



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, NOVEMBER 17, 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. 2014-19Z**

A request of Chad Thumann, applicant; on behalf of Wayne Thumann, owner; for approval of a change in zoning from the General Commercial (GC) and General Business (GB) zoning districts to the General Business (GB) and Single Family - 1 (R-1) zoning districts; on approximately 2.734 acres of land, to wit:

**Legal Description:** Being 1.385 acres of land out of called 14.0513 acres of land, said 14.135 being all of Lots 9 and 12 and Part of Lot 7 of partition of the East  $\frac{1}{2}$  of Northwest  $\frac{1}{4}$  of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas and being the South 183.60 feet of Lot 8, and a portion of Lot 7 out of a called 14.0513 acre tract being all of Lots 9 and 12 and Part of Lot 7 of partition of the East  $\frac{1}{2}$  of Northwest  $\frac{1}{4}$  of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas. According to the Plat recorded in Vol. 441, Page 265 of the Deed Records of Brazoria County, Texas

**General Location:** 6906 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: November 17, 2014

Re: Zone Change Application Number 2014-19Z

A request of Chad Thumann, applicant; on behalf of Wayne Thumann, owner; for approval of a change in zoning from the General Commercial (GC) and General Business (GB) zoning districts to the General Business (GB) and Single Family - 1 (R-1) zoning districts; on approximately 2.734 acres of land, located at 6906 Broadway Street, Pearland, TX

### **Proposal**

The subject property includes approximately 2.743 acres of land, of which the applicant is requesting a change in zoning of 1.385 acres from the General Commercial (GC) to General Business (GB) zoning district and 1.349 acres from General Business (GB) and General Commercial (GC) to Single Family Residential – 1 (R-1) zoning district. According to the applicant's letter of intent, the purpose of the requested change is to allow for a mixed use subdivision with property fronting Broadway Street having a zoning designation of GB for and a single family residential subdivision to the south zoned R-1.

### **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 request to change the zoning of the approximately 2.743 acre site from GB and GC to GB and R-1 for the following reasons:

1. The change in zoning will result in conformance with the Comprehensive Plan, as the requested zoning of GB and R-1 complies with the Business Commercial Land Use Designation along Broadway and the Low Density Residential Land Use Designation adjacent to the south.
2. The subject parcel has frontage on Broadway, a major thoroughfare and is surrounded by residential on its southern portion. A zone change to GB along Broadway and R-1 to the south would be in compliance with the surrounding land uses and zoning designations.
3. The existing residential adjacency standards and the COD regulations will ensure that any proposed non-residential use has no major impact on any existing or future single family homes.
4. All requirements of the UDC and the Engineering Design Criteria Manual will be met upon development of the site.

### **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

#### Proposal

The subject property includes approximately 2.743 acres of land, of which the applicant is requesting a change in zoning of 1.385 acres from the General Commercial (GC) to General Business (GB) zoning district and 1.349 acres from General Business (GB) and General Commercial (GC) to Single Family Residential – 1 (R-1) zoning district. According to the applicant's letter of intent, the purpose of the requested change is to allow for a mixed use subdivision with property fronting Broadway Street having a zoning designation of GB for and a single family residential subdivision to the south zoned R-1.

#### Site History

The subject property includes a total of 16.55 acres of mostly undeveloped land. Approximately 2.5 acres of land fronting on Broadway recently was utilized as a landscaping business. All existing structures on site will be removed prior to further development.

The site is surrounded by commercial zoning (GB and GC) to the north, northwest and east, with R-1 abutting the property to the south and southeast. Across Broadway, to the north, are developed commercial parcels with existing auto repair, commercial retail, and medical offices.

The below table identifies surrounding uses and zoning districts:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	General Business (GB), General Commercial (GC)	General Retail, Auto Repair, Medical Office
<b>South</b>	Single Family Residential -1 (R-1)	Undeveloped Residential
<b>East</b>	General Business (GB)	Undeveloped Commercial
<b>West</b>	General Business (GB), Single Family	Air Strip, Dry Cleaners,

	Residential – 1 (R-1)	Single Family Subdivision
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### **Conformance with the Unified Development Code**

The property is currently undeveloped with a small portion along Broadway previously being used for a landscaping business. The proposed site dimensions of 320 feet by 573 feet exceed the requirements of the GB and R-1 zones. All other requirements of the UDC will need to be met upon development of the site including the requirements of the Corridor Overlay District.

A comparison of the existing GB and GC zones and the proposed R-1 and GB zoning districts follow as it relates to the site in terms of the general regulations:

		<b>R-1 Zoning District Requirements</b>	<b>GB/GC Zoning Requirements</b>	<b>Site</b>
Minimum Area	Lot	8,800 square feet	22,500 square feet	119,354 square feet (2.743 acres)
Minimum Width	Lot	80 feet	150 feet	320 feet
Minimum Depth	Lot	90 feet	125 feet	573 feet
Minimum Front Yard	Front	25 feet	25 feet	25 feet (30 feet if parking is up front)
Minimum Side Yard	Side	7.5 feet	10 feet	10 feet/25 feet (where adjacent to residential)
Minimum Rear Yard	Rear	20 feet	25 feet	20 feet in R-1, 25 feet in GB
Residential Adjacency		N/A	30 foot with hedge or 25 foot with masonry wall	30 foot with hedge or 25 foot with masonry wall (where applicable)

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

The proposed change in zoning from GB and GC to R-1 and GB on the subject property is in conformance with the future land use designation of the Comprehensive Plan which is "Business Commercial." Property adjacent to the south has a land use

designation of “Low Density Residential,” which is in compliance with the proposed R-1 zone change adjacent to the north.

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

The property has frontage on Broadway Street; a major thoroughfare of sufficient width which requires 120 feet of right-of-way. A road, constructed to city standards, will be built by the developer in order to access the residential subdivision to the south. The proposed road will require a minimum right-of-way of 50 feet. Other improvements may be required, based on the Engineering Design Criteria Manual.

### **Platting Status**

The property has not been platted. A Preliminary and Final plat will be required prior to the issuance of any building permits for the site.

### **Availability of Utilities**

The subject property has access to public infrastructure. According to GIS records, there is an existing 16 inch water line on the south side of Broadway. Additionally, there is an existing 8 inch sewer line along the south side of Broadway. At the time of development, the developer will be required to tap into the provided services and payment of impact fees will be required.

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

The GB zone is considered to be appropriate for this section of Broadway due to the existing surrounding uses. The subject property to the south, to be zoned R-1 will be in conformance with the existing R-1 property that is adjacent to it on the south, east and west. The applicant is proposing to construct a road with direct access to Broadway for the residential portion of the property. The lots fronting Broadway will be developed as commercial outparcels, with a 29 lot single family subdivision to the south. The proposed plan is in conformance with the surrounding land uses and is not anticipated to have a negative impact on the general are.

### **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.

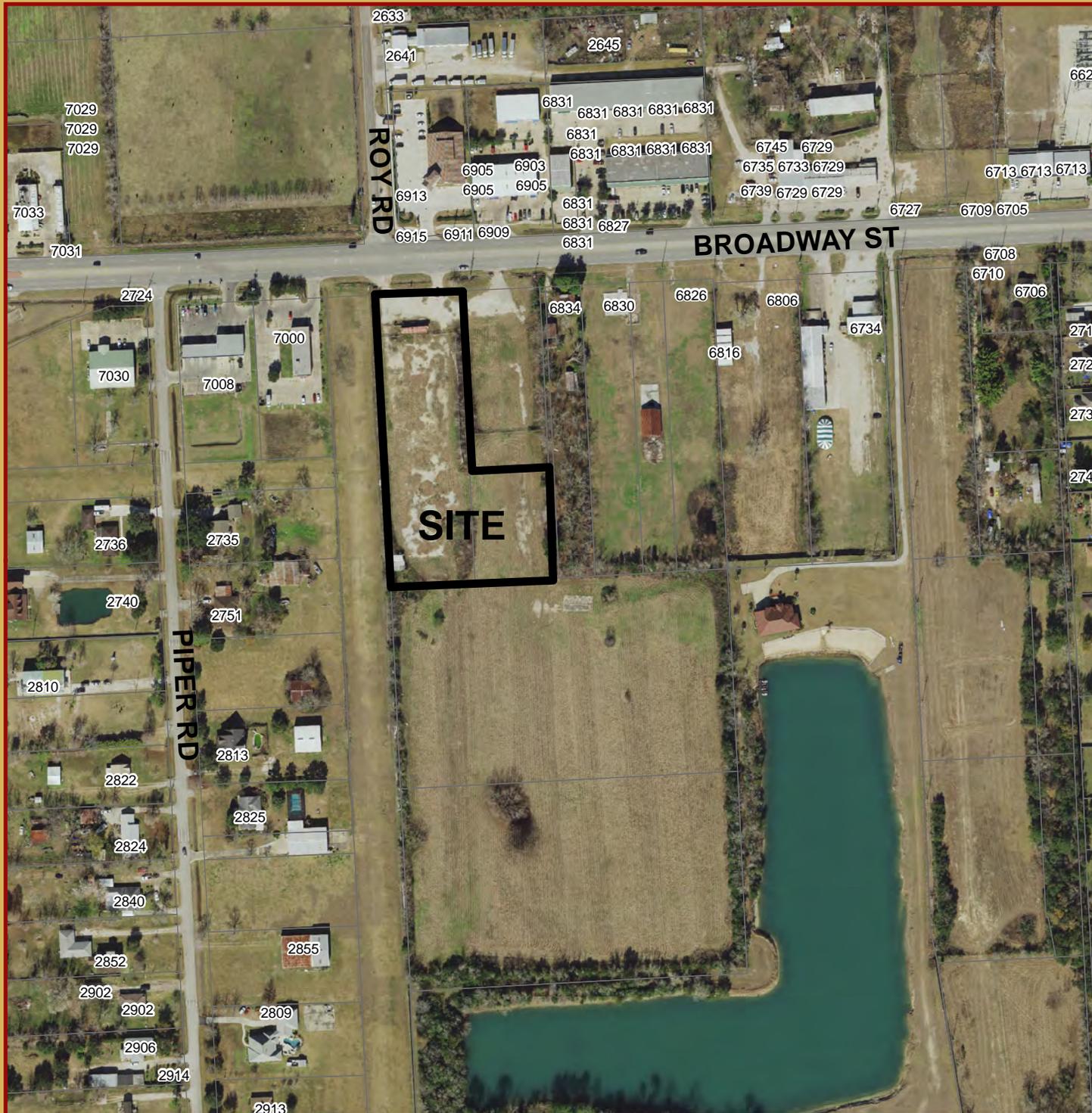
### **Opposition to or Support of Proposed Request**

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 request to change the zoning of the approximately 2.743 acre site from GB and GC to GB and R-1 for the following reasons:

1. The change in zoning will result in conformance with the Comprehensive Plan, as the requested zoning of GB and R-1 complies with the Business Commercial Land Use Designation along Broadway and the Low Density Residential Land Use Designation adjacent to the south.
2. The subject parcel has frontage on Broadway, a major thoroughfare and is surrounded by residential on its southern portion. A zone change to GB along Broadway and R-1 to the south would be in compliance with the surrounding land uses and zoning designations.
3. The existing residential adjacency standards and the COD regulations will ensure that any proposed non-residential use has no major impact on any existing or future single family homes.
4. All requirements of the UDC will be met upon development of the site.



# Exhibit 2

## AERIAL MAP

### Zone Change 2014-19Z

### 6906 Broadway St.



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

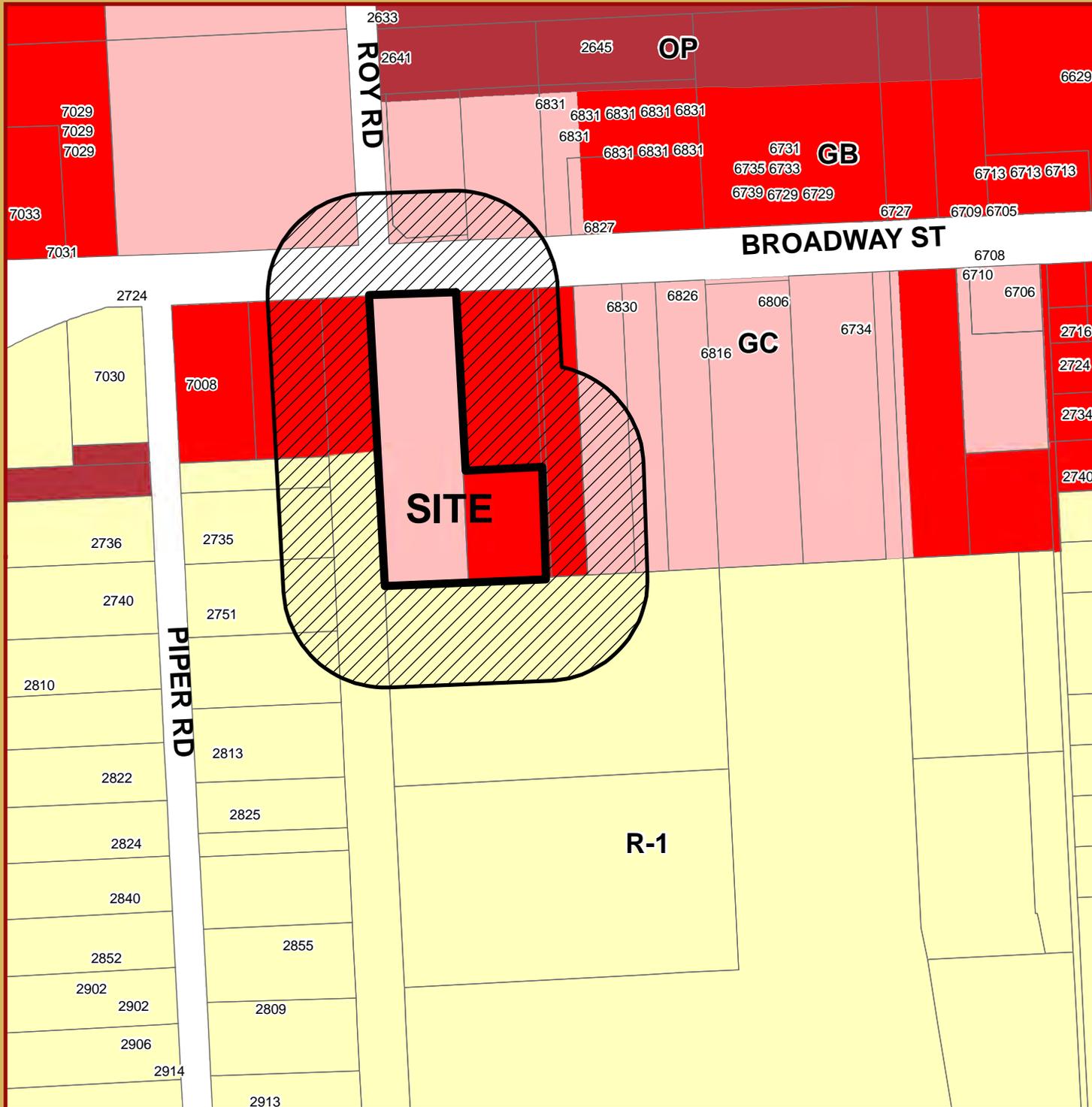
1 inch = 283 feet

OCTOBER 2014  
PLANNING DEPARTMENT









# Exhibit 5

## NOTIFICATION MAP

### Zone Change 2014-19Z

6906 Broadway St.



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

1 inch = 283 feet

OCTOBER 2014  
PLANNING DEPARTMENT



## Exhibit 6

### Zone Change 2014-19Z

#### Notification List

<b>Owner</b>	<b>Address</b>	<b>City</b>	<b>State</b>
II CB LP % ELLIS MANAGEMENT	2825 WILCREST DR STE 300	HOUSTON	TX
DAVID V BLOCK INVESTMENTS LLC	3500 DALROCK RD	ROWLETT	TX
SCHANK SYBIL M	2751 PIPER RD	PEARLAND	TX
PEARLAND DENTAL LABORTARY	PO BOX 740	PEARLAND	TX
ADAMS FRANCES P FAMILY INT PARTNERSHIP LTD	3305 CHURCHILL ST	PEARLAND	TX
PILGRIM WEST LLC	7600 JOPLIN ST	HOUSTON	TX
SKYWAY MANOR AIRCRAFT OWNR	2913 PIPER RD	PEARLAND	TX
K & T DRYCLEAN CORPORATION	7000 BROADWAY ST	PEARLAND	TX
WEBSTER MYRTLE LEE	3901 BLUEBIRD WAY	PEARLAND	TX
RODRIGUEZ ANA E & ESTEBAN V	PO BOX 84110	PEARLAND	TX
PATSCHKE ALLEN G ET UX	16911 COUNTY ROAD 831	PEARLAND	TX

