



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, MARCH 28, 2016, AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Zoning Change Application No. 2016-05Z**

A request of Allemand/Windrose Land Services, applicant; on behalf of Lingo Southgate Ltd., owner; for approval of a change in zoning from the Residential Estate (R-E) and Single Family Residential – 2 (R-2) zoning districts to a General Business (GB) zoning district; on approximately 3.8662 acres of land.

**Legal Description:** Being a tract or parcel containing 3.8662 acres or 168,441 square feet of land situated in the H.T. & B.R.R. company Survey, Section 81, Abstract 300, Brazoria County, Texas, being the residue of Reserve "B", first amending plat of Southgate Section One, as thereof recorded under Volume 24, Page 123, Brazoria County Plat records, conveyed Lingo Southgate, Ltd. as recorded in Brazoria County Clerk's File No. 01-053025, Brazoria County, Texas.

**General Location:** West side of Kirby Drive approximately 1,500 feet south of Broadway Street, Pearland, TX.

**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 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**



## Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: March 18, 2016

Re: Zone Change Application No. 2016-05Z

A request of Allemand/Windrose Land Services, applicant; on behalf of Lingo Southgate Ltd., owner; for approval of a change in zoning from the Residential Estate (R-E) and Single Family Residential – 1 (R-1) zoning districts to a General Business (GB) zoning district; on approximately 3.8662 acres of land, Pearland, TX.

General Location: West side of Kirby Drive approximately 1,500 feet south of Broadway Street, Pearland, TX.

### **Summary of Request**

The applicant is requesting a zone change to allow for development of a mini-warehouse/self-storage facility. The subject property is located on the west side of Kirby Drive, across from the southernmost entrance of the Pearland Town Center, and approximately 1,500 feet south of Broadway Street. Pearland Fire Station No. 5 is adjacent to the property to the north, and an entrance to the new Shadow Creek High School is located south of the site.

The proposed use is permitted in business, commercial, or industrial districts with the approval of a CUP. Approval for a self-storage facility at this location a two-step process. The first step is to rezone the property from Single Family Estate District (R-E) and Single Family Residential-1 (R-1) to General Business (GB) and the second step is to apply for a Conditional Use Permit (CUP). A concurrent application has been submitted requesting a CUP.

### **Recommendation**

Staff cannot recommend approval of the requested zone change from Single-Family Estate (RE) and Single-Family Residential-2 (R-2) zoning districts to General Business (GB) on the approximately 3.8662 -acre site for the following reasons:

1. The proposed development does not comply with the land use designation of the Future Land Use Plan (FLUP). This area is proposed for public and semi-public uses.
2. The Future Land Use Plan (FLUP) indicates this location, in close proximity not only to the Town Center, but also, to an intersection of two Thoroughfares, as a Major Retail Node. Retail nodes are customer oriented activity centers of complementary retail, office, and service uses. Self-storage is a use that is quiet and generating little traffic, and therefore it is not expected to contribute to the vibrancy of this designated retail node. Self-storage facilities should not be located at prime retail corners. The use is better suited for locations that are behind retail uses or within industrial districts.

Staff further recommends a change of zoning from Single-Family Estate (RE) and Single-Family Residential-2 (R-2) zoning districts to Office Professional (OP) for the following reasons:

1. The OP zoning district is intended to permit a variety of business, office and retail development and would conform to the land use designation of the FLUP and better complement Shadow Creek High School and Fire Station uses as well as, the retail uses located on Kirby Drive and at the Pearland Town Center. A mini-storage facility is not allowed in an OP zoning district.

### **Site History**

This area was incorporated into Pearland in 1996. The subject property is currently undeveloped, and is split zoned Single-Family Estate (RE) and Single-Family Residential-2 (R-2) zoning districts. In addition, the property falls within the boundaries of the Corridor Overlay District (COD).

The site is surrounded by a PUD and residentially zoned properties, however, uses are public, office, and retail uses. The below table identifies surrounding uses and zoning districts:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Pearland Town Center PUD	Fire Station and Water Storage
<b>South</b>	Single Family Estate District (R-E) and Single Family Residential-2 (R-2)	Shadow Creek High School, Southern Trails and Southgate Subdivisions
<b>East</b>	Pearland Town Center PUD	Detention Area and Town Center
<b>West</b>	Single Family Estate District (R-E), Single Family Residential-2 (R-2), and Ridge Rock PD	Shadow Creek High School

### **Conformance with the Comprehensive Plan**

The current zoning of RE and R-2 on the subject property does not conform with the future land use designation of the Comprehensive Plan. The Future Land Use Plan (FLUP) proposes Public/Semi-Public uses for this site. The Comprehensive Plan describes these uses as government-owned or operated buildings such as libraries, fire stations, or public schools and administrative buildings. With a few exceptions, most Public/Semi Public uses would require a zoning change or approval of a CUP.

### **Conformance with the Thoroughfare Plan**

According to City records, Kirby Drive is a secondary thoroughfare the expansion of Kirby Drive is nearing completion. Secondary thoroughfares are defined as having a minimum right-of-way width of 100 feet.

### **Conformance with the Unified Development Code**

The property is currently undeveloped. The applicant plans to develop the property as a self-storage facility. The lot requirements of the proposed GB zoning district are provided in the following table.

<b>General Business (GB) Area Regulations</b>	
<b>Size of Lot</b>	<b>Required</b>
Minimum Lot Size	22,500 sf.
Minimum Lot Width	150 ft.
Minimum Lot Depth	125 ft.

The property falls within The Corridor Overlay District (COD) and any development would be required to be in compliance with the COD requirements in addition to other UDC requirements.

### **Platting Status**

The property is platted as the First Amending Plat of South Gate Section 1, Lot Unrestricted Reserve B.

### **Availability of Utilities**

The subject property has access to City water and sanitary sewer infrastructure. A 12-inch water line exists along the west side of Kirby Drive, and a 12-inch sanitary sewer line runs along the east side of the street.

A storm drainage pipe exists through the property. Staff has spoken with Andrea Broughton, Brazoria County Drainage District #4 (BDD4) who stated that there is no easement recorded for this drainage pipe. Relocation of the pipe within a drainage easement may be possible but any applicant must work with the City and BDD4 to accomplish this. If the pipe cannot be relocated, no building can be built over a drainage pipe.

### **Impact on Existing and Future Development**

The requested zone change to GB not compatible with the existing development in the area as the GB zoning district allows an extensive variety of commercial uses. However, a zone change to OP would be compatible with existing development in the area as this district allows fewer uses and no outdoor uses are allowed in the OP district without a CUP.

### **Additional Comments**

The request has been reviewed by the City's Development Review Committee (DRC), and there were no additional comments from other departments at the time of this report.

### **Public Notification**

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

### **Opposition to or Support of Proposed Request**

Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request.

### **Exhibits**

1. Aerial Map

2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Notification List
6. Applicant Packet



# Exhibit 1

## AERIAL MAP

2016-05Z

**Kirby Dr. south  
of Broadway St.**



This product is for informational 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.

1 inch = 250 feet

FEBRUARY 2016  
PLANNING DEPARTMENT

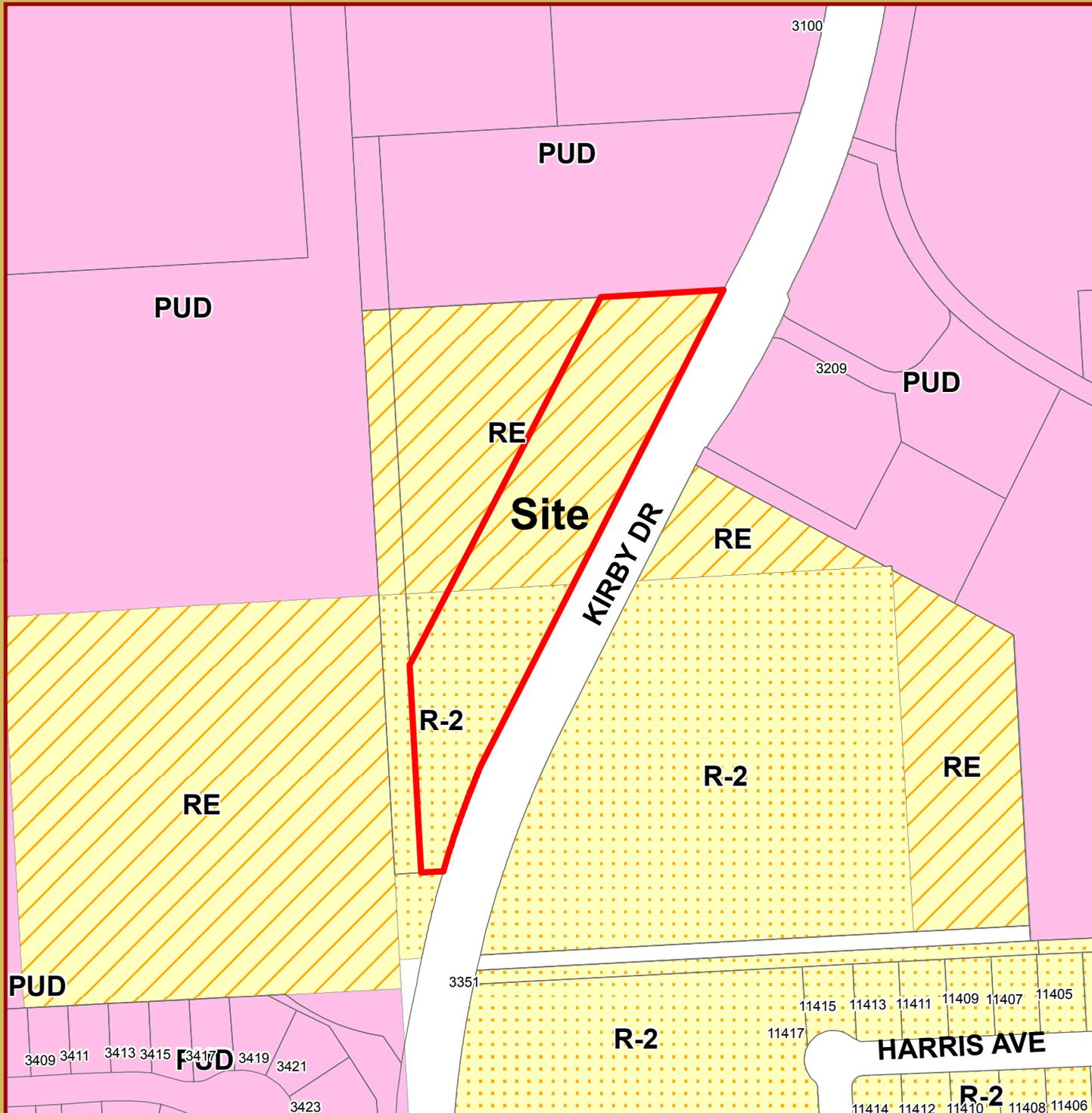


# Exhibit 2

## ZONING MAP

2016-05Z

Kirby Dr. south  
of Broadway St.

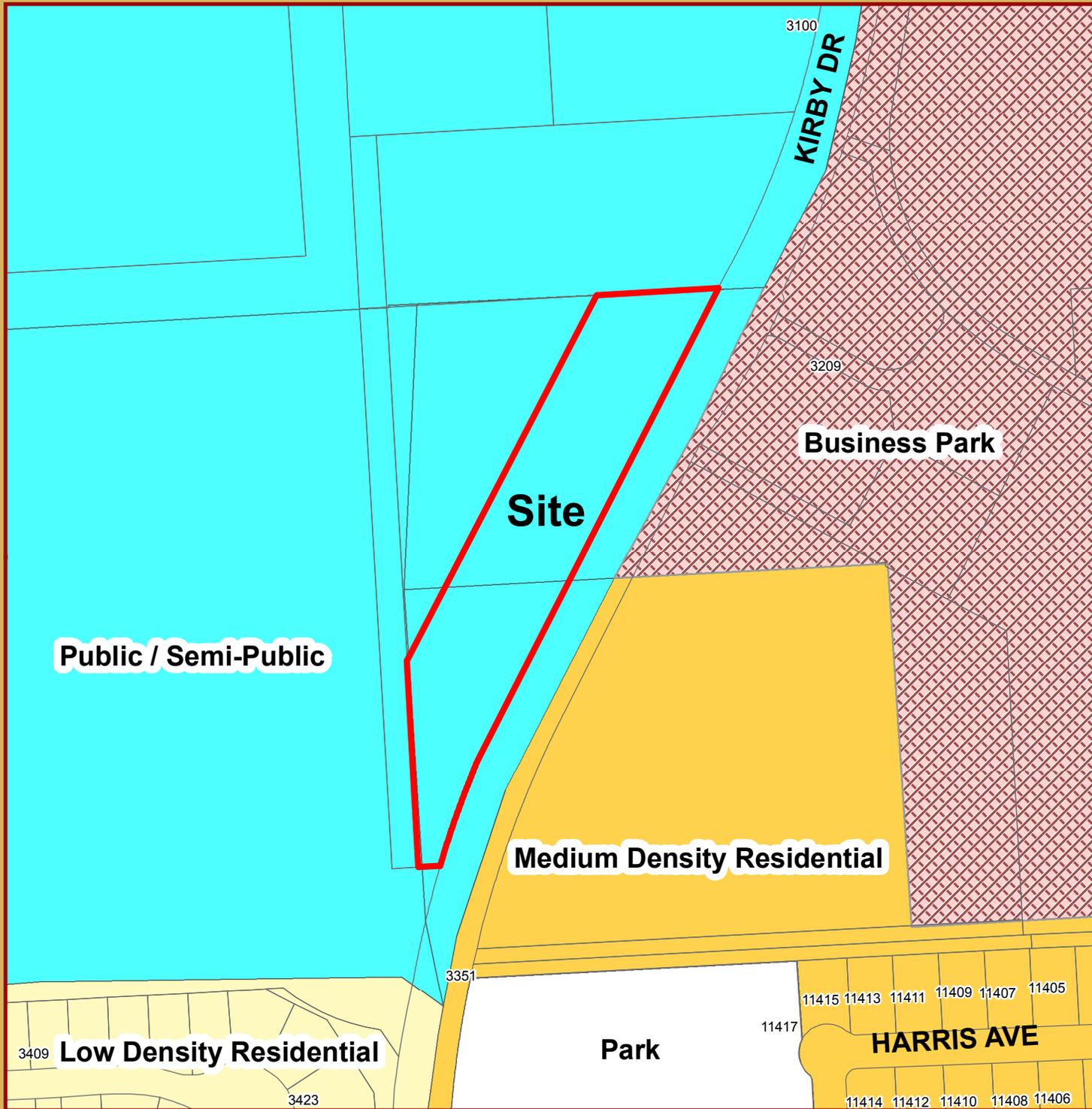


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1 inch = 250 feet

FEBRUARY 2016  
PLANNING DEPARTMENT





# Exhibit 3

## FLUP MAP

2016-05Z

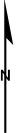
**Kirby Dr. south  
of Broadway St.**

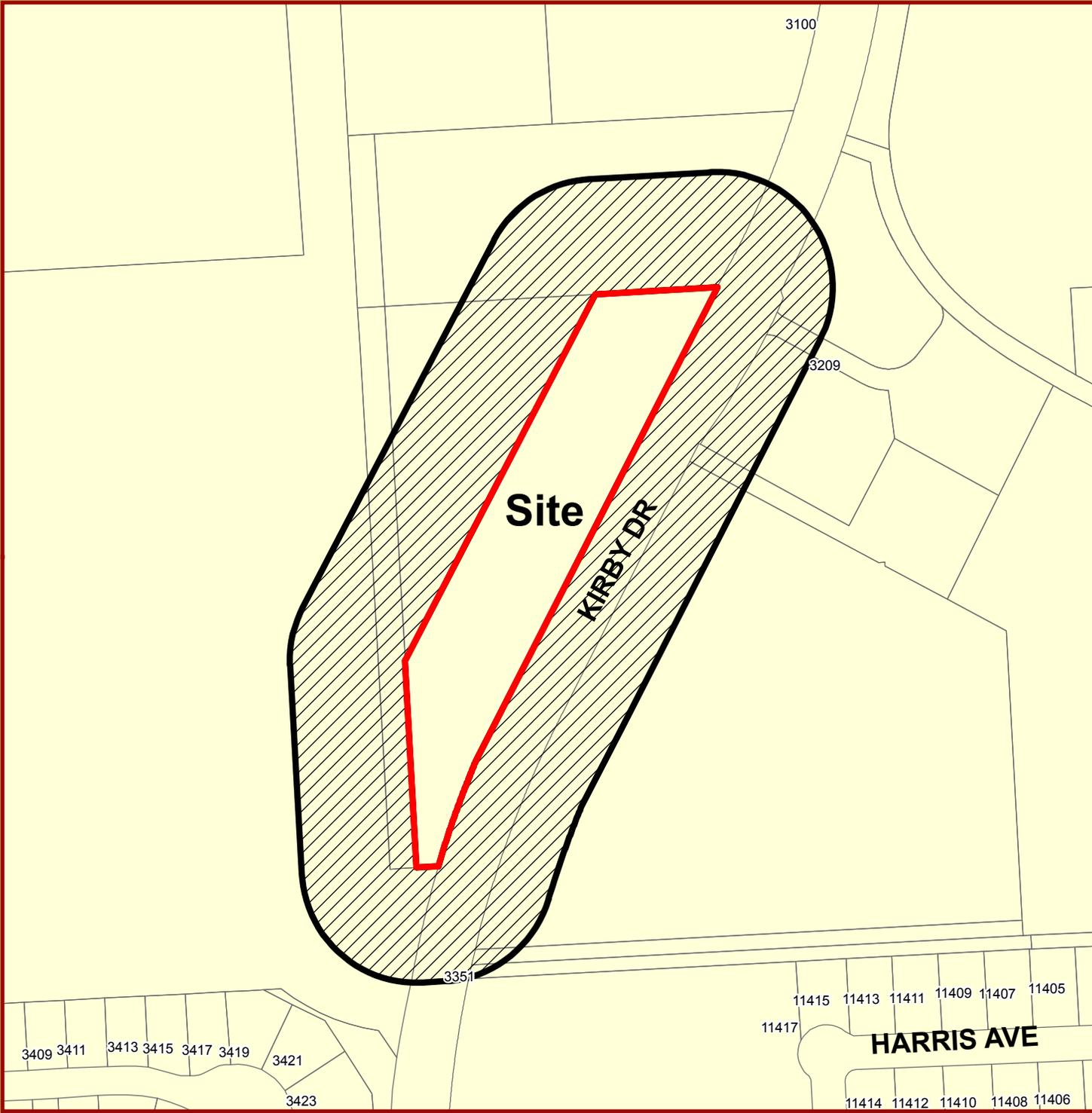


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FEBRUARY 2016  
PLANNING DEPARTMENT





**Exhibit 4**

**NOTIFICATION MAP**

**2016-05Z**

**Kirby Dr. south  
of Broadway St.**



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FEBRUARY 2016  
PLANNING DEPARTMENT



**Exhibit 5**

2016-05Z

Kirby South of Broadway

<b>Property_Owner</b>	<b>City</b>	<b>Address</b>	<b>State</b>	<b>Zip</b>
ALVIN INDEPENDENT SCHOOL DISTRICT	ALVIN	301 E HOUSE ST	TX	77511
BARLAS ENTERPRISES	HOUSTON	4407 W FUQUA ST STE A	TX	77045
CITY OF PEARLAND	PEARLAND	3519 LIBERTY DR	TX	77581
CL ASHTON WOODS LP % FORESTAR REAL ESTATE GROUP INC	AUSTIN	6300 BEE CAVE RD	TX	78746
LINGO SOUTHGATE LTD	PEARLAND	3900 MAGNOLIA ST	TX	77584
PEARLAND TOWN CENTER LP %MARK STEPHENS	CHATTANOOGA	2030 HAMILTON PLACE BLVD STE 500	TN	37421
SOUTHGATE COMMUNITY ASSOC	PEARLAND	PO BOX 3217	TX	77588





#### d. Criteria for Approval

Each zone change is enacted as per the following criteria.

1. Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map and any incorporated sector plan maps;
2. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;
3. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area;
4. And any other factors which will substantially affect the public health, safety, morals, or general welfare.

#### e. Conditions for Approval

A zone change cannot be approved with conditions.

#### f. Expiration

There is no expiration for a zone change.

#### g. Checklist

- Application and checklist filled out completely and signed by the owner of the property.
- 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 (UDC).**
- Metes and bounds description (survey or 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, why the zoning is being requested to be changed, and the uses that are being proposed.
- Acknowledgement of the sign to be posted on the property ten (10) days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only). Please refer to the City's webpage [www.pearlandtx.gov](http://www.pearlandtx.gov) for updated fees.

LETTER OF AUTHORIZATION

To: City of Pearland  
Planning Department  
3519 Liberty Drive  
Pearland, TX 77581  
(281) 652-1740

By: Lingo Southgate, Ltd.  
211 E. Parwood, Suite 100  
Friendswood, Texas 77546  
281-947-8675

Re: Land Use Zoning Application - Approximately 3.7 Acres, H.T. & B.R.R. Co. Survey, Section 81, Abstract No. 300, being the remainder of Reserve "B" of Southgate, Section 1, Vol. 24, Pg, 124, B.C.P.R., Located on the West side of Kirby Drive, adjacent to 3100 Kirby Drive, City of Pearland, Brazoria County, Texas.

To Whom It May Concern:

The undersigned duly authorized representative of Lingo Southgate, Ltd., the record owner of the referenced property does hereby authorize Windrose Land Services, Inc. to submit for City review and consideration, a land use zoning application requesting rezoning of the subject property from Single-Family Estate ("RE") District, Single Family Residential-2 ("R-2) District, and Corridor Overlay District ("COD") to General Commercial ("GC) District and COD with a Conditional Use Permit (C.U.P.) to allow a self-storage development, said property being wholly located within the corporate limits of the City of Pearland, Brazoria County, Texas.

Lingo Southgate, Ltd.

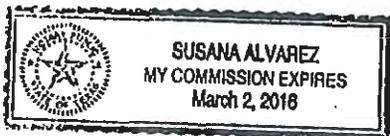
By: Jeff C. Bailey  
Bailey Commercial, LLC  
Jeff C. Bailey, President

State of Texas  
County of Bexar

I, Susana Alvarez, a Notary Public for the State of Texas, do hereby certify that Jeff C. Bailey personally came before me this day and acknowledged that they being authorized to do so, executed the foregoing on behalf of the corporation/partnership.

Witness my hand and official seal, this the 16<sup>th</sup> day of February, 2016.

(Personalized Seal)



Susana Alvarez  
Notary Public  
My Commission Expires: 3/2/2016

**GENERAL NOTES**

1. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY, THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACTORS CERTIFICATE AND WOULD BE SUBJECT TO ANY ALL CONDITIONS OR RESTRICTIONS THAT A CURRENT TITLE REPORT OR ABSTRACTORS CERTIFICATE MAY DISCLOSE.
2. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE. (NAD83)
3. THIS PLAT IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION.

CALLED 4.8705 ACRES  
CITY OF PEARLAND  
B.C.C.F. No. 2006046892

S 90°00'00" E 210.39'

P.O.B.



**NORTH**

SCALE: 1" = 100'

**3.8662 ACRES  
168,411 SQ. FT.**

RESTRICTED RESERVE "C"

N 31°10'45" E 712.15'

RESIDUE OF RESERVE "B"  
FIRST AMENDING PLAT OF  
SOUTHGATE SECTION ONE  
(VOL. 24, PG. 123, B.C.P.R.)  
LINGO SOUTHGATE, LTD.  
(B.C.C.F. No. 01-058025)

**KIRBY DRIVE**  
(R.O.W. VARIES)

S 31°10'45" W 791.16'

N 00°00'00" E 375.41'

DRAINAGE R.O.W. B.C.D.D. #4 DITCH A-124-05-00

LOT 1, BLOCK 1  
ALVIN INDEPENDENT SCHOOL  
DISTRICT HIGH SCHOOL #3  
PLAT No. 2013051008, B.C.P.R.)

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°59'30" W	20.19'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	1850.00'	10°36'37"	342.59'	S 25°52'27" W	342.10'

**EXHIBIT OF  
3.8662 ACRES OR 168,411 SQ.-UARE FEET  
SITUATED IN THE  
H.T. & B.R.R. COMPANY SURVEY,  
SECTION 81, A-300  
BRAZORIA COUNTY, TEXAS**

FIELD BY: -	DATE: 02-15-16
DRAWN BY: MT/RV	REV:
CHECKED BY: MK	REV:
JOB NO. 52910-ZONE-EXB	REV:
SHEET 1 OF 2	REV:



**Windrose Land Services**

3200 Wilcrest, Suite 325  
Houston, Texas 77042

Phone (713) 458-2281 Fax (713) 461-1151

**Professional Development Consultants**  
Land Surveying, Platting, Project Management, GIS Services  
Firm Registration No. 10108800



**Windrose Land Services**  
3200 Wilcrest Drive, Suite 325  
Houston, Texas 77042  
Phone (713) 458-2281 Fax (713) 461-1151

**Professional Development Consultants**  
Land Surveying, Platting, Project Management and GIS Services  
Firm Registration No. 10108800

## DESCRIPTION

### 3.8662 ACRES OR 168,411 SQUARE FEET

A TRACT OR PARCEL CONTAINING 3.8662 ACRES OR 168,411 SQUARE FEET OF LAND SITUATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 81, ABSTRACT 300, BRAZORIA COUNTY TEXAS, BEING THE RESIDUE OF RESERVE "B", FIRST AMENDING PLAT OF SOUTHGATE SECTION ONE, AS THEREOF RECORDED UNDER VOLUME 24, PAGE 123, BRAZORIA COUNTY PLAT RECORDS, CONVEYED LINGO SOUTHGATE, LTD, AS RECORDED IN BRAZORIA COUNTY CLERK'S FILE No. 01-053025, BEING DESCRIBED AS FOLLOWS WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83.

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF KIRBY DRIVE (R.O.W. WIDTH VARIES) AT THE SOUTHEAST CORNER OF A CALLED 4.8705 ACRES, CONVEYED TO CITY OF PEARLAND AS RECORDED UNDER THE BRAZORIA COUNTY CLERK'S FILE No. 2006046892, THE NORTHEAST CORNER OF SAID RESERVE "B" AND OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG SAID WEST RIGHT-OF-WAY LINE OF KIRBY DRIVE, SOUTH 31 DEGREES 10 MINUTES 45 SECONDS WEST, A DISTANCE OF 791.16 FEET TO A POINT OF CURVATURE;

THENCE, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 1,850.00 FEET, HAVING A CENTRAL ANGLE OF 10 DEGREES 36 MINUTES 37 SECONDS, AN ARC LENGTH OF 342.59 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 25 DEGREES 52 MINUTES 27 SECONDS WEST, 342.10 FEET TO A NORTHEAST CORNER OF LOT 1, BLOCK 1, ALVIN INDEPENDENT SCHOOL DISTRICT HIGH SCHOOL #3, AS RECORDED UNDER PLAT No. 2013051008, BRAZORIA COUNTY PLAT RECORDS, AND THE SOUTHEAST CORNER THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID LOT 1 AND SAID RESIDUE OF RESERVE "B", SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, A DISTANCE OF 20.19 FEET TO THE SOUTHEAST CORNER OF DRAINAGE RIGHT-OF-WAY OF BRAZORIA COUNTY DRAINAGE DISTRICT #4 DITCH A-124-05-00 AS RECORDED UNDER VOLUME 24, PAGE 123, BRAZORIA COUNTY PLAT RECORDS, BRAZORIA COUNTY PLAT RECORDS, AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 375.41 FEET TO THE SOUTH CORNER OF RESTRICTED RESERVE "C" OF SAID FIRST AMENDING PLAT OF SOUTHGATE SECTION ONE AND A WEST CORNER OF SAID RESERVE "B" AND OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID RESTRICTED RESERVE "C" AND RESERVE "B", NORTH 31 DEGREES 10 MINUTES 45 SECONDS EAST, A DISTANCE OF 712.15 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT

THENCE, ALONG COMMON BOUNDARY LINE OF SAID CALLED 4.8705 ACRES AND SAID RESERVE "B", SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 210.39 FEET TO THE PLACE OF BEGINNING CONTAINING 3.8662 ACRES OR 168,411 SQUARE FEET OF LAND, JOB No. 52910-ZONE-EXB PREPARED BY WINDROSE LAND SERVICES.

  
MIKE KURKOWSKI  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION No. 5101



02-15-16  
DATE

# PARCEL MAP FROM CITY OF PEARLAND WEBSITE

15-FEB-2016

Map Projects  
Planning Layers  
Zoning  
62-288  
CAMU  
G90-AMU  
G8  
GC  
M-1  
M-2  
MF  
MH  
NS  
OP  
OT-G8  
OT-MU  
OTR  
PUD  
R-1  
R-1 CLUSTER  
R-2  
R-3  
R-4  
RE  
SD  
SP1  
SP2  
S03  
SP4  
S06

Address Search

PUO  
RE  
R-2  
KIRBY DR  
PEARLAND CITY LIMIT  
R-2  
R-2  
3200

Identify Results

Name	Value
land_state_cd	
LegalDescr	ABST - 300 SUSD - SouthGate Se
legal_desc	
prop_id	
py_addr_city	
py_addr_country	
py_addr_line1	
py_addr_line2	
py_addr_state	
py_addr_zip	
py_owner_name	
stus_city	
stus_num	
stus_street	
stus_street_prefix	
stus_street_suffix	
stus_unit	
stus_zip	

Tool: Identify > Barzora's Parcels 2015 X: 3113483.50 Y: 1376574.45 Longitude: -95.3500 Latitude: 29.5503 1: 2.284

# PROPERTY COVERED UNDER BRAZORIA COUNTY APPRAISAL DISTRICT PROPERTY ID 548783

CAD

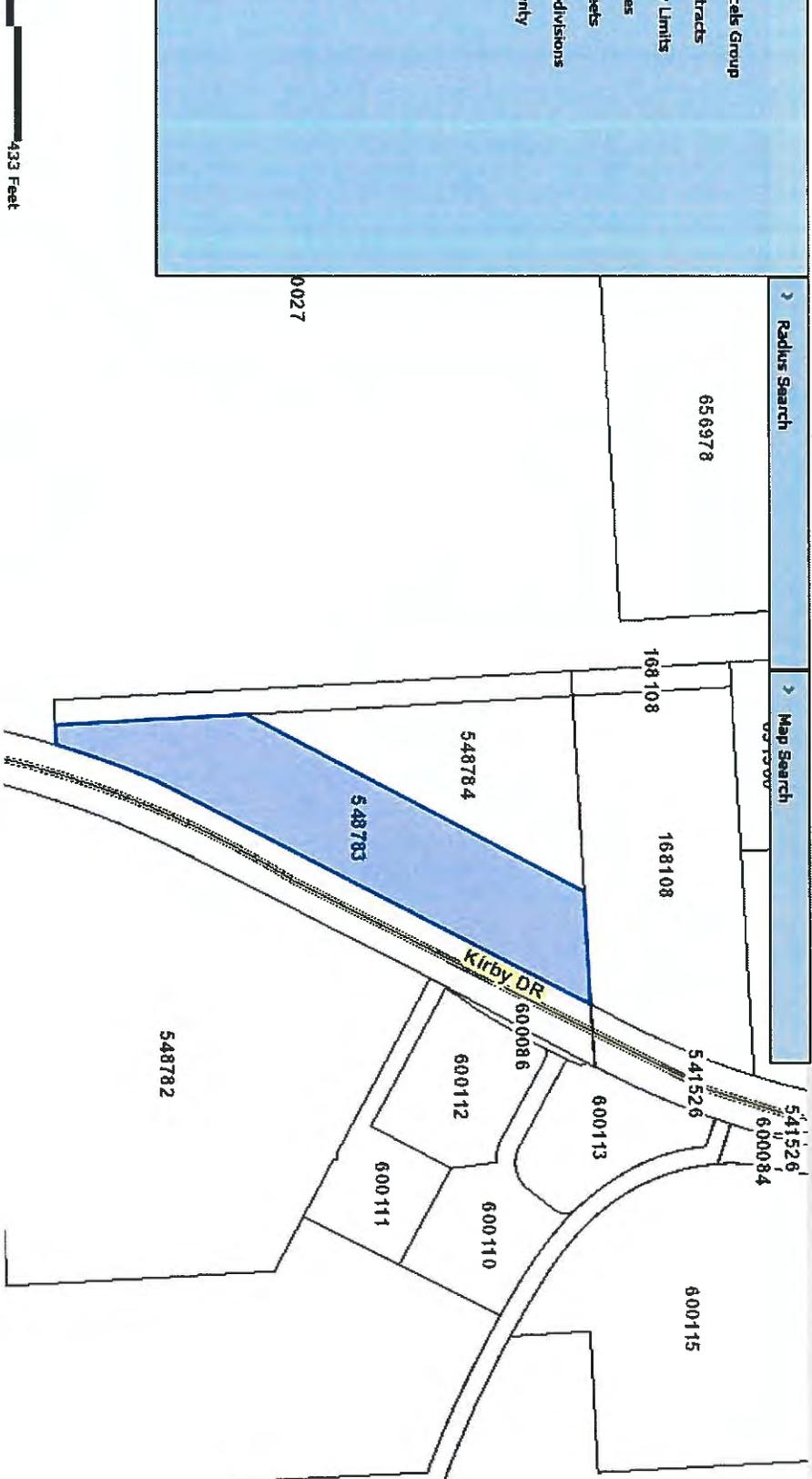
Search Results > Property ID 548783 LINGO SOUTHGATE LTD for Year 2016



548783  
3-1-000-001

Location  
Sitius Address:  
Neighborhood: SOUTHGATE  
Mapscor:  
Jurisdictions: PMMD2, GBC, SAL, CAD, CPL, DR4, JAL, RDB

Owner  
Owner Name: LINGO SOUTHGATE LTD  
Mailing Address: , PO BOX 3217, PEARLAND, TX 77588





**Windrose Land Services**

3200 Wilcrest, Suite 325

Houston, Texas 77042

Phone (713) 458-2281 Fax (713) 461-1151

**Professional Development Consultants**

Land Surveying, Platting, Project Management and GIS Services

Firm Registration No. 10108800

February 16, 2016

City of Pearland  
Planning Department  
3519 Liberty Drive  
Pearland, TX 77581  
(281) 652-1740

**Re: Letter of Intent to Rezone Called 3.8662 Acres, being the residue of Unrestricted Reserve B, First Amending Plat of SouthGate Section One, Vol. 24, Pg. 123, Brazoria County Map Records, situated in the H.T. & B.R.R. Company Survey, Abstract No. 300, located on the west side of Kirby Drive approximately 1,500 feet south of the intersection with W. Broadway Street, City of Pearland, City Limits, Brazoria County, Texas.**

To Whom It May Concern:

On behalf of and as the duly authorized representative of the record owner of the above referenced property, Lingo Southgate, LTD (the "Owner"), Windrose Land Services (the "Applicant") hereby requests that the City of Pearland rezone the subject property from RE (Single-Family Estate District), R-2 (Single-Family Residential-2 District) with COD (Corridor Overlay District) to GC (General Commercial District) with COD and CUP (Conditional Use Permit). The Owner desires the requested CUP zoning in order to enable the development of a self-storage facility on the property.

The property is located on the west side of Kirby Drive approximately 1,500 feet south of W. Broadway Street, just across from the southernmost entrance to the Pearland Town Center. The site is bordered by Pearland Fire Station No. 5 to the north, a Brazoria County Drainage District No. 4 storm water channel to the west, Kirby Drive to the east (across from Pearland Town Center and an amenity storm water detention pond for Southgate Section 1), and by the entrance to Shadow Creek High School to the south(west). The owner is applying for a GC District zoning with a conditional use permit to allow for the construction of a self-storage facility. The property is currently zoned for residential use; however, residential use is no longer the highest and best use for this property. The unique physical characteristics of this site, in combination with its location on Kirby Drive near predominant commercial and institutional uses constitute a change in land use conditions and provide more than adequate justification for the zoning change. The site itself is only 180 feet deep and could not provide the double-stacked residential lot configuration, including a dedicated public street, to make the area viable for single-family residential development. The alternative would be fronting residential lots on Kirby Drive, which is extremely disruptive and inconsistent with the institutional and commercial traffic in the immediate area. Kirby Drive is rated as a secondary thoroughfare on Pearland's Major Thoroughfare Plan and has a high-volume of traffic during peak and non-peak travel times. The proposed self-storage use will have a minimal effect on the surrounding traffic pattern as the occupancy level and associated trips per day per customer are extremely low (as the customers make infrequent trips to the facility). Additionally, the owner's proposed development is aesthetically compatible with the surrounding uses and is consistent with the Public/Semi-Public designation in the City's Future Land Use Plan. Regarding infrastructure, the site has immediate access to water and sanitary sewer infrastructure and the on-site storm sewer infrastructure will be provided that is consistent with abutting roadway and storm sewer systems. Finally, the development will meet all of the aesthetic requirements and other development regulations in both the GC District and the City's Corridor Overlay District, along with any conditions set forth which the City deems reasonable and in concert with the site plan and elevation renderings provided.

Sincerely,

Andrew Allemand, A.I.C.P.

Director of Planning

Windrose Land Services, Inc.



- Any other information which may be requested by the Planning Department to fully evaluate and review the application and the potential impact of a proposed tower or antenna.

**h. Posting of Notification Signs on Property Under Consideration for a Conditional Use Permit (CUP)**

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:

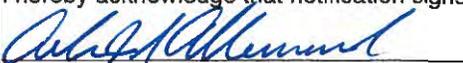
1. One (1) sign per street frontage shall be located within thirty (30) feet of the abutting street, or as determined by the City.
2. So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
3. So as not to create a hazard to traffic on the public rights-of-way 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 two (2) feet by three (3) feet, but no larger than four (4) feet by four (4) feet
  - At least two (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 CUP**  
**Contact City of Pearland**  
**281.652.1765**

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

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

I hereby acknowledge that notification signs will be posted on-site in accordance with the regulations outlined above.

  
Applicant's Signature

ANDREW ALLEMANT  
Applicant's Printed Name

15 FEB 2016  
Date

2015 TAX STATEMENT



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

**Certified Owner:**  
 LINGO SOUTHGATE LTD  
 PO BOX 3217  
 PEARLAND, TX 77588

**Legal Description:**  
 SOUTHGATE SEC 1 (A0300 HT&B) (PEARLAND)  
 LOT RESERVE B (RESIDENTIAL) ACRES 3.723

Account No: 7713-1000-001

Appr. Dist. No.: 548783

Legal Acres: 3.7230

Parcel Address:

As of Date: 02/16/2016

Print Date: 02/16/2016

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$9,310	\$0	\$9,310	\$9,310	\$0	\$0	\$0	\$9,310

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
BRAZORIA COUNTY	\$9,310		\$0.00	\$9,310	0.4260000	\$39.66
<i>Amount saved by additional sales tax revenue \$9.46</i>						
SPECIAL ROAD & BRIDGE	\$9,310		\$0.00	\$9,310	0.0600000	\$5.59
ALVIN ISD	\$9,310		\$0.00	\$9,310	1.4170000	\$131.92
ALVIN COMMUNITY COLLEGE	\$9,310		\$0.00	\$9,310	0.2040090	\$18.99
BRAZORIA DRAINAGE DIST 4	\$9,310		\$0.00	\$9,310	0.1555000	\$14.48
PEARLAND MUNICIPAL MANAG	\$9,310		\$0.00	\$9,310	0.1000000	\$9.31
CITY OF PEARLAND	\$9,310		\$0.00	\$9,310	0.7053000	\$65.66

**Total Tax:** \$285.61  
**Total Tax Paid to date:** \$285.61  
**Total Tax Remaining:** \$0.00

**Exemptions:**

**AMOUNT DUE IF PAID BY:**

02/29/2016 7%	03/31/2016 9%	05/02/2016 11%	05/31/2016 13%	06/30/2016 15%	08/01/2016 18 + up to 20%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

08/31/2016 19 + up to 20%	09/30/2016 20 + up to 20%	10/31/2016 21 + up to 20%	11/30/2016 22 + up to 20%	01/02/2017 23 + up to 20%	01/31/2017 24 + up to 20%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**School Information:**

ALVIN ISD 2015 M&O 1.0400000 I&S 37700000 Total 1.4170000 2014 M&O 1.0400000 I&S 37700000 Total 1.4170000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.62



**Print Date:** 02/16/2016

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

RO'VIN GARRETT, PCC  
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
 111 E. LOCUST  
 ANGLETON, TEXAS 77515  
 (979) 864-1320, (979) 388-1320, (281) 756-1320



7713-1000-001  
 LINGO SOUTHGATE LTD  
 PO BOX 3217  
 PEARLAND, TX 77588

**AMOUNT PAID:**  
 \$ \_\_\_\_\_

01 053025

1  
5  
11  
17  
129204

**SPECIAL WARRANTY DEED WITH VENDOR'S LIEN**

Date: November 19, 2001

Grantor: LARRY B. BRIGGS, a single man

Grantor's Mailing Address: 1330 Post Oak Blvd., Suite 1600  
Houston, Texas 77056  
Harris County

Grantee: LINGO SOUTHGATE, LTD.,  
a Texas limited partnership

Grantee's Mailing Address: 17225 El Camino Real, Suite 170  
Houston, Texas 77058  
Harris County

Consideration:

TEN AND NO/100 DOLLARS (\$10.00) and a note of even date that is in the principal amount of ONE MILLION EIGHT HUNDRED THOUSAND AND NO/100 DOLLARS (\$1,800,000.00) and is executed by Grantee, payable to the order of FIRST COMMUNITY BANK, N.A., a national banking association. The note provides for acceleration of maturity and payment of attorney's fees in the event of default. It is secured by a vendor's lien retained in this deed and by a deed of trust of even date from Grantee to NIGEL J. HARRISON, Trustee.

Property:

*A 173.49 acre tract of land located in the H.T. & B.R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being the same property described in deed recorded in Volume (91) 948, Page 684 of the Official Records of Brazoria County and being Lot 5 of the Allison-Richey Gulf Coast of Brazoria County and the southwest quarter of said H.T. & B.R.R. Company Survey, Section 81 and being more particularly described by Exhibit A attached hereto and made a part hereof.*

Reservations from and Exceptions to Conveyance and Warranty:

*Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments or overlapping of improvements; pro-rated taxes for 2001, the payment of which Grantee assumes; and subsequent assessments for that and any prior year due to change in land usage, ownership, or both, the payment of which Grantee assumes.*

*All other matters of record.*

*Grantor reserves for Grantor and Grantor's heirs and assigns all the oil, gas, and other minerals currently owned by Grantor in, under, or that may be produced from the Property, except that Grantor waives surface use.*

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor

Pg 3

hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exception to conveyance and warranty, when the claim is by, through, or under Grantor but not otherwise.

The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

GRANTOR AND GRANTEE ACKNOWLEDGE AND AGREE THAT GRANTOR HAS LITTLE, IF ANY, KNOWLEDGE OF THE PHYSICAL OR ECONOMIC CHARACTERISTICS OF THE PROPERTY. ACCORDINGLY, IT IS UNDERSTOOD AND AGREED THAT GRANTOR IS NOT MAKING AND HAS NOT AT ANY TIME MADE ANY WARRANTIES, REPRESENTATIONS, OR AGREEMENTS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY, INCLUDING, BUT NOT LIMITED TO ANY WARRANTIES OR REPRESENTATIONS AS TO HABITABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE (OTHER THAN GRANTOR'S WARRANTY OF TITLE SET FORTH IN THIS DEED), ZONING, TAX CONSEQUENCES, PHYSICAL OR ENVIRONMENTAL CONDITION, INCLUDING, BUT NOT LIMITED TO, THE EXISTENCE OF ANY FLOOD HAZARDS OR CONDITIONS, THE PRESENCE OF ANY HAZARDOUS OR TOXIC SUBSTANCES THEREON, UTILITIES, VALUATION, GOVERNMENTAL APPROVALS, THE COMPLIANCE OF THE PROPERTY WITH GOVERNMENTAL LAWS, THE TRUTH, ACCURACY, OR COMPLETENESS OF ANY INFORMATION PROVIDED BY OR ON BEHALF OF GRANTOR, OR ANY OTHER MATTER OR THING REGARDING THE PROPERTY. GRANTEE ACKNOWLEDGES AND AGREES THAT UPON CLOSING, GRANTOR SHALL SELL AND CONVEY TO GRANTEE AND GRANTEE SHALL ACCEPT THE PROPERTY "AS IS, WHERE IS, WITH ALL FAULTS" AND THAT UPON CLOSING GRANTEE SHALL BE DEEMED TO HAVE WAIVED, RELINQUISHED, AND RELEASED GRANTOR FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION (INCLUDING CAUSES OF ACTION IN TORT), LOSSES, DAMAGES, LIABILITIES, COSTS, AND EXPENSES (INCLUDING ATTORNEYS' FEES AND COURT COSTS) OF ANY AND EVERY KIND OR CHARACTER, IF KNOWN OR UNKNOWN, WHICH GRANTEE MIGHT HAVE ASSERTED OR ALLEGED AGAINST GRANTOR AT ANY TIME BY REASON OF OR ARISING OUT OF ANY AND ALL ACTS, OMISSIONS, EVENTS, CIRCUMSTANCES, OR MATTERS REGARDING THE PROPERTY. GRANTEE AGREES THAT SHOULD ANY CHANGE, REMEDIATION, OR REMOVAL OF HAZARDOUS SUBSTANCES OR OTHER ENVIRONMENTAL CONDITIONS ON THE PROPERTY BE REQUIRED AFTER CLOSING, SUCH CLEANUP, REMOVAL, OR REMEDIATION SHALL BE THE RESPONSIBILITY OF AND SHALL BE PERFORMED AT THE SOLE COST AND EXPENSE OF GRANTEE.

FIRST COMMUNITY BANK, N.A. (Bank), at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described. The vendor's lien and superior title to the property, premises, and improvements are retained for the benefit of Bank and are transferred to that party without recourse on Grantor.

Current ad valorem taxes on said Property having been prorated, the payment thereof is assumed by Grantee.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED on the 19 day of November, 2001, to be effective as of the date first set forth above.

  
LARRY E. BRIGGS

AGREED TO AND ACCEPTED BY GRANTEE:

LINGO SOUTHGATE, LTD.,  
a Texas limited partnership,  
by and through its General Partner  
LINGO PROPERTIES, INC.,  
a Texas corporation

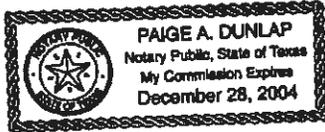
  
LOUIS FRANKLIN GOZA  
President

**Acknowledgment**

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared LARRY B. BRIGGS, known to me or proved to me by credible evidence to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such person executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on the 19 day of November, 2001.



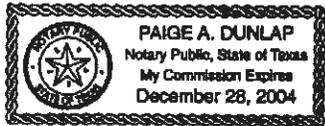
*[Handwritten Signature]*  
Notary Public, State of Texas

**Acknowledgment**

THE STATE OF TEXAS §  
COUNTY OF HARRIS §

Before me, the undersigned authority, on this day personally appeared LOUIS FRANKLIN GOZA, on behalf of LINGO PROPERTIES, INC., a Texas corporation, being the General Partner of LINGO SOUTHGATE, LTD., a Texas limited partnership, known to me or proved to me by credible evidence to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such person executed the same for the purposes and consideration therein expressed, and in the capacity stated, on behalf of and as the official act of said corporation and said partnership.

Given under my hand and seal of office on the 19 day of November, 2001.



*[Handwritten Signature]*  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

FIRST COMMUNITY BANK, N.A.  
PO Box 752209  
Houston, Texas 77275-2289

AFTER RECORDING RETURN TO:

*Okatoo Page*  
COMMONWEALTH LAND TITLE  
5847 SAN FELIPE, SUITE 4000  
HOUSTON, TEXAS 77057

**Exhibit A**

A 173.49 acre tract of land located in the H.T. & B.R.R. Company Survey, Section 81, Abstract Number 300, Brazoria County, Texas, being the same property described in deed recorded in Volume (91)948, Page 684 of the Official Records of Brazoria County and being Lot 5 of the Allison-Richey Gulf Coast Home Company Subdivision of Brazoria County and the southwest quarter of said H.T. & B.R.R. Company Survey, Section 81 and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the centerline of County Road Number 59 (40 foot right-of-way), and being the southwest corner of said H.T. & B.R.R. Company Survey, Section 81;

THENCE N 00°01'57" E, along the east line of the Allison-Richey Gulf Coast Home Company Subdivision of Section 80 of the H.T. & B.R.R. Company Survey, Abstract 564 and the east line of 6.00 acres out of Lot 56 described in a deed recorded under Brazoria County Clerk File No. 98-012766; Lot 55 described in a deed recorded in Volume 1017, Page 692 of the Brazoria County Deed Records; Lot 54 described in deeds recorded in Volume 768, Page 471 and Volume 768, Page 473 both of the Brazoria County Deed Records; Lots 52 and 53 described in deeds recorded in Volume 1765, Page 587 of the Brazoria County Deed Records; and the east 3.3 acres out of Lot 51 described in a deed recorded in Volume 183, Page 372 and Volume 313, Page 354 of the Brazoria County Deed Records, passing at 20.00 feet a 1/2 inch iron rod found marking the north line of County Road No. 59, at 648.94 feet a 3/4 inch iron pipe found marking the common east corner of said Lots 56 and 55 and continuing for a total distance of 3300.00 feet to a point for corner, from which a railroad spike bears S 42°38'28" W. 0.45 feet;

THENCE N 89°59'49" E, along the south line of Lot 4 of the Allison-Richey Gulf Coast Home Company Subdivision of said Section 81 of the H.T. & B.R.R. Company Survey said Lot 4 described in a deed recorded under Brazoria County Clerk File No. 98-047504 for a distance of 882.58 feet (called 880.55 feet) to a point for corner, from which a 1 inch iron pipe bears S 42°59'24" E. 1.55 feet;

THENCE S 00°00'06" E, along a west line of a 154.0026 acre track described in a deed recorded in Volume (91)865, Page 685 of the Official Records of Brazoria County for a distance of 660.37 feet (called 659.43 feet) to a 3/4 inch iron pipe found for corner;

THENCE N 89°57'36" E, along a south line of said 154.0026 acre tract for a distance of 1758.13 feet (called 1760.16 feet) to a 1/2 inch iron rod with cap set for corner;

THENCE S 00°00'30" W, along the west line of Lot 36 of the Allison-Richey Gulf Coast Home Company Subdivision of Section 81 of the H.T. & B.R.R. Company Survey said Lot 36 described in a deed recorded in Volume (89)738, Page 81 in the Official Records of Brazoria County; the west 299 feet of Lot 37 described in a deed recorded in Volume 1107, Page 449 of the Brazoria County Deed Records; Lot 38 described in a deed recorded in Volume (90)852, Page 980 of the Official Records of Brazoria County; Lot 39 described in a deed recorded under Brazoria County Clerk File No. 95032497; and the west 3.3 acres of Lot 40 described in a deed recorded in Volume 1129, Page 836 of the Brazoria County Deed Records, passing at 2620.91 feet a 1/2 inch iron rod with cap set on the north line of County Road No. 59 and continuing for a total distance of 2640.91 feet (called 2641.85 feet) to a point for corner in the centerline of said County Road No. 59;

THENCE West, along the centerline of County Road No. 59 for a distance of 2642.22 feet to the POINT OF BEGINNING and containing 173.49 acres of land.

