



CITY OF FULSHEAR

Incorporated 1977

30603 FM 1093
P.O. Box 279
Fulshear, Texas 77441

281-346-1796 (ph)
281-346-2556 (fax)

PLANNING AND ZONING COMMISSION AGENDA JANUARY 19, 2018

NOTICE IS HEREBY GIVEN OF A SPECIAL MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF FULSHEAR TO BE HELD ON *FRIDAY, JANUARY 19, 2018 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 January 19, 2017 at 8:30 a.m., the hearing will be held at city hall located at 30603 FM 1093. The second hearing will be held by the City Council on February 6, 2017 at 6:30 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard.

The location of the premises in question is in the Downtown District, Block 26 (PT) of the Town of Fulshear, specifically the address is 8050 FM 359 South, 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.

5. PUBLIC HEARING – ZONING CHANGE

The Planning and Zoning Commission of the City of Fulshear hereby gives notice that a Public Hearing shall be held regarding a request from Texana Center, Thrive Church and the City of Fulshear (for property commonly known as the Fulshear Cemetery (a.k.a. Union Chapel Cemetery)) for support of the Proposed Wallis Street PUD (Planned Unit Development). The land is composed of three parcels located on the west side of Wallis Street south of its intersection with FM 359:

1. Texana Center – 14.44 acres tract of land in the Churchill Fulshear League, Abstract No. 29, City of Fulshear, Fort Bend County, Texas, being that certain called 14.456 acres tract recorded under County Clerk's File Number 2005099822, Official Public Records, Fort Bend County, Texas; Fort Bend County, Texas.
2. Thrive Church – A 6.00 acres tract of land being out of a called 44.512 acres tract of land conveyed to Grandes Ricos, L.L.C., as recorded under Fort Bend County clerk's file Number 2015091411, situated in the Churchill Fulshear League, Abstract no.29, Fort Bend County, Texas.
3. Fulshear Cemetery – 9.78 acres of land including six plus acres of the Mexican Land Grant acquired in 1824 the “Old 300” colonist Churchill Fulshear, Sr. and donated to the Methodist Episcopal Church in 1851.

Proposed land uses at this time include:

1. Texana Center - a new regional center, to include:
 - a. Administrative and office space.
 - b. Facilities to support autism programs and services.
 - c. “Center for Learning” education facility
 - d. Retail and café facility for jobs skill training.
 - e. Outdoor recreation areas to support above.
 - f. Parking and site landscape development.
2. Thrive Church - a new church campus, to include:
 - a. Worship Center, Education, Youth, Children and Fellowship areas with ancillary support facilities.
 - b. Outdoor recreation facilities.
 - c. Parking and site landscape development.
 - d. Child care/day care services
3. Fulshear Cemetery - continued use for a cemetery and accessory uses.

Due to the community-service oriented uses desired, existing zoning requirements/allowances, geographic proximity of the three properties, and the common theme of non-profit ownership, a PUD zoning classification is being requested to consider the proposed projects and uses.

The Planning and Zoning Commission will hold a public hearing on this item as follows:

Date: January 19, 2018

Time: 8:30 a.m.

Place: Fulshear City Hall

Interested Parties may appear at the Public Hearing and be heard with respect to the application.

The application may be inspected by the public at Fulshear City Hall Monday through Thursday from 8:00 a.m. -5:00 p.m. and Fridays 8:00 a.m. -3:00 p.m. For more details, contact the City Secretary, D. Gordon Offord at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 (Phone number: 281-346- 1796 x204)

6. Consideration and possible action to approve Special Use Permit at 8050 FM 359 South, Fulshear, Texas

7. Consideration and possible action to approve PUD (Planned Unit Development) for Texana Center, Thrive Church, and Fulshear Cemetery.

8. Consideration and possible action to approve HEB Sign Variance Request


9. Consideration and possible action to approve Polo Ranch Conceptual plan

10. 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, 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 Friday, December 29, 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.


Diana Gordon Offord - City Secretary

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

| | |
|--|--|
| AGENDA OF: January 19, 2018 | AGENDA ITEM: 4 |
| DATE SUBMITTED: January 16, 2018 | DEPARTMENT: Planning & Development |
| PREPARED BY: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development | PRESENTER: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development |
| SUBJECT: Public hearing regarding a request for a Special Use Permit at 8050 FM 359 South, Fulshear, Texas | |
| ATTACHMENTS: Public Hearing Notices | |

EXECUTIVE SUMMARY

The owner of the property located at 8050 FM 359, along with their designated local representative Manuel Atenco, are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for use as a restaurant. 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 documents as required by Sec. 1-283 of the City's Zoning Ordinance (2012-1069). In addition, the requirements have been met so that the public hearings may take place

RECOMMENDATION

Staff recommends the Planning and Zoning Commission conduct the public hearing for the requested SUP for an eating and drinking establishment to be located at 8050 FM 359.



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

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

www.fulsheartexas.gov

Notice of Special Use Request

1/11/2018

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 January 19, 2018 at 8:30 a.m., the hearing will be held at city hall located at 30603 FM 1093. The second hearing will be held by the City Council on February 6, 2018 at 6:30 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearing will allow all interested persons will be given an opportunity to be heard.

The location of the premises in question is in the Downtown District, Block 26 (PT) of the Town of Fulshear, specifically the address is 8050 FM 359 South, 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.

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.

Sincerely,

Michelle Killebrew
Building Official

PRIDE OF AUSTIN HIGH YIELD FUND I LLC
3600 N CAPITAL OF TEXAS HWY, SUITE B120
AUSTIN, TX 78746

LARRY W RAPE
1010 WALNUT CREEK DR
FAIRFIELD, TX 75840

FORT BEND COUNTY
MAIL CENTER 301 JACKSON ST #101
RICHMOND, TX 77469

JOHNNY D LOFTON etal
C/O MARJOR MAYO
12085 SVOBODA RD
WALLIS, TX 77485

JUMON PROPERTIES LLC
2123 WINGED FOOT DR
MISSOURI CITY, TX 77459

JUMON PROPERTIES LLC
714 CENTER ST
DEER PARK, TX 77536

DIOGU KALU DIOGU II LLM
4726 GAINSBOROUGH DR
BROOKSHIRE, TX 77423

MICHAEL MARTINI
PO BOX 909
FULSHEAR, TX 77441

FT BEND CTY EMERGENCY SERVICES DISTRICT #4
PO BOX 494
FULSHEAR, TX 77441

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 January 19, 2018 at 8:30 a.m.**, the hearing will be held at city hall located at 30603 FM 1093. The hearing will allow all interested persons an opportunity to be heard.

The location of the premises in question is in the Downtown District, Block 26 (PT) of the Town of Fulshear, specifically the address is 8050 FM 359 South, 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.

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

| | |
|---|--|
| AGENDA OF: January 19, 2018 | AGENDA ITEM: 5 |
| DATE SUBMITTED: January 16, 2018 | DEPARTMENT: Planning & Development |
| PREPARED BY: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development | PRESENTER: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development |
| SUBJECT: Public hearing regarding a request from Texana Center, Thrive Church and the City of Fulshear (for property commonly known as the Fulshear Cemetery concerning the Proposed Wallis Street PUD (Planned Unit Development) for land consisting of three parcels located on the west side of Wallis Street south of its intersection with FM 359. | |
| ATTACHMENTS: Public Hearing Notices | |

EXECUTIVE SUMMARY

A request has been made from Texana Center, Thrive Church and the City of Fulshear (for property commonly known as the Fulshear Cemetery for the creation of the Proposed Wallis Street PUD (Planned Unit Development). The land is composed of three parcels located on the west side of Wallis Street south of its intersection with FM 359.

Proposed land uses at this time include:

1. Texana Center - a new regional center, to include:
 - a. Administrative and office space.
 - b. Facilities to support autism programs and services.
 - c. "Center for Learning" education facility
 - d. Retail and café facility for jobs skill training.
 - e. Outdoor recreation areas to support above.
 - f. Parking and site landscape development.

2. Thrive Church - a new church campus, to include:
 - a. Worship Center, Education, Youth, Children and Fellowship areas with ancillary support facilities.
 - b. Outdoor recreation facilities.
 - c. Parking and site landscape development.
 - d. Child care/day care services

3. Fulshear Cemetery - continued use for a cemetery and accessory uses.

They have provided documents as required by the City's Zoning Ordinance (2012- 1069). In addition, the requirements have been met so that the public hearings may take place.

RECOMMENDATION

Staff recommends the Planning and Zoning Commission conduct the public hearing for the proposed Wallis Street PUD for land consisting of three parcels located on the west side of Wallis Street south of its intersection with FM 359.

NOTICE OF PUBLIC HEARING

ZONING CHANGE

The Planning and Zoning Commission of the City of Fulshear hereby gives notice that a Public Hearing shall be held regarding a request from Texana Center, Thrive Church and the City of Fulshear (for property commonly known as the Fulshear Cemetery (a.k.a. Union Chapel Cemetery)) for support of the **Proposed Wallis Street PUD (Planned Unit Development)**.

The land is composed of three parcels located on the west side of Wallis Street south of its intersection with FM 359:

1. Texana Center – 14.44 acres tract of land in the Churchill Fulshear League, Abstract No. 29, City of Fulshear, Fort Bend County, Texas, being that certain called 14.456 acres tract recorded under County Clerk's File Number 2005099822, Official Public Records, Fort Bend County, Texas; Fort Bend County, Texas.
2. Thrive Church – A 6.00 acres tract of land being out of a called 44.512 acres tract of land conveyed to Grandes Ricos, L.L.C., as recorded under Fort Bend County clerk's file Number 2015091411, situated in the Churchill Fulshear League, Abstract no.29, Fort Bend County, Texas.
3. Fulshear Cemetery – 9.78 acres of land including six plus acres of the Mexican Land Grant acquired in 1824 the "Old 300" colonist Churchill Fulshear, Sr. and donated to the Methodist Episcopal Church in 1851.

Proposed land uses at this time include:

1. Texana Center - a new regional center, to include:
 - a. Administrative and office space.
 - b. Facilities to support autism programs and services.
 - c. "Center for Learning" education facility
 - d. Retail and café facility for jobs skill training.
 - e. Outdoor recreation areas to support above.
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 - b. Outdoor recreation facilities.
 - c. Parking and site landscape development.
 - d. Child care/day care services
3. Fulshear Cemetery - continued use for a cemetery and accessory uses.

Due to the community-service oriented uses desired, existing zoning requirements/allowances, geographic proximity of the three properties, and the common theme of non-profit ownership, a PUD zoning classification is being requested to consider the proposed projects and uses.

The Planning and Zoning Commission will hold a public hearing on this item as follows:

Date: January 19, 2018

Time: 8:30 a.m.

Place: Fulshear City Hall

Interested Parties may appear at the Public Hearing and be heard with respect to the application.

The application may be inspected by the public at Fulshear City Hall Monday through Thursday from 8:00 a.m. -5:00 p.m. and Fridays 8:00 a.m. -3:00 p.m. For more details, contact the City Secretary, D. Gordon Offord at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 (Phone number: 281-346- 1796 x204)

Date Posted: January 3, 2018

By: D. Gordon Offord
City Secretary



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

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

www.fulsheartexas.gov

Notice of Planned Unit Development Request

1/12/2018

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 January 19, 2018 at 8:30 a.m., the hearing will be held at city hall located at 30603 FM 1093. The second hearing will be held by the City Council on February 6, 2018 at 6:30 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearings will allow for all interested persons to be given an opportunity to be heard.

The land is composed of three parcels located on the west side of Wallis Street south of its intersection with FM 359:

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2. Thrive Church - A 6.00 acres tract of land being out of a called 44.512 acres tract of land conveyed to Grandes Ricos, L.L.C., as recorded under Fort Bend County clerks file Number 2015091411, situated in the Churchill Fulshear League, Abstract no.29, Fort Bend County, Texas.
3. Fulshear Cemetery - 9.78 acres of land including six plus acres of the Mexican Land Grant acquired in 1824 the "Old 300" colonist Churchill Fulshear, Sr. and donated to the Methodist Episcopal Church in 1851.

The application(s) seek to establish a Planned Unit Development pursuant to the Zoning Ordinance to permit the uses and development approaches requested.

The applicant(s) may 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.

Sincerely,

City of Fulshear



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| | | | | | |
|-----------------------------|--------------------------------|-------------------------|----------------------------|----------------------|----------------------|
| 1 | | | | | |
| ID | | APN | 0029-00-000-0191-901 | Site Address | 7903 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | PITTMAN, BRANDON LAVAR | Owner 1 Address | 7903 WALLIS ST | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | PITTMAN, CHRISTOPHER |
| Building Square Feet | 948 | | | | |
| 2 | | | | | |
| ID | | APN | 0029-00-000-0952-901 | Site Address | FM 359 RD |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | VALSASSINA, DAVID WADE THURN | Owner 1 Address | 2275 RIVER RUN DR APT 7203 | Owner 1 City | SAN DIEGO |
| Owner 1 State | CA | Owner 1 Zip Code | 92108 | Owner 2 Name | |
| Building Square Feet | | | | | |
| 3 | | | | | |
| ID | | APN | 0029-00-000-1045-901 | Site Address | 7420 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | FULSHEAR CEMETERY ASSOCIATION | Owner 1 Address | PO BOX 279 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |
| 4 | | | | | |
| ID | | APN | 0029-00-000-0391-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | MCCANN, GERALD W | Owner 1 Address | PO BOX 982 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |
| 5 | | | | | |
| ID | | APN | 0029-00-000-0391-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | MCCANN, GERALD W | Owner 1 Address | PO BOX 982 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |
| 6 | | | | | |
| ID | | APN | 0029-00-000-1331-901 | Site Address | 7726 FM 359 RD S |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | NEWSOME, WILLIE MAE | Owner 1 Address | PO BOX 75 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | 2688 | | | | |
| 7 | | | | | |
| ID | | APN | 0029-00-000-0848-901 | Site Address | 7818 FM 359 RD S |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | GREATER ZACHARY BAPTIST CHURCH | Owner 1 Address | PO BOX 61 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | 4950 | | | | |
| 8 | | | | | |
| ID | | APN | 0029-00-000-1180-901 | Site Address | 31210 FM 1093 RD |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | MCCANN, KENNETH G | Owner 1 Address | PO BOX 982 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | MCCANN, GERALD W |
| Building Square Feet | | | | | |

9

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|-----------------------------|-------------------|-------------------------|-------------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-1293-901 | Site Address | 7510 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | GRANDES RICOS LLC | Owner 1 Address | 27714 WIMBERLY FALLS LN | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

10

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|-----------------------------|------------------|-------------------------|----------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0390-901 | Site Address | 8426 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | MCCANN, GERALD W | Owner 1 Address | PO BOX 982 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

11

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|-----------------------------|------------------|-------------------------|----------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0390-901 | Site Address | 8426 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | MCCANN, GERALD W | Owner 1 Address | PO BOX 982 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

12

| | | | | | |
|-----------------------------|----------------------|-------------------------|----------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-1400-901 | Site Address | 7425 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | HABERRY, JAMES KELLY | Owner 1 Address | PO BOX 357 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

13

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|-----------------------------|----------------------|-------------------------|----------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0041-901 | Site Address | 7936 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | STEPHEN CRAIG HARDEE | Owner 1 Address | 8906 FOUR LEAF DR | Owner 1 City | SUGAR LAND |
| Owner 1 State | TX | Owner 1 Zip Code | 77479 | Owner 2 Name | |
| Building Square Feet | 932 | | | | |

14

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|-----------------------------|--------------------------|-------------------------|----------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0570-901 | Site Address | 7915 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | ARISMENDEZ, EVA KRISTINE | Owner 1 Address | PO BOX 292 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | 2400 | | | | |

15

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|-----------------------------|-----------------|-------------------------|--------------------------------|----------------------|------------|
| ID | | APN | 0029-00-000-0190-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | TAYLOR, KENNETH | Owner 1 Address | 32323 FORT BEND COUNTY LINE RD | Owner 1 City | BROOKSHIRE |
| Owner 1 State | TX | Owner 1 Zip Code | 77423 | Owner 2 Name | |
| Building Square Feet | | | | | |

16

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|-----------------------------|-----------------------|-------------------------|----------------------|----------------------|------------|
| ID | | APN | 0029-00-000-0042-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | HARDEE, STEPHEN CRAIG | Owner 1 Address | 8906 FOUR LEAF DR | Owner 1 City | SUGAR LAND |
| Owner 1 State | TX | Owner 1 Zip Code | 77479 | Owner 2 Name | |
| Building Square Feet | | | | | |

17

| | | | | | |
|-----------------------------|----------------------|-------------------------|----------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0150-901 | Site Address | 7935 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | EMERSON, DOROTHY MAE | Owner 1 Address | PO BOX 203 | Owner 1 City | SAN FELIPE |
| Owner 1 State | TX | Owner 1 Zip Code | 77473 | Owner 2 Name | |
| Building Square Feet | 944 | | | | |

18

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|-----------------------------|---------------|-------------------------|-----------------------------|----------------------|------------|
| ID | | APN | 0029-00-000-0380-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | FU, XIANGDONG | Owner 1 Address | 5322 RIVERSTONE CROSSING DR | Owner 1 City | SUGAR LAND |
| Owner 1 State | TX | Owner 1 Zip Code | 77479 | Owner 2 Name | |
| Building Square Feet | | | | | |

19

| | | | | | |
|-----------------------------|---------------------|-------------------------|----------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0303-901 | Site Address | 7925 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | PITTMAN, LULU ADAMS | Owner 1 Address | PO BOX 3 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | 944 | | | | |

20

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|-----------------------------|-----------------------|-------------------------|----------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0043-901 | Site Address | 7932 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | HARDEE, STEPHEN CRAIG | Owner 1 Address | 8906 FOUR LEAF DR | Owner 1 City | SUGAR LAND |
| Owner 1 State | TX | Owner 1 Zip Code | 77479 | Owner 2 Name | |
| Building Square Feet | 884 | | | | |

21

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|-----------------------------|-------------------------------------|-------------------------|----------------------|----------------------|-----------|
| ID | | APN | 0029-00-000-0070-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | FORT BEND COUNTY EMERGENCY SERVICES | Owner 1 Address | PO BOX 494 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

22

| | | | | | |
|-----------------------------|--------------------|-------------------------|----------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0910-901 | Site Address | 8426 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | MCCANN, CAROLE ANN | Owner 1 Address | PO BOX 33 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |



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| | | | | | |
|-----------------------------|------------------------------|-------------------------|----------------------------|----------------------|-------------------|
| 1 | | | | | |
| ID | | APN | 0029-00-000-1400-901 | Site Address | 7425 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | MABERRY, JAMES KELLY | Owner 1 Address | PO BOX 357 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |
| 2 | | | | | |
| ID | | APN | 0029-00-000-1160-901 | Site Address | 7519 FM 359 RD S |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | WADE, DOUGLAS E | Owner 1 Address | PO BOX 14 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | CLARKE, SUSAN E |
| Building Square Feet | | | | | |
| 3 | | | | | |
| ID | | APN | 0029-00-000-0162-901 | Site Address | FM 359 RD |
| Site City | | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | CORPVEST INC | Owner 1 Address | 528 COUNTY ROAD 223 | Owner 1 City | SCHULENBURG |
| Owner 1 State | TX | Owner 1 Zip Code | 78956 | Owner 2 Name | CORPORRON, RODNEY |
| Building Square Feet | | | | | |
| 4 | | | | | |
| ID | | APN | 0029-00-000-0393-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | JAYA NAMA PARTNERS LLC | Owner 1 Address | 94 HEATHROW LN | Owner 1 City | SUGAR LAND |
| Owner 1 State | TX | Owner 1 Zip Code | 77479 | Owner 2 Name | |
| Building Square Feet | | | | | |
| 5 | | | | | |
| ID | | APN | 0029-00-000-0393-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | JAYA NAMA PARTNERS LLC | Owner 1 Address | 94 HEATHROW LN | Owner 1 City | SUGAR LAND |
| Owner 1 State | TX | Owner 1 Zip Code | 77479 | Owner 2 Name | |
| Building Square Feet | | | | | |
| 6 | | | | | |
| ID | | APN | 0029-00-000-0950-901 | Site Address | 7511 FM 359 RD S |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | WADE, SANDRA | Owner 1 Address | PO BOX 454 | Owner 1 City | SHERIDAN |
| Owner 1 State | TX | Owner 1 Zip Code | 77475 | Owner 2 Name | |
| Building Square Feet | 672 | | | | |
| 7 | | | | | |
| ID | | APN | 0029-00-000-0952-901 | Site Address | FM 359 RD |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | VALSASSINA, DAVID WADE THURN | Owner 1 Address | 2275 RIVER RUN DR APT 7203 | Owner 1 City | SAN DIEGO |
| Owner 1 State | CA | Owner 1 Zip Code | 92108 | Owner 2 Name | |
| Building Square Feet | | | | | |
| 8 | | | | | |
| ID | | APN | 0029-00-000-1040-901 | Site Address | FM 359 RD |
| Site City | | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | TEXANA CENTER | Owner 1 Address | 4910 AIRPORT AVE STE D | Owner 1 City | ROSENBERG |
| Owner 1 State | TX | Owner 1 Zip Code | 77471 | Owner 2 Name | |
| Building Square Feet | | | | | |

9

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|-----------------------------|-------------------|-------------------------|----------------------|----------------------|------------------|
| ID | | APN | 0029-00-000-0330-901 | Site Address | 7525 FM 359 RD 5 |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | HARRIS, PATRICK L | Owner 1 Address | 2540 VILLAGE OAK | Owner 1 City | CANYON LAKE |
| Owner 1 State | TX | Owner 1 Zip Code | 78133 | Owner 2 Name | |
| Building Square Feet | 2014 | | | | |

10

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|-----------------------------|------------------|-------------------------|----------------------|----------------------|-----------|
| ID | | APN | 0029-00-000-0391-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | MCCANN, GERALD W | Owner 1 Address | PO BOX 982 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

11

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|-----------------------------|------------------|-------------------------|----------------------|----------------------|-----------|
| ID | | APN | 0029-00-000-0391-901 | Site Address | WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | MCCANN, GERALD W | Owner 1 Address | PO BOX 982 | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

12

| | | | | | |
|-----------------------------|-------------------|-------------------------|-------------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-1293-901 | Site Address | 7510 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | GRANDES RICOS LLC | Owner 1 Address | 27714 WIMBERLY FALLS LN | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

13

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|-----------------------------|-------------------|-------------------------|-------------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-1293-901 | Site Address | 7510 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | GRANDES RICOS LLC | Owner 1 Address | 27714 WIMBERLY FALLS LN | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

14

| | | | | | |
|-----------------------------|-------------------|-------------------------|-------------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0396-901 | Site Address | 7510 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | GRANDES RICOS LLC | Owner 1 Address | 27714 WIMBERLY FALLS LN | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

15

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|-----------------------------|-------------------|-------------------------|-------------------------|----------------------|----------------|
| ID | | APN | 0029-00-000-0396-901 | Site Address | 7510 WALLIS ST |
| Site City | FULSHEAR | Site State | TX | Site Zip Code | 77441 |
| Owner 1 Name | GRANDES RICOS LLC | Owner 1 Address | 27714 WIMBERLY FALLS LN | Owner 1 City | FULSHEAR |
| Owner 1 State | TX | Owner 1 Zip Code | 77441 | Owner 2 Name | |
| Building Square Feet | | | | | |

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

| | |
|--|--|
| AGENDA OF: January 19, 2018 | AGENDA ITEM: 6 |
| DATE SUBMITTED: January 16, 2018 | DEPARTMENT: Planning & Development |
| PREPARED BY: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development | PRESENTER: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development |
| SUBJECT: Consideration and possible action to approve Special Use Permit at 8050 FM 359 South, Fulshear, Texas | |
| ATTACHMENTS: SUP Documentation | |

EXECUTIVE SUMMARY

The owner of the property located at 8050 FM 359, along with their designated local representative Manuel Atenco, are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for use as a restaurant. 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:** FBCAD records show ownership. Further documentation shows the details of the ownership firm identifying the principles. 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:** A map was provided that shows 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. (See Item 5)

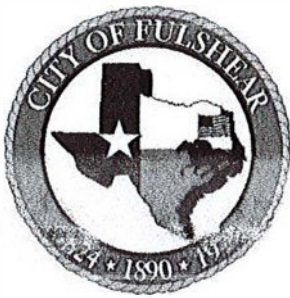
- **Compliance with the Comprehensive Plan:** After review of the request from the applicant, City Staff finds that the requested use of a restaurant/bar is an approved and desired use within the Downtown District (See Item 6)
- **Site Plan:** The site plan shows the building layout, and the proposed 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 be 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)

RECOMMENDATION

Staff recommends the Planning and Zoning Commission recommend approval of the SUP to the City Council for the the use of an eating and drinking establishment to be located at 8050 FM 359 with certain conditions applied. Staff recommends that those conditions include the following:

- 1.) The ratio of alcohol sales be set at 30% subject to such permits being issued.
- 2.) The parking lot for the building be striped.

It is Staff's understanding that any conditions placed on the approval of this SUP must be met before a Certificate of Occupancy would be issued by City Staff



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093
Fulshear, Texas 77441
Phone: 281-346-8860 ~ Fax: 281-346-8237
www.fulsheartexas.gov

Special Use Permit
8050 FM 359 S
Item 1
Page 1 of 4

ZONING SPECIAL USE APPLICATION

Date of Application: 12/04/2017

Property Address: 8050 FM RD 359 S

Legal Description of the property: Lot , Block 26 of Town of Fulshear

Property Owner Name(s): Rafael Jumon Properties LLC

Address: 2123 Winged Foot Drive Missouri City TX 77459.

Phone Number: 713-884-7232 Email Address: jumonproperties@yahoo.com ³⁶²⁷

Applicant/Agent: Manuel Atenco

Attach letter of authorization along with this application

Address: 16626 Great Oaks Glen Dr, Houston TX 77083

Phone Number: 713-292-6124 Email Address: m_atenco@hotmail.com

Zoning District: Downtown District Current use of property: Commercial

Requested use of the property: Commercial

Land Uses of Adjoining Property:

(Agricultural, Single Family, Industrial, Business)

| | |
|-------|-------------------------|
| North | Commercial/ Residential |
| South | Commercial |
| East | Residential |
| West | Residential |

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

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



La Balance Café will feature an outstanding New American- french influence in an upscale and cozy atmosphere. the menu with offers guests a contemporary twist on classic French favorites.

We will offer a three course "business lunch" prix fixe in addition to the regular menu.

We will open 6 days a week. serving breakfast to- go only from 8Am.to 10Am Tue. Thru Sunday.

Serving lunch Tue.- Fri. 11Am to 2.30 Pm

Dinner Monday - Sunday from 4. Pm to 9Pm

Brunch Sat.- Sunday from 10. Am to 3. Pm

Monday closed all day.....

Will be close fourth of July Thanksgiving Day Christmas day new year day.

We will have Special Wine Tastings and wine lockers with a wine Program for Special client

Customers can come and learn more About Wine and food.

La Balance Café will be a perfect place when customers need a 'little Extra' they can have business meetings or a quiet Pleasant dinner.

The Restaurant will start as a LLC. Corporation owner by its Founder Manuel Atenco.

The founder of the company Manuel Atenco and his crew total of 4 staff works in the kitchen and manager personal. We are Looking for a second-generation restaurant space of 16.000 sq. ft. which is locate at 8050 Fm. RD. 359 S. in Fulshear.

LETTER OF INTENT

Special Use Permit
8050 FM 359 S
Item 1
Page 3 of 4

1. Adjacent land uses consist of residential and commercial to the north and northwesterly residential to the west, large commercial development to the south and residential to the east. Therefore, granting of the Special Use Permit would allow preservation of current prevailing land use in this district.
2. The granting of this Special Use Permit will not be injurious to the public health, safety or welfare nor will in any way compromise public health or safety. On the contrary, structure will be ADA complaint and provide a handicapped parking space.

The granting of the Special Use Permit would no confer on the applicant any special privilege that is denied by the ordinance to other lands, structures or buildings in the same district.
3. The granting of the Special use Permit would no confer on the applicant any special privilege that is denied by the ordinance to other lands. The granting of the Special Use Permit would allow a commercial/residential mix-use that would be in character with the traditional small town, core atmosphere intended by the Downtown District zone.
4. The intent and general purposes of this chapter will be preserved and maintained; The intent and general purpose of the Downtown District Zone will be preserved and maintained, due to the following considerations:
 - a. The Restaurant will be in character with a Down town center development, while at the same time keeping the Commercial façade
 - b, Yards between right-of-way line and Restaurant will be landscaped, and will preserve and enhance the beautification of the block face,
 - c. A handicapped parking space and more additional parking will be Facilitate.
5. No nonconforming use of neighboring land, structures, or buildings in the same district and no permitted.

use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of Special Use Permit.
6. We will comply with existing ordinance^s.

La Balance Café (8050 FM.RD. 359 S.)
January 15,2018
Page 1 of 2

Special Use Permit
8050 FM 359 S
Item 1
Page 4 of 4

No nonconforming use of neighboring land, structures or buildings in the same district and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of the Special

Use . Permit. Special Use Permit requested would be granted on the basis of a reasonable assessment of existing conditions and general compliance with same district.

We hope this submittal meets with your approval. Please let me know if you have any questions or if I can be of further assistance.

Very truly yours,

La Balance Café

A handwritten signature in black ink, appearing to read 'X Manuel Atenco', written over a horizontal line.

Manuel Atenco
member

Owner of La TableCoquette LLC.

DBA/ La Balance

**Special Use Permit
8050 FM 359 S**

Property Owner: **R65818 JUMON PROPERTIES LLC** Property Address: **8050 MAIN ST, FULSHEAR, TX 77441** Item 2 Page 1 of 4 2017 Assessed Value: **\$770,250**

2017 GENERAL INFORMATION

Property Status: Active
 Property Type: Real Commercial
 Legal Description: FULSHEAR, BLOCK 26 (PT), ACRES 0.6372
 Neighborhood: Fulshear Fast Food Restaurant
 Account: 3380-00-026-0000-901
 Related Properties: R311383, R311427, P329092, P343226
 Map Number: A-027-J

2017 OWNER INFORMATION

Owner Name: Jumon Properties LLC
 Owner ID: O0657126
 Exemptions:
 Percent Ownership: 100%
 Mailing Address: 2123 Winged Foot DR Missouri City, TX 77459-3627

2017 VALUE INFORMATION

Improvement Homesite Value: \$0
 Improvement Non-Homesite Value: \$420,520
 Total Improvement Market Value: \$420,520
 Land Homesite Value: \$0
 Land Non-Homesite Value: \$349,730
 Land Agricultural Market Value: \$0
 Total Land Market Value: \$349,730
 Total Market Value: \$770,250
 Agricultural Use: \$0
 Total Appraised Value: \$770,250
 Homestead Cap Loss: -\$0
 Total Assessed Value: \$770,250

2017 ENTITIES & EXEMPTIONS

| TAXING ENTITY | EXEMPTIONS | EXEMPTIONS AMOUNT | TAXABLE VALUE | TAX RATE PER 100 | TAX CEILING |
|---|------------|-------------------|---------------|------------------|-------------|
| C04- City of Fulshear | | \$0 | \$770,250 | 0.158691 | 0 |
| <input checked="" type="checkbox"/> CAD- Fort Bend Central Appraisal District | | \$0 | \$770,250 | 0 | 0 |
| D01- Ft Bend Drainage | | \$0 | \$770,250 | 0.016 | 0 |
| G01- Ft Bend Co Gen | | \$0 | \$770,250 | 0.453 | 0 |
| R05- Ft Bend Co ESD 4 | | \$0 | \$770,250 | 0.1 | 0 |
| S01- Lamar CISD | | \$0 | \$770,250 | 1.39005 | 0 |
| TOTALS | | | 2.117741 | | |

2017 IMPROVEMENTS

Improvement #1: F1 - Real Commercial State Code: No Homesite: - Total Main Area: \$385,855 ⌵ Expand/Collapse All Market Value

2017 LAND SEGMENTS

| LAND SEGMENT TYPE | STATE CODE | HOMESITE | MARKET VALUE | AG USE LOSS | LAND SIZE |
|------------------------|----------------------|----------|--------------------------------|-------------|---------------|
| 1 - Commercial Primary | F1 - Real Commercial | No | \$349,730 | \$0 | 27,756 Sq. ft |
| TOTALS | | | 27,756 Sq. ft / 0.637190 acres | | |

VALUE HISTORY

| YEAR | IMPROVEMENT | LAND | MARKET | AG MARKET | AG LOSS | APPRAISED | HS CAP LOSS | ASSESSED |
|------|-------------|-----------|-----------|-----------|---------|-----------|-------------|-----------|
| 2016 | \$382,290 | \$349,730 | \$732,020 | \$0 | \$0 | \$732,020 | \$0 | \$732,020 |
| 2015 | \$397,670 | \$281,360 | \$679,030 | \$0 | \$0 | \$679,030 | \$0 | \$679,030 |
| 2014 | \$371,480 | \$281,360 | \$652,840 | \$0 | \$0 | \$652,840 | \$0 | \$652,840 |
| 2013 | \$371,480 | \$281,360 | \$652,840 | \$0 | \$0 | \$652,840 | \$0 | \$652,840 |
| 2012 | \$371,480 | \$281,360 | \$652,840 | \$0 | \$0 | \$652,840 | \$0 | \$652,840 |

SALES HISTORY

| DEED DATE | SELLER | BUYER | INSTR # | VOLUME/PAGE |
|------------|---------------------------------------|---------------------------------------|------------|-------------|
| 6/15/2016 | Linck Properties LLC | Jumon Properties LLC | 2016063244 | |
| 4/8/2011 | Elizabeth Linck Living Trust Number 1 | Linck Properties LLC | 2011035185 | |
| 10/24/2008 | Ruth LLC | Elizabeth Linck Living Trust Number 1 | 2008113125 | |
| 1/14/2005 | T GEORGE FAMILY PTRNSHP LTD | Ruth LLC | 2005008979 | |
| | GARNETT, CAROL | GEORGE THOMAS A & CHERYLE S | 9626150 | |
| | GEORGE THOMAS A & CHERYLE S | T GEORGE FAMILY PTRNSHP LTD | 9818960 | |

JUMON PROPERTIES, L.L.C.

**UNANIMOUS CONSENT OF MEMBER
IN LIEU OF ORGANIZATIONAL MEETING**

The undersigned, being the sole member of **JUMON PROPERTIES, L.L.C.**, a Texas limited liability company ("**Company**"), does hereby adopt, approve, authorize, ratify and consent to the following resolutions:

Approval of Articles of Organization.

RESOLVED, that the form, terms, and provisions of the Articles of Organization of the Company filed in the Office of the Secretary of State of Texas on the 10th day of October, 2013, are approved and the officers of the Company are instructed to file the same in the Company's minute book.

1. Approval of Regulations

RESOLVED, that the Regulations of **JUMON PROPERTIES, L.L.C.** and the officers of the Company are instructed to insert the same into the Company's minute book.

2. Officers

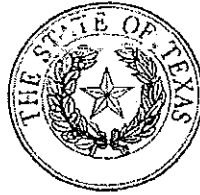
RESOLVED, that each of the following persons is appointed to the office or offices of the Company set forth opposite his name below, to serve at the pleasure of the members of the Company or until his respective successor is chosen and qualified:

| <u>Name</u> | <u>Office</u> |
|----------------|---------------------|
| Monica Chairez | President |
| Juan Chairez | Secretary/Treasurer |

3. Banking Authorization

RESOLVED, that Wells Fargo Bank, N.A. is designated as the depository for funds of the Company and Monica Chairez and Juan Chairez are designated as the members who have authority to sign for the Company on the account.

RESOLVED FURTHER, that the form of resolutions submitted by _____ regarding the accounts is approved and adopted in its entirety as a resolution of the members.



Office of the Secretary of State

Special Use Permit
8050 FM 359 S
Item 2
Page 3 of 4

**CERTIFICATE OF FILING
OF**

JUMON PROPERTIES, L.L.C.
File Number: 801864899

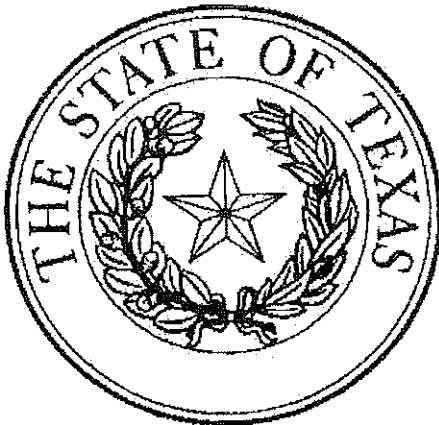
The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 10/10/2013

Effective: 10/10/2013



A handwritten signature in black ink, appearing to read "John Steen".

John Steen
Secretary of State

LETTER OF AUTHORIZATION FOR SPECIAL USE APPLICATION REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO: MANUEL ATENCO

ACTING ON MY BEHALF AS THE OWNER OF THIS PROPERTY AS INDICATED AT THE APPRAISAL DISTRICT, TO FILE AND PRESENT AN APPLICATION TO THE CITY OF FULSHEAR, TEXAS, TO REQUEST A SPECIAL USE PERMIT FOR THE FOLLOWING PROPERTY:

(CERTIFIED

LEGAL DESCRIPTION] 8050 MAIN STREET
FULSHEAR, TEXAS 77411

ACKNOWLEDGEMENTS:

I certify that the above information is correct and complete to the best of my knowledge and ability and that I authorize Juan Lepe Chavez to represent my interest as the owner of the property. I further certify that I have read and understand the information provided, concerning the policies and procedures regarding consideration of the SPECIAL USE request.

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

*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 variance request for property, within the City of Fulshear, as identified in this application.*

THIS AUTHORIZATION WILL REMAIN IN FORCE UNLESS REVOKED BY WRITTEN NOTICE.

