

**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER:

FOR HEARING OF: May 17, 2007
Report Prepared on May 11, 2007

I. GENERAL INFORMATION

A. **APPLICANT:** John L. Hoich

B. **PROPERTY OWNER:** John L. Hoich

C. **LOCATION:** None

D. **LEGAL DESCRIPTION:** Lot 1 & 2, Southport East Replat Six

E. **REQUESTED ACTION(S):** Replat and PUD Amendment

F. **EXISTING ZONING AND LAND USE:**
C-3, Highway Commercial / Office Park District; PUD-1, Planned Unit Development; and Gateway Corridor District.

G. **PURPOSE OF REQUEST:** The proposal is to replat Lots 1 & 2 of Southport East Replat VI to Lots 1-4 of Southport East Replat IX.

H. **SIZE OF SITE:** 8.9 acres

II. BACKGROUND INFORMATION

A. **EXISTING CONDITION OF SITE:** Vacant

B. **GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

1. **North:** C-3, Southport East Replat VIII
2. **East:** TA
3. **South:** C-3, Southport East Replat VI
4. **West:** C-3, Southport East Replat II

C. **RELEVANT CASE HISTORY:** Southport East Replat VI

D. **APPLICABLE REGULATIONS:**

1. Section 3.08, Subdivision Ordinance, regarding Replats.
2. PUD Plan for Southport East Replat VI
3. Section 5.12, Zoning Ordinance, regarding C-3 Zoning District
4. Section 5.17, Zoning Ordinance, regarding Gateway Corridor Dist.

III. ANALYSIS

- A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates this property for commercial uses in the gateway corridor.
- B. OTHER PLANS:** Southport East Replat VI PUD Plan.
- C. TRAFFIC AND ACCESS:**
 - 1. Access is proposed to Southport Parkway and through a network of internal private drives will also connect to Eastport Parkway through other phases of development.
 - 2. Parking along these internal private drives may cause traffic congestion due to people backing out onto these drives. Also, large vehicles may extend out into traffic lanes causing further conflict.
- D. UTILITIES:** All utilities are available to the site.

IV. REVIEW COMMENTS:

- 1. "Corner Streetscapes" will be installed as shown on the revised PUD Plan.
- 2. Building height of 55 feet has been determined to be acceptable, as long as the FAA has no objections.
- 3. No drive-up windows are proposed in the PUD plan.
- 4. Diagonal parking along the private roads is the preferable alternative to perpendicular parking stalls.
- 5. A left turn lane on Southport Parkway is being proposed upon City Engineer's recommendation. This will be a public improvement provided by the developer.
- 6. Other public improvements will include storm water and sanitary sewer installations within the project, as well as public sidewalks on the perimeter of the parcels with connecting pathways to each lot.
- 7. Southport East Replat VI is not yet finalized, but will be done prior to City Council approval of this proposed Replat.

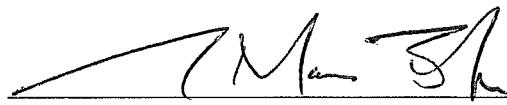
V. STAFF RECOMMENDATION: Approval of Southport East Replat IX subject to addressing the items noted above.

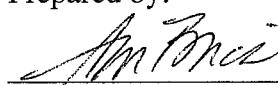
VI. ATTACHMENTS TO REPORT:

- 1. City Engineer's comments
- 2. Southport East Replat IX PUD Plan
- 3. Southport East Replat IX Final Plat
- 4. Southport East Replat IX Preliminary Landscaping Plan

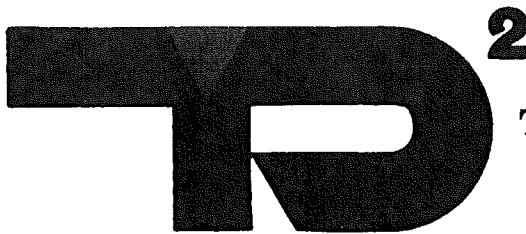
VII. COPIES OF REPORT TO:

1. Applicant
2. Jeff Elliott, E&A Consulting Group
3. John Hoich, Property Owner



Prepared by: _____
M. Baker
Community Development Director 5-11-09
Date

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THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors

April 12, 2007

Mr. Marcus Baker
City Planner
City of La Vista
8116 Park View Boulevard
La Vista, Nebraska 68128

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JOSHUA J. STORM, P.E.

