

NOTICE OF A TELECONFERENCE PLANNING DEVELOPMENT AND ZONING MEETING

May 24, 2021

7:00 PM

Notice is hereby given that Planning Development and Zoning will meet VIA TELECONFERENCE. This meeting is to consider and if appropriate, take action with respect to the items listed below.

This meeting will be open to the public via teleconference

City Hall will be CLOSED to the public.

A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code.

Members of the public are entitled to participate remotely via Microsoft Teams Teleconferencing.

Citizens may join the Meeting (in listen mode only) by calling 210-469-0207 or Toll Free 1-877-257-2190 and entering the Meeting ID: 643 222 715#

To view the agenda for this meeting visit our website at www.cityofmanvel.com.

A recording of the telephone meeting will be made and available to the public in accordance with the Open Meetings Act upon written request.

***Members of the public who wish to submit written comments on a listed agenda item must submit their comments via the Public Comment Request Form found on the city website www.cityofmanvel.com or by emailing tbell@cityofmanvel.com or by calling 281-489-0630 x6 for staff assistance.

***All Public Comment Requests must be received before 6:00 p.m., May 24, 2021.

Regular Session

Call to Order

Roll Call

Pos #1 Ryan Miller 3/2023

Pos #2 Kyle Marasckin 3/2023

Pos #3 Christine Diaz 3/2023

Pos #4 Alina Rogers 3/2023

Pos #5 Christy Kennard 3/2022

Pos #6 Dorothy Wynne 3/2022

Pos #7 Muhammed Alam 3/2022

Pledge

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Citizen Comments: "Comment Card" Required

***Members of the public who wish to submit written comments on a listed agenda item must submit their comments via the Public Comment Request Form found on the city website www.cityofmanvel.com or by emailing tbell@cityofmanvel.com or by calling 281-489-0630 x6 for staff assistance.

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 24.7282 ACRES LOCATED IN THE SOUTHWEST CORNER OF CROIX ROAD AND STATE HIGHWAY 288, MANVEL, TEXAS, FROM SINGLE FAMILY RESIDENTIAL DISTRICT (SFR) TO HEAVY COMMERCIAL DISTRICT (HC); PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 437.869 ACRES GENERALLY BOUNDED BY DEL BELLO BOULEVARD RIGHT-OF-WAY (NORTH), POLLARD DRIVE RIGHT-OF-WAY (EAST), MANVEL PARKWAY/IOWA LANE RIGHT-OF-WAYS (WEST), AND STATE HIGHWAY 6 (SOUTH), MANVEL, TEXAS, FROM OPEN-SINGLE FAMILY RESIDENTIAL DISTRICT (O-SFR) TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD); PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Consent Agenda

All Consent Agenda items listed are considered to be routine by the Planning Development and Zoning Commission and will be approved by one motion. There will be no separate discussion of these items unless a City Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in sequence on the Agenda.

- A. Approve PD&Z Minutes to date.
- B. Approve, Final Plat of Pomona Water Plant No. 2;
BEING A SUBDIVISION OF 3.283 ACRES OF LAND IN THE H.T. & B.R.R. CO. SURVEY, SECTION 78 (A.K.A) J.S. TALMAGE SURVEY, ABSTRACT 563, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 1 OF SECTION 78 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS.

Regular Agenda

- 1. Approve and forward with recommendation to City Council, Preliminary Plat for Meridiana Section 25A;
BEING A SUBDIVISION OF 19.49 ACRES, BEING A PARTIAL REPLAT OF LOTS 17 & 18, BLOCK 1, OF LULLING STONE SECTION 1, AS RECORDED AT VOLUME 21, PAGES 267-270, BRAZORIA COUNTY PLAT RECORDS, CITY OF MANVEL, BRAZORIA
- 2. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance 2021-O-17;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND 24.7282 ACRES LOCATED AT THE SOUTHWEST CORNER OF

5-24-2021 PLANNING DEVELOPMENT AND ZONING AGENDA

CROIX ROAD AND STATE HIGHWAY 288, SITUATED IN THE A.C.H. & B. CO. SURVEY, A-459 OF BRAZORIA COUNTY, TEXAS, AND BEING A PART OF SIXTY-FIVE (65) ACRE TRACT OF LAND AS RECORDED IN VOLUME 283, PAGE 617 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS, FROM SINGLE FAMILY RESIDENTIAL (SFR) DISTRICT TO LIGHT COMMERCIAL (LC) DISTRICT; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Adjourn

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the City of Manvel is true and correct; and that I posted such notice on the bulletin board at the Manvel City Hall. A place convenient and readily accessible to the public on May 21, 2021 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.

Tammy Bell
City Secretary



MANVEL PD&Z DATA SHEET

MEETING DATE: May 24, 2021

TOPIC: Public hearing regarding amending the zoning ordinance by changing the zoning classification of 437.869 acres of land generally bounded by Del Bello Boulevard right-of-way (north), Pollard Drive right-of-way (east), Manvel Parkway/Iowa Lane rights-of-way (west), and State Highway 6 (south), Manvel, Texas, from Open-Single Family Residential (O-SFR) District to Planned Unit Development (PUD) District.

BACKGROUND: On May 4, 2021, the developer submitted the PUD document to City staff for review. City staff provided comments back to the developer on May 18, 2021. When the PUD document is ready for presentation to the Commission, it will be brought back for a consideration and action to the City Council.

RECOMMENDATION: City staff does not have a recommendation to provide at this time. The PUD document is still under review.

ATTACHMENTS: Proposed PUD Document (does not address City staff comments)

FUNDING ISSUES

- ☒ Not applicable
- ☐ Not budgeted
- ☐ Full amount already budgeted
- ☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Jessica Rodriguez

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____

Sowell
Planned Unit Development

Prepared for:
Hillwood Residential, L.P.

Prepared by:



3600 W. Sam Houston Pkwy S, Suite 600
Houston, Texas 77042

May 2021

I. INTRODUCTION	Page 3
II. PROJECT DESCRIPTION	Page 4
1. Land Use / Regulatory Compliance	Page 4
2. Justification	Page 4
3. Single-Family Residential	Page 4
4. Drill Site	Page 4
5. Elementary School Site	Page 4
6. Parks and Open Space	Page 4
a. Compliance with Parks Ordinance	Page 5
7. Other Land Uses	Page 5
III. ZONING	Page 6
1. Proposed Zoning	Page 6
2. Acreage per Land Use Summary	Page 6
3. Single-Family Residential Lot Distribution Table.....	Page 7
4. Land Use / Regulatory Compliance	Page 7
IV. DEVELOPMENT REGULATIONS	Page 8
1. Architectural Regulations	Page 8
2. Street and Circulation System	Page 8
3. Traditional Single-Family	Page 8
4. Single-Family Specialty Product	Page 9
5. Streets	Page 10
6. Mixed-Use	Page 11
7. Signage	Page 11
8. Trails	Page 11
9. Utilities	Page 12
V. PHASING / DEVELOPMENT SCHEDULE	Page 12

EXHIBITS

Exhibit A - Area Location Exhibit
 Exhibit B – Project Aerial Exhibit
 Exhibit C – Survey
 Exhibit D - Legal Description
 Exhibit E - Conceptual Land Use Exhibit
 Exhibit F - Zoning Categories Exhibit
 Exhibit G - Conceptual Roadway Exhibit
 Exhibit H - Conceptual Amenities and Open Space Exhibit
 Exhibit I - Phasing Exhibit
 Exhibit J – Conceptual Project Signage Exhibit
 Exhibit K – Conceptual Signage Location Exhibit

I. INTRODUCTION

This application was prepared on behalf of Hillwood Residential, L.P. pursuant to the City of Manvel's zoning ordinance Sec. 77-29 Planned Unit Development District (PUD) district. The purpose of a PUD District is to provide a high level of amenities, encourage a pedestrian friendly environment, and provide flexibility in the development of land subject to the development standards coordinated with the necessary public services and facilities.

The Sowell PUD is primarily a residential project that consists of approximately 438.393 acres of land and is located immediately east of State Highway 288, north of Highway 6, south of County Road 58, and generally west of Farm-to-Market 1128. The Area Location Map (Exhibit A) located in the Exhibits section of this document illustrates the location of the property.

The property is generally flat with elevations ranging from 44 feet to 60 feet and is largely comprised of prairie land and agricultural fields. The property is encumbered by several existing east-west pipeline easements and Chocolate Bayou which runs in a north-south in the western portion of the property. The MUD 43 Drainage Easement and a portion of the Brazos River Authority controlled drainage easement, at approximately 125' in width, runs north-south along the western property boundary.

Generally, the surrounding land use is a mix of undeveloped acreage to the southwest, some large lot residential to the north, and standard single-family residential developments to the northwest, southeast, and south. The single-family residential developments are Bluewater Lakes to the south, Lakeland to the southeast, and Del Bello Lakes to the west. To the southeast lies Manvel Junior High and High School located at the intersection of State Highway 6 and McCoy Road. The future location of the Manvel City Center directly abuts the northwestern boundary of a portion of the development, south of Del Bello Boulevard.

The surrounding area can be seen on the Area Map and the Project Aerial map (Exhibit A and B).

II. PROJECT DESCRIPTION

1. Compliance with Comprehensive Plan

The Sowell PUD complies with the Manvel Comprehensive Plan by adhering to the development principles as outlined in the plan. This is accomplished by encouraging well-planned quality commercial and residential development; providing open space for recreation and protecting the natural environment; and offering a variety of housing choices. The Sowell PUD has a well-defined network of both vehicular and pedestrian circulation systems that provide connectivity, not only to the project itself, but to existing developments to the south and west as well as to the future Manvel City Center. The diversity of housing types varies from the traditional single-family subdivision to higher density single-family specialty products that ensure residents of all ages can fulfill their housing needs. The development of an internal parks system includes a recreation center, smaller parks, and significant open space areas that will help to provide for the City's future open space needs.

2. Justification

The intent of the PUD District is to encourage high quality development in the City by providing additional flexibility to take advantage of special site characteristics, location, or land uses. This document establishes various development standards that exceed the minimum requirements for properties specifically located within the boundaries of the Sowell PUD.

The PUD will meet or exceed the minimum requirements of Manvel's ordinances through specific,

architectural design and engineering standards such as:

- Creating a PUD district which will respond to market conditions and maintain the flexibility necessary to address changes in the future;
- Incorporating unique single-family specialty products that will provide a variety of housing stock to ensure residents of all ages and needs can fulfill their housing requirements;
- Providing a recreation center, parks, amenitized detention areas, and a well-defined trail system;
- Facilitating and complying with the amended Major Thoroughfare plans to provide sufficient connectivity throughout the project for vehicular and pedestrian activity.

3. Single-Family Residential

The traditional single-family residential component that will be found throughout the Sowell PUD will be a collection of individual neighborhood cells that take their access from Dogwood Avenue, Charlotte Street and Pollard Boulevard, and/or an internal local street system that provides connections within the neighborhood and to the surrounding areas. The traditional single-family residential cells will be developed with varying lot sizes and product types to respond to market conditions.

The single-family specialty products will provide unique types of residential development that is less than fifty feet in width that may include front loaded products, rear loaded or alley products, townhome alley products, and/or “zipper” lots (single-family lots with detached garages in alternating depths). The single-family specialty products cells will be developed with varying lot sizes and product types to respond to market conditions.

4. Drill Site

A 4.2-acre drill site is located on the southeast side of the intersection of Pollard Boulevard and the future Charlotte Street extension. The drill site will be used as open space area unless or until the mineral rights owners elect to exercise their drilling rights. The size and location of any drilling facility associated with the extraction of oil and gas shown in any plans of this document shall be conceptual until a permit is issued by the City of Manvel in accordance with Chapter 35, of the City of Manvel Code of Ordinances. This open space area shall not be calculated towards the Land Park Dedication requirement. Should Hillwood Residential, L.P. acquire the mineral rights and request removal of a drill site designation, the site may be converted to a park or single-family residential uses (See Section II.2, Single-Family Residential Lot Distribution Table). If it is converted to a park, that acreage shall be applied to the parkland dedication requirements.

5. Potential School Site

The project is located within the Alvin Independent School District. The size and the location of the proposed school site will be coordinated between the developer and the school district. In the event that Alvin Independent School District does not purchase the proposed school site, the developer may convert the site to single-family residential uses (See Section II.2, Single-Family Residential Lot Distribution Table).

6. Parks and Open Space

The Sowell PUD Conceptual Amenities and Open Space Plan (Exhibit H), shows a recreation center, parks, lakes, and various open space areas all connected via a pedestrian trail system. The proposed recreation center, located to the west of Pollard Boulevard, may contain active amenities such as water based recreational activities with commonly associated facilities, an active play area for children, a

parking area, and other passive amenities. In the event that a “splash pad” type amenity is installed, a water recirculation system will also be installed for the purpose of water conservation. The two parks will have more passive facilities. Two of the lakes, designated B-06 and D-03, may have active amenity features such as a kayak launch and fishing facilities. All land which is dedicated for the purpose of fulfilling the parks requirement will be developed with some form of either passive or active facilities. The various parks, recreation center, and trails will be developed as the adjacent residential sections are developed.

The pedestrian trail system will be comprised of a hierarchy of trail widths ranging from twelve feet (12') in width to five feet (5') in width; all other sidewalks located in front of homes will be four feet in width.

The lakes within the Sowell PUD will maintain a constant water level while also serving as detention facilities for the project and provide a significant amount of open space. The detention areas will not only enhance the aesthetic quality of the development but will provide numerous opportunities for the enjoyment of the residents.

a. Compliance with Parks Ordinance

Per the City of Manvel parks requirement, there shall be a minimum of one (1) acre of park land for every 100 proposed dwelling units dedicated for the use of parks. Based upon the estimated number of dwelling units, the Sowell PUD will be required to provide approximately ± 11 acres of park space. The parks requirement will be fulfilled with the dedication of a ± 3.0 acre recreation center, ± 2.8 acres of parks, ± 25.4 acres of lakes (lakes B-06 and D-03 at 25% credit or ± 6.3 acres), as well as a well-defined trail system located throughout the development.

7. Other Land Uses

The Sowell PUD has three commercial sites located throughout the development; ± 4.5 acre and ± 2.6 acre commercial sites located at the southeast and southwest corners of Del Bello Boulevard and Pollard Boulevard, and a ± 2.2 acre commercial site located at the northwest corner of Pollard Boulevard and Dogwood Avenue. It is anticipated that the commercial developments will largely be neighborhood retail in nature.

The ± 9.1 acre mixed-use tract, found on the north side of Del Bello Boulevard, will be developed as a mixed-use site and will likely have a mix of retail, office uses, and single-family specialty products.

A ± 9.1 acre flex tract which is located to the east of the above referenced mixed-use tract can be purchased by the city to enhance and expand the future Manvel City Center. If the City does not exercise its option to purchase the tract, the flex tract may be developed as a mixed-use development (as defined in Section IV.4) by the developer.

III. ZONING

To implement the Conceptual Land Use Plan, the base zoning district will be SFR with a PUD overlay with each of the proposed land uses being assigned a zoning district as shown on the Composition of Land Use Table. The various land uses will follow the development requirements for their assigned zoning district as described in the Zoning Ordinance, as of the Effective Date, unless otherwise noted throughout this PUD.

The land uses may be relocated within the boundaries of the PUD, as necessary to address economic and market conditions or future modification of roadway and drainage alignments. The Land Use Comparison table below provides a detailed tabulation of each land use within the development.

1. Acreage per Land Use Summary

Land Use	Zoning District	Approximate Acreage	% Gross Acreage
Constraints			
Major Thoroughfare & Collector Roadways	SFR	34.9	
Existing Utility & Canal Easements	SFR	22.3	
Detention & Lakes	SFR	76.0	
Chocolate Bayou	SFR	7.2	
Drill Site	SFR	4.2	
Subtotal		144.6	33.0%
Community Elements			
Recreation Center & Parks	SFR	5.8	
Elementary School	SFR	15.1	
Landscape/Open Space	SFR	9.2	
Flex Tract	LC	9.1	
Subtotal		39.2	10.0%
Commercial			
Commercial & Mixed-Use	LC	18.4	
Subtotal		18.4	3.1%
Single-Family Residential			
Single-Family Residential	SFR	236.2	
Subtotal		236.2	53.9%
Totals		438.4	100.0%

2. Single-Family Residential Lot Distribution Table

Land Use	Allowable Percentage
50' X 120' (Typical)	30%
60' X 120' (Typical)	30%
70' X 130' (Typical)	10%
Specialty Product	30%
Gross Residential Total	100%

Refer to Section IV.3, of this document for a listing of lot sizes and applicable standards for the single-family specialty product category. The 50' lots and Specialty Products shall not exceed a total of 60% of the total lot count in the project; the 60' lots and 70' lots may each be increased by an additional 10% of the total lot percentage. There shall be an allowance of 2% variability in the percentages to allow for issues arising from physical and development constraints. Additionally, if the drill site and/or the school site is converted to a residential use (See Section II.4 and II.5), any of the lot sizes shown on the table above may be used provided that the percentage ratio of the various lot sizes shall not be modified.

3. Land Use / Regulatory Compliance

In order to implement the conceptual master plan as currently proposed, each of the proposed land uses has been assigned zoning categories consistent with the current City of Manvel zoning regulations. The assigned zoning designations and the total acreage for each are as follows (see Zoning Categories Exhibit, Exhibit F):

Zoning Designation	Acreage	% of Gross Acreage
Light Commercial (LC)	27.5	6.3%
Single-Family Residential (SFR)	411.0	93.7%
Total	438.5	100.0%

Land use shall be regulated on a total acreage basis. Each Land Use may be increased or decreased in acreage by up to 15% of the total gross acreage. The percentage land use area change is required to ensure the success of the Sowell PUD by maintaining the flexibility to modify land use sizes in response to changes in economic and market conditions. This will allow Sowell PUD to remain competitive in the real estate market over the life of the project and the ability to adjust as necessary to accommodate specific end users in a timely manner.

IV. DEVELOPMENT REGULATIONS

Unless otherwise outlined in this document, all City of Manvel Subdivision and Zoning regulations in place at the time this document is adopted shall apply to this PUD. This PUD shall remain the governing document of the development. Consistent with provisions specified in the PUD ordinance, the future development of the subdivision will be governed by the layout, design, and general conditions as approved in this document and exhibits. Additional roadways, roadway alignments, or land uses shall not be required of this development as a result of future changes to the City's comprehensive plan or ordinances.

1. Architectural Standards

Builder Guidelines may be included with the Master Plan submittal to help protect the integrity of the residential and commercial development.

2. Street and Circulation System

The Sowell PUD will have sufficient mobility through the construction of several proposed roadways:

- a. Pollard Boulevard, a 120' wide thoroughfare running north-south through the property from its connection to Del Bello Boulevard in the north to its existing location in Bluewater Lakes;
- b. Del Bello Boulevard, a 120' wide thoroughfare that lies along the northern side of the future Manvel City Center. The existing thoroughfare connects to State Highway 288 to the west.
- c. Dogwood Avenue, an 80' collector road that runs east-west just to the south of the future Manvel City Center;
- d. Charlotte Street, a 60' collector road that runs east-west in the southern portion of the Sowell PUD.

The thoroughfare and circulation plan for Sowell PUD and the surrounding vicinity is illustrated on the Conceptual Roadway Exhibit (Exhibit G).

3. Traditional Single-Family

Lot Sizes and Standards:

- a. Minimum lot size area: 5,750
- b. Minimum width – 50' (measured at the front building line)
- c. Front building line – 20' minimum
- d. Side yard setback – 5' minimum
- e. Corner side yard setback – 10' minimum
- f. Garage front building line – 25' minimum
- g. Rear building line – 15' minimum

4. Single-Family Specialty Product

It is not required that the single-family specialty products be developed at the same time or by the same developer.

Lot Sizes and Standards:

- a. Front loaded detached lots:
 - i. Minimum width – 42' (measured at the building line)
 - ii. Minimum depth – 120'
 - iii. Front building line – 20' minimum
 - iv. Garage front building line – 25' minimum
 - v. Rear building line – 15' minimum
- b. Rear loaded (alley) detached lots:
 - i. Minimum width – 35' (measured at the building line)
 - ii. Minimum depth – 100'
 - iii. Front building line – 15' minimum
 - iv. Rear building line – 10' minimum
 - v. Alley width – 20'
- c. Rear loaded (alley) attached lots:
 - i. Minimum width – 28' (measured at the building line)
 - ii. Minimum depth – 90'
 - iii. Front building line – 15' minimum
 - iv. Rear building line – 10' minimum
 - v. Alley width – 20'
 - vi. Common walls allowed on one side
- d. Rear loaded (alley) townhome lots:
 - i. Minimum width – 25' (measured at the building line)
 - ii. Minimum depth – 90'
 - iii. Front building line – 15' minimum
 - iv. Rear building line – 10' minimum
 - v. Alley width – 20'
 - vi. Common walls allowed on both sides
- e. Zipper lots (single-family lots with alternating depth detached garages):
 - i. Minimum width – 25' (measured at the building line)
 - ii. Minimum depth – 120'
 - iii. Front building line – 20' minimum
 - iv. Rear building line – 10' minimum
 - v. Side setback – 5' minimum

- vi. Garage building line – 25' minimum
 - 1. If the garage is set to the minimum of 25', then the adjacent lot shall have a minimum setback of 50'.
 - vii. Garage side setback – 0' with a minimum of 10' of separation from structures on the adjacent lot. Garage structures located less than four feet from the lot line shall have a "private four-foot perpetual drainage and maintenance easement" provided on the adjacent property.
- f. Patio & Zero Lot Line Homes
- i. Minimum width – 50' (measured at the building line)
 - ii. Minimum depth – 120'
 - iii. Front building line – 20' minimum
 - iv. Garage front building line – 25' minimum
 - v. Rear building line – 15' minimum
 - vi. A minimum of 0' to 5' on one side yard and 5' to 10' on the other side yard, with an aggregate minimum side yard setback of 10' between the two lots.
 - vii. In no case shall units on adjoining lots be separated by less than 10 feet in width unless fire rated walls are used, then a 6' setback can be used.
 - viii. Patio home structures located less than four feet from the lot line shall have a "private four-foot perpetual drainage and maintenance easement" provided on the adjacent property.

5. Streets

The development will provide points of access as required by Streets, Section 62-104(5) Multiple access points with the following modifications:

- a. Two point of access. There shall be a minimum two points of access from a collector street into a subdivision or subdivision phase, up to a maximum of 75 platted lots. A boulevard may be used as a second point of access to satisfy this requirement with the condition that an additional point of access is provided to a future residential section.
- b. Three points of access. There shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.
- c. Four points of access. There shall be a minimum of four points of access from a collector street in a subdivision or subdivision phase for 176 platted lots or greater.
- d. Boulevard entries. A boulevard entry may only be considered as two points of access when a third or fourth point of access is triggered under subsection b., Three points of access or c. Four points of access, above;

6. Mixed-Use

The Mixed-Use area is intended to provide neighborhood-scaled, pedestrian-oriented mixed-use development with single-family specialty products, retail, service, and office uses. The allowed uses within this area shall include any uses listed in the Light Commercial (LC) and Single-Family Residential (SFR) zoning districts in conjunction with the single-family specialty product standards listed in Section IV.3.

7. Signage

The proposed locations for the project signage can be found in the Conceptual Project Signage Exhibit (Exhibit K). All signage within the development will be in accordance with the Manvel City Sign Ordinance except for the items listed below. When there is a conflict between the requirements in the sign ordinance and this PUD Document, this PUD document will govern.

- a. Primary Entry Monument: Twenty-five feet (25') tall with two, twenty-foot by twenty-foot (20'x20') towers footprint and an attached or isolated sign blade wall with a maximum size of ten feet tall by one hundred feet in length (10'x100'). These signs will be placed at the major entry points to the project.
- b. Secondary Entry Monument: Twelve feet (12') tall with a twelve-foot by twelve-foot (12'x12') tower footprint and an attached or isolated sign blade wall with a maximum size of eight feet tall by thirty-five feet in length (8'x35'). These signs will be placed at the secondary entry points to the project.
- c. Section Monument: Eight feet (8') tall with a six-foot by six-foot (6'x6') tower footprint and an attached or isolated sign blade wall with a maximum size of eight feet tall by twenty feet in length (8'x20'). These signs will be placed at the entry points to various residential sections or significant commercial/mixed-use developments within the project.
- d. Internal Identifier Monument: Eight feet (8') tall with a six-foot by six-foot (6'x6') tower footprint. These signs will be placed at various locations on the perimeter of the project.
- e. Temporary Construction Signs: To be used during construction of the development. These signs recognize builders, architects, engineers, leasing representatives, lenders, etc., and shall be displayed on one (1) 4' x 8' vertical sign per parcel of land. All temporary signs must be removed when the principle building on the applicable building site is occupied.
- f. Temporary Builder Signs: Used to direct potential home buyers to various neighborhoods and/or model homes. These temporary signs may be installed within the development and on two offsite corridors: one along Pollard Boulevard from State Highway 6 and the other along Del Bello Boulevard from State Highway 288 to Pollard Boulevard. (See Conceptual Signage Location Exhibit, Exhibit K). These signs may remain for the duration of the single-family residential home building construction within the project.

8. Trails

The pedestrian pathway system, which is illustrated on the Conceptual Amenities and Open Space Plan (Exhibit H), will use a combination of twelve foot (12') wide and eight foot wide (8') primary trails with six-foot wide (6') secondary trails to serve the residents of the project and provide multiple pedestrian connections. The trails system will provide easy and safe pedestrian access to the various parks, the

recreation center, commercial tracts, single-family residential areas, and the school located within the project.

