NOTICE OF LA MARQUE
PLANNING AND ZONING COMMISSION MEETING
BY TELEPHONE CONFERENCE

In accordance with order of the Office of the Governor issued March 16, 2020, the Planning and Zoning Commission of the City of La Marque will conduct its meeting scheduled for **Monday, December 7, 2020 at 4:00 PM by telephone and video conference** in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus/COVID-19. This Notice, the meeting agenda, and the agenda packet can be found online at:

https://ci.la-marque.tx.us/AgendaCenter

THERE WILL BE NO PUBLIC ACCESS TO CITY HALL DURING THE MEETING.

The public will be permitted to offer public comments telephonically as provided below during the meeting. A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request. You may submit comments in advance for this meeting by contacting the City Clerk's office.

THE PUBLIC TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE MEETING IS:

1 (346) 248-7799

ONCE YOU ARE CONNECTED, YOU MUST ENTER THE FOLLOWING:

Meeting ID: 956 7753 7059

Press *6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address:

https://zoom.us/j/95677537059

Once you are on the website, you may need to enter the following:

Meeting ID: 956 7753 7059

If you require accommodation to participate in this meeting, contact the City Clerk at 409-938-9259 or cityclerk@cityoflamarque.org at least 48 hours prior to the meeting start time.

1111 Bayou Rd.
La Marque, Texas 77568
409-938-9202

Hugh Cash – Chairperson
Greg Cornett – Vice-Chairperson
Augustino Molis – Commissioner
Alan Waters - Commissioner
Douglas Hobgood – Commissioner
Stephanie Gordon – Alternate
Chris Colombo - Alternate

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CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
Regular Meeting
AGENDA
Of
December 7, 2020

Notice is hereby given that the City of La Marque Planning and Zoning Commission will conduct **a Regular Meeting via telephone/video conference hosted through Zoom as provided in the attached notice on Monday, December 7, 2020 at 4:00 p.m.**, for the purpose of considering and taking action on the following agenda:

(1) CALL MEETING TO ORDER

(2) ROLL CALL

(3) PUBLIC COMMENTS

At this time, any person who wishes to speak on Commission-related business, including any item on the agenda, should speak at this time by giving the Chairman your name and the item you wish to speak about. Comments are limited to three (3) minutes. In compliance with Texas Open Meetings Act, the Planning and Zoning Commission may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. **Press *6 to mute or unmute if you are participating by telephone.**

(4) MINUTES:

a. Discussion / possible action to approve October 27, 2020 Meeting Minutes

(5) PUBLIC HEARINGS

a. Public hearing on a preliminary report regarding a request to change the zoning district from (C-2) Restricted Commercial to (C-1) General Commercial for 714 Bayou Road, La Marque, Texas

(6) NEW BUSINESS

a. Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district from (C-2) Restricted Commercial to (C-1) General Commercial for 714 Bayou Road, La Marque, Texas

b. Discussion / possible action regarding a plat application for Mainland Partial Replat No. #1 near 601 Delany Road

c. Discussion / possible action regarding a request to abandon two portions of public right-of-way near Hallam Road and Delany Road, also known as North Harlton Road and that portion of Garrett Road north of Hallam Road associated with Mainland Partial Replat #1

(7) EXECUTIVE SESSION

a. The Commission reserves the right to convene in closed session pursuant to Sections 551.071 and/or 551.086 of the Texas Government Code (Consultation with attorney regarding legal advice and/or economic development negotiations); No action will be taken by the Commission in closed session

(8) REQUESTS AND ANNOUNCEMENTS

Requests by Commissioners for items to be placed on future Planning and Zoning agendas and announcements

(9) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas, on or before **December 4, 2020,** before 5:00 p.m.

_____

Robin Eldridge, TRMC
City Clerk

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. . Please contact the City Clerk's office at (409) 938-9259, or Fax (409) 935-0401, or e-mail cityclerk@cityoflamarque.org for further information.

1111 Bayou Rd.
La Marque, Texas 77568
409-938-9202

Hugh Cash – Chairperson ***Alan Waters - Commissioner***
Greg Cornett – Vice-Chairperson ***Douglas Hobgood - Commissioner***
Augustino Molis – Commissioner ***Chris Colombo - Alternate***

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CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
Regular Meeting
AGENDA
Of
October 20, 2020

Notice is hereby given that the City of La Marque Planning and Zoning Commission will conduct **a Regular Meeting via telephone/video conference hosted through Zoom as provided in the attached notice on Tuesday, October 20, 2020 at 4:00 p.m.**, for the purpose of considering and taking action on the following agenda:

(1) CALL MEETING TO ORDER
4:17 pm by Chairman Hugh Cash

(2) ROLL CALL
Absentees: Augustino Molis, Stephanie Gordon
Invocation lead by Hugh Cash
Pledge lead by Hugh Cash

(3) PUBLIC COMMENTS
At this time, any person who wishes to speak on Commission-related business, including any item on the agenda, should speak at this time by giving the Chairman your name and the item you wish to speak about. Comments are limited to three (3) minutes. In compliance with Texas Open Meetings Act, the Planning and Zoning Commission may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. **Press *6 to mute or unmute if you are participating by telephone.**

(4) PUBLIC HEARINGS

a. Public hearing on a preliminary report on a request to change the zoning district from unzoned to (C-1) General Commercial for 1607 4th St., La Marque, Texas
No Public Attendees to speak at this hearing.

b. Public hearing on a preliminary report on a request to change zoning district from (R-1) Single-Family Residence to (C-1) General Commercial for Lots 1, 2, 3

of the Johnannson Addition located at 2105 Gulf Freeway, La Marque, Texas located near Gulf Frwy Frontage and May St.

