



May 6, 2019

James Stokes
City Manager
City of Deer Park
710 E. San Augustine
Deer Park, TX 77536

RE: Letter of Intent – Zoning designation for +/- 37.002 acres of Undeveloped Tracts Located along the west side of Independence Pkwy and North of State Highway 225

Dear: City of Deer Park
Planning and Zoning Commission:

739 Independence Parkway LLC, an affiliate wholly owned by Molto Properties Fund III LLC, has completed its acquisition of the above referenced property, and hereby requests a designation for M-3 "Intensive Industrial" zoning. This request is conditioned upon successful annexation of the subject property into the City of Deer Park.

The property is adjacent to other commercial, distribution and other heavy manufacturing uses and is surrounded by properties within unincorporated Harris County, which does not have zoning designation.

A copy of the recorded deed, title report, and survey is included herein for your reference.

Please consider and advise if you need further information. We look forward to working with the City of Deer Park on this exciting project.

Sincerely,

A handwritten signature in black ink, appearing to read "Chad Parrish", written in a cursive style.

Chad Parrish
Vice President
Molto Properties LLC

METES AND BOUNDS DESCRIPTION
37.0002 ACRES OUT OF THE
GEORGE ROSS SURVEY, A-646
HARRIS COUNTY, TEXAS

All that certain 37.0002 acre tract of land out of the George Ross Survey, A- 646 being a portion of that certain 108.499 acre tract of land described in a deed dated 11-01-2005 from Hampshire Chemical Corp. to GEO Specialty Chemicals, Inc. filed in the Official Public Records of Real Property of Harris County, Texas at Clerk File Number Y871006 and a portion of those certain 6.356 and 19.381 acre tracts of land described in a deed dated 12-21-2006 from Trans Gulf Transportation, Inc. to BKTT Developments LLC filed in the Official Public Records of Real Property of Harris County, Texas at Clerk File Number 20060286457 and a portion of that certain 16.088 acre tract of land described in a deed dated 04-02-2015 from BKTT Developments LLC to Independence Business Park, LLC, filed in the Official Public Records of Real Property of Harris County, Texas at Clerk File Number 20150140199 and a portion of that certain 12.095 acre tract of land described in a deed dated 03-18-2013 from Pro Equipment Leasing, LTD to Dream 7 Equities, LLC, filed in the Official Public Records of Real Property of Harris County, Texas at Clerk File Number 20130125105, and a portion of that certain 11.5000 acre tract of land conveyed to Loves Travel Stops & County Store filed in the Official Public Records of Real Property of Harris County, Texas at Clerk File Number 20120162613 and being more particularly described by metes and bounds as follows. All coordinates and bearings being referenced to the Texas Coordinate System of 1983. All coordinates reflect grid values and may be converted to surface values by applying a scale factor of 0.99988797257.

COMMENCING at a found 5/8" iron rod with cap in the west right-of-way line of Independence Parkway (120' wide) marking the northeast corner of said 108.499 acre tract having grid coordinates of Y=13829792.78, X=3209369.15; THENCE S 02°24'59" E – 1563.64', with said west right-of-way line to a found 5/8" iron rod with cap marking the POINT OF BEGINNING of the herein described tract.

THENCE S 02°24'59" E – 459.06', continuing with said west right-of-way line to a found 5/8" iron rod with cap marking a point on a curve to the right, having a central angle of 03°51'38", a radius of 1090.60', a chord which bears S 00°37'54" E-73.47';

THENCE with said curve, continuing with said west right-of-way line for an arc distance of 73.49' to a found 5/8" iron rod, marking a point on a curve to the right, having a central angle of 15°45'32", a radius of 1090.60', a chord which bears S 09°07'06" W-299.02';

THENCE with said curve, continuing with said west right-of-way line for an arc distance of 299.96' to a found 5/8" iron rod with cap for angle point;

THENCE S 17°11'38" W - 494.50', continuing with said west right-of-way line to a set 5/8" iron rod for angle point;

