

ORDINANCE 2014-1138

AN ORDINANCE OF THE CITY OF FULSHEAR, TEXAS, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FULSHEAR, TEXAS, ADOPTED IN THE CITY OF FULSHEAR, TEXAS ZONING CODE, AND MAKING THIS AMENDMENT A PART OF THE SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE 262.6276 ACRES OF LAND OUT OF THE RANDON & PENNINGTON LEAGUE, A-75, IN FORT BEND COUNTY, TEXAS, AS FULSHEAR RUN AND FULSHEAR VILLAGE PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING AN EFFECTIVE DATE.

\* \* \* \* \*

**WHEREAS**, the City of Fulshear, Texas, has recently received an application to rezone 262.6276 acres of land out of the Randon & Pennington League in Fulshear, Fort Bend County, Texas, being more fully described in Exhibit "A" (the "Property,") attached hereto and incorporated herein; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing concerning the rezoning of the Property on the 4th day of April, 2014, following lawful publication of the notice of said public hearing; and

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

**WHEREAS**, on the 15th day of April, 2014, after proper notification, the City Council held a public hearing on the proposed rezoning; and

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

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

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

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

**Section 2.** That the City Council has hereby determined the Fulshear Run and Fulshear Village Planned Unit Development (PUD) meets the following goals and objectives:

- (1) The development in Fulshear Run and Fulshear Village PUD is equal to or superior to development that would occur under the standard ordinance requirements.

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

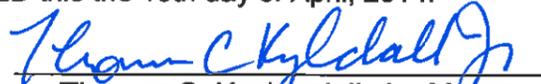
**Section 3.** The Official Zoning Map of the City of Fulshear, Texas, is hereby amended so that the zoning classification of the property described in Exhibit "A," attached hereto and incorporated herein shall be, and is hereafter designated as, Fulshear Run and Fulshear Village PUD, and that the previously entered into Development Agreement for Fulshear Run and Fulshear Village PUD, attached hereto as Exhibit "B," which agreement shall govern the development and use of said property.

**Section 4. Severability.** In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Fulshear, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

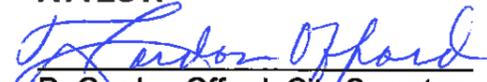
**Section 5. Repeal.** All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

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

**PASSED, APPROVED, and ADOPTED** this the 15th day of April, 2014.

  
Thomas C. Kuykendall, Jr., Mayor  
City of Fulshear, Texas

**ATTEST:**

  
D. Gordon Offord, City Secretary

Request for a ±262.62 Acre  
PUD in the City of Fulshear

**Presentation to City Council  
Second Submission**

*Prepared for:*

DHK Fulshear LP  
% DHK Development  
5005 Riverway, Suite 160  
Houston Tx 7705s

*Prepared by:*

SLA STUDIO-LAND  
Planners and Landscape  
Architects  
  
1900 West Loop South  
Studio 1900  
Houston, Texas 77027  
  
p 713.787.0719  
f 713.787.5190  
c 713.206.9392

May, 5, 2014

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**SLA Studio Land Inc.**

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Texas  
Hangzhou

Planning  
Urban Design  
Landscape Architecture  
Environmental Graphics

Friday, May 2, 2014

Mr. C. J. Snipes  
City Administrator  
City of Fulshear  
PO Box 279  
30603 FM 1093 West  
Fulshear, Texas 77441

**Re: DHK-201**

**Letter of Submittal Second Amendment for the ±262.6276 Acre Fulshear Run PUD (The Project)**

Mr. Snipes:

Attached are an updated set of exhibits comprising the "General Plan" document of the "Fulshear Run and Fulshear Village PUD". The changes reflect all discussions and understandings that emerged in and after the April 15th City Council meeting and public hearing.

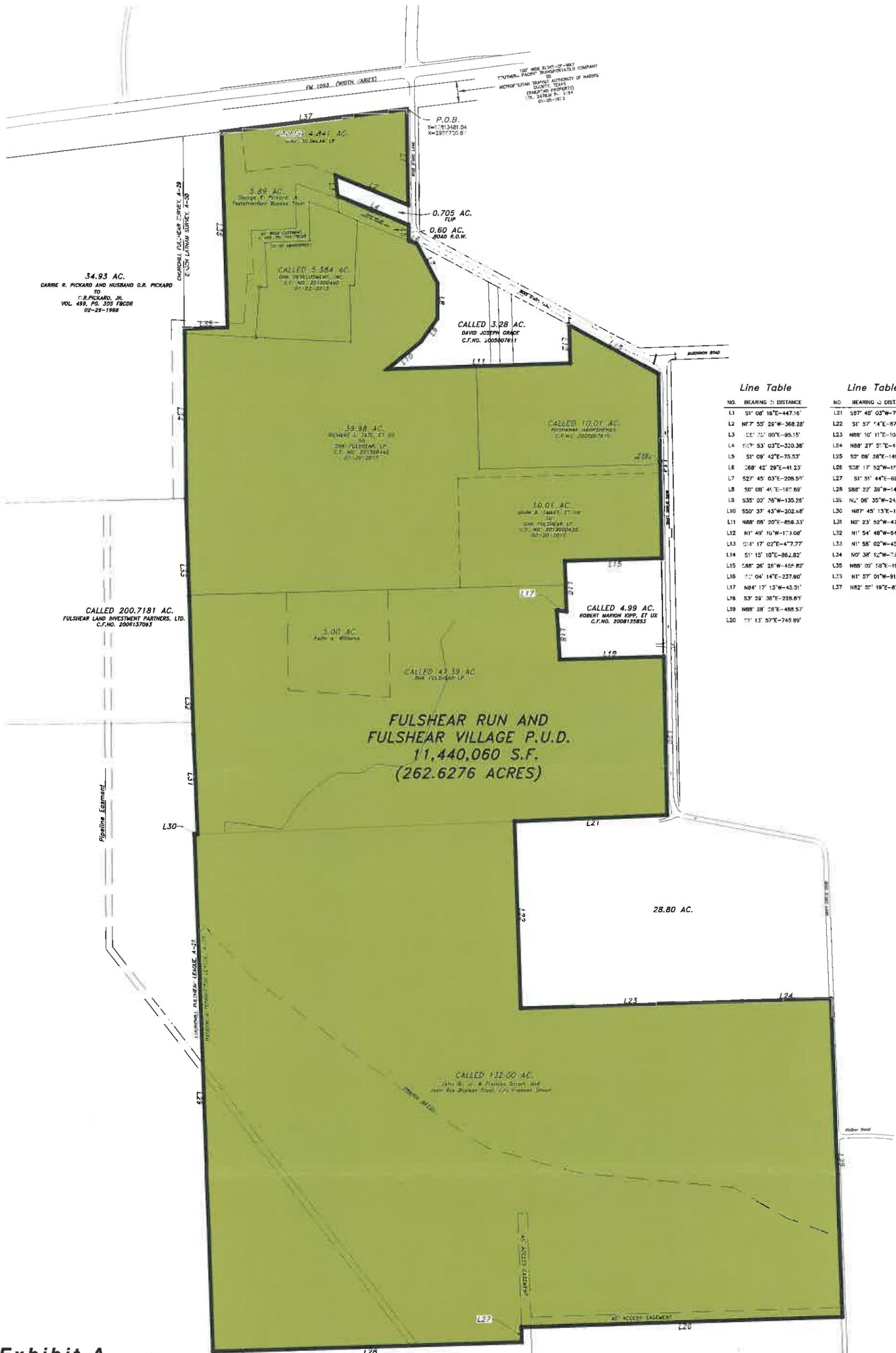
We hope these clarifications accurately reflect the above referenced meetings and discussions and we look forward to the City Council special session next week.

Sincerely,



David Smith  
President  
SLA Studio Land Inc.

cc: Doug Konopka, DHK Development  
Noah Worley, DHK Development  
Ernesto Alfaro, SLA Studio Land



Line Table			Line Table		
NO.	BEARING	DISTANCE	NO.	BEARING	DISTANCE
L1	S1° 08' 16"E	447.16'	L21	S87° 48' 03"W	716.44'
L2	N67° 55' 29"W	368.28'	L22	S1° 57' 4"E	878.09'
L3	S5° 10' 00"E	95.15'	L23	N88° 10' 11"E	1035.48'
L4	S67° 53' 03"E	330.38'	L24	N88° 27' 51"E	416.92'
L5	S1° 09' 42"E	75.53'	L25	S2° 09' 28"E	1497.35'
L6	S68° 42' 29"E	41.23'	L26	S08° 17' 52"W	1793.74'
L7	S27° 45' 03"E	208.51'	L27	S1° 51' 44"E	68.08'
L8	S0° 08' 46"E	167.89'	L28	S88° 22' 39"W	1447.80'
L9	S35° 02' 36"W	135.26'	L29	N4° 06' 35"W	2427.09'
L10	S50° 37' 43"W	202.88'	L30	N87° 45' 13"E	14.70'
L11	N88° 08' 20"E	858.33'	L31	N2° 23' 52"W	476.42'
L12	N1° 49' 10"W	173.08'	L32	N1° 54' 48"W	845.01'
L13	S14° 17' 02"E	47.77'	L33	N1° 58' 02"W	451.92'
L14	S1° 15' 10"E	862.82'	L34	N0° 38' 12"W	733.87'
L15	S68° 26' 26"W	458.82'	L35	N88° 02' 58"E	195.87'
L16	S2° 04' 14"E	237.60'	L36	N1° 57' 01"W	915.42'
L17	N84° 17' 13"W	45.51'	L37	N82° 50' 19"E	872.15'
L18	S3° 28' 36"E	228.61'			
L19	N88° 28' 08"E	488.57'			
L20	S1° 13' 57"E	745.89'			