Debra Santiago, Daughter of the owner (10610 N. P. St. La Porte 77571)
Wanda Elaine Stedhim (2531 May) – Resident/Owner of property - Ms Santiago is speaking on behalf of her mother. They will soon be selling their mother's home and are concerned how this will affect the selling value. Noted the small streets not made for commercial trucks. Concerned that the entire neighborhood had not been informed via mail out notice.
Keith Cusick, questioned if the property will be appropriately taxed since he is concerned that they have only been paying a single family residence.

Public Hearing Closed at 4:32 PM

(5) NEW BUSINESS

a. Discussion/possible action to issue a final report and provide a recommendation to City Council regarding a zone change from unzoned to (C-1) General Commercial for 1607 4th St., La Marque, Texas

Derra Purnell gave overview of this request. The property would not be able to be zoned residential due to lot width. It does not meet the ordinance requirements for residential lot sizing. Planned a Shed for housing lawn equipment and getaway for peace and quiet.
Sharon Walker – mailed in notifications of concerns. Dead end street, Residents are seniors, narrow streets, street lighting, crime.
Property owner would be required to erect fence to separate commercial and adjacent residential properties by the Supplementary District Regulations in the Zoning Ordinance.
Hugh Cash recalled that the area has had traffic issues in the past due to commercial properties in the area but that they had been resolved. No significate impact foreseen.
The C-1 zoning designation would not allow for a private residence to be built on the property.
Motion to Approve – 1st Alan Waters 2nd Chris Colombo, Motion passed unanimously

b. Discussion/possible action to issue a final report and provide a recommendation to City Council regarding a zone change from (R-1) Single Family Residence to (C-1) General Commercial for lots 1, 2, 3 of the Johannson Addition located at 2005 Gulf Freeway, La Marque, Texas

Mike Unbenhagen gave an overview of the proposed project. He noted that the property will have a commercial office – No Large Vehicles will be stored – No large amounts of material to be stored.
Derra Purnell followed up with Zoning uses per ordinance, No Open Storage would be allowed per ordinance, Additional requirements as the building was to be added.
Derra Purnell noted the pg 21 of the Agenda Packet (Survey of property) showing driveways and current building. Lot 3 (PID#198139) has Legal Non Conforming

DRAFT

use and structure status. City Zoning has these lots noted as Single Family Residential. Lot 1 (PID#198136) Lot 2 (PID#198137) Lot 3 (PID#198139) Property entrance located on PID#198136- 1 driveway off of May & 1 driveway off of I-45 feeder. New commercial office will be located on PID#198136.
Motion to Approve: 1st Alan Waters 2nd Greg Cornett
Motion passed unanimously
Public can comment in writing if unable to log into meeting - can call in with concerns for to relay to council.

c. Discussion/possible action regarding a final plat for Sunset Grove Section 2 being a subdivision of 14.68 Acres near Delany Road and Prairie St
Original Approval has expired and has been extended Previously
Motion to Approve with conditions that the infrastructure be completed and accepted by the City prior to plat recording - 1st Chris Colombo 2nd Alan Waters

d. Discussion/possible action regarding a final plat for Landing at Delany Cove Section 13 near Delany Road and FM1765
Motion to Approve with Conditions
Needs Public Infrastructure Approval - Needs Performance Bond - Tax Certificates to be submitted
Motion to Approve with conditions that infrastructure plans be approved, performance bond submitted for those improvements, and original tax certificates be submitted: 1st Alan Waters 2nd Douglas Hobgood
Motion passed unanimously

(6) REQUESTS AND ANNOUNCEMENTS

Requests by Commissioners for items to be placed on future Planning and Zoning agendas and announcements.

Sussie Sutton says her goodbyes as she is retiring.

(7) ADJOURNMENT
1st Alan Waters 2nd Douglas Hobgood
Adjourn at 5:11 pm

DRAFT

City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: December 7, 2020

Agenda Item: Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district from (C-2) Restricted Commercial to (C-1) General Commercial for 714 Bayou Road, La Marque, Texas

