

NOTICE OF A REGULAR MEETING OF THE CITY OF FRIENDSWOOD PLANNING AND ZONING COMMISSION, TO BE HELD THURSDAY, JUNE 13, 2019, BEGINNING AT 7 PM, IN THE COUNCIL CHAMBERS AT CITY HALL LOCATED AT 910 S. FRIENDSWOOD DRIVE, FRIENDSWOOD, TEXAS

PUBLIC HEARINGS

1. Call to order
2. Receive comments, both oral and written regarding:
 - a. A zone classification change from Neighborhood Commercial (NC) to Neighborhood Commercial/Specific Use Permit (NC/SUP) to allow NAICS Use #8131 Religious Organizations for .7471 acres of land out of Reserve G (G4) in Forest Bend Subdivision Section 3, Harris County, Friendswood, Texas, also known as 17158 Blackhawk Blvd.
 - b. A zone classification change for 1.7243 acres of land, consisting of two tracts 1.477 acres and .2473 acres, situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, also known as 108 Whispering Pines Ave, to change from Single Family Residential (SFR) to Downtown District (DD)
 - c. A zone classification change for 1.8367 acres of land, situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, also known as 110 Whispering Pines Ave, to change from Single Family Residential (SFR) to Downtown District (DD)
3. Adjourn

REGULAR MEETING

1. Call to order
2. Communication from the public/committee liaisons
(To comply with provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects be placed on a later regular Commission agenda for discussion and/or possible action.)
3. **Oaths of Office:** Aubrey Harbin, Notary Public, will administer **Oaths of Office for three reappointed Commissioners – Joe Matranga, Richard Clark and Marcus Perry**
4. Consent agenda
These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner or citizen so requests in which case the item would be removed from the consent agenda and considered separately.

A. Minutes from May 16, 2019, regular meeting

Action Items

According to the Planning and Zoning Rules of Procedure (R2019-15), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

5. Consideration and possible action regarding a [site plan amendment for Farmers Insurance located at 104 Melody Lane](#)

Item Tabled on May 16, 2019

6. Consideration and possible action regarding a [site plan amendment for West Parkwood Place located at 1501 W. Parkwood Ave.](#)
7. Consideration and possible action regarding a recommendation to City Council for the requested [zone classification change from Neighborhood Commercial \(NC\) to Neighborhood Commercial/Specific Use Permit \(NC/SUP\) to allow NAICS Use #8131 Religious Organizations for .7471 acres of land out of Reserve G \(G4\) in Forest Bend Subdivision Section 3, Harris County, Friendswood, Texas, also known as 17158 Blackhawk Blvd.](#)
8. Consideration and possible action regarding a recommendation to City Council for the requested [zone classification change for 1.7243 acres of land, consisting of two tracts 1.477 acres and .2473 acres, situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, also known as 108 Whispering Pines Ave, to change from Single Family Residential \(SFR\) to Downtown District \(DD\)](#)
9. Consideration and possible action regarding a recommendation to City Council for the requested [zone classification change for 1.8367 acres of land, situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, also known as 110 Whispering Pines Ave, to change from Single Family Residential \(SFR\) to Downtown District \(DD\)](#)
10. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

Beginning new schedule in June – P&Z regular meetings will be held on 2nd and 4th Thursdays of the month; P&Z public hearings will be held on the 2nd Thursday:

Thursday, June 27, 2019 - regular meeting

Thursday, July 11, 2019 – regular meeting

11. Communications

- a. Commissioners (suggestions for future agenda items and general comments; updates from liaison assignments)
- b. Council Liaison – Sally Branson
- c. Staff

Council updates – all five ordinances related to the Downtown District changes were approved

Texas Legislature updates – HB 852 – prohibits cities from charging permit fees based on value or cost of construction and was effective immediately; HB 2439 - prohibit cities from regulating exterior building materials and has not been signed by the Governor yet; deadline is June 16; HB 3167 – prohibits cities from approving plats with conditions; requires either approval or disapproval; the sunset clause for the Texas State Board of Plumbing Examiners (TSBPE) was not renewed and SB 621 was not approved which would have transferred licensing of plumbers to the Texas Department of Licensing and Regulation (TDLR); Governor Abbott has stated that he has other options to extend the existence of TSBPE

12. Adjournment

Aubrey Harbin, LEED AP
Director of Community Development/City Planner

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (281) 996-3270 for further information.

I, Melinda Welsh, City Secretary of the City of Friendswood, do certify that the ABOVE NOTICE OF MEETING of the Friendswood Planning and Zoning Commission was posted in a place convenient to the general public in compliance with Chapter 551, Texas Government Code on the 10th day of June, 2019, at _____.

Melinda Welsh, City Secretary

<i>All meetings of the Planning & Zoning Commission are open to the public, except when there is a necessity to meet in an Executive Session (closed to the public) under the provisions of Section 551, Texas Government Code. The Planning & Zoning Commission reserves the right to convene into Executive Session to hear any of the above described agenda items that qualifies for an executive session by publicly announcing the applicable section number of the Open Meetings Act.</i>



PLANNING & ZONING COMMISSION

**MINUTES OF A
REGULAR MEETING
HELD THURSDAY, MAY 16, 2019
AT 7:00 PM**

**CITY HALL
COUNCIL CHAMBERS
910 S. FRIENDSWOOD DRIVE
FRIENDSWOOD, TEXAS**

Regular Meeting

1. The regular meeting was called to order at 7:00pm with the following people in attendance:

Chairman Joe Matranga
Commissioner Brett Banfield
Commissioner Eric Guenther
Commissioner Dick Clark
Becky Summers, Development Coordinator
Aubrey Harbin, City Planner/Director of CDD

Commissioner Richard Sasson
Commissioner Lisa Lundquist
Commissioner Marc Perry
Mary Kay Fischer, City Attorney

2. Communication from the public/committee liaisons
(To comply with provisions of the Open Meetings Act, the Commission may not deliberate on subjects discussed under this agenda item. However, the Commission may direct such subjects be placed on a later regular Commission agenda for discussion and/or possible action.)

None.

Action Items

According to the Planning and Zoning Rules of Procedure (R2010-09), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

3. Consent agenda
These items are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a commissioner or citizen so requests in which case the item would be removed from the consent agenda and considered separately.

A. Minutes from May 6, 2019

Motion to approve: Sasson

Second: Clark

Vote: 7 to 0 Unanimous

Motion Passed

Action Items

According to the Planning and Zoning Rules of Procedure (R2010-09), all action of the Commission shall be made by an affirmative vote of four (4) or more members of the Commission present at such Commission meetings.

4. Consideration and possible action regarding a **site plan amendment for Farmers Insurance located at 104 Melody Ln**

Motion to approve: Banfield

Second: Lundquist

Motion to table: Sasson

Second: Banfield

Vote: 7 to 0 Unanimous

Motion Passed

Harbin explained the request was for an existing business the Commission approved in 2015, construction completed in 2016. She said the original site plan included an 8-foot cedar fence to separate the commercial property from the neighboring residential property. Harbin explained staff missed the required fence during the final inspection.

Harbin said the adjacent neighbor issued a complaint the fence was never installed. Harbin contacted the business owner and they discussed the option of installing landscaping in lieu of the fence. Harbin stated further into researching the properties, the house was built in 1995 adjacent to the Community Shopping Center (CSC) tract and the residential owner should have installed an 8-foot fence at that time. Currently the business owner is proposing to install wax myrtles every 8-feet.

Jackie Bailey/neighbor said she is a realtor and having a commercial property next door devalues her property. She said she is interested in a screen and 3-gallon shrubs will not buffer adequately.

Banfield said he would favor a landscape buffer over a fence because wood fences do not look very nice once they become weathered. Bailey said she needs an opaque buffer, at least 5-6 feet, now. Lundquist asked if 15-gallon shrubs were fair. Bailey said only if they were planted 3-feet apart.

Harbin explained there are two different violations on the table. She said the Bailey's property was in violation since the 8-foot opaque fence was never installed in the 1990s. Harbin said the Farmers Insurance was in violation because the 8-foot fence shown on the site plan was never installed either. Banfield suggested the two property owners split the cost of the barrier.

Lundquist said she prefers the landscape barrier, as well. She said planting the wax myrtles 8-feet apart makes sense to allow them to grow 8-feet tall but that does not address Mrs. Bailey's immediate concern. Harbin stated Mrs. Johnson offered to have her employees park on the far side of the parking lot while Mrs. Bailey was selling her home.

Perry tried to explain the City would have to enforce both ordinances, not just the one against the business owner. Guenther suggested the two neighbors try to come to an agreement. He explained if Mrs. Johnson comes to file a complaint then Mrs. Bailey will also be installing a fence. Sasson stated the Farmers Insurance property was zoned commercial when the Baileys purchased their home.

Angela Johnson/Farmers Insurance explained the different options she and Mrs. Bailey had discussed over the years. She said there are existing trees that any new trees/bushes would need to fill around.

Banfield asked Johnson the cost estimate for the proposed landscaping at 3-gallon and 15-gallon. He suggested the two neighbors split the cost.

Perry suggested the Commission table the item to allow additional dialogue between the neighbors.

5. Consideration and possible action regarding a **site plan for Chipotle Mexican Grill to be located at 1705 S. Friendswood Dr.**

Motion to approve subject to staff comments: Clark

Second: Lundquist

Vote: 7 to 0 Unanimous

Motion Passed

Harbin explained the project was for a free-standing restaurant, approximately 2,315 square feet. Harbin said the project's landscape buffer and sidewalk design will mirror the neighboring projects to accommodate the open ditch and utility lines. Harbin said the Commission would need to consider the metal panels being proposed.

Clark asked if metal work was standard on Chipotle restaurants. Harbin answered she usually sees Chipotles located within strip centers and was not sure.

Clark mentioned he was unhappy with the access throughout the Virgata Development. He said the access was no fault of Chipotle but was afraid the lack of side street access points would be problematic. Harbin explained that unfortunately, Starbucks has their drive-thru stacking on top of an access easement, and ultimately it would be a civil matter between those property owners.

Matranga asked if there was anything the development could do to improve the access. Harbin said they have tried their best. Sasson said during the rezoning of the far end of the development, the neighboring residents came out to protest a driveway cut on Leisure Lane.

Sasson asked if the Commission had approved metal panels before. Harbin said, most recently the Virgata Commons buildings in the same development presented metal panel accents. Guenther asked if the red color met the Community Overlay District's "earth tone color" requirements. Summers said earth tone colors did allow for muted reds, greens, blue, etc. She said other buildings had similar color palettes such as Wendy's.

Lundquist searched Chipotle Google images and found they are all slightly different, depending on the surrounding architecture. Matranga asked Banfield if he had an opinion

regarding the durability of the metal panels. Banfield said he has not personally worked with the material.

6. Consideration and possible action regarding future Planning and Zoning Commission meeting dates

Harbin said the next regular meeting would be June 13th on the new schedule of meeting the second and fourth Thursday of the month. She said the Commission would also hold public hearings for three zone changes.

7. Communications from the Commission

- a. Commissioners – no comments.

- b. Ordinance Subcommittee Update – no comments.

- c. Planning Subcommittee Update – no comments.

- d. Council Liaison – Branson congratulated the subcommittee for working on the Downtown District ordinance changes. She said all the ordinances passed City Council unanimously.

- e. Staff – Harbin said there were no DRCs in April so a report was not sent out.

8. The regular meeting adjourned at 8:19 pm.

These minutes respectfully submitted by:

Becky Summers

Becky Summers
Development Coordinator/P&Z Secretary

Zone Change Request: Specific Use Permit to allow NAICS Use #8131, Religious Organizations

Location: 17158 Blackhawk Blvd.

[1. Application](#)

[2. Deed](#)

[3. Metes and bounds description](#)

[4. Aerial map](#)

[5. Location map](#)

[6. Zoning map](#)

[7. Rezoning Report](#)

[8. Site Plan](#)

[9. Existing building elevations](#)



City of Friendswood – Community Development

910 S. Friendswood Drive

Friendswood, TX 77546

Phone: 281-996-3201 Fax: 281-996-3260

www.ci.friendswood.tx.us

Zone Change Application

CURRENT ZONE OF PROPERTY: NC

TYPE OF ZONE CHANGE (check one):

☐ Land Use Change to Zone: _____

☐ Specific Use Permit Option 1

☐ Planned Unit Development Option 1

☒ Specific Use Permit Option 2

☐ Planned Unit Development Option 2

SUP for Use(s) #: 8131

PROPERTY IDENTIFICATION:

Address: 17158 BLACKHAWK BLVD. FRIENDSWOOD, TX 77546

Platted Land – Plat Name: _____ Lot: _____ Block: _____

Unplatted Land – Attach a certified metes and bounds description

OWNER NAME: CALVARY CHAPEL SE Houston Inc Phone: 281-648-5800

Owner's Mailing Address: 3700 E FM 528 FRIENDSWOOD, TX 77546

City: _____ State: _____ Zip: _____ Fax: 281-648-4567

Owner's Email Address: _____

AGENT'S NAME: RONALD MURRAY Phone: 713-962-8477

Agent's Mailing Address: 2708 LIGHTHOUSE DR

City: HOUSTON State: TX Zip: 77058 Fax: 281-648-4567

Agent's Email Address: RON.M@CALVARYH2O.ORG

In authorizing an agent to represent the owner, the owner attests that his/her agent may make verbal or written representations and/or declarations on the owner's behalf and the owner understands and acknowledges that the City of Friendswood shall rely upon the agent's representations in matters pertaining to the above described property. The designation of an agent in this matter in no way absolves the owner of any of the owner's responsibilities outlined by the City of Friendswood. The owner must be the legal owner of record of the property at the time of submittal of the application.

The undersigned hereby request approval by the City Council on the above identified zone change.

Owner's Signature: [Signature] Date: 4-18-19

Agent's Signature: RK Murray Date: 4/18/19

Received By: <u>B Summers</u>	Application Number: _____
Date of Public Hearing: <u>June 13</u>	Received Date: <u>4-18-19</u>
Property Owner Notices: <u>June 3</u>	Newspaper Notice: <u>May 24</u>
	Sign on Property: <u>June 3</u>

stewart title



Stewart Title Guaranty Company
National Title Services
5935 Carnegie Blvd, Suite 301
Charlotte, NC 28209
(704) 401-2039 fax
(888) 860-5554 toll free
stewart.com
NYSE: STC

VIA FEDERAL EXPRESS

October 25, 2013

Calvary Chapel Southeast Houston, Inc.
17158 Blackhawk Blvd.
Friendswood, Texas 77546

**RE: BLC Real Estate LLC sale to Calvary
Chapel Southeast Houston, Inc.
17158 Blackhawk Blvd.
Friendswood, Texas 77546
Our File Number 1000140425**

Dear Sir:

Enclosed please find the following original executed and filed document with the above-referenced transaction, to-wit:

1. Fully executed Special Warranty Deed in favor of Calvary Chapel Southeast Houston, Inc. filed October 24, 2011 under Clerk's File Number 20110446740, of the public records of Harris County, Texas.

Should you have any questions or comments, please do not hesitate to contact the undersigned directly at (704) 401-2022.

Sincerely yours,

Elsa M. Simaan

National Closing Coordinator

Enclosures

20110446740

10/24/2011 ER \$24.00

WD

Recording requested by:

N

and when recorded, please return this deed
and tax statements to:

Above reserved for official use only

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

FOR A VALUABLE CONSIDERATION, in the amount of TEN AND NO/100 DOLLARS (\$10.00) in hand and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned, **BLC REAL ESTATE LLC**, a Delaware Limited Liability Company ("Grantor"), has GRANTED, SOLD and CONVEYED and by these presents does GRANT, BARGAIN, SELL and CONVEY to **CALVARY CHAPEL SOUTHEAST HOUSTON INC.** ("Grantee"), all right, title, interest and claim to the following real property in the City of Friendswood, County of Harris, State of Texas with the following legal description:

1EE

0.7471 acres of land, more or less out of and part of Reserve G in FOREST BEND, SECTION THREE (3) an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 180 Page 73 of the Map Records of Harris County, Texas, and being more particularly described by metes and bounds on Exhibit A attached hereto.

D

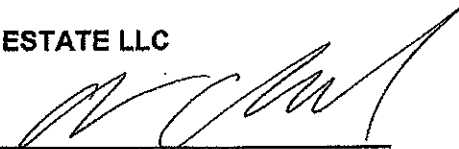
TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever IN FEE SIMPLE; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any part thereof.

Grantor further WARRANTS and agrees to FOREVER DEFEND all and singular the said property unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

EXECUTED this day of October 19, 20 11

BLC REAL ESTATE LLC

10R

By: 

Name: Roger Cleveland

Title: Senior Vice President

STEWART TITLE

1020136648

ER 027 - 44 - 2220

Recording requested by:

and when recorded, please return this deed
and tax statements to:

THIS DOCUMENT HAS BEEN
ELECTRONICALLY RECORDED

Above reserved for official use only

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

FOR A VALUABLE CONSIDERATION, in the amount of TEN AND NO/100 DOLLARS (\$10.00) in hand and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned, **BLC REAL ESTATE LLC**, a Delaware Limited Liability Company ("Grantor"), has GRANTED, SOLD and CONVEYED and by these presents does GRANT, BARGAIN, SELL and CONVEY to **CALVARY CHAPEL SOUTHEAST HOUSTON INC.** ("Grantee"), all right, title, interest and claim to the following real property in the City of Friendswood, County of Harris, State of Texas with the following legal description:

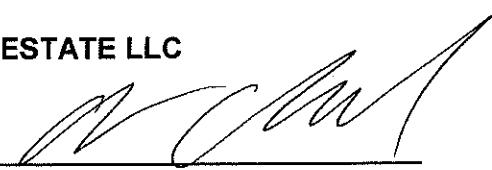
0.7471 acres of land, more or less out of and part of Reserve G in FOREST BEND, SECTION THREE (3) an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 180 Page 73 of the Map Records of Harris County, Texas, and being more particularly described by metes and bounds on Exhibit A attached hereto.