FILED FOR RECORD

2001 NOV 21 PM 4:12

*Joyce Hudman*  
COUNTY CLERK  
BRAZORIA COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BRAZORIA

I, JOYCE HUDMAN, Clerk of the County Court in and for Brazoria County, Texas do hereby certify that this instrument was presented to me FOR RECORD and RECORDED in the OFFICIAL RECORDS of this County at the time and date as stamped hereon by me.



*Joyce Hudman*  
County Clerk of Brazoria County, Texas

REGISTRY FEE 1.00  
RECORDING FEE 5.00  
TOTAL 11.00  
17.00  
53025  
CHECK 17.00  
NOV 21 2001 0083 11/26/01 8:34AM MON



**Windrose Land Services**  
 3200 Wilcrest, Suite 325  
 Houston, Texas 77042  
 Phone (713) 458-2281 Fax (713) 461-1151  
 Firm Registration No. 10108800

**Professional Development Consultants**  
 Land Surveying, Platting, Project Management and GIS Services

## LETTER OF TRANSMITTAL

**TO:** City of Pearland  
 Planning Department  
 3519 Liberty Drive  
 Pearland, TX 77581

**FROM:** Andrew Allemand

**DATE:** 2/16/2016

**ATTN:** Vince Husted, Planner

**WJN:** 52910-23432

**PHONE:** 281-652-1740

**FAX:**

**PROJECT:** Zoning Application – RE/R2 w/COD to GC w/COD and CUP

WE ARE SENDING:	SUBMITTED FOR:	ACTION TAKEN:
<input type="checkbox"/> Shop Drawings	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Approved as Submitted
<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Your Use	<input type="checkbox"/> Approved as Noted
<input checked="" type="checkbox"/> Prints	<input type="checkbox"/> As requested	<input type="checkbox"/> Returned After Loan
<input type="checkbox"/> Change Order	<input checked="" type="checkbox"/> Review and Comment	<input type="checkbox"/> Resubmit
<input type="checkbox"/> Plans		<input type="checkbox"/> Submit
<input type="checkbox"/> Samples	<b>SENT VIA: TEC</b>	<input type="checkbox"/> Returned
<input type="checkbox"/> Specifications	<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> Returned for Corrections
<input checked="" type="checkbox"/> Other: Check	<input type="checkbox"/> Separate Cover Via: Mail	<input type="checkbox"/> Due Date:

ITEM#	COPIES	DESCRIPTION
1	1	<i>Application Fee</i>
2	1	<i>Application and checklist</i>
3	1	<i>Letter of Authorization</i>
4	1	<i>Letter of Intent</i>
5	1	<i>Sign Posting Acknowledgment</i>
6	1	<i>Parcel Map from City's GIS Website</i>
7	1	<i>Tax Map and Tax Statement</i>
8	1	<i>Subject Deed</i>
9	1	<i>Property Survey Exhibit with Metes and Bounds Description</i>
10	1	<i>Site Plan &amp; Elevation Renderings</i>
11	1	<i>Copy of Recorded Plat</i>

Mr. Husted, please review the zoning submittal package and let me know if anything further is needed.  
 Thank you very much for your assistance.

Andrew Allemand, Project Manager

*Land Surveying • Platting • Project Management • GIS*  
 www.windroseservices.com

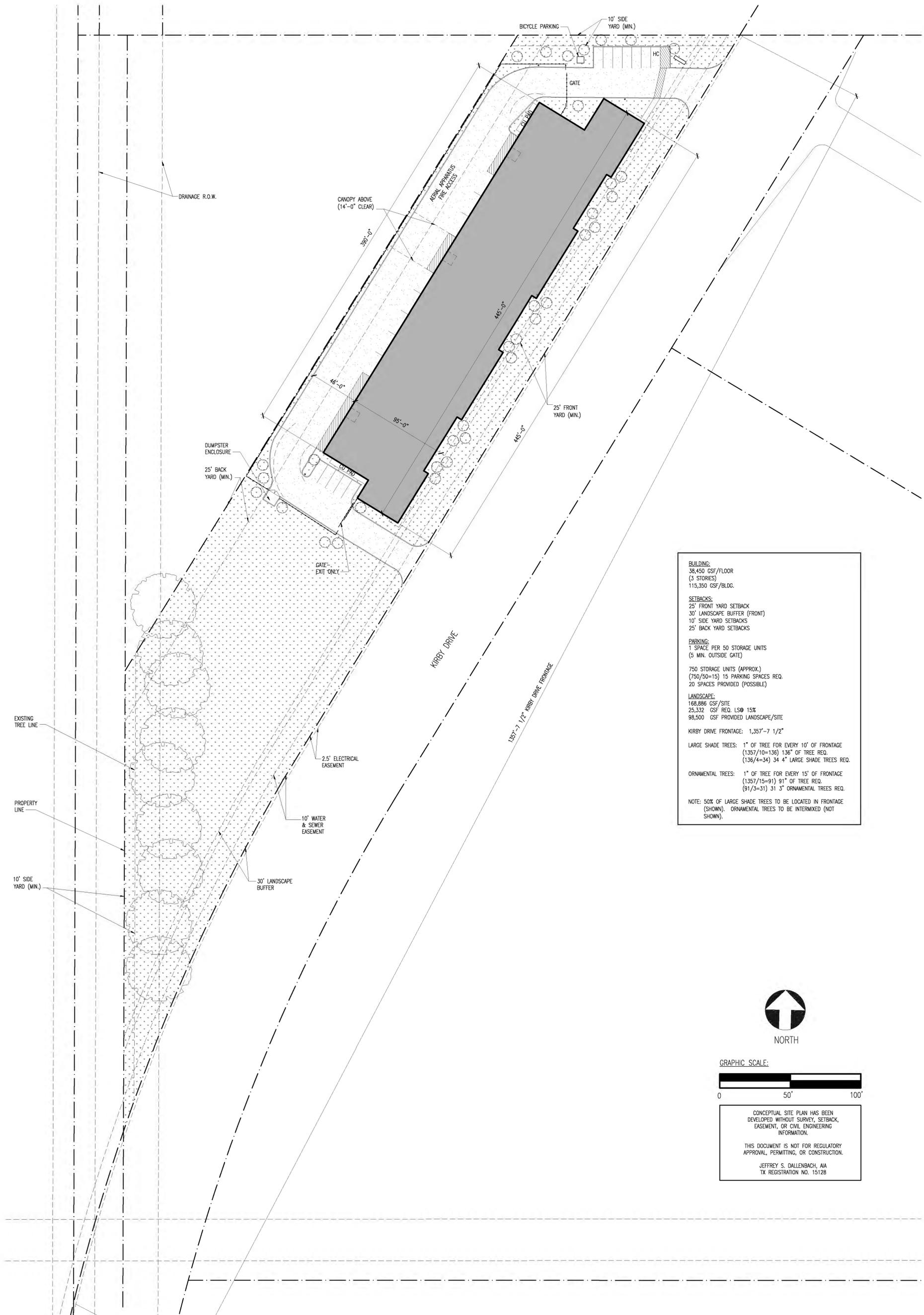


Signs must be professionally made; handwritten signs are not allowed.

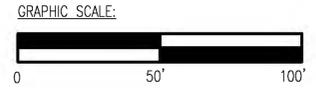
Signs must be freestanding and cannot be attached to a tree, fence, or building.

#### **i. Additional Information**

- Upon making an application for a zone change, 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 zone change 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 fails to erect and/or maintain signs in accordance with this section, 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.



<b>BUILDING:</b>	38,450 GSF/FLOOR (3 STORIES) 115,350 GSF/BLDG.
<b>SETBACKS:</b>	25' FRONT YARD SETBACK 30' LANDSCAPE BUFFER (FRONT) 10' SIDE YARD SETBACKS 25' BACK YARD SETBACKS
<b>PARKING:</b>	1 SPACE PER 50 STORAGE UNITS (5 MIN. OUTSIDE GATE)  750 STORAGE UNITS (APPROX.) (750/50=15) 15 PARKING SPACES REQ. 20 SPACES PROVIDED (POSSIBLE)
<b>LANDSCAPE:</b>	168,886 GSF/SITE 25,332 GSF REQ. LSP 15% 98,500 GSF PROVIDED LANDSCAPE/SITE  KIRBY DRIVE FRONTAGE: 1,357'-7 1/2"
<b>LARGE SHADE TREES:</b>	1" OF TREE FOR EVERY 10' OF FRONTAGE (1357/10=136) 136" OF TREE REQ. (136/4=34) 34 4" LARGE SHADE TREES REQ.
<b>ORNAMENTAL TREES:</b>	1" OF TREE FOR EVERY 15' OF FRONTAGE (1357/15=91) 91" OF TREE REQ. (91/5=31) 31 3" ORNAMENTAL TREES REQ.
<b>NOTE:</b>	50% OF LARGE SHADE TREES TO BE LOCATED IN FRONTAGE (SHOWN). ORNAMENTAL TREES TO BE INTERMIXED (NOT SHOWN).



CONCEPTUAL SITE PLAN HAS BEEN DEVELOPED WITHOUT SURVEY, SETBACK, EASEMENT, OR CIVIL ENGINEERING INFORMATION.

THIS DOCUMENT IS NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

JEFFREY S. DALLENBACH, AIA  
TX REGISTRATION NO. 15128

# SITE PLAN - PEARLAND STORAGE

02.15.16

SCALE: 1" = 40'-0"



12035 COLWICK - SUITE 200 SAN ANTONIO, TX 78216  
P 210.493. 2234



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, MARCH 28, 2016, AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Conditional Use Application No. 2016-07**

A request of Andrew Allemand/Windrose Land Services, applicant; on behalf of Lingo Southgate Ltd., owner; for approval of a Conditional Use Permit (CUP) to allow for self-storage facility in General Business (GB) zoning district; on approximately 3.8662 acres of land.

**Legal Description:** Being a tract or parcel containing 3.8662 acres or 168,441 square feet of land situated in the H.T. & B.R.R. company Survey, Section 81, Abstract 300, Brazoria County, Texas, being the residue of Reserve "B", first amending plat of Southgate Section One, as thereof recorded under Volume 24, Page 123, Brazoria County Plat records, conveyed Lingo Southgate, Ltd. as recorded in Brazoria County Clerk's File No. 01-053025, Brazoria County, Texas.

**General Location:** West side of Kirby Drive approximately 1,500 feet south of Broadway Street, Pearland, TX.

**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 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**



## Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: March 28, 2016

Re: Conditional Use Permit Application No. 2016-07

A request of Andrew Allemand/Windrose Land Services, applicant; on behalf of Lingo Southgate Ltd., owner; for approval of a Conditional Use Permit (CUP) to allow for self-storage facility in General Business (GB) zoning district; on approximately 3.8662 acres of land, Pearland, TX.

General Location: West side of Kirby Drive approximately 1,500 feet south of Broadway Street, Pearland, TX.

### **Summary of Request**

The applicant is requesting a Conditional Use Permit (CUP) to allow for development of a self-storage facility. The subject property is located on the west side of Kirby Drive, across from the southernmost entrance of the Pearland Town Center, and approximately 1,500 feet south of Broadway Street. Pearland Fire Station No. 5 is adjacent to the property to the north, and an entrance to the new Shadow Creek High School is located south of the site.

This approval is a two-step process. The first step is to rezone the property from Single Family Estate District (R-E) and Single Family Residential-2 (R-2) to General Business (GB) and the second step is to apply for a Conditional Use Permit. The proposed use is classified as mini-warehouse/self-storage, and this use is permitted in business, commercial, or industrial districts with the approval of a CUP.

### **Recommendation**

Staff cannot recommend approval of the requested CUP for mini-warehouse/self-storage on the approximately 3.8662 acre site for the following reasons:

1. The proposed development does not comply with the land use designation of the Future Land Use Plan (FLUP). This area is proposed for public and semi-public

uses. The Future Land Use Plan (FLUP) indicates this location, in close proximity not only to the Town Center, but also, to an intersection of two Thoroughfares, as a Major Retail Node. Retail nodes are customer oriented activity centers of complementary retail, office, and service uses. Self-storage is a use that is quiet and generating little traffic, and therefore it is not expected to contribute to the vibrancy of this designated retail node. Self-storage facilities should not be located at prime retail corners. The use is better suited for locations that are behind retail uses or within industrial districts.

2. Self-storage use is not a use that will add value to the surrounding property. Although the proposed development will increase the property value of the site, minimal sales tax revenue is generated from this use.
3. The proposed request is not in conformance with the criteria of approval as per the current Unified Development Code (UDC). A self-storage facility at this location is not compatible with and does not preserve the character and integrity of adjacent developments that include banks, offices, grocery stores, restaurants, and the Pearland Town Center, that attract a high level of customer activity.

If the City Council should consider approval of this CUP, the following conditions are recommended:

1. Building façade materials for facades visible from Kirby Drive shall be limited to no more than thirty percent (30%) stucco.
2. No permit shall be issued until the storm drainage pipe issues are resolved and written approval is received from the City and BDD4.

### **Site History**

This area was incorporated into Pearland in 1996. The subject property is currently undeveloped, and is currently zoned R-E and R-2 zoning districts. Additionally the property falls within the boundaries of the COD which allows the City to exercise greater control of aesthetics, function, and safety of developments with frontage along specified Major Thoroughfares including Kirby Drive.

The site is surrounded by a PUD and residentially zoned properties, however, uses are public, office, and retail uses. The below table identifies surrounding uses and zoning districts:

	Zoning	Land Use
<b>North</b>	Pearland Town Center PUD	Fire Station and Water Storage
<b>South</b>	Single Family Estate District (R-E) and Single Family Residential-2 (R-2)	Shadow Creek High School, Southern Trails and Southgate Subdivisions
<b>East</b>	Pearland Town Center PUD	Detention Area and Town Center
<b>West</b>	Single Family Estate District (R-E), Single Family Residential-2 (R-2), and Ridge Rock PD	Shadow Creek High School

### **Conformance with the Comprehensive Plan**

The current zoning of R-E and R-2 on the subject property does not conform with the Future Land Use designation of the Comprehensive Plan. The Future Land Use Plan (FLUP) proposes Public/Semi Public uses for this site. The Comprehensive Plan describes these uses as government-owned or operated buildings such as libraries, fire stations, or public schools and administrative buildings. With a few exceptions, most Public/Semi Public uses would require a zoning change or approval of a CUP.

### **Conformance with the Thoroughfare Plan**

According to City records, Kirby Drive is a secondary thoroughfare and the expansion of Kirby Drive is nearing completion. Secondary thoroughfares are defined as having a minimum right-of-way width of 100 feet.

### **Conformance with the Unified Development Code**

The property is currently undeveloped. The applicant plans to develop the property as a self-storage facility. The lot requirements of the proposed GB zoning district are provided in the following table.

<b>General Business (GB) Area Regulations</b>		
<b>Size of Lot</b>	<b>Required</b>	<b>Proposed</b>
Minimum Lot Size	22,500 sq. ft.	168,411 sq. ft.
Minimum Lot Width	150 ft.	Varies from 712.15 to 791.16
Minimum Lot Depth	125 ft.	Approximately 185 ft.

The property falls within the Corridor Overlay District (COD) and any development would be required to be in compliance with the COD requirements in addition to other UDC requirements.

### **Platting Status**

The property is platted as the First Amending Plat of South Gate Section 1, Lot Unrestricted Reserve B.

### **Availability of Utilities**

The subject property has access to City water and sanitary sewer infrastructure. A 12-inch water line exists along the west side of Kirby Drive, and a 12-inch sanitary sewer line runs along the east side of the street.

A storm drainage pipe exists through the property and falls under the proposed building. Staff has spoken with Andrea Broughton, Brazoria County Drainage District #4 (BDD4) who stated that there is no easement recorded for this drainage pipe. Relocation of the pipe within a drainage easement may be possible but the applicant must work with the City and BDD4 to accomplish this. If the pipe cannot be relocated, this site plan must be revised as no building can be built over a drainage pipe.

### **Impact on Existing and Future Development**

The requested CUP is not compatible with the existing and proposed development in the area. Self-storage is preferable when located behind retail uses or within industrial districts.

### **Additional Comments**

The request has been reviewed by the City's Development Review Committee (DRC), and there were no additional comments from other departments at the time of this report.

### **Public Notification**

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

**Opposition to or Support of Proposed Request**

Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request.

**Exhibits**

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



# Exhibit 1

**AERIAL MAP**

**CUP 2016-07**

**Kirby Dr. south  
of Broadway St.**



This product is for informational 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.

1 inch = 250 feet

FEBRUARY 2016  
PLANNING DEPARTMENT

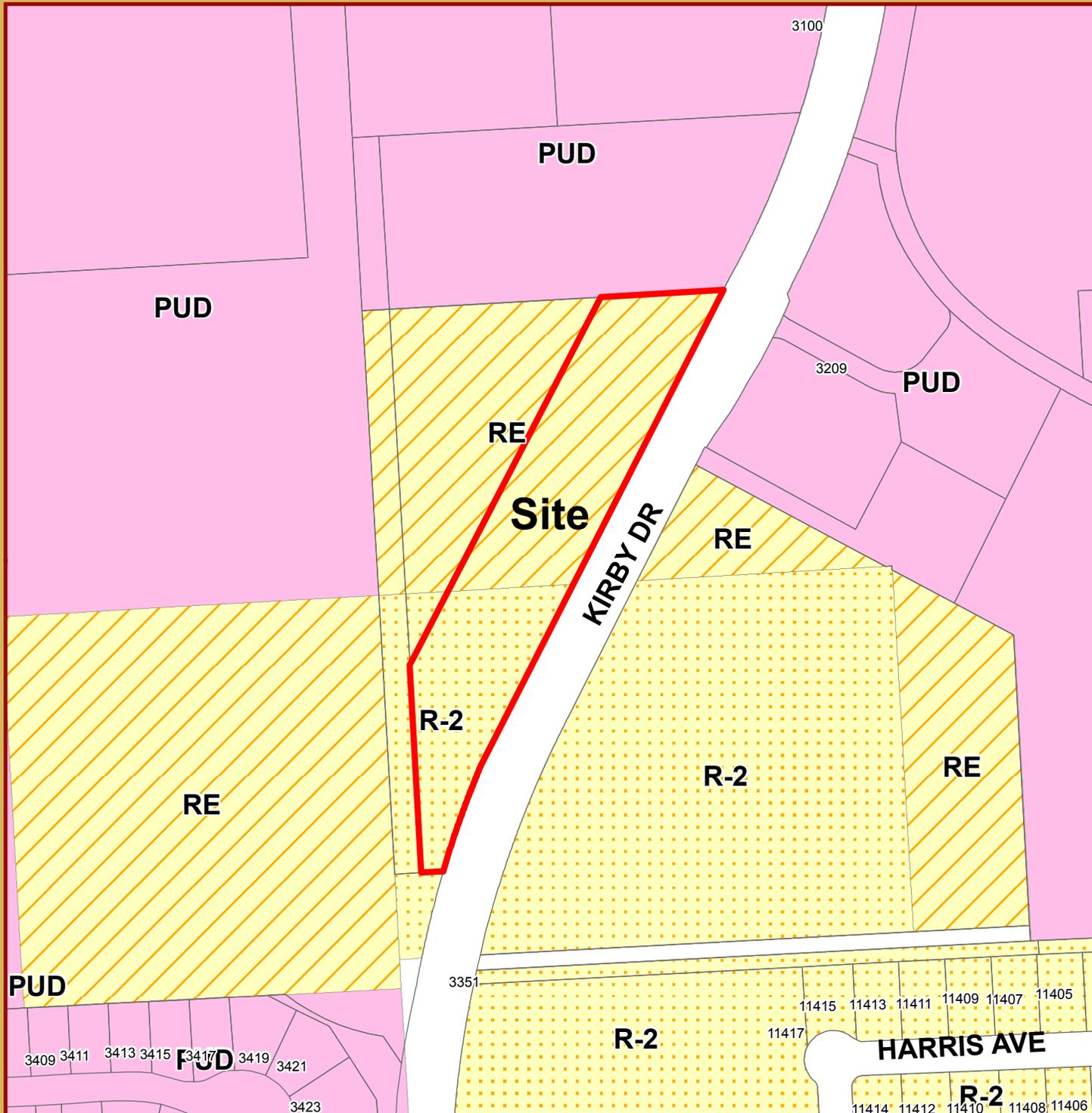


# Exhibit 2

## ZONING MAP

CUP 2016-07

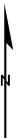
Kirby Dr. south  
of Broadway St.

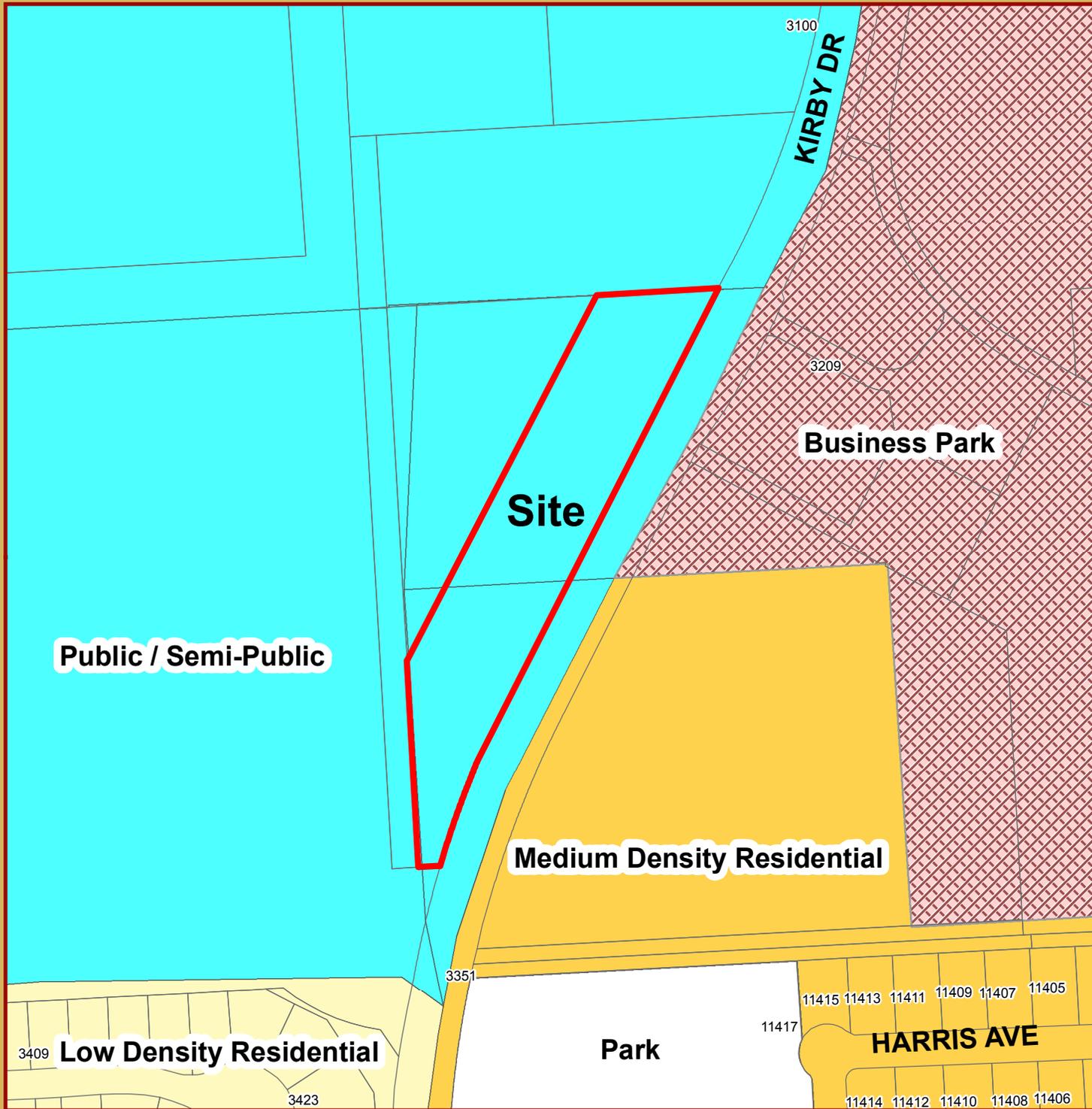


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1 inch = 250 feet

FEBRUARY 2016  
PLANNING DEPARTMENT





# Exhibit 3

**FLUP MAP**

**CUP 2016-07**

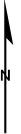
**Kirby Dr. south  
of Broadway St.**

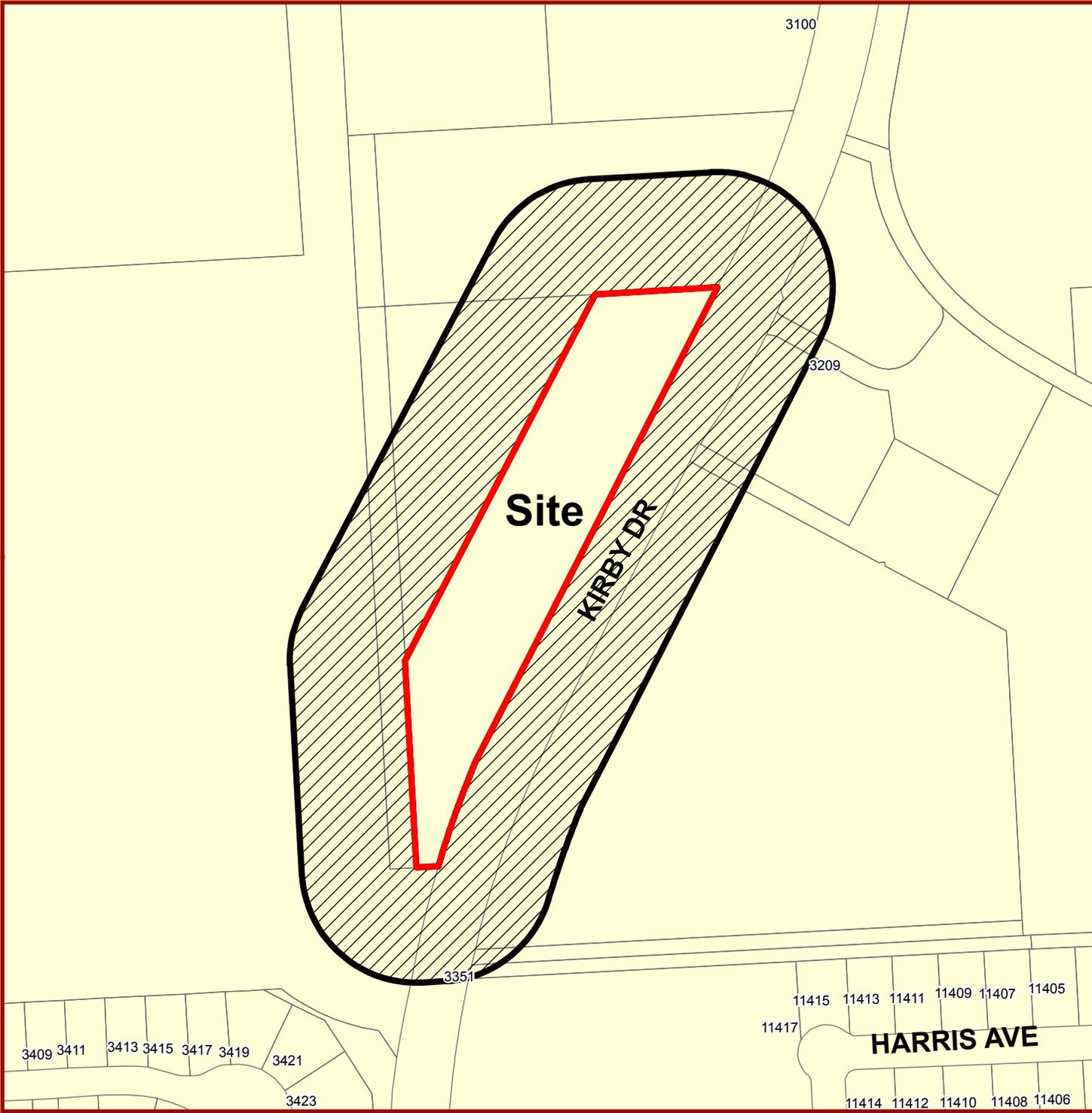


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 250 feet

FEBRUARY 2016  
PLANNING DEPARTMENT





# Exhibit 4

## NOTIFICATION MAP

CUP 2016-07

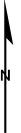
**Kirby Dr. south  
of Broadway St.**



This product is for informational 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.

1 inch = 250 feet

FEBRUARY 2016  
PLANNING DEPARTMENT



**Exhibit 5**

CUP 2016-07

Kirby South of Broadway

<b>Property_Owner</b>	<b>City</b>	<b>Address</b>	<b>State</b>	<b>Zip</b>
ALVIN INDEPENDENT SCHOOL DISTRICT	ALVIN	301 E HOUSE ST	TX	77511
BARLAS ENTERPRISES	HOUSTON	4407 W FUQUA ST STE A	TX	77045
CITY OF PEARLAND	PEARLAND	3519 LIBERTY DR	TX	77581
CL ASHTON WOODS LP % FORESTAR REAL ESTATE GROUP INC	AUSTIN	6300 BEE CAVE RD	TX	78746
LINGO SOUTHGATE LTD	PEARLAND	3900 MAGNOLIA ST	TX	77584
PEARLAND TOWN CENTER LP %MARK STEPHENS	CHATTANOOGA	2030 HAMILTON PLACE BLVD STE 500	TN	37421
SOUTHGATE COMMUNITY ASSOC	PEARLAND	PO BOX 3217	TX	77588





#### d. Criteria for Approval

Each zone change is enacted as per the following criteria.

1. Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use Map and any incorporated sector plan maps;
2. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified;
3. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area;
4. And any other factors which will substantially affect the public health, safety, morals, or general welfare.

#### e. Conditions for Approval

A zone change cannot be approved with conditions.

#### f. Expiration

There is no expiration for a zone change.

#### g. Checklist

- Application and checklist filled out completely and signed by the owner of the property.
- 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 (UDC).**
- Metes and bounds description (survey or 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, why the zoning is being requested to be changed, and the uses that are being proposed.
- Acknowledgement of the sign to be posted on the property ten (10) days prior to the public hearing.
- Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- Application fee, as determined below, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only). Please refer to the City's webpage [www.pearlandtx.gov](http://www.pearlandtx.gov) for updated fees.

LETTER OF AUTHORIZATION

To:  
City of Pearland  
Planning Department  
3519 Liberty Drive  
Pearland, TX 77581  
(281) 652-1740

By:  
Lingo Southgate, Ltd.  
211 E. Parwood, Suite 100  
Friendswood, Texas 77546  
281-947-8675

Re: Land Use Zoning Application - Approximately 3.7 Acres, H.T. & B.R.R. Co. Survey, Section 81, Abstract No. 300, being the remainder of Reserve "B" of Southgate, Section 1, Vol. 24, Pg, 124, B.C.P.R., Located on the West side of Kirby Drive, adjacent to 3100 Kirby Drive, City of Pearland, Brazoria County, Texas.

To Whom It May Concern:

The undersigned duly authorized representative of Lingo Southgate, Ltd., the record owner of the referenced property does hereby authorize Windrose Land Services, Inc. to submit for City review and consideration, a land use zoning application requesting rezoning of the subject property from Single-Family Estate ("RE") District, Single Family Residential-2 ("R-2) District, and Corridor Overlay District ("COD") to General Commercial ("GC) District and COD with a Conditional Use Permit (C.U.P.) to allow a self-storage development, said property being wholly located within the corporate limits of the City of Pearland, Brazoria County, Texas.

Lingo Southgate, Ltd.

By: Jeff C. Bailey

Bailey Commercial, LLC  
Jeff C. Bailey, President

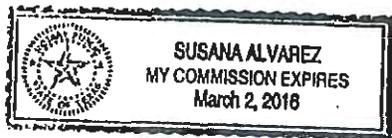
State of Texas

County of Bexar

I, Susana Alvarez, a Notary Public for the State of Texas, do hereby certify that Jeff C. Bailey personally came before me this day and acknowledged that they being authorized to do so, executed the foregoing on behalf of the corporation/partnership.

Witness my hand and official seal, this the 16<sup>th</sup> day of February, 2016.

(Personalized Seal)



Susana Alvarez  
Notary Public

My Commission Expires: 3/2/2016

**GENERAL NOTES**

1. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY, THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACTORS CERTIFICATE AND WOULD BE SUBJECT TO ANY ALL CONDITIONS OR RESTRICTIONS THAT A CURRENT TITLE REPORT OR ABSTRACTORS CERTIFICATE MAY DISCLOSE.
2. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE. (NAD83)
3. THIS PLAT IS ACCOMPANIED BY A SEPARATE METES AND BOUNDS DESCRIPTION.

CALLED 4.8705 ACRES  
CITY OF PEARLAND  
B.C.C.F. No. 2006046892

S 90°00'00" E 210.39'

P.O.B.



**NORTH**

SCALE: 1" = 100'

**3.8662 ACRES  
168,411 SQ. FT.**

RESTRICTED RESERVE "C"

N 31°10'45" E 712.15'

RESIDUE OF RESERVE "B"  
FIRST AMENDING PLAT OF  
SOUTHGATE SECTION ONE  
(VOL. 24, PG. 123, B.C.P.R.)  
LINGO SOUTHGATE, LTD.  
(B.C.C.F. No. 01-058025)

**KIRBY DRIVE**  
(R.O.W. VARIES)

S 31°10'45" W 791.16'

N 00°00'00" E 375.41'

DRAINAGE R.O.W. B.C.D.D. #4 DITCH A-124-05-00

LOT 1, BLOCK 1  
ALVIN INDEPENDENT SCHOOL  
DISTRICT HIGH SCHOOL #3  
PLAT No. 2013051008, B.C.P.R.)

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°59'30" W	20.19'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	1850.00'	10°36'37"	342.59'	S 25°52'27" W	342.10'

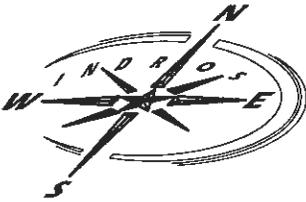
**EXHIBIT OF  
3.8662 ACRES OR 168,411 SQ.-UARE FEET  
SITUATED IN THE  
H.T. & B.R.R. COMPANY SURVEY,  
SECTION 81, A-300  
BRAZORIA COUNTY, TEXAS**

FIELD BY: -	DATE: 02-15-16
DRAWN BY: MT/RV	REV:
CHECKED BY: MK	REV:
JOB NO. 52910-ZONE-EXB	REV:
SHEET 1 OF 2	REV:



**Windrose Land Services**  
3200 Wilcrest, Suite 325  
Houston, Texas 77042  
Phone (713) 458-2281 Fax (713) 461-1151

**Professional Development Consultants**  
Land Surveying, Platting, Project Management, GIS Services  
Firm Registration No. 10108800



**Windrose Land Services**  
3200 Wilcrest Drive, Suite 325  
Houston, Texas 77042  
Phone (713) 458-2281 Fax (713) 461-1151

**Professional Development Consultants**  
Land Surveying, Platting, Project Management and GIS Services  
Firm Registration No. 10108800

## DESCRIPTION

### 3.8662 ACRES OR 168,411 SQUARE FEET

A TRACT OR PARCEL CONTAINING 3.8662 ACRES OR 168,411 SQUARE FEET OF LAND SITUATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 81, ABSTRACT 300, BRAZORIA COUNTY TEXAS, BEING THE RESIDUE OF RESERVE "B", FIRST AMENDING PLAT OF SOUTHGATE SECTION ONE, AS THEREOF RECORDED UNDER VOLUME 24, PAGE 123, BRAZORIA COUNTY PLAT RECORDS, CONVEYED LINGO SOUTHGATE, LTD, AS RECORDED IN BRAZORIA COUNTY CLERK'S FILE No. 01-053025, BEING DESCRIBED AS FOLLOWS WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83.

BEGINNING AT A POINT ON THE WEST RIGHT-OF-WAY LINE OF KIRBY DRIVE (R.O.W. WIDTH VARIES) AT THE SOUTHEAST CORNER OF A CALLED 4.8705 ACRES, CONVEYED TO CITY OF PEARLAND AS RECORDED UNDER THE BRAZORIA COUNTY CLERK'S FILE No. 2006046892, THE NORTHEAST CORNER OF SAID RESERVE "B" AND OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG SAID WEST RIGHT-OF-WAY LINE OF KIRBY DRIVE, SOUTH 31 DEGREES 10 MINUTES 45 SECONDS WEST, A DISTANCE OF 791.16 FEET TO A POINT OF CURVATURE;

THENCE, CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE, WITH A CURVE TO THE LEFT, HAVING A RADIUS OF 1,850.00 FEET, HAVING A CENTRAL ANGLE OF 10 DEGREES 36 MINUTES 37 SECONDS, AN ARC LENGTH OF 342.59 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 25 DEGREES 52 MINUTES 27 SECONDS WEST, 342.10 FEET TO A NORTHEAST CORNER OF LOT 1, BLOCK 1, ALVIN INDEPENDENT SCHOOL DISTRICT HIGH SCHOOL #3, AS RECORDED UNDER PLAT No. 2013051008, BRAZORIA COUNTY PLAT RECORDS, AND THE SOUTHEAST CORNER THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID LOT 1 AND SAID RESIDUE OF RESERVE "B", SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, A DISTANCE OF 20.19 FEET TO THE SOUTHEAST CORNER OF DRAINAGE RIGHT-OF-WAY OF BRAZORIA COUNTY DRAINAGE DISTRICT #4 DITCH A-124-05-00 AS RECORDED UNDER VOLUME 24, PAGE 123, BRAZORIA COUNTY PLAT RECORDS, BRAZORIA COUNTY PLAT RECORDS, AND THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 375.41 FEET TO THE SOUTH CORNER OF RESTRICTED RESERVE "C" OF SAID FIRST AMENDING PLAT OF SOUTHGATE SECTION ONE AND A WEST CORNER OF SAID RESERVE "B" AND OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE COMMON BOUNDARY LINE OF SAID RESTRICTED RESERVE "C" AND RESERVE "B", NORTH 31 DEGREES 10 MINUTES 45 SECONDS EAST, A DISTANCE OF 712.15 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT

THENCE, ALONG COMMON BOUNDARY LINE OF SAID CALLED 4.8705 ACRES AND SAID RESERVE "B", SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 210.39 FEET TO THE PLACE OF BEGINNING CONTAINING 3.8662 ACRES OR 168,411 SQUARE FEET OF LAND, JOB No. 52910-ZONE-EXB PREPARED BY WINDROSE LAND SERVICES.

  
MIKE KURKOWSKI  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION No. 5101



02-15-16  
DATE

# PARCEL MAP FROM CITY OF PEARLAND WEBSITE

15-FEB-2016

Address Search

Identify Results

Name	Value
land_state_cd	
LegalDescr	ABST - 300 SUBD - SouthGate Se
legal_desc	
prop_id	
py_addr_city	
py_addr_country	
py_addr_line1	
py_addr_line2	
py_addr_state	
py_addr_zip	
py_owner_name	
stus_city	
stus_num	
stus_street	
stus_street_prefix	
stus_street_suffix	
stus_unit	
stus_zip	

Tool: Identify > Barzosa Parcels 2015 X: 3113483.50 Y: 1376574.45 Longitude: -95.3500 Latitude: 29.5503 1: 2.284

# PROPERTY COVERED UNDER BRAZORIA COUNTY APPRAISAL DISTRICT PROPERTY ID 548783

CAD

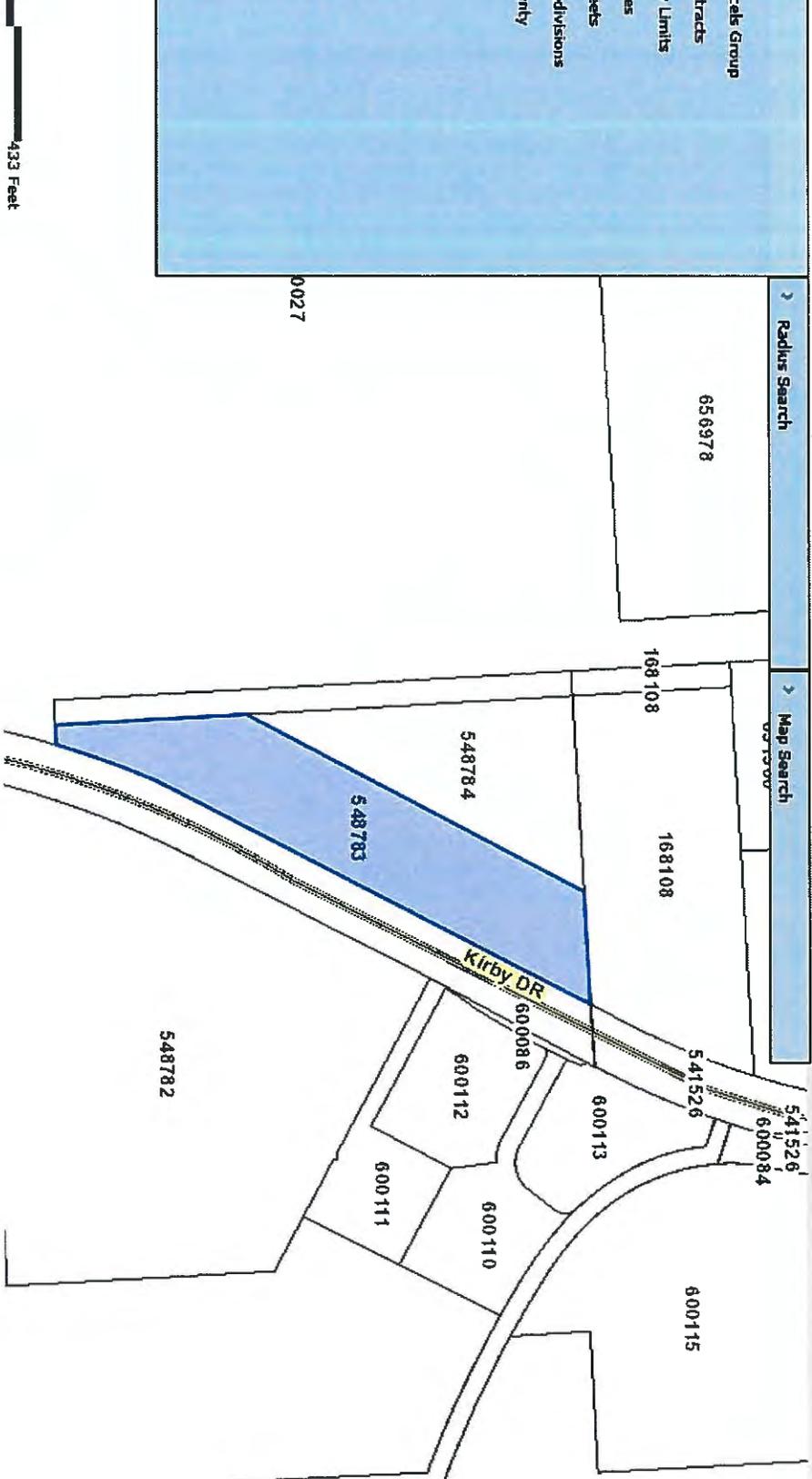
Search Results > Property ID 548783 LINGO SOUTHGATE LTD for Year 2016



548783  
3-1-000-001

Location  
Sitius Address:  
Neighborhood: SOUTHGATE  
Mapscs:  
Jurisdications: PMMD2, GBC, SAL, CAD, CPL, DR4, JAL, RDB

Owner  
Owner Name: LINGO SOUTHGATE LTD  
Mailing Address: , PO BOX 3217, PEARLAND, TX 77588





**Windrose Land Services**

3200 Wilcrest, Suite 325

Houston, Texas 77042

Phone (713) 458-2281 Fax (713) 461-1151

**Professional Development Consultants**

Land Surveying, Platting, Project Management and GIS Services

Firm Registration No. 10108800

February 16, 2016

City of Pearland  
Planning Department  
3519 Liberty Drive  
Pearland, TX 77581  
(281) 652-1740

**Re: Letter of Intent to Rezone Called 3.8662 Acres, being the residue of Unrestricted Reserve B, First Amending Plat of SouthGate Section One, Vol. 24, Pg. 123, Brazoria County Map Records, situated in the H.T. & B.R.R. Company Survey, Abstract No. 300, located on the west side of Kirby Drive approximately 1,500 feet south of the intersection with W. Broadway Street, City of Pearland, City Limits, Brazoria County, Texas.**

To Whom It May Concern:

On behalf of and as the duly authorized representative of the record owner of the above referenced property, Lingo Southgate, LTD (the "Owner"), Windrose Land Services (the "Applicant") hereby requests that the City of Pearland rezone the subject property from RE (Single-Family Estate District), R-2 (Single-Family Residential-2 District) with COD (Corridor Overlay District) to GC (General Commercial District) with COD and CUP (Conditional Use Permit). The Owner desires the requested CUP zoning in order to enable the development of a self-storage facility on the property.

The property is located on the west side of Kirby Drive approximately 1,500 feet south of W. Broadway Street, just across from the southernmost entrance to the Pearland Town Center. The site is bordered by Pearland Fire Station No. 5 to the north, a Brazoria County Drainage District No. 4 storm water channel to the west, Kirby Drive to the east (across from Pearland Town Center and an amenity storm water detention pond for Southgate Section 1), and by the entrance to Shadow Creek High School to the south(west). The owner is applying for a GC District zoning with a conditional use permit to allow for the construction of a self-storage facility. The property is currently zoned for residential use; however, residential use is no longer the highest and best use for this property. The unique physical characteristics of this site, in combination with its location on Kirby Drive near predominant commercial and institutional uses constitute a change in land use conditions and provide more than adequate justification for the zoning change. The site itself is only 180 feet deep and could not provide the double-stacked residential lot configuration, including a dedicated public street, to make the area viable for single-family residential development. The alternative would be fronting residential lots on Kirby Drive, which is extremely disruptive and inconsistent with the institutional and commercial traffic in the immediate area. Kirby Drive is rated as a secondary thoroughfare on Pearland's Major Thoroughfare Plan and has a high-volume of traffic during peak and non-peak travel times. The proposed self-storage use will have a minimal effect on the surrounding traffic pattern as the occupancy level and associated trips per day per customer are extremely low (as the customers make infrequent trips to the facility). Additionally, the owner's proposed development is aesthetically compatible with the surrounding uses and is consistent with the Public/Semi-Public designation in the City's Future Land Use Plan. Regarding infrastructure, the site has immediate access to water and sanitary sewer infrastructure and the on-site storm sewer infrastructure will be provided that is consistent with abutting roadway and storm sewer systems. Finally, the development will meet all of the aesthetic requirements and other development regulations in both the GC District and the City's Corridor Overlay District, along with any conditions set forth which the City deems reasonable and in concert with the site plan and elevation renderings provided.

Sincerely,

Andrew Allemand, A.I.C.P.

Director of Planning

Windrose Land Services, Inc.



- Any other information which may be requested by the Planning Department to fully evaluate and review the application and the potential impact of a proposed tower or antenna.

**h. Posting of Notification Signs on Property Under Consideration for a Conditional Use Permit (CUP)**

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.

