

AGENDA – WORKSHOP OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, AUGUST 20, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.

I. CALL TO ORDER

II. PURPOSE OF THE WORKSHOP:

- 1. COMMISSION INPUT AND DISCUSSION:** REGARDING A PROPOSED PLANNED DEVELOPMENT KNOWN AS BUSINESS CENTER PLANNED DEVELOPMENT.

Mr. Harold Ellis, City Planner.

- 2. COMMISSION INPUT AND DISCUSSION:** REGARDING UNIFIED DEVELOPMENT CODE (UDC) AMENDMENTS – T-14.

Mr. Harold Ellis, City Planner.

III. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing at 281-652-1840 prior to the meeting so that appropriate arrangements can be made.

Workshop Item No. 1

1. **COMMISSION INPUT AND DISCUSSION:** REGARDING A PROPOSED PLANNED DEVELOPMENT KNOWN AS BUSINESS CENTER PLANNED DEVELOPMENT. *Mr. Harold Ellis, Senior Planner.*

**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF PEARLAND, TEXAS**

AGENDA OF: August 20, 2012	ITEM NO.: Workshop Item No. 1
DATE SUBMITTED: August 14, 2012	DEPT. OF ORIGIN: Planning
PREPARED BY: Harold Ellis	PRESENTOR: Harold Ellis
REVIEWED BY: Mike Hodge	REVIEW DATE: August 14, 2012
SUBJECT: Request of Kerry Gilbert & Associates, applicant, for a Joint Workshop regarding a proposed Planned Development known as Business Center PD	
EXHIBITS: 1) Vicinity and Zoning Map; 2) Aerial Map; 3) Submitted Planned Development Document	
EXPENDITURE REQUIRED: N/A AMOUNT AVAILABLE: N/A ACCOUNT NO.: N/A	AMOUNT BUDGETED: N/A PROJECT NO.: N/A
ADDITIONAL APPROPRIATION REQUIRED: N/A ACCOUNT NO.: N/A PROJECT NO.: N/A	
To be completed by Department:	
<input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

EXECUTIVE SUMMARY

This workshop is to discuss a request for a Planned Development (PD) to be located at the northwest corner of State Highway 288 and County Road 59, referred to as Business Center PD. The property consists of approximately 38.9 acres and is currently undeveloped. The existing zoning for the property is Business Park District-288 (BP288). The property is divided by Business Center Drive, and is generally located southeast of Pearland Town Center.

The applicant, Kerry Gilbert & Associates, is proposing a development divided into three Land Use Areas, as indicated in their submittal, including a variety of proposed commercial developments, such as restaurants, hotels, auto related uses (gas, wash, and minor auto repair), senior multi-family housing, museum, and manufacturing. At this time a site plan has not been submitted indicated actual building locations. The proposed base zoning for the property is BP-288.

Staff has been working with the applicant over the past few weeks, and has provided the applicant a list of outstanding clarifications needed. An update will be provided at the workshop, if there are any items that remain to be clarified.

Preliminary Staff Concerns:

Engineering:

1. Add a note in the PD that a drainage analysis will be provided to ensure that the detention pond at 176' width will provide adequate capacity.
2. Add a note on the exhibits that the driveway locations are conceptual and will be finalized at the time of commercial site review.

Parks and Recreation:

1. Need a 10 foot trail on the north side of 59. This can be achieved by a 10' wide sidewalk . This needs to be included on page 6, as note #14 after Detention.

Planning:

An update will be provided at the workshop.

Staff Recommendation

Conduct the workshop and provide direction to staff.

Exhibit 1 – Vicinity and Zoning Map:

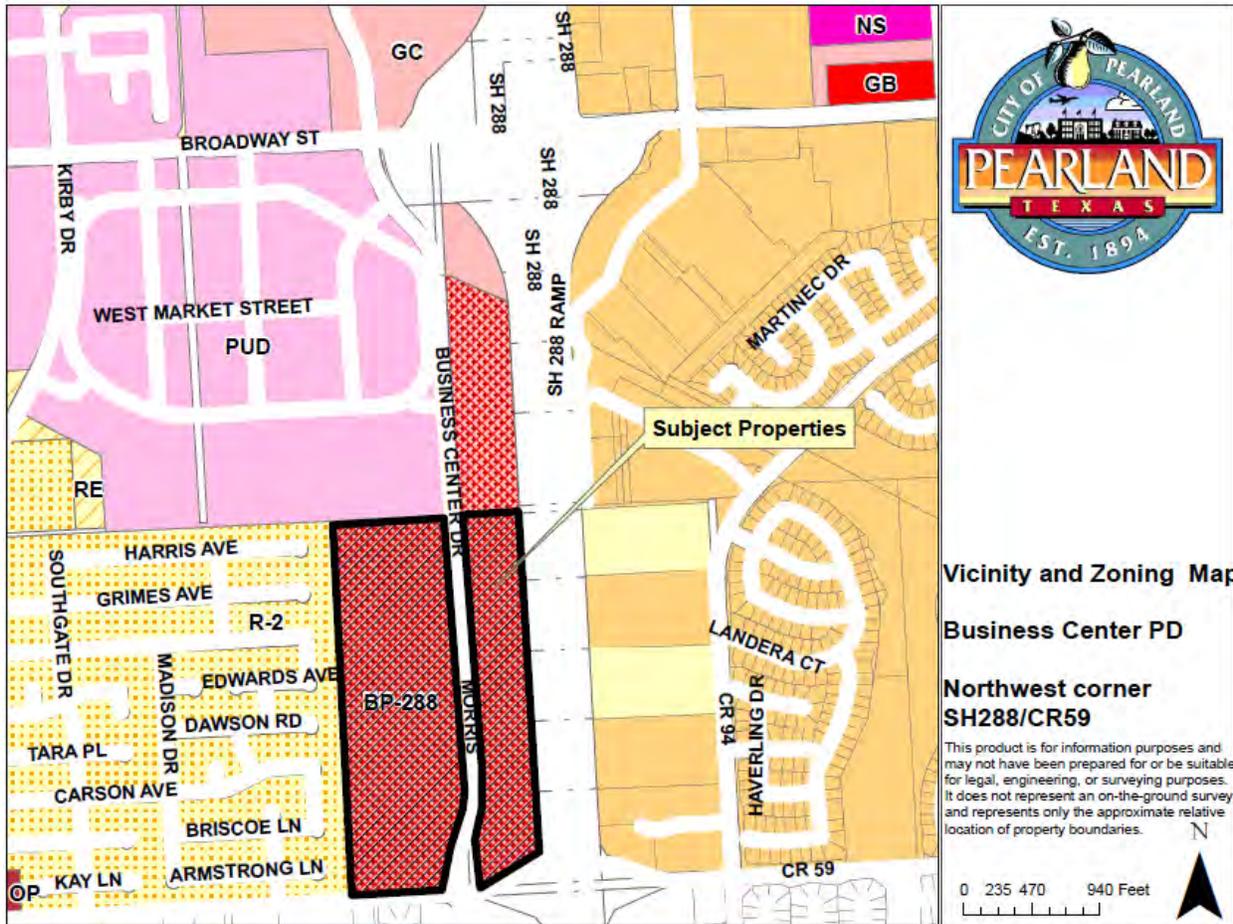


Exhibit 2 – Aerial Map:



Aerial Map

Business Center PD

**Northwest corner
SH288/CR59**

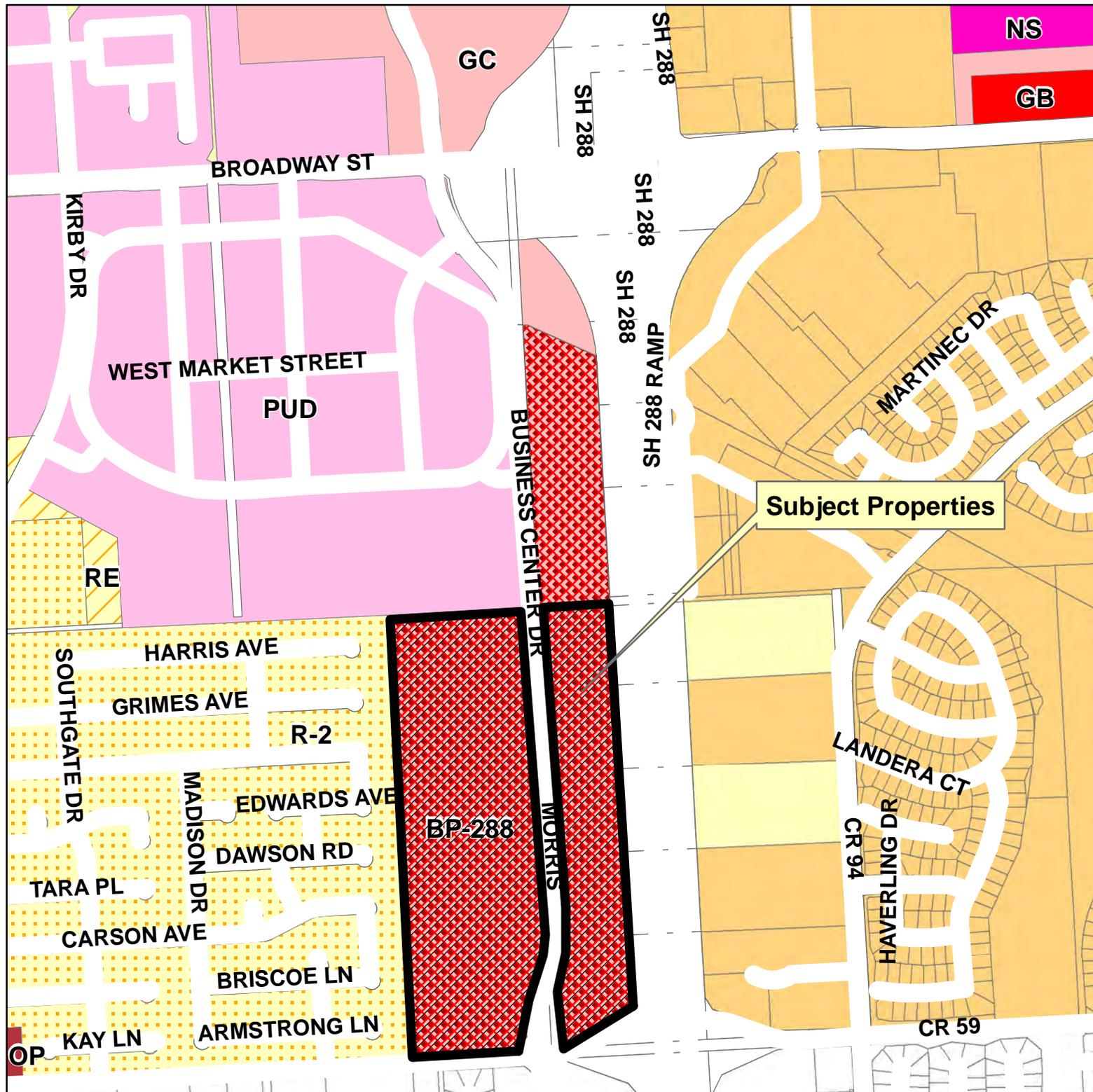
This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

