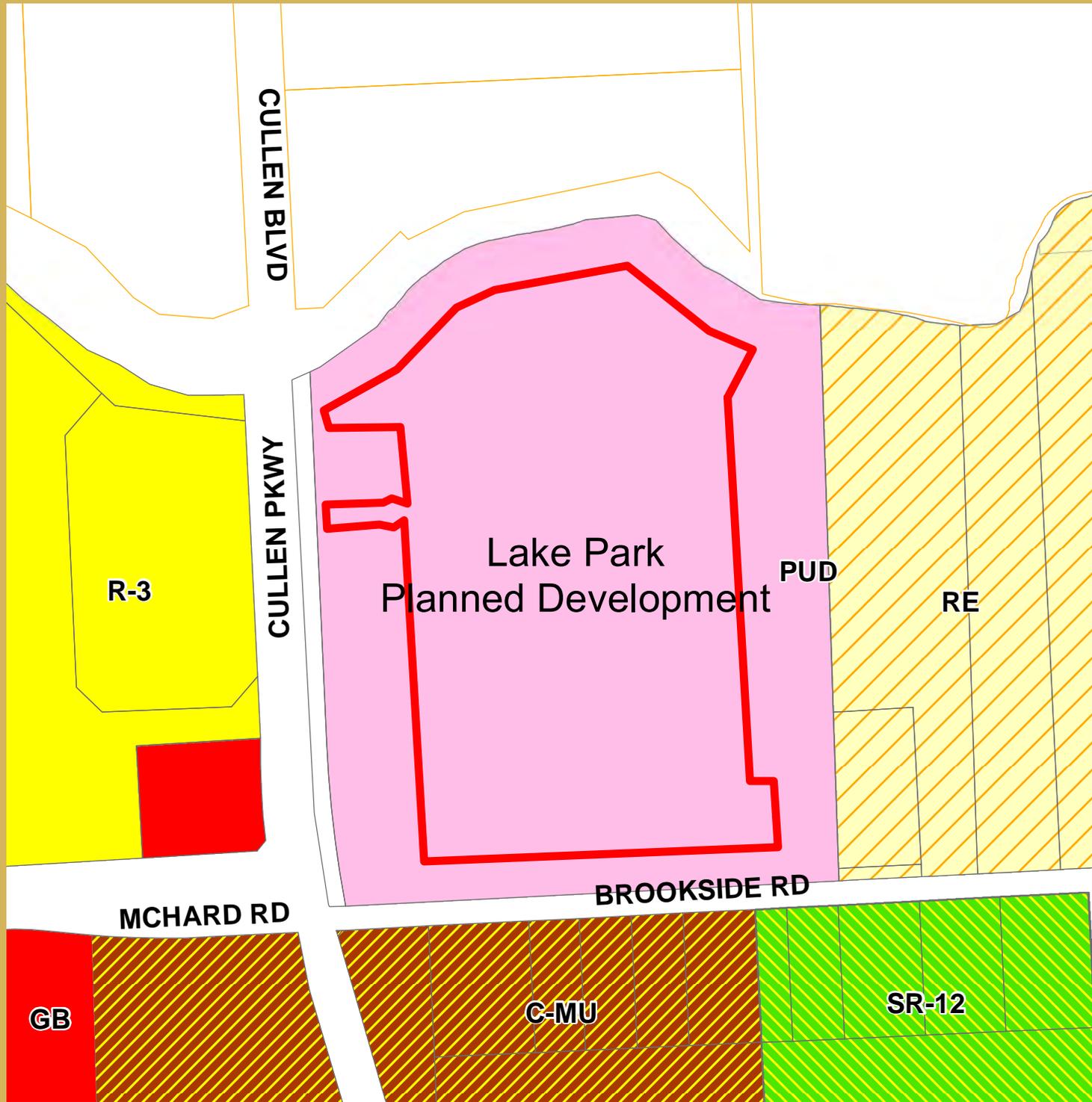


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 355 feet

OCTOBER 2014
PLANNING DEPARTMENT





Zoning Map

Final Plat Lake Park Subdivision Phase 1 Section 1

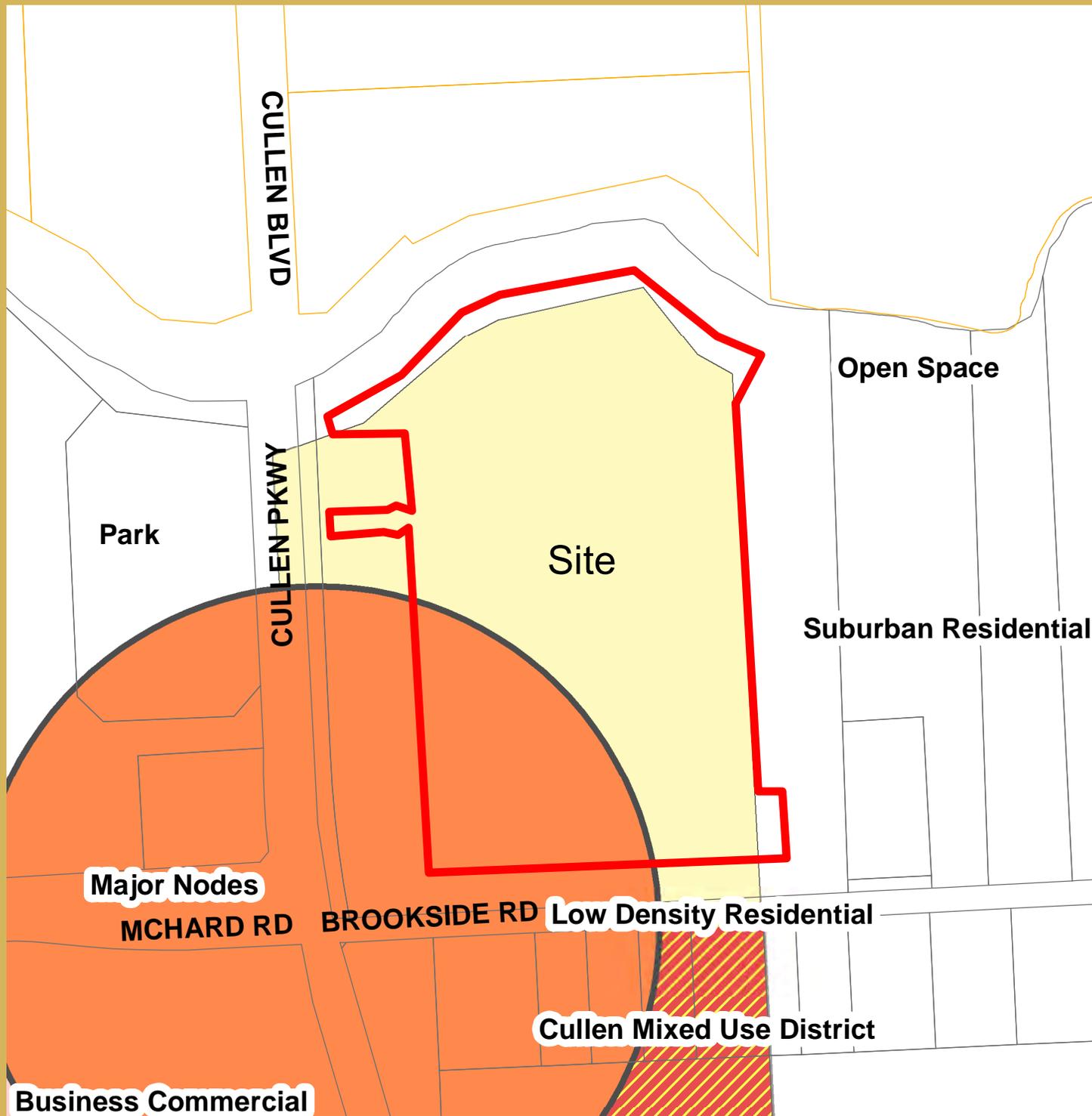


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OCTOBER 2014
PLANNING DEPARTMENT





**Future Land Use
Plan 2015**

**Final Plat Lake Park
Subdivision
Phase 1 Section 1**



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1 inch = 355 feet

OCTOBER 2014
PLANNING DEPARTMENT



STATE OF TEXAS
COUNTY OF BRAZORIA

We, Cullen Stone, LTD, a Texas limited partnership, acting by and through Cullen Stone GP, LLC, a Texas limited liability company, its general partner, acting by and through Kyle Tauch, Manager, and FYCW, LTD, a Texas limited partnership, acting by and through James M. Johnson, Partner, owners of the property subdivided in this plat of LAKE PARK SUBDIVISION PHASE 1 SEC 1, do hereby make subdivision of said property for and on behalf of said Cullen Stone, LTD, and FYCW, LTD, according to the lines, lots, streets, alleys, reserves, parks, and easements as shown hereon and dedicate for public use as such the streets, alleys, parks, and easements shown hereon forever, and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and defend the title to the land so dedicated.

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

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public, for public utility purposes forever, unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above ground level upward, located adjacent to both sides and adjoining all public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'0") in width.

In testimony hereto, Cullen Stone, LTD, acting by and through its general partner, Cullen Stone GP, LLC, has caused these presents to be signed by Kyle Tauch, its Manager, this _____ day of _____, 2016.

Owner: Cullen Stone, LTD
A Texas limited partnership

By: Cullen Stone GP, LLC,
its general partner

By: _____
Kyle Tauch, Manager
Cullen Stone GP, LLC

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared Kyle Tauch, Manager of Cullen Stone GP, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the
State of _____

My Commission Expires: _____

In testimony hereto, FYCW, LTD, has caused these presents to be signed by James M. Johnson, its Partner, this _____ day of _____, 2016.

Owner: FYCW, LTD
A Texas limited partnership

By: _____
James M. Johnson, Partner
FYCW, LTD

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared James M. Johnson, Partner of FYCW, LTD, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the
State of _____

My Commission Expires: _____

I, Mike Kurkowski, Registered Professional Land Surveyor No. 5101, do hereby certify that this plat correctly represents a survey made under my supervision on the ground in accordance with the information provided me and correctly represents the facts as found at the time of survey and is true and correct and that all boundary corners, lot corners, angle points, and points of curvature are properly marked with 5/8 inch diameter iron rods three feet long or as shown on the plat. Block corners or street right-of-ways have not been monumented.



Mike Kurkowski
Registered Professional Land Surveyor
Texas Registration No. 5101

Green Bank, National Association, owner and holder of liens against the property described in the plat known as LAKE PARK SUBDIVISION PHASE 1 SEC 1, said lien being evidenced by instrument of record in Clerk's File Nos. 2015032453, 2015032454, and 2015032455 of the Deed Records of Brazoria County, Texas, does hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said subdivision plat and we hereby confirm that we are the present owner of said lien and have not assigned the same nor any part thereof.

Green Bank, National Association

By: _____

Name: _____

Title: _____

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ of Green

Bank, National Association, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the
State of _____

My Commission Expires: _____

This is to certify that the Planning and Zoning Commission of the City of Pearland, Texas, has approved this subdivision plat of LAKE PARK SUBDIVISION PHASE 1 SEC 1, and is in conformance with the laws of the State of Texas and the ordinances of the City of Pearland as shown hereon and authorizes the recording of this plat this _____ day of _____, 2016.

Daniel M. Tunstall, Chairperson
Planning and Zoning Commission
City of Pearland, Texas

Approved for the City of Pearland, Texas this _____ day of _____, 2016.

Signature: _____
Darrin Coker
City Attorney

Signature: _____
Printed Name: _____

City Engineer

APPROVED BY THE BRAZORIA DRAINAGE DISTRICT NO. 4

DISTRICT SUPERINTENDENT

DATE

DISTRICT ENGINEER

DATE

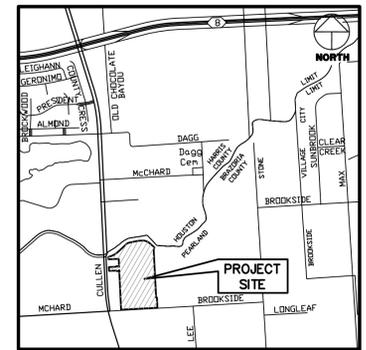
THE ABOVE SIGNATURES ARE VALID FOR THREE HUNDRED SIXTY-FIVE (365) CALENDAR DAYS FROM THE DATE SHOWN ABOVE. THE ABOVE SIGNATURES DO NOT CONSTITUTE AUTHORIZATION FOR ANY CONSTRUCTION.

GENERAL NOTES

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY CHARTER TITLE COMPANY, FILE NO. 2015-0094-1, EFFECTIVE DATE AUGUST 18, 2016. ALL BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
- ALL COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD 83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING SCALE FACTOR - 0.999870575.
- IN ACCORDANCE WITH THE DEVELOPER AGREEMENT BETWEEN THE CITY AND THE DEVELOPER, ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
- PRIMARY BENCHMARK IS CITY OF PEARLAND GPS MONUMENT NO. 7, A BRASS CAP SET FLUSH IN CONCRETE LOCATED IN THE SOUTHEAST CORNER OF THE INTERSECTION OF FM 518 AND WEST OAKS BOULEVARD, BEING 8.3 FEET EASTERLY OF THE EAST BACK OF CURB WEST OAKS BOULEVARD, AND 7.2 FEET SOUTHWESTERLY OF THE SOUTHWEST CORNER OF CONCRETE DRAIN RIP-RAP, STAMPED "CITY OF PEARLAND GPS MONU. #7, 1995".
X = 3138909.36 (GRID)
Y = 13769334.19 (GRID)
ELEVATION = 50.33 FEET, NGVD 1929, 1987 ADJUSTMENT.
- TEMPORARY BENCHMARK IS A CUT "X" IN CONCRETE LOCATED ON THE SIDEWALK NEAR A TRAFFIC BOX AT THE NORTHEAST INTERSECTION OF CULLEN ROAD AND BROOKSIDE ROAD, BEING 27.16 FEET NORTHWEST OF A FND 5/8 IRC "C.L. DAVIS" THAT MARKS THE SOUTHWESTERLY BOUNDARY CORNER OF THE SUBJECT ELEVATION = 52.23 FEET, NGVD 1929, 1987 ADJUSTMENT.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48039C0030I, WITH THE EFFECTIVE DATE OF SEPTEMBER 22, 1999, THE PROPERTY IS LOCATED IN ZONE "AE", AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOODPLAIN, AND SHADDED ZONE "X" AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN. ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
- ACCESS RIGHTS TO PARKING AREAS AND DRIVEWAYS, NOT INDIVIDUAL PARKING SPACES, ARE HEREBY GRANTED TO ALL ADJOINING COMMERCIAL PROPERTIES.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA DRAINAGE DISTRICT NO. 4.
- ALL RECORDED BRAZORIA DRAINAGE DISTRICT NO. 4 EASEMENTS OR DITCHES CURRENTLY BEING MAINTAINED BY BRAZORIA DRAINAGE DISTRICT NO. 4 ARE SHOWN HEREON.
- THIS PROPERTY IS NOT LOCATED WITHIN A MUNICIPAL UTILITY DISTRICT.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND ASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS, AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CHAPTER 7 OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL.
- ALL PIPELINES OR PIPELINE EASEMENTS THAT AFFECT THE SUBJECT TRACT ARE SHOWN HEREON.
- SIX-FOOT (6') WIDE SIDEWALKS WILL BE REQUIRED ALONG CULLEN ROAD AND BROOKSIDE ROAD AT THE TIME OF DEVELOPMENT.
- THE MINIMUM RIGHT-OF-WAY WIDTH REQUIREMENT FOR CULLEN ROAD AND BROOKSIDE ROAD, MAJOR THOROUGHFARES ON THE CITY'S THOROUGHFARE PLAN, IS 120'-FEET.
- CULLEN STONE, LTD, THEIR HEIRS, SUCCESSORS OR ASSIGNS, SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIRS OF ALL EQUIPMENT AND AMENITIES WITHIN THE LIMITS OF THIS SUBDIVISION THAT IS REQUIRED AS PART OF THE APPROVED PLANNED UNIT DEVELOPMENT ZONING.
- THIS EASEMENT IS HEREBY DEDICATED TO THE CITY OF PEARLAND FOR PUBLIC USE. WHILE THIS EASEMENT HAS A VARIABLE WIDTH, THE ULTIMATE WIDTH OF THIS PUBLIC EASEMENT IN COMBINATION WITH THE ADJACENT, ASSOCIATED PUBLIC EASEMENT DEDICATED BY THE SUBDIVISION PLAT TO THE NORTH SHALL BE 20'-FEET.
- THE SUBJECT PROPERTY IS HEREBY RESTRICTED SO THAT THE PUBLIC SHALL HAVE OPEN AND UNIMPEDED INGRESS AND EGRESS ACCESS TO THE OFF-STREET TRAILHEAD PARKING AREA AND TO THE PUBLIC IMPROVEMENTS CONTAINED WITHIN THE PUBLIC EASEMENT DEDICATED IN NOTE 19 ABOVE.
- DRY UTILITY SERVICE HAS BEEN COORDINATED WITH APPLICABLE UTILITY COMPANIES AND ANY EASEMENTS NECESSARY TO FACILITATE THE INSTALLATION OF DRY UTILITIES SHALL BE FILED BY SEPARATE INSTRUMENT IN THE COUNTY DEED RECORDS.

ABBREVIATIONS

- B.C.D.R. - BRAZORIA COUNTY DEED RECORDS
- B.C.O.R. - BRAZORIA COUNTY OFFICIAL RECORDS
- B.C.P.R. - BRAZORIA COUNTY PLAT RECORDS
- ESMT. - EASEMENT
- C.A.E. - CROSS ACCESS ESMT.
- D.E. - DRAINAGE ESMT.
- E.E. - ELECTRICAL ESMT.
- S.E. - SEWER ESMT.
- S.S.E. - STORM SEWER ESMT.
- W.E. - WATER ESMT.
- W.S.E. - WATER & SEWER ESMT.
- FND - FOUND
- IP - IRON PIPE
- IR - IRON ROD
- IRC - IRON ROD CAPPED
- Ⓢ - SET 5/8" IRC "WINDROSE LAND SERVICES"
- T.B.M. - TEMPORARY BENCHMARK
- NO. - NUMBER
- PG. - PAGE
- R.O.W. - RIGHT-OF-WAY
- AC. - ACRE(S)
- SQ. FT. - SQUARE FEET
- VOL. - VOLUME
- ⌘^E - EXISTING STREET LIGHT
- ⌘^P - PROPOSED STREET LIGHT
- P.U.E. PUBLIC USE EASEMENT



CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'

8000 BLOCK OF BROOKSIDE ROAD

FINAL PLAT OF LAKE PARK SUBDIVISION PHASE 1 SEC 1

A SUBDIVISION OF
30,6687 AC. / 1,335,927 SQ. FT. OF LAND,
SITUATED IN THE W.T. DOBSON SURVEY,
ABSTRACT NO. 187,
CITY OF PEARLAND,
BRAZORIA COUNTY, TEXAS.

OCTOBER 2016

PLAT NO. P613H-2015-0113

2 LOTS 1 BLOCK 0 RESERVES

Owners / Developers

Cullen Stone, LTD
a Texas limited partnership
c/o Kyle Tauch, Manager
5410 Piping Rock Lane
Houston, TX 77056
(713) 899-9977

FYCW, LTD
a Texas limited partnership
c/o James M. Johnson, Partner
106 Riverfront Lane
Lafayette, LA 70508
(281) 802-0158

Surveyor



WINDROSE
LAND SURVEYING | PLATTING

3200 WILCREST, SUITE 325 | HOUSTON, TX 77042 | 713.458.2281
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

DESCRIPTION

A TRACT OR PARCEL CONTAINING 30.6687 ACRES OR 1,335,927 SQUARE FEET OF LAND, BEING PART OF AND OUT OF A CALLED 45,9574 ACRES CONVEYED TO CULLEN STONE, LTD., IN THAT CERTAIN WARRANTY DEED FILED FOR RECORD UNDER DOCUMENT NO. 2010042944 OF THE BRAZORIA COUNTY DEED RECORDS (B.C.D.R.) SITUATED IN THE W.T. DOBSON SURVEY, ABSTRACT NO. 187, BRAZORIA COUNTY, TEXAS, AND PART OF AND OUT OF THE RESIDUE OF A CALLED 47,9784 ACRE TRACT OF LAND CONVEYED TO FYCW, LTD., IN THAT CERTAIN WARRANTY DEED FILED FOR RECORD UNDER DOCUMENT NO. 2005026439, B.C.D.R., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83:

COMMENCING AT A 5/8 INCH IRON ROD WITH CAP STAMPED "C.L. DAVIS" FOUND MARKING THE INTERSECTION OF THE OF THE NORTH R.O.W. LINE OF BROOKSIDE ROAD (CALLED 60' WIDE AND THE EAST R.O.W. LINE OF CULLEN ROAD (CALLED 125' WIDE) AS RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE (B.C.C.F.) NO. 2009042944;

THENCE, ALONG THE NORTH R.O.W. LINE OF SAID BROOKSIDE ROAD, NORTH 87 DEG. 01 MIN. 51 SEC. EAST, A DISTANCE OF 211.12 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, OVER AND ACROSS SAID CALLED 45,9574 ACRES, NORTH 02 DEG. 48 MIN. 07 SEC. WEST, A DISTANCE OF 924.77 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

NORTH 02 DEG. 39 MIN. 07 SEC. WEST, A DISTANCE OF 466.00 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

IN A WESTERLY DIRECTION ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 57.90 FEET, A CENTRAL ANGLE OF 84 DEG. 33 MIN. 43 SEC., AN ARC LENGTH OF 83.43 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 89 DEG. 21 MIN. 27 SEC. WEST - 77.91 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING THE END OF SAID CURVE TO THE RIGHT;

THENCE, SOUTH 87 DEG. 19 MIN. 55 SEC. WEST, A DISTANCE OF 163.22 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET ON THE EAST R.O.W. LINE OF SAID CULLEN ROAD AND MARKING A WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG AND WITH THE EAST R.O.W. LINE OF SAID CULLEN ROAD, NORTH 02 DEG. 34 MIN. 12 SEC. WEST, A DISTANCE OF 90.00 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE EAST R.O.W. LINE OF SAID CULLEN ROAD, NORTH 87 DEG. 19 MIN. 55 SEC. EAST, A DISTANCE OF 164.52 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

THENCE, OVER AND ACROSS SAID CALLED 45,9574 ACRES THE FOLLOWING COURSES AND DISTANCES:

1. IN AN EASTERLY DIRECTION ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 57.90 FEET, A CENTRAL ANGLE OF 82 DEG. 25 MIN. 11 SEC., AN ARC LENGTH OF 83.63 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 89 DEG. 21 MIN. 27 SEC. EAST - 76.54 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING THE END OF SAID CURVE TO THE RIGHT;
2. NORTH 02 DEG. 39 MIN. 07 SEC. WEST, A DISTANCE OF 187.72 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN INTERIOR CORNER;

THENCE, SOUTH 87 DEG. 20 MIN. 40 SEC. WEST, A DISTANCE OF 240.67 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET ON THE EAST R.O.W. LINE OF SAID CULLEN ROAD AND MARKING A WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG AND WITH THE EAST R.O.W. LINE OF SAID CULLEN ROAD, NORTH 02 DEG. 34 MIN. 12 SEC. WEST, A DISTANCE OF 53.77 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

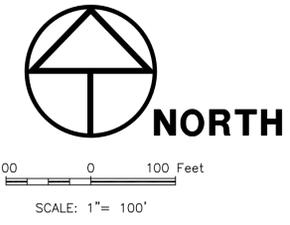
THENCE, OVER AND ACROSS SAID CALLED 45,9574 ACRES THE FOLLOWING COURSES AND DISTANCES:

1. NORTH 71 DEG. 40 MIN. 43 SEC. EAST, A DISTANCE OF 49.15 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF CURVATURE;
2. IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 24 DEG. 25 MIN. 23 SEC., AN ARC LENGTH OF 213.13 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 59 DEG. 28 MIN. 01 SEC. WEST - 125.00 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;
3. NORTH 47 DEG. 15 MIN. 20 SEC. EAST, A DISTANCE OF 275.35 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF CURVATURE;
4. IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 31 DEG. 04 MIN. 19 SEC., AN ARC LENGTH OF 54.23 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 87 DEG. 02 MIN. 29 SEC. WEST - 23.57 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;
5. NORTH 78 DEG. 19 MIN. 39 SEC. EAST, A DISTANCE OF 200.83 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
6. IN AN EASTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF 10 DEG. 51 MIN. 57 SEC., AN ARC LENGTH OF 75.86 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 83 DEG. 45 MIN. 38 SEC. EAST - 75.75 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;
7. NORTH 89 DEG. 11 MIN. 36 SEC. EAST, A DISTANCE OF 95.91 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
8. SOUTH 76 DEG. 23 MIN. 40 SEC. EAST, A DISTANCE OF 42.33 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
9. SOUTH 61 DEG. 53 MIN. 50 SEC. EAST, A DISTANCE OF 70.21 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
10. SOUTH 50 DEG. 15 MIN. 09 SEC. EAST, A DISTANCE OF 177.77 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;
11. SOUTH 23 DEG. 25 MIN. 52 SEC. WEST, A DISTANCE OF 50.67 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
12. SOUTH 02 DEG. 57 MIN. 46 SEC. EAST, A DISTANCE OF 1135.54 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
13. NORTH 87 DEG. 02 MIN. 14 SEC. EAST, A DISTANCE OF 18.87 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
14. SOUTH 02 DEG. 57 MIN. 46 SEC. EAST, A DISTANCE OF 240.21 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET ON THE NORTH R.O.W. LINE OF SAID BROOKSIDE ROAD MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE NORTH R.O.W. LINE OF SAID BROOKSIDE ROAD, SOUTH 87 DEG. 01 MIN. 51 SEC. WEST, A DISTANCE OF 859.18 FEET TO THE PLACE OF BEGINNING AND CONTAINING 30.6687 ACRES OR 1,335,927 SQUARE FEET OF LAND, AS SHOWN ON SURVEY JOB NO. 51296, PREPARED BY WINDROSE LAND SERVICES.

LOT TABLE

LOTS	ACREAGE	SQUARE FEET
A	0.7580	932,214
B	8.8735	386,530



CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 02°34'12" W	90.00'
L2	N 02°34'12" W	53.77'
L3	N 71°40'43" E	49.15'
L4	N 89°11'36" E	95.91'
L5	S 76°23'40" E	42.33'
L6	S 61°53'50" E	70.21'
L7	S 50°15'09" E	177.77'
L8	S 23°25'52" W	50.67'
L9	N 87°02'14" E	18.87'
L10	S 02°57'46" E	133.11'
L11	S 87°01'51" W	53.04'
L12	N 02°39'07" W	20.00'
L13	S 02°57'46" E	20.00'
L14	S 77°55'55" W	24.85'
L15	S 12°03'36" E	90.65'
L16	S 77°55'55" W	47.67'
L17	N 12°04'05" W	90.65'
L18	S 61°51'49" W	11.84'
L19	S 02°39'20" E	56.33'
L20	N 87°01'45" E	22.19'
L21	S 02°58'15" E	65.62'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	57.90'	84°33'43"	85.45'	N 84°57'27" E	77.91'
C2	57.90'	82°45'11"	83.63'	N 89°21'24" W	76.54'
C3	500.00'	24°25'23"	213.13'	S 59°28'01" W	211.52'
C4	100.00'	31°04'19"	54.23'	S 62°47'29" W	53.57'
C5	400.00'	10°51'57"	75.86'	S 83°45'38" W	75.75'
C6	25.00'	48°37'21"	21.22'	N 21°20'55" E	20.58'
C7	34.00'	97°14'42"	57.71'	N 02°57'46" W	51.03'
C8	25.00'	48°37'21"	21.22'	N 27°16'26" W	20.58'

8000 BLOCK OF BROOKSIDE ROAD
**FINAL PLAT OF
LAKE PARK SUBDIVISION
PHASE 1 SEC 1**

A SUBDIVISION OF
30.6687 AC. / 1,335,927 SQ. FT. OF LAND,
SITUATED IN THE W.T. DOBSON SURVEY,
ABSTRACT NO. 187,
CITY OF PEARLAND,
BRAZORIA COUNTY, TEXAS.

OCTOBER 2016
PLAT NO. P613H-2015-0113

2 LOTS 1 BLOCK 0 RESERVES

Owners / Developers

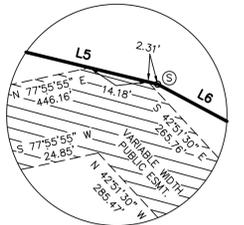
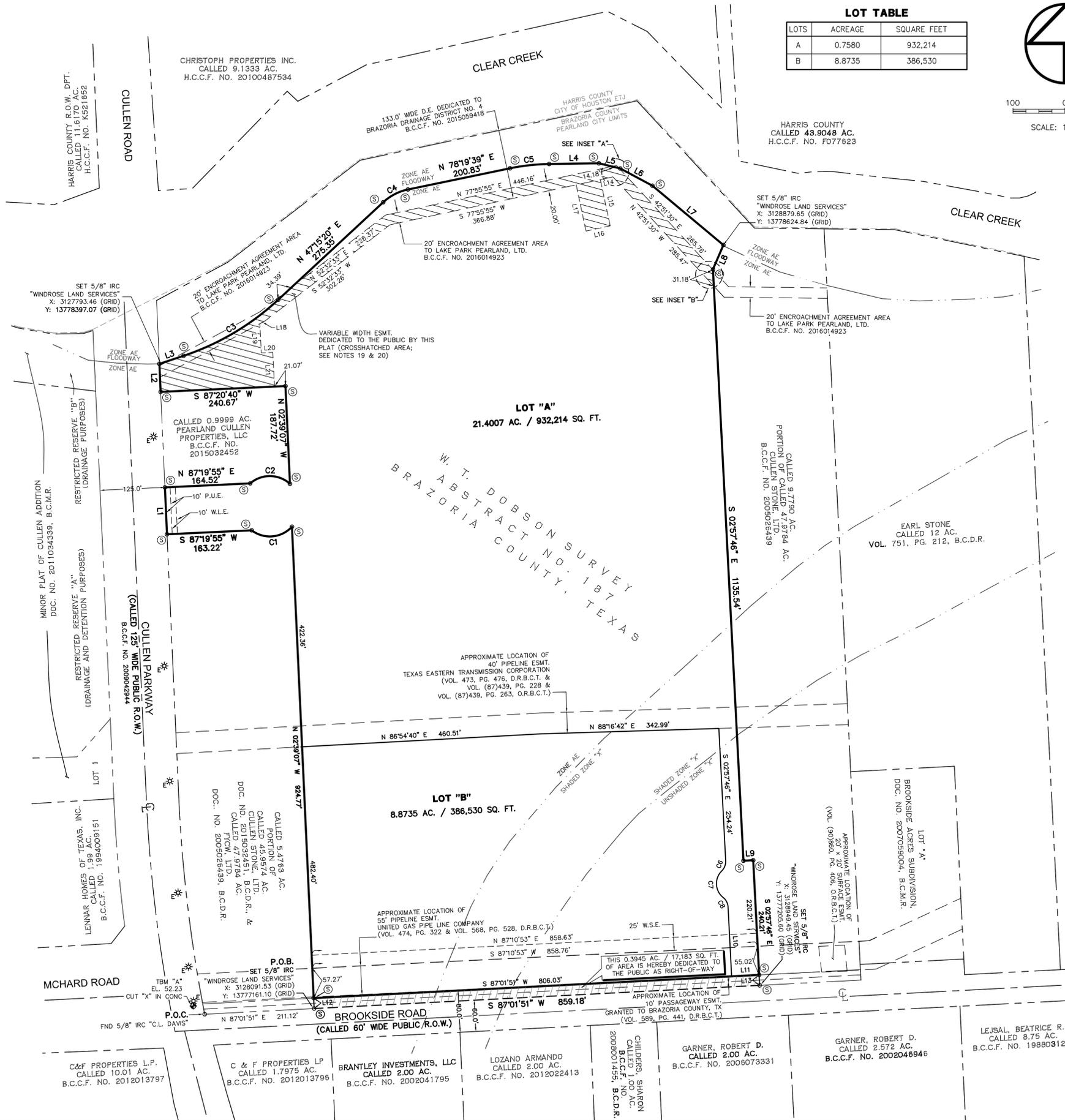
Cullen Stone, LTD
a Texas limited partnership
c/o Kyle Tauch, Manager
5410 Piping Rock Lane
Houston, TX 77056
(713) 899-9977

FYCW, LTD
a Texas limited partnership
c/o James M. Johnson, Partner
106 Riverfront Lane
Lafayette, LA 70508
(281) 802-0158

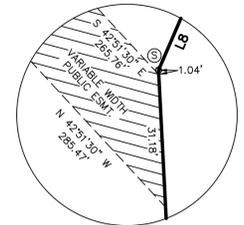
Surveyor



WINDROSE
LAND SURVEYING & PLATTING
3300 WILCREST, SUITE 325 | HOUSTON, TX 77042 | 713.458.2281
FRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM



INSET "A"
SCALE: 1" = 20'



INSET "B"
SCALE: 1" = 20'

\\NAS-01\PROJECTDATA\PROJECTS\51296-WALLMART PEARLAND\PLATTING\DRAWINGS\LAKE PARK SUBDIVISION PHASE 1 SEC 1 - 51296 - 13SEP16.DWG

Lake Park Exhibit B



Legend

- 1. Total Acreage (+ -) 45.953 Acres*
- 2. Townhomes – Phase I (+ -) 247 Units
- 3. Townhomes – Phase II (+ -) 128 Units
- 4. General Business/Office Professional 17.01 acres
- 5a. Parkland/Colonnade/Splashpad
- 5b. Parkland/Pavilion
- 5c. Parkland/Trail
- 6A. Pond 2.35 acres
- 6B. Pond 3.40 acres
- Fountain
- Covered Exercise Station
- 7. Trail Path & Parking
- 8. 8' Masonry Fence

Residential Parking

- 1. Minimum Residential Surface - 136 Spaces
- 2. Minimum Residential Driveway - 278 Spaces
- 3. Minimum Garages - 278 Spaces
- 4. Minimum Parking Ratio - 1.8:1 Spaces/Unit

*Acreage shown is resulting acreage after Brookside Row dedication of 0.586 acres from the original 46.539 acre boundary.

B. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF LAKE PARK SECTION 1, PHASE 2

A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullen Stone Ltd. / FYCW, Ltd., owner; for approval of the Final Plat of Lake Park Subdivision Section 1, Phase 2, creating 2 lots, on 5.0019 acres of land on the east side of Cullen Parkway at Brookside Road, described to wit:



Staff Report

To: Planning and Zoning Commission

From: Planning Department VH

Meeting Date: October 17, 2016

Re: A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullen Stone Ltd. / FYCW, Ltd., owner; for approval of the Final Plat of Lake Park Subdivision Section 1, Phase 2, creating 2 lots, on 5.0019 acres of land on the east side of Cullen Parkway at Brookside Road, described to wit:

Legal Description: A subdivision of 5.0019 acres / 217,884 square feet of land, situated in the W.T. Dobson Survey, Abstract No. 187, City of Pearland, Brazoria County, Texas.

General Location: east side of Cullen Parkway at Brookside Road.

SUMMARY

On behalf of James Johnson, of Cullin Stone Ltd. / FYCW Ltd., owner, Andrew Allemand, of Windrose Land Services, has submitted a request for approval of the Final Plat of Lake Park Phase 1, Section 2, creating 2 single large lots, on 5.0019 acres of land located on the east side of Cullen Road at Brookside Road.

The Lake Park Planned development designates approximately 18 acres for General Business / Office development. This plat will provide the area 5.0019 acres for General Business / Office development shown in Exhibit B of the Planned Development located at the northeast corner of Cullen Parkway and Brookside Road.

SITE HISTORY

This preliminary plat is located in the Lake Park Planned Development approved on October 27, 2014. The Lake Park Master Plat was approved by the Planning and Zoning Commission on

October 5, 2015. The Preliminary Plat of Lake Park Phase 1 Section 2 was also approved on November 2, 2015. On September 19, 2016 the Planning and Zoning Commission did not approve the Final Plat of Lake Park Phase 1 Section 2 since the escrow account was not funded prior to Planning and Zoning Commission approval. In addition, the 10 foot Public Utility Easement and 10 foot Water Line Easement along Cullen Parkway added by the applicant had not been reviewed by City Staff.

STAFF RECOMMENDATION

Staff recommends approval of the Final Plat of Lake Park Phase 1 Section 2 with the following conditions:

1. The escrow account for public improvements is required to be funded prior to Planning and Zoning Commission approval.
2. Deed of Trust needs to be recorded after the final plat is approved. Once the applicant closes on the property, this will be substituted for an escrow agreement similar to the one for off-site public improvements, pursuant to agreement dated March 21, 2016.