**Zip**

77042

75088

77584

77588

77581

77087

77584

77581

77584

77584

77584



# 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: GC + GB

Proposed Zoning District: Parcel R1 + GB

**Property Information:**

Address or General Location of Property: 6906 Broadway

Tax Account No. 166334 + 166324

Subdivision: MANANAY Lot: 7+8 Block: 1241 HT+B 15

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

**PROPERTY OWNER INFORMATION:**

NAME WAYNE THOMANN  
ADDRESS 3823 FM 1128  
CITY PEARLAND STATE TX ZIP 77584  
PHONE ( 281 ) 914-5202  
FAX ( ) \_\_\_\_\_  
E-MAIL ADDRESS Chad@rwestdevelopment.com

**APPLICANT/AGENT INFORMATION:**

NAME CHAD THOMANN  
ADDRESS 3823 FM 1128  
CITY PEARLAND STATE TX ZIP 77584  
PHONE ( 281 ) 914-5202  
FAX ( ) \_\_\_\_\_  
E-MAIL ADDRESS Chad@rwestdevelopment.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: Wayne Thomann Date: 9-15-14

Agent's/Applicant's Signature: Chad Thomann Date: 9-15-14

**OFFICE USE ONLY:**

FEE PAID: <u>\$800.00</u>	DATE PAID: <u>15 Sept. 14</u>	RECEIVED BY: <u>JM</u>	RECEIPT NUMBER: <u>361847</u>
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Application No. 2014-197

## 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:**
    - \$ 9450.00, 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, 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.

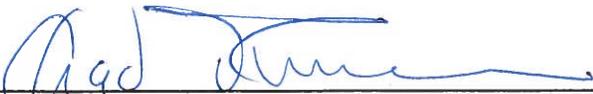
Such sign(s) shall be located as follows:

- (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

9-24-14  
\_\_\_\_\_  
Date

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

(circle one)  
\$ 800 **BA** or **PF** or **FE**

Description: Input who the check is from

**COMMENTS/DESCRIPTION (F10):**

Location or Address 6906 Broadway

Applicant Chad Thumann

Owner Wayne Thumann

City of Pearland Building Permits  
3519 Liberty Dr  
Pearland, TX 77581  
Telephone: 281-652-1638

\*\*\* SALES SLIP \*\*\*

Oper: AGONZALES Type: OC Drawer: 1  
Date: 9/24/14 01 Receipt no: 361847  
Merch ID #: Seq no. 3598589  
Cross ref#: 0002 762993

Card no: \*\*\*\*\*4555  
Card type: DISCOVER CARD

Auth code: 02439B  
Date: 9/24/14 Time: 14:00:00

Payment total: \$800.00

CARDHOLDER ACKNOWLEDGES RECEIPT OF GOODS AND/OR SERVICES IN THE AMOUNT OF THE TOTAL SHOWN HEREON AND AGREES TO PERFORM THE OBLIGATIONS SET FORTH IN THE CARD-HOLDER'S AGREEMENT WITH THE ISSUER.

Signatures: CHAD A. THUMANN

CUSTOMER COPY

CITY OF PEARLAND  
\*\*\* CUSTOMER RECEIPT \*\*\*  
Oper: AGONZALES Type: OC Drawer: 1  
Date: 9/24/14 01 Receipt no: 361847  
Description Quantity Amount  
BA BOARD OF ADJUSTMENTS 1.00 \$800.00  
Trans number: 4604291  
BOARD OF ADJ FOR:  
6906 BROADWAY  
CHAD THUMANN FOR WAYNE THUMANN  
Tender detail  
BR CREDIT CARD \$800.00  
Total tendered \$800.00  
Total payment \$800.00  
Trans date: 9/24/14 Time: 14:00:00

Wayne Thumann  
3823 FM 1128  
Pearland, TX 77584

9-15-14

City of Pearland P&Z  
Ian Clowes  
3523 Liberty Dr  
Pearland, TX 77584

Re: 6906 Broadway Zoning

MR Clowes,

In Regards to 6906 Broadway (Bacd properties 166334 and 166324), I would like to designate Chad Thumann to act on my behalf as acting agent in all matters concerning zoning.

Please process our application and put us on the next P&Z zoning agenda. Feel free to contact me with any concerns or questions.

Best Regards,



Wayne Thumann

9-15-14

City of Pearland P&Z  
Ian Clowes  
3523 Liberty Dr  
Pearland, TX 77584

Re: 6906 Broadway Zoning

MR Clowes,

In Regards to 6906 Broadway (Bacd properties 166334 and 166324), we would like to request a zone change. We would like to have the front of the property zoned as GB to accommodate future commercial property. We would also like to have the rear of the property zoned to R1 to accommodate single family dwellings (see attached subdivision layout).

We would also like to request a variance on the commercial lot width. Our proposed commercial lot widths would be 135ft instead of the required 150ft.

Please process our application and put us on the next P&Z zoning agenda. Feel free to contact me with any concerns or questions.

Best Regards,



Chad Thumann

**LEGEND** \* ITEMS THAT MAY APPEAR IN \*  
DRAWING BELOW

M.U.E. = MUNICIPAL UTILITY EASEMENT  
 U.E. = UTILITY EASEMENT  
 A.E. = AERIAL EASEMENT  
 D.E. = DRAINAGE EASEMENT  
 S.S.E. = SANITARY SEWER EASEMENT  
 S.W.S.E. = STORM SEWER EASEMENT  
 W.L.E. = WATER LINE EASEMENT

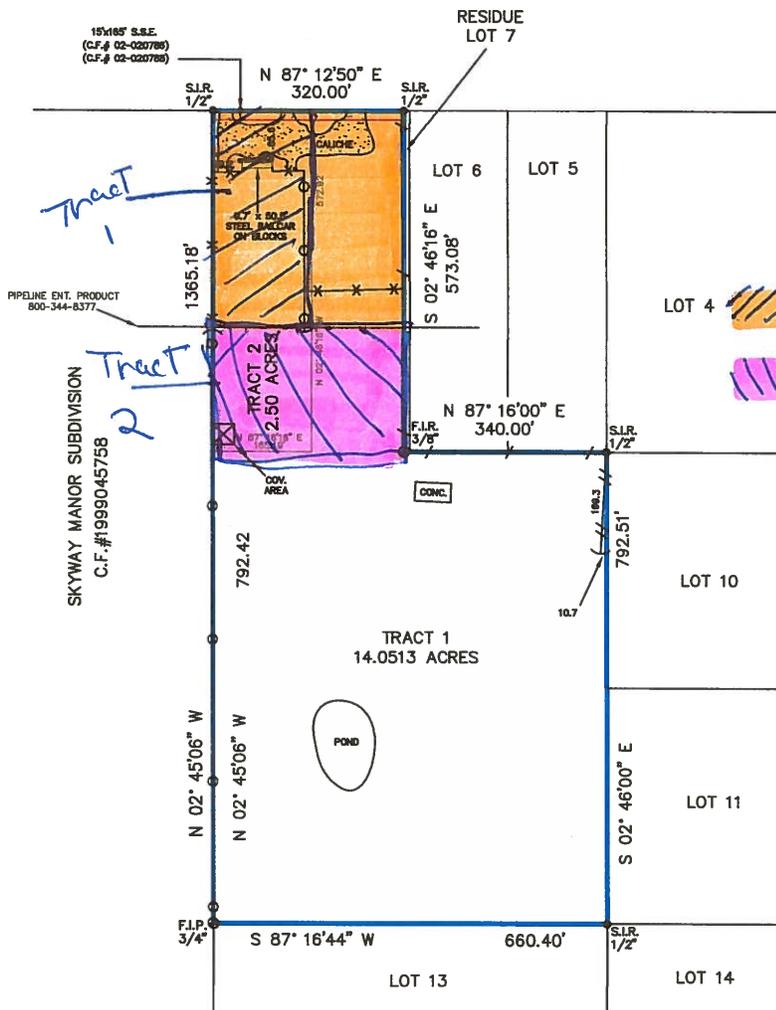
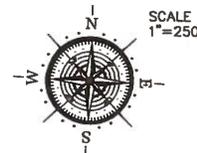
F.I.R. = FOUND IRON ROD  
 F.L.P. = FOUND LEAD PIPE  
 S.L.R. = SET IRON ROD  
 W.P. = WOODEN POST  
 M.P. = METAL POST  
 C.F.# = CLERK'S FILE NUMBER  
 P.O.C. = POINT OF COMMENCING  
 P.O.B. = POINT OF BEGINNING  
 S.L. = BUILDING LINE  
 F.I.D. = FOUND  
 S.P. = SET

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

⊙ = CONTROL MONUMENT  
 — = PROPERTY LINE  
 — = EASEMENT LINE  
 — = BUILDING SETBACK LINE  
 — = BUILDING WALL

— = WOODEN FENCE  
 — = CHAIN LINK FENCE  
 ⊙ = SHEET METAL FENCE  
 — = WIRE FENCE  
 — = VINYL FENCE

6906 BROADWAY  
 F.M. 518



LOT 4 Proposed GR  
 Proposed RI

Reviewed & Accepted by: \_\_\_\_\_ Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Date \_\_\_\_\_

**NOTES:**  
 - BEARING BASIS: C.F.# 09-044577  
 - SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS  
 - SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED PROPERTY  
 - UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS, FOUNDATIONS AND/OR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY  
 - THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY, IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS  
 - SUBJECT TO RESTRICTIVE COVENANTS AS PER TITLE COMMITMENT  
 - SUBJECT TO ZONING AND BUILDING ORDINANCES ENFORCED BY LOCAL MUNICIPALITIES  
 - A PIPELINE EASEMENT TO HOUSTON PIPE LINE COMPANY WAS FILED IN VOL. 381, PG. 98, D.R.B.C. (SIZE NOT GIVEN), SAID EASEMENT WAS PARTIALLY RELEASED BY VOL. 1285, PG. 213, D.R.B.C.

**LEGAL DESCRIPTION**  
 TRACT 1: 14.0513 ACRES OF LAND, BEING ALL OF LOTS 9 & 12 AND PART OF LOT 7 OF THE PARTITION OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, H.T. 88, R.R. CO. SURVEY, A-241, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOL. 441, PG. 285 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN METES AND BOUNDS AS ATTACHED  
 TRACT 2: LOT 8, CONTAINING 2.50 ACRES, OUT OF THE T.P. MAHANAY 80 ACRE TRACT, BEING THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 15, H.T. 88, R.R. CO. SURVEY, A-241, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOL. 441, PG. 285 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS.

