



JOINT PUBLIC HEARING
THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE
CITY OF PEARLAND, TEXAS,
MONDAY, MARCH 17, 2014, AT 6:30 p.m.
COUNCIL CHAMBERS - CITY HALL - 3519 LIBERTY DRIVE

I. CALL TO ORDER

II. PURPOSE OF HEARING

Zone Change No. 2014-1Z

A request of Kevin Cole, applicant; on behalf of Tin Dinh, owner; for approval of a change in zoning of two tracts of land totaling approximately 20 acres each for a total of 40 acres from a Single Family Estate (R-E) and a Suburban Development (S-D) zoning district to a Single Family Residential 1 (R-1) zoning district, on the following described property, to wit:

Legal Description: Forty (40) acres of land identified as Tract 1 (20 acres) and Tract 2 (20 acres) out of the H.T & B. R.R. Company Survey, Abstract 547, Volume 2, Page 51 of the records of Brazoria County, Texas

General Location: North of Bailey Road, between County Road 107 F (CR 107 F) to the west and Manvel Road to the east

III. APPLICATION INFORMATION AND CASE SUMMARY

- A. Staff Report
- B. Applicant Presentation
- C. Staff Wrap Up

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 281.652.1840 prior to the meeting so that appropriate arrangements can be made.



JOINT PUBLIC HEARING AGENDA ITEM MEETING OF MARCH 17, 2014

Zone Change No. 2014-01Z

A request of Kevin Cole, applicant; on behalf of Tin Dinh, owner; for approval of a change in zoning of two tracts of land totaling approximately 20 acres each for a total of 40 acres from a Single Family Estate (R-E) zoning district and a Suburban Development (S-D) zoning district to a Single Family Residential 1 (R-1) zoning district, on the following described property, to wit:

Legal Description: Forty (40) acres of land identified as Tract 1 (20 acres) and Tract 2 (20 acres) out of the H.T & B. R.R. Company Survey, Abstract 547, Volume 2, Page 51 of the records of Brazoria County, Texas

General Location: North of Bailey Road, between County Road 107 F (CR 107 F) to the west and Manvel Road to the east, Pearland, Texas

APPROVAL PROCESS: After the Joint Public Hearing, the requested Conditional Use Permit application will be considered as follows:

Planning and Zoning Commission:	March 17, 2014*
City Council for First Reading:	April 14, 2014*
City Council for Second Reading:	April 28, 2014*

(*dates subject to change)

SUMMARY: Kevin Cole, applicant; on behalf of Tin Dinh, owner; is requesting approval of a change in zoning of two tracts of land totaling approximately 20 acres each for a total of 40 acres, from a Single Family Estate (R-E) and a Suburban Development (S-D) zoning district to a Single Family Residential 1 (R-1) zoning district. The applicant has indicated a desire to construct an R-1 Cluster Plan Development with approximately 100-110 single family lots, equating to a density of 2.5 – 2.75 dwelling units per acre. The proposed zoning district of R-1 allows for a maximum density of 3.2 dwelling units per acre.

SURROUNDING ZONING AND LAND USES:

	Zoning	Land Use
North	Extraterritorial Jurisdiction (ETJ)	Single-Family Residential Homes & Undeveloped Land
South	Extraterritorial Jurisdiction (ETJ) and Single Family Estate (R-E)	Boat Storage Commercial, Mobile Homes & Massey Ranch Elementary School
East	Suburban Residential 15 (SR-15)	Undeveloped Land & Single Family Homes
West	Extraterritorial Jurisdiction (ETJ)	Automobile Related Commercial Use, Undeveloped Land & Mobile Homes

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): The existing zoning district, R-E as well as the proposed zoning district of R-1 are both low density residential zoning districts intended to permit detached single family dwelling units and appropriate desirable open space. The SD zoning district is intended to provide areas for land that is relatively undeveloped and/or agricultural in nature and is a default district for newly annexed land that has not yet been zoned.

The applicant has indicated a desire to develop the subject property with an R-1 Cluster Plan. A Cluster Plan allows for the use of residential density standards in substitution for minimum lot size standards, providing for open space or amenities that could not be achieved through the application of minimum lot standards. The density in the proposed zoning district of R-1 increases to 3.2 dwelling units per acre, as opposed to the existing density within the R-E zoning district of 1.3 dwelling units per acre. The SD zoning district is a default zoning district for newly annexed property and does not include the below area regulations.

If the zone change is approved, development of the subject 40 acres is subject to the R- 1 zoning district regulations, until such time the applicant submits for a Cluster Development Plan, and it is approved by the Planning and Zoning Commission.

A comparative analysis of the general regulations of the existing and proposed zoning

districts follow:

General Regulations	Default Zoning District (SD) (Existing)	Zoning District (R-E) (Existing)	Zoning District (R-1) (Proposed)
Minimum Lot Size	N/A	½ acre (21,780 sf.)	8,800 sf.
Minimum Lot Width	N/A	120 ft.	80 ft.
Minimum Lot Depth	N/A	90 ft.	90 ft.
Minimum Front Setback	N/A	40 ft.	25 ft.; 20 ft. for cul-de-sac lots
Minimum Side Setback	N/A	10 ft. or = front yard when abutting a right-of-way	7 ft. 6 in.
Minimum Rear Setback	N/A	25 ft. or 30 ft. when adjacent to a thoroughfare/collector, except if landscaping is provided and is visible from the roadway	20 ft., with exceptions
Maximum Lot Coverage		50%	60%
Gross Density		1.3	3.2

In addition to lot area regulations, the Unified Development Code includes a land use matrix for each zoning district which identifies uses that are permitted, permitted with approval of a Conditional Use Permit, or those uses which are not permitted.

SITE HISTORY: The subject property includes two tracts identified as Tract 1 and Tract 2 by Brazoria County appraisal district records (See Attachment 6 for Survey). Tract 1 is undeveloped, includes approximately 20 acres of land and was annexed into the City of Pearland on November 12, 2001. When a property is annexed into the City, the default zoning is Suburban Development District (SD). An initial zoning district of Single Family Estate District (RE) was applied to the site on January 28, 2002. Tract 2 was recently annexed into the City of Pearland effective January 27, 2014 and has a default zoning of SD.

PLATTING STATUS: The approximately 40 acre site is not platted. Platting will be required prior to the issuance of building permits.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The site is located within the *Low Density Residential Future* Land Use Designation. The Comprehensive Plan indicates that appropriate uses and characteristics of land within the aforementioned future land use designation include the following:

- Conventional single-family detached development
- 0-4 dwelling units per acre.
- Average lot size: 7,500 square feet
- Smaller lots may be acceptable if common open space is provided and overall density is not increased

The Comprehensive Plan indicates that appropriate zoning districts include R-1, Single Family and R-2, Single Family.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on Manvel Road; a major thoroughfare which requires 120 feet of right-of-way. Right-of-way will be granted at the time of platting. County Road 107F is a county owned and operated roadway.

AVAILABILITY OF UTILITIES: The subject parcel has access to public water and public sewer. The applicant is responsible for extending lines onto the subject property, if necessary.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The subject property is currently undeveloped and is surrounded by undeveloped land and developed residential and nonresidential developments. The proposed zone change, if approved, is not anticipated to have any negative impacts on existing or future developments in the immediate area. During the annexation process, drainage concerns were raised by a nearby neighbor who indicated that the construction of Massey Elementary School caused drainage problems in the area. The applicant, school administrators and the Engineering Department have agreed to meet prior to construction to discuss ways to minimize any existing drainage concerns in the area. Additionally, the property is not platted. Platting is required prior to the issuance of building permits and may trigger necessary improvements, including but not limited to drainage improvements.

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

PUBLIC NOTIFICATION: Public notices, comment forms, and a vicinity map were mailed to the applicant as well as property owners within 200 feet of the subject property under consideration for the Conditional Use Permit on March 7, 2014. There are twenty-two (22) property owners within 200 feet of the site. A legal notice of public hearing was published in the local newspaper on February 27, 2013 and a notification sign was placed on the property by the applicant on March 7, 2014.

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.

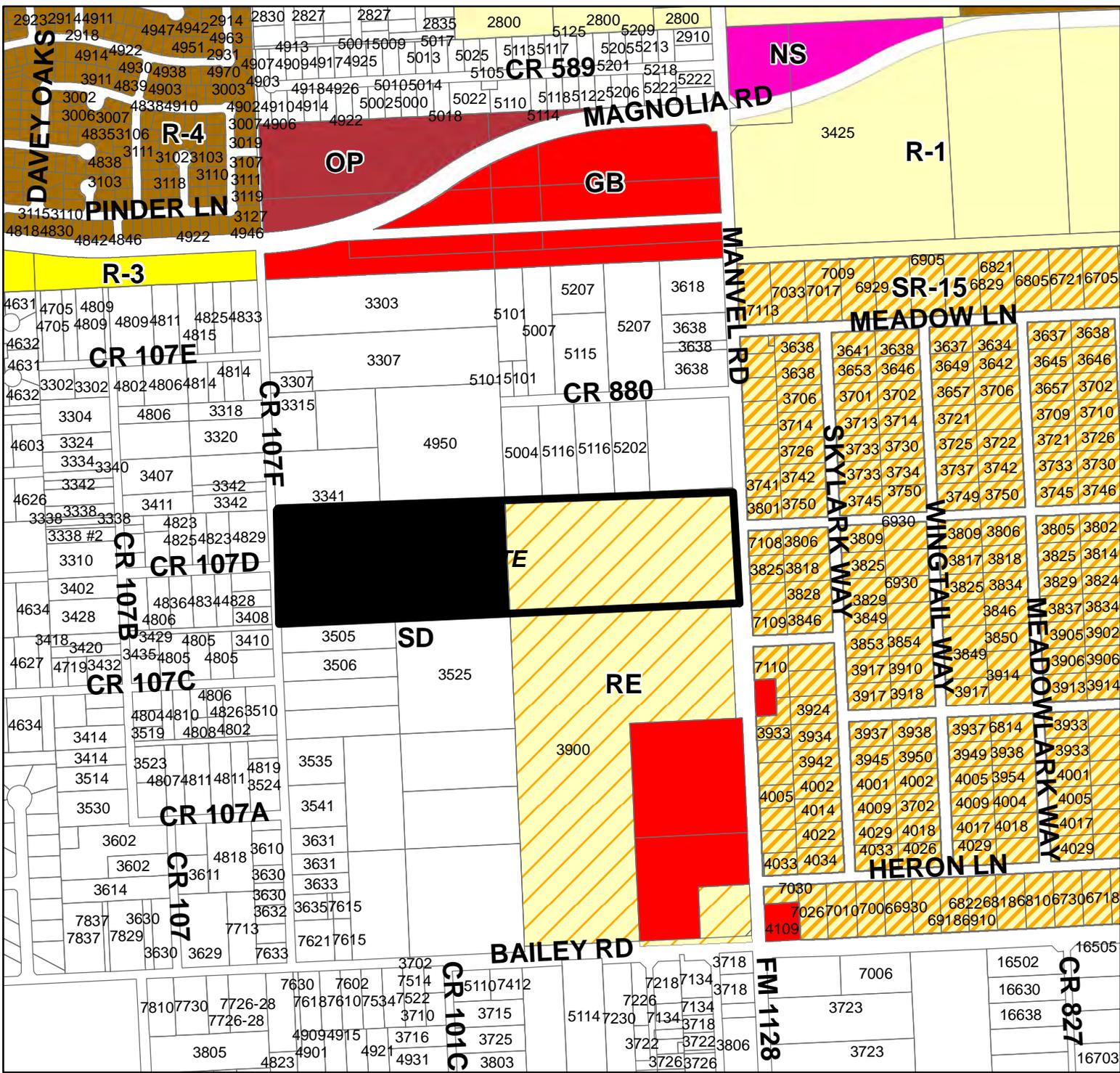
STAFF RECOMMENDATION: Staff recommends approval of Zone Change No. 2014-1Z

to rezone the 40-acre site from SD and R-E to R-1 for the following reasons:

1. It is not anticipated that the proposed change in zoning will have any significant negative impacts on surrounding properties or developments.
2. The future land use designation of the Comprehensive Plan (*Low Density Residential*) supports the proposed zoning district and density.

SUPPORTING ATTACHMENTS:

1. Vicinity and Zoning Map
2. Abutter Map
3. Abutter List
4. Future Land Use Map
5. Aerial Map
6. Applicant Packet



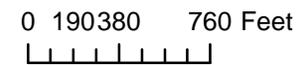
ATTACHMENT 1

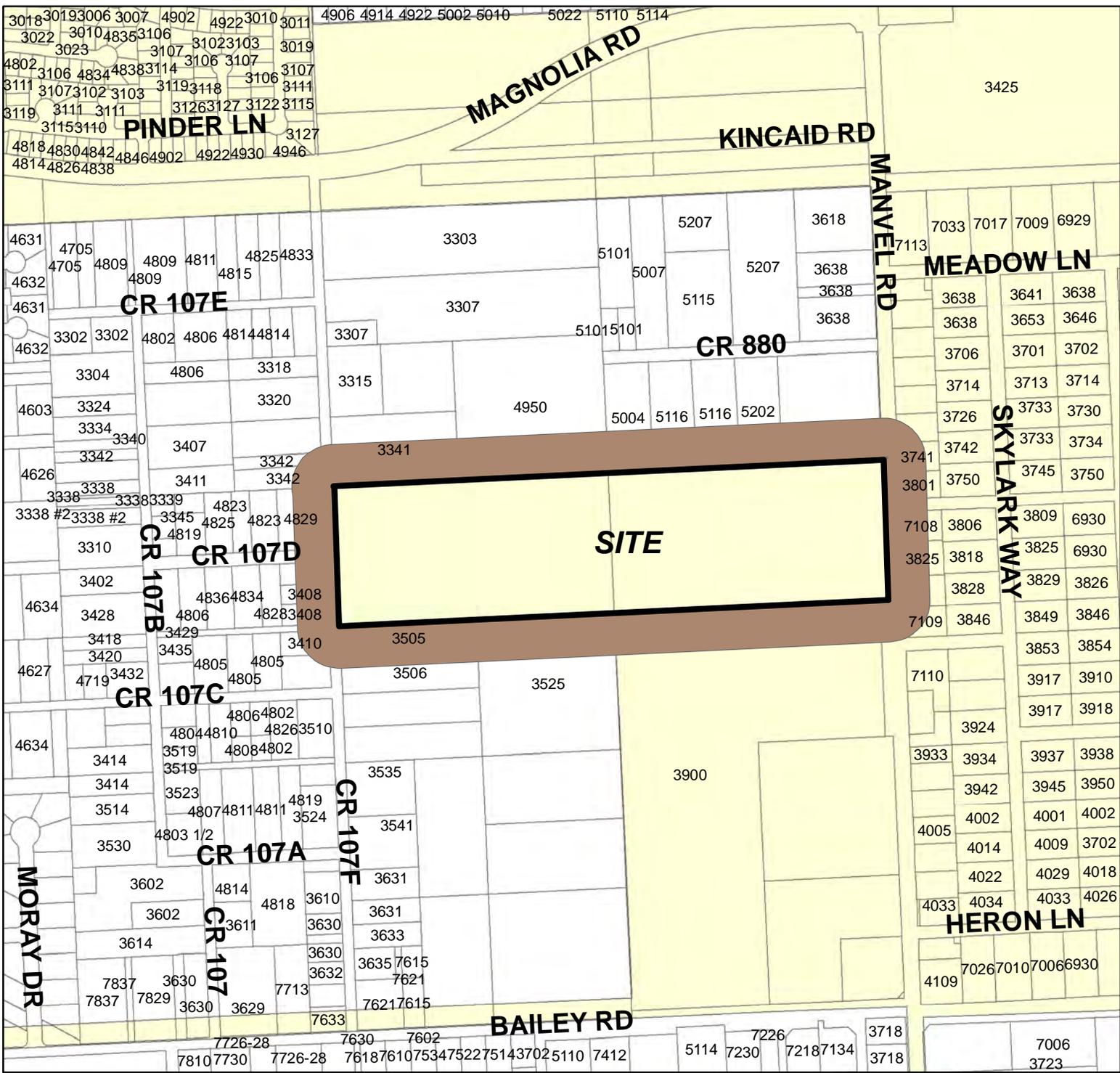
Vicinity and Zoning Map

Zone Change 2014-1Z

North of Bailey Road,
between County Road
107F to the west and
Manvel Road to
the east

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.





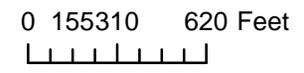
ATTACHMENT 2

Abutter Map

Zone Change 2014-1Z

North of Bailey Road,
between County Road
107 F to the west and
Manvel Road to
the east

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ATTACHMENT 3

Zone Change 2014-1Z

North of Bailey Road, between CR 107 F to the west and Manvel Road to the east

NAME	ADDRESS	CITY	STATE
KYLE WILLIAM A & LIBBY D	3002 PEEKSKILL CT	PEARLAND	TX
POAGE JACK & BETTY	5202 MCKNIGHT RD	PEARLAND	TX
BROWN LAWRENCE E & GENEVA L	5116 MCKNIGHT RD	PEARLAND	TX
MOORE BRENDA S	5004 MCKNIGHT RD	PEARLAND	TX
BLAIR LUCIUS JR	3342 CHARLES AVE	PEARLAND	TX
1986 LLP	2525 COUNTY ROAD 90	PEARLAND	TX
NGUYEN NGA THUY & HAI NGOC	13811 GARDEN CREEK WAY	HOUSTON	TX
RUSHING SHIRLEY	PO BOX 81	PEARLAND	TX
FLORES DANIEL & IRENE S	3801 MANVEL RD	PEARLAND	TX
LONG MARVIN A SR & DARLENE	4823 BETTY LN	PEARLAND	TX
HUBBARD MELODY JOHNSON	7108 WESTLEA LN	PEARLAND	TX
GONZALEZ FEDERICO & MARIA	3825 MANVEL RD	PEARLAND	TX
LONG MARVIN A SR & DARLENE	4823 BETTY LN	PEARLAND	TX
CAVAZOS EUGENE S	3408 CHARLES AVE	PEARLAND	TX
EMMONS MELVIN L & JANET	7109 W MOCKINGBIRD LN	PEARLAND	TX
WOODS TERRY G SR & SALENA L	3525 CHARLES AVE	PEARLAND	TX
REGALADO VICTOR & RAQUEL	3505 CHARLES AVE	PEARLAND	TX
LONG MARVIN A & LINDA	3410 CHARLES AVE	PEARLAND	TX
TEELUCKSINGH HARDEO & GENNA	3341 CHARLES AVE	PEARLAND	TX
SINGH NANDLAL	4950 MCKNIGHT RD	PEARLAND	TX
PEARLAND ISD	PO BOX 7	PEARLAND	TX
Kevin Cole	2800 E. Broadway, Suite C #228	PEARLAND	TX

ATTACHMENT 4

FLUP Map

Zone Change 2014-1Z

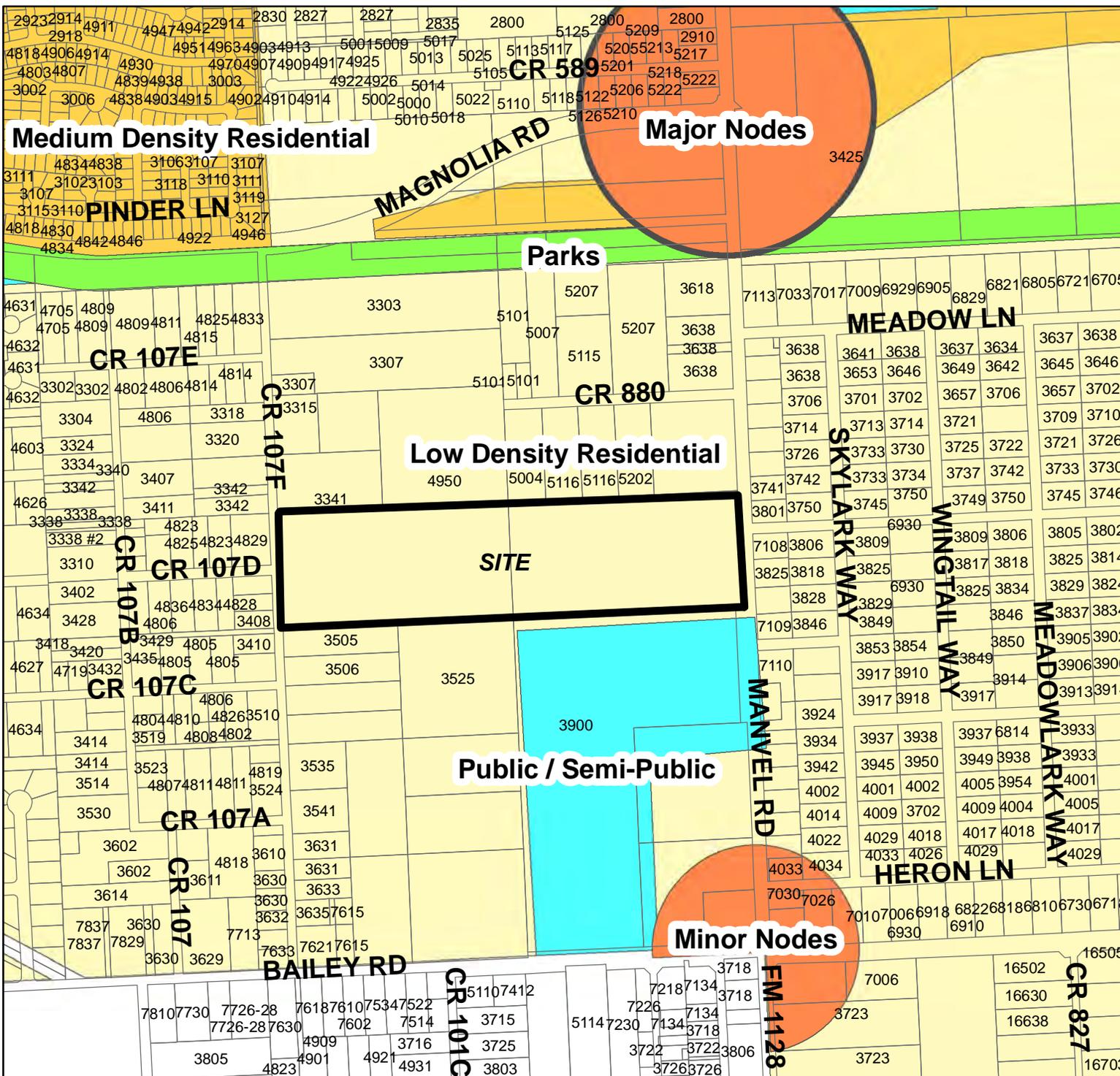
North of Bailey Road,
between County Road
107F to the west and
Manvel Road to
the east

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 190380 760 Feet



N



ATTACHMENT 6

ZONE CHANGE APPLICATION Page 1 of 4 Updated October 2012



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: RE/SD
Proposed Zoning District: R-1

Property Information:

Address or General Location of Property: North of Bailey Rd between FM 1128 and Charles Ave.
Tax Account No. 0547-0035-000 / 0547-0035-130
Subdivision: A0547 HT & BRR, Tract 1 and Tract 2 40 acres total Lot: _____ Block: _____

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

PROPERTY OWNER INFORMATION:

NAME TIN DINH
ADDRESS 13811 GARDEN CREEK WAY
CITY HOUSTON STATE TX ZIP 77059
PHONE (832) 978-7931
FAX ()
E-MAIL ADDRESS TINDINH77059@YAHOO.COM

APPLICANT/AGENT INFORMATION:

NAME Kevin Cole - The Matrix Group
ADDRESS 2800 E. Broadway, Suite C4228
CITY Pearland STATE TX ZIP 77581
PHONE (832) 212-9460
FAX (281) 652-5978
E-MAIL ADDRESS kcole3007@yahoo.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: Tin Dinh Date: 2-7-2014

Agent's/Applicant's Signature: [Signature] Date: 2/14/14

OFFICE USE ONLY:

FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
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Application No. _____

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:**

- \$ 750.00 plus \$25.00 per each type of zoning district requested; or
- \$ 800.00 if requesting a Planned Development (PD)

40ac

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

- \$ 800.00, plus \$25.00 per each type of zoning district requested; or
- \$ 850.00 if requesting a Planned Development (PD)

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

- \$ 850.00, plus \$25.00 per each type of zoning district requested; or
- \$ 900.00 if requesting a Planned Development (PD)

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

- \$ 900.00, plus \$25.00 per each type of zoning district requested; or
- \$ 950.00 if requesting a Planned Development (PD)

- **100 acres and above:**

- \$ 950.00, plus \$25.00 per each type of zoning district requested; or
- \$ 1000.00 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.

**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.**



February 14, 2014

Honorable Mayor and Councilmembers
City of Pearland
3523 Liberty Dr.
Pearland, TX 77581

Re: Zoning of 40 Acres Located at 3400 FM 1128

Dear Honorable Mayor and Councilmembers,

Attached please find an application for a change in zoning on the property located at 3400 FM 1128 in Pearland, TX. As you are aware, a portion of this property recently went through the annexation process, by petition, to allow the western half of the property to be annexed into the city limits of Pearland. Thank you for your support on the annexation.

The western 20 acres is now zoned Suburban Development (SD) since the annexation into the City. As you are aware, this is simply a holding category for zoning and now needs to be zoned properly for the tract to develop. The eastern 20 acres along FM 1128 is currently zoned Residential Estate (RE).

As discussed during the public hearing process for the annexation, our goal is to develop this in a cohesive development, instead of half in the City and half out of the City. Our goal is to develop 100-110 single family residential lots, or a density of 2.5-2.75 lots per gross acre. At this time we have not completed the land plan, but plan to have a better look for the Joint Public Hearing.

The Comprehensive Plan calls for low density residential in the area of the City. Our application is to rezone the property to R-1 Single Family Residential and will be applying for a cluster plan development. While R-1 cluster would allow for a total density of 3.2 lots per acre, or 128 lots, we don't anticipate reaching that density. We anticipate homes selling in the \$230-\$290K range.

We look forward to presenting this to you during the public hearing and ask for your support.

Best Regards,

Kevin Cole
President

CITY OF PEARLAND
R E P R I M T

*** CUSTOMER RECEIPT ***

Oper: JCOTTER Type: OC Drawer: 1
Date: 2/14/14 01 Receipt no: 137185

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$800.00
Trans number:		4370342

3400 FM 1128
KEVIN COLE
MATRIX GROUP
RM HALL INVESTMENTS LTD
3027 MARINA BAY DR SUITE 220
LEAGUE CITY

Tender detail		
CX CHECK	1154	\$800.00
Total tendered		\$800.00
Total payment		\$800.00

Trans date: 2/14/14 Time: 8:22:29

ZONE CHANGE/ VARIANCE/ RECORDATION

(circle one)
\$ 800 BA or or FE

Description: Input who the check is from

COMMENTS/DESCRIPTION (F10):

Location or
Address 3400 Fm 1128

Applicant Kevin Cole

Owner Matrix Group

Search Mail Search Web Kevin Profile Sign Out Home

Kabam

Set Sail for Riches and Plunder!

Sponsored

FW: Authorization

Tuesday, February 11, 2014 9:36 AM

From: "ray" <bogle72@hotmail.com>

To: "kcole8007@yahoo.com" <kcole8007@yahoo.com>

Authorization below.

Ray Bogle, Realtor
 William Davis Realty
 mobile 214.924.0742
 fax 972-249-2083

"Your referrals are greatly appreciated! My business is built on them."

Date: Tue, 11 Feb 2014 09:33:54 -0800
 From: tindinh77059@yahoo.com
 Subject: Authorization
 To: bogle72@hotmail.com

February 11, 2014

I, Tin Dinh, and the owners of the property at 3400 Manvel Rd.,
 Pearland, TX, do hereby authorize Kevin Cole,
 of The Matrix Group, to act as applicant/agent for the zone change.

Sincerely,
 Tin Dinh

**** THIS IS NOT A TAX CERTIFICATE ****
 **** TAX ORDER REQUEST REQUIRES RESEARCH ****

CAD ACCOUNT NUMBER SUMMARY

0547-0035-000	0547-0035-130
---------------	---------------

SUMMARY OF ALL ACCOUNT(S)

	SUMMARY OF CURRENT YEAR		SUMMARY OF ALL TAXES DUE	
	TAX YEAR	BASE TAX	DUE 02/14	DUE 03/14
BRAZORIA CO/PAY TO: RO'VI	2013	21.64	0.00	0.00
ISD - PEARLAND	2013	62.30	0.00	0.00
BC DRAINAGE DIST #4	2013	6.86	0.00	0.00
CITY OF PEARLAND	2013	15.51	0.00	0.00
TOTAL TAX		106.31	0.00	0.00
*** ERROR *** TAX CERTIFICATE HAS NOT BEEN RELEASED ***				

***** COMMENTS ***** CAUTION ***** READ BEFORE CLOSING *****

CAD# 0547-0035-000	- THIS PROPERTY MAY BE SUBJECT TO AG ROLLBACK TAXESF OR 2010 AND PRIOR YEARS
CAD# 0547-0035-130	- THIS PROPERTY MAY BE SUBJECT TO AG ROLLBACK TAXESF OR 2010 AND PRIOR YEARS
BRAZORIA CO/PAY TO: RO'VIN	- RATE INCLUDES COUNTY(.368480) ROAD/BRIDGE(.05) MOSQUITO DISTRICT(.013540)ROAD/BRIDGE SPECIAL(.06) EXEMPTS: HS-20%; O65-100,000; DIS-100,000
ISD - PEARLAND	- EXEMPTS: HS-15,000; OVER65-13,800; DIS-10,000
BC DRAINAGE DIST #4	- EXEMPTS: HS-20%; O65-75,000; DIS-75,000BONDS APP ROVED:0; BONDS ISSUED: 0BOND INFORMATION UPDATED 12-1-10
CITY OF PEARLAND	- EXEMPTS: HS-2.5%/5,000;O65-40,000;DIS-40,000

		DR4 GBC SPL
CAD#	0547-0035-000	STT/PGE
DESC	A0547 H T & B R R, TRACT 1, ACRES 20.000 ABST/SUB ID A0547	
ACREAGE	20.000	
SITUS	CHARLES AVE	DEED 00-051131
MAIL	LIEN AI BUI & TIN DINH 13811 GARDEN CREEK WAY HOUSTON TX 77059-3545	
ASSESSED OWNER(S)	2013 ASSESSED VALUES	
	NGUYEN NGA THUY & HAI NGOC	LAND 200,000
		IMPROVEMENT 0
		MARKET VALUE 200,000
		DEFERRED VALUE 197,800
		SPECIAL VALUE 2,200
THIS PROPERTY MAY BE SUBJECT TO AG ROLLBACK TAXES FOR 2013 AND PRIOR ASSESSED AS LAND ONLY		

TAX ENTITY INFORMATION

BRAZORIA CO/PAY TO: RO'VIN GARRETT, RTA		PAYMENTS AS OF		01/31/2014
111 E. LOCUST SUITE 100 ANGLETON, TX 77515-4682		13 TAX RATE		0.4920200
PHONE 281-756-1320		W/O EXEMPT		984.04
EXEMPTIONS NONE	YR	BASE TAX	BASE DUE	DUE 02/14
	13	10.82	0.00	*** PAID 01/24/14 ***
	SUBTOTAL	10.82	0.00	0.00

ISD - PEARLAND		PAYMENTS AS OF		01/31/2014
COLLECTED BY COUNTY		13 TAX RATE		1.4157000
PHONE 281-756-1320		W/O EXEMPT		2,831.40
EXEMPTIONS NONE	YR	BASE TAX	BASE DUE	DUE 02/14
	13	31.15	0.00	*** PAID 01/24/14 ***
	SUBTOTAL	31.15	0.00	0.00

BC DRAINAGE DIST #4		PAYMENTS AS OF		01/31/2014
COLLECTED BY COUNTY		13 TAX RATE		0.1560000
PHONE 281-756-1320		W/O EXEMPT		312.00
EXEMPTIONS NONE	YR	BASE TAX	BASE DUE	DUE 02/14
	13	3.43	0.00	*** PAID 01/24/14 ***
	SUBTOTAL	3.43	0.00	0.00

SUMMARY OF ACCOUNT 0547-0035-000				
	TAX YEAR	BASE TAX	DUE 02/14	DUE 03/14
BRAZORIA CO/PAY TO: RO'VI	2013	10.82	0.00	0.00
ISD - PEARLAND	2013	31.15	0.00	0.00
BC DRAINAGE DIST #4	2013	3.43	0.00	0.00
TOTAL TAX		45.40	0.00	0.00

CAD#	0547-0035-130				CPL DR4 GBC SPL
DESC	A0547 H T & B R R, TRACT 2, ACRES 20.00 ABST/SUB ID A0547				STT/PGE
ACREAGE	20.000				
SITUS	FM 1128 CPL	DEED		00-051127	
MAIL	LIEN AI BUI & TIN DINH 13811 GARDEN CREEK WAY HOUSTON TX 77059-3545				
ASSESSED OWNER(S)	NGUYEN NGA THUY & HAI NGOC				2013 ASSESSED VALUES
		LAND		200,000	
		IMPROVEMENT		0	
		MARKET VALUE		200,000	
		DEFERRED VALUE		197,800	
		SPECIAL VALUE		2,200	
THIS PROPERTY MAY BE SUBJECT TO AG ROLLBACK TAXES FOR 2013 AND PRIOR ASSESSED AS LAND ONLY					

TAX ENTITY INFORMATION

BRAZORIA CO/PAY TO: RO'VIN GARRETT, RTA		PAYMENTS AS OF		01/31/2014
111 E. LOCUST SUITE 100 ANGLETON, TX 77515-4682		13 TAX RATE		0.4920200
PHONE 281-756-1320		W/O EXEMPT		984.04
EXEMPTIONS NONE	YR	BASE TAX	BASE DUE	DUE 02/14
	13	10.82	0.00	*** PAID 01/24/14 ***
	SUBTOTAL	10.82	0.00	0.00

CITY OF PEARLAND		PAYMENTS AS OF		01/31/2014
COLLECTED BY COUNTY		13 TAX RATE		0.7051000
PHONE 281-756-1320		W/O EXEMPT		1,410.20
EXEMPTIONS NONE	YR	BASE TAX	BASE DUE	DUE 02/14
	13	15.51	0.00	*** PAID 01/24/14 ***
	SUBTOTAL	15.51	0.00	0.00

ISD - PEARLAND		PAYMENTS AS OF		01/31/2014
COLLECTED BY COUNTY		13 TAX RATE		1.4157000
PHONE 281-756-1320		W/O EXEMPT		2,831.40
EXEMPTIONS NONE	YR	BASE TAX	BASE DUE	DUE 02/14
	13	31.15	0.00	*** PAID 01/24/14 ***
	SUBTOTAL	31.15	0.00	0.00

BC DRAINAGE DIST #4		PAYMENTS AS OF		01/31/2014
COLLECTED BY COUNTY		13 TAX RATE		0.1560000
PHONE 281-756-1320		W/O EXEMPT		312.00
EXEMPTIONS NONE	YR	BASE TAX	BASE DUE	DUE 02/14
	13	3.43	0.00	*** PAID 01/24/14 ***
	SUBTOTAL	3.43	0.00	0.00

SUMMARY OF ACCOUNT 0547-0035-130				
	TAX YEAR	BASE TAX	DUE 02/14	DUE 03/14
BRAZORIA CO/PAY TO: ROVI	2013	10.82	0.00	0.00
CITY OF PEARLAND	2013	15.51	0.00	0.00
ISD - PEARLAND	2013	31.15	0.00	0.00
BC DRAINAGE DIST #4	2013	3.43	0.00	0.00
TOTAL TAX		60.91	0.00	0.00

**** THIS IS NOT A HOA CERTIFICATE ****

**** HOA DATA OK/CERT HELD FOR TAX ****

SUBD NAME / BLK A0547 H T & B R R

NO HOA FOUND FOR A0547 H T & B R R

*** OUR RESEARCH DOES NOT INDICATE THE EXISTENCE OF AN ***

*** HOA. PLEASE VERIFY WITH YOUR TITLE REPORT. IF AN ***

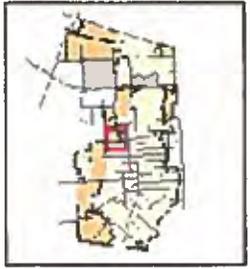
*** HOA IS KNOWN, PLEASE CONTACT DATA TRACE ***

SUMMARY OF ACCOUNT 0547-0035-000

DESC	A0547 H T & B R R, TRACT 1, ACRES 20.000 ABST/SUB ID A0547
SITUS	CHARLES AVE

SUMMARY OF ACCOUNT 0547-0035-130

DESC	A0547 H T & B R R, TRACT 2, ACRES 20.00 ABST/SUB ID A0547
SITUS	FM 1128 CPL



Scale 1:10,000
1 in = 800 ft

I, HEREBY CERTIFY THAT THIS SURVEY CONFORMS TO THE GRAND TEXAS SURVEYORS ASSOCIATION STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION III SURVEY.

W. H. Adams
 W. H. ADAMS, REGISTERED SURVEYOR
 SURVEYOR NO. 480



Set 1/4" Iron Pipe
 40' South 200' East

Set 1/4" Iron Pipe
 40' South

End 1/4" Iron Pipe
 370' South 71' East

TO NATIONAL TITLE COMPANY AND ALL PARTIES INTERESTED IN THE TITLE TO THE PREMISES SURVEYED:

RE: F.M.M.

NOT DISCLOSED HERE HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE DATE INDICATED THEREON OF THE RECORD OF THE 35.7 ACRES, THE PROPERTY LEGALLY DESCRIBED THEREIN AND IS CORRECT; THERE ARE NO DISCREPANCIES, CONFLICTS OR INCONSISTENCIES IN AREA OR BOUNDARY LINES; OR ANY ENCROACHMENTS, OR ANY OVERLAPPING OF INTERESTS, OR ANY EASEMENTS OR RIGHTS OF WAY, EXCEPT AS KNOWN TO THESE, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN THEREON.