OWNER'S SIGNATURE of the above described property: Juan Lepe Chavez / Monica Chavez

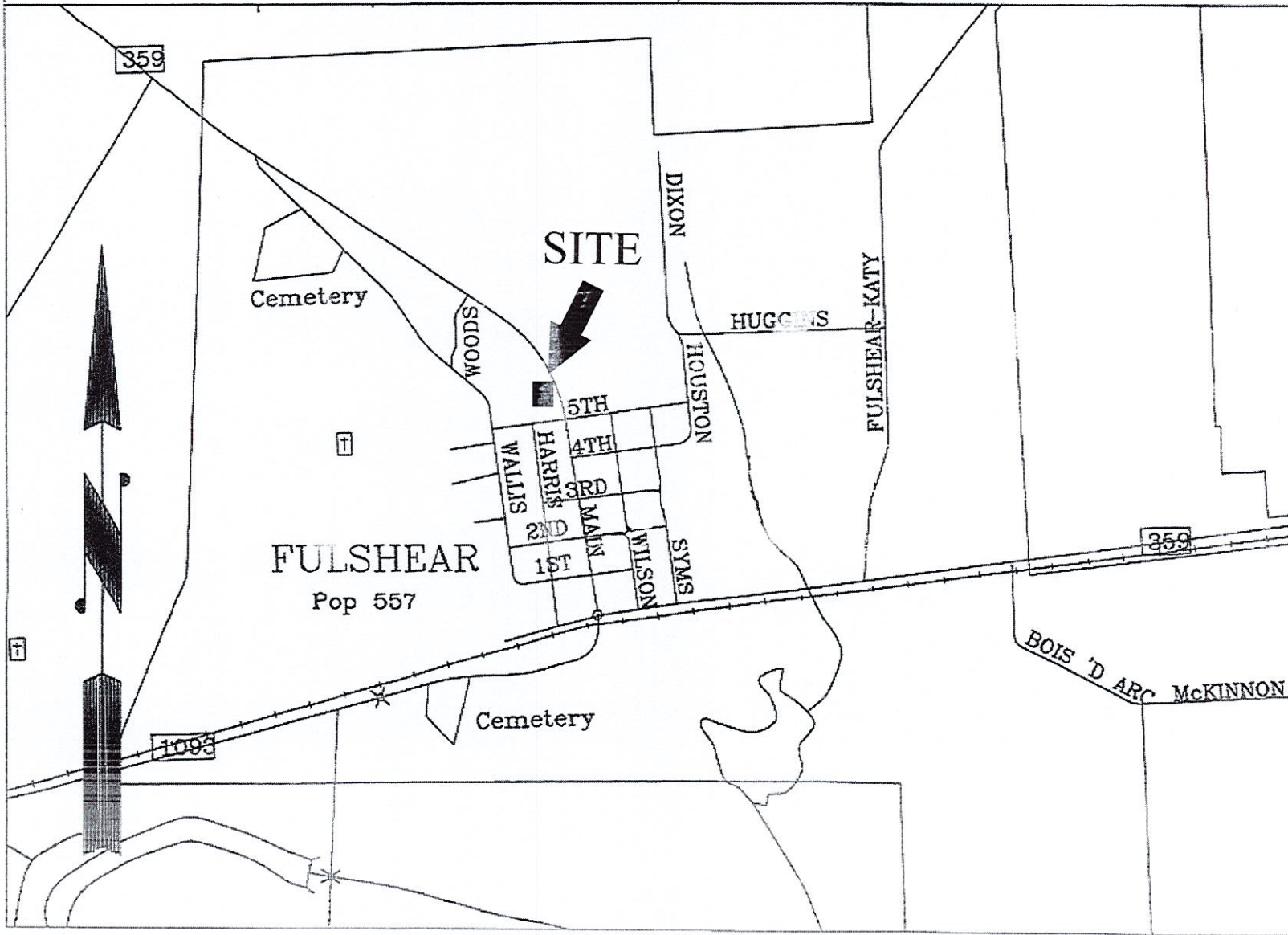
OWNER'S NAME (printed) Juan Lepe Chavez / Monica Chavez

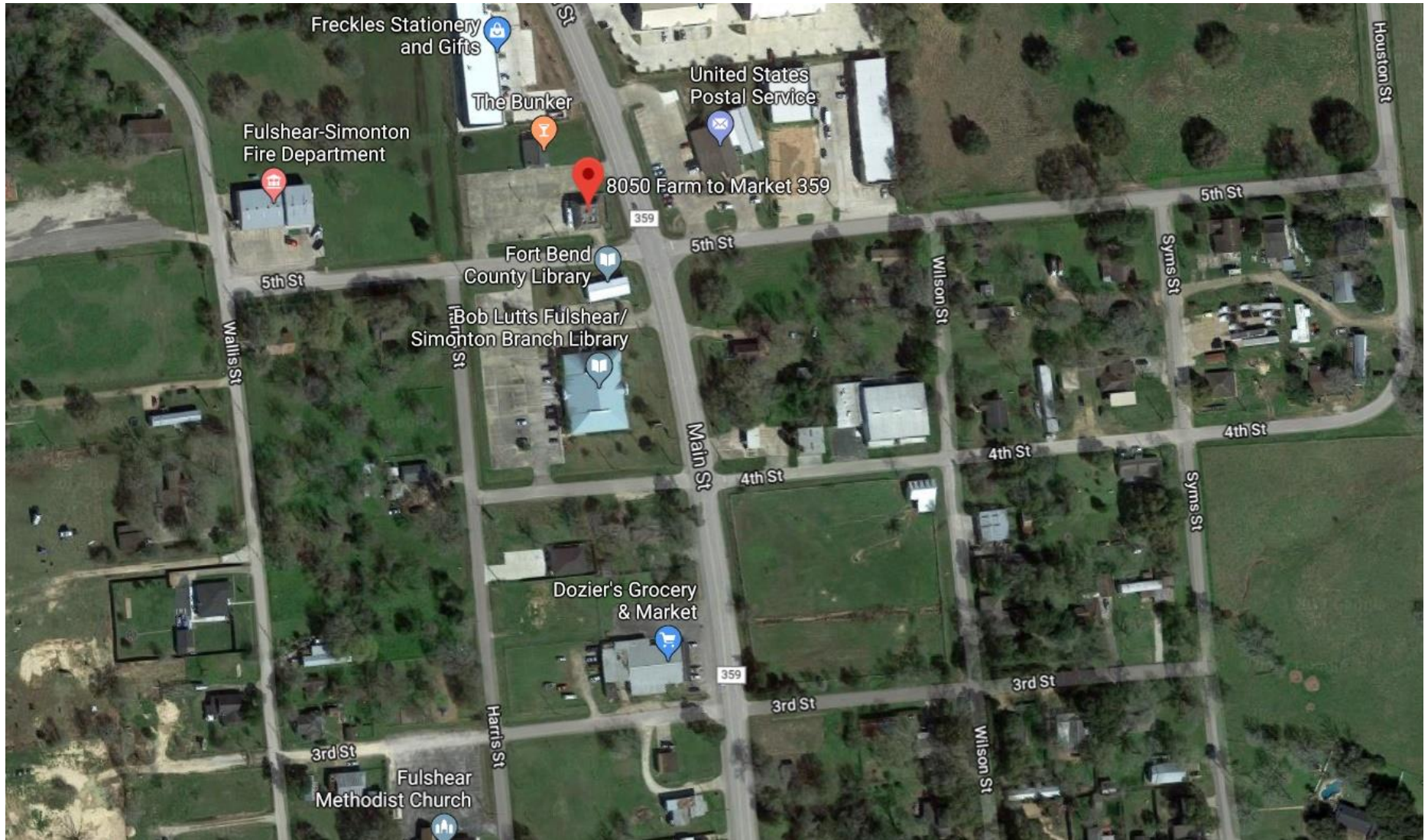
ADDRESS: 714 Center St. Deer Park, TX 77536

TELEPHONE: 281-650-3295 EMAIL: patreon-ww@yahoo.com

VICINITY MAP (N.T.S.)

KEY MAP NO. 522M





Context Map

CF NO. 1616066-HKH- INDEPENDENCE TITLE
 ADDRESS: 8050 MAIN STREET,
 FULSHEAR, TEXAS 77441
 BORROWER: JUNION PROPERTIES, LLC

**0.6372 ACRE
 BEING A PORTION OF
 BLOCK 26
 TOWN OF FULSHEAR**

ACCORDING TO THE MAP OR PLAT THEREOF RECORDED
 IN VOLUME 11 PAGE 180 OF THE PUBLIC RECORDS
 OF FORT BEND COUNTY, TEXAS
 (SEE ATTACHED METES AND BOUNDS DESCRIPTION)

Special Use Permit
 8050 FM 359 S
 Item 5
 Page 1 of 2

NOTE: ADDRESS/ZIP CODE PER DOC. NO. 2001197995



THIS PROPERTY DOES NOT LIE WITHIN THE
 100 YEAR FLOOD PLAIN AS SET FORTH
 PANEL NO. 4157C, 2005 L
 ZONE X
 FIRM NO. 04022/2014

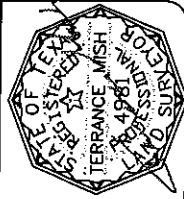
THE SURVEYOR HAS CONDUCTED A VISUAL EXAMINATION OF METES
 AND BOUNDS AND HAS DETERMINED THAT THE METES AND BOUNDS
 DETERMINATION WITHOUT DETAILED FIELD SURVEY.

A SUBSURFACE INVESTIGATION
 WAS BEYOND THE SCOPE OF THIS SURVEY

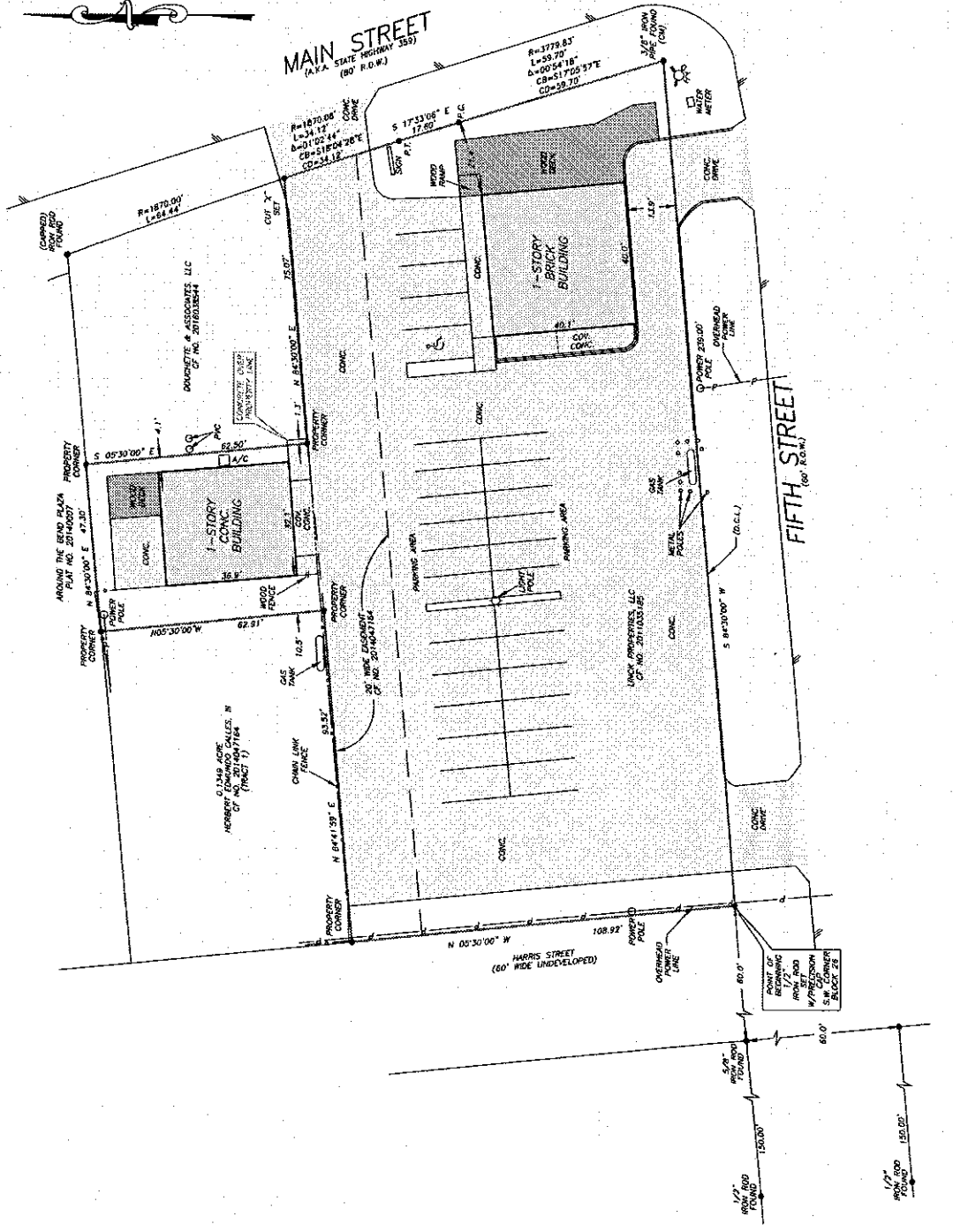
D.C.L. = DIRECTIONAL CONTROL LINE
 RECORD BEARING: OF NO. 201035162 F.C.D.R.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE
 ON THE GROUND THAT THIS PLAT CORRECTLY
 SHOWS THE METES AND BOUNDS AND THAT THERE ARE NO
 UNDISCOVERED ENCUMBRANCES OR INTERESTS
 EXCEPT AS SHOWN HEREON. THIS SURVEY IS
 CERTIFIED FOR THE TRANSACTION ONLY AND
 REFERENCED TITLE COMMITMENT WAS RELEASED
 UPON THE PREPARATION OF THIS SURVEY.

TERENCE WISH
 SURVEYOR
 NO. 4981
 JUNE 01, 2014



SCALE: 1" = 30'



PRECISION
 surveyors



Independence
 Title Company
 PAITY POTTER
 781-972-0077



STATE OF TEXAS
 COUNTY OF FORT BEND
 SURVEYOR
 TERENCE WISH
 LICENSE NO. 4981
 EXPIRES 06/01/2018

STATE OF TEXAS §
 §
 §
 §
 §
COUNTY OF FORT BEND §

Special Use Permit
8050 FM 359 S
Item 5
Page 2 of 2

Metes & Bounds Description

A tract of land containing 0.6372 Acre being a portion of Block 26, Town of Fulshear, according to the map or plat thereof recorded in Volume U, Page 180 of the Fort Bend County Deed Records, being the same tract recorded in the name of Linck Properties, LLC. under Fort Bend County Clerk's File (F.B.C.C.F.) No. 2011035185 of the Official Public Records of Fort Bend County Texas, (O.P.R.F.B.C.T.) and being more particularly described by metes and bounds as follows: (bearings based on said F.B.C.C.F. No. 2011035185 of the O.P.R.F.B.C.T.)

BEGINNING at a 1/2 Inch iron rod with a "Precision Surveyors" cap set at the intersection of the north right-of-way line of Fifth Street (60 Feet wide) and the east right-of-way line of Harris Street (60 Feet wide, underdeveloped) being the southwest corner of said Block 26 and being the southwest corner of this tract;

THENCE, NORTH 05° 30' 00" WEST, with said east right-of-way line of Harris Street, a distance of 108.92 Feet to a point at the most southerly northwest corner of this tract;

THENCE, with the lines of a tract recorded in the name of Herbert Edmundo Calles, III under F.B.C.C.F. No. 2014047164 of the O.P.R.F.B.C.T., the following two (2) courses:

1. NORTH 84° 41' 59" EAST, a distance of 93.52 Feet to a point at an interior corner of this tract;
2. NORTH 05° 30' 00" WEST, a distance of 62.91 Feet to a point at the most northerly northwest corner of this tract;

THENCE, NORTH 84° 30' 00" EAST, with the south line of Around The Bend Plaza as recorded under Plat No. 20140007 of the Fort Bend County Plat Records, a distance of 47.30 Feet to a point at the most northerly northeast corner of this tract;

THENCE, with the lines of a tract recorded in the name of Douchette & Associates, LLC. under F.B.C.C.F. No. 2016038544 of the O.P.R.F.B.C.T., the following two (2) courses:

1. SOUTH 05° 30' 00" EAST, a distance of 62.50 Feet to a point at an interior corner of this tract;
2. NORTH 84° 30' 00" EAST, a distance of 75.07 Feet to a cut "X" set on the west right-of-way line of Main Street (A.K.A. State Highway 359) at the most southerly northeast corner of this tract;

THENCE, with said west right-of-way line of Main Street, the following three (3) courses:

1. in a southeasterly direction with the arc of a curve to the right, having a radius of 1,870.08 Feet, and arc length of 34.12 Feet, a central angle of 01° 02' 44" and a chord bearing of SOUTH 18° 04' 28" EAST, and a chord distance of 34.12 Feet to a point at a corner of this tract;
2. SOUTH 17° 33' 06" EAST, a distance of 17.60 Feet to a point at a corner of this tract;
3. in a southeasterly direction with the arc of a curve to the right, having a radius of 3,779.83 Feet, and arc length of 59.70 Feet, a central angle of 00° 54' 18" and a chord bearing of SOUTH 17° 05' 57" EAST, and a chord distance of 59.70 Feet to a 3/8 Inch iron rod found at its intersection with the aforementioned north right-of-way line of Fifth Street being the southeast corner of this tract;

THENCE, SOUTH 84° 30' 00" WEST, a distance of 239.00 Feet to the POINT OF BEGINNING and containing 0.6372 Acre of land.

(See attached drawing)



Terrance P. Mish
Registered Professional Land Surveyor
No. 4981
Job No. 16-04828
June 03, 2016



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
8050 FM 359 S
Item 6
Page 1 of 1

Special Use Permit Request

Property Address: 8050 FM 359
Fulshear, TX

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

Property Address: 8050 FM 359
Fulshear, TX

The owner of the property located at 8050 FM 359, along with their designated local representative Manuel Atenco, are requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for a restaurant. They are requesting to use the property for commercial use, specifically for a restaurant/bar use.

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:

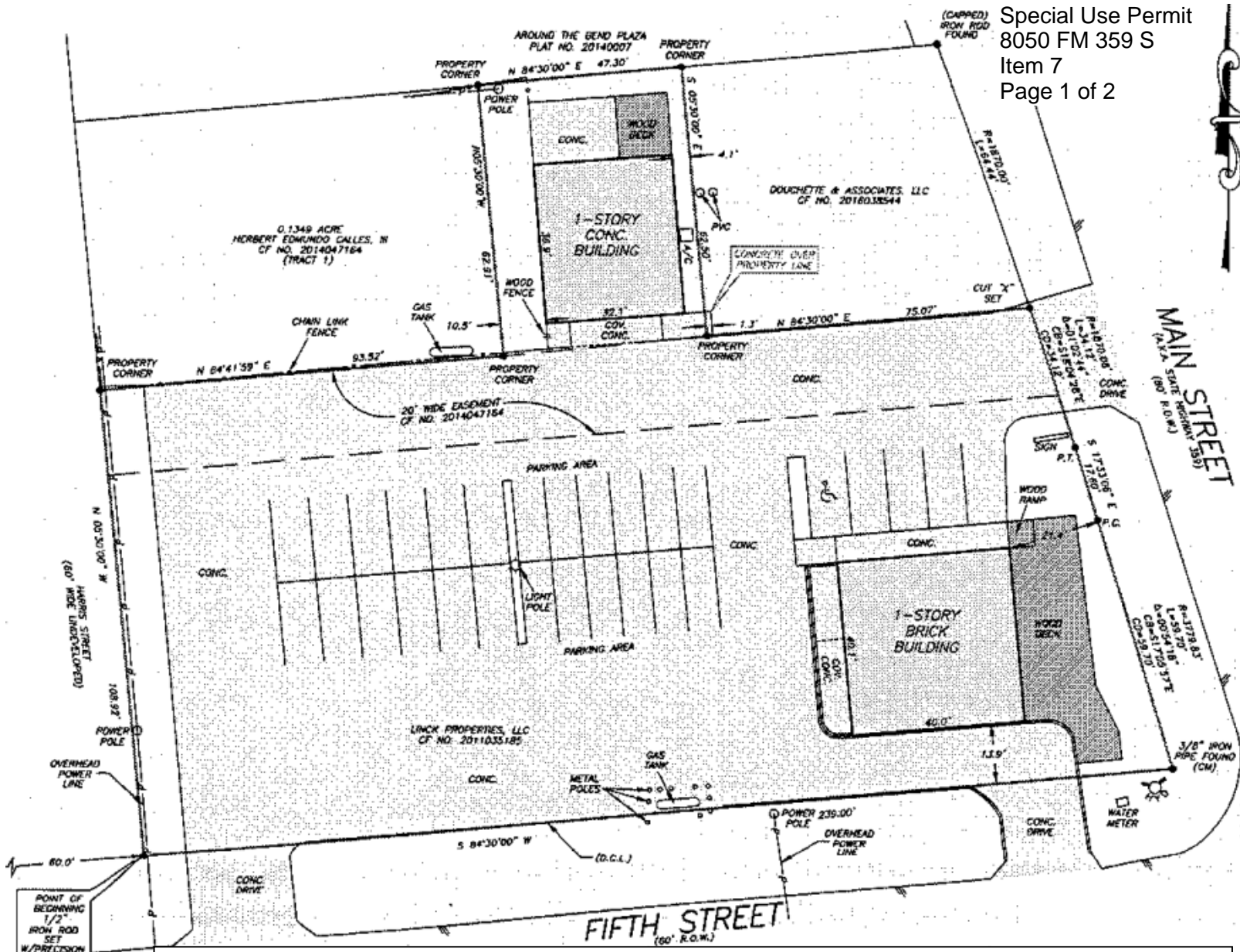
City of Fulshear Comprehensive Plan Page 5.3

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.

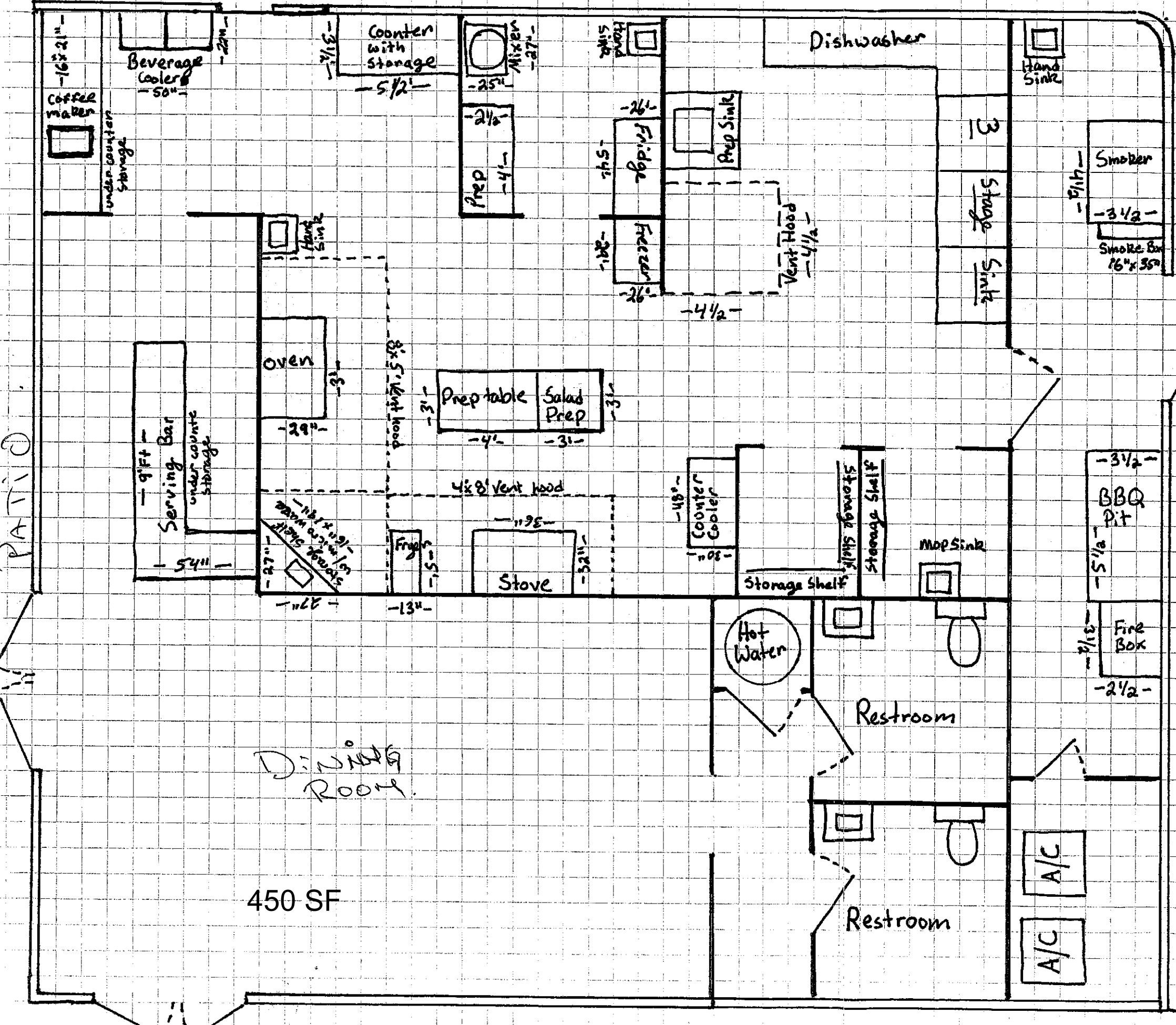
Based on a review of the documentation and of the Comprehensive Plan, City Staff has reason to believe that the property will allow for the eating and drinking establishment use as requested by the applicant and will not increase the danger of fire; will not adversely affect the public health, safety 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 8050 FM 359 is in line with the Comprehensive Plan.

Sincerely,

Sharon Valiante, Public Works Director
Brant Gary, Executive Director of Planning & Development
City of Fulshear



Site Plan: Current building layout is not anticipated to change. Proposed parking spaces are identified.



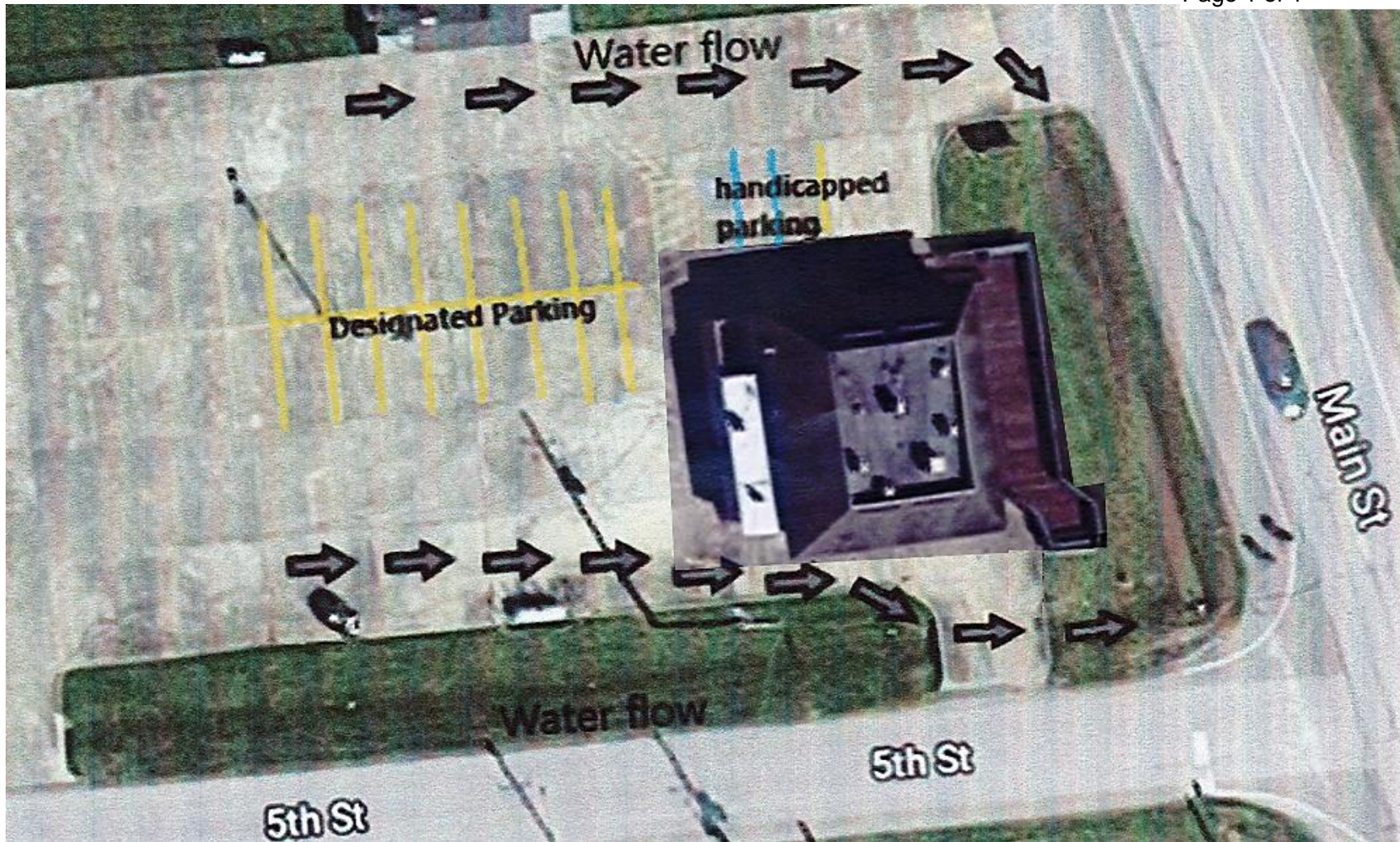
SITE PLAN: Proposed Interior Layout

□ = 1 SF

Total SF = 1800 SF



Landscape Plan: No changes are currently planned to the existing landscaping. Any future changes will comply with any applicable City ordinances.



Grading and Drainage Plan: The current drainage patterns are shown above. No modifications are planned that would affect the drainage patterns.



Lighting Plan: Existing lighting around the building will be maintained. No changes are currently planned. Any future lighting modifications will comply with any applicable City ordinances.



Elevations: Existing elevations are shown above. No major changes to the current elevations are planned. Any future modifications will comply with any applicable City ordinances.

January 17, 2018

Special Use Permit
8050 FM 359 S
Item 12
Page 1 of 1

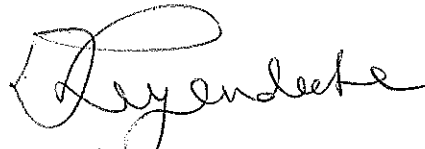
Sharon Valiante, Public Works Director
City of Fulshear
P.O. Box 279
Fulshear, TX 77441

Re: Proposed Restaurant
8050 F.M. 359, Suite 100
Fulshear, Texas

Dear Sharon:

I have reviewed the location of the proposed restaurant at 8050 F.M. 359 and do not see a Traffic Impact Analysis being needed. The restaurant is extremely small and the trips generated will also be small. I do recommend that the parking lot be striped for parking spaces.

Very truly yours,



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

DL/pe



Signage Plan: Existing sign structure will be utilized. No other changes are currently planned. All signage modifications will comply with any applicable City ordinances.



CITY OF FULSHEAR

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Special Use Permit
8050 FM 359 S
Item 14
Page 1 of 3

Notice of Special Use Request

1/11/2018

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 January 19, 2018 at 8:30 a.m., the hearing will be held at city hall located at 30603 FM 1093. The second hearing will be held by the City Council on February 6, 2018 at 6:30 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearing will allow all interested persons will be given an opportunity to be heard.

The location of the premises in question is in the Downtown District, Block 26 (PT) of the Town of Fulshear, specifically the address is 8050 FM 359 South, 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.

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.

Sincerely,

Michelle Killebrew
Building Official

PRIDE OF AUSTIN HIGH YIELD FUND I LLC
3600 N CAPITAL OF TEXAS HWY, SUITE B120
AUSTIN, TX 78746

Special Use Permit
8050 FM 359 S
Item 14
Page 2 of 3

LARRY W RAPE
1010 WALNUT CREEK DR
FAIRFIELD, TX 75840

FORT BEND COUNTY
MAIL CENTER 301 JACKSON ST #101
RICHMOND, TX 77469

JOHNNY D LOFTON etal
C/O MARJOR MAYO
12085 SVOBODA RD
WALLIS, TX 77485

JUMON PROPERTIES LLC
2123 WINGED FOOT DR
MISSOURI CITY, TX 77459

JUMON PROPERTIES LLC
714 CENTER ST
DEER PARK, TX 77536

DIOGU KALU DIOGU II LLM
4726 GAINSBOROUGH DR
BROOKSHIRE, TX 77423

MICHAEL MARTINI
PO BOX 909
FULSHEAR, TX 77441

FT BEND CTY EMERGENCY SERVICES DISTRICT #4
PO BOX 494
FULSHEAR, TX 77441

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 January 19, 2018 at 8:30 a.m.**, the hearing will be held at city hall located at 30603 FM 1093. The hearing will allow all interested persons an opportunity to be heard.

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



PUD / Special Use Request

APPLICANT/OWNER: _____

ADDRESS OF PREMISES: _____

REQUESTING: _____

HEARING DATE: _____

PLANNING AND ZONING COMMISSION REVIEW

____ GRANTED

____ DENIED

____ RETURNED FOR ADDITIONAL DATA

COMMENTS/CONDITIONS: _____

CHAIRMAN SIGNATURE: _____ DATE: _____

“The Planning and Zoning Commission finds that granting the Special Use Permit will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being, or substantially diminish or impair property values within the neighborhood.”

CITY COUNCIL REVIEW

____ GRANTED

____ DENIED

SIGNATURE: _____ DATE: _____

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

| | |
|--|--|
| AGENDA OF: January 19, 2018 | AGENDA ITEM: 7 |
| DATE SUBMITTED: January 16, 2018 | DEPARTMENT: Planning & Development |
| PREPARED BY: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development | PRESENTER: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development |
| SUBJECT: Consideration and possible action to approve the Wallis St. PUD (Planned Unit Development) for properties owned by the Texana Center, Thrive Church, and Fulshear Cemetery. | |
| ATTACHMENTS: PUD Application & Packet Guidelines Submitted PUD Application & Plan Documents Draft Ordinance for PUD Consideration | |

EXECUTIVE SUMMARY

A request has been made from Texana Center, Thrive Church and the City of Fulshear (for property commonly known as the Fulshear Cemetery for the creation of the Proposed Wallis Street PUD (Planned Unit Development). The land is composed of three parcels located on the west side of Wallis Street south of its intersection with FM 359.

Proposed land uses at this time include:

1. Texana Center - a new regional center, to include:
 - a. Administrative and office space.
 - b. Facilities to support autism programs and services.
 - c. “Center for Learning” education facility
 - d. Retail and café facility for jobs skill training.
 - e. Outdoor recreation areas to support above.
 - f. Parking and site landscape development.

2. Thrive Church - a new church campus, to include:
 - a. Worship Center, Education, Youth, Children and Fellowship areas with ancillary support facilities.
 - b. Outdoor recreation facilities.
 - c. Parking and site landscape development.
 - d. Child care/day care services

3. Fulshear Cemetery - continued use for a cemetery and accessory uses.

They have provided documents as required by the City’s Zoning Ordinance (2012- 1069). A summary of the required information is described in the attached “PUD Application & Packet Guidelines” document. A draft ordinance is also included for reference

RECOMMENDATION

As required by the Zoning Ordinance, this recommendation will serve as the Final City Staff Report. City Staff has reviewed the provided documentation and has worked with the applicants on this matter. As a result, City Staff recommends the Planning and Zoning Commission provide a positive recommendation to the City Council for the proposed Wallis Street PUD for land consisting of three parcels located on the west side of Wallis Street south of its intersection with FM 359.

Furthermore, City Staff is recommending that the ordinance to be considered includes specific items from the PUD Application and Plan documents received to serve as specific terms and conditions for development activities and land uses within the proposed PUD. Any recommendations made by the Planning and Zoning Commission regarding these proposed terms and conditions or any related items would be considered by the City Council included in the adopted ordinance if approved.

PUD Application & Packet Guidelines:

For the purposes of clarifying the process to obtain a Planned Unit Development (PUD) zoning designation for an area, the following structure is proposed:

Item 1: Project Cover Page – The name of proposed development & the name of the applicant are required. Other identifying information such as the date submitted, address or location of the subject property, may be included.

Item 2: Confirmation of the pre-application conference & materials submitted – As required, a pre-application conference must occur prior to any submissions being made. A record of the meeting and any submittals provided at that time should be included. The City shall provide a one-page summary of the meeting to be included in this section.

Item 3: Application for PUD/Zoning Amendment – A copy of the completed application approved by the City and proof of payment of fees shall be included in this section. Initial submission of the application to the City should also include the items required in Section 4.

Item 4: Preliminary PUD Plan – Per the requirements for a PUD designation and a zoning amendment, the following items will be included in this section:

- **Cover Page** – Similar to the Title Page, but clearly marked as the “Preliminary PUD Plan” and the date formally accepted by the City for review.
- **Ownership** – Documentation showing proof of the applicant’s ownership and/or authority to act on the behalf of an entity which owns the property involved. If an Owner’s Representative is designated, a signed document from the Owner must be submitted authorizing the Representative to act on his/her behalf. This should include all relevant contact information for the Owner and Owner’s Representative (if applicable).
- **Legal description of the site/map** – This can be a survey with metes & bounds and/or a plat with the necessary legal description.
- **Site conditions (existing)** – This section is designed to give an overview of the existing site conditions prior to the beginning of the project.
 1. Title of planned development and name of developer (on each page);
 2. Scale, date, north arrow, and general location map showing relationship of the site to external facilities such as highways;
 3. Boundary of the subject property;
 4. All existing streets, buildings, watercourses, easements, section lines, and other important features within the proposed project. The location and size, as appropriate, of all existing drainage, water, sewer, and other utility provisions, and information about existing vegetative cover.

- **Concept plan** – This section is designed to provide the overall plan for development in a visual/descriptive manner.
 1. Sketch/Site plan for pedestrian and vehicular circulation showing the general locations and rights-of-way widths and the general design capacity of the system as well as access points to the major thoroughfare system;
 2. A general site plan and necessary verbiage for the use of lands within the PUD. Such plans shall indicate the location, function and extent of all components or units of the plan, including low-, medium-, and high-density residential areas (indicating the proposed density for each category), open space provisions, community-serving recreation or leisure facilities, and areas for public or quasi-public institutional uses such as schools, places of worship and libraries. This can also include other documents and graphical layouts that will convey the proposed look and feel of the development such as building elevations and proposed design criteria;
 3. A statement indicating that proposed arrangements are made with the appropriate agencies for the provision of needed utilities to and within the planned development. This can include expected utility requirements and any special conditions related to utilities.

- **Development Overview Report** – This is a technical summary of items that will be addressed as a part of the proposed development. Any necessary reference items are encouraged to be included to provide the information required.
 1. Total acreage involved in the project;
 2. The number of acres devoted to the various categories of land shown on the site development plan, along with the percentage of total acreage represented by each category of use and component of development, plus an itemized list of uses proposed for each of the components which shall be the range of uses permitted for that section of the planned development;
 3. The number and type of dwelling units involved for the overall site and for its components;
 4. A description of the projected service areas for nonresidential uses (e.g., neighborhood, community or regional);
 5. A statement or map indicating which streets and roads (and pedestrian ways as appropriate) are proposed for public ownership and maintenance and whether approval will be sought for private roads, if any, within the development;
 6. A statement or map on drainage which generally shows existing drainage conditions, wetlands, areas of frequent flooding, points of discharge from the project, and anticipated quantity of water generated from the development;
 7. A statement which shall indicate the proposed method of governing the use, maintenance and continued protection of open space and community-serving facilities.

8. A summary statement of any specific proposed development approaches that are not in compliance with existing applicable ordinances and/or other development requirements. This can include (but is not limited to) items contained in the City's Zoning Ordinance, Subdivision Ordinance, Sign Ordinance, Architectural Standards, Platting Requirements, Permitting Requirements, etc. Any items not specifically requested will be subject to all applicable ordinances and other development requirements currently in place.