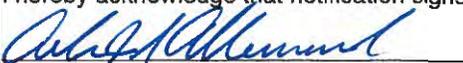
Such sign(s) shall be located as follows:

1. One (1) sign per street frontage shall be located within thirty (30) feet 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 two (2) feet by three (3) feet, but no larger than four (4) feet by four (4) feet
  - At least two (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 CUP**  
**Contact City of Pearland**  
**281.652.1765**

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

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

I hereby acknowledge that notification signs will be posted on-site in accordance with the regulations outlined above.		
	<u>ANDREW ALLEMANT</u>	<u>15 FEB 2016</u>
Applicant's Signature	Applicant's Printed Name	Date

2015 TAX STATEMENT



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

**Certified Owner:**  
 LINGO SOUTHGATE LTD  
 PO BOX 3217  
 PEARLAND, TX 77588

**Legal Description:**  
 SOUTHGATE SEC 1 (A0300 HT&B) (PEARLAND)  
 LOT RESERVE B (RESIDENTIAL) ACRES 3.723

Account No: 7713-1000-001

Appr. Dist. No.: 548783

Legal Acres: 3.7230

Parcel Address:

As of Date: 02/16/2016

Print Date: 02/16/2016

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$9,310	\$0	\$9,310	\$9,310	\$0	\$0	\$0	\$9,310

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
BRAZORIA COUNTY <i>Amount saved by additional sales tax revenue \$9.46</i>	\$9,310		\$0.00	\$9,310	0.4260000	\$39.66
SPECIAL ROAD & BRIDGE	\$9,310		\$0.00	\$9,310	0.0600000	\$5.59
ALVIN ISD	\$9,310		\$0.00	\$9,310	1.4170000	\$131.92
ALVIN COMMUNITY COLLEGE	\$9,310		\$0.00	\$9,310	0.2040090	\$18.99
BRAZORIA DRAINAGE DIST 4	\$9,310		\$0.00	\$9,310	0.1555000	\$14.48
PEARLAND MUNICIPAL MANAG	\$9,310		\$0.00	\$9,310	0.1000000	\$9.31
CITY OF PEARLAND	\$9,310		\$0.00	\$9,310	0.7053000	\$65.66

**Total Tax:** \$285.61  
**Total Tax Paid to date:** \$285.61  
**Total Tax Remaining:** \$0.00

**Exemptions:**

**AMOUNT DUE IF PAID BY:**

02/29/2016 7%	03/31/2016 9%	05/02/2016 11%	05/31/2016 13%	06/30/2016 15%	08/01/2016 18 + up to 20%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
08/31/2016 19 + up to 20%	09/30/2016 20 + up to 20%	10/31/2016 21 + up to 20%	11/30/2016 22 + up to 20%	01/02/2017 23 + up to 20%	01/31/2017 24 + up to 20%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**School Information:**

ALVIN ISD 2015 M&O 1.0400000 I&S .37700000 Total 1.4170000 2014 M&O 1.0400000 I&S .37700000 Total 1.4170000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.62

**Print Date:** 02/16/2016

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

RO'VIN GARRETT, PCC  
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
 111 E. LOCUST  
 ANGLETON, TEXAS 77515  
 (979) 864-1320, (979) 388-1320, (281) 756-1320

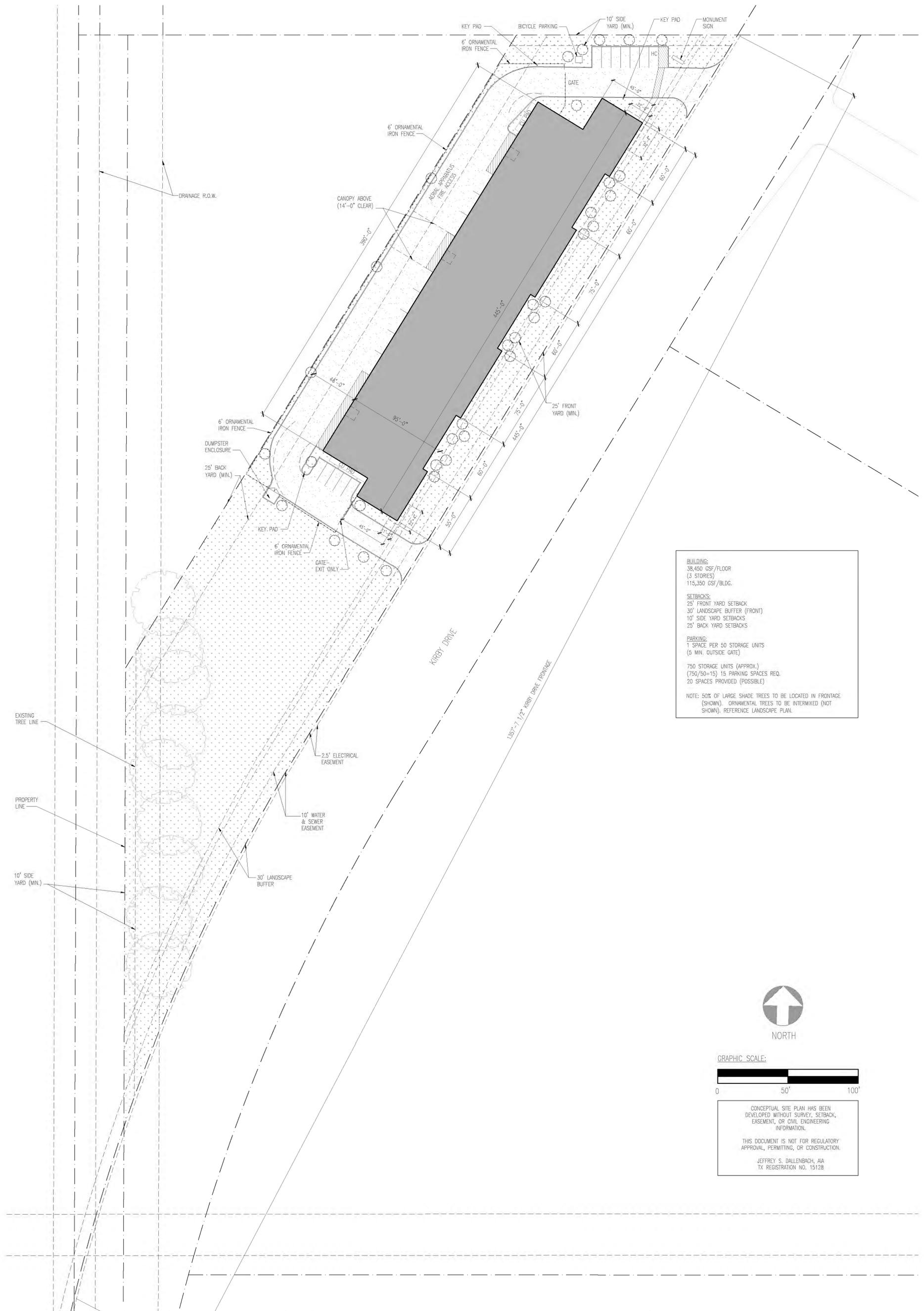


7713-1000-001  
 LINGO SOUTHGATE LTD  
 PO BOX 3217  
 PEARLAND, TX 77588

**AMOUNT PAID:**

\$ \_\_\_\_\_

77131000001 2015 022016 00000000000 00000000000 00000000000 1



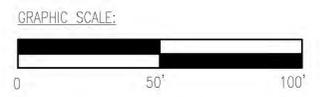
**BUILDING:**  
 38,450 CSF/FLOOR  
 (3 STORIES)  
 115,350 CSF/BLDG.

**SETBACKS:**  
 25' FRONT YARD SETBACK  
 30' LANDSCAPE BUFFER (FRONT)  
 10' SIDE YARD SETBACKS  
 25' BACK YARD SETBACKS

**PARKING:**  
 1 SPACE PER 50 STORAGE UNITS  
 (5 MIN. OUTSIDE GATE)

750 STORAGE UNITS (APPROX.)  
 (750/50=15) 15 PARKING SPACES REQ.  
 20 SPACES PROVIDED (POSSIBLE)

NOTE: 50% OF LARGE SHADE TREES TO BE LOCATED IN FRONTAGE (SHOWN). ORNAMENTAL TREES TO BE INTERMIXED (NOT SHOWN). REFERENCE LANDSCAPE PLAN.



CONCEPTUAL SITE PLAN HAS BEEN DEVELOPED WITHOUT SURVEY, SETBACK, EASEMENT, OR CIVIL ENGINEERING INFORMATION.

THIS DOCUMENT IS NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

JEFFREY S. DALLENBACH, AIA  
 TX REGISTRATION NO. 15128

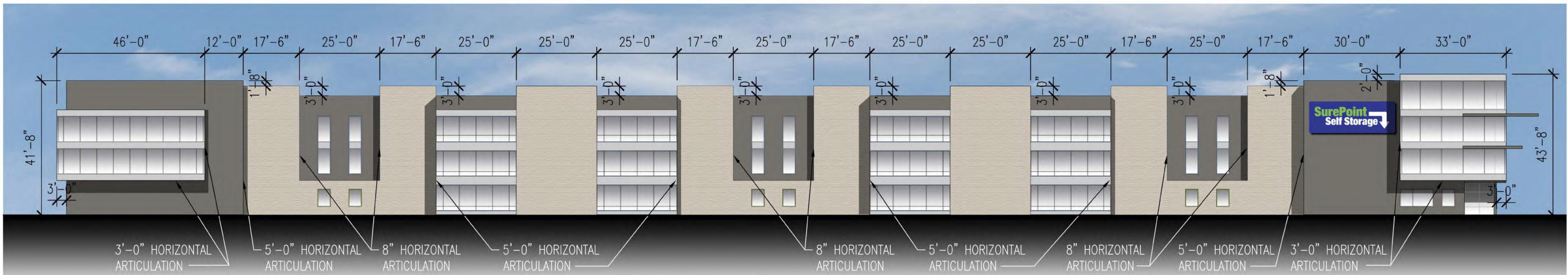
# SITE PLAN - PEARLAND STORAGE

03.11.16

SCALE: 1" = 40'-0"



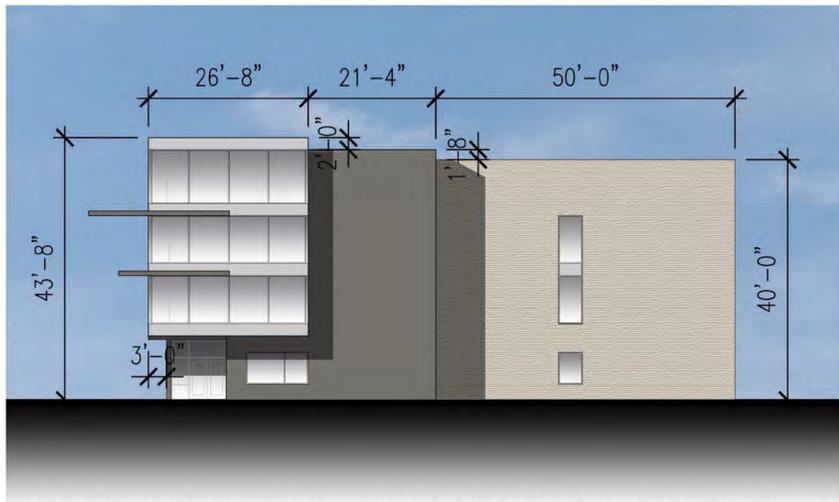
12035 COLWICK - SUITE 200 SAN ANTONIO, TX 78216  
 P 210.493. 2234



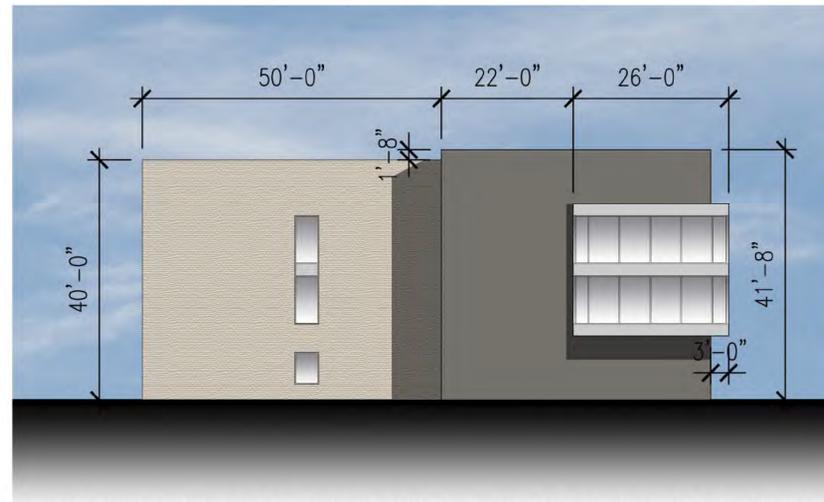
**EAST ELEVATION (FACING KIRBY DRIVE)**



**WEST ELEVATION (NOT VISIBLE FROM KIRBY DRIVE)**



**NORTH ELEVATION (VISIBLE FROM KIRBY DRIVE)**



**SOUTH ELEVATION (VISIBLE FROM KIRBY DRIVE)**

OVERLAY REQUIREMENTS	EAST	WEST	NORTH	SOUTH
TRANSPARENCY -TOTAL BUILDING	17,694 SF	14,375 SF	4,023 SF	3,940 SF
TRANSPARENCY -TOTAL GLAZING	4,687 SF	203 SF	906 SF	509 SF
GLAZING PERCENTAGE PROVIDED	26.4%	1.4%	23%	13%
PERCENTAGE ABOVE REQ. GLAZING	2%	1.4%	23%	13%

- NOTES:
- 25% GLAZING REQUIRED IN FRONT FACADE (EAST ELEVATION)
  - NO GLAZING REQUIRED ON SIDES AND BACK (WEST, NORTH, SOUTH ELEVATION)

**PEARLAND STORAGE: OVERLAY REQUIREMENTS (TRANSPARENCY/ ARTICULATION)**

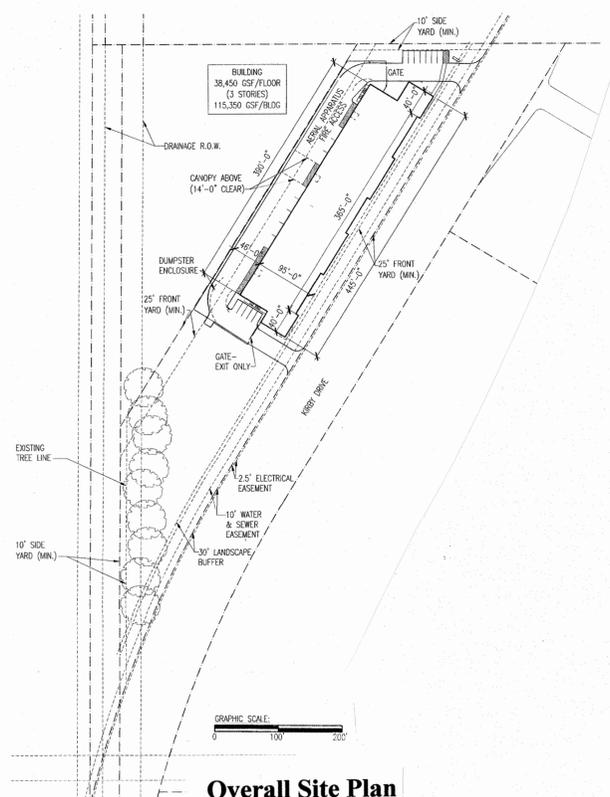
03.11.16

SCALE: N.T.S.

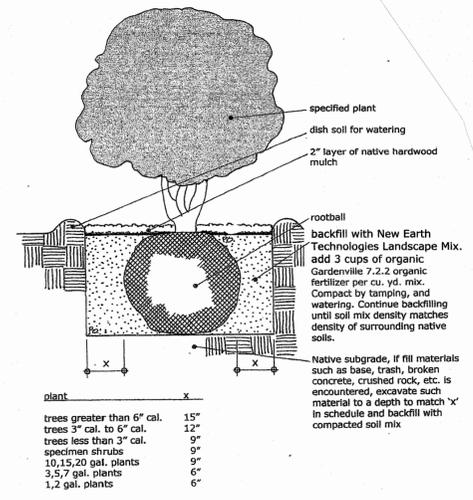
LANDSCAPE HAS BEEN LEFT OFF ELEVATIONS IN ORDER TO SHOW BUILDING. LANDSCAPE WILL BE DESIGNED PER REQUIRED CORRIDOR OVERLAY DISTRICT ORDINANCE. REFERENCE LANDSCAPE PLAN.



12035 COLWICK - SUITE 200 - SAN ANTONIO, TX 78216  
P 210.493.2234



**Overall Site Plan**



**Typical Plant Installation**  
Not to Scale

plant	x
trees greater than 6" cal.	15"
trees 3" cal. to 6" cal.	12"
trees less than 3" cal.	9"
specimen shrubs	9"
10,15,20 gal. plants	9"
3,5,7 gal. plants	6"
1,2 gal. plants	6"

**Laying Grass Sod.** If topsoil is required, it shall be laid to the depth and finished grades as shown on the drawings (see Topsoil notes). Then the fine grade surface shall be raked or dragged to achieve a 'tabletop' surface prior to installing sod. Sod shall be laid with off-setting joints and shall completely cover all grass areas. All sod shall be watered immediately after installation and maintained in a healthy, vigorous growth state until accepted. All sod shall be placed the day of delivery. No sod remaining on pallets or otherwise left un-installed or un-watered over 24 hours will be accepted. Sod shall be rolled with an acceptable roller a minimum of one time and as often as needed to achieve a smooth acceptable lawn. Any dry or dead patches shall be removed and replaced immediately. Where breaks, un-level areas, or open joints occur, fine grain washed sand shall be used to top-dress the lawn surface.

**Maintenance of Installed Plantings:**  
All installed plant materials (trees, shrubs, groundcovers, perennials, florals, grass, etc.) shall be maintained by the landscape contractor until accepted by the Owner. Maintenance shall include watering, weeding, fertilizing, pruning, etc. At the time of final acceptance, all plant materials shall be alive, in a healthy state of growth and meeting size requirements as specified on the drawings as well as normal horticultural practice standards. Any diseased, dead or partially dead plants shall be immediately replaced. All plantings shall be guaranteed for one year from the date of final acceptance.

**Plant Materials Schedule**

item	common name	scientific name	specifications
<b>Shade Trees:</b>			
GUM	Sweet Gum	Liquidambar styraciflua	4" cal., 14' - 18' tall, 7'-8' sprd., BB/CT
LOB	Loblolly Pine	Pinus taeda	4" cal., 14' - 18' tall, 7'-8' sprd., BB/CT
WOK	Water Oak	Quercus nigra	4" cal., 14' - 18' tall, 7'-8' sprd., BB/CT
ARB	American Arborvitae	Thuja occidentalis Nigra	3" cal., 10' - 13' tall, BB/CT
RC	Red Crapemyrtle	Lagerstroemia in. red	3" cal., 10' - 13' tall, BB/CT
WC	White Crapemyrtle	Lagerstroemia in. white	3" cal., 10' - 13' tall, BB/CT
YAU	Yaupon Holly	Ilex vomitoria	3" cal., 8' - 10' tall, BB/CT
HCZ	Hino-Crimson Azalea	Azalea sp. Hino-Crimson	24" tall, 5 gallon
SWZ	Snow White Azalea	Azalea sp. Snow White	18" tall, 5 gallon
AJ	Asiatic Jasmine	Trachelospermum asiaticum	1 gallon @ 15" o.c.
DAY	Yellow Daylily	Hemerocallis sp. Yellow	1 gallon
TIF	Tif 419 Bermudagrass	Cynodon dactylon Tif 419	solid sod

**City of Pearland Landscape Ordinance Compliance**

**Required Trees:** (approximate street frontage = 1,357 lin. Ft.)  
 Large trees: 1,357 ÷ 10"/inch cal. = 136 inches caliper req'd. = 36 - 4" trees  
 Ornamental trees: 1,357 ÷ 15"/inch cal. = 91 inches caliper req'd. = 31 - 3" trees  
 (Note: 2" caliper trees required, all planned trees exceed minimum requirements)

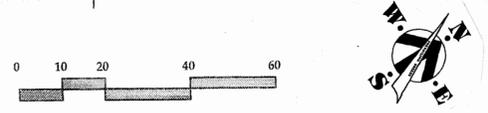
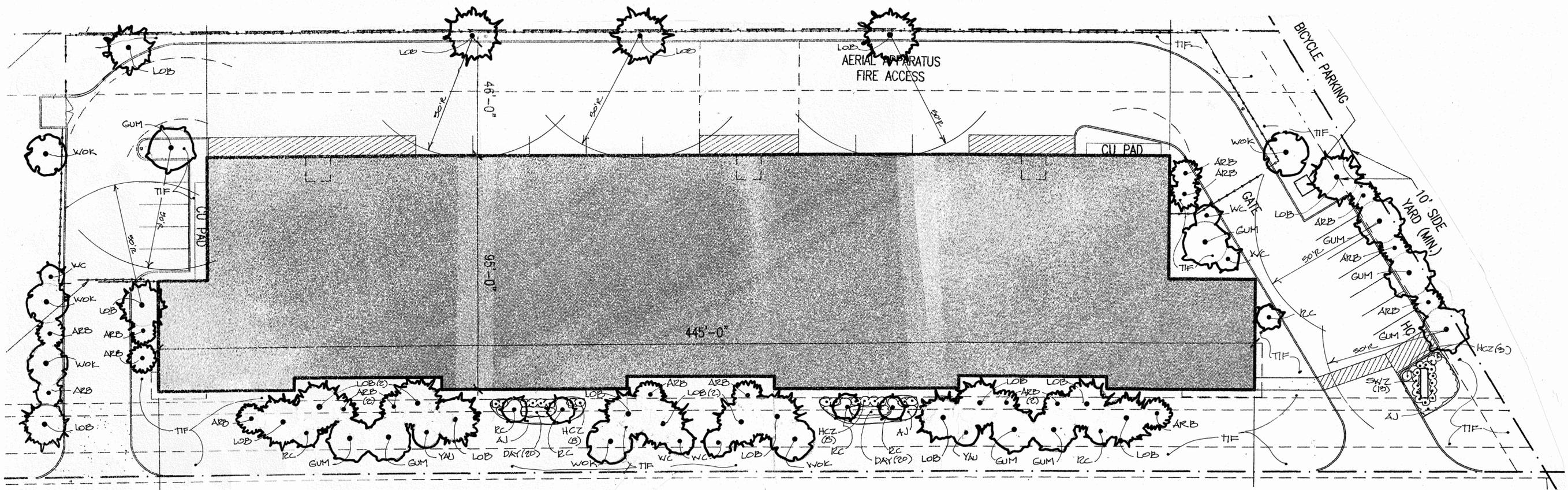
type tree	total site required	actual planned	street front req'd. (50%+)	street front planned	street evergreens req'd. (60%of frnt.)	street evergreen planned
Large Shade	34	34	17	19	10	12 (70.5%)
Ornamental	31	31	16	18	10	10 (60.0%)

**Parking Trees:** All parking spaces are within 50' of a planned shade tree

**Parking Screening from Street:** All parking spaces are screened by either shrubs or structure

**Note:** Although not required, decorative shrubby, perennials and groundcovers are utilized to enhance street frontage view

An Automatic Irrigation System will be designed and installed for this project



**Landscape Plan**

**PEARLAND STORAGE**

**Peter B. Olfers and Associates**  
 Landscape Architecture Research Planning  
 6322 Sovereign, Suite 137B San Antonio, Texas 78229  
 phone (210) 349-9336 FAX (210) 349-3820



project date sheet 16-009 2/24/16  
**L1**

## City of Pearland Landscape Ordinance Compliance

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Ornamental trees:  $1,357 \div 15'/\text{inch cal.} = 91$  inches caliper req'd. = 31 - 3" trees

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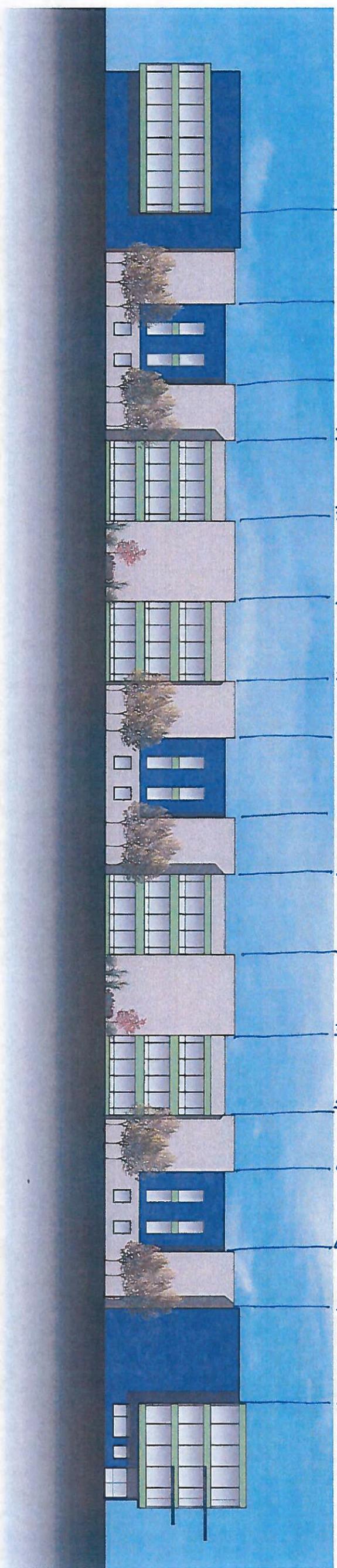
02.15.16  
ELEVATION -

ELEVATION - PEARLAND STORAGE

02.15.16

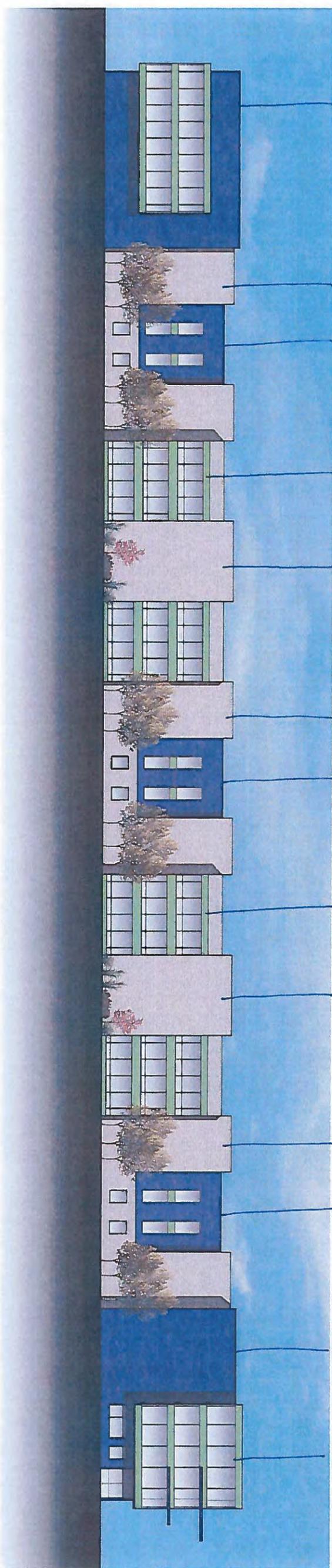
SCALE: N.T.S.

BUILDING  
ARTICULATION  
FACILE KIRBY



- WINDOWS 3' VERTICAL  
5' HORIZONTAL; 1'4" VERTICAL
- 6" HORIZONTAL, 3' VERTICAL
- 6" HORIZONTAL, 3' VERTICAL
- 5' HORIZONTAL, 3' VERTICAL
- 3' VERTICAL
- 3' VERTICAL
- 5' HORIZONTAL, 3' VERTICAL
- 6" HORIZONTAL, 3' VERTICAL
- 6" HORIZONTAL, 3' VERTICAL
- 5' HORIZONTAL, 3' VERTICAL
- 3' VERTICAL
- 3' VERTICAL
- 5' HORIZONTAL, 3' VERTICAL
- 6" HORIZONTAL, 3' VERTICAL
- 6" HORIZONTAL, 3' VERTICAL
- 5' HORIZONTAL, 1'4" VERTICAL
- 3' HORIZONTAL, 6" VERTICAL  
(WINDOWS)

KIRBY DRIVE OVERLAY - FRONT FACADE  
 - 25% GLAZING REQUIRED / PROVIDED  
 - 3'-0" MINIMUM HORIZONTAL / VERTICAL ARTICULATION  
 EVERY 25'-0" REQUIRED / PROVIDED  
 - 75% MASONRY REQUIRED (100% PROVIDED)  
 - LANDSCAPE PER OVERLAY



SW 7019 GAUNTLET GRAY

BANDS TO BE BURNISHED ALUMINUM TO MATCH WINDOW MULLIONS

SW 7016 MINDFUL GRAY

SW 7019 GAUNTLET GRAY

BANDS TO BE ALUMINUM TO MATCH WINDOW MULLIONS

SW 7016 MINDFUL GREY OR 7019 GAUNTLET GRAY

SW 7016 MINDFUL GRAY

SW 7019 GAUNTLET GRAY

BANDS TO BE ALUMINUM TO MATCH WINDOW MULLIONS

SW 7016 MINDFUL GRAY OR SW 7019 GAUNTLET GRAY

SW 7016 MINDFUL GRAY

SW 7019 GAUNTLET GRAY

SW 7019 GAUNTLET GRAY

BANDS TO BE ALUMINUM TO MATCH WINDOW MULLIONS

*COLORS TO CLOSELY MATCH  
 COGNITOR OVERLAY DISTRICT  
 APPROVED COLOR PALETTE*

KIRBY DRIVE OVERLAY - FRONT FACADE  
 - 25% GLAZING REQUIRED / PROVIDED  
 - 3'-0" MINIMUM HORIZONTAL / VERTICAL ARTICULATION EVERY 25'-0" REQUIRED / PROVIDED  
 - 75% MASONRY REQUIRED (100% PROVIDED)  
 - LANDSCAPE PER OVERLAY

**ELEVATION - PEARLAND STORAGE**

02.15.16

SCALE: N.T.S.



12035 COLWICK - SUITE 200 SAN ANTONIO, TX 78216  
 P 210.493.2234



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, MARCH 28, 2016, AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Conditional Use Application No. 2016-06**

A request of Kathryn Edwards, applicant; on behalf of Wu Family Trust, owner; for approval of a Conditional Use Permit (CUP) to allow for self-storage facility in the Shadow Creek Ranch Planned Development (SRC PUD) zoning district; on approximately 3.653 acres of land.

**Legal Description:** Being a 3.653 acre (159,154 square feet calculated) parcel of land situated in the T.C. & R.R. Co. Survey, Abstract 678, in Brazoria County Texas, and being the residue of Lot 2, Block, 1 of the replat of Kirby Commons Subdivision as recorded under Brazoria County Clerk's File Number 2008033752, Brazoria County, Texas.

**General Location:** NE corner of Broadway Street and Broadway Bend Drive, Pearland, TX.

**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 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**



## Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: March 28, 2016

Re: Conditional Use Permit Application No. 2016-06

A request of Kathryn Edwards, applicant; on behalf of Wu Family Trust, owner; for approval of a Conditional Use Permit (CUP) to allow for self-storage facility in the Shadow Creek Ranch Planned Development (SCR PUD) zoning district; on approximately 3.653 acres of land, Pearland, TX.

General Location: NE corner of Broadway Street and Broadway Bend Drive, Pearland, TX.

### Summary of Request

The applicant is requesting approval of a Conditional Use Permit (CUP) to allow for a mini-warehouse/self storage facility to be located within the Shadow Creek Ranch Planned Development (SCR PUD) zoning district. The subject parcel is zoned as Commercial (C) within the PUD. The proposed development consists of a total of approximately 183,100 square feet within one three-story, climate-controlled building, and two single story buildings with drive-up units. The applicant has indicated that the facility will be owned and operated by Public Storage. Mini-warehouse/self storage uses require approval of a CUP in this zoning district. The site is currently vacant.

### Recommendation

Staff is not able to recommend approval of the requested CUP for a mini-warehouse/self storage facility on the approximately 3.653-acre for the following reasons:

1. The Future Land Use Plan (FLUP) designates this location, in close proximity to an intersection of two Thoroughfares, as a Major Retail Node. Retail nodes are customer oriented activity centers of complementary retail, office, and service uses. Self-storage is a use that is quiet and generating little traffic, and therefore it is not expected to contribute to the vibrancy of this designated retail node.

Self-storage facilities should not be located at prime retail corners. The use is better suited for locations that are behind retail uses or within industrial districts.

2. Shadow Creek Ranch is a premiere master plan community and self-storage is not a use that will add value to the surrounding property. Although the proposed development will increase the property value of the site, minimal sales tax revenue is generated from this use.
3. The proposed request is not in conformance with the criteria of approval as per the current Unified Development Code (UDC) or the previous Land Use and Urban Development Ordinance which was applicable when the SCR PD was approved. A self-storage facility at this location is not compatible with and does not preserve the character and integrity of adjacent developments that include banks, offices, grocery stores, restaurants, etc., that attract a high level of customer activity.

If the City Council should consider approval of this CUP, the following conditions are recommended:

1. The development standards of the Corridor Overlay District (COD) as contained in the UDC shall be applicable to the Broadway Bend Drive frontage and Broadway Street frontage. All other current requirements of the UDC shall be applicable.
2. Building façade materials for facades facing Broadway Street and Broadway Bend shall be limited to no more than thirty percent (30%) stucco.
3. A combination of brick, stone, and other masonry materials shall be used.
4. All landscaping as shown in the attached Landscaping Plan be provided. It is recommended that the shrubs along Broadway Street continue all the way to the entrance to the property on Broadway Bend Drive.

### **Site History**

The subject property is undeveloped and the area was incorporated into Pearland in 1998. The project is located within the SCR PUD, which requires compliance with the Shadow Creek Ranch Design Guidelines and approval from the Shadow Creek Ranch Architectural Review Committee (ARC) in addition to compliance with the City's Land Use and Urban Development Ordinance. The applicant has provided a provisional approval letter from the Shadow Creek Ranch ARC that indicates that the proposed development is in general accordance with the standards specified in the design guidelines.

### **Conformance with the Comprehensive Plan**

The Future Land Use Plan (FLUP) designates the site as a “Major Retail Node”, which encourages a variety of retail, office, and service uses. While, the parcel’s current land use designation of retail, offices, and services in the PUD is in conformance with the future land use designation of the Comprehensive Plan, the proposed CUP for a self-storage facility is not suitable for this site.

### **Conformance with the Thoroughfare Plan**

According to the City records, Broadway Street is a Major Thoroughfare of sufficient width. The road is classified as having a minimum right-of-way width of 120 feet. Broadway Bend is classified as a local street with a minimum right-of-way width of 50 feet and is constructed as such.

### **Conformance with the Unified Development Code**

The property is currently undeveloped. The applicant proposes to develop the property with a self-storage facility. Based on the proposed land use map for the SCR PUD, this property is designated as Commercial (C) zoning. Development requirements for this property are subject to the regulations of the previous Land Use and Urban Development Ordinance. The property is not subject to the requirements of the COD, because Broadway Street was not identified as a COD in the previous Land Use and Urban Development Ordinance.

The development regulations for this site are shown in the table below:

<b>Commercial (C) Area Regulations</b>	
<b>Size of Lot</b>	<b>Required</b>
Minimum Lot Size	22,500 sf.
Minimum Lot Width	150 ft.
Minimum Lot Depth	125 ft.

The landscape plan submitted with the CUP application meets the requirement of the COD. A detailed plant legend has been provided showing the number and species of shrubs and trees, as well as the total number of caliper inches for each species. The number of caliper inches required along Broadway Street exceed the minimum requirement by double and additional trees have been incorporated in all parts of the

site. Foundation plantings have been provided around the base of the building. It is recommended that the shrubs along Broadway Street continue all the way to the entrance to the property on Broadway Bend Drive.

The façade materials have been proposed as stucco and brick. Staff recommends that stucco material should be limited to 30% of the façade for sides facing Broadway Street and Broadway Bend Drive. Additionally, the transparency requirement for all façades facing Broadway Street and Broadway Bend Drive should meet the requirement of 25% transparency. Staff recommends that all other COD and UDC requirements be met on Broadway Bend Drive and Broadway Street.

### **Platting Status**

The property is included in the Replat of Lot 2, Block 1 of Kirby Commons. A partial replat of the lot occurred in April 2013, to create a separate lot for the Kwik Kar and Ocean Car Wash, resulting in the current configuration of the subject property as Lot 2A, Block 1 of Kirby Commons.

### **Availability of Utilities**

City water and sewer service are available to the site. A 16-inch water line exists along the north side of Broadway Street, and an 8-inch water line on the west side of Broadway Bend Drive. An 18-inch sanitary gravity sewer line exists along the south side of Broadway Street.

### **Impact on Existing and Future Development**

The proposed CUP for mini-warehouse/self storage use will not encourage additional retail development or facilitate the realization of the Major Retail Node proposed for this area.

### **Additional Comments**

The request has been reviewed by the City's Development Review Committee (DRC), and there were no additional comments from other departments at the time of this report.

### **Public Notification**

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was

published in the local newspaper, and notification signs were placed on the property by the applicant.

### **Opposition to or Support of Proposed Request**

Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request.

### **Exhibits**

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



# Exhibit 1

**AERIAL MAP**

**CUP 2016-06**

**Broadway St. and  
Broadway Bend Dr.**

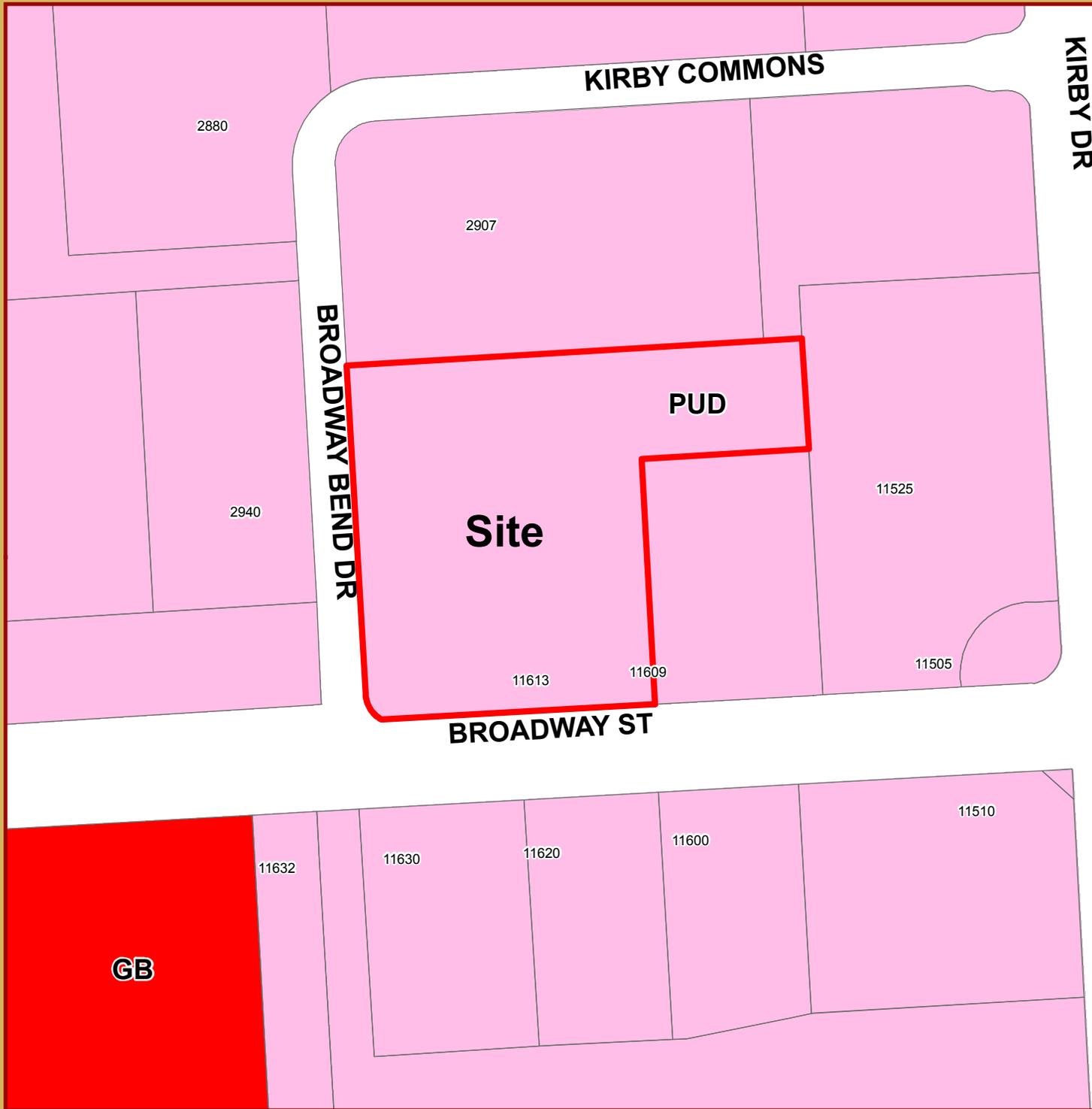


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 167 feet

FEBRUARY 2016  
PLANNING DEPARTMENT





**Exhibit 2**

**ZONING MAP**

**CUP 2016-06**

**Broadway St. and Broadway Bend Dr.**

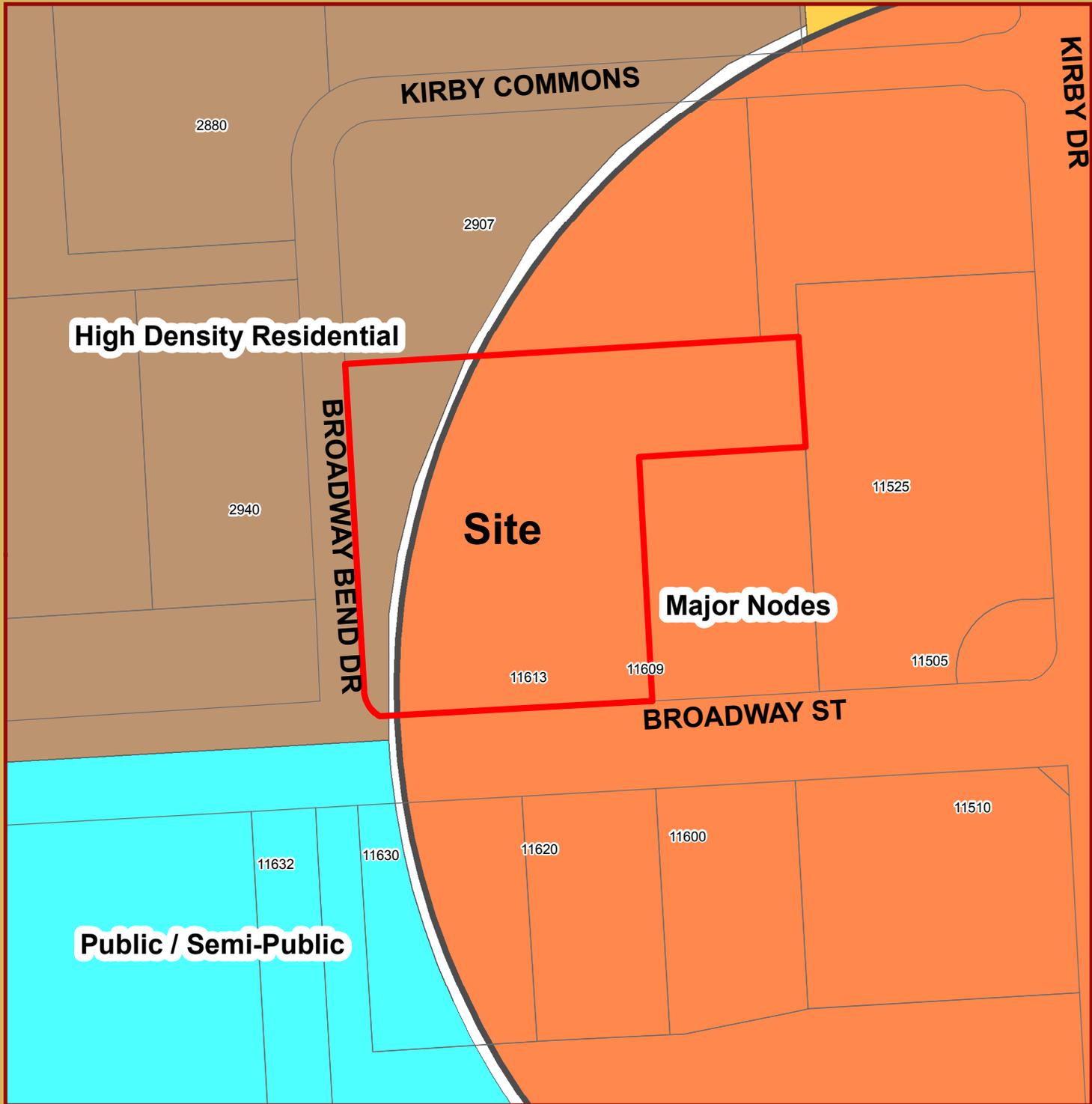


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1 inch = 167 feet

FEBRUARY 2016  
PLANNING DEPARTMENT





**Exhibit 3**

**FLUP MAP**

**CUP 2016-06**

**Broadway St. and  
Broadway Bend Dr.**



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1 inch = 167 feet

FEBRUARY 2016  
PLANNING DEPARTMENT



KIRBY COMMONS

KIRBY DR

2880

2907

BROADWAY BEND DR

2940

Site

11525

11505

11613

11609

BROADWAY ST

11510

11632

11630

11620

11600

# Exhibit 4

## NOTIFICATION MAP

### CUP 2016-06

### Broadway St. and Broadway Bend Dr.



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1 inch = 167 feet

FEBRUARY 2016  
PLANNING DEPARTMENT



**Exhibit 5**

CUP 2016-06

Broadway St. and Broadway Bend Dr.

<b>Property_Owner</b>	<b>City</b>	<b>Address</b>	<b>State</b>	<b>Zip</b>
ALDI LLC	ROSENBERG	777 US HWY 90A WEST	TX	77471
ALVIN INDEPENDENT SCHOOL DISTRICT	ALVIN	301 E HOUSE ST	TX	77511
GLOBAL NEW MILLENIUM PARTNERS LTD	SUGAR LAND	4415 HIGHWAY 6	TX	77478
HIGHWAY 6 INTERESTS	HOUSTON	720 N POST OAK RD STE 350	TX	77024
METHODIST HOSPITAL	HOUSTON	6565 FANNIN ST	TX	77030
MOODY NATIONAL BANK	GALVESTON	2302 POST OFFICE ST	TX	77550
CARROLLWOOD INVESTORS LLC	IRVINE	18201 VON KARMAN AVE, SUITE 1000	CA	92612
PEARTEX HOTELS % KIRAN SHAH	KATY	22455 KATY FWY	TX	77450
SHADOW CREEK RANCH MAINTENANCE ASSOCIATION	PEARLAND	12234 SHADOW CREEK PKWY	TX	77584
PEARLAND IL GROUP LP	SOUTHLAKE	3110 W SOUTHLAKE BLVD STE 120	TX	76092
WC WALSH FAMILY LTD	PEARLAND	PO BOX 760	TX	77588
WU FAMILY TRUST	THE WOODLAND	1095 EVERGREEN CIR	TX	77036



# City of Pearland Planning Department Universal Application

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281.652.1765  
281.652.1702 (fax)  
pearlandtx.gov

Please complete each field - incomplete applications will **not** be accepted.  
Include the applicable checklist for each project type with this application.  
Refer to the schedule on the City's website and/or within the Planning Department  
for deadlines and anticipated meeting dates for each project type.

### TYPE OF APPLICATION:

- Zoning Change (from) \_\_\_\_\_ (to) \_\_\_\_\_
- Cluster Development Plan
- Planned Development Workshop
- Plat (list type): \_\_\_\_\_

- ZBA Variance
- P&Z Variance
- Special Exception
- Conditional Use Permit

*\*Plat Types include:  
Minor, Amending,  
Preliminary, Final,  
Master, Replat*

### PROJECT INFORMATION:

- Residential                       Commercial                       Property Platted                       Property Not Platted

Project Name: PUBLIC STORAGE Tax ID: 5655-0001-003

Project Address/Location: Northeast corner of Broadway (FM 518) and Broadway Bend

Subdivision: KIRBY COMMONS No. of Lots: 1 Total Acres: 3.65

Brief Description of Project: MINI STORAGE FACILITY

When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda according to Section 1.2.1.2 of the Unified Development Code.

### PROPERTY OWNER INFORMATION:

Name: WU FAMILY TRUST

Address: 1095 EVERGREEN CIRCLE STE 200

City: THE WOODLANDS State: TX Zip: 77036

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

### APPLICANT/AGENT INFORMATION:

Name: Kathryn Edwards-BGE|Kerry R. Gilbert & Associates

Address: 23501 Cinco Ranch Blvd. Suite A-250

City: Katy State: TX Zip: 77494

Phone: 281-579-0340

Fax: \_\_\_\_\_

Email Address: kedwards@krga.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: 2-15-16

Agent's/  
Applicant's Signature: Kathryn Edwards Date: 2-15-16

### OFFICE USE ONLY:

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

February 16, 2015

Frankie Legaux  
Community Development Department  
3523 Liberty Drive  
Pearland, Texas 77581

RE: Public Storage Conditional Use Permit Application\_Broadway and Broadway Bend

Dear Frankie,

The Wu Family Trust, owner of the ± 3.7 acres of property located at the northeast corner of Broadway (FM 518) and Broadway Bend, authorize Public Storage and BGE| Kerry R. Gilbert & Associates to be the applicant and agent for the requested Conditional Use Permit for a Mini Warehouse/ Self-Storage facility for the subject tract.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Wu Family Trust' or similar, written in a cursive style.

Wu Family Trust



February 16, 2016

Frankie Legaux  
City of Pearland Planning Department  
3523 Liberty Drive  
Pearland, Texas 77581

RE: Mini-Warehouse/Self-Storage Conditional Use Permit-Public Storage

Dear Frankie,

On behalf of our client Public Storage, we, BGE| Kerry R. Gilbert & Associate, are submitting an application for a Conditional Use Permit for the above referenced project located at the northeast corner of the intersection of Broadway St (FM518) and Broadway Bend. The intent of the Conditional Use Permit is to allow development of self-storage facility that will offer a variety of storage units for residents of the area.

The facility will be owned and operated by Public Storage, a company with over 40 years in the business and locations all across the United States. The proposed facility will be a total of 183,109 SF and will be composed of a three (3) story climate controlled building and two one (1) story buildings with drive up units. The site is approximately 3.7 acres.

The facility will be open Monday thru Sunday from 6:00 am-9:00 pm. An onsite residence will be incorporated within the project for management and/or security personnel.

The project will meet all requirements of the Shadow Creek Ranch PUD, and, in an effort to enhance the site, will comply with the Corridor Overlay District Requirements along Broadway Street. In addition, a twenty (20) foot landscape buffer and increased building articulation have been incorporated on the western side of the property, along Broadway Bend. The intent is to further enhance the site and provide additional benefits to patrons of the proposed use as well as the surrounding properties. Because this project is located in Shadow Creek Ranch, they must also comply with the Shadow Creek Ranch Design Guidelines and receive ARC approval. This includes increased landscape requirements, signage regulations, and materials review. A preliminary review has already been completed by the ARC and a conceptual approval has been granted (enclosed).

The surrounding property is composed of commercial uses (Kwik Kar, Moody National Bank and Methodist Emergency Care Center) a senior living facility, and vacant commercial property. Through the implementation of screening walls, fencing, and increased landscape buffers, there will be no negative impact to the existing and future uses in the area. In addition, the project will provide 24 hour security and surveillance to ensure optimal security.

We are requesting this application to be reviewed at the March 21, 2016 Joint Public Hearing. Please contact me if any further information is necessary.

Sincerely,

A handwritten signature in blue ink that reads "Kathryn Edwards". The signature is written in a cursive, flowing style.

Kathryn Edwards

February 15, 2016

City of Pearland  
 Engineering Department  
 3525 Liberty Drive  
 Pearland, TX 77581

**RE: Public Storage  
 Broadway and Broadway Bend, Pearland, TX  
 Traffic Count**

To Whom it May Concern:

This letter is being provided to support the CUP application and any subsequent applications for development in relation to the Public Storage site located at the northeast corner of Broadway and Broadway Bend. The project will develop a 3.653 acre site into a mini-warehouse storage facility. The total development will include an approximate gross area of 183,000 square feet which constitutes and estimated 1,574 storage units. A site plan is attached for your reference.

The primary access for the site will be a driveway located on Broadway Bend which leads directly into the site. Parking for customer check-in is located at the southwest corner of the site, outside of the sliding gates, with more parking located intermittently throughout the rest of the site for accessing the storage units. A secondary access off of Broadway Bend is available for existing customers. Access off of Broadway is available through the use of the shared access driveway.

An analysis of the traffic rates is summarized in the table below. This data was prepared using a trip generator that is based on ITE 9<sup>th</sup> Edition.