DATE August, 1977

W. H. Adams
 W. H. ADAMS, REGISTERED SURVEYOR

C.R. 880

Set 1/4" Iron Pipe
 22.1' West
 End 1/4" Iron Pipe

Track 2

SURVEYS 110 545 AC.

Track 1

SURVEYS 110 545 AC.
 TOTAL AC.

(90.00 AC.)

Approximate Boundaries Shaded

Set 1/4" Iron Pipe
 22.1' West

Set 1/4" Iron Pipe
 30' North 22.1' West

ACCESS

660.

BRITT

660

50' SOUTH

Set 1/4" Iron Pipe
 30' North 22.1' West

19857 - 26585

Lot 1

Metes and Bounds Description
of 20 Acres of Land out of the
H.T. & B. R.R. Company Survey, Abstract 547
Volume 2, Page 51 of the Plat Records of Brazoria County, Texas

BEGINNING at the Northwest corner of Lot 1 and the Southwest corner of Lot 18.

THENCE East along the North property line of Lot 1 and the South property line of Lot 18 a distance of 1320 feet to a point for a corner and the Northeast corner of Lot 1, the Northwest corner of Lot 2 and the Southeast corner of Lot 18,

THENCE South along the East property line of Lot 1 and the West property line of Lot 2 a distance of 660 feet to a point for a corner and the Southeast corner of Lot 1, the Southwest corner of Lot 2 and the Northeast corner of Lot 4,

THENCE West along the South property line of Lot 1 and the North property line of Lots 3 and 4 a distance of 1320 feet to a point for a corner and the Southwest corner of Lot 1 and the Northwest corner of Lot 3,

THENCE North along the West property line of Lot 1 a distance of 660 feet and to the Point of Beginning and said tract containing 20 acres of land, more or less.

Lot 2

**Metes and Bounds Description
of 20 Acres of Land out of the
H.T. & B. R.R. Company Survey, Abstract 547
Volume 2, Page 51 of the Plat Records of Brazoria County, Texas**

BEGINNING at the Northwest corner of Lot 2, the Northeast corner of Lot 1 and the Southwest corner of Lot 15.

THENCE East along the North property line of Lot 2 and the South property line of Lot 15 a distance of 1320 feet to a point for a corner and the Northeast corner of Lot 2 and the Southeast corner of Lot 15,

THENCE South along the East property line of Lot 2 a distance of 660 feet to a point for a corner and the Southeast corner of Lot 2 and the Northeast corner of Lot 6,

THENCE West along the South property line of Lot 2 and the North property line of Lots 5 and 6 a distance of 1320 feet to a point for a corner and the Southwest corner of Lot 2, the Southeast corner of Lot 1 and the Northwest corner of Lot 5,

THENCE North along the West property line of Lot 2 and the East property line of Lot 1 a distance of 660 feet and to the Point of Beginning and said tract containing 20 acres of land, more or less.



JOINT PUBLIC HEARING
THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE
CITY OF PEARLAND, TEXAS,
MONDAY, MARCH 17, 2014, AT 6:30 p.m.
COUNCIL CHAMBERS - CITY HALL - 3519 LIBERTY DRIVE

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

Conditional Use Permit No. CUP 2014-02

A request of Denbury Resources, Inc., applicant; on behalf of Pat O'Day Estates, owner; for approval of a Conditional Use Permit to allow for *Petroleum Product Extraction* in the Heavy Industrial (M-2) District, on the following described property, to wit:

Legal Description: A ten (10) acre tract of land out of a 25 acres off the south side of a tract of land composed of two (2) contiguous parcels known as tract number one hundred and eighty (180) out of Section twenty seven (27), recorded in Volume 205, Page 398 and 399, H.T & B.R.R and Company Survey, in said Brazoria County, Texas

General Location: Approximately 1,200 feet west of Main Street at Dixie Farm Road.

- III. APPLICATION INFORMATION AND CASE SUMMARY**
 - A. Staff Report
 - B. Applicant Presentation
 - C. Staff Wrap Up
- 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 281.652.1840 prior to the meeting so that appropriate arrangements can be made.



JOINT PUBLIC HEARING AGENDA ITEM MEETING OF MARCH 17, 2014

Conditional Use Permit No. CUP 2014-02

A request of Denbury Resources, Inc., applicant; on behalf of Pat O'Day Estates, owner; for approval of a Conditional Use Permit to allow for *Petroleum Product Extraction*, on approximately 10 acres of land, within the Heavy Industrial (M-2) District, on the following described property, to wit:

Legal Description: A ten (10) acre tract of land out of a 25 acres off the south side of a tract of land composed of two (2) contiguous parcels known as tract number one hundred and eighty (180) out of Section twenty seven (27), recorded in Volume 205, Page 398 and 399, H.T & B.R.R and Company Survey, in said Brazoria County, Texas

General Location: Approximately 1,200 feet west of Main Street at Dixie Farm Road, Pearland, Texas

APPROVAL PROCESS: After the Joint Public Hearing, the requested Conditional Use Permit application will be considered as follows:

Planning and Zoning Commission:	March 17, 2014*
City Council for First Reading:	April 14, 2014*
City Council for Second Reading:	April 28, 2014*

(*dates subject to change)

SUMMARY: Denbury Resources, applicant; for Pat O'Day Estates, owner; is requesting approval of a Conditional Use Permit (CUP) to allow for the operation of *Petroleum Extraction Production* within a Heavy Industrial (M-2) zoning district. The existing M-2 zoning district permits the proposed use, with approval of a CUP.

The applicant proposes to drill two (2) new oil wellbores on the 10 acre site. A total of 4 wells have been drilled on the subject site during the history of the field; 2 of which have been plugged and 2 of which have been reopened for future use. Each well will be equipped with an electronic monitoring system to a central control panel with appropriate alarms to notify of fluctuations in pressure and temperature.

The drill pad site will be constructed with limestone and/or aggregate material and will be 105,000 square feet initially, to accommodate the drilling rig and associated machinery. The drilling process will be approximately 1 month from the rig move-in date. Completion work will take approximately 2 weeks. After drilling and completion, the pad site will be reduced to approximately 50,000 square feet for day-to-day operations, which will include operators visiting the site twice per day. There will be no buildings or storage tanks located on the pad site.

The proposed drill site will be accessed from Main Street (SH 35) via an existing oilfield lease road, which will be improved with crushed rock. A driveway permit is required from the Engineering Department in order to approve the driveway connection. Once approved, the applicant will be provided with a driveway sponsorship letter to submit to TXDOT for driveway improvements within the right-of-way on Main Street. It is important to note that any improvements within TXDOT right-of-way must be constructed of concrete or asphalt. New pipelines will be routed west from the pad site, then south within an easement purchased for this purpose.

At the time of final permitting, the applicant will be responsible for submitting more detailed information, including the type of well proposed, the well depth, well plan and casing program, information regarding pipelines and equipment, materials, structures, a report prepared by a professional independent civil engineer stating reasonable possible damage to public roads and streets, a report prepared by a professional environmental engineer stating reasonable possible environmental damage, etc.

SURROUNDING ZONING AND LAND USES:

	Zoning	Land Use
North	Heavy Industrial (M-2)	Undeveloped
South	Heavy Industrial (M-2)	Undeveloped
East	Heavy Industrial (M-2)	Undeveloped
West	Heavy Industrial (M-2)	Undeveloped

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): The subject property is located within the Heavy Industrial (M-2) zoning district and has been previously used for *Petroleum Extraction Production*. There are currently no buildings constructed on site, and no new buildings are proposed. The subject tract includes approximately 10 acres and meets the minimum lot size for properties within the M-2 zoning district. The property includes over 5 acres and as such platting is not required. The purpose of the M-2 zoning district is to permit any manufacturing, assembly, processing, storage and/or distribution, sale and repair incidental to industrial uses allowed by law.

Although not all are applicable to the proposed use as no structures are proposed, and platting is not required, the general regulations of the M-2 zoning district follow:

General Regulations	COD	Existing Site
----------------------------	------------	----------------------

Minimum Lot Size	40,000 sq. ft.	435,600 sq. ft.
Minimum Lot Width	150 ft.	~415 ft.
Minimum Lot Depth	150 ft.	~1,109 ft.
Minimum Front Setback	35 ft.	N/A
Minimum Side Setback	25 ft.	N/A
Minimum Rear Setback	25 ft.	N/A

SITE HISTORY: The subject property has historically been used for *Petroleum Product Extraction* and has had 4 wells drilled upon it during the history of the field, two of which have been recently re-opened and completed for future use and the other two remain plugged and abandoned. The property was annexed into the City of Pearland in 2001. When a property is annexed into the City, the default zoning district is Suburban District (SD). With the adoption of the Unified Development Code (UDC) in 2006, an initial zoning district of M-2 was applied to the site.

PLATTING STATUS: The approximately 10 acre site is not platted. Pursuant to Section 3.1.1.3 of the Unified Development Code (UDC), the subject property is exempt from platting as the property includes more than 5 acres of land. The property just to the east will be used for access to the subject property and is under the same estate ownership, and also includes 10 acres of land.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: The site is located within the *Light Industrial* Future Land Use Designation. The Comprehensive Plan indicates that appropriate corresponding zoning districts include the *Light Industrial (M-1)* zoning district. Appropriate uses include:

- Warehousing, distribution, assembly, fabrication and light manufacturing; industrial parks; high tech industries;
- Supporting retail, office and service uses congregated at street intersections;
- Performance standards for certain uses; and
- Indoor and outdoor commercial uses

With approval of a CUP, the use of *Petroleum Product Extraction*, will conform to the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property will be accessed from Main Street (SH 35); a TXDOT owned and maintained roadway, which requires 120 feet of right-of-way and is considered a Major Thoroughfare by the Thoroughfare Plan. Any outstanding right-of-way to date will be donated through the platting process.

AVAILABILITY OF UTILITIES: The subject parcel does not have access to public water or public sewer. The lot

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The subject property has 4 existing oil wellbores on site; 2 of which have been plugged and 2 of which have recently been re-opened for future use. The surrounding properties are all zoned M-2 and are currently undeveloped. It is not anticipated that adjacent undeveloped properties will be negatively impacted by the addition of 2 new oil wellbores on site. The additional wellbores are proposed along the western-most boundary of the site. See Attachment 6 for site plan.

ADDITIONAL COMMENTS: A Pre-Development Meeting was held with the applicant on February 5, 2014. This request has been reviewed by the City's Development Review Committee and there were no additional comments from other departments at the time of this report.

PUBLIC NOTIFICATION: A legal notice of public hearing was published in the local newspaper on February 27, 2013. Public notices, comment forms, and a vicinity map were mailed to the applicant as well as property owners within 200 feet of the subject property under consideration for the Conditional Use Permit on March 7, 2014. There are six (6) property owners within 200 feet of the site. Additionally, a notification sign was placed on the property by the applicant on March 7, 2014.

OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST: Staff has not received any comments either in opposition to or in support of the proposed Conditional Use Permit request at the time of this report.

CRITERIA FOR APPROVAL: When considering an application for a Conditional Use Permit, the Planning and Zoning Commission and City Council shall evaluate the impact of the proposed use on and its compatibility with surrounding properties and residential areas to ensure the appropriateness of the use at the particular location, and shall consider the extent to which:

- (1) The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;
- (2) The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
- (3) The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
- (4) The proposed use does not generate pedestrian and vehicular traffic which

will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;

- (5) The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
- (6) The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and
- (7) The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

Conditions: The City Council may require such modifications in the proposed use and attach such conditions to the Conditional Use Permit as the City Council deems necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of this section. It should be noted that at this time staff has not identified negative impacts which will need to be mitigated as a result of the proposed redevelopment. However, in order to ensure that the site is redeveloped in accordance with the current proposal, staff is recommending that the site plan submitted with this application be added to the adopting ordinance, if approved by Council, in the form of a condition of approval. Should City Council identify impacts which it feels should be mitigated, additional conditions and modifications may be placed on the approval of the Conditional Use Permit.

STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit (CUP 2014-02) to allow the operation of *Petroleum Product Extraction* within the Heavy Industrial (M-2) zoning district for the following reasons and subject to the following conditions:

1. It is not anticipated that the proposed use will have any significant negative impacts on surrounding properties or developments. The area of construction and gas well drilling is proposed along the western-most boundary of the site and will not be overly visible from Main Street or adjacent properties.
2. The proposed request will conform to the Unified Development Code and Comprehensive Plan's Future Land Use Designation, with approval of the Conditional Use Permit (CUP).
3. The proposed request is in conformance with the criteria for approval of a CUP, as listed above and in the UDC.

Recommended Conditions:

1. The site shall be developed in accordance with the drilling and operation guidelines as referenced in Chapter 21, '*Oil and Gas*', of the City of Pearland's Code of Ordinances, which include, but is not limited to the following regulations, and are attached as Attachment 7:
 - Pipeline location restrictions;
 - Permit application materials required; and
 - Notice of application

SUPPORTING ATTACHMENTS:

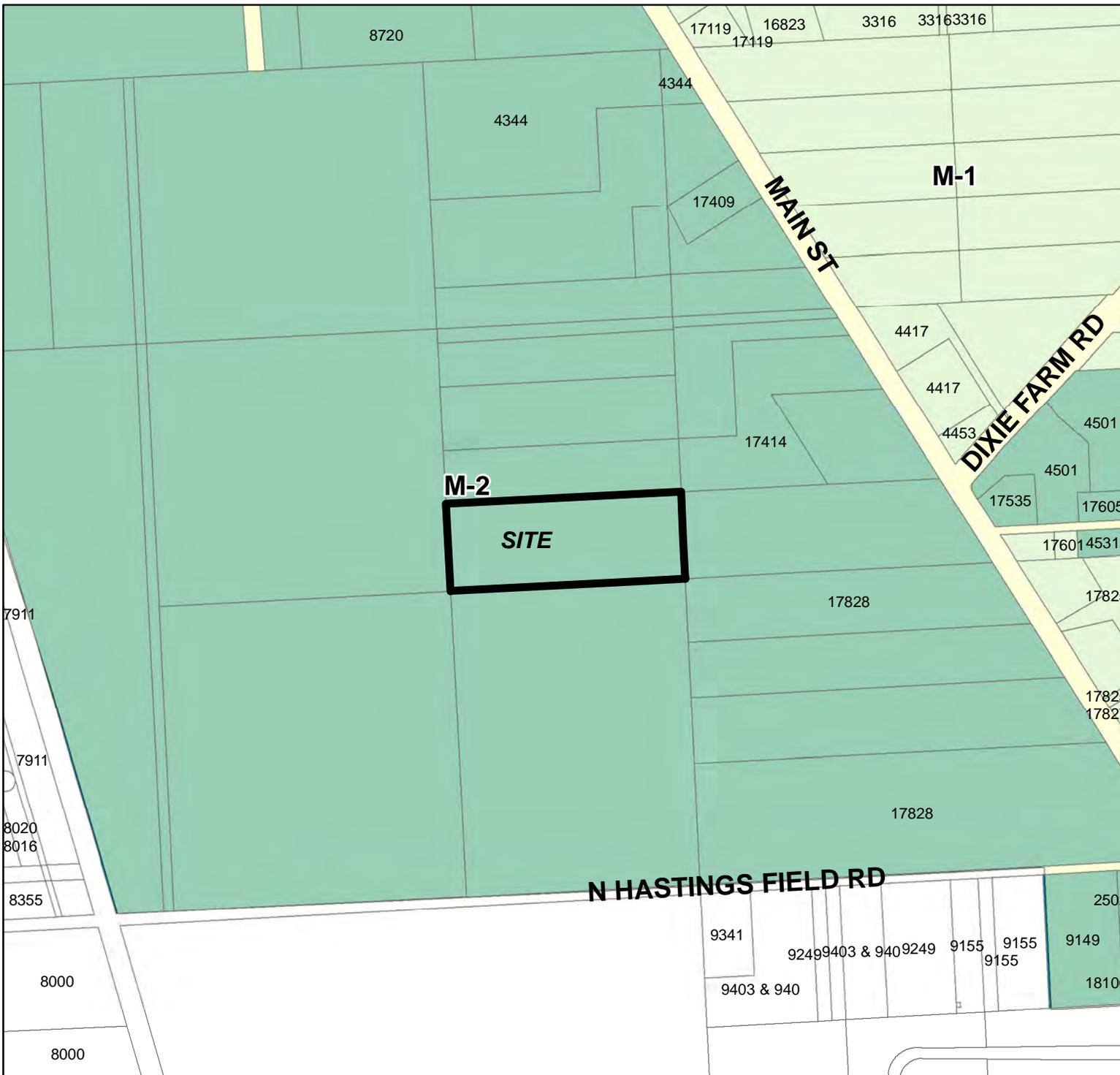
1. Vicinity and Zoning Map
2. Abutter Map
3. Abutter List
4. Future Land Use Map
5. Aerial Map
6. Applicant packet
7. Chapter 21 Code of Ordinances "Oil and Gas" Regulations

ATTACHMENT 1

Vicinity and Zoning Map

CUP 2014-02

Main Street at Dixie Farm Road



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.

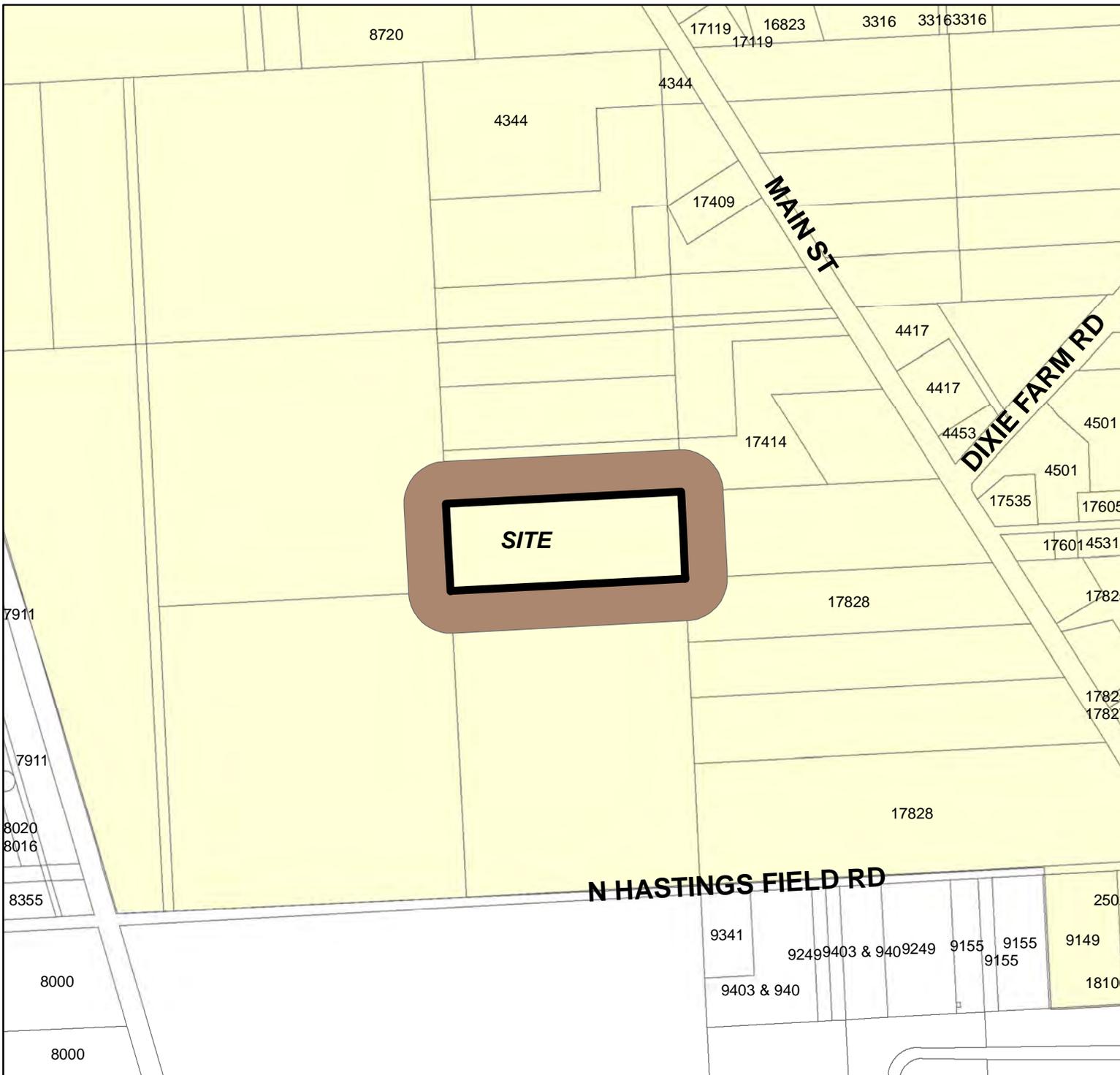


ATTACHMENT 2

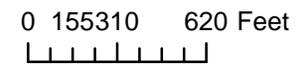
Abutter Map

CUP 2014-02

**Main Street at
Dixie Farm Road**



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.



ATTACHMENT 3

CUP 2014-02

Main Street at Dixie Farm Road

NAME	ADDRESS	CITY	STATE	ZIP
O'DAY PAT MRS ESTATE	PO BOX 131	PEARLAND	TX	77588
RODMAN DOROTHY J REVBLE TRUST	233 GRAYS DR	OSWEGO	IL	60543
ALEXANDER JOHN FAMILY LIMITED PARTNERSHIP	PO BOX 127	PEARLAND	TX	77588
PEREZ MARIO ALBERTO OCHOA	195 N QUINCE ST	RIO GRANDE CITY	TX	78582
DENBURY RESOURCES, INC.	5320 LEGACY DR	PLANO	TX	75024

ATTACHMENT 5

Aerial Map

CUP 2014-02

Main Street at Dixie Farm Road



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 155310 620 Feet
|-----|-----|-----|-----|-----|-----|



ATTACHMENT 6

CUP APPLICATION Page 1 of 4 (Updated April 2010)
City of Pearland
Community Development
3523 Liberty Drive



APPLICATION FOR
A CONDITIONAL USE
PERMIT (CUP)

Conditional Use Permit Request for: Petroleum Product Extraction

Current Zoning District: M-2

Property Information: 10.661 Acres being part of Tract 179A out of the HT&BRR Co Svy, A-551

Address or General Location of Property: 2000' West of State Hwy 35 at Dixie Farm Road

Tax Account Number ~~178238~~ 168409

Subdivision Zychlinksi Lot: 180A Block: 27

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

PROPERTY OWNER INFORMATION:

APPLICANT/AGENT INFORMATION:

NAME Pat O'Day Estate

NAME Denbury Resources, Inc

ADDRESS P.O. Box 131

ADDRESS 5320 Legacy Drive

CITY Pearland, Texas 77588-0131

CITY Plano, Texas 75024

PHONE _____

PHONE 972-673-2422 (James Fields)

FAX _____

FAX _____

EMAIL ADDRESS _____

EMAIL ADDRESS James.Fields@Denbury.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: _____ Date: _____

Agent's/Applicant's Signature: [Signature] Date: 2-12-14

OFFICE USE ONLY:

FEE PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
-----------	------------	--------------	-----------------



APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

Conditional Use Permit Request for: Petroleum Product Extraction
Current Zoning District: M-2

Property Information: 10.661 Acres being part of Tract 179A out of the HT&BRR Co Svy, A-551

Address or General Location of Property: 2000' West of State Hwy 35 at Dixie Farm Road

Tax Account Number 178238

Subdivision NOT APPLICABLE Lot: _____ Block: _____

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

PROPERTY OWNER INFORMATION:

NAME Pat O'Day Estate

ADDRESS P.O. Box 131

CITY Pearland, Texas 77588-0131

PHONE _____

FAX _____

EMAIL ADDRESS _____

APPLICANT/AGENT INFORMATION:

NAME Denbury Resources, Inc

ADDRESS 5320 Legacy Drive

CITY Plano, Texas 75024

PHONE 972-673-2422 (James Fields)

FAX _____

EMAIL ADDRESS James.Fields@Denbury.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: Phyllis R. O'Day Date: 2-12-14
FOR PAT O'DAY ESTATE

Agent's/Applicant's Signature: _____ Date: _____

OFFICE USE ONLY:

FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
------------	------------	--------------	-----------------



**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.**

**APPLICATION CHECKLIST FOR THE FOLLOWING -
Conditional Use Permits (CUP)**

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit
- Metes and Bounds Description, (Survey, or a Plat of the property that contain 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 conditional use permit request in detail, specifying proposed uses, specific operations of the use, square footage of buildings, unique characteristics of the property, and any other necessary information
- Application fee of \$250.00, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
- Site Plan or Plot Plan showing the proposed layout of the subject property, including any proposed buildings, parking, landscaped areas, detention ponds, fences, and any other relevant information
- 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.



February 12, 2014

City of Pearland
3519 Liberty Drive
Pearland, Texas 77581

**RE: Application for Conditional Use Permit
Hastings Community Lease #1203 & 1208**

Denbury Resources purchased the Hastings Oil Field early in 2009 with plans to update the field and extend its operational life by using CO2 to recover more of the remaining oil in place.

While the Hastings Field has many wellbores, many drilled as far back as 1936, there are some new wells that will have to be drilled in order to efficiently flood the field and sweep the oil into production.

Denbury proposes to drill two new wells in Tract 12 of the Hastings Community Lease, designated as well #1203 and 1208. These new well are proposed to be used for the development of the north end of the Field. Denbury will acquire the necessary permits from all State, County and local authorities prior to commencing drilling activities on these new wells.

Current access to this location is a rocked lease road from the West edge of State Hwy 35 at Dixie Farm Road. The surface preparations for the drilling of this new well will include:

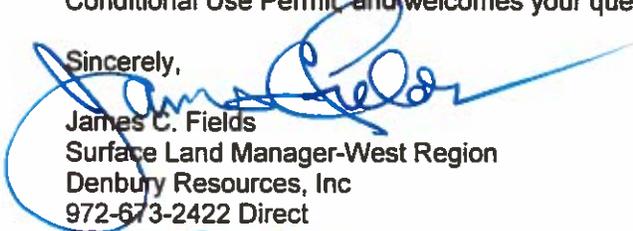
- locating and marking any existing pipelines or equipment with the drillsite area
- Clearing, leveling and rocking the drillsite for the drilling rig and associated equipment used during the drilling process.

The actual drilling operations will last about 1 month from the setup of the drilling rig until the rig is released. Shortly after the drilling operations are finished, the completion procedures for the wells will take about two weeks.

Once the drilling and completion procedures are finalized, the wells will be connected to the appropriate pipeline system to begin operations. No tanks or facilities will be constructed for the operation of these new wells. No permanent buildings, sheds, or other structures will be built upon the drillsite as a part of this application.

Denbury Resources requests your consideration of this project under this application for a Conditional Use Permit, and welcomes your questions should you have any.

Sincerely,



James C. Fields
Surface Land Manager-West Region
Denbury Resources, Inc
972-673-2422 Direct
James.Fields@Denbury.com

3
ZONE CHANGE/ VARIANCE/ [REDACTED] RECORDATION

\$ 250.00 (circle one) BA or [REDACTED] or FE

Description: Input who the check is from
* and Eric Unverzagt

COMMENTS/DESCRIPTION (F10):

Location or
Address 2000' W of S.H. 35
@ Dixie Farm Rd.

Applicant Denbury Resources
Inc.

Owner Pat O'Day Estate

CITY OF PEARLAND
R E P R I N T
*** CUSTOMER RECEIPT ***
Oper: AGONZALES Type: OC Drawer: 1
Date: 2/14/14 01 Receipt no: 136782

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$250.00
Trans number:		4369902

COND. USE PERMIT (CUP)
2000' WEST OF S.H.35 @ DIXIE F
ARM RD.
DENBURY RESOURCE/PAT O'DAY EST

Tender detail	
BR CREDIT CARD	\$250.00
Total tendered	\$250.00
Total payment	\$250.00

Trans date: 2/13/14 Time: 13:54:48

Friday, February 28, 2014


 Shopping Cart

Property Tax Status

[Begin a New Search](#) [Go to Your Portfolio](#) [Tax Office FAQ's](#)

Make your check or money order payable to:
 Ro'Vin Garrett
 111 E. Locust
 Angleton, Texas 77515

Shopping Cart: For your convenience you may pay several accounts at once. Click the 'Click Here to Pay Now' button to add this account to the shopping cart. Additional accounts can be added by doing a search again, then clicking the 'Click Here to Pay Now' button for each account. Up to 50 accounts may be paid at one time. Accounts are not saved in the shopping cart after you go to the Certified Payment web site.



A **Convenience Fee** of up to 2.4% will be charged for all credit card payments by the vendor providing this service. For eChecks, a convenience fee of \$1.50 will be charged for each transaction. The fee covers the cost of making payments by credit card possible. The fee will appear as a charge to 'Certified Payments'. No part of this fee is retained by Brazoria County.

Unless otherwise noted, all data refers to tax information for 2013. All amounts due include penalty, interest, and attorney fees when applicable. Due to the large volume of work during heavy payment periods amounts due may not reflect payments that have been received but not yet processed.

Account Number: 03080021000

Address:

O'DAY PAT MRS ESTATE
 %BLANCHE O'DAY MASSEY EXTR
 PO BOX 131
 PEARLAND, TX 77588-0131

Property Site Address:

HIGHWAY 35 OFF/COUNTY ROAD 413 OFF

Legal Description:

LT 180A SURFACE ONLY 308 H T & B 27,
 ACRES 10.000

Current Tax Levy: \$21.62

Current Amount Due: \$0.00

Prior Year Amount Due: \$0.00

Total Amount Due: \$0.00

Last Payment Amount for Current Year Taxes: \$21.62

Active Lawsuits: None

Pending Credit Card or E-Check Payments:

No Payment Pending

Jurisdictions:

ALVIN COMMUNITY COLLEGE
 ALVIN ISD
 BRAZORIA COUNTY
 BRAZORIA DRAINAGE DIST 4
 CITY OF PEARLAND
 SPECIAL ROAD & BRIDGE

Market Value: \$140,000

Land Value: \$140,000

Improvement Value: \$0

Capped Value: \$0

Agricultural Value: \$750

Exemptions: None

Last Certified Date: 08/21/2013

[Taxes Due Detail by Year and Jurisdiction](#)

[Payment Information](#)

[Print a Current Tax Statement](#)

[Click Here](#) to see your estimated amount due for a different date. You can see this information by year and by both year and jurisdiction.

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E-mail: roving@brazoria-county.com
111 E Locust Suite
Angleton, TX 77515
(979) 864-1320

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Brazoria CAD

Property Search Results > 168409 O'DAY PAT MRS ESTATE for Year 2014

Property

Account

Property ID: 168409 Legal Description: LT 180A SURFACE ONLY 308 H T & B 27, ACRES 10.000
 Geographic ID: 0308-0021-000 Agent Code: ID:138
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: HIGHWAY 35 OFF/COUNTY ROAD 413 OFF Mapsco
 Neighborhood: ROY ACRES AREA/A0308 Map ID:
 Neighborhood CD: ROY.ACRES

Owner

Name: O'DAY PAT MRS ESTATE Owner ID: 83189
 Mailing Address: %BLANCHE O'DAY MASSEY EXTR % Ownership: 100.0000000000%
 PO BOX 131
 PEARLAND, TX 77586-0131

Exemptions:

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A
<hr/>			
(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	
<hr/>			
(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	
<hr/>			
(=) Assessed Value:	=	N/A	

Taxing Jurisdiction

Owner: O'DAY PAT MRS ESTATE
 % Ownership: 100.0000000000%
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	N/A	N/A	N/A	N/A
CPL	CITY OF PEARLAND	N/A	N/A	N/A	N/A
DR4	BRAZORIA COUNTY DRAINAGE DISTRICT #4 (PEARLAND)	N/A	N/A	N/A	N/A
GBC	BRAZORIA COUNTY	N/A	N/A	N/A	N/A
JAL	ALVIN COMMUNITY COLLEGE	N/A	N/A	N/A	N/A
ROB	ROAD & BRIDGE FUND	N/A	N/A	N/A	N/A
SAL	ALVIN INDEPENDENT SCHOOL DISTRICT	N/A	N/A	N/A	N/A
Total Tax Rate:		N/A			

Taxes w/Current Exemptions: N/A
 Taxes w/o Exemptions: N/A

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
---	------	-------------	-------	------	-----------	-----------	--------------	-------------

1 A5N NATIVE PASTURE 10.0000 435600.00 0.00 0.00 N/A N/A

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2014		N/A	N/A	N/A	N/A	N/A
2013		\$0	\$140,000	750	750	\$0 \$750
2012		\$0	\$140,000	800	800	\$0 \$800
2011		\$0	\$140,000	700	700	\$0 \$700
2010		\$0	\$140,000	700	700	\$0 \$700
2009		\$0	\$140,000	650	650	\$0 \$650
2008		\$0	\$140,000	700	700	\$0 \$700
2007		\$0	\$140,000	700	700	\$0 \$700
2006		\$0	\$120,000	700	700	\$0 \$700
2005		\$0	\$120,000	800	800	\$0 \$800
2004		\$0	\$120,000	800	800	\$0 \$800
2003		\$0	\$35,000	700	700	\$0 \$700
2002		\$0	\$35,000	700	700	\$0 \$700
2001		\$0	\$35,000	700	700	\$0 \$700

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
---	-----------	------	-------------	---------	---------	--------	------	-------------

Questions Please Call (979) 849-7792

This year is not certified and ALL values will be represented with "N/A".

Website version: 1.2.2.2

Database last updated on: 2/19/2014 9:24 PM

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page 102, of the Records of Brazoria County, Texas; save and except, however, an undivided 1/2 interest in and to the oil, gas and other minerals in, on and under said Ten (10) acres of land which has heretofore been conveyed by John Ball to F. N. Bullock and C. W. Wolke by deed dated October 25, 1926, recorded in Book 200, page 364-5 of the Deed Records of Brazoria County, Texas, and it is also understood and agreed that this conveyance is made subject to any valid, presently existing, oil, gas and mineral lease, or leases, on said land or any part thereof, but only in so far as, and to the extent, such lease, or leases, may cover or affect the same, but all of Grantors rights, titles and interest in or under any such lease, or leases, are hereby granted, sold and conveyed unto said Grantee, Sinclair Oil & Gas Company; being the same land conveyed to Grantor herein, Alf H. H. Tolar, Jr., by John Ball et ux, by deed dated September 28, 1927 to which reference is hereby made.

Reference is also hereby made to said plat and record thereof, and to the other public records of Brazoria County, Texas, affecting said land for a further description of same or other necessary purposes.

TO HAVE AND TO HOLD the said herein above described land and premises together with all and singular the rights and appurtenances thereunto in any wise belonging unto the said Sinclair Oil & Gas Company, its successors or assigns forever; and the said Alf H. H. Tolar, Jr., does hereby bind himself, his heirs and legal representatives, to warrant and forever defend the title to said herein above described land and premises unto the said Sinclair Oil & Gas Company, its successors and assigns, against all persons whomsoever lawfully claiming, or to claim the same, or any part thereof.

IN WITNESS WHEREOF this deed is executed this 17th day of October, A.D. 1927.

Alf H. H. Tolar, Jr.

The State of Texas)
County of Harris)

Before me, the undersigned authority, on this day personally appeared Alf H. H. Tolar, Jr., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 17th day of October, A.D. 1927.

(SEAL) Kyle S. Hamblen, Notary Public in and for Harris County, Texas.

Filed for Record Oct 21 1927 at 1 o'clock P.M., W. R. Bratton, Clerk County Court, Brazoria Co., Texas. By Corinne Millican Deputy.

--- 000 ---

11391.

THIS DEED, made this 27th day of March in the year of our Lord one thousand nine hundred and twenty three, between A. H. Keeney and R. E. Keeney, his wife of the City & County of Denver and State of Colorado, of the first part; and Pat O'Day of the County of Brazoria and State of Texas of the second part:

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten Dollars and other valuable considerations Dollars, to the said parties of the first part, in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain sell, convey and confirm unto the said party of the second part, his heirs and assigns forever, all the following described lots or parcels of land, situate, lying and being in the County of Brazoria and State of Texas to wit:

Twenty five acres off the South side of a tract of land composed of two (2) contiguous parcels known as tract number one hundred and eighty (180) out of Section twenty seven (27), and Tract number One hundred and Seventy nine (179) out of Section Twenty eight (28) H. T. & B. RR

Company Survey, in said Brazoria County, State of Texas. Except unpaid taxes. - Together with all and singular the hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders rents, issues and profits thereof; and all the estate, right, title, interest, claim and demand whatsoever, of the said parties of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances; To Have and to Hold the said premises above bargained and described, with the appurtenances, unto Pat O'Day the said party of the second part, his heirs and assigns forever.

And the said A. H. Keeney and R. E. Keeney, his wife parties of the first part, for themselves their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said party of the second part his heirs and assigns, the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, by, through or under the said parties of the first part, the said parties of the first part to warrant and forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of
Homer H. Owen
H. A. Messelson.
A. H. Keeney (Seal)
R. E. Keeney. (Seal)

State of Colorado)
City & County of Denver) ss.

I, G. Clay Gates, a Notary Public in and for said City & County, in the State aforesaid, do hereby certify that A. H. Keeney and R. E. Keeney (his wife) who are personally known to me to be the persons whose name are subscribed to the foregoing Deed, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument of writing as their free and voluntary act and deed, for the uses and purposes therein set forth.

Given under my hand and notarial seal, this 27th day of March A.D. 1923.

(SEAL) My Commission expires September 1, 1926.

G. Clay Gates, Notary Public.

Filed for Record Oct 21 1927 at 1 o'clock P.M., W. R. Bratton, Clerk County Court, Brazoria Co., Texas. By Corinne Millican Deputy.

- - - 0 0 0 - - -

11592.