Item Type: Zone change

History: None

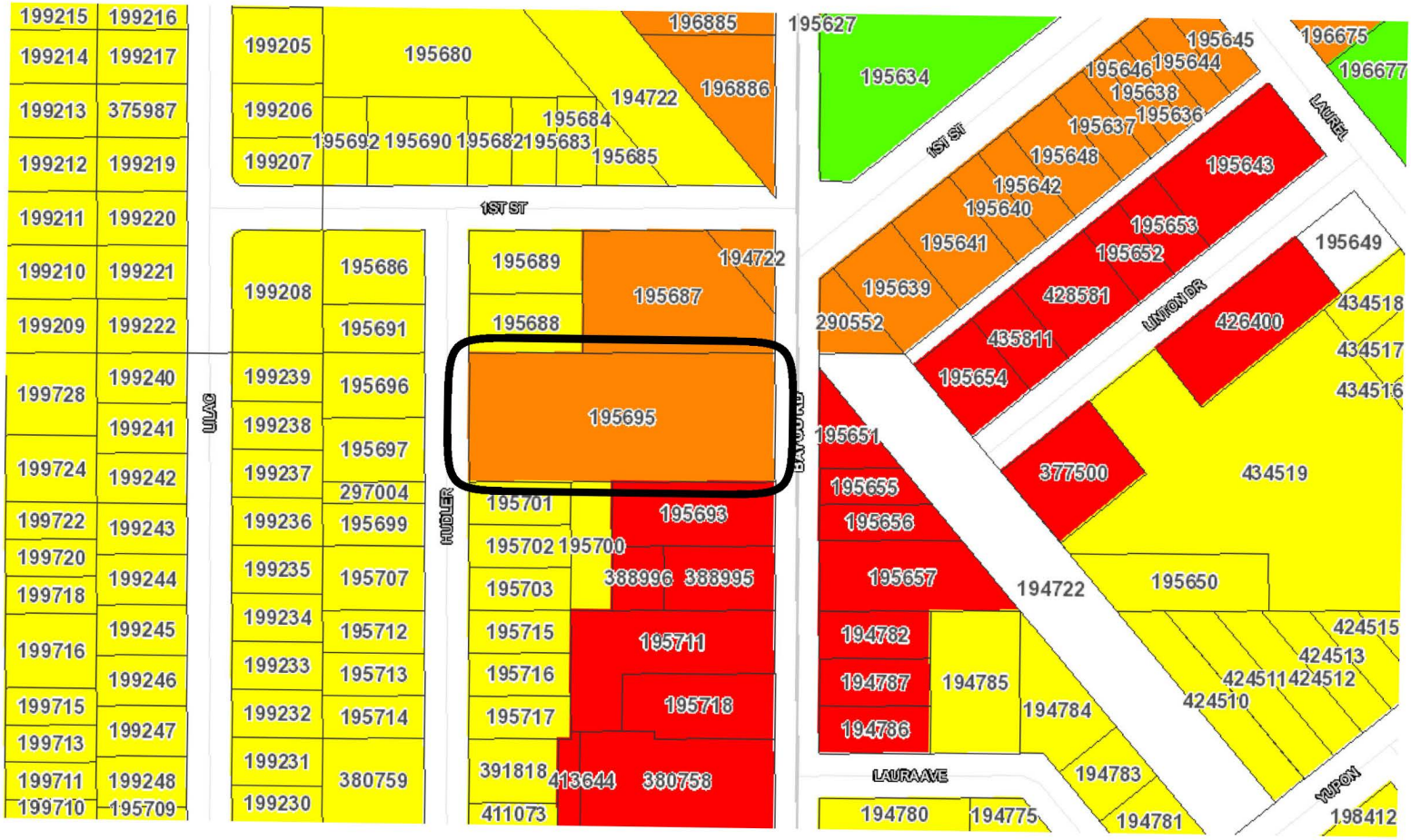
Standard for Approval: "[E]ither the general welfare of the city affected by the area to be changed will be enhanced, or that the property is unusable for the purposes allowed under existing zoning." *See* City Code Sec. 71-26(k).

References: City Code Chapter 71;
Chapter 211, Texas Local Government Code

Council approval: Required; Ordinance also required

Public comments: None

Recommendation: Motion to issue a final report and recommend approval of a zone change from (C-2) Restricted Commercial to (C-1) General Commercial for 714 Bayou Road, La Marque, Texas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CITY OF LA MARQUE
"Gateway to the Gulf"
1130 1st St., La Marque, TX 77568
409-938-9252 S.Sutton@CityOfLaMarque.Org

Rezone Application

Application Date: 11/16/2020 **SmartGov Project #:**

Name of Agent: Nicolas Falcon **Phone:** 281-451-9583

Address: 524 Johnson St. Pasadena, TX. 77506

Name of Owner: Nicolas Falcon **Phone:** 281-451-9583

Address: 524 Johnson St. Pasadena, TX. 77506

Property Description: The North 172.5 feet of the EAST 413.1 Feet of Lot 18 of Division E of the Cook & Stewart Subdivision. **Parcel #:**

Address: 714 Bayou Road LA Marque, TX. 77568

Plot of Area Attached: YES NO **Metes and Bounds Attached:** (YES) NO

Present Zone: C2

Reason for Change: Buisness Requires a C1 Zone in order to operate

Desired Outcome: change from C2 to C1

APLICATION CHECKLIST

[ ] SITE PLAN (To scale) **WITH EXISTING IMPROVEMENTS, DEVELOPMENTS AND PROPERTY LINES**

(8-1/2 X 11 if larger than 8 1/2 x 11 please fold to appropriate size)

[ ] SURVEY (To scale, 2 Copies)

[ ] CURRENT AND ORIGINAL CERTIFIED TAX RECEIPTS

[ ] TITLE REPORT (If purchased in the last 60 days) **OR**

[ ] PLANNING LETTER

[ ] NON-REFUNDABLE APPLICATION FEE (Payable to the "City Of La Marque")

Submitted to the Board on: / /

City of La Marque
1130 1st Street
La Marque, Texas 77568
409.938.9204

CITY OF LA MARQUE
NOTICE TO PROPERTY OWNERS
OF A REQUESTED REZONE WITHIN 200 FEET

November 23, 2020

Dear Property Owner:

This PUBLIC NOTICE is required by Section 26, AMENDMENTS, Subsection D. PUBLIC HEARING AND NOTICE, of the City of La Marques's Zoning Ordinance. An application for rezoning has been received by the Planning and Zoning Commission. Land under your ownership or care, as listed with the City of La Marque Tax Records, is located within 200 feet of the property that is being considered for rezoning. Your property is not being rezoned as part of this request.

