



CITY OF MISSOURI CITY PLANNING AND ZONING COMMISSION AGENDA

Notice is hereby given of a meeting of the Planning and Zoning Commission of the City of Missouri City to be held on **April 8, 2020 at 7:00 p.m. at City Hall, Council Chambers, 2nd Floor**, 1522 Texas Parkway, Missouri City, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and Zoning Commission reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

NOTICE REGARDING PUBLIC PARTICIPATION

Due to the COVID 19 Disaster and the Centers for Disease Control's recommendation regarding social distancing measures, the public will not be allowed to be physically present at this meeting.

This meeting will be available to members of the public and allow for two-way communications for those desiring to participate. Any person interested in speaking on any item on the agenda must notify the City by one of the following methods before 4:00 p.m. on the day of the Planning and Zoning Commission meeting:

1. Email or call the Planning Division at planning@missouricitytx.gov or 281-403-8541; or,
2. Submit a "Public Comment Form" to the Planning and Zoning Commission from the following webpage: <https://bit.ly/39pw73Q>. (Search "Submit Public Comment Form" at www.missouricitytx.gov)

The request must include the speaker's name, address, email address, phone number and the agenda item number.

To livestream the meeting, the public may access the following link:
<https://www.missouricitytx.gov/780/MCTV>.

To access the meeting agenda packet in PDF format, the public may access the following link:
<https://www.missouricitytx.gov/381/Planning-Zoning>.

-
- 1. CALL TO ORDER**
 - 2. ROLL CALL**
 - 3. READING OF MINUTES**
 - A.** Consider approving the minutes of the March 11, 2020 Planning and Zoning Commission Meeting.

4. REPORTS

A. COMMISSION REPORTS

- (1) Chairman of the Planning and Zoning Commission
- (2) Planning and Zoning Commissioners

B. STAFF REPORTS

- (1) Development Services
 - a. Director – Census 2020; Fair Housing Month
- (2) Engineering
 - a. City Engineer – Fort Bend County Drainage District termination of impact fee
- (3) Legal
 - a. First Assistant City Attorney – Update on a proposed Outdoor Art Policy

5. PUBLIC COMMENT

This is an opportunity for the public to address the Planning and Zoning Commission on items/concerns not on the agenda. Public comments shall be limited to three (3) minutes per individual and to ten (10) minutes per subject. Public comments may address items that are not on the agenda

6. PLATS

A. CONSENT AGENDA

- (1) Consider an application for a preliminary plat for Parkway Crossing Phase 1
- (2) Consider an application for a preliminary plat for Parks Edge Section Nine
- (3) Consider an application for a final plat for Sienna Section 32A and 32B
- (4) Consider an application for a final plat for Sienna Section 39A
- (5) Consider an application for a replat for Parkway Plaza Shopping Center

B. LEXINGTON VILLAGE SEC. 1

- (1) Consider an application for a preliminary plat for Lexington Village Sec. 1

7. ZONING MAP AMENDMENTS

A. PLANNED DEVELOPMENT DISTRICT AMENDMENT

- (1) Public hearing to receive comments for or against a request by Clinton F. Wong, Skymark Development, to amend the general site plan and the regulations contained within PD, Planned Development District No. 81 (Ordinance O-19-01) to allow for the location of an assisted living (institution for elderly persons or physically-impaired persons); and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.
- (2) Consider approving a final report on item 7.A.(1).

8. ZONING TEXT AMENDMENTS

A. UTILITY EQUIPMENT

- (1) Public hearing to receive comments for or against a possible amendment to Subsection 9.6.B.3.e. of the City of Missouri City Zoning Ordinance regarding the outside storage of major recreational or utility equipment.
- (2) Consider approving a final report on item 8.A.(1).

9. OTHER MATTERS WITHIN THE JURISDICTION OF THE COMMISSION OR THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.

A. SIENNA PLANTATION JOINT DEVELOPMENT AGREEMENT

- (1) Consider adopting a recommendation on the general plan and land use for the development of an approximate 34.16 acre tract of land. The proposed area is located north of Sienna Steep Bank Village residential subdivision, south of McKeever Road, east of Sienna Parkway, and west of Westpoint Estates residential subdivision. A petition to disannex the proposed area has been made. The proposed area is presently zoned SD suburban district with SUP, Specific Use Permit No. 193 providing for a temporary construction yard.

10. CLOSED EXECUTIVE SESSION

The Planning and Zoning Commission may go into Executive Session regarding any item posted on the Agenda as authorized by Chapter 551 of the Texas Government Code.

11. RECONVENE

Reconvene into Regular Session and Consider Action, if any, on items discussed in executive session.

12. ADJOURN

In compliance with the Americans with Disabilities Act, the City of Missouri City will provide reasonable accommodations for persons attending Planning and Zoning Commission meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact the Development Services Department at 281-403-8541.

CERTIFICATION

I certify that a copy of the April 8, 2020 agenda of items to be considered by the Planning and Zoning Commission was posted in a place convenient to the public in compliance with Chapter 551 of the Texas Government Code on April 3, 2020.



Egima Edwards
Planning Technician



**MINUTES
PLANNING AND ZONING COMMISSION
CITY OF MISSOURI CITY, TEXAS
March 11, 2020**

1. CALL TO ORDER

The Notice of the Meeting and Agenda having been duly posted in accordance with the legal requirements and a quorum being present, the meeting was called to order by Chair Brown-Marshall, at 7:00 PM.

2. ROLL CALL

Commissioners Present:

Sonya Brown-Marshall
Tim Haney
John O'Malley
Gloria Lucas
Monica L. Rasmus
Courtney Johnson Rose
James G. Norcom III

Commissioners Absent:

Hugh Brightwell
James R. Bailey

Councilmembers Present: None

Staff Present:

Otis T. Spriggs, Director of Development Services
Jennifer Gomez, Planning Manager
Thomas White, Planner II
Gretchen Pyle, Interim Planning Specialist
Jeremy Davis, Assistant City Engineer, Public Works
Egima Edwards, Planning Technician
Jamilah Way, First Assistant City Attorney
Glen Martel, Assistant City Manager
Randy Troxell, Assistant Director of Parks and Recreations

Others Present: Cynthia Ramirez; STOA Architects, Mario Bolullo; STOA Architects, Leronia Boughton, Flamingo Stringfellow, Laurie Chapa; LJA Engineering, Joe Douglas Webb; Webb Architects, Kevin Zhang, Joel Scott.

3. READING OF THE MINUTES

- A. Consider approval of the minutes of the February 12, 2020 Planning and Zoning Commission Meeting.

Motion: Approval of the February 12, 2020 minutes.

Made By: Commissioner Lucas

Second: Commissioner Rasmus

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas

NAYES: None

ABSTENTIONS: None

The motion passed.

4. REPORTS

A. COMMISSION REPORTS

- (1) Chairperson of the Planning and Zoning Commission
Chair Brown-Marshall thanked Egima Edwards for registration of Commissioners' to attend the National Planning Conference of 2020.
- (2) Planning and Zoning Commissioners
None.

B. STAFF REPORTS

- (1) Development Services
 - a. Director – Otis T. Spriggs
None
- (2) Engineering
 - a. Assistant City Engineer – Jeremy Davis
None

5. PUBLIC COMMENT

None

6. PLATS

A. CONSENT AGENDA

- (1) Consider an application for a preliminary plat for Shipman's Cove Section 2
- (2) Consider an application for a preliminary plat for Parks Edge Section Nine
- (3) Consider an application for a final plat for a final plat for Parks Edge Section 13

- (4) Consider an application for a final plat for Sienna Section 27
- (5) Consider an application for a final plat for Sienna Section 35A

Item (2) was pulled from the consent agenda for a separate discussion.

Commissioner Johnson Rose acknowledged that Shipmans Cove was an item that several citizens showed up concerning and asked if the applicant/developers had attended recent homeowner's association meetings of the adjacent subdivisions.

Otis Spriggs, Director of Development Services, stated that for preliminary plats, a meeting with homeowners associations is not a requirement. Staff was not aware of any additional meetings.

Motion: To approve items (1), (3), (4) and (5) on the Consent Agenda.

Made By: Commissioner Haney
Second: Commissioner Norcom III

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas

NAYES: None

ABSTENTIONS: None

The motion passed

- (2) Consider an application for a preliminary plat for Parks Edge Section Nine

Chair Brown-Marshall asked if the parkland dedication was good and for clarity on the Commission's action of "approved with conditions".

Gretchen Pyle, Interim Planning Specialist, presented the item. Ms. Pyle informed that the applicant will need to provide a written response addressing the conditions.

Vice Chair Haney asked if the written response needs to be provided prior to submittal of the final plat.

Jennifer Gomez, Planning Manager, stated that a written response would be for the drainage plan. The other three items would be submitted with the final plat application.

Jeremy Davis, Assistant City Engineer, stated that the Parks Edge development was required to provide a master drainage plan for the last portion of the development. Two drainage plans have been submitted for the first sections to the south and a portion in the middle. The next phase of drainage plan needs to be submitted, which includes Parks Edge Section Nine.

Ms. Gomez informed that the section stating "required with final plat application" are not conditions of approval, rather will become part of the checklist for the final plat application. The items including providing a revised concept plan however the section conforms to was previously approved in terms of the location and minimum lot sizes. The only change needed is the layout of the road network and lots shown on the section. Ms. Gomez informed that this would not be a substantive change to what was

previously approved. This change can be made on the concept plan and submitted with the final plat.

Ms. Gomez informed that a parkland dedication for the Parks Edge subdivision was previously approved. Prior to the recordation of the subject plat, cash in lieu of land will need to be provided along with a notation on final plat.

Chair Brown-Marshall asked about the location of the notes.

Ms. Gomez informed that the parkland dedication should be referenced on the plat with the reserves. Notes for the restrictive covenants are also provided on the plat as well.

Motion: To approve with conditions Consent Agenda item 6.A.(2).

Made By: Commissioner Haney
Second: Commissioner Johnson Rose

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas

NAYES: None

ABSTENTIONS: None

The motion passed

7. ZONING MAP AMENDMENTS

A. PUBLIC HEARING FOR A SPECIFIC USE PERMIT

- (1) To receive comments for or against a request by Guillermo Sahagun, Purser Architectural, seeking a SUP, Specific Use Permit to allow for the location of a place of assembly in an approximate 2,488 square foot lease space in the Missouri City Central shopping center; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

Jennifer Gomez, Planning Manager, presented the item. Ms. Gomez informed that the applicant had already entered into a lease for the subject site. The applicant had been permitted as a business occupancy group with a maximum occupancy of 49 persons. Shortly after receiving a Certificate of Occupancy, the applicant requested to increase their occupancy from 49 persons to 100. The applicant's proposes to provide a place of assembly for individuals to have daily prayer at the subject site.

Ms. Gomez informed that if the use is approved, all building and fire code requirements would still be required.

Ms. Gomez informed that the subject site is located in a high priority area for the community and the City Council, as reflected in the Comprehensive Plan. Staff's recommendation is to allow a temporary location for the Specific Use Permit, not to exceed a five year timeframe. This timeframe should allow the applicant time to find a suitable location for the particular use, expand in accordance with their needs and will allow continued City redevelopment efforts in the area.

Ms. Gomez informed that the use was completely indoors.

Commissioner Johnson Rose asked if the tenant had a five or three year lease.

Ms. Gomez stated that she was not sure.

Commissioner Johnson Rose stated that her recommendation would be if the applicant had a three year lease, to reduce the permitted use from a five years to three years.

Chair Brown-Marshall asked if the applicant decided to abandon the lease before the five year period of time, if someone else enters that lease with the same type of assembly, would they be able to occupy with the same term.

Vice Chair Haney asked if the ending of the use could be tied to the termination of the use for the applicant.

Jamilah Way, First Assistant City Attorney, provided that land use always runs with the land so the consideration wouldn't be about who is using the property.

Leronia Boughton, 2331 Quail Place Dr, stated she lives behind the old movie theater. Ms. Boughton was not clear on why a previous applicant was not allowed to move into the shopping center and the current applicant was being considered. Ms. Boughton informed that she was against the application for a Specific Use Permit and questioned the noticing process.

Chair Brown-Marshall stated that there are mailing requirements to notice property owners within 200 feet of the subject property. Homeowner's associations (HOAs) within proximity are also notified. The City relies on the HOAs to assist in pushing the information to property owners. The purpose of why the building sold or did not sell to a previous applicant is not considered by the Commission.

Ms. Boughton asked how would other votes be provided if neighbors did not receive notice.

Ms. Gomez clarified that it was not a vote but a comments that the public can provide for or against a request. The public can use the protest/support form that was mailed out to adjacent property or download a copy from the agenda packet on the City's website.

Motion: To close the public hearing.

Made By: Commissioner Johnson Rose

Second: Commissioner Lucas

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas

NAYES: None

ABSTENTIONS: None

The motion passed

(2) Consideration of the approval of a final report City Council on item 7A(1) above.

Motion: The Planning and Zoning Commission forwards a positive recommendation and final report to City Council.

Made By: Commissioner Lucas

Second: Commissioner Haney

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Lucas

NAYES: None

ABSTENTIONS: Commissioner Rasmus

The motion passed

B. PUBLIC HEARING FOR A PLANNED DEVELOPMENT DISTRICT AMENDMENT

- (1) To receive comments for or against a request by Joe Douglas Webb, AIA. Webb Architects, to amend PD, Planned Development District No. 96 (Ordinance O-15-54) to revise the size plan and amend the regulations and restrictions; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

Jennifer Gomez, Planning Manager, presented the item. Ms. Gomez informed PD 96 was originally approved in 2014, amended in 2015. The developer and design team has been working since that time on the infrastructure, road network, mix of uses, and utilities within the PD.

Ms. Gomez informed that the location is to the west of the Fort Bend Parkway, east of where Parks Edge is under construction, north and south of Lake Olympia.

Ms. Gomez informed that PD 96 provides for a mix of uses to include residential, office, retail, and community facility uses. The focus of the amendments are in the use regulations, use district regulations, height and area regulations, and development schedule. The applicant would also like consideration to add a process for minor and major modifications moving forward. The proposed amendments to the architectural design regulations are to align the PD language to what the City can and cannot enforce per the last legislative session.

Ms. Gomez informed that staff's recommendation is to approve the amendments with conditions contained in the report.

Ms. Gomez summarized the amendments as follows:

- **Use regulations:** PD 96 currently provides for two sub-districts; a residential sub-district for the location of townhomes (mid-density residential), and a commercial district which includes several areas for mixed uses, general commercial retail and multifamily uses. The PD provides for a maximum of 20 acres for multifamily uses with a density of 35 units per platted acre or approximately 700 total multifamily dwelling units.

The proposed amendments include adding condominium uses, designating the specific areas for multifamily uses and mixed uses and to add a traditional neighborhood and community facilities district.

Ms. Gomez informed for multi-family districts, staff's recommendation was to move it out of the commercial subdistrict since the specific areas have been defined and place within the residential subdistrict.

Commissioner Norcom III asked about the daycare shown on the site plan and

the distance requirements to the 7-Eleven gas station currently under construction.

Ms. Gomez stated that the City adopted the State's requirement on the sale of alcohol and the distance requirements from uses including hospitals, churches, school, and daycares. For daycares, there are certain types of alcohol permits and licenses that are exempt.

Ms. Gomez provided that staff had asked that the applicant provide clarification on a proposed educational institution within the PD. The applicant has provided for a possible Montessori school / educational facility. The staff recommendation would include an educational institution use to be permitted within the mixed use areas shown on the revised site plan.

Ms. Gomez informed the staff recommendation is to restrict multifamily and condominium along the Lake Olympia Parkway frontage and require that the mixed use areas combine two or more uses that are permitted in the district so that it is truly a mixed use component.

Ms. Gomez informed that the Traditional Neighborhood subdistrict would allow for all of the uses permitted within mixed use subdistricts and provide for the addition of concert and performance halls, outdoor amphitheaters.

Staff also requested that the applicant provide clarification on a proposed helipad. The applicant has provided that it would allow an opportunity for a medical use to locate a helipad landing site in the location. The staff recommendation would include allowing for the location of a helipad site but restricting it to the traditional neighborhood subdistrict.

Ms. Gomez informed that the community subdistrict includes parks, green space, courtyards, and amenities would provide an opportunity to connect into the Parks Edge trail system. This subdistrict would also include the future location for city's Fire Station #6.

- **Use district regulations:** The proposed amendment to the use district regulations are to make them consistent with the subdistricts as proposed and to allow for the Mixed Use 1 (MU-1) and the Traditional Neighborhood District to follow the MF-2, multifamily residential regulations. The community subdistrict would follow the CF, community facility district regulations.
- **Height and area regulations:** The proposed amendment to the height and area regulations include removing the acreage limitation on multifamily development since the areas are defined and to maintain the maximum 700 multifamily dwelling units and a maximum of 35 dwelling units per platted acre but include condominium uses. Any multifamily use proposed in the mixed use subdistrict should be limited to being placed on a second or higher floor in a building.
- **Modifications:** The proposed amendment would provide for some flexibility to future amendments or modifications to the site plan. A proposed process for major and minor modifications was discussed. A minor modification could be approved by staff. A major modification would be considered an amendment to the PD.
- **Development Schedule:** The proposed amendment would revise the

development schedule to allow for construction of the condominium and multi-family uses to run concurrently with the momentum the developer was making on nonresidential uses.

Vice Chair Haney asked if the developer was agreeable to staff's recommendations.

Ms. Gomez informed that they were.

Chair Brown-Marshall asked if each time an amendment was presented, would it change the timeline from the date of initial approval.

Ms. Gomez stated the applicant's proposal was to have a 15-year timeline for the PD. Currently the PD has a five year timeline. Unless Council approves a different timeline, development activity would need to happen within the five year period, or the site plan and proposed uses would expire.

Joe Webb, AIA / Webb Architects, informed that due to the growth of the area, the developer was sparked to move forward with the next level of development. The City's Comprehensive Plan mentions concepts of village centers, which allows the developer an opportunity to move in that direction.

Chair Brown-Marshall asked Mr. Webb if it was possible to shift the multi-family as recommended by staff.

Mr. Webb indicated that they believed it to be a good consideration, especially on Lake Olympia. The proposed changes would provide a buffer by putting retail, office, those kinds of commercial uses along the major thoroughfare and residential would be behind that.

Joel Scott, developer, informed that the infrastructure had taken a long time due to cost sharing delays.

Jerry Cogan, 3506 Crestwood, president of Municipal Utility District #47, informed that he was concerned about drainage.

Jeremy Davis, Assistant City Engineer, informed that the City's Engineering division is currently in the process of updating watershed maps. The scoping process had begun and the proposed application is a part of this process.

Vice Chair Haney informed that wet retention is within the development.

Motion: To close the public hearing.

Made By: Commissioner Haney

Second: Commissioner Johnson Rose

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas

NAYES: None

ABSTENTIONS: None

The motion passed

- (2) Consideration of the approval of a final report to City Council on item 7B(1) above.

Ms. Gomez asked if the motion included the educational and helipad uses.

Commission replied that it included all comments.

Motion: The Planning and Zoning Commission forwards a positive recommendation and final report to Council.

Made By: Commissioner Haney
Second: Commissioner Johnson Rose

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas

NAYES: None

ABSTENTIONS: None

The motion passed

C. PUBLIC HEARING FOR A PLANNED DEVELOPMENT DISTRICT AMENDMENT

- (1) To receive comments for or against a request by Cynthia Ramirez, STOA Architects to amend PD, Planned Development District No. 106 (Ordinance O-18-20) to allow for a mixed use, commercial and residential development; and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive plan, to provide for an amendment therefrom.
- (2) Consideration of the approval of a final report to City Council on item 7C(1) above.

Jennifer Gomez, Planning Manager, presented the item. Ms. Gomez informed that the PD was created in 2018 as a mixed use development. The location is along Highway 6, south of Glenn Lakes and north of Lake Olympia.

Ms. Gomez informed that the proposal would make changes to the height and area regulations. Architectural standards would be in conformance with current law. The applicant requested changes to the development schedule.

Ms. Gomez informed that the amendment includes a reorientation of the nonresidential buildings to minimize as much potential noises and odors. A slight change was made to the layout of the townhomes however the total number of proposed units remained at 42. For the condominiums however, the applicant proposed an increase to 296 condominium units from 168 units currently permitted by PD 106. The condominiums would be constructed within 2 buildings; each containing 148 units.

Ms. Gomez informed that proposed amendments to the building heights do not subsequently change the PD 106 regulations. However, the proposed increase in the number of condominium units was likely an amendment to the maximum density regulations. The applicant was asked to provide the acreage associated with the condominium area.

Vice Chair Haney asked what the density allowance is in the existing ordinance.

Ms. Gomez stated PD 106 allows for a maximum of 15 units per gross platted acre.

Ms. Gomez informed that amendment includes a request to construct all of the residential uses in phase 1. Staff's recommendation is to amend the development schedule, however only to allow for the construction of one condominium building or 148 condominium units and all of the townhomes units concurrent with the non-residential development. Based on the occupancy of those uses, the developer would be able to proceed to phase 2.

Mario Bolullo, STOA Architect, informed that upon the approval of the application, they would be ready to move forward. Mr. Bolullo requested that they be permitted to build 70 percent of the residential and 70 percent of non-residential uses more or less at the same time.

Kevin Chen, 6819 Lupe Ln., asked about the existing concrete wall, height of the proposed buildings, lot size, Highway 6 traffic and noise.

Motion: To close the public hearing.

Made By: Commissioner Haney

Second: Commissioner Norcom III

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas

NAYES: None

ABSTENTIONS: None

The motion passed

Vice Chair Haney asked about the distance of Colony Lakes residential homes to the proposed commercial portion of the development.

Mr. Bolullo stated that the distance is 250 feet.

Vice Chair Haney stated any commercial uses abutting residential would not have any additional screening requirements, given the fact that they are that far away.

Ms. Gomez stated it would be based on the location of the common property line between the nonresidential and residential uses. There is an exception when they align along a drainage facility or street with a minimum width of 40 feet that would change screening requirements.

Commissioner Lucas asked for clarity of the proposed 3-story or 5-story buildings.

Ms. Gomez stated the proposed 3-story buildings are for commercial uses and the 5-story buildings are proposed for condominium uses.

Vice Chair Haney asked if the townhomes changed.

Ms. Gomez stated that the townhomes did not change.

- (2) Consideration of the approval of a final report to City Council on item 7B(1) above.

Motion: The Planning and Zoning Commission forwards a positive recommendation and final report to Council.

Made By: Commissioner Haney
Second: Commissioner O'Malley

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus,

NAYES: Commissioner Lucas
ABSTENTIONS: None

The motion passed

8. ZONING TEXT AMENDMENTS

None

9. CLOSED EXECUTIVE SESSION

The Planning and Zoning Commission may go into Executive Session regarding any item posted on the Agenda as authorized by Chapter 551 of the Texas Government Code.

10. RECONVENE

Reconvene into Regular Session and Consider Action, if any, on items discussed in executive session.

11. ADJOURN

Motion: To adjourn

Made By: Commissioner Haney
Second: Commissioner Lucas

AYES: Commissioner Brown-Marshall, Commissioner Haney, Commissioner O'Malley, Commissioner Johnson Rose, Commissioner Norcom III, Commissioner Rasmus, Commissioner Lucas

NAYES: None
ABSTENTIONS: None

The motion passed

Egima Edwards
Planning Technician



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 8, 2020
AGENDA ITEM SUBJECT: Preliminary Plat of Parkway Crossing Phase 1
AGENDA ITEM NUMBER: 6.A.(1)
PROJECT PLANNER: **Gretchen M. Pyle**, Interim Planning Specialist
APPROVAL:  **Otis T. Spriggs, AICP**, Director, Development Services
 **Shashi K. Kumar, P.E., CFM**, City Engineer/Public Works Director

PERMIT NUMBER: PLAT2000222
TYPE OF APPLICATION:
 Initial application
 Written Response application
PROPERTY ID: 0313-00-000-0161-907
LOCATION: North of Lake Olympia Parkway, east of Parks Edge Boulevard and west of the Fort Bend Parkway (Tollroad)
ZONING DISTRICT DESIGNATION: PD, Planned Development District No. 96 (O-15-54)
DEVELOPMENT AGREEMENT/STRATEGIC PARTNERSHIP: None.

RECOMMENDED ACTION:

The Planning and Zoning Commission should:

- | |
|---|
| <input checked="" type="checkbox"/> APPROVE WITH CONDITIONS: An applicant may submit a written response to an initial application that satisfies each condition contained within this report |
|---|

A. CONDITIONS FOR APPROVAL:

A preliminary plat application must be in the form and contain the information and documents as required by the Platting Manual of the City of Missouri City, as adopted in September 2019 and in accordance with Section 82-65 of the Code of Ordinances of the City of Missouri City. The applicable sections of the Platting Manual are referenced in the comments below, except where indicated otherwise.

1. **RESPONSIBLE DEPARTMENT/DIVISION:** Development Services/Planning and Development Division
 - a. A Parkland Dedication shall be provided in accordance with Subsection 82-174 of the Code of Ordinances of the City of Missouri City. **The permitted use for Reserve A as multifamily residential is currently being considered as an amendment to PD No. 96. Multifamily residential is subject to section 82-174 of the city's subdivision ordinance requiring a parkland dedication when a final plat is filed. A proposal for a parkland dedication for this proposed use is required prior to submission of a final plat application.**
 - b. Building lines shall be labeled in accordance with Section 2.D(17). **The building lines shown for Reserves A and B are not in conformance with PD No. 96. Please revise.**
 - c. The preliminary plat shall contain all standard notes in accordance with Section 2.D.(26). **Plat note #7 references an incorrect HOA. Additionally, draft deed restrictions have not been provided as required if an HOA will be created to maintain the areas noted. Please clarify and revise the plat note accordingly. Additionally, ensure that all required notes are provided on the plat.**
2. **RESPONSIBLE DEPARTMENT/DIVISION:** Public Works/Engineering Division
 - a. A preliminary utility plan with calculations must be provided in accordance with Section 2.D(19). **Please provide a capacity letter from Fort Bend Municipal Utility District #48.**
 - b. Detention analysis and calculations, where required, shall be provided in accordance with Section 2.D(20). **Please provide a FIRM map to confirm that the subject plat is outside of Zone A or AE.**
 - c. A Traffic Impact Analysis shall be submitted in accordance with Section 2.D.(25). **Please provide a Traffic Impact worksheet.**

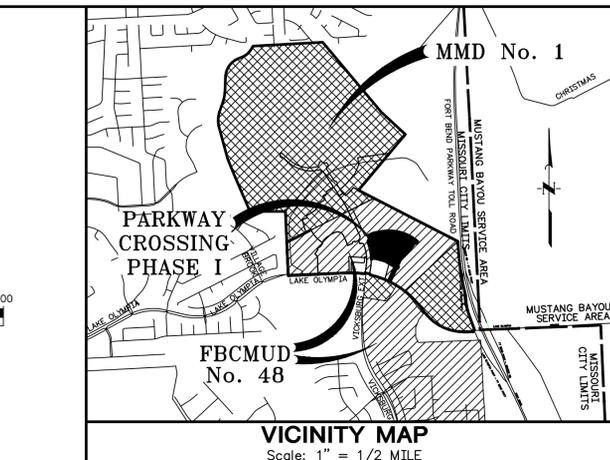
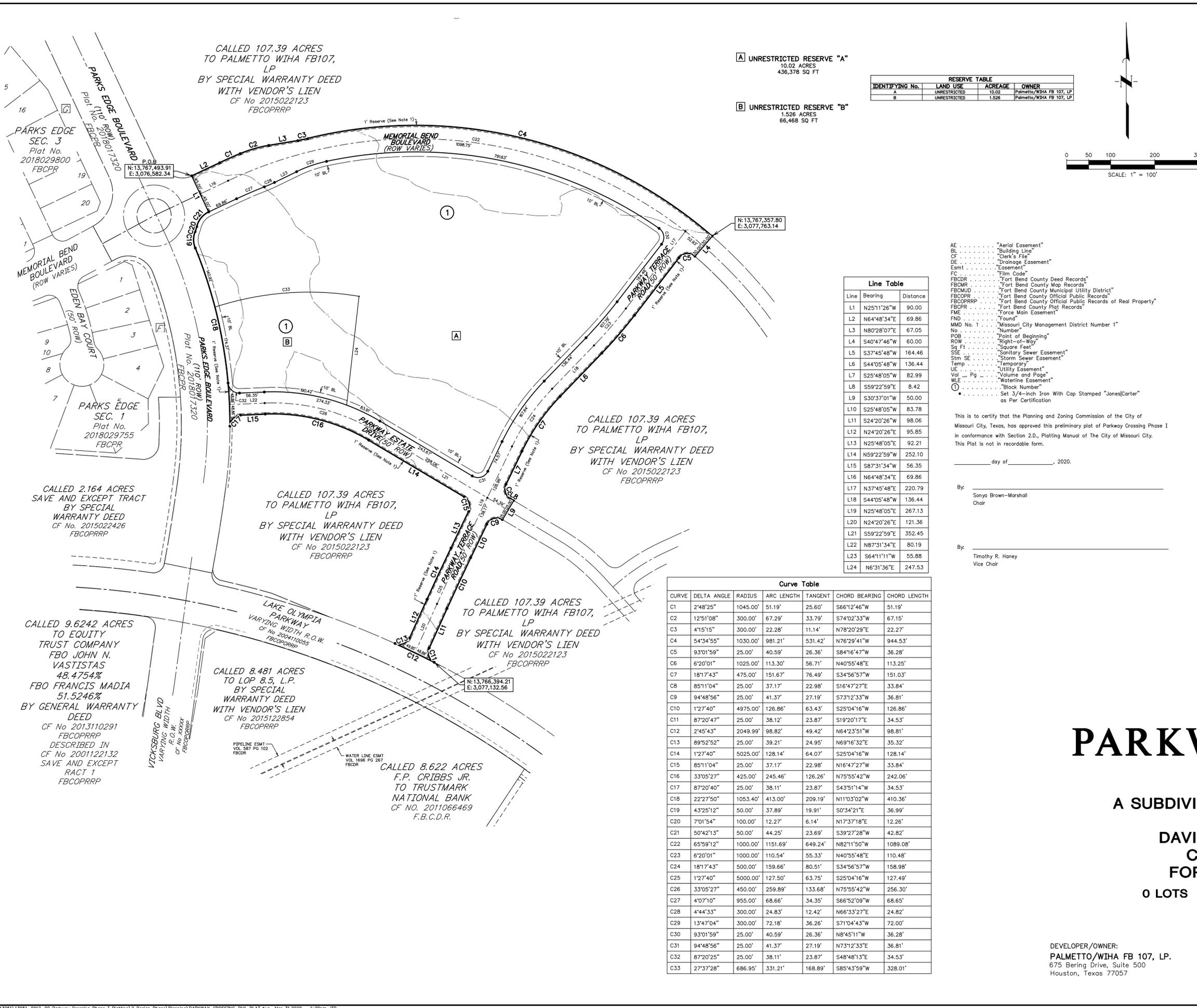
-----**END OF REPORT**-----



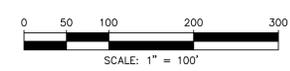
APPLICATION FOR PLAT APPROVAL

Check One: **CONCEPTUAL PLAN** **PRELIMINARY**
 REVISED CONCEPTUAL PLAN **REVISED PRELIMINARY**

1. Name of plat:	Parkway Crossing Phase I		
2. Name of conceptual plan that encompasses this plat (if applicable):			
3. Type of use (Circle one or more):	Multifamily Residential	Commercial	Industrial
	Single Family Residential	Specific Use Permit	Planned Development
	Other (Explain):		
4. Landowner's name (If company or corporation, list chief officer):	Palmetto/WIHA FB 107, LP.		
Mailing Address:	675 Bering Drive, Ste 500 Houston, Texas 77057		
Phone No.:() -			
Email:			
5. Applicant's name (Engineer, Planner, Architect, Etc.):	Jones Carter		
Mailing Address:	2322 West Grand Parkway N. Katy, Texas 77449		
Phone No.:(832) 913 - 4000			
Email:	jduecker@jonescarter.com		
6. Is plat located inside the City limits or City's ETJ? (Circle One):	CITY LIMITS	ETJ	
7. Land distribution (in acres)	Private Streets: <u>3.869</u> Public Streets: _____ Residential Lots: _____		
	Lakes/Ponds (non-recreational): _____	Irrigation/Drainage Canals: _____	Recreational Uses: _____
	Utility Easements: _____	Public Parkland: _____	
	Other (explain): <u>Landscape / Open Space Reserves - 11.546</u>		(acres): _____
	TOTAL ACREAGE: <u>15.415</u>		
8. Estimated # of Sections: <u>N/A</u>	Blocks: <u>1</u>	Reserves: <u>2</u>	
9. Estimated # of residential lots/dwelling units:	<u>0</u>		
10. Residential lot dimensions:	Average: <u>N/A</u>	Smallest: <u>N/A</u>	
11. Lot area: <u>N/A</u>	Non cul-de-sac: <u>N/A</u>	Cul-de-sac: <u>N/A</u>	
12. Front width (At property line): <u>N/A</u>	Non cul-de-sac: <u>N/A</u>	Cul-de-sac: <u>N/A</u>	
13. Front width (At building line): <u>N/A</u>	Non cul-de-sac: <u>N/A</u>	Cul-de-sac: <u>N/A</u>	
14. Depth: <u>N/A</u>	Non cul-de-sac: <u>N/A</u>	Cul-de-sac: <u>N/A</u>	
15. Block Length: <u>N/A</u>	Average: _____	Longest: _____	Shortest: _____
16. Type of Streets (Circle One):	Public	Private	Combination Public/Private
17. Type of Water System (Circle One):	Public	Individual Water Wells	Other (attach explanation)
18. Type of Sanitary System (Circle One):	Public	Individual Septic Tanks	Other (attach explanation)
19. Municipal Utility District:	Fort Bend County M.U.D No. 48		



IDENTIFYING No.	LAND USE	ACREAGE	OWNER
A	UNRESTRICTED	10.02	Palmetto/WIHA FB 107, LP
B	UNRESTRICTED	1.526	Palmetto/WIHA FB 107, LP



Line	Bearing	Distance
L1	N25°11'26"W	90.00
L2	N64°48'34"E	69.86
L3	N80°28'07"E	67.05
L4	S40°47'46"W	60.00
L5	S37°45'48"W	164.46
L6	S44°05'48"W	136.44
L7	S25°48'05"W	82.99
L8	S59°22'59"E	8.42
L9	S30°37'01"W	50.00
L10	S25°48'05"W	83.78
L11	S24°20'26"W	98.06
L12	N24°20'26"E	95.85
L13	N25°48'05"E	92.21
L14	N59°22'59"W	252.10
L15	S87°31'34"W	56.35
L16	N64°48'34"E	69.86
L17	N37°45'48"E	220.79
L18	S44°05'48"W	136.44
L19	N25°48'05"E	267.13
L20	N24°20'26"E	121.36
L21	S59°22'59"E	352.45
L22	N87°31'34"E	80.19
L23	S64°11'11"W	55.88
L24	N6°31'36"E	247.53

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	2°48'25"	1045.00'	51.19'	25.60'	S66°12'46"W	51.19'
C2	12°51'08"	300.00'	67.29'	33.79'	S74°02'33"W	67.15'
C3	4°15'15"	300.00'	22.28'	11.14'	N78°20'29"E	22.27'
C4	54°34'55"	1030.00'	981.21'	531.42'	N76°29'41"W	944.53'
C5	93°01'59"	25.00'	40.59'	26.36'	S84°16'47"W	36.28'
C6	6°20'01"	1025.00'	113.30'	56.71'	N40°55'48"E	113.25'
C7	18°17'43"	475.00'	151.67'	76.49'	S34°56'57"W	151.03'
C8	85°11'04"	25.00'	37.17'	22.98'	S16°47'27"E	33.84'
C9	94°48'56"	25.00'	41.37'	27.19'	S73°12'33"W	36.81'
C10	1°27'40"	4975.00'	126.86'	63.43'	S25°04'16"W	126.86'
C11	87°20'47"	25.00'	38.12'	23.87'	S19°20'17"E	34.53'
C12	2°45'43"	2049.99'	98.82'	49.42'	N64°23'51"W	98.81'
C13	89°52'52"	25.00'	39.21'	24.95'	N69°16'32"E	35.32'
C14	1°27'40"	5025.00'	128.14'	64.07'	S25°04'16"W	128.14'
C15	85°11'04"	25.00'	37.17'	22.98'	N16°47'27"W	33.84'
C16	33°05'27"	425.00'	245.46'	126.26'	N75°55'42"W	242.06'
C17	87°20'40"	25.00'	38.11'	23.87'	S43°51'14"W	34.53'
C18	22°27'50"	1053.40'	413.00'	209.19'	N11°03'02"W	410.36'
C19	43°25'12"	50.00'	37.89'	19.91'	S0°34'21"E	36.99'
C20	7°01'54"	100.00'	12.27'	6.14'	N17°37'18"E	12.26'
C21	50°42'13"	50.00'	44.25'	23.69'	S39°27'28"W	42.82'
C22	65°59'12"	1000.00'	1151.69'	649.24'	N82°11'50"W	1089.08'
C23	6°20'01"	1000.00'	110.54'	55.33'	N40°55'48"E	110.48'
C24	18°17'43"	500.00'	159.66'	80.51'	S34°56'57"W	158.98'
C25	1°27'40"	5000.00'	127.50'	63.75'	S25°04'16"W	127.49'
C26	33°05'27"	450.00'	259.89'	133.68'	N75°55'42"W	256.30'
C27	4°07'10"	955.00'	68.66'	34.35'	S66°52'09"W	68.65'
C28	4°44'33"	300.00'	24.83'	12.42'	N66°33'27"E	24.82'
C29	13°47'04"	300.00'	72.18'	36.26'	S71°04'43"W	72.00'
C30	93°01'59"	25.00'	40.59'	26.36'	N8°45'11"W	36.28'
C31	94°48'56"	25.00'	41.37'	27.19'	N73°12'33"E	36.81'
C32	87°20'25"	25.00'	38.11'	23.87'	S48°48'13"E	34.53'
C33	27°37'28"	686.95'	331.21'	168.89'	S85°43'59"W	328.01'

- General Notes
- All of the property subdivided in the above and foregoing plat is within the incorporated boundaries of the City of Missouri City, Texas.
 - Shared access and parking facilities shall be provided as required under the provisions of Subsection 82-159 of the Code of Ordinances of the City of Missouri City.
 - In accordance with Center Point Energy Electrical Service Manual, Article 421.2, electric meters shall be located in a position that is accessible at all times without customer assistance. Access to the meter shall not be blocked by gates, walls or fences.
 - Driveway approaches shall be provided in accordance with the Missouri City Driveway Approach Policy as required under the provisions of Subsection 82-160 of the Code of Ordinances of the City of Missouri City, Texas.
 - Sidewalks shall be constructed as required by Subsection 82-164 of the Code of Ordinances of the City of Missouri City, Texas.
 - All drainage and floodway easements shall be kept clear of fences, buildings, plantings and other obstructions to the operations and maintenance of the drainage facility as required by Subsection 82-168(d) of the Code of Ordinances of the City of Missouri City, Texas.
 - The City of Missouri City shall not be responsible for maintenance of driveways, sidewalks, emergency access easements, recreational area and open space; and the Shipmans Cove Homeowners' Association shall be responsible for such maintenance of driveways, emergency access easements, recreational areas and open spaces as required by Section 3.C.(14) of the Platting Manual of the City of Missouri City (September 2019).
 - All required utility companies have been contacted and all public utility easements as shown on the above and foregoing plat constitute all of the easements required by the utility companies contacted.
 - There are no existing or proposed pipeline easements within the limits of the subdivision.
 - No building or other permit, except permits for construction of public improvements will be issued by the City of Missouri City, Texas, for construction within this subdivision until such time as all public improvements of the subdivision have been constructed by the developer and accepted by the City or the guarantee of construction of public improvements required by Subsection 82-206 of the Code of Ordinances of the City of Missouri City, Texas, is submitted to and approved by the City.
 - All slab elevations shall be one foot above the 100-year flood elevation as established by FEMA as per Section 3.C.(13) of the Platting Manual of the City of Missouri City (September 2019). Per the approved drainage analysis the top of all floor slabs shall be a minimum of 77.00 feet (NAVD 88). Regardless of the minimum slab elevation shown, the top of slab elevation at any point on the perimeter of the slab shall not be less than eighteen (18) inches above natural ground.
 - Required fire flows shall be provided based on the size and construction of all buildings as required by the International Fire Code as adopted by the City.
 - The placement of fire hydrants shall be provided based on the minimum distance requirements as established in the International Fire Code as adopted by the City (500 feet for residential development and 300 feet for commercial development). All fire hydrants shall be installed according to the International Fire Code as adopted by the City.
 - All of the property subdivided in the foregoing plat is within the boundaries of Fort Bend County, Texas.
 - A one-foot reserve (1' reserve) has been dedicated to the public in fee as a buffer separation between the side or end of streets in subdivision plats where such streets abut adjacent acreage tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one-foot reserve shall thereupon become vested in the public for street right-of-way purposes and the title fee thereto shall revert to and rest in the dedicator, his heirs, assigns or successors.
 - Elevation shown hereon are based on City of Missouri City Survey Marker No. PCMO03 having a published elevation of 66.07 feet, NAVD 2001 Adjustment.