STATE OF TEXAS)
COUNTY OF HARRIS)

WHEREAS, heretofore on the 17th day of October, A.D. 1927, Oliver A. Meyers, of Brazoria County, Texas, conveyed to C. M. Frost, of Harris County, Texas, all of the oil in and under the hereinafter described tract of land to the extent of Seven (7) barrels of oil per day, to be delivered free from any cost of expense whatsoever, if, as, and when produced; the same to be calculated and averaged for the respective periods covered by the pipe line runs from the following described property situated in Brazoria County, Texas, to-wit:

Ten (10) acres of land situated in the T. B. Bell League, being River-front Lots Nos. 25 and 25 of the San Bernard Syndicate Subdivision of blocks and river front lots in the T. B. Bell and T. H. Alley Leagues in Brazoria County, Texas, as shown on Record in Volume 2, page 135 to 136, Deed Records, Brazoria County, Texas; said ten (10) acres being more fully described in deed from James McClaren et al to Oliver A. Myers, deed recorded in Volume 206 page 268, Deed Records, Brazoria County, Texas, to which reference is here made for all purposes.

Seal The New York and Texas Land Company, Limited
By Jas H Evans - President

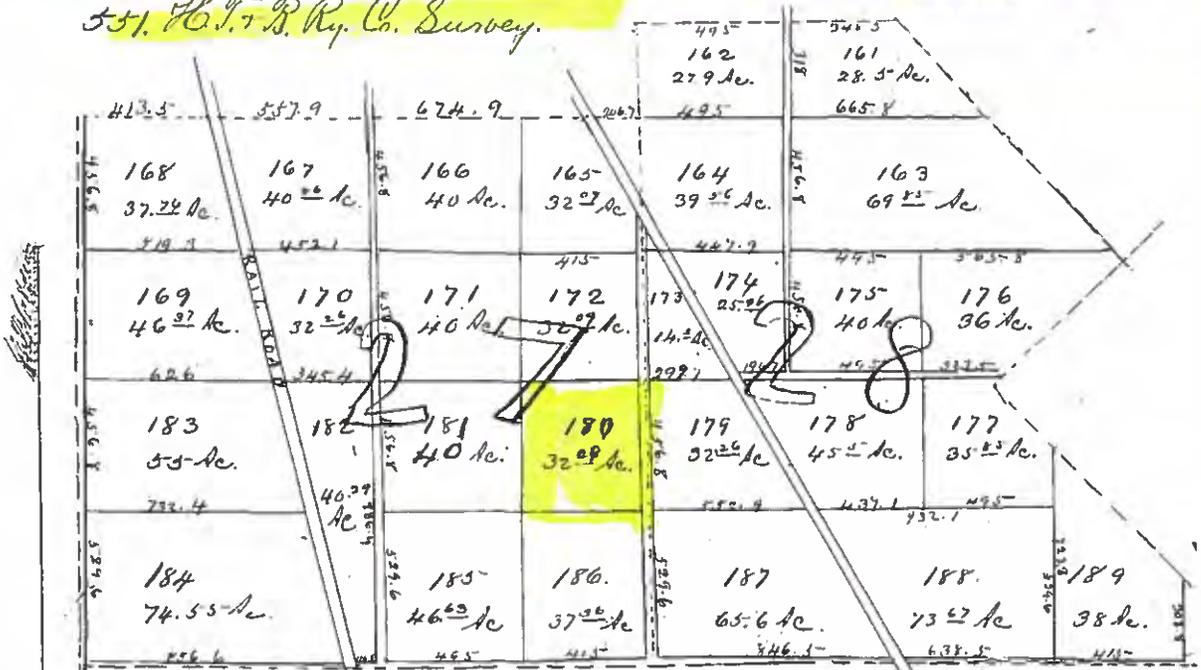
3 in State of Texas }
County of Travis } Before me, A B Langemann, a Notary Public
in and for the County of Travis in the State of Texas, on this day
personally appeared Jas H Evans, known to me to be the person
whose name is subscribed to the foregoing instrument, and
acknowledged to me that he executed the same for and as the
act of the New York and Texas Land Company Limited, as the
President of said Company, for the purposes and consideration
therein expressed - Given under my hand and seal of office
Seal this 2^d day of June a 1874

A B Langemann
Notary Public
Travis County Texas

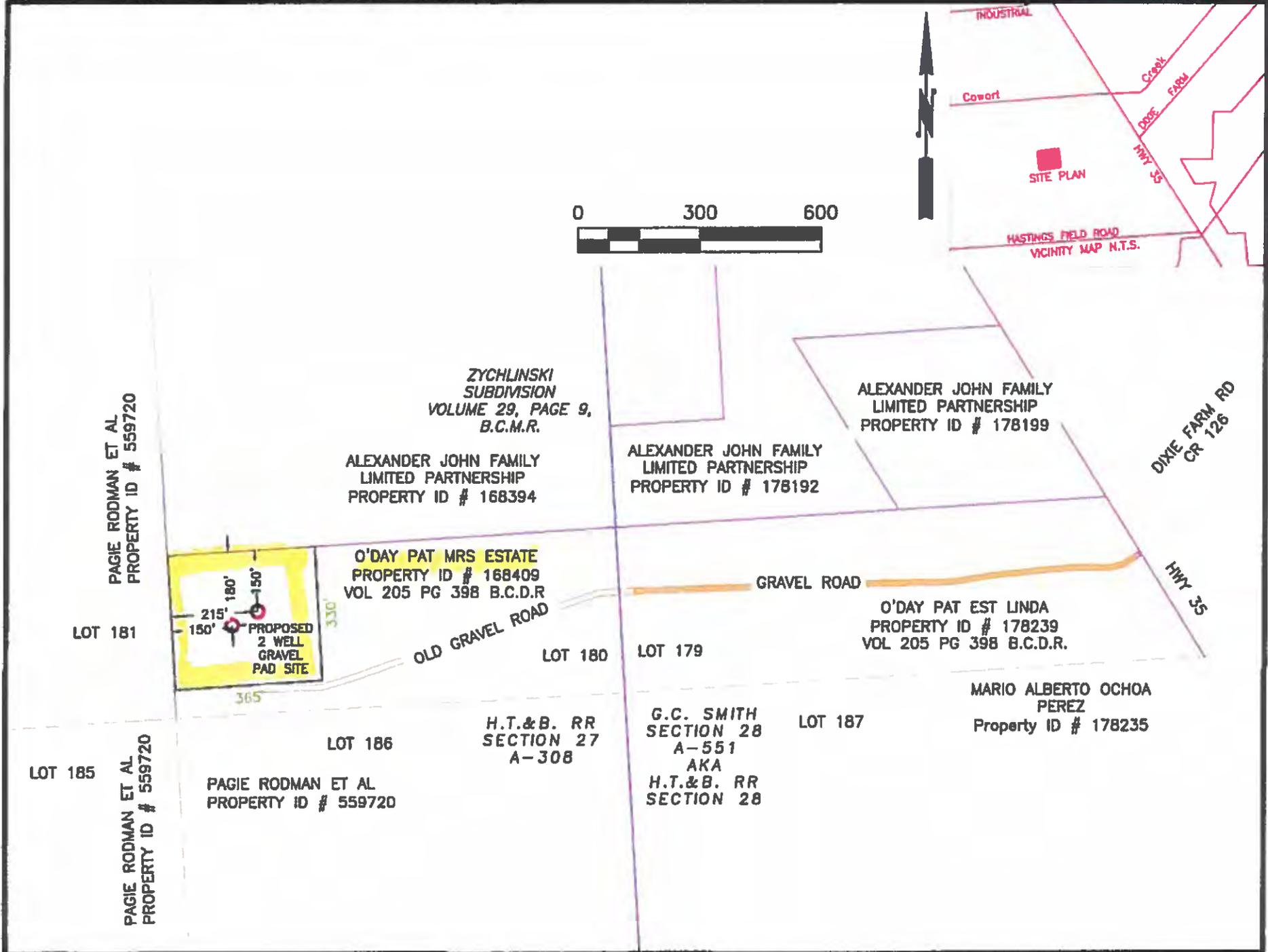
Filed for Record June 29th
1874 at 10 o'clock a m

Copy to - Clerk H Mitchell - Copy

Map of W. Zychlinski's Subdivision of
Sections Nos 27 and 28 Abstract No. 308 & D
551. C.T. & B. Ry. Co. Survey.

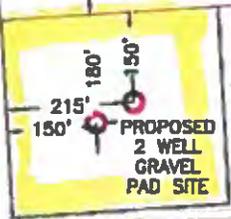


State of Texas }
County of Harris } Know all Men by these presents
that I, W. Zychlinski, acting herein
by my Agent and Attorney in fact, J. W. O'Brien,
do hereby declare and make known that the
foregoing is a plat of the subdivision made
by me of the following tracts of land belonging
to me, viz: Section No 27 C. T. & B. R. R. Survey, Abstract



PAGIE RODMAN ET AL
PROPERTY ID # 559720

LOT 181



ALEXANDER JOHN FAMILY
LIMITED PARTNERSHIP
PROPERTY ID # 168394

ZYCHLINSKI
SUBDIVISION
VOLUME 29, PAGE 9,
B.C.M.R.

ALEXANDER JOHN FAMILY
LIMITED PARTNERSHIP
PROPERTY ID # 178192

ALEXANDER JOHN FAMILY
LIMITED PARTNERSHIP
PROPERTY ID # 178199

O'DAY PAT MRS ESTATE
PROPERTY ID # 168409
VOL 205 PG 398 B.C.D.R.

OLD GRAVEL ROAD

GRAVEL ROAD

O'DAY PAT EST LINDA
PROPERTY ID # 178239
VOL 205 PG 398 B.C.D.R.

DIXIE FARM RD
CR 126

HWY 35

LOT 185

PAGIE RODMAN ET AL
PROPERTY ID # 559720

PAGIE RODMAN ET AL
PROPERTY ID # 559720

LOT 186

H.T.&B. RR
SECTION 27
A-308

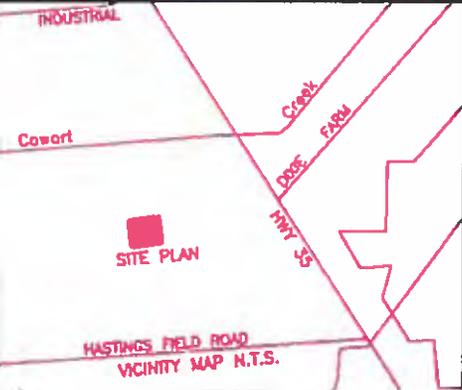
LOT 180

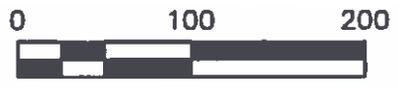
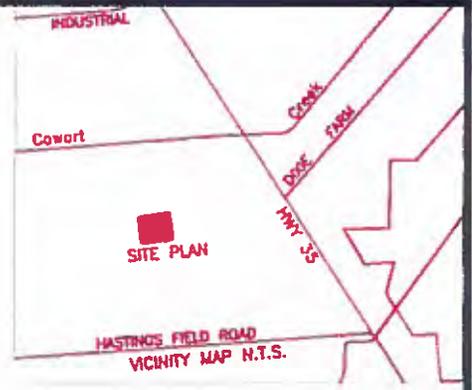
G.C. SMITH
SECTION 28
A-551
AKA
H.T.&B. RR
SECTION 28

LOT 179

LOT 187

MARIO ALBERTO OCHOA
PEREZ
Property ID # 178235





ALEXANDER JOHN FAMILY LIMITED PARTNERSHIP
PROPERTY ID # 168394

O'DAY PAT MRS ESTATE
PROPERTY ID # 168409
VOL 205 PG 398 B.C.D.R.

H.T.&B. RR
SECTION 27
A-308

PAGIE RODMAN ET AL
PROPERTY ID # 559720

2 WELL
PROPOSED
GRAVEL
PAD SITE

LOT 180

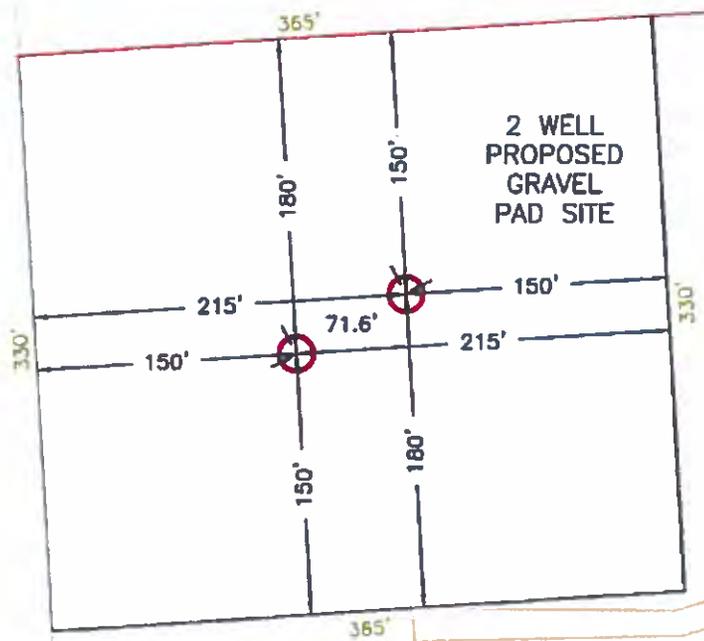
OLD GRAVEL ROAD

LOT 181

LOT 185

PAGIE RODMAN ET AL
PROPERTY ID # 559720

LOT 186



168395

178195

178230

178230

178192

178199

178229

178229

168394

557718

178230



168409

178238

A-551

178235

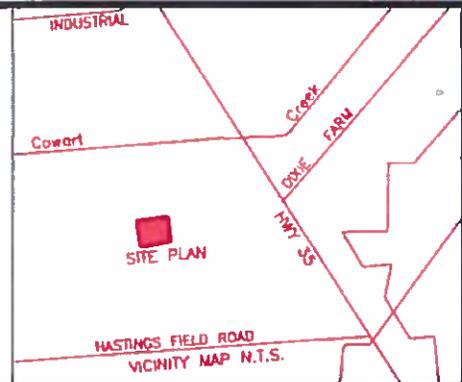
599783

559720

503877

178235

Dixie E



ALEXANDER JOHN FAMILY LIMITED PARTNERSHIP
PROPERTY ID # 168394

O'DAY PAT MRS ESTATE
PROPERTY ID # 168409
VOL 205 PG 398 B.C.D.R.

H.T.&B. RR
SECTION 27
A-308

2 WELL
PROPOSED
GRAVEL
PAD SITE

OLD GRAVEL ROAD

PAGIE RODMAN ET AL
PROPERTY ID # 559720

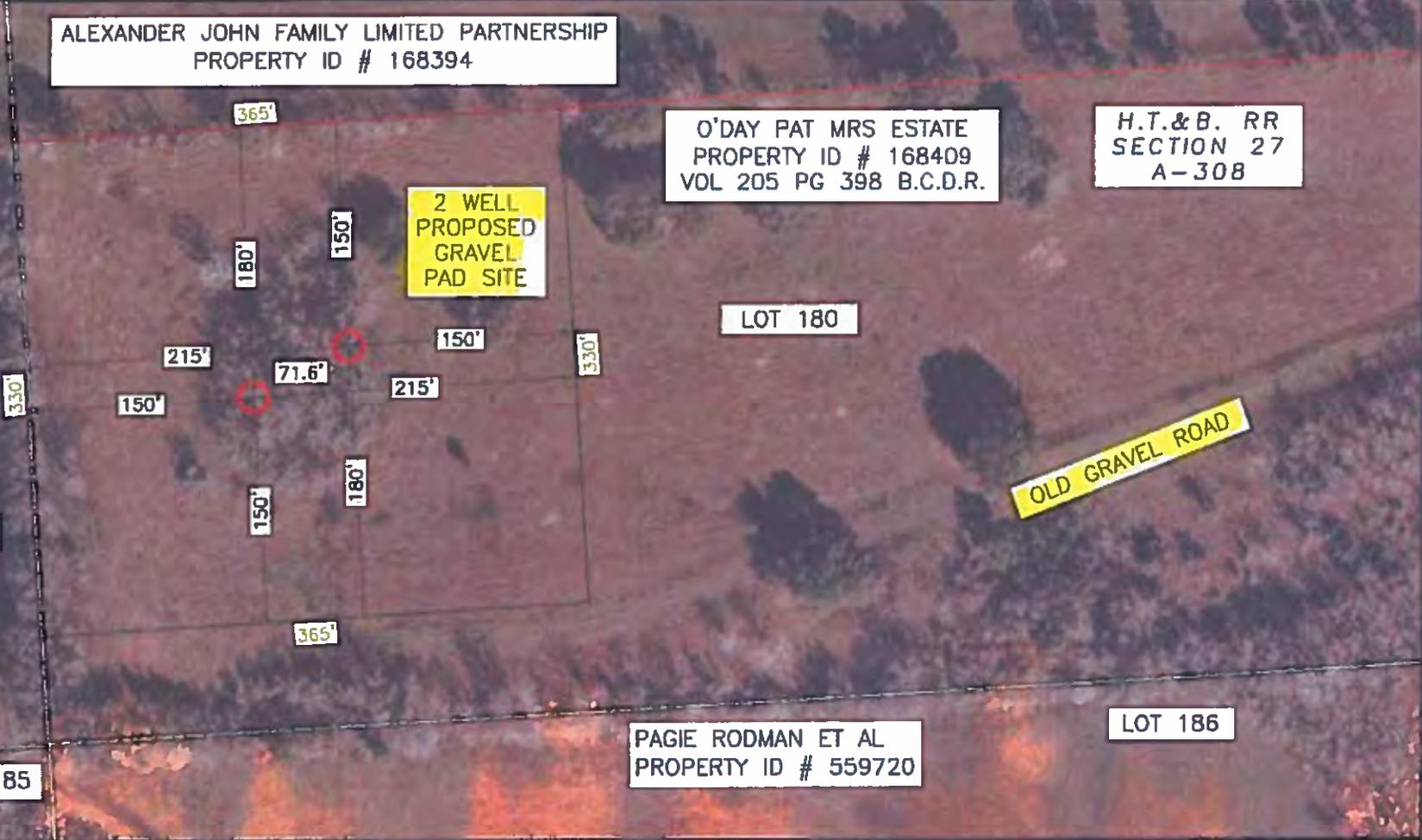
LOT 181

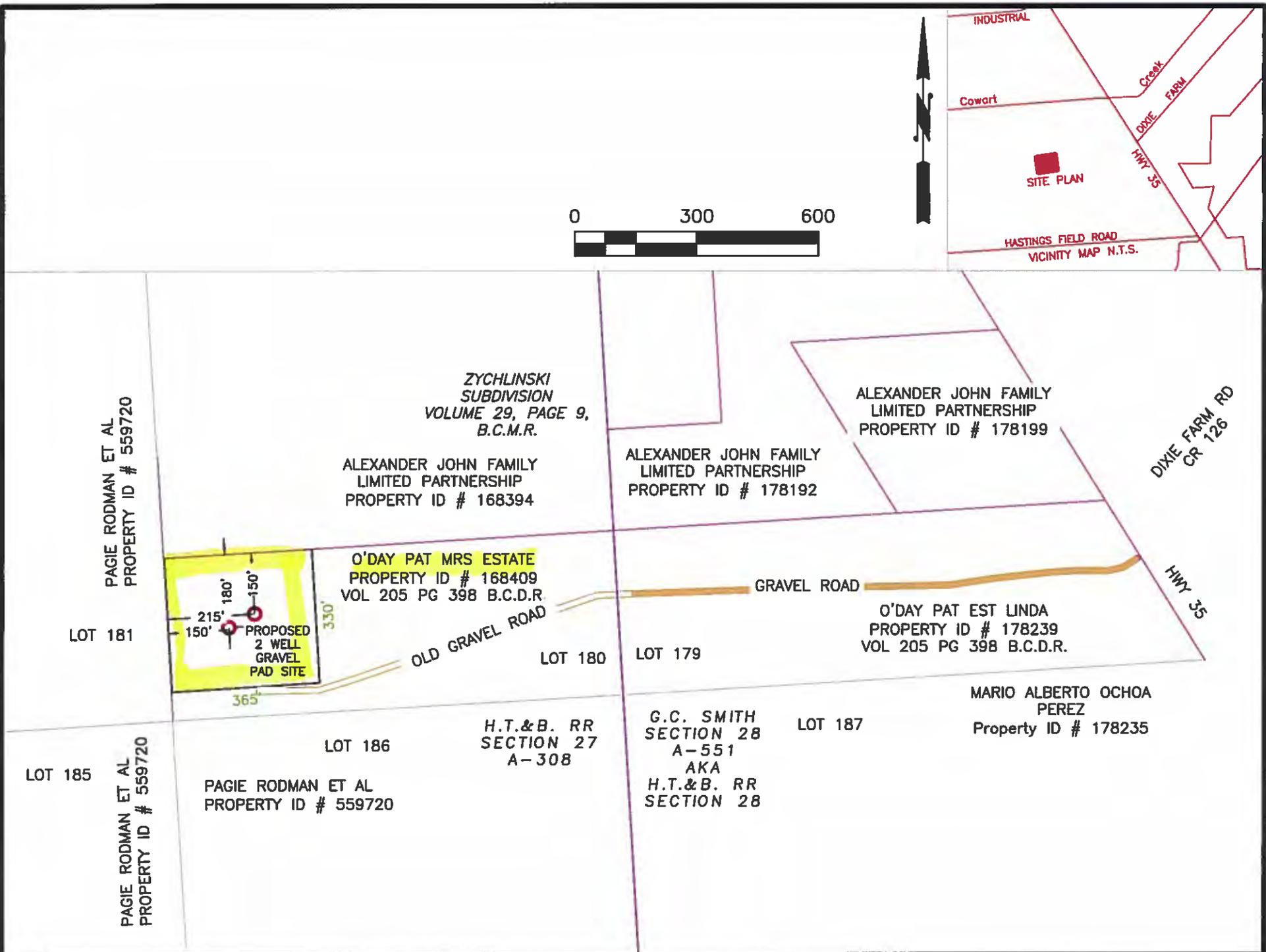
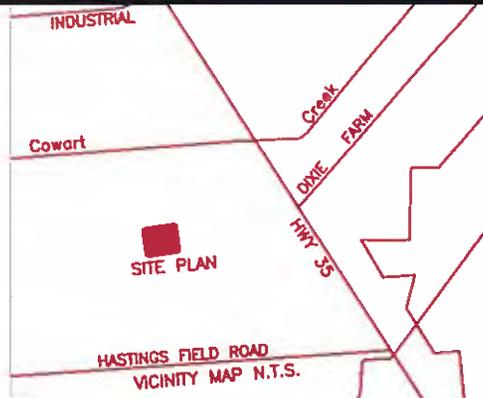
LOT 180

LOT 186

LOT 185

PAGIE RODMAN ET AL
PROPERTY ID # 559720





APPROXIMATE LOCATION
P/A Well
ALEXANDER C.P. 7

APPROXIMATE LOCATION
P/A Well
ALEXANDER C.P. 5

ALEXANDER PROPERTY
BARB WIRE FENCE
O'DAY PROPERTY

Proposed Well
"Denbury Onshore, LLC,
Hastings Community Lease
No. 1203 S"
Surface Hole Location
Elevation 43.5'
Y: 832,440.91'
X: 3,187,072.48'
Latitude: 29.520856 N
Longitude 095.288787 W

Proposed Well
"Denbury Onshore, LLC,
Hastings Community Lease
No. 1208"
Surface Hole Location
Elevation 43.5'
Y: 832,407.00'
X: 3,187,009.38'
Latitude: 29.520588 N
Longitude 095.288889 W

Uncovered P/A Well
"Denbury Onshore, LLC,
1404 PA"



1"=100'

NOTE: THE O'DAY PROPERTY
HAS IMPROVED ROAD BUT NOT
ALL THE WAY TO THE PAD SITE

Denbury 

DENBURY ONSHORE, LLC
PROPOSED WELL LOCATION
HASTINGS COMMUNITY LEASE
WELLS 1203S 1208
H.T.&B. RR SURVEY
SECTION 27 A-308
BRAZORIA COUNTY, TEXAS
Feb 10, 2014

Pearland, Texas, Code of Ordinances >> - CODE OF ORDINANCES >> **Chapter 21 - OIL AND GAS >>**
ARTICLE I. IN GENERAL >>

ARTICLE I. IN GENERAL

Sec. 21-1. Drilling restricted.

Sec. 21-2. Pipeline location restricted.

Sec. 21-3. Trespass.

Sec. 21-4. Definitions.

Sec. 21-5. Wells drilled prior to January 1, 1996, exempt.

Secs. 21-6—21-14. Reserved.

Sec. 21-1. Drilling restricted.

No oil or gas well shall be drilled within this city except at a specified and designated location to be determined by the city council at the time an application for a permit is filed.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-2. Pipeline location restricted.

No pipeline for the transportation of oil and/or gas from such wells to be drilled in this city shall be constructed or laid except on rights-of-way owned by the operators of such wells or upon designated drilling tracts and upon rights-of-way necessary to connect future well sites to present lines.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-3. Trespass.

It shall be unlawful for any person to trespass on any properties to enter onto the oil or gas well drilling sites or their flow line rights-of-way other than from an existing street or dedicated highway used by the public and for the convenience of the public.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-4. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Permittee. The word "permittee" shall mean the person to whom a permit is issued for the drilling and operation of a well under this chapter, and his administrators, executors, heirs, successors and assigns.

Person. The word "person" shall include both the singular and plural and shall mean and include any person, individual, firm, partnership, association, corporation, club, society, cooperative, trust, municipal corporation, or political subdivision whatsoever.

Regulated area. The words "regulated area," subject to the exceptions contained in this chapter, shall include and mean all lands within the corporate limits of the city.

Technical or industry words. All technical or oil and gas industry words or phrases used herein and not specifically defined herein shall have the meanings customarily attributable thereto by prudent operators in the oil and gas industry.

Well. The word "well" shall include and mean any hole or holes, bore or bores, to any sand, formation, strata or depth, which is or are drilled, bored, sunk, dug or put down for the purpose of either exploring for or ascertaining the existence of any oil, gas, liquid hydrocarbon, or any of the same, or for the purpose of producing and recovering any oil, gas, liquid hydrocarbon, or any of the same. Where a well will be drilled directionally, for purposes of this chapter, the location of such well shall be the surface location and not the bottom hole location.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-5. Wells drilled prior to January 1, 1996, exempt.

Anything contained herein to the contrary notwithstanding, the provisions of this chapter shall not be interpreted to require a permit for any producing oil or gas well located within the corporate limits of the city, which was drilled and completed prior to January 1, 1996, or for the continued operation, re-working, sidetracking, plugging back or abandonment, or deepening through the deepest productive reservoir to which any such well was previously drilled; and provided, further, without limitation on the foregoing, none of the provisions of this chapter shall ever be construed as applying to the operation of any producing oil or gas well, located within the corporate limits of the city, which was drilled and completed prior to January 1, 1996, or to the equipment and its operation (producing or otherwise), installed in connection with such well as long as such well, equipment and operations complied with this chapter as it existed on December 31, 1995 and such well, equipment and operation continue to comply with this chapter as it existed on December 31, 1995.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Secs. 21-6—21-14. Reserved.

ARTICLE II. PERMIT

[Sec. 21-15. Required.](#)

[Sec. 21-16. Application generally; filing fee.](#)

[Sec. 21-17. Notice of application.](#)

[Sec. 21-18. Applicant's bond.](#)

[Sec. 21-19. Release from bond.](#)

[Sec. 21-20. Applicant's liability insurance.](#)

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Sec. 21-15. Required.

It shall be unlawful and an offense for any person, acting either for himself or as agent, employee, independent contractor, or servant of any other person, to commence to drill, or to operate any oil or gas well within the regulated area of the city, or to work upon or assist in any way in the prosecution or operation of any such well, without a permit for the drilling and operation of such well having first been issued in accordance with the provisions of this chapter.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-16. Application generally; filing fee.

- (a) Any person desiring to drill, complete and/or operate a well for oil or gas within the regulated area shall present an application in duplicate therefor to the city secretary which application shall be in writing, addressed to the mayor, be signed by the applicant or some person duly authorized to sign the same for the applicant, and shall state:
- (1) The date of the application.
 - (2) The name and address of the applicant and if the applicant is a corporation, the state of incorporation, and if applicant is a partnership, the names and addresses of the general partners.
 - (3) The particular lot and block number or tract on which the proposed well is to be located and the exact location of the proposed well by Lambert Coordinates and if the proposed well is to be drilled directionally, the foregoing information for both the surface location of such well and the bottom hole location of such well and if the well is to be drilled horizontally, the foregoing information for both the surface location of such well and the well bore of such well.
 - (4) The type of well, whether oil or gas, and the proposed depth of the well.

- (5) The proposed well plan and casing program of the well.
 - (6) The commencement date of the proposed well and the anticipated schedule for drilling and completion of the proposed well.
 - (7) The routes of ingress and egress to be used by the applicant for the movement of materials, equipment, tools and supplies from the city limits to the location of the proposed well.
 - (8) The routes of the gathering lines, pipelines, and roads of egress to be used by the applicant for the transportation of oil and gas from the location of the proposed well to the city limits.
 - (9) The equipment, materials, structures, tools and facilities to be used by the applicant in the drilling and producing of the proposed well.
 - (10) The name and address of each owner of an interest in the proposed well and the percentage ownership of each such owner in the proposed well.
 - (11) The name and address of the person or entity that will be in control of the actual drilling of the proposed well and a description of the experience such person has in the drilling of oil and gas wells.
 - (12) The name and address of the person that will supply the drilling rig and drilling personnel for the proposed well and a description of the drilling rig for the proposed well.
 - (13) The manner in which the proposed well will be fenced and landscaped during the drilling and producing of the proposed well.
 - (14) The manner in which the location of the proposed well will be restored and the estimated cost of such restoration.
- (b) Attached to the application for such permit shall be:
- (1) A plat prepared by a duly licensed surveyor showing (a) the exact location of the proposed well with respect to the boundaries of the lots, blocks or tracts within one thousand (1,000) feet of the proposed well on which the applicant has secured the right to drill from the surface owner and on which the applicant has not secured the right to drill from the surface owner; and (b) the distances from the proposed well to all parks, streets, alleys or other public property, residences, churches, commercial buildings and structures situated within one thousand (1,000) feet of the location of the proposed well.
 - (2) A copy of Railroad Commission Form 1.
 - (3) A report addressed to the mayor prepared by a professional independent civil engineer stating the reasonably possible damage to the public roads and streets within the city that the applicant proposes to use that may be incurred as a result of applicant's operations and the estimated cost of repairing such damage.
 - (4) A report addressed to the mayor prepared by a professional independent environmental engineer stating the reasonably possible environmental damage to the land, air, water and animals that may be incurred as a result of applicant's operations and the estimated cost of repairing such damage.
 - (5) A list of the oil, gas and mineral leases that the applicant has obtained covering land within the city and a plat showing the land covered by such leases.
 - (6) A copy of the drilling contract relating to the proposed well.
 - (7) A copy of the operating agreement relating to the proposed well.
- (c)

Each application shall be accompanied by a cashier's check in the amount of two thousand five hundred dollars (\$2,500.00), made payable to the city, which shall be a nonrefundable filing fee.

- (d) Each application shall be filed by the city secretary and kept as a part of the public records of the city.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-17. Notice of application.

Notice of the filing of each application for a permit under this article shall be given by the applicant to each surface owner and surface lessee of lots, blocks and tracts within one thousand (1,000) feet of the location of the proposed well not owned by or under lease to the applicant as such surface ownership is disclosed by the deed records of the county in which the property is located. Such notice shall be in words and figures, as follows:

"Notice is hereby given that _____ acting under and pursuant to the terms and provisions of Chapter 21 of the Code of Ordinances, City of Pearland, Texas, and any and all ordinances amendatory thereof, did on the _____ day of _____, 19____, file with the City Secretary of the City of Pearland an application to drill, complete and operate a well for oil (or gas) upon Lot No. _____, Block No. _____ (or other appropriate description), City of Pearland, Texas, as per map of record in Volume _____ Page _____, Plate Records of _____ County, Texas."

Such notice shall be sent within ten (10) days after the filing of such application by registered mail, at the expense of the applicant, addressed to the last known address of each surface owner and surface lessee of lots, blocks and tracts within one thousand (1,000) feet of the location of the proposed well not owned by or under lease to the applicant; and a copy of such notice shall be published, at the expense of the applicant, in every issue of a weekly newspaper of the city for four (4) consecutive weeks immediately following the filing of such application. Proof of such publication shall be made by the printer or publisher of the newspaper by affidavit filed with the city secretary and shall be prima facie evidence of such publication. The applicant shall file with the city secretary an affidavit showing the name and last known address of each surface owner and surface lessee of lots, blocks and tracts to whom notice is required to be given and the names of each surface owner and surface lessee of lots, blocks and tracts to whom notice is required to be given and whose addresses are unknown to the applicant.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-18. Applicant's bond.

- (a) If the issuance of a permit under this article is authorized, the same shall not be issued until the applicant files with the city secretary a bond, executed by the permittee as principal and by a good and sufficient corporate surety company licensed to do business in the State of Texas as surety, and whose name appears on the current list published by the United States Treasury Department of accepted sureties on federal bonds, conditioned that the principal obligor will drill and operate the well in strict accordance with the terms of this chapter, and that the principle will remedy any and all damages to streets, curbs, gutters, waterlines, fire hydrants and other public property, occasioned in any manner by his drilling of the well. Such bond shall inure to the benefit of the city, shall be in a form to comply herewith, and shall be in the amount of two hundred fifty thousand dollars (\$250,000.00), and shall be approved by the city attorney.

- (b) The city council in its consideration of the application may require such additional bonds as it deems necessary to protect and preserve the welfare of the city.
- (c) Failure to keep the bond or bonds in full force and effect, in accordance with the terms hereof, shall cause a revocation of the permit and shall be unlawful.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-19. Release from bond.

- (a) The city attorney is hereby authorized upon request of the surety to release the surety on the bond required herein from future liability on such bond upon the conditions hereinafter provided and as further limited by subsection (b) hereof:
 - (1) If the permit has terminated and become inoperative as herein provided.
 - (2) If the permittee has filed with the city attorney notice of his intention to surrender his permit and abandon the premises covered thereby.
 - (3) After receipt of written notice from the surety advising of cancellation no sooner than thirty (30) days after being mailed or delivered to the city.
- (b) Such release of future liability shall in no manner impair any liability which may have accrued prior to the release of future liability herein authorized. Such release shall not be issued until the permittee shall have first complied with all requirements of this chapter relating to the abandoning and plugging of a well. The bond shall be retained by the city in its custody and will not be returned to the surety.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-20. Applicant's liability insurance.

- (a) No permit shall be issued under this article until the applicant has filed with the city attorney a memorandum copy or certificate of a policy of public liability and property damage insurance on such form of policy as is customarily used in the oil and gas industry, issued by an insurance company authorized to do business in the state, to be approved by the city attorney, the amount of which policy for liability for bodily injury or death to person or damage of property of others shall not be less than five million dollars (\$5,000,000.00) per occurrence. The terms and conditions of such policy covering such operations are to be such as to insure persons against loss by liability imposed by law by reason of any accidental personal injury or death to any person other than the insured or his employees, or by reason of any such loss or damage to property of any person other than the insured or his employees. Each policy of insurance shall contain a provision obligating the insurer to give the city council written notice of cancellation not less than thirty (30) days prior to the date of cancellation. The applicant shall, upon request of the city secretary, submit the original or a certified copy of any policy for inspection at any time.
- (b) Irrespective of the requirements as to insurance to be carried, the insolvency, bankruptcy or failure of any insurance company carrying insurance for any applicant or permittee hereunder, or the failure of any such company to pay claims accruing shall not be held to waive any of the provisions of this chapter. The applicant shall pay promptly all premiums for such insurance in strict accordance with his obligations to his carrier and maintain the above-described coverage in full force and effect so long as the permit is valid and alive.
- (c) Failure to keep such policy in full force and effect, in accordance with the terms hereof, shall cause a revocation of the permit and shall be unlawful.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-21. Supplemental permit to deepen well.

Once any well has either been completed as an oil or gas producer or abandoned as a dry hole, it shall be unlawful for any person to drill such well to a greater depth than that reached in the prior drilling operations without the permittee as to such well obtaining a supplemental permit after filing a supplemental application with the city secretary specifying:

- (1) The then-condition of the well and the casing therein.
- (2) The depth to which it is proposed such well to be deepened.
- (3) The proposed casing program to be used in connection with proposed deepening operations.

In any deeper drilling or any deeper completion, or any deeper production operations, the permittee shall comply with all other provisions contained in this chapter and applicable to the drilling, completion and operation of a well or wells, but no additional filing fee shall be required.

Each supplemental application shall be kept as a part of the public records of the city.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-22. Issuance or denial generally.

If, after an application or supplemental application is filed pursuant to this article, it is found by the city council to comply in all respects with the terms of this chapter, and the drilling and operation or deepening and operation of a well will not unduly adversely affect the public safety, environment, public facilities and welfare of the city and its citizens, the city council shall direct the city secretary to issue a permit for the drilling and operation or deepening and operation of the well applied for; provided that city council shall not authorize the issuance of a permit for a well that is located within five hundred (500) feet of any residence, church, business establishment, place of public gathering, or any other structure suited for public habitation, unless either the owner of such property has consented in writing to the drilling and operation or deepening and operation of such well, or the well is located on a drill site designated as such in a planned unit development approved by the city council. The issuance of a permit for a well in a planned unit development shall not be authorized except at sites designated as drill sites therein. However, this provision shall not be construed to limit drilling activities on drill sites designated by plat and properly recorded in the deed records of Brazoria or Harris County prior to January 1, 1996, so long as said drilling activities comply in all respects with the terms of this chapter.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96; Ord. No. 763, § 1, 12-20-96; Ord. No. 893, § 2, 2-8-99)

Sec. 21-23. Contents; signing; effect.

Each permit issued under this article shall:

- (1) By reference have incorporated therein all provisions of this chapter with the same force and effect as if this chapter were copied verbatim in the permit.
- (2) Specify definitely the location of the well.
- (3) Specify that drilling shall begin within ninety (90) days from the date of the permit or the permit shall be forfeited; provided, however, such forfeiture shall not affect the right of the applicant to apply for another permit in accordance with this chapter.
- (4) Specify that such permit shall remain in full force and effect until the well is abandoned.