RE: 2007 Minor & Administrative Plat Reviews
Southport East Replat Nine
Review of Initial Submittal
TD² File No. 171-344.3

Mr. Baker:

I have reviewed the proposed final plat that you provided me under your transmittal dated April 3, 2007. The submittal included:

- Final Plat dated March 27, 2007

There was no application included so I must assume that the applicant provided you with an appropriate application properly signed.

I offer the following comments:

TRAFFIC & ACCESS

1. A traffic impact study was prepared for Replat Six, which included 120,000 square feet of office uses on the two lots now being replatted into four lots. The accompanying PUD plan shows proposed uses including 85,500 square feet of office and 6,529 square feet of restaurant. Since the trip generation from this latest development plan will be less than previously contemplated, there is no need for additional traffic studies for this proposed replat.
2. Perimeter sidewalks will be required as the lots are built upon. See my comments on the PUD plan for additional information.
3. There is an existing blanket ingress/egress easement over all of the proposed lots from prior platting. This blanket easement allows for sharing of the access points identified on the plat to Southport and Eastport Parkways.
4. The access points noted on the replat are consistent with what was previously approved. However, refer to my comment letter on the PUD plan concerning verification of driveway alignment with the City parking lot driveways.

5. There will need to be a modification to the existing island in Southport Parkway to create a left-turn bay for westbound traffic to turn left into the proposed access opposite of Port Grace Boulevard. This modification will need to be done at private expense and will require detailed plans and specifications. Performance bonds and insurance certificates will be required since this will be a public street improvement. The amendment to subdivision agreement for this plat will need to address this item.

UTILITIES & DRAINAGE

6. The proposed replatting provides a blanket storm sewer and drainage easement over these lots. However, proposed Lot 1 will be draining across proposed Lots 3 and/or 4. The amount of drainage from proposed Lot 1 is more than should be surface drained across the adjacent lots. Therefore, the PUD plan needs to include a drainage plan showing a preliminary storm sewer layout. This is also noted in my PUD review comments.
6. The lots will have access to existing public utilities in Westport Parkways but there will need to be common area extensions of storm and sanitary sewers to reach proposed Lot 1. These will be privately owned and maintained sewers.

MISCELLANEOUS

7. This proposed replat qualifies as a replat that allows for a waiver of separate submittal of a final and preliminary plat Article 3.08.04 of the Subdivision Regulations requires a concurrent preliminary plat. However, Article 3.08.08 implies that a preliminary plat is not required if the guidelines of Article 3.09.03 do not apply. Item 3.09.03.06 is applicable since proposed Lot 1 will not have direct access to a street. However, the PUD plan will provide for access via a private shared access road. Therefore, it is my opinion that a preliminary plat is not required.
8. There will need to be an amendment to the common area maintenance agreement prepared for Replat Six to reallocate costs of construction and maintenance due to the revised configuration of lots.
9. The City Attorney should review the replat and provide an amendment to the subdivision agreement as appropriate.
10. The final plat of Replat Six needs to be recorded and the amendment to subdivision agreement pertaining to Replat Six needs to be fully executed prior to the City Council considering this application.
11. A staking bond or certification that all lot corners have been pinned should be provided prior to the Mayor signing the final plat, if it is approved.
12. Financial data for all public improvements, including itemized estimates of construction costs and soft costs, should be provided before consideration by the City Council. This information should identify that the funding source will be private.

Mr. Marcus Baker

April 12, 2007

Page 3

I recommend that the final plat of Southport East Replat Nine be approved contingent upon the PUD being approved. The City Attorney should prepare an amendment to the Subdivision Agreement as he determines necessary, prior to this case moving forward to City Council.

Prepared by,

THOMPSON, DREESSEN & DORNER, INC.



John M. Kottmann, P.E.