Agreements and Documents

Needed item	Completion Status
Development Agreement (Resolution no. R2016-7)	Completed
Deed of Trust Agreement (For onsite public improvements/amenities)	Completed
Escrow Agreement (For onsite public improvements)	Intend to submit an escrow agreement to substitute the above Deed of Trust in the future.
Parkland Dedication	Met through on site improvements
Regional Detention Agreement	N/A - onsite detention provided
Payment for Regional Detention	N/A - on site detention provided
Creek / Ditch Encroachment Agreement for improvements (walks, amenities, etc.)	Completed, recordation #2016014923
Drainage easement along the creek or DD4 channels	Shown on plat
Drainage easement through lots	Addressed
Offsite Utility Improvements Escrow	Agreement executed, required to be funded prior to final plat approval
Traffic Impact Analysis	Completed and approved

SIA Status

Application Item	Status
SIA Application	Satisfied, all improvements covered by the Development and Subdivision Improvement Agreement(Agreement)
Cost Breakdown	N/A – Agreement refers to the PD exhibits
Application Fee	N/A
SIA Agreement	Satisfied by the Development and Subdivision Improvement
Surety	Satisfied by Deed Trust

Permitting Status

Item	Status
Master Plat	Approved
Preliminary Plat	Approved
Final Plat	Under review (must address comments below)
Permits	Under review (pending recordation of final plat)

SURROUNDING ZONING AND LAND USES

Table 1	Zoning	Land Use
North	Lake Park PUD	Park / Open Space
South	Cullen – Mixed Use	Non-Residential
East	Lake Park PUD	Proposed Multifamily and General Business / Office
West	General Business / R-2 Single Family	Undeveloped

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC)

The property under review is located in the Lake Park Planned Development approved on October 27, 2014. The following table is a list of items included in Phase 1 of the development:

Table 2: Lake Park Subdivision Section 1	
Proposed Use	
Multifamily	238 Units
Lake	5.2 acres
Parkland Colonnade	1
Pavilion	1

FUTURE LAND USE PLAN 2015

The applicant's property is shown as part of a Major Node and Low Density Residential. Although the Planned Development specifies the construction of multi-family multifamily, the residential density is kept low by the large amount of the lot is set aside for amenities, open space, and two large water features. This submittal is in conformance with the future land use designations since the density of the residential area is lowered by the open spaces and water features.

CONFORMANCE WITH THE THOROUGHFARE PLAN

The Lake Park Planned Development is served by Cullen Road on the west and Brookside Road on the south. Cullen Road is classified as a Major Thoroughfare of sufficient width. Brookside Road is classified as a Major Thoroughfare to be widened.

UTILITIES AND INFRASTRUCTURE

The Escrow account is intended to insure that the utilities and infrastructure necessary for this development are installed. The property is not located in a Municipal Utility District.

DRAINAGE

A Final Drainage Plan has been approved by the Brazoria Drainage District No.4 Board of Commissioners on November 3, 2015.

PARKS, OPEN SPACE, AND TREES

Due to the dedication of land and the development of recreational facilities in the area covered by the Lake Park Planned Development, the applicant is under no financial obligation to pay park fees.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT

The plat under review will provide for new commercial development near the intersection of Cullen Road and the future McHard Road corridor shown as a Major Node on the Future land Use Plan 2015.

ADDITIONAL COMMENTS

This request has been reviewed by the City's Development Review Committee and there were no additional comments.

SUPPORTING DOCUMENTS

- Aerial Map
- Zoning Map
- Future Land Use Plan 2015
- Final Plat of Lake Park Phase 1 Section 2
- Lake Park Planned Development Exhibit B



Aerial Map

Final Plat Lake Park Subdivision Phase 1 Section 2

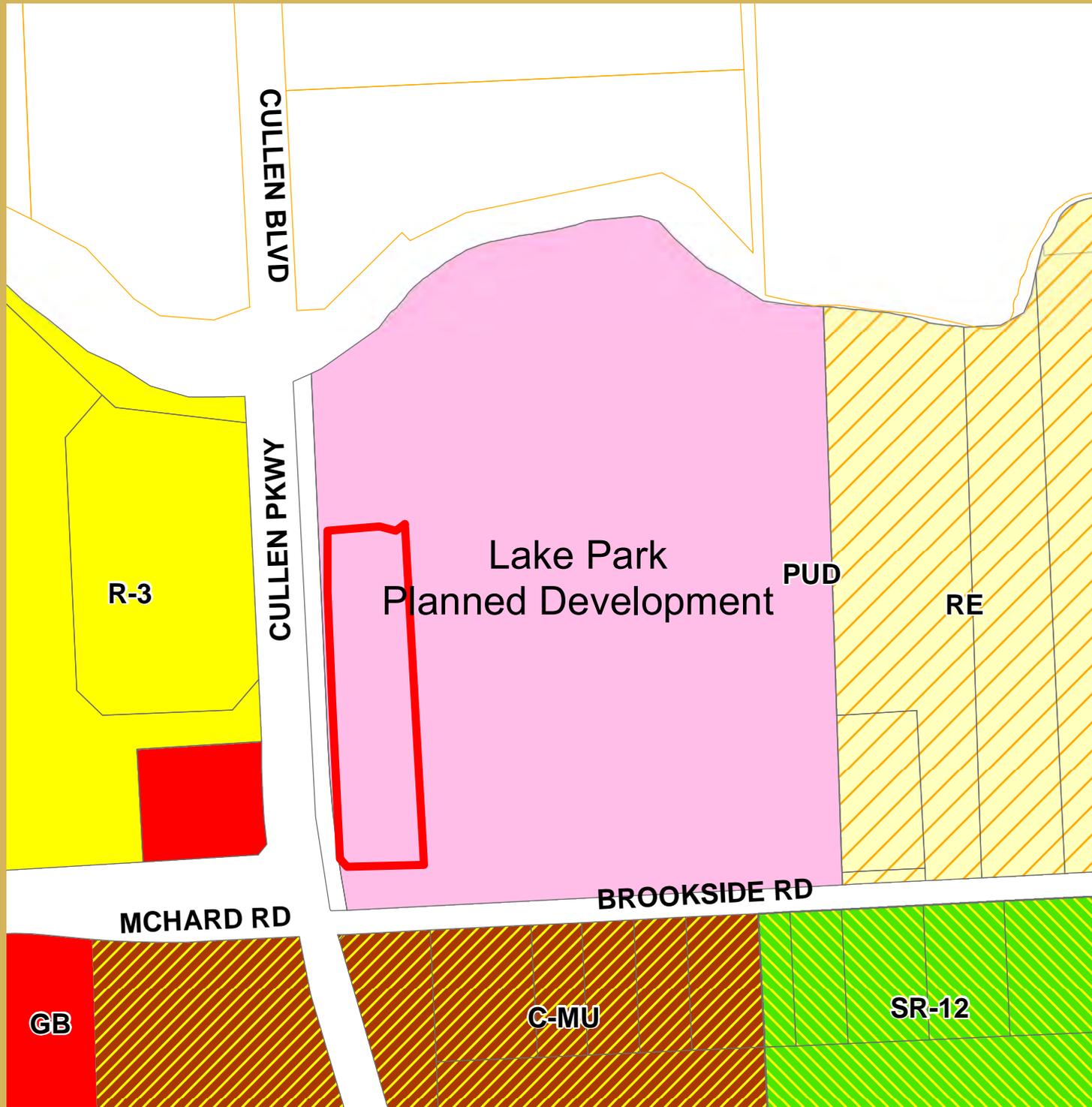


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1 inch = 355 feet

OCTOBER 2014
PLANNING DEPARTMENT





Zoning Map

Final Plat Lake Park Subdivision Phase 1 Section 2

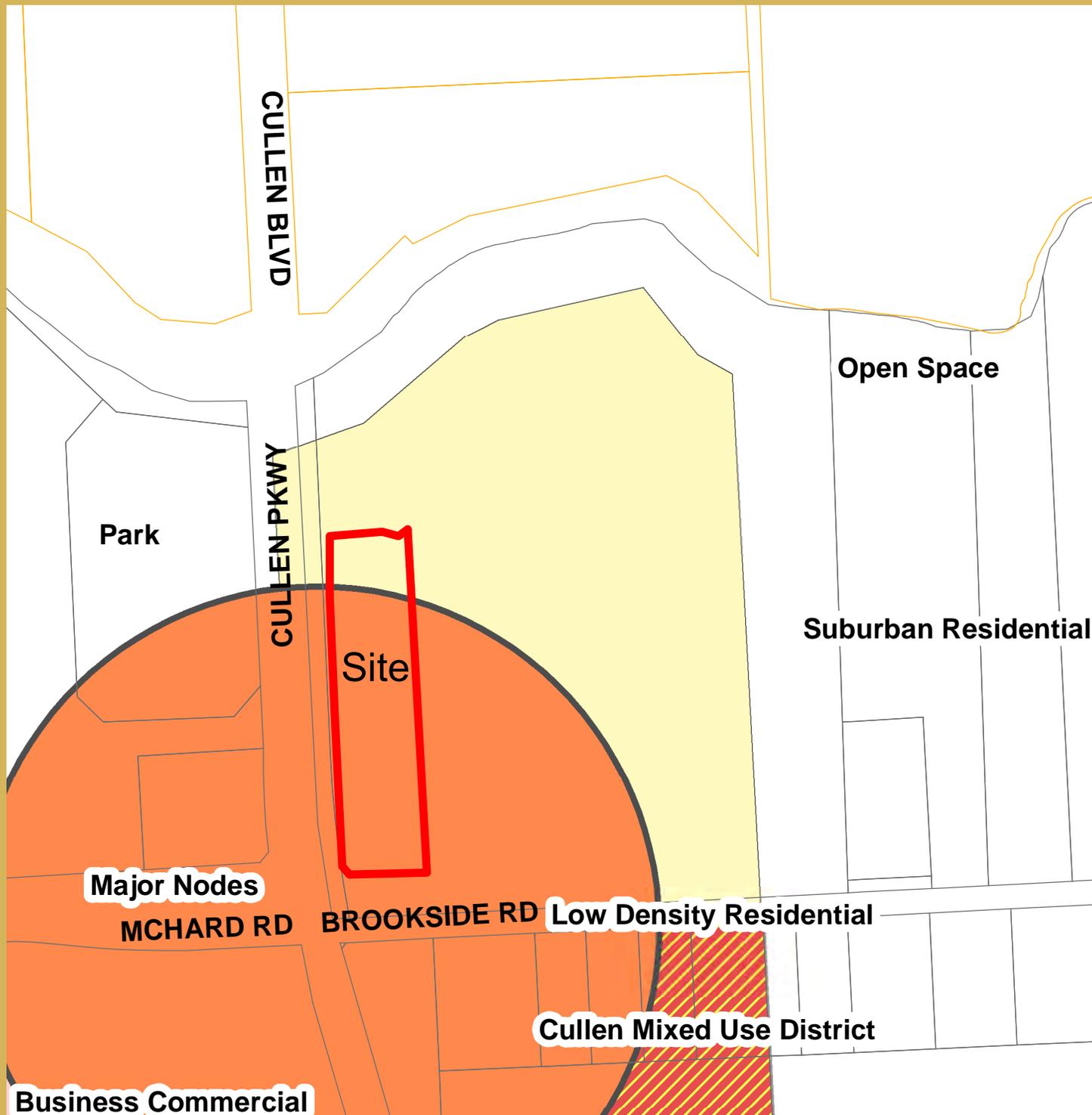


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PLANNING DEPARTMENT





**Future Land Use
Plan 2015**

**Final Plat Lake Park
Subdivision
Phase 1 Section 2**



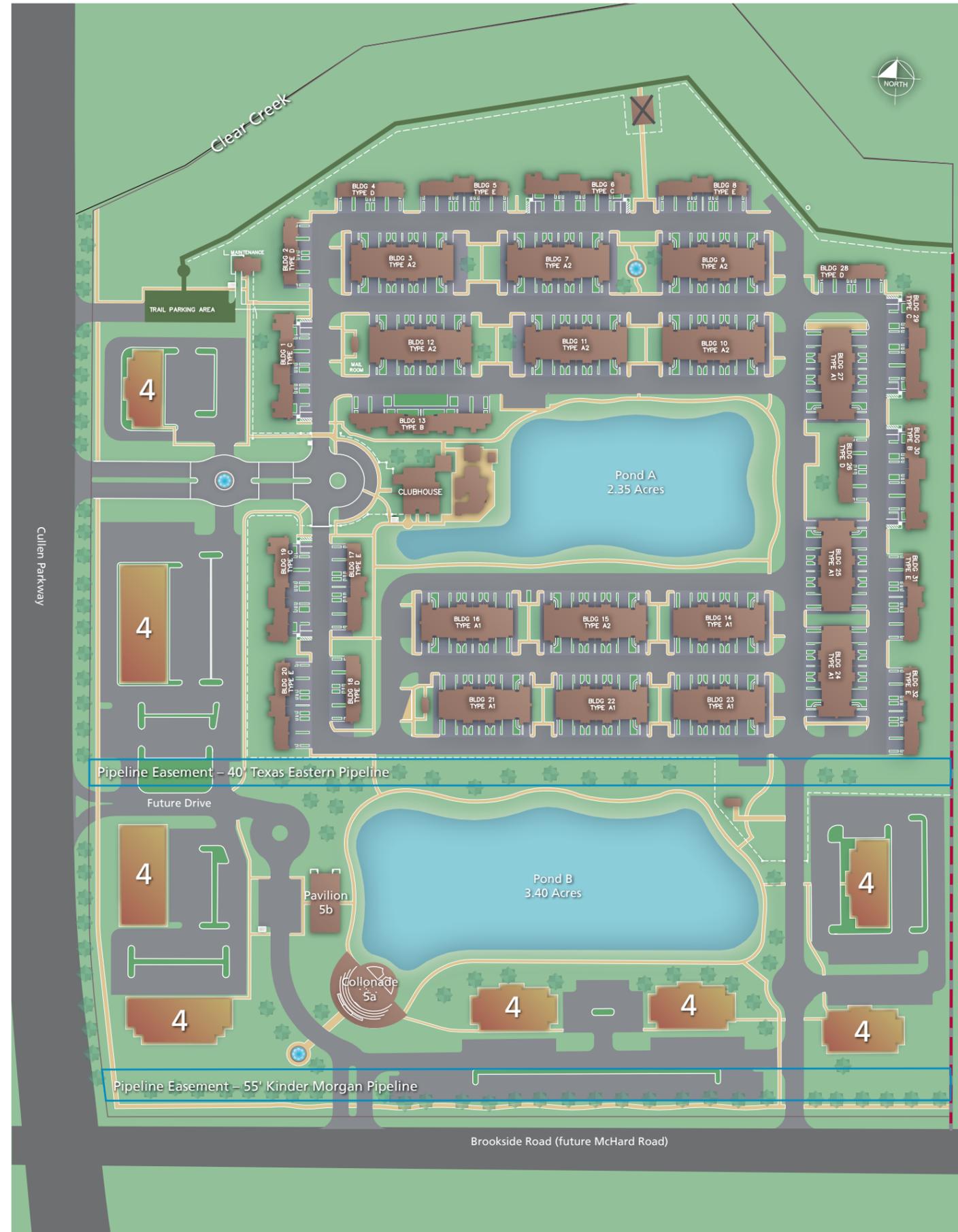
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OCTOBER 2014
PLANNING DEPARTMENT



Lake Park Exhibit B



Legend

- 1. Total Acreage (+ -) 45.953 Acres*
- 2. Townhomes – Phase I (+ -) 247 Units
- 3. Townhomes – Phase II (+ -) 128 Units
- 4. General Business/Office Professional 17.01 acres
- 5a. Parkland/Colonnade/Splashpad
- 5b. Parkland/Pavilion
- 5c. Parkland/Trail
- 6A. Pond 2.35 acres
- 6B. Pond 3.40 acres
- Fountain
- Covered Exercise Station
- 7. Trail Path & Parking
- 8. 8' Masonry Fence

Residential Parking

- 1. Minimum Residential Surface - 136 Spaces
- 2. Minimum Residential Driveway - 278 Spaces
- 3. Minimum Garages - 278 Spaces
- 4. Minimum Parking Ratio - 1.8:1 Spaces/Unit

*Acreage shown is resulting acreage after Brookside Row dedication of 0.586 acres from the original 46.539 acre boundary.

C. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF LAKE PARK SECTION 1, PHASE 3

A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James M. Johnson, Pearland Cullen Properties, LLC, owner; for approval of the Final Plat of Lake Park Subdivision Phase 1, Section 3, creating 1 lot on .9999 acres of land located on the east side of Cullen Parkway about 1,000 feet north of Brookside Road, described to wit:



Staff Report

To: Planning and Zoning Commission

From: Planning Department

Meeting Date: October 17, 2016

Re: A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James M. Johnson, Pearland Cullen Properties, LLC, owner; for approval of the Final Plat of Lake Park Subdivision Phase 1, Section 3, creating 1 lot on .9999 acres of land located on the east side of Cullen Parkway about 1,000 feet north of Brookside Road, described to wit:

Legal Description: A subdivision of 0.9999 acres / 43,557 square feet of land, situated in the W.T. Dobson Survey, Abstract No. 187, City of Pearland, Brazoria County, Texas.

General Location: east side of Cullen Parkway about 1,000 feet north of Brookside Road.

SUMMARY

On behalf of James Johnson, of Pearland Cullen Properties, LLC, owner, Andrew Allemand, of Windrose Land Services, has submitted a request for approval of the Final Plat of Lake Park Phase 1, Section 3, creating 1 lot on .9999 acres of land located on east side of Cullen Parkway about 1,000 feet north of Brookside Road.

The Lake Park Planned development designates this site as a parking area for a trailhead and parkland and trail to be located along the south bank of Clear Creek.

SITE HISTORY

This preliminary plat is located in the Lake Park Planned Development approved on October 27, 2014. The Lake Park Master Plat was approved by the Planning and Zoning Commission on October 5, 2015. The Preliminary Plat of Lake Park Phase 1 Section 3 was also approved on November 2, 2015. On September 19, 2016 the Planning and Zoning Commission did not approve the Final Plat of Lake Park Phase 1 Section 3 since the escrow account was not funded prior to Planning and Zoning Commission approval. In addition, the 10 foot Public Utility Easement and 10 foot Water Line Easement along Cullen Parkway added by the applicant had not been reviewed by City Staff.

STAFF RECOMMENDATION

Staff recommends approval of the Final Plat of Lake Park Phase 1 Section 3 with the following conditions:

1. The escrow account for public improvements is required to be funded prior to Planning and Zoning Commission approval.
2. Deed of Trust needs to be recorded after the final plat is approved. Once the applicant closes on the property, this will be substituted for an escrow agreement similar to the one for off-site public improvements, pursuant to agreement dated March 21, 2016.

Agreements and Documents

Needed item	Completion Status
Development Agreement (Resolution no. R2016-7)	Completed
Deed of Trust Agreement (For onsite public improvements/amenities)	Completed
Escrow Agreement (For onsite public improvements)	Intend to submit an escrow agreement to substitute the above Deed of Trust in the future.
Parkland Dedication	Met through on site improvements
Regional Detention Agreement	N/A - onsite detention provided
Payment for Regional Detention	N/A - on site detention provided
Creek / Ditch Encroachment Agreement for improvements (walks, amenities, etc.)	Completed, recordation #2016014923
Drainage easement along the creek or DD4 channels	Shown on plat
Drainage easement through lots	Addressed
Offsite Utility Improvements Escrow	Agreement executed, required to be funded prior to final plat approval
Traffic Impact Analysis	Completed and approved

SIA Status

Application Item	Status
SIA Application	Satisfied, all improvements covered by the Development and Subdivision Improvement Agreement(Agreement)
Cost Breakdown	N/A – Agreement refers to the PD exhibits
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SIA Agreement	Satisfied by the Development and Subdivision Improvement
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West	R-2 Single Family	Undeveloped

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC)

The property under review is located in the Lake Park Planned Development approved on October 27, 2014. The following table is a list of items included in Phase 1 of the development:

Table 2: Lake Park Subdivision Section 1	
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The applicant's property is shown as part of a Major Node and Low Density Residential. Although the Planned Development specifies the construction of multi-family multifamily, the residential density is kept low by the large amount of the lot is set aside for amenities, open space, and two large water features. This submittal is in conformance with the future land use designations since the density of the residential area is lowered by the open spaces and water features.

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The Lake Park Planned Development is served by Cullen Road on the west and Brookside Road on the south. Cullen Road is classified as a Major Thoroughfare of sufficient width. Brookside Road is classified as a Major Thoroughfare to be widened.

UTILITIES AND INFRASTRUCTURE

The Escrow account is intended to insure that the utilities and infrastructure necessary for this development are installed. The property is not located in a Municipal Utility District.

DRAINAGE

A Final Drainage Plan has been approved by the Brazoria Drainage District No.4 Board of Commissioners on November 3, 2015.

PARKS, OPEN SPACE, AND TREES

Due to the dedication of land and the development of recreational facilities, the applicant is under no financial obligation to pay park fees.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT

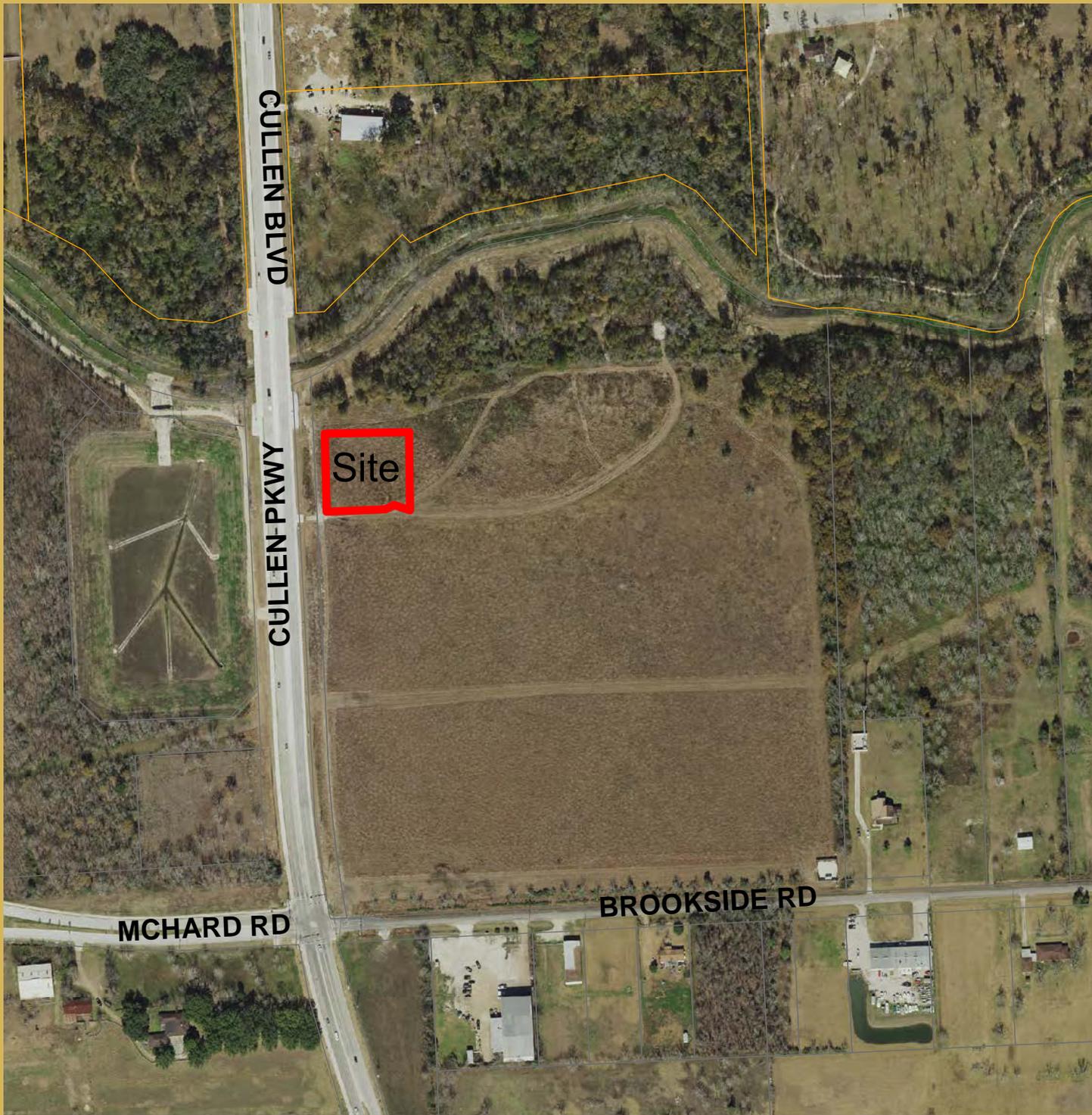
This property will provide land for a parking lot to serve the park and open spaces areas provided on adjacent properties located to the east within the Lake Park Planned Development.

ADDITIONAL COMMENTS

This request has been reviewed by the City's Development Review Committee and there were no additional comments.

SUPPORTING DOCUMENTS

- Aerial Map
- Zoning Map
- Future Land Use Plan 2015
- Final Plat of Lake Park Phase 1 Section 3
- Lake Park Planned Development Exhibit B



Aerial Map

Final Plat Lake Park Subdivision Phase 1 Section 3

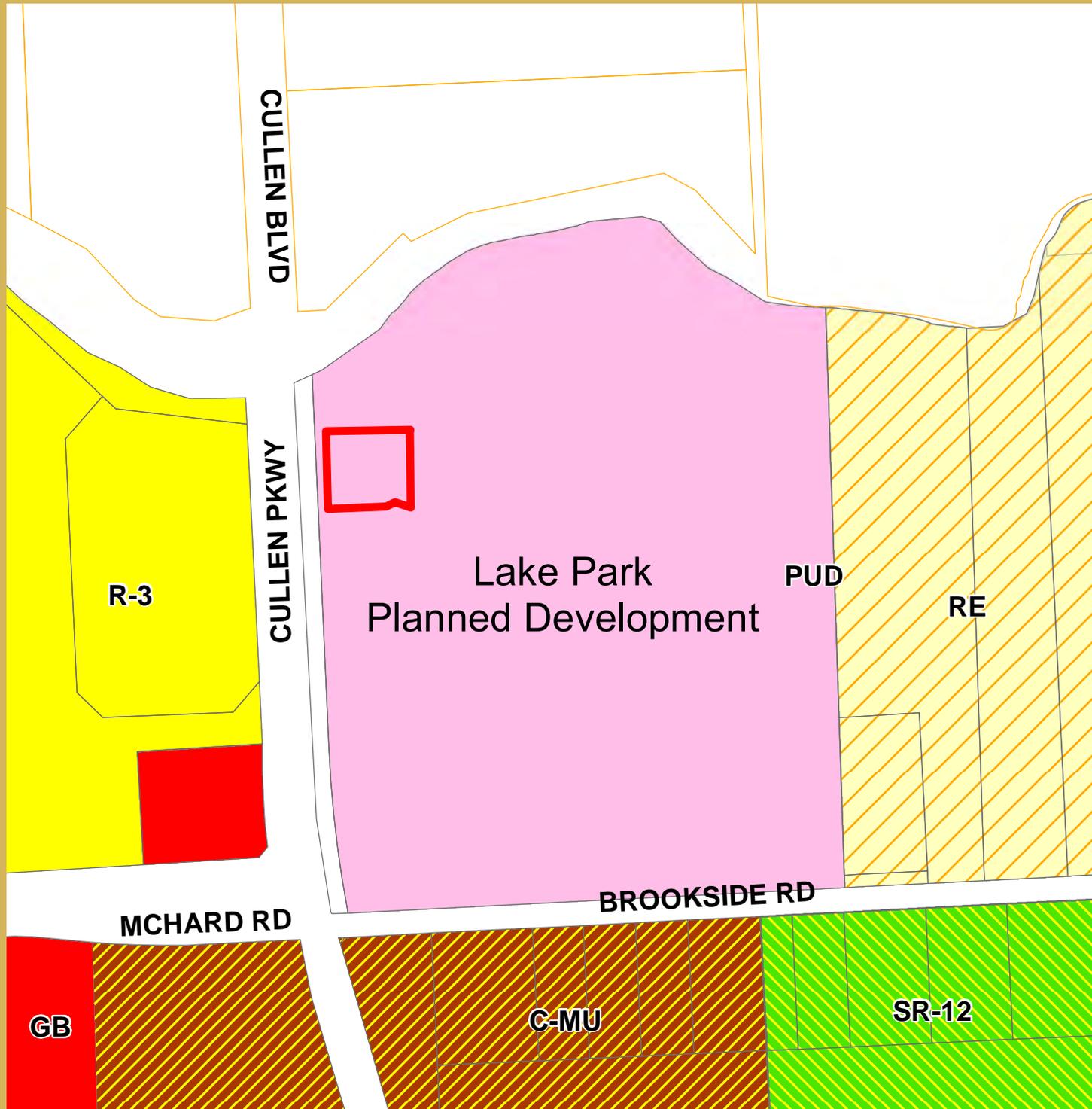


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OCTOBER 2014
PLANNING DEPARTMENT





Zoning Map

Final Plat Lake Park Subdivision Phase 1 Section 3

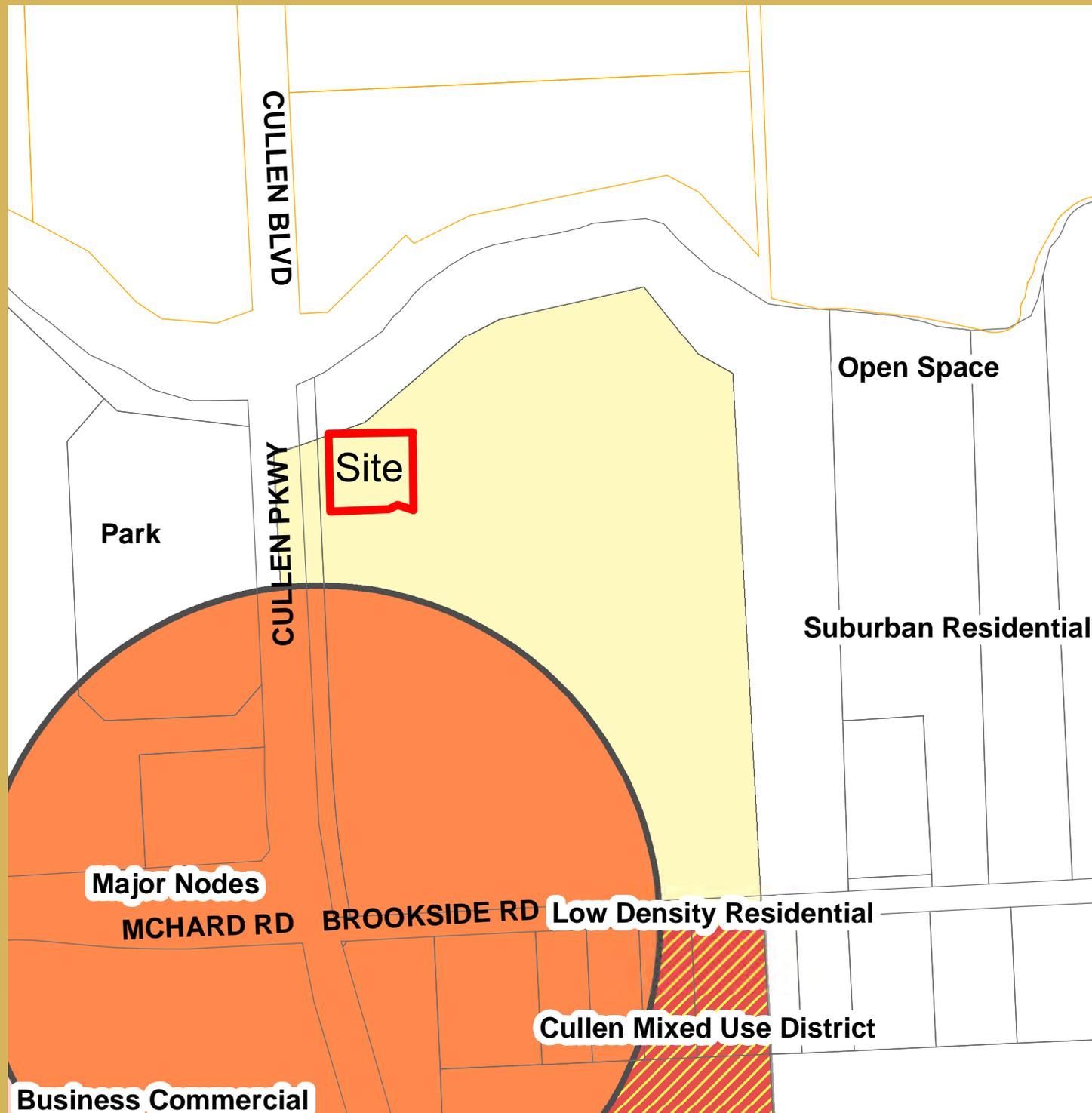


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OCTOBER 2014
PLANNING DEPARTMENT





**Future Land Use
Plan 2015**

**Final Plat Lake Park
Subdivision
Phase 1 Section 3**



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OCTOBER 2014
PLANNING DEPARTMENT



STATE OF TEXAS
COUNTY OF BRAZORIA

We, Pearland Cullen Properties, LLC, a Louisiana limited liability company, acting by and through Robert Earl Giles, Manager, owners of the property subdivided in this plat of LAKE PARK SUBDIVISION PHASE 1 SEC 3, do hereby make subdivision of said property for and on behalf of said Pearland Cullen Properties, LLC, according to the lines, lots, streets, alleys, reserves, parks, and easements as shown hereon and dedicate for public use as such the streets, alleys, parks, and easements shown hereon forever, and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and defend the title to the land so dedicated.

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

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public, for public utility purposes forever, unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above ground level upward, located adjacent to both sides and adjoining all public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'0") in width.

In testimony hereto, Pearland Cullen Properties, LLC, has caused these presents to be signed by Robert Earl Giles, its Manager, this _____ day of _____, 2016.

Owner: Pearland Cullen Properties, LLC

By: Robert Earl Giles, Manager

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared Robert Earl Giles, Manager of Pearland Cullen Properties, LLC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the State of _____

My Commission Expires: _____

I, Mike Kurkowski, Registered Professional Land Surveyor No. 5101, do hereby certify that this plat correctly represents a survey made under my supervision on the ground in accordance with the information provided me and correctly represents the facts as found at the time of survey and is true and correct and that all boundary corners, lot corners, angle points, and points of curvature are properly marked with 5/8 inch diameter iron rods three feet long or as shown on the plat. Block corners or street right-of-ways have not been monumented.



Mike Kurkowski
Registered Professional Land Surveyor
Texas Registration No. 5101

Hometown Bank, National Association

By: _____
Name: _____
Title: _____

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ of Hometown Bank, National Association, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2016.

Notary Public in and for the State of _____

My Commission Expires: _____

This is to certify that the Planning and Zoning Commission of the City of Pearland, Texas, has approved this subdivision plat of LAKE PARK SUBDIVISION PHASE 1 SEC 3, and is in conformance with the laws of the State of Texas and the ordinances of the City of Pearland as shown hereon and authorizes the recording of this plat this _____ day of _____, 2016.

Daniel M. Tunstall, Chairperson
Planning and Zoning Commission
City of Pearland, Texas

Approved for the City of Pearland, Texas this _____ day of _____, 2016.

Signature: _____ Signature: _____
Darrin Coker Printed Name: _____
City Attorney City Engineer

BRAZORIA DRAINAGE DISTRICT NO. 4 NOTES

- ANY GOVERNMENTAL BODY FOR THE PURPOSES OF DRAINAGE WORK MAY USE THE DRAINAGE EASEMENTS AND FEE STRIPS PROVIDED THE DISTRICT IS PROPERLY NOTIFIED.
- PERMANENT STRUCTURES, INCLUDING FENCES AND PERMANENT LANDSCAPING, SHALL NOT BE ERRECTED IN A DRAINAGE EASEMENT OR FEE STRIP.
- MAINTENANCE OF DETENTION FACILITIES IS THE SOLE RESPONSIBILITY OF THE OWNER OF THE PROPERTY. THE DISTRICT WILL PROVIDE MAINTENANCE OF REGIONAL FACILITIES OWNED AND CONSTRUCTED BY THE DISTRICT, OR SUB REGIONAL FACILITIES CONSTRUCTED BY DEVELOPER(S) FOR WHICH OWNERSHIP HAS BEEN TRANSFERRED TO THE DISTRICT WITH THE DISTRICT'S APPROVAL. THE DISTRICT IS RESPONSIBLE ONLY FOR THE MAINTENANCE OF FACILITIES OWNED BY THE DISTRICT UNLESS THE DISTRICT SPECIFICALLY CONTRACTS OR AGREES TO MAINTAIN OTHER FACILITIES.
- CONTRACTOR SHALL NOTIFY THE DISTRICT IN WRITING AT LEAST FORTY-EIGHT (48) HOURS BEFORE PLACING ANY CONCRETE FOR DRAINAGE STRUCTURES.
- THE DISTRICT'S PERSONNEL SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY FOR INSPECTION AT ANY TIME DURING THE CONSTRUCTION OR AS MAY BE WARRANTED TO ENSURE THE DETENTION FACILITY AND DRAINAGE SYSTEM ARE OPERATING PROPERLY.
- APPROPRIATE COVER FOR SIDE SLOPES, BOTTOM AND MAINTENANCE BERM SHALL BE ESTABLISHED PRIOR TO ACCEPTANCE OF THE CONSTRUCTION BY THE DISTRICT. AT LEAST 95% GERMINATION OF THE GRASS MUST BE ESTABLISHED PRIOR TO ACCEPTANCE OF CONSTRUCTION BY THE DISTRICT.
- NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THIS DEVELOPMENT UNTIL THE DETENTION FACILITY HAS BEEN CONSTRUCTED AND APPROVED BY THE DISTRICT.
- THE DISTRICT'S APPROVAL OF THE FINAL DRAINAGE PLAN (AND FINAL PLAT IF REQUIRED) DOES NOT AFFECT THE PROPERTY RIGHTS OF THIRD PARTIES. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING AND MAINTAINING ANY AND ALL EASEMENTS, FEE STRIPS AND/OR ANY OTHER RIGHTS-OF-WAY ACROSS THIRD PARTIES PROPERTIES FOR THE PURPOSES OF MOVING EXCESS RUNOFF TO THE DISTRICT'S DRAINAGE FACILITIES AND CONTEMPLATED BY THE FINAL DRAINAGE PLAN AND FINAL PLAT.