Such permit, in duplicate originals, shall be signed by the city manager or his designee and, prior to delivery to the permittee, shall be signed by the permittee. One (1) original of the permit, duly executed, shall be delivered to the permittee and one (1) original of the permit, duly executed, shall be retained and filed by the city secretary, and, when so filed, shall constitute the permittee's drilling and operating license and the contractual obligations of the permittee to comply with the terms of such permit, of the required bonds and of this chapter.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-24. Permit not required for remedial well work operations.

Any person operating any well for oil or gas within the corporate limits of the city may perform any remedial well work operations, except drilling deeper, without a prior permit, provided the operator complies with all safety rules set forth in this chapter and no additional filing fees will be required for such work.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-25. Article does not authorize trespass or affect owner's right of contract.

Neither this article nor any permit issued hereunder shall be interpreted to grant any right or license to the permittee to enter upon, use or occupy in any respect for the drilling or operation of any well on any surface land except by the written contract of the surface owner, unless the permittee obtained such right in an oil and gas lease, or other contract; nor shall it limit or prevent the free right of the owner to contract for the amount of damages, rights or privileges with respect to his own land and property.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-26. Exemptions from certain requirements.

The city council may exempt any person from any requirements of this chapter where the person reasonably demonstrates that it is remote that his contemplated drilling operation will have any adverse effect on the public safety, environment, public facilities and welfare of the city and its citizens.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Secs. 21-27—21-34. Reserved.

Pearland, Texas, Code of Ordinances >> - CODE OF ORDINANCES >> **Chapter 21 - OIL AND GAS >>**
ARTICLE III. DRILLING AND OPERATING RULES >>

ARTICLE III. DRILLING AND OPERATING RULES

Sec. 21-35. Compliance with article.

Sec. 21-36. Installation of pipelines on, under, etc., public property.

Sec. 21-37. Obstructing streets or alleys.

Sec. 21-38. Letters relative to fresh water sands required prior to drilling.

Sec. 21-39. Permitted hours for delivery or removal of material, equipment, etc.

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Sec. 21-41. Drilling fluid.

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Sec. 21-43. Casing.

Sec. 21-44. Blowout preventers.

Sec. 21-45. Christmas tree fittings and wellhead connections.

Sec. 21-46. Flaring and burning of escaping gas.

Sec. 21-47. Disposal of salt water and other impurities.

Sec. 21-48. Escape of waste matter onto adjoining property prohibited.

Sec. 21-49. Slush tanks for mud or water.

Sec. 21-50. Crude oil storage tanks; separators; etc.

Sec. 21-51. Equipment for secondary recovery, pressure maintenance or automatic lease operations.

Sec. 21-52. Fired vessel or open flame prohibited near well or storage tank.

Sec. 21-53. Fencing.

Sec. 21-54. Maintenance of premises.

Sec. 21-55. Prime movers.

Sec. 21-56. No smoking signs.

Sec. 21-57. Abandonment generally.

Sec. 21-58. Removal of mud and similar materials upon completion or abandonment.

Sec. 21-59. Violation of state law or rules, regulations, etc., of state or federal regulatory body.

Secs. 21-60—21-99. Reserved.

Sec. 21-35. Compliance with article.

All persons engaged in the drilling and operation of oil and/or gas wells within the corporate limits of the city shall comply with the rules and regulations prescribed by this article.

(Ord No 716 § 1(Exh "A") 2-12-96)

Sec. 21-36. Installation of pipelines on, under, etc., public property.

In order to enable the holder of each permit to move oil, gas, water or other products to or from the location of the well within the city limits, the holder of each permit issued under this chapter for the drilling and operation of a well for oil or gas in the city shall apply to the city council for an easement on, over, under, along or across the city streets, sidewalks, alleys and other city property for the purpose of constructing, laying, maintaining, operating, repairing, replacing and removing

pipelines so long as production or operations may be continued under any permit issued pursuant to this chapter; provided, however, such permittee shall:

- (1) Not interfere with or damage existing water, sewer or gas lines or the facilities of public utilities located on, under or across the course of such rights-of-way.
- (2) Furnish to the city secretary a plat showing the location of such pipelines.
- (3) Construct such lines or cause same to be constructed out of new pipe, and properly cased and vented if under a street.
- (4) Grade, level and restore such property to the same surface condition, as nearly as practicable, as existed when operations for the drilling of the well were first commenced.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-37. Obstructing streets or alleys.

It shall be unlawful to block or encumber or close up any streets or alleys in any drilling or production operations, except by an ordinance duly passed by the city council permitting a temporary closing of a street or alley.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-38. Letters relative to fresh water sands required prior to drilling.

Before drilling and setting casing in any well for oil or gas within the city limits, the permittee must contact the city manager or his designee and the state board of water engineers and obtain letters stating where the fresh water sands are to be found in the area or field in which the well is to be drilled. A copy of the state board of water engineers' letter must be filed with the city secretary and the permittee must set sufficient surface casing as required. Failure to file a copy of the state board of water engineers' letter shall be unlawful and shall be punishable as such.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-39. Permitted hours for delivery or removal of material, equipment, etc.

Material, equipment, tools or pipe used for either drilling or producing operations at the well shall not be delivered to or removed from the well site except between the hours of 9:00 a.m. and 5:00 p.m. of any day, except in case of emergency.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-40. Derrick and rig.

It shall be unlawful for any person to use or operate, in connection with the drilling or reworking of any well within the city limits, any wooden derrick or steam-powered rig, or to permit any drilling rig or derrick to remain on the premises or drilling site for a period longer than sixty (60) days after completion or abandonment of the well. All engines shall be equipped with effective mufflers. Where reasonably possible, an electrical rig shall be used. Tripping operations shall not be conducted between the hours of 10:00 p.m. and 7:00 a.m., except in emergency situations. In the event of an emergency, the city manager shall be notified immediately.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-41. Drilling fluid.

No well shall be drilled or re-worked in the city without the bore hole at all times being filled with drilling fluid of such weight and viscosity as a reasonably prudent operator would use to keep the well under control at all times.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-42. Swabbing operations and drill stem tests.

It shall be unlawful for any person, in connection with the drilling or re-working operations of any well within the city, to conduct any swabbing operations or to take and to complete any drill stem test except during daylight hours. Drill stem tests may be conducted only if the well effluent during the test is produced through an adequate oil and gas separator to storage tanks, and the effluent remaining in the drill pipe at the time the tool is closed is flushed to the surface by circulating drilling fluid down the annulus and up the drill pipe.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-43. Casing.

- (a) The operator of any well within the city shall be required to set and cement a sufficient amount of surface casing to properly protect all fresh water sands as specified by the state board of water engineers and the city manager or his designee. The surface casing shall be of new or reconditioned casing and shall be set and cemented in accordance with the rules, regulations and orders of the state railroad commission for the field or area in which the well is to be drilled. Cementing shall be by the pump and plug method and sufficient cement shall be used to fill the calculated annular space back of the casing to the surface of the ground and the cement shall be allowed to stand for a period of twelve (12) hours before drilling plug.
- (b) In lieu of setting the full amount of surface casing required to protect fresh water sands, the permittee may use the multi-stage cementing process. In using the multi-stage cementing process, sufficient cement shall be used in the stage cement job that is equivalent to the volume of the annulus from the cementing tool to the surface of the ground. Should the cement not reach the surface of the ground, a temperature survey must be conducted and if the survey shows that the top of the cement is less than one-third (1/3) of the distance from the shoe of the surface casing to the surface, then corrective measures must be taken. Any permittee using the multi-stage process must file with the city secretary a copy of the state railroad commission letter granting such permit and an affidavit from the company performing the cementing. Failure to file either of these shall be unlawful and shall be punishable as such.
- (c) In any well drilled within the city, the producing string of casing shall be of new or reconditioned pipe which has been tested and withstood the maximum anticipated pressures to be encountered. Cementing shall be by the pump and plug method and sufficient cement shall be used to fill the calculated annular space back of the casing to a point at least six hundred (600) feet above the shoe or the highest productive zone, whichever is applicable, and the cement shall be allowed to stand for a period of twelve (12) hours before drilling plug. After cementing, the casing shall be tested at a pressure in pounds per square inch calculated by multiplying the length of the producing string by two-tenths (0.2), being the maximum test pressure required. If at the end of thirty (30) minutes the pressure shows a

drop of ten (10) per cent or more of the above-required test pressure, the casing shall be condemned. After corrective operation, the casing shall again be tested in the same manner.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-44. Blowout preventers.

Two (2) dual-controlled, fluid-operated blowout preventers with working pressures equal to the maximum anticipated wellhead pressures shall be used for all drilling or completion operations involving the use of drill pipe or tubing after the surface casing has been set. The mechanical operation of the preventers shall be checked every twenty-four (24) hours and shall be tested with pump pressure with enough frequency to ensure good working order at all times.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-45. Christmas tree fittings and wellhead connections.

All completed wells within the city shall be equipped with Christmas tree fittings and wellhead connections, with a rated working pressure equal to or greater than the surface shut-in pressure of the well. All wellhead connections shall be assembled or tested prior to installation by a fluid pressure which shall be equal to the test pressure of the fitting employed.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-46. Flaring and burning of escaping gas.

No person engaged in drilling or operating any well shall permit gas to escape or be vented into the air unless such gas is flared and burned. All gas flared or burned from a torch, pipe or other burning device within the city must be done in such manner so as not to constitute a fire hazard to any property, and the location of the torch, pipe or other burning device and the construction, maintenance and operation thereof shall at all times be in full compliance with such regulations as may from time to time be issued by the fire marshal of the city.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-47. Disposal of salt water and other impurities.

Any person drilling or operating a well for oil or gas shall make adequate provisions for the disposal of salt water or other impurities which may be produced along with the oil or gas in such a manner as not to contaminate the water supply of the city or destroy vegetation or otherwise adversely affect the environment.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-48. Escape of waste matter onto adjoining property prohibited.

It shall be unlawful for any person to permit to escape any mud, water, oil, slush or other waste matter related to the drilling or operating of any oil or gas well into any adjoining lots, blocks or tracts upon which the permittee does not have leases or other contractual rights to use the surface, or into the alleys, streets, gutters or sewers of the city.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-49. Slush tanks for mud or water.

Only portable steel slush tanks for mud or water shall be permitted in connection with the drilling and re-working operations of any well.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-50. Crude oil storage tanks; separators; etc.

It shall be unlawful for any person to use, construct or operate in connection with any producing well within the city limits any crude oil storage tanks except to the extent of two (2) steel tanks for oil storage, not exceeding five-hundred-barrel capacity each, and so constructed and maintained as to be vapor-tight and each surrounded with an earthen fire wall at such distance from the tanks as will, under any circumstances, hold and retain at least one and one-half (1½) times the maximum capacity of such tank. A permittee may use, construct and operate a steel conventional separator, and such other steel tanks and appurtenances as are necessary for treating oil with each of such facilities to be so constructed and maintained as to be vapor-tight. Each oil and gas separator shall be equipped with both regulation pressure relief safety valve and a bursting head. At the request of the city manager or his designee, such tanks shall be located underground and shall be appropriately landscaped so that they are not visible from the surrounding area.

(Ord. No. 716 § 1(Exh. "A"), 2-12-96)

Sec. 21-51. Equipment for secondary recovery, pressure maintenance or automatic lease operations.

Any person may install equipment for the purpose of secondary recovery or pressure maintenance operations or for automatic lease operations provided such person complies with all safety requirements of this chapter and of the state railroad commission.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-52. Fired vessel or open flame prohibited near well or storage tank.

It shall be unlawful for any person within the city limits to install any fired vessel or open flame nearer than one hundred fifty (150) feet to any well or storage tank.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-53. Fencing.

All wellheads, tank batteries, pumping units and equipment appurtenant thereto within the city, which are located within a densely populated area or nearer than five hundred (500) feet to a public street shall be adequately protected by a fence so constructed that it will prevent easy entry. Any wellhead, tank battery, pumping units or equipment appurtenant thereto which is located on any lease, tract or farm, which is fenced in its entirety, will require no additional protection other than that commonly used by prudent operators. Fences to prevent easy entry shall be approved by the city manager or his designee.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-54. Maintenance of premises.

The premises shall be kept in a clean and sanitary condition, free from rubbish of every character at all times during the drilling operations and as long thereafter as oil and/or gas is being produced therefrom. All of the permittee's premises shall be kept clear of high grass, weeds and combustible trash or any other rubbish or debris that might constitute a fire hazard within a radius of one hundred (100) feet around any oil tank or tanks, or producing wells, or to the limits of the premises, whichever is the lesser. Within a densely populated area, the permittee shall install such landscaping as is necessary so that all wellheads, tank batteries, pumping units and equipment appurtenant thereto are not visible to anyone outside the fence enclosing the same.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-55. Prime movers.

No prime movers shall be permitted within the corporate limits of the city for the purpose of pumping wells, except electric motors.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-56. No smoking signs.

Printed signs reading "DANGER, NO SMOKING ALLOWED" or similar words shall be posted in conspicuous places on each well, storage tank or battery of tanks, within the city limits.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-57. Abandonment generally.

Whenever any well is abandoned within the city limits it shall be the obligation of the permittee to plug such well in accordance with the rules and regulations of the state railroad commission and to take any and all additional provisions or precautionary measures prescribed by the state or the state railroad commission in connection with abandonment and plugging of the well. It shall be the further obligation of the permittee or the operator of the well to cut the surface casing off at least six (6) feet below the surface of the ground and to place at least a twenty-five (25) foot cement plug in the top of the casing and to weld the top of the casing completely shut. The resulting hole in the ground must be completely filled to the surface of the ground and duly tamped.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-58. Removal of mud and similar materials upon completion or abandonment.

Within fifteen (15) days after the completion or abandonment of any oil or gas well, the mud and other similar matter and materials used in connection with the drilling and operations thereon shall be removed from the premises.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Sec. 21-59. Violation of state law or rules, regulations, etc., of state or federal regulatory body.

Any violation of the law of the state or any rules, regulations or requirements of any state or federal regulatory body having jurisdiction in reference to drilling, completing, equipping, operating,

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producing, maintaining or abandoning an oil or gas well or related appurtenances, equipment or facilities, or in reference to fire walls, fire protection, blow-out protection, safety protection or convenience of persons or property or transportation of oil or gas, shall also be a violation of this article and shall be punishable as such.

(Ord. No. 716, § 1(Exh. "A"), 2-12-96)

Secs. 21-60—21-99. Reserved.



JOINT PUBLIC HEARING
THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE
CITY OF PEARLAND, TEXAS,
MONDAY, MARCH 17, 2014, AT 6:30 p.m.
COUNCIL CHAMBERS - CITY HALL - 3519 LIBERTY DRIVE

I. CALL TO ORDER

II. PURPOSE OF HEARING

Zone Change No. 2014-02Z

A request of Steven Biegel, applicant; on behalf of America Modern Green Development, LLC., owner; for approval of a zone change from the Waterlights Planned Development (PD) to the Modern Green-Ivy District PD, on approximately 48.5 acres of land on the following described property, to wit:

Legal Description: That portion of Lot 5 of the subdivision of James Hamilton Survey, Abstract No. 881, a portion lying within Harris County, Texas and the remainder lying within Brazoria County, Texas, according to the map or plat thereof recorded in Volume 83, Page 342 of the deed records of Harris County, Texas.

General Location: Southwest corner of Spectrum Boulevard and State Highway 288

III. APPLICATION INFORMATION AND CASE SUMMARY

- A. Staff Report
- B. Applicant Presentation
- C. Staff Wrap Up

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 281.652.1840 prior to the meeting so that appropriate arrangements can be made.



JOINT PUBLIC HEARING AGENDA ITEM MEETING OF MARCH 17, 2014

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General Location: Southwest corner of Spectrum Boulevard and State Highway 288

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

	If P& Z makes a recommendation on March 17, 2014	If action on the application is postponed
Planning and Zoning Commission	March 17, 2014	April 21, 2014
City Council for First Reading	April 14, 2014	May 12, 2014
City Council for Second Reading	April 28, 2014	May 26, 2014

These dates may change further based on the outcome of the meetings.

Project Summary

The applicant Steven Beigel, on behalf of the owner America Modern Green Development (Houston) LLC is proposing a 48.5 acre mixed use development located on the west side SH 288, east of Kirby Drive, south of South Spectrum Boulevard, and north of Clear Creek. This site was the location of a previously approved Planned Development of Waterlights District in March 2008, also a mixed use district.

The site is currently vacant, with a detention pond that was constructed a few years back, in anticipation of the first phase of Waterlights development. Due to the downturn in the economy, the Waterlights project did not advance, and the property was foreclosed by Amegy in 2010. The property is currently owned by the applicant America Modern Green Development LLC.

It is proposed that this “pedestrian oriented, urban” development could include an unspecified mix of offices, retail, restaurants, cafes, social and recreational center, and high density multi-family residential. Some other potential uses listed in the PD, which were not included in the Waterlights, include assisted living, skilled nursing, long-term stay hotel, and related uses.

Summary of October 7, 2013 Joint Workshop

The PD was discussed at a joint workshop of the City Council and Planning and Zoning Commission on October 7, 2013. Although there was no formal motion made, it is staff interpretation that the City Council and Planning and Zoning Commission had the following major comments:

1. Codification and Design Standards:

The design and illustrations shown in the PD need to be codified. The text needs to reflect the overall design and concept. Building guidelines need to be clarified and revised to ensure that the built-form, as shown in the exhibits, are requirements rather than guidelines. The codes and details need to ensure that the goal of the Modern Green Ivy District is met – “...to promote a range of development within an overall street network, public space, and sustainable infrastructure framework that will become a model, vibrant, and ecological neighborhood for the City of Pearland, Texas”.

Specifically for residential development, need to discourage conventional two-three storied single-use, multi-family rental apartments, surrounded by parking lots (garden-style apartments) and encourage pedestrian oriented high-density, parking area/structure enveloped by housing, with shared parking for commercial and residential uses (Texas Wrap Housing Product). Ensure that the codes in the PD result in a development that meets the proposed objective of the PD, which is to “...build a residential community that is both highly sustainable and unique in character, while offering a range of amenities for residents, set within an attractive pedestrian environment.”

2. Land Use and Open Space:

- a. Review the land use mix. Increase the percentage of offices and retail uses and lower multi-family.
- b. More buildings need to include first floor commercial / office uses.
- c. Provide more details on parks and open space and how it meets the city's requirements on park dedication and open space.

- d. Provide definition of the land use terms used in the PD and provide a breakdown of area/ number of units for each of these uses - Community Center, Senior Living, MF Rentals, MF Condos, Assisted Living, Skilled Nursing, Short-term/Long-term Hotels, Multi-Family Residential with Non-Residential on First Floor, Luxury Condos, Performing Arts Center, etc.

3. Infrastructure and Amenities:

Provide details of infrastructure improvements and lake amenities within and outside PD boundaries – assign responsibility for construction, maintenance, ownership of these improvements.

Staff Analysis of the Current Proposal

The proposed PD has a strong focus on residential and senior living component, especially with the proposed flexibility of 25% increase in the 11.5 acres of Parkside neighborhood. This flexibility could allow an increase of approximately 95 units, when compared to the previously approved Waterlights PD. The following table compares the Waterlights PD to the proposal discussed at the workshop on October 7, 2013 and the current proposal.

	Waterlights District	% of total land	Proposed Modern Green Ivy District Oct. 2013	% of total land	Proposed Modern Green Ivy District Jan. 2014	% of total land
Site Area	57.7 acres	NA	48.5 acres	NA	48.5 acres	NA
Office	390,000 square feet	15.5%	110,000 square feet	5.2%	100,000 square feet	4.7%
Retail Shopping & Restaurant	218,000 square feet	8.6%	80,000 square feet	3.7%	130,000 square feet	6.1%
Hotel Short Stay	500 keys		450keys		100 keys	
Senior Facility	0		Included above		310 keys	
Residential	1150 units* on 48.5 acres (1400 on 57.7 acres) 350 units were proposed on additional 10 acres that is not included in Modern Green Ivy District	24.26 units/acre	1410 units on 48.5 acres	29 .07 units/acre	1300 units on 48.5 acres MF rental: 400 units MF- condo:900 units 25% increase allowed in the PD will result in additional 95 units	26 .8 units/acre
Community Center	Within each residential block		Not calculated		80,000 sf	3.8%
Parking	5100 – 5900 spaces		4,500 spaces		3,600 spaces	

Major Concerns

Staff has the following major comments for the PD submitted on January 31, 2014. These comments largely echo the concerns raised by the City Council and Planning and Zoning Commission in October. Additional comments have been listed at the end of this report.

1. **Land Use Breakdown** – As discussed earlier in the workshop, staff recommends that a true mix of uses, both vertical and horizontal be considered. Despite the changes to the land use breakdown, there appears to be an uneven balance of residential to commercial, with residential uses dominating the PD.

While the previously approved Waterlights PD had proposed 1,150 units on 48.5 acres, this PD proposes 1,300 residential units and 310 units in the Senior Facility, totaling 1,610 units on the same acreage. Additionally, the allowed 25% increase could result in **1,705** total units.

Currently Office use is at 4.7% of the total land area, and Retail, Shopping and Restaurant is at 6.1%. Cumulatively, these have not increased substantially since the last workshop. Staff recommends that these percentages be increased to 8-10% for Office use, and 12-15% for Retail, Shopping and Restaurants.

2. **Open Space and Parkland Dedication** – The PD will need to address how the applicant will meet the parkland dedication and open space requirements. Details of acreages, amenities, and quantities need to be included. Amenities and non-traditional open spaces (plazas etc.) are eligible for credit towards this requirement. Staff recommends that all UDC requirements (including quantity) be met by a combination of open space, amenities, and parkland dedication fees. The UDC requires the following quantities for 1,610 units:

Parkland dedication at 1 acre per 50 units or \$750/units = 32.2 acres

Open space requirement at 900 sf/residential unit = 33.2 acres

Other open space requirements of the UDC Section 2.4.2.10.g and Section 2.2.2.1 need to be met. Staff recommends that acreages be added in Appendix I with appropriate coding to identify the type of open space in conformance with Chapter 11. Images need to be tied to the map and to the components for better clarity to assist in review and approval of future permits.

Since the PD does not provide a breakdown on the type of units included in the Senior Facility, this calculation assumes that Senior Housing will comprise of

independent 55+ older units, which are subject to the open space and parkland dedication calculations.

3. **Multi-Family Housing Form** – The PD lacks regulations to prevent “garden style” development. Staff recommends that the built form be better defined, and include minimum heights, details on designs, and restrictions on parking in areas along the streets by limiting the building setbacks. This would ensure a development that is pedestrian oriented, high-density, with parking area/structure enveloped by housing, and shared parking for commercial and residential uses (Texas Wrap Housing Product).
4. **Street Network** – The PD should clarify that all external roads will be public and constructed by the developer. Internal roads can be private. The ownership and maintenance responsibility of all roads needs to be clearly identified in the PD.
5. **Deviations** – The following deviations proposed in the proposed PD would not be permitted by the UDC:
 - a. Twenty Five (25) percent modification for land uses.
 - b. Fifteen (15) percent change in setbacks would be in addition to the range specified already.
 - c. Deviations for street screen.
 - d. Page 33, Table 9.1 - South Spectrum is a secondary thoroughfare on the Thoroughfare Plan and is not conducive to on street parking, especially since the road continues west of this development. Promenade Shops is a major collector (4 lanes, no on-street parking) with western frontage on another property. Staff recommends that the on-street parking be confined to their internal streets.

SURROUNDING ZONING AND LAND USES:

	Zoning	Land Use
North	Planned Development (PD) Promenade Shops.	Bass Pro Shops and vacant land.
South	General Commercial (GC) and Spectrum 1 (SP1 - The Beltway District)	Detention & vacant land. Clear Creek.
East	BP-288 (Business Park District)	Vacant land. State Highway 288.
West	Spectrum 1 (SP1 - The Beltway District) and Planned Development (PD) Waterlights.	Vacant

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): As previously mentioned, the property is currently zoned Planned Development (PD) - Waterlights. The application seeks to change the Waterlights PD to Modern Green Ivy District PD.

According to the UDC – “The purpose of an overlay planned development zoning district ("PD District") is to provide for the development of land as an integral unit for single or mixed use in accordance with a PD Design Plan that may include uses, regulations and other requirements that vary from the provisions of other zoning districts. PD Districts are intended to implement generally the goals and objectives of the City's Comprehensive Plan. PD Districts are also intended to encourage flexible and creative planning, to ensure the compatibility of land uses, to allow for the adjustment of changing demands to meet the current needs of the community, and to result in a higher quality development for the community than would result from the use of conventional zoning districts.”

In this case, the concept document provided by the applicant does not include sufficient description and details to meet the intent and purpose of the PD, as required by the UDC.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: As indicated by the adopted Comprehensive Plan, approximately 75% of the subject property is designated as *The Beltway District (S1)* and 25% as *The Mixed-Use High Density Residential District (S3)*.

The 2004 Comprehensive Plan Update and the Lower Kirby Urban Center (LKUC) Development Code supported a high density, mixed use, livable center concept. The examples mentioned in the Comprehensive Plan included The Legacy in Plano, The Arboretum in Austin, and The Woodlands Town Center in the Woodlands, all of which have a higher percentage of non-residential uses than proposed.

The LKUC Development Code states – “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.”

The land use break-down proposed in the PD, with over 25% of the land designated for multi-family single use buildings, would not be in conformance with the Comprehensive Plan.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The eastern boundary of the subject property has frontage on State Highway 288 , a State Highway. The northern boundary has frontage on Spectrum Drive, a major thoroughfare, with a minimum of 120' right-of-way. The western boundary has frontage on Promenade Shops Drive, a major collector, with a minimum of 80' right-of-way. Right of way dedication for all or portions of these streets would be required at the time of platting and the applicant would be required

to construct or extend these roads to city standards. A Traffic Impact Analysis (TIA) would be required and the applicant would be required to construct all improvements as per the TIA.

PLATTING STATUS: Platting is a separate process that commences after the approval of the PD and prior to any land development. The property will need to be platted prior to the issuance of any permits.

AVAILABILITY OF UTILITIES: The subject parcel is not serviced by public water and sewer. The applicant would need to extend the utilities to serve the site. The applicant has not provided any information on the proposed extension of services or how the capacity issues and other required off-site improvements will be addressed.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: As discussed above, this zone change would not be in conformance with the recommendations of the Comprehensive Plan, specifically due to the proposed conceptual land-use mix that is predominantly (vertically and horizontally) multi-family residential. The development as proposed may encourage other predominantly multi-family residential developments in the future, and be detrimental to the development of this area as envisioned in the 1999 Comprehensive Plan, the 2004 Comprehensive Plan Update and the Lower Kirby Urban Center (LKUC) Development Code.

The 1999 Comprehensive Plan recommended creation of “an attractive business park environment along State Highway 288”. It recommended campus like settings, office buildings, light manufacturing uses, restaurants, retail, regional shopping centers, hotels, and multi-family development with limitation on the number of units per acre.

The 2004 Comprehensive Plan Update and the Lower Kirby Urban Center (LKUC) Development Code supported a high density, mixed use, livable center concept. The examples mentioned in the Comprehensive Plan included The Legacy in Plano, The Arboretum in Austin, and The Woodlands Town Center in the Woodlands, all of which have a higher percentage of non-residential uses than proposed.

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ADDITIONAL COMMENTS: This request has been reviewed by the City’s Development Review Committee. Additional comments from other departments have been relayed to the applicant and have been included in this report.

SITE PLAN CONSIDERATIONS: The site plan that has been included in the PD

document is a very conceptual plan. Staff recommends that additional details, clarifications and modifications, as listed in this report, be added to the site plan for further review.

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. There are limited existing adjoining landowners and users in this area due to the land being in its pre-development stage.

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 recommends that all comments be addressed before any action is taken on the PD. At this time, staff recommends that the applicant be provided more time to provide a complete document that is in conformance with the expectations set by the City Council and Planning and Zoning Commission at their October workshop, and that addresses all staff's comments. The extension of time would also provide an opportunity for the applicant to ensure that:

1. The proposed PD is in compliance with the Comprehensive Plan and Lower Kirby Urban Center Development Code.
2. The proposed PD is in compliance with the purpose of the PD as stated in the UDC.
3. All staff comments and concerns have been addressed, especially those related to the land-use breakdown; open space and parkland dedication; multi-family housing form; and street ownership and maintenance.

SUPPORTING DOCUMENTS:

- Vicinity and Zoning Map
- Property Ownership/Abutter Map
- Property Owner Notification/Abutter List
- Future Land Use Plan
- Aerial Map
- Newspaper Notice
- Lower Kirby Urban Center Regulating Plan
- Zone Change Application and Applicant Documents
- Related Document - Spectrum District Land Use Map

ADDITIONAL STAFF COMMENTS: These comments pertain to the details contained in the PD. These comments would need to be addressed after the expectations set by the City Council and Planning and Zoning Commission at their October workshop, and major comments listed earlier in this report (related to the land-use breakdown, open space and parkland dedication, multi-family housing form, and street ownership and maintenance) are addressed.

1. PD Refers to the UDC 8th edition throughout the document. This should be changed to the new 9th edition.
2. The modification process on Page 9 is confusing and is contradictory. Please clarify. Staff recommends that PD amendments follow the process in the UDC. Appeal of City Manager's decision – needs clarification that this will be through an application process, and the decision will be made without a public hearing process.
3. Ownership component (condo units) needs to be defined and identified on the plan.
4. Page 8 – 3. Administration, A. Please revise to read “The development standards under the UDC...shall apply except as specified herein.”
5. Page 9 – Add ‘Or street classifications and connectivity locations to City streets.’ to D.6.
6. Page 11 – Building facades – “Parks and breezeways would be considered as buildings” - need to discuss.
7. Page 11 – Use the term First Floor instead of Ground Floor.
8. Page 12 – Formula Retail – would these meet the standards in the PD are will they be allowed to follow their own standards?
9. Gallery – For Public Streets, any encroachment on the street needs City approval. The street needs to be designed such that private spaces are separated from public ROW.
10. Page 13 “Minor Modification” references Part 3 h of the PD Document. There is no Part 3H. This should reference 3D.
11. Page 13- Minor Modifications- Table 3 is missing.
12. Page 13 – Plaza – defined by building on how many sides? How is this different from a Square?
13. Page 11- Senior Citizen – Not sure which age criteria is referred to? The UDC definition may not apply to the type of development proposed.
14. Page 16, Item 5 I - Any private streets are not patrolled by City Police Department to enforce traffic laws unless an Ordinance has been passed for private street enforcement.
15. Page 17, Table 6.2 – Does Personal and Business include amenities within residential? Need to clarify these amenities or refer to UDC.
16. Page 18 – Table 6.4 – Drive through uses do not work well in a pedestrian friendly environmental without locational and other design criteria. Please address this.
17. Page 18 – Hospitals are not permitted. This area may benefit from such uses and staff recommends that they be included.
18. Page 18 –
 - a. Table 6.4 – Residential Uses – Single Family... - Design Criteria states “...or the width of the lot...”. Where is “the width of the lot” defined in the PD document?
 - b. Table 6.4 – Other Uses – Long-Term Hotel – Design Criteria – Why is it limited to just the initial renter has to be a senior citizen? Does that mean the next renter

does not have to be a senior citizen? What defines a senior citizen? What is an “other qualified residents”?

19. Page 19- Other Uses – Surface parking needs to be in accordance with the Appendix C – Program Area Regulation Plan.
20. Page 20 - Table 6.5 –Formal Retail – needs clarification.
21. Page 20- Table 6.5 – Not sure what the cap on Assisted Living units is, not to exceed 30% of 301 units?
22. How is Assisted Living defined? Independent units or ones with shared facilities? Need to explain each use included under Senior Family including skilled nursing. It appears that assisted living and extended stay hotel would be similar to each other.
23. Page 20 – Special Events would need a Special Events Permit from the City. This needs to be differentiated from outdoor activities and events that would not need additional parking and city services. For recurring smaller events, a Special Permit process may be too cumbersome for some of these events.
24. Page 24- Façade Composition – explain the term “façade rhythm” in terms of articulation required by projections or recesses with a certain horizontal or vertical distance, or similar.
25. Page 25 – 4.B. ii –reference the percentage of EIFS and other material listed on page 26.
26. Page 25 – 4.C. 1 and 2 - Façade Composition and Windows and Doors – Need specific standards for implementation.
27. Page 26 – 3 ii – Incomplete sentence.
28. Page 26, Table 8.1 – Need to add minimum stories and height
29. Page 26 – Table 8.1 – What do the Block numbers in the Table reference?
30. Page 30 & 31 – The road network as depicted in this rendering does not match Appendix C.
31. Page 32 references the 2012 International Fire Code. The Codes in place at the time of development should be adhered to. This should include the Building, Fire, Energy Conservation, Mechanical, Electrical, Plumbing Codes, etc.
32. Page 32 – General Comments on all items included in the **Street & Streetscape Design Standards**
 - a. Assumption should be that everything in this section of the PD document is privately owned, operated, and maintained unless specifically designated to be publically owned, operated, and maintained.
 - b. All streets private or public must be concrete and meet the minimum strength requirement of the Engineering Design Criteria Manual and a Geotech Report signed and sealed by a Texas Professional Engineer.
33. Page 33 – South Spectrum Boulevard – As mentioned earlier, a bike lane is recommended to connect this development to surrounding future developments.
34. Page 33 –F.5 – Need standards for Boulevard trees.
35. Page 3 – F.7 – Remove the term “clearly”. All exposed unpaved areas need to have a ground cover.
36. Page 33 – F.10 – Appendix D does not show “highway access roads” or “arterials”. The UDC does not have standards for these as stated in the PD. Add standards.

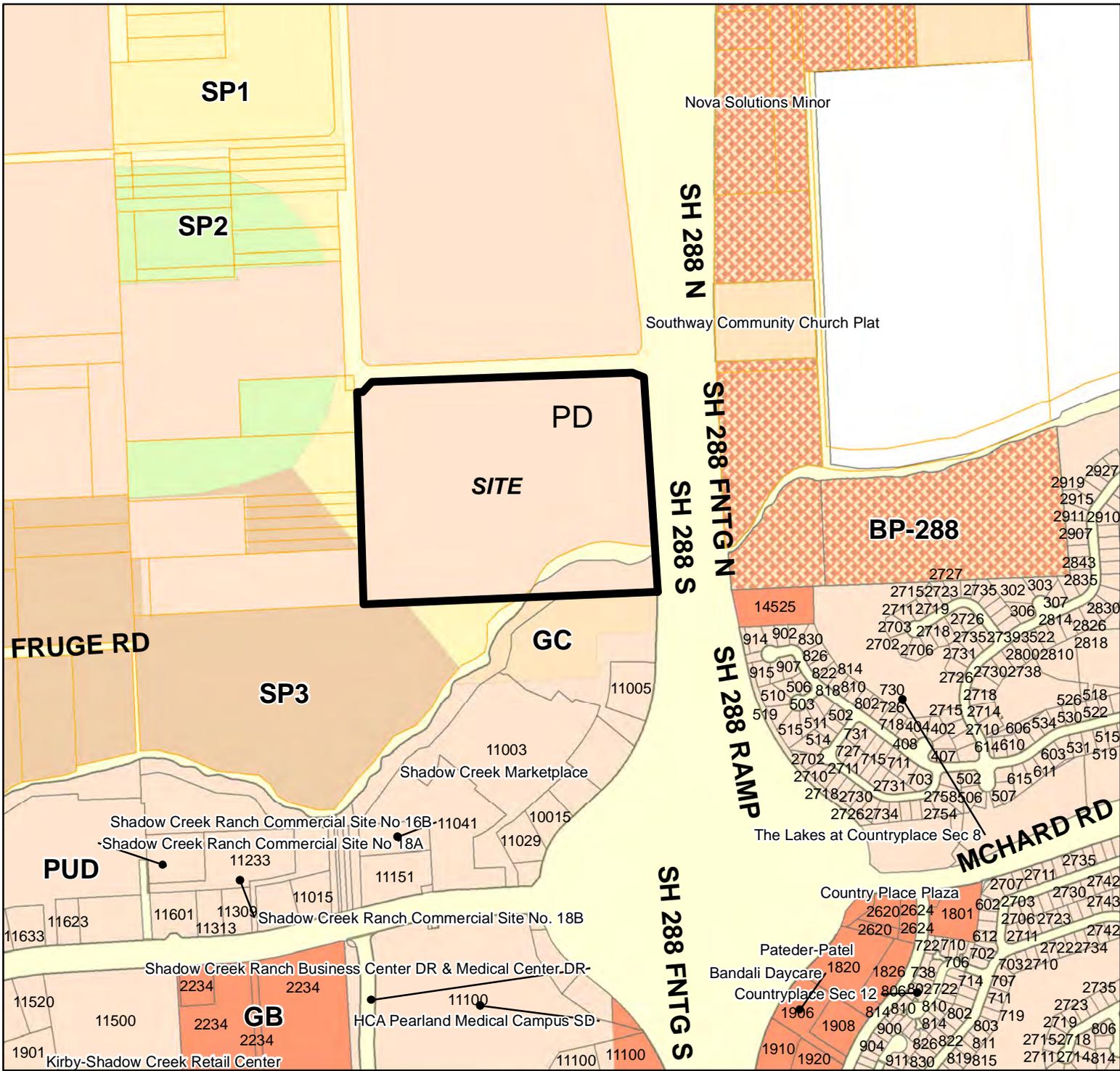
37. Page 34 – H – Need a utility map showing underground and above ground utilities. The Spectrum District requires all utilities to be underground.
38. Pages 35-37 – Need to show pavers on page 35. This will help in visually identifying and unifying the district. The special pavers shown in cross walks need to be detailed – material etc.
39. Page 35 - City standard lane width is 12' not the 11' lanes as shown.
40. Page 36 & 37 - If these are private streets, there is no issue. If these are intended to be public, the lanes should be 12' wide.
41. Page 41 “Bicycle parking is **encouraged** to be made of durable and vandal resistant materials...” should read “Bicycle parking **shall** be made of durable...”
42. Page 45 - Pedestrian Bridge Design
 - a. How many pedestrian bridges are proposed? Appendix G looks like it could have as many as 10+ pedestrian bridges.
 - b. Last sentence is out of place.
43. Page 46 & 47 – The streets look like pavers or textured concrete. The PD document does not match the picture.
44. Page 49 – Sandwich signs need to be outside of Public ROW.
45. Page 49 – Light Pole Banners – need to have a unified design for the entire district.
46. All open spaces and open elements in Chapter 11 need to be identified on Appendix I – Illustrative Plan.
47. Page 50 - General Comment on all items included in the **Public Open Space & Private Open Space Standards** – Assumption should be that everything in this section of the PD document is privately owned, operated, and maintained unless specifically designated to be publically owned, operated, and maintained.
48. Page 50 – What shows the areas proposed to be public open space versus private open space?
49. Need details on the Entertainment & Recreation/Community Center located on the southeast corner of the site.
50. Add notes on outdoor activities, storage, display, mobile vendors and carts, etc.
51. Need to add parking standards from LKUD.