- **Development Schedule** – This schedule should provide a plan for all aspects of the development that are anticipated to take place after plan approval. This should include the construction timing of any infrastructure and utilities, structures, amenities, etc. as well as any other important project milestones.

Item 5: Summary of Preliminary PUD Plan Review Findings & Proposed Changes– Included in this section will be a report of the review and recommendations from the City. In addition, a response letter from the applicant to the City should be included that details the agreed upon changes and any items not conforming with the City staff review and recommendations. If desired by the applicant, an initial review from the Planning and Zoning Commission may also be requested. If so, a record of that review should also be included. All items should include names and titles of individuals involved along with corresponding dates of relevant actions and submittals.

Item 6: Final PUD Plan – This section shall include the final proposed PUD plan that includes all necessary items from the Preliminary PUD Plan deemed final as well as those items that have been modified to include any review comments and recommendations noted in Section 5. Any references to a “Preliminary PUD Plan” should be changed to “Final PUD Plan” in the document. The format should follow the same outline as the Preliminary PUD Plan with an added appendix to cover items included above and beyond the PUD Plan required sections.

After Plan Submittal – After the Final Plan has been submitted to the City, the following steps will occur:

1. A Final City Staff Report will be generated and provided to the applicant prior to the Public Hearing scheduled for the Planning and Zoning Commission. The report will comment on the Final PUD Plan and make a formal recommendation to approve or disapprove as well as any recommended conditions that may be placed on the final approval. This Final Report will be included in the items for review provided to both the Planning and Zoning Commission and the City Council
2. The Planning and Zoning Commission will hold a public hearing and make a formal recommendation to the City Council to approve or disapprove the requested PUD zoning amendment.
3. The City Council shall then hold a public hearing and formally consider final approval or disapproval of the requested PUD Zoning Amendment

Additional Notes – All public meetings and public hearings shall abide by the applicable laws and ordinances. In addition, both the Planning & Zoning Commission and the City Council will be provided with the Amendment Criteria as listed in Section 1-279- Amendments, subsection (f) as the basis for their decision-making.

Item 1:

Project Cover Page

The name of proposed development & the name of the applicant are required. Other identifying information such as the date submitted, address or location of the subject property, may be included.

**CITY OF FULSHEAR TEXAS
WALLIS STREET P.U.D. APPLICATION**

**FULSHEAR CEMETERY ASSOCIATION
TEXANA CENTER - THRIVE CHURCH**

| CITY OF FULSHEAR TEXAS | | |
|----------------------------------|---|---------|
| WALLIS STREET P.U.D. APPLICATION | | |
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Item 2:

Confirmation of the pre-application conference
& materials submitted

As required, a pre-application conference must occur prior to any submissions being made. A record of the meeting and any submittals provided at that time should be included. The City shall provide a one-page summary of the meeting to be included in this section.

PRE-APPLICATION CONFERENCE CONFIRMATION

Meetings of the applicant representatives and city staff were held in the Conference Room of the City of Fulshear offices located at 30603 FM1093, Fulshear, Texas on 20SEPT17 and 12OCT17 to review the P.U.D. guidelines and application process. Attached is a summary of both meetings as well as EXHIBIT A which is the attendance log from the 20SEP17 meeting.

SEPTEMBER 20, 2017

Wallis Street Meeting Notes:

IN ATTENDANCE:

- Herc Meier – FSFD – hmeier@fsfd.org
- Sharon Valiance – COF – svaliance@fulsheartexas.gov
- Brant Gary – COF – bgary@fulsheartexas.gov
- Michelle Killebrew – COF – mkillebrew@fulsheartexas.gov
- George Patterson – Texana – George.patterson@texanacenter.com
- Kate Johnson – Texana – katejohnson@texanacenter.com
- Brandi Crone – FSFD – bcrone@fbcesd4.org
- J. MacDonald Ruffeno – Mac Donald Engineering – Mac@macdonaldengineering.com
- Andrew Allemand – Windrose – Andrew.Allemand@windroseservices.com
- Kevin Krueger – Don Krueger Construction KKrueger@donkruegerconstruction.com
- Nick Spector – Thrive Church – nick.a.spector@gmail.com
- Tom Elmore – Thrive Church – Tom@thrivechurch.cc

ITEMS DISCUSSED:

Zoning – The city is initiating discussions with the property owners to create a unified PUD application for the properties benefit, to ensure the best possible zoning results, and to allow for consideration of the type of uses the property owners desire.

- **Uses Proposed:** Church, Business, Retail, Daycare, Medical, Cemetery, and possible mixed use with Residential

Approach – The city will work with key members of each property for the PUD process. Once the process is started, the properties can come their applications for Final Plat. Plan Review of proposed structures can begin, but will not be approved until the Zoning and the Platting of the properties are completed.

Utilities – It is the city's position that private/public utilities need to be out of the proposed right of way to allow future expansion of the road.

- **Water & Sewer** – Utilities will need to be routed from the existing lines near 5th Street and 359. Further discussions regarding proposed utility approaches will be necessary.

Right of Way – The city finds that Wallis Rd will need to be expanded and additional right of way will be needed from each property.

Attachments Distributed – PUD Application Process, Application and Overview Requirements.

Follow-Up Meeting – Another meeting in October was anticipated to be needed.

OCTOBER 12, 2018

Attendees of the 9/20 meeting were invited back for a follow-up meeting. The following items came as a result of this meeting.

Estimated Timeline of Task Deadlines – The following items were identified and the preliminary timeline was discussed and distributed to everyone after the meeting.

- **10/16 to 10/20** – ALL – Meeting or phone conference with all parties involved to discuss utilities approach to include David L.
- **10/18** – Thrive – Send revised Plat drawing to David L.
- **10/18** – PHA/Texana – Send PDF/electronic versions of site plan, survey, etc. to David L.
- **10/18** – FD/ESD – Send any available electronic documents (survey, site plan, etc.) to David L.
- **10/18 to 10/22** – Sharon V./City Staff – Discuss potential driveway alignment with TXDOT
- **10/20** – Thrive – Final plat submittal to the City
- **10/20** – David L./City Staff – Send Letter of authorization, summary memo, preliminary map of proposed area, etc. to all parties
- **10/24** – Michelle K./City Staff – Provide cost information to all parties for the combined PUD application
- **10/26** – Thrive/ESD/Cemetery – Send signed Letters of Authorization to PHA/Texana
- **10/27** – RHA/Texana – Send Preliminary PUD Plan, completed PUD application, executed Letters of authorization, and payment of fees to the Michelle K./City
- **10/30** – Sharon V./City Staff – Provide results of TXDOT driveway alignment discussions
- **11/2** – David L. – Provide final survey/map info to everyone.
- **11/6** – Michelle K./City Staff – Provide Preliminary PUD Plan Review Comments
- **11/6 to 11/10** – ALL – Meeting or phone conference with all parties involved to discuss utilities approach to include David L.
- **11/17** – RHA/Texana – Submit Final PUD Plan to Michelle K./City
- **11/14** – Michelle K./City Staff – Submit notice requirements to paper and mail out to required adjacent property owners (need final P&Z & Council Dec. mtg dates)
- **11/14** – ALL – Applicants will need to place notice signage along the frontage of the properties being considered for the PUD (Fire Station site will need 2 on 359 and 2 on Wallis St.) and City Staff will need to verify placement
- **12/1** – ALL – Planning & Zoning Commission Meeting
- **12/19** – ALL – City Council Meeting (date is tentative)

| Name | Company | email |
|------------------------|---------------------------|-------------------------------------|
| 1) Michelle Killebrew | COF | MKillebrew@fulshear texas.gov |
| 1) Heac Meier | FSFD | Hmeier@fsfd.org |
| 1) Shaun Valance | Fulshear | svalance@fulshear.com |
| 1) GEORGE PATTERSON | TEXANA | george.patterson@texanacenter.com |
| Kate Johnson - Patagon | Texana | katejohnson@texanacenter.com |
| Brandi Crone | FBCESD #4 / EFD | bcrone@fbcesd4.org |
| J. MACDONALD RUFFENO | MACDONALD ENGINEERING LLC | MAC@MACDONALDENGINEERING.COM |
| 1) ANDREW ALLEMAND | WINPROSE | ANDREW.ALLEMAND@SERVICES.COM |
| Kevin Krueger | Don Krueger Const. | kkrueger@donkruegerconstruction.com |
| 1) Nick Spector | Thrive | nicka.spector@gmail.com |
| 1) Tom Elmore | Thrive | Tom@thrivechurch.cc |

Item 3:

Application for PUD/Zoning Amendment

A copy of the completed application approved by the City and proof of payment of fees shall be included in this section.

PUD/ZONING AMENDMENT APPLICATION

The Owner's of three contiguous properties located on the west side of Wallis Street south of its intersection with FM 359 are making joint application for this PUD/ZONING AMENDMENT. The entities are

- A. **City of Fulshear** for the Property Known as the Fulshear Historic Cemetery on Wallis Street.

Property ownership is listed as:
Fulshear Cemetery Association
4522 Ivanhoe Street
Houston, Texas 77027

- B. **Texana Center**

4910 Airport Avenue
Rosenberg, Texas 77471
PUD Case Representative:
Richard Hollington
Ray+Hollington Architects, Inc.
3315 Marquart Street #205
Houston, Texas 77027
phone:713.299.6633
email: rhollington@rharchitects.com

- C. **Thrive Church**

29358 McKinnon Road
Fulshear, Texas 77441
PUD Case Representative:
Kevin Krueger
Don Krueger Construction Company
205 Profit Street
Victoria, Texas 77901
phone: 361.573.5291
email: kkrueger@donkruegerconstruction.com

Combined the properties total 30.22 acres, described as follows:

- A. Fulshear Cemetery – 9.78 acres tract of land including six plus acres of the Mexican Land Grant acquired in 1824 the “Old 300” colonist Churchill Fulshear, Sr. and donated to the Methodist Episcopal Church in 1851.
- B. Texana Center – 14.44 acres tract of land in the Churchill Fulshear League, Abstract No. 29, City of Fulshear, Fort Bend County, Texas, being that certain called 14.456 acres tract recorded under County Clerk’s File Number 2005099822, Official Public Records, Fort Bend County, Texas; Fort Bend County, Texas.
- C. Thrive Church – A 6.00 acres tract of land being out of a called 44.512 acres tract of land conveyed to Grandes Ricos, L.L.C., as recorded under Fort Bend County clerk’s file Number 2015091411, situated in the Churchill Fulshear League, Abstract no.29, Fort Bend County, Texas.

Certified metes and bounds are attached as exhibits to the accompanying PRELIMINARY P.U.D PLAN.

The Fulshear Cemetery Association Property is currently in use as a cemetery and will remain so. Both the Texana Center and Thrive Church properties are currently undeveloped. The properties are to be developed to provide community services as detailed in the accompanying PRELIMINARY P.U.D PLAN.

Signature of Owner/Agent



Date: 27 December 2017

Printed name: Richard P. Hollington II

phone: 713.299.6633 email: rhollington@rharchitects.com

City of Fulshear PUD Fee Schedule - \$2,500 for the application plus \$25 per acre of land

The fees due have been divided among the three properties according to the acreage of each section as follows:

- Fulshear Cemetery – 6.176 (Revised to 9.78)
- Texana Center – 14.44
- Thrive Church – 6 acres

The fees were divided by percentage between the 3 entities with the City of Fulshear absorbing the fees for the Fulshear Cemetery.

- Texana Center – 54% of \$2500.00 plus \$25 per acre = \$1,700.00
 - PAID IN FULL – 1/8/18
- Thrive Church - 23% of \$2,500.00 plus \$25.00 per acre = \$725.00
 - PAID IN FULL – 1/8/18



PLANNED UNIT DEVELOPMENT APPLICATION

(Must be a complete application for acceptance)

PROPERTY OWNER: Fulshear Cemetery Association (CITY INITIATED ZONING CHANGE)
Mailing Address 4522 Ivanhoe Street City Houston State TX Zip 77027
Telephone (713) 850-7892 Email unknown; Billie Wendt contact

APPLICANT / AGENT: City of Fulshear City Administrator/Asst CM; Paula Ryan
Mailing Address P O Box 279 City Fulshear State TX Zip 77441
Telephone (281) 346-1796 Cell () _____ Email pryan@fulsheartexas.gov

OTHER CONTACT Name Brant Gary; Exec. Dir. of Plan&Dev Phone 281-346-1796

PURPOSE OF PROPOSAL:

Zoning Use: Current: None Proposed: included in Wallis Street PUD

Land Use: Current: Cemetery Proposed: Cemetery

The zoning ordinance is adopted for the purposes of promoting public health, safety and general welfare; intended to implement the city's comp plan; guide the future growth and development; to preserve and protect the value of the land and its natural environment, and to balance the protection of community resources and property rights.
Location address or Legal lot and block range: 9.78 acres along Wallis Street;

Describe proposed **new** use and purpose for PUD:

Fulshear Cemetery – 9.78 acres. 2. Texana Center – 14.44 acres. Proposed land uses include: Programs for teens with autism, a new transformational center for learning for adults with autism and/or intellectual disabilities, , retail training center, amd cafe tp be used as a job skills training site, admin faciliteis, outdoor playgrounds and recreation areas; Thrive: 6.00 acres for worship related support facilites, admin facilities, outdoor playground and recreation facilities, children/mother's day out facility, bookstore/retail; Cemetery - continued use

PROPERTY DESCRIPTION

Total net land area 30.22 acres (acres /or square feet)

Certified Legal Description:

NOT PLATTED: A Registered Texas Surveyor's **certified metes and bounds** legal description is required with **case exhibit drawings** of the entire area to be rezoned. The boundary description shall be furnished on 8 1/2" x 11" paper, bearing the surveyor's name, seal and date. If the area to be rezoned is entirely encompassed by a recorded deed, a copy of the deed description is acceptable. An **Electronic copy of survey** may be provided by CD, email or other method within 2 days of application. Send to mkillebrew@fulsheartexas.gov.

PLATTED: If it is within a recorded subdivision, provide a **copy of the plat** with the subdivision name and recording information. Any partial or non-surveyed parcel or tract, extracted from a recorded deed, will require a certified legal description as noted above.

Subdivision Name: _____
Block _____ Lot(s) _____; Block _____ Lot(s) _____; Block _____ Lots(s) _____



PLANNED UNIT DEVELOPMENT APPLICATION

(Must be a complete application for acceptance)

PROPERTY OWNER: Texana Center
Mailing Address 4910 Airport Avenue, Building D City Rosenberg State TX Zip 77471
Telephone (281) 239-1350 Email amanda.darr@texanacenter.com

APPLICANT / AGENT: Amanda Darr, Texana Center Chief Financial Officer
Mailing Address 4910 Airport Avenue, Building D City Rosenberg State TX Zip 77471
Telephone () 281-239-1350 Cell () 832-567-1853 Email amanda.darr@texanacenter.com

OTHER CONTACT Name Rick Hollington Phone 713-299-6633

PURPOSE OF PROPOSAL:

Zoning Use: Current: None Proposed: included in Wallis Street PUD
Land Use: Current: None Proposed: described in Wallis Street PUD

Location address or Legal lot and block range: 14.44 acres along Wallis Street

Describe proposed *new* use and purpose for PUD:

1. Texana Center - 14.44 acres. Proposed land use include program for teens with autism, a new transformation center for learning for adults with autism and/or intellectual disabilities, retail training center with cafe to be used as a job skills training site, admin facilities, outdoor playgrounds and recreation areas;
2. Fulshear Cemetery - 9.78 acres with continued use as a Cemetery; 3. Thrive - 6 acres for worship related support facilities, admin facilities, outdoor playground and recreation facilities, children/mother's day out facility, bookstore/retail.

PROPERTY DESCRIPTION

Total net land area 30.22 acres (acres /or square feet)

Certified Legal Description:

NOT PLATTED: A Registered Texas Surveyor's **certified metes and bounds** legal description is required with **case exhibit drawings** of the entire area to be rezoned. The boundary description shall be furnished on 8 1/2" x 11" paper, bearing the surveyor's name, seal and date. If the area to be rezoned is entirely encompassed by a recorded deed, a copy of the deed description is acceptable. An **Electronic copy of survey** may be provided by CD, email or other method within 2 days of application. Send to mkillebrew@fulsheartexas.gov.

PLATTED: If it is within a recorded subdivision, provide a **copy of the plat** with the subdivision name and recording information. Any partial or non-surveyed parcel or tract, extracted from a recorded deed, will require a certified legal description as noted above.

Subdivision Name: _____
Block _____ Lot(s) _____; Block _____ Lot(s) _____; Block _____ Lots(s) _____

Posting Requirements:

Notice of required Public Hearings shall be provided by the **applicant** by way of a sign posted on the land that is the subject of the application. One sign shall be posted for each 200 feet of frontage along a public street, with a maximum of 2 signs required per frontage. Signs shall be located so that the lettering is visible from the street. Where the land does not have frontage on a public street, signs shall be posted on the nearest public street with an attached notation indicating the location of the land subject to the application. The sign shall state "The property has requested a Planned Use Development, for information regarding this request contact the City of Fulshear at 30603 FM 1093 Fulshear, Texas 77441, 281-346-1796. Two Public Hearings will be held for this request."

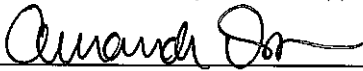
ACKNOWLEDGEMENTS:

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 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 PUD zoning / land use of property, within the City of Fulshear, as identified in this application.*

Signature of Owner/ Agent*  Date 1/5/18

(circle one) Amanda Darr Printed name Phone. No. 281-239-1350

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



PLANNED UNIT DEVELOPMENT APPLICATION

(Must be a complete application for acceptance)

PROPERTY OWNER: THRIVE CHURCH

Mailing Address 27326 Royal Canyon City Katy State TX Zip 77494
Telephone (832) 633 4805 Email tom@thrivechurch.cc

APPLICANT / AGENT: Kevin R. Krueger - Don Krueger Construction Co.

Mailing Address P.O. Box 3613 City VICTORIA State TX Zip 77903
Telephone (361) 573-5291 Cell (361) 648-3161 Email kkrueger@donkruegerconstruction.com

OTHER CONTACT Name Nick Spector Phone (832) 731-4684

PURPOSE OF PROPOSAL:

Zoning Use: Current: R-1 Proposed: Pending PUD
Land Use: Current: UNDEVELOPED Proposed: RELIGIOUS / MIXED USE

Location address or Legal lot and block range: CHURCHILL FULSHEAR LEAGUE ABSTRACT 29

(See attached survey) 7510 WALLIS STREET, FULSHEAR, TEXAS 77441

Describe proposed new use and purpose for PUD:

Religious worship, religious education and support facilities
PURPOSE OF PUD IS TO CHANGE ZONING USE AND BUILDING REQUIREMENTS
WITHIN THE PUD.

PROPERTY DESCRIPTION

Total net land area 6.0 Acres (acres /or square feet)

Certified Legal Description:

NOT PLATTED: A Registered Texas Surveyor's **certified metes and bounds** legal description is required with **case exhibit drawings** of the entire area to be rezoned. The boundary description shall be furnished on 8 1/2" x 11" paper, bearing the surveyor's name, seal and date. If the area to be rezoned is entirely encompassed by a recorded deed, a copy of the deed description is acceptable. An **Electronic copy of survey** may be provided by CD, email or other method within 2 days of application. Send to mkillebrew@fulsheartexas.gov.

PLATTED: If it is within a recorded subdivision, provide a **copy of the plat** with the subdivision name and recording information. Any partial or non-surveyed parcel or tract, extracted from a recorded deed, will require a certified legal description as noted above.

Subdivision Name: _____

Block _____ Lot(s) _____; Block _____ Lot(s) _____; Block _____ Lots(s) _____

RECEIVED
REGISTRATION & PERMIT DEPT

JAN 08 2018

CITY OF FULSHEAR
FULSHEAR, TX 77441

Posting Requirements:

Notice of required Public Hearings shall be provided by the **applicant** by way of a sign posted on the land that is the subject of the application. One sign shall be posted for each 200 feet of frontage along a public street, with a maximum of 2 signs required per frontage. Signs shall be located so that the lettering is visible from the street. Where the land does not have frontage on a public street, signs shall be posted on the nearest public street with an attached notation indicating the location of the land subject to the application. The sign shall state "The property has requested a Planned Use Development, for information regarding this request contact the City of Fulshear at 30603 FM 1093 Fulshear, Texas 77441, 281-346-1796. Two Public Hearings will be held for this request."


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 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 PUD zoning / land use of property, within the City of Fulshear, as identified in this application.*

Signature of Owner/ Agent*  Date 1.8.18
(circle one)
Printed name Tom Elmore Phone. No. 832 633 4805

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

LETTER OF AUTHORIZATION FOR PUD CASE REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO: Rick Hollander / Kevin R. Krueger

ACTING ON MY BEHALF AS THE OWNER OF THIS PROPERTY AS INDICATED AT THE APPRAISAL DISTRICT, TO FILE AND PRESENT AN APPLICATION TO THE CITY OF FULSHEAR, TEXAS, TO REQUEST A CHANGE IN ZONING CLASSIFICATION FOR THE FOLLOWING PROPERTY:

[CERTIFIED See attached LEGAL DESCRIPTION]

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 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 PUD zoning / land use of property, within the City of Fulshear, as identified in this application.*

THIS AUTHORIZATION WILL REMAIN IN FORCE UNLESS REVOKED BY WRITTEN NOTICE.

OWNER'S SIGNATURE of the above described property: 

OWNER'S NAME (printed) MR. TOM ELMORE

ADDRESS: 27326 Royal Canyon Katy Tx 77494

TELEPHONE: 832633 4808 EMAIL: Tom@thrive church,cc

3

Item 4:

Preliminary PUD Plan

Per the requirements for a PUD designation and a zoning amendment, the following items will be included in the plan:

- **Cover Page**
(Only item included in Item 4 to show preliminary submittal)
- **Documentation of Ownership**
- **Legal description of the site/map**
- **Site conditions (existing)**
- **Concept plan**
- **Development Overview Report**
- **Development Schedule**

**CITY OF FULSHEAR TEXAS
WALLIS STREET P.U.D.
PRELIMINARY PLAN
FULSHEAR CEMETERY ASSOCIATION
TEXANA CENTER - THRIVE CHURCH
27 DECEMBER 2017**

Item 5:

**Summary of Preliminary PUD Plan Review Findings &
Proposed Changes**

Included in this section will be a report of the review and recommendations from the City. In addition, a response letter from the applicant to the City should be included that details the agreed upon changes and any items not conforming with the City staff review and recommendations.

The City provided the following list of items requiring follow-up to the applicant on 1/2/2018. The applicants' responses/City comments are included after each numbered item.

1. City shall provide a one-page summary of the pre-application meeting.
 - a. *The City provided information from the two pre-application meetings for inclusion.*
2. Copy of the approved applicant approved by the city (you may already have this)
 - a. *City has received applications from all parties and included a cover sheet for the cemetery property.*
3. The ownership document/authority to act on behalf of Texana is not signed by the owner.
 - a. *The form has an authorized digital signature. The City has acknowledged this.*
4. Not sure about City's authority/ownership doc? Do we just include a statement of City initiating the zoning change?
 - a. *City has provided an application cover sheet representing the City's initiation of the rezone for the cemetery property.*
5. Need legal description and site map for cemetery?
 - a. *City has provided the legal description and site map.*
6. Statement or map for drainage showing existing conditions; areas of frequent flooding , wetlands, discharge points, anticipated quantity of water to discharge
 - a. *Information available to date has been gathered to be included in the Final Plan.*
7. Statement of method of governing use and maintenance; continued protection of open space
 - a. *After some discussions, a statement regarding open spaces has been prepared for inclusion in the Final Plan.*

These items have been addressed and all changes are to be incorporated in the Final Plan.

Item 6:
Final PUD Plan

This section shall include the final proposed PUD plan that includes all necessary items from the Preliminary PUD Plan deemed final as well as those items that have been modified to include any review comments and recommendations noted in Section 5.

The following final items are included in this section:

- **Cover Page**
- **Documentation of Ownership**
- **Legal description of the site/map**
- **Site conditions (existing)**
- **Concept plan**
- **Development Overview Report**
- **Development Schedule**

Item 6.1:
Final PUD Plan
Cover Page

CITY OF FULSHEAR TEXAS
WALLIS STREET P.U.D.

FINAL PLAN

FULSHEAR CEMETERY ASSOCIATION
TEXANA CENTER - THRIVE CHURCH

16 JANUARY 2017

Item 6.2:

Final PUD Plan

Documentation of Ownership

OWNERSHIP DOCUMENTATION

Please refer to the exhibits listed below for proof of ownership:

- A. Fulshear Cemetery Association: EXHIBIT COF1 - FBCAD Ownership Information
- B. Texana Center: EXHIBIT B – Texana Deed of Trust; EXHIBIT C – Texana Letter of Authorization for PUD Case Representation.
- C. Thrive Church: EXHIBIT D – Thrive Church Special Warranty Deed; EXHIBIT E – Thrive Letter of Authorization for PUD Case Representation.

EXHIBIT COF1 - FULSHEAR CEMETERY FBCAD OWNERSHIP INFORMATION

| Property | Owner | Property Address | 2017 Assessed Value |
|----------|-------------------------------|------------------------------------|---------------------|
| R193897 | FULSHEAR CEMETERY ASSOCIATION | 7420 WALLIS ST, FULSHEAR, TX 77441 | \$30,880 |

2017 GENERAL INFORMATION

Property Status **Active**
 Property Type **Real Exempt**
 Legal Description **0029 C FULSHEAR, ACRES 6.176, (FULSHEAR PUBLIC CEMETERY), EXEMPT**
 Neighborhood **Abstract Group 9 B**
 Account **0029-00-000-1045-901**
 Map Number **A-026-H, A-026-M, A-027-E, A-027-J**

2017 OWNER INFORMATION

Owner Name **FULSHEAR CEMETERY ASSOCIATION**
 Owner ID **00039771**
 Exemptions **Exempt Property**
 Percent Ownership **100%**
 Mailing Address **% CAROLYN H SMITH PO BOX 279 FULSHEAR, TX 77441-0279**

2017 VALUE INFORMATION

| | |
|--------------------------------|----------|
| Improvement Homesite Value | \$0 |
| Improvement Non-Homesite Value | \$0 |
| <hr/> | |
| Total Improvement Market Value | \$0 |
| Land Homesite Value | \$0 |
| Land Non-Homesite Value | \$30,880 |
| Land Agricultural Market Value | \$0 |
| <hr/> | |
| Total Land Market Value | \$30,880 |
| Total Market Value | \$30,880 |
| Agricultural Use | \$0 |
| Total Appraised Value | \$30,880 |
| Homestead Cap Loss | -\$0 |
| <hr/> | |
| Total Assessed Value | \$30,880 |

DEED OF TRUST

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: March 26, 2015

Grantor: TEXANA CENTER, a Texas non-profit corporation

Grantor's Mailing Address 4910 Airport, Building D, Rosenberg, Fort Bend County, Texas 77471

Property Address: FM 359 and Wallis Street, Fulshear, Fort Bend County, Texas 77441

Trustee: David Zalman

Trustee's Mailing Address: P. O. Drawer G, El Campo, Wharton County, Texas 77437

Lender: PROSPERITY BANK

Lender's Mailing Address: 143 W. Burseson, Wharton, Wharton County, Texas 77488

Obligation

Note

Date: March 26, 2015

Original Principal Amount: ONE MILLION AND NO/100 (\$1,000,000.00) DOLLARS.

Borrower: TEXANA CENTER

Lender: PROSPERITY BANK

Maturity Date: March 26, 2018

Other Debt: None

Property: A 14.44 acre tract of land in the Churchill Fulshear League, Abstract No. 29, City of Fulshear, Fort Bend County, Texas, being that certain called 14.456 acre tract recorded under County Clerk's File Number 2005099822, Official Public Records, Fort Bend County, Texas; Fort Bend County, Texas, with all bearings based upon the Texas Coordinate System, South Central Zone, NAD83, based upon GPS observations.

BEGINNING at a ½ inch iron rod found in the Southwest right-of-way line of F.M. Highway 359 for the north corner of said called 14.456 acre tract, same being the northeast corner of an adjoining called 131.863 acre tract (First Tract) recorded under County Clerk's File Number 2013077977, Official Public Records, Fort Bend County, Texas, and described under County Clerk's File Number 2006025582, Official Public Records, Fort Bend County, Texas, for the north corner and Place of Beginning of the herein described tract;

WE HEREBY CERTIFY THIS TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL INSTRUMENT.
STEWART TITLE COMPANY
BY Sarah Bruno

THENCE South 51 degrees 54 minutes 18 seconds East (called South 49 degrees 33 minutes 19 seconds East) along the northeast line of the herein described tract and the northeast line of said called 14.456 acre tract, same being the apparent occupied southwest right-of-way line of F.M. Highway 359, 191.67 feet (called 191.67 feet) to a 5/8 inch iron rod with cap found for angle point;

THENCE South 43 degrees 49 minutes 56 seconds East (called South 41 degrees 28 minutes 56 seconds East) continuing along said line, and along the apparent occupied southwest right-of-way line of Wallis Street, 868.98 feet (called 868.98 feet) to a chain-link fence corner post found for the east corner of the herein described tract and said called 14.456 acre tract, same being the north corner of an adjoining called 6.176 acre tract recorded in Volume 922, page 509, Deed Records, Fort Bend County, Texas.

THENCE South 69 degrees 06 minutes 10 seconds West (called South 71 degrees 27 minutes 09 seconds West) along the common line of the herein described tract and said adjoining called 6.176 acre tract, 296.46 feet (called 296.46 feet) to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" set for angle point, from which point a found 6-inch fence corner post bears South 66 degrees 32 minutes 05 seconds West, 1.65 feet;

THENCE South 56 degrees 13 minutes 52 seconds West (called South 59 degrees 09 minutes 08 seconds West) continuing along said common line, 30.66 feet (called 30.44 feet) to a 1/2 inch iron pipe found for angle point;

THENCE South 16 degrees 20 minutes 12 seconds West (called South 18 degrees 41 minutes 19 seconds West) continuing along said common line, 515.00 feet to a 1/2 inch iron pipe with cap marked "Kalkomey Surveying" set for the southeast corner of the herein described tract, same being the southwest corner of said adjoining called 6.176 acre tract, and being an angle point in the north line of an adjoining called 101 acre tract recorded under County Clerk's File Number 2005014004, Official Public Records, Fort Bend County, Texas, and described as Tract A in Volume 562, Page 741, Deed Records, Fort Bend County, Texas, from which point a inch iron pipe found for the called southeast corner of said called 14.456 acre tract bears South 16 degrees 20 minutes 12 seconds West, 3.97 feet;

THENCE South 85 degrees 39 minutes 49 West along the south line of the herein described tract, same being the north line of said adjoining called 101 acre tract, 407.29 feet to a 1/2 inch iron pipe found for the southwest corner of the herein described tract and said called 14.456 acre tract, same being the northwest corner of said adjoining called 101 acre tract, and being an angle point in the east line of the aforementioned adjoining called 131.863 acre tract;

THENCE North 03 degrees 05 minutes 07 seconds East (called North 05 degrees 25 minutes 59 seconds East) along the common line of the herein described tract and said adjoining called 131.863 acre tract, 307.55 feet (called 307.55 feet) to a 1/2 inch iron pipe found for angle point;

THENCE North 04 degrees 26 minutes 06 seconds East (called North 06 degrees 47 minutes 20 seconds East) continuing along said common line, 1,089.06 feet (called 1,089.06 feet) to the Place of Beginning and containing 14.44 acres of land, more or less.

Additional Security for Payment: Assignment of Lease as Collateral dated of even date herewith and executed by TEXANA CENTER, Assignor to PROSPERITY BANK, Assignee.

Prior Liens: None

Other Exceptions to Conveyance and Warranty:

- 1) 48% of all the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as the same are set forth in instrument recorded in counterparts under Clerk's File Nos. 9837834, 9834835, and 9837836 of the Official Records of Fort Bend County, Texas. The surface rights waived therein.
- 2) All Grantor's undivided interest of all the oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as the same are set forth and stated in instrument recorded in/under Clerk's File No. 2005099822 of the Official Records of Fort Bend County, Texas. The surface rights waived therein.
- 3) Rights of Tenants, and assigns, as tenants only, under currently effective lease agreements.
- 4) All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records.
- 5) Standby fees, taxes and assessments by any taxing authority for the year 2015, and subsequent years and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage and ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax year.

For value received and to secure payment of the Obligation, Grantor conveys the Property to Trustee in trust. Grantor warrants and agrees to defend the title to the Property, subject to the Other Exceptions to Conveyance and Warranty. On payment of the Obligation and all other amounts secured by this Deed of Trust, this Deed of Trust will have no further effect, and Lender will release it at Grantor's expense.

In addition to creating a Deed of Trust lien on all the real and other property described above, Grantor also granted to Lender a Security Interest in all of the above-described personal property pursuant to and to the extent permitted by the Texas Uniform Commercial Code.

Clauses and Covenants

A. Grantor's Obligations

Grantor agrees to--

1. Keep the property in good repair and condition;
2. Pay all taxes and assessments on the Property before delinquency;
3. Defend title to the Property subject to the Other Exceptions to Conveyance and Warranty and preserve the lien's priority as it is established in this Deed of Trust;
4. Maintain, at Grantor's expense--
 - a. Liability insurance and worker's compensation insurance covering Grantor, the Property, and the operations on the Property against claims for bodily injury, death, or property damage on or around the Property;
 - b. Property insurance against loss or damage by fire, storm, gas (if gas is used on the Property), and all other hazards under a standard all-risk extended coverage endorsement for an amount equal to the original amount of the Note and other debt secured by this Deed of Trust or the full insurable value

of the Property, whichever is less, and also insuring against other risks including flood, if the Property is in a flood hazard area, and earthquake and mud slide, if requested by Lender;

- c. While any improvements on the Property are under construction, (i) a builder's all-risk form insurance policy on a completed value basis, (ii) worker's compensation and general liability policies covering each contractor performing work on the Property; and (iii) policies of professional liability insurance carried by each architect, engineer, or other design professional performing work relating to the Property. Grantor agrees that all required insurance policies will (i) be issued by companies reasonably accepted to Lender, (ii) be in a form acceptable to Lender, (iii) be endorsed to be payable to Lender as mortgagee insured and loss payable, and (iv) expressly prohibit cancellation or modification without ten day's written notice to Lender.
 - d. Submit any capital expenditure of \$1,000,000.00 or more to the Lender for approval prior to such expenditure.
5. Obey all laws, ordinances, and restrictive covenants applicable to the Property;
 6. Keep any buildings occupied as required by the Required Insurance Coverages;
 7. If the lien of this Deed of Trust is not a first lien, pay or cause to be paid all prior lien notes and abide by or cause to be abided by all prior lien instruments; and
 8. Notify Lender of any change of address.

B. Lender's Rights

1. Lender or Lender's mortgage servicer may appoint in writing one or more substitute trustees, succeeding to all rights and responsibilities of Trustee.
2. If the proceeds of the Obligation are used to pay any debt secured by prior liens, Lender is subrogated to all of the rights and liens of the holders of any debt so paid.
3. Lender may apply any all insurance or condemnation proceeds that Lender receives, at Lender's discretion, either to (a) repay the debt secured by this Deed of Trust, whether matured or not, and in any order Lender selects or (b) repair or improve the Property in any manner Lender selects and apply any remaining proceeds to the debt secured by this Deed of Trust in any order Lender selects.
4. Notwithstanding the terms of the Note to the contrary, and unless applicable law prohibits, all payments received by Lender from Grantor with respect to the Obligation or this Deed of Trust may, at Lender's discretion, be applied first to amounts payable under this Deed of Trust and then to amounts due and payable to Lender with respect to the Obligation, to be applied to late charges, principal, or interest in the order Lender in its discretion determines.
5. If Grantor fails to perform any of Grantor's obligations, Lender may perform those obligations and be reimbursed by Grantor on demand for any amounts so paid, including attorney's fees, plus interest on those amounts from the dates of payment at the rate stated in the Note for matured, unpaid amounts. The amount to be reimbursed will be secured by this Deed of Trust.
6. If there is default on the Obligation or if Grantor fails to perform any of Grantor's obligations and the default continues after any required notice of the default and the time allowed to cure, Lender may --
 - a. declare the unpaid principal balance and earned interest on the Obligations immediately due;
 - b. direct Trustee to foreclose this lien, in which case Lender or Lender's agent will cause notice of the foreclosure sale to be given as provided by the Texas Property Code as then in effect; and
 - c. purchase the property at any foreclosure sale by offering the highest bid and then have the bid credited on the Obligation.
7. Lender may remedy any default without waiving it and may waive any default without waiving any prior or subsequent default.

C. Trustee's Rights and Duties

If directed by Lender to foreclose this lien, Trustee will--

1. Either personally or by agent give notice of the foreclosure sale as required by the Texas Property Code as then in effect;
2. Sell and convey all or part of the property "AS IS" to the highest bidder for cash with a general warranty binding Grantor, subject to the Prior Lien and to the Other Exceptions to Conveyance and Warranty and without representation or warranty, express or implied, by Trustee;
3. From the proceeds of the sale, pay, in this order--
 - a. expenses of foreclosure, including a commission to Trustee;
 - b. to Lender, the full amount of principal, interest, attorney's fees, and other charges due and unpaid;
 - c. any amounts required by law to be paid before payment to Grantor; and
 - d. to Grantor, any balance; and
4. Be indemnified by Lender against all costs, expenses, and liabilities incurred by Trustee for acting in the execution or enforcement of the trust created by this Deed of Trust, which includes all court and other costs, including attorney's fees, incurred by Trustee in defense of any action or proceeding taken against Trustee in that capacity.