**Exhibit A**  
**Fulshear Run and Fulshear Village PUD**  
**Boundary Plan**

Revised: May 5, 2012

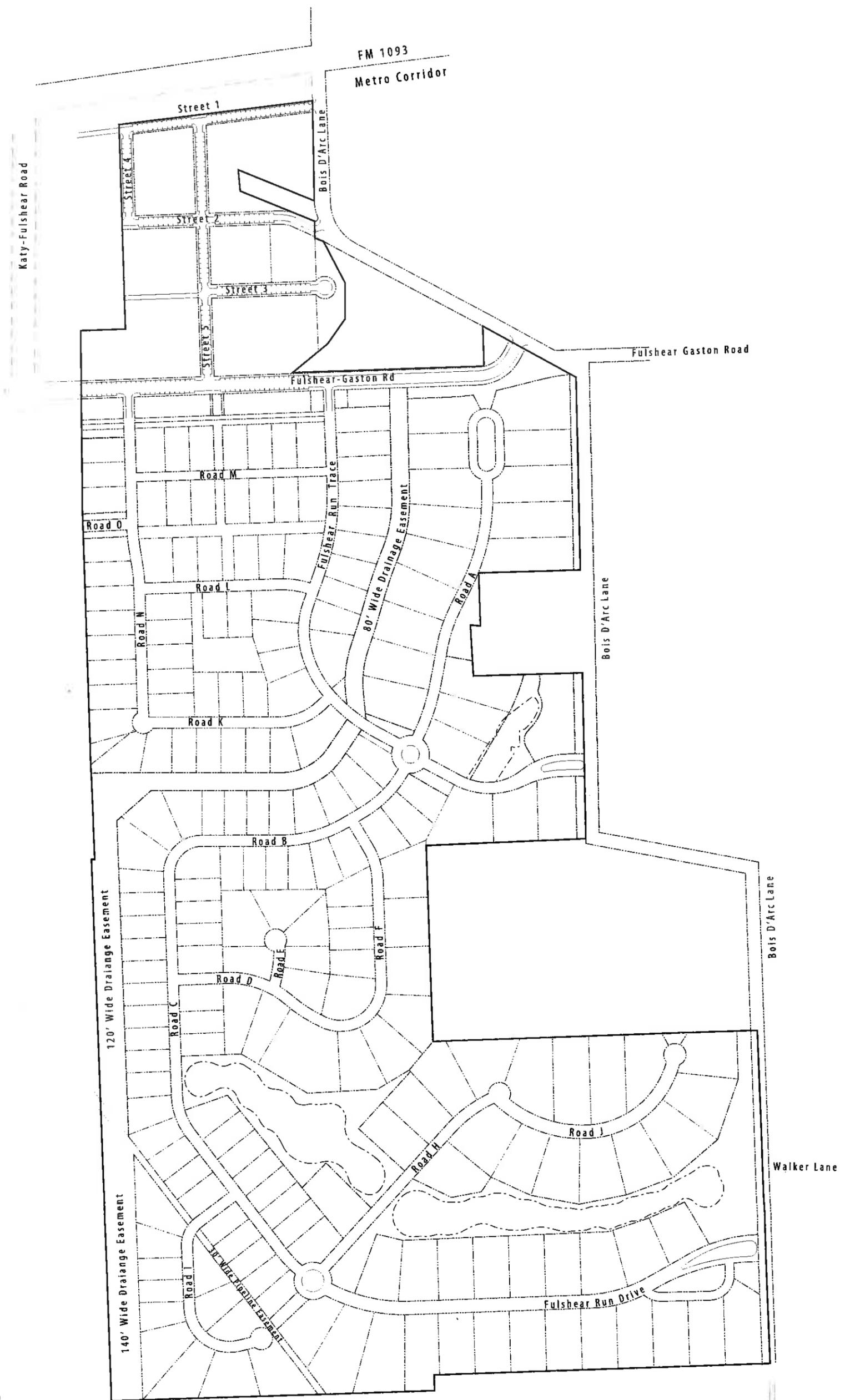


**DHK Fulshear LP**  
 DHK DEVELOPMENT, INC.  
 3005 Riverway, Suite 100  
 Houston, Texas 77056  
 718-961-0038  
 Contact: Dong Kouopka

**DEDEN SERVICES, LLC**  
 CIVIL ENGINEERING  
 Texas Registered Engineering Firm F-10971  
 Contact: Robert Deden

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**SLA**  
 Land Planning • Landscape Architecture  
 1900 West Loop South  
 Studio 1900  
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 713.787.0719  
 Contact: David Smith



**Exhibit B**  
**Fulshear Run and Fulshear Village PUD**  
**Master Plan**

Revised: May 5, 2012



**DHK Fulshear LP**  
 DHK DEVELOPMENT, INC.  
 5005 Riverway, Suite 100  
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 713-961-0033  
 Contact: Doug Konopka

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**Exhibit C**  
**Fulshear Run and Fulshear Village PUD**  
**Land Use Plan**

Revised: May 5, 2012



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Lot Yields	
	Estate Residential 74
	Transitional Residential* 138
	Urban Residential 30
<b>Total Lots 242</b>	

**Exhibit D**  
**Fulshear Run and Fulshear Village PUD**  
**Lotting Plan**

Revised: May 5, 2012

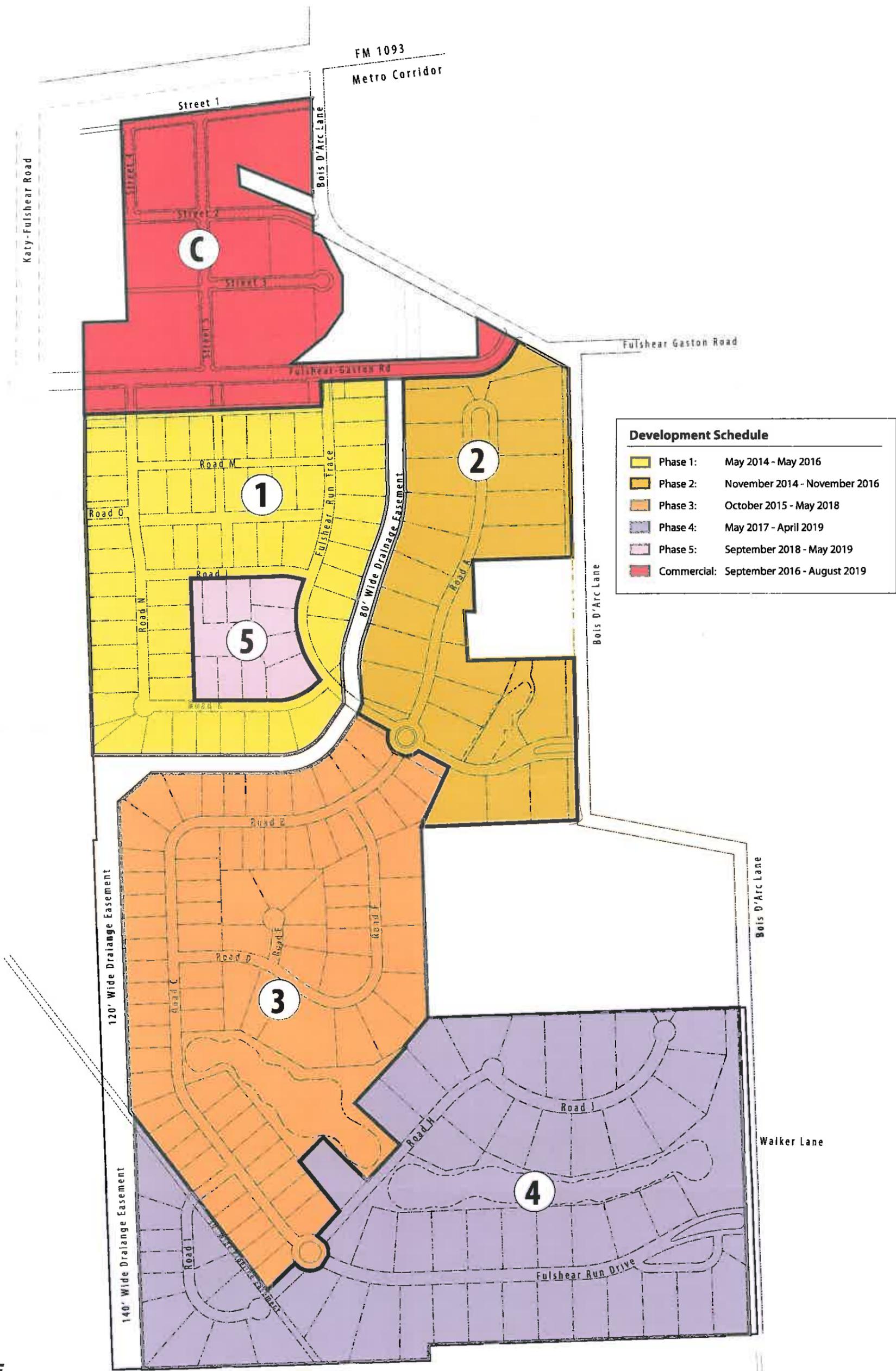


**DHK Fulshear LP**  
 DHK DEVELOPMENT, INC.  
 3005 Riverway, Suite 160  
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Development Schedule	
<span style="display:inline-block; width:15px; height:10px; background-color:yellow; border:1px solid black;"></span> Phase 1:	May 2014 - May 2016
<span style="display:inline-block; width:15px; height:10px; background-color:orange; border:1px solid black;"></span> Phase 2:	November 2014 - November 2016
<span style="display:inline-block; width:15px; height:10px; background-color:lightorange; border:1px solid black;"></span> Phase 3:	October 2015 - May 2018
<span style="display:inline-block; width:15px; height:10px; background-color:purple; border:1px solid black;"></span> Phase 4:	May 2017 - April 2019
<span style="display:inline-block; width:15px; height:10px; background-color:pink; border:1px solid black;"></span> Phase 5:	September 2018 - May 2019
<span style="display:inline-block; width:15px; height:10px; background-color:red; border:1px solid black;"></span> Commercial:	September 2016 - August 2019

**Exhibit E**  
**Fulshear Run and Fulshear Village PUD**  
**Phasing Plan**

Revised: May 5, 2012



**DHK Fulshear LP**  
**DIK DEVELOPMENT, INC.**  
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 T(281) 981-0033  
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**Exhibit F**  
**Fulshear Run and Fulshear Village PUD**  
**Open Space and Park Master Plan**

Revised: May 5, 2012





**Exhibit G**  
**Fulshear Run and Fulshear Village PUD**  
**Trails Plan**

Revised: May 5, 2012



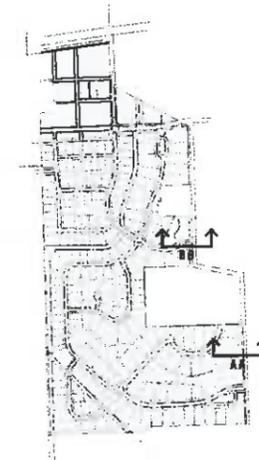
**DHK Fulshear LP**  
 DHK DEVELOPMENT, INC.  
 5005 Riverway, Suite 100  
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 Contact: Doug Koonpka

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 Contact: David Smith





Section Key Map



Section BB



Section AA

**Exhibit I**  
**Fulshear Run and Fulshear Village PUD**  
**Bois D'Arc Cross Sections**

Revised: May 5, 2012

**DHK Fulshear LP**  
 DDK DEVELOPMENT, INC.  
 3906 Bisbee Way, Suite 100  
 Houston, TX 77058  
 713-991-8815  
 Contact: Doug Knoepke