Comments from last submission- Parking – Based on ratios in page 20, retail would require 1184 spaces. That leaves only 2142 spaces for 1360 residential units, 140 hotel (that include long term stay), and Senior Facility (assisted living and skilled nursing). If this is deemed adequate, please provide backup information or break-down. The provided parking is also less by 1211 spaces as required by city’s ratios. However, since this is a mixed use development, staff understands that there would be some reduction.
52. Other Uses – Permitting surface parking on parcels designated as future phase building sites will not ensure that the intent of this development as a “...unique in character, while offering a range of amenities for residents, set within an attractive pedestrian environment” is met until all phases area developed. Staff is not in favor of this.
53. Need a detailed signage plan/design plan.
54. There are several typos throughout the document. The word “though” should be “through,” on pages 9, 16, and throughout the document etc.
55. Any set timeline on when all 4 phases will be complete.

56. Provide additional details regarding the phasing plan. There should be a proportionate amount of residential/nonresidential at all times.
57. Add Development Agreement referenced on Page 17, 32, etc., and all other documents related to the PD document, to the PD document to have all necessary review materials in one place.
58. Whether including the acreage for the residential component or all acreage included within the PD, the density calculations on page 17 do not appear to be accurate.
59. Add legend to page 18 just as on page 19, for ease of use.
60. Staff would like to see the paving palette identified on page 40, to avoid ambiguity during future reviews.
61. Provide a lighting plan identified on page 43 to be included in the PD.
62. Show pedestrian bridges identified on page 45 on one of the plans in the appendix and label or some vision of what this would look like.
63. For ease of use/review, it would be nice if all design standards can be in the form of a table in the appendix that references the section of the PD. For example, a "forecourts" and courtyards are required, and it would be nice to look in one area of the PD for all requirements and for specifics related to the requirement, one can reference a particular section of the PD.
64. Fencing materials listed on page 54 for community gardens allows chicken wire. Provide locations on map, or add text to limit chicken wire to areas that are not visible from streets.
65. Add the base zoning district to the Regulating Plan found in the appendix and within the body of the PD document.
66. Provide a detailed description of all development standards that are different from those in the base zoning district.
67. Provide Master Wayfinding Plan.
68. Page 60 – Location and Size – No size is given here or in the referenced Appendix A.
69. Page 60 - Improvements on the south side of Clear Creek will need to be approved by Brazoria Drainage District #4.
70. Page 62
 - a. Location and Size – No size is in Appendix A.
 - b. Location and Size – 0.5 to 2 acres seems like a large range.
 - c. Typical Uses – This repeats the location and size information. Remove and include typical uses.
71. Page 63 – Location and Size – Plaza Areas are not shown on Appendix A.
72. Appendix A – What is the building area shown south of Clear Creek? Is that a driveway from the SH288 frontage road to a parking lot on the south side of Clear Creek?
73. Appendix C - It is difficult to see where the driveways to access the parking areas are located. The driveways will need to meet the City's driveway spacing requirements of the UDC/EDCM.
74. Appendix D - Promenade shops is a 4 lane major collector in the Thoroughfare Plan. However, it is shown as a 2 lane road in the PD document.
75. Identify private streets and who will own and maintain.
76. ADD "A Traffic Impact Analysis is required for the site. Approval of the TIA is required prior to the approval of the Plat. As a result of the TIA, additional roadway network may

be required to be constructed by MGID as a result of the impact of the traffic volumes generated by the MGID development."

77. Table 9.1 vs. cross section illustrations, General, the cross sections in the table do not match the illustrations of the cross sections.
78. South Spectrum is referred to as 102' vs. 106' - South Spectrum should be 106'
79. Dimension shown in cross sections must be legible, the current sections are not.
80. APPX D - What is the difference between dashed and solid local street on far east end of South Jade? It appears to be a dead end, please clarify what type of street or feature this is.

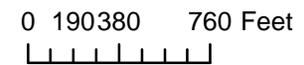


Vicinity and Zoning Map

Zone Change 2014-2Z

Modern Green/ Ivy District

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.



Zone Change No. 2014-2Z

Modern Green/Ivy District

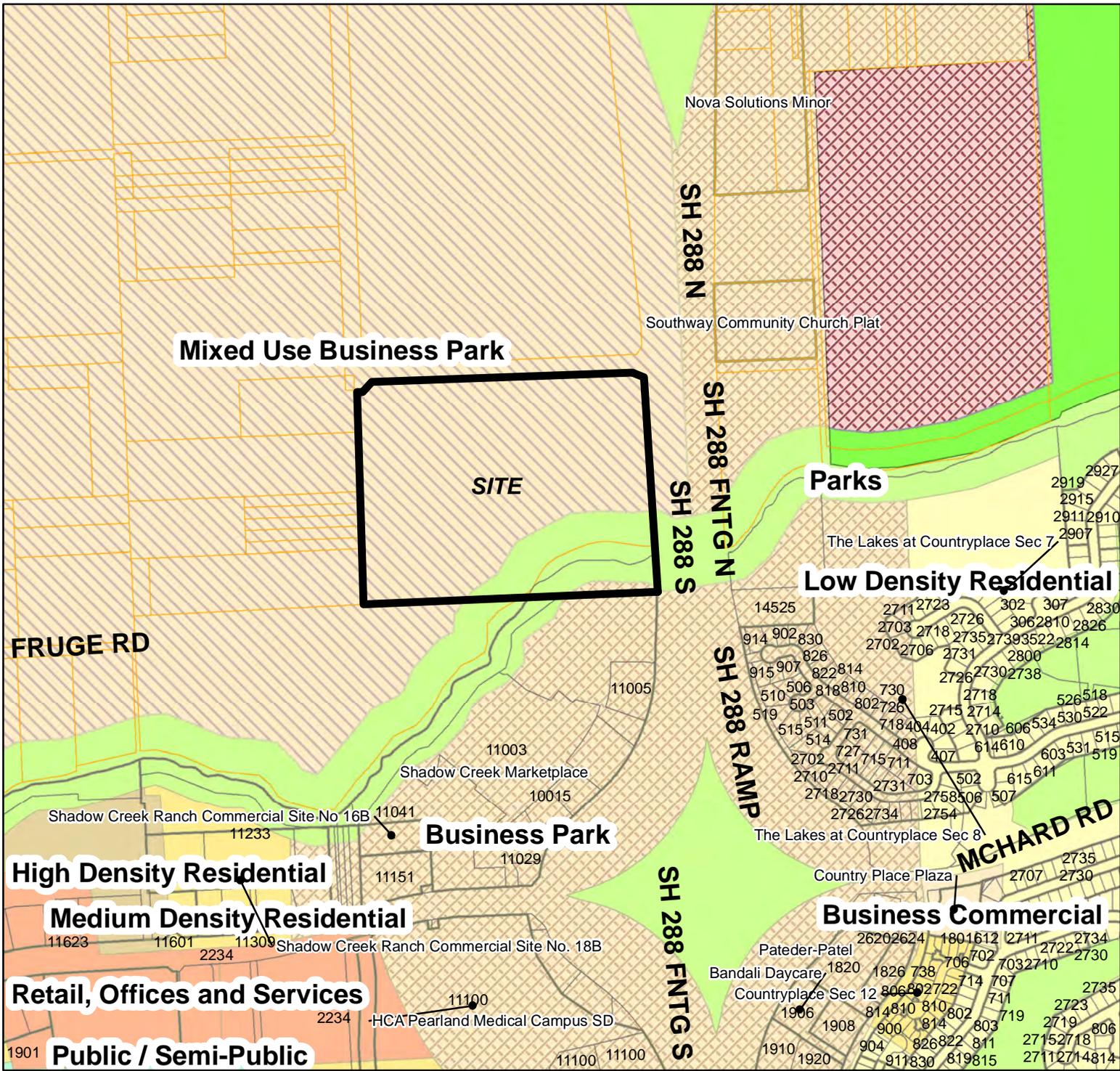
NAME

GCCLC - SHADOW CREEK LP
DE GEORGE ROSE ESTATE OF % GIACOMO DE GEORGE
ALLEN DOROTHY ATWATER
CITY OF PEARLAND
STUDE M S
MINOR STEWART
SHRINERS HOSPITALS FOR CRIPPLED CHILDREN % DON
BROWN ' BRADSHAW
MARTINI RICHARD A &
PEARLAND LIFESTYLE CENTER LP ATTN LEGAL DEPARTMENT
MAYOR RICHARD B
MAYOR JAMES M
MAYOR THOMAS H
AMERICA MODERN GREEN DEV
STEVEN BIEGEL

ADDRESS UNKNOWN

3120 ROGERDALE RD
606 SADDLE ROCK DR
505 N ADAMS ST
111 E LOCUST ST
815 WALKER ST
ADDRESS UNKNOWN
PO BOX 31356
ADDRESS UNKNOWN
1306 E ANDERSON RD
2650 THOUSAND OAKS BLVD
2121 KIRBY DR UNIT 13NW
2006 ELM CRST
5555 DEL MONTE DR UNIT 1306
9889 BELLAIRE BLVD
6001 SAVOY DR.

ADDRESS 2	CITY	STATE	ZIP
STE 150	HOUSTON	TX	77042
	HOUSTON	TX	77037-2024
	FREDERICKSBURG	TX	78624-3363
	ANGLETON	TX	77515-4642
STE 1650	HOUSTON	TX	77002-5748
	HOUSTON	TX	
	TAMPA	FL	33631-3356
	UNKNOWN		
	HOUSTON	TX	77047-5226
STE 3150	MEMPHIS	TN	38118-2486
	HOUSTON	TX	77019-6070
	SAN ANTONIO	TX	78230-2714
	HOUSTON	TX	77056-4184
STE 214	HOUSTON	TX	77036-3591
STE 120	HOUSTON	TX	77036

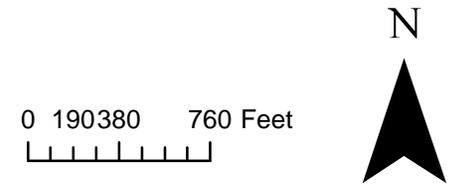


FLUP Map

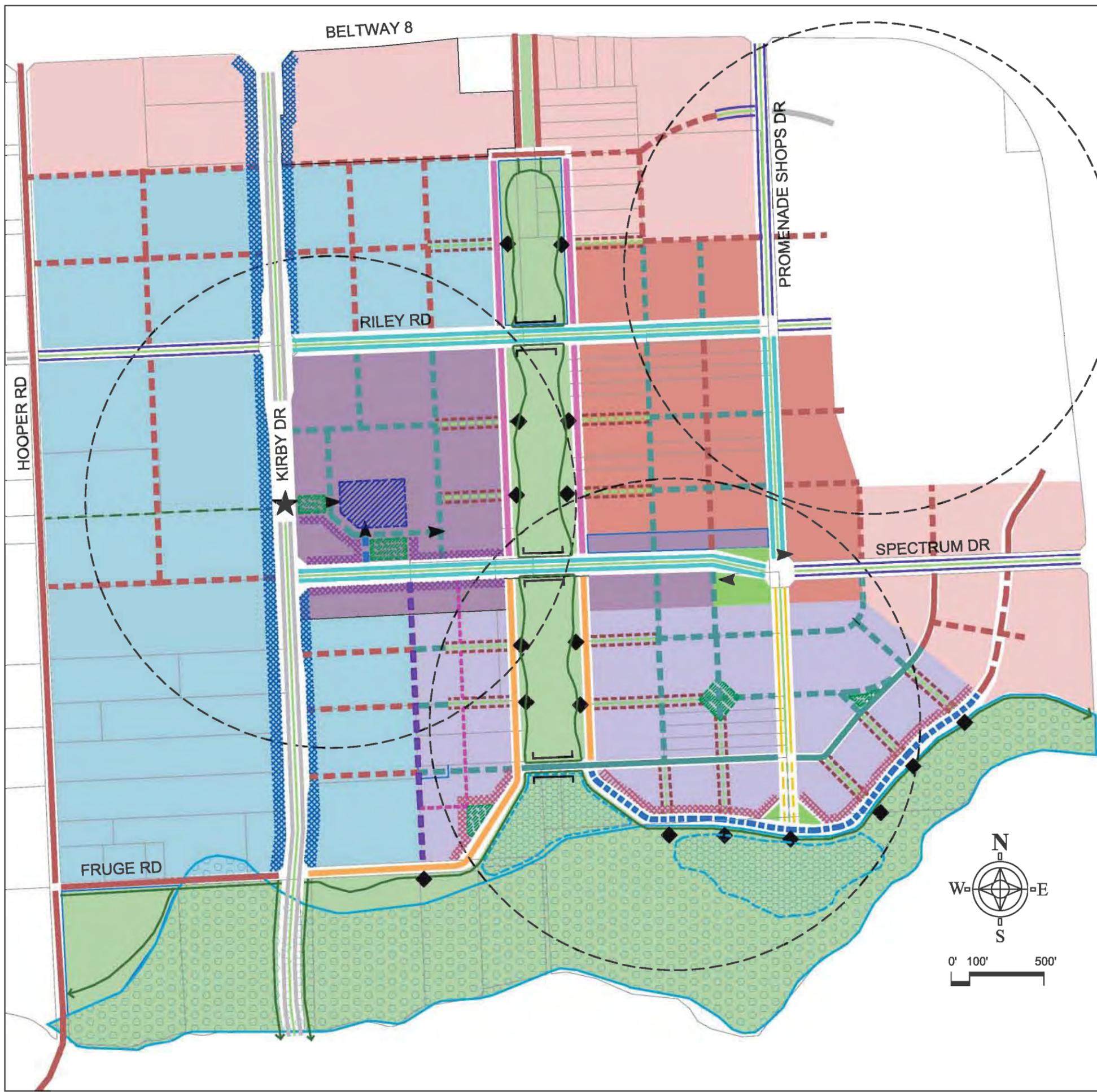
Zone Change 2014-2Z

**Modern Green/
Ivy District**

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.



Appendix B



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

LOWER KIRBY URBAN CENTER REGULATING PLAN

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



ZONE CHANGE APPLICATION Updated October 2012
 City of Pearland
 Community Development
 3523 Liberty Drive
 (Community Center)
 Pearland, Texas 77581
 281-652-1768
 281-652-1702 fax
 www.cityofpearland.com

APPLICATION FOR A CHANGE IN ZONING

Current Zoning District: WATERLIGHTS PD

Proposed Zoning District: IVY GREEN PD

Property Information:

Address or General Location of Property: WATER LIGHTS DISTRICT

Tax Account No. 0800-3000-048 / TR 5 M.L. PARKER U/R

Subdivision: ABST 881 D. WHITE 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 AMERICA MODERN GREEN DEVELOPMENT (HOUSTON) LLC
 ADDRESS 9889 BELLAIRE BLVD, SUITE 214
 CITY HOUSTON STATE TX ZIP 77036
 PHONE (202) 375-4425
 FAX (281) 778-6537
 E-MAIL ADDRESS gavinliang@gmail.com

NAME STEVEN L. BIEGEL, AIA
 ADDRESS 6001 SAVOY DR. SUITE 120
 CITY HOUSTON STATE TX ZIP 77036
 PHONE (713) 522-1666 cell (301) 404-6290
 FAX (713) 522-6260
 E-MAIL ADDRESS sbiegel@matrixspencer.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.

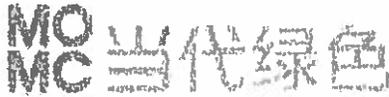
Owner's Signature: [Signature] Date: 11/2/2014

Applicant/Agent's Signature: [Signature] Date: 2/11/14

OFFICE USE ONLY:

FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
------------	------------	--------------	-----------------

Application No. _____



Mr. Bill Eisen
Mr. Mike Hodge
Ms. Lata Krishnaro
Mr. Harold Ellis
City of Pearland
3519 Liberty Drive
Pearland, TX 77581

January 2, 2014

**RE: Authorization of Representation
Architect of Record – Matrix Design Companies, Inc.
Steven L. Biegel, AIA, CEO**

Dear City of Pearland Officials:

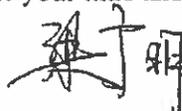
Please be advised that Modern Green Development Company, LTD, has selected Steven L. Biegel, AIA, CEO of the Matrix Design Companies, Inc., to represent our project and to be the lead Architect for our development.

Matrix Design has full authority to discuss all plans, prior communications, revisions, and technical details of our project representing Modern Green Development Company, LTD. Matrix Design will be in charge of all subsequent project representation, revisions, submissions, and coordination of PD requirements. Mr. Biegel was the original Architect for the Water Lights development on this same site.

Please extend every courtesy to Mr. Biegel and his staff at Matrix, including full cooperation with existing file documents, commentary and correspondence.

Thank you for your time and attention.

Sincerely,



Jan. 2. 2014

梁广明 GUANGMING (GAVIN) LIANG

GENERAL MANAGER | CHIEF ARCHITECT

AMERICA MODERN GREEN DEVELOPMENT (HOUSTON), LLC

US CELL: +1 (832) 4664572

CN CELL: +86 18601202989

US: 9889 BELLAIRE BLVD., SUITE 214, HOUSTON, TX 77036

GAVINLIANGMG@GMAIL.COM

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.**
- 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:
 - \$ 750.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 800.00 if requesting a Planned Development (PD)
 - 25 to less than 50 acres:
 - \$ 800.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 850.00 if requesting a Planned Development (PD)
 - 50 to less than 75 acres:
 - \$ 850.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 900.00 if requesting a Planned Development (PD)
 - 75 to less than 100 acres:
 - \$ 900.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 950.00 if requesting a Planned Development (PD)
 - 100 acres and above:
 - \$ 950.00, plus \$25.00 per each type of zoning district requested; or
 - \$ 1000.00 if requesting a Planned Development (PD)

For PD's Only: the proposed PD document 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.

**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.**

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.

ZONE CHANGE/VARIANCE/~~PLAT~~ RECORDATION

(circle one)

\$850.00

BA or or FE

Description: Input who the check is from

American Modern Green
Development Houston LLC

COMMENTS/DESCRIPTION (F10):

Location or

Address PD - Waterlights

to Ivy Green

Applicant Steven Biegel

Owner Guangming Liang

CITY OF PEARLAND
R E P R I N T

*** CUSTOMER RECEIPT ***

Oper: AGONZALES Type: DC Draver:
Date: 2/19/14 01 Receipt no: 14134

Description	Quantity	Amount
BA BOARD OF ADJUSTMENTS	1.00	\$850.00
Trans number:		437470

ZONE CHNG-WATR LIGHTS PD TO
IVY GREEN PD
STEVEN BIEGEL

Tender detail		
CK CHECK	239	\$850.00
Total tendered		\$850.00
Total payment		\$850.00

Trans date: 2/19/14 Time: 10:16:51

THE MODERN GREEN | GREEN IVY DISTRICT

The Planned Development Zoning District (PD) Document

Submitted to the City of Pearland | November 15, 2013

Revision Submitted to the City of Pearland | January 31, 2014



**THE
MODERN GREEN
IVY DISTRICT**

The Planned Development Zoning District (PD) Document

Submitted to the City of Pearland | November 15, 2013

Revision Submitted to the City of Pearland | January 31, 2014

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The goal of the Modern Green Ivy District is to promote a range of development within an overall street network, public space, and sustainable infrastructure framework that will become a model vibrant, walkable, and ecological neighborhood for the City of Pearland, Texas. The vision for this new district builds upon the recent growth and momentum that has shaped the City of Pearland into one of Houston’s most desirable regional urban centers, setting a new standard for building the highest quality urban environment for residents and visitors alike.

1 | PURPOSE & INTENT

The purpose of the Modern Green Ivy District PD (MGID PD), hereafter known as the MGID PD, is to guide the future development of the Modern Green Ivy District (MGID), located at the southwest corner of SH 288 and Spectrum Drive intersection.

- A.** The MGID is intended to be a diverse multi-generational, mixed-use, residential neighborhood that includes retail streets, a neighborhood office complex, senior facilities, hotel, a community center, and multi-family and townhouse residential units centered around a neighborhood park and a town square.
- B.** The objective of the MGID is to build a residential community that is both highly sustainable and unique in character, while offering a range of amenities for residents, set within an attractive pedestrian environment.
- C.** The MGID land use strategy focuses on several key neighborhood spaces within convenient walking distance for all residents. The result will be a neighborhood in which residents can easily engage in a wide range of public spaces and supporting amenities without requiring the use of cars.

2 | COMPONENTS OF THE PD

This MGID PD shall apply to the MGID as identified in the Regulating Plan (Appendices A-N), unless otherwise specified in this PD. Development of property within the MGID shall comply with all applicable development standards set forth in this PD. The components of this MGID PD consist of:

- A. The MGID Regulating Plans:** The MGID Regulating Plans, hereafter known as the “Regulating Plans”, are the project’s official zoning plans.
 - 1. *Sub-District*** – The MGID is divided into two “Sub-Districts”: the Town Center and the Parkside Neighborhood. The Required Public Open Space areas, shown on the Sub-District/Open Space Regulating Plan, designate the locations of proposed Required Public Open Spaces (including parks, plazas, greens, and squares). The Recommended Public Open Space designation indicates the locations of desired, but not required civic/open spaces (including parks, plazas, greens, and squares) to implement the Sub-District/Open Space Regulating Plan. Recommended Public Open Spaces are not required, but are the election of the applicant. The design of Public Open Spaces shall be guided by Part 11 of this PD.

2. **Land Use** – The Land Use Plan specifies the type and location of the programmed land use for each building plot in the MGID. Detailed program areas can be found on Table 6.1 - Modern Green Ivy District Program Summary in Part 6 of this PD.
3. **Street Network** – The Street Network Plan specifies the future streets needed to implement the MGID PD. The streets shall generally meet the locational and connectivity goals of the PD. Their design shall be guided by Part 9 of this PD.
4. **Setback** – The Setback Plan specifies the location of all building facade setback requirements for the MGID. Additional setback, build-to-zone, and frontage requirements can be found in Part 7 of this PD.
5. **Service and Loading** – The Service and Loading Plan represents a organization of on and off street service and loading areas that minimize disruption to traffic and pedestrians.
6. **Phasing** – The Phasing Plan is a proposed phased development strategy for the site. Traffic, open space, hydrology and street network connection requirements will be based on the incremental loads of each phase.

B. Development Standards: The MGID PD (the text portion of the PD document) enumerates the development standards with text and graphics for:

1. Sub-Districts;
2. Building Form;
3. Building Design & Sustainability;
4. Standards for Streets, Street Furniture, Lighting, and Materials;
5. Signage;
6. Public Open Space;
7. Private Open Space.

3 | ADMINISTRATION

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

- A. The basis for this PD document is the proposed form based code for the Lower Kirby Urban Center, prepared for the City of Pearland, dated June 24 2011. The development standards under the City of Pearland Unified Development Code, 8th Edition, January 2013 (UDC), as amended, shall not apply to MGID, except as specifically referenced herein. Development standards not addressed in this ordinance shall be governed by the District S3, SPD Spectrum District in the City of Pearland UDC, 8th Edition, January 2013, to the extent they are not in conflict with the intent or text of the MGID PD.
- B. Sign Standards under Chapter 4 Site Development, Article 2, Division 5 Signage, as amended, of the City of Pearland UDC, 8th Edition, January 2013, shall not apply to the MGID, except as specifically referenced herein.
- C. Using this PD, the following basic steps should be followed to determine the uses and development standards applicable on property within MGID:
 1. Locate the subject property on the MGID Regulating Plans.
 2. Identify:
 - i. the Sub-District, Appendix A in which the property is located;
 - ii. the Street Type, Appendix D designation along all its street frontages.
 3. Review the Schedule of Uses by Sub-District as listed in Table 6.4 to determine allowed uses.
 4. Examine the corresponding district standards in the

Building Form and Development Standards in Part 7 to determine the applicable development standards.

5. Refer to Part 8 for Building Design Standards.
6. Refer to Part 9 for Street Type and Streetscape Standards.
7. Refer to Part 10 for Signage Standards
8. Refer to Part 11 for Public Open 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. Minor Modifications to the MGID PD: The City Manager or designee shall have the authority to approve a request for minor modifications to MGID PD that:

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

The City Manager or designee shall also have the authority to approve minor modifications outlined in Table 3.1. Minor modifications shall be heard by the City Council. Appeal of City Manager decision shall be through an application process and the resulting decision or outcome shall be made without a public hearing process. 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 separate Planned Development (PD) application under the City of Pearland UDC, 8th Edition, January 2013 (UDC).

TABLE 3.1 MINOR MODIFICATIONS ALLOWED

Standard	Minor Modification Allowed	Standards and Criteria
Area/boundary (including any Public Open Spaces)	No more than a 25% change (increase or decrease) in the area of any Sub-District (aggregate or per block). Refer to Table 6.1 - MGID Sub District Area Summary	<ul style="list-style-type: none"> - Shall not eliminate any Sub-District - 25% measurement shall be based on the total area within the entire MGID - For the purposes of this PD, any increase that results from the elimination of a street shall not count towards the 25% threshold.
Location of any Required Street	Location shall not move more than 100' in any direction	<ul style="list-style-type: none"> - Shall maintain the connectivity intended by the Street Network Regulating Plan

Building Form and Development Standards

Build to zones/setbacks	No more than a 15% change in the maximum or minimum setback. Refer to Appendix D - Setback Regulating Plan	<ul style="list-style-type: none"> - 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 Public Open Space. - In no case shall the sidewalk be less than 6 feet in width.
Building Frontage	No more than a 15% reduction in the length of required building frontage	<ul style="list-style-type: none"> - Any reduction in the required building frontage shall be to accommodate port-cocheres for drop-off and pick-up.
Street Screen	Waiver of street screen requirement	<ul style="list-style-type: none"> - Requirement for a street screen may be waived along 50% of any single building frontage and 20% along the frontage or 30' setback of any interim surface parking lot (off-street) that is intended to be infilled with a parking structure. - 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.
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"> - Any changes in the street cross sections shall be based on specific development context, such as vegetation, natural features, drainage, and fire access.
Detention/retention areas	Location, configuration, and/or shape of detention/retention areas that do not decrease volume or capacity	<ul style="list-style-type: none"> - If the regional detention plan for the MGID has not been implemented at the time of development, local detention may be required on site.

4 | DEFINITIONS

In addition to Definitions in Chapter 5 of the City of Pearland UDC, 8th Edition, January 2013, the following terms shall have the corresponding interpretations. The definitions in this subsection under the MGID PD shall supersede definitions of any terms also in Chapter 5 of the UDC and shall only apply to development within the MGID.

Arcade means a portion of the main façade of the building that is at or near the property line and a colonnade that 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.

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

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

Bioswales are landscape elements designed to remove silt and pollution from surface runoff water. They consist of a swaled drainage course with gently sloped sides (less than six percent) and filled with vegetation and/or compost. The water's flow path, along with the wide and shallow ditch, is designed to maximize the time water spends in the swale, which aids the trapping of pollutants and silt.

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.

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

Building Form Standards means the standards established for each Sub-District 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.

Canopy means an awning-like projection from a wall that is made of rigid materials and is permanently attached to a building's facade and allowed to project over public sidewalks.

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

Colonnade means a structure that is similar to an arcade except that it is supported by vertical columns without arches.

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.

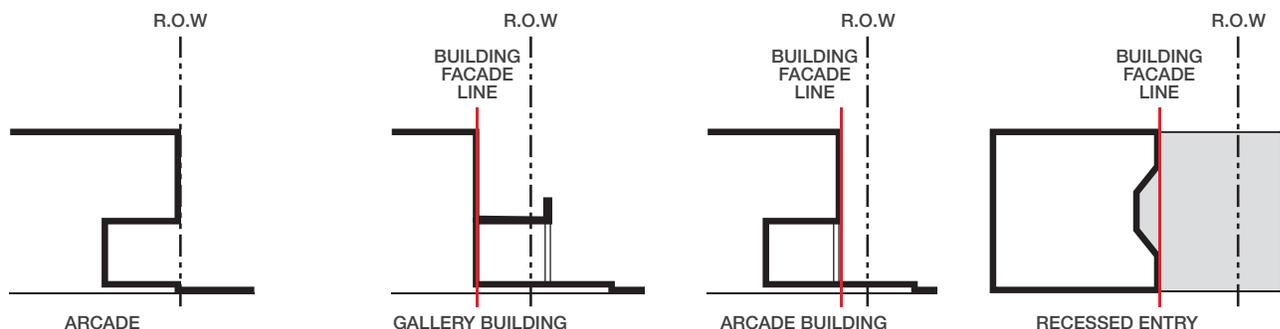


Image of an Arcade

Building Façade Line Illustrations

Commercial Ready means space constructed at a minimum floor to floor height of 15 feet which may be used for non-commercial 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 PD.

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, into an Easement, or above a height limit.

Extended Stay Hotel means a multi-unit, extended stay lodging facility consisting of efficiency units of suites with complete kitchen facilities and which is suitable for long-term occupancy. Customary hotel services such as linens and housekeeping, telephones, and upkeep of furniture shall be provided. Meeting rooms, club house, and recreational facilities intended for the

use of residents and their guests are permitted. This definition shall not include other dwelling units as defined by the UDC 8th Edition, January 2013.

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.

Formula Retail means a retail business which, along with seven or more business locations, is required by contractual or other arrangement to maintain any of the following: standardized merchandise, services, décor, uniforms, architecture, colors, signs or other similar features.

Gallery means an extension of the main façade of the building that is at or near the front property line and the gallery or column supported canopy like structure may overlap the public sidewalk as long as all columns remain within the property line of the building.

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 may also be 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

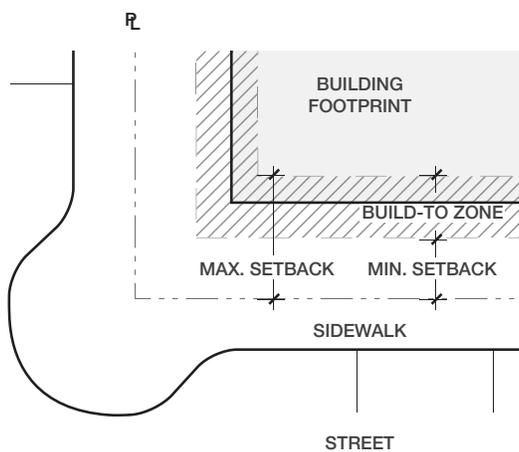


Illustration indicating build-to zone

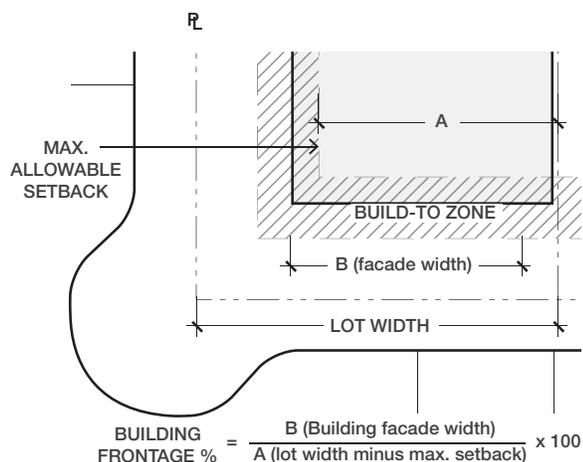


Image showing how building frontage calculation

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.

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 PD.

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

Pedestrian Easement means a grant of use of private property to the public 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.

Public Open Space means publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. that may be privately or publicly owned.

Green means a Public Open Space intended for unstructured recreation, spatially defined by landscaping rather than building frontages.

Park means a Public Open Space that is a preserve largely available for unstructured recreation.

Plaza means a primarily hardscaped Public Open 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 Public Open Space designed for unstructured recreation and civic purposes, spatially defined by building frontages and consisting of paths, lawns and trees, formally arranged.

Recommended Public Open Space means plaza, green, square, or park area identified on Appendix A, Sub-District Regulating Plan, which is shown as a suggested feature within the MGID. A Recommended Public Open Space is not required and is at the election of an applicant or developer.

Regulating Plan means the MGID Zoning Plans attached hereto as Appendix A - N that shows the Sub-Districts, Public Open Spaces, location of Streets, and other Special Requirements applicable to the MGID subject to the standards in this PD.

Required Public Open Space means plaza, green, square, or park area identified on Appendix A, Sub-District Regulating Plan, which is shown as a mandatory feature within the MGID. A Required Public Open 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 PD.

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. Excluded from this category are formula retail establishments (refer to formula retail definition).

Senior Citizen includes any elderly person over the age of 55 (This age criteria is the same as the City of Pearland UDC, 8th Edition, January 2013 definition for "Assisted Living Facility")

Senior Facility means any buildings specifically designed for and occupied by senior citizens, designed to meet the physical or social needs of senior citizens, which may include: extended stay hotel suites, assisted living or skilled nursing facilities, rehabilitative services, medical or personal care services, social gathering space, restaurant and dining space, assembly and entertainment space, or education and cultural space.

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.

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.

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.



Clockwise from top left: Blade Sign, Marquee Sign, Monument Sign, Tenant Sign, Tenant Blade Sign, and Sandwich Board 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.

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.

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.

Street Type means a specific designation for streets in the MGID 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 the MGID as established in the Street Network Regulating Plan Appendix D.

Sub-District means an area within the MGID development that creates a distinct urban form different from other areas within the MGID. Sub-Districts are identified in the Sub-District Regulating Plan Appendix A.

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.

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.

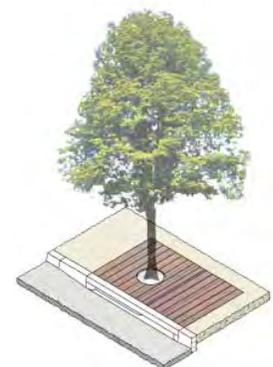


Image of Street Screen

Tree Well Illustrations

5 | COMPONENTS OF THE REGULATING PLANS

The Regulating Plans (Appendices A-N) are hereby adopted as the official zoning drawings for the MGID.

E. Sub-Districts Established – the following Sub-Districts are established. The boundaries of the specific Sub-Districts shall be established in the Sub-District/Open Space Regulating Plan (Appendix A).

1. **Town Center:** The Town Center consists of the highest density and height, with the greatest variety of uses. It is the area that has the most pedestrian activity. Development within the Town Center shall meet the Building Form and Development Standards in Part 7a. of this PD.
2. **Parkside Neighborhood:** The Parkside Neighborhood consists primarily of a residential fabric. The area is intended to have a mix of small apartments, townhomes and live-work units and may have limited commercial activity concentrated at street intersections and along the Clear Creek Recreational Park. Development within the Parkside Neighborhood shall meet the Building Form and Development Standards in Part 7b. of this PD.

F. Public Open Space and Park Dedication – The Sub-District/Open Space Regulating Plan (Appendix A) indicates Required and Recommended Public Open Spaces. The specific standards for Public Open Space are established in Part 11.

G. Land Use is indicated on the Land Use Regulating Plan (Appendix B).

H. Program area is located on the Program Area Regulating Plan (Appendix C).

I. The Street Network indicates streets needed to implement the MGID as shown in the Street Network Regulating Plan (Appendix D). The Street Network Regulating Plan designates the type and location of streets. All new and improved streets in the MGID shall meet the street design standards established in Part 9 herein. The proposed cross sections may be adjusted prior to plat approval to meet the requirements of the MGID Traffic Impact Analysis Report

in order to ensure that all roads comply with applicable engineering requirements and traffic policies of the City of Pearland in compliance with Texas Municipal Uniform Traffic Control Devices and AASHTO, latest edition, as well as the most recent fire codes in effect at the time of development.

J. Building Setback requirements can be found in the Setback Regulating Plan (Appendix E) and overlay with the specific Sub-District requirements.

K. Service and Loading Locations are indicated on the Service and Loading Regulating Plan (Appendix F).

L. Phasing is indicated on the Phasing Regulating Plan (Appendix G).

6 | SCHEDULE OF PERMITTED USES

A. Generally, due to the emphasis on urban form over land uses in the MGID, general use categories have been identified by Sub-Districts. 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. Appeal of City Manager decision shall be through an application process and the resulting decision or outcome shall be made without a public hearing process.

B. MGID Sub-District Area Summary: Table 6.1

C. MGID Land Use Summary: Table 6.2

D. MGID Program Summary: Table 6.3

E. Schedule of Uses: Table 6.4

F. Use Criteria: All uses listed as P/C in Table 6.4 shall also meet the following standards in Table 6.5

G. The term “Senior Facility” is used to describe the multi-generational component of the vision for the MGID. The Senior Facility is located within the “Town Center” sub-district (refer to Appendix A & C). Detailed use criteria can be found on table 6.5 for specific terms and limitations on the extended stay hotel, which is central to the senior facilities. Reference should also be made to the definition of “Senior Facility”.

