**JOINT PUBLIC HEARING**
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS,
**MONDAY, JANUARY 5, 2015, AT 6:30 P.M.**
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

## I. CALL TO ORDER

## II. PURPOSE OF HEARING

**Conditional Use Permit Application No. 2014-10**

A request of Stone Development Group, applicant; on behalf of Baath Investments LLC, owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Full Service/Detail Shop) on approximately 2.33 acres of land on the following described property:

**Legal Description:** Being a 2.3312 acre (101.546 SQ.FT.) tract of land out of tract 48 of the Allison-Richey Gulf Coast Home Company subdivision of the H.T. & B.R.R. Company survey, section no. 81, abstract no. 200, Brazoria county, Texas, according to the plat of said subdivision recorded in volume 2, page 98, of the plat records of Brazoria County, Texas, being out a called 2.615 acre tract save and except 0.2875 acre (12,522 sq. ft.) tract of land conveyed to the city of Pearland as described in deed filed under C.F. No. 2012007393 B.C.D.R.; said 2.3312 acre tract being more particularly described by metes and bounds as follows, bearings are based more particularly described by metes and bounds as follows, bearings are based on the Texas State Plan coordinate system (South Central Zone NAD82);

**General Location**: East side of Business Center Drive; west side of State Highway 288; and just south of Pearland Town Center

## 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: December 22, 2014

Re: **Conditional Use Permit Application No. 2014-10**

A request of Stone Development Group, applicant; on behalf of Baath Investments LLC, owner; for approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Full Service/Detail Shop) within the Business Park 288 (BP-288) zoning district, on approximately 2.33 acres of land.

## Proposal

The subject property includes approximately 2.33 acres, of which the applicant is requesting approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Full Service/Detail Shop). According to the applicant's letter of intent, the facility, iShine Auto Wash Express & Detail, will include a 7,220 square foot building, which will incorporate several environmentally conscious, resource saving ideas. The car wash will provide employees on the premise to ensure that the wash tunnel runs at top efficiency and to ensure expectations of the "customer's experience" are met with every wash. There will be vacuum towers on site for customers to vacuum their vehicles.

## 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 CUP 2014-10 to allow for an Auto Wash (Full Service/Detail Shop) on the approximately 2.33 acre site, following the reasons:

1. The property is located within the Business Park-288 (BP-288) zoning district. An "Auto Wash/Full Service Detail" shop is permitted, with approval of a Conditional Use Permit.

2. The proposed Auto Wash (Self Service) will not significantly impact surrounding properties or developments.

3. With approval of the Conditional Use Permit, the proposed Auto Wash will comply with the *Business Park* future land use designation of the Comprehensive Plan.

4. The proposed development will require platting of the site. Platting will ensure that infrastructure is adequate to serve the proposed development and that access complies with the City's Engineering Design Criteria Manual.

**Conditions of Approval**

1. Fifty percent (50) of the trees required along State Highway 288 must be located along the frontage/yard adjacent to State Highway 288. It does not appear that this requirement is shown on the site plan.

2. Development of the site must conform to all requirements of the BP-288 zoning district.

**Exhibits**

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

**Exhibit 1**
**Staff Report**

## Summary of Request

The subject property includes approximately 2.3 acres, of which the applicant is requesting approval of a Conditional Use Permit (CUP) to allow for an Auto Wash (Full Service/Detail Shop). According to the applicant's letter of intent, the facility, iShine Auto Wash Express & Detail, will include a 7,220 square foot building, which will incorporate several environmentally conscious, resource saving ideas including rainwater reclamation system, fiberglass reinforced concrete to cut down on steel production, energy saving designs throughout the facility to cut down on energy usage and lighting costs, upgraded fixtures to cut down on wasteful energy usage, recycling, and solar panel installation. iShine Auto Wash Express and Detail will implement the most up-to-date tunnel wash technology available. The car wash will provide employees on the premise to ensure that the wash tunnel runs at top efficiency and to ensure expectations of the "customer's experience" are met with every wash. There will also be vacuum towers on site for customers to vacuum their vehicles.

## Site History

The subject property is currently undeveloped. The property was annexed into the City of Pearland in 1996. Prior to the adoption of the Unified Development Code in 2006, the property was dually zoned Suburban Development Residential District (SD) and Low Density Single Family (R-1). In 2006 the Business Park-288 zoning district was created and applied to the subject property.

With the exception of the undeveloped BP-288 parcel to the west, cited to be developed with a Convalescent/Nursing Home, the site is surrounded by undeveloped properties located within non-residential zoning districts and/or non-residential/ mixed use Planned Developments (PDs). Directly north and south of the site are undeveloped tracts located within the Business Park 288 (BP-288) zoning district. Further north is the Pearland Town Center PD; a mixed use PD. Further south of the site is properties

located within the Business Center Drive PD; a non-residential PD. Directly east of the site is State Highway 288.

The below table identifies surrounding uses and zoning districts:

| | Zoning | Land Use |
|---|---|---|
| **North** | Business Park 288 (BP-288) | Undeveloped |
| **South** | Business Park 288 (BP-288) | Undeveloped |
| **East** | State Highway 288 | State Highway 288 |
| **West** | Business Park 288 (BP-288) | Undeveloped, Future Development of a Nursing/Convalescent Home |

**Conformance with the Unified Development Code**

The property is located within the Business Park – 288 (BP-288) zoning district, which is intended to permit large office complexes/campuses and retail development in locations with good visibility and roadway access. The BP-288 zoning district also permits uses (such as the proposed Auto Wash - Full Service/Detail Shop) with approval of a CUP, which may be suitable in certain locations and/or with certain conditions.

The site plan submitted for consideration depicts a single lot on 2.33 acres, associated parking spaces and landscaping with approximately 10,000 square feet proposed for detention. The detention area includes a number of trees on the west and east sides of the detention area. The Auto Wash will meet the requirements of the BP-288 zoning district as it relates to the area regulations.

The required and proposed lot area are listed below:

| | BP-288 Requirement | Subject Property |
|---|---|---|
| Minimum Lot Size | 43,560 sf. (1 acre) | 2.33 Acres |
| Minimum Lot Width | 150 ft. | 247 ft. 3 in. |
| Minimum Lot Depth | 200 ft. | 410 ft. 9 in. |

The applicant proposes 10,000 square feet of on-site detention located on the eastern boundary of the site as required by the UDC and the Engineering Design Criteria Manual. The BP-288 zoning district requires detention facilities to be incorporated as an amenity, such as a lake or pond. Other amenities for detention facilities include

aesthetic or other characteristics that increase its visual desirability, including recreational facilities, landscaping or large trees.

**Conformance with the Comprehensive Plan**

The subject property is located within the Business Park Future Land Use designation. According to the Comprehensive Plan, the area is generally encompassing of the SH 288 corridor and portions of Beltway 8 nearest SH 288. The Comprehensive Plan indicates a mixed use area developed in coordinated, master-planned campus-like settings with interdependent and complimentary uses. Preferred uses include office buildings of various heights, regional shopping centers and malls, research and development facilities and light manufacturing. With approval of the CUP, the proposed development will be in compliance with, and meets the intent of the Business Park Future Land Use designation; and will continue to provide for a mix of uses that are planned or developed for the area. The location of the property lends itself for a mix of non-residential uses, as indicated by the Comprehensive Plan.

**Conformance with the Thoroughfare Plan**

The property has frontage on Business Center Drive; a secondary thoroughfare of sufficient width, which requires 100 feet of right-of-way.

**Platting Status**

The subject property is not platted. Platting will be required prior to development and the issuance of building permits. The site plan illustrates a curb cut and access from the property to the north. Ingress, egress and connectivity will be analyzed at the time of platting in accordance with the City's Engineering Design Criteria Manual.

**Availability of Utilities**

The subject property has access to public infrastructure. According to Public Works, there is an existing 12 inch water line along the west side of Business Center Drive. Additionally, there is an existing 8 inch sanitary sewer line along the east side of Business Center Drive. The developer will be responsible for extending services to the site, if deemed necessary, and will be determined at the time of platting.

**Impact on Existing and Future Development**

The subject property is surrounded by commercial uses and/or zoning districts on three sides, most of which has yet to be developed; however, some developments are planned within the area, including various non-residential uses located within the Business Park PD, just west of the subject property, including a Nursing/Convalescent Home. State Highway 288 is located to the east of the property, which will be separated via a 64-foot wide detention pond, which will provide a sufficient buffer between the

thoroughfare and the rear of the Auto wash. Therefore, there should be no adverse impacts.

**Additional Comments**

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

**Public Notification**

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

**Opposition to or Support of Proposed Request**

As of the date of this writing, staff has not received any comments either in opposition to or in support of the proposed CUP to allow an Auto Wash (Full Service/Detail Shop).

**Recommendation**

Staff recommends approval of the CUP 2014-10 to allow for an Auto Wash (Full Service/Detail Shop) on the approximately 2.33 acre site, following reasons:

1. The property is located within the Business Park-288 (BP-288) zoning district. An "Auto Wash/Full Service Detail" shop is permitted, with approval of a Conditional Use Permit.

2. The proposed Auto Wash (Self Service) will not significantly impact surrounding properties or developments.

3. With approval of the Conditional Use Permit, the proposed Auto Wash will comply with the *Business Park* future land use designation of the Comprehensive Plan.

4. The proposed development will require platting of the site. Platting will ensure that infrastructure is adequate to serve the proposed development and that access complies with the City's Engineering Design Criteria Manual.

**Conditions of Approval**

1. Fifty percent (50) of the trees required along State Highway 288 must be located along the frontage/yard adjacent to State Highway 288. It does not appear that this requirement is shown on the site plan.

2. Development of the site must conform to all requirements of the BP-288 zoning district.

# ISHINE AUTO WASH

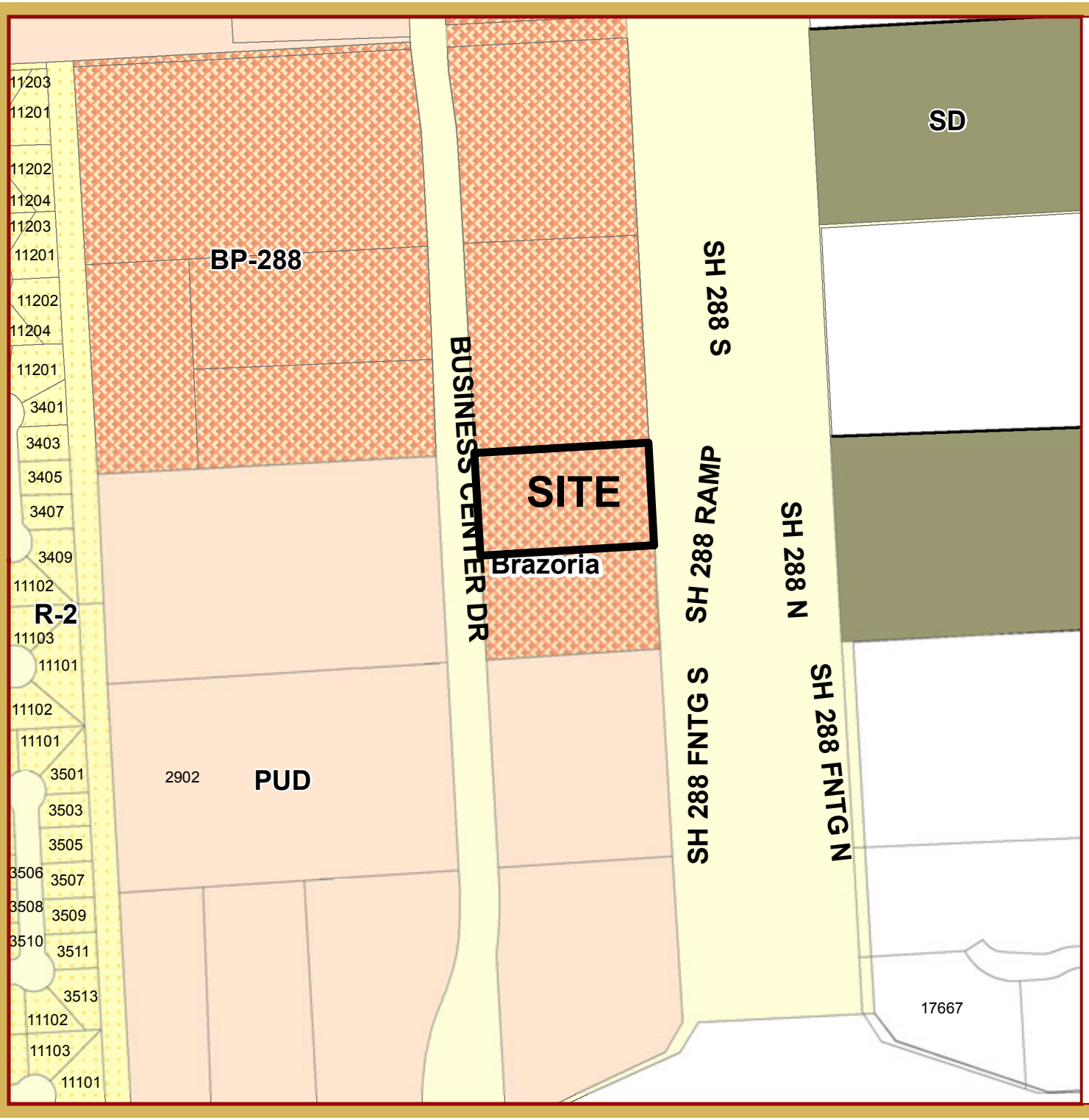
## AERIAL MAP
## CUP 2014-10

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 = 250 feet

22 MAY 2014
PLANNING DEPARTMENT

N




# ISHINE AUTO WASH

## ZONING MAP
## CUP 2014-10

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

1 inch = 333 feet

22 MAY 2014
PLANNING DEPARTMENT

N

# ISHINE AUTO WASH

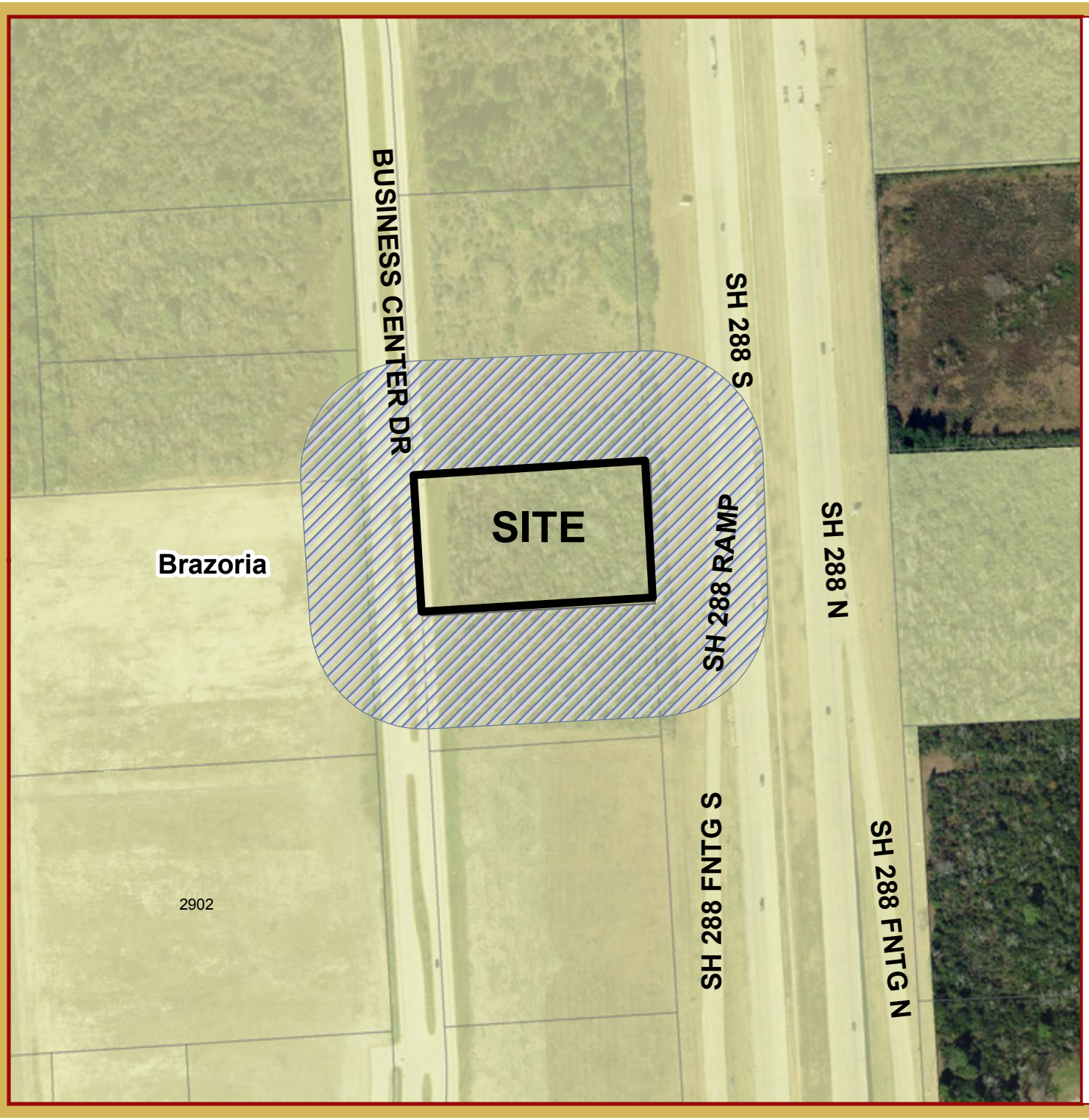
## FLUP MAP
## CUP 2014-10

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 = 250 feet

22 MAY 2014
PLANNING DEPARTMENT

N




# ISHINE AUTO WASH

# NOTIFICATION MAP
# CUP 2014-10

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 = 250 feet

22 MAY 2014
PLANNING DEPARTMENT

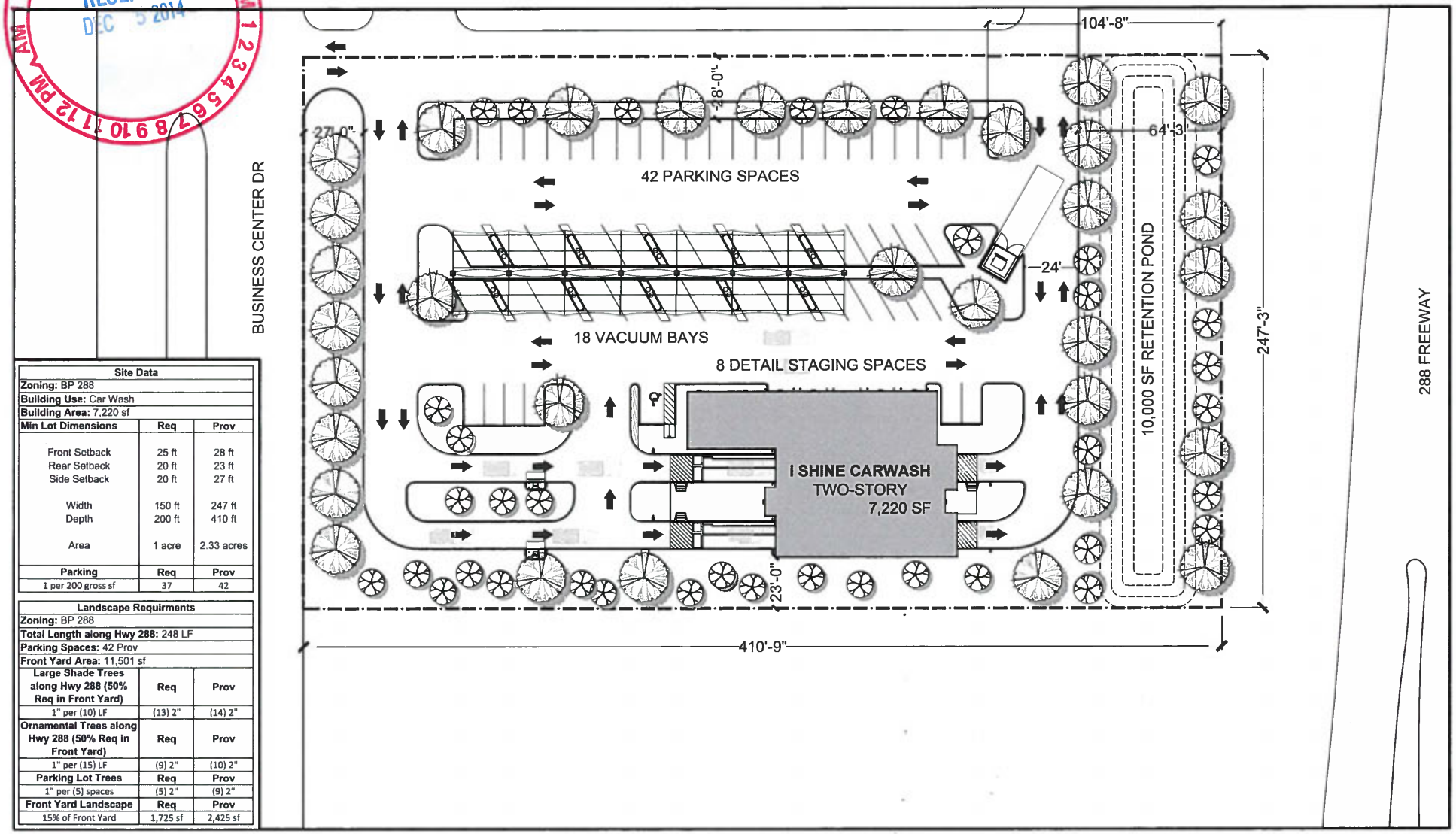
N

**CUP 2014-10**
**NOTIFICATION LIST**

| PROPERTY OWNER | ADDRESS | SUITE |
|---|---|---|
| YLT 288 Partners | 5855 Sovereign Dr. | STE. B |
| Stone Development Group | 1066 Marty Dr. | |
| Virani Ahmadali | 2814 Acorn Wood Wy. | |
| Fishman George & Mary | 3406 Hampshire St. | |
| Parkside 59/288 LTD % Joe Moody- Parkside Capital Investments | 3003 W Alabama St. | |
| Gold Star Development % William Yeh | 6229 Richmond Ave. | |

| CITY | STATE | ZIP |
|---|---|---|
| Houston | TX | 77036-2337 |
| Hudson | WI | 54016 |
| Houston | TX | 77059-5808 |
| Pearland | TX | 77581-4829 |
| Houston | TX | 77098-2001 |
| Houston | TX | 77057-6211 |

RECEIVED
DEC 5 2014




| Site Data | | |
|---|---|---|
| **Zoning:** BP 288 | | |
| **Building Use:** Car Wash | | |
| **Building Area:** 7,220 sf | | |
| **Min Lot Dimensions** | **Req** | **Prov** |
| Front Setback | 25 ft | 28 ft |
| Rear Setback | 20 ft | 23 ft |
| Side Setback | 20 ft | 27 ft |
| Width | 150 ft | 247 ft |
| Depth | 200 ft | 410 ft |
| Area | 1 acre | 2.33 acres |
| **Parking** | **Req** | **Prov** |
| 1 per 200 gross sf | 37 | 42 |

| Landscape Requirments | | |
|---|---|---|
| **Zoning:** BP 288 | | |
| **Total Length along Hwy 288:** 248 LF | | |
| **Parking Spaces:** 42 Prov | | |
| **Front Yard Area:** 11,501 sf | | |
| **Large Shade Trees along Hwy 288 (50% Req in Front Yard)** | **Req** | **Prov** |
| 1" per (10) LF | (13) 2" | (14) 2" |
| **Ornamental Trees along Hwy 288 (50% Req in Front Yard)** | **Req** | **Prov** |
| 1" per (15) LF | (9) 2" | (10) 2" |
| **Parking Lot Trees** | **Req** | **Prov** |
| 1" per (5) spaces | (5) 2" | (9) 2" |
| **Front Yard Landscape** | **Req** | **Prov** |
| 15% of Front Yard | 1,725 sf | 2,425 sf |

Proposed Site Plan
2.33 Total Acres

# iShine Carwash Hwy 288 & County Rd 59

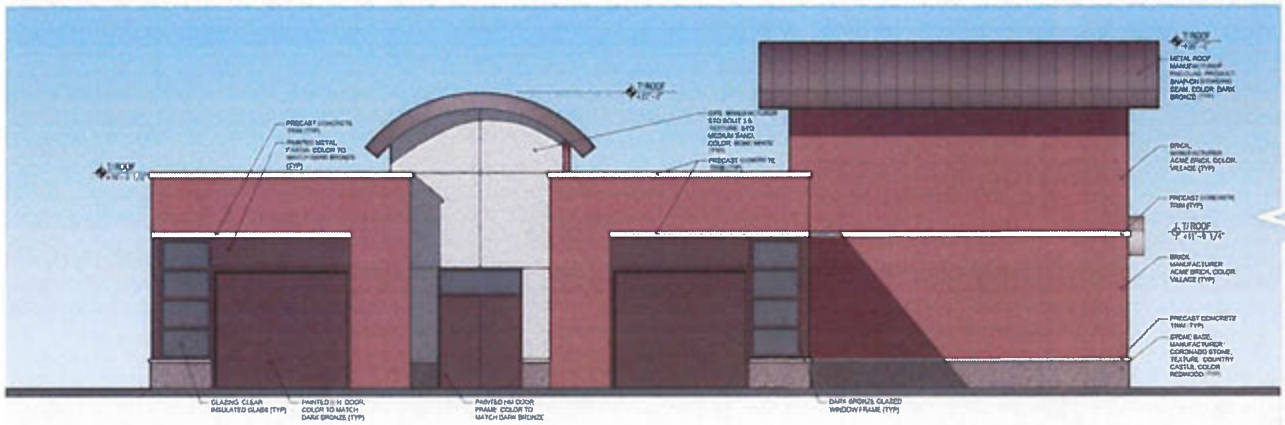
Pearland, TX

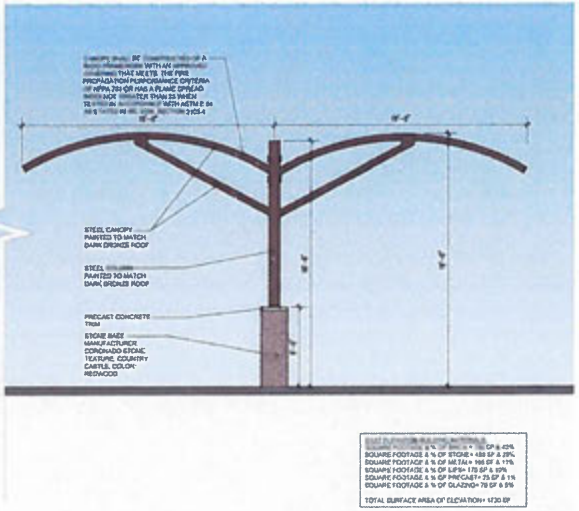
N

0 40'
SCALE: 1" = 40'

12.04.14

North Elevation





East Elevation

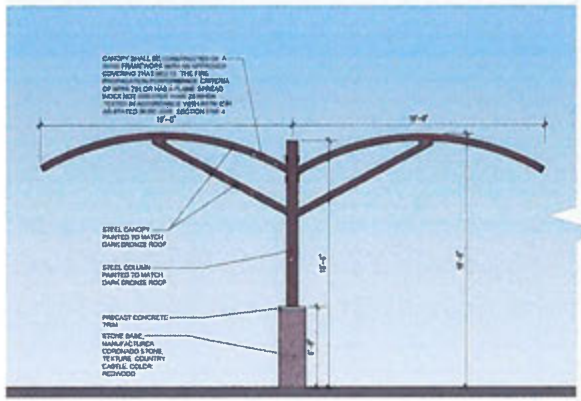
Proposed Elevations

# iShine Carwash Hwy 288 & County Rd 59

Pearland, TX

12.04.14

South Elevation



West/Front Elevation

Proposed Elevations

# iShine Carwash Hwy 288 & County Rd 59

Pearland, TX

12.04.14

RECEIVED
NOV 12 2014



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

# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

**Conditional Use Permit Request for:** AUTO WASH EXPRESS + DETAIL
(list proposed use from the Table of Uses of the UDC)

**Current Zoning District:** BP-288

**Property Information:**

Address or General Location of Property: EAST OF BUSINESS CENTER DRIVE, JUST SOUTH OF PEARLAND TOWN CENTER

Tax Account No. 0300-0021-120

Subdivision: A0300 HT+BRR, TRACT 48 Lot: Block:

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

**PROPERTY OWNER INFORMATION:**

NAME VLT 288 PARTNERS
ADDRESS 6855 SOVEREIGN DR, STE B
CITY HOUSTON STATE TX ZIP 77036
PHONE (281) 788-9875
FAX (281) 783-9888
E-MAIL ADDRESS DWTAN@TDCKARCHITECTS.COM

**APPLICANT/AGENT INFORMATION:**

NAME STONE DEVELOPMENT GROUP
ADDRESS 1066 MARTY DR.
CITY HUDSON STATE WI ZIP 54016
PHONE (715) 381-8446
FAX (651) 436-0748
E-MAIL ADDRESS JJSTONE@STONEDEVELOPMENTGROUP.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: Date: 11/3/2014

Agent's/ Applicant's Signature: Date: 11/3/2014

**OFFICE USE ONLY:**

| FEES PAID: 250.00 | DATE PAID: 11-12-14 | RECEIVED BY: C Brown | RECEIPT NUMBER: 41041 |
|---|---|---|---|

Application No. CUP 2014-10

# APPLICATION CHECKLIST FOR THE FOLLOWING
## Conditional Use Permits (CUP)

- [x] Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.
- [x] 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.**
- [x] Metes and Bounds Description, (Survey, or a Plat of the property that contain the metes and bounds description).
- [x] Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- [x] Letter of Intent, explaining the conditional use permit request in detail, specifying proposed uses, specific operations of the use, square footage of buildings, unique characteristics of the property, and any other necessary information
- [ ] Application fee of $250.00, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
- [x] Site Plan or Plot Plan showing the proposed layout of the subject property, including any proposed buildings, parking, landscaped areas, detention ponds, fences, and any other relevant information
- [x] Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing
- [x] Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- [x] Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

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

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

Such sign(s) shall be located as follows:

(1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.

(2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.

(3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.

(4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.

(5) The signs shall be as follows:

- A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
- At least 2 feet above the ground
- Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
- Message content as follows:

**PROPOSED (<u>SPECIFY REQUEST</u>)**
**Contact City of Pearland**
**281-652-1768**

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

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

11/3/2014

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

*** SALES SLIP ***

Oper: JCOTTER  Type: OC  Drawer: 1
Date: 11/13/14 01  Receipt no: 41041
Seq no. 3638175
Merch ID #: 0002
Cross ref#: 781878

Card no: **********6742
Card type: MASTER CARD

Auth code: 07535B
Date: 11/12/14  Time: 13:21:18

Payment total: $250.00

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.

Signature: _____
UPKAR BAATH

CUSTOMER COPY

CITY OF PEARLAND
*** CUSTOMER RECEIPT ***
Oper: JCOTTER  Type: OC  Drawer: 1
Date: 11/13/14 01  Receipt no: 41041

| Description | Quantity | Amount |
|---|---|---|
| BA BOARD OF ADJUSTMENTS | 1.00 | $250.00 |

Trans number: 4653556

CUP - MR UPCAR S BAATH
E BUSINESS CENTER DRIVE
S PEARLAND TOWN CENTER
STONE DEVELOPMENT GRP
YLT 288 PARTNERS

Tender detail

| | |
|---|---|
| BR CREDIT CARD | $250.00 |
| Total tendered | $250.00 |
| Total payment | $250.00 |

Trans date: 11/12/14  Time: 13:21:18

Nov 3, 2014

Lata Krishnarao, Director

Community Development Department

3523 Liberty Drive

Pearland, TX 77581

RE: iShine Auto Wash Express & Detail CUP – Business Center Drive

Dear Lata,

On behalf of our client Baath Investments LLC, we, Stone Development Group, are submitting an application for a Conditional Use Permit for the above referenced property located on Business Center Drive. The intent of the Conditional Use Permit is to allow development of a iShine Auto Wash Express & Detail that will offer high quality car wash to customers.

The facility will be developed and managed by Baath Investments, a company with vast experience in different real estate ventures. Upkar and Ruby Baath, who will be managing this property are also the owners of Kids 'R' Kids in Shadow Creek Ranch.

This will be state of the art, approximately 7000 sq ft building. *A consistent high-quality "wash experience" will be a top priority in running the business.* To achieve this high quality wash experience we will implement the latest most up-to-date tunnel wash technology available. However, attentive and customer friendly employees are needed to make certain the wash tunnel runs at top efficiency and to ensure expectations of the "customer's experience" are met with every wash.

Furthermore, as a company, we want our customers to know that we are environmentally conscience. In the spirit of "green" design and engineering we have incorporated several resource saving ideas into our building. The following green initiatives have been reviewed and approved for the SBA Green Initiative Program by Harry Leach (Capital CDC/SBA):

- All rain water from the building is captured and funneled into our water reclaim system. With a normal amount of rainfall we will consume less than 5% new domestic water.
- All concrete is fiberglass filled and reinforced to cut down on the amount of steel needed to complete the site work and building pad.

- All steel on site is made from a minimum of 80% post-consumer recycled material. This includes the structural steel, re-bar, studs, shade structure and conveyor equipment within the tunnels.
- We have installed an air make-up unit in the detail bays to ensure indoor air quality is acceptable to our employees and customers.
- The facility was designed to run on 480V power versus 208V power. This will reduce the energy costs by allow less current to be used for the same power requirements. Also, due to lower currents, we can use less material in the overall wiring of the facility (saving material and generating less waste).
- Skylights and glass/glazing were used extensively to promote natural light usage versus solely electrically lighting the tunnels. This cuts down on the electrical needs of the facility while enhancing our customer's experience.
- Modified all light fixtures to be T8 (Electronic ballast) versus the standard T12 (magnetic ballast). T8 electronic fixtures save over 40% in annual energy costs
- Modified all exterior lights to LED, high-efficiency lights
- We use 90% or better efficiency units for our HVAC systems. So, for every $100 spent on energy for these units, the unit will save roughly $16.
- We use 90% or better efficiency water heaters.
- When applicable, we will work with other local developers to haul in or truck out the spoils from local sites to ensure that the materials are not being shipped out to a disposal or holding facility.
- We also recycle the scrap that is generated at the construction site. Including, concrete, asphalt, rock, brick/masonry, tile/porcelain and all metal.
- All windows and glass are coated to cut down on the radiative heat flow. This reduces the heat loss while allowing the space to be heated by solar energy.
- Solar panel installation will produce nearly 15% of the energy usage for the entire site.

We have submitted a preliminary site plan showing detention along Hwy 288. Detention will follow BP-288 regulations as far being an amenity. In addition to the elements listed above, the site will provide landscaping and parking that meet the City of Pearland regulations.

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

Sincerely,

Jaron Stone

Nov 3, 2014

Lata Krishnarao, Director

Community Development Department

3523 Liberty Drive

Pearland, TX 77581

RE: 2.3312 acre YLT 288 Partners Tract-iShine Auto Wash Express & Detail

Dear Lata,

On behalf of our client Baath Investments LLC, we, Stone Development Group, are submitting an application for a Conditional Use Permit for the above referenced property located on Business Center Drive. Enclosed you will find.

- City of Pearland CUP Application
- Owner Authorization letter
- Survey of property
- Metes and Bounds Description
- City of Pearland Zoning Map with Property Boundary
- Letter of Intent
- Application Fee (Check#  )
- One (1) copy of site plan
- Acknowledgement of Sign to be posted 10 days prior to Public Hearing
- Tax Certificate

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

Sincerely,

Jaron Stone

Nov 1, 2014

Lata Krishnarao, Director

Community Development Department

3523 Liberty Drive

Pearland, TX 77581

RE: Conditional use Permit-Owner Authorization

Dear Lata,

I, Dai Wei Tan, General partner of YLT 288 Partners, am the owner of the 2.3312 acres of property, located east of Business Center Drive, just south of Pearland Town Center. I authorize Baath Investments LLC and Stone Development Group to be the applicant and agent for the requested Conditional Use Permit for an Auto Wash Express & Detail for the subject tract.

Sincerely,

Dai Wei Tan

General Partner

YLT 288 Partners

FEE $87.92

# TAX CERTIFICATE

**DATA TRACE**
10920 W. SAM HOUSTON PKWY N. SUITE 400
HOUSTON, TX. 77064
PHONE (281)890-0381 FAX (281)890-2114

***REMIT CERT FEE TO:***
***DATATRACE***
***P.O. BOX 731206***
***DALLAS, TX 75373-1206***

**CUST: OLD REPUBLIC TITLE OF HOUSTON** **BRANCH: AD**
**ORDER: 14005600** **CLOSER: HA** **ORDER TYPE: A** **SUBTYPE: R** **DATE: 10/22/2014**

**CAD ACCOUNT NUMBER SUMMARY**

0300-0021-120

**SUMMARY OF ALL ACCOUNT(S)**

| | SUMMARY OF CURRENT YEAR | | SUMMARY OF ALL TAXES DUE | |
|---|---|---|---|---|
| | TAX YEAR | BASE TAX | DUE 10/14 | DUE 11/14 |
| BRAZORIA CO/PAY TO: RO'VI | 2013 | 498.86 | 0.00 | 0.00 |
| CITY OF PEARLAND | 2013 | 714.90 | 0.00 | 0.00 |
| ISD - ALVIN | 2013 | 1,347.57 | 0.00 | 0.00 |
| BC DRAINAGE DIST #4 | 2013 | 158.17 | 0.00 | 0.00 |
| ALVIN COMMUNITY COLLEGE | 2013 | 202.53 | 0.00 | 0.00 |
| PEARLAND MUNICPAL MGMT DI | 2013 | 101.39 | 0.00 | 0.00 |
| TOTAL TAX | | 3,023.42 | 0.00 | 0.00 |

********** COMMENTS ********** CAUTION ********** READ BEFORE CLOSING **********

| | | |
|---|---|---|
| **COMMENT** | - | **REQUESTED 2.331 AC - REPORTED 2.327 AC** |
| BRAZORIA CO/PAY TO: RO'VIN | - | RATE INCLUDES COUNTY(.368480) ROAD/BRIDGE(.056480) MOSQUITO DISTRICT(.013540)ROAD/BRIDGE SPECIAL(.06) EXEMPTS: HS-20%; O65-100,000; DIS-100,000 |
| CITY OF PEARLAND | - | EXEMPTS: HS-2.5%/5,000:O65-40,000:DIS-40,000 |
| ISD - ALVIN | - | EXEMPTS: HS-15,000; OVER65-20,000; DIS-10,000 |
| BC DRAINAGE DIST #4 | - | EXEMPTS: HS-20%; O65-75,000; DIS-75,000BONDS APP ROVED:0; BONDS ISSUED: 0BOND INFORMATION UPDATED 12-1-10 |
| ALVIN COMMUNITY COLLEGE | - | EXEMPTS: HS-0; O65-75,000; DIS-75,000 |
| PEARLAND MUNICPAL MGMT DIS | - | NEW FOR 2013 |

CPL DR4 GBC JAL SAL PMD
**TR3/RSN**

CAD# **0300-0021-120**
DESC **A0300 H T & B R R, TRACT 48, ACRES 2.3275 ABST/SUB ID A0300**
ACREAGE **2.327**
SITUS ***BUSINESS CENTER DR CPL***
MAIL 5855 SOVEREIGN DR STE B HOUSTON TX 77036-2337
ASSESSED OWNER(S)
***YLT 288 PARTNERS***

DEED ***05-027226***

**2014 ASSESSED VALUES**

| | |
|---|---|
| LAND | 304,160 |
| IMPROVEMENT | 0 |
| **TOTAL VALUE** | **304,160** |

**ASSESSED AS LAND ONLY**

# TAX CERTIFICATE

**DATA TRACE**
10920 W. SAM HOUSTON PKWY N. SUITE 400
HOUSTON, TX. 77064
PHONE (281)890-0381 FAX (281)890-2114

***REMIT CERT FEE TO:***
***DATATRACE***
***P.O. BOX 731206***
***DALLAS, TX 75373-1206***

**CUST: OLD REPUBLIC TITLE OF HOUSTON** **BRANCH: AD**
**ORDER: 14005600** **CLOSER: HA** **ORDER TYPE: A** **SUBTYPE: R** **DATE: 10/22/2014**

## TAX ENTITY INFORMATION

**BRAZORIA CO/PAY TO: RO'VIN GARRETT, RTA** **PAYMENTS AS OF** **09/19/2014**

111 E. LOCUST SUITE 100 ANGLETON, TX 77515-4682
PHONE 281-756-1320

14 TAX RATE 0.4985200
**W/O EXEMPT 1,516.30**

**EXEMPTIONS NONE**

| YR | BASE TAX | BASE DUE | DUE 10/14 | DUE 11/14 |
|---|---|---|---|---|
| 13 | 498.86 | 0.00 | *** PAID 01/13/14 *** | |
| SUBTOTAL | 498.86 | 0.00 | **0.00** | **0.00** |

**CITY OF PEARLAND** **PAYMENTS AS OF** **09/19/2014**

COLLECTED BY COUNTY
PHONE 281-756-1320

14 TAX RATE 0.7121000
**W/O EXEMPT 2,165.92**

**EXEMPTIONS NONE**

| YR | BASE TAX | BASE DUE | DUE 10/14 | DUE 11/14 |
|---|---|---|---|---|
| 13 | 714.90 | 0.00 | *** PAID 01/13/14 *** | |
| SUBTOTAL | 714.90 | 0.00 | **0.00** | **0.00** |

**ISD - ALVIN** **PAYMENTS AS OF** **09/19/2014**

COLLECTED BY COUNTY
PHONE 281-756-1320

14 TAX RATE 1.4170000
**W/O EXEMPT 4,309.95**

**EXEMPTIONS NONE**

| YR | BASE TAX | BASE DUE | DUE 10/14 | DUE 11/14 |
|---|---|---|---|---|
| 13 | 1,347.57 | 0.00 | *** PAID 01/13/14 *** | |
| SUBTOTAL | 1,347.57 | 0.00 | **0.00** | **0.00** |

**BC DRAINAGE DIST #4** **PAYMENTS AS OF** **09/19/2014**

COLLECTED BY COUNTY
PHONE 281-756-1320

14 TAX RATE 0.1560000
**W/O EXEMPT 474.49**

**EXEMPTIONS NONE**

| YR | BASE TAX | BASE DUE | DUE 10/14 | DUE 11/14 |
|---|---|---|---|---|
| 13 | 158.17 | 0.00 | *** PAID 01/13/14 *** | |
| SUBTOTAL | 158.17 | 0.00 | **0.00** | **0.00** |

**ALVIN COMMUNITY COLLEGE** **PAYMENTS AS OF** **09/19/2014**

COLLECTED BY COUNTY
PHONE 281-756-1320

14 TAX RATE 0.2040090
**W/O EXEMPT 620.51**

**EXEMPTIONS NONE**

| YR | BASE TAX | BASE DUE | DUE 10/14 | DUE 11/14 |
|---|---|---|---|---|
| 13 | 202.53 | 0.00 | *** PAID 01/13/14 *** | |
| SUBTOTAL | 202.53 | 0.00 | **0.00** | **0.00** |

**PEARLAND MUNICPAL MGMT DISTRICT #2** **PAYMENTS AS OF** **09/19/2014**

111 E. LOCUST SUITE 100 ANGLETON, TX 77515-4682
PHONE 281-756-1320

14 TAX RATE 0.1000000
**W/O EXEMPT 304.16**

**EXEMPTIONS NONE**

| YR | BASE TAX | BASE DUE | DUE 10/14 | DUE 11/14 |
|---|---|---|---|---|
| 13 | 101.39 | 0.00 | *** PAID 01/13/14 *** | |
| SUBTOTAL | 101.39 | 0.00 | **0.00** | **0.00** |

# TAX CERTIFICATE

**DATA TRACE**
10920 W. SAM HOUSTON PKWY N. SUITE 400
HOUSTON, TX. 77064
PHONE (281)890-0381 FAX (281)890-2114

***REMIT CERT FEE TO:***
***DATATRACE***
***P.O. BOX 731206***
***DALLAS, TX 75373-1206***

**CUST: OLD REPUBLIC TITLE OF HOUSTON** **BRANCH: AD**

**ORDER: 14005600** **CLOSER: HA** **ORDER TYPE: A** **SUBTYPE: R** **DATE: 10/22/2014**

## CONDITIONS, DISCLAIMERS AND EXCLUSIONS

This Tax Certificate/Tax Order Report does not constitute a report on or certification of: (1) mineral (productive and/or non-productive) taxes or leases; (2) personal property taxes; or (3) other non ad valorem taxes (such as paving liens, stand-by charges or maintenance assessments).