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever IN FEE SIMPLE; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any part thereof.

Grantor further WARRANTS and agrees to FOREVER DEFEND all and singular the said property unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

EXECUTED this day of October 19, 20 11

BLC REAL ESTATE LLC

By: 

Name: Roger Cleveland

Title: Senior Vice President

STEWART TITLE

1020136648

Grantee's Address:

Grantors Address:

212 South Tryon Street, Suite 1560
Charlotte, North Carolina 28281

Signed in our presence:

(Witness Signature)

(Witness Signature)

Print Name: _____

Print Name: _____

NORTH CAROLINA
State of ~~TEXAS~~)
County of Mecklenburg) ss

The foregoing instrument was acknowledged before me on 10/19/11
by Roger Cleveland

Susan M. Branch
Signature of Notary Public

Susan M. Branch
Printed Name of Notary

My commission expires:

3-3-16

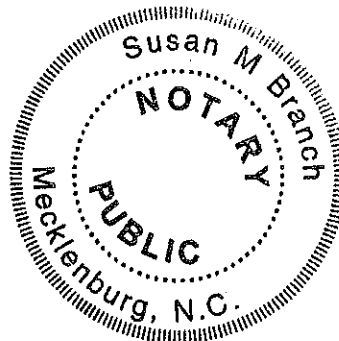


EXHIBIT A

BEING a tract of land containing 0.7471 acre (32,545 square feet), being out of Reserve "G" (Unrestricted), in Block 19 of Forest Bend, Section 3, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 180, Page 73 of the Harris County Map Records (H.C.M.R.). Said 0.7471 acre tract being that same tract of land recorded in Harris County Clerk's File Number (H.C.C.F. No.) FB17130 and being more particularly described by metes and bounds as follows:
(Bearings are based on Volume 180, Page 73 H.C.M.R.)

BEGINNING at a point on a curve to the right in the Westerly (Southwesterly) right-of-way (R.O.W.) line of Blackhawk Boulevard (100 feet R.O.W.) for the Northerly (Northeasterly) corner of said Reserve "G" and the herein described tract and the Easterly (Southeasterly) corner of Lot 40, in said Block 19 from which an iron rod found bears North 08 degrees 45 minutes East, a distance of 0.8 feet

THENCE in a Southeasterly direction, along with the Westerly (Southwesterly) R.O.W. line of said Blackhawk Boulevard and the Easterly (Northeasterly) line of said Reserve "G" and the herein described tract, along with the arc of said curve to the right having a radius of 1950.00 feet, an arc length of 210.00 feet, a central angle of 06 degrees 16 minutes 13 seconds and a chord bearing and distance of South 20 degrees 06 minutes 01 seconds East, 209.80 feet to an iron rod found marking the Southeasterly corner of the herein described tract and the Northeasterly corner of a certain ceded 0.2447 acre tract conveyed to the City of Friendwood recorded in H.C.C.F. No. L778297;

THENCE South 77 degrees 24 minutes 33 seconds West, along the common line of the herein described tract and said 0.2447 acre tract, a distance of 264.45 feet to an iron rod set in the Southeasterly line of a 30 foot wide Texas Pipe Line Company easement as defined in Volume 7211, Page 281 of the Harris County Deed Records (H.C.D.R.) for the Southwesterly corner of the herein described tract and the Westerly (Northwesterly) corner of said 0.2447 acre tract, said corner also being in the Easterly (Northeasterly) line of a certain ceded 3.478 acre tract recorded in H.C.C.F. No. U087640;

THENCE North 38 degrees 51 minutes 25 seconds West, across said pipeline easement and along the common line of the herein described tract and said 3.478 acre tract, a distance of 30.42 feet to an iron rod set in the Northwesterly line of said Reserve "G" and said pipeline easement for the Northwesterly corner of the herein described tract and the Northerly (Northeasterly) corner of said 3.478 acre tract;

THENCE North 41 degrees 35 minutes 03 seconds East, along with the Northwesterly line of said pipeline easement, Reserve "G" and the herein described tract, a distance of 308.93 feet to the POINT OF BEGINNING, containing 0.7471 acre of land, more or less.

ER 027 - 44 - 2223

20110446740
Pages 4
10/24/2011 13:01:10 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
STAN STANART
COUNTY CLERK
Fees 24.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically
and any blackouts, additions or changes were present
at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or
use of the described real property because of color or
race is invalid and unenforceable under federal law.

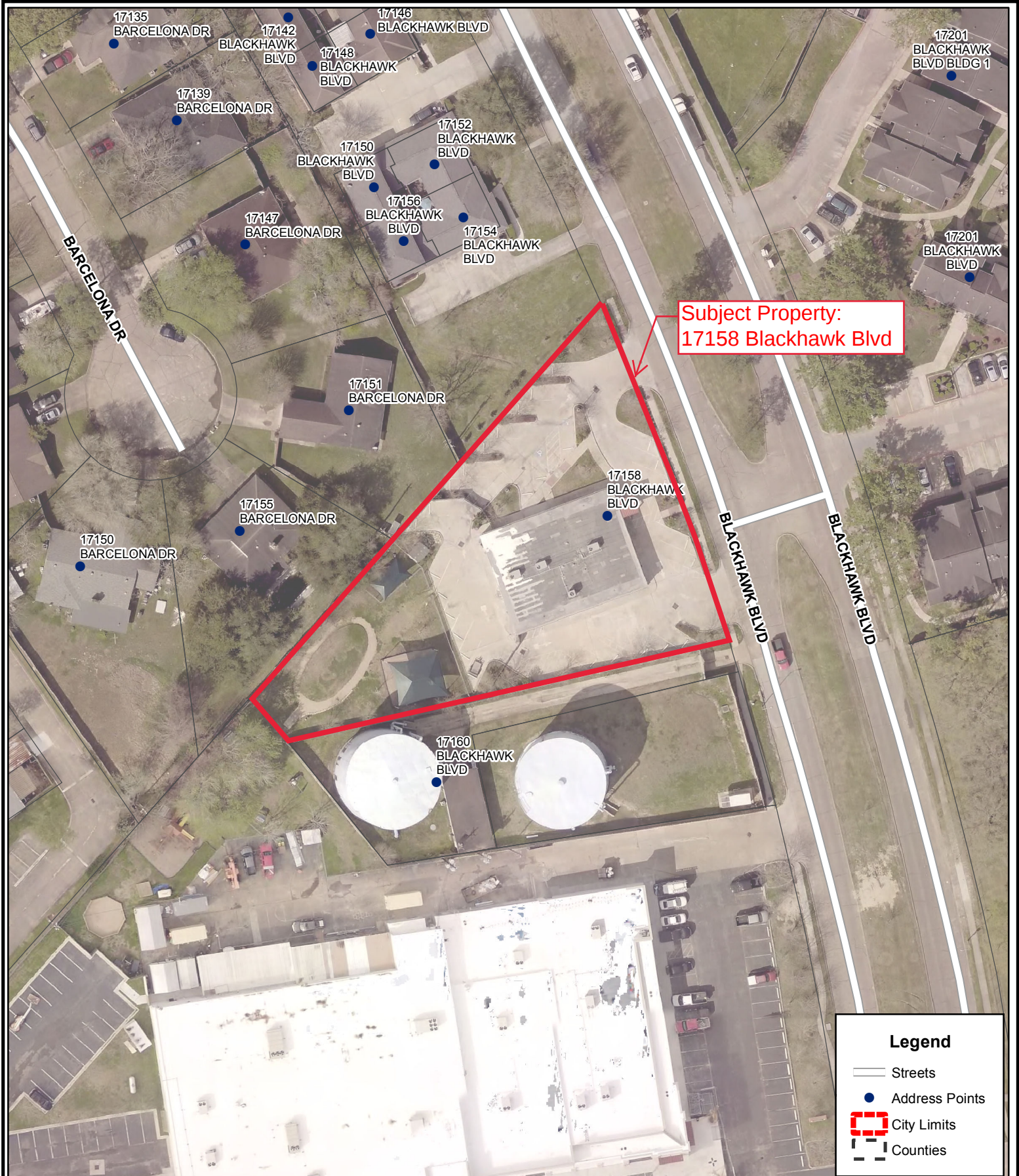
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in
File Number Sequence on the date and at the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of Real Property of Harris County, Texas.



Stan Stanart

COUNTY CLERK
HARRIS COUNTY, TEXAS

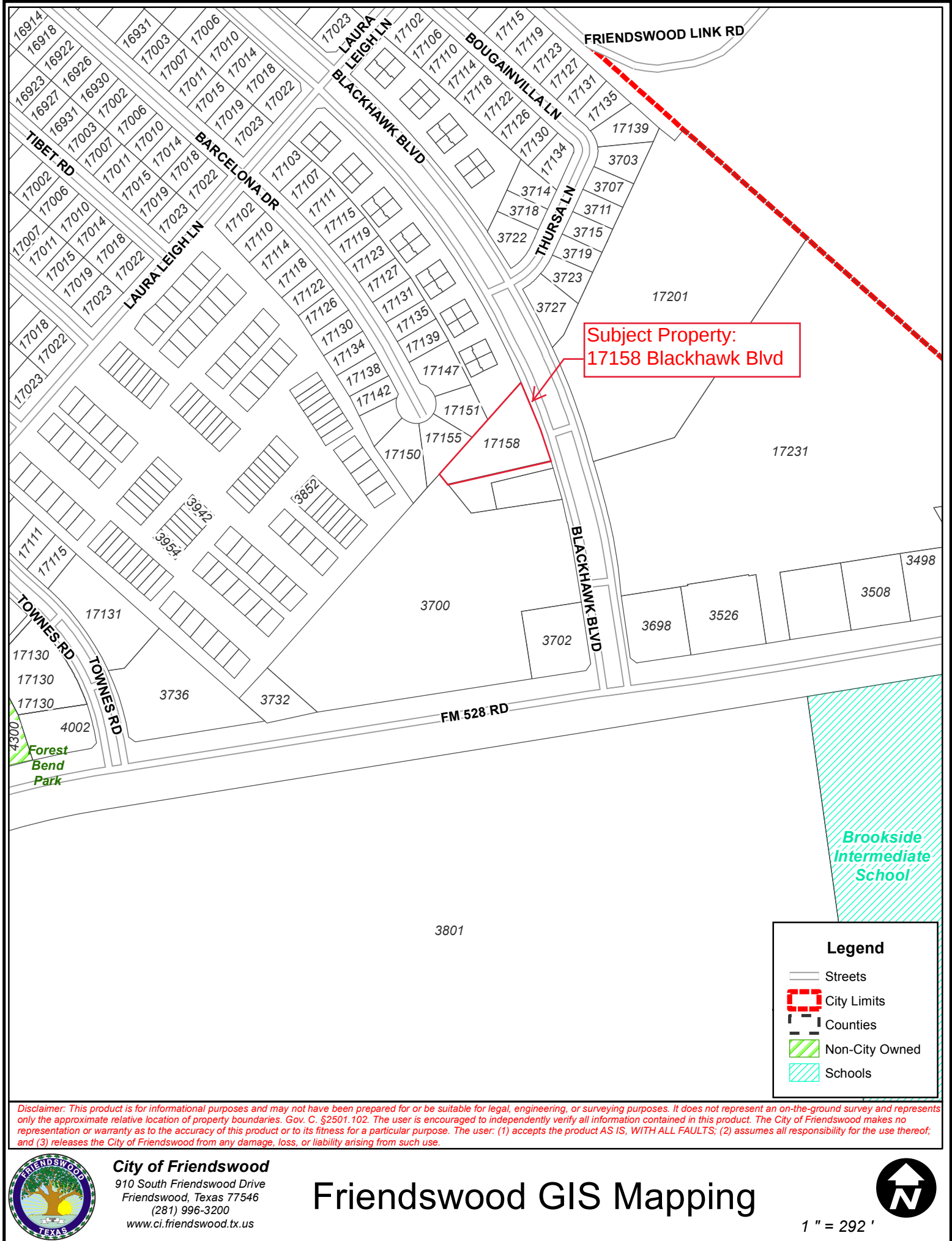


City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546
(281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 73'



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

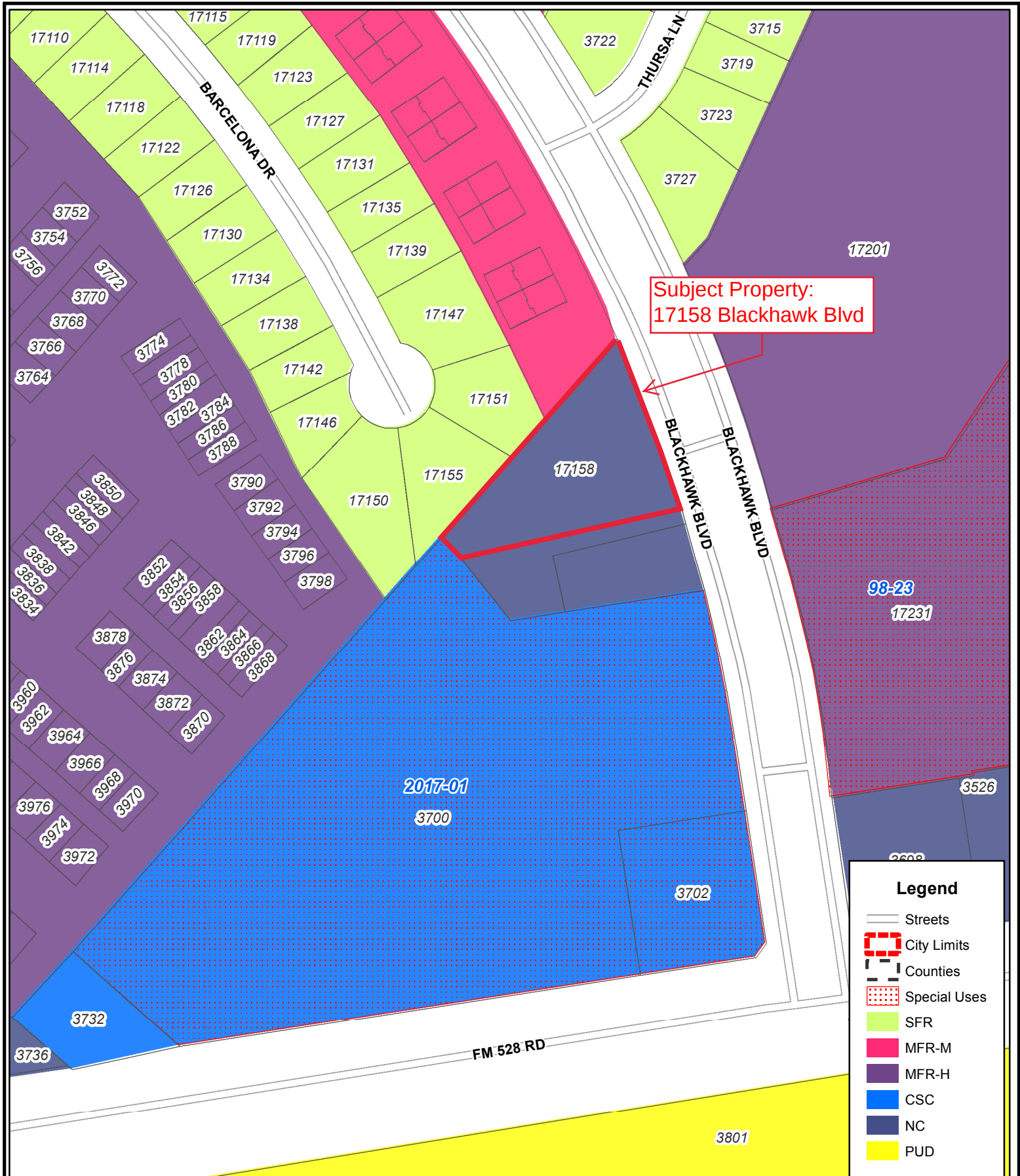


City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546
(281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 292'



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.



City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546
(281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 146'

Rezoning Report

May 2019

Location: 17158 Blackhawk Blvd

Project: Calvary Chapel Church

Request: To rezone the subject property from Neighborhood Commercial (NC) to Neighborhood Commercial/Specific Use Permit (NC/SUP) to allow NAICS #8131 Religious Organizations

Proposed Use (Permitted Uses, Location, Size, etc.)

NAICS Use #8131 Religious Organizations - This industry comprises (1) establishments primarily engaged in operating religious organizations, such as churches, religious temples, and monasteries, and/or (2) establishments primarily engaged in administering an organized religion or promoting religious activities.