TABLE 6.1 - MGID SUB-DISTRICT AREA SUMMARY	
<i>Parkside Neighborhood</i>	11.5 acres
<i>Town Center</i>	6.6 acres
<i>Required Public Open Space</i>	9.9 acres
<i>Recommended Open Space</i>	1.5 acres
<i>Dedicated Required Open Space***</i>	9.7 acres
<i>Private Streets and Sidewalks</i>	9.3 acres
Total	48.5 acres

TABLE 6.2 - MODERN GREEN IVY DISTRICT LAND USE SUMMARY*				
<i>Use</i>	<i>Net Residential Density</i>	<i>Gross Residential Density</i>	<i>Area (acres)</i>	<i>Percent of Total</i>
<i>Primary Residential</i>	43.4 units/acre	33.1 units/acre	10.3 acres	21.4%
<i>Personal and Business</i>			8.2 acres	16.8%
<i>Entertainment and Recreations</i>			1.1 acres	2.2%
<i>Required Public Open Space</i>			9.9 acres	20.4%
<i>Dedicated Required Open Space***</i>			9.7 acres	20.0%
<i>Private Streets and Sidewalks**</i>			9.3 acres	19.2%
Total			48.5 acres	100%

* All land use categories are based on the City of Pearland UDC, 8th Edition, January 2013.

** Specific terms regarding the management and maintenance of the sidewalks and roads dedicated to the city shall be outlined in the Development Agreement between the MGID and the City of Pearland before any site work permit can be applied for.

***Open Space/Parkland dedicated to the city to be retained under private ownership on the 48.5 acre MGID parcel shall be maintained through the use of a recorded easement prohibiting future development of Open Space/Parkland. Open Space/Parkland dedicated to the city for public use shall be maintained and managed by the city and the MGID. Specific terms regarding the management and maintenance of the Open Space/Parkland dedicated to the city shall be outlined in the Development Agreement between the MGID and the city before any site work permit can be applied for.

TABLE 6.3 - MODERN GREEN IVY DISTRICT PROGRAM SUMMARY	
<i>Residential</i>	400 Multi-Family Units, 900 Condo Units
<i>Retail</i>	70,000 sf total
<i>Retail, Residential Above</i>	60,000 sf total
<i>Office</i>	100,000 sf total
<i>Hotel</i>	100 Hotel Keys
<i>Senior Facility</i>	Including 310 Long-Term Hotel Keys
<i>Community Center</i>	80,000 sf total
<i>Parking*</i>	3,600 spaces
Total	48.5 acres

* Refer to tables 7a. and 7b. for required off-street parking guidelines. The guidelines are identical to those found in the "Proposed Form-Based Code for Lower Kirby Urban Center" dated November 17, 2011, Ordinance 943-20, from which this the MGID PD document is based.

Sub-District
Town Center
Parkside
Neighborhood

TABLE 6.4 - SCHEDULE OF USES		
Commercial Uses (Office, Retail, Sales & Service Uses)		
Formula Retail	P/C	P/C
Retail Sales or Service with no drive through facility (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 PD for Definition of Retail, Service uses, and Auto-related Sales and Service)	P	P/C
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, with no drive through facility	P	P/C
Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.	P	P/C
Research laboratory headquarters, laboratories and associated facilities	P	NP
Food Service Uses such as full-service restaurants, cafeterias, caterers, bakeries and snack bars with no drive through facilities 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/C
Cigars, Tobacco Shops (Retail Only)	P/CUP	NP
Veterinarian Animal Hospital (No Animal Hospital with Outside Pens)	P	NP
Senior Facility	P/C	P/C
Any use with a drive through facility	NP	NP
Auto-related Service, Bail Bonds, Crematorium, Travel Trailer, Home for Alcoholic, Narcotic or Psychiatric Patients or Pawn Shop	NP	NP
Arts, Entertainment, and Recreation Uses		
Art galleries	P	P/C
Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto electronics sales or service)	P	NP
Games arcade establishments	P/CUP	NP
Theater, cinema, dance, music or other entertainment establishment	P	NP
Museums and other special purpose recreational institutions	P	NP
Fitness, recreational sports, gym, or athletic club	P	NP
Parks, greens, plazas, squares, and playgrounds	P	P
Drag Strip, Fairgrounds, Gaming Establishment, Private Club or Adult Entertainment	NP	NP
Educational, Public Administration, Health Care and Other Institutional Uses		
Business associations and professional membership organizations	P	P/C
Child day care and preschools	P	P
Schools, libraries, and community halls	P	NP
Universities and Colleges	P	NP
Hospital	NP	NP
Clinic or Medical Office Building	P	NP
Civic uses	P	NP
Social services and philanthropic organizations	P	NP
Religious Institutions	P	NP
Funeral homes	P	NP

	Sub-District	Town Center	Parkside Neighborhood
Residential Uses			
Home Occupations		P/A	P/A
Multi-family Residential			
Ground Floor		P/C	P/C
Upper Floor		P	P
Residential Lofts		P	P
Single-family residential attached dwelling unit (Townhomes)		P/C	P
Live-work unit		P	P
Manufacturing, Communications, and Utility Uses			
Warehouse and storage		NP	NP
Artisanal Production (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.)		P/C	P/C
Wholesale trade establishment, Manufacturing or Assembly		NP	NP
Publishing (newspaper, books, periodicals, software)		NP	NP
Motion picture and sound recording		P	NP
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)		NP	NP
Information services and data processing		P	NP
Other Uses			
Model homes for sales and promotion**		P	P
Hotels		P/C	NP
Parking, surface (primary use of property)		P/C	P/C
Parking, surface (accessory use of property)		P/C	P/C
Parking, structure		P	P
Private attached garage		NP	P
Private detached garage		NP	P
Sales from kiosks		P	NP
Community garden		P	P
Antennas including cell, accessory, and mounted on top of buildings		P/A/C	NP
Solar energy equipment		P/A/C	P/A
Special Event		P/C	P/C
Rain harvesting equipment		P/C	P/C
Utility equipment (includes electrical transformers, gas meters, etc.)		P/A/C	P/A/C

P	Permitted by right	P/C	Permitted with design criteria per Table 6.5	P/A	Permitted Accessory Use	P/A/C	Permitted as an Accessory Use with design criteria per Table 6.5
NP	Not Permitted	P/CUP	Permitted with a Conditional Use Permit	NA	Not applicable	A	Accessory use to not exceed 25% of the primary use building square footage

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

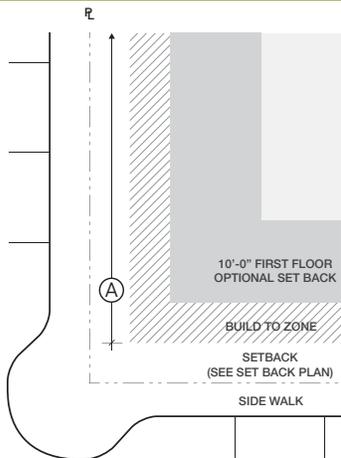
TABLE 6.5 - USE CRITERIA		
Use	District	Location and Design Criteria
Commercial Uses (Office, Retail, Sales & Service Uses)		
Formula Retail	All districts	- No Restaurants (including shops providing one type of food, but not including Coffee Shops), Convenience Stores or Big Box retail are permitted in the development.
Retail sales and service	Parkside Neighborhood	- Building area shall not exceed 5,000 sf per instance, per block.
Finance, Insurance, and Real Estate establishments		
Food Service Uses such as full-service restaurants, cafeterias, bakeries and snack bars with no drive through facilities		
Offices for business, professional, and technical uses	All districts	- Shall be permitted in any live-work building where the ground floor is built to Commercial Ready standards with 14' ground floor clear height and handicapped access. - All other buildings for office and art gallery uses shall be limited to 6,000 sf, except in Block 13.
Assisted Living & Skilled Nursing	Town Center	- Assisted living or skilled nursing units shall not exceed more than 30% of the unit mix of the senior facility.
Arts, Entertainment, and Recreation Uses		
Art Galleries	All districts	- Shall be permitted in any live-work building or any commercial building where the ground floor is built to Commercial Ready standards with 14' ground floor clear height and handicapped access. - All other buildings for office and art gallery uses shall be limited to 6,000 sf.
Educational, Public Administration, Health Care and Other Institutional Uses		
Business Associations and professional membership organizations	Parkside Neighborhood	- Shall only be permitted on corner lots in the Parkside Neighborhood - Building area shall not exceed 5,000 sf per block
Residential Uses		
Multi-family residential Ground Floor	All districts	- All Multi-family residential on the ground floor shall be elevated at least 30" above the sidewalk elevation. Efficiency units shall not exceed more the 25% of overall unit mix.
Single-family residential attached dwelling unit (Townhomes)	Town Center	- 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. - Minimum Lot Width - Twenty feet (20')
Manufacturing, Communications, and Utility Uses		
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.)	All districts	- No outdoor storage is permitted. - Service, loading, unloading and truck access shall be located in compliance with the Service and Loading Regulating Plan (Appendix F) - All buildings for manufacturing, assembly and wholesale trade uses shall be limited to 1,000 sf per unit in the Parkside Neighborhood and 3,000 sf per user in the Town Center.
Wholesale trade establishment		
Other Uses		
Hotel	Town Center	- The hotel shall include specific design provisions or guest services for senior citizens, such as enhanced accessibility design standards and concierge services.
Extended Stay Hotel	Town Center	- Each proposed dwelling unit must be initially rented by a senior citizen and shall limit any future occupancy to senior citizens or other qualified residents for the lifetime of the building, regardless of future ownership transfer of the long-term hotel.
Parking, Surface (primary use)	All districts	- Shall only be permitted on building parcels designated as future phase building sites. Unbuilt building parcels/pads shall allow temporary parking only until such time as the building parcel/pad is built out. Permanent surface parking is not permitted.
Parking, Surface (accessory use)	All districts	- Shall only be permitted within designated building drop off zones.
Antennas including cell, accessory and mounted (Excluded from this category are freestanding and commercial antennas and equipment buildings)	Town Center	- Antennas shall be permitted on rooftops. - Antennas shall be screened entirely. - Antennas shall not be visible from the ground and any area below 50'-0" in height.
Special Events such farmers' market, holiday sales and festivals	All districts	The Building Official shall issue a permit for special events when he finds: - That there is an adequate off-street parking area, approved by the City; and - That the location and layout of drives and parking areas, of lighting, and of temporary event signs will not constitute a hazard to the public traveling to the abutting public streets and will not obstruct the visibility along such streets.
Rainwater harvesting equipment	All districts	- Rainwater harvesting equipment must be installed in buildings or below grade
Utility equipment (includes electrical transformers, gas meters, etc)	All districts	- Utility equipment shall be integrated and screened from view within buildings. All utility distribution throughout the district shall be located below grade.

7 | BUILDING FORM & DEVELOPMENT STANDARDS

The following portion of the PD establishes the Building Form and Development Standards for all Sub-Districts within the MGID. Diagrams and reference letters are used for illustrations purposes only. Reference letters may not be in continuous sequence.

7a. Town Center

1) BUILDING PLACEMENT



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

See Setback Regulating Plan (Appendix E)

Setback (Distance from property line)

See Setback Regulating Plan (Appendix E)

Building Frontage

Building Frontage required 80% (min.)



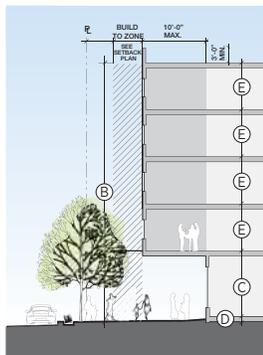
2) COMMERCIAL REQUIREMENTS

Ground floors of Retail uses shall be built to include first floor-to-floor height of 15'-0" minimum, ingress and egress, handicap access, and first floor elevation flush with the sidewalk. Additionally a setback of up to 10'-0" shall be permitted for purposes of outdoor dining in retail usages.

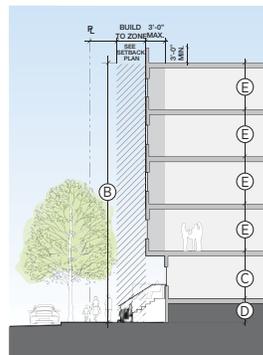
3) SPECIAL REQUIREMENTS

Ground floors of all buildings fronting Ivy Square shall be occupied by Retail uses.

4) BUILDING HEIGHT



Commercial



Residential

Principal Building Standards

Building maximum	20 stories (see #2 and #5). Refer to Table 8.1 - Modern Green Ivy District Block Height/No. of Floors	B
First floor to floor height	15 ft. min. for non-residential 10 ft. min for residential	C
Ground floor finish level	12 in. max. above sidewalk for ground floor commercial uses 30in. min- 60in. max for residential uses	D
Upper floor(s) height (floor-to-floor)	10 feet min.	E

5) PARKING & SERVICE ACCESS

(i) Required Off-Street Parking Spaces (see #8)

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

(ii) 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)
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Shared driveways and cross access easements are required between lots to minimize curb cuts.

6) ENCROACHMENTS

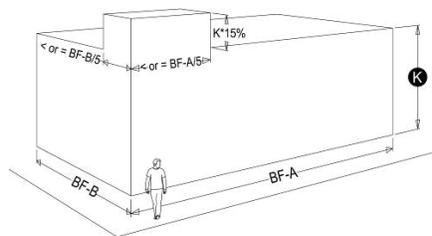
Canopies, signs, awnings and balconies may encroach over the sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane. All encroachments over public rights-of-way shall obtain a Waiver of Encroachment from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

7) APPLICABILITY

Building Form and Development Standards shall apply to all development within this Sub-District.

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 - Attics and mezzanines less than 7' (avg.) height shall not be counted as a story.
- #3 - First floor heights shall not apply to parking structures.
- #4 - All buildings in the Town Center shall meet the Building Design Standards in Part 8.
- #5 - Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street façade.



#6- 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.

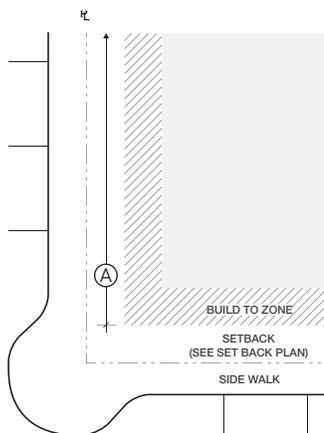
#7 - Setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the building façade line.

#8 - Chapter 4 Site Development Section 4.2.1.3 of the City of Pearland Unified Development Code, Eight Edition, January 2013, shall apply for design of off-street parking areas.

#9 - All parking structures must have at least 3 sides of occupiable uses (at all floor levels) and the remaining side must be clad in an architectural screen. One district parking structure may be allowed with all sides clad in an architectural screen, in lieu of an occupiable use.

7b. Parkside Neighborhood

1) BUILDING PLACEMENT



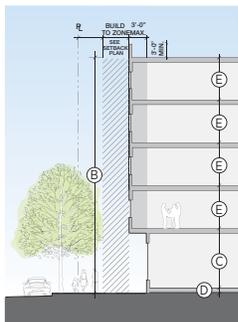
Build-To Zone (BTZ) (Distance from property line to the edge of the BTZ)
See Setback Regulating Plan (Appendix E)

Setback (Distance from property line)
See Setback Regulating Plan (Appendix E)

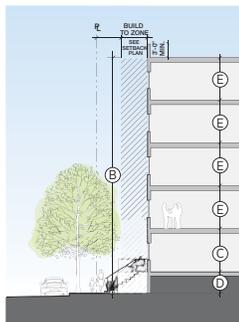
Building Frontage

Building Frontage required 60% (min.) (see #3 and #6) **(A)**

2) BUILDING HEIGHT



Commercial



Residential

Principal Building Standards

Building maximum	15 stories (see #4 and #7)	(B)
First floor to floor height	15 ft. min. for non-residential 10 ft. min. for residential	(C)
Ground floor finish level	12 in. max. above sidewalk for ground floor commercial uses 30in. min- 60in. max for residential uses	(D)
Upper floor(s) height (floor-to-floor)	10 ft. min.	(E)

Accessory Building Standards

Building maximum	1 stories
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(i) Required Off-Street Parking Spaces (see #10)

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

(ii) 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)
------------------------	---------------------------------------------------------------------------------------------------------

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

3) 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.

4) APPLICABILITY

Building Form and Development Standards shall apply to all development within this Sub-District.

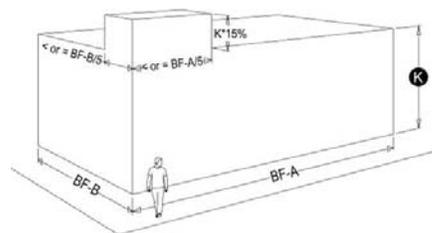
Notes

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

#3 - All buildings in the Parkside Neighborhood District shall meet the Building Design Standards in Part 8.

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



#5 - 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", 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.

#6 - 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.

#7 - Chapter 4 Site Development Section 4.2.1.3 of the City of Pearland Unified Development Code, Eight Edition, January 2013, shall apply for design of off-street parking areas.

#8 - All parking structures must have at least 3 sides of occupiable uses (at all floor levels) and the remaining side must be clad in an architectural screen.

8 | BUILDING DESIGN STANDARDS

The Building Design Standards for the MGID 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 the MGID to encourage 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:

1. New buildings shall utilize building elements and details to achieve a pedestrian-oriented public realm.
2. Compatibility is not meant to be achieved through uniformity, but through the use of variations in building elements to achieve individual building identity.
3. Building facades shall include appropriate architectural details to create variety and interest.
4. Open space(s) shall be incorporated to provide usable public areas integral to the urban environment.

A. General to all Sub-Districts

1. *Building Orientation*

- i. 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.
- ii. 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.

2. *Design of Parking Structures*

- i. Where above ground structured parking is located at the perimeter of a building, it shall be screened in such a way that cars on all parking levels are completely hidden from view from all adjacent public and private 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. Architectural screens shall have consistent facade materials with neighboring buildings and shall be complementary in their articulation. In addition, the ground floor façade treatment (building materials, windows, and architectural detailing) shall be continued to the second floor of a parking structure.
- ii. When parking structures are located at street intersections, corner architectural elements shall be incorporated, such as corner entrance, signage and glazing.
- iii. Parking structures and adjacent sidewalks shall be designed so pedestrians and bicyclists are clearly visible to entering and exiting automobiles.

3. *Façade Composition*

- i. Buildings shall maintain a façade rhythm between 20 feet and 30 feet. Any facade articulation shall be based on the overall building size and height in order to be legible at an urban scale. Buildings three stories or higher shall provide facade articulation which distinguishes between the street level and the upper level of the building.
- ii. This rhythm shall be expressed by changing materials, or color, or by using design elements such as fenestration, columns, or by varying the setback of portions of the façade.
- iii. For retail storefront buildings, display window areas shall be utilized.

- iv. Storefronts on facades that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.
- v. Building entrances shall be defined and articulated by architectural elements such as entry portals, porches, overhangs, railings, balustrades, and others as appropriate. All building elements shall 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.
- vi. Corner emphasizing architectural features, awnings, blade signs, arcades, colonnades and balconies may be used along commercial storefronts to add pedestrian interest.
- vii. Buildings which are located on axis with a terminating street or at the intersection of streets may be considered as feature buildings. Such buildings may be designed with features which take advantage of that location, such as an accentuated entry and a unique building articulation, which is offset from the front wall planes and goes above the main building eave or parapet line.

4. *Windows and Doors*

- i. Windows and doors on street-fronting facades shall be designed to be proportional and appropriate to the specific architectural qualities of the building. First floor windows shall not be opaque, tinted or mirrored glass.
- ii. All ground floor commercial front facades of buildings shall have transparent storefront windows covering no less than 50% of the facade area. All other street facing facades shall have transparent windows covering at least 20% of the facade area for all floors.

B. Standards Specific to Development in the Town Center

1. *Town Center Building Materials*

- i. Exterior Town Center building materials require variety and combinations of exterior materials. At least 80% of each building's facade (excluding doors and windows) shall be finished in one of the following materials: brick, stone, stucco utilizing a three-step process, spandrel glass shadow box, cementitious panel, colored or patterned resin impregnated panel, or glass block. Resin impregnated panel shall be composed of kraft paper or layers or similar material impregnated with phenolic resin which has been compressed and bonded under heat and high pressure.
- ii. No more than 20% of each facade shall use accent materials such as wood, modular architectural metal panel system with concealed fasteners and high performance coating or natural weathering face material, split-face concrete block, tile, or pre-cast concrete panels. EIFS shall be limited to moldings and architectural detailing on building facades.
- iii. Cementitious-fiber panels with at least a 50-year warranty shall only be used on 20% of the upper floor.
- iv. Roofing materials visible from any public right-of-way shall be copper, zinc, factory finished standing seam metal or metal panel, terra cotta, stone, synthetic stone, or similar materials

C. Standards Specific to Development in the Parkside Neighborhood Sub-District:

1. *Façade Composition*

- i. 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. Any facade articulation shall be based on the overall building size and height in order to be legible at an urban scale.

- ii. For residential buildings the grade of the slab or first floor elevation shall be elevated at least 30 inches above the grade of the sidewalk.

2. Windows and Doors

- i. Windows and doors shall be designed to be proportional and appropriate to the architectural style of the building.
- ii. All building facades of residential buildings shall have transparent windows covering at least 30% of each façade.

3. Residential Building Materials

- i. At least 80% of all buildings (excluding doors and windows) shall be finished in one or more of the following materials: brick, stone, stucco utilizing a three-step process, spandrel glass shadow box, cementitious panel, colored or patterned resin impregnated panel, or glass block. Resin impregnated panel shall be composed of kraft paper or layers or similar material impregnated with phenolic resin which has been compressed and bonded under heat and high pressure.
- ii. Masonry (brick; stone; man-made stone, or stucco utilizing a three-step process).
- iii. The following shall only be allowed up to 20% as an accent material: modular architectural metal panel system with concealed fasteners and high performance coating or natural weathering face material over a cementitious base, glass block and tile.
- iv. Facades shall not be made of EIFS. EIFS shall be limited to moldings and architectural detailing on building facades. EIFS materials shall constitute less than 10 percent (10%) of any building and shall not be used on any portion of any wall that is lower than twenty (20) feet from grade, unless otherwise approved by the Building Official.
- v. Side and rear facades shall be of finished quality and of the same color that blend with the front of the building.

- vi. Roofing materials (visible from any public right-of-way): copper, zinc, factory finished painted metal, stone, synthetic stone terra cotta, or similar materials.
- vii. Accessory buildings, enclosed garages or carports shall be designed and constructed of the same material as the primary building.

TABLE 8.1 - MODERN GREEN IVY DISTRICT BLOCK HEIGHT/NO. OF FLOORS

<i>Block</i>	<i>Maximum Stories</i>	<i>Maximum Height</i>
1	12	140 feet
2	14	160 feet
3	5	70 feet
4	17	210 feet
5	5	70 feet
6	5	70 feet
7	9	120 feet
8	5	70 feet
9	5	70 feet
10	5	70 feet
11	5	70 feet



General Character

Shall be visually appealing, socially engaging and interconnected with ecological systems within the public realm, the transition zone includes private or semi-private outdoor spaces and setback areas directly adjacent to a building.

Location and Size

Location shall be as shown on the Setback Regulating Plan (Appendix E). Width shall range from 5 feet to 25 feet. Setbacks shall front on all streets.

Typical Uses/Elements

Buffer Planting, Private Boundary Structures, Architectural Elements,

Key Design Components and Concepts

Building Setbacks

Building setbacks have been established to provide a comfortable buffer between the street and the interior of ground floor residences. As a transition between the public and private realm, the design of setbacks is intended to encourage people to occupy and enliven them and help define the physical and social character of the neighborhood. Residential setbacks shall include stairs, stoops, private gardens and patios that will foster use and thus social interaction among neighbors. Non-residential setbacks shall incorporate terraces, retail stands, outdoor seating and dining areas that will help activate the edge of the public realm.



Standards and Criteria

Guidelines for all sustainable site and building elements or systems shall meet all current sustainable industry standards and best practices.

Sustainability

All new MGID buildings are intended to be constructed using ecologically sustainable materials and technologies in order to contribute to the reduction of natural resource consumption and waste production. All new MGID buildings shall be LEED® certified. MGID will develop goals and strategies for building energy and water use, construction activities, and the selection of building materials, utilities and appliances. Buildings shall be constructed to all current sustainable industry standards and best practices to contribute to the ecological sustainability and overall health and wellness of the neighborhood residents.



Standards and Criteria

A minimum of 20% of all building roof area shall include green roofs systems in the Parkside Neighborhood and Town Center Sub-Districts. Guidelines for green roof construction standards shall meet all current industry standards and best practices. Green roofs shall be constructed in such a way to encourage residents or visitors to inhabit them.

Green Roofs

Where feasible, roof designs shall include systems such as vegetated roof covers, with growing media and plants which minimize heat island effect and stormwater run-off and improve thermal envelope performance. Living roofs must incorporate regionally appropriate plant species to minimize water consumption requirements. Green roofs can sustain a variety of plants and invertebrates, as well as provide a habitat for various bird species that enhance biodiversity within the MGID and the region as a whole.

Standards and Criteria

A minimum of 20% of all building and parking structure roof area shall incorporate photovoltaic panels in the Parkside Neighborhood and Town Center Sub-Districts. Guidelines for installation of photovoltaic panels shall meet all current industry standards and best practices.

Photovoltaic Panels

Where feasible, rooftops of buildings and parking structures shall be designed to permit installation of south oriented solar panels. Photovoltaic panels shall be integrated into shade structures that shade usable rooftop and/or terraced open spaces such as rooftop gardens, decks, or parking structures.



Note: Renderings reflect design vision and final design may vary.





9 | STREET & STREETScape DESIGN STANDARDS

A. Generally: Streets in the MGID need to support the overall goal of a mixed use, compact, pedestrian oriented district. They balance all forms of mobility while maximizing convenience for residents and visitors. The Street Network Regulating Plan (Appendix D) designates the street network within the MGID. This portion of the PD specifies the typical configuration of streets within the MGID. 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 MGID will vary based on the location. The service roads of the SH 288 are under the purview of TxDOT while the management and maintenance of the private sidewalk and road network within the MGID shall be outlined in the Development Agreement between

the MGID and the City of Pearland. The Development agreement shall be in place before any site work permit can be applied for.

- B. New Streets:** This portion of the PD specifies standards for all new streets in the MGID. New streets shall be based 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 proposed cross sections may be adjusted prior to plat approval to meet the requirements of the MGID Traffic Impact Analysis Report in order to ensure that all roads comply with applicable engineering requirements and traffic policies of the City of Pearland, as well as the 2012 International Fire Code as adopted by the City.
- D. Street and Open Space Cross Sections**
 - 1. *Eco Park and Detention Pond*
 - 2. *Neighborhood Park*
 - 3. *Amenity Pond*

TABLE 9.1 - STREET GUIDELINES

<i>Elements Street Classification</i>	<i>Street Width (Recommended min. R.O.W)</i>	<i>Number of Vehicular Lanes</i>	<i>Vehicular Lane Widths</i>	<i>Number of Bike Lanes*</i>	<i>Bike Lane Widths</i>	<i>Turn Radius (max.)</i>	<i>Median</i>	<i>On-Street Parking</i>	<i>Pedestrian Sidewalk Width (min.)</i>	<i>Parkway/Tree Well</i>
South Spectrum Boulevard	104 feet	4	11 feet	0	None	30 feet	Yes, 22 feet	Yes, both sides, parallel	6'-6" wide	4'-6" wide
Neighborhood Collector	76 feet	2	11 feet	2	6 feet	20 feet	None	Yes, both sides, parallel	6'-6" wide	4'-6" wide
Local Street	56 feet	2	11 feet	0	None	15 feet	None	Yes, both sides, parallel	6'-0" wide	4'-0" wide

* The MGID shall encourage the extension of bike lanes into adjoining future developments. If such extension does not happen, the MGID shall provide an alternate connection to any future bike lanes that are part of Spectrum Drive.

E. Streetscape & Landscape Standards

Streetscape standards shall apply to all streets within MGID. 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:

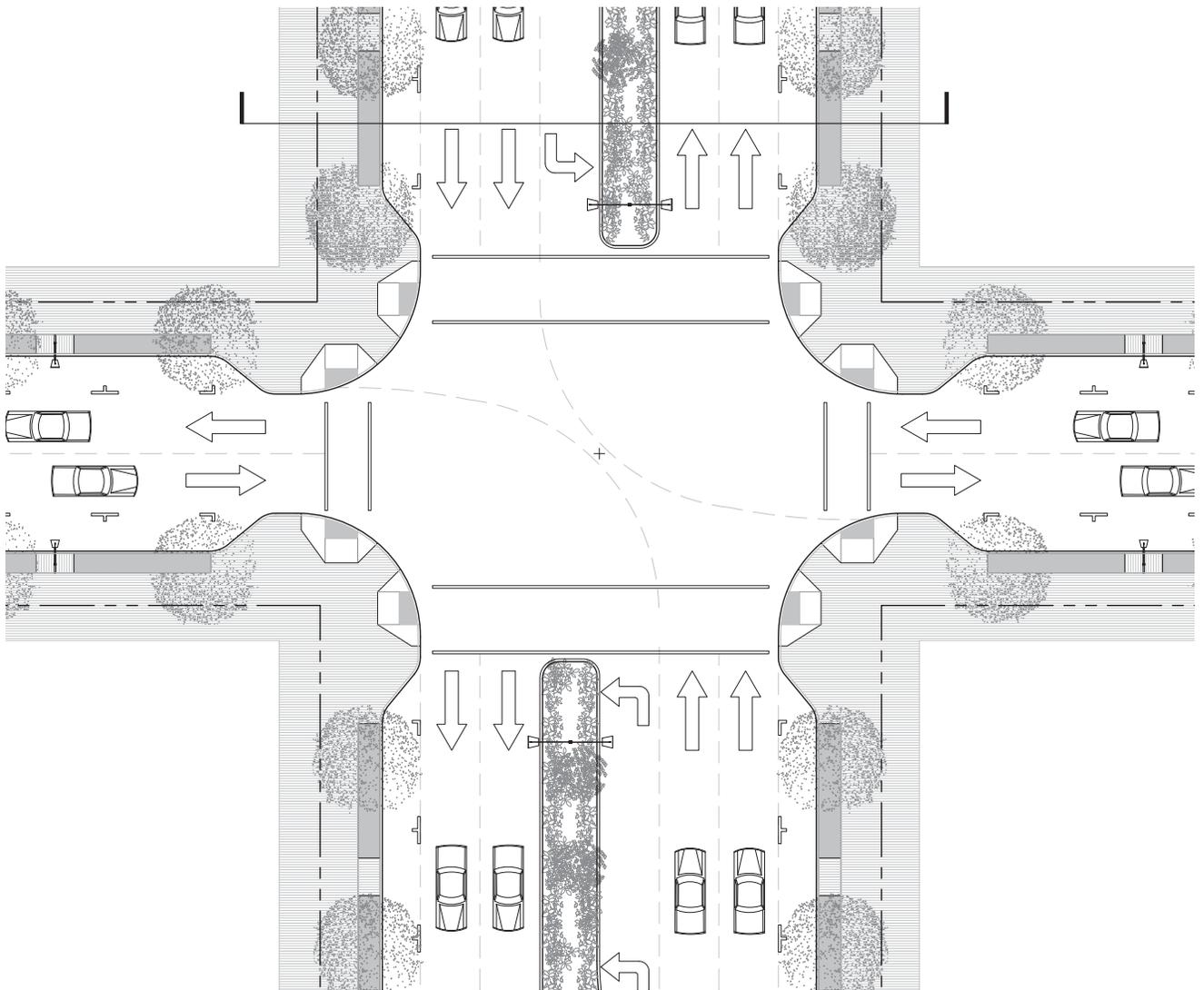
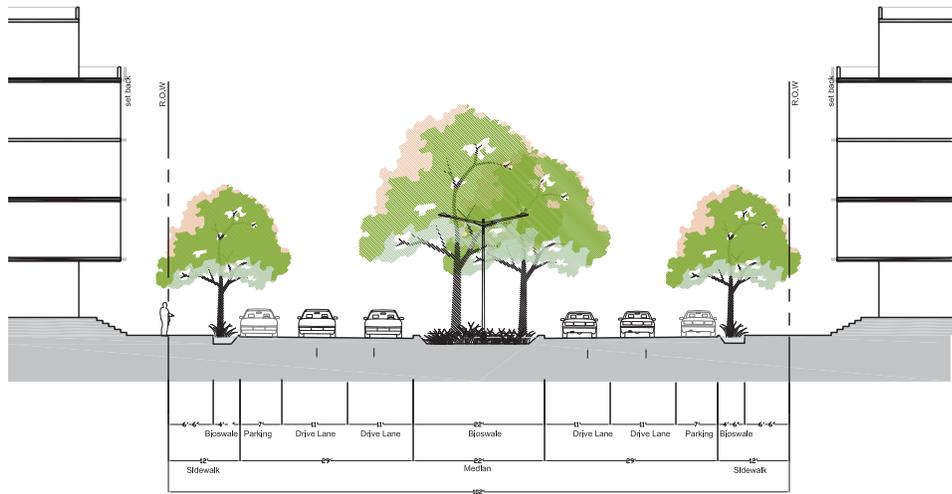
1. Street trees shall be required on streets in the MGID streets (except on alleys).
2. Street trees shall be planted approximately 4 feet behind the curb line.
3. Street tree spacing shall be an average of 30 feet on center (measured per block face) along all streets.
4. The minimum caliper size (caliper 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) 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 40 sf. However, the tree well area shall be no smaller than 16 sf.
5. Boulevard trees shall be required in the median and spacing and species type shall be maintained along a street.
6. Spacing shall be an average of 30 feet on center (measured per block face) along all streets.

7. 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.
8. Species shall include plants 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, Eight Edition, January 2013.
9. 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, Eight Edition, January 2013.
10. 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, Eight Edition, January 2013.
11. Street trees shall not conflict with the Utility Easements as defined in the Pearland Engineering Design Criteria Manual, June 2007.

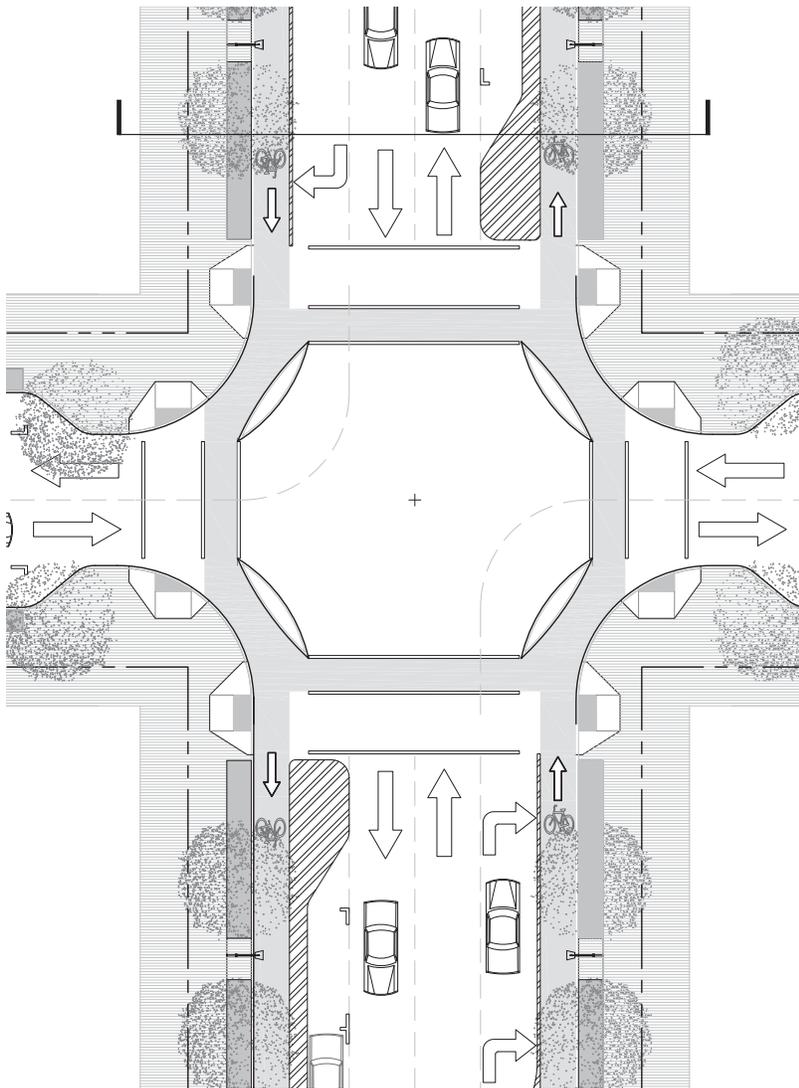
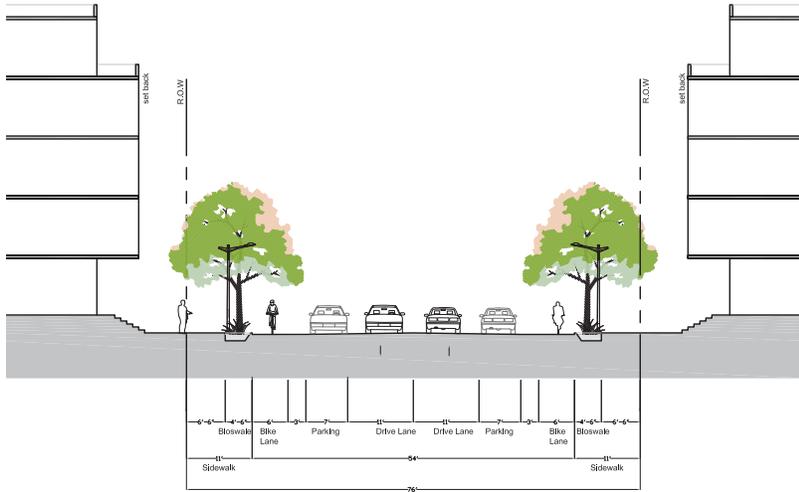
G. Street Furniture, Lighting, and Materials

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 2 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 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 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 for streets are required to be concrete paving and are required to meet the minimum design performance specifications per the Pearland Engineering Design Criteria Manual, June 2007.
8. Materials for sidewalk paving shall be pavers or concrete paving that will meet the minimum design performance specifications per the Pearland Engineering Design Criteria Manual, June 2007.
9. Materials selected for street furniture shall be of durable quality and require minimal maintenance.
10. The specific terms related to the maintenance of light standards, street furniture, and sidewalk paving materials located within the sidewalks and roads dedicated to the city shall be outlined in the Development Agreement between the MGID and the City of Pearland. The Development agreement shall be in place before any site work permit can be applied for.
11. The design of all Public Open Space shall meet the standards and criteria set fourth by The MGID Master Landscape and Park Plan and designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.