ITE CODE	Land Use Description	Independent Variable	No. of Units	Avg Rate or Eq	Rates			Total Trips						
					Daily Rate	AM Rate	PM Rate	Daily Trips	AM Trips	PM Trips	AM Trips In	AM Trips Out	PM Trips In	PM Trips Out
151	Mini-Warehouse	Storage Units	1574	Avg	0.25	0.08	0.08	394	31	31	16	15	15	16
Total:								<b>393.5</b>	<b>31</b>	<b>31</b>	<b>16</b>	<b>15</b>	<b>15</b>	<b>16</b>

Based on the proposed site layout and information found in ITE 9<sup>th</sup> Edition, the expected AM and PM peak hour trips are each 31.

Please let me know if you have questions or concerns in regards to the information provided.

7660 Woodway Drive  
 Suite 400  
 Houston, Texas 77063

P 713.212.0011  
 F 713.212.0010

Respectfully,



Steve Eklund, P.E.  
 PRINCIPAL

Arizona  
 Florida  
 Texas

EXHIBIT\_\_

County: Brazoria  
Description: 3.653 acres at the intersection of F.M. 518 & Broadway Bend in Pearland  
Acreage: 3.653

Property Description

Being a 3.653 acre (159,154 square feet calculated) parcel of land situated in the T.C. & R.R. Co. Survey, Abstract 678, in Brazoria County, Texas, and being the residue of Lot 2, Block 1 of the replat of Kirby Commons Subdivision as recorded under Brazoria County Clerk's File Number 2008033752, said 3.653 acre parcel being more particularly described as follows:

BEGINNING at the east end of curve joining the intersection of the north right of way line of F.M. 518 (called 120 foot right of way), also known as Broadway Street, and the east right of way line of a Broadway Bend Drive (called 50 foot private right of way) from which a 5/8-inch iron rod with cap stamped "Civil Serve 4347" found bears North 20°21'47" East, a distance of 0.22 feet, thence as follows:

- 1.) THENCE, northwesterly, along said northerly right-of-way line of F.M. 518, and along the arc of said curve to the right baving a central angle of 90°00'00", a radius of 35.00 feet, a chord bearing and distance of North 48°13'45" West, 49.50 feet, and an arc length of 54.98 feet to the said east right of way line of Broadway Bend Drive to a point from which a 5/8-inch iron rod with cap stamped "Civil Serve 4347" found bears North 69°57'00" East, a distance of 0.09 feet;
- 2.) North 03°13'45" West, continuing along said existing east right-of-way line of Broadway Bend Drive, a distance of 373.00 feet to a point for corner from which a 5/8-inch iron rod with cap stamped "Civil Serve 4347" found bears South 68°48'10" East, a distance of 0.20 feet with said point for corner being common with the southwest corner of a tract of land filed under Clerk's File Number 2009018111 in the Brazoria County Deed Records as being Lot 3, Block 1 of Replat No. 2 of Lot 3, Block 1 and Lot 2, Block 2 of Kirby Commons Subdivision;
- 3.) THENCE, North 86°46'15" East, along the north line of the herein described tract, a distance of 533.00 feet to a point for corner from which a 5/8-inch iron rod found bears North 23°41'30" West, a distance of 0.31 feet;
- 4.) THENCE, South 03°13'45" East, along the common line with Lot 1, Block 1 of said Kirby Common Subdivision, a distance of 117.72 feet to a point for corner from which a 5/8-inch iron rod found hears South 67°54'52" West, a distance of 0.90 feet, this corner being common with the northeast corner of a tract of land conveyed to Kwik Pearland Center, L.L.C. as recorded under Clerk's File Number 2013013064;

EXHIBIT \_\_\_\_

- 5.) THENCE, South  $86^{\circ}46'15''$  West, a distance of 200.00 feet to a point for corner from which a 5/8-inch iron rod with cap stamped "Civil Serve 4347" found bears South  $37^{\circ}28'08''$  West, a distance of 0.13 feet.
- 6.) THENCE, South  $03^{\circ}13'45''$  East, a distance of 290.28 feet to a point for corner on the said north right of way line of said F.M. 518 from which an "X" cut found bears South  $68^{\circ}37'45''$  West, a distance of 0.62 feet.
- 7.) THENCE, South  $86^{\circ}46'15''$  West, a distance of 298.00 feet along the said north right of way line of F.M. 518, and returning to the POINT OF BEGINNING and containing 3.653 acres (159,154 square feet calculated) of land.

All bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983. All distances and coordinates shown are surface.

Access is prohibited across the Access Denial Line if it exists to the highway facility from the abutting remainder property.

A parcel plat of even date was prepared in conjunction with this property description.

  
Stephen L. Godinich Date  
Registered Professional Land Surveyor No. 5170  
[sgodinich@buryinc.com](mailto:sgodinich@buryinc.com)



Bury-Houston, Inc.  
7660 Woodway Drive, Suite 400  
Houston, Texas 77063  
713-212-0011

2015 TAX STATEMENT



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

**Certified Owner:**

WU FAMILY TRUST  
 WU HENRY VAN-TRI & AI HOA WU  
 1095 EVERGREEN CIR  
 STE 200  
 THE WOODLAND, TX 77036

Account No: **5655-0001-003**

Appr. Dist. No.: **614738**

As of Date: 02/12/2016

**Legal Description:**

KIRBY COMMONS (PEARLAND) BLK 1 LOT 2A  
 (REPLAT 09) ACRES 3.6562

Legal Acres: 3.6562

Parcel Address: 11613 BROADWAY

Print Date: 02/12/2016

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$796,320	\$0	\$796,320	\$796,320	\$0	\$0	\$0	\$796,320

Taxing Unit	Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
		Code	Amount			
BRAZORIA COUNTY <i>Amount saved by additional sales tax revenue \$809.52</i>	\$796,320		\$0.00	\$796,320	0.4260000	\$3,392.32
SPECIAL ROAD & BRIDGE	\$796,320		\$0.00	\$796,320	0.0600000	\$477.79
ALVIN ISD	\$796,320		\$0.00	\$796,320	1.4170000	\$11,283.85
ALVIN COMMUNITY COLLEGE	\$796,320		\$0.00	\$796,320	0.2040090	\$1,624.56
BRAZORIA DRAINAGE DIST 4	\$796,320		\$0.00	\$796,320	0.1555000	\$1,238.28
PEARLAND MUNICIPAL MANAG	\$796,320		\$0.00	\$796,320	0.1000000	\$796.32
CITY OF PEARLAND	\$796,320		\$0.00	\$796,320	0.7053000	\$5,616.44

**Total Tax:** \$24,429.56  
**Total Tax Paid to date:** \$24,429.56  
**Total Tax Remaining:** \$0.00

**Exemptions:**

**AMOUNT DUE IF PAID BY:**

02/29/2016 7%	03/31/2016 9%	05/02/2016 11%	05/31/2016 13%	06/30/2016 15%	08/01/2016 18 + up to 20%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
08/31/2016 19 + up to 20%	09/30/2016 20 + up to 20%	10/31/2016 21 + up to 20%	11/30/2016 22 + up to 20%	01/02/2017 23 + up to 20%	01/31/2017 24 + up to 20%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**School Information:**

ALVIN ISD 2015 M&O 1.0400000 I&S .37700000 Total 1.4170000 2014 M&O 1.0400000 I&S .37700000 Total 1.4170000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.62

**Print Date:** 02/12/2016

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

RO'VIN GARRETT, PCC  
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
 111 E. LOCUST  
 ANGLETON, TEXAS 77515  
 (979) 864-1320, (979) 388-1320, (281) 756-1320

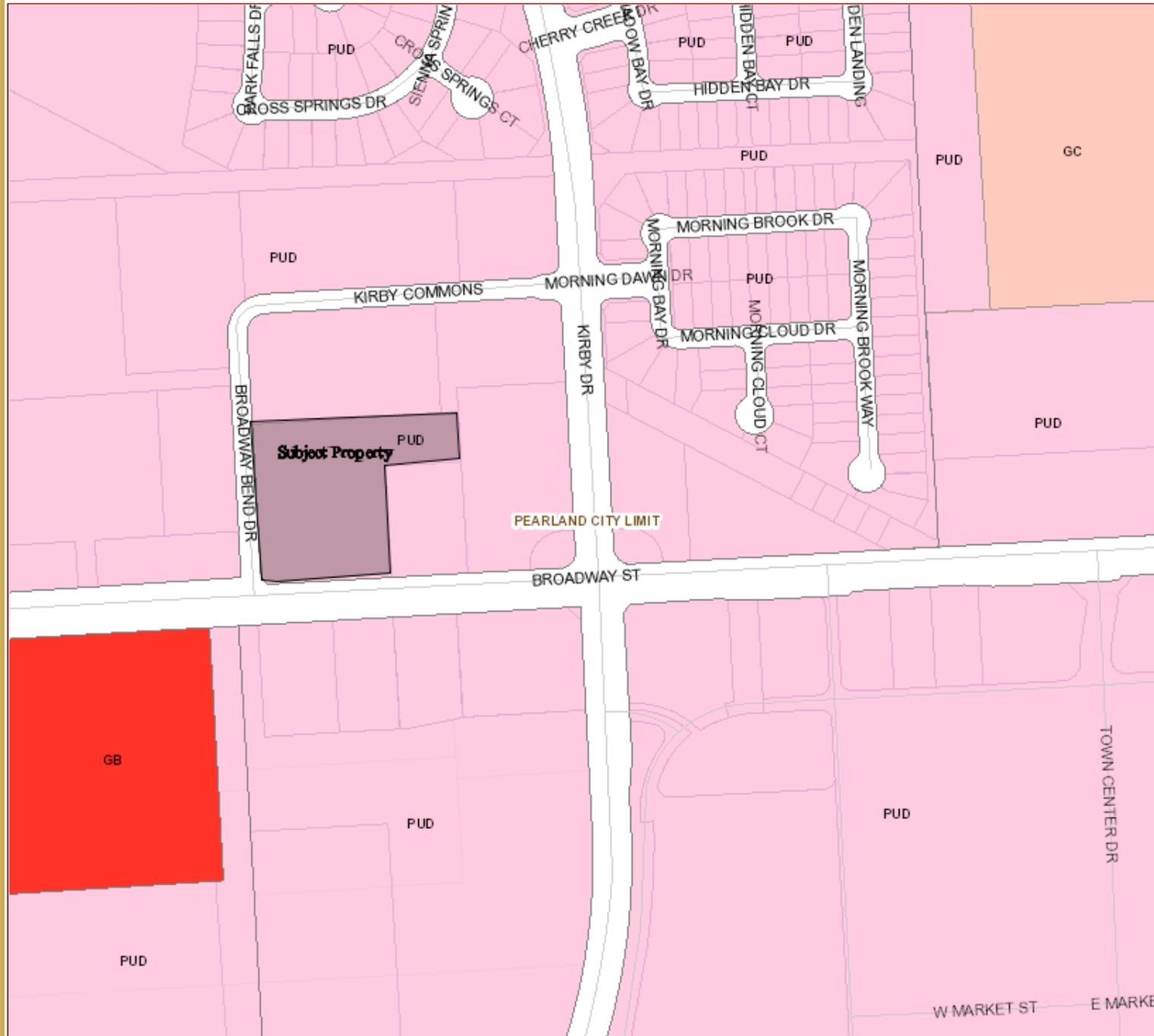


5655-0001-003  
 WU FAMILY TRUST  
 WU HENRY VAN-TRI & AI HOA WU  
 1095 EVERGREEN CIR  
 STE 200  
 THE WOODLAND, TX 77036

**AMOUNT PAID:**  
 \$ \_\_\_\_\_

56550001003 2015 022016 00000000000 00000000000 00000000000 3

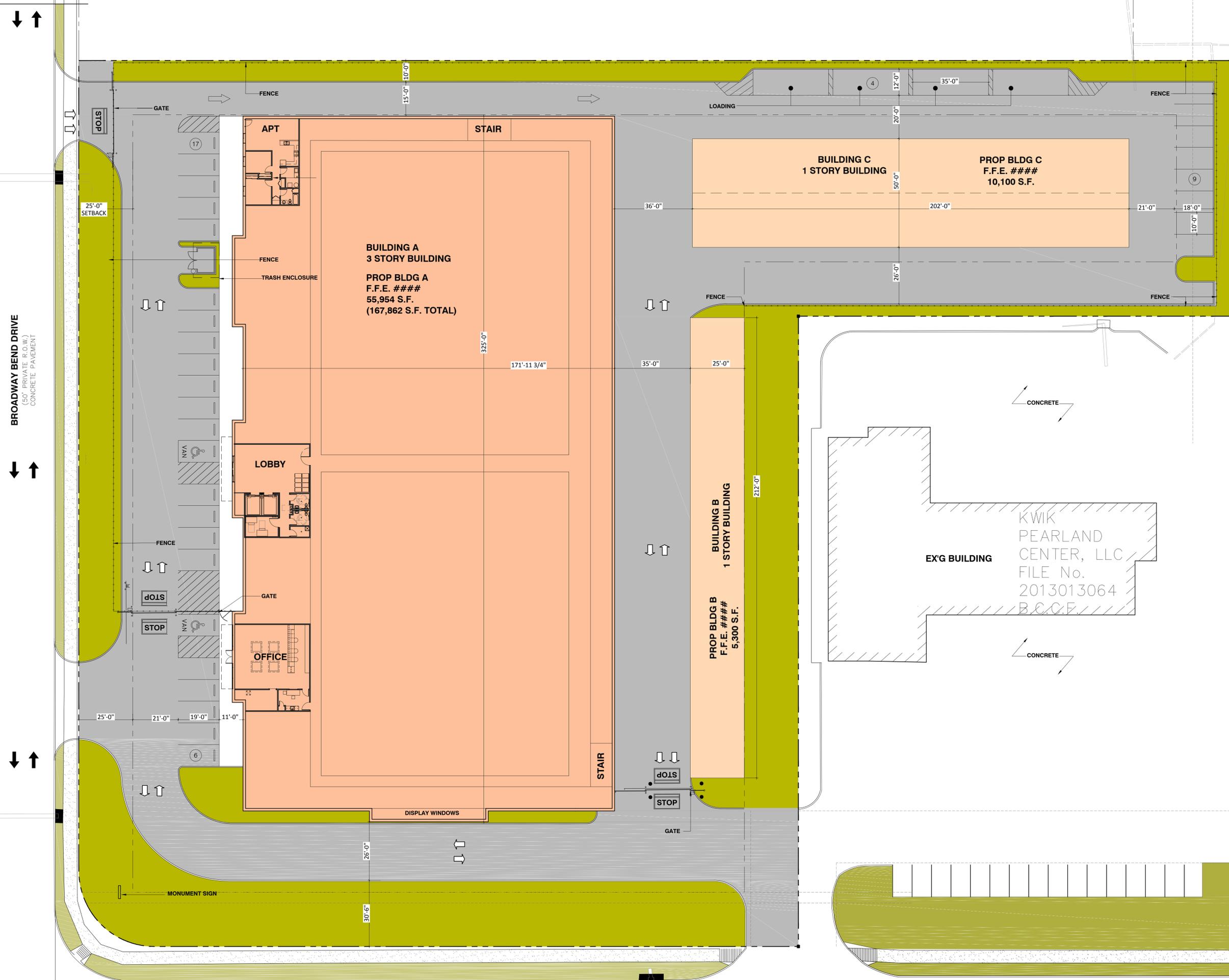
**Public Storage CUP**



This product is for informational 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.

Scale 1:4,180  
1 in = 348 ft  
February 15, 2016





**LEGEND**

- CLIMATE-CONTROLLED BUILDING AREA
- LANDSCAPE
- NON CLIMATE-CONTROLLED BUILDING AREA
- REQUIRED BUFFER
- PROPERTY LINE

**ZONING DATA**

ZONE:	C1-A	
USE:	SELF-SERVICE STORAGE FACILITY	
LOT AREA:	159,145 SF	
<b>BULK REQS.</b>	<b>REQUIRED OR MAX</b>	<b>PROPOSED</b>
BLDG. COVERAGE:	80% / 55,946.4	45% / 71,354 SF
BLDG. HT:	45' MAX	3-STORIES
FRONT YARD:	25'	56'
REAR YARD:	25'	40'
SIDE YARD:	10'	25'

<b>PARKING/LOADING REQS</b>	<b>REQUIRED OR MAX</b>	<b>PROPOSED</b>
1 SPACE PER 50 UNITS	26	32 (TOTAL)
+OUTSIDE OF THE GATE	5	(6)
LOADING	4	4

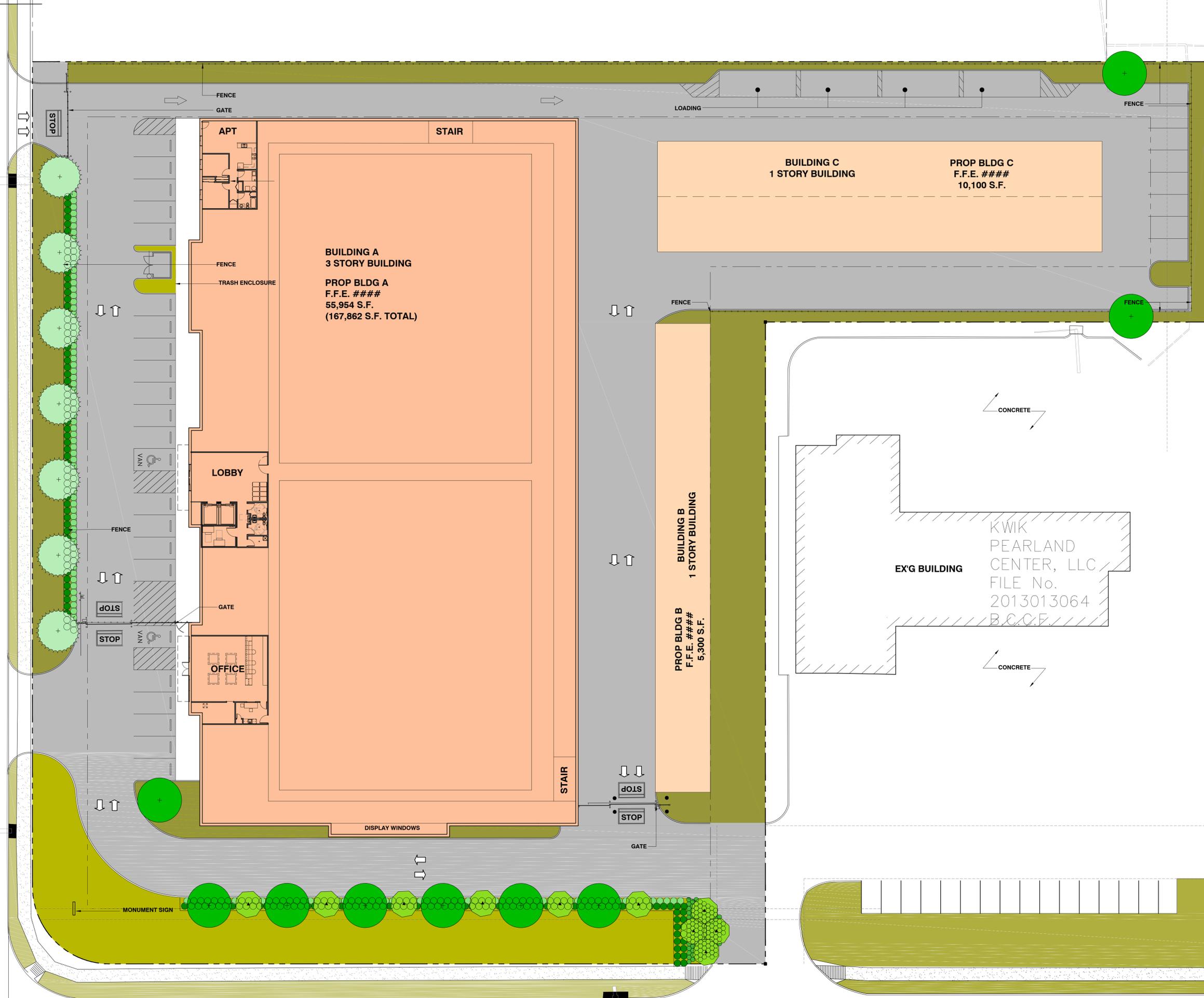
<b>BUILDING</b>	<b>TOTAL GROSS SQUARE FEET</b>
FIRST FLOOR "A"	55,954 SF
SECOND FLOOR "A"	55,954 SF
THIRD FLOOR "A"	55,954 SF
FIRST FLOOR "B"	5,300 SF
FIRST FLOOR "C"	10,100 SF

<b>SITE TOTAL</b>	<b>183,282 SF</b>
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BROADWAY BEND DRIVE  
(50' PRIVATE R.O.W.)  
CONCRETE PAVEMENT



**LEGEND**

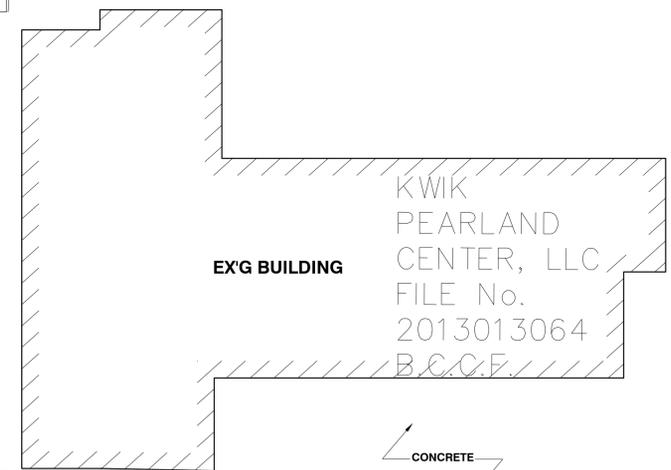
	CLIMATE-CONTROLLED BUILDING AREA		REQUIRED BUFFER
	LANDSCAPE		REQUIRED BUFFER
	NEW LANDSCAPE		PROPERTY LINE
	NON CLIMATE-CONTROLLED BUILDING AREA		



REFERENCE MAP

CONCRETE

CONCRETE





**Corridor Overlay District Requirements**

Trees @ Broadway	REQUIRED	PROVIDED
Tree caliper inches	25	52
Requires 50% of required trees to be located along corridor		
<b>Shade/street trees with a min 2" caliper</b>		
Tree caliper inches	30	32
Requires 1" of tree caliper for every 10' of street frontage		
<b>Ornamental trees with a min 2" caliper</b>		
Tree caliper inches	20	20
Requires 1" of tree caliper for every 15' of street frontage		
<b>Evergreen trees</b>		
Percent of evergreen trees	60%	100%
Requires 60% of trees to be evergreen		
<b>Shrubs</b>		
Total shrubs	250	274
Requires 5x total caliper inches of street trees		

**General Landscape Requirements**

Front Setbacks	REQUIRED	PROVIDED
Parking Buffer	NO	NO
Requires 30' of landscaped buffer for parking areas		
<b>Setback Area Landscaping</b>		
Setback Landscaping	YES	YES
Requires 15% of setback to consist of landscaped open area		
<b>Gross Landscaped Area</b>		
Landscaped Area	23,875 SF	30,675 SF
At least 15% of the gross lot shall be maintained as landscaped area.		
<b>Street Buffer Trees</b>		
Tree caliper inches	25	28
Requires 1" of tree caliper every 5' of street frontage		
<b>Shrubs to screen parking lots</b>		
Street Buffer Shrub	125	134
Requires 5x total caliper inches of street trees		
<b>Interior Landscaping</b>		
Tree caliper inches	7	8
Requires 1" of tree caliper for every 5 parking spaces		
<b>Tree Mitigation</b>		
Tree caliper inches	REMOVED	REQUIRED
	-	-
Requires 200% replacement for trees 12-24"		
Tree caliper inches	REMOVED	REQUIRED
	-	-
Requires 300% replacement for trees 24-36"		
Tree caliper inches	TOTAL REQUIRED	TOTAL PROVIDED
	-	-

**Landscape Maintenance Notes**

Condition of Landscape Areas:  
 All landscaped areas shall be maintained in a clean, sanitary condition. Landscaped areas shall be trimmed, free of weeds, with trees, groundcover and grass in a healthy, living and growing condition at all times.

a.  
 The owner of the property shall be responsible for maintaining the landscaping required by this section. Plant material shall be maintained in a healthy and growing condition that is appropriate for the season of the year. Plant materials, which die, shall be replaced with healthy plant material of similar variety and meeting the size requirements contained herein.

b.  
 The developer, his/her successor and/or subsequent owners and their agents shall be responsible for the continued maintenance of landscaping.

c.  
 Plant materials, which exhibit evidence of insects, pests, disease, and/or damage shall be appropriately treated, and dead plants properly removed and replaced within the next planting season.

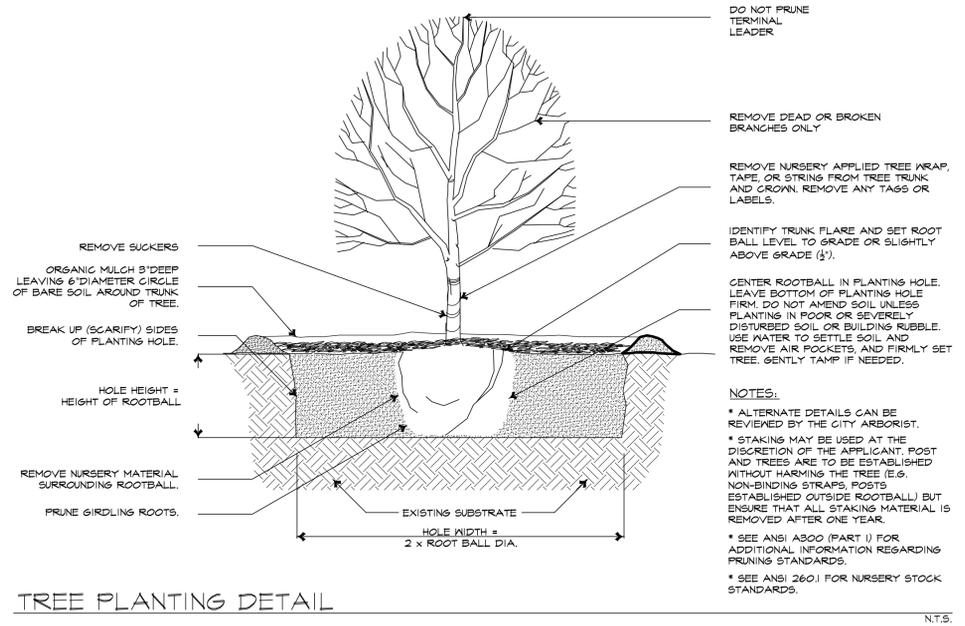
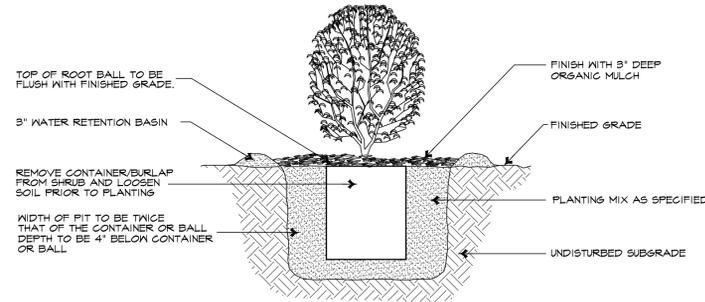
d.  
 All landscaping shall be subject to periodic inspection.

e.  
 Should landscaping not be installed, maintained and replaced as needed to comply with the approved plan, the owner and his/her agent shall be considered in violation of the terms of the building permit and this section.

f.  
 No open burning of brush, timber and/or vegetation, except as permitted by the Pearland Fire Department, shall be allowed.

g.  
 All required landscaped areas located within all multi-family and non-residential zoning districts shall be irrigated with an in ground, automated sprinkler or drip irrigation system that use rain and freeze sensors.

LARGE & ORNAMENTAL TREES				
QUANTITY	SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE & CONDITION
7	(*)	Taxodium distichum	Bald Cypress	4" caliper 12'-14' Ht./5' spread
9	(O)	Quercus virginiana	Live Oak	4" caliper, 14' Ht./ 8' spread
10	(•)	Ilex vomitoria	Holly Yaupon	12" Ht./6" spread multi-trunk, 5 trunk min. 2" cal./trunk min. container, female
SHRUBS				
QUANTITY	SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE AND CONDITION
143	(Ab)	Abelia x grandiflora Edward Goucher	Abelia, Edward Goucher	5 gallon, 18" Ht./18" spread
154	(CE)	Cleyera japonica	Cleyera, Japanese	5 gallon, 20" Ht./18" spread
115	(L)	Liriope muscari 'gigantea'	Liriope, Giant	3 gallon, 24" O.C.
GROUND COVER / TURF				
QUANTITY	SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE AND CONDITION
21,500	(•••)	Cynodon dactylon	Common Bermuda	Hydromulch - refer to specifications
MISCELLANEOUS				
QUANTITY	CALLOUT	DESCRIPTION		
30,000		SF 2" bed preparation as per specifications		
2,500		SF 2"-3" hardwood mulch as per specifications		
500	L.F. EDGE	L.F. Steel edge 1/8" x 4" with 12" stakes, black in color		
175	S.F. D.S.	SF at 3" depth decomposed granite		
NOTES				
1. Quantities shown are for contractor's convenience only. Contractor is responsible for verification of all quantities.				
2. Contractor to provide separate line item for a one(1) year maintenance package - see maintenance specifications.				
3. All landscape areas to have automatic underground irrigation systems that conform to city code. Contractor to provide irrigation plans by licensed irrigator.				



**BURY**  
 221 West Sixth Street, Suite 600  
 Austin, Texas 78701  
 Tel: (512) 328-0011 Fax: (512) 328-0325  
 TBPE # F-1048 TBPLS # F-10107500  
 Copyright © 2016

**LANDSCAPE NOTES AND LEGEND**

**PUBLIC STORAGE - PEARLAND BROADWAY AND BROADWAY BEND**  
 P.O. BOX 25050  
 GLENDALE, CA 91221  
**Public Storage**

DRAWN BY: \_\_\_\_\_  
 DESIGNED BY: \_\_\_\_\_  
 QA / QC: \_\_\_\_\_  
 PROJECT NO.: 112544-70009

SHEET **L2**  
 OF \_\_\_\_\_

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

T:\Landscape Drive\0112544\70009\LA 02 Background XREFS\112544\70009bbs.dwg modified by nparrott on Feb 15, 16 12:31 PM

## SIGNAGE MATRIX

SIGN	ALLOWABLE	PROPOSED
WALL SIGN SOUTH ELEV	2311.2 SF 24' H	(1) PER ELEV 123.21 SF 30' W 36' H
WALL SIGN WEST ELEV	2359.6 SF 24' H	(1) 123.21 SF 30' W 36' H
RENTAL OFFICE WEST ELEV		(1) 15.65 SF 150.25' W 15' H
LOADING WEST ELEV		(1) 9.75 SF 7'-10" W 15' H

### PERMANENT SIGN REGULATIONS:

#### PRIMARY WALL SIGNS (FACING A STREET)

MAXIMUM ALLOWABLE SQUARE FOOTAGE:  
(20%) OF THE BUILDING FACADE

MAXIMUM ALLOWABLE NUMBER OF SIGNS:  
ANY NOT TO EXCEED ALLOWABLE SQUARE FOOTAGE.

#### SECONDARY SIGNS (NOT FACING A STREET)

MAXIMUM ALLOWABLE SQUARE FOOTAGE:  
(10%) OF THE BUILDING FACADE

MAXIMUM ALLOWABLE NUMBER OF SIGNS:  
ANY NOT TO EXCEED ALLOWABLE SQUARE FOOTAGE.

**DOOR AND WINDOW GRAPHICS ARE INCLUDED IN THE TOTAL CALCULATIONS OF 20% OF BUILDING FACADE**

## MATERIAL MATRIX

MATERIAL	ALLOWABLE	PROPOSED
SOUTH ELEVATION		
PS ORANGE PAINT	20% OF FACADE AREA: 1212 SF	720 SF
WEST ELEVATION		
PS ORANGE PAINT	20% OF FACADE AREA: 2199 SF	896 SF



## SIGNAGE MATRIX

SIGN	ALLOWABLE	PROPOSED
WALL SIGN	2359.6 SF	(1)
EAST ELEV	24' H	123.21 SF 30' W 36' H

### PERMANENT SIGN REGULATIONS:

#### PRIMARY WALL SIGNS (FACING A STREET)

MAXIMUM ALLOWABLE SQUARE FOOTAGE:  
(20%) OF THE BUILDING FACADE

MAXIMUM ALLOWABLE NUMBER OF SIGNS:  
ANY NOT TO EXCEED ALLOWABLE SQUARE FOOTAGE.

#### SECONDARY SIGNS (NOT FACING A STREET)

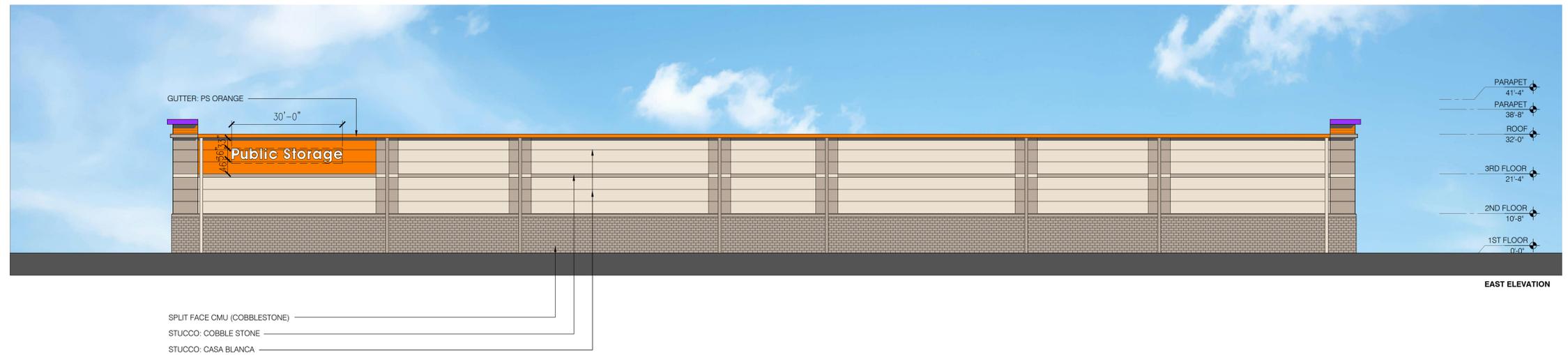
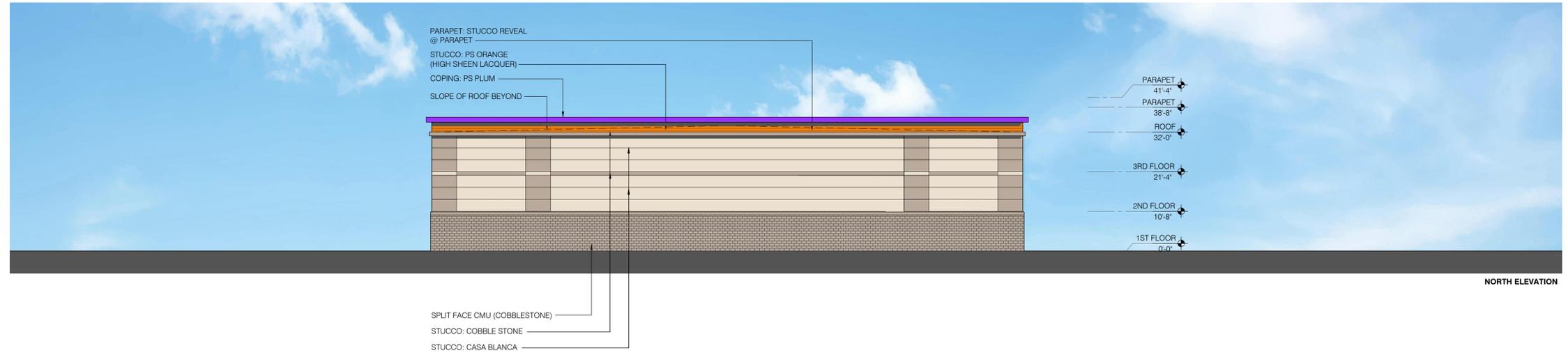
MAXIMUM ALLOWABLE SQUARE FOOTAGE:  
(10%) OF THE BUILDING FACADE

MAXIMUM ALLOWABLE NUMBER OF SIGNS:  
ANY NOT TO EXCEED ALLOWABLE SQUARE FOOTAGE.

**DOOR AND WINDOW GRAPHICS ARE INCLUDED IN THE TOTAL CALCULATIONS OF 20% OF BUILDING FACADE**

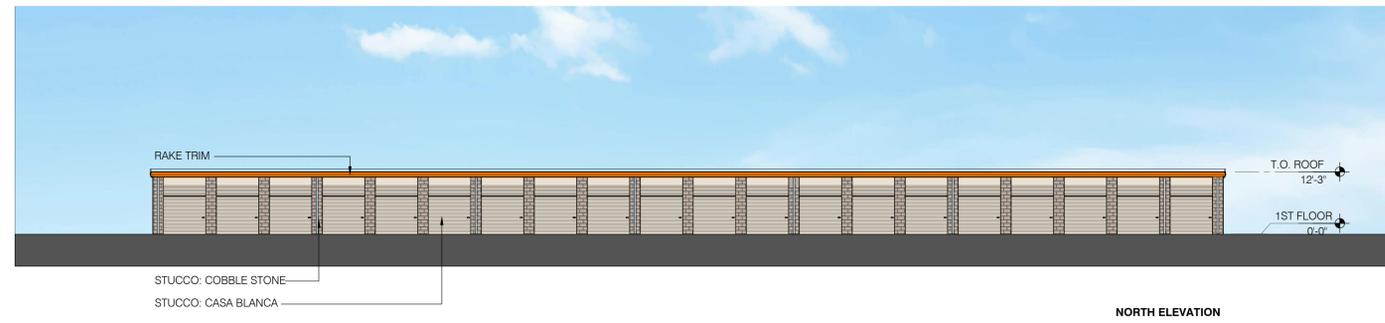
## MATERIAL MATRIX

MATERIAL	ALLOWABLE	PROPOSED
NORTH ELEVATION		
PS ORANGE PAINT	20% OF FACADE AREA: 1153 SF	427 SF
EAST ELEVATION		
PS ORANGE PAINT	20% OF FACADE AREA: 2058 SF	771 SF

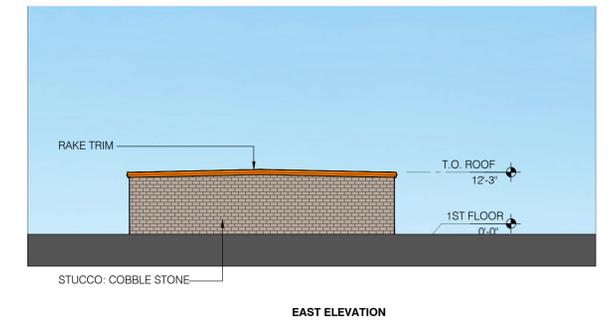
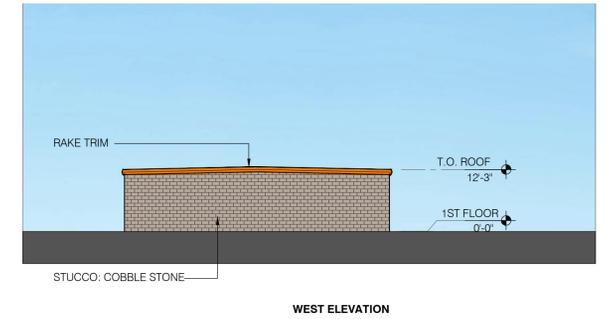


## MATERIAL MATRIX

MATERIAL	ALLOWABLE	PROPOSED
<b>WEST ELEVATION</b>		
PS ORANGE PAINT	20% OF FACADE AREA: 119 SF	25 SF
<b>EAST ELEVATION</b>		
PS ORANGE PAINT	20% OF FACADE AREA: 119 SF	25 SF
<b>NORTH ELEVATION</b>		
PS ORANGE PAINT	20% OF FACADE AREA: 471SF	203 SF
<b>SOUTH ELEVATION</b>		
PS ORANGE PAINT	20% OF FACADE AREA: 471SF	203 SF

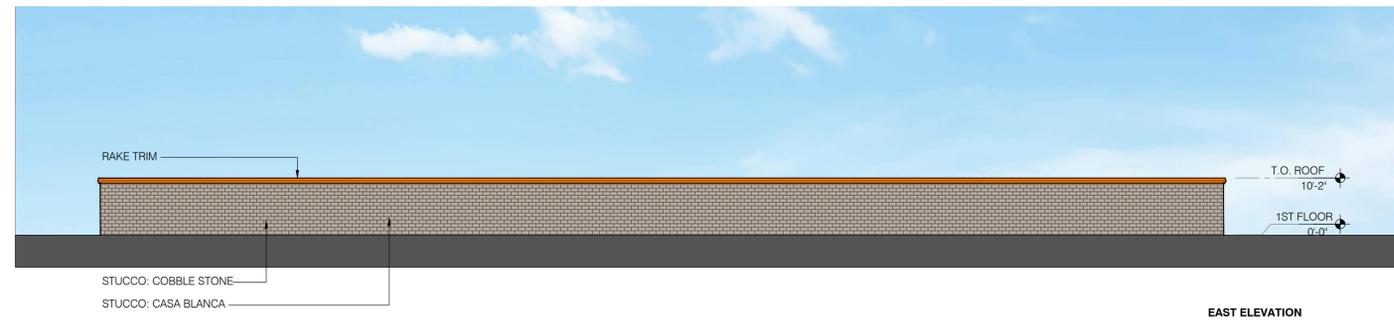
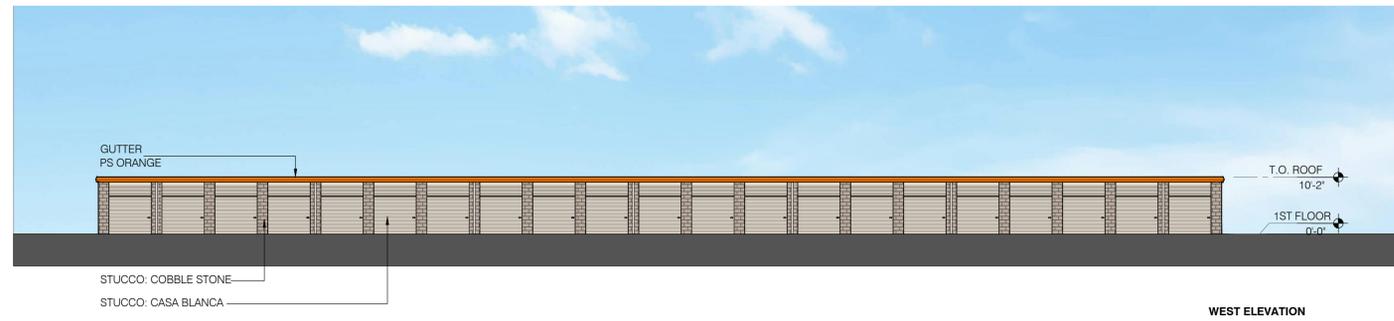


BUILDING C

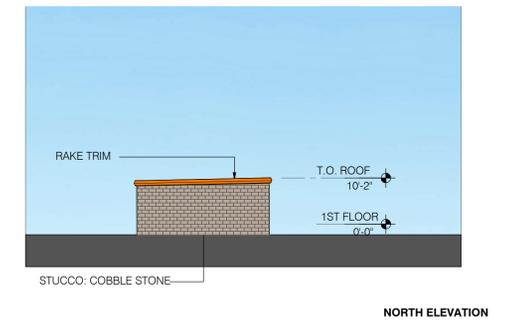
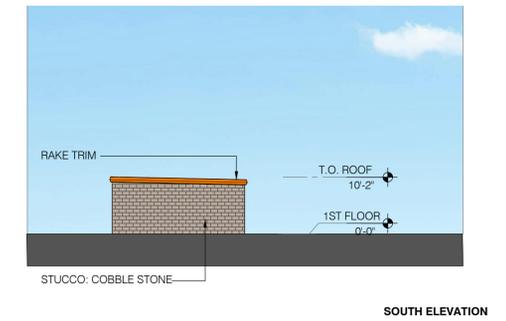


## MATERIAL MATRIX

MATERIAL	ALLOWABLE	PROPOSED
<b>WEST ELEVATION</b>		
PS ORANGE PAINT	20% OF FACADE AREA: 455 SF	91 SF
<b>EAST ELEVATION</b>		
PS ORANGE PAINT	20% OF FACADE AREA: 455 SF	91 SF
<b>NORTH ELEVATION</b>		
PS ORANGE PAINT	20% OF FACADE AREA: 62 SF	25 SF
<b>SOUTH ELEVATION</b>		
PS ORANGE PAINT	20% OF FACADE AREA: 62 SF	25 SF



BUILDING B





**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, MARCH 28, 2016, AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Conditional Use Application No. 2016-05**

A request of Nirmal Gandhi, applicant; on behalf of Ajay and Madhu Jain Living Trust, owner; for approval of a Conditional Use Permit (CUP) to allow for a Hotel/Motel in the Business Park District – 288 (BP-288) zoning district; on approximately 3.653 acre portion of land out of 14.286 acres of land, to wit:

**Legal Description:** Being 14.286 acres of land out of Lots 6 and 7 of a subdivision in the James Hamilton Survey, Abstract 881, in Harris County, Texas according to the map or plat thereof recorded in Volume 83, Page 342 of the deed records of Harris County, Texas and being that same tract of land conveyed to Nova Strategic Solutions Ltd., as described in deed recorded under County Clerk's File #Z357162 of the real property records of Harris County, Texas.

**General Location:** East side of SH 288 Frontage Road, north of Holiday Inn Express, Pearland, TX.

**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 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**



## Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: March 23, 2016

Re: Conditional Use Permit Application No. 2016-05

A request of Nirmal Gandhi, applicant; on behalf of Ajay & Madhu Jain Trust, owner; for approval of a Conditional Use Permit (CUP) to allow for extended stay hotel in the Business Park District-288 (BP-288) zoning district; on approximately 1.446 acre portion of land, Pearland, TX.

General Location: East side of SH 288 Frontage Road, north of Holiday Inn Express, Pearland, TX.

### **Summary of Request**

The applicant is requesting approval of a Conditional Use Permit (CUP) to allow for an extended stay hotel use under the brand Home 2 Suites by Hilton in the Business Park District-288 (BP-288). The BP-288 zoning designation is intended to permit large office complexes/campuses and retail development in locations with good visibility and roadway access, as inherently provided by SH 288. The regulations are intended to create high quality development that enhances the City's image as a desirable place to live, work, and shop. Traditional hotel and motel uses as well as extended stay hotel uses, require approval of a CUP in BP-288 zoning district.

### **Recommendation**

Staff recommends approval, with conditions, of the proposed use of extended stay hotel on the approximately 1.446 acre site for the following reasons:

1. The current zoning of BP-288 is in conformance with the Future Land Use Plan (FLUP) contained in the Comprehensive Plan which shows this area as

business park as an extended stay hotel is complementary to larger scale business parks proposed for the area.

2. With the approval of a CUP, the proposed use will be in compliance with the Unified Development Code (UDC).
3. It is not anticipated that the proposed CUP will have significant negative impacts on surrounding properties or developments, if the conditions below are met.
4. All other requirements of the UDC will be met with future redevelopment and/or expansion on the site.

Staff recommends approval of the requested CUP with the following conditions:

1. The applicant shall clearly demonstrate that the landscaping shown on the Site/Landscaping Plan (C3.0) meet the landscaping standards required by the Unified Development Code (UDC).
2. Building elevations as submitted are not legible. Provide readable drawings showing conformance to all requirements of the BP-288 zoning district standards, including building façade standards (transparency, articulation, etc.)
3. Building façade materials for facades visible from SH 288 (north, south, and west facades) shall be limited to no more than thirty percent (30%) stucco. A combination of brick, stone, and other masonry materials shall be used.
4. The unused driveways approaches from the frontage road will be removed.

### **Site History**

This portion of the property is currently vacant. This area was incorporated into Pearland in 1999. The site was zoned as BP-288 in 2007, with the adoption of the UDC. The site is surrounded by BP-288 zoning on three sides and SH 288 on the west side. The below table identifies surrounding uses and zoning districts:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Business Park District-288 (BP-288)	Vacant
<b>South</b>	Business Park District-288 (BP-288)	Holiday Inn Express
<b>East</b>	Business Park District-288 (BP-288)	Detention
<b>West</b>	SH 288 Frontage Road/SH288	State Highway

### **Conformance with the Comprehensive Plan**

The current zoning of BP-288 on the subject property is in conformance with the future land use designation of the Comprehensive Plan. The Future Land Use Plan (FLUP) proposes “288 Gateway” uses for this site. “288 Gateway” uses are described as large offices and medical complexes/campuses and complementary retail uses/centers, with vertically integrated residential uses, all of high quality. The City is undertaking major beautification measures such as landscaping, enhanced lighting, brick pavers, and detention pond amenities, along the entire SH 288 corridor in recognition of increased usage, high visibility, and improved access.

### **Conformance with the Thoroughfare Plan**

According to the Thoroughfare Plan, SH 288 is classified as a 120-foot minimum right-of-way Major Thoroughfare. The Thoroughfare Plan shows a proposed grade separation south of the site. TxDOT and Brazoria County are undertaking improvements to add toll lanes to SH 288.

### **Conformance with the Unified Development Code**

This portion of the property is currently undeveloped and will be developed in accordance with the UDC. The parcel meets the requirements of the BP-288 district requirements as provided in the following table:

<b>Business Park-288 (BP-288) Area Regulations</b>		
<b>Size of Lot</b>	<b>Required</b>	<b>Existing</b>
Minimum Lot Size	1 acre (43,560 sf.)	1.446 acre portion
Minimum Lot Width	150 ft.	215.71 ft.
Minimum Lot Depth	200 ft.	304-316 ft.

### **Platting Status**

The subject property is platted as a portion of Lot 1 of the minor subdivision plat Nova Solutions, which was recorded in February 2008. Lot 1 also includes the developed property to the south for a total lot size of 3.000 acres.

### **Availability of Utilities**

A 12-inch City water line and a 10-inch gravity sanitary sewer main exist within a 30-foot water and sewer easement that runs parallel to the State Highway 288 right-of-way.

### **Impact on Existing and Future Development**

If developed with additional enhancements as conditioned and in conformance with the City's UDC, the proposed CUP will not negatively impact the surrounding properties or future development potential of the surrounding area. The location of the site at the intersection of SH 288 and Sam Houston Parkway/Beltway 8 and proximity to the large office and medical complex uses in this area would make this use complementary and appropriate for this area.

### **Additional Comments**

The request has been reviewed by the City's Development Review Committee (DRC), and there were no additional comments from other departments at the time of this report.