JMK/jlf

cc: File

AMENDMENT TO SOUTHPORT EAST REPLAT SIX PUD PLAN

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA:

Section 1. In accordance with Section 5.15 of the La Vista Zoning Ordinance No. 848, the final PUD-1 (Planned Unit Development) plan for Southport East Replat Six is amended for the following described real estate, to wit:

LEGAL DESCRIPTION

See exhibit "A" attached hereto and made a part hereof.

Section 2. This document provides for an amended PUD plan for development of a planned commercial center that will service not only the city, but also the surrounding market area. Such commercial center is characterized by free-standing retail, lodging, office, dining and entertainment establishments served by parking areas, and uniquely located on a tract of land that has an area of approximately 8.883 acres. The regulations contained in this Ordinance will facilitate development in a planned, orderly fashion so as to protect the public health, safety, and general welfare. All grading, installation of infrastructure, development and build out shall be in strict accordance with the provisions of this Ordinance, except as amended by the City Council in the required manner. The underlying commercial zoning district regulations shall continue to be applicable, except as provided for in this Ordinance and the attached exhibits.

Section 3. Definitions

Unless a contrary intent is clearly indicated herein, the following words and phrases shall have the following meanings, regardless of whether or not capitalized:

- A. "Anchor Store" shall mean a store containing not less than 35,000 square feet of gross leasable floor area that is part of, or attached to, the shopping center.
- B. "Developer" shall mean John L. Hoich; its successors and assigns.
- C. "Enclosed Mall" shall mean the enclosed mall portion of the project, exclusive of Anchor Stores.
- D. "Flex Space" shall mean a generic term for smaller footplate buildings combining light manufacturing and warehousing uses with storefront retailing. Usually having a limited amount of large rear door access and a significant retail appearance to the front.
- E. "Free Standing building" shall refer to any building or similar structure other than the Enclosed Mall that houses a single tenant or owner, each of whom conducts a separate business within that building or similar structure.
- F. "Gateway Corridor District" or "La Vista Gateway Corridor District" shall mean the City's overlay zoning district establishing basic site and building development criteria to be implemented within the boundaries of the overlay district.
- G. "Landscaping Easement" shall mean that area adjacent to the street right-of-way providing for required street trees and landscape material.
- H. "Multiple-attached Building" shall refer to any building or similar structure that houses more than a single tenant or owner, and in which numerous, discrete business activities are conducted.
- I. "Open Space" shall mean anything on the site except buildings, parking lot and vehicular circulation, generally pervious, but may include well landscaped pedestrian places, sidewalks, pools, pool decks and roof gardens.

- J. "Planned Unit Development Plan" shall mean a plan developed and approved that outlines certain provisions for the property and its uses. Such plan shall consist of the final plat, design guidelines, landscaping, etc.
- K. "Plat" or "the Plat," shall mean the final plat approved by the City Council.
- L. "Southport East Design Guidelines" shall mean the specific guidelines jointly developed, agreed to and amended by Developer and City for the Subdivision for the purpose, among others, of creating cohesiveness and ensure quality of materials, aesthetics and maintenance upon which all tenants and owners can rely and to ensure view continuity and creation of a sense of place through the use of common elements of site and architecture, a copy of which is attached to this Agreement as Exhibit "C" hereto.
- M. "Subdivision" shall mean the 8.883 acres of land described in Exhibit "A" hereto.

Section 4. *Parcel Identification Map*

Attached hereto and made a part of this PUD plan for parcel delineation is the parcel Identification Map for the Southport East PUD (Planned Unit Development), marked Exhibit "B".

Section 5. *Conceptual Site Plan*

A conceptual site plan for each parcel shall be submitted to the City for approval prior to any lot development within said parcel.

Section 6. *Allowed Uses*

Unless otherwise provided in this Ordinance, all Permitted and Permitted Conditional Uses allowed within the C-3 Highway Commercial/Office Park District shall be allowed except as modified below:

- A. The following uses shall be prohibited:
 - i. Automobile/motor vehicle sales
 - ii. Uses listed as exempt from property taxes under Neb. RS 77-202.