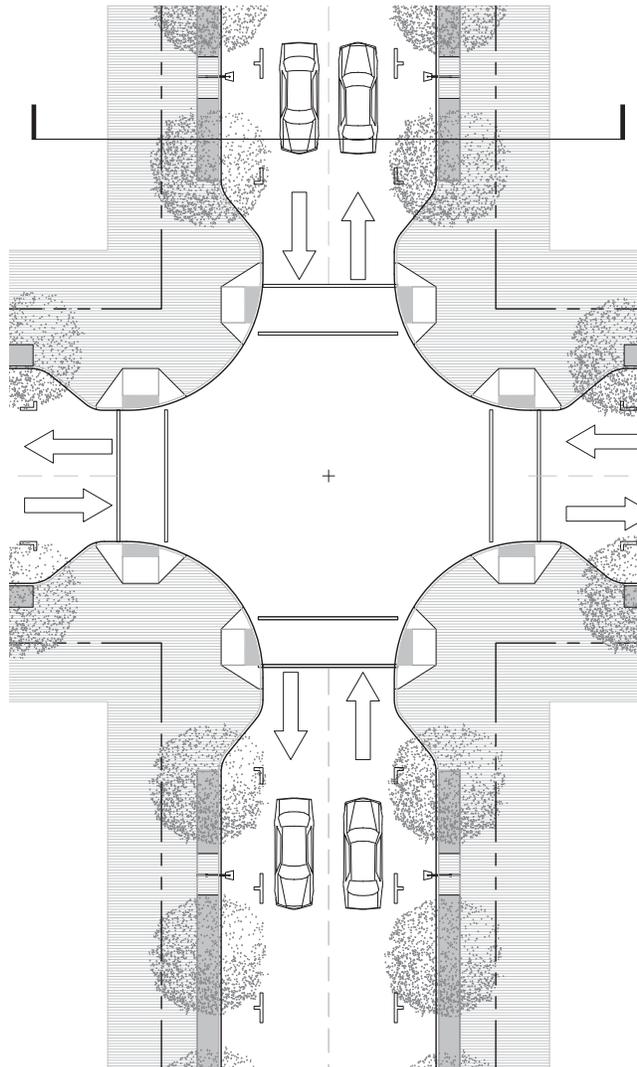
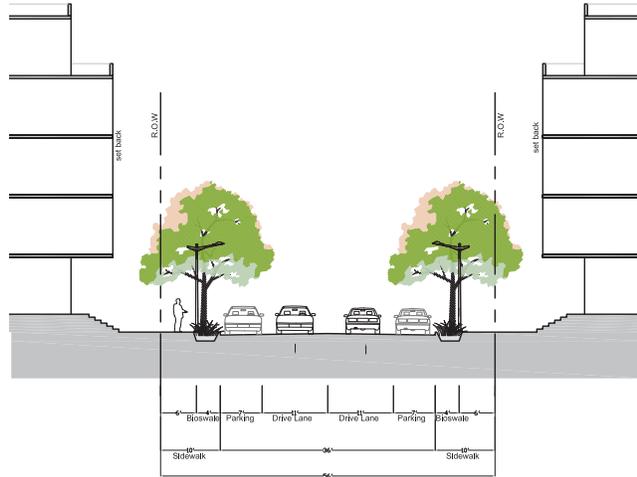
- H.** All utility service lines shall be located underground along all streets. Any determination on whether utilities are prominent shall be made by the Planning Director.



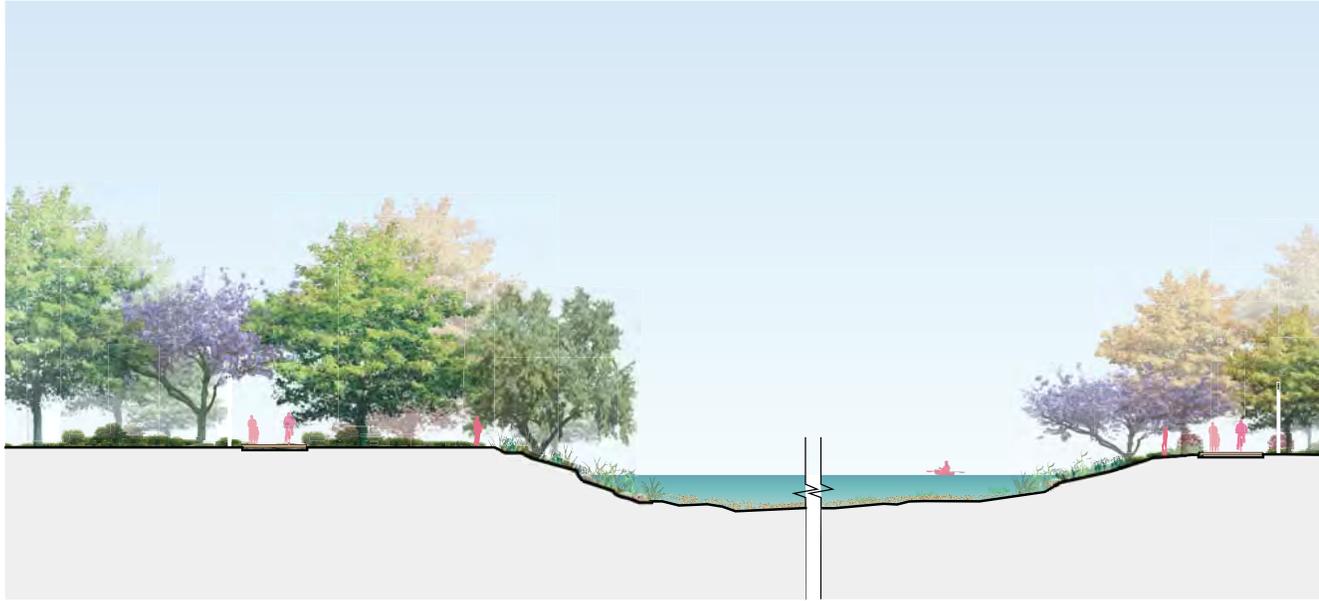
“Boulevard” Street Type - 104' R.O.W. to R.O.W.



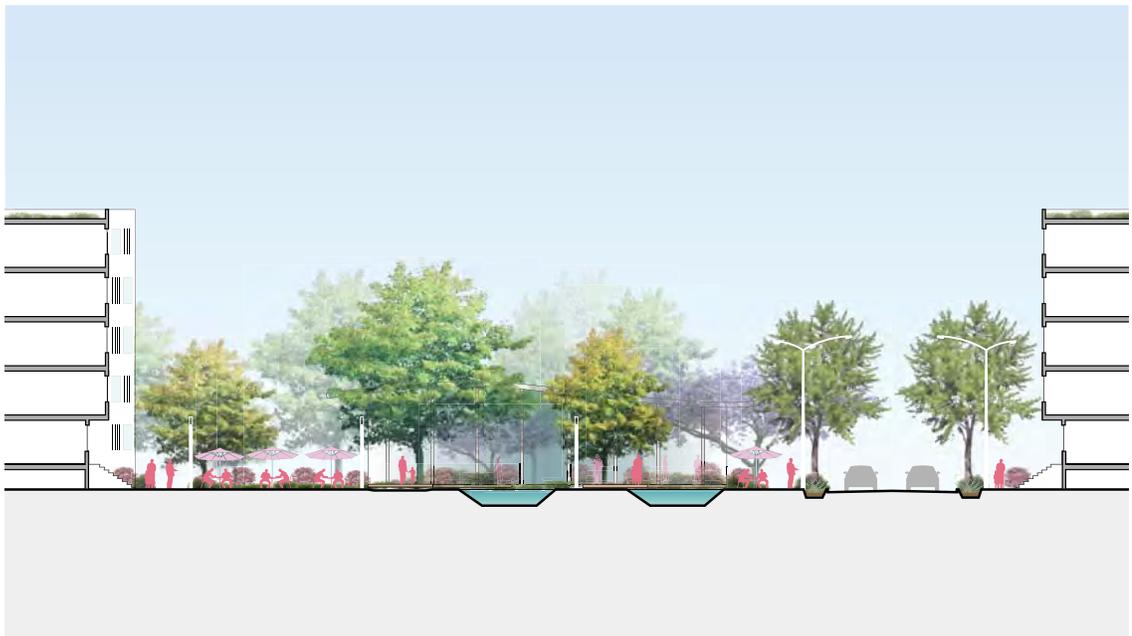
"Neighborhood Collector" Street Type - 76' R.O.W. to R.O.W.



"Local" Street Type - 56' R.O.W. to R.O.W.



Clear Creek Recreational Park



Parkside Green



Art & Culture Park



Standards and Criteria

Permeable Paving Permeable paving zones meet all current industry standards and best practices. Permeable paving may be utilized where permitted per the Pearland Engineering Design Criteria Manual, June 2007.

Color Alternative sidewalk paving is encouraged and may include a pigmented concrete with sandblasted finish and saw-cut joints. Once chosen, sidewalk material should be consistent throughout each street type.

Asphalt Paving Asphalt paving shall be prohibited.

Master Street Furniture Plan The MGID Master Street Furniture Plan shall be designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.

Key Design Components and Concepts

Paving

The ground plane within the public realm plays a critical role in both maximizing site permeability as well as enhancing the character of the MGID as a pedestrian focused neighborhood. In order to encourage a modern, simple neighborhood aesthetic, the paving palette is intended to be limited to a small range of textures and colors. The use of recycled or renewable materials, when possible, is encouraged. Materials for sidewalks are permitted to be pavers or concrete paving that will meet the minimum design performance requirements per the Pearland Engineering Design Criteria Manual, June 2007. All streets must be concrete and meet the minimum strength requirement of the Pearland Engineering Design Criteria Manual, June 2007 and a Geotech Report signed and sealed by a Texas Professional Engineer.



Standards and Criteria

- Durability** Bicycle parking shall be chosen to convey longevity and simplicity.
- Aesthetic** Bicycle parking shall be modern, minimal and urbane in character and shall not include historic replications.
- Character** Bicycle parking shall be consistent in order to provide a cohesive character to the neighborhood, with a consistent spacing, materials, color scheme and patterns.
- Design Vocabulary** Once chosen, bicycle parking should use a consistent design vocabulary throughout the neighborhood.
- Master Street Furniture Plan** The MGID Master Street Furniture Plan shall be designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.

Bicycle Parking

Bicycle parking and other public amenities are intended to support the design and function of streets and open spaces and enhance the character of the MGID as a pedestrian and bicyclist focused neighborhood. Bicycle parking is encouraged to be made of durable and vandal-resistant materials such as stainless steel or other heavy duty materials where appropriate.



Standards and Criteria

Durability Site furnishings shall be chosen to convey longevity and simplicity.

Aesthetic Site furnishings shall be modern, minimal and urbane in character and shall not include historic replications.

Character Site furnishings shall be consistent in order to provide a cohesive character to the neighborhood, with a consistent spacing, materials, a color scheme and patterns.

Design Vocabulary Once chosen, trash and recycling receptacles and bollards should use a consistent design vocabulary throughout the neighborhood.

Master Street Furniture Plan The MGID Master Street Furniture Plan shall be designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.

Site Furnishings

Materials, site furnishings and other public amenities described in this section are intended to support the design and function of streets and open spaces, while aesthetically enhancing the public character of the MGID as a pedestrian focused neighborhood. Bollards and trash and recycling bins are intended to have a consistent design vocabulary throughout the neighborhood.



Standards and Criteria

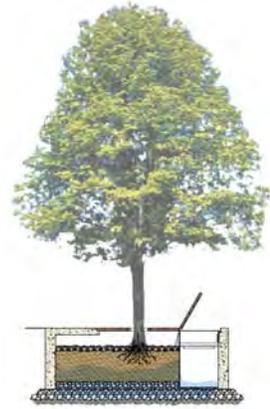
Aesthetic Lighting types shall be modern, minimal and urbane in character and shall not include historic replications.

Appropriate Light Levels Lighting levels and fixture types shall be selected according to the use of each fixture type. For instance, bollards and other lighting fixtures that illuminate the ground plane but do not directly illuminate adjacent residential units shall be considered in courtyards and the Town Center Ivy Square.

Master Site Lighting Plan The MGID Master Site Lighting Plan shall be designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.

Lighting

Lighting is intended to be attractive and visually engaging, while providing public safety and enhancing the character of the MGID as a pedestrian focused neighborhood. Certain areas of the MGID neighborhood are intended to have lower lighting levels, such as the Clear Creek Recreational Area where it is important to minimize light pollution so as not to disturb wildlife and maintain a natural setting. A master lighting plan shall be designed in accordance with all city of Pearland engineering requirements and policies before any site work permit can be applied for.



Standards and Criteria

Storm Drainage Network The storm drainage network including bioswales, bio-gutters, tree wells, pervious paving, ponds, cisterns, and open space shall meet all current industry standards and best practices and Pearland Engineering Design Criteria Manual, June 2007.

Hydrology All rainwater shall be fed and connected into the overall site hydrology system as illustrated in the Site Hydrology Diagram, p. 65, and the Drainage Regulating Plan (Appendix H).

Master Landscape and Park Plan The MGID Master Landscape and Park Plan shall be designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.

Bioswales

Bioswales located within the sidewalks throughout the MGID street network are designed for storm water runoff conveyance that provides an alternative to storm sewers. They can absorb low flows or carry runoff from heavy rains to storm sewer inlets or directly to surface waters. Bioswales improve water quality by infiltrating the first flush of storm water runoff and filtering the large storm flows they convey. The maintenance of bioswales will be the responsibility of the owner.



Standards and Criteria

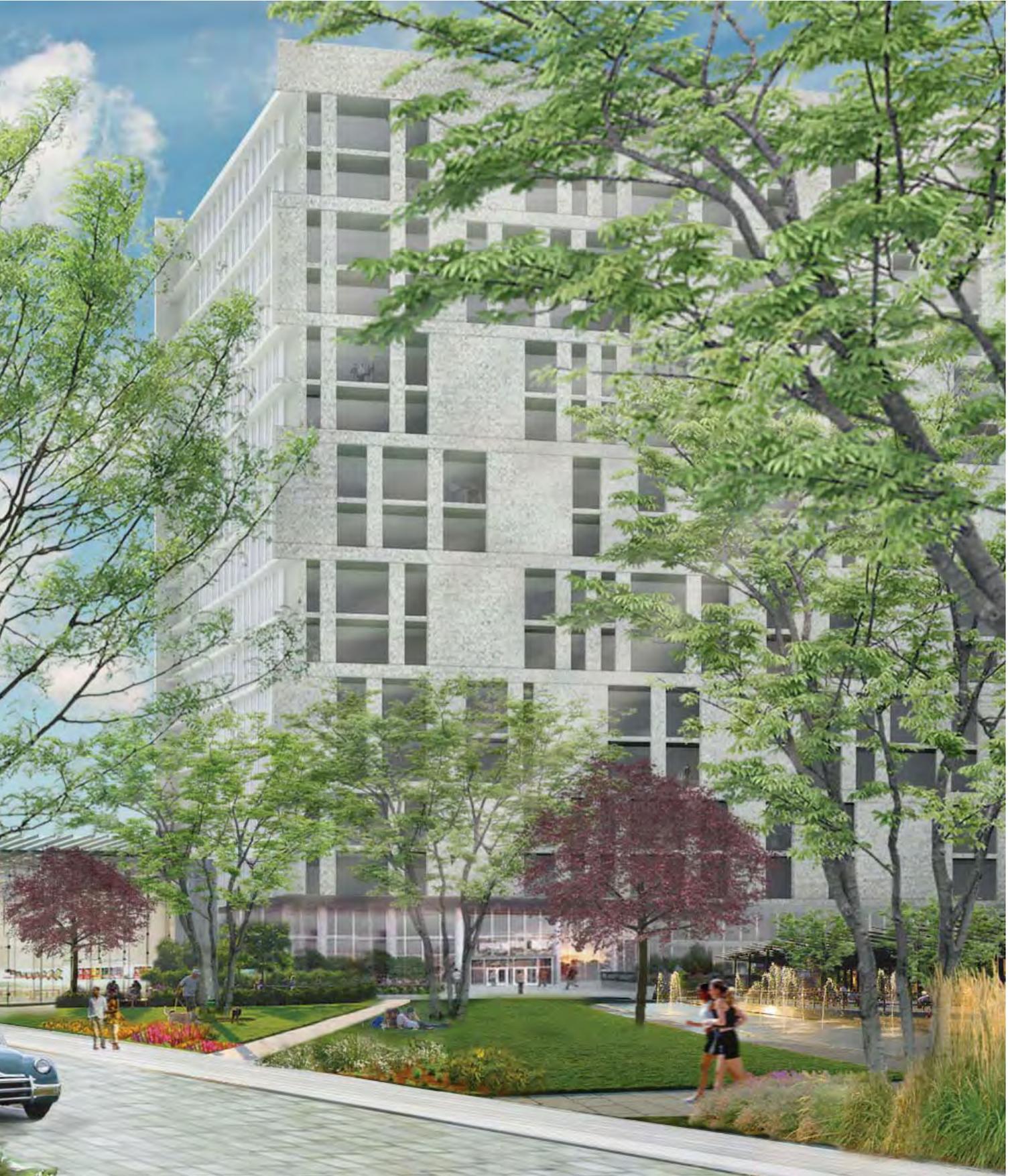
- Durability** Pedestrian bridge design shall ensure longevity and simplicity.
- Aesthetic** Pedestrian bridges shall be modern, minimal and urbane in character and shall not include historic replications.
- Character** Pedestrian bridge shall be consistent with the character of the neighborhood, with a consistent spacing, materials, a color scheme and patterns.
- Design Vocabulary** Once chosen, bridge design vocabulary should be consistent throughout the neighborhood.
- Master Street Furniture Plan** The MGID Master Landscape and Park Plan shall be designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.

Pedestrian Bridge Design

Pedestrian bridges shall be located within Public Open Space. Design of pedestrian bridges in the MGID shall take the urban context into consideration including pedestrian amenities, architectural detailing, railings, and appropriate materials. The images in this section are intended to provide examples of pedestrian bridges. The incorporation of public art is also encouraged to provide a unique sense of place and identity to the landscaped open space.



Note: Renderings reflect design vision and final design may vary.



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, 8th Edition, January 2013, as amended, City Standards and the Texas Municipal Uniform Traffic Control Devices, latest edition.

- 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.
- B.** The MGID shall develop a “Master Signage and Wayfinding Plan” for review and approval by the city manager and the city council before a site work permit is applied for. The Master Signage and Wayfinding Plan shall be based on the following design guidelines:
 - 1.** Promotes consistency among signs within the MGID thus creating visual harmony between signs, buildings, and other components of the district;
 - 2.** Enhances the compatibility of signs with the architectural and site design features within the MGID;
 - 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.

TABLE 10.1			
Sign Type	Town Center	Parkside Neighborhood	Standard
Wall (Building or Attached) Signs	P	P (Commercial and live-work uses only)	<ul style="list-style-type: none"> - 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. - 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. - 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. - Live-Work and Home occupations: One sign limited to an area of 20 sq. feet max. - Building sign may encroach a maximum of 12" on to a sidewalk while maintaining a vertical clearance of 8 feet from the finished sidewalk. - Building signs may be externally lit. - Marquee signs as only permitted as specified below.
Monument Signs	P	NP	<p>One monument sign at the project entry for the purposes of identifying the project or district.</p> <ul style="list-style-type: none"> - Shall be in compliance with the Pearland Unified Development Code, 8th Edition, January 2013.
Window Signs	P	P (Commercial and live-work uses only)	<p>Limited to 20% of the window area.</p> <p>The following shall be exempt from this limitation:</p> <ul style="list-style-type: none"> - Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs; - Mannequins and storefront displays of merchandise sold; and - Interior directory signage identifying shopping aisles and merchandise display areas. - Shall be in compliance with the Pearland Unified Development Code, 8th Edition, January 2013.
Building Blade Signs	P	P (Commercial and live-work uses only)	<ul style="list-style-type: none"> - One per building (commercial and mixed use buildings only). - Area = 30 sq. feet maximum per sign face. - May encroach a maximum of 6 feet over a sidewalk, but shall not encroach over any parking or travel lane. - Building blade signs may be attached to the building at the corners of building or along any street facing façade above the first floor façade.
Tenant Blade Signs	P	P (Commercial and live-work uses only)	<ul style="list-style-type: none"> - One per commercial tenant space (retail, office, or restaurant use). - Area = 16 sq. feet maximum per sign face. - May encroach a maximum of 4 feet over a public sidewalk, but shall not encroach over any parking or travel lane. - 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.
Marquee Signs	P	NP	<ul style="list-style-type: none"> - Permitted for theaters, auditoriums, and other public gathering venues of 100 persons or more. - Marquee signs shall be attached to the building or located above or below a canopy only. - Area = 100 sq. feet maximum. - 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. - Electric Marquee signs shall have an accessible disconnect switch and shall be labeled to indicate the voltage and amperage of electrical circuits connected to the sign.
For Sale/For Lease Signs	P	P	Same as City of Pearland Sign Regulations
Address Signs	P	P	Same as City of Pearland Sign Regulations
Temporary Construction Signs	P	P	Same as City of Pearland Sign Regulations
Banners	P	P	Same as City of Pearland Sign Regulations
Sandwich Board Signs	P	P (Commercial and live-work uses only)	<ul style="list-style-type: none"> - Permitted only for retail, service, or restaurant uses. - Limited to 12 sq. feet per sign face per storefront. - Sign may not exceed 4 feet in height. - A minimum of 6 feet of sidewalk shall remain clear. - Chalkboards may be used for daily changing of messages. - Readerboards (electronic and non-electronic) shall be prohibited. - Sign shall be removed every day after the business is closed.
Light Pole Banners	P	P	<ul style="list-style-type: none"> - Permitted only with approval of the City. - Must allow for 8 ft. clear height below banner. - Max. 10 sq. feet per sign face. - Limited to one per light pole. - All light pole banners shall be approved by the appropriate utility company prior to consideration by the City. - Light pole banners shall be limited to publicize community-wide events, holiday celebrations, public art, and other city sponsored events.
Directory Signs	P	P (Commercial and live-work uses only)	<ul style="list-style-type: none"> - Shall be allowed for all multi-tenant commercial and mixed use buildings only. - One directory sign per multi-tenant building limited to 12 sq. feet in area. - Design of the sign shall be integral to the façade on which the sign is to be affixed.
Pole Signs	NP	NP	
LED Signs	NP	NP	

11 | PUBLIC OPEN SPACE & PRIVATE OPEN SPACE STANDARDS

- A.** This chapter establishes the Public Open Space and Private Open Space Standards for MGID. The Sub-District/ Open Space Regulating Plan designates several areas for different designated and recommended Public Open Space types within MGID. The detailed Public Open Space Standards for each type are included in this portion of the PD. 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, 8th Edition, January 2013. The design of all Public Open Space shall meet the standards and criteria set fourth by The MGID Master Landscape and Park Plan and designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.
- B. Private Open Space Standards:** Given the mixed use nature of the MGID, all residential development within MGID shall meet the Private Open Space standards established in this portion of the PD. Table 11.1 establishes the Private Open Space requirement based on the proposed intensity of residential development.



Standards and Criteria

Balconies that are not flush shall be a minimum of 5 feet clear in depth and a minimum of 8 feet in width.
 Balconies may be semi-recessed or recessed. Projecting metal or slab balconies are only permitted if they have some means of visible support.

Standards and Criteria

Patios shall be a minimum of 150 sq.ft.
 Patios shall have a clear sense of enclosure and separation from the public realm.

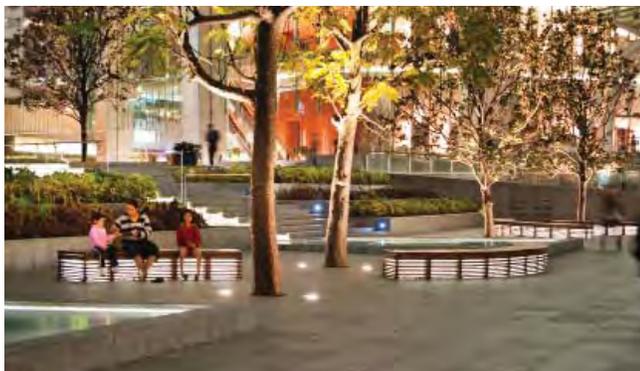
Key Design Components and Concepts

Balconies

A balcony 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.

Patios

A patio 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 Mediterranean dwellings.



Standards and Criteria

Courtyards shall be surrounded on all sides by buildings with at least one pedestrian connection to an adjoining building or public sidewalk.
The courtyard shall be a minimum of 200 square feet.
Courtyard may be landscaped or a combination of landscape and hardscape. However, they shall contain amenities for residents such as seating, water features, etc.

Courtyards

A Courtyard 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 shall be designed to connect to adjacent buildings or to the public sidewalk through a pedestrian passage.

Standards and Criteria

A Forecourt shall be surrounded on at least two sides by buildings.
A Forecourt shall be a minimum of 150 square feet.

Forecourts

A Forecourt 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.



Standards and Criteria

The minimum width shall be 15 feet wide.

Pedestrian Passages

A Pedestrian Passage 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 shall consist of a hardscape pathway activated by frequent entries and exterior stairways. The edges may simply be landscaped with minimal planting and potted plants.



Standards and Criteria

Playgrounds shall be a minimum of 400 sq.ft

Playgrounds

Playgrounds shall be permitted in parks and greens to provide open space designed and equipped for the recreation of children. These playgrounds shall 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. A larger playground may be incorporated into the park, whereas a more intimate playground may be incorporated into the green.



Standards and Criteria

Maximum size shall be 1 acre.
 Gardens shall be enclosed by a fence on all open sides.
 Fences shall be installed straight and plumb, with vertical supports at a minimum of 8' on center. Chicken wire, if used, shall be continuously supported along all edges.
Fencing Materials:
 Permitted: pressure treated wood (must be painted or stained medium to dark color), chicken wire, wrought iron, painted galvanized steel Not permitted: chain link, bobbed wire, vinyl, un-painted/stained pressure treated wood, plywood.

Community Gardens

A Community Garden 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). The specific size and location of the Community Gardens will be outlined in the Master Landscape and Park Plan The MGID Master Landscape and Park Plan shall be designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.



Standards and Criteria

A Roof Terrace shall be at least be 50% of the building footprint area.
 A Roof Terrace shall provide landscaping in the form of potted plants, seating, and other amenities for the users of the building.
 A Roof Terrace may also include a portion of the roof as a green roof which may or may not have public access.

Roof Terraces

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.



TABLE 11.1 - PRIVATE OPEN SPACE REQUIREMENTS

Phase	Private Open Space Required
Phase 1*	The development shall provide: <ul style="list-style-type: none"> - At least 50% of all residential units fronting on a street, public Public Open Space, forecourt, or courtyard shall provide one balcony or patio; or - One playground or other Private Open Space amenity All other Private Open Spaces are optional.
Phase 2*	The development shall provide: <ul style="list-style-type: none"> - At least 50% of all residential units fronting on a street, Public Open Space, fore court, or courtyard shall provide one balcony or patio; and - One playground area or other Private Open Space amenity All other Private Open Spaces are optional
Phase 3*	Any 3 of the Private Open Spaces in the list above and access to Public Open Space such as a park, plaza, square or green.

* The phasing referenced in Table 11.1 shall relate to the first phase in which any residential building or buildings are built, not necessarily that of the phasing plan (Appendix G)

Standards and Criteria

Such Private Open Space may be incorporated with roof terraces or courtyards based on the appropriateness of the design and accommodation of privacy.

Other (pool, play courts, picnic area, etc.)

Other Private Open Space could include a pool (swimming, lap pool, spa area), play courts (basket ball), or picnic areas with shade structures.



Note: Renderings reflect design vision and final design may vary.



- C. Public Open Space Standards.** The design of public Public Open Space shall be regulated by the Public Open 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 are 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 guidelines within which the MGID intends to meet the goals of this section of the PD. All proposed Public Open Space within the MGID shall compliance with the following key design components and concepts. The design of all Public Open Space shall meet the standards and criteria set fourth by The MGID Master Landscape and Park Plan and designed in accordance with all City of Pearland engineering requirements and policies, for review and approval by the city before any site work permit can be applied for.
- D.** The area of Required Open Space can be found on Table 6.2.



Typical Characteristics General Character

Large, open space defined by landscaping and building frontages. Detention and retention, paths, trails, open shelters, lawns, trees and shrubs naturally disposed to provide space for special events.

Location and Size

Location and size shall be as shown on the Sub-District/Open Space Regulating Plan (Appendix A).

Typical Uses

Unstructured and passive recreation.
Casual seating/picnicking.
Outdoor concerts and special events.

Key Design Components and Concepts

Art & Cultural Park

The Art & Cultural Park will create an important public space that connects the Clear Creek Recreation Park with the MGID and allows for active and passive recreation, as well as provides space for outdoor music and special events. The Art & Cultural Park shall primarily be naturally landscaped with many places to sit on benches or low walls. Passive recreation activities in the park includes grassy lawn for unstructured and informal active recreational activities. Appropriate civic elements, fountains or open shelters may be included.



Typical Characteristics General Character

Provide an active and publicly accessible open space and recreational area and storm water detention area along Clear Creek. Primarily multi-use paths along the creek. Use includes café seating for up to one restaurant, which shall meet the requirements of all City Codes and Ordinances. Precise size and design shall be determined by the Drainage Study to be completed prior to application for a site work permit.

Location and Size

Location and size shall be as shown on the Sub-District/Open Space Regulating Plan (Appendix A).

Typical Uses

Commercial activity will be limited to one 3,500 sf restaurant.
 Passive recreation, casual seating, picnicking, walking, biking, jogging, and strolling.

Clear Creek Recreational Park / Regional Stormwater Detention Area

The Clear Creek Recreational Park is intended to provide an active open space along Clear Creek at the southern edge of the project. The area is also a significant element of the regional detention strategy for the MGID and takes advantage of the Clear Creek Floodway, as well as the city’s proposed “Lower Kirby Regional Detention Facility”, study dated July 2013, which is located on the south western edge of the 48.5 acre MGID site. The intent is to create a vibrant and active edge along the creek and regional detention area with recreational activities. The Clear Creek Recreational Park provides a casual place for residents and visitors to the MGID to walk, bike, or jog. The Clear Creek Recreational Park shall be defined by multi-use pathways, as well as landscaped open space. The Clear Creek Recreational Park shall include limited hardscape areas with benches and areas for casual seating. All amenities located in the Clear Creek Recreational Park shall also meet the standards of the Harris County Flood Control District. Public use of amenities that overlap with the Harris County Flood Control District water shed space shall be outlined in the Development Agreement between Modern Green and the city prior to application for any site permit and also must be approved by both the Harris County Flood Control District and the Pearland Department of Parks & Recreation.



Typical Characteristics General Character

Open space 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 Sub-District/Open Space Regulating Plan (Appendix A).

Typical Uses

Unstructured and passive recreation.
 Casual seating.
 Commercial and civic uses.
 Residential address.

Parkside Green Standards

The Parkside Green will serve as an important public space for the MGID. The green will be available for civic purposes, commercial activity, unstructured recreation and other passive uses. The green 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. The Parkside green is the heart of the Parkside Neighborhood Sub District.



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 Sub-District/Open Space Regulating Plan (Appendix A). Size shall range from 0.5 to 1 acres.

Typical Uses

- Casual seating.
- Civic or minor commercial uses.
- Outdoor concerts and special events.
- Commercial and civic uses.

Ivy Square Standards

Ivy Square serves as an open space available for civic purposes, commercial activity, unstructured recreation and other passive uses. The square shall 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 shall be provided. A civic element or small structure such as an open shelter, pergola, or fountain may be provided within the square. Ivy Square is located at the heart of the Town Center Sub-District.



Typical Characteristics General Character

- Formal open space.
- Primarily hardscape surfaces.
- Trees and shrubs are required.
- Spatially defined by building frontages.

Location and Size

Location shall be as shown on the Sub-District/Open Space Regulating Plan (Appendix A). 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.

Plaza Standards

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



Typical Characteristics General Character

Formal character shall complement style of surrounding buildings. One or more open sides or covered area that provides shade and shelter. Small, stand alone structure may be located within a Park, Green, Square or Plaza.

Location and Size

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

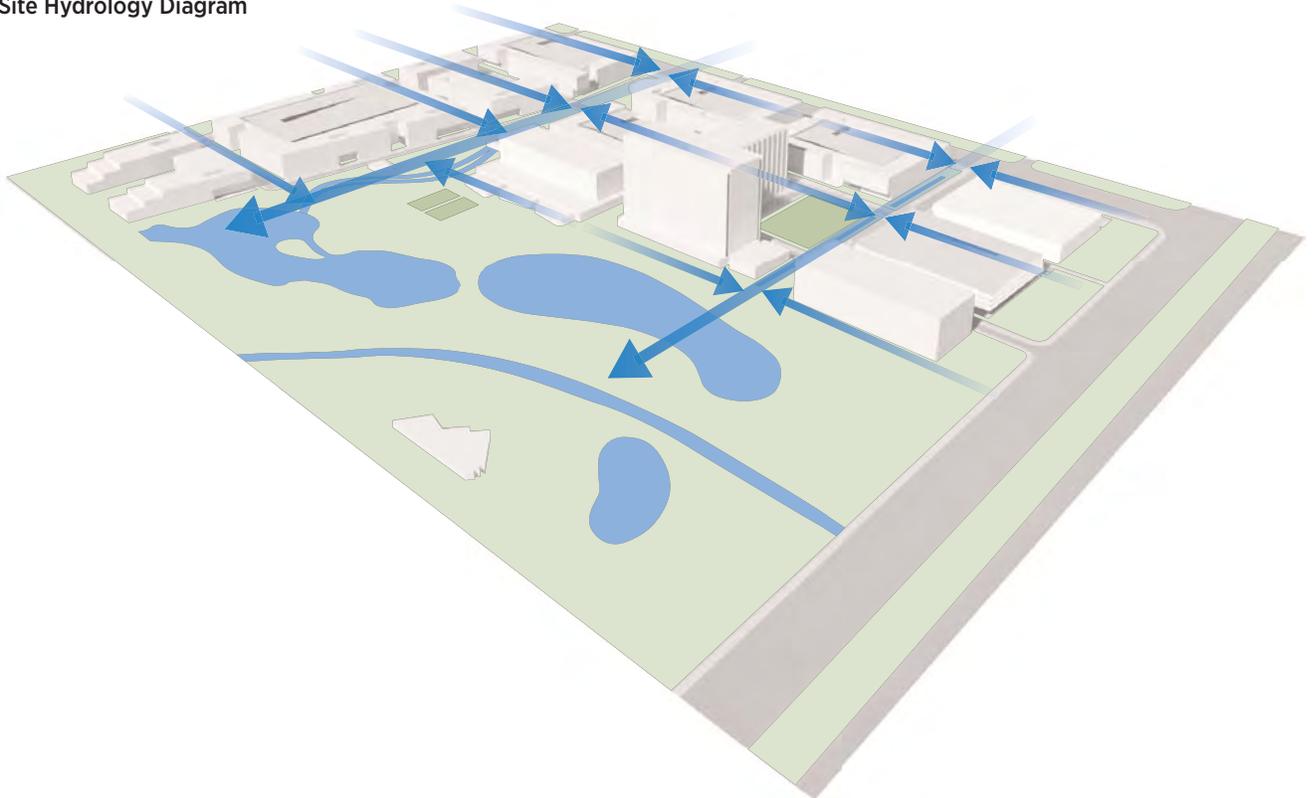
Typical Uses

Civic or minor commercial uses. Casual seating/picnicking, or recreational support facilities.

Ancillary Structure Standards

Ancillary structures within public Public Open Spaces shall be formal in character and generally related to, but clearly subordinate to surrounding buildings. Each individual structure shall keep in character or complement the style of nearby buildings. Typically, these structures are located at prominent locations within an appropriate Public Open Space. Ancillary structures located in the Town Center Sub-District 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.

Site Hydrology Diagram



Typical Characteristics General Character

Storm Drainage Network The storm drainage network including bioswales, bio-gutters, tree wells, pervious paving, ponds, cisterns, and open space shall meet all current industry standards and best practices and Pearland engineering requirements and policies.

Hydrology All rainwater shall be fed and connected into the overall site hydrology system as illustrated in the site hydrology diagram.

Location and Size

Precise size and design shall be determined by the Drainage Study to be completed prior to application for a site work permit.

Typical Uses

Site Hydrology elements shall overlap with the general use and location of Open Space and Park features found on the Sub-District/Open Space Regulating Plan (Appendix A).

Site Hydrology

All drainage systems must meet the requirements of the City of Pearland and Harris County Flood Control District. The proposed storm drain system will be designed to convey storm water via bioswales, bio-gutters, ponds, tree wells, and the Clear Creek corridor. Rainwater runoff will flow on the surface of the ground eliminating the need for a conventional, fully piped storm drain system while increasing bio-filtration and infiltration. The storm drain system is also meant to include a series of detention ponds located throughout the Clear Creek Recreation area to provide storage and reduce the peak rate of discharge from the site. One of the goals of the storm drain system is to infiltrate runoff from small storm events into the aquifer below the MGID. Permeable surfaces will be installed where possible in order to help increase infiltration. These surfaces include pedestrian walkways and other low-traffic areas.



Note: Renderings reflect design vision and final design may vary.



