

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. PURPOSE OF HEARING

**ZONE CHANGE APPLICATION NO. 2012-08Z**

A request of Alan Mueller, applicant, on behalf of S. E. Cemeteries of Texas, Inc., owner, for approval of a zone change from the General Commercial (GC) and Single Family Residential-1 (R-1) zone to the Single Family Residential-2 (R-2) zone for 67.4 acres on the following described property, to wit:

**Legal Description:** Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69, and 94 of the W. Zychlinski Subdivision of record in Volume 29, Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.)

**General Location:** East and West sides of Old Alvin Road, north of McHard

- III. APPLICATION INFORMATION AND CASE SUMMARY
  - A. STAFF REPORT
  - B. APPLICANT PRESENTATION
- IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST
- V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION
- VI. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.



## JOINT PUBLIC HEARING AGENDA ITEM MEETING OF SEPTEMBER 17, 2012

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### Zone Change No. 2012-08Z

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**Legal Description:** Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69, and 94 of the W. Zychlinski Subdivision of record in Volume 29, Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.)

**General Location:** East and West sides of Old Alvin Road, north of McHard

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested zone change application will be considered as follows:

Planning and Zoning Commission: September 17, 2012\*  
City Council for First Reading: October 8, 2012\*  
City Council for Second Reading: October 22, 2012\*

(\*dates subject to change)

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**SUMMARY:** Alan Mueller, applicant, on behalf of S. E. Cemeteries of Texas, Inc., owner, is requesting approval of a zone change from the General Commercial (GC) and Single Family Residential-1 (R-1) zone to the Single Family Residential-2 (R-2) zone. The property is currently undeveloped, and includes 13.6 acres of land on the east side of Old Alvin Road, north of McHard, that is currently zoned Single-Family Residential-1 (R-1) and 53.8 acres of land on the west side of McHard Road currently zoned General Commercial (GC). The applicant would like to rezone the entire property to Single-Family Residential-2 (R-2), and has indicated that if the zone change is approved, they will be submitting a subsequent Cluster Development plan for the entire property.

**SURROUNDING ZONING AND LAND USES:**

	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North	General Business (GB) and Single-Family Residential-2	Church/undeveloped
South	General Commercial (GC) and Single-Family Residential-1 (R-1)	Undeveloped
East	Single-Family Residential-1 (R-1)	Undeveloped
West	General Commercial (GC)	Undeveloped

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** As previously mentioned, the property is currently zoned General Commercial (GC) and Single-Family Residential-1 (R-1). At this time it appears that all bulk regulations set forth in the Unified Development Code are met for the existing zoning districts, as well as the proposed zoning District of Single-Family Residential-2 (R-2), based on the size of the property. A comparison of the of the R-1 and R-2 zoning district is listed below:

	<b><u>R-1</u></b>	<b><u>R-2</u></b>
Lot Area	8,800 Sq. Ft.	7,000 Sq. Ft.
Lot Width	80'	70'
Lot Depth	90'	90'
Density	3.2 Units/acre	4.0 Units/acre

**PLATTING STATUS:** The property is not currently platted. Platting will be required at the time of development.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The current Comprehensive Plan (latest update in 2009) indicates *Low Density Residential* for the subject property. As indicated by the Comprehensive Plan, corresponding zoning districts for *Low Density Residential* are Residential Estate (RE) and Single-Family Residential-1 (R-1). The requested zoning of Single-Family Residential-2 (R-2) would be consistent with the Comprehensive Plan's classification of *Medium Density Residential*. Prior to the 2004 update of the Comprehensive Plan, the *Low Density Residential* classification included RE, R-1, and R-2 as appropriate corresponding zoning districts. However, following Councils direction at the time of the 2004 update, the R-2 corresponding classification was moved to *Medium Density Residential*. Therefore, this request would not be in conformance with the Comprehensive Plan.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on Old Alvin Road road, a major collector, with a minimum of 80' right-of-way.

**AVAILABILITY OF UTILITIES:** The subject parcel does have access to public water and

sewer.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** If the zone change is approved, it may result in potentially negative impacts on the subject property as well as surrounding and nearby properties. The main impact identified at this time would be development of smaller lots than have been planned for this area, based on the Current Comprehensive Plan.

A Traffic Impact Analysis (TIA) may be required at the time of subdivision plat review by the City's Engineering department to determine if there are any potentially negative traffic impacts anticipated as a result of the proposed development at that time. Mitigation measures that are deemed necessary as a result would be responsibility of the applicant to implement.

**ADDITIONAL COMMENTS:** This request has been reviewed by the City's Development Review Committee and there are no additional comments from other departments at the time of this report.

**SITE PLAN CONSIDERATIONS:** A site plan is not required for a zone change.

**PUBLIC NOTIFICATION:** Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration, as well as property owners within the existing Planned Development. A legal notice of public hearing was published in the local newspaper, and a notification sign was placed on the subject property.

**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed zone change request. At the time of this report, one information inquiry has been received.

**STAFF RECOMMENDATION:** Staff is unable to recommend approval of Zone Change 2012-08Z as proposed by the applicant for the following reasons and with the following conditions:

1. The property appears to be able to be developed in conformance with the Future Land Use Plan.
2. The proposed zone change will not bring the property into compliance with the latest approved Future Land Use Plan.
3. Approval of the zone change would not be in conformance with the surrounding zoning.
4. The proposed zone change may negatively impact on the surrounding properties and developments.

**SUPPORTING DOCUMENTS:**

- Proposed Planned Development Amendment
- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents
- Related Documents



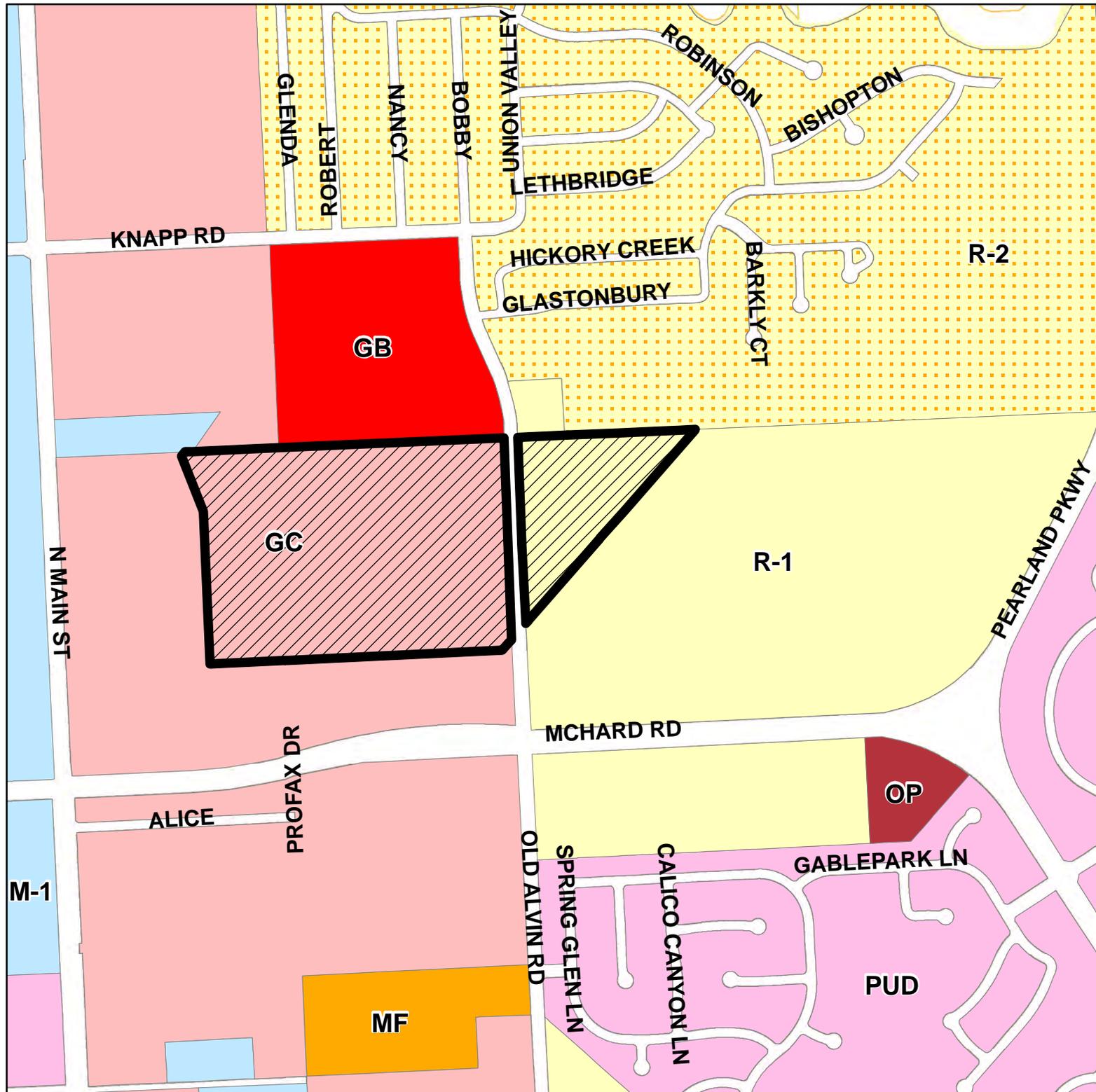
### Vicinity and Zoning Map

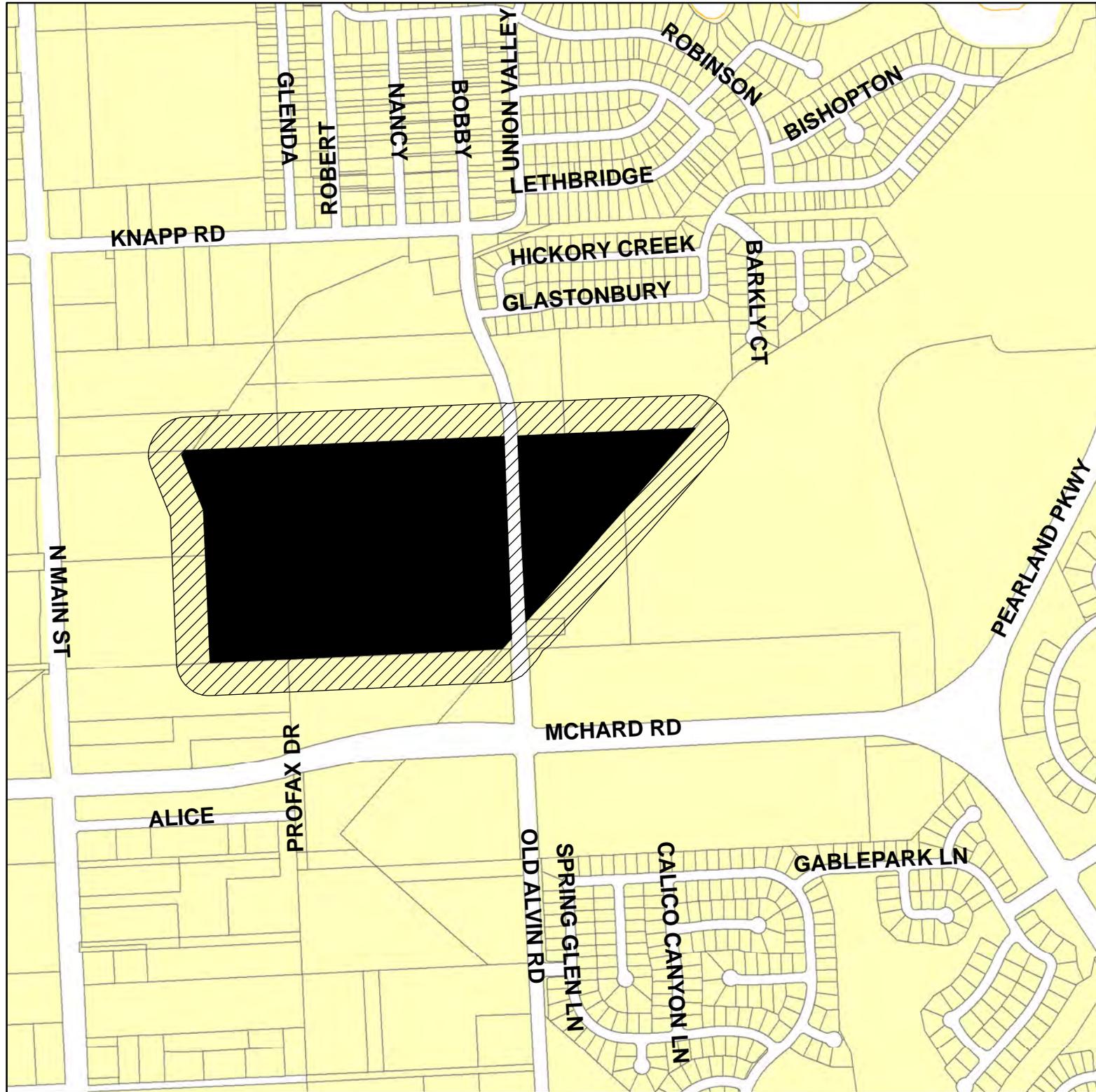
### Zone Change 2012-08Z

### Old Alvin Road North of McHard

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.

0 225 450 900 Feet



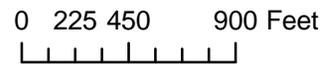


### Abutter Map

### Zone Change 2012-08Z

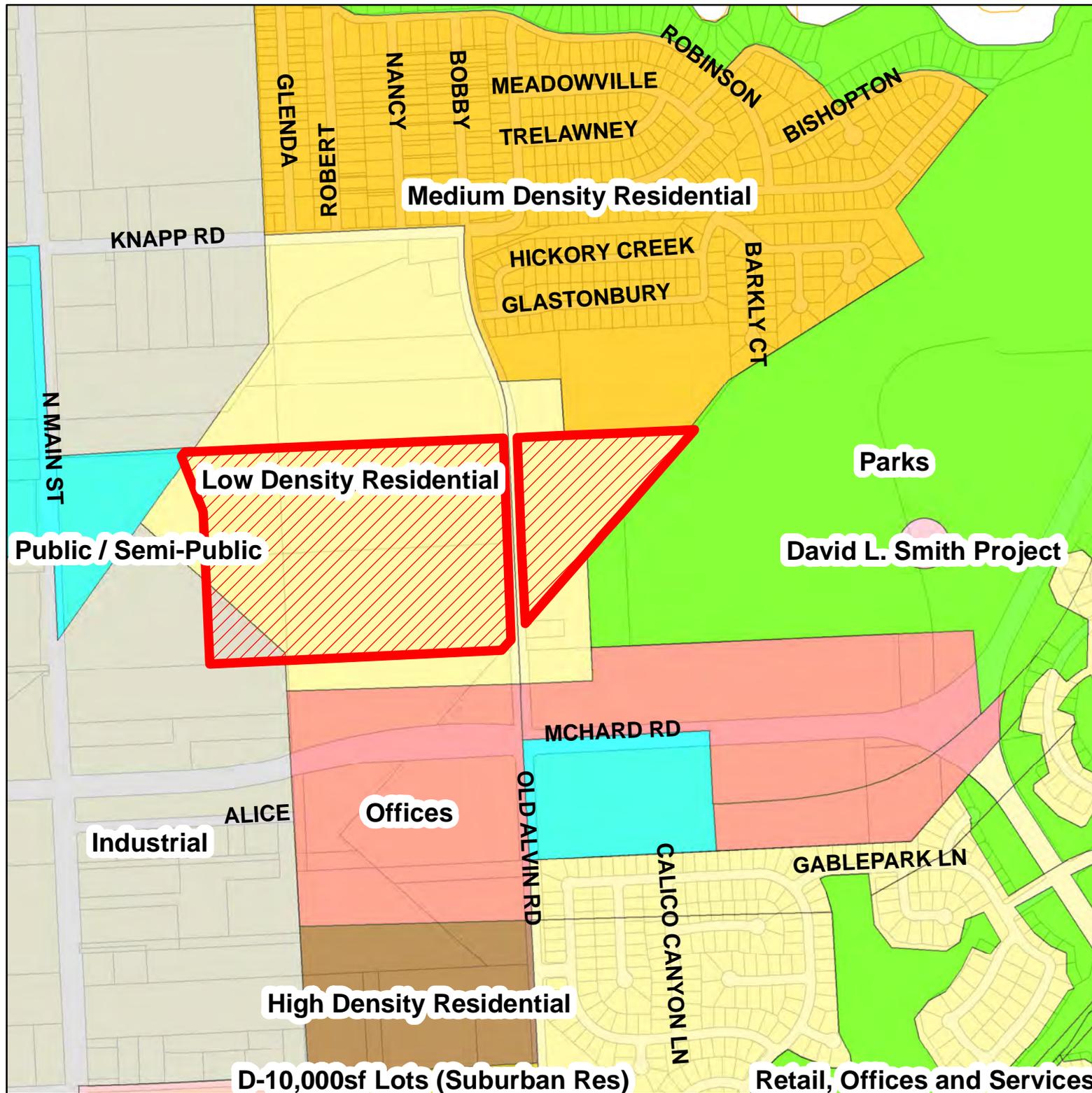
### Old Alvin Road North of McHard

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.



<b>Owner</b>	<b>Address</b>	<b>City</b>
CROSSPOINT FELLOWSHIP RESTLAND OF DALLAS, C/O CHRIS THREADGILL	1134 OLD ALVIN RD	PEARLAND
THE CHURCH FOR ALL PEOPLE MACKIN JOSEPH L MCHARD INTERESTS LTD	13005 GREENVILLE AVE PO BOX 752343	DALLAS HOUSTON
HAIRSTON BETTIE RAE BERNAL FRANCISCO	1511 OLD ALVIN RD 9525 KATY FWY STE 130 PO BOX 1608 6141 GRIGGS RD	PEARLAND HOUSTON MONTGOMERY HOUSTON
AS ACQUISITION CORP C/O JACOBSEN RICK ALAN MUELLER	1323 N MAIN ST 4201 BROADWAY	PEARLAND PEARLAND
S. E. CEMETERIES OF TEXAS C/O ROBERT C MURRAY C MURRAY	523 S. MAIN ST	GRAPEVINE

<b>State</b>	<b>Zip</b>
TX	77581
TX	75243-1916
TX	77275-2343
TX	77581-3005
TX	77024-1434
TX	77356-1608
TX	77023
TX	77581-2224
TX	77581
TX	76051



**FLUP Map**

**Zone Change 2012-08Z**

**Old Alvin Road  
North of McHard**

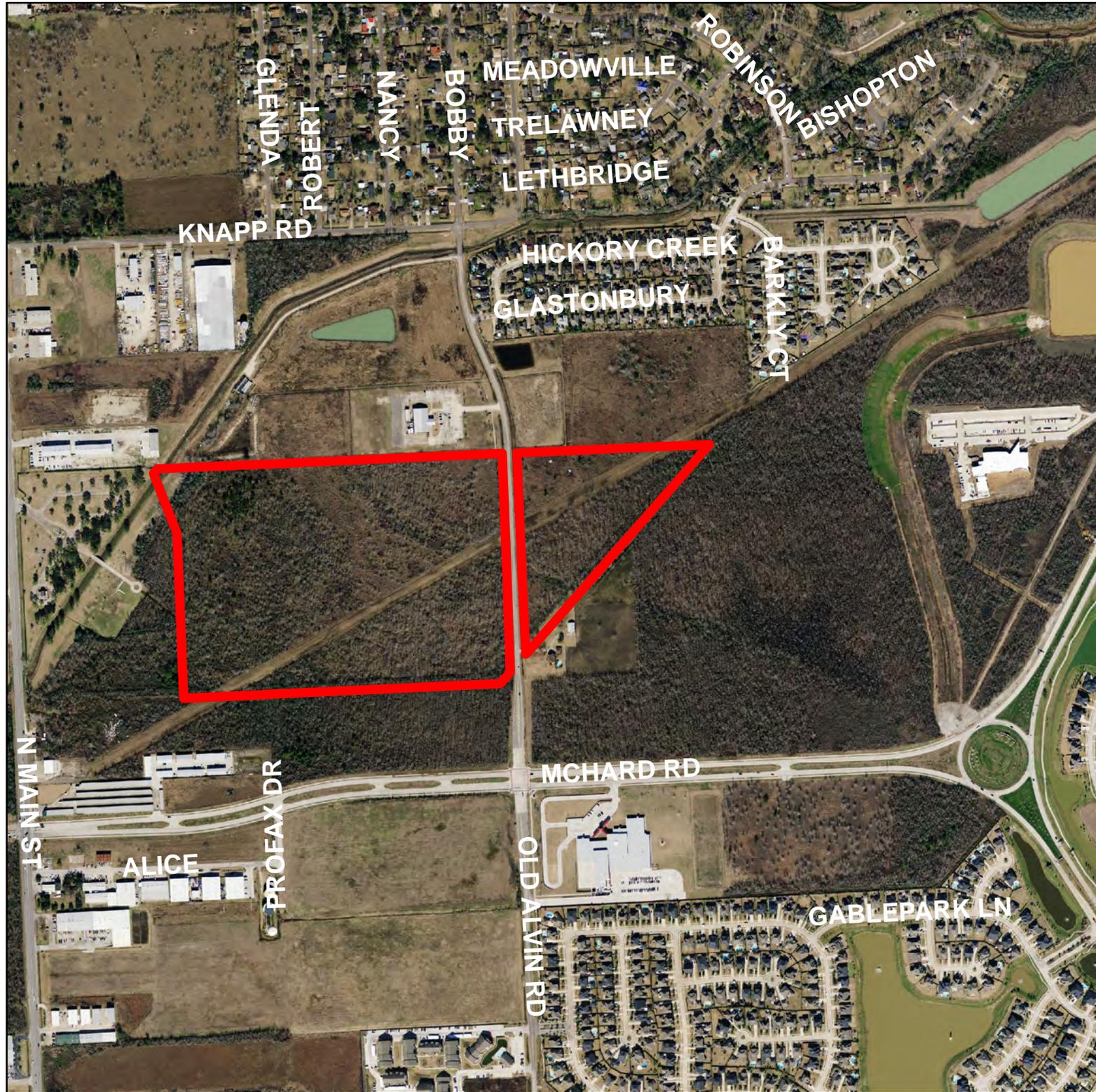
This product is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

0 225 450 900 Feet



N





**Aerial Map**

**Zone Change 2012-08Z**

**Old Alvin Road  
North of McHard**

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.

0 210 420 840 Feet





# APPLICATION FOR A CHANGE IN ZONING

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281-652-1768  
281-652-1702 fax  
www.cityofpearland.com

Current Zoning District: GC, R1

Proposed Zoning District: R2

**Property Information:**

Address or General Location of Property: Both sides of old Alvin Road,  
North of McHard Road

Tax Account No. Property ID #: 165790, 165788, 165787, 1771A5

Subdivision: Abstract 233, HT & BRR Survey Lot: 62, 63, 68, 69, 94 Block: \_\_\_\_\_

**A complete application must include all information shown on the Application Checklist attached to this application.**

**PROPERTY OWNER INFORMATION:**

NAME S.E. Cemeteries of Texas Inc/ Robert C. Murray, Pres  
ADDRESS 523 S. Main St  
CITY Grapevine STATE TX ZIP 76051  
PHONE (281) 733-9196  
FAX ( ) \_\_\_\_\_  
E-MAIL ADDRESS RCMurray@stei.com

**APPLICANT/AGENT INFORMATION:**

NAME Alan Mueller  
ADDRESS 4201 Broadway  
CITY Pearland STATE TX ZIP 77581  
PHONE (281) 412 9210  
FAX (281) 412 9060  
E-MAIL ADDRESS alaneg@metexas.com

\*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: [Signature] Date: 8/14/12

Agent's/Applicant's Signature: [Signature] Date: 8/16/12

**OFFICE USE ONLY:**

FEES PAID: <u>375-</u>	DATE PAID: <u>8/17/12</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>303852</u>
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Application No. 2012-082

# **Designated Agent Letter**

**(with documentation of name change of  
property owner from “Restland of Dallas”  
to “S.E. Cemeteries of Texas”)**

Lata Krishnarao  
Director of Planning  
City of Pearland  
3519 Liberty Drive  
Pearland TX 77581

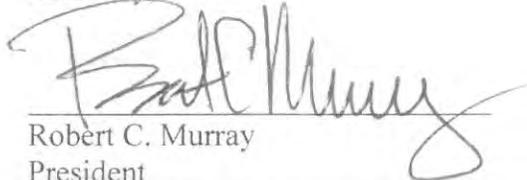
RE:

Ms. Krishnarao:

I hereby assign Alan Mueller as agent on behalf of S.E. Cemeteries of Texas, Inc. (formerly Restland of Dallas), for the sole purpose of representing S.E. Cemeteries of Texas, Inc. in its zoning application for approximately 78.9 acres on Old Alvin Road, north of McHard Road. This representation as agent is only for this transaction and would not be for any other use. This authorization as agent does not include the power to bind S.E. Cemeteries of Texas, Inc. to any liability or payment obligation.

Please contact me if you have any questions.

Sincerely,



Robert C. Murray  
President  
S.E. Cemeteries of Texas, Inc.  
(Formerly Known as Restland of Dallas)  
523 South Main Street  
Grapevine, Texas 76051

Date 8/6/12



## Office of the Secretary of State

February 02, 2005

Law Offices Chaffe, McCall, Phillips, Toler & Sarpy, LLP  
2300 Energy Centre, 1100 Poydras Street  
New Orleans, LA 70163 USA

RE:  
S. E. Cemeteries of Texas, Inc. ( Filing Number: 37248600 )

It has been our pleasure to approve and place on record your articles of merger. The appropriate evidence is attached for your files. Payment of the filing fee is acknowledged by this letter.

If we can be of further service at any time, please let us know.

Sincerely,

Corporations Section  
Statutory Filings Division

Enclosure



## Office of the Secretary of State

### CERTIFICATE OF MERGER

The undersigned, as Secretary of State of Texas, hereby certifies that the attached articles of merger of

BLUEBONNET HILLS MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 12370700]

HIGHLAND MEMORIAL GARDENS, INC.

Domestic Business Corporation

[Filing Number: 42830400]

HILLTOP MEMORIAL PARK

Domestic Business Corporation

[Filing Number: 10977100]

LAUREL LAND MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 5662300]

LAUREL LAND OF FORT WORTH, INC.

Domestic Business Corporation

[Filing Number: 101957300]

LITTLE BETHEL MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 76152400]

ROSELAWN MEMORIAL GARDENS, INC.

Domestic Business Corporation

[Filing Number: 63384700]

SOUTH MEMORIAL PARK, INC.

Domestic Business Corporation

[Filing Number: 18339000]

Into

→ S. E. Cemeteries of Texas, Inc. [Prior Name : RESTLAND OF DALLAS, INC.] ←

Domestic Business Corporation

[Filing Number: 37248600]



## Office of the Secretary of State

have been filed in this office as of the date of this certificate.

Accordingly, the undersigned, as Secretary of State, and by the virtue of the authority vested in the secretary by law, hereby issues this certificate of merger.

Dated: 02/01/2005

Effective: 02/01/2005 @ 12:01 a.m.



A handwritten signature in black ink, appearing to read "G. Connor".

Geoffrey S. Connor  
Secretary of State

Page 2 cont'd

**Metes &  
Bounds  
Description  
with Exhibit**

DESCRIPTION OF  
67.4 ACRES

Being 67.4 acres of land located in the H.T. & B. R.R. Co. Survey, Abstract 233, Brazoria County, Texas, more particularly being a portion of Lots 62, 63, 68, 69 and 94 of the W. Zychlinski Subdivision of record in Volume 29 Page 43 of the Deed Records of Brazoria County Texas (B.C.D.R.), said 67.4 acres being more particularly described in two (2) parts by metes and bounds as follows;

PART 1

BEGINNING at the southwest corner of Crosspoint Fellowship Church, a subdivision of record in Volume 22, Pages 53-54, of the Plat Records of Brazoria County, Texas, (B.C.P.R.), same being a point on the westerly right-of-way line of Old Alvin Road and a point on the northerly line of aforementioned Lot 68;

Thence, South  $00^{\circ} 18' 53''$  West, along said westerly right-of-way line of Old Alvin Road, 1,185.9 feet to a point for corner, same being on the southeasterly line of aforementioned Lot 62 and a point on the common line of the H.T. & B. R.R. Co. Survey and the D.H.M. Hunter Survey, Abstract 76;

Thence, South  $44^{\circ} 18' 48''$  West, along the westerly line of Lot 62 and said common survey line, 115.9 feet to a point for corner, same being an angle point on south line of said Lot 62;

Thence, departing said common survey line, with the south line of Lot 62 and aforementioned Lot 63, West, 1,756.3 feet to a point for corner;

Thence, departing the southerly line of Lot 63, North, 1,003.7 feet to a point for corner;

Thence, North  $21^{\circ} 31' 03''$  West, 256.0 feet to a point for corner;

Thence, North  $38^{\circ} 28' 57''$  East, 34.4 feet to a point for corner on the north line of aforementioned Lot 69;

67.4 acres

August 16, 2012  
Job No. 1406-3102

Thence, East, with the north line of said Lot 69 and aforementioned Lot 68, 1,916.2 feet to the POINT OF BEGINNING and containing 53.8 acres of land;

PART 2

Beginning at the intersection of north line of aforementioned Lot 94 and the east right-of-way line of Old Alvin Road, same being the southwest corner of Twin Wood Subdivision, of record in Volume 17, Pages 295 and 296, B.C.P.R.;

Thence, East, with the common line of said Lot 94 and Twin Wood Subdivision, at 286.07 feet pass the most southerly southeast corner of said Twin Wood Subdivision, continuing with the common line of said Lot 94 and Lot 93 of aforementioned W. Zychlinski Subdivision, in all a distance of 1,071.3 feet to the common easterly corner of said Lots 93 and 94, same being on the common line of aforementioned H.T. & B. R.R. Co. Survey and the D.H.M. Hunter Survey;

Thence, with the southeasterly line of said Lot 94, and said common survey line, South  $44^{\circ} 18' 48''$  West, 1,542.1 feet, to a point for corner on the east right-of-way line of Old Alvin Road;

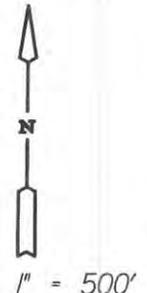
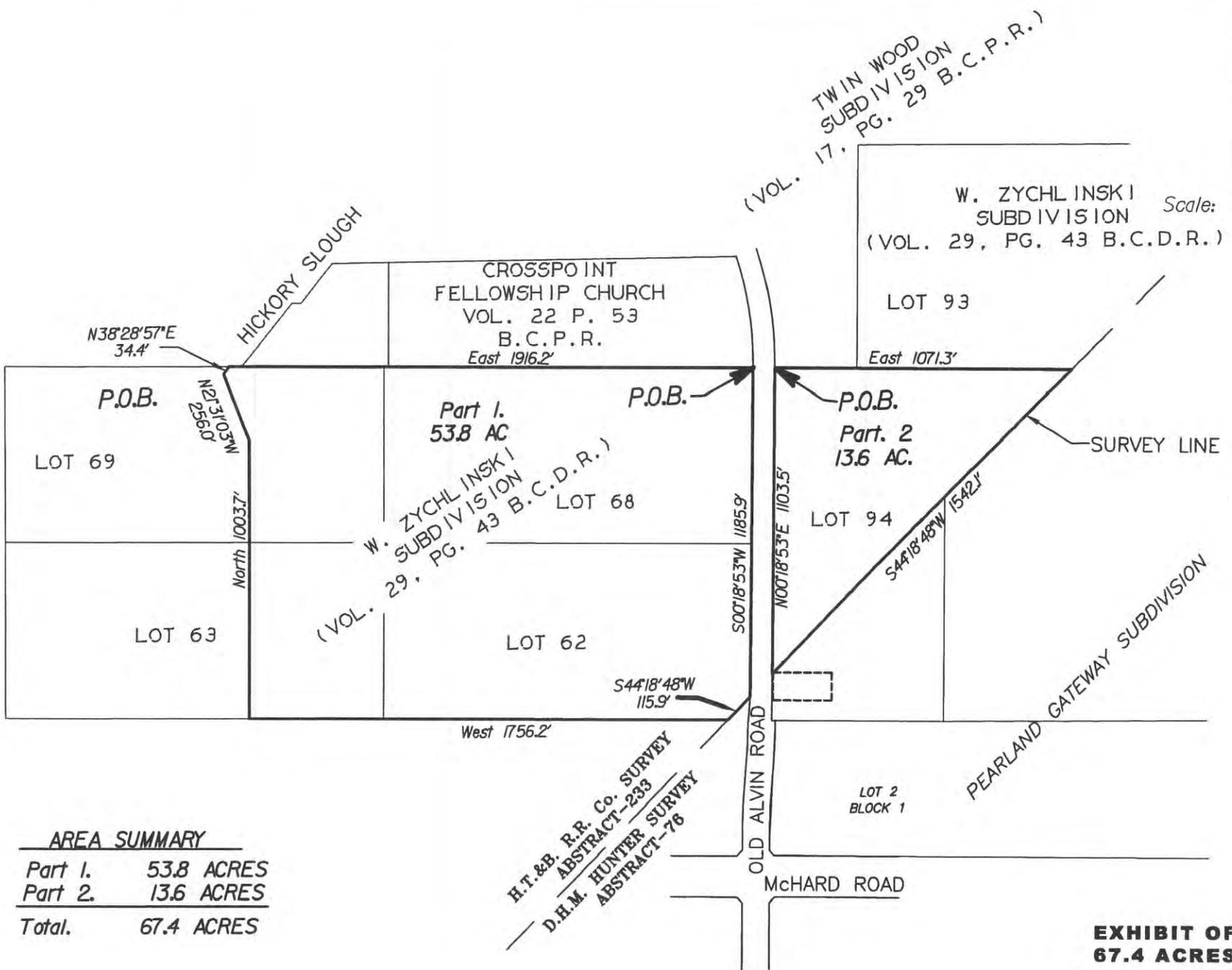
Thence, leaving said southeasterly line and said common survey line, with said east right-of-way line, North  $00^{\circ} 18' 53''$  East, 1,103.5 feet to the POINT OF BEGINNING and containing 13.6 acres of land;

Said Part 1 and Part 2 containing a total of 67.4 acres of land.

This description is based on record information only and does not reflect an on the ground survey. Corners were not set at the client's request.

LJA Engineering, Inc.

Main St. SH. 35



**AREA SUMMARY**

Part 1.	53.8 ACRES
Part 2.	13.6 ACRES
<b>Total.</b>	<b>67.4 ACRES</b>

**EXHIBIT OF  
67.4 ACRES  
LOCATED IN THE  
H.T. & B. R.R. SURVEY, A-233  
BRAZORIA COUNTY, TEXAS**

**Parcel Map**  
**Printed from**  
**City Website**



# Letter of Intent

Lata Krishnarao  
Director of Community Development  
City of Pearland  
3519 Liberty Drive  
Pearland TX 77581

RE: Rezoning Application  
Letter of Intent

Ms. Krishnarao:

The applicant is requesting rezoning of the subject property to zoning category R-2 Residential. The intended use of the property is a single family residential neighborhood. A separate cluster plan application is anticipated. We believe this zoning category is appropriate for several reasons:

- The existing Hickory Creek neighborhood adjacent to the north and east of the applicant's property is already zoned and developed as R-2.
- Crosspoint Church is directly north of the applicant's property; an R-2 use would be compatible with the existing use. Crosspoint is currently beginning construction of a larger sanctuary on their property.
- The comprehensive plan depicts the subject property as low density residential uses. R-2 is not considered a low density use, but R-2 is consistent with surrounding existing and proposed uses.
  - The comprehensive plan depicts the property south of the applicant's property as office uses. R-2 is more compatible with the proposed adjacent office uses than larger lot residential uses would be.
  - The comprehensive plan depicts the property east of the applicant's property as industrial uses. R-2 is more compatible with the proposed adjacent industrial uses than larger lot residential uses would be.
- The R-2 category is consistent with surrounding properties and is responsive to current and projected home buyer demands for this area.
- A portion of the applicant's property (not part of this zoning request) is already zoned R-2.

Upon successful completion of the zoning process, the development/builder team intends to move directly to platting and development of the first phase of the subdivision.

Please contact me if you have questions.

Sincerely,



Alan R. Mueller

CITY OF PEARLAND  
R E P R I N T

\*\*\* CUSTOMER RECEIPT \*\*\*

Oper: CBLAIR      Type: OC    Drawer: 1  
Date: 8/17/12 02    Receipt no: 303852

Description	Quantity	Amount
RA      BOARD OF ADJUSTMENTS	1.00	\$375.00
Trans number:		3004115

ALAN MUELLER  
523 S. MAIN  
S. E. CEMETERIES OF TEXAS  
ROBERT C. MURRAY

Tender detail	
BR CREDIT CARD	\$375.00
Total tendered	\$375.00
Total payment	\$375.00

Trans date: 8/17/12    Time: 9:03:46

## APPLICATION CHECKLIST FOR THE FOLLOWING

- **Zone Changes**
- **Planned Development Districts (PD)**

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit.
- If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code.**
- Metes and Bounds Description, (Survey, or a Plat of the property that provides or contains the metes and bounds description).
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- Letter of Intent, explaining the zone change request in detail and why the zoning is being requested to be changed, and state the uses being proposed

\*Letter of Intent is not required for a PD.

- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)

- **Zero (0) to less than 25 acres:**

- \$ 250.00, plus \$25.00 per each type of zoning district requested; or
- \$ 400.00 if requesting a Planned Development (PD)

- **25 to less than 50 acres:**

- \$ 300.00, plus \$25.00 per each type of zoning district requested; or
- \$ 450.00 if requesting a Planned Development (PD)

- • **50 to less than 75 acres:**

- \$ 350.00, plus \$25.00 per each type of zoning district requested; or
- \$ 500.00 if requesting a Planned Development (PD)

- **75 to less than 100 acres:**

- \$ 400.00, plus \$25.00 per each type of zoning district requested; or
- \$ 550.00 if requesting a Planned Development (PD)

- **100 acres and above:**

- \$ 450.00, plus \$25.00 per each type of zoning district requested; or
- \$ 600.00 if requesting a Planned Development (PD)

- For PD's Only: the proposed PD document in electronic form by date of application (either emailed or on a CD) (see PD Format for guidelines on how to prepare the PD).

- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

### **Additional Information:**

- Upon making an application for a zoning change or conditional use permit, the applicant shall place sign(s) as required. The City shall inspect such sign(s) to ensure compliance as required by the UDC.
- After the zoning change or conditional use permit request is approved by the City Council, denied by the City Council, or withdrawn by the applicant, the applicant shall remove the sign from the area of the request within ten (10) days of such event.
- It shall be unlawful for anyone to remove, destroy, deface or obstruct the view of a sign which gives notice that a zoning change or conditional use permit has been requested.
- In the event the applicant shall fail to erect and/or maintain signs in accordance with this section, then the public hearing before the Planning and Zoning Commission/City Council shall be postponed to a date in the future, which would allow time for compliance.
- The erection of any sign required by this section shall not require a permit under Section 4.1.2.6 of this UDC.
- The owner or applicant shall promptly notify the Planning Department of any sign required by this section, which becomes lost, stolen or vandalized. The Planning and Zoning Commission shall have the power to decide whether or not there has been substantial compliance with the posting requirements in the case of lost, stolen or vandalized signs.

# Tax Certificates

TAX CERTIFICATE



RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
111 E. LOCUST  
ANGLETON, TEXAS 77515

Issued To:

GROMAX DEVELOPMENT  
4201 W. BROADWAY  
PEARLAND, TX 77581

Legal Description:

A0233 H T & B R R (PEARLAND), TRACT 94,  
ACRES 14.800

Fiduciary Number: 1474828

Parcel Address: OLD ALVIN RD

Legal Acres: 14.8000

>--

Account Number: 0233-0036-130

Print Date: 08/14/2012

Certificate No: 194818359

Paid Date: 08/14/2012

Certificate Fee: \$10.00

Issue Date: 08/14/2012

Operator ID: JENNY

<--

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

RESTLAND OF DALLAS  
%CHRIS W THREADGILL  
13005 GREENVILLE AVE  
DALLAS, TX 75243-1916

Certified Tax Unit(s):

1 BRAZORIA COUNTY  
9 SPECIAL ROAD & BRIDGE  
28 PEARLAND ISD  
54 BRAZORIA DRAINAGE DIST 4  
96 CITY OF PEARLAND

2011 Value:	148,000
2011 Levy:	\$4,045.73
2011 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

ID # 165790

Reference (GF) No: N/A

Issued By: *Jenny Phillips*  
RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
(979) 864-1320, (979) 388-1320, (281) 756-1320

TAX CERTIFICATE



RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
111 E. LOCUST  
ANGLETON, TEXAS 77515

**Issued To:**

GROMAX DEVELOPMENT  
4201 W. BROADWAY  
PEARLAND, TX 77581

**Legal Description:**

A0233 H T & B R R (PEARLAND), TRACT 68,  
ACRES 20.000

Fiduciary Number: 1474828

Parcel Address: OLD ALVIN RD

Legal Acres: 20.0000

>--

Account Number: **0233-0036-110**

Print Date: 08/14/2012

Certificate No: 194818360

Paid Date: 08/14/2012

Certificate Fee: \$10.00

Issue Date: 08/14/2012

Operator ID: JENNY

<--

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2011. ALL TAXES ARE PAID IN FULL

**Exemptions:**

**Certified Owner:**

RESTLAND OF DALLAS  
%CHRIS W THREADGILL  
13005 GREENVILLE AVE  
DALLAS, TX 75243-1916

2011 Value:	200,000
2011 Levy:	\$5,467.20
2011 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

**Certified Tax Unit(s):**

- 1 BRAZORIA COUNTY
- 9 SPECIAL ROAD & BRIDGE
- 28 PEARLAND ISD
- 54 BRAZORIA DRAINAGE DIST 4
- 96 CITY OF PEARLAND

ID # 165788

Reference (CF) No: N/A

Issued By: *Jenny Phillips*  
RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
(979) 864-1320, (979) 338-1320, (281) 756-1320

TAX CERTIFICATE



RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
111 E. LOCUST  
ANGLETON, TEXAS 77515

Issued To:

GROMAX DEVELOPMENT  
4201 W. BROADWAY  
PEARLAND, TX 77581

Legal Description:

A0233 H T & B R R (PEARLAND), TRACT 62,  
ACRES 19.850

Fiduciary Number: 1474828

Parcel Address: OLD ALVIN RD

Legal Acres: 19.8500

>--

Account Number: 0233-0036-000

Print Date: 08/14/2012

Certificate No: 194818361

Paid Date: 08/14/2012

Certificate Fee: \$10.00

Issue Date: 08/14/2012

Operator ID: JENNY

<--

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

Certified Owner:

RESTLAND OF DALLAS  
%CHRIS W THREADGILL  
13005 GREENVILLE AVE  
DALLAS, TX 75243-1916

2011 Value:	198,500
2011 Levy:	\$5,426.20
2011 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Certified Tax Unit(s):

1 BRAZORIA COUNTY  
9 SPECIAL ROAD & BRIDGE  
28 PEARLAND ISD  
54 BRAZORIA DRAINAGE DIST 4  
96 CITY OF PEARLAND

ID # 165787

Reference (GF) No: N/A

Issued By: *Jenny Phillips*  
RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
(979) 864-1320, (979) 388-1320, (281) 756-1320

TAX CERTIFICATE



RO'VIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515

Issued To:
GROMAX DEVELOPMENT
4201 W. BROADWAY
PEARLAND, TX 77581

Legal Description:
DBA SOUTH MEMORIAL PARK LTS 64-74-74A
PT LTS 63-69 542 H T & B PEARLAND,
ACRES 40.210

Fiduciary Number: 1474828

Parcel Address: N MAIN ST HWY 35

Legal Acres: 40.1985

>--
Account Number: 0542-0076-111
Certificate No: 194818363
Certificate Fee: \$10.00

Print Date: 08/14/2012
Paid Date: 08/14/2012
Issue Date: 08/14/2012
Operator ID: JENNY

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2011. ALL TAXES ARE PAID IN FULL

Exemptions:

EXEMPT

Certified Owner:

RESTLAND OF DALLAS
%CHRIS W THREADGILL
13005 GREENVILLE AVE
DALLAS, TX 75243-1916

Table with 2 columns: Description and Amount. Rows include 2011 Value (401,990), 2011 Levy (\$0.00), 2011 Levy Balance (\$0.00), Prior Year Levy Balance (\$0.00), Total Levy Due (\$0.00), P&I + Attorney Fee (\$0.00), and Total Amount Due (\$0.00).

Certified Tax Unit(s):

- 1 BRAZORIA COUNTY
9 SPECIAL ROAD & BRIDGE
28 PEARLAND ISD
54 BRAZORIA DRAINAGE DIST 4
96 CITY OF PEARLAND

ID# 177145

Reference (GF) No: N/A

Issued By: Jenny Phillips
RO'VIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
(979) 864-1320, (979) 388-1320, (281) 756-1320

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. PURPOSE OF HEARING

**ZONE CHANGE APPLICATION NO. 2012-09Z**

A request of Chris Lesak, applicant, on behalf of Vivien Naeve, owner, for approval of a zone change from the Neighborhood Service (NS) zone to the Single Family Residential-1 (R-1) zone for 18.26 acres on the following described property, to wit:

**Legal Description:** All of that certain 18.26 acres of land out of the 18.284 acre tract described in the deed from Dan Michael Worrall, Et. Ux. To Vivien Naeve recorded under document No. 2004 018266, In the Official Records of Brazoria County, Texas

**General Location:** East of the northeast corner of Pearland Pkwy and John Lizer Road

- III. APPLICATION INFORMATION AND CASE SUMMARY
  - A. STAFF REPORT
  - B. APPLICANT PRESENTATION
- IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST
- V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION
- VI. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.