Section 7. *Building Design Guidelines and Criteria*

The developer shall present to City for its review and approval or modification specific design criteria in the form of the "Southport East Design Guidelines" as the design criteria to be utilized in the Subdivision. A copy of the Southport East Design Guidelines in the form approved and amended by the City is attached to this PUD Plan as Exhibit "C". All applications shall adhere to requirements of the approved PUD Plan and Design Guidelines. Prior to issuance of a building permit, the City, Developer and the applicant shall have mutually agreed upon a specific design plan that complies with such criteria. Generally, the Southport East Design Guidelines of the PUD Plan take the place of Appendix A, B, and C of the City's Commercial Building Design Guide and Criteria dated September 15, 1999. The City Administrator shall determine which design criteria is applicable in the event of a conflict between the two documents reference herein.

Section 8. *Conditions*

Section 5.15 of the La Vista Zoning Ordinance No. 848 includes the Planned Unit Development Overlay District (PUD) and establishes certain regulations and guidelines pertaining to accompanying information required on a Plat, Site Plan and/or conditional use permits. All uses shall adhere to the underlying zoning district except as herein provided.

A. General Conditions

The Parcel Identification Map and Conceptual Site Plan incorporate commercial uses (office and restaurant) on Lots 1-4.

In addition, the following general site plan criteria shall be integrated into and made part of the Southport Center PUD.

- i. All subdivisions, public streets, public street rights-of-way and general development shall adhere to the standards and design criteria set forth in the La Vista Subdivision Regulations and the most current design standards adopted by the City of La Vista pertaining thereto unless otherwise stated within this PUD Plan amendment and Southport East Design Guidelines.
- ii. Unless otherwise specified herein, the development of the Southport Center PUD amendment shall comply with the applicable La Vista Zoning District Regulations or any other applicable City Codes.

B. Land Use Design Criteria

Unless provided otherwise in this amended PUD Plan, all general use regulations, performance standards and provisions set forth in the La Vista Zoning Ordinance for the appropriate commercial zoning districts shall apply to any development within the identified area. The negative elements of such uses as loading docks, heating, ventilation, or air conditioning (HVAC) units, or similar electrical or mechanical appurtenances shall be designed to be screened and buffered from view by the general public through the use of architectural features or earth berthing and landscaping.

- i. The intent of the design and layout of this development (Lots 1-4) is to develop a restaurant and office center(s) and/or individual businesses.
 - a. Building Height. Within these lots, permitted building heights will be a maximum of fifty-five (55) feet above the average finished grade of the ground at the perimeter of the building.
 - b. Building Setback. No part of any free standing or multiple-attached building shall be erected within ten (10) feet of the property line. The front yard, side yard and rear yard set backs will be no closer than (10) feet of the property line.
 - c. Open Space/Buffer. The minimum required average open space for the four lots in this amendment shall be twenty-five percent (25%) of the gross area of the lot. Parking areas, except for driveways shall be effectively screened from general public view by incorporating the natural landscape and topography with the introduction of permanent earth berthing of no less than two and one half (2 1/2) feet above the top of curb of the adjacent public street. In any case, all parking areas shall include landscape areas within and adjacent to parking (not counting the green space buffer), including islands, screens, etc., averaging ten percent (10%) of the total paved area. Such landscaped areas may be included as part of the 25% total open space. Landscaped islands within the parking area shall have ground cover of sodded grass, shrubs or other acceptable living plant material, unless the City specifically approves an alternate ground cover as part of the site plan review.

- d. Landscaping. Landscape will include the integration of recommended overstory and understory trees, shrubs and ornamental grasses (Exhibit D) throughout. The minimum landscaping required shall be two (2), 2-2 ½ “ caliper trees and five(5), shrubs or ten (10) clump ornamental grasses at 18-24” in height per one thousand (1,000) square feet of open space in each lot of the Parcel. The minimum height of coniferous trees shall be six (6) feet and may be counted as 2-2 ½ inch caliper. These are minimum requirements. A complete and detailed landscape plan is required prior to building permit approval to assure compliance with the vision of Southport Center Development and its approved guidelines.
- e. Signage. All signs identifying the project may be permitted with approval of a sign permit based upon the adopted sign regulations and design guide except as modified herein.
- f. Public Spaces. Feature lakes, detention pond areas, easements for public amenities, sidewalks within open areas, pedestrian plazas and paved outdoor spaces (excluding parking lots) are encouraged in order to link commercial areas with pedestrian plazas and to create interaction.