**Public Notification**

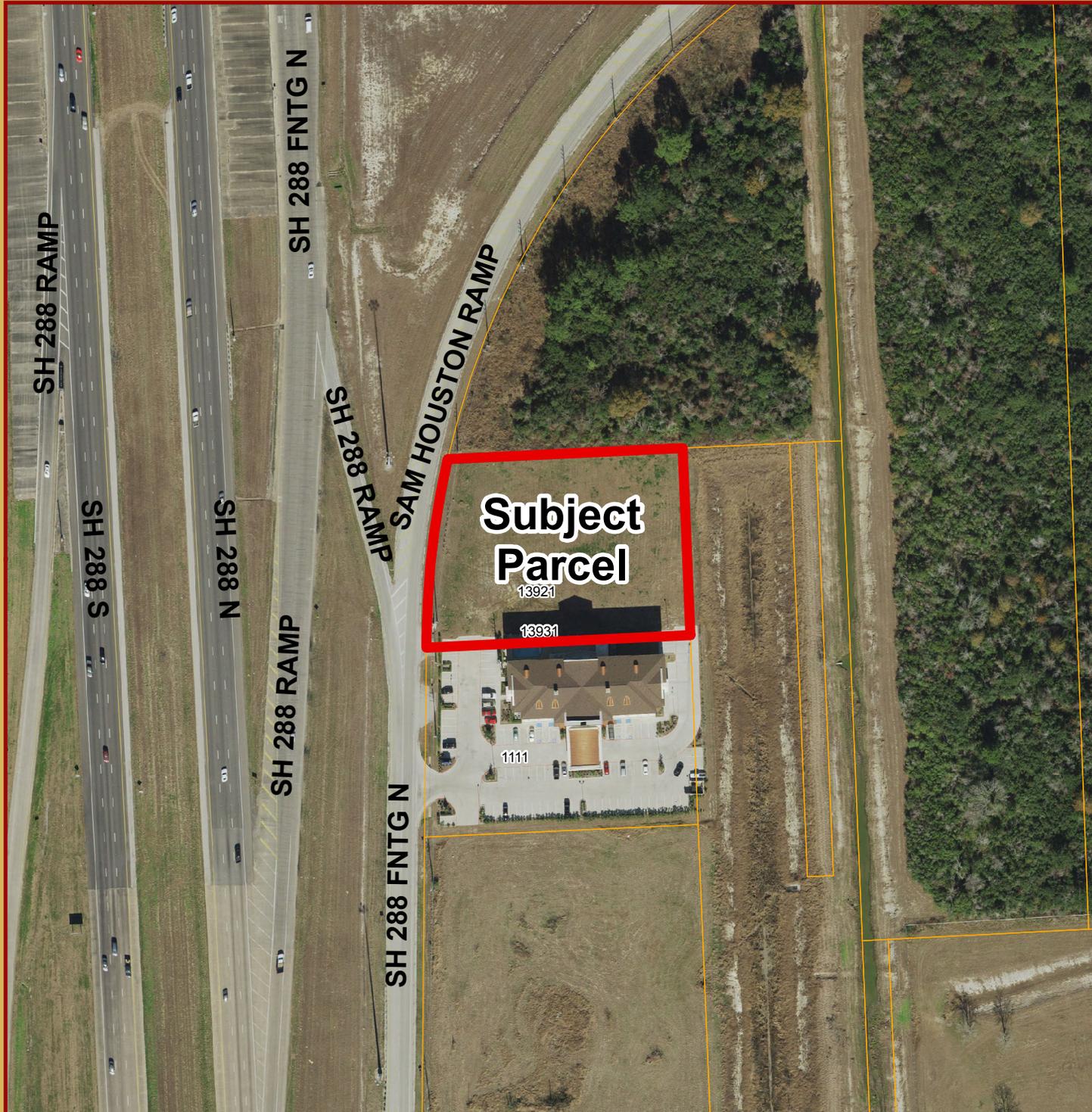
Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the CUP request. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

**Opposition to or Support of Proposed Request**

Staff has not received any returned notices in opposition to or in support of the CUP request.

**Exhibits**

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



# Exhibit 1

**AERIAL MAP**

**CUP 2016-05**

**SH 288 near  
Beltway 8**



This product is for informational 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.

1 inch = 167 feet

FEBRUARY 2016  
PLANNING DEPARTMENT

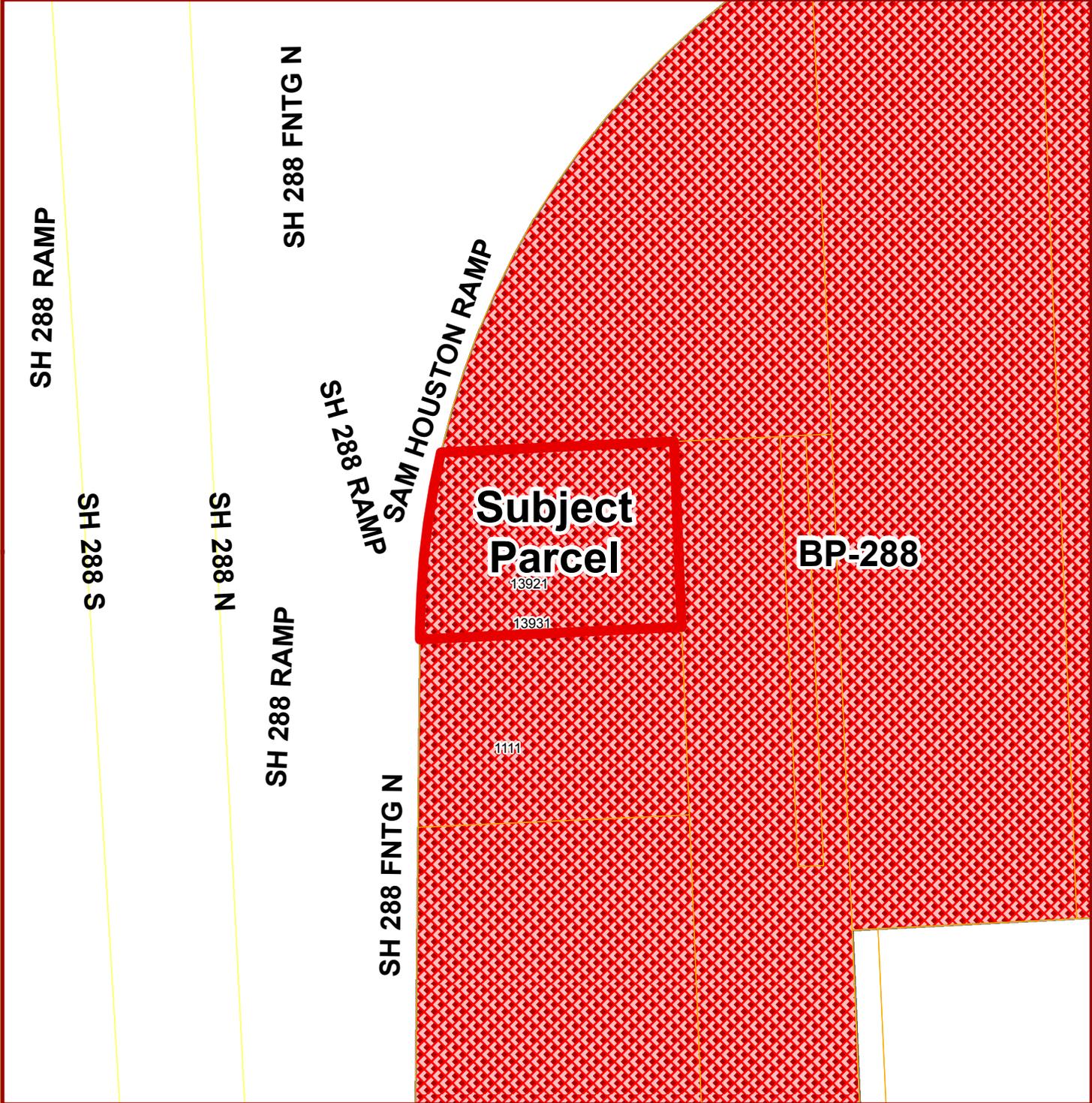


Exhibit 2

ZONING MAP

CUP 2016-05

SH 288 near Beltway 8



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1 inch = 167 feet

FEBRUARY 2016  
PLANNING DEPARTMENT

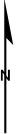
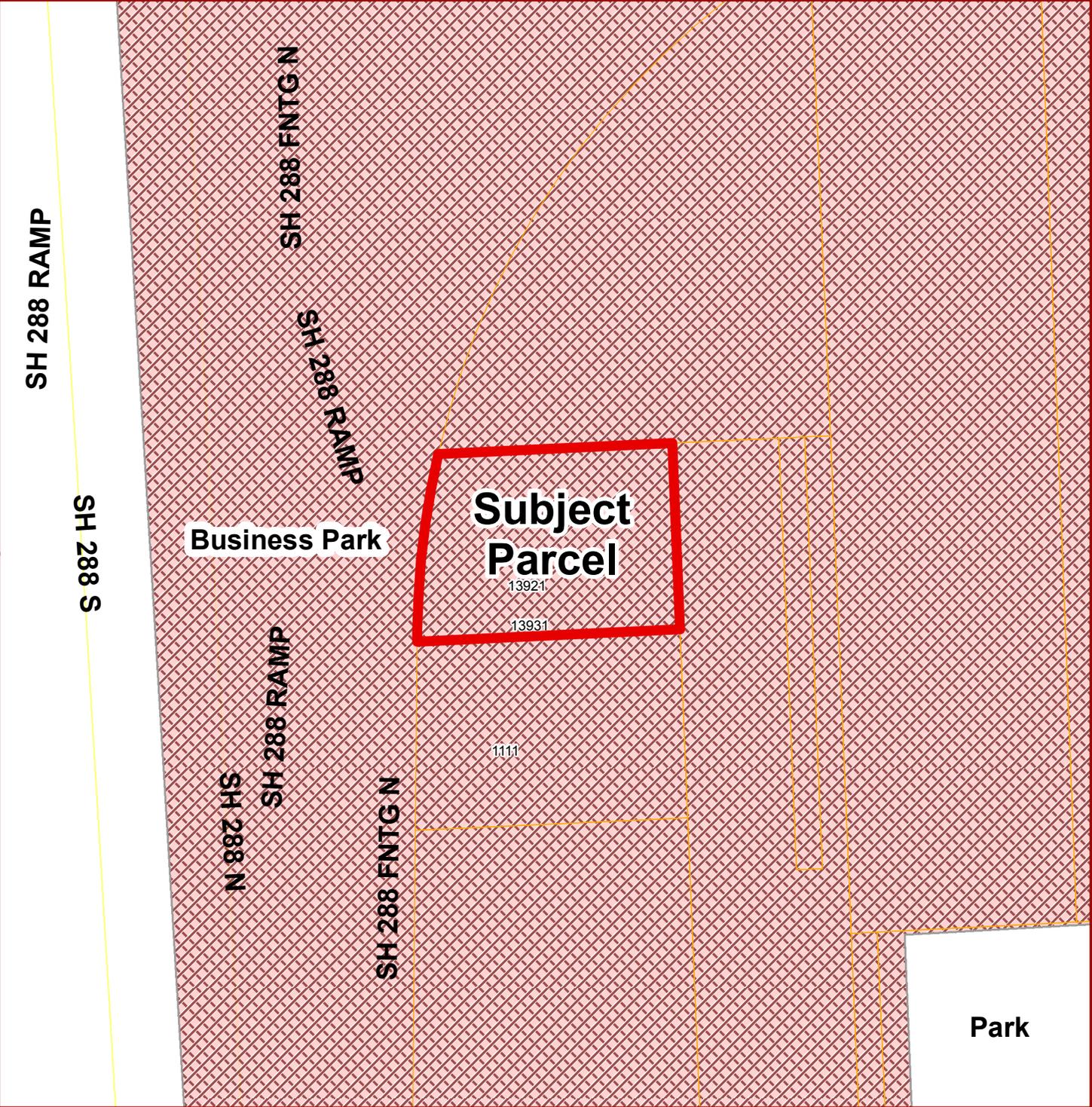


Exhibit 3

FLUP MAP

CUP 2016-05

SH 288 near Beltway 8



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1 inch = 167 feet

FEBRUARY 2016  
PLANNING DEPARTMENT

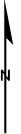
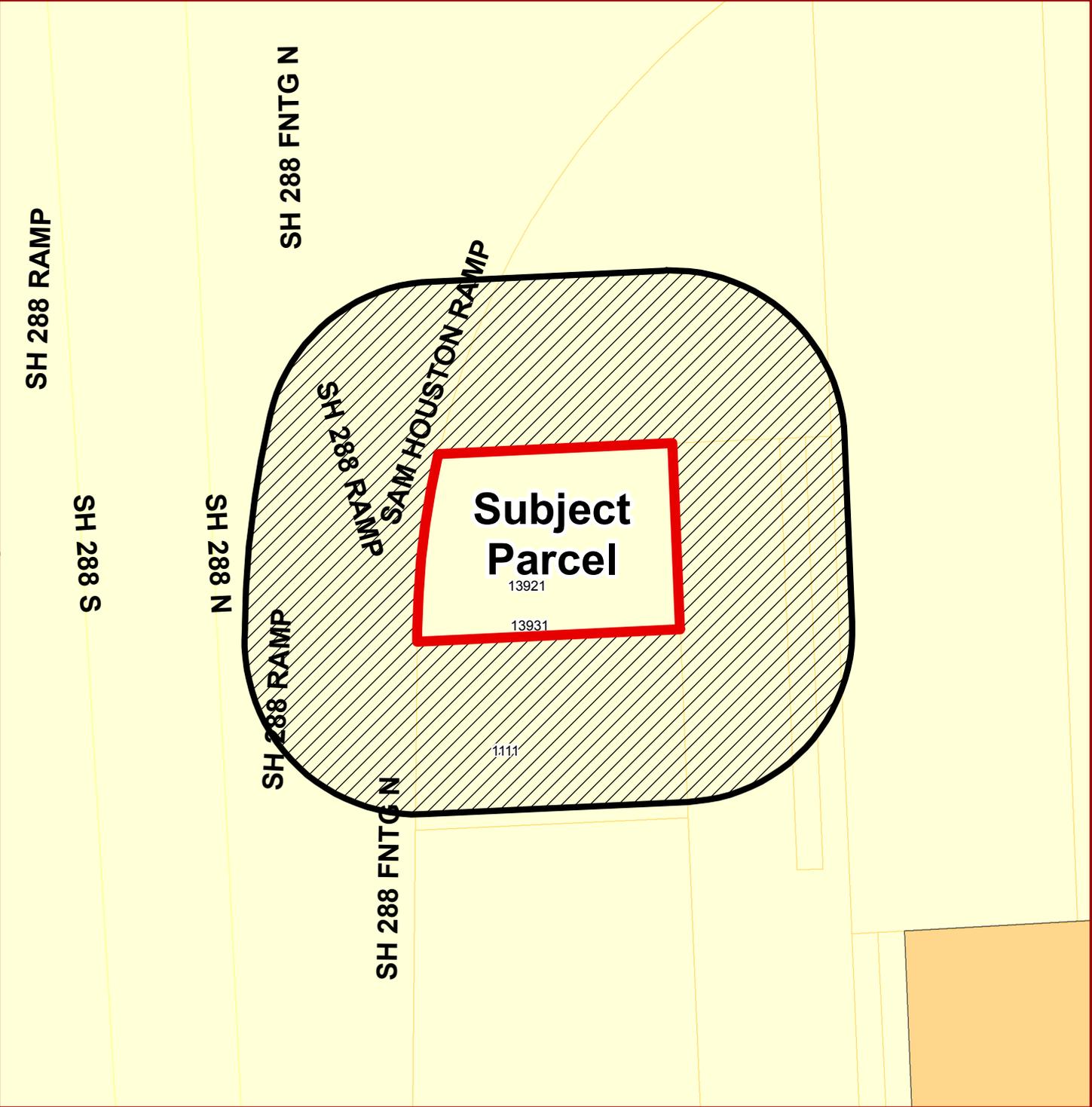


Exhibit 4

NOTIFICATION MAP

CUP 2016-05

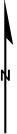
SH 288 near  
Beltway 8



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1 inch = 167 feet

FEBRUARY 2016  
PLANNING DEPARTMENT



**Exhibit 5**

CUP 2016-05

288 near Beltway 8

<b>Property_Owner</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
BELTWAY 7.437 LP	4141 SOUTHWEST FWY STE 250	HOUSTON	TX	77027-7321
HARRIS COUNTY FLOOD CONTROL	9900 NORTHWEST FWY	HOUSTON	TX	77092-8601
HOLMES HARRY JR	55 WAUGH DR STE 111	HOUSTON	TX	77007-5800
NOVA STRATEGIC SOLUTIONS LTD	PO BOX 12204	SPRING	TX	77391-2204
MEDALLION INVESTMENTS III INC	8778 AIRPORT BLVD	HOUSTON	TX	77061-3433



# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

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

Conditional Use Permit Request for: HOME 2 SUITE HILTON HOTEL  
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: COMMERCIAL

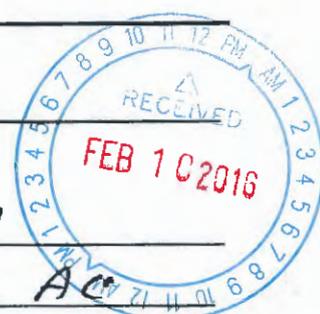
Property Information:

Address or General Location of Property: SOUTH FWY 77047

TR-1A NOVA SOLUTIONS 1.4460 AC

Tax Account No. 130-566-000-0004-H.C

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



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

PROPERTY OWNER INFORMATION:

NAME ASAY & MADHU JAIN LIVING TRUST  
ADDRESS 3512 ACORN WOODWAY  
CITY HOUSTON STATE TX ZIP 77059  
PHONE (281) 546-0329  
FAX (281) 461-0028  
E-MAIL ADDRESS ASAY K JAIN @ AOL.COM

APPLICANT/AGENT INFORMATION:

NAME NIRMAL GANDHI  
ADDRESS 888 W. SAM HOUSTON PKWY S.  
CITY HOUSTON STATE TX ZIP 77042 #120  
PHONE (281) 660-9204  
FAX (713) 266-3304  
EMAIL ADDRESS ngandhi2014@gmail.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: Ajay Kumar Jain Date: 2-9-16

Agent's/  
Applicant's Signature: Nirmal Gandhi Date: 2-10-16

OFFICE USE ONLY:

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

Application No. \_\_\_\_\_

## 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.
- 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 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.
- 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.**

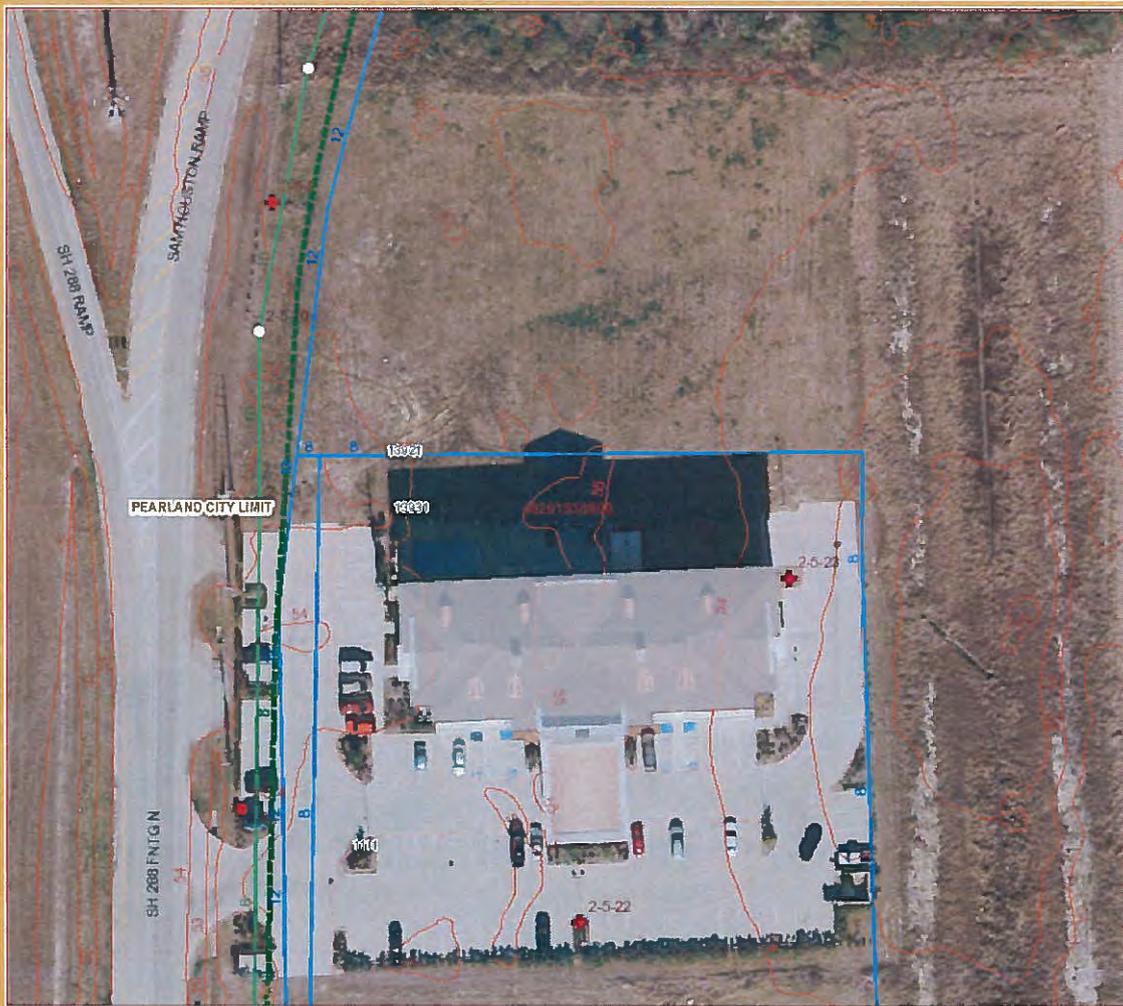
To, City of Keeland.

I am the Property owner HOME 2 Sea  
Hilton. - I am giving Permission to Nirmal  
Gandhi as my agent to Give Information To  
File application on my behalf.

Ajay Kumar Jani

2-10-16





This product is for informational 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.

Scale 1:760  
 1 in = 63 ft  
 February 10, 2016





## *D.R. Associates, Architects*

888 West Sam Houston Parkway S., Suite # 120,  
Ph (713) 266-3304 Fax (713) 266-3305

Houston, TX. 77042  
E-mail: [info@dr-architect.com](mailto:info@dr-architect.com)

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February 10, 2016  
City of Pearland Planning

Ref: Home 2 Suites  
South Freeway  
Pearland, TX 77047

Letter of Intent

We will be designing a 4 story Home 2 suites hotel in Pearland which will be located at the corner 288 and Beltway 8 next to the Holiday Inn Express. The Hotel consist of 84 rooms rentable a breakfast area and a small meeting room with an exterior pool.

We hope this meets all your criteria and that we can move forward with project.

Thank you,

Nirmal Gandhi  
Project Manager  
281-660-9204

---

TAX RECEIPT



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

Certified Owner:
AJAY AND MADHU JAIN TRUST
3512 ACORN WOOD WAY
HOUSTON, TX 77059

Legal Description:
TR 1A
NOVA SOLUTIONS

Parcel Address: 0 SOUTH FWY
Legal Acres: 1.4460

Remit Seq No: 30937660
Receipt Date: 01/14/2016
Deposit Date: 01/15/2016
Print Date: 01/14/2016 09:41 AM
Printed By: PEARE1

Deposit No: 1601585C
Validation No: 900000045652351
Account No: 1305-6600-00004
Operator Code: PEARE1

Table with 9 columns: Year, Tax Unit Name, Rec Type, Tax Value, Tax Rate, Levy Paid, P&I, Coll Fee Paid, Total. Rows include Pearland Municipal Management Dist No.2 and City Of Pearland.

Check Number(s):
4038

PAYMENT TYPE:
Checks: \$2,536.20

Exemptions on this property:

Total Applied: \$2,536.20
Total Tendered: \$47,510.21
Change Paid: \$0.00

PAYER:
AJAY AND MADHU JAIN TRUST
3512 ACORN WOOD WAY
HOUSTON, TX 77059

ACCOUNT PAID IN FULL

2015 TAX STATEMENT



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

**Legal Description:**  
 TR 1A  
 NOVA SOLUTIONS

Legal Acres: 1.4460  
 Parcel Address: 0 SOUTH FWY  
 Print Date: 12/17/2015

Appr. Dist. No.: 130566000004

Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
\$314,939	\$0	\$0	\$0	\$314,939

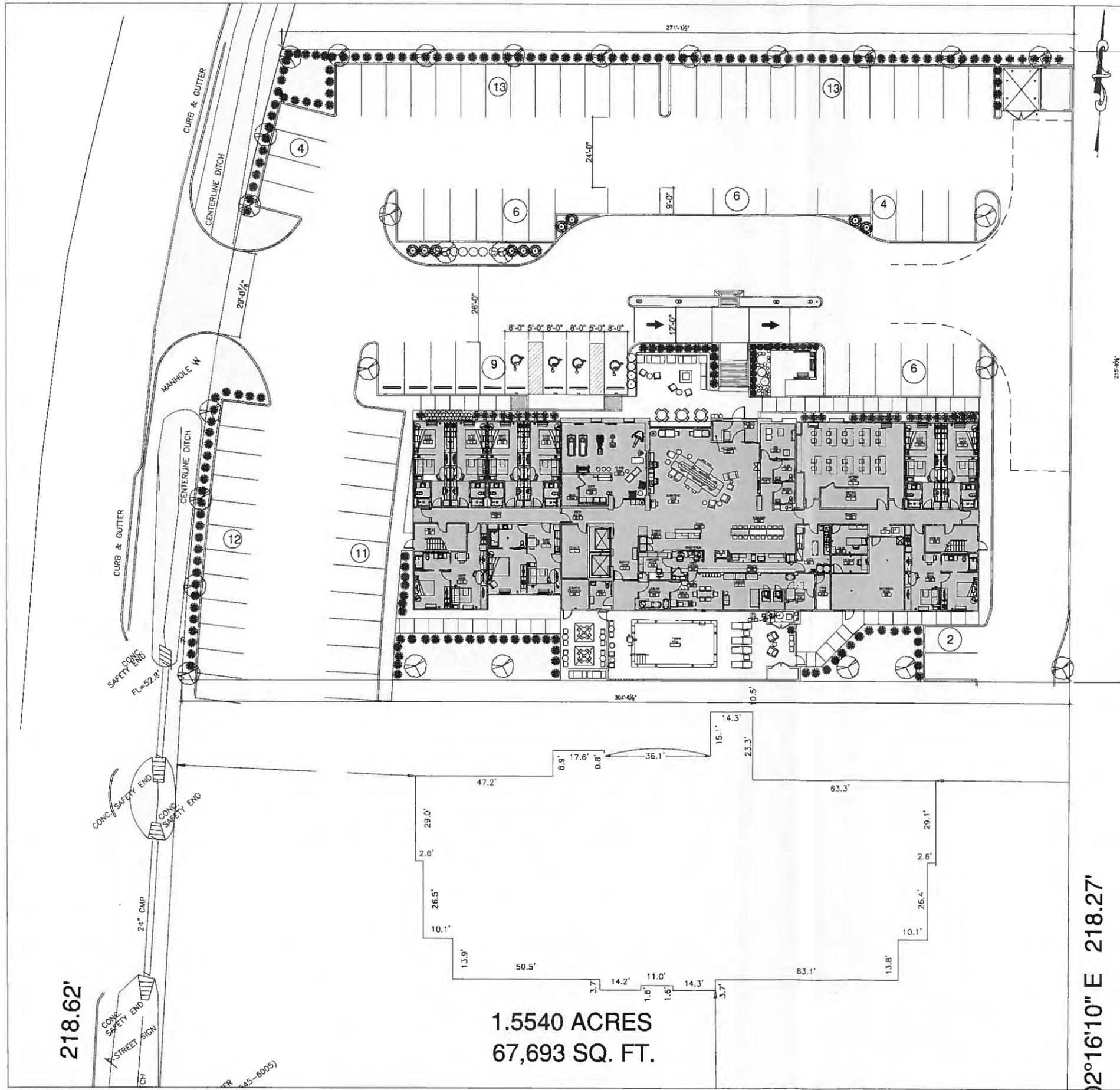
Exemptions Code	Amount	Taxable Value	Tax Rate	Tax
	\$0.00	\$314,939	0.1000000	\$314.94
	\$0.00	\$314,939	0.7053000	\$2,221.26

**Total Tax:** \$2,536.20  
**Total Tax Paid to date:** \$0.00  
**Total Tax Remaining:** \$2,536.20

02/29/2016 7%	03/31/2016 9%	04/30/2016 11%	05/31/2016 13%
\$2,713.74	\$2,764.45	\$2,815.18	\$2,865.90

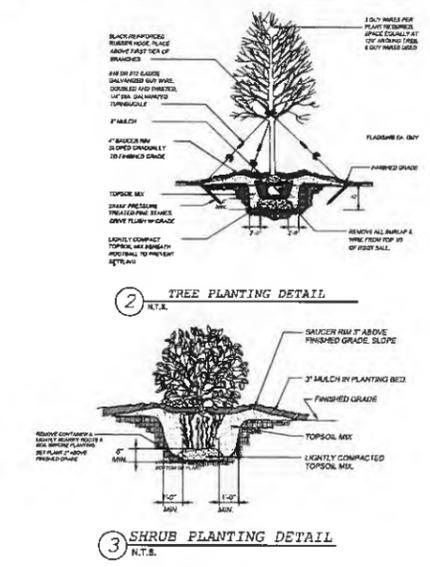
  

08/31/2016 19 + up to 20%	09/30/2016 20 + up to 20%	10/31/2016 21 + up to 20%	11/30/2016 22 + up to 20%
\$3,621.70	\$3,652.13	\$3,682.56	\$3,713.01



1.5540 ACRES  
67,693 SQ. FT.

218.62'  
218'-8 1/2" E 218.27'



- GENERAL NOTES**
- ALL PLANTS SHALL BE FULL POT AND HEAD, SYMMETRICAL FOLIAGE AND BRANCHING STRUCTURE.
  - CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO EXCAVATION OR TRENCHING. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING ANY DAMAGE TO UTILITIES OR OTHER IMPROVEMENTS.
  - GRADE SURFACE TO ENSURE AREAS DRAIN AWAY FROM STRUCTURES AND TO PREVENT PONDING AND POCKETS OF SURFACE DRAINAGE SPREAD AND AVERAGE OF 1" SHARP SAND OVER ENTIRE AREA TO BE SOLID SODDED. HAND RAKE ENTIRE AREA PRIOR TO SODDING. OBTAIN OWNER'S REPRESENTATIVE'S APPROVAL OF GRADE PRIOR TO SODDING.
  - ALLOW FOR FINISHED GRADE AT EDGE OF WALKS AND CURBS TO BE A MINIMUM OF 1" TO 1 1/2" BELOW TOP OF SIDEWALK AND CURBS AREAS SO GRASS WILL NOT HOLD WATER ON WALK AND SHALL BE CONSISTENT ALONG EDGE.
  - LANDSCAPE CONTRACTOR TO COORDINATE AND SCHEDULE HIS WORK WITH OTHER CONTRACTORS WORKING ON THE PROJECT SITE.
  - IRRIGATION SPRINKLER @ ALL LANDSCAPING WITH AUTOMATIC TIMER.
  - AUTOMATIC SPRINKLER SYSTEM IS ELECTRONICALLY SUPERVISED AND PROVIDED W/ ALL SUPERVISORY FEATURES AS REQUIRED BY SECT. 903.2.7 GROUP R.
  - MANUAL FIRE ALARM PULL STATIONS SHALL BE PROVIDED. MANUAL PULLS ARE REQUIRED BY FRANCHISE NOT THE LOCAL ALARM SYSTEM AND PULLS TO BE INSTALLED. LOCAL SMOKE DETECTION TO BE PROVIDED IN EACH UNIT PER SECTION 903.2.6 GROUP R1.
  - DETECTABLE WARNINGS  
DETECTABLE WARNINGS ON WALKING SURFACES  
DETECTABLE WARNINGS SHALL CONSIST OF RAISED TRUNCATED DOMES WITH A DIAMETER OF NOMINAL 0.9 (23MM), A HEIGHT OF NOMINAL 0.2 IN. (5MM) AND A CENTER-TO-CENTER SPACING OF NOMINAL 2.35 IN. (60MM) AND SHALL CONTRAST VISUALLY WITH ADJOINING SURFACES, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT.  
CURB RAMP SURFACES AT PUBLIC RIGHT OF WAY NEXT TO DRIVEWAY SHALL HAVE TRUNCATED DOMES AS PER SECTION 4.29.2 (Texas).
  - ALL GROUND EQUIPMENT SUCH AS GAS, WATER OR ELECTRICAL METERS OR BOXES, HVAC UNITS, LP TANKS, ETC. TO BE SCREENED BY LANDSCAPE.
  - ALL LIGHTS WILL BE FULL CUT-OFF.

**CITY OF PEARLAND  
LANDSCAPE CALCULATION**

<b>A. STREET TREES:</b>	
REQUIRED:	MINIMUM 2" CALIPER - 1' 1/2' OF FRONTAGE = 17, 218' FEET = 14.52 CALIPERS
PROVIDED:	17.5 CALIPERS
<b>B. SHRUBS TO SCREEN PARKING LOTS</b>	
REQUIRED:	NUMBER OF SHRUBS = 5X TOTAL CALIPER INCHES OF STREET TREES = 5X 87.5
PROVIDED:	236
<b>C. SIDE YARD LANDSCAPING</b>	
REQUIRED:	35% OF LENGTH OF PARKING LOT
PROVIDED:	236
EACH TREE PLANTED ON AT LEAST 36SQ. FT. AND MIN. 6' DIMENSION.	
<b>D. INTERIOR LANDSCAPING</b>	
PARKING LOT TREES REQUIRED:	MINIMUM 2" CALIPER - 1/6 PARKING SPACES
PARKING PROVIDED:	86 / 5 = 17.2 PROVIDED: 36

**PLANT SCHEDULE**

SYMBOL	QTY	SIZE	SCHEMATIC NAME	COMMON NAME	REMARKS
UC	35	2"	ELMOR CASABLANCA	ELM CEDAR	2" CALIPER MINIMUM; ORIGINALLY SPECIFIED FOR 1/2" CALIPER; ADAPTIVE TO RANGE OF SITES
PT	-	-	PHYTOLLOBIUM FLORESCENS	ERONYM TEXAS	NECESSARY UNIFORMITY WITH VERY DIVERSE URBAN PLANTING SCHEMES
HR	236	2"	HEBE	HEBE	8' HT. 2" DBH
OL	181	-	OLEA	OLEANDER	4' HT. 2" DBH
FL	-	-	ATTENTARIUM MEGALANTHUM	SANT ALBERTINE	
AZ	-	-	SHANKLEIA INDICA	INDIAN HONEYBUSH	3' HT. 2" DBH

**D.R. ASSOCIATES ARCHITECTS**  
 600 W. SAM HOUSTON HWY. S. SUITE 123  
 HOUSTON, TX 77042  
 PH: (713) 228-3334 FAX: (713) 228-3305  
 EMAIL: dr@drassoc.com

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY THOMAS S. JAMES, R.A. 8633 ON February 1, 2018

REGISTERED ARCHITECT  
 STATE OF TEXAS  
 8633

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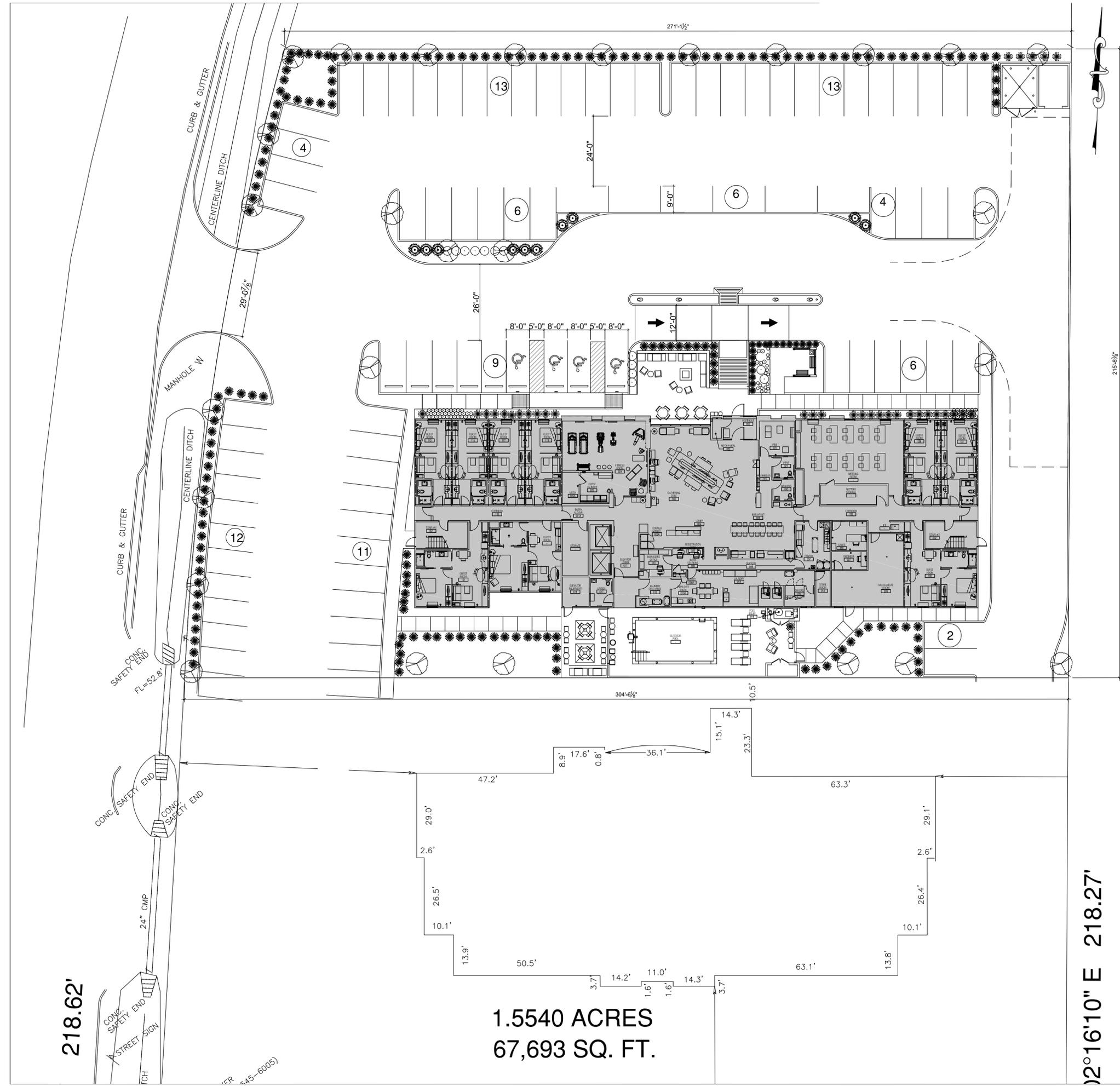
**REVISIONS**

1	
2	
3	
4	
5	

**HOME2 SUITES**  
PEARLAND, TX

**SITE PLAN**

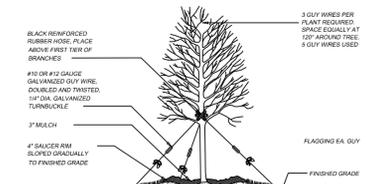
SHEET TITLE  
 1" = 20'  
 SCALE  
 6037  
 PROJECT NUMBER  
 DATE  
**C3.0**  
 SHEET NUMBER



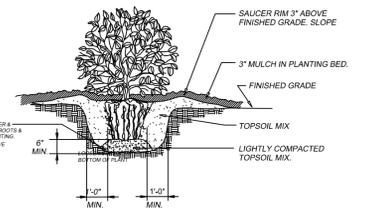
218.62'

1.5540 ACRES  
67,693 SQ. FT.

218.27' E 161'02"



2 TREE PLANTING DETAIL  
N.T.S.



3 SHRUB PLANTING DETAIL  
N.T.S.

GENERAL NOTES

1. ALL PLANTS SHALL BE FULL POT AND HEAD, SYMMETRICAL FOLIAGE AND BRANCHING STRUCTURE.
2. CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES PRIOR TO EXCAVATION OR TRENCHING. CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING ANY DAMAGE TO UTILITIES OR OTHER IMPROVEMENTS.
3. GRADE SURFACE TO ENSURE AREAS DRAIN AWAY FROM STRUCTURES AND TO PREVENT PONDING AND POCKETS OF SURFACE DRAINAGE SPREAD AND AVERAGE OF 1" SHARP SAND OVER ENTIRE AREA TO BE SOLID SODDED. HAND RAKE ENTIRE AREA PRIOR TO SODDING. OBTAIN OWNER'S REPRESENTATIVE'S APPROVAL OF GRADE PRIOR TO SODDING.
4. ALLOW FOR FINISHED GRADE AT EDGE OF WALKS AND CURBS TO BE A MINIMUM OF 1" TO 1 1/2" BELOW TOP OF SIDEWALK AND CURBS AREAS SO GRASS WILL NOT HOLD WATER ON WALK AND SHALL BE CONSISTENT ALONG EDGE.
5. LANDSCAPE CONTRACTOR TO COORDINATE AND SCHEDULE HIS WORK WITH OTHER CONTRACTORS WORKING ON THE PROJECT SITE.
6. IRRIGATION SPRINKLER @ ALL LANDSCAPING WITH AUTOMATIC TIMER.
7. AUTOMATIC SPRINKLER SYSTEM IS ELECTRONICALLY SUPERVISED AND PROVIDED WITH ALL SUPERVISORY FEATURES AS REQUIRED BY SECT. 903.2.7 GROUP R
8. MANUAL FIRE ALARM DESCRIPTION: MANUAL PULLS ARE PROVIDED. MANUAL PULLS ARE REQUIRED BY FRANCHISE NOT THE CODE. ALARM SYSTEM AND PULLS TO BE INSTALLED. LOCAL SMOKE DETECTION TO BE PROVIDED IN EACH UNIT PER SECTION 903.2.8 GROUP R1.
9. DETECTABLE WARNINGS: DETECTABLE WARNINGS ON WALKING SURFACES DETECTABLE WARNINGS SHALL CONSIST OF RAISED TRUNCATED DOMES WITH A DIAMETER OF NOMINAL 0.9 (23MM), A HEIGHT OF NOMINAL 0.2 IN. (5MM) AND A CENTER-TO-CENTER SPACING OF NOMINAL 2.35 IN. (60MM) AND SHALL CONTRAST VISUALLY WITH ADJOINING SURFACES, EITHER LIGHT-ON-DARK OR DARK-ON-LIGHT. CURB RAMP SURFACES AT PUBLIC RIGHT OF WAY NEXT TO DRIVEWAY SHALL HAVE TRUNCATED DOMES AS PER SECTION 4.29.2 (Texas);
10. ALL GROUND EQUIPMENT SUCH AS GAS, WATER OR ELECTRICAL METERS OR BOXES, HVAC UNITS, LP TANKS, ETC. TO BE SCREENED BY LANDSCAPE.
11. ALL LIGHTS WILL BE FULL CUT-OFF.