This is your OFFICIAL NOTICE that the City of La Marque Planning and Zoning Commission will hold a Public Hearing on **Monday, December 7, 2020, at 4:00 p.m. by telephone and video conference** regarding:

> A preliminary report on a request to change the zoning district from (C-2) Restricted Commercial to (C-1) General Commercial for 714 Bayou Road, La Marque, Texas

You may provide comments during the meeting by telephone or video using the following Zoom meeting information: Dial in number: 1 (346) 248-7799; Meeting ID: 956 7753 7059; Press *6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address: https://zoom.us/j/95677537059. The full agenda packet will be available at least 72 hour prior to the meeting on the City's website https://ci.la-marque.ts.us/AgendaCenter.

If you are unable to attend, and wish to comment, you may also provide comments by email at permits@cityoflamarque.org, or by mail at:

City of La Marque
Development Services Department
1130 1st Street
La Marque, TX 77568

Respectfully,
Derra Purnell
Development Services

City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: December 7, 2020

Agenda Item: Discussion / possible action regarding a plat application for Mainland Partial Replat No. 1 near 601 Delany Road

Item Type: Plat – Final plat

Standard for Approval:

Plats that comply with the requirements of City Code Chapter 41 and Chapter 212 of the Texas Local Government Code must be approved. Preliminary plats will always be approved with conditions because they will not comply with all of the requirements by nature of being a preliminary plat. Plats that do not comply with the requirements and need major changes will be denied and the reasons stated.

References: City Code Chapter 41;
Chapter 212, Texas Local Government Code

Council approval: Required

Public comments: None

Recommendation: Motion to approve with conditions Mainland Partial Replat 1, subject to the conditions that:

1) Applicant provides updated city planning letter showing owner and encumbrances; and
2) Applicant provides original tax certificates.

ADICO
CONSULTING ENGINEERS

Thursday, December 3, 2020

Oanh Nguyen
Windrose Land Surveying
11111 Richmond Ave., Suite 150
Houston, TX 77082

Re: Mainland Partial Replat No. 1 Final Plat
Letter of Recommendation to Approve with Conditions-REVISED
Adico, LLC Project No. 18100-2-055

Dear Ms. Nguyen;

On behalf of the City of La Marque, Adico, LLC has reviewed the fourth submittal of Mainland Partial Replat No. 1, a final replat, received on or about December 3, 2020.

Based on our review, we recommend approving the final plat as submitted on December 3, 2020 subject to the following conditions:

1. Provide City Planning Letter confirming ownership and encumbrances
2. Provide Lienholder Subordination Agreement, if required
3. Provide original tax certificates confirm all taxes have been paid

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

Cc: Derra Purnell, City of La Marque, d.purnell@cityoflamarque.org
File: 18100-2-055

STATE OF TEXAS
COUNTY OF GALVESTON

WE, ALM LA MARQUE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ACTING BY AND THROUGH LM LOGISTICS REIT II, A TEXAS REAL ESTATE INVESTMENT TRUST, ITS SOLE MEMBER, OWNERS OF THE PROPERTY IN THE ABOVE AND FOREGOING MAP OF MAINLAND PARTIAL REPLAT NO 1, DO HEREBY MAKE SUBDIVISION ON SAID PROPERTY ACCORDING TO THE LINES, STREETS, ALLEYS, PARKS, BUILDING LINES, AND EASEMENTS THEREIN SHOWN , AND DESIGNATE SAID SUBDIVISION AS MAINLAND PARTIAL REPLAT NO 1 IN THE S. F. AUSTIN LEAGUE, ABSTRACT NUMBER 2, IN GALVESTON COUNTY, TEXAS; AND DEDICATE THE STREETS AND EASEMENTS SHOWN THEREON FOREVER.

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

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

THIS IS TO CERTIFY THAT WE, ALM LA MARQUE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, HAVE COMPLIED WITH OR WILL COMPLY WITH THE EXISTING REGULATIONS HERETOFORE ON FILE AND ADOPTED BY THE CITY OF LA MARQUE IN GALVESTON COUNTY, TEXAS.

IN TESTIMONY WHEREOF, ALM LA MARQUE, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ACTING BY AND THROUGH LM LOGISTICS REIT II, A TEXAS REAL ESTATE INVESTMENT TRUST, ITS SOLE MEMBER, HAS CAUSED THESE PRESENTS

TO BE SIGNED BY ______________________, ______________________, THIS

THE _____ DAY OF ______________, 20___.

BY: ALM LA MARQUE, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: LM LOGISTICS REIT II, A TEXAS REAL ESTATE INVESTMENT TRUST, ITS SOLE MEMBER

BY: ______________________

PRINTED NAME: ______________________

TITLE: ______________________

STATE OF TEXAS
COUNTY OF GALVESTON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ______________________ OF LM LOGISTICS REIT II, A TEXAS REAL ESTATE INVESTMENT TRUST, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGMENT TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE _____ DAY OF ______________, 20___.

____
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

____
MY COMMISSION EXPIRES:

THIS IS TO CERTIFY THAT I, LUCAS G. DAVIS, A REGISTERED PROFESSIONAL LAND SURVEYOR FOR THE STATE OF TEXAS, REGISTRATION NO. 6486, HAVE PLATTED THE ABOVE AND FOREGOING SUBDIVISION FROM AN ACTUAL SURVEY MADE ON THE GROUND AND UNDER MY DIRECTION; THAT THIS PLAT ACCURATELY REPRESENTS THE FACTS AS FOUND BY THAT SURVEY MADE BY ME, AND THAT ALL CORNERS HAVE BEEN, OR WILL BE, PROPERLY MONUMENTED.