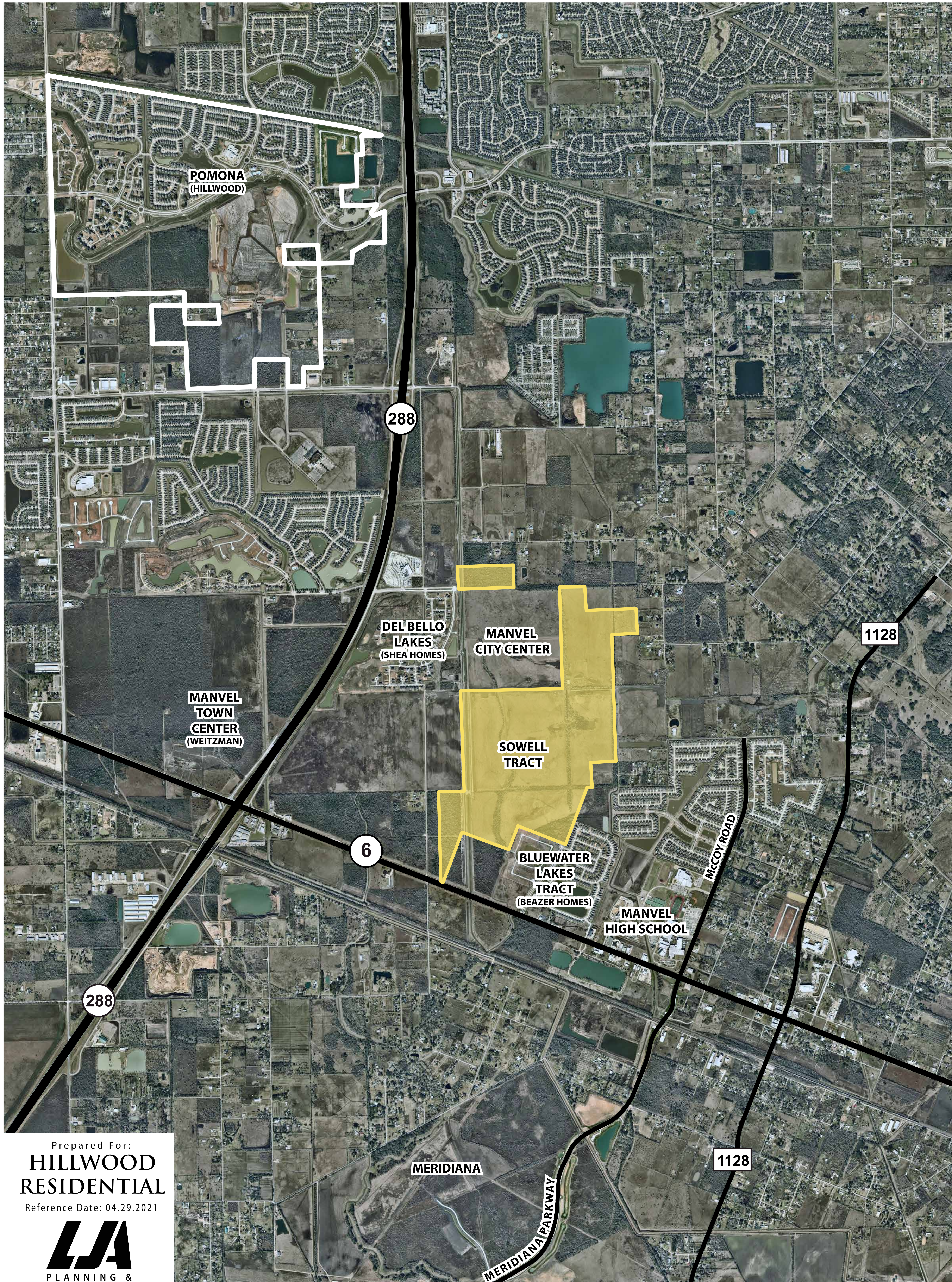
9. Utilities

Utilities will be provided by a Municipal Utility District pursuant to a Utility Agreement with the City of Manvel.

V. PHASING / DEVELOPMENT SCHEDULE

The first phase of the project will be south of Del Bello Boulevard and Pollard Boulevard, working from the north to south as the project proceeds, as shown on the Phasing Exhibit (Exhibit J). The location and timing of future phases will be dependent upon market conditions and is subject to change. Commercial development will be driven by market conditions.

The construction of certain nonresidential buildings, including sales offices, builder/developer construction offices, and trailers for voter homes, shall be allowed to be located on the site throughout the duration of the project. A recorded final plat and/or permanent access shall not be required. Construction of model homes and community recreation buildings prior to the recordation of the final plat, but after permanent access is available, shall be allowed.



Prepared For:
**HILLWOOD
RESIDENTIAL**
Reference Date: 04.29.2021

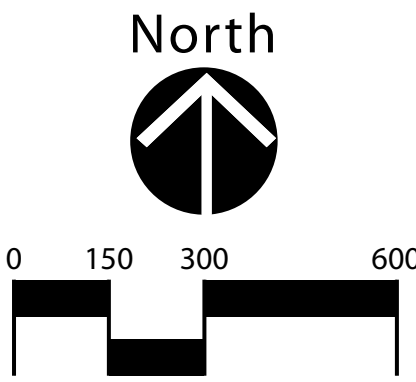


3600 W. Sam Houston Pkwy S, Suite 600
Houston, Texas 77042
713.953.5200

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EXHIBIT A
Planned Unit Development
Area Location Exhibit
SOWELL TRACT
±438.4 Acres of Land
Manvel, Texas





Prepared For:
**HILLWOOD
RESIDENTIAL**

Reference Date: 04.29.2021

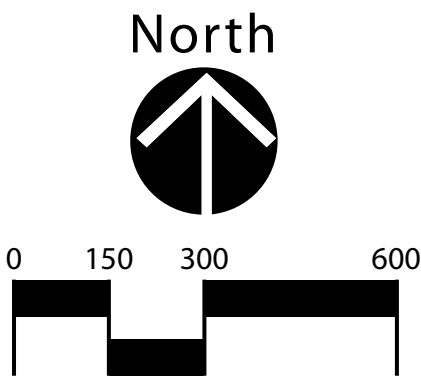


3600 W. Sam Houston Pkwy S, Suite 600
Houston, Texas 77042
713.953.5200

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EXHIBIT B

Planned Unit Development
Project Aerial Exhibit
SOWELL TRACT
±438.4 Acres of Land
Manvel, Texas



		SUBJECT BOUNDARY LINE.
		CONTROL MONUMENT LINE.
		EXISTING BARBED-WIRE FENCE.
		EXISTING PIPELINE.
		EXISTING OVERHEAD POWER.
B.C.P.R.		BRAZORIA COUNTY PLAT RECORDS.
B.C.C.F. NO.		BRAZORIA COUNTY CLERK'S FILE NUMBER.
H.T.4B. R.R. CO.		H.T.4B. RAILROAD COMPANY.
VOL.		VOLUME.
PG.		PAGE.
B.C.D.R.		BRAZORIA COUNTY DEED RECORDS.
B.C.D.C.R.		BRAZORIA COUNTY DISTRICT COURT RECORDS.
B.C.O.R.		BRAZORIA COUNTY OFFICIAL RECORDS.
P.T.P.		PINCHED TOP PIPE.
A-301		ABSTRACT 301.
A-459		ABSTRACT 459.
A-460		ABSTRACT 460.
A-469		ABSTRACT 469.
		ENTERPRISE PIPELINE MARKER (1-800-220-1056).
		TEXAS RAILROAD COMMISSION (DRY BORE-SEE NOTE 7).
		METAL PIPE FILLED WITH CONCRETE.
		POWER POLE.
		GUY ANCHOR.

		PARCEL "A" OVERLAP (LOT 1).
		PARCEL "B" OVERLAP (LOT 3 and 4).
		ENTERPRISE CRUDE EASEMENT PARCEL OVERLAP (LOT 5).
		BARN.
		PARCEL "1" OVERLAP (LOT 6, 7 and 8).
		PARCEL "2" OVERLAP (LOT 5 and 6).
		ADJOINING PROPOSED CITY PARCEL

NOTES

1. ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, AS DEFINED BY ARTICLE 21.071 OF THE NATURAL RESOURCES CODE OF THE STATE OF TEXAS, 1983 DATUM (2011 ADJUSTMENT) EPOCH 2010.00. ALL DISTANCES ARE GROUND DISTANCES. SCALE FACTOR = 0.999867239. THE EAST LINE OF SECTION 73 (CENTERLINE OF POLLARD DRIVE) WAS HELD FOR HORIZONTAL DIRECTIONAL CONTROL.

2. THE LOCATION OF ALL IMPROVEMENTS INCLUDING UTILITIES SHOULD BE FIELD VERIFIED BY ALL APPLICABLE CONTRACTORS BEFORE ANY AND ALL CONSTRUCTION MAY COMMENCE. THE LOCATION OF UNDERGROUND UTILITIES WAS NOT WITHIN THE SCOPE OF THIS SURVEY.

3. THE SURVEYOR HAS NOT PERFORMED AN ABSTRACT OF TITLE, THERE MAY BE OTHER MATTERS WHICH APPLY NOT REFLECTED UPON THIS SURVEY.

4. THE SURVEYOR HAS NOT ABSTRACTED THIS PROPERTY. AT THE REQUEST OF THE CLIENT, THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT/REPORT. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, BUILDING LINES AND/OR ORDINANCES NOT CONTAINED UNDER THE CURRENT DEED OF RECORD.

5. THE SUBJECT PROPERTY LIES PARTIALLY WITHIN ZONE "X" AND PARTIALLY IN ZONE "AO" (2' DEPTH), AS DETERMINED BY FEMA, PER SCALING ON FLOOD INSURANCE RATE MAP No. 48039C0110 H, MAP REVISED JUNE 5, 1989. THIS INFORMATION IS FOR FLOOD INSURANCE PURPOSES ONLY AND WILL NOT IDENTIFY ANY SPECIFIC POSSIBLE FLOODING HAZARDS.

6. REGARDING TEXAS RAILROAD COMMISSION DRY BORE, NO PHYSICAL EVIDENCE WAS FOUND ON THE GROUND AND LOCATION IS BASED ON INFORMATION FOUND OF RECORD WITH THE TEXAS RAILROAD COMMISSION, AS PER THEIR WEBSITE.

7. PROPERTY IS SUBJECT TO A SHORT FORM BLANKET EASEMENT FOR CERTAIN UTILITIES AS DESCRIBED IN B.C.C.F. NO. 2018000568.

8. PROPERTY IS SUBJECT TO A SHORT FORM BLANKET EASEMENT FOR 3-PHASE OVERHEAD AND UNDERGROUND AS DESCRIBED IN B.C.C.F. NO 2017027417.

9. AS TO OUTLOT 180, THIS TRACT IS SUBJECT TO A 60' DRAINAGE EASEMENT, PER DEED RECORDED IN VOLUME 638, PAGE 127, B.C.D.R.; ABANDONED IN B.C.C.F. NO. 2017001402.

10. REVISED INTERIOR TEXT, PER ATTORNEY REQUEST - APRIL 16, 2018.

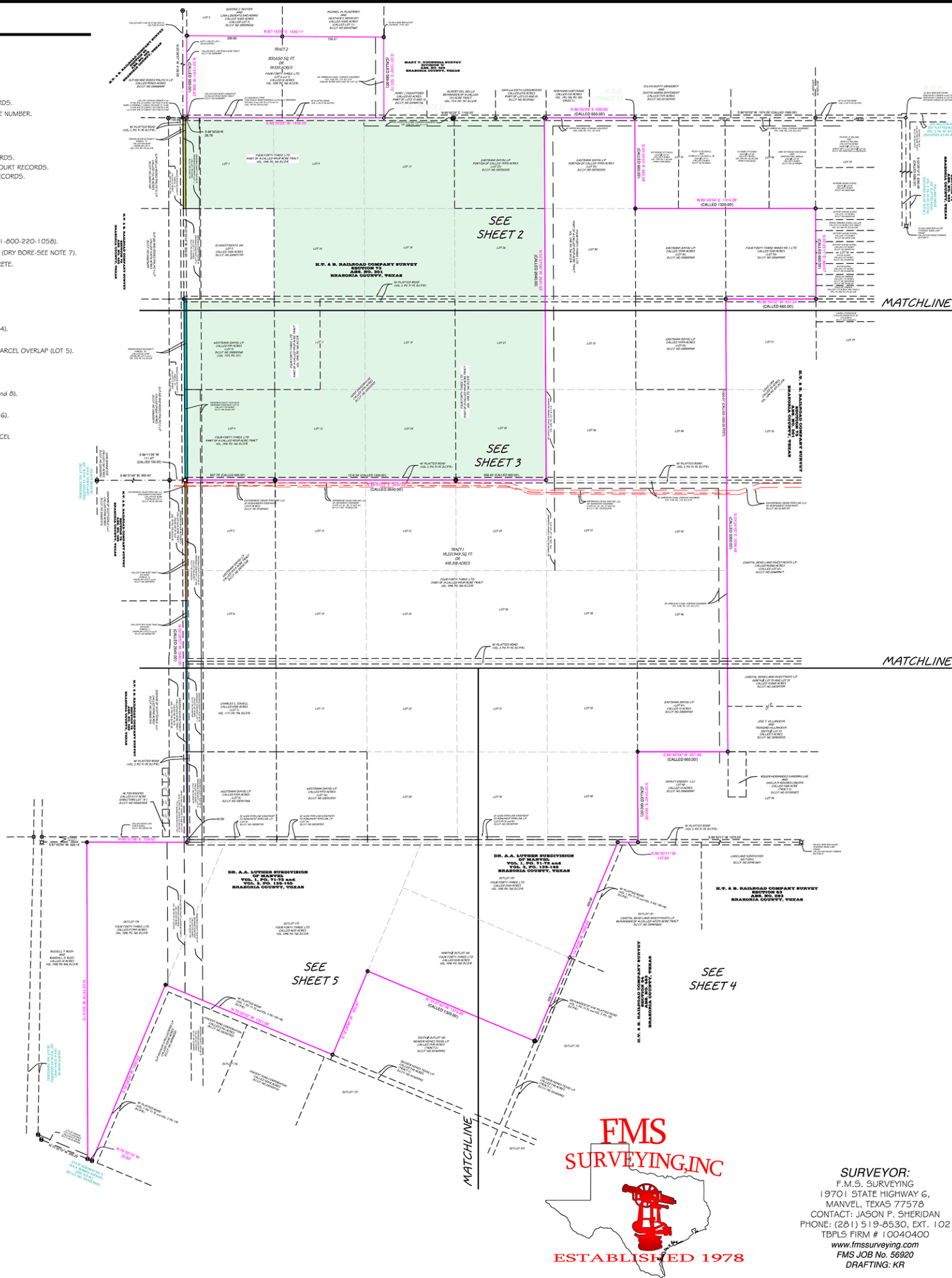
THIS ORIGINAL WORK IS PROTECTED UNDER COPYRIGHT LAWS, TITLE 17 UNITED STATES CODE SECTION 101 AND 102. ALL VIOLATORS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW. THIS SURVEY IS BEING PROVIDED SOLELY FOR THE USE OF THE RECIPIENTS NAMED AND NO LICENSE HAS BEEN CREATED, EXPRESS OR IMPLIED, TO COPY THE SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH ORIGINAL TRANSACTION, WHICH ALL TAKE PLACE WITHIN (30) DAYS FROM THE DATE SHOWN HEREON.

SURVEY FOR: ANDREW W. SOWELL (EXCLUSIVELY)

I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND, AND IN ACCORDANCE WITH THE INFORMATION PROVIDED TO ME, AND CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

PRELIMINARY, THIS DOCUMENT IS NOT TO BE
RECORDED FOR ANY PURPOSE AND SHALL
NOT BE USED OR VIEWED OR RELIED UPON
AS A FINAL DOCUMENT.

SCOTT R. SHERIDAN
REGISTERED PROFESSIONAL LAND SURVEYOR, No. 6171



**METES AND BOUNDS DESCRIPTION
OF
TRACT 1**

A 818.3816 (18221.949 square feet), being all of Lots 6, 7, 8, 13, 14, 15, 16, 22, 23, 24, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 and 50 of the Allison-Ricey Gulf Coast Home Company Subdivision Section 73, T.8 N. & R. Railroad Company Survey, Abstract 301, according to the map or plat thereof, recorded in Volume 2, Page 929 and 930, of the Plat Records of Brazoria County, Texas (B.C.P.R.) and being all of those certain tracts conveyed to Westbank Bay, Ltd. (page 1919) acts (Lots 5-6), recorded in Brazoria County Clerk's File Number (B.C.C.F. No. 2007021058, called: 929) acts (recorded in B.C.C.F. No. 2007017868 and called: 932) acts (Lot 16), recorded in B.C.C.F. No. 2007018701 and being all of that certain tract conveyed to Charles L. Sewell called: 998) acts (Lot 17), recorded in Volume 1177, Page 396, deed records of Brazoria County, Texas (B.C.D.R.) and being all of that certain tract conveyed to Charles L. Sewell called: 1000) acts (Lots 17-18), recorded in B.C.C.F. No. 2006043637 and being all of that certain tract conveyed to Forty-Three Acres, Inc., LTD., called: 1000) acts (Lot 50), recorded in B.C.C.F. No. 2006045403 and being all of that certain tract conveyed to Forty-Three Tracts, LTD. (called: 433) acts, recorded in Volume 1048, Page 760, B.C.D.R., with said 18221.949 square foot of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found at the Northeast corner of said Section 73 and an interior corner of the H.T. & B. Railroad Company Survey, Section 74, Abstract 493, recorded in Volume 2, Page 66, B.C.P.R.; and being at the centerline intersection of 600 Pollard Drive (as occupied) (Platted as 40 feet - Volume 2, Page 91 and 92, B.C.P.R.) and 600 Road Del Bello Boulevard (as occupied) (Platted as 40 feet - Volume 2, Page 66, B.C.P.R.), marking the northeast corner of the Michael D. Roland and Marcy D. Roland tract (called 5.46 acres), recorded in B.C.C.F. No. 2004072423 and 2007030104, the northwest corner of the Michael C. Black tract (called 4.00 acres), recorded in B.C.C.F. No. 96-015514 and the Northeast corner of said Section 73;

MENS 5 60°52'29" W, along and with the common line of lot 33 and 73 and 4 and centerline of said 40 foot platted road, at 6580.00 feet pass a point marking the southwest corner of Lot 1 of said Section 74 and the southeast corner of the Henry O'Donnell Survey, Division "C", Abstract 469, recorded in Volume 2, Page 91 and 92, B.C.R., from which a 5/8 inch iron rod with caps stamped "FMS" set, 3.98'48"33" W, 3.08 feet, continuing along and with the common line of Section 73 and Division "C" and centerline of said 40 foot platted road, a total distance of 1974.26 feet (called 1980.00 feet) to a 5/8 inch iron rod with caps stamped "FMS" set in the north line of Section 73, the north line of a 60 foot American Canal Company Easement, recorded in Volume 638, page 127, B.C.R., the south line of said Division "C", Abstract 469, the south line of the Sylvia Buffum Ogdens and Dustin Arner Different tract (called 13.93 acres), recorded in B.C.C.F. No. 2015050435, and the centerline of said 40' platted road, marking the northwest corner of the Katherine Ott Miles tract (called 5 acres), recorded in Volume 1459, Page 1, B.C.R., the northeast corner of said Eastbank Bayou, LP tract (Lot 33), and being the common corner of Lot 33 and 41 of said Section 73 at the most northerly Northwest corner and **POINT OF BEGINNING** of hereinafter described tract:

THENCE S 03°24'40" E, along and with the common line of said Lot 33 and 41, a distance of 660.58 feet (called 660.00 feet) to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, marking the southeast corner of said Eastbank Bayou, LP tract (Lot 33), the southwest corner of said Miles tract, the northwest corner of said Eastbank Bayou, LP tract (called 19.944 acres), an interior corner of herein described tract and being the common corner of Lots 33, 41, 42 and 34 of said Section 73;

THENCE N 86°49'54" E, along and with the common line of Lots 41, 42, 49 and 50 of said Section 73, a distance of 1314.38 feet (called 1320.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southeast corner of the Hereafter Brought and Norman Paul Brown tract (called 5 Acres, recorded in B.C.C.F. No. 2014042893, the southwest corner of the Suzanne Renae Scopel tract (called 5 Acres, recorded in B.C.C.F. No. 2005013089), the northwest corner of the Jeffery Wayne Scopel tract (called 1.157 Acres, recorded in B.C.C.F. No. 2005013109), the northeast corner of said Forty-Three Annex No. 1, LTD. Tract (called 10.00 Acres) and the most easterly northeast corner of herein described tract and with the common corner of Lots 49, 55, 56 and 50 of said Section 73;

THENCE S 03°25'11" E, along with the common line of Lot 150 and 56 and east line of said Four 1973 Annex No. 1, LTD. tract, a distance of 660.67 feet (to 660.66 foot) to a 5/8 inch iron rod with cap stamped "TMS" set, marking the southwest corner of the Douglas Varner Tract (called 1157 Acres), recorded in Volume (91) 906, Page 253, of the official records of Brazoria County, Texas (B.C.O.R.), the northwest corner of the Laura Loteraber tract (called Minor Plat 2.50 acres), recorded in B.C.C.F. No. 2018060317, the northeast corner of the Louis Lira tract (called 20 acres), recorded in Volume 1694, Page 653, B.C.D.R. and an angle point for corner of herein described tract and being the common corner of Lots 56, 57 and 51 of said Section 73;

THENCE S 86°50'32" W, along and with the common line of lots 50 and 51, same being the common line of said Four Forty-Three Annex No. 1, LTD, Tract and said Lira tract, a distance of 657.24 feet (called 660.00 feet), to a 5/8 inch iron rod with cap stamped "FMS" set, in the east line of said Eastbank Bayou, LP tract, (called 19.944 acres), marking the southwest corner of said Four Forty-Three Annex No. 1, LTD, tract, the northwest corner of said Lira tract, an interior corner of herein described tract and being the common corner of lots 50, 51, 43 and 42 of said Section 73;

TRENCHES 03P74S25-E, along and with the common line of lots 433, 51, 42, 45, 46 and 61 at 132021 feet (called 13200' feet) pass a point in the centerline of a 40 foot planned road, recorded in Volume 2, page 91 and 92, B.C.P.R. marking the northwest corner of the Coastal Bend Land investments, L.P., (called 13200', called 40,000 acres)(lot(s) C6), recorded in B.C.C.F., No. 2006049619 and being the common corner of Lots 44, 52, 61 and 45, continuing for a total distance of 3999.48 feet (called 13900' feet) to a 5/8 inch iron rod with cap stamped "HMS" set, marking the southwest corner of the Jose J. Villanueva and Trinidad Villanueva Trust (called 5 acres), recorded in B.C.C.F., No. 2004086528, and continuing for a total distance of 3999.48 feet (called 13900' feet) to a 5/8 inch iron rod with cap stamped "HMS" set, marking the southeast corner of the Jose J. Villanueva and Trinidad Villanueva Trust (called 10 acres), the south-east corner of the said Eastbank Bayou, LP (called 10 acres)(lot 47), the most easterly southeast corner of herein described tract and being the common corner of Lots 53A, 54B and 47 of said Section 7;

THENCE S 86°49'54" W, along and with the common line of Lots 48 and 47, same being the common line of said Eastbank Bayou, LP tract (Lot 47) and said Aspect Energy, LLC tract, a distance of 657.49 feet (called 660.00 feet) to a 1/2 iron rod with cap stamped "Adams RPLS 3666" found in the east line of the said 443.09 acre tract, marking the southwest corner of said Eastbank Bayou, LP tract and the northwest corner of said Aspect Energy, LLC tract, and interior corner of herein described tract and being the common corner of Lots 48, 40, 39 and 47 of said Section 73;

THENCE S 02°34'40" E, along and with the line of Lots 48 and 40, same being the common line of said Aspect Equestre, LLC tract and said 443.03 acre tract, a distance of 660.65 feet (called 660.66 feet) to a 5/8 inch iron rod with cap stamped "TMS" set in the centerline of a 40 foot platted road, recorded in Volume 2, Page 91 and 92, B.C.F., in the call of said line of Section 73 and the north line of the H. & Railroad Company Subdivision, Section 64, Abtract 483 and the north line of the Dr. A. L. Luther Subdivision of Manvel, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.F., and the north line of Outlet 181 of said Dr. A. A. Luther Subdivision, marking the northwest corner of the Coastal Bend Land Investments, LP tract (remainder of a called 167.073 acre tract), recorded in B.C.F. No. 2000058628, the southeast corner of said Aspect Equestre, LLC tract, an angle point in the east line of said 443.03 acre tract and an angle point for corner herein described tract and being the common corner of Lots 48 and 40 of said Section 73, from which a 5/8 inch iron rod with cap stamped "Base Line" found marking the southeast corner of said Section 73 bears, S 86°50'11" W, 1975.03 feet.

THENCE S 85°50'11" W, continuing along and with the common line of said Section 73, Section 64 and the Dr. A.A. Luther Subdivision, same being the common line of said Outlot 181 and Lot 40, and centerline of said 40 foot platted road, a distance of 147.66 feet to a 5/8 inch iron rod with cap stamped "FMS" set in said common line, marking the northeast corner of the Four Forty-Three, LTD. Tract (called 240 acres)[Outlot]195, recorded in Volume 1048, Page 760, B.C.D.R. and an interior corner of herein described tract and being the westerly line of a 40 foot platted road, recorded in Volume 1, Page 71 and Volume 3, Page 139 and 140, B.C.P.R.;

THENCE S 19°30'25" W, along and with the easterly line of said Oilwell 195 and the westerly line of said 40 foot platented road, at 909.38 feet pass a 1/2 inch iron rod found, marking the southeasterly corner of said Oilwell 195 and the northeasterly corner of the Four Forty-Three, LTD. tract (called 20.000 acres)(North 1/4 of Oilwell 180), continuing for a total distance of 1569.69 feet to a 1 inch iron pipe found, marking the southeasterly corner of said Oilwell 195 and the northeasterly corner of the Beazer Homes Texas, LP tract (called 19.99 acres)(South 1/4 of Oilwell 180), recorded in B.C.C.F. No. 2016050422 and an angle point in the westerly line of the Beazer Homes Texas, LP tract (called 5.40 acres), recorded in B.C.C.F. No. 2016050422 and the most easterly southeast corner of herein described tract;

THENCE N 70°27'42" W, along and with the common line of said North ½ of Outlot 180 and the South ½ of Outlot 180, a distance of 1319.95 feet (called 1320.00 feet) to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, in the easterly line of the Four Forty-Three. LTD. Tract (called 46.35 acres)(Outlot 175), marking the common corner of the South ½ and North ½ of Outlot 180 and an interior corner of herein described tract:

THENCE S 19°29'54" W, along and with the common line of said 46.35 acre tract and said 19.99 acre tract, same being the common line of Outlot 180 and 175, a distance of 660.47 feet to a 1/2 inch iron rod with cap stamped "LJA Eng" found, in the north line of a 40 foot platted road, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R., marking the most westerly northwest corner of said 5.40 acre tract, the southeasterly corner of said 46.35 acre tract and the southeasterly corner of said 19.99 acre tract and an interior corner of herein described tract;

THENCE N 70°26'20" W, along and with the south line of 46.35 acre tract and the north line of said 40 foot platted road, a distance of 1321.08 feet to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, in the easterly line of the Four Forty-Three, LTD. Tract (called 27.7947 acres)(Outlot 174) and the westerly line of said 40 foot platted road, marking the southwesterly corner of said 46.35 acre tract and an interior corner of herein described tract;

THENCE S 19°28'54" W, along and with the common line of said 27.7947 acre tract and westerly line of said 40 foot platted road, a distance of 1390.63 feet to a TxDot Brass Disk found in the northwesterly right-of-way (r.o.w.) line of State Highway No. 6 (a.k.a. Morris Avenue)[200' R.O.W.], recorded in B.C.C.F. No. 2013053500, marking the southeasterly corner of said 27.7947 acre tract and the most southerly southeast corner of herein described tract;

THENCE N 70°30'17" W, along the northwesterly r.o.w. line said State Highway No. 6, a distance of 33.83 feet to a TxDot Brass Disk found, marking the southeasterly corner of the Russell T. Rudy and Randall D. Rudy tract (called 18 acres), recorded in Volume 1408, Page 806, B.C.C.F., the southeasterly corner of said 27.2947 acre tract and the most southeasterly southwest corner of herein described tract, from which a TxDot Brass Disk found, at the intersection of easterly r.o.w. line of County Road 82 (a.k.a. Iowa Lane) [60' R.O.W. as occupied], recorded in B.C.C.F. No. 2006021816 and the northwesterly r.o.w. line of said State Highway No. 6, marking the southeasterly corner of a 0.217 acre tract, recorded in B.C.C.F. No. 2013053500 bears, N 70°30'17" W, 365.23 feet.