APPROVED BY THE BRAZORIA DRAINAGE DISTRICT NO. 4

DISTRICT SUPERINTENDENT _____ DATE _____

DISTRICT ENGINEER _____ DATE _____

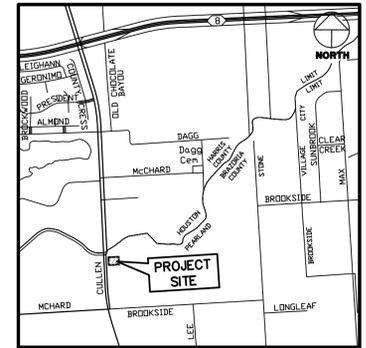
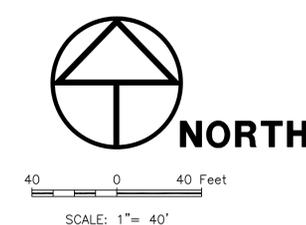
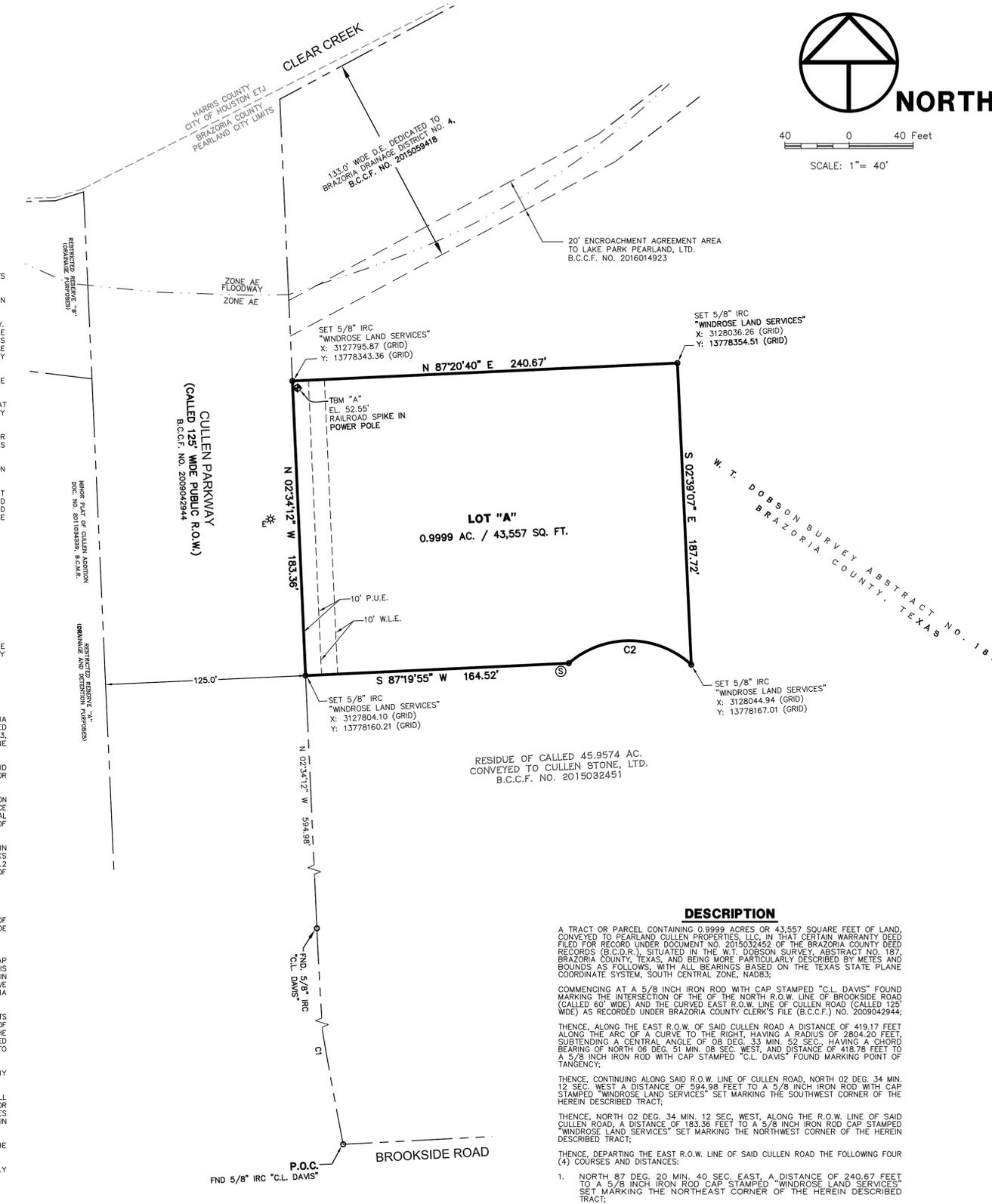
THE ABOVE SIGNATURES ARE VALID FOR THREE HUNDRED SIXTY-FIVE (365) CALENDAR DAYS FROM THE DATE SHOWN ABOVE. THE ABOVE SIGNATURES DO NOT CONSTITUTE AUTHORIZATION FOR ANY CONSTRUCTION.

GENERAL NOTES

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY, AND THE CITY OF PEARLAND. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY CHARTER TITLE COMPANY, FILE NO. 2015-0094-3 LAKE PARK SUBDIVISION PHASE 1 SEC 3, EFFECTIVE DATE AUGUST 17, 2016. ALL BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
- ALL COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD 83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING SCALE FACTOR - 0.999870575.
- IN ACCORDANCE WITH THE DEVELOPER AGREEMENT BETWEEN THE CITY AND THE DEVELOPER, ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
- PRIMARY BENCHMARK IS CITY OF PEARLAND GPS MONUMENT NO. 7, A BRASS CAP SET FLUSH IN CONCRETE LOCATED IN THE SOUTHEAST CORNER OF THE INTERSECTION OF FM 518 AND WEST OAKS BOULEVARD, BEING 8.3 FEET EASTERLY OF THE EAST BOX OF CURB WEST OAKS BOULEVARD, AND 7.2 FEET SOUTHWESTERLY OF THE SOUTHWEST CORNER OF CONCRETE DRAIN RIP-RAP, STAMPED "CITY OF PEARLAND GPS MONU. #7, 1995".
X = 3138909.36 (GRID)
Y = 13769334.19 (GRID)
ELEVATION = 52.55 FEET, NGVD 1929, 1987 ADJUSTMENT.
- TEMPORARY BENCHMARK "B" IS A RAILROAD SPIKE IN A POWER POLE LOCATED ON THE EAST SIDE OF CULLEN ROAD, APPROXIMATELY 1189' FEET NORTH OF THE INTERSECTION OF CULLEN ROAD AND BROOKSIDE ROAD. ELEVATION = 52.55 FEET, NGVD 1929, 1987 ADJUSTMENT.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48039C0030I, WITH THE EFFECTIVE DATE OF SEPTEMBER 22, 1999, THE PROPERTY IS LOCATED IN ZONE "AE", AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOODPLAIN. ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDERS(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
- ACCESS RIGHTS TO PARKING AREAS AND DRIVEWAYS, NOT INDIVIDUAL PARKING SPACES, ARE HEREBY GRANTED TO ALL ADJOINING COMMERCIAL PROPERTIES.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA DRAINAGE DISTRICT NO. 4.
- THERE ARE NO RECORDED BRAZORIA DRAINAGE DISTRICT NO. 4 EASEMENTS OR DITCHES CURRENTLY BEING MAINTAINED BY BRAZORIA DRAINAGE DISTRICT NO. 4 WITHIN THE PLAT.
- THIS PROPERTY IS NOT LOCATED WITHIN A MUNICIPAL UTILITY DISTRICT.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS, AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CHAPTER 7 OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL.
- ALL PIPELINES OR PIPELINE EASEMENTS THAT AFFECT THE SUBJECT TRACT ARE SHOWN HEREON.
- SIX-FOOT (6') WIDE SIDEWALKS WILL BE REQUIRED ALONG CULLEN ROAD AT THE TIME OF DEVELOPMENT.
- THE MINIMUM RIGHT-OF-WAY WIDTH REQUIREMENT FOR CULLEN ROAD, A MAJOR THOROUGHFARE ON THE CITY'S THOROUGHFARE PLAN, IS 120'-FEET.
- CULLEN STONE, LTD, THEIR HEIRS, SUCCESSORS OR ASSIGNS, SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIRS OF ALL EQUIPMENT WITHIN THE LIMITS OF THIS SUBDIVISION THAT IS REQUIRED AS PART OF THE APPROVED PLANNED UNIT DEVELOPMENT ZONING.
- DRY UTILITY SERVICE HAS BEEN COORDINATED WITH APPLICABLE UTILITY COMPANIES AND ANY EASEMENTS NECESSARY TO FACILITATE THE INSTALLATION OF DRY UTILITIES SHALL BE FILED BY SEPARATE INSTRUMENT IN THE COUNTY DEED RECORDS.

RES.	ACREAGE	SQUARE FEET
A	0.9999	43,557

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	2804.20'	08°33'52"	419.17'	S 06°51'08" E	418.78'
C2	57.90'	82°45'11"	83.63'	S 89°21'24" E	76.54'



CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'

- ABBREVIATIONS
- B.C.D.R. - BRAZORIA COUNTY DEED RECORDS
 - B.C.O.R. - BRAZORIA COUNTY OFFICIAL RECORDS
 - B.C.P.R. - BRAZORIA COUNTY PLAT RECORDS
 - ESMT. - EASEMENT
 - C.A.E. - CROSS ACCESS ESMT.
 - D.E. - DRAINAGE ESMT.
 - E.E. - ELECTRICAL ESMT.
 - S.E. - SEWER ESMT.
 - S.S.E. - STORM SEWER ESMT.
 - W.E. - WATER ESMT.
 - W.S.E. - WATER & SEWER ESMT.
 - FND - FOUND
 - IP - IRON PIPE
 - IR - IRON ROD
 - IRC - IRON ROD CAPPED
 - ⊙ - SET 5/8" IRC "WINDROSE LAND SERVICES"
 - T.B.M. - TEMPORARY BENCHMARK
 - NO. - NUMBER
 - P.G. - PAGE
 - R.O.W. - RIGHT-OF-WAY
 - AC. - ACRE(S)
 - SQ. FT. - SQUARE FEET
 - VOL. - VOLUME
 - * - EXISTING STREET LIGHT
 - * - PROPOSED STREET LIGHT

1500 BLOCK OF CULLEN ROAD
FINAL PLAT OF
**LAKE PARK SUBDIVISION
PHASE 1 SEC 3**

A SUBDIVISION OF
0.9999 AC. / 43,557 SQ. FT. OF LAND,
SITUATED IN THE W.T. DOBSON SURVEY, ABSTRACT NO. 187,
CITY OF PEARLAND,
BRAZORIA COUNTY, TEXAS.

OCTOBER 2016
PLAT NO. P613H-2015-0087

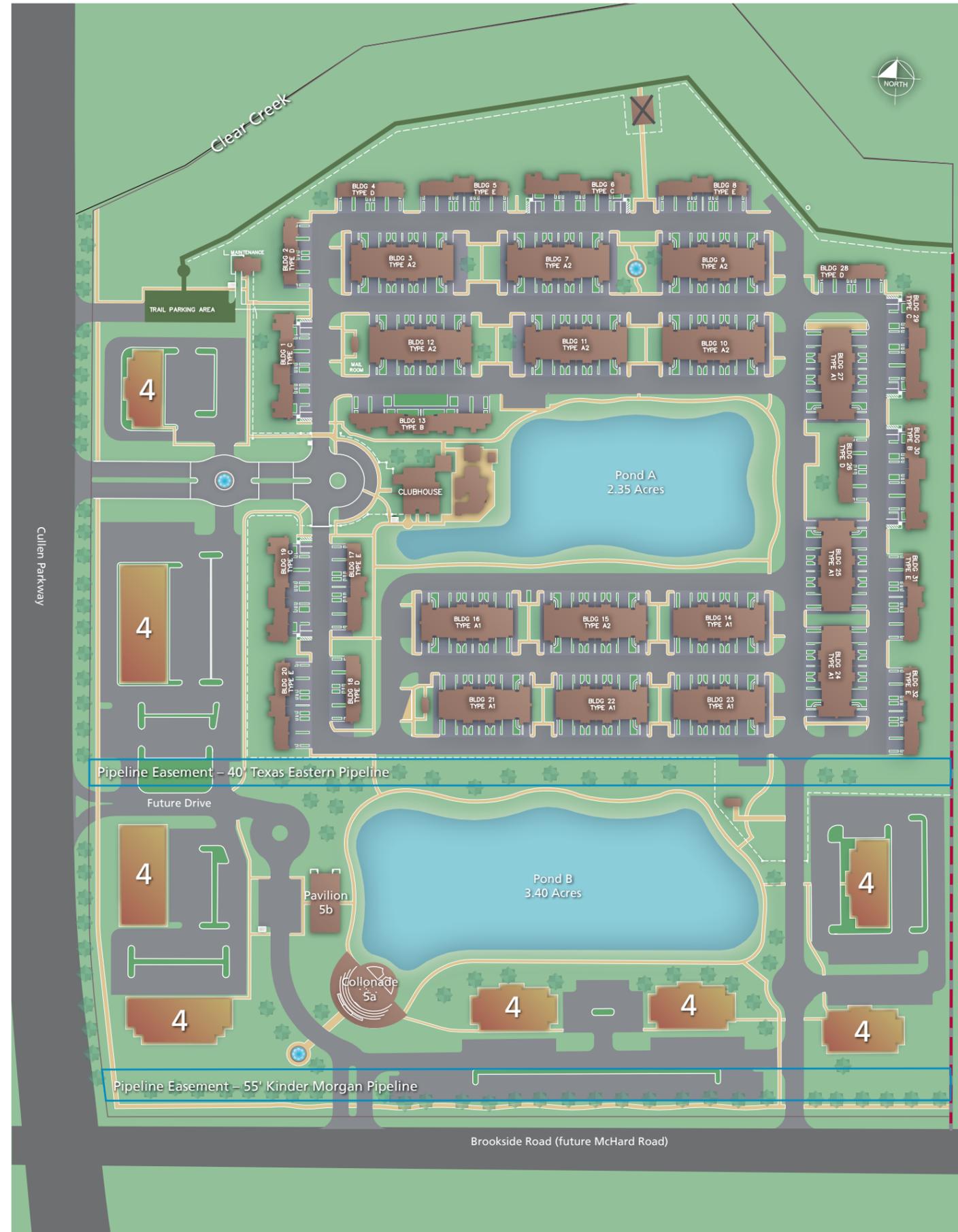
1 LOT 1 BLOCK 0 RESERVES

Owner / Developer
Pearland Cullen Properties, LLC
c/o Robert Earl Giles, Manager
412 Worth Avenue
Lafayette, LA 70506
(337) 258-7839

Surveyor

WINDROSE
LAND SURVEYING & PLATTING
3200 WILCREST, SUITE 325 | HOUSTON, TX 77042 | 713.458.2281
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

Lake Park Exhibit B



Legend

- 1. Total Acreage (+ -) 45.953 Acres*
- 2. Townhomes – Phase I (+ -) 247 Units
- 3. Townhomes – Phase II (+ -) 128 Units
- 4. General Business/Office Professional 17.01 acres
- 5a. Parkland/Colonnade/Splashpad
- 5b. Parkland/Pavilion
- 5c. Parkland/Trail
- 6A. Pond 2.35 acres
- 6B. Pond 3.40 acres
- Fountain
- Covered Exercise Station
- 7. Trail Path & Parking
- 8. 8' Masonry Fence

Residential Parking

- 1. Minimum Residential Surface - 136 Spaces
- 2. Minimum Residential Driveway - 278 Spaces
- 3. Minimum Garages - 278 Spaces
- 4. Minimum Parking Ratio - 1.8:1 Spaces/Unit

*Acreage shown is resulting acreage after Brookside Row dedication of 0.586 acres from the original 46.539 acre boundary.

D. CONSIDERATION AND POSSIBLE ACTION – FINAL PLAT OF LAKE PARK SECTION 1, PHASE 4

A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullen Stone Ltd., owner; for approval of the Final Plat of Lake Park Section 1, Phase 4, creating 1 restricted reserve, on 3.1609 acres of land on the east side of Cullen Parkway about 1,800 feet north of Brookside Road, described to wit:



Staff Report

To: Planning and Zoning Commission

From: Planning Department VH

Meeting Date: October 17, 2016

Re: A request of Andrew Allemand, Windrose Land Services, the applicant; on behalf of James Johnson, Cullen Stone Ltd., owner; for approval of the Final Plat of Lake Park Section 1, Phase 4, creating 1 restricted reserve, on 3.1609 acres of land on the east side of Cullen Parkway about 1,800 feet north of Brookside Road, described to wit:

Legal Description: a subdivision of 3.1609 acres / 137,689 square feet of land, situated in the W.T. Dobson Survey, Abstract No. 187, City of Pearland, Brazoria County, Texas.

General Location: on the east side of Cullen Parkway about 1,800 feet north of Brookside Road.

SUMMARY

On behalf of James Johnson, of Cullen Stone Ltd., owner, Andrew Allemand, of Windrose Land Services, has submitted a request for approval of the Final Plat of Lake Park Phase 1, Section 4, creating 1 restricted reserve on 3.1609 acres of land located on the east side of Cullen Parkway about 1,800 feet north of Brookside Road.

The Lake Park Planned development designates this tract for parkland and a trail along the south bank of Clear Creek per Exhibit B of the approved Lake Park Planned Development.

SITE HISTORY

This preliminary plat is located in the Lake Park Planned Development approved on October 27, 2014. The Lake Park Master Plat was approved by the Planning and Zoning Commission on October 5, 2015. The Preliminary Plat of Lake Park Phase 1 Section 4 was also approved on November 2, 2015. On September 19, 2016 the Planning and Zoning Commission did not approve the Final Plat of Lake Park Phase 1 Section 3 since the escrow account was not funded prior to Planning and Zoning Commission approval.

STAFF RECOMMENDATION

Staff recommends approval of the Final Plat of Lake Park Phase 1 Section 4 with the following condition:

1. The escrow account for public improvements is required to be funded prior to Planning and Zoning Commission approval.
2. Deed of Trust needs to be recorded after the final plat is approved. Once the applicant closes on the property, this will be substituted for an escrow agreement similar to the one for off-site public improvements, pursuant to agreement dated March 21, 2016.

Agreements and Documents

Needed item	Completion Status
Development Agreement (Resolution no. R2016-7)	Completed
Deed of Trust Agreement (For onsite public improvements/amenities)	Completed
Escrow Agreement (For onsite public improvements)	Intend to submit an escrow agreement to substitute the above Deed of Trust in the future.
Parkland Dedication	Met through on site improvements
Regional Detention Agreement	N/A - onsite detention provided
Payment for Regional Detention	N/A - on site detention provided
Creek / Ditch Encroachment Agreement for improvements (walks, amenities, etc.)	Completed, recordation #2016014923
Drainage easement along the creek or DD4 channels	Shown on plat
Drainage easement through lots	Addressed
Offsite Utility Improvements Escrow	Agreement executed, required to be funded prior to final plat approval
Traffic Impact Analysis	Completed and approved

SIA Status

Application Item	Status
SIA Application	Satisfied, all improvements covered by the Development and Subdivision Improvement Agreement(Agreement)
Cost Breakdown	N/A – Agreement refers to the PD exhibits
Application Fee	N/A
SIA Agreement	Satisfied by the Development and Subdivision Improvement
Surety	Satisfied by Deed Trust

Permitting Status

Item	Status
Master Plat	Approved
Preliminary Plat	Approved
Final Plat	Under review (must address comments below)
Permits	Under review (pending recordation of final plat)

SURROUNDING ZONING AND LAND USES

	<u>Zoning</u>	<u>Land Use</u>
North	City of Houston	Christina V. Adair Park
South	Lake Park PUD	General Business / Office and Multifamily
East	RE- Rural Estates	Large Lot Single Family
West	R-2 Single Family	Undeveloped

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC)

The property under review is located in the Lake Park Planned Development approved on October 27, 2014. The following table is a list of items included in Phase 1 of the development:

Table 2: Lake Park Subdivision Section 1	
Proposed Use	
Multifamily	238 Units
Lake	5.2 acres
Parkland Colonnade	1
Pavilion	1

FUTURE LAND USE PLAN 2015

The applicant's property is shown as part of a Major Node and Low Density Residential. Although the Planned Development specifies the construction of multi-family multifamily, the residential density is kept low by the large amount of the lot is set aside for amenities, open space, and two large water features. This submittal is in conformance with the future land use designations since the density of the residential area is lowered by the open spaces and water features.

CONFORMANCE WITH THE THOROUGHFARE PLAN

The Lake Park Planned Development is served by Cullen Road on the west and Brookside Road on the south. Cullen Road is classified as a Major Thoroughfare of sufficient width. Brookside Road is classified as a Major Thoroughfare to be widened.

UTILITIES AND INFRASTRUCTURE

The Escrow account is intended to insure that the utilities and infrastructure necessary for this development are installed. The property is not located in a Municipal Utility District.

DRAINAGE

A Final Drainage Plan has been approved by the Brazoria Drainage District No.4 Board of Commissioners on November 3, 2015.

PARKS, OPEN SPACE, AND TREES

This plat is intended to fulfill the dedication of parks and open space requirements per the Lake Park Planned Development Exhibit B. Due to the dedication of land and the development of recreational facilities, the applicant is under no financial obligation to pay park fees.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT

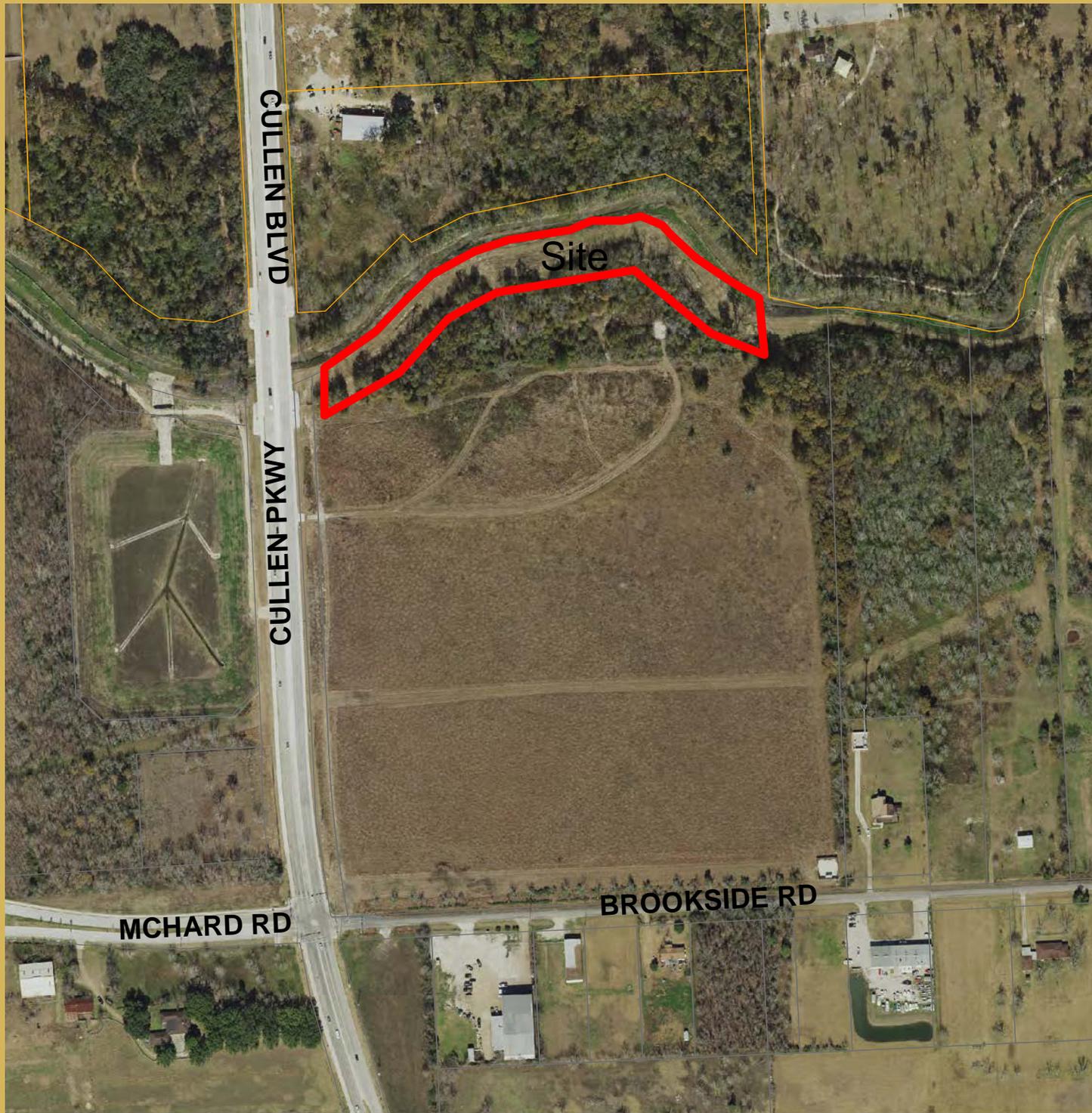
Due to the location of the plat along the south bank of Clear Creek, the applicant will develop the property for parkland on land which would normally not be suitable for residential or commercial development. The parkland will provide a buffer between Clear Creek and the future multifamily.

ADDITIONAL COMMENTS

This request has been reviewed by the City's Development Review Committee and there were no additional comments.

SUPPORTING DOCUMENTS

- Aerial Map
- Zoning Map
- Future Land Use Plan 2015
- Final Plat of Lake Park Phase 1 Section 4
- Lake Park Planned Development Exhibit B



Aerial Map

Final Plat Lake Park Subdivision Phase 1 Section 4

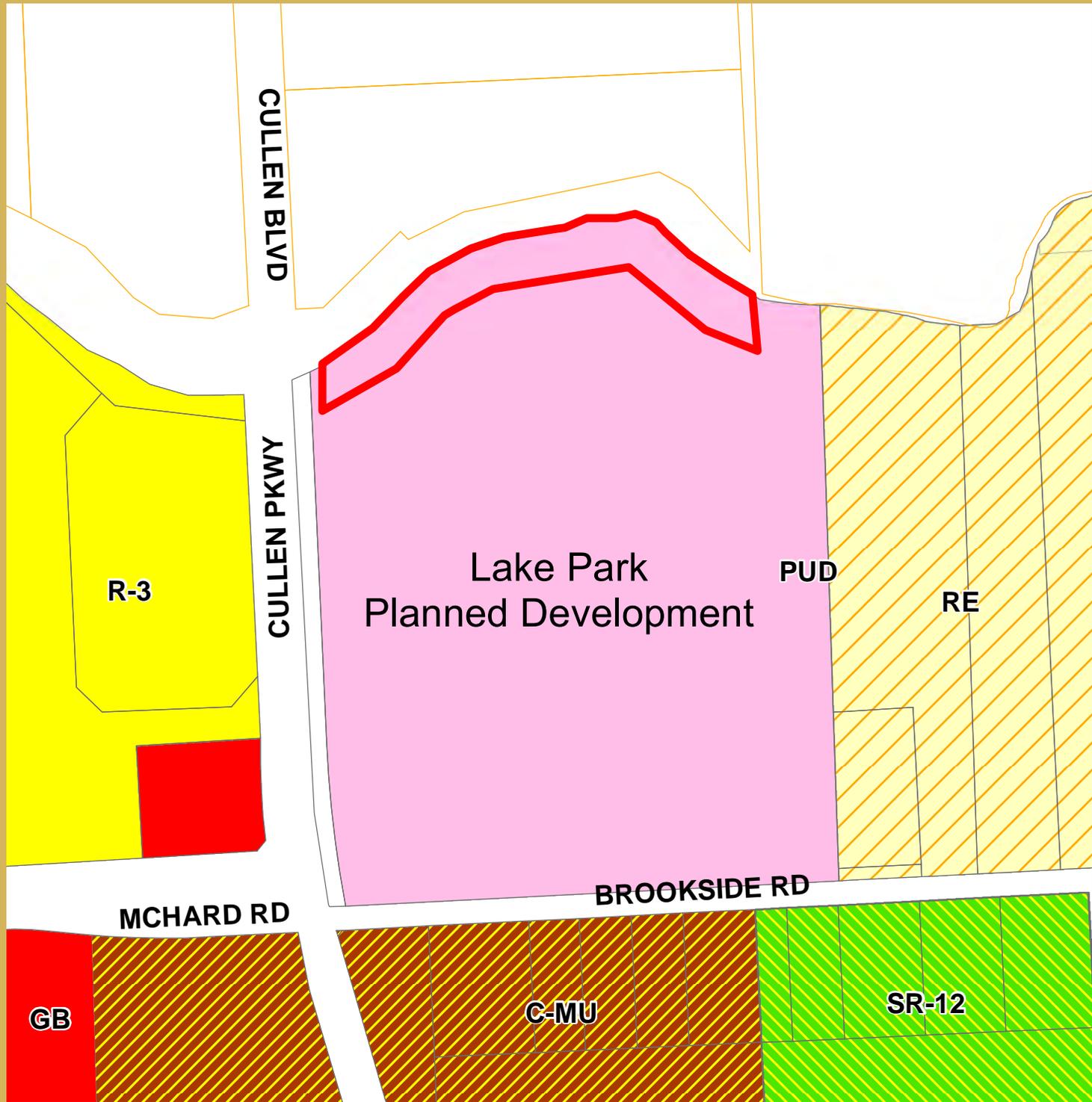


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 355 feet

OCTOBER 2014
PLANNING DEPARTMENT





Zoning Map

**Final Plat Lake Park
Subdivision
Phase 1 Section 4**

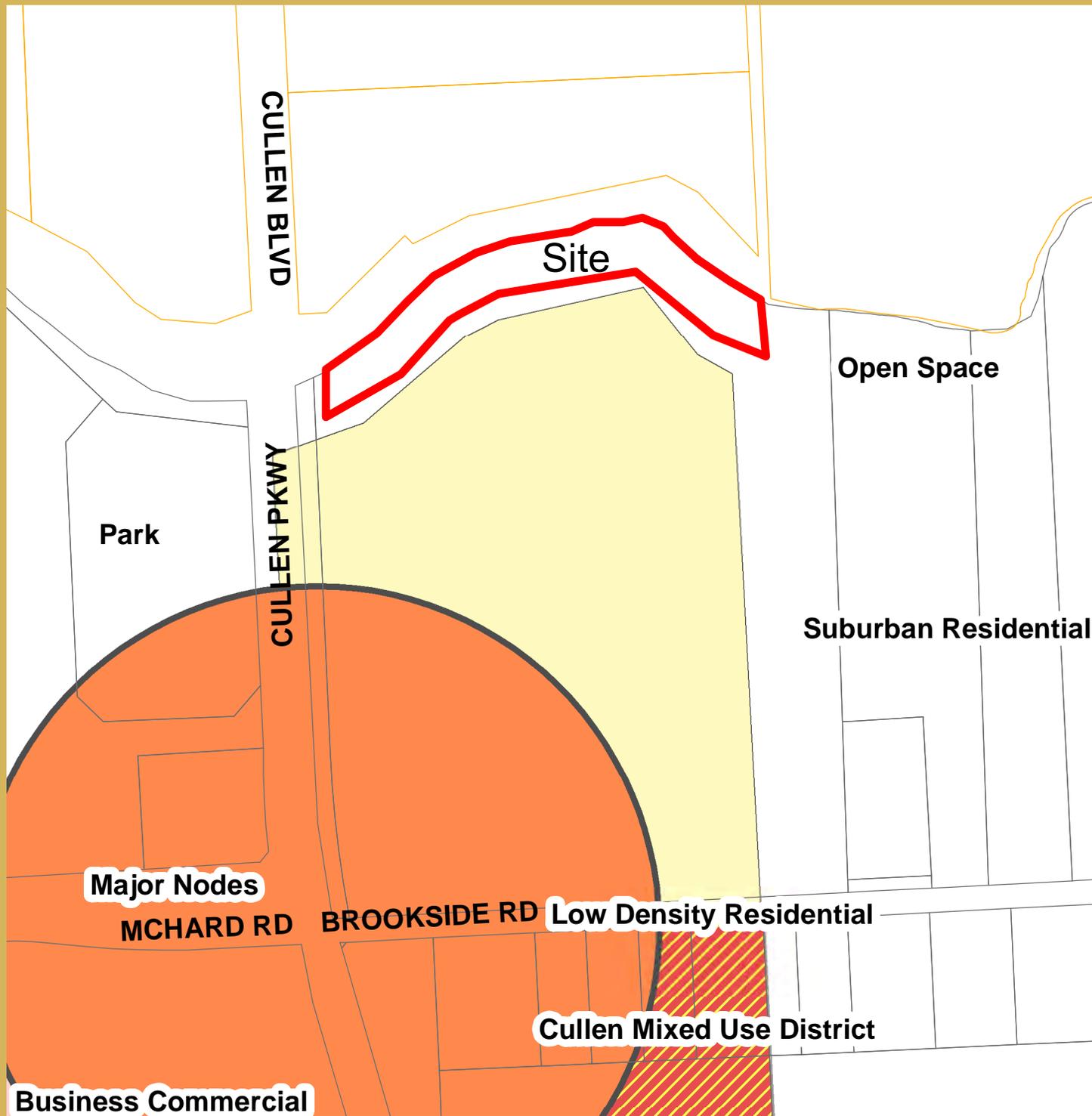


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1 inch = 355 feet

OCTOBER 2014
PLANNING DEPARTMENT





**Future Land Use
Plan 2015**

**Final Plat Lake Park
Subdivision
Phase 1 Section 4**



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1 inch = 355 feet

OCTOBER 2014
PLANNING DEPARTMENT



We, Cullen Stone, LTD, acting by and through Cullen Stone GP, LLC, its general partner, acting by and through Kyle Tauch, Manager, owners of the property subdivided in this plat of LAKE PARK SUBDIVISION PHASE 1 SEC 4, do hereby make subdivision of said property for and on behalf of said Cullen Stone, LTD, according to the lines, lots, streets, alleys, reserves, parks, and easements as shown hereon and dedicate for public use as such the streets, alleys, parks, and easements shown hereon forever, and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and defend the title to the land so dedicated.

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

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public, for public utility purposes forever, unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above ground level upward, located adjacent to both sides and adjoining all public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'0") in width.

In testimony hereto, Cullen Stone, LTD, acting by and through its general partner, Cullen Stone GP, LLC, has caused these presents to be signed by Kyle Tauch, its Manager, this _____ day of _____, 2015.

Owner: Cullen Stone, LTD
By: Cullen Stone GP, LLC, its general partner

By: _____
Kyle Tauch, Manager
Cullen Stone GP, LLC

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared Kyle Tauch, Manager of Cullen Stone GP, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

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

Notary Public in and for the
State of _____
My Commission Expires: _____

I, Mike Kurkowski, Registered Professional Land Surveyor No. 5101, do hereby certify that this plat correctly represents a survey made under my supervision on the ground in accordance with the information provided me and correctly represents the facts as found at the time of survey and is true and correct and that all boundary corners, lot corners, angle points, and points of curvature are properly marked with 5/8 inch diameter iron rods three feet long or as shown on the plat. Block corners or street right-of-ways have not been monumented.



Mike Kurkowski
Registered Professional Land Surveyor
Texas Registration No. 5101

Green Bank, National Association

By: _____
Name: _____
Title: _____

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ of Green

Bank, National Association, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said corporation.