CITY OF PEARLAND LANDSCAPE CALCULATION	
A. STREET TREES:	
REQUIRED:	MINIMUM 2" CALIPER - 1' / 15' OF FRONTAGE = 17' 218' FEET = 14.53 CALIPERS
PROVIDED:	17.5 CALIPERS
B. SHRUBS TO SCREEN PARKING LOTS	
REQUIRED:	NUMBER OF SHRUBS = 5X TOTAL CALIPER INCHES OF STREET TREES = 5X 87.5
PROVIDED:	236
C. SIDE YARD LANDSCAPING	
REQUIRED:	35% OF LENGTH OF PARKING LOT
PROVIDED:	236
EACH TREE PLANTED ON AT LEAST 36SQ. FT. AND MIN. 6' DIMENSION.	
D. INTERIOR LANDSCAPING	
PARKING LOT TREES REQUIRED: MINIMUM 2" CALIPER - 1/15 PARKING SPACES	
PARKING PROVIDED:	86 / 5 = 17.2 PROVIDED: 36

PLANT SCHEDULE					
SYMBOL	KEY	QTY	SCIENTIFIC NAME	COMMON NAME	REMARKS
TREE	UC	25	LELAIUS CRASSIFOLIA	ELM CEDAR	2 1/2\"/>
TREE	PF	-	PITHECELLORIUM FLEXICAULE	EBONY TEXAS	MODERATE GROWING NATIVE VERY DROUGHT TOLERANT PERSISTENT LIVED CLOSER
SHRUB	HB	236	HIBISCUS	HIBISCUS	8' HT., 2' SPREAD
SHRUB	NO	-	NERIUM OLEANDER	OLEANDER	4' - 8' HT., 2' - 4' SPREAD
GROUND COVER	FULL	-	ATENTODAPHNUM SECUNDATUM	SANT AUGUSTINE	-
GROUND COVER	AJ	-	RHAPHIOLEPIS INDICA	INDIAN HORTHTHORN	3' - 4' HT., 2' - 3' SPREAD

**D.R. ASSOCIATES ARCHITECTS**  
800 W. SAM HOUSTON PKWY S. SUITE 123 HOUSTON, TX 77042  
PH (713) 266.3304 FAX (713) 266.3305 EMAIL: drochitects@bigglobal.net

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY THOMAS D. JARRELL, R.A. 6630 ON February 10, 2016



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REVISIONS	1	2	3	4	5

**HOME 2 SUITES**  
PEARLAND, TX

**SITE/LANDSCAPE PLAN**

SHEET TITLE  
1" = 20' SCALE

6062 PROJECT NUMBER

DATE

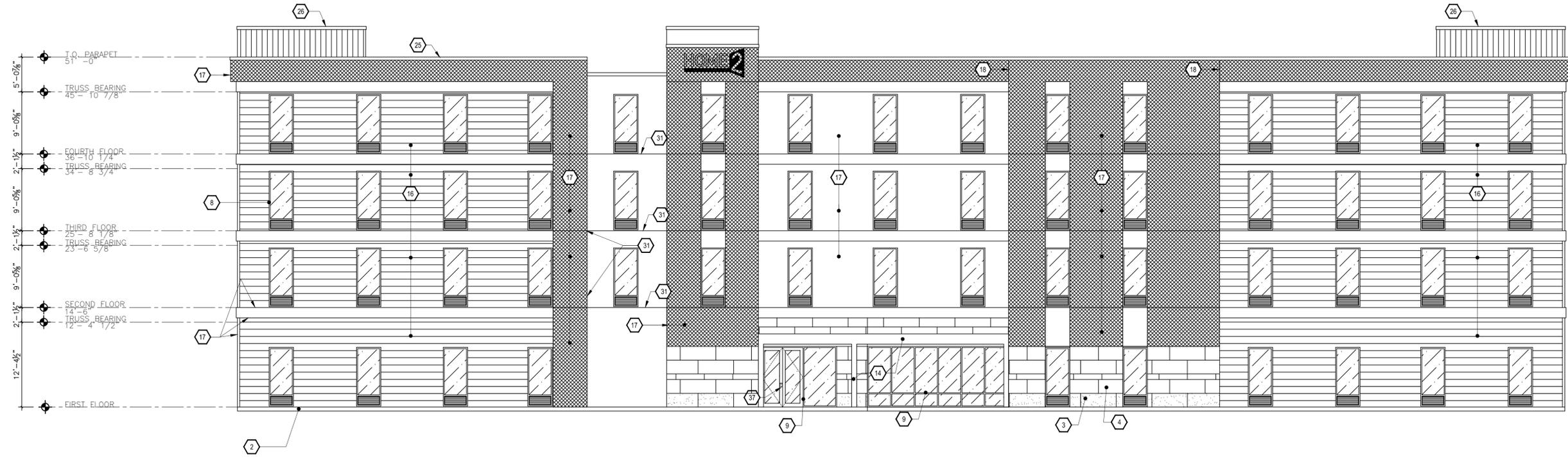
**C3.0**  
SHEET NUMBER

THE SEAL APPEARING ON THIS DOCUMENT  
WAS AUTHORIZED BY THOMAS D. JARRELL,  
R.A. 6630, ON

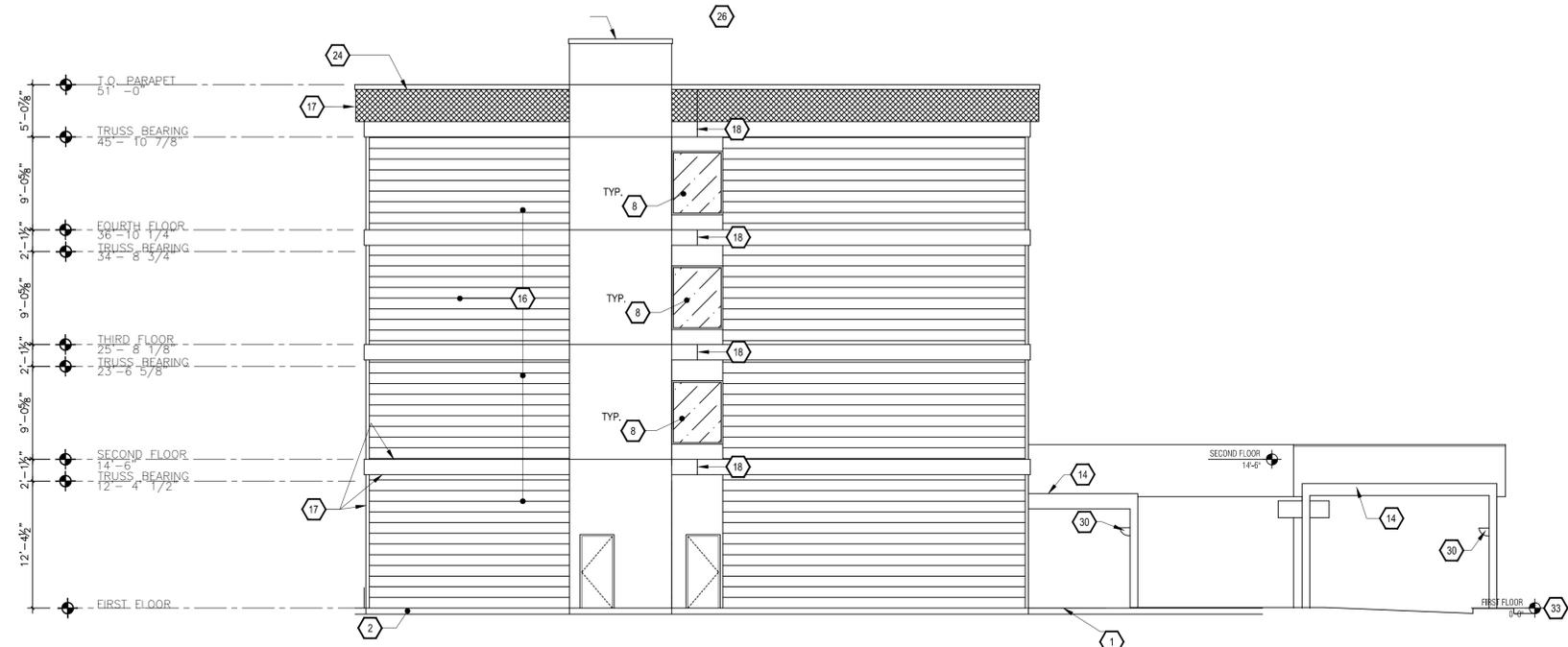


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REVISIONS	1	2	3	4	5



**1 FRONT ELEVATION**  
SCALE: 1/8" = 1'-0"



**2 SIDE ELEVATION**  
SCALE: 1/8" = 1'-0"

**Notice:**  
HATCHED INDICATES AREA OF  
FACADE WHICH EXTENDS  
MINIMUM 12" PROUD OF  
ADJACENT FINISH

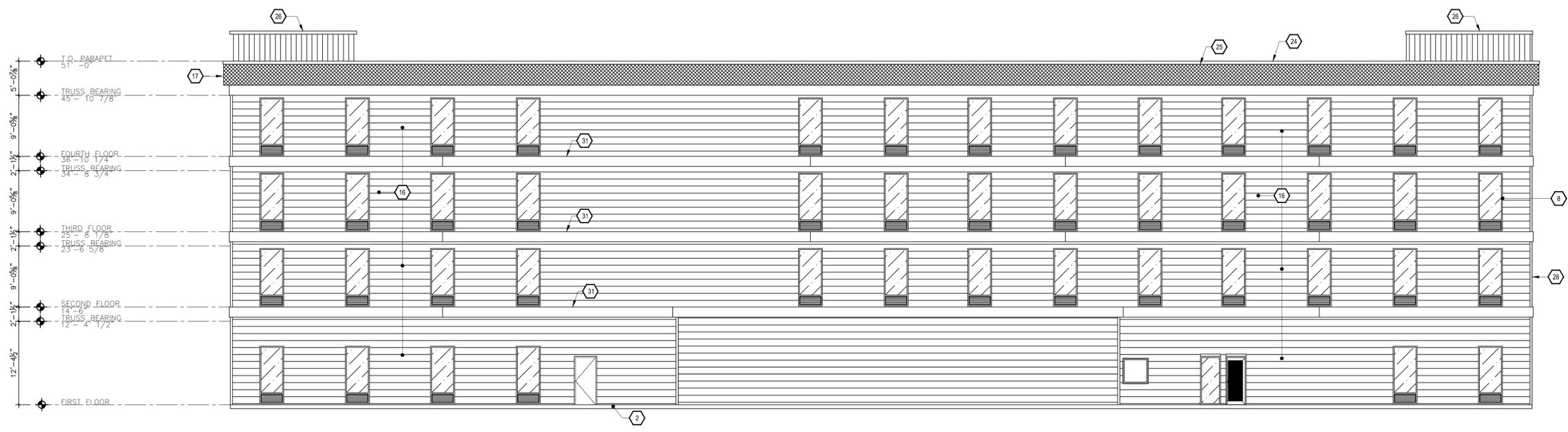
KEY NOTES:	KEY NOTES:	BUILDING SIGNAGE:
<p>1 APPROXIMATE LINE OF GRADE</p> <p>2 ABOVE GRADE EXPOSED FOUNDATION WALL</p> <p>3 MASONRY OR TILE - BASE</p> <p>4 MASONRY OR TILE - FIELD - ASHLAR PATTERN,</p> <p>5 CONCRETE FOOTING AND FOUNDATION WALL AS REQUIRED PER LOCAL FROST DEPTHS</p> <p>6 OCULUS</p> <p>7 NOT USED</p> <p>8 ALUMINUM FIXED WINDOW W/ THERMAL BROKEN FRAME, INSULATED GLAZING WITH INTEGRAL ALUMINUM LOUVER AT PTAC UNITS</p> <p>9 ALUMINUM STOREFRONT SYSTEM W/ THERMAL BROKEN FRAME AND INSULATED GLAZING</p> <p>10 NOT USED</p> <p>11 EXHAUST - REFER TO MECHANICAL DRAWINGS</p> <p>12 ALUMINUM SLIDING ENTRY DOOR W/ INSULATED GLAZING</p> <p>13 BEACON - BEAM - REFER TO STYLE GUIDE</p> <p>14 PAINTED TUBE STEEL CANOPY W/ STAINED WOOD TRELLIS</p> <p>15 TONGUE N GROOVE WOOD PLANK CEILING, STAINED</p> <p>16 ENVELOPE - CORE FINISH - REFER TO STYLE GUIDE</p> <p>17 ENVELOPE - WRAP FINISH - REFER TO STYLE GUIDE</p> <p>18 FINISH CONTROL JOINT</p> <p>19 OVERFLOW SCUPPER - BASIS OF DESIGN NESCO MFG INC. - MODEL # SCS194R - REFER ALSO TO DETAIL 6J/A6.12</p> <p>20 TAMPER RESISTANT, RECESSED HOSE BIB - MOUNT TOP AT +12" A.F.F.</p>	<p>21 ENVELOPE - ACCENT FINISH - REFER TO STYLE GUIDE</p> <p>22 ENVELOPE - ACCENT FINISH - REFER TO STYLE GUIDE</p> <p>23 SIGNAGE - REFER TO EXTERIOR SIGNAGE SPECIFICATIONS</p> <p>24 KYNAR FINISH ALUMINUM COPING SYSTEM - COLOR TO MATCH ADJACENT MATERIAL</p> <p>25 KYNAR FINISH ALUMINUM GRAVEL STOP - COLOR TO MATCH ADJACENT MATERIAL</p> <p>26 REVIEW ALL VIEWS AROUND PROPERTY BEFORE LOCATING ALL ROOF TOP MECHANICAL UNITS. VERIFY ALL EQUIPMENT IS ADEQUATELY SCREENED.</p> <p>27 BEACON - REFER TO SECTIONS FOR MORE INFORMATION</p> <p>28 PAINTED ALUMINUM OUTSIDE CORNER BY FRY REGLET, COLOR TO MATCH ADJACENT ENVELOPE - CORE FINISH</p> <p>29 EXHAUST VENT - COLOR TO MATCH ADJACENT MATERIAL</p> <p>30 LIGHT FIXTURE - REFER TO CEILING PLAN</p> <p>31 EXPANSION JOINT @ FLOOR LINE W/ BACKER ROD AND SEALANT</p> <p>32 ALUMINUM LOUVER - COLOR TO MATCH ADJACENT MATERIAL MATCHING ADJACENT WALL</p> <p>33 BUILDING HEIGHT DIMENSIONS ARE BASED ON WOOD FRAME CONSTRUCTION. THESE DIMENSIONS WILL VARY BASED ON FINAL BUILDING CONSTRUCTION. INTERIOR CEILING HEIGHT DIMENSIONS ARE CRITICAL TO MAINTAIN AS MINIMUMS.</p> <p>34 CONCRETE PAD - REFER TO AREA DEVELOPMENT PLAN</p> <p>35 ACCESS OPENING INTO BEACON</p> <p>36 ALUMINUM GUTTER AND DS, COLOR TO MATCH ADJ. MATERIAL</p> <p>37 ACCESSIBLE KEY CARD READER W/ WIRE TO ELECTRIC STRIKE IN DOOR - TOP OF READER AT 48" MAX. HEIGHT</p> <p>38 POOL PERIMETER FENCE AS REQUIRED BY CODE W/ 3'-0" GATE</p> <p>39 PRECAST COPING</p>	<p><b>BUILDING SIGNAGE:</b></p> <p>ALL SIGNAGE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LOCATION SIZE, ETC. TO BE DETERMINED ON AN INDIVIDUAL PROJECT BASIS.</p> <p>MINIMUM 3/4" PLYWOOD BACKERBOARD REQUIRED AT SIGN LOCATIONS. AREA SHOULD COVER ENTIRE LENGTH AND HEIGHT OF FASCIA OR SPACE AVAILABLE FOR SIGN.</p> <p>ELECTRICAL AND FINAL CONNECTION BY CONTRACTOR. ELECTRICAL REQUIREMENTS MAY BE OBTAINED FROM SIGN COMPANY. TYPICAL 120V REQUIREMENT</p> <p>RACEWAYS/ WIREWAYS ARE NOT ALLOWED.</p> <p>PERMANENT ACCESS DOORS TO INTERIOR OF ALL PARAPETS WHERE SIGNS ARE LOCATED TO BE PROVIDED BY CONTRACTOR. CONTRACTOR TO FURNISH AND CONNECT PRIMARY ELECTRICAL SERVICE INSIDE PARAPET WALL.</p> <p>GUESTROOMS OR PUBLIC SPACES WITH SIGNAGE ON EXTERIOR WALLS MUST HAVE ELECTRICAL PENETRATIONS AND/OR INSTALLED PRIOR TO CLOSING UP THE WALL. PENETRATION LAYOUT MAY BE OBTAINED FROM SIGN COMPANY.</p>
<p><b>GENERAL NOTES THIS SHEET:</b></p> <p>1. REFER TO HOME 2 SUITES BY HILTON STANDARDS MANUAL AND STYLE GUIDE FOR ADDITIONAL INFORMATION REGARDING EXTERIOR MATERIALS, CONSTRUCTION REQUIREMENTS AND SIGNAGE REQUIREMENTS.</p> <p>2. GROUT COLOR TO MATCH EXTERIOR TILE OR MASONRY.</p> <p>3. BUILDING HEIGHT DIMENSIONS ARE BASED ON WOOD FRAME CONSTRUCTION. THESE DIMENSIONS WILL VARY BASED ON FINAL BUILDING CONSTRUCTION. INTERIOR CEILING HEIGHTS ARE CRITICAL TO MAINTAIN AS MINIMUMS.</p>		

**HOMER2 SUITES**  
PEARLAND, TX

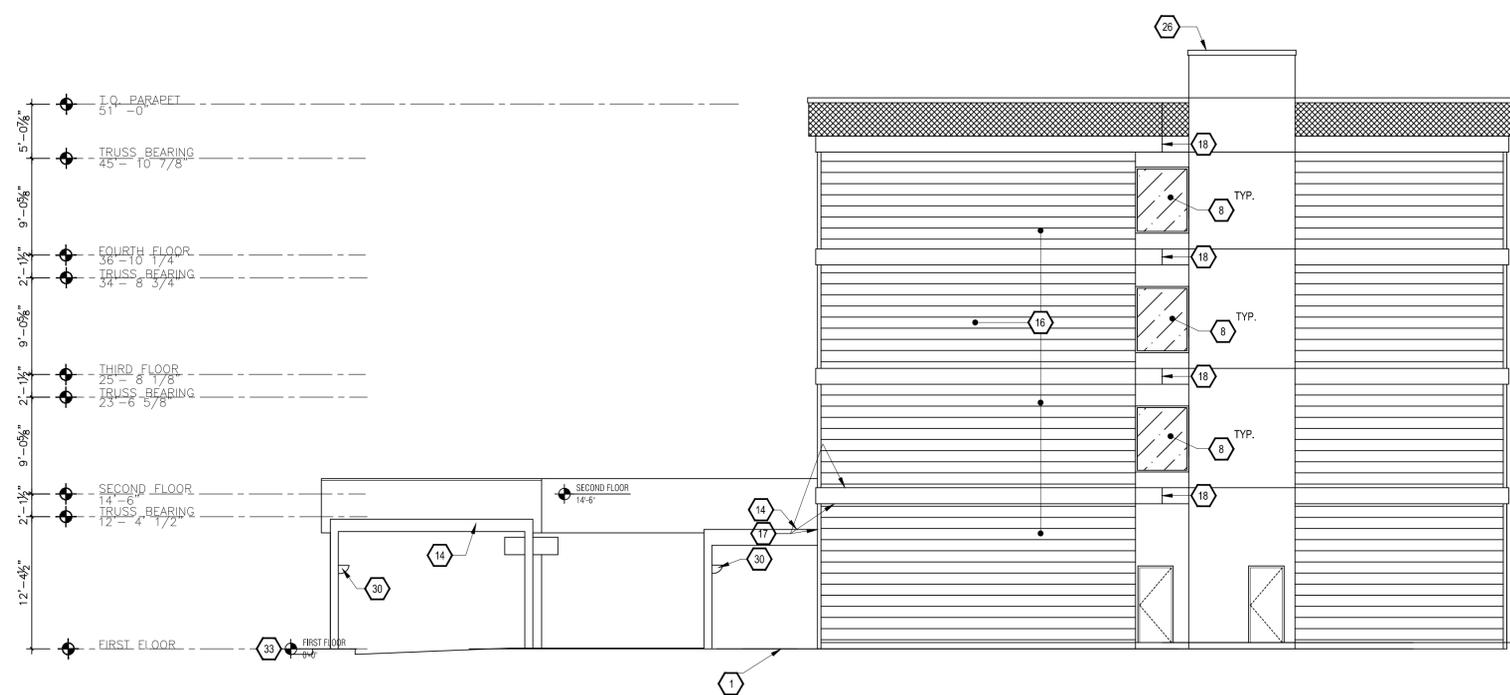
**EXTERIOR ELEVATION**  
SHEET TITLE  
1/8" = 1'-0"  
SCALE  
6062  
PROJECT NUMBER  
DATE  
**A5.0**  
SHEET NUMBER



REVISIONS	1	2	3	4	5



**1** BACK ELEVATION  
SCALE: 1/8" = 1'-0"



**2** SIDE ELEVATION  
SCALE: 1/8" = 1'-0"

**Notice:**  
HATCHED INDICATES AREA OF  
FAÇADE WHICH EXTENDS  
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**HOMIE2 SUITES**  
PEARLAND, TX

**EXTERIOR ELEVATION**

SHEET TITLE  
**1/8" = 1'-0"**  
SCALE  
**6062**  
PROJECT NUMBER

DATE  
**A5.1**  
SHEET NUMBER



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, MARCH 28, 2016, AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Zone Change Application No. 2015-14Z**

A request of Patti Joiner of Knudson LP., applicant; on behalf of American Modern Green (Houston) LLC, owner; for approval of a change in zoning from the Planned Development (PD) zoning district known as Modern Green Ivy, to a Planned Development (PD) zoning District known as Ivy District; on approximately 48.471 acres of land, to wit:

**Legal Description:** A tract of land containing 48.471 acres of land situated in the James Hamilton Survey, Abstract No. 881 in Harris County and Abstract No. 747 in Brazoria County, Texas. Said 48.471 acre tract is in Lot 5 of the Subdivision of the John Hamilton Survey as recorded in Volume 83, Page 342 in the Harris County Deed Records and is that same 48.4712 acre tract of land described in a deed to Amegy Mortgage Company, L.L.C. as recorded in Clerk's File No's 20100132332 and 20100235353 in the Harris County Clerk's Office.

**General Location:** Southwest corner of SH 288 and Spectrum Boulevard, Pearland, TX

**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 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**



# Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: March 28, 2016

Re: Zone Change Application Number 2015-14Z

A request of Patti Joiner of Knudson LP., applicant; on behalf of American Modern Green (Houston) LLC, owner; for approval of a change in zoning from the Planned Development (PD) zoning district known as Modern Green Ivy, to a Planned Development (PD) zoning district known as Ivy District; on approximately 48.471 acres of land.

**General Location:** Southwest corner of SH 288 and Spectrum Boulevard, Pearland, TX

## Summary of Request

The applicant is requesting approval of a change in zoning from Modern Green Ivy Planned Development (PD) zoning district on approximately 48.471 acres, to replace the Ivy District Planned Development (PD) zoning district that was approved in 2014. A joint workshop was conducted in October 2015 and comments from the workshop have been incorporated, as explained later in this memo.

The proposed project will be an urban mixed use development with multi-family, retail, offices, and hotel uses. The development will also include a gated townhome development and a public open space adjacent to Clear Creek. Of the 48.5 acres, approximately 16.05 acres will be dedicated for lakes, detention, open space, and tree planting. Wide sidewalks and streetscape features will be installed along each block to encourage pedestrian activity. A pedestrian bridge will be constructed across Clear Creek to provide access to the City's trail system. Access to the site will be provided to the northern boundary of the tract from South Spectrum Boulevard and to the eastern boundary from the frontage road on the west side of SH 288.

The PD is proposed as an "urban walkable, mixed-use development," with the following three major components:

1. **The Highway Commercial component** will encompass a total of 9.65 acres in two areas: a 5.65 acre parcel north of Clear Creek and a 4.0 acre parcel south of Clear Creek. The 5.65 acre parcel that fronts SH 288, South Spectrum Boulevard, and Clear Creek will either have a minimum of 224,000 square feet of office or 144,000 square feet of office and 100,000 square feet of hotel/conference center. The 4.0 acre parcel south

of Clear Creek that fronts SH 288 could include offices, commercial uses, restaurants or recreational area or any use allowed in the Allowed Land Uses Table C.1 under Highway Commercial.

- 2. The Urban Neighborhood/Commercial Transitional component** will encompass approximately 17.8 acres, and will include housing and Continuing Care Retirement Community (CCRC). The housing will encompass 46 townhomes, 142 condominiums, 335 multi-family apartments with associated amenities. The CCRC is designed for senior citizens and will include a total of 224 units, with the following breakdown - 146 independent living units, 78 assisted living and memory care units, with rehabilitative services, personal care services, social spaces, restaurant, and dining space. This area will also include some neighborhood retail spaces on the first floor (21,200 square feet minimum) and a 0.3 acre civic space that will include “pedestrian-friendly elements, landscaping, public art opportunities, and fountains”. The retail and civic space will be centered along Parkview Terrace. This component includes a parking garage with over 1,300 parking spaces.

**Housing Breakdown**

Townhomes	46
Condominiums	142
Multi-family apartments	335
<b>Total</b>	<b>523 units</b>

**CCRC**

Independent living units	146
Assisted living	34
Memory care units	44
<b>Total</b>	<b>224 units</b>

- 3. The Clear Creek Open Space component** will incorporate 16.05 acres of open space and parkland including a wet detention with fountains. The previous plans discussed at the workshop included a clubhouse, pool and a 350 square foot deck over water for a fishing pier, which have been removed from the current proposal. Public open space will extend along Clear Creek for recreational purposes, with trails connecting to all surrounding districts, streets, and the City’s trail system. The cost of amenities is estimated by the applicant to be approximately 2.8 million dollars, including some landscaping, sidewalks and lighting that would be required in other developments.

**Recommendation**

Staff recommends approval with conditions (listed below) of the request to change the zoning of the approximately 48.471 acre site from Modern Green PD to Ivy District PD for the following reasons:

1. This site is located in the Lower Kirby District that is governed by the Lower Kirby Urban Center (LKUC) Development Code, in the Comprehensive Plan. The LKUC supports a high density, mixed use, livable center concept for this area. The change in zoning will be in conformance with the Comprehensive Plan, as the proposed PD provides a variety of residential options, active and passive recreational opportunities, and commercial and office areas, in a pedestrian friendly, walkable setting with high design standards. This development will serve as a catalyst for future mixed use developments in the Lower Kirby area, especially in conjunction with the retail/commercial development being

contemplated north of this site.

2. The plan creates a network of open spaces that takes into consideration the natural environment while providing a range of passive and active recreational opportunities. These recreational opportunities are created by a wide variety of spaces ranging from large parks to neighborhood scaled green, urban squares, plazas and gardens. The open space is interconnected by a network of trails, sidewalks, and paths for both pedestrians and bicyclists. The proposal provides 16.05 acres of open space, 2.67 acres more than the required amount.
3. The PD proposes amenity and pedestrian improvements that exceed the City's requirements. The UDC requires parkland dedication at one acre per 50 units or \$750 per unit, which would equal \$501,750.00. The proposed PD, as shown in Table H-5, lists the proposed amenities and pedestrian improvements.
4. The proposed PD is in conformance with the UDC. The PD Districts are 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. The proposal supports a balanced mix of land uses, a wider range of residential options to meet the "life cycle" housing needs of current and future Pearland residents, and enhancements to open spaces and building design, that exceed the requirements of a conventional zoning district.
5. Staff recommends the following conditions be place on the approval of Ivy District PD:
  - a. The applicant shall enter into a Development Agreement with the City for off-site infrastructure and Clear Creek open space; and
  - b. Applicant shall address staff's "Outstanding Comments on PD – dated 3/16/2016."

**Site History**

The site is currently vacant, with the exception of a detention pond that was constructed many years back, in anticipation of the first phase of the previously approved Waterlights development. The Waterlights project did not advance, and was subsequently approved for a Modern Green Ivy PD designation in 2014. The Modern Green Ivy PD was proposed to be a "pedestrian oriented, urban" development with a mix of offices, retail, restaurants, cafes, social and recreational center, and high density multi-family residential housing units including assisted living, skilled nursing, long-term stay hotel, and related uses.

The subject property is surrounded by a mix of land uses and zoning districts, as illustrated by the below table:

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

### **Conformance with the Comprehensive Plan**

The 2015 Comprehensive Plan adopted the Lower Kirby Urban Center Plan. This area is in the Lower Kirby District that is governed by the Lower Kirby Urban Center Development Code (LKUCD). The LKUC supports a high density, mixed use, livable center concept for this area.

The LKUCD 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 proposal is in conformance with the LKUCD that designates this specific site as a combination of Highway Commercial and Urban Neighborhood.

### **Conformance with the Thoroughfare Plan**

The eastern boundary of the subject property has frontage on SH 288. The northern boundary has frontage on South Spectrum Boulevard, a designated major thoroughfare to be acquired, requiring a minimum of 120 foot right-of-way. Promenade Shops Drive, designated a major collector to be acquired, with a minimum of 80 foot right-of-way is on the west side of the property. Right-of-way dedication for all or portions of these streets and new internal streets would be required at the time of platting and the applicant would be required to construct or extend these roads to city standards or as per the standards specified in the PD. A Traffic Impact Analysis (TIA) had been reviewed by the City and staff is awaiting a resubmittal in response to staff comments. The applicant would be required to construct all improvements recommended in the TIA. Improvements could include the extension of either Promenade Shops Drive to the Beltway frontage Road or South Spectrum Boulevard west to Kirby Drive before final plat to facilitate the traffic volume and provide a second remote access.

### **Conformance with the Unified Development Code**

As previously stated, the property is currently zoned Planned Development (PD) – Modern Green Ivy District. The application seeks to change the Modern Green Ivy District PD to 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.”* The proposal includes a variety of residential options integrated with commercial and recreational areas with outdoor seating areas with benches, receptacles, bicycle parking, a pedestrian bridge across Clear Creek, fountains, and detention. A 0.3 acre civic space on Parkland Terrace will be used for passive recreation and gathering. This space will also serve as a staging area for art fairs, farmers markets and

other small-scale festivals space, when the street will be closed. Amenities will include a fountain/water feature, benches, specialty paving, landscaping, and areas dedicated for kiosk vendors. This PD provides a higher quality of development due to the number of amenities provided, mix of land uses, and types of housing offered, and is in compliance with the UDC.

The PD proposes open space and enhancements that exceed the UDC requirements. As per the UDC, open space is calculated at 900 square feet per unit and 13.34 acres are required for this request. Assisted Living and Memory Care units are not required by the UDC to be included in these calculations. The total open space provided is 16.05 acres. Parkland Dedication fees are based on the proposed number of residential units and are calculated at \$750 per unit. See the table below.

<b>Types of Units</b>	<b>Total Number of Units</b>	<b>Number of Units Counted in Park and Open Space Dedication</b>	<b>Park Dedication amount @ \$750 per unit</b>
<b>Multi-Family Apts. (Rental)</b>	335	335	\$251,250
<b>CCRC</b>	224		
* Independent living (146 units)		146	109,500
* Assisted Living			
* Studio (2 units)			
* 1 Br. (12 units)		0	
* 2 Br. (20 units)			
* Memory Care-efficiency (44 units)			
<b>Condominiums</b>	142	142	106,500
<b>Townhomes</b>	46	46	34,500
<b>TOTAL</b>	<b>747</b>	<b>669</b>	<b>\$501,750</b>

**Platting Status**

Platting will be required for the proposed development prior to the issuance of building permits and Certificates of Occupancy. Prior to the approval of the Master Plat, an approved Traffic Impact Analysis (TIA), approved water and wastewater plans, approved drainage plan, signage plan, master lighting plan, and a detailed landscaping plan including the type, location, and quantity of all plantings, and an amenity plan needs to be submitted.

A future development agreement will be necessary for required off-site infrastructure improvements, including the construction of portions of Spectrum Boulevard and Promenade Shops Drive, and possibly for refinement of the specifics on the development of the Clear Creek Open Space. The proposed PD does not specify who will finance, develop, own, and maintain the proposed Clear Creek Open Space.

**Availability of Utilities**

The subject parcel is serviced by water and sanitary sewer, located along South Spectrum Boulevard. The applicant would need to extend the utilities to serve the site. Proposed extension of services and capacity issues and other required off-site improvements will be

addressed during platting. Except for the four-acre area south of Clear Creek that is located within the Municipal District (MUD 26), the PD is located in the Lower Kirby Pearland Municipal District.

Before the Master Plat is submitted, the utilities plan will be approved.

### **Impact on Existing and Future Development**

The proposed development is in accordance with the Lower Kirby Urban Center (LKUC) plan and will result in a high density, mixed use, high-value development. Further, this development will have a positive impact on surrounding properties by serving as an impetus for future mixed use, livable centers in the Lower Kirby area.

### **Additional Comments**

A joint workshop was held in October 2015, to discuss this application. Staff has been working with the applicant on addressing staff comments. The list of outstanding comments has been attached.

### **Public Notification**

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property, and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was published in the local newspaper and a notification sign was placed on the property by the applicant. Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request.

### **Exhibits**

1. Ivy District Planned Development & Exhibits
2. Aerial Map
3. Current Zoning Map
4. Future Land Use Map
5. Notification Map
6. Notification List

## Outstanding Comments on PD – dated 3/16/2016

1. Page 4 – 2<sup>nd</sup> para, 2<sup>nd</sup> line – capitalize Ranch. Last para, 4<sup>th</sup> line – Add “Management to “Lower Kirby Management District. 3<sup>rd</sup> para – 4<sup>th</sup> line capitalize Creek, and Shadow Creek is two words.
2. Update Figure A.2. Some vacant land is developed.
3. Page 6 – The difference between zoning districts and land use categories need to be clear.
  - a. 1<sup>st</sup> para – second line, remove the words “... three separate zoning designations, also known as Character zones’ ...”
  - b. 2<sup>nd</sup> para, 1<sup>st</sup> line add “...establish a new PD zoning district...”
  - c. Last para – first line – “... all requirements of the UDC will apply accordingly to the following base zones...”
4. Page 12 –C-Permitted Uses – Dwelling Multiple Family add (Urban Style dwellings with internal courtyards) in parenthesis. These are the only type of multiple family permitted in the PD. This use is very specific to the PD, as compared to the UDC definition.
5. Page 15 –Administration. 1<sup>st</sup> para, last sentence — Remove as follows: “The Base Zoning for this District is the ~~Lower Kirby Form Based Code (Ordinance 943.20)~~-TH, MF, and GB as indicated on Section B-A.
6. Page 17 – Definition of BTZ, 2<sup>nd</sup> line add “...located (see illustration...)”.
7. Page 22 – Minor Deviations from approved Design Plan – There is no Design Plan. It should say “Regulating Plan”. Change accordingly in the entire document.
8. Section G – Streets and Setbacks.

It appears that the applicant is limiting themselves to pave all the BTZ area and prohibit grass in setbacks. There are some setbacks that are 50’, where the area between the building and the property line would need to be paved with only planters and tree wells. The applicant needs to pay attention to this proposed requirement and modify if that is not the intent.
9. Page 29 – Parking location – For type A, C, D Streets, add to the sentence – “...along the street frontage, only as shown in the Regulating Plan”. Also add to note #4, as per the Regulating Plan, – Parking between the buildings and streets is not permitted, except as shown in the Regulating Plan.
10. UN Zoning setbacks – page 30- Staff had requested earlier that maximum setbacks be added. This has not been done. Without maximum setback, the built form according to the Regulating Plan is not guaranteed.
11. Page 31 - Also add to note #4, as per the Regulating Plan, – Parking between the buildings and streets is not permitted, except as shown in the Regulating Plan. Correct the zoning designation in note #4.
12. Page 36 – Table H.4 – Total Open Space required should be for 669 du, not 667. The total acreage of open space needs to be 13.34 acres. Correct the table accordingly in two places.
13. Regulating Plan – Remove the note under L – “Allowances for ... need arises.”
14. For the senior living component, the developer will comply with Housing for Older Persons Act HOPA). <http://portal.hud.gov/hudportal/HUDsrc=/program offices/fair housing equal op p/seniors>
15. Fire Marshall:

The overall plan is unclear as to whether there will be two remote access roads into the development. It is unclear if Spectrum Boulevard will be extended west to Kirby or if Promenade will be extended to the Beltway in order to satisfy the need for a second remote access to the development. Two remote access will need to be addressed before the submittal of a Master Plat.



# Exhibit 1

## AERIAL MAP

2015-14Z

Ivy District



This product is for informational 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.

1 inch = 464 feet

DECEMBER 2015  
PLANNING DEPARTMENT

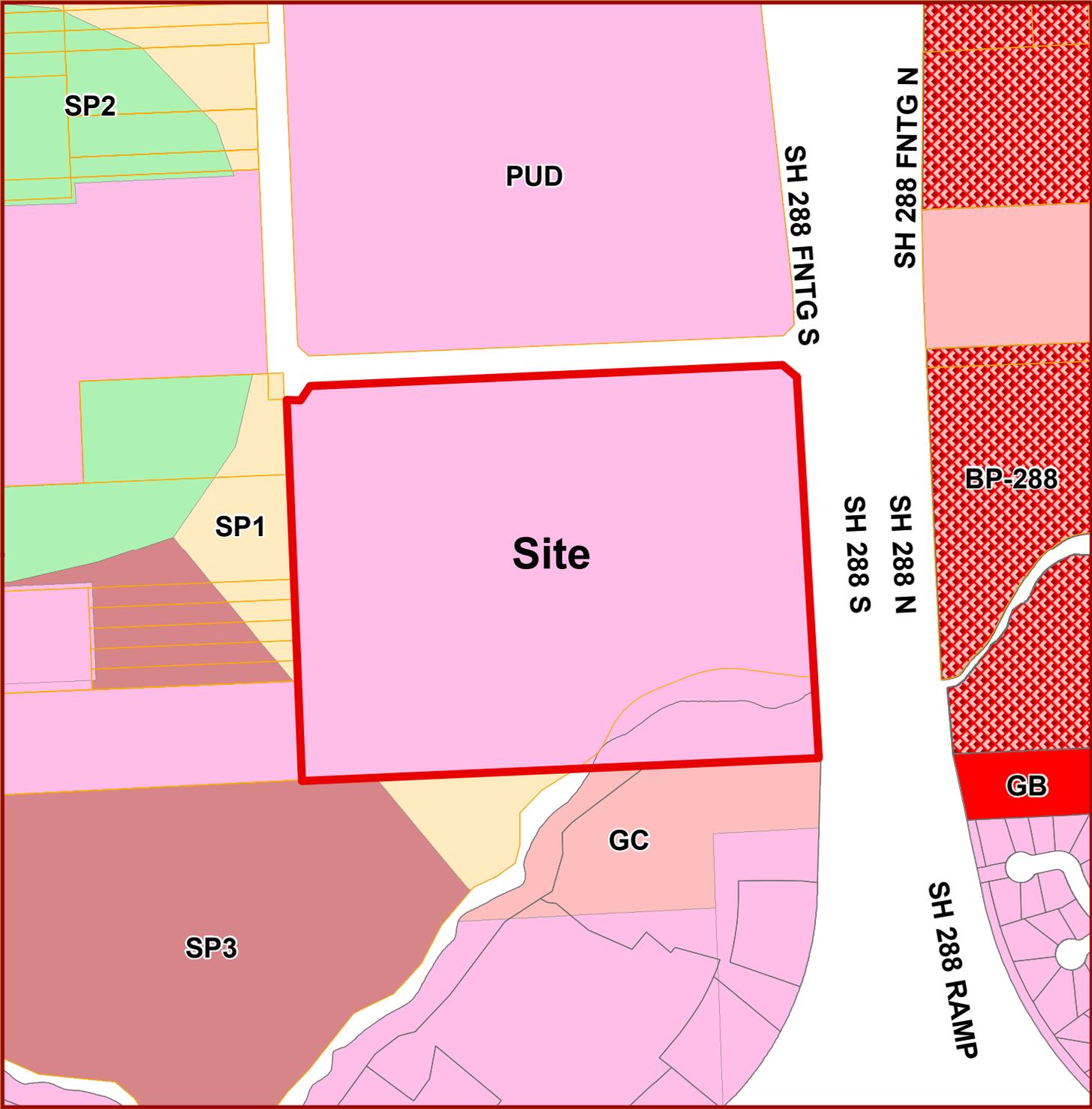


Exhibit 2

ZONING MAP

2015-14Z

Ivy District



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1 inch = 464 feet

DECEMBER 2015  
PLANNING DEPARTMENT



Exhibit 3

FLUP MAP

2015-14Z

Ivy District

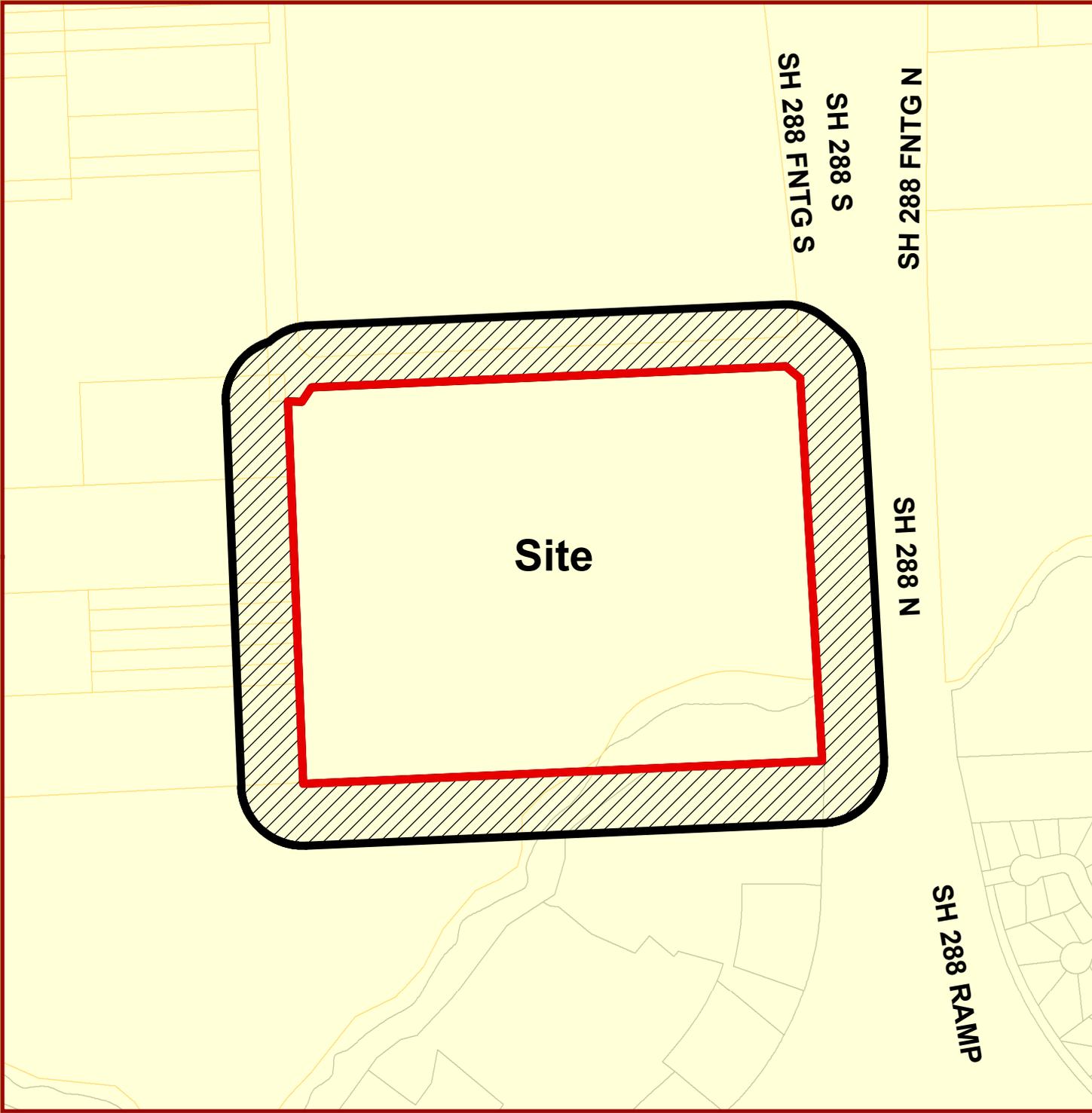


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 464 feet

DECEMBER 2015  
PLANNING DEPARTMENT





# Exhibit 4

## NOTIFICATION MAP

2015-14Z

Ivy District



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1 inch = 464 feet

DECEMBER 2015  
PLANNING DEPARTMENT



**EXHIBIT 5**

Zone Change 2015-14Z - Ivy District

<b>Owner</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
AMERICA MODERN GREEN DEV	9889 BELLAIRE BLVD STE 214	HOUSTON	TX	77036
DE GEORGE ROSE ESTATE OF	606 SADDLE ROCK DR	HOUSTON	TX	77037
MARTINI RICHARD A &	1306 E ANDERSON RD	HOUSTON	TX	77047
MAYOR JAMES M	2006 ELM CRST	SAN ANTONIO	TX	78230
MAYOR RICHARD B	2121 KIRBY DR UNIT 13NW	HOUSTON	TX	77019
MAYOR THOMAS H	5555 DEL MONTE DR UNIT 1306	HOUSTON	TX	77056
PEARLAND LIFESTYLE CENTER LP	2650 THOUSAND OAKS BLVD STE 3150	MEMPHIS	TN	38118
SHRINERS HOSPITALS FOR	PO BOX 31356	TAMPA	FL	33631
ALLEN DOROTHY ATWATER	505 N ADAMS ST	FREDERICKSBURG	TX	78624
STUDE M S	815 WALKER ST STE 1650	HOUSTON	TX	77002
AMERICA MODERN GREEN DEV	11233 SHADOW CREEK PKWY. STE 289	PEARLAND	TX	77584
KNUDSON LP, ATTN. PATTI JOYNER	8588 KATY FREEWAY STE 441	HOUSTON	TX	77024
GCCLE - SHADOW CREEK LP	3120 ROGERDALE RD STE 150	HOUSTON	TX	77042

*DRAFT*

*IVY District*  
*a planned development*



AMERICA MODERN GREEN  
DEVELOPMENT(HOUSTON),LLC

## i - Ivy District

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America Modern Green (AMG) is a Pearland-based, US subsidiary of global developer, *Modern Land of China* a publicly traded company based in Hong Kong, which has developed over 10 million square feet of property internationally. AMG is best known for focusing on the development of large and comfortable communities. The subject property has gone through several issues of ownership, bankruptcy and market impacts since 2011 when they acquired the original 48.5 acre tract.

One of the issues that have precluded this project from being initiated was the inability of AMG to secure financing for many of the intended uses of the land development program, outlined in the previous PD. In the previous PD, the development program, which was prepared by an out of state consultant, did not fully recognize or address the current/future market conditions or the ability to provide reasonably financeable infrastructure and amenities.

AMG admits their first acquisition in the US was not executed as they intended and as a result are submitting this revised PD that addresses a more sustainable and financeable development plan and program. In addition, AMG has retained the services of local land development and planning professionals with a proven track record of land development projects in Pearland.

AMG's vision for this property is much clearer and realistic today and has brought on a local development partner. SUEBA USA is headquartered in Houston and has been led by John Chiang and Klaus Keller over the last 30 years. SUEBA USA is responsible for developing over 40 residential communities and commercial projects since its inception.

One of the leading transformational projects was the annexation and ultimate development of MUD 355, Lakes of Parkway Project. This 345-acre Houston in-city MUD resulted in over \$630MM in new real property values since inception in 1995. SUEBA USA was a critical partner with Kickerillo Companies to create this mixed-use community.

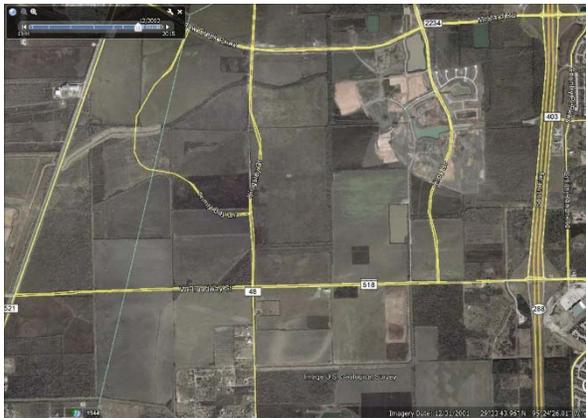
The partnership of AMG and SUEBA will insure the proposed PD for Ivy District will meet the vision of both the City and the developers. Therefore, the proposed PD amendment is meant to insure that mutual acceptable implementation plan can be constructed over the next ten (10) years.

### ***Surrounding Planning and Development Factors:***

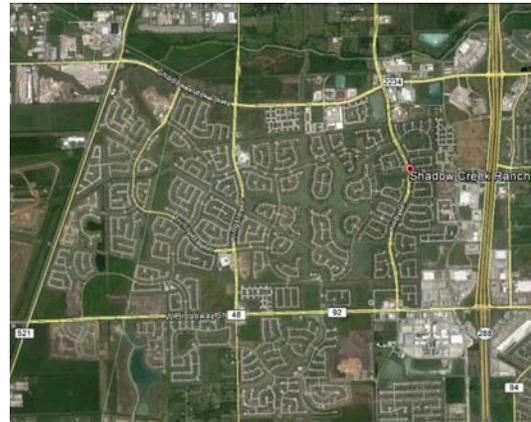
- *In 2006, Pearland constructed the extension of Kirby Drive from the South Belt to Shadow Creek Ranch Parkway which was instrumental in opening up tracts of land fronting on the South Belt for development and providing an alternative to the SH-288 corridor to Houston.*
- *The City has supported re-zoning efforts for tracts near the Ivy District. This rezoning has allowed the city to experience the successful development of approximately 130 acres of light industrial related industries over the last 9 years:*
- *The area surrounding the Ivy District site will also benefit from the 2007 creation of the Lower Kirby Management District to finance much needed infrastructure for the area. In addition, the District will:*

- (1) Promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;
- (2) Provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory and provide possible developer reimbursement for the infrastructure to accelerate the needed improvements;
- (3) Promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty;
- (4) Provide for water, wastewater, and drainage needs of the district; and
- (5) Provide for recreational facilities, sports arenas, and other athletic facilities.

- Pearland has experienced explosive growth, in large part due to the Shadow Creek Ranch Development and the businesses that have been located to Pearland to serve this major residential development. Prior to development of the 4,000 acre master planned community, the taxable value of this vacant land was negligible. A mere 16 years later Shadow Creek Ranch (TIRZ 2), has averaged an increase in assessed value per parcel of \$216,333 and also includes new revenue from new sales and Hotel Occupancy Tax.



**Figure i.1 – Shadow Creek Ranch (1999)**



**Figure i.2 – Shadow Creek Ranch (2015)**

# A - Introduction

## A. Description of the Subject Property:

The Ivy District property is a 48.5-acre site generally located on the west side of State Highway 288 (SH-288), east of Kirby Drive, south of South Spectrum Boulevard, and north of Fruge Road, within the City of Pearland (City), Harris County, Texas.

The site is predominantly undeveloped grassland and scattered wooded areas with Clear Creek running through the southeast corner. There are two partially constructed detention ponds on the east side of the site of approximately 4.0 acres, just south of Clear Creek. Access to the Ivy District is from South Spectrum Boulevard on the northern boundary of the tract and an access driveway on the SH-288 frontage road. A significant portion (17 acres) of the site falls within the Floodway.



## B. Description of the Proposed Development:

Ivy District envisions a walkable, mixed-use plan that includes townhouse residential, senior living, general office and hotel, retail and multi-family land uses. The tract of land is nestled on the far southern edge of Harris County with a southern boundary along Clear Creek. Approximately 4.0 Acres of the development is South of Clear Creek and is located in Brazoria County. Of the 48.5 acres, approximately 16.05 acres is dedicated for lakes, detention, open space and tree planting, while another 4.0 acres has development constraints due to the floodplain issues. The net developable acreage is approximately 31 acres. To put this into perspective, the *City Centre* Development, in Houston Texas (W. Beltway 8 and I-10) encompasses approximately 40 acres.

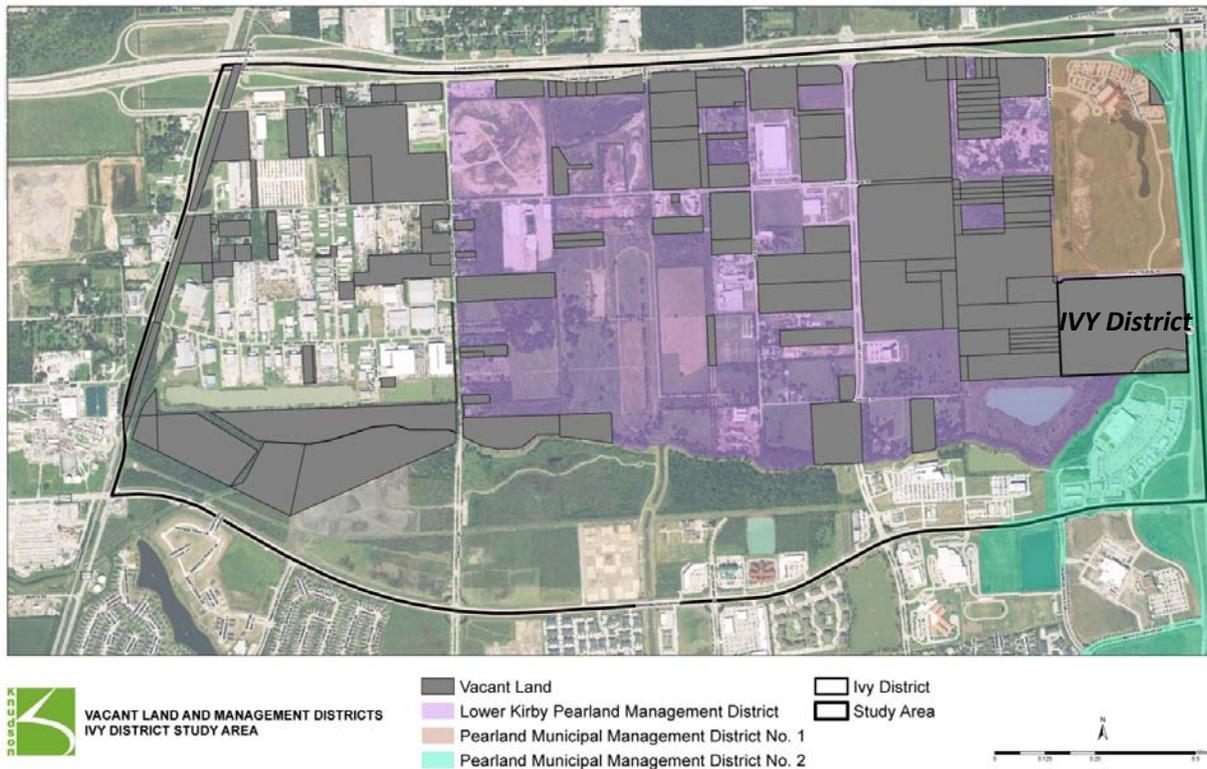
The Ivy District is mostly isolated from surrounding developed properties with the exception of an access point along SH 288. The future Kirby Drive expansion will allow access to Shadow Creek ranch via Kirby Drive. The Ivy District will be developed a small intimate, mixed use development. This walkable development will be bordered by public open space, including the 16.05 acre open space bordering Clear Creek. Wide, comfortable sidewalks and streetscape features will be installed along each block face to encourage pedestrian activity. The existing 16.05 acre open space will include amenity ponds, trails, and other recreational features. Pedestrian linkages to the Lower Kirby Management District property to the south of the site will also be included for even more recreation opportunity.

## C. Description of the Area

A majority of the Ivy District is located within Harris County, while a small 4.0 acre tract is located within Brazoria County. This tract is zoned to Houston Independent School District. The entire development is located within the City of Pearland limits. The Ivy District is located approximately 2 miles from the heart of Shadowcreek Ranch. A portion of this site is located within the Lower Kirby Management District. The area land uses are also outlined in Figure B.1. While some recent developments in the area have broken ground, the majority of the surrounding parcels still remain vacant, see Figure A.2.

This area has been a high priority for the City over the last 20 years. The City and Districts have agreed that infrastructure improvements are critical to opening up this of vacant land for future development. According to the City of Pearland's recent ***FYI 2016 Proposed Budget Report***, Tool Flo Manufacturing will invest \$36M for their 80,000 SF headquarters/manufacturing facility which will employ approximately 188 employees.

Mitsubishi Heavy Industries (MHI) will open their facility with 180,000 SF office and manufacturing space as well as begin expanding to an additional 85,000 square foot warehouse. The Lower Kirby District also began working on the first phase of regional detention system. In addition, the City, PEDC and the Lower Kirby District will work on the reconstruction of Hooper Road in the fall of 2015 and as well as planning for the extension of South Spectrum Drive.



**Figure A.2 – Vacant Land and Management Districts (as of 2014)**

## **D. Applicability:**

### **Division 2 – Application for Planned Development (PD) District**

#### **Pearland UDC - Section 2.2.2.1 Purpose, Applicability, Nature and Size of District**

(a) *Purpose.* 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.