____
LUCAS G. DAVIS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6599

WE HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF MAINLAND PARTIAL REPLAT NO 1 WAS APPROVED BY THE PLANNING COMMISSION OF THE CITY OF LA MARQUE, TEXAS,

ON THE _____ DAY OF ______________, 20___, AND BY THE CITY COUNCIL OF THE

CITY OF LA MARQUE, TEXAS, ON THE _____ DAY OF ______________, 20___.

I, DWIGHT D. SULLIVAN, COUNTY CLERK OF GALVESTON COUNTY, TEXAS DO HEREBY CERTIFY THAT THIS

WRITTEN INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE ON ______________________, 20___,

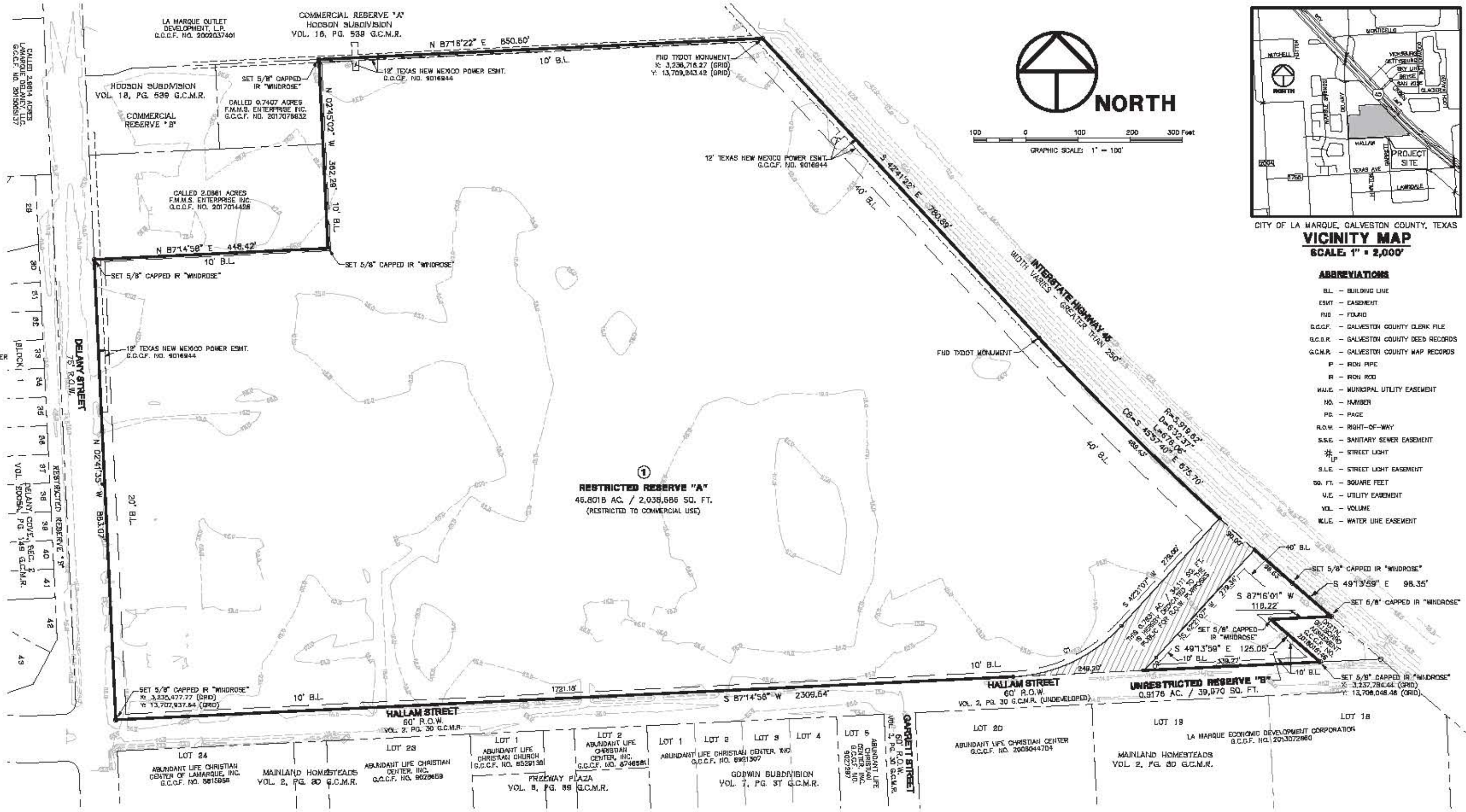
AT _____ O'CLOCK ___M., AND DULY RECORDED ON ______________________, 20___,

AT _____ O'CLOCK ___M.