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

Notary Public in and for the
State of _____
My Commission Expires: _____

This is to certify that the Planning and Zoning Commission of the City of Pearland, Texas, has approved this subdivision plat of LAKE PARK SUBDIVISION PHASE 1 SEC 4, and is in conformance with the laws of the State of Texas and the ordinances of the City of Pearland as shown hereon and authorizes the recording of this plat this _____ day of _____, 2015.

Daniel M. Tunstall, Chairperson
Planning and Zoning Commission
City of Pearland, Texas

Approved for the City of Pearland, Texas this _____ day of _____, 2016.

Signature: _____
Darrin Coker
City Attorney
Signature: _____
Printed Name: _____
City Engineer

BRAZORIA DRAINAGE DISTRICT NO. 4 NOTES

- ANY GOVERNMENTAL BODY FOR THE PURPOSES OF DRAINAGE WORK MAY USE THE DRAINAGE EASEMENTS AND FEE STRIPS PROVIDED THE DISTRICT IS PROPERLY NOTIFIED.
- PERMANENT STRUCTURES, INCLUDING FENCES AND PERMANENT LANDSCAPING, SHALL NOT BE ERRECTED IN A DRAINAGE EASEMENT OR FEE STRIP.
- MAINTENANCE OF DETENTION FACILITIES IS THE SOLE RESPONSIBILITY OF THE OWNER OF THE PROPERTY. THE DISTRICT WILL PROVIDE MAINTENANCE OF REGIONAL FACILITIES OWNED AND CONSTRUCTED BY THE DISTRICT OR SUB REGIONAL FACILITIES CONSTRUCTED BY DEVELOPER(S) FOR WHICH OWNERSHIP HAS BEEN TRANSFERRED TO THE DISTRICT WITH THE DISTRICT'S APPROVAL. THE DISTRICT IS RESPONSIBLE ONLY FOR THE MAINTENANCE OF FACILITIES OWNED BY THE DISTRICT UNLESS THE DISTRICT SPECIFICALLY CONTRACTS OR AGREES TO MAINTAIN OTHER FACILITIES.
- CONTRACTOR SHALL NOTIFY THE DISTRICT IN WRITING AT LEAST FORTY-EIGHT (48) HOURS BEFORE PLACING ANY CONCRETE FOR DRAINAGE STRUCTURES.
- THE DISTRICT'S PERSONNEL SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY FOR INSPECTION AT ANY TIME DURING THE CONSTRUCTION OR AS MAY BE WARRANTED TO ENSURE THE DETENTION FACILITY AND DRAINAGE SYSTEM ARE OPERATING PROPERLY.
- APPROPRIATE COVER FOR SIDE SLOPES, BOTTOM AND MAINTENANCE BERM SHALL BE ESTABLISHED PRIOR TO ACCEPTANCE OF THE CONSTRUCTION BY THE DISTRICT. AT LEAST 95% GERMINATION OF THE GRASS MUST BE ESTABLISHED PRIOR TO ACCEPTANCE OF CONSTRUCTION BY THE DISTRICT.
- NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT WITHIN THIS DEVELOPMENT UNTIL THE DETENTION FACILITY HAS BEEN CONSTRUCTED AND APPROVED BY THE DISTRICT.
- THE DISTRICT'S APPROVAL OF THE FINAL DRAINAGE PLAN (AND FINAL PLAT IF REQUIRED) DOES NOT AFFECT THE PROPERTY RIGHTS OF THIRD PARTIES. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING AND MAINTAINING ANY AND ALL EASEMENTS, FEE STRIPS AND/OR ANY OTHER RIGHTS-OF-WAY ACROSS THIRD PARTIES PROPERTIES FOR THE PURPOSES OF MOVING EXCESS RUNOFF TO THE DISTRICT'S DRAINAGE FACILITIES AND CONTEMPLATED BY THE FINAL DRAINAGE PLAN AND FINAL PLAT.

APPROVED BY THE BRAZORIA DRAINAGE DISTRICT NO. 4

DISTRICT SUPERINTENDENT
DATE

DISTRICT ENGINEER
DATE

THE ABOVE SIGNATURES ARE VALID FOR THREE HUNDRED SIXTY-FIVE (365) CALENDAR DAYS FROM THE DATE SHOWN ABOVE. THE ABOVE SIGNATURES DO NOT CONSTITUTE AUTHORIZATION FOR ANY CONSTRUCTION.

GENERAL NOTES

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY, AND THE CITY OF PEARLAND. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY CHARTER TITLE COMPANY, FILE NO. 2015-0094-4 LAKE PARK SUB PHASE 1 SEC 4, EFFECTIVE DATE AUGUST 19, 2016. ALL BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
- ALL COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD 83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING SCALE FACTOR = 0.999870575.
- IN ACCORDANCE WITH THE DEVELOPER AGREEMENT BETWEEN THE CITY AND THE DEVELOPER, ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
- PRIMARY BENCHMARK IS CITY OF PEARLAND GPS MONUMENT NO. 7, A BRASS CAP SET FLUSH IN CONCRETE LOCATED IN THE SOUTHEAST CORNER OF THE INTERSECTION OF FM 518 AND WEST OAKS BOULEVARD, BEING 8.3 FEET EASTERLY OF THE EAST BACK OF CURB WEST OAKS BOULEVARD, AND 7.2 FEET SOUTHWESTERLY OF THE SOUTHWEST CORNER OF CONCRETE DRAIN RIP-RAP, STAMPED "CITY OF PEARLAND GPS MONU. #7, 1995".
X = 3138909.36 (GRID)
Y = 13789334.19 (GRID)
ELEVATION = 50.33 FEET, NGVD 1929, 1987 ADJUSTMENT.
- TEMPORARY BENCHMARK "B" IS A RAILROAD SPIKE IN A POWER POLE LOCATED ON THE EAST SIDE OF CULLEN ROAD, APPROXIMATELY 118' FEET NORTH OF THE INTERSECTION OF CULLEN ROAD AND BROOKSIDE ROAD.
ELEVATION = 52.55 FEET, NGVD 1929, 1987 ADJUSTMENT.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 48030C0300, WITH THE EFFECTIVE DATE OF SEPTEMBER 22, 1998, THE PROPERTY IS LOCATED IN ZONE "AE", AREAS DETERMINED TO BE WITHIN THE 100 YEAR FLOODPLAIN. ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
- ACCESS RIGHTS TO PARKING AREAS AND DRIVEWAYS, NOT INDIVIDUAL PARKING SPACES, ARE HEREBY GRANTED TO ALL ADJOINING COMMERCIAL PROPERTIES.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND BRAZORIA DRAINAGE DISTRICT NO. 4.
- ALL RECORDED BRAZORIA DRAINAGE DISTRICT NO. 4 EASEMENTS OR DITCHES CURRENTLY BEING MAINTAINED BY BRAZORIA DRAINAGE DISTRICT NO. 4 ARE SHOWN HEREON.
- THIS PROPERTY IS NOT LOCATED WITHIN A MUNICIPAL UTILITY DISTRICT.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS, AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CHAPTER 7 OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL.
- ALL PIPELINES OR PIPELINE EASEMENTS THAT AFFECT THE SUBJECT TRACT ARE SHOWN HEREON.
- SIX-FOOT (6') WIDE SIDEWALKS WILL BE REQUIRED ALONG CULLEN ROAD AT THE TIME OF DEVELOPMENT.
- THE MINIMUM RIGHT-OF-WAY WIDTH REQUIREMENT FOR CULLEN ROAD, A MAJOR THOROUGHFARE ON THE CITY'S THOROUGHFARE PLAN, IS 120'-FEET.
- LAKE PARK PEARLAND, LTD, SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPAIRS OF ALL EQUIPMENT WITHIN THE LIMITS OF THIS SUBDIVISION THAT IS REQUIRED AS PART OF THE APPROVED PLANNED UNIT DEVELOPMENT ZONING.
- THIS EASEMENT IS HEREBY DEDICATED TO THE CITY OF PEARLAND FOR PUBLIC USE. WHILE THIS EASEMENT HAS A VARIABLE WIDTH, THE ULTIMATE WIDTH OF THIS PUBLIC EASEMENT IN COMBINATION WITH THE ADJACENT, ASSOCIATED PUBLIC EASEMENT DEDICATED BY THE SUBDIVISION PLAT TO THE NORTH SHALL BE 20'-FEET.
- THE SUBJECT PROPERTY IS HEREBY RESTRICTED SO THAT THE PUBLIC SHALL HAVE OPEN AND UNIMPEDED INGRESS AND EGRESS ACCESS TO THE OFF-STREET TRAILHEAD PARKING AREA AND TO THE PUBLIC IMPROVEMENTS CONTAINED WITHIN THE PUBLIC EASEMENT DEDICATED IN NOTE 19 ABOVE.
- DRY UTILITY SERVICE HAS BEEN COORDINATED WITH APPLICABLE UTILITY COMPANIES AND ANY EASEMENTS NECESSARY TO FACILITATE THE INSTALLATION OF DRY UTILITIES SHALL BE FILED BY SEPARATE INSTRUMENT IN THE COUNTY DEED RECORDS.

DESCRIPTION

A TRACT OR PARCEL CONTAINING 3.1609 ACRES OR 137,689 SQUARE FEET OF LAND, BEING PART OF AND OUT OF A CALLED 45.9574 ACRES CONVEYED TO CULLEN STONE, LTD. IN THAT CERTAIN WARRANTY DEED FILED FOR RECORD UNDER DOCUMENT NO. 2015032455 OF THE BRAZORIA COUNTY DEED RECORDS (B.C.D.R.) SITUATED IN THE W.T. DOBSON SURVEY, ABSTRACT NO. 187, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83:

COMMENCING AT A 5/8 INCH IRON ROD WITH CAP STAMPED "C.L. DAVIS" FOUND MARKING THE INTERSECTION OF THE OF THE NORTH R.O.W. LINE OF BROOKSIDE ROAD (CALLED 60' WIDE) AND THE CURVED EAST R.O.W. LINE OF CULLEN ROAD (CALLED 125' WIDE) AS RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE (B.C.C.F.) NO. 2008042844; THENCE, ALONG THE EAST R.O.W. OF SAID CULLEN ROAD A DISTANCE OF 419.17 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2804.20 FEET, SUBTENDING A CENTRAL ANGLE OF 08 DEG. 33 MIN. 52 SEC., HAVING A CHORD BEARING OF NORTH 08 DEG. 51 MIN. 08 SEC. WEST, AND DISTANCE OF 418.78 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "C.L. DAVIS" FOUND MARKING POINT OF TANGENCY;

THENCE, CONTINUING ALONG SAID R.O.W. LINE OF CULLEN ROAD, NORTH 02 DEG. 34 MIN. 12 SEC. WEST, A DISTANCE OF 121.62 FEET TO A POINT IN CLEAR CREEK, SAME BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

- THENCE, IN AN EASTERLY DIRECTION ALONG THE MEANDERS OF CLEAR CREEK AND WITH THE NORTH LINE OF SAID CALLED 45.9574 ACRE TRACT OF LAND THE FOLLOWING COURSES AND DISTANCES:
- NORTH 61 DEG. 51 MIN. 49 SEC. EAST, A DISTANCE OF 155.60 FEET TO AN ANGLE POINT;
 - NORTH 52 DEG. 32 MIN. 33 SEC. EAST, A DISTANCE OF 321.38 FEET TO AN ANGLE POINT;
 - NORTH 72 DEG. 55 MIN. 55 SEC. EAST, A DISTANCE OF 544.94 FEET TO AN ANGLE POINT;
 - SOUTH 42 DEG. 51 MIN. 30 SEC. EAST, A DISTANCE OF 332.89 FEET TO AN ANGLE POINT;

THENCE, SOUTH 89 DEG. 21 MIN. 51 SEC. EAST, A DISTANCE OF 134.01 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" FOUND MARKING THE NORTHWEST CORNER OF A CALLED 12 ACRE TRACT OF LAND CONVEYED TO EARL STONE IN THAT CERTAIN WARRANTY DEED FILED FOR RECORD UNDER VOLUME 791, PAGE 212, B.C.D.R. AND THE NORTHEAST CORNER OF SAID CALLED 45.9574 ACRE TRACT OF LAND AND OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE COMMON LINE OF SAID CALLED EARL STONE TRACT, SAID CALLED 45.9574 ACRE TRACT OF LAND AND OF THE HEREIN DESCRIBED TRACT AND THE WEST LINE OF LOT "A" OF BROOKSIDE ACRES SUBDIVISION, MAP OR PLAT THEREOF RECORDED UNDER DOC. NO. 2007059006 OF THE BRAZORIA COUNTY MAP RECORDS (B.C.M.R.) AS CONVEYED TO SHIRLEY JOYCE COOPER IN THAT CERTAIN WARRANTY DEED FILED FOR RECORD UNDER DOCUMENT NO. 1991100890, B.C.D.R., SOUTH 02 DEG. 49 MIN. 07 SEC. EAST, A DISTANCE OF 108.46 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" FOUND MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE COMMON LINE OF SAID CALLED EARL STONE TRACT, SAID CALLED 45.9574 ACRE TRACT OF LAND AND OF THE HEREIN DESCRIBED TRACT AND THE WEST LINE OF SAID LOT "A" OF BROOKSIDE ACRES SUBDIVISION, OVER AND ACROSS SAID CALLED 45.9574 ACRE TRACT THE FOLLOWING COURSES AND DISTANCES:

- NORTH 74 DEG. 6 MIN. 36 SEC. WEST, A DISTANCE OF 94.42 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
- NORTH 65 DEG. 19 MIN. 50 SEC. WEST, A DISTANCE OF 114.10 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
- NORTH 50 DEG. 15 MIN. 09 SEC. WEST, A DISTANCE OF 183.90 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
- NORTH 61 DEG. 53 MIN. 50 SEC. WEST, A DISTANCE OF 70.21 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
- NORTH 76 DEG. 23 MIN. 40 SEC. WEST, A DISTANCE OF 42.33 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING AN ANGLE POINT;
- SOUTH 89 DEG. 11 MIN. 36 SEC. WEST, A DISTANCE OF 95.91 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF CURVATURE;
- IN AN WESTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF 10 DEG. 51 MIN. 57 SEC., AN ARC LENGTH OF 75.86 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 83 DEG. 45 MIN. 38 SEC. WEST - 75.75 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;
- SOUTH 78 DEG. 19 MIN. 39 SEC. WEST, A DISTANCE OF 200.83 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF CURVATURE;
- IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 31 DEG. 04 MIN. 19 SEC., AN ARC LENGTH OF 54.23 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 62 DEG. 47 MIN. 28 SEC. WEST - 53.57 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;
- SOUTH 47 DEG. 15 MIN. 20 SEC. WEST, A DISTANCE OF 275.35 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF CURVATURE;
- IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 24 DEG. 25 MIN. 23 SEC., AN ARC LENGTH OF 213.13 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 59 DEG. 28 MIN. 01 SEC. WEST - 211.52 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING A POINT OF TANGENCY;
- SOUTH 71 DEG. 40 MIN. 43 SEC. WEST, A DISTANCE OF 49.15 FEET TO A 5/8 INCH IRON ROD WITH CAP STAMPED "WINDROSE LAND SERVICES" SET MARKING THE SOUTHWEST CORNER AND PLACE OF BEGINNING OF THE HEREIN DESCRIBED TRACT AND CONTAINING 3.1609 ACRES OR 137,689 SQUARE FEET OF LAND, AS SHOWN ON SURVEY JOB NO. 51296-3-1609 (8004 PLAT), PREPARED BY WINDROSE LAND SERVICES, INC.



CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'

ABBREVIATIONS

B.C.D.R.	- BRAZORIA COUNTY DEED RECORDS
B.C.O.R.	- BRAZORIA COUNTY OFFICIAL RECORDS
B.C.P.R.	- BRAZORIA COUNTY PLAT RECORDS
ESMT.	- EASEMENT
C.A.E.	- CROSS ACCESS ESMT.
D.E.	- DRAINAGE ESMT.
E.E.	- ELECTRICAL ESMT.
S.E.	- SEWER ESMT.
S.S.E.	- STORM SEWER ESMT.
W.E.	- WATER ESMT.
W.S.E.	- WATER & SEWER ESMT.
FND	- FOUND
IP	- IRON PIPE
IR	- IRON ROD
IRC	- IRON ROD CAPPED
Ⓢ	- SET 5/8" IRC "WINDROSE LAND SERVICES"
T.B.M.	- TEMPORARY BENCHMARK
NO.	- NUMBER
PG.	- PAGE
R.O.W.	- RIGHT-OF-WAY
AC.	- ACRE(S)
SQ. FT.	- SQUARE FEET
VOL.	- VOLUME
✳	- EXISTING STREET LIGHT
✳P	- PROPOSED STREET LIGHT
P.U.E.	- PUBLIC USE EASEMENT

1500 BLOCK OF CULLEN ROAD
FINAL PLAT OF
LAKE PARK SUBDIVISION
PHASE 1 SEC 4

A SUBDIVISION OF
3.1609 AC. / 137,689 SQ. FT. OF LAND,
SITUATED IN THE W.T. DOBSON SURVEY,
ABSTRACT NO. 187,
CITY OF PEARLAND,
BRAZORIA COUNTY, TEXAS.

OCTOBER 2016

PLAT NO. P613H-2015-0088

0 LOTS | 1 BLOCK | 1 RESERVE

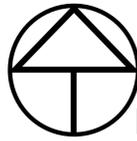
Owner / Developer
Cullen Stone, LTD

c/o Kyle Tauch, Manager
5410 Piping Rock Lane
Houston, TX 77056
(713) 899-9977

Surveyor



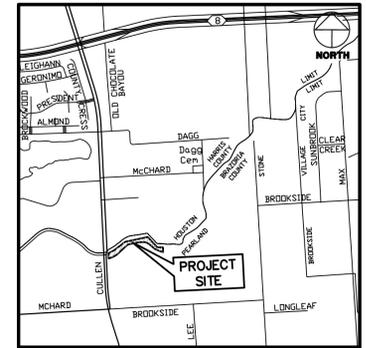
WINDROSE
LAND SURVEYING | PLATTING
3200 WILCREST, SUITE 325 | HOUSTON, TX 77042 | 713.458.2281
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM



NORTH

60 0 60 Feet

SCALE: 1" = 60'



CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'

CHRISTOPH PROPERTIES INC.
CALLED 9.1393 AC.
H.C.C.F. NO. 20100487534

CLEAR CREEK

133.0' WIDE D.E. DEDICATED TO
BRAZORIA DRAINAGE DISTRICT NO. 4,
B.C.C.F. NO. 2015059418

RESTRICTED RESERVE "A"
3.1609 AC. / 137,689 SQ. FT.
(RESTRICTED TO PARKLAND)

RESIDUE OF CALLED 45.9574 AC.
CONVEYED TO CULLEN STONE, LTD.
B.C.C.F. NO. 2015032451

W. T. DOBSON SURVEY ABSTRACT NO. 187
BRAZORIA COUNTY, TEXAS

HARRIS COUNTY
CALLED 43.9048 AC.
H.C.C.F. NO. F077623

EARL STONE
CALLED 12 AC.
VOL. 751, PG. 212, B.C.D.R.

HARRIS COUNTY R.O.W. DPT.
CALLED 11.6170 AC.
H.C.C.F. NO. K521652

CULLEN ROAD

FND 5/8" IRC
"WINDROSE LAND SERVICES"
X: 3127798.01 (GRID)
Y: 13778518.54 (GRID)

N 52°32'33" E 321.38'

N 77°55'55" E 544.94'

S 78°19'39" W 200.83'

S 42°31'30" E 332.89'

S 89°21'51" E 134.01'

FND 5/8" IRC
"WINDROSE LAND SERVICES"
X: 3129073.49 (GRID)
Y: 13778655.78 (GRID)

S 02°49'07" E
108.46'

N 61°51'49" E 155.60'

N 02°34'12" W
121.62'

VARIABLE WIDTH ESMT.
DEDICATED TO THE PUBLIC
BY THIS PLAT (CROSSHATCHED
AREA; SEE NOTES 19 & 20)

S 61°51'49" W 198.26'

SEE INSET "B"

P.O.B.
SET 5/8" IRC
"WINDROSE LAND SERVICES"
X: 3127793.46 (GRID)
Y: 13778397.07 (GRID)

N 02°34'12" W 832.11'

CALLLED 0.9999 AC.
PEARLAND CULLEN PROPERTIES, LLC
B.C.C.F. NO. 2015032452

CULLEN PARKWAY
(CALLED 125' WIDE PUBLIC R.O.W.)
B.C.C.F. NO. 2009042944

RESTRICTED RESERVE "A"
(DRAINAGE AND DEPLETION PURPOSES)
MINOR PLAT OF CULLEN ADDITION
DOC. NO. 2011034339, B.C.M.R.

RESTRICTED RESERVE "B"
(DRAINAGE PURPOSES)
MINOR PLAT OF CULLEN ADDITION
DOC. NO. 2011034339, B.C.M.R.

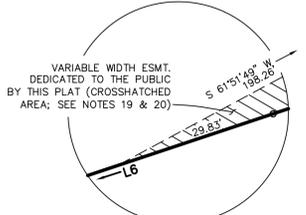
RESTRICTED RESERVE "A"
(DRAINAGE AND DEPLETION PURPOSES)
MINOR PLAT OF CULLEN ADDITION
DOC. NO. 2011034339, B.C.M.R.

FND 5/8" IRC
"C.L. DAVIS"

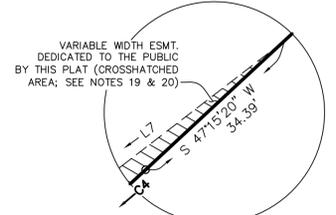
P.O.B.
FND 5/8" IRC "C.L. DAVIS"

RESIDUE OF CALLED 45.9574 AC.
CONVEYED TO CULLEN STONE, LTD.
B.C.C.F. NO. 2015032451

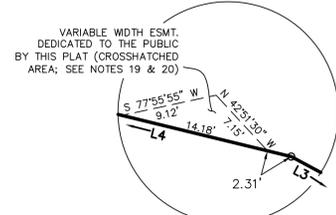
BROOKSIDE ROAD
(CALLED 60' WIDE PUBLIC R.O.W.)



INSET "A"
NOT TO SCALE



INSET "B"
NOT TO SCALE



INSET "C"
NOT TO SCALE

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 74°06'36" W	94.42'
L2	N 65°19'50" W	114.10'
L3	N 61°53'50" W	70.21'
L4	N 76°23'40" W	42.33'
L5	S 89°11'36" W	95.91'
L6	S 71°40'43" W	49.15'
L7	S 52°32'33" W	76.76'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	2804.20'	08°33'52"	419.17'	S 06°51'08" E	418.78'
C2	400.00'	10°51'57"	75.86'	N 83°45'38" E	75.75'
C3	100.00'	31°04'19"	54.23'	N 62°47'29" E	53.57'
C4	500.00'	24°25'23"	213.13'	N 59°28'01" E	211.52'

RESERVE TABLE

RES.	ACREAGE	USE
A	3.1609	RESTRICTED

1500 BLOCK OF CULLEN ROAD
**FINAL PLAT OF
LAKE PARK SUBDIVISION
PHASE 1 SEC 4**

A SUBDIVISION OF
3.1609 AC. / 137,689 SQ. FT. OF LAND,
SITUATED IN THE W.T. DOBSON SURVEY,
ABSTRACT NO. 187,
CITY OF PEARLAND,
BRAZORIA COUNTY, TEXAS.

OCTOBER 2016

PLAT NO. P613H-2015-0088

0 LOTS | 1 BLOCK | 1 RESERVE

Owner / Developer
Cullen Stone, LTD
c/o Kyle Tauch, Manager
5410 Piping Rock Lane
Houston, TX 77056
(713) 899-9977

Surveyor



WINDROSE
LAND SURVEYING | PLATTING

3200 WILCREST, SUITE 325 | HOUSTON, TX 77042 | 713.458.2281
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

LAKE PARK SUBDIVISION PHASE 1 SEC 4 - 51296 - ACCT16.DWG - AALLEMAND - 10/04/16

Lake Park Exhibit B



Legend

- 1. Total Acreage (+ -) 45.953 Acres*
- 2. Townhomes – Phase I (+ -) 247 Units
- 3. Townhomes – Phase II (+ -) 128 Units
- 4. General Business/Office Professional 17.01 acres
- 5a. Parkland/Colonnade/Splashpad
- 5b. Parkland/Pavilion
- 5c. Parkland/Trail
- 6A. Pond 2.35 acres
- 6B. Pond 3.40 acres
- Fountain
- Covered Exercise Station
- 7. Trail Path & Parking
- 8. 8' Masonry Fence

Residential Parking

- 1. Minimum Residential Surface - 136 Spaces
- 2. Minimum Residential Driveway - 278 Spaces
- 3. Minimum Garages - 278 Spaces
- 4. Minimum Parking Ratio - 1.8:1 Spaces/Unit

*Acreage shown is resulting acreage after Brookside Row dedication of 0.586 acres from the original 46.539 acre boundary.

IV. NEW BUSINESS

**A. CONSIDERATION AND
POSSIBLE ACTION –
CONDITIONAL USE PERMIT
APPLICATION NO. CUP
2016-00007**

A request of Leslie K Padilla, for Sovereign Grace Church of Pearland, applicant, on behalf of Pearland Westside II Associates, LP, owner; for approval of a Conditional Use Permit to allow for a church in the Neighborhood Services (NS) zoning district; on approximately 0.846 acres of land.



JOINT PUBLIC HEARING
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF
THE CITY OF PEARLAND, TEXAS,
MONDAY, OCTOBER 17, 2016, AT 6:30 P.M.
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

I. CALL TO ORDER

II. PURPOSE OF HEARING

Conditional Use Permit Application No. CUP 16-00007

A request of Leslie K Padilla, for Sovereign Grace Church of Pearland, applicant, on behalf of Pearland Westside II Associates, LP, owner; for approval of a Conditional Use Permit to allow for a church in the Neighborhood Services (NS) zoning district; on approximately 0.846 acres of land.

Legal Description: A certain 218.00 by 169.00 tract of land out of a tract "A" of the West Side Plaza adjoining McLean Road on the East and Walnut Street (F.M. 518) on the north, said tract containing 0.846 acre, more or less.

General Location: 5004 Broadway Street, Pearland, TX.

III. APPLICATION INFORMATION AND CASE SUMMARY

- A. STAFF REPORT
- B. APPLICANT PRESENTATION
- C. STAFF WRAP UP

IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

VI. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.



Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: October 12, 2016

Re: Conditional Use Permit Application No. CUP 16-00007

A request of Leslie K Padilla, for Sovereign Grace Church of Pearland, applicant, on behalf of Pearland Westside II Associates, LP, owner; for approval of a Conditional Use Permit to allow for a church in the Neighborhood Services (NS) zoning district; on approximately 0.846 acres of land.

General Location: 5004 Broadway Street, Pearland, TX.

Summary of Request

This request is for approval of a Conditional Use Permit (CUP) on approximately 0.846 acres of land, located at 5004 Broadway Street, to allow for a church in the Neighborhood Services (NS) zoning district.

Recommendation

Staff recommends approval of the requested CUP to allow for a church on the approximately 0.846 acre site for the following reasons:

1. The site was previously used for a Goodwill. While this CUP is for a change of use, the intensity of the use will be less than the previous use. The proposed use will likely not cause a traffic problem for the Pearland Westside, the surrounding shopping center, as the uses are occupied at different times.
2. The shopping center has a history with churches. Two CUP's were approved in 2009 for churches on the main shopping center lot. Currently there are no other religious uses within the center.
3. The proposed use is in conformance with the FLUP, zoning district, and surrounding properties.

Site History

The subject property is currently developed with a general retail structure as part of Pearland Westside, an existing shopping center, and zoned Neighborhood Services (NS). The property was redeveloped 2003 for the change of use from a bank to a Goodwill and to come into compliance with the façade standards for the Corridor

Overlay District. The proposed CUP will be the fourth CUP for the shopping center (three for church use and one for a cigar shop).

The site is bounded by General Business (GB) zoning to the north, GB and Single-Family Residential-2 (R-2) to the East, and NS to the south and west. The below table identifies surrounding uses and zoning districts:

	Zoning	Land Use
North	General Business (GB)	Church
South	Neighborhood Service (NS)	Commercial Shopping Center
East	General Business (GB) and Single-Family Residential-2 (R-2)	Residential and Bail Bonds
West	Neighborhood Service (NS)	Commercial Shopping Center

Conformance with the Comprehensive Plan

The current zoning is in conformance with the Future Land Use Plan (FLUP). FLUP designates this property as “Retail, Offices and Services” which is described as including a variety of office and retail development. The Comprehensive Plan recommends that neighborhood retail and services should be located at the intersections of Thoroughfares or Collector streets or at the edge of logical neighborhood areas. In addition, offices should be compatible with nearby residential uses. The proposed use of a church is a service for the surrounding area and a low intensity commercial use which makes it compatible with the residential uses across Mclean Road.

Conformance with the Thoroughfare Plan

The subject property is located at the junction of Broadway Street, West Walnut Street, and Mclean Road.

Broadway Street has a right-of-way of 142 feet and is a Major Thoroughfare to be widened. Major thoroughfares are defined as having a minimum right-of-way of 120 feet. Broadway Street has sufficient right-of-way.

West Walnut Street has a right-of-way of 64 feet and is a Major Collector to be widened. Major Collectors are defined as having a minimum right-of-way of 80 feet. At its most narrow intersection, West Walnut Street requires additional right-of-way of 16 feet.

Mclean Road has a right-of-way of 67 feet and is a Minor Collector of sufficient width. Minor Collectors are defined as having a minimum right-of-way of 60 feet.

Conformance with the Unified Development Code

The property is currently developed and conforming with the current Unified Development Code (UDC). The applicant plans to repurpose the existing structure for a sanctuary and associated church offices. The lot requirements of the proposed NS zoning district are provided in the following table.

Neighborhood Service (NS) Area Regulations

Size of Lot	Required	Proposed
Minimum Lot Size	12,500 sq. ft.	0.846 acres / 36,852 sq. ft
Minimum Lot Width	100 ft.	218 ft.
Minimum Lot Depth	100 ft.	169 ft.

The property may remain in its current state. If the property undergoes any major changes, it will be required to meet current development standards. The property falls within the COD and any development would be required to stay in compliance with the COD requirements in addition to other UDC requirements.

Platting Status

The subject property is platted as West Side Plaza Tract II.

Availability of Utilities

The subject property has access to City water and sanitary sewer infrastructure. A 12-inch water line exists along the south side of West Walnut Street and a 10-inch water line along the west side of Mclean Road. A 15-inch sanitary sewer line also runs along the west side of Mclean Road.

Impact on Existing and Future Development

The proposed CUP should not have any negative impact on existing or future development of the shopping center. The site was previously used for a Goodwill. While this CUP is for a change of use, the intensity of the use will be less than the previous use. The proposed use will likely not cause a traffic problem for the Pearland Westside, the surrounding shopping center, as the uses are occupied at different times. The shopping center has a history with churches. Two CUP's were approved in 2009 for churches on the main shopping center lot. Currently there are no other religious uses within the center.

Additional Comments

The request has been reviewed by the City's Development Review Committee (DRC), and there were no additional comments from other departments at the time of this report.

Public Notification

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

Opposition to or Support of Proposed Request

Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request. Staff has received one phone call in opposition to this request.

Exhibits

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Notification List
6. Applicant Packet



Exhibit 1

AERIAL MAP

CUP 16-00007

5004 Broadway Street



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 property boundaries.