0 235 470 940 Feet



Exhibit 3 – Planned Development Document Submitted:

(attached)



Vicinity and Zoning Map

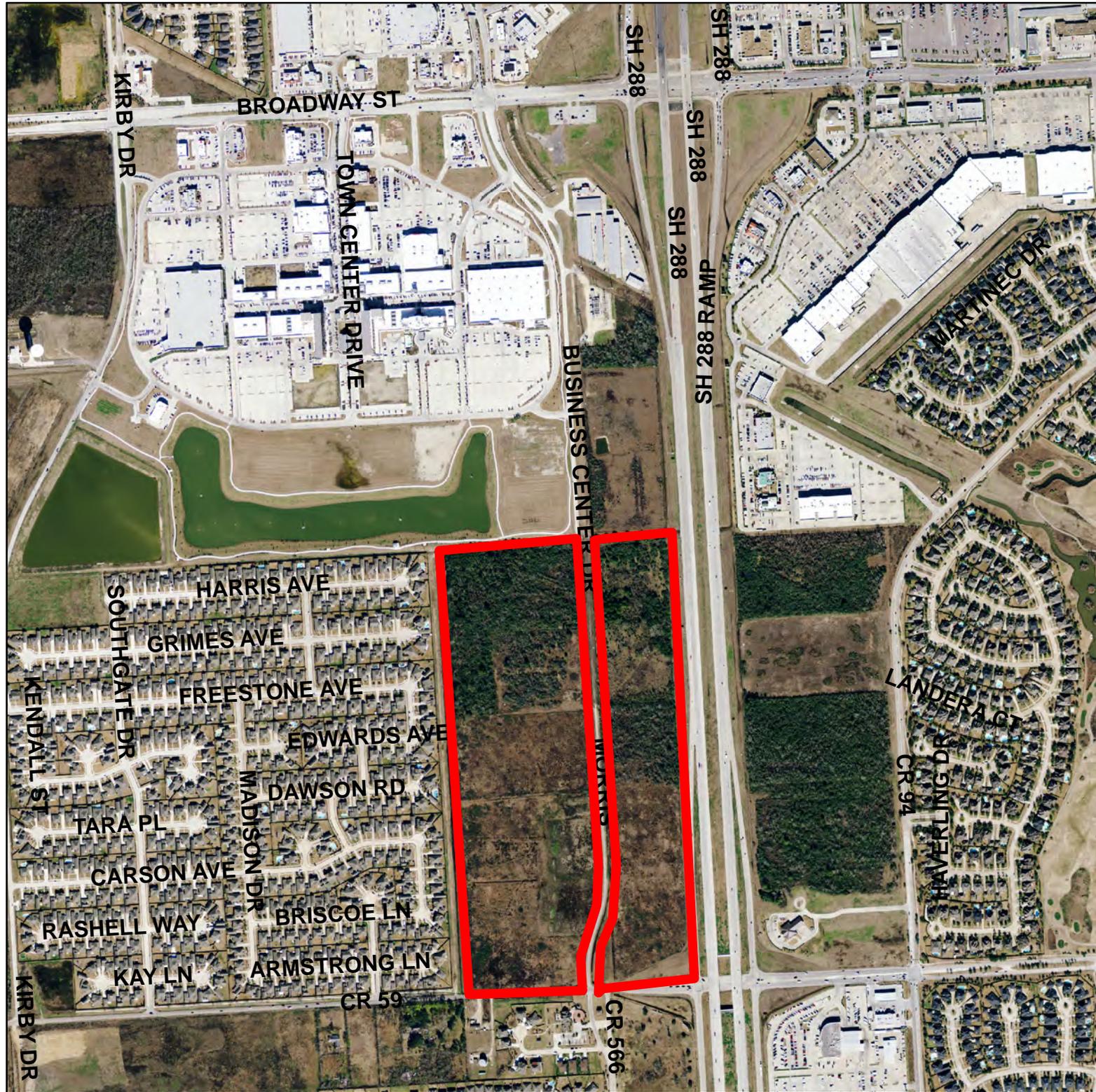
Business Center PD

Northwest corner SH288/CR59

This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

0 235 470 940 Feet





Aerial Map

Business Center PD

**Northwest corner
SH288/CR59**

This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

0 235 470 940 Feet



Exhibit 3

Business Center PD

Prepared for:

Parkside 59/288, Ltd.

Prepared by:

Kerry R. Gilbert & Assoc., Inc.

July 20, 2012

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I. Introduction

A. Description of Property

Parkside 59/288, Ltd. is the owner of the subject property which contains +38.9 acres of land and is located at the northwest corner of CR 59 and US 288. Business Center Drive extends north to Broadway, bisecting the property into two developable tracts. Business Center Drive will also provide the primary entry points into each of the two tracts. Driveway access will also be taken from CR 59 to the south; however, there will be no direct driveway access to US 288 to the east. A 60 foot wide Brazoria County Drainage District Easement forms the western boundary of the tract. South Gate, a single-family residential subdivision is situated west of the drainage easement and proposed 176 foot wide detention pond. The subject tract is vacant, except for an asphalt roadway (the location of future Business Center Drive) that dead ends at northern edge of the property. Exhibit A – Location Map and Exhibit B – Survey depicts the location and boundary of project.

B. Description of Proposed Development

The location of this project at the intersection of a major highway and a major thoroughfare lends itself for commercial, retail, and office development. There are a variety of possible uses for each tract, including small pad sites (banks, restaurants, gas station/convenience store, etc.), large big box retail (home improvement store, grocery store, etc.), hotel/motel, senior living facility and office buildings.

Exhibit D – Land Use Areas illustrates how the subject tract is affected by the future extension of Business Center Drive. Business Center Drive bisects the project into two commercial areas +9.7 acres east of Business Center Drive and +29.2 acres on the west. The storm water detention requirement of +6.8 acres will be located along the western boundary and provide an excellent buffer between the commercial and residential development. The width of the proposed detention is 176' wide which provides a significant buffer distance between the residential and commercial developments. Construction of the fence will occur as the development in LUA 2 and 3 occur.

Exhibit D – Land Use Areas shows the location of the detention between the single family residential and the commercial.

C. Describe the area of land in acreage and legal description

Approximately 38.9 acres comprise the subject site. Exhibit B – Survey, Metes & Bounds description, describes the site.

D. Statement as to the purpose and intent of the PD

The intent of this PD is to allow flexibility of uses with the commercial, retail, and office land uses within the project.

II. Zoning and Land Uses

A. Describe existing zoning district surrounding the site

The site is zoned BP-288. The surrounding uses are as follows:

- North: Pearland Town Center PUD and BP-288
- West: R-2 (Southgate neighborhood, Brazoria County Drainage District Easement)
- South: ETJ (single-family residential use),
- East: ETJ (vacant)

Exhibit C – Surrounding Properties/Zoning Map depicts the zoning districts of the adjacent tracts.

B. Describe the acreage difference between the Base Zoning and proposed district

The base zoning district is BP-288. The proposed district overlays the entire 38.9 acre tract since the location of each specific land use has not yet been determined.

C. General standards applicable to project

Land uses along US 288 will conform to the BP-288 District (Section 2.4.3.3) and the land uses along Business Center Drive will conform to the Corridor Overlay District (Section 2.4.5.1) except for the specific design standards listed in III. Design Standards Section C of this document.

D. Permitted and conditional uses allowed

The intent of the PD is to allow for a variety of land uses, including a mix of commercial, office, senior housing, hotel/motel, retail and restaurants. To this end, three distinct Land Use Areas (LUA) are being defined that would confine specific land uses to certain portions of the tract. Location and size of a tract coupled with market conditions are factors in determining the best use for the tract. The LUA designations define the best uses for the tract and set specific design elements for particular uses. The design elements set up standards based on the land use.

Exhibit D – Land Use Areas depicts three land use areas and the respective acreage within each area. The table below lists the potential types of uses within each LUA plus design elements specific to those uses. Any land use permitted or conditionally permitted in the BP-288 district listed in the UDC Land Use Matrix is allowed along with the additional uses listed in the Land Use Area Table within this document. Any uses listed in the Land Use Area Table below are considered Permitted Uses in addition to the Permitted uses in the UDC Land Use Matrix for BP-288. The land uses listed in the table below are restricted to that specific Land Use Area. Additionally, the land uses listed are restricted to a maximum acreage within that specific Land Use Area. The acreage for that use is listed next to the use.

The acreage within each LUA may shift within 15% to allow for flexibility in land uses. The size of the LUA could change depending upon the actual use that is constructed so the ability to increase and decrease the acreage within the LUA is important.

Land Use Area Table

	Types of Uses and Maximum Acreages	Design Element
<p>Land Use Area 1 ± 9.9 Acres</p>	<p>Restaurant (Drive-thru)*.....(9.9 acres) Restaurant (Dine-in)..... (9.9 acres) Hotel/Motel and Extended Stay**...(6 acres) Gas/Convenience Store ***.....(3 acres) Auto Repair (minor)(5 acres) Auto Wash (full service/detail)(5 acres) Auto Wash (self-service)(5 acres) Laundry/ Dry Cleaning(2 acres) Garden / Nursery Store(8 acres) Shopping Center(8 acres)</p>	<p>Shared Driveways</p> <p>Orientation of bay windows shall not face Business Center Drive.</p> <p>Drive-thru windows that face the street will be buffered per Section 2.4.5.1.J of the UDC.</p>
<p>Land Use Area 2 ±5.8 Acres</p>	<p>Restaurant (Drive-thru)*(5.8 acres) Restaurant (Dine-in)(5.8 acres) Gas/Convenience Store ***.....(3 acres) Auto Wash (self-service) associated with a gas station</p>	<p>Shared Driveways</p> <p>Orientation of bay windows shall not face Business Center Drive.</p> <p>Drive-thru windows that face the street will be buffered per Section 2.4.5.1.J of the UDC.</p>
<p>Land Use Area 3 ±23.4 Acres</p>	<p>Senior Housing Complex(14 acres) Flex / Back Office(12 acres) Museum(5 acres) Bio-tech, High-tech manufacturing (10 acres) Shopping Center(12 acres)</p>	<p>Shared Driveways</p> <p>Senior Housing Complex is intended for housing by persons 55 years of age or older and that at least 80% of the occupied units are occupied by at least one person who is 55 or older. The design of the complex will incorporate interior hallways.</p> <p>Businesses to be oriented towards Business Center Drive, or if designed with a motor court, business can be oriented towards another business.</p> <p>Orientation of overhead doors and bay windows shall not face Business Center Drive</p>

* Restaurant (Drive-Thru) limited to three (3) establishments in LUA 1 and two (2) establishments in LUA 2.