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

____
DWIGHT D. SULLIVAN
COUNTY CLERK OF
GALVESTON COUNTY, TEXAS

BY: ______________________
DEPUTY



ABBREVIATIONS

- B.L. – BUILDING LINE
- ESMT – EASEMENT
- FND – FOUND
- G.C.C.F. – GALVESTON COUNTY CLERK FILE
- G.C.D.R. – GALVESTON COUNTY DEED RECORDS
- G.C.M.R. – GALVESTON COUNTY MAP RECORDS
- IP – IRON PIPE
- IR – IRON ROD
- M.U.E. – MUNICIPAL UTILITY EASEMENT
- NO. – NUMBER
- PG. – PAGE
- R.O.W. – RIGHT-OF-WAY
- S.S.E. – SANITARY SEWER EASEMENT
- LP – STREET LIGHT
- S.L.E. – STREET LIGHT EASEMENT
- SQ. FT. – SQUARE FEET
- U.E. – UTILITY EASEMENT
- VOL. – VOLUME
- W.L.E. – WATER LINE EASEMENT

GENERAL NOTES

1. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
2. ALL COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD 83), AND MAY BROUGHT TO SURFACE BY APPLYING THE FOLLOWING SCALE FACTOR – 0.99986380A.
3. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR GALVESTON COUNTY, TEXAS, MAP NO. 48167C0245G, REVISED/DATED AUGUST 15, 2019, THE SUBJECT TRACT APPEARS TO LIE WITHIN SHADED "SHADED X". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY, AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.
4. UNLESS OTHERWISE INDICATED, THE BUILDING LINES (B.L.), WHETHER ONE OR MORE, SHOWN ON THIS SUBDIVISION PLAT ARE ESTABLISHED TO EVIDENCE COMPLIANCE WITH THE APPLICABLE PROVISIONS OF SUBDIVISION ORDINANCE NO. 136, CITY OF LA MARQUE, TEXAS, IN EFFECT AT THE TIME THIS PLAT WAS APPROVED, WHICH MAY BE AMENDED FROM TIME TO TIME.
5. ALL OF THE PROPERTY SUBDIVIDED IN THE FOREGOING PLAT IS WITHIN THE INCORPORATED BOUNDARIES OF THE CITY OF LA MARQUE, TEXAS.
6. UNLOCATED PIPELINE RIGHT-OF-WAY EASEMENT IN FAVOR OF HOUSTON PIPELINECOMPANY,AS SET FORTH IN INSTRUMENT RECORDED IN VOL. 407, PG. 6, IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS. (NON-PLOTTIBLE)
7. THIS SITE IS LOCATED IN THE CITY OF LA MARQUE THOROUGHFARE OVERLAY DISTRICT (ORDINANCE NO. (2015-0027) AND SUBJECT TO THE REQUIREMENTS OF THIS ORDINANCE.
8. RIGHT-OF-WAY DEDICATION OF GARRETT STREET, RECORDED IN VOL. 2 PG. 30 G.C.M.R., SHALL BE ABANDONED BY THIS PLAT.
9. PRELIMINARY PLAT APPROVAL IS VALID FOR SIX (6) MONTHS.
10. THE OWNER OF THE LAND DEDICATED BY THIS PLAT RESERVES THE RIGHT TO USE AND ENJOY THE SURFACE OF ALL EASEMENT AREAS FOR ALL PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENT AREAS FOR UTILITIES, INCLUDING BUT NOT LIMITED TO THE RIGHT TO PLACE SURFACING MATERIALS OVER AND ACROSS THE EASEMENT AREAS AND TO USE THE SAME FOR PARKING AREAS, DRIVEWAYS, WALKWAYS, SIDEWALKS, LANDSCAPING AND/OR LIGHTING.
10. THE LOCATION OF EASEMENTS SHOWN HEREON THAT ARE GRANTED BY SEPARATE INSTRUMENTS ARE APPROXIMATE AND SUCH EASEMENTS AND THEIR LOCATION ARE GOVERNED BY THE TERMS, PROVISIONS, AND CONDITIONS OF THE SEPARATE INSTRUMENT.
11. EXCEPT TO THE EXTENT SUCH ITEMS ARE SHOWN HEREON, RESTRICTIONS, EASEMENTS, RIGHT OF WAY DEDICATIONS AND SETBACKS SET FORTH IN PRIOR SUBDIVISION PLATS COVERING PORTIONS OF THE LAND DEDICATED BY THIS PLAT ARE HEREBY RELEASED AND SHALL BE OF NO FURTHER FORCE OR EFFECT INCLUDING, WITHOUT LIMITATION, THE 60' RIGHT OF WAY DEDICATED BY PLAT RECORDED IN VOLUME 2, PAGE 30, GALVESTON COUNTY MAP RECORDS.
12. THE CITY OF LA MARQUE, TEXAS SHALL MAINTAIN OR CAUSE TO BE MAINTAINED, AT ITS EXPENSE, THE ACCEPTANCE IMPROVEMENTS WITHIN THE PUBLIC RIGHT OF WAY DEDICATED HEREBY.
13. SIXTY-FOOT (60') PUBLIC ROADWAY DEDICATED BY INSTRUMENT RECORDED IN VOL. 1609, PG 462 G.C.D.R., WAS ABANDONED BY DEED WITHOUT WARRANTY DATED ______________ RECORDED AS INSTRUMENT NO. ______________ G.C.D.R.
14. UTILITY AND ROADWAY EASEMENT CREATED BY INSTRUMENT RECORDED IN VOL. 1065, PG 302 G.C.D.R., WAS ABANDONED AND RELEASED BY QUITCLAIM DEED RECORDED AS INSTRUMENT NO. ______________ G.C.D.R.