Data Trace Information Services LLC ("Data Trace") may have warranted the accuracy of this Tax Certificate/Tax Order Report to its customer (the "Data Trace Customer") pursuant to the terms and conditions of a written tax service agreement between Data Trace and said Data Trace Customer (the "Tax Service Agreement"). Any such warranty (hereinafter, "Data Trace Customer Warranty") does not: (a) extend to a third party bearer of this Tax Certificate/Tax Order Report; (b) cover any changes made to the records of the taxing authority after the "payments as of," "paid," or "payment" dates delineated above; and (c) cover any invalid tax information shown on the records of the taxing authority or resulting from an error by the Data Trace Customer (including, without limitation, submission of incorrect property information by said Data Trace Customer). DATA TRACE MAKES NO WARRANTIES (EXPRESS OR IMPLIED) WITH RESPECT TO THIS TAX CERTIFICATE/TAX ORDER REPORT OTHER THAN (WHERE APPLICABLE) THE DATA TRACE CUSTOMER WARRANTY. Any and all claims under a Data Trace Customer Warranty must be submitted to Data Trace by the corresponding Data Trace Customer and are subject to the terms and conditions set forth in the pertinent Tax Service Agreement (including, without limitation, the filing deadlines applicable to such claims). In some jurisdictions Data Trace's validation of a Tax Certificate/Tax Order Report is required to activate a Data Trace Customer Warranty.

**PRINTED BY HS7/HOT**

# HOA CERTIFICATE

**DATA TRACE**
10920 W. SAM HOUSTON PKWY N. SUITE 400
HOUSTON, TX. 77064
PHONE (281)890-0381 FAX (281)890-2114

***REMIT CERT FEE TO:***
***DATATRACE***
***P.O. BOX 731206***
***DALLAS, TX 75373-1206***

**CUST: OLD REPUBLIC TITLE OF HOUSTON** **BRANCH: AD**
**ORDER: 14005600** **CLOSER: HA** **ORDER TYPE: A** **SUBTYPE: R** **DATE: 10/22/2014**

**SELLER** YLT 288 PARTNERS
**BUYER** BAATH INVESTMENTS LLC
**COUNTY** BRAZORIA
**SUBD NAME / BLK A0300 H T & B R R**
**NO HOA FOUND FOR A0300 H T & B R R**

***** OUR RESEARCH DOES NOT INDICATE THE EXISTENCE OF AN *****
***** HOA. PLEASE VERIFY WITH YOUR TITLE REPORT. IF AN *****
***** HOA IS KNOWN, PLEASE CONTACT YOUR TAX SERVICE *****

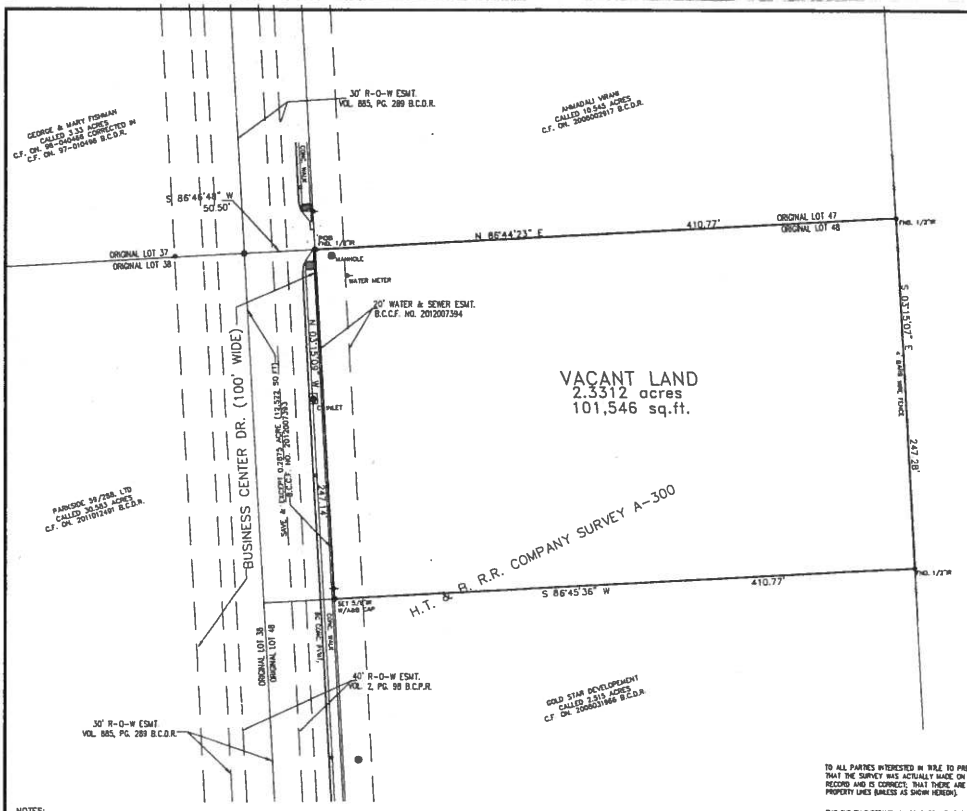
**SUMMARY OF ACCOUNT 0300-0021-120**

**DESC** A0300 H T & B R R, TRACT 48, ACRES 2.3275 ABST/SUB ID A0300
**SITUS** BUSINESS CENTER DR CPL

## CONDITIONS, DISCLAIMERS AND EXCLUSIONS

This HOA Certificate does not constitute a report on or certification of: (1) mineral (productive and/or non-productive) taxes or leases; (2) personal property taxes; or (3) other non ad valorem taxes (such as paving liens, stand-by charges or maintenance assessments).

Data Trace Information Services LLC ("Data Trace") may have warranted the accuracy of this HOA Certificate to its customer (the "Data Trace Customer") pursuant to the terms and conditions of a written tax service agreement between Data Trace and said Data Trace Customer (the "Tax Service Agreement"). Any such warranty (hereinafter, "Data Trace Customer Warranty") does not: (a) extend to a third party bearer of this HOA Certificate; (b) cover any changes made to the records of the association or other assessment authority after the "payments as of," "paid," or "payment" dates delineated above; and (c) cover any invalid assessment information shown on the records of the association or other assessment authority authority or resulting from an error by the Data Trace Customer (including, without limitation, submission of incorrect property information by said Data Trace Customer). DATA TRACE MAKES NO WARRANTIES (EXPRESS OR IMPLIED) WITH RESPECT TO THIS HOA CERTIFICATE OTHER THAN (WHERE APPLICABLE) THE DATA TRACE CUSTOMER WARRANTY. Any and all claims under a Data Trace Customer Warranty must be submitted to Data Trace by the corresponding Data Trace Customer and are subject to the terms and conditions set forth in the pertinent Tax Service Agreement (including, without limitation, the filing deadlines applicable to such claims). In some jurisdictions Data Trace's validation of a HOA Certificate is required to activate a Data Trace Customer Warranty.




| ABBREVIATIONS | | |
|---|---|---|
| MH | = | MAN HOLE |
| SAN | = | SANITARY |
| CONC. | = | CONCRETE |
| FND | = | FOUND |
| I.P. | = | IRON PIPE |
| I.R. | = | IRON ROD |
| H.C.H.R. | = | HARRIS COUNTY MAP RECORDS |
| H.C.D.R. | = | HARRIS COUNTY DEED RECORDS |
| PP | = | POWER POLE |
| No. | = | NUMBER |
| TYP | = | TYPICAL |
| VOL., PG. | = | VOLUME, PAGE |

## LEGEND

- Traffic Sign
- Post
- Mail Box
- Water Meter
- Faint Fire Hydrant
- Faint Water Valve
- Yard Light
- Street Light
- Power Pole

UNDERGROUND TELEPHONE CABLE
CONCRETE CURB
OVERHEAD ELECTRIC
PROPERTY LINE
SANITARY SEWER LINE
EDGE OF ASPHALT
STORM LINE
WATER LINE
GAS LINE

LEGAL DESCRIPTION OF
2.3312 ACRE TRACT OF LAND

BEING A 2.3312 ACRE (101,548 SQ.FT.) TRACT OF LAND OUT OF TRACT 48 OF THE ALLISON-RICHEY GULF COAST HOME COMPANY SUBDIVISION OF THE H.T. & B.R.R. COMPANY SURVEY, SECTION NO. 81, ABSTRACT NO. 300, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED IN VOLUME 2, PAGE 98, OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS. BEING OUT A CALLED 3.615 ACRE TRACT SAVE AND EXCEPT 0.2875 ACRE (12,522 SQ.FT.) TRACT OF LAND CONVEYED TO THE CITY OF PEARLAND AS DESCRIBED IN DEED FILED UNDER C.F. NO. 2012007393 B.C.D.R.; SAID 2.615 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (SOUTH CENTRAL ZONE NAD83);

BEGINNING AT A ½ INCH IRON ROD FOUND IN THE EASTERLY RIGHT-OF-WAY LINE OF BUSINESS CENTER DR. (100' WIDE) FROM WHICH THE COMMON CORNER OF TRACTS 37, 38, 47, AND 48 OF SAID GULF COAST CO. SUBDIVISION BEARS SOUTH 86° 44' 23" EAST, 50.50 FEET SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE NORTH 86° 44' 23" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT 48, ALONG THE SOUTHERLY LINE OF SAID TRACT 47, A DISTANCE OF 410.77 FEET TO A ONE-HALF INCH IRON ROD FOUND IN THE WESTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 288 FREEWAY (420.00 FEET WIDE) FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE SOUTH 03° 15' 07" EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 288 AND THE EAST LINE OF SAID TRACT 48, A DISTANCE 247.28 FEET TO A ONE-HALF INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE SOUTH 86° 45' 36 "WEST, ALONGTHE SOUTHERLY LINE OF SAID TRACT 48 AND THE NORTHERLY LINE OF SAID TRACT 49, A TOTAL DISTANCE OF 410.77 FEET TO A 5/8 INCH IRON ROD WITH ABB CAP SET IN THE EASTERLY RIGHT-OF-WAY LINE OF SAID BUSINESS CENTER DR. FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;;

THENCE NORTH 03° 15' 09" WEST, OVER AND ACROSS SAID TRACT 48, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID BUSINESS CENTER DR., A DISTANCE OF 247.14 FEET, TO THE POINT OF BEGINNING CONTAINING 2.3312 ACRES (101,548 SQ.FT.) OF LAND.

NOTES:

1. ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE (NAD83, 2001 ADJ.).
2. NO RESEARCH WAS PERFORMED BY A & B CONSULTANTS FOR RECORDED OR UNRECORDED EASEMENTS THAT MAY AFFECT THIS PROPERTY.
3. THIS PROPERTY LIES WITHIN ZONE "X" UNSHADED OUTSIDE THE 100-YEAR FLOOD PLAIN ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA CO. NUMBER 48039C0020H REVISED DATED JUNE 3, 1989
4. THIS SURVEY WAS WAS BASED ON INFORMATION FOUND IN TITLE REPORT ISSUED BY OLD REPUBLIC TITLE INSURANCE CO. GF NO. 14003202 DATED JUNE 6, 2014

TO ALL PARTIES INTERESTED IN TITLE TO PREMISES SURVEYED: THIS IS TO CERTIFY THAT THE SURVEY WAS ACTUALLY MADE ON THE GROUND AS PER DESCRIPTION OF RECORD AND IS CORRECT; THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES (UNLESS AS SHOWN HEREON).

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION I (URBAN BUSINESS DISTRICT) STANDARD LAND SURVEY.

DATED THIS THE 18TH DAY OF MARCH, 2014

SIGNED
ROBERT J. ARMITAGE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5685

STATE OF TEXAS
ROBERT J. ARMITAGE
5685
REGISTERED
PROFESSIONAL
LAND SURVEYOR

**A & B CONSULTANTS, LLC**
15311 LAMANCHA DRIVE HOUSTON, TEXAS 77083
(281)-496-3118 E-MAIL ARMITAGEPLS@SBCGLOBAL.NET

LAND TITLE SURVEY
OF
A 2.3312 ACRE TRACT OF LAND LOCATED IN
H.T. & B. R.R. COMPANY SURVEY A-300
BEING OUT OF TRACT 48 OF THE ALLISON-RICHEY GULF COAST HOME COMPANY SUBDIVISION RECORDED VOL. 2, PG. 98 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS

| | | |
|---|---|---|
| DRAWN BY: SPS | DATE: 6-15-14 | PREPARED FOR: AL FLORES & OLD REPUBLIC NATIONAL TITLE |
| APPROVED BY: RJA | DATE: 6-18-14 | |
| SCALE 1"=50' | SHEET NO 1 OF 1 | |

LEGAL DESCRIPTION OF
2.3312 ACRE TRACT OF LAND

BEING A 2.3312 ACRE (101,546 SQ.FT.) TRACT OF LAND OUT OF TRACT 48 OF THE ALLISON-RICHEY GULF COAST HOME COMPANY SUBDIVISION OF THE H.T. & B.R.R. COMPANY SURVEY, SECTION NO. 81, ABSTRACT NO. 300, BRAZORIA COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID SUBDIVISION RECORDED IN VOLUME 2, PAGE 98, OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, BEING OUT A CALLED 2.615 ACRE TRACT SAVE AND EXCEPT 0.2875 ACRE (12,522 SQ.FT.) TRACT OF LAND CONVEYED TO THE CITY OF PEARLAND AS DESCRIBED IN DEED FILED UNDER C.F. NO. 2012007393 B.C.D.R.; SAID 2.3312 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (SOUTH CENTRAL ZONE NAD83);

**BEGINNING** AT A ½ INCH IRON ROD FOUND IN THE EASTERLY RIGHT-OF-WAY LINE OF BUISNESS CENTER DR. (100' WIDE) FROM WHICH THE COMMON CORNER OF TRACTS 37, 38, 47, AND 48 OF SAID GULF COAST CO. SUBDIVISION BEARS SOUTH 86° 46' 48" EAST, 50.50 FEET SAID POINT BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

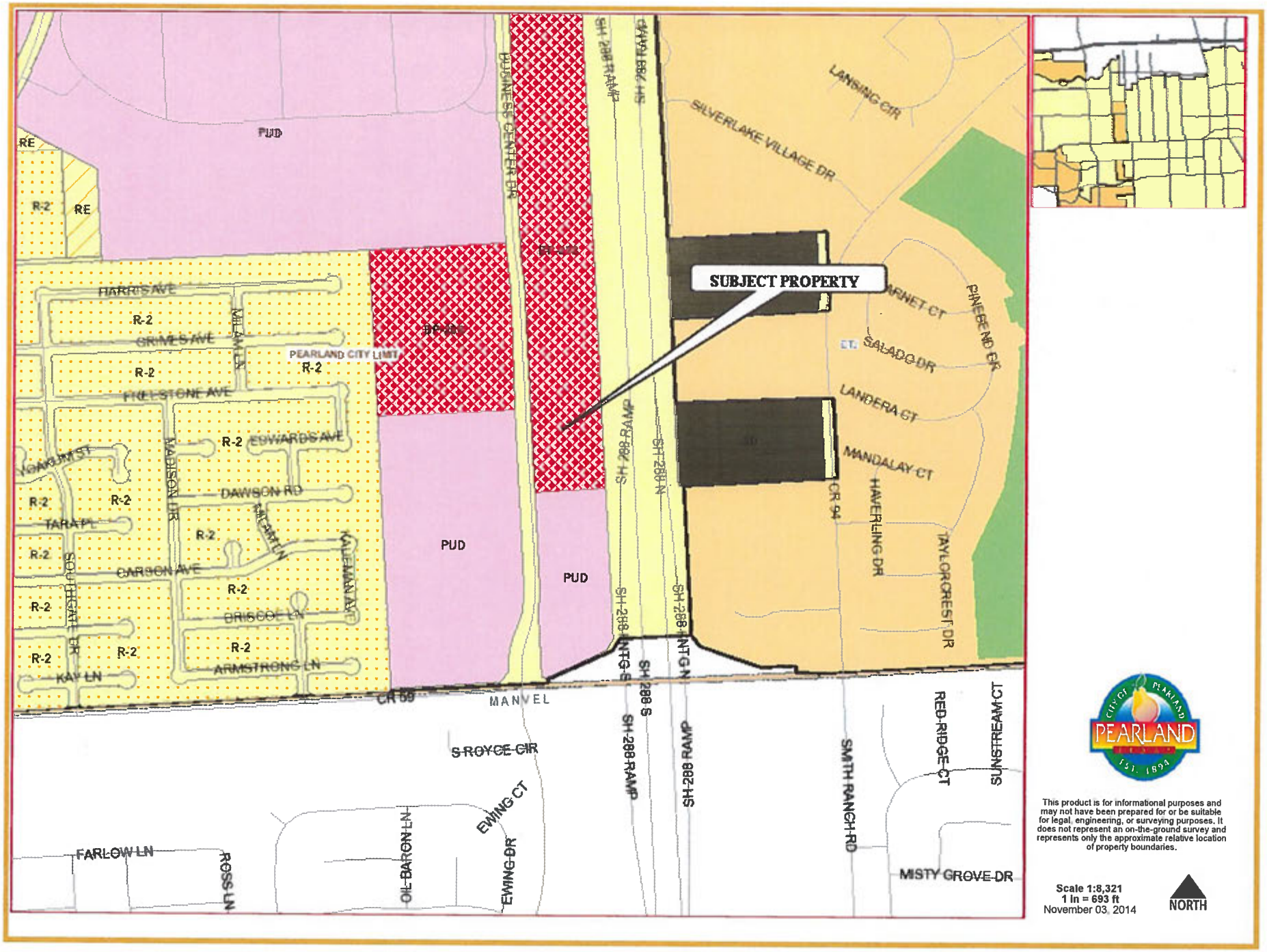
THENCE NORTH 86° 44' 23" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT 48, ALONG THE SOUTHERLY LINE OF SAID TRACT 47, A DISTANCE OF 410.77 FEET TO A ONE-HALF INCH IRON ROD FOUND IN THE WESTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 288 FREEWAY (420.00 FEET WIDE) FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE SOUTH 03° 15' 07" EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 288 AND THE EAST LINE OF SAID TRACT 48, A DISTANCE 247.28 FEET TO A ONE-HALF INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE SOUTH 86° 45' 36 "WEST, ALONGTHE SOUTHERLY LINE OF SAID TRACT 48 AND THE NORTHERLY LINE OF SAID TRACT 49, A TOTAL DISTANCE OF 410.77 FEET TO A 5/8 INCH IRON ROD WITH A&B CAP SET IN THE EASTERLY RIGHT-OF-WAY LINE OF SAID BUISNESS CENTER DR. FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;;

THENCE NORTH 03° 15' 09" WEST, OVER AND ACROSS SAID TRACT 48, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID BUISNESS CENTER DR., A DISTANCE OF 247.14 FEET, TO THE **POINT OF BEGINNING** CONTAINING 2.3312 ACRES (101,546 SQ.FT.) OF LAND.

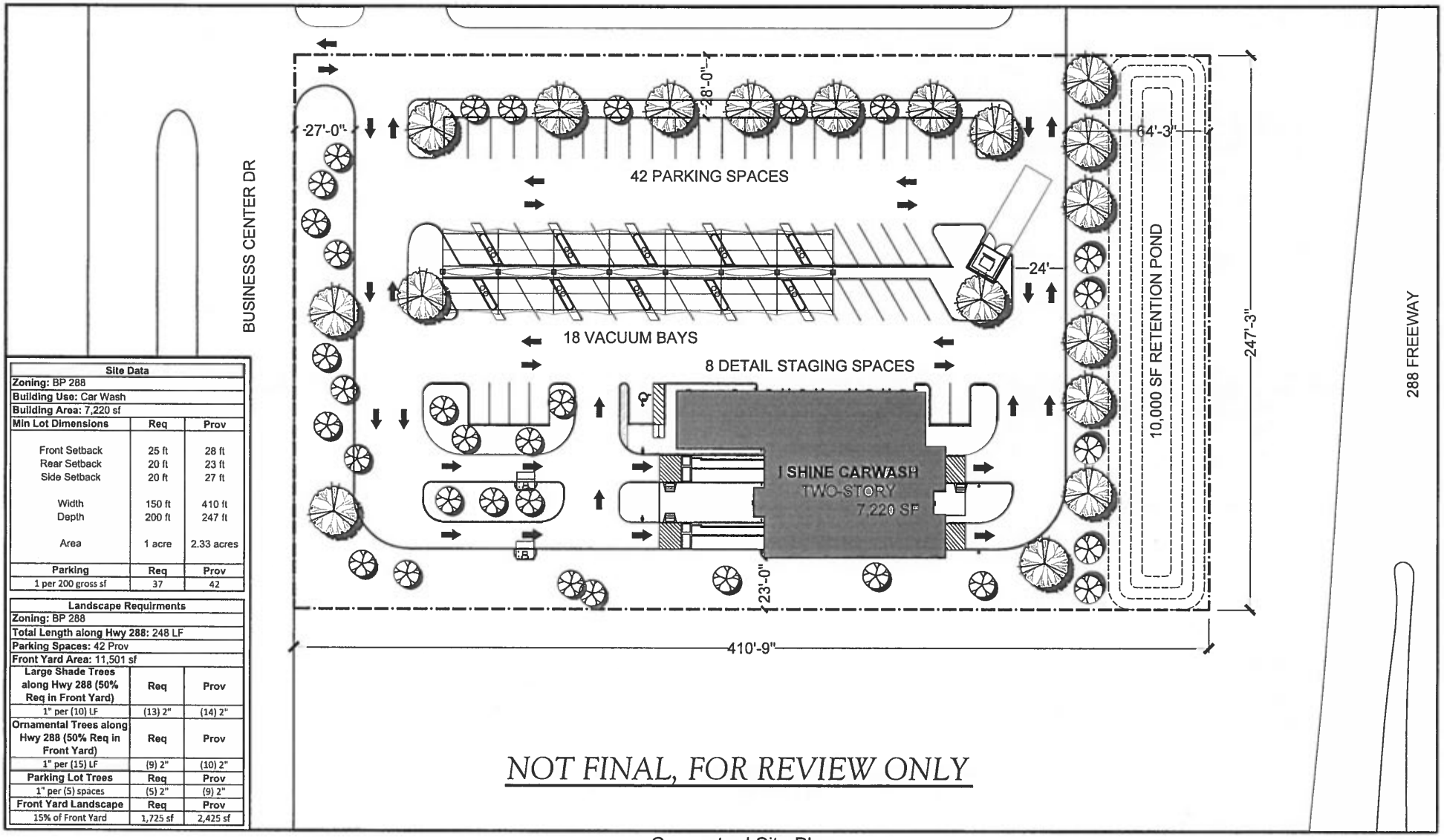
Robert J. Armitage
Registered Professional Land Surveyor No.5685
A &B CONSULTANTS LLC
281-498-1248




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

Scale 1:8,321
1 In = 693 ft
November 03, 2014

NORTH




| Site Data | | |
|---|---|---|
| Zoning: BP 288 | | |
| Building Use: Car Wash | | |
| Building Area: 7,220 sf | | |
| Min Lot Dimensions | Req | Prov |
| Front Setback | 25 ft | 28 ft |
| Rear Setback | 20 ft | 23 ft |
| Side Setback | 20 ft | 27 ft |
| Width | 150 ft | 410 ft |
| Depth | 200 ft | 247 ft |
| Area | 1 acre | 2.33 acres |
| Parking | Req | Prov |
| 1 per 200 gross sf | 37 | 42 |

| Landscape Requirments | | |
|---|---|---|
| Zoning: BP 288 | | |
| Total Length along Hwy 288: 248 LF | | |
| Parking Spaces: 42 Prov | | |
| Front Yard Area: 11,501 sf | | |
| Large Shade Trees along Hwy 288 (50% Req in Front Yard) | Req | Prov |
| 1" per (10) LF | (13) 2" | (14) 2" |
| Ornamental Trees along Hwy 288 (50% Req in Front Yard) | Req | Prov |
| 1" per (15) LF | (9) 2" | (10) 2" |
| Parking Lot Trees | Req | Prov |
| 1" per (5) spaces | (5) 2" | (9) 2" |
| Front Yard Landscape | Req | Prov |
| 15% of Front Yard | 1,725 sf | 2,425 sf |

*NOT FINAL, FOR REVIEW ONLY*

Conceptual Site Plan
2.33 Total Acres

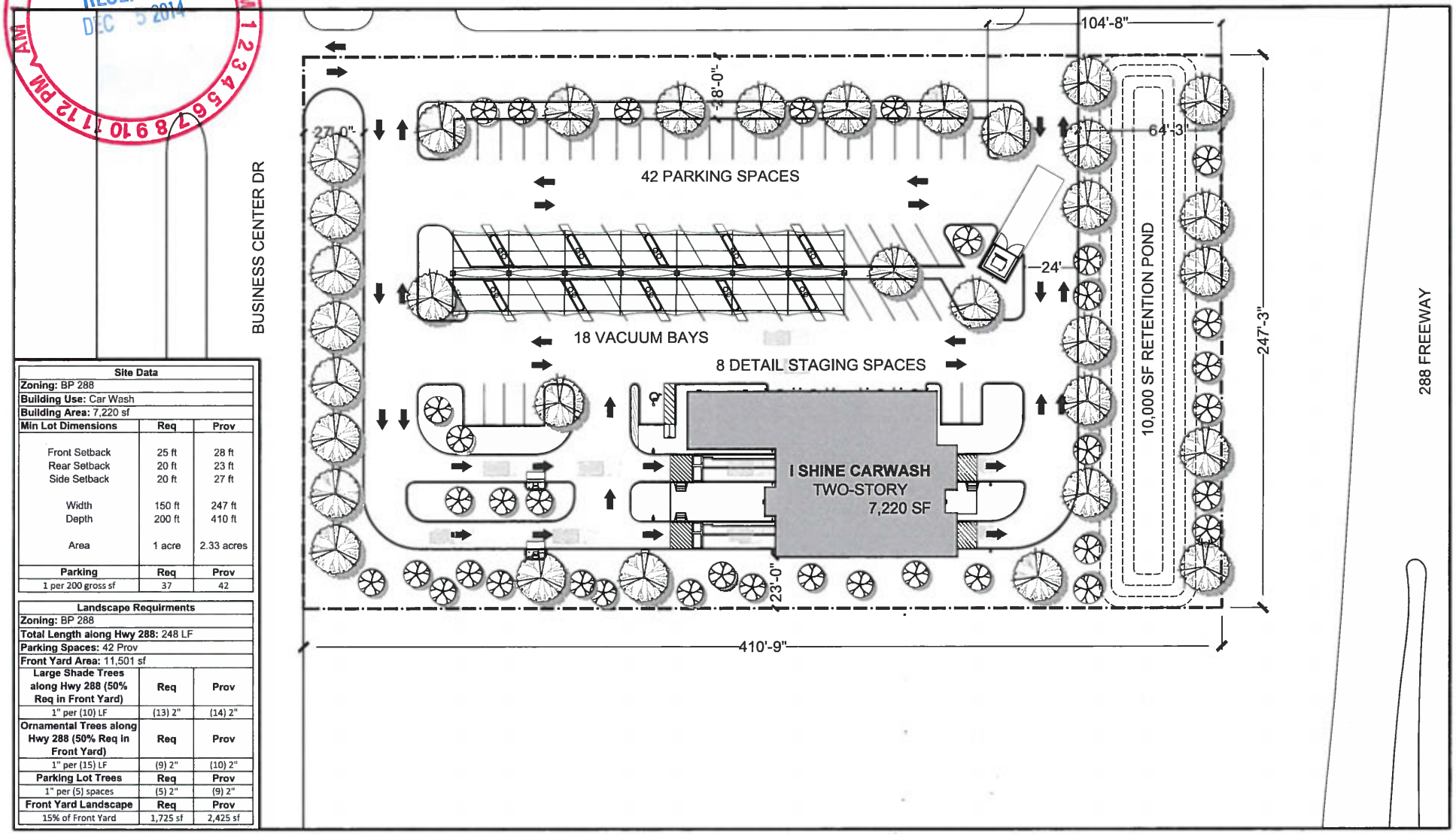
# iShine Carwash Hwy 288 & County Rd 59

Pearland, TX

0 40'
SCALE: 1" = 40'

10.23.14

RECEIVED
DEC 5 2014




| Site Data | | |
|---|---|---|
| **Zoning:** BP 288 | | |
| **Building Use:** Car Wash | | |
| **Building Area:** 7,220 sf | | |
| **Min Lot Dimensions** | **Req** | **Prov** |
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| Rear Setback | 20 ft | 23 ft |
| Side Setback | 20 ft | 27 ft |
| Width | 150 ft | 247 ft |
| Depth | 200 ft | 410 ft |
| Area | 1 acre | 2.33 acres |
| **Parking** | **Req** | **Prov** |
| 1 per 200 gross sf | 37 | 42 |

| Landscape Requirments | | |
|---|---|---|
| **Zoning:** BP 288 | | |
| **Total Length along Hwy 288:** 248 LF | | |
| **Parking Spaces:** 42 Prov | | |
| **Front Yard Area:** 11,501 sf | | |
| **Large Shade Trees along Hwy 288 (50% Req in Front Yard)** | **Req** | **Prov** |
| 1" per (10) LF | (13) 2" | (14) 2" |
| **Ornamental Trees along Hwy 288 (50% Req in Front Yard)** | **Req** | **Prov** |
| 1" per (15) LF | (9) 2" | (10) 2" |
| **Parking Lot Trees** | **Req** | **Prov** |
| 1" per (5) spaces | (5) 2" | (9) 2" |
| **Front Yard Landscape** | **Req** | **Prov** |
| 15% of Front Yard | 1,725 sf | 2,425 sf |

Proposed Site Plan
2.33 Total Acres

# iShine Carwash Hwy 288 & County Rd 59

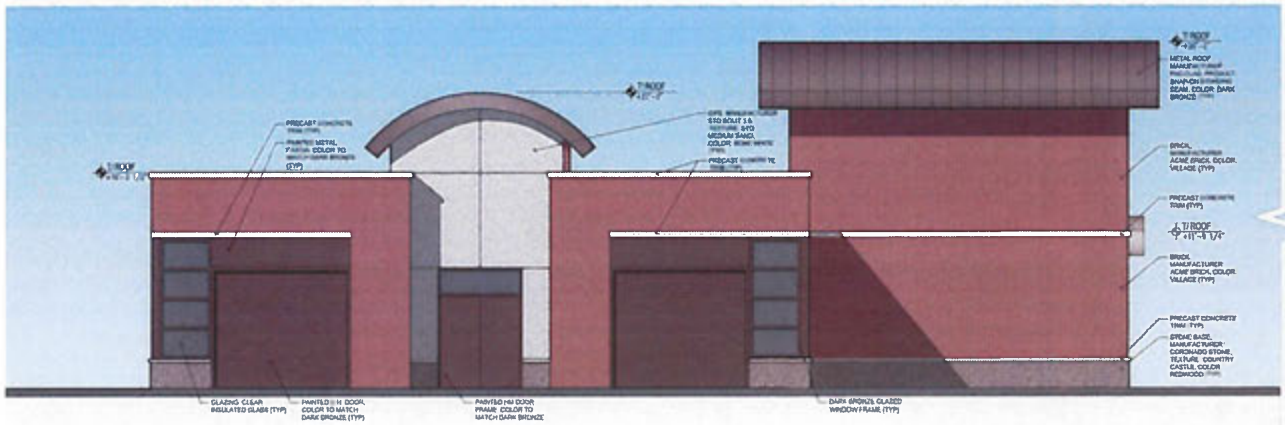
Pearland, TX

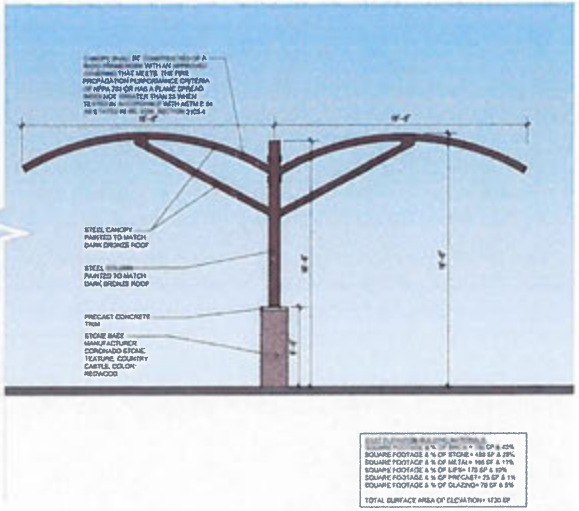
N

0 40'
SCALE: 1" = 40'

12.04.14

North Elevation





East Elevation

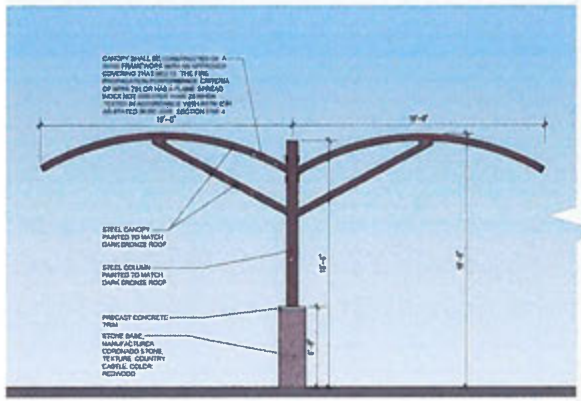
Proposed Elevations

# iShine Carwash Hwy 288 & County Rd 59

Pearland, TX

12.04.14

South Elevation



West/Front Elevation

Proposed Elevations

# iShine Carwash Hwy 288 & County Rd 59

Pearland, TX

12.04.14

**JOINT PUBLIC HEARING**
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS,
**MONDAY, JANUARY 5, 2015, AT 6:30 P.M.**
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

## I. CALL TO ORDER

## II. PURPOSE OF HEARING

**Zone Change Application No. 2014-23Z**

A request of Windrose Land Services, Inc., applicant; on behalf of T&B Alexander Family LTD Partnership, owner; for approval of a change in zoning from the Heavy Industrial (M-2) zoning district to the General Commercial (GC) zoning district, on approximately 9.9 acres of land, to wit:

**Legal Description:** Tract 1: Tract or parcel containing 4.2066 acres or 183,242 square feet of land situated in the A.C.H. & B.R.R. Co. Survey, Abstract No. 507, Brazoria County, Texas, being out of a called14.02 acre tract of land conveyed to T. & B. Alexander Family, LTD, Partnership as recorded under Brazoria County Clerks File No. 98- 053938, same being out of Lot 19 of the L.W. Murdock Subdivision, map or plat thereof recorded under Volume 29, Page 174 of the Brazoria County Deed Records

Tract 2: A tract or parcel containing 5.7495 acres or 250,450 square feet of land situated in the A.C.H. & B.R.R. Co. Survey, Abstract No. 507, Brazoria County, Texas, being out of a called14.02 acre tract of land conveyed to T. & B. Alexander Family, LTD, Partnership as recorded under Brazoria County Clerks File No. 98-053938, same being out of Lot 19 of the L.W. Murdock Subdivision, map or plat thereof recorded under Volume 29, Page 174 of the Brazoria County Deed Records.

**General Location**: Northwest and southwest corners of Main Street and Bailey Road, 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: January 5, 2015

Re: Zone Change Application Number 2014-23Z

A request of Windrose Land Services, Inc., applicant; on behalf of T&B Alexander Family LTD Partnership, owner; for approval of a change in zoning from the Heavy Industrial (M-2) zoning district to the General Commercial (GC) zoning district, on approximately 9.9 acres of land located on the northwest and southwest corners of Main Street and Bailey Road, Pearland, TX

**Proposal**

The subject property includes approximately 9.9 acres of land, of which the applicant is requesting a change in zoning from the Heavy Industrial (M-2) zoning district to the General Commercial (GC) zoning district. According to the applicant's letter of intent, the purpose of the requested change in zoning is to develop the southwest corner of the property into a new gas station and convenience store.

The property was split due to the construction of Bailey Road in 2006. The owner of the property entered into a settlement with the City due to the land split. One of the terms of the agreement was that staff "will use their best efforts to zone the property General Commercial," as defined in the City's Unified Development Code (UDC). The proposed zone change is in conformance with the aforementioned settlement agreement. All requirements of the UDC are required to be met upon development of the site.

**Public Notification/Comment**

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

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

**Recommendation**

Staff recommends approval of the request to change the zoning of the approximately 9.9 acre site from M-2 to GC for the following reasons:

1. The change in zoning will result in conformance with the approved settlement agreement signed by the City in April 2006 stating that staff will use their best efforts to zone the property General Commercial. The proposed zoning of GC on the subject property is not in conformance with the future land use designation of the Comprehensive Plan which is "Light Industrial." A commercial node is not designated at this location due to an existing commercial node, north of this site at the intersection of Magnolia and SH 35. Additionally, there is land zoned for commercial on the east side of this intersection. Therefore, staff does not recommend any additional zoning of land to commercial, in order to preserve manufacturing zoned land that has future potential to create jobs and add value to the City, as recommended by the Comprehensive Plan.

2. It is not anticipated that the proposed change in zoning will have significant negative impacts on surrounding properties or developments.

3. All requirements of the UDC will be met upon development of the property.

**Exhibits**

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

**Exhibit 1**
**Staff Report**

## Summary of Request

The subject property includes approximately 9.9 acres of land, of which the applicant is requesting a change in zoning from the Heavy Industrial (M-2) zoning district to the General Commercial (GC) zoning district. According to the applicant's letter of intent, the purpose of the requested change in zoning is to develop the southwest corner of the property into a *Gas Station and Convenience Store*. All requirements of the Unified Development Code (UDC) will be met upon development of the site.

## Site History

The subject property is currently undeveloped. The property was split due to the construction of Bailey Road in 2006. The owner of the property entered into a settlement with the City due to the land split. One of the terms of the agreement was that staff will use their best efforts to zone the property *General Commercial* (GC). The proposed zone change is in conformance with the aforementioned agreement.

The site is surrounded by non-residential uses and non-residential zoning districts. The below table identifies surrounding uses and zoning districts:

| | Zoning | Land Use |
|---|---|---|
| **North** | Heavy Industrial (M-2) | Undeveloped Industrial Property |
| **South** | Heavy Industrial (M-2) | Undeveloped Industrial Property |
| **East** | General Commercial (GC) | Undeveloped Commercial Property/Pearland High School |
| **West** | Heavy Industrial (M-2) | Undeveloped Industrial Property |

**Conformance with the Thoroughfare Plan**

The subject property has approximately 725 feet of frontage along Main Street and 858 feet of frontage along Bailey Road; both of which are major thoroughfares, which require 120 feet of right-of-way. It appears from GIS records that the existing right-of-way at this location, is approximately 120 feet; and therefore is in compliance with the thoroughfare plan. However, right-of-way dedication will be analyzed at the time of platting.

**Conformance with the Unified Development Code**

The property is currently undeveloped. The applicant has plans to develop a portion of the property with a *Gas Station and a Convenience Store*. Both uses are permitted within the proposed GC zoning district. If approved, any subdivision of the property in the future will be required to conform to the GC standards. The GC requirements can be found in the provided table below. All other requirements of the UDC, including the Corridor Overlay District (COD) standards along Bailey Road and Main Street, will be required to be met.

| General Commercial (GC) Area Regulations | |
|---|---|
| **Size of Lot** | **Required** |
| Minimum Lot Size | 22,500 sf. |
| Minimum Lot Width | 150 ft. |
| Minimum Lot Depth | 125 ft. |

**Conformance with the Comprehensive Plan**

The proposed zoning of GC on the subject property is not in conformance with the future land use designation of the Comprehensive Plan which is “Light Industrial.” A commercial node is not designated at this location due to an existing commercial node, north of this site at the intersection of Magnolia and SH 35. Additionally, there is land zoned for commercial on the east side of this intersection. Therefore, staff does not recommend any additional zoning of land to commercial, in order to preserve manufacturing zoned land that has future potential to create jobs and add value to the City, as recommended by the Comprehensive Plan. However, this proposed zoning of GC is in conformance with the 2006 signed agreement between the City and the property owner.

**Platting Status**

The property has not been platted. A 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. GIS data indicates that water is available to the site via a 16-inch waterline along the west side of Main Street and a 24-inch water line along the north side of Bailey Road. Additionally, there is an existing 30-inch sewer line along the eastern side of Main Street and a 12-inch sewer line along the south side of Bailey Road. Any extension of public infrastructure that may be required will be extended by the developer and will be assessed during the platting process.

**Impact on Existing and Future Development**

The GC zone is not anticipated to have a significant negative impact on future developments in the area. The surrounding area is zoned for either commercial or industrial uses. However, Staff has the following concerns:

1. Traffic impact on surrounding area.
    a. A Traffic Impact Analysis (TIA) will be required at the time of platting to ensure all measures are taken to mitigate the impact of additional traffic on Main Street and Bailey Road.
2. Setting precedence for future rezoning in the area from M-2 to GC.
    a. It is important for the city to protect as much property as possible that is currently zoned Industrial (M-1/M-2). In this case, the City has previously agreed to make their best effort to rezone the property in question as General Commercial. Staff's recommendation would be to not allow this individual case to set precedence for future zoning cases in the area that would result in the loss of additional industrial land.

**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**

At the time of this writing, Staff has not received any comments either in opposition to or in support of the proposed change in zoning request at this time.

**Recommendation**

Staff recommends approval of the request to change the zoning of the approximately 9.9 acre site from M-2 to GC for the following reasons:

1. The change in zoning will result in conformance with the approved settlement agreement signed by the City in April 2006 stating that staff will use their best efforts to zone the property General Commercial. The proposed zoning of GC on the subject property is not in conformance with the future land use designation of the Comprehensive Plan which is "Light Industrial." A commercial node is not designated at this location due to an existing commercial node, north of this site at the intersection of Magnolia and SH 35. Additionally, there is land zoned for commercial on the east side of this intersection. Therefore, staff does not recommend any additional zoning of land to commercial, in order to preserve manufacturing zoned land that has future potential to create jobs and add value to the City, as recommended by the Comprehensive Plan.

2. It is not anticipated that the proposed change in zoning will have significant negative impacts on surrounding properties or developments.