C. Commercial, Office and Mixed Use Site Design Guidelines

Off-street parking should be behind or beside the building when possible. Buildings should be arranged to create view corridors between pedestrian destinations within and adjacent to the site including building entrances and open spaces. The corners of street intersections, particularly site entries, should be distinguished by special landscape or architectural treatments. The use of alternate paving materials to designate pedestrian traffic areas from vehicular use areas and travel lanes is strongly encouraged. The design of all streets and parking lots shall permit the travel of the fire department's vehicle access requirements. Overhead doors and loading docks shall be totally screened from public streets. When possible, the integration of storm drainage and detention should be designed to enhance the public space.

D. Access and Off-Street Parking

- i. Access. Driveways shall be located so that no undue interference with the free movement of road traffic will result, to provide the required sight distance, and to provide the most-favorable driveway grade. Access points within the development shall be limited to what is shown on the final plat and subdivision agreement. Any deviation from this shall require the approval of the City.
- ii. Off-Street Parking. Parking on lots in the identified area shall be provided based on the aggregate ratio of four and a half (4.5) off-street parking spaces per one thousand (1,000) square feet of gross leasable floor area of improvements constructed on each lot, unless off-site/public parking is utilized with approval of the city.
 - a. Landscaping.
 - (1) Off-street parking areas containing twenty-five (25) or more parking spaces shall provide internal landscaping, other than that required in a buffer

zone or along street frontages, and shall be protected by a concrete curb.

(2) Landscape islands a minimum of seven (7) feet in width shall be provided at the end of all parking rows. In addition, landscape islands a minimum of seven (7) feet in width shall be provided throughout the parking lots such that no parking space is farther than one hundred twenty (120) feet away from any landscaped space.

(3) Required trees shall be located to minimize potential damage to vehicles, to insure adequate sight distance, and the maneuvering of emergency vehicles within the development and each lot.

(4) The internal landscaped areas shall be located to direct traffic, dispersed throughout the lot to improve site aesthetics, and installed so that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.

(5) Parking areas shall be screened, recessed, or otherwise constructed and located so as to prevent the glare from automobile headlights illuminating adjacent properties and to minimize negative views from public streets.

(6) Parking area lighting shall be shielded so as to prevent illumination of adjacent properties. A lighting plan shall be submitted from review in conjunction with any site plan.

(7) Off-street loading areas shall not interfere with or impede the circulation or flow of traffic.

E. Signage

All signs may be permitted with approval of a sign permit based upon the adopted sign regulations, except as modified herein. To the extent that the provisions of this amended PUD Plan conflict with or are more restrictive than similar provisions provided in the La Vista Zoning Ordinance, the provisions of this amended PUD Plan Shall control.

This Ordinance recognizes that because of the size and scope of the project, and because access will be obtained to the development via large public arterial streets, the project has an extraordinary need for flexibility in the signage regulations applicable thereto.

- i. Project Directory Signs. Project Directory Signs shall be allowed on the internal roadways of the subdivision to help facilitate movement through and around the development. The sign area, setback, and number of project directional signs located within the development shall be determined in conjunction with the issuance of the sign permit for the development. The Project Directory Signs may contain directional information about the location of individual businesses within the development, ad such information may be set forth the name of the business and use logos, service marks, or stylized letters that are identified with that business. Any Project Directory Sign may contain the Developer's logo for the development.
- ii. Center Identification Signs. Multi-tenant buildings, multi-attached buildings and free standing buildings as part of a mall in the identified area may be allowed to advertise on center Identification signs. Such signs shall be a maximum of twenty-four (24) feet in

height and contain a maximum of one hundred fifty (150) square feet of signage. Center identification signs may be allowed for individual users to identify their location off of internal streets or driveways with the approval of a sign permit. Such signs may include logos; located at least twenty (20) feet from the street right-of-way and ten (10) feet from the property line; and at not more than one per entrance.

iii. **Monument Signs.** Monument signs for standing buildings in the identified area shall not exceed fifteen (15) feet in height. Such signs may include logos; located at least ten (10) feet from the street right-of-way and ten (10) feet from the property line; and at not more than one per street frontage.