This is to certify that the Planning and Zoning Commission of the City of Missouri City, Texas, has approved this preliminary plat of Parkway Crossing Phase I in conformance with Section 2.D., Platting Manual of the City of Missouri City. This Plat is not in recordable form.

_____ day of _____, 2020.

By: _____
Sanya Brown-Marshall
Chair

By: _____
Timothy R. Haney
Vice Chair

PARKWAY CROSSING PHASE I

A SUBDIVISION OF 15.415 ACRES OF LAND
OUT OF THE
DAVID BRIGHTON LEAGUE A-13
CITY OF MISSOURI CITY,
FORT BEND COUNTY, TEXAS

0 LOTS 2 RESERVES 1 BLOCKS

MARCH 27, 2020

DEVELOPER/OWNER:
PALMETTO/WIHA FB 107, LP.
675 Bering Drive, Suite 500
Houston, Texas 77057

SURVEYOR:
JONES CARTER
STEVEN JARES, R.P.L.S. No. 5317

ENGINEER:
JONES CARTER
JARED S. WILLIAMS, P.E.



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 8, 2020
AGENDA ITEM SUBJECT: Preliminary Plat of Parks Edge Section Nine
AGENDA ITEM NUMBER: 6.A.(2)
PROJECT PLANNER: Gretchen M. Pyle, Interim Planning Specialist
APPROVAL:  Otis T. Spriggs, AICP, Director, Development Services
 Shashi K. Kumar, P.E., CFM, City Engineer/Public Works Director

PERMIT NUMBER: PLAT2000226
TYPE OF APPLICATION:
 Initial application
 Written Response application
PROPERTY ID: 0013-00-000-0600-907
LOCATION: North and east of Mustang Bayou and Community Park, west of Park Vista Drive

ZONING DISTRICT DESIGNATION: PD, Planned Development #95
(Ordinance O-15-52)

DEVELOPMENT AGREEMENT/STRATEGIC PARTNERSHIP: The site is subject to a Development Agreement created for the Missouri City Management District No. 1 to provide development standards, utility and road agreements.

RECOMMENDED ACTION:

The Planning and Zoning Commission should:

<input checked="" type="checkbox"/> APPROVE: A Drainage Analysis Plan for Parks Edge Phase II was received on Tuesday, March 17, 2020.

A. CHECKLIST ITEMS FOR SUBSEQUENT APPLICATIONS:

In accordance with Section 82-10.(d), Chapter 82. Subdivisions, City Code of Ordinances, a plat application shall contain the information and documents required by the Platting Manual. In addition to the requirements of the Submittal Checklist, the following items are required to be provided.

1. Provide with final plat application:

- a. Updated conceptual plan depicting the layout of all sections through Section 13.

-----**END OF REPORT**-----



WRITTEN RESPONSE APPLICATION

An applicant may submit a **written response** to a plat that has been Approved with Conditions or Disapproved after the initial action on a plat application. A written response application must address each condition of approval or each reason for disapproval. Failure to adequately address each condition may result in the disapproval of the plat application.

APPLICATION TYPE:

- AMENDING PLAT**
- CONCEPTUAL PLAN**
- FINAL PLAT (INCLUDING REPLAT)**
- LARGE ACREAGE PLAT**
- PRELIMINARY PLAT**

1. NAME OF PLAT: Parks Edge Section 9
2. DATE INITIAL PLAT APPLICATION FILED FOR APPROVAL: February 14, 2020
3. PLAT APPLICATION PLAN NUMBER: PLAT2000209
4. APPLICANT NAME (ENGINEER, PLANNER, ARCHITECT, ETC.): META Planning + Design LLC, Dan Valdez
5. ATTACH A RESPONSE FOR EACH CONDITION OF APPROVAL OR REASON FOR DISAPPROVAL. Attached.



APPLICATION FOR PLAT APPROVAL

Check One: **CONCEPTUAL PLAN** **PRELIMINARY**
 REVISED CONCEPTUAL PLAN **REVISED PRELIMINARY**

Date of Application:

1.	Name of plat: Parks Edge Section 9		
2.	Name of conceptual plan that encompasses this plat (if applicable):		
3.	Type of use (Circle one or more): Multifamily Residential Commercial Industrial Planned Development Single Family Residential Specific Use Permit Other (Explain):		
4.	Landowner's name (If company or corporation, list chief officer): DRH Land Opportunities I, Inc. - Mike Bohm		
	Mailing Address: 14100 SW Freeway, Suite 500 Houston, TX 77478		
	Phone No.:(281) 566 - 2100 Fax No.:() -		
	Email: mbohm@drhorton.com		
5.	Applicant's name (Engineer, Planner , Architect, Etc.): META Planning + Design		
	Mailing Address: 24275 Katy Freeway Ste.200 Katy, TX 77494		
	Phone No.:(281) 749 - 1803 Fax No.:() -		
	Email: kparker@metaplanningdesign.com		
6.	Is plat located inside the City limits? (Circle One):		YES NO
7.	Is plat located inside the City's ETJ? (Circle One):		YES NO
8.	Total acreage: 17.1		
9.	Estimated # of Sections: <u> 1 </u>	Blocks: <u> 4 </u>	Reserves: <u> 3 </u>
10.	Estimated # of residential lots/dwelling units: 58 lots		
11.	Land distribution (in acres) - <i>Must total acreage indicated in Line 8 above.</i>		
	Private Streets:	Public Streets: <u> 2.98 </u>	Residential Lots: <u> 9.92 </u>
	Lakes/Ponds (non-recreational): <u> </u>	Irrigation/Drainage Canals: <u> 2.93 </u>	Recreational Uses: <u> </u>
	Utility Easements: <u> </u>	Public Parkland: <u> </u>	
	Other (explain): <u> Landscape/Open Space/ Pipeline </u> (acres): <u> 1.27 </u>		
12.	Residential lot dimensions:	Average: <u> </u>	Smallest: <u> </u>
13.	Lot area:	Non cul-de-sac:	Cul-de-sac:
14.	Front width (At property line):	Non cul-de-sac:	Cul-de-sac:
15.	Front width (At building line):	Non cul-de-sac:	Cul-de-sac:
16.	Depth:	Non cul-de-sac:	Cul-de-sac:
17.	Block Length: <u> </u>	Average: <u> 50'x120' </u>	Longest: <u> </u> Shortest: <u> </u>
18.	Type of Streets (Circle One):	Public Private Combination Public/Private	
19.	Type of Water System (Circle One):	Public Individual Water Wells Other (attach explanation)	
20.	Type of Sanitary System (Circle One):	Public Individual Septic Tanks Other (attach explanation)	
21.	Municipal Utility District: FORT BEND COUNTY MUD 48		



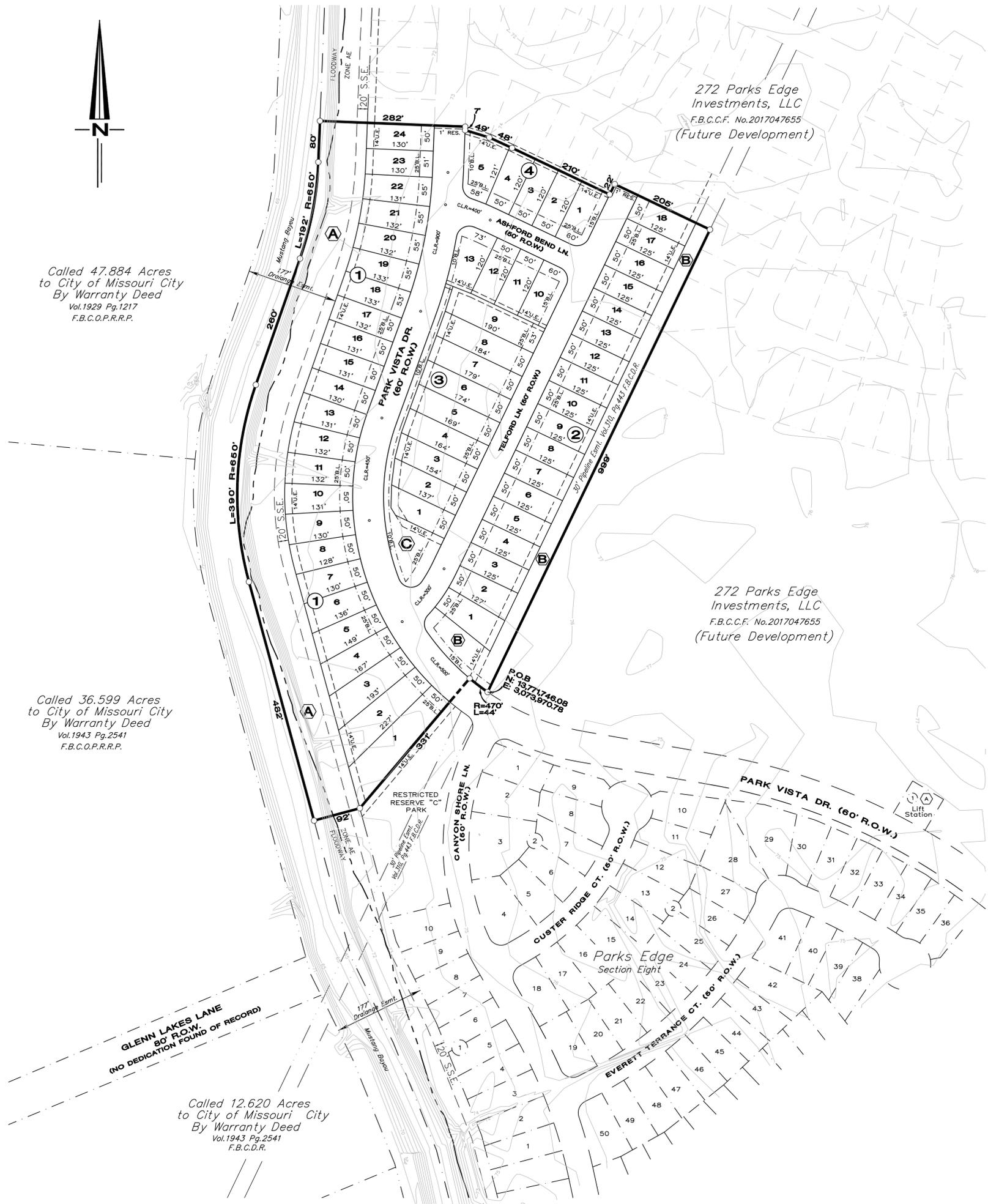
Called 47.884 Acres
 to City of Missouri City
 By Warranty Deed
 Vol.1929 Pg.1217
 F.B.C.O.P.R.R.P.

Called 36.599 Acres
 to City of Missouri City
 By Warranty Deed
 Vol.1943 Pg.2541
 F.B.C.O.P.R.R.P.

Called 12.620 Acres
 to City of Missouri City
 By Warranty Deed
 Vol.1943 Pg.2541
 F.B.C.D.R.

272 Parks Edge
 Investments, LLC
 F.B.C.C.F. No.2017047655
 (Future Development)

272 Parks Edge
 Investments, LLC
 F.B.C.C.F. No.2017047655
 (Future Development)



GLENN LAKES LANE
 80' R.O.W.
 (NO DEDICATION FOUND OF RECORD)

- NOTE:
- (A)** RESTRICTED RESERVE "A"
 DRAINAGE EASEMENT
 ±2.93 ACRES
 - (B)** RESTRICTED RESERVE "B"
 LANDSCAPE/OPEN SPACE
 PIPELINE/TRAILS
 ±0.88 ACRE
 - (C)** RESTRICTED RESERVE "C"
 LANDSCAPE/OPEN SPACE
 ±0.39 ACRE

A PRELIMINARY PLAT OF
PARKS EDGE
 SECTION NINE

BEING 17.1± ACRES OF LAND
 CONTAINING 60 LOTS (60' X 120' TYP.) AND
 THREE RESERVES IN FOUR BLOCKS.

OUT OF THE
DAVID BRIGHTON LEAGUE, A-13
 CITY OF MISSOURI CITY, FORT BEND COUNTY, TEXAS
 DEVELOPER:
DRH LAND OPPORTUNITIES I, INC.
 14100 SW FREEWAY, SUITE 500
 SUGAR LAND, TEXAS 77478
 ATTN. CHRIS LINDHORST
 (281) 566-2100

ENGINEER:
JONES & CARTER
 6335 GULFTON, SUITE 100
 HOUSTON, TEXAS 77081
 ATTN. MR. SEAN BURCH
 (713) 777-6337
 PLANNER:

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF MISSOURI CITY SUBDIVISION REGULATIONS IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE FOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF MISSOURI CITY PLANNING AND ZONING COMMISSION. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.

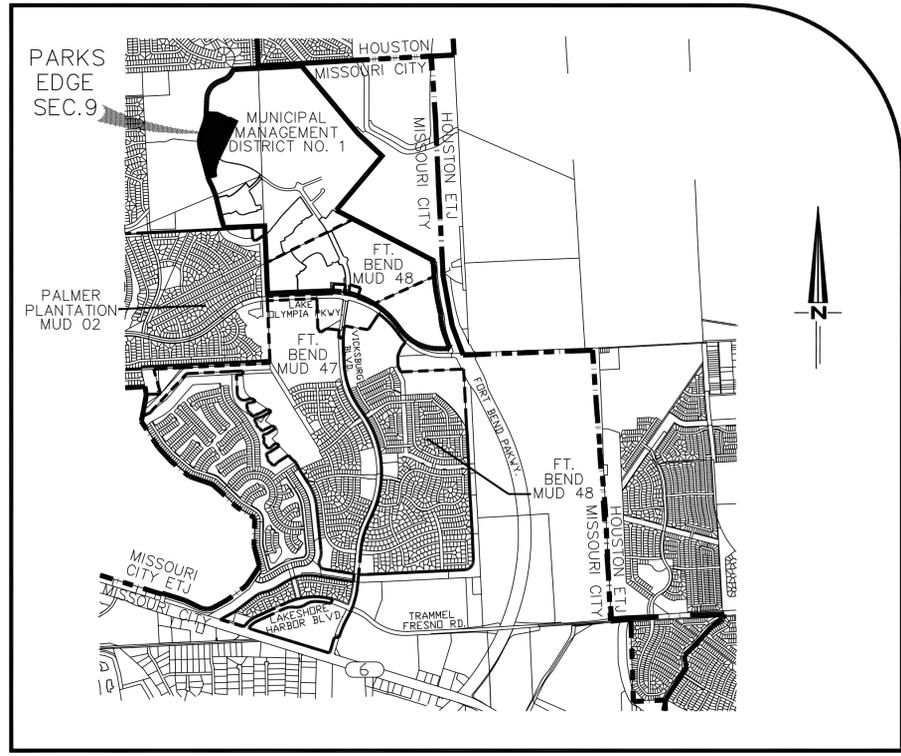


24275 KATY FREEWAY, SUITE 200
 KATY, TEXAS 77494
 Tel: 281-810-1422

GENERAL NOTE:

- 1.) "B.L." INDICATES BUILDING LINE.
- 2.) "U.E." INDICATES UTILITY EASEMENT.
- 3.) "W.L.E." INDICATES WATER LINE EASEMENT.
- 4.) "STM. SWR. ESMT." INDICATES STORM SEWER EASEMENT.
- 5.) "S.S.E." INDICATES SANITARY SEWER EASEMENT.
- 6.) "L.S." INDICATES LIFT STATION SITE.
- 7.) "1' RES." INDICATES ONE FOOT RESERVE.
dedicated to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent acreage tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and revest in the dedicator, his heirs assigns, or successors.
- 8.) ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
- 9.) ALL LOT WIDTH AND DEPTH DIMENSIONS ARE APPROXIMATE, AND LOT WIDTHS ARE MEASURED AT THE FRONT BUILDING LINE, AND OR THE REAR BUILDING PAD LINE.
- 10.) CONTROL BENCHMARK: CITY OF MISSOURI CITY SURVEY MARKER #PCM-003 LOCATED AT NORTHWEST CORNER OF SIENNA PARKWAY AND TRAMMEL-FRESNO ROAD WITH A PUBLISHED ELEVATION OF 66.07, NAVD '88, 2001 ADJ.;

THE CONTOURS AND SLAB ELEVATIONS SHOWN HEREON ARE BASED ON THE VERTICAL DATUM OF NGVD 29, 1973 ADJ.
- 11.) T.B.M. BRASS DISC LOCATED WITHIN PARKS VISTA DRIVE STREET DEDICATION PLAT, ON THE SOUTHWEST SIDE OF PARK VISTA DRIVE, 500 FEET NORTHWEST FROM THE INTERSECTION OF PARKS EDGE BOULEVARD AND PARK VISTA DRIVE, ON THE NORTH SIDE OF A "B-B" STORM INLET AS SHOWN ON DRAWING No. 13770 IN THE OFFICE OF JONES/CARTER IN BELLAIRE, TEXAS. ELEVATION: 73.05 FEET N.A.V.D., 2001 ADJUSTMENT - BASED ON CITY OF MISSOURI CITY MARKER No. PCM003 HAVING A HAVING A PUBLISHED ELEVATION OF 66.07 FEET, N.A.V.D. 2001 ADJUSTMENT.
- 12.) IN ACCORDANCE WITH CENTERPOINT ENERGY SERVICE STANDARDS, ARTICLE 406.52, ELECTRIC METERS SHALL BE LOCATED IN AN AREA ACCESSIBLE WITHOUT CUSTOMER ASSISTANCE AND NOT BLOCKED BY FENCES, WALLS OR GATES. FOR FURTHER INFORMATION IN THE SUGAR LAND DISTRICT AREA, CALL (281) 561-2999.
- 13.) DRIVEWAY APPROACHES SHALL BE PROVIDED IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION 82-160 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- 14.) SIDEWALKS SHALL BE CONSTRUCTED AS REQUIRED BY SECTIONS 82-164 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- 15.) THE CITY OF MISSOURI CITY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF DRIVEWAYS, SIDEWALKS, EMERGENCY ACCESS EASEMENTS, RECREATIONAL AREAS AND OPEN SPACE; AND THE PARKS EDGE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF DRIVEWAYS, EMERGENCY ACCESS EASEMENTS, RECREATIONAL AREAS AND OPEN SPACES AS REQUIRED BY SECTION 3.C.(14) OF THE ADMINISTRATIVE PLATTING MANUAL OF THE CITY OF MISSOURI CITY (SEPTEMBER 2019)
- 16.) ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING PLAT IS WITHIN THE CITY OF MISSOURI CITY.
- 17.) ALL SLAB ELEVATIONS SHALL BE ELEVATED TO OR ABOVE A HEIGHT WHICH IS THE HIGHER OF EIGHTEEN INCHES ABOVE HIGHEST ADJACENT GRADE, OR TWELVE INCHES ABOUT THE MAXIMUM ONE PERCENT ANNUAL FLOOD RISK FLOODPLAIN PONDING ELEVATION IN THE NEAREST DRAINAGE SYSTEM AS PER SECTION 42-54 OF THE MISSOURI CITY CODE OF ORDINANCES. THE MINIMUM SLAB ELEVATION FOR SECTION 9 IS 75.50'.
- 18.) ALL REQUIRED UTILITY COMPANIES HAVE BEEN CONTACTED AND ALL PUBLIC UTILITY EASEMENTS AS SHOWN ON THE ABOVE AND FOREGOING PLAT CONSTITUTE ALL OF THE EASEMENTS REQUIRED BY THE UTILITY COMPANIES CONTACTED.
- 19.) NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS WILL BE ISSUED BY THE CITY OF MISSOURI CITY, TEXAS, FOR CONSTRUCTION WITHIN THIS SUBDIVISION UNTIL SUCH TIME AS ALL PUBLIC IMPROVEMENTS OF THE SUBDIVISION HAVE BEEN CONSTRUCTED BY THE DEVELOPER AND ACCEPTED BY THE CITY OR THE GUARANTEE OF CONSTRUCTION OF PUBLIC IMPROVEMENTS REQUIRED BY SECTION 82-206 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS, IS SUBMITTED TO AND APPROVED BY THE CITY.
- 20.) REQUIRED FIRE FLOWS SHALL BE PROVIDED BASED ON THE SIZE AND CONSTRUCTION OF ALL BUILDINGS AS REQUIRED BY THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
- 21.) THE PLACEMENT OF FIRE HYDRANTS SHALL BE PROVIDED BASED ON THE MINIMUM DISTANCE REQUIREMENTS AS ESTABLISHED IN THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY (500 FT. FOR RESIDENTIAL DEVELOPMENT AND 300 FT. FOR COMMERCIAL DEVELOPMENT). ALL FIRE HYDRANTS SHALL BE INSTALLED ACCORDING TO THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
- 22.) ALL STREETS WITHIN THE SUBJECT SUBDIVISION ARE PUBLIC STREETS.
- 23.) RESERVES CREATED BY THIS PLAT WILL BE OWNED AND MAINTAINED BY THE PARKS EDGE HOMEOWNERS ASSOCIATION.
- 24.) BASED ON FEMA FIRM PANEL NO. 48157C0285L, DATED APRIL 2, 2014, THE PROPERTY LIES PARTIALLY WITHIN ZONES AE, X, AND SHADED X. THIS PROPERTY IS CURRENTLY BEING FILLED ABOVE THE 100-YEAR FLOODPLAIN ELEVATION. ONCE THE FILL HAS BEEN PLACED AND VERIFIED, THE LETTER OF MAP REVISION BASED ON FILL (LOMR-F) WILL BE SUBMITTED TO FEMA FOR APPROVAL. BUILDING PERMITS WILL NOT BE RELEASED BY THE CITY OF MISSOURI CITY UNTIL FEMA HAS APPROVED THE LOMR-F.
- 25.) THERE IS 1 PIPELINE EASEMENT WITHIN THE LIMITS OF THE SUBDIVISION AS PER SECTION 82-97 (5)
- 26.) DRIVEWAY LOCATION - FOR THE LOT ON THE INSIDE OF A KNUCKLE OR 90-DEGREE TURN, DRIVEWAY MUST BE PLACED ON THE LOT FRONTAGE ALONG THE INSIDE APPROACH LANE PRIOR TO THE RIGHT TURN, TO AVOID SIGHT OBSTRUCTION SAFETY HAZARDS.
- 27.) THE CONTOURS AND SLAB ELEVATIONS SHOWN HEREON ARE BASED ON THE VERTICAL DATUM OF NGVD 29, 1973 ADJ. TO CONVERT TO THE DATUM NAVD 1988, 2001 ADJ., SUBTRACT 1.30 FEET FROM 1973 ELEVATIONS.
- 28.) IN ACCORDANCE WITH PD, PLANNED DEVELOPMENT DISTRICT #95 (ORDINANCE 0-15-52) THERE SHALL BE A REAR YARD OF NOT LESS THAN 8 FEET. EXCEPT AS SPECIFICALLY SET FORTH IN THE RESIDENTIAL BUILDER GUIDELINES, ADOPTED AS EXHIBIT D BY ORDINANCE 0-15-52, A SIDE YARD OF ZERO (0) FEET IS ALLOWED, THE COMBINED SIDE YARDS BETWEEN A BUILDING ON A GIVEN LOT AND A BUILDING ON AN ADJACENT LOT SHALL BE NOT LESS THAN TEN FEET.
- 29.) ALL DRAINAGE AND FLOOD WAY EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AS REQUIRED BY SUBSECTION 82-168 (D) OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- 30.) NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS, WILL BE ISSUED BY THE CITY OF MISSOURI CITY, TEXAS, FOR CONSTRUCTION WITHIN THE SUBDIVISION UNTIL SUCH TIME AS THE ESCROW OF FUNDS REQUIRED UNDER THE PROVISIONS OF SUBSECTION (D)} OR {THE PAYMENT OF MONEY IN LIEU OF PARKLAND REQUIRED UNDER THE PROVISIONS OF SUBSECTION (E)} OF SECTION 82-174 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS HAS BEEN SUBMITTED AND ACCEPTED BY THE CITY.
- 31.) IN ACCORDANCE WITH CENTER POINT ENERGY ELECTRICAL SERVICE MANUAL, ARTICLE 421.2, ELECTRIC METERS SHALL BE LOCATED IN A POSITION THAT IS ACCESSIBLE AT ALL TIMES WITHOUT CUSTOMER ASSISTANCE. ACCESS TO THE METER SHALL NOT BE BLOCKED BY GATES, WALLS OR FENCES.
- 32.) BUILDINGS SHALL BE SET BACK A MINIMUM DISTANCE OF 30 FEET FROM ANY PIPELINE OR 15 FEET FROM ANY PIPELINE EASEMENT, WHICHEVER DISTANCE IS GREATER.



Vicinity Map
Scale: 1" = 2000'

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MISSOURI CITY, TEXAS HAS APPROVED THIS PRELIMINARY PLAT OF PARKS EDGE SECTION 9 IN CONFORMANCE WITH SECTION 2.D., PLATTING MANUAL OF THE CITY OF MISSOURI CITY. THIS PLAT IS NOT IN RECORDABLE FORM.

_____, DAY OF _____, 2020.

BY: _____
SONYA BROWN-MARSHALL
CHAIR

BY: _____
TIMOTHY R. HANEY
VICE CHAIR

FURTHER, OWNERS DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION OF PARKS EDGE SECTION NINE WHERE BUILDING SETBACK LINE 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.

A PRELIMINARY PLAT OF
PARKS EDGE
SECTION NINE
BEING 17.1± ACRES OF LAND
CONTAINING 60 LOTS (60' X 120' TYP.) AND
THREE RESERVES IN FOUR BLOCKS.

OUT OF THE
DAVID BRIGHTON LEAGUE, A-13
CITY OF MISSOURI CITY, FORT BEND COUNTY, TEXAS
DEVELOPER:
DRH LAND OPPORTUNITIES I, INC.
14100 SW FREEWAY, SUITE 500
SUGAR LAND, TEXAS 77478
ATTN. CHRIS LINDHORST
(281) 566-2100

ENGINEER:
JONES & CARTER
6335 GULFTON, SUITE 100
HOUSTON, TEXAS 77081
ATTN. MR. SEAN BURCH
(713) 777-6337

PLANNER:



24275 KATY FREEWAY, SUITE 200
KATY, TEXAS 77494
Tel: 281-810-1422

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF MISSOURI CITY SUBDIVISION REGULATIONS IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE FOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF MISSOURI CITY PLANNING AND ZONING COMMISSION. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 8, 2020
AGENDA ITEM SUBJECT: Final Plat of Sienna Section 32A and 32B
AGENDA ITEM NUMBER: 6.A.(3)
PROJECT PLANNER: Thomas K. White, Jr., Planner II
APPROVAL:  **Otis T. Spriggs, AICP**, Director, Development Services
 **Shashi K. Kumar, P.E., CFM**, City Engineer/Public Works Director

PERMIT NUMBER: PLAT2000220
TYPE OF APPLICATION:
 Initial application
 Written Response application
PROPERTY ID: 0031-00-000-3036-907
LOCATION: South of Sienna River Parkway, east of the Brazos River and west of Heritage Park Drive

ZONING DISTRICT DESIGNATION: ETJ, Extraterritorial Jurisdiction

DEVELOPMENT AGREEMENT/STRATEGIC PARTNERSHIP: The subject site is located within Tract B which is governed by the provisions of the 8th amendment to the Sienna Plantation Joint Development Agreement.

RECOMMENDED ACTION:

The Planning and Zoning Commission should:

<input checked="" type="checkbox"/> APPROVE WITH CONDITIONS: An applicant may submit a written response to an initial application that satisfies each condition contained within this report

A. CONDITIONS FOR APPROVAL:

A preliminary plat application must be in the form and contain the information and documents as required by the Platting Manual of the City of Missouri City, as adopted in September 2019 and in accordance with Section 82-65 of the Code of Ordinances of the City of Missouri City. The applicable sections of the Platting Manual are referenced in the comments below, except where indicated otherwise.

1. **RESPONSIBLE DEPARTMENT/DIVISION:** Development Services/Planning and Development Division
 - a. All lots and blocks shall be **numbered or lettered consecutively** in accordance with Section 2.D(3). A table should be used listing the identifying letter, use, and acreage of all reserves. **A table of the blocks, lots and reserves by section has been provided as a separate document. Please include this table on the plat.**

2. **RESPONSIBLE DEPARTMENT/DIVISION:** Public Works/GIS Division
 - a. An alphabetical list of proposed street names for the subdivision shall be provided in accordance with Section 2.D(23). **The street name "Delta Creek Drive" was provided and cleared at the time of preliminary plat approval. The street names list provided with this final plat application indicated "Delta Creek" however the plat still references "Delta Creek Drive". Please clarify the proposed street name and suffix.**

-----END OF REPORT-----

STATE OF TEXAS
COUNTY OF FORT BEND

WE, TOLL-GTIS PROPERTY OWNER, LLC, A TEXAS LIMITED LIABILITY COMPANY, ACTING BY AND THROUGH JIMMIE F. JENKINS, AUTHORIZED REPRESENTATIVE, BEING AN OFFICER OF TOLL-GTIS PROPERTY OWNER, LLC, A TEXAS LIMITED LIABILITY COMPANY, AND WE, SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT OF FORT BEND COUNTY, TEXAS, ACTING BY AND THROUGH KEN BECKMAN, PRESIDENT BEING AN OFFICER OF SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT OF FORT BEND COUNTY, TEXAS, OWNERS OF THE 20.820 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF SIENNA SECTION 32A AND 32B, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION PLAT OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

WE, FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTIONS MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMPORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; WE, OUR SUCCESSORS AND ASSIGNEES HEREBY WAIVE ANY CLAIM, DAMAGE OR CAUSE OF ACTION THAT WE MAY HAVE AS A RESULT OF THE DEDICATION OR EXACTIONS MADE HEREIN.

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

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

FURTHER, WE DO HEREBY DECLARE THAT ALL PARCELS OF LAND DESIGNATED AS LOTS ON THIS PLAT ARE INTENDED FOR THE CONSTRUCTION OF SINGLE FAMILY RESIDENTIAL DWELLING UNITS THEREON AND SHALL BE RESTRICTED FOR SAME UNDER THE TERMS AND CONDITIONS OF SUCH RESTRICTIONS FILED SEPARATELY.

FURTHER, WE DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PREVENT THE DRAINAGE OF ANY SEPTIC TANKS INTO ANY PUBLIC OR PRIVATE STREET, ROAD OR ALLEY OR ANY DRAINAGE DITCH, EITHER DIRECTLY OR INDIRECTLY.

FURTHER, WE DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND TWENTY (20) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS AND DRAINAGE DITCHES LOCATED IN SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES. FORT BEND COUNTY OR ANY OTHER GOVERNMENTAL AGENCY SHALL HAVE THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSES OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, WE DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS SUBDIVISION 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, EXCESSIVE VEGETATION AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

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 SIENNA SECTION 32A AND 32B 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.

FURTHER, WE DO HEREBY ACKNOWLEDGE THE RECEIPT OF THE "ORDERS FOR REGULATION OF OUTDOOR LIGHTING IN THE UNINCORPORATED AREAS OF FORT BEND COUNTY, TEXAS", AND DO HEREBY COVENANT AND AGREE AND SHALL COMPLY WITH THIS ORDER AS ADOPTED BY FORT BEND COUNTY COMMISSIONERS COURT ON MARCH 23, 2004 AND ANY SUBSEQUENT AMENDMENT.

IN TESTIMONY WHEREOF, TOLL-GTIS PROPERTY OWNER, LLC, A TEXAS LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JIMMIE F. JENKINS, ITS AUTHORIZED REPRESENTATIVE, THEREUNTO AUTHORIZED, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS _____ DAY OF _____, 2020.

TOLL-GTIS PROPERTY OWNER, LLC
A TEXAS LIMITED LIABILITY COMPANY

By: _____
JIMMIE F. JENKINS, AUTHORIZED REPRESENTATIVE

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JIMMIE F. JENKINS, AUTHORIZED REPRESENTATIVE OF TOLL-GTIS PROPERTY OWNER, 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 SET OUT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

THIS _____ DAY OF _____, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

IN TESTIMONY WHEREOF, SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT OF FORT BEND COUNTY, TEXAS, HAS CAUSED THESE PRESENTS TO BE SIGNED BY KEN BECKMAN, ITS PRESIDENT, THEREUNTO AUTHORIZED,

THIS _____ DAY OF _____, 2020.

SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT
OF FORT BEND COUNTY, TEXAS

By: _____
KEN BECKMAN, PRESIDENT

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KEN BECKMAN, PRESIDENT OF SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT OF FORT BEND COUNTY, TEXAS, 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 SET OUT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

THIS _____ DAY OF _____, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, JON P. BORDOVSKY, A REGISTERED PROFESSIONAL LAND SURVEYOR, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT ALL BOUNDARY CORNERS, ANGLES, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS (5/8) INCH WITH PLASTIC CAP MARKED "GBI PARTNERS" AND A LENGTH OF NOT LESS THAN THREE (3) FEET. (SEE NOTE #9)

JON P. BORDOVSKY, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6405

I, AMANDA CARRIAGE, A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THIS PLAT MEETS ALL REQUIREMENTS OF FORT BEND COUNTY TO THE BEST OF MY KNOWLEDGE.

AMANDA CARRIAGE, P.E.
LICENSED PROFESSIONAL ENGINEER
TEXAS LICENSE NO. 105912

STATE OF TEXAS
COUNTY OF FORT BEND

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MISSOURI CITY, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF SIENNA SECTION 32A AND 32B IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MISSOURI CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT

THIS _____ DAY OF _____, 2020.

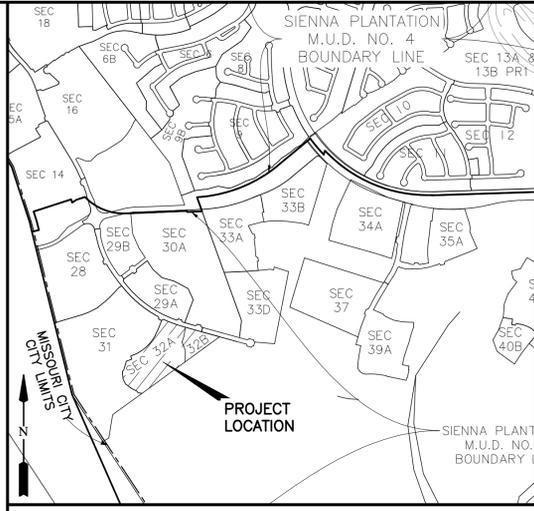
SONYA BROWN-MARSHALL, CHAIRMAN

TIMOTHY R. HANEY, VICE CHAIRMAN

NOTES:

- BENCHMARK: FOUND 4 INCH BRASS DISC LOCATED IN A POURED CONCRETE POST IN THE GRASSY AREA IN FRONT OF MISSOURI CITY FIRE STATION NUMBER 5 16.5 FEET FROM THE SIDE WALK. SURVEY MARKER NO. PCM-011 ELEV. = 59.97 (NAVD88 2001 ADJUSTMENT)
- T.B.M. INDICATES TEMPORARY BENCHMARK SET "X" CUT IN CONCRETE. ELEV. = 54.59 (NAVD88, 2001 ADJUSTMENT)
- ALL BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83). COORDINATES SHOWN ARE GRID AND MAY BE CONVERTED TO SURFACE BY DIVIDING BY A FACTOR OF 0.999867651.
- THIS PLAT WAS PREPARED TO MEET CITY OF MISSOURI CITY AND FORT BEND COUNTY REQUIREMENTS.
- THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY STEWART TITLE COMPANY, FILE NO. 504198 DATED MARCH 4, 2020. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- THIS PLAT LIES WHOLLY WITHIN SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT, FORT BEND SUBSIDENCE DISTRICT, FORT BEND COUNTY DRAINAGE DISTRICT, THE ETJ OF THE CITY OF MISSOURI CITY AND FORT BEND COUNTY, AND SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 6.
- IN ACCORDANCE WITH FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NO. 48157C 0435L, REVISED DATE APRIL 2, 2014, PROPERTY LIES WITHIN SHADDED ZONE "X" DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD. THIS AREA IS SHOWN AS BEING PROTECTED FROM THE 1% ANNUAL CHANCE OR GREATER FLOOD HAZARD BY A LEVEE SYSTEM. OVERTOPPING OR FAILURE OF ANY LEVEE SYSTEM IS POSSIBLE. LJA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.
- THERE ARE NO EXISTING OR PROPOSED PIPELINE EASEMENTS WITHIN THE LIMITS OF THE SUBDIVISION.
- FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "GBI PARTNERS" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS, LOT, BLOCK, AND RESERVE CORNERS WILL BE SET UPON COMPLETION OF ROAD CONSTRUCTION AND PRIOR TO LOT CONSTRUCTION.
- THE TOP OF ALL FLOOR SLABS SHALL BE A MINIMUM OF _____ FEET ABOVE MEAN SEA LEVEL. FEMA REGULATIONS SECTION 82-97(11) REQUIRES THE MINIMUM SLAB ELEVATION SHALL BE SET ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION. THE CITY OF MISSOURI CITY CODE OF ORDINANCES SECTION 42, ARTICLE III REQUIRES THE MINIMUM SLAB ELEVATION SHALL BE ELEVATED TO OR ABOVE A HEIGHT WHICH IS HIGHER OF EIGHTEEN INCHES ABOVE HIGHEST ADJACENT GRADE, OR TWELVE INCHES ABOVE THE MAXIMUM ONE PERCENT ANNUAL FLOOD RISK FLOODPLAIN PONDING ELEVATION IN THE NEAREST DRAINAGE SYSTEM. FORT BEND COUNTY FLOODPLAIN REGULATIONS ARTICLE 5, SECTION B REQUIRES THAT THE MINIMUM SLAB BE SET AT AN ELEVATION EIGHTEEN INCHES ABOVE THE BASE FLOOD ELEVATION WHICH IS MORE STRINGENT AND THEREFORE USED TO DETERMINE THE MINIMUM SLAB ELEVATION. THE TOP OF ALL FLOOR SLABS SHALL BE SET ON THE PERIMETER OF THE SLAB SHALL NOT BE LESS THAN EIGHTEEN (18) INCHES ABOVE NATURAL GROUND.
- ALL DRAINAGE AND FLOODWAY EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AS REQUIRED BY SUBSECTION 82-168(D) OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- THE DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET PONDING DURING INTENSE RAINFALL EVENTS.
- ALL PROPERTY TO DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
- ALL LOT LINES SHALL HAVE A MINIMUM FIVE (5) FOOT SIDE YARD SETBACK.
- A MINIMUM DISTANCE OF 10' SHALL BE MAINTAINED BETWEEN RESIDENTIAL DWELLINGS.
- THE CITY OF MISSOURI CITY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF DRIVEWAYS, SIDEWALKS, EMERGENCY ACCESS EASEMENTS, RECREATIONAL AREAS, OPEN SPACE AND RESERVES.
- SIDEWALKS SHALL BE BUILT OR CAUSED TO BE BUILT NOT LESS THAN 5- FEET IN WIDTH ON BOTH SIDES OF ALL DEDICATED RIGHTS-OF-WAY WITHIN SAID PLAT AND ON CONTIGUOUS RIGHT-OF-WAY OF ALL PERIMETER ROADS SURROUNDING SAID PLAT, IN ACCORDANCE WITH ADA REQUIREMENTS.
- SIDEWALKS SHALL BE CONSTRUCTED AS REQUIRED BY SECTION 82-164 OR THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- DRIVEWAY APPROACHES SHALL BE PROVIDED IN ACCORDANCE WITH THE MISSOURI CITY DRIVEWAY APPROACH POLICY AS REQUIRED UNDER THE PROVISIONS OF SUBSECTION 82-160 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- IN ACCORDANCE WITH CENTERPOINT ENERGY ELECTRICAL SERVICE MANUAL, ARTICLE 421.2, ELECTRIC METERS SHALL BE LOCATED IN A POSITION THAT IS ACCESSIBLE AT ALL TIMES WITHOUT CUSTOMER ASSISTANCE. ACCESS TO THE METER SHALL NOT BE BLOCKED BY GATES, WALLS OR FENCES.
- ALL REQUIRED UTILITY COMPANIES HAVE BEEN CONTACTED AND ALL PUBLIC UTILITY EASEMENTS AS SHOWN ON THE ABOVE AND FOREGOING PLAT CONSTITUTE ALL OF THE EASEMENTS REQUIRED BY THE UTILITY COMPANIES CONTACTED AT THE TIME OF PLATTING.
- GAS METER LOCATION: GAS METERS SHALL BE LOCATED IN AN AREA ACCESSIBLE WITHOUT CUSTOMER ASSISTANCE, AND NOT BLOCKED BY FENCES, WALLS OR GATES. FOR FURTHER INFORMATION PLEASE CONTACT SIENERGY AT 281-778-6250.
- ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING PLAT IS WITHIN THE ETJ BOUNDARIES OF THE CITY OF MISSOURI CITY, TEXAS.
- NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS WILL BE ISSUED BY THE CITY OF MISSOURI CITY, TEXAS, FOR CONSTRUCTION WITHIN THIS SUBDIVISION UNTIL SUCH TIME AS ALL PUBLIC IMPROVEMENTS OF THE SUBDIVISION HAVE BEEN CONSTRUCTED BY THE DEVELOPER AND ACCEPTED BY THE CITY OR THE GUARANTEE OF CONSTRUCTION OF PUBLIC IMPROVEMENTS REQUIRED BY SECTION 82-206 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS, IS SUBMITTED TO AND APPROVED BY THE CITY.
- PRIOR TO THE BEGINNING OF THE ONE-YEAR MAINTENANCE PERIOD FOR UTILITIES AND PAVING BY FORT BEND COUNTY. ALL BLOCK CORNERS AND STREET RIGHT-OF-WAY WILL BE MONUMENTED.
- ADEQUATE FIRE FLOWS SHALL BE PROVIDED ALONG THE ENTIRE LENGTH OF THE PROPOSED WATER LINE.
- REQUIRED FIRE FLOWS SHALL BE PROVIDED BASED ON THE SIZE AND CONSTRUCTION OF ALL BUILDINGS AS REQUIRED BY THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
- THE PLACEMENT OF FIRE HYDRANTS SHALL BE PROVIDED BASED ON THE MINIMUM DISTANCE ESTABLISHED AS ESTABLISHED IN THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY (500FT. FOR RESIDENTIAL DEVELOPMENT AND 300FT. FOR COMMERCIAL DEVELOPMENT). ALL FIRE HYDRANTS SHALL BE INSTALLED ACCORDING TO THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
- THE DRIVEWAY FOR ANY LOT ON THE INSIDE OF A KNUCKLE MUST BE PLACED ALONG THE FRONTAGE PRIOR TO THE RIGHT TURN ON THE INSIDE APPROACH LANE TO AVOID SIGHT OBSTRUCTION SAFETY HAZARDS.
- STREET LIGHTING SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF MISSOURI CITY INFRASTRUCTURE DESIGN MANUAL, CHAPTER 4. STREET LIGHTING AND OVERHEAD UTILITIES, THE INSTALLATION, OPERATION, AND MAINTENANCE OF ORNAMENTAL STREET LIGHTS SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF MISSOURI CITY, EXCEPT AS PROVIDED THEREIN.
- OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE DRAINAGE RESERVES AND CHANNELS IS VESTED IN THE SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT. THE OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF LANDSCAPE RESERVES IS VESTED IN THE HOME OWNERS ASSOCIATION (HOA).
- OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE UTILITIES WITHIN THE SECTIONS IS VESTED IN SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 6. THE OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF UTILITIES ALONG BOULEVARDS AND MAJOR THOROUGHFARES IS VESTED IN THE SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 6.

- THIS PLAT IS SUBORDINATED BY: U.S. BANK NATIONAL ASSOCIATION D/B/A HOUSING CAPITAL COMPANY, AS RECORDED IN FILE NO. _____ OF THE OFFICIAL RECORDS OF FORT BEND COUNTY, TEXAS.
- THIS PLAT LIES WITHIN LIGHTING ZONE 2.
- THIS PLAT IS SUBJECT TO OVER AND ACROSS EASEMENTS AS SET FORTH BY THE RESTRICTED COVENANTS RECORDED UNDER FILE NO. 2015009259, F.B.C.O.R.
- ONE-FOOT RESERVE DEDICATED TO THE CITY IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREETS WHERE SUCH STREETS ABUT ADJACENT ACREAGE TRACTS, THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ADJACENT PROPERTY IS SUBDIVIDED PURSUANT TO A RECORDED PLAT, THE ONE-FOOT RESERVE SHALL THEREUPON BECOME VESTED TO THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND THE FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS OR SUCCESSORS.
- U.V.E. INDICATES UNOBSTRUCTED VIEW EASEMENT. FORT BEND COUNTY SHALL BE RESPONSIBLE FOR ENFORCING U.V.E. REQUIREMENTS WITHIN THE PUBLIC RIGHT-OF-WAY AND SIENNA PLANTATION COMMUNITY ASSOCIATION, INC. SHALL ENFORCE AREAS OUTSIDE OF RIGH-OF-WAY.
- SITE PLANS SHALL BE SUBMITTED TO FORT BEND COUNTY AND ANY OTHER APPLICABLE JURISDICTION FOR REVIEW AND APPROVAL. DEVELOPMENT PERMITS AND ALL OTHER APPLICABLE PERMITS SHALL BE OBTAINED FROM FORT BEND COUNTY PRIOR TO BEGINNING CONSTRUCTION.



VICINITY MAP
SCALE: 1"=1,200'
KEY MAP NO. 650T

I, J. STACY SLAWINSKI, FORT BEND COUNTY ENGINEER, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL OF THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE FORT BEND COUNTY COMMISSIONERS' COURT. HOWEVER, NO CERTIFICATION IS HEREBY GIVEN AS TO THE EFFECT OF DRAINAGE FROM THIS SUBDIVISION ON THE INTERCEPTING DRAINAGE ARTERY OR PARENT STREAM OR ON ANY OTHER AREA OR SUBDIVISION WITHIN THE WATERSHED.

J. STACY SLAWINSKI, P.E.
FORT BEND COUNTY ENGINEER

APPROVED BY THE COMMISSIONERS' COURT OF FORT BEND COUNTY, TEXAS,
THIS _____ DAY OF _____, 2020.

VINCENT M. MORALES, JR.
PRECINCT 1, COUNTY COMMISSIONER

GRADY PRESTAGE
PRECINCT 2, COUNTY COMMISSIONER

KP GEORGE
COUNTY JUDGE

W.A. (ANDY) MEYERS
PRECINCT 3, COUNTY COMMISSIONER

KEN R. DEMERCHANT
PRECINCT 4, COUNTY COMMISSIONER

I, LAURA RICHARD, COUNTY CLERK IN AND FOR FORT BEND COUNTY, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDATION

IN MY OFFICE ON _____, 2020 AT _____ O'CLOCK _____M. IN

PLAT NUMBER _____ OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS.

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

LAURA RICHARD, COUNTY CLERK
FORT BEND COUNTY, TEXAS

By: _____
DEPUTY

FINAL PLAT
SIENNA SECTION
32A AND 32B
A SUBDIVISION OF 20.820 ACRES OF LAND SITUATED IN THE
WILLIAM HALL LEAGUE, ABSTRACT 31, FORT BEND COUNTY, TEXAS.

51 LOTS 11 RESERVES (9.281 ACRES) 2 BLOCKS
MARCH 27, 2020 JOB NO. 1416-1532A

OWNERS:
TOLL-GTIS PROPERTY OWNER, LLC
JIMMIE F. JENKINS, AUTHORIZED REPRESENTATIVE
10110 WEST SAM HOUSTON PARKWAY NORTH, SUITE 210, HOUSTON, TEXAS 77064
PH. (281) 894-8655

SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT
OF FORT BEND COUNTY, TEXAS
KEN BECKMAN, PRESIDENT
10110 WEST SAM HOUSTON PARKWAY NORTH, SUITE 210, HOUSTON, TEXAS 77064
PH. (281) 894-8655



SURVEYORS:
GBI PARTNERS, L.P.
LAND SURVEYING CONSULTANTS
4724 VISTA ROAD • PASADENA, TX 77506
PHONE: 281-499-4539 • GBSurvey@GBISurvey.com
TBP#LS FIRM #10130300 • www.GBISurvey.com

JON BORDOVSKY, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6405

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

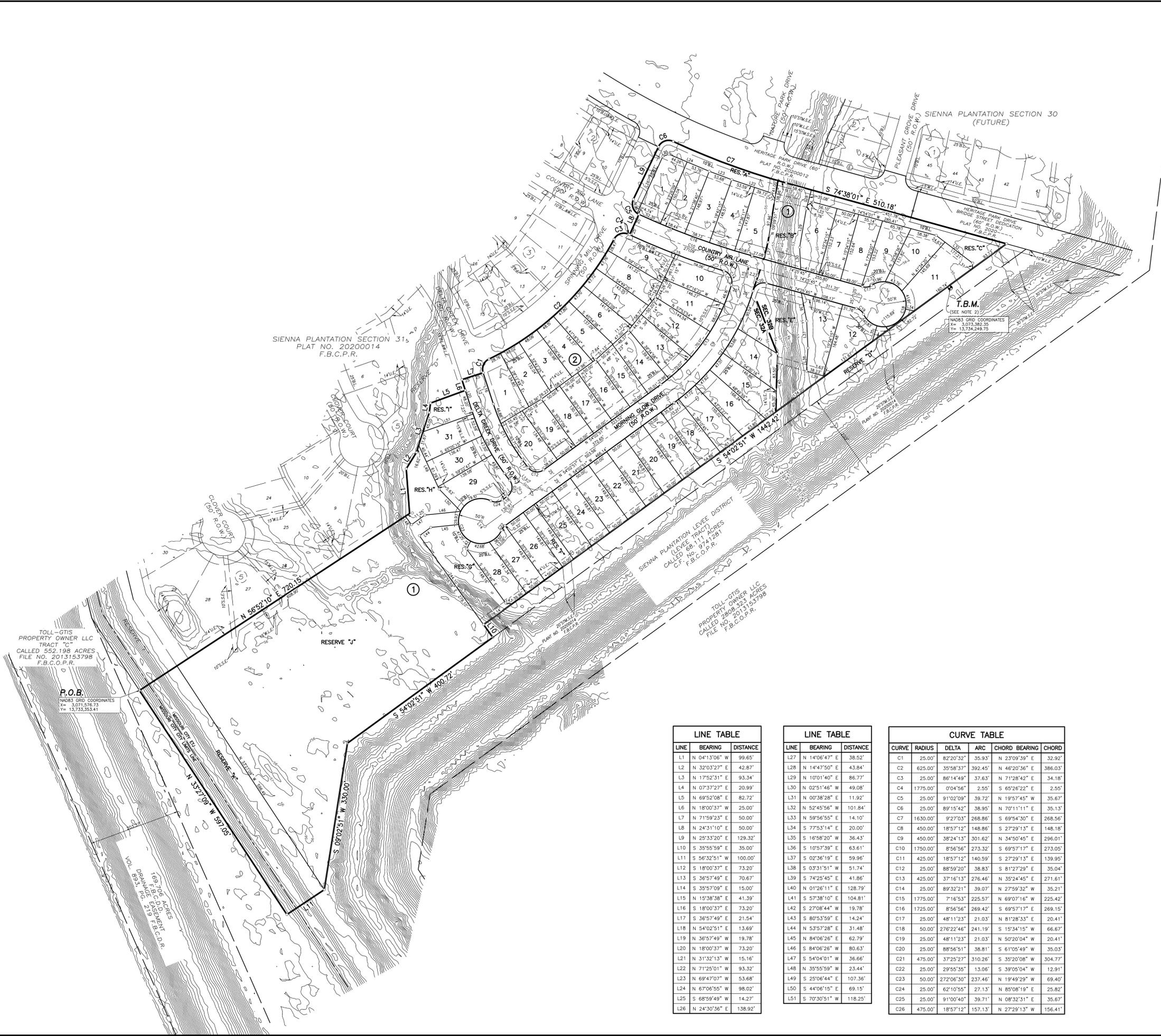
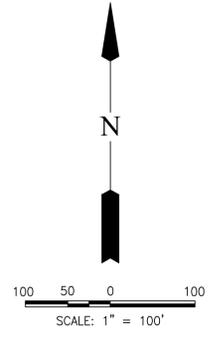
AMANDA CARRIAGE, P.E., CFM
LICENSED PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 105912

PLATTING MGR. _____
SURVEY CHECK: MTCAR _____

LAST SAVE: 3/27/2020 11:46 AM BY: LAURIE CHAPA
PRINT NAME: LAURIE CHAPA
PLAT DATE: 3/27/2020 11:47 AM BY: LAURIE CHAPA
PLATTING MGR. _____
SURVEY CHECK: MTCAR _____

SIENNA PLANTATION SECTION 32A
JOB NO. 1416-1532A

- LEGEND**
- B.L. INDICATES BUILDING LINE
 - U.E. INDICATES UTILITY EASEMENT
 - D.E. INDICATES DRAINAGE EASEMENT
 - W.L.E. INDICATES WATER LINE EASEMENT
 - S.S.E. INDICATES SANITARY SEWER EASEMENT
 - ST.M.S.E. INDICATES STORM SEWER EASEMENT
 - F.B.C.P.R. INDICATES FORT BEND COUNTY PLAT RECORDS
 - F.B.C.O.R. INDICATES FORT BEND COUNTY OFFICIAL RECORDS
 - F.B.C.O.P.R. INDICATES FORT BEND COUNTY OFFICIAL PUBLIC RECORDS
 - F.B.C.D.R. INDICATES FORT BEND COUNTY DEED RECORDS
 - INDICATES STREET NAME CHANGE
 - F.N. INDICATES FILE NUMBER
 - RES. INDICATES RESERVE
 - V.A.M. INDICATES VISIBILITY ACCESS & MAINTENANCE EASEMENT
 - E.E. INDICATES ELECTRICAL EASEMENT
 - U.V.E. INDICATES UNOBSTRUCTED VISIBILITY EASEMENT



RESERVE TABLE				
RESERVE	ACREAGE	SQ.FT.	TYPE	MAINTENANCE/OWNERSHIP
A	0.251	10,918	RESTRICTED TO LANDSCAPE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
B	0.303	13,214	RESTRICTED TO DRAINAGE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
C	0.313	13,638	RESTRICTED TO LANDSCAPE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
D	0.022	946	RESTRICTED TO LANDSCAPE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
E	0.594	25,859	RESTRICTED TO DRAINAGE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
F	0.103	4,494	RESTRICTED TO DRAINAGE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 6
G	0.392	17,091	RESTRICTED TO DRAINAGE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
H	0.223	9,722	RESTRICTED TO DRAINAGE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
I	0.125	5,428	RESTRICTED TO LANDSCAPE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
J	5.586	243,305	RESTRICTED TO PUMP STATION	SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT
K	1.370	59,678	RESTRICTED TO LEVEE	SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT
TOTAL	9.281	404,293		

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 04°13'06" W	99.85'
L2	N 32°03'27" E	42.87'
L3	N 17°52'31" E	93.34'
L4	N 07°37'27" E	20.99'
L5	N 69°52'08" E	82.72'
L6	N 18°00'37" W	25.00'
L7	N 71°59'23" E	50.00'
L8	N 24°31'10" E	50.00'
L9	N 25°33'20" E	129.32'
L10	S 35°55'59" E	35.00'
L11	S 56°32'51" W	100.00'
L12	S 18°00'37" E	73.20'
L13	S 36°57'49" E	70.67'
L14	S 35°57'09" E	15.00'
L15	N 15°38'36" E	41.39'
L16	S 18°00'37" E	73.20'
L17	S 36°57'49" E	21.54'
L18	N 54°02'51" E	13.69'
L19	N 36°57'49" W	19.78'
L20	N 18°00'37" W	73.20'
L21	N 31°32'13" W	15.16'
L22	N 71°25'01" W	93.32'
L23	N 69°47'07" W	53.68'
L24	N 67°06'55" W	98.02'
L25	S 68°59'49" W	14.27'
L26	N 24°30'36" E	138.92'

LINE TABLE		
LINE	BEARING	DISTANCE
L27	N 14°06'47" E	38.52'
L28	N 14°47'50" E	43.84'
L29	N 10°01'40" E	86.77'
L30	N 02°51'46" W	49.08'
L31	N 00°38'28" E	11.92'
L32	N 52°45'56" W	101.84'
L33	N 59°56'55" E	14.10'
L34	S 77°53'14" E	20.00'
L35	S 16°58'20" W	36.43'
L36	S 10°57'39" E	63.61'
L37	S 02°36'19" E	59.98'
L38	S 03°31'51" W	51.74'
L39	S 74°25'45" E	41.86'
L40	N 01°26'11" E	128.79'
L41	S 57°38'10" E	104.81'
L42	S 27°08'44" W	19.78'
L43	S 80°53'59" E	14.24'
L44	N 53°57'28" E	31.48'
L45	N 84°06'26" E	62.79'
L46	S 84°06'26" W	80.63'
L47	S 54°04'01" W	36.66'
L48	N 35°55'59" W	23.44'
L49	S 25°06'44" E	107.36'
L50	S 44°06'15" E	69.15'
L51	S 70°30'51" W	118.25'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	25.00'	62°20'32"	35.93'	N 23°09'39" E	32.92'
C2	625.00'	35°58'37"	392.45'	N 46°20'36" E	386.03'
C3	25.00'	86°14'49"	37.63'	N 71°28'42" E	34.18'
C4	1775.00'	0°04'56"	2.55'	S 65°26'22" E	2.55'
C5	25.00'	91°02'09"	39.72'	N 19°57'45" W	35.67'
C6	25.00'	69°15'42"	38.95'	N 70°11'11" E	35.13'
C7	1630.00'	92°7'03"	268.86'	S 69°54'30" E	268.56'
C8	450.00'	18°57'12"	148.86'	S 27°29'13" E	148.18'
C9	450.00'	38°24'13"	301.62'	N 34°50'45" E	296.01'
C10	1750.00'	8°56'56"	273.32'	S 69°57'17" E	273.05'
C11	425.00'	18°57'12"	140.59'	S 27°29'13" E	139.95'
C12	25.00'	88°59'20"	38.83'	S 81°27'29" E	35.04'
C13	425.00'	37°16'13"	276.46'	N 35°24'45" E	271.61'
C14	25.00'	89°32'21"	39.07'	N 27°59'32" W	35.21'
C15	1775.00'	7°16'53"	225.57'	N 69°07'16" W	225.42'
C16	1725.00'	8°56'56"	269.42'	S 69°57'17" E	269.15'
C17	25.00'	48°11'23"	21.03'	N 81°28'33" E	20.41'
C18	50.00'	27°26'30"	241.19'	N 19°49'29" W	66.67'
C19	25.00'	48°11'23"	21.03'	N 50°20'04" W	20.41'
C20	25.00'	88°56'51"	38.81'	S 61°05'49" W	35.03'
C21	475.00'	37°25'27"	310.26'	S 35°20'08" W	304.77'
C22	25.00'	29°55'35"	13.06'	S 39°05'04" W	12.91'
C23	50.00'	27°26'30"	237.46'	N 19°49'29" W	69.40'
C24	25.00'	62°10'55"	27.13'	N 85°08'19" E	25.82'
C25	25.00'	91°00'40"	39.71'	N 08°32'31" E	35.67'
C26	475.00'	18°57'12"	157.13'	N 27°29'13" W	156.41'

FINAL PLAT
SIENNA SECTION
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51 LOTS 11 RESERVES (9.281 ACRES) 2 BLOCKS
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 PH. (281) 894-8655

SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT
 OF FORT BEND COUNTY, TEXAS
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SURVEYORS: **GBI PARTNERS, L.P.** **LAND SURVEYING CONSULTANTS**
 4124 VISTA ROAD • PASADENA, TX 77505
 PHONE: 281-499-4339 • GBSurvey@GBISurvey.com
 TBP&S FIRM #10130300 • www.GBISurvey.com

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

JON BORDOVSKY, R.P.L.S.
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 6405

AMANDA CARRIAGE, P.E. CFM
 LICENSED PROFESSIONAL ENGINEER
 TEXAS REGISTRATION NO. 105912

SHEET 2 OF 2

LAST SAVE: 3/27/2020 11:46 AM BY: LAURIE CHAPA - PLOT DATE: 3/27/2020 11:47 AM BY: LAURIE CHAPA
 PLATTING MGR. SURVEY CHECK: MTLAR
 DATA SOURCE: 1:50,000 (SIENNA) 1:62,500 (SIENNA) 32A-32B

SIENNA PLANTATION SECTION 32A
 JOB NO. 1416-1532A



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 8, 2020
AGENDA ITEM SUBJECT: Final Plat of Sienna Section 39A
AGENDA ITEM NUMBER: 6.A.(4)
PROJECT PLANNER: Thomas K. White, Jr., Planner II
APPROVAL:  Otis T. Spriggs, AICP, Director, Development Services
 Shashi K. Kumar, P.E., CFM, City Engineer/Public Works Director

PERMIT NUMBER: PLAT2000221
TYPE OF APPLICATION:
 Initial application
 Written Response application
LOCATION: South of Sienna Parkway, east of the Brazos River, and west of Waters Lake Boulevard

ZONING DISTRICT DESIGNATION: ETJ, Extraterritorial Jurisdiction

DEVELOPMENT AGREEMENT/STRATEGIC PARTNERSHIP: The subject site is located within Tract B which is governed by the provisions of the 8th amendment to the Sienna Plantation Joint Development Agreement.

RECOMMENDED ACTION:

The Planning and Zoning Commission should:

- | |
|---|
| <p><input checked="" type="checkbox"/> APPROVE: In accordance with Section 82-36 of the Code of Ordinances of the City of Missouri City, after the commission has approved a final plat, such final plat shall be recorded into the applicable county plat records. Following recordation, final recorded documents shall be submitted to the city in accordance with the schedule of required copies.</p> |
|---|

-----**END OF REPORT**-----



APPLICATION FOR PLAT APPROVAL

Check One: **AMENDING** **FINAL (including Replat)**
 LARGE ACREAGE TRACT

Date of Application:

1.	Name of plat: Sienna Section 39A			
2.	Name of preliminary plat that encompasses this plat (if applicable): Sienna 3C			
3.	Type of plat (Circle one or more):	Multifamily Residential	Commercial	Industrial
		<input checked="" type="checkbox"/> Single Family Residential	Specific Use Permit	Planned Development
	Other (Explain):			
4.	Landowner's name (If company or corporation, list chief officer):	Toll GTIS Property Owner, LLC (Jimmie Jenkins) / Sienna Plantation L.I.D. (Ken Beckman)		
	Mailing Address:	10110 W. Sam Houston Pkwy N, Suite 250 - Houston, Texas 77064 / 202 Century Square Blvd. - Sugar Land, Texas 77478		
	Phone No.:(281) 894-8655 / (281) 500-6050	Fax No.:()	-	
	Email:			
5.	Applicant's name (Engineer, Planner, Architect, Etc.):	LJA Engineering, Inc. (Laurie Chapa)		
	Mailing Address:	1904 W. Grand Pkwy N, Suite 100 - Katy, Texas 77449		
	Phone No.:(713) 953 - 5173	Fax No.:()	-	
	Email:	lchapa@lja.com		
6.	Is plat located inside the City limits? (Circle One):	YES	<input checked="" type="checkbox"/> NO	
7.	Is plat located inside the City's ETJ? (Circle One):	<input checked="" type="checkbox"/> YES	NO	
8.	Total acreage:	14.122		
9.	Number of sections: <u> 1 </u>	Blocks: <u> 3 </u>	Reserves: <u> 4 </u>	
10.	Number of residential lots/dwelling units:	62		
11.	Land distribution (in acres) - <i>Must total acreage indicated in Line 8 above:</i>			
	Private Streets: _____	Public Streets: <u> 4.206 </u>	Residential Lots: <u> 7.505 </u>	
	Lakes/Ponds (non-recreational): _____	Irrigation/Drainage Canals: _____	Recreational Uses: _____	
	Utility Easements: _____	Public Parkland: _____		
	Other (explain): _____	Reserves	(acres): <u> 2.411 </u>	
12.	Average lot area:	5,200 sq.ft.		
13.	Typical lot area:	5,500 sq.ft.		
14.	Block Length:	Average: <u> 533' </u>	Longest: <u> 898' </u>	Shortest: <u> 275' </u>
15.	Type of Streets (Circle One):	<input checked="" type="checkbox"/> Public	Private	Combination Public/Private
16.	Type of Water System (Circle One):	<input checked="" type="checkbox"/> Public	Individual Water Wells	Other (attach explanation)
17.	Type of Sanitary System (Circle One):	<input checked="" type="checkbox"/> Public	Individual Septic Tanks	Other (attach explanation)
18.	Municipal Utility District:	Sienna Plantation Municipal Utility District No. 6		

STATE OF TEXAS
COUNTY OF FORT BEND

WE, TOLL-GTIS PROPERTY OWNER, LLC, A TEXAS LIMITED LIABILITY COMPANY, ACTING BY AND THROUGH JIMMIE F. JENKINS, AUTHORIZED REPRESENTATIVE, BEING AN OFFICER OF TOLL-GTIS PROPERTY OWNER, LLC, A TEXAS LIMITED LIABILITY COMPANY, OWNERS OF THE 14.122 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF SIENNA SECTION 39A, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION PLAT OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, OUR HEIRS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

WE, FURTHER ACKNOWLEDGE THAT THE DEDICATIONS AND/OR EXACTIONS MADE HEREIN ARE PROPORTIONAL TO THE IMPACT OF THE SUBDIVISION UPON THE PUBLIC SERVICES REQUIRED IN ORDER THAT THE DEVELOPMENT WILL COMFORT WITH THE PRESENT AND FUTURE GROWTH NEEDS OF THE CITY; WE, OUR SUCCESSORS AND ASSIGNEES HEREBY WAIVE ANY CLAIM, DAMAGE OR CAUSE OF ACTION THAT WE MAY HAVE AS A RESULT OF THE DEDICATION OR EXACTIONS MADE HEREIN.

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

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

FURTHER, WE DO HEREBY DECLARE THAT ALL PARCELS OF LAND DESIGNATED AS LOTS ON THIS PLAT ARE INTENDED FOR THE CONSTRUCTION OF SINGLE FAMILY RESIDENTIAL DWELLING UNITS THEREON AND SHALL BE RESTRICTED FOR SAME UNDER THE TERMS AND CONDITIONS OF SUCH RESTRICTIONS FILED SEPARATELY.

FURTHER, WE DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PREVENT THE DRAINAGE OF ANY SEPTIC TANKS INTO ANY PUBLIC OR PRIVATE STREET, ROAD OR ALLEY OR ANY DRAINAGE DITCH, EITHER DIRECTLY OR INDIRECTLY.

FURTHER, WE DO HEREBY DEDICATE TO THE PUBLIC A STRIP OF LAND TWENTY (20) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, GULLIES, RAVINES, DRAWS AND DRAINAGE DITCHES LOCATED IN SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES. FORT BEND COUNTY OR ANY OTHER GOVERNMENTAL AGENCY SHALL HAVE THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSES OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, WE DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS SUBDIVISION 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, EXCESSIVE VEGETATION AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AND THAT SUCH ADJUTING PROPERTY SHALL NOT BE PERMITTED TO DRAIN DIRECTLY INTO THIS EASEMENT EXCEPT BY MEANS OF AN APPROVED DRAINAGE STRUCTURE.

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 SIENNA SECTION 39A 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.

FURTHER, WE DO HEREBY ACKNOWLEDGE THE RECEIPT OF THE "ORDERS FOR REGULATION OF OUTDOOR LIGHTING IN THE UNINCORPORATED AREAS OF FORT BEND COUNTY, TEXAS," AND DO HEREBY COVENANT AND AGREE AND SHALL COMPLY WITH THIS ORDER AS ADOPTED BY FORT BEND COUNTY COMMISSIONERS COURT ON MARCH 23, 2004 AND ANY SUBSEQUENT AMENDMENT.

IN TESTIMONY WHEREOF, TOLL-GTIS PROPERTY OWNER, LLC, A TEXAS LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY JIMMIE F. JENKINS, ITS AUTHORIZED REPRESENTATIVE, THEREUNTO AUTHORIZED,

THIS _____ DAY OF _____, 2020.

TOLL-GTIS PROPERTY OWNER, LLC
A TEXAS LIMITED LIABILITY COMPANY

BY: _____
JIMMIE F. JENKINS, AUTHORIZED REPRESENTATIVE

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JIMMIE F. JENKINS, AUTHORIZED REPRESENTATIVE OF TOLL-GTIS PROPERTY OWNER, 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 SET OUT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE,

THIS _____ DAY OF _____, 2020.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

I, JON P. BORDOVSKY, A REGISTERED PROFESSIONAL LAND SURVEYOR, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT ALL BOUNDARY CORNERS, ANGLES, POINTS OF CURVATURE AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN FIVE-EIGHTHS (5/8) INCH WITH PLASTIC CAP MARKED "GBI PARTNERS" AND A LENGTH OF NOT LESS THAN THREE (3) FEET. (SEE NOTE #9)

JON P. BORDOVSKY, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6405

I, AMANDA CARRIAGE, A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THIS PLAT MEETS ALL REQUIREMENTS OF FORT BEND COUNTY TO THE BEST OF MY KNOWLEDGE.

AMANDA CARRIAGE, P.E.
LICENSED PROFESSIONAL ENGINEER
TEXAS LICENSE NO. 105912

STATE OF TEXAS
COUNTY OF FORT BEND

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MISSOURI CITY, TEXAS, HAS APPROVED THIS PLAT AND SUBDIVISION OF SIENNA SECTION 39A IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MISSOURI CITY AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT

THIS _____ DAY OF _____, 2020.

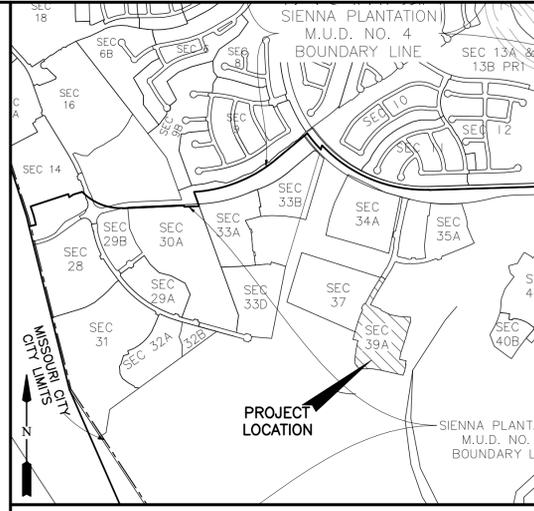
SONYA BROWN-MARSHALL, CHAIRMAN

TIMOTHY R. HANEY, VICE CHAIRMAN

NOTES:

- BENCHMARK: FOUND 4 INCH BRASS DISC LOCATED IN A POURED CONCRETE POST IN THE GRASSY AREA IN FRONT OF MISSOURI CITY FIRE STATION NUMBER 5 16.5 FEET FROM THE SIDE WALK. SURVEY MARKER NO. PCM-011 ELEV. = 59.97 (NAVD88 2001 ADJUSTMENT)
- T.B.M. INDICATES TEMPORARY BENCHMARK SET 5/8-INCH IRON ROD ELEV. = 53.28 (NAVD 88, 2001 ADJ.)
- ALL BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83). COORDINATES SHOWN ARE GRID AND MAY BE CONVERTED TO SURFACE BY DIVIDING BY A FACTOR OF 0.999867651.
- THIS PLAT WAS PREPARED TO MEET CITY OF MISSOURI CITY AND FORT BEND COUNTY REQUIREMENTS.
- THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY STEWART TITLE COMPANY, FILE NO. 684553 DATED MARCH 9, 2020. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- THIS PLAT LIES WHOLLY WITHIN SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT, FORT BEND SUBSIDENCE DISTRICT, FORT BEND COUNTY DRAINAGE DISTRICT, THE ETJ OF THE CITY OF MISSOURI CITY AND FORT BEND COUNTY, AND SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 6.
- IN ACCORDANCE WITH FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NO. 48157C 0435L, REVISED DATE APRIL 2, 2014, PROPERTY LIES WITHIN SHADED ZONE "X" AS AREAS OF 0.2% ANNUAL CHANCE FLOOD. THIS AREA IS SHOWN AS BEING PROTECTED FROM THE 1% ANNUAL CHANCE OR GREATER FLOOD HAZARD BY A LEVEE SYSTEM. OVERTOPPING OR FAILURE OF ANY LEVEE SYSTEM IS POSSIBLE. LIA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS.
- THERE ARE NO EXISTING OR PROPOSED PIPELINE EASEMENTS WITHIN THE LIMITS OF THE SUBDIVISION.
- FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "GBI PARTNERS" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS, LOT, BLOCK, AND RESERVE CORNERS WILL BE SET UPON COMPLETION OF ROAD CONSTRUCTION AND PRIOR TO LOT CONSTRUCTION.
- THE TOP OF ALL FLOOR SLABS SHALL BE A MINIMUM OF _____ FEET ABOVE MEAN SEA LEVEL. FEMA REGULATIONS SECTION 82-97(11) REQUIRES THE MINIMUM SLAB ELEVATION SHALL BE SET ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION. THE CITY OF MISSOURI CITY CODE OF ORDINANCES SECTION 42, ARTICLE III REQUIRES THE MINIMUM SLAB ELEVATION SHALL BE ELEVATED TO OR ABOVE A HEIGHT WHICH IS HIGHER OF EIGHTEEN INCHES ABOVE HIGHEST ADJACENT GRADE, OR TWELVE INCHES ABOVE THE MAXIMUM ONE PERCENT ANNUAL FLOOD RISK FLOODPLAIN PONDING ELEVATION IN THE NEAREST DRAINAGE SYSTEM. FORT BEND COUNTY FLOODPLAIN REGULATIONS ARTICLE 5, SECTION B REQUIRES THAT THE MINIMUM SLAB BE SET AT AN ELEVATION EIGHTEEN INCHES ABOVE THE BASE FLOOD ELEVATION WHICH IS MORE STRINGENT AND THEREFORE USED TO DETERMINE THE MINIMUM SLAB ELEVATION. THE TOP OF SLAB ELEVATION AT ANY POINT ON THIS PLAT SHALL NOT BE LESS THAN EIGHTEEN (18) INCHES ABOVE NATURAL GROUND.
- ALL DRAINAGE AND FLOODWAY EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AS REQUIRED BY SUBSECTION 82-168(D) OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- THE DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET PONDING DURING INTENSE RAINFALL EVENTS.
- ALL PROPERTY TO DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
- A MINIMUM DISTANCE OF 10' SHALL BE MAINTAINED BETWEEN RESIDENTIAL STRUCTURES.
- THE CITY OF MISSOURI CITY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF DRIVEWAYS, SIDEWALKS, EMERGENCY ACCESS EASEMENTS, RECREATIONAL AREAS, OPEN SPACE AND RESERVES.
- SIDEWALKS SHALL BE BUILT OR CAUSED TO BE BUILT NOT LESS THAN 5- FEET IN WIDTH ON BOTH SIDES OF ALL DEDICATED RIGHTS-OF-WAY WITHIN SAID PLAT, IN CONTIGUOUS RIGHT-OF-WAY OF ALL PERIMETER ROADS SURROUNDING SAID PLAT, IN ACCORDANCE WITH ADA REQUIREMENTS.
- SIDEWALKS SHALL BE CONSTRUCTED AS REQUIRED BY SECTION 82-164 OR THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- DRIVEWAY APPROACHES SHALL BE PROVIDED IN ACCORDANCE WITH THE MISSOURI CITY DRIVEWAY APPROACH POLICY AS REQUIRED UNDER THE PROVISIONS OF SUBSECTION 82-160 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- IN ACCORDANCE WITH CENTERPOINT ENERGY ELECTRICAL SERVICE MANUAL, ARTICLE 421.2, ELECTRIC METERS SHALL BE LOCATED IN A POSITION THAT IS ACCESSIBLE AT ALL TIMES WITHOUT CUSTOMER ASSISTANCE. ACCESS TO THE METER SHALL NOT BE BLOCKED BY GATES, WALLS OR FENCES.
- ALL REQUIRED UTILITY COMPANIES HAVE BEEN CONTACTED AND ALL PUBLIC UTILITY EASEMENTS AS SHOWN ON THE ABOVE AND FOREGOING PLAT CONSTITUTE ALL OF THE EASEMENTS REQUIRED BY THE UTILITY COMPANIES CONTACTED AT THE TIME OF PLATTING.
- GAS METER LOCATION: GAS METERS SHALL BE LOCATED IN AN AREA ACCESSIBLE WITHOUT CUSTOMER ASSISTANCE, AND NOT BLOCKED BY FENCES, WALLS OR GATES. FOR FURTHER INFORMATION PLEASE CONTACT SIENERGY AT 281-778-6250.
- ALL OF THE PROPERTY SUBDIVIDED IN THE ABOVE AND FOREGOING PLAT IS WITHIN THE ETJ BOUNDARIES OF THE CITY OF MISSOURI CITY, TEXAS.
- NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS WILL BE ISSUED BY THE CITY OF MISSOURI CITY, TEXAS, FOR CONSTRUCTION WITHIN THIS SUBDIVISION UNTIL SUCH TIME AS ALL PUBLIC IMPROVEMENTS OF THE SUBDIVISION HAVE BEEN CONSTRUCTED BY THE DEVELOPER AND ACCEPTED BY THE CITY OR THE GUARANTEE OF CONSTRUCTION OF PUBLIC IMPROVEMENTS REQUIRED BY SECTION 82-206 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS, IS SUBMITTED TO AND APPROVED BY THE CITY.
- PRIOR TO THE BEGINNING OF THE ONE-YEAR MAINTENANCE PERIOD FOR UTILITIES AND PAVING BY FORT BEND COUNTY, ALL BLOCK CORNERS AND STREET RIGHT-OF-WAY WILL BE MONUMENTED.
- ADEQUATE FIRE FLOWS SHALL BE PROVIDED ALONG THE ENTIRE LENGTH OF THE PROPOSED WATER LINE.
- REQUIRED FIRE FLOWS SHALL BE PROVIDED BASED ON THE SIZE AND CONSTRUCTION OF ALL BUILDINGS AS REQUIRED BY THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
- THE PLACEMENT OF FIRE HYDRANTS SHALL BE PROVIDED BASED ON THE MINIMUM DISTANCE REQUIREMENTS AS ESTABLISHED IN THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY (500FT. FOR RESIDENTIAL DEVELOPMENT AND 300FT. FOR COMMERCIAL DEVELOPMENT). ALL FIRE HYDRANTS SHALL BE INSTALLED ACCORDING TO THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
- THE DRIVEWAY FOR ANY LOT ON THE INSIDE OF A KNUCKLE MUST BE PLACED ALONG THE FRONTAGE PRIOR TO THE RIGHT TURN ON THE INSIDE APPROACH LANE TO AVOID SIGHT OBSTRUCTION SAFETY HAZARDS.
- STREET LIGHTING SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF MISSOURI CITY INFRASTRUCTURE DESIGN MANUAL, CHAPTER 4 STREET LIGHTING AND OVERHEAD UTILITIES THE INSTALLATION, OPERATION, AND MAINTENANCE OF ORNAMENTAL STREET LIGHTS SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF MISSOURI CITY, EXCEPT AS PROVIDED THEREIN.
- OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE DRAINAGE RESERVES AND CHANNELS IS VESTED IN THE SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT. THE OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF LANDSCAPE RESERVES IS VESTED IN THE HOME OWNERS ASSOCIATION (HOA).
- OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE UTILITIES WITHIN THE SECTIONS IS VESTED IN SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 6. THE OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE UTILITIES ALONG BOULEVARDS AND MAJOR THOROUGHFARES IS VESTED IN THE SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 6.

- THIS PLAT IS SUBORDINATED BY U.S. BANK NATIONAL ASSOCIATION D/B/A HOUSING CAPITAL COMPANY, AS RECORDED IN FILE NO. _____ OF THE OFFICIAL RECORDS OF FORT BEND COUNTY, TEXAS.
- THIS PLAT LIES WITHIN LIGHTING ZONE 2.
- ONE-FOOT RESERVE DEDICATED TO THE CITY IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREETS WHERE SUCH STREETS ABUT ADJACENT ACREAGE TRACTS, THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ADJACENT PROPERTY IS SUBDIVIDED PURSUANT TO A RECORDED PLAT, THE ONE-FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND THE FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS OR SUCCESSORS.
- U.V.E. INDICATES UNOBSTRUCTED VIEW EASEMENT. FORT BEND COUNTY SHALL BE RESPONSIBLE FOR ENFORCING U.V.E. REQUIREMENTS WITHIN THE PUBLIC RIGHT-OF-WAY AND SIENNA PLANTATION COMMUNITY ASSOCIATION, INC. SHALL ENFORCE AREAS OUTSIDE OF RIGHT-OF-WAY.
- SITE PLANS SHALL BE SUBMITTED TO FORT BEND COUNTY AND ANY OTHER APPLICABLE JURISDICTION FOR REVIEW AND APPROVAL. DEVELOPMENT PERMITS AND ALL OTHER APPLICABLE PERMITS SHALL BE OBTAINED FROM FORT BEND COUNTY PRIOR TO BEGINNING CONSTRUCTION.



VICINITY MAP
SCALE: 1"=1,200'
KEY MAP NO. 650T

I, J. STACY SLAWINSKI, FORT BEND COUNTY ENGINEER, DO HEREBY CERTIFY THAT THE PLAT OF THIS SUBDIVISION COMPLIES WITH ALL OF THE EXISTING RULES AND REGULATIONS OF THIS OFFICE AS ADOPTED BY THE FORT BEND COUNTY COMMISSIONERS' COURT. HOWEVER, NO CERTIFICATION IS HEREBY GIVEN AS TO THE EFFECT OF DRAINAGE FROM THIS SUBDIVISION ON THE INTERCEPTING DRAINAGE ARTERY OR PARENT STREAM OR ON ANY OTHER AREA OR SUBDIVISION WITHIN THE WATERSHED.

J. STACY SLAWINSKI, P.E.
FORT BEND COUNTY ENGINEER

APPROVED BY THE COMMISSIONERS' COURT OF FORT BEND COUNTY, TEXAS,
THIS _____ DAY OF _____, 2020.

VINCENT M. MORALES, JR.
PRECINCT 1, COUNTY COMMISSIONER

GRADY PRESTAGE
PRECINCT 2, COUNTY COMMISSIONER

KP GEORGE
COUNTY JUDGE

W.A. (ANDY) MEYERS
PRECINCT 3, COUNTY COMMISSIONER

KEN R. DEMERCHANT
PRECINCT 4, COUNTY COMMISSIONER

I, LAURA RICHARD, COUNTY CLERK IN AND FOR FORT BEND COUNTY, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDATION IN MY OFFICE ON _____, 2020 AT _____ O'CLOCK _____ M. IN PLAT NUMBER _____ OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS.

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

LAURA RICHARD, COUNTY CLERK
FORT BEND COUNTY, TEXAS

BY: _____
DEPUTY

SIENNA SECTION 39A

A SUBDIVISION OF 14.122 ACRES OF LAND SITUATED IN THE WILLIAM HALL LEAGUE, ABSTRACT 31, FORT BEND COUNTY, TEXAS.

62 LOTS 4 RESERVES (2.411 ACRES) 3 BLOCKS
MARCH 27, 2020 JOB NO. 1416-1539A

OWNERS:
TOLL-GTIS PROPERTY OWNER, LLC
JIMMIE F. JENKINS, AUTHORIZED REPRESENTATIVE
10110 WEST SAM HOUSTON PARKWAY NORTH, SUITE 210, HOUSTON, TEXAS 77064
PH. (281) 894-8655



SURVEYORS:
GBI PARTNERS, L.P.
LAND SURVEYING CONSULTANTS
4724 VISTA ROAD • PASADENA, TX 77663
PHONE: 281-499-4539 • GBSurvey@GBISurvey.com
TBPLS FIRM #10130300 • www.GBSurvey.com

JON BORDOVSKY, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6405

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

AMANDA CARRIAGE, PE, CFM
LICENSED PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 105912

PLATTING MGR. SURVEY CHECK: MTAAR. LAST SAVE: 3/27/2020 10:49 AM BY: LAURIE CHAPA. PLAT DATE: 3/27/2020 10:50 AM BY: LAURIE CHAPA. PART NUMBER: 1539A. SIENNA SECTION 39A.

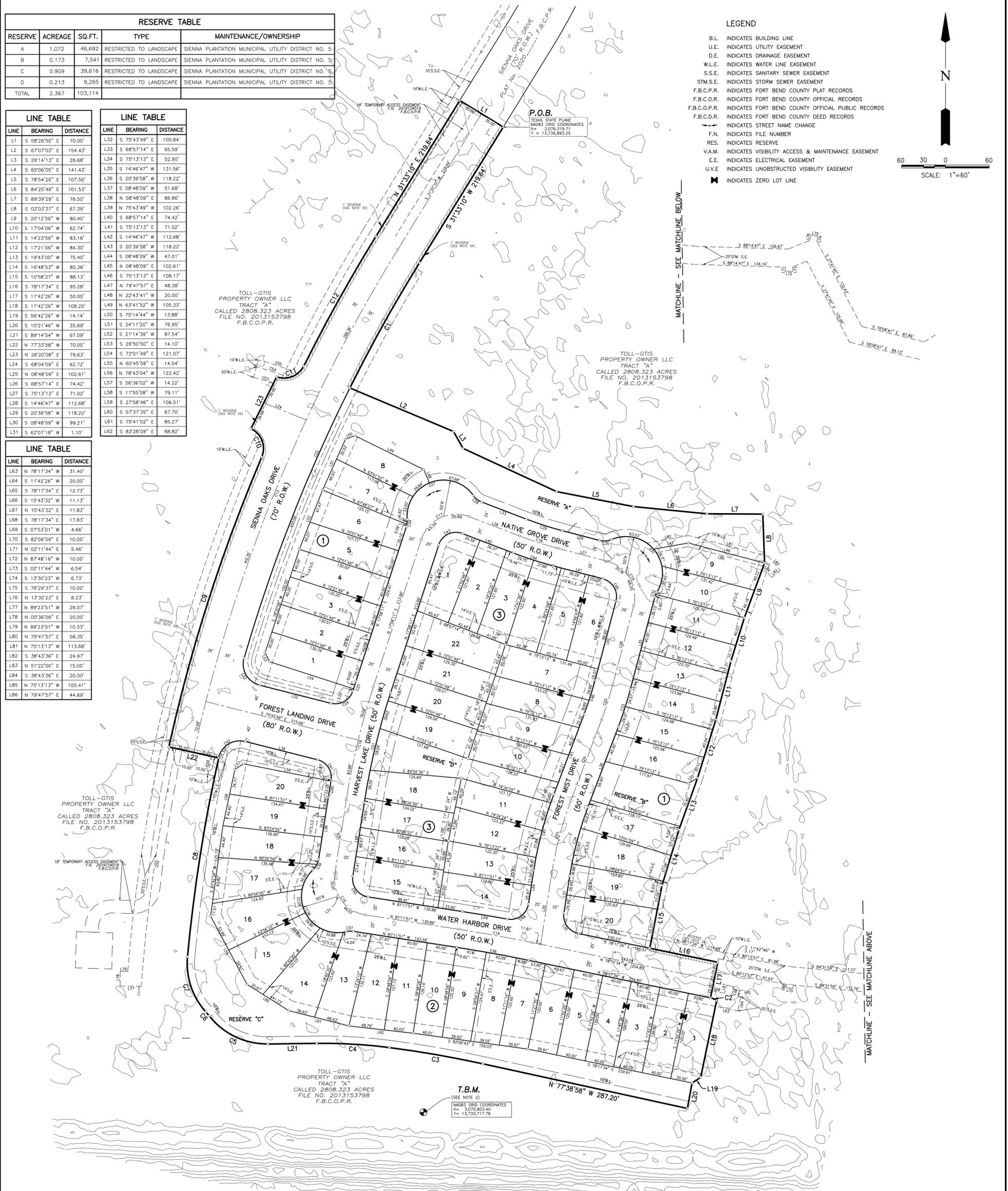
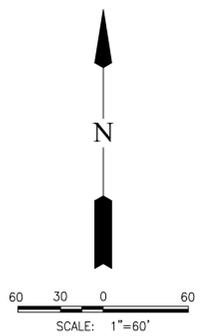
RESERVE TABLE				
RESERVE	ACREAGE	SQ.FT.	TYPE	MAINTENANCE/OWNERSHIP
A	1.072	46,692	RESTRICTED TO LANDSCAPE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
B	0.173	7,541	RESTRICTED TO LANDSCAPE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
C	0.909	39,616	RESTRICTED TO LANDSCAPE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
D	0.213	9,265	RESTRICTED TO LANDSCAPE	SIENNA PLANTATION MUNICIPAL UTILITY DISTRICT NO. 5
TOTAL	2.367	103,114		

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 58°26'50" E	70.00'
L2	S 67°07'03" E	154.43'
L3	S 29°14'13" E	26.68'
L4	S 65°06'05" E	141.43'
L5	S 78°54'20" E	107.56'
L6	S 84°25'49" E	101.53'
L7	S 89°39'29" E	76.50'
L8	S 02°03'37" E	67.39'
L9	S 20°12'56" W	80.40'
L10	S 17°04'06" W	62.74'
L11	S 14°23'56" W	83.16'
L12	S 17°21'06" W	84.30'
L13	S 19°43'00" W	75.40'
L14	S 16°48'53" W	80.36'
L15	S 10°58'27" W	88.13'
L16	S 78°17'34" E	95.28'
L17	S 11°42'26" W	50.00'
L18	S 11°42'26" W	108.25'
L19	S 56°42'26" W	14.14'
L20	S 10°21'46" W	35.69'
L21	S 89°14'54" W	67.09'
L22	N 77°33'58" W	70.00'
L23	N 26°20'08" E	79.63'
L24	S 68°04'09" E	62.72'
L25	N 08°48'09" E	102.61'
L26	S 68°57'14" E	74.42'
L27	S 75°13'13" E	71.02'
L28	S 14°46'47" W	112.68'
L29	S 20°39'58" W	118.22'
L30	S 08°48'09" W	99.21'
L31	S 62°07'18" W	1.10'

LINE TABLE		
LINE	BEARING	DISTANCE
L32	S 75°43'49" E	100.84'
L33	S 68°57'14" E	65.59'
L34	S 75°13'13" E	52.90'
L35	S 14°46'47" W	131.56'
L36	S 20°39'58" W	118.22'
L37	S 08°48'09" W	51.68'
L38	N 08°48'09" E	86.86'
L39	N 75°43'49" W	102.26'
L40	S 68°57'14" E	74.42'
L41	S 75°13'13" E	71.02'
L42	S 14°46'47" W	112.68'
L43	S 20°39'58" W	118.22'
L44	S 08°48'09" W	47.01'
L45	N 08°48'09" E	102.61'
L46	S 75°13'13" E	108.17'
L47	N 79°47'57" E	48.38'
L48	N 22°43'41" W	20.00'
L49	N 63°41'52" W	105.33'
L50	S 70°14'44" W	13.88'
L51	S 24°11'20" W	76.95'
L52	S 21°14'39" W	87.54'
L53	S 26°50'50" E	14.10'
L54	S 72°01'49" E	121.07'
L55	N 60°45'58" E	14.54'
L56	N 78°43'04" W	122.42'
L57	S 56°36'02" W	14.22'
L58	S 11°50'08" W	79.11'
L59	S 27°58'46" E	106.51'
L60	S 57°37'35" E	67.70'
L61	S 75°41'02" E	85.27'
L62	S 83°28'09" E	88.82'

LINE TABLE		
LINE	BEARING	DISTANCE
L63	N 75°17'34" W	31.40'
L64	S 11°42'26" W	20.00'
L65	S 78°17'34" E	12.73'
L66	S 15°43'32" W	11.13'
L67	N 15°43'32" E	11.83'
L68	S 78°17'34" E	17.83'
L69	S 07°53'01" W	4.66'
L70	S 82°06'59" E	10.00'
L71	N 02°11'44" E	5.46'
L72	N 87°48'16" W	10.00'
L73	S 02°11'44" W	6.54'
L74	S 13°30'23" W	6.73'
L75	S 76°29'37" E	10.00'
L76	N 13°30'23" E	8.23'
L77	N 89°23'51" W	29.07'
L78	N 00°36'09" E	20.00'
L79	N 89°23'51" W	10.33'
L80	N 79°47'57" E	58.35'
L81	N 75°13'13" W	113.68'
L82	S 38°43'36" E	24.97'
L83	N 51°22'00" E	15.00'
L84	S 38°43'36" E	20.00'
L85	N 75°13'13" W	105.41'
L86	N 79°47'57" E	44.69'

- LEGEND**
- B.L. INDICATES BUILDING LINE
 - U.E. INDICATES UTILITY EASEMENT
 - D.E. INDICATES DRAINAGE EASEMENT
 - W.L.E. INDICATES WATER LINE EASEMENT
 - S.S.E. INDICATES SANITARY SEWER EASEMENT
 - STM.S.E. INDICATES STORM SEWER EASEMENT
 - F.B.C.P.R. INDICATES FORT BEND COUNTY PLAT RECORDS
 - F.B.C.O.R. INDICATES FORT BEND COUNTY OFFICIAL RECORDS
 - F.B.C.O.P.R. INDICATES FORT BEND COUNTY OFFICIAL PUBLIC RECORDS
 - F.B.C.D.R. INDICATES FORT BEND COUNTY DEED RECORDS
 - INDICATES STREET NAME CHANGE
 - F.N. INDICATES FILE NUMBER
 - RES. INDICATES RESERVE
 - V.A.M. INDICATES VISIBILITY ACCESS & MAINTENANCE EASEMENT
 - E.E. INDICATES ELECTRICAL EASEMENT
 - U.V.E. INDICATES UNOBSTRUCTED VISIBILITY EASEMENT
 - M.M. INDICATES ZERO LOT LINE



CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	2215.00'	5°05'54"	197.10'	S 29°00'13" W	197.04'
C2	25.00'	21°33'10"	9.40'	S 67°30'59" E	9.35'
C3	1530.00'	4°52'57"	130.38'	N 80°05'27" W	130.34'
C4	697.00'	8°13'11"	99.99'	N 86°38'30" W	99.91'
C5	100.00'	52°59'55"	92.50'	N 64°15'08" W	89.24'
C6	100.00'	4°06'44"	43.77'	N 39°48'33" W	7.18'
C7	100.00'	47°07'17"	82.24'	N 18°18'17" W	79.94'
C8	2215.00'	7°10'40"	277.48'	N 08°50'42" E	277.30'
C9	2285.00'	10°32'05"	420.13'	N 17°42'04" E	419.54'
C10	30.00'	87°57'13"	46.05'	N 21°00'30" W	41.66'
C11	30.00'	83°35'40"	43.77'	N 68°13'08" E	39.99'
C12	2285.00'	5°07'53"	204.64'	N 28°59'14" E	204.57'
C13	2250.00'	19°07'09"	750.81'	S 21°59'36" W	747.33'
C14	2000.00'	2°54'17"	101.39'	N 79°44'43" W	101.38'
C15	50.00'	90°00'00"	78.54'	N 36°11'51" W	70.71'
C20	1000.00'	9°10'03"	160.00'	N 13°23'10" E	159.83'
C17	50.00'	93°04'35"	81.22'	N 64°30'29" E	72.58'
C18	500.00'	6°15'59"	54.68'	S 72°05'13" E	54.66'
C19	50.00'	90°00'00"	78.54'	S 30°13'13" E	70.71'
C20	500.00'	5°53'11"	51.37'	S 17°43'23" W	51.35'
C21	500.00'	11°51'50"	103.53'	S 14°44'03" W	103.35'
C22	2215.00'	15°26'51"	597.18'	S 23°49'45" W	595.37'
C23	30.00'	91°50'09"	48.09'	S 29°48'45" E	43.10'
C24	25.00'	87°04'35"	37.99'	N 60°43'53" E	34.44'
C25	1025.00'	0°46'35"	13.89'	N 17°34'54" E	13.89'
C26	25.00'	22°42'36"	9.91'	N 06°36'53" E	9.84'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C27	50.00'	149°34'17"	130.53'	N 70°02'44" E	96.50'
C28	25.00'	33°47'07"	14.74'	S 52°03'41" E	14.53'
C29	475.00'	6°15'59"	51.95'	S 72°05'13" E	51.92'
C30	25.00'	38°19'29"	16.72'	N 85°37'03" E	16.41'
C31	50.00'	145°36'14"	127.06'	S 40°44'35" E	95.53'
C32	25.00'	17°16'45"	7.54'	S 23°25'10" W	7.51'
C33	525.00'	5°53'11"	53.94'	S 17°43'23" W	53.91'
C34	475.00'	11°51'50"	98.35'	S 14°44'03" W	98.18'
C35	25.00'	87°05'43"	38.00'	S 34°44'43" E	34.45'
C36	1975.00'	2°54'17"	100.13'	N 79°44'43" W	100.12'
C37	25.00'	22°07'31"	9.65'	S 87°44'23" W	9.59'
C38	50.00'	150°13'24"	131.09'	N 28°12'41" W	96.64'
C39	25.00'	38°05'53"	16.62'	N 27°51'05" E	16.32'
C40	1025.00'	11°17'32"	23.12'	N 09°26'55" E	23.12'
C41	25.00'	85°49'30"	37.45'	N 32°49'04" W	34.04'
C42	30.00'	91°50'09"	48.09'	S 58°21'06" W	43.10'
C43	25.00'	93°04'35"	40.61'	N 64°30'29" E	36.29'
C44	525.00'	6°15'59"	57.42'	S 72°05'13" E	57.39'
C45	25.00'	90°00'00"	39.27'	S 30°13'13" E	35.36'
C46	475.00'	5°53'11"	48.80'	S 17°43'23" W	48.78'
C47	525.00'	11°51'50"	108.71'	S 14°44'03" W	108.51'
C48	25.00'	91°45'54"	40.04'	S 54°41'06" W	35.90'
C49	2025.00'	1°45'54"	62.38'	N 80°18'54" W	62.38'
C50	25.00'	90°00'00"	39.27'	N 36°11'51" W	35.36'
C51	975.00'	9°10'03"	156.00'	N 13°23'10" E	155.83'
C52	2275.00'	8°20'32"	331.24'	S 08°15'45" W	330.95'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C53	290.00'	5°34'18"	28.20'	N 72°59'19" W	28.19'
C54	305.00'	8°47'08"	46.77'	N 71°22'54" W	46.72'
C55	315.00'	10°24'31"	57.22'	N 70°34'12" W	57.15'
C56	2225.00'	0°39'25"	25.51'	S 12°06'19" W	25.51'

SIENNA SECTION 39A
 A SUBDIVISION OF 14.122 ACRES OF LAND SITUATED IN THE
 WILLIAM HALL LEAGUE, ABSTRACT 31, FORT BEND COUNTY, TEXAS.

62 LOTS 4 RESERVES (2.411 ACRES) 3 BLOCKS
 MARCH 27, 2020 JOB NO. 1416-1539A

OWNERS:
TOLL-GTIS PROPERTY OWNER, LLC
 JIMMIE F. JENKINS, AUTHORIZED REPRESENTATIVE
 10110 WEST SAM HOUSTON PARKWAY NORTH, SUITE 210, HOUSTON, TEXAS 77064
 PH. (281) 894-8655

SURVEYORS:
GBI PARTNERS, L.P.
 LAND SURVEYING CONSULTANTS
 4704 VISTA ROAD • PASADENA, TX 77006
 PHONE: 281-499-4539 • GBI@survey.com
 TBPIS FIRM #10130300 • www.GBIsurvey.com

ENGINEER:
LJA Engineering, Inc.
 1904 W. Grand Parkway North
 Suite 100
 Katy, Texas 77449
 AMANDA CARRIAGE, PE, CFM
 LICENSED PROFESSIONAL ENGINEER
 TEXAS REGISTRATION NO. 105912





**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 8, 2020
AGENDA ITEM SUBJECT: Replat of Parkway Plaza Shopping Center
AGENDA ITEM NUMBER: 6.A.(5)
PROJECT PLANNER: Thomas K. White, Jr., Planner II
APPROVAL:  Otis T. Spriggs, AICP, Director, Development Services
 Shashi K. Kumar, P.E., CFM, City Engineer/Public Works Director

PERMIT NUMBER: PLAT2000219

TYPE OF APPLICATION:

- Initial application
 Written Response application

PROPERTY ID: 5743-00-001-0010-907 / 5743-00-001-0020-907
5743-00-001-0030-907 / 5743-00-001-0040-907
5743-00-001-0050-907 / 5743-00-001-0060-907
5743-00-001-0070-907 / 5743-00-001-0080-907
0086-00-000-2130-907

LOCATION: North of Highway 6, south of Trammel-Fresno Road, east of Vicksburg Blvd and west of Fort Bend Parkway

ZONING DISTRICT DESIGNATION: LC-3, retail district / SD, suburban district

DEVELOPMENT AGREEMENT/STRATEGIC PARTNERSHIP: None.

RECOMMENDED ACTION:

The Planning and Zoning Commission should:

- | |
|---|
| <input checked="" type="checkbox"/> APPROVE WITH CONDITIONS: An applicant may submit a written response to an initial application that satisfies each condition contained within this report |
|---|

A. CONDITIONS FOR APPROVAL:

A replat application must be in the form and contain the information and documents as required by the Platting Manual of the City of Missouri City, as adopted in September 2019 and in accordance with Section 82-95 of the Code of Ordinances of the City of Missouri City. The applicable sections of the Platting Manual are referenced in the comments below, except where indicated otherwise.

1. **RESPONSIBLE DEPARTMENT/DIVISION:** Development Services/Planning and Development Division
 - a. A portion of Reserve B, an approximate 1.0126 acre tract being added to the overall plat boundaries, presently has a zoning designation of SD, suburban district subject to Section 7.1, Appendix A, The City of Missouri City Zoning Ordinance. Permanent zoning for this area is required before the issuance of building permits for development.

2. **RESPONSIBLE DEPARTMENT/DIVISION:** Public Works/Engineering Division
 - a. All parcels of land intended to be dedicated for public use or reserved for the use of all property owners within the subdivision, together with the conditions or limitations of each reservation shall be identified in accordance with Section 2.D(16). **The proposed lift station needs to be listed as a separate reserve. Please revise.**

-----**END OF REPORT**-----

MAR 13 2020



Planning Division

**DEVELOPMENT SERVICES DEPARTMENT
Planning & Development Division**

1522 Texas Parkway
Missouri City, Texas 77489
281-403-8600 (Office) ■ 281-403-8962 (Fax)
www.missouricitytx.gov

APPLICATION FOR PLAT APPROVAL

(Initial Applications Only)

A complete application for plat approval must be accompanied by an application checklist, associated documents and applicable fee.

Application Type:

- AMENDING PLAT **FINAL PLAT** **PRELIMINARY PLAT**
 CONCEPTUAL PLAN (INCLUDING REPLAT)
 LARGE ACREAGE PLAT

1. NAME OF PLAT: REPLAT OF PARKWAY PLAZA SHOPPING CENTER	
2. NAME OF CONCEPTUAL PLAN OR PRELIMINARY PLAT, THAT PRECEDES THIS PLAT (IF APPLICABLE): N/A	
3. LANDOWNER'S NAME (IF COMPANY OR CORPORATION, LIST CHIEF OFFICER): MICHAEL HARNEY / C/O NEW QUEST PROPERTIES	
MAILING ADDRESS: 8827 W. SAM HOUSTON PKWY N; HOUSTON TX 77040	
PHONE NO.: 281-944-9660	EMAIL:
4. APPLICANT'S NAME (CHECK APPLICABLE ROLE): JOEL VITELA / TERRA ASSOCIATES	
<input type="checkbox"/> ARCHITECT <input checked="" type="checkbox"/> ENGINEER <input type="checkbox"/> PLANNER <input type="checkbox"/> SURVEYOR <input type="checkbox"/> OTHER:	
MAILING ADDRESS: 1445 N. LOOP WEST #450 HOUSTON TX 77008	
PHONE NO.: 713-993-0333	EMAIL:
5. IS PLAT LOCATED INSIDE THE CITY LIMITS OR CITY'S ETJ? (CIRCLE ONE): <u>CITY LIMITS</u> ETJ (IF LOCATED INSIDE OF THE CITY LIMITS, COMPLETE ROW 6; IF NOT MOVE TO ROW 7)	
6. ZONING DISTRICT (CIRCLE ONE OR MORE): GENERAL: <u>SD</u> SUP PD Additional acreage added from original plat RESIDENTIAL: R R-1 R-1-A R-2 R-3 R-4 R-5 R-6 MF-1 MF-2 MH NONRESIDENTIAL: LC LC-O LC-1 LC-2 <u>LC-3</u> LC-4 BP I CF	
7. LAND DISTRIBUTION (IN ACRES) PRIVATE STREETS: _____ PUBLIC STREETS: _____ RESIDENTIAL LOTS: _____ LAKES/PONDS (NON-RECREATIONAL): 4.425 IRRIGATION/DRAINAGE CANALS: _____ RECREATIONAL USES: _____ UTILITY EASEMENTS: 2.3887 PUBLIC PARKLAND: _____ OTHER (EXPLAIN): RESERVES _____ (ACRES): 36.1177 TOTAL ACREAGE: 42.9314	
8. ESTIMATED # OF SECTIONS: 1	BLOCKS: 1
	RESERVES: 11
9. ESTIMATED # OF SINGLE FAMILY RESIDENTIAL LOTS / MULTIFAMILY DWELLING UNITS:	
10. TYPE OF STREETS (CIRCLE ONE): PUBLIC PRIVATE COMBINATION <u>N/A</u>	
11. TYPE OF WATER SYSTEM (CIRCLE ONE): <u>PUBLIC</u> INDIVIDUAL WATER WELLS OTHER (ATTACH EXPLANATION, IF OTHER)	
12. TYPE OF SANITARY SYSTEM (CIRCLE ONE): <u>PUBLIC</u> INDIVIDUAL SEPTIC TANKS OTHER (ATTACH EXPLANATION, IF OTHER)	
13. MUNICIPAL UTILITY DISTRICT OR PUBLIC IMPROVEMENT DISTRICT: Mustang Bayou Service Area	

STATE OF TEXAS
COUNTY OF FORT BEND

We, A-S 151 NWC Fort Bend PKWY-HWY 6, L.P., a Texas Limited Partnership, acting by and through Steven D. Alvis, its Manager being officers of A-S 151 NWC Fort Bend PKWY-HWY 6, L.P., a Texas Limited Partnership, owner hereinafter referred to as owners (whether one or more) of the 42.9314 acre tract described in the above foregoing plat of Replat of Parkway Plaza Shopping Center Reserves A-K, do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, watercourses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself (or ourselves), my (or our) heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

We further acknowledge that the dedications and/or exactions made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the city.

We, our successors and assigns hereby waive any claim, damage, or cause of action that we may have as a result of the dedication or exactions made herein.

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 on 11 feet, six inches for ten feet perimeter ground easements or seven feet, six inches for 14 feet perimeter ground easement or five feet, six inches for 16 feet perimeter ground easements, from a place 16 feet 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 depict thereon, whereby the aerial easements total 21 feet, six inches in width.

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

IN TESTIMONY WHEREOF, A-S 151 NWC Fort Bend PKWY-HWY 6, L.P., a Texas Limited Partnership, has caused these presents to be signed by Steven D. Alvis, its Manager, thereunto authorized, and its common seal hereunto affixed this _____ day of March, 2020.

By: _____
Steven D. Alvis, Manager

STATE OF TEXAS
COUNTY OF FORT BEND
BEFORE ME, the undersigned authority, on this day personally appeared Steven D. Alvis, Manager of A-S 151 NWC Fort Bend PKWY-HWY 6, L.P., a Texas Limited Partnership, known to me to be the persons 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 _____ day of March, 2020.

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

I, Brian Nesvadba, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground, that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch and a length of not less than three feet; and that the plat boundary corners have been tied to the nearest survey corner.

Brian Nesvadba
Registered Professional Land Surveyor
Texas Registration No. 5776

This is to certify that the Planning and Zoning Commission of the City of Missouri City, Texas, has approved this plat and subdivision of Replat of Parkway Plaza Shopping Center Reserves A-K, in conformance with the laws of the State of Texas and the ordinances of the City of Missouri City as shown hereon and authorized the recording of this plat this _____ day of _____, 2020.

By: _____
Sonya Brown-Marshall
Chairman

By: _____
Timothy R. Haney,
Vice Chairman

I, Laura Richard, Clerk of the Commissioners' Court of Fort Bend County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 2020, at _____ o'clock ____M., and duly recorded on _____, 2020, at _____ o'clock ____M., and in Volume _____ page _____ of the Map Records of Fort Bend County for said county.

Witness my hand and seal of office, at Richmond, Texas, the day and date last above written.

Laura Richard
County Clerk of
Fort Bend County, Texas

By: _____
Deputy

I, Brian Nesvadba, do hereby certify that all existing encumbrances, such as various types of easements both public and private, fee strips and all significant topographical features which would affect the physical development of the property illustrated on this plat are accurately identified and located and further certify that this plat represents all of the contiguous land which the owner owns or has legal interest in.

Brian Nesvadba
Registered Professional Land Surveyor
Texas Registration No. 5776

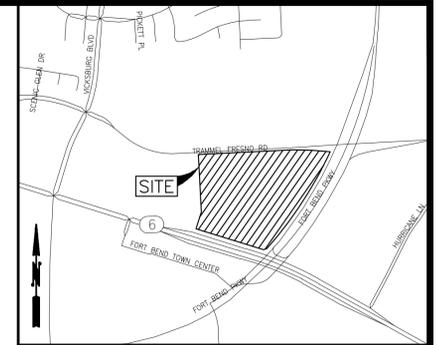
We, Home Asset, Inc., owners and holders of liens against the property described in the plat known as Replat of Parkway Plaza Shopping Center Reserves A-K, said liens being evidenced by instruments of record in Document Numbers 2019006561, 2019084530, & 2019140283 of the Mortgage Records of Fort Bend County, Texas, do hereby in all things subordinate our interests in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and we hereby confirm that we are the present owners of said liens and have not assigned the name nor any part thereof.

By: _____

STATE OF TEXAS
COUNTY OF FORT BEND
BEFORE ME, the undersigned authority, on this day personally appeared _____ of Home Asset, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of March, 2020.

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



VICINITY MAP: 1" = 1,200'

NOTES:

- This tract lies in Zone "X" (unshaded), designated as "Area determined to be outside the 0.2% annual chance floodplain" as per the National Flood Insurance Program FIRM Community Panel Number 48157C0295L, latest available published revision dated April 2, 2014.
- Bearings shown hereon are based on the south line of Parkway Plaza Shopping Center (Plat No. 20060251; F.B.C.P.R.) the bearing being n 72°54'17" W.
- Drainage facilities are to be owned, operated, and maintained by the owners and not the City of Missouri City.
- Any Drainage Easements shall be kept clear of fences, building, planting and other obstructions to the operations and maintenance of drainage facility, and abutting property shall not be permitted to drain into this easement except by means of an approved drainage structure.
- All of the property subdivided in the above and foregoing plat is within the incorporated boundaries of the City of Missouri City, Texas.
- Shared access and parking facilities shall be provided as required under the provisions of Subsection 82-159 of the Code of Ordinances of the City of Missouri City.
- In accordance with Center Point Energy Electrical Service Manual, Article 421.2, electric meters shall be located in a position that is accessible at all times without customer assistance. Access to the meter shall not be blocked by gates, walls or fences.
- Sidewalks shall be constructed as required by Subsection 82-164 of the Code of Ordinances of the City of Missouri City, Texas.
- All required utility companies have been contacted and all public utility easements as shown on the above and foregoing plat constitute all of the easements required by the utility companies contacted.
- There are no existing and proposed pipeline easements within the limits of the subdivision.
- Required fire flows shall be provided based on the size and construction of all buildings as required by the International Fire Code as adopted by the City.
- The placement of fire hydrants shall be provided based on the minimum distance requirements as established in the International Fire Code as adopted by the City (500 feet for residential development and 300 feet for commercial development). All fire hydrants shall be installed according to the International Fire Code as adopted by the City.
- Driveway approaches shall be provided in accordance with the Missouri City Driveway Approach Policy as required under the provisions of Subsection 82-160 of the Code of Ordinances of the City of Missouri City, Texas.
- All drainage and floodway easements shall be kept clear of fences, buildings, plantings and other obstructions to the operations and maintenance of the drainage facility as required by Subsection 82-168(d) of the Code of Ordinances of the City of Missouri City, Texas.
- The City of Missouri City shall not be responsible for maintenance of driveways, sidewalks, emergency access easements, recreational areas and open space; and the property owner shall be responsible for such maintenance of driveways, emergency access easements, recreational areas and open spaces as required by Section 3.C.(12) of the Administrative Platting Manual of the City of Missouri City (June 2014).
- No building or other permit, except permits for construction of public improvements will be issued by the City of Missouri City, Texas, for construction within this subdivision until such time as all public improvements of the subdivision have been constructed by the developer and accepted by the City or the guarantee of construction of public improvements required by Subsection 82-206 of the Code of Ordinances of the City of Missouri City, Texas, is submitted to and approved by the City.
- All slab elevations shall be one foot above the 100-year flood elevation as established by FEMA as per Section 3.C.(13) of the Platting Manual of the City of Missouri City (September 2019). Minimum slab elevation 71.50.

REPLAT OF PARKWAY PLAZA SHOPPING CENTER

A 42.9314 ACRE TRACT OF LAND
SITUATED IN
THE MOSES SHIPMAN SURVEY, ABSTRACT NO. 86
CITY OF MISSOURI CITY, FORT BEND COUNTY, TEXAS

11 RESERVES 1 BLOCK

REASON FOR REPLAT: TO CREATE 11 RESERVES, ADD THE 1.0126 ACRE TRACT AT THE NORTHEAST CORNER, AND CREATE A 50' PUBLIC ACCESS & UTILITY EASEMENT.

OWNER:
STEVEN D. ALVIS, MANAGER
A-S 151 NWC FORT BEND PKWY-HWY 6, L.P.,
A TEXAS LIMITED PARTNERSHIP
8827 W. SAM HOUSTON PKWY N. SUITE 200
HOUSTON, TEXAS 77040
(281) 477-4372

ENGINEER:
LYLE HENKEL, P.E.
TERRA ASSOCIATES, INC.
1445 NORTH LOOP WEST, SUITE 450
HOUSTON, TEXAS 77008
(713) 993-0333

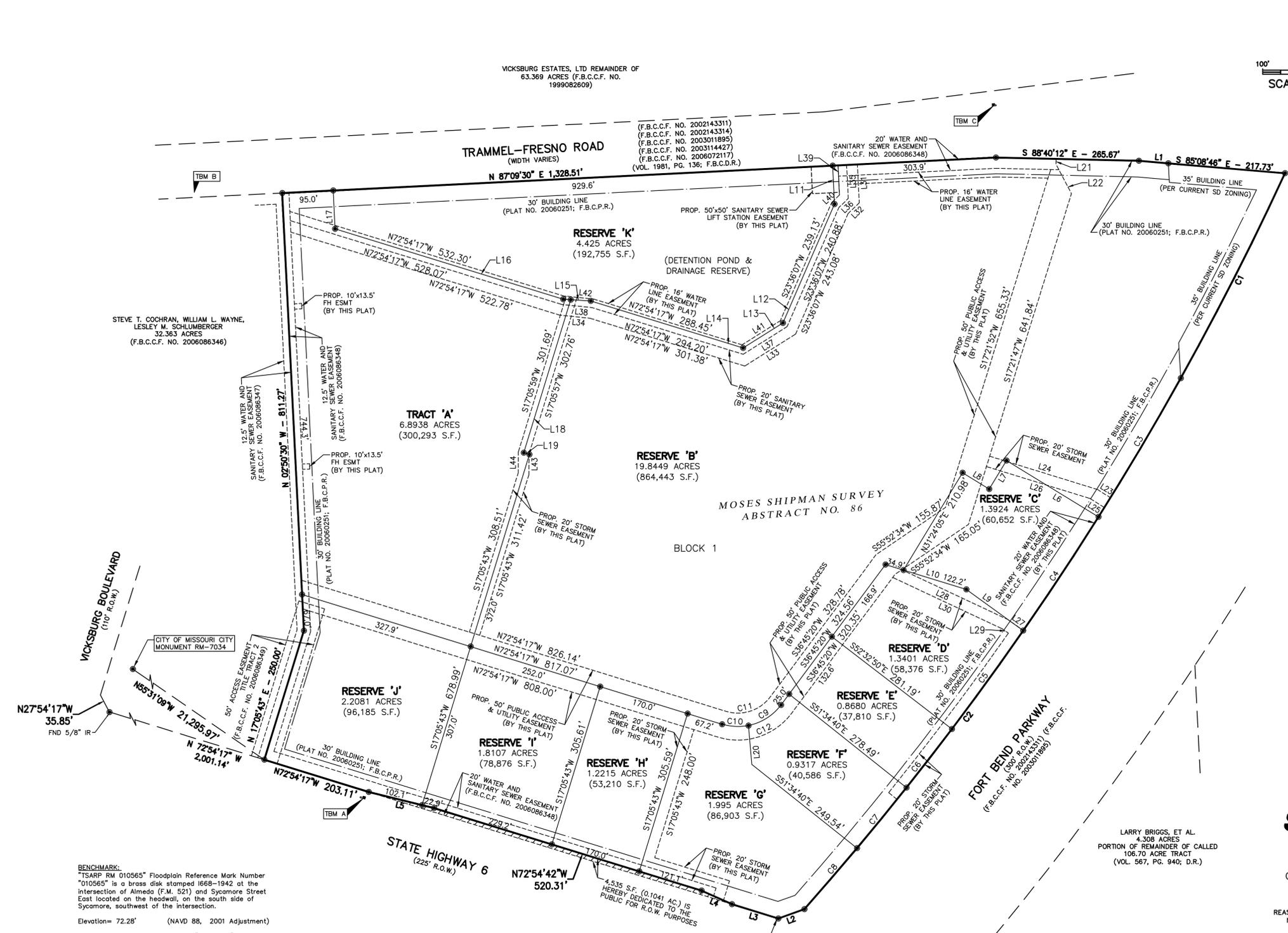
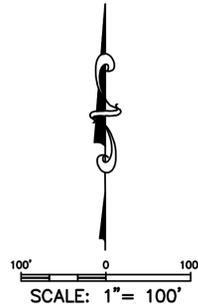
SURVEYOR:
BRIAN NESVADBA, R.P.L.S.
TEXAS ENGINEERING AND MAPPING CO.
12718 CENTURY DR.
STAFFORD, TEXAS 77477
(281) 491-2525

PROJECT NO.: 7660-1903

SCALE: 1" = 100'

DATE: MARCH 2020

SHEET 1 OF 2



Curve Table

NO.	Length	Radius	Delta	Chord	Chord Length
C1	426.24'	5,579.60	4°22'37"	S27°02'54"W	426.13'
C2	1,208.86'	5,579.60	12°24'49"	S35°26'37"W	1,206.50'
C3	298.75'	5,579.60	3°04'04"	S30°46'15"W	298.72'
C4	252.93'	5,579.60	2°35'50"	S33°36'12"W	252.91'
C5	225.45'	5,579.60	2°18'54"	S36°03'34"W	225.44'
C6	137.35'	5,579.60	1°24'37"	S37°55'20"W	137.35'
C7	145.04'	5,579.60	1°29'22"	S39°22'20"W	145.04'
C8	149.33'	5,579.60	1°32'01"	S40°53'01"W	149.33'
C9	73.20'	100.00	41°56'19"	S57°43'29"W	71.57'
C10	49.57'	100.00	28°24'04"	N87°06'19"W	49.06'
C11	92.07'	75.00	70°20'23"	S71°55'31"W	86.40'
C12	153.46'	125.00	70°20'23"	S71°55'31"W	144.00'

Line Table

No.	Bearing	Length	No.	Bearing	Length
L1	S85°08'46"E	55.01'	L23	N57°56'53"W	28.47'
L2	S70°20'44"W	51.45'	L24	N72°54'17"W	210.03'
L3	N72°54'17"W	90.20'	L25	N57°56'53"W	31.48'
L4	N66°00'45"W	61.89'	L26	N72°54'17"W	201.86'
L5	N76°16'59"W	124.95'	L27	N55°00'01"W	35.59'
L6	N58°35'55"W	200.27'	L28	N64°58'15"W	217.35'
L7	N31°24'05"E	62.00'	L29	N55°00'01"W	13.86'
L8	S58°35'55"E	58.00'	L30	N64°58'15"W	224.89'
L9	N54°13'35"W	130.48'	L31	S02°50'30"E	71.25'
L10	N72°54'17"W	157.13'	L32	S46°06'07"W	29.12'
L11	N02°50'30"W	71.36'	L33	S57°54'55"W	111.60'
L12	S23°36'07"W	240.14'	L34	N84°09'17"W	56.38'
L13	S57°54'55"W	87.29'	L35	S02°50'30"E	62.15'
L14	N72°54'17"W	296.20'	L36	S46°06'07"W	24.00'
L15	N86°24'02"W	51.42'	L37	S57°54'55"W	96.28'
L16	N72°54'17"W	443.50'	L38	N84°09'17"W	56.38'
L17	N02°50'30"W	71.02'	L39	S02°50'30"E	54.87'
L18	S17°05'43"W	296.55'	L40	S46°06'07"W	19.90'
L19	S72°54'17"E	11.00'	L41	S57°54'55"W	84.02'
L20	S04°54'17"E	72.11'	L42	N84°09'17"W	56.38'
L21	S01°19'48"W	10.00'	L43	S00°33'16"W	38.64'
L22	S27°54'17"E	61.29'	L44	S00°33'16"W	38.64'

Reserve Table

Reserve	Acres	Sq. Ft.	Type
A	6.8938	300,293	Restricted to Commercial
B	19.8449	864,443	Restricted to Commercial
C	1.3924	60,652	Restricted to Commercial
D	1.3401	58,376	Restricted to Commercial
E	0.8680	37,810	Restricted to Commercial
F	0.9317	40,586	Restricted to Commercial
G	1.995	86,903	Restricted to Commercial
H	1.2215	53,210	Restricted to Commercial
I	1.8107	78,876	Restricted to Commercial
J	2.2081	96,185	Restricted to Commercial
K	4.425	192,755	Restricted to Drainage

REPLAT OF PARKWAY PLAZA SHOPPING CENTER

A 42.9314 ACRE TRACT OF LAND SITUATED IN THE MOSES SHIPMAN SURVEY, ABSTRACT NO. 86 CITY OF MISSOURI CITY, FORT BEND COUNTY, TEXAS

11 RESERVES 1 BLOCK
REASON FOR REPLAT: TO CREATE 11 RESERVES, ADD THE 1.0126 ACRE TRACT AT THE NORTHEAST CORNER, AND CREATE A 50' PUBLIC ACCESS & UTILITY EASEMENT.

OWNER: STEVEN D. ALVIS, MANAGER
A-S 151 NWC FORT BEND PKWY-HWY 6, L.P.
A TEXAS LIMITED PARTNERSHIP
8827 W. SAM HOUSTON PKWY N. SUITE 200
HOUSTON, TEXAS 77040
(281) 477-4372

ENGINEER: LYLE HENKEL, P.E.
TERRA ASSOCIATES, INC.
1445 NORTH LOOP WEST, SUITE 450
HOUSTON, TEXAS 77008
(713) 993-0333

SURVEYOR: BRIAN NESVADBA, R.P.L.S.
ENGINEERING AND MAPPING CO.
12718 CENTURY DR.
STAFFORD, TEXAS 77477
(281) 491-2525

BENCHMARK:
"TSARP RM 010565" Floodplain Reference Mark Number "010565" is a brass disk stamped 1669-1942 at the intersection of Almeida (F.M. 521) and Sycamore Street East located on the south side of Sycamore, southwest of the intersection.
Elevation= 72.28' (NAVD 88, 2001 Adjustment)

TBM A: Aluminum Disc Stamped "GPS 7331" on c-inlet located on the north side of Highway 6 near the southwest property corner, as shown.
Elevation= 68.58'

TBM B: Box cut on c-inlet located on the south side of Trammel Fresno Road near the northwest property corner, as shown.
Elevation= 69.62'

TBM C: Box cut on c-1 inlet located on the north side of Trammel Fresno Road near the northeast property corner, as shown.
Elevation= 72.40'

P.O.B.
FND 5/8" IRON ROD
X: 1,079,582.07
Y: 13,759,056.37
TEXAS STATE PLANE
COORDINATE SYSTEM
SOUTH CENTRAL ZONE
(NAD 83)

LARRY BRIGGS, ET AL
4.308 ACRES
PORTION OF REMAINDER OF CALLED
106.70 ACRE TRACT
(VOL. 567, PG. 940; D.R.)

VICKSBURG ESTATES, LTD REMAINDER OF
63.369 ACRES (F.B.C.C.F. NO.
1999082609)

STEVE T. COCHRAN, WILLIAM L. WAYNE,
LESLEY M. SCHLUMBERGER
32.363 ACRES
(F.B.C.C.F. NO. 2006086346)

STATE OF TEXAS
COUNTY OF FORT BEND

We, Parkway Plaza Shopping Center, LLC, a Texas limited liability company, acting by and through Barton L. Duckworth, Managing Member, hereinafter referred to as Owners of the 41.919 acre tract described in the above and foregoing plat of Parkway Plaza Shopping Center, do hereby make and establish said subdivision of said property according to all laws, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, parks, easements, drains, easements and public places shown thereon for the purposes and considerations therein expressed, and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title to the land so dedicated. We further acknowledge that the dedications and/or easements made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City.

FURTHER, Owners acknowledge that the dedications and/or easements made herein are proportional to the impact of the subdivision upon the public services required in order that the development will comport with the present and future growth needs of the City. We, our successors and assigns hereby waive any claim, damage or cause of action that we may have as a result of the dedication or easements made herein.

FURTHER, we 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 on additional eleven feet, six inches (11' 6") for ten foot (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen foot (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen foot (16' 0") perimeter ground easements from a plane sixteen feet (16' 0") above ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easements total twenty one feet, six inches (21' 6") in width.

FURTHER, we 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 on additional ten feet (10' 0") for ten foot (10' 0") back-to-back ground easements or eight feet (8' 0") for fourteen foot (14' 0") back-to-back ground easements or seven feet (7' 0") for sixteen foot (16' 0") back-to-back ground easements from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides of and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easements total thirty feet (30' 0") in width.

IN TESTIMONY WHEREOF, Parkway Plaza Shopping Center, a Texas limited liability company, has caused this plat to be signed by Barton L. Duckworth, its Managing Member, Barton L. Duckworth, its Managing Member, hereinafter referred to as the Signer, and the Signer has authorized this plat to be signed by the Signer on this 13th day of October, 2006.

Barton L. Duckworth
Barton L. Duckworth
Managing Member

STATE OF TEXAS
COUNTY OF FORT BEND

BEFORE ME, the undersigned authority, on this day personally appeared Barton L. Duckworth, 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 13th day of October, 2006.

Dianna Wilson
Notary Public in and for the State of Texas

My Commission Expires: 09-16-2007



I, C. Tim Griffith, am registered under the laws of the State of Texas to practice the profession of surveying and hereby state that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron rods having an outside diameter of not less than five-eighths inch and a length of not less than two (2) feet except as otherwise noted; and that the plot boundary corners have been tied to the nearest survey corner.

C. Tim Griffith
C. Tim Griffith, R.P.S., No. 4360

I, Dianna Wilson, Ph.D., County Clerk in and for Fort Bend County, hereby certify that the foregoing instrument with its certificate of authentication was filed for recording.

in my office on the 17th day of October, 2006,
at 10:03 o'clock A. m. in Plot Number(s) 20060251

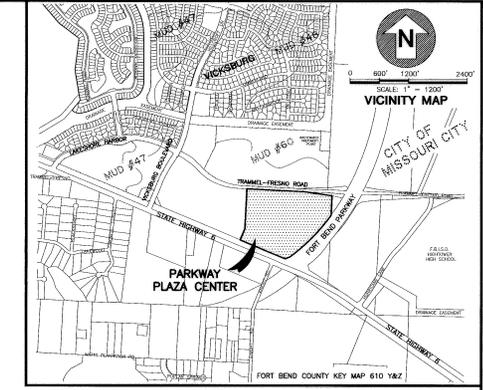
of Plat Records of said County.

Witness my hand and seal of office, at Richmond, Texas, the day and date last above written.



Dianna Wilson
County Clerk, Fort Bend County, Texas

By: *Lilla Almaraz*
LILLA ALMARAZ
Deputy



SUBDIVISION NOTES

- 1. In accordance with Center Point Energy Service Standards, Article 406.52, electric meters shall be located in an area accessible without customer assistance, and not blocked by fences, wall or gates. For further information in the Sugar Land District area, call 281-561-2989.
- 2. Driveway approaches shall be provided in accordance with the Missouri City Driveway Approach Policy as required under the provisions of Subsection 82-160 of the Code of Ordinances of the City of Missouri City, Texas.
- 3. Sidewalks shall be constructed as required by sections 82-164 of the Code of Ordinances of the City of Missouri City.
- 4. The City of Missouri City shall not be responsible for maintenance of firewalls, firewalls, emergency access easements, nonresidential areas and open space.
- 5. All required utility companies have been contacted and all public utility easements as shown on the above and foregoing plat constitute all of the easements required by the utility companies contacted.
- 6. There are no existing and proposed pipeline easements within the limits of the subdivision as per Section 82-97(5).
- 7. All of the property subdivided in the above and foregoing plat is within the incorporated boundaries of the City of Missouri City, Texas.
- 8. No building or other permits, except permits for construction of public improvements will be issued by the City of Missouri City, Texas, for construction within this subdivision until such time as all public improvements of the subdivision have been constructed by the developer and accepted by the City or the guarantee of construction of public improvements required by Section 82-206 of the Code of Ordinances of the City of Missouri City, Texas, is submitted to and approved by the City.
- 9. As per the Department of Housing and Urban Development Federal Insurance Administration Flood Hazard Boundary Map for Fort Bend County, Texas, and incorporated Area (Map No. 481070202L, Map Revised August 22, 2002), it appears that these tracts lie within Zone X - Areas determined to be outside 500-year floodplain. All slab elevations shall be one foot above the 100-year flood elevation as established by FEMA as per Section 82-97(11).
- 10. All drainage easements shown hereon shall be kept clear of fences, buildings, plantings, and other obstructions to the operation and maintenance of the drainage facilities. All property shall drain into the drainage easement only through the approved drainage structure.
- 11. This plat was prepared relying on a City Planning Letter prepared by Stewart Title Company, (File No. 043086190, dated August 1, 2006). The surveyor has not abstracted the subject property.
- 12. The bearings shown on this plat are based on the Texas State Plane Coordinate System, South Central Zone (NAD83) as referenced in the deed recorded in Fort Bend County Clerk's File No. 2003011890. All coordinates and distances are surface and may be converted to grid by multiplying by the combined adjustment factor of 0.99987.
- 13. Shared access and parking facilities shall be provided as required under the provisions of Subsection 82-150 of the Code of Ordinances of the City of Missouri City.
- 14. The minimum slab elevation shall be 71.5, twelve inches (12") above the 100-year flood plain elevation and maximum pending elevation, eighteen inches (18") above natural ground, or twelve inches (12") above the top of curb at the front of the lot, whichever is higher, as per Section 82-97(11).
- 15. ELEVATION REFERENCE: N.G.S. 1-1214. Disk set on top of Southwest curb of a concrete bridge over Flat Bank Creek on State Highway 6.
Elevation: 67.69 (1987 Adjustment)

T.B.M. #1 - Set "T" on top of 8" concrete base for traffic light on North side of State Highway 6 Westbound frontage road of West side of Fort Bend Parkway Northbound frontage road.
Elevation: 68.68'

T.B.M. #2 - Set "T" on top of inlet at back of curb on North side of State Highway 6 Westbound frontage road, approximately 1000' West of the centerline of Fort Bend Parkway.
Elevation: 69.07'

This is to certify that the Planning and Zoning Commission of the City of Missouri City, Texas, has approved this plat and subdivision of Parkway Plaza Shopping Center in conformance with the laws of the State of Texas and the ordinances of the City of Missouri City, as shown hereon and has authorized the recording of this plat this day of October, 2006.

By: *Ray Leo Gibson*
Ray Leo Gibson, Planning and Zoning Chairman

PLAT #1190206130327
8 PGS
FILED AND RECORDED
OFFICIAL PUBLIC RECORDS
Dianna Wilson
2006 Oct 17 10:02 AM
20060251
DR 1228 00
Dianna Wilson, Ph.D., COUNTY CLERK
FORT BEND COUNTY, TEXAS

FINAL PLAT OF
PARKWAY PLAZA SHOPPING CENTER

A SUBDIVISION OF 41.919 ACRES OF LAND BEING THE PARKWAY PLAZA SHOPPING CENTER, LLC CALL 41.919 ACRE TRACT OF LAND (FORT BEND COUNTY CLERKS FILE NO. 2006086351) BEING IN THE MOSES SHIPMAN SURVEY, ABSTRACT NO. 86, CITY OF MISSOURI CITY, FORT BEND COUNTY, TEXAS.

8 RESERVES 1 BLOCK

OWNER
PARKWAY PLAZA SHOPPING CENTER, LLC
2415 W. ALABAMA, SUITE 205
HOUSTON, TEXAS 77098
(713) 982-5600
c/o BARTON D. DUCKWORTH

SURVEYOR AND ENGINEER
KELLY R. KALUZA & ASSOCIATES, INC.
CONSULTING ENGINEERS AND SURVEYORS
8014 AVENUE I
ROSENBERG, TEXAS 77471
(281) 341-0808

OCTOBER 10, 2006

TRAMMEL-FRESNO ROAD REALIGNMENT (100' R.O.W.)
CALL 27262 ACRES (VOL. 1981, PG. 134; D.R.)

ELIJAH ROARK SURVEY ABSTRACT No. 77

VICKSBURG ESTATES, LTD.
CALL 63,569 ACRES (F.B.C.C.F. 1999062609)

FORT BEND COUNTY
M.U.D. No. 50
WASTEWATER
TREATMENT PLANT
CALL 1,838 ACRES (VOL. 1108, PG. 89; D.R.)

MARISSA PARTNERS LIMITED PARTNERSHIP
REMANINDER OF CALL 82,976 AC. (F.B.C.C.F. No. 2001121130)

FORT BEND PARKWAY - (WIDTH VARIES)

TRAMMEL-FRESNO ROAD - (WIDTH VARIES)

MOSES SHIPMAN SURVEY ABSTRACT No. 86

LARRY B. BRIGGS
10,343 ACRES
REMANINDER OF ORIGINAL
CALL 106.70 ACRE TRACT (Vol. 567, PG. 940; D.R.)

VICKSBURG BOULEVARD DRIVE (100' R.O.W.)
CALL 1,410 AC. (F.B.C.C.F. 2000091878)
REMAINDER OF ORIGINAL
CALL 1,410 AC. TRACT (VOL. 1784, PG. 12)

CITY OF MISSOURI CITY
MONUMENT RM-2034

CALL 10.889 ACRES FOR HIGHWAY PURPOSES (F.B.C.C.F. No. 20010820)

KNIGHT/HIGHWAY & LLC
CALL 16.612 AC. (F.B.C.C.F. No. 2004006871)

KNIGHT/HIGHWAY & LLC
CALL 10.0 AC. (F.B.C.C.F. No. 2004006870)

KNIGHT/HIGHWAY & LLC
CALL 0.789 AC. (F.B.C.C.F. No. 2004006871)

FORT BEND COUNTY TOLL ROAD AUTHORITY
CALL 4.759 AC. (F.B.C.C.F. No. 2004006873)

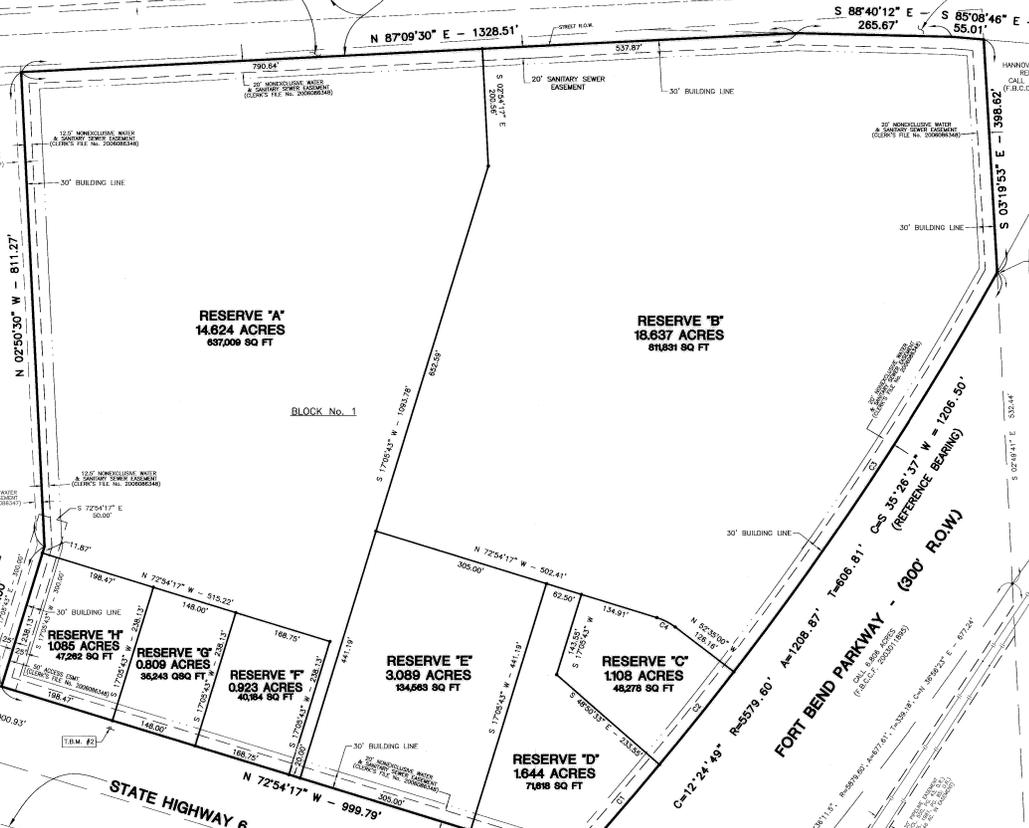
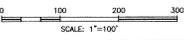
OWNER
PARKWAY PLAZA LLC
2415 W. ALABAMA, SUITE 205
HOUSTON, TEXAS 77088
(713) 925-5000
c/o BARTON D. DUCKWORTH

SURVEYOR AND ENGINEER
KELLY R. KALUZA & ASSOCIATES, INC.
CONSULTING ENGINEERS AND SURVEYORS
8014 AVENUE I
ROSENBERG, TEXAS 77471
(281) 341-0808

OCTOBER 10, 2006

SHEET 2 OF 2

- LEGEND:**
- R.O.W. - RIGHT-OF-WAY
 - VOL. - VOLUME
 - PG. - PAGE
 - D.R. - DEED RECORDS OF FORT BEND COUNTY
 - O.R. - OFFICIAL RECORDS OF FORT BEND COUNTY
 - P.R. - PLAT RECORDS OF FORT BEND COUNTY
 - F.B.C.C.F. - FORT BEND COUNTY CLERK'S FILE
 - T&D - TEXAS DEPARTMENT OF TRANSPORTATION



CURVE DATA

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	5579.60	01°55'24"	187.30	93.66	S 40°41'20" W	187.29
C2	5079.60	02°05'04"	202.99	101.50	S 38°41'06" W	202.98
C3	5579.60	08°24'21"	818.58	410.03	S 33°26'24" W	817.85
C4	100.00	20°19'17"	35.47	17.92	S 62°44'38" E	35.28

PLAT ATTACHED TO 2006138327
\$ 750

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS
Dr. Aimee Wilson
2818 Oak St. 17-03-05
HOUSTON, TEXAS 77055
200610251

DiAnne Wilson, Ph.D., COUNTY CLERK
FT BEND COUNTY TEXAS

PARKWAY PLAZA SHOPPING CENTER

A SUBDIVISION OF 41.919 ACRES OF LAND BEING THE PARKWAY PLAZA SHOPPING CENTER, LLC CALL 41.919 ACRE TRACT OF LAND (FORT BEND COUNTY CLERKS FILE No. 2006086351) BEING IN THE MOSES SHIPMAN SURVEY, ABSTRACT No. 86, CITY OF MISSOURI CITY, FORT BEND COUNTY, TEXAS.

8 RESERVES 1 BLOCK



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 8, 2020
AGENDA ITEM SUBJECT: Preliminary Plat of Lexington Village Sec. 1
AGENDA ITEM NUMBER: 6.B.(1)
PROJECT PLANNER: Gretchen M. Pyle, Planning Specialist
APPROVAL:  **Otis T. Spriggs, AICP, Director, Development Services**
 **Shashi K. Kumar, P.E., CFM, City Engineer/Public Works Director**

PERMIT NUMBER: PLAT2000217
TYPE OF APPLICATION:
 Initial application
 Written Response application
PROPERTY ID: 0064-00-000-3100-907
LOCATION: North of the intersection of Fifth Street and FM 1092, southeast of the intersection of Lexington Boulevard/Independence Boulevard and FM 1092, and west of the FBISD Armstrong Elementary School.
ZONING DISTRICT DESIGNATION: PD, Planned Development District No. 81 (O-19-01)
DEVELOPMENT AGREEMENT/STRATEGIC PARTNERSHIP: None

RECOMMENDED ACTION:

The Planning and Zoning Commission should:

- | |
|---|
| <input checked="" type="checkbox"/> DISAPPROVE: An applicant may submit a written response to an initial application that remedies a reason for disapproval. |
|---|

A preliminary plat application must be in the form and contain the information and documents as required by the Platting Manual of the City of Missouri City, as adopted in September 2019 and in accordance with Section 82-65 of the Code of Ordinances of the City of Missouri City. The applicable sections of the Platting Manual are referenced in the comments below, except where indicated otherwise.

A. REASONS FOR DISAPPROVAL:

1. **RESPONSIBLE DEPARTMENT/DIVISION:** Public Works/Engineering Division
 - a. A preliminary utility plan with calculations must be provided in accordance with Section 2.D(19). **See attached letter to Todd Elston, P.E., R. G. Miller Engineers dated 03/31/2020.**

2. **RESPONSIBLE DEPARTMENT/DIVISION:** Development Services/Planning and Development Division
 - a. Building lines shall be labeled in accordance with Section 2.D(17). **All building lines must be in conformance with PD No. 81. Particularly the residential lots must be consistent with the R-5, townhouse residential district regulations which provides that the front yard must be a minimum of 25 feet, even around the curve of a cul-de-sac street; plat notes 22-24 must also be consistent for the R-5 zoning district.**

-----**END OF REPORT**-----



Public Works Department

1522 Texas Parkway
Missouri City, Texas 77489

Phone: 281.403.8500
www.ci.mocity.tx.us

3/31/2020

Todd Elston, P.E.
R. G. Miller Engineers
16340 Park Ten Place Suite 350
Houston, Texas 77084

Subject: Lexington Village Phase 1 Utilities

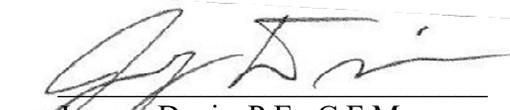
Dear Mr. Elston:

The City of Missouri City Engineering and Utilities Division has reviewed your Preliminary Plat application and have the following items that needs to be addressed prior to the approval of preliminary plat or the issuance of a utility capacity letter:

1. Applicant needs to perform a utility (water and wastewater) analysis with calculations showing how this proposed development will be served.
2. Applicant must schedule a meeting with Missouri City and Quail Valley Utility District (QVUD) to discuss the necessary utility upgrades needed to serve the subject development..
3. The items noted in the attached previous e-mail correspondence to you from Millie Hollifield will need to be addressed. This includes items triggered by this development, including TCEQ's requirement to QVUD for an elevated storage tower or exception, and lift station upgrade, or construction of a new lift station.
4. The subject property is proposed to be annexed by Fort Bend Municipal Utility District No. 47 (MUD No. 47). The City must consent to this MUD annexation and QVUD must agree to provide "Out of District" service to FB MUD #47. Therefore, agreements will need to be amended between QVUD, Missouri City, and MUD #47.
5. A water and wastewater agreement with Missouri City needs to be in place granting the necessary capacity within the Northeast Oyster Creek Utility Service Area.

If you have any questions or need any further information, please do not hesitate to contact me at 281-403-8685.

Yours truly,



Jeremy Davis, P.E., C.F.M.
Assistant City Engineer

Cc: Millie Hollifield

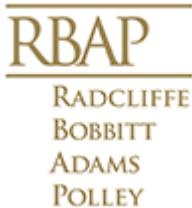
Jeremy Davis

From: Millie Holifield
Sent: Tuesday, March 31, 2020 9:34 AM
To: Jeremy Davis
Subject: FW: Lexington Village Water & Wastewater Capacity e-mail string

From: Jonathan Polley <jpolley@rbaplaw.com>
Sent: Thursday, February 27, 2020 4:07 PM
To: Millie Holifield <Millie.Holifield@Missouricitytx.gov>; Stephen Swindell PE (SSwindell@jonescarter.com) <SSwindell@jonescarter.com>
Cc: Eric Ungar <eungar@skymarkdevelopment.com>; Todd Elston <TElston@rgmiller.com>; Hector Acevedo <hacevedo@quailvalleyud.org>; Jeremy Davis <Jeremy.Davis@Missouricitytx.gov>; Jennifer Thomas Gomez <Jennifer.ThomasGomez@Missouricitytx.gov>; Shashi Kumar <shashi.kumar@missouricitytx.gov>
Subject: RE: Lexington Village Water & Wastewater Capacity

Thanks Millie! Even if they're just guesstimates, I think you've provided enough information for MUD 47's board to move forward with considering whether to annex and finance the utilities or not.

Jon



Jon D. Polley
Managing Member

713.237.1221 Office || jpolley@RBAPLaw.com || RBAPLaw.com
America Tower || 2929 Allen Parkway, Suite 3450 || Houston, Texas 77019-7120

From: Millie Holifield <Millie.Holifield@Missouricitytx.gov>
Sent: Thursday, February 27, 2020 3:02 PM
To: Jonathan Polley <jpolley@rbaplaw.com>; Stephen Swindell PE (SSwindell@jonescarter.com) <SSwindell@jonescarter.com>
Cc: Eric Ungar <eungar@skymarkdevelopment.com>; Todd Elston <TElston@rgmiller.com>; Hector Acevedo <hacevedo@quailvalleyud.org>; Jeremy Davis <Jeremy.Davis@Missouricitytx.gov>; Jennifer Thomas Gomez <Jennifer.ThomasGomez@Missouricitytx.gov>; Shashi Kumar <shashi.kumar@missouricitytx.gov>
Subject: Lexington Village Water & Wastewater Capacity

Jon & Stephen,

Attached and below are the capacity guesstimates and information I send to Eric Ungar & Todd Elston on 2/19.

On 2/21, Hector Acevedo informed me that the QVUD water capacity price is still \$3.50/gallon, but the sewer capacity price has increased to \$8.90/gallon. In the second spreadsheet attached, I've updated my Lexington Village Guestimates to reflect the new sewer capacity price.

Millie

<W:\Public Works\Utilities - Operational\NEOC USA\Lexington Village>

From: Millie Holifield

Sent: Wednesday, February 19, 2020 11:37 AM

To: 'Eric Ungar' <eungar@skymarkdevelopment.com>; 'Todd Elston' <TElston@rgmiller.com>

Cc: Hector Acevedo <hacevedo@quailvalleyud.org>; Jeremy Davis <Jeremy.Davis@Missouricitytx.gov>; Jennifer Thomas Gomez <Jennifer.ThomasGomez@Missouricitytx.gov>

Subject: Lexington Village Water & Wastewater Capacity

Eric and Todd,

Attached are my capacity guesstimates. Please review and comment/mark up.

I'm checking with Hector Acevedo at QVUD on whether the costs/gallon are still current.

To finalize the amount of W & WW capacity required, your capacity need estimates, including criteria bases, will be required.

As I've told both of you before, and stated at the 1/14/2020 predevelopment meeting, the required lift station upgrade or new lift station necessitated by this development, and the TCEQ elevated water storage requirement or variance application process, and additional water upgrades required, will add to the total cost.

Millie



Millie E. Holifield, AICP | Utilities Coordinator

1522 Texas Parkway | Missouri City, TX 77489

t. 281.403.8576 | m. 832.248.0906 | f. 281.403.8988

website | map | email    

~ A Safe, Scenic City rated one of America's "Best" Places to Live ~

The Mission of the City Government of Missouri City is to provide municipal services in a financially responsible and customer friendly manner, while engaging our residents. How can we better serve you? Take our [customer satisfaction survey](#).

From: Todd Elston <TElston@rgmiller.com>

Sent: Wednesday, January 22, 2020 9:15 AM

To: Millie Holifield <Millie.Holifield@Missouricitytx.gov>

Cc: Hector Acevedo <hacevedo@quailvalleyud.org>

Subject: RE: Lexington Village

Millie,

You're right, we're going to plat approximately 4.5 acres (45 ESFCs) of commercial with Section 1, so the total initial need for Section 1 will be 142 ESFCs.

Separately, I'm told that phase 1 of the assisted living should be coming soon (will be platted separately) and will have 119 units.

Let me know if you need anything else.

Thanks,
Todd

Todd A. Elston, P.E.

Senior Project Manager

16340 Park Ten Place ■ Suite 350 ■ Houston ■ Texas 77084

Office: 713 461 9600 ■ Direct: 281 921 8769 ■ telston@rgmiller.com ■ rgmiller.com

Texas Registered Engineering Firm F-487



From: Millie Holifield <Millie.Holifield@Missouricitytx.gov>

Sent: Tuesday, January 21, 2020 8:12 PM

To: Todd Elston <TElston@rgmiller.com>

Cc: Hector Acevedo <hacevedo@quailvalleyud.org>

Subject: RE: Lexington Village

Todd,

I'm sorry, I was thinking Sections One & Two also applied to the Commercial and Multi-Family parcels.

For the two parts of the entire development, divided by the heavy line, how many ESFCs are in the two parts, including Commercial and multifamily, as well as the single family.

Millie

From: Todd Elston <TElston@rgmiller.com>

Sent: Tuesday, January 21, 2020 4:31 PM

To: Millie Holifield <Millie.Holifield@Missouricitytx.gov>

Cc: Hector Acevedo <hacevedo@quailvalleyud.org>

Subject: RE: Lexington Village

Sure, Section 1 will have 97 lots and Section 2 will have 59 lots.

Todd A. Elston, P.E.

Senior Project Manager

16340 Park Ten Place ■ Suite 350 ■ Houston ■ Texas 77084

Office: 713 461 9600 ■ Direct: 281 921 8769 ■ telston@rgmiller.com ■ rgmiller.com

Texas Registered Engineering Firm F-487



From: Millie Holifield <Millie.Holifield@Missouricitytx.gov>

Sent: Tuesday, January 21, 2020 3:42 PM

To: Todd Elston <TElston@rgmiller.com>

Cc: Hector Acevedo <hacevedo@quailvalleyud.org>

Subject: RE: Lexington Village

Todd,

Could you break the ESFCs down into Sections 1 & 2 ?

The City of Missouri City uses a full 1 ESFC for each apartment unit.

I'm copying Hector Acevedo, Superintendent, Quail Valley Utility District, on this e-mail.

Thank You,
Millie



Millie E. Holifield, AICP | Utilities Coordinator

1522 Texas Parkway | Missouri City, TX 77489

t. 281.403.8576 | m. 832.248.0906 | f. 281.403.8988

website | map | email    

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From: Todd Elston <TElston@rgmiller.com>
Sent: Tuesday, January 21, 2020 2:48 PM
To: Millie Holifield <Millie.Holifield@Missouricitytx.gov>
Subject: Lexington Village

Good Afternoon Millie,

Eric Ungar with Skymark Development mentioned that you were looking to receive the total estimated connection count for the Lexington Village Development. Please see the below estimated breakdown:

Single Family Residential	156	Lots
Assisted Living Apartments	185	Units
Multi-family Apartments	185	Units
Commercial*	70	ESFCs
Total	596	

*Based on estimated 10 ESFC / Acre

I'm not sure if the city uses a lower equivalent service connection per apartment unit like some municipalities do. Please let me know if you have any questions. We expect to submit the conceptual plan package on Friday's submittal.

Thanks!
Todd

Todd A. Elston, P.E.

Senior Project Manager

16340 Park Ten Place ■ Suite 350 ■ Houston ■ Texas 77084

Office: 713 461 9600 ■ Direct: 281 921 8769 ■ telston@rgmiller.com ■ rgmiller.com

Texas Registered Engineering Firm F-487



DEVELOPMENT SERVICES DEPARTMENT
Planning & Development Division
 1522 Texas Parkway
 Missouri City, Texas 77489
 281-403-8600 (Office) ■ 281-403-8962 (Fax)
 www.missouricitytx.gov

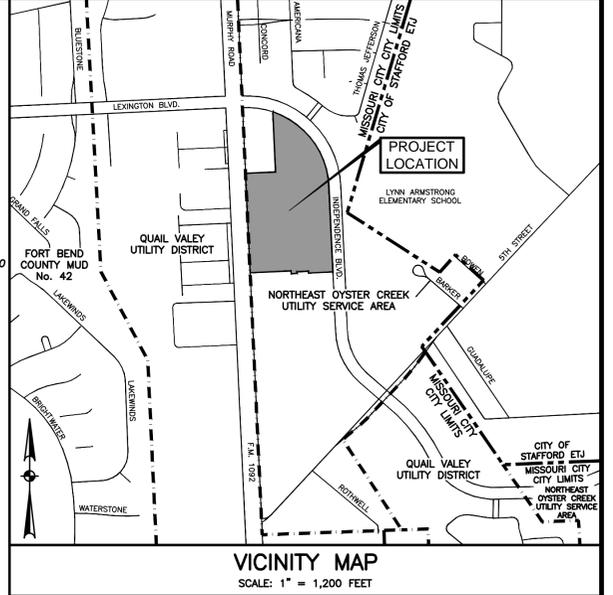
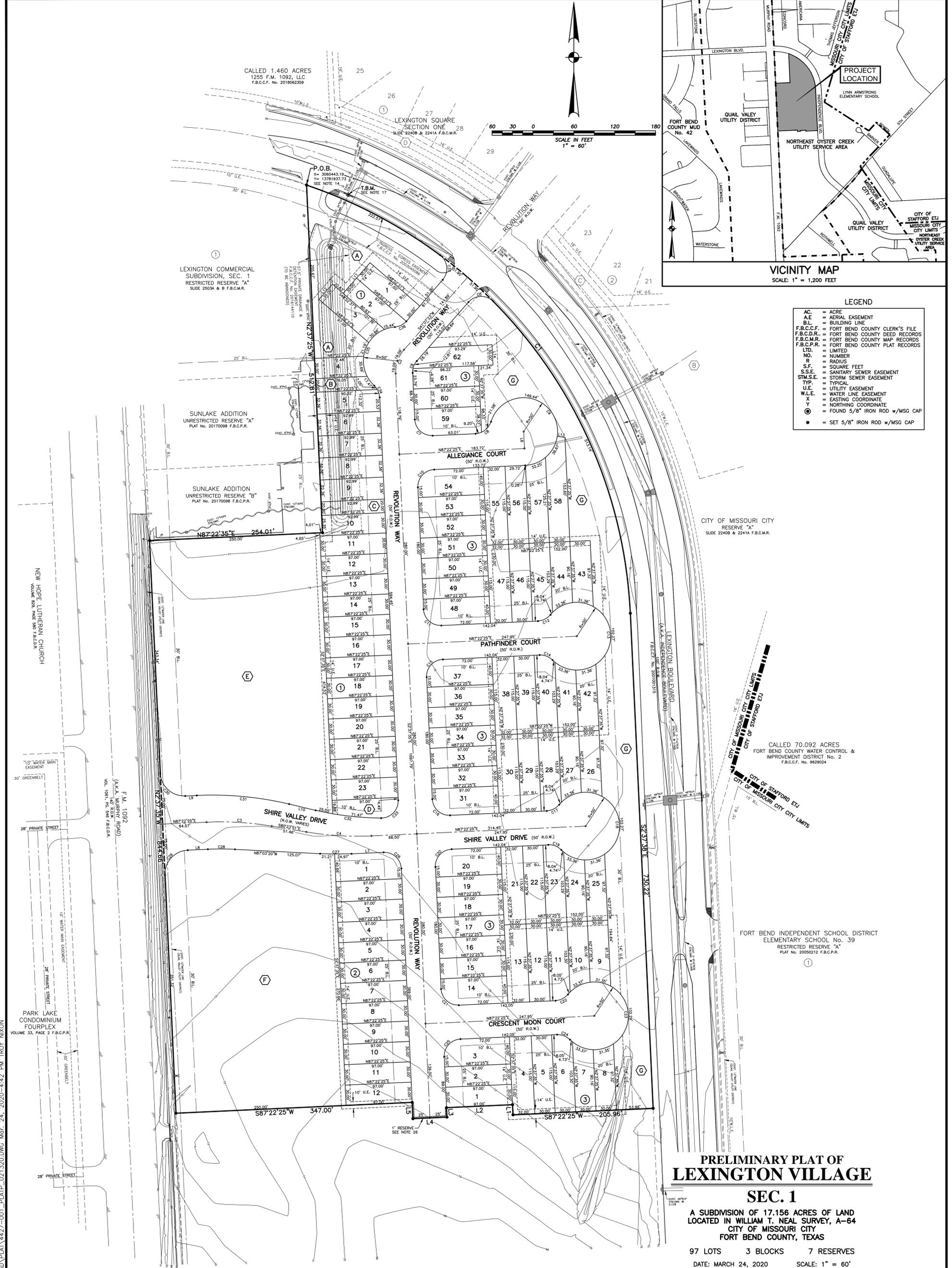
APPLICATION FOR PLAT APPROVAL
(Initial Applications Only)

A complete application for plat approval must be accompanied by an application checklist, associated documents and applicable fee.

Application Type:

- AMENDING PLAT** **FINAL PLAT** **PRELIMINARY PLAT**
 CONCEPTUAL PLAN (INCLUDING REPLAT)
 LARGE ACREAGE PLAT

1. NAME OF PLAT:	Lexington Village Sec. 1
2. NAME OF CONCEPTUAL PLAN OR PRELIMINARY PLAT, THAT PRECEDES THIS PLAT (IF APPLICABLE):	Lexington Village Conceptual Plan
3. LANDOWNER'S NAME (IF COMPANY OR CORPORATION, LIST CHIEF OFFICER):	Clinton F. Wong - Skymark Development
MAILING ADDRESS:	1616 Voss, Suite 618 Houston Tx 77057
PHONE NO.:	713-978-5900 Eric Ungar
EMAIL:	eungar@skymarkdevelopment.com
4. APPLICANT'S NAME (CHECK APPLICABLE ROLE):	R.G. Miller Engineers - Todd Elston, Project Manager
<input type="checkbox"/> ARCHITECT <input checked="" type="checkbox"/> ENGINEER <input type="checkbox"/> PLANNER <input type="checkbox"/> SURVEYOR <input type="checkbox"/> OTHER:	
MAILING ADDRESS:	16340 Park Ten Place, Suite 350 Houston Tx 77084
PHONE NO.:	713-461-9600
EMAIL:	Todd Elston - telston@rsmiller.com
5. IS PLAT LOCATED INSIDE THE CITY LIMITS OR CITY'S ETJ? (CIRCLE ONE):	<u>CITY LIMITS</u> ETJ (IF LOCATED INSIDE OF THE CITY LIMITS, COMPLETE ROW 6; IF NOT MOVE TO ROW 7)
6. ZONING DISTRICT (CIRCLE ONE OR MORE):	GENERAL: SD SUP <u>PD</u> RESIDENTIAL: R R-1 R-1-A R-2 R-3 R-4 <u>R-5</u> R-6 MF-1 MF-2 MH NONRESIDENTIAL: LC LC-O LC-1 LC-2 <u>LC-3</u> LC-4 BP I CF
7. LAND DISTRIBUTION (IN ACRES)	PRIVATE STREETS: <u>0</u> PUBLIC STREETS: <u>3.577</u> RESIDENTIAL LOTS: <u>6.282</u> LAKES/PONDS (NON-RECREATIONAL): <u>0</u> IRRIGATION/DRAINAGE CANALS: <u>0.081</u> RECREATIONAL USES: <u>0</u> UTILITY EASEMENTS: <u>0.657</u> PUBLIC PARKLAND: <u>2.154</u> OTHER (EXPLAIN): <u>Commercial Reserves</u> (ACRES): <u>4.405</u> TOTAL ACREAGE: <u>17.156</u>
8. ESTIMATED # OF SECTIONS:	<u>1</u> BLOCKS: <u>3</u> RESERVES: <u>7</u>
9. ESTIMATED # OF SINGLE FAMILY RESIDENTIAL LOTS / MULTIFAMILY DWELLING UNITS:	<u>97</u>
10. TYPE OF STREETS (CIRCLE ONE):	<u>PUBLIC</u> PRIVATE COMBINATION
11. TYPE OF WATER SYSTEM (CIRCLE ONE):	<u>PUBLIC</u> INDIVIDUAL WATER WELLS OTHER
(ATTACH EXPLANATION, IF OTHER)	
12. TYPE OF SANITARY SYSTEM (CIRCLE ONE):	<u>PUBLIC</u> INDIVIDUAL SEPTIC TANKS OTHER
(ATTACH EXPLANATION, IF OTHER)	
13. MUNICIPAL UTILITY DISTRICT OR PUBLIC IMPROVEMENT DISTRICT:	<u>n/a</u>



LEGEND

- AC. = ACRE
- A.E. = AERIAL EASEMENT
- B.L. = BUILDING LINE
- F.B.C.C.F. = FORT BEND COUNTY CLERK'S FILE
- F.B.C.D.R. = FORT BEND COUNTY DEED RECORDS
- F.B.C.M.R. = FORT BEND COUNTY MAP RECORDS
- F.B.C.P.R. = FORT BEND COUNTY PLAT RECORDS
- LTD. NO. = LIMITED NUMBER
- R. = RADIUS
- S.F. = SQUARE FEET
- S.S.E. = SANITARY SEWER EASEMENT
- ST.M.S.E. = STORM SEWER EASEMENT
- TYP. = TYPICAL
- U.E. = UTILITY EASEMENT
- W.L.E. = WATER LINE EASEMENT
- X. = EASTING COORDINATE
- Y. = NORTHING COORDINATE
- ⊙ = FOUND 5/8" IRON ROD w/MSG CAP
- = SET 5/8" IRON ROD w/MSG CAP

CITY OF MISSOURI CITY
RESERVE "A"
SLIDE 22408 & 2241A F.B.C.M.R.

CALLLED 70.092 ACRES
FORT BEND COUNTY WATER CONTROL &
IMPROVEMENT DISTRICT NO. 2
F.B.C.C.F. No. 9629024

FORT BEND INDEPENDENT SCHOOL DISTRICT
ELEMENTARY SCHOOL No. 39
RESTRICTED RESERVE "A"
PLAT No. 20050212 F.B.C.P.R.

**PRELIMINARY PLAT OF
LEXINGTON VILLAGE
SEC. 1**

A SUBDIVISION OF 17.156 ACRES OF LAND
LOCATED IN WILLIAM T. NEAL SURVEY, A-64
CITY OF MISSOURI CITY,
FORT BEND COUNTY, TEXAS

97 LOTS 3 BLOCKS 7 RESERVES
DATE: MARCH 24, 2020 SCALE: 1" = 60'

OWNER:
SKYMARK DEVELOPMENT COMPANY, INC.
CLINTON F. WONG, PRESIDENT
1616 VOSS, SUITE 618
HOUSTON, TEXAS 77057
(713)978-5900

ENGINEER
r.g.miller
engineers

SURVEYOR
MILLER
SURVEY GROUP

16340 Park Ten Place - Suite 350
Houston, Texas 77084
(713) 461-9800

1760 WEST SAM HOUSTON PARKWAY NORTH, HOUSTON TEXAS 77043
PHONE 713-413-1900 FAX 713-413-1944
TEXAS FIRM REGISTRATION NO. 10047100

TEXAS FIRM REGISTRATION NO. F-487

BRIAN E. WILSON, R.P.L.S.

JACK P. MILLER, P.E.

SHEET 1 OF 2

SYMBOL	DESCRIPTION	RESERVE USE	AREA
A	RESTRICTED RESERVE "A"	RESTRICTED TO PARK LAND USE	0.570 AC. - 24,844 S.F.
B	RESTRICTED RESERVE "B"	RESTRICTED TO DRAINAGE USE	0.038 AC. - 1,651 S.F.
C	RESTRICTED RESERVE "C"	RESTRICTED TO DRAINAGE USE	0.043 AC. - 1,860 S.F.
D	RESTRICTED RESERVE "D"	RESTRICTED TO PARK LAND USE	0.056 AC. - 2,457 S.F.
E	RESTRICTED RESERVE "E"	RESTRICTED TO COMMERCIAL USE	2.225 AC. - 96,924 S.F.
F	RESTRICTED RESERVE "F"	RESTRICTED TO COMMERCIAL USE	2.180 AC. - 94,979 S.F.
G	RESTRICTED RESERVE "G"	RESTRICTED TO PARK LAND USE	1.528 AC. - 66,579 S.F.
TOTAL			6.640 AC. - 289,294 S.F.

L:\MSC\LEXINGTON VILLAGE\4427-001_PLAT\021320.DWG Mar. 24, 2020 4:42 PM TROY NIXON

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF MISSOURI CITY, TEXAS HAS APPROVED THIS PRELIMINARY PLAT OF LEXINGTON VILLAGE SEC. 1 IN CONFORMANCE WITH SECTION 2.D., PLATTING MANUAL OF THE CITY OF MISSOURI CITY. THIS PLAT IS NOT IN RECORDABLE FORM.

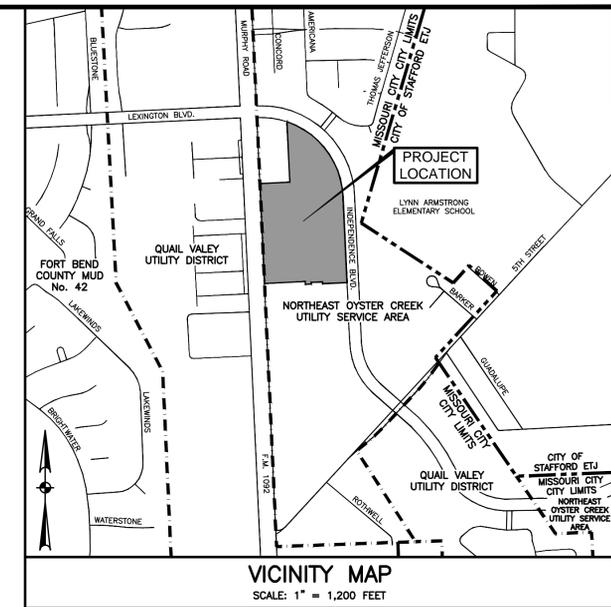
DATE OF _____ 2020.

BY: SONYA BROWN-MARSHALL, CHAIR

BY: TIMOTHY R. HANEY, VICE CHAIR

NOTES:

- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP NUMBERS 48157C0280L AND 48157C0285L, BOTH WITH AN EFFECTIVE DATE OF APRIL 2, 2014, THE SURVEYED PROPERTY LIES WITHIN ZONE "X" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
- ALL SLAB ELEVATIONS SHALL BE ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION AS ESTABLISHED BY FEMA AS PER SECTION 3.C.(13) OF THE PLATTING MANUAL OF THE CITY OF MISSOURI CITY (SEPTEMBER 2019). THE MINIMUM SLAB ELEVATION SHALL BE _____.
- THERE ARE NO KNOWN PIPELINES OR PIPELINE EASEMENTS WITHIN THE LIMITS OF THIS SUBDIVISION.
- ALL REQUIRED UTILITY COMPANIES HAVE BEEN CONTACTED AND ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON CONSTITUTE ALL THE EASEMENTS REQUESTED BY THE UTILITY COMPANIES.
- THE CITY OF MISSOURI CITY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF DRIVEWAYS, EMERGENCY ACCESS EASEMENTS, RECREATIONAL AREAS, AND OPEN SPACES AND THE LEXINGTON VILLAGE COMMUNITY ASSOCIATION, INC. SHALL BE RESPONSIBLE FOR SUCH MAINTENANCE OF DRIVEWAYS, EMERGENCY ACCESS EASEMENTS, RECREATIONAL AREAS AND OPEN SPACES AS REQUIRED BY SECTION 3.C.(14) OF THE PLATTING MANUAL OF THE CITY OF MISSOURI CITY (SEPTEMBER 2019).
- DRIVEWAY APPROACHES SHALL BE PROVIDED IN ACCORDANCE WITH THE MISSOURI CITY DRIVEWAY APPROACH POLICY AS REQUIRED UNDER THE PROVISIONS OF SUBSECTION 82-160 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- IN ACCORDANCE WITH CENTERPOINT ENERGY ELECTRICAL SERVICE MANUAL, ARTICLE 421.2, ELECTRIC METERS SHALL BE LOCATED IN A POSITION THAT IS ACCESSIBLE AT ALL TIMES WITHOUT CUSTOMER ASSISTANCE. ACCESS TO THE METER SHALL NOT BE BLOCKED BY GATES, WALLS OR FENCES.
- THIS PLAT LIES ENTIRELY WITHIN THE CITY LIMITS OF MISSOURI CITY, TEXAS AND THE FOLLOWING TAXING ENTITIES: FORT BEND COUNTY AND FORT BEND I.S.D.
- SIDEWALKS SHALL BE CONSTRUCTED AS REQUIRED BY SECTION 82-164 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS. PRIOR TO ACCEPTANCE OF STREETS WITHIN THIS SUBDIVISION BY THE CITY OF MISSOURI CITY INTO THE ONE YEAR MAINTENANCE PERIOD, SIDEWALKS SHALL BE CONSTRUCTED BY THE DEVELOPER ALONG ALL STREETS WHERE HOUSES DO NOT FRONT OR SIDE. BEFORE CERTIFICATIONS OF OCCUPANCY SHALL BE ISSUED, BUILDERS OF HOMES SHALL CONSTRUCT SIDEWALKS ALONG STREETS ON WHICH HOMES FRONT AND ALONG STREETS ON WHICH HOMES SIDE.
- NO BUILDING OR OTHER PERMIT, EXCEPT PERMITS FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS WILL BE ISSUED BY THE CITY OF MISSOURI CITY, TEXAS, FOR CONSTRUCTION WITHIN THIS SUBDIVISION UNTIL SUCH TIME AS ALL PUBLIC IMPROVEMENTS OF THE SUBDIVISION HAVE BEEN CONSTRUCTED BY THE DEVELOPER AND ACCEPTED BY THE CITY OR THE GUARANTEE OF CONSTRUCTION OF PUBLIC IMPROVEMENTS REQUIRED BY SECTION 82-206 OF THE CODE OF ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS, IS SUBMITTED TO AND APPROVED BY THE CITY.
- ALL PROPERTY TO DRAIN INTO THE FORT BEND COUNTY DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
- THE DRAINAGE SYSTEM FOR THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET PONDING WITH INTENSE RAINFALL EVENTS.
- ANY DISTANCE SHOWN ALONG A RADIUS IS THE ARC LENGTH, UNLESS OTHERWISE NOTED.
- THE COORDINATES AND BEARINGS SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE: 0.99987608.
- DESIGN (3-YEAR) HYDRAULIC GRADE LINES REFLECT WATER SURFACE ELEVATIONS AT 25-YEAR W.S.E. IN RECEIVING CHANNEL AT POINTS OF OUTFALL TO CHANNEL.
- PROJECT BENCHMARK: HARRIS COUNTY FLOODPLAIN REFERENCE MARK No. 030145 BEING A BRASS DISC STAMPED "C100 BM19" IN CONCRETE ON THE WEST SIDE OF A BRIDGE ALONG SETTEMENT ROAD. TO REACH THE BENCHMARK START AT THE INTERSECTION OF SOUTH MAIN STREET AND SETTEMENT ROAD, TRAVEL SOUTH ON SETTEMENT ROAD +/- 0.25 MILE AND +/- 230 FEET SOUTH OF JOAN STREET TO THE BRIDGE OVER SIMS BAYOU (STREAM No. C100-00-00). THE BENCHMARK IS LOCATED IN THE NORTHBOUND LANE OF SETTEMENT ROAD AT MIDSTREAM. ELEVATION = 67.88' NAVD88, 2001 ADJUSTMENT
- TEMPORARY BENCHMARK (TBM) "A": BEING AN "X" CUT ON A CURB INLET, LOCATED ON THE SOUTH SIDE OF LEXINGTON BLVD. +/- 360 FEET SOUTHEAST OF THE CENTERLINE INTERSECTION OF LEXINGTON BLVD AND F.M. 1092 A.K.A. MURPHY ROAD AND +/- 65 FEET SOUTHEAST OF THE MOST NORTHERLY PROPERTY CORNER OF THE SUBJECT TRACT. ELEVATION = 75.22' NAVD88, 2001 ADJUSTMENT
- TEMPORARY BENCHMARK (TBM) "B": BEING AN "X" CUT ON A CURB INLET, LOCATED ON THE WEST SIDE OF LEXINGTON BLVD. +/- 800 FEET NORTHWEST OF THE CENTERLINE INTERSECTION OF LEXINGTON BLVD AND 5TH STREET AND +/- 450 FEET NORTH OF THE MOST EASTERLY SOUTHEAST PROPERTY CORNER OF THE SUBJECT TRACT. ELEVATION = 73.89' NAVD88, 2001 ADJUSTMENT
- REQUIRED FIRE FLOWS SHALL BE PROVIDED BASED ON THE SIZE AND CONSTRUCTION OF ALL BUILDINGS AS REQUIRED BY THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
- THE PLACEMENT OF FIRE HYDRANTS SHALL BE PROVIDED BASED ON THE MINIMUM DISTANCE REQUIREMENTS AS ESTABLISHED IN THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY (500FT. FOR RESIDENTIAL DEVELOPMENT AND 300FT. FOR COMMERCIAL DEVELOPMENT). ALL FIRE HYDRANTS SHALL BE INSTALLED ACCORDING TO THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE CITY.
- ALL DRAINAGE AND FLOODWAY EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATIONS AND MAINTENANCE OF THE DRAINAGE FACILITY AS REQUIRED BY SUBSECTION 82-168(d) OF THE CODE OR ORDINANCES OF THE CITY OF MISSOURI CITY, TEXAS.
- THERE SHALL BE A REAR BUILDING LINE OF NOT LESS THAN 15 FEET. DETACHED GARAGES SHALL HAVE A REAR YARD SETBACK OF NOT LESS THAN EIGHT FEET.
- THERE SHALL BE A SIDE BUILDING LINE OF NOT LESS THAN FIVE FEET EXCEPT AS PROVIDED BY THIS SUBDIVISION. THE COMBINED SIDE YARDS BETWEEN A BUILDING ON A LOT IN QUESTION AND A BUILDING ON AN ADJACENT LOT SHALL BE NOT LESS THAN TEN FEET. THERE SHALL BE A SIDE BUILDING LINE OF NOT LESS THAN THREE FEET FOR ACCESSORY BUILDINGS OR GARAGES ON INTERIOR LOTS.
- GARAGES FACING A SIDE STREET MUST HAVE A SETBACK OF NOT LESS THAN 20 FEET.
- DRIVEWAY LOCATION - FOR THE LOT ON THE INSIDE OF A KNUCKLE OR 90 DEGREE TURN, DRIVEWAY MUST BE PLACED ON THE LOT FRONTAGE ALONG THE INSIDE APPROACH LANE PRIOR TO THE RIGHT TURN, TO AVOID SIGHT OBSTRUCTION SAFETY HAZARDS.
- A ONE-FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREETS IN SUBDIVISION PLATS WHERE SUCH STREETS ADJUT ADJACENT PROPERTY IS SUBDIVIDED BY A RECORDED PLAT. THE ONE-FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES AND THE FEE TITLE THERETO SHALL REVERT AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS OR SUCCESSORS.



LINE TABLE		
LINE	BEARING	LENGTH
L1	N2°37'35"W	15.00
L2	S87°22'25"W	97.00
L3	S2°37'35"E	14.00
L4	S87°22'25"W	50.00
L5	N2°37'35"W	24.00
L6	S2°37'35"E	25.00
L7	S87°22'25"W	47.04
L8	N87°22'25"E	29.57
L9	N87°22'25"E	16.98
L10	S76°39'17"E	39.98
L11	N41°07'23"E	60.00
L12	N41°07'23"E	30.00
L13	S81°54'48"E	11.35
L14	S2°37'35"E	30.00

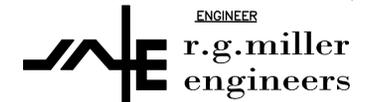
CURVE TABLE					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	700.00	68°42'55"	839.52	S36°59'07"E	790.10
C2	50.00	43°44'58"	38.18	S19°14'54"W	37.26
C3	450.00	12°13'44"	96.05	N86°30'43"W	95.86
C4	450.00	12°13'44"	96.05	S86°30'43"E	95.86
C5	25.00	94°14'53"	41.12	S88°14'49"W	36.64
C6	25.00	43°44'58"	19.09	S19°14'54"W	18.63
C7	25.00	90°00'00"	39.27	S47°37'35"E	35.36
C8	25.00	70°31'44"	30.77	N52°06'33"E	28.87
C9	50.00	250°31'44"	218.63	N37°53'26"W	81.65
C10	25.00	90°00'00"	39.27	S42°22'25"W	35.36
C11	25.00	90°00'00"	39.27	S47°37'35"E	35.36
C12	25.00	48°11'23"	21.03	N63°16'44"E	20.41
C13	50.00	276°22'46"	241.19	N2°37'35"W	66.67
C14	25.00	48°11'23"	21.03	N68°31'54"W	20.41
C15	25.00	90°00'00"	39.27	S42°22'25"W	35.36
C16	25.00	90°00'00"	39.27	S47°37'35"E	35.36
C17	25.00	48°11'23"	21.03	N63°16'44"E	20.41
C18	50.00	276°22'46"	241.19	N2°37'35"W	66.67
C19	25.00	48°11'23"	21.03	N68°31'54"W	20.41
C20	25.00	90°00'00"	39.27	S42°22'25"W	35.36
C21	25.00	90°00'00"	39.27	S47°37'35"E	35.36
C22	25.00	48°11'23"	21.03	N63°16'44"E	20.41
C23	50.00	276°22'46"	241.19	N2°37'35"W	66.67
C24	25.00	48°11'23"	21.03	N68°31'54"W	20.41
C25	25.00	90°00'00"	39.27	S42°22'25"W	35.36
C26	25.00	90°00'00"	39.27	S47°37'35"W	35.36
C27	475.00	5°34'15"	46.18	S89°50'27"E	46.17
C28	410.00	5°34'15"	39.86	N89°50'27"W	39.85
C29	35.00	90°00'00"	54.98	S42°22'25"W	49.50
C30	35.00	90°00'00"	54.98	S47°37'35"E	49.50
C31	490.00	15°58'18"	136.59	N84°38'26"W	136.15
C32	425.00	13°04'45"	97.02	S83°11'39"E	96.81
C33	25.00	92°53'34"	40.53	N43°49'12"E	36.24
C34	25.00	44°23'03"	19.37	N24°49'06"W	18.89
C35	50.00	132°31'04"	115.64	S19°14'54"W	91.54
C36	25.00	44°23'03"	19.37	N63°18'54"E	18.89
C37	25.00	94°14'53"	41.12	N6°00'04"W	36.64

PRELIMINARY PLAT OF LEXINGTON VILLAGE SEC. 1

A SUBDIVISION OF 17.156 ACRES OF LAND LOCATED IN WILLIAM T. NEAL SURVEY, A-64 CITY OF MISSOURI CITY FORT BEND COUNTY, TEXAS

97 LOTS 3 BLOCKS 7 RESERVES
DATE: MARCH 24, 2020 SCALE: 1" = 60'

OWNER:
SKYMARK DEVELOPMENT COMPANY, INC.
CLINTON F. WONG, PRESIDENT
1616 VOSS, SUITE 618
HOUSTON, TEXAS 77057
(713)978-9900



16340 Park Ten Place - Suite 350
Houston, Texas 77084
(713) 461-9600
TEXAS FIRM REGISTRATION NO. F-487

1760 WEST SAM HOUSTON PARKWAY NORTH, HOUSTON TEXAS 77043
PHONE 713-413-1900 FAX 713-413-1944
TEXAS FIRM REGISTRATION NO. 10047100
BRIAN E. WILSON, R.P.L.S.

JACK P. MILLER, P.E.

SHEET 2 OF 2

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**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 8, 2020

AGENDA ITEM SUBJECT: Lexington Village – Planned Development District No. 81 Amendment

AGENDA ITEM NUMBER: 7.A

PROJECT PLANNER: **Jennifer Thomas Gomez, AICP**, Planning Manager

APPROVAL:  **Otis T. Spriggs, AICP**, Director, Development Services

PERMIT NUMBER: PD2000012

PROPERTY ID: 0064-00-000-3122-907 / 0064-00-000-3121-907 / 0064-00-000-3100-907 / 0064-00-000-3640-907

LOCATION: PD No. 81 is located north of the intersection of Fifth Street and FM 1092, southeast of the intersection of Lexington Boulevard/Independence Boulevard and FM 1092, and west of the FBISD Armstrong Elementary School. PD No. 81 includes undeveloped acreage and a Starbucks at 1321 FM 1092 and a Take 5 Oil Change at 1405 FM 1092.

RECOMMENDED ACTION:

The proposal complies with the provisions of the Comprehensive Plan and the general policies contained in the Future Land Use and Character Map.

The Planning and Zoning Commission should adopt this as its Final Report and forward it to City Council with a **positive recommendation** for consideration and adoption thereof.

SCHEDULED FIRST READING BY THE CITY COUNCIL:

7:00 p.m., Monday, May 4, 2020

Revised submittals due prior to April 17, 2020. Any revised documents and exhibits required as a result of recommendations made by the Planning and Zoning Commission, must be submitted no later than April 17, 2020, which is prior to the deadline for submittals to the City Council for their May 4, 2020, meeting.

SUMMARY:

PD No. 81 was approved in 2012 to allow for uses permitted within the LC-3, retail district; townhouses and related accessory uses, office/warehouse uses related to commercial and retail developments and multifamily residential uses.

To date, two tracts within the PD have been developed, one for a Starbucks and the other for a Take 5 oil change business. A plat application is on the April 8th Commission agenda that includes consideration of proposed townhouses within the development.

PD No. 81 was amended in 2019 to provide a revised conceptual plan and to allow for uniform development standards for both townhouses and multifamily residential products.

The applicant now proposes to amend the regulations and restrictions of PD No. 81 to allow for the location of a three story assisted living facility (institution for elderly or physically impaired persons). The facility would house a total of 143 beds; 95 beds – assisted living and 28 beds – memory care units. The applicant's overall development includes an independent living facility as well. An independent living facility is considered to be a multifamily residential use.

REQUIREMENTS FOR A PD DISTRICT AMENDMENT APPLICATION (SECTION 8.2)

A. Ownership documentation:

The applicant has submitted proof of notice to all other property owners within the PD district.

B. Legal Description:

The subject site can be described as being an approximate 31.983 acres of land, out of the residue of that certain tract of land called 94.384 acres conveyed to Sunlake Limited from Memorial Herman Hospital System by deed dated May 5, 2000, filed for record under Fort Bend County Clerk's File No. 2000044439, being situated in the William T. Neal Survey, A-64, Fort Bend County, Texas; and being a tract containing 6.5333 acres of land located in the William T. Neal Survey, A-64, Fort Bend County, Texas, being out of a called 14.34-acre tract described in deed recorded under Fort Bend County Clerk's file number 9608676. A portion of the above being all of the Sunlake Addition recorded as instrument number 20170098 in the Fort Bend County, Texas Official Public Records.

C. Site Plan:

A proposed site plan has been submitted which constitutes the required site plan.

D. Total acreage:

38.51 acres

E. Minimum design standards:

The applicant has complied with City standards, except as requested below in the Analysis of the Subject Site.

F. Development Schedule. The applicant anticipates that construction of the proposed assisted and independent living facilities would begin in January 2021. If on schedule, this development would be completed within the required five-year timeframe pursuant to Section 8.2.D.

GENERAL SITE INFORMATION:

A. Existing Land Use and Zoning Designation: Starbucks at 1321 FM 1092; Take 5 Oil Change at 1405 FM 1092; undeveloped property

B. Surrounding Land Uses and Zoning Designations:

North: PD, Planned Development District #39, Lexington Square residential district

South: LC-3, Retail District

East: SUP, Specific Use Permit #168, FBISD Armstrong Elementary School

West: LC-3, retail district, Walgreens; PD #12, Park Lake Condominiums; MF-1, Multifamily District, Quail Valley Apartment Homes

C. Zoning History:

03-07-1983: Subject site annexed by the City of Missouri City and zoned SD, Suburban District upon annexation (Ordinance O-83- 11).

11-20-1995: Subject site zoned LC-3, Retail District (Ordinance O-95-45).

03-05-2012: Subject site zoned PD, Planned Development District No. 81 (Ordinance O-12-07)

01-07-2019: PD. No. 81 amended (Ordinance O-19-01)

Subsection 8.2.C AND 8.5 – Site Plan and Use Regulations: As stated above, per Zoning Ordinance Section 8.2.C, Site Plan, and 8.5, Use Regulations, the applicant is required to propose minimum development guidelines for the site.

A. Purpose. PD, Planned Development District No. 81 is proposed to include a mixed use development to include residential and commercial, retail uses. Improvements to the site should be designed to enhance the overall character and nature of the surrounding area.

B. Use regulations. Except as provided herein, no changes are proposed to PD No. 81.

PD No. 81 was approved in 2012 to allow for uses permitted within the LC-3, retail district; townhouses and related accessory uses, office/warehouse uses related to commercial and retail developments and multifamily residential uses.

The applicant now proposes to amend the regulations and restrictions of PD No. 81 to allow for the location of a three story assisted living facility (institution for elderly or physically impaired persons). The facility would house a total of 143 beds; 95 beds – assisted living and 28 beds – memory care units. The applicant's overall development includes an independent living facility as well. An independent living facility is considered to be a multifamily residential use.

Future Land Use Map: The City's Future Land Use and Character map identifies the subject site as being an appropriate location for Suburban commercial and as being within the FM 1092 mixed character district. Suburban commercial is within the Suburban Character designation and is summarized as follows:

"This designation is for areas where both residential and commercial development forms result in a more green, open feel compared to more intensively developed areas where buildings, parking areas, and other improvements cover more of their sites. In Suburban Residential areas, there is more separation between homes (whether through larger minimum lot sizes or setbacks), and the intervening spaces are devoted more to trees and vegetation than paved surfaces...A certain percentage of other types of housing such as patio, village and twin homes could be allowed in a Suburban residential area subject to density limitations and other design criteria to preserve the character and ensure compatibility...

Many properties adjacent and nearby the subject site are identified as Commercial which is within the Auto-oriented character designation and summarized as follows:

"This designation typically covers most areas identified for commercial uses where accommodation of automobile access, circulation, and parking drives the placement of buildings and overall site design. In residential areas, an Auto Oriented character is evident where driveways and garages are the most prominent feature along neighborhood streets. In such areas, homes are relatively close together and individual lots have less extensive yard and landscape areas compared to the more open, green feel of a Suburban neighborhood.

This development form often provides for areas of more affordable housing within the community. A reduction in lot size may be allowed in exchange for a higher percentage of open space on the overall site (which could also satisfy drainage and parkland dedication requirements). Other moderate density housing types could be allowed provided there are buffering requirements and design standards to ensure compatibility and quality outcomes.

Many attached housing developments (i.e., townhouses, apartments, and condominiums) also take on an Auto-Oriented character unless design standards and landscaping requirements are sufficient to move the overall site design toward a Suburban character (or such housing types can be encouraged within Urban character areas)."

The general intent for the FM 1092 mixed character district is "allow for future land uses to be more responsive to market realities" and to "expand allowable uses beyond retail orientation." Compatible future land use character designations include commercial and business park, allowing for flex space, north of Cartwright Road only and excluding heavy industrial uses.

Comprehensive Plan: The proposed amendment is in conformance with the following portions of the 2017 Comprehensive Plan Goals:

2. More varied development to move beyond a "bedroom community" perception of Missouri City. Use development code provisions and direct recruitment to promote a balance of land use types as the community builds out in coming years.

Staff recommendation: To approve the location of an assisted living facility in the area shown on the site plan. Such facility would be part of the overall integrated development to include independent living (multifamily). All development within the PD will be uniform in design standards. Development standards for the facility should be consistent with the LC-3, retail uses within the PD including all associated district regulations.

-----**END OF REPORT**-----



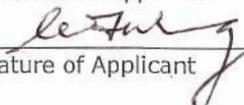
APPLICATION FOR ZONING AMENDMENT

A complete application for zoning amendment must be accompanied by an application checklist, associated documents and applicable fee. By submitting this application you are permitting the City to enter the site in order to post/remove public notice signs or for any other purpose as may be necessary to process the application.

Application Type:

- ZONING MAP AMENDMENT PD PLANNED DEVELOPMENT
 SUP, SPECIFIC USE PERMIT EXISTING SUP OR PD AMENDMENT

1. PROJECT NAME:	LEXINGTON VILLAGE
2. ADDRESS OR PROPERTY DESCRIPTION:	SE CORNER OF FM 1092 & LEXINGTON BLVD.
3. APPLICANT'S NAME:	CLINTON F. WONG
MAILING ADDRESS:	1616 S. VOSS, STE. 618 HOUSTON, TX 77057
PHONE NO.:	713-978-5900
EMAIL:	ELINGAR@SKYMARKDEVELOPMENT.COM.
4. STATUS OF APPLICANT (CIRCLE ONE):	<input checked="" type="radio"/> OWNER AGENT ATTORNEY TRUSTEE CORPORATION RELATIVE (IF OTHER THAN OWNER, SUBMIT WRITTEN AUTHORIZATION FROM OWNER WITH APPLICATION.)
5. PROPERTY OWNER:	HANOVER ESTATES, LTD. & SUNLAKE LIMITED
MAILING ADDRESS:	1616 S. VOSS, STE. 618 HOUSTON, TX 77057
PHONE NO.:	713-978-5900
EMAIL:	ELINGAR@SKYMARKDEVELOPMENT.COM.
6. EXISTING ZONING DISTRICT (CIRCLE ONE OR MORE):	GENERAL: SD SUP <u>PD</u> RESIDENTIAL: R R-1 R-1-A R-2 R-3 R-4 R-5 R-6 MF-1 MF-2 MH NONRESIDENTIAL: LC LC-O LC-1 LC-2 LC-3 LC-4 BP I CF
7. PROPOSED ZONING DISTRICT AND REASONS FOR APPLICATION:	SUBMITTING TO AMEND EXISTING PD TO ALLOW FOR SUP TO CONSTRUCT ASSISTED & INDEPENDENT LIVING FACILITY
8. TOTAL ACREAGE:	37.22
9. CENTRAL APPRAISAL DISTRICT TAX IDENTIFICATION NUMBER(S) OF PROPERTY (ATTACH PAID TAX RECEIPTS):	0064-00-000-3100-907 / 0064-00-000-3640-907
10. DO DEED RESTRICTIONS OR RESTRICTIVE COVENANTS EXIST FOR THE PROPERTY?	<input checked="" type="checkbox"/> YES <u>DEED FIRM</u> <input type="checkbox"/> NO

CLINTON F. WONG
 Print Name of Applicant

 Signature of Applicant

CLINTON F. WONG
 Print Name of Property Owner

 Signature of Property Owner, Agent or Attorney

ORDINANCE NO. O-19-01

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING USES AND REGULATIONS IN PD PLANNED DEVELOPMENT DISTRICT NO. 81; DESCRIBING SAID 38.51-ACRE TRACT OF LAND; REGULATING AND RESTRICTING THE DEVELOPMENT AND USE OF PROPERTY WITHIN SUCH PD PLANNED DEVELOPMENT DISTRICT; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF MISSOURI CITY; PROVIDING FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * *

WHEREAS, Sunlake, Limited is the owner of an approximate 30.61-acre tract of land, Hannover Estates, Limited is the owner of a 6.53-acre tract of land, Leo E Tealdi 2011 Trust is the owner of an approximate 0.76-acre tract of land, and MFM Maestri Missouri City, Limited Liability Company is the owner of an approximate 0.61-acre tract of land, for a total of approximately 38.51 acres of land within the corporate limits of the City of Missouri City, Texas (the "Property"); and

WHEREAS, said Property has a zoning classification of PD Planned Development District No. 81 under Ordinance No. O-12-07, adopted on March 5, 2012; and

WHEREAS, Clinton Wong, president of Hannover Estates, Limited and Sunlake, Limited, has made application to the City of Missouri City to amend PD Planned Development District No. 81; and

WHEREAS, pursuant to Section 8.3 of the City of Missouri City Zoning Ordinance, said application was submitted to the City of Missouri City with proof of notice of the application to all of the other property owners within PD Planned Development District No. 81; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Missouri City have each conducted, in the time and manner and after the notice required by law and the City of Missouri City Zoning Ordinance, a public hearing on such requested amendment; and

WHEREAS, the Planning and Zoning Commission of the City of Missouri City has issued its final report and the City Council of the City of Missouri City now deems it appropriate to grant such requested changes in uses and regulations; now therefore,

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

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

Section 2. As required by law, the City Council of the City of Missouri City conducted the public hearing on the request for zoning reclassification and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. The zoning classification of said 38.51-acre tract of land is PD Planned Development District No. 81. The 38.51-acre tract of land is more fully described in Exhibit "A," and depicted in Exhibit "A-1," attached hereto and made a part hereof for all purposes.

Section 4. Except as set forth herein, PD Planned Development District No. 81 shall be developed in accordance with the Missouri City Code and the City of Missouri City Zoning Ordinance, and shall be developed generally in accordance with the revised general site plan, Exhibit "B," attached hereto and made a part hereof for all purposes. If Exhibit "B" conflicts with this Ordinance, the regulations contained herein, shall prevail. PD Planned Development District No. 81 is subject to the following regulations and restrictions:

- A. Purpose.** PD Planned Development District No. 81 may include LC-3 retail district uses, R-5 townhouse residential district uses, MF-2 multifamily residential district uses, and office/warehouse uses related to uses allowed in LC-3 retail districts. Improvements to the site shall be designed to enhance the overall urban design and nature of the surrounding area.
- B. Use regulations.** In PD Planned Development District No. 81, no building, structure, or land shall be used and no building or structure shall be hereafter erected, reconstructed, altered or enlarged except as provided by this Ordinance.

The following uses shall be permitted:

1. LC-3 retail district uses, hereinafter referred to as "LC-3 retail uses."
2. Townhouse residential district uses and related accessory uses, hereinafter referred to as "townhouse uses."
3. MF-2 multifamily residential district uses, hereinafter referred to as "multifamily uses."
4. Office/warehouse uses related to uses allowed in an LC-3 retail district, hereinafter referred to as "office/warehouse uses."

C. Height and area regulations. The height and area regulations for PD Planned Development District No. 81 shall be as follows:

1. LC-3 retail uses and office/warehouse uses: Except as set forth herein, the height and area regulations contained in Section 7.12, LC-3 retail district, of the City of Missouri City Zoning Ordinance shall apply to LC-3 retail uses and office/warehouse uses.

a. A building designated for office/warehouse uses located along F.M. Road 1092 shall not consist of more than 8,000 square feet of foundation area and shall not exceed two stories or 35 feet in height.

2. Townhouse uses: The height and area regulations contained in Section 7.6, R-5 townhouse residential district, of the City of Missouri City Zoning Ordinance shall apply.

3. Multifamily uses: The height and area regulations contained in Section 7.9, MF-2 multifamily residential district, of the City of Missouri City Zoning Ordinance shall apply to multifamily uses.

D. Architecture and building regulations. Except as set forth herein, all buildings and structures constructed in PD Planned Development District No. 81 shall be constructed in accordance with Section 7A, Architectural Design Standards, of the City of Missouri City Zoning Ordinance.

1. Office/warehouse uses: A building designated for office/warehouse uses may utilize any type of masonry material allowed by the City of Missouri City Zoning Ordinance as a primary material for the exterior walls of the warehouse area of such building, provided that such walls are not visible by the public from F.M. Road 1092 or Independence Boulevard. The standards for buildings located in Architectural design zone 1 shall apply to all other exterior walls of buildings designated for office/warehouse uses.

2. Townhouse uses.

a. The architectural design standards of townhouse uses shall be consistent with the architectural design standards for multifamily uses set forth in Section 7.9, MF-2 multifamily residential district, of the City of Missouri City Zoning Ordinance.

b. Exterior walls on the first floor of townhouse structures shall consist of masonry materials. 100 percent of facades visible

from a public right-of-way shall consist of masonry materials.

3. Multifamily uses and townhouses uses.
 - a. All residential structures shall be uniform in color and building materials.
 - b. Roofs on townhouse structures and multifamily structures shall be comprised of 30 year asphalt shingles, and the dormers and accent roofing shall consist of standing seam roofing material.
 - c. Structures built incidental to townhouse uses or multifamily uses, including office buildings and pool facilities, shall have standing seam roofs. Exterior walls of these structures shall consist of 100 percent brick, stone or stucco, and shall be uniform in color with structures for townhouse uses and multifamily uses.

E. Trash disposal regulations. Except as set forth herein, the trash disposal regulations contained in Section 9.14, Trash disposal regulations, of the City of Missouri City Zoning Ordinance shall apply.

1. LC-3 retail uses and office/warehouse uses: The trash disposal regulations for nonresidential zones, specifically, LC-3 retail districts, shall apply to LC-3 retail uses and office/warehouse uses.

2. Townhouse uses: The trash disposal regulations for residential zones shall apply to townhouse uses.

3. Multifamily uses: The trash disposal regulations contained in Section 7.9, MF-2 multifamily residential district, of the City of Missouri City Zoning Ordinance shall apply to multifamily uses.

F. Garage regulations. The garage regulations contained in the City of Missouri City Zoning Ordinance shall apply. Specifically, the garage regulations contained in Section 7.6, R-5 townhouse residential district, of the City of Missouri City Zoning Ordinance shall apply to townhouse uses.

G. Landscaping regulations. Except as set forth herein, the landscaping, screening, and buffer yard regulations contained in Section 11, Landscaping, of the City of Missouri City Zoning Ordinance shall apply.

1. A masonry wall at least seven feet in height and one canopy tree per 30 linear feet of buffer yard may be used to satisfy Type A screening requirements.

