



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, SEPTEMBER 15, 2014, AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Zone Change Application No. 2014-6Z**

A request of Evelyn Pineda, owner/applicant; for approval of a change in zoning from Single Family Residential-2 (R-2) to Office and Professional (OP) on approximately 0.21 acres of land, to wit:

**Legal Description:** A tract of land being known as Lot 15 of Darlinda Addition, a subdivision in Brazoria County Texas as recorded in Volume 7, Page 20 of the Plat Records of said Brazoria County, and being the same tract of land as described in deed to Ernesto Perez and Evelyn Pineda under Clerk;s File Number 2006042620 of the Real Property Records of said Brazoria County.

**General Location:** 4602 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.**



## Memo

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: September 15, 2014

Re: Zone Change Application Number 2014-6Z

A request of Evelyn Pineda, owner/applicant; for approval of a change in zoning from Single Family Residential-2 (R-2) to Office and Professional (OP) on approximately 0.21 acres of land located on the south side of Broadway Street, and approximately 100 feet from the intersection of Broadway Street and Ray Street, Pearland, TX

### **Proposal**

The subject property includes approximately 0.21 acres of land, of which the applicant is requesting a change in zoning from the Single Family Residential-2 (R-2) zoning district to the Office and Professional (OP) zoning district. According to the applicant's letter of intent, the purpose of the requested change in zoning is to convert the existing single family home into a real estate office or other professional office. All requirements of the Unified Development Code (UDC) will need to be met upon conversion to office.

### **Public Notification/Comment**

Staff sent public notices, comment forms and a vicinity map to the applicant, owner of the property and to property owners within 200 feet of the site. 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.

As of the date of this writing, staff has not received any returned notices from property owners within 200 feet of the site.

## **Recommendation**

Staff recommends approval of the request to change the zoning of the approximately 0.21 acre site from R-2 to OP for the following reasons:

1. The change in zoning will result in conformance with the Comprehensive Plan, as the current zoning of R-2 does not conform to the future land use designation of Office, Retail and Services.
2. The purpose of the proposed zoning district of OP is to permit a wide variety of business, professional and organizational office needs of the community together with desirable associated uses. The proposed zoning district permits most low impact office uses, such as medical/dental offices, credit agencies, banks, veterinarian clinics; however, prohibits more intense uses such as automobile-related uses such as auto repair, gas stations, and car washes; yet, permits various other uses that may prove to be incompatible with surrounding uses, with approval of a CUP, such as a wholesale bakery or a resale consignment shop, for example. These uses require additional review by the City Council, Planning and citizens.
3. The existing residential adjacency standards and the COD regulations will ensure that any proposed non-residential use has no major impact on the existing single family homes.
4. All requirements of the UDC will be met upon conversion of the structure from residential to office use.

## **Exhibits**

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



## Exhibit 1 Staff Report

### Summary of Request

The applicant is requesting approval of a change in zoning from the Single Family Residential-2 (R-2) zoning district to the Office and Professional (OP) zoning district on approximately 0.21 acres of land located on the south side of Broadway Street, and approximately 100 feet from the intersection of Broadway Street and Ray Street. According to the applicant's letter of intent, the purpose of the requested change in zoning is to convert the existing single family home into a real estate office or other professional office.

### Site History

The subject property is currently developed with a single family home and attached garage, which, according to Brazoria County Appraisal district records was constructed in 1960. The property was annexed into the City of Pearland in 1905. Prior to the adoption of the Unified Development Code (UDC) in 2006, the property was zoned for single family residential and is currently located within the Single Family Residential-2 (R-2) zoning district.

The site is surrounded by non-residential uses and non-residential zoning districts, with the exception of the single family home and single family zoning districts to the west and south. The below table identifies surrounding uses and zoning districts:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	General Business (GB)	Houston Community Bank
<b>South</b>	Single Family Residential 2 (R-2)	Single Family
<b>East</b>	Old Town General Business (OT-GB)	Kidz Come First Daycare and Learning Center
<b>West</b>	Single Family Residential 2 (R-2)	Single Family

### **Conformance with the Thoroughfare Plan**

The subject property has approximately 98.48 feet of frontage along Broadway Street; a major thoroughfare, which requires 120 feet of right-of-way. It appears from GIS records that the existing right-of-way at this location, is approximately 100 feet; and therefore is not in compliance with the thoroughfare plan. Should the property require platting in the future, additional right-of-way will be required.

### **Conformance with the Unified Development Code**

The existing use of the subject property conforms to the existing zoning district. The subject property is located within the Single Family Residential 2 (R-2) zoning district. The purpose of the aforementioned zoning district is to permit low-density residential development of detached single-family dwelling units and appropriate desirable open space.

The site is also located within the Corridor Overlay District (COD), which was established after the single family home was constructed and platted. Depending upon whether the existing structure is demolished and a new structure is built, expanded upon, or the existing structure is converted to an office, various improvements will be required. For example, if the structure is completely demolished and a new structure is built, the site is required to come into full compliance with the UDC. The proposed change in use and any expansion shall trigger parking (surface, quantity based on proposed use, parking lot landscaping) and screening requirement such as commercial dumpster/refuse container screening and residential adjacency screening. Additionally, any expansion that exceeds five hundred (500) square shall trigger the construction of sidewalks, parking, landscaping, etc. At this time, the change of use/occupancy will trigger any façade improvements that are required by the UDC.

The subject property includes approximately 0.21 acres, which equates to 9,447 square feet. According to the survey submitted with the application, the width of the subject property is approximately 98.48 feet. The existing lot area and lot width do not meet the minimum requirements of the proposed OP zoning district. However, a variance was approved by the Planning and Zoning Commission on August 4, 2014 to allow for a reduction in the lot area and lot width. The below table illustrates the existing lot dimensions compared to the required lot dimensions for a property located within the OP zoning district:

Office and Professional (OP) Area Regulations		
Size of Lots	Required	Existing Lot Dimensions
Minimum Lot Size	12,500 sf.	9,447 sf.
Minimum Lot Width	100 ft.	98.49 ft.
Minimum Lot Depth	100 ft.	144 ft.

### **Conformance with the Comprehensive Plan**

The proposed change in zoning from R-2 to OP of the subject property, will implement the policies of and conform to the future land use element of the Comprehensive Plan, for the subject property, which is “Retail, Offices and Services.” According to the Comprehensive Plan, properties located within the aforementioned future land use designation should include neighborhood or convenience shopping centers or separate uses, preferably located at major street intersections, with limited outdoor retail activities. Nonresidential uses should buffer from neighboring single family residential uses. Appropriate zoning districts include the proposed zoning district of Office and Professional (OP), Neighborhood Service (NS) and selected uses within the General Business (GB) zoning district.

### **Platting Status**

According to City records, the subject property was originally platted in 1953, as one lot which included the lot just west of the subject property, which has frontage on both Broadway and Ray Streets. A replat in 1955 separated the lot into two (2) lots (current configuration). However, does not meet current platting requirements and a new plat may be required depending upon the extent of improvements proposed.

### **Availability of Utilities**

The subject property has access to public infrastructure, and according to the Utility Billing Department, is connected to public water and sewer. GIS data indicate that water is available to the site via a 10-inch waterline along the north side of Broadway Street and a 6-inch water line along the west side of Ray Street. Additionally, there is an existing 10-inch sewer line along the frontage of the property. At the time of permitting existing infrastructure will be analyzed to ensure that existing infrastructure is sufficient or if the extension of infrastructure is required. The impact of the proposed use on the current infrastructure will also be analyzed and impact fees may be assessed.

### **Impact on Existing and Future Development**

All surrounding properties are developed. Properties north and east of the subject property are developed with nonresidential uses; Houston Community Bank to the north, and on the north side of Broadway Street; and directly east of the site is Kidz Come First Daycare and Learning Center. Properties to the west and south are developed with single family homes. There should be no major negative impact to surrounding properties, as the site is currently developed. Various improvements will be required as a result of the change in use from residential to non-residential. When the subject property is converted from a single family use to a non-residential use, residential adjacency standards will apply along the west and south property lines due to the existing single family uses/subdivision. Options include the following:

1. A 25-foot landscape buffer which shall remain open and unobstructed (no parking, driveways, etc.) and an opaque screening wall a minimum of 6-feet, but not to exceed 8-feet in height; or
2. In situations where a fence exists along the property line between the nonresidential and residential use, the screening shall be achieved by a 30-foot buffer and a vegetative screen dense enough to be completely opaque year round, which is at 4 feet tall at planting and at least 8 feet tall within 12 months, unless the nonresidential use obtains permission from the owner(s) of the existing fence to replace said fence with the above required opaque screening wall.

The existing residential adjacency standards and the COD regulations will ensure that any proposed non-residential use has no major impact on the existing single family homes.

### **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 comments either in opposition to or in support of the proposed change in zoning request.

### **Recommendation**

Staff recommends *approval* of the request to change the zoning of the approximately 0.21 acre site from R-2 to OP for the following reasons:

1. The proposed zoning district of Office and Professional (OP) implements the policies and conforms to the adopted Comprehensive Plan, including the future land use designation for the subject property which is “*Retail, Offices and Services.*” The change in zoning will result in conformance with the Comprehensive Plan, as the current zoning of R-2 does not conform to the Comprehensive Plan. According to the Comprehensive Plan, properties located within the aforementioned future land use designation should include neighborhood or convenience shopping centers or separate uses, preferably located at major street intersections, with limited outdoor retail activities. Nonresidential uses should buffer from neighboring single family residential uses. Appropriate zoning districts include the proposed zoning district of Office and Professional (OP), Neighborhood Service (NS) and selected uses within the General Business (GB) zoning district. The purpose of the OP zoning district is to permit a wide variety of business, professional and organizational office needs of the community together with desirable associated uses, which furthers the goals of the “*Retail, Offices and Services*” future land use designation. The OP zoning district also restricts outdoor commercial activities or uses without a temporary permit. Outdoor storage is only allowed with approval of a Conditional Use Permit (CUP). The existing use of the site, as developed (single family dwelling unit) and the existing zoning of the site (R-2) create a non-conformity, as the existing use and the existing zoning district do not match the future land use designation of the Comprehensive Plan. The request will result in bringing a non-conforming use and zoning, into compliance with the Unified Development Code as well as the Comprehensive Plan.
2. The purpose of the proposed zoning district of OP is to permit a wide variety of business, professional and organizational office needs of the community together with desirable associated uses. The proposed zoning district permits most low impact office uses, such as medical/dental offices, credit agencies, banks, veterinarian clinics; however, prohibits more intense automobile-related uses such as auto repair, gas stations, and car washes; yet, permits various other uses that may prove to be incompatible with surrounding uses, with approval of a CUP, such as a wholesale bakery or a resale consignment shop, for example.

3. The existing residential adjacency standards and the COD regulations will ensure that any proposed non-residential use has no major impact on the existing single family homes.
4. All requirements of the UDC will be met upon conversion of the structure from residential to office use.



## Exhibit 2

### AERIAL MAP

### ZONE CHANGE 2014-6Z

### 4602 W. BROADWAY

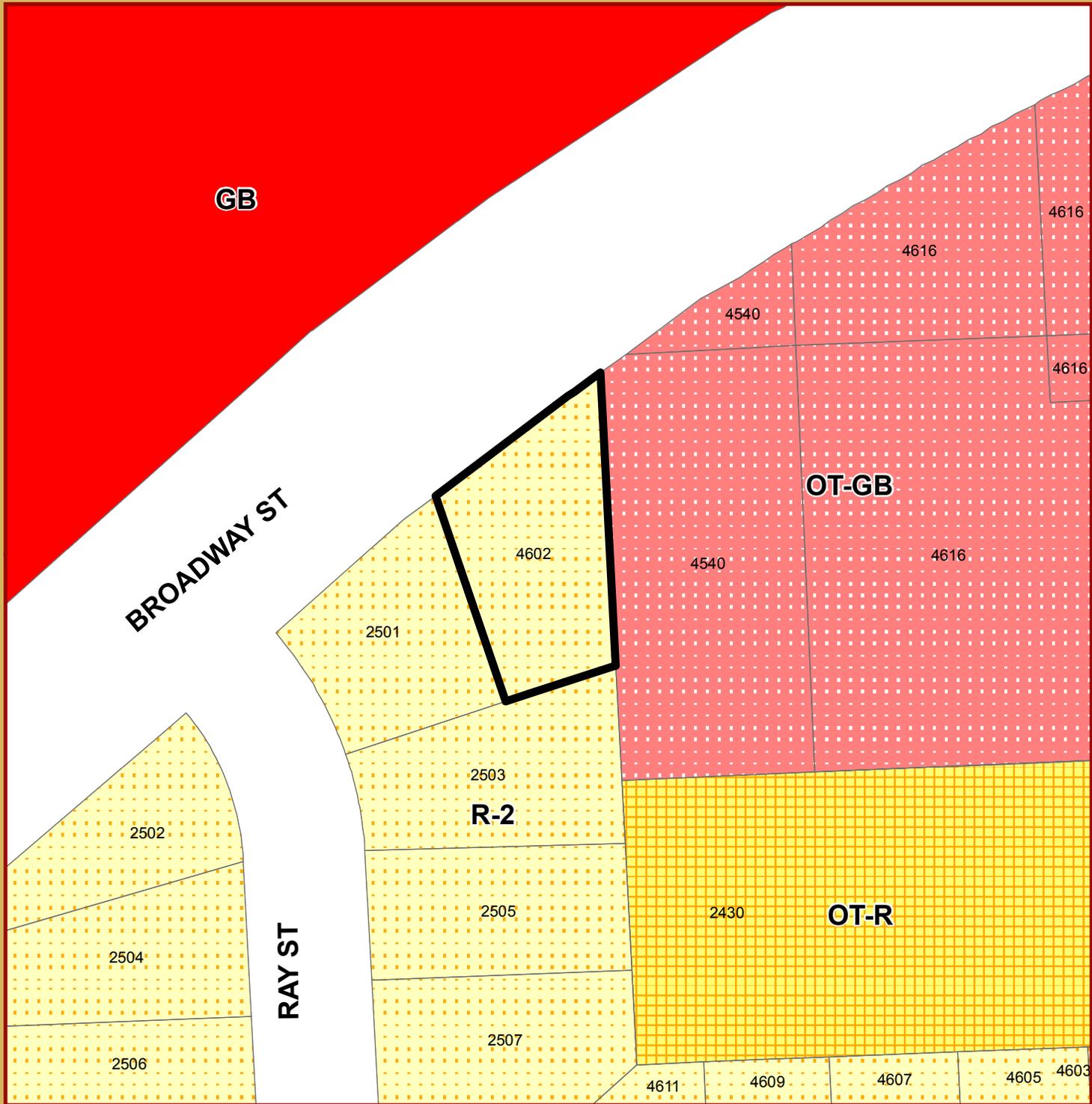


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 70 feet

22 MAY 2014  
PLANNING DEPARTMENT





**Exhibit 3  
ZONING MAP**

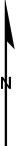
**ZONE CHANGE  
2014-6Z**

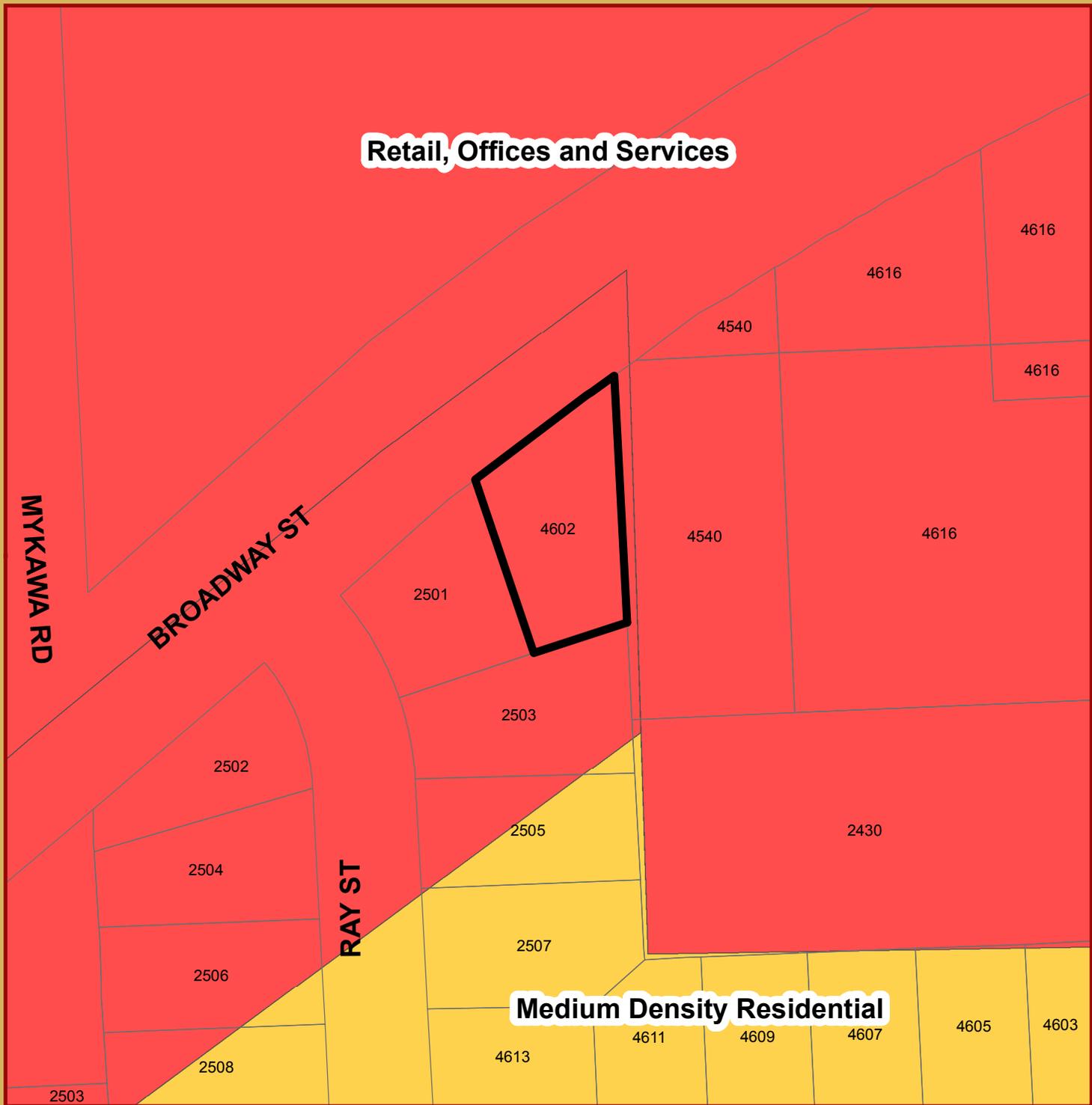
**4602 W. BROADWAY**



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1 inch = 70 feet  
22 MAY 2014  
PLANNING DEPARTMENT





**Retail, Offices and Services**

**Medium Density Residential**

Exhibit 4

**FLUP MAP**

**ZONE CHANGE  
2014-6Z**

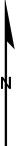
**4602 W. BROADWAY**



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 = 83 feet

22 MAY 2014  
PLANNING DEPARTMENT





## Exhibit 6

### ZONE CHANGE 2014-6Z NOTIFICATION LIST

<b>NAME</b>	<b>ADDRESS</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>
BATES LISA LANELLE	3302 CHURCHILL ST	PEARLAND	TX	77581
CAMPBELL ARLYN JEAN	4606 RAY ST	PEARLAND	TX	77581
CANON FRANK LYNN	4609 RAY ST	PEARLAND	TX	77581
COBBS DAVID W & BRENDA S	2505 RAY ST	PEARLAND	TX	77581
COBBS T F JR & DORTHY	4611 RAY ST	PEARLAND	TX	77581
COE CODY	2504 RAY ST	PEARLAND	TX	77581
D BROWN INTERIORS	2640 BROADWAY ST STE 102	PEARLAND	TX	77581
JACKSON NELLIE J	3215 SAGEWOOD CT	PEARLAND	TX	77584
KILBOURN D R	2507 RAY ST	PEARLAND	TX	77581
LEROY JAMES WILLIAM & GALE S	2315 HALBERT DR	PEARLAND	TX	77581
NASSIF MICHAEL & SABA	11839 MIGHTY REDWOOD DR	HOUSTON	TX	77059
PEREZ ERNESTO & EVELYN PINEDA	PO BOX 230392	HOUSTON	TX	77223
SCHOOL ZONE	3421 E WALNUT ST	PEARLAND	TX	77581
EVELYN PINEDA	PO BOX 230392	HOUSTON	TX	77223

Exhibit 7



APPLICATION FOR A CHANGE IN ZONING

City of Pearland
Community Development
3523 Liberty Drive
(Pearland, Texas 77581)
281-652-1768
281-652-1702 fax
www.cityofpearland.com

Current Zoning District: Single Family Residential - 1
Proposed Zoning District: Office & Professional



Property Information:

Address or General Location of Property: 4602 W Broadway
Pearland 77581

Tax Account No. 203765

Subdivision: Darlinda (Pearland) Lot: 15 Block:

A complete application must include all information shown on the Application Checklist attached to this application.

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

NAME Evelyn Pineda
ADDRESS PO BOX 230392
CITY Houston STATE TX ZIP 77223
PHONE (832) 868-7054
FAX (832) 217-3121
E-MAIL ADDRESS evelynpineda@yahoo.com

NAME
ADDRESS
CITY STATE ZIP
PHONE
FAX
E-MAIL ADDRESS

\*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: 5-12-14

Agent's/Applicant's Signature: Date:

OFFICE USE ONLY:

Table with 4 columns: FEES PAID: \$775.00, DATE PAID: 5-13-14, RECEIVED BY: J. Tatum, RECEIPT NUMBER: 228336

Application No. 2014-67

## APPLICATION CHECKLIST FOR THE FOLLOWING

- Zone Changes
- Planned Development Districts (PD)

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.
- 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.**
- Metes and Bounds Description, (Survey, or a 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 and why the zoning is being requested to be changed, and state the uses being proposed

\*Letter of Intent is not required for a PD.

- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)

- **Zero (0) to less than 25 acres:**
  - \$ 750.00 plus \$25.00 per each type of zoning district requested; or
  - \$ 800.00 if requesting a Planned Development (PD)
- **25 to less than 50 acres:**
  - \$ 800.00, plus \$25.00 per each type of zoning district requested; or
  - \$ 850.00 if requesting a Planned Development (PD)
- **50 to less than 75 acres:**
  - \$ 850.00, plus \$25.00 per each type of zoning district requested; or
  - \$ 900.00 if requesting a Planned Development (PD)
- **75 to less than 100 acres:**
  - \$ 900.00, plus \$25.00 per each type of zoning district requested; or
  - \$ 950.00 if requesting a Planned Development (PD)
- **100 acres and above:**
  - \$ 950.00, plus \$25.00 per each type of zoning district requested; or
  - \$ 1000.00 if requesting a Planned Development (PD)

- For PD's Only: the proposed PD document in electronic form by date of application (either emailed or on a CD) (see PD Format for guidelines on how to prepare the PD).

- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

### **Additional Information:**

- Upon making an application for a zoning change or conditional use permit, the applicant shall place sign(s) as required. The City shall inspect such sign(s) to ensure compliance as required by the UDC.
- After the zoning change or conditional use permit request is approved by the City Council, denied by the City Council, or withdrawn by the applicant, the applicant shall remove the sign from the area of the request within ten (10) days of such event.
- It shall be unlawful for anyone to remove, destroy, deface or obstruct the view of a sign which gives notice that a zoning change or conditional use permit has been requested.
- In the event the applicant shall fail to erect and/or maintain signs in accordance with this section, then the public hearing before the Planning and Zoning Commission/City Council shall be postponed to a date in the future, which would allow time for compliance.
- The erection of any sign required by this section shall not require a permit under Section 4.1.2.6 of this UDC.
- The owner or applicant shall promptly notify the Planning Department of any sign required by this section, which becomes lost, stolen or vandalized. The Planning and Zoning Commission shall have the power to decide whether or not there has been substantial compliance with the posting requirements in the case of lost, stolen or vandalized signs.

**POSTING OF ZONING NOTIFICATION SIGNS  
ON PROPERTY UNDER CONSIDERATION  
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

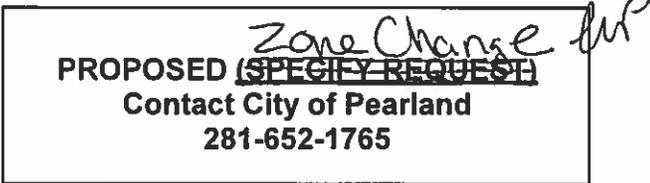
Any person, firm, or corporation requesting a zoning change, conditional use permit (CUP), variance, or special exception (SE) shall be required to erect and maintain a sign(s), to be inspected by the City upon the property for which a variance, zone change, CUP, or SE has been requested.

Signs(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 zone 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:



**\*Signs must be professionally made; handwritten signs are not allowed.**

**\*Signs must be freestanding and cannot be attached to a tree, fence, or building.**

CITY OF PEARLAND  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: JCOTTER Type: DC Drawer: 1  
Date: 5/14/14 01 Receipt no: 228336

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$775.00

Trans number: 4464989

4602 W BROADWAY PEARLAND  
EVELYN PINEDA  
ERNESTO J PEREZ  
2704 TRANQUILITY TRL  
PEARLAND

Tender detail		
CK CHECK	164	\$775.00
Total tendered		\$775.00
Total payment		\$775.00

Trans date: 5/13/14 Time: 15:18:05

**ZONE CHANGE / VARIANCE / PLAT / RECORDATION**

(circle one)  
\$775<sup>00</sup> **BA** or **PF** or **FE**

Description: Input who the check is from

**COMMENTS/DESCRIPTION (F10):**

Location or  
Address 4602 W Broadway  
Pearland TX 77581

Applicant Evelyn Pineda

Owner \_\_\_\_\_



## LETTER OF INTENT

We are requesting a zone change from Residential-1 to Office and Professional. We intend to use the subject property as a real estate office or lease to a tenant who will also use the property for office and professional use. We are requesting the zone change for several reasons. First and most importantly, the subject property faces FM 518, a highly trafficated street with predominantly commercial properties. Second, the property is surrounded by commercial properties; next door is a day care and across the street is a bank. Third, although the subject property is intended for residential use the high traffic and commercial surroundings make the residential use of this property very challenging. Lastly, we are requesting a zone change because it is the "highest and best use" for the subject property.

Sincerely,



Evelyn Pineda

# LaPlant Surveyors, Inc.

17150 Bulle Creek Road, Ste. 135  
Houston Texas, 77090  
281-440-8890  
Firm No 10145800

A tract of land being known as Lot 15 of Darlinda Addition, a subdivision in Brazoria County Texas as recorded in Volume 7, Page 20 of the Plat Records of said Brazoria County, and being the same tract of land as described in deed to Ernesto Perez and Evelyn Pineda under Clerk's File Number 2006042620 of the Real Property Records of said Brazoria County, said tract of land being described by metes and bounds as follows

BEGINNING at the northeast corner of the herein described tract of land and the northeast corner of a tract of land containing 0.48 acre as described in deed to School Zone under Clerk's File Number 98-041483 and being located on the southerly right-of-way line of Farm to Market Road (F M ) Number 518.

THENCE S 00 deg 05 min 20 sec W along the east line of Lot 15 and the west line of said School Zone tract and departing said right-of-way line, a distance of 144.70 feet to the southeast corner of the herein described tract of land and the northeast corner of Lot 16.

THENCE S 74 deg 56 min 27 sec E along the southerly line of Lot 15 and the northerly line of Lot 16 a distance of 55.00 feet to the southwest corner of the herein described tract of land and the southeast corner of Lot 14.

THENCE N 15 deg 23 min 11 sec W along the westerly line of Lot 15 and the easterly line of Lot 14 a distance of 108.24 feet to the northwest corner of the herein described tract of land and the northeast corner of Lot 14, and being located on the aforementioned southerly right-of-way line of F M 518.

THENCE in a northeasterly direction along said southerly right-of-way line along a curve to the right having a radius of 2032.58 feet and a central angle of 02 deg 46 min 55 sec, an arc length of 98.69 feet having a chord bearing of N 56 deg 09 min 56 sec E and a chord distance of 98.68 feet to the Point of Beginning of the herein described tract of land.

This description is based on the aforementioned recorded plat of Darlinda Addition and does not purport to be based on a boundary survey in any manner.



DUPLICATE TAX RECEIPT



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

Certified Owner:

PEREZ ERNESTO & EVELYN PINEDA
PO BOX 230392
HOUSTON, TX 77223-0392

Legal Description:

DARLINDA (PEARLAND), LOT 15

Parcel Address: 4602 W BROADWAY
Legal Acres: 0.2169

Remit Seq No: 25809528
Receipt Date: 01/31/2014
Deposit Date: 02/14/2014
Print Date: 05/13/2014 10:50 AM
Printed By: LATOYA

Deposit No: 1404516C
Validation No: 9000000.30518834
Account No: 3190-0016-000
Operator Code: CHIARISE

Table with 7 columns: Year, Tax Unit Name, Tax Value, Tax Rate, Levy Paid, P&I, Coll Fee Paid, Total. Rows include Brazoria County, Special Road & Bridge, Pearland Isd, Brazoria Drainage Dist 4, and City Of Pearland.

Check Number(s): 215

PAYMENT TYPE:

Checks: \$1,723.88

Exemptions on this property:

Total Applied: \$1,723.88

Change Paid: \$0.00

ACCOUNT PAID IN FULL

PAYER: 23043164
PEREZ ERNESTO J
2704 TRANQUILITY TRAIL
PEARLAND, TX 77584

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

## Brazoria CAD - Map of Property ID 203765 for Year 2014



### Property Details

#### Account

Property ID: 203765  
Geo ID: 3190-0016-000  
Type: Real

Legal Description: DARLINDA (PEARLAND), LOT 15

#### Location

Situs Address: 4602 W BROADWAY PEARLAND,  
Neighborhood: DARLINDA  
MapSCO:  
Jurisdictions: CAD, CPL, DR4, GBC, RDB, SPL

#### Owner

Owner Name: PEREZ ERNESTO & EVELYN PINEDA  
Mailing Address: , PO BOX 230392, , HOUSTON, TX 77223-0392

#### Property

Appraised Value: \$62,260.00

<https://propaccess.trueautomation.com/Map/View/Map/51/203765/2014>

powered by  
**PropertyACCESS**

Map Disclaimer: This product is for informational purposes only 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. The Brazoria County Appraisal District expressly disclaims any and all liability in connection herewith.





**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, SEPTEMBER 15, 2014, 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. 2014-08**

A request of Pirooz Farhoomand, applicant; on behalf of Artisan Estates, L.P., owner; for approval of a Conditional Use Permit to allow for a Church, Temple, or Place of Worship in the Neighborhood Services (NS) Zoning District; on approximately 2.225 acres of land, to wit:

**Legal Description:** Being a tract of land containing 2.225 acre (96,940 square feet) tract of land in the H.T. & B.R.R. Co. Survey, Abstract 309, Brazoria County, Texas. Said 2.225 acre tract is in the south one-half of Lot 30 of the Allison-Richey Gulf Coast Home Company's part of Suburban Gardens Subdivision as recorded in Volume 2, Page 23 of the Brazoria County Map records and is further described as being part of a tract of land described in a deed conveyed from Garfield Clark, Jr. to Danny L. Blumrick executed on March 10, 1999 as recorded in Clerk's file No. 99 012327 in the Brazoria County Clerk's and all of a 0.9326 acre tract of land described in a deed conveyed from Garfield Clark, Jr. to Danny L. Blumrick executed on November 28, 2000 as recorded in Clerk's File No. 01 034492 in the Brazoria County Clerk's Office, Brazoria County, Texas

**General Location:** 3030 Cullen Parkway, 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.**



## Memo

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: September 15, 2014

Re: Conditional Use Permit Application Number 2014-08

A request of Pirooz Farhoomand, applicant; on behalf of Artisan Estates, L.P., owner; for approval of a Conditional Use Permit to allow for a Church, Temple, or Place of Worship in the Neighborhood Services (NS) Zoning District; on approximately 2.225 acres of land, located at 3030 Cullen Parkway, Pearland, TX

### **Proposal**

The subject property includes approximately 2.225 acres of land, of which the applicant is requesting a Conditional Use Permit in the Neighborhood Services (NS) zoning district to allow for a church use to occupy a tenant space within the existing multi-tenant building on site.

Originally, the applicant requested a zone change from NS to GB. The existing building on site currently sits 15.5 feet from the rear property line which meets the requirements of the NS zone but would be nonconforming within the GB zone as the GB zone requires a minimum rear yard of 25 feet. As the building would not conform to the standards of the GB zoning district, the applicant requested to change the submitted application to a request for a CUP to allow for a church use to locate on site.

### **Public Notification/Comment**

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

As of the date of this writing, staff has not received any returned notices from property owners within 200 feet of the site in favor or in opposition to the request.

## **Recommendation**

Staff recommends approval of the CUP 2014-08 to allow for a church use to locate at the proposed site for the following reasons:

1. The proposed CUP is in conformance with the Comprehensive Plan, as the current site has a future land use designation of Office, Retail and Services. The NS zone with an approved CUP is an appropriate zoning classification based on the Comprehensive Plan recommendation.
2. The existing use of the subject property as a multi-tenant shopping center conforms to the existing zoning district of NS. With an approved CUP, the use of a Church would also conform to the guidelines of the UDC. Furthermore, the existing structure on site was built in 2007 and conforms to all development guidelines of the UDC.
3. The proposed CUP will not have a negative impact on the existing character of the neighborhood. The subject property is surrounded by commercial uses and/or zoning districts on three sides with a single family subdivision across Fite to the south. The site is already developed as a multi-tenant commercial shopping center with no current plans to expand. The addition of a church within an existing tenant space on site will not have a significant impact to the immediate area.

## **Exhibits**

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



## Exhibit 1 Staff Report

### Summary of Request

The subject property includes approximately 2.225 acres of land, of which the applicant is requesting a Conditional Use Permit in the Neighborhood Services (NS) zoning district to allow for a church use to occupy a tenant space within the existing multi-tenant building on site.

### Site History

The subject property is developed with a 10,920 square foot multi-tenant retail building. According to Brazoria County Appraisal District records, the building was constructed in 2007. The property was annexed into the City of Pearland in 1997. The property obtained a zone change in 2001 changing it from Suburban Development (SD) to the current zoning of Neighborhood Services (NS).

The site is surrounded by the GB zoning district to the north, west and east with properties south of the site located within the Single Family Residential-2 (R-2) and NS zoning districts. Surrounding uses include undeveloped land directly abutting the site to the west and east across Cullen Parkway; Medical offices to the north; and a barber shop adjacent to the south with single family dwellings across Fite Road.

The below table identifies surrounding uses and zoning districts:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	General Business (GB)	Medical Offices
<b>South</b>	Single Family Residential-2 (R-2) Neighborhood Service (NS)	Barber Shop Single Family Subdivision
<b>East</b>	General Business (GB)	Undeveloped Commercial
<b>West</b>	General Business (GB)	Undeveloped Commercial

### **Conformance with the Unified Development Code**

The existing use of the subject property as a multi-tenant shopping center conforms to the existing zoning district of NS. The purpose of the aforementioned zoning district is to permit a variety of low to moderate impact retail along with offices and other types of neighborhood uses that would fit well with surrounding residential neighborhoods. When a change in use occurs on a piece of property there are certain triggers, including compliance with screening/fencing and parking requirements. The current site was developed in 2007, after the adoption of the UDC. The current development appears to meet the requirements of the UDC under the NS guidelines. Originally, the applicant requested a zone change from NS to GB, The existing building on site currently sits 15.5 feet from the rear property line which meets the requirements of the NS zone but would be nonconforming within the GB zone as the GB zone requires a minimum rear yard of 25 feet. As the building would not conform to the standards of the GB zoning district, the applicant requested to change the submitted application to a request for a CUP to allow for a church use to locate on site.

A comparison of the existing NS and proposed GB zoning districts follow as it relates to the site in terms of the general regulations:

<b>NS Requirements</b>		<b>Subject Property</b>
Minimum Lot Area	12,500 square feet	96,940 square feet
Minimum Lot Width	100 feet	510 feet
Minimum Lot Depth	100 feet	177.24 feet
Minimum Front Yard	25 feet	105 feet
Minimum Side Yard	15 feet	122 feet (north), 155 feet (south)
Minimum Rear Yard	10 feet	15.5 feet

### **Conformance with the Comprehensive Plan**

The site is located within the Retail, Offices, and Services future land use designation. According to the Comprehensive Plan, the aforementioned future land use designation is designed for neighborhood or convenience shopping centers preferably located at significant street intersections with limited outdoor retail activities. The existing NS zone is listed in the Comprehensive Plan as an appropriate zoning designation for the Retail, Offices, and Services future land use designation.

### **Conformance with the Thoroughfare Plan**

The property has frontage on Cullen Parkway; a major thoroughfare of sufficient width which requires 120 feet of right-of-way, as well as Fite Road; a minor collector, which according to the thoroughfare plan is to be widened, and requires 60 feet of right-of-way.

### **Platting Status**

The property was platted in March of 2006 as the Final Plat of The Village at Pearland.

### **Availability of Utilities**

The subject property has access to public infrastructure, and according to the Utility Billing Department, is connected to public water and sewer. According to GIS records, there is an existing 12 inch water line along the east side of Cullen Parkway. Additionally, there is an existing 24 inch sewer line along the east side of Cullen Parkway and an 18 inch line along Fite Road. No expansion is proposed at this time. Therefore, it is not anticipated that any additional connections to city water or sewer will be required.

### **Impact on Existing and Future Development**

The subject property is surrounded by commercial uses and/or zoning districts on three sides, many of which have yet to be developed. There is a single family subdivision across Fite and an adjacent home converted to a barber shop to the south. The subject parcel is currently developed as a multi-tenant commercial shopping center with no current plans to expand. The proposed CUP will allow for a church use to occupy one of the existing tenant spaces. The NS zone allows for a variety of office and retail uses to locate within the existing structure, thus it is not anticipated that a church use will have a significant impact.

### **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 CUP. 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**

As of the date of this writing, staff has not received any comments either in opposition to or in support of the proposed change in zoning request.

### **Recommendation**

Staff recommends approval of the CUP 2014-08 to allow for a church use to locate at the proposed site for the following reasons:

1. The proposed CUP is in conformance with the Comprehensive Plan, as the current site has a future land use designation of Office, Retail and Services. The NS zone, with an approved CUP is an appropriate zoning classification based on the Comprehensive Plan recommendation.
2. The existing use of the subject property as a multi-tenant shopping center conforms to the existing zoning district of NS. With an approved CUP, the use of a Church would also conform to the guidelines of the UDC. Furthermore, the existing structure on site was built in 2007 and conforms to all development guidelines of the UDC.
3. The proposed CUP will not have a negative impact on the existing character of the neighborhood. The subject property is surrounded by commercial uses and/or zoning districts on three sides with a single family subdivision across Fite to the south. The site is already developed with a multi-tenant commercial shopping center with no current plans to expand. The addition of a church within an existing tenant space on site will not have a significant impact to the immediate area.