1 inch = 91 feet

AUGUST 2016
PLANNING DEPARTMENT



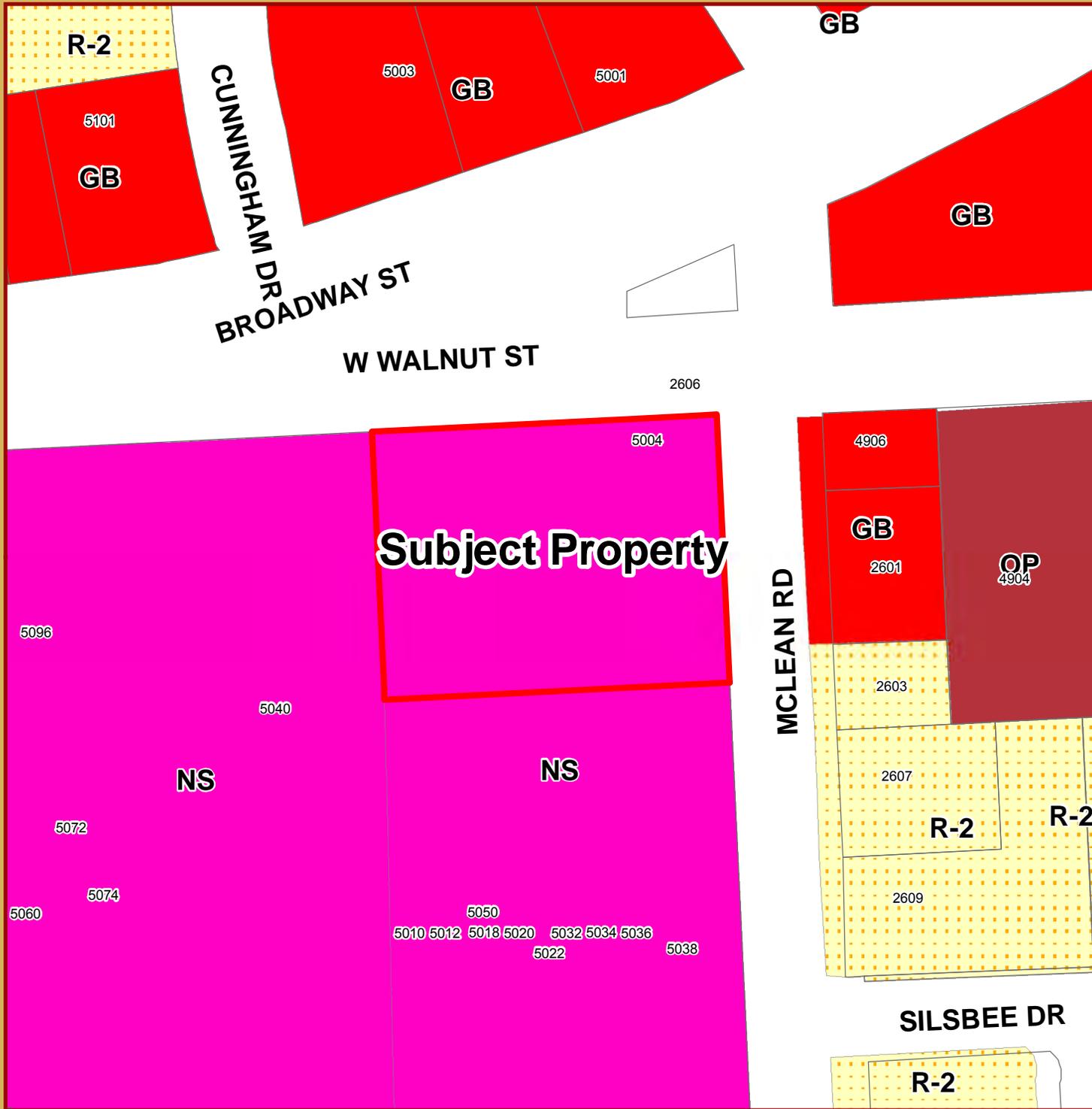


Exhibit 2

ZONING MAP

CUP 16-00007

5004 Broadway Street



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1 inch = 91 feet

AUGUST 2016
PLANNING DEPARTMENT



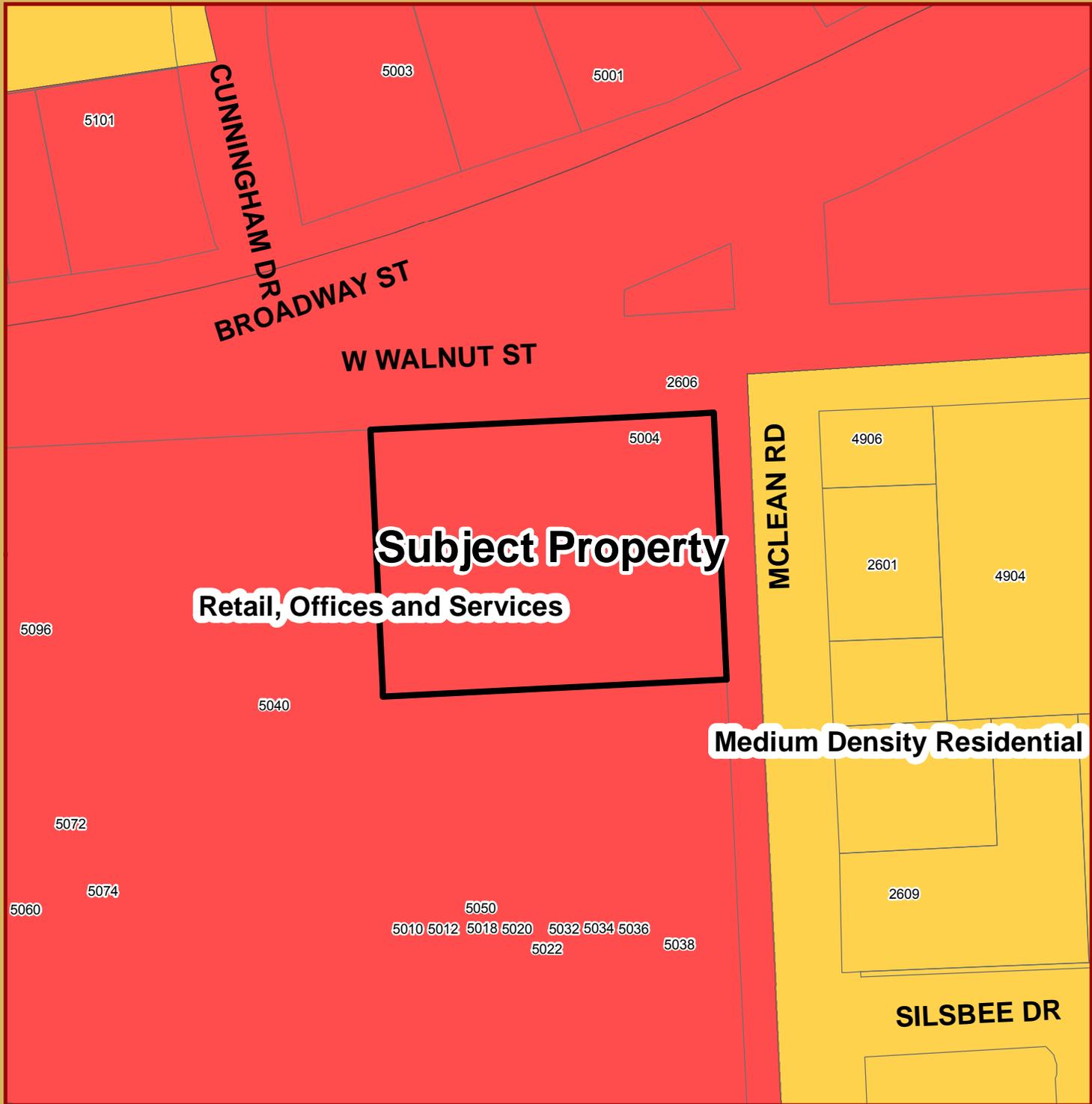


Exhibit 3

FLUP MAP

CUP 16-00007

5004 Broadway Street



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1 inch = 91 feet

AUGUST 2016
PLANNING DEPARTMENT

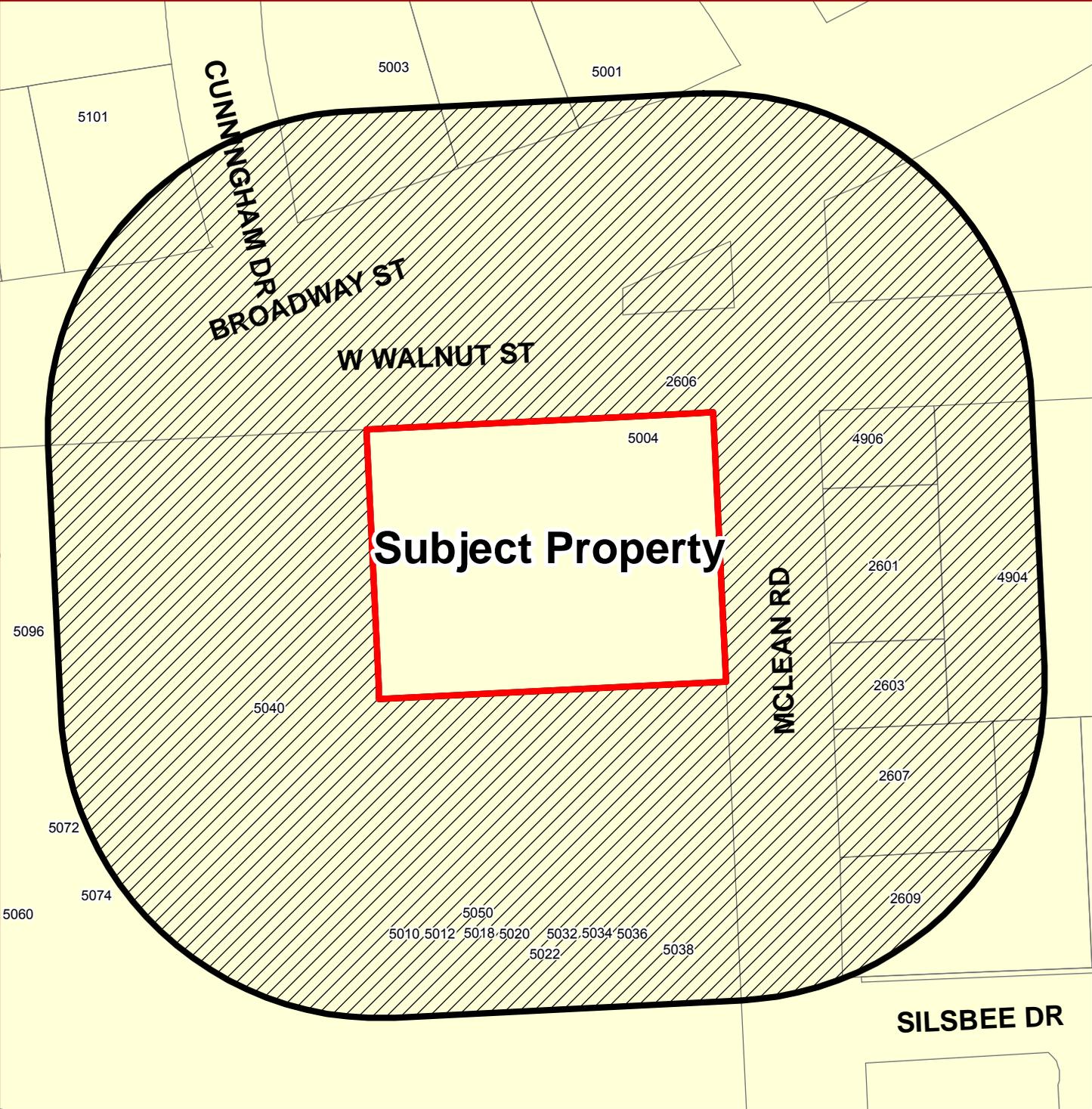


Exhibit 4

NOTIFICATION MAP

CUP 16-00007

5004 Broadway Street



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1 inch = 91 feet

AUGUST 2016
PLANNING DEPARTMENT



Exhibit 5

CUP 16-00007

Property_Owner	Address	City	State	Zip_Code
2 BARNETTS LTD	5402 RYAN ACRES DR	PEARLAND	TX	77584
AROUD MOHAMMED FATIH	11403 SOFTBREEZE CT	PEARLAND	TX	77584
CITY OF PEARLAND	3519 LIBERTY DR	PEARLAND	TX	77581
FELTS ALBERT C & BETTY L	2927 VEVA DR	PEARLAND	TX	77584
JORDAN JEANIE ALENE & CANDACE ANN ATKINSON	2609 MCLEAN RD	PEARLAND	TX	77584
MCLEHANY TROY	15702 SEASIDE LN	HOUSTON	TX	77062
MERCER JAMES T	2601 TARRYTOWN LN	PEARLAND	TX	77581
PEARLAND WESTSIDE II ASSOC. LP	7373 E DOUBLETREE, #200	SCOTTSDALE AZ		85258
PHAM HIEP & THANH	PO BOX 84117	PEARLAND	TX	77584
PHAM MIKE	918 SHAWNEE ST	HOUSTON	TX	77034
SOVEREIGN GRACE CHURCH OF PEARLAND	P. O. BOX 1053	PEARLAND TX		77588
WESTSIDE SC PEARLAND LTD	4808 GIBSON ST, 3RD FL	HOUSTON	TX	77007



City of Pearland Planning Department Universal Application

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281.652.1765
281.652.1702 (fax)
pearlandtx.gov

Please complete each field - Incomplete applications will not be accepted. All applications, including the checklist, must be submitted in electronic format as a PDF and provided by email, USB / CD. Refer to the schedule on the City's website and/or within the Planning Department for deadlines and anticipated meeting dates for each project type.

TYPE OF APPLICATION:

- Zoning Change (from) _____ (to) _____
- Cluster Development Plan
- Planned Development Workshop
- Plat (list type): _____

- ZBA Variance
- P&Z Variance
- Special Exception
- Conditional Use Permit

*Plat Types include:
Minor, Amending,
Preliminary, Final,
Master, Replat

PROJECT INFORMATION:

- Residential Commercial Property Platted Property Not Platted

Project Name: Sovereign Grace Church of Pearland Tax ID: 760398736

Project Address/Location: 5004 Broadway, Pearland, TX

Subdivision: West Side Plaza II (A0240 HT&B) No. of Lots: 1 Total Acres: 0.846

Brief Description of Project: Allow building at 5004 Broadway to be used as a Church serving the surrounding community

When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda according to Section 1.2.1.2 of the Unified Development Code.

PROPERTY OWNER INFORMATION:

Name: Pearland Westside II Assn. LP

Address: 7373 E. Doubletree #200

City: Scottsdale State: AZ Zip: 85258

Phone: 480-607-0735

Fax: 480-483-2823

Email Address: RGTIEDJE@gmail

APPLICANT/AGENT INFORMATION:

Name: Sovereign Grace Church of Pearland

Address: P.O. Box 1053

City: Pearland State: TX Zip: 77588

Phone: 7137752294

Fax: _____

Email Address: leslie.k.padilla@nasa.gov

**Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract. As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

**Owner's Signature: [Signature] Date: 6-6-2016

Agent's/ Applicant's Signature: [Signature] Date: 8/10/16

OFFICE USE ONLY:

FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
------------	------------	--------------	-----------------

Fees will be accepted by phone or in person. Please contact 281.652.1765 for instructions.

APPLICATION NUMBER:

PEARLAND WESTSIDE II ASSO.LP
7373 E. DOUBLETREE - #200 SCOTTSDALE, AZ 85258
PH. 480-607-0735 FAX: 480-483-2823

June 6, 2016

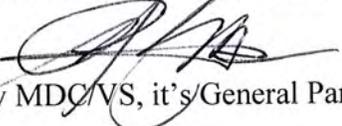
To Whom It May Concern:

RE: 5004 Broadway
Pearland, Texas

Pearland Westside Associates II Limited is owner of record of the above referenced property located in Pearland, Brazoria County, Texas.

We herewith agree to allow Leslie K. Padilla to apply for a "Change of Use" for said property with the City of Pearland Texas.

Very truly yours,
Pearland Westside II Associates Limited


By MDC/VS, it's General Partner

Letter of Intent
Conditional Use Permit
5004 Broadway, Pearland, TX 77584

Sovereign Grace Church of Pearland (SGCP) is requesting a Conditional Use Permit (CUP) for 5004 Broadway, Pearland, Texas.

The old Goodwill building is 10,500 square feet sitting on a .846 acre lot in the West Side Plaza Strip Center. This currently vacant space will be reconfigured to facilitate church assembly and worship. This will include installing walls to ensure the main worship room will be no greater than 5300 square feet. Our specific hours of worship on the first Sunday of the month are 9am to 1pm, with every other Sunday ending at noon. This CUP would allow the purchase of this currently vacant building to be used as the home of Sovereign Grace Church of Pearland.

SGCP has been located in Pearland since 2002 and owns land on Max Rd. The members have been grateful to rent excellent facilities and have always desired to own within the city. The members meet each Sunday morning with the service stretching into the early afternoon on first Sundays for communion.

The members of Sovereign Grace Church of Pearland thank you for carefully considering this request for a CUP allowing our church to grow with our city. We ensure proper signs will be post prior to public hearings.

Please let me know if additional information is needed to support this request, and thank you for your time.

Sincerely,

Sovereign Grace Church of Pearland

TAX RECEIPT



RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515

Certified Owner:

PEARLAND WESTSIDE II ASSOC LIMITED
7373 E DOUBLETREE RANCH RD STE 200
SCOTTSDALE, AZ 85258-2145

Legal Description:

WEST SIDE PLAZA II (A0240 H T &
B)(PEARLAND), BLOCK 1, LOT 1, ACRES
0.846

Parcel Address: 5004 BROADWAY FM 518
Legal Acres: 0.8460

Remit Seq No: 31193551
Receipt Date: 01/25/2016
Deposit Date: 01/26/2016
Print Date: 02/03/2016 11:18 AM
Printed By: LATOYA

Deposit No: 512511134843
Validation No: 968
Account No: **8248-2001-001**
Operator Code: LATOYA

Year	Tax Unit Name	Rec Type	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2015	Brazoria County	TL	1,249,910	0.426000	5,324.62	0.00	0.00	5,324.62
2015	Special Road & Bridge	TL	1,249,910	0.060000	749.95	0.00	0.00	749.95
2015	Pearland Isd	TL	1,249,910	1.415600	17,693.73	0.00	0.00	17,693.73
2015	Brazoria Drainage Dist 4	TL	1,249,910	0.155500	1,943.61	0.00	0.00	1,943.61
2015	City Of Pearland	TL	1,249,910	0.705300	8,815.62	0.00	0.00	8,815.62
					\$34,527.53	\$0.00	\$0.00	\$34,527.53

> - -

- - <

Check Number(s):
00001246

PAYMENT TYPE:

Checks: \$34,527.53

Exemptions on this property:

Total Applied: \$34,527.53
Total Tendered: \$34,527.53
(for accounts paid on 01/25/2016)
Change Paid: \$0.00

PAYER:
PEARLAND WESTSIDE II ASSOC LIMITED
7373 E DOUBLETREE RANCH RD STE 200
SCOTTSDALE, AZ 85258-2145

ACCOUNT PAID IN FULL

(979) 864-1320, (979) 388-1320, (281) 756-1320

This property appears to be in an area of 500 year flood, area of 100 year flood with an average depth of less than 1 ft. or with drainage area less than 1 sq. mile or an area protected by levees from 100 year flood, and in insurance rate map zone shaded X & AE as per map 48039C0045J Dated: 09-22-99

This determination to be used for flood insurance rate purposes ONLY and is NOT to be relied upon for ANY other purpose. Surveyor makes no representation as to whether property may Flood.



WEST SIDE PLAZA
Vol. 17, Pg.'s 259-260 B.C.D.R.

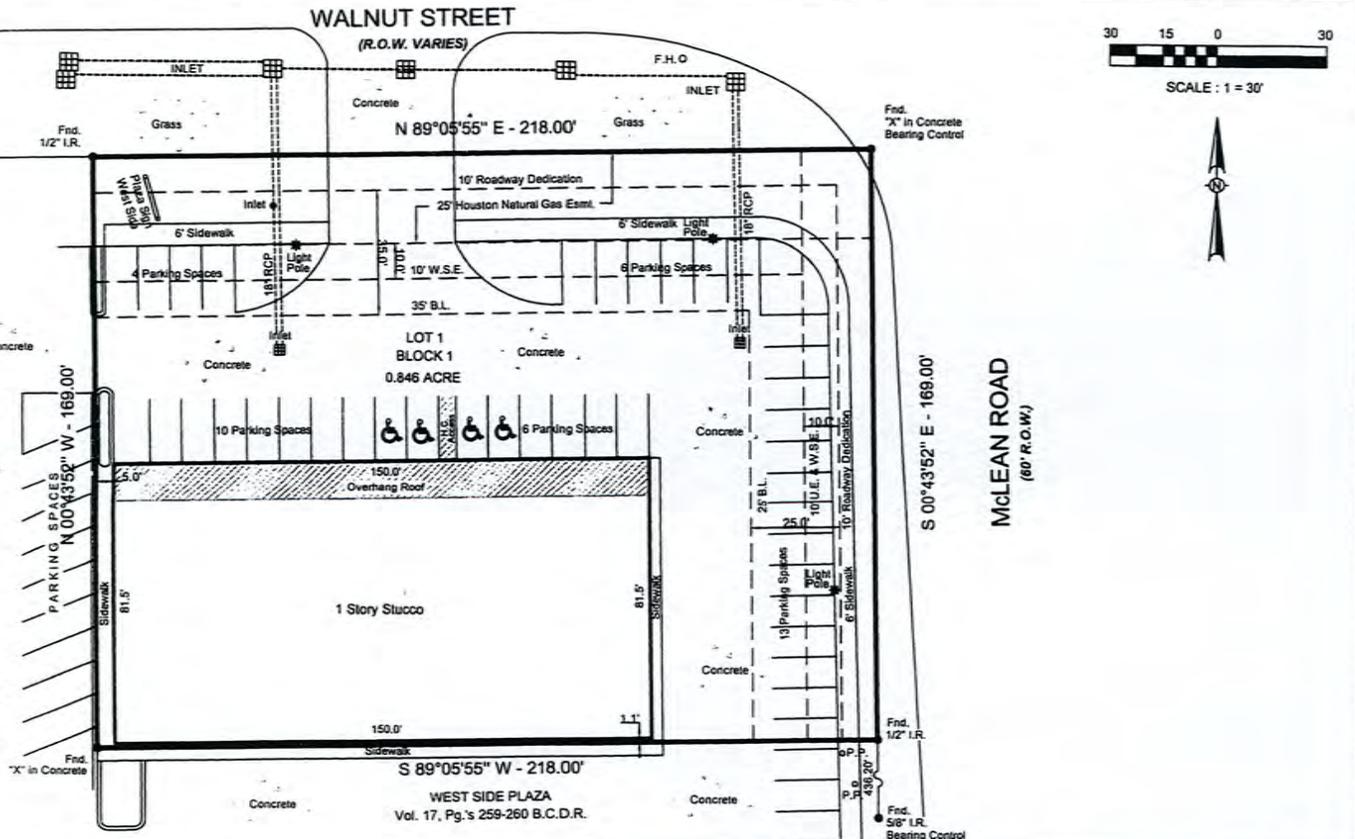
Notes:

- Basis for Bearings: WEST R.O.W. LINE OF McLEAN ROAD.
- Distances shown are ground distances.
- All abstracting done by title company.
- All B.L.'s & U.E.'s taken from recorded plat unless otherwise noted.
- All fences are 6" wood unless otherwise noted.
- Dimension ties from improvements to property lines are calculated and should NOT be relied upon for construction and/or removal of any improvements including fences.
- Bldg. dimensions may not be used to calculate square footage.
- This property subject to any and all recorded and unrecorded easements. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants or ownership title evidence.
- Houston Pipeline R.O.W. Esmt. per Vol. 288, Pg. 337 B.C.D.R. and amended in Vol. 946, Pg. 256 B.C.D.R.
- H.L. & P. Esmt. per Vol. 186, Pg. 599 O.R.B.C.

I hereby certify that this survey under my supervision was this day made on the ground and that this plat correctly represents the property legally described hereon (or on attached sheet). That the facts found at the time of this survey show the improvements and that there are no visible encroachments appearing on the ground, except as shown, to the best of my knowledge and belief 10-31-07.

Lucien C. Schaffer Jr. 10-31-07
LUCIEN C. SCHAFER, JR., P.L.S. No. 4803 Date

This survey is certified for this transaction only, is not transferable to additional institutions or subsequent owners. If this survey does not bear an original BLUE seal it is invalid and should not be relied upon for any purpose.



This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.

LOT: 1	BLOCK: 1	SUBDIVISION: WEST SIDE PLAZA TRACT II	SECTION: -
RECORDATION: VOL. 22, PG. 39 OF PLAT RECORDS	COUNTY: BRAZORIA	STATE: TEXAS	
ADDRESS: WALNUT STREET	CITY: PEARLAND	OWNER: REGIONS BANK	
PURCHASER: PEARLAND WESTSIDE II ASSOCIATES LIMITED	TITLE COMPANY: PARTNERS TITLE COMPANY	S.F. #: 2715001526	

GULLETT & ASSOCIATES, INC.
P.O. BOX 230187
HOUSTON, TEXAS 77223
(713) 644-3219 • FAX (713) 644-4845

SURVEYED BY: --
DRAWN BY: arc
DRAWING NO: 00011158

Metes and Bounds Description

Tract II:

A certain 218.00 by 169.00 tract of land out of a tract "A" of the West Side Plaza adjoining McLean Road on the East and Walnut Street (F.M. 518) on the North and being more particularly described by metes and bounds as follows:

Beginning at a chiseled "x" at the point of intersection of the South line of the South line of said Walnut Street and the West line of said McLean Road (60' Row);

Thence South $00^{\circ} 43 \text{ Min } 52 \text{ Sec}$ East along the West line of McLean Road. A distance of 169.00 feet to a 1/2 inch iron rod for corner;

Thence South $89^{\circ} 05 \text{ Min } 55 \text{ Sec}$ West a distance of 218.00 feet to a chiseled "x" in concrete for corner;

Thence North $00^{\circ} 43 \text{ Min } 52 \text{ Sec}$ West a distance of 169.00 feet to a set 1/2 inch iron rod in the South line of said Walnut Street;

Thence North $89^{\circ} 05 \text{ Min } 55 \text{ Sec}$ East along the South line of said Walnut Street a distance of 218.00 feet to the Point of Beginning;

Said tract containing .846 acre, more or less

COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

File No. 16000331138	Effective Date: May 08, 2016 at 8:00 AM
Closer: Gail Kohl	Issued May 16, 2016 at 1:01 PM

1. The policy or policies to be issued are:

- (a) OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
(Not applicable for improved one-to-four family residential real estate)
Policy Amount: T.B.D.
PROPOSED INSURED: To Be Determined
- (b) TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
--ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)
Policy Amount: \$
PROPOSED INSURED:
- (c) LOAN POLICY OF TITLE INSURANCE (Form T-2)
Policy Amount: \$
PROPOSED INSURED:
Proposed Borrower:
- (d) TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)
Policy Amount: \$
PROPOSED INSURED:
Proposed Borrower:
- (e) LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)
Binder Amount: \$
PROPOSED INSURED:
Proposed Borrower:
- (f) OTHER -
Policy Amount: \$
PROPOSED INSURED:

2. The interest in the land covered by this Commitment is:

Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:

Pearland Westside II Associates Limited, a Texas limited partnership

4. Legal description of the land:

Lot One (1), Block One (1), West Side Plaza Tract II, according to the map or plat thereof recorded in Volume 22, Page 39, Plat Records, Brazoria County, Texas.

RECIPROCAL EASEMENT AGREEMENT

This Reciprocal Easement Agreement (the "Agreement") is executed by PEARLAND WESTSIDE ASSOCIATES LIMITED, a Texas limited partnership ("Pearland") and by MILLENNIUM DEVELOPMENT II, INC., a Texas corporation ("Millennium"), for the purposes and upon the consideration herein set forth.

RECITALS

- A. Pearland is the owner of that certain 5.044 acre tract of land ("Tract A") being more particularly described by metes and bounds on Exhibit "A" which is attached hereto and incorporated herein by reference.
- B. Millennium is the owner of that certain .846 acre tract of land ("Tract B") being more particularly described by metes and bounds on Exhibit "B" which is attached hereto and incorporated herein by reference.
- C. Tract A and Tract B are both shown on the survey plat dated January 10, 2000, prepared by Charles O. Brandt, Registered Professional Surveyor No. 4344, of Gullett & Associates, Inc. of Houston, Texas.
- D. Tract A and Tract B are contiguous parcels of land in Brazoria County, Texas. Tract A consists of a shopping center commonly known as West Side Plaza, and Tract B consists of a pad site immediately adjacent to and adjoining West Side Plaza.
- E. Pearland desires to grant, sell and convey to Millennium a perpetual easement over Tract A for access from Tract B and for parking from Tract B onto Tract A (the "Tract A Easement").
- F. Millennium desires to grant, sell and convey to Pearland a perpetual easement over Tract B for access from Tract A and for parking from Tract A onto Tract B (the "Tract B Easement").

NOW, THEREFORE, in consideration of the payment of the sum of TEN and NO/100 DOLLARS (\$10.00) and other good and valuable consideration by each party to the other, and for the further consideration of the agreement of each party hereto to grant an easement in favor of the other, each party does hereby grant an easement in favor of the other as more particularly set forth herein.

GRANT OF THE TRACT A EASEMENT

1. Grant of Easement. Pearland grants, sells and conveys to Millennium the Tract A Easement, which shall be an easement appurtenant and right-of-way upon and across the driveways and parking areas of Tract A.
2. Purpose of Easement. The Tract A Easement and right-of-way granted herein is for the purpose of providing driveway access and parking from Tract B onto Tract A for the benefit of Millennium, its successors and assigns.

GRANT OF THE TRACT B EASEMENT

3. Grant of Easement. Millennium grants, sells and conveys to Pearland the Tract B Easement, which shall be an easement appurtenant and right-of-way upon and across the driveways and parking areas of Tract B.

4. Purpose of Easement. The Tract B Easement and right-of-way granted herein is for the purpose of providing driveway access and parking from Tract A onto Tract B for the benefit of Pearland, its successors and assigns.

GENERAL COVENANTS

5. Duration of Easements. The Tract A Easement and the Tract B Easement shall be perpetual.

6. Warranty of Title. Pearland, its successors and assigns, are and shall be bound to warrant and forever defend the Tract A Easement and the rights conveyed in this instrument to Millennium, its successors and assigns, against every person lawfully claiming or to claim any part of the Tract A Easement herein conveyed. Millennium, its successors and assigns, are and shall be bound to warrant and forever defend the Tract B Easement and the rights conveyed in this instrument to Pearland, its successors and assigns, against every person lawfully claiming or to claim any part of the Tract B Easement herein conveyed.

7. Non-Exclusiveness of Easements. The Tract A Easement and the Tract B Easement, and all rights and privileges granted herein by the parties hereto are non-exclusive, and Pearland and Millennium reserve and retain the right to convey similar rights and easements to such other persons as they may deem proper, as long as the conveyance of such rights and easements does not unreasonably interfere with the easements herein conveyed.

8. Indemnity. Pearland shall hold harmless, defend and indemnify Millennium against claims, demands, actions or liabilities which may arise from Pearland's exercise of the rights associated with the Tract B Easement. Millennium shall hold harmless, defend and indemnify Pearland against claims, demands, actions or liabilities which may arise from Millennium's exercise of the rights associated with the Tract A Easement.

9. Rights Reserved. Pearland retains, reserves and shall continue to enjoy the use of the surface of all of Tract A for any and all purposes, as long as such purposes do not unreasonably interfere with the use by Millennium of the Tract A Easement. Millennium retains, reserves and shall continue to enjoy the use of the surface of all of the Tract B Easement for any and all purposes, as long as such purposes do not unreasonably interfere with the use by Pearland of the Tract B Easement.

10. Binding Effect. The terms and provisions of this Reciprocal Easement Agreement shall bind and inure to the benefit of Pearland and to Millennium, and to their respective successors and assigns.

Executed this the _____ day of September, 2000.

PEARLAND WESTSIDE ASSOCIATES LIMITED, a Texas Limited Partnership, by its General Partner, MILLENNIUM DEVELOPMENT CORP., a Texas Corporation

By: [Signature]
RAYMOND G. TIEDJE, President

MILLENNIUM DEVELOPMENT II, INC., a Texas Corporation

By: [Signature]
RAYMOND G. TIEDJE, President

STATE OF ~~TEXAS~~ ARIZONA
COUNTY OF ~~HARRIS~~ MARICOPA

This instrument was acknowledged before me on the 27th day of September, 2000 by RAYMOND G. TIEDJE, the President of Millennium Development Corp., a Texas Corporation, the General Partner of PEARLAND WESTSIDE ASSOCIATES LIMITED, a Texas Limited Partnership, on behalf of said Corporation as the General Partner of said Limited Partnership.



Sandra M. Schwartz
NOTARY PUBLIC, State of ~~TEXAS~~
ARIZONA

STATE OF ~~TEXAS~~ ARIZONA
COUNTY OF ~~HARRIS~~ MARICOPA

This instrument was acknowledged before me on the 27th day of September, 2000 by RAYMOND G. TIEDJE, the President of MILLENNIUM DEVELOPMENT II, INC., a Texas Corporation, on behalf of said Corporation.



Sandra M. Schwartz
NOTARY PUBLIC, State of ~~TEXAS~~
ARIZONA



DESIGNERS - PLANNERS
CONSTRUCTION - CONSULTANTS

301 WEST EDGEWOOD
SUITE #10 B
FRIENDSWOOD, TEXAS
77546

(281)482-3395

FAX:
(281)482-7304

E-MAIL:
sean@rivesdesigners.com

DISCLAIMER:
TO THE BEST OF MY KNOWLEDGE AND BELIEF, I HAVE PREPARED THESE PLANS TO COMPLY WITH ALL APPLICABLE CODES AND REGULATIONS. I AM NOT PROVIDING CONTRACT ADMINISTRATION SERVICES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED BY THE CLIENT. NO WARRANTIES ARE GIVEN OR IMPLIED FOR THE USE OF THESE PLANS FOR ANY OTHER PROJECT WITHOUT WRITTEN PERMISSION FROM RIVES DESIGNERS.

PROJECT DESCRIPTION:

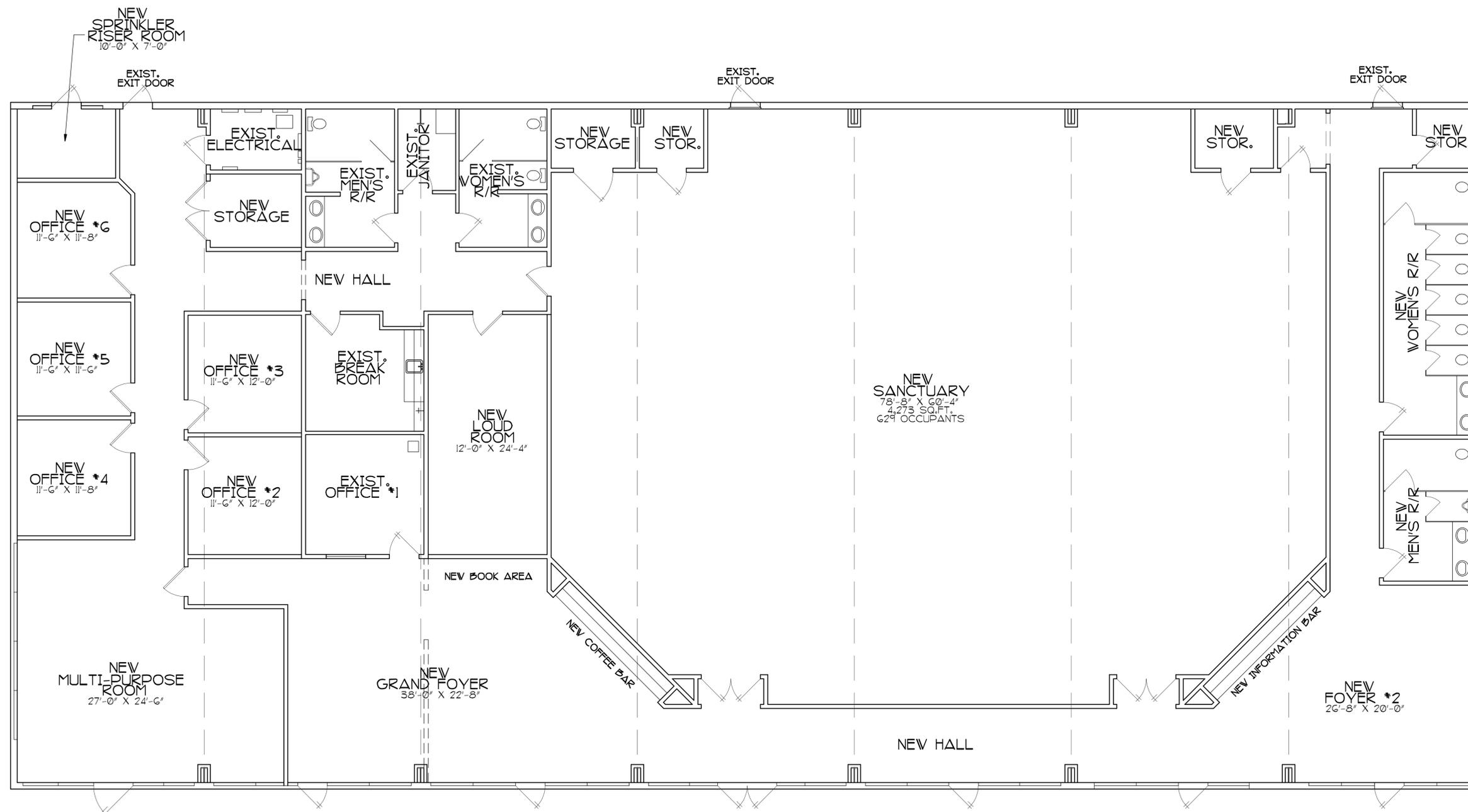
CLIENT:
**A PROPOSED
NEW BUILDOUT FOR:
SOVEREIGN GRACE
CHURCH**

REVISIONS:

DATE: 08/22/16
JOB NO:
DRAWN BY: S.T.R.
SHEET NUMBER:

3.0

OF

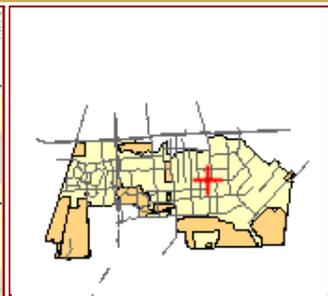


EXISTING BUILDING = 10,371 SQ.FT.

FLOOR PLAN

AI
SC: 3/16" = 1'-0"

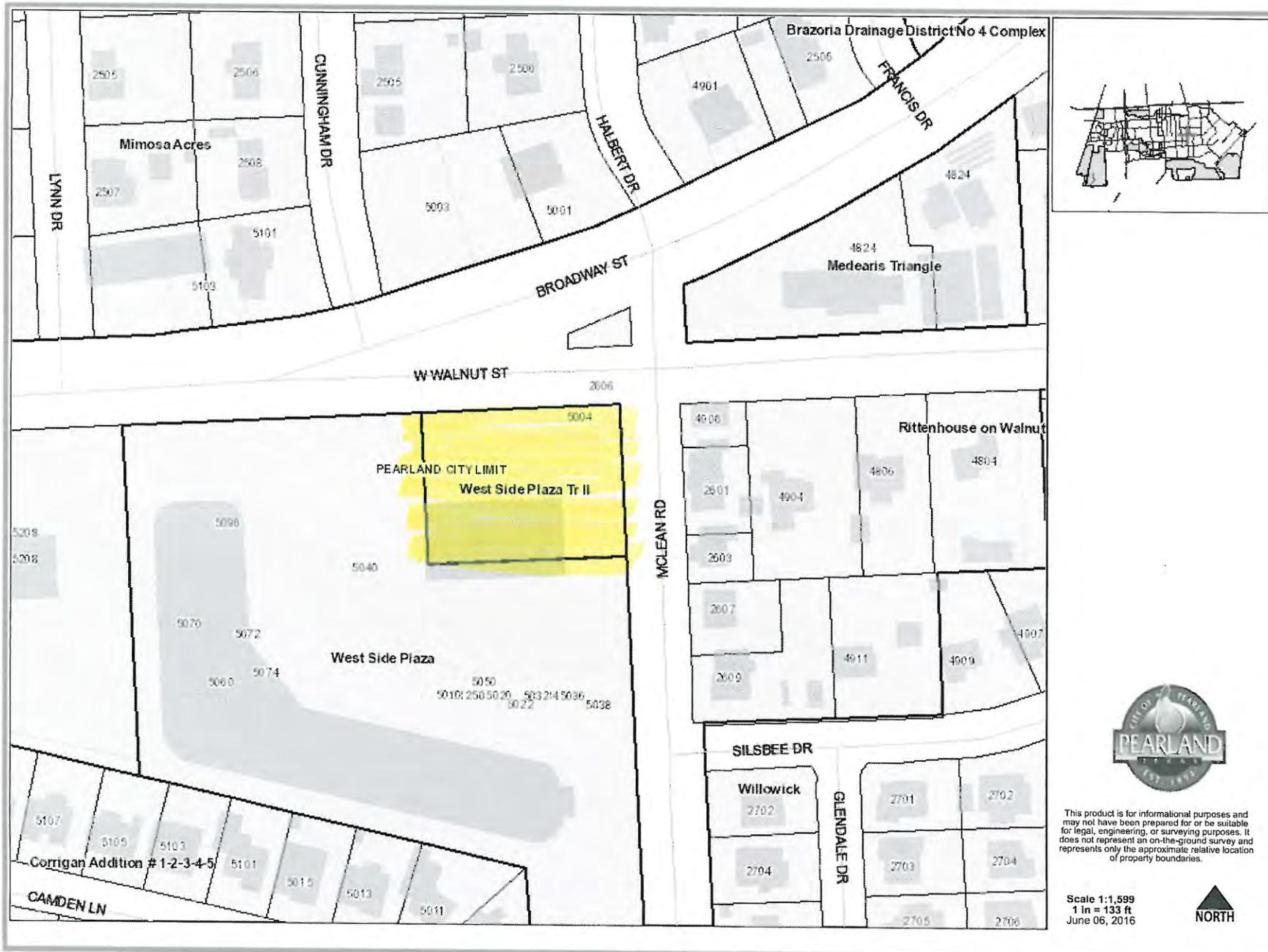
FILE NAME: 160822-010
SHEET NO: 3.0
SCALE FACTOR: 1/16" = 1'-0"



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 property boundaries.