(b) *Applicability.* A PD district may only be established in one of the following circumstances:

(3) *The land is proposed for development as a mixed-use development or a traditional neighborhood development requiring more flexible and innovative design standards;*

(7) *The land is of such a character that it is in the community's best interest to encourage high quality development through flexible development standards to further the goals and objectives of the City's Comprehensive Plan;*

**(Source: Pearland Unified Development Code)**

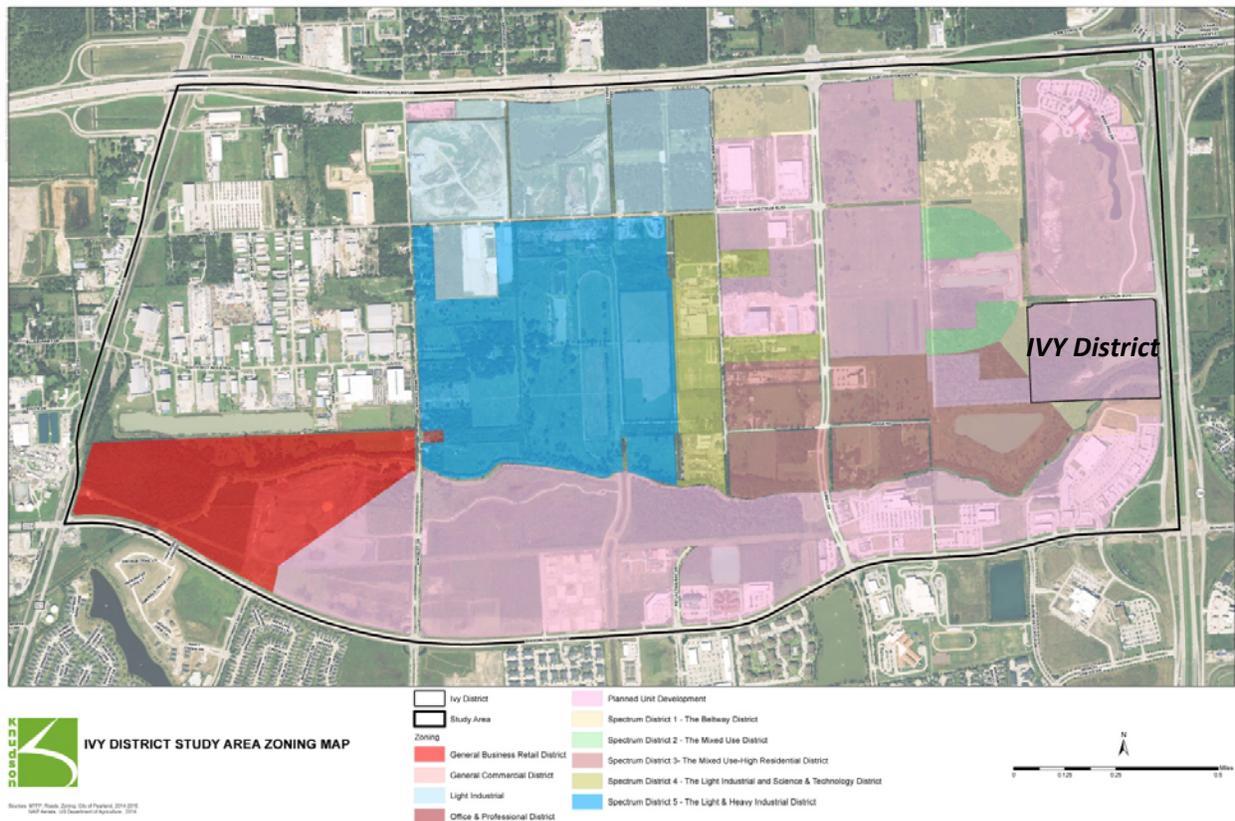
## B - Zoning and Land Use:

### A. Relationship to the Base Zoning District

The Ivy District site was previously zoned for another PD that was not implemented. The Ivy District site is also comprised of three separate zoning designations, also known as ‘Character Zones,’ outlined in the **Lower Kirby Urban Center Master Plan**, which the City recently incorporated into its Comprehensive Plan. The three Character Zones within the Ivy District’s boundary are *Commercial Transition*, *Highway Commercial* and *Urban Neighborhood*. The intended character of development with the proposed Lower Kirby District Master Plan are generally similar to the Ivy District; therefore standards from the Lower Kirby District Master Plan that match the zoning and design plan for Ivy District have been incorporated into this PD.

In consideration of all of the above factors, The Ivy District PD will establish a new zoning district that will replace the current PD zoning district and be governed by development regulations, design controls, and administrative and other requirements established in this PD document. Figure B.1, below, illustrate the boundaries of the Ivy District superimposed on the City's Zoning Map.

**Figure B.1** – City of Pearland Zoning Map (2015)



For Standards not included or addressed in this PD, all requirements of the UDC will apply accordingly:

- For Townhome Section – TH Townhouse Residential District
- For Multi-Family and CCRC/Condo – MF Multiple Family Residential District
- For other Commercial – GB General Business Retail District

Whenever there are one or more conflicting provisions in the PD and Unified Development Code, the more stringent provision or provisions shall apply.

## **B. Influence of the Proposed Lower Kirby District**

The planning and design of the Ivy District was influenced by the vision for the Lower Kirby Urban Center Plan, and the basis and template for this PD document was the "Proposed Form-based Code for Lower Kirby Urban Center," dated November 17, 2011

The Lower Kirby Plan establishes five 'Character Zones,' three of which are designated for the land within the Ivy District site the following is a summary description of those Character Zones:

### **1. Urban Neighborhood**

The Urban Neighborhood Zone is illustrated on Figure B.2. The Urban Neighborhood consists primarily of a residential fabric. The area is intended to have a mix of small apartments, townhomes and live-work units with commercial activity concentrated at street intersections and along the Clear Creek frontage.

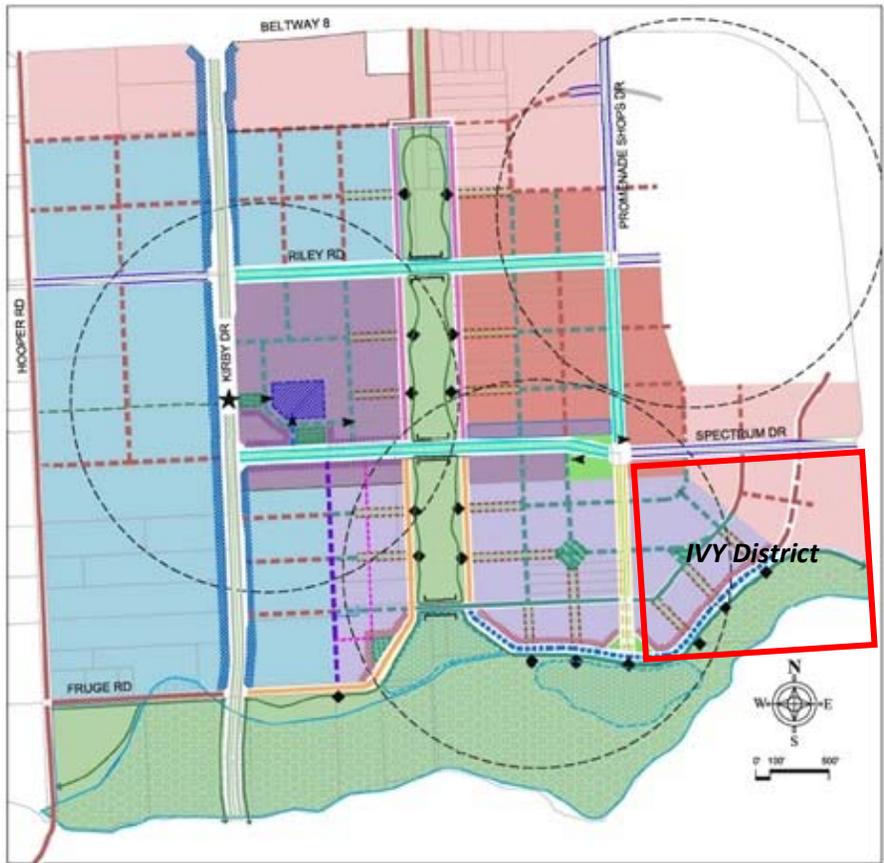
### **2. Highway Commercial**

Highway Commercial is intended to provide an appropriate transition in the Lower Kirby Urban Center from the Beltway 8 and SH 288 access roads. This area is intended for regional office and retail development.

### **3. Commercial Transition**

A proposed promenade transects this area as a major public open space for the master plan. The land uses for this zone include low density, high end multi-family units with first floor retail along the frontage of South Spectrum Drive. The introduction of first floor retail will accommodate neighborhood scale retail and restaurants as a transition from the Highway Commercial.

In addition to the Character Zones described above, the Lower Kirby plan also designates Clear Creek and the land within its floodway in the southeast corner of the Ivy District site as required open space. The Ivy District Plan proposes to provide 16.05 acres of open space, trails, water elements and landscape.



**Appendix B**

LEGEND	
<b>CHARACTER ZONES</b>	<b>FRONTAGE TYPES</b>
<ul style="list-style-type: none"> <li>Mixed Use Core</li> <li>Urban Neighborhood</li> <li>Commercial Transition</li> <li>Highway Commercial</li> <li>Research/Tech Campus</li> </ul>	<ul style="list-style-type: none"> <li>Kirby Drive Frontage</li> <li>"Main Street" Frontage</li> <li>"Promenade" Frontage</li> </ul>
<b>TYPE 'A' STREETS</b>	<b>OPEN SPACE</b>
<ul style="list-style-type: none"> <li>Kirby Drive</li> <li>BV-114-70 (Urban Boulevard)</li> <li>AV-94-48 (2-Lane Avenue)</li> <li>"Neighborhood Tributary" - RDW varies - refer to street sections</li> <li>ST-61-29 (Urban Greenway St)</li> <li>ST-53-29 (Neighborhood Greenway St)</li> <li>ST-62-36 (Urban Neighborhood Street - Type A)</li> <li>Waterfront Promenade</li> <li>Pedestrian Passageway</li> </ul>	<ul style="list-style-type: none"> <li>Required Regional Detention / Floodway</li> <li>Designated Floodway</li> <li>Recommended water feature</li> <li>Recommended Regional Detention</li> <li>Required Open Space</li> <li>Recommended Open Space</li> </ul>
<b>TYPE 'B' STREETS</b>	<b>SPECIAL CONDITIONS</b>
<ul style="list-style-type: none"> <li>AV-82-44 (Avenue)</li> <li>ST-62-36 (Urban Neighborhood Street - Type B)</li> <li>RD-44-22 (Service/Access Road)</li> <li>Existing Street</li> </ul>	<ul style="list-style-type: none"> <li>Recommended Civic Use</li> <li>Proposed Light Rail stop</li> <li>Required Vista Terminus</li> <li>Recommended access point to Greenway</li> <li>Special Bridge Design</li> <li>Approximate parcel line</li> <li>1/2 Mile Radius Pedestrian Shed</li> <li>Bike/ped-way</li> </ul>
<p>NOTE: For all street types, a dashed line denotes a recommended street, a solid line denotes a required street</p>	

**LOWER KIRBY URBAN CENTER REGULATING PLAN**  
 City of Pearland, Texas FINAL DRAFT - June 24, 2011

Figure B.2 – Lower Kirby District Regulating Plan

## C. Proposed Ivy District

The proposed Ivy District encompasses 48.5 acres. The proposed mix use development is anticipated to be developed in one continuous phase. The utility and roadway infrastructure will be constructed initially with the vertical construction and amenity improvements following directly behind. The infrastructure improvements will be built in accordance with the City's Requirements. The proposed land uses are consistent with the Lower Kirby Character Zones described above. In addition, the properties surrounding Clear Creek and also located in the floodway are proposed to be preserved as open space with trails and amenities in support of this unique walkable mixed use community. For ease of description and because the Lower Kirby Regulating Plan bisects this 48.5 acre tract, we will use modified classifications of the three sub-districts of Lower Kirby Plan and one new residential sub district to characterize the proposed Districts for this development.

### 1. Ivy District Highway Commercial Sub-district (HC)

This sub-district encompasses 9.65 acres of the overall development. This sub district is generally located at the corner of SH 288 and Spectrum Blvd. This Sub-district will have a variety of uses, consisting of retail, office, hotel, and a mix of residential uses including senior living, and luxury condominiums. Required open space will also be incorporated into the overall 48.5 acre area. This Sub-district, fronts along the 288 and south along South Spectrum Drive adjoining a promenade of open space, public art and walkable connections to the Urban Neighborhood Zone as well as connections to the open space features along Clear Creek. As a smaller development, the goal is to treat each block face for both the Highway Commercial and Urban Neighborhood Zones with well-lit sidewalks, shade and street furniture that invite the residents and visitors alike. The streetscape envisioned will also link a prominent civic space at the community clubhouse/restaurant and pool to form of a public square that will be center piece of master plan. This Sub-district combines characteristics of the Lower Kirby "Highway Transition" and "Commercial Transition" zones.

A small 4.0 acre tract south of Clear Creek will be included within the Highway Commercial Zone. The planned use for this tract will be a small commercial building and its parking.

### 2. "Ivy District Urban Neighborhood/Commercial Transition" Sub-district (UN)

This sub district encompasses approximately 17.6 acres of the overall development. The primary use will be residential land uses with neighborhood retail located on the first floor of the high end multifamily residential dwelling units. This sub district will also contain a prominent civic space that will include pedestrian friendly elements, landscaping, public art opportunities, and fountains.

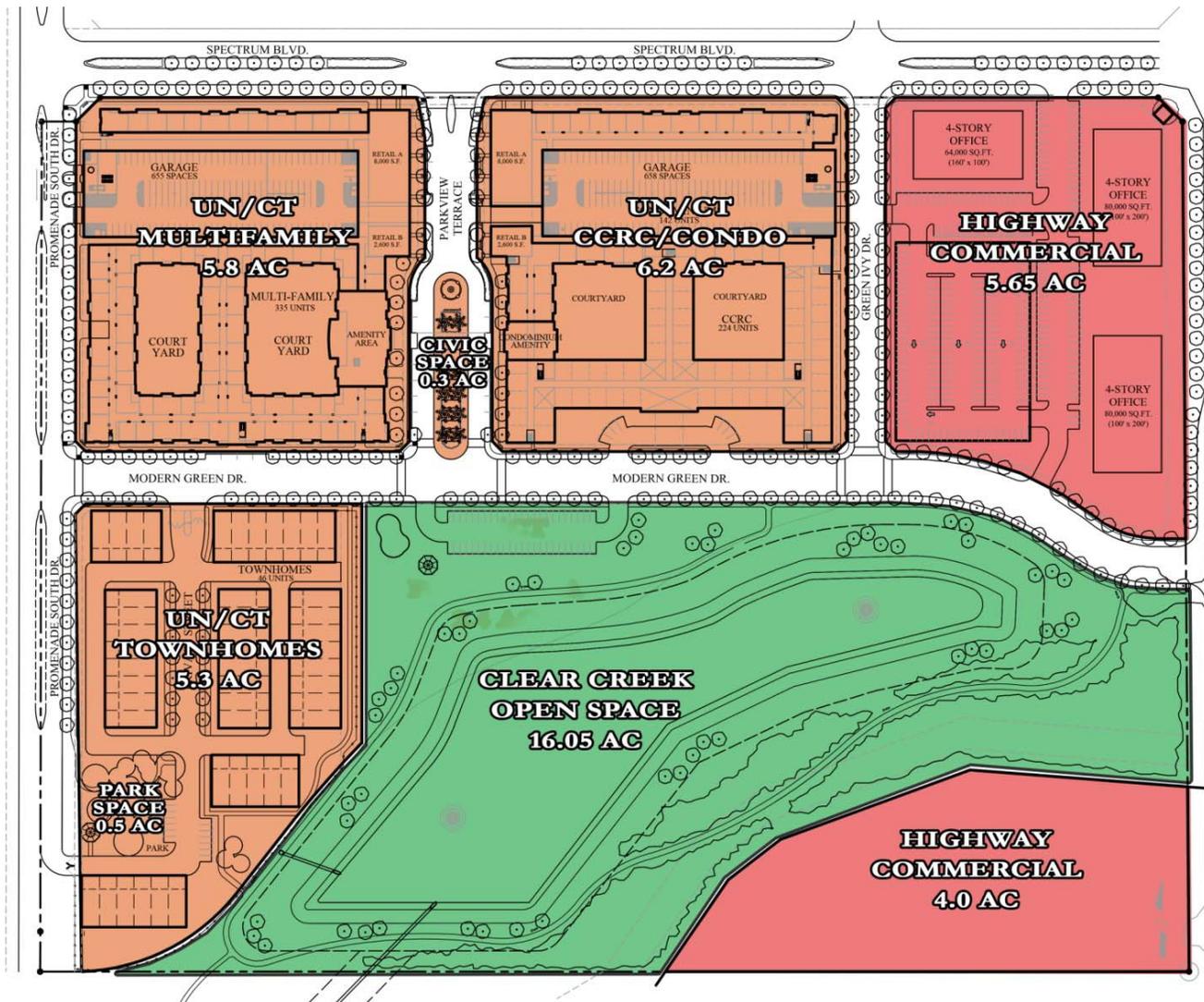
This sub district will also contain 5.3 acres of townhouse residential development. This sub district will include a gated townhouse development made up of attached, 'brownstone style' single family units with a private street configuration.

### 3. "Clear Creek" Sub-district (CC)

The Clear Creek Sub-district will be zoned for Public Open Space. This Sub-district will be developed as public open space and will be used for recreation. The area surrounding the detention pond could be developed as an amphitheatre. Land uses amenities include pedestrian trails connecting to all districts and thoroughfares

Land Use Summary Table for the 48.5 acre Plan			
Table B.1			
Use	Acres	% of Totals	Zoning District
Townhomes (With 0.5 acre park) (UN/CT)	5.30	10.9%	UN
Multi Family (with accessory Retail) (UN/CT)	5.80	12.0%	UN
Condo/CCRC (with accessory Retail) (UN/CT)	6.20	12.8%	UN
Civic Space (UN/CT)	0.30	0.6%	UH
Office/Retail/Hotel (HC)	5.65	11.6%	HC
Office/Retail/Parking (HC)	4.00	8.2%	HC
Open Space/Parkland/Detention (CC)	16.05	33.1%	CC
Thoroughfares/ROW (all sub-districts)	5.20	10.8%	UH, HC, CC,
<b>Total</b>	<b>48.5</b>	<b>100%</b>	

Figure B.3 – Acreage by Use within each Sub-District



**Development Phasing** – It is the intent of the Developer to construct all of the utility infrastructure and roadways for the entire development first. All roadways and utility infrastructure will be built to City of Pearland Standards. The Multi-Family project will be the first vertical construction to start, followed by the Condo/CCRC project and the Townhouse project. The Highway Commercial construction will begin once the Market Conditions present themselves for this work to begin.

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The Developer commits to having all amenities within the 16.05 acre open space and the 0.3 acre Civic Plaza (See Table B.1 & Figure B.3) in place before submitting for their Certificate of Occupancy. Before a Master Plat is submitted, the following documents need to be approved:

- Traffic Impact Analysis,
  - Water and Waste Water Plan,
  - Drainage Plan,
  - Signage Plan,
  - Master Lighting Plan,
  - Detailed Landscaping Plan (including species, number and caliper of trees listed)
-

# C - Permitted Uses:

## Schedule of Allowed Land Uses:

Table C.1

Land Use	Highway Commercial Sub-District (HC)	Urban Neighborhood Sub-District (UN)	Clear Creek-Sub District (CC)
<b>PRIMARY RESIDENTIAL USES</b>			
Boarding or Rooming House	NP	NP	NP
Dwelling - Four - Family (Quad-plex) (Defined Under Dwelling - Multifamily)	NP	NP	NP
Dwelling - HUD - Code Manufactured (Mobile) Home	NP	NP	NP
Dwelling - Industrialized Home	NP	NP	NP
Dwelling - Mobile Home	NP	NP	NP
Dwelling - Multiple - Family	NP	P	NP
Dwelling - Patio Home	NP	NP	NP
Dwelling - Single Family Detached	NP	NP	NP
Dwelling - Town House	NP	P	NP
Dwelling - Two Family House	NP	NP	NP
<b>ACCESSORY AND INCIDENTAL USES</b>			
Off-Street Parking Incidental to Residential Main Use	NP	P	NP
Off-Street Parking Incidental to Non Residential Main Use	P	P	PC
Social & Recreational Building, including homeowners association neighborhood Recreation centers	P	P	NP
Off-site Detention Facility	NP	NP	P
On-site Detention Facility	NP	NP	P
Gasoline Station	NP	NP	NP
<b>ENTERTAINMENT &amp; RECREATIONAL USES</b>			
Commercial Amusement, Indoor	P	NP	NP
Commercial Amusement, Outdoor	P	NP	NP
Dinner Theatre	P	NP	NP
Gaming Establishment	NP	NP	NP
Park and/or Playground (Private)	NP	P	P
Park and/or Playground (Public; Municipal)	P	P	P
Private Club	NP	P	NP
Recreation Center (Private, For Profit)	P	P	NP
Swimming Pool, Commercial	P	NP	NP
Swimming Pool, Private (Use Only By Resident)	P	P	NP
Temporary Outdoor Amusement/Activity	P	P	PC
Tennis or Swim Club (Private, For Profit)	NP	NP	NP

Temporary Food Truck or Concessionaire Parking	NP	P	P
<b>AUTOMOBILE USES</b>			
Parking Lot or Garage for passenger cars and trucks of less than one (1) ton capacity	P	P	NP
<b>OFFICE USES</b>			
Clinic, Medical or Dental	P	P	NP
Credit Agency	P	P	NP
Financial Institution (No Motor Bank Services)	P	P	NP
Financial Institution (With Motor Bank Services)	P	P	NP
Office (other than listed)	P	P	NP
Security Monitoring Company (No Outside Storage)	P	P	NP
Telemarketing Agency	P	P	NP
Automatic Teller Machine (ATM)	P	P	NP
Automobile Driving School (including Defensive Driving)	PA	NP	NP
Barber/Beauty Shop/Tanning Studio (No Related School/College)	P	P	NP
Extended Stay Motel/Hotel	P	NP	NP
Gym/Health Club (Physical Fitness; Indoors Only)	P	P	NP
Hotel/Motel	P	NP	NP
Laundromat (Self-Service Laundry)	NP	P	NP
Seamstress, Tailor or Laundry Dry Cleaning (Retail Only - Drop Off/Pick Up)	PA	P	NP
Studio or Learning Center for Fine or Performing Arts	PA	P	NP
<i>P=Permitted by Right NP=Not Permitted PC=Permitted with Criteria PA=Permitted Accessory Use</i>			

Land Use	Highway Commercial Sub-District (HC)	Urban Neighborhood Sub-District (UN)	Clear Creek-Sub District (CC)
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PERSONAL & BUSINESS USES			
Art Museum, Dealer, or Studio	PA	P	NP
Cigar, Tobacco Shop (Retail Only)	PA	P	NP
Convenience Store (Without Gasoline Sales) (3000 s.f. max)	P	P	NP
Copy/Print Shop	PA	P	NP
Department Store (Retail Only)	NP	P	NP
Food Sales On or Off Premise	P	P	NP
Garage and/or Yard Sales	P	P	NP
General Retail, other than listed	P	P	NP
Jewelry Store	P	P	NP
Market - Open Air	NP	PC	PC
Outside Display {See related regulations in applicable zoning districts}	NP	PC	PC
Restaurant (With No Drive-In or Drive-Thru Service)	P	P	NP
Tavern	P	P	NP

<b>INSTITUTIONAL AND GOVERNMENTAL USES</b>			
Assisted Living Facility	NP	P	NP
Civic Club	P	P	NP
Community/Group Home	NP	P	NP
Community or Social Buildings	NP	P	NP
Nursing/Convalescent Home	NP	P	NP
Sheltered Care Facility	NP	P	NP
<b>COMMERCIAL &amp; RELATED SERVICES</b>			
Contractor's Temporary On Site Construction Office	P	P	P
<i>P=Permitted by Right   NP=Not Permitted   PC=Permitted with Criteria   PA=Permitted Accessory Use</i>			

## D - Administration:

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

- a. The development standards under the City of Pearland Unified Development Code (UDC), as amended, shall apply to Ivy District except as specifically referenced herein. Development standards not addressed in this ordinance shall be governed by the City of Pearland UDC to the extent they are not in conflict with the intent or text of the Ivy District Code. However, all development in the Ivy District shall also meet the standards in the International Building Code, as adopted by the city. The Base Zoning for this District is the Lower Kirby Form Based Code (Ordinance 943-20)
- b. Land use shall be regulated on a total acreage basis and by a finite cap on the number of dwelling units. Each land use category may be increased in acreage by up to 10%, as long as the total number of dwelling units does not exceed 822 DU (747 planned units x 10% increase). The percentage land use area change is required to assure the success of the development, based on the need to maintain the ability to modify land use categories slightly to continue to remain competitive in the real estate market. Land uses may be interchanged within the boundaries of the planned unit development provided they are in compliance subject to the above referenced 10% allowable increase.
- c. Sign Standards under Chapter 4 Site Development, Article 2, Division 5 Signage, as amended, of the City of Pearland UDC, shall not apply to Ivy District. Ivy District is following the Lower Kirby Urban Center signage standards except as specifically referenced herein.
- d. Using this Code:

The following basic steps should be followed to determine the uses and development standards applicable on property within Ivy District:

  1. Locate the subject property on the Ivy District
  2. Identify:
    - i. the sub-districts of the Ivy District;
    - ii. Streets design criteria is outlined in the PD; and,
    - iii. Any Special Frontage Requirements that may be applicable to the subject property.
  3. Review the Schedule of Allowed Land Uses
  4. Refer to **Section G** for Special Street and Setback Standards.
  5. Refer to **Section H** for Building Design Standards.
  6. Refer to **Section I** for Streetscape Standards.
  7. Refer to **Section J** for Signage Standards
  8. Refer to **Section K** for Regulating Plan.

The information from the above listed steps explains where the building will sit on the lot, the setbacks, the range of land uses, and the palette of materials. Development within Ivy District that complies with the provisions of this Code shall be approved by the City Manager or designee In addition to complying with applicable City regulations.

- e. Information Required for Development Review. The full list of required materials is included in the Ivy District development application available from the City of Pearland Planning Department. In

general, the following information is required, as applicable per Chapter 2, Article 2, Division 2 of the UDC:

- (i) Site Plan
- (ii) Building Plans and Elevations
- (iii) Landscape Plan
- (iv) Material Specifications
- (v) Plans and Specifications for Proposed Signs
- (vi) Description of Proposed Scope of Work
- (vii) Photographs of Site and Existing Conditions

f. (Not Used)

g. A request for a modification to any of the standards of this Code other than minor modifications as permitted shall be reviewed and processed as a Planned Development (PD) District per Chapter 2, Article 2, Division 2 of the City of Pearland Unified Development Code.

(1) In evaluating a Planned Development (PD) District within the Ivy District, CC and P&Z may consider the extent to which the application meets any of the following:

- i. the goals and intent of Ivy District
- ii. provides an alternative “Master Plan” approach by consolidating multiple properties to create a predictable, market responsive development for the area,
- iii. fits the adjoining context by providing appropriate transitions,
- iv. provides public benefits such as usable civic and open spaces, regional drainage, livable streets, structured or shared parking, and linkages to transit and adjoining opportunities, and
- v. does not hinder future opportunities for higher intensity, mixed use development.

h. Minor Modifications to the Ivy District Code:

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

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

The City Manager or designee shall also have the authority to approve minor modifications outlined in Table F.1. Any appeals to the decisions of the City Manager on minor modifications shall be heard by the City Council. Any City Council denials of minor modifications or any changes beyond those that meet the criteria above or the thresholds established in Table F.1 shall be processed as a Planned Development (PD) District application under the City of Pearland UDC.

i. Fire Code

At the time of the Master Plat application the location of the second remote access to the development that meets the adopted Fire Code standards must be shown on the Master Plat.

## E – Definitions

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

**Alley** is a public way which is used primarily for vehicular access to the back or side of properties; the alley may be a minimum of 16 feet wide to 20 feet wide.

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

**Assisted Living Facilities Units (ALU)** are licensed facilities by the State to provide personal assistance to residents. They typically have smaller accommodations than congregate or independent living facilities, and sometimes provide small kitchenettes.

**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.

**Bioswales** are landscape elements designed to remove silt and pollution from surface runoff water. They consist of shallow, trough-like depressions 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 Face Dimensions** means the linear dimension of a block along one of its street frontages.

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

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

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

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

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

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

**Building Frontage** means the percentage of the building's front façade that is required to be located at the front Build-to Line or Zone as a proportion of the lot's frontage along that public street. (Parks,

plazas, squares, improved forecourts, and pedestrian breezeway frontages shall be considered as buildings for the calculation of building frontage).

**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.

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

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

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

**Commercial Ready** means space constructed at a minimum interior height of a minimum of 12 feet which may be used for noncommercial uses and can be converted into retail/commercial use. Prior to the issuance of a certificate of occupancy for a retail/commercial use in a Commercial-Ready space, the space must comply with all building and construction codes for that use. The intent of Commercial-Ready space is to provide the flexibility of occupying a space in accordance with market demand and allowing the use in such space to change to retail/commercial uses accordingly.

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

**Continuing Care Retirement Community (CCRC)** means any buildings specifically designed for and occupied by senior citizens (50+ years of age), designed to meet the physical or social needs of senior citizens, which may include: assisted living, congregate living, independent 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.

**Dwelling Unit** means one or more rooms including kitchen designed as a **unit** for occupancy by one family for the purpose of cooking, living and sleeping.

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

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

**Garden (formal)** means a Public Open Space with formal landscaping intended to be a quiet, relaxing and meditative space

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

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

**Kiosk** means a small temporary or permanent structure often open on one or more sides used for sales in civic/open spaces Kiosks shall be limited to no more than 36 square feet of floor area.

**Live-Work Unit** means a mixed use building type with a dwelling unit that is also used for work purposes, provided that the 'work' component is restricted to the uses of professional office, artist's workshop, studio, or other similar uses and is located on the street level and constructed as separate units under a condominium regime or as a single unit. The 'work' component is usually located on the ground floor which is built to Commercial Ready standards. The 'live' component may be located on the street level (behind the work component) or any other level of the building.

Live-work unit is distinguished from a home occupation otherwise defined by this ordinance in that the work use is not required to be incidental to the dwelling unit, non-resident employees may be present on the premises and customers may be served on site.

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

**Master Sign Plan** means a unique sign plan to implement a specific vision for a portion or all of the development.

**Minor Modification** means any changes to the Ivy District that meet the threshold criteria established as well as allowed up to 10 percent of the land uses changes without a plan amendment. See Table B.1

**Park** means a Public Open Space that is a preserve largely available for recreation and maintained by the City

**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.

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

**Plaza** means a primarily hardscaped civic space with formal landscaping, available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings. **Playground** is a civic/ private open space designed and equipped for children's recreation. A playground may be fenced and may include an open shelter. Playgrounds may be located within residential areas and may be placed within a block. They may be included in other civic/open spaces.

**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, gardens, squares, plazas, greens, pocket parks, playgrounds, etc, that may be privately or publicly owned and are required by the UDC as Park Dedication.

**Recommended Civic Space** means plaza, green, square, or park area identified on the Regulating Plan which is shown as a suggested feature within the Lower Kirby Urban Center Framework Plan. A Recommended Civic Space is planned and may be adjusted to the meet the context of the development from time to time.

**Residential Building** means a building type that is built to accommodate residential and allowed mixed land uses on all floors of the building such as townhomes, senior housing, independent living, condominiums, apartment buildings, duplexes as described below: .

### **Residential Building Typology**

#### **Urban Style Dwellings with Internal Parking**

- a. Self-contained dwelling units that occupy only part of a building.
- b. Plan organization where all the dwelling units are along one side of the access corridor.
- c. Residential units surround an internal parking structure.
- d. Buildings are usually 3- to 5-stories tall and reinforce the street edge.

#### **Townhouse**

- a. A dwelling unit having a common wall with or abutting one or more adjacent buildings and neither above nor below any other dwelling unit.
- b. Dedicated front and rear access to the outside.

**Retail Sales** Retail establishments are a collection of retail stores and restaurants organized along the streets designed for Mixed Use and Highway Commercial. 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 boutique grocery, food, specialty food, beverage, dairy, etc., and health and personal services.

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

**Senior Living:** see Continuing Care Retirement Community (CCRC)

**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.

**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 (masonry) or vegetative screen built along the build to zone 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 located within Ivy District 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 Ivy District

**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.

**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.

**Type 'A' Street** means a boulevard street identified as Spectrum Blvd and Promenade South Drive. The R.O.W. dimension for these streets will be 100 feet in width.

**Type 'B' Street** means a two way-street identified as Parkview Terrace. The R.O.W. dimension for this street will have varying widths between 76 feet and 120 feet in width. This street will also serve as main pedestrian center of the Ivy District. A large plaza between the drive lanes will serve as a pedestrian plaza and will contain streetscape features including landscaping, public art, water features, and special paving

**Type 'C' Street** means a two way-street identified as Green Ivy Drive. The R.O.W. dimension for this street will be 56 feet in width.

**Type 'D' Street** means a two way-street identified as Modern Green Drive. The R.O.W. dimension for this street will be 76 feet in width.

**UDC** – City of Pearland, Unified Development Code.

## F – Minor Modifications

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### Allowed Minor Modifications

Table F.1

#### Section 2.2.2.6 Subsequent Development Applications (Pearland UDC)

(a) **Development Applications Authorized.** The development standards for a PD district shall be applied to the authorized uses through a subdivision plat, Site Plan or one or more site development plans prepared in accordance with Section 2.2.2.8, as set forth in the adopting ordinance.

(b) **Minor Deviations from Approved Design Plan.** In determining whether development applications are consistent with the Design Plan, minor deviations from the Design Plan may be approved by the Planning Director. Unless otherwise specified in the adopting ordinance, minor deviations are limited to the following:

- (1) Corrections in spelling, distances, and other labeling that does not affect the overall development concept.
- (2) Changes in building position or layout that are less than ten feet (10') or ten percent (10%) in size.
- (3) Changes in the proposed property lines as long as the original stated project acreage is not exceeded.
- (4) Changes in parking layouts as long as the number of required spaces and general original design is maintained.

# G - Streets and Setbacks:

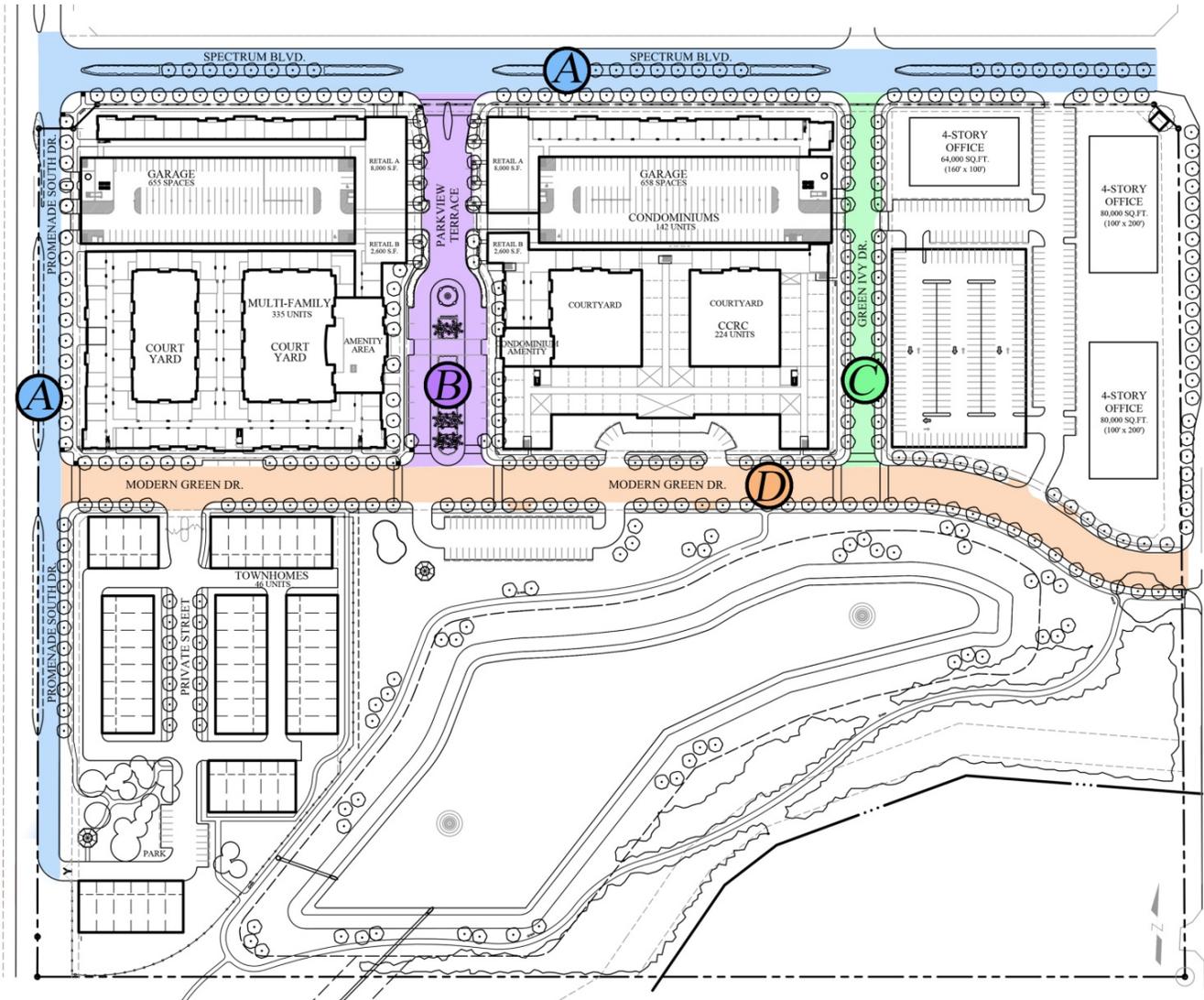


Figure G.1– Public Street Type Legend

## Type 'A' Street Typical Section – Spectrum Blvd & Promenade South Drive

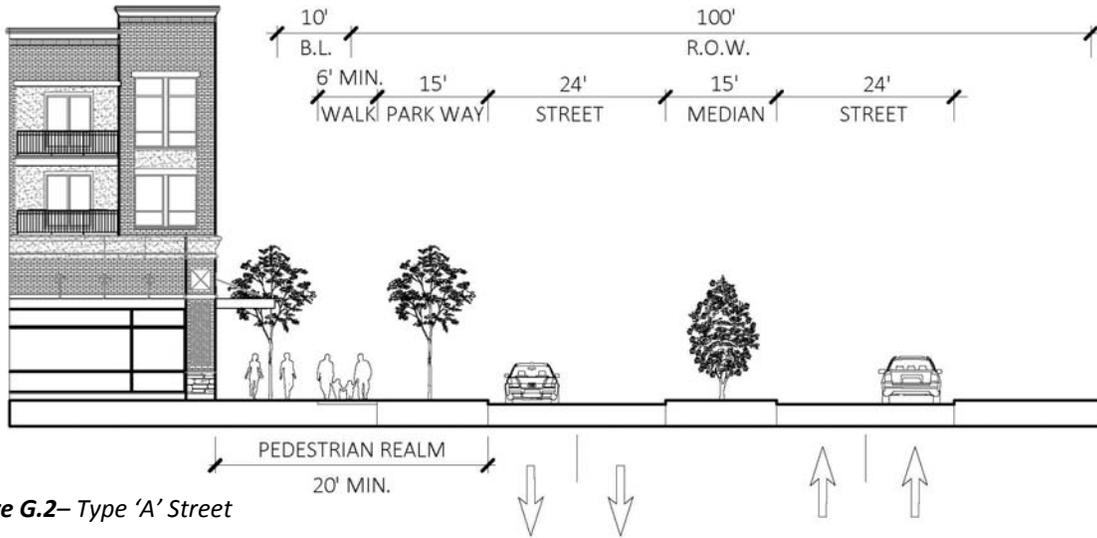


Figure G.2– Type 'A' Street

## Type 'B' Street Typical Section – Parkview Terrace

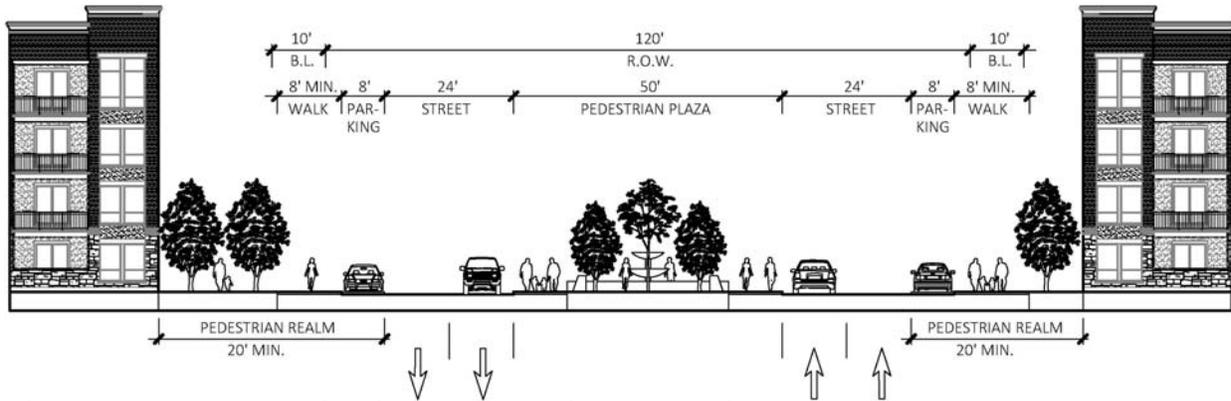


Figure G.3 – Type 'B' Street @ Pedestrian Plaza (with on street parking)

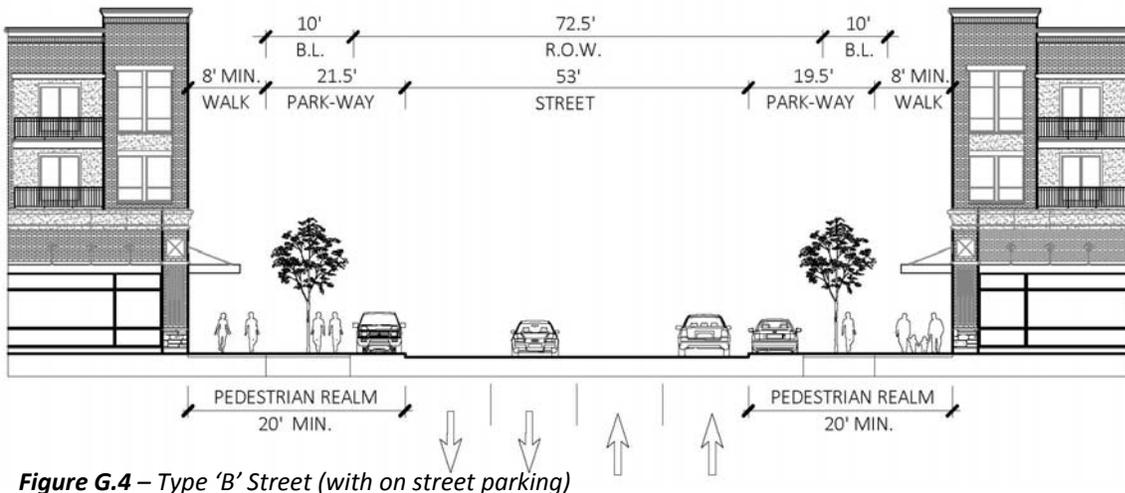


Figure G.4 – Type 'B' Street (with on street parking)

## Type 'C' Street Typical Section – Green Ivy Drive

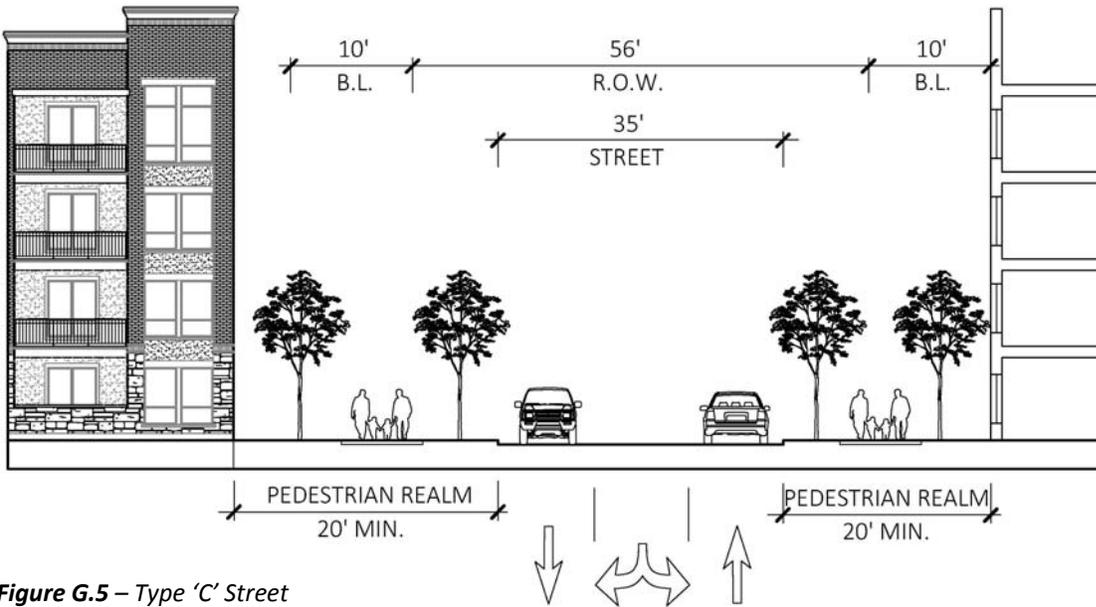


Figure G.5 – Type 'C' Street

## Type 'D' Street Typical Section – Modern Green Drive

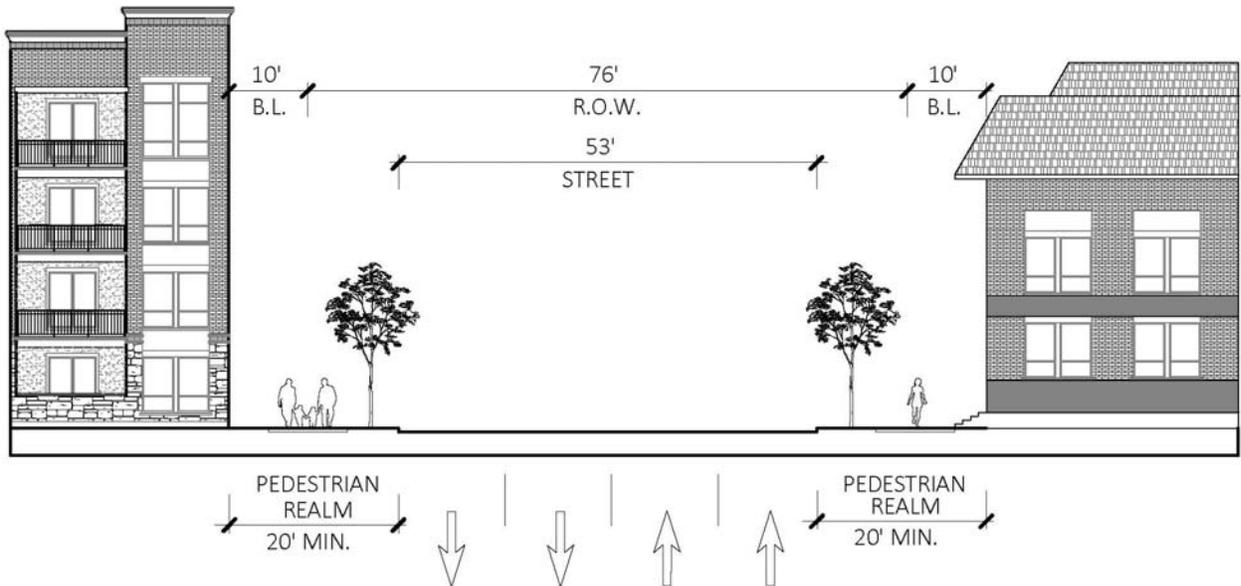


Figure G.6– Type 'D' Street

## Private Street – Townhome Section

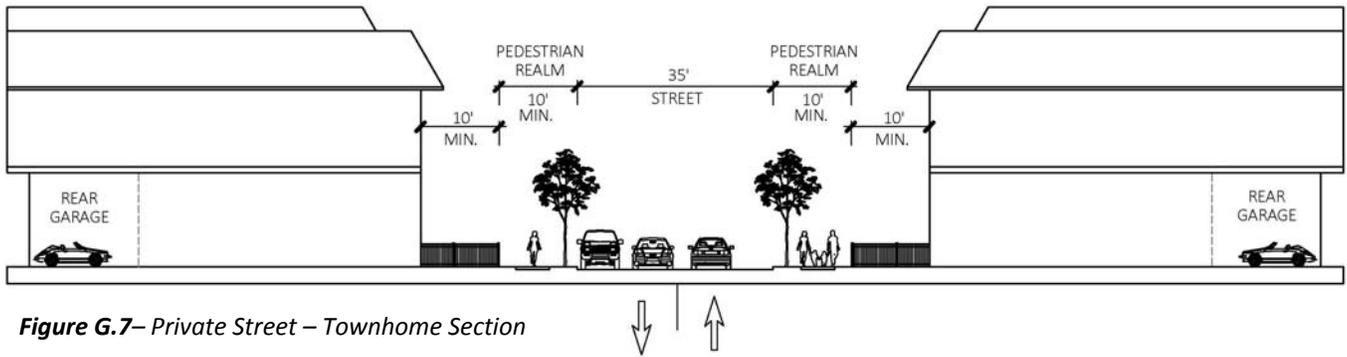


Figure G.7– Private Street – Townhome Section

## Alley – Townhome Section

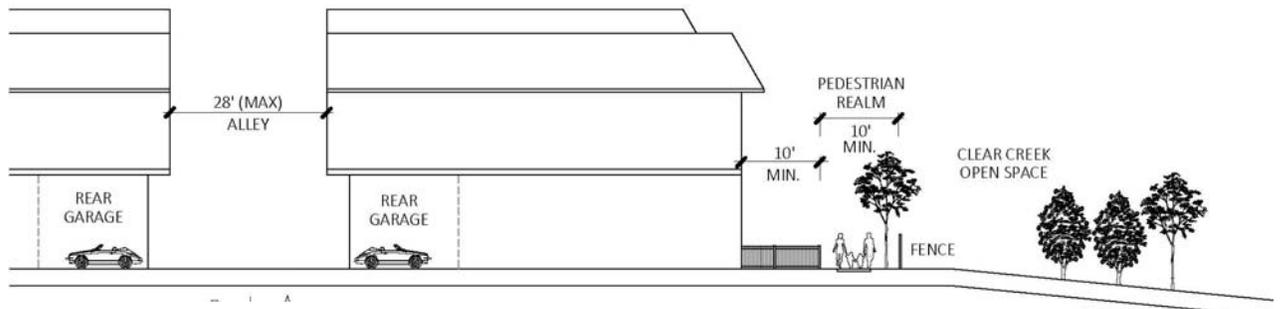


Figure G.8– Alley – Townhome Section

## Street Classification Deviations

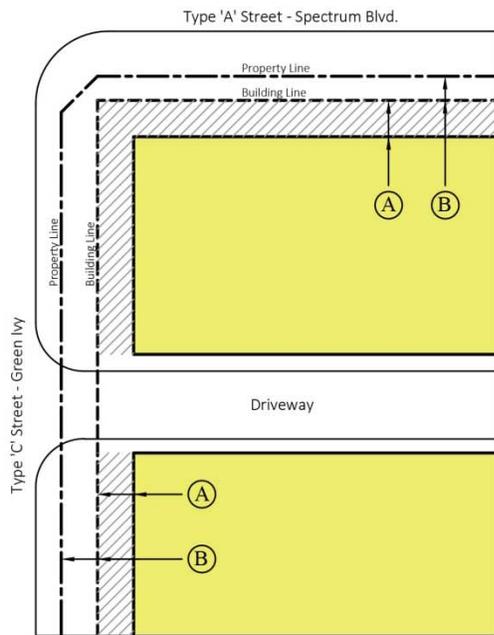
### Table G.1

	Street Classification	Street Width (recommended R.O.W.)	Number of Vehicle Lanes	Vehicular Lane Widths	Number of Bike Lanes	Bike Lane Widths	Turn Radius (max)	Median	On-Street Parking	Pedestrian Sidewalk Width (min)	Parkway/Tree Well
LKUC - Development Code	AV - 82-44 Avenue	82 feet	4	11 feet	None	N/A	20 feet	Yes, 14 feet (min)	None	12 feet (clear)	Tree Well, 5x5 min. or Parkway 6' min.
Ivy District Deviation	<i>South Spectrum Drive</i>	100 feet	4	12 feet	None	N/A	20 feet min. 30 feet max.	Yes, 14 feet (min)	None	6 feet (clear) min.	Tree Well, 5x5 min. or Parkway 6' min.
Ivy District Deviation	<i>Promenade Shops</i>	100 feet	4	12 feet	None	N/A	20 feet min. 30 feet max.	Yes, 14 feet (min)	None	6 feet (clear) min.	Tree Well, 5x5 min. or Parkway 6' min.
Ivy District Deviation	<i>Parkview Terrace</i>	76 feet min 120 feet min	4	12 feet	None	N/A	20 feet min. 30 feet max.	Yes, 14 feet (min)	Yes (both sides-parallel)	8 feet (clear) min.	Tree Well, 5x5 min. or Parkway 6' min.
LKUC - Development Code	ST - 61-29 Urban Greenway Street	61 feet	2	10 feet	None	N/A	15 feet	None	Yes, (one side-parallel)	6 feet clear min.	Tree Well, 5x5 min. or Parkway 6' min.
Ivy District Deviation	<i>Modern Green Drive</i>	76 feet	4	13 feet	None	N/A	20 feet min. 30 feet max.	None	Yes, (both sides-parallel)	6 feet clear min.	Tree Well, 5x5 min. or Parkway 6' min.
LKUC - Development Code	ST - 53-29 Neighborhood Greenway Street	53 feet	2	10 feet	None	N/A	15 feet	None	Yes, (one side-parallel)	6 feet clear min.	Tree Well, 5x5 min. or Parkway 6' min.
Ivy District Deviation	<i>Green Ivy Drive</i>	56 feet	3	11.5 feet	None	N/A	20 feet min. 30 feet max.	None	None	6 feet clear min.	Tree Well, 5x5 min. or Parkway 6' min.
LKUC - Development Code	Residential Alley	16 feet (paving and R.O.W.)	N/A	N/A	None	N/A	15 feet min.	None	None	None	None
Ivy District Deviation	<i>Private Townhome Streets</i>	Minimum as required by Fire Code	N/A	N/A	None	N/A	10 feet min.	None	Optional	Optional	Optional

# G - Streets and Setbacks (continued):

## Highway Commercial (HC) Zoning Setbacks:

### (1) Building Placement



#### Legend



#### Build-To-Zone (BTZ)

	(A)
Front (Type A Street)	0 feet (min) no (max)
Front (Type C Street)	0 feet (min) no (max)
Front (Type D Street)	0 feet (min) no (max)
Front (SH 288)	0 feet (min) no (max)

#### Setback (distance from property line)

	(B)
Front (Type A Street)	10 feet (min)      20 feet (max)
Front (Type C Street)	10 feet (min)      40 feet (max)
Front (Type D Street)	10 feet (min)      50 feet (max)
Front (SH 288)	25 feet (min)      35 feet (max)

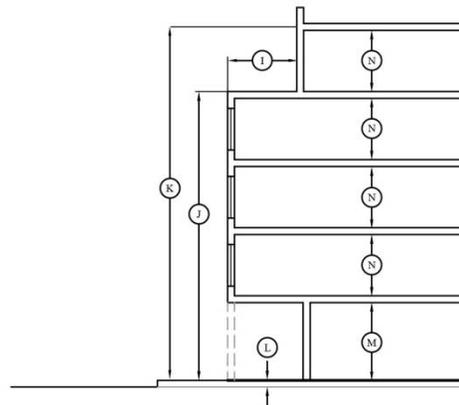
#### (2) Block Standards

Block face dimensions	400' (min) - 600' (max)
Block perimeter	2500' (max)

### (3) Commercial Frontage Requirements

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

### (4) Building Height



#### Principal Building Standards

Building Stories	2 min - 15 max	(K)
First Floor to Floor height	10' min	(M)
Ground Floor Finish Level	6" min no max	(L)
Upper floor(s) height	10' min	(N)
Stepback height	Max 4 stories then stepback	(J)
Stepback distance	10' min.	(I)

#### Notes:

1. Along Streets, the area between the building and the edge of the BTZ or the edge of the public sidewalk shall be paved flush with the sidewalk. This area can have landscaping and planting within tree wells or planters, but shall not have lawn areas.