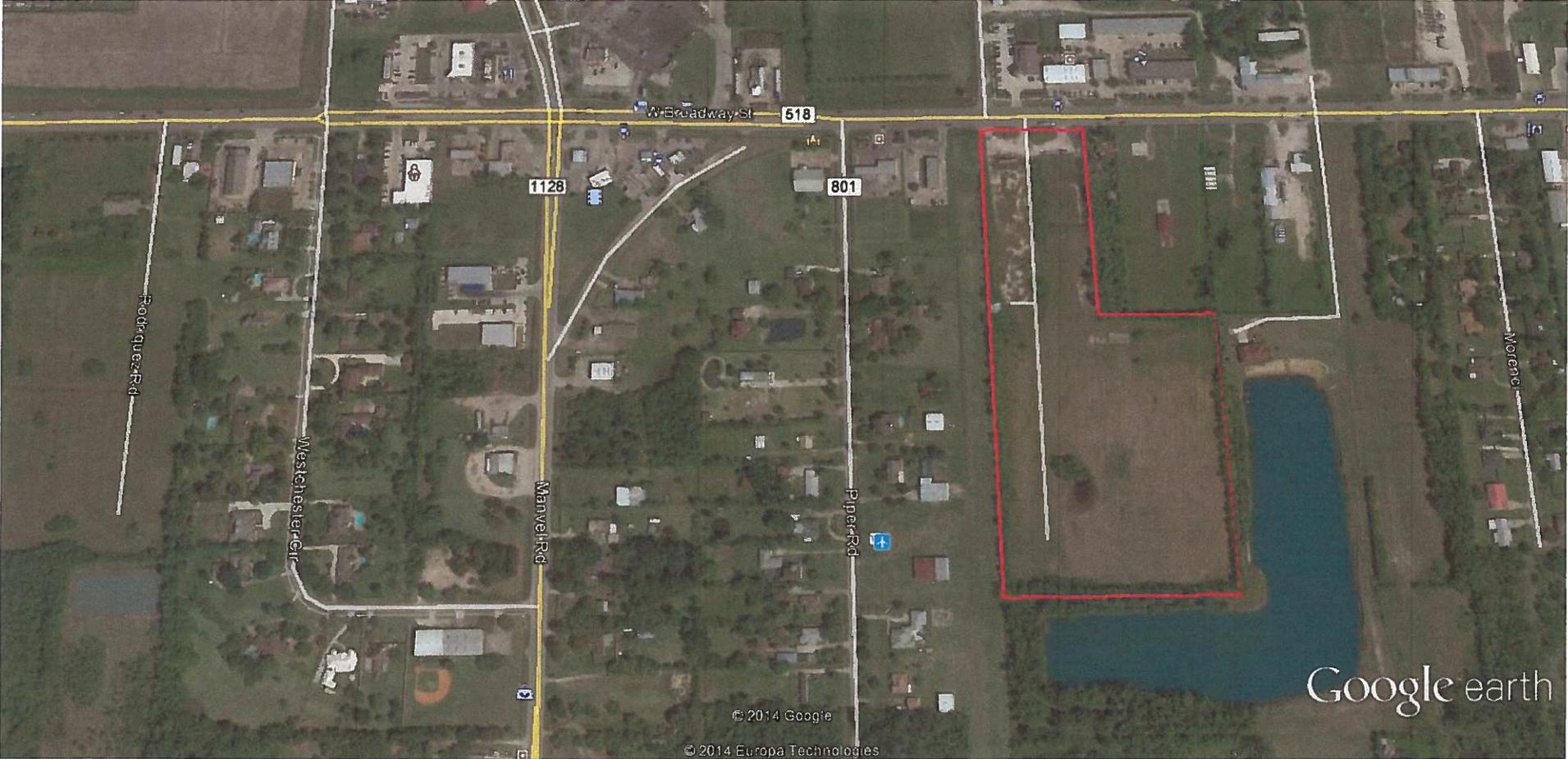
CLIENT: CHAD THUMANN ADDRESS: 6906 BROADWAY



JOB # 1403234  
 DATE 03/27/2014  
 GF# 1900581-H109

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

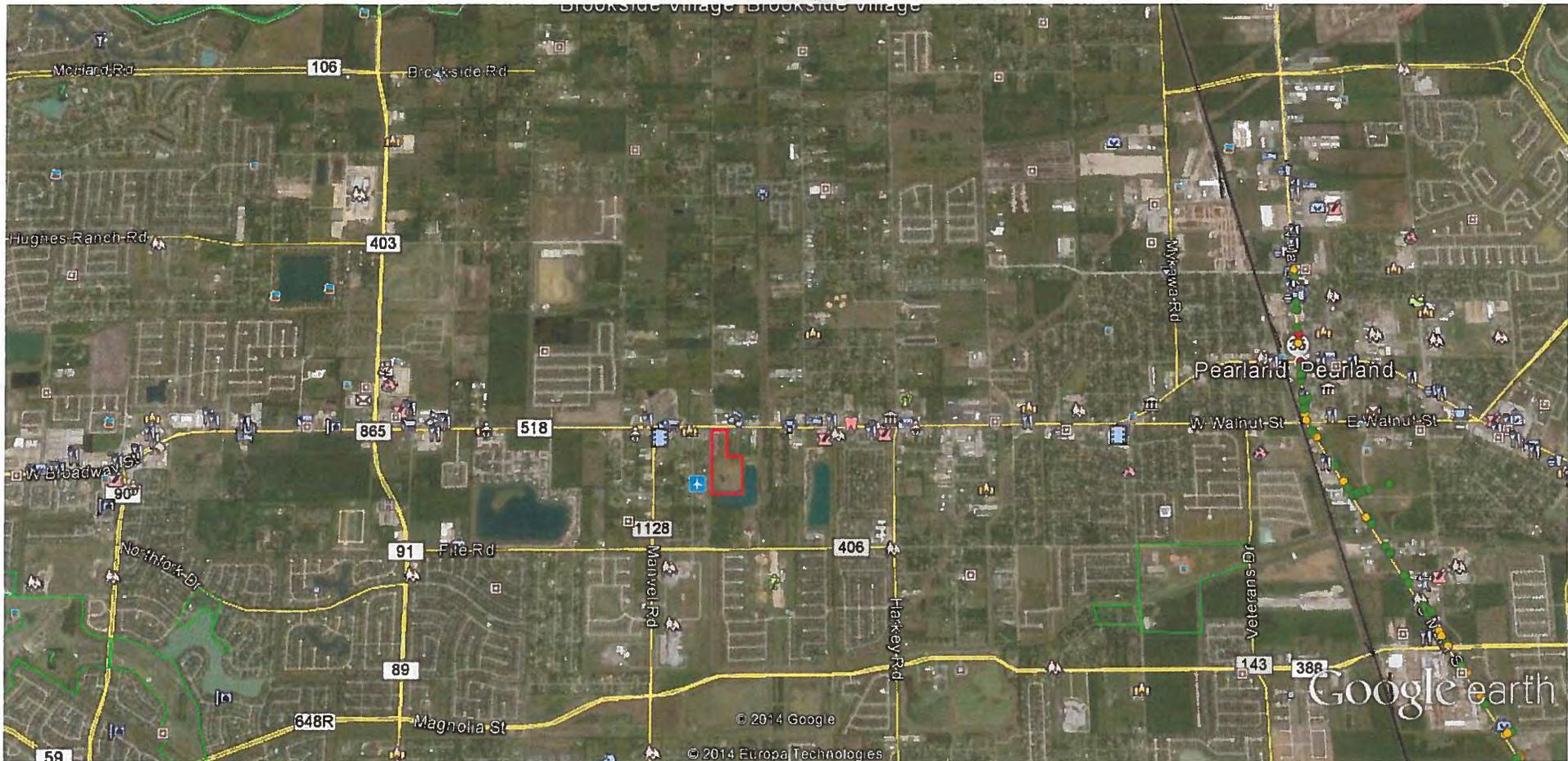
**PRO-SURV**  
 P.O. BOX 1366, FRIENDSWOOD, TX 77549  
 PHONE- 281-996-1113 FAX - 281-996-0112  
 EMAIL: orders@prosurv.net  
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Google earth

feet  
meters





Google earth

miles  
km



GIS Mapping Interface - Pearland, Texas

Layers

- All Layers
- Addresses
- Elevation Layers
- Land Marks
- Utilities
- Capital Projects
- Planning Layers
- Zoning

Queries

Address Locator

Markup

Lat / Long

Overview Map

PEARLAND CITY LIMIT

Street names: BROADWAY ST, MENDELHALL ST, KINNEL RD, PINER RD, WHITE OAK LN, PALM CT, FERN CT, FIFE RD

Zoning districts: R-1, R-3, MF, GC, GB, NS, OP, PU, PD, OP

Tool: Pan X: 3134845.11, Y: 13768760.10, Longitude: -95.3305, Latitude: 29.5580 1: 11,237 Scales Bookmarks

2013 TAX STATEMENT



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

**Certified Owner:**  
 THUMANN WAYNE  
 4002 QUAIL RUN DR  
 PEARLAND, TX 77584

**Legal Description:**  
 MAHANAY LT 7 241 H T & B 15, ACRES 2.039

Account No: 0241-0014-000

Appr. Dist. No.: 166324

Legal Acres: 2.0390

Parcel Address: 6906 BROADWAY FM 518

As of Date: 09/16/2014

Print Date: 09/16/2014

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$261,290	\$1,170	\$262,460	\$262,460	\$0	\$0	\$0	\$262,460

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
BRAZORIA COUNTY <i>Amount saved by additional sales tax revenue \$248.08</i>	\$262,460		\$0.00	\$262,460	0.4320200	\$1,133.88
SPECIAL ROAD & BRIDGE	\$262,460		\$0.00	\$262,460	0.0600000	\$157.48
PEARLAND ISD	\$262,460		\$0.00	\$262,460	1.4157000	\$3,715.65
BRAZORIA DRAINAGE DIST 4	\$262,460		\$0.00	\$262,460	0.1560000	\$409.44
CITY OF PEARLAND	\$262,460		\$0.00	\$262,460	0.7051000	\$1,850.61

**Total Tax:** \$7,267.06  
**Total Tax Paid to date:** \$7,267.06  
**Total Tax Remaining:** \$0.00

**Exemptions:**

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

SEP 2014 20%	OCT 2014 21%	NOV 2014 22%	DEC 2014 23%	JAN 2015 24%	FEB 2015 25%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
MAR 2015 26%	APR 2015 27%	MAY 2015 28%	JUN 2015 29%	JUL 2015 30%	AUG 2015 31%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**School Information:**

PEARLAND ISD 2013 M&O 1.0400000 I&S .375700000 Total 1.4157000 2012 M&O 1.0400000 I&S .379400000 Total 1.4194000

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

4.1.51

**Print Date:** 09/16/2014

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 2 4 1 0 0 1 4 0 0 0 \*

0241-0014-000  
 THUMANN WAYNE  
 4002 QUAIL RUN DR  
 PEARLAND, TX 77584

**AMOUNT PAID:**

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

02410014000 2013 092014 00000000000 00000000000 00000000000 3

## FIELD NOTES

TRACT 1:  
PROPOSED GB ZONING (1.385 ACRES)

1.385 acres of land out of a called 14.0513 acres of land, said 14.135 acres being all of Lots 9 & 12 and Part of Lot 7 of partition of the East 1/2 of the Northwest 1/4 of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas, according to the Plat recorded in Vol. 441, Page 265 of the Deed Records of Brazoria County, Texas, and said 1.385 acres being more particularly described as follows:

BEGINNING at a found 3/4 inch iron pipe for the Southwest corner of said Lot 12 and the Southwest corner of the herein described tract;

THENCE N 02 deg. 45 min. 06 sec. W along the West lines of Lot 12 and 9 a distance of 792.42 feet to a point for the Northwest corner of Lot 9;

THENCE N 87 deg. 16 min. 16 sec. E along the North line of Lot 9 and the South line of Lot 8 a distance of 165.19 feet to a point for the Southwest corner of Lot 7;

THENCE N 02 deg. 46 min. 16 sec. W along the West line of Lot 7 a distance of 183.67 feet to the POINT OF BEGINNING of the herein described proposed 1.385 acre tract to be rezoned GB1;

THENCE continuing along said line of Lot 7, a distance of 389.25 feet to a point for corner in the South R.O.W. line of Broadway (F.M. 518);

THENCE N 87 deg. 12 min. 50 sec. E along the South R.O.W. line of F.M. 518 a distance of 155.00 feet to a set 1/2 inch iron rod for corner;

THENCE S 02 deg. 46 min. 16 sec. E a distance of 389.31 feet to a point for corner for the Southeast corner of the herein described 1.385 acre tract;

THENCE S 87 deg. 14 min. 01 sec. W along the South line of Lot 7 a distance of 155.00 feet to the PLACE OF BEGINNING and containing 1.385 acres of land, more or less.

TRACT TWO:  
PROPOSED R1 ZONING (1.349 ACRES)

The South 183.60 feet of Lot 8, and a portion of Lot 7 out of a called 14.0513 are tract being all of Lots 9 & 12 and Part of Lot 7 of partition of the East 1/2 of the Northwest 1/4 of Section 15, HT&B RR Co. Survey, A-241, Brazoria County, Texas, according to the Plat recorded in Vol. 441, Page 265 of the Deed Records of Brazoria County, Texas, and said 1.349 acres being more particularly described as follows:

BEGINNING at The Southwest corner of the aforementioned Lot 8;

THENCE North  $02^{\circ}45'06''$  West, a distance of 183.60 feet to a point for corner in the West line of Lot 8;

THENCE North  $87^{\circ}14'01''$  East, a distance of 320.13 feet to a point for corner;

THENCE S  $02^{\circ}46'16''$  E a distance of 183.77 feet to a point for corner for the Southeast corner of the herein described 1.385 acre tract in the North line of Lot 9;

THENCE South  $87^{\circ}16'00''$  West, a distance of 320.19 feet to the POINT OF BEGINNING of the herein described tract and containing 1.349 acres of land, more or less.



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, NOVEMBER 17, 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. 2014-20Z**

A request of BGE Kerry R. Gilbert and Associates, applicant; on behalf of CL Ashton Woods, LP., owner; for approval of a change in zoning to amend the Southern Trails Planned Development (PD), from an overlay zoning district which allows for Civic/Church uses to General Business (GB) uses; on approximately 0.9 acres of land of the total 522.62 acres, to wit:

**Legal Description:** A certain parcel of ground together with all the buildings and improvements being a portion of No. 2 Southern Trails Commercial No. 1, H.T. and B.R.R. Company Survey, Section 84, A-538, City of Pearland, Brazoria County, Texas

**General Location:** South side of Broadway Street, between Windward Bay Drive to the west and Kinglsey Drive to the east, 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: November 17, 2014

Re: Zone Change Application Number 2014-20Z

A request of BGE Kerry R. Gilbert and Associates, applicant; on behalf of CL Ashton Woods, LP., owner; for approval of a change in zoning to amend the Southern Trails Planned Development (PD), from an overlay zoning district which allows for Civic/Church uses to General Business (GB) uses; on approximately 0.9 acres of land of the total 522.62 acres of land.

### **Proposal**

The Southern Trails Planned Development (PD) includes approximately 522.62 acres of land located on the south side of Broadway Street; east and west sides of Kingsley Drive and west of Kirby Drive.

The applicant proposes to add the original 1.4-acre civic parcel designated for a Fire Station to the adjacent GB parcel. It is important to note that due to an increase in right-of-way and detention, the original 1.4 – acre civic parcel now includes 0.9 acres.

As part of the proposed amendment, the applicant also proposes to update the land use summary to reflect the proposed change, include a metes and bounds description and proposed plat for the new 3.6 acre GB site; and update Exhibits D (Conceptual Plan), Exhibit E (Trail System Plan) and Exhibit F (Monumentation Plan).

### **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 Southern Trails 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 Southern Trails PD, as identified above, and in detail within the attached Staff Report, identified as Exhibit 1; for the following reasons, and with the following condition:

1. The subject property was originally designated as a non-residential use; civic use for a Fire Station and will continue to be designated for non-residential uses allowed within the GB zoning district.
2. The PD and the proposed amendment general meet the intent of the future land use designation of “Retail, Offices and Services” by providing non-residential uses to serve the surrounding single family subdivisions; with limited general business strip centers, as recommended by the “Minor Node” future land use designation.
3. The base zoning district for the subject property is proposed to be GB and will comply with the requirements of the GB zoning district in the Unified Development Ordinance. This will ensure that the current requirements on side yards, lot coverage, and height will apply to development on this site.
4. When originally approved, the PD required landscaping along Broadway Street, which has not been planted. The street trees and landscaping needs to be planted along Broadway Street, as approved in the PD. This needs to be addressed in the PD prior to first reading.
5. Add a note on Exhibit E – Conceptual Development, stating that the subject 0.9 acre parcel will comply with all the regulations of the GB zoning district in the current Unified Development Code, prior to first reading.