Scale 1:1,599
1 in = 133 ft
June 06, 2016







Houston Custom Pool Builders

Allstate Insurance: Darrel Heidrich

Shepherd of the Heart

Big City

Roseland Flower & Nursery

Elliott's Automotive

AM Laundries

W Walnut St

W Walnut St

W Walnut St

W Walnut St

First Class Postal, Shipping & Printing

Frost Bank Financial Center

Las Emas Restaurante Don PP

H-Town Bail Bonds

Law Offices of Michael W. Gonzalez, PLLC

Pearland Premiere Cinema 6

Liberty Tax Service

Pearland Nails

Emma's Mex Grill

Silsbee Dr

Silsbee Dr

Silsbee Dr

Camden Ln

Camden Ln

McLean Rd

Glendale Dr

Village Mills Dr

Hot Springs Dr

County Seat

Google

WALNUT STREET

(old abandoned entrance)

sidewalk

sidewalk

(21 SPACES)

DRIVEWAY

(12 SPACES)
(4 H/C SPACES)

H/C H/C H/C H/C

5004

SOVEREIGN GRACE COMMUNITY CHURCH

anthony miller
construction coordinator
(832)-613-4579
sovereign antdaddy

DRIVEWAY

(13 SPACES)

MCLEAN ROAD

9 SPACES ADJOINING

(5 SPACES
ADJOINING)

DRIVEWAY

PARKING SPACES RE-CAP	
STANDARD SPACES	-46
HANDICAP SPACES	-4
TOTAL SPACES	-50

JAMES W. GARTRELL, JR., PE, PPLS

CONSULTING ENGINEER - SURVEYOR
TEXAS P.E. #22590 - TEXAS R.P.L.S. #1445

GULF COAST ENGINEERING & SURVEYING

TBPE FIRM #4534 - TBPLS FIRM #10061900
P.O. BOX 382 LA MARQUE, TEXAS 77668
409 / 935-2462 TEXAS CITY 281 / 488-6969 HOUSTON

**B. CONSIDERATION AND
POSSIBLE ACTION –
CONDITIONAL USE PERMIT
APPLICATION NO. CUP 2016-
00008**

A request of Jose Urioste, applicant, on behalf of Rafael Ortega, owner; for approval of a Conditional Use Permit to allow for a grocery store and general retail in the Light Industrial (M-1) zoning district; on approximately 1.99294 acres of land.



JOINT PUBLIC HEARING
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF
THE CITY OF PEARLAND, TEXAS,
MONDAY, OCTOBER 17, 2016, AT 6:30 P.M.
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

I. CALL TO ORDER

II. PURPOSE OF HEARING

Conditional Use Permit Application No. CUP 16-00008

A request of Jose Urioste, applicant, on behalf of Rafael Ortega, owner; for approval of a Conditional Use Permit to allow for a grocery store and general retail in the Light Industrial (M-1) zoning district; on approximately 1.99294 acres of land.

Legal Description: All of that certain 1.99294 acre tract or parcel of land in the A.C.H. & B. Survey, Section 1, Abstract No. 147 in Brazoria County, Texas, being a portion of the North one-half of tract 123 of the subdivision of the A.C.H. & B. Survey, Section 1 according to the plat of same recorded in Volume 2, Page 1 of the Plat Records of Brazoria County, Texas, said tract being that portion of the north one-half of Tract 123 lying West of State Highway No. 35 (a.k.a Main Street)

General Location: 3200 block of Main Street, south of Swensen Road, on the west side of Main Street.

III. APPLICATION INFORMATION AND CASE SUMMARY

- A. STAFF REPORT
- B. APPLICANT PRESENTATION
- C. STAFF WRAP UP

IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

VI. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.



Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: October 12, 2016

Re: Conditional Use Permit Application No. CUP 16-00008

A request of Jose Urioste, applicant, on behalf of Rafael Ortega, owner; for approval of a Conditional Use Permit to allow for a grocery store and general retail in the Light Industrial (M-1) zoning district; on approximately 1.99294 acres of land.

General Location: 3200 block of Main Street, south of Swensen Road, on the west side of Main Street.

Summary of Request

This request is for approval of a Conditional Use Permit (CUP) to allow a grocery store within the Light Industrial (M-1) Zoning District. The applicant is proposing a 10,000 square-foot grocery store, two additional general retail lease spaces on the structure, landscaping, and drainage pond. The subject property is located on an undeveloped parcel in a primarily industrial district. While a grocery store is allowed by right in the General Business (GB) or General Commercial (GC) zoning district, it requires a CUP to be located within the M-1 zoning district and is prohibited in the Heavy Industrial (M-2) zoning district.

Recommendation

Staff does not recommend approval of the requested CUP to allow for a grocery store and general retail on the approximately 1.99294 acre site for the following reasons:

1. The site is located in a non retail area along one of the primary corridors of the City where the west side of the road is industrially zoned and the east is zoned for commercial. Development of this site for industrial purposes would better complement the other industrial and commercial development in the area in the Light Industry (M-1) zoning classification. The City has limited industrial zoned land which should be utilized for industrial developments.
2. It is not anticipated that the proposed use of a grocery store and general retail uses will have significant positive impacts on or benefit surrounding properties or developments, or add value to the area. This type of development should be located in a retail node where there is density to support a grocery store use.

3. The Future Land Use Plan FLUP designates this property as “Light Industrial” which is described as suitable for manufacturing, assembly, high-tech industries, etc. The Comprehensive Plan recommends for industrial uses on this sites because it is sufficiently separated from residential uses. The proposed grocery store and general retail use, is not in conformance with the Comprehensive Plan.
4. Drawings do not meet conformance with the minimum standards of the Corridor Overlay District (COD) or Unified Development Code (UDC). The proposed site plan does not show required interior landscaping, architectural elevations, or screening details for the parking area and refuse enclosure.

If the CUP is considered for approval, staff recommends the following conditions:

1. Meet all minimum requirements of the COD and UDC.
2. Provide a landscaped area against all parking spaces along the north property line at a minimum of six-feet (6’) in width.
3. Drawings provided with the CUP do not meet the UDC requirements. Revise the site plan to show conformance with required interior landscaping, architectural elevations, and screening details for the parking area, refuse enclosure, and drainage facility. Provide an elevation of the façade to show compliance with the Corridor Overlay District color palette requirements prior to the first reading of the ordinance.

Site History

The subject property is currently undeveloped and zoned M-1. The property is surrounded by a variety of heavy commercial and industrial type uses. The property is directly adjacent to State Highway 35 (Main Street) which falls within the boundaries of the Corridor Overlay District (COD). This allows the City to exercise greater control of aesthetics, function, and safety of developments with frontage along specified Major Thoroughfares including State Highway 35.

The site is bounded by Light Industrial (M-1) to the north, south, and west; and General Commercial (GC) to the east across State Highway 35 (Main street). The below table identifies surrounding uses and zoning districts:

	Zoning	Land Use
North	Light Industrial (M-1)	Brazoria County Drainage District #4
South	Light Industrial (M-1)	Generator Service Company
East	General Commercial (GC)	Vacant
West	Light Industrial (M-1)	Generator Service Company / DPS

Conformance with the Comprehensive Plan

The current zoning is in conformance with the Future Land Use Plan (FLUP). FLUP designates this property as “Light Industrial” which is described as suitable for manufacturing, assembly, high-tech industries, etc. The Comprehensive Plan

recommends for industrial uses on this sites because it is sufficiently separated from residential uses.

The proposed grocery store and general retail use, however, is not in conformance with the Comprehensive Plan. For the proposed retail type uses, the Comprehensive Plan recommends retail establishments be clustered throughout the city, be located at intersections, and located near residential developments.

Conformance with the Thoroughfare Plan

The subject property is located along State Highway 35 (Main Street). According to City records, State Highway 35 (Main Street) has right-of-way of 120 feet and is a Major thoroughfare of sufficient width. Major Thoroughfares are defined as having a minimum right-of-way of 120 feet.

Conformance with the Unified Development Code

The property is currently undeveloped. The proposed development is not in conformance with the current UDC. The proposed site plan does not show required interior landscaping, architectural elevations, or screening details for the parking area and refuse enclosure. The property falls within the Corridor Overlay District (COD) and any development would be required to be in compliance with the COD requirements in addition to other UDC requirements.

The lot requirements of the proposed M-1 zoning district are provided in the following table.

Light Industrial (M-1) Area Regulations		
Size of Lot	Required	Proposed
Minimum Lot Size	40,000 sq. ft.	Approximately 86,789 sq. ft.
Minimum Lot Width	150 ft.	Approximately 388 ft.
Minimum Lot Depth	150 ft.	Approximately 161 - 346 ft.

Platting Status

The subject property is not currently platted. Platting will be required prior to development of the site.

Availability of Utilities

The subject property has access to City water and sanitary sewer infrastructure. A 6-inch water line exists along the west State Highway 35 (Main Street). A 12-inch sanitary sewer line also runs along east side of the street.

Impact on Existing and Future Development

The proposed conditional use permit would not have a positive impact on promoting existing or future industrial development within this corridor. The site is surrounded by Total Energy Solutions (a manufacturer of generators) and Brazoria County Drainage District #4. The site is located in a transitional area along one of the primary corridors of

the City where the west side of the road is industrially zoned and the east is zoned for commercial. Development of this site for industrial purposes would help anchor industrial development that is expected within the Light Industry (M-1) zoning classification.

Additional Comments

The request has been reviewed by the City's Development Review Committee (DRC), and there were no additional comments from other departments at the time of this report.

Public Notification

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

Opposition to or Support of Proposed Request

Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request.

Exhibits

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Notification List
6. Applicant Packet

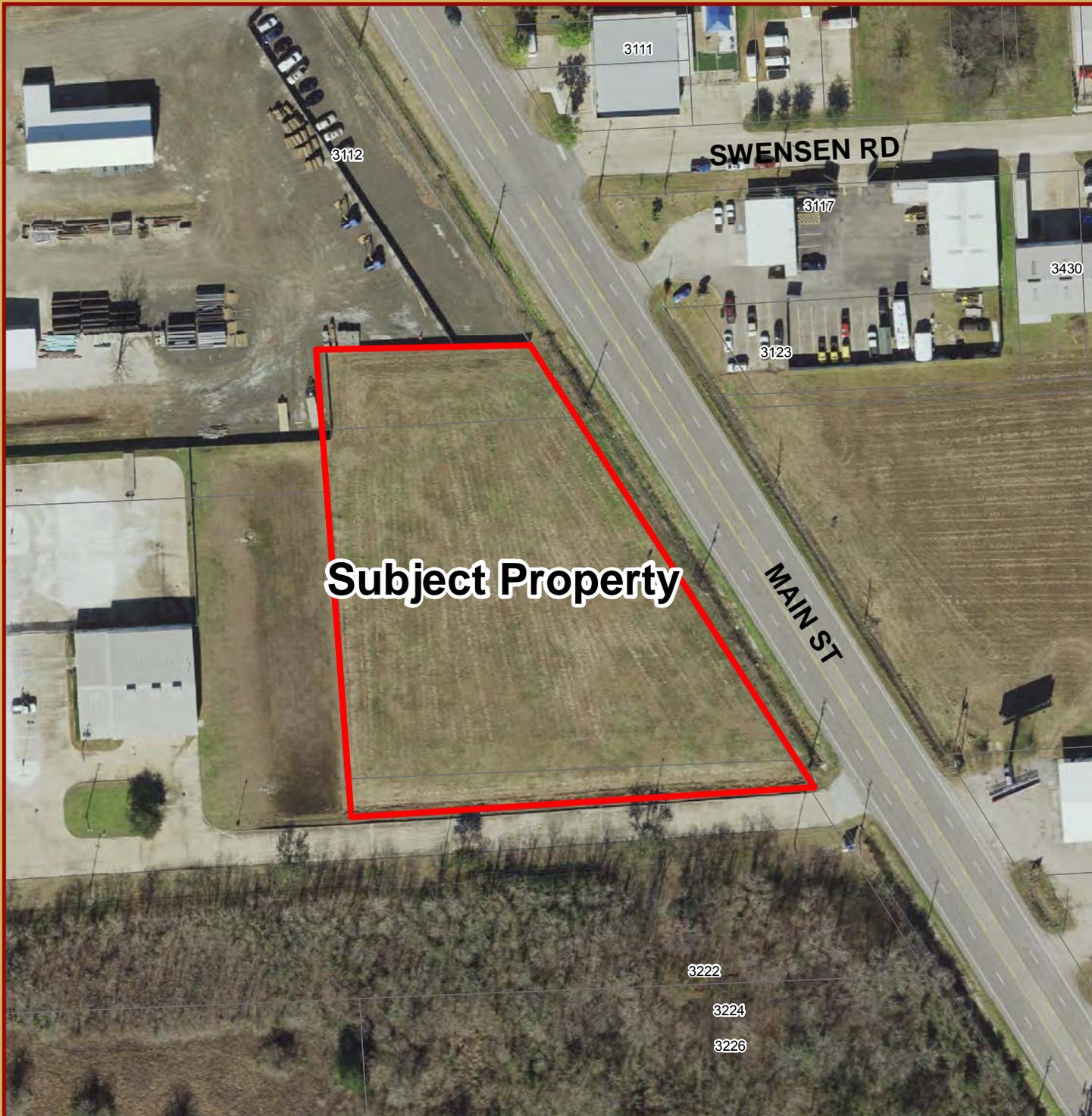


Exhibit 1

AERIAL MAP

CUP 16-00008

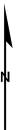
**3200 Block of
Main St (SH 35)**



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 property boundaries.

1 inch = 110 feet

SEPTEMBER 2016
PLANNING DEPARTMENT



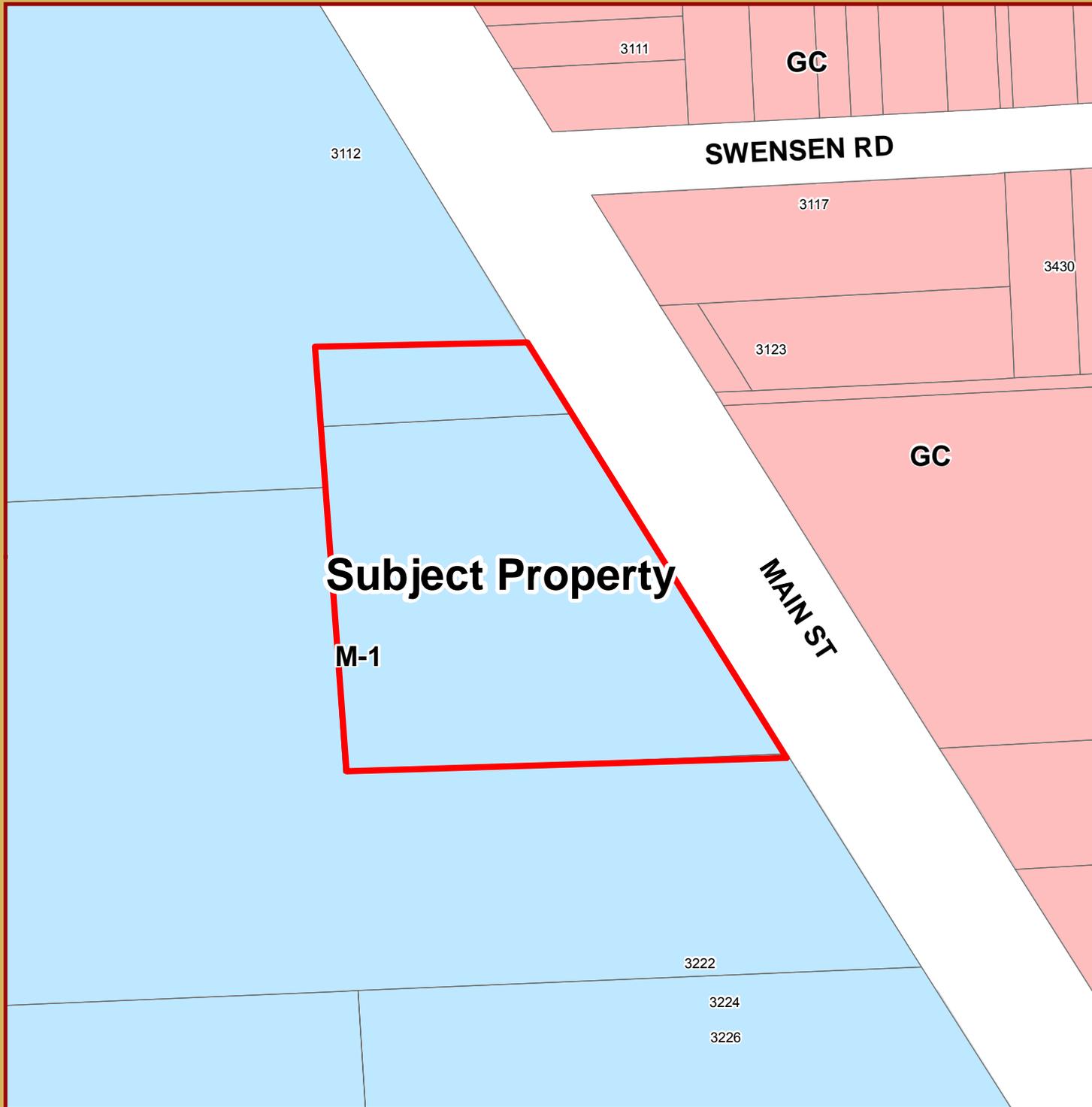


Exhibit 2

ZONING MAP

CUP 16-00008

**3200 Block of
Main St (SH 35)**



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 property boundaries.

1 inch = 110 feet

SEPTEMBER 2016
PLANNING DEPARTMENT



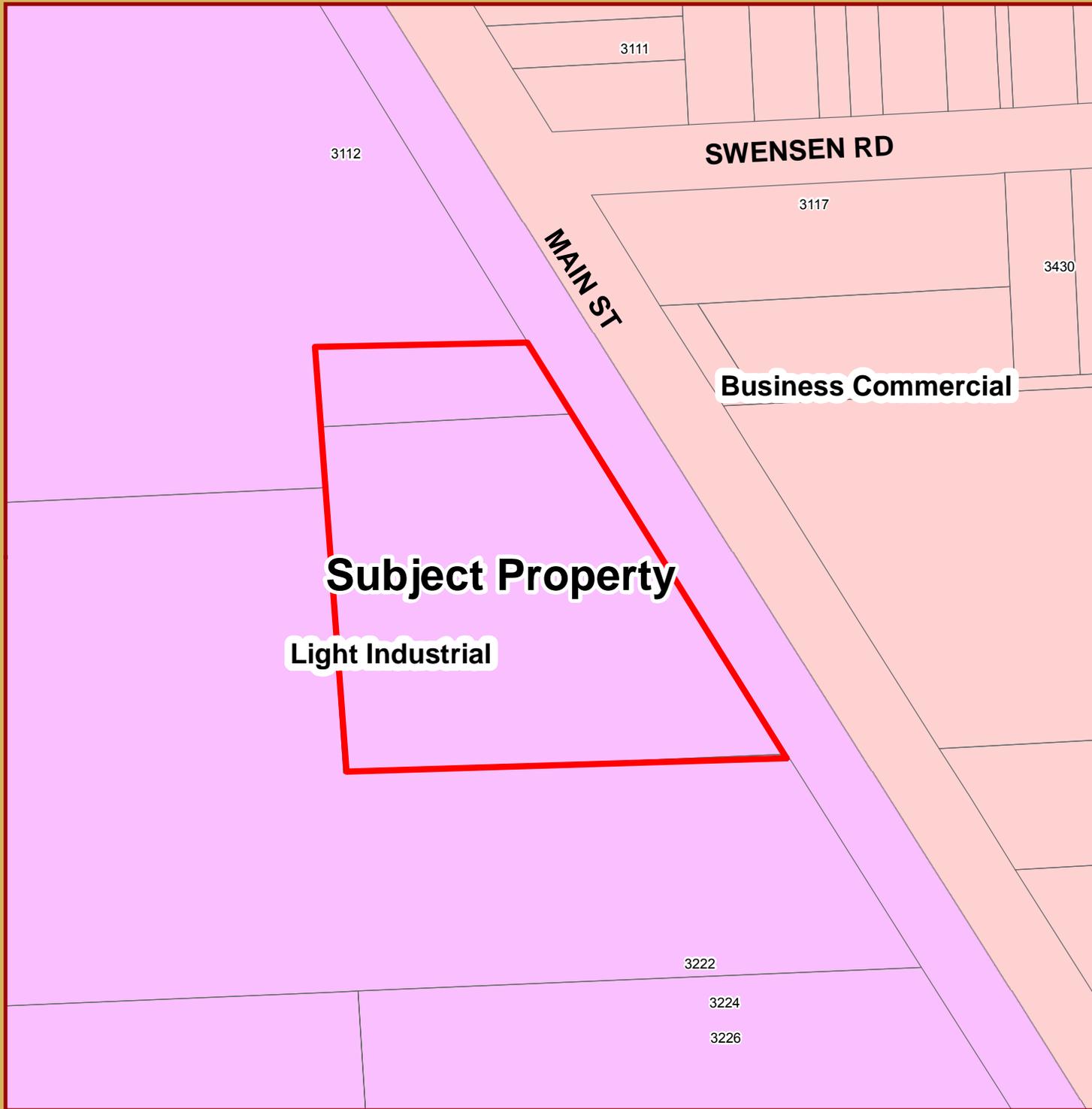


Exhibit 3

FLUP MAP

CUP 16-00008

**3200 Block of
Main St (SH 35)**



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 property boundaries.

1 inch = 110 feet

SEPTEMBER 2016
PLANNING DEPARTMENT



Exhibit 4

NOTIFICATION MAP

CUP 16-00008

**3200 Block of
Main St (SH 35)**



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 property boundaries.

1 inch = 110 feet

SEPTEMBER 2016
PLANNING DEPARTMENT



Exhibit 5

CUP 16-00008

Property_Owner	Address	City	State	Zip_Code
BCG INC	3117 S MAIN ST	PEARLAND	TX	77581
BRAZORIA CO DRAINAGE #4	4805 BROADWAY ST	PEARLAND	TX	77581
CMD INVESTMENTS LLC	5307 I-45 N	LA MARQUE	TX	77568
CORREIA HOLDING INC	1737 COUNTY ROAD 57	ROSHARON	TX	77583
JOSE URIOSTE	3239 FRICK RD	HOUSTON	TX	77086
PEARLAND FAMILY TAE KWON DO LLC	3111 S MAIN ST	PEARLAND	TX	77581
RAFAEL ORTEGA	8845 LONG POINT	HOUSTON	TX	77055
TOTAL ENERGY INVESTMENTS LLC	129 DEMANADE BLVD STE 200	LAFAYETTE	LA	70503
UPSTAGE CENTER INC % MICHAEL EGGERS	3302 OLD ALVIN RD STE A	PEARLAND	TX	77581
WOOD PATRICIA A	3300 N RIDGE DR	WACO	TX	76710



City of Pearland Planning Department Universal Application

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281.652.1765
281.652.1702 (fax)
pearlandtx.gov

Please complete each field - incomplete applications will **not** be accepted. **All applications, including the checklist, must be submitted in electronic format as a PDF and provided by email, USB / CD.** Refer to the schedule on the City's website and/or within the Planning Department for deadlines and anticipated meeting dates for each project type.

TYPE OF APPLICATION:

- Zoning Change (from) _____ (to) _____
- Cluster Development Plan
- Planned Development Workshop
- Plat (list type): _____

- ZBA Variance
- P&Z Variance
- Special Exception
- Conditional Use Permit

*Plat Types include:
Minor, Amending,
Preliminary, Final,
Master, Replat

PROJECT INFORMATION:

- Residential
- Commercial
- Property Platted
- Property Not Platted

Project Name: LA MICHOCANA Tax ID: _____

Project Address/Location: 3200 Block of Main St.

Subdivision: _____ No. of Lots: _____ Total Acres: 1.99294

Brief Description of Project: MEAT MARKET & GROCERY STORE & ~~SHOP~~ RETAIL SPACES.

When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda according to Section 1.2.1.2 of the Unified Development Code.

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

Name: Rafael Ortega Name: JOSE URIOSTE

Address: 8845 LONG POINT Address: 3239 FRICK RD

City: HOUSTON State: TX Zip: 77055 City: HOUSTON State: TX Zip: 77086

Phone: 713 547 4600 Phone: 281-216-2674

Fax: _____ Fax: _____

Email Address: joseurioste@lmmmm.net Email Address: jose Urioste@lmmmm.net

**Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.
As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

**Owner's Signature: Rafael Ortega Date: 9/9/16

Agent's/
Applicant's Signature: [Signature] Date: 9/9/16

OFFICE USE ONLY:

FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
------------	------------	--------------	-----------------

Fees will be accepted by phone or in person. Please contact 281.652.1765 for instructions.

APPLICATION NUMBER:

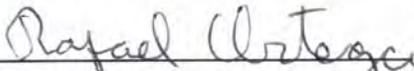
September 12, 2016

City of Pasadena

Re: Designated Agent; 3200 Main St. Pearland TX 77581

Please be advised that Rafael Ortega, Manager of Roder Properties Ltd. is the owner of property located at 3200 Main St., Pearland TX 77581. I grant permission to Jose Urioste to be the designated agent over the filling of any application need it for the property on 3200 Main St., Pearland TX 77581.Ltd.

Thank you for your time and attention to this matter.

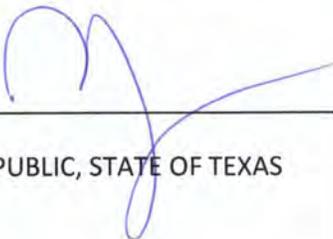

Rafael Ortega, manager of Roade Properties, Ltd.

STATE OF TEXAS
COUNTY OF HARRIS

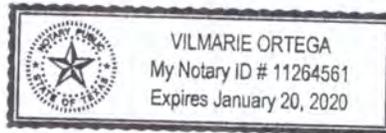
§
§

(Acknowledgment)

This instrument was acknowledged before me on this the __12__ day of September, 2016, by Rafael Ortega, personally known to me.



NOTARY PUBLIC, STATE OF TEXAS



**d. Criteria for Approval**

When considering an application for a CUP, the Planning and Zoning Commission and City Council shall evaluate the impact of the proposed conditional use on and its compatibility with surrounding properties and residential areas to ensure the appropriateness of the use at the particular location, and shall consider the extent to which:

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;
2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and
7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

e. Conditions for Approval

The Planning and Zoning Commission and City Council may require such modifications in the proposed use and attach such conditions to the Conditional Use Permit as they deem necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of the ordinance. Conditions and modifications may include but are not limited to:

1. Limitation of building size or height
2. Limitations on impervious surfaces
3. Increased open space
4. Enhanced loading and parking requirements



5. Additional landscaping
6. Curbing, sidewalk, vehicular access, and/or parking improvements
7. Placement or orientation of buildings and entryways, buffer yards, landscaping and screening
8. Signage restrictions
9. Design and maintenance of buildings and outdoor areas
10. Duration of the permit
11. Hours of operation

f. Expiration

A Conditional Use Permit shall expire if:

1. A building permit, if any, for the use has not been approved within one year of the date of approval of the permit;
2. The building permit subsequently expires;
3. The use has been discontinued for a period exceeding six months; or
4. A termination date attached to the permit has passed.

g. Checklist

- Application and checklist filled out completely and signed by the owner of the property.
- If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code (UDC).**
- Metes and bounds description (survey or plat of the property that provides or contains the metes and bounds description).
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- Letter of Intent explaining the Conditional Use Permit request in detail, specifying:
 - Proposed uses: _____
 - Specific operations of the use: _____
 - Square footage of buildings/lot sizes _____
 - Unique characteristics of the property _____
 - Other necessary information (list here) _____



- Site plan showing the following:
 - Proposed layout of the subject property _____
 - Proposed buildings _____
 - Parking _____
 - Landscape plan _____
 - Detention ponds _____
 - Fence _____
 - Other relevant information (list here) _____

- Acknowledgement of the sign to be posted on the property ten (10) days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only). Please refer to the City's webpage www.pearlandtx.gov for updated fees.

Additional Application Requirements for Telecommunications Towers, Antennas, and Shared Use on Existing Towers and Alternate Structures per Section 2.5.5.2 of the Unified Development Code

- An inventory of the applicant's existing towers that are either within the City or within one mile of the corporate limits specifying:
 - Location
 - Height
 - Design

N/A

Note: This information may be shared by the Planning Department with other applicants.

- Site plan to scale specifying:
 - Location of tower(s)
 - Transmission building and other accessory uses
 - Street access
 - Parking
 - Fences
 - Landscaped areas
 - Adjacent land uses

N/A



- N/A A report from a professional structural engineer licensed in the state of Texas documenting:
 - Tower and design, with a cross-section of the structure
 - Total anticipated capacity of the structure, including the number and types of antennas which can be accommodated

- N/A Letter of Intent to lease excess space on the tower and to lease additional excess land on the tower site when the shared use potential of the tower is absorbed, if structurally and technically possible.

Each applicant must make good faith effort to substantially demonstrate that no existing towers could accommodate the applicant's proposed antenna by doing the following:

- N/A Contact the owners of all existing towers of a height roughly equal to or greater than the height of the tower proposed by the applicant.
 - A list must be provided of all owners contacted, the date of the contact, and the form and content of the contact.
 - Where an existing tower is known to have capacity for additional antennas of the sort proposed, that application for a new tower is not complete until the owner of the existing tower responds, unless the applicant submits sufficient information for the Planning Department to determine that all reasonable efforts to obtain a response have been made and further efforts would be futile.
- N/A Request the following information from each tower owner contacted:
 - Identification of the site by location, existing uses, and tower height.
 - Whether each tower could structurally accommodate the antenna proposed by the applicant without requiring structural changes be made to the tower. To enable the owner to respond, the applicant must provide each owner with the height, length, weight, and other relevant data about the proposed antenna.
 - Whether each tower could structurally accommodate the proposed antenna if structural changes were made, not including totally rebuilding the tower. If so, the owner must specify in general terms what structural changes would be required.
 - If structurally able, would shared use by the existing tower be precluded for reasons related to RF interference? If so, the owner must describe in general terms what changes in either the existing or proposed antenna would be required to accommodate the proposed tower, if at all.

September 13, 2016

City of Pearland,

Letter of Intent explaining the Conditional Use Permit request

Proposed Uses:

1200 square footage for retail space

10,000 square footage for meat market and grocery store

Specific operation of the use:

Retail space and Meat market/Grocery store

Square Footage of buildings/lot sizes:

12400 square footage of building

1.993 acres lot size

Unique characteristics of the property:

In front of freeway

Other necessary information:

N/A

September 13, 2016

City of Pearland,

Rafael Ortega has acknowledged the fact that the sign will be posted on the property (10) days prior to the public hearing.

If you have any questions feel free to contact the designated agent Jose Urioste @ 281-216-2674.

A. Settlement Statement

U.S. Department of Housing
and Urban Development

OMB Approval No. 2502-0265

B. Type of Loan

1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> RHS	3. <input type="checkbox"/> Conv. Unins.	6. File Number: 1499-16-1055	7. Loan Number:	8. Mortgage Insurance Case Number:
4. <input type="checkbox"/> VA	5. <input type="checkbox"/> Conv. Ins.				

C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside of the closing: they are shown here for informational purposes and are not included in the totals.

D. Name and Address of Borrower ROADE PROPERTIES, LTD., A TEXAS LIMITED PARTNERSHIP 8845 LONG POINT ROAD SUITE B HOUSTON, TX 77055	E. Name and Address of Seller PATRICIA ALEXANDER WOOD 3300 N RIDGE DRIVE WACO, TX 76710	F. Name and Address of Lender INDEPENDENT BANK 9601 KATY FREEWAT, SUITE 100, HOUSTON, TX 77024
---	---	--

G. Property Location

3200 MAIN STREET,
PEARLAND, TX 77581

COUNTY: BRAZORIA
LOT:
BLOCK:
SUBDIVISION:

H. Settlement Agent

AMERICAN TITLE COMPANY OF HOUSTON

Place of Settlement
3322 E. WALNUT AVENUE, SUITE 111
PEARLAND, TX 77581

I. Settlement Date 08/17/2016

J. SUMMARY OF BORROWER'S TRANSACTIONS		K. SUMMARY OF SELLER'S TRANSACTIONS	
100. Gross Amount Due From Borrower		400. Gross Amount Due To Seller	
101. Contract Sales Price	\$434,062.33	401. Contract Sales Price	\$434,062.33
102. Personal Property		402. Personal Property	
103. Settlement Charges to Borrower	\$6,567.85	403.	
110. Roll Back Taxes Holdback to Ro'Vin Garrett, Tax Assessor	\$12,811.99	410.	
Adjustments For Items Paid By Seller in Advance		Adjustments For Items Paid By Seller in Advance	
113. City/Town Taxes		413. City/Town Taxes	
114. County Taxes		414. County Taxes	
118. Assessments		418. Assessments	
119.		419.	
120. Gross Amount Due From Borrower	\$453,442.17	420. Gross Amount Due To Seller	\$434,062.33
200. Amounts Paid By Or In Behalf Of Borrower		500. Reductions in Amount Due To Seller	
201. Deposit or earnest money	\$4,653.00	501. Excess Deposits	
202. Principal Loan Amount from Independent Bank	\$348,480.00	502. Settlement Charges to Seller	\$29,541.87
203. Existing Loan(s) Taken Subject to		503. Existing Loan(s) Taken Subject to	
206.		506. Earnest money retained by Agent	
Adjustments For Items Unpaid By Seller		Adjustments For Items Unpaid By Seller	
210.		510.	
211.		511.	
212.		512.	
213. City/Town Taxes		513. City/Town Taxes	
214. County Taxes		514. County Taxes	
216. All Taxes 617.22/yr 1/1/2016 to 8/19/2016	\$389.56	516. All Taxes 617.22/yr 1/1/2016 to 8/19/2016	\$389.56
218. Assessments		518. Assessments	
219.		519.	
220. Buyer's Total Credits	\$353,522.56	520. Seller's Total Charges	\$29,931.43
300. Cash At Settlement From/To Borrower		600. Cash At Settlement To/From Seller	
301. Gross Amount Due From Borrower (line 120)	\$453,442.17	601. Gross Amount Due To Seller (line 420)	\$434,062.33
302. Less Amounts Paid By/For Borrower (line 220)	\$353,522.56	602. Less Deductions in Amt. Due To Seller (line 520)	\$29,931.43
303. Cash [X] From [] To Borrower	\$99,919.61	603. Cash [X] To [] From Seller	\$404,130.90

L. Settlement Statement

700. Total Sale Commission 434062.33 @ 6.01063 % = 26089.87			
Division of Commission (line 700) As Follows:		Paid From Borrower's Funds At Settlement	Paid From Seller's Funds At Settlement
701. \$13021.87 to TA Properties			
702. \$13068.00 to Nan and Company Properties LLC / Susana Martinoia, Agent			
703. Commission paid at settlement			\$26,089.87
800. Items Payable In Connection With Loan			
801. Loan Origination Fee % to Independent Bank		\$1,742.40	
802. Loan Discount			
803. Appraisal Fee to Greenbriar Appraisal Company		\$1,500.00	
804. Credit Report			
805. Environmental Fee to EDR		\$529.50	
810. Document Preparation to Chernosky, Smith, Resslering & Smith, PLLC		\$795.00	
812. Flood Cert. Fee to Independent Bank f/b/o American Flood Research, Inc		\$15.00	
813. Tax Service to Independent Bank f/b/o Lereta, LLC		\$106.00	
900. Items Required By Lender To Be Paid In Advance			
901. Interest			
902. Mortgage Insurance Premium			
903. Hazard Ins. Premium			
1000. Reserves Deposited With Lender			
1001. Hazard Ins. Reserve			
1002. Mortgage Ins. Reserve			
1003. City Property Taxes			
1004. County Property Taxes			
1010. Aggregate Accounting Adjustment			
1100. Title Charges			
1101. Settlement/Closing Fee			
1102. Abstract or Title Search			
1103. Title examination			
1104. Title Insurance Binder			
1105. Document Preparation			
1106. Notary fee			
1107. Attorney Fee			
1108. Title Ins. Total to American Title Company of Houston/Law Office of Kenneth R. Phillips, PC		\$100.00	\$2,726.00
1109. Lender's Coverage (348480.00) (American Title Company of Houston, 45.00 %, 45.00) (Law Office of Kenneth R. Phillips, PC, 55.00 %, 55.00)			
1110. Owner's Coverage (434062.33) (American Title Company of Houston, 45.00 %, 1226.70) (Law Office of Kenneth R. Phillips, PC, 55.00 %, 1499.30)			
1111. Endorsement (American Title Company of Houston, 45.00 %, 123.84) (Law Office of Kenneth R. Phillips, PC, 55.00 %, 151.36)		\$275.20	
1118. Courier Fee Fed Ex X 2 to Kenneth R. Phillips/Office Expense Account			\$43.00
1120. Escrow Fee to Law Office of Kenneth R. Phillips, PC		\$400.00	\$400.00
1138. Tax Certificate to Processing Solutions, Inc.			\$130.00
1145. Deed Prep to Law Office of Kenneth R. Phillips, PC			\$150.00
1152. Texas Policy Guaranty Fee - Owner to ATCOH/F.B.O. PGF			\$3.00
1154. Texas Policy Guaranty Fee - Lender to ATCOH/F.B.O. PGF		\$3.00	
1200. Government Recording And Transfer Charges			
1201. Recording Fees for Deed 42.00; Recording Fees for Release; Recording Fees for Mortgage 90.00		\$132.00	
1300. Additional Settlement Charges			
1301. Survey to Pro-Surv		\$969.75	
1302. Pest inspection			
1400. Total Settlement Charges			
		\$6,567.85	\$29,541.87

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief it is true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the HUD-1 Settlement Statement.