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	44°53'51"	300.00'	235.08'	S 64°48'02" W 229.11'
C2	05°10'58"	390.00'	35.28'	S 44°59'35" W 35.28'

FINAL PLAT

MAINLAND PARTIAL REPLAT NO 1

A SUBDIVISION OF
46.5025 AC. / 2,112,768 SQ. FT.
BEING A REPLAT OF LOTS 2 - 7, MAINLAND HOMESTEADS, VOL 2, PG. 30 G.C.M.R.
SITUATED IN THE STEPHEN F. AUSTIN LEAGUE, ABSTRACT NO. 2
CITY OF LA MARQUE, GALVESTON COUNTY, TEXAS

1 BLOCK 2 RESERVES

DECEMBER 2020

Owner

ALM LA MARQUE, LLC, A DELAWARE LIMITED LIABILITY COMPANY

ADDRESS: ______________________

Surveyor

WINDROSE
LAND SURVEYING | PLATTING
11111 RICHMOND AVE, SUITE 150 | HOUSTON, TX 77082 | 713.458.2281
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

APPROVED, ADICO, LLC, 12032020

City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: December 7, 2020

Agenda Item: Discussion / possible action regarding a request to abandon two portions of public right-of-way near Hallam Road and Delany Road, also known as North Harlton Road and that portion of Garrett Road north of Hallam Road associated with Mainland Partial Replat #1

Item Type: Abandonment

Standard for Approval: Unused public right-of-way may be abandoned by the City in exchange for other dedicated public right-of-way when such exchange is in the interests of the City

References: City Code Chapter 56

Council approval: Required; Ordinance required also

Public comments: None

Recommendation: Motion to approve abandonment of the requested right-of-way in exchange for dedicated right-of-way as shown on Mainland Partial Replat No. 1

ORDINANCE NO. O-2020-_____

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, FINDING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF TWO PORTIONS OF PUBLIC RIGHT-OF-WAY NEAR HALLAM ROAD AND DELANY ROAD; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHTS-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY CLERK TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING SAID ABANDONED RIGHTS-OF-WAY TO THE PROPERTY OWNER; MAKING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of property adjacent to and underlying the hereinafter described rights-of-way, by and through their authorized agents, have petitioned the City of La Marque, Texas to vacate, abandon, and close two portions of public right-of-way near Hallam Road and Delany Road, also known as North Harlton Road and that portion of Garrett Road north of Hallam Road, as more particularly described in Exhibit "A", attached hereto and incorporated by reference for all purposes, (the "Rights-of-way"); and

WHEREAS, the City Council has determined these Rights-of-way are no longer necessary for public convenience and necessity and should be vacated, abandoned, and closed;

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

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

Section 2. The City Council of the City of La Marque, Texas, hereby finds and determines that public convenience and necessity no longer require the continued existence of these Rights-of-way and said Rights-of-way are hereby vacated, abandoned, and closed, subject to the conditions in Section 3 of this Ordinance.

Section 3. This abandonment shall not be effective unless and until one of the following conditions is met: (1) alternative public right-of-way is dedicated by a final plat in accordance with the Mainland Partial Replat No. 1 preliminary plat approved by City Council; or (2) payment of the appraised value of the Rights-of-way is made to the City by the adjacent property owners in proportion to the ownership being conveyed in accordance with City Code Section 56-5. Upon satisfaction of one of these conditions, the Mayor and City Clerk are hereby authorized to execute and attest, respectively, quitclaim deeds, conveying the hereinabove described abandoned Rights-of-way to the property owners in proportion to their ownership of adjacent property or otherwise provide documentation of this abandonment upon request of the adjacent owners.

Section 4. Effective Date and Publishing. This ordinance shall be effective immediately upon adoption, public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in accordance with Chapter 52 of the Texas Local Government Code and Article II of the City Charter.

Section 5. Conflict and Repeal. This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

Section 6. Severability. In the event any clause, phrase provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, AND APPROVED by the City Council of the City of La Marque on First Reading this _____ day of December 2020; and

PASSED, APPROVED, AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this ____ day of December, 2020.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

_____
Derra Leigh Purnell, City Attorney

Exhibit A

WINDROSE
LAND SURVEYING | PLATTING

DESCRIPTION OF
0.7954 OF AN ACRE OR 34,647 SQ. FT.

A TRACT OR PARCEL CONTAINING 0.7954 OF AN ACRE OR 34,647 SQUARE FEET OF LAND SITUATED IN THE STEPHEN F. AUSTIN LEAGUE NO. 4, ABSTRACT NUMBER (NO.) 2, GALVESTON COUNTY, TEXAS, BEING OUT OF AND PART OF LOT 2, MAINLAND HOMESTEAD, MAP OR PLAT THEREOF RECORDED UNDER VOLUME (VOL.) 2, PAGE (PG.) 30, GALVESTON COUNTY MAP RECORDS (G.C.M.R.), AND BEING ALL OR A PART OF A 60 FOOT PUBLIC ROADWAY DESCRIBED IN DEED TO THE PUBLIC AS RECORDED UNDER VOLUME 1809, PAGE 482 OF THE DEED RECORDS OF GALVESTON COUNTY, TEXAS, WITH SAID 0.7954 OF AN ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

COMMENCING AT A 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF CASEY STREET (60 FOOT R.O.W.) AS RECORDED UNDER VOL. 2 PG. 30, G.C.M.R. FOR THE SOUTHEAST CORNER OF LOT 1 OF SAID MAINLAND HOMESTEAD AND THE SOUTHWEST CORNER OF SAID LOT 2;