D. General Provisions

1. If any of the property is sold under this Deed of Trust, Grantor must immediately surrender possession to the purchaser. If Grantor fails to do so, Grantor will become a tenant at sufferance of the purchaser, subject to an action for forcible detainer.
2. Recitals in any Trustee's deed conveying the property will be presumed to be true.
3. Proceeding under this Deed of Trust, filing suit for foreclosure, or pursuing any other remedy will not constitute an election of remedies.
4. This lien shall remain superior to liens later created even if the time of payment of all or part of the Note is extended or part of the Property is released.
5. If any portion of the Note cannot be lawfully secured by this Deed of Trust, payments shall be applied first to discharge that portion.
6. Grantor assigns to Lender all sums payable to or received by Grantor from condemnation of all or part of the Property, from private sale in lieu of condemnation, and from damages caused by public works or construction on or near the Property. After deducting any expenses incurred, including attorney's fees and court costs and other costs, Lender will either release any remaining amounts to Grantor or apply such amounts to reduce the Note. Lender will not be liable for failure to collect or to exercise diligence in collecting any such amounts. Grantor will immediately give Lender notice of any actual or threatened proceedings for condemnation of all or part of the Property.
7. Grantor assigns to Lender absolutely, not only as collateral, all present and future rent and other income and receipts from the Property. Grantor warrants the validity and enforceability of the assignment. Grantor may as Lender's licensee collect rent and other income and receipts as long as Grantor is not in default under the Note or this Deed of Trust. Grantor will apply all rent and other income and receipts to payment of the Note and performance of this Deed of Trust, but if the rent and other income and receipts exceed the amount due under the Note and Deed of Trust, Grantor may retain the excess. If Grantor defaults in payment of the Note or performance of this Deed of Trust, Lender may terminate Grantor's license to collect rent and other income and then as Grantor's agent may rent the Property and collect all rent and other income and receipts. Lender neither has nor assumes any obligations as Lessor or landlord with respect to any occupant of the Property. Lender may exercise Lender's rights and remedies under this paragraph without taking possession of the Property. Lender will

- apply all rent and other income and receipts collected under this paragraph first to expenses incurred in exercising Lender's rights and remedies and then to Grantor's obligations under the Note and this Deed of Trust in the order determined by Lender. Lender is not required to act under this paragraph, and acting under this paragraph does not waive any of Lender's other rights or remedies. If Grantor becomes a voluntary or involuntary debtor in bankruptcy, Lender's filing a proof of claim in bankruptcy will be deemed equivalent to the appointment of a receiver under Texas law.
8. Interest on the debt secured by this Deed of Trust will not exceed the maximum amount of nonusurious interest that may be contracted for, taken, reserved, charged, or received under law. Any interest in excess of that maximum amount will be credited on the principal of the debt or, if that has been paid, refunded. On any acceleration or required or permitted prepayment, any such excess shall be canceled automatically as of the acceleration or prepayment or, if already paid, credited on the principal of the debt or, if the principal of the debt has been paid, refunded. This provision overrides any conflicting provisions in this and all other instruments concerning the debt.
 9. In no event may this Deed of Trust secure payment of any debt that may not lawfully be secured by a lien on real estate or create a lien otherwise prohibited by law.
 10. When the context requires, singular nouns and pronouns include the plural.
 11. The term *Note* includes all extensions and renewals of the Note and all amounts secured by this Deed of Trust.
 12. This Deed of Trust binds, benefits, and may be enforced by the successors in interest of all parties.
 13. If Grantor and Borrower are not the same person, the term *Grantor* includes Borrower.
 14. Grantor and each surety, endorser, and guarantor of the Note waive all demand for payment, presentation for payment, notice of intention to accelerate maturity, notice of acceleration of maturity, protest, and notice of protest, to the extent permitted by law.
 15. Grantor agrees to pay reasonable attorney's fees, trustee's fees, and court and other costs of enforcing Lender's rights under this Deed of Trust if this Deed of Trust is placed in the hands of an attorney for enforcement.
 16. If any provision of this Deed of Trust is determined to be invalid or unenforceable, the validity or enforceability of any other provision will not be affected.
 17. The term *Lender* includes any mortgage services for Lender.
 18. Grantor represents that this Deed of Trust and the Note are given for the following purposes: The debt evidenced by the note is in part payment of the purchase price of the property; the debt is secured by this Deed of Trust and by a vendor's lien on the property; which is expressly retained in a Deed of even date given by CORPVEST, INC. to TEXANA CENTER. This Deed of Trust does not waive the Vendor's Lien, and the two liens and the rights created by this instrument shall be cumulative. Beneficiary may elect to foreclose under either of the liens without waiving the other or may foreclose under both. The Deed is incorporated into this Deed of Trust.
 19. **Late Fee and Dishonored Check Fee:** In the event any installment, or any part thereof, remains unpaid for ten (10) or more days past the due date thereof as provided above, Borrower shall pay to Lender, in addition to any other amounts to which Lender may be entitled hereunder, a reasonable late payment fee equal to five (5) percent of the amount of said installment, which amount is stipulated by Borrower to be responsible in order to compensate Lender for its additional costs incurred as a result of having to attend to such delinquency. This late charge should be paid only once, but promptly, as to each respective late payment. It is further agreed that the imposition of any such late payment fee shall in no way prejudice or limit Lender's rights or remedies against Borrower under this Agreement or any of the Security Instruments or any other instrument.

In the event any check used to make a payment to Lender is dishonored for

any reason, Borrower shall pay to Lender, in addition to any other amounts to which Lender may be entitled hereunder, a reasonable processing fee of \$30.00 (or the maximum amount provided from time to time in Section 3.506(b) of the Texas Business and Commerce Code as it may be amended). This processing fee should be paid once with respect to each dishonor of a check. It is further agreed that the imposition of any such processing fee shall in no way prejudice or limited Lender's rights or remedies against Borrower under this Agreement or any of the Security Documents or any other instrument.

20. **Due on Death.** Upon the death of any individual Borrower or the death of any individual Grantor or guarantor, or upon the dissolution of any corporation, limited liability company, partnership or other entity comprising Borrower, Grantor or any guarantor, Lender, at Lender's option, has the right to declare the same to be a default under this Agreement, the Promissory Note and the Security Instruments.
21. **Right of Offset.** As further security for this Agreement, Borrower grants to Lender a first lien and contractual right of set-off and to all money and property of Borrower now or at any time hereafter coming within the custody or control of the Lender, including (without limitation) all certificates of deposit and other accounts, whether such certificates of deposit and/or accounts have matured or not, and whether the exercise of such right of set-off results in loss of interest or other penalty under the terms of the certificate of deposit or account agreement. It is further agreed that the Lender shall have a first lien on all deposits and other sums at any time credited by or due from the Lender to Borrower or any guarantor, as security for the payment of this Agreement, and Lender, at its option and after acceleration of the maturity of this Agreement (however said maturity may be brought about) may without notice and without any liability, hold all or any part of any such deposits or other sums until all amounts owing on this Agreement have been paid in full, and/or Lender may apply or set-off all or any part of any such deposits or other sums credited by or due from Lender to or against any sums due on this Agreement in any manner and in any order of preference which the Lender, in its sole discretion, chooses.
22. **Due on Sale.** Other than as permitted in any Loan Agreement and/or in the Security Instruments, if, without the prior written consent of Lender, which consent may be given or withheld by Lender in the exercise of its sole and absolute discretion, (a) all or any part of the Property, or any interest therein, or any beneficial interest in Borrower or Grantor (if Borrower or Grantor is not a natural person or persons, but is a corporation, partnership, trust or other legal entity) is sold, transferred or otherwise conveyed, or (b) Grantor enters into any contract agreeing to sell, transfer or otherwise convey the Property, or any interest therein, or (c) there is a sale or exchange of the majority of the stock of Borrower or Grantor (if Borrower or Grantor is not a natural person or persons, but is a corporation), or (d) Borrower or Grantor creates any lien or encumbrance subordinate or allegedly superior to the Deed of Trust, or (e) Borrower or Grantor grants any easement, right-of-way or any other right whatsoever with respect to the Property, or (f) Borrower or Grantor conveys any leasehold interest for any purpose whatsoever covering all or any portion of the Property, including without limitation, one or more oil, gas or other mineral leases covering the Property or any portion thereof, for a period longer than one (1) year (all and any of the above being hereinafter collectively called "Transfers"), and irrespective of whether any such Transfers are evidenced by written instruments, and irrespective if such a written instrument is filed for record, then Lender, at Lender's option, has the right to declare the same to be a default under this Agreement, the Promissory Note, the Deed of Trust and the Security Instruments.
23. **Cross Default and Cross Collateralization.** If default shall be made in the payment of principal or interest on any other promissory note or notes executed by Borrower or any guarantor hereof and held by Lender as the same become due and payable (each an "Other Note"), or if there is a default in any of the terms, covenants, agreements, conditions or provisions set forth in this Agreement, the Promissory Note, the Security Instruments, or any other instrument relating to

this Agreement or the Promissory Note, or should the Lender conclude, in its sole discretion, that the prospect of payment of the Promissory Note, as modified by this Agreement, or of any Other Note, is impaired for any reason, then in any such event Lender, at its option, may declare the entirety of the Promissory Note, as modified by this Agreement, and any Other Note, together with all accrued but unpaid interest thereon, immediately due and payable without notice, demand or presentment, or notice of intent to accelerate to the Borrower or any other person or party, all of which are hereby waived. Lender's failure to exercise said option shall not constitute a waiver on the part of Lender of the right to exercise said option at any other time. Upon the occurrence of a default, Lender shall also have the right to exercise any and all other rights, remedies and recourses now or hereinafter existing in equity, at law, by virtue of statute or otherwise, including, but not limited to, the right to foreclose any and all liens and security interests securing the Promissory Note, this Agreement and/or any Other Note. Except as may be limited or prohibited by applicable law, Grantor agrees and acknowledges that the Security Instruments secure (a) the Promissory Note, as extended and/or modified, including interest, late charges, fees, expenses and other amounts as provided in the Promissory Note, the Security Instruments and this Agreement, (b) all other debts, obligations and liabilities of Borrower and/or Grantor to Lender of whatever kind or character, whether now existing or hereafter arising, secured or unsecured, direct or indirect, fixed or contingent, primary or secondary, joint or several or both, including, without limitation, all present and future debts, obligations and liabilities of Grantor and/or Borrower (i) as principal, surety, endorser, guarantor, accommodation party or otherwise, (ii) arising by operation of law or otherwise, (iii) as a member of any partnership, joint venture, company, firm, trust or other association or (iv) payable to or in favor of third parties and hereafter acquired by Lender with or without the knowledge, consent or insistence of Grantor and/or Borrower, it being contemplated that Grantor and/or Borrower may from time to time become additionally indebted to Lender, all of which indebtedness is secured by the Security Instruments, and (c) all renewals, rearrangements, modifications and extensions of any of the foregoing.

24. **Financial Statements.** Borrower shall furnish from time to time to Lender upon Lender's request, copies of balance sheets of Borrower (and any guarantors) and copies of statements of income and cash flow of Borrower (and any guarantors), covering such periods of time and containing such reasonable detail as Lender shall reasonably request, and stating changes in the financial position of Borrower for the same periods and which are confirmed by Borrower (and guarantors respectively) as being true, whole, accurate and without material omission. Without limitation, all such financial statements shall be updated not later than one year following the date of the prior financial statements delivered to Lender, and, with respect to non-audited statements, delivered to Lender within 30 days of the date thereof; and, with respect to audited statements, delivered to Lender within 90 days of the date thereof.
25. **Payment of Property Taxes:** Grantor shall pay all taxes and assessments against the Property as the same become due and payable, and prior to delinquency. Grantor shall furnish proof, satisfactory in form and substance to Lender, of such payment. Grantor shall not authorize any person or entity to pay current or delinquent ad valorem taxes due or to become due on the Property if such person or entity is entitled to receive a transfer of tax lien under Section 32.06 of the Texas Tax Code (as it may be amended or modified). In the event any transfer of a tax lien is executed by a tax collector pursuant to Section 32.06 of the Texas Tax Code (as it may be amended or modified) with respect to the Property, Grantor shall, within ten (10) days of the date written notice is sent from Lender to Grantor, fully and finally pay the transferee of said tax lien the entirety of all principal, interest and expenses (whether or not then due and payable, or to become due and payable) owing to said transferee with respect to said transferred tax lien, and deliver proof, satisfactory in form and substance to Lender, of such payment, along with a signed and notarized release of said tax

lien executed by said transferee. Grantor shall not defer the collection of taxes on the Property, in the event deferral of such taxes is permitted under applicable law. In the event of the passage of any law, ordinance, or regulation, deducting from the Property for the purposes of taxation any lien thereon, or changing in any way the laws now in force for the taxation of mortgages, deeds of trust, or indebtedness secured thereby, or the manner of the operation of any such taxes so as to affect the interest of Lender, then and in such event, Grantor shall bear and pay the full amount of such taxes, unless the payment thereof by Grantor would be unlawful or if the payment thereof would constitute usury or render the indebtedness due Lender wholly or partially usurious; provided, however, that if for any reason payment by Grantor or by Lender of any such new or additional taxes would be unlawful or if the payment thereof would constitute usury or render the indebtedness due Lender wholly or partially usurious, Lender may, at Lender's option, declare said unpaid indebtedness with all accrued interest thereon to be immediately due and payable, or Lender may, at Lender's option, pay the amount or portion of such taxes which would otherwise render said indebtedness unlawful or usurious, in which event Grantor shall concurrently therewith pay the remaining lawful and nonusurious portion or balance of said taxes. If Grantor fails to pay any taxes and assessments (including interest, penalties, costs and expenses) against the Property, enters into a tax lien loan to any person or entity, allows any person or entity to receive a transfer of an ad valorem tax lien, or defers the payment of taxes or assessments, Lender may in Lender's sole discretion, in addition to Lender's other rights as provided in the Security Instruments, elect to advance and pay the same at Grantor's expense.

26. **Insurance:** Borrower or Grantor shall promptly obtain and deliver to Beneficiary insurance policies with premiums paid providing extended coverage for all buildings and other property covered by the Deed of Trust against damage by fire and lightning and against such other risks as Beneficiary may require (Builder's Risk Insurance shall be acceptable as to any improvements to be constructed on the Mortgaged Property during the construction phase of any construction loan), all in amounts approved by Beneficiary not less than the greater of 100% of full replacement cost of all improvements located on the Mortgaged Property, such that Grantor and/or Beneficiary shall not become a co-insurer under any required insurance policy, such insurance to be written on a replacement cost form promulgated by the Texas State Board of Insurance and with companies having a Best's Insurance Guide Rating of A, Class XIV or higher, as approved by Beneficiary, with (i) loss made payable to Beneficiary pursuant to the standard mortgagee clause promulgated by the Texas State Board of Insurance, without contribution; (ii) provision that (a) each of said policies shall not be terminated, reduced or limited regardless of any breach of the representations and agreements set forth therein, and (b) no such policy shall be canceled, endorsed or amended to any extent unless the issuer thereof shall have first given Beneficiary at least 15 days' prior written notice. In case Grantor fails to furnish such policies, Beneficiary, at Beneficiary's option, may procure such insurance at Grantor's expense. All renewal and substitute policies of insurance shall be delivered to the office of Beneficiary, premiums paid, at least ten (10) days before expiration of the insurance protection to be replaced by such renewal or substituted policies. In case of loss, Beneficiary, at Beneficiary's option, shall be entitled to receive and retain the proceeds of the insurance policies, applying the same toward payment of the Indebtedness in such manner as Beneficiary may elect, or at Beneficiary's option, Beneficiary may pay the same over wholly or in part to Grantor for the repair of said improvements or for the election of new improvements in their place, or for any other purpose satisfactory to Beneficiary, but Beneficiary shall not be obligated to see to the proper application of any amounts so paid to Grantor. If Beneficiary elects to allow such payments to Grantor, disbursement shall be on such terms subject to such conditions as Beneficiary may specify. Regardless of whether any insurance proceeds payable to them are sufficient to pay the costs of repair and restoration of the Property, Grantor shall promptly commence and carry out the repair, replacement,

restoration and rebuilding of any and all of the improvements damaged or destroyed so as to return same, to the extent practicable, to the same condition as immediately prior to such damage to or destruction thereof. Grantor shall not permit or carry on any activity within or relating to the Property that is prohibited by the terms of any insurance policy covering any part of the Property or which permits cancellation of or increase in the premium payable for any insurance policy covering any part of the Property. In the event of a foreclosure of the Deed of Trust, the purchaser of the Property shall succeed to all the rights of Grantor, including any right to unearned premiums, in and to all policies of insurance assigned and delivered to Beneficiary pursuant to the provisions of this instrument. Regardless of the types or amounts of insurance required and approved by Beneficiary, Grantor shall assign and deliver to Beneficiary all policies of insurance that insure against any loss or damage to the Property, as collateral and further security for the payment of the Indebtedness. Grantor shall also obtain and maintain in force and effect at Grantor's expense such liability and other insurance policies and protection as Beneficiary may from time to time require. Furthermore, if any portion of the Property is situated in an area, or is subsequently designed in an area, having special flood hazards (as defined in the Flood Disaster Protection Act of 1973, as amended from time to time, or any similar legislation), Grantor shall provide flood insurance to Beneficiary in an amount equal to the replacement cost of the improvements or the maximum amount of flood insurance available, whichever is the lesser.

TEXANA CENTER

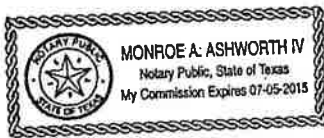
By: *Amanda Darr*
 AMANDA DARR,
 Chief Financial Officer

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 26 day of March, 2015, by AMANDA DARR, Chief Executive Office of TEXANA CENTER, an Texas non-profit corporation, on behalf of said corporation.

Monroe A. Ashworth IV
 Notary Public, State of Texas



D:\Data\PROPERTY\PROSPERITY BANK - WHARTON\Texana Center - Corporon Investments, Inc., purchase - wd, WSJP, interest only - Non Primary Residence, Collateral Assignment of Leases with prepayment penalty 5087.151.wpd 3/13/15

| | |
|--|---|
| Prepared In The Law Office Of: | After Recording Return To: |
| Craig Hathway, P.C. Attorney At Law 1209 N. Mechanic El Campo, TX 77437 (979) 543-2768 | Prosperity Bank 1205 N. Navarro St. Victoria, TX 77901-6049 |

LETTER OF AUTHORIZATION FOR PUD CASE REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO: _____

ACTING ON MY BEHALF AS THE OWNER OF THIS PROPERTY AS INDICATED AT THE APPRAISAL DISTRICT, TO FILE AND PRESENT AN APPLICATION TO THE CITY OF FULSHEAR, TEXAS, TO REQUEST A CHANGE IN ZONING CLASSIFICATION FOR THE FOLLOWING PROPERTY:

| (CERTIFIED | LEGAL | DESCRIPTION] |
|------------|-------|--------------|
| _____ | | |

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 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 PUD zoning / land use of property, within the City of Fulshear, as identified in this application.*

THIS AUTHORIZATION WILL REMAIN IN FORCE UNLESS REVOKED BY WRITTEN NOTICE.

OWNER’S SIGNATURE of the above described property: _____

OWNER’S NAME (printed) _____

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____



EXHIBIT D – Thrive Church Special Warranty Deed

SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Grantor: Grandes Ricos, LLC, a Texas limited liability company

Grantor's Address: 5706 Dixon Rd.
Fulshear, Texas 77441

Grantee: Thrive Church, a Texas non-profit corporation

Grantee's Address: 29358 McKinnon Road
Fulshear, Texas 77441

The Grantor, for and in consideration of good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, TRANSFERED, and CONVEYED, and does hereby GRANT, TRANSFER, and CONVEY, to Grantee and Grantee's heirs, successors, and assigns, all of Grantor's right, title, and interest in the following real property (the "Property"):

6.00 acres, as part of the Churchill Fulshear League, Abstract 29, Fort Bend County, Texas, and as more particularly described in Exhibit A attached hereto and incorporated herein.

This conveyance subject to all liens, encumbrances, and restrictions affecting the Property that at the time of this conveyance are valid and subsisting and filed of record in the Official Public Records of Real Property of Fort Bend County, Texas.

Taxes for the year 2017 will be prorated between Grantor and Grantee based on the effective date of this conveyance. Grantor assumes responsibility for the payment of all taxes for prior years.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging to said Grantee, its successors and assigns, forever and Grantor does hereby bind itself, and its successors, to warrant and forever defend, all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED to be effective this _____ day of April, 2017.

GRANTOR:

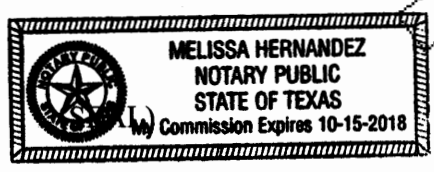
GRANDES RICOS, LLC, a Texas limited liability company

By: *[Signature]*
JEFFREY F. DUKE, Manager

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before me on this day personally appeared JEFFREY F. DUKE, Manager of Grandes Ricos, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

Given under my hand and seal of office this 20 day of April, 2017.



[Signature]
Notary Public in and for
the State of Texas

Unrecorded

ACCEPTED this 20 day of April, 2017.

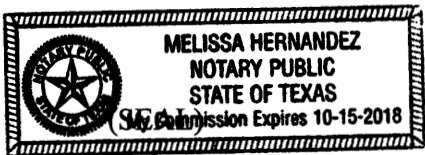
GRANTEE: THRIVE CHURCH

By: [Signature]
TOM ELMORE
President, Board of Directors

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before me on this day personally appeared TOM ELMORE, President of the Board of Directors of Thrive Church, a Texas non-profit corporation, known to me to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purpose and in the capacity therein expressed.

Given under my hand and seal of office this 20 day of April, 2017.



[Signature]
Notary Public in and for
the State of Texas

EXHIBIT A

Unofficial's Document

HENRY STEINKAMP, INC.

Land Boundary & Topographic Surveying
909 Fifth Street

Rosenberg, Texas 77471

Telephone/Fax 281.342.2241

email: schodek@yahoo.com

Franklin R. Schodek

Registered Professional Land Surveyor

James L. Syptak, Sr.

Registered Professional Land Surveyor

March 25, 2017

A Field Note Description of a 6.00 Acre Tract of Land (more or less), being out of the Grandes Ricos, LLC call 44.512 Acre Tract (FBC 2015091411), being in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas.

For Connection Beginning at a 7/8 inch iron pipe found in the Southwest right-of-way line of Wallis Street marking the Northeast corner of said 44.512 Acre Tract of Land and the Northwest corner of the original Leonard H. Clay, Sr. call 1.0 Acre Tract (FBC 2011016409) THENCE, North 35deg.18'48" West, along the Southwest right-of-way line of said Wallis Street, 490.13 feet to a point marking the East corner of and **place of beginning** for this tract;

THENCE, South 54deg.41'12" West, 440.01 feet to a point marking the South corner of this tract;

THENCE, North 34deg.18'48" West, 681.59 feet to a point on the centerline of Union Chapel Branch marking a Westerly corner of this tract;

THENCE, Northerly along the centerline of said Union Chapel Branch with the following courses and distances:

- North 60deg.56'32" East, 91.46 feet to a point;
- South 75deg.29'39" East, 17.61 feet to a point;
- South 47deg.05'12" East, 21.04 feet to a point;
- South 22deg.45'14" East, 49.82 feet to a point;
- South 52deg.15'53" East, 18.07 feet to a point;
- North 40deg.54'09" East, 56.87 feet to a point;
- North 72deg.39'45" East, 13.14 feet to a point;
- North 03deg.36'23" West, 25.74 feet to a point;
- North 53deg.29'07" East, 23.80 feet to a point;
- South 80deg.59'59" East, 48.33 feet to a point;
- North 04deg.16'01" East, 26.92 feet to a point;
- South 28deg.48'27" East, 44.41 feet to a point;
- North 05deg.08'56" East, 34.66 feet to a point;
- North 45deg.58'34" East, 14.78 feet to a point;
- South 66deg.22'19" East, 14.37 feet to a point;
- North 42deg.20'01" East, 39.88 feet to a capped 5/8 inch iron rod found marking the North corner for this tract;

Page 2.

6.00 Acres

Churchill Fulshear League, Ab. 29
Fort Bend County, Texas.

THENCE, South 43deg.06'37" East, along the Southwest right-of-way line of said Wallis Street,
433.87 feet to a capped 5/8 inch iron rod stamped "1535-4035" marking an angle point;

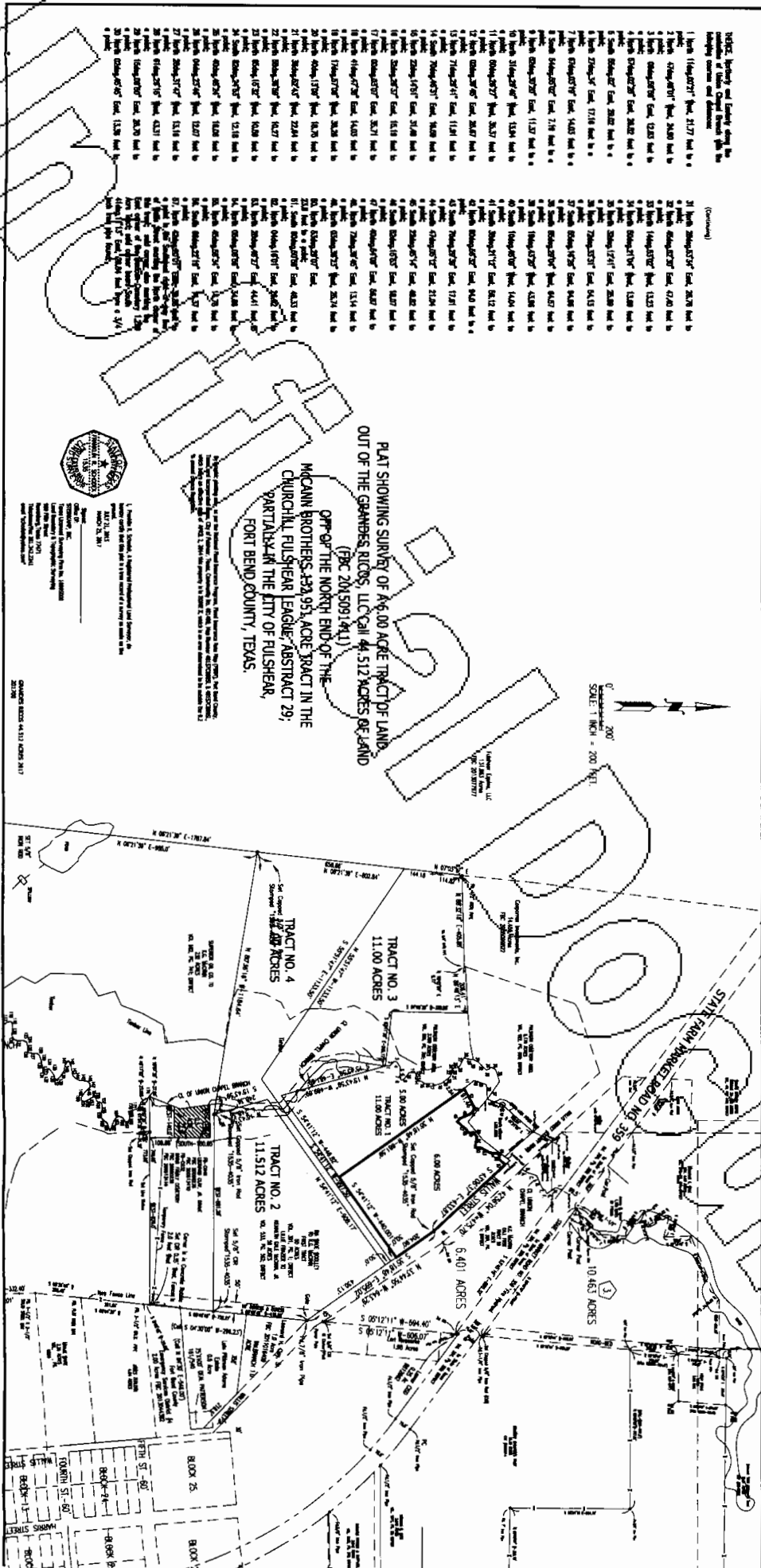
THENCE, South 35deg.18'46" East, along said Southwest right-of-way line of Wallis Street,
204.9 feet to the place of beginning and containing 6.00 Acres of Land.

Signed:

Frank R. Schuck

Registered Professional Land Surveyor No. 1535

NOTE: Not a field survey this date, prepared from Field Surveys by our Firm.



(Continued)

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| 87 | North | 144.000' | East | 11.27' | End to a |
| 88 | North | 144.000' | East | 11.27' | End to a |
| 89 | North | 144.000' | East | 11.27' | End to a |
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| 91 | North | 144.000' | East | 11.27' | End to a |
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| 99 | North | 144.000' | East | 11.27' | End to a |
| 100 | North | 144.000' | East | 11.27' | End to a |

Copyright © 2017

RETURNED AT COUNTER TO:

Tom Elmore
27326 Royal Canyon
Katy Tx 75424

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk
Fort Bend County, Texas

April 20, 2017 12:01:15 PM

FEE: \$39.00 MAM
DEED

2017041539



Unofficial Document



 www.thrivechurch.cc

 /ThriveChurchTX

info@thrivechurch.cc / mail to: 9550 Spring Green Blvd - Suite 408-246, Katy, TX 77494

December 14, 2017

I authorize Kevin R. Krueger, President of Don Krueger Construction Co., to represent Thrive Church in the PUD.

Thrive Church Contact Information:

Physical Address:
29358 McKinnon Rd, Fulshear, TX 77441
info@thrivechurch.cc

Mailing Address:
9550 Spring Green Blvd, Suite 408-246
Katy, TX 77494

The Best is Yet to Come...

Tom Elmore
Pastor, Thrive Church
832-633-4805

Item 6.3:

Final PUD Plan

Legal Description of the Site/Map

LEGAL DESCRIPTION OF THE SITES

Please refer to the exhibits listed below for full legal descriptions of the sites:

- A. Fulshear Cemetery: EXHIBIT COF2 - Fulshear Cemetery Legal Description
- B. Texana Center: EXHIBIT F – Texana Survey; EXHIBIT G – Texana Legal Description.
- C. Thrive Church: EXHIBIT H – Thrive Church Legal Description; EXHIBIT I – Thrive Church Plat/Survey.

The Overall Map, attached as EXHIBIT J, provides an overview of the area involved in the P.U.D. Combined the properties total 30.22 acres, generally described as follows:

- A. Fulshear Cemetery – 9.78 acres tract of land including six plus acres of the Mexican Land Grant acquired in 1824 the “Old 300” colonist Churchill Fulshear, Sr. and donated to the Methodist Episcopal Church in 1851.
- B. Texana Center – 14.44 acres tract of land in the Churchill Fulshear League, Abstract No. 29, City of Fulshear, Fort Bend County, Texas, being that certain called 14.456 acres tract recorded under County Clerk's File Number 2005099822, Official Public Records, Fort Bend County, Texas; Fort Bend County, Texas.
- C. Thrive Church – A 6.00 acres tract of land being out of a called 44.512 acres tract of land conveyed to Grandes Ricos, L.L.C., as recorded under Fort Bend County clerk's file Number 2015091411, situated in the Churchill Fulshear League, Abstract no.29, Fort Bend County, Texas.

EXHIBIT COF2 - Fulshear Cemetery Legal Description

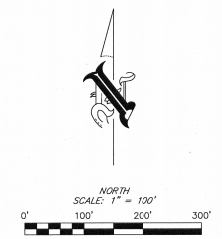
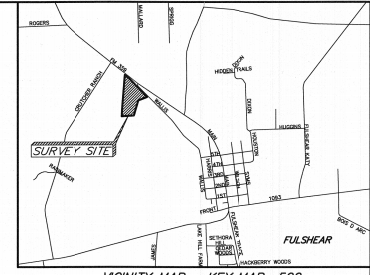
Legal Description – Fulshear Cemetery Association

Tract 1 – All of a called 6.176 acre parcel described in the Deed Recorded in Volume 922, Page 509 Fort Bend County Deed Records.

Tract 2 – All of a called 2.3 acre parcel described in Volume 896, Page 761 Fort Bend County Deed Records.

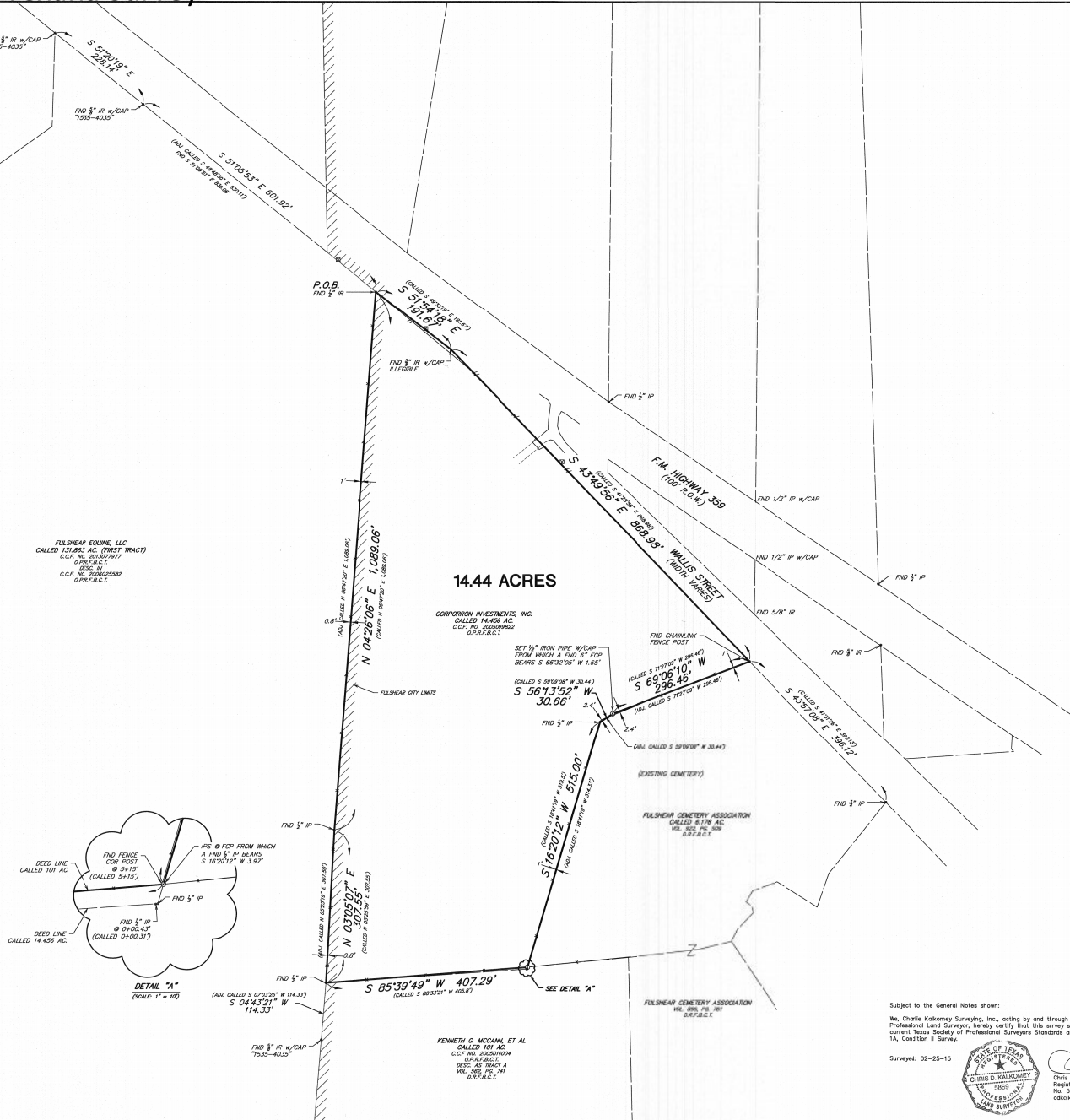
Tract 3 – All of a parcel continuing 1.3 acres set aside as a Public Cemetery by Churchill Fulshear ET AL.

Exhibit F: Texana Survey



VICINITY MAP KEY MAP: 522
(SCALE: 1" = 2,000')

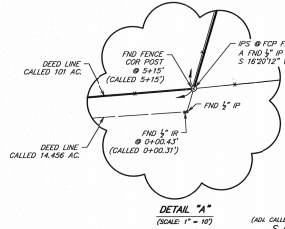
- GENERAL NOTES:
- This tract lies within Zone "X", of the Flood Insurance Rate Map, Community No. 481488, Map Number 481570086L, Panel 0005, Suffix "L" dated April 2, 2014, for Fort Bend County, Texas and incorporated areas. Zone "X" is defined as areas determined to be outside the 0.2% annual chance floodplain. This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
 - The location of the flood zone lines shown hereon were determined by scaling from said FIRM map. The actual location as determined by elevation contours may differ. Charlie Kalkomey Surveying, Inc. assumes no liability as to the accuracy of the location of the flood zone limits.
 - All visible easements and easements of records affecting these tracts as reflected upon title report from Stewart Title Guaranty Co. CF. Number 1515745659, dated January 29, 2015 shown hereon. Surveyor has relied upon the above-mentioned title commitment, with regard to any easements, setbacks, restrictions, or rights-of-way affecting the subject property. No additional research regarding the existence of easements, setbacks, restrictions, rights-of-way, or other matters of record, has been performed by the surveyor.
 - Bearings are based upon the Texas Coordinate System, South Central Zone, NAD83, based on GPS observations.
 - Fences shown hereon are graphic only, with dimensional ties shown at specific locations where they were physically measured. The fence line may meander between said measured locations. The dimensions showing the distance between the fence and the property line also indicate which side of the property line the fence is on.
 - The surveyor has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
 - Visible improvements / utilities were not located with this survey; no subsurface probing, excavation or exploration was performed for this survey.
 - This survey does not provide any determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.
 - For reference and further description, see metes and bounds description, job number RB00-033-00, prepared by Charlie Kalkomey Surveying, Inc. on same date.



FULSHEAR EQUINE, LLC
CALLED 131.863 AC. (FIRST TRACT)
C.C.F. NO. 200509717
O.P.A.F.C.B.C.
SEC. 16
C.C.F. NO. 200509882
O.P.A.F.C.B.C.

14.44 ACRES

CORPORATION INVESTMENTS, INC.
CALLED 14.458 AC.
C.C.F. NO. 200509882
O.P.A.F.C.B.C.



DETAIL "A"
(SCALE: 1" = 10')

- LEGEND
- These standard symbols will be found in the drawing.
- ⊙ - SET 1/2" IP W/CAP "KALKOMEY SURVEYING"
 - ⊙ - TELEPHONE FSD.
 - — — — — WOOD FENCE
 - — — — — DIRT WIRE FENCE
 - — — — — FULSHEAR CITY LIMITS

KENNETH G. MOCHAL ET AL
CALLED 101 AC.
C.C.F. NO. 200509000
O.P.A.F.C.B.C.
SEC. 15 TRACT A
VOL. 565 PG. 741
O.P.A.F.C.B.C.

Subject to the General Notes shown:
We, Charlie Kalkomey Surveying, Inc., acting by and through Chris D. Kalkomey, a Registered Professional Land Surveyor, hereby certify that this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 3 Survey.

Surveyor: 02-25-15

Chris D. Kalkomey
Registered Professional Land Surveyor
No. 5865
cdkalkomey@texasarts.com



LAND TITLE SURVEY
OF
14.44 AC.
OUT OF THE
CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29
CITY OF FULSHEAR
FORT BEND COUNTY, TEXAS
FEBRUARY 2015

CHARLIE KALKOMEY
Surveying, Inc.
Land Surveyors
11117 T-17
6415 Redding Road • Rosenberg, Texas 77471-5665
281-940-0355 281-922-5088 (fax)
Texas Board of Professional Land Surveying Registration No. 10048104
A Jones & Carter Company
Austin • Houston • Bryan • Dallas • Fort Worth
Rosenberg • San Antonio • The Woodlands

CHARLIE KALKOMEY SURVEYING, INC.

A JONES & CARTER COMPANY

6415 READING ROAD

ROSENBERG, TEXAS 77471

281 342-2033

Texas Board of Professional Land Surveying Registration No. 10046104

FIELD NOTES FOR A 14.44 ACRE TRACT OF LAND IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT 29, CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS, BEING THAT CERTAIN CALLED 14.456 ACRE TRACT RECORDED UNDER COUNTY CLERK'S FILE NUMBER 2005099822, OFFICIAL PUBLIC RECORDS, FORT BEND COUNTY, TEXAS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS.

BEGINNING at a ½ inch iron rod found in the southwest right-of-way line of F. M. Highway 359 for the north corner of said called 14.456 acre tract, same being the northeast corner of an adjoining called 131.863 acre tract (First Tract) recorded under County Clerk's File Number 2013077977, Official Public Records, Fort Bend County, Texas, and described under County Clerk's File Number 2006025582, Official Public Records, Fort Bend County, Texas, for the north corner and **Place of Beginning** of the herein described tract;

THENCE South 51 degrees 54 minutes 18 seconds East (called South 49 degrees 33 minutes 19 seconds East) along the northeast line of the herein described tract and the northeast line of said called 14.456 acre tract, same being the apparent occupied southwest right-of-way line of F. M. Highway 359, 191.67 feet (called 191.67 feet) to a 5/8 inch iron rod with cap found for angle point;

THENCE South 43 degrees 49 minutes 56 seconds East (called South 41 degrees 28 minutes 56 seconds East) continuing along said line, and along the apparent occupied southwest right-of-way line of Wallis Street, 868.98 feet (called 868.98 feet) to a chain-link fence corner post found for the east corner of the herein described tract and said called 14.456 acre tract, same being the north corner of an adjoining called 6.176 acre tract recorded in Volume 922, Page 509, Deed Records, Fort Bend County, Texas;

THENCE South 69 degrees 06 minutes 10 seconds West (called South 71 degrees 27 minutes 09 seconds West) along the common line of the herein described tract and said adjoining called 6.176 acre tract, 296.46 feet (called 296.46 feet) to a ½ inch iron pipe with cap marked "Kalkomey Surveying" set for angle point, from which point a found 6-inch fence corner post bears South 66 degrees 32 minutes 05 seconds West, 1.65 feet;

THENCE South 56 degrees 13 minutes 52 seconds West (called South 59 degrees 09 minutes 08 seconds West) continuing along said common line, 30.66 feet (called 30.44 feet) to a ½ inch iron pipe found for angle point;

THENCE South 16 degrees 20 minutes 12 seconds West (called South 18 degrees 41 minutes 19 seconds West) continuing along said common line, 515.00 feet to a ½ inch iron pipe with cap marked “Kalkomey Surveying” set for the southeast corner of the herein described tract, same being the southwest corner of said adjoining called 6.176 acre tract, and being an angle point in the north line of an adjoining called 101 acre tract recorded under County Clerk's File Number 2005014004, Official Public Records, Fort Bend County, Texas, and described as Tract A in Volume 562, Page 741, Deed Records, Fort Bend County, Texas, from which point a ½ inch iron pipe found for the called southeast corner of said called 14.456 acre tract bears South 16 degrees 20 minutes 12 seconds West, 3.97 feet;

THENCE South 85 degrees 39 minutes 49 seconds West along the south line of the herein described tract, same being the north line of said adjoining called 101 acre tract, 407.29 feet to a ½ inch iron pipe found for the southwest corner of the herein described tract and said called 14.456 acre tract, same being the northwest corner of said adjoining called 101 acre tract, and being an angle point in the east line of the aforementioned adjoining called 131.863 acre tract;

THENCE North 03 degrees 05 minutes 07 seconds East (called North 05 degrees 25 minutes 59 seconds East) along the common line of the herein described tract and said adjoining called 131.863 acre tract, 307.55 feet (called 307.55 feet) to a ½ inch iron pipe found for angle point;

THENCE North 04 degrees 26 minutes 06 seconds East (called North 06 degrees 47 minutes 20 seconds East) continuing along said common line, 1,089.06 feet (called 1,089.06 feet) to the **Place of Beginning** and containing 14.44 acres of land, more or less.

For reference and further description see Survey Plat No. R8000-0533-00 prepared by the undersigned on same date.

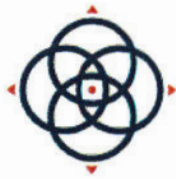
February 25, 2015

Job Number R8000-0533-00

Charlie Kalkomey Surveying, Inc.
6415 Reading Road
Rosenberg, TX 77471-5655
(281) 342-2033
Texas Board of Professional Land
Surveying Registration No. 10046104



Acting By/Through Chris D. Kalkomey
Registered Professional Land Surveyor
No. 5869
CDKalkomey@jonescarter.com



WINDROSE

LAND SURVEYING | PLATTING

DESCRIPTION OF 6.000 ACRES OR 261,359 SQ. FT.

A TRACT OR PARCEL CONTAINING 6.000 ACRES OR 261,359 SQUARE FEET OF LAND BEING OUT OF A CALLED 44.512 ACRE TRACT OF LAND CONVEYED TO GRANDES RICOS, LLC, AS RECORDED UNDER FORT BEND COUNTY CLERK'S FILE (F.B.C.C.F.) NO. 2015091411, SITUATED IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT NO. 29, FORT BEND COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

COMMENCING AT 1/2-INCH IRON PIPE FOUND AT AN ANGLE POINT IN THE SOUTHWESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF WALLIS STREET (WIDTH VARIES) MARKING THE NORTHEAST CORNER OF SAID CALLED 44.512 ACRE TRACT;

THENCE, NORTH 37 DEG. 39 MIN. 04 SEC. WEST, WITH THE SOUTHWESTERLY R.O.W. LINE OF SAID WALLIS STREET, A DISTANCE OF 490.12 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "1535/4035" FOUND FOR THE MOST EASTERLY CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 52 DEG. 20 MIN. 56 SEC. WEST, LEAVING THE SOUTHWESTERLY R.O.W. LINE OF SAID WALLIS STREET, THROUGH AND ACROSS SAID CALLED 44.512 ACRE TRACT, A DISTANCE OF 440.01 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE MOST SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 37 DEG. 39 MIN. 04 SEC. WEST, A DISTANCE OF 681.69 FEET TO A POINT ON THE CENTERLINE OF UNION CHAPEL BRANCH, THE EAST LINE OF A CALLED 6.176 ACRE TRACT CONVEYED TO FULSHEAR PUBLIC CEMETARY AS RECORDED UNDER VOLUME 922, PAGE 509, FORT BEND COUNTY DEED RECORDS (F.B.C.D.R.), THE WEST LINE OF SAID 44.512 ACRE TRACT, AND BEING THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE CENTERLINE OF SAID UNION CHAPEL BRANCH, THE FOLLOWING COURSES AND DISTANCES;

- NORTH 58 DEG. 36 MIN. 16 SEC. EAST, 91.48 FEET TO AN ANGLE POINT;
- SOUTH 77 DEG. 49 MIN. 55 SEC. EAST, 91.48 FEET TO AN ANGLE POINT;
- SOUTH 49 DEG. 25 MIN. 28 SEC. EAST, 21.04 FEET TO AN ANGLE POINT;
- SOUTH 25 DEG. 05 MIN. 30 SEC. EAST, 49.82 FEET TO AN ANGLE POINT;
- SOUTH 54 DEG. 36 MIN. 09 SEC. EAST, 18.07 FEET TO AN ANGLE POINT;
- NORTH 38 DEG. 33 MIN. 53 SEC. EAST, 56.87 FEET TO AN ANGLE POINT;
- NORTH 70 DEG. 19 MIN. 29 SEC. EAST, 13.14 FEET TO AN ANGLE POINT;
- NORTH 05 DEG. 56 MIN. 39 SEC. WEST, 25.74 FEET TO AN ANGLE POINT;
- NORTH 51 DEG. 08 MIN. 51 SEC. EAST, 23.80 FEET TO AN ANGLE POINT;
- SOUTH 83 DEG. 11 MIN. 15 SEC. EAST, 48.33 FEET TO AN ANGLE POINT;

NORTH 01 DEG. 55 MIN. 45 SEC. EAST, 26.92 FEET TO AN ANGLE POINT;

NORTH 26 DEG. 28 MIN. 11 SEC. EAST, 44.41 FEET TO AN ANGLE POINT;

NORTH 02 DEG. 48 MIN. 40 SEC. EAST, 34.66 FEET TO AN ANGLE POINT;

NORTH 43 DEG. 38 MIN. 18 SEC. EAST, 14.78 FEET TO AN ANGLE POINT;

SOUTH 68 DEG. 42 MIN. 35 SEC. EAST, 14.37 FEET TO AN ANGLE POINT;

NORTH 39 DEG. 59 MIN. 45 SEC. EAST, 39.88 FEET TO A POINT FOR CORNER, BEING ON THE SOUTHWESTERLY R.O.W. LINE OF SAID WALLIS STREET THE MOST EASTERLY CORNER OF SAID 6.176 ACRE TRACT, THE MOST NORTHERLY CORNER OF SAID 44.512 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE SOUTHWESTERLY R.O.W. LINE OF SAID WALLIS STREET, SOUTH 45 DEG. 26 MIN. 53 SEC. EAST, A DISTANCE OF 433.87 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "1535/4035" FOUND MARKING AN ANGLE POINT;

THENCE, SOUTH 37 DEG. 39 MIN. 04 SEC. EAST, A DISTANCE OF 204.90 FEET TO THE **PLACE OF BEGINNING** AND CONTAINING 6.000 ACRES OR 261,359 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 53562, PREPARED BY WINDROSE LAND SERVICES.



RONALD PATRICK KELL
R.P.L.S. NO. 6424
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



05/05/2017
DATE

SHEET 2 OF 2

Exhibit I, Thrive Church Survey

STATE OF TEXAS
COUNTY OF FORT BEND

We, Thrive Church, acting by and through Tom Ehlers, President of the Board of Directors, hereafter referred to as agents of the 6,000-acre tract described in the above and foregoing plat of THRIVE CHURCH FULSHEAR, do hereby make and establish said subdivision of said property according to its lines, dedications, restrictions and conditions on record and hereby dedicate to the use of the public forever, of streets, alleys, parks, watercourses, drains, easements and public places shown thereon for the purposes and considerations herein expressed, and do hereby bind myself, my (or our) heirs, successors and assigns to worship 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 conform with the present and future growth needs of the city. We, our successors and assigns hereby make any claim, damage, or cause of action that we may have as a result of the dedication or easements 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 15' foot, six inches for ten-foot perimeter ground easements or seven feet, six inches for 14-foot perimeter ground easements or five feet, six inches for 18-foot perimeter ground easements from a plane 18 feet above ground level upwards, located adjacent to and following said public utility easements that are designated with aerial easements (L1C and L1E) on indicated and depicted thereon, whereby the aerial easements total 30 feet in width.

Further, owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally on ten feet for ten-foot back-to-back ground easements or eight feet for 14-foot back-to-back ground easements or seven feet for 18-foot back-to-back ground easements, from a plane 18 feet above ground level upwards, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (L1C and L1E) on indicated and depicted thereon, whereby the aerial easements total 30 feet in width.

IN TESTIMONY WHEREOF, Thrive Church has caused these presents to be signed by Tom Ehlers, its President of the Board of Directors, hereunto authorized this _____ day of _____ 2017.

Thrive Church

Tom Ehlers
President, Board of Directors

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared Tom Ehlers, President of the Board of Directors of Thrive Church, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledgment to me that he executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____ 2017.

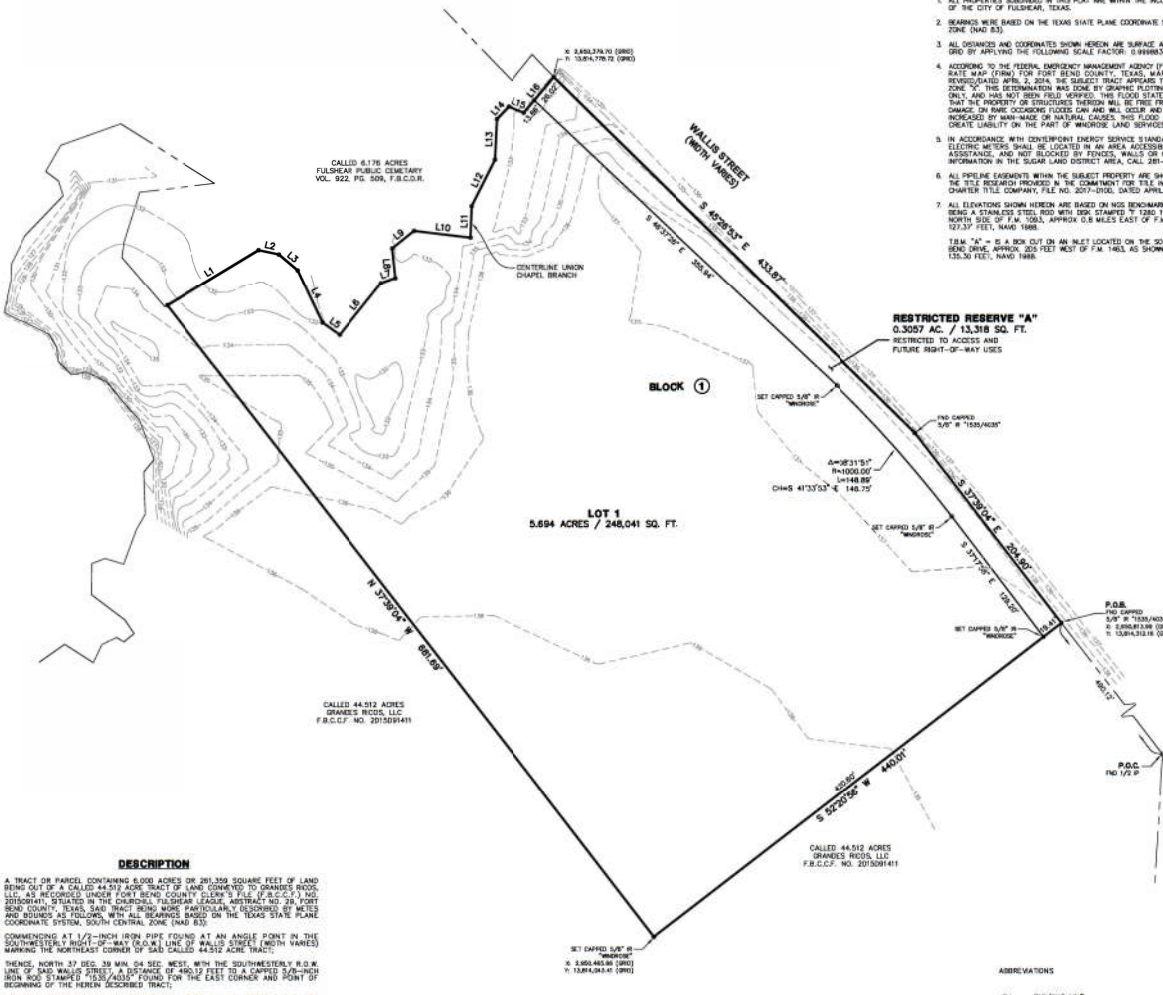
Notary Public in and for the State of Texas

My Commission Expires: _____

I, Ronald Patrick Kell, on registered under the laws of the State of Texas to practice the profession of surveying and 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 five eighths (5/8) inch and a length of not less than three (3) feet.



Ronald Patrick Kell
Registered Professional Land Surveyor
Texas Registration No. 5424



DESCRIPTION

A TRACT OR PARCEL CONTAINING 6,000 ACRES OR 261,359 SQUARE FEET OF LAND BEING OUT OF A CALLED 44,512 ACRE TRACT OF LAND CONVEYED TO GRANGES RECORD, L.L.C. AS PREVIOUSLY SHOWN FORT BEND COUNTY CLERK'S FILE # 18-003717-103, PARTIALLY SITUATED IN THE CHURCHILL LEAGUE (ABSTRACT NO. 29) FORT BEND COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL RESERVES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

COMMENCING AT 1/2-INCH IRON PIPE FOUND AT AN ANGLE POINT IN THE SOUTHWESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF WALLS STREET (L12) NORTH VANESSA STREET, NORTH CORNER;

THENCE NORTH 87 DEG. 38 MIN. 04 SEC. WEST, WITH THE SOUTHWESTERLY R.O.W. LINE OF SAID WALLS STREET, A DISTANCE OF 480.12 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "1835/4032" FOUND FOR THE EAST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 75 DEG. 30 MIN. 16 SEC. WEST, THROUGH AND ACROSS SAID CALLED 44,512 ACRE TRACT, A DISTANCE OF 240.00 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE LAND SERVICES" SET MARKING THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 37 DEG. 39 MIN. 04 SEC. WEST, CONTINUING THROUGH AND ACROSS SAID CALLED 44,512 ACRE TRACT, A DISTANCE OF 691.69 FEET TO A POINT IN THE CENTERLINE OF UNION CHAPEL BRANCH, CENTERLINE OF SAID UNION CHAPEL BRANCH, SOUTH 77 DEG. 49 MIN. 55 SEC. EAST, 91.48 FEET TO AN ANGLE POINT;

SOUTH 49 DEG. 25 MIN. 28 SEC. EAST, 24.04 FEET TO AN ANGLE POINT;

SOUTH 25 DEG. 05 MIN. 30 SEC. EAST, 49.82 FEET TO AN ANGLE POINT;

SOUTH 04 DEG. 36 MIN. 09 SEC. EAST, 18.07 FEET TO AN ANGLE POINT;

NORTH 38 DEG. 33 MIN. 53 SEC. EAST, 36.87 FEET TO AN ANGLE POINT;

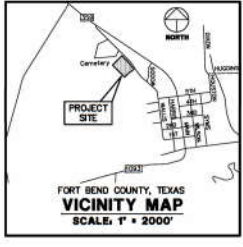
NORTH 70 DEG. 19 MIN. 29 SEC. EAST, 13.14 FEET TO AN ANGLE POINT;

NORTH 05 DEG. 08 MIN. 39 SEC. WEST, 25.74 FEET TO AN ANGLE POINT;

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 58°38'15" E | 91.48 |
| L2 | S 77°49'50" E | 17.61 |
| L3 | S 49°25'08" E | 21.04 |
| L4 | S 25°09'30" E | 49.82 |
| L5 | S 04°36'09" E | 18.07 |
| L6 | N 38°33'51" E | 36.87 |
| L7 | N 70°19'29" E | 13.14 |
| L8 | N 05°08'39" E | 25.74 |
| L9 | N 37°30'16" E | 25.82 |
| L10 | S 83°11'10" E | 48.33 |
| L11 | N 03°55'40" E | 25.92 |
| L12 | N 25°28'11" E | 44.41 |
| L13 | N 02°48'40" E | 34.86 |
| L14 | N 43°38'18" E | 14.76 |
| L15 | S 89°42'50" E | 14.37 |
| L16 | N 37°59'45" E | 38.68 |

GENERAL NOTES

- ALL PROPERTIES SUBDIVIDED IN THIS PLAT ARE WITHIN THE INCORPORATED BOUNDARIES OF THE CITY OF FULSHEAR, TEXAS.
- BOUNDARIES WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83).
- ALL DISTANCES AND COORDINATES SHOWN HEREIN ARE SURFACE AND MAY BE BROUGHT TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR: 0.99999356.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR FORT BEND COUNTY, TEXAS, MAP NO. 48137C001C, REVISION/DATE: APRIL 2, 2014, THE SUBJECT TRACT APPEARS TO BE WITHIN UNDESIGNED ZONE "X" OF THIS DETERMINATION WAS DONE BY GRAPHIC MEASUREMENT AND IS APPROXIMATE ONLY, AND HAS NOT BEEN FIELD SURVEYED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROBABILITY OF STRUCTURES THEREIN WILL BE FROM FLOODING OR FLOOD DAMAGE IN RARE OCCURRING FLOODS. HOWEVER, THE FLOOD STATEMENT SHALL NOT BE USED TO MAKE ANY CLAIMS OF DAMAGE TO OR LIABILITY OF ANY PARTY. FLOOD STATEMENTS SHALL NOT BE USED TO MAKE ANY CLAIMS OF DAMAGE TO OR LIABILITY OF ANY PARTY. FLOOD STATEMENTS SHALL NOT BE USED TO MAKE ANY CLAIMS OF DAMAGE TO OR LIABILITY OF ANY PARTY.
- IN ACCORDANCE WITH CENTERPOINT ENERGY SERVICE STANDARDS, ARTICLE 408.52, 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 281-581-2089.
- ALL PIPELINE EASEMENTS WITHIN THE SUBJECT PROPERTY ARE SHOWN HEREON, BASED ON THE TITLE RESEARCH PROVIDED IN THE COMMENTARY FOR THIS INSTRUMENT, PREPARED BY CHARTER TITLE COMPANY, FILE NO. 2017-0501, DATED APRIL 11, 2017.
- ALL ELEVATIONS SHOWN HEREON ARE BASED ON NGVD BENCHMARK F 1180 (IND. HORIZ.), BEING A STAINLESS STEEL ROD WITH GPR STAMPED "7320 1187" LOCATED ON THE NORTH SIDE OF F.M. 1003, APPROX. 0.8 MILES EAST OF F.M. 1403. ELEVATION = 123.35 FEET, MVD 1008.



I, Laura Richard, County Clerk in and for Fort Bend County, do hereby certify that the foregoing instrument with its certificate of authentication was filed for recordation in my office on _____ 2018, at _____ o'clock _____ m., and duly recorded on _____ 2018, in Plat No. _____ 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
Clerk of the County Court
of Fort Bend County, Texas

THRIVE CHURCH FULSHEAR

A SUBDIVISION OF 6,000 AC. / 261,359 SQ. FT. OF LAND, SITUATED IN THE CHURCHILL LEAGUE, ABSTRACT NO. 29, CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS.

1 BLOCK 1 RESERVE 1 LOT
NOVEMBER 22, 2017

Owner
Thrive Church
27325 Royal Canyon
Katy, Texas 77454

Surveyor

WINDROSE
LAND SURVEYING | PLATTING

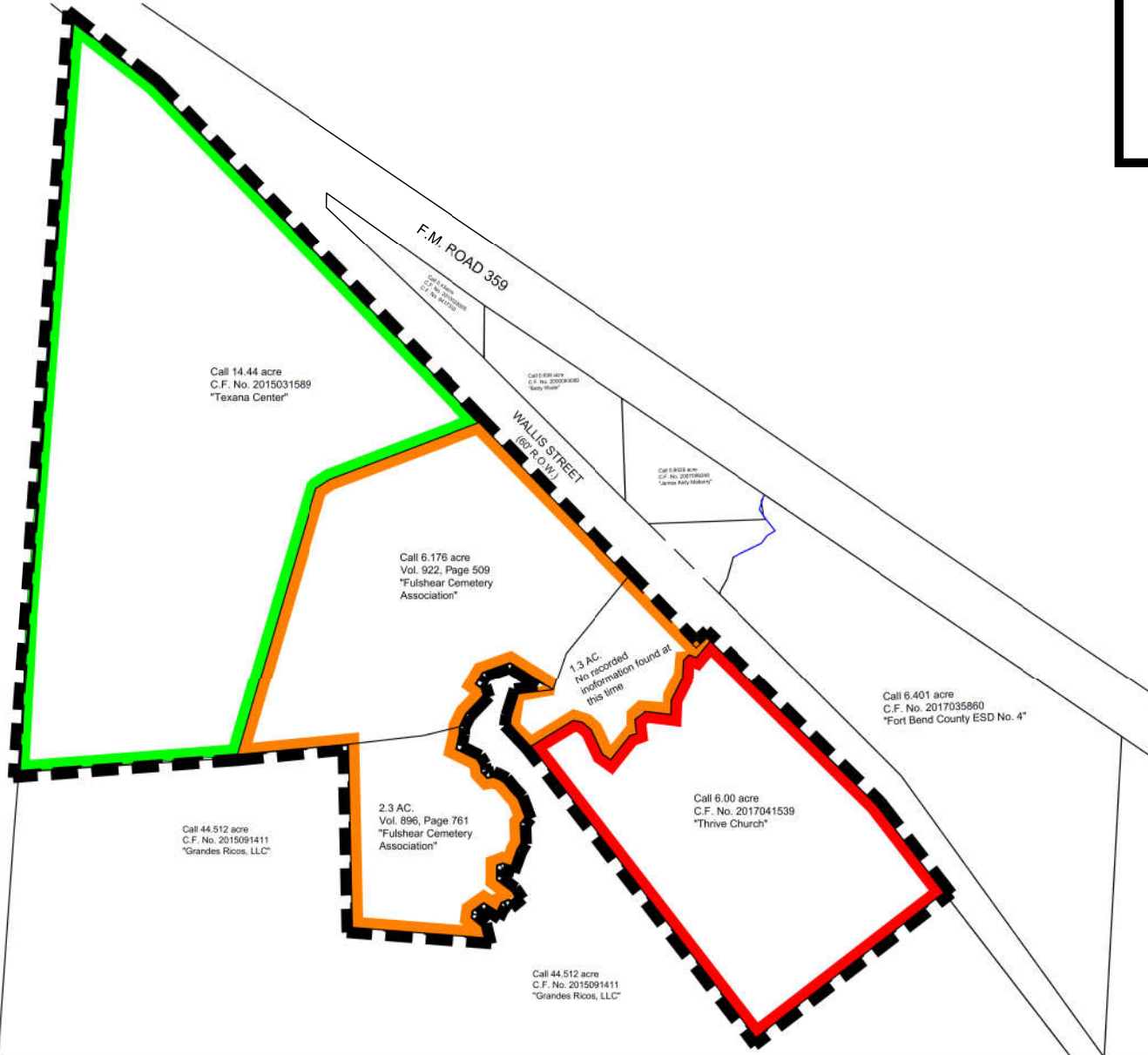
3200 WILCREST SUITE 201 | HOUSTON, TX 77063 | 713-468-2281
FORM REGISTRATION NO. 181088611 | WINDROSE-SURVEY.COM

3200 WILCREST SUITE 201 | HOUSTON, TX 77063 | 713-468-2281 | FORM REGISTRATION NO. 181088611 | WINDROSE-SURVEY.COM

Exhibit J, Overall Map

Clay & Leyendecker, Inc.

Consulting Engineers & Surveyors
 Firm Registration No. 2309
 Katy, Texas



- █ **THRIVE CHURCH**
- █ **FULSHEAR CEMETERY ASSOC.**
- █ **TEXANA CENTER**

WALLIS STREET PUD - 2017 CITY OF FULSHEAR, TEXAS

*Revised: 12-18-17

Scale: 1" = 200'
 Date: 10-18-17
 Dwn. By: JL
 File No.: 17-172

Item 6.4:

Final PUD Plan

Site Conditions (Existing)

EXISTING SITE CONDITIONS

The sites are relatively flat, naturally draining to the existing ditch at Wallis Street and to the Union Chapel Branch stream serving as the boundary between the Fulshear Cemetery and the Thrive Church properties, (Re. Exhibit R - Existing Natural Drainage Pattern). The properties are not served by city utilities at this time. Sewer and water service are in the planning process for the City and are anticipated to be available for the initial phase of site development.

Combined the properties total 30.22 acres, described as follows:

A. Fulshear Cemetery – 9.78 acres parcel of land including six plus acres of the Mexican Land Grant acquired in 1824 the “Old 300” colonist Churchill Fulshear, Sr. and donated to the Methodist Episcopal Church in 1851. The parcel is comprised of three tracts. Tract 1 – All of a called 6.176 acre parcel described in the deed recorded in volume 922, page 509 Fort Bend County Deed Records. Tract 2 – All of a called 2.3 acre parcel described in Volume 896, page 761 Fort Bend County Deed Records. Tract 3 – All of a parcel containing 1.3 acres set aside as a public cemetery by Churchill, Fulshear et al.

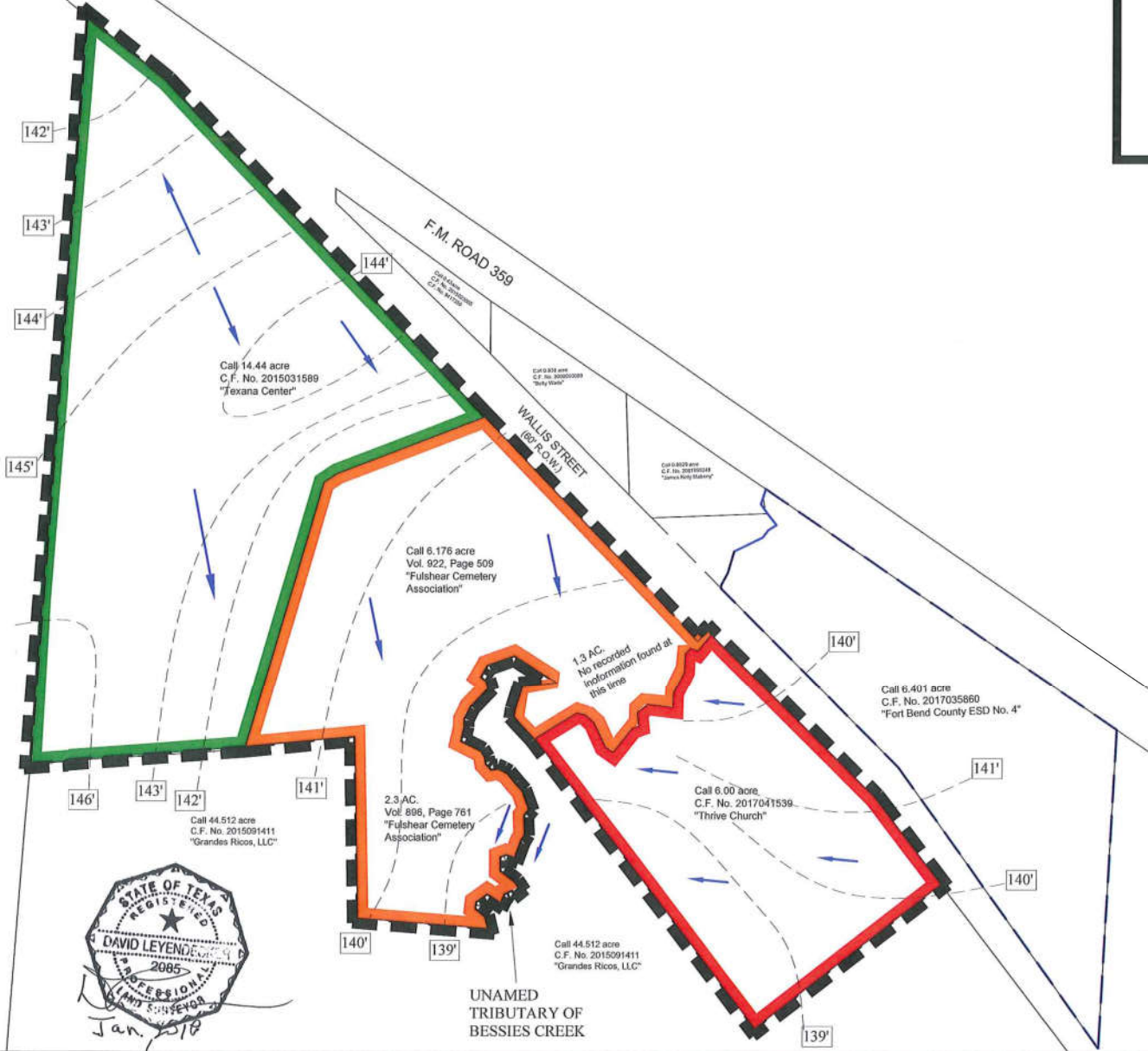
B. Texana Center–14.44 acres tract of land in the Churchill Fulshear League, Abstract No. 29, City of Fulshear, Fort Bend County, Texas, being that certain called 14.456 acres tract recorded under County Clerk's File Number 2005099822, Official Public Records, Fort Bend County, Texas; Fort Bend County, Texas.

C. Thrive Church–A 6.00 acres tract of land being out of a called 44.512 acres tract of land conveyed to Grandes Ricos, L.L.C., as recorded under Fort Bend County clerk's file Number 2015091411, situated in the Churchill Fulshear League, Abstract no.29, Fort Bend County, Texas.

Exhibit R, Existing Natural Drainage Pattern

Clay & Leyendecker, Inc.

Consulting Engineers & Surveyors
 Firm Registration No. 2309
 Katy, Texas



| KEY | |
|-----|-----------------------|
| | NATURAL DRAINAGE FLOW |
| | CONTOUR LINE |
| | CONTOUR INTERVAL |

**EXISTING NATURAL DRAINAGE PATTERN
 WALLIS STREET PUD - 2017
 CITY OF FULSHEAR, TEXAS**

*Revised: 12-18-17

Scale: 1" = 200'
 Date: 10-18-17
 Dwn. By: JL
 File No.: 17-172(drainage)



Item 6.5:
Final PUD Plan
Concept Plan

CONCEPT PLANS

A. Fulshear Cemetery Association Property is currently in use as a cemetery and will remain so. The Texana Center and the Thrive Church proposed development are presented in attached documents:

B. Texana Center:

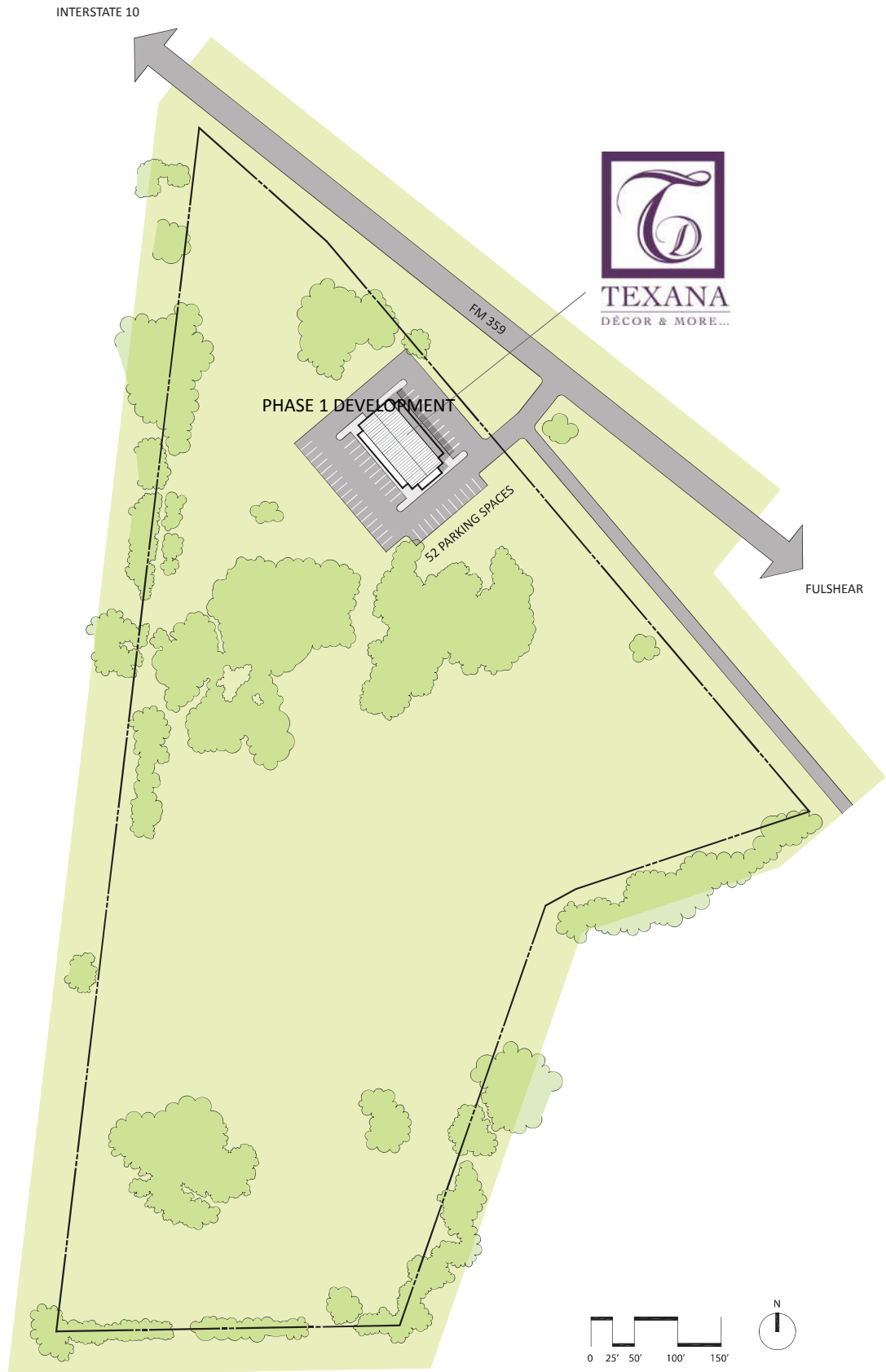
1. The development is a Regional Center for Texana Center, a 501(c)3, not-for-profit organization that provides behavioral healthcare and developmental disabilities services to residents of a six county area that includes Austin, Colorado, Fort Bend, Matagorda, Waller and Wharton Counties.
2. Phased Development Plans (re: EXHIBIT L – Texana Phasing Plan, EXHIBIT M – Exterior Elevation Study and EXHIBIT N – Texana Renderings)
3. The proposed structures are one story, masonry clad buildings using two colors of brick and cast stone. The sloped roof areas and canopy structures are to be standing seam metal roof panels.
4. No variances from applicable existing City of Fulshear ordinances and/or other development requirements are being requested at this time.
5. The site development is planned to preserve the stands of mature trees scattered though out the site.
6. The developed areas of the site will be extensively landscaped.
7. Sewer and water service are in the planning process for the City. Locations for connection to and extension of City utility lines by the developer will be made available for the initial phase of site development.
8. Detention shall be provided in accordance with the requirements of the Fort Bend County Flood Control District. Total development of the site will add approximately 215 KSF of impervious area resulting in on-site detention of 10.5 - 11.5 AC/FT. Detention will be phased with the development of the site.

C. Thrive Church (re: EXHIBIT O – Thrive Site Plan w/ Phasing, EXHIBIT P – Thrive Exterior Elevations and EXHIBIT Q – Thrive Rendering)

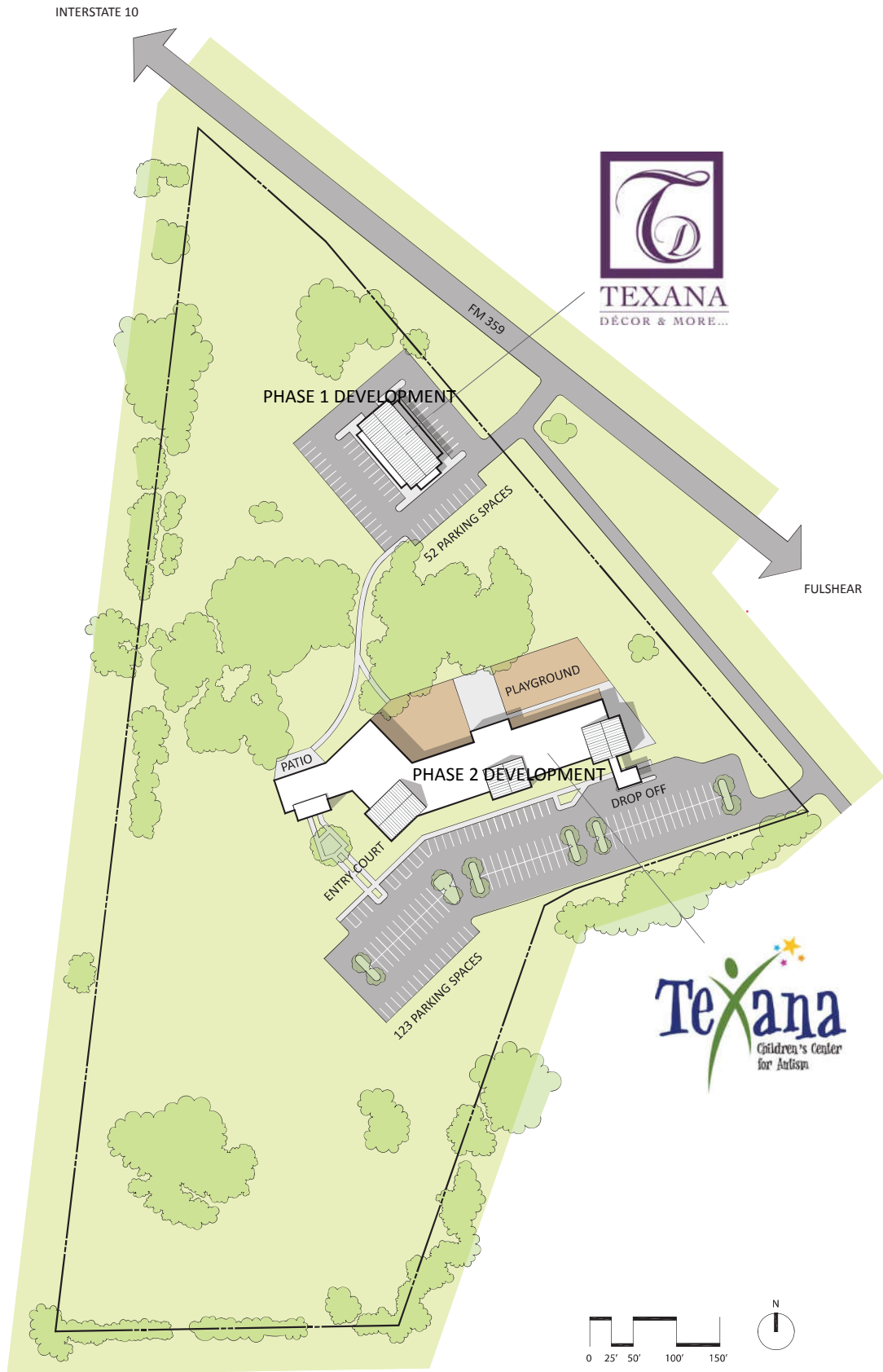
1. Initial Construction is a single story, multipurpose building with parking and associated landscaping and site development.
2. Phase 1 expansion is proposed to be a Children’s Building with additional parking.

3. Phase 2 expansion proposed to be a 550 seat worship center and administrative center.
4. Variances requested as part of this P.U.D. application include:
 - i. Thrive Church intends to comply with exterior vertical and horizontal articulation and materials standards on the front facade and the southeast facade of the Phase 1 structure.
 - ii. The Church is requesting the following items to be considered as part of the PUD application. Thrive Church's current plan allows for expansion on 2 sides of the building. We proposed a series of architectural features that are in line with the modern worship/children's center. These include architectural grade metal panels (ribbed concealed fastener systems found on high end construction worldwide – Berridge or similar materials), seamed standing seam panel on exterior of the building mixed with brick, stone or split faced architectural block. These panels will comprise approximately 30% of the front and side facade, and 80% of the back and north side of the building that are subject expansion. These materials will be removed and replaced upon start of Phases 1a and 2.
 - iii. The front facade of the building will meet or exceed the vertical and horizontal articulation required by the City of Fulshear zoning code. Rear and side elevations will be designed for easy expansion at a reasonable price for the Church. Percentages of each material used are in the process of being determined and turned into City of Fulshear staff for review and comment. We anticipate 30% materials that are not compliant with the current zoning ordinances.
 - iv. Parking Lots: Front and side parking lots will be asphaltic concrete pavements (hot-mix). Rear parking areas will be limestone with an asphaltic emulsion and a 2 - course asphalt topping. Parking requirements for each phase will meet or exceed City of Fulshear requirements for a place of worship.
 - v. Landscape and irrigation systems - The Church will comply with the landscape ordinances in the front yard side of the building and will be in compliance with the landscape ordinances in these areas. The front facade, street side and Fulshear town side of the building will comply with landscape and irrigation ordinances. The Church desires to not provide landscaping along the sides of the building that will be in the phase 1A and Phase 2 additions. Upon completion of those phases, landscaping areas will be included to meet City requirements at the completion of each phase.
 - vi. Temporary space: Thrive Church needs the ability to utilize portable buildings which will be located BEHIND the new building to facilitate the construction of future facilities. These structures will be screened as to not be seen from Wallis Road. The current plan is to request a maximum of 3 of these structures for no more than 2 years
 - vii. Thrive Church will comply with the "Dark Skies" initiative as outlined in the Fulshear City Code.

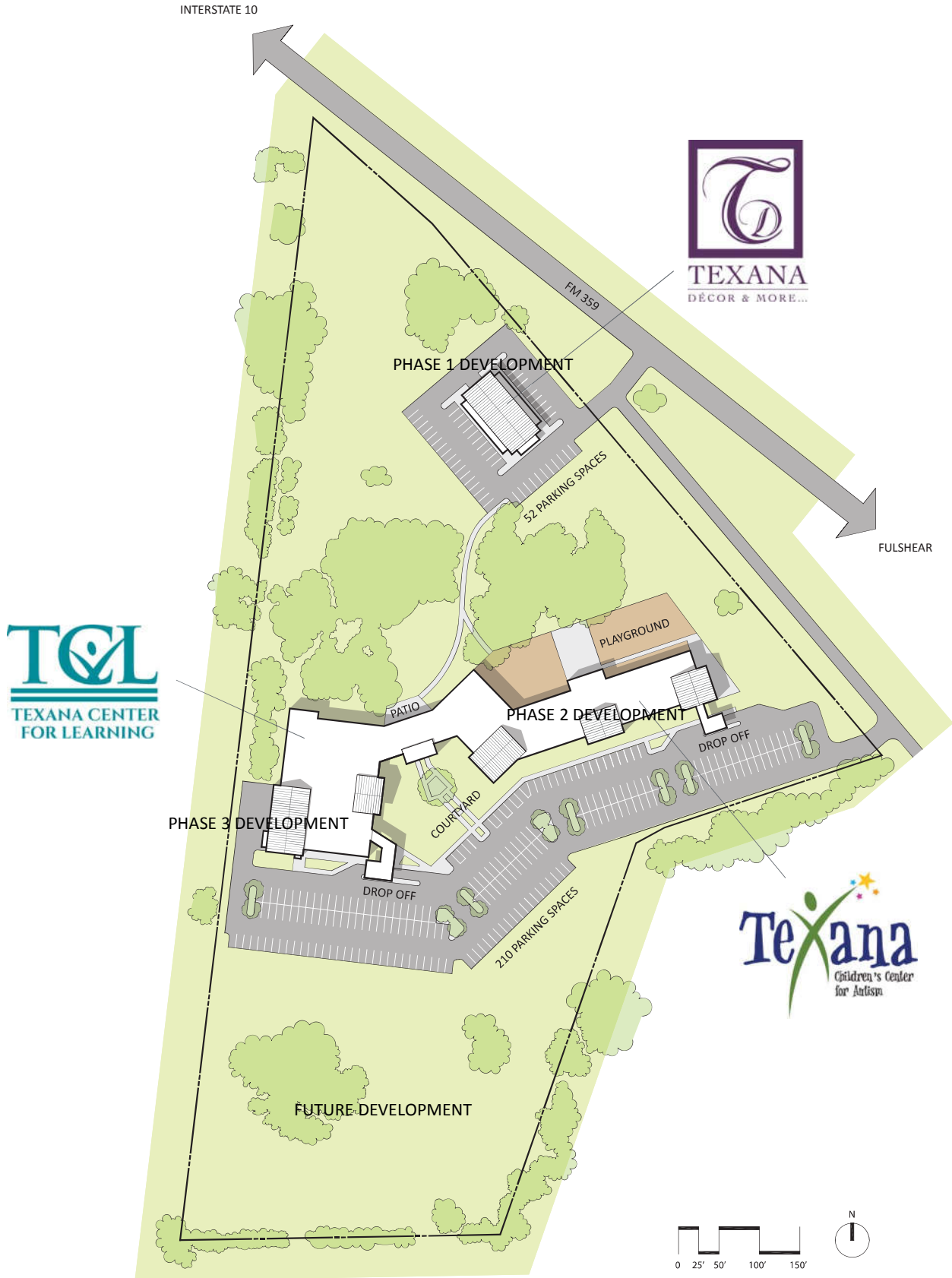
- viii. Thrive Church's plans are compliant with 2015 Building Codes as adopted by the City of Fulshear and the 2015 International Energy code.
- 5. It is anticipated that Thrive Church will extend a minimum 8" sewer main and a 6" water main at least 1200 feet to the Thrive project site. An existing survey and locations have been coordinated with the City of Fulshear. Elevation surveys of the existing ROW will be conducted for flow information for the proposed sewer improvements. Coordination or feasibility of continuation of utilities beyond the Thrive property have not been finalized. It is anticipated that utility extensions will be performed prior to completion of the Thrive Church project prior to December of 2018.
- 6. The Thrive portion of the site shows drainage to the western portions of the property (Re., Exhibit R above). There is a wet weather creek at this location. Proposed site retention/detention is shown on Exhibit O - Attached. The current topography will be retained. The current Thrive tract is not in a flood zone.



COMPREHENSIVE SITE DEVELOPMENT
TEXANA CENTER AT FULSHEAR

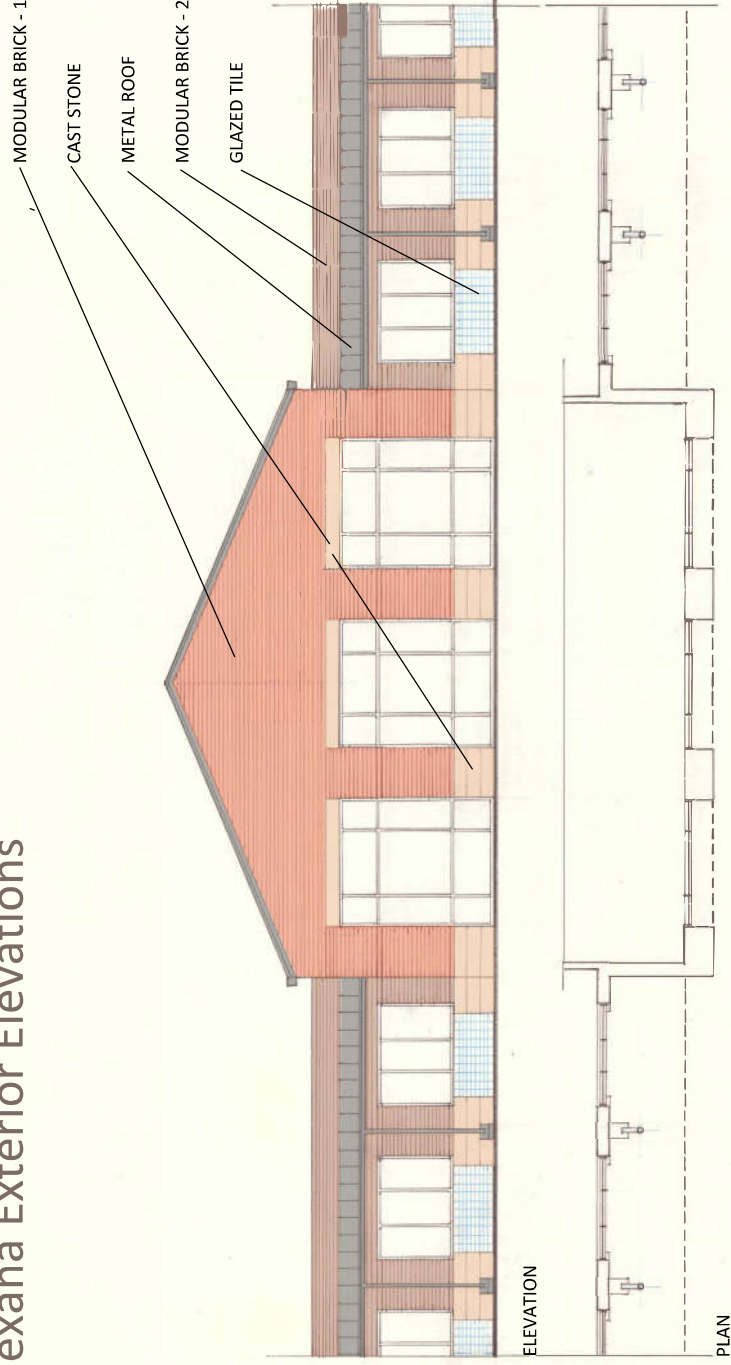


COMPREHENSIVE SITE DEVELOPMENT
TEXANA CENTER AT FULSHEAR



COMPREHENSIVE SITE DEVELOPMENT
TEXANA CENTER AT FULSHEAR

Exhibit M, Texana Exterior Elevations

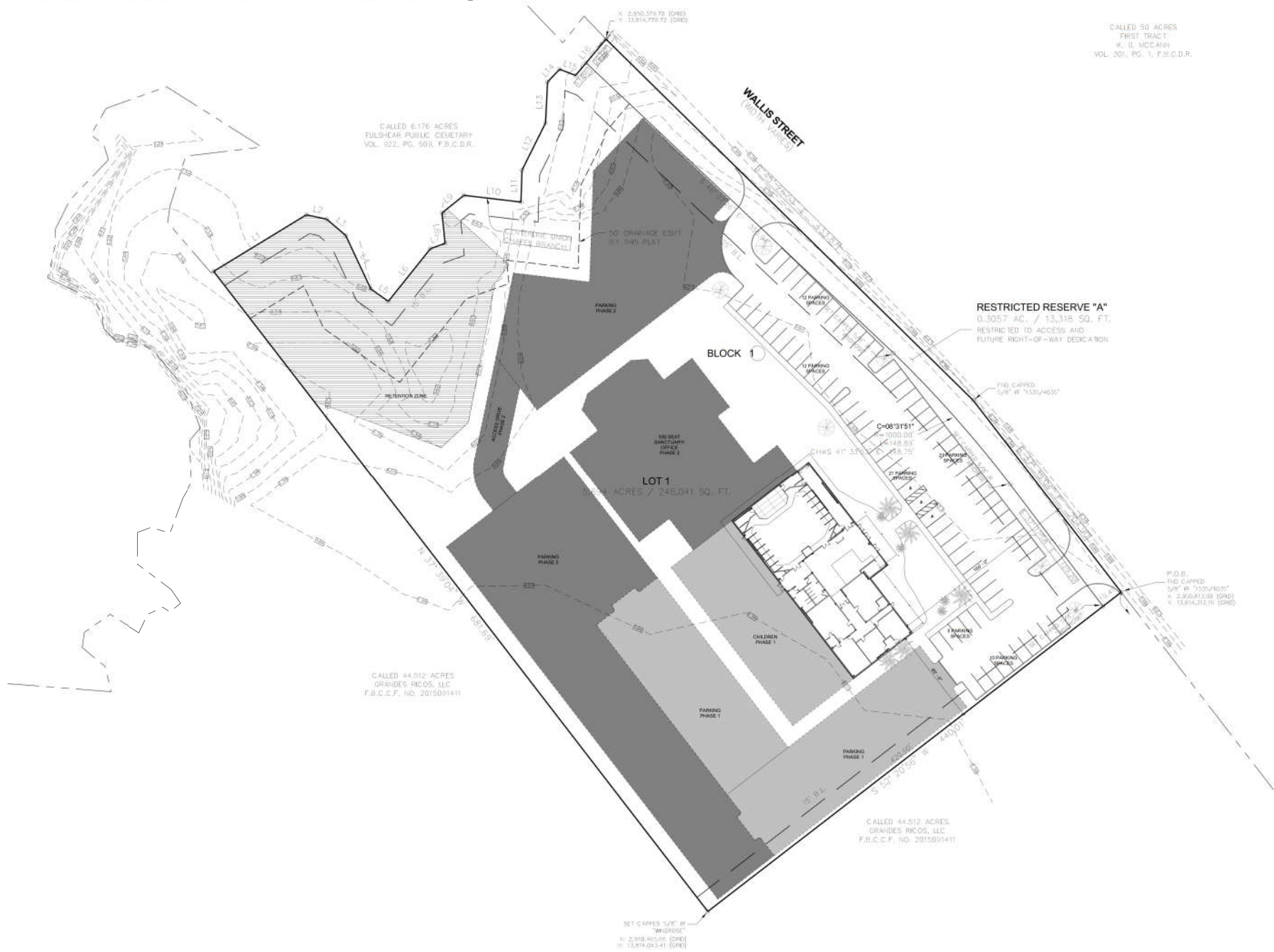


TEXANA CENTER EXTERIOR ELEVATION STUDY

Exhibit N, Texana Center Rendering



Exhibit O, Thrive Church Site Plan with Phasing



1 SITE PLAN
1" = 30' 0"

| | |
|--------------|------------|
| Project No. | 2015091411 |
| Client | |
| Checked | |
| Revision No. | 12/14/2017 |
| Revised By | |

Consultant:

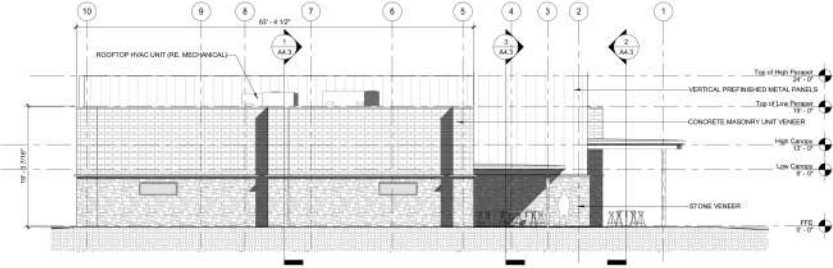
THRIVE CHURCH
TEXAS
FULSHEAR,

Architect:
BBA Architects LP
2000 Park Central Blvd, Suite 100
Dallas, Texas 75244-3100
Phone: 972.382.8800
Fax: 972.382.8801

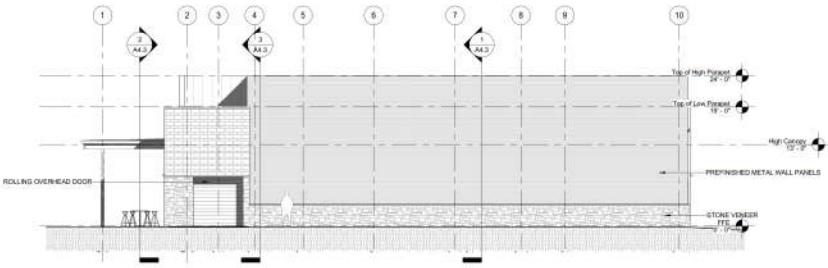
FOR REVIEW ONLY
DOCUMENT INCOMPLETE
NOT RELEASED FOR
REGULATORY APPROVAL,
PERMIT, OR CONSTRUCTION.
ARCHITECT'S SEAL/STATION
REGISTRATION NO. / N/A
DATE: 12/14/2017

Site Plan
A1.1
3 of 16

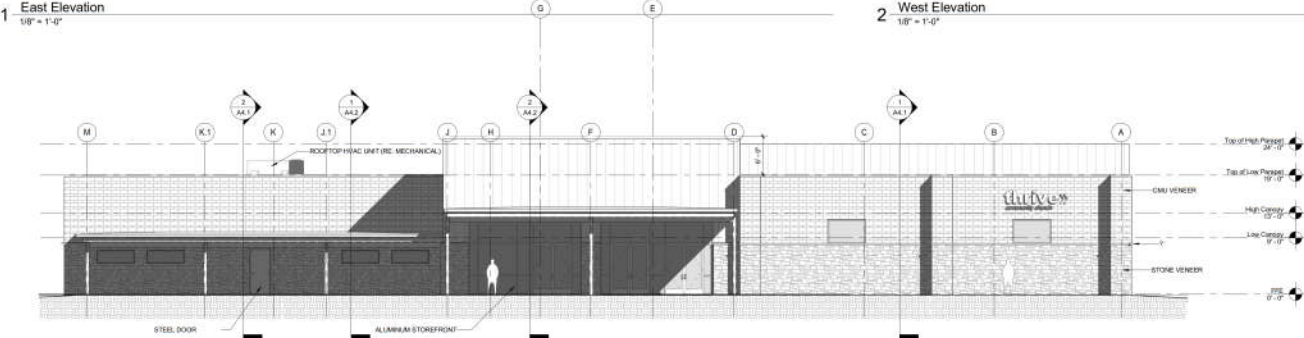
Exhibit P, Thrive Exterior Elevations



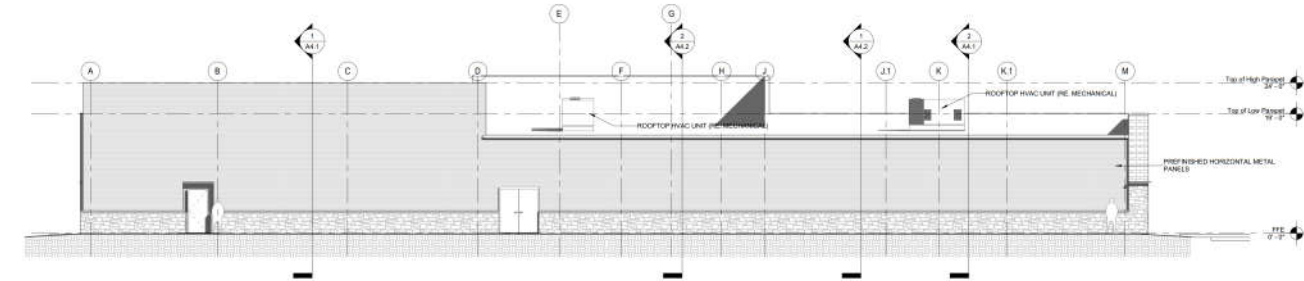
1 East Elevation
1/8" = 1'-0"



2 West Elevation
1/8" = 1'-0"



3 North Elevation
1/8" = 1'-0"



4 South Elevation
1/8" = 1'-0"

| | |
|---------------|------------|
| Project | 2016.02 |
| Drawn | |
| Checked | |
| Released Date | 12/15/2017 |
| Revisions | |

Consultant:

THRIVE CHURCH
TEXAS
FULSHEAR

Architect:
BBA Architects LP
10000 Katy Freeway, Suite 1000
Houston, Texas 77025
Phone: 281.460.1000
Fax: 281.460.1001
www.bbaarchitects.com

FOR REVIEW ONLY
DOCUMENT INCOMPLETE
NOT RELEASED FOR
REGULATORY APPROVAL,
PERMIT, OR CONSTRUCTION.
ARCHITECT: BBA ARCHITECTS
REGISTRATION NO.: 1467
DATE: 12/15/2017

Elevations
A3.1
S_C-16

Exhibit Q, Thrive Church Rendering



Item 6.6:

Final PUD Plan

Development Overview Report

DEVELOPMENT OVERVIEW REPORT

- A. Total Acreage: 30.22 acres.
- B. Acreage devoted to various categories of land use:
 - 1. Fulshear Cemetery – 9.78 acres
 - 2. Texana Center – 14.44 acres. Proposed land uses include:
 - a. Programs for children and teens with autism and/or intellectual disabilities
 - b. A new transformational “Center for Learning” for adults with autism and/or intellectual disabilities.
 - c. Retail training center and café to be used as a job skills training site.
 - d. Administrative facilities
 - e. Outdoor playgrounds and recreation areas.
 - f. Licensed child care center
 - g. Residential for persons with intellectual disabilities or autism and/or on-site residential caretakers.
 - 3. Thrive Church – 6.00 acres. Proposed land uses include:
 - a. Worship and related support facilities
 - b. Religious education
 - c. Sports fields
 - d. Community Center
 - e. Mother’s Day Out/Childcare facility
 - f. Retail bookstore
- C. Number and type of dwelling units: not applicable
- D. Description of projected service areas:
 - 1. Fulshear Cemetery: community
 - 2. Texana Center: regional
 - 3. Thrive Church: Community
- E. No private streets are proposed. Wallis Street is a public street at this time and it is anticipated that the City of Fulshear will be improving this roadway in the near future.
- F. Variances from applicable existing City of Fulshear ordinances and/or other development requirements being requested at this time are detailed in Concept Plans, items B.4 and C.4 as presented.

Item 6.7:

Final PUD Plan

Development Schedule

DEVELOPMENT SCHEDULE

- A. Fulshear Cemetery: continuing.
- B. Texana Center: construction of Phase 1 is planned to commence in the first quarter of 2018. The schedule for future phases is dependent on fundraising efforts with a goal of undertaking Phase 2 within two years.
- C. Thrive Church: planned construction start of February 2018.
 - 1. Phase 1:
 - New 300 Seat Worship Center
 - Children's Area
 - Gathering area/coffee bar and restrooms
 - Exterior gathering space/cover
 - Parking areas for up to 140 cars
 - Temporary Children's overflow - (2 temporary structures) Duration of no longer than two years
 - Temporary offices (1 temporary office structure) - Duration of no longer than two years
 - Extend public utilities to the project site
 - 2. Phase 1a:
 - Timeline - 3-5 years from date of this application (2021-2023)
 - Expansion of Sanctuary to 425 seats
 - Outdoor sports court
 - 3. Future: 5 -7 years (2023-2025) Phase 2:
 - Temporary buildings for office/children during expansion
 - Church or Ministry outreach offices
 - New 600 seat worship center (15,500 sf)
 - Conversion of current worship space to youth/children's space
 - Gathering/public area between current building and future building
 - Bookstore (retail)
 - Future Food Service (coffee/shop drop-in bistro)
 - Sports fields/community center
 - Phase 2 parking for 150 additional cars
 - On-campus child care/mother's day out facility (Weekday)

ORDINANCE 2018-_____

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FULSHEAR, TEXAS, ADOPTED IN THE CITY OF FULSHEAR TEXAS ZONING CODE, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 30.22 ACRES OF LAND OUT OF THE CHURCHILL FULSHEAR LEAGUE IN FORT BEND COUNTY, TEXAS, AS WALLIS STREET AREA PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City of Fulshear, Texas, has recently received an application to rezone 30.22 acres of land out of the Churchill Fulshear League in Fort Bend County, Texas, being more fully described in Exhibit "A" (the "Property,") attached hereto and incorporated herein; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the rezoning of the Property on the ____ day of _____, 2018, following lawful publication of the notice of said public hearing; and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the Property in Exhibit "A" be rezoned as WALLIS STREET AREA Planned Unit Development (PUD); and

WHEREAS, on the ____ day of _____, 2018, after proper notification, the City Council held a public hearing on the proposed rezoning; and

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals and protects and preserves the general welfare of the community; and

WHEREAS, each and every requirement set forth in Chapter 211, Subchapter A, Texas Local Government Code, Sections 1-227 and 1-278, City of Fulshear Code of Ordinances, Appendix A, concerning public notices, hearings, and other procedural matters has been fully complied with.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULSHEAR, TEXAS:

Section 1. All of the facts and recitations found in the preamble of this Ordinance are hereby found to be true and correct and incorporated herein for all purposes.

Section 2. That the City Council has hereby determined the WALLIS STREET AREA Planned Unit Development (PUD) meets the following goals and objectives:

- (1) The development in WALLIS STREET AREA PUD is equal to or superior to development that would occur under the standard ordinance requirements.
- (2) WALLIS STREET AREA PUD is in harmony with the general purposes, goals, objectives and standards of the General Plan.
- (3) WALLIS STREET AREA PUD does not have an undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utilities or any other matters affecting the public health, safety and general welfare.
- (4) WALLIS STREET AREA PUD will be adequately provisioned by essential public facilities and services including streets, parking, drainage, water, wastewater facilities, and other necessary utilities.
- (5) WALLIS STREET AREA PUD will be constructed, arranged and maintained so as not to dominate, by scale and massing of structures, the immediate neighboring properties or interfere with their development or use in accordance with any existing zoning district.

Section 3. The Official Zoning Map of the City of Fulshear, Texas, is hereby amended so that the zoning classification of the property described in Exhibit "A," attached hereto and incorporated herein shall be, and is hereafter designated as, WALLIS STREET AREA PUD, and that the PUD Terms and Conditions for the WALLIS STREET AREA PUD, attached hereto as Exhibit "B," which agreement shall govern the development and use of said property.

Section 4. 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 Fulshear, 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.

Section 5. *Repeal.* All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

Section 6. *Effective Date.* This Ordinance shall be effective and in full force when published as required by law.

PASSED, APPROVED, and ADOPTED this the ____ day of _____, 2018.

Jeff W. Roberts, Mayor
City of Fulshear, Texas

ATTEST:

D. Gordon Offord, City Secretary

EXHIBIT A - PROPERTY DESCRIPTION

The site of the proposed Wallis Street Area PUD includes properties that total 30.22 acres, and are described as follows:

A. Fulshear Cemetery – 9.78 acres parcel of land including six plus acres of the Mexican Land Grant acquired in 1824 the “Old 300” colonist Churchill Fulshear, Sr. and donated to the Methodist Episcopal Church in 1851. The parcel is comprised of three tracts. Tract 1 – All of a called 6.176 acre parcel described in the deed recorded in volume 922, page 509 Fort Bend County Deed Records. Tract 2 – All of a called 2.3 acre parcel described in Volume 896, page 761 Fort Bend County Deed Records. Tract 3 – All of a parcel containing 1.3 acres set aside as a public cemetery by Churchill, Fulshear et al.

B. Texana Center–14.44 acres tract of land in the Churchill Fulshear League, Abstract No. 29, City of Fulshear, Fort Bend County, Texas, being that certain called 14.456 acres tract recorded under County Clerk's File Number 2005099822, Official Public Records, Fort Bend County, Texas; Fort Bend County, Texas.

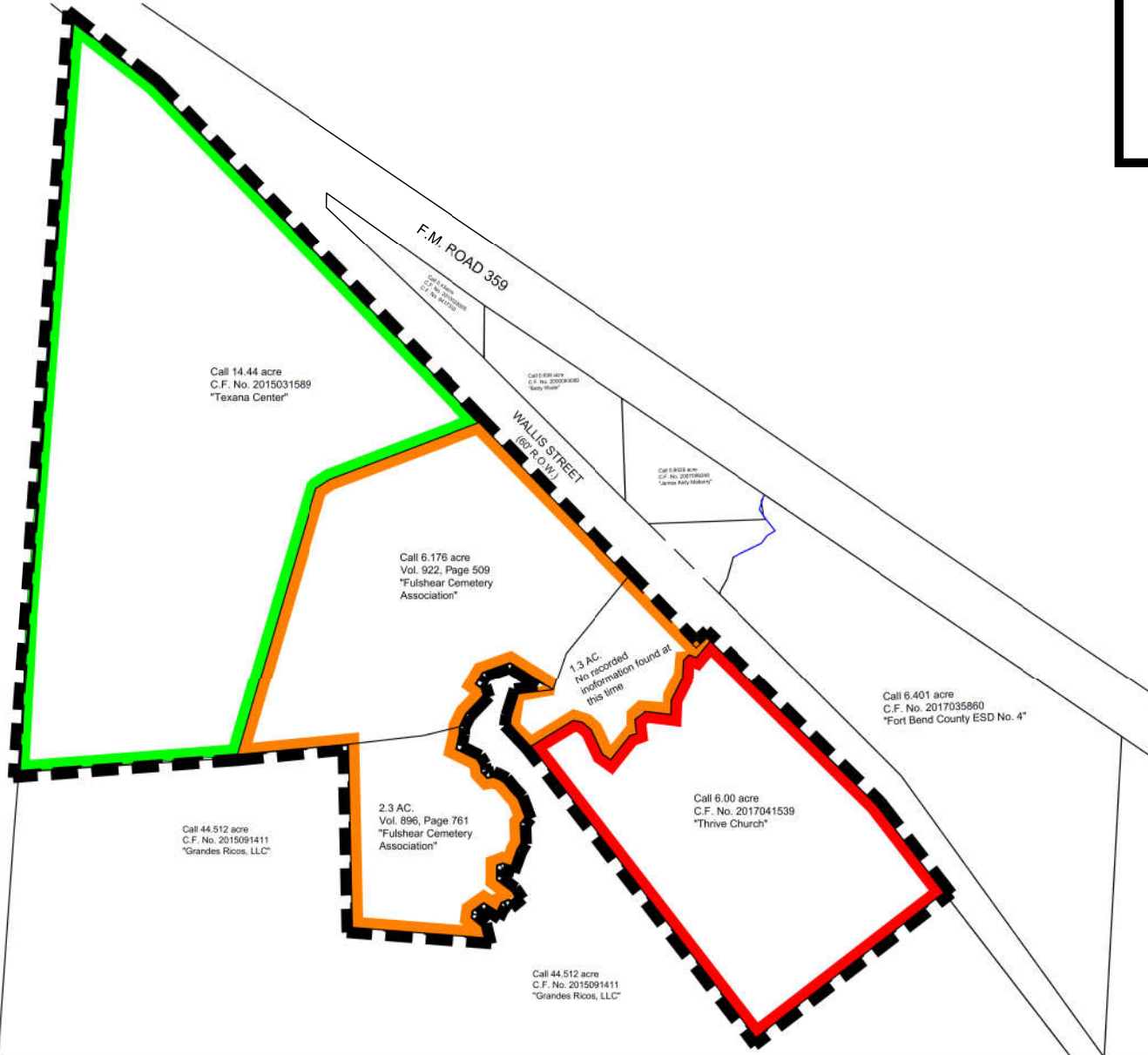
C. Thrive Church–A 6.00 acres tract of land being out of a called 44.512 acres tract of land conveyed to Grandes Ricos, L.L.C., as recorded under Fort Bend County clerk's file Number 2015091411, situated in the Churchill Fulshear League, Abstract no.29, Fort Bend County, Texas.

The attached map shows the location of these properties.

EXHIBIT A - PROPERTY DESCRIPTION - AREA MAP

Clay & Leyendecker, Inc.

Consulting Engineers & Surveyors
Firm Registration No. 2309
Katy, Texas



- THRIVE CHURCH
- FULSHEAR CEMETERY ASSOC.
- TEXANA CENTER

WALLIS STREET PUD - 2017
CITY OF FULSHEAR, TEXAS

*Revised: 12-18-17

Scale: 1" = 200'
Date: 10-18-17
Dwn. By: JL
File No.: 17-172

EXHIBIT B - PUD TERMS & CONDITIONS

DEVELOPMENT OVERVIEW REPORT (AS INCLUDED IN SUBMITTED PUD PLAN)

- A. Total Acreage: 30.22 acres.
- B. Acreage devoted to various categories of land use:
 - 1. Fulshear Cemetery – 9.78 acres
 - 2. Texana Center – 14.44 acres. Proposed land uses include:
 - a. Programs for children and teens with autism and/or intellectual disabilities
 - b. A new transformational “Center for Learning” for adults with autism and/or intellectual disabilities.
 - c. Retail training center and café to be used as a job skills training site.
 - d. Administrative facilities
 - e. Outdoor playgrounds and recreation areas.
 - f. Licensed child care center
 - g. Residential for persons with intellectual disabilities or autism and/or on-site residential caretakers.
 - 3. Thrive Church – 6.00 acres. Proposed land uses include:
 - a. Worship and related support facilities
 - b. Religious education
 - c. Sports fields
 - d. Community Center
 - e. Mother’s Day Out/Childcare facility
 - f. Retail bookstore
- C. Number and type of dwelling units: not applicable
- D. Description of projected service areas:
 - 1. Fulshear Cemetery: community
 - 2. Texana Center: regional
 - 3. Thrive Church: Community
- E. No private streets are proposed. Wallis Street is a public street at this time and it is anticipated that the City of Fulshear will be improving this roadway in the near future.
- F. Variances from applicable existing City of Fulshear ordinances and/or other development requirements being requested at this time are detailed in Concept Plans, items B.4 and C.4 as presented.

EXHIBIT B - PUD TERMS & CONDITIONS

CONCEPT PLANS (AS INCLUDED IN THE SUBMITTED PUD PLAN)

A. Fulshear Cemetery Association Property is currently in use as a cemetery and will remain so. The Texana Center and the Thrive Church proposed development are presented in attached documents:

B. Texana Center:

1. The development is a Regional Center for Texana Center, a 501(c)3, not-for-profit organization that provides behavioral healthcare and developmental disabilities services to residents of a six county area that includes Austin, Colorado, Fort Bend, Matagorda, Waller and Wharton Counties.
2. Phased Development Plans (re: EXHIBIT L – Texana Phasing Plan, EXHIBIT M – Exterior Elevation Study and EXHIBIT N – Texana Renderings)
3. The proposed structures are one story, masonry clad buildings using two colors of brick and cast stone. The sloped roof areas and canopy structures are to be standing seam metal roof panels.
4. No variances from applicable existing City of Fulshear ordinances and/or other development requirements are being requested at this time.
5. The site development is planned to preserve the stands of mature trees scattered though out the site.
6. The developed areas of the site will be extensively landscaped.
7. Sewer and water service are in the planning process for the City. Locations for connection to and extension of City utility lines by the developer will be made available for the initial phase of site development.
8. Detention shall be provided in accordance with the requirements of the Fort Bend County Flood Control District. Total development of the site will add approximately 215 KSF of impervious area resulting in on-site detention of 10.5 - 11.5 AC/FT. Detention will be phased with the development of the site.

C. Thrive Church (re: EXHIBIT O – Thrive Site Plan w/ Phasing, EXHIBIT P – Thrive Exterior Elevations and EXHIBIT Q – Thrive Rendering)

1. Initial Construction is a single story, multipurpose building with parking and associated landscaping and site development.
2. Phase 1 expansion is proposed to be a Children’s Building with additional parking.

3. Phase 2 expansion proposed to be a 550 seat worship center and administrative center.
4. Variances requested as part of this P.U.D. application include:
 - i. Thrive Church intends to comply with exterior vertical and horizontal articulation and materials standards on the front facade and the southeast facade of the Phase 1 structure.
 - ii. The Church is requesting the following items to be considered as part of the PUD application. Thrive Church's current plan allows for expansion on 2 sides of the building. We proposed a series of architectural features that are in line with the modern worship/children's center. These include architectural grade metal panels (ribbed concealed fastener systems found on high end construction worldwide – Berridge or similar materials), seamed standing seam panel on exterior of the building mixed with brick, stone or split faced architectural block. These panels will comprise approximately 30% of the front and side facade, and 80% of the back and north side of the building that are subject expansion. These materials will be removed and replaced upon start of Phases 1a and 2.
 - iii. The front facade of the building will meet or exceed the vertical and horizontal articulation required by the City of Fulshear zoning code. Rear and side elevations will be designed for easy expansion at a reasonable price for the Church. Percentages of each material used are in the process of being determined and turned into City of Fulshear staff for review and comment. We anticipate 30% materials that are not compliant with the current zoning ordinances.
 - iv. Parking Lots: Front and side parking lots will be asphaltic concrete pavements (hot-mix). Rear parking areas will be limestone with an asphaltic emulsion and a 2 - course asphalt topping. Parking requirements for each phase will meet or exceed City of Fulshear requirements for a place of worship.
 - v. Landscape and irrigation systems - The Church will comply with the landscape ordinances in the front yard side of the building and will be in compliance with the landscape ordinances in these areas. The front facade, street side and Fulshear town side of the building will comply with landscape and irrigation ordinances. The Church desires to not provide landscaping along the sides of the building that will be in the phase 1A and Phase 2 additions. Upon completion of those phases, landscaping areas will be included to meet City requirements at the completion of each phase.
 - vi. Temporary space: Thrive Church needs the ability to utilize portable buildings which will be located BEHIND the new building to facilitate the construction of future facilities. These structures will be screened as to not be seen from Wallis Road. The current plan is to request a maximum of 3 of these structures for no more than 2 years
 - vii. Thrive Church will comply with the "Dark Skies" initiative as outlined in the Fulshear City Code.

- viii. Thrive Church's plans are compliant with 2015 Building Codes as adopted by the City of Fulshear and the 2015 International Energy code.
- 5. It is anticipated that Thrive Church will extend a minimum 8" sewer main and a 6" water main at least 1200 feet to the Thrive project site. An existing survey and locations have been coordinated with the City of Fulshear. Elevation surveys of the existing ROW will be conducted for flow information for the proposed sewer improvements. Coordination or feasibility of continuation of utilities beyond the Thrive property have not been finalized. It is anticipated that utility extensions will be performed prior to completion of the Thrive Church project prior to December of 2018.
- 6. The Thrive portion of the site shows drainage to the western portions of the property (Re., Exhibit R above). There is a wet weather creek at this location. Proposed site retention/detention is shown on Exhibit O - Attached. The current topography will be retained. The current Thrive tract is not in a flood zone.

EXHIBIT B - PUD TERMS & CONDITIONS

DEVELOPMENT SCHEDULE (AS INCLUDED IN THE SUBMITTED PUD PLAN)

- A. Fulshear Cemetery: continuing.
- B. Texana Center: construction of Phase 1 is planned to commence in the first quarter of 2018. The schedule for future phases is dependent on fundraising efforts with a goal of undertaking Phase 2 within two years.
- C. Thrive Church: planned construction start of February 2018.
 - 1. Phase 1:
 - New 300 Seat Worship Center
 - Children's Area
 - Gathering area/coffee bar and restrooms
 - Exterior gathering space/cover
 - Parking areas for up to 140 cars
 - Temporary Children's overflow - (2 temporary structures) Duration of no longer than two years
 - Temporary offices (1 temporary office structure) - Duration of no longer than two years
 - Extend public utilities to the project site
 - 2. Phase 1a:
 - Timeline - 3-5 years from date of this application (2021-2023)
 - Expansion of Sanctuary to 425 seats
 - Outdoor sports court
 - 3. Future: 5 -7 years (2023-2025) Phase 2:
 - Temporary buildings for office/children during expansion
 - Church or Ministry outreach offices
 - New 600 seat worship center (15,500 sf)
 - Conversion of current worship space to youth/children's space
 - Gathering/public area between current building and future building
 - Bookstore (retail)
 - Future Food Service (coffee/shop drop-in bistro)
 - Sports fields/community center
 - Phase 2 parking for 150 additional cars
 - On-campus child care/mother's day out facility (Weekday)



PUD / Special Use Request

APPLICANT/OWNER: _____

ADDRESS OF PREMISES: _____

REQUESTING: _____

HEARING DATE: _____

PLANNING AND ZONING COMMISSION REVIEW

____ GRANTED

____ DENIED

____ RETURNED FOR ADDITIONAL DATA

COMMENTS/CONDITIONS: _____

CHAIRMAN SIGNATURE: _____ DATE: _____

“The Planning and Zoning Commission finds that granting the Special Use Permit will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being, or substantially diminish or impair property values within the neighborhood.”

CITY COUNCIL REVIEW

____ GRANTED

____ DENIED

SIGNATURE: _____ DATE: _____

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

| | |
|--|--|
| AGENDA OF: January 19, 2018 | AGENDA ITEM: 8 |
| DATE SUBMITTED: January 16, 2018 | DEPARTMENT: Planning & Development |
| PREPARED BY: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development | PRESENTER: Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development |
| SUBJECT: Variance Request – HEB Signs; on FM 1463 @ 4940 for HEB Fuel, HEB Car Wash and @ 4950 for HEB Pharmacy | |
| ATTACHMENTS: Variance Request Applications & Sign Exhibits | |

EXECUTIVE SUMMARY

HEB has made applications for sign permits, which are pending approval related to non-compliance with the 2012-1058 Sign Ordinance, for the property located at 4940 and 4950 FM 1463, which is in the City of Fulshear.

City of Fulshear Sign Ordinance 2012-1085, Section 19.0 provides for a property owner to request a variance to install non-conforming signs. HEB is requesting variances to the Sign Ordinance as follows:

4940 FM 1463 – HEB Fuel Station

1. Canopy Signs - requesting wall signs that that does not comply with the ordinance 10% of wall facade. [Section 28-4 \(1\) \(b\); Ordinance 2017-1245; 17'1"x2'4"](#) or 38.85SF; Canopy = 88 SF; excess % = 35.2%
2. Canopy Fuel Sign – requesting a canopy sign that does not face street frontage and does not comply with the 10% of the wall façade (included in item 1 above), and exceeds allowable number of signs [Section 28-4 \(1\) \(b\); Ordinance 2017-1245;](#)

4940 FM 1463 – HEB Car Wash

1. Wall façade Sign – requesting wall façade sign, “HEB Wash” that exceeds the max 10% of the wall sign allowance within the ordinance [Section 28-4 \(1\) \(b\); Ordinance 2017-1245;](#) Sign is 2'4"x17'1" or 39.86 SF; 6.2 SF more than the 10% max

4950 FM 1463 – HEB Main Building

1. HEB Pharmacy Sign – requesting to allow a wall sign that is not parallel to a public street. [Section 28-4 \(1\) \(b\)](#) Sign will go direction above the drive thru canopy and will say “HEB Drive-thru Pharmacy”. Total square footage = 95.45 sf (19’ 3 ½” x 4’11 3/8”) Reasons for variance: Eliminate customer confusion; delineate/identify pharmacy drive-thru so customers don’t confuse with curbside pick up.

RECOMMENDATION

Staff recommends the Planning and Zoning Commission approve the variances as submitted.



CITY OF FULSHEAR

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

VARIANCE/APPEAL APPLICATION

APPLICATION DATE: 12/19/17-original 1/10/18 revision

ADDRESS OF PREMISES AFFECTED: 4940 FM 1463 - HERB Fuel Sign B (#2)

LEGAL DESCRIPTION: RESERVE "C" THE MARKET CROSSCREEK RANCHAS RECORDED IN DOC # 201632598 OF THE PUBLIC RECORDS OF FT. BEND COUNTY

OWNERS INFORMATION: NAME HERB Grocery Store
ADDRESS 646 S. Flores St CITY San Antonio STATE Tx
ZIP CODE 78205 EMAIL rocha.ernesto@heb.com PHONE NUMBER 210.938.0749

APPLICANTS NAME (if different than owner) Comet DBA State Signs
ADDRESS 7630 Hansen Rd CITY Houston STATE Tx
ZIP CODE 77061 EMAIL patti.colty@cometsign.com PHONE NUMBER 210-812-7230

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary) Requesting a wall sign that (1) has no corresponding street. (2) exceeds 10% of the wall facade (on the canopy) allowed by the ordinance + (3) exceeds the allowable number of signs

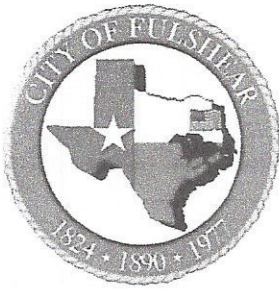
Status of the Project: Existing Under Construction Proposed

Have there been previous variance requests for this property? NO

Are there similar situations in the area? _____
Addresses: _____

Have you informed your Home Owners Association? yes or Neighbors? _____

Request Proposal and Description: Provide a description of the existing and or proposed physical property improvements relative to this case (ie: materials, structure type and height, dimensions, ect.) Please also supply and identify photos where applicable, to support your case:
Sign is 17'1" width by 2'4" height equalling 39.86 sq ft. The canopy only has 88 sq ft of actual facade so the sign is 45.39% of the total square footage.



CITY OF FULSHEAR

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

VARIANCE/APPEAL APPLICATION

APPLICATION DATE: 12/19/17 - original 1/10/17 revision

ADDRESS OF PREMISES AFFECTED: 4950 FM 1463 - Pharmacy Sign

LEGAL DESCRIPTION: RESERVE "C" The Market @ Cross Creek Ranch as recorded in Doc # 201632398 of the Public Records of Ft. Bend county

OWNERS INFORMATION: NAME HEB Grocery Store
ADDRESS 646 S. Flores St CITY San Antonio STATE Tx
ZIP CODE 78205 EMAIL rocha.ernesto@heb.com PHONE NUMBER 210.938.0749

APPLICANTS NAME (if different than owner) Comet DBA State Signs
ADDRESS 7630 Hansen Rd CITY Houston STATE Tx
ZIP CODE 77061 EMAIL patti.coley@cometsign.com PHONE NUMBER 210-812-2230

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary)

HEB Pharmacy is requesting relief from section 4.0 (1) (b) to allow an additional sign on the north side of building which has no corresponding street in order to identify the Drive thru pharmacy from the curbside pick up and alleviate customer confusion and possibly wrecks.

Status of the Project: Existing Under Construction Proposed

Have there been previous variance requests for this property? NO

Are there similar situations in the area? _____
Addresses: _____

Have you informed your Home Owners Association? YES or Neighbors? _____

Request Proposal and Description: Provide a description of the existing and or proposed physical property improvements relative to this case (ie: materials, structure type and height, dimensions, ect.) Please also supply and identify photos where applicable, to support your case:

Sign will go directly above Drive thru canopy and will say "HEB drive thru Pharmacy" it's total square feet is 95.45 and the sign will be 19' 3 1/2" by 4' 11 3/8"



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

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

www.fulsheartx.com

F

VARIANCE/APPEAL APPLICATION

APPLICATION DATE: 12/19/17

ADDRESS OF PREMISES AFFECTED: 4940 FM 1463 - HERB CAR WASH #1

LEGAL DESCRIPTION: Reserve "C" The Market @ Cross Creek Ranch as recorded in Doc # 201632 398 of the Public Records of Ft. Bend county

OWNERS INFORMATION: NAME HERB Grocery Store
ADDRESS 646 S. Flores St CITY San Antonio STATE TX
ZIP CODE 78205 EMAIL rocha.ernesto@heb.com PHONE NUMBER 210.938.0749

APPLICANTS NAME (if different than owner) Comet DBA State Signs
ADDRESS 7630 Hansen Rd CITY Houston STATE TX
ZIP CODE 77061 EMAIL patti.coley@cometsign.com PHONE NUMBER 210-812-2230

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary) Requesting relief for a wall sign that exceeds 10% of the wall facade allowed by the ordinance

Status of the Project: Existing Under Construction Proposed

Have there been previous variance requests for this property? NO

Are there similar situations in the area? _____

Addresses: _____

Have you informed your Home Owners Association? YES or Neighbors? _____

Request Proposal and Description: Provide a description of the existing and or proposed physical property improvements relative to this case (ie: materials, structure type and height, dimensions, ect.) Please also supply and identify photos where applicable, to support your case:

Sign will read "HERB WASH" and is 2'4" x 17'1" width. Total sq. feet is 39.56. which is 6.62 sq ft over 10% Allowance

Continued.... Request Proposal and Description

Acknowledgement: I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non-refundable. I understand that if I receive approval, I must still obtain approval from all other required departments within the City and that I must obtain required permits within 180 days from the date of the Board approval.

Signed by the Applicant/Owner Agent *Samuel Hayes* Date: 1/10/18



December 6, 2017

Ms. Michelle Killebrew
City of Fulshear
Building Services Department
29378 McKinnon Rd. Suite C
Fulshear, Tx. 77441

Dear Michelle:

Please allow this letter to serve as authorization that we, HEB Grocery Co., L.P. with Corporate office located at 646 S. Flores St. San Antonio, Texas 78204 owns the property for the new HEB Grocery store is currently under construction at 4950 FM 1463 in Fulshear, Texas. This includes the Curbside operations addressed as 4946 FM 1463, Fulshear, Texas

HEB Grocery Co., L.P. also owns the property for the new HEB Fuel Station and HEB Carwash addressed as 4940 FM1463, Fulshear, Texas.

This HEB property and HEB entities as noted above are seeking to finalize and secure sign permits as soon as possible as construction is progressing rapidly to meet Grand Opening date.

We would appreciate your cooperation and attention to this matter. Please feel free to call me at 210-938-0722 if you have any further questions.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Kathy Strimple'.

Kathy Strimple, P.E.
Sr. Engineer
Facility Alliance
HEB Grocery Co., L.P.



Proposal Drawing
 Final Drawing

Client: HEB Corp. # 736
 Location: 4950 FM 1463,
 Fulshear, TX
 Salesperson: Patti Coley
 Prj. Mngr.: Patti Coley
 Date: 08.18.16
 Designer: Sara Kalamen
 File Name: 29357 HEB
 Cross Creek Store Signage
 R11
 Proposal #: 29357
 Job #: 17-8491

Revisions

SEE LAST SHEET FOR REVISION HISTORY.



TDLR #: 18010

Corporate Office
 San Antonio
 233 West Turbo
 San Antonio, TX 78218
 Ph: (810) 541-7844

Dallas / Ft. Worth Branch
 1338 S. Irving Heights Dr.
 Irving, TX 76090
 Ph: (972) 670-1554

Houston Branch
 2808 Greenhouse Rd.
 Houston, TX 77084
 Ph: (281) 492-6681

Austin Branch
 2457 S. Loop A, Bldg. 1B
 Buda, TX 78810
 Ph: (812) 872-2800



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4940 FM 1463 – HEB Fuel Station



- Proposal Drawing
- Final Drawing

Client: HEB Corp. # 736
 Location: 4940 FM 1463,
 Fulshear, TX
 Salesperson: Pete Sitterle
 Pri. Mngr.: Tammy Colson
 Date: 12-13-16
 Designer: David Gamez
 File Name: 30427 HEB
 FSCW_Corp 736, Fulshear,
 TX R4

Proposal #: 30427
 Job #: n/a

Revisions



TDLR #: 18010

Corporate Office
 San Antonio
 235 West Turbo
 San Antonio, TX 78216
 Ph.: (210) 521-7844

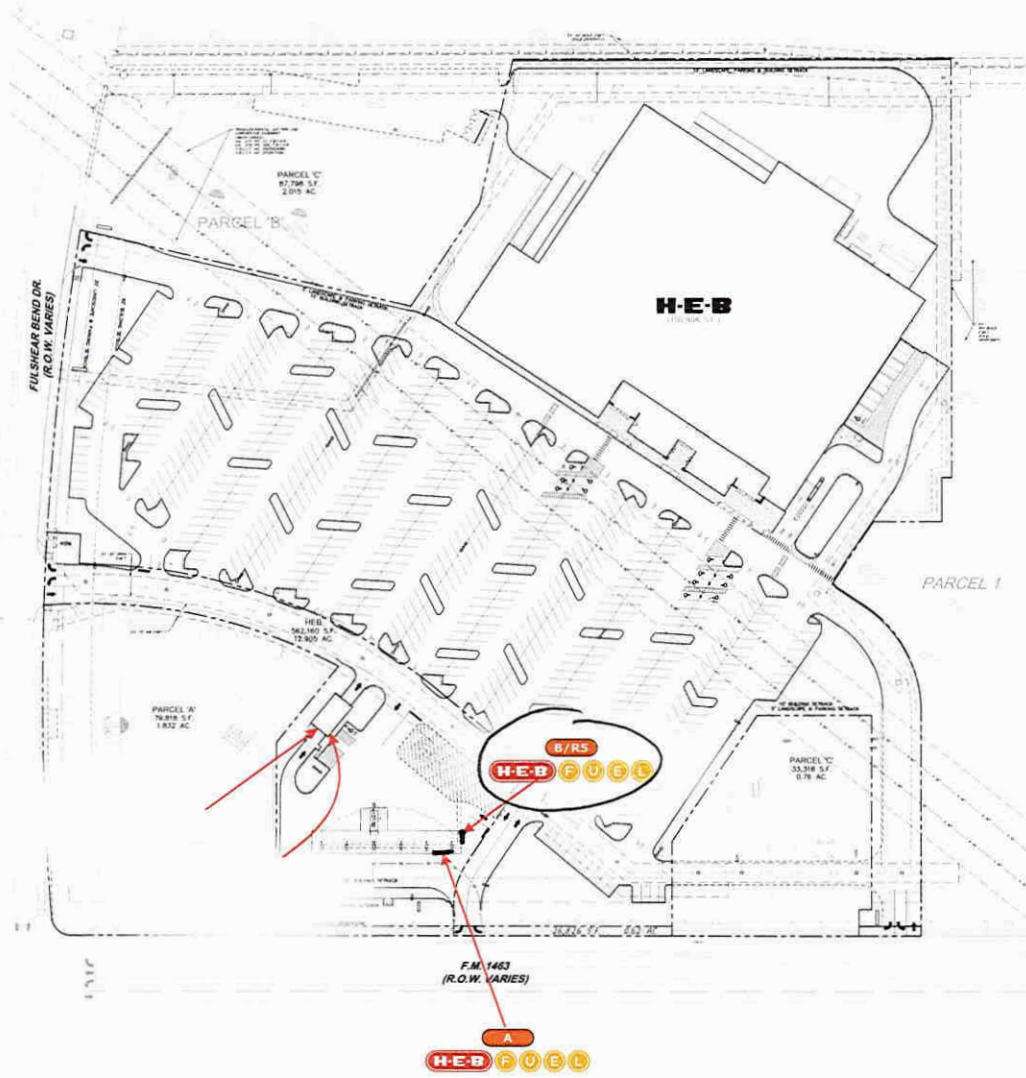
Dallas / Ft. Worth Branch
 1336 S. Irving Heights Dr.
 Irving, TX 75060
 Ph.: (972) 870-1584

Houston Branch
 2505 Greenhouse Rd.
 Houston, TX 77084
 Ph.: (281) 492-8581

Austin Branch
 2457 S. Loop 4, Bldg. 1B
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 Ph.: (512) 872-2800



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SITE PLAN

Scale: 1"=125'-0"

REVISION # 5



Proposal Drawing
 Final Drawing

Client: HEB Corp. # 736
 Location: 4940 FM 1463,
 Fulshear, TX
 Salesperson: Pete Sitterle
 Prj. Mng: Tammy Colson
 Date: 12-13-16
 Designer: David Gamez
 File Name: 30427 HEB
 FSCW_Corp 736, Fulshear,
 TX R4

Proposal #: 30427
 Job #: n/a

Revisions



TDL #: 18010

Corporate Office
 San Antonio
 235 West Turbo
 San Antonio, TX 78216
 Ph: (210) 341-7244

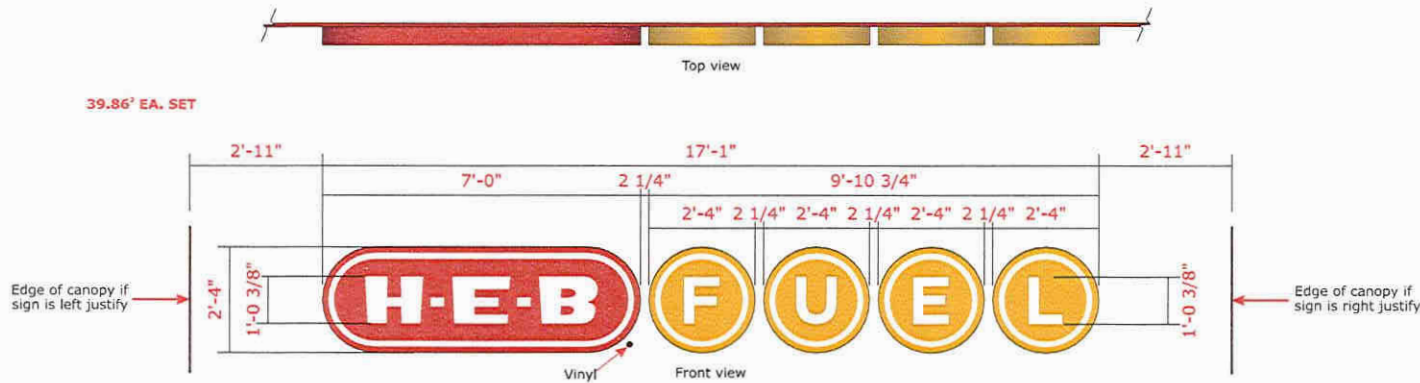
Dallas / Ft. Worth Branch
 1338 E. Irving Heights Dr.
 Irving, TX 75060
 Ph: (972) 870-1594

Houston Branch
 2905 Greenhouse Rd.
 Houston, TX 77084
 Ph: (281) 492-8581

Austin Branch
 2457 S. Loop 4, Bldg. 18
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 Ph: (512) 872-8800



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39.86' EA. SET

Edge of canopy if sign is left justify

Edge of canopy if sign is right justify



CHANNEL LOGO
 QTY: TWO (2)

| ELECTRICAL LOAD | |
|-----------------|------------------|
| No. Circuits: | One (1) 120V/20A |
| AMPS: | 2.2 EA. KVA: .27 |

Scale: 3/8"=1'-0"

REVISION # 5

Colors

- Pill sign: face- standard white acrylic # 7328 with 3M "light tomato red" overlay # 3630-43; trim cap- standard red; exterior returns - Wrisco Exxon red; interior returns- white. Back- white.
- Fuel signs: standard white acrylic # 7328 with (applied vinyl overlays (3M translucent "Sunflower" # 3630-25 & Gerber high-performance Chrome Yellow); trim caps- pms 130; exterior returns- pms 130; interior returns- white. Backs- white.

3M 3630-43 Lt. Tomato Red.
 Wrisco Exxon red.

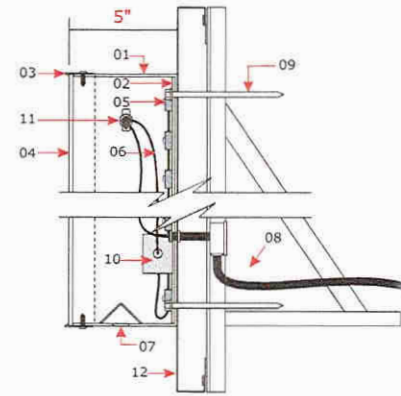
Outline: 3M 3630-25 Sunflower.
 Pms 123c.

Gerber high perf. Chrome Yellow.
 Pms 130c.

White.

Color description is for reference only.
 Samples provided upon request after order placement.

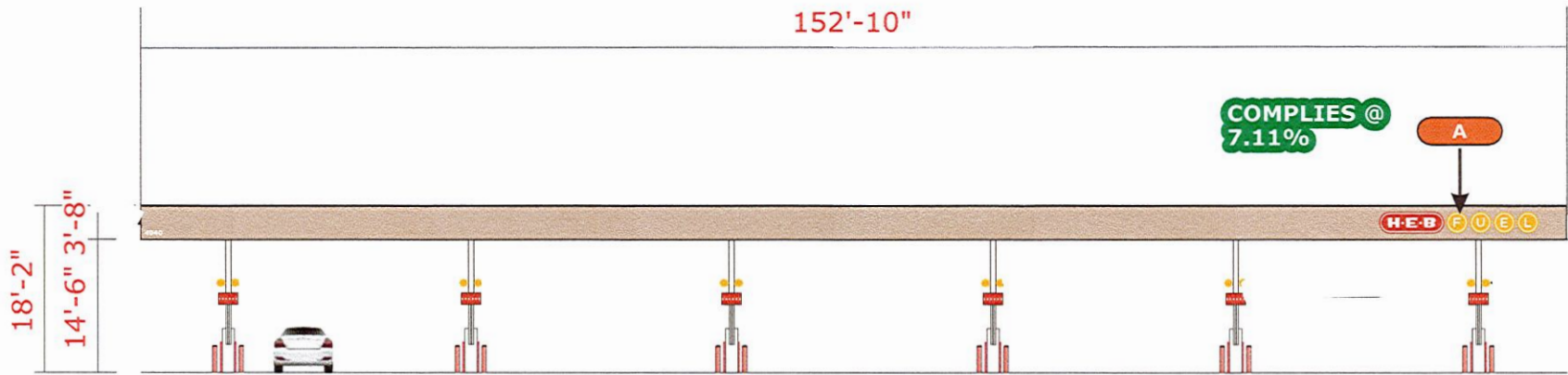
- 01 Channel returns: pre-finished .040 aluminum.
- 02 Backs: pre-finished .040 pre-finished aluminum.
- 03 Trims: 1" Jewelite fastened with #10 pan head screws.
- 04 Faces: 3/16" acrylic with translucent vinyl overlays.
- 05 Lighting: Sloan G23 white led.
- 06 Wiring.
- 07 Weep holes w/ light leak covers.
- 08 Sealite conduit to j-box by others, then to switch panel box by others.
- 09 Fasteners: self-tapping 3/8" dia. X 5" long (min.)
- 10 Power supply.
- 11 Disconnect switch.
- 12 Canopy.



SECTION

Scale: N.T.S.

Primary electrical service by others



EAST ELEVATION (FACING FM 1463)
Scale: 3/64"=1'-0"

REVISION # 5



Proposal Drawing
 Final Drawing

Client: HEB Corp. # 736
 Location: 4940 FM 1463,
 Fulshear, TX
 Salesperson: Pete Sitterle
 Prj. Mgr.: Tammy Colson
 Date: 12-13-16
 Designer: David Gamez
 File Name: 30427 HEB
 FSCW. Corp 736. Fulshear,
 TX R4

Proposal #: 30427
 Job #: n/a

Revisions



TOLR #: 18010

Corporate Office
 San Antonio
 2315 Weese Turbo
 San Antonio, TX 78216
 Ph: (210) 341-7244

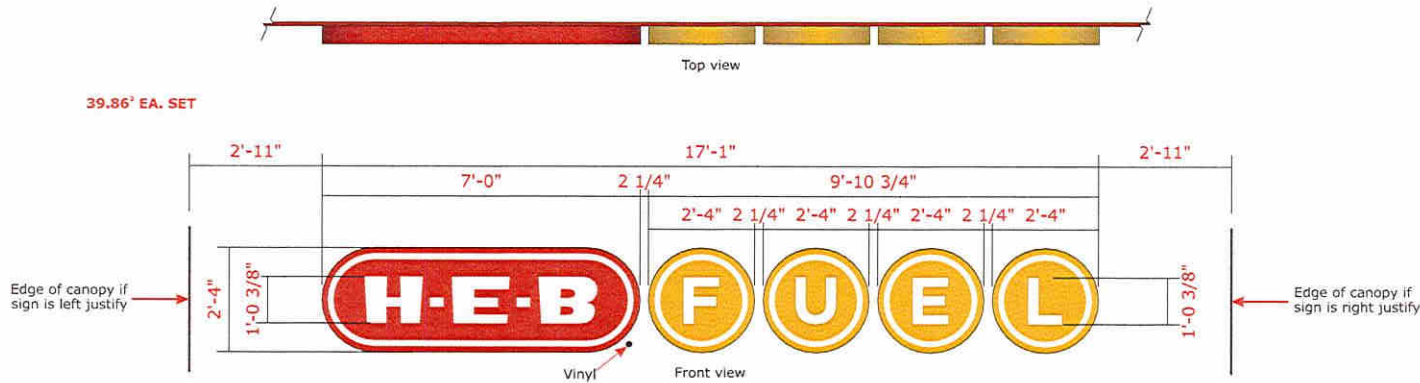
Dallas / Ft. Worth Branch
 13318 St. Irving Heights Dr.
 Irving, TX 75060
 Ph: (972) 870-1594

Houston Branch
 2908 Greenhouse Rd.
 Houston, TX 77064
 Ph: (281) 492-5551

Austin Branch
 2457 S. Loop 4, Bldg. 1B
 Suite, TX 78710
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39.86' EA. SET

Edge of canopy if sign is left justify

Edge of canopy if sign is right justify

B/R5 CHANNEL LOGO
 QTY: TWO (2)

Scale: 3/8"=1'-0"

REVISION # 5

| ELECTRICAL LOAD | |
|-----------------|------------------|
| No. Circuits: | One (1) 120V/20A |
| AMPS: | 2.2 EA. KVA: .27 |

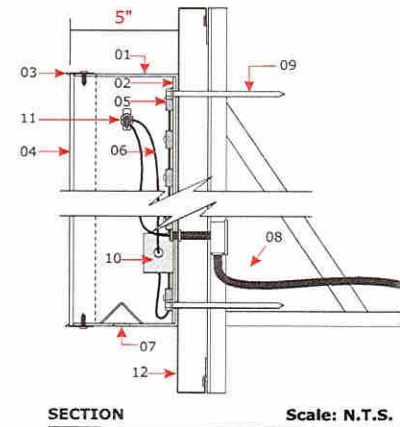
Colors

- Pill sign: face- standard white acrylic # 7328 with 3M "light tomato red" overlay # 3630-43; trim cap- standard red; exterior returns - Wrisco Exxon red; interior returns- white. Back- white.
- Fuel signs: standard white acrylic # 7328 with (applied vinyl overlays (3M translucent "Sunflower" # 3630-25 & Gerber high-performance Chrome Yellow); trim caps- pms 130; exterior returns- pms 130; interior returns- white. Backs- white.

- 3M 3630-43 Lt. Tomato Red. Wrisco Exxon red.
- Outline: 3M 3630-25 Sunflower. Pms 123c.
- Gerber high perf. Chrome Yellow. Pms 130c.
- White.

Color description is for reference only. Samples provided upon request after order placement.

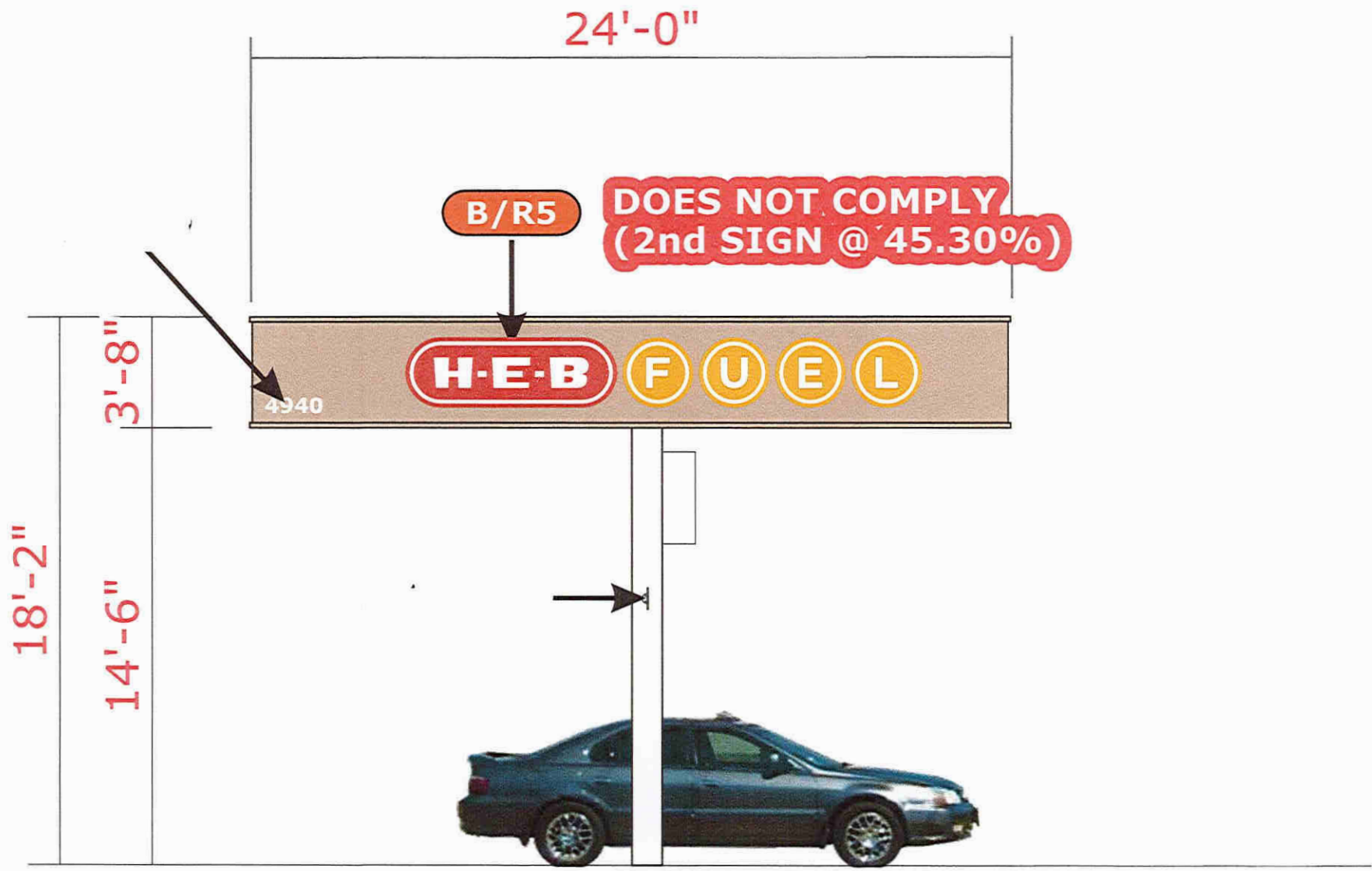
- 01 Channel returns: pre-finished .040 aluminum.
- 02 Backs: pre-finished .040 pre-finished aluminum.
- 03 Trims: 1" Jewelite fastened with #10 pan head screws.
- 04 Faces: 3/16" acrylic with translucent vinyl overlays.
- 05 Lighting: Sloan G23 white led.
- 06 Wiring.
- 07 Weep holes w/ light leak covers.
- 08 Sealite conduit to j-box by others, then to switch panel box by others.
- 09 Fasteners: self-tapping 3/8" dia. X 5" long (min.)
- 10 Power supply.
- 11 Disconnect switch.
- 12 Canopy.



SECTION

Scale: N.T.S.

Primary electrical service by others

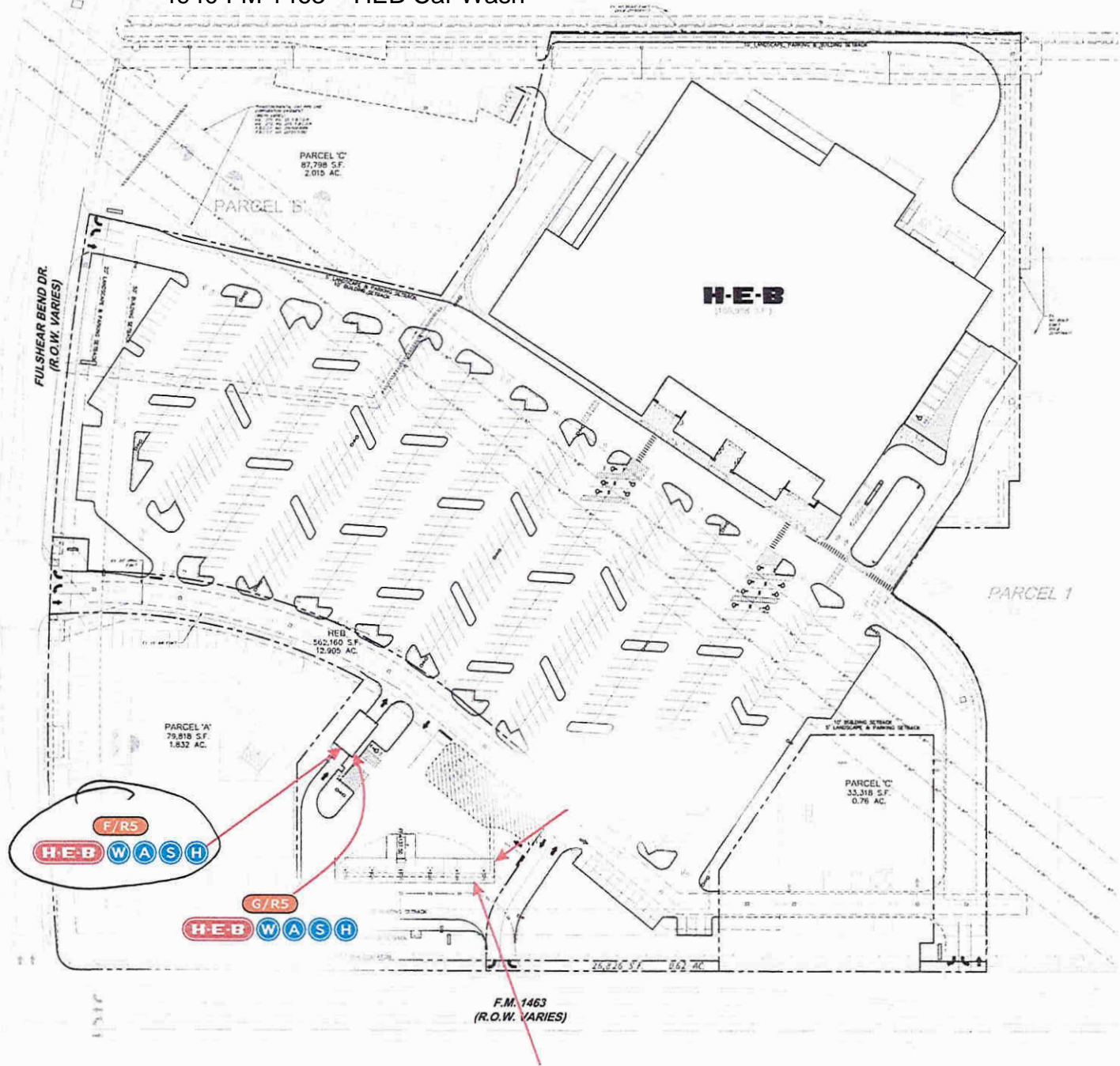


NORTH ELEVATION (FACING AWAY FROM FULSHEAR DR.)

Scale: 3/32" = 1'-0"

REVISION # 5

4940 FM 1463 – HEB Car Wash



SITE PLAN

Scale: 1"=125'-0"

REVISION # 5



Proposal Drawing
 Final Drawing

Client: HEB Corp. # 736
 Location: 4940 FM 1463,
 Fulshear, TX
 Salesperson: Pete Sitterle
 Proj. Mgr.: Tammy Colson
 Date: 12-13-16
 Designer: David Gamez
 File Name: 30427 HEB
 FSCW, Corp 736, Fulshear,
 TX R4

Proposal #: 30427
 Job #: n/a

Revisions



TDLR #: 18010

Corporate Office
 San Antonio
 225 West Turbo
 San Antonio, TX 78216
 Ph. (210) 341-7244

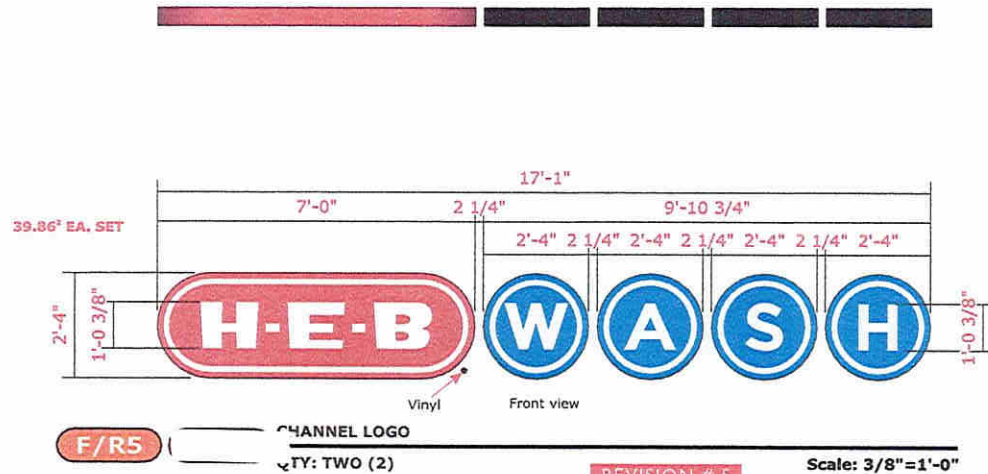
Dallas / Ft. Worth Branch
 1338 S. Irving Heights Dr.
 Irving, TX 75039
 Ph. (972) 870-1884

Houston Branch
 2505 Greenhouse Rd.
 Houston, TX 77056
 Ph. (281) 482-8881

Austin Branch
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 Austin, TX 78710
 Ph. (512) 872-2800



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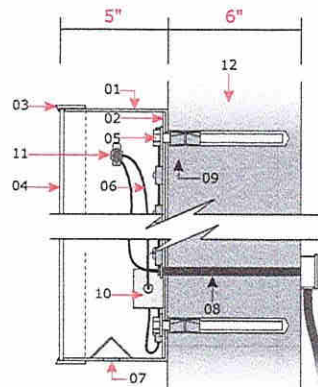
Colors

- Pill sign: face- standard white acrylic # 7328 with 3M "light tomato red" overlay # 3630-43; trim cap- standard red; exterior returns - Wrisco Exxon red; interior returns- white. Back- white.
- Wash signs: standard white acrylic # 7328 with (applied vinyl overlays (translucent Avery A900-626-T wave blue); trim caps- Intense blue; exterior returns- Wrisco Chevron blue; interior returns- white. Backs- white.

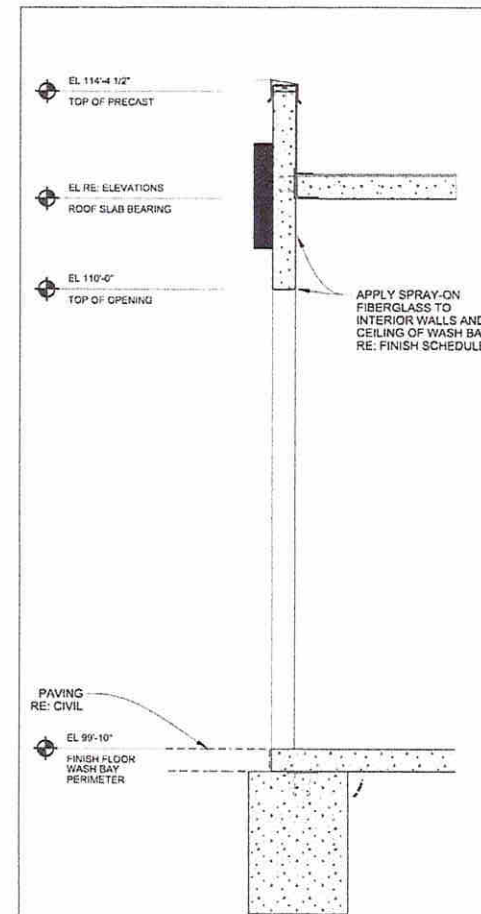
- 3M 3630-43 lt. tomato red. Wrisco Exxon red.
- Avery a900-626-T wave blue. Jewelrite intense blue. Wrisco Chevron blue.
- White.

Color description is for reference only. Samples provided upon request after order placement.

| ELECTRICAL LOAD | |
|-----------------|------------------|
| No. Circuits: | One (1) 120V/20A |
| AMPS: | 2.2 EA. KVA: .27 |

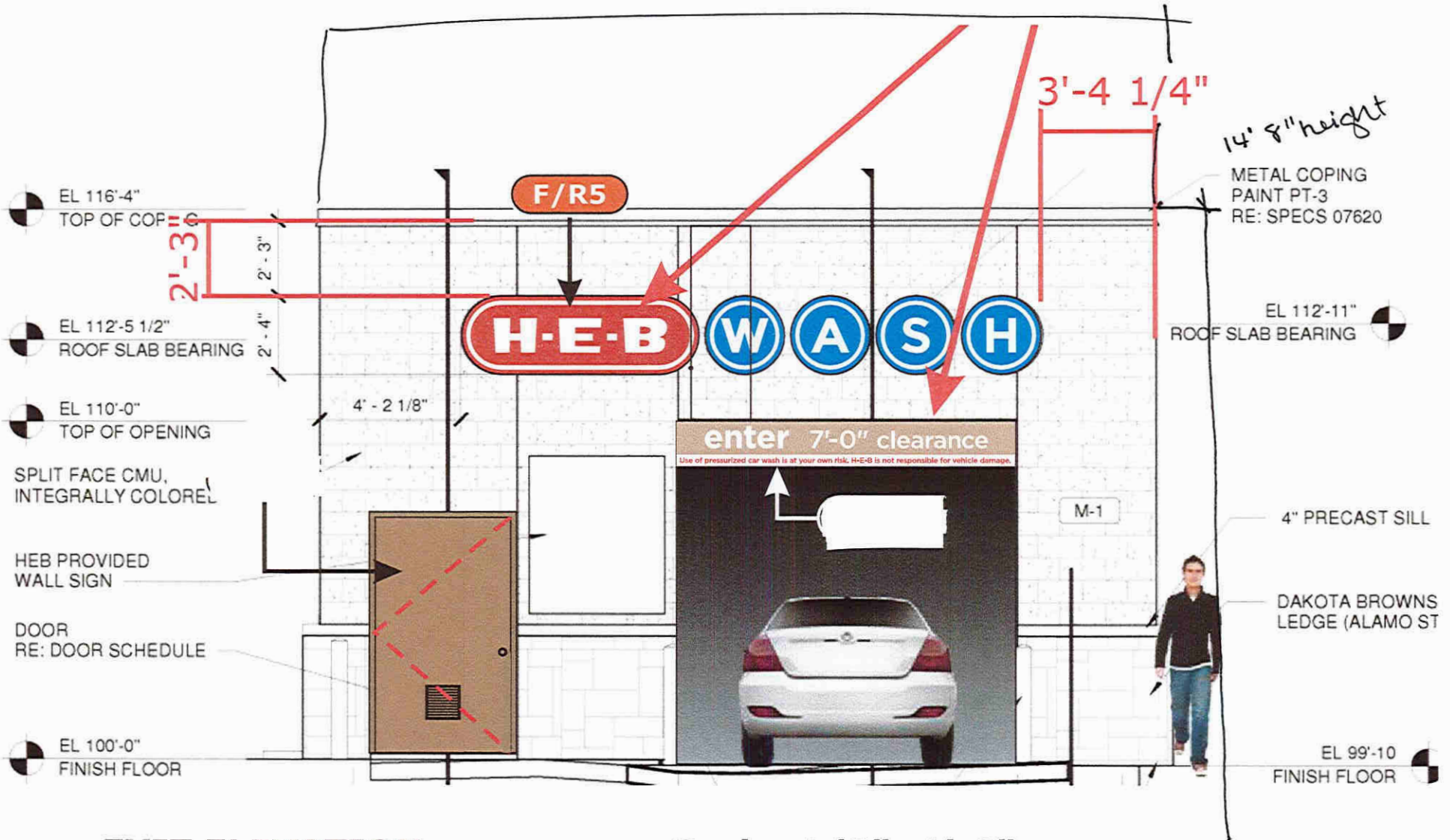


- 01 Channel returns: pre-finished .040 aluminum.
- 02 Backs: pre-finished .040 pre-finished aluminum.
- 03 Trims: 1" Jewelrite fastened with #10 pan head screws.
- 04 Faces: 3/16" acrylic with translucent vinyl overlays.
- 05 Lighting: sloan g23 white led.
- 06 Wiring.
- 07 Weep holes w/ light leak covers.
- 08 Sealite conduit to j-box by others, then to switch panel box by others.
- 09 Fasteners: self-tapping 3/8" dia. X 5" long (min.)
- 10 Power supply.
- 11 Disconnect switch.
- 12 Canopy.



Primary electrical service by others

22'-8" width



EXIT ELEVATION

Scale: 1/8" = 1'-0"

REVISION # 5



■ Proposal Drawing
□ Final Drawing

Client: HEB Corp. # 736
 Location: 4940 FM 1463,
 Fulshear, TX
 Salesperson: Pete Sitterle
 Prj. Mngr.: Tammy Colson
 Date: 12-13-16
 Designer: David Gamez
 File Name: 30427 HEB
 FSCW_Corp 736, Fulshear,
 TX R4
 Proposal #: 30427
 Job #: n/a

Revisions

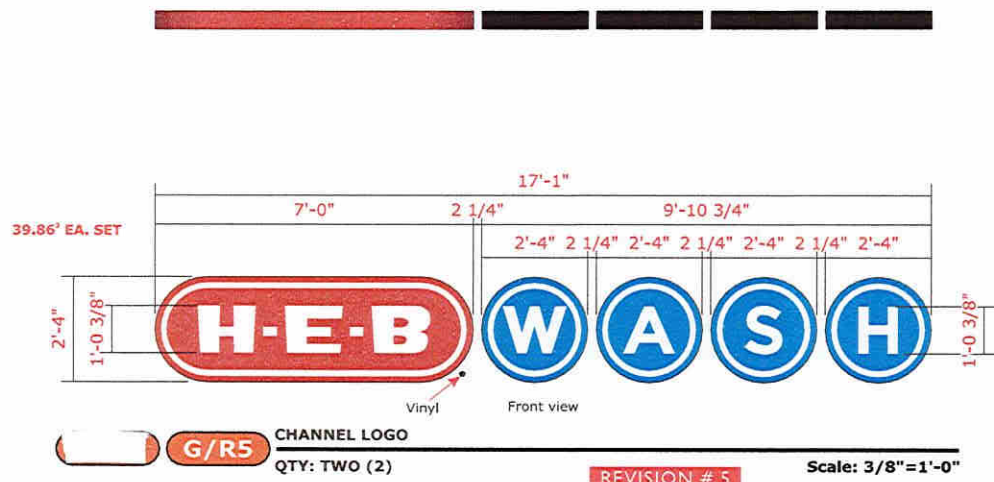


TDLR #: 18010

Corporate Office
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 235 West Turbo
 San Antonio, TX 78216
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 Dallas / Ft. Worth Branch
 1335 S. Irving Heights Dr.
 Irving, TX 75060
 Ph.: (972) 870-1564
 Houston Branch
 2508 Greenhouse Rd.
 Houston, TX 77064
 Ph.: (281) 492-8581
 Austin Branch
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 Suite, TX 78610
 Ph.: (512) 872-2800



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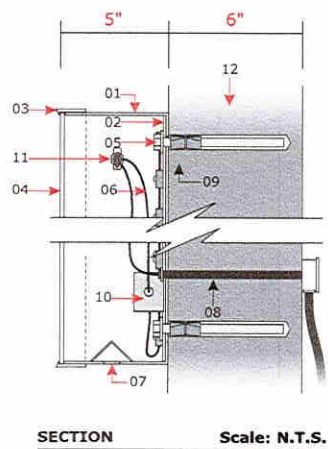


| ELECTRICAL LOAD | |
|-----------------|------------------|
| No. Circuits: | One (1) 120V/20A |
| AMPS: | 2.2 EA. KVA: .27 |

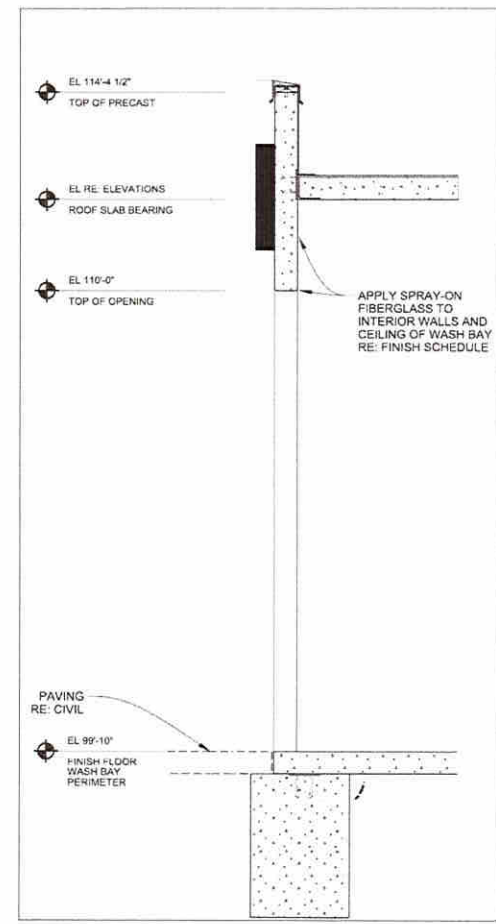
- Pill sign: face- standard white acrylic # 7328 with 3M "light tomato red" overlay # 3630-43; trim cap- standard red; exterior returns - Wrisco Exxon red; interior returns- white. Back- white.
- Wash signs: standard white acrylic # 7328 with (applied vinyl overlays (translucent Avery A900-626-T wave blue); trim caps- intense blue; exterior returns- Wrisco Chevron blue; interior returns- white. Backs- white.

- 3M 3630-43 lt. tomato red. Wrisco Exxon red.
- Avery aA900-626-T wave blue. Jewelrite intense blue. Wrisco Chevron blue.
- White.

Color description is for reference only. Samples provided upon request after order placement.

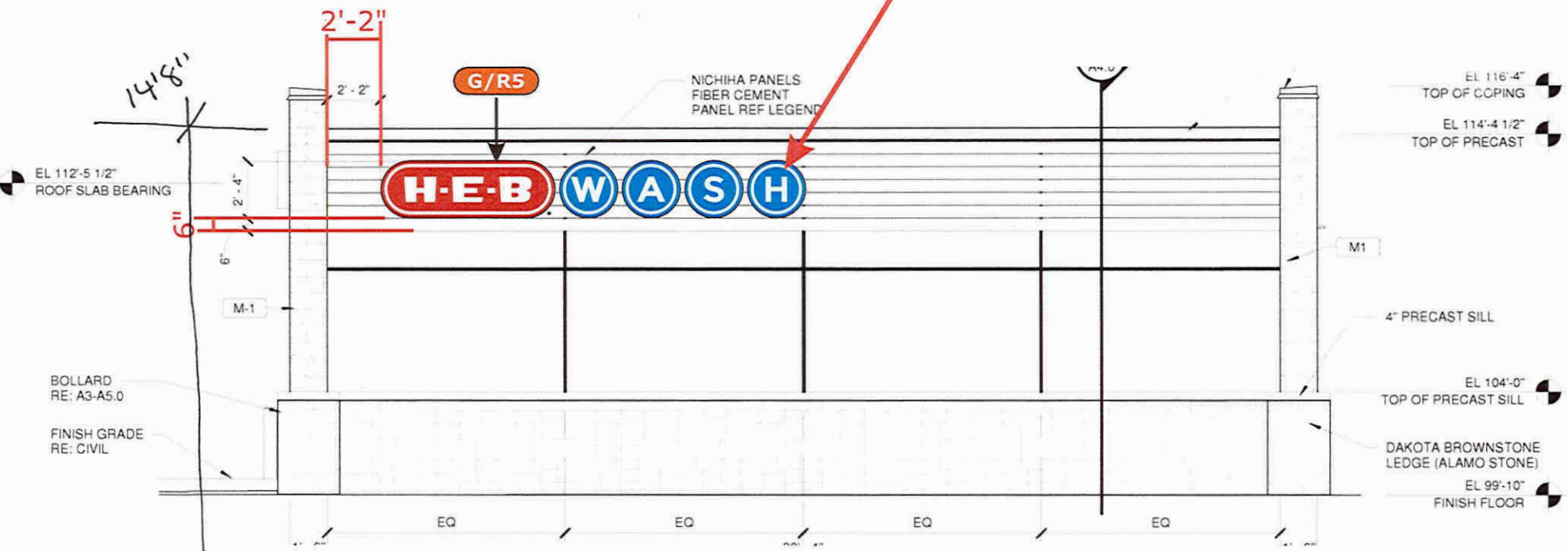


- 01 Channel returns: pre-finished .040 aluminum.
- 02 Backs: pre-finished .040 pre-finished aluminum.
- 03 Trims: 1" Jewelrite fastened with #10 pan head screws.
- 04 Faces: 3/16" acrylic with translucent vinyl overlays.
- 05 Lighting: sloan g23 white led.
- 06 Wiring.
- 07 Weep holes w/ light leak covers.
- 08 Sealrite conduit to j-box by others, then to switch panel box by others.
- 09 Fasteners: self-tapping 3/8" dia. X 5" long (min.)
- 10 Power supply.
- 11 Disconnect switch.
- 12 Canopy.



Primary electrical service by others

44'4" width



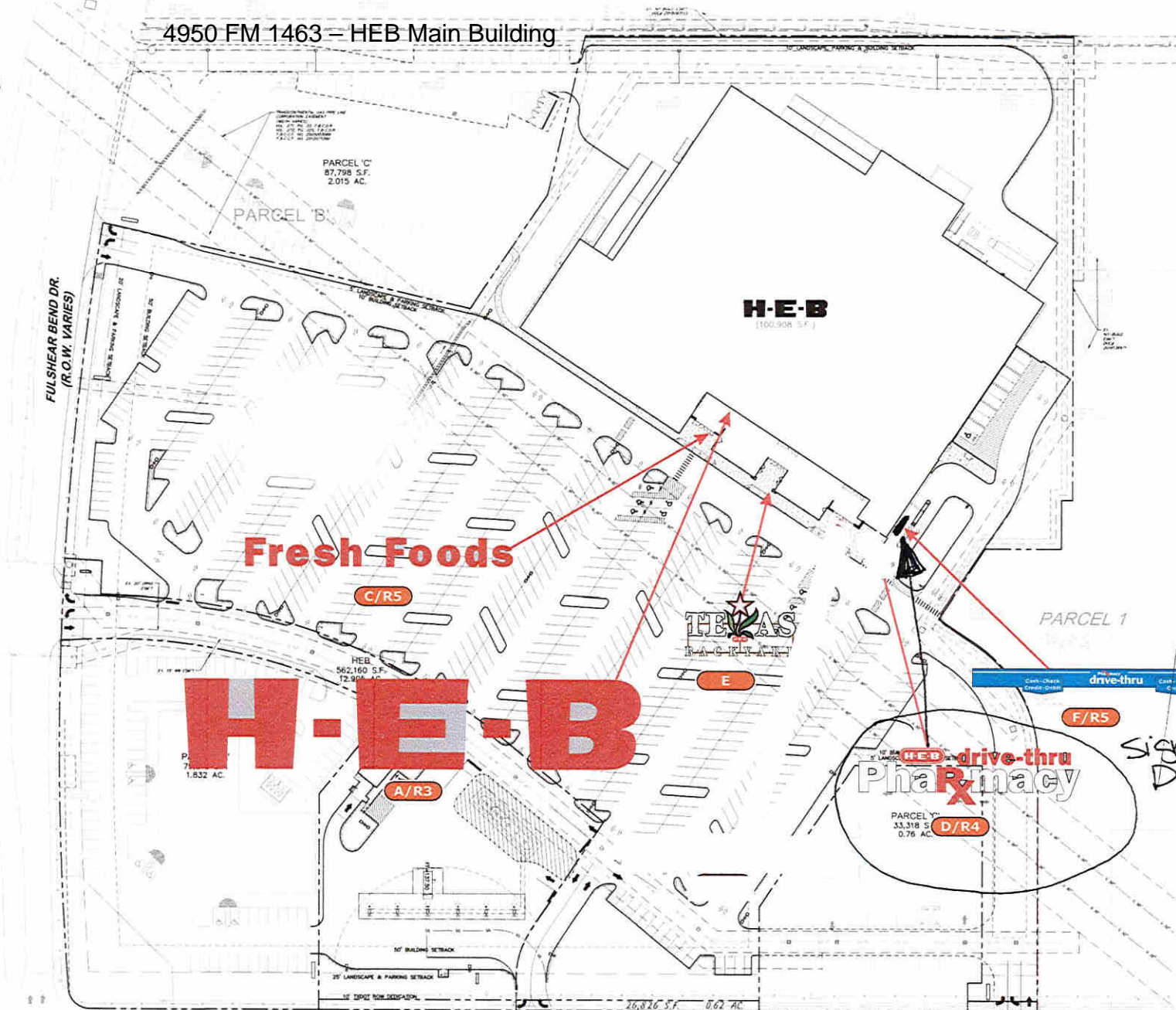
WASH BAY ELEVATION

Scale: 1/8"=1'-0"

REVISION # 5



4950 FM 1463 – HEB Main Building



F.M. 1463
(R.O.W. VARIES)



Pre-wiring within wall is required

ELECTRICAL

- DRAW: 12.0 AMPS
- CIRCUIT BREAKER: (1) 20-AMP
- VOLTS: 120.

- Proposal Drawing
- Final Drawing

BIRD PROTECTION SCREENING SHOWN GRAY



D/R4 CHANNEL LETTERS

SCALE: 3/8"=1'-0"

INTERNALLY ILLUMINATED FACE CHANNEL LETTERS AND LOGO ILLUMINATED WITH WHITE L.E.D. LIGHTING.

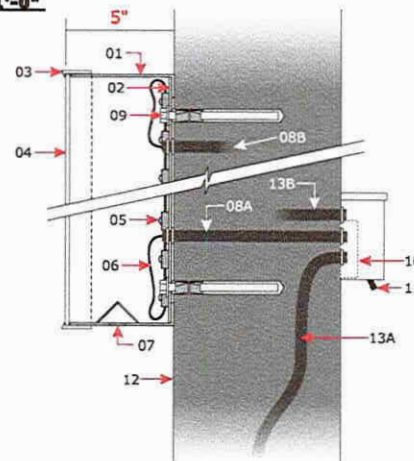
COLORS:

- PHA MACY: 7328 WHITE ACRYLIC.
- RX AND DRIVE-THRU: 2662 RED ACRYLIC.
- H-E-B OVAL: 7328 WHITE ACRYLIC WITH VINYL APPLIED GRAPHICS.
- RETURNS & TRIM CAPS: MATCH FACE COLORS.

PIGMENTED PLASTIC: 2662. PMS: 485.

PIGMENTED WHITE 7328. STD. WHITE.

COLOR DESCRIPTION IS FOR REFERENCE ONLY. SAMPLES PROVIDED UPON REQUEST AFTER ORDER PLACEMENT.



SECTION Scale: N.T.S.

REVISION # R4

- 01 Returns: .040 aluminum.
- 02 Backs: .040 aluminum.
- 03 Trims: 1"
- 04 Faces: 3/16" acrylic with vinyl overlay where applicable.
- 05 Lighting: LED.
- 06 Wiring.
- 07 Weep holes w/ light leak covers.
- 08A Sealtite conduit from power supply to letter; silicone seal.
- 08B Letter Jump - sealtite conduit from one letter to another.
- 09 Fasteners: 3/8" bolt - 5" long minimum.
- 10 Power supply.
- 11 Disconnect switch.
- 12 Wall.
- 13A Greenfield conduit (primary electrical) from electrical box to power supply - by electrical contractor.
- 13B Power supply jump - greenfield conduit from one power supply to another - by electrical contractor.

Client: HEB Corp. # 736
 Location: 4950 FM 1463, Fulshear, TX
 Salesperson: Patti Coley
 Prj. Mngr.: Patti Coley
 Date: 08.18.16
 Designer: Sara Kalamen
 File Name: 29357 HEB
 Cross Creek Store Signage R12
 Proposal #: 29357
 Job #: 17-8491

Revisions
SEE LAST SHEET FOR REVISION HISTORY.



TDLR #: 18010

Corporate Office
 San Antonio
 808 West Turbo
 San Antonio, TX 78218
 Ph: (210) 341-7844

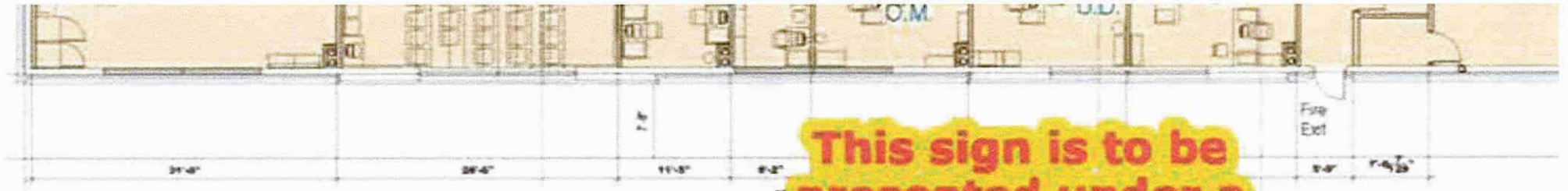
Dallas / Ft. Worth Branch
 1338 S. Irving Heights Dr.
 Irving, TX 75060
 Ph: (972) 870-1584

Houston Branch
 8908 Greenhouse Rd.
 Houston, TX 77064
 Ph: (281) 488-8881

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 Austin, TX 78710
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This sign is to be presented under a variance.





SIGNAGE VARIANCE FORM

REQUESTOR: _____

ADDRESS OF PREMISES AFFECTED: _____

PLANNING AND ZONING COMMISSION REVIEW

_____ GRANTED

_____ DENIED

_____ RETURNED FOR ADDITIONAL DATA

BY: _____ DATE: _____

| | | | |
|---|---|------------------------|--|
| AGENDA OF: | January 19, 2017 | AGENDA ITEM(S): | XXX |
| DATE SUBMITTED: | January 18, 2018 | DEPARTMENT: | Planning & Development |
| PREPARED BY: | Sharon Valiante Director of Public Works | PRESENTER: | Brant Gary, Executive Director of Planning & Development |
| SUBJECT: | General (Conceptual) Plan – Polo Ranch | | |
| ATTACHMENTS: | Polo Ranch General (Conceptual) Plan | | |
| EXPENDITURE REQUIRED: | | | \$0 |
| AMOUNT BUDGETED: | | | \$0 |
| ACCOUNT: | Development Services | | |
| ADDITIONAL APPROPRIATION REQUIRED: | | | \$0 |
| ACCOUNT NO: | | | |

EXECUTIVE SUMMARY

In January of 2016, the City of Fulshear, Fulshear Equine and Fulshear Investments (the Landowners), and Johnson Development Services, LLC, entered into a Development Agreement to create a plan for the development of 270.482 acres (the property).

In June of 2017, an amendment to the agreement went before City Council, that removed Johnson Development Services, LLC from the agreement because Johnson Development, LLC had not closed on the property caused by economic and regulatory delays, thus delaying the development of the property.

Despite the delays, Fort Bend County Municipal Utility District (the District) 174 has been created for the purpose of furnishing water, sanitary sewer, drainage services, roads, parks and recreational facilities to the property.

The amended agreement and the agreement allow the following as agreed on by the Landowners and the City:

1. The landowners will sell the property to one or more developers to develop a high quality mixed use community
2. The mixed use will be single family residential dwellings and commercial uses only
3. The landowners will assign its rights obligations and liabilities to the developer(s)
4. The commercial uses must be adjacent to major thoroughfares and the remainder of the property shall be zoned R-2 (residential lot);
5. Open space requirements will decrease proportionately if developer(s) only acquire commercial property (section 3.06 (a) of the agreement)
6. If Developer does not plat 25% of lots within the property, the City can terminate the agreement

7. A Voter trailer can be placed on the property, but must be removed within 3 months provided the District is confirmed, the bonds for the District are authorized, and the initial Board is elected, but in no case not longer than 365 days
8. A General Plan (Concept) as shown in attachment as Exhibit E is the basis for the development
9. Applicable ordinances:
 - a. Comp Plan – 2014-1135
 - b. Major Thoroughfare Plan – 2013-1115, 2014-1141, and 2015-1173
 - c. Masonry Ordinance – 2012-1085;
 - d. Outdoor Lighting Ordinance – 2015-1194 and 2015-1198
 - e. Sign Ordinances – 2012-1071, 2012-1058, 2012-1065, and 2013-1094
 - f. Regional Park Ordinance – 2013-1091; \$450/dwelling unit; land in lieu of fees are an option
 - g. Zoning Ordinance –2012-1069; street side corner min setback = 10' and no garage to face side street
 - h. Subdivision Ordinance – 2012-1069, 2013-1091, 2014-114, and 2015-1176; minimum lot size = 5,400 SF; 45-foot minimum width at no more than 25% of total lots; non-traditional homes (duplexes, quadraplexes, zero lot line, townhomes, brownstones, patio homes, and other types of non-traditional approved by the City) are allowed at no more than 15% of total acreage
 - i. Most current adopted Building Codes
10. Single Family residential housing units shall not exceed 710; a 10% max variance is allowed by market demands with notice to the City
11. Coordinated effort with City's Parks and Pathways Master Plan
12. Tree preservation and planting guidelines
13. A Traffic Impact Analysis must be performed prior to development
14. A Utility Agreement for the conveyance of public utilities constructed by the developer

The Landowners have sold to a developer, Century Landholdings of Texas. The Developer has contracted with LJA Engineering to begin the initial phase of development. LJA Engineering has prepared a presentation to introduce the development, Polo Ranch, to the City as a preliminary step to start the plat process.

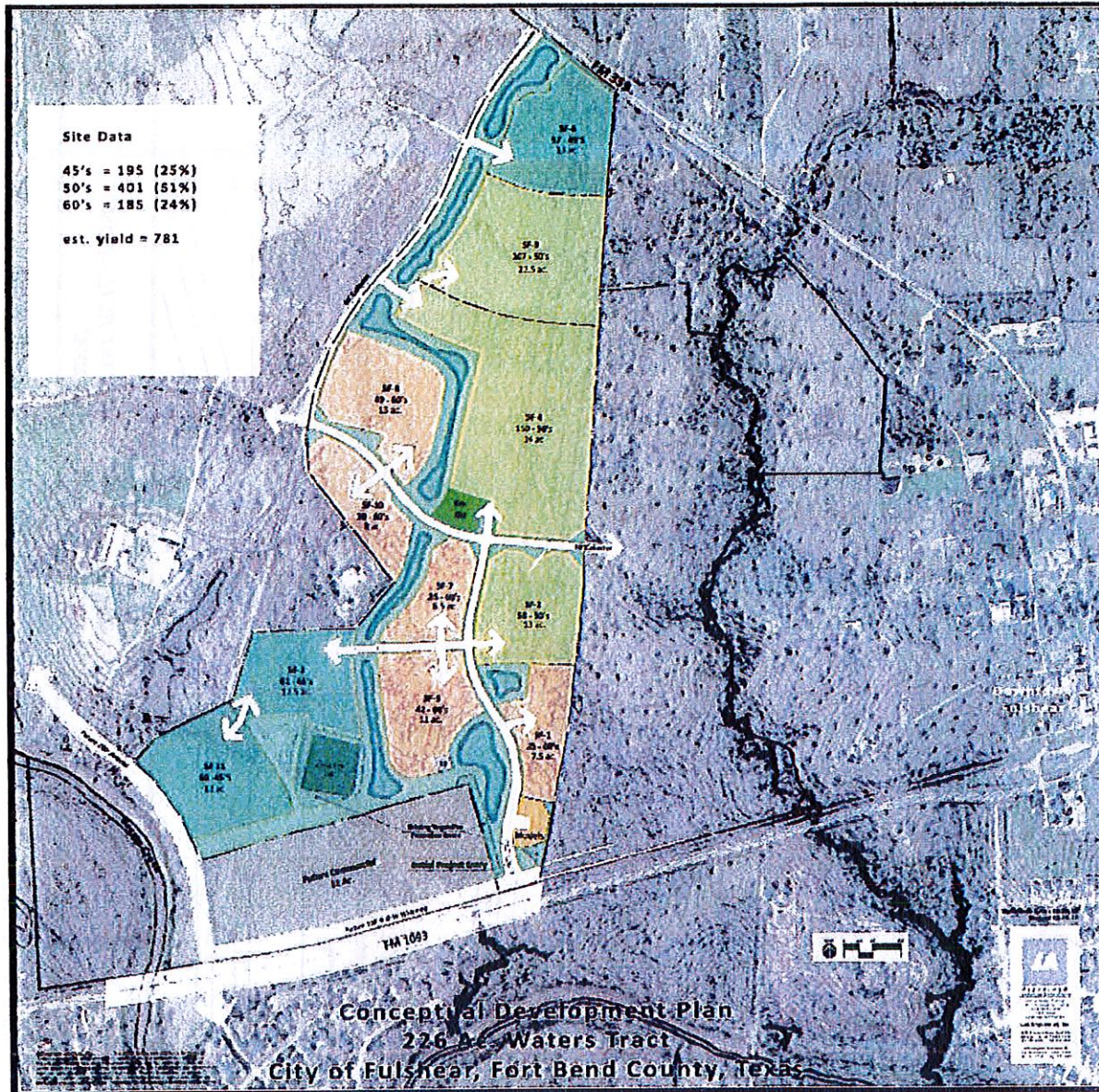
The Development Agreement allows for some flexibility as the property develops. The General Plan as submitted, is preliminary and that changes and/or revisions can be made within Section 2.02 General Plan and Amendments. Any amendments that are contradictory or a variance from the Agreement, must be submitted and approved by the City.

Staff Recommendation

Staff recommends the Planning and Zoning Commission provide any comments or changes related to the presentation for the updated Conceptual Plan and proposed development for the property owned by Century Landowners of Texas.

Exhibit E

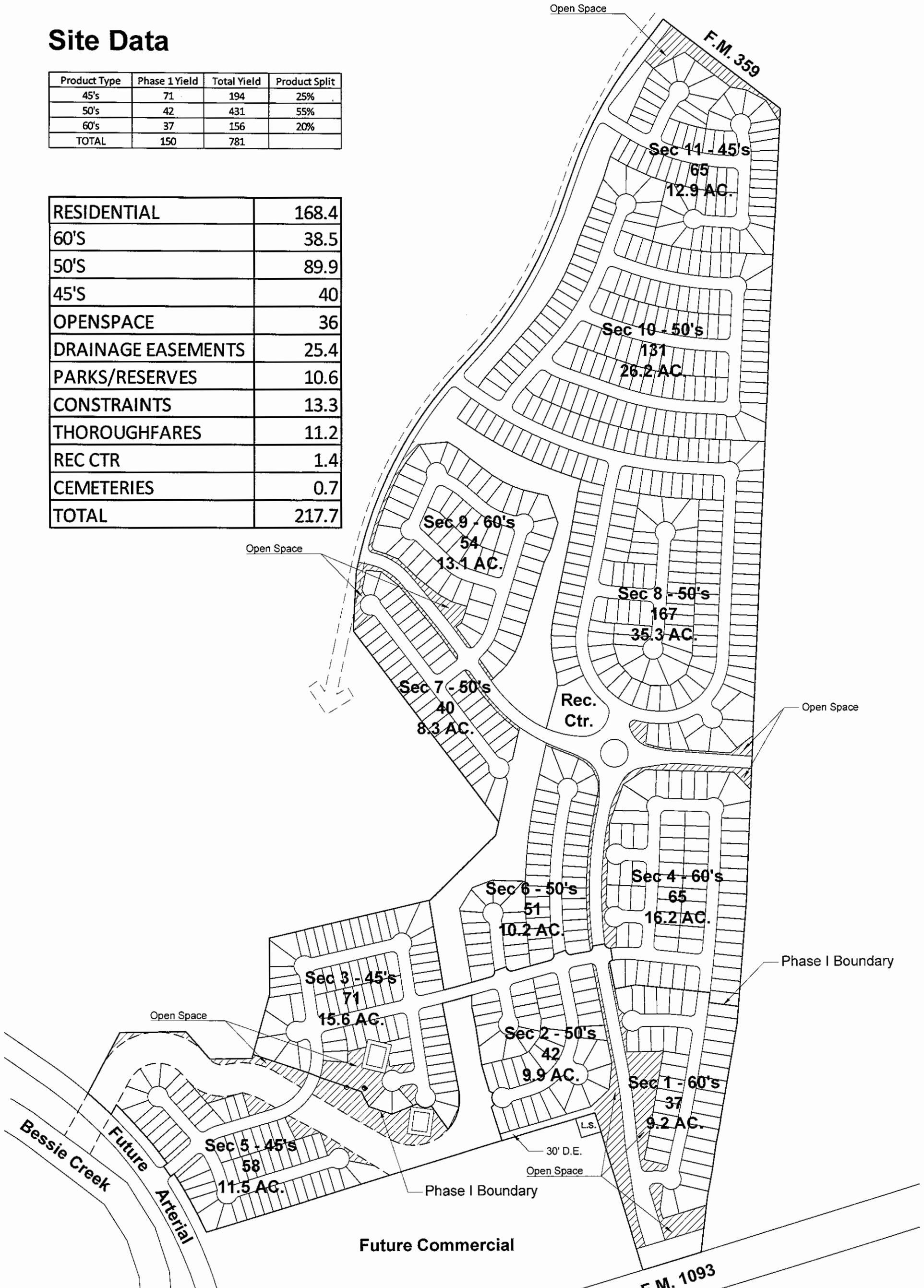
General Plan



Site Data

| Product Type | Phase 1 Yield | Total Yield | Product Split |
|--------------|---------------|-------------|---------------|
| 45's | 71 | 194 | 25% |
| 50's | 42 | 431 | 55% |
| 60's | 37 | 156 | 20% |
| TOTAL | 150 | 781 | |

| | |
|---------------------------|--------------|
| RESIDENTIAL | 168.4 |
| 60'S | 38.5 |
| 50'S | 89.9 |
| 45'S | 40 |
| OPENSACE | 36 |
| DRAINAGE EASEMENTS | 25.4 |
| PARKS/RESERVES | 10.6 |
| CONSTRAINTS | 13.3 |
| THOROUGHFARES | 11.2 |
| REC CTR | 1.4 |
| CEMETERIES | 0.7 |
| TOTAL | 217.7 |



Polo Ranch Conceptual Development Plan - ± 218 Ac. City of Fulshear, Fort Bend County, Texas

Reference Date: 11.29.2017



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