BUYERS

Road Properties, Ltd., a Texas limited partnership

BY: ODA, L.L.C., a Texas limited liability company,
ITS: sole General Partner

SELLERS

Patricia Alexander Wood

LEGEND * ITEMS THAT MAY APPEAR IN DRAWING BELOW

M.U.E. = MUNICIPAL UTILITY EASEMENT
 U.E. = UTILITY EASEMENT
 L.E. = LEASE EASEMENT
 D.E. = DRAINAGE EASEMENT
 S.E.E. = SEWER EASEMENT
 S.W.E. = WATER EASEMENT

F. = IRON ROD
 S.B. = SET BACK ROD
 W.P. = WOODEN POST
 M.P. = METAL POST
 C.P. = CLIPPER FILE HAMMER
 P.C.S. = POINT OF CURVATURE
 P.O.C. = POINT OF COMPOUND
 B.L. = BUILDING LINE
 F.O. = FOUND
 B.S. = BEARS

P.A.E. = PERMANENT ACCESS EASEMENT
 P.U.E. = PUBLIC UTILITY EASEMENT
 S.E. = SEWER EASEMENT
 E.E. = ELECTRIC EASEMENT
 P.C. = POINT OF CURVATURE
 P.T. = POINT OF TANGENCY
 P.C.S. = POINT OF CURVATURE
 P.O.C. = POINT OF COMPOUND CURVATURE
 P.P. = POWER POLE
 S.F.A.P. = SEARCHED FOR, NOT FOUND
 U.T.A. = UNABLE TO SET

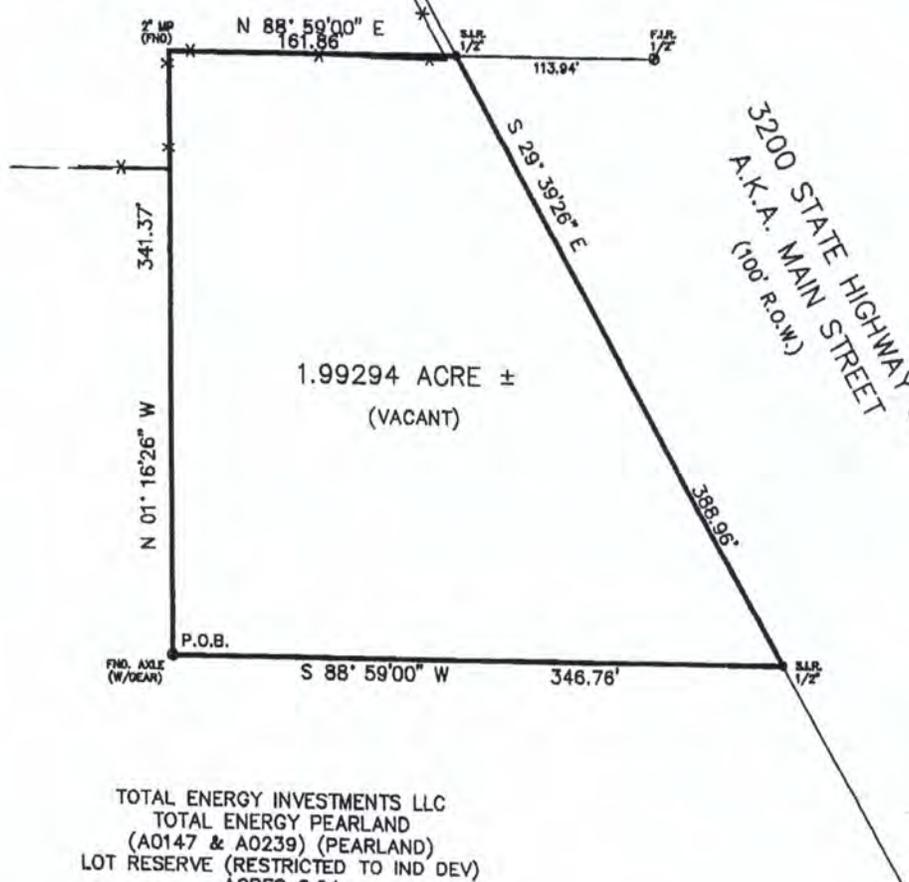
⊙ CONTROL
 — LINE
 — EASEMENT LINE
 — BUILDING SETBACK LINE
 — BUILDING WALL

— WOODEN FENCE
 — CHAIN LINK FENCE
 — METAL FENCE
 — WIRE FENCE
 — VINYL FENCE

SCALE
 1" = 80'



BRAZORIA CO DRAINAGE #4
 A0239 H T & B R R BLOCK 1 TRACT 1
 (BRAZORIA DRAINAGE DISTRICT NO 4 SH 35 YARD)
 ACRES 8.1815
 C.F. #04 072164



3200 STATE HIGHWAY 35
 A.K.A. MAIN STREET
 (100' R.O.W.)

1.99294 ACRE ±
 (VACANT)

TOTAL ENERGY INVESTMENTS LLC
 TOTAL ENERGY PEARLAND
 (A0147 & A0239) (PEARLAND)
 LOT RESERVE (RESTRICTED TO IND DEV)
 ACRES 8.24
 C.F. #2014030687

Reviewed & Accepted by: _____

Date: _____

Date: _____

NOTES:

- BEARING BASIS PLAT
- SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS
- SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED PROPERTY
- UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY
- THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS
- SUBJECT TO RESTRICTIVE COVENANTS AS PER TITLE COMMITMENT
- SUBJECT TO ZONING AND BUILDING ORDINANCES ENFORCED BY LOCAL MUNICIPALITIES
- PAGE 1 OF 2

LEGAL DESCRIPTION

ALL OF THAT CERTAIN 1.99294 ACRE TRACT OR PARCEL OF LAND IN THE A.C.H.&B. SURVEY, SECTION 1, ABSTRACT NO. 147 IN BRAZORIA COUNTY, TEXAS, BEING A PORTION OF THE NORTH ONE-HALF OF TRACT 123 OF THE SUBDIVISION OF THE A.C.H.&B. SURVEY, SECTION 1 ACCORDING TO THE PLAT OF SAME RECORDED IN VOLUME 2, PAGE 1 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, SAID TRACT BEING THAT PORTION OF THE NORTH ONE-HALF OF TRACT 123 LYING WEST OF STATE HIGHWAY NO. 35 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED.

ROADE PROPERTIES, LTD

ADDRESS

3200 STATE HIGHWAY 35
 A.K.A. MAIN STREET



I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON (OR ON ATTACHED SHEETS, AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN, AND WAS DONE BY ME OR UNDER MY SUPERVISION, AND CONFORMS TO OR EXCEEDS THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

JOB # 1607349

DATE 7-29-16

GF# 1499-16-1055

PRO-SURV

P.O. BOX 1368, FRIENDSWOOD, TX 77549
 PHONE-281-996-1113 FAX - 281-998-0112
 EMAIL: orders@prosurv.net
 T.B.P.L.S. FIRM #10110300

ONLY SURVEY MAPS WITH THE SURVEYOR'S ORIGINAL SIGNATURE ARE GENUINE TRUE AND CORRECT COPIES OF THE SURVEYOR'S ORIGINAL WORK AND GRAPH.

© 2016 PRO-SURV - ALL RIGHTS RESERVED

FIELD NOTES
OF A SURVEY OF

All of that certain 1.99294 acre tract or parcel of land in the A.C.H & B. Survey, Section 1, Abstract No. 147 in Brazoria County, Texas, being a portion of the North one-half of Tract 123 of the subdivision of the A.C.H & B Survey, Section 1 according to the plat of same recorded in Volume 2, Page 1 of the Plat Records of Brazoria County, Texas, said tract being that portion of the north one-half of Tract 123 lying West of State Highway No. 35 (a.k.a. Main Street) and being more particularly described by metes and bounds as follows, to-wit:

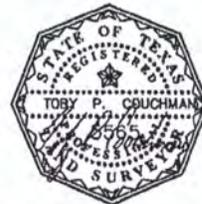
BEGINNING at an axle (with gear) found at the southwest corner of the North one-half of said tract 123 for the southwest corner of this tract;

THENCE North 01 deg. 16 min. 26 sec. West, a distance of 341.37 feet to a 2 inch metal post (found) marking the northwest corner of Tract 123 and the northwest corner of this tract;

THENCE North 88 deg. 59 min. 00 sec. East, a distance of 161.86 feet along the North line of said Tract 123 to a ½ inch iron rod set in the southwest line of State Highway 35 (100 foot right-of-way) for the northeast corner hereof;

THENCE South 29 deg. 39 min. 26 sec. East, a distance of 388.96 feet along the southwest line of State Highway No. 35 to a ½ inch iron rod set in the south line of the said north one-half of Tract 123 for the Southeast corner hereof;

THENCE South 88 deg. 59 min. 00 sec. West, a distance of 346.76 feet along the south line of the North one-half of Tract 123 to the PLACE OF BEGINNING and containing 1.99294 acre of land, more or less.



Important Notice

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for various Texas counties. Title Data created its title plants through the investment of extensive time, labor, skill and money. **The information contained in the title plants is protected by federal copyright law and Texas common law on trade secrets and contract.**

Title Data has granted our company a license to use one or more of its title plants. Our company's right to access and use Title Data's title plants is governed by our contract with Title Data. Our contract with Title Data restricts who can receive and/or use a title insurance commitment which is based, in whole or in part, upon Title Data's records and information.

Under the terms of our contract with Title Data, we are permitted to provide you with the attached title insurance commitment **for limited use and distribution only**. Specifically, you are sublicensed to deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof) **ONLY** to your bona fide employees and a third party who is playing a bona fide role in this proposed real estate transaction, including a lawyer, a lender, a surveyor, a real estate broker or agent, and the parties to this proposed transaction.

For purposes of our agreement with Title Data, "deliver, exhibit, or furnish" includes, without limitation, copying this title insurance commitment (whether such copying be by means of a photocopier, facsimile machine, another electronic scanning device, or any other method of reproduction) and providing such copy to any third party.

Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is not permitted by our contract with Title Data and constitutes a breach of our sublicense to you. Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is also a violation of federal copyright law and Texas common law.

Therefore, as an express condition of us providing you with the attached title insurance commitment, you specifically agree to limit its uses to those set forth herein, and to provide a copy of this letter to any party to whom you deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof).

In the event you are unable or unwilling to comply with these conditions, immediately return the attached title insurance commitment to our company, without reviewing, copying, or otherwise utilizing in any way the information contained therein.

A COPY OF THIS LETTER MUST ACCOMPANY THE ATTACHED TITLE INSURANCE COMMITMENT AT ALL TIMES. ALL DOWNSTREAM RECIPIENTS MUST PROVIDE A COPY OF THIS LETTER TO ANY OTHER AUTHORIZED USERS OF THE ATTACHED TITLE INSURANCE COMMITMENT.



Interactive Map



All Rights Reserved

ISSUE LOG 08/08/2016	
N.O.	DESCRIPTION
1	
2	
3	
4	
5	
6	

Job No.: 057-16
 Designed by: HE
 Drawn by: HE
 Checked by: JT

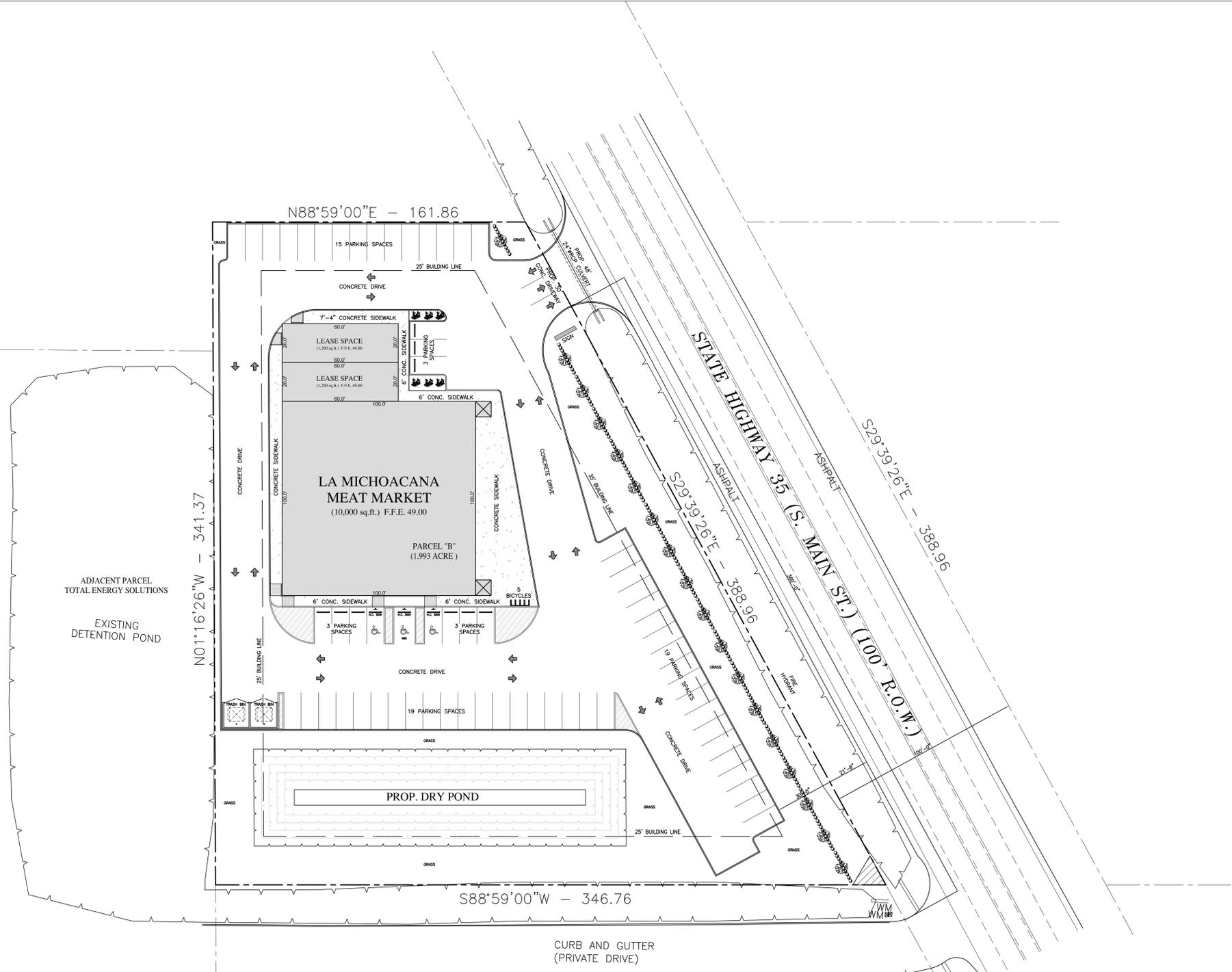
LA MICHOCACANA MEAT MARKET
 3200 S. MAIN STREET
 PEARLAND, TX 77581

JL Trevino & Associates P.L.L.C.
 9800 Northwest freeway, 500
 Houston, Texas 77092
 (281) 433-8688 / (713) 957-5105
 jltandassociates@gmail.com
 TX FIRM # 10510

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INTERIM REVIEW ONLY
 THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF INTERIM REVIEW UNDER THE AUTHORITY OF
 P.E. JORGE TREVINO
 P.E. # 96485
 DATE: September 13, 2016
 IT IS NOT TO BE USED FOR CONSTRUCTION, BEDDING OR PERMITTING PURPOSES

Sheet Name:
SITE PLAN
 Scale: 1" = 30'-0"
 Sheet Number:
C-01

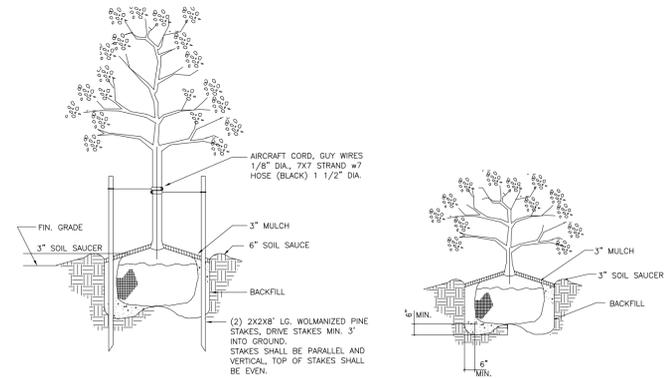


SITE ANALYSIS	
- PROPOSED BUILDING	12,400 sq.ft.
- PROP. CONCRETE SIDEWALK	- sq.ft.
- PROPOSED CONC. PARKING LOT	- sq.ft.
-	- sq.ft.
- LANDSCAPE AREA	- sq.ft.
- TOTAL LAND AREA	86,815 sq.ft.

- SITE LAYOUT NOTES**
1. THE HORIZONTAL AND VERTICAL LOCATION OF EXISTING SUBSURFACE UTILITIES HAVE BEEN DETERMINED FROM DATA PROVIDED BY OTHERS. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL EXISTING UTILITIES WITHIN THE AREA OF CONSTRUCTION THAT ARE TO REMAIN IN SERVICE. CONTRACTOR SHALL VERIFY SIZE AND LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO FACE OF BUILDING. REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS.
 4. REFER TO ARCHITECTURAL PLANS FOR DETAILS AND DIMENSIONS OF HC CURB RAMP, SIDEWALK/RAMP, SIDEWALK EDGE, SIDEWALK TOOLED JOINT, SIDEWALK EXPANSION JOINT, HC PARKING SIGN, PIPE BOLLARD, HC PARKING STRIPE AND DUMPSTER ENCLOSURE.
 5. REFER TO LANDSCAPE ARCHITECT PLANS FOR DETAILS AND DIMENSIONS OF LANDSCAPE AND HARDSCAPE AREAS.

- SITE PLAN GENERAL NOTES:**
1. THE CONTRACTOR SHALL SECURE ALL PERMITS AND PAY ALL FEES
 2. DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR CONDITIONS AT THE SITE AND REPORT AND DISCREPANCIES TO THE ARCHITECT PRIOR TO PROCEEDING WITH WORK.
 3. ALL HAZARDOUS MATERIAL IDENTIFICATION, HANDLING AND REMOVABLE SHALL BE DIRECTED AND EXECUTED BY A LICENSED CONTRACTOR LEGALLY AUTHORIZED TO PERFORM SUCH WORK.
 4. IDENTIFY AND PROTECT KNOWN UTILITIES (ABOVE AND BELOW GROUND) FROM DAMAGE, STAKE AND FLAG LOCATIONS OR CALL UTILITY COMPANY TO MARK LOCATIONS.
 5. IDENTIFY AND PROTECT ALL EASEMENT, STAKE AND FLAG LOCATIONS
 6. CONFIRM SURVEY BENCHMARKS AND INTENDED ELEVATIONS
 7. PROTECT ALL TREES WITH PROTECTIVE NETTING 24" MIN. DIA.
 8. PROVIDE DESIGNATED TRASH WASH ZONE 15' FROM ANY TREE. ALL TOOL CLEANUP SHALL BE PERFORMED IN DESIGNATED AREA.

PARKING LOT ANALYSIS	
- PROPOSED LAND USE	LA MICHOCACANA MEAT MARKET SHOPPING CENTER
- PREVIOUS LAND USE	VACANT
- LA MICHOCACANA MEAT MARKET SHOPPING CENTER	12,400 sq.ft.
-	- sq.ft.
- NUMBER OF PARKING SPACES REQUIRED FOR PROPOSED DEVELOPMENT	(GFA x (X spaces))/(X sq.ft.)
- LA MICHOCACANA MEAT MARKET SHOPPING CENTER	(12,400 sq.ft. x 1 spaces)/(200 sq.ft.) = 62 spaces
	TOTAL = 62 spaces
- NUMBER PARKING SPACES PROVIDED	62 PARKING SPACES
- NUMBER OF HANDICAP PARKING SPACES	1 VAN ACCESSIBLE SPACE & 2 ACCESSIBLE SPACE



TREE PLANTING

SHRUB PLANTING

SITE PLAN
 SCALE: 1" = 30'-0"

C. CONSIDERATION AND POSSIBLE ACTION – ZONE CHANGE APPLICATION NO. ZONE 2016-00013

A request of Eriberto and Maria Martinez, applicant, on behalf of Jeremy Murphy, Access Church, owner; for approval of a change in zoning from Single-Family Residential-1 (R-1) and Office & Professional (OP) to a General Business (GB) zoning district; on approximately 2.0424 acres of land.



JOINT PUBLIC HEARING
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF
THE CITY OF PEARLAND, TEXAS,
MONDAY, OCTOBER 17, 2016, AT 6:30 P.M.
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

I. CALL TO ORDER

II. PURPOSE OF HEARING

Zone Change Application No. ZONE 16-00013

A request of Eriberto and Maria Martinez, applicant, on behalf of Jeremy Murphy, Access Church, owner; for approval of a change in zoning from Single-Family Residential-1 (R-1) and Office & Professional (OP) to a General Business (GB) zoning district; on approximately 2.0424 acres of land.

Legal Description: Being a 1.9001 acres of land situated in lots 1 and 2 block 3, Skyway Manor Subdivision, being a subdivision of 68.24 acres out of the west half of the northwest ¼ of Section 15 H.T.&B.R.R. Co. survey, abstract 241, Brazoria County, Texas; and

Tract II, being a 0.1423 portion of lot 1, in block 3, of Skyway Manor Subdivision, being a subdivision of 68.24 acres out of the west half of the northwest ¼ of section 15, H.T.&B.R.R. Co. survey, abstract 241, Brazoria County, Texas, according to the recorded map or plat thereof in volume 7, page 67 of the plat records of Brazoria County, Texas

General Location: 7030 W Broadway Street, Pearland, TX

III. APPLICATION INFORMATION AND CASE SUMMARY

- A. STAFF REPORT
- B. APPLICANT PRESENTATION
- C. STAFF WRAP UP

IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST

V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION

VI. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.



Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: October 12, 2016

Re: Zone Change Application No. ZONE 16-00013

A request of Eriberto and Maria Martinez, applicant, on behalf of Jeremy Murphy, Access Church, owner; for approval of a change in zoning from Single-Family Residential-1 (R-1) and Office & Professional (OP) to a General Business (GB) zoning district; on approximately 2.0424 acres of land.

General Location: 7030 W Broadway Street, Pearland, TX

Summary of Request

The applicant is requesting a change of zoning from Single-Family Residential-1 (R-1) and Office & Professional (OP) to a General Business (GB) zoning district in order to allow for a change of use from a church to funeral home by right in the existing structure. The applicant is not planning to make any changes to the exterior of the structure at this time. In the current OP zoning district, which is six percent of the total site, the proposed use is prohibited. By changing the zoning district to GB the proposed use is allowed by right.

Recommendation

Staff recommends approval of this change in zoning from Single-Family Residential-1 (R-1) and Office & Professional (OP) to a General Business (GB) zoning district on the approximately 2.0424 acre site for the following reasons:

1. The Future Land Use Plan (FLUP) calls for this area to be Business Commercial. The proposed use would allow greater conformance with the FLUP than the current use of the property.
2. The requested zoning change is more compatible with the surrounding zoning classifications. Prior to the adoption of the UDC in 2006, the property was zoned R-1 Low Density Single-Family Residential. The site was and continues to be one of a few "pockets" of residentially classified property along Broadway Street.

Site History

The subject property is currently developed with a church structure, small paved parking area, and additional, unpaved parking area to the side. This property has always been zoned R-1, which is a low density single family zoning. Prior to 2002 a church use was allowed within the R-1 zoning district by right, however today the same use would require a Conditional Use Permit (CUP).

The site is surrounded by a mix of various uses, including a drive-in restaurant and vacant land to the north; a self-serve carwash to the east; single-family residential to the south; and residential and a car rental business to the west.

The below table identifies surrounding uses and zoning districts:

	Zoning	Land Use
North	General Business (GB)	Vacant, Drive-in Restaurant
South	Office & Professional (OP) Single-Family Residential-1 (R-1)	Residential
East	General Business (GB)	Car Wash
West	Office & Professional (OP) General Business (GB)	Car Rental, Residential

Conformance with the Comprehensive Plan

The subject property is located within the Business Commercial Future Land Use Designation which is characterized by including a mix of retail businesses. The Comprehensive Plan recommends that neighborhood retail and services should be located at the intersections of Thoroughfares or Collector streets or at the edge of logical neighborhood areas. In addition, offices should be compatible with nearby residential uses. The proposed use as a funeral home is in compliance with the designated land use for the area. As a low intensity commercial use, it is compatible with the residential uses to the south and provides a buffer between the residential to the south and Broadway Street.

Conformance with the Thoroughfare Plan

According to City records, Broadway Street is a Major Thoroughfare to be widened. Major Thoroughfares are defined as having a minimum right-of-way of 120 feet. This portion of Broadway has a 100 foot right-of-way and is not in compliance with the Thoroughfare Plan.

Conformance with the Unified Development Code

The subject property is currently developed. In the current configuration the property is not in conformance with the Unified Development Code (UDC) regulations, however the property is considered legal-nonconforming as it is not in compliance with the COD. This means the property may remain as is provided that no triggers are pulled (expansion of building or interior renovation greater than 50 percent of the buildings value). When a new Certificate of Occupancy is applied with a change of use, the property will be required to come into compliance with the UDC for landscaping,

screening, and façade treatment. This change in zoning classification is the first step in the process to bring the site into compliance with the intended new use.

The property is directly adjacent to Broadway Street which falls within the boundaries of the Corridor Overlay District (COD) any new development would be required to be in compliance with the COD requirements in addition to other UDC requirements. The COD allows the City to exercise greater control of aesthetics, function, and safety of developments with frontage along specified Major Thoroughfares including Broadway Street.

The proposed lot and setback requirements of the proposed GB zoning district are indicated in the following table.

General Business (GB) Area Regulations		
Size of Lot	Required	Proposed
Minimum Lot Size	22,500 sq. ft.	Approximately 82,766 sq. ft.
Minimum Lot Width	150 ft.	Approximately 305 ft.
Minimum Lot Depth	125 ft.	Approximately 230 - 291 ft.

Platting Status

The subject property is platted as Lots 1 and 2 of Block 3 of Skyway Manor.

Availability of Utilities

The subject property has access to City water and sanitary sewer infrastructure. A 12-inch water line exists along the west side of Piper Road, and a 16-inch water line is located along the south side of Broadway Street. An 8-inch sanitary sewer line also runs along the south side of Broadway Street.

Impact on Existing and Future Development

Rezoning the property to a unified commercial district will alleviate the buffering requirement which is currently required on the property to the south and west. By changing the zoning of the subject property the adjacent property has significantly greater development potential. While no expansion is proposed, the change in use will periodically increase traffic at the intersection of Piper Road and Broadway Street.

Additional Comments

The request has been reviewed by the City's Development Review Committee (DRC), and there were no additional comments from other departments at the time of this report.

Public Notification

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was

published in the local newspaper, and a notification sign was placed on the property by the applicant.

Opposition to or Support of Proposed Request

Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request.

Exhibits

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Notification List
6. Applicant Packet



Exhibit 1

AERIAL MAP

ZONE 16-00013

7030 W Broadway St



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 property boundaries.

1 inch = 103 feet

SEPTEMBER 2016
PLANNING DEPARTMENT



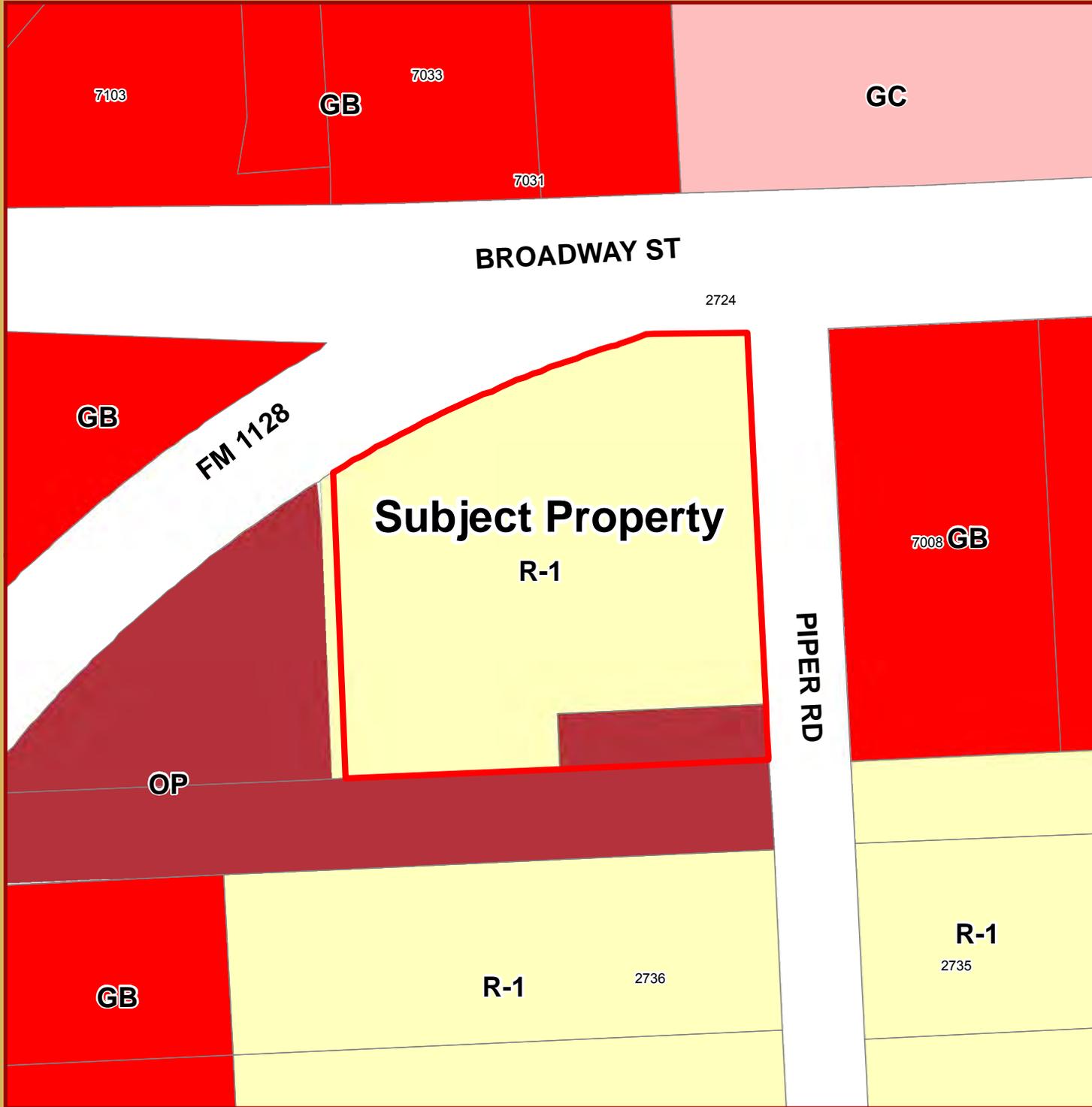


Exhibit 2

ZONING MAP

ZONE 16-00013

7030 W Broadway St



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 property boundaries.

1 inch = 103 feet

SEPTEMBER 2016
PLANNING DEPARTMENT

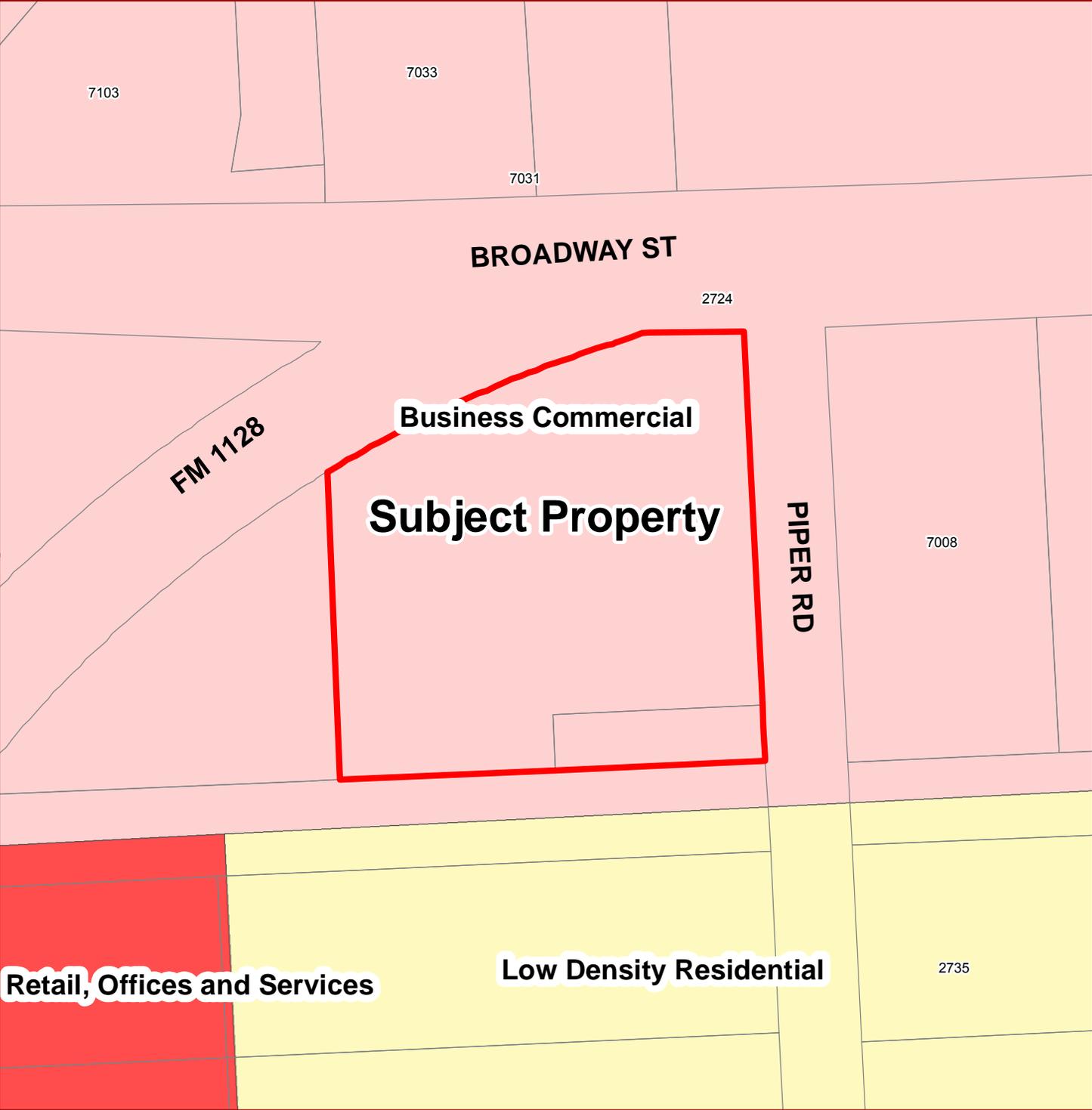


Exhibit 3

FLUP MAP

ZONE 16-00013

7030 W Broadway St



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 property boundaries.