## **Exhibits**

1. Staff Report
2. Southern Trails Boundary Map
3. Aerial Map
4. Future Land Use Map
5. Notification Map
6. Notification List
7. Amendment # 2: Red-lined Southern Trails PD



## **Exhibit 1 Staff Report**

### **Summary of Request**

The Southern Trails Planned Development includes approximately 522.62 acres of land and was originally approved in February, 2004 to allow for mostly single family developments, with the exception of a 9.5 acre church parcel, a 2.7-acre General Business (GB) parcel and a 1.4 acre- civic use adjacent to the GB parcel; specifically for a Fire Station, and various amenities. As a result of right-of-way dedication and detention within the development, the original 1.4 – acre civic use site has decreased to 0.9 acres.

The applicant proposes to add the remaining 0.9 acres allocated for civic uses to the 2.7-acre GB site, for a total of 3.6 acres allocated to GB uses. As part of the proposed amendment, the applicant also proposes to update various exhibits and the Land Use Summary to reflect current acreages for all land uses within the development, as the PD allowed for an increase in acreage by up to 15%, as long as the total number of dwelling units did not exceed 1,506 units.

### **Site History**

The subject property known as the Southern Trails Planned Development was annexed into the City of Pearland at various times. The PD is divided by Kingsley Drive. The property on the east side of Kingsley Drive was annexed into the City in 1999; and the property on the west side of Kingsley Drive was annexed into the City in 2001. To date, one (1) amendment to the PD was approved in April, 2011 to promote pedestrian safety, accessibility and ease of use. Specifically the 2011 amendment added a lit crossing at Kingsley Drive and Southern Trails Drive; modified the pedestrian trails; reduced sidewalk width from 8 feet to 6 feet along minor streets; notation was added regarding the construction of sidewalks on internal streets as development occurs; and finally the originally approved third “Tot Lot” was added to Exhibit E, as it was inadvertently not shown on the exhibit.

Approximately 85% of the project is developed. All amenities have been constructed, which include a trail system with natural open space, fitness stations and water fountains; picnic areas; lit common areas for nighttime enjoyment; 4 lakes totaling 7.3 acres; a 16.6 acre lake located within the center of the project; and parks.

The PD is surrounded by mostly single family subdivisions and PDs to the north, west and east; and unincorporated land to the south. The below table identifies surrounding uses and zoning districts:

	<b>Zoning</b>	<b>Land Use</b>
North	Shadow Creek Ranch PD	Single Family Undeveloped
South	Single Family Estate (RE) Extra-territorial Jurisdiction (ETJ)	Single Family
East	Ridge Rock PD	Undeveloped
West	Shadow Creek Ranch PD	Single Family

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

The subject 0.9 acres has frontage on Broadway Street and will be combined with the GB tract located at the southeast corner of Broadway Street and Kingsley Drive. According to the Thoroughfare Plan, both Broadway Street and Kingsley Drive are Major Thoroughfares and require 120 feet of right-of-way. Broadway Street is of sufficient width and County Road 48 will be widened.

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

The Southern Trails PD was originally approved in 2004 under the Land Use and Urban Development Ordinance. The base zoning district for the subject property is proposed to be GB and will comply with the requirements of the GB zoning district in the Unified Development Ordinance. This is significant in light of the fact that the previous Land Use and Urban Development Ordinance did not have restrictions on side yards, lot coverage, and height. The GB district is intended to permit an extensive variety of commercial uses including retail trade, personal and business service establishment, offices and commercial recreational uses of limited scope. The district will follow the provisions provided within the Unified Development Code for GB zoning district.

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

The Southern Trails PD is located in various future land use designations, including Retail, Offices and Services; Minor Nodes; Low Density, Parks, etc. However, specific

to the 0.9 acres, the future land use designation is Retail, Offices and Services; and Minor Nodes. The proposed GB zoning district conforms to characteristics of the proposed GB overlay zoning district. Major characteristics of each of the two future land use designations follows:

#### Retail, Office and Services

- Neighborhood or convenience shopping centers , or developed as separate uses
- Preferably located at major intersections
- Limited outdoor retail activities
- Buffer from neighboring single family residential
- Appropriate zoning districts include Office & Professional (OP); Neighborhood Service (NS) and selected uses within the General Business (GB) zoning district

#### Minor Nodes

- Broadway Street-Kingsley Road intersection is designated as a minor node which are intended to comprise less than 25 acres of non-residential uses, including retail, office and services uses, with limited strip development for general business uses along Broadway Street.

#### Platting Status

The 0.9 acre subject property is not platted. Upon approval of the amendment, the applicant proposes to combine the subject property with the adjacent 2.7 acres which is currently platted as Block 1, Tract A, Southern Trails Commercial No. 1.

#### Availability of Utilities

The subject property has access to public water and sewer. According to GIS records, there is an existing 24 inch and 30-inch sewer line along the south side of Broadway Street and Kingsley Drive, respectively; and a 16 inch water line along the north side of Broadway Street. Utilities and the extension of 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 Southern Trails PD to reallocate the 0.9 from a civic use (fire stations) to a GB use will have any significant impact on existing or future developments. The 0.9 acres will be combined with the adjacent property to the east, which is currently developed with a non-residential use, CVS. The subject property was designated as a non-residential use when the PD was originally adopted in 2004, and will continue to allow for non-residential uses permitted within the GB zoning 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 amendment to the Southern Trails 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.

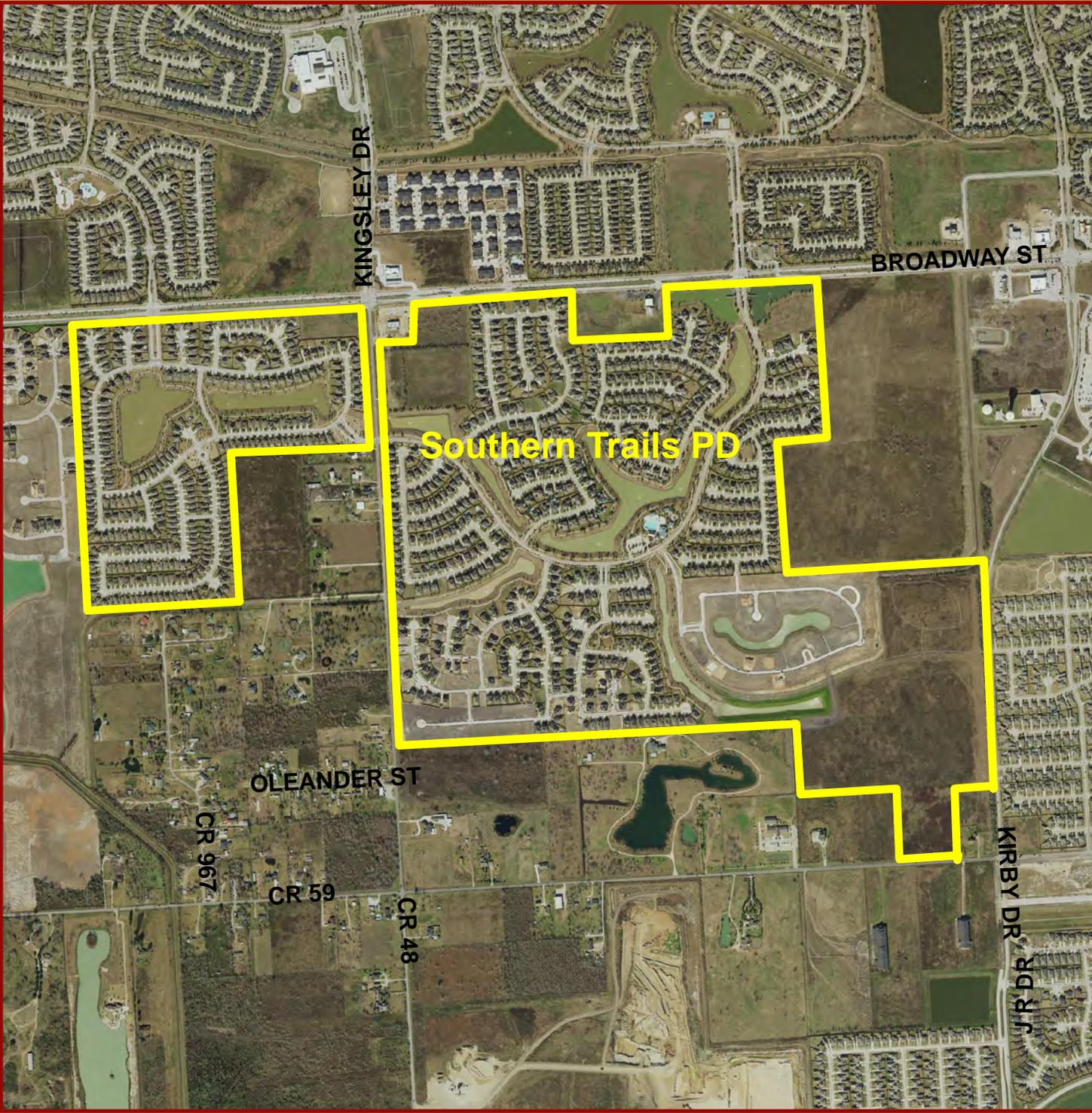
### **Opposition to or Support of Proposed Request**

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 Southern Trails PD, to reallocate the 0.9 acres from a civic use to a GB use, for the following reasons:

1. The subject property was originally designated as a non-residential use; civic use for a Fire Station and will continue to be designated for non-residential uses allowed within the GB zoning district.
2. The PD and the proposed amendment general meet the intent of the future land use designation of “Retail, Offices and Services” by providing non-residential uses to serve the surrounding single family subdivisions; with limited general business strip centers, as recommended by the “Minor Node” future land use designation.
3. The base zoning district for the subject property is proposed to be GB and will comply with the requirements of the GB zoning district in the Unified Development Ordinance. This will ensure that the current requirements on side yards, lot coverage, and height will apply to development on this site.
4. When originally approved, the PD required landscaping along Broadway Street, which has not been planted. The street trees and landscaping needs to be planted along Broadway Street, as approved in the PD. This needs to be addressed in the PD prior to first reading.
5. Add a note on Exhibit E – Conceptual Development, stating that the subject 0.9 acre parcel will comply with all the regulations of the GB zoning district in the current Unified Development Code, prior to first reading.



**AERIAL MAP**

**ZONE CHANGE  
2014-20Z**



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 = 1,274 feet

22 MAY 2014  
PLANNING DEPARTMENT





## AERIAL MAP

## ZONE CHANGE 2014-20Z



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.

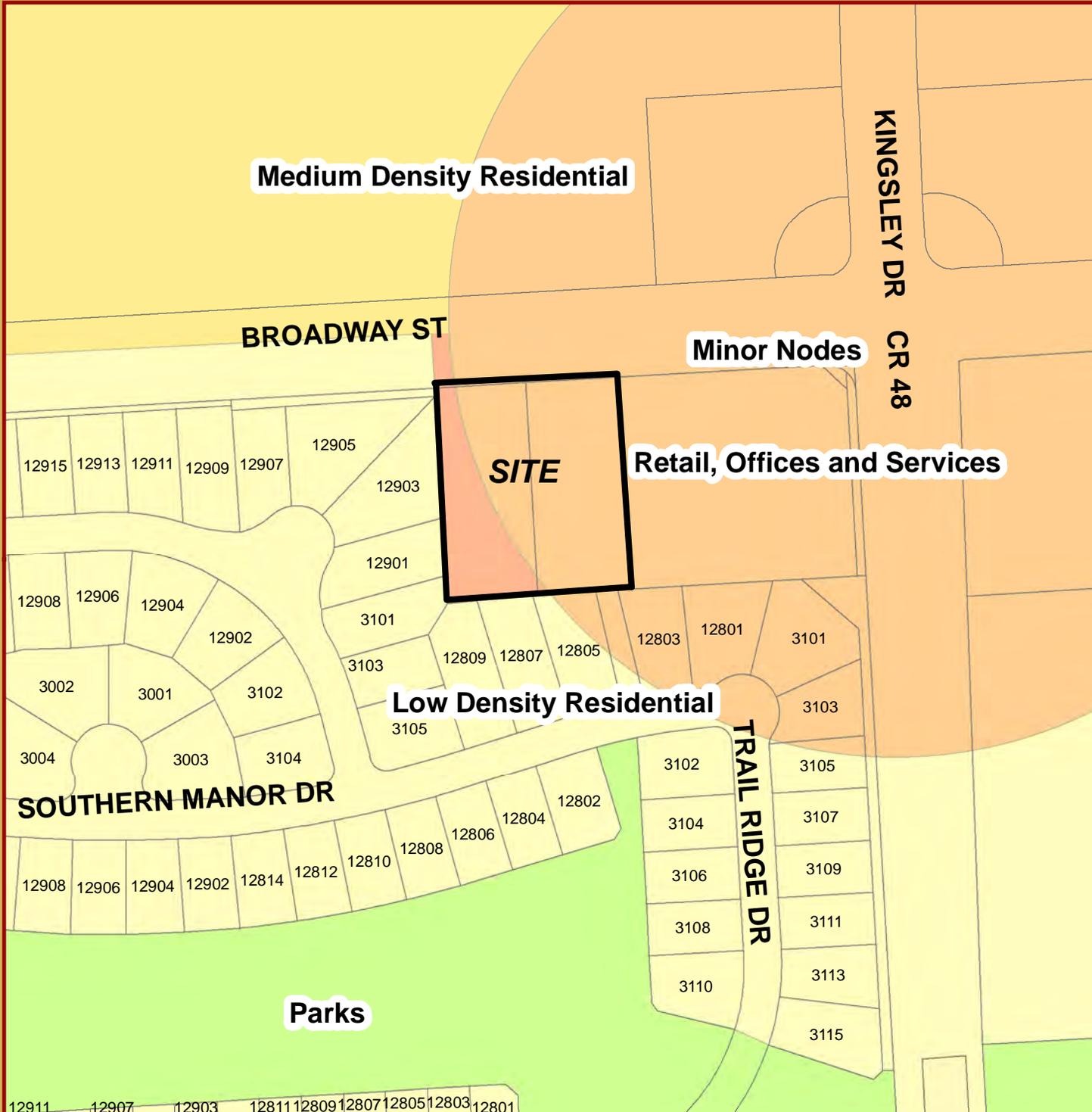
1 inch = 191 feet

22 MAY 2014  
PLANNING DEPARTMENT



# FLUP MAP

## ZONE CHANGE 2014-202Z



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 = 191 feet

22 MAY 2014  
PLANNING DEPARTMENT



# NOTIFICATION MAP

## ZONE CHANGE

2014-20Z



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 = 191 feet

22 MAY 2014  
PLANNING DEPARTMENT



**Zone Change 2014-20Z  
Notification List**

<b>Owner</b>	<b>Address</b>	<b>SUITE</b>
ASHTON HOUSTON RESIDENTIAL LLC	11375 S SAM HOUSTON PKWY W	STE 100
AYYAGARI SRINIVAS & SUNEETHA	3102 MOSSY TRAIL LN	
BIGI MARINUS A & AMANDA L	3008 MASON GROVE LN	
CHUNDRU GHOWTHAM & APARNA KAJA	3002 MASON GROVE LN	
DAVIS DARREL & DONNA MURRAY	12215 WILLOW BROOK LN	
DINH TUAN	12314 SHADY BROOK DR	
DONNELLY PAUL & DAWN	12213 WILLOW BROOK LN	
GAUVAIN TAGGART T & ERIN B	12406 SHADY BROOK DR	
GREEN BRIAN H & LISA M	3105 MASON GROVE LN	
HARRIS SHEILA H & STACY L	12211 WILLOW BROOK LN	
HEAD ANGELA	12416 SHADY BROOK DR	
JOSEPH JOSHY	3010 MASON GROVE LN	
KONGO DANIEL H	12312 SHADY BROOK DR	
LINVILLE CAIN & ERIKA SATO	3003 MASON GROVE LN	
LLAMAS RENATO L & IMELDA	3102 MASON GROVE LN	
NGUYEN CLIFF & TRACY T	3101 MASON GROVE LN	
NIEVE FERNANDO A & LETICIA	12216 WILLOW BROOK LN	
ORTEGA JESUS	12219 WILLOW BROOK LN	
PEARLAND NEW HARVEST	PO BOX 1966	
PERRY HOMES	PO BOX 34306	
POLAR MARTIN K & TIFFANY J	3103 MASON GROVE LN	
POPP CHARLES M & AMY J	12412 SHADY BROOK DR	
RAEZER SHERYL	3001 MASON GROVE LN	
RAVIKOYY LLC	15414 PALM GRASS CT	
RIGGINS CHELSIE	12410 SHADY BROOK DR	
SCHNITZER ALAN	12217 WILLOW BROOK LN	