3. All requirements of the UDC will be met upon development of the property.

# Exhibit 2

**AERIAL MAP**

**Zone Change 2014-23Z**

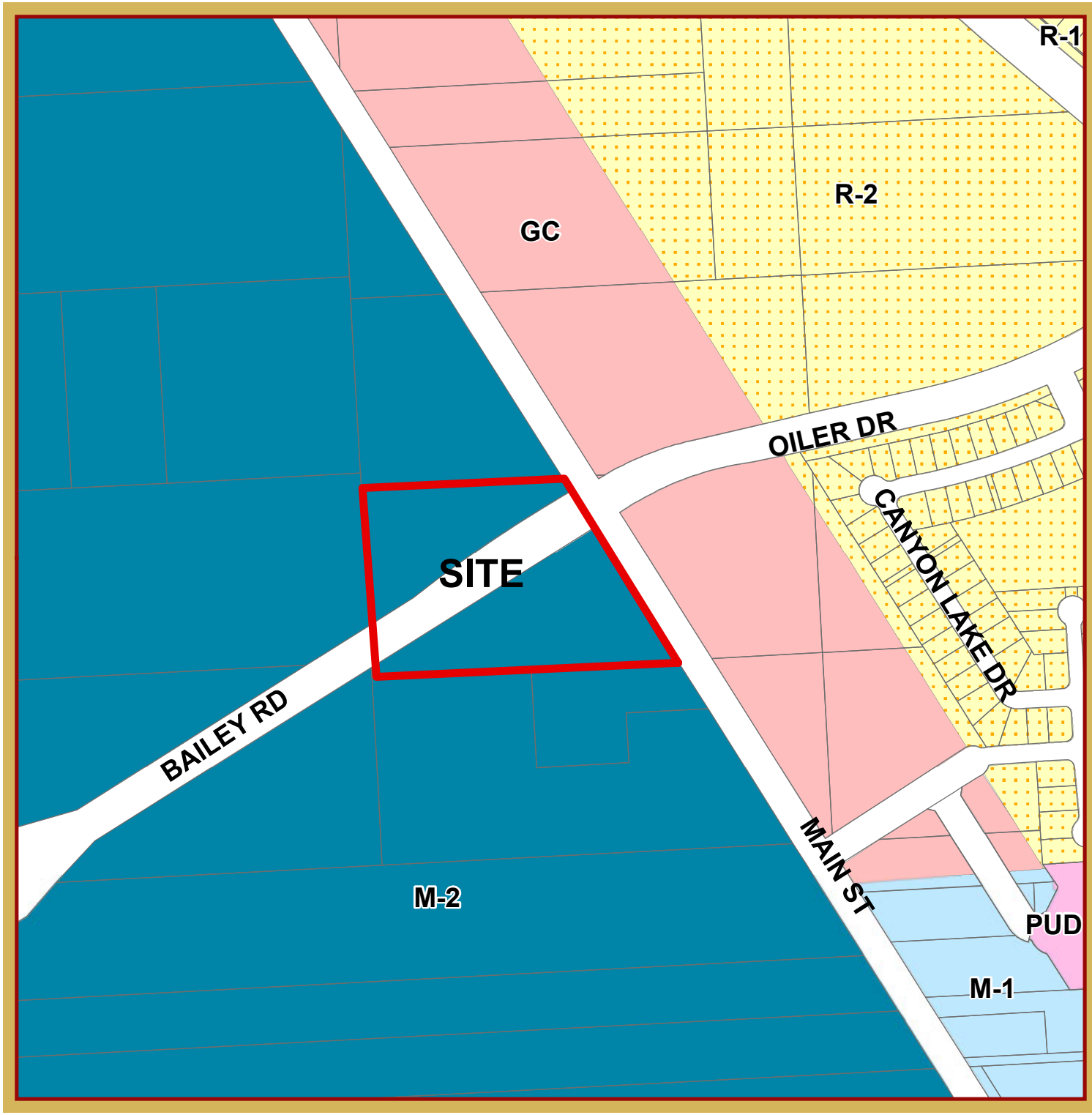
**West Corner of Bailey and Main St.**

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 = 471 feet

OCTOBER 2014
PLANNING DEPARTMENT

N




# Exhibit 3

**ZONING MAP**

**Zone Change 2014-23Z**

**West Corner of Bailey and Main St.**

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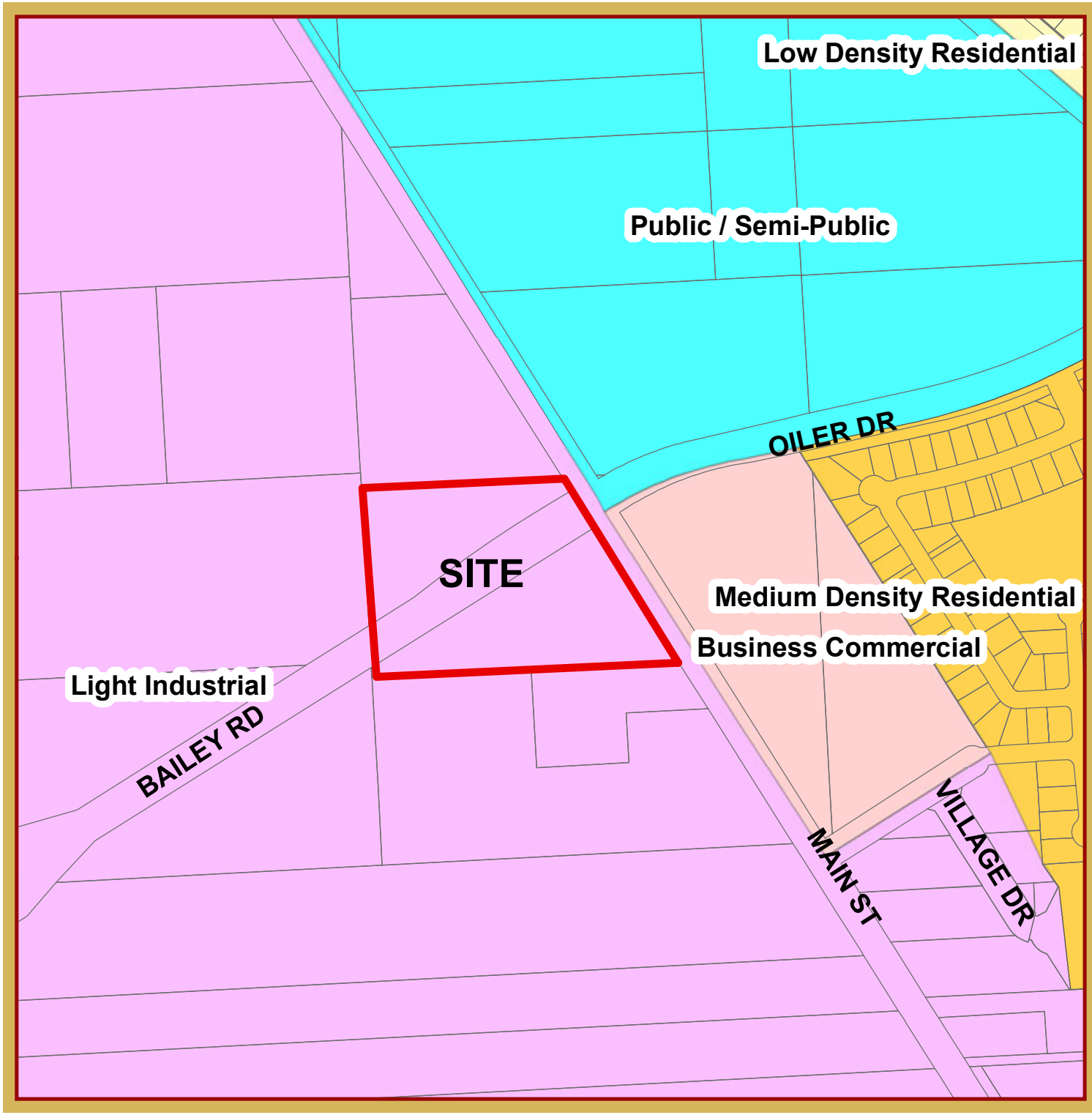
1 inch = 471 feet

OCTOBER 2014
PLANNING DEPARTMENT

N




# Exhibit 4

**FLUP MAP**

**Zone Change 2014-23Z**

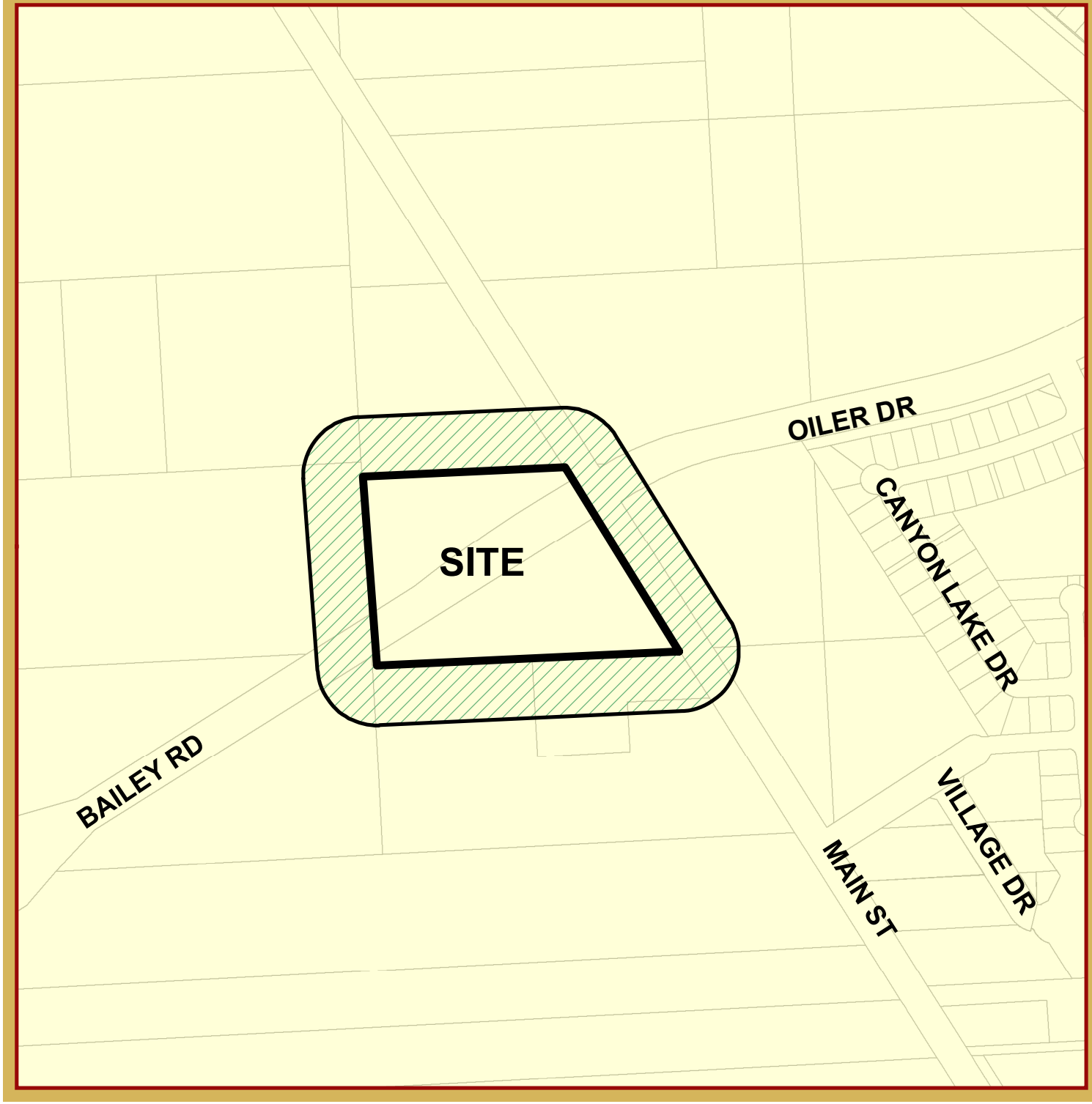
**West Corner of Bailey and Main St.**

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 = 471 feet

OCTOBER 2014
PLANNING DEPARTMENT

N




# Exhibit 5

**NOTIFICATION MAP**

**Zone Change 2014-23Z**

**West Corner of Bailey and Main 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 = 471 feet

OCTOBER 2014
PLANNING DEPARTMENT

N

| Owner | Address | City | State | Zip |
|---|---|---|---|---|
| JM PROJECTS, LLC | PO BOX 2024 | FRIENDSWOOD | TX | 77549 |
| RYAN STEVEN | 3714 OAK DALE DR | PEARLAND | TX | 77581 |
| BURNS RICHARD J | PO BOX 459 | PEARLAND | TX | 77588 |
| ALEXANDER FAMILY | 2411 PARK AVE | PEARLAND | TX | 77581 |
| PEARLAND ISD | PO BOX 7 | PEARLAND | TX | 77588 |
| TOWNE LAKE, LP | 7918 BROADWAY ST STE 106 | PEARLAND | TX | 77581 |

**Windrose Land Services, Inc**
3200 Wilcrest, Suite 325
Houston, Texas 77042
Phone (713) 458-2281 Fax (713) 461-1151
Firm Registration No. 10108800

**Professional Development Consultants**
Land Surveying, Platting, Project Management and GIS Services

RECEIVED DEC 5 2014

# LETTER OF TRANSMITTAL

| | | | |
|---|---|---|---|
| TO: | City of Pearland<br>Planning Department<br>3519 Liberty Drive<br>Pearland, TX 77581 | FROM: | Andrew Allemand |
| | | DATE: | 12/4/2014 |
| ATTN: | Johnna Matthews, City Planner | WJN: | 49865-22154 |
| PHONE: | 281-652-1740 | FAX: | |
| PROJECT: | Zoning Application - M-2 to GC at Main (SH 35) and Bailey | | |

| WE ARE SENDING: | SUBMITTED FOR: | ACTION TAKEN: |
|---|---|---|
| ☐ Shop Drawings | ☒ Approval | ☐ Approved as Submitted |
| ☒ Letter | ☐ Your Use | ☐ Approved as Noted |
| ☒ Prints | ☐ As requested | ☐ Returned After Loan |
| ☐ Change Order | ☒ Review and Comment | ☐ Resubmit |
| ☐ Plans | | ☐ Submit |
| ☐ Samples | SENT VIA: TEC | ☐ Returned |
| ☐ Specifications | ☒ Attached | ☐ Returned for Corrections |
| ☒ Other: Check | ☐ Separate Cover Via: Mail | ☐ Due Date: |

| ITEM# | COPIES | DESCRIPTION |
|---|---|---|
| 1 | 1 | *Application* |
| 2 | 1 | *Letter of Authorization* |
| 3 | 1 | *Survey with metes and bounds* |
| 4 | 1 | *Parcel Map* |
| 5 | 1 | *Letter of Intent* |
| 6 | 1 | *Application Fee - $775 Check* |
| 7 | 1 | *Sign Posting Acknowledgment* |
| 8 | 1 | *Proof that Applicant is Current on Taxes* |

Ms. Matthews, please review the zoning submittal package and let me know if anything further is needed.

Thank you very much for your assistance.

Andrew Allemand

Project Manager

RECEIVED DEC 5 2014

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

# APPLICATION FOR A CHANGE IN ZONING

**Current Zoning District:** Heavy Manufacturing (M-2) District with Corridor Overlay District

**Proposed Zoning District:** General Commercial (GC) District with Corridor Overlay District

**Property Information:**

Address or General Location of Property: Called 9.9561 acres located at the northwest and southwest corners of State Highway 35 (South Main Street) and Bailey Road

Tax Account No. Parcel ID - 175985; Geo ID - 0507-0019-000

Subdivision: NA Lot: NA Block: NA

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

**PROPERTY OWNER INFORMATION:**

NAME T&B Alexander Family LTD Partnership
ADDRESS 2411 Park Avenue
CITY Pearland STATE TX ZIP 77581-4233
PHONE( 281 ) 507-1412
FAX( 281 ) 412-4735
E-MAIL ADDRESS attyKRP@aol.com

**APPLICANT/AGENT INFORMATION:**

NAME Windrose Land Services, Inc.
ADDRESS 3200 Wilcrest, Suite 325
CITY Houston STATE TX ZIP 77042
PHONE( 713 ) 458-2281
FAX( 713 ) 461-1151
E-MAIL ADDRESS andrew.allemand@windroseservices.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: LOA attached Date:

Agent's/Applicant's Signature: Andrew J. Allemand Date: 4-DEC-2014

**OFFICE USE ONLY:**

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

**Application No.**

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

(circle one)

$775.00 BA or PF or FE

**Description:** ***Input who the check is from***

Windrose Land Services, Inc.

**COMMENTS/DESCRIPTION (F10):**

**Location or Address** Main & Bailey

zone Chg M-2 to GC

**Applicant** Windrose Land Services

CITY OF PEARLAND
R E P R I N T
*** CUSTOMER RECEIPT ***

Oper: BDEROSA Type: OC Drawer: 1
Date: 12/05/14 02 Receipt no: 66660

| Description | Quantity | Amount |
|---|---|---|
| BA | BOARD OF ADJUSTMENTS | |
| | 1.00 | $775.00 |
| Trans number: | | 4680209 |

WINDROSE LAND SERVICE
MAIN & BAILEY ZONE CHANGE

Tender detail

| | | |
|---|---|---|
| CK CHECK | 19467 | $775.00 |
| Total tendered | | $775.00 |
| Total payment | | $775.00 |

Trans date: 12/05/14 Time: 8:05:34

# APPLICATION CHECKLIST FOR THE FOLLOWING

- **Zone Changes**
- **Planned Development Districts (PD)**

☑ Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.

☑ If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code.**

☑ Metes and Bounds Description, (Survey, or a Plat of the property that provides or contains the metes and bounds description).

☑ Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.

☑ Letter of Intent, explaining the zone change request in detail and why the zoning is being requested to be changed, and state the uses being proposed

*Letter of Intent is not required for a PD.

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

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

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

☑ Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing.

☑ Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.

☑ Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

## Additional Information:

- Upon making an application for a zoning change or conditional use permit, the applicant shall place sign(s) as required. The City shall inspect such sign(s) to ensure compliance as required by the UDC.

- After the zoning change or conditional use permit request is approved by the City Council, denied by the City Council, or withdrawn by the applicant, the applicant shall remove the sign from the area of the request within ten (10) days of such event.

- It shall be unlawful for anyone to remove, destroy, deface or obstruct the view of a sign which gives notice that a zoning change or conditional use permit has been requested.

- In the event the applicant shall fail to erect and/or maintain signs in accordance with this section, then the public hearing before the Planning and Zoning Commission/City Council shall be postponed to a date in the future, which would allow time for compliance.

- The erection of any sign required by this section shall not require a permit under Section 4.1.2.6 of this UDC.

- The owner or applicant shall promptly notify the Planning Department of any sign required by this section, which becomes lost, stolen or vandalized. The Planning and Zoning Commission shall have the power to decide whether or not there has been substantial compliance with the posting requirements in the case of lost, stolen or vandalized signs.

**LETTER OF AUTHORIZATION**

**Date:** December 4, 2014

**To:**
City of Pearland
Planning Department
3519 Liberty Drive
Pearland, TX 77581
(281) 652-1740

**By:**
T&B Alexander Family LTD Partnership
2411 Park Avenue
Pearland, TX 77581-4233
(281) 507-1412

C/O: Law Office of Kenneth R. Phillips, PC
Attn: Mr. Kenneth R. Phillips
3322 E. Walnut Avenue, Suite 111
Pearland, TX 77581
O: (281) 412-9003

**Re: Land Use Zoning Application - Called 9.9561 Acres, situated in the ACH&B Survey, Section No. 2, Abstract No. 507 and the Hennell Stevens Survey, Abstract No. 594, located at the southwest and northwest corners of S Main Street (SH 35) and Bailey Road, City of Pearland, City Limits, Brazoria County, Texas.**

To Whom It May Concern:

The undersigned duly authorized representative of T&B Alexander Family LTD Partnership, the record owner of the referenced property does hereby authorize Windrose Land Services, Inc. to submit for City review and consideration, a land use zoning application requesting rezoning of the subject property from Heavy Manufacturing District (M-2) with Corridor Overlay District (COD) to General Commercial District (GC) with Corridor Overlay District (COD), said property being wholly located within the corporate limits of the City of Pearland, Brazoria County, Texas.

Kenneth R. Phillips, Attorney in Fact for
T. & B Alexander Family LTD. Partnership
Partner

The State of Texas
County of Brazoria

I, Krystal Kay Muske, a Notary Public in and for the State of Texas, do herby certify that Kenneth R. Phillips, personally came before me this day and acknowledged that he is the Attorney in Fact for T&B Alexander Family LTD Partnership, a Texas limited partnership, and that he being authorized to do so, has executed the foregoing on behalf of the partnership.

Witness my hand and official seal, this the 4th day of December, 2014.

(Personalized Seal)

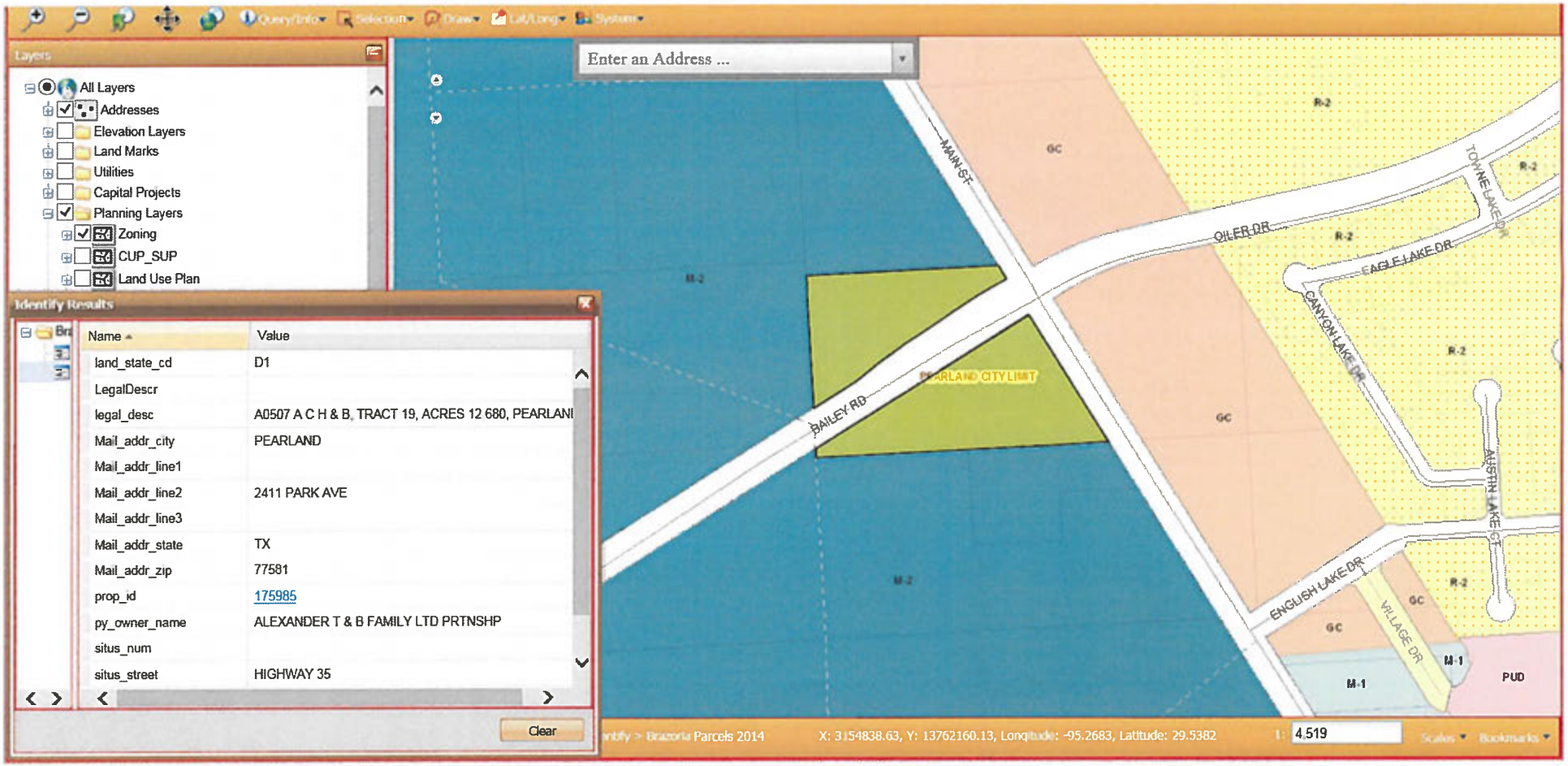
KRYSTAL KAY MUSKE
Notary Public, State of Texas
My Commission Expires
October 17, 2018

Notary Public

My Commission Expires: _____

# PARCEL MAP FROM CITY OF PEARLAND WEBSITE

4-DEC-2014



**Windrose Land Services, Inc**
3200 Wilcrest, Suite 325
Houston, Texas 77042
Phone (713) 458-2281 Fax (713) 461-1151

**Professional Development Consultants**
Land Surveying, Platting, Project Management and GIS Services
Firm Registration No. 10108800

December 4, 2014

City of Pearland
Planning Department
3519 Liberty Drive
Pearland, TX 77581
(281) 652-1740

**Re: Letter of Intent to Rezone Called 9.9561 Acres, situated in the ACH&B Survey, Section No. 2, Abstract No. 507 and the Hennell Stevens Survey, Abstract No. 594, located at the southwest and northwest corners of S Main Street (SH 35) and Bailey Road, City of Pearland, City Limits, Brazoria County, Texas.**

To Whom It May Concern:

On behalf of and as the duly authorized representative of the record owner of the above referenced property, T&B Alexander Family LTD Partnership (the "Owner"), Windrose Land Services (the "Applicant") hereby requests that the City of Pearland rezone the subject property from Heavy Manufacturing District (M-2) with Corridor Overlay District (COD) to General Commercial District (GC) with Corridor Overlay District (COD).

The Owner desires the requested GC zoning in order to market the property as a viable location for suitable commercial and retail development. Currently, the Owner has a potential buyer of a portion of the 5.7495 acre tract at the southwest of the intersection. This buyer wishes to develop a similar use to the recently constructed Shell fuel station and Jack in the Box food service that is located just north of the Owner's site at the northwest intersection of Magnolia Road and SH 35 - an M-2/M-1 zoned area within the same Light Industrial Comprehensive Plan area.

The proposed use is consistent with the Light Industrial designation of the City's Comprehensive Plan. Fuel service and food service facilities are essential to supporting the Industrial Park/Foreign Trade environment that the City is seeking to foster. It is common development practice to reserve the land at major intersections within industrial and manufacturing centers for general commercial uses (e.g. retail, restaurant, fuel service, office). This practice ensures that the industrial and manufacturing facilities have the commercial services in close proximity that they need to support their employment base. As an example, many of the employees in manufacturing/industrial positions do not have a full hour for lunch or to shop for convenience items. If the land at these high-intensity, high-traffic locations is not actually zoned General Commercial then dedicated manufacturing and industrial uses will encroach on these areas and have a negative impact on the long-term viability of the corridor. In other words, sensibly placed commercial zoning is necessary to support manufacturing corridors. Given its location at the intersection of a Freeway (State Highway 35) and a Major Thoroughfare (Bailey Road) as designated on the City's Thoroughfare Plan, the subject property is extremely viable for a General Commercial zoning designation. The site has immediate access to adequate water and sanitary sewer infrastructure. On-site storm sewer infrastructure will be provided that is consistent with abutting roadway and storm sewer systems.

In addition to the justifications already noted, there is a standing settlement agreement with the City that they agree with and will work towards rezoning the subject property to a General Commercial zoning district. This agreement dates back to 2006 when the right-of-way for Bailey Road was acquired from the Owner.

Sincerely,

Andrew Allemand, A.I.C.P.
Director of Planning
Windrose Land Services, Inc.

April 6, 2006

Mr. Tom Alexander
2411 South Park
Pearland, TX 77581

Re: *City of Pearland v. T & B Alexander Family Ltd. Partnership, et al.*; CI033035

Dear Tom:

The Pearland City Council met on February 27, 2006 in executive session and authorized a settlement in the above-referenced matter. The terms of the settlement are reflected in the March 24, 2006 letter signed by Andrew Edison and Arthur Anderson attached as Exhibit "A". The City of Pearland is bound by the terms stated in Exhibit "A", and I am authorized to acknowledge Council approval with my signature hereinbelow.

CITY OF PEARLAND

By: _____
Bill Eisen
Its: City Manager

Enclosure

Dallas_1\4373967\1
42827-1 3/29/2006

BRACEWELL & GIULIANI LLP

Andrew M. Edison
Partner

711 Louisiana Street, Suite 2300
Houston, Texas 77002-2770
Office 713.221.1371
Fax 713.221.2144
andrew.edison@bracewellgiuliani.com

March 24, 2006

***By Facsimile***

Mr. Art Anderson
Winstead Sechrest & Minick P.C.
5400 Renaissance Tower
1201 Elm Street
Dallas, Texas 75270-2199

Re: Cause No. CI033035; *City of Pearland v. T. & B. Alexander Family Ltd. Partnership, et al.*; In the County Civil Court at Law No. 1 of Brazoria County, Texas

Dear Art:

This letter confirms our agreement to settle the above-referenced litigation on the following terms:

1. Defendants agree to the entry of a final judgment awarding fee simple title to the property described in the condemnation petition to the City of Pearland.

2. The City of Pearland will pay Defendants a total of $713,772.00. Because $312,073.00 has already been deposited into the registry of the court, the City of Pearland will issue a check for $401,699.00 to Defendant T&B Alexander Family Ltd. Partnership.

3. The City of Pearland and its staff will use their best efforts to zone the property General Commercial Development (as defined in the City of Pearland's Unified Development Code) or a similar district requested by the landowner.

4. Curb and median cuts. The City of Pearland agrees, to allow at least one full median cut on Bailey/Oiler on the Property. In addition, the City will use its best efforts to accomplish reasonable variances from city regulations to allow the maximum number of available access points to both remainder tracts on Bailey Road and SH 35 -- so long as the proposed variances do not adversely impact public safety.

BRACEWELL & GIULIANI LLP

Mr. Art Anderson
March 24, 2006
Page 2

5. Fill dirt. Subject to existing city regulations, the City of Pearland will allow any dirt removed from the Bailey Oiler right of way to be deposited on the property for the purpose of raising elevation. It will be the responsibility of the Alexanders to spread and/or grade dirt. The City of Pearland makes no warranties as to the quality of the fill dirt.

6. Drainage. The City of Pearland will design the storm drainage capacity for the Bailey/Oiler Extension to accommodate the drainage requirements for the Property to a depth of 150 feet on both sides of the Bailey right-of-way on the property to a .6 runoff coefficient. The depth will be measured from the Bailey/Oiler Extension, not State Highway 35, to the rear of each of the remainder tracts.

If this letter accurately sets forth our agreement, please sign below and fax back to me at (713) 221-2144. If, for any reason, this letter does not accurately set forth our agreement, please call me immediately at (713) 221-1371.

Very truly yours,

Bracewell & Giuliani LLP

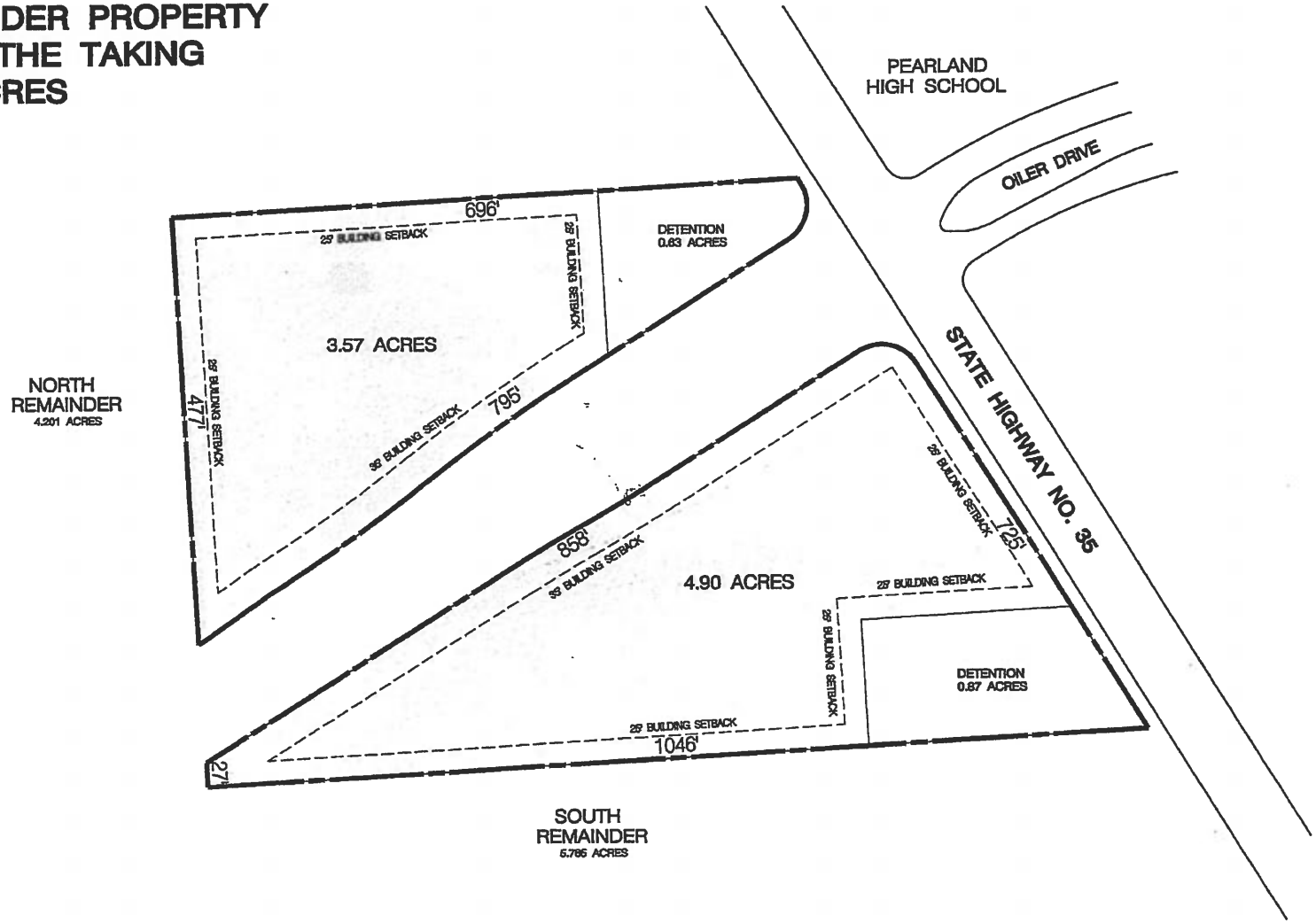
Andrew M. Edison

Andrew M. Edison

Art Anderson

AME/cd

# ALEXANDER PROPERTY
# AFTER THE TAKING
# 9.96 ACRES




NORTH

SCALE: 1" = 50'

01/05 V.G.H. & ASSOC.

# 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 (<u>SPECIFY REQUEST</u>)**
**Contact City of Pearland**
**281-652-1768**

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

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

Ackowledgment signature

4-DEC-2014
Date

# Brazoria CAD

## Property Search Results > 175985 ALEXANDER T & B FAMILY LTD PRTNSHP for Year 2014

### Property

#### Account

| | | | |
|---|---|---|---|
| Property ID: | 175985 | Legal Description: | A0507 A C H & B, TRACT 19, ACRES 12.680, PEARLAND |
| Geographic ID: | 0507-0019-000 | Agent Code: | |
| Type: | Real | | |
| Property Use Code: | | | |
| Property Use Description: | | | |

#### Location

| | | | |
|---|---|---|---|
| Address: | HIGHWAY 35<br>PEARLAND, | Mapsco: | |
| Neighborhood: | ABSTRACT 1990 AND NEWER | Map ID: | |
| Neighborhood CD: | SPL.N | | |

#### Owner

| | | | |
|---|---|---|---|
| Name: | ALEXANDER T & B FAMILY LTD PRTNSHP | Owner ID: | 260856 |
| Mailing Address: | 2411 PARK AVE<br>PEARLAND, TX 77581-4233 | % Ownership: | 100.0000000000% |
| | | Exemptions: | |

### Values

| | | | |
|---|---|---|---|
| (+) Improvement Homesite Value: | + | $0 | |
| (+) Improvement Non-Homesite Value: | + | $0 | |
| (+) Land Homesite Value: | + | $0 | |
| (+) Land Non-Homesite Value: | + | $0 | Ag / Timber Use Value |
| (+) Agricultural Market Valuation: | + | $317,000 | $1,270 |
| (+) Timber Market Valuation: | + | $0 | $0 |
| | | --- | |
| (=) Market Value: | = | $317,000 | |
| (–) Ag or Timber Use Value Reduction: | – | $315,730 | |
| | | --- | |
| (=) Appraised Value: | = | $1,270 | |
| (–) HS Cap: | – | $0 | |
| | | --- | |
| (=) Assessed Value: | = | $1,270 | |

### Taxing Jurisdiction

Owner: ALEXANDER T & B FAMILY LTD PRTNSHP
% Ownership: 100.0000000000%
Total Value: $317,000

| Entity | Description | Tax Rate | Appraised Value | Taxable Value | Estimated Tax |
|---|---|---|---|---|---|
| CAD | BRAZORIA COUNTY APPRAISAL DISTRICT | 0.000000 | $1,270 | $1,270 | $0.00 |
| CPL | CITY OF PEARLAND | 0.712100 | $1,270 | $1,270 | $9.04 |
| DR4 | BRAZORIA COUNTY DRAINAGE DISTRICT #4 (PEARLAND) | 0.156000 | $1,270 | $1,270 | $1.98 |
| GBC | BRAZORIA COUNTY | 0.438500 | $1,270 | $1,270 | $5.57 |
| RDB | ROAD & BRIDGE FUND | 0.060000 | $1,270 | $1,270 | $0.76 |
| SPL | PEARLAND INDEPENDENT SCHOOL DISTRICT | 1.415700 | $1,270 | $1,270 | $17.98 |
| | Total Tax Rate: | 2.782300 | | | |

| | |
|---|---|
| Taxes w/Current Exemptions: | $35.33 |
| Taxes w/o Exemptions: | $35.34 |

## Improvement / Building

No improvements exist for this property.

## Land

| # | Type | Description | Acres | Sqft | Eff Front | Eff Depth | Market Value | Prod. Value |
|---|---|---|---|---|---|---|---|---|
| 1 | A4 | IMPROVED PASTURE | 12.6800 | 552340.80 | 0.00 | 0.00 | $317,000 | $1,270 |

## Roll Value History

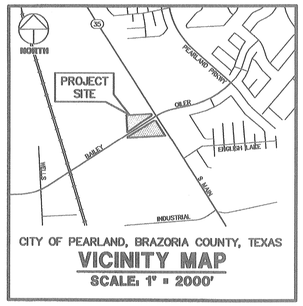
| Year | Improvements | Land Market | Ag Valuation | Appraised | HS Cap | Assessed |
|---|---|---|---|---|---|---|
| 2015 | N/A | N/A | N/A | N/A | N/A | N/A |
| 2014 | $0 | $317,000 | 1,270 | 1,270 | $0 | $1,270 |
| 2013 | $0 | $317,000 | 1,400 | 1,400 | $0 | $1,400 |
| 2012 | $0 | $317,000 | 1,400 | 1,400 | $0 | $1,400 |
| 2011 | $0 | $317,000 | 1,400 | 1,400 | $0 | $1,400 |
| 2010 | $0 | $317,000 | 1,400 | 1,400 | $0 | $1,400 |
| 2009 | $0 | $317,000 | 1,270 | 1,270 | $0 | $1,270 |
| 2008 | $0 | $317,000 | 1,210 | 1,210 | $0 | $1,210 |
| 2007 | $0 | $317,000 | 1,210 | 1,210 | $0 | $1,210 |
| 2006 | $0 | $152,160 | 1,200 | 1,200 | $0 | $1,200 |
| 2005 | $0 | $152,160 | 1,200 | 1,200 | $0 | $1,200 |
| 2004 | $0 | $152,160 | 1,200 | 1,200 | $0 | $1,200 |
| 2003 | $0 | $177,520 | 1,200 | 1,200 | $0 | $1,200 |
| 2002 | $0 | $88,760 | 1,270 | 1,270 | $0 | $1,270 |
| 2001 | $0 | $88,760 | 1,270 | 1,270 | $0 | $1,270 |

## Deed History - (Last 3 Deed Transactions)

| # | Deed Date | Type | Description | Grantor | Grantee | Volume | Page | Deed Number |
|---|---|---|---|---|---|---|---|---|
| 1 | 12/14/1998 | WD | WARRANTY DEED | ALEXANDER THOMAS P ESTATE | T & B ALEXANDER FMLY LTD PRTNSP | 98 | 053938 | 0 |

**Questions Please Call (979) 849-7792**

Website version: 1.2.2.7 Database last updated on: 12/1/2014 9:25 PM © N. Harris Computer Corporation




CITY OF PEARLAND, BRAZORIA COUNTY, TEXAS

**VICINITY MAP**

**SCALE: 1" = 2000'**

## LEGEND

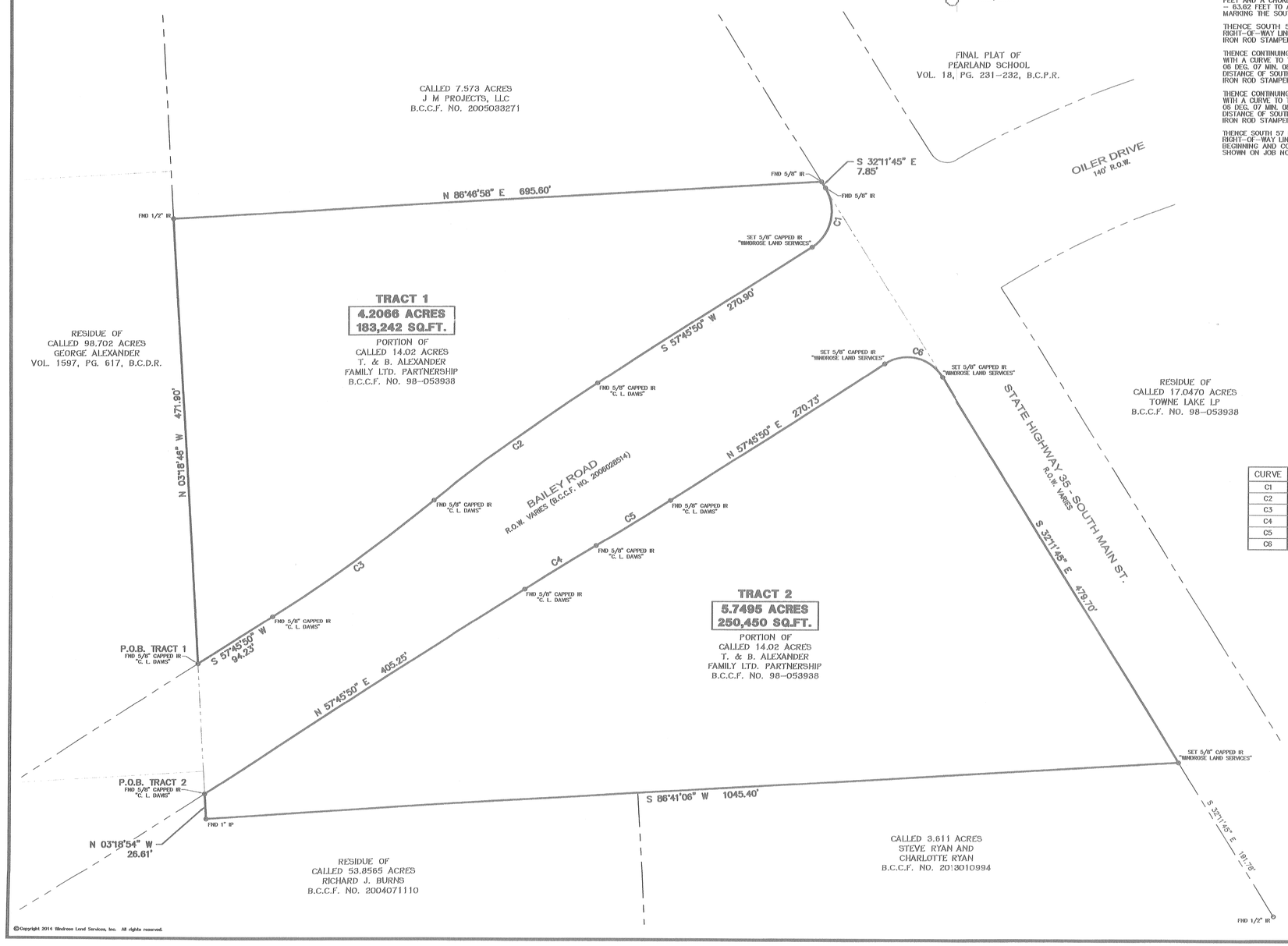
* SOME OF THESE ELEMENTS MAY NOT BE USED ON THIS SURVEY

| | | | | | |
|---|---|---|---|---|---|
| BO | – BOLLARD | SP | – SERVICE POLE | STM.SWR. | – STORM SEWER |
| | – HANDICAP | GA | – GUY ANCHOR | CMP | – CORRUGATED METAL PIPE |
| GM | – GAS METER | | – OVERHEAD POWER LINE | CPP | – CORRUGATED PLASTIC PIPE |
| GV | – GAS VALVE | | – BARBED WIRE FENCE | RCP | – REINFORCED CONCRETE PIPE |
| FH | – FIRE HYDRANT | | – WROUGHT IRON FENCE | TEL | – TELEPHONE |
| WM | – WATER METER | | – WOOD FENCE | SWBT | – SOUTHWESTERN BELL TELEPHONE CO. |
| WV | – WATER VALVE | | – CHAINLINK FENCE | WTR | – WATER |
| IGV | – IRRIGATION CONTROL VALVE | GP | – GATE POST | UG | – UNDERGROUND |
| | – GRATE INLET | (P) | – PER PLANS | FND | – FOUND |
| | – GRATE INLET | APPROX. | – APPROXIMATE | B.C.C.F. | – BRAZORIA COUNTY CLERK FILE |
| | – MANHOLE | | – HIGHBANK | B.C.D.R. | – BRAZORIA COUNTY DEED RECORDS |
| CO | – CLEANOUT | | – SIGN | B.C.P.R. | – BRAZORIA COUNTY PLAT RECORDS |
| TP | – TELEPHONE PEDESTAL | PLM | – PIPELINE MARKER | IP | – IRON PIPE |
| EB | – ELECTRIC BOX | UGCS | – UNDERGROUND CABLE SIGN | IR | – IRON ROD |
| TSB | – TRAFFIC SIGNAL BOX | CTL | – CATHODIC TEST LEAD | NO. | – NUMBER |
| LP | – LIGHT POLE | MW | – MONITORING WELL | PG. | – PAGE |
| TLP | – TRAFFIC LIGHT POLE | | – PIN FLAG/PAINT MARK | R.O.W. | – RIGHT-OF-WAY |
| GL | – GROUND/SPOT LIGHT | TC | – TOP OF CURB | SQ. FT. | – SQUARE FEET |
| PP | – POWER POLE | G | – GUTTER | VOL. | – VOLUME |
| PP/T | – POWER POLE W/TRANSFORMER | TG | – TOP OF GRATE | F.C. | – FILM CODE |
| PP/LT | – POWER POLE W/LIGHT | FL | – FLOW LINE | B.L. | – BUILDING LINE |
| PP/CT | – POWER POLE W/CONDUIT | HB | – HIGHBANK | U.E. | – UTILITY EASEMENT |
| MP | – METER POLE | SANI.SWR. | – SANITARY SEWER | | – TREE/SHRUB |