1 inch = 103 feet

SEPTEMBER 2016
PLANNING DEPARTMENT



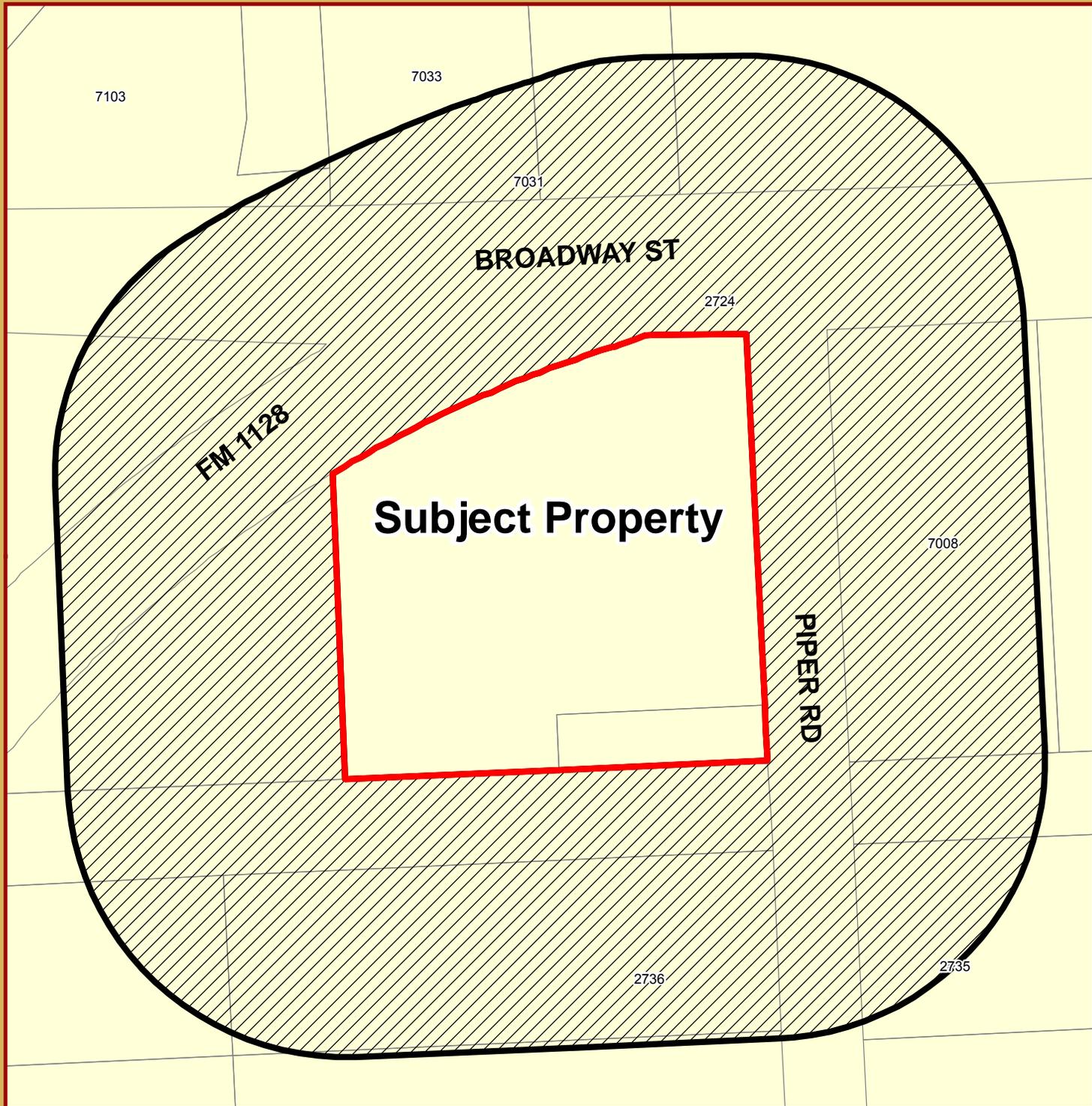


Exhibit 4

NOTIFICATION MAP

ZONE 16-00013

7030 W Broadway St



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 property boundaries.

1 inch = 103 feet

SEPTEMBER 2016
PLANNING DEPARTMENT



Exhibit 5

ZONE 16-00013

Property_Owner	Address	City	State	Zip_Code
2ML REAL ESTATE INTEREST INC	952 ECHO LN, STE 314	HOUSTON	TX	77024
ACCESS CHURCH	11500 SHADOW CREEK PKWY	PEARLAND	TX	77584
ADAMS FRANCES P FAMILY INT PARTNERSHIP LTD	3305 CHURCHILL ST	PEARLAND	TX	77581
BAHAM INTERESTS LIMITED PARTNERSHIP	5306 CLINTON DR	HOUSTON	TX	77020
BETHEL WILLIAM J JR	2743 MANVEL RD	PEARLAND	TX	77584
CAMPBELL CARA D	2723 MANVEL RD	PEARLAND	TX	77584
EBELING WILLIAM W & MARHSA	2740 PIPER RD	PEARLAND	TX	77584
ERIBERTO & MARIA MARTINEZ	7030 W BROADWAY ST	PEARLAND	TX	77581
IN-REM C & G PROPERTIES LTD	321 GRAND RANCH LN	FRIENDSWOOD	TX	77546
JEREMY MURPHY/ACCESS CHURCH	7030 W BROADWAY ST	PEARLAND	TX	77581
SPRADLEY PROPERTIES LP	4006 E TIMBER CUT CT	PEARLAND	TX	77584
STROUHAL DON C JR & PHYLLIS	3638 BLUEBIRD WAY	PEARLAND	TX	77584
WEBSTER MYRTLE LEE	3901 BLUEBIRD WAY	PEARLAND	TX	77584
WELLS RICHARD A	2736 PIPER RD	PEARLAND	TX	77584



City of Pearland Planning Department Universal Application

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281.652.1765
281.652.1702 (fax)
pearlandtx.gov

Please complete each field - incomplete applications will not be accepted. All applications, including the checklist, must be submitted in electronic format as a PDF and provided by email, USB / CD. Refer to the schedule on the City's website and/or within the Planning Department for deadlines and anticipated meeting dates for each project type.

TYPE OF APPLICATION:

- Zoning Change (from) R1+OP (to) GB
- Cluster Development Plan
- Planned Development Workshop
- Plat (list type): _____

- ZBA Variance
- P&Z Variance
- Special Exception
- Conditional Use Permit

*Plat Types include:
Minor, Amending,
Preliminary, Final,
Master, Replat

PROJECT INFORMATION:

Residential Commercial Property Platted Property Not Platted

Project Name: Godfrey Memorial Funeral Home Tax ID: 81-3656456

Project Address/Location: 7030 W. Broadway

Subdivision: Skyway Manor No. of Lots: 2 Total Acres: 2.0424

Brief Description of Project: Funeral Home

When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda according to Section 1.2.1.2 of the Unified Development Code.

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

Name: Access Church / Jeremy Murphy

Address: 7030 W. Broadway St.

City: Pearland State: TX Zip: 77581

Phone: (832) 689-0843

Fax: _____

Email Address: jeremy@myaccesschurch.com

Name: Eriberto & Maria Martinez

Address: 7030 W. Broadway

City: Pearland State: TX Zip: 77581

Phone: 713-344-6907

Fax: _____

Email Address: mariamtz93@yahoo.com

**Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.
As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

**Owner's Signature: [Signature] Date: 2/12/16

Agent's/
Applicant's Signature: [Signature] Date: 2/12/16

OFFICE USE ONLY:			
FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
Fees will be accepted by phone or in person. Please contact 281.652.1765 for instructions.			APPLICATION NUMBER:



City of Pearland Planning Department Universal Application

Please complete each tab - incomplete applications will not be accepted. All applications, including the checklist, must be submitted in electronic format as a PDF and provided by email, USG/CO. Refer to the schedule on the City's website under the Planning Department for deadlines and anticipated meeting dates for each project type.



TYPE OF APPLICATION:

- Zoning Change from C1 to Gb
- Cluster Development Plan
- Planned Development Workshop
- Plat final type: _____

- ZBA Variance
- PLZ Variance
- Special Exception
- Conditional Use Permit

Plan Types include Minor Amending Preliminary Final Master Plan

PROJECT INFORMATION:

Resubmit Corrected Property Plotted Property Not Plotted

Project Name: Godfrey Memorial Funeral Home Tax ID: 21-3651456

Project Address/Location: 7030 W. Broadway

Subdivision: _____ No. of Lots: 2 Total Acres: _____

Brief Description of Project: Funeral Home

When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review. Therefore it may be necessary to discontinue the proposed project and remove it from the scheduled agenda and place it on a future agenda according to Section 12.2 of the Unified Development Code.

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

Name: Access Church / Jeremy Murphy Roberto E. Maria Martinez

Address: 7030 W. Broadway St. Address: 7030 W. Broadway

City: Pearland State: TX Zip: 77581 City: Pearland State: TX Zip: 77581

Phone: (832) 689-0843 Phone: 713 344 1207

Fax: _____ Fax: _____

Email Address: info@myaccesschurch.com Email Address: roberto.martinez@proton.com

Property owner must be the current owner of the project, a relative of the applicant, and not the party that has the property under contract. As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: Jeremy Murphy Date: 9/13/16

Agent's Signature: [Signature] Date: 9/12/16

OFFICE USE ONLY:			
FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
Fees will be accepted by phone or in person. Please contact 281.552.1765 for instructions.			APPLICATION NUMBER: <u>Zone 16-00013</u>

APPLICATION CHECKLIST FOR THE FOLLOWING: Zoning Change

- Application and checklist filled out completely and signed by the owner of the property.
- * If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code (UDC).**
- Metes and Bounds Description (survey or plat of the property that provides or contains the metes and bounds description).
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- Letter of Intent explaining the zone change request in detail, why the zoning is being requested to be changed, and the uses that are being proposed.
- Acknowledgement of the sign to be posted on the property ten (10) days prior to the public hearing.
- * Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
 - 0 to less than 25 acres
 - \$1000.00, plus \$25.00 per each type of zoning district requested
 - 25 to less than 50 acres
 - \$1025.00, plus \$25.00 per each type of zoning district requested
 - 50 to less than 75 acres
 - \$1050.00, plus \$25.00 per each type of zoning district requested
 - 75 to less than 100 acres
 - \$1075.00, plus \$25.00 per each type of zoning district requested
 - 100 acres and above
 - \$1100.00, plus \$25.00 per each type of zoning district requested

September 13, 2016

To Whom it May Concern:

I authorize Eriberto and Maria Martinez to file the application for zoning change for the property located at 7030 W Broadway St. Pearland, TX 77581 on my behalf.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Murphy". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Rev. Jeremy Murphy

BLOCK 2

LOT 1

90.0' PIPELINE EASEMENT

WEST - 150.0

SOUTH 40.0

WEST LINE LOT 2

NORTH - 231.97

LOT 2

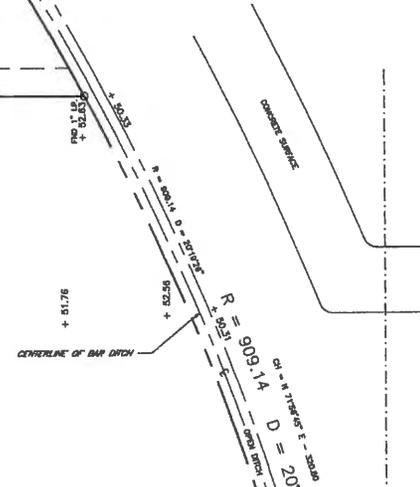
WEST - 155.0
WEST - 151.45

SOUTH - 291.39

MOBILE HOME
COOL CONC. PORCH

PROPOSED CHURCH BUILDING
FINISHED FLOOR
ELEVATION - 54.00

PIPER STREET 600' R.O.W.



TOTAL NUMBER OF PARKING SPACES - 22, 9'-0" SPACES
 HANDICAPPED PARKING - 3
 TOTAL NUMBER OF 2" CALIPER STREET TREES - 12
 TOTAL NUMBER OF SHRUBS - (2425 sq ft) - 100
 TOTAL NUMBER OF 8" CALIPER TREES ADJACENT TO PARKING - 3

DETENTION REQUIREMENTS:
 DETENTION REQUIRED: 62/19 of
 PEARLAND LOT DEVELOPMENT PLAN 99 70.01.02
 SUCCESS DETENTION 1600.00 cfs (25%)

F. M. 518

- LEGEND:
- 1. DRIVE
 - 2. SIDE DRIVE
 - 3. DRIVE PAVEMENT
 - 4. DRIVE PAVEMENT
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GULF COAST ENGINEERING AND SURVEYING
 P.O. BOX 382 L.A. MARQUE, TEXAS 77568
 JAMES W. GARTRELL, JR., P.E., RPS. TELEPHONE NUMBERS:
 TEXAS CITY - 409-835-2482
 HOUSTON - 281-488-9989
 DATE: 3/18/99

James W. Gartrell, Jr.
3/18/99



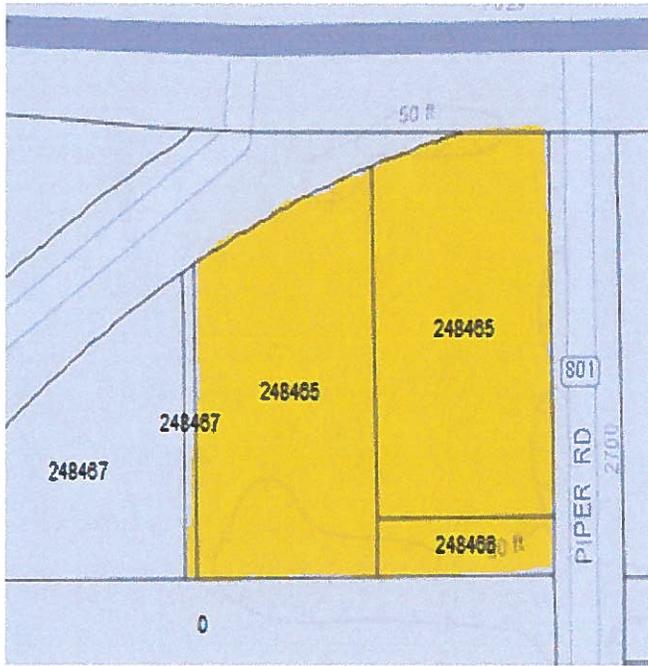
LAND SIGN of America

LANDSCAPE ARCHITECTURE LAND PLANNING LIGHTING DESIGN CURIAL WATER FEATURES

ASSEMBLY OF GOD OF PEARLAND
 LOT 1 AND 2, BLOCK 3, SKYWAY MANOR SUBDIVISION
 PEARLAND TEXAS

SITE PLAN
 SCALE: 1" = 20'-0"
 DATE: 3/18/99

SHEET:
 C-3
 OF 3



7030 W. Broadway
Pearland Texas 77581
2 lots

501c3.pdf x Assemblies of God Church x

ag.org/top/church_directory/index.cfm?Display=Yes&churchdetail=eae7ad4a-a83f-425f-ab3b-a1b8084c86e9

Google Access Mail 2016 Sermon Calend Ongoing Support Swipes DRUDGE home Raptor PHS Sermon Resources

Evangelism, Worship, Discipleship & Compassion

Assemblies of God Church Directory

Churches — [enhance your church's listing](#) with an image, a greeting, and links to your web site and email address.

Questions? — Can't find your church? How can you update your church listing? Find answers to these questions and others by reading our [Church Directory FAQ](#).

[New Search](#)

Click here if you are looking for [District Council offices](#).

Access Church

<i>Mailing Address</i>	<i>Location</i>
7030 W Broadway Blvd Pearland, TX 77581	7030 W Broadway Blvd Pearland, TX 77581

Lead Pastor: Jeremy Murphy-Jeanes
 Phone Number: (281) 997-3348
 District: South Texas
 Section Name: Gulf Coast
 Web Address: <http://www.myaccesschurch.com>

International Assemblies Of God Fraternal Organizations

This web site <<http://www.ag.org>> is owned and operated by the General Council of the Assemblies of God (USA). It does not represent or present information about the churches or offices of international Assemblies of God fraternal organizations. However, as a service to our guests we present the following links to known sites.

Africa	Africa Assemblies of God Alliance
Argentina	Assemblies of God of Argentina
Australia	Assemblies of God of Australia
Bahamas	Assemblies of God in the Bahamas

September 12, 2016

To Whom It May Concern:

This letter serves of our intent and why the zoning is being requested. We plan to open a funeral home. Location would be used to have services and viewing for the deceased.

Building is currently serving as a church and is an easy conversion. There is no exterior construction needed at this time.

Eriberto & Maria Martinez

Handwritten signature in black ink, appearing to read "Eriberto & Maria Martinez". The signature is written in a cursive style with a large initial "E" and "M".

Posting of Notification Signs on Property under Consideration for a Zone Change

Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (5) The signs shall be as follows:
 - A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
 - At least 2 feet above the ground
 - Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
 - Message content as follows:

PROPOSED (SPECIFY REQUEST)
Contact City of Pearland
281-652-1765

- ❖ Signs must be professionally made; handwritten signs are not allowed.
- ❖ Signs must be freestanding and cannot be attached to a tree, fence, or building.



9/12/16

Signature

Date

TAX EXEMPT STATUS FOR SUBORDINATE UNITS

All churches and units listed in the official church directory of The General Council of the Assemblies of God are tax exempt under the Federal Internal Revenue Service Tax Code, 501(c)(3). It is not necessary for a local church or district council to seek or apply for its own tax exempt status.

The group exemption number (GEN) for the General Council and its subordinates and units is: **1678**

The following legal opinion was carried in the July 1997 ministers letter and is still current and applicable.

CHURCH TAX EXEMPT STATUS . . . Churches are assumed by the IRS to meet the requirements for exemption from federal income taxes. As a result, they are not required to file an exemption application with the IRS to obtain recognition of their exempt status. However, the IRS notes that churches may "find it advantageous to obtain recognition of exemption" in order to assure donors that they will be able to deduct their contributions. Churches and other organizations that have been recognized by the IRS as exempt from tax are included in an annual listing (IRS Publication 78) of exempt organizations. Contributions to a church whose name does not appear in Publication 78 may be questioned by the IRS, in which case a donor would have the burden of demonstrating that the church meets the requirements for exemption from tax.

Many years ago the General Council obtained a "group exemption" ruling from the IRS. This means that every church listed in the annual directory of Assemblies of God churches is recognized as exempt by the IRS. If the charitable contribution deductions of a member of an Assemblies of God church listed in the annual church directory are questioned by the IRS, the church can easily demonstrate its exempt status by informing the IRS that it is included in the General Council's group exemption ruling. This is easily done by (1) providing the IRS with a copy of the page from the annual church directory that identifies the church, and (2) informing the IRS that the annual church directory represents the listing of churches covered by the group exemption ruling of The General Council of the Assemblies of God.

There is absolutely no need for Assemblies of God churches to apply to the IRS for recognition of their tax-exempt status. They already have received recognition of exempt status by virtue of the General Council's group exemption.

This information was carried again in the October 1998 ministers letter.

-3-

General Council of the Assemblies of God

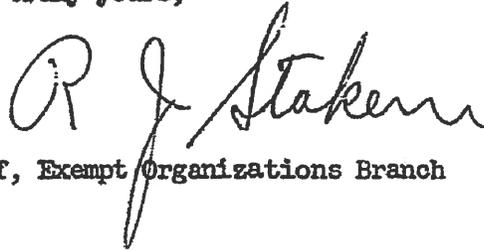
4. A statement of any changes in the character, purposes or method of operation of your organization or those of your subordinate units.

5. Duplicate copies of amendments to charters or bylaws of your organization or those of your subordinate units.

You should advise each of your exempt subordinate units of the exemption and the pertinent provisions of this ruling including the liability, if any, for filing information or other returns.

The District Directors concerned are being advised of this action.

Very truly yours,



Chief, Exempt Organizations Branch



U. S. TREASURY DEPARTMENT
INTERNAL REVENUE SERVICE
WASHINGTON 25, D. C.

IN REPLY REFER TO
T:R:EO:5
JJF

AUG 31 1964

General Council of the Assemblies
of God
1445 Boonville Avenue
Springfield, Missouri 65802

Gentlemen:

We have considered your request for a group ruling holding your subordinate units exempt from Federal income tax as organizations described in section 501(c)(3) of the Internal Revenue Code of 1954.

Our records disclose that you were held exempt from Federal income tax under section 231(6) of the Revenue Act of 1921 on April 15, 1922. On September 14, 1935 you were held exempt under section 101(6) of the Revenue Act of 1934, which ruling was affirmed under the Revenue Act of 1936 on April 27, 1938. On September 20, 1955 the District Director held that since section 501(c)(3) of the 1954 Internal Revenue Code contains the same provisions as section 101(6) of the prior Revenue Acts, previous rulings are held to be applicable under the 1954 Code.

Based upon the information presented, it is held that your subordinate departments, district councils, churches, institutions, organizations, schools and colleges, whose names appear in your Directory, revised to January 1, 1964, are exempt from Federal income tax as organizations described in section 501(c)(3) of the Internal Revenue Code of 1954 as it is shown that they are organized and operated exclusively for religious purposes.

You and your subordinate units are not required to file Federal income tax returns so long as a tax exempt status is maintained.

It will not be necessary for you and your subordinate units to file the annual information return, Form 990-A, generally required of organizations exempt under section 501(c)(3) of the Code, as the specific exceptions contained in section 6033(a) of the Code are applicable.

RECEIVED

SEP 3 1964

GENERAL SECRETARY'S
OFFICE

-2-

General Council of the Assemblies of God

Contributions made to you and your subordinate units are deductible by the donors as provided by section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to or for the use of you and your subordinate units are deductible for Federal estate and gift tax purposes as provided by sections 2055, 2106 and 2522 of the Code.

You and your subordinate units are not liable for the taxes imposed under the Federal Insurance Contributions Act (social security taxes) unless waiver of exemption certificates are, or have been, filed as provided in that Act. Inquiries about the waiver of exemption certificates should be addressed to the District Director concerned. You and your subordinate units are not liable for the taxes imposed under the Federal Unemployment Tax Act.

For next year, and for each succeeding year thereafter, please send us the following information not later than forty-five days after the close of your annual accounting period:

1. Lists showing the names and mailing addresses of your new subordinate units and the names and addresses of any units which have ceased to exist or have changed their names or addresses. The names should be arranged in alphabetical or numerical order. In lieu of the lists referred to above you may furnish us with a copy of your published directory. Please send us one copy of the list or directory for this office and one copy for each district in which your subordinate units are located.
2. A statement signed by one of your principal officers stating whether or not the information upon which your original group ruling was based is applicable in all respect to the new subordinate units.
3. A statement if, at the close of the year, there were no changes in your roster.

LEGAL DESCRIPTION**TRACT I**

1.9001 ACRES OF LAND SITUATED IN LOTS 1 AND 2 BLOCK 3, SKYWAY MANOR SUBDIVISION, BEING A SUBDIVISION OF 68.24 ACRES OUT OF THE WEST HALF OF THE NORTHWEST ¼ OF SECTION 15 H.T.&B.R.R. CO. SURVEY, ABSTRACT 241, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS; BEARING BASIS IS WEST RIGHT-OF-WAY LINE OF PIPER STREET BEING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST.

BEGIN AT A FOUND ½ INCH IRON ROD IN THE WEST LINE OF PIPER STREET FROM WHICH POINT THE SOUTHEAST CORNER OF SAID LOT 1 BLOCK 3, SKYWAY MANOR, BEARS SOUTH A DISTANCE OF 40.00 FEET, FOR THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED 1.90 ACRE TRACT AND ALSO THE PLACE OF BEGINNING;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE PARALLEL TO AND 40.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 1 BLOCK 3, SKYWAY MANOR, A DISTANCE OF 155.00 FEET TO POINT FROM WHICH A FOUND ½ INCH IRON ROD BEARS SOUTH 11 DEGREES 09 MINUTES WEST 0.37 FEET IN THE EAST LINE OF LOT 2 BLOCK 3, SKYWAY MANOR, FOR CORNER;

THENCE, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG AND WITH THE EAST LINE OF LOT 2 BLOCK 3, A DISTANCE OF 40.00 FEET TO A 3/8 INCH IRON ROD FOR CORNER;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS, WEST ALONG AND WITH THE SOUTH LINE OF SAID LOT 2 BLOCK 3, A DISTANCE OF 150.00 FEET TO A FOUND 1 INCH IRON PIPE FOR CORNER;

THENCE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE PARALLEL WITH AND 10.00 FEET EAST OF THE WEST LINE OF SAID LOT 2 BLOCK 3, A DISTANCE OF 231.97 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" IN THE SOUTHEAST ARC OF A CURVE TO THE RIGHT, FOR CORNER;

THENCE, IN A NORTHEASTERLY DIRECTION ALONG AND WITH THE ARC OF SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 20 DEGREES 19 MINUTES 25 SECONDS AND A RADIUS OF 909.14 FEET, A DISTANCE OF 322.48 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" IN THE WEST LINE OF PIPER STREET FOR CORNER;

THENCE, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG AND WITH THE WEST LINE OF PIPER STREET, A DISTANCE OF 291.39 FEET TO THE PLACE OF BEGINNING, SAID TRACT CONTAINS 1.9001 ACRES OF LAND.

TRACT II

A PORTION OF LOT 1, IN BLOCK 3, OF SKYWAY MANOR SUBDIVISION, BEING A SUBDIVISION OF 68.24 ACRES OUT OF THE WEST HALF OF THE NORTHWEST ¼ OF SECTION 15, H.T.&B.R.R. CO. SURVEY, ABSTRACT 241, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE RECORDED MAP OR PLAT THEREOF IN VOLUME 7, PAGE 67 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, SAID PORTION OF LOT 1 BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS; BEARING BASIS IS THE WEST RIGHT-OF-WAY LINE OF PIPER ROAD BEING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST.

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1, IN THE NORTH RIGHT-OF-WAY LINE OF THE HOUSTON PIPE LINE COMPANY RIGHT-OF-WAY EASEMENT;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS, WEST ALONG THE NORTH LINE OF SUCH PIPE LINE EASEMENT 155.00 FEET TO A POINT FOR CORNER, BEING THE SOUTHWEST CORNER OF LOT 1;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE WEST LINE OF LOT 1, A DISTANCE OF 40.00 FEET TO A POINT FOR CORNER; FROM WHICH A FOUND ½ INCH IRON ROD BEARS SOUTH 11 DEGREES 09 MINUTES WEST 0.37 FEET

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS, EAST PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF THE HOUSTON PIPE LINE COMPANY EASEMENT, A DISTANCE OF 155.00 FEET TO A FOUND ½ INCH IRON ROD FOR CORNER IN THE EAST LINE OF LOT 1;

\\COPFS\Planning\JPH\JPH CASES 2016\Zone Changes\ZONE 16-00013, 7030 Broadway Funeral Home\1. ZONE 16-00013, 10.17.2016 JPH\Submittal 9.21.26 - M&B\metes and Bounds.doc

THENCE, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WITH THE EAST LINE OF LOT 1, A DISTANCE OF 40.00 FEET TO THE PLACE OF BEGINNING.

GRAPHIC SCALE



WEST BROADWAY STREET
(AKA FM 518)
(PUBLIC R.O.W. VARIES)

LEGAL DESCRIPTION

TRACT I

1.9001 ACRES OF LAND SITUATED IN LOTS 1 AND 2 BLOCK 3, SKYWAY MANOR SUBDIVISION, BEING A SUBDIVISION OF 68.24 ACRES OUT OF THE WEST HALF OF THE NORTHWEST 1/4 OF SECTION 15, H.T.&B.R.R. CO. SURVEY, ABSTRACT 241, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS; BEARING BASIS IS WEST RIGHT-OF-WAY LINE OF PIPER STREET BEING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST.

BEGIN AT A FOUND 1/2 INCH IRON ROD IN THE WEST LINE OF PIPER STREET FROM WHICH POINT THE SOUTHEAST CORNER OF SAID LOT 1 BLOCK 3, SKYWAY MANOR, BEARS SOUTH A DISTANCE OF 40.00 FEET, FOR THE MOST EASTERLY SOUTHEAST CORNER OF THE HEREIN DESCRIBED 1.90 ACRE TRACT AND ALSO THE PLACE OF BEGINNING;

THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE PARALLEL TO AND 40.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 1 BLOCK 3, SKYWAY MANOR, A DISTANCE OF 155.00 FEET TO POINT FROM WHICH A FOUND 1/2 INCH IRON ROD BEARS SOUTH 11 DEGREES 09 MINUTES WEST 0.37 FEET IN THE EAST LINE OF LOT 2 BLOCK 3, SKYWAY MANOR, FOR CORNER;

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THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG AND WITH THE SOUTH LINE OF SAID LOT 2 BLOCK 3, A DISTANCE OF 150.00 FEET TO A FOUND 1 INCH IRON PIPE FOR CORNER;

THENCE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG A LINE PARALLEL WITH AND 10.00 FEET EAST OF THE WEST LINE OF SAID LOT 2 BLOCK 3, A DISTANCE OF 231.97 FEET TO A SET 5/8 INCH CAPPED IRON ROD STAMPED "SOUTH TEXAS SURVEYING" IN THE SOUTHEAST ARC OF A CURVE TO THE RIGHT, FOR CORNER;

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TRACT II

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THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE WEST LINE OF LOT 1, A DISTANCE OF 40.00 FEET TO A POINT FOR CORNER; FROM WHICH A FOUND 1/2 INCH IRON ROD BEARS SOUTH 11 DEGREES 09 MINUTES WEST 0.37 FEET

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS, EAST PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF THE HOUSTON PIPE LINE COMPANY EASEMENT, A DISTANCE OF 155.00 FEET TO A FOUND 1/2 INCH IRON ROD FOR CORNER IN THE EAST LINE OF LOT 1;

THENCE, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WITH THE EAST LINE OF LOT 1, A DISTANCE OF 40.00 FEET TO THE PLACE OF BEGINNING.

- LEGEND:**
- AE - AERIAL EASEMENT
 - BL - BUILDING LINE
 - BLDG - BUILDING
 - ESMT - EASEMENT
 - FND - FOUND
 - HL&P - HOUSTON LIGHTING & POWER
 - IP - IRON PIPE
 - IR - IRON ROD
 - CIR - CAPPED IRON ROD
 - STS - STAMPED SOUTH TEXAS SURVEYING
 - HCCF - HARRIS COUNTY CLERKS FILE
 - HCDR - HARRIS COUNTY DEED RECORDS
 - HCMR - HARRIS COUNTY MAP RECORDS
 - POB - POINT OF BEGINNING
 - PCC - POINT OF COMMENCING
 - PS - PARKING SPACES
 - ROW - RIGHT OF WAY
 - SQ. FT. - SQUARE FEET
 - UE - UTILITY EASEMENT
 - BARBED WIRE FENCE
 - CHAIN LINK FENCE
 - CONCRETE
 - COVERED CONCRETE
 - OVERHEAD ELECTRIC LINES
 - WOOD FENCE
 - WROUGHT IRON FENCE
 - GUY WIRE
 - CATCH BASIN
 - CABLE BOX
 - ELECTRIC BOX
 - ELECTRIC MH
 - FIRE HYDRANT
 - FIBER OPTIC MARKER
 - FLAG POLE
 - GAS METER
 - GAS VALVE
 - CURB INLET
 - LIGHT POLE
 - MANHOLE
 - MONITORING WELL
 - PIPELINE MARKER
 - POWER POLE
 - SERVICE POLE
 - SANITARY MANHOLE
 - STORM MANHOLE
 - TELEPHONE PEDESTAL
 - TRANSFORMER
 - TRAFFIC SIGNAL BOX
 - TRAFFIC SIGNAL POLE
 - UNDERGROUND CABLE MARKER
 - WATER WELL
 - WATER METER
 - WATER VALVE
 - BENCHMARK

LOT 3

NOTES:

1. BEARING BASIS IS THE WEST R.O.W. LINE OF PIPER STREET BEING S00°00'00"E.
2. SURVEYOR DID NOT ABSTRACT PROPERTY, SURVEY BASED ON LEGAL DESCRIPTIONS SUPPLIED BY TITLE COMPANY, SURVEY AS SHOWN AND LEGAL DESCRIPTION AS PER AN ON THE GROUND SURVEY, EASEMENTS, BUILDING LINES, ETC., SHOWN ARE AS IDENTIFIED BY GF NO. 1633848-LPHF OF TITLE RESOURCES GUARANTY COMPANY.
3. NOTHING IN THIS SURVEY IS INTENDED TO EXPRESS AN OPINION REGARDING OWNERSHIP OR TITLE.
4. THE WORD CERTIFY IS UNDERSTOOD TO BE AN EXPRESSION OF PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF.
5. SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY.
6. THE FINDINGS AND OPINIONS OF SOUTH TEXAS SURVEYING ASSOCIATES, INC. REFLECTED HEREON ARE PRIVILEGED, CONFIDENTIAL AND INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY FOR WHOM THIS WORK WAS PREPARED, IT IS UNDERSTOOD THAT THE USE OF, RELIANCE ON, OR REPRODUCTION OF SAME, IN WHOLE OR IN PART, BY OTHERS WITHOUT THE EXPRESS WRITTEN CONSENT OF SOUTH TEXAS SURVEYING ASSOCIATES, INC. IS PROHIBITED AND WITHOUT WARRANTY, EXPRESS OR IMPLIED. SOUTH TEXAS SURVEYING ASSOCIATES, INC. SHALL BE HELD HARMLESS AGAINST DAMAGES OR EXPENSES RESULTING FROM SUCH UNAUTHORIZED USE, RELIANCE OR REPRODUCTION. COPYRIGHT 2016. ALL RIGHTS RESERVED.

FLOOD NOTE:

PROPERTY LIES WITHIN FLOOD ZONE _____, ACCORDING TO F.I.R.M. MAP NO. _____, DATE 9-22-99, BY GRAPHING PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.

BEFORE ANY DEVELOPMENT PLANNING, DESIGN, OR CONSTRUCTION IS STARTED, THE COMMUNITY, CITY AND COUNTY IN WHICH SUBJECT TRACT EXISTS SHOULD BE CONTACTED. SAID ENTITIES MAY IMPOSE LARGER FLOOD PLAN AND FLOODWAY AREAS THAN SHOWN BY F.I.R.M. MAPS THAT WILL AFFECT DEVELOPMENT.

TRACT I
1.9001 ACRES
(82,766 SQ. FT.)

TRACT II
0.1423 ACRES
(6,200 SQ. FT.)

50' PIPELINE ESMT.
PER PLAT OF SKYWAY MANOR SUBDIVISION
(CALLED HOUSTON PIPELINE COMPANY ESMT.)

SURVEYOR'S CERTIFICATION

I, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND COMPLETED ON THIS 12TH DAY OF SEPTEMBER, 2016, AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY SHOWING ANY IMPROVEMENTS. THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN. THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR CATEGORY 1A, CONDITION II SURVEY. THIS SURVEY IS CERTIFIED FOR BOUNDARY ONLY AND FOR THIS TRANSACTION ONLY. SURVEYOR DID NOT ABSTRACT PROPERTY, EASEMENTS, BUILDING LINES, ETC., SHOWN ARE AS IDENTIFIED BY:

GF 1633848-LPHF of TITLE RESOURCES GUARANTY COMPANY.

Fred W. Lawton, Registered Professional Land Surveyor No. 2321



PIPER STREET
(PUBLIC R.O.W. VARIES)

SURVEY OF

TRACT I
1.9001 ACRES OF LAND SITUATED IN LOTS 1 AND 2 BLOCK 3, SKYWAY MANOR SUBDIVISION, BEING A SUBDIVISION OF 68.24 ACRES OUT OF THE WEST HALF OF THE NORTHWEST 1/4 OF SECTION 15, H.T.&B.R.R. CO. SURVEY, ABSTRACT 241, BRAZORIA COUNTY, TEXAS.

TRACT II
A PORTION OF LOT 1, IN BLOCK 3, OF SKYWAY MANOR SUBDIVISION, BEING A SUBDIVISION OF 68.24 ACRES OUT OF THE WEST HALF OF THE NORTHWEST 1/4 OF SECTION 15, H.T.&B.R.R. CO. SURVEY, ABSTRACT 241, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE RECORDED MAP OR PLAT THEREOF IN VOLUME 7, PAGE 67 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS.

ADDRESS: 7030 WEST BROADWAY STREET (AKA FM 518) PEARLAND, TEXAS 77581		REVISIONS:	
SITE: ACCESS CHURCH		NO.	DESCRIPTION
JOB NO: 1381-16	SCALE: 1" = 20'		
DATE: 9-12-16	SHEET 1 OF 1		

SOUTH TEXAS SURVEYING ASSOCIATES, INC.
11281 Richmond Ave. Bldg J, Suite 101, Houston, Texas 77082
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Firm Number: 10045400

D. DISCUSSION ITEMS

1. Commissioners Activity Report
2. Zoning Update:
 - 1st Reading 10-10-16
 - ZONE 2016-00006: Stonebridge PD amendment
 - ZONE 2016-00007: Highland Glen PD amendment
 - ZONE 2016-00008: Oakbrook PD amendment
 - CUP 2016-00003: 8541 Broadway St. - CUP for Hotel/motel in GB
 - CUP 2016-00005: 2125 Garden Rd. - CUP for Light manufacturing in G/O-MU
 - CUP 2016-00006: 3401 S. Main St. - CUP for Forklift in GC
 - UDC T-22 – Manvel Rd to COD
 - UDC T-23 – Lighting, Liquor, and E-Cigarette lounges
3. Next P&Z Meeting, – November 7, 2016 - Regular P&Z meeting (plats only)

V. ADJOURNMRNT