THENCE 10°19'19" W, along and with the common line of 27.7947 acre tract and said 18 acre tract, a distance of 2310.10 feet to a 1/2 inch iron rod with cap stamped "Adams RPL3666" found, marking the northwest corner of said 27.7947 acre tract and an angle point of corner of herein described tract, from which a 3/4 inch pinched top distance, N09°17' W, 1.1 feet and from which an iron rod with cap stamped "Kalkomey" found in the easterly r.o.w. line of said County Road 82, marking the northwest corner of said 18 acre tract, bears S 87°00'54" W, 328.14 feet and a 5/8 inch iron rod found in the easterly r.o.w. line of said County Road 82, marking the southwest corner of a called 41.4819 acre tract, recorded in B.C.C.F. No. 2003661748 bears, N 02°13'14" W, 38.07 feet;

THENCE N 85°57'38" E, along and with the north line of said acre tract, a distance of 229.52 feet to a 5/8 inch iron rod with cap stamped "FMS" set, at the southwest corner of Section 73 and being in the centerline intersection of two 40 foot platted roads and being the common corner of said Section 73 and the H.T. & B. Railroad Company Survey, Section 72, Abstract 460, platted the southeast corner of the Brazos River Authority tract (called 6.676 acres) (Cause no. 54,761A), recorded in Volume 33, Page 154, district clerk records of Brazoria County, Texas (B.C.D.C.R.), the southwest corner of the Brazoria County MUD No. 43 Drainage Easement (called 1.675 acres, recorded in B.C.C.F. No. 2016026159, the southwest corner of said 9.929 acre tract and an interior corner of herein described tract;

TENCH NE 08°25'57" W, along and with the common line of Section 73 and Section 72 and centerline of said 40 foot platted road, at 40.00 feet plus point marking the southwest corner of a 0.34 acre tract (Parcel 1) out of said 41.8913 acre tract, continuing for a total distance of 2640.38 feet (called 2640.00 feet) to a 1 inch iron spike found, marking the northwest corner of a 0.25 acre tract (Parcel 2), the northwest corner of said 19.919 acre tract, the northeast corner of a 3.430 acre drainage easement, recorded in B.C.F.N. No. 2016026155, the northeast corner of said Brazos River Authority Parcel (called 6.676 acres), the southeast corner of the Brazos River Authority Parcel "D" tract (called 3.18 acres), recorded in Volume 1076, Page 315, B.C.D., the southwest corner of the Brazos River Authority Parcel "B" tract (called 0.613 acres), recorded in Volume 1070, Page 318, B.C.D., the southwest corner of the Brazoria County Public Utility District No. 1, recorded in Volume 1070, Page 318, B.C.D., the southeast corner of Lot 4, recorded in Volume 1070, Page 318, B.C.D., the southeast corner of the Southeastern Electric Company's 1/2 inch iron spike found, marking the south corner of Lot 4, recorded in Volume 1070, Page 318, B.C.D., the southeast corner of the Brazoria County Road #3 (aka. Iowa Land O.W.W. as acc'd), recorded in B.C.F.N. No. 20101559 and the southeast corner of the Joann Barbara Center tract (called 1.31 acres), recorded in B.C.F.N. No. 2005003981 and the north east corner of the Sommar of Scotland, LLC tract (called 53.948 acres), bears S 86°37'46" W, 900.42 feet.

THENCE **N** 85°10'31" **E**, along and with the common line of **W** 1/2 described tract and said lot 4 and the centerline of a 40 foot planned road, at 657.75 feet (called 660.00 feet) pass a 3/4 inch iron pipe found, marking the northeast corner of said Ls 19-913 acre tract and the southwest corner of the 102929 Brazoria Inc. tract (called 34.90 acres), recorded in C.B.C.F. No. 2005033429 and being the common corner of Lots 4, 12, 13 and 25, and at 1973.99 feet (called 1980.00 feet) pass a 1/4 inch iron pipe found, marking the southeast corner of said 34.90 acre tract and being the common corner of Lots 20, 28, 29, 28, 29, and 21, continuing for a total distance of 2632.44 feet (called 2640.00 feet) to a 5/8 inch iron rod with a 1/2 inch iron pipe found, marking the southeast corner of said 34.90 acre tract and being the common corner of Lots 28, 36, 37 and 29 of said Section 73;

THE NCE 19'27'06" W, along and with the common line of the 28, 36, 37, 25, 26, 34, 25 and 33 and the west line of said 60 foot American Canal Company Easement, a distance of 2641.03 feet (called 2640.00 feet) to a 5/8 inch iron cap with stamped "FMS" found in the north line of Section 73, north 37° 05' 26" E, 60 foot American Canal Company Easement, the south line of the Mary V Donnell Survey, 261.03", Abstract 469, recorded in Volume 2, Page 91 and 52, B.C.P.R. the south line of the John and Edith Lebourgeois tract (called 6.978 acres), recorded in B.C.F. No. 98-53063, called the north line of the Eastbank Bayou, LP tract (called 19.950 acres), recorded in B.C.F. No. 2002-0232 and the south line of said 40 foot platted road, marking the most northerly northern corner of herein described tract and being the common corner of Lots 25 and 33 of Section 73, from which a 1/2 inch iron rod found bears, S. 82° 35' 14.3 feet;

THENCE N 86°50'29" E, along and with the common line of Section 73, Division "O", the centerline of said 40 foot platted road and the north line of said 60 foot American Canal Company Easement, a distance of 659.60' (called 660.00 feet) to the POINT OF BEGINNING and containing a calculated area of 418.318 acres of land.

BOUNDARY SURVEY
OF
TRACT 1

A 418.318 ACRE TRACT, BEING ALL OF LOTS 5, 6, 7, 8, 13, 14, 15, 16, 21, 22, 23, 24, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47 AND 50, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 91 AND 92, OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS AND BEING ALL OF THOSE CERTAIN TRACTS DESCRIBED IN VOLUME 1177, PAGE 396, B.C.D.R. AND B.C.C.F. NO(S). 2007021508, 2007017868, 2007018701, 2007022032, 2008004369, 2008004367, 2006045403 AND BEING A PART OF THAT CERTAIN TRACT RECORDED IN VOLUME 1048, PAGE 760, B.C.D.R.;

SITUATED IN THE ALLISON RICHEY GULF COAST HOME COMPANY SUBDIVISION OF THE H.T. & B. RAILROAD COMPANY SURVEY, SECTION 73, ABSTRACT 301, THE H.T. & B. RAILROAD COMPANY SURVEY, SECTION 64, ABSTRACT 483 AND THE DR. A.A. LUTHER SUBDIVISION OF MANVEL, BRAZORIA COUNTY, TEXAS

TRACT 2

A 19.551 ACRE TRACT, BEING ALL OF LOTS 6 AND 12 OF THE MARY V. O'DONNELL SURVEY, DIVISION "O", ABSTRACT 469, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 91 AND 92, OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS AND BEING A PART OF THAT CERTAIN TRACT RECORDED IN VOLUME 1048, PAGE 760, B.C.D.R.

SHEET 1 OF 1

SHEET 1 OF 1

EXHBIIT D

METES AND BOUNDS DESCRIPTION OF TRACT 1

A 418.318 acre (18,221,949 square feet) tract, being all of Lots 5, 6, 7, 8, 13, 14, 15, 16, 21, 22, 23, 24, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47 and 50 of the Allison-Richey Gulf Coast Home Company Suburban Gardens Subdivision of Section 73, H.T. & B. Railroad Company Survey, Abstract 301, according to the map or plat thereof, recorded in Volume 2, Page 91 and 92, of the Plat Records of Brazoria County, Texas (B.C.P.R.) and being all of those certain tracts conveyed to Westbank Bayou, LP, called 19.919 acres (Lots 5-6), recorded in Brazoria County Clerk's File Number (B.C.C.F. No.) 2007021508, called 9.929 acres (Lot 8), recorded in B.C.C.F. No. 2007017868 and called 9.972 acres (Lot 16), recorded in B.C.C.F. No. 2007018701 and being all of that certain tract conveyed to Charles L. Sowell called 9.988 acres (Lot 7), recorded in Volume 1177, Page 396, deed records of Brazoria County, Texas (B.C.D.R.), and being all of those certain tracts conveyed to Eastbank Bayou, LP, called 10 acres (Lot 33), recorded in B.C.C.F. No. 2007022032, called 19.944 acres (Lots 42-43), recorded in B.C.C.F. No. 2008004369 and called 10 acres (Lot 47), recorded in B.C.C.F. No. 2008004367 and being all of that certain tract conveyed to Four Forty-Three Annex No. 1, LTD., called 10.00 acres (Lot 50), recorded in B.C.C.F. No. 2006045403 and being a part of that certain tract conveyed to Four Forty-Three Ltd. (called 433.09 acres), recorded in Volume 1048, Page 760, B.C.D.R., with said 18,221,949 square foot tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found at the Northeast corner of said Section 73 and an interior corner of the H.T. & B. Railroad Company Survey, Section 74, Abstract 493, recorded in Volume 2, Page 66, B.C.P.R.) and being at the centerline intersection of 60 foot Pollard Drive (as occupied) (Platted as 40 feet - Volume 2, Page 91 and 92, B.C.P.R.) and 60 foot Del Bello Boulevard (as occupied)(Platted as 50 feet - Volume 2, Page 66, B.C.P.R.), marking the northeast corner of the Michael D. Roland and Marcy D. Roland tract (called 5.46 acres), recorded in B.C.C.F. No. 2004072423 and 2007030104, the northwest corner of the Michael C. Black tract (called 4.00 acres), recorded in B.C.C.F. No. 96-015514 and the Northeast corner of said Section 73;

THENCE S 86°50'29" W, along and with the common line of Section 73 and 74 and centerline of said 40 foot platted road, at 658.00 feet pass a point marking the southwest corner of Lot 1 of said Section 74 and the southeast corner of the Mary V O'Donnell Survey, Division "O", Abstract 469, recorded in Volume 2, Page 91 and 92, B.C.P.R., from which a 5/8 inch iron rod bears, S 38°48'33" W, 3.08 feet, continuing along and with the common line of Section 73 and Division "O" and centerline of said 40 foot platted road, a total distance of 1974.26 feet (called 1980.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set in the north line of Section 73, the north line of a 60 foot American Canal Company Easement, recorded in Volume 638, Page 127, B.C.D.R., the south line of said Division "O", Abstract 469, the south line of the Sylvia Buffy Orndorff and Dustin Aaron Different tract (called 13.93 acres), recorded in B.C.C.F. No. 2015054435, and the centerline of said 40' platted road, marking the northwest corner of the Katherine Ott Miles tract (called 5 acres), recorded in Volume 1459, Page 1, B.C.D.R., the northeast corner of said Eastbank Bayou, LP tract (Lot 33), and being the common corner of Lot 33 and 41 of said Section 73 at the most northerly Northwest corner and **POINT OF BEGINNING** of herein described tract:

THENCE S 03°24'40" E, along and with the common line of said Lot 33 and 41, a distance of 660.58 feet (called 660.00 feet) to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, marking the southeast corner of said Eastbank Bayou, LP tract (Lot 33), the southwest corner of said Miles tract, the northwest corner of said Eastbank Bayou, LP tract (called 19.944 acres), an interior corner of herein described tract and being the common corner of Lots 33, 41, 42 and 34 of said Section 73;

THENCE N 86°49'54" E, along and with the common line of Lots 41, 42, 49 and 50 of said Section 73, a distance of 1314.38 feet (called 1320.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southeast corner of the Jane Hetherington Brown and Norman Paul Brown tract (called 5 acres), recorded in B.C.C.F. No. 2014042893, the southwest corner of the Suzanne Renae Scopel tract (called 5 acres), recorded in B.C.C.F. No. 2005013089, the northwest corner of the Jeffery Wayne Scopel tract (called 1.157 acres), recorded in B.C.C.F. No. 2005013109, the northeast corner of said Four Forty-Three Annex No. 1, LTD. Tract (called 10.00 acres) and the most easterly northeast corner of herein described tract and being the common corner of Lots 49, 55, 56 and 50 of said Section 73;

THENCE S 03°25'11" E, along and with the common line of Lots 50 and 56 and east line of said Four Forty-Three Annex No. 1, LTD. tract, a distance of 660.67 feet (called 660.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southwest corner of the Douglas Varner Tract (called 1.157 acres), recorded in Volume (91) 906, Page 253, of the official records of Brazoria County, Texas (B.C.O.R.), the northwest corner of the Laura Loterbauer tract (called Minor Plat of 2.50 acres), recorded in B.C.C.F. No. 2018006317, the northeast corner of the Louis Lira tract (called 20 acres), recorded in Volume 1694, Page 653, B.C.D.R. and an angle point for corner of herein described tract and being the common corner of Lots 50, 56, 57 and 51 of said Section 73;

THENCE S 86°50'32" W, along and with the common line of Lots 50 and 51, same being the common line of said Four Forty-Three Annex No. 1, LTD. Tract and said Lira tract, a distance of 657.24 feet (called 660.00 feet), to a 5/8 inch iron rod with cap stamped "FMS" set, in the east line of said Eastbank Bayou, LP tract (called 19.944 acres), marking the southwest corner of said Four Forty-Three Annex No. 1, LTD. tract, the northwest corner of said Lira tract, an interior corner of herein described tract and being the common corner of Lots 50, 51, 43 and 42 of said Section 73;

THENCE S 03°24'55" E, along and with the common line of Lots 43, 51, 44, 52, 45, 46 and 61 at 1320.21 feet (called 1320.00 feet) pass a point in the centerline of a 40 foot platted road, recorded in Volume 2, page 91 and 92, B.C.P.R. marking the northwest corner of the Coastal Bend Land Investments, LP tract (called 40.0060 acres)(called Lot 61), recorded in B.C.C.F. No. 2006049617 and being the common corner of Lots 44, 52, 61 and 45, continuing for a total distance of 3299.48 feet (called 3300.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set, marking the southwest corner of the Jose T. Villanueva and Trinidad Villanueva tract (called 5 acres), recorded in B.C.C.F. No. 2004036528, the northwest corner of the Roger Hernandez Gandarillas and Sheila M. Rosario Crespo tract (called 1.000 acre), recorded in B.C.C.F. No. 2015020827, the northeast corner of said Aspect Energy, LLC tract (called 10 acres), the southeast corner of the said Eastbank Bayou, LP tract (called 10 acres)(Lot 47), the most easterly southeast corner of herein described tract and being the common corner of Lots 53, 54, 48 and 47 of said Section 73;

THENCE S 86°49'54" W, along and with the common line of Lots 48 and 47, same being the common line of said Eastbank Bayou, LP tract (Lot 47) and said Aspect Energy, LLC tract, a distance of 657.49 feet (called 660.00 feet) to a 1/2 iron rod with cap stamped "Adams RPLS 3666" found in the east line of the of said 443.09 acre tract, marking the southwest corner of said Eastbank Bayou, LP tract and the northwest corner of said Aspect Energy, LLC tract, and interior corner of herein described tract and being the common corner of Lots 48, 40, 39 and 47 of said Section 73;

THENCE S 03°24'40" E, along and with the common line of Lots 48 and 40, same being the common line of said Aspect Energy, LLC tract and said 443.09 acre tract, a distance of 660.05 feet (called 660.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" set in the centerline of a 40 foot platted road, recorded in Volume 2, Page 91 and 92, B.C.P.R., in the called south line of Section 73 and the north line of the H.T. & B. Railroad Company Survey, Section 64, Abstract 483 and the north line of the Dr. A.A. Luther Subdivision of Manvel, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R. and the north line of Outlot 181 of said Dr. A.A. Luther Subdivision, marking the northwest corner of the Coastal Bend Land Investments, LP tract (remainder of a called 167.073 acre tract), recorded in B.C.C.F. No. 2004058628, the southwest corner of said Aspect Energy, LLC tract, an angle point in the east line of said 443.09 acre tract and an angle point for corner of herein described tract and being the common corner of Lots 48 and 40 of said Section 73, from which a 5/8 inch iron rod with cap stamped "Base Line" found marking the southeast corner of said Section 73 bears, S 86°50'11" W, 1975.03 feet;

THENCE S 86°50'11" W, continuing along and with the common line of said Section 73, Section 64 and the Dr. A.A. Luther Subdivision, same being the common line of said Outlot 181 and Lot 40, and centerline of said 40 foot platted road, a distance of 147.66 feet to a 5/8 inch iron rod with cap stamped "FMS" set in said common line, marking the northeast corner of the Four Forty-Three, LTD. Tract (called 24.00 acres)(Outlot 195), recorded in Volume 1048, Page 760, B.C.D.R. and an interior corner of herein described tract and being the westerly line of a 40 foot platted road, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R.;

THENCE S 19°30'25" W, along and with the easterly line of said Outlot 195 and the westerly line of said 40 foot platted road, at 909.98 feet pass a 1/2 inch iron rod found, marking the southeasterly corner of said Outlot 195 and the northeasterly corner of the Four Forty-Three, LTD. Tract (called 20.00 acres)(North ½ of Outlot 180), continuing for a total distance of 1569.69 feet to a 1 inch iron pipe found, marking the southeasterly corner of said 20.00 acre tract, the northeasterly corner of the Beazer Homes Texas, LP tract (called 19.99 acres)(south ½ Outlot 180), recorded in B.C.C.F. No. 2016050422 and an angle point in the westerly line of the Beazer Homes Texas, LP tract (called 5.40 acres), recorded in B.C.C.F. No. 2016050422 and the most easterly southeast corner of herein described tract;

THENCE N 70°27'42" W, along and with the common line of said North ½ of Outlot 180 and the South ½ of Outlot 180, a distance of 1319.95 feet (called 1320.00 feet) to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, in the easterly line of the Four Forty-Three, LTD. Tract (called 46.35 acres)(Outlot 175), marking the common corner of the South ½ and North ½ of Outlot 180 and an interior corner of herein described tract;

THENCE S 19°29'54" W, along and with the common line of said 46.35 acre tract and said 19.99 acre tract, same being the common line of Outlot 180 and 175, a distance of 660.47 feet to a 1/2 inch iron rod with cap stamped "LJA Eng" found, in the north line of a 40 foot platted road, recorded in Volume 1, Page 71 and 72 and Volume 3, Page 139 and 140, B.C.P.R., marking the most westerly northwest corner of said 5.40 acre tract, the southeasterly corner of said 46.35 acre tract and the southwesterly corner of said 19.99 acre tract and an interior corner of herein described tract;

THENCE N 70°26'20" W, along and with the south line of 46.35 acre tract and the north line of said 40 foot platted road, a distance of 1321.08 feet to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, in the easterly line of the Four Forty-Three, LTD. Tract (called 27.7947 acres)(Outlot 174) and the westerly line of said 40 foot platted road, marking the southwesterly corner of said 46.35 acre tract and an interior corner of herein described tract;

THENCE S 19°28'54" W, along and with the common line of said 27.7947 acre tract and westerly line of said 40 foot platted road, a distance of 1390.63 feet to a TxDot Brass Disk found in the northwesterly right-of-way (r.o.w.) line of State Highway No. 6 (a.k.a. Morris Avenue)(200' R.O.W.), recorded in B.C.C.F. No. 2013053500, marking the southeasterly corner of said 27.7947 acre tract and the most southerly southeast corner of herein described tract;

THENCE N 70°30'10" W, along the northwesterly r.o.w. line of said State Highway No. 6, a distance of 33.83 feet to a TxDot Brass Disk found, marking the southeasterly corner of the Russell T. Rudy and Randall D. Rudy tract (called 18 acres), recorded in Volume 1408, Page 806, B.C.D.R., the southwesterly corner of said 27.7947 acre tract and the most southerly southwest corner of herein described tract, from which a TxDot Brass Disk found, at the intersection of easterly r.o.w. line of County Road 82 (a.k.a. Iowa Lane)(60' R.O.W. as occupied), recorded in B.C.C.F. No. 2006021816 and the northwesterly r.o.w. line of said State Highway No. 6, marking the southwesterly corner of a 0.217 acre tract, recorded in B.C.C.F. No. 2013053500 bears, N 70°30'10" W, 365.23 feet;

THENCE N 03°19'19" W, along and with the common line of said 27.7947 acre tract and said 18 acre tract, a distance of 2310.10 feet to a 1/2 inch iron rod with cap stamped "Adams RPLS 3666" found, marking the northwest corner of said 27.7947 acre tract and an angle point for corner of herein described tract, from which a 3/4 inch pinched top pipe bears, N 09°17' W, 1.1 feet and from which an iron rod with cap stamped "Kalkomey" found in the easterly r.o.w. line of said County Road 82, marking the northwest corner of said 18 acre tract, bears S 87°00'54" W, 328.14 feet and a 5/8 inch iron rod found in the easterly r.o.w. line of said County Road 82, marking the southwest corner of a called 41.4819 acre tract, recorded in B.C.C.F. No. 2003061748 bears, N 02°13'14" W, 38.07 feet;

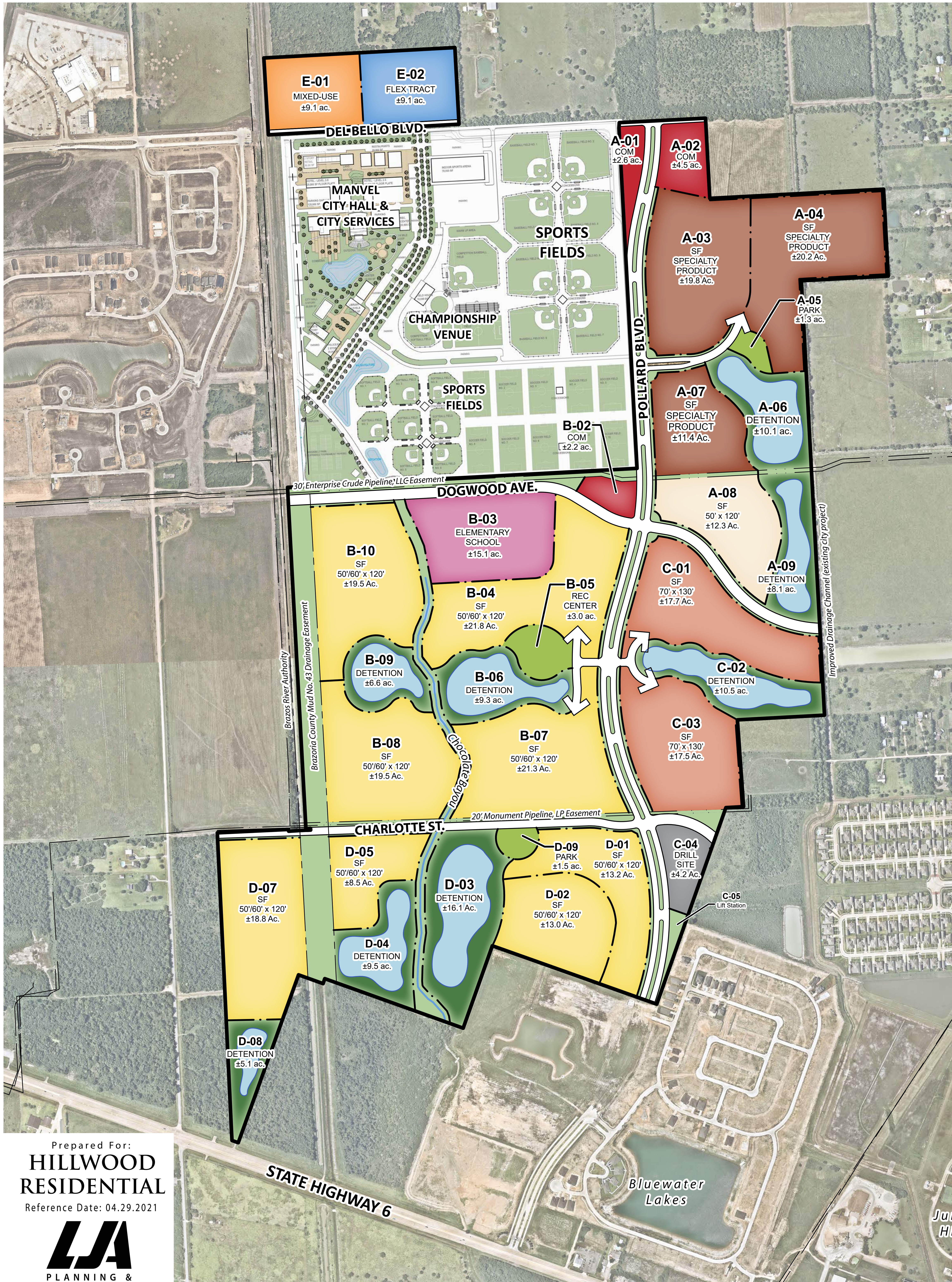
THENCE N 86°57'38" E, along and with the north line of said 18 acre tract, a distance of 729.52 feet to a 5/8 inch iron rod with cap stamped "FMS" set, at the southwest corner of Section 73 and being in the centerline intersection of two 40 foot platted roads and being the common corner of said Section 73 and the H.T. & B. Railroad Company Survey, Section 72, Abstract 460, marking the southeast corner of the Brazos River Authority tract (called 6.676 acres)(cause no. 54,761A), recorded in Volume 33, Page 154, district clerk records of Brazoria County, Texas (B.C.D.C.R.), the southwest corner of the Brazoria County MUD No. 43 Drainage Easement (called 1.675 acres, recorded in B.C.C.F. No. 2016026159, the southwest corner of said 9.929 acre tract and an interior corner of herein described tract;

THENCE N 03°28'57" W, along and with the common line of said Section 73 and Section 72 and centerline of said 40 foot platted road, at 40.00 feet pass a point marking the southwest corner of a 0.34 acre tract (Parcel 1) out of said called 41.4819 acre tract, continuing for a total distance of 2640.38 feet (called 2640.00 feet) to a 1 inch iron pipe found, marking the northwest corner of a 0.25 acre tract (Parcel 2), the northwest corner of said 19.919 acre tract, the northwest corner of a 3.430 acre drainage easement, recorded in B.C.C.F. No. 2016026156, the northeast corner of said Brazos River Authority tract (called 6.676 acres), the southeast corner of the Brazos River Authority Parcel "D" tract (called 3.18 acres), recorded in Volume 1070, Page 315, B.C.D.R., the southwest corner of the Brazos River Authority Parcel "B" tract (called 0.61 acres), recorded in Volume 1070, Page 318, B.C.D.R., the southwest corner of the Brazoria County Municipal Utility District (M.U.D.) No. 43 Drainage Easement tract (called 1.739 acres), recorded in B.C.C.F. No. 2016011559 and the common corner of Lots 4 and 5, Section 73, from which a 1/2 inch iron rod found in the east r.o.w. line of County Road 82 (a.k.a. Iowa Lane)(60' R.O.W. as occupied), recorded in B.C.C.F. No. 2006021816, marking the southwest corner of the Joan Banneyer tract (called 1.367 acres), recorded in B.C.C.F. No. 2005003981 and the northwest corner of the Sonmar of Scottsdale, LLC tract (called 53.948 acres), bears S 86°37'46" W, 900.42 feet;

THENCE N 86°51'03" E, along and with the common line of herein described tract and said lot 4 and the centerline of a 40 foot platted road, at 657.75 feet (called 660.00 feet) pass a 3/4 inch iron pipe found, marking the northeast corner of said 19.919 acre tract and the southwest corner of the 102929 Brazoria Inc. tract (called 34.90 acres), recorded in B.C.C.F. No. 2005033429 and being the common corner of Lots 4, 12, 13 and 5, and at 1973.99 feet (called 1980.00 feet) pass a 1/4 inch iron pipe found, marking the southeast corner of said 34.90 acre tract and being the common corner of Lots 20, 28, 29 and 21, continuing for a total distance of 2632.44 feet (called 2640.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" found in the west line of a 60 foot American Canal Company Easement, recorded in Volume 638, Page 127, B.C.D.R., marking an interior corner of said remainder of a 433.09 acre tract and an interior corner of herein described tract and being the common corner of Lots 28, 36, 37 and 29 of said Section 73;

THENCE N 03°27'06" W, along and with the common line of Lots 28, 36, 27, 35, 26, 34, 25 and 33 and the west line of said 60 foot American Canal Company Easement, a distance of 2641.03 feet (called 2640.00 feet) to a 5/8 inch iron rod with cap stamped "FMS" found in the north line of Section 73, the north line of a said 60 foot American Canal Company Easement, the south line of the Mary V O'Donnell Survey, Division "O", Abstract 469, recorded in Volume 2, Page 91 and 92, B.C.P.R. the south line of the John and Edith Lebourgeois tract (called 6.978 acres), recorded in B.C.C.F. No. 98-053061, the north line of the Eastbank Bayou, LP tract (called 19.950 acres), recorded in B.C.C.F. No. 2007022032 and the centerline of said 40 foot platted road, marking the most northerly northwest corner of herein described tract and being the common corner of Lot 25 and 33 of said Section 73, from which a 1/2 inch iron rod found bears, S 82°35" E, 14.3 feet;

THENCE N 86°50'29" E, along and with the common line of Section 73, Division "O", the centerline of said 40 foot platted road and the north line of said 60 foot American Canal Company Easement, a distance of 659.60' (called 660.00 feet) to the **POINT OF BEGINNING** and containing a calculated area of 418.318 acres of land.



Prepared For:
**HILLWOOD
RESIDENTIAL**
Reference Date: 04.29.2021



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713.953.5200

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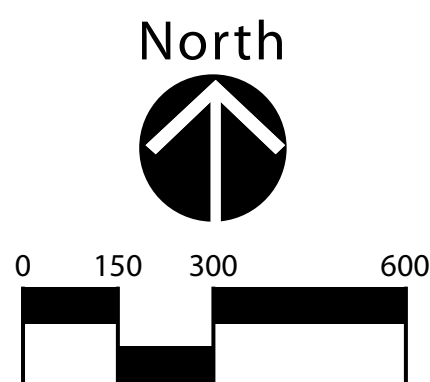
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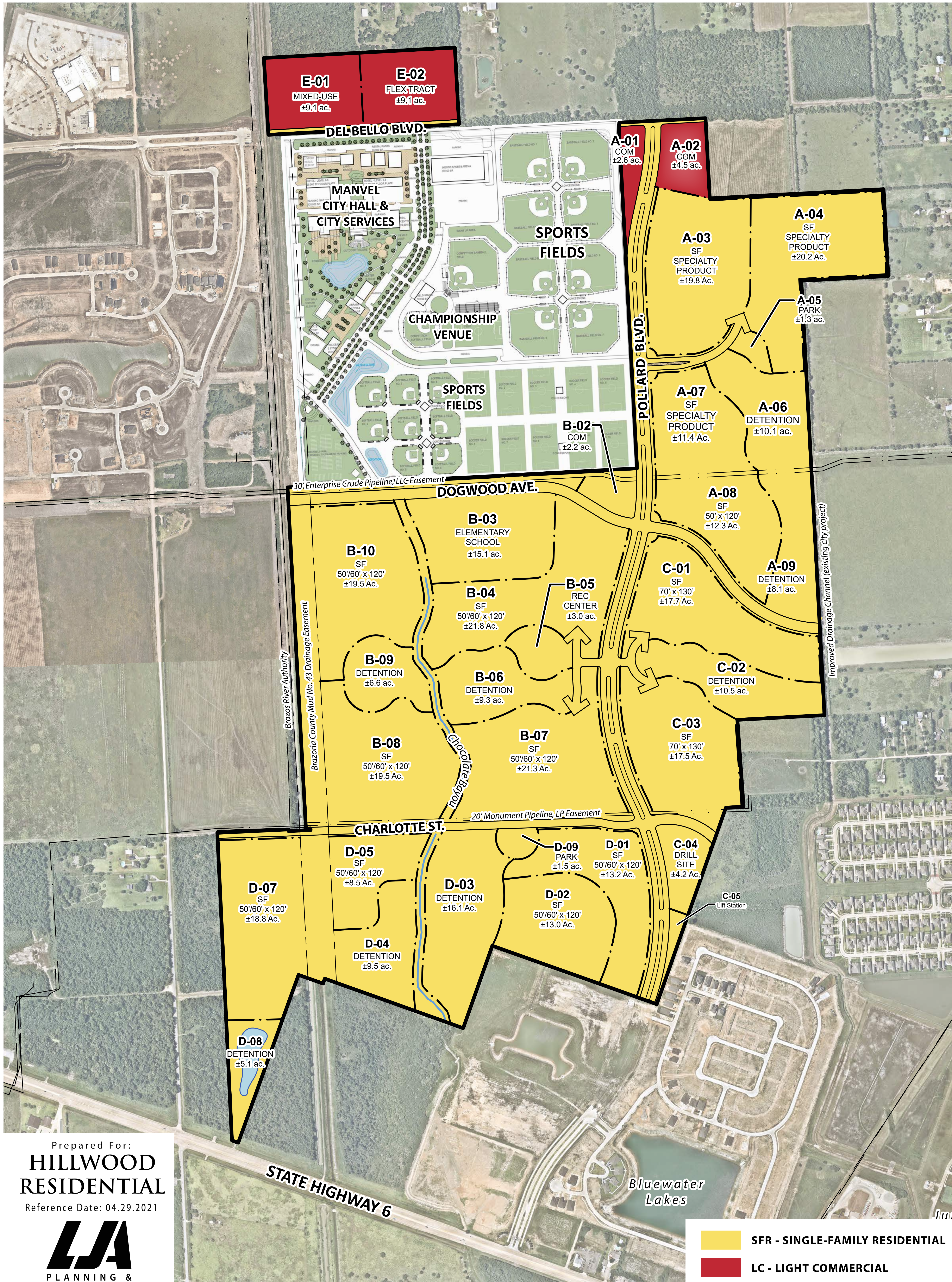
EXHIBIT E

Planned Unit Development
Conceptual Land Use Exhibit

SOWELL TRACT

±438.4 Acres of Land
Manvel, Texas





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**HILLWOOD
RESIDENTIAL**
Reference Date: 04.29.2021



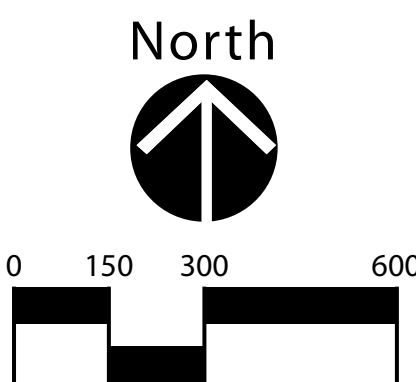
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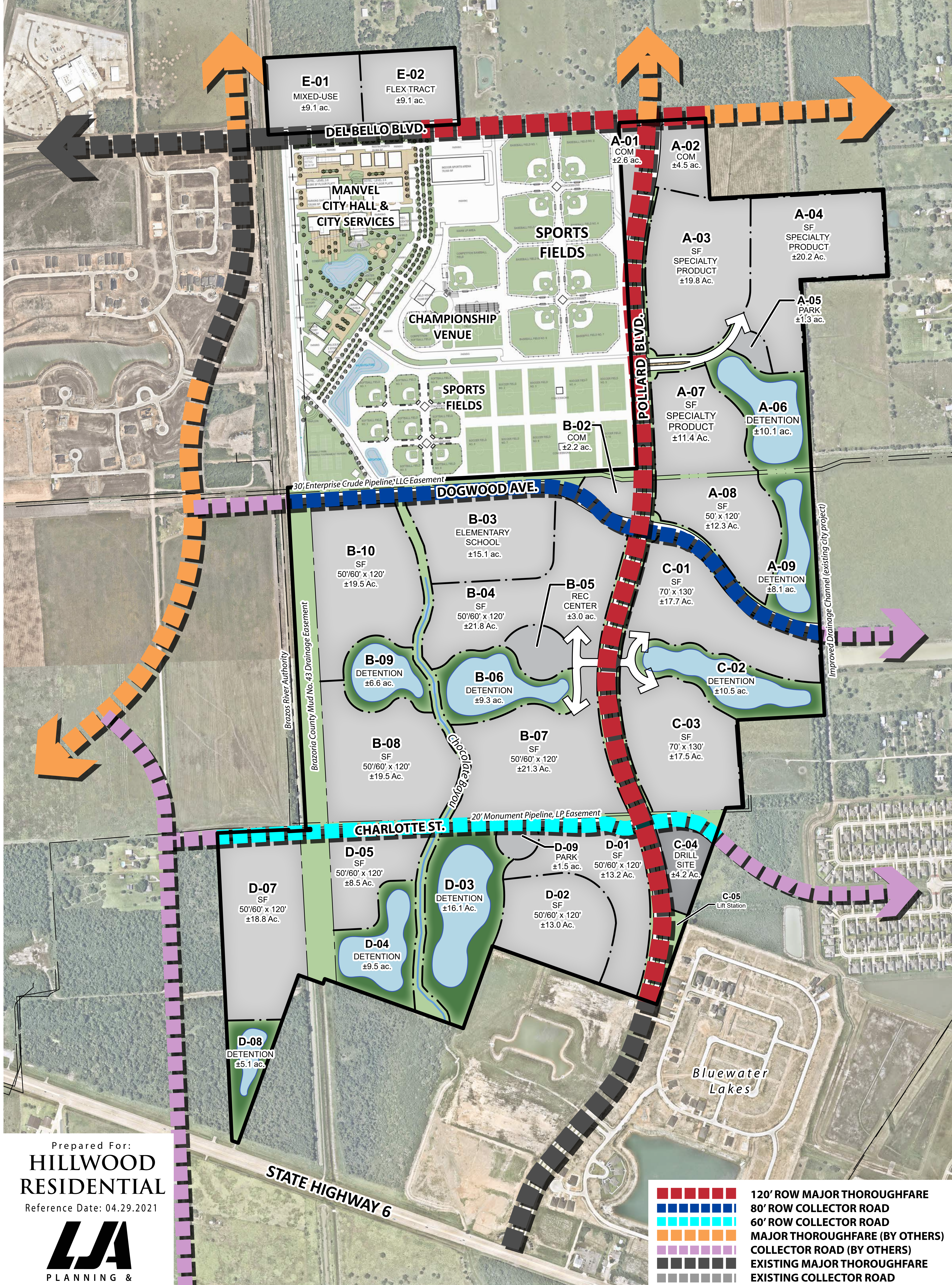
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EXHIBIT F

Planned Unit Development
Zoning Exhibit
SOWELL TRACT
±438.4 Acres of Land
Manvel, Texas

SFR - SINGLE-FAMILY RESIDENTIAL
LC - LIGHT COMMERCIAL





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Reference Date: 04.29.2021
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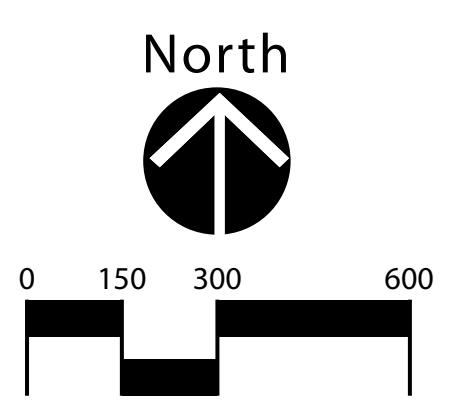
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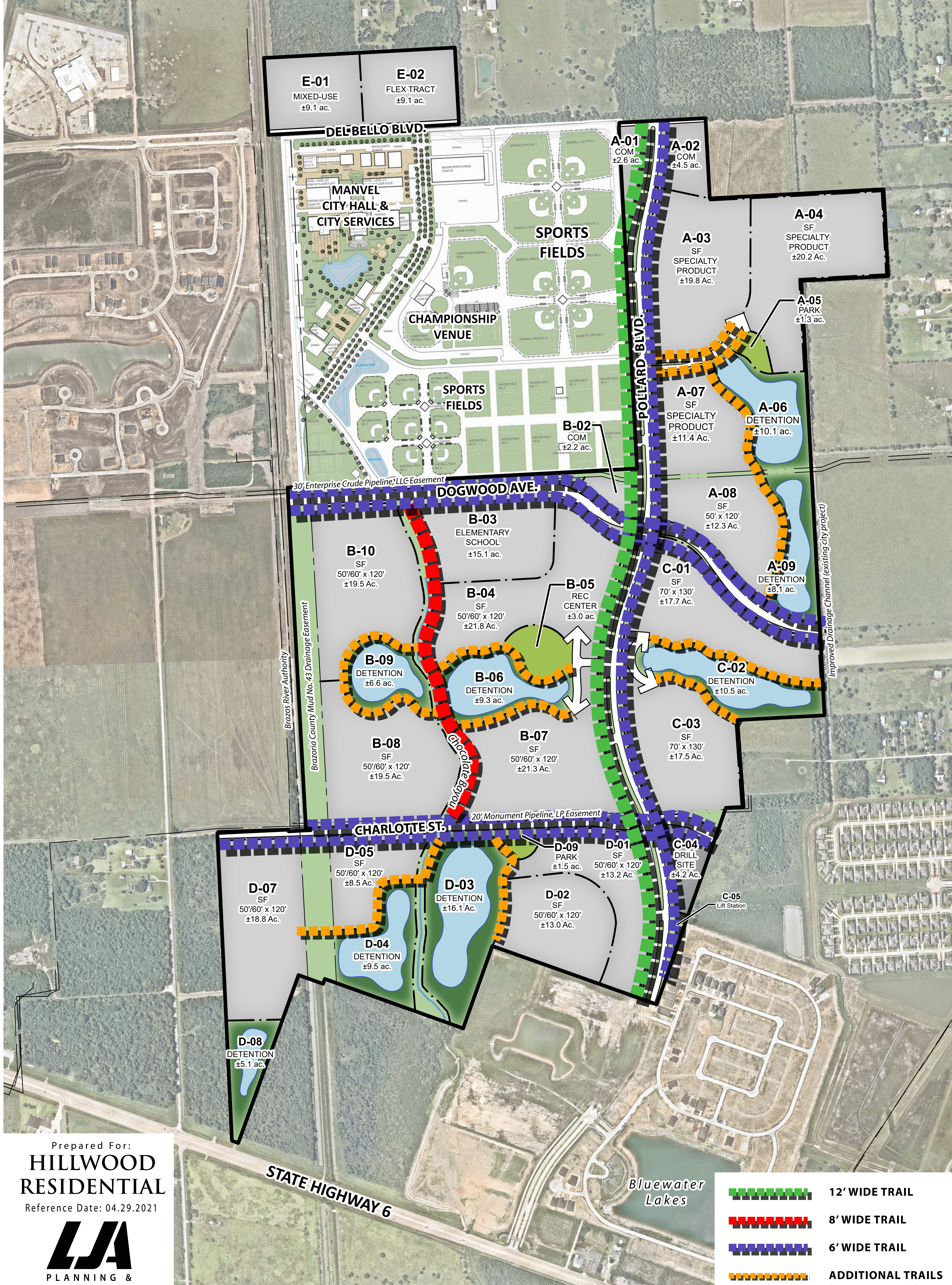
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EXHIBIT G

Planned Unit Development
Conceptual Amenities and Open Space Exhibit
SOWELL TRACT
±438.4 Acres of Land
Manvel, Texas

- 120' ROW MAJOR THOROUGHFARE
- 80' ROW COLLECTOR ROAD
- 60' ROW COLLECTOR ROAD
- MAJOR THOROUGHFARE (BY OTHERS)
- COLLECTOR ROAD (BY OTHERS)
- EXISTING MAJOR THOROUGHFARE
- EXISTING COLLECTOR ROAD





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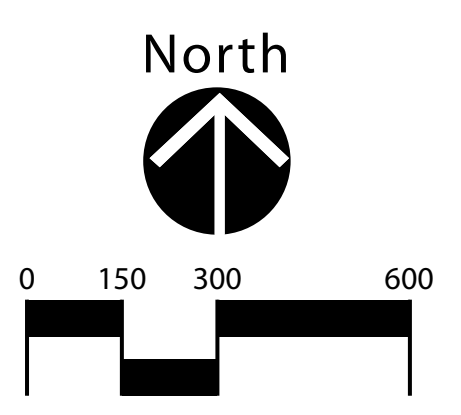
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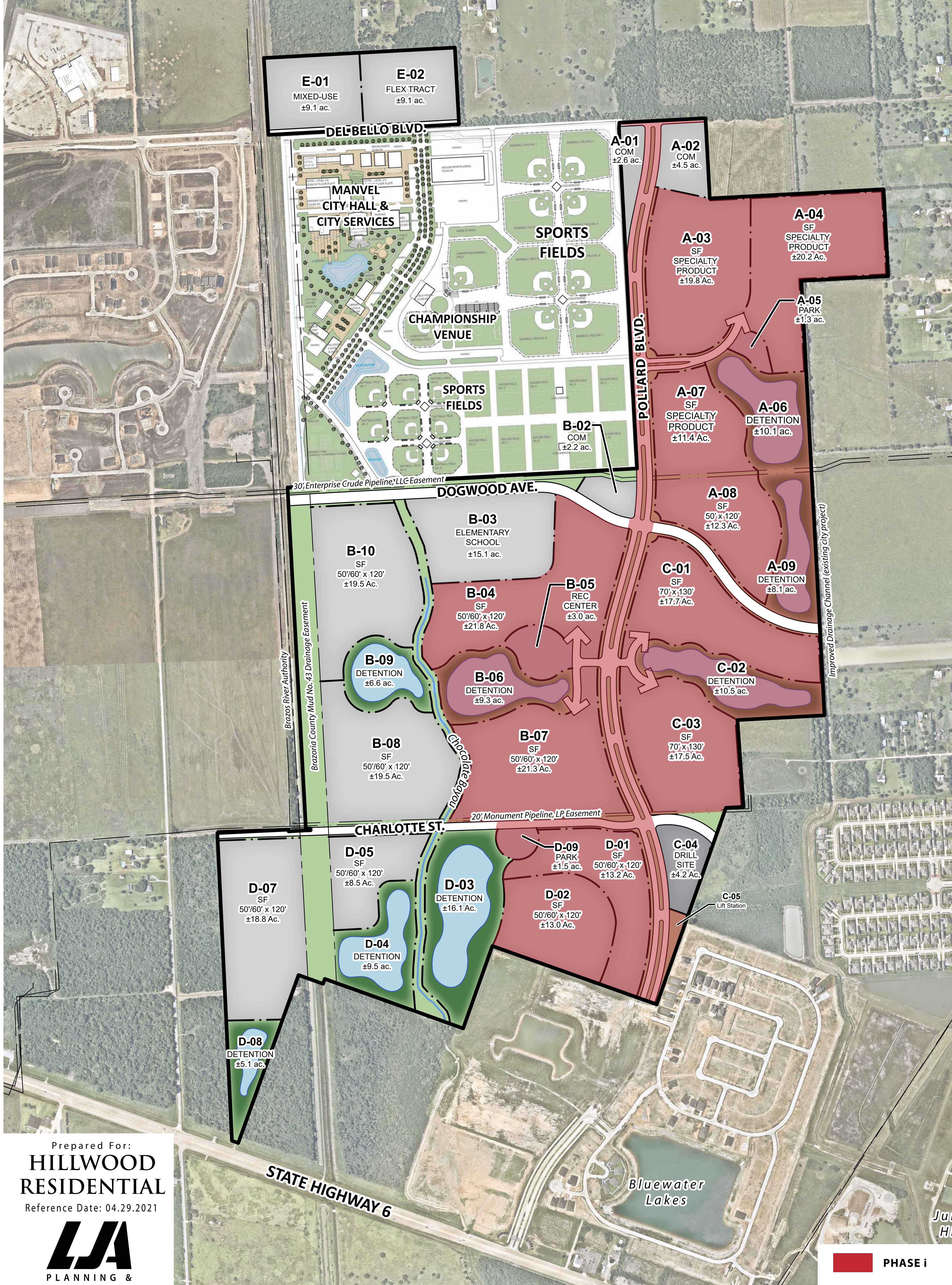
EXHIBIT H

Planned Unit Development
Conceptual Amenities and Open Space Exhibit

SOWELL TRACT

±438.4 Acres of Land
Manvel, Texas





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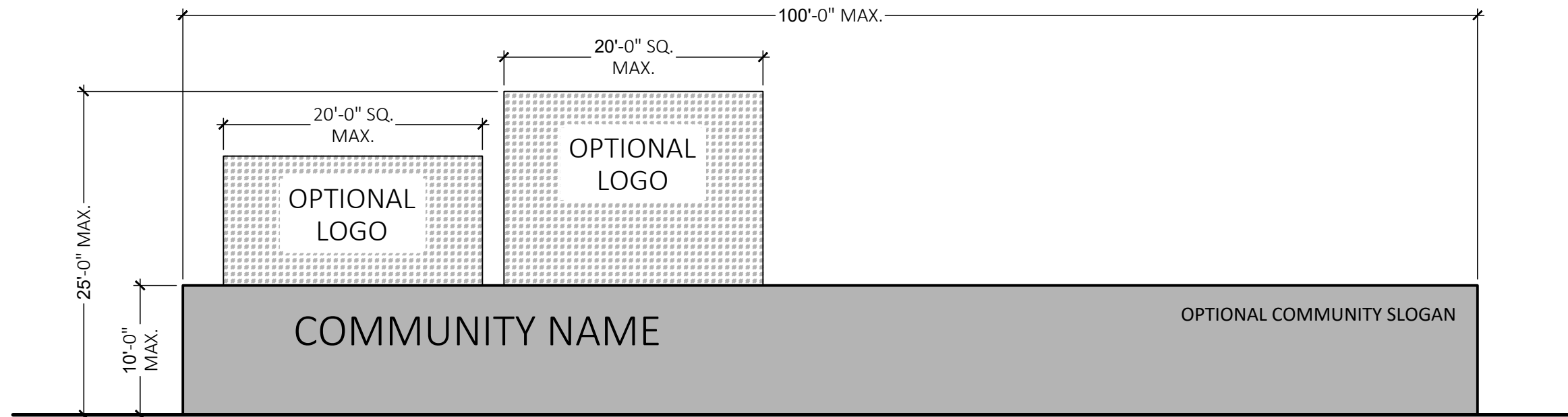
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EXHIBIT I

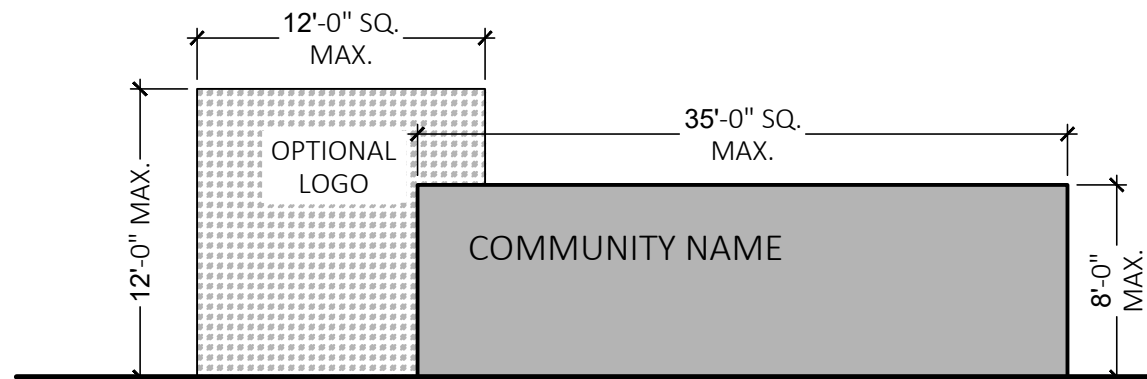
Planned Unit Development
Phasing Exhibit

SOWELL TRACT

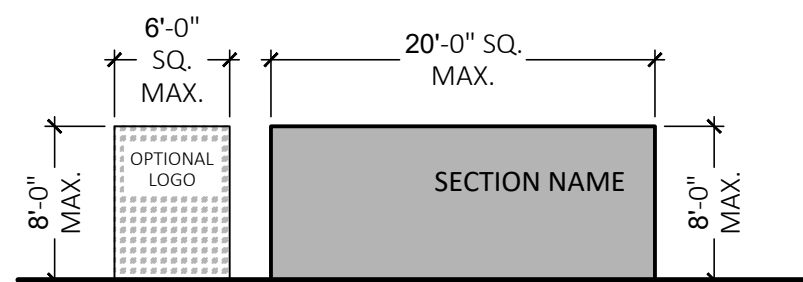
±438.4 Acres of Land
Manvel, Texas



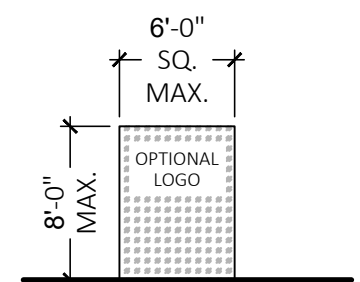
PRIMARY ENTRY MONUMENTS



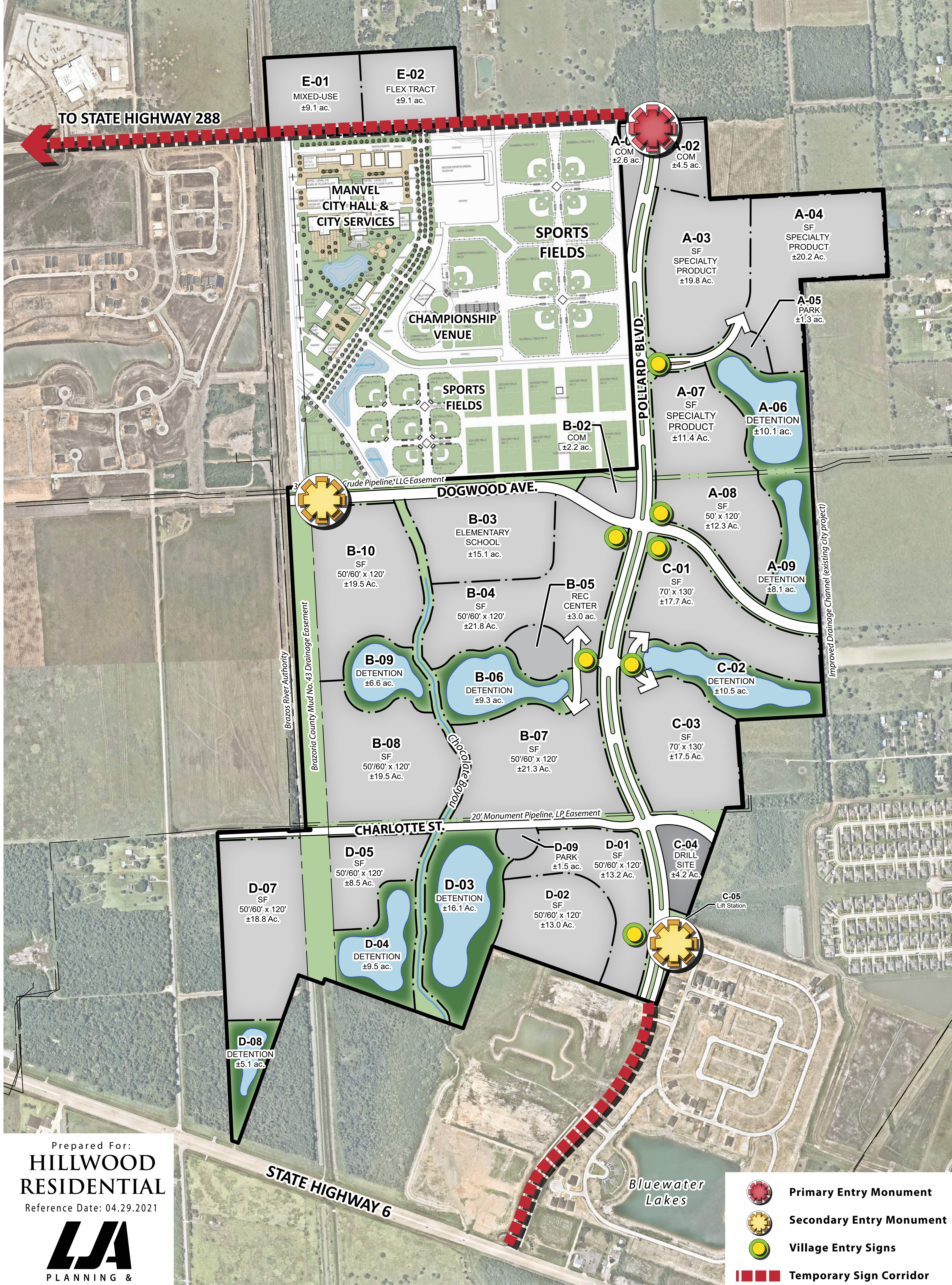
SECONDARY ENTRY MONUMENTS



SECTION MONUMENTS



INTERNAL I.D. MONUMENTS



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Reference Date: 04.29.2021

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713.953.5200

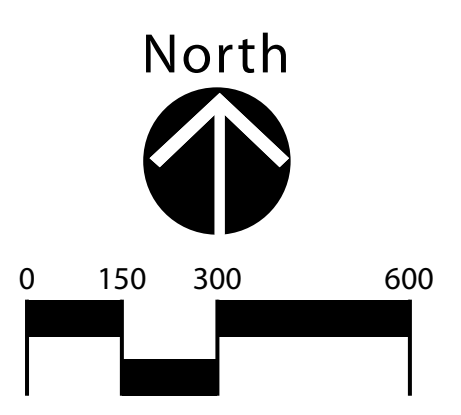
This exhibit is an illustrative representation for presentation purposes only and should not be used for computation or construction purposes. The information provided within should be considered a graphic representation to aid in determining plan components and relationships and is subject to change without notice. All property boundaries, easements, road alignments, drainage, flood plains, environmental issues and other information shown is approximate and should not be relied upon for any purpose. No warranties, express or implied, concerning the actual design, accuracy, location, and character of the facilities shown on this exhibit are intended.

EXHIBIT K

Planned Unit Development
Conceptual Project Signage Exhibit

SOWELL TRACT

±438.4 Acres of Land
Manvel, Texas





**MINUTES
TELECONFERENCE
PLANNING DEVELOPMENT AND ZONING MEETING
May 10, 2021
7:00 PM**

Roll Call

ROLL CALL

Pos #1 Ryan Miller 3/2023

Pos #2 Kyle Marasckin 3/2023

Pos #3 Christine Diaz 3/2023

Pos #4 Alina Rogers 3/2023

Pos #5 Christy Kennard 3/2022

Pos #6 Dorothy Wynne 3/2022

Pos #7 Muhammed Alam 3/2022

Present Not Present

<u>x</u>	<u> </u>
<u>x</u>	<u> </u>
<u>x</u>	<u> </u>
<u>x</u>	<u> </u>
<u>x</u>	<u> </u>
<u>x</u>	<u> </u>
<u> </u>	<u> x </u>

Regular Session

Call To Order

Chairperson Dorothy Wynne called the meeting to order at 7:03 pm.

Pledge

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Citizen Comments: "Comment Card" Required

****Members of the public who wish to submit written comments on a listed agenda item must submit their comments via the Public Comment Request Form found on the city website www.cityofmanvel.com or by emailing tbell@cityofmanvel.com or by calling 281-489-0630 x6 for staff assistance.*

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 2.594 ACRES LOCATED AT 6407 MASTERS ROAD, MANVEL, TEXAS, FROM HIGHWAY MIXED USE DISTRICT (HMU) TO HIGHWAY MIXED USE DISTRICT WITH SPECIFIC USE PERMIT (HMU-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 493110 "GENERAL WAREHOUSING AND STORAGE"; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Chairperson Dorothy Wynne opened the public hearing at 7:04 pm

First call for comments:



None

Second call for comments:

None

Third call for comments:

None

Chairperson Dorothy Wynne closed the public hearing at 7:04 pm

Consent Agenda

All Consent Agenda items listed are considered to be routine by the PD&Z and will be approved by one motion. There will be no separate discussion of these items unless a City Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in sequence on the Agenda.

- A. Consideration and possible action to approve and forward with recommendation to City Council,
Final Plat for Meridiana Retail Detention Reserve No. 1;
BEING A SUBDIVISION OF 3.738 ACRES OUT OF THE H.T. & B.R.R. CO. SURVEY, A-470,
ALSO BEING OUT OF LOTS 139 AND 140 OF DR. A.A. LUTHER LANDS IN THE TOWN OF
MANVEL, AS RECORDED UNDER VOL. 1, PG. 71-72, BRAZORIA COUNTY PLAT
RECORDS, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.

Motion to approve Final Plat for Meridiana Retail Detention Reserve No. 1 by Ryan Miller; seconded
by Alina Rogers.

A roll call vote was taken 6 to 0. Motion approved.

Regular Agenda

1. Consideration and possible action to approve and forward with recommendation to City Council;

A) Preliminary Plat for Meridiana Inspiration Way Phase 2,
BEING A SUBDIVISION OF 5.46 ACRES OUT OF THE OLIVER HALL SURVEY, A-203, CITY
OF MANVEL, BRAZORIA COUNTY, TEXAS.

B) Preliminary Plat for Meridiana Section 10A;
BEING A SUBDIVISION OF 12.94 ACRES OUT OF THE OLIVER HALL SURVEY, A-203, CITY
OF MANVEL, BRAZORIA COUNTY, TEXAS.

C) Preliminary Plat for Meridiana Detention Reserve Y;
BEING A SUBDIVISION OF 9.98 ACRES OUT OF THE OLIVER HALL SURVEY, A-203, CITY
OF MANVEL, BRAZORIA COUNTY, TEXAS.

D) Preliminary Plat for Brazoria County Municipal Utility District No. 57 Lift Station No. 1;
BEING A SUBDIVISION OF 0.19 ACRES OUT OF THE OLIVER HALL SURVEY, A-203, CITY
OF MANVEL, BRAZORIA COUNTY, TEXAS.

E) Preliminary Plat for Meridiana Detention Reserve 'W';



BEING A SUBDIVISION OF 15.46 ACRES, BEING A PARTIAL REPLAT OF LOTS 16, 17, 18, BLOCK 1, OF LULLING STONE SECTION 1, AS RECORDED AT VOLUME 21, PAGES 267-270, BRAZORIA COUNTY PLAT RECORDS, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.

F) Preliminary Plat for Meridiana Detention Reserve 'Z' Phase 1;
BEING A SUBDIVISION OF 11.61 ACRES, BEING A PARTIAL REPLAT OF LOTS 1-8, BLOCK 1 OF LULLING STONE SECTION 1, AS RECORDED AT VOLUME 21, PAGES 267-270, BRAZORIA COUNTY PLAT RECORDS, CITY OF MANVEL.

G) Final Plat for Meridiana Detention Reserve U;
BEING A SUBDIVISION OF 9.860 ACRES IN THE OLIVER HALL SURVEY, ABSTRACT 203, BEING A PARTIAL REPLAT OF A PORTION OF LOT 9, BLOCK 1, OF LULLING STONE SECTION THREE, AS RECORDED IN VOL. 22, PG. 231-234 B.C.P.R.; ALSO BEING PART OF THE CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.

Motion to approve items A through G by Ryan Miller; seconded by Christy Kennard.

A roll call vote was taken 0 to 6. Motion FAILED.

H) Master Plan for Foxtail Palms;
BEING A SUBDIVISION OF 80.95 ACRES OF LAND LOCATED IN THE H.T. & B. RAILROAD CO. SURVEY SEC 71, A-291, ALSO BEING A PARTIAL REPLAT OF EMIGRATION LAND COMPANY SUBDIVISION RECORDED IN VOLUME 2, PAGE 81 B.C.P.R.

Motion to approve item H by Christine Diaz; seconded by Ryan Miller

A roll call vote was taken 0 to 6. Motion FAILED.

2. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance 2021-O-16;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 2.594 ACRES LOCATED AT 6407 MASTERS ROAD, MANVEL, TEXAS, FROM HIGHWAY MIXED USE DISTRICT (HMU) TO HIGHWAY MIXED USE DISTRICT WITH SPECIFIC USE PERMIT (HMU-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 493110 "GENERAL WAREHOUSING AND STORAGE"; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Traffic Study needed.

Motion to table by Christine Diaz; seconded by Ryan Miller

A roll call vote was taken 6 to 0. Motion to table approved.



Planning Development and Zoning Meeting

3. Consideration and possible action to approve excused committee member absences.

Not applicable.

Adjourn

Motion to adjourn by Alina Rogers; seconded by Kyle Marasckin.

A roll call vote was taken 6 to 0. Motion approved.

Meeting adjourned at 7:58 pm

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the Manvel Planning Development and Zoning Commission is true and correct; and that I posted such notice on the bulletin board at the Manvel City Hall. A place convenient and readily accessible to the public on May 7, 2021 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.

Tammy Bell, City Secretary
City of Manvel



City of Manvel

P. O. Box 187
20025 HWY 6
Manvel, Texas 77578

(281) 489-0630
Fax (281) 489-0634

AGENDA REQUEST

REQUEST MUST BE MADE ACCORDING TO THE SUBMITTAL SCHEDULE

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☒	City Council	☐	Both	☐
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Date of Request: May 24, 2021 PDZ

YOUR REQUEST WILL BE PLACED ON THE NEXT AVAILABLE MEETING DATE. MEETINGS ARE SECOND AND FOURTH MONDAYS FOR PLANNING, DEVELOPMENT & ZONING AND FIRST AND THIRD MONDAYS FOR CITY COUNCIL. THE AGENDAS ARE POSTED TO THE GENERAL PUBLIC AT MANVEL CITY HALL AND ON OUR WEBSITE AT www.cityofmanvel.com. THE AGENDA IS POSTED AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF THE MEETING. PLEASE CHECK THE BOARD FOR YOUR MEETING SCHEDULE. WE STRONGLY ENCOURAGE YOU TO ATTEND THE MEETING FOR QUESTIONS AND ANSWERS. IF YOU ARE UNABLE TO ATTEND ACTION MAY BE TABLED UNTIL THE FOLLOWING MEETING.

Person to Speak: Brian Edwards

Daytime Phone: 713-953-5118 Fax Number: 713-953-5026

E-mail Address: bedwards@lja.com

Description of Request and Physical Address:

Consideration and possible action to approve, Final Plat of Pomona Water Plant No. 2,
being a subdivision of 3.283 acres of land in the H.T. & B.R.R. Co. Survey, Section
78 (A.K.A) J.S. Talmage Survey, Abstract 563, Brazoria County, Texas, being a portion
of Lot 1 of Section 78 of the Allison Richey Gulf Coast Home Company part of Suburban
Gardens, a subdivision of record in Volume 2, Page 98, Plat Records of Brazoria County, Texas.

Plats:

Preliminary _____

Final x

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE SUBMITTED ACCORDING TO THE MEETING SUBMITTAL SCHEDULE WHICH CAN BE FOUND ON OUR WEBSITE. BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

Jessica Rodriguez Digitally signed by Jessica Rodriguez
Date: 2021.05.17 12:55:46 -05'00'

SIGNATURE

May 17, 2021

DATE

**DEVELOPMENT SERVICES DEPARTMENT**

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Planning, Development and Zoning Commission Plat Report

Plat Name	Pomona Water Plant No. 2 Final Plat
Applicant	Jason Price, LJA
PD&Z Meeting Date	May 24, 2021
Recommendation	Approval
Submitted By	Jessica Rodriguez, Director of Development Services

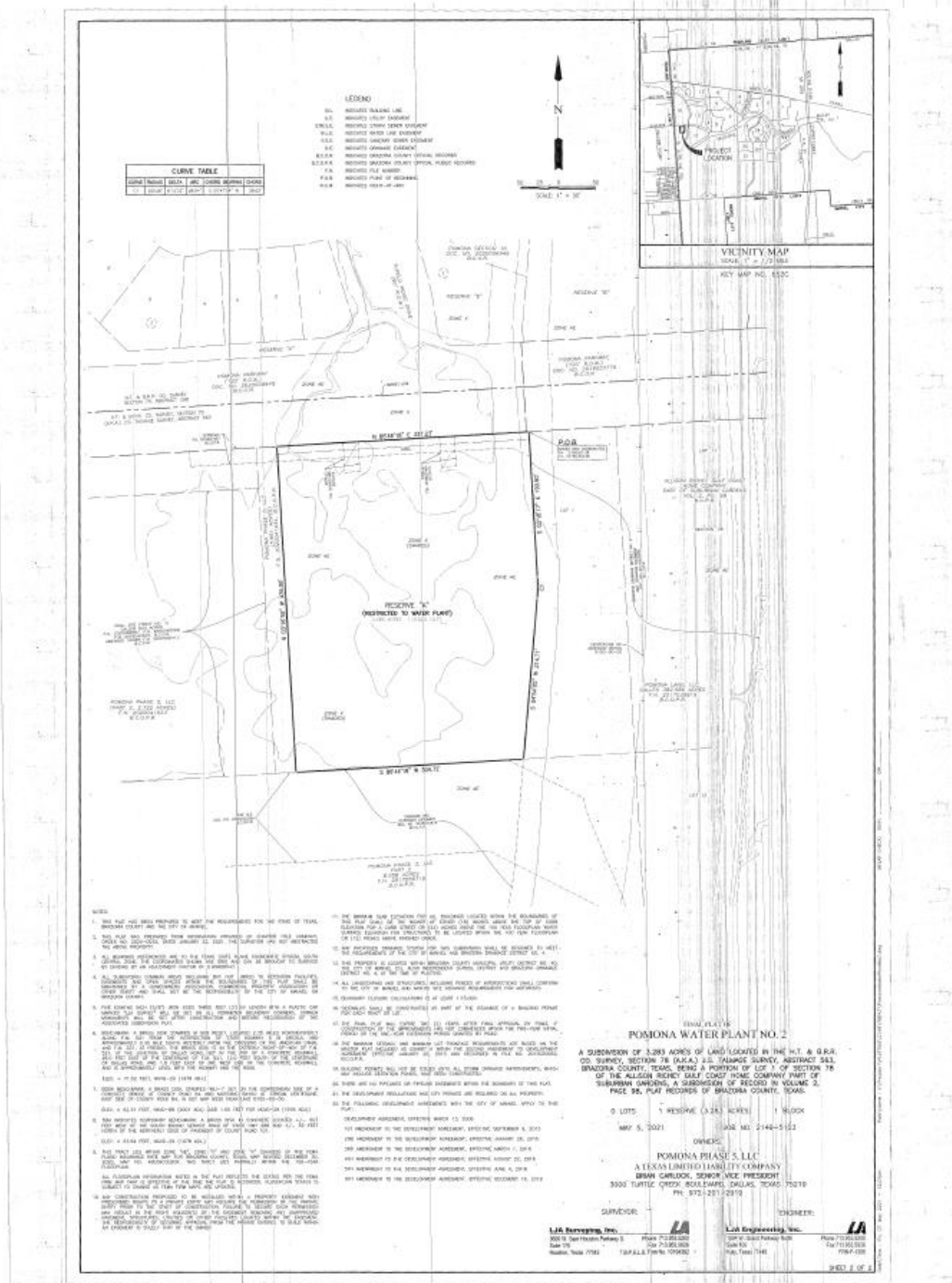
Background

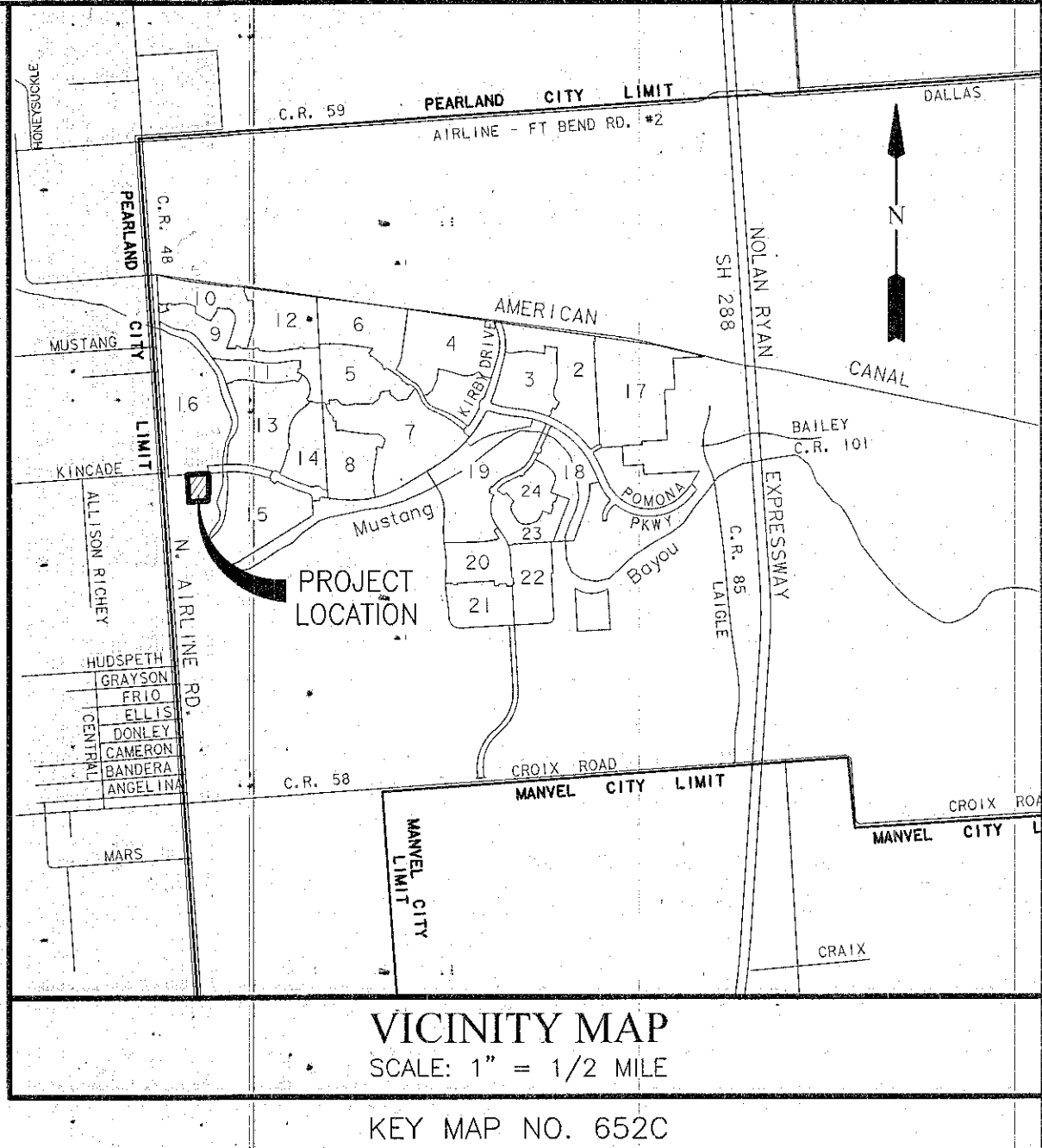
At the March 8, 2021, Planning, Development and Zoning Commission meeting, this final plat was not favorably approved because it did not meet nine sections of the subdivision ordinance. On May 13, 2021, this final plat was re-submitted and addressed all outstanding items from the March 8, 2021, PD&Z meeting.

Staff Recommendation

The City staff recommends approval of Pomona Water Plant No. 2 Final Plat.

Plat Exhibit





STATE OF TEXAS
COUNTY OF BRAZORIA

WE, POMONA PHASE 5, LLC, A TEXAS LIMITED LIABILITY COMPANY, ACTING BY AND THROUGH BRIAN CARLOCK, SENIOR VICE PRESIDENT OF POMONA PHASE 5, LLC, A TEXAS LIMITED LIABILITY COMPANY, OWNER, HEREIN BY REFERRED TO AS OWNERS OF THE PROPERTY SUBDIVIDED IN THE PLAT OF POMONA WATER PLANT NO. 2, 3.283 ACRES OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION 78, ALSO KNOWN AS THE J.S. TALMAGE SURVEY, ABSTRACT 563, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 1, SECTION 78 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION RECORDED IN VOLUME 2, PAGE 98, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID COMPANY, ACCORDING TO THE LINES, LOTS, BUILDING LINES, STREETS, ALLEYS, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE AS SUCH, THE STREETS, ALLEYS, PARKS AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

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

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

FURTHER, WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION OF POMONA WATER PLANT NO. 2 WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

IN TESTIMONY HERETO, POMONA PHASE 5, LLC, A TEXAS LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY BRIAN CARLOCK, ITS SENIOR VICE PRESIDENT,

THIS 10 DAY OF May, 2021.

BY: POMONA PHASE 5, LLC,
A TEXAS LIMITED LIABILITY COMPANY

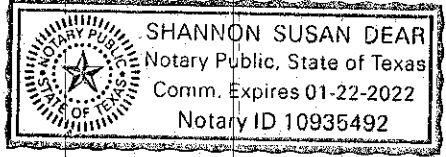
BY: Brian Carlock
BRIAN CARLOCK, SENIOR VICE PRESIDENT

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BRIAN CARLOCK, SENIOR VICE PRESIDENT OF POMONA PHASE 5, LLC, A TEXAS LIMITED LIABILITY COMPANY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 10 DAY OF May, 2021.

Shannon Deane
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



THIS IS TO CERTIFY THAT THE PLANNING, DEVELOPMENT AND ZONING COMMISSION OF THE CITY OF MANVEL, TEXAS, HAS APPROVED THIS PLAT OF POMONA WATER PLANT NO. 2 IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT

THIS _____ DAY OF _____, 20____.

PLANNING, DEVELOPMENT, AND ZONING COMMISSION

WE, TEXAS CAPITAL BANK, NATIONAL ASSOCIATION, OWNER AND HOLDER OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS POMONA WATER PLANT NO. 2, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NO(S) 2018052950 & 2020018797 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNERS OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

TEXAS CAPITAL BANK,
NATIONAL ASSOCIATION

BY: Misty Lieb-Barnatt
PRINT NAME: Misty Lieb-Barnatt
TITLE: Senior Vice President

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Misty Lieb-Barnatt, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 12 DAY OF May, 2021.

Marinita Hurtado
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



BEING 3.283 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 78 (A.K.A.) J.S. TALMAGE SURVEY, ABSTRACT 563, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 1 OF SECTION 78 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, PLAT RECORDS OF SAID BRAZORIA COUNTY, TEXAS (B.C.P.R.), SAID 3.283 ACRES ALSO BEING A PORTION OF THAT CERTAIN CALLED 3.561 ACRE TRACT CONVEYED TO POMONA PHASE 5, LLC, BY INSTRUMENT OF RECORD IN FILE NUMBER 2020041934 OF THE OFFICIAL PUBLIC RECORDS OF SAID BRAZORIA COUNTY, TEXAS (B.C.O.P.R.), SAID 3.283 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS) REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (1993 ADJUSTMENT));

BEGINNING AT THE NORTHEAST CORNER OF SAID 3.561 ACRES, SAME BEING ON THE SOUTH LINE OF POMONA PARKWAY STREET DEDICATION NO. 3, A SUBDIVISION OF RECORD IN FILE NUMBER 2019057775, B.C.P.R., SAME BEING ON A WESTERLY LINE OF A 101.719 ACRE DRAINAGE EASEMENT (DESCRIBED AS PART 1), CONVEYED TO BRAZORIA DRAINAGE DISTRICT NO. 4, BY INSTRUMENT OF RECORD IN FILE NUMBER 2014020078, B.C.O.P.R.;

THENCE, SOUTH 03° 18' 17" EAST, DEPARTING THE SOUTH LINE OF SAID POMONA PARKWAY, ALONG THE COMMON LINE OF THE EAST LINE OF SAID 3.561 ACRES AND THE WESTERLY LINE OF SAID DRAINAGE EASEMENT, 133.90 FEET TO A POINT FOR CORNER, THE BEGINNING OF A CURVE;

THENCE, CONTINUING WITH SAID COMMON LINE, 28.64 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 08° 12' 22", AND A CHORD WHICH BEARS SOUTH 00° 47' 54" WEST, 28.62 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 04° 54' 05" WEST, CONTINUING WITH SAID COMMON LINE, 214.71 FEET TO A POINT FOR CORNER, SAME BEING ON THE NORTH LINE OF THAT CERTAIN CALLED 8.058 ACRE TRACT (DESCRIBED AS PART 2), CONVEYED TO POMONA PHASE 3, LLC, BY INSTRUMENT OF RECORD IN FILE NUMBER 2017056715, B.C.O.P.R., SAME BEING IN THE COMMON LINE OF THE SOUTH LINE OF SAID LOT 1, AND ON THE NORTH LINE OF LOT 2, OF SAID SECTION 78, SAME BEING THE SOUTHEAST CORNER OF SAID 3.561 ACRES;

THENCE, SOUTH 86° 46' 18" WEST, ALONG THE COMMON LINE OF THE NORTH LINE OF SAID 8.058 ACRES, AND SAID LOT 1 AND LOT 2, 304.72 FEET TO A POINT FOR CORNER;

THENCE, NORTH 03° 16' 50" WEST, DEPARTING SAID COMMON LINE, 435.00 FEET TO A POINT FOR CORNER IN THE SOUTH LINE OF POMONA PARKWAY, AS SHOWN ON POMONA SECTION 16, A SUBDIVISION OF RECORD IN FILE NUMBER 2020008945, B.C.P.R., AND ON THE NORTH LINE OF SAID 3.561 ACRES;

THENCE, NORTH 86° 46' 18" EAST, ALONG THE NORTH LINE OF SAID 3.561 ACRES AND THE SOUTH LINE OF SAID POMONA PARKWAY, 337.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.283 ACRES OF LAND.

APPROVED BY THE BOARD OF COMMISSIONERS ON 02/02/2021

BR
BRAZORIA DRAINAGE DISTRICT NO. 4

John
DISTRICT ENGINEER

THE ABOVE HAVE SIGNED THESE PLANS AND/OR PLAT BASED ON THE RECOMMENDATION OF THE DISTRICT'S ENGINEER WHO HAS REVIEWED ALL SHEETS PROVIDED AND FOUND THEM TO BE IN GENERAL COMPLIANCE WITH THE DISTRICT'S "RULES, REGULATIONS, AND GUIDELINES". THIS APPROVAL IS ONLY VALID FOR THREE HUNDRED SIXTY-FIVE (365) CALENDAR DAYS. AFTER THAT TIME RE-APPROVAL IS REQUIRED. PLEASE NOTE, THIS DOES NOT NECESSARILY MEAN THAT ALL THE CALCULATIONS PROVIDED IN THESE PLANS AND/OR PLATS HAVE BEEN COMPLETELY CHECKED AND VERIFIED. PLANS SUBMITTED HAVE BEEN PREPARED, SIGNED AND SEALED BY A PROFESSIONAL ENGINEER LICENSED TO PRACTICE ENGINEERING IN THE STATE OF TEXAS AND PLAT HAS BEEN SIGNED AND SEALED BY A REGISTERED PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF TEXAS, WHICH CONVEYS THE ENGINEER'S AND/OR SURVEYOR'S RESPONSIBILITY AND ACCOUNTABILITY.

BDD4 REF. ID #20142

I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND IN ACCORDANCE WITH THE INFORMATION PROVIDED ME AND CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY AND IS TRUE AND CORRECT AND THAT ALL BOUNDARY CORNERS, LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVATURE ARE PROPERLY MARKED WITH 5/8 INCH DIAMETER IRON RODS THREE FEET LONG OR AS SHOWN ON THE PLAT.

Keith W. Monroe

KEITH W. MONROE, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4797



BRAZORIA DRAINAGE DISTRICT NO. 4 NOTES:

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

FINAL PLAT OF
POMONA WATER PLANT NO. 2

A SUBDIVISION OF 3.283 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 78 (A.K.A.) J.S. TALMAGE SURVEY, ABSTRACT 563, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 1 OF SECTION 78 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS.

0 LOTS 1 RESERVE (3.283 ACRES) 1 BLOCK

MAY 5, 2021 JOB NO. 2149-5103

OWNERS:

POMONA PHASE 5, LLC
A TEXAS LIMITED LIABILITY COMPANY
BRIAN CARLOCK, SENIOR VICE PRESIDENT
3000 TURTLE CREEK BOULEVARD, DALLAS, TEXAS 75219
PH: 972-201-2919

SURVEYOR:

ENGINEER:

LJA Surveying, Inc.
3600 W. Sam Houston Parkway S. Phone 713.953.5200
Suite 175 Fax 713.953.5026
Houston, Texas 77042 T.B.P.E.L.S. Firm No. 10194382

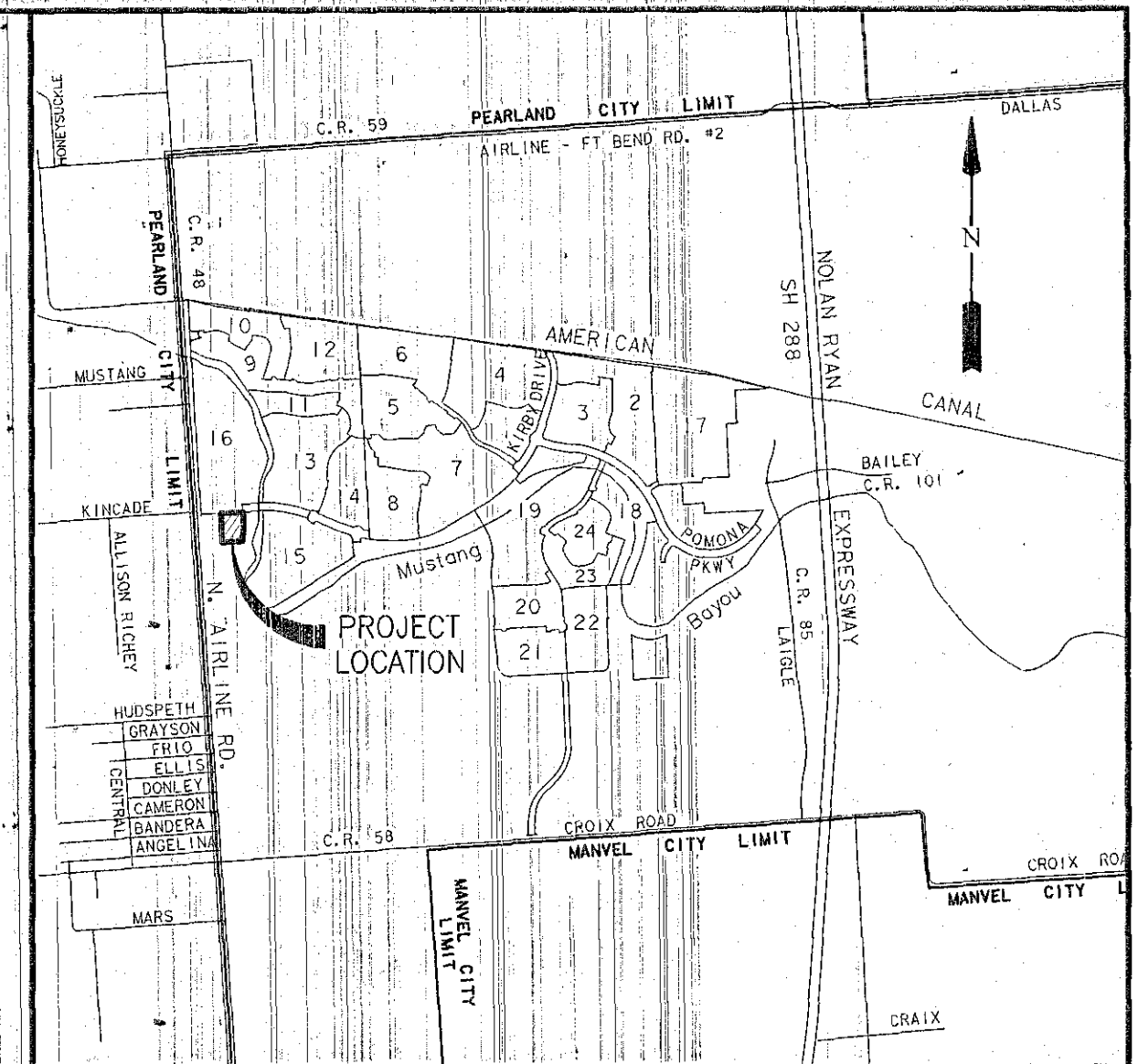
LJA Engineering, Inc.
1904 W. Grand Parkway North Phone 713.953.5200
Suite 100 Fax 713.953.5026
Katy, Texas 77449 FRN-F-1386

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	200.00'	81°22'22"	28.64'	S 09°47'54" W	28.62'

LEGEND

B.L. INDICATES BUILDING LINE
 U.E. INDICATES UTILITY EASEMENT
 S.M.S.E. INDICATES STORM SEWER EASEMENT
 W.L.E. INDICATES WATER LINE EASEMENT
 S.S.E. INDICATES SANITARY SEWER EASEMENT
 D.E. INDICATES DRAINAGE EASEMENT
 B.C.O.R. INDICATES BRAZORIA COUNTY OFFICIAL RECORDS
 B.C.O.P.R. INDICATES BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS
 F.N. INDICATES FILE NUMBER
 P.O.B. INDICATES POINT OF BEGINNING
 R.O.W. INDICATES RIGHT-OF-WAY

50 25 0 50
 SCALE: 1" = 50'



VICINITY MAP
 SCALE: 1" = 1/2 MILE
 KEY MAP NO. 652C



NOTES:

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS FOR THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF MANVEL.
- THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY CHARTER TITLE COMPANY, ORDER NO. 2020-0035, DATED JANUARY 22, 2021. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- ALL BEARINGS REFERENCED ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE. THE COORDINATES SHOWN ARE GRID AND CAN BE BROUGHT TO SURFACE BY DIVIDING BY AN ADJUSTMENT FACTOR OF 0.99986547.
- ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS AND OPEN SPACES WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF MANVEL OR BRAZORIA COUNTY.
- FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "LJA SURVEY" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS. CORNER MONUMENTS WILL BE SET AFTER CONSTRUCTION AND BEFORE RECORDATION OF THE ASSOCIATED SUBDIVISION PLAT.
- BENCHMARK: A BRASS DISK STAMPED M 808 RESET, LOCATED 2.35 MILES NORTHEASTERLY ALONG F.M. 521 FROM THE INTERSECTION OF STATE HIGHWAY 6 IN ARCOLA, AND APPROXIMATELY 0.40 MILE SOUTH WESTERLY FROM THE CROSSING OF THE AMERICAN CANAL AND F.M. 521, AT FRESNO. THE BRASS DISK IS IN THE EASTERLY RIGHT-OF-WAY OF F.M. 521, AT THE JUNCTION OF DALLAS ROAD, SET IN THE TOP OF A CONCRETE HEADWALL, 38.0 FEET EAST OF THE CENTERLINE OF F.M. 521, 13.0 FEET SOUTH OF THE CENTERLINE OF DALLAS ROAD, AND 1.8 FEET EAST OF THE WEST END OF THE CONCRETE HEADWALL, AND IS APPROXIMATELY LEVEL WITH THE HIGHWAY AND THE ROAD.
 ELEV. = 71.52 FEET, NGVD-29 (1978 ADJ.)
- BODA BENCHMARK: A BRASS DISK STAMPED "MU-1" SET ON THE DOWNSTREAM SIDE OF A CONCRETE BRIDGE AT COUNTY ROAD 84 AND MUSTANG BAYOU AT STREAM CENTERLINE, EAST SIDE OF COUNTY ROAD 84, IN KEY MAP 652D NEAR UNIT D100-00-00.
 ELEV. = 62.31 FEET, NAVD-88 (2001 ADJ.) (ADD 1.65 FEET FOR NGVD-29 (1978 ADJ.))
- TBM INDICATES TEMPORARY BENCHMARK: A BRASS DISK IN CONCRETE LOCATED +/- 607 FEET WEST OF THE SOUTH BOUND SERVICE ROAD OF STATE HWY 288 AND +/- 55 FEET NORTH OF THE NORTHERLY EDGE OF PAVEMENT OF COUNTY ROAD 101.
 ELEV. = 63.64 FEET, NGVD-29 (1978 ADJ.)
- THIS TRACT LIES WITHIN ZONE "AE", ZONE "X" AND ZONE "X" (SHADED) OF THE FEMA FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, TEXAS, MAP REVISED DECEMBER 30, 2020, MAP NO. 48039C0020K. THIS TRACT LIES PARTIALLY WITHIN THE 100-YEAR FLOODPLAIN.
 ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.
- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE OWNER.

- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF EITHER (18) INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR (24) INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN OR (12) INCHES ABOVE FINISHED GRADE.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF MANVEL AND BRAZORIA DRAINAGE DISTRICT NO. 4.
- THIS PROPERTY IS LOCATED WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 40, THE CITY OF MANVEL ETJ, ALVIN INDEPENDENT SCHOOL DISTRICT AND BRAZORIA DRAINAGE DISTRICT NO. 4, AT THE TIME OF PLATING.
- ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF MANVEL AND AASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
- BOUNDARY CLOSURE CALCULATIONS IS AT LEAST 1:15,000.
- SIDEWALKS SHALL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT OR LOT.
- THE FINAL PLAT WILL EXPIRE TWO (2) YEARS AFTER FINAL APPROVAL BY PD&Z, IF CONSTRUCTION OF THE IMPROVEMENTS HAS NOT COMMENCED WITHIN THE TWO-YEAR INITIAL PERIOD OR THE ONE-YEAR EXTENSION PERIOD GRANTED BY PD&Z.
- THE MINIMUM SETBACK AND MINIMUM LOT FRONTAGE REQUIREMENTS ARE BASED ON THE MASTER PLAT INCLUDED AS EXHIBIT A WITHIN THE SECOND AMENDMENT TO DEVELOPMENT AGREEMENT EFFECTIVE JANUARY 26, 2015 AND RECORDED IN FILE NO. 2015050955, B.C.O.P.R.
- BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION PONDS, HAVE BEEN CONSTRUCTED.
- THERE ARE NO PIPELINES OR PIPELINE EASEMENTS WITHIN THE BOUNDARY OF THIS PLAT.
- THE DEVELOPMENT REGULATIONS AND CITY PERMITS ARE REQUIRED ON ALL PROPERTY.
- THE FOLLOWING DEVELOPMENT AGREEMENTS WITH THE CITY OF MANVEL APPLY TO THIS PLAT:
 DEVELOPMENT AGREEMENT, EFFECTIVE MARCH 13, 2006
 1ST AMENDMENT TO THE DEVELOPMENT AGREEMENT, EFFECTIVE SEPTEMBER 9, 2013
 2ND AMENDMENT TO THE DEVELOPMENT AGREEMENT, EFFECTIVE JANUARY 26, 2015
 3RD AMENDMENT TO THE DEVELOPMENT AGREEMENT, EFFECTIVE MARCH 1, 2016
 4TH AMENDMENT TO THE DEVELOPMENT AGREEMENT, EFFECTIVE AUGUST 22, 2016
 5TH AMENDMENT TO THE DEVELOPMENT AGREEMENT, EFFECTIVE JUNE 4, 2018
 6TH AMENDMENT TO THE DEVELOPMENT AGREEMENT, EFFECTIVE DECEMBER 16, 2019

**FINAL PLAT OF
 POMONA WATER PLANT NO. 2**

A SUBDIVISION OF 3.283 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 78 (A.K.A.) J.S. TALMAGE SURVEY, ABSTRACT 563, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 1 OF SECTION 78 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS.

0 LOTS 1 RESERVE (3.283 ACRES) 1 BLOCK

MAY 5, 2021 JOB NO. 2149-5103

OWNERS:

POMONA PHASE 5, LLC
 A TEXAS LIMITED LIABILITY COMPANY
 BRIAN CARLOCK, SENIOR VICE PRESIDENT
 3000 TURTLE CREEK BOULEVARD, DALLAS, TEXAS 75219
 PH: 972-201-2919

SURVEYOR:

ENGINEER:

LJA Surveying, Inc.
 3600 W. Sam Houston Parkway S. Phone 713.953.5200
 Suite 175 Fax 713.953.5026
 Houston, Texas 77042 T.B.P.E.L.S. Firm No. 10194382

LJA Engineering, Inc.
 1904 W. Grand Parkway North Phone 713.953.5200
 Suite 100 Fax 713.953.5026
 Katy, Texas 77449 FRN-F-1386



City of Manvel

P. O. Box 187
20025 HWY 6
Manvel, Texas 77578

(281) 489-0630
Fax (281) 489-0634

AGENDA REQUEST

REQUEST MUST BE MADE ACCORDING TO THE SUBMITTAL SCHEDULE

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☐	City Council	☐	Both	☒
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Date of Request: May 24, 2021 PDZ and June 7, 2021 City Council

YOUR REQUEST WILL BE PLACED ON THE NEXT AVAILABLE MEETING DATE. MEETINGS ARE SECOND AND FOURTH MONDAYS FOR PLANNING, DEVELOPMENT & ZONING AND FIRST AND THIRD MONDAYS FOR CITY COUNCIL. THE AGENDAS ARE POSTED TO THE GENERAL PUBLIC AT MANVEL CITY HALL AND ON OUR WEBSITE AT www.cityofmanvel.com. THE AGENDA IS POSTED AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF THE MEETING. PLEASE CHECK THE BOARD FOR YOUR MEETING SCHEDULE. WE STRONGLY ENCOURAGE YOU TO ATTEND THE MEETING FOR QUESTIONS AND ANSWERS. IF YOU ARE UNABLE TO ATTEND ACTION MAY BE TABLED UNTIL THE FOLLOWING MEETING.

Person to Speak: Brad Sweitzer

Daytime Phone: 713-784-4500 Fax Number: N/A

E-mail Address: bsweitzer@ehrainc.com

Description of Request and Physical Address:

Consideration and possible action to approve and forward with recommendation to
City Council, Preliminary Plat for Meridiana Section 25A, a subdivision of 19.49 acres,
being a partial replat of Lots 17 & 18, Block 1, of Lulling Stone Section 1, as recorded
at Volume 21, Pages 267-270, Brazoria County Plat Records, City of Manvel, Brazoria
County, Texas.

Plats:

Preliminary X

Final

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE SUBMITTED ACCORDING TO THE MEETING SUBMITTAL SCHEDULE WHICH CAN BE FOUND ON OUR WEBSITE. BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

Brad Sweitzer

SIGNATURE

4/26/2021

DATE

Land Use Table		
Use	Gross Area	%
Single Family (SF)	+/- 931 Ac.	55%
Patio Home (PH)	+/- 50 Ac.	3%
Townhome (TH)	+/- 36 Ac.	2%
Village Center (VC)	+/- 38 Ac.	2%
Commercial (C)	+/- 13 Ac.	1%
Institutional (I)	+/- 75 Ac.	5%
Rights-of-Way*	+/- 99 Ac.	6%
Parks & Open Space (P-OS)	+/- 431 Ac.	26%
Drill Site		
Totals	+/- 1,663 Ac.	100%
* Includes proposed major thoroughfares, collectors, and neighborhood collectors.		

THIS GENERAL DEVELOPMENT PLAN APPROVED BY THE CITY OF MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION ON _____

GEORGE GRIFFITH

NICOLE LISTON-TYSON

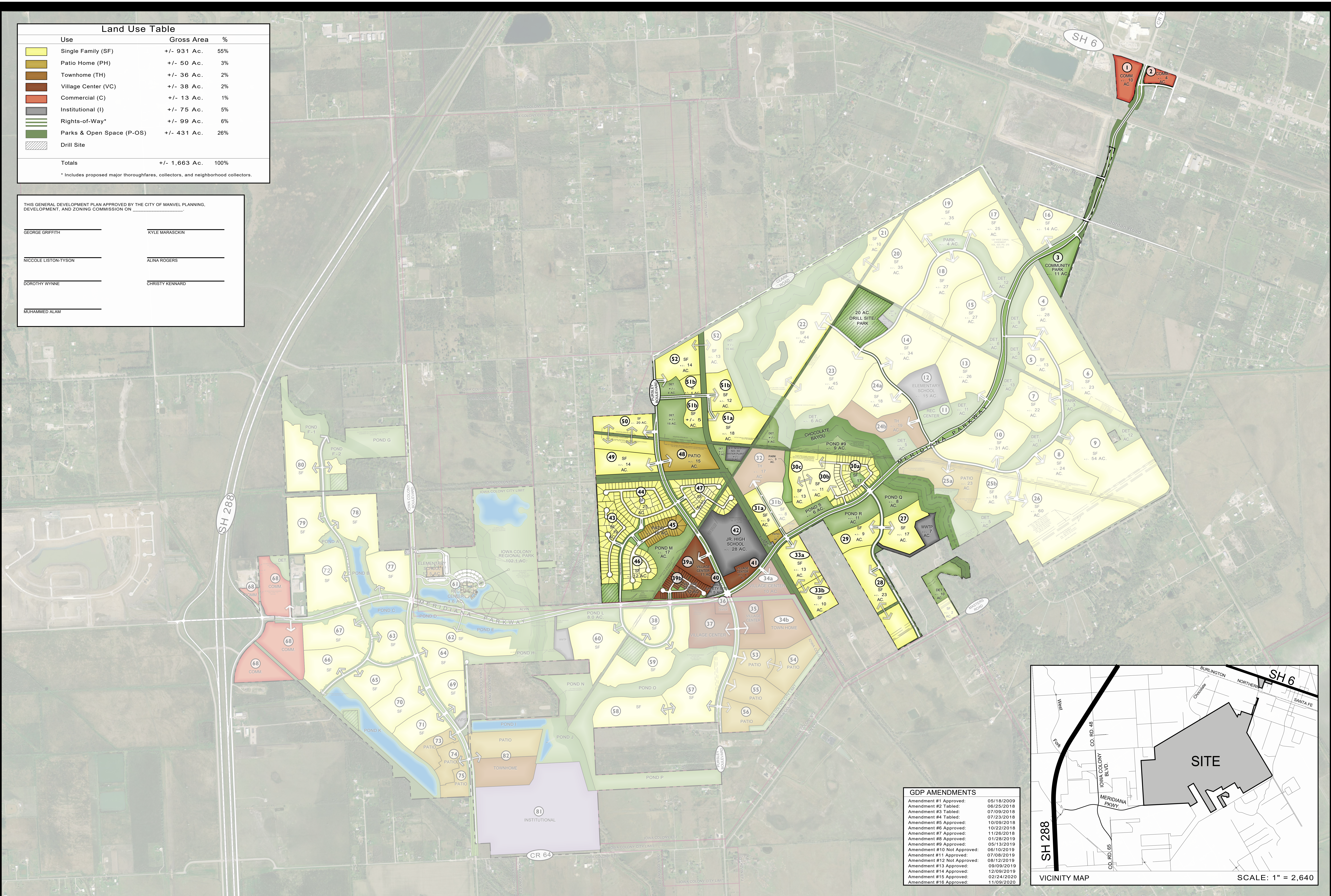
DOROTHY WYNNE

MUHAMMAD ALAM

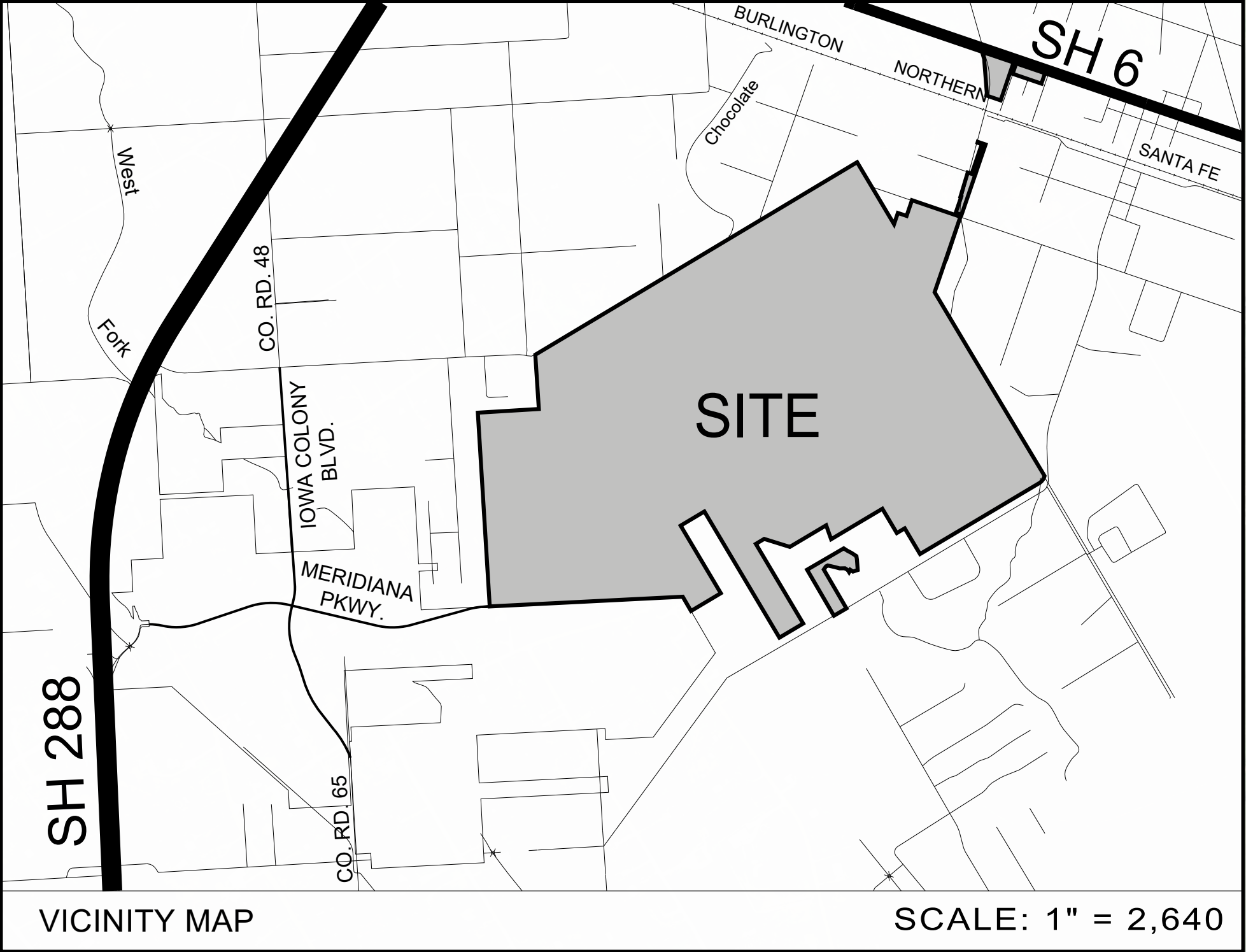
KYLE MARASCKIN

ALINA ROGERS

CHRISTY KENNARD



GDP AMENDMENTS	
Amendment #1 Approved:	05/18/2009
Amendment #2 Tabled:	06/25/2019
Amendment #3 Tabled:	07/09/2018
Amendment #4 Tabled:	07/23/2018
Amendment #5 Approved:	10/09/2018
Amendment #6 Approved:	10/22/2018
Amendment #7 Approved:	11/26/2018
Amendment #8 Approved:	01/28/2019
Amendment #9 Approved:	05/13/2019
Amendment #10 Not Approved:	06/10/2019
Amendment #11 Approved:	07/08/2019
Amendment #12 Not Approved:	08/12/2019
Amendment #13 Approved:	09/09/2019
Amendment #14 Approved:	12/09/2019
Amendment #15 Approved:	02/24/2020
Amendment #16 Approved:	11/09/2020





DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Planning, Development and Zoning Commission Plat Report

Plat Name	Meridiana Section 25A Preliminary Plat
Applicant	Brad Sweitzer, EHRA, Inc.
PD&Z Meeting Date	May 24, 2021
Recommendation	Denial
Submitted By	Jessica Rodriguez, Director of Development Services

Staff Recommendation

The City staff recommends denial of the Meridiana Section 25A Preliminary Plat.

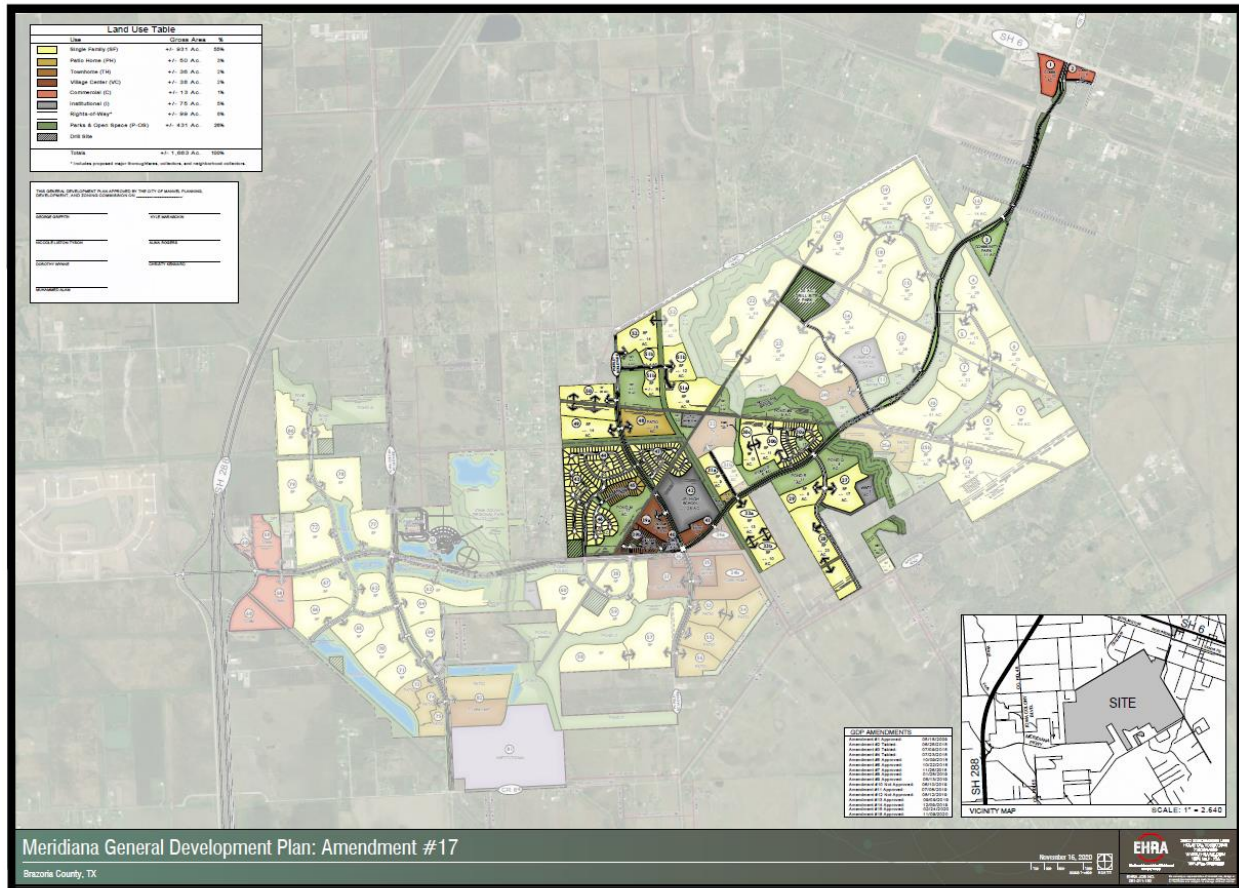
1. This plat has not been approved on the most recently approved Meridiana General Development Plan Amendment No. 17 (dated November 16, 2020) which is required according to page 61 of the adopted Meridiana O-PUD (Ordinance No. 2009-O-04).
2. Provide an approved preliminary drainage plan from Brazoria County Drainage District No. 5 (Section 62-38 (a) (14)).



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
281-489-0630

Meridiana General Development Plan Amendment No. 17 (dated November 16, 2020)



GENERAL NOTES:

- Bearing orientation is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurement.
- The Coordinates shown hereon are Texas South Central Zone No. 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 0.99986742185.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No.4803R010K, dated December 30, 2020, the property lies partially within Unshaded Zone X, partially within Shaded Zone X, and partially within Zone AE.

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. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinchey, Russ & Associates, Inc. d/b/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinchey, Russ & Associates, Inc. d/b/a EHRA.

- B.C.C.F. indicates Brazoria County Clerk's File.
B.L. indicates Building Line.
D.E. indicates Drainage Easement.
M.H. indicates Manhole.
P.G. indicates Page.
P.A.E. indicates Permanent Access Easement.
P.O.B. indicates Point of Beginning.
P.U.E. indicates Public Utility Easement.
P.V.T. indicates Private.
R. indicates Radius.
R.O.W. indicates Right-Of-Way.
S.S.E. indicates Sanitary Sewer Easement.
S.W.S.E. indicates Storm Sewer Easement.
U.E. indicates Utility Easement.
VOL. indicates Volume.
W.L.E. indicates Water Line Easement.
X indicates change in street name.
- The property subdivided in the foregoing plat lies in Brazoria County, the City of Manvel, Brazoria County M.U.D. No. 37, Atin Independent School District, and Brazoria County Drainage District #5.
- Property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences buildings, plantings, and other obstructions.
- The Developer/Homeowners' Association/Municipal Utility District shall be responsible for maintenance of all reserves.
- The terms and conditions of Ordinance numbers 2009-0-03, 2009-0-04, and 2009-0-05 of the City of Manvel, Texas dated February 23, 2009, may affect this plat.
- All sidewalks shall be constructed in accordance with City of Manvel Ordinance No. 2009-0-04.
- Contour lines shown hereon are based on the NGS Benchmark E 306 being noted hereon.
- No residential, commercial, or industrial structure, other than structures necessary to operate the pipeline, shall be erected or moved to a location nearer than 50 feet to any pipeline, except for low pressure distribution system pipeline as defined in section 62-2, as per Manvel Ordinance Sec. 62-116a.
- Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
- Approval of the preliminary plat does not constitute acceptance of the subdivision, but is merely an authorization to proceed with the preparation of the final plat. Approval of the preliminary plat shall expire 12 months after council approval, unless the final plat has been submitted to council for final approval during that time. Upon written request of the subdivider, an extension of time may be given, at the discretion of the council, for a single extension period of six months, provided the subdivider has shown good faith in proceeding to complete the work necessary prior to filing the final plat.
- Reserve "B" provides a total of 0.77 acres of unencumbered open space within the boundary of this plat.
- One foot reserve dedicated to the public in fee as a buffer separation between the side or ends of streets where such streets abut adjacent property, the condition of such dedication being that when the adjacent property is subdivided or re-subdivided in a record plat the one foot reserve shall hereupon become vested in the public for street right-of-way purposes and the fee title there shall revert to and re-vest in the dedicatior, his heirs, assigns, or successors.

BRAZORIA COUNTY DRAINAGE DISTRICT NO. 5 NOTES:

- Slab elevations (finished floor) shall be a minimum of 2 feet above finished grade.
- All drainage easements shown hereon shall be kept clear of fences, buildings, plantings and other obstructions to the operation and maintenance of drainage facilities.
- All property shall drain into the drainage easement only through an approved drainage structure.
- All drainage easements and detention pond reserves shown on this plat, will be maintained by the property owners and/or business owners; provided, however, and governmental entity have jurisdiction, including, without limitation, Brazoria County, Texas and Brazoria County Drainage District #5, shall have the right, but not the obligation to enter upon the drainage easements to perform maintenance operations at any time after the date hereof.
- The property identified in the foregoing plat lies within Brazoria County Drainage District #5.
- This rural subdivision employs a natural drainage system, which is intended to provide drainage for the subdivision that is similar to that which existed under pre-development conditions. Thus, during large storm events, ponding of water should be expected to occur in the subdivision to the extent it may have prior to development, but such ponding should not remain for an extended period of time.
- Land use within the subdivision is limited to an average imperviousness of no more than 72 percent. The drainage and/or detention system has been designed with the assumption that this average percent imperviousness will not be exceeded. If this percentage is to be exceeded, a replat and/or redesign of the system may be necessary.
- Other than shown hereon, there are no pipeline easements or pipelines within the boundaries of this plat.
- All storm water drainage pipes, culverts, tiles or other (includes driveway culverts) will be minimum 24" I.D. or equal.
- Dedicated drainage easement(s) granted to Brazoria County Drainage District #5 for drainage maintenance purposes shall include 45 feet top of bank, plus the sum (footage) of both ditch side slopes and channel bottom and 45 feet of bank on the opposite bank.
- Dedicated ingress/egress accesses are granted to Brazoria County Drainage District #5 (see District Resolution No 2007-06 & 2007-07). Access will be gated and locked with Brazoria County Drainage District #5's lock.
- Prohibited use of "metal" pipe in storm water/sewer applications (See District Resolution No. 2007-08).
- Prohibited use of "rip rap" in storm water/sewer applications. (District Policy).
- Pipelines, utility lines and other crossing under any Brazoria County Drainage District #5 ditch require approval and permitting prior to construction.
- All dedicated storm water drainage and/or access easements to be granted to Brazoria County Drainage District #5 by the property owner will be initiated and recorded, at the property owner's expense, in Brazoria County, Texas with a "Recorded Document Number" affixed to said easement prior to final approval granted by Brazoria County Drainage District #5 Board of Commissioners.
- It will be the property owner's responsibility to verify if any Brazoria County Drainage District #5 Dedicated drainage easements are on or cross their property. If so, the property owner will comply as stated within the recorded easement.
- Project field start-up will start within 365 calendar days from date shown here. Continuous and reasonable field site work is expected. See Brazoria County drainage criteria manual section 1, Introduction; Sub-Section 1.5. Plat and Plan approval process, and drainage acceptance procedures; time limit for approval and Brazoria County Drainage District #5 Resolution 2011-1, allowable time(s) and procedures for starting-up approved projects.

BENCHMARK(S):

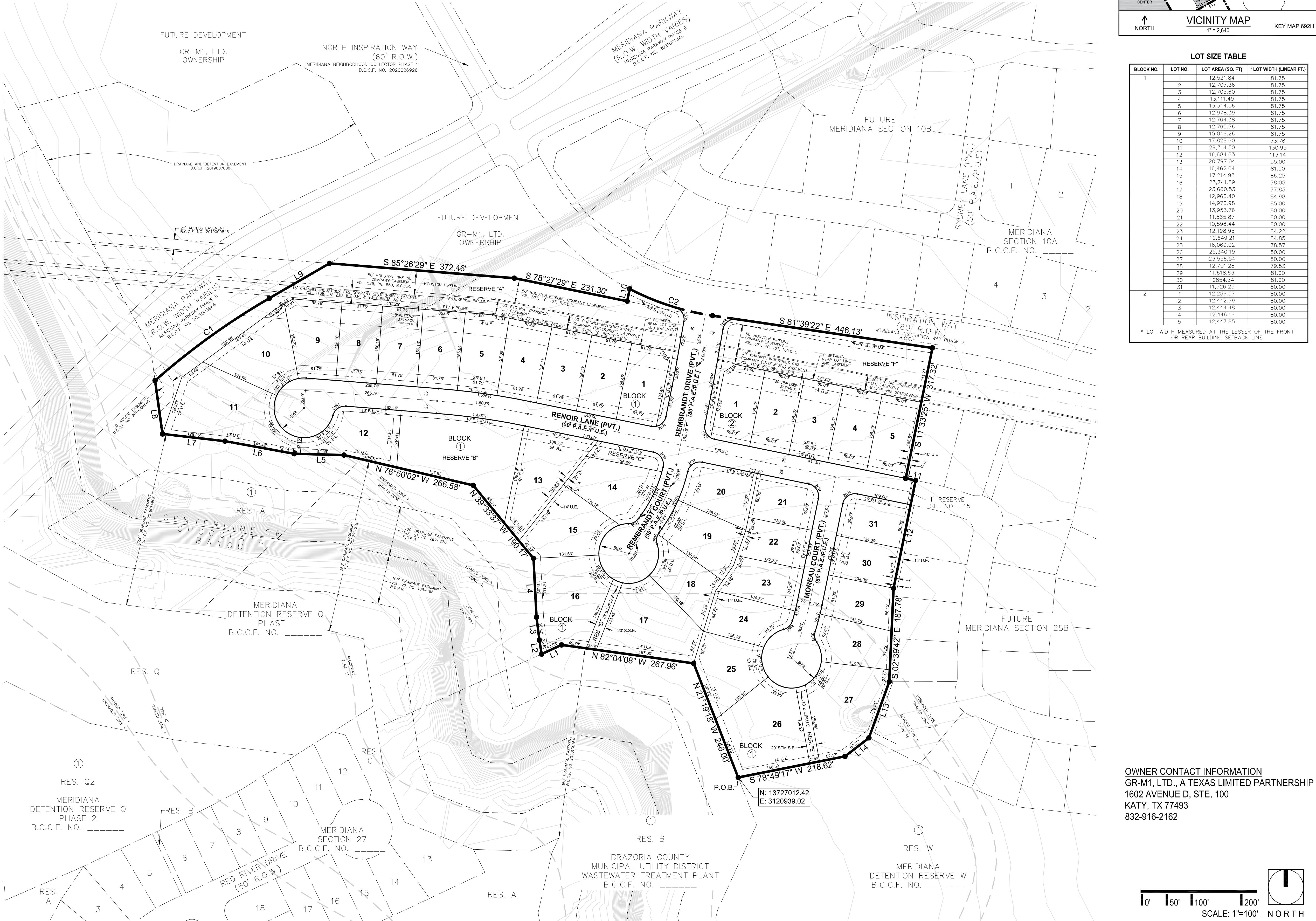
NGS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL, 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL-ROAD CROSSING, S-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 3 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND.
ELEV.=52.00 (NAVD '88) 1991 ADJUSTMENT

THIS IS TO CERTIFY THAT THE PLANNING, DEVELOPMENT AND ZONING COMMISSION OF THE CITY OF MANVEL, TEXAS, HAS RECOMMENDED APPROVAL OF THIS PLAT OF MERIDIANA SECTION 25A IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2021.

PLANNING, DEVELOPMENT AND ZONING COMMISSION

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, HAS APPROVED THIS PLAT OF MERIDIANA SECTION 25A IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2021.

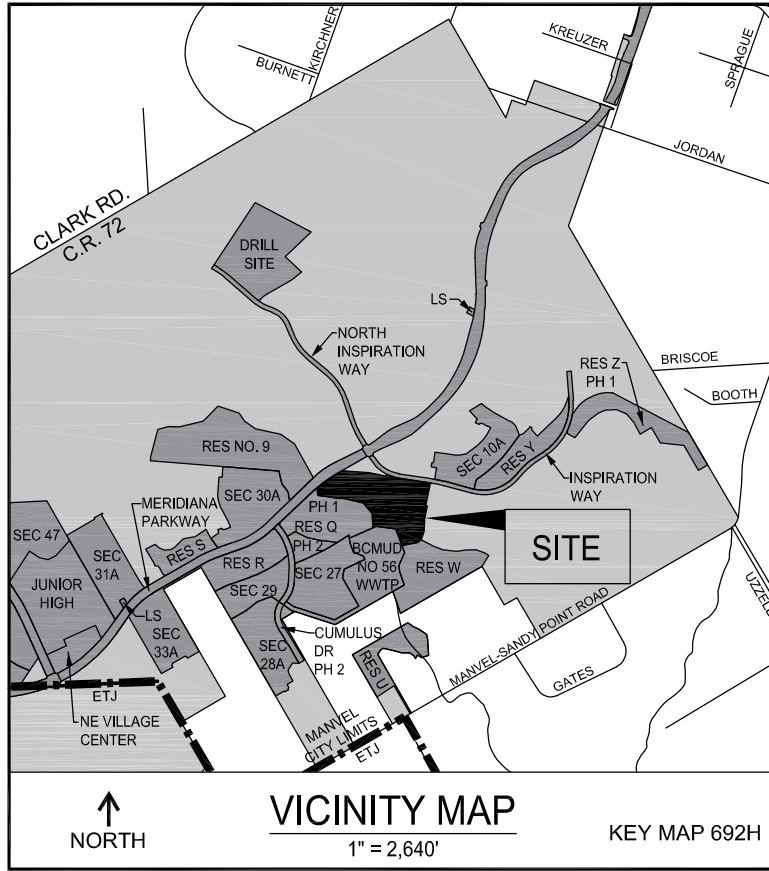
CITY COUNCIL



RESERVE TABLE			
RESERVE	RESTRICTIONS	SQ. FT	ACREAGE
A	LANDSCAPE, OPEN SPACE, PIPELINE, & UTILITY PURPOSES	76,328.44	1.75
B	LANDSCAPE, OPEN SPACE RECREATION, & UTILITY PURPOSES	33,598.82	0.77
C	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	5,019.75	0.12
D	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	2,926.16	0.07
E	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	3,096.59	0.07
F	LANDSCAPE, OPEN SPACE, PIPELINE, & UTILITY PURPOSES	44,431.04	1.02
TOTAL		165,400.80	3.80

LINE TABLE		
LINE	ANGLE	DISTANCE
L1	S 65°14'41" W	43.93'
L2	N 09°03'10" W	28.53'
L3	N 07°04'34" W	46.32'
L4	N 02°57'14" W	118.09'
L5	N 88°26'24" W	99.73'
L6	N 79°42'48" W	141.42'
L7	N 83°24'36" W	126.26'
L8	N 07°58'11" W	108.26'
L9	N 59°53'03" W	139.56'
L10	N 11°32'31" E	25.00'
L11	S 78°26'35" E	20.33'
L12	S 11°33'25" W	221.00'
L13	S 19°52'38" W	119.91'
L14	S 52°19'07" W	60.72'

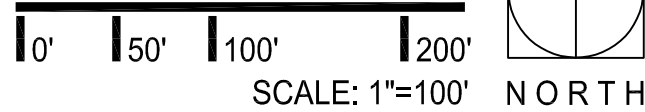
CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1,440.00'	283.17'	N 54°15'03" E	282.72'
C2	530.00'	175.64'	S 72°09'44" E	174.84'



LOT SIZE TABLE			
BLOCK NO.	LOT NO.	LOT AREA (SQ. FT.)	* LOT WIDTH (LINEAR FT.)
1	1	12,521.84	81.75
	2	12,707.36	81.75
	3	12,705.60	81.75
	4	13,111.49	81.75
	5	13,544.56	81.75
	6	12,975.39	81.75
	7	12,764.38	81.75
	8	12,765.76	81.75
	9	15,046.26	81.75
	10	17,828.60	73.76
2	11	29,314.50	130.95
	12	16,684.63	113.14
	13	20,797.04	55.00
	14	16,462.04	81.50
	15	17,214.93	86.25
	16	23,741.89	78.05
	17	23,660.53	77.83
	18	12,960.40	84.98
	19	14,970.98	85.00
	20	13,953.76	80.00
3	21	11,565.87	80.00
	22	10,598.44	80.00
	23	12,198.95	84.22
	24	12,649.21	84.85
	25	16,069.02	78.57
	26	25,340.19	80.00
	27	23,556.54	80.00
	28	12,701.28	79.53
	29	11,618.63	81.00
	30	10,854.34	81.00
4	31	11,926.25	80.00
	1	12,256.57	80.00
	2	12,442.79	80.00
	3	12,444.48	80.00
	4	12,446.16	80.00
5	5	12,447.85	80.00

* LOT WIDTH MEASURED AT THE LESSER OF THE FRONT OR REAR BUILDING SETBACK LINE.

OWNER CONTACT INFORMATION
GR-M1, LTD., A TEXAS LIMITED PARTNERSHIP
1602 AVENUE D, STE. 100
KATY, TX 77493
832-916-2162



Meridiana Section 25A Preliminary Plat

A Subdivision of 19.49 acres, being a partial replat of Lots 17 & 18, Block 1, of Luling Stone Section 1, as recorded at Volume 21, Pages 267-270, Brazoria County Plat Records, City of Manvel, Brazoria County, Texas.

36 Lots, 2 Blocks and 6 Reserves

Owner: GR-M1, LTD., a Texas Limited Partnership



April 26, 2021

10011 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.7844500
WWW.EHRAINC.COM
TBE#NG-F-726
TBP#LS-No.10072300
No warranty or representation of intended use, design or construction is made by EHRA. All drawings and specifications are subject to change without notice.



MANVEL PD & Z DATA SHEET

MEETING DATE: May 24, 2021

TOPIC: Public hearing regarding amending the zoning ordinance by changing the zoning classification of 24.7282 acres of land located at the southwest corner of SH 288 and Croix Road, from Single-Family Residential (SFR) District to Heavy Commercial (HC) District.

BACKGROUND: The owner is requesting a rezoning in order to construct a Houston Garden Center on 24.7282 acres. The current SFR zoning does not allow NAICS Use No. 444220 "Garden Centers". This use is permitted in the HC zoning district; however, City staff recommends a rezoning to Light Commercial (LC) zoning district since it is less intensive compared to Heavy Commercial (HC) zoning district.

RECOMMENDATION: City staff recommends reclassifying subject property from Single-Family Residential (SFR) District to Light Commercial (LC) District.

ATTACHMENTS: Staff Report and Ordinance

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Jessica Rodriguez

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____



Planning, Development, and Zoning Commission Rezoning Request

Agenda of:	May 24, 2021	Initiated By:	Jessica Rodriguez Dir. Development Services
Department:	Development Services	Presented By:	Jessica Rodriguez Dir. Development Services

Subject/Proceeding

A rezoning from Single-Family Residential (SFR) District to Heavy Commercial (HC) District for 24.7282 acres located in the southwest corner of Croix Road and State Highway 288

Exhibits

Zoning Vicinity Map, Staff Report, Site Photographs, Aerial Vicinity Map, City's Major Thoroughfare Plan Map, Property Survey, Applicant Letter, Application, Authorization Letter, and Public Hearing Notice

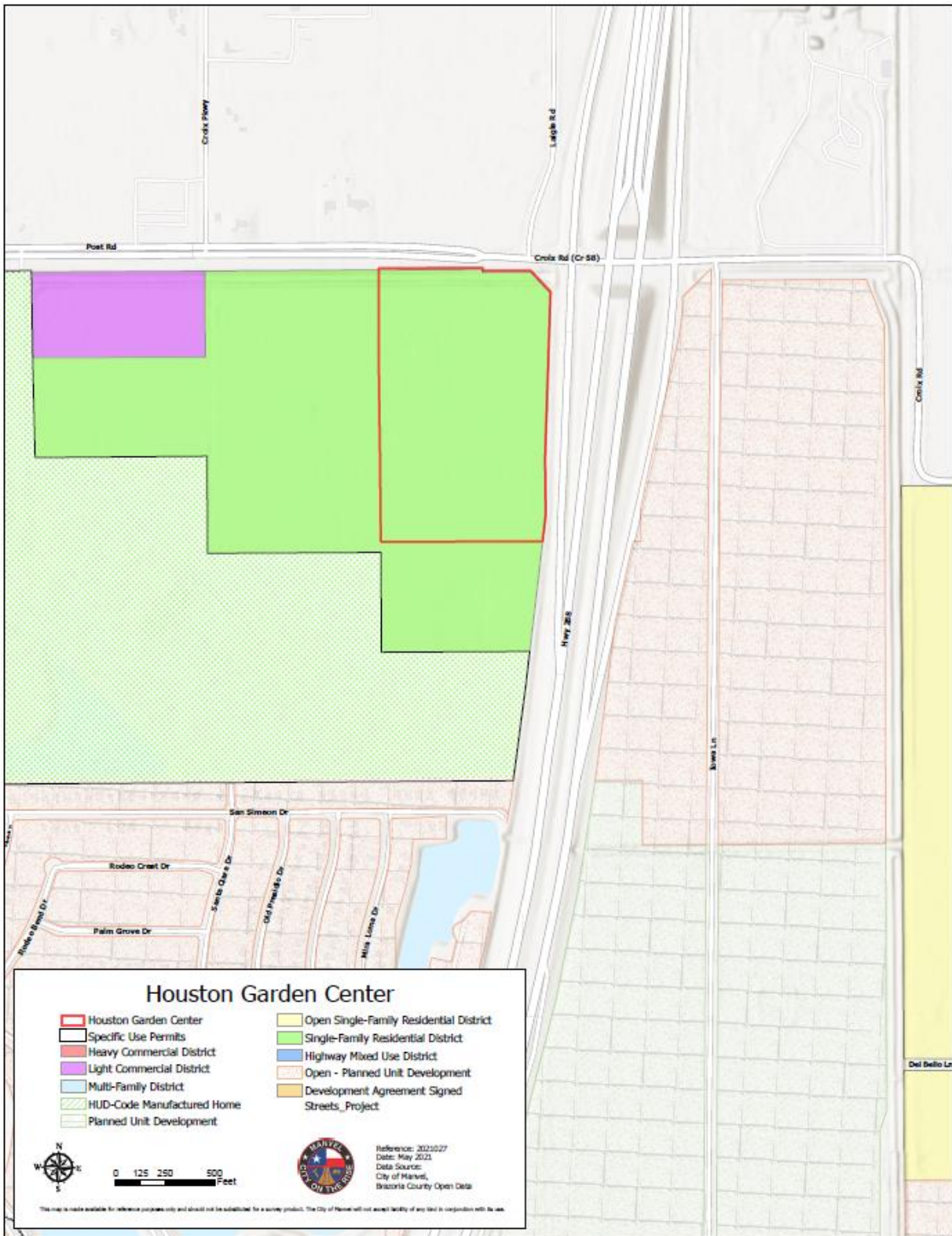
Recommended Action

A Public Hearing following by Consideration and Action from the Commission to the City Council

Executive Summary

The proposed rezoning is for 24.7282 acres of land located in the southwest corner of Croix Road and State Highway 288 from Single-Family Residential (SFR) District to Heavy Commercial (HC) District. The owner is requesting a rezoning to construct a Houston Garden Center. The use of "garden centers" is classified at NAICS Use No. 444220. "Garden Centers" are not permitted in the SFR zoning district so the applicant has filed a rezoning to HC where it is permitted. Staff overview of the proposed rezoning is contained in the attached Staff Report section.

Zoning Vicinity Map



Staff Report

Overview

The owner has requested a rezoning for 24.7282 acres of land located in the southwest corner of Croix Road and SH 288 from Single-Family Residential (SFR) District to Heavy Commercial (HC) District. The owner would like to construct a Houston Garden Center on this site. The SFR zoning district does not permit NAICS Use No. 444220 "Garden Centers". The requested HC zoning district permits NAICS Use No. 444220 "Garden Centers" as well as the Light Commercial (LC) zoning district. The HC zoning district is a more intense zoning district compared to LC. For example, most manufacturing uses are permitted in HC zoning district, whereas, the LC zoning district does not. Uses permitted in HC zoning district would permit but are not limited to paper manufacturing (NAICS Use no. 322), textile mills (NAICS Use No. 313), warehouse and storage (NAICS Use No. 493), etc. These uses are not permitted in the LC zoning district. Since LC is a less intense zoning district, staff is recommending a rezoning to LC rather than the requested HC. Other reasons to recommend a rezoning of the property to Light Commercial (LC) zoning district include: 1) close proximity to SH 288 on Croix Road, 2) Croix Road is identified as a "parkway" on the City's Major Thoroughfare Plan, and 3) proximity of other Light Commercial zoned property.