SHADOW CREEK RANCH MAINTENANCE ASSOCIATION	12234 SHADOW CREEK PKWY	BLDG 3
SOUTHERN TRAILS RESIDENTIAL ASSOC INC	2500 LEGACY DR	STE 220
SPARKS KEITH	12318 SHADY BROOK DR	
THOMAS BINOY C & BINDHU M CHERIAN	3006 MASON GROVE LN	
THOMPSON FREDRICK & LOCKETT- THOMPSON KATRINA	12408 SHADY BROOK DR	
TILLMAN JASON A & WYKENA M LIPSCOMB	12401 CLOVER CREEK LN	
UNGER WILLIAM L & YOLAND	12414 SHADY BROOK DR	
WARREN RONALD P JR	3005 MASON GROVE LN	
WEYRICH STEVEN A JR	12404 SHADY BROOK DR	
BGE KERRY R GILBERT & ASSOCIATES BELTWAY 23, LTD CL ASHTON WOODS, L.P.	23501 CINCO RANCH BLVD 5855 SOVEREIGN DR. 10110 W. SAM HOUSTON PKWY N.	SUITE A-250 SUITE B SUITE A-200



PEARLAND	TX	77584
FRISCO	TX	75034
PEARLAND	TX	77584
KATY	TX	77494
HOUSTON	TX	77036
HOUSTON	TX	77064

**SOUTHERN TRAILS PLANNED UNIT DEVELOPMENT  
AMENDMENT**

**CITY OF PEARLAND, TEXAS**

**PREPARED FOR:**

**CL ASHTON WOODS, LP**

**PREPARED BY:**

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

**OCTOBER 2014**

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## I. INTRODUCTION TO SOUTHERN TRAILS

The Southern Trails planned unit development application was prepared on behalf of Conifer Development, Ltd. in accordance with the City of Pearland Zoning ordinance related to a planned Unit Development (“PUD”). It is the intent of the Developer to utilize a Planned Unit Development to establish a comprehensive land use plan and zoning guideline for the entire development project that will govern the future improvements, signage, landscaping, and use of open space.

Southern Trails is a 522.63 acre master planned community located west of SH 288 and south of Broadway in the eastern portion of the city limits of Pearland, Texas. The property has frontage on and is bordered by Broadway to the north, C.R. 48 to the west, C.R. 59 to the south, and future extension of Kirby to the east.

All of the property is within the Pearland City Limits. At the core of the community’s identity is an extensive recreational trail network service as a link to the various neighborhoods and focal points throughout the community. The development plan consists of residential, ~~civic~~, church, and general business uses, including facilities such as a ~~fire station~~, parks, lakes and trails and significant open space.

## II. AMENDMENT TO THE SOUTHERN TRAILS PUD (2011)

This application was prepared on behalf of CL Ashton Woods, LP and Taylor Morrison of Texas, Inc., pursuant to the City of Pearland ordinances related to the Planned Unit Development (PUD). The Southern Trails PUD was originally approved and codified under Ordinance Number 509-695 on February 9, 2004.

Currently, approximately 60% of the project has been developed. The intent of this amendment to the original PUD is to update exhibits to reflect current activity and propose revisions to the Trails System Plan Exhibit.

Southern Trails has been divided into two distinct developments divided by Kingsley Drive: Southern Trails and Southern Trails West. The current owner for Southern Trails is C.L. Ashton Woods, LP and the current owner for Southern Trails West is Taylor Morrison of Texas, Inc.

The revisions to the Trails System Plan Exhibit are described in detail in this document in Section IV.(E) Parks and Recreation.

## III. AMENDMENT TO THE SOUTHERN TRAILS PUD (2014)

This application was prepared on behalf of CL Ashton Woods, LP, pursuant to the City of Pearland ordinances related to the Planned Unit Development (PUD). The Southern Trails PUD was originally approved and codified under Ordinance Number 509-695 on February 9, 2004.

Currently, approximately 85% of the project has been developed. The intent of this amendment to the original PUD is to update exhibits to reflect current activity and propose revisions to the overall land use acreages to reflect said revisions. Additionally, the proposed Fire Station site, which has decreased in size due to an increase in right of way

and detention requirements, is being reallocated to the General Business designation. Exhibit C.1 shows the property subject to the proposed amendment.

All of Southern Trails West has been developed and is privately owned. For Southern Trails, with the exception of the privately owned lots, the current owner is C.L. Ashton Woods, LP.

The revisions to the land use acreages are noted on Table 1: Acreage per Land Use Summary and can be seen on Exhibits D, E and F.

## III IV. EXISTING CONDITIONS

### A. Site Description

The property ~~is~~ ~~was~~ a compilation of fifteen tracts of various sizes and ~~is~~ ~~was~~ ~~currently~~ vacant and unimproved ~~at the time of acquisition and approval of the PUD~~. The property ~~has been~~ ~~was~~ used as farmland for growing milo and grain sorghum for generations. As shown on the Exhibit A-Area Map Exhibit aerial photograph, some of the development issues affecting the project ~~are~~ ~~were~~:

- Kingsley Drive (C.R. 48) divides the project
- There is a regional east-west drainage ditch bisecting the property which is owned and maintained by Brazoria County Drainage District #4. The improvements required for this ditch will be beyond the needs of this project in order to serve the region.
- A secondary north-south drainage ditch bisects much of the Property.
- The drainage outfall constraints increase the amount of land required for detention.
- The irregular shape of the property (See Exhibit A-Area Map Exhibit) impacts the public street design as well as the lot design/layout.
- The updated *Conceptual Plan* illustrates the platted lots that have been platted thus far.

### B. Surrounding Land Use

The surrounding vicinity is characterized by recent residential development and a scattered mix of permanent residences and mobile homes. Recent residential activity illustrated in Exhibit A-Area Map Exhibit is:

- Shadow Creek Ranch to the north, as 3,300 acre master planned community, is immediately across and north of Broadway.
- Southgate, a 185 acre development, is located immediately to the east and across the future extension of Kirby Drive.
- Southfork, a 330 acre residential development, is located south of C.R. 59 and to the east in the City of Manvel.
- A proposed Alvin ISD High School west of Kirby Drive, between Southern Trails and Broadway.

There ~~are two proposed school sites (elementary and junior high)~~ is a new school adjacent to Southern Trails on the ~~east side of Kirby north side of Broadway~~. (See *Exhibit D Conceptual Development Plan*). ~~The developer has been in contact with representatives of Alvin ISD and is prepared to assist the school district should the need arise for an additional school site.~~

#### **IV V. GOALS AND OBJECTIVES**

The proposed Planned Unit Development will have its own guidelines and restrictions in addition to those imposed by the City of Pearland. The Southern Trails Planned Unit Development will establish a comprehensive land use plan and zoning regulations to guide future improvements, including signage, landscape architecture, and generous open space. The Planned Unit Development provisions will guarantee the long-term aesthetic quality and continuity of the development and preserve the character of the community over time.

Southern Trails residents will immediately know that they are within their community; however, the sense of place will not be conveyed by monumentation as much as the tone set by the design of the streetscape and orientation around pedestrian activity.

The recreational trails are designed to be highly visible, with proposed below grade (below the road) crossings for safety, accessibility, and ease of use.

Main arterial roads (minor collectors) through the project will be enhanced with street trees and additional landscaping.

Detention facilities for Southern Trails will be consolidated and constructed in such a manner as to provide usable open space incorporating the trails, parks, and other recreational facilities.

Open spaces will be designed with the goal of encouraging social interaction among residents, thus adding to the safety of the community as a whole.

#### **V VI. PLAN OF DEVELOPMENT**

##### **A. Project Description**

The 522.63 Planned Unit Development is entirely single family residential development with the exception of a ~~9.5~~ 9.3 acre church parcel ~~and~~ a general business parcel totaling ~~2.7~~ 3.6 acres at the southwest corner of Kingsley Drive (C.R. 48) and Broadway. ~~and a 1.4 acre civic use site on Broadway, adjacent to the commercial site.~~

There will be approximately ~~80 acres~~ 110 acres of open space and park areas within Southern Trails. The trail system will link lakes, recreational facilities, and residential neighborhoods creating a pedestrian friendly community.

Southern Trails design offers accessible water features that can be enjoyed by the entire community; this is accomplished through the strategic location of lakes in park areas, thereby abandoning the conventional development practices of completely surrounding lakes with waterfront homes.

## B. Current Land Use

Southern Trails is located west of SH 288 and south of Broadway in the western portion of the city limits of Pearland, Texas. The property has frontage on and is bordered by Broadway to the north, Kingsley Drive (C.R. 48) to the west, C.R. 59 to the south and the future extension of Kirby to the east.

The property is a compilation of 17 tracts ranging in size from 1 acre to 120 acres, and is currently vacant and unimproved, consisting of flat coastal plain used farming row crops. The surrounding vicinity is characterized by vacant tracts of land, subdivision, and a scattered mix of rural residences and mobile homes.

The property lies within the city limits of Pearland. The current zoning designation of the surrounding properties are a mixture of medium and low density residential (R1, R2, R3) with scattered commercial uses. The subject property is currently zoned in mixed classifications of SD, RE, R1, and R2.

## C. Proposed Land Use

The City of Pearland’s Comprehensive Plan indicates this portion of the planning area as medium and low density residential with appropriate commercial uses. The proposed Conceptual Development Plan presents a low density master planned community with a wide range of attractive housing in well defined neighborhoods.

The *Conceptual Development Plan* complies with the intent of the Comprehensive Plan with an overall density not to exceed 3.6 dwelling units per net acre based on a maximum of ~~1,506~~ 1390 homes on ~~418.4~~ 381.5 residential use acres. Gross calculations yield ~~2.88~~ 2.7 lots per acre based on 522.6~~3~~ acres as shown in the Land Use Plan.

**TABLE 1: ACREAGE PER LAND USE SUMMARY**

<b>USE</b>	<b>ACRES</b>	<b>MIX</b>
Single Family Residential (SFR)*	<del>418.4</del> 381.5	<del>80.06%</del> 73%
Multi Family Residential	0	0.00%
Light Industrial	0	0.00%
General Business	<del>2.7</del> 3.6	<del>0.52%</del> 1%
Civic/Church	<del>10.9</del> 9.3	<del>2.08%</del> 2%
Parks/Recreation/Open Spaces**	<del>78.3</del> 112.5	<del>14.98%</del> 22%
Major Thoroughfare Rights-of-Way	<del>12.33</del> 15.7	<del>2.36%</del> 3%
<b>Total</b>	<del>522.63</del> <b>522.6</b>	100.00%

\*Single family residential encompasses R-1 (~~158 acres~~ 180 acres); R-2 (~~158 acres~~ 145 acres); and R-3 (~~102.4 acres~~ 56.5 acres) single family dwelling districts as presented in Appendix "A" hereto.

Any district may, increase in acreage by up to 15%. The total increase in SFR is defined in the *Land Use Changes* section below.

\*\*Parks, recreation and open space includes public and private parks, community recreation centers, linear parks and greenbelts, and open space, lakes, bayous and drainage ways.

#### **D. Land Use Changes**

Land use shall be regulated on a total acreage basis illustrated in Table 1 and by a finite cap on the number of dwelling units. Each land use category may be increased in acreage by up to 15% as long as the total number of dwelling units does not exceed ~~1,506~~ 1390. This flexibility is required to ensure the overall success of the development. If a proposed land use is requested to be an increase in an area by more than 15%, an amendment to this Planned Unit Development must be requested and approved by the City of Pearland. Land uses may be interchanged within the boundaries of the project provided they are in compliance with the acreage defined in Table 1, subject to the 15% allowable increase.

#### **E. Parks and Recreation**

The focal point of the Southern Trails Planned Unit Development is its proliferation of trails and lakes throughout the community. The comprehensive trail system is designed to be highly visible, with proposed below grade (below the road) crossings for safety, accessibility, and ease of use.

The Exhibit E *Trail System* illustrates the location of the proposed amenities. Some of the features of the development plan are:

- A continuous and easily accessible trail system with natural open space;
- Fitness stations and water fountains on the trail network;
- Passive use recreation facilities such as picnic areas;
- Common areas strategically lighted for nighttime enjoyment;
- Vantage points that offer visitors and residents beautiful views;
- A minimum of 6.7 acres of pedestrian trail system. (9,800 ft x 30 ft)
- Two of the ~~three~~ four lakes totaling ~~6.3~~ 7.3 acres will serve primarily as amenities intentionally designed with limited detention capacity creating nearly constant water levels in a park like setting;
- The third and largest lake (approximately ~~11.8~~ 16.6 acres) is located in the center of the project and acts as a "hub" for the trail network;

- A fourth lake, located within one of the single family sections, serves to provide additional amenities to the larger lots.
- In order to increase accessibility and enjoyment of the principals lake for the entire community, there will be a ~~2.8~~ 3.0 acres lakeside recreational facility;
- An additional ~~±0.9~~ 1.0 acre neighborhood park;
- An additional ~~±0.5~~ 0.6 acre neighborhood park;
- Three additional “~~tot lot parks~~” parks being ±0.5 acre each.