## JOINT PUBLIC HEARING AGENDA ITEM MEETING OF SEPTEMBER 17, 2012

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### Zone Change No. 2012-09Z

A request of Chris Lesak, applicant, on behalf of Vivien Naeve, owner, for approval of a zone change from the Neighborhood Service (NS) zone to the Single Family Residential-1 (R-1) zone for 18.26 acres on the following described property, to wit:

**Legal Description:** All of that certain 18.26 acres of land out of the 18.284 acre tract described in the deed from Dan Michael Worrall, Et. Ux. To Vivien Naeve recorded under document No. 2004 018266, In the Official Records of Brazoria County, Texas

**General Location:** East of the northeast corner of Pearland Pkwy and John Lizer Road

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested zone change application will be considered as follows:

Planning and Zoning Commission: September 17, 2012\*

City Council for First Reading: October 8, 2012\*

City Council for Second Reading: October 22, 2012\*

(\*dates subject to change)

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**SUMMARY:** Chris Lesak, applicant, on behalf of Vivien Naeve, owner, is requesting a zone change from the Neighborhood Service (NS) zoning district to the Single Family Residential-2 (R-2). The property contains 18.26 acres of land, is currently undeveloped, and located just east of the northwest corner of John Lizer and Pearland Pkwy. The property owner has indicated that they would like to sell the property to a developer who would like to develop the property into a residential subdivision. As indicated below, the property immediately abuts General Business (GB) zoning to the north and to the west, and Single Family Residential-2 (R-2) to the east.

### SURROUNDING ZONING AND LAND USES:

	<u>Zoning</u>	<u>Land Use</u>
North	General Business (GB)	Detention/Assisted Living Facility
South	Single-Family Residential-1	Detention/Undeveloped

	(R-1)	
East	General Business (GB)	Undeveloped
West	Single-Family Residential-2 (R-2)	Single Family Residential

**CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned as Neighborhood Service (NS). The minimum lot sizes requirements for the current district as well as the proposed Single-Family Residential-1 (R-1) are as follows:

	<u>NS</u>	<u>R-1</u>	<u>Property in Question</u>
<u>Lot Area:</u>	12,500 sq. ft.	8,800 sq. ft.	795,343 sq. ft.
<u>Lot Depth:</u>	100'	90'	1,678' (at deepest point)
<u>Lot Width:</u>	100'	80'	377' (at front setback)

As indicated above, the property meets the development regulations of the Single Family Residential-1 (R-1) zoning district.

**PLATTING STATUS:** The property has not been platted. A subdivision plat will be required at the time of development.

**CONFORMANCE WITH THE COMPREHENSIVE PLAN:** The current adopted Comprehensive Plan's Future Land Use Map indicates this area should be *Offices*. Therefore, the designation of Single Family Residential-1 (R-1) being requested would not be consistent with the Comprehensive Plan. When the City's Comprehensive Plan was updated, the *Office* designation for this property was intended to serve as a buffer between the commercial (General Business, GB) property immediately to the west of this site, and the Single-Family Residential-2 (R-2) immediately to the east of this site.

**CONFORMANCE WITH THE THOROUGHFARE PLAN:** The subject property has frontage on John Lizer, a secondary thoroughfare with a 100' minimum right-of-way requirement.

**AVAILABILITY OF UTILITIES:** The subject parcel is served by public water.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed zone change may negatively impact surrounding properties. As previously mentioned, this property currently services as a buffer, as Neighborhood Service (NS), between General Business (GB) and Single Family Residential-2 (R-2). If the zone change is approved, that buffer would no longer exist, and would permit single family homes to be constructed immediately adjacent to future commercial development.

A Traffic Impact Analysis (TIA) may be required at the time of site plan review by the City's Engineering department to determine if there are any potentially negative traffic

impacts anticipated as a result of the proposed development at the time. Mitigation measures that are deemed necessary as a result would be responsibility of the applicant to implement.

**ADDITIONAL COMMENTS:** This request has been reviewed by the City's Development Review Committee. Pending specific future subdivision layout details, the Fire Marshall has indicated fire access (second point of access) may need to be addressed.

**SITE PLAN CONSIDERATIONS:** A site plan is not required for a zone change.

**PUBLIC NOTIFICATION:** Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. A legal notice of public hearing was published in the local newspaper, and a notification sign was placed on the subject property.

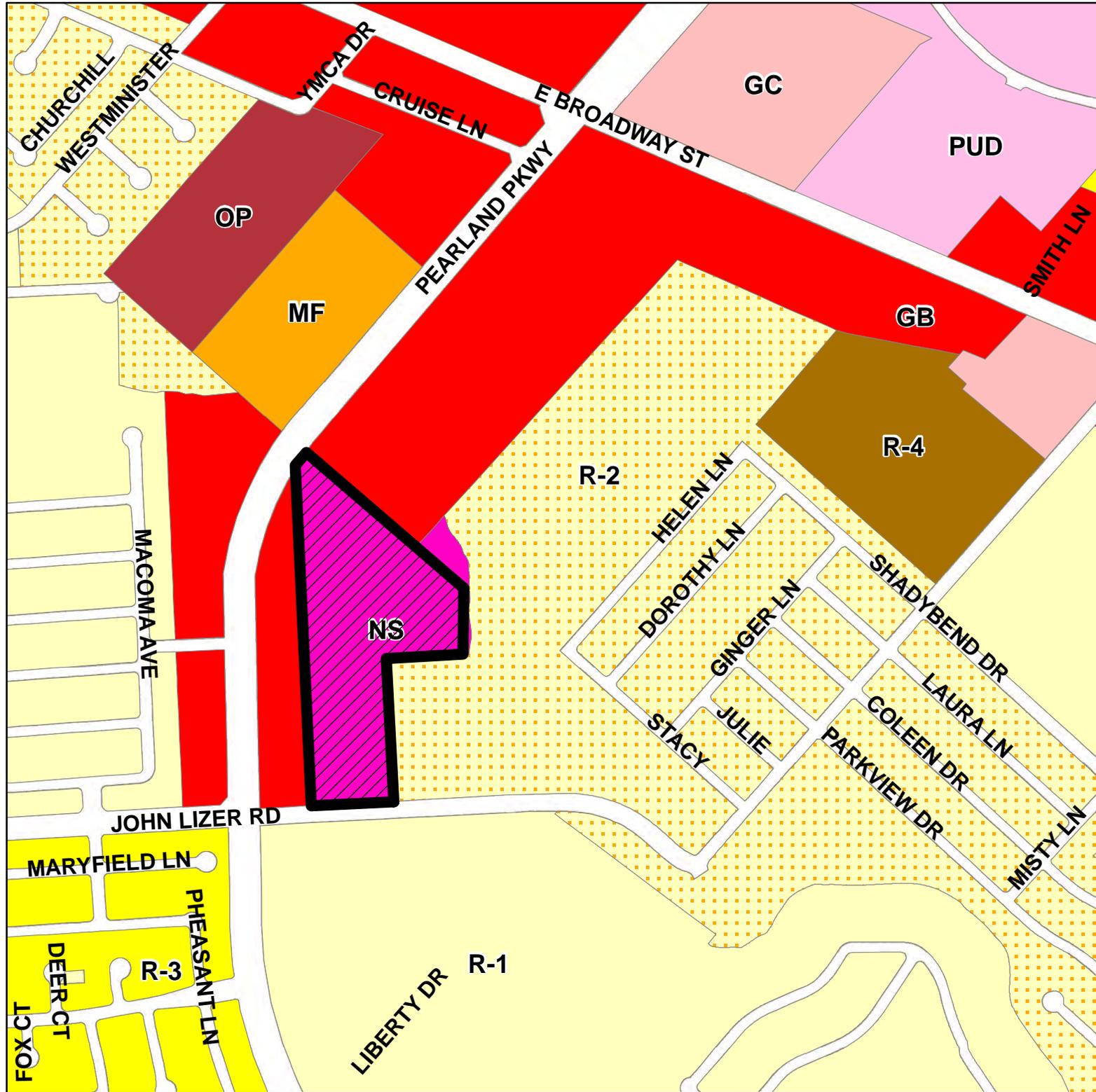
**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed zone change request.

**STAFF RECOMMENDATION:** Staff is unable to recommend approval of the Zone Change 2012-09Z as proposed by the applicant for the following reasons:

1. Approval of the zone change would not be in conformance with the surrounding zoning.
2. Approval of the zone change would remove the existing buffer between existing residential uses and future commercial uses.
3. The proposed zone change may negatively impact on the surrounding properties and developments.
4. The proposed zone change will not bring the property into compliance with the latest approved Future Land Use Plan.

**SUPPORTING DOCUMENTS:**

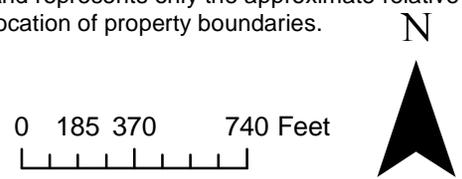
- Vicinity and Zoning Map
- Property Ownership Map
- Property Owner Notification List
- Future Land Use Plan
- Aerial Photograph
- Zone Change Application and Applicant Documents
- Related Documents



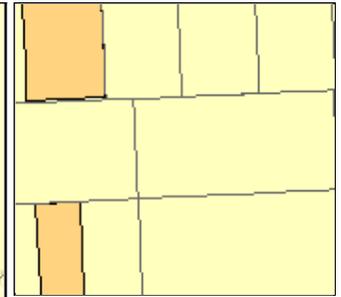
**Vicinity and Zoning Map**  
**Zone Change 2012-09Z**

**John Lizer/  
 Pearland Pkwy**

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.



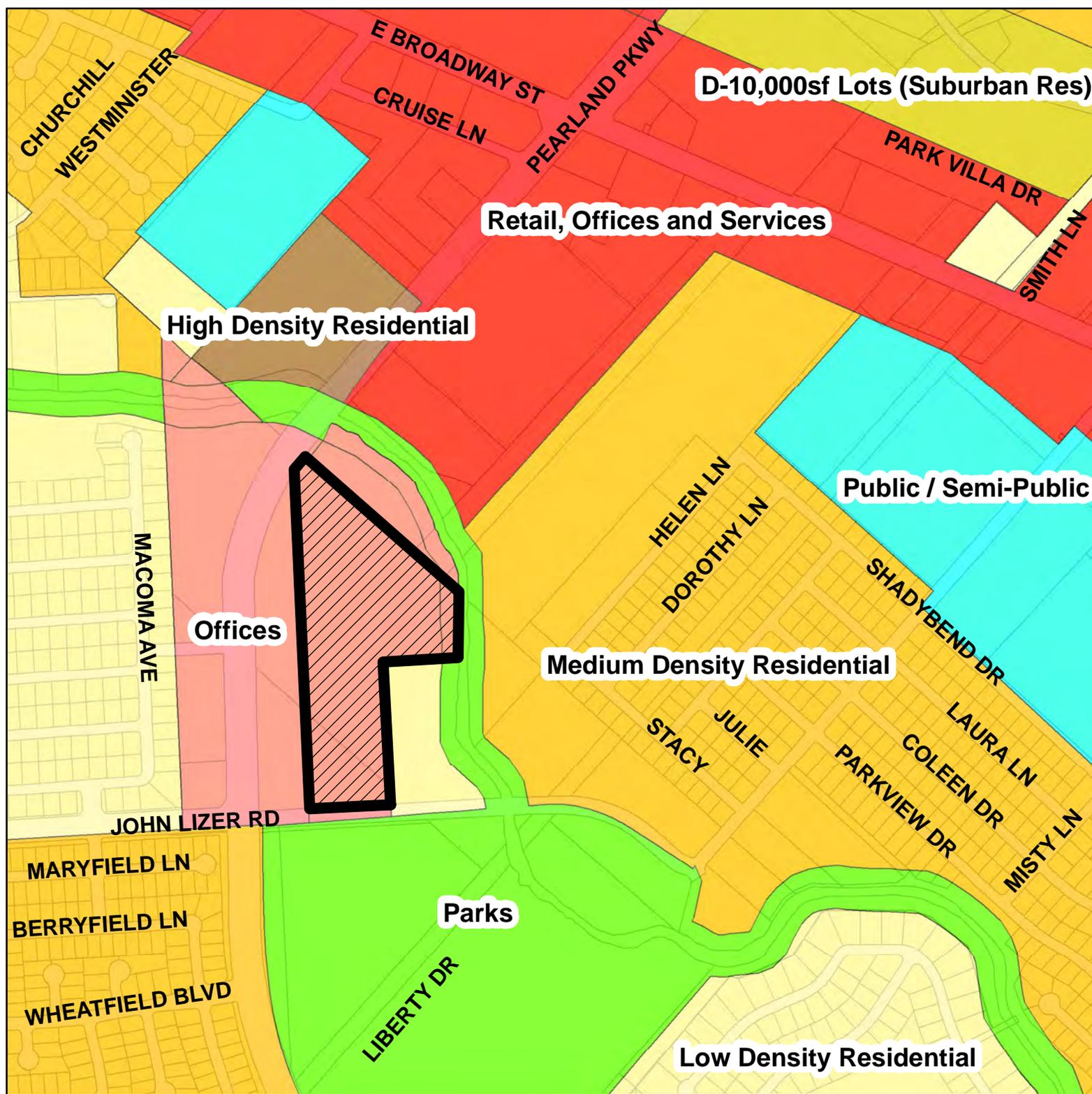
Abutter Map - Zone Change 2012-09Z



John Lizer/Pearland Pkwy

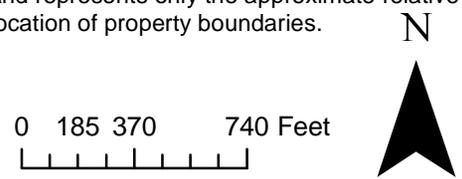
Scale 1:4,395  
1 in = 366 ft

<b>Name</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
MARTINI FRANK M	3114 S MACGREGOR WAY	HOUSTON	TX	77021-1103
NAEVE VIVIEN	1201 COWARDS CREEK DR	FRIENDSWOOD	TX	77546-4603
CHRISMAN BURT H JR	2801 JOHN LIZER RD	PEARLAND	TX	77581-5215
PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588
CHRIS LESAK	PO BOX 18282	PEARLAND	TX	77496



**FLUP Map**  
**Zone Change 2012-09Z**  
**John Lizer/  
Pearland Pkwy**

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.



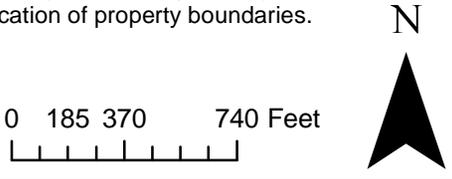


**Aerial Map**

**Zone Change 2012-09Z**

**John Lizer/  
Pearland Pkwy**

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.





# APPLICATION FOR A CHANGE IN ZONING

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281-652-1768  
281-652-1702 fax  
www.cityofpearland.com

Current Zoning District: Neighborhood Service

Proposed Zoning District: R 1

**Property Information:**

Address or General Location of Property: John Lizer Rd 00775

A0399 Trp Yocum Tract 1 Pearland Acres 16.519

Tax Account No. 0399-006-001

Subdivision: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

**A complete application must include all information shown on the Application Checklist attached to this application.**

**PROPERTY OWNER INFORMATION:**

**APPLICANT/AGENT INFORMATION:**

NAME Vivian Naeve  
ADDRESS 1926 Bissonnet  
CITY Houston STATE Tx ZIP 77005  
PHONE (713) 524-0990 / 713 8511406  
FAX ( ) \_\_\_\_\_  
E-MAIL ADDRESS MHNaeve1120@hotmail.com

NAME Chris Lesak  
ADDRESS P.O. Box 18282  
CITY Sugar Land STATE Tx ZIP 77496  
PHONE (281) 701-5569  
FAX (713) 234-7116  
E-MAIL ADDRESS Chris@chrislesak.com

\*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: Vivian Naeve Date: 8-16-2012

Agent's/Applicant's Signature: [Signature] Date: 8/27/12

**OFFICE USE ONLY:**

FEES PAID: <u>250.00</u>	DATE PAID: <u>8/16/12</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>303374</u>
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Application No. 2012-092



# APPLICATION FOR A CHANGE IN ZONING

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281-652-1768  
281-652-1702 fax  
www.cityofpearland.com

Current Zoning District: Neighborhood Service

Proposed Zoning District: R 1

**Property Information:**

Address or General Location of Property: John Lizer Rd

Legal description A 0147 A C H + B Tract 127 Pearland Acres 1.865

Tax Account No. 0147 - 00 79 - 000

Subdivision: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_

**A complete application must include all information shown on the Application Checklist attached to this application.**

**PROPERTY OWNER INFORMATION:**

NAME Vivien Naeve  
ADDRESS 1926 Bissonnet  
CITY Houston STATE Tx ZIP 77005  
PHONE ( 713 ) 524 0990  
FAX ( \_\_\_\_\_ ) \_\_\_\_\_  
E-MAIL ADDRESS MHNAEVE1120@hotmail.com

**APPLICANT/AGENT INFORMATION:**

NAME Chris Lesak  
ADDRESS P.O. Box 18282  
CITY Sugar Land STATE TX ZIP 77496  
PHONE ( 281 ) 701-5569  
FAX ( 713 ) 234-7116  
E-MAIL ADDRESS Chris@ChrisLesak.com

\*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

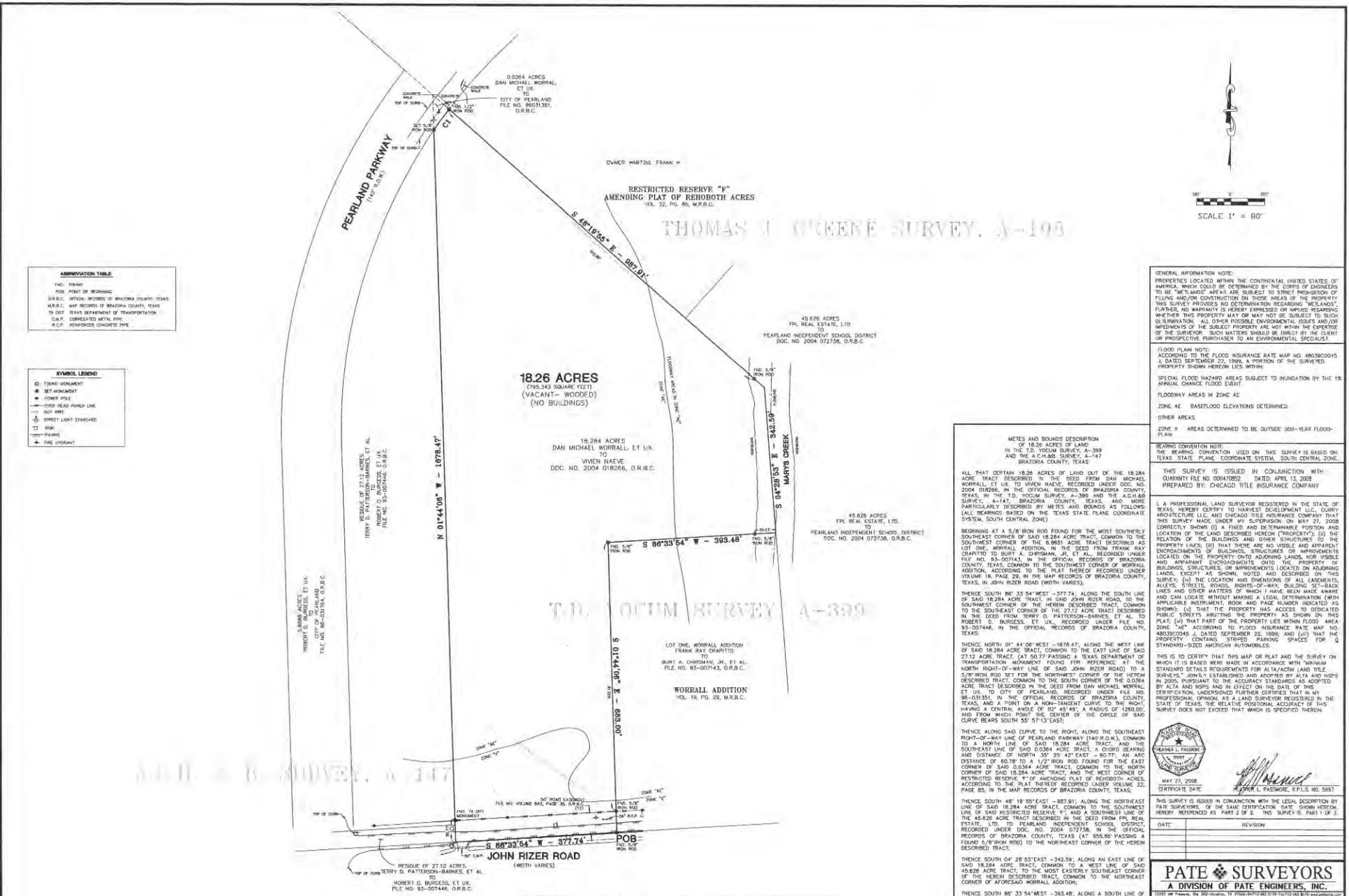
Owner's Signature: Vivien Naeve Date: 8-16-2012

Agent's/Applicant's Signature: [Signature] Date: 8-27-12

**OFFICE USE ONLY:**

FEES PAID: <u>250.00</u>	DATE PAID: <u>8/16/12</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>303374</u>
--------------------------	---------------------------	---------------------------------	-------------------------------

Application No. 2012-092



**ABBREVIATION TABLE**

IND. POINT  
 FOR POINT OF BEGINNING  
 D.B.R.C. MAP RECORDS OF BRAZORIA COUNTY, TEXAS  
 M.B.R.C. MAP RECORDS OF BRAZORIA COUNTY, TEXAS  
 TR. DOT. TEXAS DEPARTMENT OF TRANSPORTATION  
 S.A.P. CORRODED METAL PIPE  
 R.C.P. REINFORCED CONCRETE PIPE

**SYMBOL LEGEND**

○ FOUND MONUMENT  
 ■ SET MONUMENT  
 ● POWER POLE  
 --- OVER HEAD POWER LINE  
 --- DUTY WIRE  
 --- STREET LIGHT STANDARDS  
 □ SIGN  
 --- FENCE  
 ▲ THE POSITIVE



**18.26 ACRES**  
 (VACANT - WOODED)  
 (NO BUILDINGS)

18.284 ACRES  
 DAN MICHAEL WORRALL, ET UX.  
 TO  
 VIVIAN NAEVE  
 DOC. NO. 2004 018266, O.B.R.C.

LOT ONE, WORRALL ADDITION  
 FRANK RAY GRANTITE  
 TO  
 BURT A. CHISHOLM, JR. ET AL.  
 FILE NO. 93-007143, O.B.R.C.

WORRALL ADDITION  
 VOL. 19, PG. 28, M.B.R.C.

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	1260.00'	60.78'	2°40'49"	N 39°28'42" E	60.77'

**METES AND BOUNDS DESCRIPTION**  
 OF 18.26 ACRES LAND  
 IN THE T.D. YOCUM SURVEY, A-399  
 AND THE A.C.H.A.B. SURVEY, A-47  
 BRAZORIA COUNTY, TEXAS

ALL THAT CERTAIN 18.26 ACRES OF LAND OUT OF THE 18.284 ACRE TRACT DESCRIBED IN THE DEED FROM DAN MICHAEL WORRALL, ET UX. TO VIVIAN NAEVE, RECORDED UNDER DOC. NO. 2004 018266, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, IN THE T.D. YOCUM SURVEY, A-399 AND A C.H.A.B. SURVEY, A-47, PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE):

BEGINNING AT A 5/8" IRON ROD FOUND FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID 18.284 ACRE TRACT, COMMON TO THE SOUTHWEST CORNER OF THE 6.856 ACRE TRACT DESCRIBED AS LOT ONE, WORRALL ADDITION, IN THE DEED FROM FRANK RAY GRANTITE TO BURT A. CHISHOLM, JR. ET AL., RECORDED UNDER FILE NO. 93-007143, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, COMMON TO THE SOUTHWEST CORNER OF WORRALL ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED UNDER VOLUME 19, PAGE 28, IN THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS, IN JOHN RIZER ROAD (WIDTH VARIES);

THENCE SOUTH 86°33'54" WEST - 377.74', ALONG THE SOUTH LINE OF SAID 18.284 ACRE TRACT, IN SAID JOHN RIZER ROAD, TO THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE SOUTHWEST CORNER OF THE 27.12 ACRE TRACT DESCRIBED IN THE DEED FROM TERRY D. PATTERSON-BARNES, ET AL. TO ROBERT E. BURGESS, ET UX., RECORDED UNDER FILE NO. 93-007446, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS;

THENCE NORTH 01°44'00" WEST - 1078.47', ALONG THE WEST LINE OF SAID 18.284 ACRE TRACT, COMMON TO THE EAST LINE OF SAID 27.12 ACRE TRACT, AT 50.77' PASSING A TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT FOUND FOR REFERENCE, AT THE NORTH RIGHT-OF-WAY LINE OF SAID JOHN RIZER ROAD) TO A 2 1/2" IRON ROD SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, COMMON TO THE SOUTH CORNER OF THE 0.0264 ACRE TRACT DESCRIBED IN THE DEED FROM DAN MICHAEL WORRALL, ET UX. TO CITY OF PEARLAND, RECORDED UNDER FILE NO. 96-063101, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS, AND A POINT ON A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 107°40'49", A RADIUS OF 1260.00', AND FROM WHICH POINT THE CENTER OF THE CIRCLE OF SAID CURVE BEARS SOUTH 57°13' EAST;

THENCE ALONG SAID CURVE TO THE RIGHT, ALONG THE SOUTHWEST RIGHT-OF-WAY LINE OF PEARLAND PARKWAY (140' R.O.W.), COMMON TO A NORTH LINE OF SAID 18.284 ACRE TRACT, AND THE SOUTHWEST LINE OF SAID 0.0364 ACRE TRACT, A CHORD BEARING AND DISTANCE OF NORTH 61°49' EAST - 50.77', AND AN ARC DISTANCE OF 60.78' TO A 1/2" IRON ROD FOUND FOR THE EAST CORNER OF SAID 0.0364 ACRE TRACT, COMMON TO THE NORTH CORNER OF SAID 18.284 ACRE TRACT, AND THE WEST CORNER OF RESTRICTED RESERVE "F" AMENDING PLAT OF REHOBOTH ACRES, ACCORDING TO THE PLAT THEREOF RECORDED UNDER VOLUME 22, PAGE 85, IN THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS;

THENCE SOUTH 87°18'55" EAST - 897.91', ALONG THE NORTHEAST LINE OF SAID 18.284 ACRE TRACT, COMMON TO THE SOUTHWEST LINE OF SAID RESTRICTED RESERVE "F", AND A SOUTHWEST LINE OF THE 45.828 ACRE TRACT DESCRIBED IN THE DEED FROM F.P. REAL ESTATE LTD TO PEARLAND INDEPENDENT SCHOOL DISTRICT, RECORDED UNDER DOC. NO. 2004 072738, IN THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS (AT 958.80' PASSING A FOUND 5/8" IRON ROD TO THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT);

THENCE SOUTH 87°33'54" WEST - 393.48', ALONG A SOUTH LINE OF SAID 18.284 ACRE TRACT, COMMON TO THE NORTH LINE OF SAID WORRALL ADDITION, (AT 50.03' PASSING A FOUND 5/8" IRON ROD) TO A 5/8" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID WORRALL ADDITION, COMMON TO AN ANGLE CORNER OF SAID 18.284 ACRE TRACT;

THENCE SOUTH BY 44°08' EAST - 683.02', ALONG AN EAST LINE OF SAID 18.284 ACRE TRACT, COMMON TO THE WEST LINE OF SAID WORRALL ADDITION, (AT 533.18' PASSING A 5/8" IRON ROD FOUND AT THE INTERSECTION OF SAID EAST LINE AND THE NORTH-OF-WAY LINE OF AFFORESAID JOHN RIZER ROAD) TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT AND CONTAINING 18.26 ACRES OF LAND.

**GENERAL INFORMATION NOTE:**  
 PROPERTIES LOCATED WITHIN THE CONTINENTAL UNITED STATES OF AMERICA WHICH COULD BE DETERMINED BY THE CORNER OF CHISELS TO BE "WETLANDS" AREAS ARE SUBJECT TO STRICT PROVISIONS OF FILING AND/OR CONSTRUCTION ON THOSE AREAS OF THE PROPERTY. THIS SURVEY PROVIDES NO DETERMINATION REGARDING "WETLANDS", FLOODS, OR WARRANTY OF ENVIRONMENTAL ISSUES AND/OR WHETHER THIS PROPERTY MAY OR MAY NOT BE SUBJECT TO SUCH DETERMINATION. ALL OTHER POSSIBLE ENVIRONMENTAL ISSUES AND/OR IMPROVEMENTS OF THE SUBJECT PROPERTY ARE NOT WITHIN THE EXPERIENCE OF THE SURVEYOR. SUCH MATTERS SHOULD BE DEALT BY THE CLIENT OR PROSPECTIVE PURCHASER TO AN ENVIRONMENTAL SPECIALIST.

**FLOOD PLAIN NOTE:**  
 ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 18063C045, DATED SEPTEMBER 27, 1999, A PORTION OF THE SURVEYED PROPERTY SHOWS HEREIN LIES WITHIN:

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT

FLOODWAY AREAS IN ZONE AE

FLOODWAY AREAS IN ZONE AE

ZONE AE BASEFLOOD ELEVATIONS DETERMINED.

OTHER AREAS

ZONE X AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN

**BEARING CONVENTION NOTE:**  
 THE BEARING CONVENTION USED ON THIS SURVEY IS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.

**THIS SURVEY IS ISSUED IN CONJUNCTION WITH QUANTITY FILE NO. 00047082, DATED APRIL 13, 2008 PREPARED BY CHICAGO TITLE INSURANCE COMPANY**

I, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF TEXAS, HEREBY CERTIFY TO HARVEST DEVELOPMENT LLC, CLARY ARCHITECTURE LLC, AND CHICAGO TITLE INSURANCE COMPANY THAT THIS SURVEY MADE UNDER MY SUPERVISION ON MAY 27, 2008 CORRECTLY SHOWS (1) A FIXED AND DETERMINABLE POSITION AND LOCATION OF THE LAND DESCRIBED HEREIN ("PROPERTY"), (2) THE RELATION OF THE BUILDINGS AND OTHER STRUCTURES TO THE PROPERTY LINES, (3) THAT THERE ARE NO VISIBLE AND APPARENT ENCROACHMENTS OF BUILDINGS, STRUCTURES OR IMPROVEMENTS LOCATED ON THE PROPERTY ONTO ADJOINING LANDS, NOR VISIBLE AND APPARENT ENCROACHMENTS INTO THE PROPERTY OF BUILDINGS, STRUCTURES OR IMPROVEMENTS LOCATED ON ADJOINING LANDS, EXCEPT AS SHOWN, NOTED, AND AS NOTED ON THIS SURVEY; (4) THE LOCATION AND DIMENSIONS OF ALL EASEMENTS, ALLEYS, STREETS, ROADS, RIGHTS-OF-WAY, BOUNDARIES, SET-BACK LINES AND OTHER MATTERS OF WHICH I HAVE BEEN MADE AWARE AND CAN LOCATE WITHOUT MAKING A LEGAL DETERMINATION (WITH APPLICABLE INSTRUMENT, BOOK AND PAGE NUMBER INDICATED AS SHOWN); (5) THAT THE PROPERTY HAS ACCESS TO DEDICATED PUBLIC STREETS ABUTTING THE PROPERTY AS SHOWN ON THIS PLAT; (6) THAT PART OF THE PROPERTY LIES WITHIN FLOOD AREA ZONE "AE" ACCORDING TO FLOOD INSURANCE RATE MAP NO. 48033C045, DATED SEPTEMBER 27, 1999, AND (7) THAT THE PROPERTY CONTAINS STRIPPED PARKING SPACES FOR 6 STANDARD-SIZED AMERICAN AUTOMOBILES.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH MINIMUM STANDARD DETAILS REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 2005, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSTOOD FURTHER CERTIFIES THAT AS A PROFESSIONAL OPINION AS A LAND SURVEYOR REGISTERED IN THE STATE OF TEXAS, THE RELATIVE PROPORTIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.



ROBERT E. BURGESS, ET UX.  
 LICENSE NO. 10000  
 MAY 27, 2008  
 CERTIFICATE 514E  
 OFFICE L. PASTERNAK, R.P.L.S. NO. 5997

THIS SURVEY IS ISSUED IN CONJUNCTION WITH THE LEGAL DESCRIPTION BY PATE SURVEYORS, L.P. OF THE SAME CERTIFICATION, PLAT, JOHN RIZER ROAD, HEREBY REFERRED AS PART 2 OF 2. THIS SURVEY IS PART 1 OF 2.

DATE: \_\_\_\_\_ REVISION: \_\_\_\_\_

**PATE SURVEYORS**  
 A DIVISION OF PATE ENGINEERS, INC.  
 15015 W. PASTERNAK, SUITE 100, PEARLAND, TEXAS 77656-1501  
 ALTA/ACSM LAND TITLE SURVEY  
**18.26 ACRES**  
 IN THE T.D. YOCUM SURVEY, A-399  
 AND THE A.C.H.A.B. SURVEY, A-47  
 BRAZORIA COUNTY, TEXAS

DATE: MAY 28, 2008  
 JOB NO. 1494-011-01-610

NOTES CORRECTING TO SCHEDULE B ITEMS LISTED ARE FROM SCHEDULE B OF THE COMMITMENT FOR TITLE INSURANCE ISSUED BY CHICAGO TITLE INSURANCE COMPANY, 22 NO. DOWNTOWN, WITH AN EFFECTIVE DATE OF APRIL 13, 2008, AND RESUED APRIL 23, 2008.

12 - AFFECTS THE PROPERTY AND IS SHOWN HEREIN

MapTip BCAD2012

Table of Contents

Layer

Selection



BCAD2012

Selection Type: New

View Results



Map Address Search



PEARLAND PKWY

Subject property

JOHN LUZER RD

Independence Park



Mary's Creek

Subject Property  
18.32 Acres

Independence Park

A

Attention: HAROLD ELLIS

To whom it MAY CONCERN,

My name is Vivien Naeve.  
I own property that is zoned  
neighborhood service and I  
would like to have it rezoned R1.  
There is someone interested  
in building a small subdivision  
of 30 homesites.

Thank you,  
Vivien Naeve

Letter of Intent

CITY OF PEARLAND

\*\*\* CUSTOMER RECEIPT \*\*\*

Oper: AGONZALES Type: OC Drawer: 1  
Date: 8/16/12 01 Receipt no: 303374

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$250.00
Trans number:		3003600

ZONE CHANGE TO R5 TO R1  
VIVIEN HAEVE  
1201 COWARDS CREEK DR.  
FRWD., TX 77546

Tender detail		
CK CHECK	6200	\$250.00
Total tendered		\$250.00
Total payment		\$250.00

Trans date: 8/16/12 Time: 13:00:00

**POSTING OF ZONING NOTIFICATION SIGNS  
ON PROPERTY UNDER CONSIDERATION  
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (5) The signs shall be as follows:
  - A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
  - At least 2 feet above the ground
  - Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
  - Message content as follows:

**PROPOSED (SPECIFY REQUEST)**  
**Contact City of Pearland**  
**281-652-1768**

**\*Signs must be professionally made; handwritten signs are not allowed.**

**\*Signs must be freestanding and cannot be attached to a tree, fence, or building.**

*Kevin Naeve*  
*8-16-2012*

# DUPLICATE TAX RECEIPT



RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
111 E. LOCUST  
ANGLETON, TEXAS 77515

*Handwritten:* 17-001-001  
HAROLD PERE

**Certified Owner:**

NAEVE VIVIEN  
1201 COWARDS CREEK DR  
FRIENDSWOOD, TX 77546-4603

**Legal Description:**

A0147 A C H & B, TRACT 127, PEARLAND,  
ACRES 1.865

Parcel Address: JOHN LIZER RD  
Legal Acres: 1.8650

Remit Seq No: 20923495  
Receipt Date: 05/23/2012  
Deposit Date: 05/23/2012  
Print Date: 08/23/2012  
Printed By: LATOYA

Deposit No: 152311031727  
Validation No: 29  
Account No: **0147-0079-000**  
Operator Code: SAND

Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2011	Brazoria County	65,280	0.413101	269.67	35.06	0.00	304.73
2011	Special Road & Bridge	65,280	0.060000	39.17	5.09	0.00	44.26
2011	Pearland Isd	65,280	1.419400	926.58	120.46	0.00	1,047.04
2011	Brazoria Drainage Dist 4	65,280	0.156000	101.84	13.24	0.00	115.08
2011	City Of Pearland	65,280	0.685100	447.23	58.14	0.00	505.37
				<b>\$1,784.49</b>	<b>\$231.99</b>	<b>\$0.00</b>	<b>\$2,016.48</b>

Check Number(s):  
00006265

**PAYMENT TYPE:**

Checks: \$2,016.48

Exemptions on this property:

Total Applied: \$2,016.48

Change Paid: \$0.00

**ACCOUNT PAID IN FULL**

**PAYER:**  
NAEVE VIVIEN  
1201 COWARDS CREEK DR  
FRIENDSWOOD, TX 77546-4603

# DUPLICATE TAX RECEIPT



RO'VIN GARRETT, RTA  
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
111 E. LOCUST  
ANGLETON, TEXAS 77515

*Attention*  
*Handwritten notes*

**Certified Owner:**

NAEVE VIVIEN  
1201 COWARDS CREEK DR  
FRIENDSWOOD, TX 77546-4603

**Legal Description:**

A0399 T D YOCUM, TRACT 1, PEARLAND,  
ACRES 16.519

Parcel Address: JOHN LIZER RD  
Legal Acres: 16.5190

Remit Seq No: 20367611  
Receipt Date: 01/31/2012  
Deposit Date: 02/03/2012  
Print Date: 08/23/2012  
Printed By: LATOYA

Deposit No: 1203410C  
Validation No: 90000023475324  
Account No: **0399-0006-001**  
Operator Code: LATOYA

Year	Tax Unit Name	Tax Value	Tax Rate	Levy Paid	P&I	Coll Fee Paid	Total
2011	Brazoria County	578,170	0.413101	2,388.43	0.00	0.00	2,388.43
2011	Special Road & Bridge	578,170	0.060000	346.90	0.00	0.00	346.90
2011	Pearland Isd	578,170	1.419400	8,206.54	0.00	0.00	8,206.54
2011	Brazoria Drainage Dist 4	578,170	0.156000	901.95	0.00	0.00	901.95
2011	City Of Pearland	578,170	0.685100	3,961.04	0.00	0.00	3,961.04
2010	Brazoria County	578,170	0.403101	499.73	119.94	123.93	743.60
2010	Special Road & Bridge	578,170	0.060000	74.37	17.85	18.44	110.66
2010	Pearland Isd	578,170	1.419400	1,759.69	422.33	327.30	2,509.32
2010	Brazoria Drainage Dist 4	578,170	0.156000	193.41	46.42	47.97	287.80
2010	City Of Pearland	578,170	0.665100	824.58	197.90	204.50	1,226.98
				<b>\$19,156.64</b>	<b>\$804.44</b>	<b>\$722.14</b>	<b>\$20,683.22</b>

Check Number(s):  
13130

**PAYMENT TYPE:**

Checks: \$20,683.22

Exemptions on this property:

Total Applied: \$20,683.22

Change Paid: \$0.00

ACCOUNT PAID IN FULL

**PAYER:** 20492367  
PROPEL FINANCIAL SERVICES, LLC  
P.O. BOX 100350  
SAN ANTONIO, TX 78201

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. PURPOSE OF HEARING  
Proposed Comprehensive Plan Amendment - Grand Avenue Plan
- III. APPLICATION INFORMATION AND CASE SUMMARY
  - A. STAFF REPORT
  - B. APPLICANT PRESENTATION
- IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST
- V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION
- VI. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

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

<b>AGENDA OF:</b> September 17, 2012	<b>ITEM NO.:</b> Joint Public Hearing
<b>DATE SUBMITTED:</b> September 7, 2012 Community Development	<b>DEPARTMENT OF ORIGIN:</b>
<b>PREPARED BY:</b> Lata Krishnarao	<b>PRESENTOR:</b> Lata Krishnarao
<b>REVIEWED BY:</b> Mike Hodge	<b>REVIEW DATE:</b> September 10, 2012
<b>SUBJECT:</b> Joint Public Hearing to consider amendments to the Comprehensive Plan to include recommendations of the Grand Avenue Plan	
<b>EXHIBITS:</b> Exhibit 1 - Proposed Addendum Attachment 1 – Agenda request for the workshop Attachment 2 – Excerpt from Comprehensive Plan regarding Old Townsite Attachment 3 - Grand Avenue letter of support from OTS Business Coalition	
<b>EXPENDITURE REQUIRED:</b> None <b>AMOUNT AVAILABLE:</b> N/A <b>ACCOUNT NO.:</b> NA	<b>AMOUNT BUDGETED:</b> N/A <b>PROJECT NO.:</b> N/A
<b>ADDITIONAL APPROPRIATION REQUIRED:</b> N/A <b>ACCOUNT NO.:</b> N/A <b>PROJECT NO.:</b> N/A	
<b>To be completed by Department:</b> <input type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

**EXECUTIVE SUMMARY**

A joint workshop was conducted on May 21, 2012 to discuss the Grand Avenue Master Plan prepared by Powers Brown Architect. At that workshop, there was discussion on the history of the area, selection of Grand Avenue as a focal point of Oldtown Site, and recommendations for future development. Agenda memo from that workshop has been included in the packet.

At the workshop, the Council and Planning and Zoning Commission directed staff to proceed with Comprehensive Plan amendments to incorporate the recommendations of the Grand Avenue Plan. Zoning changes are not proposed at this time, and it is anticipated that the amendment will assist in facilitating future growth in accordance with the plan.

After this joint public hearing, two readings of the Ordinance will be scheduled on October 8, 2012 and October 22, 2012.

**RECOMMENDED ACTION**

Consider the proposed amendment.

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

<b>AGENDA OF:</b> June 4, 2012	<b>ITEM NO.:</b>
<b>DATE SUBMITTED:</b> May 9, 2012	<b>DEPARTMENT OF ORIGIN:</b> Planning
<b>PREPARED BY:</b> Lata Krishnarao	<b>PRESENTOR:</b> Lata Krishnarao
<b>REVIEWED BY:</b> Mike Hodge	<b>REVIEW DATE:</b> May 14, 2012
<b>SUBJECT:</b> Grand Avenue Master Plan	
<b>EXHIBITS:</b> Draft Grand Avenue Master Plan, Letter from Old Townsite Business Coalition.	
<b>EXPENDITURE REQUIRED:</b> <b>AMOUNT AVAILABLE:</b> <b>ACCOUNT NO.:</b>	<b>AMOUNT BUDGETED:</b> <b>PROJECT NO.:</b>
<b>ADDITIONAL APPROPRIATION REQUIRED:</b> <b>ACCOUNT NO.:</b> <b>PROJECT NO.:</b>	
<b>To be completed by Department:</b> <input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

**EXECUTIVE SUMMARY**

City of Pearland has been working with Powers Brown Architects for the past few months on formulating development guidelines for Grand Avenue area.

In 2006, the design firm of H3 Studio was hired by the city to prepare a plan for the Old Town Site. The development plan and zoning guidelines were adopted by the city in 2006. Subsequently, it was realized that the anticipated growth, market forces, prevailing development patterns, and phasing of improvements would not support high density, compact development as proposed and that the development guidelines needed to be modified to respond to current conditions. With the assistance of a task force, city amended the development guidelines to provide flexibility to allow "traditional" suburban kind of developments.

Since then the Old Townsite Business Coalition has been established and they have evidenced interest in exploring measures that would provide a better identity and a sense of place to downtown.

A need for a better defined vision was also necessary to ensure that utilities, sidewalks and other public improvements that were identified in the city's Capital Improvement Plan were undertaken in a manner that supported the long term vision.

Pearland Economic Development Corporation and Planning Department serve as staff liaison to the Oldtown Site Coalition. These departments, in conjunction with City Administration, have been working with the consultants over the past few months to identify this "downtown core" and explore options to facilitate future development of this area as a focal point of Oldtown Site.

Grand Avenue was identified as an appropriate site based on the following:

1. Grand Avenue (north of Broadway) has existing elements that already serve to provide a strong sense of identity that is unique from other areas of downtown.
2. Adjoining uses along Grand Avenue, north and south of Broadway consist of public and semipublic uses that bring in people from surrounding areas. These uses include churches, community college, day care, senior center, and private and state offices.
3. Grand Avenue has an existing right of way that is conducive for most of the improvements to take place within the right of way.
4. It is a central location in the "east side" of Pearland that would provide a place for citizens to gather and activities to happen, as desired by the east side resident.
5. Vacant and under-developed land exists along Grand Avenue that has potential for future development.

In addition to identifying improvements for Grand Avenue, the Plan also emphasizes the need for development guidelines for adjoining properties to ensure that a pedestrian friendly environment is created. The Plan recommends adoption of form based codes to ensure that buildings define the street, and the interface between the buildings (private realm) and the street (public realm) happens in a manner that is attractive to pedestrian and encourages outdoor activities. Form based codes will also allow flexibility and mix of uses, that would be difficult to achieve in traditional zoning.

The Plan acknowledges that the old airport site at the culmination of Grand Avenue (south of Walnut Street) provides opportunities to be an integral part of this plan, and serve as a focal point.

While this Plan encourages similar urban design principles as the H3 Studio Plan, one major difference between this Plan and the Plan proposed by H3 Studio is the scale. While the H3 Studio's plan envisioned a denser development with 3-4 story high buildings and high density residential, this Plan responds to the existing growth patterns and allows a smaller scale development that would be comparable to existing densities in Pearland, similar to other smaller downtowns such as Fredricksburg, Bryan, etc.

Staff presented this Plan to the Old Townsite Business Coalition at two meetings in Spring of 2012, and their letter in support of the Plan has been included in the packet.

If the Council and Planning and Zoning Commission direct staff to proceed, next steps would to amend the City's Comprehensive Plan and Unified Development Code to incorporate the recommendations of the Plan.

#### RECOMMENDED ACTION

Conduct the workshop

## PLANNING INITIATIVE #1

*Reinvent the old townsite as a modern village with a compatible mix of residential and nonresidential uses.*

### Introduction

Pearland's original town site is one of many nineteenth century villages in the central and eastern United States that have been engulfed by suburban development. Numerous crossroad villages are now encompassed by larger lot subdivisions on former agricultural land, infiltrated by commercial strip development, and subjected to heavy traffic. As a result, the village loses its original identity, frequently becoming an island within an expanding town or city.

Meanwhile, the village form, long disregarded or ignored as a vestige of the rural past, has been rediscovered. A number of architects, planners, and developers have embraced the self contained, tightly gridded, walkable village - identified by a seamless mix of residential, business and civic uses - as a viable alternative to the spacious, auto-dependent suburban development with its curvilinear streets and strict separations of uses. The nostalgic popularity of the village form is being used as a marketing tool to produce instant "villages" or "neotraditional towns" that may differ from the standard subdivision only in their inclusion of a central square or houses with gingerbread trim.

Although Pearland's old town has lost much of its original identity, the area still includes certain elements commonly used to define a village. It is compact, has a mix of smaller scale residential and business uses, and has a fairly well-defined edge.

The total size is less than one square mile and almost all of the area is within a one-half mile waling distance of Broadway and Main. Many of the City's largest and finest trees are also located here. With carefully designed land use controls and site development guidelines, Pearland's old town can assimilate new development and regain its village identity.

### Boundaries

The old townsite comprises a rectangular area of about 320 acres as shown on Figure 5.2. The area is centered at the crossroads of State Highway 35 and F.M. 518 and is defined by the following streets:

North -	Orange Street
East	Galveston Avenue
South	Walnut Street
West	Austin Avenue



• Land Use

Figure 5.3 indicates current land uses. Most surprising is the prevalence of single family residential on many of the interior streets, especially west of the railroad. Multi-family residences are limited to about twelve, scattered sites. As expected, businesses are congregated along the two major streets. Additional businesses have located along several of the interior streets in the southeast quadrant. This quadrant also has the largest number of vacant lots. Business uses include a wide variety of retail stores, restaurants, offices and personal services. Most are small in size.

Public and semi-public uses include several churches north of Broadway, the Senior Citizens Activity Center on South Grand, and the old city hall building on N. Texas which is now known as the Pearland Neighborhood Center and used by several social service agencies. Pearland's main post office is at the southeast corner of the old townsite.

The area also includes a few, small, light industrial uses, mostly located alongside the railroad. Building heights throughout the townsite are all one or two stories.

Figure 5.3:  
Current  
Land Use  
& Zoning



- Existing Zoning

As shown on Figure 5.3, most of the area west of the railroad is zoned MF- Multi-Family, despite the prevalence of single family use. Lots fronting Broadway west of the railroad are zoned GB - General Business (Retail), as is most of the townsite east of the railroad. A number of single family homes are also included with the GB District. A few small tracts in the northeast quadrant have been zoned OP - Office and Professional. Several blocks along South Main and the railroad are zoned Commercial (C). The Land Use and Urban Development Ordinance states that the commercial district is intended to permit a wide variety of businesses characterized by those uses that require an extensive amount of land for the conducting of business. However, most of existing commercial uses within the townsite are less than one acre. The "C" District also permits a wide variety of outdoor activities and uses including outdoor display, storage and sale merchandise, equipment and vehicles.

The minimum lot sizes required by the Land Use and Urban Development Ordinance for the MF, GB, OP and C districts range from 65,000 for multi-family to 12,500 for office and professional. General business and commercial uses require parcels with at least 22,500 square feet. As noted earlier, the old townsite was originally subdivided into lots about 3,125 square feet each.

The existing townsite zoning reflects the direction of past comprehensive planning efforts. The 1978 Plan, reiterated in the 1988 Update, proposed that land east of the railroad be used for a concentration of personal and professional services. West of the railroad, the Plan stated that "the major use and support facilities are keyed to multiple-family development". The F.M. 5 frontage was identified for business use. Today, the existing zoning appears to be a misfit in light of the street and lot pattern, lot sizes, and continued presence of single family use along many of the interior streets.

## Development Plan

The Village District depicted on the Land Use Plan is intended as an area of low to medium intensity uses normally associated with the traditional village. The district should include a well planned and integrated mix of residential, business and public/semi-public uses. The development plan for the old town site provides the opportunity to create a unique, inner-city community that contrasts with and provides an alternative to standard land development patterns seen elsewhere throughout the City.

Principal plan elements include the following:

1. *Utilize the present street and alley grid as a framework.* The existing grid keeps distances scaled to pedestrians rather than automobiles, allows small but flexible development increments, and establishes a readily identifiable area.
2. *Develop a corridor of large shade trees along Broadway and Main within the limits of the district.* The old town site includes many, wonderful species of trees with canopies extending well out over the streets. However, the two most prominent thoroughfares sorely lack a similar appearance. The City should develop a master street tree planting plan for Broadway and Main to include a single row of equally spaced trees along each side of each street. The tree row should be consistently located just inside or outside street right-of-way depending on utility lines and the degree of cooperation provided by the Texas Department of Transportation (both are State roads).
3. *Devise zoning standards that are both more flexible and more sensitive to design issues than conventional zoning.* Special land use controls will be needed to foster the diversity inherent in the traditional village. A typical village zoning district permits a mixture of residential business and civic uses. A block-by-block variety of uses should be sought rather than large areas of houses separated from offices and businesses.
4. *Recognize and enhance the individual character of each of the four quadrants that comprise the Village District.* Using Broadway and Main as dividing lines, each quadrant has its own atmosphere reflective of existing land use, the railroad's influence, degree of vacant land, and extent of large canopy trees. The varying traits of each quadrant collectively enrich the village as a whole.

A single species with a required minimum size, should be used. The master plan can be implemented incrementally as properties develop and redevelop. The City's Land Use and Urban Development Ordinance already requires street trees as part of private site development. The master plan would prescribe the specific type and locations of trees to be planted in order to create a cohesive and unified streetscape. This simple, but challenging task, offers the greatest long-term impact in identifying and enhancing the Village District.

Village  
Zoning

5. *Identify, preserve and protect historical buildings which reflect Pearland's heritage.* Historic preservation in Texas requires public sector persistence and private sector cooperation. The City can encourage historic preservation by offering to modify land use, land development or building code requirements which might otherwise be detrimental to a worthy site.

Appropriate zoning regulations for the Village District should address land use as well as setbacks and dimensional standards.

1. Land Use

Residential uses should primarily be a variety of low and medium density housing. Townhomes are an excellent option which could individually fit on the standard 25' x 125' sized lot. Multi-family development, as a stand alone use, should be limited to conversions of existing buildings.

A common characteristic of many traditional villages is inclusion of a secondary residential building on a single-family lot. The secondary unit, whether rented or used as an elder cottage, is a means of providing affordable rental housing in a non-intrusive manner. This encourages a far wider range of ages, incomes and lifestyles than the typical suburban neighborhood. The size of the secondary building and its parent lot must be adequate to avoid overburdening the lot with parking or paving.

Alley rights-of-way located throughout the area provide an excellent means to access residential uses. Rear-entry garages allow the front yard to remain "green", thus improving the streetscape, especially on narrow width lots.

Business uses should be restricted to those that fit their surroundings in terms of size, scale and intensity. Larger, traffic intensive uses should be located along Broadway and Main or between Main and the railroad. Large scale commercial uses or those characterized by outdoor activities and storage should be discouraged within the Village District and encouraged within the City's commercial and light industrial areas as defined by the Land Use Plan.

An important element of village zoning is mixing several uses in a single building. Uses can be mixed horizontally or vertically. An acceptable combination found in many traditional villages is a ground floor business and a second floor residence.

The appropriateness of a given use often depends less on the use itself than on its size, scale and design. For example, a limited number of small, professional office uses may be acceptable in a largely residential district if similar in appearance to nearby homes.

2. Setbacks and dimensional standards

Village standards usually represent a substantial reduction from suburban standards. Other standards may become variable.

- Minimum lot widths are one example of a standard that should vary by primary use. Recommended minimum lot widths include:
  - 25' for single family attached (i.e. townhomes)
  - 50' for single family detached
  - 75' for all other uses fronting on local and collector streets
  - 100' for all uses fronting on major thoroughfares

## Village Design

- Lot depths are already well defined by the street and alley grid; hence, there is little need to prescribe a minimum lot depth or lot size. However, maximum lot sizes and floor areas should be defined for business uses when located on local or collector streets. Maximums may vary by individual uses.
- Recommended front yard setbacks include:
  - 25' on major thoroughfares
  - 15' on other streets, or 20' where a garage faces the street
- Maximum building heights throughout the Village District should not exceed three stories.

Design guidelines for the Village District should include the following principal components:

### 1. Architectural compatibility

The old town site is not a perfectly preserved relic of a particular historical period, rather it is an eclectic collection of architectural styles spanning many decades. Consequently, compatibility is more important than conformity with regard to construction of new buildings or building additions. Architectural elements that should be reviewed to promote compatibility include:

- building design and detail
- building size, scale and height
- front facade windows
- materials and details
- roof shape
- placement of the lot
- treatment of side and rear facades facing existing buildings or side streets

A number of existing buildings offer little architectural value. It may become more desirable for nearby new

construction to offer improvement instead of compatibility.

### 2. Control of Parking

- Discourage front-yard parking except for lots facing major thoroughfares. Domination of the streetscape by front-yard parking is a typical element of the commercial strip, and one of the most visible intrusions into the village setting
- Encourage parking within side and rear yards and utilize alley rights-of-way for driveway access.
- Encourage shared driveways to decrease curb cuts along street frontages. Shared driveways in combination with rear yard driveways off alleys can establish a traffic circulation system that bypasses much of the street frontage. Shared driveways can also allow increased parking and landscaping on small parcels.
- Permit on-street parking on collector and local streets with standard pavement widths. On-street parking already is in place along portions of Grand Avenue.
- Prohibit structured parking except for single-family residences

### 3. Enhanced Streets

- Where space allows, provide sidewalks along all streets to allow pedestrian accessibility. (Drainage considerations may not allow sufficient space for sidewalks in certain locations.) Sidewalks are essential to a pedestrian-friendly village but noticeably absent throughout most of the old townsite. Especially important is pedestrian access across the railroad. Sidewalk construction should be included with every village street improvement project.

*A Tax Increment  
Reinvestment  
Zone is  
recommended*

- Maximize the width between the sidewalk and street curb to allow greater distance from vehicular traffic and more room for shade tree plantings and other landscaping
  - Incorporate decorative street pavement at key points and intersections
  - Install nostalgic, decorative street lights, with a height less than those of standard fixtures
  - Install uniform, decorative traffic signal fixtures
  - Utilize custom designed street signs at all street intersections within the Village District
4. Squares and Public Spaces
- Redevelop the old school yard, north of the former C.J. Harris Elementary school building, into a pocket park
  - Acquire public open space along the west side of the railroad to develop a heavily treed landscape buffer. A visual buffer from the railroad would also encourage development of currently vacant lots.
  - Incorporate smaller sized gathering places within private developments such as a wide walkway between buildings with benches or low walls for seating, or a restaurant with outdoor seating in a front or side yard.
5. Restricted Signage
- Encourage compatibility with site architecture and building materials
  - Prescribe minimum sign setback lines from street right-of-way
  - Allow ground signs, projecting signs and wall signs (which may include window or awning signs).
  - Reduce the allowable sign face area, height, and width for lots

fronting on non-major thoroughfares streets

- Confine signs on multi-tenant buildings to a long continuous information band directly above the storefront or applied directly to the display window.
- Permit one small sign advertising a home occupation
- Require external sign illumination; discourage internally illuminated "box" signs

### Implementation

The Village District can best be implemented through its own, individual zoning district which identifies opportunities for residential uses with compatible business and service uses and supporting recreational, educational, cultural and civic facilities. Permitted uses can be categorized in one of three ways:

- Allowed, by right
- Limited, subject to specified performance standards
- Conditional, subject to specified performance standards and requiring a specific use permit

Design guidelines can be implemented in one of two ways - as part of the zoning district or simply referenced in the zoning district. The former alternative requires more specificity and establishes more rigidity. Guidelines provided as a separate free-standing document offer more flexibility and more room for creativity. The recommended funding mechanism for redevelopment is to establish a Tax Increment Reinvestment Zone (TIRZ). Taxes from new developments within the TIRZ could be used to finance infrastructure improvements, streetscapes, and public open spaces.



April 17, 2012

Lata Krishnarao, Director of Planning  
City of Pearland  
3519 Liberty Drive  
Pearland, Texas 77581

Re: Grand Boulevard Master Plan

Dear Lata:

Thank you very much for attending the March 20, 2012 meeting of the Old Townsite Business Coalition. At this meeting Powers Brown Architects presented the Grand Boulevard Master Plan to the Coalition. We are excited to begin developing a vision and plan to redevelop this corridor and would like to voice our support for the plan as well as activities facilitating the realization of this vision. This plan will solidify a redevelopment vision for the south section of Grand Boulevard in the historic district of Pearland for a capital improvement project at a future date. By working with the private property owners, city staff will be able to identify opportunities to work together on common infrastructure and potential catalytic projects that will stimulate development and redevelopment activity.

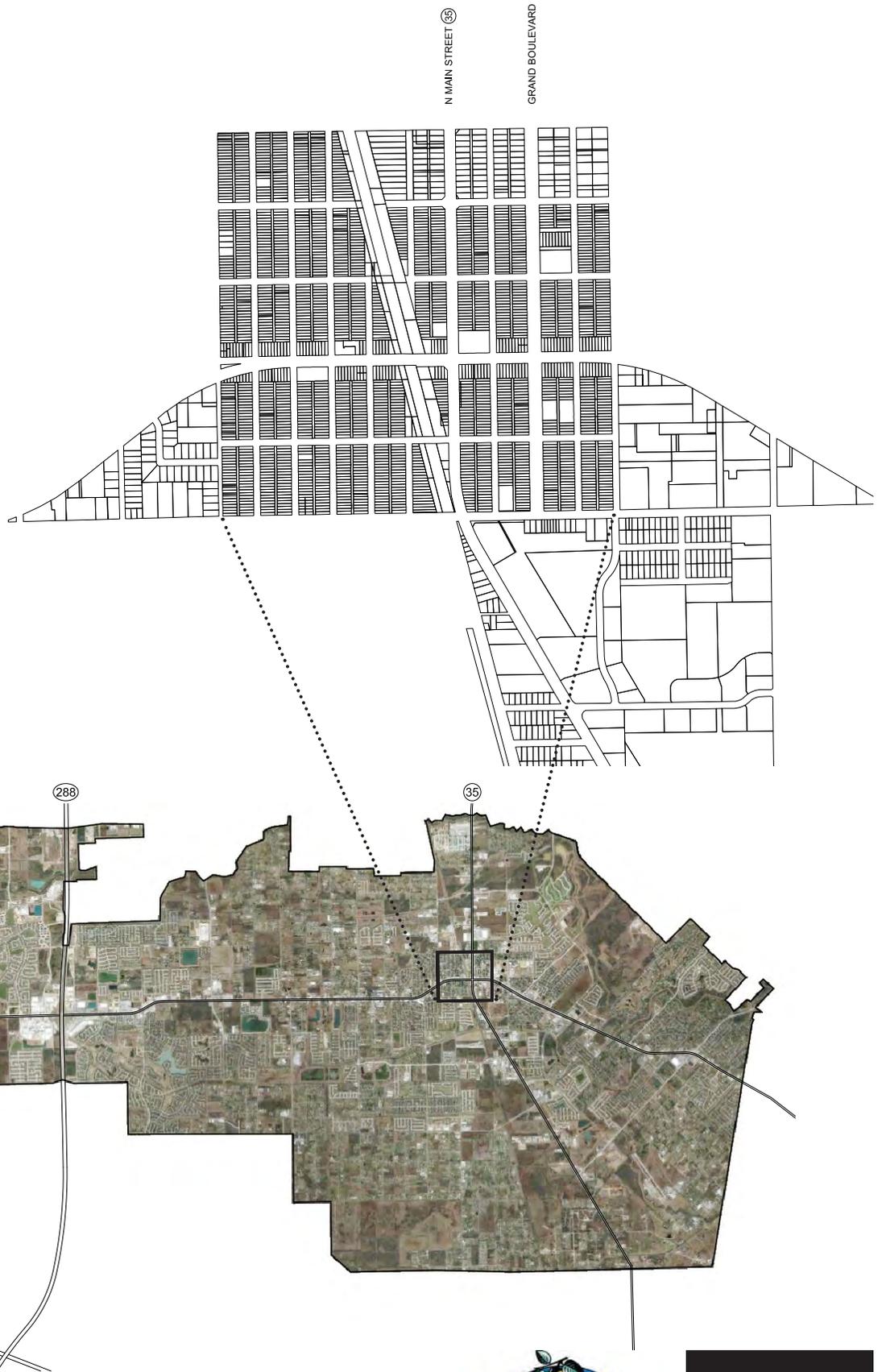
As this endeavor moves forward, the Coalition would be glad to assist you with community outreach as well as support during Planning Department and City Council sessions where both zoning and funding are being considered.

Again, thank you very much for your assistance on this endeavor and we look forward to our continued partnership.

Sincerely,

A handwritten signature in blue ink that reads "John Loessin".

John Loessin, President  
Pearland Old Townsite Business Coalition



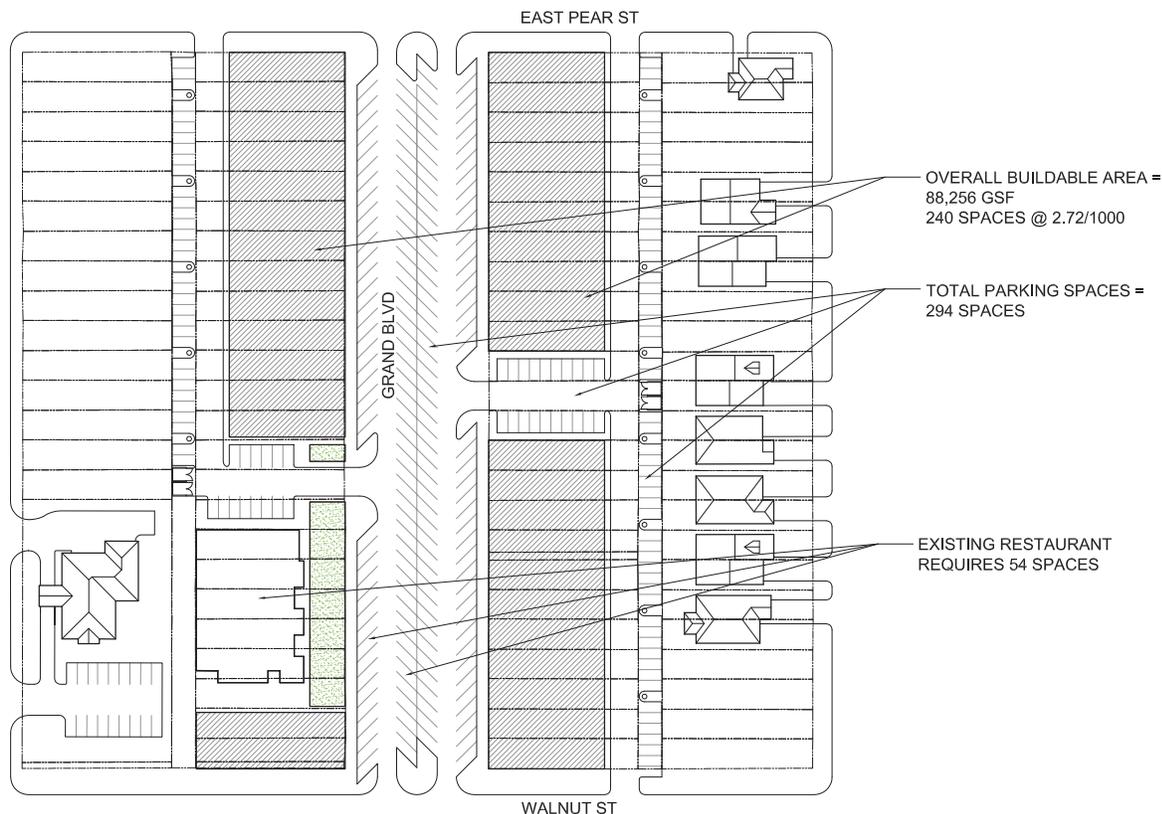
# GRAND BOULEVARD Pearland Old Townsite MASTERPLAN

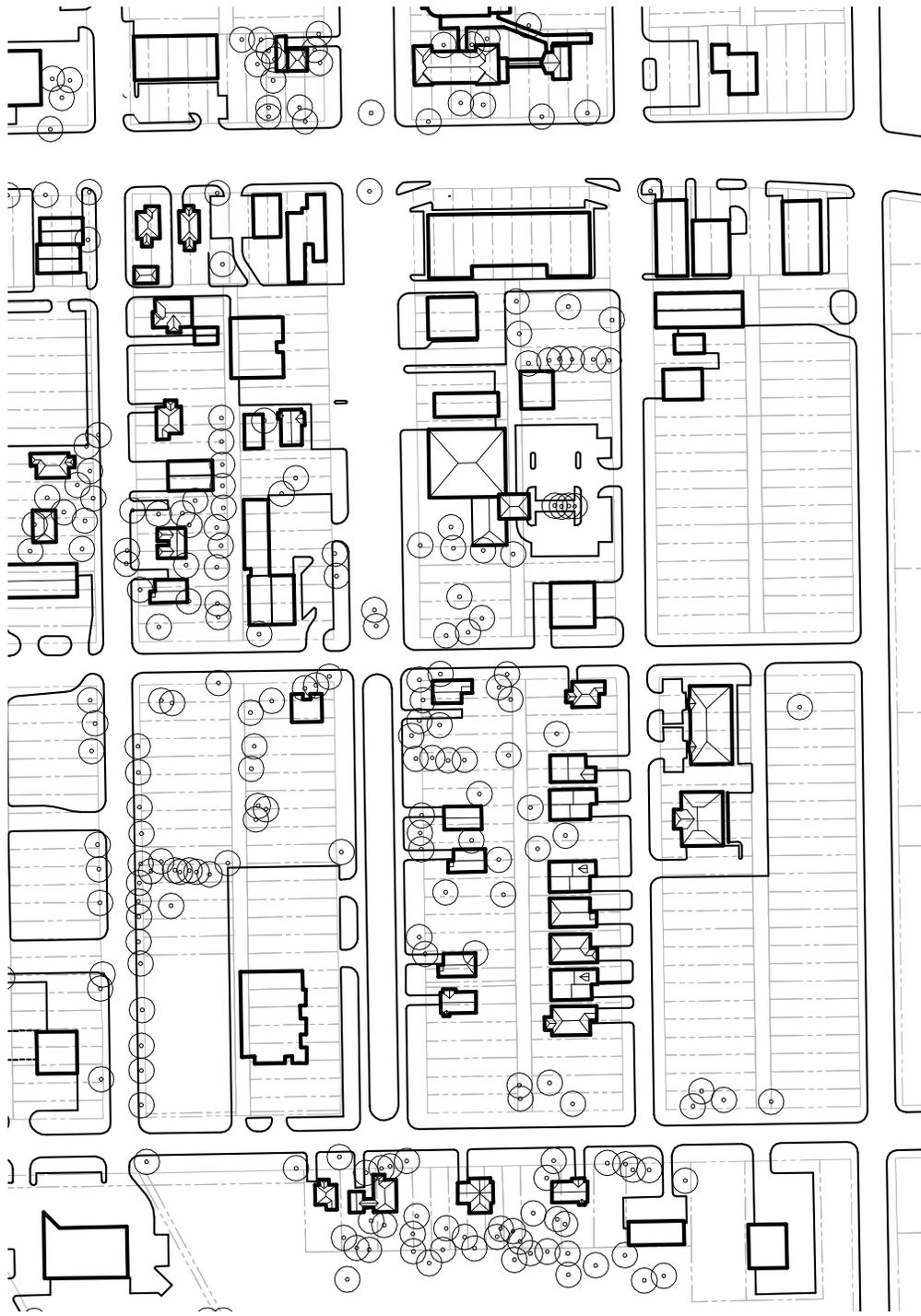


## SUMMARY:

Pearland is an attractive market from a demographic standpoint, the median and average household incomes are at the levels required to support retail. However, since the Pearland Town Center development is a large and successful venue, it will be very difficult to compete or replicate any resemblance of that project within the Pearland town square. Both nation and regional retailers want to be in either established developments or in new developments that have high visibility. Therefore, I (Midway) feel the town square area will mainly attract local retailers and office users who are already in the area. Per our limited research and analysis, I feel a “boutique” retail and office development would be most appropriate. I would plan a development with an “old town square” feel and look at 10,000 – 15,000 of retail on the bottom floors, 15,000 – 20,000 of office on the upper floors, and a nice central plaza for outdoor events/concerts/movies. Prospective retail tenants would include local restaurants, bakeries, coffee bars, wine bars, and local apparel. Prospective office tenants would include law offices, doctor offices, and maybe quasi-governmental agencies.

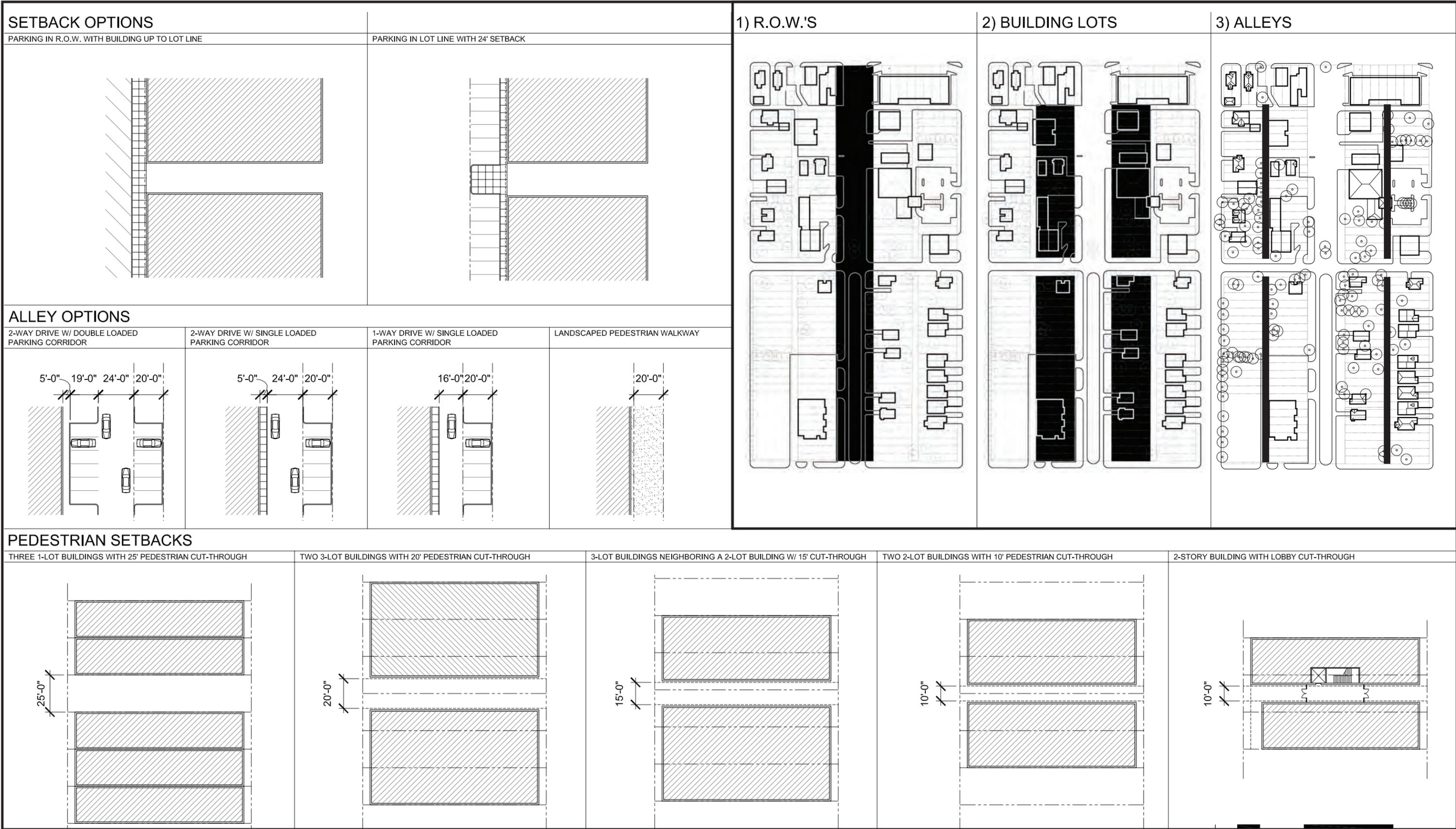
In summary, the site is attractive, but only for a “boutique play.” The Pearland Town Center development is going to receive the most attention from any branded retailer or restaurant, so the town square development will need to be a true community gathering place, leased by local firms.

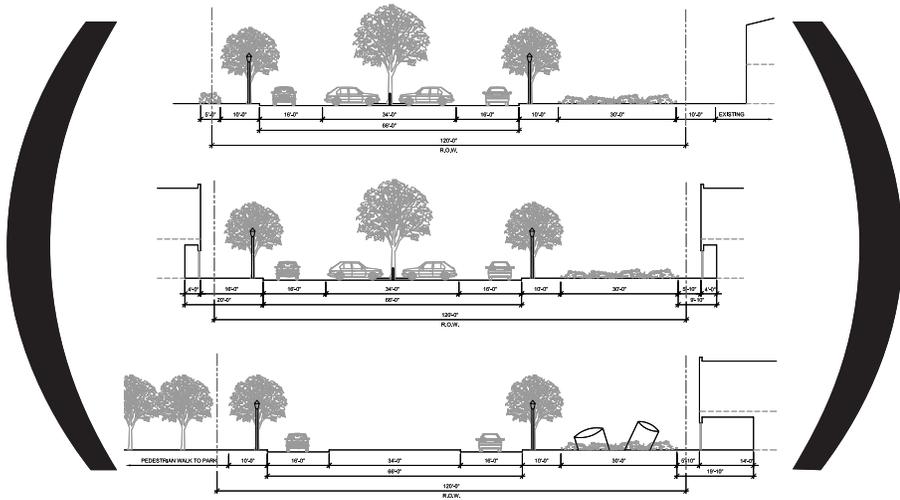




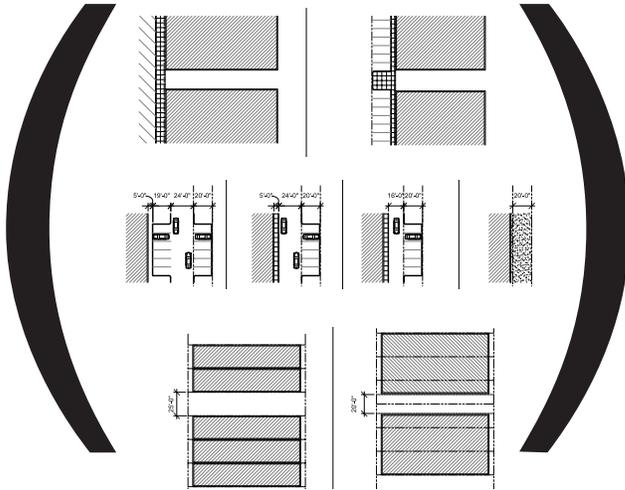
EXISTING SITE CONDITIONS



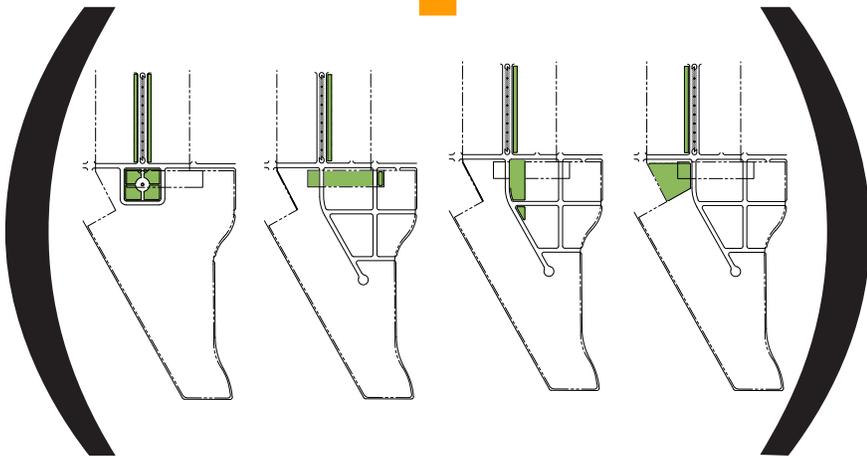




R.O.W.'S



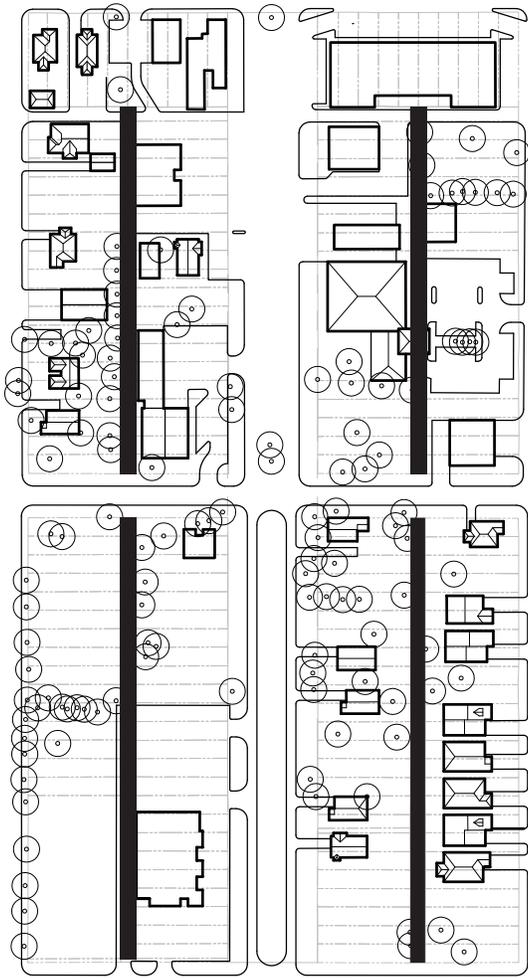
RULES



PARK  
STRUCTURE



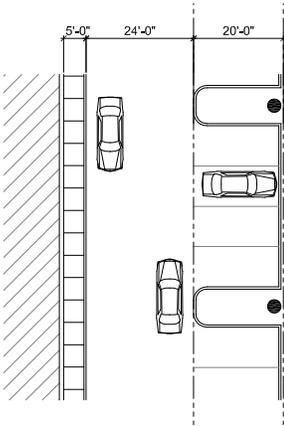
URBAN  
STRATEGY



▲ *Juanito's Restaurant*

*\*current precedent  
and code allows*

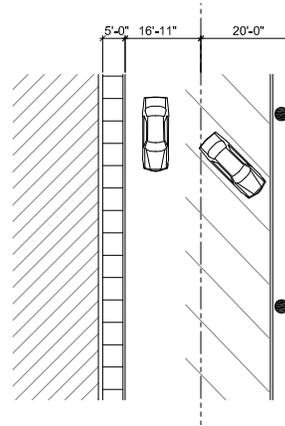




**OPTION 01**  
 90-degree parking with  
 landscape islands at  
 telephone poles

2-way drive for traffic and 5' pedestrian walk-way

building owners would be required to dedicate **29'-0"** of their property to the alley R.O.W.

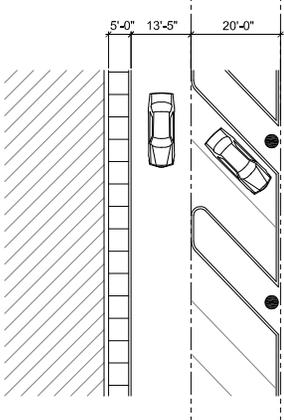


**OPTION 02**  
 4' landscape buffer to  
 accommodate telephone  
 poles

45-degree parking

one-way drive for traffic and 5' pedestrian walk-way

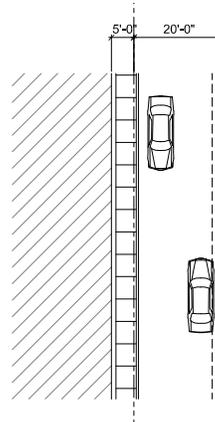
building owners would be required to dedicate **21'-11"** of their property to the alley R.O.W.



**OPTION 03**  
 45-degree parking with  
 landscape islands at  
 telephone poles

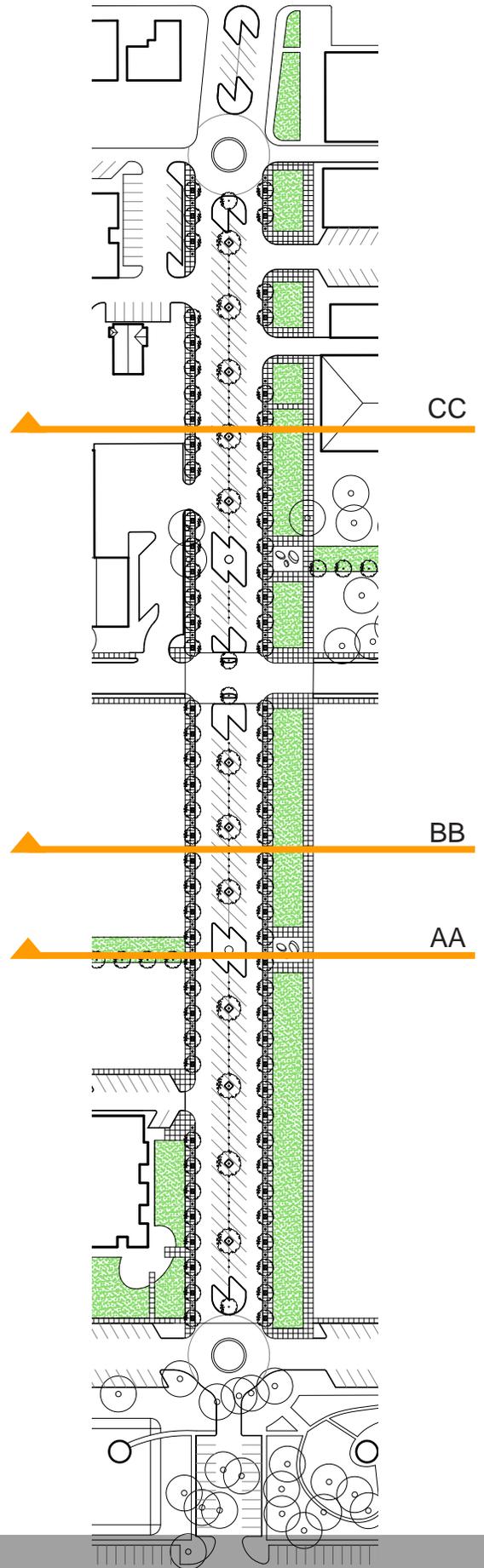
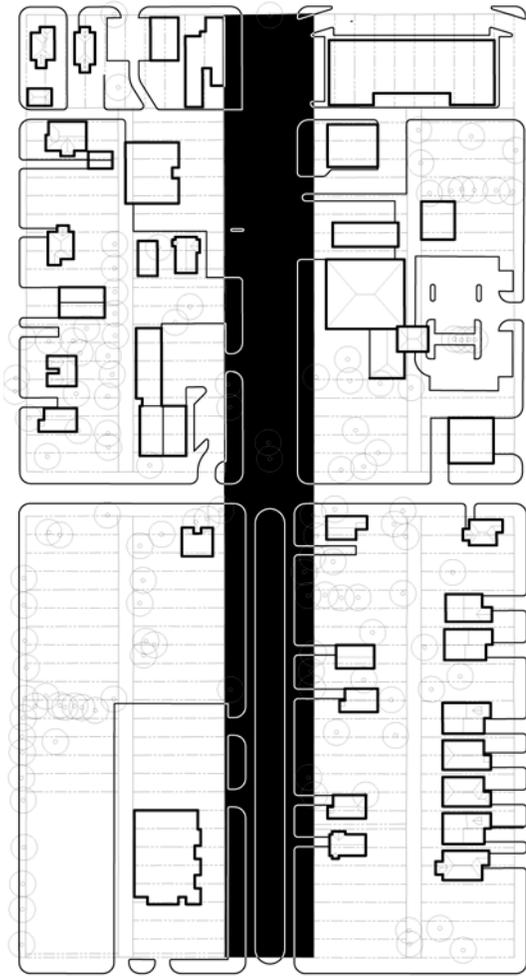
one-way drive for traffic and 5' pedestrian walk-way

building owners would be required to dedicate **18'-5"** of their property to the alley R.O.W.

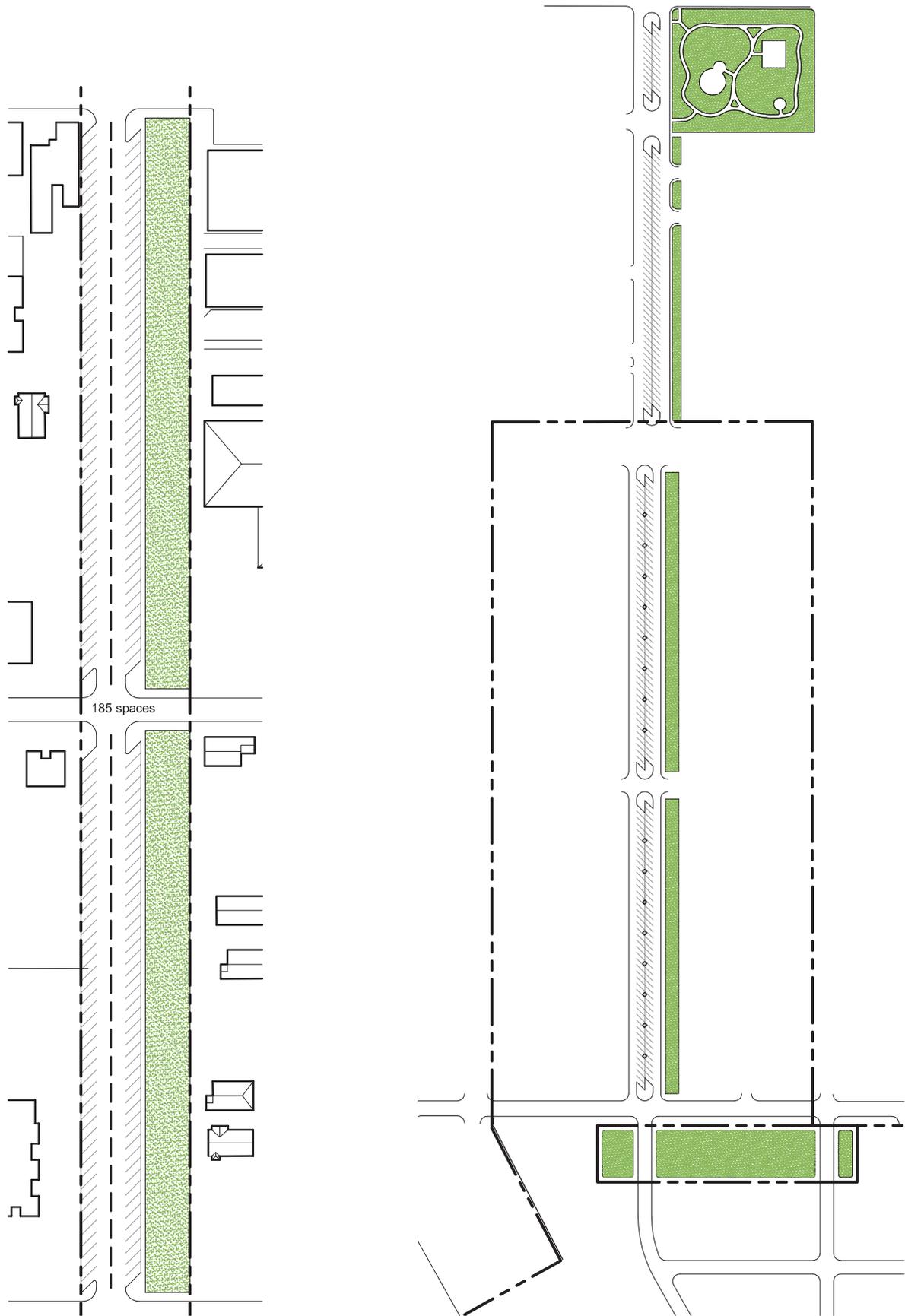


**OPTION 04**  
 20' 2-way drive for traffic  
 and 5' pedestrian walk-way

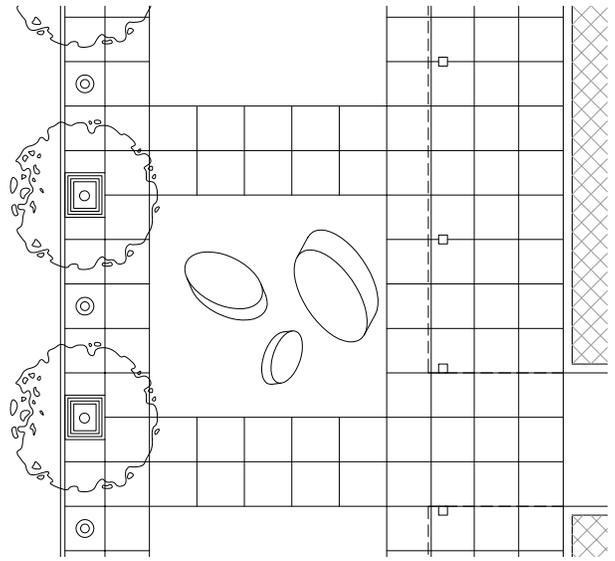
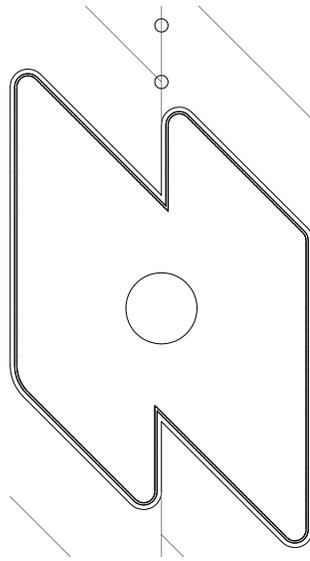
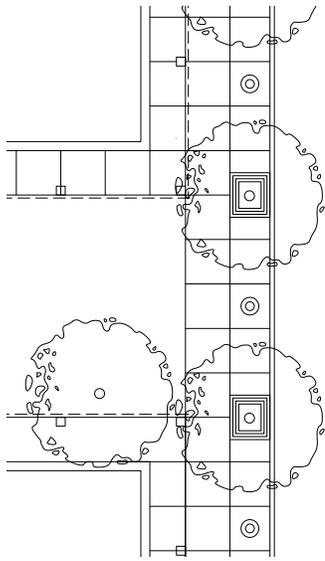
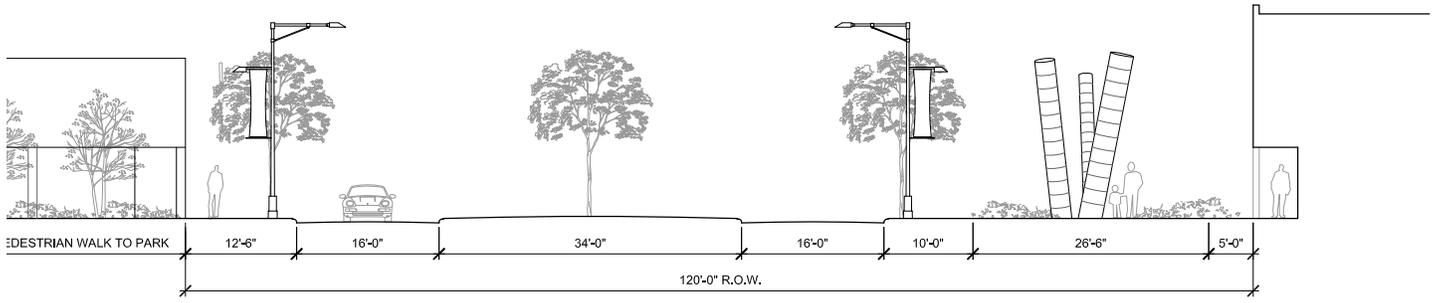
building owners would be required to dedicate **5'-0"** of their property to the alley R.O.W.\*



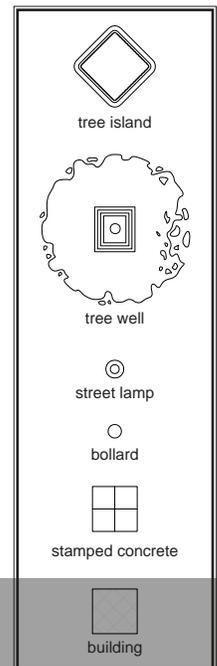
ZONES: RIGHT OF WAYS



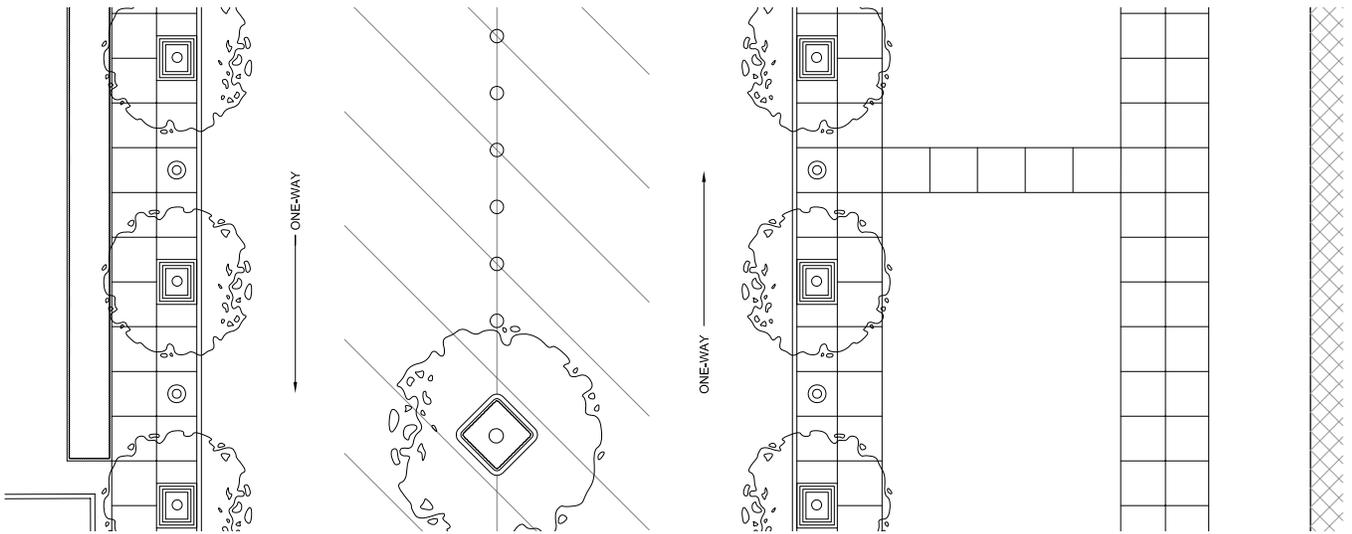
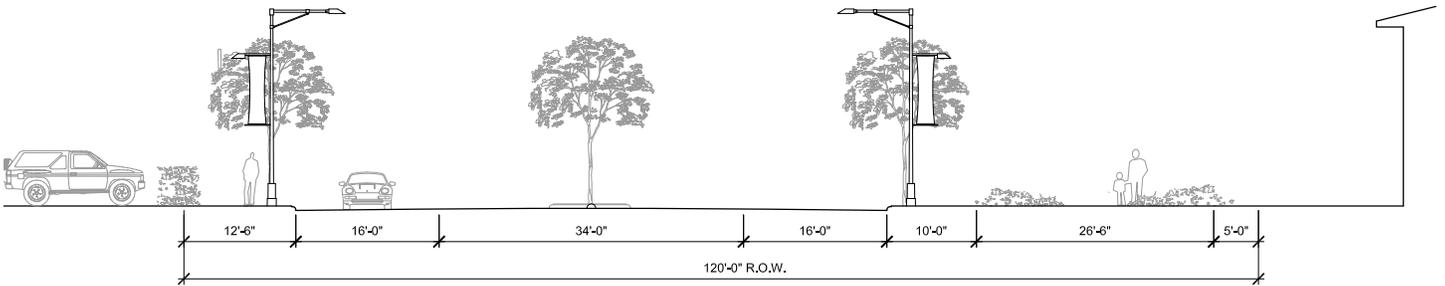
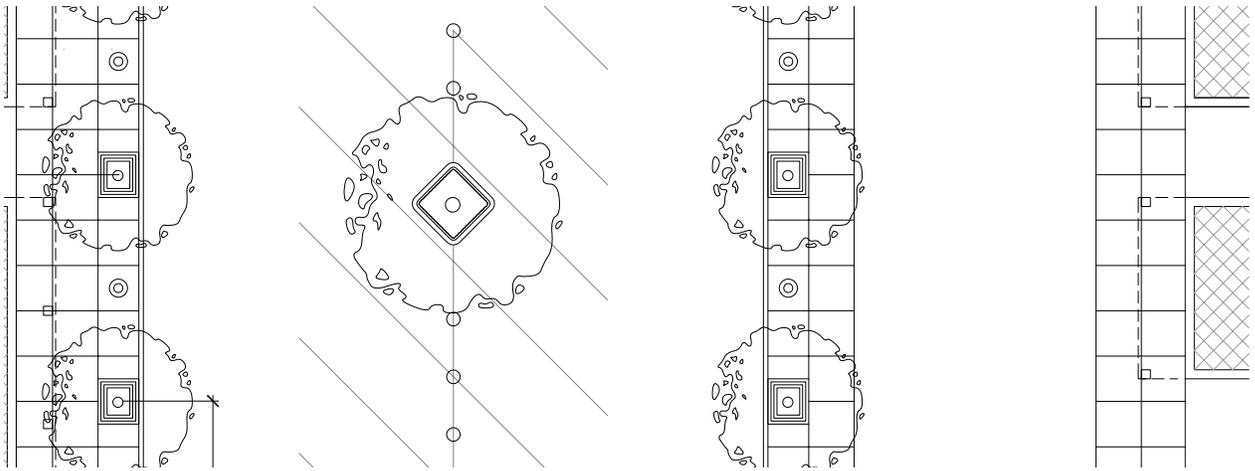
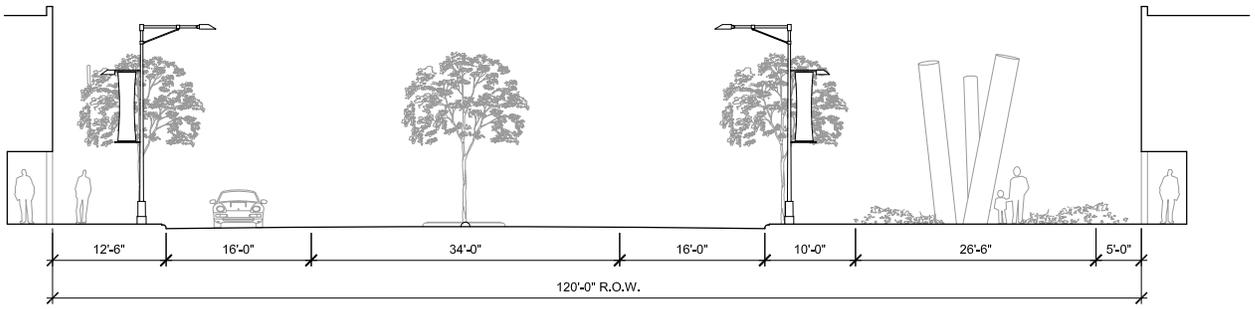
ZONES: RIGHT OF WAYS - CONCEPT



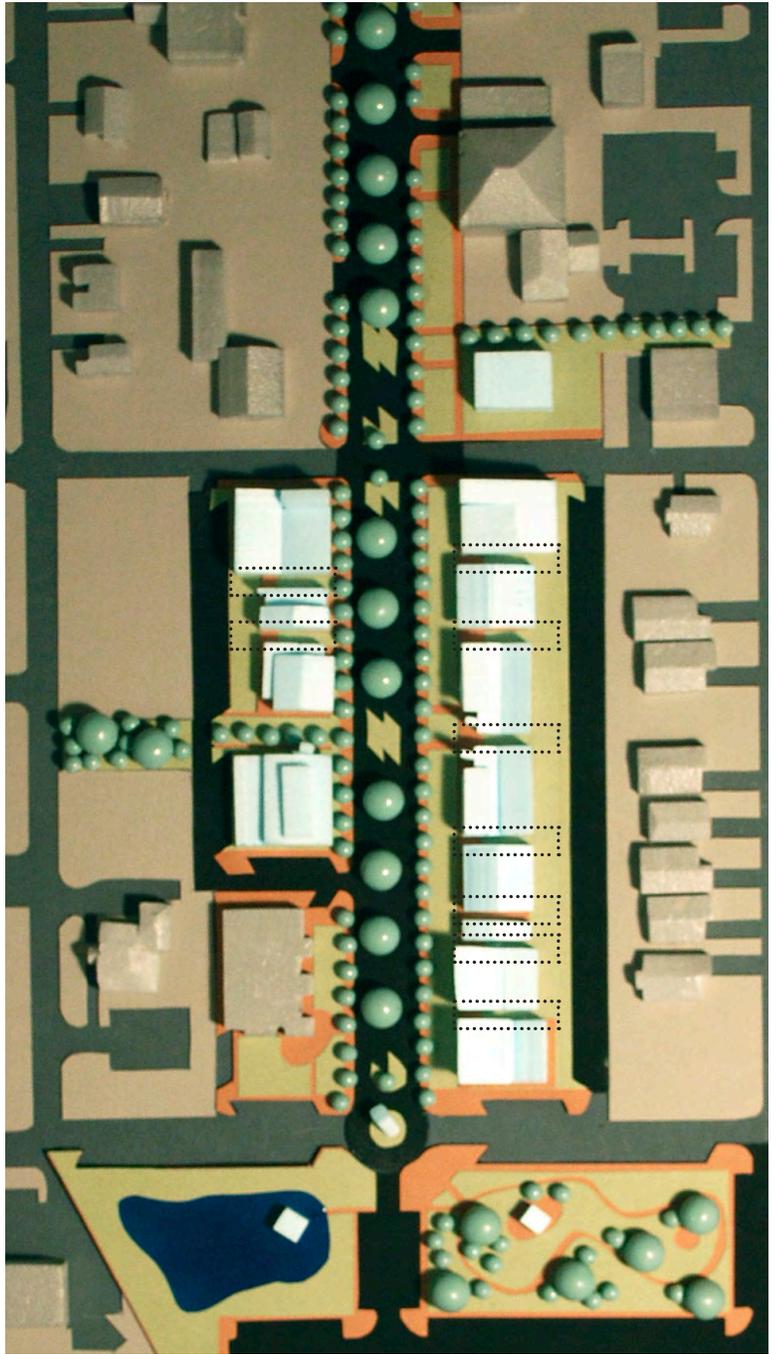
**KEY**

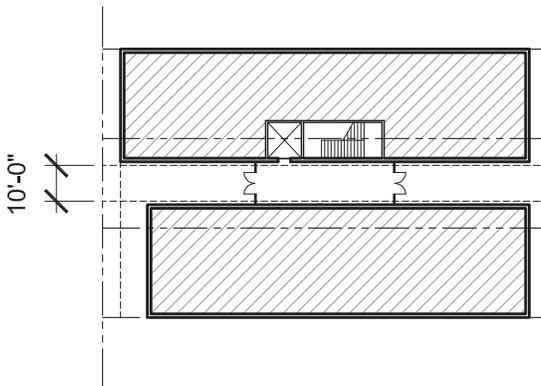
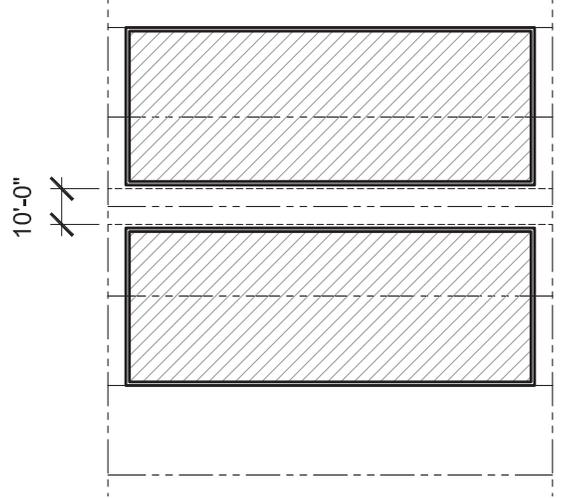
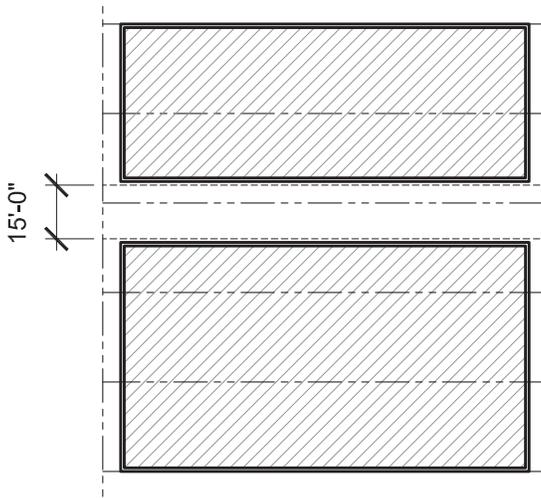
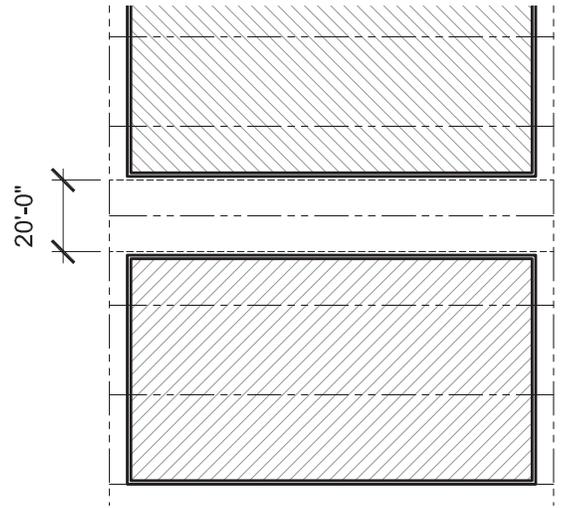
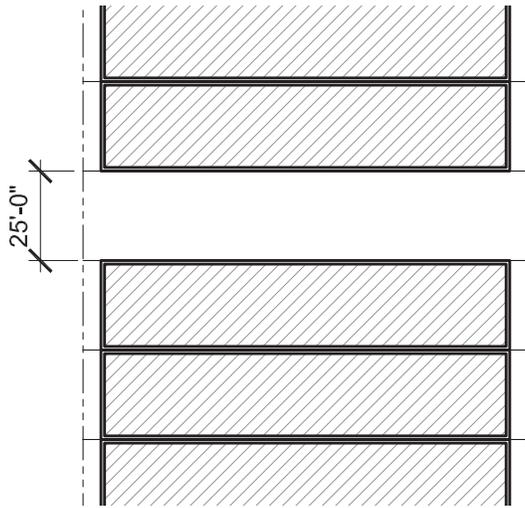


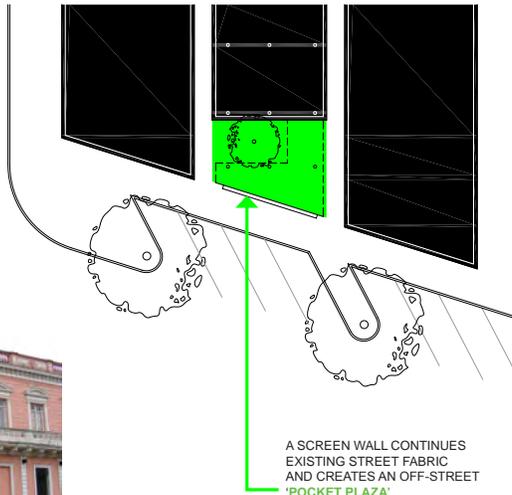
ZONES: RIGHT OF WAYS - SECTION AA



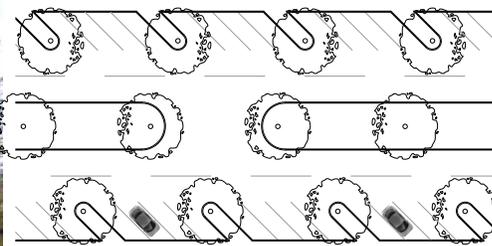
ZONES: RIGHT OF WAYS - SECTION BB | CC



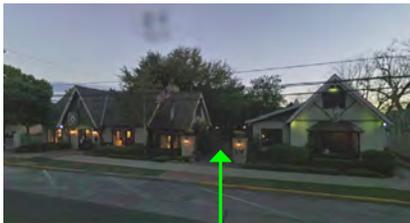
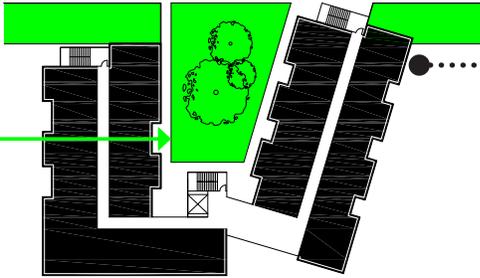




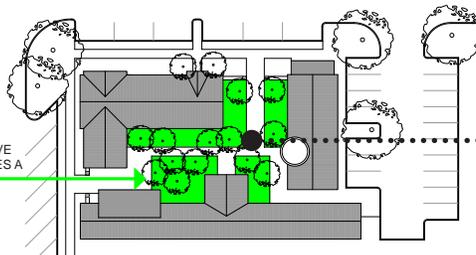
A SCREEN WALL CONTINUES EXISTING STREET FABRIC AND CREATES AN OFF-STREET 'POCKET PLAZA'



BUILDING FOOT PRINT CREATES OPPORTUNITY FOR 'FINGER PARK'



BUILDING PLACEMENT RELATIVE TO EXISTING BUILDINGS CREATES A 'POCKET PLAZA'

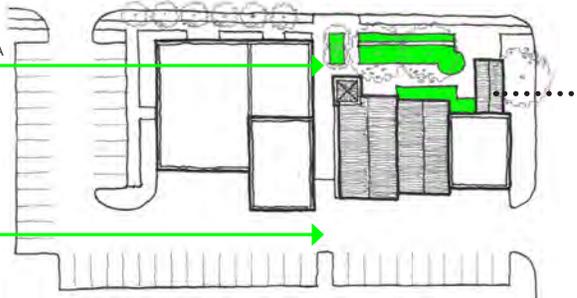


ZONES: BUILDABLE AREAS - PROTOTYPES



BUILDING PLACEMENT RELATIVE TO EXISTING BUILDINGS CREATES A 'POCKET PLAZA'

PARKING LOCATED IN BACK OF PROPERTY







VEHICLE SCREEN

PUBLIC ARTWORK IDENTIFIES CONNECTION TO BASEBALL FIELD

WALKABLE CONNECTION BASEBALL FIELD

DETAIL: BASEBALL CONNECTOR



'THE GROVE'

LOGGIA

PUBLIC ARTWORK IDENTIFIES CONNECTION TO GROVE

DETAIL: THE GROVE CONNECTOR



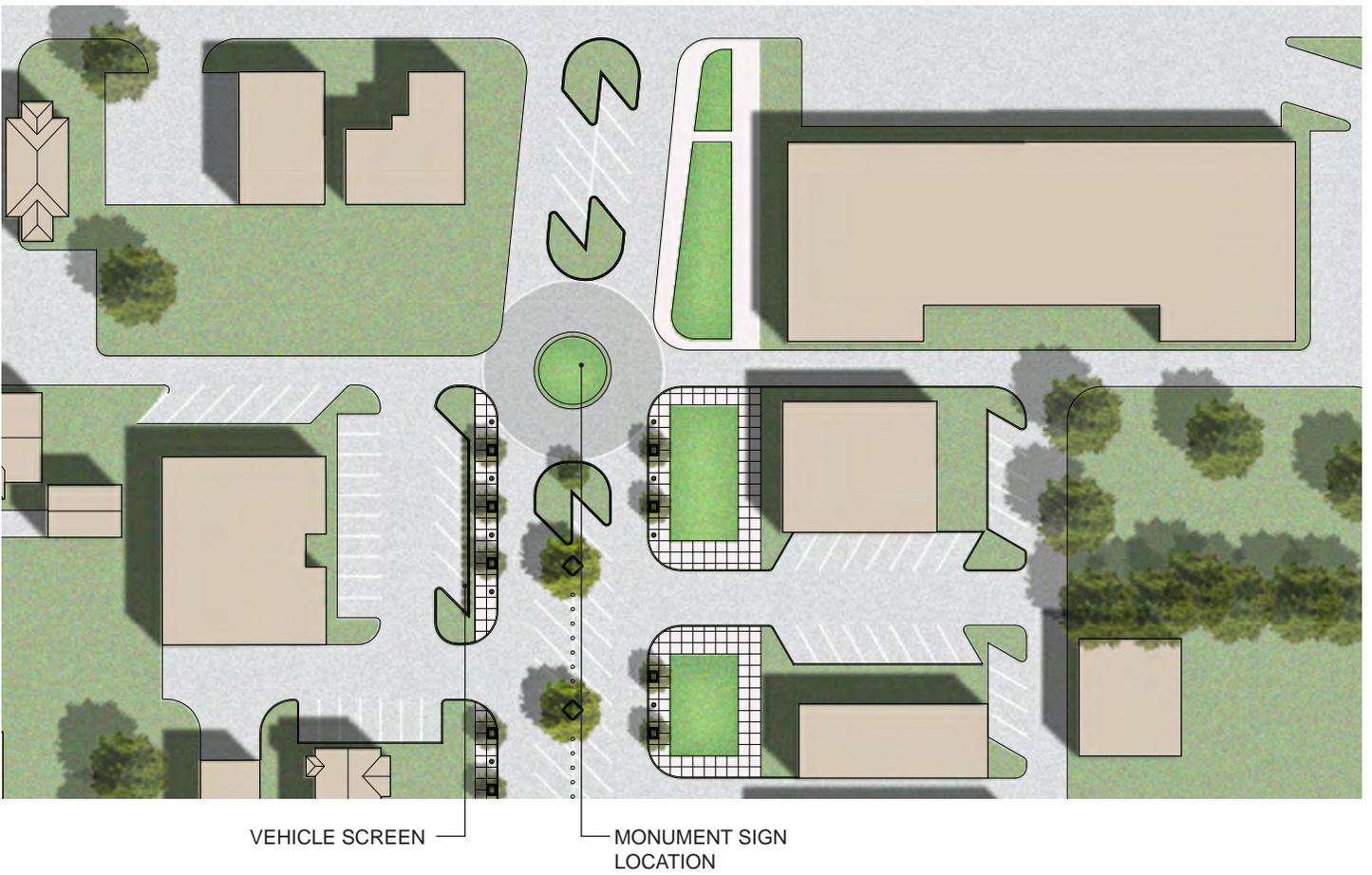
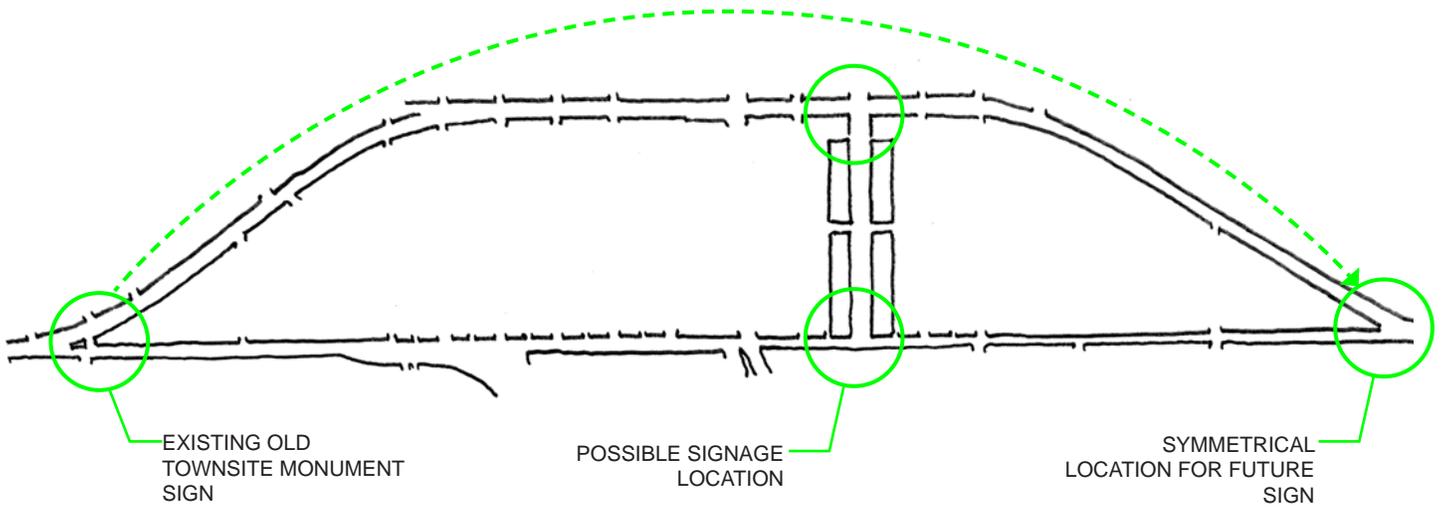
VEHICLE PARKING ON WALNUT ST

MONUMENT SIGN LOCATION

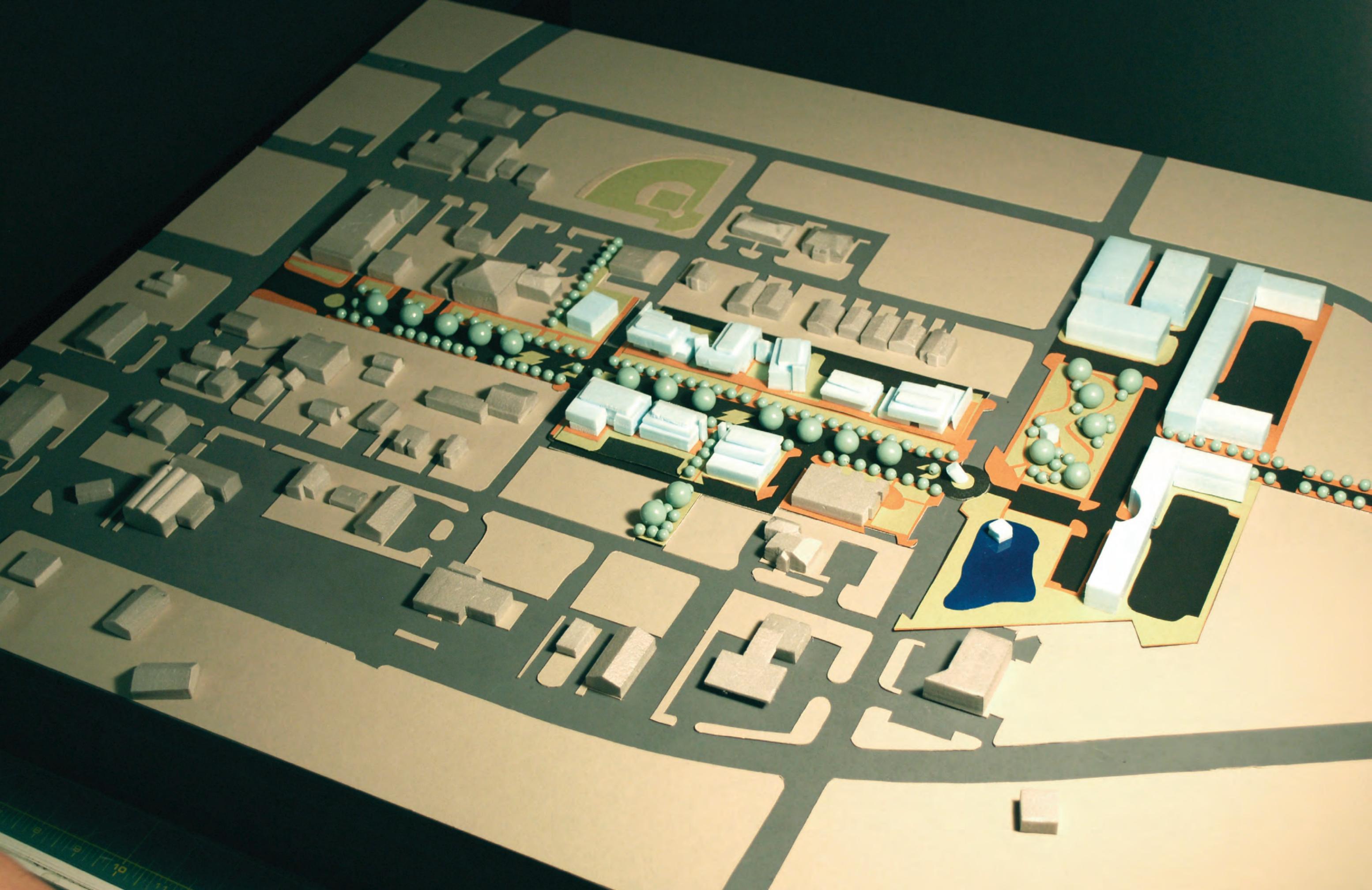
PEDESTRIAN WALKWAY

PARK

DETAIL: PARKS & SIGNAGE



DETAIL: MONUMENT SIGNS





VIEW FROM PROPOSED LINEAR PARK AREA



AERIAL VIEW OF MASTERPLAN

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD SEPTEMBER 17, 2012, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

- I. CALL TO ORDER
- II. PURPOSE OF HEARING  
Proposed Comprehensive Plan Amendment – Lower Kirby Urban Center
- III. APPLICATION INFORMATION AND CASE SUMMARY
  - A. STAFF REPORT
  - B. APPLICANT PRESENTATION
- IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST
- V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION
- VI. ADJOURNMENT

This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.

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

<b>AGENDA OF:</b> September 17, 2012		<b>ITEM NO.:</b> Joint Public Hearing	
<b>DATE SUBMITTED:</b> September 7, 2012		<b>DEPARTMENT OF ORIGIN:</b> Community Development	
<b>PREPARED BY:</b> Lata Krishnarao		<b>PRESENTOR:</b> Lata Krishnarao	
<b>REVIEWED BY:</b> Mike Hodge		<b>REVIEW DATE:</b> September 10, 2012	
<b>SUBJECT:</b> Joint Public Hearing to consider amendments to the Comprehensive Plan to include recommendations for the Lower Kirby Urban Center			
<b>EXHIBITS:</b> Exhibit 1 - Proposed Addendum Attachment 1 – Agenda request from the previous workshop Attachment 2 – Current sections from the Comprehensive Plan pertaining to Spectrum District Attachment 3 - Lower Kirby Urban Center - P & Z recommendation letter Attachment 4 - Lower Kirby Urban Center - Presentation on Proposed Form Based Codes Attachment 5 – Lower Kirby Urban Center Memo from PEDC Director Attachment 6 – Proposed Addendum			
<b>EXPENDITURE REQUIRED:</b> None		<b>AMOUNT BUDGETED:</b> N/A	
<b>AMOUNT AVAILABLE:</b> N/A		<b>PROJECT NO.:</b> N/A	
<b>ACCOUNT NO.:</b> NA			
<b>ADDITIONAL APPROPRIATION REQUIRED:</b> N/A			
<b>ACCOUNT NO.:</b> N/A			
<b>PROJECT NO.:</b> N/A			
<b>To be completed by Department:</b>			
<input type="checkbox"/> Finance <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution			

**EXECUTIVE SUMMARY**

A joint workshop was conducted on June 4, 2012 to discuss the Lower Kirby Urban Center Plan prepared by Gateway Planning Group. At that workshop, there was discussion on the process, components of the Plan, implementation strategy, and recommendations for future development. Agenda memo from that workshop has been included in the packet.

At the workshop, the Council and Planning and Zoning Commission directed staff to proceed with Comprehensive Plan amendments to incorporate the recommendations of the Lower Kirby Urban Center Development Plan. Appendix D of the Lower Kirby Urban Center Master Plan and Implementation Strategy contains recommendations for the development codes. This amendment proposes to include the contents of Appendix D as addendum to the existing Spectrum section in the Comprehensive Plan. Zoning changes are not proposed at this time, and it is anticipated that the amendment will assist in facilitating future growth in accordance with the plan.

After this joint public hearing, two readings of the Ordinance will be scheduled on October 8, 2012 and October 22, 2012.

**RECOMMENDED ACTION**

Consider the proposed amendment.

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

<b>AGENDA OF:</b> June 4, 2012	<b>ITEM NO.:</b>
<b>DATE SUBMITTED:</b> May 9, 2012	<b>DEPARTMENT OF ORIGIN:</b> Planning
<b>PREPARED BY:</b> Lata Krishnarao	<b>PRESENTOR:</b> Lata Krishnarao
<b>REVIEWED BY:</b> Mike Hodge	<b>REVIEW DATE:</b> May 14, 2012
<b>SUBJECT:</b> Lower Kirby Development Plan	
<b>EXHIBITS:</b> Power Point presentation dated November 22, 2010, Lower Kirby District Plan, Recommendation letter from Planning and Zoning Commission dated December 7, 2010, Memo from PEDC Director	
<b>EXPENDITURE REQUIRED:</b> <b>AMOUNT AVAILABLE:</b> <b>ACCOUNT NO.:</b>	<b>AMOUNT BUDGETED:</b> <b>PROJECT NO.:</b>
<b>ADDITIONAL APPROPRIATION REQUIRED:</b> <b>ACCOUNT NO.:</b> <b>PROJECT NO.:</b>	
<b>To be completed by Department:</b>	
<input type="checkbox"/> Finance <input type="checkbox"/> Legal <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution	

**EXECUTIVE SUMMARY**

City of Pearland has been working with Gateway Planning Group on a development plan for the Lower Kirby district, formerly known as Spectrum. This district is located at the south west of the intersection on SH 288 and Beltway 8. After a series of workshops, charettes, consultations with property owners, and input from city, county, and state departments, a Plan has been prepared for the district. The Lower Kirby Development District Plan (Plan) encompasses different aspects such as traffic network, regional detention, economic and market analysis, cost estimates for infrastructure and phasing plan, fiscal impact study, public-private partnership strategy, and a form based code framework to achieve the vision for this district – a unified, mixed use, high density, pedestrian friendly development.

The Planning and Zoning Commission considered the proposed Regulatory Framework for the Form Based Codes at a workshop on December 6, 2010, and expressed their support of the conceptual plan presented to them. The Planning and Zoning

Commission made a recommendation to the City Council to proceed with finalizing the Regulatory Framework for the Form Based Codes and draft the codes for Spectrum. The City Council received the presentation on the final plan last year and no changes have been made to the plan since then. The City Council has been given a summary of the plan and all of its recommendations. Staff is now focused on the ongoing implementation.

The Plan has also been presented to the Pearland Economic Development Corporation (PEDC) in December 2011. PEDC has endorsed the recommendations. The recommendations of the Plan have been shared with several property owners, who were also part of the original charettes.

The Plan has been included in this packet. Staff will present a brief summary of the plan at the workshop.

If the Council and Planning and Zoning Commission direct staff to proceed, staff will continue to implement the plan. City has already initiated implementation of the recommendations related to detention, including property acquisition and a detention study with the consulting engineering firm of LJA. Other steps would include amendment to the City's Comprehensive Plan and Unified Development Code to incorporate the recommendations of this Plan.

#### RECOMMENDED ACTION

Conduct the workshop

## A NEW MIXED USE AREA - THE SPECTRUM DISTRICT

The 1999 Comprehensive Plan discussed the City's need to facilitate the creation of "an attractive business park environment along State Highway 288" (page 5.17). Specifically called Planning Initiative #4 within the 1999 Plan, the concept was to provide locations for corporate headquarters in campus-like settings, office buildings, light manufacturing uses, restaurants, and retail shops. It was also mentioned that regional shopping centers, malls, hotels and motels would be desirable uses, and that multiple family development should be permitted with a limitation on the number of units per acre.

This 2004 *Comprehensive Plan Update* supports the concept outlined in Pearland's previous Plan. However, this concept should be concentrated at the southwest intersection of State Highway 288 and Beltway 8, and should be slightly refined as outlined herein. As the 2004 *Future Land Use Plan* shows, the southwest intersection of State Highway 288 and Beltway 8 should be differentiated from the more general *Business Park* land use designation in order to identify it as a more unique area of the City. The intersection, shown on the 2004 *Plan* as the *Spectrum District*, has the three principle characteristics that the development community desires - location, location, location. Examples of other developments within Texas that this recommendation could be compared to include The Legacy in Plano, The Arboretum in Austin, and The Woodland Town Center in the Woodlands. The following elements should be integrated within a special zoning district for this identified area:

- A mix of land uses, including multiple-family, retail, office, public/semi-public, and light manufacturing, specifically:
  - A regional mall,
  - Research labs and high-tech manufacturing,
  - Hotel and conference facilities,
  - A sports park,
  - Restaurants,
  - Live theater and/or movie theater,
  - TND development (refer to page 7).
- A distinct gateway announcing the City of Pearland in a location visible from both State Highway 288 and Beltway 8.
- A comprehensive streetscape program, with medians, street trees, cohesive lighting, pedestrian walkways, etc.



Illustration 11  
THE LEGACY IN PLANO, TEXAS

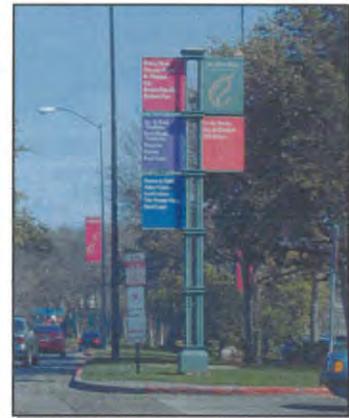


Illustration 12  
THE ARBORETUM IN  
AUSTIN, TEXAS



Illustration 13  
EXAMPLE OF A MIXED USE DEVELOPMENT

- A comprehensive landscape program, with water features and view corridors.
- Cohesive signage that unifies the area.
- Parking oriented away from roadways and pedestrian walkways wherever possible.
- Pedestrian orientation, including signage and crosswalks.
- Front building facades with a mixture of architectural and design characteristics that are aesthetically pleasing.
- If uses that require outside/open storage are permitted, areas used for the storage should be screened from public view.
- Buildings without setbacks where appropriate, such as buildings with office, retail and multiple-family mixed (such as within a TND development).
- Buildings set in a campus-like environment where appropriate, such as a large office, manufacturing, or research and development centers.
- Neighborhood parks and/or public plazas.
- Pedestrian linkages to other areas of the City.

Integrating these concepts into a cohesive design and locating such a development at one of Pearland’s major intersections and one of the main gateways into the City would create a positive perception of the City as a whole. Not only would this type of development be unique to the region, but it would also be unlike any development that currently exists in Pearland. The recommended integration of land uses and the pedestrian orientation would also set this area of the City apart. The different land use concepts discussed herein have been recommended for various specific locations shown on the Spectrum District map (following page). Descriptions of the land use concepts in relation to their locations are as follows.

District S1: The Beltway District



These areas are intended for nonresidential development that typically desires high visibility from major thoroughfares. Retail uses such as shops and restaurants are intended to characterize this district. A “mall-like” setting, either indoor or outdoor, would be ideal for these locations. Pedestrian circulation should be a prime consideration. In addition, science and technology related office uses (also referred to as “tech-flex”) developed within a business park or corporate campus would also be appropriate. Buildings for such uses should be set back from roadways and parking should be located such that a feeling of open space is created. Business activities should take place wholly within buildings, and outside storage of materials would be inconsistent with the purpose of the S1 District. In addition, development should respect natural features such as creeks and drainageways by integrating such features into the overall site design.



### District S2: Mixed Use District



This area is appropriate for a variety of land uses, including hotels, a conference center/convention center, tourism-oriented uses, commercial, light industrial, and science and technology related uses (also referred to as “tech-flex”). This wide variety of acceptable uses is intended to allow for optimum market flexibility for development within the S2 area. Any commercial and/or light industrial uses developed should be within a business park or corporate campus with buildings and parking situated such that a feeling of open space is created, and business activities should take place wholly within buildings. Development should also respect natural features such as creeks and drainageways by integrating such features into the overall site design. Walkability and pedestrian-orientation is important for this site due to its central location within the overall Spectrum District; therefore, pedestrian access has been shown to and within the area.



### District S3: The Mixed Use - High Density Residential District



These areas are intended for TND development, as discussed previously within this 2004 Comprehensive Plan Update. A vertical mix of nonresidential and residential uses is envisioned, with retail and/or office uses on the ground floor and residential uses above. Traditional multiple-family development is not intended for this area; retail and/or offices therefore should be required as a condition of development. Also, the City should have special oversight of this type of mixed use development by allowing it only through a Special Use Permit (SUP). In addition, consistent with other areas of the Spectrum District, commercial, and light industrial science and technology related uses (also referred to as “tech-flex”) developed within a business park or corporate campus would also be appropriate within the S3 area. Compatibility with residential uses should be an important design consideration.



### District S4: The Light Industrial and Science & Technology District



These areas are intended for light industrial uses similar to those that are envisioned for location within District S2. One significant difference between District S2 and District S4 is that uses in S4 may have some business activity that takes place outside and/or some outside storage of materials; such outside activity and/or storage should have guidelines for screening. Another difference is that S4 would not necessarily have a campus-like business environment. S4 District uses should provide positive transition between development within the S5 District (discussed below) and the S2 District. Regardless of the type of uses, however, design guidelines should be established to ensure that the businesses envisioned for this district provide an aesthetically pleasing view from the planned roadways.



### District S5: The Light & Heavy Industrial District



These areas are intended for light or heavy industrial development that may have outside business activity and outside storage. Much of the development to the south and west of the Spectrum District area is currently characterized by heavy commercial and industrial businesses, and the identified areas should provide transition between these existing uses and the new uses envisioned for development within the S4 District. Regardless of the type of uses, however, design guidelines should be established to ensure that future development provides an aesthetically pleasing view from the planned roadways.





Beltway 8

Old Airline Rd

Highway 288

Spectrum Dr

Kirby

Kirby Dr

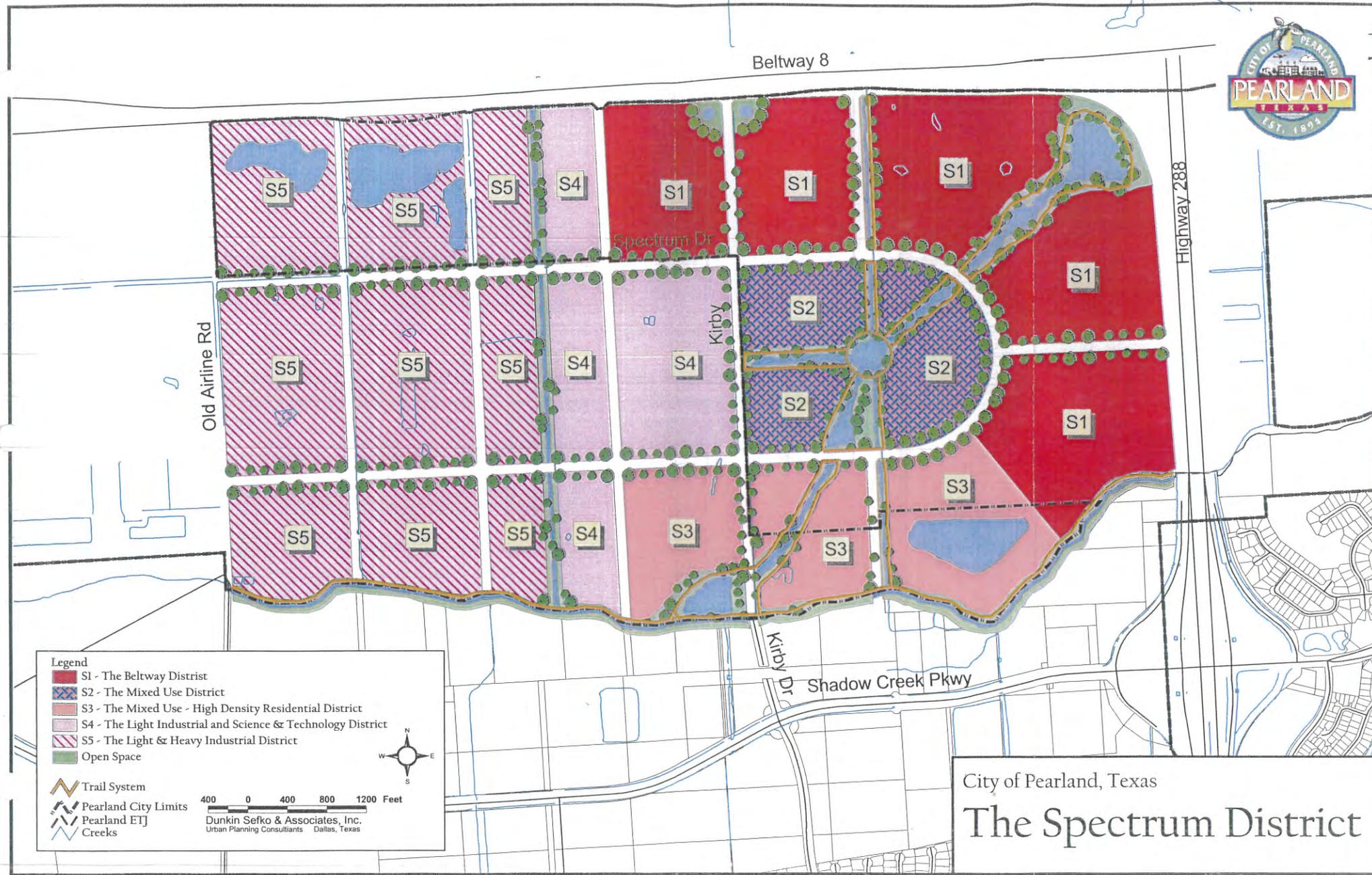
Shadow Creek Pkwy

**Legend**

- S1 - The Beltway District
- S2 - The Mixed Use District
- S3 - The Mixed Use - High Density Residential District
- S4 - The Light Industrial and Science & Technology District
- S5 - The Light & Heavy Industrial District
- Open Space
- Trail System
- Pearland City Limits
- Pearland ETJ
- Creeks

Dunkin Sefko & Associates, Inc.  
Urban Planning Consultants Dallas, Texas

City of Pearland, Texas  
**The Spectrum District**





December 7, 2010

Honorable Mayor and City Council Members  
3519 Liberty Drive  
Pearland, TX 77581

Re: Recommendation on Spectrum Regulatory Framework and Form Based Code

Honorable Mayor and City Council Members:

At their workshop of December 6, the Planning and Zoning Commission considered the proposed Regulatory Framework for the Form Based Codes for the Spectrum area. The Planning and Zoning Commission (P& Z) expressed their support of the conceptual plan as presented to them. The Planning and Zoning Commission made a recommendation to the City Council to proceed with finalizing the Regulatory Framework for the Form Based Codes and draft the codes for Spectrum.

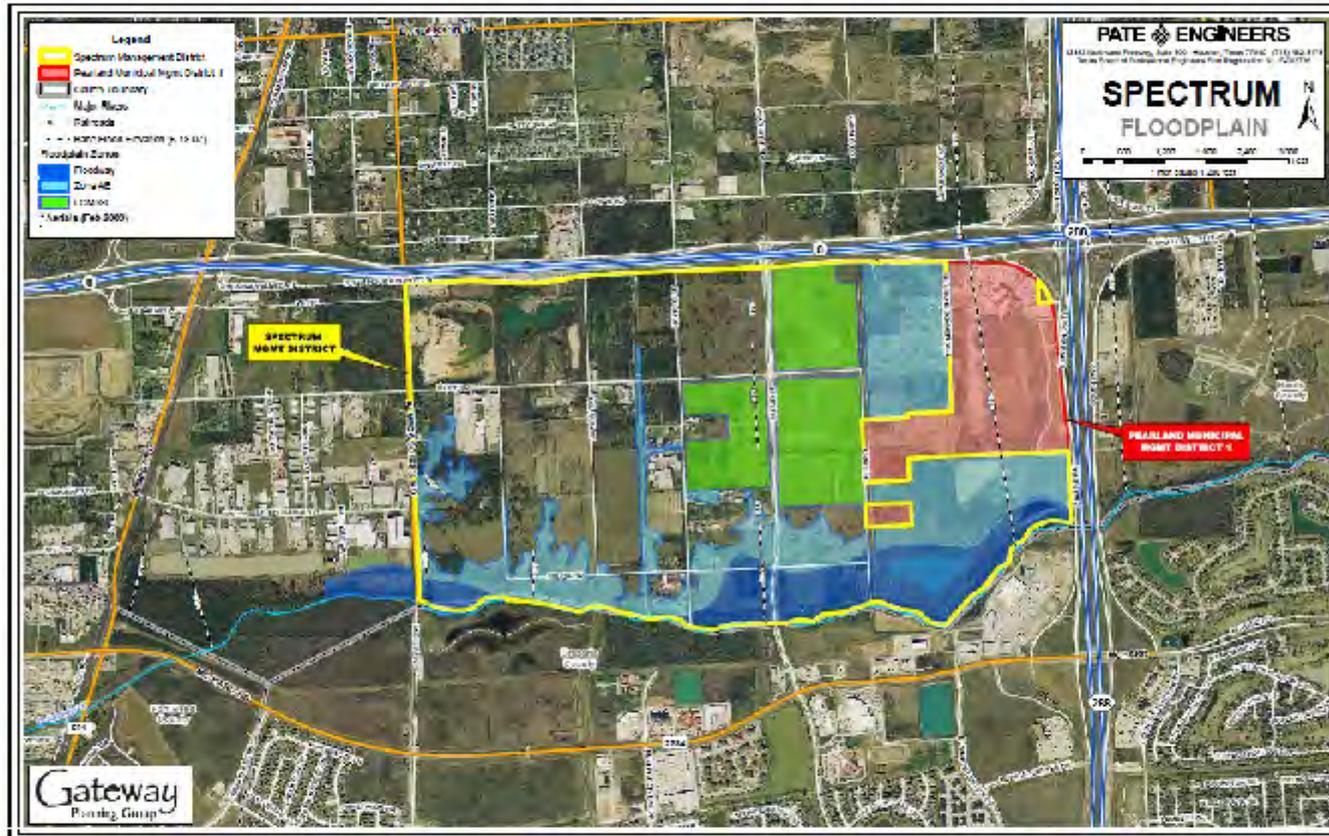
The P & Z indicated a desire to discuss the following at future presentations:

- a. Justification for increasing the maximum permitted height from currently allowed 10 stories to proposed 15 stories.
- b. Possibility of creating developable parcels in lieu of required open space, on the south side of Fruge Road at its intersections with Hooper Road and Kirby Road. The P & Z felt that these locations were highly desirable for development and open space would not be the best use there.

Sincerely,

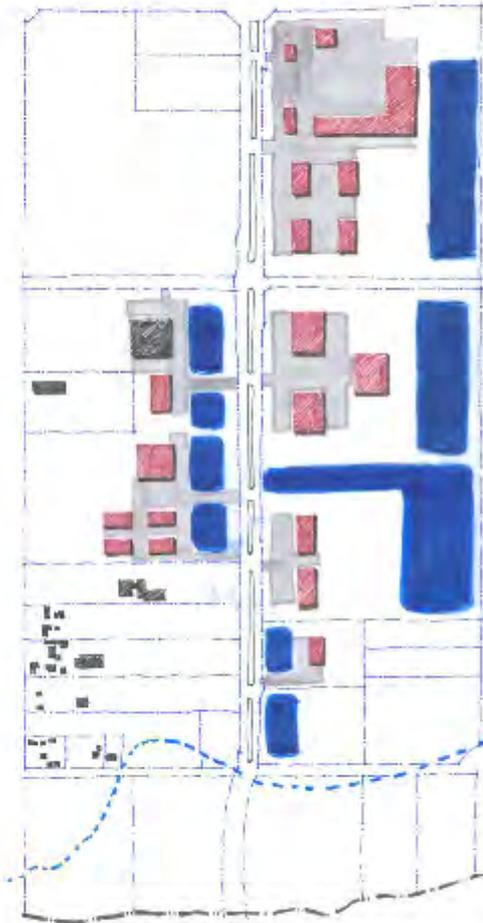
Lata Krishnarao, Planning Director  
On behalf of the Planning and Zoning Commission

# SPECTRUM – PROPOSED FORM BASED CODES



## CURRENT ZONING

# SPECTRUM – PROPOSED FORM BASED CODES



Likely development scenario under current conditions (individual site drainage detention)



# SPECTRUM – PROPOSED FORM BASED CODES



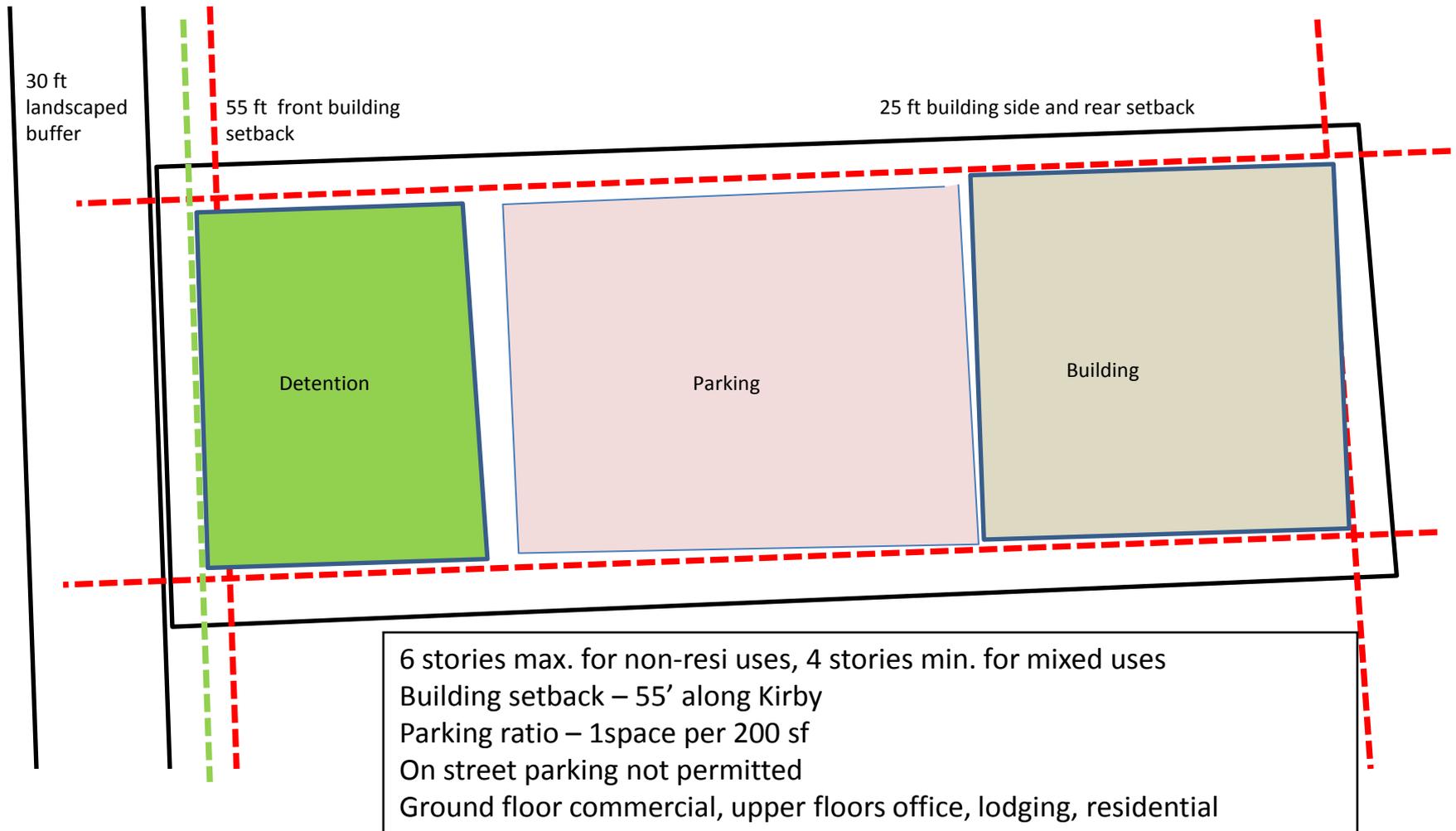
TxDOT Channel  
Development Potential



# SPECTRUM – PROPOSED FORM BASED CODES

## Current UDC Requirements

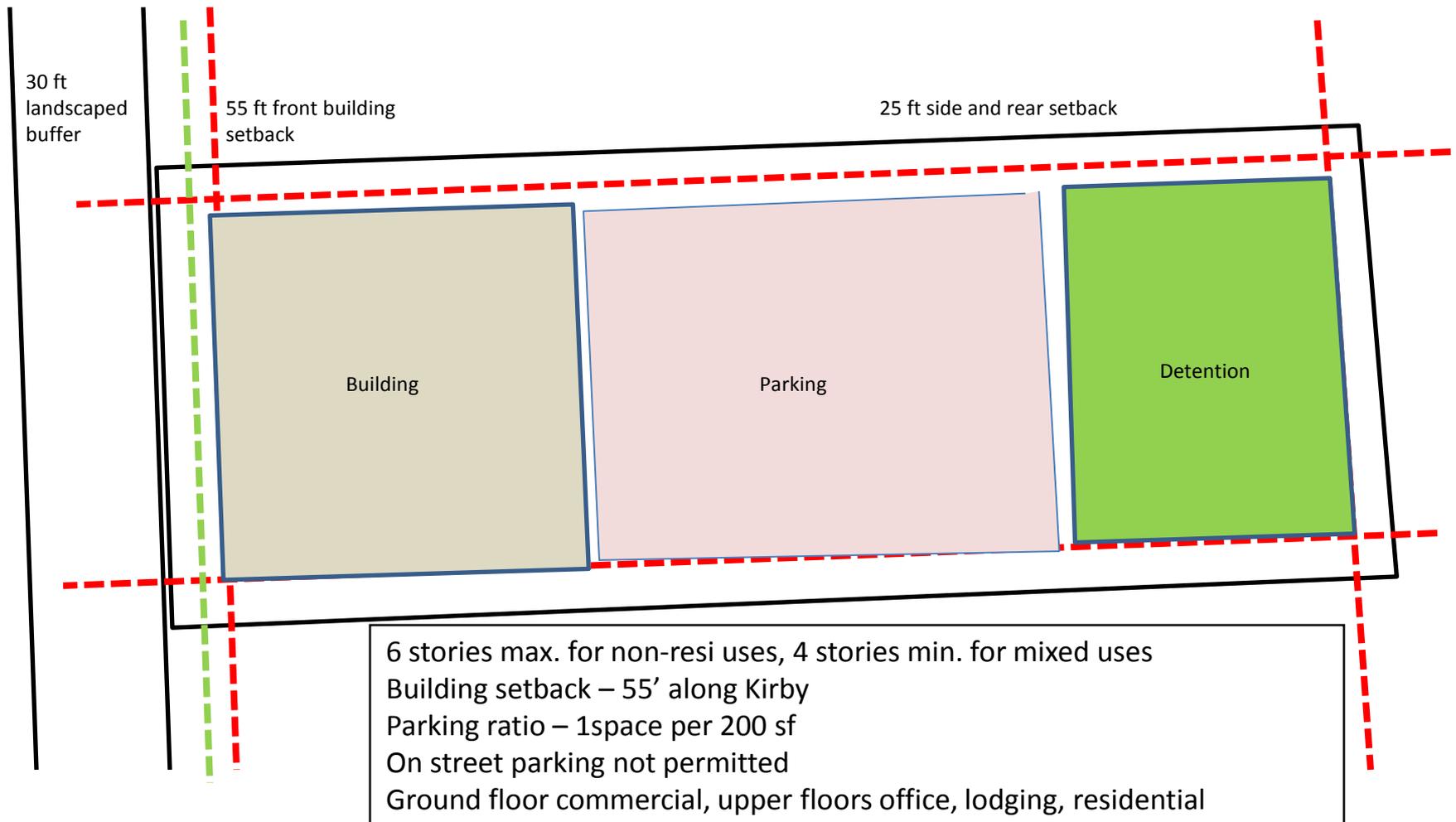
### Scenario 1: Detention along street



# SPECTRUM – PROPOSED FORM BASED CODES

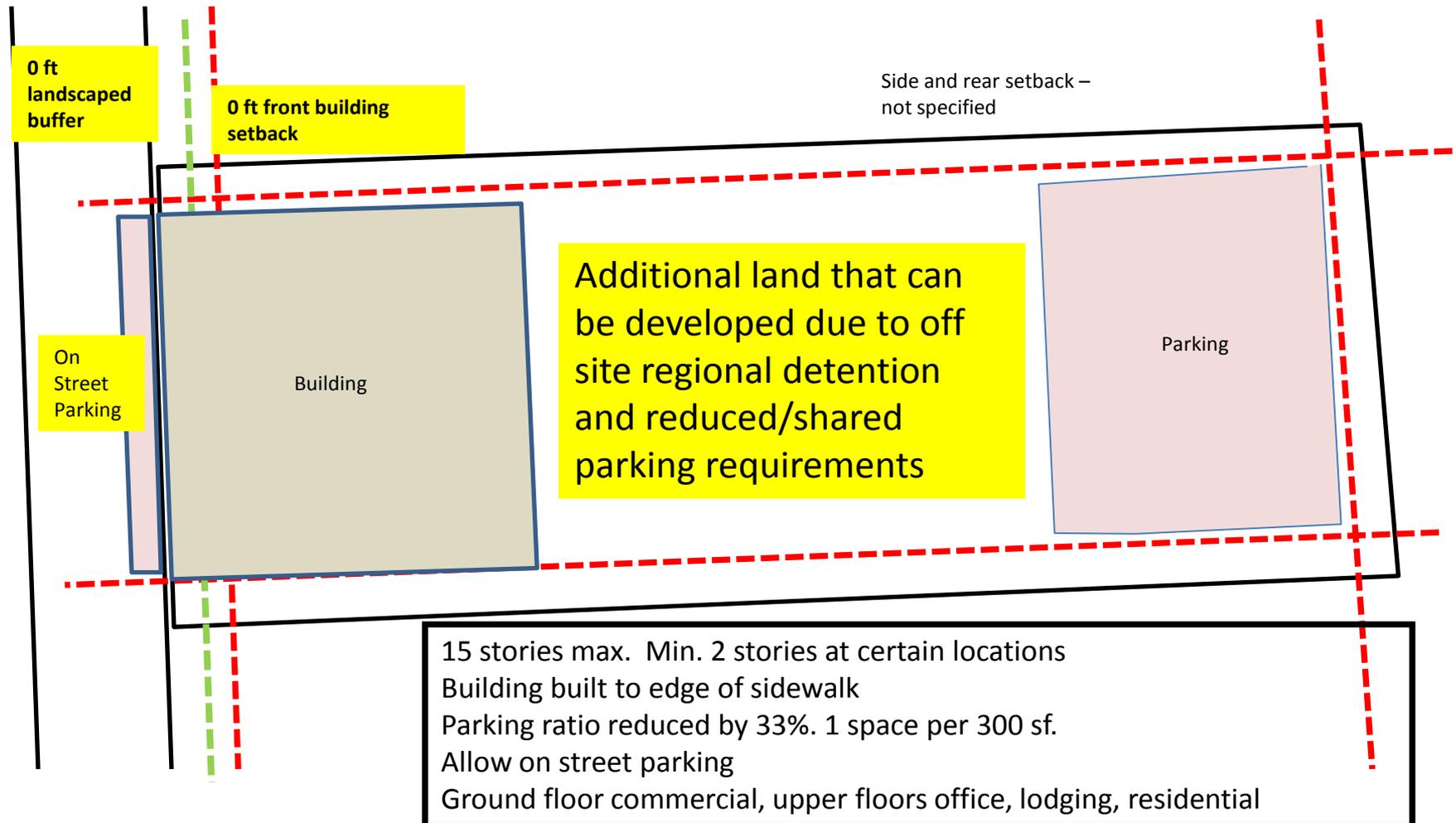
## Current UDC Requirements

### Scenario 2 – Building along street



# SPECTRUM – PROPOSED FORM BASED CODES

## Proposed Requirements – Mixed Use Core





## Memo

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**TO:** Mayor, City Council and Planning and Zoning Commission  
**FROM:** Matt Buchanan  
**DATE:** May 7, 2012  
**SUBJECT:** **Lower Kirby Urban Center Master Plan and Implementation Strategy**

Last year the Lower Kirby Urban Center Master Plan and Implementation Strategy was completed, which included a final presentation to the City Council and Planning and Zoning Commission. Staff has begun taking steps to implement the plan.

The plan outlines four next steps: 1- The prioritization of infrastructure and the need for the City to coordinate a regional approach to detention and drainage; 2- Is the need for regulatory changes that include a form-based code; 3- Is the need for PEDC to coordinate the efforts of the two Municipal Management District's; 4- Is for PEDC to coordinate with the MMD's to ensure that their reimbursement policies most effectively ensure the most critical infrastructure is given a priority for reimbursement.

To date the following has been completed toward implementation of the above steps:

PEDC: The Board of Directors approved the plan and the implementation strategies.

Infrastructure: Last fall the City Council approved an engineering services agreement to analyze the feasibility of utilizing the TXDOT drainage channel to provide additional drainage capacity in the area and the large 40 acre borrow pit site the City purchased.

Management Districts: Presentations on the plan were made to both the Spectrum Municipal Management District and the Pearland Municipal Management District. The plan has been well received by both groups and the Spectrum MMD renamed itself from the Spectrum to the Lower Kirby Pearland MMD.

Regulatory Changes: Last year we invited four of the larger landowners for a discussion on the form based code. We have continued to have conversations with landowners regarding the possible adoption of the proposed form-based code.

Overall the plan creates a strategy, for the former Spectrum area, to have a unified identity over a highly fragmented ownership of a 1,000 acre area that currently lacks a unifying private or lead developer. It is imperative for the City to ensure over time that the area develops in a high quality manner regardless of who develops the property and which area develops first. Enclosed you will find a copy of the plan for your reference.

# APPENDIX D – PROPOSED FORM-BASED CODE FOR LOWER KIRBY URBAN CENTER

## Section 2.4.3.5 Lower Kirby Urban Center

### Table of Contents

- Part 1. Purpose and Intent
- Part 2. Components of the Code
- Part 3. Administration
- Part 4. Definitions
- Part 5. Regulating Plan
- Part 6. Schedule of Permitted Uses
- Part 7. Building Form and Development Standards
- Part 8. Building Design Standards
- Part 9. Street and Streetscape Design Standards
- Part 10. Signage Standards
- Part 11. Civic Space and Private Open Space Standards
- Appendix A: Lower Kirby Urban Center Framework Plan
- Appendix B: Regulating Plan
- Appendix C: Development Process Flow Chart

### **Part 1. Purpose and Intent:**

The purpose of the Lower Kirby Urban Center Development (LKUCD) Code, hereafter known as the LKUCD Code, is to support development of the Lower Kirby Urban Center located at two major regional highways Beltway 8 and SH 288 to provide for a range of development opportunities based on the adjoining context. The Lower Kirby Urban Center is intended to be a diverse regional destination that includes significant employment uses along Kirby Drive transitioning to light industrial uses to the west, regional retail along the highway frontages, and a pedestrian-oriented, mixed-use core anchoring the District. The goal of Lower Kirby Urban Center is to promote for a range of development opportunities within an overall urban design, street network and drainage infrastructure framework.

- a. Economic Development –Lower Kirby Urban Center (LKUC) and corresponding standards are created to support economic development, sustainable tax base, and job creation by establishing adjacency predictability of private development that supports and leverages investment in and around the Lower Kirby Urban Center.
- b. Implement the Lower Kirby Urban Center Framework Plan– The objective of Lower Kirby Urban Center is to foster a major regional center with significant regional retail, employment, and residential uses within convenient access to regional highways and walking distance from the future transit station. Development within this area would accommodate large scale office and retail users while providing for appropriately scaled mixed use and residential uses within the district.
- c. Establish Specific Development Standards – The LKUCD Code implements the vision for the Lower Kirby Urban Center as established in the Lower Kirby Urban Center Framework Plan (Appendix A) and the Lower Kirby Urban Center Regulating Plan, hereafter known as the Regulating Plan (Appendix B). The Regulating Plan shall provide guidance to property owners, developers, and the City on the form, character, and intensity of future development within the LKUC. Creation of different Character Zones within Lower Kirby Urban Center enables specific site and locational standards to be enumerated and applied. Clear graphic standards are provided for location, height, and building elements. Such standards promote sustainability, public welfare, walkable mixed use development, housing variety and transportation choice.

### **Part 2. Components of the Code:**

- a. This LKUCD Code shall apply to the Lower Kirby Urban Center as identified in the Regulating Plan unless otherwise specified in this Code. Development of property within Lower Kirby Urban Center shall comply with all applicable development standards set forth in this Code. The components of this LKUCD Code consist of:
  - (1) Lower Kirby Urban Center Regulating Plan: The Lower Kirby Urban Center Regulating Plan, hereafter known as the “Regulating Plan”, is its official zoning map. It identifies the applicable character zones within Lower Kirby Urban Center including:
    - i. Character Zones – Lower Kirby Urban Center is divided into different “Character Zones”. A Character Zone creates a distinct urban form within that Zone which is different from urban forms in other Character Zones. Each Character Zone shall establish use and development standards including height, bulk, building and parking location, and functional design. The Regulating Plan classifies all property within Lower Kirby Urban Center into one of five Character Zones.
    - ii. Special Frontage Standards – The Special Frontage Standards establish exceptions and special conditions for all buildings along designated frontages. Special Frontage Standards shall apply in addition to the underlying Character Zone standards.
    - iii. Street Designations by Street Type– The Street Designations illustrate the design, configurations, and development context for all new and existing streets within Lower

Kirby Urban Center. The street classification addresses vehicular lane widths, number of lanes, pedestrian accommodation, street tree requirements, on-street parking, and parkway and median standards (streetscape standards). In addition, streets are distinguished by the appropriate development context by denoting them on the Regulating Plan as Type 'A' or Type 'B' Streets.

- iv. Required Street Network – The Required Street Network specifies the future streets needed to implement the Lower Kirby Urban Center Regulating Plan. The Required Streets shall be mandatory and shall generally meet the locational and connectivity goals of the Regulating Plan. Their design shall be guided by Part 9 of this Code.
- v. Required Civic Space – The Required Civic Space areas shown on the Regulating Plan designate the locations of proposed civic spaces (including parks, plazas, greens, and squares). The design of civic spaces shall be guided by Part 11 of this Code.
- vi. Recommended Street Network – The Recommended Street Network indicates locations of suggested, but not required streets within the Lower Kirby Urban Center Regulating Plan. These streets are not required, but at the election of the applicant and their design shall be guided by Part 9.
- vii. Recommended Civic Space – The Recommended Civic Space designation indicates the locations of desired, but not required civic/open spaces (including parks, plazas, greens, and squares) to implement the Regulating Plan. Recommended Civic Spaces are not required, but at the election of the applicant. The design of civic spaces shall be guided by Part 11 of this Code.

- (2) Development Standards: The LKUCD Code (the text portion of this Code) enumerates the development standards with text and graphics for Character Zones, Special Frontage, building form, civic space, private open space, landscape, building design, signage, lighting, and all related standards for all streets, public and private development.

### **Part 3. Administration**

This part sets forth the provisions for reviewing and approving development applications within LKUC. The intent is to ensure that all development is consistent with the provisions of this Code. All portions of this Code shall be applied during the review process.

- a. The development standards under the City of Pearland Unified Development Code (UDC), as amended, shall not apply to LKUC except as specifically referenced herein. Development standards not addressed in this ordinance shall be governed by the City of Pearland UDC to the extent they are not in conflict with the intent or text of the LKUCD Code. However, all development in the Lower Kirby Urban Center shall also meet the standards in the International Building Code, as adopted by the city.
- b. Sign Standards under Chapter 4 Site Development, Article 2, Division 5 Signage, as amended, of the City of Pearland UDC, shall not apply to Lower Kirby Urban Center except as specifically referenced herein.
- c. Using this Code:  
The following basic steps should be followed to determine the uses and development standards applicable on property within LKUC:
  - (1) Locate the subject property on the Lower Kirby Urban Center Regulating Plan.
  - (2) Identify:
    - i. the Character Zone in which the property is located;
    - ii. the Street Type designation along all its street frontages; and,
    - iii. any Special Frontage Requirements that may be applicable to the subject property.

- (3) Review the Schedule of Uses by Character Zone as listed in Table 6.1 to determine allowed uses.
- (4) Examine the corresponding zone standards in the Building Form and Development Standards in Part 7 to determine the applicable development standards.
- (5) Refer to Part 5 e. for Special Frontage Standards.
- (6) Refer to Part 8 for Building Design Standards.
- (7) Refer to Part 9 for Street Type and Streetscape Standards.
- (8) Refer to Part 10 for Signage Standards
- (9) Refer to Part 11 for Civic Space and Private Open Space Standards.

The information from the above listed steps explains where the building will sit on the lot, the limits on its three dimensional form, the range of uses, and the palette of materials that will cover it.

- d. Development within LKUC that complies with the provisions of this Code shall be approved by the City Manager or designee (see Appendix C for flow chart of the review process). In addition to complying with applicable City regulations that are not in conflict with this Code, the applicant shall provide the information to adequately show compliance with this Code as required in Part 3 e.
- e. Information Required for Development Review. The full list of required materials is included in the LKUC development application available from the City of Pearland Planning Department. In general, the following information is required, as applicable:
  - (i) Site Plan
  - (ii) Building Plans and Elevations
  - (iii) Landscape Plan
  - (iv) Material Specifications
  - (v) Plans and Specifications for Proposed Signs
  - (vi) Description of Proposed Scope of Work
  - (vii) Photographs of Site and Existing Conditions
- f. The City Manager or designee shall be responsible for the following:
  - (1) Reviewing development applications for compliance with the requirements of LKUCD Code.
  - (2) Approving development applications that are in compliance with the requirements of the LKUCD Code.
  - (3) Making determinations on the applications and interpretations of standards in this Code.
  - (4) Approving revisions to previously approved development plans that comply with this Code and all applicable city ordinances.
  - (5) Approving any minor modifications to the approved Regulating Plan and Code per Part 3 h.
  - (6) Recommendations on any Planned Development (PD) District applications within the LKUC to the Planning and Zoning Commission (P&Z) and City Council (CC).
- g. A request for a modification to any of the standards of this Code other than minor modifications permitted under Part 3 h. shall be reviewed and processed as a Planned Development (PD) District per Chapter 2, Article 2, Division 2 of the City of Pearland Unified Development Code.
  - (1) In evaluating a Planned Development (PD) District within the Lower Kirby Urban Center, CC and P&Z may consider the extent to which the application meets any of the following:
    - i. the goals and intent of Lower Kirby Urban Center Framework Plan,
    - ii. provides an alternative “Master Plan” approach by consolidating multiple properties to create a predictable, market responsive development for the area,
    - iii. fits the adjoining context by providing appropriate transitions,
    - iv. provides public benefits such as usable civic and open spaces, regional drainage, livable streets, structured or shared parking, and linkages to transit and adjoining opportunities, and
    - v. does not hinder future opportunities for higher intensity, mixed use development.

h. Minor Modifications to the LKUCD Code:

The City Manager or designee shall have the authority to approve a request for minor modifications to LKUCD Code that:

- (1) Does not change the circulation and building location on the site;
- (2) Does not increase the building area permitted under this Code;
- (3) Does not change the relationship between the buildings and the street;
- (4) Does not allow a use not otherwise authorized in this Code;
- (5) Does not allow greater height of any building or reduction of any parking requirement established in this Code; or
- (6) Change established street cross sections per Table 3.1 below and Part 9 of this Code.

The City Manager or designee shall also have the authority to approve minor modifications outlined in Table 3.1. Any appeals to the decisions of the City Manager on minor modifications shall be heard by the City Council. Any City Council denials of minor modifications or any changes beyond those that meet the criteria above or the thresholds established in Table 3.1, shall be processed as a Planned Development (PD) District application under the City of Pearland UDC.

Table 3.1 Minor Modifications Allowed

<i>Standard</i>	<i>Minor Modification Allowed</i>	<i>Comments</i>
Area/boundary of Character Zones (including any Required Civic/Open Spaces)	No more than a 20% change (increase or decrease) in the area of any Character Zone (aggregate or per block)	<ul style="list-style-type: none"> <li>• Shall not eliminate any Character Zone</li> <li>• 20% measurement shall be based on the total area of that specific Character Zone within the entire LKUCD</li> <li>• For the purposes of this code, any increase in any Character Zone that results from the elimination of a Recommended street shall not count towards the 20% threshold.</li> </ul>
Location of any Required Street	Location shall not move more than 100' in any direction	<ul style="list-style-type: none"> <li>• Shall maintain the connectivity intended by the Regulating Plan</li> </ul>
<b>Building Form and Development Standards</b>		
<ul style="list-style-type: none"> <li>• Build to zones/setbacks</li> </ul>	No more than a 10% change in the maximum or minimum setback.	<ul style="list-style-type: none"> <li>• Changes to the build to zones and setbacks may only be due to any changes to the street cross sections, change in the width of a sidewalk, or provision of a civic space.</li> <li>• In no case shall the sidewalk be less than 6 feet in width</li> </ul>
<ul style="list-style-type: none"> <li>• Building Frontage</li> </ul>	No more than a 15% reduction in the required building frontage along each block of a Type 'A' Street	<ul style="list-style-type: none"> <li>• Any reduction in the required building frontage shall be to accommodate porte-cocheres for drop-off and pick-up.</li> </ul>
<ul style="list-style-type: none"> <li>• Street screen</li> </ul>	Waiver of street screen requirement along a Type 'B' Street	<ul style="list-style-type: none"> <li>• Requirement for a street screen may only be waived along a Type 'B' Street along the frontage of any interim surface parking lot (off-street) that is intended to be in-filled with a parking structure.</li> <li>• In no case shall any portion of the surface parking have frontage along a Type 'A' Street without a required street screen</li> <li>• In no case shall the (off-street) surface parking lot be located at a street intersection for a minimum depth of 30' along each street (regardless of the Street Type).</li> </ul>
Street Cross Sections	Cross sections of new streets may be adjusted with respect to number of lanes, lane widths, on-street parking configuration, pedestrian accommodation, and street tree planting	<ul style="list-style-type: none"> <li>• Any changes in the street cross sections shall be based on specific development context such as vegetation, natural features, drainage, and fire access and is subject to approval by the City.</li> </ul>
Detention/retention areas	Location of detention/retention areas	<ul style="list-style-type: none"> <li>• If the regional detention plan for the Lower Kirby Urban Center has not been implemented at the time of development, local detention may be required on site. However, such detention may only be located behind the principal building or along any Type 'B' Street or Alleys.</li> <li>• In no case shall any required on-site detention be located with frontage on a Type 'A' Street.</li> </ul>

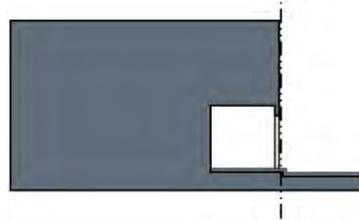
i. Non-Conforming Uses, Buildings, and Signs.

- (1) Regardless of transfer of ownership, existing Non-Conforming Buildings with a Non-Conforming Use that do not conform to the provisions of this Code may continue as they are until:
  - i. the building is reconstructed or substantially modified such that the collective reconstructions or modifications within any continuous three (3) year period are valued at more than either \$100,000 or a total of fifty (50) % of the assessed value of the improvements in the most recently certified tax rolls, whichever is greater.
- (2) Regardless of transfer of ownership, existing non-conforming buildings and sites (including all on-site improvements such as landscaping, detention, sidewalks, etc.) that do not conform to the provisions of this Code may change use within the same building, provided the new use is permitted in Table 6.1 in this Code until:
  - i. the building is reconstructed or substantially modified such that the collective reconstructions or modifications within any continuous three (3) year period are valued at more than either \$100,000 or a total of fifty (50) % of the assessed value of the improvements in the most recently certified tax rolls, whichever is greater.
- (3) Regardless of transfer of ownership, existing Non-Conforming Signs that do not conform to the provisions of this Code may continue as they are until the sign is reconstructed or substantially modified such that the modifications are valued at more than fifty (50) % of the replacement value of the sign.
- (4) Regardless of transfer of ownership, existing Non-Conforming Buildings and Non-Conforming Uses that have lost their Non-Conforming use status shall meet the standards in Chapter 2 Zoning Regulations, Section 2.7.3.6 City of Pearland Unified Development Code.

**Part 4. Definitions**

In addition to Definitions in Chapter 5 of the City of Pearland UDC, the following terms shall have the corresponding interpretations. The definitions in this subsection under the LKUCD code shall supersede definitions of any terms also in Chapter 5 of the UDC and shall only apply to development within the LKUC.

*Arcade* means a portion of the main façade of the building that is at or near the property line and a colonnade supports the upper floors of the building. Arcades are intended for buildings with ground floor commercial or retail uses and the arcade may be one or two stories.



*Image of an arcade*

*Auto-Related Sales and Service Uses* means establishments that provide retail sales and services related to automobiles including, but not limited to, cars, tires, batteries, gasoline, etc.

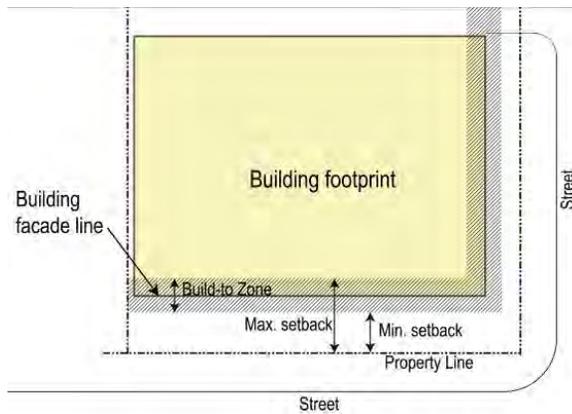
*Block Face Dimensions* means the linear dimension of a block along one of its street frontages.

*Block Perimeter* means the aggregate dimension of a block along all of its street frontages.

*Block* means the aggregate of lots, pedestrian passages and rear alleys, circumscribed on all sides by streets.

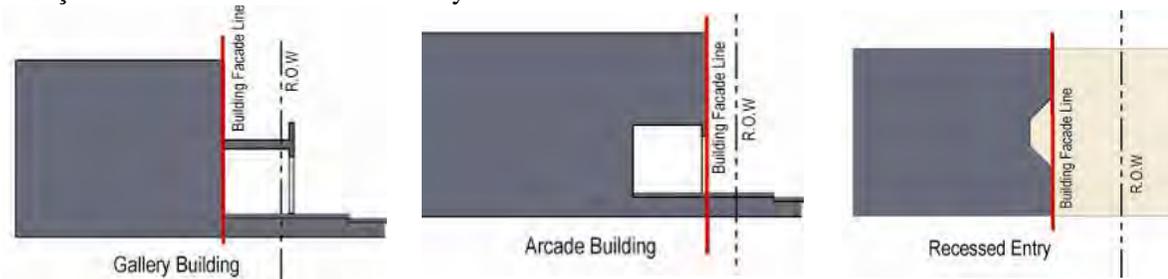
*Build-to Line* means the line at which the principal building's front façade shall be built.

*Build-to Zone (BTZ)* means the area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located.



*Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line*

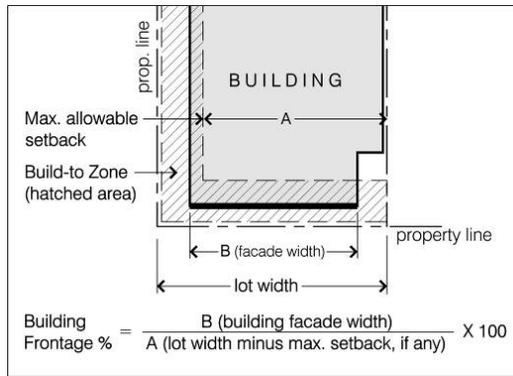
*Building Façade Line* means the vertical plane along a lot where the portion of the building's front façade closest to the street is actually located.



*Building Façade Line Illustrations*

*Building Form Standards* means the standards established for each Character Zone that specify the height, bulk, orientation, and elements for all new construction and development.

*Building Frontage* means the percentage of the building's front façade that is required to be located at the front Build-to Line or Zone as a proportion of the lot's frontage along that public street. Parks, plazas, squares, improved forecourts, and pedestrian breezeway frontages shall be considered as buildings for the calculation of building frontage.



*Image showing how a lot's building frontage is calculated*

*Character Zone* means an area within the Lower Kirby Urban Center development that creates a distinct urban form different from other areas within Lower Kirby Urban Center. Character Zones are identified in the Regulating Plan.

*City Manager* means the City Manager of the City of Pearland or his/her designee.

*Civic Space* means publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned. Building façades facing a Civic Space shall be treated as a Type 'A' Street frontage.

*Green* means a civic space intended for unstructured recreation, spatially defined by landscaping rather than building frontages.

*Park* means a civic space that is a preserve largely available for unstructured recreation.

*Plaza* means a primarily hardscaped civic space with formal landscaping, available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings.

*Playground* is a civic/ private open space designed and equipped for children's recreation. A playground may be fenced and may include an open shelter. Playgrounds may be located within residential areas and may be placed within a block. They may be included in other civic/open spaces.

*Square* means a civic space designed for unstructured recreation and civic purposes, spatially defined by building frontages and consisting of paths, lawns and trees, formally arranged.

*Colonnade* means a row of columns extending from a building. It may either be a gallery or under a balcony or an arcade.

*Commercial or Mixed Use Building* means a building in which the ground floor of the building is built to commercial ready standards and any of the floors are occupied by non-residential or residential uses.

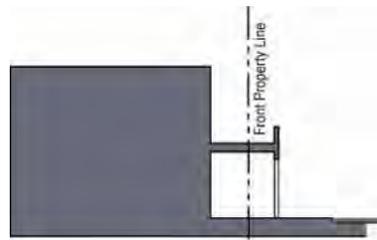
*Commercial Ready* means space constructed at a minimum interior height of 14 feet which may be used for noncommercial uses and can be converted into retail/commercial use. Prior to the issuance of a certificate of occupancy for a retail/commercial use in a Commercial-Ready space, the space must comply with all building and construction codes for that use. The intent of Commercial-Ready space is to provide the flexibility of occupying a space in accordance with market demand and allowing the use in such space to change to retail/commercial uses accordingly.

*Comprehensive Plan* means the City of Pearland Comprehensive Plan that establishes policy guidance for the long-term growth and development of the City as adopted on the effective date of this Code.

*Encroachment* means any structural or non-structural element such as a sign, awning, canopy, terrace, or balcony that breaks the plane of a vertical or horizontal regulatory limit, extending into a Setback, into the Public R.O.W, or above a height limit.

*Façade Rhythm* means the repetition of a vertical feature, bay width or architectural element on a façade at a regular interval that provides scale and massing to a building.

*Gallery* means an extension of the main façade of the building that is at or near the front property line and the gallery may overlap the public sidewalk.



*Image of a Gallery*

*Kiosk* means a small temporary or permanent structure often open on one or more sides used for sales in civic/open spaces.

*Live-Work Unit* means a mixed use building type with a dwelling unit that is also used for work purposes, provided that the ‘work’ component is restricted to the uses of professional office, artist’s workshop, studio, or other similar uses and is located on the street level and constructed as separate units under a condominium regime or as a single unit. The ‘work’ component is usually located on the ground floor which is built to Commercial Ready standards. The ‘live’ component may be located on the street level (behind the work component) or any other level of the building. Live-work unit is distinguished from a home occupation otherwise defined by this ordinance in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises and customers may be served on site.

*Living Screen* means a Street Screen composed of landscaping in the form of vegetation.

*Main Street Frontage* means the special frontage requirement along identified Type ‘A’ Street frontages as indicated in the Regulating Plan.

*Master Sign Plan* means a unique sign plan to implement a specific vision for a portion or all of the development that meets Part 10 b. of this Code.

*Minor Modification* means any changes to the LKUCD Code that meet the threshold criteria established in Part 3 h. and Table 3.1.

*Pedestrian Easement* means a grant of use of private property for pedestrian access and use.

*Private Open Space* means open space provided for all residential uses, privately accessible open spaces such as courtyards, porches, and balconies.

*Recommended Civic Space* means plaza, green, square, or park area identified on the Regulating Plan which is shown as a suggested feature within the Lower Kirby Urban Center Framework Plan. A Recommended Civic Space is not required and is at the election of an applicant or developer.

*Recommended Street* means a street that is identified on the Regulating Plan which is shown as a suggested street within the Lower Kirby Urban Center Framework Plan. The Recommended Street is not required and is at the election of an applicant or developer.

*Regulating Plan* means the Lower Kirby Urban Center Zoning Map attached hereto as Appendix B that shows the Character Zones, Civic Spaces, location of Special Frontages, Streets, and other Special Requirements applicable to the Lower Kirby Urban Center subject to the standards in this Code.

*Required Civic Space* means plaza, green, square, or park area identified on the Regulating Plan which is shown as a mandatory feature within the Lower Kirby Urban Center Framework Plan. A Required Civic Space shall be provided at the time of development and its design and location may be adjusted to meet the context of the development provided it meets the standards established in Part 11 of this Code.

*Required Street* means a street that is identified on the Regulating Plan which is shown as a mandatory street within the Lower Kirby Urban Center Framework Plan. A Required Street shall be provided at the time of development and its design and location may be adjusted to meet the context of the development provided it meets the standards established in Part 9 of this Code.

*Residential Building* means a building type that is built to accommodate only residential uses on all floors of the building such as townhomes, apartment buildings, duplexes, etc.

*Retail Sales* Retail establishments are the final step in the distribution of merchandise. They are organized to sell in small quantities to many customers. Establishments in stores operate as fixed point-of-sale locations, which are designed to attract walk-in customers. Retail establishments often have displays of merchandise and sell to the general public for personal or household consumption, though they may also serve businesses and institutions. Some establishments may further provide after-sales services, such as repair and installation. Included in, but not limited to this category, are durable consumer goods sales and service, consumer goods, other grocery, food, specialty food, beverage, dairy, etc., and health and personal services.

*Service Uses* means a category for limited personal service establishments which offer a range of personal services that include (but not limited to) clothing alterations, shoe repair, dry cleaners, laundry, health and beauty spas, tanning and nail salons, hair care, etc.

*Sign, Building Blade* means a pedestrian-oriented sign that is affixed perpendicular to the corner of a building or to the front façade of a building above the ground floor to provide identification for the whole building.



*Image of a Building Blade Sign*

*Sign, Marquee* means a sign structure placed over the entrance to a theatre or other public gathering venue. It has signage stating either the name of the establishment or the name of the event, artist, and other details of the event appearing at that venue. The marquee is often identifiable by a surrounding cache of light bulbs, usually yellow or white, that flash intermittently or as chasing lights. Marquee signs may often be combined with Building Blade signs.



*Image of a Marquee sign with a Building Blade Sign*

*Sign, Monument* means any sign which is connected to the ground and which has no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. A monument sign may include a sign face and sign structure, and may also include a sign base and sign cap.



*Image of a Monument Sign*

*Sign, Sandwich Board* means a portable sign consisting of two panels of equal size, which are hinged at the top or one panel with a support and placed on the ground or pavement so as to be self-supporting.



*Images of sandwich board signs.*

*Sign, Tenant Blade* means a smaller pedestrian-oriented sign that is affixed perpendicular to the building façade under a canopy or awning or immediately over a tenant space and provides identification for individual tenants within a building.



*Image of a Tenant Blade Signs*

*Special Frontage Requirements* means standards applied to certain blocks as indicated in the Regulating Plan in order to address specific requirements and transitions based on street frontage and adjacency in addition to the underlying Character Zone standards.

*Street Screen* means a freestanding wall or living screen built along the BTZ or in line with the building façade line along the street. It may mask a parking lot or a loading/service area from view or provide privacy to a side yard and/or strengthen the spatial definition of the public realm.



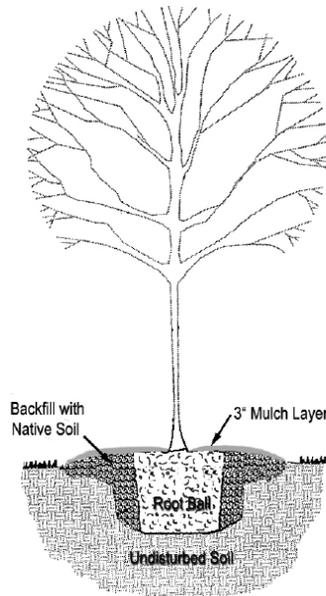
*Image of a combination masonry and living street screen*

*Street Type* means a specific designation for streets in Lower Kirby Urban Center that establishes a certain character and cross-sections to improve walkability within the development.

*Street Network* means the Required and Recommended network for new and existing streets within Lower Kirby Urban Center as established in the Regulating Plan.

*Lower Kirby Urban Center Framework Plan* means the general block level plan that provides guidance for the future development of Lower Kirby Urban Center into a mixed use destination. It indicates the location of different character areas, streets, and open spaces within the area and is adopted as Appendix A to this Code.

*Tree Planting Area* means the actual ground area which is disturbed for planting a tree. It shall include the root ball and backfill soil around it. The tree planting area may be larger than the tree well which is placed over the tree planting area.



*Illustration showing the Tree Planting Area*

*Tree Well* means an unpaved area around the trunk of a tree within the sidewalk area that is either landscaped with ground cover or covered with a tree grate.



*Example of a tree well with a tree grate*



*Example of a tree well with landscaping*

*Type 'A' Street* means the streets identified as such on the Regulating Plan. Type 'A' Streets are the primary pedestrian streets and buildings along Type 'A' Streets shall be held to the highest standard of pedestrian-oriented design.

*Type 'B' Street* means the streets identified as such on the Regulating Plan. Type 'B' Streets are intended to primarily accommodate access to parking, service, and other auto-related functions.

## **Part 5. The Regulating Plan**

- a. The Regulating Plan (Appendix B) is hereby adopted as the official zoning map for the Lower Kirby Urban Center.

- b. Character Zones Established – the following Character Zones are established. The boundaries of the specific Character Zones shall be established in the Regulating Plan (Appendix B).
- (1) Mixed Use Core: The Mixed Use Core provides the most opportunity for the highest intensity development. It is the area that has significant development impact and the highest pedestrian activity due to its immediate adjacency to a future transit station. The Mixed Use Core consists of the highest density and height, with the greatest variety of uses. Development within the Mixed Use Core Zone shall meet the Building Form and Development Standards in Part 7 a. of this Code.
  - (2) Highway Commercial: Highway Commercial is intended to provide an appropriate transition into the Lower Kirby Urban Center from the Beltway 8 and SH 288 access roads. This area is also intended for regional office and retail development. Development within the Highway Commercial Zone shall meet the Building Form and Development Standards in Part 7 b. of this Code.
  - (3) Urban Neighborhood: The Urban Neighborhood consists primarily of a residential fabric. The area is intended to have a mix of small apartments, townhomes and live-work units with commercial activity concentrated at street intersections and along the Clear Creek frontage. Development within the Urban Neighborhood Zone shall meet the Building Form and Development Standards in Part 7 c. of this Code.
  - (4) Commercial Transition: The Commercial Transition is intended to provide for a range of commercial (retail, office, and live-work) and residential uses as a transition from the Mixed Use Core. Development standards will emphasize transitioning of highway-oriented, large format uses to ones more compatible with the adjoining Mixed Use Core. Development within the Commercial Transition Zone shall meet the Building Form and Development Standards in Part 7 d. of this Code
  - (5) Research/Tech Campus: The Research/Tech Campus is the area along Kirby Drive intended to be the employment center of the Lower Kirby Urban Center. It is intended for campus office research park development in addition to limited residential and supporting retail and restaurant uses. Development within the Research/Tech Campus shall meet the Building Form and Development Standards in Part 7 e. of this Code.
- c. Street Designations By Street Type Established – The Regulating Plan (Appendix B) shall establish the following Street Designations.
- (1) Type ‘A’ Streets Established – Type ‘A’ Streets are intended to be the primary pedestrian streets and buildings along Type ‘A’ Streets shall be held to the highest standard of pedestrian-oriented design. The Type ‘A’ Streets are as identified on the Regulating Plan.
  - (2) Type ‘B’ Streets Established – Type ‘B’ Streets are intended to balance pedestrian orientation with automobile orientation. Buildings along Type ‘B’ Streets may be permitted to accommodate some service and auto-related functions. The Type ‘B’ Streets are as identified on the Regulating Plan.
- d. Required and Recommended Streets by Street Type – The Street Network indicates Required and Recommended streets needed to implement the Lower Kirby Urban Center Regulating Plan (Appendix B). The Regulating Plan designates the type, classification, and location of streets. All new and improved streets in Lower Kirby Urban Center shall meet the street design standards established in Part 9 herein.
- e. Special Frontage Requirements – In order to address specific requirements and transitions based on street frontage and adjacency, the following Special Frontage Requirements as established in the Regulating Plan (Appendix B) shall apply:
- (1) Main Street Frontage: Ground floors of all buildings designated as Main Street Frontage on the Regulating Plan shall not be occupied by residential units and/or lodging rooms in hotels to a

minimum depth of 30 feet as measured from the front building line. In addition, buildings on all lots with the Main Street Frontage designation shall be a minimum of 2 stories.

- (2) Promenade Frontage: Ground floors of all buildings designated as Promenade Frontage along Clear Creek shall be built to Commercial Ready standards with 15’ ground floor to floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk. In addition, buildings shall be set back a minimum of 20’ along the creek frontage to provide for outdoor café seating.
- (3) Kirby Drive Frontage: For all lots, buildings and building sites with frontage on Kirby Drive on the Regulating Plan, the following standards shall apply:
  - i. A building setback of a minimum of 15 ft. shall apply along the designated frontage. Of the 15 ft. setback, 6 ft. (min.) shall be dedicated to a landscaped parkway. A maximum building setback of 85 ft. shall be required along the lots designated with the Kirby Drive Frontage.
  - ii. Surface parking lots no deeper than 70 feet may be permitted so long as its frontage along Kirby Drive is no more than 50% of the lot’s frontage along Kirby Drive.
  - iii. Driveways along the Kirby Drive frontage shall be limited to a maximum of 24 ft. in width and one driveway per every 350 ft. of block frontage.

f. Civic Space – The Regulating Plan indicates Required and Recommended Civic Spaces. The specific standards for Civic Space are established in Part 11.

**Part 6. Schedule of Permitted Uses**

a. Generally: Due to the emphasis on urban form over land uses in Lower Kirby Urban Center, general use categories have been identified by character zones. Uses not listed in the following schedule, but are substantially similar, may be permitted upon the approval of the City Manager or designee, subject to appeal directly to the City Council.

b. Schedule of Uses:

Table 6.1

Character Zone	Mixed Use Core	Highway Commercial	Urban Neighborhood	Commercial Transition	Research/Teach Campus
<b>Land Use</b>					
<b>Commercial Uses (Office, Retail, Sales &amp; Service Uses)</b>					
Retail Sales or Service with <u>no drive through facility</u> (includes alcohol sales which shall meet Chapter 4 of the City of Pearland Code of Ordinances). Excluded from this category are Auto-Retail Sales and Service Uses (see Part 4 of this Code for Definition of Retail, Service uses, and Auto-related Sales and Service)	P	P	P/C	P	P
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, <u>with no drive through facility</u>	P	P	P/C	P	P
Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.	P	P	P/C	P	P
Research laboratory headquarters, laboratories and associated facilities	P	P	NP	P	P
Food Service Uses such as full-service restaurants, cafeterias, caterers, bakeries and snack bars with <u>no drive through facilities</u> Included in this category is café seating within a public or private sidewalk area with no obstruction of pedestrian circulation. Also included in this category is the sale of alcoholic beverages which shall meet Chapter 4 of the City of Pearland Code of Ordinances.	P	P	P/C	P	P
Any use with a drive through facility	P/C	P/C	NP	P/C	P/C
Auto-related Service	NP	P/C	NP	P/C	NP

LOWER KIRBY URBAN CENTER  
DEVELOPMENT CODE

Character Zone	Mixed Use Core	Highway Commercial	Urban Neighborhood	Commercial Transition	Research/Teach Campus
<b>Arts, Entertainment, and Recreation Uses</b>					
Art galleries	P	P	P/C	P	P
Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto electronics sales or service)	P	P	NP	P	P
Games arcade establishments	P	P	NP	P	P
Theater, cinema, dance, music or other entertainment establishment	P	P	NP	P	P
Museums and other special purpose recreational institutions	P	P	NP	P	P
Fitness, recreational sports, gym, or athletic club	P	P	NP	P	P
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P
<b>Educational, Public Administration, Health Care and Other Institutional Uses</b>					
Business associations and professional membership organizations	P	P	P/C	P	P
Child day care and preschools	P	P	NP	P	P
Schools, libraries, and community halls	P	P	NP	P	P
Universities and Colleges	P/C	P	NP	P	P
Hospital	P	P	NP	P	P
Civic uses	P	P	NP	P	P
Social and fraternal organizations	P	P	NP	P	P
Social services and philanthropic organizations	P	P	NP	P	P
Religious Institutions	P	P	NP	P	P
Funeral homes	P	P	NP	P	P
<b>Residential Uses</b>					
Home Occupations	P/A	P/A	P/A	P/A	P/A
Multi-family residential					
Ground Floor	P/C	P/C	P	P/C	P/C
Upper Floors	P	P	P	P	P
Residential Lofts	P	P	P	P	P
Single-family residential attached dwelling unit (Townhomes)	P/C	P/C	P	P/C	P/C
Live-work unit	P	NP	P	P	P
<b>Manufacturing, Communications, and Utility Uses</b>					
Warehouse and storage	NP	NP	NP	NP	P/A
Miscellaneous manufacturing and assembly (included in this category are jewelry, silverware, personal metal goods, flatware, dolls, toys, games, musical instruments, medical equipment, high-tech/clean manufacturing, office supplies, and signs.)	NP	NP	NP	NP	P/C
Wholesale trade establishment	NP	NP	NP	NP	P/C
Publishing (newspaper, books, periodicals, software)	NP	P	NP	P	P
Motion picture and sound recording	P	P	NP	P	P
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	NP	P	NP	P	P
Information services and data processing	P	P	NP	P	P
<b>Other Uses</b>					
Model homes for sales and promotion**	P	P	P	P	P
Hotels	P	P	NP	P	P
Parking, surface (primary use of property)	P	P	NP	P	P
Parking, surface (accessory use of property)	P	P	P	P	P
Parking, structured	P	P	P	P	P
Private attached garage	NP	NP	P	P	NP
Private detached garage	NP	NP	P	NP	NP
Sales from kiosks	P	NP	NP	NP	P
Veterinary clinic	P	P	NP	P	P
Community garden	P	P	P	P	P
Antennas including cell, accessory, and mounted on top of buildings	P/A/C	P/A/C	NP	P/A/C	P/A/C
Solar energy equipment	P/A	P/A	P/A	P/A	P/A
Special Event	P/CUP	P/CUP	P/CUP	P/CUP	P/CUP
Rain harvesting equipment	P/A/C	P/A/C	P/A/C	P/A	P/A
Utility equipment (includes electrical transformers, gas meters, etc.)	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C

\*\* Model homes are limited to a time period until all the homes are sold in the neighborhood.

P= Permitted by right      NP= Not Permitted      P/C= Permitted with design criteria per Table 6.2      P/CUP = Permitted with a Conditional Use Permit      P/A = Permitted Accessory Use      NA= Not applicable      P/A/C = Permitted as an Accessory Use with design criteria per Table 6.2

A = Accessory use to not exceed 25% of the primary use building square footage

c. Use Criteria: All uses listed as P/C in Table 6.1 shall also meet the following standards in Table 6.2

Table 6.2 – Use Criteria		
<i>Use</i>	<i>Zone</i>	<i>Location &amp; Design Criteria</i>
<b>Non-Residential Uses</b>		
Any permitted use with a drive through facility	Mixed Use Core, Highway Commercial, Commercial Transition, Research/Tech Campus	<ul style="list-style-type: none"> <li>All drive through access (driveways) shall be from Type ‘B’ Streets.</li> <li>Drive through lanes and/or canopies shall not have frontage along or be located along any Type ‘A’ Streets.</li> <li>Drive through areas shall be screened by a 4’ high Street Screen.</li> </ul>
Universities and Colleges	Mixed Use Core	<ul style="list-style-type: none"> <li>Shall be required to provide structured parking as part of the build-out for the university/college campus</li> </ul>
Auto-related Service	Highway Commercial and Commercial Transition	<ul style="list-style-type: none"> <li>Gas pumps, canopies, and/or service bays shall not be located along any Type ‘A’ Street frontage.</li> <li>No more than 50% of a block’s frontage along a Type ‘B’ Street shall be occupied by gas pumps, canopies, and/or service bays.</li> <li>Any buildings associated with the use shall also have a pedestrian entrance at a Type ‘A’ Street.</li> <li>No outdoor storage of vehicles or other products sold shall be permitted. All auto-related sales display shall be inside storefronts.</li> </ul>
Retail sales and service	Urban Residential	<ul style="list-style-type: none"> <li>Shall only be permitted on corner lots in the Urban Residential Zone or along Promenade Frontage blocks as identified in the Regulating Plan</li> <li>Building area shall not exceed 10,000 sq.ft.</li> </ul>
Finance, Insurance, and Real Estate establishments		
Food Service Uses such as full-service restaurants, cafeterias, bakeries and snack bars with <u>no drive through facilities</u>		
Business Associations and professional membership organizations		
Offices for business, professional, and technical uses	Urban Residential	<ul style="list-style-type: none"> <li>Shall be permitted in any live-work building where the ground floor is built to Commercial Ready standards with 15’ ground floor clear height and H/C access.</li> <li>All other buildings for office and art gallery uses shall be limited to 6,000 sq.ft.</li> </ul>
Art Galleries		
<b>Residential Uses</b>		
Multi-family residential Ground Floor	Mixed Use Core, Highway Mixed Use, Commercial Transition, and Research/Tech Campus	<ul style="list-style-type: none"> <li>All ground floors along all Type ‘A’ Streets and Beltway 8 and US 288 Access Road frontages shall be built to Commercial Ready standards. Ground floors may be occupied by residential uses unless designated as Main Street Frontage or has frontage along Beltway 8 or US 288.</li> <li>Ground floors of all buildings designated as Main Street Frontage on the Regulating Plan <u>shall not</u> be occupied by residential units and lodging rooms to a minimum depth of 30 feet as measured from the front building line.</li> </ul>
Single-family residential attached dwelling unit (Townhomes)	Mixed Use Core, Highway Commercial, Commercial Transition, and Research/Tech Campus	<ul style="list-style-type: none"> <li>Shall be permitted along Type ‘B’ Streets</li> <li>Frontages along street intersections shall be built to Commercial Ready standards for a minimum of 30’ along each street or the width of the lot, whichever is less.</li> </ul>
<b>Manufacturing, Communications, and Utility Uses</b>		
Miscellaneous manufacturing and assembly (included in this category are jewelry, silverware, personal metal goods, flatware, dolls, toys, games, musical instruments, medical equipment, high-tech/clean manufacturing, office supplies, and signs.)	Research/Tech Campus	<ul style="list-style-type: none"> <li>No outdoor storage areas shall be located along the Kirby Drive frontage and along all other streets, outdoor storage areas shall be screened by masonry or living fence that is at least as high as the items being screened or 6’ whichever is greater.</li> <li>Service, loading, unloading and truck access shall not be located along the Kirby Drive frontage.</li> </ul>
Wholesale trade establishment		

Table 6.2 – Use Criteria		
<i>Use</i>	<i>Zone</i>	<i>Location &amp; Design Criteria</i>
<b>Other Uses</b>		
Antennas including cell, accessory and mounted (Excluded from this category are freestanding and commercial antennas and equipment buildings)	Mixed Use Core, Highway Commercial, Commercial Transition, and Research/Tech Campus	<ul style="list-style-type: none"> <li>• Antennas shall be permitted on rooftops.</li> <li>• Antennas shall be screened entirely with a screen of same color as the principal building.</li> <li>• Antennas shall not be visible from any adjacent Type ‘A’ Street.</li> </ul>
Rain water harvesting equipment	All zones	<ul style="list-style-type: none"> <li>• Rain water harvesting equipment may not be installed along Type ‘A’ Streets.</li> <li>• On all other frontages, they shall be screened with a Street Screen at least as high as the equipment being screened.</li> </ul>
Utility equipment (includes electrical transformers, gas meters, etc)	All zones	<ul style="list-style-type: none"> <li>• Utility equipment shall not be installed with frontage on Type ‘A’ Streets.</li> <li>• On all other frontages, they shall be screened with a Street Screen at least as high as the equipment being screened.</li> </ul>

**Part 7. Building Form and Development Standards**

The following portion of the code establishes the Building Form and Development Standards for all Character Zones within Lower Kirby Urban Center. Diagrams and reference letters are used for illustrations purposes only. Reference letters may not be in continuous sequence.

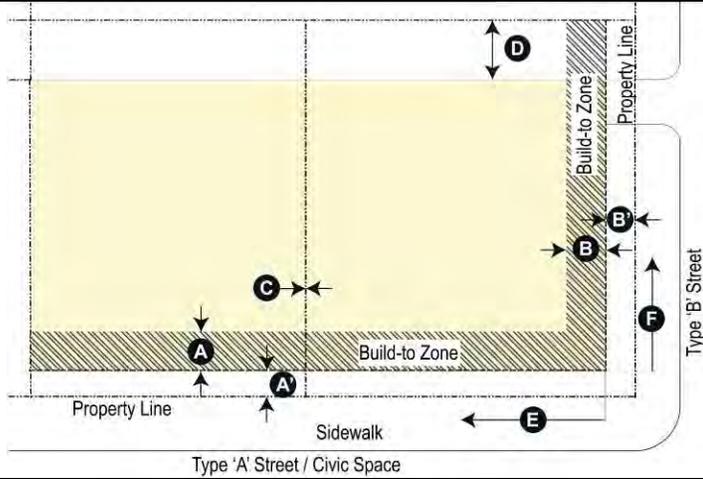
a. Mixed Use Core Zone

Mixed Use Core Zone Location Map

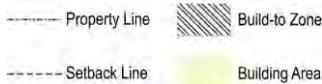


*Note: This map is for reference only. Refer to the Regulating Plan (Appendix B) for all requirements*

**(1) Building Placement**



**Legend**



**Build-To Zone (BTZ)**

**(Distance from property line to the edge of the BTZ)**

Front (Type 'A' Street and Civic Space)	5 – 10 feet (see #1)	<b>A</b>
Front (Type 'B' Street)	5 – 10 feet (see #1)	<b>B</b>

**Setback (distance from property line)**

Front (Type 'A' Street and Civic Space )	5 feet (min.) – 10 feet (max.)	<b>A'</b>
Front (Type 'B' Street)	5 feet (min.) – 10 feet (max.)	<b>B'</b>
Side	0 feet (see #2)	<b>C</b>
Rear	5 feet	<b>D</b>

**Building Frontage**

Building Frontage required along Type 'A' Street/civic space BTZ	90% (min.) (see #3 and #7)	<b>E</b>
Building Frontage required along Type 'B' Street BTZ	25% (min.) (see #3 and #7)	<b>F</b>

**(2) Block Standards**

Block face dimensions	250 – 400 feet
Block perimeter	1400 feet (max.)

**(3) Commercial Frontage Requirements**

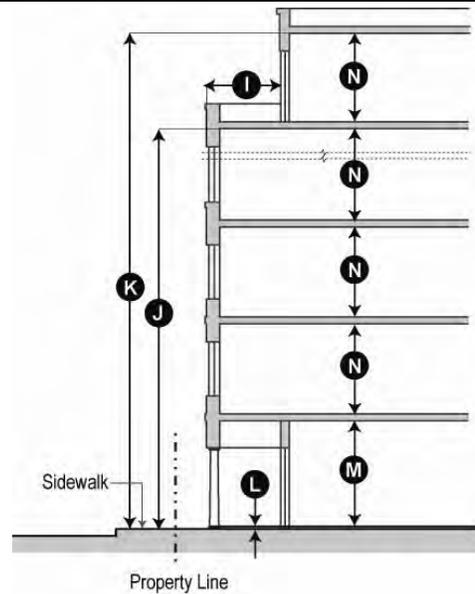
Ground floors of all buildings fronting on Type 'A' Streets and the Beltway 8 and US 288 access lanes shall be built to Commercial Ready standards including first floor-to-floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk.

**(4) Special Frontage Requirements**

*Requirements Specific to Main Street Frontage*

Ground floors of all buildings designated as Main Street Frontage on the Regulating Plan shall not be occupied by residential units and lodging rooms to a minimum depth of 30 feet as measured from the front building line. In addition, all buildings designated as Main Street Frontage on the Regulating Plan shall be a minimum of 2 stories in height.

**(5) Building Height**



**Principal Building Standards**

Building maximum	15 stories (see #4 and #8)	<b>K</b>
First floor to floor height	15 feet (min.) (see #5)	<b>M</b>
Ground floor finish level	12 inches max. above sidewalk (for ground floor Commercial Ready building frontages)	<b>L</b>
Upper floor(s) height (floor-to-floor)	10 feet min.	<b>N</b>
Stepback height	Maximum 6 stories then stepback	<b>J</b>
Stepback distance	10 feet min.	<b>I</b>

**Notes**

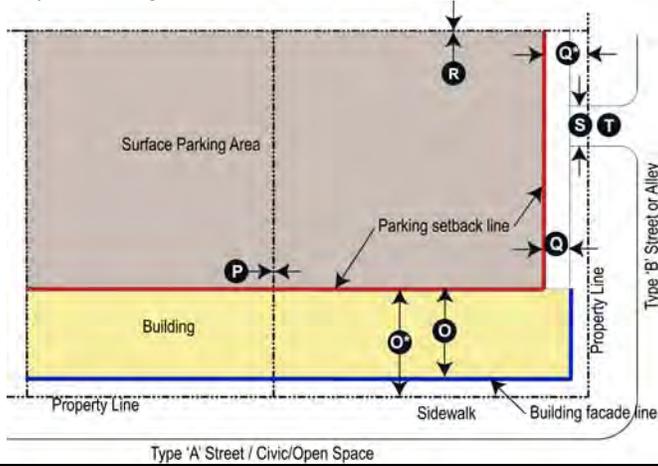
- #1 – The area between the building and the edge of the BTZ or the edge of the public sidewalk shall be paved flush with the sidewalk. This area can have landscaping and planting within tree wells and planters but shall not have lawns or landscape islands.
- #2 – Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #3 – Corner building street facades shall be built to the BTZ for a minimum of 30' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone standards.
- #4 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #5 – First floor heights shall not apply to parking structures.

#6 – All buildings in the Mixed Use Core Zone shall meet the Building Design Standards in Part 8.

#7 – Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high Street Screen. Furthermore service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. The Street Screen shall be of either the same building material as the principal structure on the lot or masonry or a living screen composed of shrubs planted to be opaque at maturity. Species shall be selected from Chapter 4 Site Development Section 4.2.2.5 of the City of Pearland Unified Development Code. The required Street Screen shall be located within the BTZ along the corresponding frontage.

**(6) Parking & Service Access**

**Surface Parking Lots**

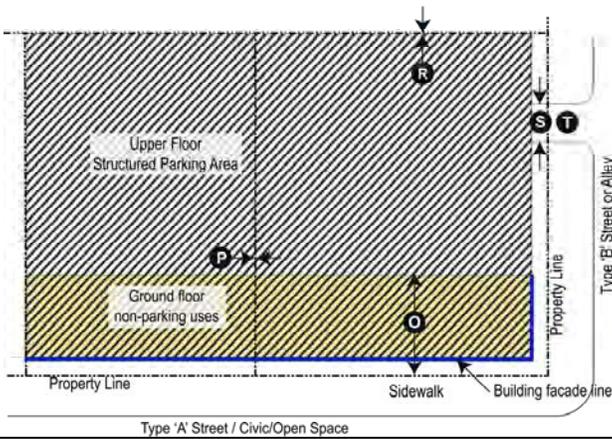


**(i) Parking Location**

**Surface/At Grade Parking**

Type 'A' Street and Civic Space setback	Shall be located behind the building or Setback a min. of 30' from the property line along that street frontage (whichever is greater)	<b>O</b> <b>O*</b>
Type 'B' Street setback	Min. of 3 feet behind the building facade line along that street or Min. 3 feet behind property line (if there is no building along the street frontage)	<b>Q</b> <b>Q*</b>
Side setback (distance from property line)	0 feet min.	<b>P</b>
Rear setback (distance from property line)	0 feet min.	<b>R</b>

**Structured Parking**



**Above Grade Parking** (distance from property line)

Ground floor setback along Type 'A' Street/Civic/Open Space	Min. 30' from the property line along that street/frontage	<b>O</b>
Ground floor setbacks on all other streets	May be built to the building façade line along each street	
Upper floor setbacks on all streets	May be built to the building façade line along each street	
Side and rear setbacks	0 feet min.	<b>P</b> <b>R</b>
Upper Floors	May be built up to the building line	

**(ii) Required Off-Street Parking Spaces** (see #11 and #12)

Non-residential uses	1 space/300 square feet (gross)
Residential uses	1.0 space/unit

**(iii) Driveways and Service Access**

Parking driveway width	20 feet max. (except when drives may need to be wider to address service access or fire lane standards)	<b>S</b>
Driveways and off-street loading and unloading	shall not be located on a Type 'A' Streets.	<b>T</b>

Porte cocheres may be permitted on Type 'A' Streets to provide drop-off and valet service.

Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.

If driveway and/or off-street service loading and unloading access is provided from a Type 'A' Street, such access shall be deemed as temporary and cross access easements along the rear of the property shall be required when adjoining properties are undeveloped.

**(7) Encroachments**

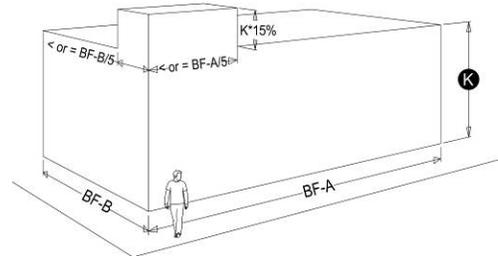
Canopies, signs, awnings and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over public rights-of-way shall obtain a Waiver of Encroachment from the City of Pearland.

**(8) Applicability**

Building Form and Development Standards shall apply to all development within this Character Zone.

**Notes**

#8 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



#9 - Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no lower than 36 inches, the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

#10 – Setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the building façade line.

#11 – Required parking may be provided anywhere within the Mixed Use Core Zone.

#12 - Chapter 4 Site Development Section 4.2.1.3 of the City of Pearland Unified Development Code shall apply for design of off-street parking areas.

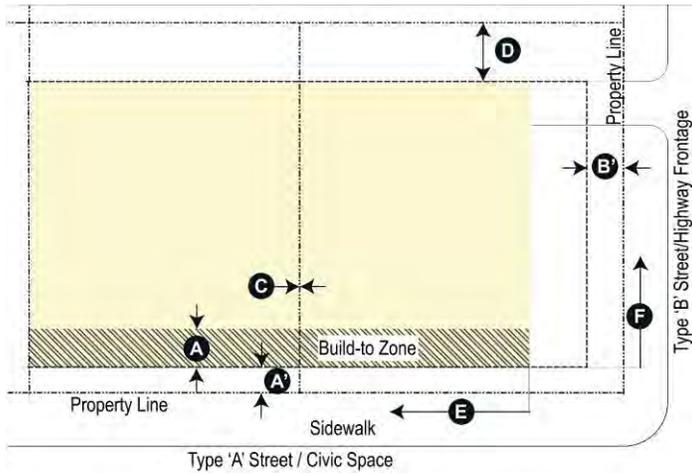
b. Highway Commercial Zone

**Highway Commercial Zone Location Map**



*Note: This map is for reference only. Refer to the Regulating Plan (Appendix B) for all requirements*

**(1) Building Placement**



**Legend**

----- Property Line	Building Area
----- Setback Line	Build-to Zone

**Build-To Zone (BTZ)  
(Distance from Property Line to edge of the BTZ)**

Front (Type 'A' Street/Civic Space)	5 feet – 10 feet (see #1)	<b>A</b>
Front (Type 'B' street or Highway Frontage)	None	

**Setback  
(Distance from property line)**

Front (Type 'A' Street)	5 feet (min.) 10 feet (max.)	<b>A'</b>
Front (Type 'B' Street or Highway Frontage)	10 feet (min.) – No max.	<b>B'</b>
Side (distance from property line)	0 feet (see #3)	<b>C</b>
Rear (distance from property line)	0 feet (see #3)	<b>D</b>

**Building Frontage**

Building Frontage required along Type 'A' Street BTZ	80% (min.) (see #3 and #7)	<b>E</b>
Building Frontage required Type 'B' Street/Highway Frontage BTZ	0% (min.) (see #3 and #7)	<b>F</b>

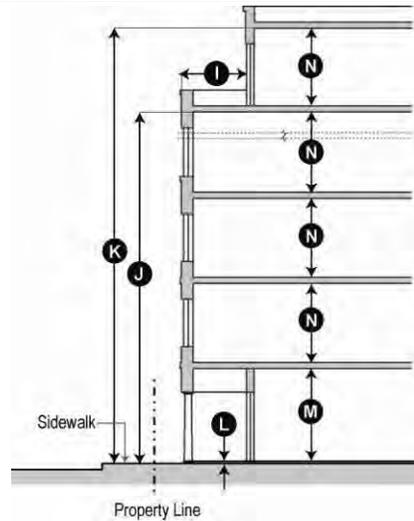
**(2) Block Standards**

Block face dimensions	250 (min.) – 600 feet (max.)
Block perimeter	2000 feet (max.)

**(3) Commercial Frontage Requirements**

Ground floors of all buildings fronting on all Type 'A' Streets, Beltway 8 and SH 288 frontage lanes shall be built to Commercial Ready standards including first floor-to-floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk.

**(4) Building Height**



**Principal Building Standards**

Building maximum	15 stories (see # 5 and #8)	<b>K</b>
First floor to floor height	15 feet min. (see #6)	<b>M</b>
Ground floor finish level	12 inches max. above sidewalk (for ground floor Commercial Ready buildings)	<b>L</b>
Upper floor(s) height (floor-to-floor)	10 feet min.	<b>N</b>
Stepback height	Maximum 6 stories then stepback (see # 13)	<b>J</b>
Stepback distance	10 feet min.	<b>I</b>

**Notes**

#1 – Along Type 'A' Streets, the area between the building and the edge of the BTZ or the edge of the public sidewalk shall be paved flush with the sidewalk. This area can have landscaping and planting within tree wells and planters but shall not have lawns or landscape islands.

#2 – Along the Highway Frontage, the area between the building and property line at the public sidewalk shall include a 6' wide (min.) landscaping strip with street trees planted at 40' on center (average). However, at street intersections, where paving is optional up to 50' along the building façade, tree wells may be used for street trees. Species of the street trees shall be selected from Chapter 4 Site Development Section 4.2.3.9 of the City of Pearland Unified Development Code.

#3 – Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.

#4 – Corner building street facades shall be built to the BTZ for a minimum of 20 feet from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone standards.

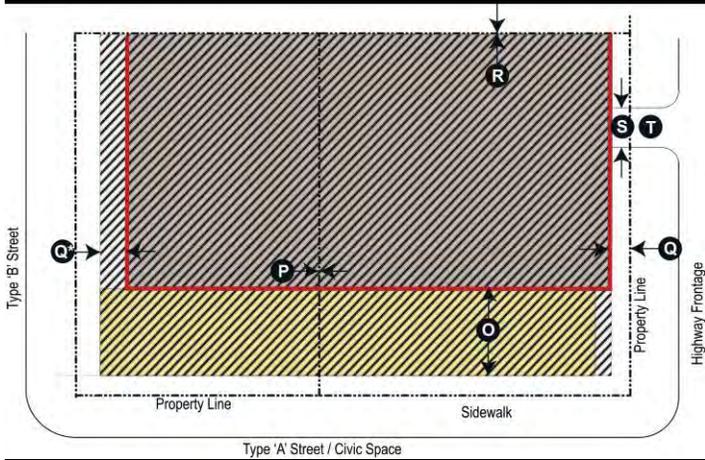
#5 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.

#6 – First floor heights shall not apply to parking structures.

#7 – All buildings in the Highway Commercial Zone shall meet the Building Design Standards in Part 8.

#8 – Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high Street Screen, furthermore service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. The Street Screen shall be of either the same building material as the principal structure on the lot or masonry or a living screen composed of shrubs planted to be opaque at maturity. Species shall be selected from Chapter 4 Site Development Section 4.2.2.5 of the City of Pearland Unified Development Code. The required Street Screen shall be located within the BTZ along the corresponding frontage.

**(5) Parking & Service Access**



**Legend**

Property Line	Above Grade Parking Area
Parking Setback	Building Footprint
Surface/At Grade Parking Area	

**(i) Parking Location**

**Surface/At Grade Parking**

Highway Frontage	Shall be located 10' behind the property line	<b>Q</b>
Type 'A' Street	Shall be located behind the principal building or Setback a min. of 30' from the property line along that street frontage (whichever is greater)	<b>O</b>
Type 'B' Street setback	Min. of 3 feet behind the building façade line along that street	<b>Q</b>
Side setback (distance from property line)	0 feet min.	<b>P</b>
Rear setback (distance from property line)	0 feet min.	<b>R</b>

**Above Grade Parking**

Setback along Type 'A' Street, Type 'B' Street, Slip Road Frontage and Civic Space	At or behind the building façade line along that street
Highway frontage, side and rear setbacks	At or behind the building façade line along that street

**(ii) Required Off-Street Parking Spaces** (see #11 and #12)

Non-residential uses	1 space/300 square feet (gross)
Residential uses	1.5 space/unit

**(iii) Driveways and Service Access**

Parking driveway width	TXDOT standards on Highway frontage road and 24 feet max. on all Lower Kirby Urban Center Streets (except when drives may need to be wider to address service access or fire lane standards)	<b>S</b>
Porte cocheres may be permitted on Type 'A' Streets to provide drop-off and valet service.		<b>T</b>
Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.		
If driveway and/or off-street service loading and unloading access is provided from Type 'A' Streets, such access shall be deemed as temporary and cross access easements along the rear of the property shall be required when adjoining properties are undeveloped.		

**(6) Encroachments**

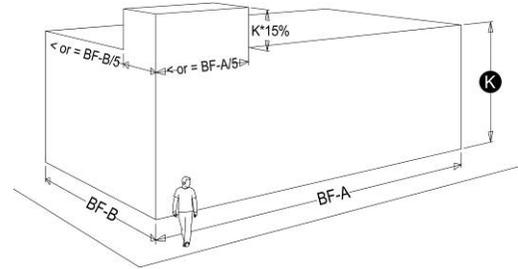
Canopies, signs, awnings and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over public rights-of-way shall obtain a Waiver of Encroachment from the City of Pearland.

**(7) Applicability**

Building Form and Development Standards shall apply to all development within this Character Zone.

**Notes**

#8 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



#9 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no lower than 36 inches, the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

#10 – Setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the building façade line.

#11 – Required parking may be provided anywhere within the Highway Commercial Zone.

#12 – Chapter 4 Site Development Section 4.2.1.3 of the City of Pearland Unified Development Code shall apply for design of off-street parking areas.

#13 - Stepback requirement shall not apply to any façade with frontage along Beltway 8 or SH 288.

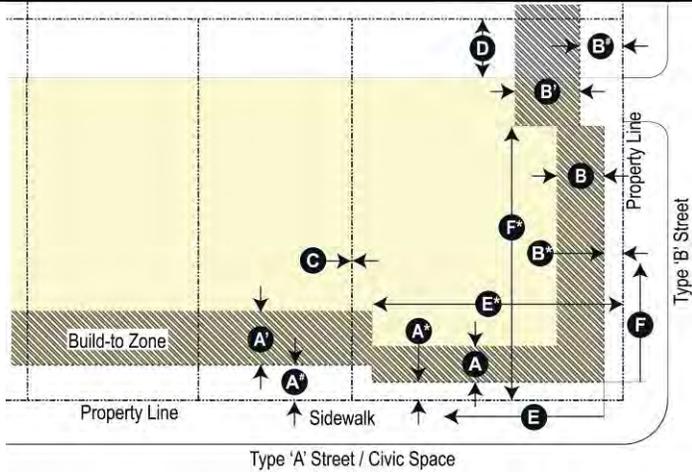
c. Urban Neighborhood Zone

Urban Neighborhood Zone Location Map



*Note: This map is for reference only. Refer to the Regulating Plan (Appendix B) for all requirements*

**(1) Building Placement**



**Legend**

- Property Line
- ▨ Build-to Zone
- Setback Line
- Building Area

**Build-To Zone (BTZ)**

**(Distance from property line to edge of the BTZ)**

*Corner Lots:*

Front (Type 'A' Street and Civic Space)	5 – 10 ft. (see #2)	<b>A</b>
Front (Type 'B' Street)	5 – 20 ft. (see #2)	<b>B</b>
Width of intersection (corner lot) build-to zone (both Type 'A' and 'B' Streets)	25 ft. (min.) 50 ft. (max.)	<b>E*</b> <b>F*</b>

*Interior Lots:*

Front (Type 'A' Street and Civic Space)	10 – 25 ft.	<b>A*</b>
Front (Type 'B' Street)	10 – 25 ft.	<b>B*</b>

**Setback (Distance from property line)**

Front (Type 'A' Street) (Corner Lots)	5 ft. (min.) – 10 ft. (max)	<b>A*</b>
Front (Type 'A' Street) (Interior Lots)	10 ft. (min.) – 25 ft. (max)	<b>A#</b>
Front (Type 'B' Street) (Corner Lots)	5 ft. (min.) – 20 ft. (max)	<b>B*</b>
Front (Type 'B' Street) (Interior Lots)	10 ft. (min.) – 25 ft. (max)	<b>B#</b>
Side	0 ft. (see #1)	<b>C</b>
Rear	10 ft.	<b>D</b>

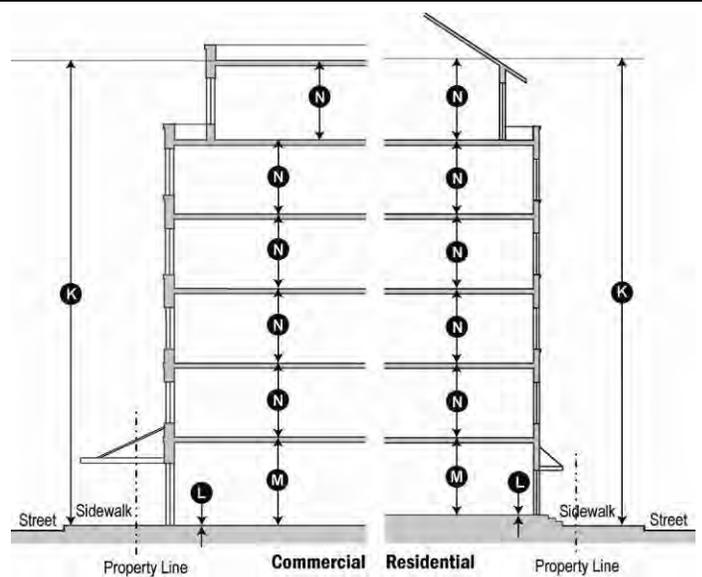
**Building Frontage**

Building Frontage required along Type "A" Street/Civic Space BTZ	60% (min.) (see #3 and #6)	<b>E</b>
Building Frontage required along Type "B" Street BTZ	30% (min.) (see #3 and #6)	<b>F</b>

**(2) Block Standards**

Block face dimensions	300 – 600 ft. (maximum)
Block perimeter	2000 ft. (maximum)

**(3) Building Height**



**Principal Building Standards**

Building maximum	6 stories (see #4 and #7)	<b>K</b>
First floor to floor height	15 ft. min. for non-residential 10 ft. min for residential	<b>M</b>
Ground floor finish level	12 in. max. above finished sidewalk (for ground floor commercial uses); 18 in. min. (for residential uses)	<b>L</b>
Upper floor(s) height (floor-to-floor)	10 ft. min.	<b>N</b>

**Accessory Building Standards**

Building maximum	2 stories
------------------	-----------

**(4) Commercial Frontage Requirements**

Ground floors of all buildings at intersections, for a minimum of 30 ft. along each street frontage or the width of the corner lot, whichever is less, may be built to Commercial Ready standards including first floor-to-floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk.

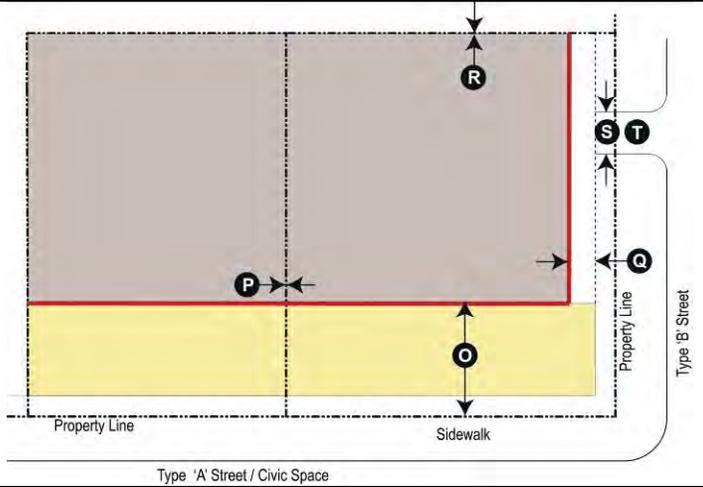
**(5) Promenade Frontage Requirements**

Ground floors of all buildings designated as Promenade Frontage shall be built to Commercial Ready standards with 15' ground floor to floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk. In addition, buildings shall be set back a minimum of 20' along this frontage to provide for outdoor café seating.

**Notes**

- #1 – Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 - Along corner lot Type 'A' Street frontages, the area between the building and the edge of the BTZ or the edge of the public sidewalk shall be paved flush with the sidewalk. This area can have landscaping and planting within tree wells and planters but shall not have lawns or landscape islands.
- #3 – Corner building street facades must be built to the BTZ for a minimum of 30' from the corner along both streets or the width of the corner lot, whichever is lesser.
- #4 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #5 – All buildings in the Urban Neighborhood Zone shall meet the Building Design Standards in Part 8.

**(6) Parking & Service Access**



**Legend**

Property Line	Surface/At Grade Parking Area
Parking Setback	Building Footprint

**(i) Parking Location**

**Surface/At Grade Parking (Distance from property line)**

Type 'A' Street and Civic Space setback	Shall be located behind the principal building or 25'; whichever is greater	<b>O</b>
Type 'B' Street setback	Min. of 3 feet behind the building façade line along that street	<b>Q</b>
Side setback	0 ft.	<b>P</b>
Rear setback	5 ft.	<b>R</b>

**(ii) Required Off-Street Parking Spaces (see #10)**

Non-residential uses	1 space/300 sq. ft. (gross)
Residential uses	1.5 space/unit

**(iii) Driveways and Service Access**

Parking driveway width	20 ft. max. (except when drives may need to be wider to address service access or fire lane standards)	<b>S</b>
Driveways and off-street loading and unloading shall not be located on a Type 'A' Streets.		<b>T</b>
Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.		

**(7) Encroachments**

**Corner Lots:** Canopies, signs, awnings and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 ft. In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over public rights-of-way shall obtain a Waiver of Encroachment from the City of Pearland.

**Interior Lots:** Porches, stoops, awnings, signs, balconies, bay windows and other architectural features may encroach into required setback areas, provided they do not encroach over the front property line.

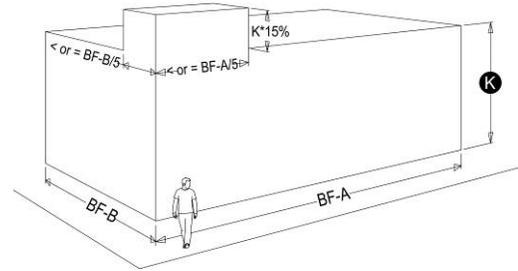
**(8) Applicability**

Building Form and Development Standards shall apply to all development within this Character Zone.

**Notes**

#6 – Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high Street Screen, furthermore service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. The Street Screen shall be of either the same building material as the principal structure on the lot or masonry or a living screen composed of shrubs planted to be opaque at maturity. Species shall be selected from Chapter 4 Site Development Section 4.2.2.5 of the City of Pearland Unified Development Code. The required Street Screen shall be located within the BTZ along the corresponding frontage.

#7 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



#8 – Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42", the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

#9 – Setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the front of façade with the recessed entry or arcade.

#10 – Chapter 4 Site Development Section 4.2.1.3 of the City of Pearland Unified Development Code shall apply for design of off-street parking areas.

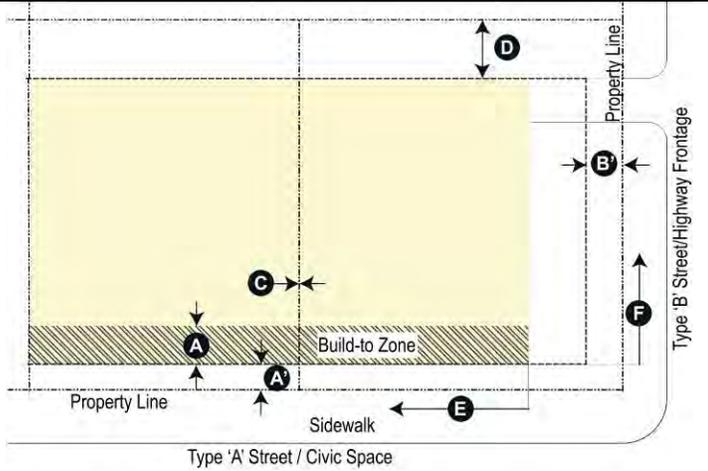
d. Commercial Transition Zone

**Commercial Transition Zone Location Map**



*Note: This map is for reference only. Refer to the Regulating Plan (Appendix B) for all requirements*

**(1) Building Placement**



**Legend**

----- Property Line	Build-to Zone
----- Setback Line	Building Area

**Build-to Zone (BTZ)  
(Distance from property line to edge of the zone)**

Front (Type 'A' Street / Civic Space)	5' – 15'	<b>A</b>
Front (Type 'B' Street)	None	

**Setback (Distance from the property line)**

Front (Type 'A' Street / Civic Space)	5' (min.) 15' (max.)	<b>A'</b>
Front (Type 'B' Street)	5' (min.) No max.	<b>B'</b>
Side	0' (min.) (see #1)	<b>C</b>
Rear	5' (min.)	<b>D</b>

**Building Frontage**

Building Frontage required along Type 'A' Street/civic space BTZ	70% (min.) (see #2 and #5)	<b>E</b>
Building Frontage required along Type 'B' Street BTZ	0% (min.) (see #2 and #5)	<b>F</b>

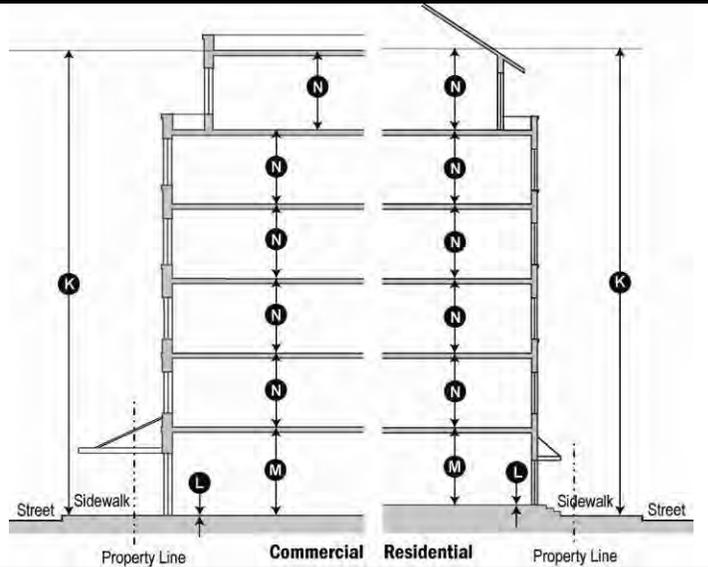
**(2) Block Standards**

Block face dimensions	600 ft. (maximum)
Block perimeter	2000 ft. (maximum)

**(3) Commercial Frontage Requirements**

Ground floors of all buildings fronting on Type 'A' Streets shall be built to Commercial Ready standards including first floor-to-floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk.

**(4) Building Height**



**(i) Principal Building Standards**

Building maximum	6 stories (see #4 and #6)	<b>K</b>
First floor to floor height (along Type 'A' Streets)	15' (min.) (see #3)	<b>M</b>
First floor to floor height (fronting on all other streets)	10' min.	<b>M</b>
Ground floor finish level	12 in. max. above sidewalk (for ground floor commercial buildings and along Type 'A' Streets); 18 in. min. (for ground floor residential uses)	<b>L</b>
Upper floor(s) height	10' min.	<b>N</b>

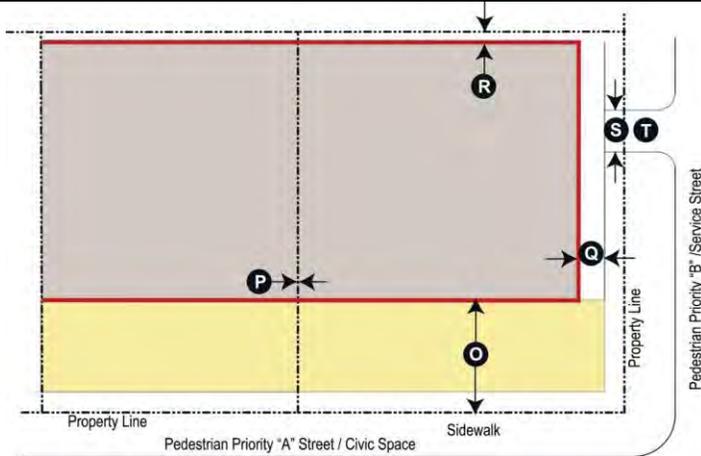
**(ii) Accessory Building Standards**

Building maximum	2 stories
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**Notes**

- #1 – Side setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #2 – Corner building street facades must be built to the BTZ for a minimum of 25' from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone standards.
- #3 – First floor heights shall not apply to parking structures.
- #4 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #5 – Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high Street Screen, furthermore service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. The Street Screen shall be of either the same building material as the principal structure on the lot or masonry or a living screen composed of shrubs planted to be opaque at maturity. Species shall be selected from Chapter 4 Site Development Section 4.2.2.5 of the City of Pearland Unified Development Code. The required Street Screen shall be located within the BTZ along the corresponding frontage.

**(5) Parking & Service Access**



**Legend**

- Property Line
- Surface Parking Area
- Parking Setback
- Building Footprint

**(i) Parking Location (distance from property line)**

Type 'A' Street setback	Behind the principal structure on the lot or a minimum of 30' from the property line (whichever is greater)	<b>O</b>
Type 'B' Street setback	Min. of 3' behind the building facade line along that street	<b>Q</b>
Side setback	0' min.	<b>P</b>
Rear setback	0' min.	<b>R</b>

**(ii) Required Parking Spaces (see #9)**

Non-residential uses	1 space/300 sq. ft. (gross)
Residential uses	1.5 space/unit

**(iii) Driveways and Service Access**

Parking driveway width	24' max. (at the throat)	<b>S</b>
Driveways and off-street loading and unloading shall not be located on a Type "A" Street unless the property has no feasible access to either a vehicular alley or a Service Street.		<b>T</b>

**(6) Encroachments**

Corner Lots: Canopies, signs, awnings, galleries, and balconies may encroach over the R-O-W/sidewalk as long as the vertical clearance is a minimum of 8 ft. In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over public rights-of-way shall obtain a Waiver of Encroachment from the City of Pearland.

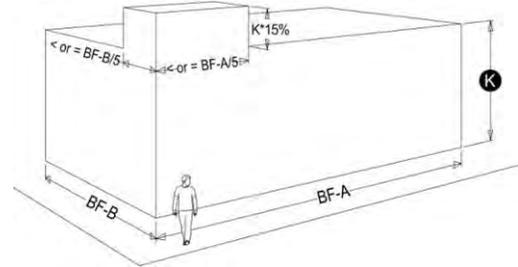
Interior lots: Porches, stoops, awnings, signs, galleries, balconies, bay windows and other architectural features may encroach into required yards, provided they do not encroach over the front property line.

**(7) Applicability**

Building Form and Development Standards shall apply to all development within this Character Zone.

**Notes**

#6 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



#7 - Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no higher than 42", the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

#8 – Setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the front of façade with the recessed entry or arcade.

#9 – Chapter 4 Site Development Section 4.2.1.3 of the City of Pearland Unified Development Code shall apply for design of off-street parking areas.

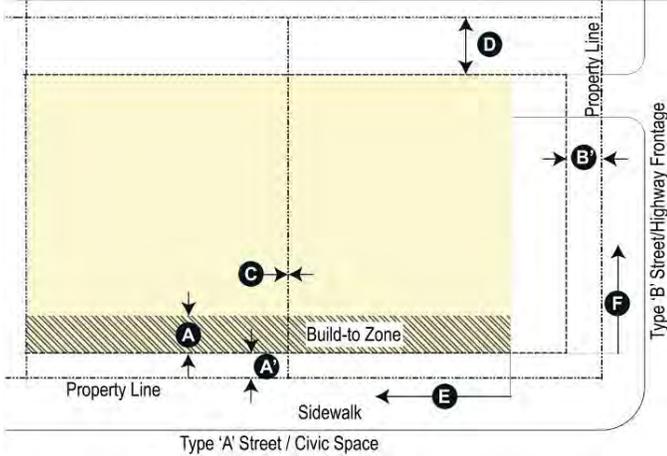
e. Research/Tech Campus Zone

**Research/Tech Campus Zone Location Map**

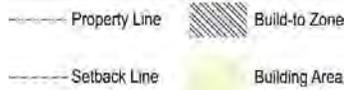


*Note: This map is for reference only. Refer to the Regulating Plan (Appendix B) for all requirements*

**(1) Building Placement**



**Legend**



**Build-To Zone (BTZ)**

**(Distance from edge of the property line to the edge of the BTZ)**

Front (Type 'A' Street and Civic Space)	5 – 20 feet (see #1)	<b>A</b>
Front (Type 'B' Street)	None	
Front (Kirby Drive)	See (4) below	

**Setback (Distance from property line)**

Front (Type 'A' Street and Civic Space)	5 feet (min.) – 20 feet (max)	<b>A'</b>
Front (Type 'B' Street)	5 feet (min.) No max.	<b>B'</b>
Front (Kirby Drive)	See (4) below	
Side	0 feet (see #2)	<b>C</b>
Rear	0 feet(see #2)	<b>D</b>

**Building Frontage**

Building Frontage required along Type 'A' Street/civic space BTZ	70% (min.) (see #3 and #7)	<b>E</b>
Building Frontage required along Type 'B' Street BTZ	0% (min.) (see 7.2.4, #3 and #7)	<b>F</b>
Building Frontage required along Kirby Drive Street BTZ	50% (min.) See below (4)	

**(2) Block Standards**

Block face dimensions	400 – 600 feet
Block perimeter	2000 feet (maximum)

**(3) Commercial Frontage Requirements**

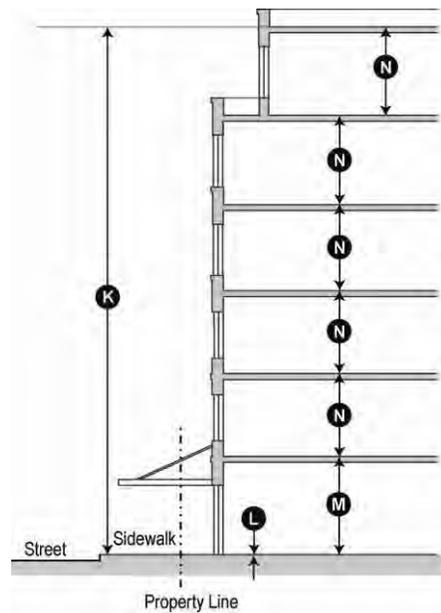
Ground floors of all buildings fronting on Type 'A' Streets and Kirby Drive shall be built to Commercial Ready standards including first floor-to-floor height, ingress and egress, handicap access, and first floor elevation flush with the sidewalk.

**(4) Kirby Drive Frontage Requirements**

For all buildings and building sites with frontage on Kirby Drive on the Regulating Plan, the following standards shall apply:

- i. A building setback of a minimum of 15 ft. shall apply along the designated frontage. Of the 15 ft. setback, 6 ft. (min.) shall be dedicated to a landscaped parkway. A maximum building setback of 85 ft. shall be required along the lots designated with the Kirby Drive Frontage.
- ii. Surface parking lots no deeper than 70 ft. may be permitted so long as its frontage along Kirby Drive is no more than 50% of the lot frontage along Kirby Drive.
- iii. Driveways shall be limited to a maximum of 24 ft. in width and one driveway per every 350 ft. of block frontage.

**(5) Building Height**



**Principal Building Standards**

Building maximum	6 stories (see #4 and #7)	<b>K</b>
First floor to floor height	15 feet min. (see #5)	<b>M</b>
Ground floor finish level	12 inches max. above sidewalk	<b>L</b>
Upper floor(s) height (floor-to-floor)	10 feet min.	<b>N</b>

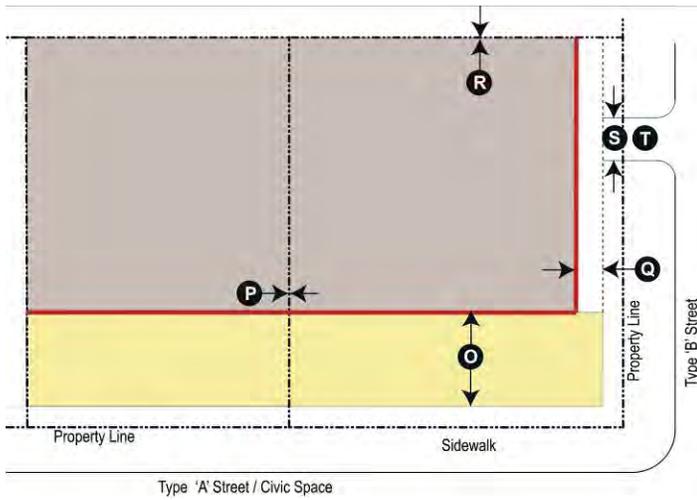
**Accessory Building Standards**

Building maximum	2 stories (see #4)
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**Notes**

- #1 – The area between the building and the edge of the BTZ or the edge of the public sidewalk shall be paved flush with the sidewalk along all Type 'A' Streets. This area can have landscaping and planting within tree wells and planters but shall not have lawns or landscape islands.
- #2 – Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- #3 – Corner building street facades shall be built to the BTZ for a minimum of 30 feet from the corner along both streets or the width of the corner lot, whichever is less. Recessed entrances are permitted as long as the upper floors meet the build-to zone standards.
- #4 – Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #5 – All buildings in the Research/Tech Campus Zone shall meet the Building Design Standards in Part 8.
- #6 – Any frontage along all streets (except alleys) not defined by a building at the BTZ shall be defined by a 4-foot high Street Screen, furthermore service areas shall be defined by a Street Screen that is at least as high as the service equipment being screened. The Street Screen shall be of either the same building material as the principal structure on the lot or masonry or a living screen composed of shrubs planted to be opaque at maturity. Species shall be selected from Chapter 4 Site Development Section 4.2.2.5 of the City of Pearland Unified Development Code. The required Street Screen shall be located within the BTZ along the corresponding frontage.

**(6) Parking & Service Access**



**Legend**

Property Line	Surface/At Grade Parking Area
Parking Setback	Building Footprint

**(i) Parking Location**

**Surface/At Grade Parking**

Type 'A' Street, Slip Road Frontage and Civic Space setback	Shall be located behind the principal building or a minimum of 30' from the property line (whichever is greater)	<b>O</b>
Type 'B' Street setback	Min. of 3 feet behind the building facade line along that street	<b>Q</b>
Side setback (distance from property line)	0 feet min.	<b>P</b>
Rear setback (distance from property line)	0 feet min.	<b>R</b>

**(ii) Required Off-Street Parking Spaces** (see #10)

Non-residential uses	1 space/400 square feet (gross)
Residential uses	1.5 space/unit

**(iii) Driveways and Service Access**

Parking driveway	24 feet max. (except when drives may need to be wider to address service access or fire lane standards)	<b>S</b>
Driveways and off-street loading and unloading	shall <u>not</u> be located on a Type 'A' Streets.	<b>T</b>

Off-street loading and unloading shall not be located along the Kirby Drive frontage.

Porte cocheres may be permitted on Type 'A' Streets to provide drop-off and valet service.

Shared driveways and cross access easements are encouraged between lots to minimize curb cuts.

If driveway and/or off-street service loading and unloading access is provided from a Type 'A' Street, such access shall be deemed as temporary and cross access easements along the rear of the property shall be required when adjoining properties are undeveloped.

**(7) Encroachments**

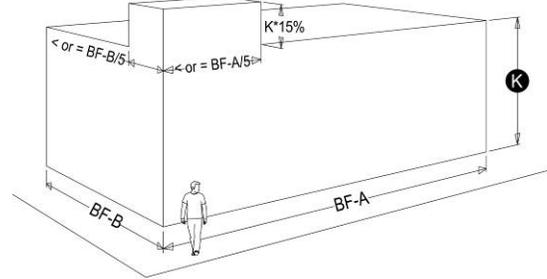
Canopies, signs, awnings and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over public rights-of-way shall obtain a Waiver of Encroachment from the City of Pearland.

**(8) Applicability**

Building Form and Development Standards shall apply to all development within this Character Zone.

**Notes**

#7 – Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



#8 - Ground and roof mounted mechanical equipment shall be screened from direct ground level view from adjoining public rights-of-way. In addition to a parapet wall no lower than 36 inches, the perimeter of any visible roof mounted mechanical equipment shall be circumscribed by a wall or permanent screen that is at least as tall as the equipment itself.

#9 – Setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the building façade line.

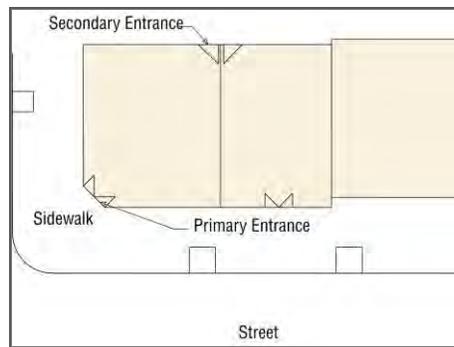
#10 – Chapter 4 Site Development Section 4.2.1.3 of the City of Pearland Unified Development Code shall apply for design of off-street parking areas.

## Part 8. Building Design Standards

The Building Design Standards for Lower Kirby Urban Center shall establish a coherent urban character and encourage enduring and attractive development. Development plans or site plans shall be reviewed by the City Manager or designee for compliance with the standards below.

The key design principles establish essential goals for development in Lower Kirby Urban Center to ensure the preservation, sustainability, and visual quality of this unique environment. Buildings shall be located and designed so that they provide visual interest and create enjoyable, human-scaled spaces. The key design principles are:

- i. New buildings shall utilize building elements and details to achieve a pedestrian-oriented public realm.
  - ii. Compatibility is not meant to be achieved through uniformity, but through the use of variations in building elements to achieve individual building identity.
  - iii. Building facades shall include appropriate architectural details and ornament to create variety and interest.
  - iv. Open space(s) shall be incorporated to provide usable public areas integral to the urban environment.
- a. General to all Character Zones
- (1) Building Orientation
    - i. Buildings shall be oriented towards Type ‘A’ Streets, where the lot has frontage along Type ‘A’ Streets. All other buildings shall be oriented towards Type ‘B’ Streets or Civic Spaces.
    - ii. Primary entrance to buildings shall be located on the street along which the building is oriented. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection.
    - iii. All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access. Secondary and service entrances may be located from internal parking areas or alleys.



*Figure showing required building orientation and location of primary entrances*

- (2) Design of Parking Structures
  - i. All frontages of parking structures located on Type ‘A’ Streets shall not have parking uses on the ground floor to a minimum depth of 30 feet along the Type ‘A’ Street frontage. If the frontage is along a designated Main Street Frontage, then the Main Street Frontage requirement shall supersede.

- ii. The amount of Type ‘A’ Street frontage devoted to a parking structure shall be minimized by placing the shortest dimension(s) of the parking structure along the Type ‘A’ Street edge(s).
- iii. Parking structure facades on all Type ‘A’ Streets shall be designed with both vertical (façade rhythm of 20 feet to 30 feet) and horizontal (aligning with horizontal elements along the block) articulation.
- iv. Where above ground structured parking is located at the perimeter of a building with frontage along a Type ‘A’ Street, it shall be screened in such a way that cars on all parking levels are completely hidden from view from all adjacent public streets. Parking garage ramps shall not be visible from any public street. Ramps shall not be located along the perimeter of the parking structure. Architectural screens shall be used to articulate the façade, hide parked vehicles, and shield lighting. In addition, the ground floor façade treatment (building materials, windows, and architectural detailing) shall be continued to the second floor of a parking structure along all Type ‘A’ Streets.
- v. When parking structures are located at street intersections, corner architectural elements shall be incorporated such as corner entrance, signage and glazing.
- vi. Parking structures and adjacent sidewalks shall be designed so pedestrians and bicyclists are clearly visible to entering and exiting automobiles.



*Images showing appropriate design of Parking Structures*

- (3) Design of Automobile Related Building Site Elements
  - i. Drive-through lanes for commercial uses shall not be located along any Type ‘A’ Street. Drive-through lanes shall be hidden behind a Street Screen along the Type ‘B’ Street frontage.
  - ii. All off-street loading, unloading, and trash pick-up areas shall be located along alleys or Type ‘B’ Streets only unless permitted in the specific building form and development standards in Part 7. All off-street loading, unloading, or trash pick-up areas shall be screened using a Street Screen that is at least as tall as the trash containers and/or service equipment it is screening at the BTZ. The Street Screen shall be made up of (i) the same material as the principal building or (ii) a living screen or (iii) a combination of the two.
- (4) Roof Form
  - i. Buildings shall have simple, flat fronts with minimal articulations with flat or low pitched roofs with parapets. Corner hip roof elements and gable accents at the parapet may be permitted.
  - ii. The following standards shall apply for all buildings with mansard roofs in Lower Kirby Urban Center:
    - Mansard roofs shall only be used on buildings that are three stories or higher.
    - The mansard roof shall project no more than 18” forward of the building façade line.
    - The lower slope of the roof should be inclined at no greater than 75 degrees to the horizontal.



*Images of appropriate building and roof forms in the Lower Kirby Urban Center*

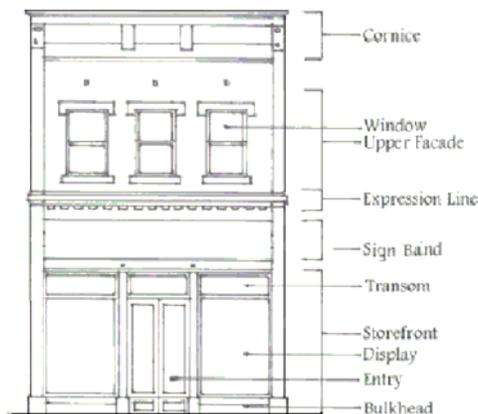
(5) Façade Composition

- i. Buildings shall maintain a façade rhythm between 20 feet and 30 feet along all Type ‘A’ Streets.
- ii. This rhythm may be expressed by changing materials, or color, or by using design elements such as fenestration, columns and pilasters, or by varying the setback of portions of the façade.
- iii. Buildings shall be designed and built in tri-partite architecture so that they have a distinct Base, Middle and Cap.



*Image of Tri-Partite Architecture*

- iv. An expression line or equivalent architectural element shall delineate the Base and Cap of all buildings. A cornice shall delineate the caps of facades that do not utilize a pitched roof.
- v. For retail storefront buildings, a transom, display window area, and bulkhead at the base shall be utilized.



*Image of a typical storefront*

- vi. Storefronts on facades that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.
- vii. Building entrances may be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticos, porches, overhangs, railings, balustrades, and others as appropriate. All building elements should be compatible with the architectural style, materials, colors, and details of the building as a whole. Entrances to upper level uses may be defined and integrated into the design of the overall building facade.
- viii. Buildings shall generally maintain the alignment of horizontal elements along the block.
- ix. Corner emphasizing architectural features, pedimented gabled parapets, cornices, awnings, blade signs, arcades, colonnades and balconies may be used along commercial storefronts to add pedestrian interest.



*Buildings with architectural features and storefront elements that add interest along the street.*

- x. Buildings which are located on axis with a terminating street or at the intersection of streets shall be considered as feature buildings. Such buildings shall be designed with features which take advantage of that location, such as an accentuated entry and a unique building articulation which is off-set from the front wall planes and goes above the main building eave or parapet line.
- (6) Windows and Doors
- i. Windows and doors on street (except alleys) fronting facades shall be designed to be proportional and appropriate to the specific architectural style of the building. First floor windows shall NOT be opaque, tinted or mirrored glass.
  - ii. All ground floor front facades of buildings along Type ‘A’ Streets or Civic/Open Space shall have transparent storefront windows covering no less than 50% of the façade area. Each upper floor of the same building facades facing a Type ‘A’ Street or Civic/Open Space shall contain transparent windows covering at least 25% of the façade area. All other street facing facades (except alleys) shall have transparent windows covering at least 20% of the façade area for all floors.



*Images showing appropriate storefront display and transparency*

b. Standards Specific to Development in the Mixed Use Core, Highway Commercial, and Commercial Transition Character Zones

(1) Commercial or Mixed Use Building Materials

- i. At least 80% of each building’s façade (excluding doors and windows) fronting along any Type ‘A’ Street, Kirby Drive, Beltway 8, and SH 288 shall be finished in one of the following materials:
  - Masonry (brick, stone, stucco utilizing a three-step process, curtain glass, or glass block)
- ii. No more than 20% of each façade along any Type ‘A’ Street, Kirby Drive, Beltway 8, and SH 288 shall use accent materials such as wood, architectural metal panel, split-face concrete block, tile, or pre-cast concrete panels. EIFS shall only be limited to moldings and architectural detailing on building frontages along any Type ‘A’ Streets, Kirby Drive, Beltway 8, and SH 288.



*Images showing appropriate building materials for Commercial or Mixed Use Buildings within the Mixed Use Core, Highway Commercial, and Commercial Transition Character Zones.*

- iii. All facades along Type ‘B’ Streets or alleys shall be of a similar finished quality and color that blend with the front of the building. Building materials for these facades may be any of the primary and accent façade materials listed above. EIFS shall not be permitted along any ground floor facades along Type ‘B’ Streets and ground floor facades of alleys. Cementitious-fiber clapboard (not sheet) with at least a 50-year warranty may only be used on the upper floors only.
- iv. Roofing materials visible from any public right-of-way shall be copper, factory finished standing seam metal, slate, synthetic slate, or similar materials.

c. Standards Specific to Development in the Research/Tech Campus Character Zone:

(1) Commercial or Mixed Use Building Materials

- i. The following shall be permitted finishes for all street fronting facades (except service streets or alleys) of all buildings. No more than three different materials shall be used on any single facade:
  - Masonry (brick; stone; man-made stone, or stucco utilizing a three-step process);
  - Tilt-up concrete panels that have a grid like appearance;
  - Split face concrete block or pre-cast, or poured in place concrete; and
  - Architectural metal panels.



*Images showing appropriate building materials within Research/Tech Campus Character Zone.*

- ii. Other materials will be considered as primary building materials on a case-by-case basis and may only be approved by the City Manager subject to appeal to City Council.
  - iii. The following may only be allowed up to 40% as an accent material:
    - Exterior Insulating Finishing System (EIFS), or similar material over a cementitious base, rock, glass block and tile.
    - Other metal finishes
  - iv. Side and rear (non-street fronting) facades shall be of finished quality and of the same color and materials that blend with the front of the building.
- d. Standards Specific to Development in the Urban Neighborhood Character Zone:
- (1) Building Orientation
    - i. Garages for Residential Buildings shall be located on alleys at the rear of residential buildings; pull-through garages are allowed if the garage door is set back behind the rear façade of the main structure. If front-loaded garages or carports are utilized on residential uses, the garages and carports shall be no greater than 12 feet wide and set back at least 20 feet measured from the face of the main structure closest to the garage/carport or rotated 90 degrees with windows on the wall facing the street. On corner lots, the garage may be rotated with windows facing the primary street with driveway access from the secondary street.
    - ii. All garage doors shall be divided into single bays separated by at least a 16-inch pier or column. Front-loaded garages on residential lots less than 40 feet wide shall not be allowed. Town homes and courtyard apartments shall utilize rear-loaded garages.
  - (2) Building Massing and Scale
    - i. Residential buildings shall have few, if any, articulations and simple roofs (gable, hip, combination) with most building wing articulations set at the rear of the structure. Window projections, bay windows, stoops, porches, balconies, and similar extensions shall be exempt from this standard.
    - ii. Gable roofs, if provided for residential buildings, shall have a minimum pitch of 5/12. When hipped roofs are used, the minimum pitch shall be 5/12. Other roof types shall be appropriate to the architectural style of the building. Porch roofs may be a minimum pitch of 3/12.
    - iii. The following standards shall apply for all buildings with mansard roofs in Lower Kirby Urban Center:
      - Mansard roof shall only be used on buildings that are three stories or higher.
      - The mansard roof shall project no more than 18” forward of the building façade line.
      - The lower slope of the roof should be inclined at no greater than 75 degrees to the horizontal.



*Images showing appropriate massing and scale for Residential Buildings*

(3) Façade Composition

- i. Buildings shall maintain a façade rhythm between 20 feet and 30 feet along Type ‘A’ Streets. This rhythm may be expressed by changing materials, or color, or by using design elements such as columns and pilasters, or by varying the setback of portions of the building façade.
- ii. At least one of the following -- porches, bay windows, stoops, eaves or balconies -- shall be added along the front residential facades to add pedestrian interest along the street.
- iii. For residential buildings the grade of the slab or first floor elevation shall be elevated at least 18 inches above the grade of the sidewalk.
- iv. Alley and/or Type ‘B’ Street facing facades shall be of finished quality and of the same color that blend with the front of the building.



*Residential buildings with porches, balconies, and stoops to add interest along the street.*

(4) Windows and Doors

- i. Windows and doors shall be designed to be proportional and appropriate to the architectural style of the building.
- ii. Windows may have jack arch, keystone arch, flat arch, or ornamental arches.
- iii. All building facades of residential buildings fronting on all Type ‘A’ Streets or civic spaces, except alleys, shall have transparent windows covering at least 30% of each façade.



*Images showing appropriate window designs and proportions.*

(5) Residential Building Materials

- i. At least 80% of the Type ‘A’ Street facing facades of all buildings (excluding doors and windows) shall be finished in one or more of the following materials. No more than three different materials shall be used on any single residential façade:
  - Cementitious-fiber clapboard (not sheet) with at least a 50-year warranty.
  - Masonry (brick; stone; man-made stone, or stucco utilizing a three-step process).
- ii. The following may only be allowed up to 20% as an accent material:
  - Architectural metal panels or similar material over a cementitious base, glass block and tile.
- iii. EIFS shall not be permitted along any Type ‘A’ Street facades.

- iv. Side and rear facades shall be of finished quality and of the same color that blend with the front of the building. Ground floor side and rear facades shall not be EIFS.
- v. Roofing materials (visible from any public right-of-way): copper, factory finished painted metal, slate, synthetic slate, terra cotta, and asphalt shingles (laminated and classified as being at least 300 pounds/100 sf.).
- vi. Accessory buildings, enclosed garages or carports shall be designed and constructed of the same material as the primary building.

**Part 9. Street & Streetscape Design Standards**

- a. Generally: Streets in Lower Kirby Urban Center need to support the overall goal of a mixed use, compact, pedestrian oriented district. They should balance all forms of mobility while maximizing convenience for residents and visitors.

The Regulating Plan designates the required and recommended street network within the Lower Kirby Urban Center. This portion of the code specifies the typical configuration of streets within the Lower Kirby Urban Center. The specifications address vehicular lane width, parkway widths, right-of-way (R.O.W) widths, number of travel lanes, on-street parking, and pedestrian and bicycle accommodation. The character of streets in the Lower Kirby Urban Center will vary based on the location. The service roads of the Beltway 8 and SH 288 are under the purview of TxDOT while the remaining streets are city streets.

- b. New Streets: This portion of the code specifies standards for all new streets in the Lower Kirby Urban Center. New streets shall be based on the Required or Recommended designation on the Regulating Plan.
- c. Street Classification Established: Table 9.1 and associated cross sections shall establish the cross sections for each street type. The cross sections may be adjusted to fit existing contexts with the approval of the City Engineer. In addition, the proposed cross sections may be adjusted to meet the needs of the Uniform Fire Code as adopted by the City.

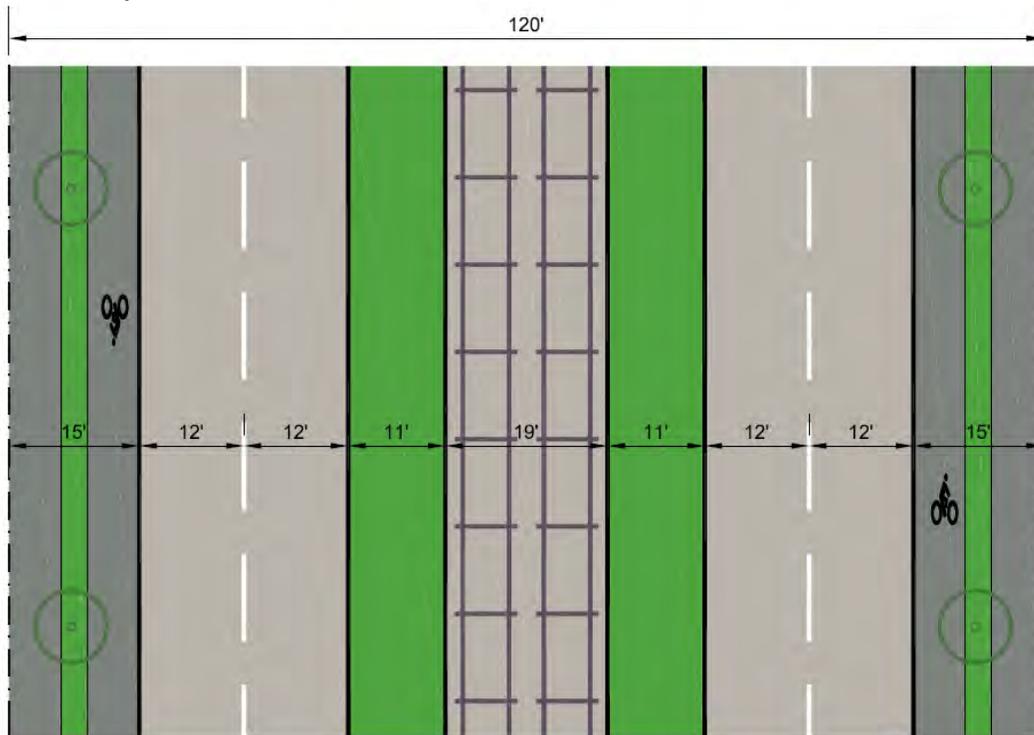
Table 9.1

Elements Street Classification	Street Width (Recommende d min. R.O.W)	Number of Vehicular Lanes	Vehicular Lane Widths	Number of Bike Lanes	Bike Lane Widths	Turn Radius (max.)	Median	On-Street Parking	Pedestrian Sidewalk Width (min.)	Parkway/ Tree Well
Kirby Drive	120 feet	4	12 feet	2	5 feet	30 feet	Yes, 41 feet	No	6 feet	5 feet wide
BV-114-70 Urban Boulevard	114 feet	4	11 feet	2	5 feet	25 feet	Yes, 14 feet	Yes, both sides, parallel	10 feet (clear)	Tree Well, 5 X 5 feet min.
AV-94-48 2-Lane Avenue	94 feet	2	11 feet	2	5 feet	20 feet	Yes, 14 feet	Yes, both sides, parallel	11 feet (clear)	Tree Well, 5 X 5 feet min.
Neighborhood Tributary Street	Varies	2 (max.)	11 feet	None	NA	15 feet	Yes, 24 feet (min.)	Yes, parallel	5 feet	Optional (5' min.)
AV-82-44 Avenue	82 feet	4	11 feet	None	NA	20 feet	Median, 14 feet	None	12 feet	Tree Well, 5 X 5 feet min. or Parkway (6' min.)
ST-61-29 Urban Greenway Street	61 feet	2	10 feet	None	NA	15 feet	None	Yes, one side, parallel	16 feet	Tree Well, 5 X 5 feet min. or Parkway (6' min.)
ST-53-29 Neighborhood Greenway Street	53 feet	2	10 feet	None	NA	15 feet	None	Yes, one side, parallel	6 feet	Parkway, 6 feet min. width
ST-62-38 Urban	62 feet	2	10 feet	None	NA	15 feet	None	Yes, both sides,	12 feet	Tree Well, 5X5 feet

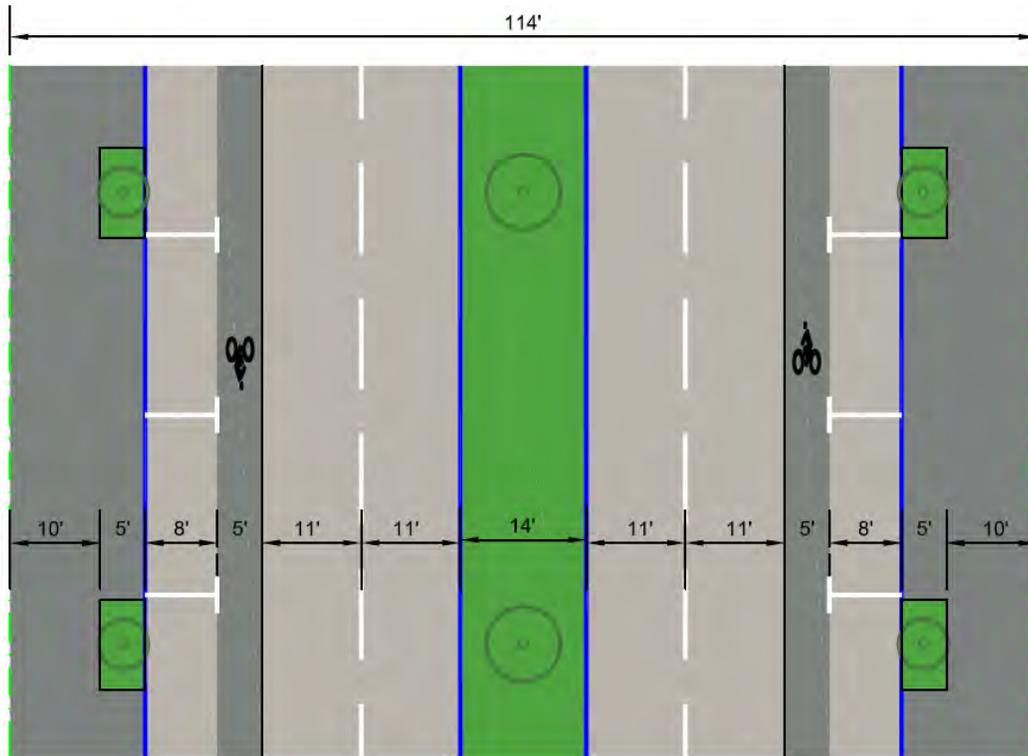
Elements Street Classification	Street Width (Recommended min. R.O.W)	Number of Vehicular Lanes	Vehicular Lane Widths	Number of Bike Lanes	Bike Lane Widths	Turn Radius (max.)	Median	On-Street Parking	Pedestrian Sidewalk Width (min.)	Parkway/ Tree Well
Neighborhood Street A and B								parallel		
RD-44-22 (Service/Access Road)	44 feet	2	11 feet	None	NA	20 feet	None	None	6 feet	Parkway, 6 feet min. width
Commercial Alley	26 feet (16 feet of paving)	NA	NA	None	NA	20 feet	None	None	None	None
Residential Alley	16 feet (paving and R.O.W)	NA	NA	None	NA	15 feet	None	None	None	None
Waterfront Promenade	Varies	Varies (optional)	11 feet	None	NA	15 feet	None	Optional	20 feet	None
Pedestrian Paseo	15' (min.) – 40' (max.)	None	NA	None	NA	NA	None	None	15 feet	Optional

d. Street Cross Sections

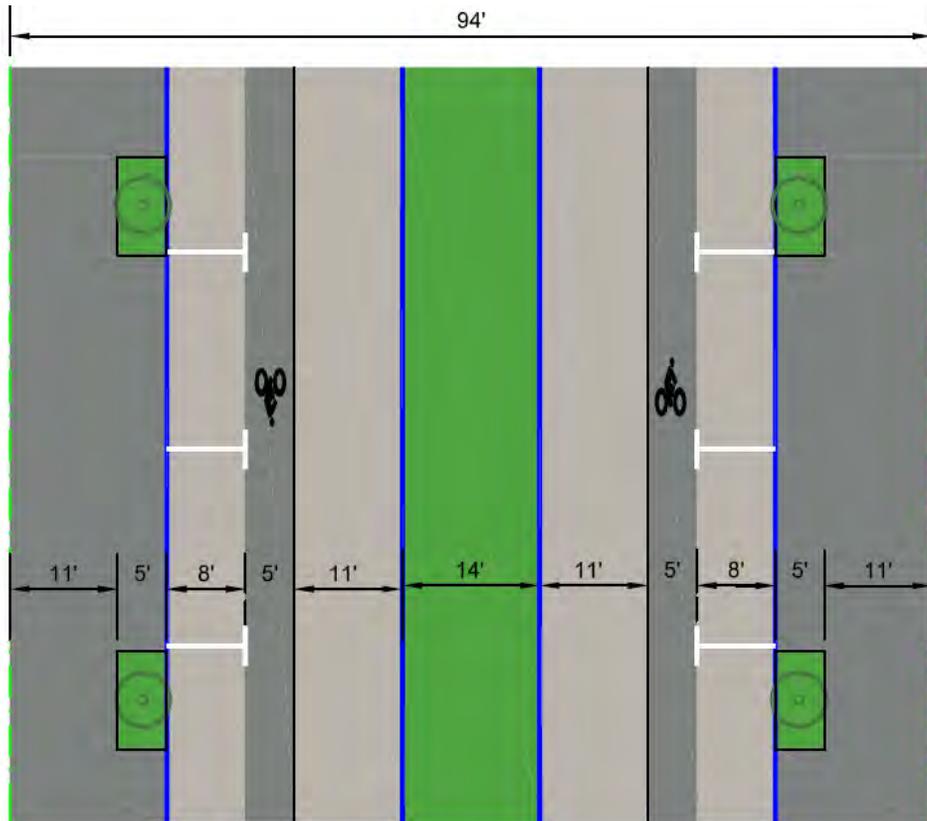
(1) Kirby Drive



(2) BV 114-70 Urban Boulevard

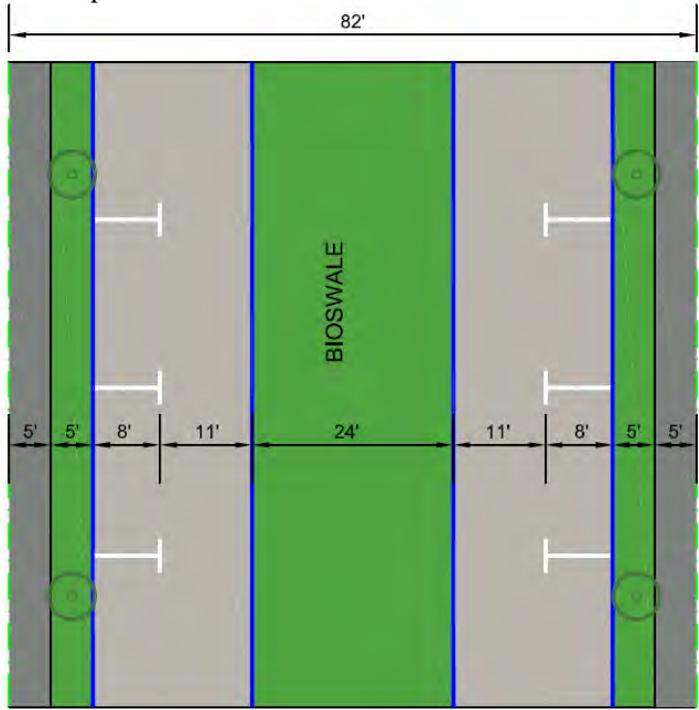


(3) AV- 94-48 Two-Lane Avenue

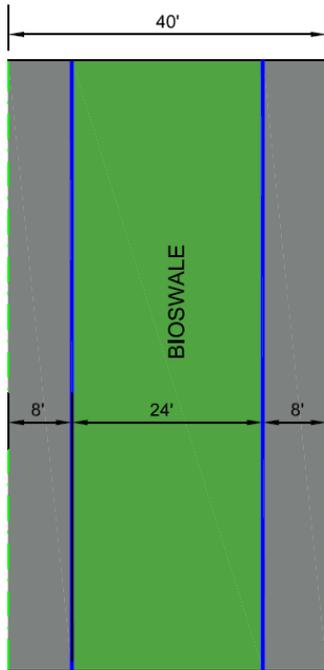


(4) Neighborhood Tributary Street

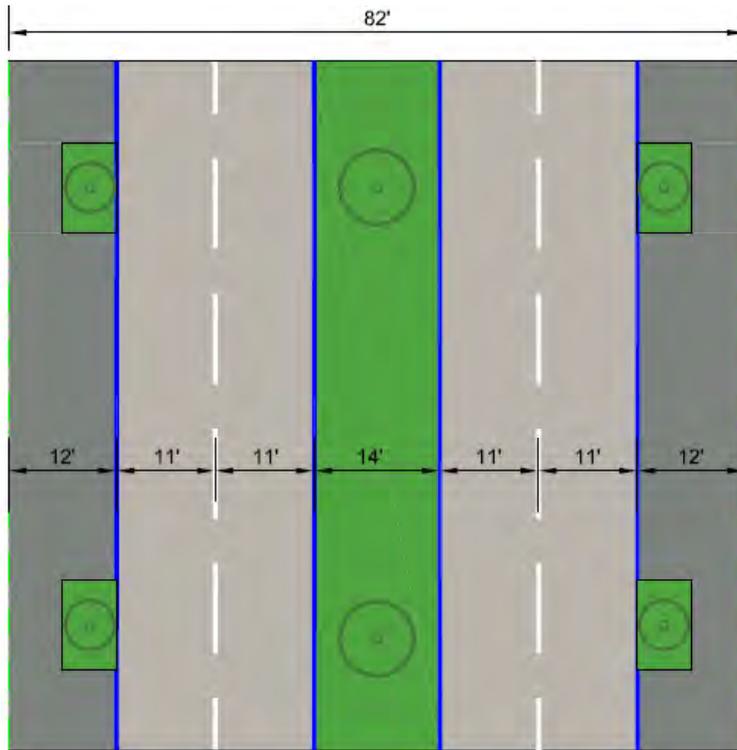
Street Option:



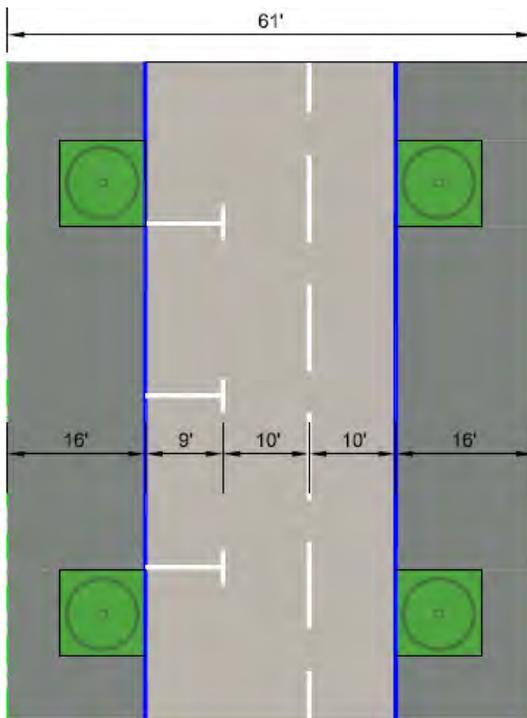
Pedestrian Way Option: may be used only when development adjoining the Pedestrian Way is served by alleys or a Type 'B' Street for automobile access.



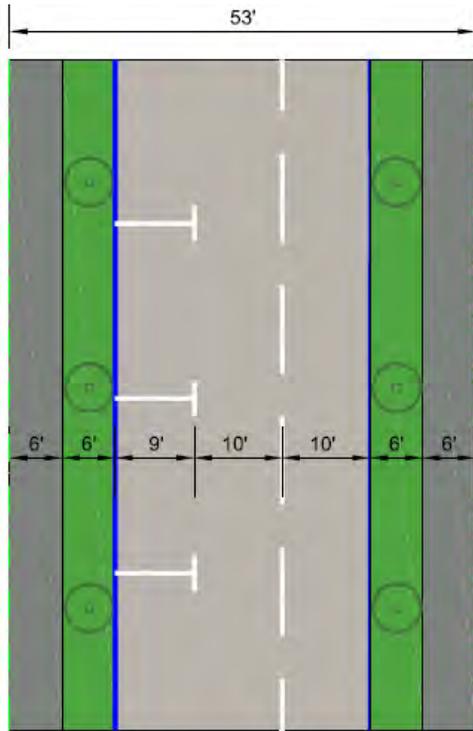
(5) AV-82-44 Avenue



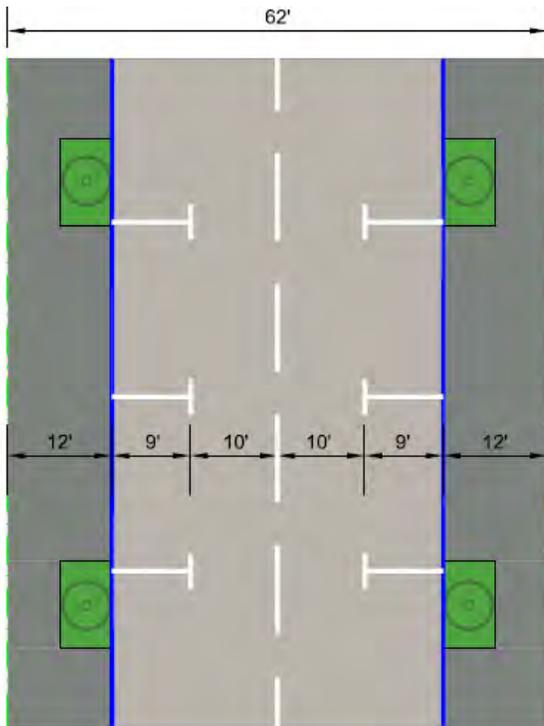
(6) ST-61-29 Urban Greenway Street



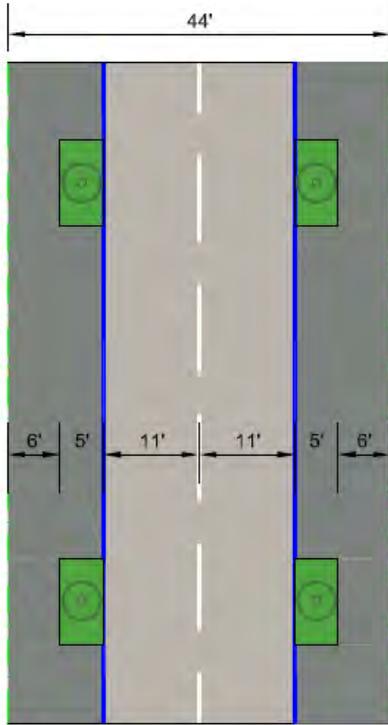
(7) ST-53-29 Neighborhood Greenway Street



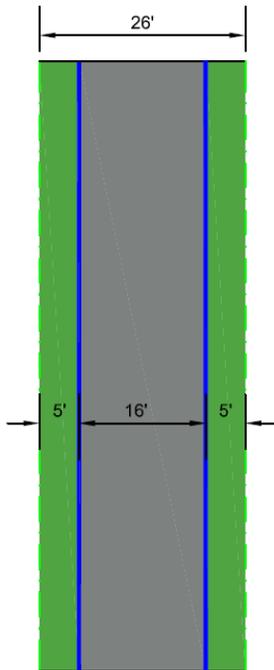
(8) ST-62-38 Urban Neighborhood Street



(9) RD-44-22 Service Road/Access Road



(10) Commercial Alley



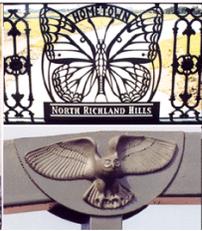
(11) Residential Alley



(12) Special Bridge Design



Design of bridges in the Lower Kirby Urban Center should take the urban context into consideration. The inclusion of vertical elements the ends of the bridges, pedestrian amenities, architectural detailing, railings, and appropriate masonry materials. The images in this section are intended to provide the city and developers design direction on the design of bridges. The incorporation of public art is also encouraged to provide a unique sense of place and identity to the Urban Center.



(13) Waterfront Promenade



The Waterfront Promenade along Clear Creek is intended to provide an active edge along Clear Creek at the southern edge of the Urban Center. The intent is to create a vibrant and active edge along the creek/regional detention with commercial activity. The Waterfront Promenade provides a casual place for pedestrians to stroll. The Waterfront Promenade shall be defined by building edges with commercial activity on the ground floor with the creek side being defined by a 3'-6" high rail or low wall. The Waterfront Promenade should consist primarily of hardscape with benches and areas for casual seating.

**Typical Characteristics**

**General Character**

Provide an active and publicly accessible edge along the bay.

Primarily hardscape

Rail or low wall along the bay

Buildings fronting on the other side with active commercial uses including café seating for restaurants.

**Location and Size**

Location shall be as shown on the Regulating Plan (Appendix A). The minimum width shall be 20 feet wide.

**Typical Uses**

Commercial activity including restaurants with café seating and entertainment

Passive recreation

Casual seating, walking and strolling

(12) Pedestrian Paseo



A **Paseo or Pedestrian Passage** is an intimate street level passage way for pedestrians through blocks at identified locations on the Regulating Plan. These paths provide direct pedestrian access to key destinations such as the future rail stop and the Waterfront Promenade and create unique spaces for frontages to engage and enter off of. A pedestrian passage may be used to visually reduce the impact of a large development block. Building edges may accommodate active uses such as shops and restaurants. Pedestrian passages should consist of a hardscape pathway activated by frequent entries and exterior stairways. The edges may simply be landscaped with minimal planting and potted plants. Arcades may line Paseos to provide shade and a more attractive edge. Paseos may allow access to emergency and maintenance vehicles.

**Typical Characteristics**

**General Character**

Hardscape pathway

Pedestrian friendly frontages

Small-scale commercial uses

Frequent entries

**Location and Size**

Location shall be as shown on the Regulating Plan (Appendix A).

The minimum width shall be 15'.

The maximum width shall be 50'.

**Typical Uses**

Small scale commercial uses

Residential uses

Casual seating

- e. Streetscape & Landscape Standards: Streetscape standards shall apply to all streets within Lower Kirby Urban Center. Streetscape standards shall address all elements between the building face and edge of the curb. Typical streetscape elements addressed are street trees, lighting, street furniture and pedestrian amenities, and materials..
- f. Street Trees and Landscaping:
- (1) Street trees shall be required on all Type ‘A’ Streets in the Lower Kirby Urban Center streets (except on alleys).
  - (2) Street trees shall be planted approximately 3 feet behind the curb line.
  - (3) Spacing shall be an average of 40 feet on center (measured per block face) along all streets.
  - (4) The minimum caliper size<sup>1</sup> for each tree shall be 3 in. and shall be a minimum of 12 feet in height at planting. Each tree shall be planted in a planting area no less than 36 sq. feet. However, the tree well area may be no smaller than 25 sq.ft.
  - (5) Along BV-124-70, AV-116-70, AV-82-44, trees shall be required in the median and spacing and species shall be the same as the trees in the parkway.
  - (6) Turf and groundcover: When clearly visible from the street and alleys, all unpaved ground areas shall be planted with low growing shrubs or ground cover, ornamental grasses, or a combination thereof. Turf grass must be installed as solid sod and not seeded on.
  - (7) Species shall be selected from the approved list of ground cover, vines, perennials, shrubs, and xeriscape plant list in Chapter 4 Site Development Section 4.2.2.5 and the Replacement Tree List in Chapter 4 Site Development Section 4.2.3.9 of the City of Pearland Unified Development Code. .
  - (8) Maintenance of all landscape materials shall meet the requirements of Chapter 4, Article 2, Division 2 Landscaping of the City of Pearland Unified Development Code.
  - (9) Along arterials and highway access roads, street trees shall be planted within the required landscape parkway as per the requirements of Chapter 4, Article 2, Division 2 Landscaping of the City of Pearland Unified Development Code.
- g. Street Furniture, Lighting, and Materials:
- (1) Pedestrian scale lighting, with the top of fixture being no more than 20 feet from the ground, shall be provided along all streets except alleyways.
  - (2) Street lights shall be placed at 50 feet (min.) on center, approximately 3 feet behind the curb line.
  - (3) The light standard selected shall be compatible with the design of the street and buildings.
  - (4) Trash receptacles and bike racks shall be required along Type ‘A’ Streets. A minimum of one each per block face shall be required.
  - (5) Street furniture and pedestrian amenities such as benches are recommended along all Type ‘A’ Streets.
  - (6) All street furniture shall be located in such a manner as to allow a clear sidewalk passageway of a minimum of 6 feet.
  - (7) Materials selected for paving and street furniture shall be of durable quality and require minimal maintenance.
- h. All utility service lines shall be located underground along Type ‘A’ Streets. Above-ground lines may be located along Type ‘B’ Street, alleys or in the rear or other areas of the property as necessary, however such lines must not prominent from the front view of the property or from the view of

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<sup>1</sup> Caliper size for a multi trunk tree shall be the total of the diameter of the largest trunk and one half (1/2) of the diameter of each additional trunk, measured at a height of 4 1/2 feet above the ground.

roadways (the visibility of the poles must be partially or wholly obscured). Any determination on whether utilities are prominent shall be made by the Planning Director.

**Part 10. Signage**

Except as specifically listed below, all other signage and sign standards must comply with Chapter 4 Site Development, Article 2, Division 5 Signage, as amended, of the City of Pearland UDC as amended.

- a. For new signs, the standards in Table 10.1 shall apply and sign permits shall be approved administratively by the City of Pearland Planning Director or designee unless specifically noted in this section.

Table 10.1

Character Zone	Mixed Use Core	Highway Commercial	Urban Neighborhood	Commercial Transition	Research/Tech Campus	Standard
<b>Sign Type</b>						
Wall (Building or Attached) Signs	P	P	P (commercial and live-work uses only)	P	P	<ul style="list-style-type: none"> <li>• For all ground floor commercial uses (retail, office, and restaurant): One sign per tenant space; area to be calculated at 1.5 sq. feet per linear foot of public street frontage for the tenant space with a maximum of 100 sq. ft per tenant.</li> <li>• Second and upper floor commercial uses may also be permitted one second floor wall sign per tenant space per public street frontage; area to be calculated at 1.5 sq. feet per linear foot of second or upper floor frontage along that public street with a maximum of 125 sq. feet.</li> <li>• Institutional uses (non-profits and churches): One sign per tenant space; area to be calculated at 1.5 sq. feet per linear foot of public street frontage with a maximum of 100 sq. feet.</li> <li>• Live-Work and Home occupations: One sign limited to an area of 20 sq. feet max.</li> <li>• Building sign may encroach a maximum of 12” on to a sidewalk while maintaining a vertical clearance of 8 feet from the finished sidewalk.</li> <li>• Building signs may be internally or externally lit.</li> <li>• Marquee signs as only permitted as specified below.</li> </ul>
Monument Signs	NP	P	NP	P (along Type ‘B’ Streets only)	P	One monument sign per lot per lot street frontage (no more than 2 per lot separated by at least 100 feet) limited to a maximum of 60 sq. feet per sign face and 6 feet in height. Monument signs shall not be placed within any sight triangle areas as required by the City.
Window Signs	P	P	P (commercial and live-work uses only)	P	P	Limited to 20% of the window area.  The following shall be exempt from this limitation: <ul style="list-style-type: none"> <li>• Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs;</li> <li>• Mannequins and storefront displays of merchandise sold; and</li> <li>• Interior directory signage identifying shopping aisles and merchandise display areas.</li> </ul>
Building Blade Signs	P	NP	P (commercial and live-work uses only)	P (along Type ‘A’ Streets only)	NP	<ul style="list-style-type: none"> <li>• One per building (commercial and mixed use buildings only).</li> <li>• Area = 30 sq. feet maximum per sign face.</li> <li>• May encroach a maximum of 6 feet over a sidewalk, but shall not encroach over any parking or travel lane.</li> <li>• Building blade signs may be attached to the building at the corners of building or along any street facing façade above the first floor facade.</li> </ul>
Tenant Blade Signs	P	NP	P (commercial)	P (along)	NP	<ul style="list-style-type: none"> <li>• One per commercial tenant space (retail, office, or restaurant use).</li> </ul>

LOWER KIRBY URBAN CENTER  
DEVELOPMENT CODE

Character Zone	Mixed Use Core	Highway Commercial	Urban Neighborhood	Commercial Transition	Research/Tech Campus	Standard
<b>Sign Type</b>						
			cial and live-work uses only)	Type 'A' Streets only)		<ul style="list-style-type: none"> <li>• Area = 16 sq. feet maximum per sign face.</li> <li>• May encroach a maximum of 4 feet over a public sidewalk, but shall not encroach over any parking or travel lane.</li> <li>• Tenant blade signs shall be oriented perpendicular to the building façade and hung under the soffit of an arcade or under a canopy/awning or attached to the building façade immediately over the ground floor tenant space while maintaining a vertical clearance of 8 feet from the finished sidewalk.</li> </ul>
Marquee Signs	P	NP	NP	P (along Type 'A' Streets only)	NP	<ul style="list-style-type: none"> <li>• Permitted for theatres, auditoriums, and other public gathering venues of 100 persons or more.</li> <li>• Marquee signs shall be attached to the building or located above or below a canopy only.</li> <li>• Area = 100 sq. feet maximum.</li> <li>• Message board may be changeable copy (electronic and non-electronic) and shall be limited to 50% of the sign area. Electronic message boards shall be non-flashing.</li> </ul>
For sale/for lease signs	P	P	P	P	P	Same as City of Pearland Sign Regulations.
Address signs	P	P	P	P	P	Same as City of Pearland Sign Regulations.
Temporary construction signs	P	P	P	P	P	Same as City of Pearland Sign Regulations.
Banners	P	P	P	P	P	Same as City of Pearland Sign Regulations.
Sandwich board signs	P	NP	P (commercial and live-work uses only)	P (along Type 'A' Streets only)	NP	<ul style="list-style-type: none"> <li>• Permitted only for retail, service, or restaurant uses.</li> <li>• Limited to 12 sq. feet per sign face per storefront.</li> <li>• Sign may not exceed 4 feet in height.</li> <li>• A minimum of 6 feet of sidewalk shall remain clear.</li> <li>• Chalkboards may be used for daily changing of messages.</li> <li>• Readerboards (electronic and non-electronic) shall be prohibited.</li> <li>• Sign shall be removed every day after the business is closed.</li> </ul>
Light Pole Banners	P	P	P	P	P	<ul style="list-style-type: none"> <li>• Permitted only with approval of the City.</li> <li>• Max. 10 sq. feet per sign face.</li> <li>• Limited to one per light pole.</li> <li>• All light pole banners shall be approved by the appropriate utility company prior to consideration by the City.</li> <li>• Light pole banners shall be limited to publicize community-wide events, holiday celebrations, public art, and other city sponsored events.</li> </ul>
Directory signs	P	P	P (commercial and live-work uses only)	P	P	<ul style="list-style-type: none"> <li>• Shall be allowed for all multi-tenant commercial and mixed use buildings only.</li> <li>• One directory sign per multi-tenant building limited to 12 sq. feet in area.</li> <li>• Design of the sign shall be integral to the façade on which the sign is to be affixed.</li> </ul>
Pole signs	NP	NP	NP	NP	NP	May only be permitted as part of a Master Sign Plan.
LED Signs	NP	P	NP	NP	P	<ul style="list-style-type: none"> <li>• Shall be permitted as a means of illumination only.</li> <li>• Or, may only be permitted as part of a Master Sign Plan.</li> </ul>

b. An applicant has the option to establish unique sign standards including size, color, type, design, and location. Such applications shall be reviewed as “Master Sign Plans” by the City Manager and are subject to approval of the City Council. In evaluating a Master Sign Plan, the City Council shall consider the extent to which the application meets the following:

- (1) Promotes consistency among signs within a development thus creating visual harmony between signs, buildings, and other components of the property;

- (2) Enhances the compatibility of signs with the architectural and site design features within a development;
- (3) Encourages signage that is in character with planned and existing uses thus creating a unique sense of place; and
- (4) Encourages multi-tenant commercial uses to develop a unique set of sign regulations in conjunction with development standards.

**Part 11. Civic Space and Private Open Space Standards**

- a. This chapter establishes the public Civic Space and private Open Space Standards for Lower Kirby Urban Center. The Regulating Plan designates several areas for different designated and recommended public Civic Space Types within Lower Kirby Urban Center. The detailed Civic Space Standards for each type are included in this portion of the code. These standards include general character, typical size, frontage requirements, and typical uses. These standards shall apply in lieu of the park dedication requirements in Chapter 3, Subdivision Regulations, Division 10, Section 3.2.10.1 of the City of Pearland Unified Development Code.
- b. Private Open Space Standards: Given the mixed use nature of the Lower Kirby Urban Center, all residential development within Lower Kirby Urban Center shall meet the private open space standards established in this portion of the code. Table 11.1 establishes the types of private open space permitted and Table 11.2 establishes the private open space requirement based on the proposed intensity of residential development.

Table 11.1 Private Open Space Types

<i>Private Open Space Type</i>	<i>Description and Image</i>	<i>Standards and criteria</i>
Balconies	<p><b>Balcony</b> is a platform projecting from a second or higher story interior or exterior wall of a building, usually enclosed for privacy and protection by a rail. A balcony usually has French or sliding glass doors leading out to it, and can be entered from a living room or bedroom.</p> 	<p>Balconies that are not flush shall be a minimum of 5 feet clear in depth and a minimum of 8 feet in width</p> <p>Balconies may be semi-recessed or recessed. Projecting metal or slab balconies are only permitted if they have some means of visible support.</p>
Patios	<p>A <b>Patio</b> is an outdoor space for dining or recreation that adjoins a residence and is often paved. It may also be a roofless inner courtyard within a residence, typically found in Spanish and Spanish-style dwellings.</p> 	<p>Patios shall be a minimum of 150 sq.ft.</p> <p>Patios shall have a clear sense of enclosure and separation from the public realm.</p>
Courtyard	<p>A <b>Courtyard</b> is a landscaped open space in the center of the block with no street frontage, surrounded by walls or buildings on all sides. It shall be large enough to allow for public activities and have sunlight during midday. It should be designed to connect to adjacent buildings or to the public sidewalk through a pedestrian passage.</p>	<p>Courtyards shall be surrounded on all sides by buildings with at least one pedestrian connection to an adjoining building or public sidewalk.</p> <p>The courtyard shall be a minimum of 200 square feet.</p>

LOWER KIRBY URBAN CENTER  
DEVELOPMENT CODE

<i>Private Open Space Type</i>	<i>Description and Image</i>	<i>Standards and criteria</i>
		<p>Courtyard may be landscaped or a combination of landscape and hardscape. However, they shall contain amenities for residents such as seating, water features, etc.</p>
<p>Forecourt</p>	<p>A <b>Forecourt</b> is similar to a Courtyard, however, it is located in the front of a building such that the forecourt is surrounded on two or three sides by wings of the building.</p> 	<p>A Forecourt shall be surrounded on at least two sides by buildings.</p> <p>A Forecourt shall be a minimum of 150 square feet.</p>
<p>Pedestrian Passage</p>	<p>A <b>Pedestrian Passage</b> is an intimate street level passage way for pedestrians from the interior of one block or building to a public sidewalk. These paths provide direct pedestrian access to residential addresses and create unique spaces for frontages to engage and enter off of. A pedestrian passage may be used to visually reduce the impact of a large development block. Building edges may accommodate active uses such as shops and restaurants. Pedestrian passages should consist of a hardscape pathway activated by frequent entries and exterior stairways. The edges may simply be landscaped with minimal planting and potted plants.</p> 	<p>The minimum width shall be 15 feet wide.</p>
<p>Playground</p>	<p><b>Playgrounds</b> shall be permitted in parks and greens to provide open space designed and equipped for the recreation of children. These playgrounds should serve as quiet, safe places -- protected from the street and typically located where children do not have to cross major to access. Playgrounds may be fenced. An open shelter, play structures or interactive art and fountains may be included with landscaping between. Shaded areas and seating shall be provided. Playground equipment and design must be reviewed and approved by the City prior to installation.</p> <p>A larger playground may be incorporated into the park, whereas a more intimate playground may be incorporated into the green.</p>	<p>Playgrounds shall be a minimum of 400 sq.ft.</p>

LOWER KIRBY URBAN CENTER  
DEVELOPMENT CODE

<i>Private Open Space Type</i>	<i>Description and Image</i>	<i>Standards and criteria</i>
		
Community Garden	<p>A <b>Community Garden</b> is a small to medium size garden cultivated by members of an area for small scale agricultural uses for the benefit of the same people. It may consist of individually tended plots on a shared parcel or may be communal (everyone shares a single plot).</p>	<p>Maximum size shall be 1 acre</p> <p>Gardens shall be enclosed by a fence on all open sides.</p> <p>Fences should be installed straight and plumb, with vertical supports at a minimum of 8' on center. Chicken wire, if used, should be continuously supported along all edges.</p> <p>Fencing Materials:  <u>Permitted:</u> pressure treated wood (must be painted or stained medium to dark color), chicken wire, wrought iron, painted galvanized steel  <u>Not permitted:</u> chain link, bobbed wire, vinyl, un-painted/stained pressure treated wood, plywood</p>
		
Roof terraces	<p>Roof terraces are flat areas on top of a building which are accessible for use as a recreation space for the residents and users of the building.</p>	<p>A Roof Terrace shall at least be 50% of the building footprint area.</p> <p>A Roof Terrace shall provide landscaping in the form of potted plants, seating, and other amenities for the users of the building.</p> <p>A Roof Terrace may also include a portion of the roof as a green roof which may or may not have public access.</p>
		
Other (pool, play courts, picnic area, etc.)	<p>Other private open space could include a pool (swimming, lap pool, spa area), play courts (basket ball), or picnic areas with shade structures.</p>	<p>Such private open space may be incorporated with roof terraces or courtyards based on the appropriateness of the design and accommodation of privacy.</p>

Table 11.2 Private Open Space Standard

<i>Number of Residential Units proposed</i>	<i>Private Open Space Standard Proposed</i>
1 – 12	The development shall provide: <ul style="list-style-type: none"> <li>At least 50% of all residential units fronting on a street, public civic space, fore court, or courtyard shall provide one balcony or patio; <u>or</u></li> <li>One playground or other private open space amenity</li> </ul> All other private open spaces are optional.
13 – 30	The development shall provide: <ul style="list-style-type: none"> <li>At least 50% of all residential units fronting on a street, civic space, fore court, or courtyard shall provide one balcony or patio; <u>and</u></li> <li>One playground area or other private open space amenity</li> </ul> All other private open spaces are optional
31 – 50	Any 3 of the private open spaces in the list above
Over 50 units	Shall provide at least one public civic space such as a park, plaza, square or green

c. **Public Civic Space Standards.** The design of public Civic Space shall be regulated by the Civic Space standards herein which shall create a network of open spaces that recognizes the natural qualities of the area while providing a range of both passive and active recreational opportunities. These opportunities may be accommodated in a variety of spaces ranging from larger parks to neighborhood-scaled greens to urban squares and plazas. The open space network will be serviced by an interconnected network of trails and paths for pedestrians and bicyclists alike. The standards established here are not intended to be strict, rather they are intended to be guidelines within which city staff can work with individual applicants to meet the intended goals of this section of the code. All proposed public Civic Space proposed within the Lower Kirby Urban Center shall be reviewed by the city staff for compliance with the following.

**(1) Park Standards**



The park, as recommended on the Regulating Plan, will create an important public space that connects the community within Lower Kirby Urban Center and allows for passive recreation in addition to providing for regional detention. Parks shall primarily be naturally landscaped with many places to sit on benches or low walls. Passive recreation activities in parks may include grassy lawns for unstructured and informal active recreational activities. Appropriate civic elements, fountains or open shelters may be included.

**Typical Characteristics**

**General Character**

Large, open space

Spatially defined by landscaping and building frontages

Detention and retention, paths, trails, open shelters, lawns, trees and shrubs naturally disposed

May be lineal, following the trajectories of natural corridors

**Location and Size**

Location and size shall be as shown on the Regulating Plan (Appendix B).

**Typical Uses**

Unstructured and passive recreation

Casual seating/picnicking

**(2) Linear Greenway/Clear Creek Greenway/ Regional Stormwater Detention Standards**



A significant element of the Lower Kirby Urban Center Plan is the regional detention strategy that takes advantage of the Clear Creek Floodway, TxDOT drainage channels, and development opportunities. The two major elements of this strategy are (1) the linear greenway along the TxDOT channel and (2) the Clear Creek Floodway. The linear greenway and the Clear Creek Floodway, as required on the Regulating Plan, will create important public spaces that connect the community within Lower Kirby Urban Center and allows for passive recreation in addition to providing for regional detention. Passive recreation activities in parks may include grassy lawns for unstructured and informal active recreational activities. Appropriate civic elements, trails, fountains or open shelters may be included at key locations along the greenway.

**Typical Characteristics**

**General Character**

Linear open space

Spatially defined by landscaping, streets, and building frontages

Detention and retention, paths, trails, open shelters, lawns, trees and shrubs naturally disposed

May be lineal, following the trajectories of natural corridors.

Width shall generally be 300'

**Location and Size**

Location and size shall be as shown on the Regulating Plan (Appendix B).

**Typical Uses**

Unstructured and passive recreation

Casual seating/picnicking

**(3) Green Standards**



Greens shall be appropriate where civic spaces are recommended on the Regulating Plan and will serve as important public spaces for Lower Kirby Urban Center. Greens will be available for civic purposes, commercial activity, unstructured recreation and other passive uses. Greens shall primarily be naturally landscaped with many shaded places to sit. Appropriate paths, civic elements, fountains or open shelters may be included and shall be formally placed within the green. Greens are appropriate in the Mixed Use Core, Urban Residential, Research/Tech Campus, and Commercial Transition Character Zones.

**Typical Characteristics**

**General Character**

Open space

Spatially defined by landscaping and building frontages

Lawns, trees and shrubs naturally disposed

Open shelters and paths formally disposed

**Location and Size**

Location shall be as shown on the Regulating Plan (Appendix B). Size may range from 0.5 – 5 acres.

**Typical Uses**

Unstructured and passive recreation

Casual seating

Commercial and civic uses

Residential address

**(4) Square Standards**



Square serve as an open space available for civic purposes, commercial activity, unstructured recreation and other passive uses. The square should have a more urban, formal character and be defined by the surrounding building frontages and adjacent tree-lined streets. All buildings adjacent to the square shall front onto the square. Adjacent streets shall be lined with appropriately scaled trees that help to define the square. The landscape shall consist of lawns, trees, and shrubs planted in formal patterns and furnished with paths and benches. Shaded areas for seating should be provided. A civic element or small structure such as an open shelter, pergola, or fountain may be provided within the square. Squares are appropriate in the Mixed Use Core, Commercial Transition, and Urban Residential Character Zones.

**Typical Characteristics**

**General Character**

- Formal open space
- Spatially defined by buildings and tree-lined streets.
- Open shelters, paths, lawns, and trees formally arranged
- Walkways and plantings at all edges
- Located at important intersection

**Location and Size**

Location and size shall be as shown on the Regulating Plan (Appendix B). Size shall range from 0.5 to 2 acres.

**Typical Uses**

- Unstructured and passive recreation
- Casual seating
- Commercial and civic uses

**(5) Plaza Standards**



Plazas add to the vibrancy of streets within the more urban zones and create formal open spaces available for civic purposes and commercial activity. Building frontages shall define these spaces. The landscape should consist primarily of hardscape. If trees are included, they should be formally arranged and of appropriate scale. Casual seating, along with tables and chairs, should be provided. Plazas typically should be located at the intersection of important streets. Plazas are appropriate in the Mixed Use Core Character Zone.

**Typical Characteristics**

**General Character**

- Formal open space
- Primarily hardscape surfaces
- Trees and shrubs optional
- Spatially defined by building frontages

**Location and Size**

- Location shall be as shown on the Regulating Plan (Appendix B). Size shall range from 0.25 acre to 1 acre.
- Shall front on at least one (1) street.

**Typical Uses**

- Commercial and civic uses
- Casual seating
- Tables and chairs for outdoor dining
- Retail and food kiosks

**(6) Ancillary Structure Standards**



Ancillary structures within public civic spaces should be formal in character and generally related to but clearly subordinate to surrounding buildings. Each individual structure should keep in character with the style of nearby buildings. Typically, these structures are located at prominent locations within an appropriate civic space. Ancillary structures located in more urban zones may have minor commercial uses, such as small food or news vendors, but may also serve as civic elements for general public use with more passive activities.

**Typical Characteristics**

**General Character**

- Formal character
- Relating to style of surrounding buildings
- One or more open sides
- Covered or providing shade
- Small, stand alone structure
- Located within Park, Green, Square or Plaza

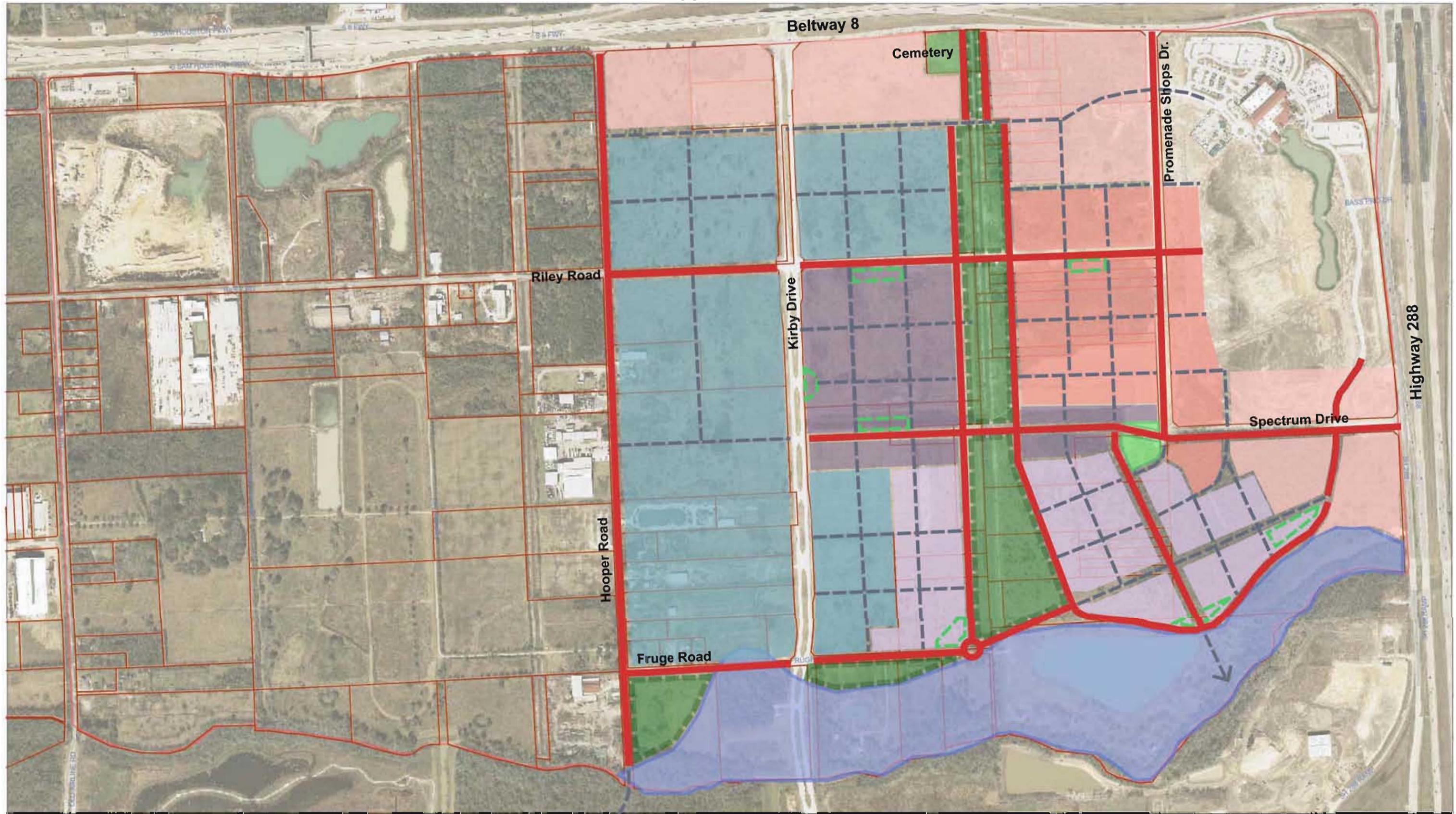
**Standards**

Min. Size	N/A
Max. Size	N/A

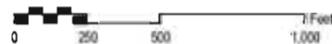
**Typical Uses**

- Civic purposes
- Minor commercial uses
- Casual seating/picnicking

# Appendix A



## Framework Plan Lower Kirby Urban Center October 13, 2010



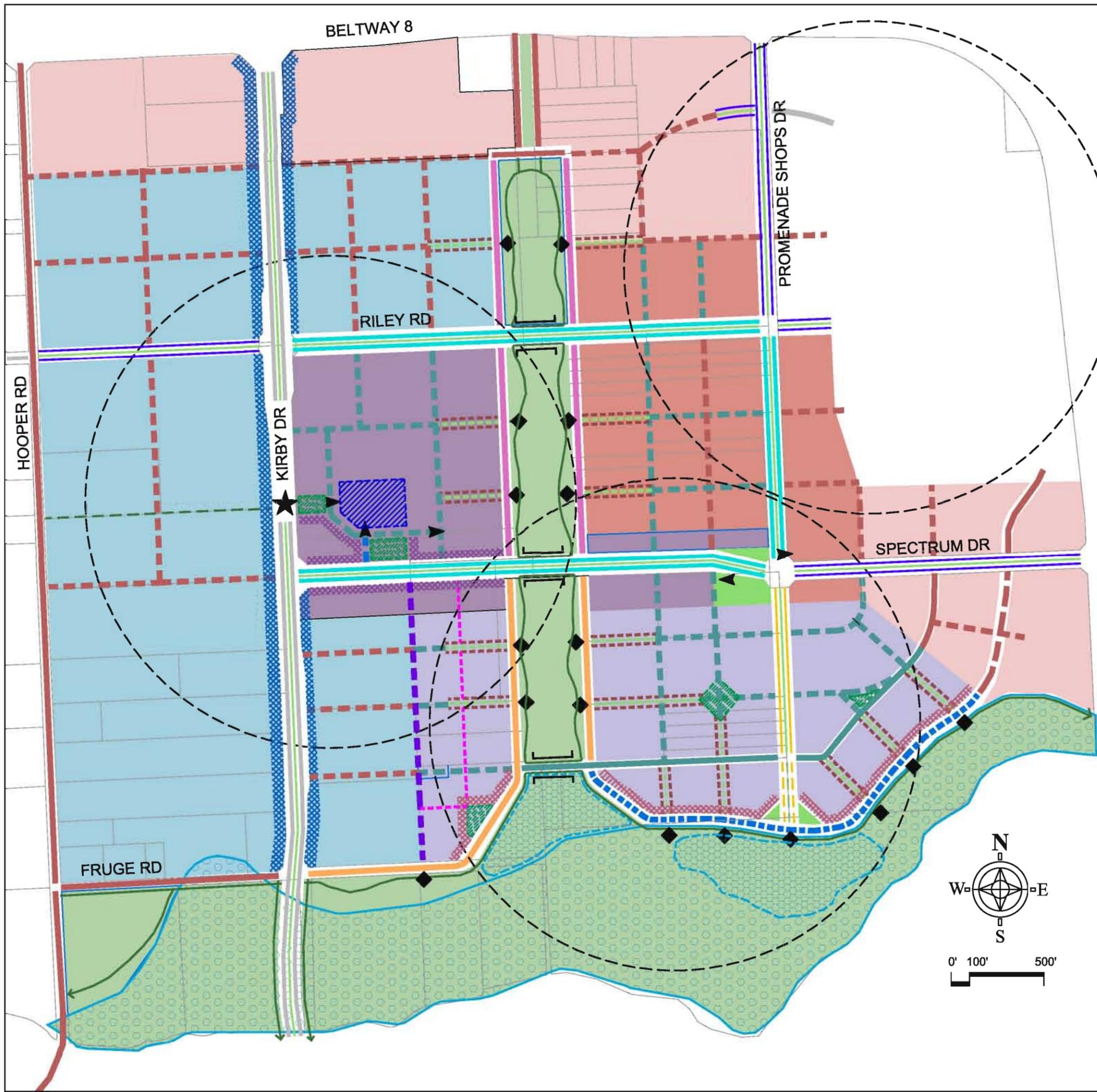
- Required Streets
- - - Recommended Streets

- Mixed Use Core
- Urban Neighborhood
- Commercial Transition
- Highway Commercial
- Research/Tech Campus

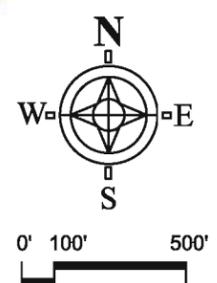
- Floodway
- Recommended Regional Detention Area
- Required Open Space
- Recommended Open Space



# Appendix B



LEGEND	
CHARACTER ZONES	FRONTAGE TYPES
<ul style="list-style-type: none"> <li>Mixed Use Core</li> <li>Urban Neighborhood</li> <li>Commercial Transition</li> <li>Highway Commercial</li> <li>Research/Tech Campus</li> </ul>	<ul style="list-style-type: none"> <li>Kirby Drive Frontage</li> <li>"Main Street" Frontage</li> <li>"Promenade" Frontage</li> </ul>
TYPE 'A' STREETS	OPEN SPACE
<ul style="list-style-type: none"> <li>Kirby Drive</li> <li>BV-114-70 (Urban Boulevard)</li> <li>AV-94-48 (2-Lane Avenue)</li> <li>"Neighborhood Tributary" - ROW varies - refer to street sections</li> <li>ST-61-29 (Urban Greenway St)</li> <li>ST-53-29 (Neighborhood Greenway St)</li> <li>ST-62-38 (Urban Neighborhood Street - Type A)</li> <li>Waterfront Promenade</li> <li>Pedestrian Paseo</li> </ul>	<ul style="list-style-type: none"> <li>Required Regional Detention / Floodway</li> <li>Designated Floodway</li> <li>Recommended water feature</li> <li>Recommended Regional Detention</li> <li>Required Open Space</li> <li>Recommended Open Space</li> </ul>
TYPE 'B' STREETS	SPECIAL CONDITIONS
<ul style="list-style-type: none"> <li>AV-82-44 (Avenue)</li> <li>ST-62-38 (Urban Neighborhood Street - Type B)</li> <li>RD-44-22 (Service/Access Road)</li> <li>Existing Street</li> </ul> <p>NOTE: For all street types, a dashed line denotes a recommended street; a solid line denotes a required street</p>	<ul style="list-style-type: none"> <li>Recommended Civic Use</li> <li>Proposed Light Rail stop</li> <li>Required Vista Terminus</li> <li>Recommended access point to Greenway</li> <li>Special Bridge Design</li> <li>Approximate parcel line</li> <li>1/4 Mile Radius Pedestrian Shed</li> <li>Bike/ped-way</li> </ul>

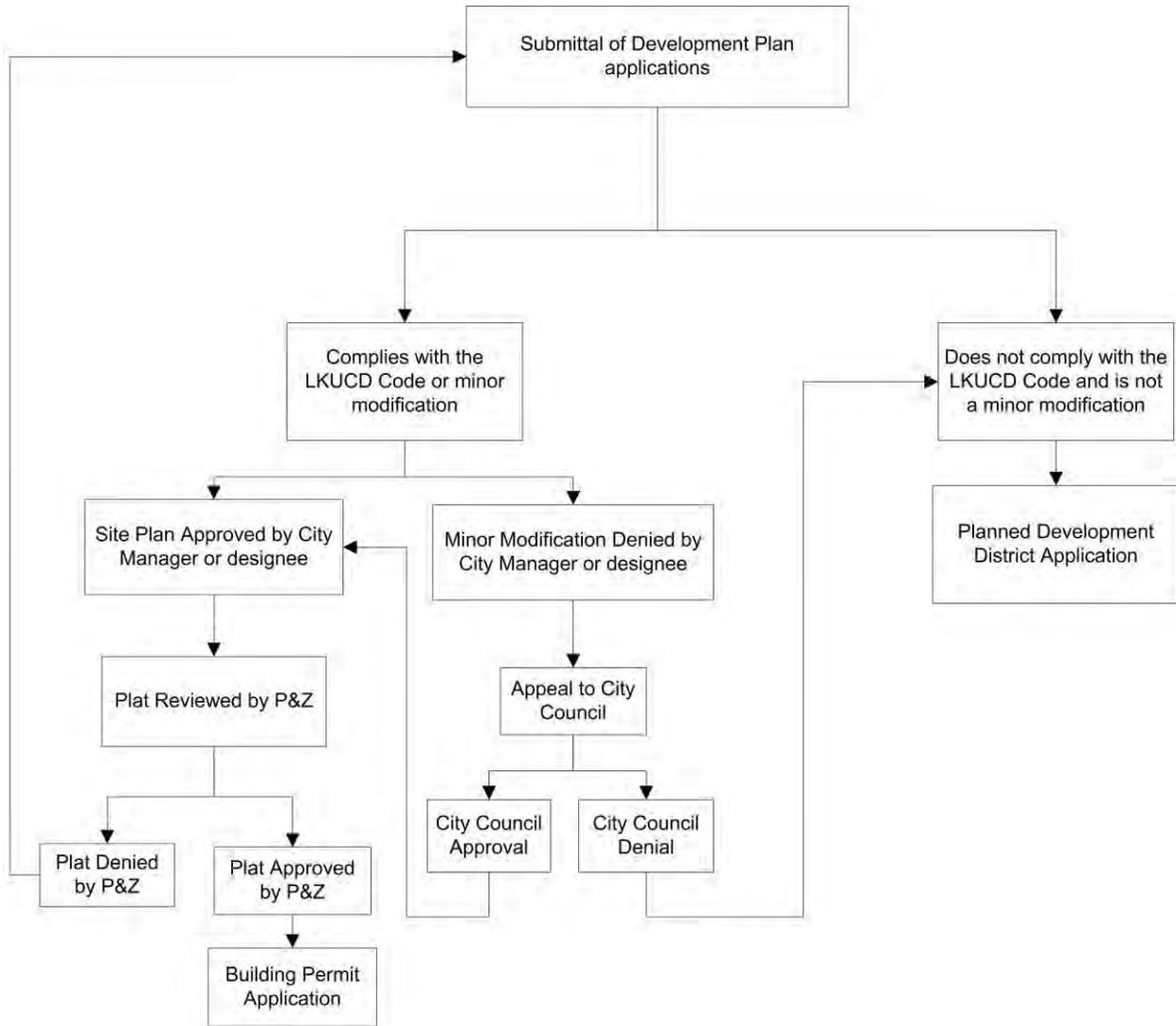


## LOWER KIRBY URBAN CENTER REGULATING PLAN

City of Pearland, Texas FINAL DRAFT - June 24, 2011

Appendix C

Lower Kirby Urban Center  
Development Review Process



LKUCD Code: Lower Kirby Urban Center Development Code  
P&Z: Planning and Zoning Commission  
CC: City Council