NORTH

GRAPHIC SCALE: 1" = 60'

60 0 60 120 180 Feet




## DESCRIPTION - TRACT 1

A TRACT OR PARCEL CONTAINING 4.2066 ACRES OR 183,242 SQUARE FEET OF LAND SITUATED IN THE A.C.H. & B. R.R. CO. SURVEY, ABSTRACT NO. 507, BRAZORIA COUNTY, TEXAS, BEING OUT OF A CALLED 14.02 ACRE TRACT OF LAND CONVEYED TO T. & B. ALEXANDER FAMILY LTD. PARTNERSHIP AS RECORDED UNDER BRAZORIA COUNTY CLERKS FILE NO. 98–053938, SAME BEING OUT OF LOT 19 OF THE L. W. MURDOCK SUBDIVISION, MAP OR PLAT THEREOF RECORDED UNDER VOLUME 29, PAGE 174 OF THE BRAZORIA COUNTY DEED RECORDS, WITH SAID 4.2066 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

BEGINNING AT A CAPPED 5/8" IRON ROD STAMPED "C. L. DAVIS" FOUND ON THE NORTHWESTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD (WIDTH VARIES) AND THE COMMON LINE OF SAID 14.02 ACRE TRACT AND A CALLED 98.702 ACRE TRACT OF LAND CONVEYED TO GEORGE ALEXANDER AS RECORDED UNDER VOLUME 1597, PAGE 617 OF THE BRAZORIA COUNTY DEED RECORDS MARKING THE NORTHWESTERLY CORNER OF A CALLED 2.731 ACRE TRACT OF LAND DESCRIBED IN BRAZORIA COUNTY CLERKS FILE NO. 2006028514;

THENCE NORTH 03 DEG. 18 MIN. 48 SEC. WEST ALONG THE COMMON LINE OF SAID 14.02 ACRE TRACT AND SAID 98.702 ACRE TRACT, A DISTANCE OF 471.90 FEET TO A 1/2" IRON ROD FOUND MARKING THE COMMON WESTERLY CORNER OF SAID 14.02 ACRE TRACT AND A CALLED 7.573 ACRE TRACT OF LAND CONVEYED TO J M PROJECTS, LLC AS RECORDED UNDER BRAZORIA COUNTY CLERKS FILE NO. 2005033271, FOR THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 86 DEG. 46 MIN. 58 SEC. EAST ALONG THE COMMON LINE OF SAID 14.02 ACRE TRACT AND SAID 7.573 ACRE TRACT, A DISTANCE OF 695.60 FEET TO A 5/8" IRON ROD FOUND ON THE SOUTHWESTERLY RIGHT–OF–WAY LINE OF STATE HIGHWAY 35 – SOUTH MAIN STREET (WIDTH VARIES) MARKING THE COMMON EASTERLY CORNER OF SAID 14.02 ACRE TRACT AND SAID 7.573 ACRE TRACT, FOR THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 32 DEG. 11 MIN. 45 SEC. EAST ALONG SAID SOUTHWESTERLY RIGHT–OF–WAY LINE OF STATE HIGHWAY 35 – SOUTH MAIN STREET, A DISTANCE OF 7.85 FEET TO A 5/8" IRON ROD FOUND MARKING THE NORTHERLY CUT BACK CORNER AT THE INTERSECTION OF SAID SOUTHWESTERLY RIGHT–OF–WAY LINE OF STATE HIGHWAY 35 – SOUTH MAIN STREET AND SAID NORTHWESTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD;

THENCE ALONG SAID CUT BACK, WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 89 DEG. 57 MIN. 35 SEC., AN ARC LENGTH OF 70.65 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 12 DEG. 47 MIN. 02 SEC. WEST – 63.62 FEET TO A CAPPED 5/8" IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE SOUTHERLY CORNER OF SAID CUT BACK;

THENCE SOUTH 57 DEG. 45 MIN. 50 SEC. WEST ALONG SAID SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD, A DISTANCE OF 270.90 FEET TO A CAPPED 5/8" IRON ROD STAMPED "C. L. DAVIS" FOUND FOR A POINT CURVATURE;

THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD, WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 2018.50 FEET, A CENTRAL ANGLE OF 06 DEG. 07 MIN. 08 SEC., AN ARC LENGTH OF 215.57 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 54 DEG. 42 MIN. 16 SEC. WEST – 215.46 FEET TO A CAPPED 5/8" IRON ROD STAMPED "C. L. DAVIS" FOUND FOR A POINT OF REVERSE CURVATURE;

THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD, WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 1981.50 FEET, A CENTRAL ANGLE OF 06 DEG. 07 MIN. 08 SEC., AN ARC LENGTH OF 211.61 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 54 DEG. 42 MIN. 16 SEC. WEST – 211.51 FEET TO A CAPPED 5/8" IRON ROD STAMPED "C. L. DAVIS" FOUND FOR A POINT OF TANGENCY;

THENCE SOUTH 57 DEG. 45 MIN. 50 SEC. WEST CONTINUING ALONG SAID SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD, A DISTANCE OF 94.23 FEET TO THE PLACE OF BEGINNING AND CONTAINING 4.2066 ACRES OR 183,242 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 52102, PREPARED BY WINDROSE LAND SERVICES INC.

## DESCRIPTION - TRACT 2

A TRACT OR PARCEL CONTAINING 5.7495 ACRES OR 250,450 SQUARE FEET OF LAND SITUATED IN THE A.C.H. & B. R.R. CO. SURVEY, ABSTRACT NO. 507, BRAZORIA COUNTY, TEXAS, BEING OUT OF A CALLED 14.02 ACRE TRACT OF LAND CONVEYED TO T. & B. ALEXANDER FAMILY LTD. PARTNERSHIP AS RECORDED UNDER BRAZORIA COUNTY CLERKS FILE NO. 98–053938, SAME BEING OUT OF LOT 19 OF THE L. W. MURDOCK SUBDIVISION, MAP OR PLAT THEREOF RECORDED UNDER VOLUME 29, PAGE 174 OF THE BRAZORIA COUNTY DEED RECORDS, WITH SAID 5.7495 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

BEGINNING AT A CAPPED 5/8" IRON ROD STAMPED "C. L. DAVIS" FOUND ON THE SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD (WIDTH VARIES) AND THE COMMON LINE OF SAID 14.02 ACRE TRACT AND A CALLED 53.8565 ACRE TRACT OF LAND CONVEYED TO RICHARD J. BURNS AS RECORDED UNDER BRAZORIA COUNTY CLERKS FILE NO. 2004071110 MARKING THE SOUTHWESTERLY CORNER OF A CALLED 2.731 ACRE TRACT OF LAND DESCRIBED IN BRAZORIA COUNTY CLERKS FILE NO. 2006028514;

THENCE NORTH 57 DEG. 45 MIN. 50 SEC. EAST ALONG SAID SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD, A DISTANCE OF 405.25 FEET TO A CAPPED 5/8" IRON ROD STAMPED "C. L. DAVIS" FOUND FOR A POINT OF CURVATURE;

THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD, WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 1957.58 FEET, A CENTRAL ANGLE OF 02 DEG. 36 MIN. 03 SEC., AN ARC LENGTH OF 88.86 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 59 DEG. 03 MIN. 51 SEC. EAST – 88.85 FEET TO A CAPPED 5/8" IRON ROD STAMPED "C. L. DAVIS" FOUND FOR A POINT OF REVERSE CURVATURE;

THENCE CONTINUING ALONG SAID SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD, WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 2042.50 FEET, A CENTRAL ANGLE OF 02 DEG. 36 MIN. 03 SEC., AN ARC LENGTH OF 92.72 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 59 DEG. 03 MIN. 51 SEC. EAST – 92.71 FEET TO A CAPPED 5/8" IRON ROD STAMPED "C. L. DAVIS" FOUND FOR A POINT OF TANGENCY;

THENCE NORTH 57 DEG. 45 MIN. 50 SEC. EAST CONTINUING ALONG SAID SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD, A DISTANCE OF 270.73 FEET TO A CAPPED 5/8" IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE WESTERLY CUT BACK CORNER AT THE INTERSECTION OF SAID SOUTHEASTERLY RIGHT–OF–WAY LINE OF BAILEY ROAD AND THE SOUTHWESTERLY RIGHT–OF–WAY LINE OF STATE HIGHWAY 35 – SOUTH MAIN STREET (WIDTH VARIES);

THENCE ALONG SAID CUT BACK, WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 90 DEG. 02 MIN. 25 SEC., AN ARC LENGTH OF 70.72 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 77 DEG. 12 MIN. 58 SEC. EAST – 63.66 FEET TO A CAPPED 5/8" IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE EASTERLY CORNER OF SAID CUT BACK;

THENCE SOUTH 32 DEG. 11 MIN. 45 SEC. EAST ALONG SAID SOUTHWESTERLY RIGHT–OF–WAY LINE OF STATE HIGHWAY 35 – SOUTH MAIN STREET, A DISTANCE OF 473.70 FEET TO A CAPPED 5/8" IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE COMMON EASTERLY CORNER OF SAID 14.02 ACRE TRACT AND A CALLED 3.611 ACRE TRACT OF LAND CONVEYED TO STEVE RYAN AND CHARLOTTE RYAN AS RECORDED UNDER BRAZORIA COUNTY CLERKS FILE NO. 2013010994, FOR THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 86 DEG. 41 MIN. 06 SEC. WEST ALONG THE COMMON LINE OF SAID 14.02 ACRE TRACT, SAID 3.611 ACRE TRACT AND SAID 53.8565 ACRE TRACT, A DISTANCE OF 1045.40 FEET TO A 1" IRON PIPE FOUND MARKING A COMMON CORNER OF SAID 14.02 ACRE TRACT AND SAID 53.8565 ACRE TRACT, FOR THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 03 DEG. 18 MIN. 54 SEC. WEST ALONG THE COMMON LINE OF SAID 14.02 ACRE TRACT AND SAID 53.8565 ACRE TRACT, A DISTANCE OF 26.61 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5.7495 ACRES OR 250,450 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 52102, PREPARED BY WINDROSE LAND SERVICES INC.

## CURVE CHART

| CURVE | RADIUS | DELTA | ARC | BEARING | CHORD |
|---|---|---|---|---|---|
| C1 | 45.00' | 89°57'35" | 70.65' | S 12°47'02" W | 63.62' |
| C2 | 2018.50' | 06°07'08" | 215.57' | S 54°42'16" W | 215.46' |
| C3 | 1981.50' | 06°07'08" | 211.61' | S 54°42'16" W | 211.51' |
| C4 | 1957.58' | 02°36'03" | 88.86' | N 59°03'51" E | 88.85' |
| C5 | 2042.50' | 02°36'03" | 92.72' | N 59°03'51" E | 92.71' |
| C6 | 45.00' | 90°02'25" | 70.72' | S 77°12'58" E | 63.66' |

## GENERAL NOTES

1. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACTORS CERTIFICATE AND WOULD BE SUBJECT TO ANY ALL CONDITIONS OR RESTRICTIONS THAT A CURRENT TITLE REPORT OR ABSTRACTORS CERTIFICATE MAY DISCLOSE.
2. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83).
3. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR BRAZORIA COUNTY, TEXAS, MAP NO. 48039C0045J REVISED SEPTEMBER 22, 1999, THE SUBJECT TRACT APPEARS TO LIE WITHIN UNSHADED ZONE "X". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY, AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN–MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES, INC.
4. ENVIRONMENTAL AND DRAINAGE ISSUES ARE BEYOND THE SCOPE OF THIS SURVEY.
5. THE SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES REFLECTED ON THE SURVEY. IT DOES NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.

## SURVEYOR'S CERTIFICATION

I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND AND WAS PERFORMED UNDER MY SUPERVISION. THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY TO THE BEST OF MY KNOWLEDGE.

STATE OF TEXAS REGISTERED MIKE KURKOWSKI 5101 PROFESSIONAL LAND SURVEYOR

MIKE KURKOWSKI
Registered Professional Land Surveyor
Texas Registration No. 5101

12–04–14
DATE

**REVISIONS**

| DATE | REASON | BY |
|---|---|---|
| | | |
| | | |
| | | |
| | | |


Windrose Land Services, Inc.
3200 Wilcrest, Suite 325
Houston, Texas 77042
Phone (713) 458-2281 Fax (713) 461-1151

Professional Development Consultants
Land Surveying, Platting, Project Management, GIS Services
Firm Registration No. 10108800


**BOUNDARY ONLY SURVEY OF**
**4.2066 ACRES OR 183,242 SQ. FT. - TRACT 1 AND**
**5.7495 ACRES OR 250,450 SQ. FT. - TRACT 2**
**OUT OF LOT 19, L. W. MURDOCK SUBDIVISION**
**SITUATED IN THE**
**A.C.H. & B. R.R. CO. SURVEY, ABSTRACT NO. 507**
**BRAZORIA COUNTY, TEXAS**

| | | |
|---|---|---|
| FIELDED BY: JK | CHECKED BY: MK | JOB NO. 52102 |
| DRAWN BY: TW | DATE: 12–03–14 | SHEET NO. 1 OF 1 |

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**JOINT PUBLIC HEARING**
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS,
**MONDAY, JANUARY 5, 2015 AT 6:30 P.M.**
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

## I. CALL TO ORDER

## II. PURPOSE OF HEARING

**Zone Change Application No. 2014-22Z**

A request of Alan Mueller, applicant; on behalf of The Felton M. and Mary C. Baker Revocable Trust, owner; for approval of a change in zoning from the General Commercial (GC) and Office and Professional (OP) zoning districts, to a Planned Development (PD) known as Baker's Landing; on approximately 79.94 acres of land, to wit:

**Legal Description:** All of that certain 79.94 acres of land, located in the A.C.H. & B. Survey, Section 1, A-147 and in the H.T. & B.R.R. Co. Survey 11, A-239, Brazoria County, Texas, out of the tracts of land described as Lots A, B, C, D, E, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U and V", and 2.011 acres in the deed from Felton M. Baker and wife, Mary C. Baker to the Felton M. and Mary C. Baker Revocable Trust, recorded under Document Number 2005011939, of the Official Records of Brazoria County, Texas

**General Location**: Between Main Street (SH 35) to the west and Old Alvin Road to the east; and south of East Walnut 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: December 30, 2014

Re: Zone Change Application Number 2014-22Z

A request of Alan Mueller, applicant; on behalf of The Felton M. and Mary C. Baker Revocable Trust, owner; for approval of a change in zoning from the General Commercial (GC) and Office and Professional (OP) zoning districts, to a Planned Development (PD) known as Baker's Landing; on approximately 79.94 acres of land.

**Proposal**

The applicant proposes to change the zoning of approximately 79.94 acres located between Main Street (SH 35) to the west, Old Alvin Road to the east, and south of East Walnut Street; from General Commercial (GC) and Office & Professional to a Planned Development (PD), known as Baker's Landing.

As proposed by the developer, Baker's Landing will consist of approximately 250 single family homes on approximately 59.2 acres, with an overlay zoning district of Single Family Residential 4 (R-4); and a 1-acre tract with frontage along Walnut Street, with an overlay zoning district of General Business (GB) for a non-residential use. The lots proposed are 55 foot wide, with an area of 6,875 square feet, exceptions being those that are located on the cul-de-sac.

Based on the information provided at the workshop, DR Horton will be the developer of this project.

**Recommendation**

Staff is unable to recommend approval of the proposed Planned Development known as Baker's Landing, for the following reasons:

1. The development, as proposed does not meet the *Village District* future land use designation of the Comprehensive Plan or the recommendations of the Old Townsite Plan (OTS) Plan, adopted by the City Council.

2. Insufficient documentation to ensure product diversity and amenities that translate to project value. Repetitive product that is substantially similar to preponderance of existing residential (e.g. 55 foot lots).

3. As proposed, Baker's Landing PD does not meet the intent of a PD (Section 2.2.2.1 of the Unified Development Code (UDC), which is to result in a higher quality development for the community than would result from the use of conventional zoning.

4. The PD as proposed, does not contain details on amenities and landscaping.

**Should Baker's Landing Planned Development move forward, Staff recommends the following conditions:**

1. In keeping with the intent of the *"Village District"* future land use designation and the close proximity to the Old Town area,
    - Provide some mixture of housing sizes and styles by including larger lot sizes and diverse housing types such as townhomes with quality architecture and urban design. More specific detail is needed in the PD on the architecture and design of the development to safeguard that the intended home standards are constructed.
    - Pedestrian connectivity (sidewalks) shall meet the requirements of the UDC, which requires 6-foot wide sidewalks on all collectors and 4-foot sidewalks on local streets.
    - Increase pedestrian access to the Old Town area (Grand Avenue) to meet the intent of the "Village District" that encourages enhanced walkability.
    - Further explore with the City the extension of Grand Avenue.

2. Provide detail on the buffer along SH 35 including detail on the masonry wall, landscaping, plantings and berming. Provide enhanced landscaping and consider wider buffer than the minimum requirements. Extend the masonry screening wall along the full length of areas visible on Main Street, as required by the UDC for all single family perimeter fences abutting Major Thoroughfares.

3. Include a masonry screening wall along Old Alvin Road, as opposed to a wood fence. Perimeter subdivision fences along Major Thoroughfares are required to be constructed of masonry materials; and wood is expressly prohibited. Although Old Alvin Road is not a Major Thoroughfare, for consistency and sustainability, staff recommends masonry for the construction of the screening wall along Old Alvin Road. Also, show masonry fencing where residential uses will abut existing non-residential uses and zones, as required by the code.

4. Include minimum percentages for brick and masonry - minimum 30% brick and 30% stone for front facades and 20% brick or stone for side and rear facades, to prevent 100% stucco along the front façade and 50% stucco along the side facades of the residential homes.

5. As proposed 20% of the land area (16.6 acres) is dedicated to usable open space, as required for a residential PD (Section 2.2.2.3 (c) of the UDC), and as recommended by the Comprehensive Plan. Open space for PD districts may be satisfied by either public or by a combination of public and private open space requirements, and is in in addition to landscaping and buffering. Details are required regarding the proposed private parks,

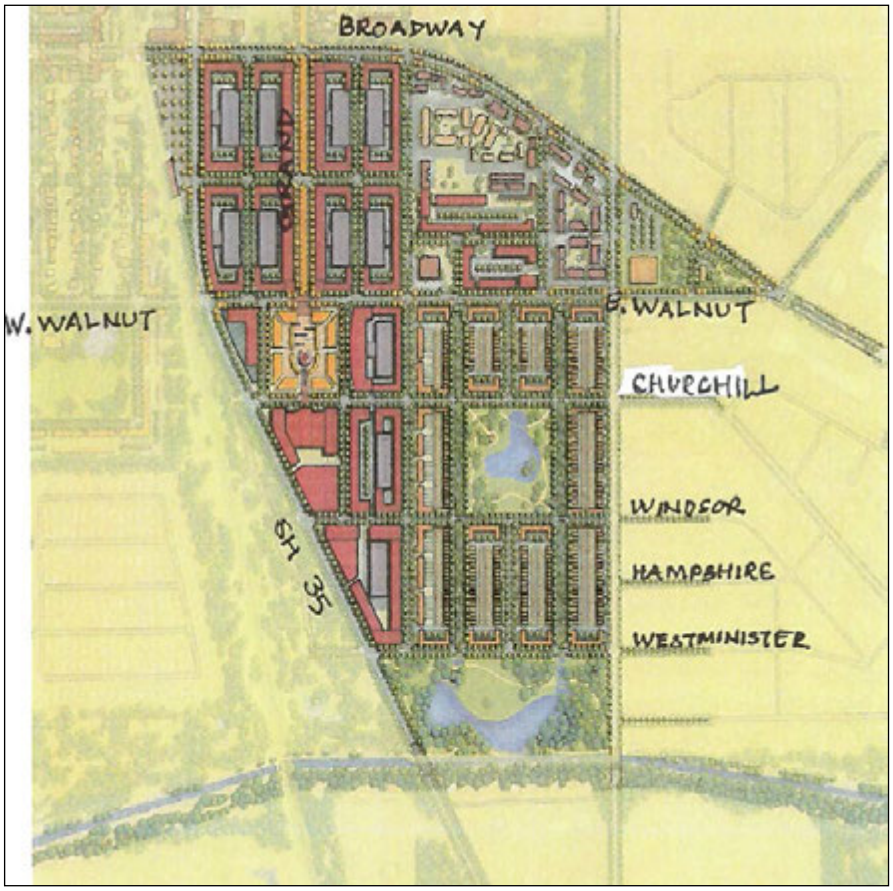
landscaping and fencing, and should be added to the text of the PD document. The center area of the project is of concern; due to lack of any open space. Adding some linear open areas to provide north-south greenway access to the recreational areas in the south would help in lowering density, as providing more meaningful open spaces, and better access to recreational areas from all parts of the development. Details are required regarding the proposed curb extensions and cross walks on Hampshire Street, and should be added to the text of the PD document.

**Current Zoning and Comprehensive Plan Recommendations**

The subject property is currently zoned as General Commercial (GC) and Office and Professional (OP), and single family developments are not permitted in these zoning districts.

In this area, the **1999 Comprehensive Plan** (updated in 2010) envisions a development that provides an opportunity to create a "unique community that contrasts with and provides an alternative to standard land development patterns seen elsewhere in the City." The recommendations include mixing of uses in a single building, with ground floor business and second floor residential, enhanced walkability within the area and connectivity to the surroundings, mixed use and diversity, mixed housing types, connectivity, quality architecture and urban design, traditional neighborhood structure, and centralized public space.

This area was also identified as being part of the **Old Townsite Downtown Development District** in October of 2004 and was called the New Town Center area (see below). The vision for this area reiterated the 1999 Comprehensive Plan recommendations. The Old Townsite Downtown Development District Plan (OTS Plan) recognized that this area was an integral part of the Old Townsite, and recommended a traditional mixed-use walkable center, well connected to Grand Avenue, by providing a focal point on this site, in the form of an urban square. The OTS Plan also emphasized connection to the residential subdivision to the east by extension of Churchill, Windsor, and Westminster Streets into this area. Specifically, for the residential component, the recommendations included a variety of housing types including townhomes, condominiums, loft residential, with parking in the rear, and corner store commercial.




*Recommendation of the Old Townsite Downtown Development District Plan*

**<u>Joint Workshop</u>**

A joint workshop was held before the City Council and the Planning and Zoning Commission on November 17, 2014. The following concerns were expressed by the City Council and the Planning and Zoning Commission; and how the applicant addressed the concerns follows in red font followed by staff comments and concerns:

1. <u>Concern with the features of homes and the neighborhood amenities (such factors that translate to home values, stated by applicant to be targeted $250,000 – $300,000); moreover, for the property to be predominantly residential along SH35, the uniform lot frontages of 50-foot to 55-foot lots, as proposed by the applicant brought questions of the additional residential of this same type into the community in lieu of the zoned business and office uses.</u>

   *DR Horton originally proposed minimum 50 and 55-foot lot widths. The lot width proposed at this time is a minimum 55-feet. The homes will be constructed of 100% masonry along the front façade and 50% masonry along the side facades.*

   Based upon the recommendations of the Comprehensive Plan, the OTS Plan mentioned above, and Council and P & Z comments, staff recommends diversity

in housing, including townhomes; and 65-foot and 75-foot lots (R-2 and R-3 zoning) . Despite the assertion made by the developer above, the proposal still includes all 55 foot lots with no other width. The masonry requirement proposed is the minimum that is provided in the current housing market. Staff has requested more architectural details and prototypes to demonstrate the quality of the homes that are being proposed.

The definition of masonry in the city codes *includes* stucco, stone, and brick, with no minimum requirements for each specific material. As the applicant is requesting a Planned Development and different uses than currently zoned, if the residential project proceeds, staff recommends that a minimum 30% brick and 30% stone for front facades and 20% brick or stone for side and rear facades be added to prevent 100% stucco along the front façade and 50% stucco along the side facades of the residential homes.

Some examples of recent newer developments in Pearland are shown here, that have a combination of brick and masonry. This requirement, in addition to adding larger lots as mentioned above and adding a minimum square footage for homes, would assist in meeting the mix of housing that the City Council and Planning and Zoning Commission suggested.

*Examples of Residential Structures in Pearland - Facades with a Combination of Brick, Stone, and Stucco.*

2. <u>Concerns were raised regarding homes abutting SH 35 and a desire for wider open space along SH 35.</u>

*No changes have been proposed by DR Horton to address this concern.*

Staff has requested details on the buffer area to determine the type of fence and amount of landscaping proposed. SH 35 (Main Street) is located within the Corridor Overlay District (COD), and requires a minimum 30-foot wide, unobstructed buffer. It is important to note that this buffer was envisioned for **front yards of commercial uses along SH 35**, for aesthetic purposes. **The buffer does not address adjacency issues between single family homes on small lots (R-4) with rear yards abutting a Major Thoroughfare that is also a State Highway with truck traffic**. In light of the fact that SH 35 will be widened in the future, and residential homes will abut a Major Thoroughfare with truck traffic servicing the adjoining industrial areas on SH 35, strong consideration should be given to the buffer between the residences and SH 35, in terms of width and enhanced landscaping.

The existing right-of-way in this location is 100 feet. The Throughfare Plan requires a 120 foot right-of-way for a Major Thoroughfare. However, the future right-of-way required for SH35 may encroach into the proposed 30-foot buffer

area if TxDOT determines they need more right-of-way on the east due to design issues or that the west side will require structure buy-outs.

It should also be noted that the property is being requested for residential uses not envisioned in the Comprehensive Plan for land uses in this area. That long-term plan has non-residential office and retail uses. This is not to say that residential of any sort is not appropriate or cannot be a mix of the eventual land uses on the property. However, the City's own 20/20 economic development plan, *Pearland 20/20: A Blueprint for Pearland, Texas Competitive Assessment* (December 11, 2012) summarizes in a conclusion that "Diverse, high-value commercial and industrial development must continue to be enhanced, especially along the major corridors, to balance the city's tax digest." The City of Pearland has 70% of its net assessed value in residential, according to the recently adopted Budget document.

KEY TAKEAWAYS

**Pearland's growth trends are not sustainable**. As its residential development has skyrocketed, the city's budget has been able to accommodate increases in infrastructure construction and services-provision. But the percentage of Pearland's budget dedicated to debt-service as well as recent tax increases show that residential development is not self-sustaining. Diverse, high-value commercial and industrial development must continue to be enhanced, especially along the major corridors, to balance the city's tax digest. This will also enable Pearland to be even more aggressive in boosting its transportation capacity

3. <u>Will sound walls be provided between SH 35 and abutting residential?</u>
*No changes have been proposed by DR Horton to address this concern.*

As stated above, staff has requested more details on the buffer between the proposed homes and SH 35, which has considerable truck traffic. Sound walls may be a possibility if housing on small lots is built at the proposed location when SH 35 is widened in the future, similar to the reconstructed section north of Broadway Street, but that would be after-the-fact and at an added public expense for the road project.

4. <u>The lack of business uses was questioned, especially along SH35.</u>
*No changes have been proposed by DR Horton to address this concern.*

The proposed GB tract remains as 1 acre, with the possibility to convert the 1-acre GB tract into single family lots. The proposal presented at the workshop had a maximum of 280 single family lots (3.48 dwelling units per acre). The applicant has somewhat decreased the maximum number of single family lots to 265 lots (3.3 dwelling units per acre). Staff recommends a mix of residential types and if feasible, non-residential uses.

5. <u>Would the applicant consider Townhomes for variety?</u>
*No changes have been proposed by DR Horton to address this concern.*

Townhomes are not proposed for this development. When development was originally discussed with staff, DR Horton was proposing townhomes in the land area abutting SH 35. Staff recommends that townhomes and similar diverse housing be considered. Diverse uses along SH 35 would be in compliance with the OTS Plan.

6 Concerns were raised regarding increased traffic on Galveston Street (Minor Collector) and on SH 35 (Major Thoroughfare), and internal streets being used as a cut through.

*No changes have been proposed by DR Horton to address this concern.*

Staff recommends that details are provided to address this issue. The applicant has indicated that traffic calming measures would be provided, but has not provided enough written assurances, graphic details, or alternatives on how these measures would be implemented by the builder.

7. Requested the applicant to consider zoning other than R-4, and to lower the density.

*Remains R-4 zoning.*

The proposed overlay zoning district for the single family homes remains as R-4. The center area of the project is of concern; due to lack of any open space. Adding linear open areas to provide north-south greenway access to the recreational areas on the south would help in lowering density, by providing more meaningful open spaces, and better access to recreational areas from all parts of the development.

8. Concerns were raised regarding access to open space being provided across heavily travelled streets, which would be a deterrent to open space usage.

*A 6-foot trail has been added to the wooded area as well as a bench. Pedestrian access is provided throughout the site via the 6-foot trail, mostly along the perimeter of streets, with 4-foot sidewalks along internal streets. See Exhibit 6 of the PD document.*

Since the proposed open space is not centrally located for easy pedestrian access, staff recommends linear open space areas to provide north-south greenway access to the recreational areas in the south, as mentioned above.

**Public Notification/Comment**

Staff sent 63 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 proposed PD, known as Baker's Landing. As required by state law, 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 received 2 notices in opposition to the request. However, the returned notices are not from property owners within 200 feet of the site.

**Exhibits**

1. Staff Report
2. Aerial Map
3. Existing Zoning Map
4. Proposed Zoning Map (From PD Document)
5. Future Land Use Map
6. Notification Map
7. Notification List
8. Baker's Landing Planned Development

**Exhibit 1**
**Staff Report**

## Summary of Request

The applicant proposes to change the zoning of approximately 79.94 acres located between Main Street (SH 35) to the west, Old Alvin Road to the east, and south of East Walnut Street; from General Commercial (GC) and Office & Professional to a Planned Development (PD), known as Baker's Landing. Baker's Landing will consist of approximately 250 single family homes on approximately 59.2 acres, with an overlay zoning district of Single Family Residential 4 (R-4); and a 1-acre tract with frontage along Walnut Street, with an overlay zoning district of General Business (GB), for a non-residential use. As written into the PD, the proposed 1-acre GB-tract may be converted to single family homes, provided the total number of lots does not exceed 265 lots, which equates to a gross density of 3.3 dwelling units per acre. The R-4 zoning district allows for a maximum gross density of 5.6 dwelling units per acre. Proposed lot sizes include lot size of 55 feet x 125 feet (6,875 square feet).

The remaining acreage will be designated for open space, including a detention area to be used as an amenity with a pavilion and 4 fountains, 6-foot wide trails around the perimeter of the detention area, which will provide pedestrian access to the proposed wooded area located at the southeast corner of the development along Old Alvin Road, and throughout the development; 4-foot sidewalks internal to the development; 5 pocket parks/tot lots (16.6 acres) and landscape reserves (3.6 acres).

Under the developer's proposal, Baker's Landing will be developed in 2 phases, with the option to modify the number of phases and boundaries of each phase. However, the detention area and the 9.6-acre park will be constructed in Phase 1. According to Exhibit 5 (Phasing Plan), Phase 1 will include 121 lots; and Phase 2 will include 129 lots, in addition to the 1- acre GB tract, which may be converted into single family lots.

## Site History

The subject property was annexed into the City of Pearland in 1949. The site was originally known as the Pearland Municipal Airport, and consisted of 4 runways serving local general aviation needs, and was home to a flight school and several crop dusting operations. The property is currently developed with buildings from its prior use for aviation purposes and a detention pond in the south central portion of the property. The southeast portion of the

property is heavily wooded with a small portion within the 100 year floodplain. Just south of the subject property is Mary's Creek.

The subject property is surrounded by a mix of various land uses as well as zoning districts, as illustrated by the below table:

| | **Zoning** | **Land Use** |
|---|---|---|
| North | Old Town Mixed Use (OT-MU)<br>General Commercial (GC)<br>Office & Professional | Single Family<br>Post Office<br>Industrial Warehouse Structures |
| South | General Commercial (GC) | Mary's Creek<br>Industrial Warehouse Structures<br>Offices |
| East | General Commercial (GC)<br>Office & Professional (OP)<br>Multi-Family (MF)<br>Single Family Residential 1 (R-1) | Nursing/Convalescent Home<br>Multi-Family<br>Single Family |
| West | General Business (GB)<br>Light Industrial (M-1) | Auto Zone<br>Bails Bonds<br>Industrial Warehouse Structures |

**Conformance with the Thoroughfare Plan**

The subject property is bounded by Main Street to the west, a Major Thoroughfare which requires 120 feet of right-of-way (ROW); Old Alvin Road to the east, a Minor Collector, which requires 60 feet of ROW, and requires widening in certain areas along the roadway; E. Walnut Street to the north, a Major Collector which requires 80 feet of ROW, and requires widening. Galveston Avenue, a Major Collector of sufficient width runs north and south through the property; Hampshire Street; a Major Collector of sufficient width runs east and west through the property. Finally, the property has frontage on Beechcraft and Lockheed Streets, both Local Streets, of which require 50 feet of ROW. Through the platting process, the applicant proposes to abandon a 350-foot section of Beechcraft Street. As the property has frontage on multiple streets with multiple designations, additional right-of-way may be required and will be assessed during the platting process.

**Conformance with the Unified Development Code**

Although the existing zoning of the site is General Commercial (GC) and Office and Professional (OP), and single family developments are not permitted, a Planned Development allows for deviations from various requirements of zoning districts, including the establishment of an overlay zoning district, which may combine the regulations of one or more zoning districts. The applicant proposes Single Family Residential-4 (R-4) for the residential component, and General Business (GB), for the 1-acre non-residential tract, with the option to convert the GB tract to single family homes. The below table illustrates the R-4 requirements that are proposed to be varied through the PD process. All other standards will meet the requirements of the Unified Development Code (UDC), including the Corridor Overlay District standards, where

applicable, along Main Street. There are no changes proposed for the 1-acre GB tract, if developed with a non-residential use.

Specifically, Collector Streets require 6-foot sidewalks; and local streets require 4-foot sidewalks. The applicant proposes 4-foot sidewalks along the east side of Galveston Avenue.

| | R-4 Standard | Proposed R-4 PD Standard |
|---|---|---|
| Sidewalks along Galveston Ave. | 6 feet | 4 feet where residential lots front on Galveston Ave. |

**By the developer receiving additional uses or other allowances outside of the zoning, Planned Developments are a development option intended to result in a higher quality development for the community than would result from the use of conventional zoning districts.** The applicant proposes a number of amenities, which would not be required in the R-4 zoning district including subdivision identification signs at the Old Alvin Road and Hampshire Street entrance, the Hampshire Street and Main Street entrance, and the Galveston Avenue and Walnut Street entrance; masonry fencing at the Hampshire Street and Old Alvin Road entrance; Hampshire Street curb extensions and cross walks; 20% open space in the form of private parks and tot lots, including preservation of a heavily wooded area at the southeast corner of the development, an amenitized detention area, with approximately 2.2 miles of 6-foot wide trails, 10 benches, a pier and a pavilion/shade structure; masonry requirements for the homes including 100% masonry along the front elevation and 50% masonry along the side elevations; and a historical marker regarding the history of the property to be located at the pocket park.

Table 7, found on page 7 of the PD document includes a table "Design Enhancements, Amenities and Recreational Facilities," which also includes the general location of the proposed enhancement, amenity or recreational facility. Staff has included a 3rd column indicating if the item would be required within the R-4 zoning district or as part of a single family residential PD:

| Item | General Location | Required by the UDC (Yes or No) |
|---|---|---|
| 6-foot in height upgraded wood fence | Old Alvin Rd. and portions of Hampshire Street and Galveston Street | No.<br><br>However wood is discouraged, and is expressly prohibited along Major and Secondary Thoroughfares. |
| 6 foot in height brick masonry fence | Hampshire Street/Old Alvin Road entry | No. |
| Primary Entry Monument | Old Alvin Road and Hampshire Street | No. |
| Secondary Entry Monument | Hampshire Street at Old Alvin Road | No. |

| Item | General Location | Required by the UDC (Yes or No) |
|---|---|---|
| Monument Sign | Galveston Street at Walnut Street | No. |
| 12-acre park including a 7.0 acre amenitized detention lake with fountains | Hampshire Street Park | Yes.<br><br>A PD requires a minimum of 20% usable open space, which can be satisfied by either a combination of public/private open space, and this is in addition to landscaping and buffering. |
| 3.8 acres preserved wooded open space with trails and benches | Southeast corner | Yes.<br><br>A PD requires a minimum of 20% usable open space, which can be satisfied by either a combination of public/private open space, and this is in addition to landscaping and buffering. |
| 4 pocket parks totaling .78 acres | Throughout | Yes.<br><br>A PD requires a minimum 20% usable open space, which can be satisfied by either a combination of public/private open space, and this is in addition to landscape and buffering. |
| Approximately 2.2 miles of 6-foot trail | Throughout | Yes.<br><br>A PD requires a minimum 20% open space, which can be satisfied by either a combination of public/ private open space, and this is in addition to landscape and buffering. |
| 3.6 acres landscape/open reserves | Throughout | Yes.<br><br>A PD requires a minimum 20% usable open space, which can be satisfied by either a combination of public/private open space, and this is in addition to landscape and buffering. |
| Pier | Hampshire Street Park | No.<br><br>However, can be considered an amenity as part of a PD. |

| Item | General Location | Required by the UDC (Yes or No) |
|---|---|---|
| Pavillion/Shade Structure | Hampshire Street Park | No.<br><br>However, can be considered an amenity as part of a PD. |
| Playground | Hampshire Street Park | Yes.<br><br>A PD requires a minimum 20% usable open space, which can be satisfied by either a combination of public/private open space, and this is in addition to landscape and buffering. |
| Picnic Tables | Hampshire Street Park | No.<br><br>However, can be considered an amenity as part of a PD. |
| “Tot Lot” playground | Pocket Park | Yes.<br><br>A PD requires a minimum 20% usable open space, which can be satisfied by either a combination of public/private open space, and this is in addition to landscape and buffering. |
| 10 benches | Parks and along Trail | No.<br><br>However, can be considered an amenity as part of a PD. |
| Hampshire Street curb extensions and striped cross walks | Hampshire Street Park (2 locations) | No. |
| Extra depth lots (125 feet vs. 90 feet) | Throughout | No.<br><br>Lot depths are minimums. The R-4 zoning district requires a minimum lot depth of 90 feet. |
| Masonry Requirements for SF elevations | Throughout | No. |
| Historical marker regarding the history of the airport and the Baker Family | Pocket Park | No. |

**Conformance with the Comprehensive Plan**

As explained in the Staff Memo, the proposed PD, which is predominantly R-4 single family detached homes, with a 1-acre GB tract, which can be converted to single family lots, is not in compliance with the recommendations of the Comprehensive Plan.

**Platting Status**

Portions of the subject property were replatted in the Pearland Pavilion Addition in 1986. Platting will be required for the proposed development prior to the issuance of building permits and Certificates of Occupancy.

**Availability of Utilities**

There are existing water and sanitary sewer lines on the existing roadways, and will require extensions to service the lots and streets to be installed during development. Water, sanitary sewer, and storm water plans are based upon land uses in the Comprehensive Plan. If this residential plan moves forward, the utilities will have to be reviewed and accommodated for this use. Utilities and the extension of utilities will be further assessed at the time of platting.

**Impact on Existing and Future Development**

As proposed, Baker's Landing is not in compliance with the vision of the area as a Village District. The area is considered the City of Pearland's downtown area and is envisioned to be developed with residential-compatible retail, office and service uses adjacent to collector streets, such as Galveston Avenue, Old Alvin Road and Hampshire Street. Supporting non-residential uses are encouraged. If approved, Baker's Landing may set a precedence for non-conformance within the Village District and the Old Town site. However, with the recommendations in this report, it is staff's professional opinion that this development can set high standards that can be replicated in other developments, and will add value to the City.

**Additional Comments**

The City recently executed a contract with Dannenbaum Engineering to begin working on Old Townsite Drainage Improvements as part of the City's Capital Improvement Program. The developer has been made aware of the project and its scope. As the developer and City move forward with their projects coordination will need to take place.

**Public Notification**

Staff sent 63 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 proposed PD, known as Baker's Landing. As required by state law, 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 received 2 notices in opposition to the request. However,

the returned notices are not from property owners within 200 feet of the site.

**Joint Workshop**

A joint workshop was held before the City Council and the Planning and Zoning Commission on November 17, 2014. Several concerns were expressed by the City Council and the Planning and Zoning Commission. These concerns, how the applicant addressed the concerns and staff's recommendations are included within the attached Staff Memo.

**Recommendation**

The recommendations are included in the attached Staff Memo.

# PROPOSED BAKER'S LANDING PD

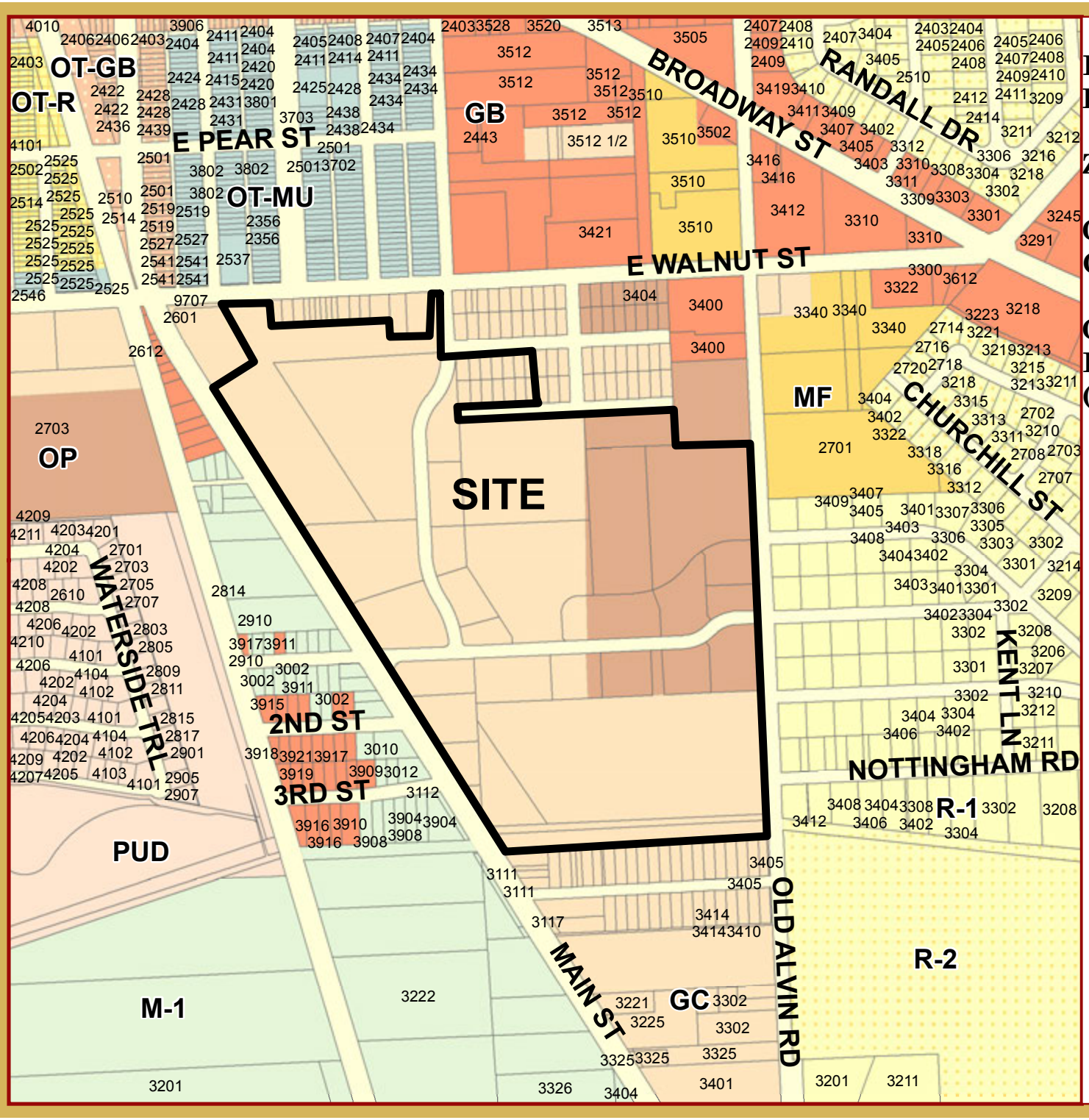
## AERIAL MAP

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 = 637 feet

22 MAY 2014
PLANNING DEPARTMENT

N




# PROPOSED BAKER'S LANDING PD

## ZONING MAP

GENERAL COMMERCIAL (GC) &

OFFICE & PROFESSIONAL (OP)

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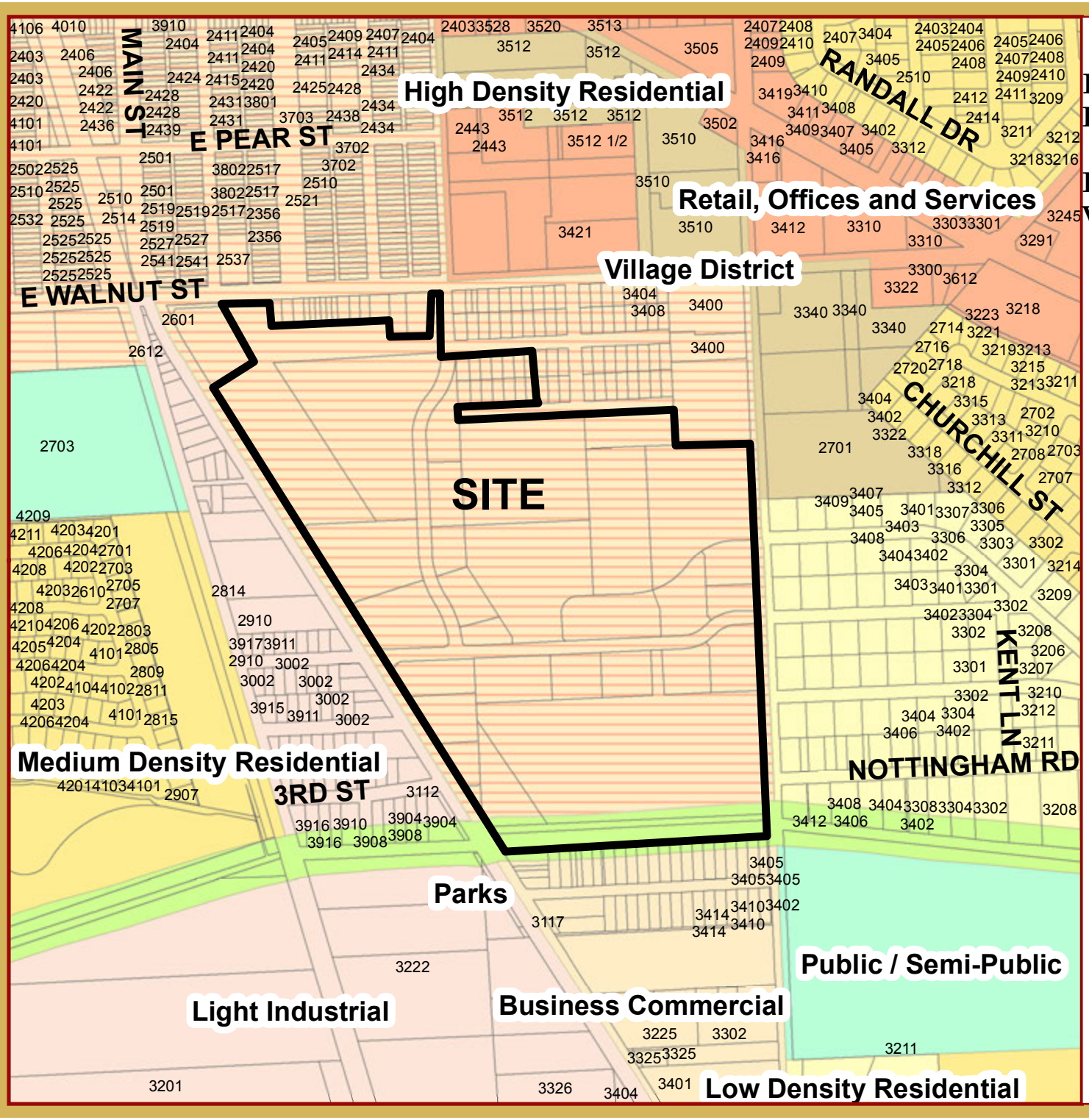
1 inch = 637 feet

22 MAY 2014
PLANNING DEPARTMENT

N




# PROPOSED BAKER'S LANDING PD

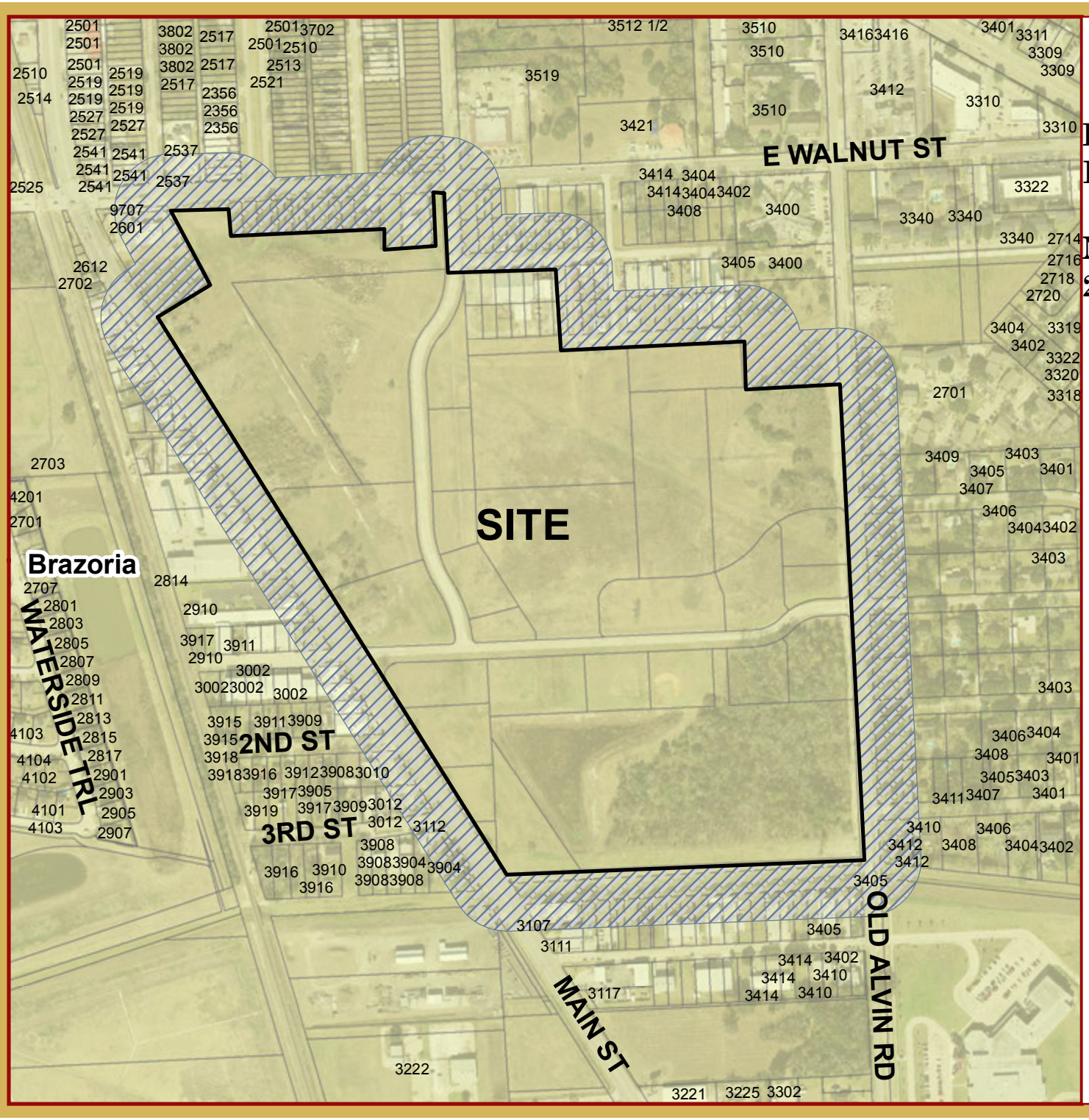
## FLUP MAP
## VILLAGE DISTRICT

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 = 637 feet

22 MAY 2014
PLANNING DEPARTMENT

N




# BAKER'S LANDING PD

# NOTIFICATION MAP 2014-22Z

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 = 500 feet

22 MAY 2014
PLANNING DEPARTMENT

N

**2014-22Z**
**Property Owner List**

| Property Owner | Address | City | State | Zip |
|---|---|---|---|---|
| Alan Mueller | 4201 Broadway St. | Pearland | TX | 77581 |
| Property Owner | 3410 NOTTINGHAM ST | PEARLAND | TX | 77581 |
| Property Owner | 3708 E WALNUT ST | PEARLAND | TX | 77581 |
| Property Owner | PO BOX 2551 | PEARLAND | TX | 77588 |
| Property Owner | 4010 VISTA RD STE B | PASADENA | TX | 77504 |
| Property Owner | PO BOX 161653 | AUSTIN | TX | 78716 |
| Property Owner | 2536 GRAND BLVD | PEARLAND | TX | 77581 |
| Property Owner | PO BOX 127 | PEARLAND | TX | 77588 |
| Property Owner | 3400 E WALNUT ST | PEARLAND | TX | 77581 |
| Property Owner | 5714 COTTONWOOD ST | PEARLAND | TX | 77584 |
| Property Owner | 6001 FAIRWAY DR | ALVIN | TX | 77511 |
| Property Owner | 2407 JOHN AVE | FRIENDSWOOD | TX | 77546 |
| Property Owner | 3412 LOCKHEED ST | PEARLAND | TX | 77581 |
| Property Owner | 2411 PARK AVE | PEARLAND | TX | 77581 |
| Property Owner | 21330 TIMBER PINES DR | SPRING | TX | 77388 |
| Property Owner | 2304 LONGWOOD DR | PEARLAND | TX | 77581 |
| Property Owner | 8807 LAWNCLIFF LN | HOUSTON | TX | 77040 |
| Property Owner | 2409 LYNN DR | PEARLAND | TX | 77581 |
| Property Owner | 304 OAK DR | FRIENDSWOOD | TX | 77546 |
| Property Owner | 10592 VILLA DEL CERRO | SANTA ANA | CA | 92705 |
| Property Owner | 3411 WINDSOR ST | PEARLAND | TX | 77581 |
| Property Owner | 3412 WINDSOR ST | PEARLAND | TX | 77581 |
| Property Owner | 3411 HAMPSHIRE ST | PEARLAND | TX | 77581 |
| Property Owner | 3412 HAMPSHIRE ST | PEARLAND | TX | 77581 |
| Property Owner | 3411 WESTMINISTER ST | PEARLAND | TX | 77581 |
| Property Owner | 3412 WESTMINISTER ST | PEARLAND | TX | 77581 |
| Property Owner | 3411 NOTTINGHAM ST | PEARLAND | TX | 77581 |
| Property Owner | PO BOX 693 | PEARLAND | TX | 77588 |
| Property Owner | 3412 NOTTINGHAM ST | PEARLAND | TX | 77581 |
| Property Owner | 3904 3RD ST | PEARLAND | TX | 77581 |
| Property Owner | PO BOX 1587 | PEARLAND | TX | 77588 |
| Property Owner | 3405 SWENSEN RD | PEARLAND | TX | 77581 |
| Property Owner | 450 ROSENWALD ST | RESERVE | LA | 70084 |
| Property Owner | PO BOX 219 | PEARLAND | TX | 77588 |
| Property Owner | PO BOX 3291 | PEARLAND | TX | 77588 |
| Property Owner | 9503 SAGE DECK LN | HOUSTON | TX | 77089 |
| Property Owner | 4805 BROADWAY ST | PEARLAND | TX | 77581 |
| Property Owner | 6002 OSBORN ST | HOUSTON | TX | 77033 |
| Property Owner | 3111 S MAIN ST | PEARLAND | TX | 77581 |
| Property Owner | 3600 E WALNUT ST | PEARLAND | TX | 77581 |
| Property Owner | 3506 LOCKHEED ST | PEARLAND | TX | 77581 |
| Property Owner | 5666 BELCREST ST | HOUSTON | TX | 77033 |
| Property Owner | 1711 WOODLAND PARK DR | HOUSTON | TX | 77077 |

| | | | | |
|---|---|---|---|---|
| Property Owner | 2316 CUNNINGHAM DR | PEARLAND | TX | 77581 |
| Property Owner | 13232 MAX RD | PEARLAND | TX | 77581 |
| Property Owner | 10010 GIL JR LN | HOUSTON | TX | 77075 |
| Property Owner | 3409 WARREN RD | PEARLAND | TX | 77584 |
| Property Owner | 2708 S MAIN ST | PEARLAND | TX | 77581 |
| Property Owner | 2515 WALNUT GROVE CT | PEARLAND | TX | 77584 |
| Property Owner | 2804 S MAIN ST | PEARLAND | TX | 77581 |
| Property Owner | 3019 ELLA LEE LN | HOUSTON | TX | 77019 |
| Property Owner | PO BOX 1028 | SAN MARCOS | TX | 78667 |
| Property Owner | 2910 S MAIN ST | PEARLAND | TX | 77581 |
| Property Owner | ARTEAGA NO 1 CENTRO 76000 | QUERETARO | MEXICO | |
| Property Owner | 1603 N MAIN ST | PEARLAND | TX | 77581 |
| Property Owner | 3552 DOMINION RDG | SAN ANGELO | TX | 76904 |
| Property Owner | 7223 LIBBY LN | PEARLAND | TX | 77584 |
| Property Owner | 327 FM 2004 RD | LAKE JACKSON | TX | 77566 |
| Property Owner | 11354 ASTORIA BLVD | HOUSTON | TX | 77089 |
| Property Owner | 3904 3RD ST | PEARLAND | TX | 77581 |
| Property Owner | PO BOX 2198 | MEMPHIS | TN | 38101 |
| Property Owner | 3519 LIBERTY DR | PEARLAND | TX | 77581 |

# Bakers Landing
# Planned Development

**Submitted December 5, 2014**

# Bakers Landing
# Planned Development

## I Introduction

This 80.42-acre tract is unique in the history of the City of Pearland. Originally known as the Pearland Municipal Airport, the aviation facilities on this tract were constructed between 1945 and 1949. At the peak of its operation as a fixed wing airport, the facility consisted of four runways serving local general aviation needs and was home to a flight school and several crop-dusting operations. Between 1985 and 1989, the site was converted to a heliport operation serving as base for Houston Helicopters until the early 2000's, when those operations were discontinued.

The presence of such a large contiguous parcel in the heart of the City presents a rare opportunity to create a community that can catalyze additional positive development within the adjacent Old Town Site consistent with the City's goals. The proposed name of the project reflects the heritage of the site as being owned and operated by the Felton Baker family for more than 30 years.

### A. Description of the Property

The Bakers Landing Planned Development (PD) is bounded on the east by Old Alvin Road, on the west by SH 35, on the north by separately-owned parcels fronting on Walnut Street, and on the south by Mary's Creek. The property is crossed by Galveston Street and Hampshire Street, both of which are classified as minor collectors with adequate width. The land is generally flat with an existing detention pond in the south-central portion of the property. The southeast corner of the property is heavily wooded with a small portion within the 100-year flood plain.

Beginning in 1949, the property was operated as a general aviation airport. From 1985 to present, the property was owned by the Felton Baker family from which a private helicopter service was operated. The site contains several buildings related to its prior use for aviation purposes.

The mature and stable neighborhoods of Nottingham and Sherwood Forest are located adjacent and east of the property along Old Alvin Road. To the west side of SH 35 and south of Mary's Creek land uses are dominated by commercial and light industrial uses. Walnut Street, north of the tract, is the historical boundary of the Old Town Site, north of which currently consists of a mixture of residential, office, commercial, and retail uses, including a post office, but also contains numerous vacant parcels. Therefore, the property sits in a unique transitional zone warranting special planning through the use of a PD that can adequately address the needs of the tract and surrounding existing uses, while also serving as a cornerstone and catalyst for further redevelopment in the Old Town Site north of the property.

**B. Description of Proposed Development**

The proposed development plan for the property includes single-family residential, general business, and significant open space and recreational features. The proposed uses are reflective of a market study conducted for the tract indicating high demand for residential, moderate demand for senior housing, and very limited demand for non-residential uses within a 10-year horizon. The residential lot sizes are a minimum of 55'x125', with substantial open space, trails, recreational facilities, and homeowner's association parks.

As stated in the UDC, the R-4 District is ideal to provide a buffer between the lower density residential neighborhoods to the east and the non-residential zoning districts on the other three sides of the property. The density of development is also consistent with the goals expressed in the City's Old Town Site Plan.

A seven-acre amenity lake and within a 12-acre park is the focal feature of this community. Included with the lake and park is a playground, pavilion, and fishing pier. Approximately 2.2 miles of trails circulate through the park and also extend into the neighborhood to connect with additional pocket parks in other areas of the community. A total of four pocket parks are provided in addition to the large central park. Safe access to the main park is encouraged via proposed Hampshire Street curb extensions which serve as a traffic calming devices and also shorten the pedestrian travel distance across that roadway. Adjacent to the park, a 3.8-acre grove of mature trees is also preserved as a natural area and connected to the park via the trail system. The trails are six-foot concrete except the trails within the wooded preserve may be constructed of natural materials consistent with the context of that area. The trail also system also provides access to the Mary's Creek pedestrian bridge and Alexander Middle School.

Entry monumentation is provided at all three community entrances. The design motif of the monumentation seeks to respect some of the aviation themed uses of this property in the past. Upgraded fencing comprised of a combination of masonry, tubular steel, and upgraded wood is provided in numerous areas beyond minimum City requirements.

All homes will have minimum masonry requirements as further defined in this PD.

**C. Description of the Land**

The land consists of 79.94 acres in private ownership plus 0.48 acres in an undeveloped right-of-way, proposed for abandonment, for a total of 80.42 acres. This right-of-way is an undeveloped 350-foot section of Beechcraft Street east of Galveston Street. The boundary description is shown in **Exhibit 9**. This acreage does not include the existing rights-of-way for Galveston Street and Hampshire Street.

**D. Purpose**

The purpose of this PD is to establish development regulations and design guidelines such that development of the tract will be of a high quality, compatible with surrounding uses, and will

encourage and catalyze positive redevelopment in the adjacent Old Town Site. The residential character of the PD provides single family products responsive to current demands, but also of a mix and nature that has proven to be stable in the long term in other communities. The street pattern is a mix of traditional gridded streets and cul-de-sacs in key areas. The population density and base established on this property will drive future demand for retail and non-residential uses that is not present today, furthering the City's goals of developing a mixed use urban-style environment in the Old Town Site.

The PD will allow for cohesive design guidelines and an integrated park, open space, and landscaping plan covering this entire important tract. The land plan provides the appropriate balance of buffering and connectivity relative to the surrounding properties.

The benefits derived from this PD that would not otherwise be attainable include:

- Residential uses consistent and sensitive to the existing surrounding land uses.
- Flexible land uses to respond to market conditions over time.
- Preservation of significant portions of the existing wooded area with added trails and benches.
- Construction of approximately 2.2 miles of trails networked throughout the community and within the main park.
- A density of development required to support the market value of the real estate.
- Accommodation of the drainage district needs for future widening on the north side of Mary's Creek due to physical constraints that prevent widening to the south.
- Potential synergistic cooperation with the City's Old Town Site drainage planning.
- Creation of a "southern anchor" for the Old Town Site.

## II Zoning and Land Use

### A. Existing Zoning

The current zoning of the property is a combination of General Commercial and Office Professional, reflecting the prior uses of the property. The current zoning is shown on **Exhibit 1**. The City's future land use plan depicts the property as "Village District".

### B. Proposed Base Zoning Districts

The proposed base zoning districts are R4 Residential and General Business. The acreages of each district are shown in Table 1 and are shown spatially on **Exhibit 2**.

**Table 1**
**Base Zoning Districts**

| Base Zoning District | Acreage |
|---|---|
| Single Family R4 | 79.42 |
| General Business | 1.0 |

The proposed General Business tract will be actively marketed for such uses. However, at the time the adjacent residential property is platted with phase 2 of the development, the General Business acreage may be converted to and platted as single family uses, provided the total number of residential units may not exceed the maximum number of units established in Section II.2.C.

## C. Standards and Land Use Summary

Lots within each base zoning district will conform to the UDC requirements with the following exceptions where the requirement will exceed the normal minimums:

**Table 2**
**R4 Variations (in excess of minimum requirements)**

| Parameter | UDC Standard | Bakers Landing Standard |
|---|---|---|
| Minimum Lot Width | 50 feet | 55 feet |
| Minimum Lot Depth | 90 feet | 125 feet |
| Minimum Lot Area | 5,000 square feet | 6,875 square feet |

### 1. Land Use Summary

The land use summary for Bakers Landing is shown in Table 3 below:

**Table 3**
**Land Use Summary Table**

| Use | Acres | % of Total | Zoning District |
|---|---|---|---|
| Single Family | 59.2 | 74% | R-4 |
| General Business | 1.0 | 1% | GB |
| Amenitized Detention Lake | 7.0 | 9% | R-4 |
| Parkland to be maintained by the HOA | 9.6 | 12% | R-4 |
| Reserves | 3.6 | 4% | R-4 |
| **Total** | **80.4** | **100%** | |

The breakdown of open space, landscape reserves, and public park dedication is shown on **Exhibit 7** and below in Table 4 on the following page. "Open space" consists of HOA parks, amenitized detention, and preserved areas. "Landscape reserves" includes setbacks along roadway and other areas. There are no planned public park dedications. None of these areas include either the existing or additional Mary's Creek easement requirement, which are outside the boundary of the Bakers Landing PD.

**Table 4**

**Open Space, Park Dedication, and Landscape Reserves**

| Zone | Acres | % of Total (1) |
|---|---|---|
| Open Space | 16.6 | 21% |
| Landscape Reserves | 3.6 | 4% |
| Park Dedication | 0 | 0% |

*Note 1: Percentages based on 80.4 total acres.*

**2. Residential Lot Summary**

**Table 5**

**Lot Distribution**

| Zone | Lot Width | Lot Area | Number |
|---|---|---|---|
| R-4 | 55 feet | 6,875 SF | 250 |

The concept plan depicts 250 lots. The mix and location of lot sizes may be adjusted by the developer provided the total number of residential units may not exceed 265.

**3. Residential Density**

Table 6 illustrates the densities based on the projected 250 lots and the maximum 265 lots. The density calculations are based on the following definitions from the UDC:

**Density, Net**: The number of dwelling units per net acre. Net density calculations are made using net acreage, exclusive of thoroughfare rights-of-way and retention/detention areas, and public or private streets that are platted or are to be platted as part of the development of the property, but inclusive of open space, recreational areas, or parks.

**Density, Gross Residential**: The number of dwelling units per gross acre used for residential use. All density calculations shall be made using gross acreage dedicated for residential use, exclusive of easements and thoroughfare rights-of-way, and inclusive of retention/detention areas, public or private streets that are platted or will be platted as part of the development of the property, open space, recreational areas, and parks provided within the development.

**Table 6**

**Residential Density**

| # Lots | Net Residential (Based on 79.4 acres) (1) | Gross Residential (Based on 79.4 acres) (2) | Overall PUD (Based on 80.4 acres) |
|---|---|---|---|
| 250 | 3.15 | 3.15 | 3.11 |
| 265 | 3.34 | 3.34 | 3.30 |

*Note 1: Excludes the GB acreage; includes the detention pond since amenitized ponds are included in the definition of open space.*

*Note 2: Gross acreage is same as net because the plan contains no land uses defined as exclusions from the gross density definition.*

**D. Permitted, Conditional and Accessory Uses**

Only those permitted, conditional, and accessory uses as may be allowed in the UDC R-4 and GB zoning classifications, as applicable, are allowed.

## III Design Standards

**A. 1. Design Enhancements**

Table 7 on the following page contains the design enhancements, amenities, and recreational facilities that will be incorporated into the design plan of the community. These items will be implemented in accordance with the Phasing Plan contained herein.

Refer to the Design Plan in **Exhibit 3**, the Park and Detention Amenities Plan in **Exhibit 4**, and the Phasing Plan **in Exhibit 5** for additional clarification.

The Fencing and Trail Plan is shown in **Exhibit 6.** This exhibit depicts the types and locations of the various types of fencing, sidewalks, and trails within the community.

Conceptual renderings of the primary and secondary entry monuments, the pier, pavilion, and historical marker are shown in **Exhibits 8A** and **8B.** The entry monuments contain design motifs reminiscent of the former airport layout.

**Table 7**
**Design Enhancements, Amenities, and Recreational Facilities**

| Item | General Location |
|---|---|
| Six-foot height upgraded wood fence (base board and cap rail) | Old Alvin Road and Portions of Hampshire Street and Galveston Street |
| Six-foot height brick masonry fence | Hampshire/Old Alvin Road entry |
| Primary Entry Monument | Old Alvin Road at Hampshire Street |
| Secondary Entry Monument | Hampshire Street at SH 35 |
| Monument Sign | Galveston Street at Walnut Street |
| 12-acre park including a 7.0-acre amenitized detention lake with fountains | Hampshire Street park |
| 3.8 acres preserved wooded open space with trails and benches | Southeast corner |
| Four pocket parks totaling .78 acres | Throughout |
| Approximately 2.2 miles of six-foot trail | Throughout |
| 3.6 acres Landscape/Open Space Reserves | Throughout |
| Pier | Hampshire Street park |
| Pavilion/Shade structure | Hampshire Street park |
| Playground | Hampshire Street park |
| Picnic tables | Hampshire Street park |
| "Tot Lot" playground | Pocket park |
| 10 Benches | Parks and along trails |
| Hampshire Street curb extensions and striped cross-walks | Hampshire Street Park (two locations) |
| Extra depth lots (125-feet vs. 90-feet minimum required) | Throughout |
| Masonry requirements for single family home elevations | Throughout |
| Historical marker regarding the history of the airport and the Baker family | Pocket park |

All amenity items associated with a particular phase of development will be completed prior to the issuance of the first single family home certificate of occupancy (excluding models) for that phase as indicated on the Phasing Plan in **Exhibit 5**, unless financial surety in a form acceptable to the City is posted.

### 2. Residential Building Materials

The front elevations of each residential home will be 100% masonry. The side elevations of each home will be at least 50% masonry. Trim, soffits, and fascia are exempt from the masonry requirement.

## B. Design Plan Elements

Refer to the Design Plan in **Exhibit 3** and the Park and Detention Amenities Plan in **Exhibit 4** for a graphical representation of the items listed in Table 7. Locations and quantities shown on the Design Plan and the Park and Detention Amenities Plan are approximate. The residential street configuration and lot layout are subject to change at the discretion of the developer, provided that the total number of lots does not exceed the maximum specified herein.

## C. Deviations

No deviations from the UDC are proposed, except that the residential lot width, depth, and area will exceed the normal R4 minimums as specified in this PD.

The following engineering design criteria deviations are included:

1. Deviation: Residential driveways are allowed on the east side of Galveston Street (minor collector) at less than the standard 165-foot spacing requirement to accommodate one driveway for each single family lot fronting on Galveston Street.

   Basis: Allowing residential lots to front on a segment of Galveston Street, as shown on **Exhibit 3**, provides for an efficient street spacing pattern which eliminates the need for an additional single-loaded street. Also, allowing residential lots to front on this segment of Galveston Street creates a better residential streetscape for the community and avoids the "tunnel" effect created with rear yard fences facing the roadway from both sides.

2. Deviation: In the locations where residential lots front on Galveston Street, a standard four-foot sidewalk is allowed. A six-foot sidewalk is provided on all other sections of Galveston Street.

   Basis: A four-foot walk is more in context for the front yards of the residential homes. The six-foot trail on the west side of Galveston serves as an adequate spine trail to link the northern and southern areas of the neighborhood. Additionally, a landscape reserve with a six-foot trail is provided along the northern east-west street to connect the Galveston spine trail to the two pocket parks in the northeast corner of the property.

3. Deviation: Residential driveways are allowed on the "thumbnail" cul-de-sac on the south side of Hampshire Street (minor collector) at less than the standard 165-foot spacing requirement to accommodate one driveway for each single family lot fronting on the thumbnail.

   Basis: It is unclear whether or not this thumbnail court will be considered part of Hampshire Street, so this item is listed as a deviation as a contingency. This court will serve as the model home court.

**D. Unified Development Code Compliance**

The property will conform to the requirements of the Unified Development Code unless specifically called out in this PD.

## IV Required Dedications

Residential streets will be dedicated to the City via plat. Mary's Creek right-of-way or easement, outside the boundary of the Baker Landing PD, will be dedicated to Brazoria Drainage District 4 (BDD4), as required. BDD4 has advised that the Mary's Creek right-of-way is constrained on the south side; therefore, more than typical widening is required on the north side of the creek. BDD4 has provided the boundary for the required Mary's Creek right-of-way; the southern boundary of the Baker's Landing PD follows the required BDD4 right-of-way line.

The future extension of Grand Boulevard into the property can be accommodated if the City desires. The northern boundary of the property is separated from the current terminus of Grand Boulevard at Walnut Street by offsite property approximately 200 feet in depth. The developer is not responsible for any offsite right-of-way acquisition or roadway construction. Paving and utilities will be constructed by the developer to the extent shown in **Exhibit 3**, and a right-of-way corridor will be preserved for the balance of the Grand Boulevard right-of-way within the property. In the event the City chooses in the future to acquire the offsite right-of-way, the cost of completing the paving and utilities shall not be borne by the developer. In the event the City chooses not to extend Grand Boulevard, the proposed right-of-way may be replatted for residential uses when phase 2 is platted.

A 25-foot water easement is required along the east side of SH 35. This easement will overlap with the required 30-foot SH 35 landscape reserve.

The 0.48-acre portion of the undeveloped right-of-way of Beechcraft Street east of Galveston Street is proposed for abandonment by plat.

## V Phasing

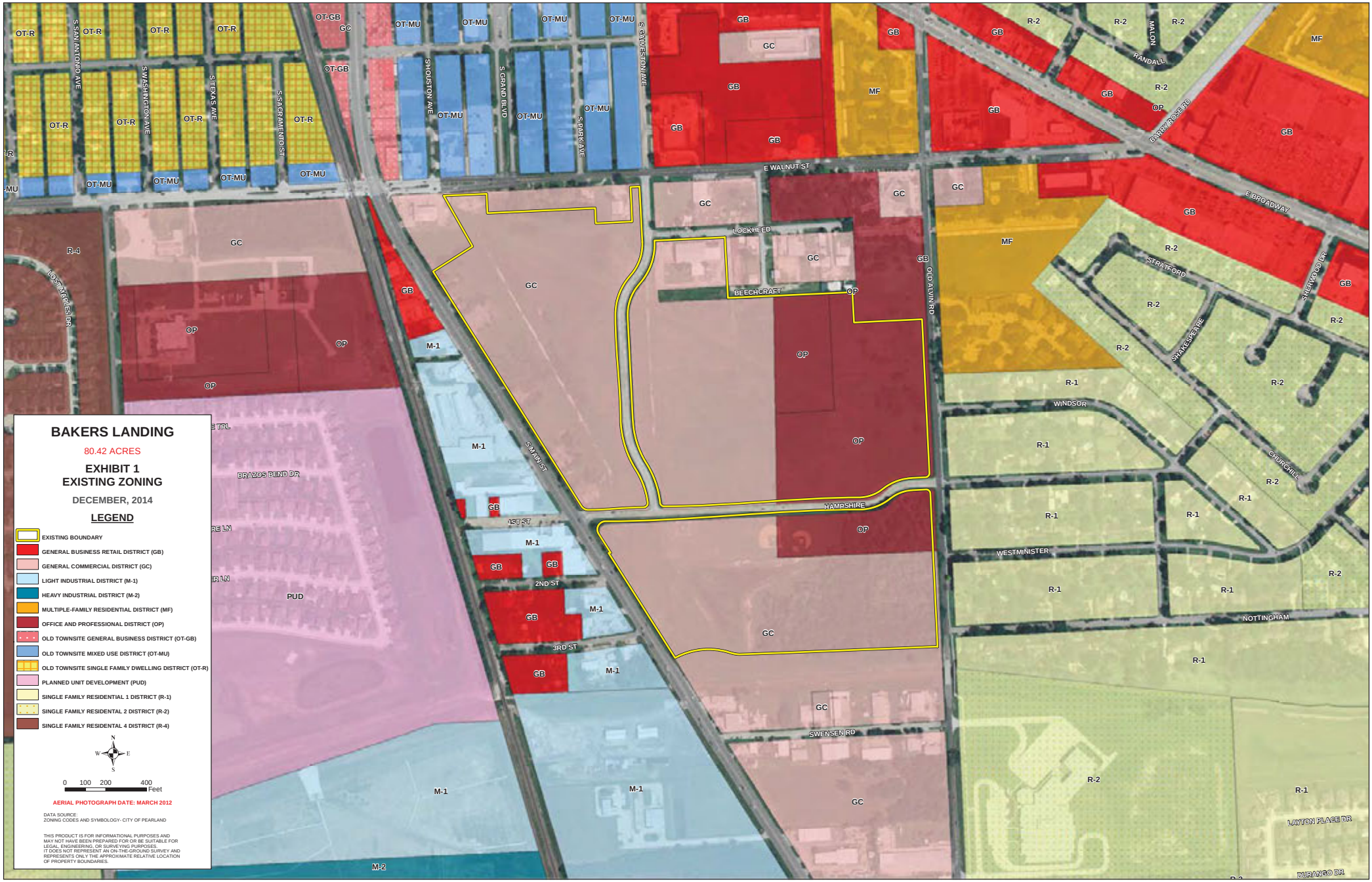
The property is expected to be developed in phases as shown on the Phasing Plan in **Exhibit 5**. The developer reserves the right to modify the number of phases and phase boundaries; however, in any case, the detention lake and surrounding park will be completed with phase 1.

## VI Exhibits

1. Existing Zoning
2. Proposed Zoning Designations
3. Design Plan
4. Park and Detention Amenity Plan Detail
5. Phasing Plan
6. Fencing and Trail Plan
7. Park and Open Space
8. A. Conceptual Renderings
   B. Conceptual Renderings
9. Survey and Metes and Bounds Description

# Exhibit 1

# Existing Zoning


BAKERS LANDING
80.42 ACRES
EXHIBIT 1
EXISTING ZONING
DECEMBER, 2014
LEGEND
EXISTING BOUNDARY
GENERAL BUSINESS RETAIL DISTRICT (GB)
GENERAL COMMERCIAL DISTRICT (GC)
LIGHT INDUSTRIAL DISTRICT (M-1)
HEAVY INDUSTRIAL DISTRICT (M-2)
MULTIPLE-FAMILY RESIDENTIAL DISTRICT (MF)
OFFICE AND PROFESSIONAL DISTRICT (OP)
OLD TOWNSITE GENERAL BUSINESS DISTRICT (OT-GB)
OLD TOWNSITE MIXED USE DISTRICT (OT-MU)
OLD TOWNSITE SINGLE FAMILY DWELLING DISTRICT (OT-R)
PLANNED UNIT DEVELOPMENT (PUD)
SINGLE FAMILY RESIDENTIAL 1 DISTRICT (R-1)
SINGLE FAMILY RESIDENTAL 2 DISTRICT (R-2)
SINGLE FAMILY RESIDENTAL 4 DISTRICT (R-4)
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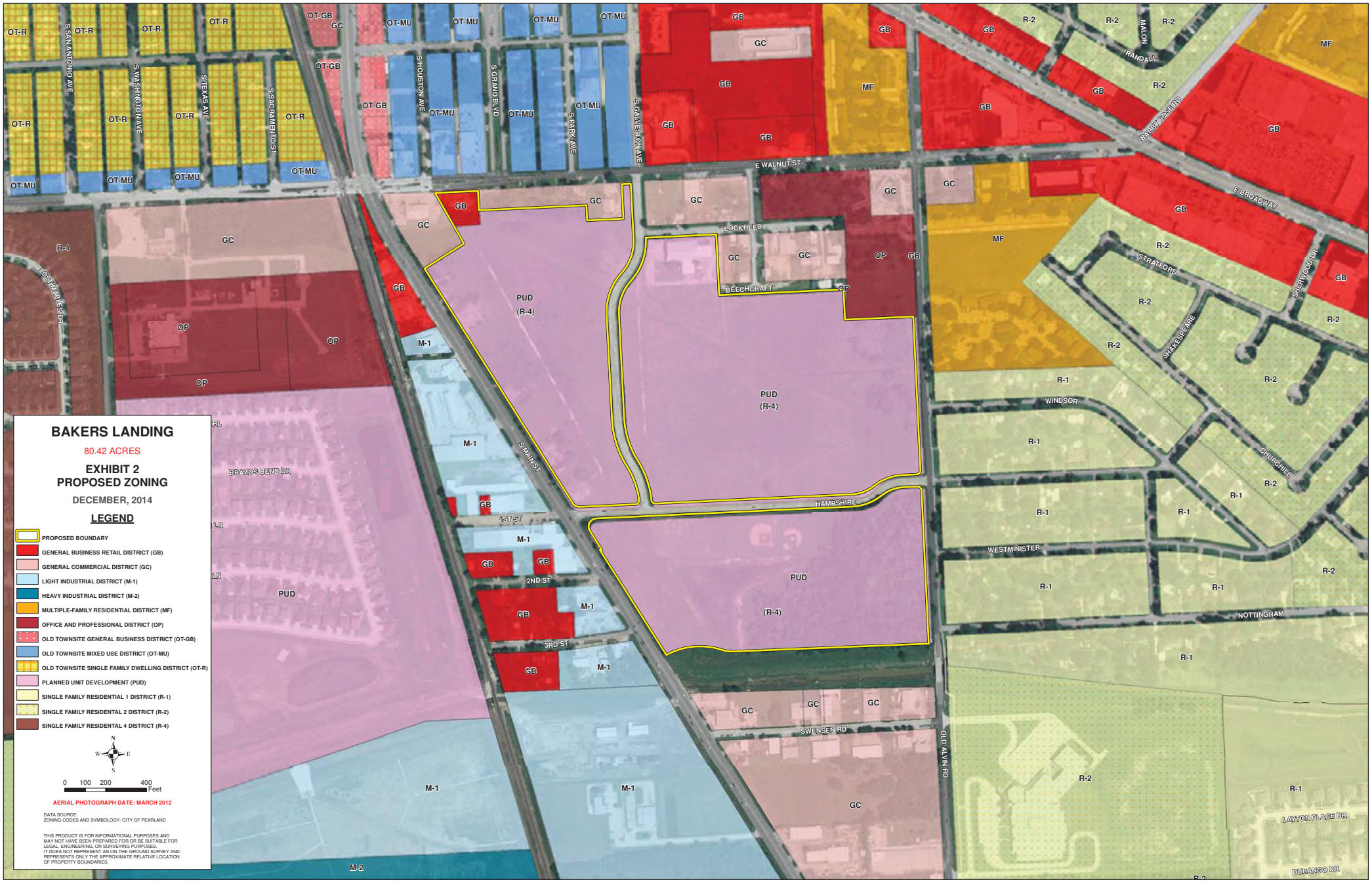
AERIAL PHOTOGRAPH DATE: MARCH 2012
DATA SOURCE:
ZONING CODES AND SYMBOLOGY- CITY OF PEARLAND
THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES.
S SAN ANTONIO AVE
S WASHINGTON AVE
S TEXAS AVE
S SACRAMENTO ST
S HOUSTON AVE
S GRAND BLVD
S MARK AVE
S GALVESTON AVE
E WALNUT ST
LOCKHEED
BEECHCRAFT
OLD ALVIN RD
HAMPSHIRE
WESTMINISTER
NOTTINGHAM
SWENSEN RD
S MAIN ST
1ST ST
2ND ST
3RD ST
BRAZOS BEND DR
LOST MARBLES DR
RANDALL
MALON
BARRY ROSE RD
E BROADWAY
STRATFORD
SHAKESPEARE
WINDSOR
CHURCHILL
SHERWOOD DR
LAYTON PLACE DR
DURANGO DR
OT-R
OT-MU
OT-GB
GC
GB
MF
OP
R-1
R-2
R-4
M-1
M-2
PUD

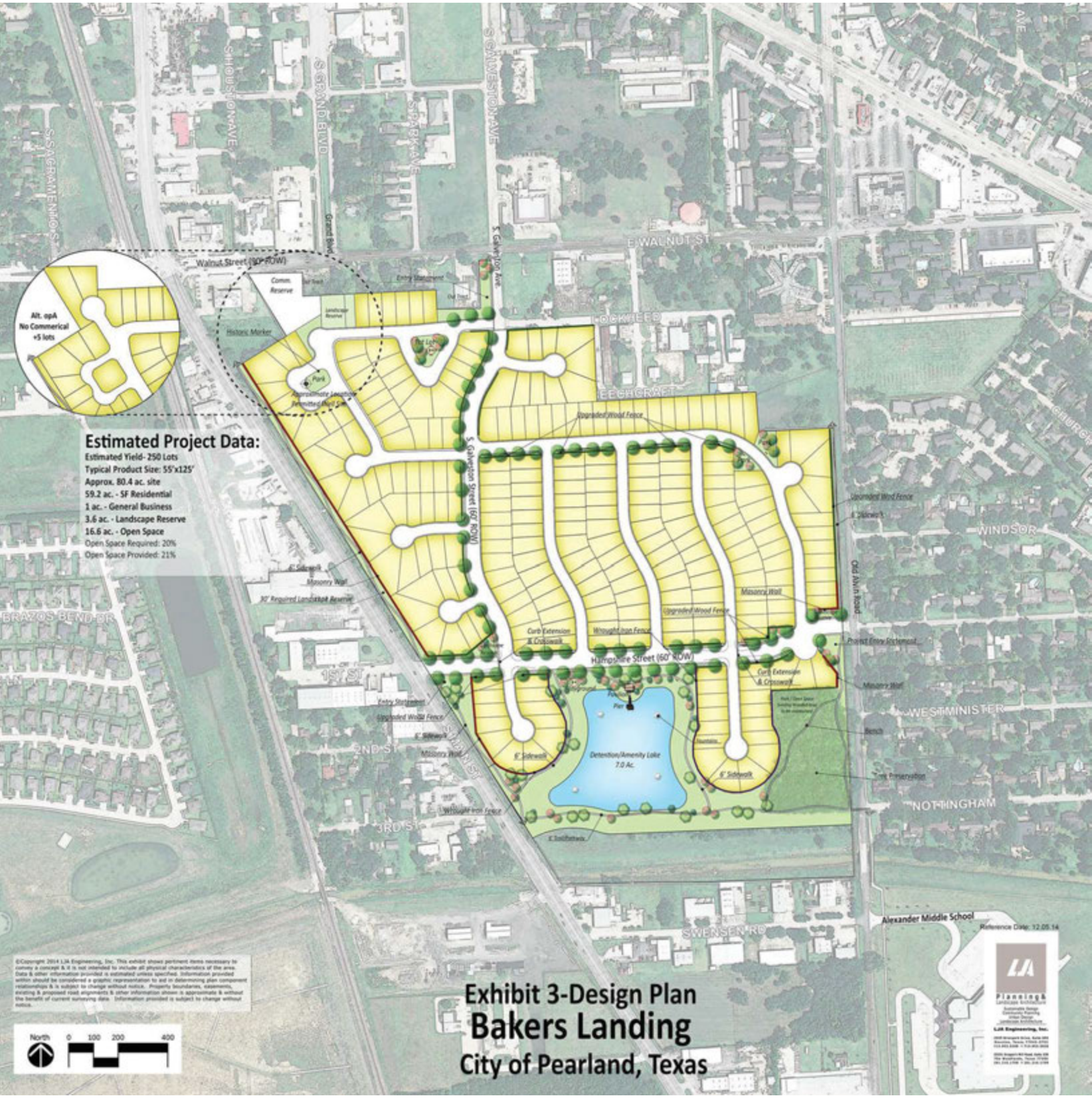
# Exhibit 2

# Proposed Zoning


BAKERS LANDING
80.42 ACRES
EXHIBIT 2
PROPOSED ZONING
DECEMBER, 2014
LEGEND
PROPOSED BOUNDARY
GENERAL BUSINESS RETAIL DISTRICT (GB)
GENERAL COMMERCIAL DISTRICT (GC)
LIGHT INDUSTRIAL DISTRICT (M-1)
HEAVY INDUSTRIAL DISTRICT (M-2)
MULTIPLE-FAMILY RESIDENTIAL DISTRICT (MF)
OFFICE AND PROFESSIONAL DISTRICT (OP)
OLD TOWNSITE GENERAL BUSINESS DISTRICT (OT-GB)
OLD TOWNSITE MIXED USE DISTRICT (OT-MU)
OLD TOWNSITE SINGLE FAMILY DWELLING DISTRICT (OT-R)
PLANNED UNIT DEVELOPMENT (PUD)
SINGLE FAMILY RESIDENTIAL 1 DISTRICT (R-1)
SINGLE FAMILY RESIDENTAL 2 DISTRICT (R-2)
SINGLE FAMILY RESIDENTAL 4 DISTRICT (R-4)
N
W
E
S
0 100 200 400 Feet
AERIAL PHOTOGRAPH DATE: MARCH 2012
DATA SOURCE:
ZONING CODES AND SYMBOLOGY- CITY OF PEARLAND
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.
S SAN ANTONIO AVE
S WASHINGTON AVE
S TEXAS AVE
S SACRAMENTO ST
S HOUSTON AVE
S GRAND BLVD
S PARK AVE
S GALVESTON AVE
E WALNUT ST
LOCKHEED
BEECHCRAFT
HAMPSHIRE
WINDSOR
WESTMINISTER
NOTTINGHAM
SWENSEN RD
OLD ALVIN RD
S MAIN ST
1ST ST
2ND ST
3RD ST
BRAZOS BEND DR
LOST MARESH DR
RANDALL
MALON
BARRYROSE RD
E BROADWAY
STRATFORD
SHAKESPEARE
SHERWOOD DR
CHURCHILL
LAYTON PLACE DR
DURANGO DR
PUD
(R-4)
OT-R
OT-GB
OT-MU
GC
GB
MF
OP
M-1
M-2
R-1
R-2
R-4

# Exhibit 3

# Design Plan




# Exhibit 3-Design Plan
# Bakers Landing
## City of Pearland, Texas

# Exhibit 4

# Park & Detention Amenity Plan

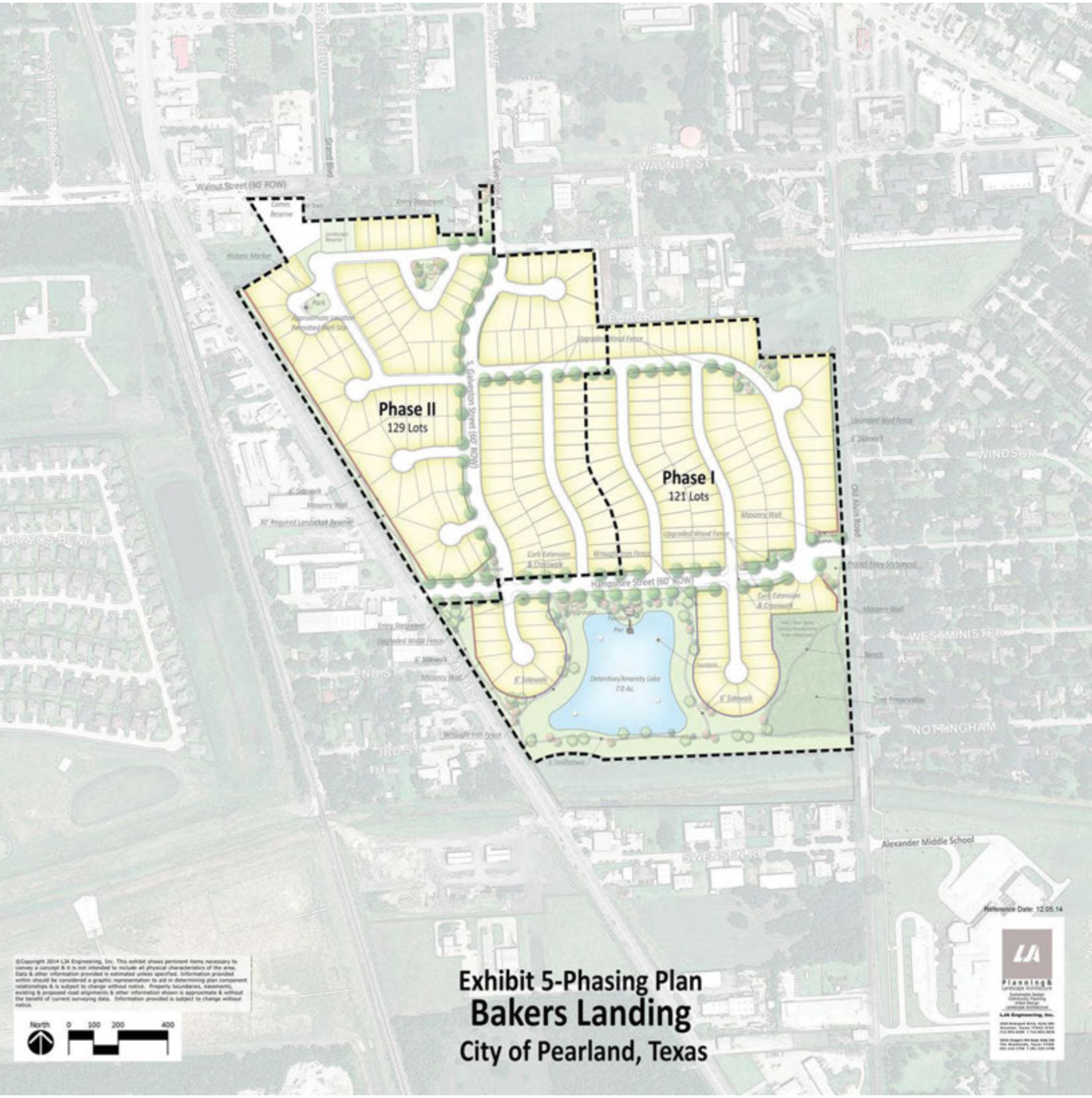
**Exhibit 4-Detail Amenity Plan**

# Bakers Landing

**City of Pearland, Texas**

# Exhibit 5

# Phasing Plan

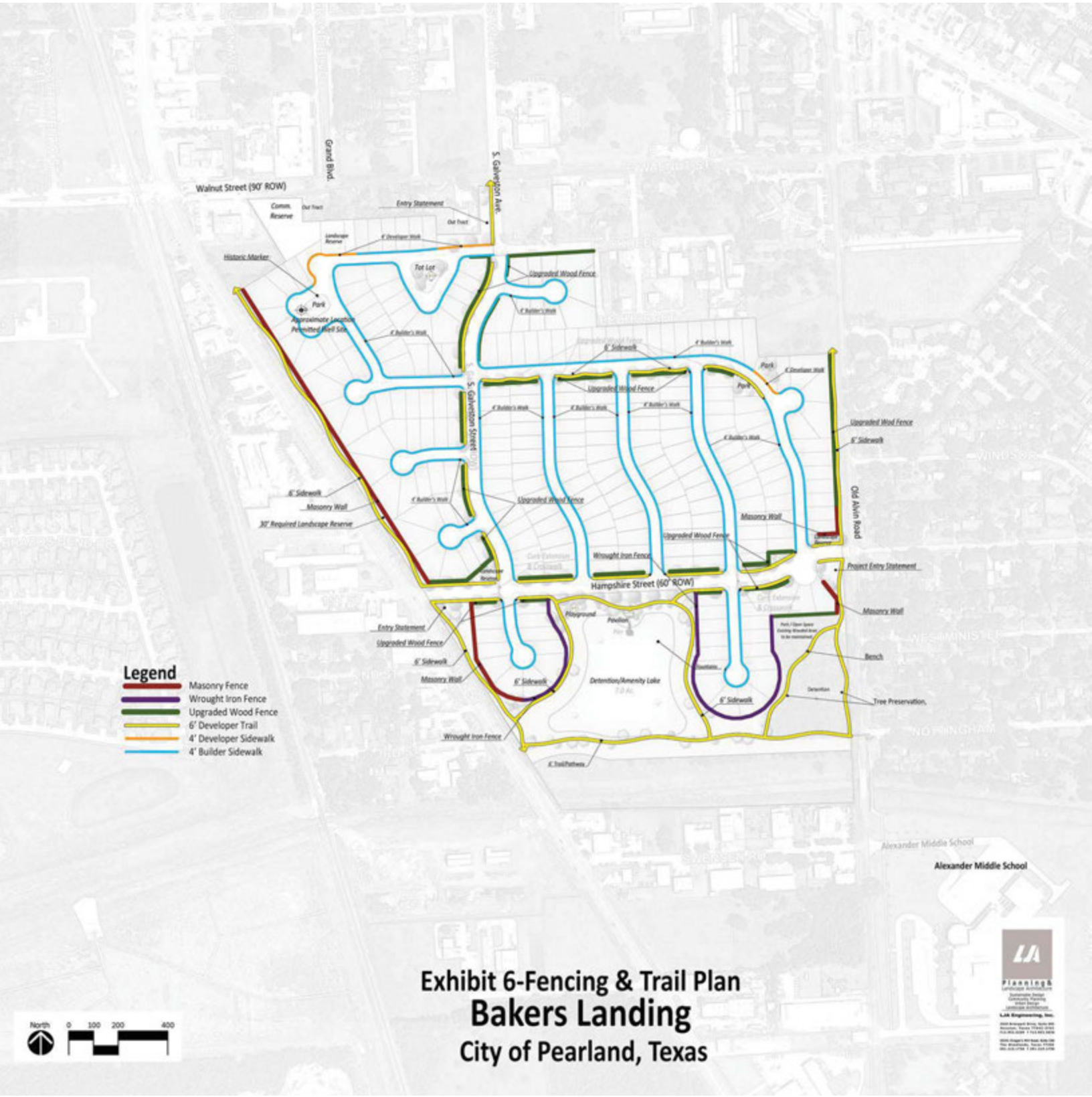



©Copyright 2014 LJA Engineering, Inc. This exhibit shows pertinent items necessary to convey a concept & it is not intended to include all physical characteristics of the area. Data & other information provided is estimated unless specified. Information provided within should be considered a graphic representation to aid in determining plan component relationships & is subject to change without notice. Property boundaries, easements, existing & proposed road alignments & other information shown is approximate & without the benefit of current surveying data. Information provided is subject to change without notice.

# Exhibit 5-Phasing Plan
# Bakers Landing
## City of Pearland, Texas

# Exhibit 6

# Fencing and Trail Plan




# Exhibit 6-Fencing & Trail Plan

# Bakers Landing

## City of Pearland, Texas

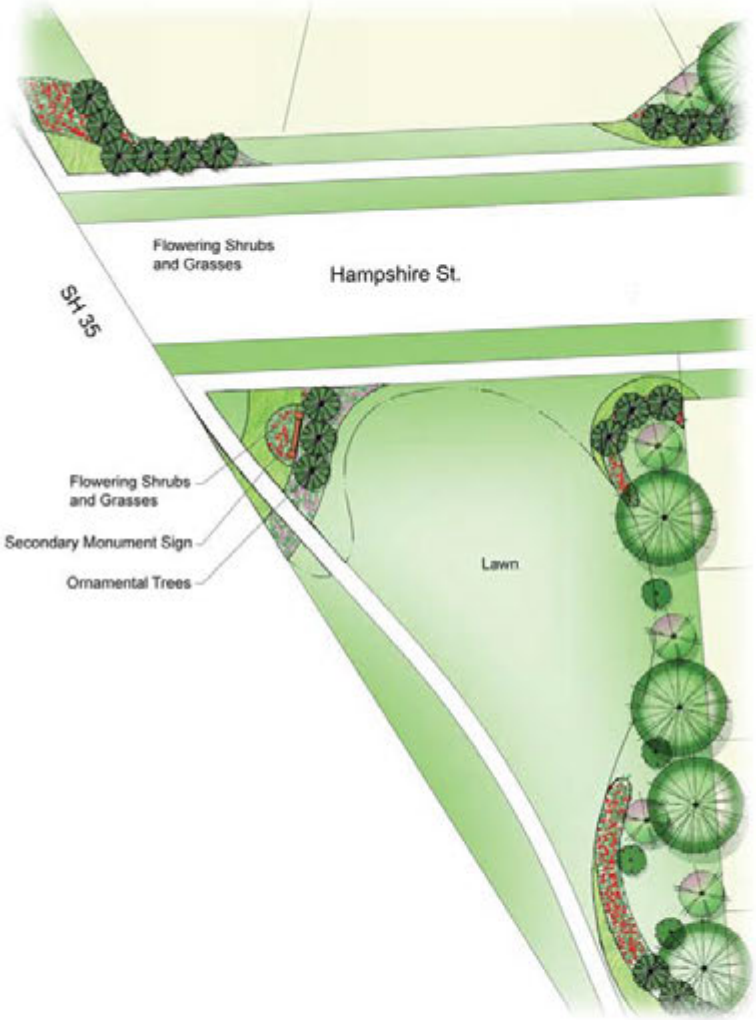
# Exhibit 7

# Park and Open Space

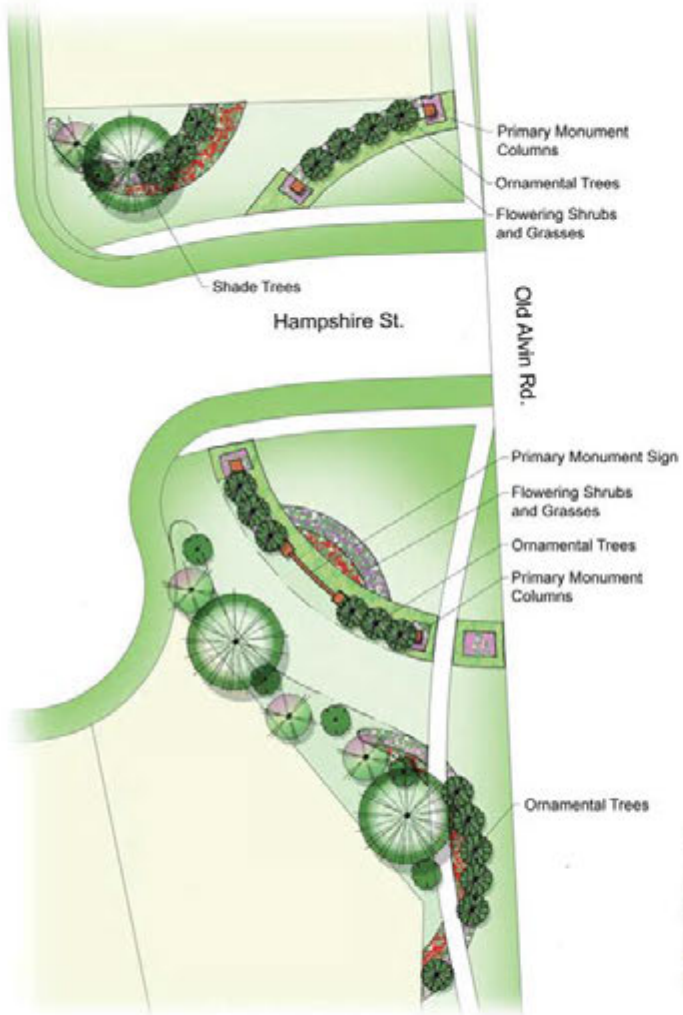
# Exhibit 7-Open Space and Landscape
# Bakers Landing
## City of Pearland, Texas

# Exhibit 8

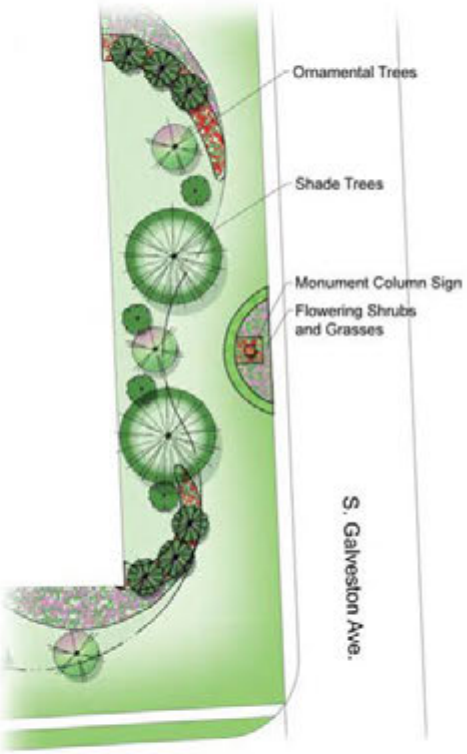
# Conceptual Renderings




Secondary Entry (SH 35)



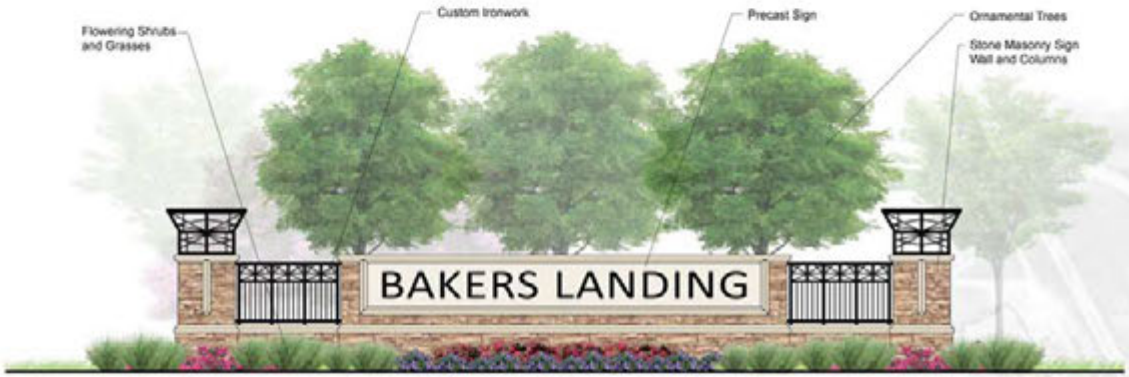

Primary Entry (Old Alvin Ave.)




Secondary Entry (S. Galveston Ave.)

# Exhibit 8A-Conceptual Renderings
# Bakers Landing
## City of Pearland, Texas

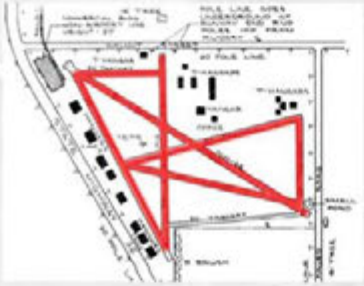
Primary Monument Sign and Columns




Primary Entry Sign

Secondary Entry Sign

Monument Sign



Custom Ironwork inspired by runway at historic Pearland Municipal Airport

Gazebo and Pier

Historic Marker

# Exhibit 8B-Conceptual Renderings
## Bakers Landing
### City of Pearland, Texas

# Exhibit 9

# Survey Exhibit and Metes & Bounds Description

December 4, 2014
Job No. 1931-1901-202

# Exhibit 9
# METES AND BOUNDS DESCRIPTION OF 79.94 ACRES OF LAND IN THE A.C.H.& B. SURVEY, SECTION 1, ABSTRACT NO. 147 AND THE H.T.& B. R.R. CO. SURVEY 11, ABSTRACT NO. 239 BRAZORIA COUNTY, TEXAS

All of that certain 79.94 acres of land, located in the A.C.H.& B. Survey, Section 1, A-147 and the H.T.& B. R.R. Co. Survey 11, A-239, Brazoria County, Texas, out of the tracts of land described as "Lots A, B, C, D, E, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, and V", and 2.011 acres in the deed from Felton M. Baker and wife, Mary C. Baker to The Felton M. and Mary C. Baker Revocable Trust, recorded under Document Number 2005011938, of the Official Records of Brazoria County, Texas, the 1.3590 acre tract described as Tract One, the 4.0033 acre tract described as Tract Two, and the 5.4609 acre tract described as Tract Three, in the deed from First Republicbank Galveston, N.A., to Felton M. Baker, recorded under Document Number 1990018373, of the Official Records of Brazoria County, Texas, the tract of land described as "Lots Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19) and Twenty (20)" in the deed from Felton M. Baker to Houston Helicopters, Inc., recorded under Document Number 1995031382, of the Official Records of Brazoria County, Texas, the tract of land described as "Lots Four (4), Five (5), Fourteen (14) and Fifteen (15) in the deed from Felton M. Baker to Houston Helicopters, Inc., recorded under Document Number 1995031383, of the Official Records of Brazoria County, Texas, the 59.932 acre tract described in the deed from Raymond V. Kliesign to Houston Helicopters, Inc., recorded under Volume 1523, Page 840, of the Deed Records of Brazoria County, Texas, and the private road referred to as Beechcraft (60' wide) as shown on the plat recorded under Volume 8, Page 17, of the Plat Records of Brazoria County, Texas, also being out of the REPLAT OF PEARLAND PAVILION, a subdivision recorded under Volume 17, Page 395, of the Plat Records of Brazoria County, Texas, out of AIRPORT SUBDIVISION, SECTION NO. 4, a subdivision recorded under Volume 8, Page 17, of the Map Records of Brazoria County, Texas, and THOMAS & GILBERT INDUSTRIAL TRACT, a subdivision recorded under Volume 15, Page 317, of the Plat Records of Brazoria County, Texas, and more particularly described by metes and bounds as follows (Bearings based on Texas Coordinate System, South Central Zone, NAD83, 1993 Adjustment):

**TRACT 1-A**

**BEGINNING** at a northwest corner of Lot A of said REPLAT OF PEARLAND PAVILION, in the east line of the 0.459 acre tract described in the deed from Amerisource Funding, Inc. to Warfield Electric, LLC, recorded under Document Number 201201461, of the Official Records of Brazoria County, Texas, in the south line of the 30' reserve for road widening of East Walnut Street, shown on said REPLAT OF PEARLAND PAVILION, from which a found 5/8" iron rod bears North 71° 12' 03" East – 1.29';

**THENCE** North 87° 18' 10" East – 44.64', along a north line of said Lot A, common to the south line of said 30' reserve to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northeast corner of the herein describe tract, common to the northeast corner of said Lot A, in the west right-of-way line of South Galveston Avenue (60' wide) (Volume 8, Page 17, of the Plat Records of Brazoria County, Texas);

**THENCE** along the east line of said Lot A, common to the west right-of-way line of South Galveston Avenue, the following six (6) bearings and distances:

South 02° 51' 34" East – 272.99' to a 1/2" iron rod found for the beginning of a tangent curve to right;

Along said curve to the right, an arc length of 178.83', with a radius of 227.89', a central angle of 44° 57' 44", and a chord bearing and distance of South 19° 37' 18" West – 174.28' to a 1/2" iron rod found for the point of reverse curvature to the left,

Along said curve to the left, an arc length of 223.62', with a radius of 285.00', a central angle of 44° 57' 23", and a chord bearing and distance of South 19° 37' 29" West – 217.93' to a 1/2" iron rod found for the end of curve;

South 02° 51' 13" East – 511.49' (at 358.44' passing a 1/2" iron rod found for the southeast corner of aforesaid Lot A, common to the northeast corner of Lot B of

aforesaid REPLAT OF PEARLAND PAVILION) to a 5/8" iron rod found for the beginning of a tangent curve to the left;

Along said curve to the left, an arc length of 250.75', (at an arc length of 125.62' passing a 5/8" iron rod found for the southeast corner of said Lot B, common to the northeast corner of Lot C of said REPLAT OF PEARLAND PAVILION) with a radius of 489.33', a central angle of 29° 21' 35", and a chord bearing and distance of South 17° 32' 01" East – 248.01' to the point of reverse curvature to the right, from which a found 1/2" iron rod bears South 65° 33' 51" East – 0.27';

Along said curve to the right, an arc length of 173.34', with a radius of 398.48', a central angle of 24° 55' 28", and a chord bearing and distance of South 19° 45' 05" East – 171.98' to a 5/8" iron rod found for the point of compound curvature to the right, common to the north end of the northwest right-of-way cutback curve at the intersection of aforesaid South Galveston Avenue and Hampshire Street (60' wide) (Volume 17, Page 395 of the Plat Records of Brazoria County, Texas), and the most easterly southeast corner of said Lot C;

**THENCE** along said curve to the right, along said northwest right-of-way cutback curve, an arc length of 33.04', with a radius of 20.00', a central angle of 94° 39' 11", and a chord bearing and distance of South 40° 02' 15" West – 29.41' to the west end of said northwest right-of-way cutback curve, common to the most southerly southeast corner of said Lot C, from which a found 5/8" iron rod bears North 65° 33' 57" East – 0.27';

**THENCE** South 87° 21' 51" West – 271.60', along the north right-of-way line of aforesaid Hampshire Street, common to the south line of said Lot C, to a 5/8" iron rod found for the most southerly southwest corner of said Lot C, common to the east end of the northeast right-of-way cutback curve at the intersection of said Hampshire Street and State Highway 35 (110' wide) (Volume 211, Page 493, of the Deed Records of Brazoria County, Texas and Volume 17, Page 395, of the Plat Records of Brazoria County, Texas), and the beginning of a tangent curve to the right;

**THENCE** along said curve to the right, along said northeast right-of-way cutback curve, an arc length of 42.14', with a radius of 40.00', a central angle of 60° 21' 42", and a chord bearing and distance of North 62° 27' 18" West – 40.22' to a 5/8" iron rod with cap stamped "LJA-ENG" set for the most westerly southwest corner of the herein described tract, common to the north end of said northeast right-of-way cutback curve, and the most westerly southwest corner of said Lot C, in the northeast right-of-way line of said State Highway 35;

**THENCE** North 32° 16' 27" West – 1361.95', along said northeast right-of-way line, common to the southwest line of said Lot C, the southwest line of aforesaid Lot B, and the southwest line of aforesaid Lot A to a 5/8" iron rod with cap stamped "LJA-ENG" set for the west corner of the herein described tract, common to the west corner of said Lot A, in the southeast line of the 2.1642 acre tract described in the deed from Liquilux, Inc. to Autozone, Inc., recorded under Document Number 1995031278, of the Official Records of Brazoria County, Texas;

**THENCE** North 57° 38' 15" East – 229.00', along the northwest line of said Lot A, common to the southeast line of said 2.1642 acre tract, (at 20.03' passing a found 1/2" iron rod with cap stampted "Brown & Gay") to a 5/8" iron rod found for an angle corner of said Lot A, common to the east corner of said 2.1642 acre tract;

**THENCE** North 29° 42' 45" West – 285.90', along a southwest line of said Lot A, common to the northeast line of said 2.1642 acre tract, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northwest corner of the herein described tract, common to the northwest corner of said Lot A, in the south line of the 30' reserve for road widening of East Walnut Street, shown on aforesaid REPLAT OF PEARLAND PAVILION;

**THENCE** North 87° 18' 10" East – 211.11', along said 30' reserve, common to the north line of said Lot A, to an angle corner of said Lot A, in the west line of the 0.1435 acre tract described in the deed from Jose C. Rodriguez and Ana L. Rodriguez to City of Pearland, recorded under Document Number 2007037508, of the Official Records of Brazoria County, Texas, from which a found 5/8" iron rod bears North 80° 34' 30" West – 1.63';

**THENCE** South 02° 25' 27" East – 95.00', along an east line of said Lot A, common to the west line of said 0.1435 acre tract, to an angle corner of said Lot A, common to the southwest corner of said 0.1435 acre tract, from which a found 5/8" iron rod bears North 77° 22' 40" West – 1.26';

**THENCE** North 87° 18' 10" East – 529.09', along a north line of said Lot A, common to the south line of said 0.1435 acre tract, the south line of the tract described as "100 x 125 feet" in the deed to Joe Flores and wife Laura Flores to Elias Garcia, Jr. and wife, Eufemia Garcia, recorded under Volume 797, Page 386, of the Deed Records of Brazoria County, Texas, the south line of the 0.2152 acre tract described in the deed from Betty Harper, et al. to City of Pearland, recorded under Document Number 2008057966, of the Official Records of Brazoria County, Texas, the south line of the tract described as "the East 1/2 of Lot 5, and the West 1/2 of Lot 4" in the deed from Thomas Trevino, Jr. to Elvira Trevino, recorded under Document Number 1995035445, of the Official Records of Brazoria County, Texas, the south line of the tract described as "Lot 3 and Part of Lot 4" in the deed from Juan Luis Arevalo to Ho P. Lam, recorded under Document Number 2013032624, of the Official Records of Brazoria County, Texas, the south line of the 0.129 acre tract described in the deed from Mary Pope to Lonnie Charles Harper, recorded under Document Number 1976011274, of the Official Records of Brazoria County, Texas, the south line of the tract described as "Lot 2, Block 1" in the deed from Raymond V. Kliesing to Early B. Russett, recorded under Volume 648, Page 470, of the Deed Records of Brazoria County, Texas, and the south line of the 0.2583 acre tract described in the deed from Thomas Fisher and wife, Kathleen Fisher to Headwaves, Inc., recorded under Document Number 2008055587, of the Official Records of Brazoria County, Texas, to a 5/8" iron rod with cap stamped "LJA-ENG" set for an angle corner of the herein described tract, common to the southeast corner of said 0.2583 acre tract, and an angle corner of said Lot A, in the west line of the 0.3581 acre tract described in the deed from Raymond Z. Dorozynski to Warfield Electric, LLC, recorded under Document Number 2012036082, of the Official Records of Brazoria County, Texas;

**THENCE** South 02° 51' 30" East – 75.00', along an east line of said Lot A, common to the west line of said 0.3581 acre tract, to the southwest corner of said 0.3581 acre tract, common to an angle corner of said Lot A, from which a 5/8" iron rod bears South 45° 42' 33" East – 2.04';

**THENCE** North 87° 08' 30" East – 178.00', along a north line of said Lot A, common to the south line of said 0.3581 acre tract (at 78.00' passing a 1/2" iron rod with cap stamped "RPLS 5565" found for the southeast corner of said 0.3581 acre tract, common to the southwest corner of aforesaid 0.459 acre tract, from which a found 1" iron pipe bears South 00° 23' 32" West – 2.68' ) and the south line of said 0.459 acre tract to the southeast corner of said 0.459 acre tract, common to an angle corner of said Lot A, from which a 1/2" iron rod bears South 08° 28' 32" East – 1.02';

**THENCE** North 02° 48' 23" West – 169.50', along the east line of said 0.459 acre tract, common to an west line of said Lot A, to the **POINT OF BEGINNING** of the herein described tract and containing 21.62 acres of land.

**TRACT 1-B**

**BEGINNING** at a 5/8" iron rod found for the northeast corner of Lot L of aforesaid REPLAT OF PEARLAND PAVILION, in the west line of the 4.0033 acre tract described as Tract Two in the deed from First Republicbank Galveston, N.A. to Felton M. Baker, recorded under Document Number 1990018373, of the Official Records of Brazoria County, Texas;

**THENCE** South 02° 54' 50" East – 340.83', along the east line of said Lot L, common to the west line of said 4.0033 acre tract to a 1/2" iron rod found for the most easterly southeast corner of said Lot L, common to the southwest corner of said 4.0033 acre tract, in the north line of Lot M of said REPLAT OF PEARLAND PAVILION;

**THENCE** North 87° 21' 21" East – 177.43', along the north line of said Lot M, common to the south line of said 4.0033 acre tract, to a 1/2" iron rod found for the beginning of a tangent curve to the left;

**THENCE** along said curve to the left, continuing along the north line of said Lot M, common to the south line of said 4.0033 acre tract, an arc length of 282.88' (at an arc length of 88.96' passing a 5/8" iron rod found for the southeast corner of said 4.0033 acre tract, common to the southwest corner of the 5.46009 acre tract described as Tract Three in the deed from First Republicbank Galveston, N.A. to Felton M. Baker, recorded under Document Number 1990018373, of the Official Records of Brazoria County, Texas, common to the northeast corner of said Lot M, common to the northwest corner of Lot Q of aforesaid REPLAT OF PEARLAND PAVILION), then continuing with the north line of said Lot Q, common to the south line said 5.4609 acre tract, and said curve to the left, with a radius of 314.79', a central angle of 51° 29' 14", and a chord bearing and distance of North 61° 36' 45" East – 273.45' to a 5/8" iron rod with cap stamped "LJA-ENG" set for an angle corner of the herein described tract, common to the point of reverse curvature of a curve to the right;

**THENCE** along said curve to the right, continuing along the north line of said Lot Q, common to the south line of said 5.4609 acre tract, an arc distance of 237.86' (at an arc length of 87.92' passing a 5/8" iron rod found for the northeast corner of said Lot Q, common to the northwest corner of Lot S of said REPLAT OF PEARLAND PAVILION), then continuing with the north line of said Lot S, common to the south line of said 5.4609 acre tract, and said curve to the right, with a radius of 264.97', a central angle of 51° 26' 02", and a chord bearing and distance of North 61° 35' 09" East – 229.95' to a 1/2" iron rod found for the end of curve;

**THENCE** North 87° 18' 10" East – 79.46', continuing along the north line of said Lot S, common to the south line of said 5.4609 acre tract, to the beginning of a tangent curve to the left, from which a found 1/2" iron rod bears North 42° 15' 26" East – 0.29';

**THENCE** along said curve to the left, continuing along the north line of said Lot S, common to the south line of said 5.4609 acre tract, an arc distance of 31.42', with a radius of 20.00', a

central angle of 90° 00' 17", and a chord bearing and distance of North 42° 18' 01" East – 28.29' to a 5/8" iron rod with cap stamped "LJA-ENG" set for the most easterly northeast corner of the herein described tract, common to the end of curve, the northeast corner of said Lot S, and the most easterly southeast corner of said 5.4609 acre tract, in the west right-of-way of Old Alvin Road (65' wide) (Volume 17, Page 395, of the Plat Records of Brazoria County, Texas);

**THENCE** South 02° 42' 08" East – 335.48', along the east line of said Lot S, common to the west right-of-way line of said Old Alvin Road (at 220.28' passing the southeast corner of said Lot S, common to the northeast corner of Lot T of said REPLAT OF PEARLAND PAVILION), then continuing with the east line of said Lot T, common to the said west right-of-way line, to the beginning of a curve to the right, common to the north end of the northwest right-of-way cutback curve at the intersection of said Old Alvin Road and Hampshire Street (60' wide) (Volume 17, Page 395 of the Plat Records of Brazoria County, Texas), and the most easterly southeast corner of said Lot T, from which a found 5/8" iron rod (bent) bears North 17° 44' 23" East – 0.49';

**THENCE** along said curve to the right, along said northwest right-of-way cutback curve, an arc length of 31.41', with a radius of 20.00', a central angle of 89° 59' 05", and a chord bearing and distance of South 42° 17' 25" West – 28.28' to the west end of said northwest right-of-way cutback curve, common to the most southerly southeast corner of said Lot T, from which a found 5/8" iron rod bears North 87° 16' 57" East – 0.45';

**THENCE** South 87° 16' 57" West – 66.57', along the south line of said Lot T, common to the north right-of-way line of said Hampshire Street to a 5/8" iron rod found for the beginning of a curve to the left;

**THENCE** along said curve to the left, continuing along said south line of said Lot T, common to said north right-of-way line, an arc distance of 155.67' (at an arc distance of 125.65' passing a 5/8" iron rod found for the southeast corner of said Lot T, common to the southeast corner of aforesaid Lot Q), continuing along the south line of said Lot Q, common to said north right-of-way line, and said curve to the left, with a radius of 248.87', a central angle of 35° 50' 20", and a

chord bearing and distance of South 69° 21' 47" West – 153.15' to a 5/8" iron rod found for the point of reverse curvature of a curve to the right;

**THENCE** along said curve to the right, continuing along the south line of said Lot Q, common to said north right-of-way line an arc distance of 118.60', with a radius of 189.17', a central angle of 35° 55' 14", and a chord bearing and distance of South 69° 24' 14" West – 116.66' to a 1/2" iron rod found for the end of curve;

**THENCE** South 87° 21' 51" West – 963.75', continuing along the south line of said Lot Q, common to the said north right-of-way line (at 97.03' passing a 1/2" iron rod (bent) found for the southeast corner of said Lot Q, common to the southeast corner of aforesaid Lot M), then continuing along the south line of said Lot M, common to said north right-of-way line (at 515.61' passing a 5/8" iron rod found for the most southerly southwest corner of said Lot M, common to the southeast corner of aforesaid Lot L), then continuing along the south line of said Lot L, common to said north right-of-way line (at 761.80' passing a 5/8" iron rod found for the most southerly southwest corner of said Lot L, common to the southeast corner of Lot J of said REPLAT OF PEARLAND PAVILION), then continuing along the south line of said Lot J, common to said north right-of-way line to a 5/8" iron rod found for the most southerly southwest corner of said Lot J, common to the east end of the northeast right-of-way cutback curve at the intersection of aforesaid Hampshire Street and South Galveston Avenue (60' ROW) (Volume 17, Page 395, of the Plat Records of Brazoria County, Texas), and the beginning of a curve to the right;

**THENCE** along said curve to the right, along said northeast right-of-way cutback curve, an arc distance of 30.13', with a radius of 20.00', a central angle of 86° 19' 17", and a chord bearing and distance of North 49° 28' 31" West – 27.36', to a 5/8" iron rod found for the most westerly southwest corner of said Lot J, common to the north end of said northeast right-of-way cutback curve, and the point of reverse curvature to the left, in the east right-of-way line of said South Galveston Avenue;

**THENCE** along said curve to the left, along the west line of said Lot J, common to said east right-of-way line, an arc distance of 207.24' (at an arc distance of 66.29' passing the northwest corner of said Lot J, common to the southwest corner of Lot I of said REPLAT OF PEARLAND PAVILION), then continuing with the west line of said Lot I, common to said east right-of-way line, and with said curve to the left, with a radius of 458.48', a central angle of 25° 53' 54", and a chord bearing and distance of North 19° 15' 51" West – 205.48' to the point of compound curvature to the right, from which a found 5/8" iron rod bears South 38° 43' 02" East – 0.28';

**THENCE** along said curve to the right, continuing along the west line of said Lot I, common to said east right-of-way line, an arc distance of 220.00' (at an arc distance of 109.92' passing a 1/2" iron rod found for the northwest corner of said Lot I, common to the southwest corner of Lot H of said REPLAT OF PEARLAND PAVILION), then continuing with the west line of said Lot H, common to said east right-of-way line, and with said curve to the right, with a radius of 429.33', a central angle of 29° 21' 35", and a chord bearing and distance of North 17° 32' 01" West – 217.60' to a 1/2" iron rod found for the end of curve;

**THENCE** North 02° 51' 13" West – 511.49', continuing along the west line of said Lot H, common to said east right-of-way line (at 114.69' passing a 1/2" iron rod found for the northwest corner of said Lot H, common to the southwest corner of Lot G of said REPLAT OF PEARLAND PAVILION), then continuing along the west line of said Lot G, common to said east right-of-way line, (at 404.56' passing the northwest corner of said Lot G, common to the southwest corner of Lot E of said REPLAT OF PEARLAND PAVILION), then continuing along the west line of said Lot E, common to said east right-of-way line, to a 5/8" iron rod with cap stamped "LJA-ENG" set for an angle corner of the herein described tract, common to the beginning of a curve to the right;

**THENCE** along said curve to the right, continuing along the west line of said Lot E, common to said east right-of-way line, an arc distance of 176.54', with a radius of 225.00', a central angle of 44° 57' 23", and a chord bearing and distance of North 19° 37' 29" East – 172.05' to the point of reverse curvature to the left, from which a found 1/2" iron rod bears North 47° 51' 50" West – 0.27';

**THENCE** along said curve to the left, continuing along the west line of said Lot E, common to said east right-of-way line, an arc distance of 221.25', with a radius of 287.89', a central angle of 44° 01' 58", and a chord bearing and distance of North 20° 05' 11" East – 215.87' to the north corner of said Lot E, in the west line of Lot 10, Block 4, of aforesaid AIRPORT SUBDIVISION, SECTION 4, from which a found "X" cut in concrete bears North 02° 51' 34" West – 4.68';

**THENCE** South 02° 51' 34" East – 755.08', along the east line of said Lot E, common to the west line of said AIRPORT SUBDIVISION, SECTION 4, (at 288.39' passing the southwest corner of said AIRPORT SUBDIVISION, SECTION 4), then continuing along the east line of said Lot E, (at 464.68' passing the southeast corner of said Lot E, common to the northeast corner of aforesaid Lot G), then continuing along the east line of said Lot G, to a 5/8" iron rod found for the southeast corner of said Lot G, common to the northeast corner of aforesaid Lot H, and the northwest corner of aforesaid Lot L;

**THENCE** North 87° 20' 50" East – 559.79', along the north line of said Lot L, to the **POINT OF BEGINNING** and containing 14.75 acres of land.

**TRACT 1-C**

**COMMENCING** at the southeast corner of Lot V of aforesaid REPLAT OF PEARLAND PAVILION, common to the northeast corner of Lot 22 of aforesaid THOMAS & GILBERT INDUSTRIAL TRACTS, in the west right-of-way line of Old Alvin Road (65' wide) (Volume 17, Page 395, of the Plat Records of Brazoria County, Texas), from which a found 1/2" iron rod bears South 11° 48' 06" West – 0.73', and a 1/2" iron rod found at the northeast corner of said THOMAS & GILBERT INDUSTRIAL TRACTS bears North 89° 18' 12" East – 14.86'; THENCE North 02° 42' 08" West – 209.87', along the east line of said Lot V, common to the west right-of-way of Old Alvin Road, to the southeast corner and POINT OF BEGINNING of the herein described tract;

**THENCE** South 87° 43' 25" West – 961.50' to the beginning of tangent curve to the right;

**THENCE** along said curve to the right, an arc length of 56.04', with a radius of 157.50', a central angle of 20° 23' 15", and a chord bearing and distance of North 82° 04' 57" West – 55.75' to the point of reverse curvature of a curve to the left;

**THENCE** along said curve to the left, an arc length of 263.87', with a radius of 344.50', a central angle of 43° 53' 09", and a chord bearing and distance of South 86° 10' 06" West – 257.47', to the southwest corner of the herein described tract, in the east line of aforesaid 2.011 acre tract;

**THENCE** North 03° 18' 29" West – 525.71', along the west line of said Lot V, common to the east line of said 2.011 acre tract, (at 478.06' passing a 5/8" iron rod found for the most westerly northwest corner of said Lot V, common to the southwest corner of Lot K of said REPLAT OF PEARLAND PAVILION), continuing along the west line of said Lot K, common to the east line of said 2.011 acre tract, to a 5/8" iron rod found for the northeast corner of said 2.011 acre tract, common to the southeast corner of Lot D of said REPLAT OF PEARLAND PAVILION;

**THENCE** South 86° 45' 33" West – 301.70', along the south line of said Lot D, common to the north line of said 2.011 acre tract, to a 1/2" iron rod with cap stamped "Brown & Gay" found for the southwest corner of said Lot D, common to the southeast corner of the 10' reserve for road widening as shown on aforesaid REPLAT OF PEARLAND PAVILION, in the northeast right-of-way line of State Highway 35 (110' wide) (Volume 211, Page 493, of the Deed Records of Brazoria County, Texas and Volume 17, Page 395 of the Plat Records of Brazoria County, Texas);

**THENCE** North 32° 13' 59" West – 110.32', along the southeast line of said Lot D, common to said northeast right-of-way line, to the most westerly northwest corner of said Lot D, common to the south end of the southeast right-of-way cutback curve at the intersection of said State Highway 35 and Hampshire Street (60' wide) (Volume 17, Page 395 of the Plat Records of Brazoria County, Texas), and the beginning of a curve to the right, from which a found 5/8" iron rod bears South 82° 42' 52" East – 1.04';

**THENCE** along said curve to the right, along said southeast right-of-way cutback curve, an arc distance of 83.49', with a radius of 40.00', a central angle of 119° 35' 45", and a chord bearing and distance of North 27° 33' 58" East – 69.14' to the most northerly northwest corner of said Lot D, common to the east end of said southeast right-of-way cutback curve, in the south right-of-way line of said Hampshire Street, from which a found 1/2" iron rod bears South 89° 53' 35" East – 0.83';

**THENCE** North 87° 21' 51" East – 1257.10', along said south right-of-way line, common to the north line of said Lot D, (at 319.25' passing a 1/2" iron rod found for the northeast corner of said Lot D, common to the northwest corner of aforesaid Lot K), then continuing with said south right-of-way line, common to the north line of said Lot K, (at 661.92' passing a 1/2" iron rod found for the northeast corner of said Lot K, common to the northwest corner of Lot N of aforesaid REPLAT OF PEARLAND PAVILION), then continuing with said south right-of-way line, common to the north line of said Lot N, (at 886.82' passing a 1/2" iron rod found for the northeast corner of said Lot N, common to the northwest corner of Lot O of said REPLAT OF PEARLAND PAVILION), then continuing with said south right-of-way line, common to the north line of said Lot O, (at 1109.98' passing a 5/8" iron rod found for the northeast corner of said Lot O, common to the most northerly northwest corner of aforesaid Lot V), then continuing with said south right-of-way line, common to the north line of said Lot V, (at 1161.78' passing a 1/2" iron rod found for the most northerly northeast corner of said Lot V, common to the northwest corner of Lot R of said REPLAT OF PEARLAND PAVILION), then continuing with said south right-of-way line, common to the north line of said Lot R, to a 1/2" iron rod found for the beginning of a curve to the left;

**THENCE** along said curve to the left, continuing along said south right-of-way line, common to the north line of said Lot R, an arc distance of 156.21' (at an arc distance of 108.13' passing a 1/2" iron rod found for the northeast corner of said Lot R, common to the northwest corner of Lot U of said REPLAT OF PEARLAND PAILION), then continuing along said south right-of-way line, common to the north line of said Lot U, and said curve to the left, with a radius of 249.17', a central angle of 35° 55' 14", and a chord bearing and distance of North 69° 24' 14" East –

153.67' to the point of reverse curvature to the right, from which a found 1/2" iron rod bears North 24° 52' 31" West – 0.37';

**THENCE** along said curve to the right, continuing along said south right-of-way line, common to the north line of said Lot U, an arc distance of 118.14', a radius of 188.87', a central angle of 35° 50' 20", and a chord bearing and distance of North 69° 21' 47" East – 116.22' to a 1/2" iron rod found for the end of curve;

**THENCE** North 87° 16' 57" East – 66.54', continuing along said south right-of-way line, common to the north line of said Lot U, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the most northerly northeast corner of the herein described tract, common to the most northerly northeast corner of said Lot U, the west end of the southwest right-of-way cutback corner at the intersection of aforesaid Hampshire Street and aforesaid Old Alvin Road, and the beginning of a curve to the right;

**THENCE** along said curve to the right, along said southwest right-of-way cutback corner, an arc distance of 31.42', with a radius of 20.00', a central angle of 90° 00' 55", and a chord bearing and distance of South 47° 42' 35" East – 28.29' to the most easterly northeast corner of said Lot U, common to the south end of said southwest right-of-way cutback corner, in the west right-of-way line of said Old Alvin Road, from which a found 5/8" iron rod (bent) bears North 19° 13' 27" East – 2.71';

**THENCE** South 02° 42' 08" East – 962.34', along the west right-of-way line of said Old Alvin Road, common to the east line of said Lot U, (at 263.17' passing the southeast corner of said Lot U, common to the most easterly northeast corner of aforesaid Lot V) then continuing along said west right-of-way line common to the east line of said Lot V, (at 837.31' passing the intersection of the north line of aforesaid THOMAS & GILBERT INDUSTRIAL TRACTS, and the east line of said REPLAT OF PEARLAND PAVILION), then continuing along said west right-of-way line common to the east line of said Lot V, to the **POINT OF BEGINNING** and containing 21.54 acres of land.

**TRACT 2**

**BEGINNING** at the northeast corner of aforesaid 1.3590 acre tract, common to the southeast corner of aforesaid AIRPORT SUBDIVISION, SECTION NO. 4, in the west line of the 3.00 acre tract described in the deed from Estate of Raymond V. Kliesing to Mona Kliesign Bomsburger, recorded under Document Number 1987012143, of the Official Records of Brazoria County, Texas, from which a 5/8" iron rod bears North 02° 52' 20" West – 0.44';

**THENCE** South 02° 52' 20" East – 148.75', along the east line of said 1.3590 acre tract, common to the west line of said 3.00 acre tract, to a 5/8" iron rod found for the southeast corner of said 1.3590 acre tract, common to the southwest corner of said 3.00 acre tract, in the north line of aforesaid 5.4609 acre tract;

**THENCE** South 87° 19' 40" West – 398.12', along the south line of said 1.3590 acre tract, common to the north line of said 5.4609 acre tract (at 132.06' passing the northwest corner of said 5.4609 acre tract, common to the northeast corner of aforesaid 4.0033 acre tract), then continuing with the south line of said 1.3590 acre tract, and the north line of said 4.0033 acre tract, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the southwest corner of the herein described tract, common to the southwest corner of said 1.3590 acre tract;

**THENCE** North 02° 54' 50" West – 149.02', along the west line of said 1.3590 acre tract, (at 130.46' passing a found 3/4" iron pipe) then continuing along said west line, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northwest corner of the herein described tract, common to the northwest corner of said 1.3590 acre tract, in the south line of aforesaid AIRPORT SUBDIVISION, SECTION NO. 4;

**THENCE** North 87° 21' 55" East – 398.23', along the north line of said 1.3590 acre tract, common to the south line of said AIRPORT SUBDIVISION SECTION NO. 4, to the **POINT OF BEGINNING** of the herein described tract and containing 1.361 acres of land.

**TRACT 3**

**BEGINNING** at a 1/2" iron rod found for the southwest corner of aforesaid 4.0033 acre tract, common to the most easterly southeast corner of Lot L of aforesaid REPLAT OF PEARLAND PAVILION, in the north line of Lot M of said REPLAT OF PEARLAND PAVILION;

**THENCE** North 02° 54' 50" West – 658.34', along the west line of said 4.0033 acre tract, common to the east line of said Lot L, (at 340.83' passing a 5/8" iron rod found for the northeast corner of said Lot L), continuing along said west line, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northwest corner of the herein described tract, common to the northwest corner of said 4.0033 acre tract, and the southwest corner of aforesaid 1.3590 acre tract;

**THENCE** North 87° 19' 40" East – 266.06', along the north line of said 4.0033 acre tract, common to the south line of said 1.3590 acre tract, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northeast corner of the herein described tract, common to the northeast corner of said 4.0033 acre tract, common to the northwest corner of aforesaid 5.4609 acre tract;

**THENCE** South 02° 50' 38" East – 645.98', along the east line of said 4.0033 acre tract, common to the west line of said 5.4609 acre tract, to a 5/8" iron rod found for the southeast corner of said 4.0033 acre tract, common to the southwest corner of said 5.4609 acre tract, the northwest corner of Lot Q of aforesaid REPLAT OF PEARLAND PAVILION, the northeast corner of Lot M of said REPLAT OF PEARLAND PAVILION, and the beginning of a curve to the right;

**THENCE** along said curve to the right, along the south line of said 4.0033 acre tract, common to the north line of said Lot M, an arc distance of 88.96', with a radius of 314.79', a central angle of 16° 11' 33", and a chord bearing and distance of South 79° 15' 35" West – 88.67' to a 1/2" iron rod found for the end of curve;

**THENCE** South 87° 21' 21" West – 177.43', continuing along the south line of said 4.0033 acre tract, common to the north line of said Lot M, to the **POINT OF BEGINNING** and containing 4.007 acres of land.

**TRACT 4**

**BEGINNING** at a 5/8" iron rod found for the southwest corner of aforesaid 5.4609 acre tract, common to the southwest corner of aforesaid 4.0033 acre tract, the northwest corner of Lot Q of aforesaid REPLAT OF PEARLAND PAVILION, the northeast corner of Lot M of said REPLAT OF PEARLAND PAVILION;

**THENCE** North 02° 50' 38" West – 645.98', along the west line of said 5.4609 acre tract, common to the east line of said 4.0033 acre tract, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northwest corner of the herein described tract, common to the northwest corner of said 5.4609 acre tract, and the northeast corner of said 4.0033 acre tract, in the south line of aforesaid 1.3590 acre tract;

**THENCE** North 87° 19' 35" East – 466.89', along the north line of said 5.4609 acre tract, common to the south line of said 1.3590 acre tract, (at 132.06' passing a 5/8" iron rod found for the southeast corner of said 1.3590 acre tract, common to the southwest corner of aforesaid 3.00 acre tract, then continuing along the north line of said 5.4609 acre tract, common to the south line of said 3.00 acre tract, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northeast corner of the herein described tract, common to the northeast corner of said 5.4609 acre tract, and the southeast corner of said 3.00 acre tract, in the west right-of-way of aforesaid Old Alvin Road;

**THENCE** South 02° 42' 08" East – 419.86', along the east line of said 5.4609 acre tract, common to said west right-of-way line, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the most easterly southeast corner of the herein described tract, common to the most easterly

southeast corner of said 5.4609 acre tract, the north corner of Lot S of aforesaid REPLAT OF PEARLAND PAVILION, and the beginning of a curve to the right;

**THENCE** along said curve to the right, along the south line of said 5.4609 acre tract, common to the north line of said Lot S, an arc distance of 31.42', with a radius of 20.00', a central angle of 90° 00' 17', and a chord bearing and distance of South 42° 18' 01" West – 28.29' to the most southerly southeast corner of said 5.4609 acre tract, from which a found 1/2" iron rod bears North 42° 15' 26" East – 0.29';

**THENCE** South 87° 18' 10" West – 79.46', continuing along the south line of said 5.4609 acre tract, common to the north line of said Lot S, to a 1/2" iron rod found for the beginning of a curve to the left;

**THENCE** along said curve to the left, along the south line of said 5.4609 acre tract, common to the north line of said Lot S, an arc distance of 237.86', (at an arc distance of 149.94' passing a 5/8" iron rod found for the northwest corner of said Lot S, common to the northeast corner of aforesaid Lot Q), continuing with the south line of said 5.4609 acre tract, common to the north line of said Lot Q, and said curve to the left, with a radius of 264.97', a central angle of 51° 26' 02", and a chord bearing and distance of South 61° 35' 09" West – 229.95' to a 5/8" iron rod with cap stamped "LJA-ENG" set for the point of reverse curvature to the right;

**THENCE** along said curve to the right, along the south line of said 5.4609 acre tract, common to the north line of said Lot Q, an arc distance of 193.91', with a radius of 314.79', a central angle of 35° 17' 38", and a chord bearing and distance of South 53° 30' 57" West – 190.86', to the **POINT OF BEGINNING** and containing 5.453 acres of land.

**TRACT 5**

**BEGINNING** at the northwest corner of aforesaid 2.011 acre tract, common to the southwest corner of a 10' reserve for road widening as shown on aforesaid REPLAT OF PEARLAND PAVILION, in the northeast right-of-way line of State Highway 35 (100' wide) (Volume 211, Page 493, of the Deed Records of Brazoria County, Texas), from which a 1/2" iron rod with cap stamped "Brown & Gay" bears South 86° 45' 33" West – 0.99';

**THENCE** North 86° 45' 33" East – 312.22', along the north line of said 2.011 acre tract, (at 10.52' passing a 1/2" iron rod with cap stamped "Brown and Gay" found for the southwest corner of Lot D of said REPLAT OF PEARLAND PAVILION), then continuing with the north line of said 2.011 acre tract, common to the south line of said Lot D, to a 5/8" iron rod found for the northeast corner of said 2.011 acre tract, common to the southeast corner of said Lot D, in the west line of Lot K of said REPLAT OF PEARLAND PAVILION;

**THENCE** South 03° 18' 29" East – 525.71', along the east line of said 2.011 acre tract, common to the west line of said Lot K, (at 47.66' passing a 5/8" iron rod found for the southwest corner of said Lot K, common to the most westerly northwest corner of Lot V of said REPLAT OF PEARLAND PAVILION), then continuing with the east line of said 2.011 acre tract, common to the west line of said Lot V, to a point on a non-tangent curve to the left;

THENCE along said curve to the left, an arc length of 17.26', with a radius of 344.50', a central angle of 02° 52' 11", and a chord bearing and distance of South 62° 47' 25" West – 17.25', to the southwest corner of the herein described tract, in the southwest line of said 2.011 acre tract, common to the northeast line of the right-of-way deed recorded under Volume 210, Page 348, of the Deed Records of Brazoria County, Texas, in the northeast right-of-way line of State Highway 35 (100' wide);

**THENCE** North 32° 23' 13" West – 609.95', along the southwest line of said 2.011 acre tract common to said northeast right-of-way line, to the **POINT OF BEGINNING** and containing 2.004 acres of land.

**TRACT 6**

**BEGINNING** at a 1 1/4" iron pipe found for the northeast corner of Lot 4, Block 4 of aforesaid AIRPORT SUBDIVISION, SECTION NO. 4, common to the northwest corner of Lot 3, of said Block 4, and the northeast corner of aforesaid Houston Helicopters, Inc. tract (1995031383), and the northwest corner of the tract of land described as "Lots 2-3-12-13, Block 4", in the deed from Woodrow V. Lesikar Family Trust to Carolyn Ann Lesikar Moon Special Trust, recorded under Document Number 2010006200, of the Official Records of Brazoria County, Texas, in the south right-of-way line of Lockheed Street (60' wide) (Volume 8, Page 17, of the Plat Records of Brazoria County, Texas);

**THENCE** South 02° 48' 51" East – 238.00', along the east line of Lot 4 and Lot 14, of said Block 4, common to the west lines of Lot 3 and Lot 13 of said Block 4, the east line of said Houston Helicopters, Inc. tract (1995031383), and the west line of said Moon tract, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the southeast corner of the herein described tract, common to the southeast corner of said Lot 14, common to the southwest corner of said Lot 13, the southeast corner of said Houston Helicopters, Inc. tract (1995031383), and the southwest corner of said Moon tract, in the north right-of-way line of Beechcraft Street (Private) (60' wide) (Volume 8, Page 17, of the Plat Records of Brazoria County, Texas);

**THENCE** South 87° 21' 55" West – 346.28', along the south line of said Block 4, common to said north right-of-way line, (at 100.00 feet passing the southwest corner of Lot 15, of said Block 4, common to the southeast corner of Lot 16, of said Block 4, the southwest corner of said Houston Helicopters, Inc. tract (1995031383), and the southeast corner of the aforesaid Houston Helicopters, Inc. tract (1995031382), from which a 5/8" iron rod bears South 08° 55' 12" West – 0.98', then continuing along the south line of said Block 4, common to said north right-of-way line, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the southwest corner of the herein described tract, common to the southwest corner of Lot 20, of said Block 4, and the southwest corner of said Houston Helicopters, Inc. tract (1995031382), in the west line

of aforesaid AIRPORT SUBDIVISION, SECTION NO. 4, common to the east line of Lot E, of aforesaid REPLAT OF PEARLAND PAVALION;

**THENCE** North 02° 51' 34" West – 238.00', along the west lines of Lot 20 and Lot 10 of said Block 4, common to the west line of said AIRPORT SUBDIVISION, SECTION NO. 4, the west line of said Houston Helicopters, Inc. tract (1995031382), and the east line of said Lot E, (at 228.38' passing the north corner of said Lot E), then continuing along said common west lines and the east right-of-way line of South Galveston Road (60' wide) (Volume 17, Page 395 of the Plat Records of Brazoria County, Texas), (at 233.07' passing a found "X" cut in concrete), then continuing along said common west lines, and said east right-of-way line, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northwest corner of the herein described tract, common to the northwest corner of said Lot 10, common to the northwest corner of said Houston Helicopters, Inc. tract (1995031382), in the south right-of-way line of aforesaid Lockheed Street;

**THENCE** North 87° 21' 55" East – 346.47', along the north line of said Block 4, common to said south right-of-way line, to the POINT OF BEGINNING and containing 1.893 acres of land.

**TRACT 7**

**BEGINNING** at a 5/8" iron rod found for the northwest corner of Lot L of aforesaid REPLAT OF PEARLAND PAVILION, common to the northeast corner of Lot H of said REPLAT OF PEARLAND PAVILION, and the southeast corner of Lot G of said REPLAT OF PEARLAND PAVILION;

**THENCE** North 02° 51' 34" West – 466.69' along the east line of said Lot G, (at 290.40' passing the northeast corner of said Lot G, common to the southeast corner of Lot E, of said REPLAT OF PEARLAND PAVILION), continuing along the east line of said Lot E, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northwest corner of the herein described tract, common to the southeast corner of aforesaid AIRPORT SUBDIVISION, SECTION NO. 4, in the south right-

of-way line of Beechcraft Street (Private)(60' wide) (Volume 8, Page 17, of the Plat Records of Brazoria County, Texas);

**THENCE** North 87° 21' 55" East – 559.34', along the south line of said AIRPORT SUBDIVISION, SECTION NO. 4, common to said south right-of-way line, to a 5/8" iron rod stamped "LJA-ENG" set for the northeast corner of the herein described tract, common to the northwest corner of aforesaid 1.3590 acre tract;

**THENCE** South 02° 54' 50" East – 466.52', along the west line of said 1.3590 acre tract, (at 18.56' passing a found 3/4" iron pipe), then continuing along said west line (at 149.02' passing the southwest corner of said 1.3590 acre tract, common to the northwest corner of aforesaid 4.0033 acre tract), then continuing along the west line of said 4.0033 acre tract, to a 5/8" iron rod found for the northeast corner of aforesaid Lot L;

**THENCE** South 87° 20' 50" West – 559.79', along the north line of said Lot L, to the POINT OF BEGINNING and containing 5.994 acres of land.

**TRACT 8**

**COMMENCING** at a 5/8" iron rod with cap found at the northeast corner of Lot 1 of said AIRPORT SUBDIVISION, SECTION NO. 4, Block 4, the northeast corner of Lot One (1) in the deed from Rex Edwin Searle, Jr. to Thomas C. Coler, recorded under Document Number 20000013671, of the Official Records of Brazoria County, Texas, in the west right-of-way line of Douglas Street (60.00') out of aforesaid AIRPORT SUBDIVISION, SECTION NO. 4; THENCE South 02° 48' 21" East – 238.00', along the east line of said Lot 1, Block 4, of said AIRPORT SUBDIVISION, SECTION NO. 4, and the east line of the tract of land described as "Lot Eleven (11)", in the deed from J.W. Pearson to The Pearson Family Revocable Living Trust, recorded under Document Number 2000040514, of the Official Records of Brazoria County, Texas, common to the west right-of-way line of said Douglas Street, to the southeast corner of said "Lot Eleven (11)", common to the southeast corner of said AIRPORT SUBDIVISION, SECTION NO.

4, Block 4 and the POINT OF BEGINNING of the herein described tract, in the north line right-of-way line of aforesaid Beechcraft Street;

**THENCE** North 87° 21' 55" East – 461.46', along the north line of said Beechcraft Street, (at 60.00' passing a 5/8" iron rod found for the southwest corner of said AIRPORT SUBDIVISION, SECTION NO. 4, Block 3), then continuing along the north line of said Beechcraft Street, common to the south line of said AIRPORT SUBDIVISION, SECTION NO. 4, Block 3, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the northeast corner of the herein described tract, common to the northeast corner of said Beechcraft Street, in the west line of the 3.00 acre tract described in the deed from Estate of Raymond V. Kliesing to Mona Kliesign Bomsburger, recorded under Document Number 1987012143, of the Official Records of Brazoria County, Texas, common to the east line of said AIRPORT SUBDIVISION, SECTION NO. 4;

**THENCE** South 02° 52' 20" East – 60.00', along the east line of said AIRPORT SUBDIVISION, SECTION NO. 4, common to the west line of said 3.00 acre tract, to the northeast corner of aforesaid 1.3590 acre tract, common to the southeast corner of said AIRPORT SUBDIVISION, SECTION NO. 4, and the southeast corner of the herein described tract, from which a found 5/8" iron rod bears North 02° 52' 20" West – 0.44';

**THENCE** South 87° 21' 55" West – 957.57', along the south line of aforesaid Beechcraft Street, common to the south line of said AIRPORT SUBDIVISION, SECTION NO. 4, and the north line of said 1.3590 acre tract, (at 398.23' passing a set 5/8" iron rod with cap stamped "LJA-ENG", common to the northwest corner of said 1.3590 acre tract, and the northeast corner of aforesaid 59.932 acre tract), then continuing along the south line of said Beechcraft Street, common to the south line of said AIRPORT SUBDIVISION, SECTION NO. 4, and north line of said 59.932 acre tract, to a 5/8" iron rod with cap stamped "LJA-ENG" set for the southeast corner of the herein described tract, common to the northwest corner of said 59.932 acre tract, in the east line of aforesaid Lot E of aforesaid REPLAT OF PEARLAND PAVILION;

**THENCE** North 02° 51' 34" West – 60.00', along the west line of said AIRPORT SUBDIVISION, SECTION NO. 4, common to the east line of said Lot E, to a 5/8" iron rod with cap stamped

"LJA-ENG" set for the northwest corner of the herein described tract, common to the southwest corner of Lot Twenty (20), of said AIRPORT SUBDIVISION, SECTION NO. 4, Block 4, in the north right-of-way line of said Beechcraft Street;

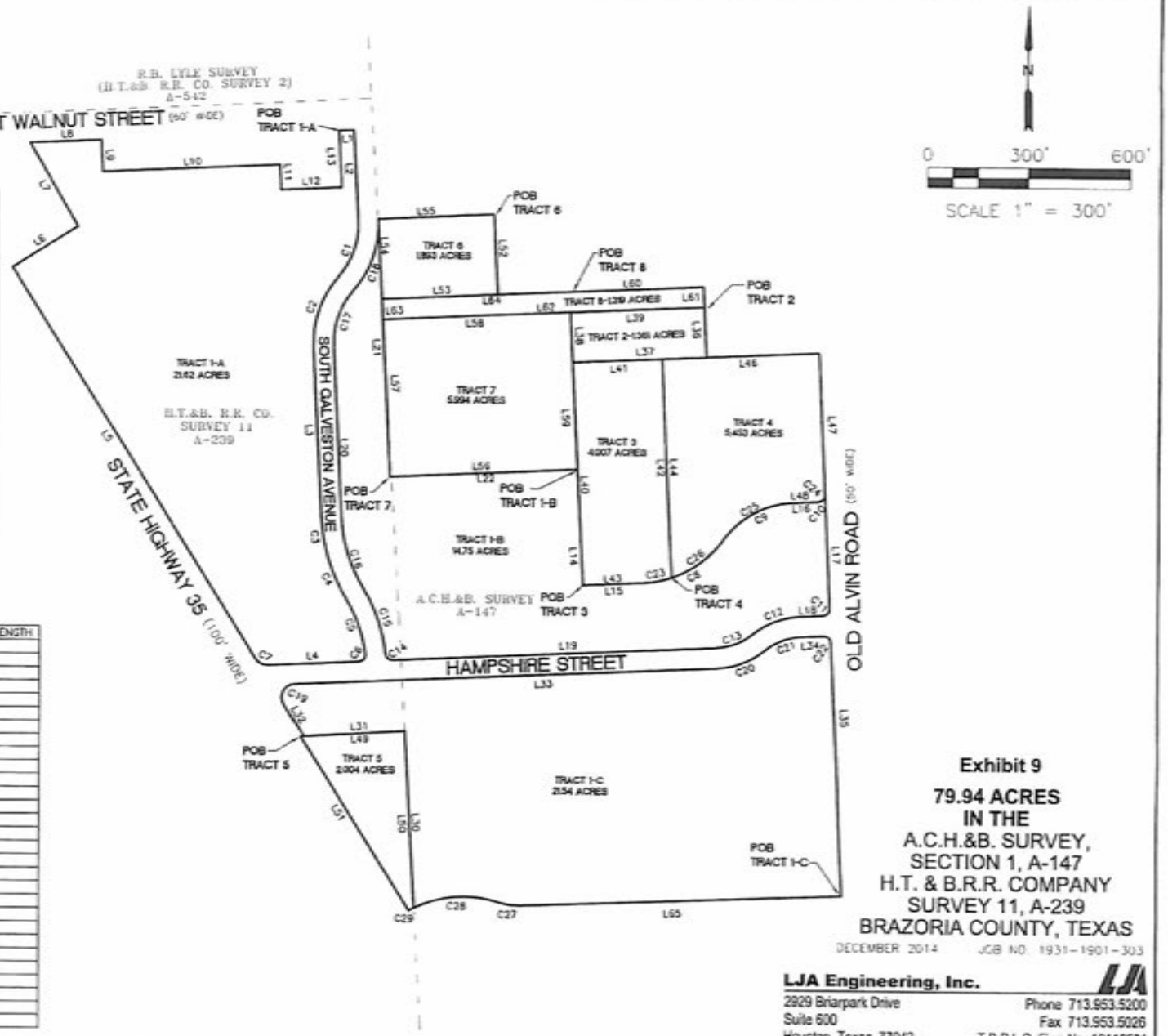
**THENCE** North 87° 21' 55" East – 496.10', along the north right-of-way line of said Beechcraft Street, common to the south line of said of AIRPORT SUBDIVISION, SECTION NO. 4, Block 4, (at 246.28' passing the southwest corner of aforesaid "Lot Fifteen (15)" from which a found 5/8" iron rod bears South 08° 55' 12" West – 0.98,) then continuing along the north right-of-way line of said Beechcraft Street, common to the south line of said of AIRPORT SUBDIVISION, SECTION NO. 4, Block 4, to the POINT OF BEGINNING and containing 1.319 acres of land.

**FOR A COMBINED TOTAL ACREAGE OF 79.94 ACRES.**

Heather L. Sides, RPLS, CFedS
Registered Professional Land Surveyor
Texas Registration No. 5997

STATE OF TEXAS
REGISTERED
HEATHER L. SIDES
5997
PROFESSIONAL
LAND SURVEYOR

LJA Engineering, Inc.




| LINE | BEARING | DISTANCE |
|---|---|---|
| L1 | N 87°18'10" E | 44.64' |
| L2 | S 02°51'34" E | 272.99' |
| L3 | S 02°51'13" E | 511.49' |
| L4 | S 87°21'51" W | 271.60' |
| L5 | N 32°16'27" W | 1361.95' |
| L6 | N 57°38'15" E | 229.00' |
| L7 | N 29°42'45" W | 285.90' |
| L8 | N 87°18'10" E | 211.11' |
| L9 | S 02°25'27" E | 95.00' |
| L10 | N 87°18'10" E | 529.09' |
| L11 | S 02°51'30" E | 75.00' |
| L12 | N 87°08'30" E | 178.00' |
| L13 | N 02°48'23" W | 169.50' |
| L14 | S 02°54'50" E | 340.83' |
| L15 | N 87°21'21" E | 177.43' |
| L16 | N 87°18'10" E | 79.45' |
| L17 | S 02°42'08" E | 335.48' |
| L18 | S 87°16'57" W | 66.57' |
| L19 | S 87°21'51" W | 963.75' |
| L20 | N 02°51'13" W | 511.49' |
| L21 | S 02°51'34" E | 755.08' |
| L22 | N 87°20'50" E | 559.79' |
| L30 | N 03°18'29" W | 525.71' |
| L31 | S 86°45'33" W | 301.70' |
| L32 | N 32°13'59" W | 110.32' |
| L33 | N 87°21'51" E | 1257.10' |
| L34 | N 87°16'57" E | 66.54' |
| L35 | S 02°42'08" E | 962.34' |

| | | |
|---|---|---|
| L36 | S 02°52'20" E | 148.75' |
| L37 | S 87°19'40" W | 398.12' |
| L38 | N 02°54'50" W | 149.02' |
| L39 | N 87°21'55" E | 398.23' |
| L40 | N 02°54'50" W | 658.34' |
| L41 | N 87°19'40" E | 266.06' |
| L42 | S 02°50'38" E | 645.98' |
| L43 | S 87°21'21" W | 177.43' |
| L44 | N 02°50'38" W | 645.98' |
| L46 | N 87°19'35" E | 466.89' |
| L47 | S 02°42'08" E | 419.86' |
| L48 | S 87°18'10" W | 79.46' |
| L49 | N 86°45'33" E | 312.22' |
| L50 | S 03°18'29" E | 525.71' |
| L51 | N 32°23'13" W | 609.95' |
| L52 | S 02°48'51" E | 238.00' |
| L53 | S 87°21'55" W | 346.28' |
| L54 | N 02°51'34" W | 238.00' |
| L55 | N 87°21'55" E | 346.47' |
| L56 | S 87°20'50" W | 559.79' |
| L57 | N 02°51'34" W | 466.69' |
| L58 | N 87°21'55" E | 559.34' |
| L59 | S 02°54'50" E | 466.52' |
| L60 | N 87°21'55" E | 461.46' |
| L61 | S 02°52'20" E | 60.00' |
| L62 | S 87°21'55" W | 957.57' |
| L63 | N 02°51'34" W | 60.00' |
| L64 | N 87°21'55" E | 456.10' |
| L65 | S 87°43'25" W | 961.50' |

| CURVE | ARC LENGTH | RADIUS | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|---|---|---|---|---|---|
| C1 | 178.83' | 227.89' | 44°57'44" | S 19°37'18" W | 174.28' |
| C2 | 223.62' | 285.00' | 44°57'23" | S 19°37'29" W | 217.93' |
| C3 | 125.62' | 489.33' | 14°42'31" | S 10°12'39" E | 125.27' |
| C4 | 125.13' | 489.33' | 14°39'05" | S 24°53'06" E | 124.79' |
| C5 | 173.34' | 398.48' | 24°55'28" | S 19°45'05" E | 171.98' |
| C6 | 33.04' | 20.00' | 94°39'11" | S 40°02'15" W | 29.41' |
| C7 | 42.14' | 40.00' | 60°21'42" | N 62°27'18" W | 40.22' |
| C8 | 282.88' | 314.79' | 51°29'14" | N 61°36'45" E | 273.45' |
| C9 | 237.86' | 264.97' | 51°26'02" | N 61°35'09" E | 229.95' |
| C10 | 31.42' | 20.00' | 90°00'17" | N 42°18'01" E | 28.29' |
| C11 | 31.41' | 20.00' | 89°59'05" | S 42°17'25" W | 28.28' |
| C12 | 155.67' | 248.87' | 35°50'20" | S 69°21'47" W | 153.15' |
| C13 | 118.60' | 189.17' | 35°55'14" | S 69°24'14" W | 116.66' |
| C14 | 30.13' | 20.00' | 85°19'17" | N 49°28'31" W | 27.36' |
| C15 | 207.24' | 458.46' | 25°53'54" | N 19°15'51" W | 205.48' |
| C16 | 220.00' | 429.33' | 29°21'35" | N 17°32'01" W | 217.60' |
| C17 | 176.54' | 225.00' | 44°57'23" | N 19°37'29" E | 172.05' |
| C18 | 221.25' | 287.89' | 44°01'58" | N 20°05'11" E | 215.84' |
| C19 | 83.49' | 40.00' | 119°35'45" | N 27°33'58" E | 69.14' |
| C20 | 156.21' | 249.17' | 35°55'14" | N 69°24'14" E | 153.67' |
| C21 | 118.14' | 188.87' | 35°50'20" | N 69°21'47" E | 116.22' |
| C22 | 31.42' | 20.00' | 90°00'55" | S 47°42'35" E | 28.29' |
| C23 | 88.95' | 314.79' | 16°11'33" | S 79°15'35" W | 88.67' |
| C24 | 31.42' | 20.00' | 90°00'17" | S 42°18'01" W | 28.29' |
| C25 | 237.86' | 264.97' | 51°26'02" | S 61°35'09" W | 229.95' |
| C26 | 193.91' | 314.79' | 35°17'38" | S 53°30'57" W | 190.86' |
| C27 | 56.04' | 157.50' | 20°23'15" | N 82°04'57" W | 55.75' |
| C28 | 263.87' | 344.50' | 43°53'09" | S 86°10'06" W | 257.47' |
| C29 | 17.26' | 344.50' | 02°52'11" | S 62°47'25" W | 17.25' |

**Exhibit 9**

**79.94 ACRES**
**IN THE**
A.C.H.&B. SURVEY,
SECTION 1, A-147
H.T. & B.R.R. COMPANY
SURVEY 11, A-239
BRAZORIA COUNTY, TEXAS

DECEMBER 2014 JOB NO. 1931-1901-303

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

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

# APPLICATION FOR A CHANGE IN ZONING

**Current Zoning District:** General Commercial & Office Professional

**Proposed Zoning District:** Planned Development

**Property Information:**

Address or General Location of Property: SH35 & old Alvin Road at Hampshire Street

Tax Account No. See Attached List

Subdivision ACH&B Survey Abstract 147 & HTBRR Survey 111 Abstract 239 Lot _____ Block _____

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

**PROPERTY OWNER INFORMATION:**

NAME Felton M & Mary C Baker Revocable Trust et al c/o Gary Baker
ADDRESS 3506 Lockheed St
CITY Pearland STATE TX ZIP 77581
PHONE(281) 485-1000 (Laura's Bakery)
FAX(713) 970-1018
E-MAIL ADDRESS Srobinson@adetrealtygroup.com
Stephen Robinson - Owner's Broker

**APPLICANT/AGENT INFORMATION:**

NAME Alan Mueller
ADDRESS 4201 Broadway
CITY Pearland STATE TX ZIP 77581
PHONE(281) 412 9210
FAX(281) 412 9060
E-MAIL ADDRESS alan@pamdtexas.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: _____ Date 11/2/14

Applicant/Agent's Signature: _____ Date 12/2/14

OFFICE USE ONLY

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

Application No.

RECEIVED DEC 5 2014

# APPLICATION CHECKLIST FOR THE FOLLOWING

- **Zone Changes**
- **Planned Development Districts (PD)**

☑ Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.

☑ If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code.**

☑ Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.

☐ NA Letter of Intent, explaining the zone change request in detail and why the zoning is being requested to be changed, and state the uses being proposed

*Letter of Intent is not required for a PD.

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

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

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

☑ Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing

☑ Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.

☐ Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

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

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

Such sign(s) shall be located as follows:

(1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.

(2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.

(3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.

(4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.

(5) The signs shall be as follows:

- A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
- At least 2 feet above the ground
- Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
- Message content as follows:

**PROPOSED (SPECIFY REQUEST)**
**Contact City of Pearland**
**281-652-1768**

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

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

Date 12-2-14

City of Pearland
3519 Liberty Dr.
Pearland TX 77581

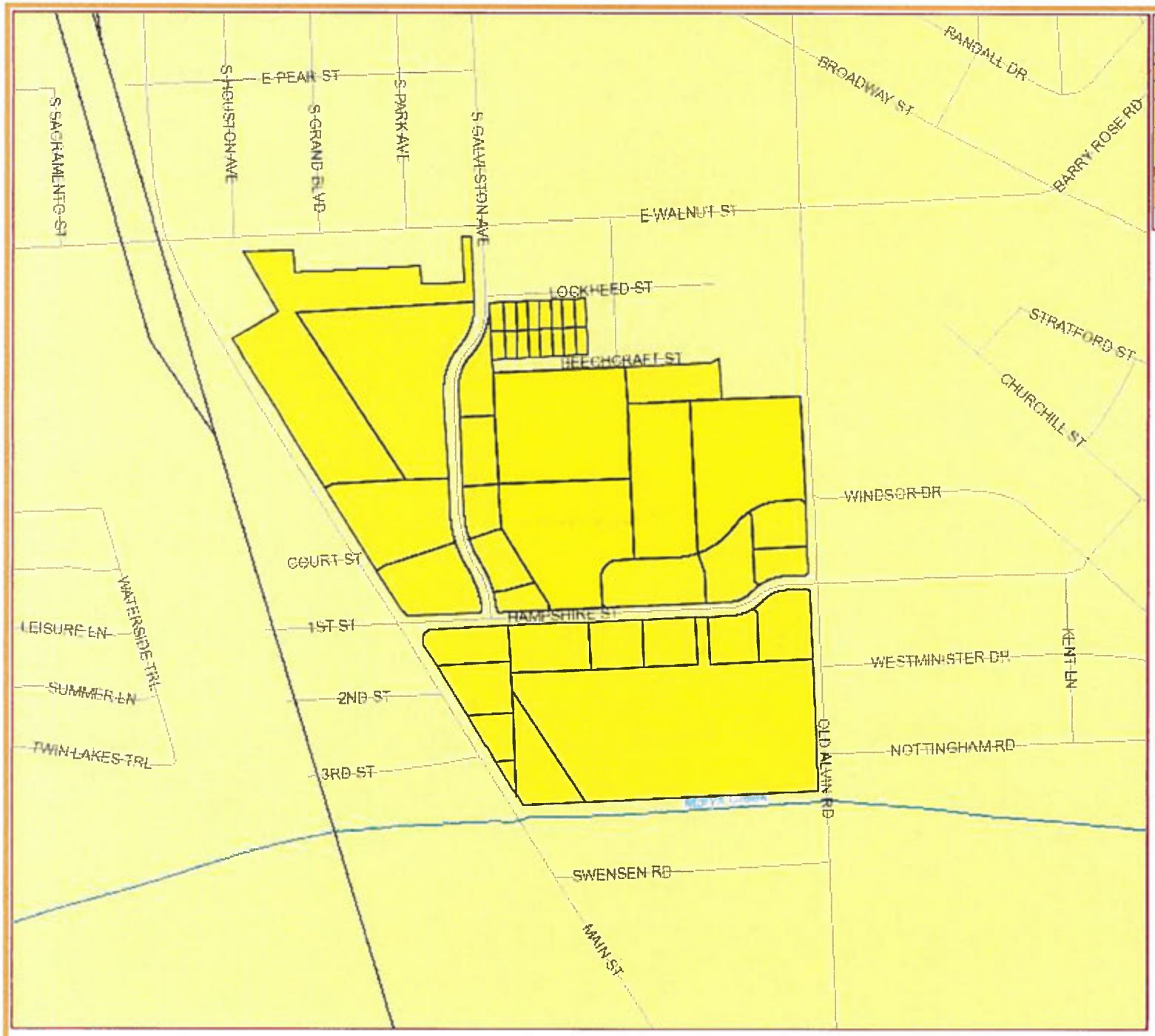
RE: Zoning Representation

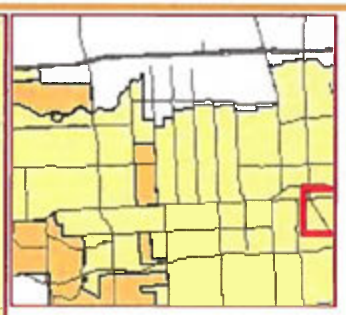
To Whom It May Concern:

On behalf of the Felton M. & Mary C. Baker Revocable Trust and Houston Helicopter, Inc. I hereby authorize Gromax Development and DR Horton to act on our behalf in the rezoning of the property we own which is being submitted under the name of "Baker's Landing". This representation may be withdrawn at any point prior to final approval of the rezoning by the city of Pearland.