THENCE, NORTH 87 DEG. 14 MIN. 58 SEC. EAST, ALONG THE NORTH R.O.W. LINE OF SAID CASEY STREET TO A 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE **POINT OF BEGINNING** AND SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 02 DEG. 45 MIN. 02 SEC. WEST, OVER AND ACROSS SAID LOT 2, A DISTANCE OF 577.46 FEET TO A 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE NORTH LINE OF SAID LOT 2 AND THE SOUTH LINE OF A CALLED 4.1322 ACRE TRACT DESCRIBED IN DEED TO ABUNDANT LIFE CHRISTIAN CENTER OF LA MARQUE, INC. AS RECORDED UNDER G.C.C.F. NO. 2007056625 FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 87 DEG. 14 MIN. 58 SEC. EAST, ALONG THE COMMON LINE OF SAID LOT 2 AND SAID 4.1322 ACRE TRACT, A DISTANCE OF 60.00 FEET TO THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 02 DEG. 45 MIN. 02 SEC. EAST, OVER AND ACROSS SAID LOT 2, A DISTANCE OF 577.46 FEET TO A 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE NORTH R.O.W. LINE OF SAID CASEY STREET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 87 DEG. 14 MIN. 58 SEC. WEST, ALONG THE NORTH R.O.W. LINE OF SAID CASEY STREET, A DISTANCE OF 60.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.7954 OF AN ACRE OR 34,647 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 55784-T1, PREPARED BY WINDROSE LAND SERVICES.

LUCAS G. DAVIS
R.P.L.S. NO. 6599
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800

STATE OF TEXAS
REGISTERED
LUCAS G. DAVIS
6599
PROFESSIONALLY
LAND SURVEYOR

12/01/2020
DATE:

WINDROSE
LAND SURVEYING | PLATTING

DESCRIPTION OF
0.7960 OF AN ACRE OR 34,673 SQ. FT.

A TRACT OR PARCEL CONTAINING 0.7960 OF AN ACRE OR 34,673 SQUARE FEET OF LAND SITUATED IN THE STEPHEN F. AUSTIN LEAGUE NO. 4, ABSTRACT NUMBER (NO.) 2, GALVESTON COUNTY, TEXAS, BEING OUT OF AND PART OF THE RIGHT-OF-WAY (R.O.W.) OF GARRET STREET (60 FOOT R.O.W.) AS RECORDED UNDER VOLUME (VOL.) 2, PAGE (PG.) 30, GALVESTON COUNTY PLAT RECORDS (G.C.P.R.), AND NORTH OF CASEY STREET (60 FOOT R.O.W.) AS RECORDED UNDER VOL. 2, PG. 30 G.C.M.R., MAINLAND HOMESTEAD, MAP OR PLAT THEREOF RECORDED UNDER VOL. 2, PAGE PG. 30, G.C.M.R., WITH SAID 0.7973 OF AN ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

BEGINNING AT 5/8 INCH IRON ROD FOUND ON THE NORTH R.O.W. LINE OF SAID CASEY STREET MARKING THE SOUTHEAST CORNER OF LOT 4 OF SAID MAINLAND HOMESTEAD AS DESCRIBED IN DEED TO ABUNDANT LIFE CHRISTIAN CENTER AS RECORDED UNDER GALVESTON COUNTY CLERK'S FILE NO. 9223327 AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; FROM WHICH A 5/8 INCH IRON ROD FOUND BEARS FOR REFERENCE SOUTH 81 DEG. 48 MIN. EAST, 3.4 FEET;

THENICE, NORTH 02 DEG. 45 MIN. 02 SEC. WEST, ALONG THE EAST LINE OF SAID LOT 4, A DISTANCE OF 577.46 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE SOUTH LINE OF A CALLED 19.15 ACRE TRACT AS DESCRIBED IN DEED TO ABUNDANT LIFE CHRISTIAN CENTER OF LAMARQUE, INC. AS RECORDED UNDER G.C.C.F. NO. 2006011701 FOR THE NORTHEAST CORNER OF SAID LOT 4 AND THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENICE, NORTH 87 DEG. 14 MIN. 58 SEC. EAST, ALONG THE SOUTH LINE OF SAID 19.15 ACRE TRACT, A DISTANCE OF 60.04 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THEN NORTHWEST CORNER OF LOT 5 OF SAID MAINLAND HOMESTEADS AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENICE, SOUTH 02 DEG. 45 MIN. 02 SEC. EAST, ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 577.46 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "GEOSURVEY" FOUND ON THE NORTH R.O.W. LINE OF SAID CASEY STREET MARKING THE SOUTHWEST CORNER OF SAID LOT 5 AND THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT; FROM WHICH A CAPPED 5/8 INCH IRON ROD STAMPED "GROSURVEY" BEARS FOR REFERENCE NORTH 39 DEG. 42 MIN. WEST, 0.9 FEET;

THENICE, SOUTH 87 DEG. 14 MIN. 58 SEC. WEST, ALONG THE NORTH R.O.W. LINE OF SAID CASEY STREET, A DISTANCE OF 60.04 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 0.7960 OF AN ACRE OR 34,673 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 55784-T2, PREPARED BY WINDROSE LAND SERVICES.

LUCAS G. DAVIS
R.P.L.S. NO. 6599
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800

STATE OF TEXAS
REGISTERED
LUCAS G. DAVIS
6599
PROFESSIONAL
LAND SURVEYOR

12/01/2020
DATE: