



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

www.fulsheartexas.gov

PLANNING AND ZONING COMMISSION AGENDA APRIL 7, 2017

NOTICE IS HEREBY GIVEN OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF FULSHEAR TO BE HELD ON *FRIDAY, APRIL 7, 2017 AT 8:30 A.M. IN THE CITY HALL OF THE CITY, 30603 F.M. 1093 FULSHEAR, TEXAS, FOR THE PURPOSE OF CONSIDERING THE FOLLOWING ITEMS.

1. Call to Order

2. Quorum

3. Citizen's Comments

Citizens who desire to address the Planning And Zoning Commission with regard to matters on the agenda will be received at this time. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Comments or discussion by planning and zoning members will only be made at the time the subject is scheduled for Consideration.

4. PUBLIC HEARING

SPECIAL USE REQUEST

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on April 7, 2017 at 8:30 a.m., the second hearing will be held by the City Council on April 18, 2017 at 7:00 p.m. both hearings will be in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093 at which time and place all interested persons will be given an opportunity to be heard.

The location of the premises in question is located in the Downtown District, Lots 7 & 10 Block 12 of the Town of Fulshear, specifically the address is 8525 FM 359 Road, Suite 100 Fulshear, Texas 77441.

The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure to be Commercial Use for Restaurant/Bar.

Specific relief is requested from Section 1-193 (c) (2) (e) which states that the use of eating and drinking places within the Downtown District is permitted if they are approved in the process outlined in section 1-283.

The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or required by the applicant or the Board/Council.

A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5:00 p.m. and Fridays from 8:00 a.m. to 3:00 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request, please call the City Secretary's office at 281-346-1796.

5. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on March 3, 2017

6. Consideration and possible action to approve Commercial Reserves at FM 1463 (Replat)/Final Plat


7. Consideration and possible action to approve Special Use Request located at 8525 FM 359, Suite 100 Fulshear, TX 77441 (Owner/Applicant: Louis Lippman, Sharif Al-Amin)

8. Adjournment

The Planning and Zoning Commission reserves the right to adjourn into Executive Session at any time during the course of this meeting regarding the matters listed above, as authorized by Texas Government Code Section 551.071 (if necessary consultation with attorney).

Note: In compliance with the American Disabilities Act, this facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made at least 48 business hours prior to this meeting. Please contact the City Secretary's office at 281-346-1796 for further information.

I, D. (Diana) Gordon Offord, City Secretary of the City, do hereby certify that the above Notice of Meeting and Agenda for the Planning and Zoning Commission of the City of Fulshear, Texas was posted on Monday, April 3, 2017 at 5:00 p.m., in a place convenient and readily accessible at all times to the general public, in compliance with Chapter 551, TEXAS GOVERNMENT CODE.


D. (Diana) Gordon Offord – City Secretary/ TRMC

| | | | |
|---|--|------------------------|--|
| AGENDA OF: | April 7, 2017 | AGENDA ITEM(S): | 4 & 7 |
| DATE SUBMITTED: | April 5, 2017 | DEPARTMENT: | Building Services |
| PREPARED BY: | Michelle Killebrew, Building Official | PRESENTER: | Michelle Killebrew, Building Official |
| SUBJECT: | Special Use Request – 8525 FM 359, Suite 100 | | |
| ATTACHMENTS: | Application, Site Plan, Survey, and Related Documents | | |
| EXPENDITURE REQUIRED: | | | \$0 |
| AMOUNT BUDGETED: | | | \$0 |
| ACCOUNT: | Development Services | | |
| ADDITIONAL APPROPRIATION REQUIRED: | | | \$0 |
| ACCOUNT NO: | | | |

EXECUTIVE SUMMARY

The owner of the property located at 8525 FM 359, along with their designated local representative Sharif Alamin, are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for retail commercial use. They are requesting to use the property for commercial use, specifically to allow a Restaurant/Bar use. There are modifications planned for the interior of the building.

They have provided the following documents as required by Sec. 1-283 of the City's Zoning Ordinance (2012-1069) which include the attached items referenced:

- **Completed Special Use Application:** Completed Application from the Owner/Owner's Representative. (See Item 1)
- **Owner Affidavit:** The owner has submitted a letter of approval to request the Special Use Permit submitted by the Owner's Representative (See Item 2)
- **Vicinity Map:** Records from Fort Bend County Central Appraisal District show the location of the property in relation to the surrounding areas. (See Item 3)
- **Context Map:** Map shows existing layout, pavement, and access points. Staff accepts this document as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). Map also is used for Site Plan Requirements. (See Item 4)
- **Survey:** A survey was provided which shows the existing lot and the building that sits on it, along with metes and bounds for the property and is on file. (See Item 5)
- **Compliance with the Comprehensive plan:** After review of the request from the applicant, City Staff finds that the requested use of a restaurant/bar is **an approved** and desired use within the Downtown District (See Item 6)

- **Site Plan:** The site plan shows the building layout, and the proposed parking areas. Staff accepts these document as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). **(See Item 7)**
- **Landscape Plan:** The applicant provided an overview of the current landscaping and indicated that no modifications were planned at this time. **(See Item 8)**
- **Grading and Drainage Plan:** The applicant provided an overview of the current drainage flows and indicated that no modifications were planned at this time that would affect the grading and/or drainage of the area. **(See Item 9)**
- **Lighting Plan:** The applicant provided an overview of the current building lighting under the awning and indicated that no modifications were planned at this time. **(See Item 10)**
- **Elevations:** The applicant provided pictures of the current building elevations and indicated that no modifications were planned at this time. **(See Item 11)**
- **Traffic Impact Study:** This requirement is waived based on the determination of the City Engineer. However, it is staff's recommendation that the parking lot in front of the building be striped and the overflow parking lot be repaved with appropriate egress and striped. **(See Item 12)**
- **Signage:** The applicant has indicated they will use wall signage and will comply with the sign ordinance for the Downtown District requirements. **(See Item 13)**
- **Notification to the Public:** This has been completed. Notice was published in an approved newspaper and a notice was also sent by the City to a verified listing of adjacent property owners within 300' as required by ordinance. **(See Item 14)**
 - **Sign Notification on the Property:** The sign has been duly posted by the applicant. *(Verified by Staff; no attachment item included)*

STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission recommend approval to City Council for the Special Use Permit requesting the use of an eating and drinking establishment to be located at 8525 FM 359, Suite 100, with certain conditions applied. Staff recommends that those conditions include the following:

- 1.) The ratio of alcohol sales remains at 30% as the applicant has indicated in the request documentation.
- 2.) The parking lot in front of the building be striped.
- 3.) The overflow parking lot be repaved with appropriate egress and striped.
- 4.) A requirement that the applicant maintain the lease for the overflow parking while this requested business use is ongoing.

It is Staff's understanding that if Planning and Zoning Commission recommends approval with conditions, that any conditions recommended would also be subject to City Council's approval and would be required before a Certificate of Occupancy would be issued by City Staff.



CITY OF FULSHEAR

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Fulshear, Texas 77441
Phone: 281-346-8860 ~ Fax: 281-346-8237
www.fulsheartexas.gov

Special Use Permit Request:
8525 FM 359, Suite 100

Item 1: SUP Application
1 of 2

ZONING SPECIAL USE APPLICATION

Date of Application: 3/17/2017
Property Address: 8525 FM 359, Suite 100 Fulshear, TX 77441
Legal Description of the property: Shopping Center
Property Owner Name(s): Fulshear II Ltd / Louis Lippman
Address: 1616 Fountain View Dr., Suite 611 Houston, TX 77057
Phone Number: 713-446-1152 Email Address: louis.lippman@gmail.com

Applicant/Agent: Sharif Al-Amin
Attach letter of authorization along with this application
Address: 1830 Lake Arrowhead Dr., Richmond, TX 77406
Phone Number: 713-517-7171 Email Address: salamin8884@gmail.com

Zoning District: Downtown District Current use of property: Vacant/Retail
Requested use of the property: Restaurant/Bar

Land Uses of Adjoining Property:
(Agricultural, Single Family, Industrial, Business)

| | |
|-------|--------------------------------|
| North | Downtown District - Commercial |
| South | Downtown District - Commercial |
| East | Downtown District - Commercial |
| West | Downtown District - Commercial |

Is the proposed special use allowable in the current zoning designation? Yes

Application Fees: \$150.00 for Residential Use
\$500.00 for Commercial Use



Item 1: SUP Application
2 of 2
Payment Record

Project # **** Notes **** Description

Property Issued to

General | Segments | Financial | Property Info | Information | Comments | History | Footprint | Conditions | Description |

| Segment | Description | Status | Fee | Payments | Balance |
|---------|---------------------|-------------|--------|----------|---------|
| BLD-COM | COMMERCIAL BUILDING | Not Started | 500.00 | 500.00CR | 0.00 |



| | | | | | |
|-----------|--|--|--------|----------|------|
| 1 records | | | 500.00 | 500.00CR | 0.00 |
|-----------|--|--|--------|----------|------|

Edit This Record

View mkirchner

OLD THREE HUNDRED

8525 FM 359 SUITE 100

Fulshear, TX 77441

Fulshear is nestled nearly 35 miles outside the city of Houston and with the county's rapid growth and financial success of its residents, there is a need for a true restaurant-bar that tailors its atmosphere and service to the work-life balance represented in its population. The city lacks a single establishment where children are welcome and adults are encouraged to unwind after a hard day's work. Old Three Hundred aims to bring big city food and drinks to Fulshear, alleviating the need to drive for over an hour in order to encounter a similar experience. The establishment will offer well curated food, high quality cocktail and beverage program with a "Welcome to our House" feel, a need that has not yet been brought into fruition in Fulshear, Texas.

We want to create a family and adult friendly watering hole in Fulshear, Texas to serve the food and beverage needs of an underserved, but vastly growing community in a suburb outside of Houston metropolitan area. Offer comfort, high quality food and drinks at reasonable prices to allow residents to unwind in their own neck of the woods without having to drive 30+ minutes. (3-fold) Home away from home in their own neighborhood, like no other offerings currently available to residents of Fulshear. 4 star food & drink at 2 star prices, built for Fulshear, by Fulshear - built to serve.

We will be be staffed with 15 total employees with an approximately occupancy of 75. Alcohols sales will accommodate 30% or less of our revenue. Our menu will be New American Foe with seasonal changes. We will have a rotating menu consisting of different meats, seafood, sandwiches,tacos, and with a little BBQ.

We are requesting a Special Use Permit for 8525 FM 359 Suite 100 to

change the building use for Retail to Restaurant/Bar, we will be remodeling the inside of the building to fulfill occupancy requirements.

We will comply with Signage with the city ordinance for the downtown district.

We will be making no modifications regarding to the Drainage.

We will be making no modifications regarding to the Landscaping.

We will comply with Outdoor lightning with the city ordinance for the downtown district.

We will be making no modifications regarding to the front of the building.

The total lease space is 2066 sq ft. These will require us to have 8 spaces. We have 6 spaces in front of the building and have leased the property located at 30311 East 1st St. for overflow and employee parking.

ACKNOWLEDGEMENTS:

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the above proposal before the Zoning Commission and City Council public hearings. I further certify that I have read and understand the information provided, concerning the policies and procedures regarding consideration of my zoning request.

*I understand that all recommendations of the Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the third Tuesday of the month. I further understand that any actions of the Zoning Commission are considered recommendations to the City Council and that I may be heard **by the City Council** at the prescribed Council hearing date where a final decision will be made.*

I further understand that if I am not present nor duly represented at the Commission's public hearing, the Zoning Commission may dismiss my request, which constitutes a recommendation that the request be denied. I further understand that if I am not present, or duly represented, at the City Council public hearing, the City Council may deny my request.

*I reserve the right to **withdraw** this proposal at any time, upon written request filed with the City Secretary. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal, shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. I / We respectfully request approval and adoption of the proposed zoning / land use of property, within the City of Fulshear, as identified in this application.*

Signature of Owner/ Agent*  _____ Date 3/22/12

(circle one)
Printed name Sharif Al-Amin Phone. No. 713-517-7171

*Note: An Agent must furnish a signed Letter of Authorization from the owner when submitting this application.

Special Use Permit Request:
8525 FM 359, Suite 100
Item 2: Ownership Affidavit
3 of 6
Owner's Designation of Local
Representative

Regarding Subject Properties:
8525 FM 359, Suite 100, Fulshear, Texas 77441
30311 E. 1st Street, Fulshear, TX 77441

From:
Louis Lippman as Managing Member of
Keystone Ventures, LLC.,
General Partner of Fulshear II, Ltd.

1616 Fountain View Dr., Suite 611
Houston, TX 77057 or
louis.lippman@gmail.com

To Whom It May Concern:

On or about March 1st, 2017, Sharif Al-Amin entered into a Lease Agreement for the Subject Properties for the purpose of opening and operating a Restaurant/Bar named "The Old Three Hundred".

This Letter confirms for the City of Fulshear that Mr Al-Amin has my permission to operate said business and to apply for Permits, Change of Use, or Special Use Permit, as required by The City Of Fulshear.

Any questions regarding this Letter should be directed to:

Louis Lippman as Managing Member of
Keystone Ventures, LLC.,
General Partner of Fulshear II, Ltd.