Section 9. That this Ordinance shall be in full force and effect after its passage approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2007.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

EXHIBIT 'A'

LEGAL DESCRIPTION

SOUTHPORT EAST REPLAT NINE, BEING A REPLATTING OF LOTS 1 AND 2, SOUTHPORT EAST REPLAT SIX, A SUBDIVISION LOCATED IN THE SE1/4 OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2, SOUTHPORT EAST REPLAT SIX, SAID POINT ALSO BEING THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHPORT PARKWAY, AND THE WESTERLY RIGHT-OF-WAY LINE OF EASTPORT PARKWAY; THENCE S02°52'57"E (ASSUMED BEARING) ALONG SAID EASTERNLY RIGHT-OF-WAY LINE OF EASTPORT PARKWAY, SAID LINE ALSO BEING THE EASTERNLY LINE OF SAID LOT 2, SOUTHPORT EAST REPLAT SIX, A DISTANCE OF 287.82 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2, SOUTHPORT EAST REPLAT SIX, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 3, SAID SOUTHPORT EAST REPLAT SIX; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOTS 2 AND 1, SOUTHPORT EAST REPLAT SIX, SAID LINE ALSO BEING THE NORTH LINE OF SAID LOT 3, SOUTHPORT EAST REPLAT SIX AND ALSO LOTS 4 AND 5, SAID SOUTHPORT EAST REPLAT SIX ON THE FOLLOWING DESCRIBED COURSES; THENCE S 87°07'03" W, A DISTANCE OF 83.88 FEET; THENCE SOUTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 150.00 FEET, A DISTANCE OF 124.92 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S 63°15'32" W, A DISTANCE OF 121.35 FEET; THENCE S 39°24'00" W, A DISTANCE OF 184.43 FEET; THENCE WESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, A DISTANCE OF 80.38 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S 62°25'42" W, A DISTANCE OF 78.24 FEET; THENCE S 85°27'24" W, A DISTANCE OF 147.68 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 100.00 FEET, A DISTANCE OF 74.30 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N 73°15'27" W, A DISTANCE OF 72.60 FEET; THENCE N 51°58'17" W, A DISTANCE OF 20.48 FEET TO THE NORTHWEST CORNER OF SAID LOT 5, SOUTHPORT EAST REPLAT SIX, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, SOUTHPORT EAST REPLAT TWO; THENCE NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 1, SOUTHPORT EAST REPLAT TWO ON THE FOLLOWING DESCRIBED COURSES; THENCE N50°10'30"W A DISTANCE OF 164.17 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 900.00 FEET, A DISTANCE OF 181.43 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N55°57'01"W, A DISTANCE OF 181.13 FEET; THENCE N61°43'32"W, A DISTANCE OF 55.52 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SOUTHPORT EAST REPLAT TWO, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 3, SOUTHPORT EAST REPLAT TWO; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHPORT PARKWAY, SAID LINE ALSO BEING THE NORTHERLY LINE OF SAID LOT 3, SOUTHPORT EAST REPLAT TWO ON THE FOLLOWING DESCRIBED COURSES; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 599.50 FEET, A DISTANCE OF 22.88 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N27°10'52"E, A DISTANCE OF 22.88 FEET; THENCE N26°05'15"E, A DISTANCE OF 66.64 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT WITH A RADIUS OF 464.63 FEET, A DISTANCE OF 670.85 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS N67°27'02"E, A DISTANCE OF 614.08 FEET; THENCE S71°11'11"E, A DISTANCE OF 79.21 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT WITH A RADIUS OF 450.00 FEET, A DISTANCE OF 170.40 FEET, SAID CURVE HAVING A LONG CHORD WHICH BEARS S82°02'04"E, A DISTANCE OF 169.38 FEET; THENCE N87°07'03"E, A DISTANCE OF 72.49 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS AN AREA OF 387,010.65010 SQUARE FEET OR 8.884 ACRES, MORE OR LESS.