Sincerely,

By: Gary Baker
Address: 3506 Lockheed
Pearland TX 77581



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

Scale 1:6,804
1 in = 567 ft
October 15, 2014

NORTH

**CITY OF PEARLAND - PERMITS**
**3523 LIBERTY DRIVE**
**DRH Inc. Controlled Disb**

**Check Number** 0202228
**Date** 12/02/14

Stub 1 of 1

1118372

| PO Numb | Invoice Number | Subdv | Lot# | Lot Address | Cost Cde | Legal Desc | Gross | Deductions | Amount Paid |
|---|---|---|---|---|---|---|---|---|---|
| | 120114 BAKERS L | 29225 | | Baker's Landing | | | 950.00 | | 950.00 |
| | | | | | | | 950.00 | | 950.00 |

D·R·HORTON® DHI Listed NYSE
America's Builder

PD - electronic form

**ZONE CHANGE/ VARIANCE/ PLAT/ RECORDATION**
(circle one)
$950.00 BA or PF or FE

**Description:** ***Input who the check is from***
DRH Inc

**COMMENTS/DESCRIPTION (F10):**
**Location or Address** SH 35/old Alvin/Humpshire

**Applicant** Alan Mueller

CITY OF PEARLAND
R E P R I N T
*** CUSTOMER RECEIPT ***
Oper: JCOTTER Type: OC Drawer: 1
Date: 12/05/14 01 Receipt no: 66669

| Description | Quantity | Amount |
|---|---|---|
| BA BOARD OF ADJUSTMENTS | 1.00 | $950.00 |

Trans number: 4680218

DRH INC
SH35/OLD ALVIN/HAMPSHIRE
ALAN MUELER
FELTON & MARY BAKER
DRH INC. CONTROLLED DISB
301 COMMERCE ST SUITE 500
FORT WORTH

| Tender detail | | |
|---|---|---|
| CK CHECK | 202228 | $950.00 |
| Total tendered | | $950.00 |
| Total payment | | $950.00 |

Trans date: 12/05/14 Time: 8:18:03

Baker et al BCAD Parcels

| Property ID | | Tax Account Number |
|---|---|---|
| 162865 | | 0147 - 0046 - 120 |
| 166236 | | 0239 - 0002 - 110 |
| 180801 | | 1164 - 0304 - 000 |
| 180802 | | 1164 - 0306 - 000 |
| 180804 | | 1164 - 0316 - 000 |
| 180805 | | 1164 - 0320 - 000 |
| 237420 | | 7029 - 0000 - 010 |
| 237421 | | 7029 - 0000 - 020 |
| 237422 | | 7029 - 0000 - 030 |
| 237423 | | 7029 - 0000 - 040 |
| 237424 | | 7029 - 0000 - 050 |
| 237425 | | 7029 - 0000 - 070 |
| 237426 | | 7029 - 0000 - 080 |
| 237427 | | 7029 - 0000 - 090 |
| 237429 | | 7029 - 0000 - 110 |
| 237431 | | 7029 - 0000 - 130 |
| 237432 | | 7029 - 0000 - 140 |
| 237433 | | 7029 - 0000 - 150 |
| 237435 | | 7029 - 0000 - 161 |
| 237436 | | 7029 - 0000 - 162 |
| 237437 | | 7029 - 0000 - 163 |
| 237438 | | 7029 - 0000 - 170 |
| 237439 | | 7029 - 0000 - 180 |
| 237441 | | 7029 - 0000 - 190 |
| 237442 | | 7029 - 0000 - 200 |
| 237445 | | 7029 - 0000 - 220 |

# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
A0147 A C H & B, TRACT 114A, ACRES 6.000

**Fiduciary Number:** 23414312

**Parcel Address:**
**Legal Acres:** 6.0000

<--- ---->

**Account Number:** **0147-0046-120**

**Certificate No:** 223485580
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

**TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. THE FOLLOWING YEARS ARE UNPAID: 2014**

**Exemptions:**

**Certified Owner:**
HOUSTON HELICOPTER INC
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 68,400 |
| **2014 Levy:** | $1,903.09 |
| **2014 Levy Balance:** | $1,903.09 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $1,903.09 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $1,903.09 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

**Issued By:**
**RO'VIN GARRETT, PCC**
**BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR**
**(979) 864-1370, (979) 388-1320, (281) 756-1320**

Amber Cook

delinquent_tax_certificate.rdf v1.78

# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
A0239 H T & B R R, TRACT 8A2-8A2B,
ACRES 2.000, PEARLAND

**Fiduciary Number:** 23414312

**Parcel Address:** 3112 S MAIN ST HWY 35
**Legal Acres:** 2.0000

<--- ---->

**Account Number:** **0239-0002-110**

**Certificate No:** 223485581
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

**TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. THE FOLLOWING YEARS ARE UNPAID: 2014**

**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 38,000 |
| **2014 Levy:** | $1,057.28 |
| **2014 Levy Balance:** | $1,057.28 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $1,057.28 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $1,057.28 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

Amber Cook

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
AIRPORT S/D #4 (PEARLAND), BLOCK 4, LOT 4-5-14-15

**Fiduciary Number:** 23414312

**Parcel Address:** 3506 LOCKHEED ST
**Legal Acres:** .5464

<--- ---->

**Account Number:** **1164-0304-000**

**Certificate No:** 223485584
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

**TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. THE FOLLOWING YEARS ARE UNPAID: 2014**

**Exemptions:**

**Certified Owner:**
HOUSTON HELICOPTER INC
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 305,790 |
| **2014 Levy:** | $8,507.99 |
| **2014 Levy Balance:** | $8,507.99 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $8,507.99 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $8,507.99 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
AIRPORT S/D #4 (PEARLAND), BLOCK 4, LOT 6TO9-18-19

**Fiduciary Number:** 23414312

**Parcel Address:** LOCKHEED ST
**Legal Acres:** .8196

<--- ---->

**Account Number:** **1164-0306-000**

**Certificate No:** 223485585
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
HOUSTON HELICOPTER INC
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 74,970 |
| **2014 Levy:** | $2,085.88 |
| **2014 Levy Balance:** | $2,085.88 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $2,085.88 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $2,085.88 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

Amber Cook

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
AIRPORT S/D #4 (PEARLAND), BLOCK 4, LOT 16-17

**Fiduciary Number:** 23414312

**Parcel Address:**
**Legal Acres:** .2732

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**Account Number:** **1164-0316-000**

**Certificate No:** 223485605
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
HOUSTON HELICOPTER INC
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 24,990 |
| **2014 Levy:** | $695.28 |
| **2014 Levy Balance:** | $695.28 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $695.28 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $695.28 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

Amber Cook

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
AIRPORT S/D #4 (PEARLAND), BLOCK 4, LOT 10-20

**Fiduciary Number:** 23414312

**Parcel Address:** LOCKHEED ST
**Legal Acres:** .2732

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**Account Number:** **1164-0320-000**

**Certificate No:** 223485610
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

**TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. THE FOLLOWING YEARS ARE UNPAID: 2014**

**Exemptions:**

**Certified Owner:**
HOUSTON HELICOPTER INC
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 24,990 |
| **2014 Levy:** | $695.28 |
| **2014 Levy Balance:** | $695.28 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $695.28 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $695.28 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

Amber Cook

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT A, ACRES 8.772

**Fiduciary Number:** 23414312

**Parcel Address:** HIGHWAY 35
**Legal Acres:** 8.7720

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**Account Number:** **7029-0000-010**

**Certificate No:** 223485612
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 166,670 |
| **2014 Levy:** | $4,637.27 |
| **2014 Levy Balance:** | $4,637.27 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $4,637.27 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $4,637.27 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

Amber Cook

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT B, ACRES 3.268

**Fiduciary Number:** 23414312

**Parcel Address:** HIGHWAY 35
**Legal Acres:** 3.2680

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**Account Number:** **7029-0000-020**

**Certificate No:** 223485615
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 62,090 |
| **2014 Levy:** | $1,727.52 |
| **2014 Levy Balance:** | $1,727.52 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $1,727.52 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $1,727.52 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT C, ACRES 2.093

**Fiduciary Number:** 23414312

**Parcel Address:** HIGHWAY 35 AT HAMPSHIRE RD
**Legal Acres:** 2.0930

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**Account Number:** **7029-0000-030**

**Certificate No:** 223485620
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 39,770 |
| **2014 Levy:** | $1,106.51 |
| **2014 Levy Balance:** | $1,106.51 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $1,106.51 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $1,106.51 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT D, ACRES 1.213

**Fiduciary Number:** 23414312

**Parcel Address:** HIGHWAY 35 AT HAMPSHIRE RD
**Legal Acres:** 1.2130

<--- ---->

**Account Number:** **7029-0000-040**

**Certificate No:** 223485640
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 23,050 |
| **2014 Levy:** | $641.32 |
| **2014 Levy Balance:** | $641.32 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $641.32 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $641.32 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT E, ACRES 0.901

**Fiduciary Number:** 23414312

**Parcel Address:** S GALVESTON
**Legal Acres:** .9010

<--- ---->

**Account Number:** **7029-0000-050**

**Certificate No:** 223485644
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 17,120 |
| **2014 Levy:** | $476.33 |
| **2014 Levy Balance:** | $476.33 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $476.33 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $476.33 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

delinquent_tax_certificate.rdf v1.78

# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT G, ACRES 1.000

**Fiduciary Number:** 23414312

**Parcel Address:** S GALVESTON
**Legal Acres:** 1.0000

<--- ---->

**Account Number:** **7029-0000-070**

**Certificate No:** 223485649
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 19,000 |
| **2014 Levy:** | $528.64 |
| **2014 Levy Balance:** | $528.64 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $528.64 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $528.64 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

delinquent_tax_certificate.rdf v1.78

# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT H, ACRES 0.700

**Fiduciary Number:** 23414312

**Parcel Address:** S GALVESTON
**Legal Acres:** .7000

<--- ---->

**Account Number:** **7029-0000-080**

**Certificate No:** 223485650
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 13,300 |
| **2014 Levy:** | $370.05 |
| **2014 Levy Balance:** | $370.05 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $370.05 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $370.05 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

Amber Cook

delinquent_tax_certificate.rdf v1.78

# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT I, ACRES 0.916

**Fiduciary Number:** 23414312

**Parcel Address:** S GALVESTON
**Legal Acres:** .9160

<--- ---->

**Account Number:** **7029-0000-090**

**Certificate No:** 223485710
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 17,410 |
| **2014 Levy:** | $484.40 |
| **2014 Levy Balance:** | $484.40 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $484.40 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $484.40 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

Amber Cook

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT K, ACRES 1.562

**Fiduciary Number:** 23414312

**Parcel Address:** HAMPSHIRE
**Legal Acres:** 1.5620

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**Account Number:** **7029-0000-110**

**Certificate No:** 223485711
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

**TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. THE FOLLOWING YEARS ARE UNPAID: 2014**

**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 29,680 |
| **2014 Levy:** | $825.79 |
| **2014 Levy Balance:** | $825.79 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $825.79 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $825.79 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT M, ACRES 1.978

**Fiduciary Number:** 23414312

**Parcel Address:** HAMPSHIRE
**Legal Acres:** 1.9780

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**Account Number:** **7029-0000-130**

**Certificate No:** 223485712
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

**TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. THE FOLLOWING YEARS ARE UNPAID: 2014**

**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 37,580 |
| **2014 Levy:** | $1,045.59 |
| **2014 Levy Balance:** | $1,045.59 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $1,045.59 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $1,045.59 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT N, ACRES 1.033

**Fiduciary Number:** 23414312

**Parcel Address:** HAMPSHIRE
**Legal Acres:** 1.0330

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**Account Number:** **7029-0000-140**

**Certificate No:** 223485713
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

**TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. THE FOLLOWING YEARS ARE UNPAID: 2014**

**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 19,630 |
| **2014 Levy:** | $546.17 |
| **2014 Levy Balance:** | $546.17 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $546.17 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $546.17 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT O, ACRES 1.033

**Fiduciary Number:** 23414312

**Parcel Address:** HAMPSHIRE
**Legal Acres:** 1.0330

<--- ---->

**Account Number:** **7029-0000-150**

**Certificate No:** 223485714
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

**TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. THE FOLLOWING YEARS ARE UNPAID: 2014**

**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 19,630 |
| **2014 Levy:** | $546.17 |
| **2014 Levy Balance:** | $546.17 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $546.17 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $546.17 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT P1, ACRES 1.359

**Fiduciary Number:** 23414312

**Parcel Address:** CESSNA
**Legal Acres:** 1.3590

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**Account Number:** **7029-0000-161**

**Certificate No:** 223485715
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 25,820 |
| **2014 Levy:** | $718.38 |
| **2014 Levy Balance:** | $718.38 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $718.38 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $718.38 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT P2, ACRES 4.003

**Fiduciary Number:** 23414312

**Parcel Address:**
**Legal Acres:** 4.0030

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**Account Number:** **7029-0000-162**

**Certificate No:** 223485716
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 76,060 |
| **2014 Levy:** | $2,116.21 |
| **2014 Levy Balance:** | $2,116.21 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $2,116.21 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $2,116.21 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT P3, ACRES 5.460

**Fiduciary Number:** 23414312

**Parcel Address:** OLD ALVIN RD
**Legal Acres:** 5.4600

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**Account Number:** **7029-0000-163**

**Certificate No:** 223485719
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 103,740 |
| **2014 Levy:** | $2,886.35 |
| **2014 Levy Balance:** | $2,886.35 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $2,886.35 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $2,886.35 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT Q, ACRES 1.417

**Fiduciary Number:** 23414312

**Parcel Address:** HAMPSHIRE
**Legal Acres:** 1.4170

<--- ---->

**Account Number:** **7029-0000-170**

**Certificate No:** 223485726
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 26,930 |
| **2014 Levy:** | $749.28 |
| **2014 Levy Balance:** | $749.28 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $749.28 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $749.28 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT R PT, ACRES 0.964

**Fiduciary Number:** 23414312

**Parcel Address:** HAMPSHIRE
**Legal Acres:** .9640

<--- ---->

**Account Number:** **7029-0000-180**

**Certificate No:** 223485737
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 18,320 |
| **2014 Levy:** | $509.72 |
| **2014 Levy Balance:** | $509.72 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $509.72 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $509.72 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**

GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**

PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT S, ACRES 1.022

**Fiduciary Number:** 23414312

**Parcel Address:** OLD ALVIN RD
**Legal Acres:** 1.0220

<--- ---->

**Account Number:** **7029-0000-190**

**Certificate No:** 223485791
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**

BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 19,420 |
| **2014 Levy:** | $540.33 |
| **2014 Levy Balance:** | $540.33 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $540.33 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $540.33 |

**Certified Tax Unit(s):**

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

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT T, ACRES 0.664

**Fiduciary Number:** 23414312

**Parcel Address:** HAMPSHIRE
**Legal Acres:** .6640

<--- ---->

**Account Number:** **7029-0000-200**

**Certificate No:** 223485804
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

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**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 12,620 |
| **2014 Levy:** | $351.13 |
| **2014 Levy Balance:** | $351.13 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $351.13 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $351.13 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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# TAX CERTIFICATE

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

**Issued To:**
GROMAX DEVELOPMENT
4201 BROADWAY
PEARLAND , TX 77581

**Legal Description**
PEARLAND PAVILLION (A0147 A C H & B-A0239 H T & B)(PEARLAND), LOT V, ACRES 1.363

**Fiduciary Number:** 23414312

**Parcel Address:** OLD ALVIN RD
**Legal Acres:** 1.3630

<--- ---->

**Account Number:** **7029-0000-220**

**Certificate No:** 223485811
**Certificate Fee:** $10.00

**Print Date:** 12/01/2014
**Paid Date:** 12/01/2014
**Issue Date:** 12/01/2014
**Operator ID:** AMBER

**TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2014. THE FOLLOWING YEARS ARE UNPAID: 2014**

**Exemptions:**

**Certified Owner:**
BAKER FELTON M & MARY C REVOCABLE TRUST
3506 LOCKHEED ST
PEARLAND , TX 77581-4735

| | |
|---|---|
| **2014 Value:** | 25,900 |
| **2014 Levy:** | $720.61 |
| **2014 Levy Balance:** | $720.61 |
| **Prior Year Levy Balance:** | $0.00 |
| **Total Levy Due:** | $720.61 |
| **P&I + Attorney Fee:** | $0.00 |
| **Total Amount Due:** | $720.61 |

**Certified Tax Unit(s):**
1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

**Reference (GF) No:** N/A

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

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**JOINT PUBLIC HEARING**
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS,
**MONDAY, JANUARY 5, 2015, AT 6:30 P.M.**
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

## I. CALL TO ORDER

## II. PURPOSE OF HEARING

**Unified Development Code (UDC) Amendment**

A request of the City of Pearland Community Development Department; for approval of a Unified Development Code (UDC) amendment to add Micro-Breweries/ Micro-Distillery/Micro- Winery, and Coffee Roasting, to Section 2.5.1.1 (c); the land use matrix of the UDC; and to replace Section 4.2.2.5 (g) of the UDC to update the plant list.

**Legal Description:** N/A

**General Location**: N/A

## 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.**

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# Memo

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: December 17, 2014

Re: Proposed Amendments to the Unified Development Code regarding Micro-Breweries/ Micro-Distillery, Micro-Winery, and Coffee Roasting; and Plant List

**<u>Micro-Breweries/ Micro-Distillery, Micro-Winery, and Coffee Roasting:</u>**

**Reason for the amendment:**

The Unified Development Code currently permits breweries and wineries only in M-2 zone, as a "Beverage Plant", under the land use category of Manufacturing, Industrial Storage, or Assembly Process, as shown in the matrix below.

| Use | Residential Zoning Districts | | | | | | | | | | | Mixed Use Districts | | | | | | | Old Town | | | Non-Residential Zoning Districts | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | SPD | | | | | | | | | | | | | | | | | |
| | SD | R-E | SR-15 | SR-12 | R-1 | R-2 | R-3 | R-4 | TH | MF | MH | S1 | S2 | S3 | S4 | S5 | C-MU | G/O-MU | OT-R | OT-GB | OT-MU | RRN | OP | BP-288 | NS | GB | GC | M-1 | M-2 |
| Manufacturing, Industrial Storage or Assembly Process Not Prohibited by Law but excluding those listed in Section 2.4.4.6 and Section 2.4.4.7 of this UDC | | | | | | | | | | | | | | | | | | | | | | | | | | | | | P |
| | Description: A facility that houses manufacturing, storage, and assembly operations including, but not limited to, beverage plant, fabrication, metal finishing, foundry, ice plant, machine shop, mill, printing plant, publishing and bindery plant, masonry products manufacturing, refinery for nonagricultural products, food products, processing and packaging plant, and precision instruments manufacturing. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Parking: One space for each 1.5 employees in the maximum work shift. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

The City has been approached by a number of businesses interested in locating smaller microbreweries/wineries in the city that are less intense and are often located in commercial and retail areas. These microbreweries/wineries have a restaurant/ retail /tasting room component. An example is the recently approved Planned Development (PD) for BAKS microbrewery (6,000 square feet) on Broadway that includes a beer tasting room, and is located in a commercial zone. The purpose of this amendment is to permit these uses in non-residential zones with a Conditional Use Permit (CUP). A CUP, that requires notification to abutting property owners within 200 feet and a public hearing, will provide an opportunity for the City Council and Planning and Zoning Commission to review individual requests for appropriateness and compatibility with

respect to surrounding uses, and provide an opportunity to address neighbors' concerns.

**Proposed Amendment:**

1. The **category** of Micro-Breweries/ Micro-Distillery, Micro-Winery, and Coffee Roasting will be added to the land use matrix, with the following description:

   Micro-Breweries/ Micro-Distillery/Micro-Winery is a facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption, and which possess the appropriate licenses from the state of Texas. These are typically much smaller establishments and are independently owned.

   Coffee Roasting is a facility in which unprocessed, green, coffee may be sorted, roasted and processed, or packaged for use and consumption.

2. Micro-Breweries/ Micro-Distillery, Micro-Winery, and Coffee Roasting will meet the following **conditions**:

   a. Maximum size of the facility and all associated uses shall be 15,000 square foot
   b. The establishment will include at least one of the following uses, associated with the facility, and located in the same building: a restaurant, tasting room, bar, or lounge, that shall meet the following conditions:
      1. All prescribed conditions associated with the retail, restaurant, tasting room, bar, or lounge use shall be met, including separation distances and buffers.
      2. The minimum size of the associated retail, restaurant, bar, tasting room, or lounge shall be 10% of the total square footage for the facility and all associated uses, or 1,000 square feet, whichever is less.
      3. All Texas Alcoholic Beverage Commission (TABC) regulations will apply.

3. This use will be **permitted with a CUP** in the following zoning district:

| | |
|---|---|
| C-MU | Cullen Mixed Use |
| G/O MU | Garden/Oday Mixed Use |
| OT-GB | Old Townsite General Business |
| OT-MU | Old Townsite Mixed Use |
| GB | General Business |
| GC | General Commercial |

M-1 Light Industrial

M-2 Heavy Industrial

## Amendments to the Plant List

| Use | Residential Zoning Districts | | | | | | | | | | | Mixed Use Districts | | | | | | | Old Town | | | Non-Residential Zoning D | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | SD | R-E | SR-15 | SR-12 | R-1 | R-2 | R-3 | R-4 | TH | MF | MH | SPD S1 | SPD S2 | SPD S3 | SPD S4 | SPD S5 | C-MU | G/O-MU | OT-R | OT-GB | OT-MU | RRN | OP | BP-288 | NS | GB | GC | M-1 | M-2 |
| Micro-Breweries/ Micro-Distillery, Micro-Winery, and Coffee Roasting | | | | | | | | | | | | | | | | | C | C | | C | C | | | | | C | C | C | C |

Description: Micro-Breweries/ Micro-Distillery/Micro-Winery is a facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption, and which possess the appropriate licenses from the state of Texas. These are much smaller than large-scale corporate establishments and are independently owned.

4. Coffee Roasting is a facility in which unprocessed, green, coffee may be sorted, roasted and processed, or packaged for use and consumption. Micro-Breweries/ Micro-Distillery, Micro-Winery, and Coffee Roasting will meet the following **conditions**:

   c. Maximum size of the facility and all associated uses shall be 15,000 square foot
   d. The establishment will include at least one of the following uses, associated with the facility, and located in the same building: a retail, restaurant, tasting room, bar, or lounge, that shall meet the following conditions:
      1. All prescribed conditions associated with the retail, restaurant, tasting room, bar, or lounge use shall be met, including separation distances and buffers.
      2. The minimum size of the associated retail, restaurant, bar, tasting room, or lounge shall be 10% of the total square footage for the facility and all associated uses, or 1,000 square feet, whichever is less.
      3. All Texas Alcoholic Beverage Commission (TABC) regulations will apply.

Parking: One space for each 1.5 employees in the maximum work shift for the manufacturing area.

Four spaces, plus one space for each 100 square feet of gross floor area, or one space per four seats, whichever is less, for associated restaurant, bar, tasting room, or lounge.

One space for 200 square feet of gross floor area for retail

**Reason for the amendment:**

The 20/20 Pearland Strategic Plan called for the City to adopt uniform standards for the maintenance of our landscaped roads and corridors. As part of our evaluation of existing standards and the development of the new standards, which were implemented with the City's new landscape maintenance contract in the spring of 2014, the City evaluated the species list for both City projects and that included in the UDC. At that time it was recognized by our landscape architects that a few of the species in the list were not appropriate for our climate or soil conditions and should be removed, especially in terms of long term maintenance and sustainability.

It is important that the City have a list to ensure appropriate plant species, since many of the professionals that design projects in our community are not from the community and may not be familiar with our climate or soils and many smaller developments do not employ a landscape architect,. The Unified Development Code (adopted in 2006) and the Land Use and Urban Development Code (adopted in 1999), have included a plant list for required planting and tree mitigation. This list was recently updated in 2010 to add species that were considered native and indigenous to the state.

The City of Pearland has been working with Clark Condon Associates to identify a list of plantings that are generally well adapted to the Pearland area, incur low long-term maintenance costs, and are drought tolerance, if used with consideration to the proper horticultural requirements. The purpose of this amendment is to replace the current list in the UDC with the list prepared by Clark Condon Associates. This amendment will ensure that the private investment in plantings is sustainable and effective, by recommending species that are best adapted to the Pearland climate and soil conditions. This list is not meant to be restrictive but is meant to be a design tool for residents and professionals doing work in Pearland.

| Summary of Changes to the Planting List | | |
|---|---|---|
| Type | Number of Species Currently Permitted | Number of Species Proposed |
| Ground Covers (Wildflowers/Ferns) | 13 | 40 |
| Native/ Prairie Grasses | 0 | 7 |
| Vines | 7 | 9 |
| Perennials | 45 | 45 |
| Shrubs | 20 | 22 |
| Trees | 28 | 30 |
| Palms (Ornamental) | 0 | 9 |
| Ornamental Grasses | 0 | 4 |
| Cacti/Yucca | 0 | 5 |

The list of species recommend for City projects is also included in this report and is more restrictive. That list will be included in the design criteria for City projects.

**Proposed Amendments:**

1. Replace Section 4.2.2.5 (g) with the new list.

**Ground Covers**

| Common Name | Scientific Name |
|---|---|
| Algerian Ivy | Hedera canariensis |
| Asiatic Jasmine | Trachelospermum asiaticum |
| Asparagus fern | Asparagus densiflorus |
| Blue Pacific Juniper | Juniperus conferta |
| Confederate Jasmine | Trachelospermum jasminoides |
| Goats-foot Morning Glory | Ipomoea pescaprae |
| Liriope | Liriope spicata, L. muscari |
| Mondo Grass | Ophiopogon japonicus |
| Purpleleaf Honeysuckle | Lonicera japonicus |
| Stonecrop | Sedum acre |
| Trailing Lantana | Lantana montevidensis |
| Virginia Creeper | Parthenocissus quinquefolia |
| Wedelia | Wedelia trilobata |

**Vines**

| Common Name | Scientific Name |
|---|---|
| Bougainvillea | Bouganvillea spectabilis |
| Cape Honeysuckle | Tecomaria capensis |
| Carolina Jessamine | Gelsemium sempervirens |
| Coral Vine | Antigonon leptopus |
| Fig Ivy, Creeping Fig | Ficus pumila |
| Trumpet Vine | Campsis radicans |
| Virginia Creeper | Parthenocissus quinquefolia |

**Perennials**

| Common Name | Scientific Name |
|---|---|
| Autumn Aster | Aster oblongifolius |
| Autumn Sage | Salvia greggii |
| Baby Sun Coreopsis | Coreopsis grandiflora |
| Blue Plumbago | Plumbago auriculata |
| Blue Shade | Ruellia sp. |
| Butterfly Weed | Asclepis tuberosa |
| Byzantine Gladiolus | Gladiolus byzantinus |
| Canna | Canna x generalis |
| Cigar Plant | Cuphea micropetala |
| Common Thyme | Thymus vulgaris |
| Daylily | Hemerocallis |
| Firebush | Hamelia patens |
| Garden Mum | Chrysanthemum morifolium |
| Gerbera | Gerbera spp. |
| Hinkley's Columbine | Aquilegia hinkleyana |
| Indian Blanket | Gaillardia spp. |
| Lantana | Lantana spp. |
| Louisiana Iris | Iris hybrids |
| Maximilian Sunflower | Helianthus maximiliana |
| Mealy Cup Sage | Salvia farinacea |
| Mexican Marigold Mint | Tagetes lucida |
| Mexican Petunia | Ruellia brittoniana |
| Milk and Wine Lilies | Crinum hybrids |
| Montbretia | Crocosmia Pottsii |
| Narcissus | Narcissus spp. |
| Obedient Plant | Physostegia virginiana |
| Oxalis | Oxalis crassipes |
| Oxblood Lily | Rhodophiala bifida |
| Peppermint | Mentha piperita |
| Perennial Ageratum | Eupatorium coelestinum |
| Perennial Phlox | Phlox paniculata |
| Purple Coneflower | Echinacea purpurea |
| Purple Heart | Setcreasea pallida |
| Rain Lily | Zephyranthes spp. |
| Red Spider Lily | Lycoris radiata |
| Rock Rose | Pavonia lasiopetala |
| Rosemary | Rosmarinus officianalis |
| Santolina | Santolina sp. |
| Shasta Daisy | Chrysanthemum maximum |
| Shrimp Plant | Justicia brandegeana |
| Southernwood | Artemisia abrotanum |
| Spring Star Flower | Iphelon uniflorum |
| Turk's Cap | Malvaviscus arboreus |
| Verbena | Verbena spp. |
| Yarrow | Achillea millefolium |

**Shrubs**

| Common Name | Scientific Name |
|---|---|
| Abelia | Abelia grandiflora |
| Agarita | Berberis trifoliata |
| American Beautyberry | Callicarpa Americana |
| Arborvitae | Thuja spp. |
| Common Myrtle | Myrtus communis |
| Coral Bean | Erythrina herbacea |
| Dwarf Wax Myrtle | Myrica pusilla |
| Eleagnus | Eleagnus pungens |
| Fatsia | Fatsia japonica |
| Indian Hawthorn | Raphiolepis indica |
| Japanese Yew | Podocarpus macrophylia |
| Juniper | Juniperus chinensis cvs. |
| Oleander | Nerium oleander |
| Pineapple Guava | Feijoa sellowiana |
| Pittosporum | Pittosporum tobira |
| Rosemary | Rosmarinus officianalis |
| St. John's Wort | Hypericum spp. |
| Texas Sage | Leucophyllum spp. |
| Wax Myrtle | Myrica cerifera |
| Yaupon Holly | Ilex vomitoria |

Proposed List:

Trees

| Common Name | Scientific Name |
|---|---|
| American Elm | Ulmus americana |
| American Holly | Ilex opaca |
| American Hop Hornbeam | Ostrya virginiana |
| Bald Cypress | Taxodium Distichum |
| Bur Oak | Quercus macrocarpa |
| Cedar Elm | Ulums crassifolia |
| Chinese Fringe | Chionanthus spp |
| Chinkapin (Chinquapin) Oak | Quercus muehlenbergii |
| Common Crepemytle | Lagerstroemia indica, Lagerstroemia x fauriei |
| Common Hackberry | Celtis occidentalis L. |
| Dwarf Magnolia "Little Gem" | Magnolia grandiflora "Little Gem' or other cv. |
| Eastern Red Cedar | Juniperus virginiana |
| Lacebark Elm | Ulmus parvifolia |
| Lacebark Elm | Ulmus parvifolia |
| Live Oak | Quercus virginana |
| Mexican Sycamore | Plananus mexicana |
| Mexican White Oak (Monterrey Oak) | Quercus polymorpha |
| Montezuma Bald Cypress | Taxodium mucronatum |
| Overcup Oak | Quercus nuttalii |
| Parsley Hawthorne | Creatageus marshallii |
| Pecan | Carya illnoinensis |
| Possumhaw Holly | Ilex decidua |
| Retama | Parkinsonia aculeate |
| Southern Magnolia | Magnolia grandiflora |
| Sugarberry | Celtis laevigata |
| Sweet Bay Magnolia | Magnolia virginiana |
| Water Oak | Quercus nigra |
| Willow Oak | Quercus phellos |
| Winged Elm | Ulmus alata |
| Yaupon Holly | Ilex vomitoria |

Palms

| Common Name | Scientific Name |
|---|---|
| California Palm | Washingtonia filifera |
| Date Palm | Phoenix dactylifera |
| Dwarf Palmetto | Sabal minor |
| Mexican Fan Palm | Washingtonia robusta |
| Pigmy Date Palm | Phoenix roebelenii |
| Pindo Palm | Butia capitata |
| Queen Palm | Syagrus romanzoffiana |
| Sago Palm | Cycas revoluta |
| Texas Sabal Palm | Sabal texana |

Shrubs

| Common Name | Scientific Name |
|---|---|
| American Beautyberry | Callicarpa americana |
| Arborvitae | Thuja spp. |
| Common Oleander | Nerium oleander |
| Coppertone Loquat | Eriobotrya japonica 'Coppertone' |
| Coral Bean | Erythrina herbacea |
| Dwarf Crepemyrtle | Lagerstroemia indica dwarf cv. |
| Dwarf Glossy Abelia | Abelia x grandiflora 'dwarf' |
| Dwarf Oleander | Nerium oleander 'dwarf' |
| Dwarf Waxmyrtle | Myrica pusilla |
| Dwarf Yaupon Holly | Ilex vomitoria 'dwarf' |
| Earthkind Rose Varieties | Rosa sp. (Earthkind) |
| Flame Acanthus | Anisacanthus quadrifidus var. |
| Glossy Abelia | Abelia grandiflora |
| Heavenly Bamboo | Nandina sp. |
| Indian Hawthorn 'Clara' | Raphiolepis indica 'clara' |
| Japanese Yew | Podocarpus macrophylia |
| Pineapple Guava | Feijoa sellowiana |
| Pittosporum | Pittosporum tobira |
| Prostrate Juniper | Juniperus prostrata |
| Southern Waxmyrtle | Myrica cerifera |
| Texas Sage | Leucophyllum spp. |
| Texas Star Hibiscus | Hibiscus coccineus |

Perennials

| Common Name | Scientific Name |
|---|---|
| Angel Trumpet | Brugmansia aurea |
| Autumn Joy Sedum | Sedum 'Autumn Joy' |
| Autumn Sage | Salvia greggii |
| Bay Laurel | Laurus nobilis |
| Bicolor Iris | Dietes bicolor |
| Blue Plumbago | Plumbago auriculata |
| Blue Shade Ruellia | Ruellia humilis |
| Butterfly Iris | Dietes vegata |
| Butterfly Weed | Asclepis tuberosa |
| Canna sp. | Canna x generalis |
| Cigar Plant | Cuphea micropetala |
| Crinum Lily | Crinum hybrids |
| Daylily | Hemerocallis sp. |
| Dwarf Firebush | Hamelia patens 'compacta' |
| Evergreen Daylily | Hemerocallis sp. |
| Firebush | Hamelia patens |
| Firecracker Plant | Russelia equisetiformis |
| Garden Mum | Chrysanthemum morifolium |
| Ginger | Hedychium sp., Costus sp., Curcuma sp. |
| Lamb's Ear | Stachys byzantina |
| Lantana sp. | Lantana spp. |
| Lily of the Nile | Agapanthus africanus |
| Lindheimer's Senna | Cassia lindheimeri |
| Louisiana Iris | Iris sp. |
| Mexican Heather | Cuphea hyssopifolia |
| Mexican Mint Marigold | Tagetes lucida |
| Mexican Petunia | Ruellia brittoniana |
| Mexican Stonecrop | Sedum acre or S. mexicanum |
| Narcissus | Narcissus spp. |
| Obedient Plant | Physostegia virginiana |
| Orange Zexmania | Wedelia hispida |
| Philippine Violet | Barleria cristata |
| Pitcher Sage | Salvia spathacea |
| Prostrate Rosemary | Rosmarinus officianalis 'prostrata' |
| Purple Heart | Setcreasea pallida |
| Red Spider Lily | Lycoris radiata |
| Scarlet Sage | Salvia splendens |
| Shasta Daisy | Chrysanthemum maximum |
| Shrimp Plant | Justicia brandegeana |
| Spider Lily | Hymenocallis sp. |
| St. John's Wort | Hypericum spp. |
| Texas Lantana | Lantana urticoides |
| Tropical Hibiscus | Hibiscus rosa-sinensis |
| Turk's Cap | Malvaviscus arboreus |
| Variegated Ginger | Alpinia zerumbet 'Variegata' |

Groundcovers & Ferns

| Common Name | Scientific Name |
|---|---|
| Adjuga | Adjuga reptans |
| Asian Jasmine | Trachelospermum asiaticum |
| Bigblue Liriope | Liriope muscari 'Bigblue' |
| Creeping Daisy | Wedelia trilobata |
| Foxtail Fern | Asparagus densiflorus 'meyersii' |
| Juniper Shore | Juniperus conferta 'Blue Pacific' |
| Liriope | Liriope sp. |
| Ophiopogon gigantea | Giant liriope |
| Ophiopogon japonica | Monkey grass |
| Prostrate Juniper | Juniperus prostrata |
| Society garlic | Tublaghia violacea |
| Sword fern | Polystichum munitum |
| Trailing Lantana | Lantana montevidenisis |
| Wood fern | Dryopteris sp. |
| Wood Violet | Viola papilionacea |

Ornamental Grasses

| Common Name | Scientific Name |
|---|---|
| Fountain Grass | Miscanthus sinensis |
| Gulf Coast Muhly | Muhlenbergia capillaris |
| Lindheimer Muhly | Muhlenbergia lindheimeri |
| Purple Fountain Grass | Pennisetum scatceium 'Rubrum' |

Vines

| Common Name | Scientific Name |
|---|---|
| Bougainvillea sp. | Bougainvillea spectabilis |
| Cape Honeysuckle | Tecomaria capensis |
| Carolina Jessamine | Gelsemium sempervirens |
| Coral Honeysuckle | Lonicera sempervirens |
| Coral Vine | Antigonon leptopus |
| Fig Ivy | Ficus pumila |
| Trumpet Vine | Campsis radicans |
| Chinese Starjasmine | Trachelospermum jasminoides |
| Virginia Creeper | Parthenocissus quinquefolia |

Native/Prairie Grasses

| Common Name | Scientific Name |
|---|---|
| Eastern Gamagrass | Tripsacum dactyloides |
| Little Bluestem | Schizachyrium scoparium |
| Prairie Dropseed | Sporobolus heterolepis |
| Purple Three-Awn | Aristida purpurea |
| Sideoats Grama | Bouteloua curtipendula |
| Texas Wintergrass | Nassella leucotricha |
| Yellow Indian Grass | Sorghastrum nutans |

Native Groundcover / Wildflowers

| Common Name | Scientific Name |
|---|---|
| Autumn Aster | Aster oblongifolius |
| Black Eyed Susan | Rudbeckia hirta |
| Blanket Flower | Gallardia sp. |
| Blue mistflower | Conoclinium coelestinum |
| Fall Aster | Aster oblongifolius |
| Frogfruit | Phyla nodiflora |
| Gay feather | Liatris sp. |
| Globemallow | Sphaeralcea coccinea |
| Green Headed Coneflower | Rubeckia laciniata |
| Gregg's Mistflower | Eupatorium greggii |
| Horseherb | Calyptocarpus vialis |
| Indian Blanket | Gaillardia spp. |
| Maximilian Sunflower | Helianthus maximiliana |
| Mealy Blue Sage | Salvia farinacea |
| Perennial Phlox | Phlox paniculata |
| Pigeonberry | Rivina humilis |
| Prairie Verbena | Glandularia bipinnatifida |
| Purple Coneflower | Echinacea purpurea |
| Snake herb | Dyschoriste linearis |
| Spring Star Flower | Iphelon uniflorum |
| Texas Bluebonnet | Lupinus texensis |
| Tickseed | Coreopsis grandiflora |
| Water Clover | Marsilea mutica |
| Whirling Butterflies | Gaura lindheimeri |
| Winecup | Callirhoe sp. |

Cacti & Yucca

| Common Name | Scientific Name |
|---|---|
| Agave Americana | Century Plant |
| Dasylirion texanum | Texas sotol |
| Dasylirion wheeleri | Gray sotol |
| Red Yucca | Hesperaloe parviflora |
| Spineless prickly pear | Opuntia ellisiana |

**2.** Replace Section 4.2.3.9 (e) with the new list.

Section 4.2.3.9 (e)

(e) **Replacement Tree List.** The following tree types or species only shall be permitted by the City to be used as Replacement Trees:

| *Genus* | *species* | *Common name* |
|---|---|---|
| Quercus | spp. | Oaks |
| Ulmus | spp. | Elms |
| Taxodium | spp. | Baldcypress |
| Carya | spp. | Pecan, Hickory |
| Magnolia grandiflora | | Southern Magnolia |
| Magnolia virginiana | | Sweetbay |
| Juglans nigra | | Black Walnut |
| Fraxinus pennsylvanica | | Green Ash |
| Fraxinus americana | | White Ash |
| Ilex opaca | | American Holly |
| Platanus occidentalis | | American Sycamore |
| Acer rubrum | | Red Maple |
| Acer barbatum | | Florida Maple |

If an existing tree of the protected tree list in excess of 12" DBH is removed, thus requiring mitigation, and the disposition plan calls for replacement, it must be replaced by a tree from the protected tree list.

For trees to be planted to fulfill landscape requirements the following trees are allowed:

| Trees from the protected tree list and; | | |
|---|---|---|
| Crataegus | spp. | Hawthorn |
| Bumelia lanuginosa | | Gum Bumelia |
| Persea borbonia | | Redbay |
| Nyssa sylvatica | | Tupelo |
| Cupressus | spp. | Cypress |
| Fraxinus velutina | | Arizona Ash |
| Pyrus calleryana | | Flowering Pear (Bradford, Aristocrat, Chanticleer, etc.) |
| Gingko biloba | | Maidenhair Tree (male only) |
| Ostrya virginiana | | American Hop Hornbeam |
| Betula nigra | | River Birch |

| | |
|---|---|
| Parkinsonia aculeate | Retama |
| Pistacia chinensis | Chinese Pistache |
| Liquidambar styraciflua | Sweet Gum |
| Juniperus silicicola | Southern Red Cedar |
| Juniperus virginiana | Eastern Red Cedar |

Trees

| Common Name | Scientific Name |
|---|---|
| American Elm | Ulmus americana |
| American Holly | Ilex opaca |
| American Hop Hornbeam | Ostrya virginiana |
| Bald Cypress | Taxodium Distichum |
| Bur Oak | Quercus macrocarpa |
| Cedar Elm | Ulums crassifolia |
| Chinese Fringe | Chionanthus spp |
| Chinkapin (Chinquapin) Oak | Quercus muehlenbergii |
| Common Crepemytle | Lagerstroemia indica, Lagerstroemia x fauriei |
| Common Hackberry | Celtis occidentalis L. |
| Dwarf Magnolia "Little Gem" | Magnolia grandiflora "Little Gem' or other cv. |
| Eastern Red Cedar | Juniperus virginiana |
| Lacebark Elm | Ulmus parvifolia |
| Lacebark Elm | Ulmus parvifolia |
| Live Oak | Quercus virginana |
| Mexican Sycamore | Plananus mexicana |
| Mexican White Oak (Monterrey Oak) | Quercus polymorpha |
| Montezuma Bald Cypress | Taxodium mucronatum |
| Overcup Oak | Quercus nuttalii |
| Parsley Hawthorne | Creatageus marshallii |
| Pecan | Carya illnoinensis |
| Possumhaw Holly | Ilex decidua |
| Retama | Parkinsonia aculeate |
| Southern Magnolia | Magnolia grandiflora |
| Sugarberry | Celtis laevigata |
| Sweet Bay Magnolia | Magnolia virginiana |
| Water Oak | Quercus nigra |
| Willow Oak | Quercus phellos |
| Winged Elm | Ulmus alata |
| Yaupon Holly | Ilex vomitoria |

**City of Pearland Plant List Recommended for City Projects**

Trees

| Common Name | Scientific Name |
|---|---|
| American Holly | Ilex opaca |
| Bald Cypress | Taxodium Distichum |
| Cedar Elm | Ulums crassifolia |
| Chinese Fringe | Chionanthus spp |
| Chinkapin (Chinquapin) Oak | Quercus muehlenbergii |
| Common Crepemytle | Lagerstroemia indica, Lagerstroemia x fauriei |
| Lacebark Elm | Ulmus parvifolia |
| Live Oak | Quercus virginana |
| Mexican Sycamore | Platanus mexicana |
| Mexican White Oak (Monterrey Oak) | Quercus polymorpha |
| Montezuma Bald Cypress | Taxodium mucronatum |
| Possumhaw Holly | Ilex decidua |
| Retama | Parkinsonia aculeate |
| Southern Magnolia | Magnolia grandiflora |
| Water Oak | Quercus nigra |
| Willow Oak | Quercus phellos |
| Yaupon Holly | Ilex vomintoria |

Palms

| Common Name | Scientific Name |
|---|---|
| Date Palm | Phoenix dactylifera |
| Mexican Fan Palm | Washingtonia robusta |
| Sago Palm | Cycas revoluta |
| Texas Sabal Palm | Sabal texana |

Shrubs

| Common Name | Scientific Name |
|---|---|
| Common Oleander | Nerium oleander |
| Coppertone Loquat | Eriobotrya japonica ‘Coppertone’ |
| Coppertone Loquat | Eriobotrya japonica ‘Coppertone’ |
| Dwarf Crepemyrtle | Lagerstroemia indica dwarf cv. |
| Dwarf Oleander | Nerium oleander 'dwarf' |
| Dwarf Yaupon Holly | Ilex vomitoria 'dwarf' |
| Earthkind Rose Varieties | Rosa sp. (Earthkind) |
| Flame Acanthus | Anisacanthus quadrifidus var. |
| Indian Hawthorn 'Clara' | Raphiolepis indica 'clara' |
| Orange Zexmenia | Wedelia hispida |
| Prostrate Juniper | Juniperus prostrata |
| Southern Waxmyrtle | Myrica cerifera |
| Texas Sage | Leucophyllum spp. |
| Turk's Cap | Malvaviscus drummondii |

Perennials

| Common Name | Scientific Name |
|---|---|
| Bicolor Iris | Dietes bicolor |
| Blue Plumbago | Plumbago auriculata |
| Butterfly Iris | Dietes vegata |
| Canna sp. | Canna x generalis |
| Evergreen Daylily | Hemerocallis sp. |
| Firecracker Plant | Russelia equisetiformis |
| Lantana sp. | Lantana spp. |
| Louisiana Iris | Iris sp. |
| Mexican Heather | Cuphea hyssopifolia |
| Orange zexmania | Wedelia hispida |
| Prostrate Rosemary | Rosmarinus officianalis 'prostrata' |
| Purple Heart | Setcreasea pallida |
| Variegated Ginger | Alpinia zerumbet ‘Variegata’ |

Groundcovers & Ferns

| Common Name | Scientific Name |
|---|---|
| Asian Jasmine | Trachelospermum asiaticum |
| Bigblue Liriope | L. muscari - 'Bigblue' |
| Creeping Daisy | Wedelia trilobata |
| Liriope | Liriope sp. |
| Ophiopogon japonica | Monkey grass |
| Prostrate Juniper | Juniperus prostrata |
| Sword fern | Polystichum munitum |
| Trailing Lantana | Lantana montevidenisis |

Grasses

| Common Name | Scientific Name |
|---|---|
| Fountain Grass | Miscanthus sinensis |
| Gulf Coast Muhly | Muhlenbergia capillaris |
| Lindheimer Muhly | Muhlenbergia lindheimeri |
| Purple Fountain Grass | Pennisetum scatceium 'Rubrum' |

Vines

| Common Name | Scientific Name |
|---|---|
| Cape Honeysuckle | Tecomaria capensis |
| Carolina Jessamine | Gelsemium sempervirens |
| Coral Honeysuckle | Lonicera sempervirens |
| Chinese Starjasmine | Trachelospermum jasminoides |

Cacti & Succulents

| Common Name | Scientific Name |
|---|---|
| Agave Americana | Century Plant |
| Dasylirion texanum | Texas sotol |
| Dasylirion wheeleri | Gray sotol |
| Red Yucca | Hesperaloe parviflora |
| Spineless prickly pear | Opuntia ellisiana |