** Hotel/Motel/Extended Stay limited to two (2) establishments in LUA 1.

***Gas/Convenience Store limited to one (1) facility in LUA 1 and one (1) facility in LUA 2.

III. Design Standards

A. Design Standards

1. Building Design: Architectural Guidelines will be utilized that will encourage architectural compatibility with the various entities that will be developed in the project. Building location will also be a consideration. All buildings should incorporate clean functional design. Building mass should be simple, geometric and finished in the same materials on all sides. Building mounted signage or sign bands, where necessary, should be integrated into the elevation design. The sides and backs of buildings should be architecturally consistent with the front. Side or back elevations which are most often viewed by the general public may require as much attention as the front elevation. Roof lines, architectural detailing and landscaping are all features that can utilize to accomplish this objective. Multi-tenant buildings will be constructed with compatible materials and design characteristics in order to present the identity of an organized building cluster. There will be a compatible family of design elements in building form and materials, roof lines, colors and landscaping.

2. Exterior Materials and Colors: All exterior materials shall complement the architectural design and the overall image of the community in which it is located. Building shall be constructed with compatible materials, textures, colors and forms. No more than three (3) dominant materials should be used on a building exterior. Acceptable materials are concrete, concrete block, glass, glass block, brick, split face concrete block, stone, wood, metal, stucco and stucco-like materials. Corrugated steel or aluminum siding, industrial building systems, and plastic are materials prohibited from use unless the use of material is not visible from the public or adjacent sites. Earth tones with limited pastel alternative as recommended for dominant wall colors for build materials. An accent color may be applied to trim, fascia boards, door panels, or miscellaneous metals. Accent colors will not exceed more than 20% of the building façade for any side of the building. Prohibited colors include colors considered to be fluorescent, iridescent, or dayglo. Also prohibited are the colors purple and pink.

3. Setbacks: Setbacks apply to tracts that abut a public street right-of-way.

Front: 15'

Side: 15'

4. Landscaping: A landscaping plan will be developed along the perimeter of the project to ensure uniformity. The landscaping plan will be in conformance with the Corridor Overlay District along Business Center Drive and BP-288 District along US 288 for landscaping, parking lot screening, trash receptacle screening and tree plantings.

5. Lighting: Lighting provides a sense of safety and security throughout the area. Lighting in the parking lots and on the commercial buildings will be in conformance with the current City of Pearland Code.

6. Outside Storage: Outside storage operations are allowed only for those businesses in which outside storage is a function of the business, such as a nursery. The outside storage must be screened from public view and those standards will be in conformance with the current City of Pearland Code.

7. Signage: The control of signs is an important component to the visual harmony of the project. A signage plan will be developed requiring a uniform use of material for each monument sign and multi-tenant sign. Pylon signs are prohibited. Monument signs may be located inside the landscape area along the street right-of-way; the leading edge of the sign shall be at least 5 feet from the property line and the sign shall be perpendicular to the right-of-way. Uses developed within LUA 1 will be allowed signage on both Business Center Drive and US 288.

On-premise ground signs – Each business can have one sign per street frontage (frontage is at least 100'). The maximum height of the sign shall not exceed 8 feet (does not include the 2 foot base). The maximum sign area is 100 square feet.

Multi-tenant signs – One sign per 600' along Business Center Drive and one sign per 1,000' along US 288. The maximum height is 15' (not including the 2' base) along Business Center Drive and the maximum height along US 288 is 22' (not including the 2' base).

The design and dimension of the signs have not yet been determined, however, Exhibits E thru H illustrate sample signage design for single tenant monument signs and multi-tenant signs along CR 59, Business Center Drive and US 288.

8. Parking: On and off street parking requirements will be in conformance with the City of Pearland UDC. Bicycle parking will also be in conformance with the Section 2.4.5.1.F in the Corridor Overlay District.

9. Service Access and Service Areas: Service drives and service areas should not interfere with parking, driveways or walkways and must be screened from adjoining properties, all public right-of-way and from the office area of any other building which share the site. Ideally, a service area should be provided at the rear (side opposed the street) of all buildings. Service areas which are recessed into the buildings are preferred.

10. Vehicular Access: Location of ingress and egress will be controlled. Vehicular access will be designed to minimize auto-pedestrian conflicts, minimize curb-cuts, maximize curb cut distances along the public right-of-way and minimize automobile conflicts. Shared driveways will be planned to limit the number of driveways along CR 59 and Business Center Drive. Parkside 59/288, Ltd. has been working with the City of Pearland on the design of Business Center Drive to ensure optimal driveway and cross access conditions for future development.

11. Screening: Screening will be in conformance with the City of Pearland UDC except for any exclusions listed below in Section C. The screening for the detention facility will consist of a six (6) foot tall masonry or pre-cast masonry wall along the eastern side of the facility, along LUA 2 and 3. The fence will be constructed in conjunction with the building it is screening within LUA 2 and 3.

12. Utilities: Overhead power lines exist along north side of CR 59 and along the east side of Business Center Drive. The overhead line along Business Center Drive will be relocated as overhead lines along the east side of the proposed detention area. Overhead lines will also be used to bring power towards Business Center Drive. As sites are sold and developed, utilities to these sites will be constructed underground. Exhibit I – Utility Plan depicts the location of existing and proposed overhead power lines.

13. Detention Facility: The detention for this development will be located along the western boundary of the tract and will provide a buffer between the proposed commercial development and the South Gate neighborhood. The detention facility (including the high bank and berm) is 176 feet wide coupled with the existing BDD #4 Drainage right-of-way provides for a 236 foot wide buffer between commercial and residential. A screening wall, six (6) foot tall masonry or pre-cast masonry wall will be constructed along the eastside of the detention facility to enhance the screening of the residential. The wall will be constructed as the buildings are constructed on site. Landscape plantings of trees and shrubs will be also be incorporated along the frontage of CR 59 to provide a visual screening from the public right-of-way.

B. Instead of a specific site plan, the development has been divided into 3 Land Use Areas and the table above lists the potential uses within each Land Use Area. The design is dependent upon the users of the development and at this time, there are no users. The design will occur as the project develops. It is essential to the success of the project to maintain flexibility in the design to allow for the market driven uses. The quality and character of the development will be maintained by requiring uniformity and compatibility between the uses and the use of shared driveways to limit access along the major roadways.

C. Specific list of deviations.

1. Section 2.4.5.1.C.1 and Section 2.4.4.3.C: Setback requirement for buildings is twenty-five feet (25'). Land Use Area 1 has dual frontage for Land Use Area 1 and driveway access to the site is limited to Business Center Drive. A fifteen foot (15') building line allows for better design of the tracts.
2. Section 2.4.5.1.C.2: Setback requirement for off-street parking, maneuvering, and loading area from the right of way line is thirty feet (30'). Land Use Area 1 has dual frontage and driveway access to the site is limited to Business Center Drive. A setback of fifteen feet (15') allows for better design of the tract.
3. Section 2.4.5.1.D.1 and Section 2.4.4.3.E.1: Building articulation will be included in the architectural guidelines for the development.
4. Section 2.4.5.1.D.2.d: Building materials are discussed above and include restrictions in the Corridor Overlay District. The building materials should not require the additional approval of the Planning Director.
5. Section 2.4.5.1.D.3: Building colors are limited to earth tones and pastel as discussed above, and should not require the additional approval of the Planning Director.
6. Section 2.4.5.1.G.6 and Section 2.4.4.3.I.3: Requires a 25' buffer when adjacent to single family residential. The location of the Detention facility (176 feet wide) and the BDD #4 Drainage right-of-way (60 feet wide) provides an adequate buffer to the

single-family residential neighborhood to the west. An additional 25 foot green space within the commercial development would be excessive.

7. Section 2.4.5.1.I.6.: The visibility of the detention facility from CR 58 will be screened with landscaping, not fencing.
8. Section 2.4.5.1.M: Utilities constructed underground. Along the frontage of Business Center Drive, the utilities will be constructed underground. However, as stated above in Section A.12, overhead utilities will remain bringing power to the development. Exhibit I – Utility Plan shows the overhead and underground locations.
9. Section 2.4.4.3.A.1: Permitted uses in BP-288 are listed on the UDC Land Use Matrix. We request additional uses be permitted as listed in the Land Use Table in Section 2 above. Prohibited uses include “Pet Care Facility/Animal Kennel (with outdoor pens)” and “Office, Parole-Probation, Bail Bonds”.
10. Section 2.4.4.3.F: Detention facilities are required to be incorporated as an amenity. The detention required for this development is better served as a buffer to the single family residential rather than as a lake amenity for the project. The total width of the detention and drainage easement is 236 feet. This distance, coupled with the six foot (6’) wall provides a sufficient buffer and screening to the residential neighborhood to the west.

D. All requirements of the Unified Development Code will be met, unless specifically mentioned in this document

IV. Required dedications of land or public improvements

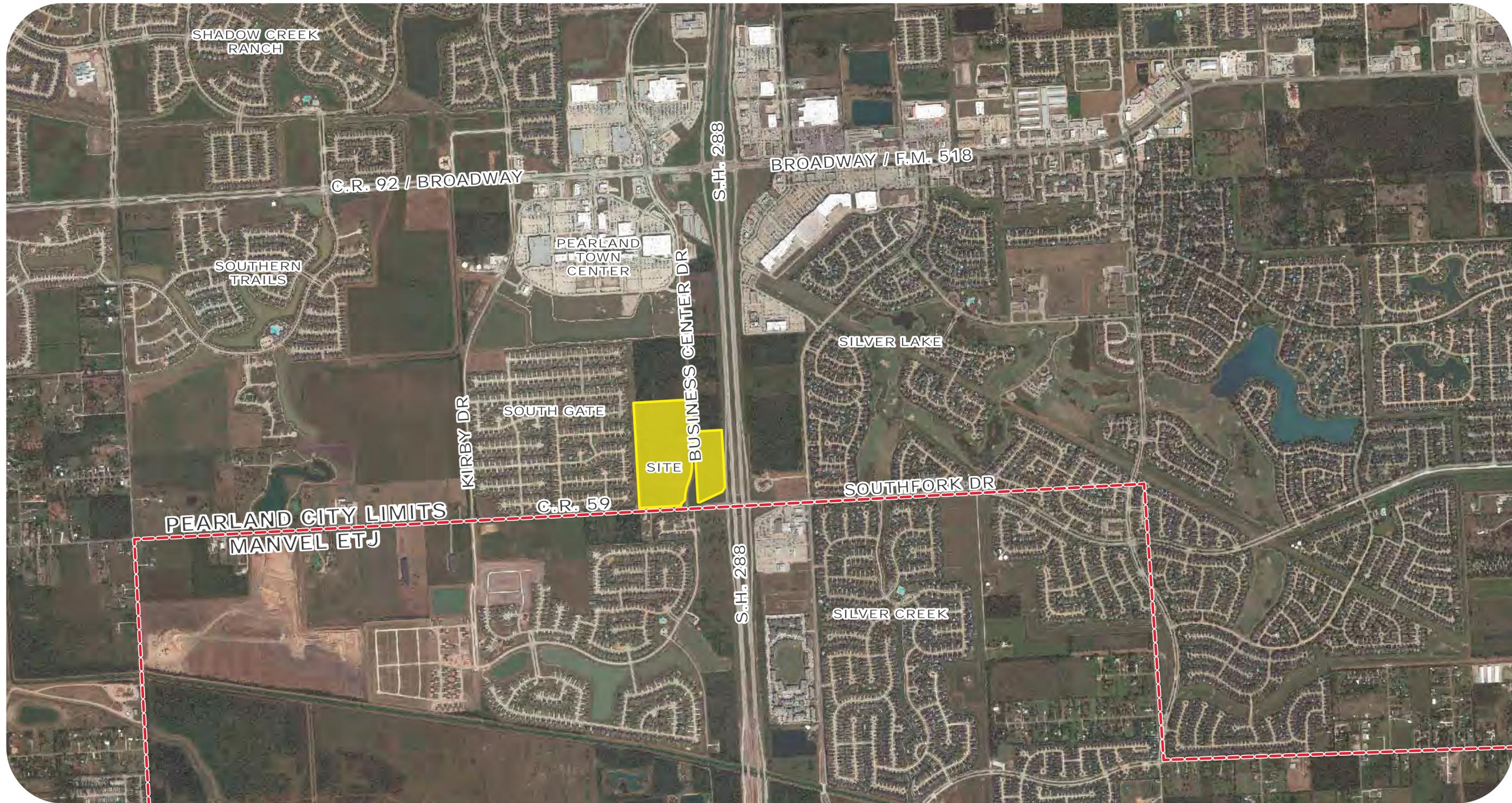
This development is primarily commercial, retail and office and therefore no dedication to parkland required. If the Senior Housing Complex is developed, then the park and open space requirements for multi-family will be applied to that specific site.

V. Phasing Schedule

The development of this project is based on market conditions and the construction of Business Center Drive. Phase I most likely will be either LUA 1 or 2 since these locations have existing access along CR 59.

VI. Exhibits

- A – Location Map
- B – Survey, metes & bounds description
- C – Surrounding Properties/ Zoning Map
- D – Land Use Areas
- E – Monument Signage along CR 59 and Business Center Drive
- F – Multi-tenant Signage along CR 59 and Business Center Drive
- G – Monument Signage along US 288
- H – Multi-tenant Signage along US 288
- I – Power Line Exhibit



A

location map

a location map for
BUSINESS CENTER PD
 ± 38.9 ACRES OF LAND

prepared for
PARKSIDE 59/288 LTD.

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO KERRY R. GILBERT & ASSOCIATES, INC. BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOOD PLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

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NOT TO SCALE

JUNE 15, 2012
 KGA #I-175A

Notes:

- 1) All bearings referenced to the Texas Coordinate System, South Central Zone, NAD 83 (1993 ADJ) Epoch 2002.02.
2) This survey was prepared from information furnished by Stewart Title Guaranty Company, File No. 1029333002, Effective date June 3, 2012.
3) By graphical plotting, the subject tract lies within Zone "X" (un-shaded) as defined as "Areas determined to be outside the 50-year floodplain" as shown on Federal Emergency Management Agency Flood Insurance Rate Map, Map No. 4803300020 H, Effective date June 5, 1999.
4) The portion of the subject tract identified as being located within the city limits of the City of Pearland, Texas, is zoned "SP-288" (Business Park District-288), and is subject to the provisions of City of Pearland Unified Development Ordinance No. 200071 and the Zoning Map, Ordinance No. 200071, approved by City Council, February 27, 2006 and as amended by official action of the City Council.
5) All of the subject tract lies within Brazoria County Municipal Utility District No. 34.
6) There are no structures and no paved or striped parking spaces on the subject tract.
7) There is no visible evidence of the subject tracts being used as a solid waste dump, sump, or sanitary landfill.
8) A metes and bounds description was prepared for the subject tract on a separate instrument dated June 19, 2012.

DESCRIPTION OF 38,909 ACRES (1,694,878 SQUARE FEET)

Being 38,909 acres of land located in the H.T. & B. R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being a portion of Lots 38, 39, 40, 49, and 50 of the Allison Ritchey Gulf Coast Homes Company's Part of Suburban Gardens, a subdivision of record in Volume 2, Page 96, of the Plat Records of said Brazoria County (B.C.O.P.R.), more particularly being the residue of the certain called 30,583 acre tract described as Part One and the residue of that certain called 9,990 acre tract described as Part Two conveyed from Compass Bank to Parkside 59/288, Ltd., by an instrument of record under Document Number 2010102491, of the Official Public Records of said Brazoria County, (B.C.O.P.R.), said 38,909 acres being more particularly described in two parts by metes and bounds as follows: Part One being 29,226 acres (1,273,076 square feet) and Part Two being 9,683 acres (421,802 square feet), all bearings referenced to the Texas Coordinate System, South Central Zone, NAD83 (1993 adjustment), Epoch 2002.02.

PART ONE

BEGINNING at a 5/8-inch iron rod with cap stamped "LJA ENG" found for the northwest corner of said 30,583 acre tract and the southwest corner of that certain called 3.39 acre tract conveyed from Brazoria County Land & Cattle Co. to George D. Fishman and wife, Mary Fishman, by an instrument of record under Document Number 2002060022, of the Official Records of said Brazoria County, (B.C.O.P.R.), said point being on the east line of Southgate Section Two, a subdivision of record in Volume 24, Page 278-279, B.C.P.R., said point also being common west corner of Lots 37 and 38 of said Allison Ritchey Gulf Coast Home Company's Part of Suburban Gardens subdivision;

Thence, North 86°42'55" East, along the common line of said Lots 37 and 38, along the north line of said 30,583 acre tract, the south line of said 3.39 acre tract and said south line of that certain called 3.33 acre tract conveyed from Ky-Tex to George Fishman and Mary Fishman by an instrument of record under File Number 98-040465 and corrected under File Number 97-004956, B.C.D.P.R., 828.57 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set on the west right-of-way line of Business Center Drive (100 feet wide) as described under Document Numbers 201007382, 201007393, 201007402, B.C.D.P.R., from which a 3/4-inch iron pipe found for the common corner of said Lots 37, 38, 41 and 48 of said Allison Ritchey Gulf Coast Home Company's Part of Suburban Gardens subdivision bears North 86°42'55" East, 493.1 feet;

Thence, South 03°16'00" East, along the west right-of-way line of said Business Center Drive, 1025.77 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, the beginning of a curve;

Thence, continuing along the west right-of-way line of said Business Center Drive, (width varies), 69.54 feet along the arc of a tangent curve to the right having a radius of 750.00 feet, a central angle of 12°57'06", and a chord that bears South 03°12'34" West, 69.54 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner at the intersection of the west right-of-way line of said Business Center Drive and the west right-of-way line of County Road 566 (width varies) as described in Volume 2, Page 96, B.C.P.R., Volume 133, Page 126, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.P.R., the beginning of a curve;

Thence, along the west right-of-way line of said County Road 566 the following four courses:

- 1. 66.34 feet along the arc of a non-tangent curve to the right having a radius of 686.20 feet, a central angle of 05°32'22", and a chord that bears South 18°58'03" West, 66.32 feet to a concrete right-of-way monument found for corner;
2. South 21°45'33" West, 13.71 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner, the beginning of a curve;
3. 275.59 feet along the arc of a non-tangent curve to the left having a radius of 746.20 feet, a central angle of 21°09'40", and a chord that bears South 11°09'26" West, 274.03 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, from which a found concrete right-of-way monument bears North 57°07'14" West, 148 feet;
4. South 42°42'06" West, 71.88 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north right-of-way line of County Road 59 (width varies) as described in Volume 2, Page 98 and Volume 24, Page 33-36, B.C.P.R.;

Thence, South 86°44'15" West, along said north right-of-way line, 10.00 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on the north right-of-way line of said County Road 59, said point being the northeast corner of that certain called 0.5248 acre tract conveyed to the City of Pearland as a donation for right-of-way as described under Document Number 201007390, B.C.D.P.R.;

Thence, South 86°40'26" West, along the north right-of-way line of said County Road 59 as described under Document Number 201007390, B.C.D.P.R., 646.10 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for the southeast corner of said 0.5248 acre tract, said point being on the west line of the aforementioned 30,583 acre tract, said point being the southeast corner of Southgate Section One, a subdivision of record in Volume 24, Pages 33-36, B.C.P.R.;

Thence, North 03°18'00" West, along the west line of said 30,583 acre tract, the west line of said Lots 38, 39 and 40, and the east line of said Southgate Section One, passing at 1330.57 feet to a 5/8-inch iron rod with cap stamped "DALE HARDY RPLS 4847" found for the northeast corner of said Southgate Section One and the southeast corner of the aforementioned Southgate Section Two, in all 1,583.44 feet to the POINT OF BEGINNING and containing 29,226 acre (1,273,076 square feet) of land;

PART TWO

BEGINNING a 5/8-inch iron rod found for the northeast corner of said 9,990 acre tract and the southeast corner of that certain called 2.515 acre tract conveyed from DXB Richmond, Inc to Gold Star Development by an instrument of record under Document Number 2008031966, B.C.D.P.R., said point also being on the west right-of-way line of SH 288 (width varies) as described in Volume 1041, Page 462, Volume 1041, Page 462, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.P.R., said point being on the common lot line of said Lot 48 and 49 of said Section 81, from which a found 3/4-inch iron pipe bears South 52°36'37" East, 0.53 feet;

Thence, South 03°14'03" East, along the common line of said 9,990 acre tract and said westerly right-of-way line, 877.70 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on said common line;

Thence, South 30°49'10" West, continuing along said common line, 82.81 feet to a broken concrete right-of-way monument found for an angle point on said common line;

Thence, South 64°55'07" West, continuing along said common line, 391.06 feet to a broken concrete right-of-way monument found for an angle point on said common line;

Thence, South 86°45'24" West, continuing along said common line, 30.02 feet to a broken concrete right-of-way monument found for the southwest corner of said 9,990 acre tract, some being the intersection on said westerly right-of-way line and the east right-of-way line of County Road 566 (width varies) as recorded in Volume 2, Page 96, B.C.P.R., Volume 133, Page 126, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.P.R.;

Thence, North 03°11'11" West, departing said common line and along the west line of said 9,990 acre tract and along the east right-of-way line of said County Road 566, 371.60 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for the intersection of the east right-of-way line of said County Road 566 and the east right-of-way line of said Business Center Drive (100 feet wide) as described under Document Numbers 201007382, 201007390, 201007393, and 201007402, B.C.D.P.R., the beginning of a curve;

Thence, along the east right-of-way line of said Business Center Drive, 187.07 feet along the arc of a non-tangent curve to the left having a radius of 850.00 feet, a central angle of 12°36'35", and a chord that bears North 03°02'11" East, 186.69 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner;

Thence, North 03°16'00" West, continuing along the east right-of-way line of said Business Center Drive, 5.11 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north line of the aforementioned 9,990 acre tract and the south line of the aforementioned 2.515 acre tract, said point also being on the common lot line of Lots 48 and 49 of the aforementioned Allison Ritchey Gulf Coast Homes Company's Part of Suburban Gardens subdivision;

Thence, North 86°47'22" East, along the common line of said 9,990 and 2.515 acre tracts and said common lot line, 410.34 feet to the POINT OF BEGINNING and containing 9,683 acres (421,802 square feet) of land;

Said Part One and Part Two containing a total of 38,909 acres (1,694,878 square feet) of land.

SURVEYOR'S CERTIFICATE

To Parkside 288/59, Ltd, and Stewart Title Guaranty Company; I hereby certify that on the 15th day of June, 2012,

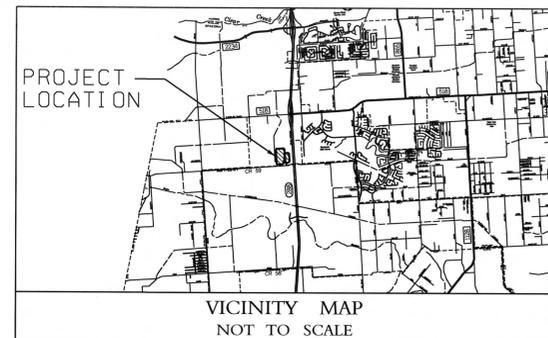
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 7(a), 7(b)(1), 7(b)(2), 7(c), 8, 9, 10(a), 11, 15, 16, and 18 of Table A thereof. The field work was completed on June 8, 2012.

Date of Plat or Map: June 19, 2012

GARY D. NUTTER, Registered Professional Land Surveyor, Texas Registration No. 3659

CURVE TABLE with columns: Curve, Radius, Tangent, Chord, Arc, Delta, Chord Bearing

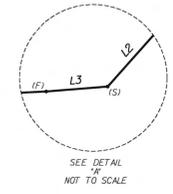
LINE TABLE with columns: Line, Bearing, Distance



Scale: 1" = 80'

- LEGEND: B.C.D.R. - BRAZORIA COUNTY DEED RECORDS, B.C.O.P.R. - BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS, B.C.P.R. - BRAZORIA COUNTY OFFICIAL RECORDS, B.C.P. - BRAZORIA COUNTY PLAT RECORDS, (S) - SET 5/8" IR. W/CAP STAMPED "LJA ENG", (F) - FOUND 5/8" IR. W/CAP STAMPED "LJA ENG", IR. - IRON ROD, I.P. - IRON PIPE, (C.M.) - CONTROLLING MONUMENT, - E - OVERHEAD UTILITIES, - P - POWER POLE W/ GUY WIRE, - E - OVERHEAD UTILITIES, - E - ELECTRICAL BOX, - E - ELECTRICAL JUNCTION BOX, - E - ELECTRIC METER, - E - ELECTRIC INLET, - E - PEDESTAL, - E - TELEPHONE CABLE MARKER, - E - HIGHBANK LINE STYLE, - E - HIGHBANK LINE STYLE, - E - FLOW LINE OF DITCH, - E - EDGE OF ASPHALT, - E - FLUSHING VALVE, - E - WATER VALVE, - E - PEDESTAL, - E - SIGN, - E - GRATE INLET, - E - GAS LINE MARKER (PIN FLAG), - E - STORM MANHOLE, - E - SANITARY MANHOLE

ACREAGE SUMMARY: TRACT ONE = 29,226 ACRES (1,273,076 S.F.), TRACT TWO = 9,683 ACRES (421,802 S.F.), TOTAL = 38,909 ACRES (1,694,878 S.F.)



DESCRIPTION OF
38.909 ACRES
(1,694,878 SQUARE FEET)

Being 38.909 acres of land located in the H.T. & B. R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being a portion of Lots 38, 39, 40, 49, and 50 of the Allison Richey Gulf Coast Homes Company's Part of Suburban Gardens, a subdivision of record in Volume 2, Page 98, of the Plat Records of said Brazoria County (B.C.P.R.), more particularly being the residue of that certain called 30.583 acre tract (described as Part One) and the residue of that certain called 9.990 acre tract (described as Part Two) conveyed from Compass Bank to Parkside 59/288, Ltd., by an instrument of record under Document Number 2011012491, of the Official Public Records of said Brazoria County, (B.C.O.P.R.), said 38.909 acres being more particularly described in two parts by metes and bounds as follows: Part One being 29.226 acres (1,273,076 square feet) and Part Two being 9.683 acres (421,802 square feet), all bearings referenced to the Texas Coordinate System, South Central Zone, NAD83 (1993 adjustment), Epoch 2002.02;

PART ONE

BEGINNING at a 5/8-inch iron rod with cap stamped "LJA ENG" found for the northwest corner of said 30.583 acre tract and the southwest corner of that certain called 3.39 acre tract conveyed from Brazoria County Land & Cattle Co. to George D. Fishman and wife, Mary Fishman by an instrument of record under Document Number 2005061002, of the Official Records of said Brazoria County, (B.C.O.R.), said point being on the east line of Southgate Section Two, a subdivision of record in Volume 24, Pages 278-279, B.C.P.R., said point also being common west corner of Lots 37 and 38 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision;

Thence, North $86^{\circ} 42' 55''$ East, along the common line of said Lots 37 and 38, along the north line of said 30.583 acre tract, the south line of said 3.39 acre tract and said south line of that certain called 3.33 acre tract conveyed from Ky-Tex to George Fishman and Mary Fishman by an instrument of record under File Number 96-040466 and corrected under File Number 97-010496, B.C.O.R., 826.97 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set on the west right-of-way line of Business Center Drive (100 feet wide) as described under Document Numbers 2012007382, 2012007390, 2012007393, and 2012007402, B.C.O.P.R., from which a 3/4-inch iron pipe found for the common corner of said Lots 37, 38, 47 and 48 of said Allison Richey Gulf Coast Home Company's Part of Suburban Gardens subdivision bears North $86^{\circ} 42' 55''$ East, 49.51 feet;

Thence, South $03^{\circ} 16' 00''$ East, along the west right-of-way line of said Business Center Drive, 1,025.77 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, the beginning of a curve;

Thence, continuing along the west right-of-way line of said Business Center Drive, (width varies), 169.54 feet along the arc of a tangent curve to the right having a radius of 750.00 feet, a central angle of $12^{\circ} 57' 08''$, and a chord that bears South $03^{\circ} 12' 34''$ West, 169.18 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner at the intersection of the west right-of-way line of said Business Center Drive and the west right-of-way line of County Road 566 (width varies) as described in Volume 2, Page 98, B.C.P.R., Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.R., the beginning of a curve;

Thence, along the west right-of-way line of said County Road 566 the following four courses:

1. 66.34 feet along the arc of a non-tangent curve to the right having a radius of 686.20 feet, a central angle of $05^{\circ} 32' 22''$, and a chord that bears South $18^{\circ} 58' 03''$ West, 66.32 feet to a concrete right-of-way monument found for corner;

2. South $21^{\circ} 45' 33''$ West, 13.71 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner, the beginning of a curve;
3. 275.59 feet along the arc of a non-tangent curve to the left having a radius of 746.20 feet, a central angle of $21^{\circ} 09' 40''$, and a chord that bears South $11^{\circ} 09' 26''$ West, 274.03 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner, from which a found concrete right-of-way monument bears North $51^{\circ} 07' 14''$ West, 1.18 feet;
4. South $42^{\circ} 42' 06''$ West, 71.88 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north right-of-way line of County Road 59 (width varies) as described in Volume 2, Page 98 and Volume 24, Page 33-36, B.C.P.R.;

Thence, South $86^{\circ} 44' 15''$ West, along said north right-of-way line, 10.00 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on the north right-of-way line of said County Road 59, said point being the northeast corner of that certain called 0.5248 acre tract conveyed to the City of Pearland as a donation for right-of-way as described under Document Number 2012007390, B.C.O.P.R.;

Thence, South $86^{\circ} 40' 26''$ West, along the north right-of-way line of said County Road 59 as described under Document Number 2012007390, B.C.O.P.R., 646.10 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for the northwest corner of said 0.5248 acre tract, said point being on the west line of the aforementioned 30.583 acre tract, said point being the southeast corner of Southgate Section One, a subdivision of record in Volume 24, Pages 33-36, B.C.P.R.;

Thence, North $03^{\circ} 18' 06''$ West, along the west line of said 30.583 acre tract, the west line of said Lots 38, 39 and 40, and the east line of said Southgate Section One, passing at 1,330.57 feet a 5/8-inch iron rod with cap stamped "DALE HARDY RPLS 4847" found for the northeast corner of said Southgate Section One and the southeast corner of of the aforementioned Southgate Section Two, continuing along the west line of said Lot 38 and the east line of said Southgate Section Two, in all 1,583.44 feet to the POINT OF BEGINNING and containing 29.226 acre (1,273,076 square feet) of land.

PART TWO

BEGINNING a 5/8-inch iron rod found for the northeast corner of said 9.990 acre tract and the southeast corner of that certain called 2.515 acre tract conveyed from DXB Richmond, Inc to Gold Star Development by an instrument of record under Document Number 2008031966, B.C.O.P.R., said point also being on the west right-of-way line of SH 288 (width varies) as described in Volume 1041, Page 460, Volume 1041, Page 888, and Volume 1052, Page 159, B.C.D.R., said point being on the common lot line of said Lot 48 and 49 of said Section 81, from which a found 3/4-inch iron pipe bears South $52^{\circ} 36' 37''$ East, 0.93 feet;

Thence, South $03^{\circ} 14' 03''$ East, along the common line of said 9.990 acre tract and said westerly right-of-way line, 877.70 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for an angle point on said common line;

Thence, South $30^{\circ} 49' 10''$ West, continuing along said common line, 82.81 feet to a broken concrete right-of-way monument found for an angle point on said common line;

Thence, South $64^{\circ} 55' 07''$ West, continuing along said common line, 381.06 feet to a broken concrete right-of-way monument found for an angle point on said common line;

Thence, South $86^{\circ} 45' 24''$ West, continuing along said common line, 30.02 feet to a broken concrete right-of-way monument found for the southwest corner of said 9.990 acre tract, same being the intersection on said westerly right-of-way line and the east right-of-way line of County Road 566 (width varies) as recorded in Volume 2, Page 98, B.C.P.R., Volume 133, Page 126, Volume 881, Page 230, Volume 881, Page 232, Volume 1035, Page 636, and Volume 1035, Page 642, B.C.D.R.;

Thence, North $03^{\circ} 17' 17''$ West, departing said common line and along the west line of said 9.990 acre tract and along the east right-of-way line of said County Road 566, 371.60 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set at the intersection of the east right-of-way line of said County Road 566 and the east right-of-way line of said Business Center Drive (100 feet wide) as described under Document Numbers 2012007382, 2012007390, 2012007393, and 2012007402, B.C.O.P.R., the beginning of a curve;

Thence, along the east right-of-way line of said Business Center Drive, 187.07 feet along the arc of a non-tangent curve to the left having a radius of 850.00 feet, a central angle of $12^{\circ} 36' 35''$, and a chord that bears North $03^{\circ} 02' 17''$ East, 186.69 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" found for corner;

Thence, North $03^{\circ} 16' 00''$ West, continuing along the east right-of-way line of said Business Center Drive, 531.11 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" set for corner on the north line of the aforementioned 9.990 acre tract and the south line of the aforementioned 2.515 acre tract, said point also being on the common lot line of Lots 48 and 49 of the aforementioned Allison Richey Gulf Coast Homes Company's Part of Suburban Gardens subdivision;

Thence, North $86^{\circ} 47' 22''$ East, along the common line of said 9.990 and 2.515 acre tracts and said common lot line, 410.34 feet to the POINT OF BEGINNING and containing 9.683 acres (421,802 square feet) of land.

38.909 acres

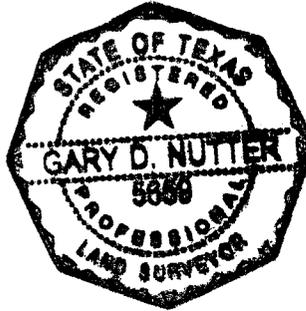
June 19, 2012
Job No. 1352-1003-202

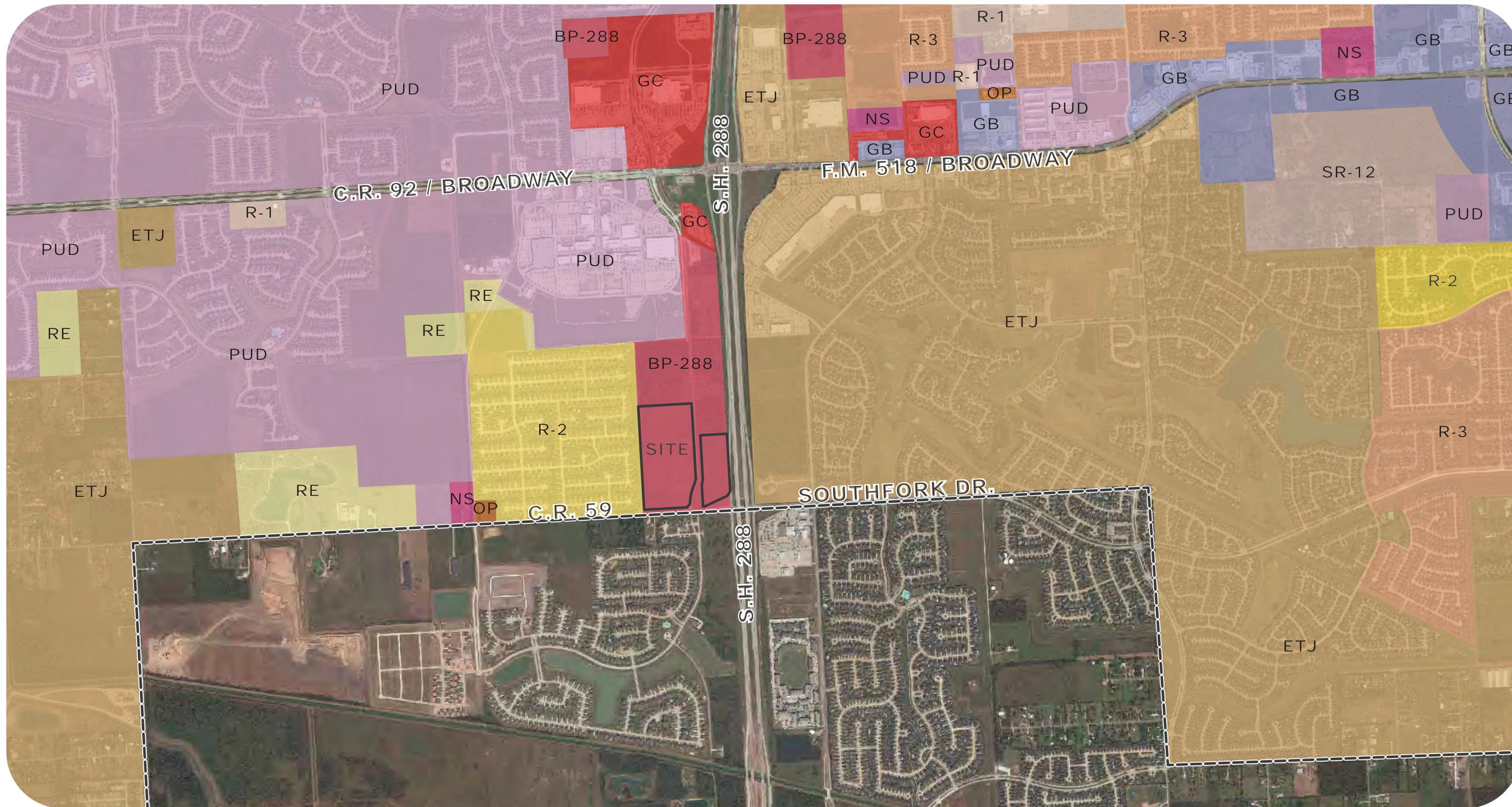
Said Part One and Part Two containing a total of 38.909 acres (1,694,878 square feet) of land.

This description was prepared from a survey prepared by the undersigned dated June 19, 2012.



Gary D. Nutter
Registered Professional Land Surveyor
Texas Registration Number 5659
LJA Engineering & Surveying, Inc.





C

current zoning map

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO KERRY R. GILBERT & ASSOCIATES, INC. BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOOD PLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

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a zoning map for
BUSINESS CENTER PD
 ± 38.9 ACRES OF LAND

prepared for
PARKSIDE 59/288, LTD.

KERRY R. GILBERT & ASSOCIATES, INC. Land Planning Consultants

NOT TO SCALE

JUNE 15, 2012
 KGA #I-175A

23501 Cinco Ranch Blvd.
 Suite A-250
 Katy, Texas 77494
 (281) 579-0340
 Fax (281) 579-8212



EXHIBIT D

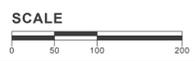
land use areas

a land use area exhibit for
BUSINESS CENTER PD
 ± 38.9 ACRES OF LAND

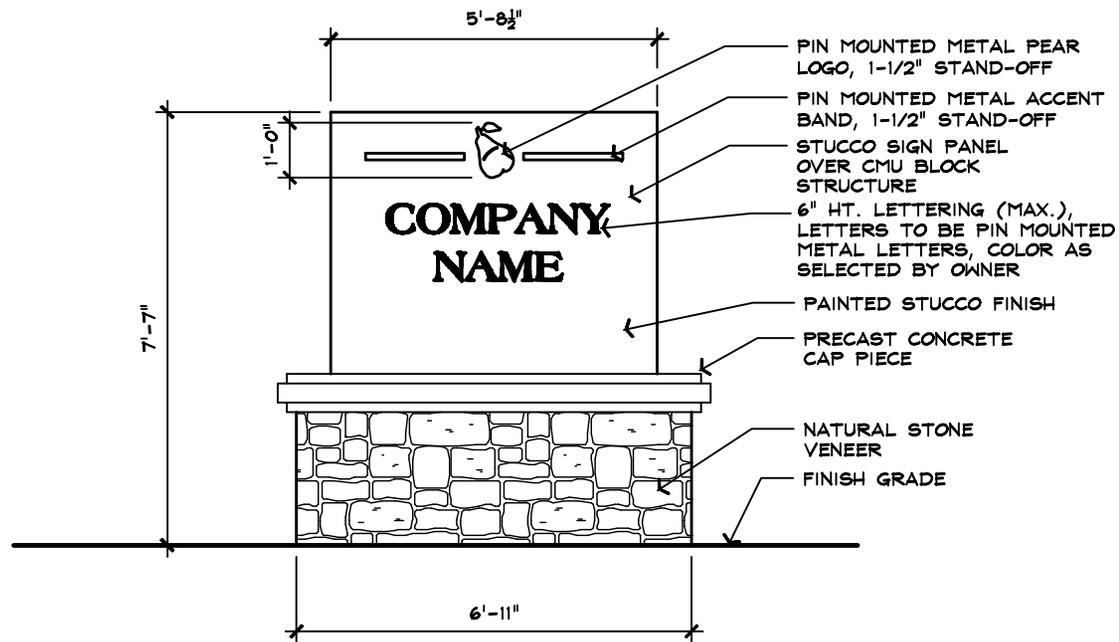
prepared for
PARKSIDE 59/288, LTD.

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KERRY R. GILBERT & ASSOCIATES, INC. Land Planning Consultants
 23501 Cinco Ranch Blvd.
 Suite A-250
 Katy, Texas 77494
 (281) 579-0340
 Fax (281) 579-8212



JUNE 15, 2012
 KGA #I-175A



SINGLE TENANT MONUMENT SIGN

C.R. 59 AND BUSINESS CENTER DRIVE

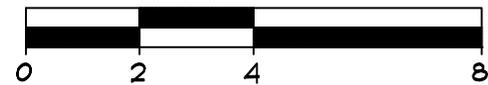
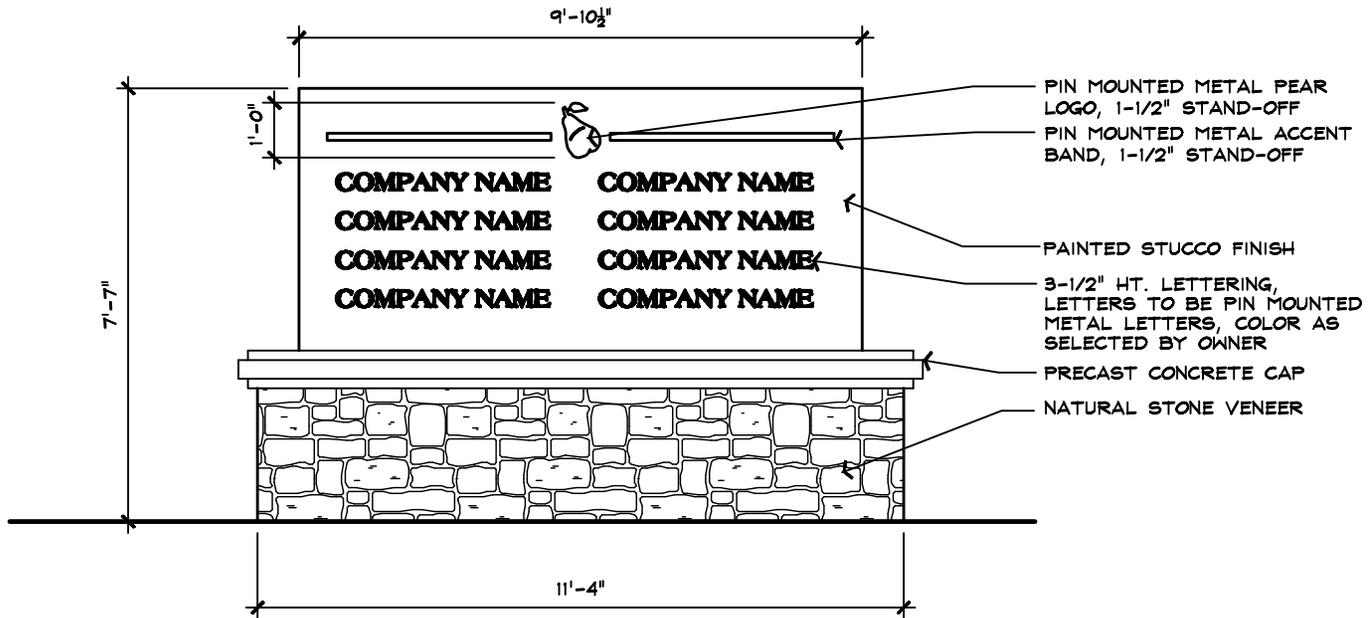


EXHIBIT E



MULTIPLE TENANT MONUMENT SIGN

C.R. 59 AND BUSINESS CENTER DRIVE

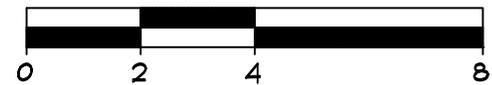
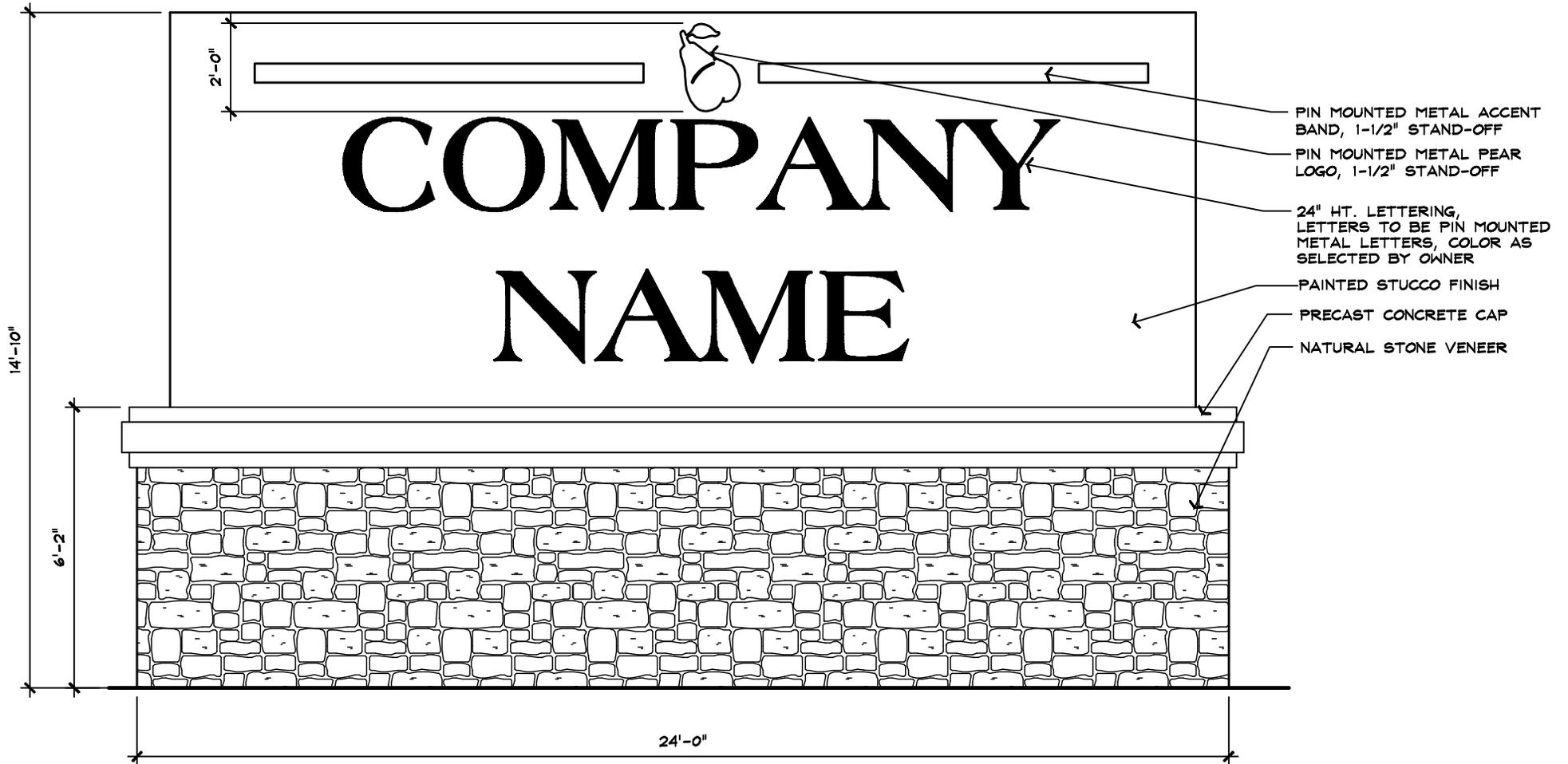


EXHIBIT F



SINGLE TENANT SIGN - HWY 288 FRONTAGE

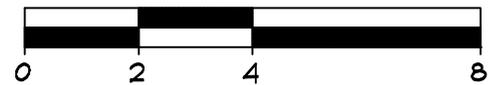
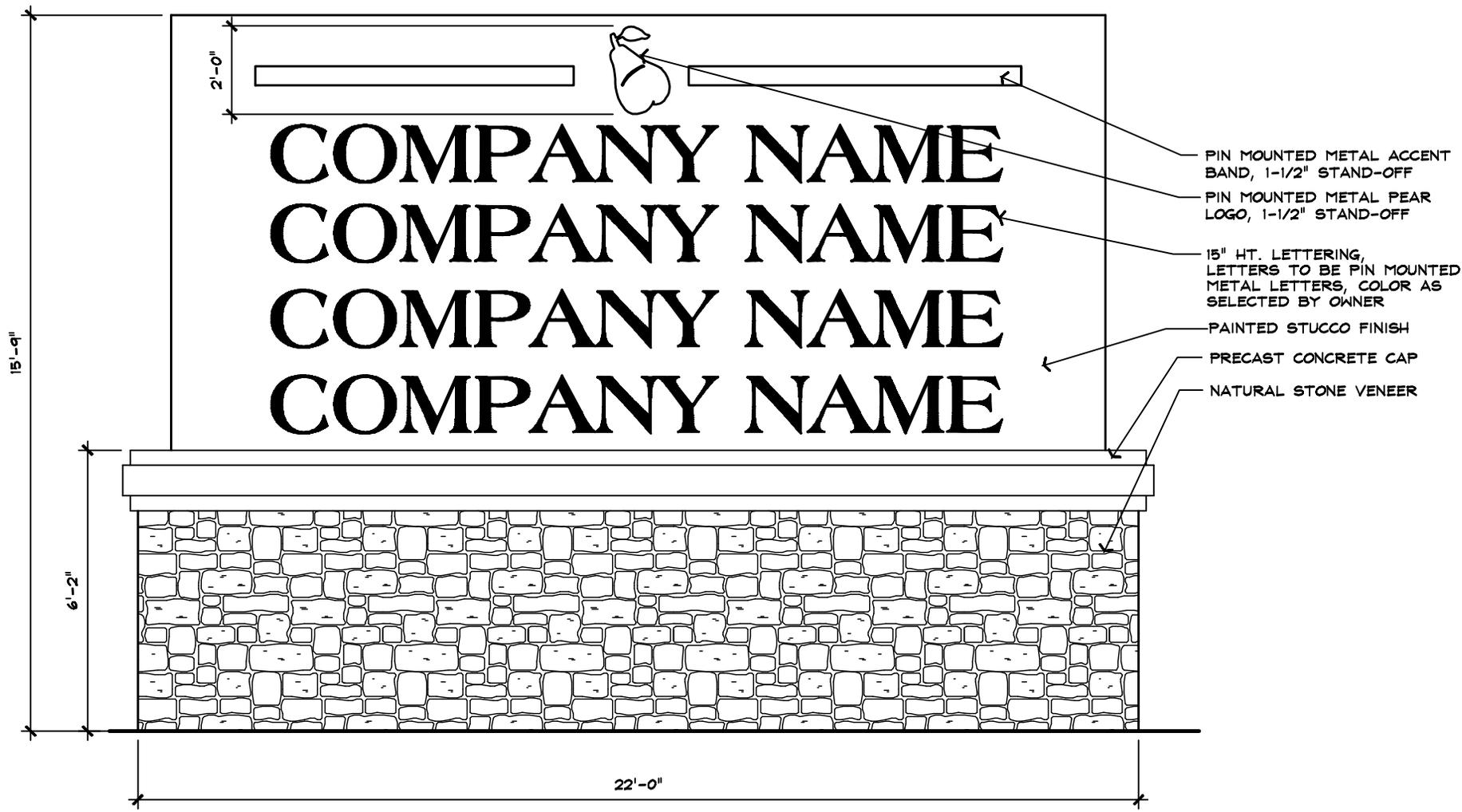


EXHIBIT G



MULTIPLE TENANT SIGN - HWY 288 FRONTAGE

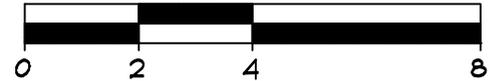
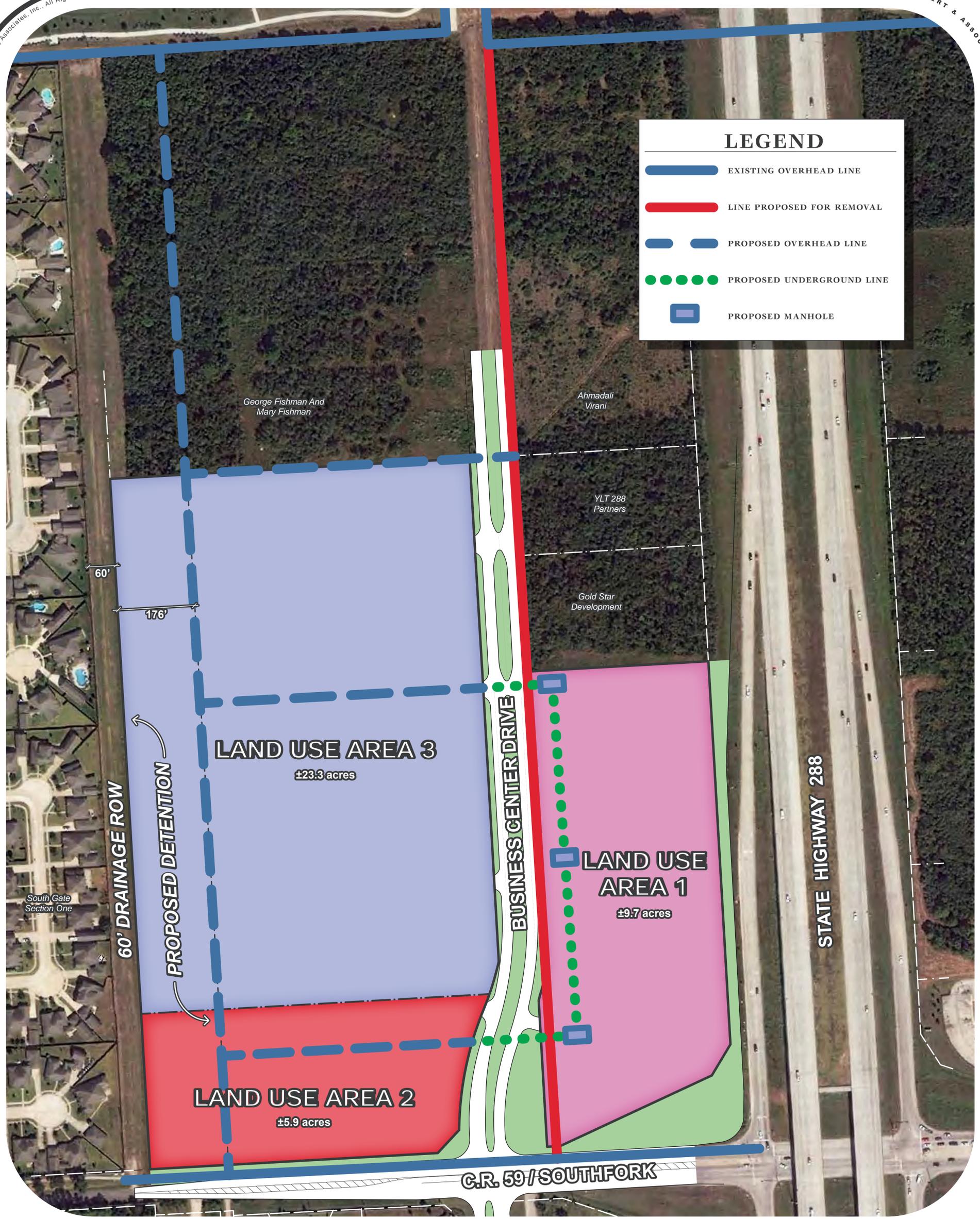


EXHIBIT H



LEGEND

- EXISTING OVERHEAD LINE
- LINE PROPOSED FOR REMOVAL
- PROPOSED OVERHEAD LINE
- PROPOSED UNDERGROUND LINE
- PROPOSED MANHOLE

60' DRAINAGE ROW

PROPOSED DETENTION

LAND USE AREA 3

±23.3 acres

BUSINESS CENTER DRIVE

LAND USE AREA 1

±9.7 acres

LAND USE AREA 2

±5.9 acres

C.R. 59/SOUTHFORK

STATE HIGHWAY 288

EXHIBIT

power line locations

a power line exhibit for

BUSINESS CENTER PD

± 38.9 ACRES OF LAND

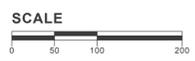
prepared for

PARKSIDE 59/288, LTD.

KERRY R. GILBERT & ASSOCIATES, INC.

Land Planning Consultants

23501 Cinco Ranch Blvd.
Suite A-250
Katy, Texas 77494
(281) 579-0340
Fax (281) 579-8212



JUNE 15, 2012
KGA #I-175A

Workshop Item No. 2

1. **COMMISSION INPUT AND DISCUSSION:** REGARDING UNIFIED DEVELOPMENT CODE (UDC) AMENDMENTS – T-14. *Mr. Harold Ellis, Senior Planner.*



City of Pearland

P&Z AGENDA REQUEST

TO: Planning & Zoning Commission

REQUESTOR: Harold Ellis, City Planner

DATE: August 16, 2012

AGENDA ITEM SUBJECT: Unified Development Code (UDC) Amendments – T-14

Old Business New Business Discussion Item Workshop

Summary of the amendment process:

Amendments to the Unified Development Code (UDC) are reviewed annually. Based on input from citizens, developers, city council, board members, and city staff, planning staff creates a list of changes to the UDC.

Since UDC is our local zoning ordinance, state law and city charter requires a joint public hearing with the Planning & Zoning Commission (P & Z) and City Council, and two readings of the ordinance by the City Council to approve any changes to the local zoning ordinance.

In Pearland, the Council has directed that the Planning and Zoning Commission review these changes in detail and make a recommendation at the joint workshop. Therefore, the process starts with a P & Z workshop.

The first Planning and Zoning Commission workshop was held on August 6, 2012, and the Commission provided feedback. The purpose of this second and final Planning and Zoning Commission Workshop is to wrap up Commission discussion. The next step will be to have a series of Joint Workshops between the Commission and City Council, where final language will be presented for the proposed changes. At that point, both the Commission and Council will tweak the final language and finalize recommended changes, prior to a Joint Public Hearing, required for all Unified Development Code changes.

Proposed amendments:

Terminology/Clarification Changes

1. Planning Director terminology changed to account for City Planner, due to organizational changes.

Section proposed to be clarified: 1.1.2.2 (a) (Page 1-7) Need to account for City Planner. Proposed new language, should potentially now read **Responsible Official** The Director of Planning, or equivalent, as assigned by the City Manager, is the...

2. Residential lots platted and recorded prior to February 2007 are able to use the setbacks from the Urban Land Use and Development Ordinance, as the side setbacks are the only thing that changed when the Unified Development Code was adopted which pertained to residential setbacks. This will help to address non-conformity issues when existing residential homes are expanded.

Sections proposed to be clarified: 2.4.2.5 (2) (b), 2.4.2.6 (2) (b), 2.4.2.7 (2) (b), should add a new number 2 which states that the side setback for lots recorded prior to 2007 have a minimum of 5' side and a total side setback area of 10'.

3. The description in the land use classification *Trucks (Heavy) and Bus Rental and Sales* should include sales as well as rentals – this was inadvertently left out of the existing description.

Section proposed to be clarified: 2.5.2.1 (a) (Page 2-134) to add *sales* to the language in the definition in addition to rental.

4. The description in the land use classification of *Accessory Structure (Residential)* refers to a nonresidential use, as opposed to residential, which is a typographical error.

Section proposed to be clarified: 2.5.2.1 (a) (Page 2-116) to correct the typographical error by changing the nonresidential reference to a residential reference.

5. For plat approvals that may not fully meet one or more of the Subdivision regulations in Chapter 3 of the UDC, to allow for a P&Z Variance under the Relief Procedures section of chapter 3. This is already current practice.

Section to be changed: 3.1.1.6 (f) (Page 3-11). Add an additional section stating that an applicant may file for a variance to subdivision regulations. Such variance will be acted on by the Planning and Zoning Commission.

6. Currently, certain uses such as bus barns or warehouses which require significant truck parking for the operations for the business have to also provide the required passenger

car parking for employees. This may result in excessive parking spaces in certain situations.

Section proposed to be changed: 4.2.1.3 (b) (Page 4-21) potentially adding language to the effect of “Minimum number of spaces for the use is required, unless otherwise approved by the Planning Director”, based on the particular location or situation.

7. Clarify the difference between Yard and Required Yard.

Section to be changed: 5.1.1.1 (456) (Page 5-41) Add a definition for **YARD, REQUIRED** which is defined as being equal to the required setback areas (front, side, and rear) for a given zoning district.

Discussion Items

8. Request from Meg Belmontes, of the Brick Industry Association, to reduce or eliminate EIFS as an allowed façade material where masonry is required. This could also involve deleting EIFS as a masonry material.

Section proposed to be changed: 2.6.2.1 (c) (1) (Page 2-218) removing or limiting EIFS as a masonry material, AND 5.1.1.1 (Page 5-25) removing or limiting EIFS as masonry.

9. Currently, a non-conforming site may increase parking up to 20% of their total existing parking without triggering site improvements. This could be done repeatedly without triggering the property being brought up to code.

Section proposed to be changed: 4.1.3.2 (b) (3) (Page 4-15) setting a time frame between editions. Possibly 5 years.

10. The current UDC regulation for structures over 50,000 square feet may result in a large amount of articulation for structures over 50,000 square feet, such as a warehouse. This may be excessive in industrial zoning districts.

Section proposed to be changed: 2.4.5.1 (d) (1) (Page 2-97) potentially change regulations for buildings over 50,000 sq ft in M1 and M2, 1'/20'.

11. To broaden the scope of our current definition of Commercial Transit Station, to be used as a metro transit station, for example, cars and buses should be added to the definition.

Section proposed to be changed: 2.5.2.1 (a) (Page 2-132), Commercial Transit Terminal Description, add language to include passenger cars.

12. To allow for more than one temporary outdoor sales event per year in the General Business (GB) zoning district.

Section proposed to be changed: 2.4.4.5 (e) (2) to consider increasing to more than one calendar event per year. Possibly 4 events per calendar year.

13. To allow plat approval to remain in effect (prior to recordation) for a two year period from the approval date rather than the submission date. Preliminary plats, Development plats, Final plats, Minor plats.

Section(s) proposed to be changed: 3.1.3.5 (a), 3.1.4.5 (a), 3.1.5.6 (a), 3.1.6.6 (a), to change approval wording from date of plat submission to date of plat approval.

14. The intent of the Old Townsite is to encourage outdoor activities. Therefore, the CUP was intended to only be required if outdoor seating was to be in the City right-of-way. If located on private property, this was intended to be allowed by-right.

Section proposed to be changed: 2.4.3.4 (c) (10) (a), to add working stating a CUP is only required for outdoor seating if the proposed seating is to be located in City right-of-way.

15. To allow for different parking regulations for shopping centers/strip malls, dependent upon their overall square footage.

Section proposed to be changed: 2.5.2.1(a) (Page 2-155). For shopping centers less than 25,000 sq. ft. the parking ratio will be 1/ 200 sq. ft. of gross floor area. For shopping centers 25,000 sq. ft. or greater the parking ratio will be reduced to 1/250 sq. ft. of gross floor area. This change is proposed to be accomplished by changing the current description of a shopping center by removing the square footage language and adding the different square footage requirements parking section of the land use table, based on the size of the center.

16. Remove “Mortuary” and “Crematorium” from the Mortuary/Cemetery category in the land use matrix and combine it with Funeral Home. Crematoriums and Mortuaries are a better match with the Funeral Home use.

Section to be changed: 2.5.2.1 (a) (Pages 2-142 and 2-165). The Funeral Home category will now be “Funeral Home/Mortuary (Including Crematorium)” and the Mortuary/Cemetery category will now become “Cemetery (Including Mausoleum).”

17. To clarify where motor homes, trailers, and recreational vehicles may be parked.

Section proposed to be added: 2.5.3.1 (j) **Motor Homes, Trailers, and Recreational Vehicles**. May be parked in an operable conditional in a primary residential driveway. May be stored in a side or rear yard if completed screened in accordance with sections 4.2.4.1 and 4.2.4.3. This change is to illustrate the distinction between parking and storage of these types of vehicles.

18. Change the maximum street light separation from 250’ down to 200’. This was a request by Engineering to ensure adequate light coverage within subdivisions.

Section to be changed: 3.2.6.4 (v) (Page 3-58). Change the maximum separation from 250' to 200'.

19. Allow for missing pet signs to be placed around town without being subject to the off premise sign clause.

Section to be changed: 4.2.5.9 (b) (Page 4-73) Under General Exemptions add Missing Pet signs and limit to no more than 10 signs for a 7 day period. Additional restrictions such as size, quantity, etc. may be added.

20. Scenic City – Staff will provide the Commission with the current scenic city application and highlight the areas that Pearland's regulations did not match with their requirements for a scenic city. The Commission can then discuss whether these items are something that may need to be changed in our UDC.

Recommended action:

Conduct the workshop