2. Multifamily uses: MF-2 multifamily residential district landscaping regulations shall apply to multifamily uses.

H. Parking regulations. The parking regulations contained in Section 12, Parking Regulations, of the City of Missouri City Zoning Ordinance shall apply.

I. Sign regulations. Except as set forth herein, the sign regulations contained in Section 13, Sign Regulations, of the City of Missouri City Zoning Ordinance shall apply.

1. LC-3 retail district uses and office/warehouse uses related to uses allowed in LC-3 retail districts: The sign regulations for nonresidential zoning districts shall apply to LC-3 retail uses and office/warehouse uses.

2. Townhouse uses and multifamily uses: The sign regulations for residential zoning districts shall apply to townhouse uses and multifamily uses.

J. Fence regulations. Except as set forth herein, the fence regulations contained in Section 14, Fence Regulations, of the City of Missouri City Zoning Ordinance shall apply.

1. LC-3 retail uses and office/warehouse uses: Except as set forth herein, the fence regulations for LC-3 retail districts shall apply to LC-3 retail uses and office/warehouse uses. Fencing shall consist of masonry and shall be at a minimum height of eight feet (8'), but not less than one foot (1') taller than any placement, storage, sales or services that are required to be screened. The height of such fencing shall be uniform and shall consist of materials that match the primary materials used for buildings.

2. Townhouse uses: The fence regulations for R-5 townhouse residential districts shall apply to townhouse uses.

3. Multifamily uses: The fence regulations for Section 7.9, MF-2 multifamily residential district, of the City of Missouri City Zoning Ordinance shall apply to multifamily uses.

K. Portable storage unit regulations. The portable storage unit regulations contained in the City of Missouri City Zoning Ordinance shall apply. Specifically, the portable storage unit regulations for R-5 townhouse residential districts contained in Section 9.15, Portable storage unit regulations in suburban and residential districts, of the City of Missouri City Zoning Ordinance shall apply to townhouse uses.

- L. Sound.** Except as set forth herein, sound emanating from uses located within PD Planned Development District No. 81 shall comply with the Missouri City Code.
1. Except for typical sounds emanating from a restaurant drive-through, the amplification of sound outside of buildings shall be prohibited.
- M. Lighting.** The lighting regulations contained in Section 7.12, LC-3 retail district, of the City of Missouri City Zoning Ordinance shall apply.
- N. Outside placement, storage, sales and services regulations.** Outside placement, storage, sales or services are allowed provided that such outside placement, storage, sales or services are screened from public view by a masonry fence at a minimum height of eight feet (8'), but not less than one foot (1') taller than any placement, storage, sales or services that are required to be screened. The height of such fencing shall be uniform and shall consist of materials that match the primary materials used for buildings.
- O. Development Schedule.** The Property owner shall file an application for a development permit within 18 months from the effective date of this Ordinance. The Property owner may request an extension prior to this deadline and upon the recommendation of the planning and zoning commission for good cause shown by the Property owner. The city council may grant or deny the request.

Section 5. The Zoning District Map of the City of Missouri City shall be revised and amended to show the zoning classification of said 38.51-acre tract of land as provided in Section 3 hereof, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of this change.

Section 6. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Missouri City, save and except the changes described in this Ordinance and the imposition of the findings, regulations, restrictions, and conditions contained herein.

Section 7. *Repeal.* Ordinance Number O-12-07, adopted by the City Council of the City of Missouri City on March 5, 2012, is hereby repealed. Any other ordinance or any other part of any other ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

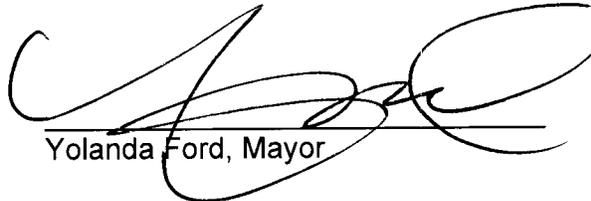
Section 8. *Penalty.* Any person, firm, partnership, association, corporation, company, or organization of any kind who or which violates any provision of this zoning ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day during which said violation shall exist or occur shall constitute a separate offense. The owner

or owners of any property or of premises where any violation of this zoning ordinance shall occur, and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense shall be guilty of a separate offense unless otherwise prohibited by law and, upon conviction thereof, shall be punished as above provided.

Section 9. Severability. 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 than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each 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.

PASSED and APPROVED on first reading this 17th day of December, 2018.

PASSED, APPROVED and ADOPTED on second and final reading this 7th day of January, 2019.



Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:



Maria Jackson, City Secretary



E. Joyce Iyamu, City Attorney



**LEGAL DESCRIPTION
PROPOSED PD ZONING – LEXINGTON SQUARE
31.983 Acres**

31.983 Acres of land, out of the residue of that certain tract of land called 94.384 acres conveyed to Sunlake Limited from Memorial Hermann Hospital System by deed dated May 5, 2000, filed for record under Fort Bend County Clerk's File No. 2000-044439, being situated in the William T. Neal Survey, Abstract No. 64, Fort Bend County, Texas; said 18.06 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1 inch iron pipe for the southwesterly corner of the said 94.384 acre tract at the intersection of the southerly line of said 94.384 acre tract with the east right-of-way line of FM 1092 (140 feet wide);

Thence South 70 degrees 11 minutes 40 seconds East, a distance of 243.49 feet along the southerly line of said 94.384 acre tract to a 1 inch iron rod for the southeast corner of said 94.384 acre tract;

Thence North 18 degrees 44 minutes 03 seconds East, a distance of 1485.75 feet along the easterly line of said 94.384 acre tract to a point within the western right-of-way of Independence Boulevard (100-foot right-of-way) recorded in Fort Bend County Clerk File No. 9671130 of Fort Bend County Official Public Records of Real Property;

Thence North 0 degrees 0 minutes 45 seconds East a distance of 645.38 feet, along the western right-of-way line of Independence Boulevard to a point;

Thence in a northwesterly direction, with the said southerly right-of-way line of Lexington Boulevard, an arc distance of 839.62 feet along a curve to the right, having a radius of 700.00 feet, a central angle of 68 degrees 43 minutes 26 seconds, and a chord bearing North 34 degrees 21 minutes 43 seconds West, as distance of 790.18 feet, to the point of tangency, said point being the northeast corner of 1.8027 acre tract conveyed to Lex 1092, L.P. from Sunlake Limited;

Thence South 02 degrees 38 minutes 03 seconds East, a distance of 278.79 feet along the eastern boundary of said 1.8027 acre tract to a 5/8 inch iron rod being the southeast corner of said 1.8027 acre tract,

Thence South 87 degrees 21 minutes 57 seconds West, a distance of 254.00 feet along the southern boundary of said 1.8027 acre tract to the a point being the southwestern corner of said 1.8027 acre tract, also being in the eastern right-of-way line of FM 1092;

Thence South, a distance of 2324.48 feet along the eastern right-of-way line of FM 1092 to the Point of Beginning and containing 31.983 acres, more or less.

Above legal intended for description of zoning designation only and not intended for use of property sale or transfer.



Wongard Services, Inc.
1616 Voss, Suite 618 Houston, Texas 77057
713.978.5900 TXPE No. F-11843

Exhibit "A"

BEING A TRACT CONTAINING 6.5333-ACRES (284,592 SQ.FT.) OF LAND LOCATED IN THE WILLIAM NEAL SURVEY, ABSTRACT-64, FORT BEND COUNTY, TEXAS, BEING OUT OF A CALLED 14.34-ACRE TRACT DESCRIBED IN DEED RECORDED UNDER FORT BEND COUNTY CLERKS FILE NUMBER 9608676, SAID 6.5333 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE (NAD83, 2001 ADJ.):

BEGINNING AT A 5/8-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF THE SAID 14.34-ACRE TRACT BEING THE NORTHWEST CORNER OF A CALLED 2.00-ACRE TRACT OF LAND DESCRIBED IN VOL. 2088, PG. 1324 OF THE FORT BEND COUNTY DEED RECORDS AND LYING IN THE SOUTHEASTERLY LINE OF A CALLED 94.384-ACRE TRACT RECORDED UNDER CLERKS FILE NO. 2000044439 OF THE FORT BEND COUNTY DEED RECORDS FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, NORTH 15°57'20" EAST, ALONG THE WESTERLY LINE OF SAID 14.34-ACRE TRACT AND THE SOUTHEASTERLY LINE OF THE SAID 94.384-ACRE TRACT, A DISTANCE OF 1188.57 FEET TO A 5/8-INCH IRON ROD WITH A&B CAP SET IN THE WEST RIGHT-OF WAY LINE OF INDEPENDENCE BLVD. (100' WIDE) FOR THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, SOUTH 02°38'37" EAST, ALONG THE WEST LINE OF SAID INDEPENDENCE BLDV., A DISTANCE OF 597.72 TO A 5/8-INCH IRON ROD WITH A&B CAP SET CORNER OF THE HEREIN DESCRIBED TRACT OF LAND AT THE BEGINNING OF A CURVE TO THE LEFT;

THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE WEST RIGHT-OF-WAY LINE OF SAID INDEPENDENCE BLVD., BEING A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 32°52'18" AN ARC LENGTH OF 344.23 FEET, A RADIUS OF 600.00 FEET AND A CHORD WHICH BEARS SOUTH 18°55'51" EAST, 339.67 FEET TO A 5/8 INCH IRON ROD FOUND FOR THE EASTERLY CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

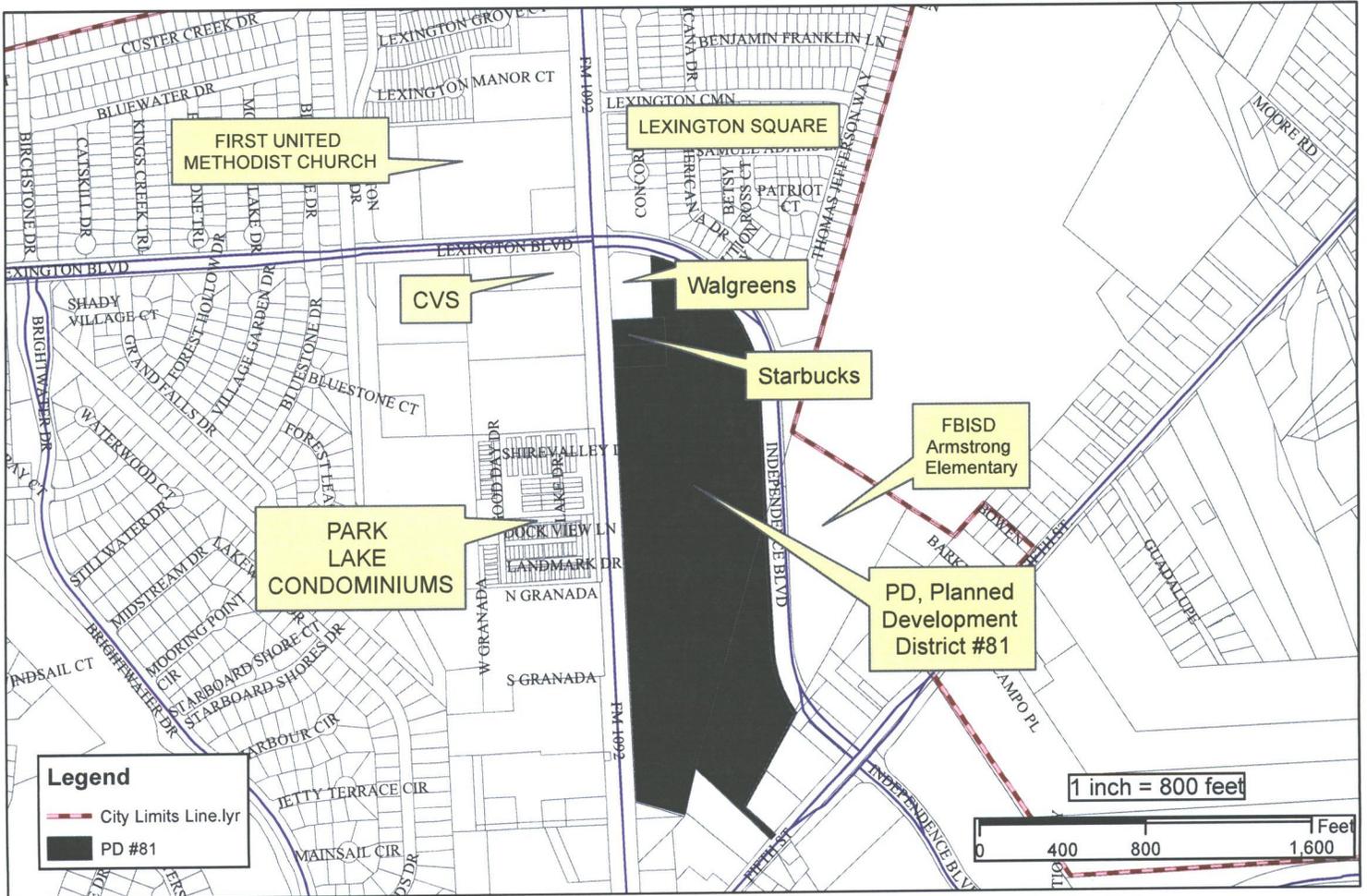
THENCE, SOUTH 28°25'26" WEST, ALONG THE EASTERLY LINE OF THE REMAINDER OF SAID 14.34-ACRE TRACT, A DISTANCE OF 446.20 TO A 5/8 INCH IRON ROD WITH A&B CAP SET AT THE CORNER OF A CALLED 1.0-ACRE TRACT RECORDED IN VOL. 624, PG. 292 OF THE FORT BEND DEED RECORDS AND THE SOUTHEAST CORNER OF SAID 14.34-ACRE TRACT FOR INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, SOUTH 47°01'11" EAST, WITH THE SOUTHWEST LINE OF SAID 1.0-ACRE TRACT AND THE NORTHEAST LINE CALLED 0.36 ACRE TRACT DESCRIBED IN VOL. 491, PG. 329 OF THE FORT BEND DEED RECORDS, A DISTANCE OF 192.77 FEET TO A 5/8 INCH IRON ROD WITH CAP FOUND IN THE NORTHWEST RIGHT-OF-WAY LINE OF FIFTH STREET (WIDTH VARIES) FOR THE SOUTHEAST CORNER OF SAID 1.0-ACRE TRACT AND CORNER OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, SOUTH 42°40'14" EAST, ALONG THE NORTHWEST LINE OF SAID FIFTH STREET AND ACROSS SAID 0.36-ACRE TRACT, A DISTANCE OF 30.00 FEET TO A 5/8 INCH IRON ROD WITH CAP FOUND IN THE NORTHEASTERLY LINE OF SAID 2.0-ACRE TRACT FOR SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND; TO A 5/8 INCH IRON ROD WITH CAP FOUND

THENCE, NORTH 47°01'11" WEST, WITH THE SOUTHWEST LINE OF SAID 0.36-

ACRE TRACT AND THE NORTHEAST LINE OF SAID 2.0-ACRE TRACT, NORTH
LAKE HOUSTON PARKWAY AND ALONG THE SOUTHERLY LINE OF SAID 210.9385
ACRE TRACT, A DISTANCE OF 498.48 FEET TO THE POINT OF BEGINNING
CONTAINING 6.5333-ACRES (284,592 SQ.FT.) OF LAND.





F.B.I.S.D.
ELEMENTARY
SCHOOL

INDEPENDENCE BLVD.



LEXINGTON
SQUARE
SUBDIVISION

WALGREENS
STARBUCKS
QUICK
OIL CHANGE

COMMERCIAL

COMMERCIAL

LEXINGTON BLVD. (100' R.O.W.)

F.M. 1092 (140' R.O.W.)

SHELL

CHURCH

AREA
18.16 ACRES
11.12 ACRES
7.58 ACRES
TOTAL 36.86 ACRES

USE
TOWN HOMES (2-CAR GARAGE)*
UNITS APARTMENTS (576 PARKINGS-60 GARAGES; 56 CARPORT; 294 OPEN)*
COMMERCIAL

Kinder Morgan Texas Pipeline

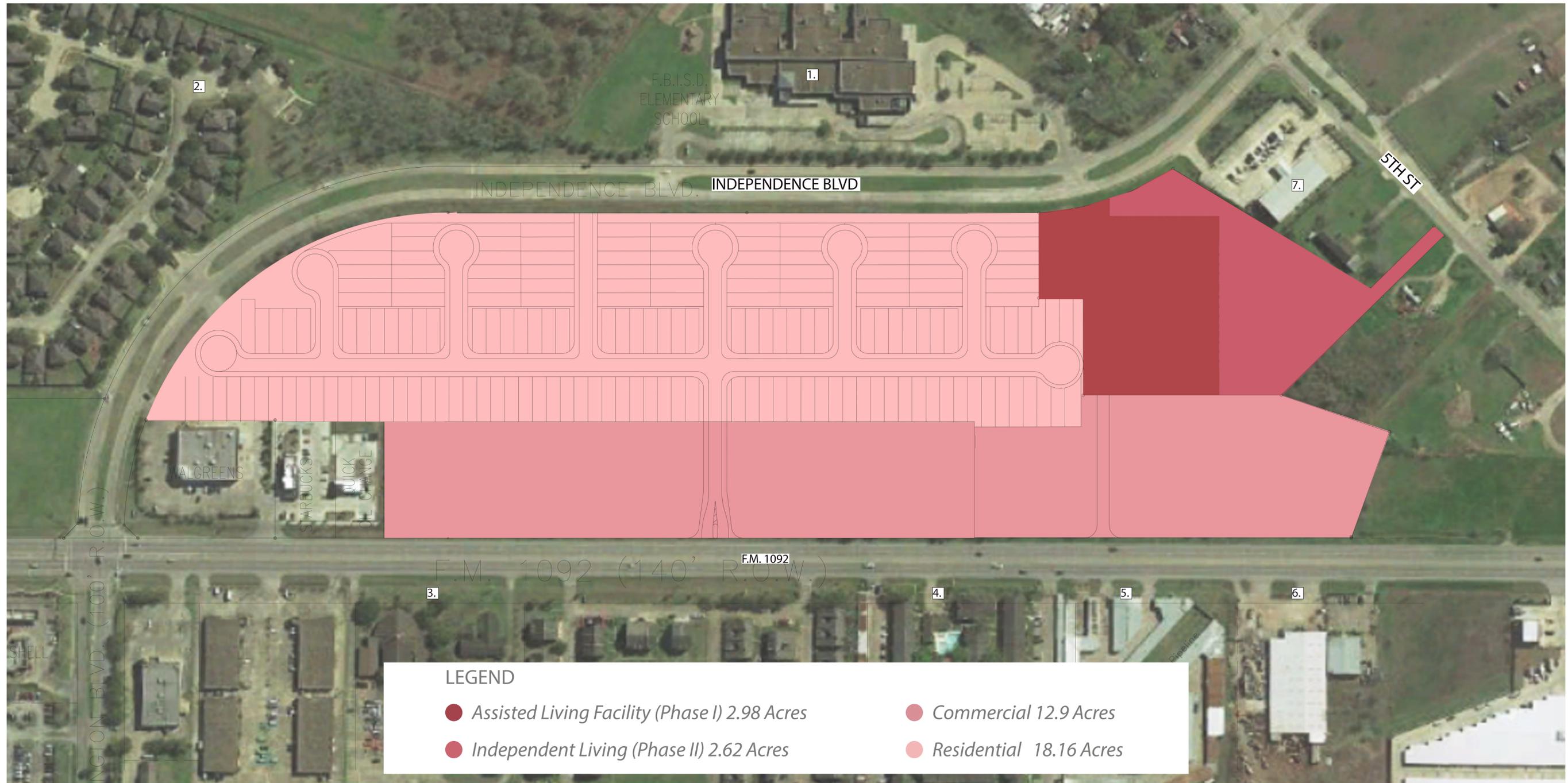
GENERAL PLAN OF LEXINGTON VILLAGE

37.14 ACRES OF LAND
LOCATED IN MISSOURI CITY
IN FORT BEND COUNTY, TEXAS

June 04, 2018

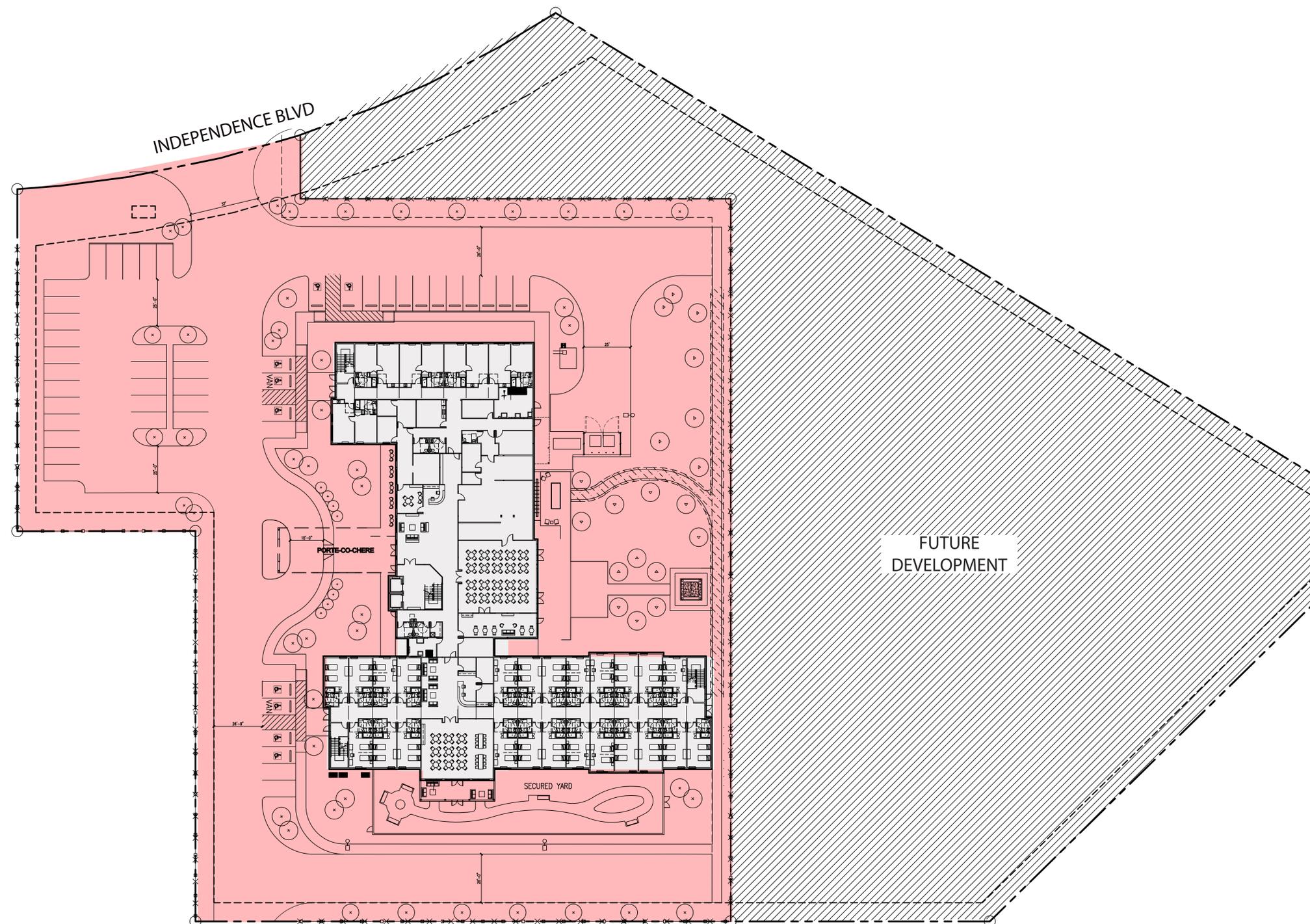
*Townhouse use including number of dwelling units is required to be consistent with the R-5, townhouse residential district; Multifamily use including the number of dwelling units is required to be consistent with the MF-2, multifamily residential district.

SKYMARK DEVELOPMENT COMPANY, INC.
1616 VOSS, SUITE 618
HOUSTON, TEXAS 77057
(713) 978-5900



1. Armstrong Elementary School 2. Lexington Square 3. New Hope Lutheran Church 4. The Establishment at 1800 5. The Storage Place - Bankers
6. Reliance Industries 7. Lighthouse Baptist Church





PROJECT PROPOSAL

LAND SIZE
2.98 ACRES

ASSISTED LIVING FACILITY
THREE STORY BUILDING

ASSISTED LIVING UNITS
• 95 UNITS - 95 BEDS

MEMORY CARE UNITS
• 24 UNITS 48 BEDS

TOTAL BUILDING AREA: 77,164 SQ FT

PARKING REQUIREMENTS

REQUIRED PARKING: 36

PROVIDED PARKING: 50

LEGEND

-  PHASE I
-  PHASE II
-  FENCE

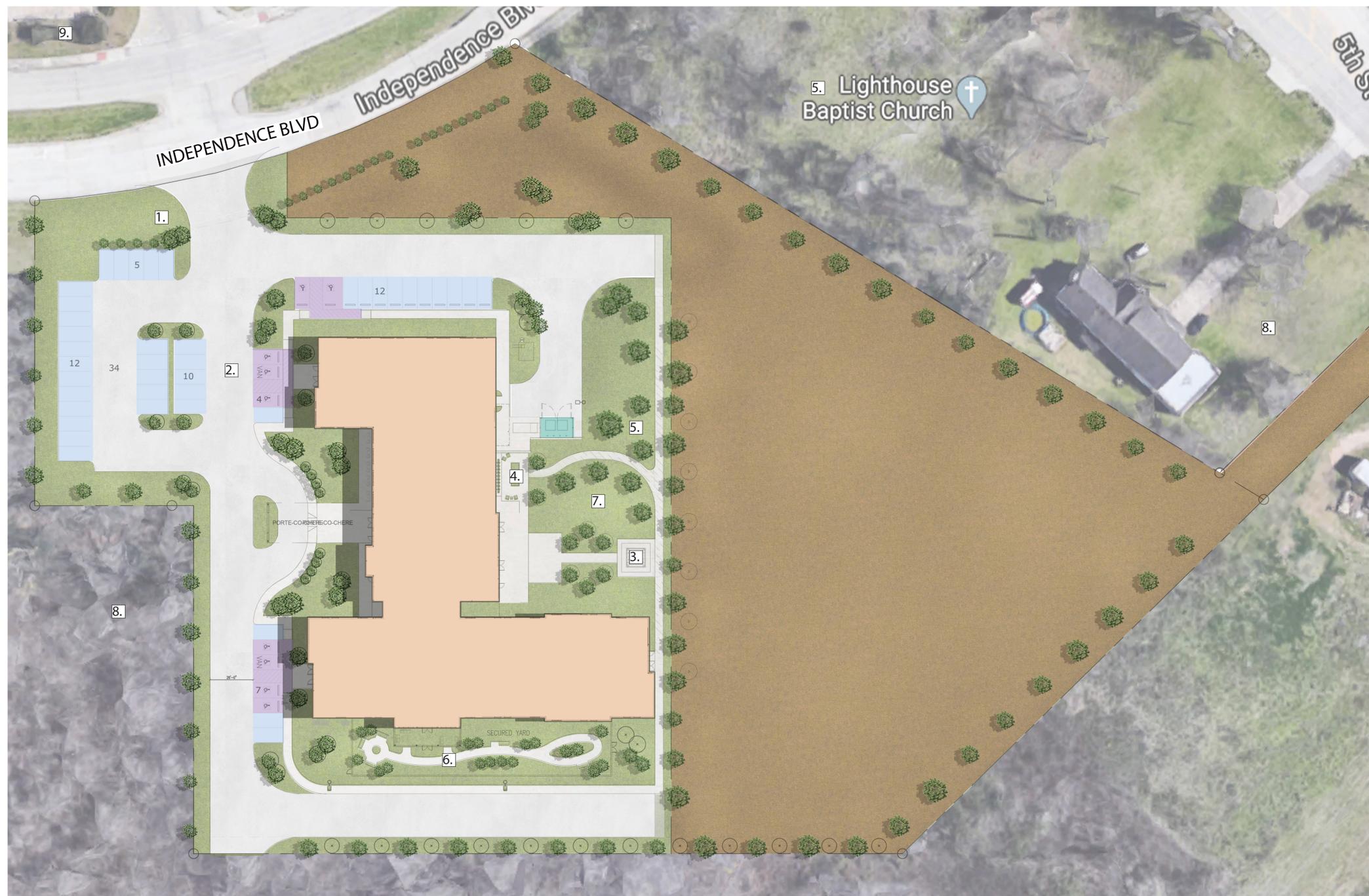


SCALE 1:30

SITE PLAN



WORKED BY: JUAN ROJAS



VICINITY MAP

1. FACILITY ENTRANCE SIGN
2. ACCESS EASEMENT
3. PERGOLA SEATING AREA
4. EXTERIOR SEATING AREA
5. WALKING TRAIL
6. MEMORY CARE GARDEN
7. ASSISTED LIVING GARDEN
8. SINGLE FAMILY HOMES
9. ARMSTRONG ELEMENTARY

LEGEND

- PHASE II
- ASSISTED LIVING BUILDINGS
- GREEN SPACE LAWN
- ROADS
- PEDESTRIAN STREET
- GENERAL PARKING
- ACCESSIBLE PARKING
- DUMPSTER



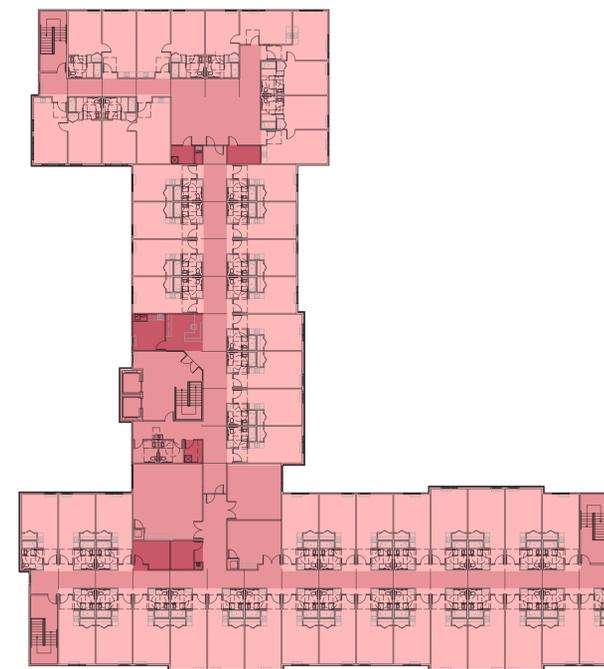
FIRST FLOOR



SECOND FLOOR



THIRD FLOOR



BUILDING PROPOSAL

ASSISTED LIVING FACILITY

THREE STORY BUILDING

ASSISTED LIVING UNITS

- 95 UNITS - 95 BEDS

MEMORY CARE UNITS

- 24 UNITS 48 BEDS

TOTAL BUILDING AREA: 77,164 SQ FT

LEGEND

- *Services/Staff*
- *Public*
- *Assisted Living Units*
- *Memory Care Units*



SCALE 1:30



First United Methodist Church

LEXINGTON SQUARE

LEXINGTON BLVD

Walgreens

Starbucks

Take 5 Oil Change

New Hope Lutheran Church

FBISD Armstrong Elementary School

American Legion Park

PD #81

PARK LAKE CONDOMINIUM

Legend

- City Limits Line.lyr
- PD #81



1 inch = 400 feet



**NOTICE OF PUBLIC HEARING
TO ADJOINING PROPERTY OWNERS
WITHIN 200 FEET OF PROPERTY SUBJECT TO ZONING**

DATE OF NOTICE: March 27, 2020

PURPOSE: To receive comments for or against a request by Clinton Wong, Skymark Development, to amend PD, Planned Development District No. 81 to allow for the location of an independent living facility and assisted living facility (institution for elderly or physically impaired persons); and to the extent such zoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom.

PUBLIC HEARING DATE/LOCATION: The Planning and Zoning Commission of the City of Missouri City will hold a public hearing on Wednesday, April 8, 2020 at the City Council Chambers – 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

Due to the COVID 19 Disaster and the Centers for Disease Control recommendation regarding social distancing measures, the Commission and the public will not be allowed to be physically present at this hearing.

The City will be using a telephone/video conferencing tool to make the hearing available to the Commission and the public. On the date and at the time provided, the public may access the livestream of the meeting by the following link: <https://www.missouricitytx.gov/780/MCTV>. A telephone number for the public will be made available on the posted meeting agenda prior to the hearing date and available on the City's website.

SUBJECT SITE LOCATION: PD No. 81 is located north of the intersection of Fifth Street and FM 1092, southeast of the intersection of Lexington Boulevard/Independence Boulevard and FM 1092, and west of the FBISD Armstrong Elementary School. PD No. 81 includes undeveloped acreage and a Starbucks at 1321 FM 1092 and a Take 5 Oil Change at 1405 FM 1092.

SUBJECT SITE LEGAL DESCRIPTION: The subject site can be described as being an approximate 31.983 acres of land, out of the residue of that certain tract of land called 94.384 acres conveyed to Sunlake Limited from Memorial Herman Hospital System by deed dated May 5, 2000, filed for record under Fort Bend County Clerk's File No. 2000044439, being situated in the William T. Neal Survey, A-64, Fort Bend County, Texas; and being a tract containing 6.5333 acres of land located in the William T. Neal Survey, A-64, Fort Bend County, Texas, being out of a called 14.34-acre tract described in deed recorded under Fort Bend County Clerk's file number 9608676. A portion of the above being all of the Sunlake Addition recorded as instrument number 20170098 in the Fort Bend County, Texas Official Public Records.

FOR MORE INFORMATION: Additional information and a map of the subject site are available for review. You may email planning@missouricitytx.gov for further information. Prior to the meeting, the agenda packet will be accessible in PDF format from the following link: <https://www.missouricitytx.gov/381/Planning-Zoning>.



DEVELOPMENT SERVICES – PLANNING DIVISION

1522 TEXAS PARKWAY

MISSOURI CITY, TEXAS 77489

March 27, 2020

CITY OF MISSOURI CITY, TEXAS
Planning and Zoning Commission

PURPOSE: To receive comments for or against a request by Clinton Wong, Skymark Development, to amend PD, Planned Development District No. 81 to allow for the location of an independent living facility and assisted living facility...

PUBLIC HEARING DATE/LOCATION: The Planning and Zoning Commission of the City of Missouri City will hold a public hearing on Wednesday, April 8, 2020 at the City Council Chambers – 2nd Floor, City Hall Building, 1522 Texas Parkway (FM-2234), Missouri City, Texas at 7:00 p.m.

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The City will be using a telephone/video conferencing tool to make the hearing available to the Commission and the public. On the date and at the time provided, the public may access the livestream of the meeting by the following link: https://www.missouricitytx.gov/780/MCTV.

This letter is being sent to property owners within 200' of the subject property as required by law. It is also sent to others on request.

Dear City Representatives:

___ I/We protest this proposed zoning because

___ I/We support this proposed zoning because

Sincerely,

Signature

Print Name

Street Address

Subdivision

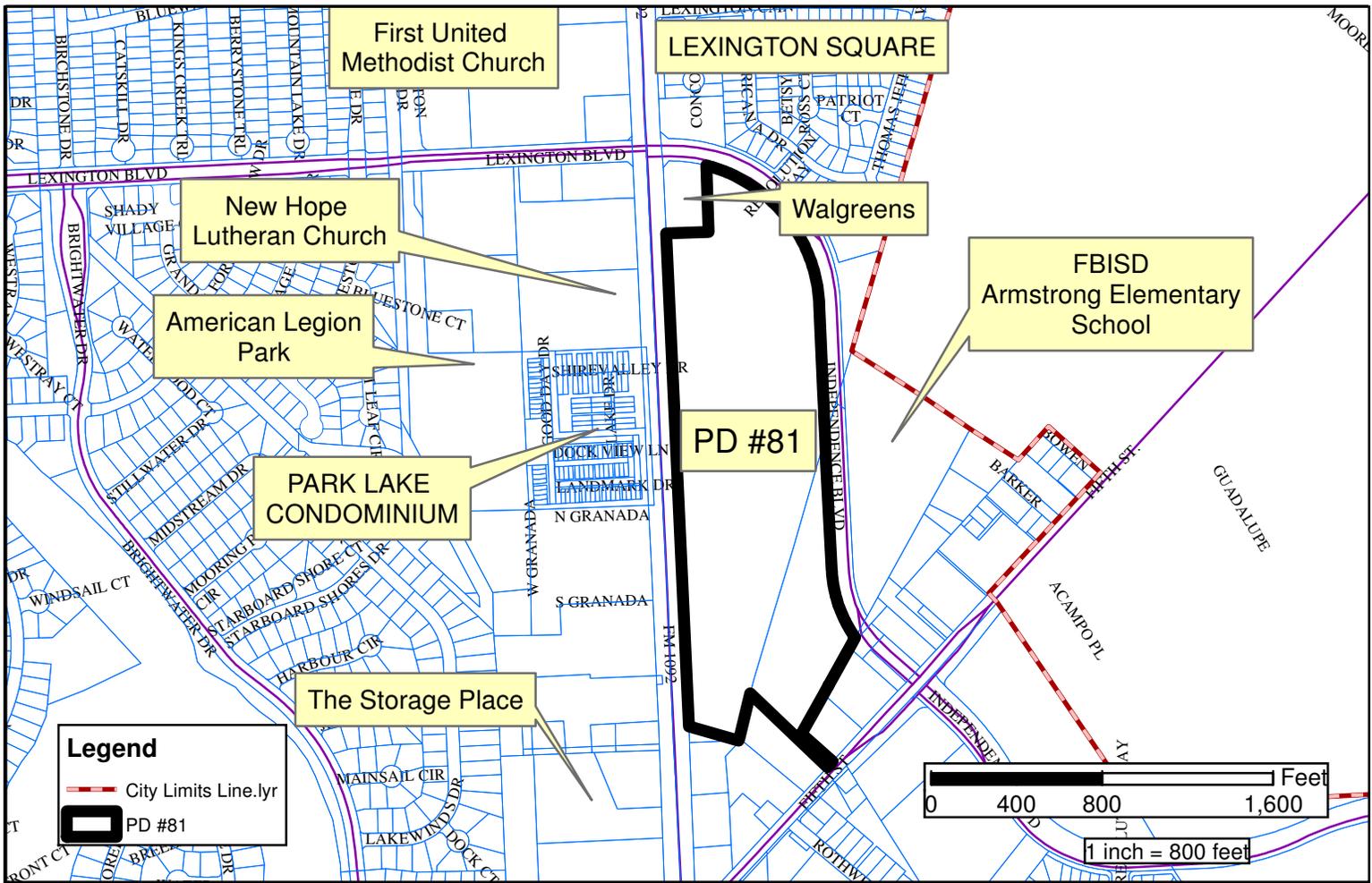
Phone Number Return to:

Development Services Department
planning@missouricitytx.gov

The Texas Public Information Act provides the right of the public to access information that governmental bodies produce and how governmental bodies should respond. By submitting this letter to the City, the personal information included can be accessed by the public subject to this Act. Please print and sign your name below if you do not consent to the release of your personal information to the public.