# Exhibit 3

## ZONING MAP

CUP 2014-08

3030 Cullen Pkwy.



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1 inch = 163 feet

MAY 2014  
PLANNING DEPARTMENT

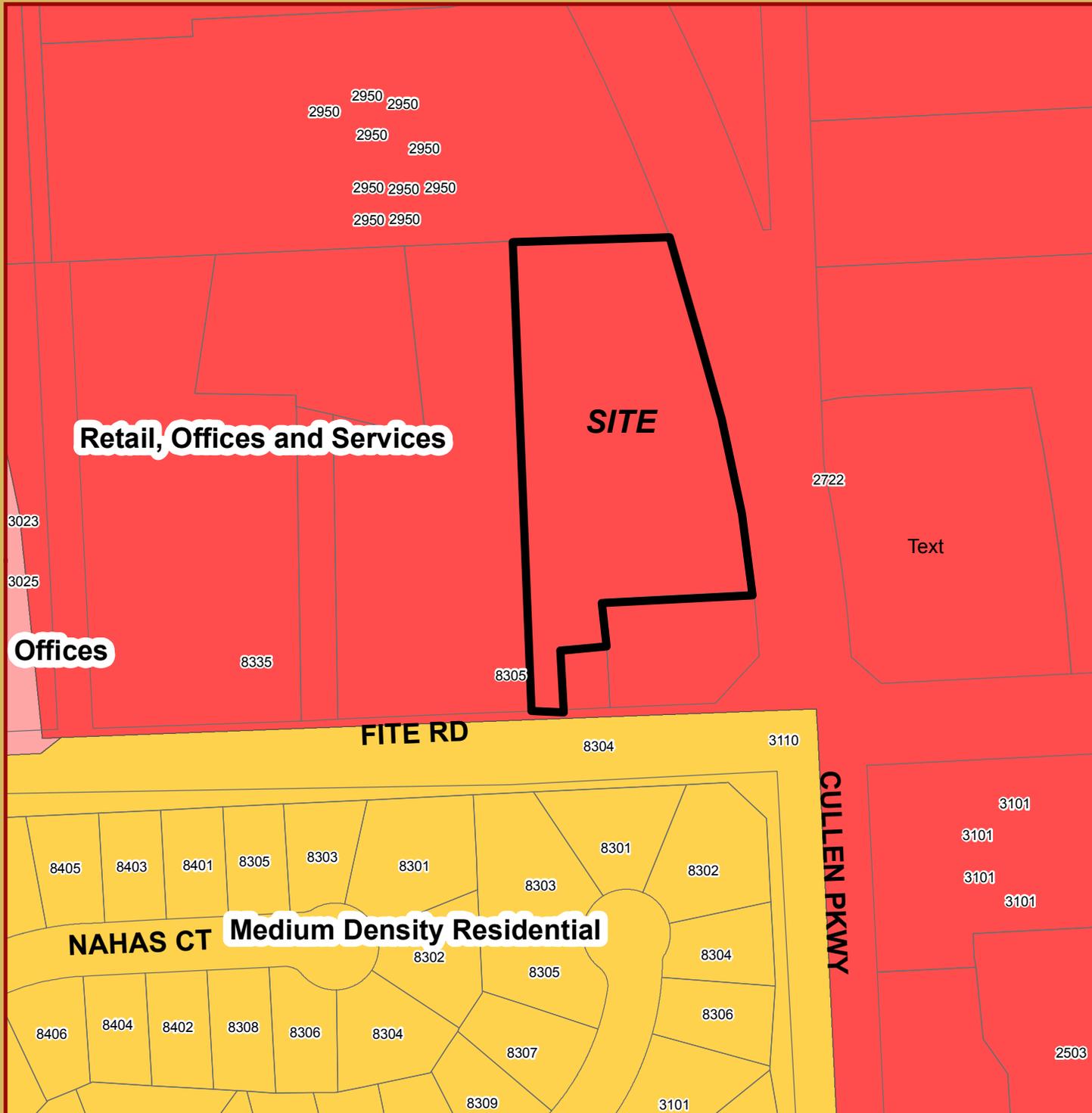


Exhibit 4

**FLUP MAP**

**CUP 2014-08**

**3030 Cullen Pkwy.**



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1 inch = 163 feet

MAY 2014  
PLANNING DEPARTMENT

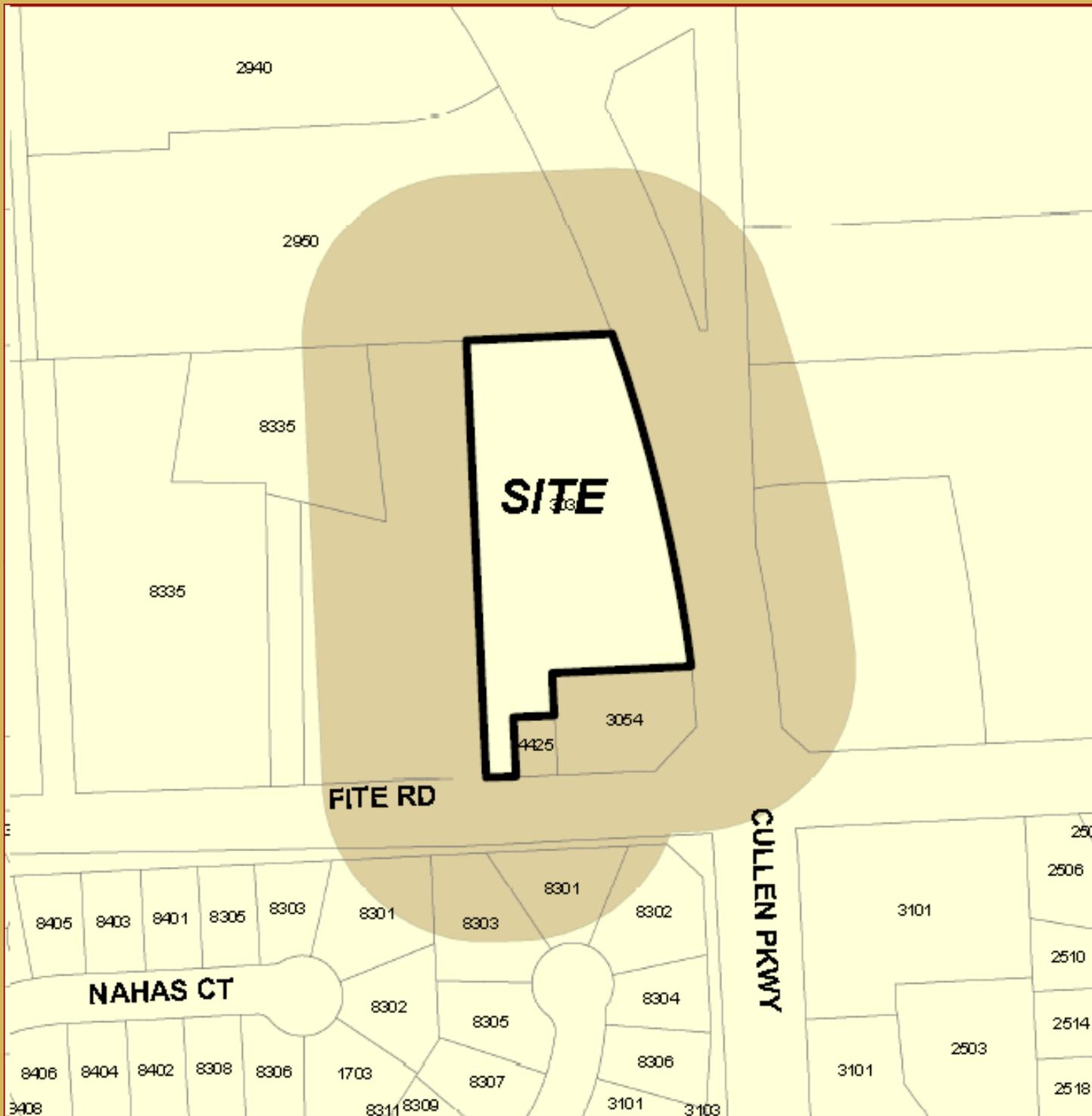


# Exhibit 5

## NOTIFICATION MAP

CUP 2014-08

3030 Cullen Pkwy.



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1 inch = 163 feet

MAY 2014  
PLANNING DEPARTMENT



prop_id	py_owner_name	LegalDescr	legal_desc
593863	HTA - PEARLAND CULLEN LLC	ABST - 309 SUBD - P.H.E. Office Park BLK - 1 Lot - 2	A0309 H T & B R R BLOCK 1 TRACT 2, P H E PFFICE PARK ACRES 3.8309
166356	FITE INTEREST LTD	ABST - 242 Tract - 1A2A	A0242 H T & B R R, TRACT 1A2, ACRES 1.7956
517521	THE LAKES AT EDGEWATER ESTATES	ABST - 309 SUBD - Villages of Edgewater Est Sec 5 Ph1 Lot - RES A	VILLAGES OF EDGEWATER ESTATES SEC 5 (A0309 HT&BRR) PEARLAND, RESERVE A-B (LANDSCAPE) PHASE 1, ACRES 1.1992
517557	MA WENBIN & ZHONG HUIPING	ABST - 309 SUBD - Villages of Edgewater Est Sec 5 Ph1 BLK - 1 Lot - 35	VILLAGES OF EDGEWATER ESTATES SEC 5 (A0309 HT&BRR) PEARLAND, BLOCK 1, LOT 35, PHASE 1
517534	MCKELVEY DAVID M & ANNETTE	ABST - 309 SUBD - Villages of Edgewater Est Sec 5 Ph1 BLK - 1 Lot - 12	VILLAGES OF EDGEWATER ESTATES SEC 5 (A0309 HT&BRR) PEARLAND, BLOCK 1, LOT 12, PHASE 1
517533	CAZARES JANET KAY	ABST - 309 SUBD - Villages of Edgewater Est Sec 5 Ph1 BLK - 1 Lot - 11	VILLAGES OF EDGEWATER ESTATES SEC 5 (A0309 HT&BRR) PEARLAND, BLOCK 1, LOT 11, PHASE 1
517532	RICHARD-JORDON NENNETTE L	ABST - 309 SUBD - Villages of Edgewater Est Sec 5 Ph1 BLK - 1 Lot - 10	VILLAGES OF EDGEWATER ESTATES SEC 5 (A0309 HT&BRR) PEARLAND, BLOCK 1, LOT 10, PHASE 1
168646	WYCHE FREEMAN T II & OLLIE	ABST - 309 SUBD - Allison Richey, A-309 Lot - 30A4	A0309 H T & B R R, TRACT 30A4- 30A8, ACRES 5.9136
168645	SOUTHWESTERN BELL TELE CO	ABST - 309 SUBD - Allison Richey, A-309 Lot - 30A3	A0309 H T & B R R, TRACT 30A3, ACRES 0.057
168643	TURNER LONNIE ET UX	ABST - 309 SUBD - Allison Richey, A-309 Lot - 30A1	A0309 H T & B R R, TRACT 30A1, ACRES 0.385
168642	ARTISAN ESTATES LP	ABST - 309 SUBD - The Village at Pearland BLK - 1 Lot - 1 ABST - 242 Tract - 1A2	A0309 H T & B R R BLOCK 1 TRACT 1 ACRES 2.225 THE VILLAGE AT PEARLAND (PEARLAND)
166356	FITE INTEREST LTD	ABST - 242 Tract - 1A2	A0242 H T & B R R, TRACT 1A2, ACRES 1.7956
168633	FITE OFFICE PARK LTD	ABST - 309 SUBD - Allison Richey, A-309 Lot - 30	A0309 H T & B R R TRACT 30 ACRES 0.7471

situs_stree	situs_num	situs_street	situs_street_suffix
	2950	CULLEN PKWY	
		COUNTY ROAD 89-COUNTY ROAD 91	
	8301	NAHAS	CT
	8303	PRESTON	DR
	8301	PRESTON	DR
	8302	PRESTON	DR
	8335	COUNTY ROAD 91	
	4425	COUNTY ROAD 91	
	3054	OLD CHOCOLATE BAYOU	RD
	3030	CULLEN PKWY	PKWY
		COUNTY ROAD 89-COUNTY ROAD 91	
		CULLEN	PKWY

land_state_cd	Mail_addr_line1	Mail_addr_line2	Mail_addr_
F1	% HEALTHCARE TRUST OF AMERICA INC	16435 N SCOTTSDALE RD	STE 320
C1	% SIGNATURE COMPANIES	9337B KATY FWY	
C1	HOMEOWNERS ASSOC INC %VANMOR PROPERTIES INC	8711 HIGHWAY 6 N	STE 270
A1		3210 BRUNO WAY	
A1		8303 PRESTON DR	
A1		1412 BUCKINGHAM DR	
A1		8302 PRESTON DR	
A1		8335 FITE RD	
J4	ATTN: SBC PROPERTY TAX ADMIN	1 BELL CTR	
A1		PO BOX 330766	
F1		802 TIBER ST	
C1	% SIGNATURE COMPANIES	9337B KATY FWY	
C2	% SIGNATURE COMPANIES	9337B KATY FWY	

Mail_addr_city	Mail_addr_state	Mail_addr_zip
SCOTTSDALE	AZ	85254
HOUSTON	TX	77024
HOUSTON	TX	77095
PEARLAND	TX	77584
PEARLAND	TX	77584
ORANGE	TX	77632
PEARLAND	TX	77584
PEARLAND	TX	77584
SAINT LOUIS	MO	63101
HOUSTON	TX	77233
HOUSTON	TX	77024
HOUSTON	TX	77024
HOUSTON	TX	77024

## Exhibit 6

### CUP 2014-08 NOTIFICATION LIST

Property Owner	Address	Suite	City	State	Zip
HTA - PEARLAND CULLEN LLC	16435 N SCOTTSDALE RD	STE 320	SCOTTSDALE	AZ	85254
FITE INTEREST LTD	9337B KATY FWY		HOUSTON	TX	77024
THE LAKES AT EDGEWATER ESTATES	8711 HIGHWAY 6 N	STE 270	HOUSTON	TX	77095
MA WENBIN & ZHONG HUIPING	3210 BRUNO WAY		PEARLAND	TX	77584
MCKELVEY DAVID M & ANNETTE	8303 PRESTON DR		PEARLAND	TX	77584
CAZARES JANET KAY	1412 BUCKINGHAM DR		ORANGE	TX	77632
RICHARD-JORDON NENNETTE	8302 PRESTON DR		PEARLAND	TX	77584
WYCHE FREEMAN T II & OLLIE	8335 FITE RD		PEARLAND	TX	77584
SOUTHWESTERN BELL TELE CO	1 BELL CTR		SAINT LOUIS	MO	63101
TURNER LONNIE ET UX	PO BOX 330766		HOUSTON	TX	77233
ARTISAN ESTATES LP	802 TIBER ST		HOUSTON	TX	77024
FITE INTEREST LTD	9337B KATY FWY		HOUSTON	TX	77024
FITE OFFICE PARK LTD	9337B KATY FWY		HOUSTON	TX	77024



# APPLICATION FOR A CHANGE IN ZONING

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281-652-1765  
281-652-1702 fax  
www.cityofpearland.com

Current Zoning District: NEIGHBORHOOD SERVICE DISTRICT  
Proposed Zoning District: GENERAL BUSINESS RETAIL DISTRICT

**Property Information:**

Address or General Location of Property: 3030 COLLEN PARKWAY, PEARLAND, TX 77584  
Tax Account No. 0309 0044 000  
Subdivision: VILLAGE AT PEARLAND Lot: 40309 HTG Block: 1 TRACK 1  
BBR

A complete application must include all information shown on the Application Checklist attached to this application.

**PROPERTY OWNER INFORMATION:**

**APPLICANT/AGENT INFORMATION:**

NAME ARTISAN ESTATES L.P.  
ADDRESS 802 TIBER  
CITY HOUSTON STATE Tx ZIP 77584  
PHONE (832) 628-1000  
FAX ( )  
E-MAIL ADDRESS PF3455@MSD.COM

NAME VIRDOZ FANHOOMAND  
ADDRESS 802 TIBER  
CITY HOUSTON STATE Tx ZIP 77024  
PHONE (832) 628-1000  
FAX ( )  
E-MAIL ADDRESS PF3455@MSD.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: 7/9/14  
Agent's/Applicant's Signature: [Signature] Date: 7/9/14

**OFFICE USE ONLY:**

FEES PAID: <u>\$175.00</u>	DATE PAID: <u>7/15/14</u>	RECEIVED BY: <u>JM</u>	RECEIPT NUMBER: <u>290468</u>
			Application No. <u>2014-148</u>

**POSTING OF ZONING NOTIFICATION SIGNS  
ON PROPERTY UNDER CONSIDERATION  
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

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.**

Acknowledgement signature

Date

7/15/14

## Johnna Matthews

---

**From:** P Far <pf3455@msn.com>  
**Sent:** Thursday, September 04, 2014 9:04 PM  
**To:** Johnna Matthews  
**Subject:** Re: Zone Change to CUP

Ms. Mathews,

Per our discussion earlier this morning, please accept this e mail as an official request to convert the zone change application to the Conditional Use Permit to allow a church (new tenant) to occupy a portion of the subject building located at 3030 Cullen Parkway.

Thanks,  
Pirooz Farhoomand, president (owner)  
802 Tiber street  
Houston, Texas 77024  
832 628 1000  
Sent from my iPhone

On Sep 4, 2014, at 11:48 AM, "Johnna Matthews" <[JMatthews@pearlandtx.gov](mailto:JMatthews@pearlandtx.gov)> wrote:

Pirooz,

After a thorough review of the zone change application you submitted for the property located on Fite and Cullen, staff has determined that the rear yard setback requirements do not meet the requirements of the proposed zoning district. Per our discussion this morning, please send me a letter requesting to convert the zone change application to a conditional use permit, as I originally suggested; to allow for a church.

Thanks!



**Johnna Matthews** | City Planner | Planning  
City of Pearland | 3519 Liberty Drive | Pearland, TX 77581  
T: 281.652.1740 C: 832.919.0889 F:  
[pearlandtx.gov](http://pearlandtx.gov)

Please note my new email address of [JMatthews@pearlandtx.gov](mailto:JMatthews@pearlandtx.gov)

8/1/2014

**MS. Johnna Matthews**

City of Pearland

Community Development Department

3523 Liberty

Pearland, Texas 77581



**Re: Request for zone change**

**3030 Cullen Parkway**

**Pearland, Texas 77584**

Ms. Matthews,

Per our discussion yesterday, enclosed, please find a copy of revised request for the zone change for the property listed above.

If you have any questions or additional clarifications, please contact me at 832 628 1000.

Thanks,

Pirooz Farhoomand

8/1/2014

Ms. Johnna Matthews

City of Pearland

Community Development Department

3523 Liberty

Pearland, Texas 77581

Subject: Request for change of Zone

3030 Cullen Parkway

Pearland, Texas 77584



I, Pirooz Farhoomand, the owner/president of Artisan Estates, L.P. do hereby, request and submit an application for approval of zone change from Neighborhood Services District to General Business Retail District for the subject property listed above.

The change in zoning provides an opportunity for the interested tenant, Dominion International Center, a non-denominational Church to utilize a portion of the available space (4371 square feet) within the subject building. It is the intention of the tenant to use the space as its worship center. The services will be on Wednesday evenings from 7:00 pm to 9:00 pm and on Sunday morning between the hours of 10:00 am to 12:00 pm. The location is suitable for the intended use with enough available parking spaces.

I would appreciate your consideration and expedition of the said request.

If you have any questions, please do not hesitate to contact me at 832 628 1000.

Very truly,

A handwritten signature in black ink, appearing to read "Pirooz Farhoomand".

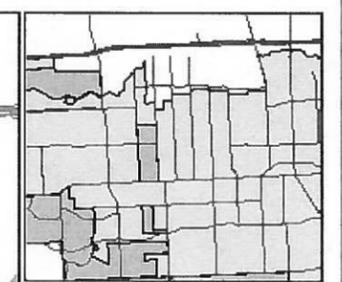
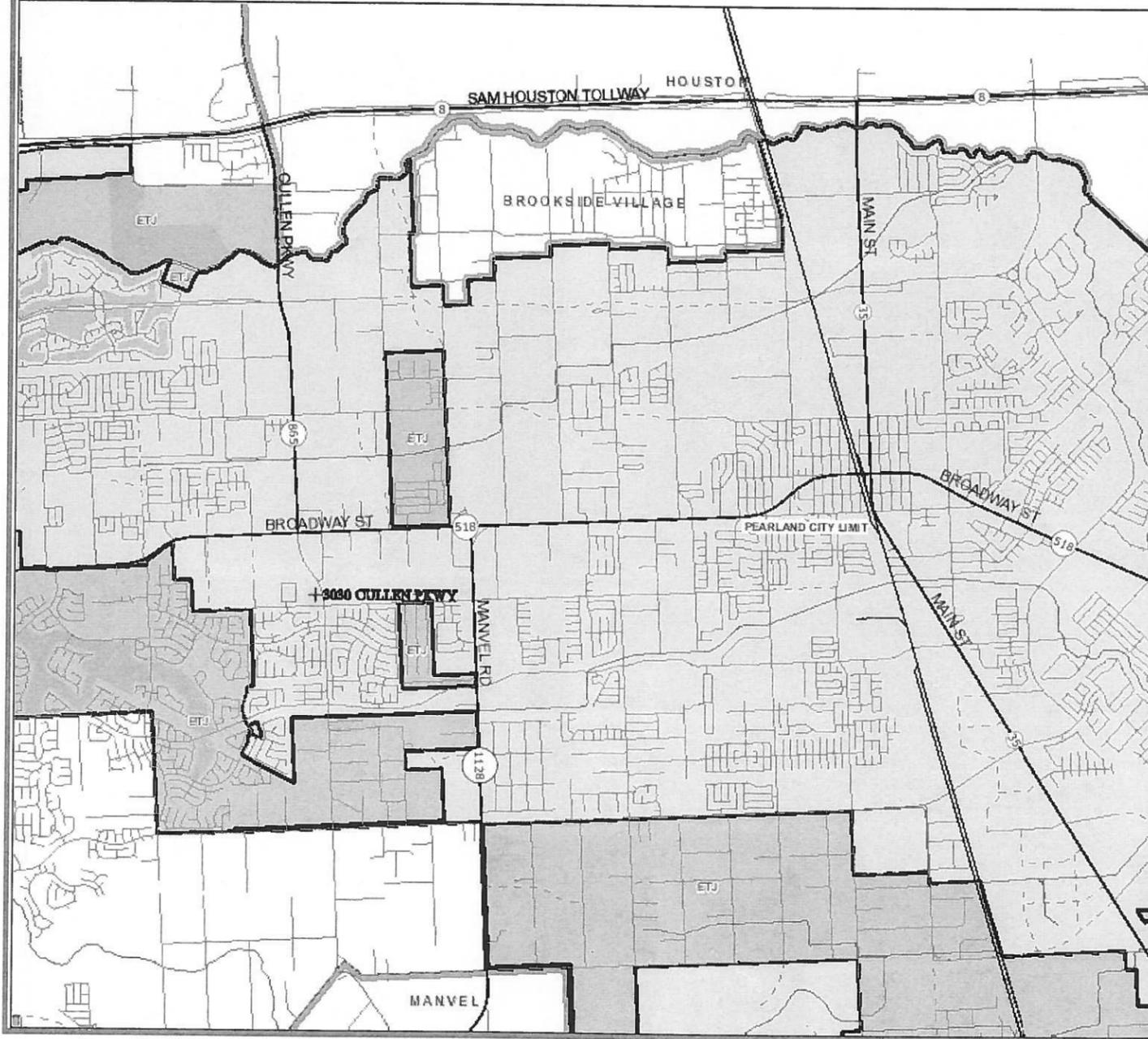
Pirooz Farhoomand, president

Artisan Estates, L.P.

802 Tiber Street

Houston, Texas, 77024

**3030 Cullen Parkway**



**Legend**

- Benchmarks**
  - ★
- Detention Locations**
  -
- Street Signs**
  - GUIDE
  - PARKING
  - REGULATORY
  - SCHOOL
  - STREET SIGN
  - WARNING
- Project Location**
  - ★
- Drainage**
  - ★
- Facilities**
  - ★
- Transportation**
  - ★
- Water**
  - ★

**Scale:** 1" = 4,800 ft  
 July 14, 2014

**NORTH** ↑

**CITY OF PEARLAND TEXAS EST. 1893**

This product is for informational purposes and is not intended to be used 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.

ZONE CHANGE/ VARIANCE/ ~~PLAN~~ RECORDATION

(circle one)  
\$ 775.00 **BA** or **PF** or **FE**

Description: Input who the check is from

COMMENTS/DESCRIPTION (F10):

Location or Address 3030 Cullen

Applicant Artisan Piroz

Owner Artisan Esters

CITY OF PEARLAND  
R E P R I N T  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: MHARRIS Type: OC Drawer: 1  
Date: 7/15/14 01 Receipt no: 290460

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$775.00

Trans number: 4529762

VISA  
PIROOZ FARHOOMAND  
ANTISAM EST LP  
3030 CULLEN  
PIROZ  
MJH

Tender detail	
BR CREDIT CARD	\$775.00
Total tendered	\$775.00
Total payment	\$775.00

Trans date: 7/15/14 Time: 7:55:22

2013 TAX STATEMENT



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

**Certified Owner:**  
 ARTISAN ESTATES LP  
 802 TIBER ST  
 HOUSTON, TX 77024-4516

**Legal Description:**  
 A0309 H T & B R R BLOCK 1 TRACT 1 ACRES  
 2.225 THE VILLAGE AT PEARLAND  
 (PEARLAND)

Account No: 0309-0044-000

Appr. Dist. No.: 168642

Legal Acres: 2.2250

Parcel Address: 3030 CULLEN PKWY PKWY

As of Date: 07/09/2014

Print Date: 07/09/2014

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$145,710	\$751,580	\$897,290	\$897,290	\$0	\$0	\$0	\$897,290

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
BRAZORIA COUNTY <i>Amount saved by additional sales tax revenue \$848.13</i>	\$897,290		\$0.00	\$897,290	0.4320200	\$3,876.47
SPECIAL ROAD & BRIDGE	\$897,290		\$0.00	\$897,290	0.0600000	\$538.37
PEARLAND ISD	\$897,290		\$0.00	\$897,290	1.4157000	\$12,702.93
BRAZORIA DRAINAGE DIST 4	\$897,290		\$0.00	\$897,290	0.1560000	\$1,399.77
CITY OF PEARLAND	\$897,290		\$0.00	\$897,290	0.7051000	\$6,326.79

Total Tax: \$24,844.33  
 Total Tax Paid to date: \$24,844.33  
 Total Tax Remaining: \$0.00

**Exemptions:**

**AMOUNT DUE IF PAID BY THE END OF:**

JUL 2014 18%	AUG 2014 19%	SEP 2014 20%	OCT 2014 21%	NOV 2014 22%	DEC 2014 23%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
JAN 2015 24%	FEB 2015 25%	MAR 2015 26%	APR 2015 27%	MAY 2015 28%	JUN 2015 29%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**School Information:**

PEARLAND ISD 2013 M&O 1.0400000 I&S .37570000 Total 1.4157000 2012 M&O 1.0400000 I&S .37940000 Total 1.4194000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.50

Print Date: 07/09/2014

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

RO'VIN GARRETT, PCC  
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
 111 E. LOCUST  
 ANGLETON, TEXAS 77515  
 (979) 864-1320, (979) 388-1320, (281) 756-1320



\* 0 3 0 9 0 0 4 4 0 0 0 \*

0309-0044-000  
 ARTISAN ESTATES LP  
 802 TIBER ST  
 HOUSTON, TX 77024-4516

AMOUNT PAID:

\$ \_\_\_\_\_

03090044000 2013 072014 0000000000 0000000000 0000000000 ?

Wednesday, July 9, 2014



**Your Search Results**

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The following is the result of your Owner Name search for "ARTISAN ESTATES LP"

There are 1 matches.

[\[print version\]](#)

When first displayed, the results below are sorted by Owner Name. To sort by another Account Number, Property Site Address, Legal Description, or CAD Reference, click the underlined column heading having that label. (For example, to sort the results by Account Number, click that column heading.)

Click an account number below to see details about its taxes.

To print this page, click **print version** above. This will display the information in a more printer-friendly font.

<u>Account Number</u>	<u>Owner's Name &amp; Address</u>	<u>Property Site Address</u>	<u>Legal Description</u>	<u>Property ID Number</u>
<a href="#">03090044000</a>	ARTISAN ESTATES LP 802 TIBER ST HOUSTON, TX 77024-4516	3030 CULLEN PKWY PKWY	A0309 H T & B R R BLOCK 1 TRACT 1 ACRES 2.225 THE VILLAGE AT PEARLAND (PEARLAND)	168642

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E-mail: [roving@brazoria-county.com](mailto:roving@brazoria-county.com)  
111 E. Locust Suite  
Angleton, TX 77515  
(979) 864-1320

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Wednesday, July 9, 2014

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Make your check or money order payable to:  
 Ro'Vin Garrett  
 111 E. Locust  
 Angleton, Texas 77515

**Shopping Cart:** For your convenience you may pay several accounts at once. Click the 'Click Here to Pay Now' button to add this account to the shopping cart. Additional accounts can be added by doing a search again, then clicking the 'Click Here to Pay Now' button for each account. Up to 50 accounts may be paid at one time. Accounts are not saved in the shopping cart after you go to the Certified Payment web site.  
 If using Internet Explorer version 8 or later, you may experience problems adding more than four accounts to your shopping cart. Please consider using a different browser (for ex., Chrome or Firefox) to manage your shopping cart.



A Convenience Fee of up to 2.4% will be charged for all credit card payments by the vendor providing this service. For eChecks, a convenience fee of \$1.50 will be charged for each transaction. The fee covers the cost of making payments by credit card possible. The fee will appear as a charge to 'Certified Payments'. No part of this fee is retained by Brazoria County.

Unless otherwise noted, all data refers to tax information for 2013. All amounts due include penalty, interest, and attorney fees when applicable. Due to the large volume of work during heavy payment periods amounts due may not reflect payments that have been received but not yet processed.

**Account Number: 03090044000**

**Address:**  
 ARTISAN ESTATES LP  
 802 TIBER ST  
 HOUSTON, TX 77024-4516

**Property Site Address:**  
 3030 CULLEN PKWY PKWY

**Legal Description:**  
 A0309 H T & B R R BLOCK 1 TRACT 1 ACRES  
 2.225 THE VILLAGE AT PEARLAND  
 (PEARLAND)

**Current Tax Levy:** \$24,844.33  
**Current Amount Due:** \$0.00  
**Prior Year Amount Due:** \$0.00  
**Total Amount Due:** \$0.00

**Last Payment Amount for Current Year Taxes:** \$24,844.33

**Active Lawsuits:** None

**Pending Credit Card or E-Check Payments:**  
 No Payment Pending

**Jurisdictions:**  
 BRAZORIA COUNTY  
 BRAZORIA DRAINAGE DIST 4  
 CITY OF PEARLAND  
 PEARLAND ISD  
 SPECIAL ROAD & BRIDGE

**Market Value:** \$897,290  
**Land Value:** \$145,710  
**Improvement Value:** \$751,580  
**Capped Value:** \$0  
**Agricultural Value:** \$0  
**Exemptions:** None  
**Last Certified Date:** 08/21/2013

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STATE OF TEXAS  
COUNTY OF BRAZORIA

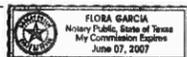
THE UNDERSIGNED, REPRESENTATIVES OF ARTISAN ESTATES, L.P., A TEXAS LIMITED PARTNERSHIP, OWNER OF THE LAND SHOWN HEREON AND WHOSE NAMES ARE ASCRIBED HERETO AND IN PERSON OR THROUGH DULY AUTHORIZED AGENT DEDICATE TO THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, UTILITY EASEMENTS AND PUBLIC PLACES HEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED. THE OWNER DOES HEREBY WAIVE ALL CLAIMS FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED 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.

STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Flora Garcia AND Henry M. Santos, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGE TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN SET FORTH.

GIVEN UNDER MY HAND AND THE SEAL OF THE OFFICE THIS 27th DAY OF January, 2006.

NOTARY PUBLIC  
IN AND FOR THE STATE OF TEXAS



STATE OF TEXAS  
COUNTY OF BRAZORIA

WE, WACHOVA BANK, N.A. ACTING BY AND THROUGH TINA PONDEXTER, IN HER CAPACITY AS LOAN OFFICER AND WACHOVA BANK, N.A., BEING THE HOLDER OF A LIEN AGAINST THE ABOVE DESCRIBED PROPERTY, DOES HEREBY IN ALL THINGS SUBORDINATE TO SAID SUBDIVISION AND DECLARATION OF THE SAID LIEN, AND DOES HEREBY CONFIRM THAT WACHOVA BANK, N.A. IS THE PRESENT OWNER OF SAID LIEN AND HAS NOT ASSIGNED THE SAME, NOR ANY PART THEREOF.

STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Margaret May Fobry AND Henry M. Santos, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGE TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN SET FORTH.

GIVEN UNDER MY HAND AND THE SEAL OF THE OFFICE THIS 27th DAY OF January, 2006.

NOTARY PUBLIC  
IN AND FOR THE STATE OF TEXAS



I, HENRY M. SANTOS, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5450, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND IN ACCORDANCE WITH THE INFORMATION PROVIDED ME CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY AND IS TRUE AND CORRECT AND THAT ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE ARE PROPERLY MARKED WITH 5/8-INCH IRON RODS OR AS SHOWN ON THE PLAT.

H.M.S. 01-27-06

HENRY M. SANTOS  
REGISTRATION NO. 5450



CERTIFICATE OF CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THE CITY PLANNING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF THE VILLAGE AT PEARLAND, IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCE OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS 27th DAY OF January, 2006.

Ruby Sanders CHAIRPERSON  
Todd Kocco VICE CHAIRPERSON  
Neil West COMMISSIONER  
Rusan Sherrouse COMMISSIONER  
Darwin Coker CITY ATTORNEY  
Henry M. Santos COMMISSIONER  
Sheryl Gainer COMMISSIONER  
Carroll Dugan COMMISSIONER  
Douglas K. Kneupper, P.E. CITY ENGINEER

LEGEND

B.C.C.O.	BRAZORIA COUNTY CLERK'S OFFICE
B.C.P.R.	BRAZORIA COUNTY PLAT RECORDS
B.C.D.R.	BRAZORIA COUNTY DEED RECORDS

- GENERAL NOTES:
- BEARINGS ARE BASED ON THE CITY OF PEARLAND MONUMENTATION, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
  - ZONING OF THE PROPERTY IS (MS) AT TIME OF PLATTING.
  - A SIX-FOOT WIDE SIDEWALK IS REQUIRED ALONG CULLEN BOULEVARD AND FITE ROAD AT THE TIME OF DEVELOPMENT.
  - TWO STREETLIGHTS WILL BE REQUIRED AT TIME OF DEVELOPMENT.

BENCHMARK:  
CITY OF PEARLAND MONU GPS-7  
ELEVATION = 50.33 (1987 ADJUSTMENT)  
TBM  
NORTH RIM OF MH  
ELEVATION = 53.42  
(1987 ADJUSTMENT)

FLOOD NOTE:  
SUBJECT PROPERTY IS NOT LOCATED IN A FEDERAL INSURANCE ADMINISTRATION DESIGNATED FLOOD HAZARD AREA AND IS IN ZONE X  
MAP # 48062C - PAGES 22-23 DATED 08-22-98. THIS INFORMATION IS BASED ON GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.

9.554 ACRE  
(CALLED 9.80 ACRES)  
E.R. MILSTEAD  
FILE NO. B9662-745  
B.C.C.O.

N 87°23'32" E 177.24' FND. CAPPED 5/8" I.R.

PRO. 1/2" I.R.

510.00'

N 02°36'28" W

LOT 1  
BLOCK 1

2.225 ACRES  
(96,940 SQ. FT.)

5.935 ACRE  
FREEMAN T. WYCKE AND  
OLLIE ALICIA WYCKE  
FILE NO. 029493  
B.C.C.O.

CULLEN BOULEVARD  
(CITY OF PEARLAND PUBLIC R.O.W.)  
(CITY OF PEARLAND MUNICIPAL APPOINTMENT)

OLD CHOCOLATE BAYOU ROAD

FORMER WEST R.O.W. LINE OF OLD CHOCOLATE BAYOU ROAD  
CITY OF PEARLAND  
CLERK'S FILE NO. 200409974  
B.C.C.O.

FORMER EAST R.O.W. LINE OF OLD CHOCOLATE BAYOU ROAD

PROPOSED STREET LIGHT

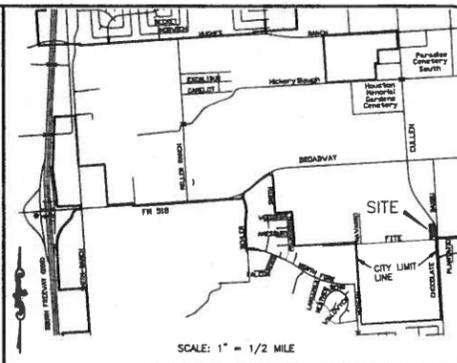
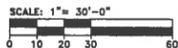
PROPOSED STREET LIGHT

CITY OF PEARLAND  
CLERK'S FILE NO. 200402248  
B.C.C.O.

TBM  
ON THE CORNER  
OF THE BLOCKS  
(1987 ADJUSTMENT)

FITE ROAD  
(PUBLIC R.O.W. VARIES)

VILLAGES OF EDGEWATER ESTATES SECTION 5, PHASE I  
VOL. 21, PG. 21, B.C.P.R.



VICINITY MAP

METES AND BOUNDS DESCRIPTION

2.225 ACRE (96,940 SQUARE FEET) TRACT OF LAND IN THE H.T. & B.R.R. CO. SURVEY, ABSTRACT 309, BRAZORIA COUNTY, TEXAS SAID 2.225 ACRE TRACT IS IN THE SOUTH ONE-HALF OF LOT 30 OF THE ALLEN-RICHY GULF COAST HOME COMPANY'S PART OF SUBURBAN GARDENS SUBDIVISION AS RECORDED IN VOLUME 2, PAGE 23 OF THE BRAZORIA COUNTY MAP RECORDS AND IS FURTHER DESCRIBED AS BEING PART OF A TRACT OF LAND DESCRIBED IN A DEED CONVEYED FROM GARFIELD CLARK, JR. TO DANNY L. BLUMRICK EXECUTED ON MARCH 10, 1999 AS RECORDED IN CLERK'S FILE NO. 99 012327 IN THE BRAZORIA COUNTY CLERK'S OFFICE AND ALL OF A 0.9328 ACRE TRACT OF LAND DESCRIBED IN A DEED CONVEYED FROM GARFIELD CLARK, JR. TO DANNY L. BLUMRICK EXECUTED ON NOVEMBER 28, 2000 AS RECORDED IN CLERK'S FILE NO. 01 034492 IN THE BRAZORIA COUNTY CLERK'S OFFICE AND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
COMMENCING AT A CAPPED 5/8-INCH IRON ROD FOUND IN THE OCCUPIED NORTH LINE OF SAID FITE ROAD (A.K.A. COUNTY ROAD 81 VARIABLE WIDTH RIGHT-OF-WAY), SAID POINT BEING IN A CUT-BACK CORNER IN WEST RIGHT-OF-WAY LINE OF CULLEN BLVD. (BASED ON A WIDTH OF 100 FEET AS DESCRIBED IN CLERK'S FILE NO. 200402248, SAID POINT BEING IN THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO LONNIE AND EARLENE TURNER AS RECORDED IN VOLUME 1314, PAGE 12 IN THE BRAZORIA COUNTY DEED RECORDS;  
THENCE, SOUTH 87 DEGREES 23 MINUTES 32 SECONDS WEST, ALONG THE OCCUPIED NORTH LINE OF SAID FITE ROAD AT A DISTANCE OF 144.36 FEET PASS THE SOUTHWEST CORNER OF A 0.9328 ACRE TRACT DESCRIBED IN A DEED TO SOUTHWESTERN BELL TELEPHONE COMPANY AS RECORDED IN CLERK'S FILE NO. 84 38 168 IN THE BRAZORIA COUNTY CLERK'S OFFICE AND CONTINUE FOR A TOTAL DISTANCE 194.36 FEET TO CAPPED 5/8-INCH IRON ROD FOUND FOR THE POINT OF BEGINNING AND SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT, SAME BEING THE SOUTHWEST CORNER OF THE AFOREMENTIONED 0.9328 ACRE TRACT;  
THENCE, SOUTH 87 DEGREES 23 MINUTES 32 SECONDS WEST, CONTINUING ALONG THE OCCUPIED NORTH LINE OF SAID FITE ROAD, SAME BEING THE SOUTH LINE OF SAID 0.9328 ACRE TRACT FOR A DISTANCE OF 34.19 FEET TO A 1/2-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 0.9328 ACRE TRACT AND SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;  
THENCE, NORTH 02 DEGREES 36 MINUTES 28 SECONDS WEST, ALONG THE WEST LINE OF SAID 0.9328 ACRE TRACT FOR A DISTANCE OF 510.00 FEET (CALLED 509.12 FEET) TO A 1/2-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID 0.9328 ACRE TRACT, SAME BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, SAID POINT BEING IN THE SOUTH LINE OF A 8.80 ACRE TRACT DESCRIBED IN A DEED TO E.R. MILSTEAD AS RECORDED IN CLERK'S FILE NO. 89662 745 IN THE BRAZORIA COUNTY CLERK'S OFFICE;  
THENCE, NORTH 87 DEGREES 23 MINUTES 32 SECONDS EAST, ALONG THE NORTH LINE OF SAID 0.9328 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID 0.9328 ACRE TRACT, A DISTANCE OF 177.24 FEET TO A CAPPED 5/8-INCH IRON ROD FOUND IN THE WEST RIGHT-OF-WAY LINE OF THE AFOREMENTIONED CULLEN BLVD. SAID POINT BEING IN A CURVE TO THE RIGHT;  
THENCE, ALONG THE WEST LINE OF SAID CULLEN BLVD. AND WITH SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1,950.00 FEET, A CENTRAL ANGLE OF 12 DEGREES 13 MINUTES 04 SECONDS (CHORD BEARS SOUTH 13 DEGREES 10 MINUTES 07 SECONDS EAST, 415.03 FEET) FOR AN ARC DISTANCE OF 415.03 FEET TO A 5/8-INCH IRON ROD FOUND IN THE SOUTH LINE OF AFOREMENTIONED TRACT RECORDED IN CLERK'S FILE NO. 99 012327, SAME BEING THE NORTH LINE OF THE AFOREMENTIONED LONNIE AND EARLENE TURNER TRACT;  
THENCE, SOUTH 87 DEGREES 23 MINUTES 32 SECONDS WEST, ALONG THE NORTH LINE OF SAID LONNIE AND EARLENE TURNER TRACT FOR A DISTANCE OF 168.11 FEET TO A 1-INCH IRON PIPE FOUND IN THE EAST LINE OF THE AFOREMENTIONED 0.9328 ACRE TRACT SAID POINT BEING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;  
THENCE, SOUTH 02 DEGREES 36 MINUTES 28 SECONDS EAST, ALONG THE EAST LINE OF SAID 0.9328 ACRE TRACT, SAME BEING THE WEST LINE OF SAID LONNIE AND EARLENE TURNER TRACT FOR A DISTANCE OF 51.24 FEET TO A CAPPED 5/8-INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF THE AFOREMENTIONED 0.057 ACRE TRACT;  
THENCE, SOUTH 87 DEGREES 23 MINUTES 32 SECONDS WEST, ALONG THE SOUTH LINE OF SAID 0.9328 ACRE TRACT, SAME BEING THE NORTH LINE OF SAID 0.057 ACRE TRACT FOR A DISTANCE OF 50.00 FEET TO A CAPPED 5/8-INCH IRON ROD FOUND FOR CORNER;  
THENCE, SOUTH 02 DEGREES 36 MINUTES 28 SECONDS EAST, ALONG THE WEST LINE OF SAID 0.057 ACRE TRACT FOR A DISTANCE OF 50.05 FEET (CALLED 50.00 FEET) TO THE POINT OF BEGINNING, CONTAINING A COMPUTED AREA OF 2.225 ACRES (96,940 SQUARE FEET).

FINAL PLAT OF  
THE VILLAGE AT PEARLAND

A SUBDIVISION OF 2.225 ACRES IN THE H.T. & B.R.R. CO. SURVEY, ABSTRACT 309, IN THE CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS.  
1 LOT, 1 BLOCK  
JANUARY 27, 2006

OWNER:  
ARTISAN ESTATES, L.P.  
802 TIBER STREET  
HOUSTON, TEXAS 77024  
CONTACT PERSON: PIROOZ FARHOOMAND  
832-628-1000

SURVEYOR:  
ADVANCE SURVEYING, INC.  
10890 SHADOW WOOD DRIVE, SUITE 102  
HOUSTON, TEXAS 77043  
CONTACT PERSON: HENRY M. SANTOS  
832-358-1414  
FAX: 832-358-1818

ENGINEER:  
LIPPK ENGINEERING GROUP, INC.  
7322 SOUTHWEST FREeway, STE. 1717  
HOUSTON, TEXAS 77074  
CONTACT PERSON: JERRY BETTS  
713-800-5300



CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	1950.00'	415.82'	415.03'	S 13°10'07" E	12°13'04"

0151-05P  
0151-05P  
Official Records of  
BRAZORIA COUNTY  
CLERK  
JAN 27 2006  
Fees \$62.08

Clayton Hudson



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE  
CITY OF PEARLAND, TEXAS,  
**MONDAY, SEPTEMBER 15, 2014 AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Zone Change Application No. 2014-15Z**

A request of BGE Kerry R. Gilbert and Associates, applicant; on behalf of Parkside 59/288 LTD, owner; for approval of an amendment to the Business Center PD; on approximately 29.331 acres of land, to wit:

**Legal Description:** Being 29.331 acres of land located in the H.T. & B.R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being a portion of Lots 38, 39, 40, 49 and 50 of the Allison Richey Gulf Coast Home Company's Part of Suburban Gardens, a subdivision of record in Volume 2, Page 98 of the Brazoria County Plat Records, being a portion of Business Center Planned Development Tract C-4, the plat thereof recorded under Document Number 2013-033688 in the Official Public Records of Brazoria County Texas, further being the residue of a 30.583 acre tract (Part One) and the residue of a 9.990 acre tract (Part Two) described in the deed from Compass Bank to Parkside 59/288 LTD. Recorded under Document No. 2011012491, in the Official Public Records of Brazoria County, Texas.

**General Location:** Northwest corner of County Road 59 and State Highway 288 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.**



## Memo

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: September 15, 2014

Re: Zone Change Application Number 2014-15Z

A request of BGE Kerry R. Gilbert and Associates, applicant; on behalf of Parkside 59/288 LTD, owner; for approval of an amendment to the Business Center PD; on approximately 29.331 acres of land

### **Proposal**

The Business Center Planned Development (PD) includes approximately 38.909 acres of land located at the northwest corner of County Road 59 and State Highway 288; and on the east and west sides of Business Center Drive. Currently the PD allows for a mix of non-residential uses.

The applicant proposes to amend the PD to allow minor modifications in the allowable land uses and acreages for various uses, including the addition of a Retail Supercenter. Changes are also proposed to the design standards, including exterior façade materials and colors; screening of service access and service areas; and screening of detention facilities.

The amendment will result in 5 changes that are discussed in detail in the attached Staff Report.

### **Public Notification/Comment**

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 amendment to the Business Center PD. 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. As of the date of this writing, staff has not received any returned notices from property owners within 200 feet of the site.

## **Recommendation**

Staff recommends approval of the proposed amendment to the Business Center PD, as identified above, and in detail within the attached Staff Report, identified as Exhibit 1; for the following reasons:

1. The amended PD should not cause any adverse impacts to existing or future developments. With the exception of properties to the west and south, all other adjacent properties are either zoned for non-residential uses, are developed with non-residential uses or continue to remain undeveloped. The property to the west is developed with a single family subdivision; however is separated from the subject property via a 176-foot detention pond (Detention Pond A) and a 60-foot drainage easement, for a total of 236-foot separation, which will provide a sufficient buffer between the non-residential PD and the existing single family subdivision. Additionally, a 6-foot tall masonry or pre-cast wall; or a 30-foot wide vegetative buffer will be constructed along the eastern boundary of the detention facility to enhance the screening between uses. Further north of the subject property is the Pearland Town Center, which is developed with a mix of various uses, including residential, restaurants, retail, and office uses.
2. The PD was approved as a non-residential PD and continues to remain as such. The non-residential nature of the PD is consistent with intent of the original PD; to provide commercial developments, including retail, office, hotel/motel uses, with its close proximity to State Highway 288, and fronting on two secondary thoroughfares; County Road 59, and Business Center Drive.
3. The PD continues to meet the intent of BP-288; the overlay zoning district, to provide high quality non-residential developments along State Highway 288.
4. The Business Center PD conforms with and meets the intent of the Business Park future land use designation of the Comprehensive Plan. The location of the property, at the intersection of a state highway, lends itself for a mix of non-residential uses, as indicated by the Comprehensive Plan.

Staff recommends that the following is addressed in the PD prior to first reading:

1. Incorporate graphics and images showing the facades of the proposed changes to façade materials.
2. Spacing of shrubs included in the landscaped buffer.
3. Provide for screening of the proposed Detention Pond B, along the north property line.

**Exhibits**

1. Staff Report
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Notification Map
6. Notification List
7. Red-lined Sections of PD to be Amended
8. Existing PD Document



## Exhibit 1 Staff Report

### Summary of Request

The Business Center Planned Development (PD) includes approximately 38.909 acres and was originally approved on November 26, 2012 to allow for a mix of non-residential uses, authorized by the PD in specific locations, as well as all uses permitted or conditionally permitted within the Business Park -288 (BP-288) zoning district, as indicated within the Land Use Matrix of the Unified Development Code (UDC). The PD is separated into three (3) areas, Land Use Areas 1, 2 and 3. Each Land Use Area has distinct uses, maximum acreages and design standards that apply. The PD allows for the acreage to shift within each Land Use Area up to 15% to allow for flexibility in land uses.

The proposed amendment will result in the following 5 changes:

1. a change in the allowable uses and maximum acreages associated with the permitted uses identified in Section II, Table 1 (Land Use Area Table) for Land Use Areas 1 and 3;
2. a change in the "Design Elements" of the above referenced table for Land Use Area 3;
3. an amendment to Section III (Design Standards) for Land Use Area 3;
4. addition of an additional dry detention pond (Proposed Detention Pond B), to Land Use Area 3, as identified and illustrated in Exhibit D; and
5. revision to Section B (Specific List of Deviations) to include deviations proposed with this amendment.

Details of the above 5 changes are described in detail below:

**Amendment 1:** Section II (Zoning and Land Uses), Table 1 (Land Use Area Table); found on page 4 of the redlined version of the Business Center PD identifies the types of uses, maximum acreage, as well as Design Elements for each of the 3 Land Use

Areas. The applicant proposes to amend the land uses and acreages for Land Use Areas 1 and 3. As part of this amendment, a “Retail Superstore” is being added and defined as “an establishment that sells a variety of goods and services arranged into multiple departments. These departments may include, but are not limited to, consumable foods, prepared foods, pharmacy, electronics, etc.”

The table below illustrates the existing permitted uses and maximum acreages for Land Use Areas 1, 2 and 3; as well as the proposed amendments and/or additions for Land Use Areas 1 and 3. No changes are proposed for Land Use Area 2.

Column 1 indicates each land area and the maximum acreage allowed within the land area; Column 2 includes the existing requirements, and Column 3 indicates the proposed amendment. Any changes, additions, deletions, etc., are highlighted in red font.

Land Use Area	Existing Permitted Uses/Max Acreage	Proposed Amendment
1 +/- 9.7 acres	<ul style="list-style-type: none"> <li>• Restaurant (Drive-thru): 9.7 acres</li> <li>• Restaurant (Dine-in): 9.7 acres</li> <li>• Hotel/Motel/Extended Stay: 6 acres</li> <li>• Gas/Convenience Store: 3 acres</li> <li>• Auto Repair (minor): 5 acres</li> <li>• Auto Wash (full service/detail): 5 acres</li> <li>• Auto Wash (self-service): 5 acres</li> <li>• Laundry/Dry Cleaning: 2 acres</li> <li>• Garden/Nursery Store: 8 acres</li> <li>• Shopping Center: 8 acres</li> </ul>	<ul style="list-style-type: none"> <li>• Restaurant (Drive-thru): 9.7 acres</li> <li>• Restaurant (Dine-in): 9.7 acres</li> <li>• Hotel/Motel/Extended Stay: 6 acres</li> <li>• <del>Gas/Convenience Store: 3 acres</del></li> <li>• Auto Repair (minor): 5 acres</li> <li>• Auto Wash (full service/detail): 5 acres</li> <li>• Auto Wash (self-service): 5 acres</li> <li>• Laundry/Dry Cleaning: 2 acres</li> <li>• Garden/Nursery Store: 8 acres</li> <li>• Shopping Center: 8 acres</li> <li>• Pharmacy: 4 acres</li> </ul>
2 +/- 5.9 acres	<ul style="list-style-type: none"> <li>• Restaurant (Drive-thru): 5.8 acres;</li> <li>• Restaurant (Dine-in): 5.8 acres;</li> <li>• Gas/Convenience Store: 3 acres</li> <li>• Auto Wash (self-service) associated with a gas station only</li> </ul>	<b>NO CHANGE PROPOSED</b>
3 +/- 23.3 acres	<ul style="list-style-type: none"> <li>• Nursing/Convalescent Home: 14 acres</li> <li>• Flex/Back Office: 12 acres</li> <li>• Museum: 5 acres</li> <li>• Bio-tech, High-tech Manufacturing: 10 acres</li> <li>• Shopping Center: 12 acres</li> </ul>	<ul style="list-style-type: none"> <li>• Nursing/Convalescent Home: <del>14</del> 4 acres</li> <li>• Flex/Back Office: 12 acres</li> <li>• Museum: 5 acres</li> <li>• <del>Bio-tech, High-tech Manufacturing: 10 acres</del></li> <li>• Shopping Center: 12 acres</li> </ul>

		<ul style="list-style-type: none"> <li>• Gas/Convenience Store: 3 acres</li> <li>• Auto Wash (self-service): 3 acres</li> <li>• Retail Superstore: 17 acres</li> <li>• Additional uses permitted in association with a Retail Superstore (inside of the primary structure housing the Retail Superstore): Pharmacy; Liquor Sales, as permitted by TABC; Photo Processing; Food Preparation Services (Butcher, Deli, Bakery, etc.); Optometry Services; General Food and Retail Sales</li> </ul>
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**Amendment 2:** The applicant proposes to amend the “Design Elements” for Land Use Area 3, identified in the Land Use Table on page 4 of the redlined version of the Business Center PD.

The below table illustrates the Land Use Area in Column 1, the existing requirement in Column 2 and the proposed amendment in Column 3 is indicated in red font for new language and a red-strike-through for language that is proposed to be deleted. It is important to note that no changes in the Design Elements are proposed for Land Use Areas 1 and 2.

Land Use Area	Existing Requirement	Proposed Amendment
3	<ul style="list-style-type: none"> <li>• Shared Driveways</li> <li>• Nursing/Convalescent Home as defined by the UDC. The Design of the complex will incorporate interior hallways.</li> <li>• Businesses to be oriented towards Business Center Drive or if designed with a motor court, businesses can be oriented to another business.</li> <li>• Orientation of overhead doors and service bay doors shall not face Business Center Drive</li> <li>• Flex/Back Office and Bio-tech, High-tech Manufacturing to be 1-story industrial product with</li> </ul>	<ul style="list-style-type: none"> <li>• Shared Driveways</li> <li>• Nursing/Convalescent Home as defined by the UDC. The Design of the complex will incorporate interior hallways.</li> <li>• Businesses to be oriented towards Business Center Drive or if designed with a motor court, businesses can be oriented to another business.</li> <li>• Orientation of overhead doors and service bay doors shall not face Business Center Drive <b>except when a building is over 100,000 square feet, and used as a Retail Superstore.</b></li> </ul>

	<p>tilt wall or similar concrete construction that can accommodate 25% to 100% office use; dock high doors shall not face Business Center Drive.</p>	<ul style="list-style-type: none"> <li>Flex/Back Office and <del>Bio-tech, High-tech Manufacturing</del> to be 1-story industrial product with tilt wall or similar concrete construction that can accommodate 25% to 100% office use; dock high doors Loading bays <del>and similar activities, including, but not limited to, overhead doors, rolling shutters, garage doors, bay doors and dock doors of any structure</del>, shall not face Business Center Drive.</li> <li>The proposed detention facility (Detention Pond B) along the north property line, may be adjusted within the boundary of LUA 3.</li> </ul>
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**Amendment 3:** The applicant proposes to amend Section III (Design Standards) of the PD for Land Use Area 3.

The below table illustrates the existing design standards and proposed amendments to Land Use Area 3. No changes are proposed in the Design Standards for Land Use Area 1 or 2. Column 1 includes the Design Standard, Column 2 indicates the existing requirement and Column 3 indicates the amendment with the addition of any proposed language in red font and a red-strike-through for language that is proposed to be deleted.

Design Standard	Existing Requirement	Proposed Amendment
Exterior Materials and Colors	No more than 3 dominant materials should be used on a building exterior. Acceptable materials are concrete, tilt wall concrete, concrete block, glass, glass block, brick, split face concrete block, stone, stucco and trade designs as permitted in Sec. 2.6.2.1...	No more than 3 dominant materials should be used on a building exterior. Acceptable materials are concrete, tilt wall concrete, concrete block, glass, glass block, brick, split face concrete block, stone, stucco and trade designs as permitted in Sec. 2.6.2.1... Earth tones with limited pastel

	<p>Earth tones with limited pastel alternative as recommended for dominant wall colors for build materials. An accent color may be applied to the trim, fascia boards, door panels or miscellaneous metals. An accent color may be applied to trim, fascia boards, door panels or miscellaneous metals. Accent colors will not exceed more than 20% of the building façade for any side of the building. Prohibited colors include fluorescent, iridescent, or dayglo.</p>	<p>alternative as recommended for dominant wall colors for build materials. An accent color may be applied to the trim, fascia boards, door panels or miscellaneous metals. An accent color may be applied to trim, fascia boards, door panels or miscellaneous metals. Accent colors will not exceed more than 20% of the building façade for any side of the building. Prohibited colors include fluorescent, iridescent, or dayglo.</p> <p>For all non-residential structures 100,000 sf. or greater, and used as a Retail Superstore, acceptable front facades of any building that faces a thoroughfare/ collector may include up to a combined max. of 65% architectural metal panel (rib and/or textured). Side facades of such buildings may include up to a combined max. of 75% architectural metal panel (rib and/or textured).</p>
<p>Bicycle Parking</p>	<p>On and off street parking will be in conformance with the UDC. Bicycle parking will be in conformance with Sec. 2.4.5.1.F (COD)</p>	<p>On and off street parking will be in conformance with the UDC. Bicycle parking will be in conformance with Sec. 2.4.5.1.F (COD).</p> <p>However, within LUA 3, a single building over 100,000 sf. shall provide bicycle storage for a minimum of 2% of the company’s employees within a secure space in the buildings receiving area in lieu of the Bicycle Standards</p>
<p>Service Access and</p>	<p>Service drives and service areas shall not interfere</p>	<p>Service drives and service areas shall not interfere</p>

<p>Service Areas</p>	<p>w/parking, driveways or walkways and must be screened from adjoining properties, all public right-of-way and from the office area of any other building which share the site. A service area shall be provided at the rear (side opposite the street) of all buildings.</p>	<p>w/parking, driveways or walkways and must be screened from adjoining properties, all public right-of-way and from the office area of any other building which share the site. A service area shall be provided at the rear (side opposite the street) of all buildings.</p> <p>Within Land Use Area 3, the following standards apply:                  For non-residential structures 100,000sf/greater, and used as a Retail Superstore, any receiving dock bay or compactor area, must be adequately screened from public view by plant materials within the site perimeter buffers. The min. distance between the property line along Business Center Drive and the doors must be 180 feet. The plant materials used for screening must include evergreen shrubs maintained at 6 feet in height, and parking lot end islands w/evergreen shrubs maintained at 3 feet in height. Canopy trees, evergreen shrubs and a variety of low shrubs, ornamental grasses and ground cover must be included to further enhance the visual buffer.</p>
<p>Screening</p>	<p>Screening will conform to the UDC, except for any exclusions listed within the Deviations Section. The screening for the detention facility will consist of a 6-foot tall masonry or pre-cast masonry wall along the eastern side of the facility,</p>	<p>Screening will conform to the UDC, except for any exclusions listed within the Deviations Section. <del>The screening for the detention facility will consist of a 6-foot tall masonry or pre-cast masonry wall along the eastern side of the facility,</del></p>

	<p>along LUA 2 and 3. The fence will be constructed in conjunction with the building it is screening within LUA 2 and 3.</p>	<p><del>along LUA 2 and 3. The fence will be constructed in conjunction with the building it is screening within LUA 2 and 3.</del> The screening for the existing regional detention facility (Detention Pond A) will consist of screening along the eastern boundary of the detention pond either as:</p> <ol style="list-style-type: none"> <li>1. 6-foot tall pre-cast masonry wall</li> <li>2. Landscape buffer, min. 30.ft. wide. To adequately screen the property from public view, the buffer must be landscaped with evergreen shrubs maintained at a height of 3 feet, canopy trees and a variety of low shrubs, ornamental grasses and ground cover to enhance the visual buffer. Trees shall have a minimum caliber of 3 inches.</li> </ol>
<p>Detention Facility</p>	<p>The primary detention for this development will be located along the western boundary of the tract. The detention will provide a buffer between the proposed commercial development and South Gate neighborhood. The detention facility, including the high bank is 176 feet wide. The existing Brazoria Drainage District ditch is 60 feet wide. The combination of these 2 drainage areas provides a single 236 foot wide buffer between the existing residential and proposed commercial. A screen wall 6 feet tall masonry or pre-cast wall will be constructed along the east side of the detention</p>	<p>The primary detention for this development will be located along the western boundary of the tract (Detention Pond A). The detention will provide a buffer between the proposed commercial development and South Gate neighborhood. The detention facility, including the high bank is 176 feet wide. The existing Brazoria Drainage District ditch is 60 feet wide. The combination of these 2 drainage areas provides a single 236 foot wide buffer between the existing residential and proposed commercial. A screen wall 6 feet tall masonry or pre-cast wall will be constructed along the east side of the detention</p>

	<p>facility to enhance the screening between uses. The wall will be constructed as buildings are constructed. Landscape plantings of trees and shrubs will also be incorporated along the frontage of CR 59 to provide a visual screen from the public right-of-way.</p>	<p>facility to enhance the screening between uses. The wall will be constructed as buildings are constructed. Landscape plantings of trees and shrubs will also be incorporated along the frontage of CR 59 to provide a visual screen from the public right-of-way. <b>As an option, a landscape buffer, as described on page 6, Section 10-Screening, may be used in place of the 6-foot wall.</b></p> <p><b>An additional dry detention facility (Detention Pond B) will be located on the northern portion of Land Use Area 3 to provide the detention needed for the eastern +/- 9.7 acres (LUA1). A landscape easement no less than 10 feet in width and no greater 15 feet in width will be provided along the southern end of the detention basin and along the eastern edge of the detention basin. This will ensure adequate screening between the detention facility and the commercial property to the south as well as Business Center Drive to the east. Exhibit G-Detention Facility shows the proposed landscaped easements. The landscape buffer will incorporate plantings of trees and shrubs, as shown in Exhibit H. No screening is required between Detention Pond A and Detention Pond B.</b></p>
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**Amendment 4:** The applicant proposes to add an additional dry detention area to Land Use Area 3, to provide the detention required for the property east of Business Center Drive and identified as Land Use Area 1, within the PD.

**Amendment 5:** The applicant proposes to amend Section B: Specific List of Deviations as indicated by the below table. The Section of the UDC, as written in the PD is listed in Column 1, the requirement as written in the PD is listed in Column 2 and the proposed amendment is listed in Column 3 in red font for new language and a red-strike-through for language that is proposed to be deleted.

Deviation Section	Existing Requirement	Proposed Amendment
6. Section 2.4.4.3.F	Regional detention facilities are required to be incorporated as an amenity. The regional detention required for this development is better served as a buffer to the single family residential than as a lake amenity for the project. The total width of the detention and drainage area is 236 feet. The distance, coupled with the 6 foot wall provides a sufficient buffer and screen for the residential neighborhood to the west.	<p><del>Regional detention facilities are required to be incorporated as an amenity.</del> The regional detention required for this development is better served as a buffer to the single family residential than as a lake amenity for the project. The total width of the detention and drainage area is 236 feet (Detention Pond A). The distance, coupled with the 6 foot wall provides a sufficient buffer and screen for the residential neighborhood to the west.</p> <p>Detention for the eastern +/- 9.7 acres will also be provided by a dry detention basin (Detention Pond B). The detention will be screened by landscaping along the southern and eastern edge of the basin to create a visual buffer</p>

		<p>from Business Center Drive and the neighboring commercial property to the south. Utilizing this method of detention will allow more efficient development for Land Use Area 1.</p>
<p>7. Section 2.4.5.1.M</p>	<p>Overhead utilities will be utilized west of Business Center Drive. Power will be distributed underground to the property east of Business Center Drive from overhead power located in Business Center Drive. The underground power will be distributed in a manner determined by Centerpoint.</p>	<p>Overhead utilities will be utilized west of Business Center Drive, as indicated within Exhibit E. Power will be distributed underground to the property east of Business Center Drive, but may include above ground terminal poles from overhead power located in Business Center Drive. The configuration and engineering of underground power will be determined distributed in a manner determined by Centerpoint.</p>
<p>8. Section 2.4.5.1.f Bicycle Parking</p>	<p>Bicycle parking spaces shall be provided at an amount equal to a minimum of 5% of the required vehicle parking spaces.</p> <p>Bicycle parking shall be conveniently provided for all uses allowed in the OP, NS, BP-288, GB and GC zoning districts.</p> <p>Each required bicycle parking space shall include a means to secure individual bicycles.</p>	<p>Bicycle parking spaces shall be provided at an amount equal to a minimum of 5% of the required vehicle parking spaces.</p> <p>Bicycle parking shall be conveniently provided for all uses allowed in the OP, NS, BP-288, GB and GC zoning districts.</p> <p>Each required bicycle parking space shall include a means to secure individual bicycles.</p>

		<p>Within LUA3, a single building over 100,000 sf., and used as a Retail Superstore, and located 180 feet from the property line shall provide bicycle storage for a minimum of 2% of the company's employees within a secure space in the building's receiving area in lieu of Bicycle Parking Standards.</p>
<p>9. Section 2.4.5.1.d Building Articulation</p>	<p>All non-residential structures 50,000 sf. in size or greater, shall incorporate architectural variation of at least 3 ft. in depth for every 25 ft. (not cumulatively) in vertical or horizontal length.</p>	<p>All non-residential structures 50,000 sf. in size or greater, shall incorporate architectural variation of at least 3 ft. in depth for every 25 ft. (not cumulatively) in vertical or horizontal length.</p> <p>In LUA3, for all non-residential structures over 100,000 sf., and used as a retail superstore, front facades of any building that faces onto a thoroughfare/collector shall incorporate architectural variation (building mass, offsets, trellises, etc.) of at least 2 feet in depth for 30% of the building length and material variation for every 125 ft. in horizontal length. Side facades of such buildings shall incorporate material variation for every 125 ft. in horizontal length.</p>

As part of the amendment, various exhibits are being added/modified to reflect the above changes. Specifically, Exhibit B-1 is being added and includes a survey and metes and bounds description of Land Use Areas proposed to be amended; Exhibit G (Detention Exhibit) and Exhibit H (Landscape/Screening along Northern Detention Basin) are both being added.

### **Site History**

The subject property was annexed into the city of Pearland in 1996. The Business Center Planned Development (PD) was originally approved on November 26, 2012 to allow for a mix of non-residential uses along State Highway 288 and Business Center Drive, with a base zoning of Business Park District-288 (BP-288) and Corridor Overlay District (COD). To date, one (1) amendment to the PD was approved on October 28, 2013. The 2013 amendment allowed an existing overhead utility line which was relocated due to the construction of Business Center Drive, to remain.

The PD is divided into three (3) areas identified as Land Use Areas 1, 2 and 3. In addition to the uses permitted or conditionally permitted within the BP-288 zoning district located within the Land Use Matrix of the Unified Development Code (UDC), each Land Use Area includes a mix of permitted non-residential uses, maximum acreages, and design standards. Various permitted non-residential uses include restaurants, hotels/motels/extended stay facilities; auto-related uses (gas station, auto repair (minor); retail and museums.

The subject property is mostly undeveloped, however, a building is currently under construction within Land Use Area 2. The site is surrounded by a mix of various uses, including single family subdivisions to the south and west; undeveloped land to the north, and further north is the Pearland Town Center; and undeveloped land to the east. The below table identifies surrounding uses and zoning districts:

	<b>Zoning</b>	<b>Land Use</b>
North	Business Park District-288 (BP-288) Pearland Town Center PD	Undeveloped Pearland Town Center
South	City of Manvel	Single Family Subdivision
East	Business Park District-288 Extraterritorial Jurisdiction (ETJ)	Undeveloped
West	Single Family Residential 2 (R2)	Southgate Single Family Subdivision

### **Conformance with the Thoroughfare Plan**

The subject property has frontage on County Road 59 and Business Center Drive; both secondary thoroughfares, which requires 100 feet of right-of-way. Existing right-of-way appears to be of varying widths in some locations along the frontage of the property along both thoroughfares. Additional right-of-way will be assessed and may be required as properties are platted within the development.

### **Conformance with the Unified Development Code**

The Business Center PD was originally approved in 2012 under the Unified Development Code (UDC). The base zoning district for the PD is the Business Park District-288 (BP-288) and the Corridor Overlay District (COD) standards. The purpose of the BP-288 zoning district is to permit large non-residential uses, including retail developments in locations with good visibility and roadway access, provided by State Highway 288.

A PD allows for deviations from the base zoning district. Any standards not specifically identified within the PD or the deviations section of the PD, will revert back to the UDC. At the time of platting or subdivision of the property, the area regulations of the BP-288 zoning district would apply:

<b>BP-288 Area Regulation</b>	<b>BP-288 Area Regulation</b>
Minimum Lot Size	1 acre
Minimum Lot Width	150 ft.
Minimum Lot Depth	200 ft.
Minimum Front Yard	25 ft.
Minimum Side Yard	20 ft.
Minimum Rear Yard	20 ft.
Maximum Height	65 ft.

### **Conformance with the Comprehensive Plan**

The subject property is located within the Business Park Future Land Use designation. According to the Comprehensive Plan, the area is generally encompassing of the SH 288 corridor and portions of Beltway 8 nearest SH 288. The Comprehensive Plan recommends a mixed use area developed in coordinated, master-planned,

settings with interdependent and complimentary uses. Preferred uses include office buildings of various heights, regional shopping centers and malls, research and development facilities and light manufacturing. The Business Park PD is in compliance with, and meets the intent of the Business Park Future Land Use designation. The location of the property, at the intersection of a state highway lends itself for a mix of non-residential uses, as indicated by the Comprehensive Plan.

### **Platting Status**

A Development Plat was approved in 2013 for approximately 3.35 acres located within Land Use Area 2. Prior to development of any tract within the PD, platting will be required.

### **Availability of Utilities**

According to GIS records, there is an existing 12 inch water line running along the west side of the property along Business Center Drive and an 8 inch water line along the north side of County Road 59, southern-most property line. There is an existing sewer line that extends from Land Use Area 3, across Business Center Drive to Land Use Area 1. Utilities will be assessed at the time of platting.

### **Impact on Existing and Future Development**

It is not anticipated that the proposed amendment to the Business Center PD will have any significant impact on existing or future developments. With the exception of properties to the west and south, all other adjacent properties are either zoned for non-residential uses, are developed with non-residential uses or continue to remain undeveloped. The property to the west is developed with a single family subdivision; however is separated from the subject property via a 176-foot detention pond (Detention Pond A) and a 60-foot drainage easement, for a total of 236-foot separation, which will provide a sufficient buffer between the non-residential PD and the existing single family subdivision.

### **Additional Comments**

The request has been reviewed by the Development Review Committee (DRC), and there are no further comments.

### **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 amendment to the Business Center PD. 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**

As of the date of this writing, staff has not received any comments either in opposition to or in support of the proposed change in zoning request to amend the PD.

### **Recommendation**

Staff recommends approval of the amendment to the Business Center PD, to amend the regulations and permitted uses for Land Use Areas 1 and 3, as identified above, for the following reasons:

1. The amended PD should not cause any adverse impacts to existing or future developments. With the exception of properties to the west and south, all other adjacent properties are either zoned for non-residential uses, are developed with non-residential uses or continue to remain undeveloped. The property to the west is developed with a single family subdivision; however is separated from the subject property via a 176-foot detention pond (Detention Pond A) and a 60-foot drainage easement, for a total of 236-foot separation, which will provide a sufficient buffer between the non-residential PD and the existing single family subdivision. Additionally, a 6-foot tall masonry or pre-cast wall; or a 30-foot wide vegetative buffer will be constructed along the eastern boundary of the detention facility to enhance the screening between uses. Further north of the subject property is the Pearland Town Center, which is developed with a mix of various uses, including residential.
2. The PD was approved as a non-residential PD and continues to remain as such. The non-residential nature of the PD is consistent with intent of the original PD, to provide commercial developments, including retail, office, hotel/motel uses, with its close proximity to State Highway 288, and fronting on County Road 59 and Business Center Drive; two secondary thoroughfares.
3. The PD continues to meet the intent of BP-288; the overlay zoning district, to provide high quality non-residential developments along State Highway 288.
4. The Business Center PD conforms to the intent of the Business Park future land use designation of the Comprehensive Plan. The location of the property, at the intersection of a state highway lends itself for a mix of non-residential uses, as indicated by the Comprehensive Plan.

Staff recommends that the following be addressed in the PD prior to first reading:

1. Incorporate graphics and images showing the facades of the proposed changes to façade materials.
2. Spacing of shrubs included in the landscaped buffer.

3. Provide for screening of the proposed Detention Pond B, along the north property line.

Exhibit 2  
AERIAL MAP  
ZONE CHANGE 2014-15Z  
BUSINESS CENTER PD  
AMENDMENT



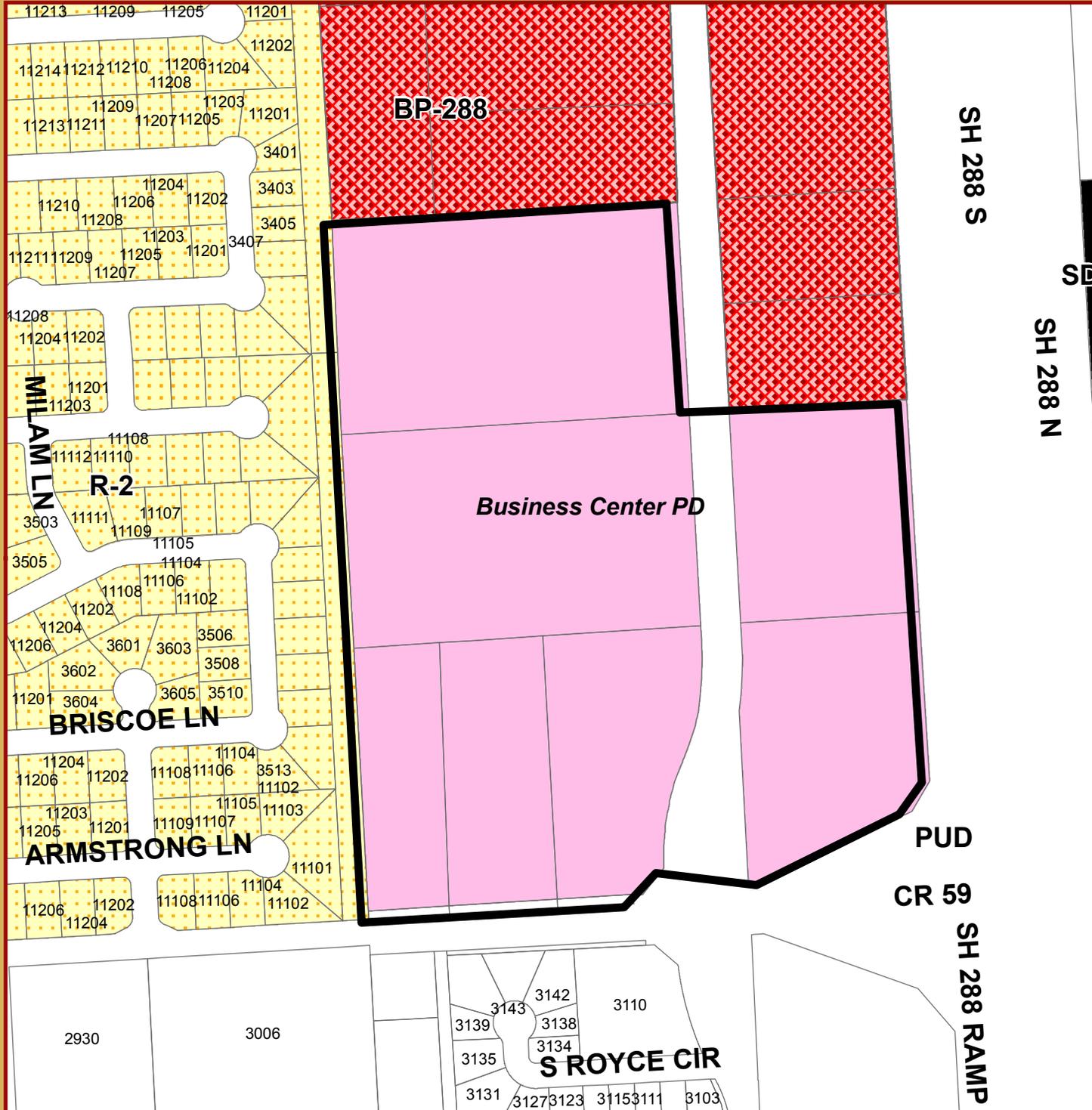
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 333 feet

22 MAY 2014  
PLANNING DEPARTMENT



Exhibit 3  
**ZONING MAP**  
**ZONE CHANGE 2014-15Z**  
**BUSINESS CENTER PD**  
**AMENDMENT**



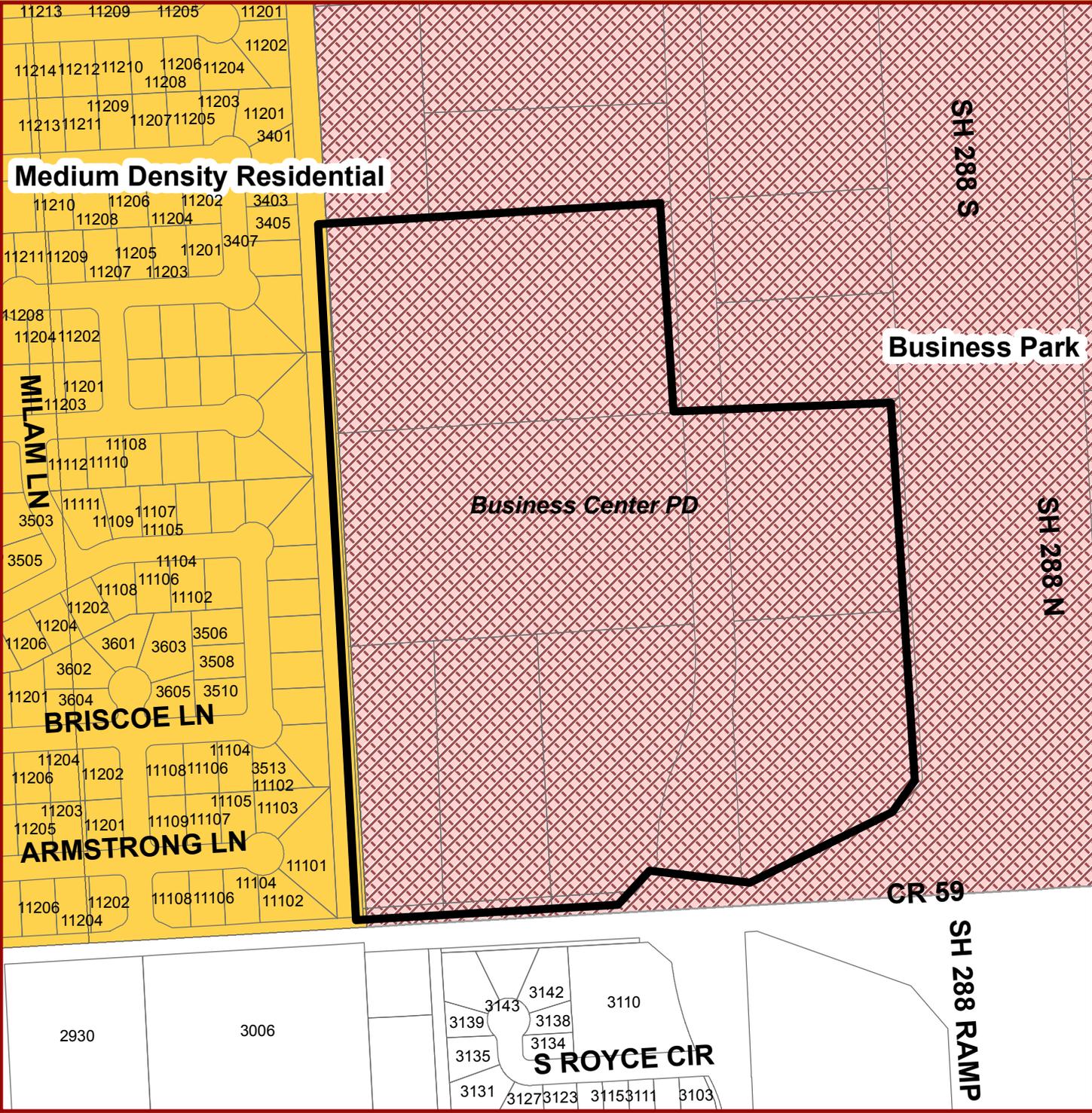
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1 inch = 333 feet

22 MAY 2014  
 PLANNING DEPARTMENT



Exhibit 4  
 FLUP MAP  
 ZONE CHANGE 2014-15Z  
 BUSINESS CENTER PD  
 AMENDMENT



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1 inch = 333 feet

22 MAY 2014  
 PLANNING DEPARTMENT





PROPERTY OWNER	ADDRESS	SUITE	CITY	STATE	ZIP
BEAN KENNETH & CECILIA	11101 DAWSON RD		PEARLAND	TX	77584
BENNETT JOHN R & RUTH W	3505 KAUFMAN AVE		PEARLAND	TX	77584
BOLLINGER WILLIAM BLAKE & ALLISON	1415 GALE LN		NASHVILLE	TN	37212
DRYDEN BOLLINGER					
BRAZORIA COUNTY MUD #25	3200 SOUTHWEST FWY	STE 2600	HOUSTON	TX	77027
CARILLO MARCO ANTONIO	3143 S ROYCE CIR		MANVEL	TX	77578
CRUZ FLOR A & MANUEL L	3501 KAUFMAN AVE		PEARLAND	TX	77584
FISHMAN GEORGE & MARY	3406 HAMPSHIRE ST		PEARLAND	TX	77581
GOLD STAR DEVELOPMENT	6229 RICHMOND AVE		HOUSTON	TX	77057
GOLDING FRITZ & MALENE	3146 S ROYCE CIR		MANVEL	TX	77578
HARRIS LYVESTRA	11103 ARMSTRONG LN		PEARLAND	TX	77584
HARVISON MELINDA	3407 KERR LN		PEARLAND	TX	77584
JORDAN LAMAR	PO BOX 1650		LAKE JACKSON	TX	77566

LINGO SOUTHFORK LTD	3900 MAGNOLIA ST	PEARLAND	TX	77584
LOPEZ ROMEO JR	3142 S ROYCE CIR	MANVEL	TX	77578
MCKAIG CLARK C	3509 KAUFMAN AVE	PEARLAND	TX	77584
OLIVAREZ RAMONA A & ANDRES	11102 EDWARDS AVE	PEARLAND	TX	77584
PAPPAS RESTAURANTS INC	13939 NORTHWEST FWY	HOUSTON	TX	77040
PARKSIDE 59/288 LTD	3003 W ALABAMA ST	HOUSTON	TX	77098
PATEL SAMIR B & TEJAL M	11102 DAWSON RD	PEARLAND	TX	77584
PITTS GREGORY & LADONNA	11102 BRISCOE LN	PEARLAND	TX	77584
RIDDLE SIMONE	3401 KERR LN	PEARLAND	TX	77584
ROBLES PETER & YVONNE ROSALES	832 DAVIS RD	LEAGUE CITY	TX	77573
SOLORZANO RODOLFO H & MARIA	3507 KAUFMAN AVE	PEARLAND	TX	77584
SOMERVILLE ERNEST	3405 KERR LN	PEARLAND	TX	77584
SOUTHGATE COMMUNITY ASSOC	PO BOX 3217	PEARLAND	TX	77588
STRIPAY MARK	3409 KERR LN	PEARLAND	TX	77584
SUMNERS BRANDON & TONYA	11103 DAWSON RD	PEARLAND	TX	77584

TARIQ MUHAMMAD A	3513 KAUFMAN AVE		PEARLAND	TX	77584
TRAN DANNY T & CELINE P	3403 KERR LN		PEARLAND	TX	77584
TRAN KIM LOAN	3503 KAUFMAN AVE		PEARLAND	TX	77584
VIRANI AHMADALI	2814 ACORN WOOD WAY		HOUSTON	TX	77059
WOODS EMMETT B & BILLIE J	11101 CARSON AVE		PEARLAND	TX	77584
YLT 288 PARTNERS	5855 SOVEREIGN DR	STE B	HOUSTON	TX	77036
ZAMARRIPA HECTOR & CINDY	11102 ARMSTRONG LN		PEARLAND	TX	77584

## Exhibit 6

### Zone Change 2014-15Z Notification List

<b>Property Owner</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
BEAN KENNETH & CECILIA	11101 DAWSON RD	PEARLAND	TX	77584
FISHMAN GEORGE & MARY	3406 HAMPSHIRE ST	PEARLAND	TX	77581
PARKSIDE 59/288 LTD	3003 W ALABAMA ST	HOUSTON	TX	77098
PATEL SAMIR B & TEJAL M	11102 DAWSON RD	PEARLAND	TX	77584
WOODS EMMETT B & BILLIE J	11101 CARSON AVE	PEARLAND	TX	77584
CRUZ FLOR A & MANUEL L	3501 KAUFMAN AVE	PEARLAND	TX	77584
TRAN KIM LOAN	3503 KAUFMAN AVE	PEARLAND	TX	77584
BENNETT JOHN R & RUTH W	3505 KAUFMAN AVE	PEARLAND	TX	77584
SOLORZANO RODOLFO H & MARIA	3507 KAUFMAN AVE	PEARLAND	TX	77584
BOLLINGER WILLIAM BLAKE & ALLISON DRYDEN BOLLINGER	1415 GALE LN	NASHVILLE	TN	37212
TARIQ MUHAMMAD A	3513 KAUFMAN AVE	PEARLAND	TX	77584
PITTS GREGORY & LADONNA	11102 BRISCOE LN	PEARLAND	TX	77584
BGE KERRY R GILBERT & ASS.	23501 CINCO RANCH BLVD.	KATY	TX	77494

Business Center PD  
-Amendment-

Prepared for:

Parkside 59/288, Ltd.

Prepared by:

BGE | Kerry R. Gilbert & Associates

September 4, 2014

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## I. Introduction

### A. Description of Property

Parkside 59/288, Ltd. is the owner of the subject property which contains  $\pm 38.9$  acres of land and is located at the northwest corner of CR 59 and US 288. Business Center Drive extends north to Broadway, bisecting the property into two developable tracts. Business Center Drive will also provide the primary entry points into each of the two tracts. Driveway access will also be taken from CR 59 to the south; however, there will be no direct driveway access to US 288 to the east. A 60 foot wide Brazoria County Drainage District Easement and a 176 foot wide detention pond form the western boundary of the tract. South Gate, a single-family residential subdivision is situated west of the subject property. The subject tract is vacant, except for an asphalt roadway (the location of future Business Center Drive) that dead ends at northern edge of the property. Exhibit A – Location Map and Exhibit B – Survey depicts the location and boundary of project.

### B. Description of Proposed Development

The location of this project at the intersection of a major highway and a major thoroughfare lends itself for commercial, retail, and office development. There are a variety of possible uses for each tract, including small pad sites (banks, restaurants, gas station/convenience store, etc.), large big box retail (home improvement store, grocery store, etc.), hotel/motel, and office buildings.

~~Exhibit E~~ Exhibit D– Land Use Areas illustrates how the subject tract is affected by the future extension of Business Center Drive. Business Center Drive bisects the project into two commercial areas  $\pm 9.7$  acres east of Business Center Drive and  $\pm 29.2$  acres on the west. The storm water detention requirement of  $\pm 6.8$  acres will be located along the western boundary and provide an excellent buffer between the commercial and residential development (**Detention Pond A**). The width of the proposed detention is 176' wide which provides a significant buffer distance between the residential and commercial developments. Construction of the wall will occur as the development in LUA 2 and LUA 3 occur. **In addition to the 176' wide detention facility described above, a dry detention pond will be located in the northern portion of LUA 3 (Detention Pond B) in order to provide detention for the property east of Business Center Drive (LUA 1).**

~~Exhibit E~~ Exhibit D– Land Use Areas shows the location of the detention facilities.

**C. Describe the area of land in acreage and legal description**

Approximately 38.9 acres comprise the subject site. Exhibit B – Survey, Metes & Bounds description, describes the site.

The August 2014 Amendment to the original Business Center Planned Development is for the property described in this document as Land Use Area 1 (+9.7 Acres ) and Land Use Area 3 ( +19.7 Acres) only. Land Use Area 2 is specifically omitted due to the fact that the property is sold and no revisions are being made to the regulations for the area. In addition, land within the detention facility on the western side of the property (Detention Pond A) is now owned by the Brazoria County Municipal Utility District No. 34 and therefore is not included in the amendment. See Exhibit B.1 – Survey, metes & bounds description– Amendment and Exhibit D – Land Use Areas.

**D. Statement as to the purpose and intent of the PD**

The intent of this PD is to allow flexibility of uses with the commercial, retail, and office land uses within the project.

## II. Zoning and Land Uses

### A. Describe existing zoning district surrounding the site

The site is zoned BP-288. The surrounding uses are as follows:

- North: Pearland Town Center PUD and BP-288
- West: R-2 (Southgate neighborhood, Brazoria County Drainage District Easement)
- South: ETJ (single-family residential use),
- East: ETJ (vacant)

~~Exhibit D~~ Exhibit C – Surrounding Properties/Zoning Map depicts the zoning districts of the adjacent tracts.

### B. Describe the acreage difference between the Base Zoning and proposed district

The base zoning district is BP-288. The proposed district overlays the entire 38.9 acre tract since the location of each specific land use has not yet been determined.

### C. General standards applicable to project

Development and land uses along SH 288 will conform to the BP-288 District (Section 2.4.3.3) and development and land uses along Business Center Drive and CR 59 will conform to the Corridor Overlay District (Section 2.4.5.1) except for the specific design standards listed in III. Design Standards Section C of this document, and land uses listed in the land use table.

### D. Permitted and conditional uses allowed

The intent of the PD is to allow for a variety of land uses, including a mix of commercial, office, hotel/motel, retail and restaurants. To this end, three distinct Land Use Areas (LUA) are being defined that would confine specific land uses to certain portions of the tract. Location and size of a tract coupled with market conditions are factors in determining the best use for the tract. The LUA designations define the best uses for the tract and set specific design elements for particular uses. The design elements set up standards based on the land use.

~~Exhibit E~~ Exhibit D – Land Use Areas depicts three land use areas and the respective acreage within each area. The table below lists the potential types of uses within each LUA plus design elements specific to those uses. Any land use permitted or conditionally permitted in the BP-288 district listed in the UDC Land Use Matrix is allowed along with the additional uses listed in the Land Use Area Table within this document. Any uses listed in the Land Use Area Table below are considered Permitted Uses in addition to the Permitted uses in the UDC Land Use Matrix for BP-288. The land uses listed in the table below are restricted to that specific Land Use Area. Additionally, the land uses listed are restricted to a maximum acreage within that specific Land Use Area. The acreage for that use is listed next to the use.

The acreage within each LUA may shift within 15% to allow for flexibility in land uses. The size of the LUA could change depending upon the actual use that is constructed so the ability to increase and decrease the acreage within the LUA is important.

## Land Use Area Table

	Types of Uses and Maximum Acreages	Design Element
<p><b>Land Use Area 1</b></p> <p><b>+ 9.7 Acres</b></p>	Restaurant (Drive-thru)*.....(9.7 acres) Restaurant (Dine-in)..... (9.7 acres) Hotel/Motel and Extended Stay**.....(6 acres) <del>Gas/Convenience Store ***.....(3 acres)</del> Auto Repair (minor) .....(5 acres) Auto Wash (full service/detail) .....(5 acres) Auto Wash (self-service) .....(5 acres) Laundry/ Dry Cleaning .....(2 acres) Garden / Nursery Store .....(8 acres) Shopping Center .....(8 acres) Pharmacy.....(4 acres)	Shared Driveways  Orientation of bay windows shall not face Business Center Drive or SH 288.  Drive-thru windows that face the street will be buffered per City Corridor Overlay District and BP-288 District requirements.
<p><b>Land Use Area 2</b></p> <p><b>+ 5.8 Acres</b></p>	Restaurant (Drive-thru)* .....(5.8 acres) Restaurant (Dine-in) .....(5.8 acres) Gas/Convenience Store ***.....(3 acres) Auto Wash (self-service) associated with a gas station only	Shared Driveways  Orientation of service bay doors shall not face Business Center Drive.  Drive-thru windows that face the street will be buffered per City Corridor Overlay District and BP-288 District requirements.
<p><b>Land Use Area 3</b></p> <p><b>+ 23.3 Acres</b></p>	<del>Nursing/Convalescent Home.....(14 acres)</del> <del>Nursing/Convalescent Home.....(4 acres)</del> Flex / Back Office .....(12 acres) Museum .....(5 acres) <del>Bio-tech, High-tech Manufacturing.....(10 acres)</del> Shopping Center .....(12 acres) Gas/Convenience Store***...(3 acres) Auto Wash (self-service) .....(3 acres) Retail Superstore****.....(17 acres)  <i>Additional Uses allowed within Retail Superstore:</i> Tire Sales Auto Repair (Minor) Pharmacy Liquor sales as permitted by TABC Photo Processing Food Preparation Services (Butcher, Deli, Bakery, etc.) Optometry Services General food and retail sales	Shared Driveways  Nursing/Convalescent Home as defined by the UDC The design of the complex will incorporate interior hallways.  Businesses to be oriented towards Business Center Drive or businesses can be oriented towards another business.  Orientation of overhead doors and service bay doors shall not face Business Center Drive <b>except when a building is over 100,000 square feet and used as a Retail Superstore located a minimum of 180 feet from the front property line.</b>  Flex/Back Office <b>and Bio-tech, High tech Manufacturing</b> to be one-story industrial product with tilt wall or similar concrete construction that can accommodate 25% to 100% office use; dock high doors shall not face Business Center Drive.  The proposed detention facility (Detention Pond B) along the North property line, may be adjusted within the boundary of LUA 3 so long as screening is provided per the regulations set on page 6 of this document.

\* Restaurant (Drive-Thru) limited to three (3) establishments in LUA 1 and two (2) establishments in LUA 2.

\*\* Hotel/Motel/Extended Stay limited to two (2) establishments in LUA 1.

~~\*\*\*Gas/Convenience Store limited to one (1) facility in LUA 1 and one (1) facility in LUA 2.~~

\*\*\*Gas/Convenience Store limited to one (1) facility in LUA 2 and one (1) facility in LUA 3. Furthermore, the Gas/Convenience Store in LUA 3 is permitted *only* if used as an accessory to the a Supermarket or similar Anchor Retail Store

\*\*\*\* Retail Superstore is defined as an establishment that sells a variety of goods and services arranged into multiple departments. These departments may include, but are not limited to, consumable foods, prepared foods, pharmacy, electronics, etc.

### III. Design Standards

#### A. Design Standards

1. Exterior Materials and Colors: No more than three (3) dominant materials should be used on a building exterior. Acceptable materials are concrete, tilt wall concrete, concrete block, glass, glass block, brick, split face concrete block, stone, stucco, and trade designs, as permitted in Sec 2.6.2.1 of UDC, and as approved by the City Planner. Earth tones with limited pastel alternative as recommended for dominant wall colors for build materials. An accent color may be applied to trim, fascia boards, door panels, or miscellaneous metals. Accent colors will not exceed more than 20% of the building façade for any side of the building. Prohibited colors include colors considered to be fluorescent, iridescent, or dayglo.

Within Land Use Area 3 (LUA3) only, the following standard applies:

For all non-residential structures one hundred thousand (100,000) square feet in size or greater and used as a Retail Superstore located a minimum of 180 feet from the front property line, acceptable front façade materials of any building that faces onto a thoroughfare or collector may include up to a combined maximum of 65% architectural metal panel (rib and/or textured). Side facades of such buildings may include up to a combined maximum of 75% architectural metal panel (rib and/or textured).

2. Minimum Setback for Structures: The minimum setback for structures along the public right-of-way shall be twenty (20) feet.

3. Minimum Setback for Parking Buffer: The minimum setback for the off-street parking, maneuvering and loading area from the right-of-way shall be fifteen (15) feet.

4. Landscaping: A landscaping plan will be developed along the perimeter of the project to ensure uniformity. The landscaping plan will be in conformance with the Corridor Overlay District along Business Center Drive and CR 59 and BP-288 District along SH 288 for landscaping, parking lot screening, trash receptacle screening and tree plantings, except the minimum setback, which is discussed above.

5. Lighting: - Lighting in the parking lots and on the commercial buildings will be in conformance with the current City of Pearland Code.

6. Outside Storage: Outside storage operations are allowed only for those businesses in which outside storage is a function of the business, such as a nursery. The outside storage must be screened from public view and those standards will be in conformance with Sec 4.2.4.1 plus in no case shall outside storage be permitted along any yard that abuts any street or public right-of-way.

7. Parking: On and off street parking requirements will be in conformance with the City of Pearland UDC. Bicycle parking will also be in conformance with the Section 2.4.5.1.F in the Corridor Overlay District.

However, within Land Use Area 3 (LUA3), a single building over one hundred thousand (100,000) square feet that is used as a Retail Superstore and is located a minimum of 180 feet from the front property line may provide bicycle storage for a minimum of two (2) percent of the companies employees within a secure space in the buildings receiving area in lieu of the Bicycle Parking standards.

8. Service Access and Service Areas: Service drives and service areas shall not interfere with parking, driveways or walkways and must be screened from adjoining properties, all public right-of-way and from the office area of any other building which share the site. A service area shall be provided at the rear (side opposite the street) of all buildings.

Within Land Use Area 3 (LUA3) only, the following standard applies:

For a non-residential structures one hundred thousand (100,000) square feet in size or greater that is used as a Retail Superstore and located a minimum of 180 feet from the front property line, any receiving dock bay or compactor area must be adequately screened from public view by plant materials within the site perimeter buffers. The minimum distance between the property line along Business Center Drive and the doors must be one hundred and eighty (180) feet. The plant materials used as screening must include evergreen shrubs maintained at 6' in height, and parking lot end islands with evergreen shrubs maintained at 3' in height. Canopy trees, evergreen shrubs, and a variety of low shrubs, ornamental grasses, and groundcovers must be included to further enhance the visual buffer.

9. Vehicular Access: Location of ingress and egress will be controlled. Vehicular access will be designed to minimize auto-pedestrian conflicts, manage curb cut distances along the public right-of-way, and minimize automobile conflicts. Shared driveways will be planned to limit the number of driveways along CR 59 and Business Center Drive.

10. Screening: Screening will conform to the City of Pearland UDC except for any exclusions listed below in Section B. ~~The screening for the detention facility will consist of a six (6) foot tall masonry or pre-cast masonry wall along the eastern side of the facility, along LUA 2 and 3. The fence will be constructed in conjunction with the building it is screening within LUA 2 and 3.~~ The screening for the existing regional detention facility (Detention Pond A) will consist of screening along the eastern boundary of the detention pond either as:

- 1) A 6 foot tall pre-cast masonry wall
- 2) A landscape buffer consisting of a minimum thirty (30) foot wide area. To adequately screen the Property from public view, the buffer must be landscaped with evergreen shrubs maintained at a 3' height, canopy trees, and a variety of low shrubs, ornamental grasses and groundcover to enhance the visual buffer. Trees shall have a minimum caliber of 3 inches.

11. Utilities: Overhead power lines exist along the north side of CR 59 and inside the right of way of Business Center Drive. The overhead line along Business Center Drive will remain in place and provide primary power for all land east of Business Center Drive. Additionally, new overhead lines will be constructed by Centerpoint along the west boundary of the Property, as shown on Exhibit E. Overhead lines will be used to distribute power, as shown on Exhibit E. Overhead power shall setback a minimum of twenty (20) feet behind the front of the building structure closest to Business Center Drive or 150' from the Business Center Drive right-of-way line, whichever is greater, so to maintain clean view corridors along Business Center Drive. The City Planner may review the screening requirements to minimize the view of the overhead poles from Business Center Drive. As sites are sold and developed, utilities to these sites will be constructed per the location specified listed above and as shown on Exhibit E. Exhibit E – Utility Plan depicts the location of existing and proposed overhead power lines.

\*Underground power delivery to Land Use Area 1 may include above ground terminal poles. The configuration and engineering of underground power will be determined by Centerpoint. All transformers and similar equipment need to be ground mounted, and not pole mounted, for any connection to or extension from existing overhead lines along Business Center Drive. It should be noted, however, that underground service may require a terminal pole to initiate service. This provision shall include the 150' setback for above ground power along Business Center right-of-way. Additionally, ground mounted transformers or similar equipment shall be screened per UDC Section 4.2.4.1 (d), *General Screening*.

12. Detention Facility: The primary detention for this development will be located along the western boundary of the tract (Detention Pond A). The detention will provide a buffer between the proposed commercial development and the South Gate neighborhood. The detention facility (including the high bank and berm) is 176 feet wide. The existing Brazoria Drainage District ditch is 60 feet wide. The combination of these two drainage areas provides a single, 236 foot wide buffer between the existing residential and proposed commercial. A screen wall, six (6') tall masonry or pre-cast wall will be constructed along the east side of the detention facility to enhance the screening between uses. The wall will be constructed as buildings are constructed. Landscape plantings of trees and shrubs will also be incorporated along the frontage of CR 59 to provide a visual screen from the public right-of-way. *As an option, a landscape buffer, as described on the page 6 under Section 10-Screening, may be used in place of the six (6) foot wall.*

*An additional dry detention facility (Detention Pond B) will be located on the northern portion of Land Use Area 3 to provide the detention needed for the eastern ±9.7 acres (LUA1). A landscape easement no less than ten (10) feet in width and no greater than fifteen (15) feet in width will be provided along the southern end of the detention basin and along the eastern edge of the detention basin. This will ensure adequate screening between the detention facility and the commercial property to the south as well as Business Center Drive to the east. Exhibit G – Detention Facility, shows the proposed landscape easements. The landscape buffer will incorporate plantings of trees and shrubs as shown in Exhibit H. No screening is required between Detention Pond A and Detention Pond B.*

## B. Specific list of deviations.

1. Section 2.4.5.1.C.1 and Section 2.4.4.3.C: Land Use Area 1 has dual frontage for Land Use Area 1 and driveway access to the site is limited to Business Center Drive. A twenty foot (20') front building line along both sides of Business Center Drive allows for better design of the project.
2. Section 2.4.5.1.C.2: A setback of fifteen feet (15') for off-street parking, maneuvering and loading area within the project will allow for better design of the tract.
3. Section 2.4.5.1.D.2.d: Building materials are discussed above and include restrictions in the Corridor Overlay District. Trade Designs shall be approved by the City Planner.
4. Section 2.4.5.1.D.3: Building colors are limited to earth tones and pastel as discussed above, and should not require the additional approval of the Planning Director.
5. Section 2.4.4.3.A.1: Permitted uses in BP-288 are listed on the UDC Land Use Matrix. We request additional uses be permitted as listed in the Land Use Table in Section 2 above. Prohibited uses include "Pet Care Facility/Animal Kennel (with outdoor pens)" and "Office, Parole-Probation, Bail Bonds".
6. Section 2.4.4.3.F: The regional detention required for this development is better served as a buffer to the single family residential than as a lake amenity for the project. The total width of the detention and drainage area is 236 feet (**Detention Pond A**). The distance, coupled with the six foot (6') wall provides a sufficient buffer and screen for the residential neighborhood to the west.  
**Detention for the eastern  $\pm$  9.7 acres will also be provided by a dry detention basin (Detention Pond B). The detention will be screened by landscaping along the southern and eastern edge of the basin to create a visual buffer from Business Center Drive and the neighboring commercial property to the south. Utilizing this method of detention will allow more efficient development for Land Use Area 1.**
7. Section 2.4.5.1.M: Overhead utilities will be utilized west of Business Center Drive. Overhead lines will be setback a minimum of 150' from Business Center Drive. **Power will be distributed underground to the Property east of Business Center Drive but may include above ground terminal poles.** The configuration and engineering of underground power will be determined by Centerpoint.
8. Section 2.4.5.1.f Bicycle Parking  
**Within Land Use Area 3 (LUA3), a non-residential structure over one hundred thousand (100,000) square feet used as a Retail Superstore and located a minimum of 180 feet from the front property line, shall provide bicycle storage for a minimum of two (2) percent of the companies employees within a secure space in the buildings receiving area in lieu of the Bicycle Parking standards.**
9. Section 2.4.5.1.d Building Articulation  
**In Land Use Area 3, for all non-residential structures one hundred thousand (100,000) square feet in size or greater used as a Retail Superstore and located a minimum of 180 feet from the front property line, front façades of any building that faces onto a thoroughfare or collector shall incorporate architectural variation (building mass offsets, trellises, etc.) of at least two (2) feet in depth for 30% of the building length and material variation for every 125' in horizontal length. Side facades of such buildings shall incorporate material variation for every 125' in horizontal length.**

C. All requirements of the Unified Development Code will be met, unless specifically mentioned in this document

#### IV. Required dedications of land or public improvements

This development is primarily commercial, retail and office and therefore no dedication to parkland required.

#### V. Exhibits

A – Location Map

B – Survey, metes & bounds description–Original

**B.1 – Survey, metes & bounds description–Amendment**

C – Surrounding Properties/ Zoning Map

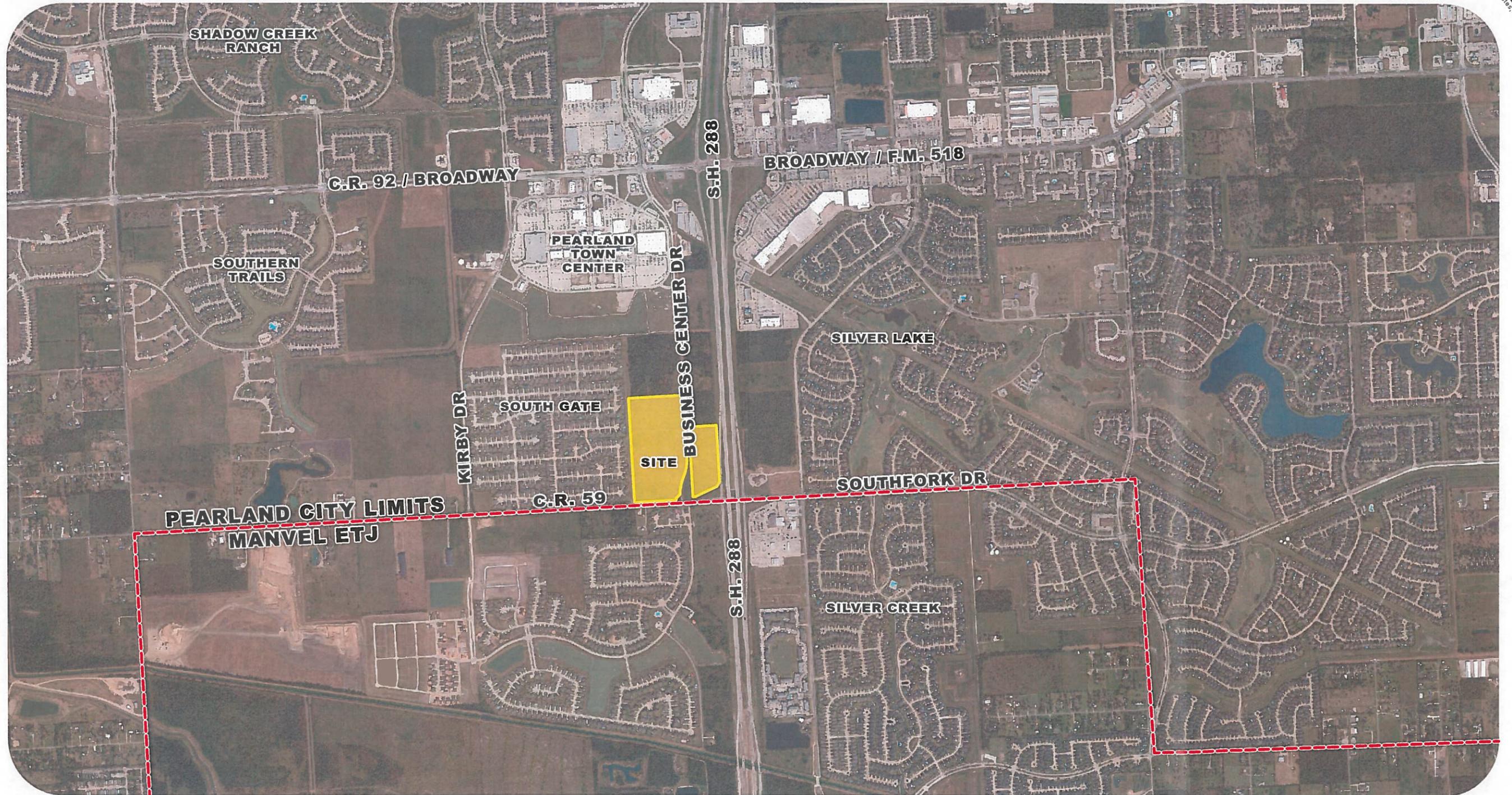
D – Land Use Areas

E – Power Line Exhibit

F – Landscape/Screening along CR 59 and the Detention Basin

**G – Detention Exhibit**

**H – Landscape/Screening along Northern Detention Basin**



**EXHIBIT A**

location map

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO KERRY R. GILBERT & ASSOCIATES, INC. BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOOD PLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

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a location map for

# BUSINESS CENTER PD

± 38.9 ACRES OF LAND

prepared for

## PARKSIDE 59/288 LTD.

**KERRY R. GILBERT & ASSOCIATES, INC.**

**Land Planning Consultants**

23501 Cinco Ranch Blvd.  
Suite A-250

Katy, Texas 77494

(281) 579-0340

Fax (281) 579-8212

NOT TO SCALE

JUNE 15, 2012  
KGA #I-175A

**Exhibit B**  
**Survey and**  
**Metes & Bounds**

DESCRIPTION OF  
38.909 ACRES  
(1,694,878 SQUARE FEET)

Being 38.909 acres of land located in the H.T. & B. R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being a portion of Lots 38, 39, 40, 49, and 50 of the Allison Richey Gulf Coast Homes Company's Part of Suburban Gardens, a subdivision of record in Volume 2, Page 98, of the Plat Records of said Brazoria County (B.C.P.R.), more particularly being the residue of that certain called 30.583 acre tract (described as Part One) and the residue of that certain called 9.990 acre tract (described as Part Two) conveyed from Compass Bank to Parkside 59/288, Ltd., by an instrument of record under Document Number 2011012491, of the Official Public Records of said Brazoria County, (B.C.O.P.R.), said 38.909 acres being more particularly described in two parts by metes and bounds as follows: Part One being 29.226 acres (1,273,076 square feet) and Part Two being 9.683 acres (421,802 square feet), all bearings referenced to the Texas Coordinate System, South Central Zone, NAD83 (1993 adjustment), Epoch 2002.02;

**PART ONE**

BEGINNING at a 5/8-inch iron rod with cap stamped "LJA ENG" found for the northwest corner of said 30.583 acre tract and the southwest corner of that certain called 3.39 acre tract conveyed from Brazoria County Land & Cattle Co. to George D. Fishman and wife, Mary Fishman by an instrument of record under Document Number 2005061002, of the Official Records of said Brazoria County, (B.C.O.R.), said point being on the east line of Southgate Section Two, a subdivision of record in Volume 24, Pages 278-279, B.C.P.R., said point also being common west corner of Lots 37 and 38 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision;

38.909 acres

June 19, 2012  
Job No. 1352-1003-202

Thence, North  $86^{\circ} 42' 55''$  East, along the common line of said Lots 37 and 38, along the north line of said 30.583 acre tract, the south line of said 3.39 acre tract and said south line of that certain called 3.33 acre tract conveyed from Ky-Tex to George Fishman and Mary Fishman by an instrument of record under File Number 96-040466 and corrected under File Number 97-010496, B.C.O.R., 826.97 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set on the west right-of-way line of Business Center Drive (100 feet wide) as described under Document Numbers 2012007382, 2012007390, 2012007393, and 2012007402, B.C.O.P.R., from which a 3/4-inch iron pipe found for the common corner of said Lots 37, 38, 47 and 48 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision bears North  $86^{\circ} 42' 55''$  East, 49.51 feet;

Thence, South  $03^{\circ} 16' 00''$  East, along the west right-of-way line of said Business Center Drive, 1,025.77 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, the beginning of a curve;

Thence, continuing along the west right-of-way line of said Business Center Drive, (width varies), 169.54 feet along the arc of a tangent curve to the right having a radius of 750.00 feet, a central angle of  $12^{\circ} 57' 08''$ , and a chord that bears South  $03^{\circ} 12' 34''$  West, 169.18 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner at the intersection of the west right-of-way line of said Business Center Drive and the west right-of-way line of County Road 566 (width varies) as described in Volume 2, Page 98, B.C.P.R., Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.R., the beginning of a curve;

Thence, along the west right-of-way line of said County Road 566 the following four courses:

1. 66.34 feet along the arc of a non-tangent curve to the right having a radius of 686.20 feet, a central angle of  $05^{\circ} 32' 22''$ , and a chord that bears South  $18^{\circ} 58' 03''$  West, 66.32 feet to a concrete right-of-way monument found for corner;

2. South  $21^{\circ} 45' 33''$  West, 13.71 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner, the beginning of a curve;
3. 275.59 feet along the arc of a non-tangent curve to the left having a radius of 746.20 feet, a central angle of  $21^{\circ} 09' 40''$ , and a chord that bears South  $11^{\circ} 09' 26''$  West, 274.03 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, from which a found concrete right-of-way monument bears North  $51^{\circ} 07' 14''$  West, 1.18 feet;
4. South  $42^{\circ} 42' 06''$  West, 71.88 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north right-of-way line of County Road 59 (width varies) as described in Volume 2, Page 98 and Volume 24, Page 33-36, B.C.P.R.;

Thence, South  $86^{\circ} 44' 15''$  West, along said north right-of-way line, 10.00 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on the north right-of-way line of said County Road 59, said point being the northeast corner of that certain called 0.5248 acre tract conveyed to the City of Pearland as a donation for right-of-way as described under Document Number 2012007390, B.C.O.P.R.;

Thence, South  $86^{\circ} 40' 26''$  West, along the north right-of-way line of said County Road 59 as described under Document Number 2012007390, B.C.O.P.R., 646.10 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for the northwest corner of said 0.5248 acre tract, said point being on the west line of the aforementioned 30.583 acre tract, said point being the southeast corner of Southgate Section One, a subdivision of record in Volume 24, Pages 33-36, B.C.P.R.;

38.909 acres

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Thence, North 03° 18' 06" West, along the west line of said 30.583 acre tract, the west line of said Lots 38, 39 and 40, and the east line of said Southgate Section One, passing at 1,330.57 feet a 5/8-inch iron rod with cap stamped "DALE HARDY RPLS 4847" found for the northeast corner of said Southgate Section One and the southeast corner of of the aforementioned Southgate Section Two, continuing along the west line of said Lot 38 and the east line of said Southgate Section Two, in all 1,583.44 feet to the POINT OF BEGINNING and containing 29.226 acre (1,273,076 square feet) of land.

## **PART TWO**

BEGINNING a 5/8-inch iron rod found for the northeast corner of said 9.990 acre tract and the southeast corner of that certain called 2.515 acre tract conveyed from DXB Richmond, Inc to Gold Star Development by an instrument of record under Document Number 2008031966, B.C.O.P.R., said point also being on the west right-of-way line of SH 288 (width varies) as described in Volume 1041, Page 460, Volume 1041, Page 888, and Volume 1052, Page 159, B.C.D.R., said point being on the common lot line of said Lot 48 and 49 of said Section 81, from which a found 3/4-inch iron pipe bears South 52° 36' 37" East, 0.93 feet;

Thence, South 03° 14' 03" East, along the common line of said 9.990 acre tract and said westerly right-of-way line, 877.70 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on said common line;

Thence, South 30° 49' 10" West, continuing along said common line, 82.81 feet to a broken concrete right-of-way monument found for an angle point on said common line;

Thence, South 64° 55' 07" West, continuing along said common line, 381.06 feet to a broken concrete right-of-way monument found for an angle point on said common line;

38.909 acres

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Thence, South  $86^{\circ} 45' 24''$  West, continuing along said common line, 30.02 feet to a broken concrete right-of-way monument found for the southwest corner of said 9.990 acre tract, same being the intersection on said westerly right-of-way line and the east right-of-way line of County Road 566 (width varies) as recorded in Volume 2, Page 98, B.C.P.R., Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.R.;

Thence, North  $03^{\circ} 17' 17''$  West, departing said common line and along the west line of said 9.990 acre tract and along the east right-of-way line of said County Road 566, 371.60 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set at the intersection of the east right-of-way line of said County Road 566 and the east right-of-way line of said Business Center Drive (100 feet wide) as described under Document Numbers 2012007382, 2012007390, 2012007393, and 2012007402, B.C.O.P.R., the beginning of a curve;

Thence, along the east right-of-way line of said Business Center Drive, 187.07 feet along the arc of a non-tangent curve to the left having a radius of 850.00 feet, a central angle of  $12^{\circ} 36' 35''$ , and a chord that bears North  $03^{\circ} 02' 17''$  East, 186.69 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner;

Thence, North  $03^{\circ} 16' 00''$  West, continuing along the east right-of-way line of said Business Center Drive, 531.11 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north line of the aforementioned 9.990 acre tract and the south line of the aforementioned 2.515 acre tract, said point also being on the common lot line of Lots 48 and 49 of the aforementioned Allison Richey Gulf Coast Homes Company's Part of Suburban Gardens subdivision;

Thence, North  $86^{\circ} 47' 22''$  East, along the common line of said 9.990 and 2.515 acre tracts and said common lot line, 410.34 feet to the POINT OF BEGINNING and containing 9.683 acres (421,802 square feet) of land.

38.909 acres

June 19, 2012  
Job No. 1352-1003-202

Said Part One and Part Two containing a total of 38.909 acres (1,694,878 square feet) of land.

This description was prepared from a survey prepared by the undersigned dated June 19, 2012.



Gary D. Nutter  
Registered Professional Land Surveyor  
Texas Registration Number 5659  
LJA Engineering & Surveying, Inc.



**Exhibit B-1**  
**Survey and**  
**Metes & Bounds**





**METES AND BOUNDS DESCRIPTION  
OF 29.331 ACRES OF LAND IN TWO PARTS  
IN THE H.T. & B.R.R. Co. SURVEY, A-300  
BRAZORIA COUNTY, TEXAS**

Being 29.331 acres of land located in the H.T. & B.R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being a portion of Lots 38, 39, 40, 49 and 50 of the Allison Richey Gulf Coast Home Company's Part of Suburban Gardens, a subdivision of record in Volume 2, Page 98 of the Brazoria County Plat Records, being a portion of BUSINESS CENTER PLANNED DEVELOPMENT TRACT C-4, the plat thereof recorded under Document Number 2013-033688 in the Official Public Records of Brazoria County, Texas, further being the residue of a 30.583 acre tract ("Part One") and the residue of a 9.990 acre tract ("Part Two") described in the deed from Compass Bank to Parkside 59/288, Ltd. recorded under Document No. 2011012491, in the Official Public Records of Brazoria County, Texas, said 29.331 acre tract being more particularly described in two parts by metes and bounds as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

**PART 1:**

**COMMENCING** at an cut "X" in concrete set for the northwest corner of the 6.326 acre tract described in deed from Parkside 59/288, Ltd. to Brazoria County Municipal Utility District No. 34 recorded under Document Number 2014-026462 in the Official Public Records of Brazoria County, Texas, being the southwest corner of a 3.39 acre tract described in deed from George Fishman and Mary Fishman to Brazoria County Land & Cattle Co. recorded under Document Number 2005-061002 in the Official Public Records of Brazoria County, Texas, being on the east line of Southgate Section Two, the plat thereof recorded in Volume 24, Pages 278-279 of the Brazoria County Plat Records, and being the common west corner of Lots 37 and 38 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision;

**THENCE** North 86° 42' 39" East – 60.00 feet, with the line common to said 6.326 acre tract and said 3.39 acre tract to a 5/8-inch iron rod with cap stamped "IDS" set for the most northerly northwest corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE** North 86° 42' 39" East – 766.98 feet, with the north line of said 30.583 acre tract and south line of said 3.39 acre tract and south line of a 3.33 acre tract described in deed from Ky-Tex Corporation to George Fishman and Mary Fishman recorded under Document Number 96-040466 and corrected under Document Number 97-010496 in the Official Public Records of Brazoria County, Texas to a 5/8-inch iron rod with cap stamped "IDS" set on the west right-of-way line of Business Center Drive (County Road 566) (100 feet wide at this point) as described under Document Numbers 2012-007382, 2012-007390, 2012-007393 and 2012-007402 in the Official Public Records of Brazoria County, Texas;

**THENCE** with the west right-of-way line of said Business Center Drive the following courses and distances:

South 03° 16' 16" East – 1025.77 feet to a cut "X" in concrete set at the beginning of a curve to the right;

in a southwesterly direction and with said curve to the right, having a central angle of 12° 57' 07", a chord bearing and distance of South 03° 12' 18" West – 169.18 feet, a radius of 750.00 feet, and an arc distance of 169.54 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the end of said curve and the beginning of a non-tangent curve to the right;

in a southwesterly direction and with said non-tangent curve to the right, having a central angle of 05° 32' 23", a chord bearing and distance of South 18° 57' 47" West – 66.32 feet, a radius of 686.20 feet, and an arc distance of 66.35 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the end of said curve;

South 21° 45' 17" West – 13.71 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the beginning of a curve to the left;

in a southwesterly direction and with said curve to the left, having a central angle of 05° 25' 00", a chord bearing and distance of South 19° 01' 30" West – 70.52 feet, a radius of 746.20 feet, and an arc distance of 70.54 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the end of said curve, said point being the northeast corner of the 1.463 acre tract of land described in deed from Parkside 59/288, Ltd. to Global New Millennium Partners, Ltd. recorded under Document Number 2013-023897, in the Official Public Records of Brazoria County, Texas;

**THENCE** South 86° 40' 14" West – 289.01 feet, departing said west right-of-way line and with the north line of said 1.463 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" set for the northwest corner of said 1.463 acre tract and being on the east line of Lot 1, (Tract C-3) (1.79 acres) described in the deed from Parkside 59/288, Ltd. to Uniq J Investments, LLC, recorded under Document Number 2014-015442 in the Official Public Records of Brazoria County, Texas;

**THENCE** North 03° 19' 46" West – 15.00 feet, with the line common to said 1.463 acre tract and said 1.79 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" set for the northeast corner of said 1.79 acre tract;

**THENCE** South 86° 40' 14" West – 284.42 feet, with the north line of said 1.79 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" found for the northwest corner of said 1.79 acre tract, being on the east line of said 6.326 acre tract;

**THENCE** North 03° 18' 22" West – 1313.31 feet, with the east line of said 6.326 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" found for the northeast corner of said 6.326 acre tract;

**THENCE** South 86° 42' 39" West – 116.00 feet, with a northerly line of said 6.326 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" found for an interior northerly corner of said 6.326 acre tract;

**THENCE** North 03° 18' 22" West – 5.00 feet to the **POINT OF BEGINNING** of the herein described tract and containing 19.648 acres (855,855 square feet) of land.

**PART 2:**

**BEGINNING** at a 5/8-inch iron rod found for the northeast corner of said 9.990 acre tract and the southeast corner of a 2.515 acre tract described in deed from DXB Richmond, Inc. to Gold Star Development recorded under Document Number 2008-031966 in the Official Public Records of Brazoria County, Texas, being on the west right-of-way line of State Highway 288 (width varies) as described in Volume 1041, Page 460, Volume 1041, Page 888 and Volume 1052, Page 159, and on the line common to said Lots 48 and 49;

**THENCE** South 03° 14' 03" East – 877.69 feet, with the line common to said 9.990 acre tract and said west right-of-way line, to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point;

**THENCE** South 30° 49' 10" West – 82.81 feet, continuing with said common line, to a 5/8-inch iron rod with cap stamped "IDS" set for an angle point;

**THENCE** South 64° 55' 07" West – 381.06 feet, continuing with said common line, to a 5/8-inch iron rod with cap stamped "IDS" set for an angle point;

**THENCE** South 86° 45' 24" West – 30.02 feet, continuing with said common line, to the southwest corner of the herein described tract, same being the intersection of said west right-of-way line and the east right-of-way line of County Road 566 (width varies) as recorded in Volume 2, Page 98 of the Brazoria County Plat Records, Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636 and Volume 1035, Page 642 of the Brazoria County Deed Records;

**THENCE** North 03° 17' 17" West – 371.60 feet, departing said common line and with the west line of said 9.990 acre tract and the east right-of-way line of said Business Center Drive (County Road 566)(width varies) to a 5/8-inch iron rod with cap stamped "IDS" set at the beginning of a non-tangent curve to the left;

**THENCE** in a northeasterly direction and with said curve to the left, having a central angle of 12° 36' 35", a chord bearing and distance of North 03° 02' 17" East – 186.69 feet, a radius of 850.00 feet, and an arc distance of 187.07 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the end of said curve;

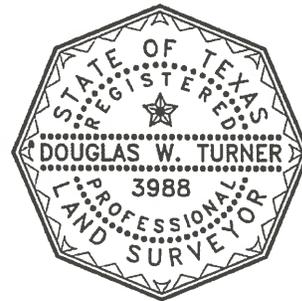
**THENCE** North 03° 16' 00" West – 531.11 feet, with the east right-of-way line of said Business Center Drive (100 feet wide at this point) to a 5/8-inch iron rod with cap stamped "IDS" set for the northwest corner for the herein described tract, being on the north line of said 9.990 acre tract, the south line of said 2.515 acre tract, and the said line common to Lots 48 and 49;

**THENCE** North 86° 47' 22" East – 410.34 feet, with the line common to said 2.515 acre tract and 9.990 acre tract and said common lot line, to the **POINT OF BEGINNING** of the herein described tract and containing 9.683 acres (421,801 square feet) of land.

Prepared by:  
IDS Engineering Group  
Job No. 2024-001-00-521

January 31, 2014  
Revised July 23, 2014

  
\_\_\_\_\_  
Douglas W. Turner  
Registered Professional Land Surveyor  
Texas Registration Number 3988



**Exhibit B**  
**Survey and**  
**Metes & Bounds**



DESCRIPTION OF  
38.909 ACRES  
(1,694,878 SQUARE FEET)

Being 38.909 acres of land located in the H.T. & B. R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being a portion of Lots 38, 39, 40, 49, and 50 of the Allison Richey Gulf Coast Homes Company's Part of Suburban Gardens, a subdivision of record in Volume 2, Page 98, of the Plat Records of said Brazoria County (B.C.P.R.), more particularly being the residue of that certain called 30.583 acre tract (described as Part One) and the residue of that certain called 9.990 acre tract (described as Part Two) conveyed from Compass Bank to Parkside 59/288, Ltd., by an instrument of record under Document Number 2011012491, of the Official Public Records of said Brazoria County, (B.C.O.P.R.), said 38.909 acres being more particularly described in two parts by metes and bounds as follows: Part One being 29.226 acres (1,273,076 square feet) and Part Two being 9.683 acres (421,802 square feet), all bearings referenced to the Texas Coordinate System, South Central Zone, NAD83 (1993 adjustment), Epoch 2002.02;

**PART ONE**

BEGINNING at a 5/8-inch iron rod with cap stamped "LJA ENG" found for the northwest corner of said 30.583 acre tract and the southwest corner of that certain called 3.39 acre tract conveyed from Brazoria County Land & Cattle Co. to George D. Fishman and wife, Mary Fishman by an instrument of record under Document Number 2005061002, of the Official Records of said Brazoria County, (B.C.O.R.), said point being on the east line of Southgate Section Two, a subdivision of record in Volume 24, Pages 278-279, B.C.P.R., said point also being common west corner of Lots 37 and 38 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision;

Thence, North  $86^{\circ} 42' 55''$  East, along the common line of said Lots 37 and 38, along the north line of said 30.583 acre tract, the south line of said 3.39 acre tract and said south line of that certain called 3.33 acre tract conveyed from Ky-Tex to George Fishman and Mary Fishman by an instrument of record under File Number 96-040466 and corrected under File Number 97-010496, B.C.O.R., 826.97 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set on the west right-of-way line of Business Center Drive (100 feet wide) as described under Document Numbers 2012007382, 2012007390, 2012007393, and 2012007402, B.C.O.P.R., from which a 3/4-inch iron pipe found for the common corner of said Lots 37, 38, 47 and 48 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision bears North  $86^{\circ} 42' 55''$  East, 49.51 feet;

Thence, South  $03^{\circ} 16' 00''$  East, along the west right-of-way line of said Business Center Drive, 1,025.77 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, the beginning of a curve;

Thence, continuing along the west right-of-way line of said Business Center Drive, (width varies), 169.54 feet along the arc of a tangent curve to the right having a radius of 750.00 feet, a central angle of  $12^{\circ} 57' 08''$ , and a chord that bears South  $03^{\circ} 12' 34''$  West, 169.18 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner at the intersection of the west right-of-way line of said Business Center Drive and the west right-of-way line of County Road 566 (width varies) as described in Volume 2, Page 98, B.C.P.R., Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.R., the beginning of a curve;

Thence, along the west right-of-way line of said County Road 566 the following four courses:

1. 66.34 feet along the arc of a non-tangent curve to the right having a radius of 686.20 feet, a central angle of  $05^{\circ} 32' 22''$ , and a chord that bears South  $18^{\circ} 58' 03''$  West, 66.32 feet to a concrete right-of-way monument found for corner;

2. South  $21^{\circ} 45' 33''$  West, 13.71 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner, the beginning of a curve;
3. 275.59 feet along the arc of a non-tangent curve to the left having a radius of 746.20 feet, a central angle of  $21^{\circ} 09' 40''$ , and a chord that bears South  $11^{\circ} 09' 26''$  West, 274.03 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, from which a found concrete right-of-way monument bears North  $51^{\circ} 07' 14''$  West, 1.18 feet;
4. South  $42^{\circ} 42' 06''$  West, 71.88 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north right-of-way line of County Road 59 (width varies) as described in Volume 2, Page 98 and Volume 24, Page 33-36, B.C.P.R.;

Thence, South  $86^{\circ} 44' 15''$  West, along said north right-of-way line, 10.00 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on the north right-of-way line of said County Road 59, said point being the northeast corner of that certain called 0.5248 acre tract conveyed to the City of Pearland as a donation for right-of-way as described under Document Number 2012007390, B.C.O.P.R.;

Thence, South  $86^{\circ} 40' 26''$  West, along the north right-of-way line of said County Road 59 as described under Document Number 2012007390, B.C.O.P.R., 646.10 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for the northwest corner of said 0.5248 acre tract, said point being on the west line of the aforementioned 30.583 acre tract, said point being the southeast corner of Southgate Section One, a subdivision of record in Volume 24, Pages 33-36, B.C.P.R.;

Thence, North  $03^{\circ} 18' 06''$  West, along the west line of said 30.583 acre tract, the west line of said Lots 38, 39 and 40, and the east line of said Southgate Section One, passing at 1,330.57 feet a 5/8-inch iron rod with cap stamped "DALE HARDY RPLS 4847" found for the northeast corner of said Southgate Section One and the southeast corner of of the aforementioned Southgate Section Two, continuing along the west line of said Lot 38 and the east line of said Southgate Section Two, in all 1,583.44 feet to the POINT OF BEGINNING and containing 29.226 acre (1,273,076 square feet) of land.

## **PART TWO**

BEGINNING a 5/8-inch iron rod found for the northeast corner of said 9.990 acre tract and the southeast corner of that certain called 2.515 acre tract conveyed from DXB Richmond, Inc to Gold Star Development by an instrument of record under Document Number 2008031966, B.C.O.P.R., said point also being on the west right-of-way line of SH 288 (width varies) as described in Volume 1041, Page 460, Volume 1041, Page 888, and Volume 1052, Page 159, B.C.D.R., said point being on the common lot line of said Lot 48 and 49 of said Section 81, from which a found 3/4-inch iron pipe bears South  $52^{\circ} 36' 37''$  East, 0.93 feet;

Thence, South  $03^{\circ} 14' 03''$  East, along the common line of said 9.990 acre tract and said westerly right-of-way line, 877.70 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on said common line;

Thence, South  $30^{\circ} 49' 10''$  West, continuing along said common line, 82.81 feet to a broken concrete right-of-way monument found for an angle point on said common line;

Thence, South  $64^{\circ} 55' 07''$  West, continuing along said common line, 381.06 feet to a broken concrete right-of-way monument found for an angle point on said common line;

38.909 acres

June 19, 2012  
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Thence, South  $86^{\circ} 45' 24''$  West, continuing along said common line, 30.02 feet to a broken concrete right-of-way monument found for the southwest corner of said 9.990 acre tract, same being the intersection on said westerly right-of-way line and the east right-of-way line of County Road 566 (width varies) as recorded in Volume 2, Page 98, B.C.P.R., Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.R.;

Thence, North  $03^{\circ} 17' 17''$  West, departing said common line and along the west line of said 9.990 acre tract and along the east right-of-way line of said County Road 566, 371.60 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set at the intersection of the east right-of-way line of said County Road 566 and the east right-of-way line of said Business Center Drive (100 feet wide) as described under Document Numbers 2012007382, 2012007390, 2012007393, and 2012007402, B.C.O.P.R., the beginning of a curve;

Thence, along the east right-of-way line of said Business Center Drive, 187.07 feet along the arc of a non-tangent curve to the left having a radius of 850.00 feet, a central angle of  $12^{\circ} 36' 35''$ , and a chord that bears North  $03^{\circ} 02' 17''$  East, 186.69 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner;

Thence, North  $03^{\circ} 16' 00''$  West, continuing along the east right-of-way line of said Business Center Drive, 531.11 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north line of the aforementioned 9.990 acre tract and the south line of the aforementioned 2.515 acre tract, said point also being on the common lot line of Lots 48 and 49 of the aforementioned Allison Richey Gulf Coast Homes Company's Part of Suburban Gardens subdivision;

Thence, North  $86^{\circ} 47' 22''$  East, along the common line of said 9.990 and 2.515 acre tracts and said common lot line, 410.34 feet to the POINT OF BEGINNING and containing 9.683 acres (421,802 square feet) of land.

38.909 acres

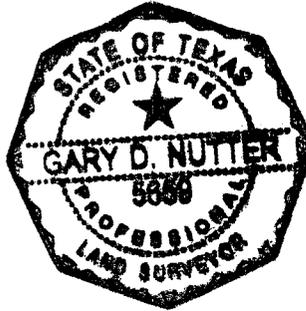
June 19, 2012  
Job No. 1352-1003-202

Said Part One and Part Two containing a total of 38.909 acres (1,694,878 square feet) of land.

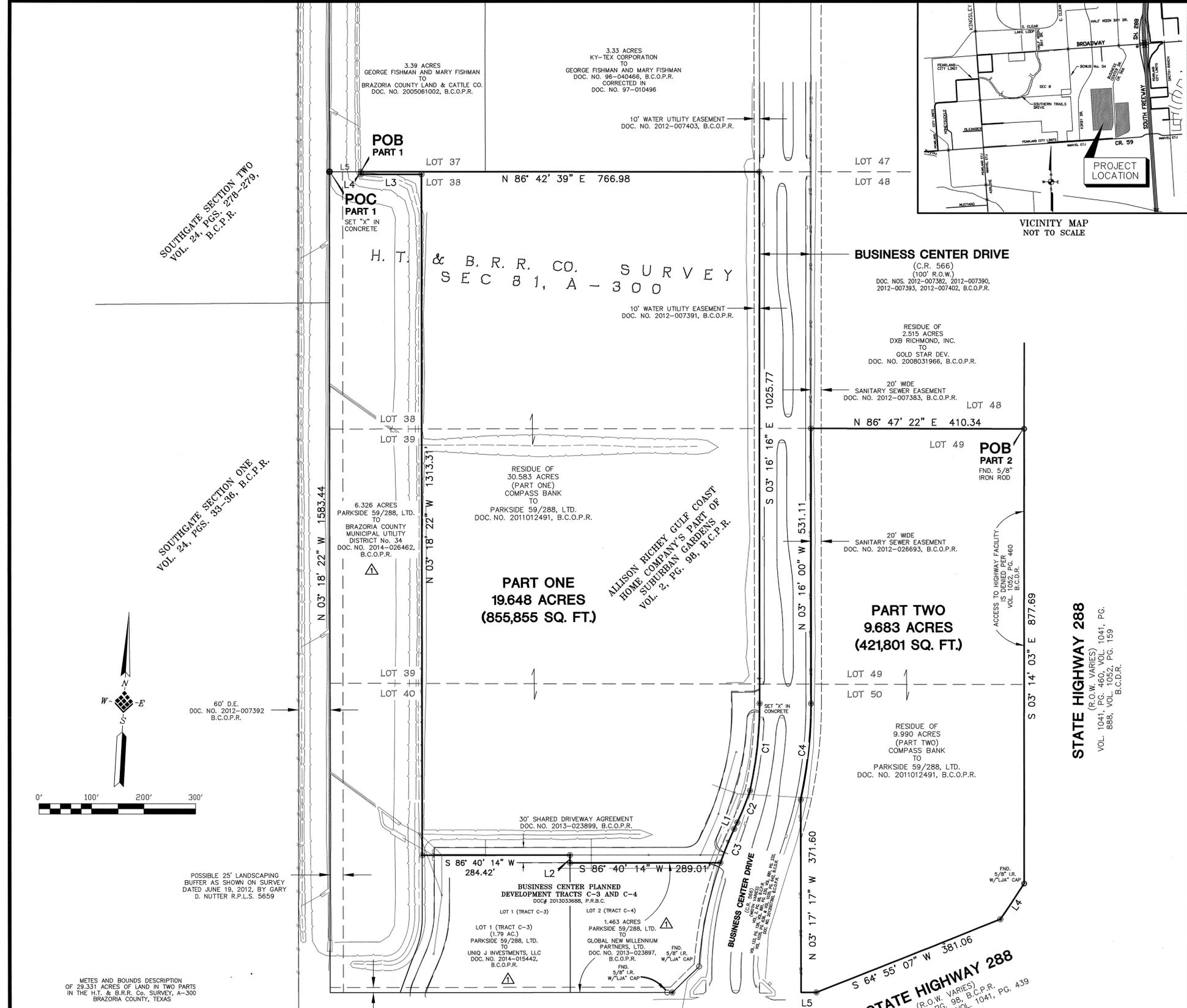
This description was prepared from a survey prepared by the undersigned dated June 19, 2012.



Gary D. Nutter  
Registered Professional Land Surveyor  
Texas Registration Number 5659  
LJA Engineering & Surveying, Inc.



**Exhibit B-1**  
**Survey and**  
**Metes & Bounds**



**METES AND BOUNDS DESCRIPTION**  
OF 29,331 ACRES OF LAND IN TWO PARTS  
IN THE H.T. & B.R.R. CO. SURVEY, A-300  
BRAZORIA COUNTY, TEXAS

Being 29,331 acres of land located in the H.T. & B.R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being a portion of Lots 38, 39, 40, 49 and 50 of the Allison Richey Gulf Coast Home Company's Part of Suburban Gardens, a subdivision of record in Volume 2, Page 98 of the Brazoria County Plat Records, being a portion of BUSINESS CENTER PLANNED DEVELOPMENT TRACT C-3, the plat thereof recorded under Document Number 2013-023688 in the Official Public Records of Brazoria County, Texas, further being the residue of a 30,583 acre tract ("Part One") and the residue of a 9,990 acre tract ("Part Two") described in the deed from Compass Bank to Parkside 59/288, Ltd. recorded under Document No. 2011012491, in the Official Public Records of Brazoria County, Texas, said 29,331 acre tract, being more particularly described in two parts by metes and bounds as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

**PART 1:**  
COMMENCING at an cut "X" in concrete set for the northwest corner of the 6,326 acre tract described in deed from Parkside 59/288, Ltd. to Brazoria County Municipal Utility District No. 34 recorded under Document Number 2014-026462 in the Official Public Records of Brazoria County, Texas, being the southwest corner of a 3,39 acre tract described in deed from George Fishman and Mary Fishman to Brazoria County Land & Cattle Co. recorded under Document Number 2005-061002 in the Official Public Records of Brazoria County, Texas, being the east line of Southgate Section Two, the plat thereof recorded in Volume 24, Pages 278-279 of the Brazoria County Plat Records, and being the common west corner of Lots 37 and 38 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision;

THENCE North 86° 42' 39" East - 60.00 feet, with the line common to said 6,326 acre tract and said 3,39 acre tract to a 5/8-inch iron rod with cap stamped "IDS" set for the most northerly northwest corner and POINT OF BEGINNING of the herein described tract;

THENCE North 86° 42' 39" East - 766.98 feet, with the north line of said 30,583 acre tract and south line of said 3,39 acre tract and south line of a 1.79 acre tract described in deed from Ky-Tex Corporation to George Fishman and Mary Fishman recorded under Document Number 96-040486 and corrected under Document Number 97-010496 in the Official Public Records of Brazoria County, Texas, to a 5/8-inch iron rod with cap stamped "IDS" set on the west right-of-way line of Business Center Drive (County Road 566) (100 feet wide at this point) as described under Document Numbers 2012-007392, 2012-007390, 2012-007393 and 2012-007402 in the Official Public Records of Brazoria County, Texas;

THENCE with the west right-of-way line of said Business Center Drive the following courses and distances:

South 03° 16' 16" East - 1025.77 feet to a cut "X" in concrete set at the beginning of a curve to the right;

in a southwesterly direction and with said curve to the right, having a central angle of 12° 57' 07", a chord bearing and distance of South 03° 12' 18" West - 169.18 feet, a radius of 750.00 feet, and an arc distance of 169.54 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the end of said curve and the beginning of a non-tangent curve to the right;

in a southwesterly direction and with said non-tangent curve to the right, having a central angle of 05° 25' 00", a chord bearing and distance of South 19° 01' 30" West - 70.52 feet, a radius of 746.20 feet, and an arc distance of 70.54 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the end of said curve, said point being the northeast corner of the 1.463 acre tract of land described in deed from Parkside 59/288, Ltd. to Global New Millennium Partners, Ltd. recorded under Document Number 2013-023688 in the Official Public Records of Brazoria County, Texas;

THENCE South 86° 40' 14" West - 289.01 feet, departing said west right-of-way line and with the north line of said 1.463 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" set for the northwest corner of said 1.463 acre tract and being on the east line of Lot 1, (Tract C-3) (1.79 acres) described in deed from Parkside 59/288, Ltd. to Uniq J Investments, LLC, recorded under Document Number 2014-015442 in the Official Public Records of Brazoria County, Texas;

THENCE North 03° 18' 22" West - 15.00 feet, with the line common to said 1.463 acre tract and said 1.79 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" set for the northeast corner of said 1.79 acre tract;

THENCE South 86° 40' 14" West - 284.42 feet, with the north line of said 6,326 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" found for the northeast corner of said 6,326 acre tract;

THENCE North 03° 18' 22" West - 1313.31 feet, with the east line of said 6,326 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" found for the northeast corner of said 6,326 acre tract;

THENCE South 86° 42' 39" West - 116.00 feet, with a northerly line of said 6,326 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" found for an interior northerly corner of said 6,326 acre tract;

THENCE North 03° 18' 22" West - 5.00 feet to the POINT OF BEGINNING of the herein described tract and containing 19,648 acres (855,855 square feet) of land, m.e.r. of said 6,326 acre tract;

THENCE North 03° 18' 22" West - 5.00 feet to the POINT OF BEGINNING of the herein described tract and containing 19,648 acres (855,855 square feet) of land.

**PART 2:**  
BEGINNING at a 5/8-inch iron rod found for the northeast corner of said 9,990 acre tract and the southeast corner of a 2,515 acre tract described in deed from DXB Richmond, Inc. to Gold Star Development recorded under Document Number 2008-031966 in the Official Public Records of Brazoria County, Texas, being on the west right-of-way line of State Highway 288 (width varies) as described in Volume 1041, Page 460, Volume 1041, Page 888 and Volume 1052, Page 159, and on the line common to said Lots 48 and 49;

THENCE South 03° 14' 03" East - 877.69 feet, with the line common to said 9,990 acre tract and said west right-of-way line, to a 5/8-inch iron rod with cap stamped "LUA ENG" found for an angle point;

THENCE South 30° 49' 10" West - 82.81 feet, continuing with said common line, to a 5/8-inch iron rod with cap stamped "IDS" set for an angle point;

THENCE South 64° 55' 07" West - 381.06 feet, continuing with said common line, to a 5/8-inch iron rod with cap stamped "IDS" set for an angle point;

THENCE South 86° 45' 24" West - 30.02 feet, continuing with said common line, to the southwest corner of the herein described tract, same being the intersection of said west right-of-way line and the east right-of-way line of County Road 566 (width varies) as recorded in Volume 2, Page 98 of the Brazoria County Plat Records, Volume 133, Page 126, Volume 581, Page 230, Volume 881, Page 232, Volume 1035, Page 636 and Volume 1035, Page 642 of the Brazoria County Deed Records;

THENCE North 03° 17' 17" West - 371.60 feet, departing said common line and with the west line of said 9,990 acre tract and the east right-of-way line of said Business Center Drive (County Road 566) (width varies) to a 5/8-inch iron rod with cap stamped "IDS" set at the beginning of a non-tangent curve to the left;

THENCE in a northeasterly direction and with said curve to the left, having a central angle of 12° 36' 35", a chord bearing and distance of North 03° 02' 17" East - 186.69 feet, a radius of 850.00 feet, and an arc distance of 187.07 feet to the end of said curve;

THENCE North 03° 16' 00" West - 531.11 feet, with the east right-of-way line of said Business Center Drive (100 feet wide at this point) to a 5/8-inch iron rod with cap stamped "IDS" set for the northeast corner of the herein described tract, being on the north line of said 9,990 acre tract, the south line of said 2,515 acre tract, and the said line common to Lots 48 and 49;

THENCE North 86° 47' 22" East - 410.34 feet, with the line common to said 2,515 acre tract and 9,990 acre tract and said common lot line, to the POINT OF BEGINNING of the herein described tract and containing 9,683 acres (421,801 square feet) of land.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	750.00	169.54	169.18	S 03° 12' 18" W	12° 57' 07"
C2	696.20	66.35	66.32	S 18° 57' 47" W	5° 32' 23"
C3	746.20	70.54	70.52	S 19° 01' 30" W	5° 25' 00"

LINE	BEARING	DISTANCE
L1	S 21° 45' 17" W	13.71
L2	N 03° 19' 46" W	15.00
L3	S 86° 42' 39" W	116.00
L4	N 03° 18' 22" W	5.00
L5	N 86° 42' 39" E	60.00

**SYMBOL LEGEND**

- FOUND MONUMENT
- SET 5/8" IRON ROD WITH CAP STAMPED "IDS" UNLESS OTHERWISE NOTED
- △ CONTROLLING MONUMENT
- ⊕ GAS VALVE
- ⊖ WATER VALVE
- POWER POLE
- ⊕ OVER HEAD POWER LINE
- ⊖ TRANSMISSION TOWER
- ⊕ ELECTRICAL JUNCTION BOX
- GUY WIRE
- ⊕ UNDERGROUND H.L.&P. MARKER
- ⊖ UNDERGROUND TELEPHONE MARKER
- ⊕ STORM SEWER MANHOLE
- ⊖ WATER MANHOLE
- ⊕ TELEPHONE JUNCTION BOX
- ⊖ TELEPHONE MANHOLE
- ⊕ PIPELINE MARKER
- ⊖ VENT PIPE
- METAL POST
- WOOD POST
- CHAIN LINK FENCE
- x- BARBED WIRE FENCE

**ABBREVIATION TABLE**

- FND. FOUND
- VOL. VOLUME
- PG. PAGE
- D.E. DRAINAGE EASEMENT
- E.S.M.T. EASEMENT
- H.L. & P. HOUSTON LIGHT AND POWER
- B.C.P.R. BRAZORIA COUNTY PLAT RECORDS
- B.C.D.R. BRAZORIA COUNTY DEED RECORDS
- B.C.O.P.R. BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS

TO: PARKSIDE CAPITAL and Stewart Guaranty Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 6, 8, 9, 11(a), 13 & 14 of Table A thereof. The field work was completed on December 5, 2013.

Date of Plat or Map:  
January 30, 2014

*Douglas W. Turner*  
Douglas W. Turner  
Texas Registered Professional Land Surveyor No. 3988



**BUSINESS CENTER DRIVE**  
(C.R. 566)  
(100' R.O.W.)  
DOC. NOS. 2012-007382, 2012-007390, 2012-007393, 2012-007402, B.C.O.P.R.

RESIDUE OF 2,515 ACRES  
DXB RICHMOND, INC.  
TO  
GOLD STAR DEV.  
DOC. NO. 2008031966, B.C.O.P.R.

20' WIDE SANITARY SEWER EASEMENT  
DOC. NO. 2012-007383, B.C.O.P.R.

LOT 48  
N 86° 47' 22" E 410.34

RESIDUE OF 30,583 ACRES (PART ONE)  
COMPASS BANK  
TO  
PARKSIDE 59/288, LTD.  
DOC. NO. 2011012491, B.C.O.P.R.

20' WIDE SANITARY SEWER EASEMENT  
DOC. NO. 2012-026693, B.C.O.P.R.

LOT 49  
POB PART 2  
FND. 5/8" IRON ROD

20' WIDE SANITARY SEWER EASEMENT  
DOC. NO. 2012-026693, B.C.O.P.R.

ACCESS TO HIGHWAY FACILITY  
VOL. 1052, PG. 460  
B.C.D.R.

STATE HIGHWAY 288  
(R.O.W. VARIES)  
VOL. 1041, PG. 460, VOL. 1041, PG. 439  
VOL. 888, VOL. 1052, PG. 159  
B.C.D.R.

RESIDUE OF 9,990 ACRES (PART TWO)  
COMPASS BANK  
TO  
PARKSIDE 59/288, LTD.  
DOC. NO. 2011012491, B.C.O.P.R.

STATE HIGHWAY 288  
(R.O.W. VARIES)  
VOL. 1041, PG. 460, VOL. 1041, PG. 439  
VOL. 1041, PG. 460, VOL. 1041, PG. 439  
B.C.D.R.

**COUNTY ROAD 59**  
(R.O.W. VARIES)  
VOL. 24, PG. 33-36 B.C.D.R.  
DOC. NO. 2012007390 B.C.O.P.R.

**NOTES:**

The surveyor has relied on Stewart Title Guaranty Company to provide copies of recorded deeds, plats or other instruments describing the subject property and adjoining tracts, used to support the determination of the location of the intended boundaries of the land surveyed.

This map is the result of an on the ground survey made under my supervision and depicts the conditions found on the ground at the time of the survey. The field work was completed on January 30, 2014.

Adjoiner information is shown per the Texas Board of Professional Land Surveying Rules and is shown for informational purposes only.

Coordinates shown hereon are for descriptive purposes only and are not locative.

The bearings shown hereon are referenced to the Texas Coordinate System of 1983, South Central Zone.

The recorded easements, setbacks and encumbrances shown hereon are from Schedule B of the commitment for title insurance issued by Stewart Title Guaranty Company, GF No. 120383002, effective date January 5, 2014, issue date January 22, 2014. The surveyor has relied upon the accuracy and completeness of the information described above and has made no independent investigation or search for this information.

The utility appearances shown hereon include those visible at the time of the survey and are for general locative purposes only. In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on or adjacent to the site, whether private, municipal or public owned.

The buildings and other improvements shown hereon represent the outline at ground level. The Surveyor has not located any underground buildings, overhead protrusions or improvements not obvious and located at ground level, unless otherwise noted.

Surveyor has not identified any geological or environmental conditions in connection with the subject property and Surveyor fully disclaims any and all responsibility related to issues or claims related thereto or resulting therefrom.

DATE	REVISION
7-23-2014	REVISE PER NEW OWNERSHIPS

**IDS Engineering Group**  
13333 NW Freeway, Suite 300, Houston, TX 77040  
Phone: 713-462-3178

**ALTA/ACSM LAND TITLE SURVEY**

**29,331 ACRES IN TWO PARTS**  
**H.T. & B.R.R. CO. SURVEY**  
**SECTION 81, A-300**  
**BRAZORIA COUNTY, TEXAS**

SCALE: 1" = 100'

DRAWN: MLS  
APPROVED FOR ISSUE: [Signature]

ORIGINAL ISSUE DATE: JANUARY 30, 2014  
JOB NO.: 2024-001-00-522

**METES AND BOUNDS DESCRIPTION  
OF 29.331 ACRES OF LAND IN TWO PARTS  
IN THE H.T. & B.R.R. Co. SURVEY, A-300  
BRAZORIA COUNTY, TEXAS**

Being 29.331 acres of land located in the H.T. & B.R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being a portion of Lots 38, 39, 40, 49 and 50 of the Allison Richey Gulf Coast Home Company's Part of Suburban Gardens, a subdivision of record in Volume 2, Page 98 of the Brazoria County Plat Records, being a portion of BUSINESS CENTER PLANNED DEVELOPMENT TRACT C-4, the plat thereof recorded under Document Number 2013-033688 in the Official Public Records of Brazoria County, Texas, further being the residue of a 30.583 acre tract ("Part One") and the residue of a 9.990 acre tract ("Part Two") described in the deed from Compass Bank to Parkside 59/288, Ltd. recorded under Document No. 2011012491, in the Official Public Records of Brazoria County, Texas, said 29.331 acre tract being more particularly described in two parts by metes and bounds as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

**PART 1:**

**COMMENCING** at an cut "X" in concrete set for the northwest corner of the 6.326 acre tract described in deed from Parkside 59/288, Ltd. to Brazoria County Municipal Utility District No. 34 recorded under Document Number 2014-026462 in the Official Public Records of Brazoria County, Texas, being the southwest corner of a 3.39 acre tract described in deed from George Fishman and Mary Fishman to Brazoria County Land & Cattle Co. recorded under Document Number 2005-061002 in the Official Public Records of Brazoria County, Texas, being on the east line of Southgate Section Two, the plat thereof recorded in Volume 24, Pages 278-279 of the Brazoria County Plat Records, and being the common west corner of Lots 37 and 38 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision;

**THENCE** North 86° 42' 39" East – 60.00 feet, with the line common to said 6.326 acre tract and said 3.39 acre tract to a 5/8-inch iron rod with cap stamped "IDS" set for the most northerly northwest corner and **POINT OF BEGINNING** of the herein described tract;

**THENCE** North 86° 42' 39" East – 766.98 feet, with the north line of said 30.583 acre tract and south line of said 3.39 acre tract and south line of a 3.33 acre tract described in deed from Ky-Tex Corporation to George Fishman and Mary Fishman recorded under Document Number 96-040466 and corrected under Document Number 97-010496 in the Official Public Records of Brazoria County, Texas to a 5/8-inch iron rod with cap stamped "IDS" set on the west right-of-way line of Business Center Drive (County Road 566) (100 feet wide at this point) as described under Document Numbers 2012-007382, 2012-007390, 2012-007393 and 2012-007402 in the Official Public Records of Brazoria County, Texas;

**THENCE** with the west right-of-way line of said Business Center Drive the following courses and distances:

South 03° 16' 16" East – 1025.77 feet to a cut "X" in concrete set at the beginning of a curve to the right;

in a southwesterly direction and with said curve to the right, having a central angle of 12° 57' 07", a chord bearing and distance of South 03° 12' 18" West – 169.18 feet, a radius of 750.00 feet, and an arc distance of 169.54 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the end of said curve and the beginning of a non-tangent curve to the right;

in a southwesterly direction and with said non-tangent curve to the right, having a central angle of 05° 32' 23", a chord bearing and distance of South 18° 57' 47" West – 66.32 feet, a radius of 686.20 feet, and an arc distance of 66.35 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the end of said curve;

South 21° 45' 17" West – 13.71 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the beginning of a curve to the left;

in a southwesterly direction and with said curve to the left, having a central angle of 05° 25' 00", a chord bearing and distance of South 19° 01' 30" West – 70.52 feet, a radius of 746.20 feet, and an arc distance of 70.54 feet to a 5/8-inch iron rod with cap stamped "IDS" set at the end of said curve, said point being the northeast corner of the 1.463 acre tract of land described in deed from Parkside 59/288, Ltd. to Global New Millennium Partners, Ltd. recorded under Document Number 2013-023897, in the Official Public Records of Brazoria County, Texas;

**THENCE** South 86° 40' 14" West – 289.01 feet, departing said west right-of-way line and with the north line of said 1.463 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" set for the northwest corner of said 1.463 acre tract and being on the east line of Lot 1, (Tract C-3) (1.79 acres) described in the deed from Parkside 59/288, Ltd. to Uniq J Investments, LLC, recorded under Document Number 2014-015442 in the Official Public Records of Brazoria County, Texas;

**THENCE** North 03° 19' 46" West – 15.00 feet, with the line common to said 1.463 acre tract and said 1.79 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" set for the northeast corner of said 1.79 acre tract;

**THENCE** South 86° 40' 14" West – 284.42 feet, with the north line of said 1.79 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" found for the northwest corner of said 1.79 acre tract, being on the east line of said 6.326 acre tract;

**THENCE** North 03° 18' 22" West – 1313.31 feet, with the east line of said 6.326 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" found for the northeast corner of said 6.326 acre tract;

**THENCE** South 86° 42' 39" West – 116.00 feet, with a northerly line of said 6.326 acre tract, to a 5/8-inch iron rod with cap stamped "IDS" found for an interior northerly corner of said 6.326 acre tract;

**THENCE** North 03° 18' 22" West – 5.00 feet to the **POINT OF BEGINNING** of the herein described tract and containing 19.648 acres (855,855 square feet) of land.

**PART 2:**

**BEGINNING** at a 5/8-inch iron rod found for the northeast corner of said 9.990 acre tract and the southeast corner of a 2.515 acre tract described in deed from DXB Richmond, Inc. to Gold Star Development recorded under Document Number 2008-031966 in the Official Public Records of Brazoria County, Texas, being on the west right-of-way line of State Highway 288 (width varies) as described in Volume 1041, Page 460, Volume 1041, Page 888 and Volume 1052, Page 159, and on the line common to said Lots 48 and 49;

**THENCE** South 03° 14' 03" East – 877.69 feet, with the line common to said 9.990 acre tract and said west right-of-way line, to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point;

**THENCE** South 30° 49' 10" West – 82.81 feet, continuing with said common line, to a 5/8-inch iron rod with cap stamped "IDS" set for an angle point;

**THENCE** South 64° 55' 07" West – 381.06 feet, continuing with said common line, to a 5/8-inch iron rod with cap stamped "IDS" set for an angle point;

**THENCE** South 86° 45' 24" West – 30.02 feet, continuing with said common line, to the southwest corner of the herein described tract, same being the intersection of said west right-of-way line and the east right-of-way line of County Road 566 (width varies) as recorded in Volume 2, Page 98 of the Brazoria County Plat Records, Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636 and Volume 1035, Page 642 of the Brazoria County Deed Records;

**THENCE** North 03° 17' 17" West – 371.60 feet, departing said common line and with the west line of said 9.990 acre tract and the east right-of-way line of said Business Center Drive (County Road 566)(width varies) to a 5/8-inch iron rod with cap stamped "IDS" set at the beginning of a non-tangent curve to the left;

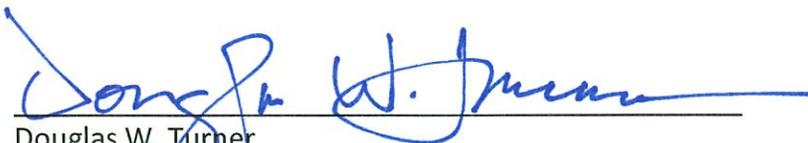
**THENCE** in a northeasterly direction and with said curve to the left, having a central angle of 12° 36' 35", a chord bearing and distance of North 03° 02' 17" East – 186.69 feet, a radius of 850.00 feet, and an arc distance of 187.07 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the end of said curve;

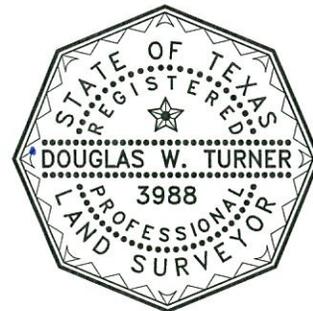
**THENCE** North 03° 16' 00" West – 531.11 feet, with the east right-of-way line of said Business Center Drive (100 feet wide at this point) to a 5/8-inch iron rod with cap stamped "IDS" set for the northwest corner for the herein described tract, being on the north line of said 9.990 acre tract, the south line of said 2.515 acre tract, and the said line common to Lots 48 and 49;

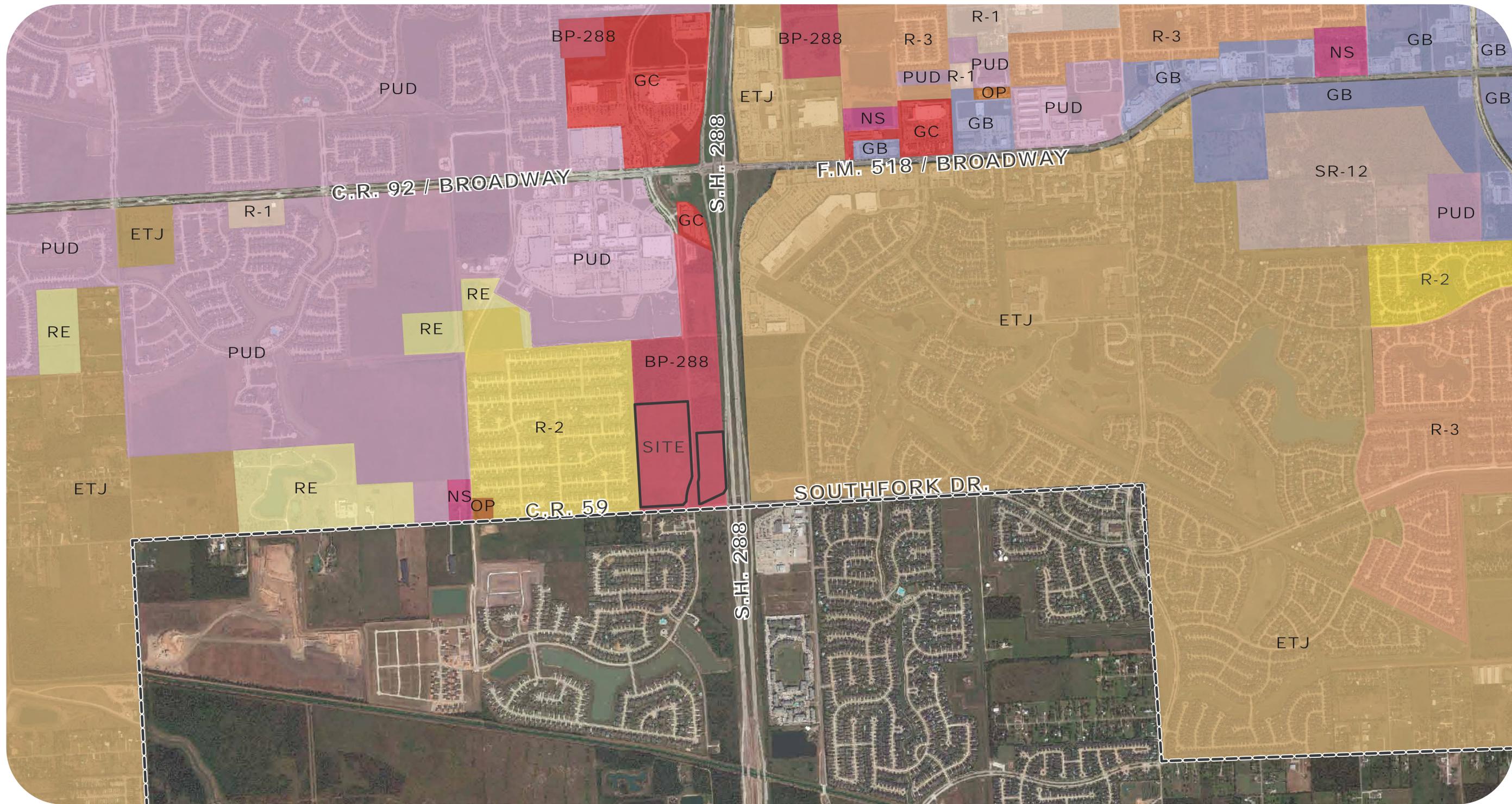
**THENCE** North 86° 47' 22" East – 410.34 feet, with the line common to said 2.515 acre tract and 9.990 acre tract and said common lot line, to the **POINT OF BEGINNING** of the herein described tract and containing 9.683 acres (421,801 square feet) of land.

Prepared by:  
IDS Engineering Group  
Job No. 2024-001-00-521

January 31, 2014  
Revised July 23, 2014

  
\_\_\_\_\_  
Douglas W. Turner  
Registered Professional Land Surveyor  
Texas Registration Number 3988





**C** current zoning map

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO KERRY R. GILBERT & ASSOCIATES, INC. BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOOD PLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

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a zoning map for  
**BUSINESS CENTER PD**  
 ± 38.9 ACRES OF LAND

prepared for  
**PARKSIDE 59/288, LTD.**

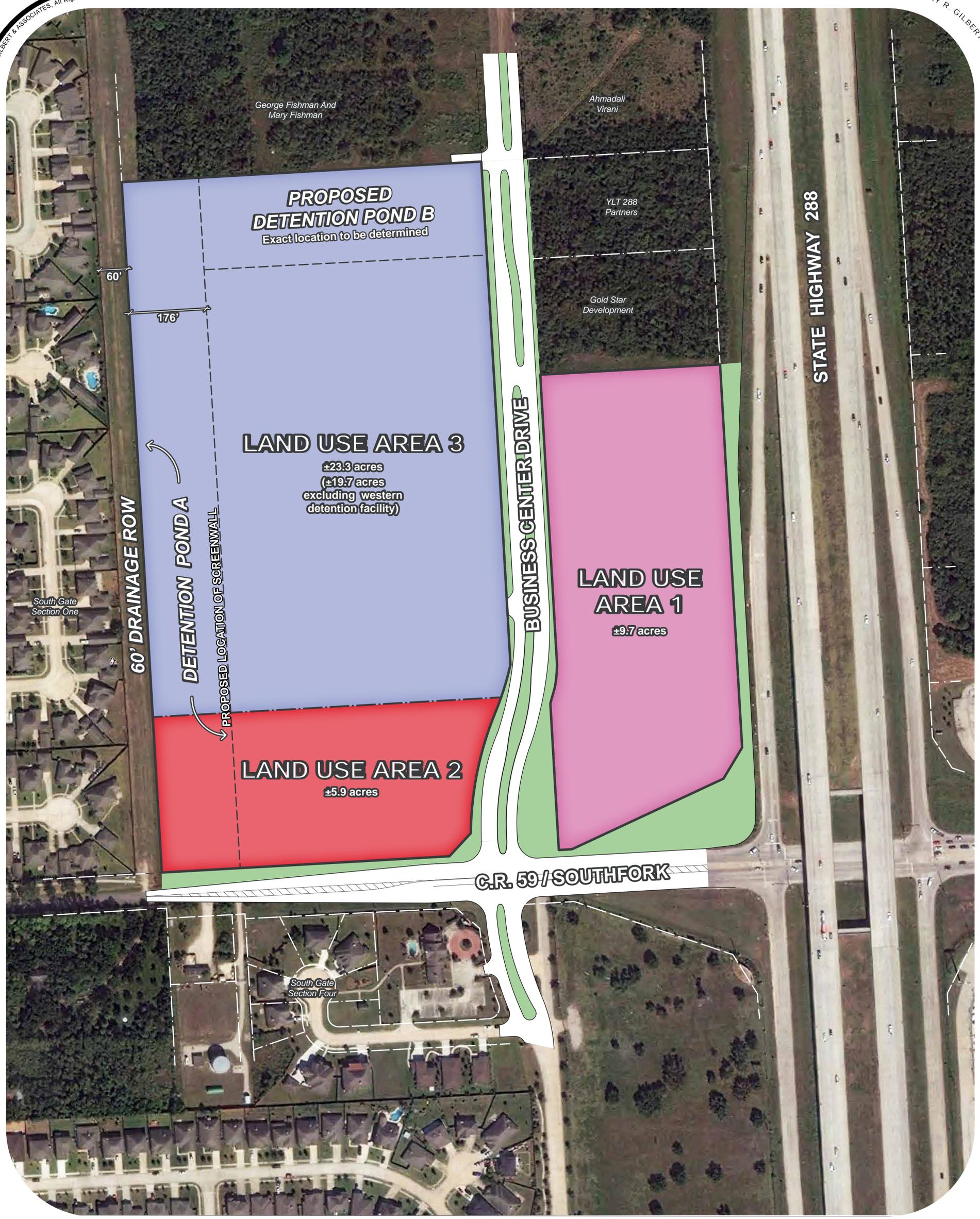
KERRY R. GILBERT & ASSOCIATES, INC.

Land Planning Consultants

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

NOT TO SCALE

JUNE 15, 2012  
 KGA #I-175A



**EXHIBIT D**

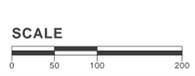
land use areas

a land use area exhibit for  
**BUSINESS CENTER PD**  
 ± 38.9 ACRES OF LAND

prepared for  
**PARKSIDE 59/288, LTD.**

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO BGE | KERRY R. GILBERT & ASSOCIATES BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOOD PLANS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

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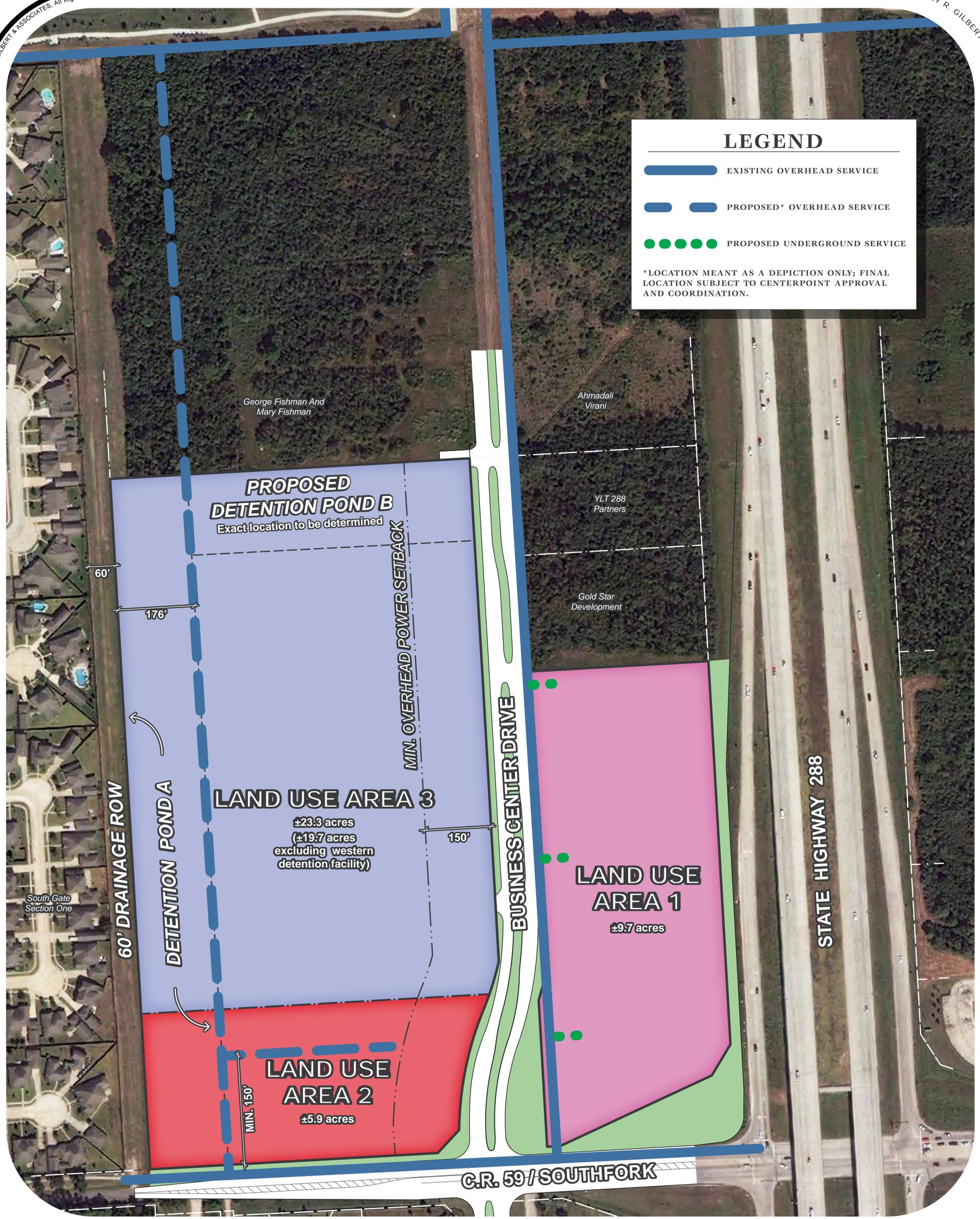


AUGUST 12, 2014  
 KGA #I-175A

**BGE | KERRY R. GILBERT & ASSOCIATES**

**Land Planning Consultants**

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



**LEGEND**

- EXISTING OVERHEAD SERVICE
- PROPOSED\* OVERHEAD SERVICE
- PROPOSED UNDERGROUND SERVICE

\*LOCATION MEANT AS A DEPICTION ONLY; FINAL LOCATION SUBJECT TO CENTERPOINT APPROVAL AND COORDINATION.

NOTE: All transformers and similar equipment need to be ground mounted, and not pole mounted, for any connection to or extension from existing overhead lines along Business Center Drive. It should be noted, however, that underground service may require a terminal pole to initiate service. This provision shall include the 150' setback for above ground power along Business Center right-of-way. Additionally, ground mounted transformers or similar equipment shall be screened per UDC Section 4.2.4.1 (d), General Screening.



**EXHIBIT E** power line locations

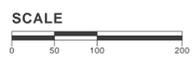
a power line exhibit for  
**BUSINESS CENTER PD**  
 ± 38.9 ACRES OF LAND

prepared for  
**PARKSIDE 59/288, LTD.**

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO KERRY R. GILBERT & ASSOCIATES, INC. BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOOD PLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

**BGE | KERRY R. GILBERT & ASSOCIATES**

**Land Planning Consultants**

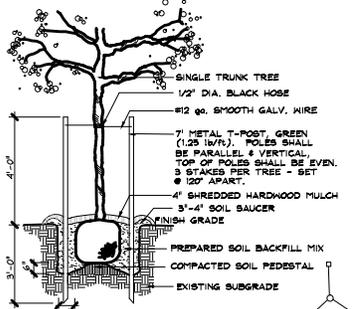


AUGUST 12 2014  
KGA #I-175A

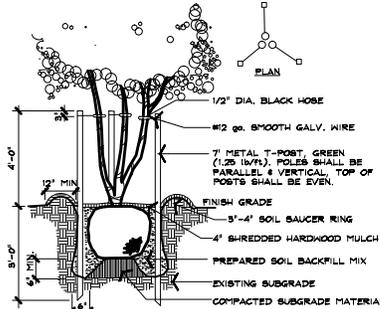
23501 Cinco Ranch Blvd.  
Suite A-250  
Katy, Texas 77494  
(281) 579-0340  
(281) 579-8212

PLANT LIST

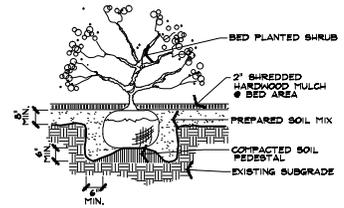
BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
<i>Quercus shumardii</i>	Red Oak	65 Gal.	Container	12'-14' Ht., 5'-6' sprd., full, straight trunk
<i>Quercus virginiana</i>	Live Oak	65 Gal.	Container	12'-14' Ht., 5'-6' sprd., full, straight trunk
<i>Myrica cerifera</i>	Tree Form Waxmyrtle	30 Gal.	Container	Multi-trunk, 7'-8' Ht., 5'-6' sprd., 3 to 5 canes, full
<i>Myrica cerrifera</i>	Waxmyrtle (shrub-form)	15 Gal.	Container	Full Pot, 2'-3' sprd., 4'-5' ht., 6' O.C.



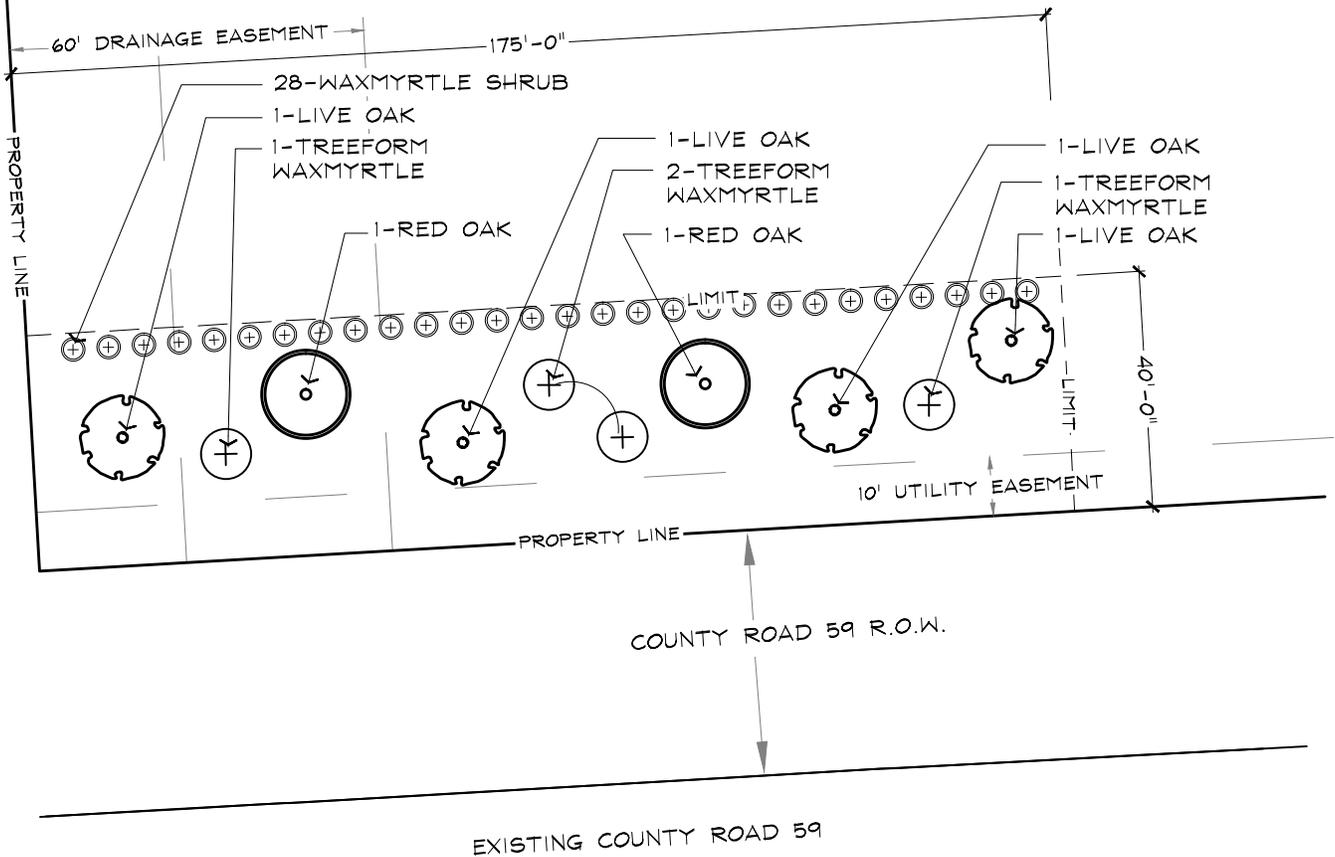
**A** STAKING DETAIL NTS



**B** MULTI TRUNK TREE STAKING NTS



**C** BED PLANTED SHRUB NTS

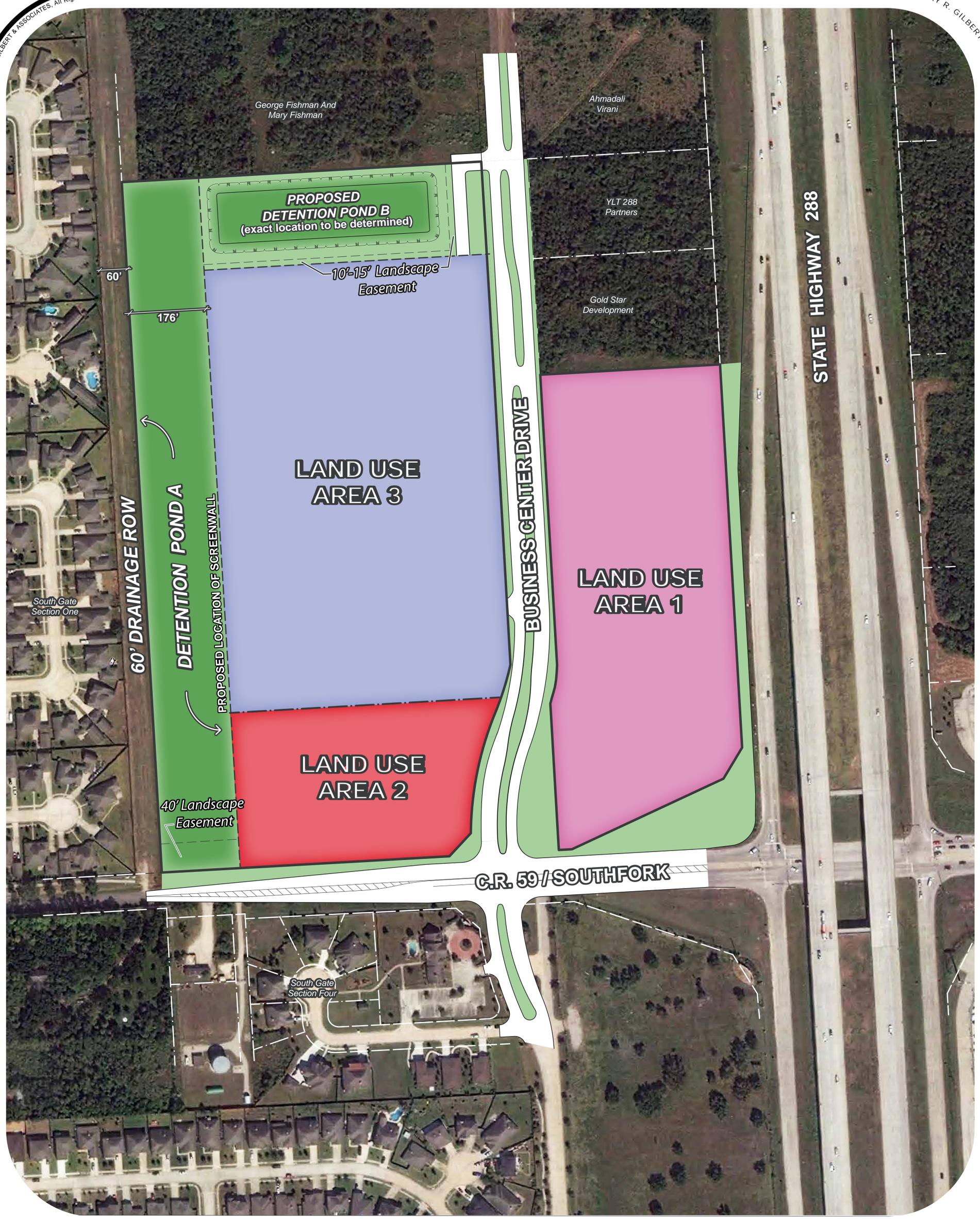


**BUSINESS CENTER PD**

**EXHIBIT F**

**LANDSCAPE AND SCREENING AREA, BETWEEN CO. RD. 59 AND DETENTION BASIN**





# G Detention Facility

a detention exhibit for  
**BUSINESS CENTER PD**  
 ± 38.9 ACRES OF LAND  
 prepared for  
**PARKSIDE 59/288, LTD.**

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO BGE | KERRY R. GILBERT & ASSOCIATES BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOOD PLANS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

BGE | KERRY R. GILBERT & ASSOCIATES

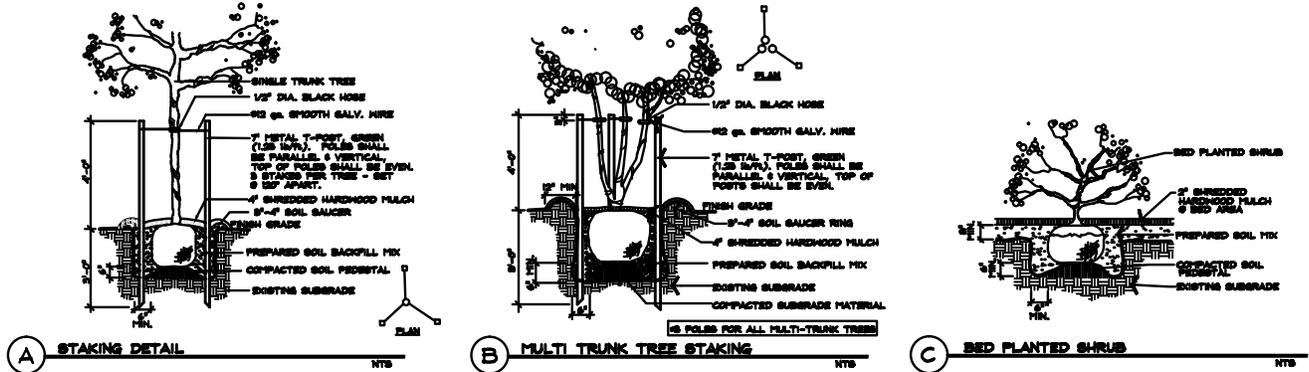
Land Planning Consultants



AUGUST 12, 2014  
 KGA #I-175A

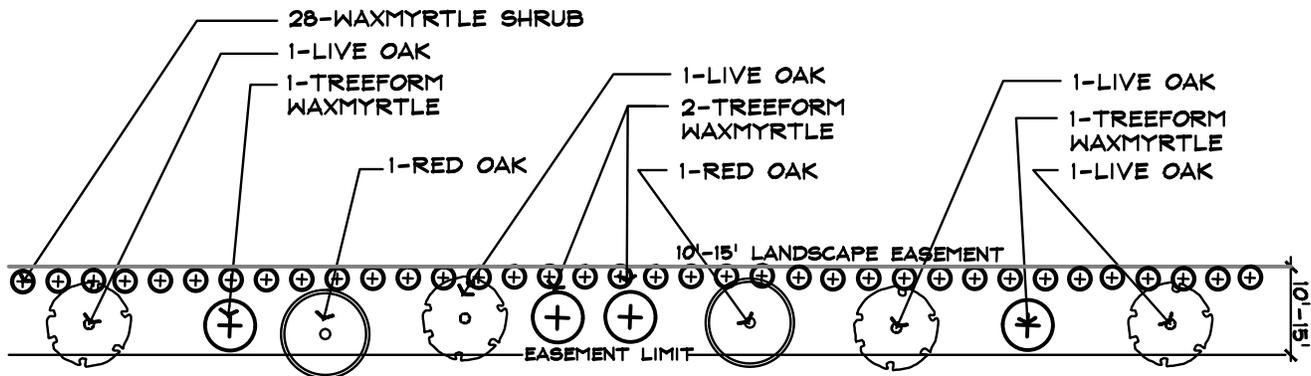
23501 Cinco Ranch Blvd.  
 Suite A-250  
 Katy, Texas 77494  
 (281) 579-0340  
 Fax (281) 579-8212

PLANT LIST				
BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	REMARKS
<i>Quercus shumardii</i>	Red Oak	65 Gal.	Container	12'-14' Ht., 5'-6' sprd., full, straight trunk
<i>Quercus virginiana</i>	Live Oak	65 Gal.	Container	12'-14' Ht., 5'-6' sprd., full, straight trunk
<i>Myrica carifera</i>	Tree Form Waxmyrtle	30 Gal.	Container	Multi-trunk, 7'-8' Ht., 5'-6' sprd., 3 to 5 canes, full
<i>Myrica carifera</i>	Waxmyrtle (shrub-form)	15 Gal.	Container	Full Pot, 2'-3' sprd., 4'-5' Ht., 6' O.C.



SCREENING TREES SHALL HAVE BE A MINIMUM OF THREE (3) INCHES IN CALIBER .

SCREENING SHRUBS THAT BE A MINIMUM OF THREE (3) FEET IN HEIGHT AND PLANTED A MINIMUM OF THREE (3) FEET ON CENTER



## BUSINESS CENTER PD

## EXHIBIT H

### TYPICAL LANDSCAPE AND SCREENING ALONG DETENTION POND B





City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281-652-1768  
281-652-1702 fax  
www.cityofpearland.com

# APPLICATION FOR A CHANGE IN ZONING



Current Zoning District: Planned Development

Proposed Zoning District: Planned Development

**Property Information:**

Address or General Location of Property: Intersection of Business Center Drive and CR 59

Tax Account No. 0300-0025-002, 0300-0010-000, 0300-0020-000

Subdivision: H.T. & B.R.R. Company Survey, AB 300, Lot: \_\_\_\_\_ Block: \_\_\_\_\_  
Tract 38-38A, 39, 48, 48A 49-50,

**A complete application must include all information shown on the Application Checklist attached to this application.**

**PROPERTY OWNER INFORMATION:**

NAME Parkside 59/288 LTD  
ADDRESS 3003 W. Alabama Street  
CITY Houston STATE TX ZIP 77098  
PHONE( 713 ) 773-5521  
FAX(        ) \_\_\_\_\_  
E-MAIL ADDRESS joe.moody@parksidecap.com

**APPLICANT/AGENT INFORMATION:**

NAME BGE| Kerry R. Gilbert and Associates  
ADDRESS 23501 Cinco Ranch Blvd. Suite A-250  
CITY Katy STATE TX ZIP 77494  
PHONE( 281 ) 579-0340  
FAX( 281 ) 579-8212  
E-MAIL ADDRESS kvedwards@gmail.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: 7-31-14

Applicant/Agent's Signature: Kathryn Edwards Date: 8/11/14

**OFFICE USE ONLY:**

FEES PAID: <u>\$50.00</u>	DATE PAID: <u>8/15/14</u>	RECEIVED BY: <u>JM</u>	RECEIPT NUMBER: <u>319835</u>
---------------------------	---------------------------	------------------------	-------------------------------

Application No. 2014-157

## APPLICATION CHECKLIST FOR THE FOLLOWING

- Zone Changes
- Planned Development Districts (PD)

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.
- 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.**
- 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 and why the zoning is being requested to be changed, and state the uses being proposed

\*Letter of Intent is not required for a PD.

- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
  - **Zero (0) to less than 25 acres:**
    - \$ 750.00, plus \$25.00 per each type of zoning district requested; or
    - \$ 800.00 if requesting a Planned Development (PD)
  - **25 to less than 50 acres:**
    - \$ 800.00, plus \$25.00 per each type of zoning district requested; or
    - \$ 850.00 if requesting a Planned Development (PD)
  - **50 to less than 75 acres:**
    - \$ 850.00, plus \$25.00 per each type of zoning district requested; or
    - \$ 900.00 if requesting a Planned Development (PD)
  - **75 to less than 100 acres:**
    - \$ 900.00, plus \$25.00 per each type of zoning district requested; or
    - \$ 950.00 if requesting a Planned Development (PD)
  - **100 acres and above:**
    - \$ 950.00, plus \$25.00 per each type of zoning district requested; or
    - \$ 1000.00 if requesting a Planned Development (PD)

- For PD's Only: the proposed PD document electronic form by date of application (either emailed or on a CD) (see PD Format for guidelines on how to prepare the PD).
- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application packets that are not complete will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

**POSTING OF ZONING NOTIFICATION SIGNS  
ON PROPERTY UNDER CONSIDERATION  
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

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**  
**281-652-1768**

**\*Signs must be professionally made; handwritten signs are not allowed.**

**\*Signs must be freestanding and cannot be attached to a tree, fence, or building.**

*KE*

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**BGE | KERRY R. GILBERT & ASSOCIATES**

---

August 14, 2014

Lata Krishnarao, Director  
Community Development Department  
3523 Liberty Drive  
Pearland, Texas 77581

RE: Business Center Planned Development Amendment-Zoning Application

Dear Lata,

On behalf of our client Parkside 59/288 LTD, we, BGE|Kerry R. Gilbert & Associate, Inc., are submitting an application for a Planned Development Amendment for the above referenced property located at the intersection of Business Center Drive and CR 59. Enclosed you will find:

- City of Pearland Planned Development Zoning Application
- Owner Authorization letter
- City of Pearland Zoning Map with Property Boundary
- Application Fee (check# 000774)
- One (1) copy of the Planned Development document
- One (1) copy of the Planned Development exhibits
- One (1) CD with PDF of document and exhibits
- Tax Certificates

We are requesting this application to be reviewed at the September 15, 2014 Joint Pubic Hearing. Please contact me if any further information is necessary.

Sincerely,



Kathryn Edwards

Enclosures

August 1, 2014

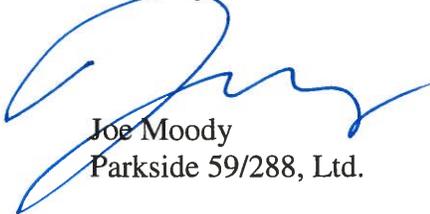
Lata Krishnarao, Director  
Community Development Department  
3523 Liberty Drive  
Pearland, Texas 77581

RE: Rezone application request – owner authorization

Dear Lata,

Parkside 59/288, Ltd, is owner of the  $\pm$  19.7 acres of property located on the west side of Business Center Drive, just north of CR 59, and the  $\pm$  9.7 acres of property located at the northeast corner of Business Center Drive and CR 59. The two parcels serve as LUA1 and LUA 3 within the existing Business Center PD. We authorize BGE| Kerry R. Gilbert & Associates to be our agent in our application for request to amend the Planned Development on the subject property.

Sincerely,



Joe Moody  
Parkside 59/288, Ltd.

**ZONE CHANGE/ VARIANCE/ PLAT/ RECORDATION**

\$ 850.00 (circle one)  
 BA or  PF or  FE

Description: Input who the check is from

**COMMENTS/DESCRIPTION (F10):**

Location or Address CR 59 + 288

Applicant BGE/Kerry Gilbert + Assoc.  
 Owner Parkside 59/288

CITY OF PEARLAND  
 \*\*\* CUSTOMER RECEIPT \*\*\*  
 Oper: AGONZALES Type: OC Drawer: 1  
 Date: 8/15/14 01 Receipt no: 319835

Description      Quantity      Amount  
 BA      BOARD OF ADJUSTMENTS  
                                  1.00      \$850.00  
 Trans number:      4560627

BOARD OF ADJ.  
 C.R. 59 & 288  
 BGE/KERRY GILBERT & ASSOC.  
 PARKSIDE 59/288

Tender detail  
 CK CHECK      774      \$850.00  
 Total tendered      \$850.00  
 Total payment      \$850.00

Trans date: 8/15/14      Time: 9:17:57

Ent	Name	Acct No	Invoice	Date	Reference	Amount	Net
175	Parkside 59/288, Ltd.	136-175-065	175-073014	7/30/2014	PD APPLICATION FEE	850.00	850.00

Payor: Parkside 59/288, Ltd.      Date: 8/6/2014      Check No.: 000774      Check Amount: 850.00  
 Payee: City of Pearland

TAX CERTIFICATE



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

Issued To:

BROWN AND GAY ENGINEERING, INC
10777 WESTHEIMER
HOUSTON, TX 77042

Legal Description:

A0300 H T & B R R, TRACT 49-50, ACRES
9.8625

Fiduciary Number: 23278668

Parcel Address: BUSINESS CENTER DR

Legal Acres: 9.8625

> --

Account Number: 0300-0025-002

Print Date: 07/28/2014

Certificate No: 221083839

Paid Date: 07/28/2014

Certificate Fee: \$10.00

Issue Date: 07/28/2014

Operator ID: AMBER

< --

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2013. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

PARKSIDE 59/288 LTD
% JOE MOODY - PARKSIDE CAPITAL INVESTMEN
3003 W ALABAMA ST
HOUSTON, TX 77098-2001

Certified Tax Unit(s):

- 1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
27 ALVIN ISD
46 ALVIN COMMUNITY COLLEGE
54 BRAZORIA DRAINAGE DIST 4
65 PEARLAND MUNICIPAL MANAGEME
96 CITY OF PEARLAND

Table with 2 columns: Description and Amount. Rows include 2013 Value (\$429,610), 2013 Levy (\$12,810.87), 2013 Levy Balance (\$0.00), Prior Year Levy Balance (\$0.00), Total Levy Due (\$0.00), P&I + Attorney Fee (\$0.00), and Total Amount Due (\$0.00).

Reference (GF) No: N/A

Issued By:

RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

Handwritten signature of Amber Cook

TAX CERTIFICATE



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

Issued To:

BROWN AND GAY ENGINEERING, INC
10777 WESTHEIMER
HOUSTON, TX 77042

Legal Description:

A0300 H T & B R R, TRACT 38-38A, ACRES
9.4332

Fiduciary Number: 23278668

Parcel Address: BUSINESS CENTER DR

Legal Acres: 9.4332

>--

Account Number: 0300-0010-000

Certificate No: 221083846

Certificate Fee: \$10.00

Print Date: 07/28/2014

Paid Date: 07/28/2014

Issue Date: 07/28/2014

Operator ID: AMBER

<--

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Exemptions:

Certified Owner:

PARKSIDE 59/288 LTD
% JOE MOODY - PARKSIDE CAPITAL INVESTMEN
3003 W ALABAMA ST
HOUSTON, TX 77098-2001

Certified Tax Unit(s):

1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
27 ALVIN ISD
46 ALVIN COMMUNITY COLLEGE
54 BRAZORIA DRAINAGE DIST 4
65 PEARLAND MUNICIPAL MANAGEME
96 CITY OF PEARLAND

2013 Value: 410,910
2013 Levy: \$12,253.24
2013 Levy Balance: \$0.00
Prior Year Levy Balance: \$0.00
Total Levy Due: \$0.00
P&I + Attorney Fee: \$0.00
Total Amount Due: \$0.00

Reference (GF) No: N/A

Issued By:

RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

TAX CERTIFICATE



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

Issued To:

BROWN AND GAY ENGINEERING, INC
10777 WESTHEIMER
HOUSTON, TX 77042

Legal Description:

A0300 H T & B R R, TRACT 39, ACRES
9.3297

Fiduciary Number: 23278668

Parcel Address: 2902 BUSINESS CENTER DR

Legal Acres: 9.3297

> - -

Account Number: 0300-0020-000

Print Date: 07/28/2014

Certificate No: 221083848

Paid Date: 07/28/2014

Certificate Fee: \$10.00

Issue Date: 07/28/2014

Operator ID: AMBER

< - -

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Exemptions:

Certified Owner:

PARKSIDE 59/288 LTD
% JOE MOODY - PARKSIDE CAPITAL INVESTMEN
3003 W ALABAMA ST
HOUSTON, TX 77098-2001

Certified Tax Unit(s):

- 1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
27 ALVIN ISD
46 ALVIN COMMUNITY COLLEGE
54 BRAZORIA DRAINAGE DIST 4
65 PEARLAND MUNICIPAL MANAGEME
96 CITY OF PEARLAND

Table with 2 columns: Description and Amount. Rows include 2013 Value, 2013 Levy, 2013 Levy Balance, Prior Year Levy Balance, Total Levy Due, P&I + Attorney Fee, and Total Amount Due.

Reference (GF) No: N/A

Issued By: RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 888-1320, (281) 756-1320



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE  
CITY OF PEARLAND, TEXAS,  
**MONDAY, SEPTEMBER 15, 2014 AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Zone Change Application No. 2014-16Z**

A request of LJA Engineering, applicant; on behalf of A S 121 Pearland Parkway-Broadway Street, L.P., owner; for a change in zoning to amend the Province Village PD, on approximately 1.707 acres of land, to wit:

**Legal Description:** Being 1.707 acres of land located in the Thomas J. Green Survey, Abstract 198, Brazoria County, Texas, more particularly being all of Lot A and a portion of Lot B, Block 1 of Amending Plat No. 1, Province Village Drive, Office Park and Reserves, a subdivision of record under Doc # 2008019410 of the Official Public Records of Brazoria County, Texas (B.C.O.P.R.).

**General Location:** Southeast corner of Province Village Drive and Pearland Parkway, Pearland, Texas

**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.**



## Memo

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: September 15, 2014

Re: Zone Change Application Number 2014-16Z

A request of LJA Engineering, applicant; on behalf of A S 121 Pearland Parkway-Broadway Street, L.P., owner; for a change in zoning to amend the Province Village PD, on approximately 1.707 acres of land

### Proposal

The applicant proposes a change in zoning to amend the Province Village Planned Development (PD) on approximately 1.707 acres of the total 47.65 acres included within the PD. No other changes are proposed to any land included within the PD. The proposed amendment will be the third amendment since the adoption of the PD, and the second amendment this year (2014). The subject 1.707 acres was included in a 15 acre tract of land identified as Tract 1 when the PD was originally adopted. As a result of the previous amendment this year, Tract 1 was reduced to approximately 8 acres. Currently the property allows for Office and Professional (OP) uses with few exceptions. The purpose of the amendment is two-fold:

1. To change the overlay zoning district for the approximately 1.707 acre- site from Office and Professional (OP) to General Business (GB), with various limitations on allowable uses as identified on pages 3-4 of the proposed amendment.
2. To impose various building architectural, landscaping and signage restrictions to compliment the bank building, just north of the subject property; also included within the Province Village PD.

The below table illustrates the proposed change to the PD, highlighted in red font. For a historical perspective of the two preceding amendments, see the Staff Report included within this packet.

Tract	Acreage	Overlay Zoning District	Permitted Uses
1	8	OP ( <del>8 acres</del> ) (6.293 acres) GB (1.707 acres)	<ul style="list-style-type: none"> <li>• Non-residential uses allowed within the OP zoning district</li> <li>• Detention</li> <li>• <b>Mixed Use Retail Building</b></li> </ul>
C	5.6	R-4	<ul style="list-style-type: none"> <li>• Single Family</li> </ul>
2	13.52	GB	<ul style="list-style-type: none"> <li>• Non-residential uses allowed within the GB zoning district</li> <li>• Detention</li> </ul>
B	13.4	R-4	<ul style="list-style-type: none"> <li>• Single Family</li> <li>• Park</li> </ul>
3	5.74	R-4	<ul style="list-style-type: none"> <li>• Single Family</li> </ul>

The applicant also proposes various changes pertaining to design standards, including façade; signage; landscaping and landscaping enhancements; and removal of previously approved regulations regarding fencing. For specific changes, see the Staff Report included within this packet.

### **Public Notification/Comment**

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 amendment to the Province Village PD amendment. 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. As of the date of this writing, staff has not received any returned notices from property owners within 200 feet of the site.

### **Recommendation**

Staff recommends approval of the request to amend the zoning regulations for the 1.707 acre site from an overlay district of OP to an overlay district of GB, for the following reasons:

1. The proposed GB overlay district is compatible with surrounding uses, as it is surrounded by non-residential uses and future non-residential uses, including the existing Lowes, just south of the site; a retail center southwest of the site including HEB and various other non-residential uses/future non-residential uses. Additionally, just west of the site, a retail center is currently under construction.
2. The proposed building and signage will be compatible with the existing bank just north of the site to create an aesthetically pleasing development.

3. The applicant proposes additional landscaping above what is required by the UDC. Additionally, enhanced landscaping will be provided at the corner of Province Village Drive and along Pearland Parkway to accentuate the entrance to Province Village Drive.

**Staff Condition:**

1. Staff recommends that a note is added in the PD that the development will comply with all Corridor Overlay District (COD) standards along Pearland Parkway, including street trees, ornamental trees, etc. All standards along Province Village Drive shall follow the GB zoning district, unless included within the PD as a variation.
2. The applicant has indicated the intent to meet the sign regulations of the UDC. However, the sign exhibit does not meet the requirements of the UDC, as it relates to the effective area of the sign. Staff recommends that the exhibit is modified accordingly.

**Exhibits**

1. Staff Report
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Notification Map
6. Notification List
7. Proposed Amendment



## Exhibit 1 Staff Report

### **Summary of Request**

The applicant proposes a change in zoning to amend the Province Village Planned Development (PD) on approximately 1.707 acres of the total 47.65 acres included within the PD. Currently the subject 1.707 acres is undeveloped and is located within the original Tract 1 of the PD. As a result of the amendment approved in June, 2014, the acreage within Tract 1 was decreased from 15 acres to approximately 8 acres of land. Tract 1 is allocated to Office and Professional (OP) uses, including the 1.5 acre site which is developed with Hometown Bank located at the northeast corner of Province Village Drive and Pearland Parkway; 5.9 acres located on the south side of Province Village Drive and just west of Pearland Parkway, including the subject 1.707 acre site; and detention on a 1.5 acre site on the north side of Province Village Drive.

According to the applicant, the purpose of the amendment is two-fold:

1. To change the overlay zoning district for an approximately 1.707 acre site located within Tract 1; and at the southeast corner of Province Village Drive and Pearland Parkway from OP to General Business (GB), with various limitations on allowable uses as identified on pages 3-4 of the proposed amendment to the Province Village PD; and
2. To impose various design standards pertaining to building façade; signage; landscaping; and fencing and screening in order to compliment the Hometown Bank site, just north of the subject property; and also included within the Province Village PD.

### **Site History**

The original Province Village PD was approved in June, 2005, and allowed for a mixed-use development including townhomes/condominiums, garden-style single family homes, General Business (GB) non-residential uses; Office and Professional (OP) non-

residential uses; common open space, detention and a park. According to the original PD, specific amenities included approximately 16% (+/- 7 acres) of land to be dedicated to parks, recreation, trails and open/green space. Approximately 12% of the site was allocated for detention. Other amenities included entry statements at Pearland Parkway and Province Village Drive (which was not constructed at the time), a fully landscaped boulevard entry at Country Club Drive with enhanced landscaping irrigation. A 6-foot high masonry screening wall was to be constructed along the southern property line, adjacent to Tract 1, just north of Lowes and along the western and eastern property lines of Tract 2. The PD included photographic depictions of facades, but no specific details. Language in the PD stated “actual design may vary, however, in general would consist of masonry and glass.”

The PD was divided into three (3) different areas with varying uses identified as Tract 1, Tract 2 and Tract 3. Tract 1 included 15 acres and was bounded by Pearland Parkway to the west, Clear Creek Park residential subdivision to the north and just north of Lowes located along Pearland Parkway and Broadway. Tract 2 included approximately 29.92 acres bounded by Broadway Street to the south, on the east by a Centerpoint Electrical substation, and west and southwest of Lowes. Tract 3 included approximately 5.74 acres, and was bounded on the east by Country Club Drive.

The below table illustrates the originally approved acreage, overlay zoning district and allowed uses for each tract:

<b>Tract</b>	<b>Acreage</b>	<b>Overlay Zoning District</b>	<b>Permitted Uses</b>
1	15	R-4 OP	<ul style="list-style-type: none"> <li>• Garden Homes</li> <li>• Non-residential uses allowed within the OP zoning district</li> <li>• Detention</li> </ul>
2	26.92	R-4 GB	<ul style="list-style-type: none"> <li>• Townhomes/Condominiums</li> <li>• Non-residential uses allowed within the GB zoning district</li> <li>• Detention</li> <li>• Park</li> </ul>
3	5.74	R-4	<ul style="list-style-type: none"> <li>• Garden Homes</li> </ul>

The Province Village PD was amended in 2009 to change the zoning of the entire 15 acres within Tract 1 to OP uses, with limitations and various restrictions on the bank site located on the north side of Province Village Drive. Amenities included 4.99 acres of open space, the original ½ acre park at the center of the project remained, including the

2.8 acre trail system that would provide connection to Clear Creek Trail System, as well as additional green space within the residential cells.

The table below illustrates the change in acreage and uses for Tract 1, in 2009. No changes were proposed for Tracts 2 or 3. Changes are highlighted in red font:

Tract	Acreage	Overlay Zoning District	Permitted Uses
1	15	R-4 OP	<ul style="list-style-type: none"> <li>• <del>Garden Homes</del></li> <li>• Non-residential uses allowed within the OP zoning district</li> <li>• Detention</li> </ul>
2	26.92	R-4 GB	<ul style="list-style-type: none"> <li>• Townhomes/Condominiums</li> <li>• Non-residential uses allowed within the GB zoning district</li> <li>• Detention</li> <li>• Park</li> </ul>
3	5.74	R-4	<ul style="list-style-type: none"> <li>• Garden Homes</li> </ul>

The most recent amendment to the Province Village PD was approved in June, 2014. The amendment created additional tracts identified as Tracts A, B and C, which were once included within Tracts 1, 2 and 3. The amendment changed the land uses and acreages for Tracts 1 and 2. Tract 3 was completely renamed to Tract A. The primary purpose of the amendment was to remove the allowance of Garden Homes and Townhomes/Condominiums to allow for only traditional single family homes throughout the entire PD, as illustrated in the below table:

Tract	Acreage	Overlay Zoning District	Permitted Uses
1	<del>15</del> 8	R-4 OP	<ul style="list-style-type: none"> <li>• <del>Garden Homes</del></li> <li>• Non-residential uses allowed within the OP zoning district</li> <li>• Detention</li> </ul>
C	5.6	R-4	<ul style="list-style-type: none"> <li>• <del>Single Family</del></li> </ul>
2	<del>26.92</del> 13.52	R-4 GB	<ul style="list-style-type: none"> <li>• <del>Townhomes/Condominiums</del></li> <li>• Non-residential uses allowed within the GB zoning district</li> <li>• Detention</li> <li>• Park</li> </ul>

B	13.4	R-4	<ul style="list-style-type: none"> <li>• Single Family</li> <li>• Park</li> </ul>
3	5.74	R-4	<ul style="list-style-type: none"> <li>• Garden Homes</li> </ul>
3	5.74	R-4	<ul style="list-style-type: none"> <li>• Single Family</li> </ul>

Amenities approved with the 2014 amendment included 2 barbeque pits, a 4-foot trail, and various other amenities that were included previously. The below table was included within the ordinance for the 2014 amendment:

**Table 4**  
**Design Enhancements, Amenities, and Recreational Facilities**

Item	General Location
Six-foot height brick masonry fence	Adjacent to Province Village Drive and Country Club Drive
Six-foot height "fence-crete" masonry fence	Between Tract B and GB use and Centerpoint substation tract; Between Tract C and OP use
Six-foot height upgraded wood fence (rot board and cap rail with brick columns at +-100-foot spacing)	West side of Tract B
Ten-foot landscape reserve along Province Village Drive	Adjacent to Tracts A, B, & C
Street trees along Province Village Dr.	Adjacent to Tracts A, B, C, detention, and park
Primary entry monument	West side of tract C
Secondary entry monument	At Country Club Dr.
Landscape/Open Space Reserves	Tracts A, B, and C
.57-acre park with irrigation (1)	Park
Trees/Landscaping with irrigation (1)	Park and Detention
One age appropriate playground (1)	Park
Two picnic tables (1)	Park
Two barbeque grills	Park
One Shade structure (1)	Park
Eight Benches & other site furniture (1)	Detention
Four workout stations (1)	Detention
Ten-foot trail (2)	Detention-adjacent to Clear Creek
Six-foot trail (1)	Detention-connecting park to 10' trail
Four-foot trail	West side of Tract B
Parking lot/Trailhead (1)	Park

(1) Eligible for park fee credits and will be conveyed to the HOA for ownership and maintenance.

(2) Eligible for park fee credits and will be conveyed to City for ownership and maintenance.

The proposed amendment will be the third (3<sup>rd</sup>) amendment, if approved. Regarding the overlay zoning district and the land use, the applicant proposes to change an

approximately 1.707-acre site located within Tract 1 from OP to GB to allow for an approximately 15,000 square foot mixed use retail building. The below table illustrates the changes proposed for the 1.707 acre site located in Tract 1:

Tract	Acreage	Overlay Zoning District	Permitted Uses
1	8	OP (6.3 Acres) GB (1.7 Acres)	<ul style="list-style-type: none"> <li>• Non-residential uses allowed within the OP zoning district</li> <li>• Detention</li> <li>• <b>Mixed Use Retail Building</b></li> </ul>
C	5.6	R-4	<ul style="list-style-type: none"> <li>• Single Family</li> </ul>
2	13.52	GB	<ul style="list-style-type: none"> <li>• Non-residential uses allowed within the GB zoning district</li> <li>• Detention</li> </ul>
B	13.4	R-4	<ul style="list-style-type: none"> <li>• Single Family</li> <li>• Park</li> </ul>
3	5.74	R-4	<ul style="list-style-type: none"> <li>• Single Family</li> </ul>

In addition to the change in zoning and use for the above 1.707 acres, the applicant also proposes changes in the design standards to match the existing Hometown Bank, north of the site, as indicated by the table below:

Design Standard	Current PD Regulations	Proposed
Building Materials	<ul style="list-style-type: none"> <li>• Varies, but mostly masonry and glass facades as required by zoning regulations</li> </ul>	<ul style="list-style-type: none"> <li>• 14.53% stone</li> <li>• 2.77% brick</li> <li>• 42% painted tilt wall</li> <li>• 2.85% EIFS Trim</li> <li>• 10.89% metal (cap and canopy)</li> <li>• 26.96% storefront glass (transparency)</li> <li>• COD Articulation</li> </ul>
Signage	<ul style="list-style-type: none"> <li>• 15 feet in height</li> <li>• 150 square feet (effective area)</li> </ul>	<ul style="list-style-type: none"> <li>• 15 feet in height</li> <li>• 150 square feet (effective area)</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>• 15% Gross Landscaped Area</li> <li>• Province Village Drive</li> </ul>	<ul style="list-style-type: none"> <li>• 20.8% Gross Landscaped Area</li> <li>• Street Trees: 19 new</li> </ul>

	<p>= 9 new trees at 17" caliper;</p> <ul style="list-style-type: none"> <li>• Pearland Parkway = 11 new trees at 20' caliper; for a total of 20 new trees to include trees along Province Village Drive and Pearland Parkway</li> <li>• Parking Lot Shrubs along Province Village = 45 shrubs</li> <li>• Parking Lot Shrubs Pearland Parkway = 55</li> </ul> <p>Total shrubs required = 100 Parking Lot Trees: 8 trees</p>	<p>trees at 38" caliper total to include trees along Province Village Drive and Pearland Parkway</p> <ul style="list-style-type: none"> <li>• Parking Lot Shrubs: 219</li> <li>• Side Yard Landscaping: 100%</li> </ul> <p>Parking Lot Trees: 91 trees</p> <p>A plat was recently approved for the subject property. It is important to note that if the landscaping section is approved via this amendment, the plat will be required to be amended to remove the notes regarding the required landscaping and the reference to Exhibit 6 of the PD.</p>
Fencing and Screening	<p>Decorative wrought iron along western border of subject property</p> <p>6-foot masonry screening wall along southern boundary of subject property which abuts Lowes</p>	<p>Neither the decorative wrought iron fence nor the 6 foot masonry fence are required.</p> <p>A plat was recently approved for the subject property. It is important to note that if the fencing/screening section is approved via this amendment, the plat will be required to be amended to remove the notes regarding the required fencing.</p>

### **Conformance with the Thoroughfare Plan**

The subject property has frontage on Province Village Drive; a minor collector, which requires 60 feet of right-of-way, and Pearland Parkway; a major thoroughfare (sufficient with) which requires 120 feet of right-of-way. A replat was recently approved for the site which indicates varying widths along Province Village Drive. However, Pearland Parkway conforms to the thoroughfare plan.

### **Surrounding Zoning and Land Uses**

The site is surrounded by a mix of residential and non-residential uses, including Lowes to the south, Hometown Bank to the north, and undeveloped land planned for single family homes in the future.

	<b>Zoning</b>	<b>Land Use</b>
North	Existing Province Village PD Single Family Residential 2 (R-2)	Bank Clear Creek Park Subdivision
South	General Commercial (GB)	Lowes Home Center, IHOP, Sonic
East	Existing Province Village PD (OP)	Undeveloped
West	Center at Pearland Parkway PD General Business	Strip Retail Center Currently under Construction and Existing Strip Retail Center

### **Conformance with the Unified Development Code**

The Province Village PD was originally approved in 2005, prior to the adoption of the current Unified Development Code (UDC). The amendment, if approved, will conform to the requirements of the PD. Various site design standards which are silent within the PD, revert back to the regulations in place at the time of adoption/amendment.

The subject property conforms to the requirements of the existing overlay zoning district of Office and Professional (OP) and the proposed General Business (GB), as it relates to area regulations:

	<b>OP</b>	<b>GB</b>	<b>Subject Property</b>
Minimum Lot Size	12,500 sf	22,500 sf	74,360 sf.
Minimum Lot Width	100 ft.	150 ft.	249.90 ft.
Minimum Lot Depth	100 ft.	125 ft.	295.38 ft.
Minimum Front Yard	25 ft.	25 ft.	Undeveloped
Minimum Side Yard	15 ft.	10 ft.	Undeveloped
Minimum Rear Yard	10 ft.	25 ft.	Undeveloped

### **Conformance with the Comprehensive Plan**

The subject 1.707 acre property is located within the D-10,000 sf Lots (Suburban Residential), indicative of large lot single family homes. The existing as well as the proposed overlay zoning district do not comply with the Comprehensive Plan.

### **Platting Status**

A replat was approved for the subject property on July 21 to increase the land area of the site. It is important to note that due to various notes on the plat, pertaining to the existing PD regarding landscaping and fencing, the recently approved plat will require an amendment.

### **Availability of Utilities**

The subject property has access to public sewer and water. According to GIS records, there is an 8-inch water line along the south side of Province Village Drive; a 16 inch water line along the east side of Pearland Parkway; and a 12 inch water line along the south side of the property. There is an existing 8 inch sewer line along the south side of Province Village Drive and a 6-8 inch sewer line along the south side of the property.

### **Impact on Existing and Future Development**

It is not anticipated that the proposed amendment to the 1.707 acre site located within the Province Village PD will have any significant impact on existing or future developments. The property was zoned for OP non-residential uses and is still zoned for non-residential uses within the GB district.

### **Additional Comments**

The request has been reviewed by the Development Review Committee (DRC), and there are no further comments.

### **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**

As of the date of this writing, staff has not received any comments either in opposition to or in support of the proposed change in zoning request to amend the approximately 1.707 acre site located within the Province Village PD.

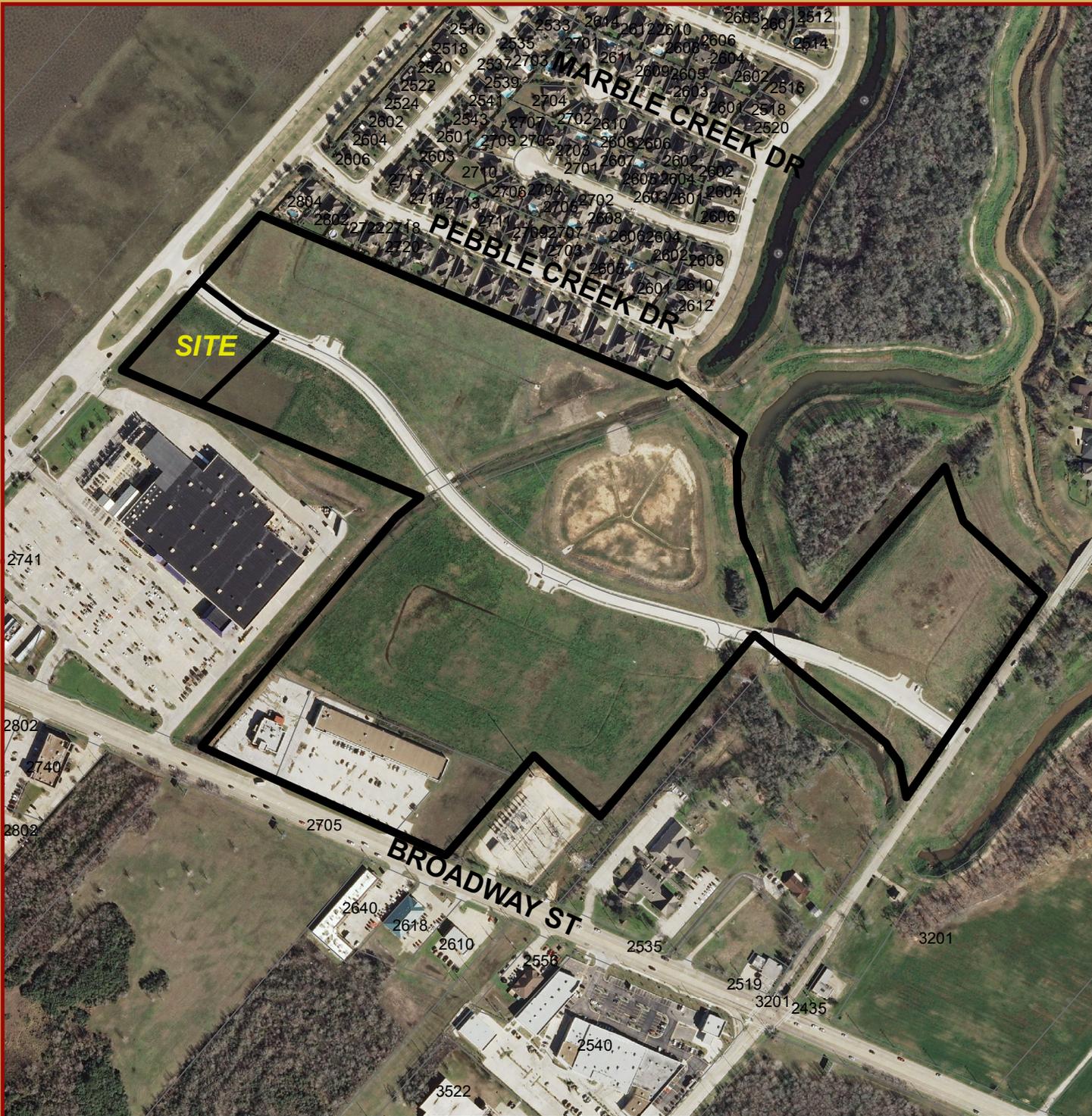
### **Recommendation**

Staff recommends approval of the request to amend the zoning regulations for the 1.707 acre site from an overlay district of OP to an overlay district of GB, for the following reasons:

1. The proposed GB overlay district is compatible with surrounding uses, as it is surrounded by non-residential uses and future non-residential uses, including the existing Lowes, just south of the site; a retail center southwest of the site including HEB and various other non-residential uses/future non-residential uses. Additionally, just west of the site, a retail center is currently under construction.
2. The proposed building and signage will be compatible with the existing bank just north of the site to create an aesthetically pleasing development.
3. The applicant proposes additional landscaping above what is required by the UDC. Additionally, enhanced landscaping will be provided at the corner of Province Village Drive and along Pearland Parkway to accentuate the entrance to Province Village Drive.

### **Staff Condition:**

1. Staff recommends that a note is added in the PD that the development will comply with all Corridor Overlay District (COD) standards along Pearland Parkway, including street trees, ornamental trees, etc. All standards along Province Village Drive shall follow the GB zoning district, unless included within the PD as a variation.
2. The applicant has indicated the intent to meet the sign regulations of the UDC. However, the sign exhibit does not meet the requirements of the UDC, as it relates to the effective area of the sign. Staff recommends that the exhibit is modified accordingly.



# AERIAL MAP

## ZONE CHANGE 2014-16Z

### PROVINCE VILLAGE PD AMENDMENT

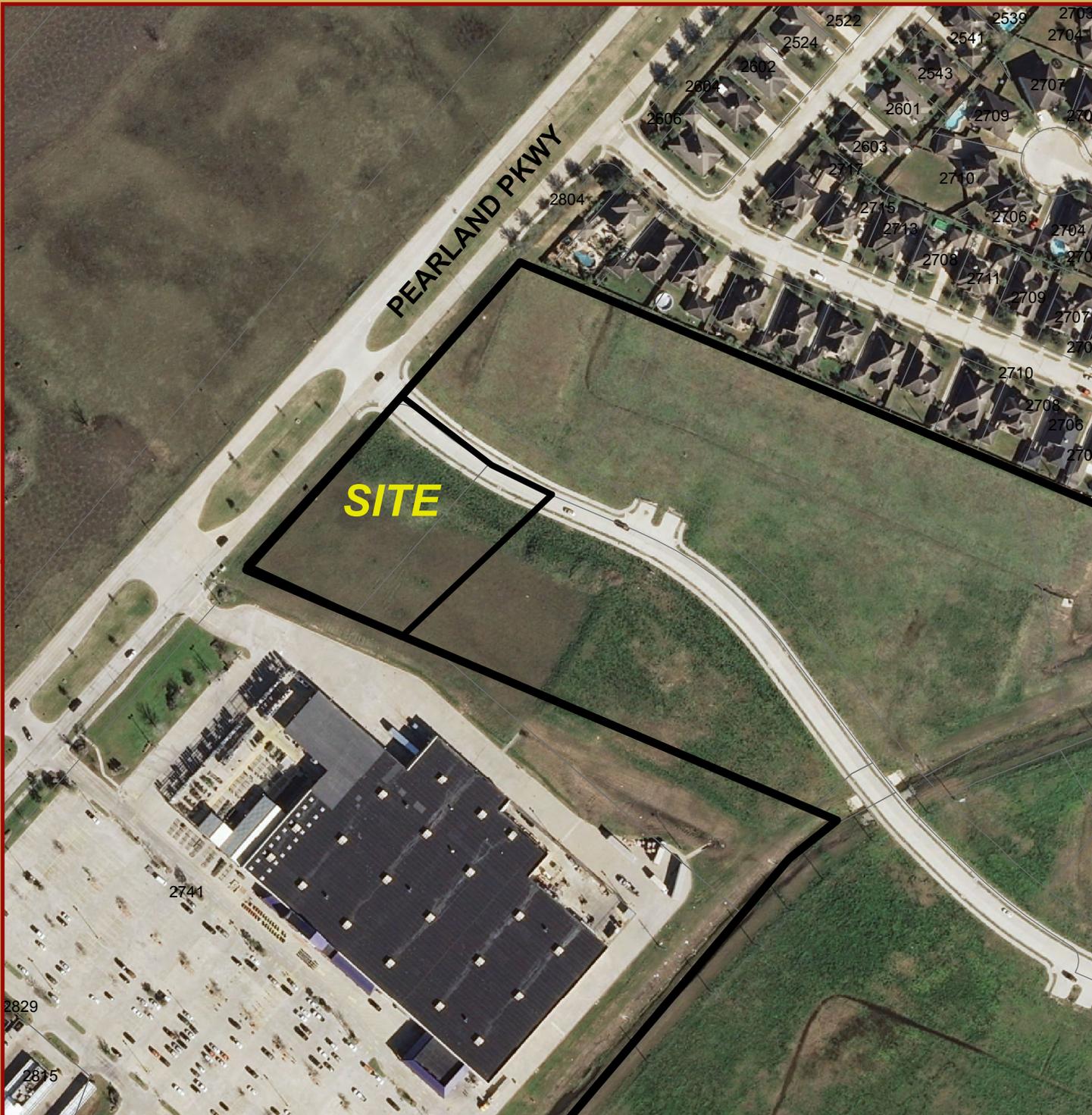


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1 inch = 417 feet

22 MAY 2014  
PLANNING DEPARTMENT





**SITE**

**PEARLAND PKWY**

**AERIAL MAP**  
**ZONE CHANGE 2014-16Z**  
**PROVINCE VILLAGE**  
**PD AMENDMENT**

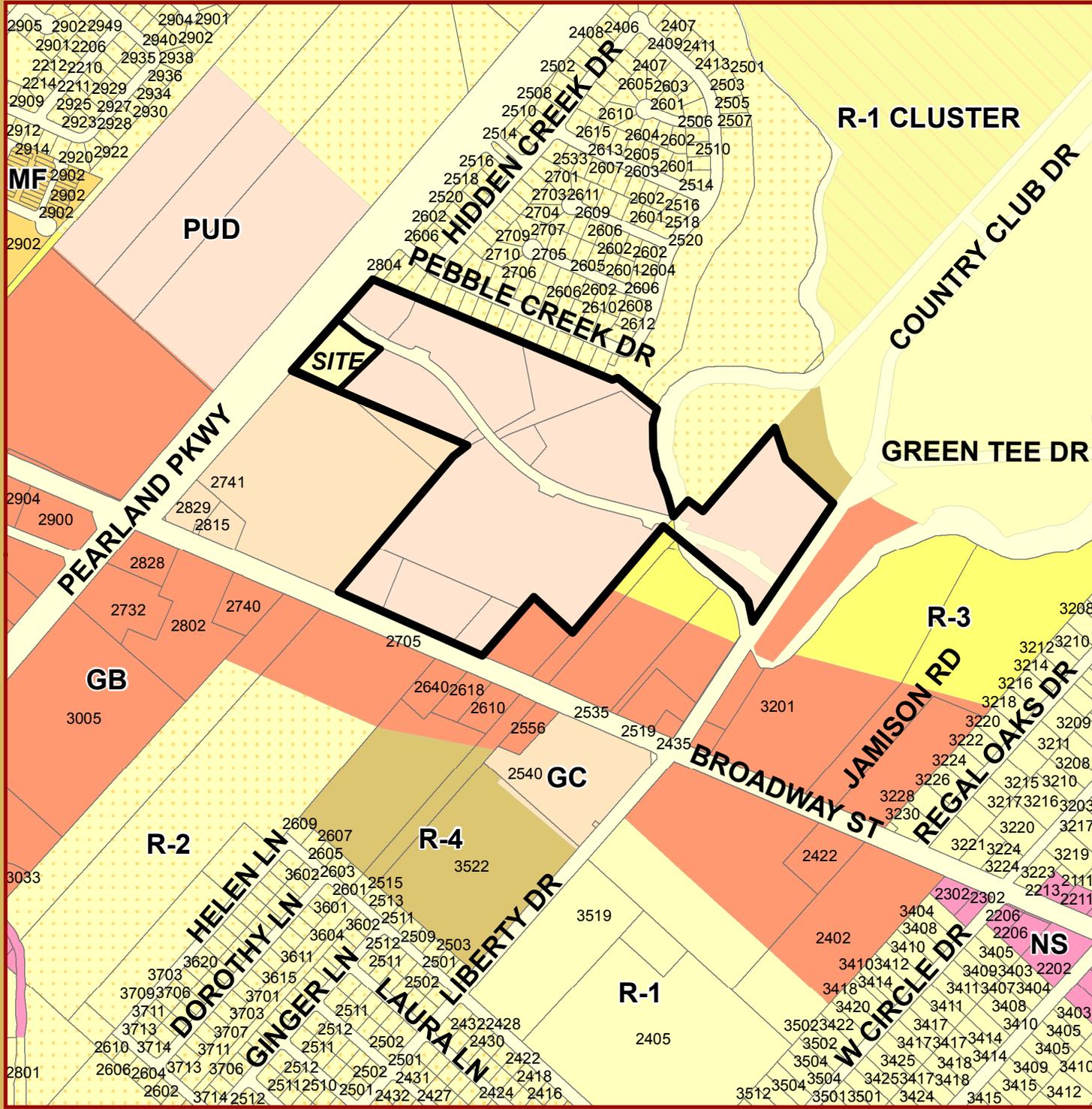


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1 inch = 211 feet

22 MAY 2014  
PLANNING DEPARTMENT





**ZONING MAP**  
**ZONE CHANGE 2014-16Z**  
**PROVINCE VILLAGE**  
**PD AMENDMENT**

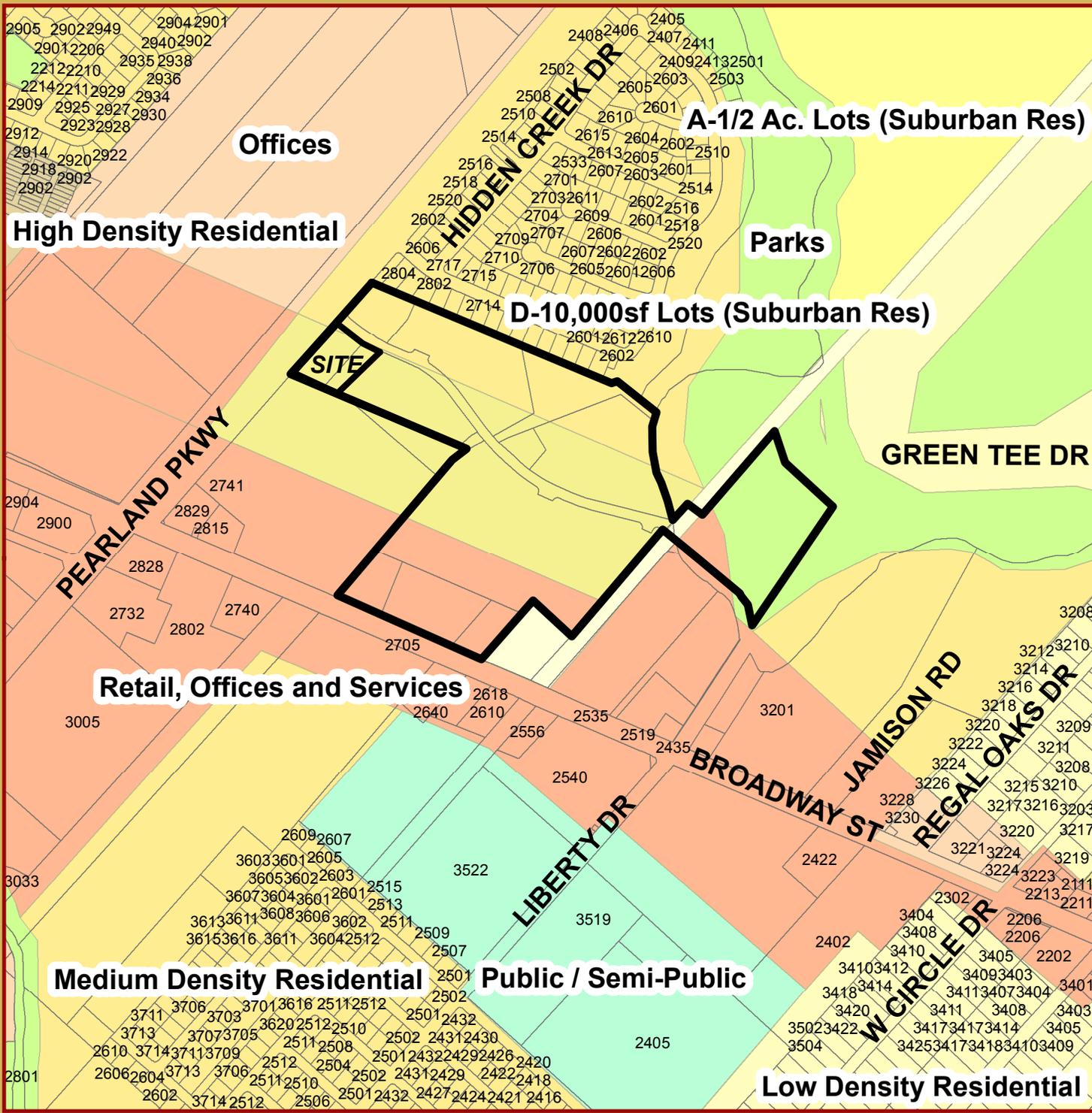


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1 inch = 703 feet

22 MAY 2014  
 PLANNING DEPARTMENT





**FLUP MAP**  
**ZONE CHANGE 2014-16Z**  
**PROVINCE VILLAGE**  
**PD AMENDMENT**



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1 inch = 703 feet

22 MAY 2014  
 PLANNING DEPARTMENT



<b>prop_id</b>	<b>py_owner_name</b>	<b>LegalDescr</b>
518440	SMITH TIMOTHY C & STEPHANIE T	SUBD - Clear Creek Park BLK - 4 Lot - 55
518467	LIBERATORE JAMES V & CHRISTINE	SUBD - Clear Creek Park BLK - 5 Lot - 11
155188	ALEXANDER T & B FAMILY LTD PRTNSHP	ABST - 70 Tract - 7D
518446	KUHNS PERRY S & ESMERALDA	SUBD - Clear Creek Park BLK - 4 Lot - 61
518426	CHAMBLIN MITCHELL & SHERI	SUBD - Clear Creek Park BLK - 4 Lot - 41
518472	KIM JEAN	SUBD - Clear Creek Park BLK - 5 Lot - 16
		SUBD - Clear Creek Park Lot - RESERVE A1
164167	PEARLAND ISD	ABST - 198 Tract - 6E
155188	ALEXANDER T & B FAMILY LTD PRTNSHP	ABST - 70 Tract - 7
164171	E BROADWAY PLAZA LP	ABST - 198 Tract - 6F2
503545	HARTSOOK DAVID L	SUBD - Victory Plaza BLK - 1 Lot - 1
164172	KAL INVESTMENTS	SUBD - Victory Plaza BLK - 1 Lot - 2
516517	CITY OF PEARLAND	ABST - 198 Tract - 6K SUBD - Clear Creek Park Lot - Reserve A
518321	DORSEY CECIL E & LINDA K	SUBD - Clear Creek Park BLK - 1 Lot - 1
518448	HOLT RONALD G & BARBARA	SUBD - Clear Creek Park BLK - 4 Lot - 63
518320	CLEAR CREEK PARK	SUBD - Clear Creek Park Lot - Reserve B
518447	DIESE RICHARD W & LISA K	SUBD - Clear Creek Park BLK - 4 Lot - 62
518463	ALCANCIA OSCAR E & BONITA K	SUBD - Clear Creek Park BLK - 5 Lot - 7
518439	WILKERSON RYAN & VALARIE	SUBD - Clear Creek Park BLK - 4 Lot - 54

518464 COFFEE SUSAN SMITH	SUBD - Clear Creek Park BLK - 5 Lot - 8
518438 DIEHL JOHN M	SUBD - Clear Creek Park BLK - 4 Lot - 53
518465 WILLHOITE ROBERT R & LUCRETIA H	SUBD - Clear Creek Park BLK - 5 Lot - 9
518437 GERSTENBERGER MICHAEL W	SUBD - Clear Creek Park BLK - 4 Lot - 52
518466 SCHWERDTFEGER TRACY K & KIMBERLY A	SUBD - Clear Creek Park BLK - 5 Lot - 10
518457 NIXON DEVON M	SUBD - Clear Creek Park BLK - 5 Lot - 1
518436 MCKINNEY MARK & JANIS	SUBD - Clear Creek Park BLK - 4 Lot - 51
518468 SPIRES RALPH E	SUBD - Clear Creek Park BLK - 5 Lot - 12
518469 MARTIN KENNETH & SHANNON	SUBD - Clear Creek Park BLK - 5 Lot - 13
518470 MOTLEY MELVIN & DE ANN	SUBD - Clear Creek Park BLK - 5 Lot - 14
518471 HERNANDEZ ADAM D & ZOILA A	SUBD - Clear Creek Park BLK - 5 Lot - 15
164164 TEXPROJ2008 LLC	ABST - 198 SUBD - Province Village General Business Lot - C
164177 CENTERPOINT ENERGY INC	ABST - 198 Tract - 6H
593284 ALLON PROPERTY MANAGEMENT I LLC	ABST - 198 SUBD - Province Village General Business Lot - B
593282 MALLAS ARTEMIS LIVING TRUST UTD	ABST - 198 SUBD - Province Village General Business Lot - A
517172 LOWE'S HOME CENTERS INC	SUBD - Lowe's Home Center - Pearland Lot - Reserve A
164177 CENTERPOINT ENERGY INC	ABST - 198 Tract - 6G
518458 LUCAS ALAN W	SUBD - Clear Creek Park BLK - 5 Lot - 2
518445 THARRETT DAVID & SARAH MCQUEEN	SUBD - Clear Creek Park BLK - 4 Lot - 60

518444 VU LOI T	SUBD - Clear Creek Park BLK - 4 Lot - 59
518460 ADAMS MICHAEL W & ANGELA D	SUBD - Clear Creek Park BLK - 5 Lot - 4
518443 GREEN STEPHEN L & TANYA H	SUBD - Clear Creek Park BLK - 4 Lot - 58
518461 JONES CORY A	SUBD - Clear Creek Park BLK - 5 Lot - 5
518441 LEDBETTER RANDY W & BOBBIE A	SUBD - Clear Creek Park BLK - 4 Lot - 56
518462 MUNGUIA RIGOBERTO & MIRIAM	SUBD - Clear Creek Park BLK - 5 Lot - 6
164165 PEARLAND ISD	ABST - 198 Tract - 6D1
517173 LOWE'S HOME CENTERS INC	SUBD - Lowe's Home Center - Pearland BLK - 1 Lot - 1
518459 RUBIO DESIDERIO	SUBD - Clear Creek Park BLK - 5 Lot - 3
599439 TEXPROJ2008 LLC	ABST - 198 SUBD - Province Village Dr., Office Park & Reserves BLK - 2 Lot - RES A ABST - 198 Tract - 6
164164 TEXPROJ2008 LLC	
599438 OFFICE GROVE PROVINCE LP	
599437 INTERNATIONAL BANK OF COMMERCE	
	ABST - 198 Tract - 6 Tract -
599440 TEXPROJ2008 LLC	ABST - 198 SUBD - Province Village Dr., Office Park & Reserves BLK - 2 Lot - RES B
155248 THE GRILL AT TIMEOUT LLC	
155251 PROTESTANT EPISCOPAL CHUR	

legal_desc	situs_street_prefix	situs_num	situs_street
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 55		2701	PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 11		2706	PEBBLE CREEK
A0070 W D C HALL (PEARLAND), TRACT 7- 7D, ACRES 1.090		3201	COUNTRY CLUB
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 61		2713	PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 41		2708	ARROWHEAD CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 16		2602	PEBBLE CREEK
A0198 T J GREEN (PEARLAND), TRACT 6E-7A- 8A-9A, ACRES 32.730			FM 518
A0070 W D C HALL (PEARLAND), TRACT 7- 7D, ACRES 1.090		3201	COUNTRY CLUB
A0198 T J GREEN (PEARLAND), TRACT 6F2 BROADWAY PLAZA COMM TCT, ACRES 0.910 E		2640	BROADWAY
VICTORY PLAZA, A0198 T J GREEN (PEARLAND), BLOCK 1, TRACT 1, ACRES 0.87		2618	BROADWAY
VICTORY PLAZA, A0198 T J GREEN (PEARLAND), BLOCK 1, TRACT 2, ACRES 0.87		2610	BROADWAY
A0198 T J GREEN (PEARLAND), TRACT 6K, ACRES 20.97			
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 1, LOT 1		2606	HIDDEN CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 63		2717	PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), RESERVE B-C-D-E, ACRES 1.2534			
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 62		2715	PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 7		2714	PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 54		2605	PEBBLE CREEK

CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 8	2712 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 53	2603 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 9	2710 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 52	2601 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 10	2708 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 1	2804 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 51	2612 CREEKS EDGE
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 12	2704 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 13	2702 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 14	2606 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 15	2604 PEBBLE CREEK
A0198 T J GREEN (PEARLAND) TRACT 6-6A ACRES 19.7441	2709 BROADWAY
A0198 T J GREEN (PEARLAND), TRACT 6G-6H- 6I, MARYS CREEK SUBSTATION, ACRES 4.001	BROADWAY
A0198 T J GREEN (PEARLAND) TRACT B ACRES 2.599 PROVINCE VILLAGE GENERAL BUSINESS	E 2705 BROADWAY
A0198 T J GREEN (PEARLAND) TRACT A ACRES 1.188 PROVINCE VILLAGE GENERAL BUSINESS	2709 BROADWAY
LOWE'S HOME CENTER (A0198 T J GREEN)(PEARLAND), LOT RESERVE A (DETENTION & DRAINAGE USE), ACRES 1.0803	BROADWAY
A0198 T J GREEN (PEARLAND), TRACT 6G-6H- 6I, MARYS CREEK SUBSTATION, ACRES 4.001	BROADWAY
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 2	2802 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 60	2711 PEBBLE CREEK

CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 59	2709 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 4	2720 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 58	2707 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 5	2718 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 56	2703 PEBBLE CREEK
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 6	2716 PEBBLE CREEK
A0198 T J GREEN (PEARLAND), TRACT 6D1, ACRES 9.880	FM 518
LOWE'S HOME CENTER (A0198 T J GREEN)(PEARLAND), BLOCK 1, LOT 1, ACRES 15.0362	2741 BROADWAY
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 3	2722 PEBBLE CREEK
PROVINCE VILLAGE DRIVE OFFICE PARK & RESERVES (A0198-A0070) BLOCK 2 TRACT A (PARK)	
A0198 T J GREEN (PEARLAND) TRACT 6-6A ACRES 19.7441	2709 BROADWAY
PROVINCE VILLAGE DRIVE OFFICE PARK & RESERVES (A0198-A0070) BLK 1 LOT B. AMEND 09 ACRES 3.989	PROVINCE VILLAGE
PROVINCE VILLAGE DRIVE OFFICE PARK & RESERVES (A0198-A0070) BLK 1 LOT A, AMEND 09 ACRES 1.199	PROVINCE VILLAGE
PROVINCE VILLAGE DRIVE OFFICE PARK & RESERVES (A0198-A0070) BLOCK 2 TRACT B DETENTION)	
A0070 W D C HALL (PEARLAND), TRACT 6A, ACRES 3.390	2515 BROADWAY
A0070 W D C HALL (PEARLAND) TRACT 6A2 ACRES 6.464	2535 BROADWAY

<b>situs_street_suffix</b>	<b>land_state_cd</b>	<b>Mail_addr_line1</b>	<b>Mail_addr_line2</b>
DR	A1		2701 PEBBLE CREEK DR
DR	A1		2706 PEBBLE CREEK DR
DR	O1		2411 PARK AVE
DR	A1		2713 PEBBLE CREEK DR
LN	A1		2708 ARROWHEAD CREEK LN
DR	A1		2602 PEBBLE CREEK DR
	X5		PO BOX 7
DR	O1		2411 PARK AVE
FM 518	F1		2640 BROADWAY ST
FM 518	F1		180 HERMITAGE DR
FM 518	F1		7402 BROADWAY ST
	X3		3519 LIBERTY DR
DR	A1		2606 HIDDEN CREEK DR
DR	A1		2717 PEBBLE CREEK DR
	C1	HOMEOWNERS ASSOCIATION INC	2615 BAY AREA BLVD
DR	A1		2715 PEBBLE CREEK DR
DR	A1		2714 PEBBLE CREEK DR
DR	A1		2605 PEBBLE CREEK DR

DR	A1		2712 PEBBLE CREEK DR
DR	A1		2603 PEBBLE CREEK DR
DR	A1		2710 PEBBLE CREEK DR
DR	A1		2601 PEBBLE CREEK DR
DR	A1		2708 PEBBLE CREEK DR
DR	A1		2804 PEBBLE CREEK DR
DR	A1		2612 CREEKS EDGE DR
DR	A1		2704 PEBBLE CREEK DR
DR	A1		2702 PEBBLE CREEK DR
DR	A1		2606 PEBBLE CREEK DR
DR	A1		2604 PEBBLE CREEK DR
	E4		PO BOX 800
FM 518	J3	ELECTRIC OPERATIONS	PO BOX 1475
	A1		6 WATERFORD OAKS LN
	F1	%MARVIN F POER COMP	PO BOX 802206
ST FM 518	C1	ATTN: TAX DEPT (2ETA)	PO BOX 1000
FM 518	J3	ELECTRIC OPERATIONS	PO BOX 1475
DR	A1		2802 PEBBLE CREEK DR
DR	A1		2711 PEBBLE CREEK DR

DR	A1		2709 PEBBLE CREEK DR
DR	A1		2720 PEBBLE CREEK DR
DR	A1		2707 PEBBLE CREEK DR
DR	A1		2718 PEBBLE CREEK DR
DR	A1		PO BOX 788
DR	A1		2716 PEBBLE CREEK DR
	X5		PO BOX 7
FM 518	F1	ATTN: TAX DEPT (2ETA)	PO BOX 1000
DR	A1		2722 PEBBLE CREEK DR
	C1		PO BOX 800
	E4		PO BOX 800
DR	C1		15120 NORTHWEST FWY
DR	C1		5615 KIRBY DR
	E4		PO BOX 800
	A1		2515 BROADWAY ST
FM 518	X1	% H L ERDMAN & ASSOC INC	8200 BROOKRIVER DR

Mail_addr_line3	Mail_addr_city	Mail_addr_state	Mail_addr_zip
	PEARLAND	TX	77581
	PEARLAND	TX	77588
	PEARLAND	TX	77581
STE 102	PEARLAND	TX	77581
	MONTGOMERY	TX	77356
	PEARLAND	TX	77581
	HOUSTON	TX	77058
	PEARLAND	TX	77581
	PEARLAND	TX	77581
	PEARLAND	TX	77581

PEARLAND	TX	77581
SAINT FRANCISVILLE	LA	70775
HOUSTON	TX	77251
KEMAH	TX	77565
DALLAS	TX	75380
MOORESVILLE	NC	28115
HOUSTON	TX	77251
PEARLAND	TX	77581
PEARLAND	TX	77581

	PEARLAND	TX	77581
	PEARLAND	TX	77588
	PEARLAND	TX	77581
	PEARLAND	TX	77588
	MOORESVILLE	NC	28115
	PEARLAND	TX	77581
	SAINT FRANCISVILLE	LA	70775
	SAINT FRANCISVILLE	LA	70775
STE 190	HOUSTON	TX	77040
	HOUSTON	TX	77005
	SAINT FRANCISVILLE	LA	70775
	PEARLAND	TX	77581
STE N600	DALLAS	TX	75247

<b>prop_id</b>	<b>py_owner_name</b>	<b>LegalDescr</b>
518440	SMITH TIMOTHY C & STEPHANIE T	SUBD - Clear Creek Park BLK - 4 Lot - 55
518467	LIBERATORE JAMES V & CHRISTINE ALEXANDER T & B FAMILY LTD	SUBD - Clear Creek Park BLK - 5 Lot - 11
155188	PRTNSHP	ABST - 70 Tract - 7D
518446	KUHNS PERRY S & ESMERALDA	SUBD - Clear Creek Park BLK - 4 Lot - 61
518426	CHAMBLIN MITCHELL & SHERI	SUBD - Clear Creek Park BLK - 4 Lot - 41
518472	KIM JEAN	SUBD - Clear Creek Park BLK - 5 Lot - 16
164167	PEARLAND ISD ALEXANDER T & B FAMILY LTD	SUBD - Clear Creek Park Lot - RESERVE A1
155188	PRTNSHP	ABST - 198 Tract - 6E
164171	E BROADWAY PLAZA LP	ABST - 70 Tract - 7
503545	HARTSOOK DAVID L	ABST - 198 Tract - 6F2
164172	KAL INVESTMENTS	SUBD - Victory Plaza BLK - 1 Lot - 1
516517	CITY OF PEARLAND	SUBD - Victory Plaza BLK - 1 Lot - 2
518321	DORSEY CECIL E & LINDA K	ABST - 198 Tract - 6K SUBD - Clear Creek Park Lot - Reserve A
518448	HOLT RONALD G & BARBARA	SUBD - Clear Creek Park BLK - 1 Lot - 1
518320	CLEAR CREEK PARK	SUBD - Clear Creek Park BLK - 4 Lot - 63
518447	DIESE RICHARD W & LISA K	SUBD - Clear Creek Park Lot - Reserve B
518463	ALCANCIA OSCAR E & BONITA K	SUBD - Clear Creek Park BLK - 4 Lot - 62
518439	WILKERSON RYAN & VALARIE	SUBD - Clear Creek Park BLK - 5 Lot - 7
518464	COFFEE SUSAN SMITH	SUBD - Clear Creek Park BLK - 4 Lot - 54
		SUBD - Clear Creek Park BLK - 5 Lot - 8

518438 DIEHL JOHN M	SUBD - Clear Creek Park BLK - 4 Lot - 53
WILLHOITE ROBERT R & LUCRETIA	SUBD - Clear Creek Park BLK - 5
518465 H	Lot - 9
518437 GERSTENBERGER MICHAEL W	SUBD - Clear Creek Park BLK - 4
SCHWERDTFEGER TRACY K &	Lot - 52
518466 KIMBERLY A	SUBD - Clear Creek Park BLK - 5
518457 NIXON DEVON M	Lot - 10
518436 MCKINNEY MARK & JANIS	SUBD - Clear Creek Park BLK - 5
518468 SPIRES RALPH E	Lot - 1
518469 MARTIN KENNETH & SHANNON	SUBD - Clear Creek Park BLK - 4
518470 MOTLEY MELVIN & DE ANN	Lot - 51
518471 HERNANDEZ ADAM D & ZOILA A	SUBD - Clear Creek Park BLK - 5
164164 TEXPROJ2008 LLC	Lot - 12
164177 CENTERPOINT ENERGY INC	SUBD - Clear Creek Park BLK - 5
593284 ALLON PROPERTY MANAGEMENT I LLC	Lot - 13
593282 MALLAS ARTEMIS LIVING TRUST UTD	Lot - 14
517172 LOWE'S HOME CENTERS INC	SUBD - Clear Creek Park BLK - 5
164177 CENTERPOINT ENERGY INC	Lot - 15
518458 LUCAS ALAN W	ABST - 198 SUBD - Province
THARRETT DAVID & SARAH	Village General Business Lot - C
518445 MCQUEEN	ABST - 198 Tract - 6H
518444 VU LOI T	ABST - 198 SUBD - Province
518460 ADAMS MICHAEL W & ANGELA D	Village General Business Lot - B
	ABST - 198 SUBD - Province
	Village General Business Lot - A
	SUBD - Lowe's Home Center -
	Pearland Lot - Reserve A
	ABST - 198 Tract - 6G
	SUBD - Clear Creek Park BLK - 5
	Lot - 2
	SUBD - Clear Creek Park BLK - 4
	Lot - 60
	SUBD - Clear Creek Park BLK - 4
	Lot - 59
	SUBD - Clear Creek Park BLK - 5
	Lot - 4

518443 GREEN STEPHEN L & TANYA H	SUBD - Clear Creek Park BLK - 4 Lot - 58
518461 JONES CORY A	SUBD - Clear Creek Park BLK - 5 Lot - 5
518441 LEDBETTER RANDY W & BOBBIE A	SUBD - Clear Creek Park BLK - 4 Lot - 56
518462 MUNGUIA RIGOBERTO & MIRIAM	SUBD - Clear Creek Park BLK - 5 Lot - 6
164165 PEARLAND ISD	ABST - 198 Tract - 6D1
517173 LOWE'S HOME CENTERS INC	SUBD - Lowe's Home Center - Pearland BLK - 1 Lot - 1
518459 RUBIO DESIDERIO	SUBD - Clear Creek Park BLK - 5 Lot - 3
599439 TEXPROJ2008 LLC	ABST - 198 SUBD - Province Village Dr., Office Park & Reserves BLK - 2 Lot - RES A
164164 TEXPROJ2008 LLC	ABST - 198 Tract - 6
599438 OFFICE GROVE PROVINCE LP	
INTERNATIONAL BANK OF 599437 COMMERCE	
599440 TEXPROJ2008 LLC	ABST - 198 SUBD - Province Village Dr., Office Park & Reserves BLK - 2 Lot - RES B
155248 THE GRILL AT TIMEOUT LLC	
155251 PROTESTANT EPISCOPAL CHUR	

legal_desc	situs_street_prefix	situs_num
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 55		2701
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 11		2706
A0070 W D C HALL (PEARLAND), TRACT 7- 7D, ACRES 1.090		3201
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 61		2713
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 41		2708
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 16		2602
A0198 T J GREEN (PEARLAND), TRACT 6E- 7A-8A-9A, ACRES 32.730		
A0070 W D C HALL (PEARLAND), TRACT 7- 7D, ACRES 1.090		3201
A0198 T J GREEN (PEARLAND), TRACT 6F2 BROADWAY PLAZA COMM TCT, ACRES 0.910	E	2640
VICTORY PLAZA, A0198 T J GREEN (PEARLAND), BLOCK 1, TRACT 1, ACRES 0.87		2618
VICTORY PLAZA, A0198 T J GREEN (PEARLAND), BLOCK 1, TRACT 2, ACRES 0.87		2610
A0198 T J GREEN (PEARLAND), TRACT 6K, ACRES 20.97		
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 1, LOT 1		2606
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 63		2717
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), RESERVE B-C-D-E, ACRES 1.2534		
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 62		2715
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 7		2714
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 54		2605
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 8		2712

CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 53	2603
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 9	2710
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 52	2601
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 10	2708
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 1	2804
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 51	2612
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 12	2704
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 13	2702
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 14	2606
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 15	2604
A0198 T J GREEN (PEARLAND) TRACT 6-6A ACRES 19.7441	2709
A0198 T J GREEN (PEARLAND), TRACT 6G- 6H-6I, MARYS CREEK SUBSTATION, ACRES 4.001	
A0198 T J GREEN (PEARLAND) TRACT B ACRES 2.599 PROVINCE VILLAGE GENERAL BUSINESS	E 2705
A0198 T J GREEN (PEARLAND) TRACT A ACRES 1.188 PROVINCE VILLAGE GENERAL BUSINESS	2709
LOWE'S HOME CENTER (A0198 T J GREEN)(PEARLAND), LOT RESERVE A (DETENTION & DRAINAGE USE), ACRES 1.0803	
A0198 T J GREEN (PEARLAND), TRACT 6G- 6H-6I, MARYS CREEK SUBSTATION, ACRES 4.001	
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 2	2802
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 60	2711
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 59	2709
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 4	2720

CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 58	2707
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 5	2718
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 4, LOT 56	2703
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 6	2716
A0198 T J GREEN (PEARLAND), TRACT 6D1, ACRES 9.880	
LOWE'S HOME CENTER (A0198 T J GREEN)(PEARLAND), BLOCK 1, LOT 1, ACRES 15.0362	2741
CLEAR CREEK PARK (A0198 TJ GREEN) (PEARLAND), BLOCK 5, LOT 3	2722
PROVINCE VILLAGE DRIVE OFFICE PARK & RESERVES (A0198-A0070) BLOCK 2 TRACT A (PARK)	
A0198 T J GREEN (PEARLAND) TRACT 6-6A ACRES 19.7441	2709
PROVINCE VILLAGE DRIVE OFFICE PARK & RESERVES (A0198-A0070) BLK 1 LOT B. AMEND 09 ACRES 3.989	
PROVINCE VILLAGE DRIVE OFFICE PARK & RESERVES (A0198-A0070) BLK 1 LOT A, AMEND 09 ACRES 1.199	
PROVINCE VILLAGE DRIVE OFFICE PARK & RESERVES (A0198-A0070) BLOCK 2 TRACT B DETENTION)	
A0070 W D C HALL (PEARLAND), TRACT 6A, ACRES 3.390	2515
A0070 W D C HALL (PEARLAND) TRACT 6A2 ACRES 6.464	2535

<b>situs_street</b>	<b>situs_street_suffix</b>	<b>land_state_cd</b>
PEBBLE CREEK	DR	A1
PEBBLE CREEK	DR	A1
COUNTRY CLUB	DR	O1
PEBBLE CREEK	DR	A1
ARROWHEAD CREEK	LN	A1
PEBBLE CREEK	DR	A1
FM 518		X5
COUNTRY CLUB	DR	O1
BROADWAY	FM 518	F1
BROADWAY	FM 518	F1
BROADWAY	FM 518	F1
		X3
HIDDEN CREEK	DR	A1
PEBBLE CREEK	DR	A1
		C1
PEBBLE CREEK	DR	A1

PEBBLE CREEK	DR	A1
CREEKS EDGE	DR	A1
PEBBLE CREEK	DR	A1
BROADWAY		E4
BROADWAY	FM 518	J3
BROADWAY		A1
BROADWAY		F1
BROADWAY	ST FM 518	C1
BROADWAY	FM 518	J3
PEBBLE CREEK	DR	A1

PEBBLE CREEK	DR	A1
FM 518		X5
BROADWAY	FM 518	F1
PEBBLE CREEK	DR	A1
		C1
BROADWAY		E4
PROVINCE VILLAGE	DR	C1
PROVINCE VILLAGE	DR	C1
		E4
BROADWAY		A1
BROADWAY	FM 518	X1

**Mail\_addr\_line1**

**Mail\_addr\_line2**

**Mail\_addr\_line3**

2701 PEBBLE CREEK DR

2706 PEBBLE CREEK DR

2411 PARK AVE

2713 PEBBLE CREEK DR

2708 ARROWHEAD CREEK LN

2602 PEBBLE CREEK DR

PO BOX 7

2411 PARK AVE

2640 BROADWAY ST

STE 102

180 HERMITAGE DR

7402 BROADWAY ST

3519 LIBERTY DR

2606 HIDDEN CREEK DR

2717 PEBBLE CREEK DR

HOMEOWNERS ASSOCIATION INC

2615 BAY AREA BLVD

2715 PEBBLE CREEK DR

2714 PEBBLE CREEK DR

2605 PEBBLE CREEK DR

2712 PEBBLE CREEK DR

2603 PEBBLE CREEK DR

2710 PEBBLE CREEK DR

2601 PEBBLE CREEK DR

2708 PEBBLE CREEK DR

2804 PEBBLE CREEK DR

2612 CREEKS EDGE DR

2704 PEBBLE CREEK DR

2702 PEBBLE CREEK DR

2606 PEBBLE CREEK DR

2604 PEBBLE CREEK DR

PO BOX 800

ELECTRIC OPERATIONS

PO BOX 1475

6 WATERFORD OAKS LN

%MARVIN F POER COMP

PO BOX 802206

ATTN: TAX DEPT (2ETA)

PO BOX 1000

ELECTRIC OPERATIONS

PO BOX 1475

2802 PEBBLE CREEK DR

2711 PEBBLE CREEK DR

2709 PEBBLE CREEK DR

2720 PEBBLE CREEK DR

2707 PEBBLE CREEK DR

2718 PEBBLE CREEK DR

PO BOX 788

2716 PEBBLE CREEK DR

PO BOX 7

ATTN: TAX DEPT (2ETA)

PO BOX 1000

2722 PEBBLE CREEK DR

PO BOX 800

PO BOX 800

15120 NORTHWEST FWY STE 190

5615 KIRBY DR

PO BOX 800

2515 BROADWAY ST

% H L ERDMAN & ASSOC INC

8200 BROOKRIVER DR

STE N600

<b>Mail_addr_city</b>	<b>Mail_addr_state</b>	<b>Mail_addr_zip</b>
PEARLAND	TX	77581
PEARLAND	TX	77588
PEARLAND	TX	77581
PEARLAND	TX	77581
MONTGOMERY	TX	77356
PEARLAND	TX	77581
HOUSTON	TX	77058
PEARLAND	TX	77581



PEARLAND	TX	77581
PEARLAND	TX	77581
PEARLAND	TX	77588
PEARLAND	TX	77581
PEARLAND	TX	77588
MOORESVILLE	NC	28115
PEARLAND	TX	77581
SAINT FRANCISVILLE	LA	70775
SAINT FRANCISVILLE	LA	70775
HOUSTON	TX	77040
HOUSTON	TX	77005
SAINT FRANCISVILLE	LA	70775
PEARLAND	TX	77581
DALLAS	TX	75247

PROPERTY OWNER	ADDRESS	SUITE	CITY	STATE	ZIP
ADAMS MICHAEL W & ANGELA D	2720 PEBBLE CREEK DR		PEARLAND	TX	77581
ALCANCIA OSCAR E & BONITA K	2714 PEBBLE CREEK DR		PEARLAND	TX	77581
ALEXANDER T & B FAMILY LTD PRTNSHP	2411 PARK AVE		PEARLAND	TX	77581
ALLON PROPERTY MANAGEMENT I LLC	6 WATERFORD OAKS LN		KEMAH	TX	77565
CENTERPOINT ENERGY INC	PO BOX 1475		HOUSTON	TX	77251
CHAMBLIN MITCHELL & SHERI	2708 ARROWHEAD CREEK LN		PEARLAND	TX	77581
CITY OF PEARLAND	3519 LIBERTY DR		PEARLAND	TX	77581
CLEAR CREEK PARK	2615 BAY AREA BLVD		HOUSTON	TX	77058
COFFEE SUSAN SMITH	2712 PEBBLE CREEK DR		PEARLAND	TX	77581
DIEHL JOHN M	2603 PEBBLE CREEK DR		PEARLAND	TX	77581
DIESE RICHARD W & LISA K	2715 PEBBLE CREEK DR		PEARLAND	TX	77581
DORSEY CECIL E & LINDA K	2606 HIDDEN CREEK DR		PEARLAND	TX	77581
E BROADWAY PLAZA LP	2640 BROADWAY ST	STE 102	PEARLAND	TX	77581
GERSTENBERGER MICHAEL W	2601 PEBBLE CREEK DR		PEARLAND	TX	77581
GREEN STEPHEN L & TANYA H	2707 PEBBLE CREEK DR		PEARLAND	TX	77581
HARTSOOK DAVID L	180 HERMITAGE DR		MONTGOMERY	TX	77356
HERNANDEZ ADAM D & ZOILA A	2604 PEBBLE CREEK DR		PEARLAND	TX	77581
HOLT RONALD G & BARBARA	2717 PEBBLE CREEK DR		PEARLAND	TX	77581
INTERNATIONAL BANK OF COMMERCE	5615 KIRBY DR		HOUSTON	TX	77005
JONES CORY A	2718 PEBBLE CREEK DR		PEARLAND	TX	77581
KAL INVESTMENTS	7402 BROADWAY ST		PEARLAND	TX	77581

KIM JEAN	2602 PEBBLE CREEK DR		PEARLAND	TX	77581
KUHNS PERRY S & ESMERALDA	2713 PEBBLE CREEK DR		PEARLAND	TX	77581
LEDBETTER RANDY W & BOBBIE A	PO BOX 788		PEARLAND	TX	77588
LIBERATORE JAMES V & CHRISTINE	2706 PEBBLE CREEK DR		PEARLAND	TX	77581
LOWE'S HOME CENTERS INC	PO BOX 1000		MOORESVILLE	NC	28115
LUCAS ALAN W	2802 PEBBLE CREEK DR		PEARLAND	TX	77581
MALLAS ARTEMIS LIVING TRUST UTD	PO BOX 802206		DALLAS	TX	75380
MARTIN KENNETH & SHANNON	2702 PEBBLE CREEK DR		PEARLAND	TX	77581
MCKINNEY MARK & JANIS	2612 CREEKS EDGE DR		PEARLAND	TX	77581
MOTLEY MELVIN & DE ANN	2606 PEBBLE CREEK DR		PEARLAND	TX	77581
MUNGUIA RIGOBERTO & MIRIAM	2716 PEBBLE CREEK DR		PEARLAND	TX	77581
NIXON DEVON M	2804 PEBBLE CREEK DR		PEARLAND	TX	77581
OFFICE GROVE PROVINCE LP	15120 NORTHWEST FWY	STE 190	HOUSTON	TX	77040
PEARLAND ISD	PO BOX 7		PEARLAND	TX	77588
PROTESTANT EPISCOPAL CHUR	8200 BROOKRIVER DR	STE N600	DALLAS	TX	75247
RUBIO DESIDERIO	2722 PEBBLE CREEK DR		PEARLAND	TX	77581
SCHWERDTFEGER TRACY K & KIMBERLY A	2708 PEBBLE CREEK DR		PEARLAND	TX	77581
SMITH TIMOTHY C & STEPHANIE T	2701 PEBBLE CREEK DR		PEARLAND	TX	77581
SPIRES RALPH E	2704 PEBBLE CREEK DR		PEARLAND	TX	77581
TEXPROJ2008 LLC	PO BOX 800		SAINT FRANCISVILLE	LA	70775
THARRETT DAVID & SARAH MCQUEEN	2711 PEBBLE CREEK DR		PEARLAND	TX	77581

THE GRILL AT TIMEOUT LLC	2515 BROADWAY ST	PEARLAND	TX	77581
VU LOI T	2709 PEBBLE CREEK DR	PEARLAND	TX	77581
WILKERSON RYAN & VALARIE	2605 PEBBLE CREEK DR	PEARLAND	TX	77581
WILLHOITE ROBERT R & LUCRETIA H	2710 PEBBLE CREEK DR	PEARLAND	TX	77581

Revision # 4  
9.5.14

**Province Village  
Planned Unit Development  
Amendment No. 3**

**City of Pearland**

City Council  
&  
Planning & Zoning Commission

September 2, 2014

Submitted on behalf of:

AS 121 Pearland Pkwy – Broadway Street, L.P.  
C/O New Quest Properties, Mr. Stan Beard  
8827 W. Sam Houston Pkwy. N., Suite 200  
Houston, TX 77040

Prepared by:

LJA Engineering, Inc.  
2929 Briarpark Drive, Suite 600  
Houston, Texas 77042-3703

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## **I. INTRODUCTION**

This Amendment #3 to Province Village Planned Unit Development (“Amendment”) is specifically limited to that certain tract of land consisting of approximately 1.707 acres known as the Final Plat of Province Village Lot “A” Replat #1 attached hereto as Exhibit A (“Subject Tract”). Any and all other land within the Province Village Planned Unit Development remains subject to the provisions, restrictions, and conditions set forth in the original Province Village Planned Unit Development and as further amended by Amendment #1 adopted in 2009 and Amendment #2 adopted in June of 2014. The purpose of this Amendment is to 1) change the underlying zoning of the Subject Tract from Office Professional to General Business, 2) to further limit allowable land uses to those specifically described herein, 3) to impose certain building architectural, landscaping, and signage restrictions and requirements to create an aesthetically appealing compliment to the existing retail element to the north of the Subject Tract.

Unless expressly addressed herein, the Subject Tract shall remain subject to and comply with all the requirements of the Unified Development Code of the City of Pearland, including the Pearland Parkway Overlay District.

### **A. Site Description and Land Uses**

The Subject Tract is bounded on the west by Pearland Parkway, on the north by Province Village Drive, on the south by the Lowe’s Home Center zoned General Business, and on the east by vacant land which is part of the Province Village PUD with an underlying zoning of Office Professional.

### **B. Description of the Proposed Development**

The proposed use of the Subject Tract is an approximately 15,000 square foot Class A mixed use commercial retail building. The architecture of the building and the signage is designed to be aesthetically complimentary to the bank building and signage on the north side of Province Village Drive. Landscaping on the corner of Pearland Parkway and Province Village Drive will be upgraded to provide a pleasing entry to the Province Village subdivision to the east.

### **C. Description of the Land**

The Subject Tract is approximately 1.707 acres and is described on Exhibit A attached hereto.

### **D. Purpose**

The purpose of this Amendment is to revise the zoning of the Subject Tract from

Office Professional to General Business. Market conditions over the past 10 years, existing and new General Business uses surrounding the Subject Tract, and a specific retail development proposed for the Subject Tract indicate favorable conditions for the revisions to the zoning classification.

## **II. ZONING AND LAND USE**

### **A. Existing Zoning**

All properties within the PUD have underlying zoning classifications of Office Professional, General Business, and R-4 Single Family Residential. The Subject Tract is currently designated as Office Professional.

### **B. Proposed Zoning**

The Subject Tract is proposed to be repurposed to General Business with further limitations described herein.

### **C. Standards and Land Use Summary**

Unless specifically defined herein, the Subject Tract will conform to the requirements of the Unified Development Code for General Business uses and further limited to those uses described below:

#### **Accessory & Incidental Uses**

Accessory Structure (Business or Industry)

Off-Street Parking Incidental to Residential Main Use

Off-Street Parking Incidental to Nonresidential Main Use

Social & Recreational Building, including homeowner's association neighborhood recreation centers

Onsite Detention Facility

#### **Office Uses**

Clinic, Medical or Dental

Credit Agency

Financial Institution (No Motor Bank Services)

Financial Institution (With Motor Bank Services)

Financial Services (Advice/Invest)

Insurance Agency Offices

Office, Brokerage Services

Office, Legal Service

Office, Medical/Dental {Defined Under Medical Facilities}

Office, Professional and General Business (other than those listed)

Office, Real Estate

Security Monitoring Company (No Outside Storage)  
Travel Agency, Bureau or Consultant  
Automatic Teller Machine (ATM)  
Barber/Beauty Shop/Tanning Studios (No Related School/College)  
Mailing Service (Private)  
Pharmacy (Retail Only)  
Seamstress or Dressmaker (Retail Only)

**Retail & Business Service Uses**

Antique Shop (No outside storage)  
Art Supply Store  
Bakery or Confectionery Shop (Retail Sales, Inside Service Only)  
Book/Stationery Shop (Retail Only)  
Camera Shop (Retail Only)  
Copy/Printing Shop  
Drapery/Blind Shop  
Florist Shop (Retail Only)  
Gift or Card Shop (Retail Only)  
Handicraft & Art Object Sales Shop  
Ice Cream/Yogurt Shop (For On-or Off-Site Consumption)  
Optical Shop  
Paint, Wallpaper Shop (Retail Only)  
Pharmacy/Drug Store (Retail Only)  
Retail Shops, Apparel, Accessories, Gifts & Similar Goods (Other than those listed: No outside Storage)  
Restaurant  
Fast Food – No Drive-Through Facility  
Full Serve – No Drive-Through Facility  
Furniture (including mattress) Sales  
Jewelry Sales

**Utility Related Service Uses**

Satellite Dish (Private, less than 4' in diameter) {See Telecommunications Regs. Chapter 2, Art. 5 Div. 5 of the UDC}  
Telephone Business Office

**Commercial & Related Service Uses**

Contractor's Temporary On-Site Construction Office (only with permit from B.O.)

**D. Land Use Summary**

The land use summary for the entire PUD assuming the proposed Amendment to the Subject Tract is as follows:

Use	Acres	% of Total	Zoning
Single Family	24.1	51%	PUD (R-4)
General Business	6.71	14%	PUD (GB)
Office Professional	4.98	10%	PUD (OP)
Detention	8.59	18%	PUD
Parkland by HOA	0.57	1%	PUD
Collector Streets	2.70	6%	PUD
<b>Total</b>	<b>47.65</b>	<b>100%</b>	

### III. DESIGN STANDARDS

#### A. Building Architecture

The building elevation has been designed to be aesthetically compatible with the bank building to the north and shall adhere to Exhibit B, attached. Building materials and percentages of each shall be in accordance with Exhibit B. Building articulation as required by the UDC shall be required.

#### B. Signage and Landscaping

The signage has been designed to be aesthetically similar to the signage for the bank building to the north and shall adhere to the design and specific dimensions defined on Exhibit C, attached. The sign height shall not exceed 15 feet in height as defined by the UDC and the overall width of the sign shall not exceed 18 feet. The overall effective sign area (inclusive of all sign panels) shall not exceed 150 square feet. Building signage shall adhere to UDC requirements.

Landscape design shall be, at a minimum, in strict accordance with the UDC requirements. Additionally, the landscaping at the corner of Province Village Drive and along Pearland Parkway will be upgraded to accentuate the entrance to Province Village Drive and to aesthetically mimic the landscaping of the bank building to the north. As an example, Pearland Parkway will have 1" caliper inch of tree per 14 feet of frontage. Landscape design shall adhere to Exhibit D, attached.

#### C. Fencing and Screening

The original PUD specified the installation of "decorative wrought iron fence" along the westerly border of the Subject Tract. No other wrought iron fence is installed, including on the Bank Tract north of the Subject Property. To enhance the Subject Tract's commonality with the Bank Tract, the decorative wrought iron fence is not required. Additionally, a "6' height masonry screening wall" is required along the southern boundary of the Subject Tract which abuts the existing Lowe's Home Center, a General Business zoned tract. To enhance the Subject Tract's connectivity with existing General Business use, the 6' height masonry screening wall" is not

required. Screening with landscape and green space in accordance with the UDC will be required.

**D. Unified Development Code**

The Subject Tract shall conform to the provisions and requirements of the Unified Development Code of the City of Pearland unless expressly addressed herein.

**IV. REQUIRED DEDICATIONS**

All required dedications of land have been made via the approved replat.

**V. PHASING**

The project has been pre-leased and will be completed within 9 months of building permit receipt.

**VI. EXHIBITS**

- Exhibit A: Description of Subject Tract
- Exhibit B: Building Elevation
- Exhibit C: Sign Elevation
- Exhibit D: Landscape Plan





MATERIAL	%
<b>STONE</b>	14.53%
To match HOMETOWN BANK Building	
<b>BRICK</b>	2.77%
To match HOMETOWN BANK Building	
<b>PAINTED TILT WALL (WALL+TRIM)</b>	42%
ICI - Manila Tan (551)	
Benjamin Moore - Twilight Gold (1069)	
<b>E.I.F.S. TRIMS</b>	2.85%
Benjamin Moore - Elmira White (HC 84)	
<b>METAL (CAP+CANOPY)</b>	10.89%
Berridge - Zinc Cote	
Berridge - Medium Bronze	
<b>STOREFRONT</b>	26.96%

**PROPOSED RETAIL ELEVATION**  
**SHOPS AT PEARLAND PARKWAY**  
 SWC OF PEARLAND PARKWAY & PROVIDENCE VILLAGE DRIVE  
 PEARLAND, TEXAS





**CENTER PYLON SIGN TYPE 'A'**  
SCALE: NOT TO SCALE

SIGNAGE  
**SHOPS AT PEARLAND PARKWAY**

SIGNAGE 121 06.00.14

**EXHIBIT**

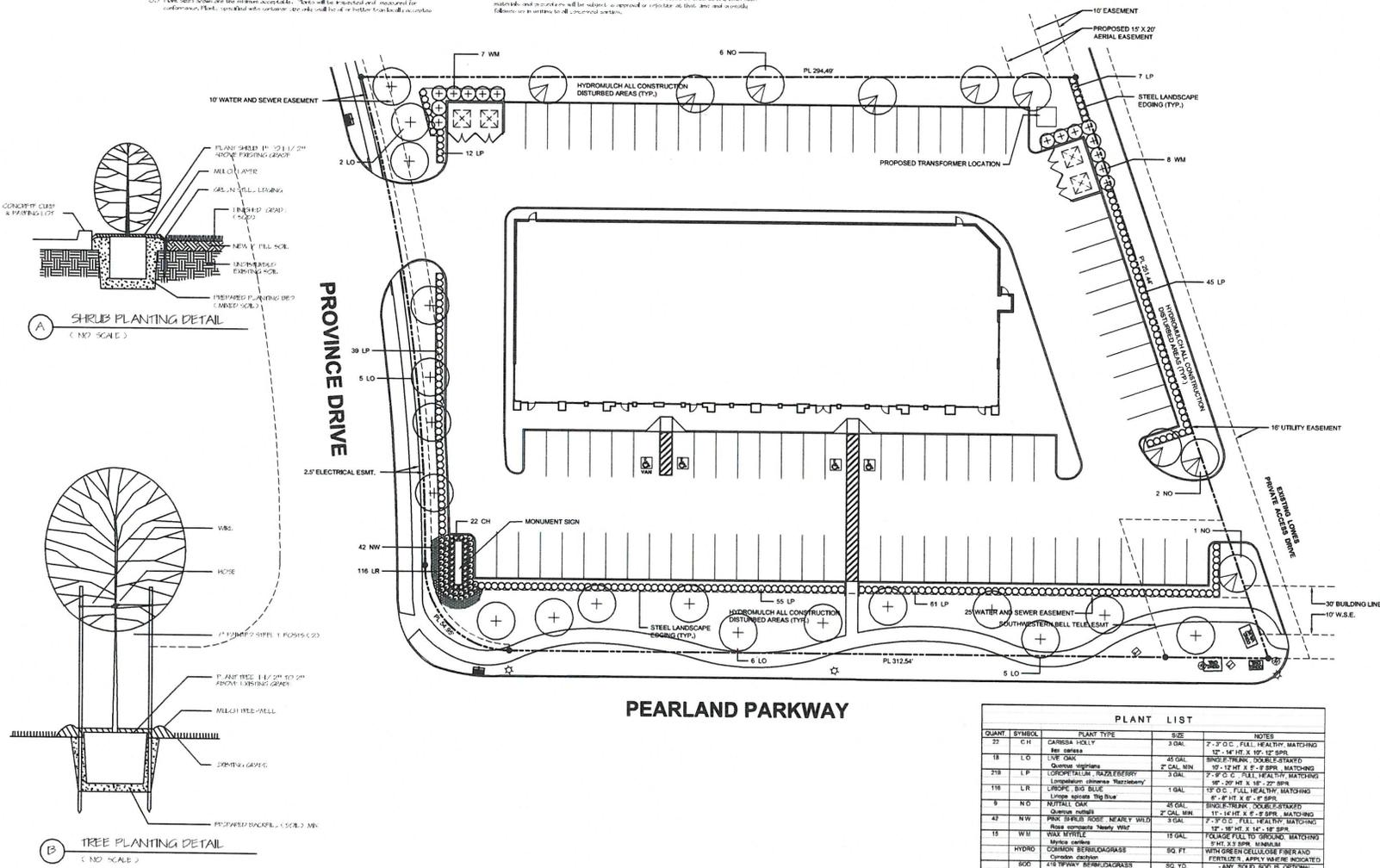
SWC OF PEARLAND PARKWAY & PROVINCE VILLAGE DRIVE  
PEARLAND, TEXAS

**General**  
 See also: 2014 Texas State Building Code  
 2014 Texas State Building Code  
 2014 Texas State Building Code  
 2014 Texas State Building Code

**LANDSCAPE CONSTRUCTION SPECIFICATIONS**

- 1.) General Contractor to verify all items to final construction is available and meet or exceed the following.
- 2.) Prepare all new planting areas by removing all rocks, concrete and curbside debris and 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates. There shall be 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates. There shall be 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.
- 3.) Grade all planting beds to a level and away from buildings prior to planting for proper drainage away from buildings.
- 4.) Provide all new shrubs, perennials and groundcover plants (or seeds) in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.
- 5.) Provide all new trees in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.
- 6.) Provide all new trees in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.
- 7.) Provide all new trees in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.
- 8.) Provide all new trees in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.