At this time, ~~many~~ all of the above stated amenities are constructed. ~~However,~~ In addition to the parks, there is a trail system connecting the entire Southern Trails community. ~~the~~ Exhibit E Trail System has been updated to depict revisions to the underground pedestrian tunnels and sidewalks. The following revisions are shown on the revised Exhibit E Trail System and are listed below:

#### Southern Trails

- The proposed below grade pedestrian crossing located on Southern Trails Drive south of Broadway, will not be constructed. Instead, the existing six (6) foot sidewalks along each side of Southern Trail Drive coupled with the signal controlled intersection with two-way ramps and crosswalks located at Broadway eliminate the need for the proposed crossing.
- ~~Construct~~ A six (6) foot sidewalk ~~was constructed~~ along ~~the~~ east side of Kingsley Drive, extending from Southern Trails Drive north to the northern property edge of the Southern Trails development and to install handicap ramps at each intersection.

#### Southern Trails West

- Construct a six (6) foot sidewalk along the westside of Kingsley Drive from Southern Trails Drive north to the Commercial site (option for developer to construct or pay City of Pearland in lieu of construction).
- Install crosswalk at grade on Kingsley with appropriate signage and striping, in lieu of a below grade pedestrian crossing (under Kingsley Drive).
- Not to construct a trail along the drainage easement on the southern boundary between Kingsley Drive and Trail Hollow Drive. The sidewalk along Southern Valley Drive provides a pedestrian pathway parallel to the drainage easement.

Construction of sidewalks interior to the development adjacent to the lots will be completed in conjunction with the home construction. Also, the construction of the sidewalks in front of the model homes will occur at the time of conversion from a model home to home ownership. The construction of fencing internal to the project will be constructed at the time of home construction.

The Parks Department has agreed to accept a cash payment in lieu of acreage dedication; however, the Developer and the City are currently discussing alternatives

## **F. Street Circulation**

The Southern Trails 90-foot boulevard entrances (see *Exhibit F Project Monumentation*) will merge into the main arteries which adhere to the City of Pearland Comprehensive Plan and shall be 60-foot rights-of-ways with two 10-foot utility easement as required by City ordinance. The street design of the community is such that no home shall front the minor collectors, eliminating the need for direct access (driveways) and on-street parking. These streets will have 28-foot paving sections (see *Exhibit G Typical Collector Street Cross Section*) and 6' sidewalks will be constructed on both sides of the right-of-way. Local streets serving development pods will be a minimum of 50-foot rights-of-way with 28-foot paving.

## **G. Utilities**

Southern Trails shall have over 78 acres of drainage and detention facilities. The drainage facilities include a network of landscaped linear detention systems throughout the development. The drainage plan was prepared by Brown and Gay Engineers, Inc.

All drainage plans will comply with Brazoria County Drainage District #4 and the City of Pearland's requirements.

## **H. Project Phasing / Development Schedule**

The first phase of the Southern Trails will contain  $\pm$  20 acres at an expense of approximately \$12.9 million. Future sections are illustrated in the *Conceptual Development Plan*.

The completion of the proposed Southern Trails Planned Unit Development ~~is~~ **was originally** anticipated in 2012, projecting a 9 year build out, with an estimated total cost of approximately \$65 million. **However, the competition is now estimated to occur in 2018, resulting in a 15 year build out.**

## **I. Signage**

The *Project Monumentation Exhibit* illustrates the proposed entry monument. Except as otherwise provided for in the Planned Unit Development, the signage is the Planned Unit Development will comply with the City of Pearland signage regulations.

## **~~V~~ VII. Exhibits**

A – Area Map

B – Survey

C – Metes & bounds description

**C.1- Metes & bounds description (Amendment) – New**

D – Conceptual Plan Exhibit – **Revised**

E – Trail System Plan Exhibit - **Revised**

F – Project Monumentation Exhibit – **Revised**

G – Typical Collector Street Cross Section

## **APPENDIX “A”**

### **R-1 SINGLE FAMILY DWELLING DISTRICT**

#### Purpose of District

The R-1 Dwelling District provides for large lot, single family detached dwellings. The district is the most restrictive of all residential districts, requiring large lots, and encourages a grouping of dwelling units to achieve larger open space area and community recreational uses. This district will follow the provisions provided in the City of Pearland Land Use and Urban Development Ordinance applicable to the R-1 PUD district, and amendments thereto.

### **R-2 SINGLE FAMILY DWELLING DISTRICT**

#### Purpose of District

The R-2 Dwelling District is intended to permit the low density residential development of detached, single family dwelling units, and encourages a grouping of dwelling units to achieve larger open space area and community recreational uses. This district will follow the provisions provided in the City of Pearland Land Use and Urban Development Ordinance applicable to the R-2 PUD district, and amendments thereto.

### **R-3 SINGLE FAMILY DWELLING DISTRICT**

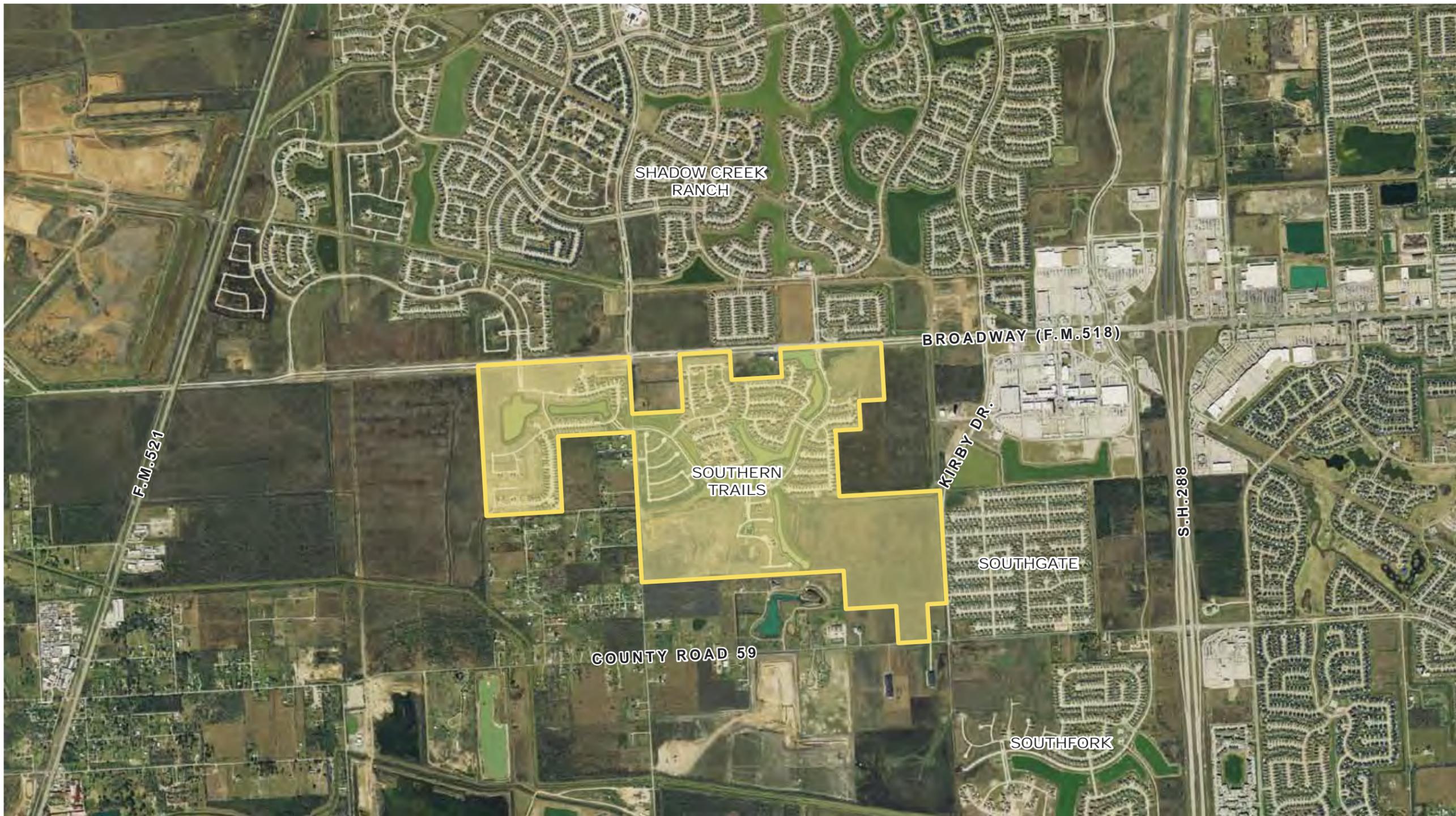
#### Purpose of District

The R-3 Dwelling District provides for medium density lot, single family detached dwelling units, an appropriate grouping of dwelling units to achieve larger open space areas and community recreational uses. This district will follow the provisions provided in the City of Pearland Land Use and Urban Development Ordinance applicable to the R-1 PUD district, and amendments thereto.

### **GB GENERAL BUSINESS DISTRICT**

#### Purpose of District

The General Business district is intended to permit an extensive variety of commercial uses including retail trade, personal and business service establishments, offices and commercial recreational uses of limited scope. However, this district shall be restricted from sexually oriented businesses (i.e. modeling studios, bath houses, adult movie rentals, etc.). This district will follow the provisions provided in the City of Pearland Land Use and Urban Development Ordinance applicable to the GB PUD district, and amendments thereto.



**EXHIBIT  
"A"**

an area map for

**SOUTHERN TRAILS**

**± 522.63 ACRES OF LAND**

prepared for

**C.L. ASHTON WOODS, L.P.  
TAYLOR MORRISON OF TEXAS, INC.**

**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

JANUARY 14, 2011  
KGA #06101

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522.62 ACRES

DECEMBER 1, 2003  
JOB NO. TER04-5T

DESCRIPTION OF A 522.62ACRE TRACT OF LAND  
SITUATED IN THE  
H.T. & B. RR COMPANY SURVEY, SECTION 80, ABSTRACT 564 AND  
THE H.T. & B. RR COMPANY SURVEY, SECTION 84, ABSTRACT 538  
CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

BEING a 522.62 acre tract of land situated in the H.T. & B. RR Co. Survey, Section 80, Abstract 564 and the H.T. & B. RR Co. Survey, Section 80, Abstract 538, City of Pearland, Brazoria County, Texas; being all of a called 120.134 acre tract of land described in a deed recorded Volume (90) 820, Page 217, Volume (91) 866, Page 357 and Volume (92) 994, Page 172 all of the Brazoria County Deed Records, and Lots 3 through 8, 11 through 18, 20 through 26, 27 through 34, Lots 37 & 38 and the west 1/2 of Lot 39, all of Lots 42, 43, 44, 45, 52 through 55 and 8.11 acres of Lot 56 of the Allison-Richey Gulf Coast Home Company subdivision recorded in Volume 2, Page 98 of the Brazoria County Map Records; said 522.62 acre tract of land being more particularly described as follows:

**BEGINNING** at 5/8-inch iron rod found at the northwest corner of said called 120.134 acre tract being the common corner of a tract of land recorded in Volume (90)814, Page 189 of the Brazoria County Deed Records, a tract of land described in a deed recorded under Brazoria County Clerk's File Number 99-016180 and a tract of land described in a deed recorded under Brazoria County Clerk's File Number 99-016813 for the northwest corner of the herein described tract;

THENCE N 86°44'02" E, a distance of 2640.22 feet to the intersection of County Roads 92 and 48 being the northeast corner of said called 120.134 acre tract for a corner of the herein described tract from which a found RR spike bears N 86°45'10" E, 7.70 feet and a found 1/2-inch iron rod bears S 86°31'02" W, 29.70 feet;

THENCE S 03°17'01" E, a distance of 4.56 feet with the centerline of said County Road 48 (based on original 40' width) to a point for corner from which a found 1/2-inch iron rod bears S 60°00'12" E, 35.94 feet;

THENCE N 86°42'41" E, a distance of 0.96 feet with the centerline of said County Road 92 (based on original 40' width) and the north line of said Section 80 to a point for corner;

THENCE S 03°13'13" E, a distance of 993.60 feet with the center line of said County Road 48 (original 40.00 foot width) and the west line of said Lots 2 and 1 to a point for corner;

THENCE N 86°42'41" E, a distance of 881.19 feet to a found 3/4-inch iron pipe for corner;

THENCE N 03°17'19" W, a distance of 993.60 feet to a point in the centerline of said County Road 92 (based on original 40' width) for corner;

THENCE N 86°42'41" E, a distance of 880.00 feet with the centerline of said County Road 92 (based on original 40' width) to a point for corner;

THENCE S 03°17'19" E, at a distance of 20.00 feet pass a 1/2-inch iron rod, in all a total distance of 495.00 feet to a 1/2-inch iron rod found for corner;

THENCE N 86°42'41" E, a distance of 880.00 feet to a point for corner from which a found 60d nail with shiner;

THENCE N 03°17'19" W, at 475.00 feet pass a found 1/2-inch iron rod, in all a total distance of 495.00 feet to a point for corner;

THENCE N 86°42'41" E. a distance of 1760.00 feet with the centerline of said County Road 92 (based on original 40' width) to a point for corner;

THENCE S 03° 17' 19" E, along the East line of said Lot 37 and 38, passing at 19.74 feet and East 1.41 foot a 1/2-inch iron pipe, at 48.09 feet pass a 2-inch iron pipe and East 1.22', a total distance of 993.60 feet to a found 2-inch iron pipe;

THENCE S 86°42'41" W, a distance of 440.00 feet to a point for corner from which a found 5/8-inch iron rod bears S 72°58" W, 0.6 feet;

THENCE S 03°17'19" E, a distance of 495.00 feet to a found 5/8-inch iron rod bears S 86°23'W, 0.5 feet for corner;

THENCE S 86°42'41"W, a distance of 440.00 feet to a point for corner from which a found 1/2-inch iron pipe bears S 67°22' W, 0.40 feet;

THENCE S 03°17'19" E, a distance of 1155.00 feet to a 1/2-inch iron rod with a cap stamped "Gormly 1918" found for corner;

THENCE N 86°42'41" E, a distance of 1760.00 feet to a point for corner from which a found a 1/2-inch iron rod with a cap stamped "Gormly 1918" bears N 13°12'20" W, 1.22 feet and a found 5/8-inch iron rod bears N 15°42'41" W, 1.34 feet;

THENCE S 03°17'19" E, a distance of 1980.00 feet to a point for corner from which a found 1/2-inch iron pipe bears N 02° 22'32" E, 1.82 feet;

THENCE S 86°42'41" W, a distance of 335.59 feet to a point for corner from which a found 3/4-inch iron pipe bears N 07°31'57" E, 1.79 feet;

THENCE S 03°17'19" E, a distance of 649.00 feet to a point in the centerline of County Road 59 (based on original 40' width) from which a found 3/4-inch iron pipe bears N 01° 45' 50" W, 21.56 feet;

THENCE S 86°42'41" W, a distance of 544.41 feet to a point in the centerline of County Road 59 (based on original 40' width) from which a found 1/2-inch iron pipe bears N 02°04'04" W, 21.38 feet;  
4

THENCE N 03°17'19" W, a distance of 649.00 feet to a point for corner from which a found 1/2-inch iron pipe and a 3/4-inch iron pipe bear N 07°04'14" E, 1.49 feet;

THENCE S 86°42'41" W, a distance of 880.00 feet to a point for corner from which a 1/2-inch iron

rod with a cap stamped "Gormly 1918" bears N 22°04'06" E, 0.99 feet;

THENCE N 03°17'19" W, a distance of 671.80 feet to a 1-inch iron pipe found for corner;

THENCE S 86°42'41" W, a distance of 3524.72 feet to a point in the centerline of said County Road 48 (based on original 40' width) from which a found 3/4-inch iron pipe bears N 87°42'35" E, 28.47 feet;

THENCE N 03°13'13" W, a distance of 2638.86 feet with the centerline of said County Road 48 (based on original 40' width) to a point from which a found 3/4-inch iron pipe with cap stamped "S. Adams 3666" bears S 87°06'43" W, 31.63 feet;

THENCE S 86°50'11" W, a distance of 1316.75 feet to a point for corner from which a found 3/4-inch iron pipe bears S 12°34'15" E, 5.57 feet and a found 3/4-inch iron pipe bears N 40°37'46" W, 49.20 feet;

THENCE S 03°07'48" E, a distance of 1320.57 feet to a 1 1/2-inch iron pipe found for corner from which a found 1/2-inch iron rod bears S 18°37'20" W, 6.28 feet;

THENCE S 86°33'32" W, a distance of 1322.77 feet to a 1/2-inch iron rod found for corner;

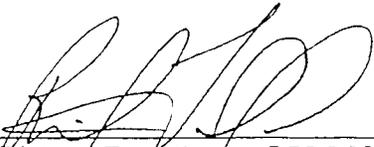
THENCE N 03°12'41" W, a distance of 2639.75 feet to the **POINT OF BEGINNING** and containing 497.71 acres of land.

In conclusion, the herein described 522.621 acre tract comprises a **TOTAL ACREAGE** of **522.62 ACRES**.

Bearing orientation is based on monumentation found on the west line of a called 120.134 acre tract of land described in a deed recorded in Volume (90)820, Page 217 of the Brazoria County Deed Records.

This metes and bounds description was prepared under 22 Texas Annotated Code # 663.21 and reflects the results of a survey completed on the ground, and the assembly of instruments of record to describe the political boundary limits of the Brazoria County MUD No. 34; and is not to be used to convey or establish interests in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which is was prepared.



  
Richard Fussell RPLS No. 4148  
Brown & Gay Engineers, Inc.  
11490 Westheimer Road, Suite 700  
Houston, Texas 77077  
Telephone: (281) 558-8700

# Exhibit C-1

LEGEND		
	EXIST. GUY WIRE	EXIST.
	EXIST. CONC. AREA	SMH
	EXIST. BOUNDARY LINE	EXISTING
	CONC.	SEWER MANHOLE
	WATER METER	EXIST. SEWER MANHOLE
	GAS METER	EXIST. DRAIN MANHOLE
	GAS VALVE	EXIST. SIGN
	WATER VALVE	EXIST. POWER OR TELEPHONE POLE
	DENOTES IRON ROD FOUND	HOSE BIB
	DENOTES 1/2" IRON ROD SET	EXIST. STREET LIGHT
	DENOTES CROSS CUT SET	EXIST. DITCH
	LINE NOT TO SCALE	EXIST. TRAFFIC LIGHT
	TITLE	EXIST. FIRE HYDRANT
		EXIST. DROP INLET
		DENOTES CROSS CUT
		ACTUAL

**PLAT NOTES:**

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF PEARLAND. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, G.F. NO. 1017002997, EFFECTIVE DATE: MAY 31, 2013. ISSUE DATE: JUNE 5, 2013.
- ALL BEARING REFERENCES ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.
- ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF PEARLAND OR BRAZORIA COUNTY.
- CITY OF PEARLAND GPS #9 WITH A PUBLISHED ELEVATION OF 59.03 1987 ADJUSTMENT.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 480338200202B, WITH THE EFFECTIVE DATE OF JUNE 5, 1989, THE PROPERTY IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN.) ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
- ACCESS RIGHTS TO PARKING AREAS AND DRIVEWAYS ARE HEREBY GRANTED TO ALL ADJOINING COMMERCIAL PROPERTIES.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF PEARLAND AND/OR BRAZORIA DRAINAGE DISTRICT #4. LOT LINES SHALL BE THE CENTER OF A 6 FOOT WIDE DRAINAGE EASEMENT.
- THIS PROPERTY IS LOCATED WHOLLY WITHIN MUNICIPAL UTILITY DISTRICT NO. 34.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF PEARLAND AND ASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- DRIVEWAY REQUIREMENTS FOR THE LOCATION, WIDTHS AND OFFSETS FROM AN INTERSECTION AND ANY EXISTING DRIVEWAY OR PROPOSED DRIVEWAYS, SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF PEARLAND ENGINEERING DESIGN CRITERIA MANUAL AND UNIFIED DEVELOPMENT CODE.
- BUILDINGS NOT SHOWN FOR CLARITY.

STATE OF TEXAS  
COUNTY OF BRAZORIA:

WE, FIRST HARTFORD REALTY CORPORATION, A LIMITED PARTNERSHIP, ACTING BY AND THROUGH NEIL ELLIS, PRESIDENT, OWNERS OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF AMENDING PLAT NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1, 1.749 ACRES OUT OF THE H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID FIRST HARTFORD REALTY CORP., ACCORDING TO THE LINES, LOTS, STREETS, ALLEYS, RESERVES, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE AS SUCH THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

IN TESTIMONY HERETO, FIRST HARTFORD REALTY CORPORATION, A LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY NEIL ELLIS, PRESIDENT, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

OWNER: FIRST HARTFORD REALTY CORPORATION A LIMITED PARTNERSHIP

BY: \_\_\_\_\_  
NEIL ELLIS, PRESIDENT

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED NEIL ELLIS, PRESIDENT OF FIRST HARTFORD REALTY CORPORATION, A LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ OF \_\_\_\_\_, 2014.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF BRAZORIA:

WE, CL ASHTON WOODS, L.P., A LIMITED PARTNERSHIP, ACTING BY AND THROUGH \_\_\_\_\_ MANAGING MEMBER, OWNER OF THE PROPERTY SUBDIVIDED IN THIS PLAT OF AMENDING PLAT NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1, 1.749 ACRES OUT OF THE H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID FIRST HARTFORD REALTY CORPORATION, ACCORDING TO THE LINES, LOTS, STREETS, ALLEYS, RESERVES, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE AS SUCH THE STREETS, ALLEYS, PARKS, AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

IN TESTIMONY HERETO, CL ASHTON WOODS, L.P., A LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY \_\_\_\_\_ MANAGING MEMBER, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

OWNER: CL ASHTON WOODS, L.P., A LIMITED PARTNERSHIP

BY: \_\_\_\_\_  
\_\_\_\_\_ MANAGING MEMBER

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED \_\_\_\_\_ MANAGING MEMBER OF CL ASHTON WOODS, L.P., A LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ OF \_\_\_\_\_, 2014.

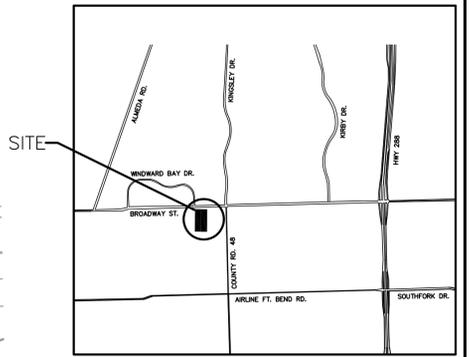
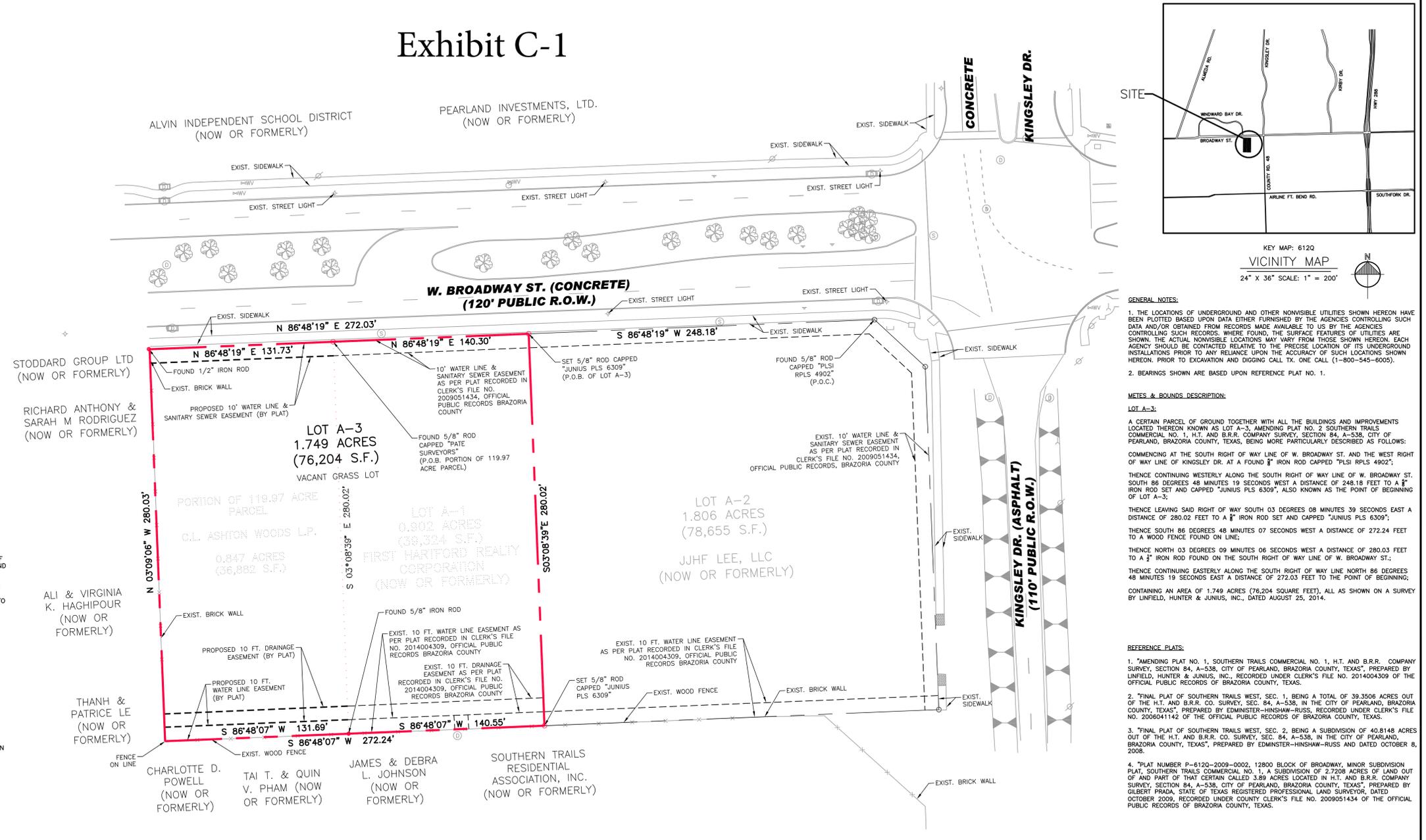
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS  
MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF BRAZORIA:

I, NATHAN J. JUNIUS, P.E., R.P.L.S., REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6309, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND IN ACCORDANCE WITH THE INFORMATION PROVIDED ME AND CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY AND IS TRUE AND CORRECT AND THAT ALL BOUNDARY CORNERS, LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE ARE PROPERLY MARKED WITH 5/8 INCH DIAMETER IRON RODS THREE FEET LONG OR AS SHOWN ON THE PLAT.

NATHAN J. JUNIUS, P.E., R.P.L.S.  
TEXAS REGISTRATION NO. 6309

DEPUTY \_\_\_\_\_ COUNTY CLERK OF BRAZORIA COUNTY, TEXAS



KEY MAP: 6120  
VICINITY MAP  
24" X 36" SCALE: 1" = 200'

**GENERAL NOTES:**

- THE LOCATIONS OF UNDERGROUND AND OTHER NONVISIBLE UTILITIES SHOWN HEREON HAVE BEEN PLOTTED BASED UPON DATA EITHER FURNISHED BY THE AGENCIES CONTROLLING SUCH DATA AND/OR OBTAINED FROM RECORDS MADE AVAILABLE TO US BY THE AGENCIES CONTROLLING SUCH RECORDS. WHERE FOUND, THE SURFACE FEATURES OF UTILITIES ARE SHOWN. THE ACTUAL NONVISIBLE LOCATIONS MAY VARY FROM THOSE SHOWN HEREON. EACH AGENCY SHOULD BE CONTACTED RELATIVE TO THE PRECISE LOCATION OF ITS UNDERGROUND INSTALLATIONS PRIOR TO ANY RELIANCE UPON THE ACCURACY OF SUCH LOCATIONS SHOWN HEREON. PRIOR TO EXCAVATION AND DIGGING CALL TX. ONE CALL (1-800-545-6005).
- BEARINGS SHOWN ARE BASED UPON REFERENCE PLAT NO. 1.