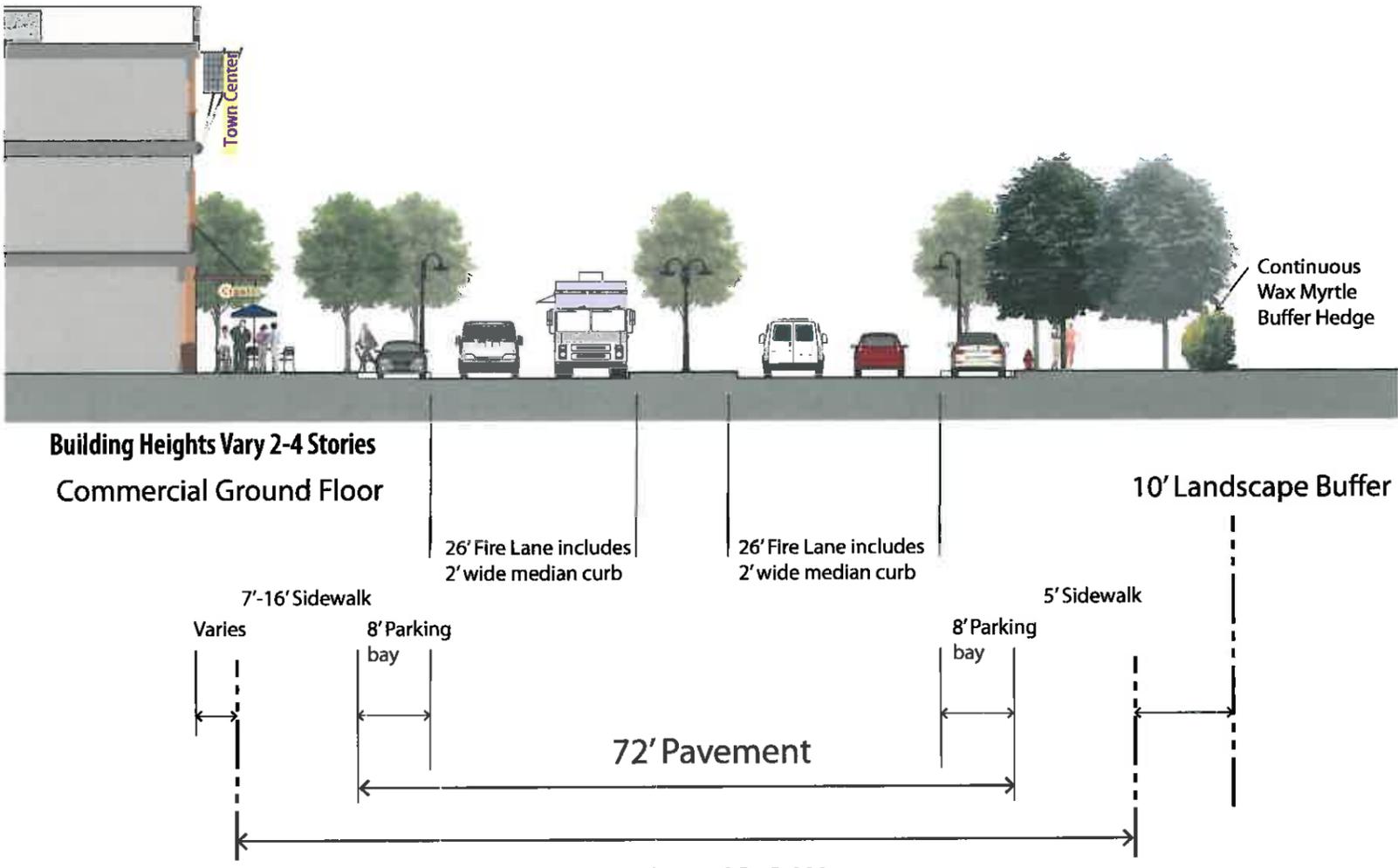
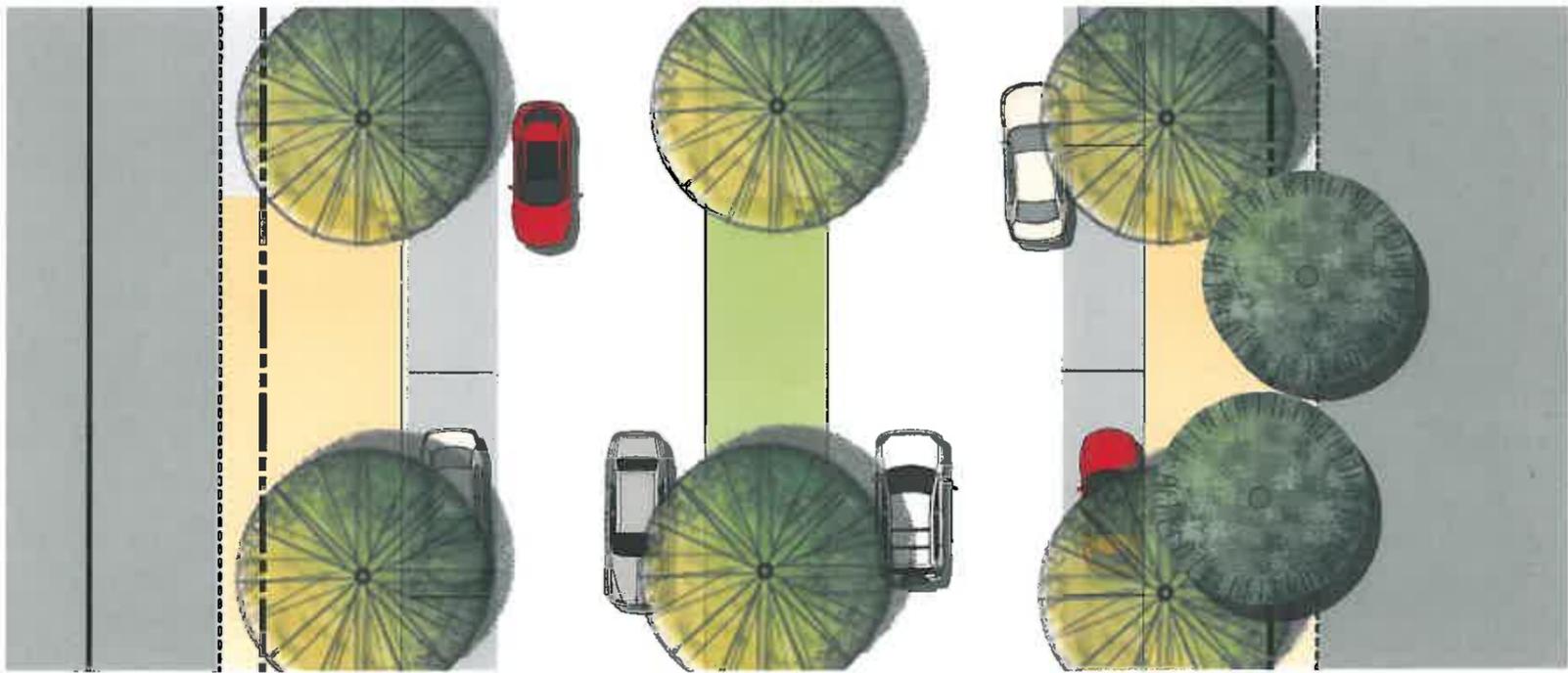
**DEDEN SERVICES, LLC**  
 CIVIL ENGINEERING  
 Texas Registered Engineering Firm P-10871  
 Contact: Robert Deden

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 SCLA Landscape Architecture  
 11111 Katy Road, Suite 100  
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 Contact: Tim Smith



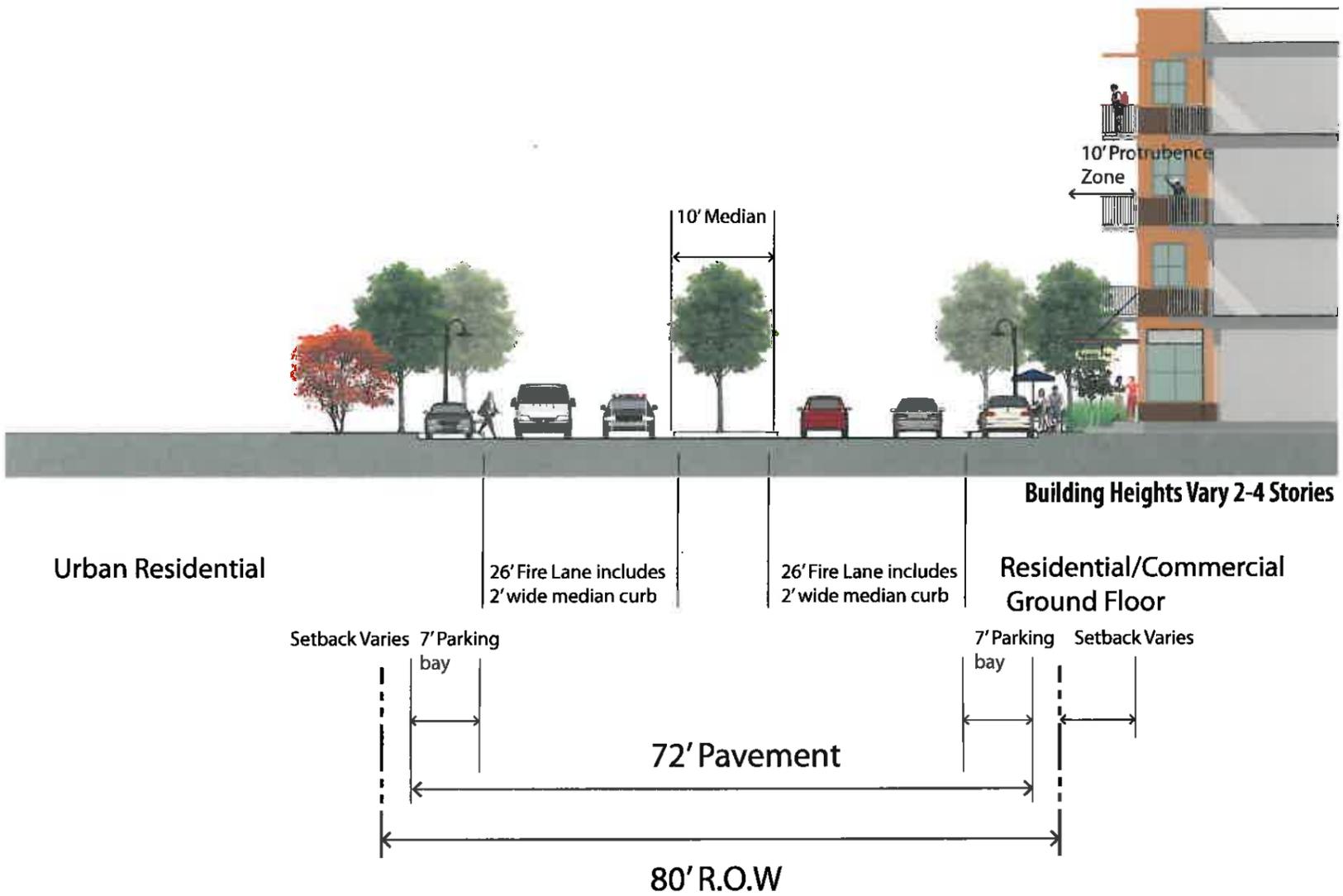
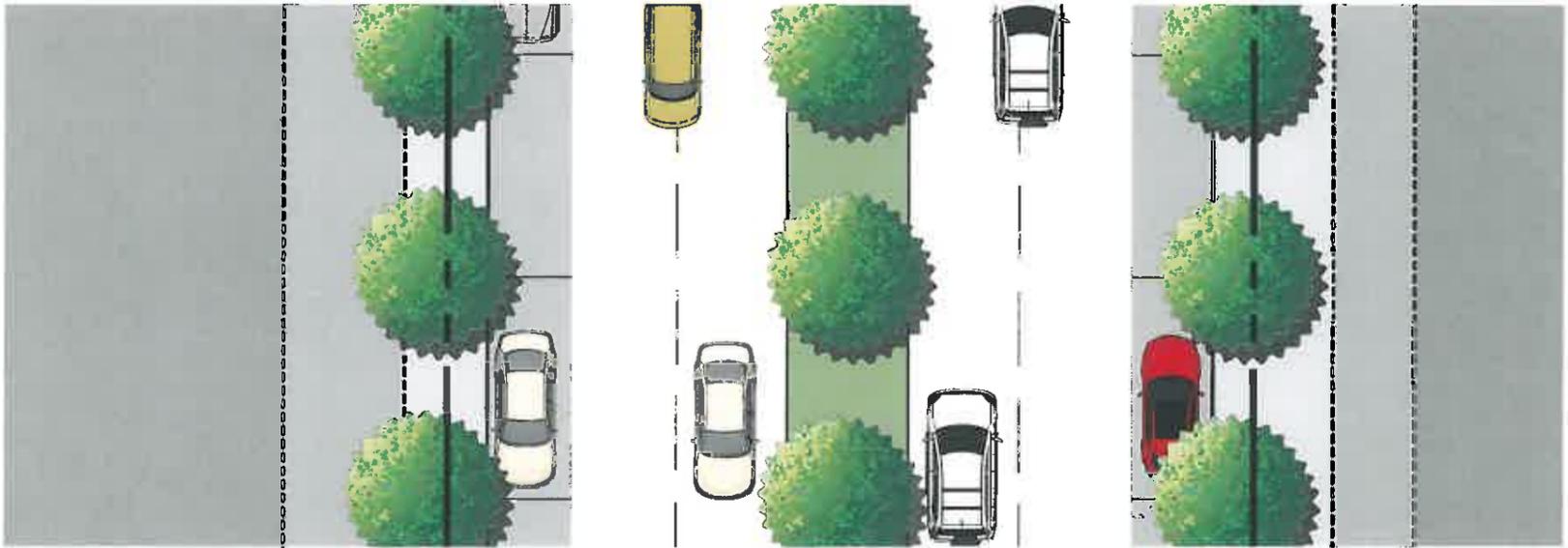
# Thoroughfare Type A