City of Friendswood Zoning Ordinance

Section 9. G. Specific Use Permits

5. Conditions for approval. A specific use permit shall be issued only if all of the following conditions have been found:

- a. That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity;
- b. That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;
- c. That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
- d. The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
- e. The adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
- f. That directional lighting will be provided so as not to disturb or adversely affect neighboring properties;
- g. That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property; and
- h. That the proposed use is in accordance with the comprehensive plan.

Existing Use/Site Attributes

The existing building has been used as a day care facility since, at least, 1986. Calvary Chapel purchased the property in 2011 and continued the day care use.



Aerial Map from Friendswood GIS

Zoning History

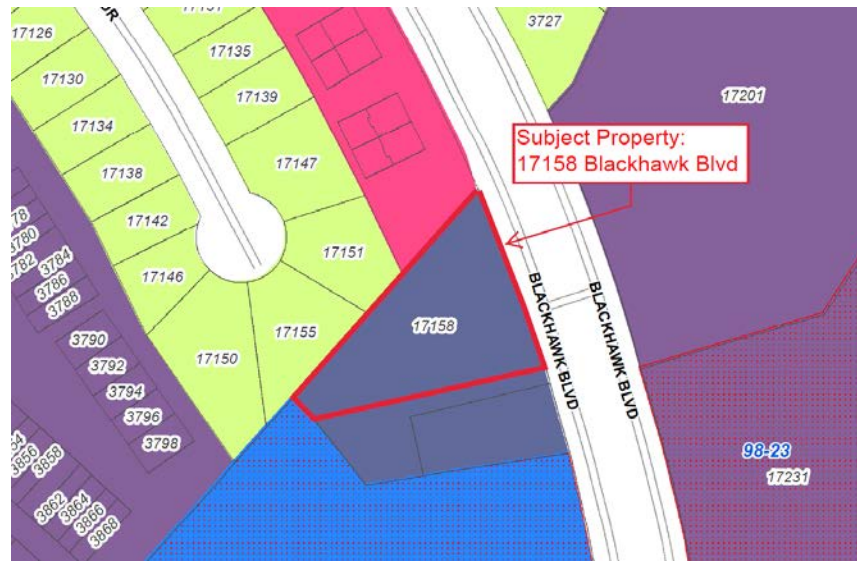
Current Zoning: Neighborhood Commercial (NC); The NC, Neighborhood Commercial District, is primarily intended for retail sales, services and office activities in a mixed grouping. This designation is intended for use along major thoroughfares and collector streets where larger tracts of land can be utilized as coordinated commercial centers. This designation is intended for use of land areas between one-quarter acre and two acres. Structure size is typically between 4,000 and 20,000 square feet. Development of a neighborhood commercial district requires approval of a development site plan by the planning and zoning commission. Office uses permitted in this district shall not exceed 60 percent of the gross building and structure floor area.

The property was originally part of the Forest Bend Subdivision. It was annexed in December 1985.

Adjacent Zoning/Land Use

The subject property abuts one tract zoned Neighborhood Commercial (NC) which is owned by the City. The tract also abuts property owned by the applicant that is zoned Community Shopping Center (CSC) with a Specific Use Permit for NAICS #8131 Religious Organizations..

The tract also abuts property zoned Multi-Family Residential-High Density (MFR-H) and Single Family Residential (SFR).



Zoning Map from City of Friendswood GIS

Platting Analysis

The property is platted as Forest Bend Section 3 Reserve G (July 26, 1971) and further subdivided into Reserve G4 by metes and bounds. The property would require replatting or a Certificate of Platting Exemption before any future construction. No physical changes to the property are proposed at this time.

Current Planning Analysis

The Zoning Ordinance/Permitted Use Table requires a Specific Use Permit for NAICS #8131 Religious Organizations. The church has discontinued using the building for day care services and would like to use it for the church's offices.

Comprehensive Planning Analysis

The Future Land Use Map identifies this tract as developing as "Retail."

Infrastructure & City Service Delivery Impacts

Storm Water Management and Floodplain Issues:

The property is not located in any high risk flood areas and will be required to comply with storm water management best practices during construction.

Utilities:

Utilities are existing.

Transportation:

No concerns at this time.

Public Safety:

No concerns at this time.

Economic Development:

No comments at this time.

School District:

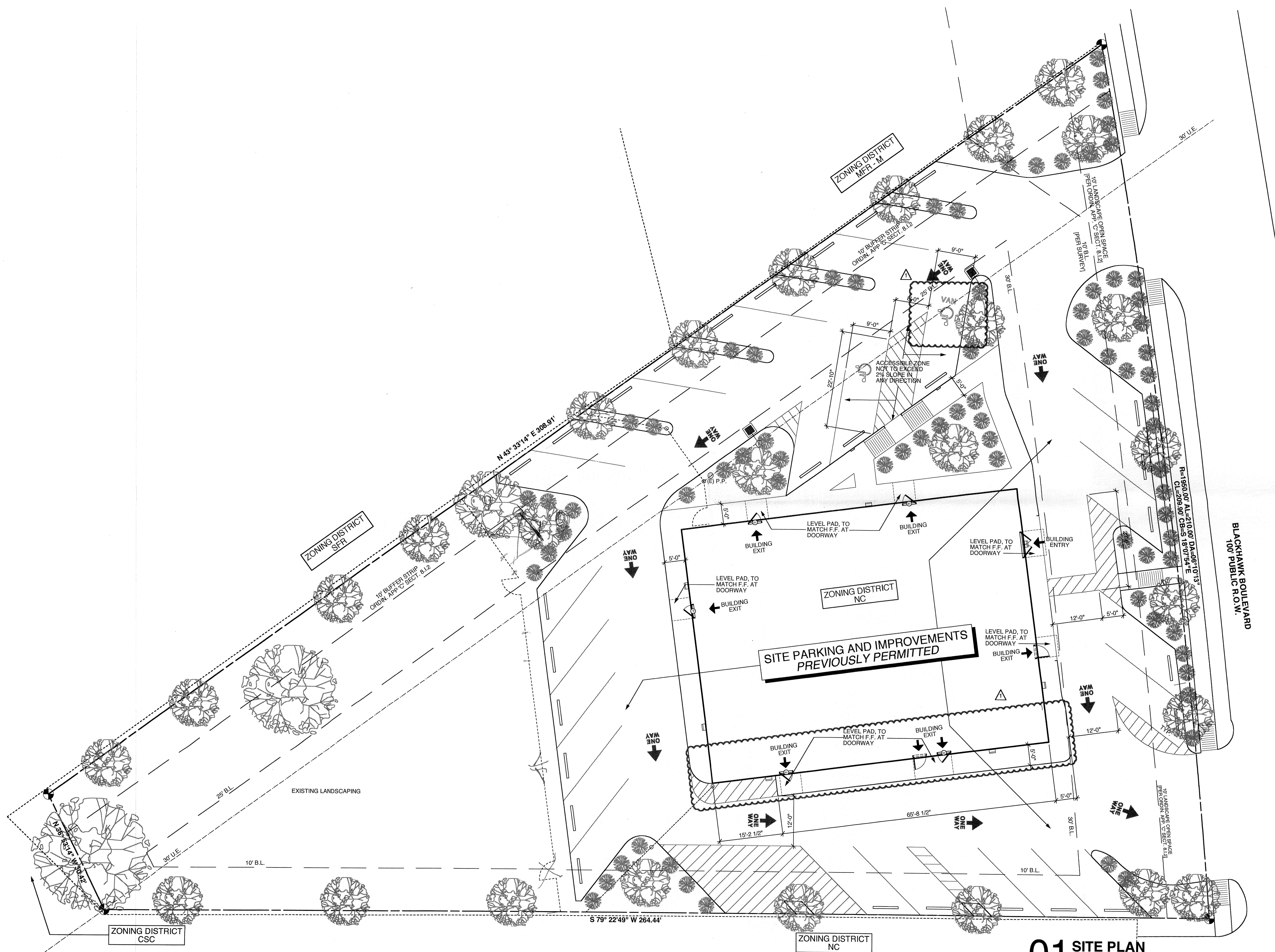
The property is a commercial development and will not affect the school district.

Alcohol Sales:

Not applicable.

Park/Open Space:

The property is a commercial development and will not affect the park system.



01 SITE PLAN
SCALE: 1" = 10'-0"

DATE ISSUED:
04/02/12
05/08/12

DESCRIPTION:
Issue for Permit & Construction
Revised per T.A.S. & City Comments

PROJECT NO.: 11015

a renovation for
CALVARY HOUSTON
@
17158 Blackhawk Blvd.
Friendswood, Texas 77546

masa STUDIO
Architects
5407 bissonnet street : houston, texas 77081
tel: 713.592.6700 fax: 713.592.6649

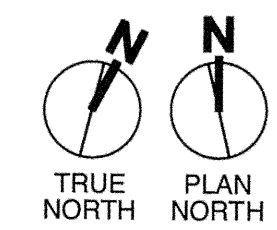


Planning
4/22/19

SHEET CONTENT:

**ARCHITECTURAL
SITE PLAN**

SCALE: As Noted



Copyright 2012
masa STUDIO, Architects, PC
Drawings and Specifications are instruments of service and shall remain the property of the Architect. They are not to be used on other projects or extensions to this project except by agreement in writing and with appropriate compensation to the Architect. Contractor is responsible for confirming and correcting dimensions of job site; the Architect will not be responsible for construction means, methods, techniques, sequence or procedures; or for safety precautions & programs in connection with the project.

CALVY A1.x Site Plan.vwx : File Name
mja : Drawn By
mja : Checked By
5/8/12 : Plot Date

A1.0

Blackhawk Blvd
Friendswood, Texas
[View on Google Maps](#)



Google

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Zone Change Request: Single Family Residential (SFR) to Downtown District (DD)

Location: 108 Whispering Pines Ave.

[1. Application](#)

[2. Deed](#)

[3. Metes and bounds description](#)

[4. Aerial map](#)

[5. Location map](#)

[6. Zoning map](#)

[7. Rezoning Report](#)



City of Friendswood – Community Development

910 S. Friendswood Drive

Friendswood, TX 77546

Phone: 281-996-3201 Fax: 281-996-3260

www.ci.friendswood.tx.us

Zone Change Application

CURRENT ZONE OF PROPERTY: SFR

TYPE OF ZONE CHANGE (check one):

- ☒ Land Use Change to Zone: ~~SFR~~ DD KA ☐ Specific Use Permit Option 1
☐ Planned Unit Development Option 1 ☐ Specific Use Permit Option 2
☐ Planned Unit Development Option 2 SUP for Use(s) #: _____

PROPERTY IDENTIFICATION:

Address: 108/110 Whispering Pines

Platted Land – Plat Name: _____ Lot: _____ Block: _____

Unplatted Land – Attach a certified metes and bounds description

AGENT
OWNER NAME: Kevin Harris and Kelly Harris Phone: 409/392-8791

Owner's Mailing Address: 110 Whispering Pines

City: Friendswood State: TX Zip: 77546 Fax: _____

Owner's Email Address: kharris4600@yahoo.com

OWNER
AGENT'S NAME: Kenton D. Harris Phone: _____
Karolena Harris

Agent's Mailing Address: _____

City: _____ State: _____ Zip: _____ Fax: _____

Agent's Email Address: _____

In authorizing an agent to represent the owner, the owner attests that his/her agent may make verbal or written representations and/or declarations on the owner's behalf and the owner understands and acknowledges that the City of Friendswood shall rely upon the agent's representations in matters pertaining to the above described property. The designation of an agent in this matter in no way absolves the owner of any of the owner's responsibilities outlined by the City of Friendswood. The owner must be the legal owner of record of the property at the time of submittal of the application.

The undersigned hereby request approval by the City Council on the above identified zone change.

Agents
Owner's Signature: Kevin Harris Date: _____

Owners
Agent's Signature: Kenton D. Harris Date: _____
Karolena Harris



Received By: <u>AHartin</u>	Application Number: <u>19-0018</u>
Date of Public Hearing: <u>6.13.19 / 7.1.19</u>	Received Date: <u>5.7.19</u>
Property Owner Notices: <u>5.30.19</u>	Newspaper Notice: <u>5.22.19</u>
	Sign on Property: <u>5.30.19</u>

**LADYBIRD SPECIAL WARRANTY DEED****Date:**march 19, 2013**Grantors:****KAROLENA JOYCE BOYLE HARRIS and
KENTON HARRIS****Grantors' Mailing Address:**110 Whispering Pines
Friendswood, Galveston County, Texas 77546-4911**Grantee Beneficiaries:****KEVIN HARRIS and KELLY HARRIS****Grantees' Mailing Address:**Kevin Harris
245 Farnworth Lane
League City, Texas 77573Kelly Harris
108 Whispering Pines Ave.
Friendswood, Texas 77546

This Deed is made on this day between the Grantors, Karolena Joyce Boyle Harris and Kenton Harris, and the Grantee Beneficiaries, Kevin Harris and Kelly Harris.

For good and valuable consideration paid by the Grantee Beneficiaries, the receipt of which is hereby acknowledged, Grantors do grant, sell and convey the following described property to the Grantee Beneficiaries effective immediately.

Property (including any improvements):

1.477 acres of land, being a part of Lot 4, Block 11, Friendswood Subdivision, according to the Plat of said Subdivision in the Sarah McKissick or J.R. Williams League, thereof recorded in Volume 238, Page 14, in the Office of the County Clerk of Galveston County, Texas, said 1.477 acres being more particularly described by metes and bounds on Exhibit A attached, more commonly known as 108 Whispering Pines, Friendswood, Texas 77546.

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

Grantors, Karolena Joyce Boyle Harris and Kenton Harris, reserve a life estate for themselves for the remainder of each of their lives and retain complete power, without the joinder of any person, to mortgage, sell and convey the Property and to spend any proceeds; to exchange it for other property; to lease the surface and subsurface of the Property; to execute and deliver oil, gas and other mineral leases for any term of years and for a term based on the continuing production of oil, gas or other minerals from the Property, ending either before or after Grantors' death; and to invest and reinvest all

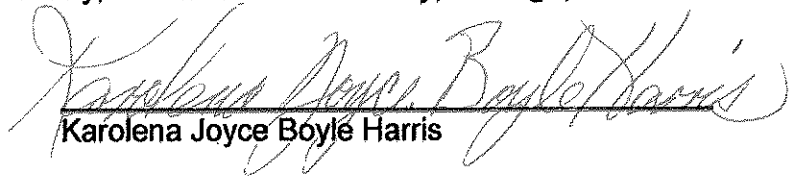
LADYBIRD SPECIAL WARRANTY DEED

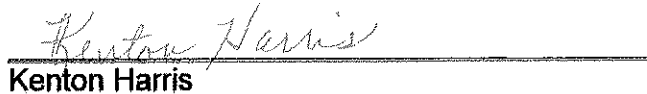
PAGE 1

proceeds from the sale or other disposition of the Property. This life estate carries with it the right to possess and consume all bonuses, delay rentals, royalties and other benefits payable on any mortgage, sale or conveyance under oil, gas and other mineral leases covering the Property at the inception of this life estate without any duty to the remainderman and without liability for waste.

For Grantors and Grantors' assigns, a reservation of the full possession, benefit and use of the Property for the remainder of the life of Grantors, including the right to consume the corpus, whether by sale, conveyance, mortgage, mineral lease or otherwise, without any duty to the remainderman and without liability for waste.

Grantors, Karolena Joyce Boyle Harris and Kenton Harris, for good and valuable consideration, and subject to the reservations from and exceptions to conveyance and warranty, grant, sell, and convey to Grantees, all of Grantors' interest in the property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantees, Grantees' heirs, executors, administrators, successors, and assigns, forever. Grantors bind Grantors and Grantors' heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantees and Grantees' heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from Conveyance and the Exceptions to Conveyance and Warranty, when the claim is by, through, or under Grantors, but not otherwise.

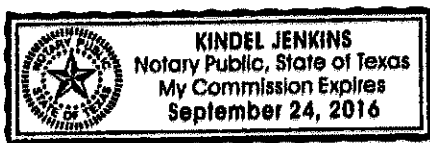

Karolena Joyce Boyle Harris


Kenton Harris

STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

On this day, personally appeared before me Karolena Joyce Boyle Harris described in the LadyBird Special Warranty Deed and who executed this instrument, and acknowledged that she signed the same as her voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed on this the 19th day of march, 2013.

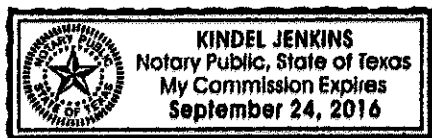


Kinzel Jenkins
Notary Public in and for the State of Texas

STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

On this day, personally appeared before me Kenton Harris described in the LadyBird Special Warranty Deed and who executed this instrument, and acknowledged that he signed the same as his voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed on this the 19th day of march, 2013.



Kinzel Jenkins
Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:

Karolena Joyce Boyle Harris and Kenton Harris
110 Whispering Pines
Friendswood, Texas 77546-4911
Galveston County, Texas

N:\Harris, Kenton\misc\Lady Bird Deed 108.docx

EXHIBIT "A"

BEGINNING at a 1 inch iron pipe found for the most South corner of a 90 foot by 120 foot tract in the Northwest line of Whispering Pines (60 feet wide), being located South 45 deg. 00 min. West 221.7 feet from the East corner of Lot 5, Block 11, and the South corner of Lot 5, Block 11;

THENCE South 45 deg. 00 min. West along and with the Northwest line of said Whispering Pines, a distance of 160.02 feet to a ¾ inch iron pipe set for corner;

THENCE North 44 deg. 57 min. 33 sec. West a distance of 302.08 feet to a ½ inch iron rod found for corner in the Southeast line of a 165 foot by 498 foot tract of land;

THENCE North 45 deg. 29 min. 54 sec. East along and with said 165 foot by 498 foot tract of land, a distance of 249.27 feet to a ¾ inch iron pipe found for corner, being the East corner of said 165 foot by 498 foot tract of land;

THENCE South 44 deg. 52 min. 26 sec. East a distance of 180.14 feet to a 1 inch iron pipe found for the North corner of a 90 foot by 120 foot tract of land;

THENCE South 45 deg. 00 min. West a distance of 89.94 feet (called 90.0 feet) to a ¾ inch iron pipe found for corner, being the West corner of said 90 foot by 120 foot tract of land;

THENCE South 45 deg. 00 min. East a distance of 119.77 feet (called 120.0 feet) to the PLACE OF BEGINNING and containing 1.477 acres of land, being a part of the same land as described in Volume 639, Page 135-137 in the Office of the County Clerk of Galveston County, Texas.

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Dwight D. Sullivan
2013067002

October 24, 2013 10:50:30 AM

FEE: \$33.00

Dwight D. Sullivan, County Clerk
Galveston County, TEXAS

May 4, 2018

Karolena Boyle Harris
Kenton D. Harris
Kevin Harris
Kelly Harris

Re: Ladybird Special Warranty Deed between Karolena Boyle Harris and Kenton D. Harris (Grantors) and Kevin Harris and Kelly Harris (Grantees) dated March 19, 2013 and filed of record on October 24, 2013 under Galveston County Clerk File Number 2013067001 (Original Instrument)

Dear Messrs. and Mrs. Harris:

It was brought to my attention that the legal description attached to the original instrument was incorrect. I have filed the attached Correction Instrument Affidavit to correct the error.

Sincerely,



Karolena Harris

CORRECTION INSTRUMENT AFFIDAVIT

THE STATE OF TEXAS

}

}

COUNTY OF GALVESTON

}

BEFORE ME, the undersigned authority, on this day personally appeared Karolena Boyle Harris, who after being by me duly sworn, upon such oath depose and said that the following facts are true and correct and based on personal knowledge:

"My name is Karolena Boyle Harris. I am over the age of 18, and legally competent in all respects to make this Affidavit. I have personal knowledge of all the facts contained in this Affidavit, all of which are true and correct.

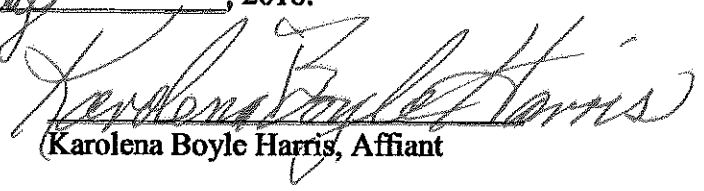
"I am a Grantor on the original Ladybird Special Warranty Deed executed on March 19, 2013 between Karolena Boyle Harris and Kenton D. Harris, Grantors, and Kevin Harris and Kelly Harris, Grantees, and filed of record on October 24, 2013 under Galveston County Clerk File Number 2013067001(the original instrument).

"By inadvertent error or mistake, the legal description was incorrectly stated within the original instrument at the time of its recording.

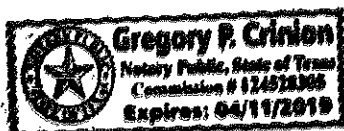
"As a result of the foregoing, I am making this Affidavit as a Correction Instrument pursuant to Section 5.028 of the Texas Property Code to correct the above described error or mistake, this being a non-material change to the original instrument. Attached hereto and made a part hereof is the corrected legal description as it should have been stated in the original instrument, which is incorporated herein by reference.

I have given notice of this correction of the original instrument by sending a copy of this Correction Instrument Affidavit by hand delivery to each party to the original instrument, in accordance with Section 5.028 (d) (2) of the Texas Property Code. The evidence of said notice is attached to this affidavit as required by Section 5.028 (d) (1) of the Texas Property Code.

SIGNED the 4 day of May, 2018.


(Karolena Boyle Harris, Affiant)

SUBSCRIBED and SWORN TO before me on this the 4th day of May, 2018 by Karolena Boyle Harris.




Notary Public, State of Texas

**DESCRIPTION OF A TRACT OF LAND CONTAINING
1.8367 ACRES (80,008 SQUARE FEET) SITUATED
IN THE SARAH MCKISSICK LEAGUE, ABSTRACT 51
GALVESTON COUNTY, TEXAS**

Being a tract of land containing 1.8367 acres (80,008 square feet), situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, a subdivision recorded in Volume 238, Page 14 in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed unto Henton Harris and Karolena Harris by deed recorded under County Clerk's File No. 2013067001 of the official Public Records of Galveston County, Texas. Said 1.8367-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 3/4-inch iron pipe in the northwest line of Whispering Pines (60.00 feet wide) for the east corner of a tract of land conveyed unto New Life Assembly of God recorded in Volume 3329, Page 256 of the Deed Records of Galveston County, Texas;

THENCE North 45°00'00" East, a distance of 249.93 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the south corner of the said tract herein described;

THENCE North 45°00'00" West, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for an angle point in the southwest line of the said tract herein described;

THENCE North 44°52'26" West, a distance of 180.14 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" an angle point in the southwest line of the said tract herein described (from which a found 1/2-inch iron rod bears South 35°24' West, a distance of 1.3 feet);

THENCE North 45°00'00" West, a distance of 314.30 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the west corner of the said herein described;

THENCE North 45°00'00" East, a distance of 130.69 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the north corner of the said tract herein described;

THENCE South 44°53'42" East, a distance of 614.21 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwest line of said Whispering Pines for east corner of the said tract herein described;

THENCE South 45°00'00" West, along the northwest line of said Whispering Pine, a distance of 129.96 to the POINT OF BEGINNING and containing 1.8367 acres (80,008 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 04-26-18, job number 04-62734-18.

**DESCRIPTION OF A TRACT OF LAND CONTAINING
0.2473 ACRES (10,772 SQUARE FEET) SITUATED
IN THE SARAH MCKISSICK LEAGUE, ABSTRACT 51
GALVESTON COUNTY, TEXAS**

Being a tract of land containing 0.2473 acres (10,772 square feet), situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, a subdivision recorded in Volume 238, Page 14 in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed unto Henton Harris and Karolena Harris recorded in Volume 2097, Page 195 of the Deed Records of Galveston County, Texas. Said 0.2473-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 3/4-inch iron pipe in the northwest line of Whispering Pines (60.00 feet wide) for the east corner of a tract of land conveyed unto New Life Assembly of God recorded in Volume 3329, Page 256 of the Deed Records of Galveston County, Texas;

THENCE North 45°00'00" East, a distance of 160.02 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the south corner of the said tract herein described;

THENCE North 45°00'00" West, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the west corner of the said tract herein described;

THENCE North 45°00'00" East, a distance of 89.91 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the north corner of the said tract herein described;

THENCE South 45°00'00" East, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwest line of said Whispering Pines for east corner of the said tract herein described;

THENCE South 45°00'00" West, along the northwest line of said Whispering Pine, a distance of 89.91 to the POINT OF BEGINNING and containing 0.2473 acres (10,772 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 04-26-18, job number 04-62734-18.

**DESCRIPTION OF A TRACT OF LAND CONTAINING
0.0946 ACRES (4,119 SQUARE FEET) SITUATED
IN THE SARAH MCKISSICK LEAGUE, ABSTRACT 51
GALVESTON COUNTY, TEXAS - EASEMENT ESTATE ONLY**

Being a tract of land containing 0.0946 acres (4,119 square feet), situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 5, Block 11, Friendswood Subdivision, a subdivision recorded in Volume 238, Page 14 in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed unto Wilbert Boyle and Marie Boyle by deed recorded under County Clerk's File No. 4108241 of the Official Public Records of Galveston County, Texas. Said 0.0946-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 3/4-inch iron pipe in the northwest line of Whispering Pines (60.00 feet wide) for the east corner of a tract of land conveyed unto New Life Assembly of God recorded in Volume 3329, Page 256 of the Deed Records of Galveston County, Texas;

THENCE North 45°00'00" East, a distance of 379.92 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the south corner of the said tract herein described;

THENCE North 44°53'42" West, a distance of 250.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the west corner of the said tract herein described;

THENCE North 45°00'00" East, a distance of 11.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the north corner of the said tract herein described;

THENCE South 48°14'15" East, a distance of 125.20 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for an angle point in the northeast line of said tract herein described;

THENCE South 44°53'42" East, a distance of 125.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwest line of said Whispering Pines for east corner of the said tract herein described;

THENCE South 45°00'00" West, along the northwest line of said Whispering Pine, a distance of 18.30 feet to the POINT OF BEGINNING and containing 0.0946 acres (4,119 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 04-26-18, job number 04-62734-18.

FILED AND RECORDED

Instrument Number: 2018028586

Recording Fee: 42.00

Number Of Pages:6

Filing and Recording Date: 05/14/2018 1:53PM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in cursive script, reading "Dwight D. Sullivan".

Dwight D. Sullivan, County Clerk
Galveston County, Texas

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*

**DESCRIPTION OF A TRACT OF LAND CONTAINING
1.477 ACRES (64,336 SQUARE FEET) SITUATED
IN THE SARAH MCKISSICK LEAGUE, ABSTRACT 51
GALVESTON COUNTY, TEXAS**

Being a tract of land containing 1.477 acres (64,336 square feet), situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, a subdivision recorded in Volume 238, Page 14 in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed unto Kenton D. Harris and Karolena Boyle by deed recorded under County Clerk's File No. 2013067002 of the Official Public Records of Galveston County, Texas. Said 1.477-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 3/4-inch iron pipe in the northwest line of Whispering Pines (60.00 feet wide) for the east corner of a tract of land conveyed unto New Life Assembly of God recorded in Volume 3329, Page 256 of the Deed Records of Galveston, County, Texas and the south corner of the said tract herein described;

THENCE North 44°47'33" West, a distance of 302.08 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the west corner of the said tract herein described;

THENCE North 45°29'54" East, a distance of 249.27 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the north corner of the said tract herein described (from which a found 1/2-inch iron rod bears South 35°24' West, a distance of 1.3 feet);

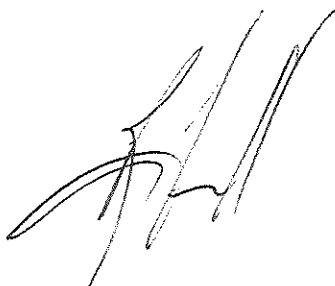
THENCE South 44°52'26" East, a distance of 180.14 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the northerly east corner of the said tract herein described;

THENCE South 45°00'00" West, a distance of 89.94 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for an interior corner of the said tract herein described;

THENCE South 45°00'00" East, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwest line of said Whispering Pines for the southerly east corner of the said tract herein described;

THENCE South 45°00'00" West, along the northwest line of said Whispering Pines, a distance of 160.02 feet to the POINT OF BEGINNING and containing 1.477 acres (64,336 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 04-26-18, job number 04-62734-18.



**DESCRIPTION OF A TRACT OF LAND CONTAINING
0.2473 ACRES (10,772 SQUARE FEET) SITUATED
IN THE SARAH MCKISSICK LEAGUE, ABSTRACT 51
GALVESTON COUNTY, TEXAS**

Being a tract of land containing 0.2473 acres (10,772 square feet), situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, a subdivision recorded in Volume 238, Page 14 in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed unto Henton Harris and Karolena Harris recorded in Volume 2097, Page 195 of the Deed Records of Galveston County, Texas. Said 0.2473-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 3/4-inch iron pipe in the northwest line of Whispering Pines (60.00 feet wide) for the east corner of a tract of land conveyed unto New Life Assembly of God recorded in Volume 3329, Page 256 of the Deed Records of Galveston County, Texas;

THENCE North 45°00'00" East, a distance of 160.02 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the south corner of the said tract herein described;

THENCE North 45°00'00" West, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the west corner of the said tract herein described;

THENCE North 45°00'00" East, a distance of 89.91 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the north corner of the said tract herein described;

THENCE South 45°00'00" East, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwest line of said Whispering Pines for east corner of the said tract herein described;

THENCE South 45°00'00" West, along the northwest line of said Whispering Pine, a distance of 89.91 to the POINT OF BEGINNING and containing 0.2473 acres (10,772 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 04-26-18, job number 04-62734-18.



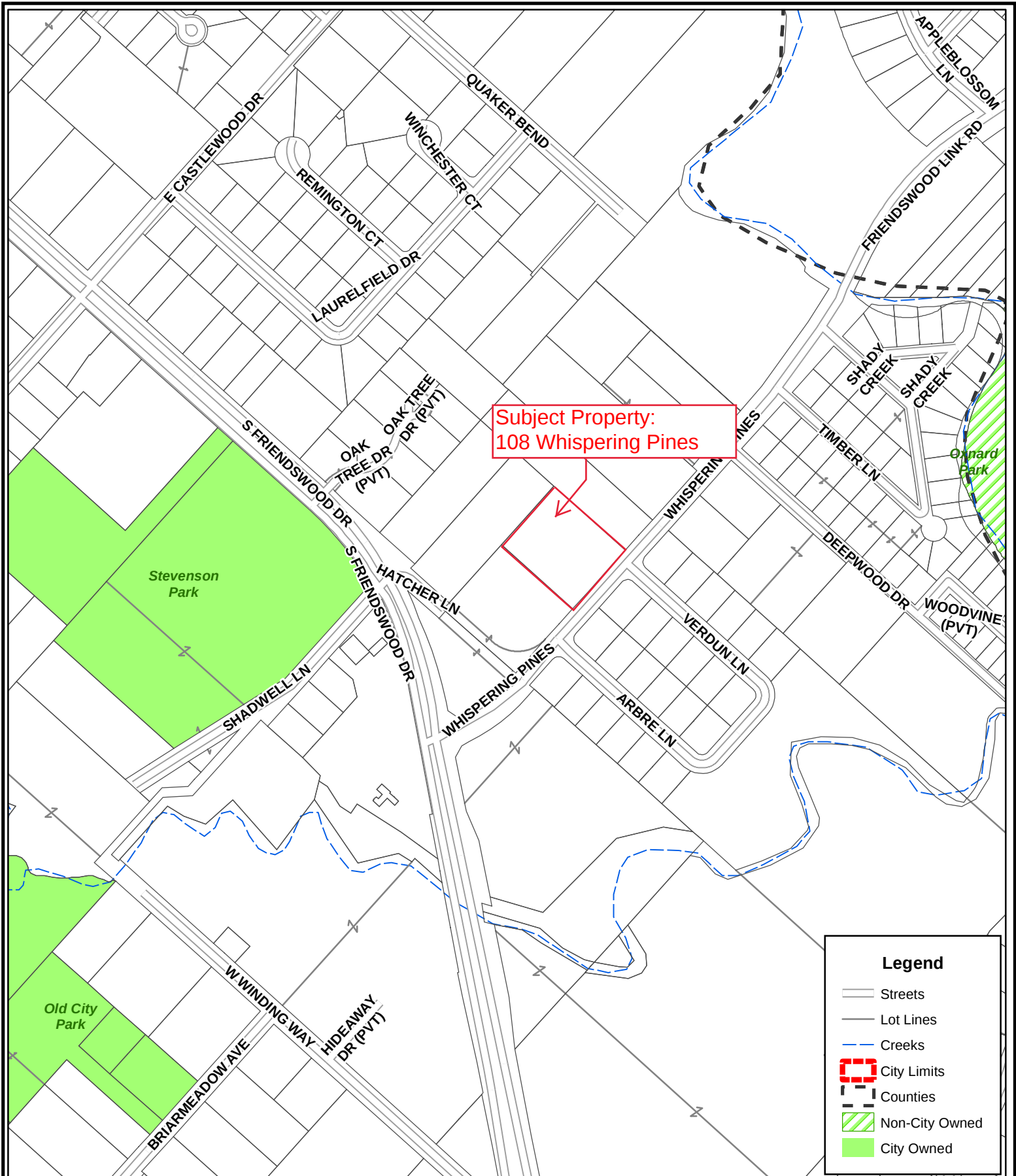


City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546
(281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 200'



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Friendswood makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Friendswood from any damage, loss, or liability arising from such use.

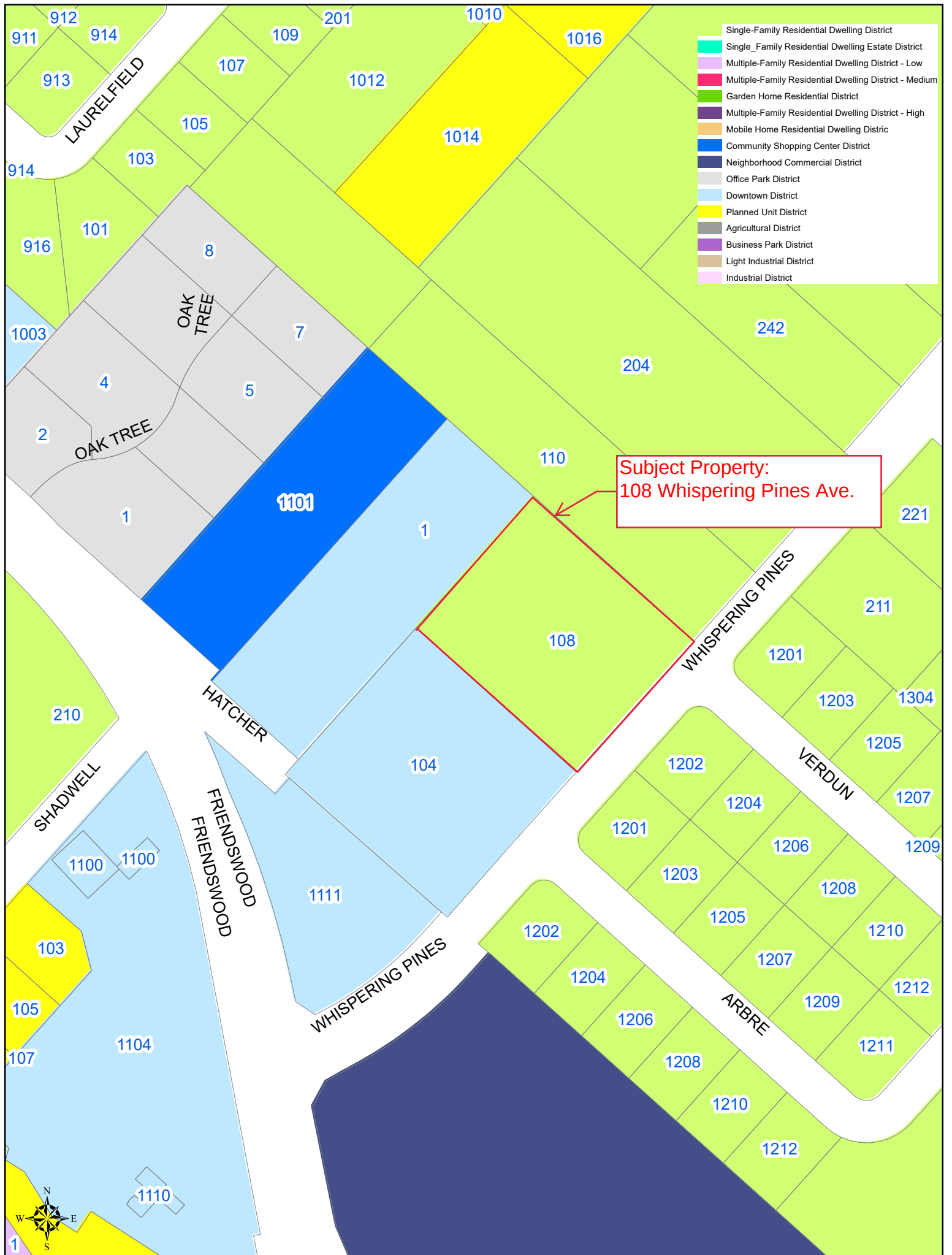


City of Friendswood
 910 South Friendswood Drive
 Friendswood, Texas 77546
 (281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 400'



Rezoning Report

June 2019

Project: Zone Change

Address: 108 Whispering Pines Ave

Legal: Being 1.7243 acres (.2473 acres and 1.477 acres) tract of land, situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision.

Request: Zone classification change from Single Family Residential (SFR) to Downtown District (DD).

Applicable Zoning Ordinance Excerpts

Appendix C
Zoning Ordinance

Section 7. Schedule of District Regulations

- I. *Downtown District (DD), general purpose and description.* This district is designed to accommodate and promote Friendswood's original business and downtown areas. It is intended to achieve a balance of retail, commercial, office, and residential and public activities. Development within the DD should be pedestrian friendly with an emphasis on shared parking and shared access between developments. Development within the DD requires the approval of a development site plan by the planning and zoning commission.
 1. Area and height regulations. Structures within the DD are intended to be between one to four stories. The maximum height allowed is 70 feet as measured in accordance with the method prescribed in Section 20, Definitions, Subsection OO, Height. Additional regulations are set forth under Section 7-Q.2. Regulation Matrix.
 - a. No residential use shall be allowed on the first floor.
 2. See Section 8 for Supplementary District regulations.
 3. Permitted uses. Uses permitted in the DD, Downtown District, are set forth in section 7-P, Permitted Use Table.
 4. Buildings in the DD zoning district shall have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are prohibited, except as trim for eaves and overhangs. The Planning and Zoning Commission may approve alternative exterior facade materials.

Existing Use/Site Attributes:

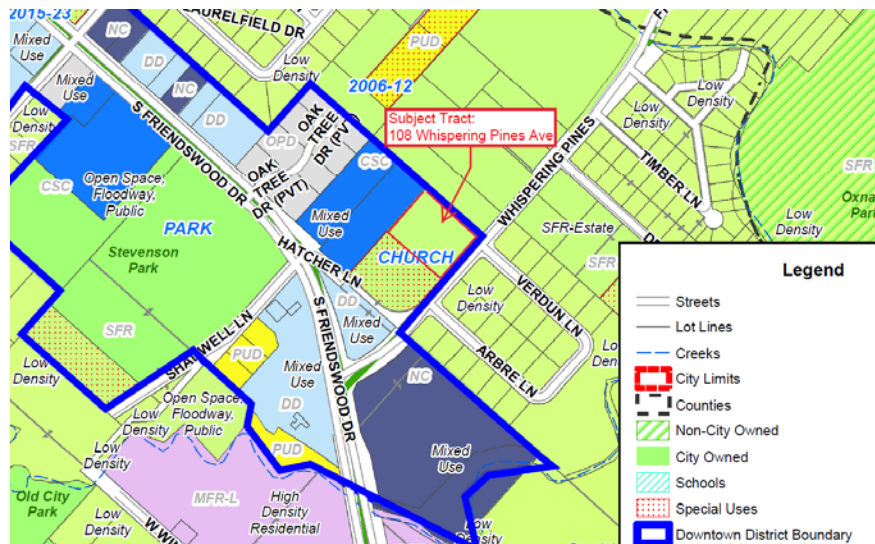
The subject property is 1.7243 acres and includes a residential home built in 1965.



City of Friendswood GIS Aerial Map

Zoning History:

The current zoning of the property is Single Family Residential (SFR) and lies within the boundary of the Downtown District (DD).



City of Friendswood GIS Downtown Boundary Map

Adjacent Zoning/Land Use:

The tracts to the south and west of the subject property are zoned Downtown District (DD). The property north of the subject tract is currently zoned Single Family Residential (SFR), but the owner is also requesting that property be changed to Downtown District (DD).



Platting Analysis:

The property was issued a Certificate of Platting Exemption in 2012.

Planning Analysis:

The property is located within the Downtown District boundary. The existing building is a non-conforming structure and may remain as is. Any additions or major improvements to the site must meet current Downtown District requirements.

Comprehensive Planning Analysis:

The Future Land Use Map identifies this property developing as Mixed Use.

Infrastructure/Service Delivery Impacts

Storm Water Management and Floodplain Issues:

The property is eligible to purchase regional detention through the Galveston County Consolidated Drainage District for any additional impervious cover.

Utilities:

City water and sewer services are existing at the site.

Access:

The project has direct access to South Friendswood Drive which in turn connects to FM 2351 and out to Interstate 45. Whispering Pines Ave also turns into Friendswood Link Rd/El Dorado, which connects to I-45.

Park/Open Space:

Downtown District (DD) allows residential units on the second floor and up. Park fees would be required for each unit, if constructed.

Zone Change Request: Single Family Residential (SFR) to Downtown District (DD)

Location: 110 Whispering Pines Ave.

[1. Application](#)

[2. Deed](#)

[3. Metes and bounds description](#)

[4. Aerial map](#)

[5. Location map](#)

[6. Zoning map](#)

[7. Rezoning Report](#)



City of Friendswood – Community Development

910 S. Friendswood Drive

Friendswood, TX 77546

Phone: 281-996-3201 Fax: 281-996-3260

www.ci.friendswood.tx.us

Zone Change Application

CURRENT ZONE OF PROPERTY: SFR

TYPE OF ZONE CHANGE (check one):

- ☒ Land Use Change to Zone: ~~SFR~~ DD KM ☐ Specific Use Permit Option 1
- ☐ Planned Unit Development Option 1 ☐ Specific Use Permit Option 2
- ☐ Planned Unit Development Option 2 SUP for Use(s) #: _____

PROPERTY IDENTIFICATION:

Address: 108/110 Whispering Pines

Platted Land – Plat Name: _____ Lot: _____ Block: _____

Unplatted Land – Attach a certified metes and bounds description

AGENTS

OWNER NAME: Kevin Harris and Kelly Harris Phone: 409/392-8791

Owner's Mailing Address: 110 Whispering Pines

City: Friendswood State: TX Zip: 77546 Fax: _____

Owner's Email Address: kharris4600@yahoo.com

OWNERS
AGENT'S NAME: Kevin D. Harris Phone: _____

Agent's Mailing Address: _____

City: _____ State: _____ Zip: _____ Fax: _____

Agent's Email Address: _____

In authorizing an agent to represent the owner, the owner attests that his/her agent may make verbal or written representations and/or declarations on the owner's behalf and the owner understands and acknowledges that the City of Friendswood shall rely upon the agent's representations in matters pertaining to the above described property. The designation of an agent in this matter in no way absolves the owner of any of the owner's responsibilities outlined by the City of Friendswood. The owner must be the legal owner of record of the property at the time of submittal of the application.

The undersigned hereby request approval by the City Council on the above identified zone change.

Agents
Owner's Signature: Kevin Harris Date: _____

OWNERS
Agent's Signature: Kevin D. Harris Date: _____



Received By: <u>A. Harbin</u>	Application Number: <u>19-0019</u>
Date of Public Hearing: <u>6-13-19 / 7-1-19</u>	Received Date: <u>5-7-19</u>
Property Owner Notices: <u>5-30-19</u>	Newspaper Notice: <u>5-22-19</u>
	Sign on Property: <u>5-30-19</u>

**LADYBIRD SPECIAL WARRANTY DEED**

Date: March 19, 2013

Grantors: **KAROLENA BOYLE HARRIS and
KENTON D. HARRIS**

Grantors' Mailing Address: 110 Whispering Pines
Friendswood, Galveston County, Texas 77546-4911

Grantee Beneficiaries: **KEVIN HARRIS and KELLY HARRIS**

Grantees' Mailing Address: Kevin Harris
245 Farnworth Lane
League City, Texas 77573

Kelly Harris
108 Whispering Pines Ave.
Friendswood, Texas 77546

This Deed is made on this day between the Grantors, Karolena Boyle Harris and Kenton D. Harris, and the Grantee Beneficiaries, Kevin Harris and Kelly Harris.

For good and valuable consideration paid by the Grantee Beneficiaries, the receipt of which is hereby acknowledged, Grantors do grant, sell and convey the following described property to the Grantee Beneficiaries effective immediately.

Property (including any improvements):

1.8367 acres of land, being a part of Lot 4, Block 11, Friendswood Subdivision in the Sarah McKissick or J.R. Williams League, thereof recorded in Volume 238, page 14, in the Office of the County Clerk of Galveston County, Texas said 1.8367 acres being more particularly described by metes and bounds on Exhibit A attached, more commonly known as 110 Whispering Pines, Friendswood, Texas 77546.

There is excepted from the warranty all rights-of-way, protective covenants, deed restrictions, easements and mineral reservations of record.

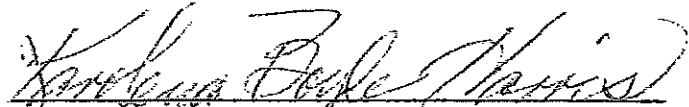
Grantors, Karolena Boyle Harris and Kenton D. Harris, reserve a life estate for themselves for the remainder of each of their lives and retain complete power, without the joinder of any person, to mortgage, sell and convey the Property and to spend any proceeds; to exchange it for other property; to lease the surface and subsurface of the Property; to execute and deliver oil, gas and other mineral leases for any term of years and for a term based on the continuing production of oil, gas or other minerals from the Property, ending either before or after Grantors' death; and to invest and reinvest all proceeds from the sale or other disposition of the Property. This life estate carries with it

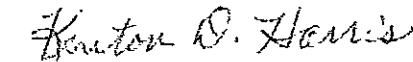
LADYBIRD SPECIAL WARRANTY DEED

the right to possess and consume all bonuses, delay rentals, royalties and other benefits payable on any mortgage, sale or conveyance under oil, gas and other mineral leases covering the Property at the inception of this life estate without any duty to the remainderman and without liability for waste.

For Grantors and Grantors' assigns, a reservation of the full possession, benefit and use of the Property for the remainder of the life of Grantors, including the right to consume the corpus, whether by sale, conveyance, mortgage, mineral lease or otherwise, without any duty to the remainderman and without liability for waste.

Grantors, Karolena Boyle Harris and Kenton D. Harris, for good and valuable consideration, and subject to the reservations from and exceptions to conveyance and warranty, grant, sell, and convey to Grantees, all of Grantors' interest in the property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantees, Grantees' heirs, executors, administrators, successors, and assigns, forever. Grantors bind Grantors and Grantors' heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantees and Grantees' heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from Conveyance and the Exceptions to Conveyance and Warranty, when the claim is by, through, or under Grantors, but not otherwise.

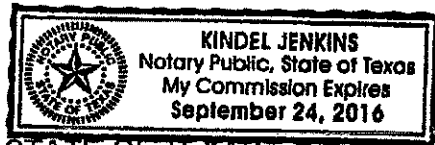

Karolena Boyle Harris


Kenton D. Harris

STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

On this day, personally appeared before me Karolena Boyle Harris described in the LadyBird Special Warranty Deed and who executed this instrument, and acknowledged that she signed the same as her voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed on this the 19th day of march, 2013.

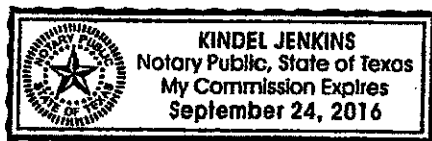


Kinzel Jenkins
Notary Public in and for the State of Texas

STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

On this day, personally appeared before me Kenton D. Harris described in the LadyBird Special Warranty Deed and who executed this instrument, and acknowledged that he signed the same as his voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed on this the 19th day of march, 2013.



Kinzel Jenkins
Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:

Karolena Boyle Harris and Kenton D. Harris
110 Whispering Pines
Friendswood, Texas 77546-4911
Galveston County, Texas

N:\Harris, Kenton\misc\Lady Bird Deed 110.docx

EXHIBIT "A"

BEGINNING at a $\frac{3}{4}$ inch iron pipe set for the most East corner of the herein described tract in the Northwest line of Whispering Pines (60 feet wide), being located South 45 deg. 00 min. West – 1.80 feet from the East corner of Lot 4, Block 11, and the South corner of Lot 5, Block 11;

THENCE South 45 deg. 00 min. West along and with the Northwest line of Whispering Pines, a distance of 129.96 feet to a point for corner, being the East corner of a 90 foot by 120 foot tract of land;

THENCE North 45 deg. 00 min. West a distance of 119.77 feet (called 120 feet) to a 1 inch iron pipe found for corner, being the North corner of said 90 foot by 120 foot tract of land;

THENCE North 44 deg. 52 min. 26 sec. West a distance 180.14 feet to a $\frac{3}{4}$ inch iron pipe found for corner, being the East corner of a 165 foot by 498 foot tract of land;

THENCE North 45 deg. 00 min. West along and with the Northeast line of said 165 foot by 498 foot tract of land, at 165.0 feet pass the East corner of said 165 foot by 498 foot tract of land, and the East corner of a 1.65 acre tract, and continue for a total distance of 314.30 feet to a $\frac{3}{4}$ inch iron pipe set for corner, being in the Southeast line of a 345.7 foot by 137 foot tract of land as described in Volume 1053, Page 499, in the Office of the County Clerk, Galveston County, Texas;

THENCE North 45 deg. 00 min. East along and with the Southeast line of said 345.7 foot by 137 foot tract of land, a distance of 130.69 feet to a $\frac{3}{4}$ inch iron pipe set for corner in the Southwest line of a 3.10 acre tract of land, being located South 44 deg. 53 min. 42 sec. East – 345.49 feet from a $\frac{3}{8}$ inch iron rod found for the common corner of Lots 2, 3, 4, and 5, Block 11;

THENCE South 44 deg. 53 min. 42 sec. East along and with the Southwest line of said 3.10 acre tract of land, a distance of 614.21 feet to the PLACE OF BEGINNING and containing 1.8367 acres of land, being a part of the same land as described in Volume 639, Page 135-137, in the Office of the County Clerk of Galveston County, Texas.

FILED AND RECORDED



OFFICIAL PUBLIC RECORDS

Dwight D. Sullivan
2013067001

October 24, 2013 10:50:30 AM

FEE: \$33.00

Dwight D. Sullivan, County Clerk
Galveston County, TEXAS

May 4, 2018

Karolena Boyle Harris
Kenton D. Harris
Kevin Harris
Kelly Harris

Re: Ladybird Special Warranty Deed between Karolena Boyle Harris and Kenton D. Harris (Grantors) and Kevin Harris and Kelly Harris (Grantees) dated March 19, 2013 and filed of record on October 24, 2013 under Galveston County Clerk File Number 2013067001 (Original Instrument)

Dear Messrs. and Mrs. Harris:

It was brought to my attention that the legal description attached to the original instrument was incorrect. I have filed the attached Correction Instrument Affidavit to correct the error.

Sincerely,

A handwritten signature in cursive script that reads "Karolena Harris". The signature is written in dark ink and is positioned above the printed name.

Karolena Boyle Harris

CORRECTION INSTRUMENT AFFIDAVIT

THE STATE OF TEXAS }
 }
COUNTY OF GALVESTON }

BEFORE ME, the undersigned authority, on this day personally appeared Karolena Boyle Harris, who after being by me duly sworn, upon such oath deposed and said that the following facts are true and correct and based on personal knowledge:

“My name is Karolena Boyle Harris. I am over the age of 18, and legally competent in all respects to make this Affidavit. I have personal knowledge of all the facts contained in this Affidavit, all of which are true and correct.

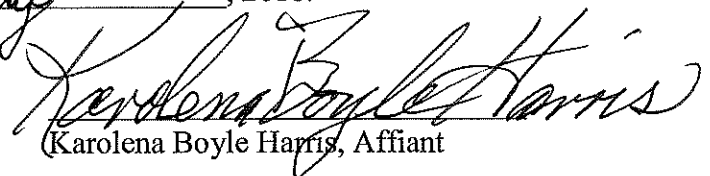
“I am a Grantor on the original Ladybird Special Warranty Deed executed on March 19, 2013 between Karolena Boyle Harris and Kenton D. Harris, Grantors, and Kevin Harris and Kelly Harris, Grantees, and filed of record on October 24, 2013 under Galveston County Clerk File Number 2013067001(the original instrument).

“By inadvertent error or mistake, the legal description was incorrectly stated within the original instrument at the time of its recording.

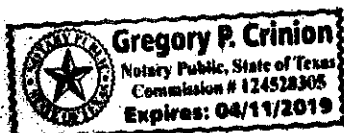
“As a result of the foregoing, I am making this Affidavit as a Correction Instrument pursuant to Section 5.028 of the Texas Property Code to correct the above described error or mistake, this being a non-material change to the original instrument. Attached hereto and made a part hereof is the corrected legal description as it should have been stated in the original instrument, which is incorporated herein by reference.

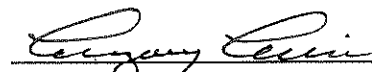
I have given notice of this correction of the original instrument by sending a copy of this Correction Instrument Affidavit by hand delivery to each party to the original instrument, in accordance with Section 5.028 (d) (2) of the Texas Property Code. The evidence of said notice is attached to this affidavit as required by Section 5.028 (d) (1) of the Texas Property Code.

SIGNED the 4 day of May, 2018.


(Karolena Boyle Harris, Affiant)

SUBSCRIBED and SWORN TO before me on this the 4th day of May, 2018 by Karolena Boyle Harris.




Notary Public, State of Texas

**DESCRIPTION OF A TRACT OF LAND CONTAINING
1.8367 ACRES (80,008 SQUARE FEET) SITUATED
IN THE SARAH MCKISSICK LEAGUE, ABSTRACT 51
GALVESTON COUNTY, TEXAS**

Being a tract of land containing 1.8367 acres (80,008 square feet), situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, a subdivision recorded in Volume 238, Page 14 in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed unto Henton Harris and Karolena Harris by deed recorded under County Clerk's File No. 2013067001 of the official Public Records of Galveston County, Texas. Said 1.8367-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 3/4-inch iron pipe in the northwest line of Whispering Pines (60.00 feet wide) for the east corner of a tract of land conveyed unto New Life Assembly of God recorded in Volume 3329, Page 256 of the Deed Records of Galveston County, Texas;

THENCE North 45°00'00" East, a distance of 249.93 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the south corner of the said tract herein described;

THENCE North 45°00'00" West, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for an angle point in the southwest line of the said tract herein described;

THENCE North 44°52'26" West, a distance of 180.14 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" an angle point in the southwest line of the said tract herein described (from which a found 1/2-inch iron rod bears South 35°24' West, a distance of 1.3 feet);

THENCE North 45°00'00" West, a distance of 314.30 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the west corner of the said herein described;

THENCE North 45°00'00" East, a distance of 130.69 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the north corner of the said tract herein described;

THENCE South 44°53'42" East, a distance of 614.21 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwest line of said Whispering Pines for east corner of the said tract herein described;

THENCE South 45°00'00" West, along the northwest line of said Whispering Pine, a distance of 129.96 to the POINT OF BEGINNING and containing 1.8367 acres (80,008 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 04-26-18, job number 04-62734-18.

**DESCRIPTION OF A TRACT OF LAND CONTAINING
0.2473 ACRES (10,772 SQUARE FEET) SITUATED
IN THE SARAH MCKISSICK LEAGUE, ABSTRACT 51
GALVESTON COUNTY, TEXAS**

Being a tract of land containing 0.2473 acres (10,772 square feet), situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, a subdivision recorded in Volume 238, Page 14 in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed unto Henton Harris and Karolena Harris recorded in Volume 2097, Page 195 of the Deed Records of Galveston County, Texas. Said 0.2473-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 3/4-inch iron pipe in the northwest line of Whispering Pines (60.00 feet wide) for the east corner of a tract of land conveyed unto New Life Assembly of God recorded in Volume 3329, Page 256 of the Deed Records of Galveston County, Texas;

THENCE North 45°00'00" East, a distance of 160.02 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the south corner of the said tract herein described;

THENCE North 45°00'00" West, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the west corner of the said tract herein described;

THENCE North 45°00'00" East, a distance of 89.91 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the north corner of the said tract herein described;

THENCE South 45°00'00" East, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwest line of said Whispering Pines for east corner of the said tract herein described;

THENCE South 45°00'00" West, along the northwest line of said Whispering Pine, a distance of 89.91 to the POINT OF BEGINNING and containing 0.2473 acres (10,772 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey I, Inc. (Firm Registration No. 100758-00) dated 04-26-18, job number 04-62734-18.

**DESCRIPTION OF A TRACT OF LAND CONTAINING
0.0946 ACRES (4,119 SQUARE FEET) SITUATED
IN THE SARAH MCKISSICK LEAGUE, ABSTRACT 51
GALVESTON COUNTY, TEXAS - EASEMENT ESTATE ONLY**

Being a tract of land containing 0.0946 acres (4,119 square feet), situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 5, Block 11, Friendswood Subdivision, a subdivision recorded in Volume 238, Page 14 in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed unto Wilbert Boyle and Marie Boyle by deed recorded under County Clerk's File No. 4108241 of the Official Public Records of Galveston County, Texas. Said 0.0946-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 3/4-inch iron pipe in the northwest line of Whispering Pines (60.00 feet wide) for the east corner of a tract of land conveyed unto New Life Assembly of God recorded in Volume 3329, Page 256 of the Deed Records of Galveston County, Texas;

THENCE North 45°00'00" East, a distance of 379.92 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the south corner of the said tract herein described;

THENCE North 44°53'42" West, a distance of 250.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the west corner of the said tract herein described;

THENCE North 45°00'00" East, a distance of 11.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the north corner of the said tract herein described;

THENCE South 48°14'15" East; a distance of 125.20 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for an angle point in the northeast line of said tract herein described;

THENCE South 44°53'42" East, a distance of 125.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwest line of said Whispering Pines for east corner of the said tract herein described;

THENCE South 45°00'00" West, along the northwest line of said Whispering Pine, a distance of 18.30 feet to the POINT OF BEGINNING and containing 0.0946 acres (4,119 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 04-26-18, job number 04-62734-18.

May 4, 2018

Karolena Boyle Harris
Kenton D. Harris
Kevin Harris
Kelly Harris

Re: Ladybird Special Warranty Deed between Karolena Boyle Harris and Kenton D. Harris (Grantors) and Kevin Harris and Kelly Harris (Grantees) dated March 19, 2013 and filed of record on October 24, 2013 under Galveston County Clerk File Number 2013067001 (Original Instrument)

Dear Messrs. and Mrs. Harris:

It was brought to my attention that the legal description attached to the original instrument was incorrect. I have filed the attached Correction Instrument Affidavit to correct the error.

Sincerely,



Karolena Harris

Karolena Boyle Harris

FILED AND RECORDED

Instrument Number: 2018028586

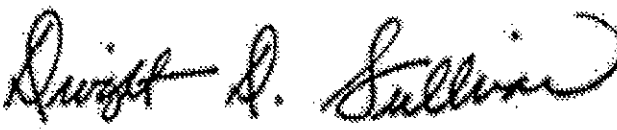
Recording Fee: 42.00

Number Of Pages:6

Filing and Recording Date: 05/14/2018 1:53PM

I hereby certify that this instrument was FILED on the date and time stamped hereon
and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.




Dwight D. Sullivan, County Clerk
Galveston County, Texas

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*

**DESCRIPTION OF A TRACT OF LAND CONTAINING
1.8367 ACRES (80,008 SQUARE FEET) SITUATED
IN THE SARAH MCKISSICK LEAGUE, ABSTRACT 51
GALVESTON COUNTY, TEXAS**

Being a tract of land containing 1.8367 acres (80,008 square feet), situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision, a subdivision recorded in Volume 238, Page 14 in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed unto Kenton Harris and Karolena Harris by deed recorded under County Clerk's File No. 2013067001 of the official Public Records of Galveston County, Texas. Said 1.8367-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 3/4-inch iron pipe in the northwest line of Whispering Pines (60.00 feet wide) for the east corner of a tract of land conveyed unto New Life Assembly of God recorded in Volume 3329, Page 256 of the Deed Records of Galveston County, Texas;

THENCE North 45°00'00" East, a distance of 249.93 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the south corner of the said tract herein described;

THENCE North 45°00'00" West, a distance of 119.77 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for an angle point in the southwest line of the said tract herein described;

THENCE North 44°52'26" West, a distance of 180.14 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" an angle point in the southwest line of the said tract herein described (from which a found 1/2-inch iron rod bears South 35°24' West, a distance of 1.3 feet);

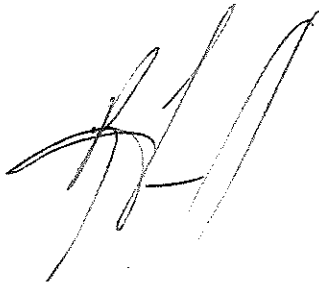
THENCE North 45°00'00" West, a distance of 314.30 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the west corner of the said herein described;

THENCE North 45°00'00" East, a distance of 130.69 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the north corner of the said tract herein described;

THENCE South 44°53'42" East, a distance of 614.21 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" in the northwest line of said Whispering Pines for east corner of the said tract herein described;

THENCE South 45°00'00" West, along the northwest line of said Whispering Pine, a distance of 129.96 to the POINT OF BEGINNING and containing 1.8367 acres (80,008 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 04-26-18, job number 04-62734-18.



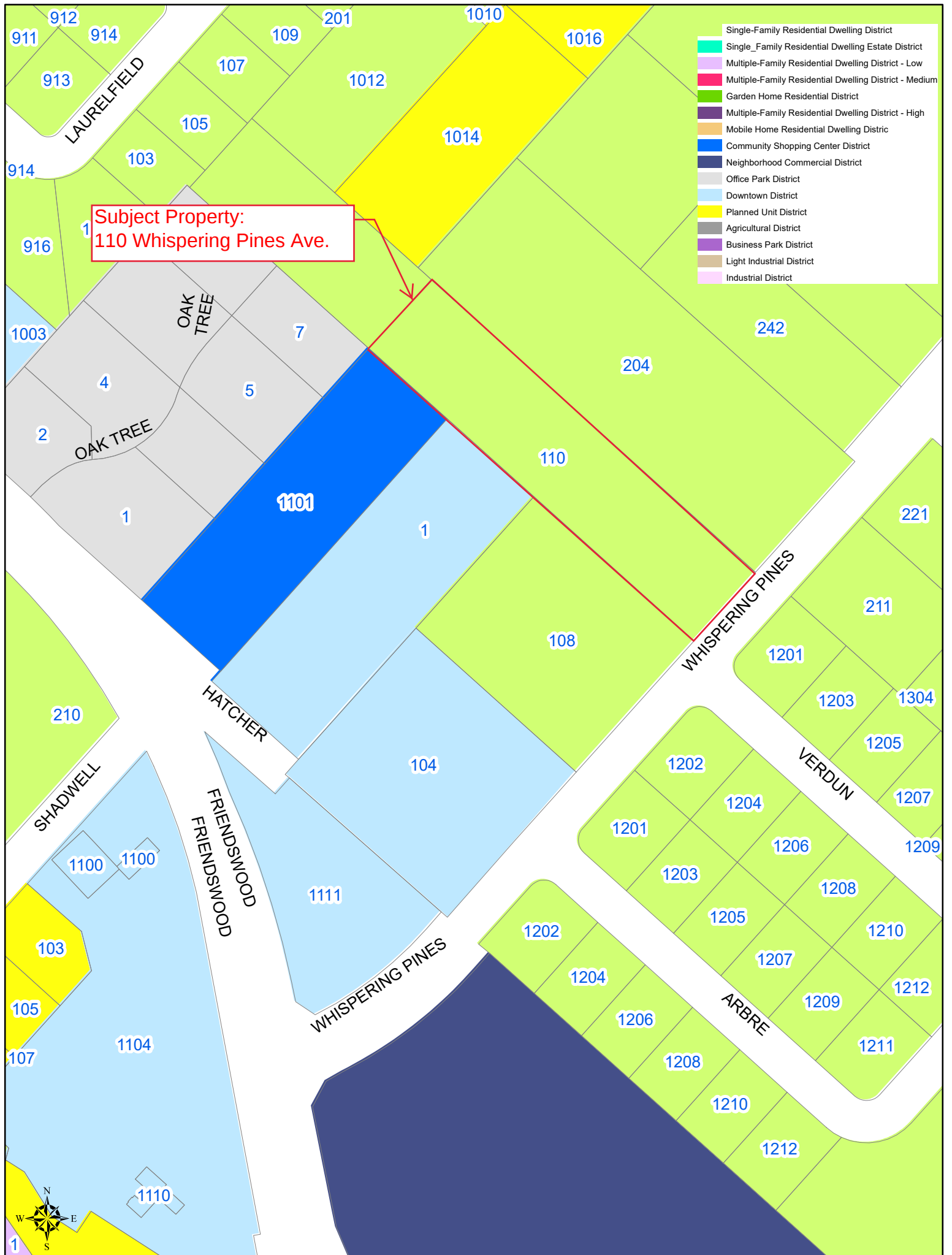


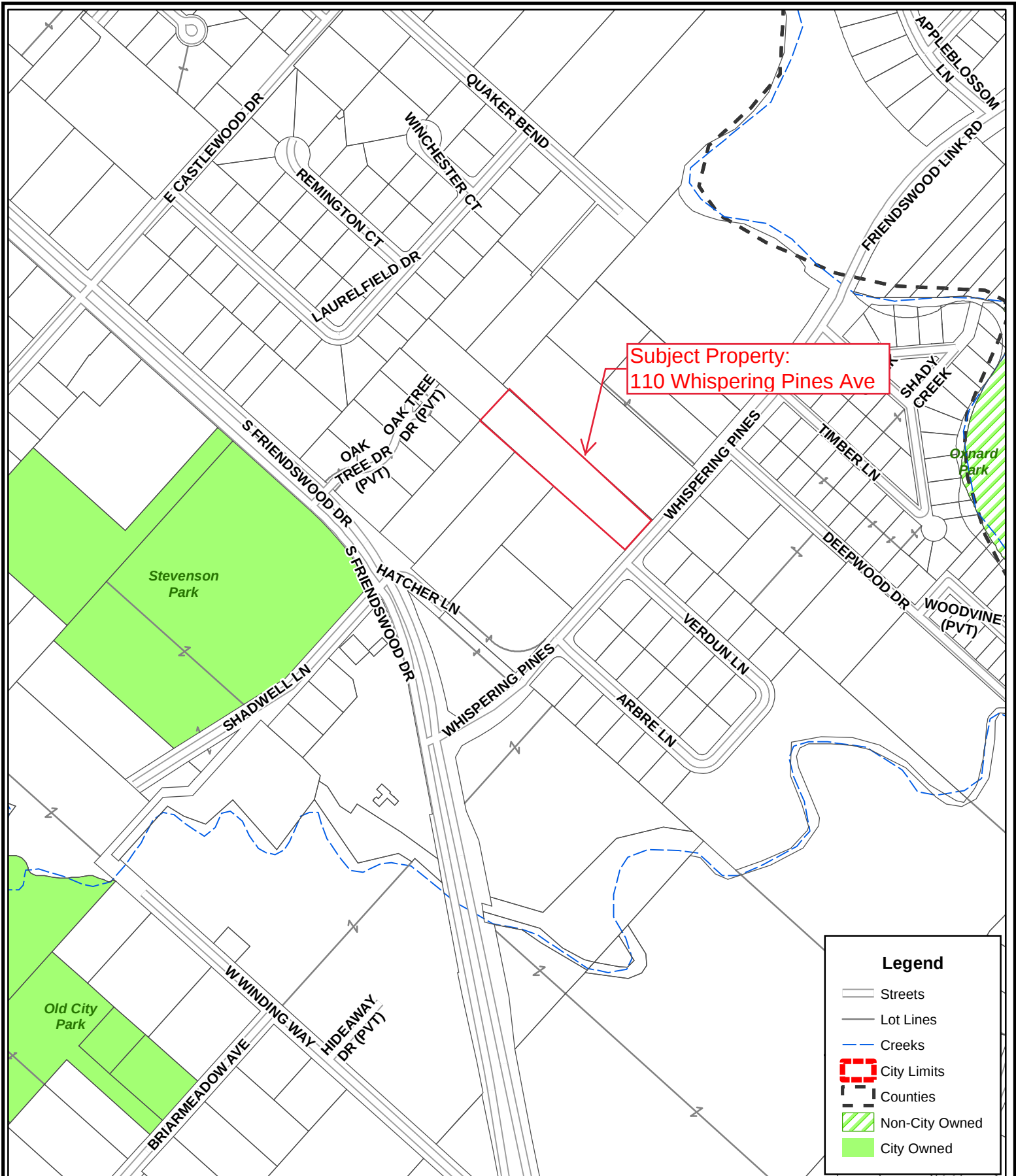
City of Friendswood
910 South Friendswood Drive
Friendswood, Texas 77546
(281) 996-3200
www.ci.friendswood.tx.us

Friendswood GIS Mapping



1" = 200'





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Friendswood GIS Mapping



1" = 400'

Rezoning Report

June 2019

Project: Zone Change

Address: 110 Whispering Pines Ave.

Legal: Being a 1.8367 acre tract of land, situated in the Sarah McKissick League, Abstract 51, Galveston County, Texas, being out of Lot 4, Block 11, Friendswood Subdivision.

Request: Zone classification change from Single Family Residential (SFR) to Downtown District (DD).

Applicable Zoning Ordinance Excerpts

Appendix C
Zoning Ordinance

Section 7. Schedule of District Regulations

- I. *Downtown District (DD), general purpose and description.* This district is designed to accommodate and promote Friendswood's original business and downtown areas. It is intended to achieve a balance of retail, commercial, office, and residential and public activities. Development within the DD should be pedestrian friendly with an emphasis on shared parking and shared access between developments. Development within the DD requires the approval of a development site plan by the planning and zoning commission.
 1. Area and height regulations. Structures within the DD are intended to be between one to four stories. The maximum height allowed is 70 feet as measured in accordance with the method prescribed in Section 20, Definitions, Subsection OO, Height. Additional regulations are set forth under Section 7-Q.2. Regulation Matrix.
 - a. No residential use shall be allowed on the first floor.
 2. See Section 8 for Supplementary District regulations.
 3. Permitted uses. Uses permitted in the DD, Downtown District, are set forth in section 7-P, Permitted Use Table.
 4. Buildings in the DD zoning district shall have exterior cladding of brick, masonry, stone, stucco or glass. Fiber cement boards/siding are prohibited, except as trim for eaves and overhangs. The Planning and Zoning Commission may approve alternative exterior facade materials.

Existing Use/Site Attributes:

The subject property is 1.8367 acres and has no improvements on the property.



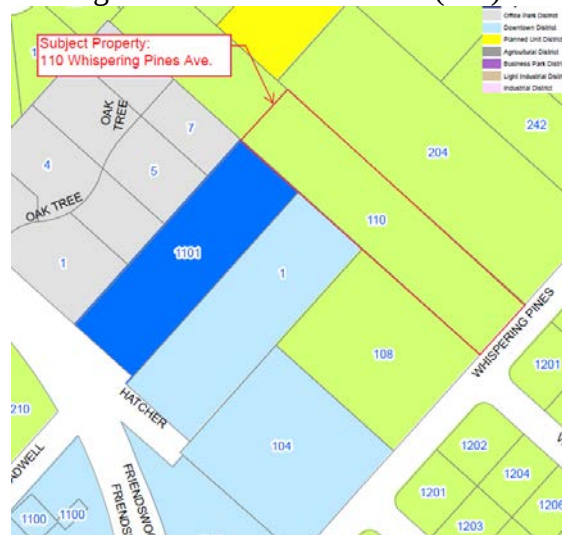
City of Friendswood GIS Aerial Map

Zoning History:

The current zoning of the property is Single Family Residential (SFR) and lies within the boundary of the Downtown District (DD).

Adjacent Zoning/Land Use:

The tracts to the south and west of the subject property are zoned Downtown District (DD). The property north of the subject tract is currently zoned Single Family Residential (SFR), but the owner is also requesting that property be changed to Downtown District (DD).



City of Friendswood Zoning Map

Platting Analysis:

The property was issued a Certificate of Platting Exemption in 2012.

Planning Analysis:

The property is located within the Downtown District boundary. The existing building is a non-conforming structure and may remain as is. Any additions or major improvements to the site must meet current Downtown District requirements.

Comprehensive Planning Analysis:

The Future Land Use Map identifies this property developing as Mixed Use.

Infrastructure/Service Delivery Impacts**Storm Water Management and Floodplain Issues:**

The property is eligible to purchase regional detention through the Galveston County Consolidated Drainage District for any additional impervious cover.

Utilities:

City water and sewer services are existing at the site.

Access:

The project has direct access to South Friendswood Drive which in turn connects to FM 2351 and out to Interstate 45. Whispering Pines Ave also turns into Friendswood Link Rd/El Dorado, which connects to I-45.

Park/Open Space:

Downtown District (DD) allows residential units on the second floor and up. Park fees would be required for each unit, if constructed.

Farmers Insurance Commercial Site Plan Amendment

1. [Compliance Memo](#)
2. [Approved Site/Landscape Plan](#)
3. [Proposed Landscape Plan – Option A](#)
4. [Proposed Landscape Plan – Option B](#)
5. [Street View Photo](#)
6. [Street View Photo](#)

Memo

To: Planning and Zoning Commission
From: Becky Summers, Development Coordinator
Date: May 14, 2019
Re: Farmers Insurance Commercial Site Plan Amendment

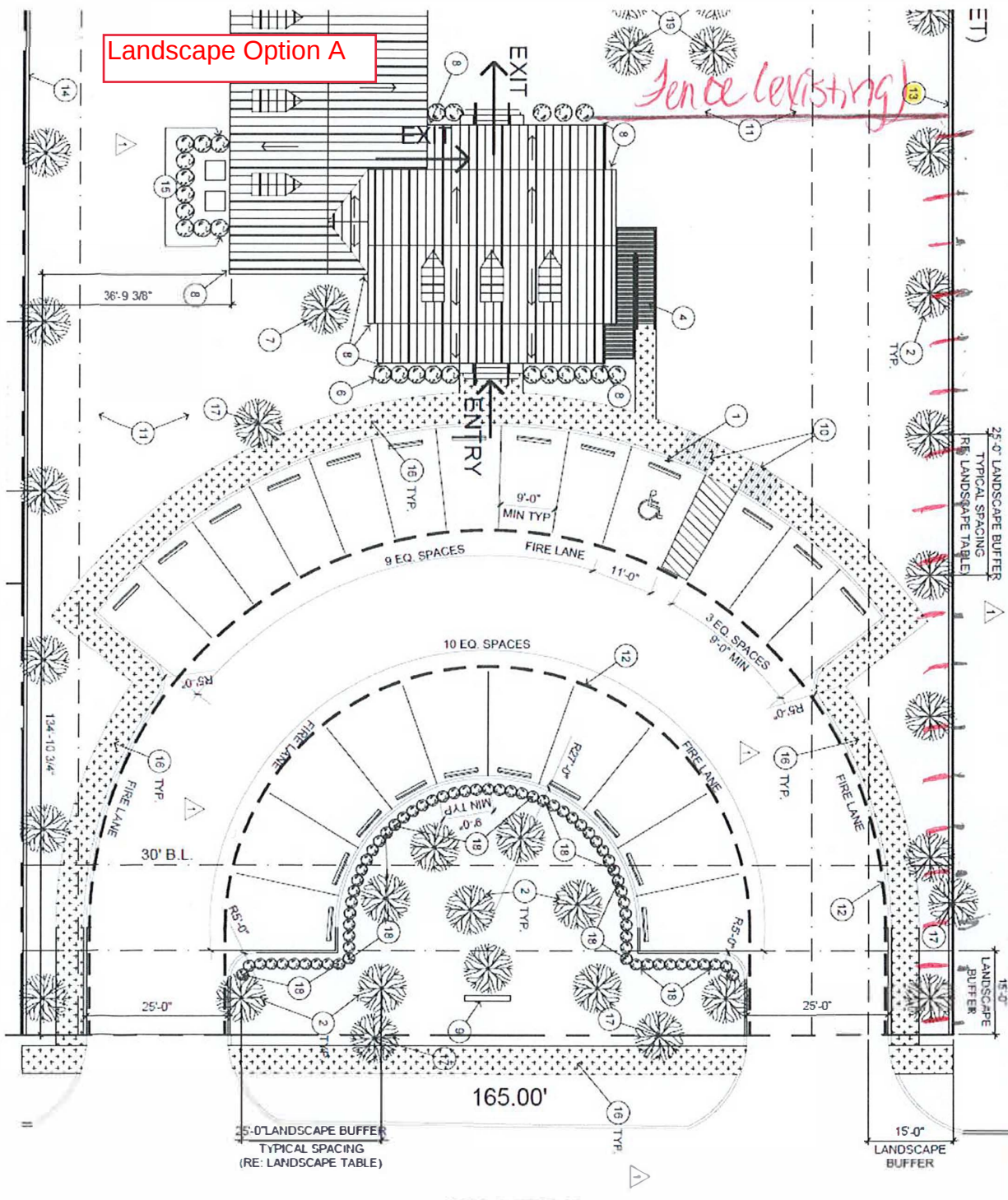
Project Description: The Farmers Insurance site located at 104 Melody Lane is proposing to install a vegetative screening wall in lieu of the previously approved 8-foot cedar fence.

Staff approved the final inspection in error without the screening requirement being met.

The plan is subject to review and approval by the Planning and Zoning Commission.



Landscape Option A



-18' wall my the - 8' apart, down the existing fence line

fence (existing)



a neighborly company

Proposal

The Grounds Guys Of League City

Client Name: Angela Johnson

Project Name: Angela Johnson:603 Linkwood Street:Wax Myrtles

Jobsite Address: 603 Linkwood Street Friendswood, Texas 77546 **Billing Address:** 603 Linkwood Street Friendswood, Texas 77546

Estimate ID: EST1330491

Date: May 10, 2019

Thank you for the opportunity to provide you with a quote for the grounds care services at your property. The Grounds Guys™ are excited about the opportunity to exceed your service requirements. Enclosed, please find my quotation for the services outlined. This quote is good for 6 weeks from the send date.

For our record, please sign and return to one of the following options:

E-mail: travisreed@groundsguys.com

Mail: 4109 FM 2351, Friendswood, TX 77546

Thank you,

Travis Reed

travisreed@groundsguys.com

713-397-9832

Wax Myrtles - 7 gallon

\$1,800.05

- Install 18 - 7 gallon Wax Myrtles approximately 8 feet apart to create privacy screen. Plants are approximately 2 feet tall by 1.5 feet wide. Includes soil and mulch for each individual tree.
- Initial fertilization and root stimulant for all trees will be applied.

Subtotal	\$1,800.05
Taxes	\$112.51
Estimate Total	\$1,912.56

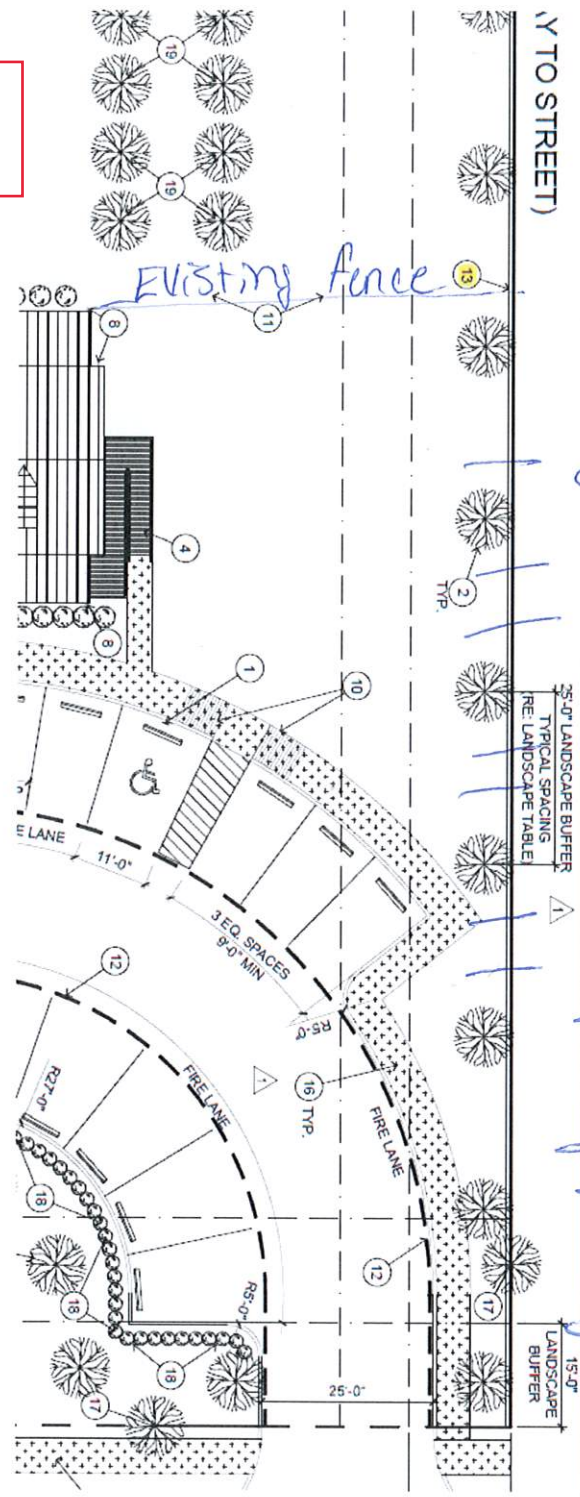
Estimate authorized by: _____
Company Representative

Signature Date: _____

Estimate approved by: _____
Customer Representative

Signature Date: _____

-30gal/ton - spaced according to the Bailey



Landscape Option B



a neighborly company

Proposal

The Grounds Guys Of League City

Client Name: Angela Johnson

Project Name: Angela Johnson:603 Linkwood Street:Wax Myrtles

Jobsite Address: 603 Linkwood Street Friendswood, Texas 77546 **Billing Address:** 603 Linkwood Street Friendswood, Texas 77546

Estimate ID: EST1330491

Date: May 10, 2019

Thank you for the opportunity to provide you with a quote for the grounds care services at your property. The Grounds Guys™ are excited about the opportunity to exceed your service requirements. Enclosed, please find my quotation for the services outlined. This quote is good for 6 weeks from the send date.

For our record, please sign and return to one of the following options:

E-mail: travisreed@groundsguys.com

Mail: 4109 FM 2351, Friendswood, TX 77546

Thank you,

Travis Reed

travisreed@groundsguys.com

713-397-9832

Linebacker Distylium

\$1,799.97

- Install 7 - 30 gallon Linebacker Distylium approximately 8 feet apart to create privacy screen. Plants are approximately 5 feet tall by 4 feet wide. Includes soil and mulch for each individual tree.
- Initial fertilization and root stimulant for all trees will be applied.

Subtotal \$1,799.97

Taxes \$112.50

Estimate Total **\$1,912.47**

Estimate authorized by: _____
Company Representative

Signature Date: _____

Estimate approved by: _____
Customer Representative

Signature Date: _____





West Parkwood Place Commercial Site Plan Amendment

1. [Compliance Memo](#)
2. [Site Plan Amendment](#)
3. [Zoning Map](#)
4. [Aerial Map](#)
5. [Photo of site](#)

Memo

To: Planning and Zoning Commission
From: Becky Summers, Development Coordinator
Date: June 6, 2019
Re: West Parkwood Place Commercial Site Plan Amendment

Project Description: The project at 1501 W. Parkwood Ave is to build two 10,000 sq. ft. retail centers. Phase one is currently under construction.

Request: The developer is proposing to install two (2) sections of 8-foot wood pickets into the adjacent subdivision fence, between the existing stone columns.

Section 7.5 *Community Overlay District* requires screening material to match that of the main building. The Planning and Zoning Commission may approve alternate materials.