Print Name

Signature



First United Methodist Church

LEXINGTON SQUARE

New Hope Lutheran Church

Walgreens

American Legion Park

FBISD Armstrong Elementary School

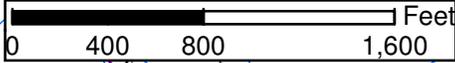
PARK LAKE CONDOMINIUM

PD #81

The Storage Place

Legend

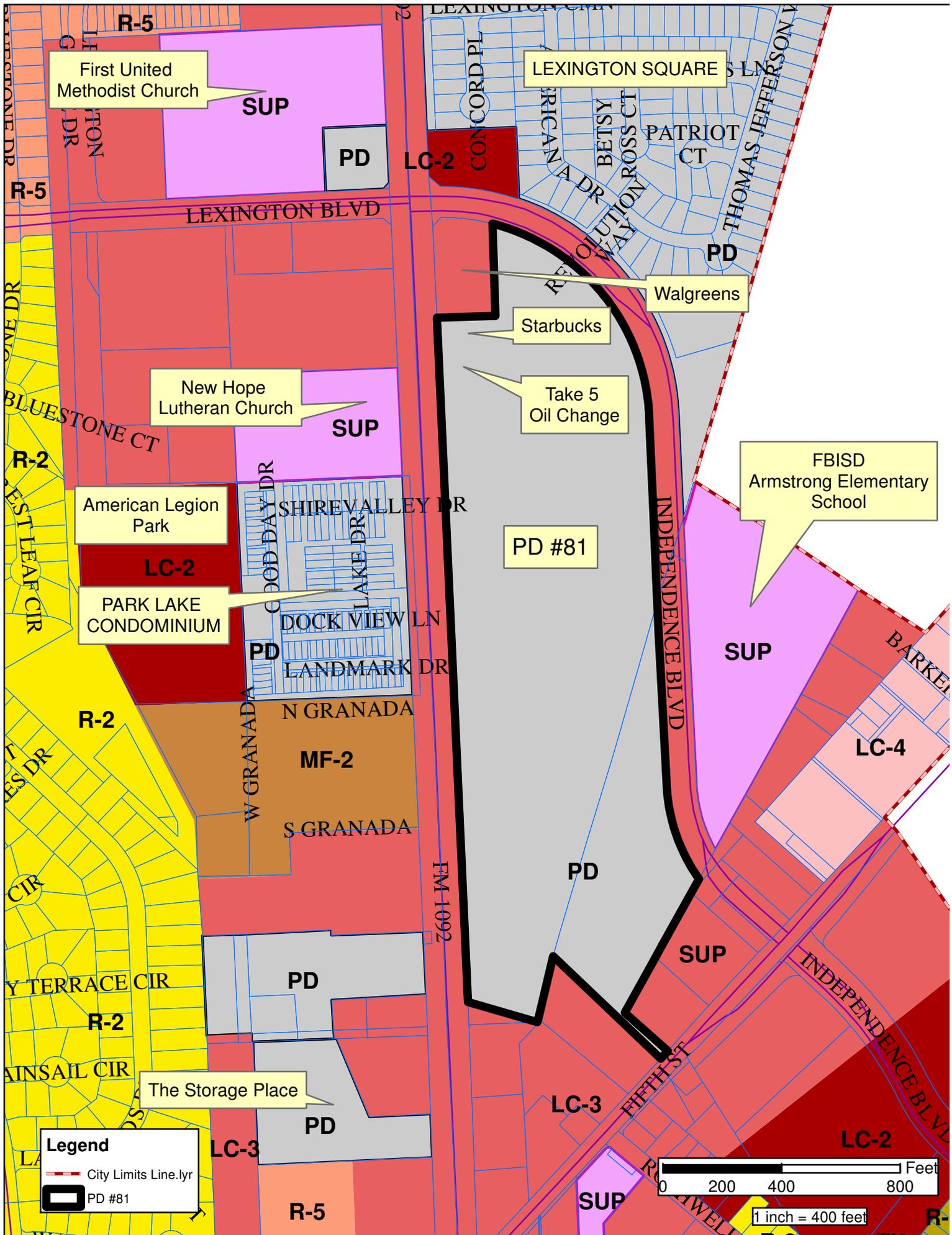
-  City Limits Line.lyr
-  PD #81



1 inch = 800 feet

Nguyen Tony 9527 Almeda Bend CT Houston, TX 77075-5601	Sunandas Performing Arts Texas Inc 6014 E Brook CT Sugar Land, TX 77479-4264	Torres Louisa 3615 5th ST Stafford, TX 77477-6609
The Estate of Hortencia C Aguilar & The Estate of Dionisio Aguilar Jr 3619 5th ST Stafford, TX 77477-6609	ENE Inc PO Box 17234 Sugar Land, TX 77496-7234	MHS Construction & Design LLC 1909 Rothwell ST Stafford, TX 77477-6611
Vargas Joe 2003 BLAKE RD SUGAR LAND, TX 77478-2503	Flores Pedro 1135 BOWEN ST STAFFORD, TX 77477-6503	Sunlake Ltd 7500 San Felipe ST STE 600-PMB 80 Houston, TX 77063-1790
Blessed Constructions LLC 4519 Parkwater Cove CT Sugar Land, TX 77479-1585	1255 FM 1092 LLC 1419 Lake Pointe PKWY Sugar Land, TX 77478-3999	MFM Maestri Mo City LLC 16 Eagle Ridge DR Sheridan, WY 82801-9042
Leo E Tealdi 2011 Trust 573 Brittany CT Petaluma, CA 94952-8125	WML Missouri City LP C/o Walgreen Co Tax Dept 300 Wilmot RD Deerfield, IL 60015-4614	FT Bend ISD c/o Tax Office PO Box 1004 Sugar Land, TX 77487-1004
Hannover Estates Ltd 1616 S Voss RD STE 618 Houston, TX 77057-2620	Arias Delfina PO Box 463 Missouri City, TX 77459-0463	Eapen James 3718 Ramble Creek DR Missouri City, TX 77459-7000
Lighthouse Indian Baptist Church 4423 Tree Line DR Pasadena, TX 77505-3925	Lopez Marcos 3524 5TH ST Stafford, TX 77477-6608	Alonzo Arturo & Martha 3442 5th ST Stafford, TX 77477-6606
Nolan Patrick H & Amy L 6001 Holly RD Corpus Christi, TX 78412-4664	VC Quail Valley II LLC 6 Robinwood LN Houston, TX 77024-2730	Bryn Mawr Partnership 16284 DEER TRAIL CT SAN DIEGO, CA 92127-3430
NDI Quail Valley Partners Ltd 5757 Woodway DR STE 176 Houston, TX 77057-1521	NEW HOPE LUTHERAN CHURCH 1424 FM 1092 RD Missouri City, TX 77459-1601	Jaffar Enterprises LLC 14019 Southwest Freeway STE 301-424 Sugar Land, TX 77478-3563
State of Texas PO Box 1386 Houston, TX 77251-1386	Lexington Square Association Inc Attn: Rita M Garrett PO Box 338 Missouri City, TX 77459-0338	LEWIS LA JUAN 1238 AMERICANA DR MISSOURI CITY, TX 77459-2860

AMH 2015-1 Borrower LLC 30601 Agoura RD STE 200 Agoura Hills, CA 91301-2148	Damian Marina 3643 John Hancock LN Missouri City, TX 77459-2871	MOUTON DAVID K & ALICIA M 3639 JOHN HANCOCK LN MISSOURI CITY, TX 77459-2871
Chen Catherine Tuan & Ping Feng Hung 3635 John Hancock LN Missouri City, TX 77459-2871	Ogu Nitta 3631 John Hancock LN Missouri City, TX 77459-2871	Pedder Andrew N & Cathy L 3607 John Hancock LN Missouri City, TX 77459-2871
Property Owner 3611 John Hancock LN Missouri City, TX 77459-2871	Mathew Beena 3615 John Hancock LN Missouri City, TX 77459-2871	Varughese John PO Box 42042 Houston, TX 77242-2042
Park Lake Townhomes Association Inc c/o American Management 1700 GOOD DAY DR MISSOURI CITY, TX 77459-1625	Spriggs Jennifer 3807 LANDMARK DR MISSOURI CITY, TX 77459-1626	Hardy Ardenna 3805 Landmark DR Missouri City, TX 77459-1626
Jackson Pamela 3803 Landmark DR Missouri City, TX 77459-1626	SHOAGA TALI 3801 LANDMARK DR MISSOURI CITY, TX 77459-1626	Rocha Irene 3806 Landmark DR Missouri City, TX 77459-1611
Shree Vallabhadhish Holdings LLC 2422 Wagon RUN Sugar Land, TX 77479-1315	Arias Christina 3805 Dock View LN Missouri City, TX 77459-1621	SHERROD GLENDA 3803 DOCK VIEW LN MISSOURI CITY, TX 77459-1621
MCNEIL MARVA 3801 DOCK VIEW LN MISSOURI CITY, TX 77459-1621	Houston Park Lake Assoc Ltd c/o DTA Management Services Inc 206A S Loop 336 W Conroe, TX 77304-3399	B A M C Enterprises Inc 4771 Sweetwater BLVD # 249 Sugar Land, TX 77479-3199
Wu Jiwen 78 Woodedge RD Manhasset, NY 11030-1546	Opendoor Property C LLC 405 Howard ST STE 550 San Francisco, CA 94105-2999	James Ima 3805 Shire Valley DR Missouri City, TX 77459-2795
Nnadozie Emmanuel 3806 Shire Valley DR Missouri City, TX 77459-2794	Estrada Kayla A etal 127 Fallin BLVD APT A6 Goldsboro, NC 27534-4362	SSN Properties LLC 1714 Brightlake WAY MISSOURI CITY, TX 77459-1660
Desai Devendra & Minaxi d/b/a SJP Enterprises 1410 Sheffield DR Missouri City, TX 77459-2739	FBISD c/o Max Cleland 16431 Lexington Blvd Sugar Land, TX 77479	HOA's LEXINGTON SQUARE Park Lake Townhomes Association Inc Houston Park Lake Assoc Ltd



First United Methodist Church

SUP

PD

LEXINGTON SQUARE

LC-2

PD

Walgreens

Starbucks

Take 5 Oil Change

New Hope Lutheran Church

SUP

American Legion Park

LC-2

PARK LAKE CONDOMINIUM

PD

PD #81

FBISD Armstrong Elementary School

SUP

LC-4

R-2

MF-2

PD

SUP

R-2

PD

The Storage Place

PD

LC-3

Legend

- City Limits Line.lyr
- PD #81



1 inch = 400 feet



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 8, 2020

AGENDA ITEM SUBJECT: Utility Equipment – Zoning Text Amendment –
Final report

AGENDA ITEM NUMBER: 8.A

PROJECT PLANNER:  Otis T. Spriggs, AICP, Director, Development Services

RECOMMENDED ACTION:

The Planning and Zoning Commission should hold the second public hearing and adopt this as its Final Report for a recommendation to City Council.

BACKGROUND:

On February 3, 2003, Ordinance O-03-04 adopted Subsection 9.6.B.3.e of Appendix A, Zoning, of the City Code of the City of Missouri City, referencing Subsection 12.2.I of the City Code of Missouri City.

Section 9.6.B.3.e. provides that, except in multifamily developments, the outside storage of major recreational or utility equipment shall be permitted if said equipment is “parked on a hard surface, as provided in [sub]section **12.2.I** of the City of Missouri City Zoning Ordinance.”

This reference to subsection 12.2.I is determined to be in error. The correct subsection is 12.2.J, which provides as follows:

Sec. 12.2. - Standards for off-street parking.

J. Drives and parking spaces must be hard-surfaced and dust-free; except in instances where the adjacent street is unpaved, in which case the drives and parking spaces shall be hard-surfaced to city specifications within one year after such adjacent street to which property has driveway access is paved, provided, however, any unpaved drive or unpaved parking space existing on January 19, 1981, shall be considered a nonconforming structure subject to the provisions of section 16 hereof.

Next Steps: Consideration of said amendments to Subsection 9.6.B.3.e, and prepare for recommendations before the City Council by May, 2020.

April 8, 2020	P&Z Commission public hearing and adopt a final report
May 4, 2020:	City Council public hearing and 1st reading of ordinance
May 18, 2020:	City Council 2nd reading of ordinance

-----**END OF REPORT**-----

ORDINANCE NO. O-20-__

AN ORDINANCE OF THE CITY OF MISSOURI CITY, TEXAS, AMENDING SECTION 9, SUPPLEMENTARY DISTRICT REGULATIONS, OF APPENDIX A OF THE MISSOURI CITY CODE, ENTITLED, "THE CITY OF MISSOURI CITY ZONING ORDINANCE;" AMENDING RULES AND REGULATIONS FOR THE PARKING, STORAGE OR USE OF MAJOR RECREATIONAL OR UTILITY EQUIPMENT; PROVIDING FOR REPEAL; PROVIDING A PENALTY; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the Planning and Zoning Commission of the City of Missouri City (Planning Commission) and the City Council of the City of Missouri City (City Council) have each conducted, in the time and manner and after the notice required by law and the Zoning Ordinance of the City, a public hearing on certain proposed amendments to the Zoning Ordinance of the City of Missouri City, Texas; and

WHEREAS, all persons appearing at such public hearings who desired to speak on such proposed amendments were afforded that opportunity and their comments were duly noted and considered; and

WHEREAS, after its public hearing, the Planning and Zoning Commission made its recommendation and final report to the City Council; and

WHEREAS, the Planning and Zoning Commission has recommended and the City Council now deem it appropriate to approve the proposed amendments; now, therefore,

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

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

Section 2. As required by law, City Council conducted a public hearing on this Ordinance and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. The Code of Ordinances of the City of Missouri City, Texas, is hereby amended by amending Subsection 9.6.B of Section 9 of Appendix A thereof and substituting therefor, a new Subsection 9.6.B to provide as follows:

"APPENDIX A ZONING

. . . .

SECTION 9. SUPPLEMENTARY DISTRICT REGULATIONS

. . . .

9.6. Parking, storage, or use of major recreational or utility equipment.

. . . .

B. *Storage.* No major recreational or utility equipment shall be parked or stored in a residential district except as follows:

1. *Enclosed storage in single-family and condominium developments.* Storage of major recreational or utility equipment shall be permitted if in a garage or other enclosed building or enclosed structure. Any such garage, building or structure must be constructed:
 - a. In accordance with a building permit;
 - b. With similar materials, proportions of materials, colors, style and design as the primary structure on the lot;
 - c. Located on a concrete slab capable of withstanding the weight of the major recreational or utility equipment; and
 - d. Be served by a concrete driveway.
2. *Enclosed storage in multifamily developments.* Storage of boats and recreational vehicles shall be permitted only if such boats and recreational vehicles are owned by residents, and if they are stored within the interior of a fully-enclosed structure constructed with similar materials, colors, style, and design as the primary structure on the lot.
3. *Outside storage.* Except in multifamily developments, outside storage of major recreational or utility equipment shall be permitted if said equipment is:
 - a. Behind the principal structure;
 - b. Within a side or rear yard which is fenced and screened;
 - c. Not obstructing required side yard access;
 - d. Not visible from adjacent properties when viewed from a height of six feet above ground level; and
 - e. Parked on a hard surface, as provided in subsection 12.2.J of the City of Missouri City Zoning Ordinance.”

Section 3. *Repeal.* Any ordinance or any part of an ordinance in conflict herewith shall be and is hereby repealed only to the extent of such conflict.

Section 4. *Penalty.* Any person who violates, or any person who causes or allows another person to violate, any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each occurrence of any violation of this Ordinance shall constitute a separate offense. Each day in which any violation of this Ordinance occurs shall constitute a separate offense.

Section 5. *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances 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 than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED AND APPROVED on first reading this ____ day of _____, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this ____ day of _____, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

Appendix A Zoning

.....

Sec. 9.6. - Parking, storage, or use of major recreational or utility equipment.

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 - b. Within a side or rear yard which is fenced and screened;
 - c. Not obstructing required side yard access;
 - d. Not visible from adjacent properties when viewed from a height of six feet above ground level; and
 - e. Parked on a hard surface, as provided in subsection 12.2.~~U~~. of the City of Missouri City Zoning Ordinance.

Document comparison by Workshare 9.5 on Friday, April 3, 2020 1:08:03 PM

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Deletion	
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Moved to	
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Format change	
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Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

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	Count
Insertions	1
Deletions	1
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	2



City of Missouri City

LEGAL NOTICE

Public Hearing

A public hearing will be held by the Planning & Zoning Commission of Missouri City, Texas to receive comments for or against proposed amendments to the City's Code of Ordinances/Zoning Ordinance regarding:

(1) Amendment to Subsection 9.6.B.3.e. of Appendix A, Zoning of the City Code of the City of Missouri City, Texas, regarding the outside storage of major recreational or utility equipment.

The public hearing is scheduled:

DATE: Wednesday, April 8, 2020

TIME: 7:00 PM

PLACE: City Council Chamber (2nd Floor of City Hall)

1522 Texas Parkway (FM 2234). Missouri City, Texas

Specific information is available at City Hall, Missouri City, Texas, Monday through Friday from 8:00 AM to 4:00 PM, or you may call 281-403-8541.



**PLANNING AND ZONING COMMISSION
STAFF REPORT**

AGENDA DATE: April 8, 2020

AGENDA ITEM SUBJECT: Sienna Plantation Joint Development Agreement – 34.16 acre tract of land

AGENDA ITEM NUMBER: 9.A.

PROJECT PLANNER: **Jennifer Thomas Gomez, AICP**, Planning Manager

APPROVAL:  **Otis T. Spriggs, AICP**, Director, Development Services

PERMIT NUMBER: N/A

PROPERTY ID: 0007-00-000-0801-907 / 0007-00-000-0010-907
0007-00-000-0801-907 / 0007-00-000-0902-907

LOCATION: The proposed area is located north of Sienna Steep Bank Village residential subdivision, south of McKeever Road, east of Sienna Parkway, and west of Westpoint Estates residential subdivision.

RECOMMENDED ACTION:

The Planning and Zoning Commission should adopt this as its Final Report and forward it to City Council with a **positive recommendation** for consideration.

BACKGROUND INFORMATION:

Sienna 325, L.P. (“developer”), presently owns the subject 34.16 acre tract of land. The developer has petitioned the city to deannex the property to allow for future development. To facilitate this development, the developer and the city are proposing a joint development agreement to provide certainty for regulatory requirements and to encourage continued high-quality development.

The developer proposes single family use for the property.

Since at least 1997, the property had been used as a temporary construction equipment yard. This yard was used to locate the construction trailers and equipment of home builders building within the Sienna master planned community. As growth in Sienna has moved south, this property is no longer a central location for the staging of such equipment. The construction equipment yard has since been relocated into Sienna South, within the city's ETJ, extraterritorial jurisdiction.

GENERAL SITE INFORMATION:

A. Existing Land Use and Zoning Designation: Temporary construction equipment yard / SUP No. 193; SD, suburban district

B. Surrounding Land Uses and Zoning Designations:

North: Briscoe Canal System / SD, suburban district; R-1, single family residential district

South: Fort Bend County Drainage right-of-way / ETJ

East: Briscoe Canal System / R-1, single family residential district

West: Commercial shopping center including Bees Creek market and the Learning Experience / PD, Planned Development District No. 36.

C. Zoning History:

12-21-1981:	Subject site annexed by the City of Missouri City and classified SD, suburban district (Ord. No. O-81-29).
04-21-1997:	SUP No. 134 approved to allow for a temporary construction equipment yard on a 2.043 acre tract of land (Ordinance O-97-11)
06-18-2001:	SUP No. 151 approved to allow for a temporary construction equipment yard on a 34.177 acre tract of land (Ordinance O-01-26)
06-15-2015:	SUP 193 approved to allow for the continued location of a temporary construction equipment yard. (Ordinance O-15-35)

ANALYSIS OF SUBJECT SITE:

A. Land Use regulations.

The developer proposes a general plan and land use to include single family use only for the property. Such single family use is proposed to be in accordance with

the City's zoning ordinance for the R-1, R-1-A, R-2, R-3, R-4, R-5, R-6, or other acceptable single family plan.

Staff recommended: Forward a positive recommendation for the development of single family residential use on the property. The disannexation of the property would provide for the property to be annexed and develop as part of the Sienna master planned community. All development standards, including architectural standards, would be consistent with the overall community.

----- **END OF REPORT** -----

**DEVELOPMENT AGREEMENT BETWEEN
THE CITY OF MISSOURI CITY, TEXAS,
AND
SIENNA 325, L.P.
(Single Family 34-acre Property)**

This DEVELOPMENT AGREEMENT (the "Agreement") is entered into between SIENNA 325, L.P., a Texas limited partnership, its successors or assigns ("Developer"), and THE CITY OF MISSOURI CITY, TEXAS (the "City"), a municipal corporation in Fort Bend and Harris Counties, Texas, acting by and through its governing body, the City Council of Missouri City, Texas (collectively, the "Parties") to be effective on the date on _____, 2020 (the "Effective Date").

RECITALS

The Developer owns approximately 34 acres of land (defined herein as the "Tract") in Fort Bend County, Texas and currently within the corporate limits of the City. The Developer anticipates the City will deannex the Tract from the corporate limits of the City prior to executing this Agreement. The Developer intends to develop the Tract for single family use. The Developer represents that the development of the Tract requires an agreement providing for long-term certainty concerning development of the Tract. A copy of the metes and bounds of the Tract is attached as **Exhibit A**.

The execution of this Agreement by the City is contingent upon the Developer petitioning the Tract for annexation into Sienna Plantation Municipal Utility District No. 10 (the "District"), and the District consenting to the annexation.

The Developer and the City wish to enter into this Agreement to provide certainty of regulatory requirements throughout the term of this Agreement, and encourage the creation of high-quality development for the benefit of the District and the present and future residents of the City.

The Developer and the City wish to enter into this Agreement to further provide planning and development services essential to the development of the Tract and the Developer is contracting to construct and develop the water, sewer, drainage, and park and recreational facilities for the Tract, including to provide the public bidding for any third-party contract and to supervise and oversee all contracts and require the third-party contractor to exercise due diligence and good faith efforts to insure compliance by such contractors with all requirements of the City.

Authority for this Agreement exists under Chapter 212, Subchapter G, Texas Local Government Code; Chapter 43, Texas Local Government Code; Chapter 245, Texas Local Government Code; Sections 42.042 and 212.172 of the Texas Local Government Code; and such other statutes as may be applicable.

The City is a home rule city with all powers except those specifically limited by the Constitution and laws of the State of Texas and the City Charter.

The City wishes to provide for the orderly, safe and healthful development of the Tract, and the City and the Developer agree that the development of the Tract and provision of utilities can best proceed pursuant to a development agreement.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises, obligations, and benefits contained herein as well as other good and valuable consideration, the sufficiency of which is acknowledged by the parties, the City and Developer agree as follows:

ARTICLE I DEFINITIONS AND EXHIBITS

Section 1.1 Definitions. Unless the context indicates others, the following words as used in this Agreement shall have the following meanings:

“City” means the City of Missouri City, Texas, a home rule municipal corporation situated in Fort Bend and Harris Counties, Texas, acting by and through its governing body, the City Council of Missouri City, Texas.

“City Code” means the Missouri City Code and other ordinances and regulations adopted by the City of Missouri City, as such ordinances may be amended, changed, supplemented or repealed from time to time.

“Developer” means Sienna 325, L.P., a Texas limited partnership and its successor and assigns.

“District” means Sienna Plantation Municipal Utility District No. 10.

“ESFC” means that amount of water or wastewater, as applicable, set by the Master District that constitutes an Equivalent Single Family Connection, which amount may be changed from time to time. At the time of this Agreement, an ESFC of wastewater means 315 gallons per day of water and an ESFC of water means 400 gallons per day of water.

“General Plan” means the General Plan prepared by Developer as submitted to the City as of the date of this Agreement, and then as approved by the City and, amended from time to time, as described in **Exhibit B**.

“Master District” means Sienna Plantation Municipal Utility District No. 1.

“Sienna Plantation Development Agreement” means the Sienna Plantation Joint Development Agreement, as adopted in the City of Missouri City Ordinance No. O-96-05 on February 19, 1996, as amended through the tenth amendment.

“Tract” means the approximately 34 acres of land to be developed by Developer, as described in **Exhibit A**.

“TCEQ” means the Texas Commission on Environmental Quality or its successor agency.

Section 1.2. Exhibits. The following Exhibits attached to this Agreement are a part of the Agreement as though fully incorporated herein:

Exhibit A	Metes and Bounds of 34 acres
Exhibit B	General Plan for Development
Exhibit C	Current City Codes and Ordinances relevant to the Tract

ARTICLE II GENERAL PLAN AND LAND USE

Developer hereby agrees that the Tract will be developed for single family resident use in accordance with the General Plan for Development, attached hereto, and made a part hereof for all purposes, as Exhibit B. The Developer may develop the Tract in accordance with any type of single family residential designation set forth in the City’s zoning ordinance of the City Code as R-1, R-1-A, R-2, R-3, R-4, R-5, R-6, or other acceptable single family plan. As consideration for the City’s obligations under this Agreement, the Developer intends to proceed to develop the Tract consistent with the General Plan as expeditiously as possible as determined by real estate and financial market and legal conditions. This Article does not require and shall not be construed as requiring the Developer to develop the Tract on any particular schedule or timetable.

ARTICLE III DEVELOPER OBLIGATIONS

Section 3.1. Development of Tract. The Developer agrees to provide all water, sewer and drainage facilities to the Tract. The Developer agrees to develop the Tract in accordance with the rules, obligations, and restrictions of the Sienna Plantation Joint Development Agreement, incorporated for all purposes except the following:

- (a) All references to the City Code shall be construed to refer to such references as they exist on the Effective Date;
- (b) Article III, Sections 3.08 and 3.09 (relating to consent to create municipal utility districts) of the Sienna Plantation Joint Development Agreement;

- (c) Article V, Amended Sections 5.02 and 5.03 (providing for construction of a fire station) and amended Section 5.04 (providing for the installation of traffic signals);
- (d) Article IX, Section 9.05, Subsections 9.06(a) and 9.06(b), and any other provisions of Article IX providing for arbitration;
- (e) Exhibit "G," Schedule of Fees;
- (f) The entire Fifth Amendment to the Sienna Plantation Joint Development Agreement, dated November 5, 2007; and
- (g) The entire Eighth Amendment to the Sienna Plantation Joint Development Agreement dated July 15, 2013.

The City also agrees to abide by the rules, obligations, and restrictions of the Sienna Plantation Joint Development Agreement.

Section 3.2. Drainage Improvements. The Developer is not required to prepare and submit an additional master drainage plan to the City. This land was included in the Sienna Plantation Levee Improvement District master drainage plan, and therefore, no additional plans are required by the City.

Section 3.3. Associations. The Developer will annex the Tract into the Sienna Plantation Residential Association, Inc. (the "Association") or the Sienna Plantation Property Owners Association (the "SPPOA"). The District, Sienna Plantation Levee Improvement District of Fort Bend County, Texas, SPPOA and/or the Association shall maintain all park and recreational facilities.

Section 3.4. Park and Recreational Facilities. The Developer will comply with the City's parkland dedication ordinance as set forth in the City Code.

Section 3.5. Waiver of Actions Under Private Real Property Rights Preservation Act. The Developer hereby waives its right, if any, to assert any causes of action against the City accruing under the Private Real Property Rights Preservation Act, Chapter 2007, Texas Government Code (the "Act"), that the City's execution or performance of this Agreement or any authorized amendment or supplements thereto may constitute, either now or in the future, a "Taking" of Developer's, Developer's grantee's, or a grantee's successor's "Private Real Property," as such terms are defined in the Act. Provided, however, that this waiver does not apply to, and the Developer and Developer's grantees and successors do not waive their rights under the Act to assert, a claim under the Act for any action taken by the City beyond the scope of this Agreement which otherwise may give rise to a cause of action under the Act.

ARTICLE IV
COMPLIANCE WITH CITY REGULATIONS

Section 4.1. Requirements for Development. It is expressly understood and agreed by the City and Developer that, except as provided by Section 3.1 of this Agreement, development of the Tract shall comply with the Sienna Plantation Development Agreement.

Section 4.2. General Plan for Development. Developer intends to develop the Tract as a residential development. The City and Developer agree that the plats submitted to the City for approval regarding the Tract may include any single family designation from R-1 through R-6 of the zoning ordinance of the City Code, or other acceptable single family plan.

Section 4.3. Future Amendments to the General Plan. The General Plan may be further modified or amended by the Developer as permitted in the Sienna Plantation Development Agreement; provided, however, any Major Modification, as defined in the Sienna Plantation Development Agreement must be reviewed and approved by the City Council. Any Minor Modification, as defined by the Sienna Plantation Development Agreement, may be approved by the City Manager or his designee.

Section 4.4. Public Improvements. The Developer agrees to require home builders to construct adjacent sidewalks as part of either the street paving, home building, or landscaping. For all utilities and public improvements associated with the Tract, the Developer agrees to comply with all City platting requirements, including electronic submittal of all applications, variances, plans and close-out documents.

Section 4.5. Water and Wastewater Services. The Developer agrees to develop all water and wastewater infrastructure in accordance with the General Plan, the Sienna Plantation Development Agreement, and the Master District rules and regulations. The Developer will submit through the District to the City for review and approval, all water and wastewater plans. The District shall develop, own, operate and maintain the internal water and wastewater system, in accordance with the TCEQ, City, and Master District requirements.

Section 4.6. Current City Codes and Ordinances. The current City Codes and Ordinances attached as **Exhibit C** to this Agreement apply to the development of the Tract.

ARTICLE V
DEFAULT AND TERMINATION

Section 5.1. Material Breach of Agreement. It is the intention of the Parties to this Agreement that the Tract be developed in accordance with the terms of this Agreement.

- (a) The Parties acknowledge and agree that any substantial deviation by the Developer from the material terms of this Agreement would frustrate the intent of this Agreement, and, therefore, would be a material breach of this Agreement. A material breach of this Agreement by the Developer shall be deemed to have occurred in the event of failure of the Developer to comply with a provision of this Agreement or the Sienna Plantation Development Agreement applicable to the Tract.
- (b) The Parties acknowledge and agree that any substantial deviation by the City from the material terms of this Agreement would frustrate the intent of this Agreement and, therefore, would be a material breach of this Agreement. A material breach of this Agreement by the City shall be deemed to have occurred in the event of failure of the City to comply with a provision of this Agreement or the Sienna Plantation Development Agreement applicable to the Tract. In the event that a party to this Agreement believes that another party has, by act or omission, committed a material breach of this Agreement, the provisions of this Article V shall provide the remedies for such default.

Section 5.2. Notice of Developer's Default.

- (a) The City shall notify Developer in writing of an alleged failure by the Developer to comply with a provision of this Agreement, describing the alleged failure with reasonable particularity. Developer shall, within thirty (30) days after receipt of the notice or a longer period of time as the City may specify in the notice, either cure the alleged failure or, in a written response to the City, either present facts and arguments in refutation or excuse of the alleged failure or state that the alleged failure will be cured and set forth the method and time schedule for accomplishing the cure.
- (b) The City shall determine: (i) whether a failure to comply with a provision has occurred; (ii) whether the failure is excusable; and (iii) whether the failure has been cured or will be cured by Developer. The Developer shall make available to the City, if requested, any records, documents or other information necessary to make the determination, except to the extent that such information is protected by attorney/client privilege.
- (c) If the City determines that the failure has not occurred, or that the failure either has been or will be cured in a manner and in accordance with a schedule reasonably satisfactory to the City, or that the failure is excusable, the determination shall conclude the investigation.
- (d) If the City determines that a failure to comply with a provision has occurred and that the failure is not excusable and has not been or will not be cured by Developer in a manner and in accordance with a schedule reasonably

satisfactory to the City, then the City shall notify the Developer and may pursue any and all remedies it has at law or equity.

Section 5.3. Notice of City's Default.

- (a) Developer shall notify the City Manager in writing specifying any alleged failure by the City to comply with a provision of this Agreement, describing the alleged failure with reasonable particularity. The City shall, within thirty (30) days after receipt of the notice or the longer period of time as Developer may specify in the notice, either cure the alleged failure or, in a written response to Developer, either present facts and arguments in refutation or excuse of the alleged failure or state that the alleged failure will be cured and set forth the method and time schedule for accomplishing the cure.
- (b) Developer shall determine: (i) whether a failure to comply with a provision has occurred; (ii) whether the failure is excusable; and (iii) whether the failure has been cured or will be cured by the City. The City shall make available to the Developer, if requested, any records, documents or other information necessary to make the determination that are subject to the Public Information Act, Chapter 552, Texas Government Code.
- (c) If Developer determines that the failure has not occurred, or that the failure either has been or will be cured in a manner and in accordance with a schedule reasonably satisfactory to Developer, or that the failure is excusable, the determination shall conclude the investigation.
- (d) If Developer determines a failure to comply with a provision has occurred and that the failure is not excusable and has not been or will not be cured by the City in a manner and in accordance with a schedule reasonably satisfactory to Developer, then Developer shall notify the City and may pursue any and all remedies it has at law or equity.

Section 5.4. Remedies. In addition to all the rights and remedies provided under the laws of the State of Texas, because of the peculiar damage each party hereto might suffer by virtue of a default by another party, each party shall be entitled to the equitable remedy of specific performance or mandamus, as well as all other legal and equitable remedies available.

Section 5.5. Termination. This Agreement may be terminated by mutual agreement of the City and the Developer.

ARTICLE VI
MISCELLANEOUS

Section 6.1. Sale of Tract; Assignability. Any Agreement by Developer to sell the entirety or any portion of the Tract to a person intending to develop the tract or such portion thereof (a "Successor Developer," whether one or more) and any instrument of conveyance for the entirety or any portion of the Tract to such Successor Developer shall recite and incorporate this Agreement and provide that this Agreement be binding on such Successor Developer. This Agreement is not intended to be, and shall not be, binding on the ultimate purchasers of residential lots or residential parcels out of the Tract. This Agreement is assignable upon written notice to the City; such notice of assignment shall be given within 30 days of an assignment and such notice shall include evidence that the assignee has assumed the obligations under this Agreement.

Section 6.2. Force Majeure. In the event a party is rendered unable, wholly or in part, by force majeure, to carry out any of its obligations under this Agreement, it is agreed that on such party's giving notice and full particulars of such force majeure in writing to the other parties as soon as possible after the occurrence of the cause relied upon, then the obligations of the party giving such notice, to the extent it is affected by force majeure and to the extent that due diligence is being used to resume performance at the earliest practicable time, shall be suspended during the continuance of any inability so caused to the extent provided, but for no longer period. Such cause shall as far as possible be remedied with all reasonable dispatch.

The term "force majeure" as used herein shall include, but not be limited to, acts of God, strikes, lockouts or other industrial disturbances, acts of the public enemy or of terrorism, war, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrests and restraints of governments and people, suspension of issuance of permits by environmental agencies outside the control of any party, explosions, breakage or damage to machinery or pipelines and any other incapacities of any party similar to those enumerated and not within the control of the party claiming such inability.

Section 6.3. Law Governing. This Agreement shall be governed by the laws of the State of Texas, and no lawsuit shall be prosecuted on this Agreement except in a federal or state court of competent jurisdiction. Any disputes or proceedings arising out of this Agreement shall be subject to the exclusive jurisdiction of the Texas State courts in Fort Bend County, Texas.

Section 6.4. Non-Waiver of Immunity. Notwithstanding any other provision of this Agreement, the City, on behalf of itself, its officers, employees, and agents, does not waive or relinquish any immunity from liability, limitation of liability, or defense provided by the Constitution and the laws of the State of Texas as a result of its execution of this Agreement and the performance of the covenants contained herein.

Section 6.4. No Additional Waiver Implied. No waiver or waivers of any breach or default (or any breaches or defaults) by any party hereto of any term, covenant, condition, or liability hereunder, or the performance by any party of any duty or obligation hereunder, shall be deemed or construed to be a waiver of subsequent breaches or defaults of any kind, under any circumstances.

Section 6.5. Addresses and Notice. Unless otherwise provided in this Agreement, any notice, communication, request, reply, or advise (herein severally and collectively, for convenience, called "Notice") herein provided or permitted to be given, made, or accepted by any party to another (except bills), must be in writing and may be given or be served by depositing the same in the United States mail postpaid and registered or certified and addressed to the party to be notified. Notice deposited in the mail in the manner hereinabove described shall be conclusively deemed to be effective, unless otherwise stated in this Agreement, from and after the expiration of three (3) days after it is deposited. Notice given in any such other manner shall be effective when received by the party to be notified. For the purpose of notice, addresses of the parties shall, until changed as hereinafter provided, be as follows:

If to the City, to:

City of Missouri City
1522 Texas Parkway
Missouri City, TX 77489
Attention: City Manager

With a copy to City Attorney

If to the Developer, to:

Sienna 325, L.P.
Mr. Alvin San Miguel
5777 Sienna Parkway, Suite 100
Missouri City, TX 77459

With a copy to:

Angela Lutz
Allen Boone Humphries Robinson LLP
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027

The Parties shall have the right from time to time and at any time to change their respective addresses and each shall have the right to specify any other address by at least fifteen (15) days' written notice to the other parties.

Section 6.6. Merger and Modification. This Agreement, including the exhibits that are attached hereto and incorporated herein for all purposes, and, except as otherwise provided in this Agreement, the Sienna Plantation Development Agreement, as amended through the ninth amendment, embodies the entire Agreement between the Parties relative to the subject hereof. This Agreement shall be subject to change or modification only with the mutual written consent of both Parties.

Section 6.7. Severability. The provisions of this Agreement are severable, and if any part of this Agreement or the application thereof to any person or circumstances shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of part of this Agreement to other persons or circumstances shall not be affected thereby.

Section 6.8. Benefits of Agreement. This Agreement is for the benefit of the City and Developer, and shall not be construed to confer any benefit on any other person except as expressly provided for herein.

Section 6.9. Recordation. The City shall record this Agreement and any amendments thereof in the deed records of Fort Bend County. In addition, any assignments of this Agreement shall be recorded in the deed records of Fort Bend County. This Agreement, when recorded, shall be a covenant running with the land and binding upon the Tract, the parties and their assignees during the term of this Agreement. However, this Agreement shall not be binding upon and shall not constitute any encumbrance to title as to any purchaser of a tract or lot within the Tract who does not intend to resell, subdivide or develop the tract or lot in the ordinary course of business.

Section 6.10. Term. This Agreement shall be in force and effect from the Effective Date and continue for a term of thirty (30) years unless otherwise previously terminated pursuant to some term or condition of this Agreement or by express written agreement by the City and Developer. Upon expiration of thirty (30) years from the Effective Date of this Agreement, this Agreement may be extended upon mutual consent of the Developer and the City.

Section 6.11. Cooperation. The City and Developer each agree to cooperate with each other as may be reasonable necessary to carry out the intent of this Agreement, including but not limited to, the execution of such further documents as maybe reasonably necessary.

Section 6.12. Authority for Execution. The City hereby certifies, represents and warrants that the execution of this Agreement is duly authorized and adopted in conformity with the City Charter and City Code. The Developer hereby certifies, represents and warrants that the execution of this Agreement is duly authorized and adopted in conformity with the articles of incorporation and bylaws or partnership agreement of such entity.

Section 6.13. Incorporation of Exhibits and Other Documents by Reference. All Exhibits and other documents attached to or referred to in this Agreement are incorporated herein by reference for the purposes set forth in this Agreement, except as otherwise provided.

Section 6.14. Conflict. This Agreement supersedes the Sienna Plantation Development Agreement and if a conflict arises between the two documents, this Agreement prevails.

(Signature Pages to Follow)

Executed by the Developer and the City to be effective on the Effective Date.

SIENNA 325, L.P., A TEXAS LIMITED PARTNERSHIP

By: Sienna 325 GP LLC, a Texas limited liability company, its General Partner

By: _____

Name: _____

Title: _____

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me this _____ day of _____, 2020, by Alvin San Miguel, Vice President of Sienna 325 GP LLC, a Texas limited liability company, as a General Partner of Sienna 325, L.P., a Texas limited partnership, on behalf of said partnership and said company.

Notary Public, State of Texas

(NOTARY SEAL)

CITY OF MISSOURI CITY, TEXAS

Yolanda Ford, Mayor

ATTEST:

Maria Jackson, City Secretary

APPROVED AS TO FORM:

E. Joyce Iyamu, City Attorney

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me this ____ day of _____,
2020, by Yolanda Ford, Mayor, City of Missouri City, on behalf of said City.

Notary Public, State of Texas

(NOTARY SEAL)

Sienna Plantation Joint Development Agreement –
34.16 acre tract of land

WATERBROOK

Primrose School
of Sienna

First Baptist
Church

Pepperoni's

Market at Bees Creek

The Learning Experience

Westpoint Estates

Sienna Steep Bank
Village

Legend

- City Limits Line.lyr
- Subject Property
- BP
- CF
- I
- LC-1
- LC-2
- LC-3
- LC-4
- MF-1
- MF-2
- MH
- PD
- R
- R-1
- R-1A
- R-2
- R-3
- R-4
- R-5
- R-6
- SD
- SUP