THENCE S 17°08'52" W - 121.92', continuing with said west right-of-way line to a set 5/8" iron rod for angle point;

THENCE S 17°11'17" W - 649.34', continuing with said west right-of-way line to a found 5/8" iron rod for angle point;

THENCE S 17°10'31" W - 15.02' continuing with said west right-of-way line to a found "X" in concrete for angle point;

THENCE S 17°15'25" W - 67.73' continuing with said west right-of-way line to a found 5/8" iron rod with cap for corner;

THENCE N 72°44'35" W - 1.00' with the south line of Unrestricted Reserve "A", RBD Warehouse according to the plat thereof filed at Film Code No. 674607 to a set 5/8" iron rod with cap for corner;

THENCE N 17°15'25" E - 67.73' to a set "X" in concrete for angle point;

THENCE N 17°10'31" E - 14.67' to a set 5/8" iron rod with cap for angle point;

THENCE N 17°11'17" E - 649.69' to a set 5/8" iron rod for angle point;

THENCE N 17°08'52" E - 121.55' to a set 5/8" iron rod for angle point;

THENCE N 17°11'38" E - 494.86' to a set 5/8" iron rod with cap marking a point on a curve to the left, having a central angle of 15°45'19", a radius of 1089.60', a chord which bears N 09°07'12" E-298.67';

THENCE with said curve for an arc distance of 299.62' to a set 5/8" iron rod for corner;

THENCE S 87°13'47" W - 652.39', with the north line of the aforementioned 6.356 acre tract to a found 5/8" iron rod with cap for corner;

THENCE S 02°46'13" E - 657.64', with the west line of said 6.356 acre tract to a found 5/8" iron rod with cap for corner;

THENCE S 87°10'33" W - 1250.57', with the north line of BKTT Development Park Replat No. 1 according the plat thereof filed a Film Code Number 671094, Harris County Map Records to a set 5/8" iron rod with cap for corner;

THENCE N 02°51'06" W - 826.61', with the east line of a called 2.2559 acre tract of land acquired by Houston Pipeline Company described in a deed filed in the Official Public Records of Real Property of Harris County, Texas at Clerk File Number G318905 to a set 5/8" iron rod with cap for corner;

THENCE N 87°38'17" E - 766.07', with the south line of a called 13.6700 acre tract of land acquired by Houston Pipeline Company described in a deed filed at Volume 3348, Page 153 Harris County Deed Records to a found 1 1/2" iron pipe for corner;

HENCE N 02°50'41" W - 368.64', with the east line of said 13.6700 acre tract to a set 5/8" iron rod with cap for corner;

THENCE N 87°09'17" E - 481.65' to a found 5/8" iron rod for corner;

THENCE N 02°56'05" W - 200.80' to a found 5/8" iron rod for corner;

THENCE N 87°08'03" E - 261.52' to a found 5/8" iron rod for corner;

THENCE S 02°32'05" E - 200.90' to a set 5/8" iron rod for corner;

THENCE N 87°09'17" E - 403.37' to the POINT OF BEGINNING containing 37.0002 acres, (1,611,729 square feet) of land more or less.

Compiled from survey by:

PREJEAN & COMPANY, INC.
Surveying / Mapping
05-13-2019



CITY OF DEER PARK

ReZoning



LN- 000839 -2019

PERMIT #: LN- 000839 -2019

PROJECT:

ISSUED DATE: May 13, 2019

EXPIRATION DATE: May 12, 2020

PROJECT ADDRESS: 739 INDEPENDENCE PKWY

OWNER NAME: Molto Properties

CONTRACTOR:

ADDRESS: 2102 City West Blvd

ADDRESS:

CITY: HOUSTON

CITY:

STATE: TX

STATE:

ZIP: 77042

ZIP:

PHONE:

PROJECT DETAILS

PROPOSED USE:

SQ FT: 0

DESCRIPTION: A Voluntary Annex Is Requesting To
Be Annexed As M3 District

VALUATION: \$ 0.00

PERMIT FEES

TOTAL FEES: \$ 1,000.00

PAID: \$ 1,000.00

BALANCE: \$ 0.00

ALL PERMITS MUST BE POSTED ON THE JOBSITE AND VISIBLE FROM THE STREET

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 1 YEAR AT ANY TIME AFTER WORK IS STARTED. ALL PERMITS ARE SUBJECT TO THE FOLLOWING:

- ALL WORK MUST COMPLY WITH THE BUILDING, ELECTRICAL, PLUMBING, AND MECHANICAL CODES ADOPTED BY THE CITY OF DEER PARK AT THE TIME THE PERMIT IS ISSUED.
- IT IS THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO COMPLY WITH ALL STATE & FEDERAL DISABILITY REQUIREMENTS
- ENCROACHMENTS OF EASEMENTS AND RIGHT-OF-WAYS ARE NOT ALLOWED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT

DATE

APPROVED BY

DATE

TO SCHEDULE NEXT DAY INSPECTIONS CALL BY 4PM 281-478-7270
ALL REINSPECTIONS ARE SUBJECT TO A \$ 45.00 REINSPECTION FEE

You can request a morning or afternoon inspection and we will do our best to accommodate you but there are no guarantees, it will depend on the volume of inspections scheduled that day.

710 E San Augustine Deer Park, TX 77536 Fax 281-478-0394
www.deerparktx.gov/publicworks

2500 Turner Street
Houston, Texas 77002

713.222.8000 main
713.228.8524 fax

oizf@wcrblaw.com
713.547.8506 direct

May 6, 2019

Jim Fox
Dover & Fox, PC
7730 Spencer Hwy #200
Pasadena, TX 77505
via email: jim@doverfox.com

Re: Request for amendments to "Appendix A – Zoning" of the Code of Ordinances of the City of Deer Park, Texas ("Zoning Code").

Jim:

I represent 739 Independence Parkway LLC, wholly owned by Molto Properties Fund III ("Molto") in connection with the submission of applications for Specific Use Permits and the rezoning of approximately 37 acres of undeveloped land along the west side of Independence Parkway, North of State Highway 225.

As you are aware, the property is in the process of being annexed into Deer Park's city limits. The rezoning petition requests that the property be zoned as M3 "Intensive Industrial" zoning. The applications for Specific Use Permits are to allow for bulk warehouses and laydown yards. In connection with these applications, I am requesting that the City of Deer Park amend its Zoning Code in the following ways:

1. Amend Section 12.01.34.1 of the Zoning Code, relating to laydown yard in "Use Group 34 – Industrial Parks District and General Industrial District," by replacing the phrase, "Allowed only in the M1," to read "Allowed only in the M1 and M3 districts."
2. Amend Section 8.02.3.1.1 of the Zoning Code, relating to Principal Uses in the M3 District, by including Use Groups 34 ("Industrial Parks" – laydown yards) & 35 ("Industrial Zoning District" – bulk warehouses).
3. Amend Section 10.03 of the Zoning Code, relating to the Zoning Matrix, in the following ways:
 - a. "Office – Warehouse or Distribution Center" - include the M3 District as a Permitted Use.
 - b. "Storage or Wholesale Warehouse" include the M3 District as requiring a Specific Use Permit.
 - c. Include "Bulk Warehouse" as a new category, which is defined in Article 20 of the Zoning Code, to include the M3 District as requiring a Specific Use Permit.

Molto Properties – City of Deer Park

May 6, 2019

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My requests are intended to facilitate City Council's actions with respect to the granting of Specific Use Permits on property zoned as an M3 District. I am available to discuss these requests and draft amendments as needed. Please feel free to contact me at your convenience.

Best regards,

A handwritten signature in black ink, appearing to read "S. Omar Izfar", written in a cursive style.

S. Omar Izfar