## Exhibit J Bois D'Arc @ Town Center

<b>Proposed Street Lights</b>	
Spacing:	±140' O.C.
Location:	Setbacks or Medians

# Major Commercial Collector Street Type B-2



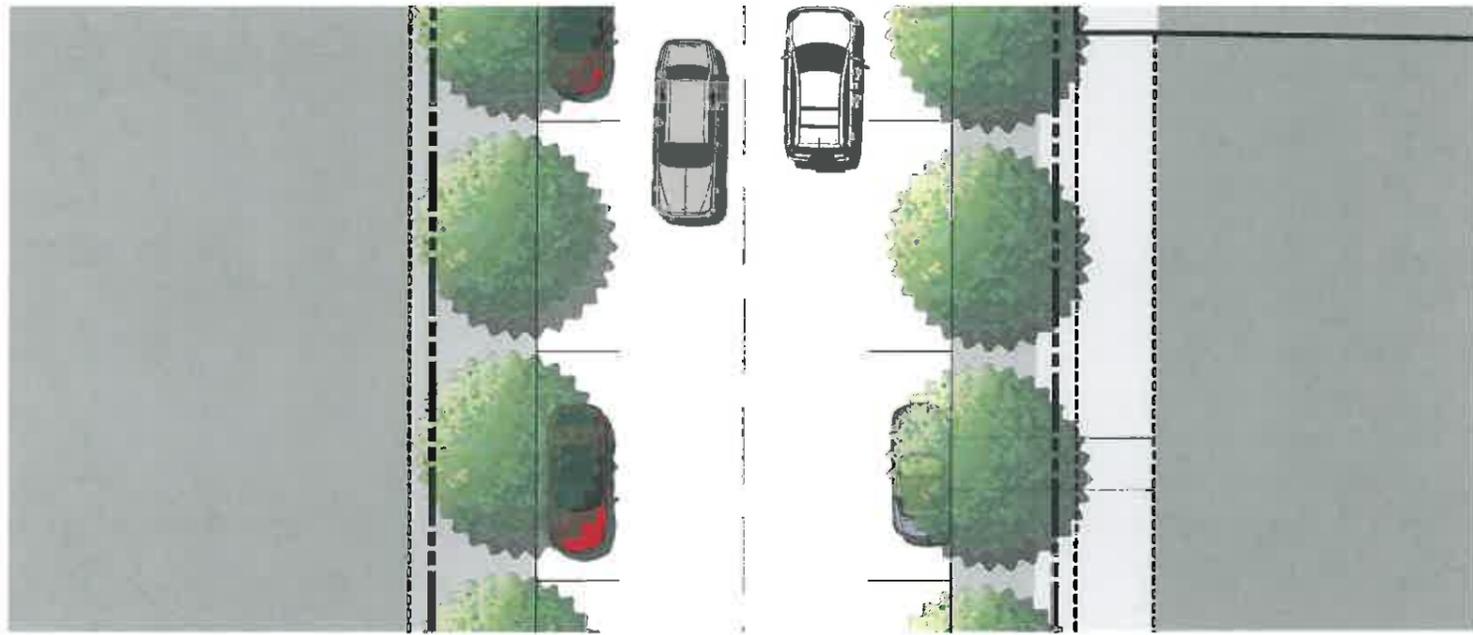
## Exhibit K Fulshear Gaston Road

**Proposed Street Lights**

**Spacing:** ±140' O.C.

**Location:** Medians or Setbacks

# Residential or Commercial Street Type E

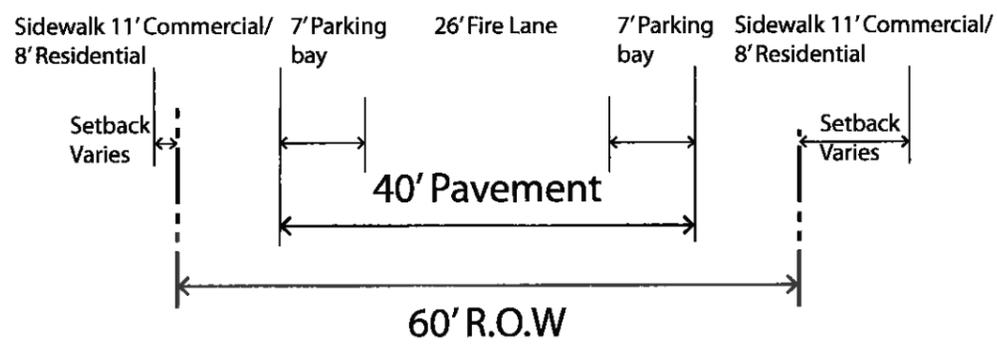


Building Heights Vary 2-4 Stories

Building Heights Vary 2-4 Stories

Commercial Ground Floor

Residential Ground Floor



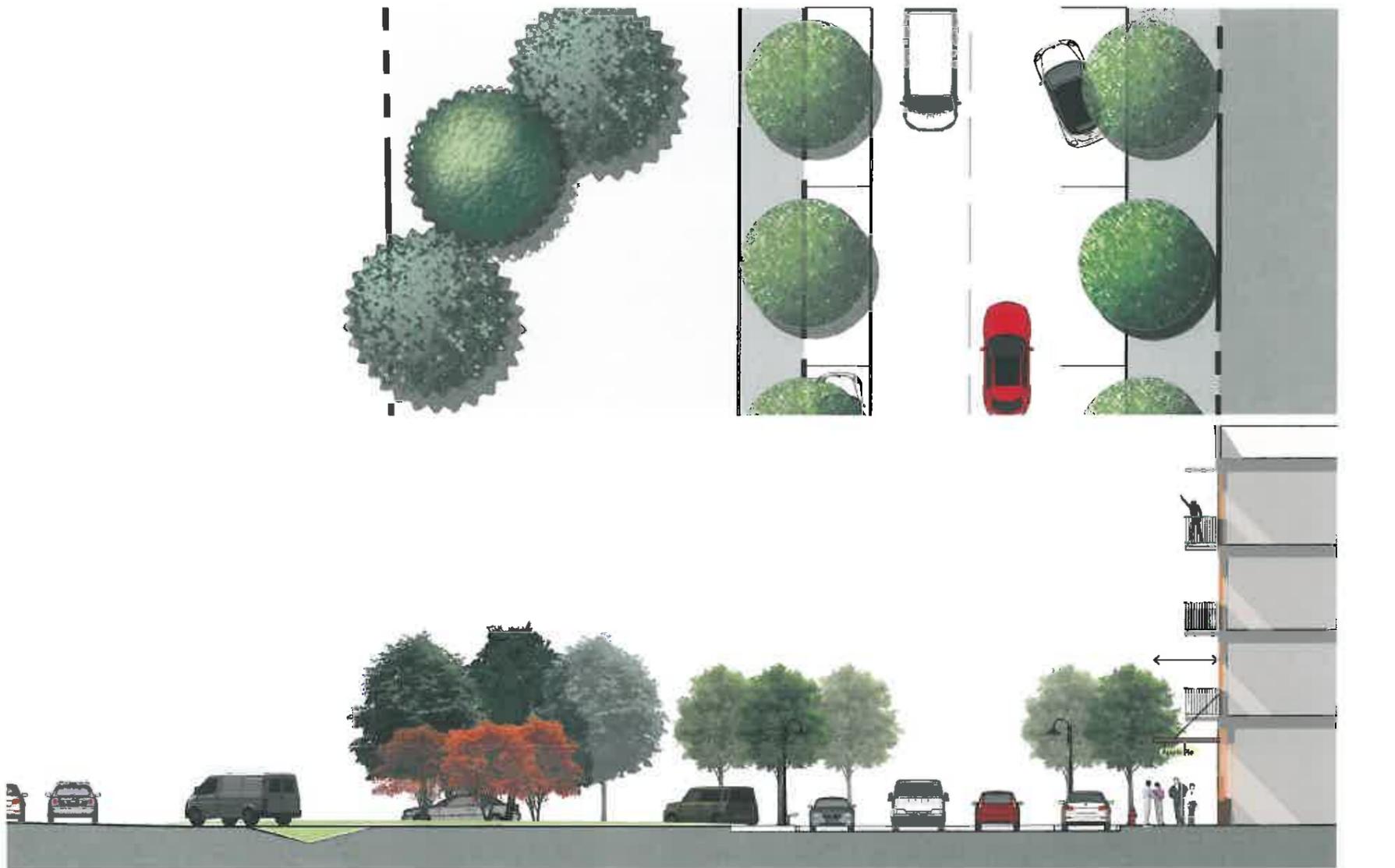
## Exhibit L Town Center Minor Streets

**Proposed Street Lights**

Spacing: ±200' O.C.

Location: Stagger space sidewalks

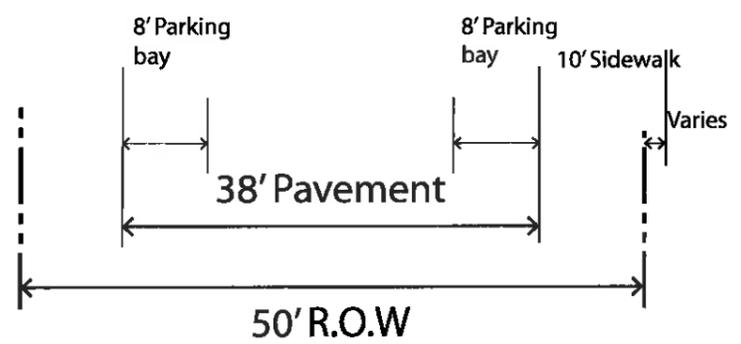
# Local Commercial Street Type F



FM 1093

Metro Land

Building Heights Vary 2-4 Stories  
Commercial Ground Floor



## Exhibit M FM 1093 Frontage

**Proposed Street Lights**

Spacing: ±200' O.C.

Location: Stagger space sidewalks

# Exhibit N

FULSHEAR RUN AND FULSHEAR VILLAGE P.U.D.  
METES AND BOUNDS DESCRIPTION  
262.6276 OUT OF THE  
RANDON & PENNINGTON LEAGUE, A-75  
FORT BEND COUNTY, TEXAS

All that certain 262.6276 acres for Fulshear Run and Fulshear Village P.U.D. out of the Randon & Pennington League, A-75, Fort Bend County, Texas and being more particularly described by metes and bounds as follows. All coordinates and bearings being referred to the Texas Coordinate System of 1983. All coordinates reflect surface values and may be converted to grid values by applying a scale factor of 0.99988107.

BEGINNING at a found 5/8" iron rod with cap in the west right-of-way line of Bois D'arc Lane at its intersection with the south line of a 100' wide right-of-way described in a deed dated 01-05-1993 from Southern Pacific Transportation Company to Metropolitan Transit Authority of Harris County, Texas, filed at Volume 2478, Page 1664, Fort Bend County Deed Records, having coordinates of Y=13,813,481.04, X=2,956,720.87;

THENCE S01°08'16" E - 447.16', with said west right-of-way line to a point for corner;

THENCE N67°55'29" W - 368.28' to a point for corner;

THENCE S05°36'00" E - 95.15' to a point for corner;

THENCE S67°53'03" E - 360.38' to a point for corner;

THENCE S01°09'42" E - 75.53' with the aforementioned west right-of-way line to a point for corner;

THENCE S68°42'29" E - 41.23' to a point for corner;

THENCE S27°45'03" E - 208.59' to a point for corner;

THENCE S00°08'40" E - 162.89' to a point for corner;

THENCE S35°02'38" W - 135.26' to a point for corner;

THENCE S50°37'43" W - 202.68' to a point for corner;

THENCE N88°08'20" E - 859.33' to a point for corner;

THENCE N01°49'10" W - 179.08' to a point for corner;

THENCE S61°17'02" E - 477.77' with the south right-of-way line of Bois D'arc Lane to a point for corner;

THENCE S01°15'10" E - 862.82', with the west right-of-way line of Bois D'arc Lane to a point for corner;

THENCE S88°26'26" W - 455.82' to a point for corner;

THENCE S02°04'14" E - 237.60' to a point for corner;  
THENCE N84°17'13" W - 45.51' to a point for corner;  
THENCE S03°29'36" E - 228.80' to a point for corner;  
THENCE N88°28'26" E - 488.57' to a point for corner;  
THENCE S01°13'57" E - 745.89', with the west right-of-way line of Bois D'arc Lane to a point for corner;  
THENCE S87°45'03" W - 716.44' to a point for corner;  
THENCE S01°57'54" E - 878.09' to a point for corner;  
THENCE N88°10'11" E - 1,035.48' to a point for corner;  
THENCE N88°27'57" E - 416.92' to a point for corner;  
THENCE S02°09'28" E - 1,497.35', with the centerline of Bois D'arc Lane to a point for corner;  
THENCE S88°17'52" W - 1,503.74' to a point for corner;  
THENCE S01°51'44" E - 69.08' to a point for corner;  
THENCE S88°22'39" W - 1,447.80' to a point for corner;

THENCE with the west line of a called 200.7181 acre tract of land described in a deed recorded at Clerk File Number 2006137093 Fort Bend County Deed Records for the following 6 (six) courses and distances:

THENCE N02°06'35" W - 2,427.09' to a point for corner;  
THENCE N87°45'13" E - 14.70' to a point for corner;  
THENCE N02°23'52" W - 476.42' to an angle point;  
THENCE N01°54'48" W - 645.01' to an angle point;  
THENCE N01°58'02" W - 451.92' to an angle point;  
THENCE N00°38'12" W - 793.87' to a point for corner;

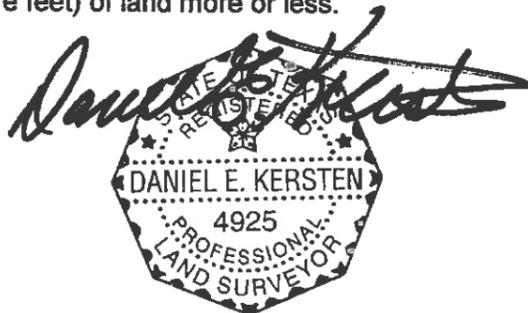
THENCE N88°02'59" E - 199.87' to a point;

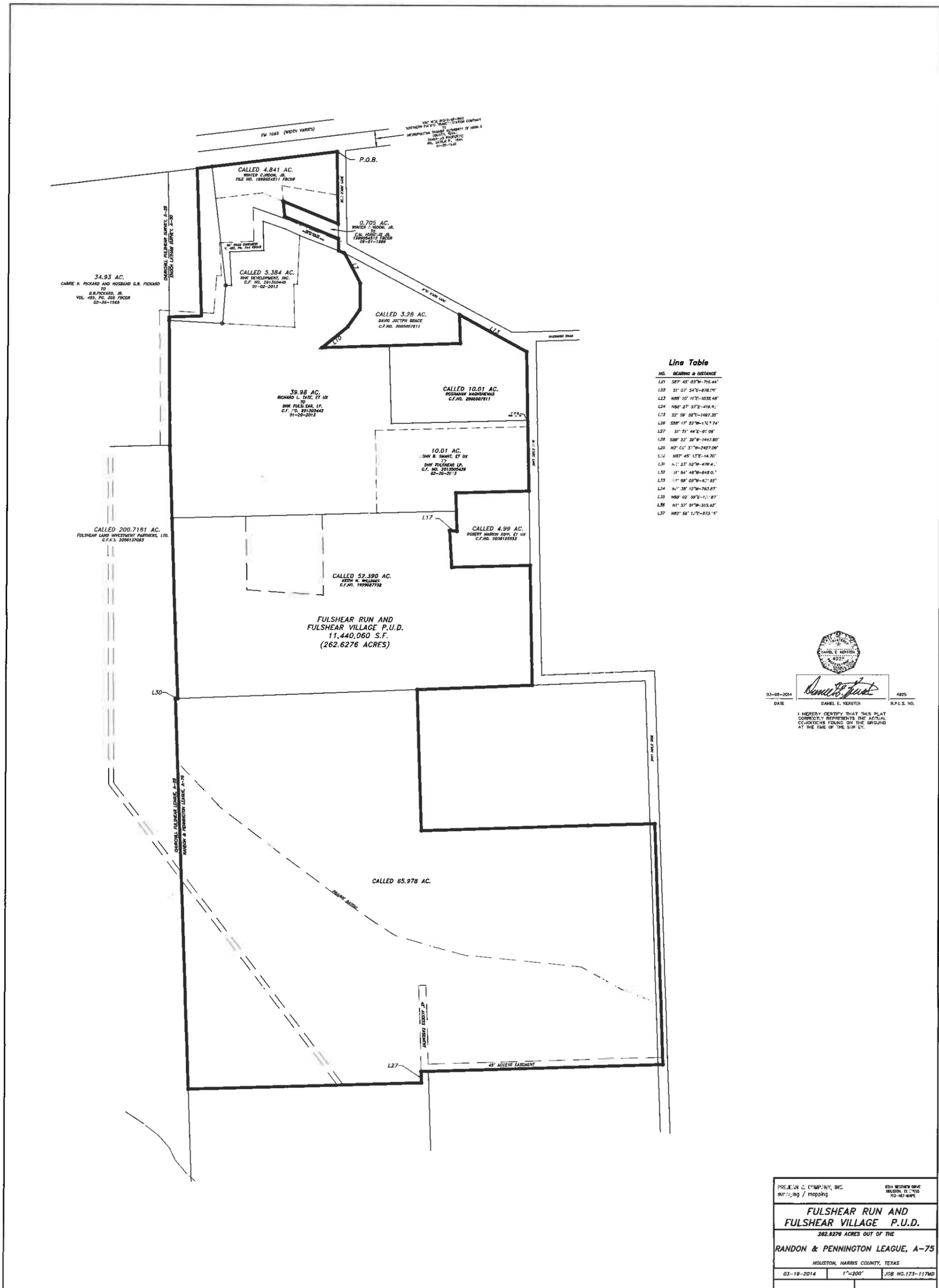
THENCE N01°57'01" W - 915.42' to a point;

THENCE N82°59'19" E - 873.15', with the south line of the aforementioned 100' wide Metropolitan Transit Authority of Harris County, Texas Right-of-Way to the POINT OF BEGINNING, containing 262.6276 acres, (11,440,060 square feet) of land more or less.

Compiled from survey by:

**PREJEAN & COMPANY, INC.**  
Surveying / Mapping  
3/19/2014





**Line Table**

NO.	BEARING & DISTANCE
L21	S87° 45' 03"W - 716.44'
L22	S1° 57' 54"E - 878.05'
L23	N85° 10' 11"E - 1033.48'
L24	N82° 27' 57"E - 416.91'
L25	S2° 09' 28"E - 1497.35'
L26	S88° 17' 22"W - 1321.74'
L27	S1° 51' 44"E - 85.08'
L28	S88° 22' 39"W - 1447.80'
L29	N87° 45' 17"E - 2427.08'
L30	N87° 45' 17"E - 14.70'
L31	N1° 23' 02"W - 478.41'
L32	N1° 54' 48"W - 849.01'
L33	N1° 58' 03"W - 421.82'
L34	N1° 38' 12"W - 763.87'
L35	N89° 02' 50"E - 11.87'
L36	N7° 57' 07"W - 313.42'
L37	N82° 58' 11"E - 873.14'



03-08-2014  
 DATE  
 Daniel E. Verston  
 DANIEL E. VERSTON  
 4925  
 S.P.L.S. NO.

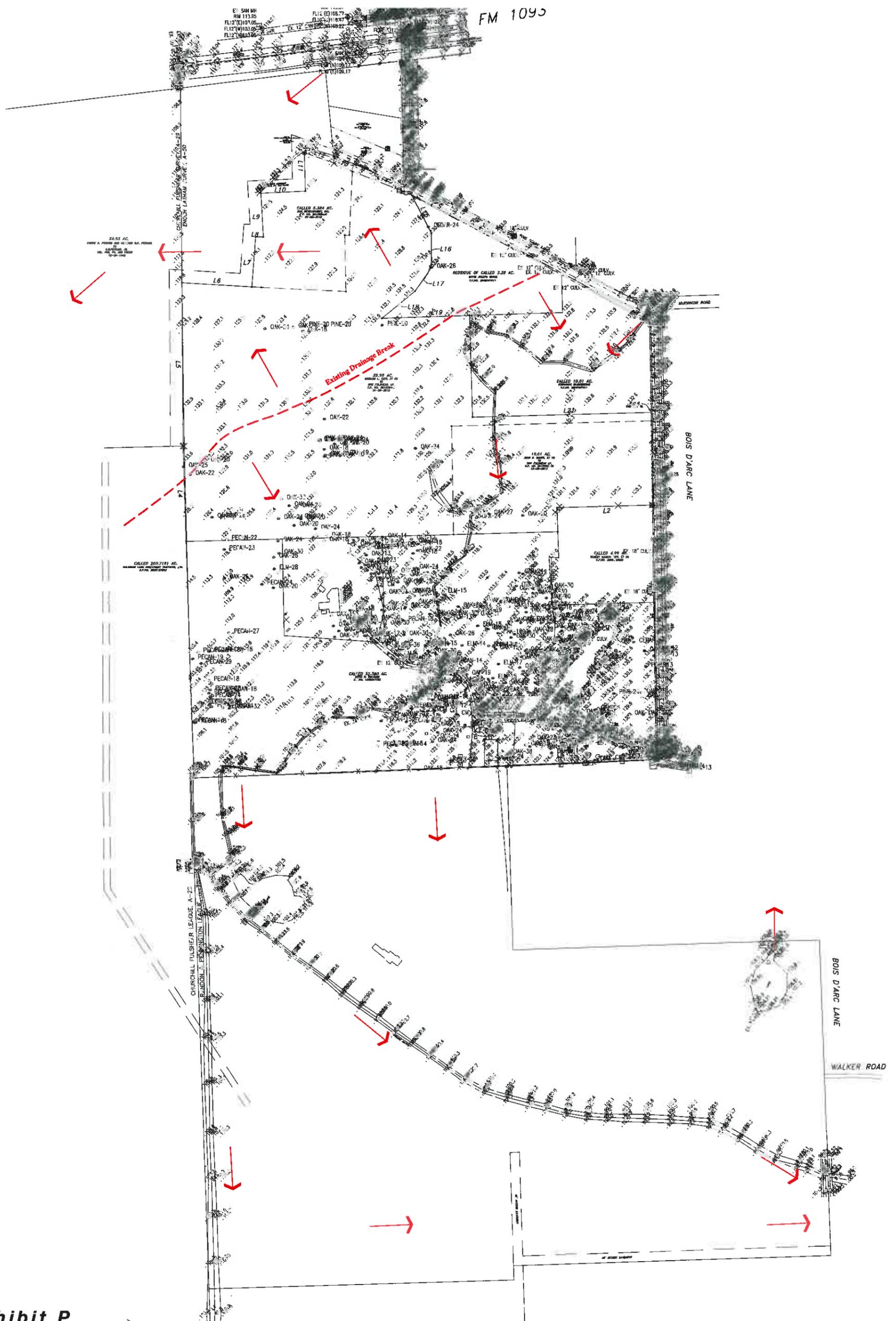
I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS THE ACTUAL CONDITIONS FOUND ON THE GROUND AT THE TIME OF THE SURVEY.

PREJEAN C. COMPANY, INC.  
 surveying / mapping  
 824 WESTVIEW DRIVE  
 HOUSTON, TX 77055  
 713-487-9495

**FULSHEAR RUN AND FULSHEAR VILLAGE P.U.D.**  
 262.6276 ACRES OUT OF THE

**RANDON & PENNINGTON LEAGUE, A-75**  
 HOUSTON, HARRIS COUNTY, TEXAS

03-19-2014 1"=200' JOB NO. 173-117MD



**Exhibit P  
Fulshear Run and Fulshear Village PUD  
Existing Conditions Map with Topo and Drainage Flow**

Revised: May 5, 2014

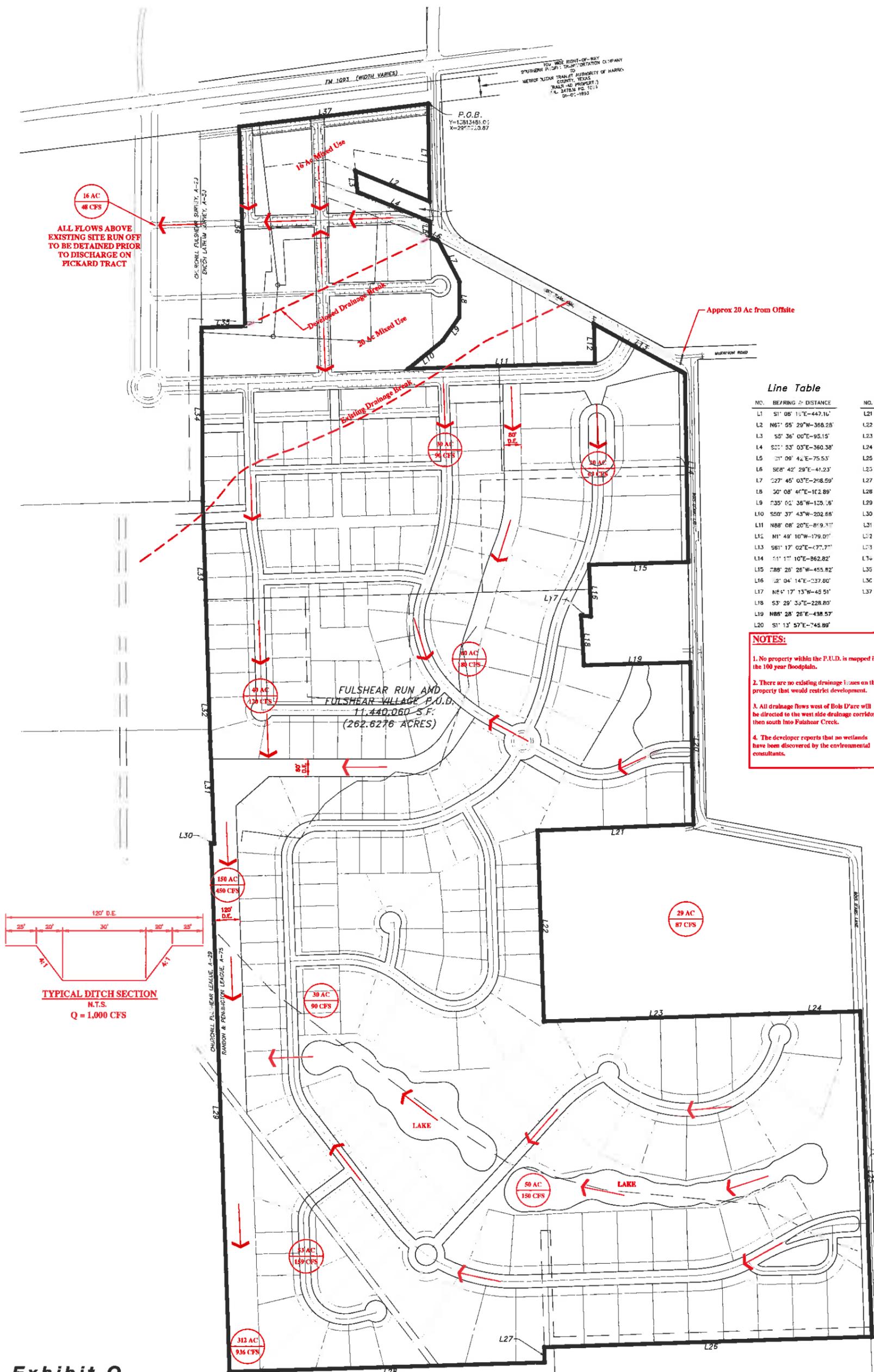


**DHK Fulshear LP**  
 DHK DEVELOPMENT, INC.  
 5405 Riverway, Suite 100  
 Houston, Texas 77056  
 713-961-0033  
 Contact: Dong Konopka

**DEDEN SERVICES, LLC**  
 CIVIL ENGINEERING  
 Texas Registered Engineering Firm F-10971  
 Contact: Robert Deden

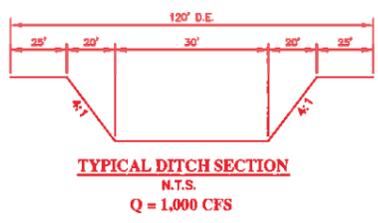
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 FAX (713) 461-2671

**SIA Studio Land**  
 Land Planning • Landscape Architecture  
 1600 West Loop South  
 Studio 1900  
 Houston, Texas 77027  
 713.787.0710  
 Contact: David Smitz



Line Table			Line Table		
NO.	BEARING	DISTANCE	NO.	BEARING	DISTANCE
L1	S1° 08' 11"E	447.10'	L21	S67° 45' 03"W	716.44'
L2	N67° 55' 29"W	368.28'	L22	S1° 57' 54"E	875.01'
L3	S5° 36' 00"E	95.15'	L23	N88° 10' 11"E	1037.48'
L4	S01° 53' 03"E	360.38'	L24	N65° 21' 57"E	416.92'
L5	S1° 09' 42"E	75.53'	L25	S2° 09' 28"E	1497.35'
L6	S68° 42' 29"E	41.23'	L26	S88° 11' 52"W	1503.74'
L7	S27° 45' 03"E	208.59'	L27	S1° 51' 44"E	99.08'
L8	S0° 08' 46"E	102.89'	L28	S98° 22' 39"W	1447.80'
L9	S35° 02' 38"W	125.16'	L29	N2° 05' 25"W	2127.09'
L10	S50° 37' 43"W	202.86'	L30	N87° 45' 13"E	14.70'
L11	N88° 08' 20"E	819.17'	L31	N2° 23' 52"W	471.42'
L12	N1° 49' 10"W	179.00'	L32	N1° 54' 08"W	645.01'
L13	S61° 17' 02"E	477.77'	L33	N1° 58' 02"W	451.92'
L14	S1° 17' 10"E	862.82'	L34	N0° 38' 12"W	793.87'
L15	S88° 28' 26"W	455.82'	L35	N88° 02' 59"E	189.81'
L16	S2° 04' 14"E	237.60'	L36	N1° 51' 01"W	915.42'
L17	N64° 17' 13"W	45.51'	L37	N82° 54' 19"E	871.15'
L18	S3° 29' 33"E	228.80'			
L19	N88° 28' 26"E	438.57'			
L20	S1° 13' 57"E	745.89'			

- NOTES:**
1. No property within the P.U.D. is mapped in the 100 year floodplain.
  2. There are no existing drainage easements on the property that would restrict development.
  3. All drainage flows west of Bois D'Arc are will be directed to the west side drainage corridor, then south into Fulshear Creek.
  4. The developer reports that no wetlands have been discovered by the environmental consultants.



**Exhibit Q**  
**Fulshear Run and Fulshear Village PUD**  
**Conceptual Drainage Plan**

Revised: May 5, 2014

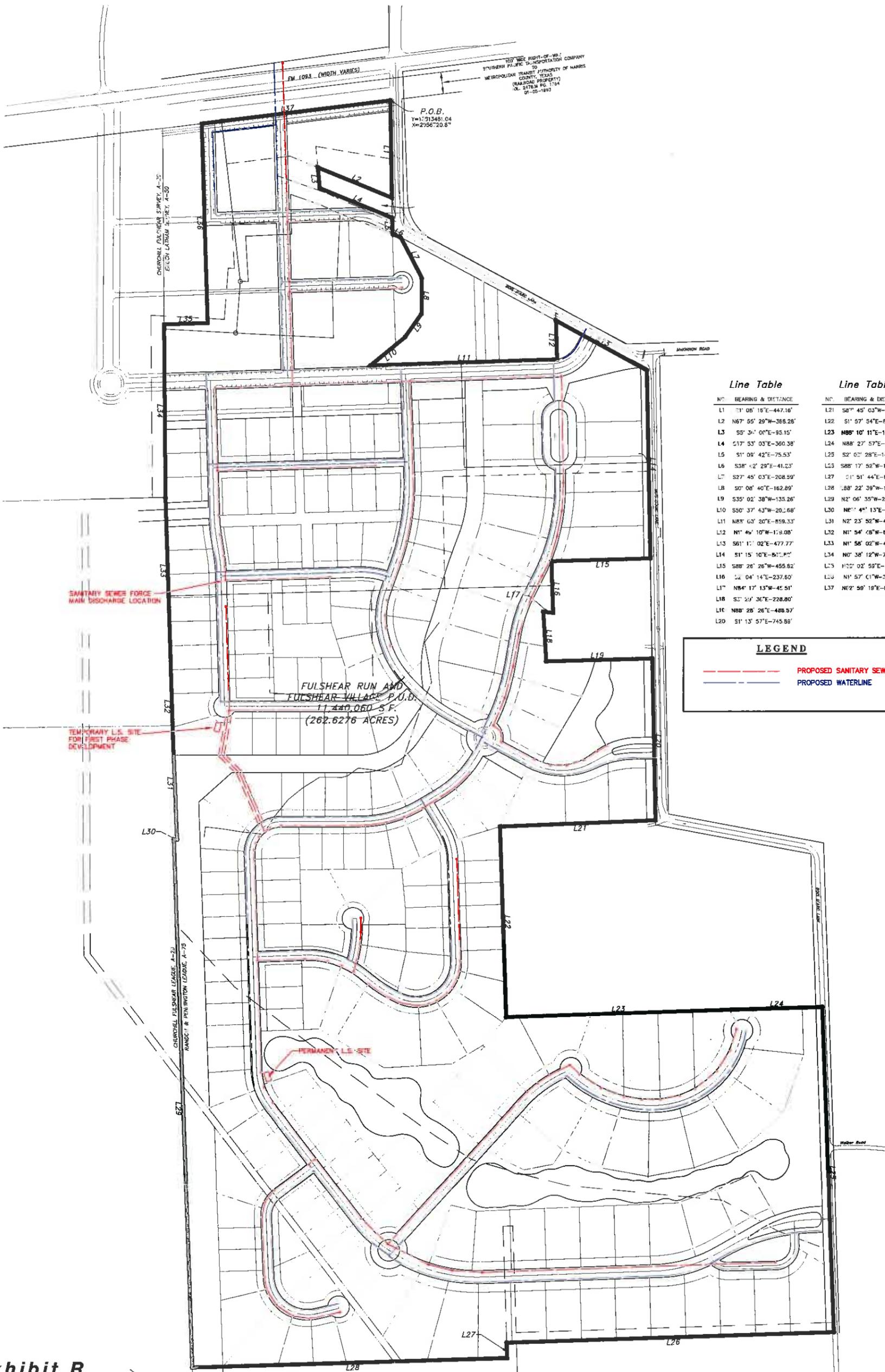


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 Land Planning • Landscape Architecture  
 1900 West Loop South  
 Studio 1500  
 Houston, Texas 77027  
 713.787.0719  
 Contact: David Smith



Line Table		Line Table	
NO.	BEARING & DISTANCE	NO.	BEARING & DISTANCE
L1	T1° 08' 18"E-447.16'	L21	S87° 45' 03"W-716.41'
L2	N67° 55' 29"W-368.26'	L22	S1° 57' 54"E-878.09'
L3	S5° 30' 00"E-95.15'	L23	N88° 10' 11"E-1035.48'
L4	S17° 53' 03"E-360.38'	L24	N88° 27' 57"E-412.92'
L5	S1° 05' 42"E-75.53'	L25	S2° 02' 28"E-1440.35'
L6	S38° 42' 28"E-41.23'	L26	S88° 17' 52"W-1502.74'
L7	S27° 45' 03"E-208.99'	L27	S1° 51' 44"E-89.08'
L8	S0° 08' 40"E-162.89'	L28	S88° 22' 39"W-1441.80'
L9	S35° 02' 38"W-135.26'	L29	N2° 06' 35"W-2427.09'
L10	S30° 37' 43"W-202.68'	L30	N6° 48' 13"E-14.73'
L11	N88° 03' 20"E-859.33'	L31	N2° 23' 52"W-476.42'
L12	N1° 49' 10"W-119.08'	L32	N1° 54' 08"W-845.01'
L13	S61° 17' 02"E-477.77'	L33	N1° 58' 02"W-451.92'
L14	S1° 15' 10"E-807.81'	L34	N0° 38' 12"W-733.87'
L15	S88° 26' 28"W-455.82'	L35	N02° 02' 59"E-199.87'
L16	S2° 04' 14"E-237.60'	L36	N1° 57' 01"W-215.42'
L17	N84° 17' 13"W-45.51'	L37	N62° 59' 18"E-873.15'
L18	S2° 29' 36"E-228.80'		
L19	N88° 28' 26"E-488.57'		
L20	S1° 13' 57"E-745.89'		

**LEGEND**

--- PROPOSED SANITARY SEWER

--- PROPOSED WATERLINE

**Exhibit R**  
**Fulshear Run and Fulshear Village PUD**  
**Conceptual Water & Sanitary Sewer Plan**

Revised: May 5, 2014



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Proposed PUD-City of Fulshear Standards			Revised	May 1, 2014	Exhibit T		
				Zoning & Ordinance Standards			
Topic	Land Use	Description	City of Fulshear Standard	MUD 144 PUD Standard	Code	Reference	
1	Applicable Regulations	All	Topographic Issue	No foreseeable difficulties	Significant grading in TC area will significantly alter site	2013-1069	Sec. 1-163 (b)
		SF	Minimum Lot Size	6,000 SF	3,000 SF Town/Row Houses Urban Housing	2013-1069	Sec. 1-163 (b)
		All	Street Access Limitations	Access not permitted in high traffic areas	Town center requires multiple front & side access points	2013-1069	Sec. 1-163 (b)
		All					
2	Building Lines	MF	Front, side and rear			2013-1069	Sec. 1-163 (b)
		Multi-Family		Front 25'	0' in Town Center	2013-1069	Sec. 1-163 (b)
		Multi-Family		Side Interior 10'	0' in Town Center	2013-1069	Sec. 1-163 (b)
		Multi-Family		Side Local Street 10'	0' in Town Center	2013-1069	Sec. 1-163 (b)
		Single-Family		Front 25'	10' in Urban Residential	2013-1069	Sec. 1-163 (b)
		Single-Family		Side Interior 5'	0' in Urban Residential	2013-1069	Sec. 1-163 (b)
		Single-Family		Side Local Street 15'	5' in Urban Residential	2013-1069	Sec. 1-163 (b)
3	Defined Term	All	Density	Gross calculation used	Net calculation by Sub-District in a vertical mixed-use development typical	2013-1069	Sec. 1-72
4	Intentionally Blank						
5	Intentionally Blank						
6	Lot Size	PH	Minimum	6000 SF	3000 SF for Urban Residential area in either Patio Home or Town Home building types.	2013-1069	Sec. 1-163 (b)
7	Lot Width	Lots, Tracts, Reserves	Minimum	50'	30' for Urban Residential area	2013-1069	Sec. 7-L
8	Number of Floors	All	Building height(s)	Silent	4 Stories in Town Center Mixed use, 3 stories Urban Residential and 2 Stories in SFD	2013-1069	
9	Parking Buffer	Parking lots	Landscape Buffer along edge of parking lot	Requires a 9' Landscape buffer between Street ROW & Parking isle.	Where commercial or retail meets the ground, parking above can follow building facade line.	2013-1069	Sec. 1-164
10	Parking		Minimum Off-Street	Various		2013-1069	Sec. 1-164
		Multi-Family	Access	Limited to 1 access point per 400'	1 per 120' in Town Center	2013-1069	Sec. 1-164
		Multi-Family	Parking Spaces	2.25 Spaces per DU	1.5 in Town Center	2013-1069	Sec. 1-164
		Commercial	Parking Spaces	4 per 1000 GSF	Permit a Shared Parking Analysis solution in Town Center based on ULI Mixed Use Development Standards	2013-1069	Sec. 1-164
		Hotel	Parking Spaces	1.5 per Room	Permit a Shared Parking Analysis solution in Town Center based on ULI Mixed Use Development Standards	2013-1069	Sec. 1-164
		Mixed Use	All	Per Above	Permit a Shared Parking Analysis solution in Town Center based on ULI Mixed Use Development Standards	2013-1069	Sec. 1-164
11	Landscaping	TC	View Triangle @ Corners	30' Triangle	Zero Setback in Town Center	2013-1069	Sec. 1-165
		TC	Tree preservation	Preserve in situ where possible	Not possible in most areas of Town Center	2013-1069	Sec. 1-165
		TC	Softening of walls with landscape	Along long walls and and building facades	Not possible in most areas of Town Center other than for street trees and tree wells	2013-1069	Sec. 1-165
		All	Berms	Required along major thoroughfares	Not possible in most areas of Town Center and inappropriate where forest conditions are to be preserved.	2013-1069	Sec. 1-165

Proposed PUD-City of Fulshear Standards			Revised	May 1, 2014	Exhibit T	
Zoning & Ordinance Standards						
Topic	Land Use	Description	City of Fulshear Standard	MUD 144 PUD Standard	Code	Reference
12 Site Plan Changes	PUD	Approval Process	P&Z/CC	Request to process administratively, if no change to PUD Permitted uses, yields or standards requested		
13 Street Widths	All	Access Street - Minimum ROW	60'	Variance for 50' R.O.W.	2013-1069	Sec. 7-D
	TC	Major Thoroughfare	80-100' no on-street parking	On-Street Parking in Town Center		
14 Fencing	Residential	Bordering drainage ditches	3' tall fence with gate on each lot required	Where a MUD or HOA maintains the ditch, this standard is unnecessary.	2013-1069	Sec. 1-166
	TC	Solid wall buffer	Strictly prohibited but where used, a 6' landscape buffer required.	Not desirable in many areas of Town Center where utilities are in close proximity to street	2013-1069	Sec. 1-166
15 Land Uses	TC	Permitted by Right	There appears to be an absence of Hotel and Multi-Family in the Commercial District.	Permit Hotel & Multi-Family in PUD per Section 1-192.	2013-1069	Sec. 1-188
	TC	Prohibited Uses	Private Clubs and Cigar stores	Permit in Town Center	2013-1069	Sec. 1-188
16 Existing Ordinances	All			The PUD shall be subject to all ordinances current at the date of PUD Approval (as modified by the PUD Ordinance) and/or as modified by the PUD-DA	All	All
17 Miscellaneous Provisions	Accessory Use Heights	Accessory structures limited to 12' in height	Accessory structures limited to 12' in height	As an accessory structure, parking garages in the Town Center should be exempt from the 12' height limitation.	2013-1069	Sec. 1-226
	PUD	Parcel Boundaries & Areas		The areas and configurations of the parcels depicted in the PUD documents are subject to more precise definition during the detailed planning phase. Total parcel area changes, in part or in total, within the PUD of ±10% are permitted without amending the PUD.	All	
	PUD	Parcel Subdivision		Parcels may be subdivided if resultant parcels reflect approved PUD land uses of divided parcels.	All	
	PUD	Parcel Consolidation		Adjoining parcels of the same land use may be consolidated.	All	
	PUD-TC	Variances	12 Month time limit on variances	The development timeframe for a Town Center project is of longer duration than conventional developments. The 12 month timeframe is impractical for this project. Recommend that all anticipated variances be stipulated and permitted directly in the PUD to avoid this limitation.	2013-1069	Sec. 1-282
	PUD-TC	TIA	Required for Special Use Permits	Recommend that all uses anticipated in PUD be listed in PUD with a compatibility clause granting administrative approval by Staff.	2013-1069	Sec. 1-283
<b>Key:</b>						
Single Family	SF					
Multi Family	MF					
Commercial	C					
Town Center	TC					
Townhouse	TH					
Patio Homes	PH					

Fulshear Run Planned Unit Development ("PUD") Development Agreement by and between the City of Fulshear and DHK Fulshear, LP ("DA")		Revised May 1, 2014		Exhibit U Subdivision Standards	
Topic	Description	Typical Standard	AMENDED PUD/DA REQUIREMENTS	Code	Reference
Existing Ordinances	Governing Ordinances	Existing Ordinances at the Time of the Plat/Plans	PUD/DA to be governed by (i) PUD/DA as the controlling provision or (ii) the city ordinances in place on or before February 19, 2013 if not otherwise addressed by the PUD/DA.		
Plat Approval Requirements	Plat approval required for any subdivided tract	Includes land parcels sold to third parties	Delete Section 4. A. 1. for the purposes of PUD	2013-1091	Section 4 A
	Supplemental materials for Preliminary Plat	Includes, Title Report, Metes & Bounds, TXDOT Permit	Delete Section 5 D. 7. 8. & 9. - Include metes and bounds description with Final Plat not preliminary Plat.	2013-1091	Section 5 D.
	Form and Content of Preliminary Plats	Includes 6" contours & all park land dedications	Delete Section 5 E. 13 & 19 - include 1" contours on Final Plat and parkland will be addressed by PUD	2013-1091	Section 5 E.
	Form and Content of Final Plat	Special reports and traffic impact studies with Final Plat	Delete Section 8 C. 3. b. 3d. and 3e and to amend 8 C. 3. to include items in Section 5 as amended by PUD	2013-1091	Section 8 C
	Form and Content of a Final Plat	Parkland dedication with Final Plat	Delete Section 8 D. 12 and Parkland dedication will be addressed by PUD.	2013-1091	Section 8 D.
Commission Action on Final Plat	Commission action on Final Plats with and without conditions	Final Plat complies with 2013-1091 receives approval with or without conditions	Amended that Commission shall approve Final Plat if in compliance with the PUD and/or D/A with or without conditions.	2013-1091	Section 9 & 10
	Commission approves conditions on Final Plats	Subject to demonstrated extraordinary hardship.	Amended that Commission shall approve Final Plat w/ conditions if in compliance with the PUD and/or D/A or a hardship.	2013-1091	Section 9 & 10
Development Plats	Development Plats	Anyone who proposes to develop commercial tract shall follow Section 5-10	Amended that any person proposes the development of a commercial tract must follow Section 5-10 as amended by PUD/DA	2013-1091	Section 11
Amending Plats	Amending plats, minor plats and re-plats	City Engineer has authority to approve if (i) do not extend City facilities (ii) <1-acre.	Amended that Engineer has authority to approve re-plats, minor plats and amending plats that meet the conditions of the PUD/DA or (i) that do not extend City facilities (ii) <1-acre.	2013-1091	Section 12
Parkland Dedication	Park Land Dedication	Provides for dedication of neighborhood and regional Parks & Payment for Park Fees	Shall apply to the Fulshear Run section of the PUD but not for the Fulshear Village section. Delete Section 16 in its entirety and refer to the provisions of the PUD/DA and the Open Space and Park Master Plan for Park Land requirements and/or Fees in lieu thereof. Propose that the extensive trail and open space system, Intense Town Center streetscape and park satisfy the dedication and development fees for the parkland requirements in the Fulshear Village area.	2013-1091	Section 16
Design and Construction Standards	Compliance with Design Standards	Plats not approved unless plat meets City's Design and Construction Standards	Plats not approved unless plat complies with City's Design and Construction Standards as amended by PUD	2013-1091	Section 18 A.
	Streets: Specific Standards	Min. R.O.W. Widths for all public streets	Shall be permitted as stipulated on the Street Hierarchy Plan and Street Sections for Types A, B-2, E & F	2013-1091	Section 18 C.
		Boulevards- Not Addressed	Min. R.O.W. for Boulevard = 80' feet wide (with two 25' wide paving sections separated by a 10' wide median (subject to tapering at a transition); however, no Boulevard shall be required for this PUD. Boulevards with wider rights-of-way than the minimum prescribed shall have wider medians and paving widths shall not be required to increase.		
		Min. R.O.W. for other streets = 60 feet wide subject to exception below	Min. R.O.W. for other streets = 60 feet wide (subject to exception below). Shall be permitted as stipulated on the Street Hierarchy Plan and Street Sections for Types A, B-2, E & F		
		Min. R.O.W. w/ storm sewers that cannot be extended = 50 feet wide	Min. R.O.W. w/ storm sewers that cannot be extended in the future = 50 feet wide-R.O.W. that cannot be extended in the future include streets planned to be cul-de-sacs, R.O.W.'s planned to create a loop or other R.O.W.'s that do not stub out to the boundary of the PUD.		
	Cul-de-sac R.O.W. Radii	Min. R.O.W. for end of street terminated with cul-de-sac not less than 50' wide	Min. R.O.W. for street terminated with cul-de-sac not less than 50' wide with radii of actual cul-de-sac of 50' (inclusive of 12.5' radii green space island if requested within the middle of the cul-de-sac within the PUD)	2013-1091	Section 18 C.
	Street Signage and Traffic Control Devices	Developer initially installs street signs and traffic control devices under Texas Manual on Uniform Traffic Control.	Developer, MUD and/or HOA installs street signs and traffic control devices under the Texas Manual on Uniform Traffic Control Devices. Notwithstanding the foregoing the Developer, MUD and/or HOA may install customized street signage of a style and color of its own choosing within the PUD but height and placement will conform to industry standards.	2013-1091	Section 18 C. 7.
	Easements	Easements are min. 15' wide unless otherwise permitted by City Council	Min. easement width as requested by the Developer within the PUD (and/or adjacent thereto or in service thereof) to adequately install any dry utility including but not limited to fiber optics, natural gas, telephone, electric power, cable television, street lights and any other private utilities in accordance with required width standards of utility provider.	2013-1091	Section 18 F. 3.
	Drainage Easements	Drainage easements meet regulatory authority requirements. Drainage easements shall be kept clear of fences, buildings structures, improvements obstructive vegetation and other obstructions and a plat note will state such.	Amend provision that notwithstanding other regulatory criteria that drainage easements within the PUD (and/or adjacent thereto or in service thereof) may include sidewalks, trails, landscaping, irrigation, signage and other recreational improvements and such improvements shall not be prohibited where drainage easements are maintained by the Developer, MUD or HOA.	2013-1091	Section 18 F. 2.
	Building Setbacks Single Family	General Front, Rear Side	PUD-TC: Front, rear and side setbacks may be zero.	2013-1091	Section 18 G.
		Front: 25 feet	General Front: 25 feet for roads having R.O.W. of 60' wide or above	2013-1091	Section 18 G.
		Front: 25 feet	General Front: 25 feet for roads having R.O.W. of 60' 50' wide or above		
		Cul-De-Sac Front: 20 feet beginning at the curve of actual cul-de-sac	Special Front: 20 feet for all streets with a 50' wide right of way (including cul-de sacs)		
		Corner Street Side Setback: 15 feet	Corner Street Side Setback: 10 feet		
		Non-corner Side: 7.5 feet or minimum of 20% of lot width on inner lot line	Non-corner Side: 5 feet.		
		Master Plans: 5% of lots zero on 1 side and 10' on the other side and 20' front	PUD: 10% of lots in PUD zero on 1 side and 10' on the other side and 20' front Building Line		
	General Lot Design, Arrangement and Layout	The average Lot size in a development shall meet or exceed 8,000 square feet and no lot shall be less than 6,000 square feet.	Amend provision that the average Lot size in the development shall meet or exceed 7,000 and no Estate Lot shall be less than 1 Acre, Transitional Lot 20,000 SF or Urban Residential Lot 3500 SF.	2013-1091	Section 18 I. 1. d.
	Street Lighting	Street lights installed at intersections, cul-de-sacs and other locations as determined by City Council or Commission	Delete 18L as it relates to the PUD. Street Lights will be located and installed by the MUD and/or HOA and paid for by the MUD or HOA until the MUD is annexed by the City per the D/A. Decorative street lights are permitted but not required.	2013-1091	Section 18 J.
Exhibit "A" Construction Standards	Street Paving Width	Major Streets - Minimum 44' and Maximum of 64 feet between back of curb Secondary Streets - Minimum 38' and maximum of 44' between back of curb Boulevards-Not Addressed Residential Streets- Minimum 28' and Maximum of 32' between back of curb Residential Cul-de-Sac Streets- Same standard as residential streets. Roundabouts- not addressed	Major Streets - Minimum 44' - (None of these are planned for use in PUD) Secondary Streets - Minimum 38' between back of curb. Boulevards- Minimum of divided two 2 lane paving sections, separated by a median, each with a minimum 25' width between the backs of curb. Residential Streets- Minimum 28' between back of curb (paving width can be divided with a median or green space if desired provided the separated lanes are 15' from back of curb to back of curb) Residential Cul de Sac Streets- Minimum 24' between back of curb (40' paving width radius subject to 12.5 radii green space island where requested). Roundabouts- permitted by the City.	2013-1091	Exhibit "A" 1.02
	Sidewalks Locations	Sidewalks are located per Figure 1	Amended so sidewalks within the PUD may be located contiguous with curb in the PUD-TC and with property line in the Estate and Transitional Residential single family areas.	2013-1091	Exhibit "A" 1.03 h.

Exhibit V      **Fulshear Run PUD- Town Center Sub-District (AKA Fulshear Village, AKA "PUD-TC")**

(A) Purpose. This sub-district includes land which is used primarily for retail business and commercial office establishments designed to serve the residents of Fulshear Run as well as the entire Fulshear community and its visitors.

(B) Permitted Uses. In the PUD-TC sub-district, no land shall be used and no building shall be erected or converted to any use other than:

1. Bakery, candy confectionery – retail only
2. Barber and beauty shops
3. Bookstore
4. Stationery stores
5. Newsstands
6. Cafeteria
7. Christmas tree lot
8. Cleaning and pressing shops
9. Clinics, other than veterinary without outdoor pens/kennels and/or exercise areas.
10. Copying, photography or duplicating services
11. Custom dressmaking, millinery and tailor shops
12. Delicatessen shops
13. Drug store/pharmacy
14. Florist and gift shops
15. Furniture store
16. Grocery stores (including Gas Stations), meat markets
17. Health and physical fitness centers
18. Indoor game parlors; Commercial Indoor Recreation
19. Jewelry stores
20. Optical goods
21. Motels/hotels
22. Multi-Family, Townhouse/Rowhouse and/or Loft Housing
23. Musical instrument sales and repair and sheet music and record sales
24. Package Liquor Store: Sales of alcoholic beverages for off-premises consumption
25. Private membership dining club
26. Professional Offices including: Developer, accounting, auditing, tax and bookkeeping services
27. Assisted Living Facilities
28. Adjustment and collection services
29. Advertising services
30. Architectural firms
31. Banks, Savings and loans, Credit Unions, and Financial Institutions
32. Brokerage offices
33. Business associations
34. Child care centers not located in a shopping center or an integrated business development
35. Consultant services office
36. Consumer and mercantile credit reporting
37. Currency exchanges and services
38. Dental offices, dental laboratories
39. Engineering, architectural and planning services
40. Insurance carriers, agents, brokers and related services
41. Law firms

42. Limited service postal facility
43. Medical clinics or offices
44. Medical and dental laboratory
45. Real estate offices
46. Security and commodity brokers, dealers
47. Stenographic, duplicating and mailing services
48. Telephone answering service
49. Title abstractors and appraisers
50. Travel arranging and ticket services
51. Radio, Television, Computer, Cell Phone, Technology sales, service and electronic devices
52. Restaurants, (Alcoholic beverages are permitted when served on premises incidental to the serving of food)
53. Wine bars
54. Service shops (i.e., hair salons, shoe repair, and personal care facilities)
55. Specialty shops
56. Sporting goods including gun sales and repair
57. Studios (art, music, drama, photo)
58. Theater (motion/moving pictures), not including drive-in theaters
59. Variety, department and discount stores (including Pet Stores)
60. Other Stores and shops for the sale indoors of products at retail only (exception: Occasional sidewalk/parking lot sales by established indoor business on its premises)
61. Farmer's Market outdoors and/or indoors
62. Other Businesses approved by Special Use Permit

(C) Prohibited Uses. In the PUD-C district, no land shall be used and no building shall be erected or converted to any of the following uses:

1. Garden Apartments
2. Automobile Businesses (by Special Use Permit Only)
3. Automobile parking lots; not specifically connected to an Allowed Use
4. Child care facilities, as defined by state
5. Churches, auditoriums, lodges, and social clubs
6. Convenience Stores other than those integrated into an approved PUD-TC building as a portion of the retail lease area.
7. Flea Markets other than as an occasional temporary use permitted by the City in the PUD-TC area.
8. Gas/Diesel Service station (exception Grocery Stores)
9. Ice retail distributing; no manufacture
10. Industrial and manufacturing use businesses
11. Veterinary Clinics, Kennels and keeping of livestock or poultry
12. Mortuaries
13. Produce Stands
14. Temporary Roadside Businesses
15. Schools
16. Sexually oriented businesses; Adult Entertainment Establishments
17. Taxidermist
18. Washateria
19. Commercial Communication Towers, Antennas, & Satellite Dishes (by Special Use Permit Only)

(D) Notwithstanding the limitations imposed by the above "Permitted Uses" list, the Director of Planning and/or its successors and assigns, may administratively permit, other uses deemed by the Director to be similar and/or compatible with those uses permitted herein.

Monday, May 5, 2014

<b>Fulshear Run Proposed Utilization Summary</b>		<b>May 1, 2014</b>	<b>Exhibit W</b>
	<b>Use</b>	<b>Maximum Area/Units</b>	<b>Maximum Height</b>
<b>Town Center (Fulshear Village)</b>			
	<b>Total Retail</b>	<b>190,000 GSF</b>	<b>2 Story</b>
	<b>Total Office</b>	<b>265,000 GSF</b>	<b>4 Story</b>
	<b>Total Loft/Multi-Family</b>	<b>480 DU's</b>	<b>4 Story</b>
	<b>Total Urban Residential</b>	<b>30 DU's</b>	<b>3 Story</b>
	<b>Total Civic</b>	<b>50,000 GSF</b>	<b>3 Story</b>
<b>Single Family Residential (Fulshear Run)</b>			
	<b>Total Estate Lots</b>		<b>70 2 Story</b>
	<b>Total Transitional Lots</b>		<b>160 2 Story</b>