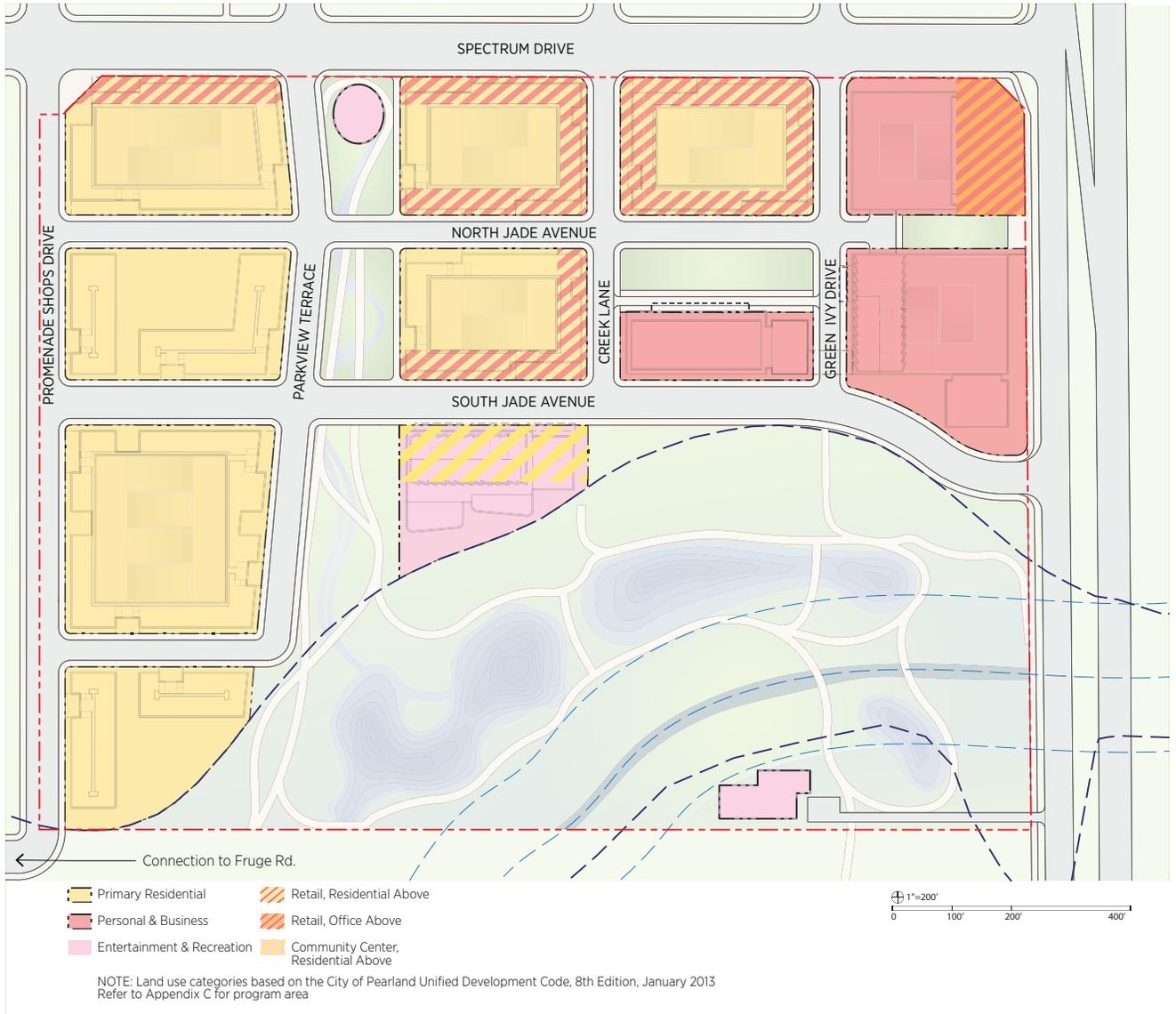
The image is a green-tinted architectural rendering of a modern building complex. In the foreground, a large, leafless tree stands on the left. A vintage convertible car is parked on a paved area. In the middle ground, a courtyard with a paved walkway, several trees, and a few people is visible. In the background, a large, multi-story building with a grid of windows and a flat roof is shown. The entire scene is overlaid with a semi-transparent green filter.

APPENDICES

Appendix A Sub-District/Open Space Regulating Plan



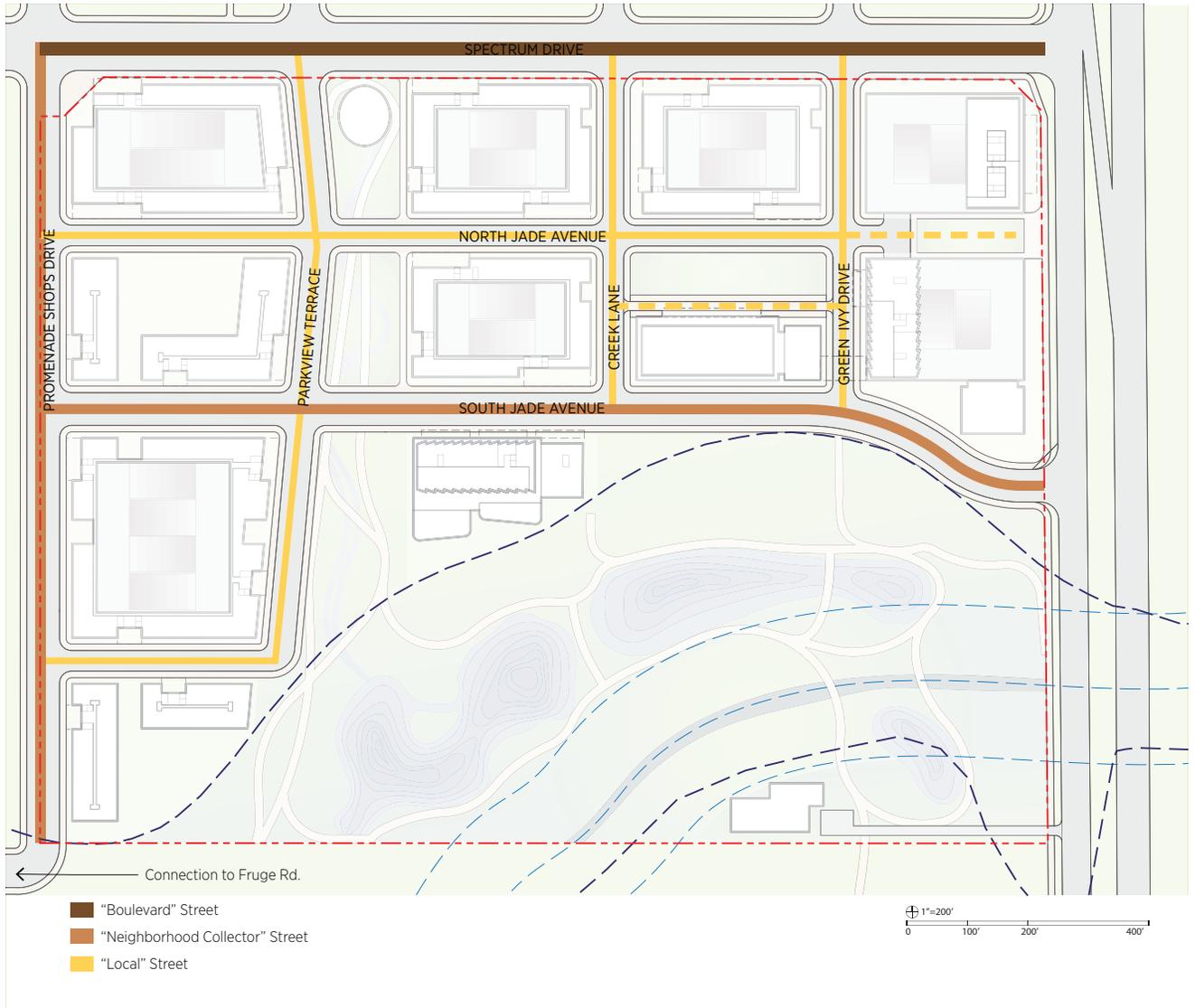
Appendix B Land Use Regulating Plan



Appendix C Program Area Regulating Plan



Appendix D Street Network Regulating Plan



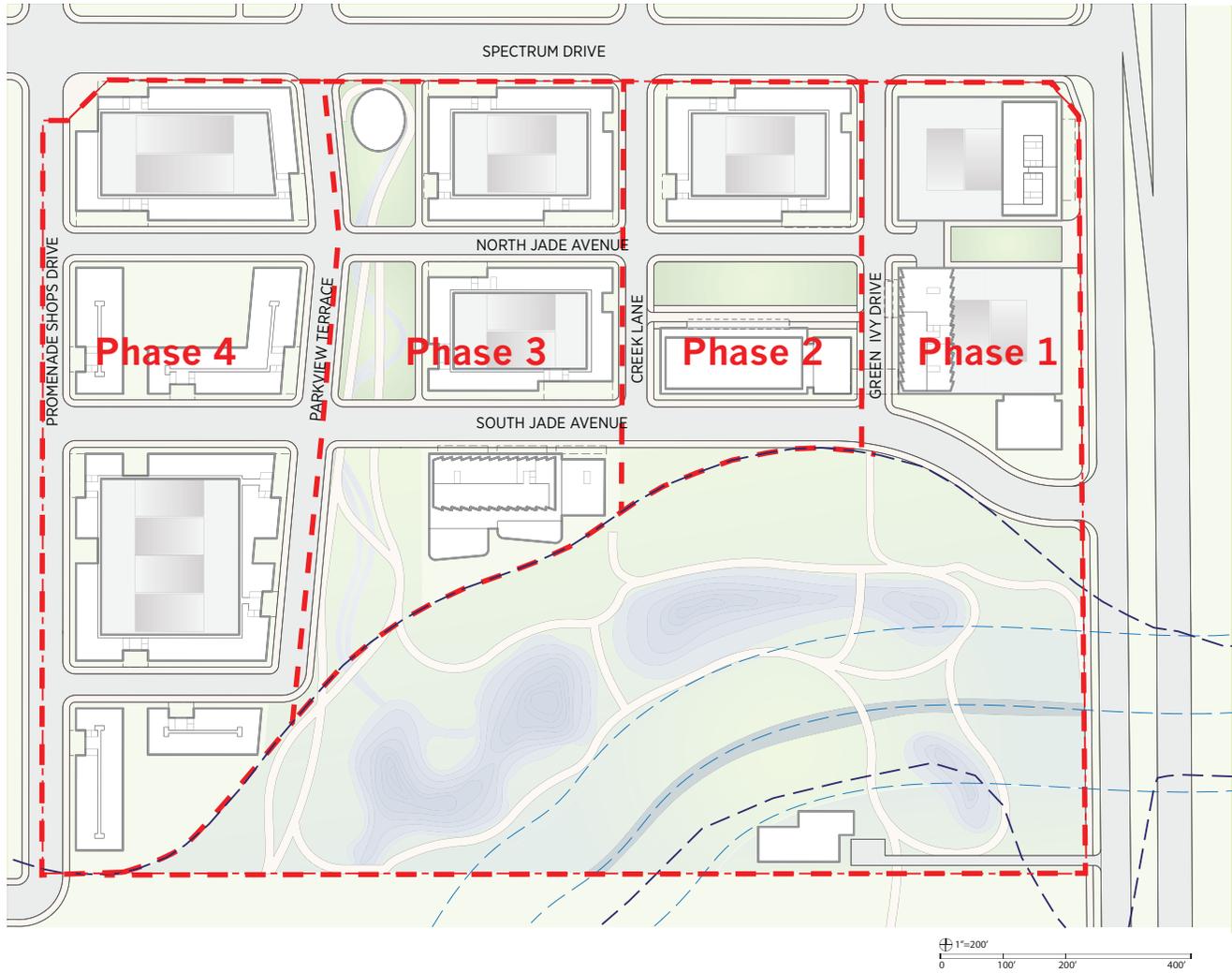
Appendix E Setback Regulating Plan



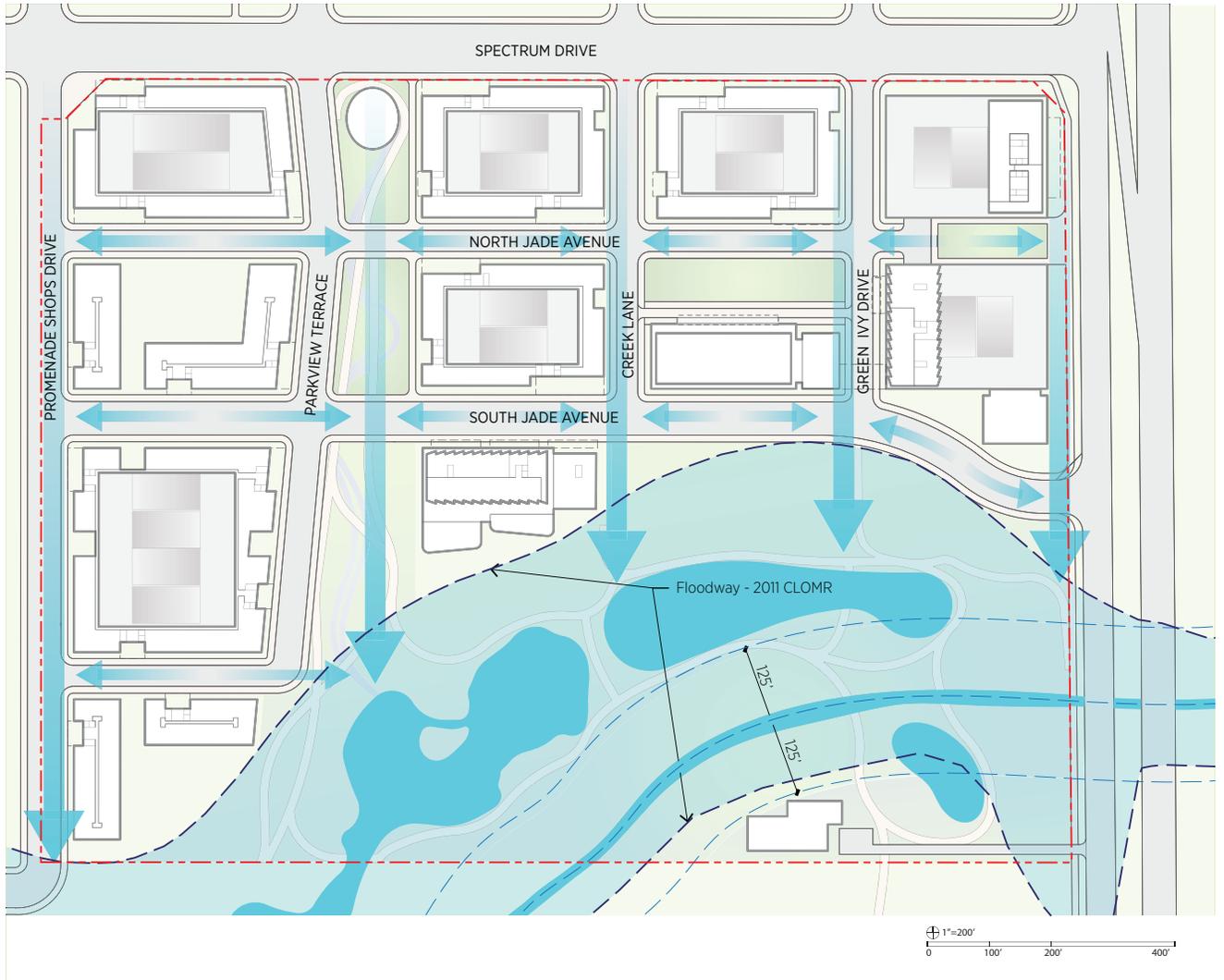
Appendix F Service and Loading Regulating Plan



Appendix G Phasing Regulating Plan



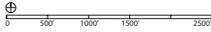
Appendix H Drainage Regulating Plan



Appendix I Illustrative Plan



Appendix J Location Map



LEGAL DESCRIPTION

No. 4743 P. 7

①

That portion of Lot 5 of the Subdivision of the James Hamilton Survey, Abstract No. 831, a portion lying within Harris County, Texas and the remainder lying within Brazoria, Texas, according to the map or plat thereof recorded in Volume 83, Page 342 of the Deed Records of Harris County, Texas, being described by metes and bounds description as follows;

Being a tract of land containing 48.4712-acres (2,111,404 square feet) out of 50.4429-acre tract situated in the James Hamilton Survey, A-881 in Harris County, Texas and said 50.4429-acre tract being all of a tract described as a 50.4589-acre tract as conveyed unto Ruth Y. Fruge, Dennis D. Fruge, Paul Fruge Jr. and Gary A. Fruge as recorded in Volume 63, Page 342 D.R.H.C. deed and also being out of a called 80.00-acre tract conveyed unto Paul Fruge as recorded in Volume 3298, Page 117 D.R.B.C. and Volume 683, Page 471 D.R.B.C. and all being out of Harris County and Brazoria County, Texas. Said 48.4712-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found for the Southwest corner of said 50.4429-acre tract and for a point in the North line of a 39.0027-acre tract of land as conveyed unto Elizabeth M. Powers in File No. R564784 O.P.R.R.P.H.C. and for the Southeast corner of a 10-acre tract as conveyed unto E.A. Mayor et Al as recorded in Volume 5775, Page 89 D.R.H.C. and for the Southwest corner of said tract herein described;

THENCE North 02 18' 50" West coincident with the East line of said 10-acre tract and the West line of said 50.4429-acre tract, a distance of 1,235.18 feet to a 1/2-inch iron rod set for the Southwest corner of a 1.9718-acre tract as conveyed unto the City of Pearland in a deed as recorded in File no. 20060103333 O.P.R.R.P.H.C. and for the Southernmost Northwest corner of said tract herein described;

THENCE North 87 38' 49" East coincident with the South line of said 1.9718-acre tract, a distance of 50.00 feet to a 1/2-inch iron rod set for a cutback corner of said 1.9718-acre tract and for a corner of said tract herein described;

THENCE North 42 37' 02" East coincident with the South line of said 1.9718-acre tract, a distance of 49.53 feet to a 1/2-inch iron rod set for the northernmost Southwest cutback corner of said 1.9718-acre tract and for a corner in the North line of said tract herein described;

THENCE North 87 35' 14" East coincident with the South line of said 1.9718-acre tract, a distance of 1,538.60 feet to a 1/2-inch iron rod set for a Northernmost Southeast cutback corner in the South line of said 1.9718-acre tract and for the Northernmost Northeast corner of said tract herein described;

THENCE South 47 42' 04" East coincident with said South line of said 1.9718-acre tract, a distance of 49.75 feet to a 1/2-inch iron rod set for the Southernmost Southeast cutback corner of said 1.9718-acre tract and for a point in the West right-of-way line of State Highway 288 being a 10.105-acre as conveyed unto the Texas State Highway Department in Volume 7709, Page 340 D.R.H.C. and for the Southernmost Northeast corner of said tract herein described;

THENCE South 02 51' 39" East coincident with said West right-of-way of State Highway 288, a distance of 1,235.11 feet to a 1/2-inch iron rod set for the Southeast corner of said 50.4429-acre tract and for the Northeast corner of said Powers tract and for the Southeast corner of said tract herein described;

THENCE South 87 35' 07" West coincident with the South line of said 50.4429-acre tract and the North line of said Powers tract, a distance of 1,670.00 feet to the POINT OF BEGINNING, containing in all 48.4712-acre (2,111,404 square feet) of land, more or less.

Note: The Company is prohibited from insuring the area or quantity of land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

NOT PROHIBITED HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS UNLAWFUL AND UNENFORCEABLE UNDER FEDERAL LAW THE STATE OF TEXAS COUNTY OF HARRIS I hereby certify that this instrument was FILED in the number designated on this date and it has stamped hereon by me and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

Return To Texas Nat'lors Title 3 Riverway, Suite 725 Houston, TX 77056

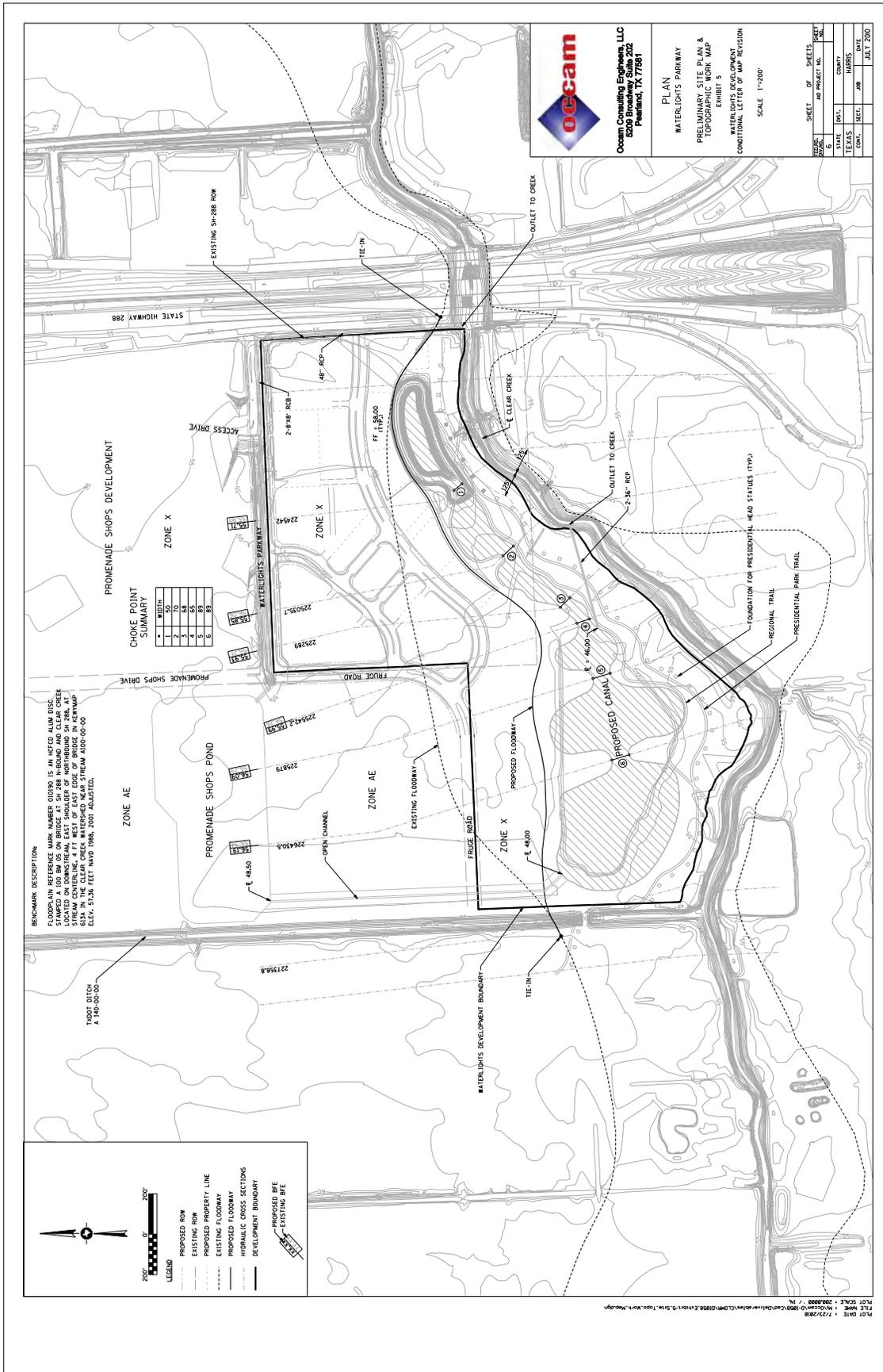
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FEB 26 2007



County Clerk
HARRIS COUNTY, TEXAS

Appendix M Revised 2011 CLOMR Plan





Federal Emergency Management Agency

Washington, D.C. 20472

May 31, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
Case No.: 10-06-3168R

The Honorable Tom Reid
Mayor, City of Pearland
3519 Liberty Drive
Pearland, TX 77581

Community: City of Pearland, TX
Community No.: 480077

104

Dear Mayor Reid:

This responds to a request that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) comment on the effects that a proposed project would have on the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for Brazoria and Harris Counties, Texas, and Incorporated Areas (the effective FIRM and FIS report for your community), in accordance with Part 65 of the National Flood Insurance Program (NFIP) regulations. In a submitted report dated July 2010, Mr. Peter A. Polk, P.E., Occam Consulting Engineers, Inc., requested that FEMA evaluate the effects that proposed Waterlights Development project along A100-00-00 (Clear Creek), from approximately 8,150 feet downstream of State Route 288 to approximately 8,670 feet upstream of State Route 288, would have on the flood hazard information shown on the effective FIRM and FIS report. The proposed project will include excavation, placement of fill and a detention basin along the left overbank of A100-00-00 (Clear Creek), from approximately 200 feet upstream of State Route 288 to approximately 3,820 feet upstream of State Route 288. The area of the proposed revision is shown on Brazoria County, Texas, and Incorporated Areas, FIRM Panel numbers, 48039C0010 I and 48039C0030 I both dated September 22, 1999 and on Harris County, Texas, and Incorporated Areas, FIRM Panel numbers, 48201C1010 L and 48201C1030 L, both dated June 18, 2007.

All data required to complete our review of this request for a Conditional Letter of Map Revision (CLOMR) were submitted with letters from Mr. Polk.

Because this revision request also affects the unincorporated areas of Brazoria and Harris Counties, Texas, separate CLOMRs for those communities were issued on the same date as this CLOMR.

We reviewed the submitted data and the data used to prepare the effective FIRM for your community and determined that the proposed project meets the minimum floodplain management criteria of the NFIP. The submitted existing conditions HEC-RAS hydraulic computer model, dated March 4, 2010, based on updated topographic information, was used as the base conditions model in our review of the proposed conditions model for this CLOMR request. We believe that, if the proposed project is constructed as shown on the submitted topographic work map, entitled "Exhibit 5, Waterlights Development Conditional Letter of Map Revision Topographic Work Map," prepared by Occam Consulting Engineers, Inc., dated February 2011, and the data listed below are received, a revision to the FIRM and FIS report would be warranted.

Area Within Brazoria County

The effective Harris County modeling for A100-00-00 (Clear Creek) is being used as the basis of the preliminary modeling and mapping currently in progress for Brazoria County. Therefore, Harris County A100-00-00 (Clear Creek) modeling was used as the base conditions for the development of corrected effective/existing conditions model.

Our comparison of existing conditions to the effective flood hazard information revealed that the Base (1-percent-annual-chance) Flood Elevations (BFEs) increased and decreased compared to the effective BFEs for Clear Creek. The maximum increase in BFE for the project area and your community, 0.4 foot, occurred approximately 4,130 feet upstream of State Route 288. The maximum decrease in BFE for the project area and your community, 1.0 foot, occurred approximately 5,100 feet downstream of State Route 288. The increases and decreases in BFEs are due to updated topography and revised hydrology.

As a result of the proposed project, the BFEs will decrease compared to the existing conditions BFEs for Clear Creek. The maximum decrease in BFE for the project area and your community, 0.2 foot, will occur approximately 1,700 feet upstream of State Route 288.

As a result of the proposed project and updated topographic information, the BFEs will increase and decrease compared to the effective BFEs for Clear Creek. The maximum increase in BFE for the project area and your community, 0.3 foot, will occur approximately 4,130 feet upstream of State Route 288. The maximum decrease in BFE, 1.0 foot for the project area and your community, will occur approximately 5,100 feet downstream of State Route 288.

As a result of the proposed project and updated topographic information, the width of the Special Flood Hazard Area (SFHA), the area that would be inundated by the base flood, will increase and decrease compared to the effective SFHA width along Clear Creek. No increase in SFHA width will occur for your community. The maximum increase in SFHA width for the project area, approximately 5,730 feet, will occur approximately 790 feet upstream of State Route 288. The maximum decrease in SFHA width for the project area, approximately 1,810 feet, will occur approximately 3,070 feet downstream of State Route 288. No decrease in SFHA width will occur for your community.

As a result of the updated topographic information and the proposed project, the width of the regulatory floodway will increase and decrease compared to the effective floodway width along Clear Creek. The maximum increase in floodway width for the project area, approximately 1,200 feet, will occur approximately 6,550 feet upstream of State Route 288. The maximum increase in floodway width for your community, approximately 120 feet, will occur approximately 2,740 feet upstream of State Route 288. The maximum decrease in floodway width for the project area, approximately 510 feet, will occur approximately 1,130 feet downstream of State Route 288. The maximum decrease in floodway width for your community, approximately 130 feet, will occur approximately 5,100 feet downstream of State Route 288.

Area Within Harris County

Our comparison of existing conditions to the effective flood hazard information revealed that the BFEs increased and decreased compared to the effective BFEs for A100-00-00 (Clear Creek). The maximum increase in BFE for the project area and your community, 0.2 foot, occurred approximately 4,480 feet upstream of State Route 288. The maximum decrease in BFE for the project area and your community, 0.2 foot, occurred approximately 900 feet upstream of State Route 288. The increases and decreases in BFEs are due to updated topography and revised hydrology.

As a result of the proposed project, the BFEs will decrease compared to the existing conditions BFEs for A100-00-00 (Clear Creek). The maximum decrease in BFE for the project area and your community, 0.2 foot, will occur approximately 1,700 feet upstream of State Route 288.

As a result of the proposed project and updated topographic information, the BFEs will increase and decrease compared to the effective BFEs for A100-00-00 (Clear Creek). The maximum increase in BFE for the project area and your community, 0.1 foot, will occur approximately 4,480 feet upstream of State Route 288. The maximum decrease in BFE for the project area and your community, 0.4 foot, will occur approximately 900 feet upstream of State Route 288.

As a result of the proposed project and updated topographic information, the SFHA width will decrease compared to the effective SFHA width along A100-00-00 (Clear Creek). The maximum decrease in SFHA width for the project area and your community, approximately 4,200 feet, will occur approximately 2,290 feet upstream of State Route 288.

As a result of the updated topographic information and the proposed project, the width of the regulatory floodway will decrease compared to the effective floodway width along A100-00-00 (Clear Creek). The maximum decrease in floodway width for the project area and your community, approximately 630 feet, will occur approximately 2,170 feet upstream of State Route 288.

Upon completion of the project, your community may submit the data listed below and request that we make a final determination on revising the effective FIRM and FIS report.

- Detailed application and certification forms must be used for requesting final revisions to the maps. Therefore, when the map revision request for the area covered by this letter is submitted, Form 1, entitled “Overview and Concurrence Form,” must be included. (A copy of this form is enclosed.)
- The detailed application and certification forms listed below may be required if as-built conditions differ from the preliminary plans. If required, please submit new forms (copies of which are enclosed) or annotated copies of the previously submitted forms showing the revised information.

Form 2, entitled “Riverine Hydrology and Hydraulics Form”

Hydraulic analyses, for as-built conditions, of the base flood; the 10-percent-, 2-percent-, and 0.2-percent-annual-chance floods; and the regulatory floodway must be submitted with Form 2.

- As-built plans, certified by a registered Professional Engineer, of all proposed project elements.
- A topographic work map showing the revised and effective floodplain and floodway boundaries.
- A copy of the annotated FIRM, at the scale of the effective FIRM, showing the revised floodway and base floodplain boundary delineations and a clear tie-in with the effective delineations at the upstream and downstream ends of the revised reach.

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- A copy of the public notice distributed by your community stating its intent to revise the regulatory floodway, or a statement by your community that it has notified all affected property owners and affected adjacent jurisdictions.
- Documentation of individual legal notices that were sent to property owners affected by any widening or shifting of the SFHA, and any increases in BFEs.
- An officially adopted maintenance and operation plan for the detention pond. This plan, which may be in the form of a written statement from the community Chief Executive Officer, an ordinance, or other legislation, must describe the nature of the maintenance activities, the frequency with which they will be performed, and the title of the local community official who will be responsible for ensuring that the maintenance activities are accomplished.
- We are preparing a revised countywide FIRM and FIS report for Brazoria County. Preliminary copies of the revised FIRM and FIS report will be distributed for review in next several months. The ongoing preliminary study encompasses a portion of the reach for which this CLOMR is being issued. Upon completion of the project for which this CLOMR is issued, the BFEs and SFHA/floodway boundary delineations must tie into the revised flood hazard information.

Effective January 13, 2010, FEMA revised the fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps. In accordance with this schedule, the current fee for this map revision request is \$5,000 and must be received before we can begin processing the request. Please note, however, that the fee schedule is subject to change, and requesters are required to submit the fee in effect at the time of the submittal. Payment of this fee shall be made in the form of a check or money order, made payable in U.S. funds to the National Flood Insurance Program, or by credit card (Visa or MasterCard only).

The payment, along with the revision application, must be forwarded to the following address:

FEMA LOMC Clearinghouse
7390 Coca Cola Drive, Suite 204
Hanover, MD 21076

After receiving appropriate documentation to show that the project has been completed, FEMA will initiate a revision to the FIRM and FIS report. Because the BFEs would change as a result of the project, a 90-day appeal period would be initiated, during which community officials and interested persons may appeal the revised BFEs based on scientific or technical data.

This CLOMR is based on minimum floodplain management criteria established under the NFIP. Your community is responsible for approving all floodplain development and for ensuring all necessary permits required by Federal or State law have been received. State, county, and community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If the State, county, or community has adopted more restrictive or comprehensive floodplain management criteria, these criteria take precedence over the minimum NFIP criteria.

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If you have any questions regarding floodplain management regulations for your community or the NFIP in general, please contact the Consultation Coordination Officer (CCO) for your community. Information on the CCO for your community may be obtained by calling the Director, Mitigation Division of FEMA in Denton, Texas, at (940) 898-5127. If you have any questions regarding this CLOMR, please contact the FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627).

Sincerely,



Michael J. McGinn, Program Specialist
Engineering Management Branch
Federal Insurance and Mitigation Administration

For: Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation
Administration

Enclosures

cc: The Honorable Ed Emmett
Harris County Judge

The Honorable Joe King
Brazoria County Judge

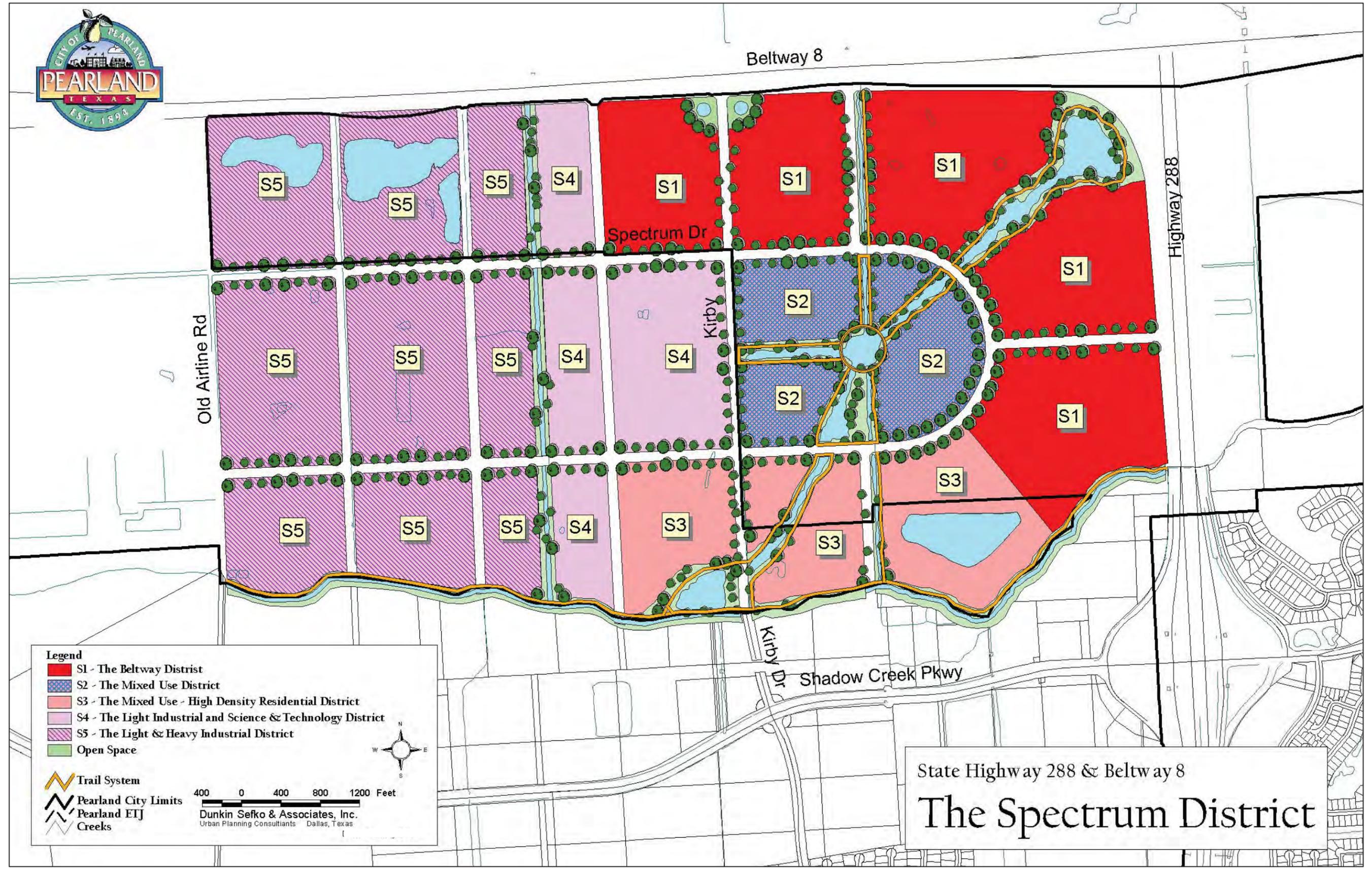
Mr. Narciso Lira III, P.E.
City Engineer, City of Pearland

Ms. Kelly Hamby, CFM
Floodplain Administrator, Brazoria County

Mr. Raymond Anderson, P.E., CFM
Manager of Permits, Harris County

Mr. Mark Loethen, P.E., CFM
City Engineer, City of Houston

Mr. Peter A. Polk, P.E.
Occam Consulting Engineers, LLC



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 EIJ
- Creeks

Scale: 0 400 800 1200 Feet

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

State Highway 288 & Beltway 8

The Spectrum District