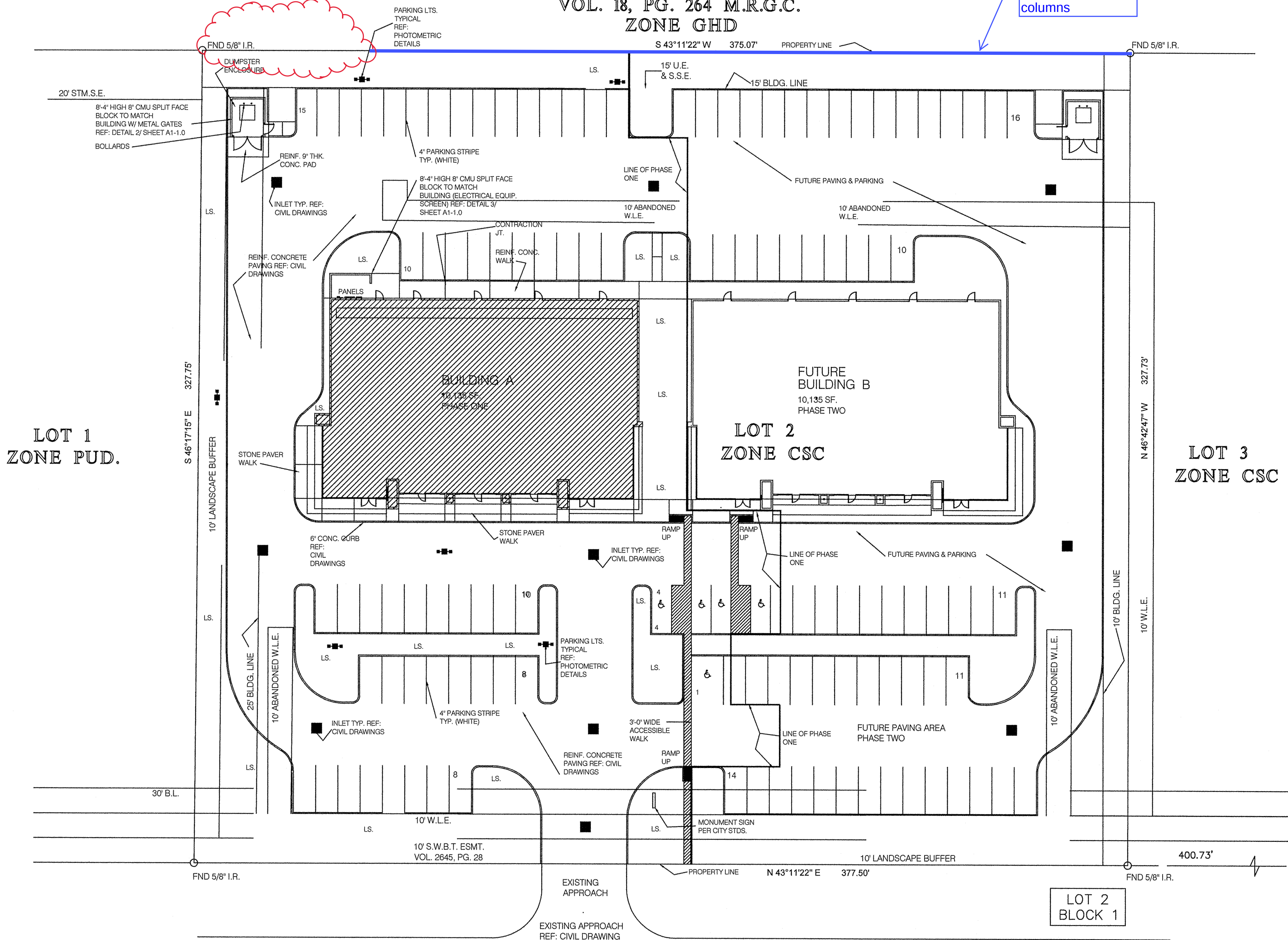
Background: During site plan review, staff did not require the developer to install a fence as there was already a HOA fence in place.

It has since been brought to staff's attention that two (2) sections of the HOA fence are missing. The commercial developer has agreed to install those sections in lieu of a full second fence/wall.

Missing wood pickets in (2) two sections.

RESERVE "A"
FRIENDSWOOD LAKES
GARDEN HOMES
VOL. 18, PG. 264 M.R.G.C.
ZONE GHD

Existing wood fence with brick columns



F.M. 528

(A.K.A. WEST PARKWOOD AVENUE)
(180' R.O.W.)

LEGAL
DESCRIPTION

A LAND TITLE SURVEY OF LOT 2, IN BLOCK 1, OF GARDENS AT FRIENDSWOOD LAKES, AN ADDITION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT RECORD 2008A, MAP NO. 85 OF THE MAP/PLAT RECORDS OF GALVESTON COUNTY, TEXAS.

BASED ON RETAIL:

4 SPACES PER 1000 SF. FOR 5,000 SF.

FOOD SERVICE WILL REQUIRE MORE & COULD LIMIT TENANTS SPACES/ REF: ORDINANCE

FUTURE TENANT MEDICAL 4.5/ 1000 = 12 FOR 2,600 SF.

FUTURE TENANT GYM 7/ 1000 = 17 FOR 2,400 SF.

PHASE ONE: REQUIRED SPACES: 49

PROVIDED SPACES: 56

PHASE TWO: REQUIRED SPACES: 41

PROVIDED SPACES: 62

TOTAL REQUIRED SPACES 82/ BASED ON RETAIL ONLY

TOTAL PARKING 118 SPACES PROVIDED

ONE HC. SPACE PER 25 STD. SPACES

5 REQUIRED

5 PROVIDED

SITE PLAN EXPIRATION NOTE:

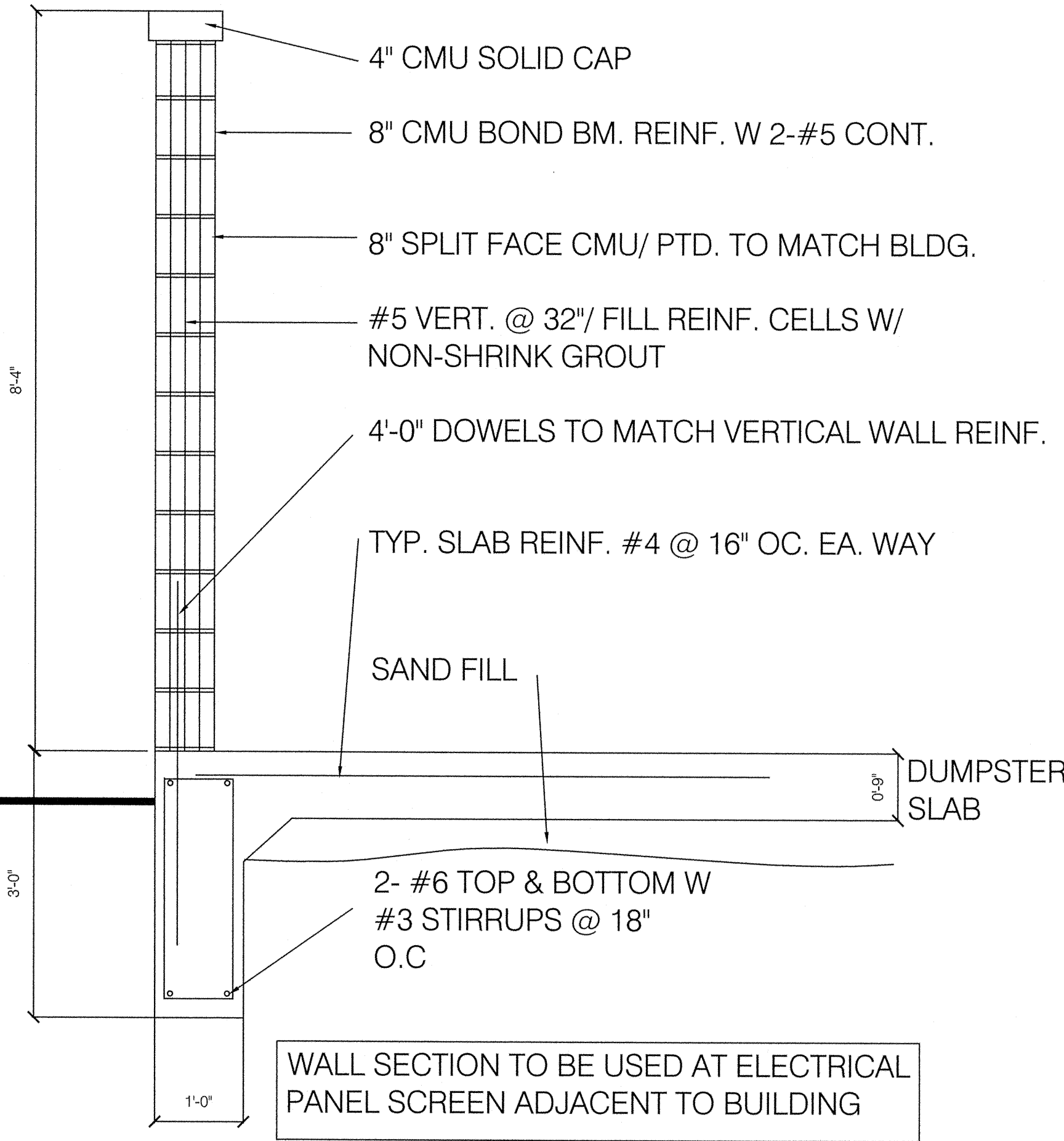
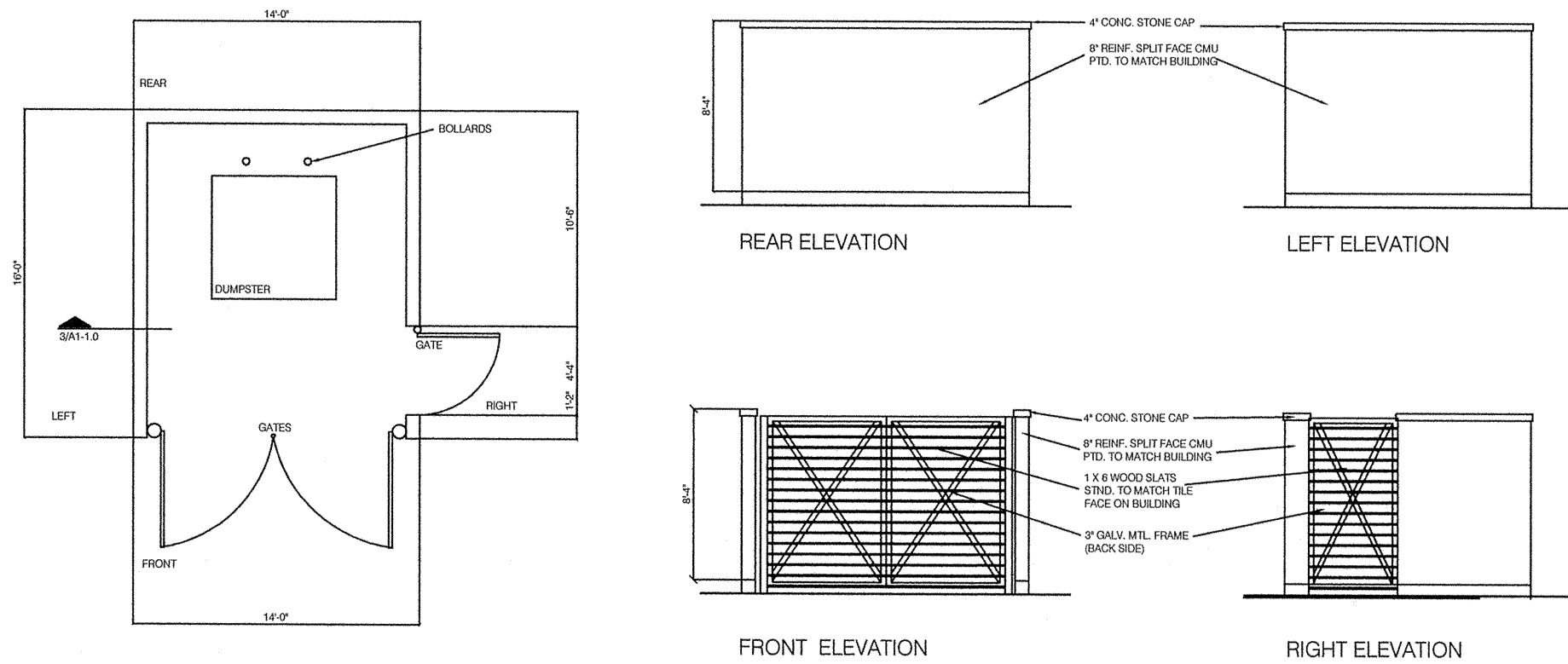
APPROVAL OF THE SITE PLAN WILL EXPIRE ONE YEAR AFTER APPROVAL OF THE SITE PLAN BY THE COMMISSION. UPON EXPIRATION OF THAT TIME THE APPLICANT MUST RESUBMIT A SITE PLAN THAT CONFORMS TO CURRENT ORDINANCES

This property is located within the Community Overlay District and the site will comply with the city ordinances in the COD.

2

DUMPSTER ENCLOSURE

Scale: 1/4" = 1'-0"



1

NOTED SITE PLAN

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

2

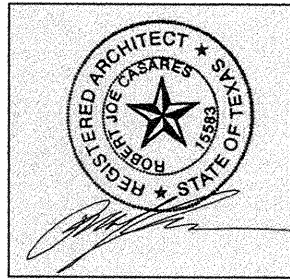
DUMPSTER ENCLOSURE

Scale: 1/4" = 1'-0"

Breed
Architecture

2150 Town Square Place
Suite 150
Sugar Land, Tx. 77479
Cell- (713) 320-3607
rcasares71@gmail.com
breedarchitecture.com

Seal: State of Texas



Robert Casares

15583

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From Breed Architecture, LLC.

Project

Parkwood District

1501 Parkwood Ave
Friendswood, Tx.

Drawn By:

Checked By:

Schematic Design:

No.	Status	Date
1	Review	02/09/18

Design Development:

1	MUD Review	
2	Review	06/18/18

Construction Documents:

1	Permit	08/13/18
2	Permit	09/24/18
3	Permit	11/15/18

Revisions:

Project:

01-0118

Date:

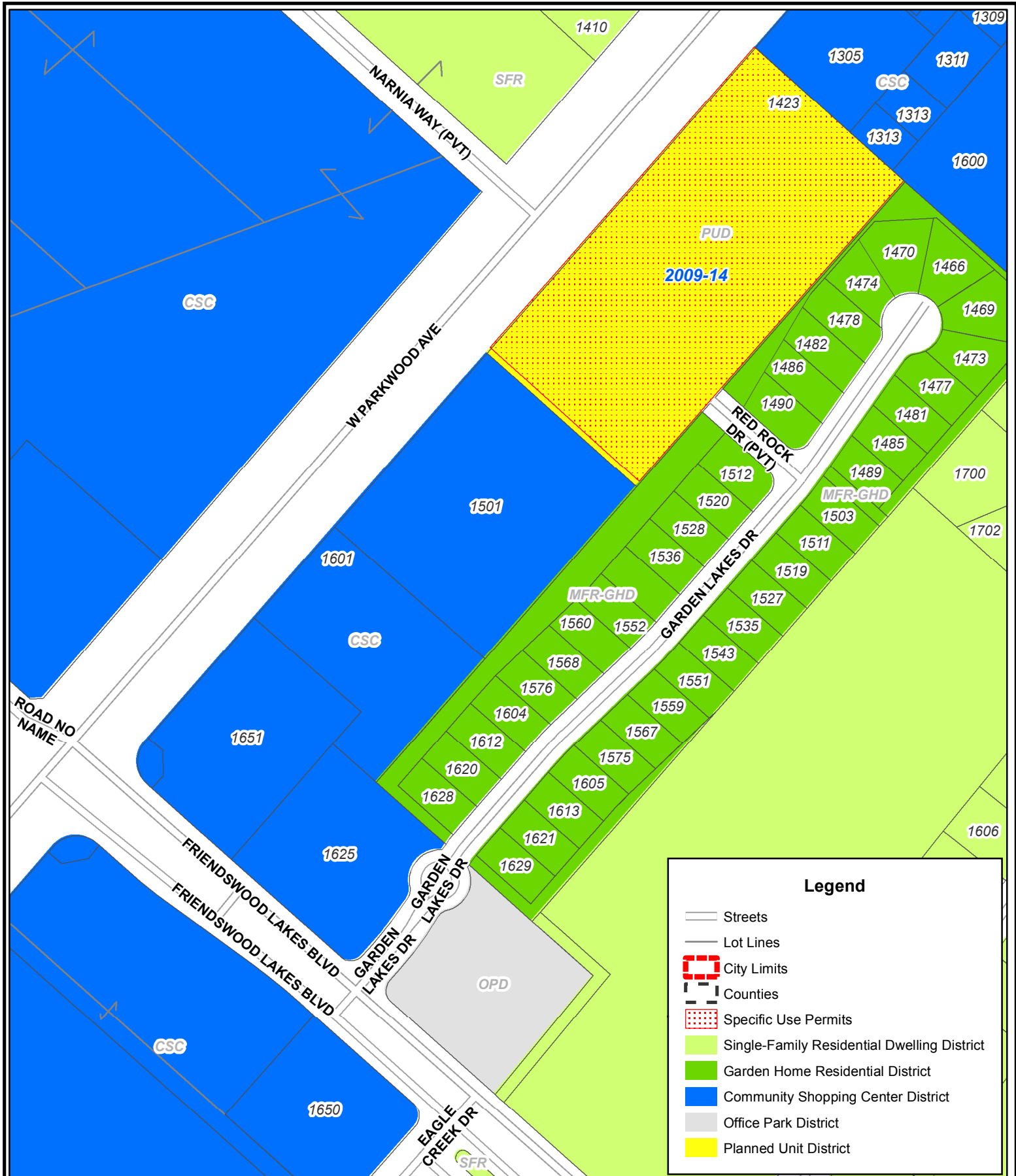
01/15/18

Scale:

1/32" = 1'-0"

Sheet:

A1-1.0



Legend

- Streets
- Lot Lines
- City Limits
- Counties
- Specific Use Permits
- Single-Family Residential Dwelling District
- Garden Home Residential District
- Community Shopping Center District
- Office Park District
- Planned Unit District

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1" = 205'



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Friendswood GIS Mapping



1" = 51'

West Parkwood Place

1501 W. Parkwood Ave.

View of (2) two missing sections of wood pickets between brick columns.