- 9.) Provide all new trees in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.
- 10.) Provide all new trees in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.
- 11.) Provide all new trees in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.
- 12.) Provide all new trees in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.
- 13.) Provide all new trees in accordance with the following specifications: 18" min of new subgrade soil over any remaining particles such as cement or bitumen at the recommended rates.



QUANT	SYMBOL	PLANT TYPE	SIZE	NOTES
22	CH	CANDELA HOLLY Ilex carolina	3 GAL	2" F.O.C. FULL HEALTHY MATCHING 12" x 18" x 18" 1/2" SPR.
18	LO	ORANGE LEMON Quercus nigra	2 GAL	SHRUB PLANTING DOUBLE-STAGED 12" x 12" x 12" 1/2" SPR.
210	LP	LOOSESTRIFE Lonicera sphenanthera	3 GAL	2" F.O.C. FULL HEALTHY MATCHING 18" x 24" x 18" 1/2" SPR.
118	LR	PROPE BIG BLUE Lonicera sphenanthera	1 GAL	18" F.O.C. FULL HEALTHY MATCHING 6" x 18" x 18" 1/2" SPR.
9	ND	RAFFALL OAK Quercus nigra	48 GAL	SHRUB PLANTING DOUBLE-STAGED 18" x 18" x 18" 1/2" SPR.
42	NW	PINK SHRUB ROSE Rosa carolina	2 GAL MIN	12" x 12" x 12" 1/2" SPR. MATCHING 2" F.O.C. FULL HEALTHY MATCHING
15	WM	WAX MYRTLE Myrica carolina	15 GAL	18" x 18" x 18" 1/2" SPR. F.O.C. FULL HEALTHY MATCHING
	HYDR	COMMON BERBERIDGRASS Cyperus distachyon	55 FT	18" x 18" x 18" 1/2" SPR. MATCHING WITH GREEN FERTILIZER AND FERTILIZER APPLY WHERE INDICATED
505	SD	1/2" WAX MYRTLE Cyperus distachyon	55 FT	18" x 18" x 18" 1/2" SPR. MATCHING WITH GREEN FERTILIZER AND FERTILIZER APPLY WHERE INDICATED

**CITY OF PEARLAND / LANDSCAPE CALCULATIONS**

Percentage of gross landscape area = 20.8%

Street Trees: Required: 570.31 LL / 15' x 1" cal. = 38' required calipers  
 (38' / 2" per new tree = 19 new street trees required)  
 Provided: 38' calipers

Shrubs to screen parking lot: Required: 100 = 5 x 38 (total caliper inches of street trees)  
 Provided: 219

Site Yard Landscaping: Required: 35% of length of parking lot  
 Provided: 100%

Parking Lot Trees: Required: 91 new spaces / 5 x 1" cal. = 18' required calipers  
 (18' / 2" per new tree = 9 new parking lot trees required)



**SHOPS AT PEARLAND PARKWAY**  
 PEARLAND PARKWAY AT PROVINCE VILLAGE DRIVE  
 PEARLAND, TEXAS



**LANDSCAPE PLAN**  
 SCALE: 1" = 20'  
**L1.0**

## LANDSCAPE CONSTRUCTION SPECIFICATIONS :

- 1.) General Contractor to bring all areas to final grade using a gradable soil and/ or sand mix and boxblade.
- 2.) Prepare all new planting beds by removing all rocks, concrete and construction debris and till in 3" of new acidic Mixed Soil and pre-emergent herbicide such as Pennant or Eptam at the recommended rates, then rake all bed areas smooth prior to planting. Install 1/8" x 4" green steel landscape edging only where specifically indicated on plan where new planting beds meet turf. When end of edging butts up against paving, trim exposed corner at 45 degree angle for pedestrian safety.
- 3.) Grade all planting beds to edges of beds and away from buildings prior to planting for positive drainage away from foundation(s).
- 4.) Fertilize all new trees, shrubs and groundcovers with Osmocote ( or equal ) time-release fertilizer.
- 5.) Mulch all new planting beds and trees with a 2" ( avq. ) layer of shredded hardwood topdress mulch as from Letco or CJM Soil Supermarket.
- 6.) Double-Stake all specified trees ( see plant list ) with 2 ( 7' tall ) painted metal T-Posts, multi-strand coated steel wire and clear poly-vinyl tubing. See detail.
- 7.) Root-Stimulate all new trees with Superthrive brand root-stimulator ( or equal ) as per manufacturers recommendations .
- 8.) Plant sizes shown are the minimum acceptable. Plants will be inspected and measured for conformance. Plants specified with container size only shall be of or better than locally accepted nursery standards. Obviously undersized, misshapen, weak or inadequately rooted plants will be rejected. The Owner's decision will be final in matters concerning plant size, condition and health. Plants larger in size than specified may be used if approved by the Landscape Architect or the Owner, but the use of larger plants will not automatically increase the contract amount.
- 9.) Thoroughly handwater all new plantings immediately after planting and a soften as necessary after planting, during duration of work and until they are established enough to rely only on irrigation.
- 10.) Fine grade all new turf areas ( by hand if necessary ) prior to installation of grass. This is for a nice smooth turf-bed as well as for normal drainage purposes.
- 11.) Solid sod to be 99 percent pure Tiffway 419 Bermudagrass. Sod to be rolled immediately after wetting and installation. Hydromulch to be Common Bermudagrass : 2 lbs. hulled seed per 1000 s.f., green fiber and fertilizer mix / slurry. Hydromulch all construction disturbed areas within property lines that do not get solid sod.
- 12.) Landscape contractor is responsible for keeping jobsite neat, clean and safe at all times in reference to their landscape work. Excess excavated soil, accumulations of landscape related trash, plant containers etc. to be removed from jobsite by Landscape Contractor daily and at the end of the project.
- 13.) The Owner, Landscape Architect and general Contractor reserve the right to inspect the progress of the project and any or all of the materials and procedures used at any time. Such materials and procedures will be subject to approval or rejection at that time and promptly followed up in writing to all concerned parties.



City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281-652-1768  
281-652-1702 fax  
www.cityofpearland.com

# APPLICATION FOR A CHANGE IN ZONING

Current Zoning District: Province Village PUD No. 1 Office Professional

Proposed Zoning District: Province Village PUD No. 2 Amended Office Professional

**Property Information:**

Address or General Location of Property: Southwest Corner of Province Village Drive and Pearland Parkway

Tax Account No. 599437 and 599438

Subdivision: Province Village Drive Office Lot: A Block: 1  
Park and

**A complete application must include all information shown on the Application Checklist attached to this application.**

**PROPERTY OWNER INFORMATION:**

**APPLICANT/AGENT INFORMATION:**

NAME A-5121 Pearland Parkway Broadway  
ADDRESS Street, LA 8827 W. Sam Houston Pkwy N8200  
CITY Houston STATE TX ZIP 77046  
PHONE (713) 458-9503  
FAX (281) 955-3593  
E-MAIL ADDRESS Sbeard@newquest.com

NAME Warre Escrow/LJA Engineering  
ADDRESS 2929 Briar Park Ste 600  
CITY Houston STATE TX ZIP 77042  
PHONE (713) 953-5212  
FAX (713) 953-5026  
E-MAIL ADDRESS Wescrow@ljinengineering.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: 8/13/14

Agent's/Applicant's Signature: [Signature] Date: 8/14/14

**OFFICE USE ONLY:**

FEES PAID: <u>800.00</u>	DATE PAID: <u>8/15/14</u>	RECEIVED BY: <u>UB</u>	RECEIPT NUMBER: <u>319237</u>
--------------------------	---------------------------	------------------------	-------------------------------

Application No. 2014-162

**POSTING OF ZONING NOTIFICATION SIGNS  
ON PROPERTY UNDER CONSIDERATION  
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

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.

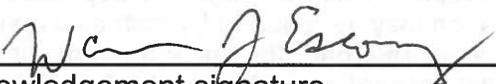
Such sign(s) shall be located as follows:

- (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.**

  
\_\_\_\_\_  
Acknowledgement signature

8-14-14  
\_\_\_\_\_  
Date

**LJA Engineering, Inc.**



2929 Briarpark Drive  
Suite 600  
Houston, Texas 77042-3703

Phone 713.953.5200  
Fax 713.953.5026  
www.ljaengineering.com

July 18, 2014

Ms. Johnna Matthews  
City Planner  
3523 Liberty Drive  
Pearland, Texas 77581

Re: Province Village Amendment No. 2  
Planned Unit Development  
LJA Job No. 1938-1401 (2.0)

This is an acknowledgement that a sign must be posted on the property 10 days before the public hearing.

Please advise me if there are any concerns regarding this matter.

Sincerely,

A handwritten signature in blue ink that reads "Rene R. for Warren Escovy". The signature is written in a cursive style.

Warren Escovy  
Director of Platting

WE/ew

Copy: Omar Escobar, LJA Engineering & Surveying, Inc.



GIS Mapping Interface - Pearland, Texas

Query/Info Selection Draw Lat/Long System

Layers

- All Layers
- Addresses
- Elevation Layers
- Land Marks
- Utilities
- Capital Projects
- Planning Layers
- Boundary Layers
  - County Lines
  - Zip Codes
  - PISD Property
  - School
  - School Districts
  - Subdivisions
  - CCN Sewer
  - CCN Water
  - MUD
- Roads
- Aerials
- Appraisal Districts
- City Boundaries

Queries

Address Locator

Markup

Lat / Long

Overview Map



Tool: Pan X: 3156836.71, Y: 13769898.42, Longitude: -95.2613, Latitude: 29.5593 1: 1,522



**ZONE CHANGE/ VARIANCE/ PLAT/ RECORDATION**

\$800<sup>00</sup>

(circle one)

**BA** or **PF** or **FE**

Description: Input who the check is from  
LJA Engineering, Inc.

**COMMENTS/DESCRIPTION (F10):**

Location or

Address SW Corner of Province Village  
Dr.

Applicant LJA Engineering

Owner A-S 121 Pearland Pkwy  
Broadway St. LP

CITY OF PEARLAND  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: JCOTTER Type: OC Drawer: 1  
Date: 8/15/14 01 Receipt no: 319237

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$800.00
		4559989

Trans number:

LJA ENGINEERING INC  
SW CORNER OF PROVINCE VILLAGE  
DR  
A-S 121 PEARLAND PKWY  
BROADWAY ST LP

Tender detail	\$800.00
BR CREDIT CARD	\$800.00
Total tendered	\$800.00
Total payment	\$800.00

Trans date: 8/14/14 Time: 14:11:06

DUPLICATE TAX RECEIPT



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

Certified Owner:

A-S 121 PEARLAND PKWY-BROADWAY STREET
8827 W SAM HOUSTON PARKWAY N
SUITE 200
HOUSTON, TX 77040

Legal Description:

PROVINCE VILLAGE DRIVE OFFICE PARK &
RESERVES (A0198-A0070) BLK 1 LOT A,
AMEND 09 ACRES 1.199

Parcel Address: PROVINCE VILLAGE DR
Legal Acres: 1.1990

Remit Seq No: 26410888
Receipt Date: 07/03/2014
Deposit Date: 07/03/2014
Print Date: 08/05/2014 02:38 PM
Printed By: CHARISE

Deposit No: 1418405C
Validation No: 900000031724878
Account No: 7156-0001-001
Operator Code: CHARISE

Table with 7 columns: Year, Tax Unit Name, Tax Value, Tax Rate, Levy Paid, P&I, Coll Fee Paid, Total. Row 1: 2013 Tax Certificate Fee, 0, 0.000000, 10.00, 0.00, 0.00, 10.00. Row 2: \$10.00, \$0.00, \$0.00, \$10.00

Check Number(s):
8476

PAYMENT TYPE:
Checks: \$10.00

Exemptions on this property:

Total Applied: \$10.00

Change Paid: \$0.00

ACCOUNT PAID IN FULL

PAYER: 21452569
COURTHOUSE DIRECT .COM,INC.
9800 NORTHWEST FRWY.
STE. 400
HOUSTON, TX 77092

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

DUPLICATE TAX RECEIPT



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

Certified Owner:

OFFICE GROVE PROVINCE LP
15120 NORTHWEST FWY
STE 190
HOUSTON, TX 77040-3205

Legal Description:

PROVINCE VILLAGE DRIVE OFFICE PARK &
RESERVES (A0198-A0070) BLK 1 LOT B.
AMEND 09 ACRES 3.989

Parcel Address: PROVINCE VILLAGE DR
Legal Acres: 3.9890

Remit Seq No: 26410818
Receipt Date: 07/03/2014
Deposit Date: 07/03/2014
Print Date: 08/05/2014 02:36 PM
Printed By: CHARISE

Deposit No: 1418405C
Validation No: 900000031724825
Account No: 7156-0001-002
Operator Code: CHARISE

Table with 7 columns: Year, Tax Unit Name, Tax Value, Tax Rate, Levy Paid, P&I, Coll Fee Paid, Total. Row 1: 2013 Tax Certificate Fee, 0, 0.000000, 10.00, 0.00, 0.00, 10.00. Row 2: \$10.00, \$0.00, \$0.00, \$10.00.

Check Number(s):
8476

PAYMENT TYPE:

Checks: \$10.00

Exemptions on this property:

Total Applied: \$10.00

Change Paid: \$0.00

PAYER: 21452569
COURTHOUSE DIRECT .COM,INC.
9800 NORTHWEST FRWY.
STE. 400
HOUSTON, TX 77092

ACCOUNT PAID IN FULL

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

TAX CERTIFICATE



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

Issued To:

LJA ENGINEERING
2929 BRIARPARK
SUITE 600
HOUSTON, TX 77041

Legal Description

PROVINCE VILLAGE DRIVE OFFICE PARK &
RESERVES (A0198-A0070) BLK 1 LOT B.
AMEND 09 ACRES 3.989

Fiduciary Number: 511548

Parcel Address: PROVINCE VILLAGE DR

Legal Acres: 3.9890

Account Number: 7156-0001-002

Print Date: 08/05/2014

Certificate No: 222251598

Paid Date: 08/05/2014

Certificate Fee: \$10.00

Issue Date: 08/05/2014

Operator ID: CHARISE

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2013. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

OFFICE GROVE PROVINCE LP
15120 NORTHWEST FWY
STE 190
HOUSTON, TX 77040-3205

Table with 2 columns: Description and Amount. Rows include 2013 Value (390,960), 2013 Levy (\$10,824.99), 2013 Levy Balance (\$0.00), Prior Year Levy Balance (\$0.00), Total Levy Due (\$0.00), P&I + Attorney Fee (\$0.00), and Total Amount Due (\$0.00).

Certified Tax Unit(s):

- 1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

Reference (GF) No: N/A

Issued By:

RO'VIN GARRETT, PCC
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

TAX CERTIFICATE



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

Issued To:

LJA ENGINEERING  
2929 BRIARPARK  
SUITE 600  
HOUSTON, TX 77041

Legal Description

PROVINCE VILLAGE DRIVE OFFICE PARK &  
RESERVES (A0198-A0070) BLK 1 LOT A,  
AMEND 09 ACRES 1.199

Fiduciary Number: 511548

Parcel Address: PROVINCE VILLAGE DR

Legal Acres: 1.1990

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Account Number: 7156-0001-001

Print Date: 08/05/2014

Certificate No: 222256297

Paid Date: 08/05/2014

Certificate Fee: \$10.00

Issue Date: 08/05/2014

Operator ID: CHARISE

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2013. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

A-S 121 PEARLAND PKWY-BROADWAY STREET  
8827 W SAM HOUSTON PARKWAY N  
SUITE 200  
HOUSTON , TX 77040

Certified Tax Unit(s):

1 BRAZORIA COUNTY  
9 SPECIAL ROAD & BRIDGE  
28 PEARLAND ISD  
54 BRAZORIA DRAINAGE DIST 4  
96 CITY OF PEARLAND

2013 Value:	124,040
2013 Levy:	\$3,434.44
2013 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Reference (GF) No: N/A

Issued By:

RO'VIN GARRETT, PCC  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
(979) 864-1320, (979) 388-1320, (281) 756-1320

*Charise Johns*

DESCRIPTION OF  
1.707 ACRE  
PROVINCE VILLAGE LOT "A" REPLAT NO. 1

Being 1.707 acres of land located in the Thomas J. Green Survey, Abstract 198, Brazoria County, Texas, more particularly being all of Lot "A" and a portion of Lot "B", Block 1 of Amending Plat No. 1, Province Village Drive, Office Park and Reserves, a subdivision of record under Doc # 2008019410 of the Official Public Records of Brazoria County, Texas (B.C.O.P.R.), said 1.707 acres being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, South Central Zone, NAD83);

BEGINNING at the southerly end of a radial cut-back corner at the northwesterly corner of said Lot "A", same being the northwesterly line of the aforementioned Amending Plat No. 1, Province Village Drive, Office Park and Reserves, same being in the southeasterly right-of-way line of Pearland Parkway (130 feet wide), the beginning of a curve;

Thence, 54.96 feet along the arc of a curve to the right, having a radius of 35.00 feet, a central angle of  $89^{\circ} 57' 52''$ , and a chord which bears North  $86^{\circ} 55' 12''$  East, 49.48 feet to a point for corner, on the southwesterly right-of-way line of Province Village Drive, (width varies) as shown on said Amending Plat No. 1, Province Village Drive, Office Park and Reserves;

Thence, South  $48^{\circ} 05' 53''$  East, continuing along said southwesterly right-of-way line of Province Village Drive, 2.63 feet to a point for corner, the beginning of a curve;

Thence, continuing along said southwesterly right-of-way line of Province Village Drive, along the arc of a tangent curve to the left, having a radius of 725.00 feet, at 164.30 feet pass the common northerly corner of said Lot "A" and Lot "B", and continuing in all, 201.69 feet, a central angle of  $15^{\circ} 56' 22''$ , and a chord which bears South  $56^{\circ} 04' 04''$  East, 201.04 feet to a point for corner;

1.707 acres

June 16, 2014  
Job No. 1938-1401

Thence, South  $41^{\circ} 56' 16''$  West, departing said southwesterly right-of-way line of Province Village Drive, 295.38 feet to a point for corner, in the northeasterly line of Lot 1, Block 1, of Lowe's Home Center Pearland, a subdivision of record in Volume 20, Pages 395-396, of the Plat Records of Brazoria County, Texas (B.C.P.R.), same being the southwesterly line of the aforementioned Lot "B", Block 1, of said Amending Plat No. 1, Province Village Drive, Office Park and Reserves;

Thence, North  $66^{\circ} 46' 16''$  West, with the northeasterly line of said Lot 1, Block 1, of Lowe's Home Center Pearland, and the southwesterly line of said Amending Plat No. 1, Province Village Drive, Office Park and Reserves, at 38.21 feet pass the common southerly corner of said Lot "A" and Lot "B", Block 1, and continuing in all, 249.90 feet to the southwesterly corner of said Lot "A", in the aforementioned southeasterly right-of-way line of Pearland Parkway, same being the northwesterly line of said Amending Plat No. 1, Province Village Drive, Office Park and Reserves;

Thence, North  $41^{\circ} 56' 16''$  East, with said southeasterly right-of-way line of Pearland Parkway, and along the northwesterly line of said Amending Plat No. 1, Province Village Drive, Office Park and Reserves, 312.54 feet to the POINT OF BEGINNING and containing 1.707 acres of land.

LJA Engineering, Inc.



August 13, 2014

City of Pearland  
Planning Department  
3523 Liberty Drive  
Pearland, Texas 77581

Re: Agent Authorization  
Province Village Drive Office Park and Reserve

To Whom It May Concern:

The owner of the above referenced property is A-S 121 Pearland Parkway – Broadway Street, L.P. Owner authorizes Warren Escovy of LJA Engineering to act as our agent concerning any required planning submittals with the City of Pearland. Please feel free to contact me with any questions or requests for information. Thank you.

Sincerely,  
A-S 121 Pearland Parkway – Broadway Street, L.P.  
By A-S 121, LLC, its general partner,

A handwritten signature in blue ink, appearing to read 'Steven D. Alvis', written over a horizontal line.

By: Steven D. Alvis, Manager

Recorded by: Texas State Title  
GF# ~~140397005~~ Sobleski

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**SPECIAL WARRANTY DEED**

**Date:** March <sup>24<sup>th</sup></sup> 2014

**Grantor:** OFFICE GROVE PROVINCE, L.P., a Texas limited partnership

**Grantee:** A-2 121 PEARLAND PKWY-BROADWAY STREET, L.P., a Texas limited partnership

**Grantee's Mailing Address:** 8827 W. Sam Houston Parkway N., #200, Houston, TX 77040

**Consideration:** \$10.00 and other valuable consideration.

**Property (including any improvements):**

All that certain tract or parcel containing 0.5077 acres (22,120 square feet) of land, more or less, out of and a part of that certain 3.989 acres out of Lot "A", Block One (1), Amending Plat No. 1 of PROVINCE VILLAGE DRIVE OFFICE PARK AND RESERVES, a subdivision according to the map or plat thereof filed for record under Clerk's File No. 2007070406, amended under Clerk's File No. 2008019410 of the Official Public Records of Brazoria County, Texas, and being more particularly described by metes and bounds in the attached Exhibit "A".

**Reservations from Conveyance:** NONE.

**Exceptions to Conveyance and Warranty:**

Taxes for the current year, which have been prorated between Grantor and Grantee; subsequent assessments for the current and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes; all rights, obligations, and other matters arising from and existing by reason of the Property being located within the Brazoria County Drainage District No. 4 and Brazoria County Municipal Utility District No. 28; and each of the matters that are enumerated in Exhibit "B" which is attached hereto and made a part hereof for all purposes (collectively, the "Permitted Encumbrances"), to the extent enforceable and applicable to the Property.

Grantor, for the Consideration and subject to the Reservations from and Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from and Exceptions to Conveyance and Warranty, when the claim is by, through, or under Grantor, but not otherwise.

When the context requires, singular nouns and pronouns include the plural. Reference to any gender shall include either gender and, in the case of a legal entity that is not a natural person, shall include the neuter gender, all as the case may be.

**GRANTOR:**

OFFICE GROVE PROVINCE, L.P.

By: Office Grove Province GP, L.L.C., a Texas limited liability company, its General Partner

*[Handwritten signature of Jon Spears]*  
By: \_\_\_\_\_  
Jon Spears, President

STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS   §

This instrument was acknowledged before me on March 24<sup>th</sup> 2014, by Jon Spears, President, for and on behalf of Office Grove Province GP, L.L.C., a Texas limited liability company, in its capacity as General Partner of OFFICE GROVE PROVINCE, L.P., a Texas limited partnership.



*Caroline Aragon*  
\_\_\_\_\_  
Notary Public, State of Texas

**AFTER RECORDING, RETURN TO:**

TEXAS STATE TITLE, LLC  
8807 W. Sam Houston Parkway North  
Suite 150  
Houston, TX 77040  
Attn: Kenneth B. Leslic  
G. F. No. 1403922005

**Exhibit "A"**

**Property**

ALL THAT CERTAIN TRACT OR PARCEL CONTAINING 0.5077 ACRES (22,120 SQUARE FEET) OF LAND, MORE OR LESS, OUT OF AND A PART OF THAT CERTAIN 3.989 ACRES OUT OF LOT "B", BLOCK ONE (1), AMENDING PLAT NO. 1 OF PROVINCE VILLAGE DRIVE OFFICE PARK AND RESERVES, A SUBDIVISION ACCORDING TO THE MAP OR PLAT THEREOF FILED FOR RECORD UNDER CLERK'S FILE NO. 2007070406, AMENDED UNDER CLERK'S FILE NO. 2008019410 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 5/8-INCH IRON ROD IN THE SOUTHEASTERLY RIGHT-OF-WAY (ROW) LINE OF PEARLAND PARKWAY (130 FEET WIDE). SAID POINT BEING THE NORTHERLY CORNER OF LOT 1, BLOCK 1,

LOWE'S HOME CENTER PEARLAND AS RECORDED IN VOLUME 20, PAGES 395-396 BRAZORIA COUNTY PUBLIC RECORDS AND THE SOUTHWESTERLY CORNER OF LOT "A" OF SAID AMENDING PLAT NO. 1;

THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID LOT "A" AND LOT 1, SOUTH 66 DEGREES 46 MINUTES 16 SECONDS EAST, 171.72 FEET TO A FOUND 5/8 INCH IRON ROD THE SOUTHEASTERLY CORNER OF SAID LOT "A" AND THE SOUTHWEST CORNER OF SAID LOT "B", SAME BEING THE POINT OF BEGINNING AND SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING SAID COMMON BOUNDARY LINE OF LOT "A" AND LOT 1 AND ALONG THE COMMON BOUNDARY LINE OF LOTS "A" AND "B", NORTH 41 DEGREES 56 MINUTES 16 SECONDS WEST, 303.40 FEET TO A FOUND 5/8-INCH IRON ROD IN THE SOUTHWESTERLY ROW LINE OF PROVINCE DRIVE (60- FEET WIDE). SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AND BEING THE BEGINNING OF A CURVE TO THE LEFT;

THENCE, ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 725.37 FEET, A CHORD BEARING OF SOUTH 60 DEGREES 58 MINUTES 21 SECONDS EAST, A CENTRAL ANGLE OF 05 DEGREES 53 MINUTES 09 SECONDS, A DISTANCE OF 74.52 FEET TO A SET 5/8 INCH IRON ROD BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING SAID SOUTHWESTERLY ROW LINE AND CROSSING SAID LOT "B", SOUTH 41 DEGREES 22 MINUTES 23 SECONDS WEST, 294.49 FEET TO A SET 5/8 INCH IRON ROD IN THE NORTHEASTERLY LINE OF SAID LOT 1, LOWE'S HOME CENTER PEARLAND. SAID POINT BEING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 66 DEGREES 46 MINUTES 16 SECONDS WEST, 79.71 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.5077 ACRE (22.120 SQUARE FEET) OF LAND, MORE OR LESS.

**Exhibit "B"**

**Permitted Encumbrances**

1. The following restrictive covenants filed under Brazoria County Clerk's File No's. 2007070406, amended under Brazoria Clerk's File No. 2008019410 of the Official Public Records of Brazoria County, Texas.
2. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not.
3. An electrical easement 2.5 feet in width along the northerly property line (abutting Province Village Drive), as reflected on the map or plat thereof, recorded under Brazoria County Clerk's File No's. 20070704 06, and amended under Brazoria County Clerk's File No. 2008019410 and as reflected and disclosed on survey dated February 25, 2014 prepared by Fred W. Lawton, R.P.L.S. No. 2321.
4. A water a sewer easement 10 feet wide, along the northerly property line (abutting Province Village Drive), as reflected on the map or plat thereof, recorded under Brazoria County Clerk's File No's. 2007070406, and amended under Brazoria County Clerk's File No. 2008019410 and as reflected and disclosed on survey dated February 25, 2014 prepared by Fred W. Lawton, R.P.L.S. No. 2321.
5. A mutual access easement, across and over Lots "A" and "B", as set forth and dedicated on Plat Note Number 15, on the map or plat thereof, recorded under Brazoria County Clerk's File No's. 20070704 06, and amended under Brazoria County Clerk's File No. 2008019 410 and as reflected and disclosed on survey dated February 25, 2014 prepared by Fred W. Lawton, R.P.L.S. No. 2321.
6. A 6/7 Royalty Interest in all oil, gas and other minerals, as set forth by instrument recorded in Volume 74 9, Page 140 of the Deed Records of Brazoria County, Texas.
7. A 43/45 Royalty Interest in all oil, gas and other minerals, as set forth by instrument recorded in Volume 504 , Page 94 of the Deed Records of Brazoria County, Texas.
8. 1/45th royalty interest in and to all oil, gas and other minerals, on, in, or under, that may be produced from the subject property is excepted herefrom as allocated by Cause No. D-350,859 of the 80th District Court of Harris County, Texas.
9. All of the Oil, Gas, and other Minerals reserves in deed recorded under Brazoria County Clerk's File No. 2004050 556, waiver of surface rights contained therein.
10. Terms, conditions and provisions contained in Waiver of Special Appraisal for the Benefit of Brazoria County Municipal Utility District No. 28, filed for record under Clerk's File No. 200605 4555 of the Real Property Records of Brazoria County, Texas.

11. Subject to the ZONING ORDINANCES now in force in the City of Pearland, Texas.
12. Subject property lies within the boundaries of the Brazoria County Drainage District No. 4.
13. Subject property lies within the boundaries of the Brazoria County Municipal Utility District No. 28.

## FILED and RECORDED

Instrument Number: 2014012015

Filing and Recording Date: 03/31/2014 10:48:18 AM Pages: 7 Recording Fee: \$51.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in cursive script, appearing to read "Joyce Hudman".

---

Joyce Hudman, County Clerk  
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

***DO NOT DESTROY - Warning, this document is part of the Official Public Record.***

cclerk-jkeels

**SPECIAL WARRANTY DEED**

1829801

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BRAZORIA

§

§

THAT INTERNATIONAL BANK OF COMMERCE (hereinafter called "Grantor," whether one or more), a Texas state banking corporation, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the undersigned in hand paid by A-S 121 PEARLAND PKWY-BROADWAY STREET, L.P., A TEXAS LIMITED PARTNERSHIP, whose address is 8827 W. Sam Houston Parkway N., Suite 200, Houston, Texas 77040, Houston, Texas 77036 (hereinafter called "Grantee"), the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY, unto the Grantee, all those certain parcels of land, together with all improvements lying and being situated thereon, located in the County of Brazoria, State of Texas, more particularly described in Exhibit "A" attached hereto (hereinafter called the "Property").

This conveyance is made by Grantor and accepted by Grantee subject to any and all conditions and restrictions, if any, relating to the Property, to the extent, and only to the extent, that the same may still be in force and effect, shown of record in the office of the County Clerk of Brazoria County, Texas.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, unto the Grantee, his successors and assigns, forever. Grantor does hereby bind himself, his successors and assigns, to Warrant and Forever Defend all and singular the Property, unto the Grantee, his successors and assigns, against every person whomsoever, lawfully claiming or to claim the same, or any part thereof by, through or under Grantor, but not otherwise.

EXCEPT AS OTHERWISE EXPRESSLY PROVIDED HEREIN, GRANTOR HEREBY DISCLAIMS ALL WARRANTIES OF ANY KIND OR NATURE WHATSOEVER (INCLUDING WARRANTIES OF HABITABILITY, MERCHANTABILITY AND FITNESS FOR PARTICULAR PURPOSE), WHETHER EXPRESSED OR IMPLIED, INCLUDING BUT NOT LIMITED TO, WARRANTIES WITH RESPECT TO THE PROPERTY, THE ZONING OF THE LAND, THE SOIL CONDITIONS OF THE LAND, OR THE SUITABILITY OF THE PROPERTY FOR GRANTEE'S INTENDED USE THEREOF. GRANTEE ACKNOWLEDGES THAT GRANTEE HAS CONDUCTED A DILIGENT INVESTIGATION OF THE PROPERTY WITH REGARD TO ITS CONDITION, PERMITTED USE, AND SUITABILITY FOR GRANTEE'S INTENDED USE THEREOF, AS WELL AS ALL OTHER FACTORS DEEMED MATERIAL TO GRANTEE AND HAS EMPLOYED SUCH INDEPENDENT PROFESSIONALS IN CONNECTION THEREWITH AS DEEMED NECESSARY BY GRANTEE. GRANTEE FURTHER ACKNOWLEDGES THAT GRANTEE IS PURCHASING THE PROPERTY "AS IS" AND IN ITS PRESENT CONDITION AND THAT GRANTEE IS NOT RELYING UPON ANY REPRESENTATION OF ANY KIND OR NATURE MADE BY GRANTOR, OR ANY OF ITS EMPLOYEES, OR AGENTS WITH

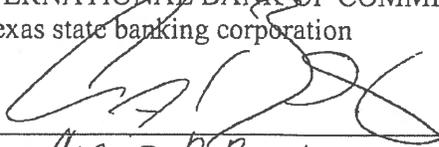
RESPECT TO THE PROPERTY, AND THAT, IN FACT, NO SUCH REPRESENTATIONS WERE MADE. GRANTOR ACKNOWLEDGES THAT GRANTEE ACQUIRED THE PROPERTY THROUGH FORECLOSURE PROCEEDINGS AND THEREFORE HAS LIMITED KNOWLEDGE OF THE PROPERTY.

FURTHER, AND WITHOUT IN ANY WAY LIMITING THE TERMS OF THE PRECEDING PARAGRAPH, GRANTOR MAKES NO WARRANTY WITH RESPECT TO THE PRESENCE ON OR BENEATH THE PROPERTY (OR ANY PARCEL IN PROXIMITY THERETO) OF HAZARDOUS SUBSTANCES OR MATERIALS WHICH ARE CATEGORIZED AS HAZARDOUS OR TOXIC UNDER ANY LOCAL, STATE OR FEDERAL LAW, STATUTE, ORDINANCE, RULE OR REGULATION PERTAINING TO ENVIRONMENTAL OR SUBSTANCE REGULATION, CONTAMINATION, CLEANUP OR DISCLOSURE, AND SHALL HAVE NO LIABILITY TO GRANTEE THEREFOR. BY ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES THAT GRANTEE'S OPPORTUNITY FOR INSPECTION AND INVESTIGATION OF SUCH PROPERTY (AND OTHER PARCELS IN PROXIMITY THERETO) HAS BEEN ADEQUATE TO ENABLE GRANTEE TO MAKE GRANTEE'S OWN DETERMINATION WITH RESPECT TO THE PRESENCE ON OR BENEATH THE PROPERTY (AND OTHER PARCELS IN PROXIMITY THERETO) OF SUCH HAZARDOUS SUBSTANCES OR MATERIALS, AND GRANTEE ACCEPTS THE RISK OF THE PRESENCE OF ANY SUCH SUBSTANCES OR MATERIALS.

Current taxes on the Property have been prorated and payment thereof is assumed by Grantee.

EXECUTED on this the 18 day of March, 2014.

INTERNATIONAL BANK OF COMMERCE,  
a Texas state banking corporation

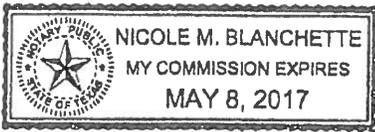
By:   
Name: Craig A Bunk  
Title: SVP

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

This instrument was acknowledged before me on this 18<sup>th</sup> day of March, 2014, by Craig A Bunk, SVP of International Bank of Commerce, a Texas state banking corporation, for and on behalf of said bank.

Nicole M Blanchette  
Notary Public, State of Texas

[SEAL]



**EXHIBIT "A"**

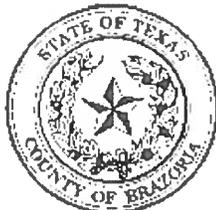
LOT "A", BLOCK ONE (1), OF AMENDING PLAT NO. 1 PROVINCE VILLAGE DRIVE, OFFICE PARK AND RESERVES, A SUBDIVISION OF BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NUMBER 2008019410 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.

## FILED and RECORDED

Instrument Number: 2014010773

Filing and Recording Date: 03/21/2014 02:14:48 PM Pages: 5 Recording Fee \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in cursive script, appearing to read "Joyce Hudman".

---

Joyce Hudman, County Clerk  
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

***DO NOT DESTROY - Warning, this document is part of the Official Public Record.***

cclerk-megan



Sharon Ivey-Seibert  
Title Examiner

Stewart Title Company  
4700 W. Sam Houston Parkway North,  
Suite 100  
Houston, TX 77041  
(979) 549-4892 Phone  
Fax  
sharon.ivey-seibert@stewart.com

June 24, 2014

City of Pearland

File No.: 1403938284

To Whom It May Concern:

This company certifies that a diligent search of the Real Property Records of Stewart Title Company's abstract plant has been made, as to the herein described property, and as of 8:00 A.M. on the 15th day of June, 2014, the last Deed that we find, of record, reflects the record owner to be:

A-S 121 Pearland Pkwy-Broadway Street, L. P., a Texas Limited Partnership

Legal Description:

Being 1.707 acres of land located in the Thomas J. Green Survey, Abstract 198, Brazoria County, Texas, more particularly being all of Lot "A" and a portion of Lot "B", Block 1 of Amending Plat No. 1, Province Village Drive, Office Park and Reserves, a subdivision of record under Doc # 2008019410 of the Official Public Records of Brazoria County, Texas (B.C.O.P.R.), said 1.707 acres being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, South Central Zone, NAD83);

BEGINNING at the southerly end of a radial cut-back corner at the northwesterly corner of said Lot "A", same being the northwesterly line of the aforementioned Amending Plat No. 1, Province Village Drive, Office Park and Reserves, same being in the southeasterly right-of-way line of Pearland Parkway (130 feet wide), the beginning of a curve;

Thence, 54.96 feet along the arc of a curve to the right, having a radius of 35.00 feet, a central angle of 89° 57' 52", and a chord which bears North 86° 55' 12" East, 49.48 feet to a point for corner, on the southwesterly right-of-way line of Province Village Drive, (width varies) as shown on said Amending Plat No. 1, Province Village Drive, Office Park and Reserves;

Thence, South 48° 05' 53" East, continuing along said southwesterly right-of-way line of Province Village Drive, 2.63 feet to a point for corner, the beginning of a curve;

Thence, continuing along said southwesterly right-of-way line of Province Village Drive, along the arc of a tangent curve to the left, having a radius of 725.00 feet, at 164.30 feet pass the common northerly corner of said Lot "A" and Lot "B", and continuing in all, 201.69 feet, a central angle of 15° 56' 22", and a chord which bears South 56° 04' 04" East, 201.04 feet to a point for corner;

Thence, South 41° 56' 16" West, departing said southwesterly right-of-way line of Province Village Drive, 295.38 feet to a point for corner, in the northeasterly line of Lot 1, Block 1, of Lowe's Home Center Pearland, a subdivision of record in Volume 20, Pages 395-396, of the Plat Records of Brazoria County, Texas (B.C.P.R.), same being the southwesterly line of the aforementioned Lot "B", Block 1, of said Amending Plat No. 1, Province Village Drive, Office Park and Reserves;

Thence, North 66° 46' 16" West, with the northeasterly line of said Lot 1, Block 1, of Lowe's Home Center Pearland, and the southwesterly line of said Amending Plat No. 1, Province Village Drive, Office Park and Reserves, at 38.21 feet pass the common southerly corner of said Lot "A" and Lot "B", Block 1, and continuing in all, 249.90 feet to the southwesterly corner of said Lot "A", in the aforementioned southeasterly right-of-way line of Pearland Parkway, same being the northwesterly line of said Amending Plat No. 1, Province Village Drive, Office Park and Reserves;

Thence, North 41° 56' 16" East, with said southeasterly right-of-way line of Pearland Parkway, and along the northwesterly line of said Amending Plat No. 1, Province Village Drive, Office Park and Reserves, 312.54 feet to the POINT OF BEGINNING and containing 1.707 acres of land, more or less.

Subject to the following:

1. Restrictions:

Those recorded under Clerk's File No. [2007070406](#) and No. [2008019410](#) of the Official Records of Brazoria County, Texas; but omitting any covenants, condition, or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code or (b) relates to handicap, but does not discriminate against handicapped persons.

2. Easements/Other Exceptions:

An easement for purposes of construct, operate, place, maintain, lay, inspect, protect, repair, alter, substitute, relocate, replace and remove such above ground and underground electrical, telephone, telegraph, signal and other communications facilities, cables, lines, circuits and conduits, repeater huts, subscriber loop carrier repeater huts, buildings/structures housing telecommunication facilities, digital subscriber loop cabinets/structures housing said telecommunications facilities, and fiber optics repeater huts located on subject property granted to Southwestern Bell Telephone Company by instrument recorded under Clerk's File No. [00-042119](#) and as reflected by the recorded plat under Clerk's File No. [2008019410](#) of the Official Records of Brazoria County, Texas.

Terms, conditions and provisions contained in Waiver of Special Appraisal for the Benefit of Brazoria County Municipal Utility District No. 28, filed for record under Clerk's File No. [2006054555](#) of the Real Property Records of Brazoria County, Texas.

Water and sewer easement ten (10) feet wide south of and adjacent to Province Village Drive, as reflected by the plat recorded under Clerk's File No. [2007070406](#) and No. [2008019410](#) of the Official Records of Brazoria County, Texas.

Electrical easement two and one-half (2.5) feet wide south of and adjacent to Province Village Drive, as reflected by the plat recorded under Clerk's File No. [2007070406](#) and No. [2008019410](#) of the Official Records of Brazoria County, Texas.

Water and sewer easement twenty-five (25) feet wide east of and adjacent to Pearland Parkway, as reflected by the plat recorded under Clerk's File No. [2007070406](#) and No. [2008019410](#) of the Official Records of Brazoria County, Texas.

Mutual access between Lots A & B is hereby granted by plat recorded under Clerk's File No. [2007070406](#) and No. [2008019410](#) of the Official Records of Brazoria County, Texas.

All terms, conditions, and provisions of that certain Reciprocal Access Easement, recorded under Clerk's File No. [2014012016](#) of the Official Records of Brazoria County, Texas.

A 6/7ths royalty interest in and to all oil, gas and other minerals on, in, under or that may be produced from the subject property is excepted herefrom as the same is set forth in instrument recorded in [Volume 749, Page 140](#) of the Deed Records of Brazoria County, Texas. (Title to said interest not checked subsequent to date of aforesaid instrument).

A 43/45 royalty interest in and to all oil, gas and other minerals on, in, under or that may be produced from the subject property is excepted herefrom as the same is set forth in instrument recorded in [Volume 504, Page 94](#)

of the Deed Records of Brazoria County, Texas. (Title to said interest not checked subsequent to date of aforesaid instrument).

1/45 mineral interest allocated to William Lester Settegast by decree in Cause D-350,059 in the 80th District Court of Harris County, Texas and as reflected in instrument recorded under Clerk's File No. [2008005310](#) of the Official Records, Brazoria County, Texas.

All the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same all of which are expressly excepted herefrom and not insured hereunder, as same are set forth in instrument recorded under Clerk's File No. [2004050556](#) of the Official Records of Brazoria County, Texas. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed. surface rights waived.

### 3. Liens/Misc:

NOTE: We find no outstanding liens of record affecting the subject property. Inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest claim in the subject property.

The Company requires a satisfactory dismissal with prejudice of that suit styled Texproj2008 vs. John Kelly and Province Village LP under Cause No. 49685 and release of that Lis Pendens recorded under Clerk's File No. [2008053779](#) of Official Records of Brazoria County, Texas.

Subject property is located in the Brazoria County Municipal Utility District 28. This district may issue an unlimited amount of bonds, levy an unlimited rate of tax in payment of such bonds, and impose a standby fee on property in the district that has water or sewer facilities available but not connected. The most recent rate of taxes levied by the district on real property is \$0.82 on each \$100.00 of assessed valuation. If the district has not yet levied taxes, the most recent projected rate of debt service tax, as of this date, is \$\* on each \$100.00 of assessed valuation. The total amount of voter approved bonds is \$89,155,000.00 and the aggregate principal amount of all bonds issued for specific facilities is \$24,665,000.00. The amount of the standby fee is \$\*. Prior to the issuance of any policy, Seller is to furnish a properly executed and acknowledged Notice in compliance with the provisions set forth in Section 49.452 of the Texas Water Code, which Notice must be signed and acknowledged by the Purchaser and subsequently filed in the property records.

No examination has been made as to Abstracts of Judgments, State or Federal Tax Liens, the status of taxes, tax suits or paving assessments.

This letter is issued for platting purposes only. Liability of Stewart Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

The letter is issued with the express understanding, evidenced by the acceptance thereof, that Stewart Title Company does not undertake to give or express any opinion as to the validity or effect of the instruments listed, and this letter is neither a guaranty or warranty of title.

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

Sincerely,  
Stewart Title Company



Kristi Sartin, Title Examiner