**METS & BOUNDS DESCRIPTION:**

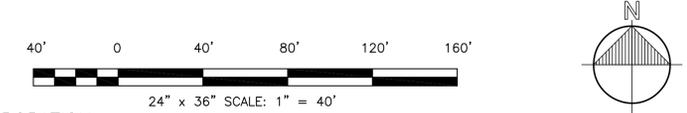
**LOT A-3:**  
A CERTAIN PARCEL OF GROUND TOGETHER WITH ALL THE BUILDINGS AND IMPROVEMENTS LOCATED THEREON KNOWN AS LOT A-3, AMENDING PLAT NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1, H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST. AND THE WEST RIGHT OF WAY LINE OF KINGSLEY DR. AT A FOUND 1/2" IRON ROD CAPPED "PLS RPLS 4902"; THENCE CONTINUING WESTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST. SOUTH 86 DEGREES 48 MINUTES 19 SECONDS WEST A DISTANCE OF 248.18 FEET TO A 1/2" IRON ROD SET AND CAPPED "JUNIUS PLS 6309", ALSO KNOWN AS THE POINT OF BEGINNING OF LOT A-3;  
THENCE LEAVING SAID RIGHT OF WAY SOUTH 03 DEGREES 08 MINUTES 39 SECONDS EAST A DISTANCE OF 280.02 FEET TO A 1/2" IRON ROD SET AND CAPPED "JUNIUS PLS 6309"; THENCE SOUTH 86 DEGREES 48 MINUTES 07 SECONDS WEST A DISTANCE OF 272.24 FEET TO A WOOD FENCE FOUND ON LINE;  
THENCE NORTH 03 DEGREES 09 MINUTES 06 SECONDS WEST A DISTANCE OF 280.03 FEET TO A 1/2" IRON ROD FOUND ON THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST.; THENCE CONTINUING EASTERLY ALONG THE SOUTH RIGHT OF WAY LINE NORTH 86 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 272.03 FEET TO THE POINT OF BEGINNING; CONTAINING AN AREA OF 1.749 ACRES (76,204 SQUARE FEET), ALL AS SHOWN ON A SURVEY BY LINFIELD, HUNTER & JUNIUS, INC., DATED AUGUST 25, 2014.

**REFERENCE PLATS:**

- "AMENDING PLAT NO. 1, SOUTHERN TRAILS COMMERCIAL NO. 1, H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS", PREPARED BY LINFIELD, HUNTER & JUNIUS, INC., RECORDED UNDER CLERK'S FILE NO. 2014004309 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.
- "FINAL PLAT OF SOUTHERN TRAILS WEST, SEC. 1, BEING A TOTAL OF 39.3506 ACRES OUT OF THE H.T. AND B.R.R. CO. SURVEY, SEC. 84, A-538, IN THE CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS", PREPARED BY EDWINSTER-HINSHAW-RUSS, RECORDED UNDER CLERK'S FILE NO. 2006041142 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.
- "FINAL PLAT OF SOUTHERN TRAILS WEST, SEC. 2, BEING A SUBDIVISION OF 40.8148 ACRES OUT OF THE H.T. AND B.R.R. CO. SURVEY, SEC. 84, A-538, IN THE CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS", PREPARED BY EDWINSTER-HINSHAW-RUSS AND DATED OCTOBER 8, 2008.
- "PLAT NUMBER P-6120-2009-0002, 12800 BLOCK OF BROADWAY, MINOR SUBDIVISION PLAT, SOUTHERN TRAILS COMMERCIAL NO. 1, A SUBDIVISION OF 2.7208 ACRES OF LAND OUT OF AND PART OF THAT CERTAIN CALLED 3.89 ACRES LOCATED IN H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS", PREPARED BY GILBERT PRADA, STATE OF TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, DATED OCTOBER 2009, RECORDED UNDER COUNTY CLERK'S FILE NO. 2009051434 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY, TEXAS.

## AMENDING PLAT NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1 H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538 CITY OF PEARLAND, BRAZORIA COUNTY TEXAS

ONE (1) LOT ONE (1) BLOCK  
REASON FOR PLAT AMENDMENT: COMBINE TWO (2) EXISTING LOTS INTO 1 LOT OF RECORD



OWNER -- LOT A-1:  
FIRST HARTFORD REALTY CORPORATION  
149 COLONIAL RD.  
MANCHESTER, CT 06042  
(860) 646-6555

OWNER -- PORTION OF 119.97 ACRE PARCEL  
CL ASHTON WOODS, L.P.  
3355 W. ALABAMA, SUITE 1240  
HOUSTON, TX 77098  
PH: (713) 255-7401

**LINFIELD, HUNTER & JUNIUS, INC.**  
PROFESSIONAL ENGINEERS, ARCHITECTS  
AND SURVEYORS  
3608 18th Street, Suite 200  
Metairie, Louisiana 70002  
T.X.L.S. FIRM NO. 10193767  
T.B.P.E. FIRM NO. 11654  
© 2011 by Linfield, Hunter & Junius, Inc.

DATE OF LAST FIELD WORK: JULY 25, 2014  
DATE OF PLAT MAP: AUGUST 25, 2014  
LH&J JOB NO. 14-90  
**PRELIMINARY**

THIS IS TO CERTIFY THAT THE CITY PLANNER OF THE CITY OF PEARLAND, TEXAS HAS APPROVED THIS AMENDING PLAT NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1 AND SUBDIVISION OF THE H.T. AND B.R.R. COMPANY SURVEY SECTION 84, A-538, AND IS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF PEARLAND AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

JOHNNA MATTHEWS  
CITY PLANNER  
CITY OF PEARLAND, TEXAS

APPROVED FOR THE CITY OF PEARLAND, TEXAS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

DARRIN COCKER  
CITY ATTORNEY

ANDREA BROUGHTON, P.E.  
CITY ENGINEER

STATE OF TEXAS  
COUNTY OF BRAZORIA:

I, \_\_\_\_\_ COUNTY CLERK, BRAZORIA COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS DULY RECORDED ON \_\_\_\_\_, 2014, AT \_\_\_\_\_ O'CLOCK, \_\_\_\_M. IN VOLUME \_\_\_\_\_, PAGE \_\_\_\_\_ OF THE BRAZORIA COUNTY PLAT RECORDS.

WITNESS MY HAND AND SEAL OF OFFICE, AT BRAZORIA COUNTY, TEXAS, THE DAY AND DATE LAST ABOVE WRITTEN.

DEPUTY \_\_\_\_\_ COUNTY CLERK OF BRAZORIA COUNTY, TEXAS

Exhibit C-1

METES & BOUNDS DESCRIPTION:

OVERALL PARCEL:

A CERTAIN PARCEL OF GROUND TOGETHER WITH ALL THE BUILDINGS AND IMPROVEMENTS LOCATED BEING A PORTION OF NO. 2 SOUTHERN TRAILS COMMERCIAL NO. 1, H.T. AND B.R.R. COMPANY SURVEY, SECTION 84, A-538, CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST. AND THE WEST RIGHT OF WAY LINE OF KINGSLEY DR. AT A FOUND 5/8 INCH IRON ROD CAPPED "PLSI RPLS 4902";

THENCE SOUTH 48 DEGREES 10 MINUTES 35 SECONDS EAST A DISTANCE OF 49.48 FEET TO A 5/8 INCH IRON ROD SET AND CAPPED "JUNIUS PLS 6309" ON THE WEST RIGHT OF WAY LINE OF KINGSLEY DR.;

THENCE CONTINUING ALONG SAID RIGHT OF WAY SOUTH 03 DEGREES 09 MINUTES 29 SECONDS EAST A DISTANCE OF 245.00 FEET TO A 5/8 INCH IRON ROD SET AND CAPPED "JUNIUS PLS 6309";

THENCE LEAVING SAID RIGHT OF WAY SOUTH 86 DEGREES 48 MINUTES 07 SECONDS WEST A DISTANCE OF 283.00 FEET TO A 5/8 INCH IRON ROD SET AND CAPPED "JUNIUS PLS 6309";

THENCE SOUTH 86 DEGREES 48 MINUTES 07 SECONDS WEST A DISTANCE OF 140.55 FEET TO A 5/8 INCH IRON ROD FOUND;

THENCE SOUTH 86 DEGREES 48 MINUTES 07 SECONDS WEST A DISTANCE OF 131.69 FEET TO A WOOD FENCE FOUND ON LINE;

THENCE NORTH 03 DEGREES 09 MINUTES 06 SECONDS WEST A DISTANCE OF 280.03 FEET TO A 1/2 INCH IRON ROD FOUND ON THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST.;

THENCE CONTINUING EASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF W. BROADWAY ST. NORTH 86 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 131.73 FEET TO A 5/8 INCH IRON ROD FOUND AND CAPPED "PATE SURVEYORS";

THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 86 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 140.30 FEET TO A 5/8 INCH IRON ROD SET AND CAPPED "JUNIUS PLS 6309";

THENCE NORTH 86 DEGREES 48 MINUTES 19 SECONDS EAST A DISTANCE OF 248.18 FEET TO  
THE POINT OF BEGINNING;

CONTAINING AN AREA OF 3.555 ACRES (154,859 SQUARE FEET).



# EXHIBIT "D"

## SOUTHERN TRAILS WEST

## SOUTHERN TRAILS

### LEGEND

-  PROPOSED MODEL HOME
-  (TYP 50'X120')..... 137 LOTS
-  (TYP 56'X120')..... 128 LOTS
-  (TYP 60'X120')..... 235 LOTS
-  (TYP 61'X115')..... 233 LOTS
-  (TYP 70'X115'/120')... 445 LOTS
-  (TYP 80'X120')..... 47 LOTS
-  (TYP 85'X130')..... 120 LOTS

# SOUTHERN TRAILS

+ 522.63 Acres of land

prepared for  
**C.L. ASHTON WOODS, LP.**

KERRY R. GILBERT & ASSOCIATES, INC. Land Planning Consultants

SCALE  
0 200 400 800

OCTOBER 01, 2014  
KGA# 06101B

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

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# EXHIBIT "E"

## LEGEND

-  Pedestrian Trail System
-  Pedestrian Underpass
-  Pedestrian at Grade Crossing
-  Recreation Park
-  Tot Lot / Park

# SOUTHERN TRAILS

+ 522.63 Acres of land

prepared for  
**C.L. ASHTON WOODS, LP.**

KERRY R. GILBERT & ASSOCIATES, INC. Land Planning Consultants

23501 Cinco Ranch Blvd.  
Suite A-250  
Katy, Texas 77494  
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# EXHIBIT "F"

## LEGEND

-  PRIMARY ENTRY MONUMENT
-  SECONDARY IDENTIFIER MONUMENT
-  SECONDARY IDENTIFIER MONUMENT FOR SOUTHERN TRAILS WEST

a master development plan for

# SOUTHERN TRAILS

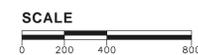
+ 522.63 Acres of land

prepared for  
**C.L. ASHTON WOODS, LP.**

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

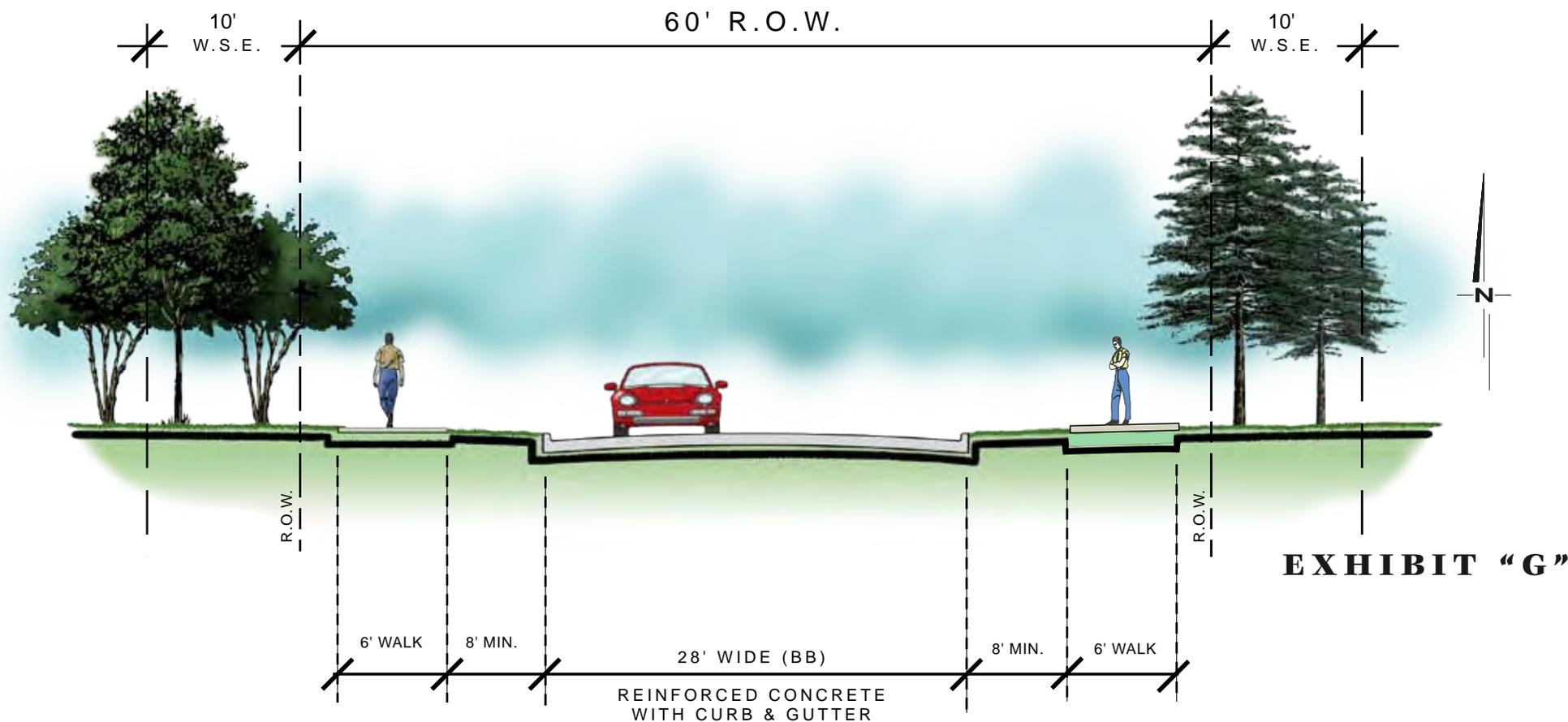
Land Planning Consultants

23501 Cinco Ranch Blvd.  
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- \* W.S.E. - WATER LINE/SANITARY SEWER EASEMENT
- \* 6' SIDEWALK MEANDERS BETWEEN THE RIGHT-OF-WAY AND THE RESERVES.

an 28' cross section exhibit for

# SOUTHERN TRAILS COLLECTOR STREETS

± 522.63 ACRES OF LAND

prepared for

**C.L. ASHTON WOODS, L.P.  
TAYLOR MORRISON OF TEXAS, INC.**

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

**Land Planning Consultants**  
23501 Cinco Ranch Blvd.  
Suite A-250  
Katy, Texas 77494  
(281) 579-0340  
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NOT TO SCALE

JANUARY 14, 2011  
KGA #06101