1616 Fountain View Dr., Suite 611
Houston, TX 77057 or
louis.lippman@gmail.com

DocuSigned by:

3/22/2017 | 13:25 PM CDT



Louis Lippman as Managing Member of
Keystone Ventures, LLC.,
General Partner of Fulshear II, Ltd.

| | | | |
|-----------------|-----------------|------------------------------------|----------------------------|
| Property | Owner | Property Address | 2016 Assessed Value |
| R391020 | FULSHEAR II LTD | 8525 FM 359 RD, FULSHEAR, TX 77441 | \$647,380 |

2016 GENERAL INFORMATION

Property Status: **Active**
 Property Type: **Real Commercial**
 Legal Description: **FULSHEAR, BLOCK 2, Lots 7 & 10**
 Neighborhood: **Fulshear Retail Strip Center**
 Account: **3380-00-002-0072-901**
 Related Properties: **P319052, P322870, P329076**
 Map Number: **A-027-N**

2016 OWNER INFORMATION

Owner Name: **Fulshear II Ltd**
 Owner ID: **O0414134**
 Exemptions:
 Percent Ownership: **100%**
 Mailing Address: **1616 Fountain View DR #APT 611 Houston, TX 77057-2530**

2016 VALUE INFORMATION

| | |
|---------------------------------------|------------------|
| Improvement Homesite Value | \$0 |
| Improvement Non-Homesite Value | \$376,900 |
| Total Improvement Market Value | \$376,900 |
| Land Homesite Value | \$0 |
| Land Non-Homesite Value | \$270,480 |
| Land Agricultural Market Value | \$0 |
| Total Land Market Value | \$270,480 |
| Total Market Value | \$647,380 |
| Agricultural Use | \$0 |
| Total Appraised Value | \$647,380 |
| Homestead Cap Loss | -\$0 |
| Total Assessed Value | \$647,380 |

2016 ENTITIES & EXEMPTIONS

| TAXING ENTITY | EXEMPTIONS | EXEMPTIONS AMOUNT | TAXABLE VALUE | TAX RATE PER 100 | TAX CEILING |
|---|------------|-------------------|---------------|------------------|-------------|
| C04- City of Fulshear | | \$0 | \$647,380 | 0.156901 | 0 |
| CAD- Fort Bend Central Appraisal District | | \$0 | \$647,380 | 0 | 0 |
| D01- Ft Bend Drainage | | \$0 | \$647,380 | 0.016 | 0 |
| G01- Ft Bend Co Gen | | \$0 | \$647,380 | 0.458 | 0 |
| R05- Ft Bend Co ESD 4 | | \$0 | \$647,380 | 0.1 | 0 |
| S01- Lamar CISD | | \$0 | \$647,380 | 1.39005 | 0 |
| TOTALS | | | | 2.120951 | |

2016 IMPROVEMENTS

Improvement #1: State Code: **F1 - Real Commercial** Homesite: **No** Total Main Area: **Market Value: \$491,810**

| RECORD | TYPE | YEAR BUILT | SQ. FT | VALUE | ADD'L INFO |
|--------|---------------------------------|------------|--------|-----------|-------------------------|
| 1 | Shopping Center, Chac, 14' Wall | 2008 | 5,130 | \$452,910 | Details |
| 2 | Canopy Roof/slab | 2008 | 990 | \$10,250 | Details |
| 3 | Paving Concrete | 2008 | 5,000 | \$28,650 | Details |

2016 LAND SEGMENTS

| LAND SEGMENT TYPE | STATE CODE | HOMESITE | MARKET VALUE | AG USE LOSS | LAND SIZE |
|------------------------|----------------------|----------|--------------|-------------|---------------------------------------|
| 1 - Commercial Primary | F1 - Real Commercial | No | \$270,480 | \$0 | 14,000 Sq. ft. |
| TOTALS | | | | | 14,000 Sq. ft / 0.321396 acres |

VALUE HISTORY

| YEAR | IMPROVEMENT | LAND | MARKET | AG MARKET | AG LOSS | APPRAISED | HS CAP LOSS | ASSESSED |
|------|-------------|-----------|-----------|-----------|---------|-----------|-------------|-----------|
| 2015 | \$437,520 | \$162,670 | \$600,190 | \$0 | \$0 | \$600,190 | \$0 | \$600,190 |
| 2014 | \$380,200 | \$162,670 | \$542,870 | \$0 | \$0 | \$542,870 | \$0 | \$542,870 |
| 2013 | \$269,330 | \$162,670 | \$432,000 | \$0 | \$0 | \$432,000 | \$0 | \$432,000 |
| 2012 | \$269,330 | \$162,670 | \$432,000 | \$0 | \$0 | \$432,000 | \$0 | \$432,000 |
| 2011 | \$301,850 | \$162,670 | \$464,520 | \$0 | \$0 | \$464,520 | \$0 | \$464,520 |

Special Use Permit Request:
8525 FM 359, Suite 100

Item 2: Ownership Affidavit
4 of 6
FBCAD Property Record 1

| | | | |
|--------------------|--------------------------------|------------------------------------|---------------------------------|
| Property R65697 | Owner KEYSTONE VENTURES LLC | Property Address 30311 E 1ST ST | 2016 Assessed Value \$36,540 |
|--------------------|--------------------------------|------------------------------------|---------------------------------|

2016 GENERAL INFORMATION

| | |
|-------------------|--|
| Property Status | Active |
| Property Type | Real Commercial |
| Legal Description | FULSHEAR, BLOCK 2, LOT 11 (PT) (E 34.8 FT) |
| Neighborhood | Fulshear Service Garage |
| Account | 3380-00-002-0110-901 |
| Map Number | A-027-N |

2016 OWNER INFORMATION

| | |
|-------------------|---|
| Owner Name | Keystone Ventures LLC |
| Owner ID | O0399550 |
| Exemptions | |
| Percent Ownership | 100% |
| Mailing Address | 1616 FOUNTAIN VIEW DR #APT 611 HOUSTON, TX 77057-2530 |

2016 VALUE INFORMATION

| | |
|--------------------------------|----------|
| Improvement Homesite Value | \$0 |
| Improvement Non-Homesite Value | \$0 |
| Total Improvement Market Value | \$0 |
| Land Homesite Value | \$0 |
| Land Non-Homesite Value | \$36,540 |
| Land Agricultural Market Value | \$0 |
| Total Land Market Value | \$36,540 |
| Total Market Value | \$36,540 |
| Agricultural Use | \$0 |
| Total Appraised Value | \$36,540 |
| Homestead Cap Loss | -\$0 |
| Total Assessed Value | \$36,540 |

2016 ENTITIES & EXEMPTIONS

| TAXING ENTITY | EXEMPTIONS | EXEMPTIONS AMOUNT | TAXABLE VALUE | TAX RATE PER 100 | TAX CEILING | |
|---|------------|-------------------|---------------|------------------|-------------|---|
| C04- City of Fulshear | | | \$0 | \$36,540 | 0.156901 | 0 |
| CAD- Fort Bend Central Appraisal District | | | \$0 | \$36,540 | 0 | 0 |
| D01- Ft Bend Drainage | | | \$0 | \$36,540 | 0.016 | 0 |
| G01- Ft Bend Co Gen | | | \$0 | \$36,540 | 0.458 | 0 |
| R05- Ft Bend Co ESD 4 | | | \$0 | \$36,540 | 0.1 | 0 |
| S01- Lamar CISD | | | \$0 | \$36,540 | 1.39005 | 0 |
| TOTALS | | | | 2.120951 | | |

2016 LAND SEGMENTS

| LAND SEGMENT TYPE | STATE CODE | HOMESITE | MARKET VALUE | AG USE LOSS | LAND SIZE |
|------------------------|----------------------|----------|--------------|-------------|--------------------------------------|
| 1 - Commercial Primary | F1 - Real Commercial | No | \$36,540 | \$0 | 1,740 Sq. ft |
| TOTALS | | | | | 1,740 Sq. ft / 0.039945 acres |

VALUE HISTORY

| YEAR | IMPROVEMENT | LAND | MARKET | AG MARKET | AG LOSS | APPRAISED | HS CAP LOSS | ASSESSED |
|------|-------------|----------|----------|-----------|---------|-----------|-------------|----------|
| 2015 | \$0 | \$18,270 | \$18,270 | \$0 | \$0 | \$18,270 | \$0 | \$18,270 |
| 2014 | \$0 | \$18,270 | \$18,270 | \$0 | \$0 | \$18,270 | \$0 | \$18,270 |
| 2013 | \$0 | \$18,270 | \$18,270 | \$0 | \$0 | \$18,270 | \$0 | \$18,270 |
| 2012 | \$0 | \$18,270 | \$18,270 | \$0 | \$0 | \$18,270 | \$0 | \$18,270 |
| 2011 | \$0 | \$18,270 | \$18,270 | \$0 | \$0 | \$18,270 | \$0 | \$18,270 |

SALES HISTORY

| DEED DATE | SELLER | BUYER | INSTR # | VOLUME/PAGE |
|-----------|------------------------------------|---|------------|-------------|
| 11/8/2006 | Rhemann Karen J & Ronald H | Keystone Ventures LLC | 2006141461 | |
| 8/23/2006 | Bentley, Carl B BENTLEY, CARL B | Rhemann Karen J & Ronald H Bentley, Carl B | 2006106481 | |

Special Use Permit Request:
8525 FM 359, Suite 100
Item 2: Ownership Affidavit
5 of 6
FBCAD Property Record 2



CITY OF FULSHEAR

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Special Use Permit Request:
8525 FM 359, Suite 100

Item 2: Ownership Affidavit
4 of 6
FBCAD Property Record 1

Special Use Permit Request

Property Address: 8525 FM 359 Suite 100
Fulshear, Block 2, Lots 7 & 10

Re: SUP Owner & Owner's Local Representative

The City has received documents supporting the information provided concerning the ownership of, interest in, designation of managing partner, and lease information for this property. The contact information for the owner and designated owner's local representative concerning this property are listed below.

Property Address: 8525 FM 359 Suite 100
Fulshear, Block 2, Lots 7 & 10
Fulshear Retail Strip Center

Owner:
Fulshear II Ltd

Owner Contact:
Louis Lippman
1616 Fountain View Drive, Suite 611
Houston, TX 77057

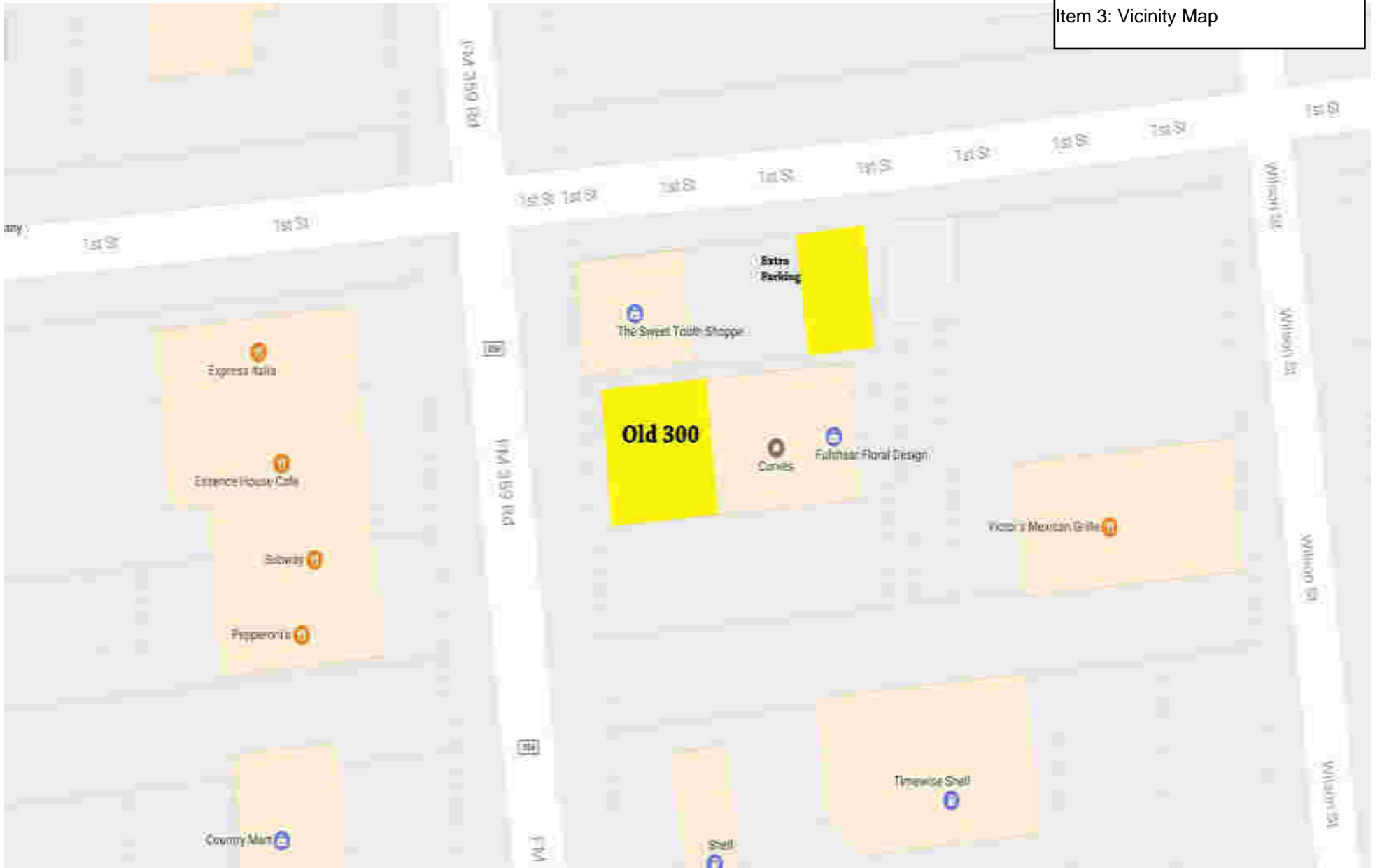
Owner's Local Representative:
Sharif Alamin
1830 Lake Arrowhead Drive
Houston, TX 77406

Sincerely,

Michelle Killebrew

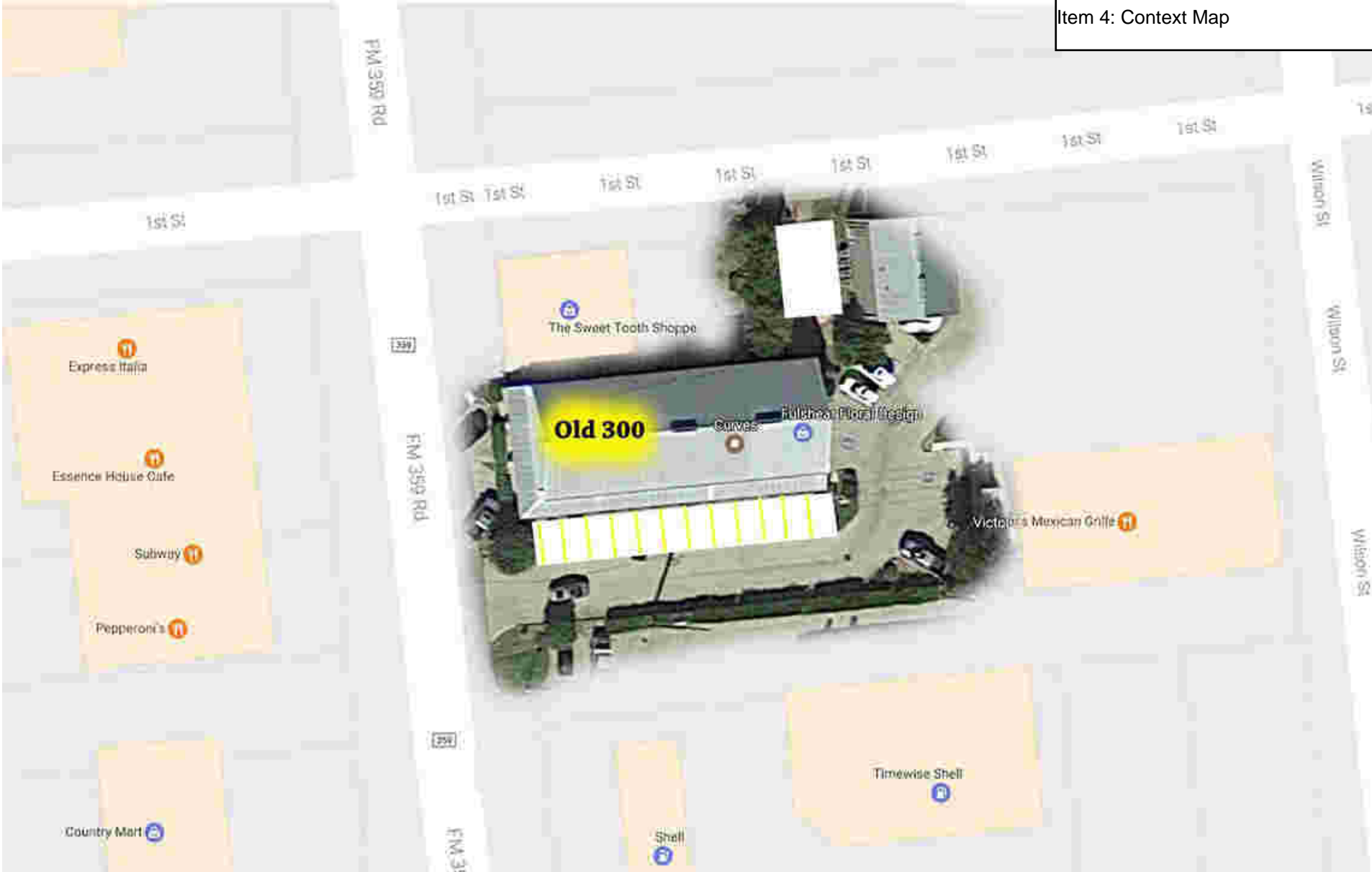
Michelle Killebrew
Chief Building Official
City of Fulshear

Special Use Permit Request:
8525 FM 359, Suite 100
Item 3: Vicinity Map



Special Use Permit Request:
8525 FM 359, Suite 100

Item 4: Context Map





LEGEND

- ASPHALT
- CONCRETE
- COVERED AREA



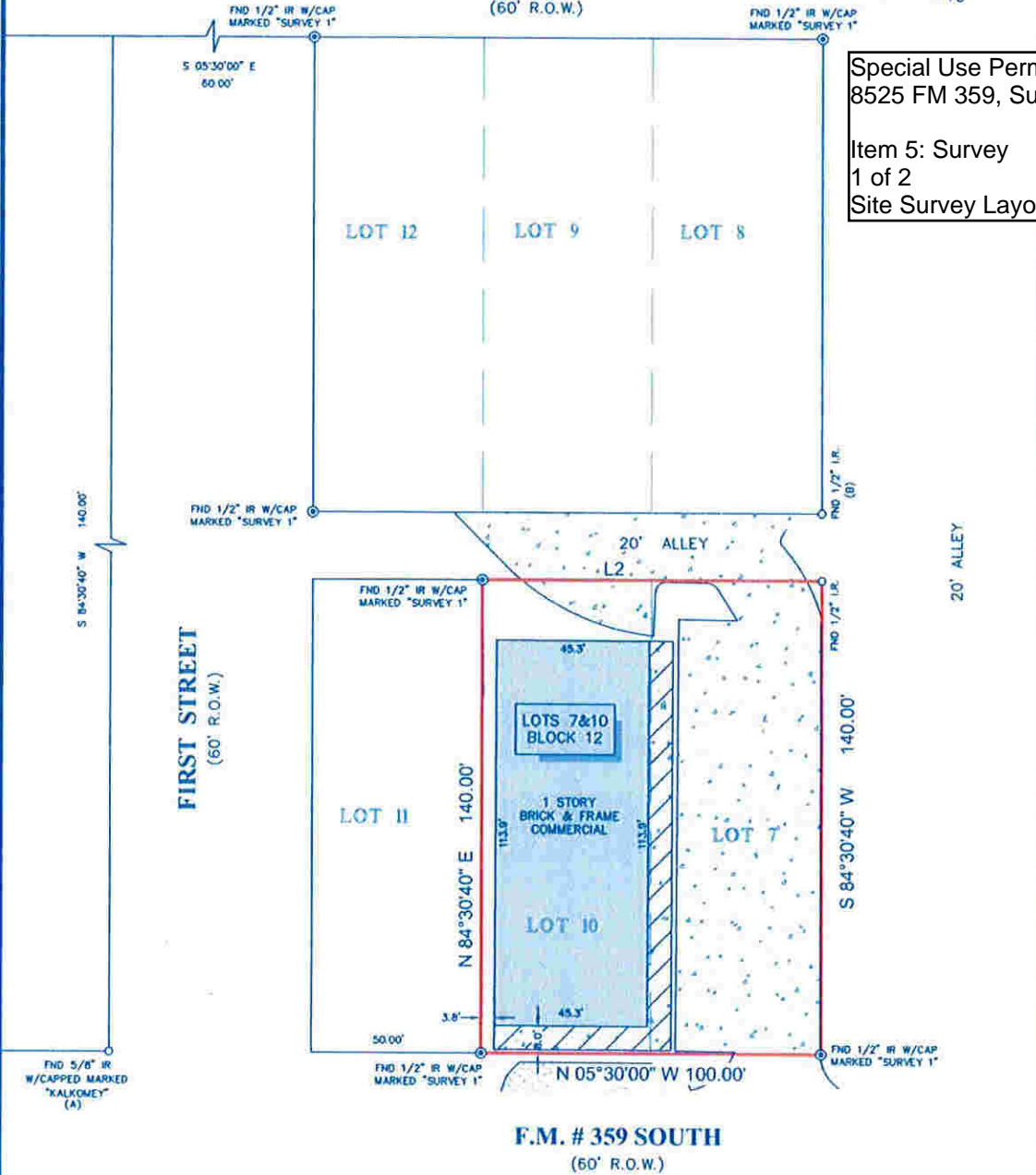
| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L2 | S 05°30'00" E | 100.00' |

WILSON STREET
(60' R.O.W.)



Special Use Permit Request:
8525 FM 359, Suite 100

Item 5: Survey
1 of 2
Site Survey Layout



NOTES:

1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO THE SUBDIVISION PLAT NAMED BELOW, POINTS (A) AND (B) WERE HELD FOR HORIZONTAL CONTROL.
2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF INFORMATION CONTAINED IN A TITLE REPORT PER THE REQUEST OF THE BUYER.
3. THIS SURVEY IS CERTIFIED TO SHARIQ AL-AMRI FOR THIS TRANSACTION ONLY; IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
4. ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
5. THERE ARE NO NATURAL DRAINAGE COURSES ON SUBJECT PROPERTY.

LEGAL DESCRIPTION: LOTS 7 & 10, IN BLOCK 12, OF TOWN OF FULSHEAR, A SUBDIVISION IN FORT BEND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME U, PAGE 180 OF THE MAP RECORDS OF FORT BEND COUNTY, TEXAS.



SURVEYOR'S CERTIFICATE:
IN MY PROFESSIONAL OPINION, THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION ON MARCH 18, 2017 AND THAT THIS PLAT SUBSTANTIALLY COMPLIES WITH THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING; AND THAT THERE ARE NO ENCROACHMENTS OR PROBLEMS, EXCEPT AS SHOWN.

Richard Fussell
RICHARD FUSSELL
RPLS #4148

| | | | | | |
|--|--|--|--|--------------------|--|
| CLIENT: TBD | | FIELD CREW: JJ | | TECH: AR | |
| ADDRESS: 8525 F.M. #359 SOUTH | | DRAFTER: AR | | FINAL CHECK: EF | |
| www.survey1inc.com survey1@survey1inc.com | | DATE: 3-16-17 | | JOB# 3-52253-17 | |
| Survey 1, Inc. Your Land Survey Company | | Firm Registration No. 100758-00 P.O. Box 2543 AHN, TX 77512 (281)393-1382 | | | |

**DESCRIPTION OF A TRACT OF LAND CONTAINING
0.3613 ACRES (15,740 SQUARE FEET) SITUATED
TOWN OF FULSHEAR, A SUBDIVISION RECORDED
IN VOLUME U, PAGE 180 OF THE MAP RECORDS OF
FORT BEND COUNTY, TEXAS**

Special Use Permit Request:
8525 FM 359, Suite 100

Item 5: Survey
2 of 2
Survey Metes & Bounds

Being a tract of land containing 0.3613 acres (15,740 square feet), being all of Lots 7 and 10, and the east 34.80 feet of Lot 11, in Block 12, of Town of Fulshear, a subdivision in Fort Bend County, Texas, according to the map or plat thereof recorded in Volume U, Page 180 of the Map Records of Fort Bend County, Texas. Said 0.3613-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at the northwest corner of said Lot 11 at the intersection of the south right-of-way line of First Street (60 feet wide) with the east right-of-way line of F.M. 359 South (variable width);

THENCE North 84° 30' 40" East along the south right-of-way line of said First Street and the north line of said Lot 11, a distance of 105.20 feet to a found 1/2-inch iron rod for the northerly northwest corner and POINT OF BEGINNING of said tract herein described;

THENCE continuing North 84° 30' 40" East along the south right-of-way line of said First Street and the north line of said Lot 11, a distance of 34.80 feet to a found 1/2-inch iron rod at the intersection of the south right-of-way line of said First Street with the west line of a 20 foot wide alley, for the northeast corner of said Lot 11, and for the northeast corner of said tract herein described;

THENCE South 05° 30' 00" East along the east line of said Lots 11, 10 and 7, and the west line of said 20 foot alley, a distance of 150.00 feet to a found 1/2-inch iron rod at the intersection of the west line of said alley with the north line of a 20 foot wide alley for the southeast corner of said Lot 7 and for the southeast corner of said tract herein described;

THENCE South 84°30' 40" West along the north line of said alley and the south line of said Lot 7, a distance of 140.00 feet to a found 1/2-inch iron rod with cap marked "Survey 1" in the west right-of-way line of said F.M. 359 South, for the southwest corner of said Lot 7, and for the southwest corner of said tract herein described;

THENCE North 05° 30' 00" West along the east right-of-way line of said F.M. 359 South, and the west line of said Lots 7 and 10, a distance of 100.00 feet to a found 1/2-inch iron rod with cap marked "Survey 1" for the northwest corner of said Lot 10, for the southwest corner of said Lot 11, and for the westerly northwest corner of said tract herein described;

THENCE North 84° 30' 40" East along the common line of said Lots 10 and 11, a distance of 105.20 feet to a found 1/2-inch iron rod for an interior corner of said tract herein described;

THENCE North 05° 30' 00" West, a distance of 50.00 feet to the POINT OF BEGINNING and containing 0.3613 acres (15,740 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey I, Inc. (Firm Registration No. 100758-00) dated March 16, 2017, job number 3-52253-17.

Survey I, Inc.
P.O. Box 2543
Alvin, TX 77512
281-393-1382



March 16, 2017



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093
Fulshear, Texas 77441
Phone: 281-346-1796 ~ Fax: 281-346-2556
www.fulsheartexas.gov

Special Use Permit Request:
8525 FM 359, Suite 100

Item 6: Conformance with
the Comprehensive Plan
(Staff Memo)

Special Use Permit Request

Property Address: 8525 FM 359 Suite 100
Fulshear, Block 2, Lots 7 & 10

Re: Special Use Permit Request/ Conformance with the Comprehensive Plan:

Property Address: 8525 FM 359
Lots 7&10, Block 12, Town of Fulshear

The owner of the property located at 8525 FM 359, along with their designated local representative Sharif Alamin, are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for retail. They are requesting to use the property for commercial use, specifically for eating and drinking establishment.

As it concerns the requested use of this property in the Downtown District, the City of Fulshear Comprehensive Plan addresses this possibility. We find that the section cited below provides specific relevance to this request:

City of Fulshear Comprehensive Plan Page 5.3

As indicated by the many design-related comments from Fulshear residents captured in the Introduction section to this plan, the strong desire for high-quality non-residential development that is compatible with Fulshear's traditional character, and that brings additional niche retail and unique restaurants rather than typical chain establishments.

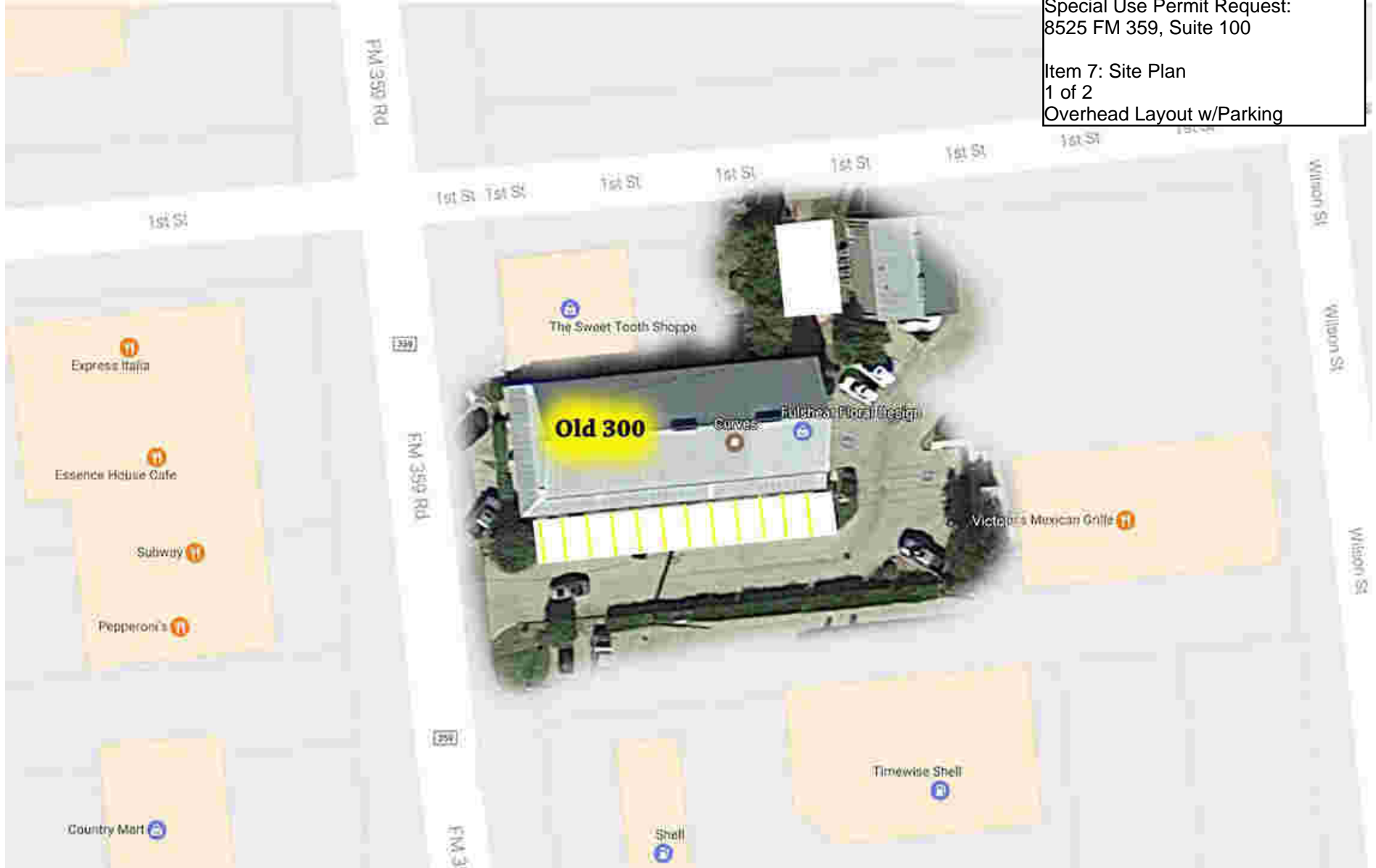
Based on a review of the documentation and of the Comprehensive Plan, City Staff has reason to believe that the property will allow for the eating and drinking establishment use as requested by the applicant and will not increase the danger of fire; will not adversely affect the public health, safety and well-being; nor will it substantially diminish or impair the property values within the neighborhood. Thus, we find that the request for the property located at 8525 FM 359 is in line with the Comprehensive Plan.

Sincerely,

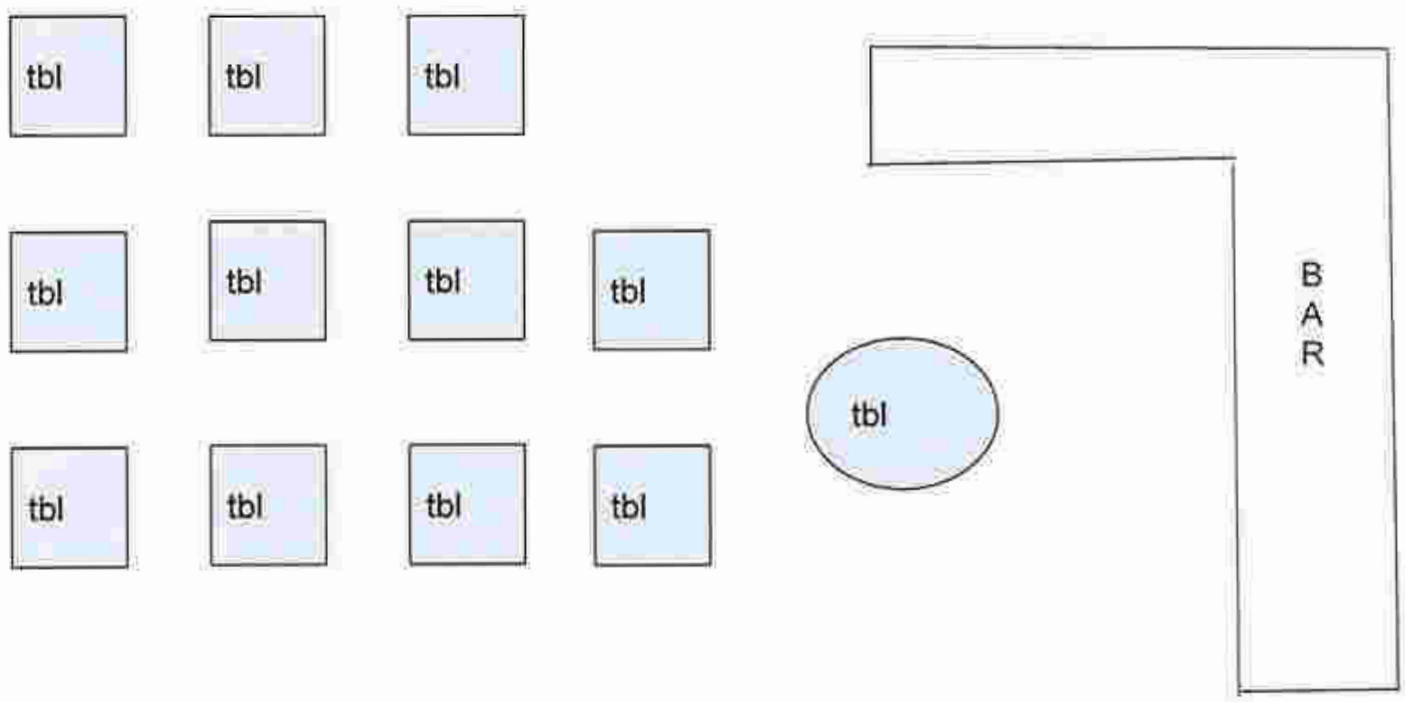
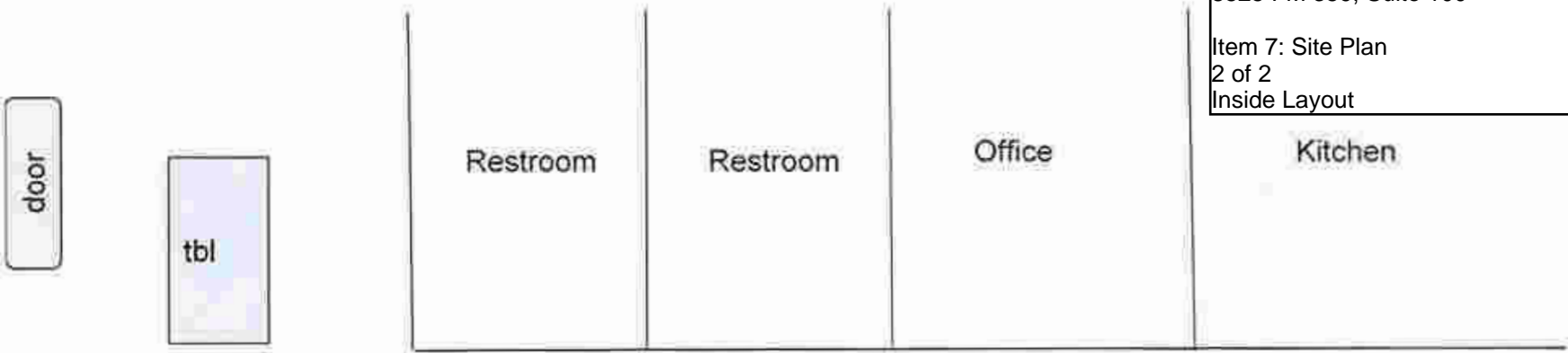
Michelle Killebrew

Michelle Killebrew
Chief Building Official
City of Fulshear

Special Use Permit Request:
8525 FM 359, Suite 100
Item 7: Site Plan
1 of 2
Overhead Layout w/Parking



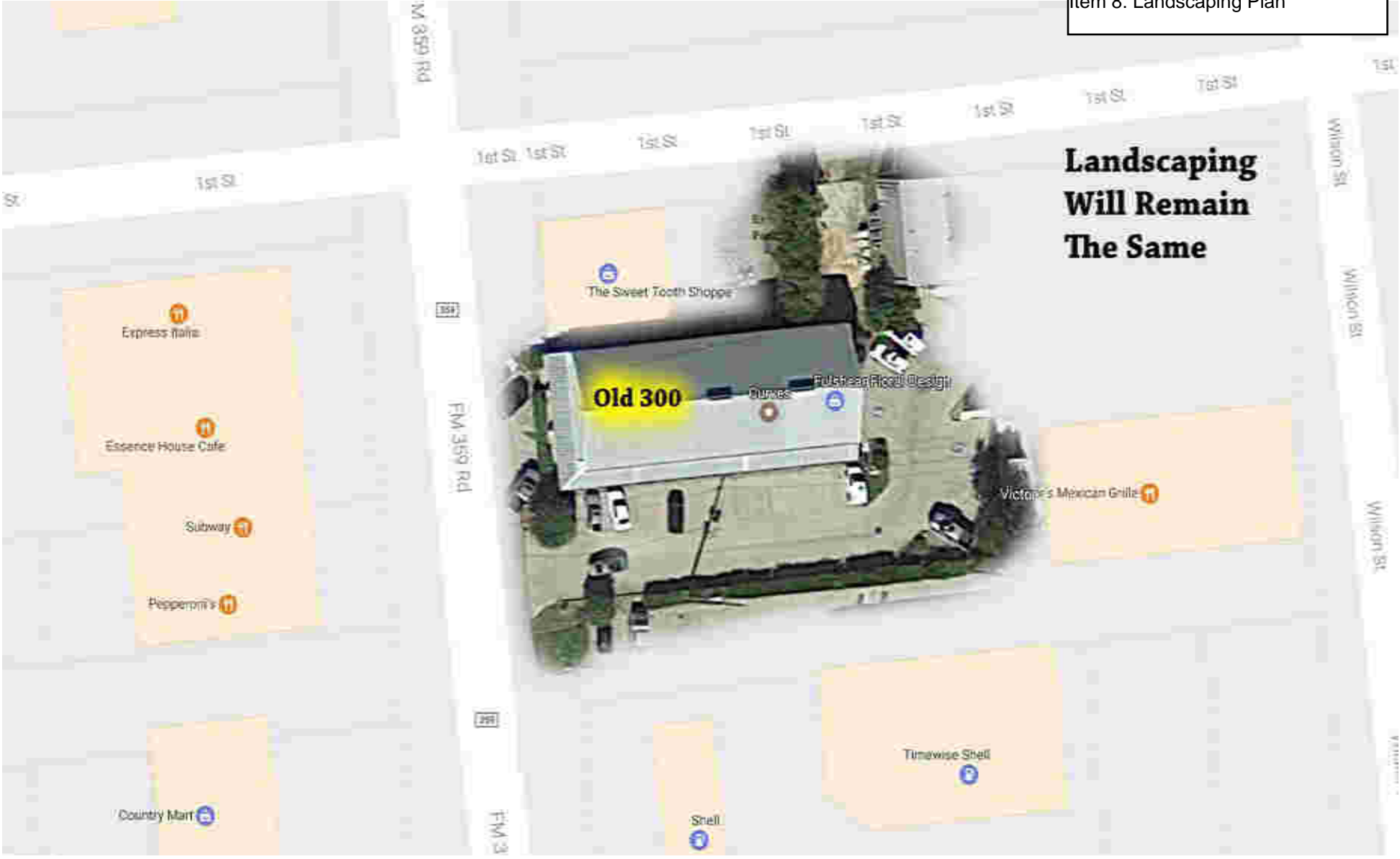
Special Use Permit Request:
8525 FM 359, Suite 100
Item 7: Site Plan
2 of 2
Inside Layout



Floor plan

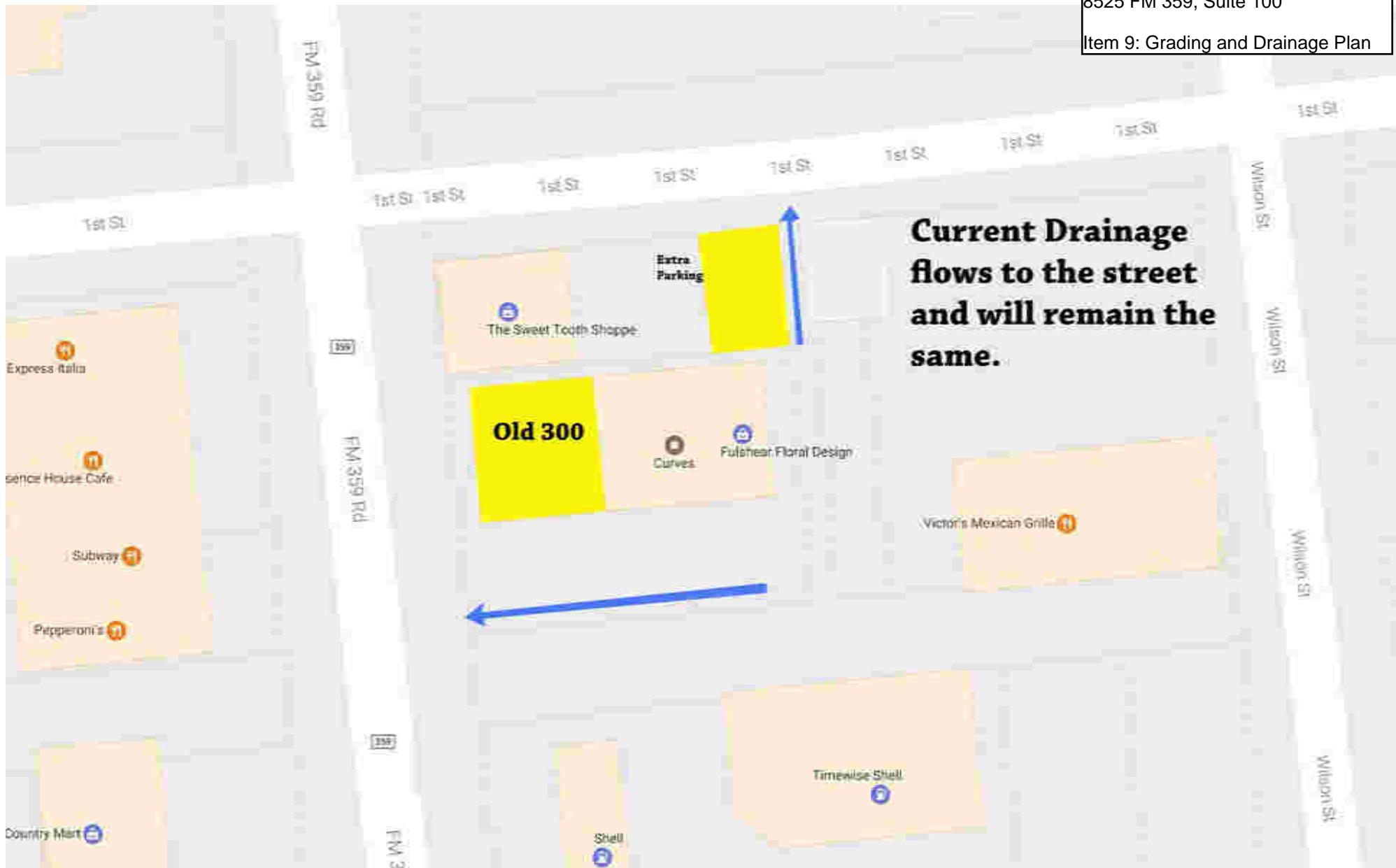
Special Use Permit Request:
8525 FM 359, Suite 100

Item 8: Landscaping Plan



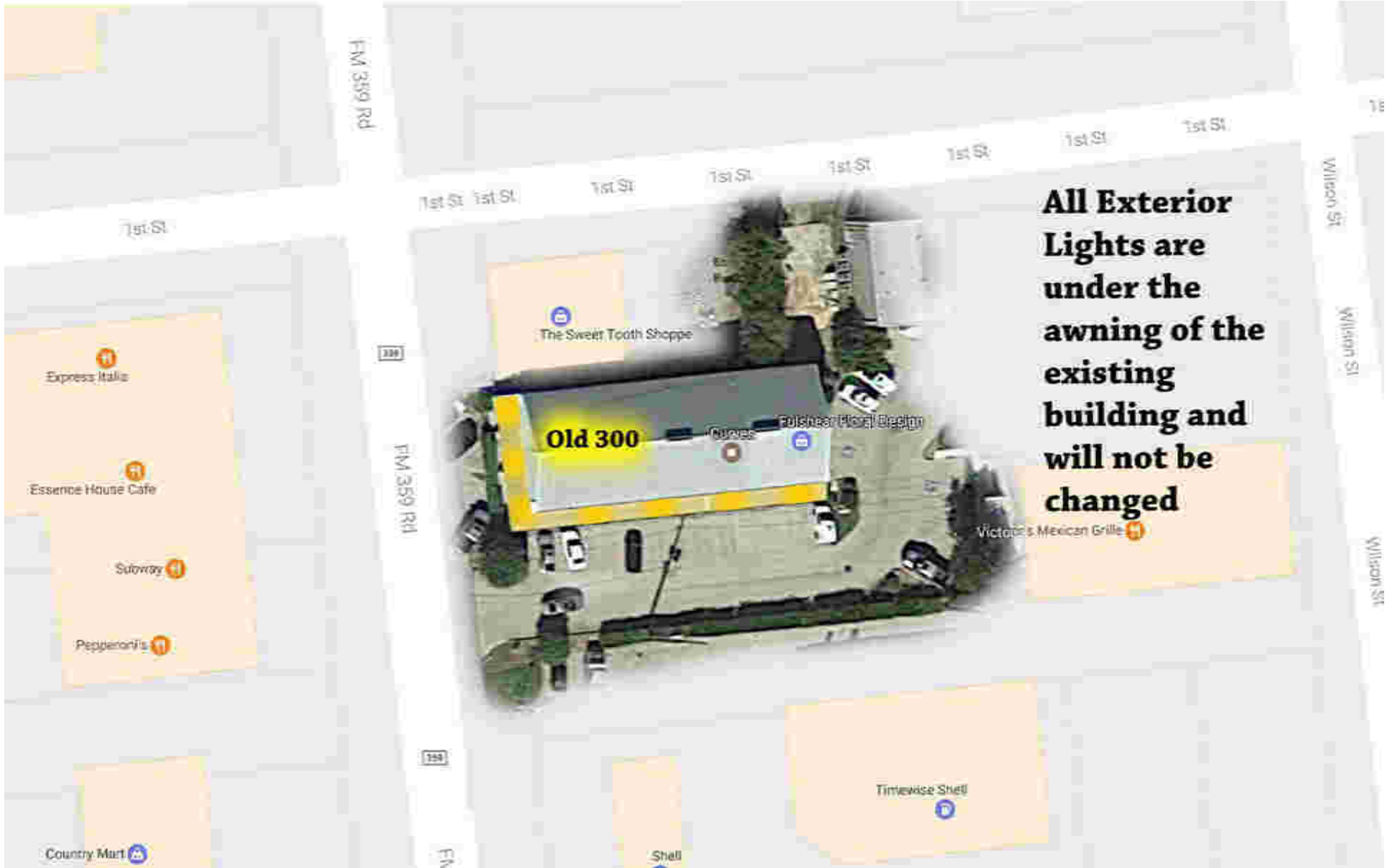
**Landscaping
Will Remain
The Same**

Special Use Permit Request:
8525 FM 359, Suite 100
Item 9: Grading and Drainage Plan



Special Use Permit Request:
8525 FM 359, Suite 100

Item 10: Lighting Plan



Special Use Permit Request:
8525 FM 359, Suite 100

Item 11: Elevations

No modifications are currently proposed to the building elevations.

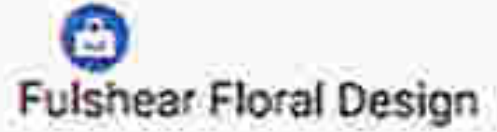


Special Use Permit Request:
8525 FM 359, Suite 100
Item 12: Signage Plan

359

The Sweet Tooth Shoppe

FM 359 Rd



Wall signs will meet
the requirements of
the City Sign
Ordinance

March 31, 2017

Special Use Permit Request:
8525 FM 359, Suite 100

Item 13: Traffic Impact Study
City Engineer's Memo

Michelle Killebrew, Building Official
City of Fulshear
P.O. Box 279
Fulshear, TX 77441

Re: Proposed Restaurant
8525 F.M. 359, Suite 100
Fulshear, Texas

Dear Michelle:

I have reviewed the location of the proposed restaurant at 8525 F.M. 359 and do not see a Traffic Impact Analysis being needed. I do recommend that the parking lot be striped for parking spaces and that no head in parking be allowed that will back out into F.M. 359.

Very truly yours,



David Leyendecker, P.E., R.P.L.S.
Engineer for the City of Fulshear

DL/pe

PUBLISHER'S AFFIDAVIT

Special Use Permit Request: 8525 FM 359, Suite 100
Item 14: Public Notice
1 of 3
Publisher's Affidavit

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

- 1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
- 2. it is published at least once each week;
- 3. it is entered as second-class postal matter in the county where it is published; and
- 4. it has been published regularly and continuously since 1959.
- 5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)

**FIRST PUBLIC HEARING- SPECIAL USE PERMIT
PLANNING AND ZONING COMMISSION**

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on April 7, 2017 at 8:30 a.m., the second hearing will be held by the City Council. Both hearings will be in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093 at which time and place all interested persons will be given an opportunity to be heard.

The location of the premises in question is located in the Downtown District, Lots 7&10 Block 12 of the Town of Fulshear, specifically the address is 8525 FM 359 Road, Suite 100 Fulshear, Texas 77441.

The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure to be Commercial Use for Restaurant/Bar.

Specific relief is requested from Section 1-193 (c) (2) (e) which states that the use of eating and drinking places within the Downtown District is permitted if they are approved in the process outlined in section 1-283.

The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or required by the applicant or the Board/Council.

A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5 p.m. and Fridays from 8:00 a.m. to 3 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request please call the City Secretary's office at 281-346-1796 X204.

Posted on the bulletin board: March 27, 2017

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

3-27

_____, A.D. 2017

Lee Hartman
Publisher

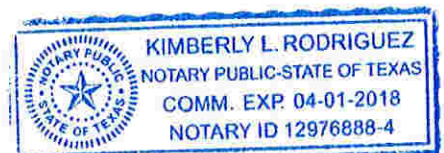
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

_____ b) provided the following evidence to establish his/her identity, _____

on this the 28th day of March, A.D. 2017 to certify which witness my hand and seal of office.

Notary Public, State of Texas





CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

www.fulsheartexas.gov

Special Use Permit Request:
8525 FM 359, Suite 100

Item 14: Public Notice
2 of 3
Notice Sent to Area Property
Owners

Notice of Special Use Request

1/17/2017

TO WHOM IT MAY CONCERN;

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on April 7, 2017 at 8:30 a.m., the second hearing will be held by the City Council on April 18, 2017 at 7:00 p.m. both hearings will be in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093 at which time and place all interested persons will be given an opportunity to be heard.

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The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure to be Commercial Use for Restaurant/Bar.

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A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5 p.m. and Fridays from 8:00 a.m. to 3 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request please call the City Secretary's office at 281-346-1796.

Sincerely,

Michelle Killebrew
Building Official

Sheet1

| Property Address (tax record) | Owner of Record (tax record) | Mailing Address (tax record) |
|---|----------------------------------|--|
| 1 MAIN ST, FULSHEAR, TX 77441 | Haas, Rebecca Shirlene | 1716 Magnolia LN Richmond, TX 77469-4850 |
| 2 MAIN ST, FULSHEAR, TX 77441 | Haas, Rebecca Shirlene | 1716 Magnolia LN Richmond, TX 77469-4850 |
| 3 30530 1ST ST | Fulshear KU Ltd | c/o Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018 |
| 4 MAIN ST, FULSHEAR, TX 77441 | Fulshear Main Street Crossing LP | 5 Riverway #STE 340 Houston, TX 77056-1864 |
| 5 30410 1ST ST, FULSHEAR, TX 77441 | Fulshear Main Street Crossing LP | 5 Riverway #STE 340 Houston, TX 77056-1864 |
| 6 8526 FM 359 RD, FULSHEAR, TX 77441 | ZMKR Inc | PO Box 1046 Fulshear, TX 77441-1046 |
| 7 8526 FM 359 RD S, FULSHEAR, TX 77441 | ZMKR Inc | PO Box 1046 Fulshear, TX 77441-1046 |
| 8 30522 W FRONT ST | Fulshear Ku Ltd | C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018 |
| 9 FIRST ST, FULSHEAR, TX 77441 | City of Fulshear | c/o Diana Gordon Offord PO Box 279 Fulshear, TX 77441-0279 |
| 10 N HARRIS ST | Fulshear KU Ltd | C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018 |
| 11 FIRST ST, FULSHEAR, TX 77441 | Fulshear KU Ltd | C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018 |
| 12 8510 MAIN ST, FULSHEAR, TX 77441 | Fulshear KU Ltd | C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018 |
| 13 8506 FM 359 RD, FULSHEAR, TX 77441 | Fulshear KU Ltd | C/O Edward E Stacey 909 Fannin ST #STE 1640 Houston, TX 77010-1018 |
| 14 30402 E FRONT ST | Arellano, Lauro | 822 W 17TH ST HOUSTON, TX 77008-3528 |
| 15 E FRONT ST | Landmark Industries INC | c/o Time Wise # 3901 11111 Wilcrest Green DR #STE 100 Houston, TX 77042-4813 |
| 16 30430 FM 1093 RD, FULSHEAR, TX 77441 | Texas Petroleum Group LLC | 11111 Wilcrest Green DR #STE 100 Houston, TX 77042-4739 |
| 17 8525 FM 359 RD, FULSHEAR, TX 77441 | Fulshear II Ltd | 1616 Fountain View DR #APT 611 Houston, TX 77057-2530 |
| 18 30311 E 1ST ST | Keystone Ventures LLC | 1616 FOUNTAIN VIEW DR #APT 611 HOUSTON, TX 77057-2530 |
| 19 8503 FM 359 RD, FULSHEAR, TX 77441 | Tate, Kathryn E | 29102 WALKER LN RICHMOND, TX 77406-7712 |

Special Use Permit Request:
8525 FM 359, Suite 100

Item 14: Public Notice
2 of 3
Listing of Property Owners
Notified



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093
Fulshear, Texas 77441
Phone: 281-346-1796 ~ Fax: 281-346-2556
www.fulsheartexas.gov

PLANNING AND ZONING COMMISSION MINUTES MARCH 3, 2017

1. Call to Order

A Regular Meeting of the Fulshear Planning and Zoning Commission was called to order by Planning and Zoning Chairman Amy Pearce at 8:30 a.m. on Friday, March 3, 2017 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas.

2. Quorum

A quorum was present.

Members Present:

*Amy Pearce-Chairman
Dar Hakimzakeh
Jason Cherubini
Bijay Aryal
Austin Weant*

Members Absent:

*Dawn McRea
Harold Collins*

City Staff:

*Diana Gordon Offord, City Secretary
Kimberly Kopecky, Deputy City Secretary
David Leyendecker, City Engineer
CJ Snipes, City Manager
Sharon Valiante, Public Works Director
Brant Gary, Executive Director of Planning and Development
Kerry Sigler, Chief Building Inspection Supervisor*

Others Present:

*Trey Devillier
Gerald Grissom
And 3 other people that did not sign in*

**PLANNING AND ZONING COMMISSION MINUTES
MARCH 3, 2017**

3. Public Comment

Citizens who desire to address the Planning And Zoning Commission with regard to matters on the agenda will be received at this time. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Comments or discussion by planning and zoning members will only be made at the time the subject is scheduled for Consideration.

There were no Citizen Comments.

4. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on February 3, 2017

A motion was made by Planning and Zoning member Weant to approve Minutes from Planning and Zoning Commission meeting held on February 3, 2017. It was seconded by Planning and Zoning member Hakimzakeh. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzakeh, Pearce, and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

5. Consideration and possible action to approve Cross Creek Commercial II/Final Plat

David Leyendecker states everything has been addressed and he recommends approval.

A motion was made by Planning and Zoning member Hakimzakeh to approve Cross Creek Commercial II/Final Plat. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzakeh, Pearce, and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

6. Consideration and possible action to approve The Market at Cross Creek Ranch- Partial Replat No. 1/Final Plat

David Leyendecker recommends approval. All items have been addressed. A motion was made by Planning and Zoning member Hakimzakeh to approve The Market at Cross Creek Ranch- Partial Replat No. 1/Final Plat. It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzakeh, Pearce and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

**PLANNING AND ZONING COMMISSION MINUTES
MARCH 3, 2017**

7. Consideration and possible action to approve Cross Creek Commons Retail Site- Partial Replat No. 1/Final Plat

David Leyendecker recommends approval. A motion was made by Planning and Zoning member Hakimzakeh to approve Cross Creek Commons Retail Site- Partial Replat No. 1/Final Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzakeh, Pearce and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

8. Consideration and possible action to approve Tamarron Section 24/Final Plat

Planning and Zoning Chairman Pearce asks the Commission to take Items 8 through 10 together. There was no objection. (See Item 10)

9. Consideration and possible action to approve Tamarron Section 31/Final Plat

(See Item 10)

10. Consideration and possible action to approve Tamarron Section 36/Final Plat

David Leyendecker recommends approval of all three items. A motion was made by Planning and Zoning member Weant to approve Items 8 through 10 (Tamarron Section 24/Final Plat, Tamarron Section 31/Final Plat, and Tamarron Section 36/Final Plat). It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzakeh, Pearce and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

II. Consideration and possible action to approve Katy ISD Elementary School No. 41/Final Plat

David Leyendecker states they turned in a traffic impact analysis. He recommends approval. Note the streets are not in yet on this plat. A motion was made by Planning and Zoning member Hakimzakeh to approve Katy ISD Elementary School No. 41/Final Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzakeh, Pearce, and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

**PLANNING AND ZONING COMMISSION MINUTES
MARCH 3, 2017**

12. Consideration and possible action to approve Commercial Reserves at 1463/Preliminary Plat

David Leyendecker states they are working on trying to move the sewer line to the front. He recommends this plat be approved and this issue will be worked out before the final plat. A motion was made by Planning and Zoning member Hakimzakeh to approve Commercial Reserves at 1463/Preliminary Plat. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzakeh, Pearce and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

13. Consideration and possible action to approve A Sign Variance Request located at 8030 FM 359 Suite G (Owner: Carla Casey, Applicant: David Newton)

Kerry Sigler states staff recommends approval. CJ Snipes explains that even though there is not a street there yet, there will be. A motion was made by Planning and Zoning member Aryal to approve A Sign Variance Request located at 8030 FM 359 Suite G (Owner: Carla Casey, Applicant: David Newton). It was seconded by Planning and Zoning member Hakimzakeh. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzakeh, Pearce and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

Motion Passes

14. Adjournment

A motion was made by Planning and Zoning member Hakimzakeh to adjourn. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Cherubini, Hakimzakeh, Pearce and Weant

Nays: None

Absent: Harold Collins

Dawn McRea

The meeting adjourns at 8:42 a.m.

AGENDA MEMO
BUSINESS OF THE PLANNING & ZONING COMMISSION
CITY OF FULSHEAR, TEXAS

| | | | |
|------------------------|--|---------------------|-------------------------------------|
| AGENDA OF: | April 7, 2017 | AGENDA ITEM: | 6 |
| DATE SUBMITTED: | April 5, 2017 | DEPARTMENT: | Administration |
| PREPARED BY: | Sharon Valiante, Public Works Director, Michelle Killebrew Building Official, Brant Gary, Executive Director of Planning and Development | PRESENTER: | David Leyendecker, City Engineer |
| SUBJECT: | Plat Summaries for Planning and Zoning Commission | | |
| ATTACHMENTS: | City Engineer's Engineering Review: Final Plat (Replat) Commercial Reserves at FM 1463 | | |

EXECUTIVE SUMMARY

The Planning and Zoning Commission has for its consideration a Final (Replat) of the Commercial Reserves at FM 1463. This plat was approved as a Preliminary Plat at the Commissions regularly scheduled meeting on March 3, 2017, providing for a subdivision of land into two unrestricted reserves, A and B. Since the March 3, approval, the owner is requesting a revision to the subdivision of Reserve A into two reserves. This revision is provided by a lot line drawn on the plat to indicate so. There are no other revisions to the plat. Any changes to a plat creates a replat.

The plat, as submitted, must meet the requirements set forth in the City's Subdivision Ordinance No. 04-913, which is in alignment with Chapter 21, Texas Local Government Code.

Staff reviewed the plat with the City Engineer and Fort Bend County. There are two major concerns noted that give cause for staff to provide a negative recommendation for Planning and Zoning approval:

1. Ownership of property is not listed on plat; City Planning letter is not included to allow for verification of ownership and lienholders
2. Utility Easements dedicated to the City are not depicted as an appropriate width to accommodate ownership and maintenance.

RECOMMENDATION

After staff review of this request, we recommend the Planning and Zoning Commission reject the plat as submitted.



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

www.fulsheartexas.gov

Subdivision/Development Platting Application

Date: 03/24/17

Date Received by the City of Fulshear:

Subdivision: Commercial Reserves at FM 1463 Development: Commercial Reserves

SUBMITTAL OF PLAT: (Check Appropriate Selection)

- Checkboxes for Preliminary, Replat, Amending Plat, Final/REPLAT, Vacation Plat, Short Form Final, Admin. (Minor) Plat

TYPE OF PLAT: (Check Appropriate Selection)

- Checkboxes for Single-Family Residential, Planned Development, Zero Lot Line/ Patio Home, Commercial, Multi-Family Residential, Industrial

Plat Location: City [checked] ETJ (Extraterritorial Jurisdiction)

Subdivision of 6.2138 acres (270,674 Sq. Ft.) of land situated in the Alexander Phillips Survey abstract No.

Legal Description: 300 City of Fulshear, Fort Bend County, Texas.

Variance: Yes [] No []

Total Acreage: 6.2138
Number of Streets: 0
Number of Lots: 0
Number and Types of Reserves: 3 Unrestricted
Total Acres in Reserve: 6.2138

Owner: DLM Management L.L.C.
Address: 10575 West Office Drive.
City/State: Houston, Tx. 77042
Telephone:
Email Address:

Engineer/Planner: Benchmark Engineering Corporation
Contact Person: Luis D. Valencia
Telephone: 713-554-2277
Fax Number: 713-266-3804
Email Address: lvalencia@benchmarkengr.net

Table with Platting Fees: Preliminary Plat, Final Plat, Replat, Amending or Minor Plat, Plat Vacation, 2nd Review of plats, TOTAL PLATTING FEE \$655.35, Park Fees

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

Handwritten signature of Luis D. Valencia

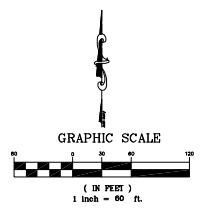
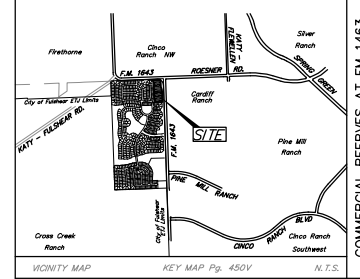
Luis D. Valencia

03/24/2017

SIGNATURE

TYPED OR PRINTED NAME/TITLE

DATE



METES AND BOUNDS DESCRIPTION
6.2138 ACRES
1270,674 SQUARE FEET
FORT BEND COUNTY, TEXAS

ALL THAT 6.2138 ACRE (1270,674 SQUARE FOOT) TRACT OF LAND BEING ALL OF A CALLED 5.410 ACRE TRACT OF LAND AS CONVEYED BY SPECIAL WARRANTY DEED DATED SEPTEMBER 29, 2011 TO DDM MANAGEMENT, LLC AS RECORDED UNDER CLERKS FILE NO. 20109944 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, FORT BEND COUNTY, TEXAS AND ALL OF A CALLED 0.807 ACRES TRACT OF LAND AS CONVEYED BY DEED DATED JANUARY 29, 2010 TO DDM MANAGEMENT, LLC AS RECORDED UNDER CLERKS FILE NO. 201002865 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, FORT BEND COUNTY, TEXAS AND BEING SITUATED IN THE ALEXANDER PHILLIPS SURVEY, ABSTRACT NUMBER 300 FORT BEND COUNTY, TEXAS AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (ALL BEARINGS AND COORDINATES REFER TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE 4294)

BEGINNING AT A 5.8-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR" FOUND AT THE SOUTHEAST CORNER OF SAID 5.410 ACRE TRACT, THE NORTH EAST CORNER OF CHURCHILL FARMS SECTION FOUR AS RECORDED UNDER PLAT NO. 20120055 OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS AND BEING SITUATED IN THE WEST RIGHT-OF-WAY LINE OF FM 1463 (104'-0" WIDE) AS RECORDED IN VOLUME 275, PAGE 538 AND VOLUME 275, PAGE 534 OF THE O.P.R.F.P.T.B.C.T.

THENCE SOUTH 88°03'15" WEST, ALONG THE SOUTH LINE OF SAID 5.410 ACRE TRACT AND THE NORTH LINE OF SAID CHURCHILL FARMS SECTION FOUR, FOR A DISTANCE OF 276.47 FEET TO A 1/4-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR." FOUND FOR CORNER;

THENCE SOUTH 78°59'04" WEST, CONTINUING ALONG THE SOUTH LINE OF SAID 5.410 ACRE TRACT AND THE NORTH LINE OF SAID CHURCHILL FARMS SECTION FOUR, FOR A DISTANCE OF 129 FEET TO A 1/4-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR." FOUND FOR CORNER AT THE SOUTHEAST CORNER OF CHURCHILL FARMS SECTION FIVE AS RECORDED UNDER PLAT NO. 20130071 OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS AND THE SOUTHWEST CORNER OF SAID 5.410 ACRE TRACT;

THENCE NORTH 10°02'50" WEST, ALONG THE WEST LINE OF SAID 5.410 ACRE TRACT AND THE EAST LINE OF SAID CHURCHILL FARMS SECTION FIVE, FOR A DISTANCE OF 108.86 FEET TO A 1/4-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR." FOUND FOR CORNER;

THENCE NORTH 1°04'36" WEST, CONTINUING ALONG THE WEST LINE OF SAID 5.410 ACRE TRACT AND THE EAST LINE OF SAID CHURCHILL FARMS SECTION FIVE, FOR A DISTANCE OF 99.40 FEET TO A 1/4-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR." FOUND FOR CORNER;

THENCE NORTH 04°42'50" WEST, CONTINUING ALONG THE WEST LINE OF SAID 5.410 ACRE TRACT AND THE EAST LINE OF SAID CHURCHILL FARMS SECTION FIVE, FOR A DISTANCE OF 99.40 FEET TO A 1/4-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR." FOUND FOR CORNER;

THENCE NORTH 01°58'46" WEST, CONTINUING ALONG THE WEST LINE OF SAID 5.410 ACRE TRACT AND THE EAST LINE OF SAID CHURCHILL FARMS SECTION FIVE, FOR A DISTANCE OF 106.45 FEET TO A 1/4-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR." FOUND FOR CORNER;

THENCE NORTH 05°22'19" EAST, CONTINUING ALONG THE WEST LINE OF SAID 5.410 ACRE TRACT AND THE EAST LINE OF SAID CHURCHILL FARMS SECTION FIVE, FOR A DISTANCE OF 106.45 FEET TO A 1/4-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR." FOUND FOR CORNER;

THENCE NORTH 27°16'44" WEST, CONTINUING ALONG THE WEST LINE OF SAID 5.410 ACRE TRACT AND THE EAST LINE OF SAID CHURCHILL FARMS SECTION FIVE, FOR A DISTANCE OF 106.45 FEET TO A 1/4-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR." FOUND FOR CORNER;

THENCE NORTH 01°11'50" WEST, CONTINUING ALONG THE WEST LINE OF SAID 5.410 ACRE TRACT AND THE EAST LINE OF SAID CHURCHILL FARMS SECTION FIVE, FOR A DISTANCE OF 106.45 FEET TO A 1/4-INCH IRON ROD WITH CAP STAMPED "BENCHMARK ENGR." FOUND FOR CORNER IN THE SOUTH LINE OF SAID 0.807 ACRES TRACT;

THENCE IN A NORTH-WESTERLY DIRECTION, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 585.41 FEET, A CENTRAL ANGLE OF 037°20'08", AN ARC LENGTH OF 29.42 FEET AND A CHORD BEARING NORTH 75°07'01" WEST, 29.42 FEET TO A 5/8-INCH IRON ROD WITH TxDOT ALUMINUM CAP FOUND FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF FM 1463 BASED ON A WIDTH OF 104 FEET AS RECORDED UNDER VOLUME 275, PAGE 534 AND VOLUME 275, PAGE 535 OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS AND BEING THE WESTERLY CORNER OF SAID 0.807 ACRES TRACT;

THENCE NORTH 86°05'11" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FM 1463 AND THE NORTH LINE OF SAID 0.807 ACRES TRACT, FOR A DISTANCE OF 98.21 FEET TO A 5/8-INCH IRON ROD WITH TxDOT ALUMINUM CAP FOUND FOR CORNER;

THENCE NORTH 84°12'22" EAST, CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FM 1463 AND THE NORTH LINE OF SAID 0.807 ACRES TRACT, FOR A DISTANCE OF 108.75 FEET TO A 5/8-INCH IRON ROD WITH TxDOT ALUMINUM CAP FOUND FOR CORNER;

THENCE NORTH 88°49'09" EAST, CONTINUING ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FM 1463 AND THE NORTH LINE OF SAID 0.807 ACRES TRACT, FOR A DISTANCE OF 104.62 FEET TO A 5/8-INCH IRON ROD WITH TxDOT ALUMINUM CAP FOUND FOR CORNER;

THENCE SOUTH 47°50'02" EAST, ALONG A CUT-BACK LINE, 27.79 FEET TO A 5/8-INCH IRON ROD WITH TxDOT ALUMINUM CAP FOUND FOR CORNER IN THE WEST RIGHT-OF-WAY LINE OF SAID FM 1463;

THENCE SOUTH 01°56'13" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID FM 1463 AND THE EAST LINE OF SAID 0.807 ACRES TRACT, FOR A DISTANCE OF 280.95 FEET TO A 5/8-INCH IRON ROD WITH TxDOT ALUMINUM CAP FOUND FOR CORNER IN THE NORTH LINE OF SAID 5.410 ACRE TRACT;

THENCE IN A SOUTH-EASTERLY DIRECTION, ALONG THE EAST LINE OF SAID 5.410 ACRE TRACT, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID FM 1463 AND ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 505.21 FEET, A CENTRAL ANGLE OF 27°33'17", AN ARC LENGTH OF 207.88 FEET AND A CHORD BEARING SOUTH 13°41'13" EAST, 206.22 FEET TO A 5/8-INCH IRON ROD WITH TxDOT ALUMINUM CAP FOUND FOR THE POINT OF TANGENCY OF HEREIN DESCRIBED CURVE TO THE RIGHT;

THENCE SOUTH 01°56'45" EAST, ALONG THE EAST LINE OF SAID 5.410 ACRE TRACT AND THE WEST RIGHT-OF-WAY LINE OF SAID FM 1463, FOR A DISTANCE OF 398.70 FEET TO THE **POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT AND CONTAINING 6.2138 ACRES (1270,674 SQUARE FEET) OF LAND.

| LINE | BEARING | LENGTH |
|------|---------------|--------|
| L1 | S 79°59'04" W | 129.00 |
| L2 | N 04°11'50" E | 38.53 |
| L3 | S 47°50'02" E | 27.79 |

| CURVE | RADIUS | LENGTH | CHORD | BEARING | DELTA |
|-------|--------|--------|-------|--------------|------------|
| C1 | 505.41 | 29.42 | 29.42 | N75°07'01" W | 037°20'08" |

LEGEND

- R.O.W. --- RIGHT OF WAY
- BL --- BUILDING LINE
- S.S.E. --- SANITARY SEWER EASEMENT
- U.E. --- UTILITY EASEMENT
- A.E. --- AERIAL EASEMENT
- W.E. --- WATER LINE EASEMENT
- S.S.E. --- STORM SEWER EASEMENT
- F.A.C.P.A. --- FORT BEND COUNTY DEED RECORDS
- Sq. Ft. --- SQUARE FEET
- F.A.C.C.S. No. --- FORT BEND COUNTY CLERK'S FILE NUMBER
- F.B.C.P.A. --- FORT BEND COUNTY PUBLIC RECORDS
- F.G. --- FILM CODE
- EXISTING CONTOURS
- RESERVE IDENTIFICATION LETTER
- Rad --- RADIUS
- Res. Res. --- RESTRICTED RESERVE
- EASEMENT
- BLOCK DESIGNATION
- Maint. E. --- MAINTENANCE EASEMENT
- WITH
- San. Sew. --- SANITARY SEWER
- Stm. Sew. --- STORM SEWER

COMMERCIAL RESERVES AT FM 1463

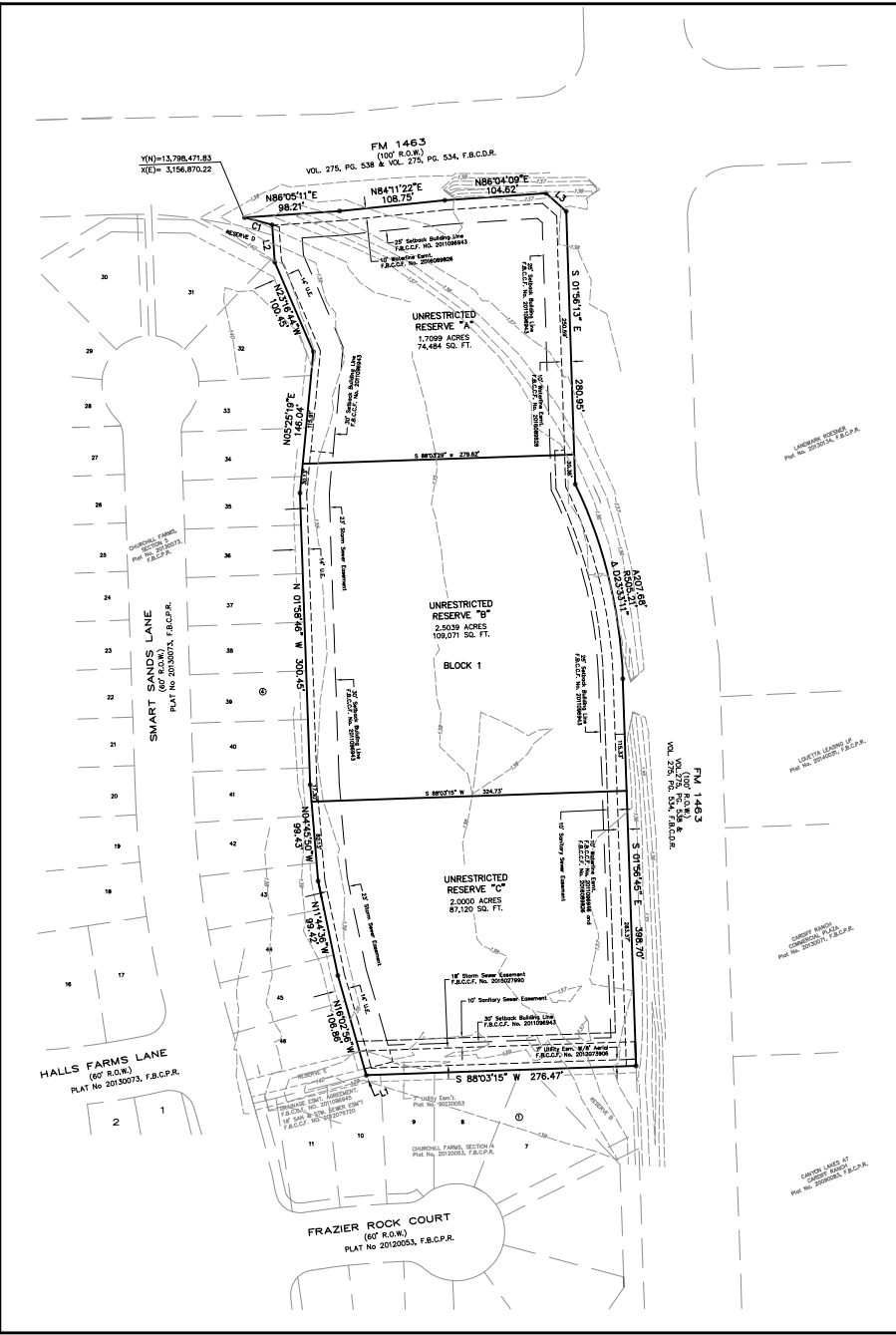
A SUBDIVISION OF 6.2138 ACRES (270,674 SQ. Ft.) OF LAND SITUATED IN THE ALEXANDER PHILLIPS SURVEY ABSTRACT No. 300 CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS.

0 LOTS 1 BLOCK 3 RESERVES

SCALE: 1"=60' DATE: MARCH, 2017

OWNER:
DDM MANAGEMENT, L.L.C.
10575 West Office Drive,
Houston, Tx. 77042

PREPARED BY:
BENCHMARK ENGINEERING CORPORATION
Consulting Engineers - Planners - Surveyors
2401 Fountainview Suite #500
Houston, Texas 77057 U.S.A.
Texas Board of Professional Engineers
Registration Number F-6788
(713)266-9930 Fax (713)266-3804
TPELS Firm Registration Number: 10009000



STATE OF TEXAS
COUNTY OF FORT BEND

WE, _____, ACTING BY AND THROUGH _____, BEING AN OFFICER OF _____ OWNERS, HEREBY REFERRED TO AS OWNER OF THE 6.2138 ACRE TRACT OF LAND DESCRIBED IN THE ABOVE AND FOREGOING MAP OF COMMERCIAL RESERVES AT FM 1463, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION AND DEVELOPMENT PLAN OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID MAPS OR PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS OR PERMANENT ACCESS EASEMENTS), 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, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNRESTRICTED 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.S. & A.E.) AS INDICATED AND NOTED 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 PURPOSES FOREVER UNRESTRICTED 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.S. & A.E.) AS INDICATED AND NOTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30'-0") IN WIDTH.

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

FURTHER, OWNERS DO HEREBY COVENANT TO THE PUBLIC A STRIP OF LAND TWENTY (20) FEET WIDE ON EACH SIDE OF THE CENTER LINE OF ANY AND ALL BAYOUS, CREEKS, CREEKS, PAINNES DRAWS, BLAGHNS, OR OTHER NATURAL DRAINAGE COURSES LOCATED IN SAID SUBDIVISION, AS EASEMENTS FOR DRAINAGE PURPOSES, OWING FORT BEND COUNTY, OR ANY OTHER GOVERNMENTAL AGENCY, THE RIGHT TO ENTER UPON SAID EASEMENT AT ANY AND ALL TIMES FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF DRAINAGE FACILITIES AND STRUCTURES.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT AND ADJACENT TO ANY DRAINAGE EASEMENT, DITCH, CREEK, OR NATURAL DRAINAGE WAY IS HEREBY RESTRICTED TO KEEP SUCH DRAINAGE WAYS AND EASEMENTS CLEAR OF FENCES, BUILDINGS, PLANTING AND OTHER OBSTRUCTIONS TO THE OPERATION 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 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 AMENDMENTS.

IN TESTIMONY WHEREOF, _____ HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____ OF _____ THEREUNTO AUTHORIZE THIS _____ DAY OF _____, 2017.

BY: _____

BY: _____ NAME AND TITLE

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ 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 SEEN SIGNED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2017.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: _____

I, RONALD G. HARRISON, AM AUTHORIZED (OR 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 HAVE AN OUTSIDE DIAMETER OF NOT LESS THAN THREE QUARTER (3/4) INCH AND A LENGTH OF NOT LESS THAN THREE (3) FEET; AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER AND THE STATE PLANE COORDINATES (NAD83).

RONALD G. HARRISON, R.P.L.S.
TEXAS REGISTRATION NO. 5342

I, SAB Y. SAOUR, A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THIS PLAT MEETS ALL REQUIREMENTS OF THE CITY OF FULSHEAR AND FORT BEND COUNTY, TEXAS.

SAB Y. SAOUR, P.E.,
TEXAS REGISTRATION NO. 40094

THIS PLAT OF COMMERCIAL RESERVES AT FM 1463, IS APPROVED BY CITY PLANNING COMMISSION OF THE CITY OF FULSHEAR, TEXAS, THIS _____ DAY OF _____, 2017.

AMY PEARCE
CHAIRMAN
AUSTIN WEANT
VICE CHAIRMAN

THIS PLAT OF COMMERCIAL RESERVES AT FM 1463, WAS APPROVED ON _____, 2017 BY THE CITY OF FULSHEAR, CITY COUNCIL AND SIGNED ON THIS _____ DAY OF _____, 2017; PROVIDED HOWEVER, THIS APPROVAL SHALL BE INVALID AND NULL AND VOID UNLESS THE PLAT IS FILED WITH THE COUNTY CLERK OF FORT BEND COUNTY, TEXAS WITHIN SIX (6) MONTHS HEREAFTER.

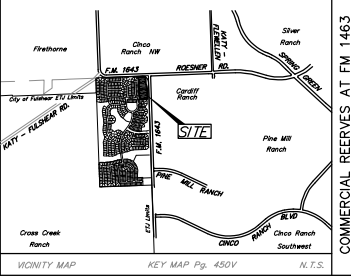
JEFF R. ROBERTS
MAYOR
DIANA GORDON OFFORD
CITY SECRETARY

ENCUMBRANCE CERTIFICATE
I, SAB Y. SAOUR, DO HEREBY CERTIFY THAT ALL EXISTING ENCUMBRANCES, SUCH AS VARIOUS TYPES OF EASEMENTS BOTH PUBLIC AND PRIVATE, FEY 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 A LEGAL INTEREST IN.

SAB Y. SAOUR, R.P.L.S.
TEXAS REGISTRATION NO. 3540

NOTES

- 1. THE TOP OF ALL FLOOR SLABS SHALL BE A MINIMUM OF 135.00' FEET ABOVE MEAN SEA LEVEL. 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.
- 2. THIS PLAT IS BEING SERVED BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 156, AND IS WITHIN FORT BEND COUNTY DRAINAGE DISTRICT, AND FORT BEND COUNTY SUBORDINATE DISTRICT.
- 3. BENCHMARK: NOS DISC IN THE TOP OF THE SOUTHWEST CORNER OF THE SOUTHWEST ABUTMENT OF FM 046 ROAD OVER WILLOW FORK BUFFALO BAYOU. RM 4 ON FEMA MAP 4815700015 J. NOS DESIGNATOR: W504; PD 484543. NVD DATUM: 1929, 1987 ADJUSTMENT. ELEVATION = 126.80'
- 4. TEMPORARY BENCHMARK: "BOX" CUT SET ON THE BACK-OF-COURT NEAR THE INTERSECTION OF FM 1463 AND CARDOFF RANCH DRIVE IN FORT BEND COUNTY, TEXAS, LOCATED ON THE WEST NOSE OF THE MEDIAN AT THE ENTRANCE TO CANYON LAKES AT CARDOFF RANCH SUBDIVISION. ELEVATION 137.46' NVD 1929, 1987 ADJUSTMENT.
- 5. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 481570001-1 FOR FORT BEND COUNTY, TEXAS, AND INCORPORATED AREAS, REVISED DATE APRIL 2, 2014, THE SUBJECT PROPERTIES LIE IN ZONE X (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAN.
- 6. LIGHTING ZONE DESIGNATION: THIS PROPERTY LIES WITHIN THE "L23" LIGHTING ZONE DESIGNATION IN COMPLIANCE WITH THE "ORDERS FOR REGULATION OF OUTDOOR LIGHTING IN THE UNINCORPORATED AREAS OF FORT BEND COUNTY, TEXAS."
- 7. SIDEWALK NOTES: SIDEWALKS SHALL BE BUILT OR CAUSED TO BE BUILT NOT LESS THAN FIVE FEET (5') IN WIDTH ON BOTH SIDES OF ALL DESIGNATED RIGHT-OF-WAY WITHIN SAID PLAT AND ON THE CONTIGUOUS RIGHT-OF-WAY OF ALL PERIMETER ROADS SURROUNDING SAID PLAT IN ACCORDANCE WITH THE A.D.A.
- 8. PIPELINE NOTE: IF ANY, ALL EXISTING PIPELINES AND PIPELINE EASEMENTS WITHIN THE PLATTED BOUNDARY HAVE BEEN SPOTTED.
- 9. A MINIMUM DISTANCE OF 10' SHALL BE MAINTAINED BETWEEN RESIDENTIAL DWELLINGS.
- 10. THE DRAINAGE SYSTEM FOR THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET FLOODING WITH INTENSE RAINFALL EVENTS.
- 11. ALL DRAINAGE EASEMENTS TO BE KEPT CLEAR OF FENCES, BUILDINGS, VEGETATIONS AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY.
- 12. ALL PROPERTY TO DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
- 13. THE COORDINATES 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 FACTOR: 1.000115462.
- 14. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL UTILITY AND AERIAL EASEMENTS MUST BE KEPT UNRESTRICTED FROM ANY NON-UTILITY IMPROVEMENTS OR OBSTRUCTIONS BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTIONS MAY BE REMOVED BY ANY PUBLIC UTILITY AT THE PROPERTY OWNER'S EXPENSE. WHILE WOODEN POSTS AND PANGLED WOODEN FENCES ALONG THE PERIMETER AND BACK TO BACK EASEMENTS AND ALONGSIDE NEAR LOTS LINES ARE PERMITTED, THEY TOO MAY BE REMOVED BY PUBLIC UTILITIES AT THE PROPERTY OWNER'S EXPENSE SHOULD THEY BE AN OBSTRUCTION. PUBLIC UTILITIES MAY PUT BACK WOODEN POSTS AND PANGLED WOODEN FENCES BACK UP, BUT GENERALLY WILL NOT REPLACE WITH NEW FUNDING.



I, Richard W. Stotels, P.E., 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 intersecting drainage artery or parent stream or on any other area or subdivision within the watershed.

Richard W. Stotels, P.E.
Fort Bend County Engineer

APPROVED by the Commissioners' Court of Fort Bend County, Texas this _____ day of _____, 2017.

Wincet M. Mordas, Commissioner Precinct 1
Robert A. Hebert, County Judge
Grady Prestage, Commissioner Precinct 2

W. A. "Andy" Meyers, Commissioner Precinct 3
James Patterson, Commissioner Precinct 4

THE STATE OF TEXAS
COUNTY OF FORT BEND
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 _____ day of _____, 2017 at _____ o'clock, _____ M., in Plot No. _____ of the plot records of said county.

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

COMMERCIAL RESERVES AT FM 1463

A SUBDIVISION OF 6.2138 ACRES (270,674 SQ. Ft.) OF LAND SITUATED IN THE ALEXANDER PHILLIPS SURVEY ABSTRACT NO. 300 CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS.

0 LOTS 1 BLOCK 3 RESERVES

SCALE: 1"=60' DATE: MARCH, 2017

OWNER:
CLM MANAGEMENT, L.L.C.
10575 West Office Drive,
Houston, Tx. 77042

PREPARED BY:
BENCHMARK ENGINEERING CORPORATION

Consulting Engineers - Planners - Surveyors
2401 Fountainview Suite #500
Houston, Texas 77057 U.S.A.
Texas Board of Professional Engineers
Registration Number F-6788
(713)266-9930 Fax (713)266-3804
TPELS Firm Registration Number: 10009000

| DISTRICT NAMES | |
|------------------|--|
| W.C.I.D. | N/A |
| MUD | F.B.C.M.U.D. No. 156 |
| LD | N/A |
| DD | N/A |
| SCHOOL | NATH. I.S.D. |
| FIRE | F.B.C. FIRE MARSHALL |
| IMPACT FEE AREA | N/A |
| CITY OR CITY ETJ | ETJ OF CITY OF FULSHEAR |
| UTILITIES CO. | CONSOLIDATED COMMUNICATIONS AND CENTERPOINT ENERGY |

April 4, 2017

Engineering Review

Revised - Final Plat
Commercial Reserves at FM 1463
City of Fulshear, Fort Bend County, Texas

For Information only:

1. This plat will create three (3) Reserves that are restricted to Commercial use only that covers a total of 6.2138 acres of land.
2. Access will be from F.M. 1463 thru the Texas Department of Transportation Permit Process. Please note the City of Fulshear has a minimum driveway spacing set out by the access ordinance.
3. Since this tract is located in the E.T.J. of the City of Fulshear, plats will require approval from both the City and Fort Bend County.

Recommendations:

I recommend that this Final Plat of Commercial Reserves at FM 1463 not be approved until the following corrections/additions are completed:

- A) A note needs to be added to the face of the plat showing that the area is located in the E.T.J. of the City of Fulshear.
- B) The water line and sanitary sewer line easements need to incorporate into one (1) water and sewer easement that is 20-foot in width. The City is not able to maintain an underground utility line in a 10-foot easement.
- C) The owners name needs to be filled in and a City Planning Letter provided so the ownership can be checked as well as lien holders, etc.