The subject site is located in the southwest corner of SH 288 and Croix Road. SH 288 is a major north/south freeway in the Houston metro area, and Croix Road is identified as a 120-foot right-of-way parkway in the City's Thoroughfare Plan. Croix Road is an existing four-lane median road with freeway access on the site eastern boundary. Due to the close proximity and vehicular access to both of these roads, the property lends itself to commercial development. A rezoning to LC provides an opportunity for the nearby residential (existing and planned) to access neighborhood commercial services without traveling outside of the City. Another factor to consider to rezone this property to Light Commercial zoning district, is the close proximity to other LC zoned property. Subject property is located approximately 880-feet east of property already zoned Light Commercial. This property was rezoned from Single Family Residential (SFR) district to Light Commercial (LC) district by Ordinance No. 2017-O-01. The existing LC property remains vacant; however, it has been recently platted for strip commercial development.

General Site Information

Surrounding Property Zoning	North: City of Manvel ETJ South: Single-Family Residential District (SFR) East: Planned Unit Development District (PUD) West: Single-Family Residential District (SFR) and Light Commercial District (LC)
Surrounding Land Use	North: Vacant/Undeveloped, Commercial, and Single-Family Residential South: Rodeo Palms Subdivision (single-family) East: Vacant/Undeveloped West: Vacant/Undeveloped and Church

Land Use

In the Heavy Commercial (HC) District, uses are either allowed by right, with the approval of a Specific Use Permit (SUP), or only an office function. The City of Manvel utilizes the North American Industrial Classification System (NAICS) to categorize all land uses.

Currently Allowed Uses in the Heavy Commercial (HC) Zoning District:

The following uses are allowed by right in the HC zoning district.

115	Support activities for agriculture and forestry
236	Construction of buildings
237	Heavy and civil engineering construction
238	Specialty trade contractors
311	Food manufacturing
311811	Retail bakeries
3121	Beverage manufacturing
313	Textile mills
314	Textile product mills
315	Apparel manufacturing
316	Leather and allied product manufacturing
321	Wood products manufacturing
321999	All other misc. wood
322	Paper manufacturing
323	Printing and related support activities
334	Computer and electronic product manufacturing
335	Electrical equipment, appliance and component manufacturing
337	Furniture and related product manufacturing
339	Miscellaneous manufacturing
42	Wholesale
442	Furniture and home furnishing stores
443	Electronics and appliance stores
444	Building material, garden equipment and supplies dealers
445	Food and beverage stores
446	Health and personal care stores
448	Clothing and clothing accessories stores
451	Sporting goods, hobby, book and music stores
452	General merchandise stores
453	Miscellaneous store retailers
454	Non-store retailers
48	Transportation and warehousing
491	Postal service
492	Couriers and messengers
493	Warehouse and storage
51	Information
52	Finance and insurance
522291	Consumer lending
531	Real estate

53112	Lessors of nonresidential buildings (except mini warehouses)
53113	Lessors of mini warehouses and self-storage units
5321	Automotive and equipment rental
5322	Consumer good rental
532292	Recreational goods rental
5323	General rental centers
5324	Commercial and industrial machinery and equipment rental
54	Professional, scientific, and technical services
5412	Accounting, tax preparation, bookkeeping and payroll
54194	Veterinary services
55	Management of companies and enterprises
561	Administrative and support services
562	Waste management and remediation services
6117	Educational support services
624	Social assistance
6244	Child day care services
713940	Fitness and sports centers
722	Food services and drinking places
7224	Drinking places (alcoholic beverages)
8111	Automotive repairs and maintenance
811122	Automotive glass replacement shop
8112	Electronic and precision equipment repair and maintenance
8113	Commercial and industrial machinery and equipment (except automotive and electronic repair)
8114	Personal and household goods repair and maintenance
812	Personal and laundry services
812210	Funeral homes and funeral services
813410	Civil and social organizations
92	Public administration

The following uses are allowed with an approved SUP in the HC zoning district.

21	Mining, quarrying and oil and gas extraction
22	Utilities
237130	Power and communication line and related structures construction
237	Heavy and civil engineering construction
237130	Power and communication line and related structures construction
324	Petroleum and coal products manufacturing
325	Chemical manufacturing
326	Plastics and rubber products manufacturing
327	Nonmetallic mineral products manufacturing
331	Primary metal manufacturing
332	Fabricated metal product manufacturing
333	Industrial machinery manufacturing
336	Transportation equipment manufacturing
441	Motor vehicle and parts

445120	Convenience stores
447	Gasoline stations
452990	All other general merchandise stores
45393	Manufactured (mobile) home dealers
453991	Tobacco stores
522298	All other non-depository credit intermediation
53113	Lessors of mini warehouses and self-storage units
6111	Elementary and secondary schools
6112	Junior colleges
6113	Colleges, universities, and professional schools
6114	Business schools and computer and management training
6115	Technical and trade schools
6116	Other schools and instruction
621	Ambulatory health care services
622	Hospitals
623	Nursing and residential care facilities
623990	Other residential care facilities
71	Arts, entertainment, and recreation
713	Amusement, gambling, recreation industries
713990	All other amusement and recreational industries
721	Accommodations
7212	RV parks and recreational camps
721191	Bed and breakfast
72233	Mobile food services
812113	Nail salons
81219	Other personal care services
812220	Cemeteries and crematories
813110	Religious organizations
	Adult entertainment business
	Game room

Staff Recommendation

City Staff recommends reclassifying subject property from Single-Family Residential (SFR) District to Light Commercial (LC) District to the Planning, Development, and Zoning Commission.

Public Hearing

The Notice of Public Hearing was published in the newspaper of general circulation. All property owners within 200 feet of the property were notified. At the time of writing this report, no information inquiries have been received and staff is not aware of opposition.

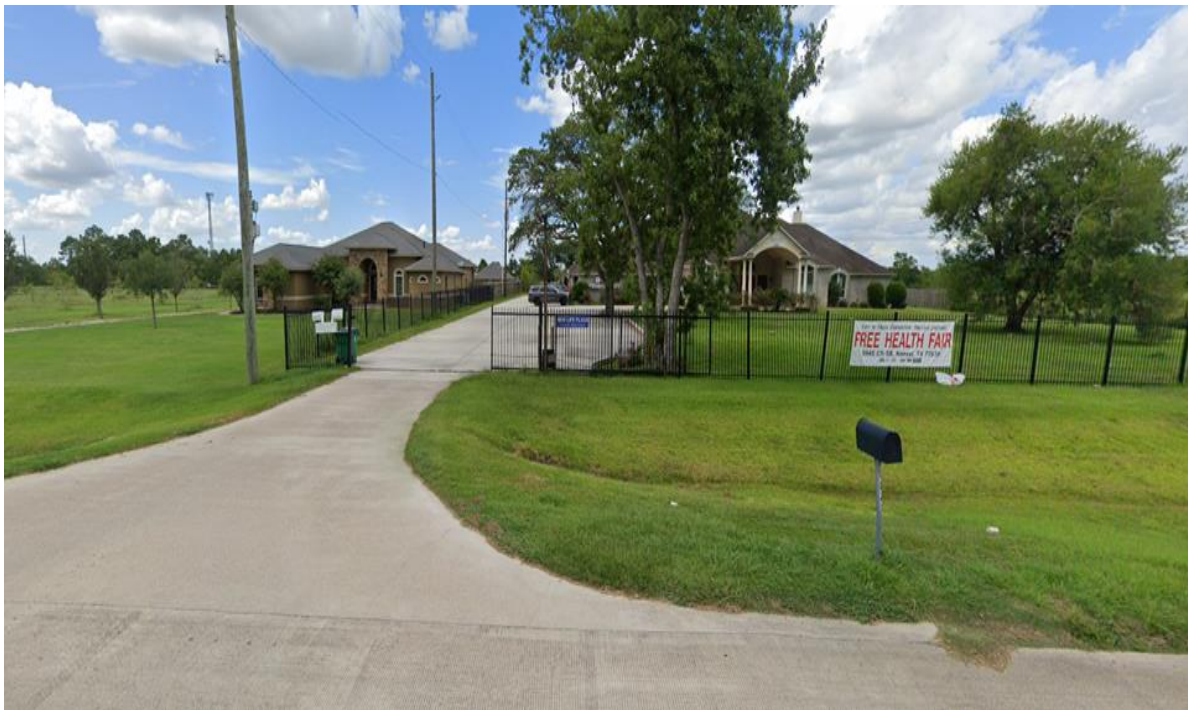
Points for Consideration

- Close proximity to SH 288 on Croix Road lends the property to commercial development.
- Croix Road is an existing four-lane median road that is identified as a 120-foot ultimate right-of-way width on the City's Major Thoroughfare Plan.
- In 2017, other property approximately 880-feet west of subject site was changed from Single Family Residential (SFR) district to Light Commercial (LC) district by Ordinance No. 2017-O-01.
- The Light Commercial (LC) district uses are more conducive to the surrounding area compared to Heavy Commercial (HC) district.

Site Photographs



Looking south across Croix Road at the proposed Houston Garden Center site.



Looking north from Croix Road at the commercial and single-family residential.

Site Photographs

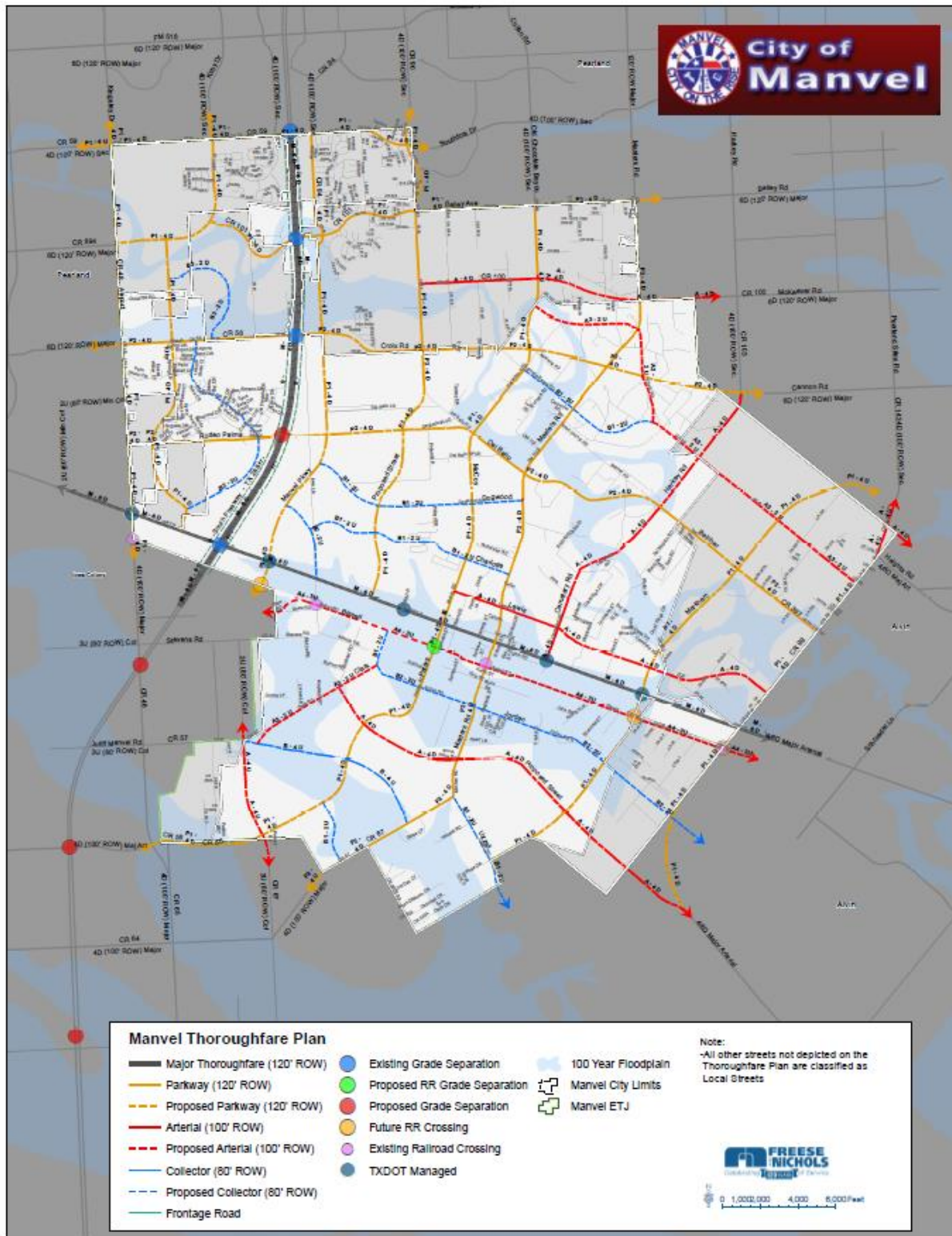


Looking north from Croix Road at vacant/undeveloped property.

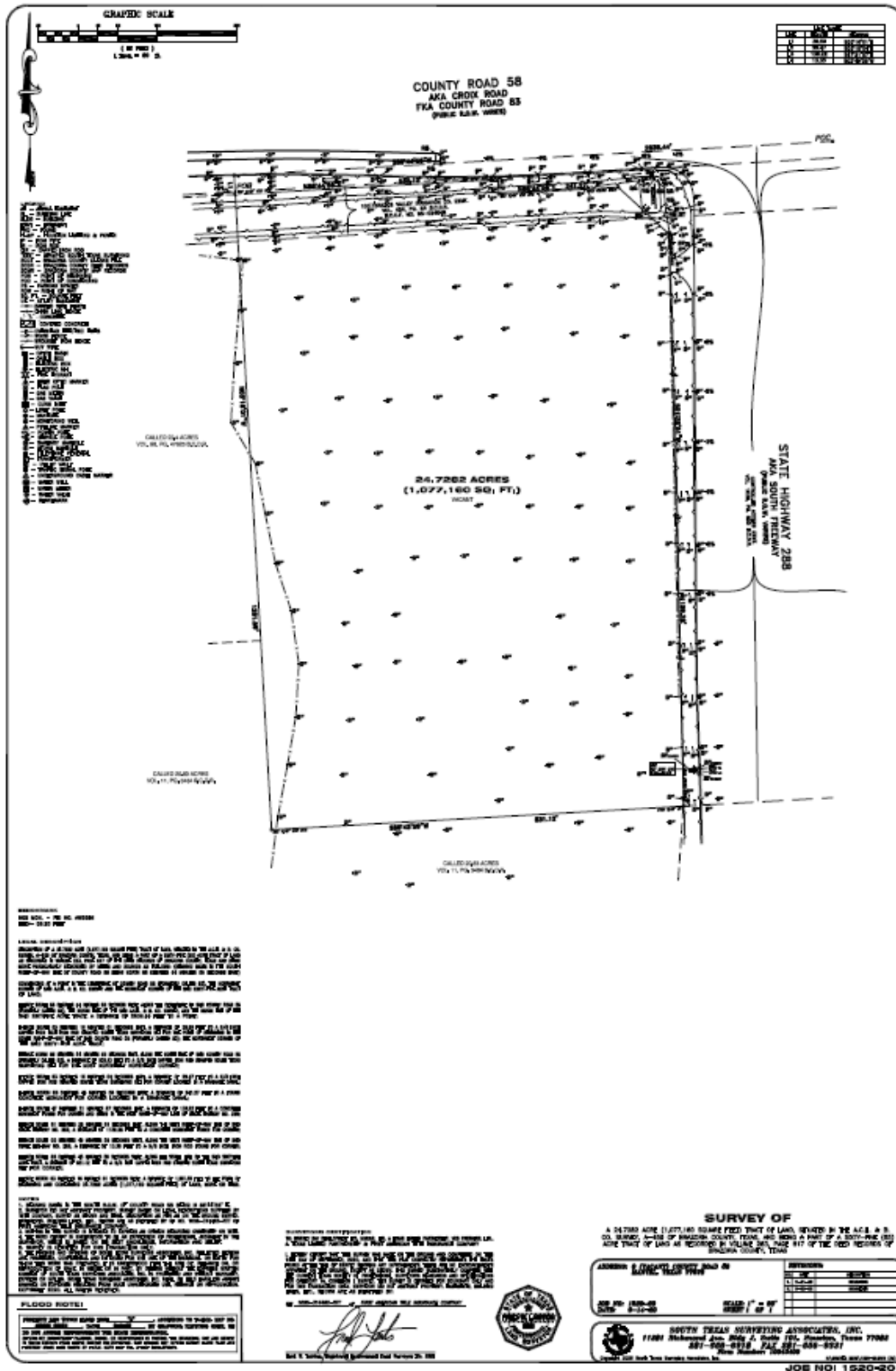
Aerial Vicinity Map



City's Major Thoroughfare Plan Map



Property Survey



Applicant Letter



ESDM, INC.

April 15, 2021

City of Manvel
Development Services Dept.
20025 Highway 6
Manvel, TX 77578

RE: Rezoning Letter of Request
CR 58 & Hwy. 288 S
24.78282 Acre tract of land, situated in A.C.H.&B Co. Survey A-459 out of Brazoria Co.,
Being a part of 65 acre tract in Vol. 283, page 617 of the deed records of Brazoria Co.

Dear City of Manvel;

On behalf of Houston Garden Center, this letter and enclosed application package is to request the above referenced property be rezoned from residential to "Light Commercial" use.

Should you have any additional questions, concerns, and/or instructions regarding this matter, please contact us at your earliest convenience.

Sincerely Yours,

Hadi Elmi, P.E., R.E.M.
President

Cc: Mr. Matthew R. Hooper, Houston Garden Centers
Ms. Kim Hooper, Houston Garden Centers

Environmental Systems Design and Management, Inc.

12715 Cutten Rd., Houston, Texas 77066
P.O. Box 9599, The Woodlands, Texas 77387
Tel: 281-444-3300 Fax: 281-444-3305 E-Mail: esdm@esdminc.com www.esdminc.com

Application



DEVELOPMENT SERVICES DEPARTMENT
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

REZONING APPLICATION

PROJECT INFORMATION

Project Name: Houston Garden Center
Project Location/Address: CR 58 & Hwy. 288 S
Legal Description: 24.7282 acre tract of land, situated in A.C.H. & B. Co. Survey A-459 of Brazoria Co., TX, being a part of 65 acre tract in Vol. 283, pg. 617
Current Zoning: SFR Proposed Zoning: HC
Parcel/Tax ID# (s): 693153 Total Acreage: 24.7282 Proposed Land Use: Retail/nursery

APPLICANT INFORMATION

Applicant Name: Hadi Elmi
Company Name: ESDM, Inc.
Address: 12715 Cutten Rd. City: Houston State: TX Zip: 77066
Phone #: 281-444-3300 Email: esdm@esdminc.com

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT, and I, the undersigned, am authorized to make this application on behalf of the owner(s). I understand that this application will expire one year from the date submitted.

Hadi Elmi
Applicant Signature (REQUIRED)

4-15-2021
Date

PROPERTY OWNER INFORMATION

Owner(s) Name: MNK&S Ltd.
Address: 5345 W. Loop South City: Houston State: TX Zip: 77081
Phone #: 713-218-0860 Email: mhooper@houstongardencenters.com

PROPERTY OWNER'S AUTHORIZATION (Required - If owner is also the applicant, must sign as both):
I am the owner of the property for which this application is being made. I authorize the above person (Applicant) to submit this application and to correspond with the City of Manvel regarding this application on my behalf.

MNK&S Ltd.
Owner's Signature (REQUIRED)

4/15/2021
Date

Application



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

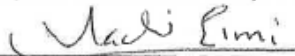
SUBMITTAL CHECKLIST

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the development; however, it is incumbent upon the applicant to inquire about these exceptions for your project before submitting an application. Answers to rezoning applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a formal application. Please call the phone number on the application to schedule an appointment. Submit application and accompanying documents to the Permits and Inspections at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

REZONING SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Rezoning Application (with all signatures)	✓
One (1) Legal Description of Property (metes & bounds description if not platted)	✓
One (1) Copy of Recorded Plat (if platted)	
One (1) Applicant Letter of Request	✓
Traffic Impact Analysis, if applicable	
Paid Application Fee	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.



Applicant Signature

1-15-2021

Date

Authorization Letter



DEVELOPMENT SERVICES DEPARTMENT
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

LETTER OF AUTHORIZATION

Have property owner complete and sign, if applicant differs from property owner.

Matthew R. Hooper

Owner Name

5345 West Loop South

Owner Address

Houston, TX 77081

Owner City, State Zip

Date

4/15/2021

Development Services
20025 Highway 6
Manvel, TX 77578

Dear City of Manvel Development Services,

I, Matthew R. Hooper, certify that I am the owner of the project property located at CR 58 & Hwy. 288, Manvel, TX and that the forgoing statements and answers made and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief, true, and correct. I appoint Hadi Elmi with the company ESDM, Inc. (if applicable) to act as my representative for this project. I agree to be responsible for payment of bills due to the City of Manvel related to this application. Furthermore, I understand that any material misrepresentation of this application, failure to comply with ordinances, and/or failure to remit payment for services can lead to delays in this project – up to and including rejecting the project and forfeiting any fees paid.

Please contact me directly at 713-218-0860 if you have any questions.

Sincerely,

Owner Name Matthew R. Hooper

Owner Signature

Public Hearing Notice

Public Hearing Notice to run on Sunday 05/09/2021

A TELECONFERENCE PUBLIC HEARING WILL BE HELD BY TELEPHONE BEFORE THE MANVEL PLANNING, DEVELOPMENT & ZONING COMMISSION AT 7:00 P.M. ON MONDAY, MAY 24, 2021, FOR THE PURPOSE OF HEARING COMMENTS FOR OR AGAINST AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 24.7282 ACRES LOCATED IN THE SOUTHWEST CORNER OF CROIX ROAD AND STATE HIGHWAY 288, MANVEL, TEXAS, FROM SINGLE FAMILY RESIDENTIAL DISTRICT (SFR) TO HEAVY COMMERCIAL DISTRICT (HC).

The Planning, Development & Zoning Commission public hearing will be accessible by telephone for the purpose of hearing comments for or against granting a Specific Use Permit. This meeting may be accessed by calling; 210-469-0207 or toll-free at 877-257-2190 and entering conference ID 643 222 715#

A TELECONFERENCE PUBLIC HEARING WILL BE HELD BY TELEPHONE BEFORE THE MANVEL CITY COUNCIL MEETING AT 7:00 P.M. ON MONDAY, JUNE 7, 2021, FOR THE PURPOSE OF HEARING COMMENTS FOR OR AGAINST AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 24.7282 ACRES LOCATED IN THE SOUTHWEST CORNER OF CROIX ROAD AND STATE HIGHWAY 288, MANVEL, TEXAS, FROM SINGLE FAMILY RESIDENTIAL DISTRICT (SFR) TO HEAVY COMMERCIAL DISTRICT (HC).

The City Council public hearing will be accessible by telephone for the purpose of hearing comments for or against granting a Specific Use Permit. This meeting may be accessed by calling; 210-469-0207 or toll-free 877-257-2190 and entering conference ID 235 696 748#

THE PUBLIC HEARING WILL BE TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 24.7282 ACRES LOCATED IN THE SOUTHWEST CORNER OF CROIX ROAD AND STATE HIGHWAY 288, MANVEL, TEXAS, FROM SINGLE FAMILY RESIDENTIAL DISTRICT (SFR) TO HEAVY COMMERCIAL DISTRICT (HC); PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

A TEMPORARY SUSPENSION OF THE OPEN MEETINGS ACT TO ALLOW TELEPHONE OR VIDEOCONFERENCE PUBLIC MEETINGS HAS BEEN GRANTED BY GOVERNOR GREG ABBOTT. THESE ACTIONS ARE BEING TAKEN TO MITIGATE THE SPREAD OF COVID-19 BY AVOIDING MEETINGS THAT BRING PEOPLE INTO A GROUP SETTING AND IN ACCORDANCE WITH SECTION 418.016 OF THE TEXAS GOVERNMENT CODE.

For further assistance, please contact Jessica Rodriguez at jrodriguez@cityofmanvel.com or 281-692-2703. The meeting agenda can be viewed on the City of Manvel website at www.cityofmanvel.com under “Boards Agendas & Minutes.”/s/ Tammy Bell, City Secretary.

ORDINANCE NO. 2021-O-17

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND 24.7282 ACRES LOCATED AT THE SOUTHWEST CORNER OF CROIX ROAD AND STATE HIGHWAY 288, SITUATED IN THE A.C.H. & B. CO. SURVEY, A-459 OF BRAZORIA COUNTY, TEXAS, AND BEING A PART OF SIXTY-FIVE (65) ACRE TRACT OF LAND AS RECORDED IN VOLUME 283, PAGE 617 OF THE DEED RECORDS OF BRAZORIA COUNTY, TEXAS, FROM SINGLE FAMILY RESIDENTIAL (SFR) DISTRICT TO LIGHT COMMERCIAL (LC) DISTRICT; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

* * * * *

WHEREAS, MM&S Ltd. is the owner (the "Owner") of a certain tract of land 24.7282 acres located at the southwest corner of Croix Road and State Highway 288, situated in the A.C.H. & B. Co. Survey, A-459 of Brazoria County, Texas, and being a part of a sixty-five (65) acre tract of land as recorded in Volume 283, Page 617 of the deed records of Brazoria County, Texas, as shown on said a map and description of which is attached hereto as Exhibit "A"; and

WHEREAS, the Planning, Development, and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on such request; and

WHEREAS, the Planning, Development, and Zoning Commission has recommended approval of such request and the City Council deems it appropriate to approve said rezoning; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the certain tract of land 24.7282 acres located at the southwest corner of Croix Road and State Highway 288, situated in the A.C.H. & B. Co. Survey, A-459 of Brazoria County, Texas, and being a part of a sixty-five (65) acre tract of land as recorded in Volume 283, Page 617 of the deed records of Brazoria County, Texas, as shown on a map and description of which is attached hereto as Exhibit "A" attached hereto and for all things made a part hereof, shall be changed from the Single Family Residential (SFR) District to Light Commercial (LC) District for uses as permitted within such zone classification.

Section 3. The Zoning District Map of the City of Manvel shall be revised and amended to show the designation of said tracts, as described and as provided in Section 2 above, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 4. The City Council hereby finds and determines that said rezoning comports to the City's Comprehensive Land Use Plan. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Manvel, save and except the change in zoning classification of said tract(s) as described above.

Section 5. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

PASSED AND APPROVED on first reading this _____ day of _____, 2021.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2021.

Debra Davison, Mayor

ATTEST:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

EXHIBIT A

A 24.7282 acre (1,077,160 square feet) tract of land, situated in the A.C.H. & B. Co. Survey, A-459 of Brazoria County, Texas, and being a part of a sixty-five (65) acre tract of land as recorded in Volume 283, Page 617 of the deed records of Brazoria County, Texas.