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

3. First floor heights shall not apply to parking structures.

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

## Highway Commercial (HC) Parking and Service Drives:

<b>(5) Parking and Service Access</b>	
<b>(i) Parking Location</b>	
<b>Surface/At Grade Parking</b>	
Highway frontage	Shall be located 10' behind the property line
Type A, C, D Streets	Shall be located behind principal building or Setback a minimum of 15' from the property line along the street frontage
Side Set Back	0 feet min from Property Line
Rear Set Back	0 feet min from Property Line
<b>Above Grade Parking</b>	
Setback along Type A, C, D Streets	At or behind the building line along street
Highway frontage, back and rear setbacks	At or behind the building line along street
<b>(ii) Required Off Street Parking</b>	
Non-residential uses	1 space per 300 gross s.f.
<b>(iii) Driveways and Service Access</b>	
Parking Driveway width	TXDOT standards on Highway frontage road and 24' max. on all Ivy District Streets (except where drive need to be wider to address service access of fire land standards)

Porte Cocheres may be permitted on Ivy District Streets to provided drop off or valet services.

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

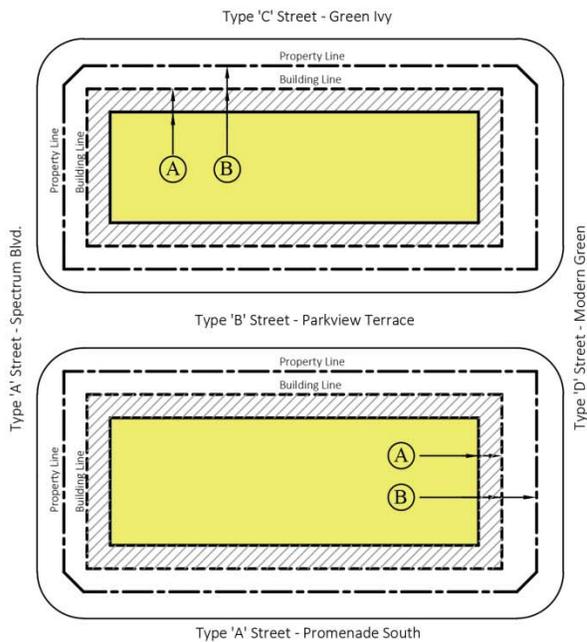
If driveway and/or off street service loading or unloading access is provided from Streets such access shall be deemed as temporary and cross access easements along the rear of the property shall be required when adjoining properties are undeveloped.

<b>(6) Encroachments</b>
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.
<b>Notes:</b>
1. Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street facade.
2. 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 of permanent screen that is at least as tall as the equipment itself.
3. Setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the building facade line.
4. Required parking may be provided anywhere within the Highway Commercial Zone (HC).
5. Chapter 4 - Site Development Section 4.2.1.3 of the City of Pearland Unified Development Code shall apply for design of off-street parking areas.
6. Stepback requirements shall not apply to any facade with frontage along SH 288.

# G - Streets and Setbacks (continued):

## Urban Neighborhood (UN) Zoning Setbacks:

### (1) Building Placement



#### Legend



#### Build-To-Zone (BTZ)

Street Type	BTZ Standard	Reference
Front (Type A Street)	0 feet (min) no (max)	(A)
Front (Type B Street)	0 feet (min) no (max)	
Front (Type C Street)	0 feet (min) no (max)	
Front (Type D Street)	0 feet (min) no (max)	

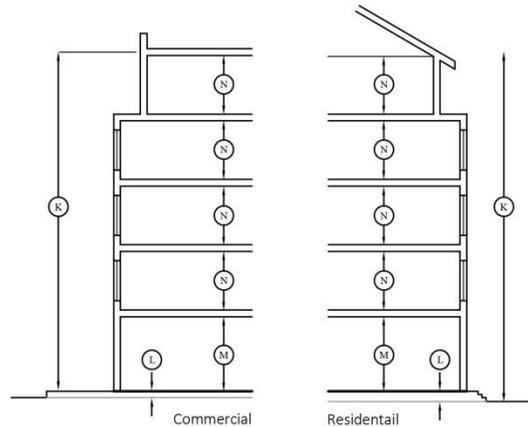
#### Setback (distance from property line)

Street Type	Setback (min)	Reference
Front (Type A Street)	10 feet (min)	(B)
Front (Type B Street)	10 feet (min)	
Front (Type C Street)	10 feet (min)	
Front (Type D Street)	10 feet (min)	

#### (2) Block Standards

Block face dimensions	400' (min) - 600' (max)
Block perimeter	2500' (max)

### (3) Building Height



#### Principal Building Standards

Building Stories	4 min - 6 max	(K)
First Floor to Floor height	10' min (com) 10' min (res)	(M)
Ground Floor Finish Level	6" min no max	(L)
Upper floor(s) height	10' min (com) 10' min (res)	(N)

#### Accessory Building Standards

Building Maximum (Excludes Parking Garages)	2 stories
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#### (4) Commercial Frontage Requirements

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

#### Notes:

- Side and rear setbacks shall be based on minimum fire separation required between buildings, if applicable.
- Along corner of intersecting street frontages, the area between the building and edge of BTZ of 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.
- Attics and mezzanines less than 7' average height shall not be counted as a story

## Urban Neighborhood (UN) Parking and Service Drives:

### (5) Parking and Service Access

#### (i) Parking Location

##### Surface/At Grade Parking

Type A, B, C, D Streets	Shall be located behind principal building or Setback a minimum of 10' from the property line along the street frontage
Side Set Back	N/A
Rear Set Back	N/A

##### Above Grade Parking

Setback along Type A,B,C, D Streets	At or behind the building line along street
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#### (ii) Required Off Street Parking

Non-residential uses	1 space per 300 gross s.f.
Residential uses	1.5 spaces per unit

#### (iii) Driveways and Service Access

Parking Driveway width	24' max. on all Ivy District Streets (except where drive need to be wider to address service access of fire land standards
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Porte Cocheres may be permitted on Ivy District Streets to provided drop off or valet services.

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

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

### (6) Encroachments

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

#### Notes:

1. Corner buildings may exceed the maximum building height by 15% for 20% of the building's frontage along each corresponding street facade.

2. 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 of permanent screen that is at least as tall as the equipment itself.

3. setbacks and build-to lines on recessed entries and arcade buildings shall be measured from the building facade line.

4. Required parking may be provided anywhere within the Highway Commercial Zone (HC).

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

6. Stepback requirements shall not apply to any facade with frontage along SH 288.

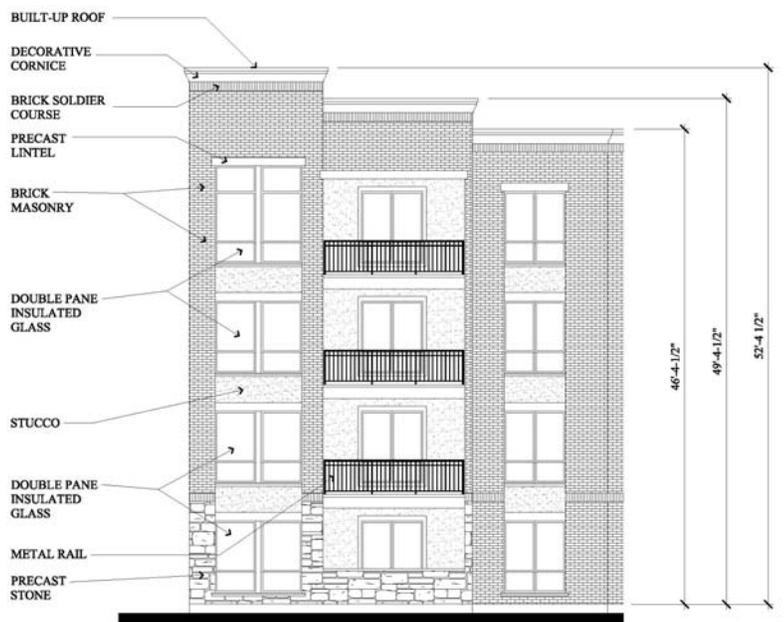
# H – Building Design Standards:



**Figure H.1** – Proposed West Elevation, Multi-Family



**Figure H.2** – Material Examples



**Figure H.3** – Typical Building Form



**Figure H.4** – Multi-Family Architecture Example



**Figure H.5** – Multi-Family Architecture Example

# H – Building Design Standards (cont):

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*Images showing appropriate examples of massing, building materials and fenestration of Office Buildings within the Highway Commercial Zone*



## H – Building Design Standards (cont):

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*Images showing appropriate examples of massing, building materials and fenestration of Townhomes within the Urban Neighborhood/Commercial Transition Zone*



## H - Building Design Standards (cont):

### Multifamily Unit Mix - 4 Story Structure

Table H.1

Number of Units	Unit Designation	Unit Square Footage	Unit Description	Total Square Footage per Unit Type
80	A	560	Efficiency - 1 Bath	44,800
59	B	725	1 Bedroom - 1 Bath	42,775
40	B1	797	1 Bedroom - 1 Bath	31,880
8	B2	891	1 Bedroom - 1 Bath	7,128
100	D	1092	2 Bedroom - 2 Bath	109,200
32	E	1100	2 Bedroom - 2 Bath	35,200
16	F	1207	2 Bedroom - 2 Bath	19,312
<b>Total</b>				<b>Total</b>
335				290,295

### Multifamily Parking Requirements - 5 level garage

Table H.2.

Parking Use	Parking Spaces Required	Parking Ratio Used
1 Bedroom Units	280 Spaces	1.5 spaces/Unit
2 Bedroom Units or more	296 Spaces	2.0 spaces/Unit
Commercial Use	53 Spaces	1.0 spaces/200 S.F.
	<b>Total Required</b>	<b>640</b>
	<b>Total Provided</b>	<b>655</b>

### Condo/CCRC Unit Mix – 5 Story Structure

**Table H.3**

Unit Type	Number of Units	Unit Square Footage
Independent Living - 1 Bedroom	100	500 min
Independent Living - 2 Bedroom	46	900 min
Assisted Living - Studio	2	500 min
Assisted Living - 1 Bedroom	12	400 min
Assisted Living - 2 Bedroom	20	600 min
Memory Care - Efficiency	44	250 min
Condominium (50% 1 Bedroom Units/50% 2 Bedroom Units)	142	TBD
<b>Total Units</b>	<b>366</b>	
<b>Parking Spaces Provided</b>	<b>658</b>	

**Note:** It is the intent of the developer to construct the Condo/CCRC project using similar materials, fenestration and aesthetic as the Multi-Family project.

### Park, Open Space and Parkland Dedication for Multi-Family Uses

**Table H.4**

Unit Type	Number of Units	Open Space (900 SF/Unit)	Parkland Dedication (\$750/Unit)
Multi-family	335	301,500	\$ 251,250.00
Condominium	142	127,800	\$ 106,500.00
CCRC - Independent Living	146	131,400	\$ 109,500.00
Townhouses	46	41,400	\$ 34,500.00
<b>Total Open Space Dedication Required</b>		<b>602,100 SF (13.8 AC)</b>	<b>\$ 501,750.00</b>

**OR**

<b>Total Open Space Dedication Required</b>	<b>667 D.U.</b>	<b>1 AC/50 D.U.</b>	<b>13.38 Acres</b>
<b>Total Provided</b>		<b>16.05 AC</b>	<b>\$ 501,750.00 *</b>

\* See **Proposed Amenity and Pedestrian Realm Enhancements Table H.5 (attached at the end of this document)** for Developer provided amenities and potential costs. Developer provided improvements will be utilized in lieu of Parkland Dedication Fees. See Table H.5 for explanation of improvements and associated costs.

# H – Building Design Standards (cont):

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## A. Introduction

The Building Design Controls for the Ivy District 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 controls below. The key design principles establish essential goals for development in the Ivy District to encourage the preservation.

## B. General Building Design Controls

### General Standard

#### a. Over All

- (1) Buildings shall be located and designed so that they provide visual interest and create enjoyable, human-scaled spaces
- (2) New buildings shall utilize building elements and details to achieve a pedestrian-oriented public realm.
- (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.

#### b. Building Orientation

- (1) Primary entrance to buildings shall be located on the street along which the building is oriented.
- (2) All primary entrances shall be oriented to the public sidewalk for ease of pedestrian access.

#### c. Design of Parking Structures

- (1) 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.
- (2) Parking garage ramps shall not be visible from any public street. Ramps shall not be located along the perimeter of the parking structure.
- (3) Architectural screens shall be used to articulate the facade, 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 first-floor facade treatment (building materials, windows and architectural detailing) shall be continued to the second floor of a parking structure.
- (4) When parking structures are located at street intersections, corner architectural elements shall be incorporated, such as corner entrance, signage and glazing.
- (5) Parking structures and adjacent sidewalks shall be designed so pedestrians and bicyclists are clearly visible to entering and exiting automobiles.

#### d. Building Materials

- (1) Primary building facade materials shall consist of the following: brick, stone, cast (manufactured) stone, glass, or glass block. Primary building facade materials shall be comprised

of at least seventy five percent (75%) of a building's facade (excluding doors and windows). The remaining twenty percent (25%) shall consist of either a complementary primary facade material (brick, stone, cast stone, stucco, glass, or glass block) or an allowable accent material.

(2) Materials allowed exclusively as an accent material include the following: wood, modular architectural metal panel system with concealed fasteners and high-performance coating or natural-weathering face material, split-face concrete block, tile, or precast concrete panels. Materials allowed exclusively as accent materials may be used on no more than twenty percent (20%) of a building's facade. More than one (1) accent material may be used as long as the total amount does not exceed twenty percent (20%).

(3) EIFS shall be limited to moldings and architectural detailing on building facades. EIFS materials shall constitute less than ten percent (10%) of any building and shall not be used on any portion of any wall that is lower than twenty feet (20') from grade, unless otherwise approved by the Building Official.

(4) Cementitious-fiber panels with at least a fifty 50 -year warranty shall only be used on twenty percent (20%) of the upper floor.

(5) 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.

**e. Facade Composition**

(1) Buildings three (3) stories or higher shall provide facade articulation which distinguishes between the street level and the upper level of the building. This rhythm shall be expressed by changing materials, or color, or by using design elements such as fenestration, columns, or by facade articulation.

(2) For retail storefront buildings, display window areas shall be utilized.

(3) Storefronts on facades that span multiple tenants shall use architecturally compatible materials, colors, details, awnings, signage, and lighting fixtures.

(4) 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.

(5) With the exception of parking structures and/or service areas, all facades facing a public street shall incorporate transparent features (windows and doors) for a minimum of forty (40%) percent of all surface area and a minimum of twenty five (25%) percent for all upper levels.

**f. Commercial Frontage**

(1) All primary retail entrances must meet the sidewalk at grade.

(2) Active use spaces shall be expressed with facade treatments that are scaled to human activity on the street. Lower levels of the building shall include changes in materials or changes in fenestration scaled to create a comfortable pedestrian zone.

(3) First floor retail and other commercial uses must be physically and visually oriented towards a public right-of-way or easement, such as a plaza or pedestrian passage.

(4) At least fifty percent (50%) of the length of the first floor facade between the height of two (2) and ten (10) feet shall be devoted to transparent windows doors and/or visually open spaces (such as courtyards, forecourts, and pedestrian breezeways), to allow maximum visual interaction between sidewalk areas and the interior of active use spaces.

- (5) Tenant improvements of retail spaces must maintain the transparency of the storefront; this may be achieved with the placement of public areas of the proposed use adjacent to the facade and by avoiding the use of shades, curtains or displays that compromise visibility into the space.
- (6) When commercial first floor uses incorporate outdoor seating and dining, a minimum sidewalk through-way dimension of six feet (6') must be maintained.

**g. Residential Frontage**

- (1) Each first floor residential unit shall have an individual entry door directly from an adjacent courtyard, dedicated open space, public right-of-way or easement.
- (2) Where first floor resident all units face a public right-of-way or easement residential entries shall occur at a minimum average of one (1) door per tenant space.
- (3) Residential entries shall be sheltered from the rain and wind and provide an entry light. First floor residential unit entries shall be recessed from the street wall.
- (4) At least forty percent (40%) of the first floor facade of residential buildings shall be devoted to transparent windows and doors to allow maximum visual interaction between sidewalk areas and the interior of residential units. The use of dark or mirrored glass is not permitted.
- (5) First floor residential units shall have a minimum floor to floor height of ten feet (10').

**h. Windows and Doors**

- (1) Windows and doors on street-fronting facades shall be designed to be proportional and appropriate to the specific architectural qualities of the building.
- (2) First-floor windows shall not be opaque, tinted or mirrored glass.
- (3) All first floor retail front facades of buildings shall have transparent storefront windows covering no less than fifty percent (50%) of the facade area.
- (4) Glazing must be of low reflectance.

**i. Building Top**

- (1) Mechanical equipment located on top of buildings must be screened from public view and from neighboring buildings with enclosures, parapets, setbacks, landscaping, or other means. Any enclosure or screening used must be designed as a logical extension of the building, using similar materials and detailing as the rest of the building's surfaces.

# I – Streetscape and Site Amenity Standards:

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## A. General

The design and selection of streetscape materials shall include such items that provide a comfortable, unique and active pedestrian space. The mixture of site paving, site furnishings, and landscape elements shall be selected to compliment the architectural vernacular of the Development. Outdoor seating areas are encouraged throughout the development. Wide sidewalks, seating areas with shade will be included as appropriate.

## B. Sidewalk Paving

The selection of ground plane materials is critical within the public realm and will play a critical role in enhancing the character of the Ivy District as a pedestrian focused neighborhood aesthetic. The paving palette is intended to be limited to a small range of materials with complimentary colors and textures.

**Sidewalks** – Shall be constructed of concrete with a minimum width of 6 feet. Concrete or Clay Paver accent bands are permitted but are intended as an accent only. No colored, stamped or specialty concrete finishes are required and discouraged for public sidewalks. These special finishes may be utilized in plaza, café, or other seating areas.

**Crosswalks** – Shall be constructed at each Street Intersection or Mid-Block Crossing where pedestrians are encouraged to cross the public street. The Crosswalk shall be a minimum of 12 feet in width and be constructed of concrete or clay unit pavers that are rated for vehicular traffic.



*Images showing appropriate examples of crosswalks within the Urban Neighborhood/Commercial Transition and Highway Commercial Zones*

**Standards** – all sidewalks and crosswalks shall be constructed to meet the minimum design performance standards of the Pearland Engineering Design Criteria Manual (2007). Additionally, all requirements of the *American’s with Disability Act (ADA)* and *Texas Accessibility Standards (TAS)* shall be met for all sidewalks, ramps and crosswalks.

## C. Site Furnishings

**Benches and Receptacles** – will be required throughout the development. Benches and receptacles shall be commercial or institutional grade and be constructed of primarily metal components. Benches

and receptacles shall be sourced from the same manufacturer to ensure cohesiveness of design. Benches and receptacles shall be constructed of high quality steel with a durable paint or powder-coated finish. Trash receptacles with separate compartments for trash and recycling are encouraged. Wooden components are discouraged along the public sidewalks, but are acceptable for restaurant and retail uses that offer a café area adjacent to the public sidewalk.



*Images showing appropriate examples of benches and receptacles within the Urban Neighborhood/Commercial Transition and Highway Commercial Zones*

- **Placement along Public Sidewalks** – Minimum requirements for benches and receptacles along public sidewalks are as follows. Each block face shall have a minimum of 1 bench and 1 receptacle. Generally, one receptacle and one bench shall be located at each end of the block, or one receptacle and one bench generally located mid block. Specific spacing will be determined during the design phase to eliminate conflicts with street trees and on-street parking spaces.
- **Installation** – Benches and Receptacles shall be permanently attached to a concrete base or other permanent substrate.

**Bicycle Parking** – is required and intended to support the design and function of streets and open spaces and enhance the character of the Ivy District as a pedestrian and bicyclist focused neighborhood. Bicycle parking shall be made of durable and vandal-resistant materials such as stainless steel or powder-coated steel or other heavy duty materials where appropriate. Bicycle parking shall be provided along the street/sidewalk. A minimum of two Bicycle racks (or combination of bicycle racks) that accommodate a minimum of 6 bicycles each shall be provided at each block of the development. The bicycle racks shall be located predominately near retail uses.



*Images showing appropriate examples of bike racks within the Urban Neighborhood/Commercial Transition, Highway Commercial and Clear Creek Zones*

**Site Lighting** – is intended to be attractive and visually engaging while providing public safety and enhancing the character of the Ivy District as a pedestrian focused neighborhood. Certain areas of the Ivy District neighborhood are intended to have lower lighting levels, such as the Clear Creek Sub District (CC) where it is important to minimize light pollution so as not to disturb wildlife and maintain a natural setting. The Ivy District shall develop a ‘Master Lighting Plan’ for review and approval by the City manager before submittal of their development application. Decorative Street and pedestrian scale lighting are encouraged to enhance the character and pedestrian focused neighborhood aesthetic. In general, no light pole shall exceed 25’ in height.



*Images showing appropriate examples of bike racks within the Urban Neighborhood/Commercial Transition, Highway Commercial and Clear Creek Zones*

**Tree Grates** – are approved for use within the public realm for areas where street trees are required but walk-able space is limited. Tree Grates shall be constructed of ductile iron and be a minimum of 5 feet by 5 feet.

**Pedestrian Bridge** – a pedestrian bridge is planned to span Clear Creek. The bridge will be a minimum of 10’ in width. The span length will be determined based on the bridge’s final location. Pedestrian Bridge will be made of a steel framework (painted or weathering steel) with wood or composite deck materials. Guard Rails and Hand rails will be required as well as ADA compatibility.



*Images showing appropriate examples of pedestrian bridge within the Clear Creek Zone*

**Civic Space** – a 0.3 acre Civic Space is planned within the expanded median of Parkview Terrace. This space will serve as a gathering, recreation and pedestrian-centric space to serve the multi-family developments that surround it. It is envisioned that this space will be used for passive recreation and gathering as well as serve as a staging area for art fairs, farmers markets, and other small festivals that will attract uses from outside the immediate vicinity of this development. Within this area is planned a fountain/water feature, seating areas, specialty paving and landscape as well as dedicated spaces for kiosk vendors.



*Images showing appropriate examples of Civic Space within the Urban Neighborhood/Commercial Transition Zone*

## **D. Landscape Materials**

**Street Trees** – Street trees shall be required on streets in the Ivy District. Street trees shall be planted no closer than 3 feet from edge of curb (unless tree is planted within a tree well utilizing a tree grate). Street Trees shall be a minimum of 4 inches (caliper diameter) as measured 12 inches from the base of the root ball and shall be a minimum of 12 feet tall at the time of planting. Street Trees shall be planted an average of 30 feet on center along all public streets. Multi-trunked trees are not acceptable for Street Tree Planting. Street Trees shall be planted in a planting area no less than 40 square feet or 25 square feet if Tree Grates are utilized.

**Boulevard Trees** – Boulevard Trees shall be required in the median and spacing and species type shall be maintained along the street. Boulevard Trees shall be a minimum of 4 inches (caliper diameter) as measured 12 inches from the base of the root ball and shall be a minimum of 12 feet tall at the time of planting. Boulevard Tree plantings within the median shall follow spacing and offset requirements of Section 4.2.3.9 of the Pearland UDC.

**Planted Areas** – Where visible from the street and alleys, all unpaved ground areas shall be planted with low growing shrubs or ground cover, ornamental grasses, turf or combination thereof. Turf Grass shall be installed as solid sod. Seeding will not be accepted (excludes turf establishment within Clear Creek District).

**Species** – Landscape Materials shall include plants from the approved list of ground cover, vines, perennials, shrubs, and trees 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 Pearland UDC.

# J – Signage Standards:

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## A. Introduction

Signage helps to highlight the identity of businesses while enhancing the appearance of the streetscape and should be of a creative and engaging nature at the Ivy District. Except as specifically listed below, and in Table J.1 on the following page, all other signage and sign standards must comply with Chapter 4 Site Development, of the most recent City of Pearland UDC, City Standards and the Texas Municipal Uniform Traffic Control Devices, latest edition. The signage standards and guidelines in this part shall apply to all signs in the Ivy District.

## B. Signage Design Controls

### *Standards*

#### A. Overall

- (1) No billboards, roof signs, back-lit box signs, or flashing signs, are permitted. Where possible, exposed junction boxes, lamps, tubing, conduits, or raceways are not permitted.
- (2) Signage is intended to address the pedestrian level and no portion of any sign may extend more than twenty-five (25') above sidewalk grade.

#### B. Signage Area

- (1) Sign area is defined as the area of a sign that is used for display purposes excluding small supports. Sign area shall be computed on the basis of a rectangle large enough to frame the display or text.
- (2) Retail wall signs on buildings shall not exceed three square feet (3 sf) per linear foot of retail frontage or forty-five square feet (45 sf); whichever is lower for each street frontage.

#### C. Signage Types

- (1) One projecting sign per every thirty linear feet (30') of retail is permitted. Each primary projecting sign for retail tenants shall not exceed twenty-four square feet (24 sf) in area, and if a single tenant maintains more than thirty linear feet (30') of street frontage, each additional sign shall not exceed ten square feet (10 sf). Corner businesses are allowed one primary projecting sign per street frontage. Three-dimensional projecting signs shall not exceed forty-eight cubic feet (48 cf) in volume. Parking directional signs shall not exceed an area of fifteen square feet (15 sf).
- (2) Signage on awnings is permitted in lieu of projecting signs and must not exceed thirty square feet (30 sf) of sign area. Signage on awnings shall be on the valance portion of the awning.
- (3) Residential wall signs shall not exceed twenty square feet (20 sf) Residential projects may utilize signage on awnings over the primary multi-unit entryway. Copy areas on awnings shall not exceed thirty square feet (30 sf).

### *Guidelines*

The following guidelines complement Signage Design Standards in Section B.1 of this part.

**A. Overall**

- (1) Consistency among signs within the Ivy District is encouraged to create visual harmony between signs, buildings, and other components of the district.
- (2) Compatibility between signage, architectural and site design features are encouraged within the Ivy District.
- (3) Signage that is in character with planned and existing uses is encouraged to create a unique sense of place.
- (4) Multi-tenant commercial uses are required to develop a unique set of sign regulations in conjunction with development standards.

Signage Design Controls			
Table J.1			
Sign Type	Predominately Non-Residential Areas	Predominately Residential Areas	Standard
Wall (Building or Attached) Signs	P	P (Commercial and live-work uses only)	<p>For all first floor commercial uses (retail, office and restaurant): One sign per tenant space; area to be calculated at 15 sq. feet per linear foot of public street frontage for the tenant space with a maximum of 100 sq. ft per tenant.</p> <p>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 15 sq. feet per linear foot of second or upper floor frontage along that public street with a maximum of 125 sq. feet.</p> <p>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.</p> <p>Live-Work and Home occupations: One sign limited to an area of 20 sq. feet max.</p> <p>Building sign may encroach a maximum of 12" on to a sidewalk while maintaining a vertical clearance of 8 feet from the finished sidewalk.</p> <p>Building signs may be externally lit.</p> <p>Marquee signs as only permitted as specified below.</p> <p>One monument sign at the project entry for the purposes of identifying the project or district.</p>
Monument Signs	P	P	<p>Shall be only permitted as signage for the entire Ivy District Development and shall only be used as a way finding element along SH 288. The purpose of the Monument signs will be to indicated the location of the development from vehicular traffic and as such, shall be limited to no higher than 50 feet</p> <p>Smaller monument signs within the development are permitted within medians to indicate specific uses and serve in a way finding/branding capacity and shall be limited to 15 feet in height.</p>
Window Signs	P	P (Commercial and live-work uses only)	<p>Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs:</p> <p>Mannequins and storefront displays of merchandise sold; and</p> <p>Interior directory signage identifying shopping aisles and merchandise display areas;</p> <p>Shall be in compliance with the Pearland Unified Development Code, Latest Edition, except as modified by this PD document;</p> <p>One per building (commercial and mixed use buildings only).</p>

## Signage Design Controls

### Table J.2

Sign Type	Predominately Non-Residential Areas	Predominately Residential Areas	Standard
Building Blade Signs	P	P (Commercial and live-work uses only)	<p>Area = 30 sq. feet maximum per sign face.</p> <p>May encroach a maximum of 6 feet over a sidewalk, but shall not encroach over any parking or travel lane.</p> <p>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.</p> <p>One per commercial tenant space (retail, office, or residential use).</p>
Tenant Blade Signs	P	P (Commercial and live-work uses only)	<p>Area = 16 sq. feet maximum per sign face.</p> <p>May encroach a maximum of 4 feet over a public sidewalk, but shall not encroach over any parking or travel lane.</p> <p>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 first floor tenant space while maintaining a vertical clearance of 8 feet from the finished sidewalk.</p>
Marquee Signs	P	NP	<p>Permitted for theaters, auditoriums, and other public gathering venues of 100 persons or more.</p> <p>Marquee signs shall be attached to the building or located above or below a canopy only.</p> <p>Area = 100 sq. feet maximum.</p> <p>Message board may be changeable copy (electronic and non-electronic) and shall be limited to 25% of the sign area. Electronic message boards shall be non-flashing, nor shall flashing lights of any kind be permitted. As required by Pearland UDC – latest edition.</p> <p>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.</p>
For Sale/For Lease Signs	P	P	Same as the City of Pearland Sign Regulations.
Address Signs	P	P	Same as the City of Pearland Sign Regulations.
Temporary Construction Signs	P	P	Same as the City of Pearland Sign Regulations.
Banners	P	P	<p>Same as the City of Pearland Sign Regulations.</p> <p>Permitted only for retail, service, or restaurant uses.</p> <p>Limited to 12 sq. feet per sign face per storefront.</p>

## Signage Design Controls

### Table J.3

Sign Type	Predominately Non-Residential Areas	Predominately Residential Areas	Standard
Sandwich Board Signs	P	P (Commercial and live-work uses only)	<p>Sign may not exceed 4 feet in height.</p> <p>A minimum of 6 feet of sidewalk shall remain clear.</p> <p>Chalkboards may be used for daily changing messages.</p> <p>Readerboards (electronic and non-electronic) shall be prohibited.</p> <p>Sign shall be removed every day after the business is closed.</p> <p>Sign shall remain out of the public R.O.W.</p> <p>Permitted only with approval of the City.</p> <p>Must allow for 8 ft. clear height below banner.</p> <p>Max 10 sq. feet per sign face.</p>
Light Pole Banners	P	P	<p>Limited to one per light pole.</p> <p>All light pole banners shall be approved by the appropriate utility company prior to consideration by the City.</p> <p>Light pole banners shall be limited to publicize community -wide events, holiday celebrations, public art, and other community events.</p> <p>Light pole banners shall have a unified design for the entire district.</p>
Directory Signs	P	P (Commercial and live-work uses only)	<p>Shall be allowed for all multi-tenant commercial and mixed use buildings only.</p> <p>One directory sign per multi-tenant building limited to 12 sq. feet in area.</p> <p>Design of the sign shall be integral to the façade on which the sign is to be affixed.</p>
Pole Signs	NP	NP	
LED Signs	P	P	<p>LED technology is permitted for use within the development so long as the display or image remains generally static. Flashing, scrolling or video features are not permitted. LED technology is permitted as part of any monument sign so long as the LED component/message area does not exceed 25% of the overall façade or elevation of the sign of which it is a component and meets current UDC requirements for electronic signs</p>

# K - Regulating Plan:



SEE OVERLAP OF ACCESS WALL FOR ACCESS DRIVE  
 EXISTING WALL FOUNDATION FROM  
 PROPERTY OWNER TO UTILIZE IN EMERGENCY  
 SITUATIONS

## REGULATING PLAN

### LEGEND

#### URBAN NEIGHBORHOOD/COMMERCIAL TRANSITION ZONE

- (A) RETAIL - V - 8,000 S.F. MIN
- (B) RETAIL - R - 2,600 S.F. MIN  
 TOTAL - 21,200 S.F. MIN
- (C) MULTI-FAMILY - 355 APARTMENT UNITS WITH  
 ASSOCIATED PRIVATE AMENITIES (4 STORIES)  
 MIN HEIGHT - 45' MAX HEIGHT - 60'
- (D) PARKING GARAGE - 455 SPACES MIN
- (E) CCRC - 24 UNITS WITH ASSOCIATED PRIVATE  
 AMENITIES (3 STORIES)  
 MIN HEIGHT - 45' MAX HEIGHT - 75'
- (F) CONDOMINIUM - 42 UNITS WITH ASSOCIATED  
 PRIVATE AMENITIES (3 STORES)  
 MIN HEIGHT - 45' MAX HEIGHT - 75'
- (G) PARKING GARAGE - 658 SPACES MIN
- (H) TOWN HOMES - 46 UNITS (MIN. GATED  
 COMMUNITY WITH PRIVATE DRIVES AND ALLEYS)  
 MIN HEIGHT - 24' MAX HEIGHT - 36'

#### HERSHBY COMMERCIAL ZONE

- (1) OFFICE - 224,000 S.F. MIN. OR  
 OFFICE - 144,000 S.F. MIN AND HOTEL/CONFERENCE  
 CENTER - 100,000 MIN.
- (2) PARKING GARAGE - # OF SPACES TBD BASED ON USE
- (3) SURFACE PARKING - # OF SPACES TBD BASED ON USE
- (4) GENERAL COMMERCIAL, OR  
 OTHER RETAIL - 20,000 MIN.  
 W/ SURFACE PARKING TO SERVE USERS  
 ALLOWANCES FOR CONGRESSIONAL TRUCKS TO DEVELOP AS MARKET  
 NEED ARISES

#### OPEN SPACE/ RECREATION ELEMENTS

- (N) SURFACE PARKING TO SERVE PARK
- (M) MULTI USE PATH - 8' CONCRETE (2500 L.F. MIN)
- (O) CONNECTION TO LEAD DETENTION POND INCLUDING  
 PEDESTRIAN BRIDGE OVER CLEAR CREEK  
 (APPROXIMATELY 650 L.F. OF TRAIL)
- (P) CIVIC PLAZA, SEATING, FOUNTAIN, LANDSCAPING AND  
 OTHER PEDESTRIAN USES
- (Q) DETENTION, AMENITY POND
- (R) BENCHES AND RECEPTACLES
- (S) COVERED PAVILION - 24' DIA. MIN
- (T) PRESERVED TREES
- (U) PLAYGROUND (2,000 S.F. MIN)
- (V) FOUNTAIN (ARCHITECTURAL)
- (W) FOUNTAIN (POND)
- (X) TRAIL HEAD
- (Y) CROSSWALKS

*For Standards not included or addressed in this PD, all requirements of the UDC will apply accordingly:*

- *For Townhome Section – TH Townhouse Residential District*
- *For Multi-Family and CCRC/Condo – MF Multiple Family Residential District*
- *For other Commercial – GB General Business Retail District or GC General Commercial District*

*Whenever there are one or more conflicting provisions in the PD and Unified Development Code, the more stringent provision or provisions shall apply.*

# L- Amenity Plan

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## A. Introduction

This part establishes the Public Open Space and Private Open Space Design Controls for Ivy District. The Public Open Space Design Plan may designate several areas for proposed Public Open Space types within Ivy District. The detailed Public Open Space Design Controls for each type are included in this portion of the PD document. A "Master Open Space and Landscape Plan" shall be prepared based on the design controls in this part.

## B. Public Open Space Design Controls

The design of 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, plazas and gardens. The open space network will be serviced by an interconnected network of trails and paths for pedestrians and bicyclists alike.

## C. Standards

### a. Overall

- (1) Areas designated as publicly accessible open space at the Ivy District will be included in final plans. Publicly Accessible Open Space at The Ivy District, excluding residential areas and associated courtyards, must be publicly accessible during normal operating hours.
- (2) Building structures may be permitted within areas designated as Dedicated Open Space. Some permitted buildings may include open-air park pavilions, and temporary vendor facilities for arts and cultural events.
- (3) All amenities located in the Public Open Spaces shall also meet the standards of the Harris and Brazoria County Flood Control District. Public use of amenities that overlap with the Hams and Brazoria County Flood Control District water shed space shall be approved by both the Harris and Brazoria County Flood Control Districts prior to submittal of a plat application.

### b. Clear Creek Recreational Park

The Clear Creek Recreational Park may be defined by multi-use pathways, as well as landscaped open space. It may include limited hardscape areas with benches and areas for casual seating. It may include restroom facilities and water fountains in a convenient location for users and available infrastructure. Where necessary, it may be lined to reduce erosion and protect the existing slope south of the stream.

### c. Greens, Squares and Plazas

Areas throughout the 48.5 acre campus will be appropriately designed with passive recreation areas. The major pedestrian plaza will be located within the median of Parkview Terrace Drive. This civic space will include special paving and a seating areas and intensive landscaping. This area will be a space for

public art, outdoor fountains, festivals and outdoor dining. Additionally, a large stand of mature trees located within the townhouse development will be preserved as a green for the town home neighborhood. Landscape throughout the mixed use campus will consist of lawns, trees, and shrubs planted in formal patterns and furnished with paths and benches. Shaded areas for seating shall be provided where appropriate

**Proposed Amenity and Pedestrian Zone Improvements**

**Table H.5**

ITEM	QUANTITY	UNITS	DESCRIPTION	ESTIMATED COST PER UNIT	ESTIMATED TOTAL COST
<b>URBAN NEIGHBORHOOD/COMMERCIAL TRANSITION SUB-DISTRICT</b>					
<b>Street and Pedestrian Realm Improvements</b>					
6' Concrete Sidewalk (MF Block)	1400	LF	Perimeter Sidewalks along Spectrum, Promenade & Modern Green	\$ 42.00	\$ 58,800.00
8' Concrete Sidewalk (MF Block)	275	LF	Perimeter Sidewalks along Parkview Terrace	\$ 56.00	\$ 15,400.00
Pedestrian Realm Paving (MF Block)	5200	SF	Expanded Paving surrounding Retail	\$ 14.00	\$ 72,800.00
6' Concrete Sidewalk (Condo/CCRC Block)	1450	LF	Perimeter Sidewalks along Spectrum, Green Ivy & Modern Green	\$ 42.00	\$ 60,900.00
8' Concrete Sidewalk (Condo/CCRC Block)	1300	LF	Perimeter Sidewalks along Parkview Terrace	\$ 56.00	\$ 72,800.00
Pedestrian Realm Paving (Condo/CCRC Block)	4300	SF	Expanded Paving surrounding Retail	\$ 14.00	\$ 60,200.00
6' Sidewalk (Townhome Block)	750	LF	Perimeter Sidewalks along Modern Green & Promenade	\$ 42.00	\$ 31,500.00
6' Sidewalk (Townhome Block) within Pocket Park	300	LF		\$ 42.00	\$ 12,600.00
Shade Pavilion within Pocket Park	1	EA	24' Diameter (450 sf. Min)	\$ 40,000.00	\$ 40,000.00
Benches, Picnic Tables, Receptacles within Pocket Park	1	AL		\$ 15,000.00	\$ 15,000.00
Crosswalks	12	AL	Paver treatment at main intersection crossings	\$ 15,000.00	\$ 180,000.00
Specialty Street Lighting	100	EA	Architectural Street Lights (assuming 45' spacing). Final quantity will be determined by lighting plan.	\$ 5,500.00	\$ 550,000.00
Specialty Paving	6500	SF	Civic Space - Parkview Terrace	\$ 14.00	\$ 91,000.00
Fountain	1	AL	Civic Space - Parkview Terrace	\$ 50,000.00	\$ 50,000.00
Benches	6	EA	Located throughout the pedestrian realm	\$ 2,500.00	\$ 15,000.00
Trash Receptacles	6	EA	Located throughout the pedestrian realm	\$ 1,500.00	\$ 9,000.00
<b>Trees and Landscaping</b>					
Street Trees (4" Caliper)	135	EA	From approved City Street Tree List	\$ 450.00	\$ 60,750.00
Street Trees (6" Caliper)	31	EA	From approved City Street Tree List	\$ 1,200.00	\$ 37,200.00
Tree Grates	12	EA	For trees within paving surrounding Retail	\$ 1,500.00	\$ 18,000.00
Palm Trees (14' HT)	8	EA	Palm Trees within Civic Space within Parkview Terrace	\$ 8,500.00	\$ 68,000.00
Median Trees (4" Caliper)	17	EA	Trees in median of Spectrum Blvd.	\$ 450.00	\$ 7,650.00
R.O.W. Planting (shrubs and groundcover)	6000	SF	Intensive Landscape within ROW to enhance pedestrian realm	\$ 4.50	\$ 27,000.00
R.O.W. Planting (shrubs and groundcover)	6000	SF	Intensive Landscape within ROW to enhance arrival experience (Spectrum Median)	\$ 4.50	\$ 27,000.00
Turf Establishment (within ROW)	45000	SF	Turf from back of curb to sidewalk	\$ 0.75	\$ 33,750.00
Irrigation System	1	AL		\$ 75,000.00	\$ 75,000.00
<b>SUBTOTAL</b>					<b>\$ 1,689,350.00</b>
<b>HIGHWAY COMMERCIAL SUB-DISTRICT</b>					
<b>Street and Pedestrian Realm Improvements</b>					
6' Concrete Sidewalk (Highway Commercial)	1200	LF	Perimeter Sidewalks along Spectrum, Modern Green & Green Ivy	\$ 42.00	\$ 50,400.00
Benches	4	EA	Located throughout the pedestrian realm	\$ 2,500.00	\$ 10,000.00
Receptacles	4	EA	Located throughout the pedestrian realm	\$ 1,500.00	\$ 6,000.00
Crosswalks	4	AL	Paver treatment at main intersection crossings	\$ 15,000.00	\$ 60,000.00
Specialty Street Lighting	30	EA	Architectural Street Lights (assuming 45' spacing). Final quantity will be determined by lighting plan.	\$ 5,500.00	\$ 165,000.00
<b>Trees and Landscaping</b>					
Street Trees (4" Caliper)	60	EA	From approved City Street Tree List	\$ 450.00	\$ 27,000.00
Median Trees (4" Caliper)	9	EA	Trees in median of Spectrum Blvd.	\$ 450.00	\$ 4,050.00
R.O.W. Planting (shrubs and groundcover)	1200	SF	Intensive Landscape within ROW to enhance arrival experience (Spectrum Median)	\$ 4.50	\$ 5,400.00
Turf Establishment (within ROW)	20000	SF	Turf from back of curb to sidewalk	\$ 0.75	\$ 15,000.00
Irrigation System	1	AL		\$ 35,000.00	\$ 35,000.00
<b>SUBTOTAL</b>					<b>\$ 377,850.00</b>
<b>CLEAR CREEK SUB-DISTRICT</b>					
<b>Park and Open Space Improvements</b>					
6' Concrete Sidewalk (Clear Creek)	700	LF	Perimeter Sidewalks along Modern Green	\$ 42.00	\$ 29,400.00
8' Multi-Use Walk	2500	LF	Recreational Trail around lake	\$ 56.00	\$ 140,000.00
Pedestrian Bridge	1	EA	Pedestrian Bridge over Clear Creek	\$ 250,000.00	\$ 250,000.00
8' Trail Connection to Existing LKMD Trail	650	LF	Off-Site Improvement from Ivy to LKMD Trail	\$ 56.00	\$ 36,400.00
Shade Pavilion	1	EA	24' Diameter (450 sf. Min)	\$ 40,000.00	\$ 40,000.00
Small Playground and associated work	1	AL	Play structure, fall surfacing and edging	\$ 75,000.00	\$ 75,000.00
Benches	5	EA	Benches every 500' along Recreational Trail	\$ 2,500.00	\$ 12,500.00
Receptacles	5	EA	Receptacles every 500' along Recreational Trail	\$ 1,500.00	\$ 7,500.00
Pedestrian Lighting along Trail	25	EA	Architectural Pedestrian Lights (assuming 100' spacing). Final quantity will be determined by lighting plan.	\$ 3,500.00	\$ 87,500.00
Trees (3" Caliper)	50	EA	Spread Throughout the Park and Open Space Area	\$ 400.00	\$ 20,000.00
Amenity Pond Fountains	2	EA	For aesthetic and aeration purposes	\$ 7,500.00	\$ 15,000.00
Turf Establishment	8	AC	Seeding for Turf Establishment	\$ 8,500.00	\$ 68,000.00
<b>SUBTOTAL</b>					<b>\$ 781,300.00</b>
<b>GRAND TOTAL</b>					<b>\$ 2,848,500.00</b>

SECOND POINT OF ACCESS WILL BE FIRE ACCESS DRIVE WHICH CURRENTLY SERVES BASS PRO SHOP. DEVELOPER WILL OBTAIN PERMISSION FROM PROPERTY OWNER TO UTILIZE IN EMERGENCY SITUATIONS.

# REGULATING PLAN

## LEGEND

### URBAN NEIGHBORHOOD/COMMERCIAL TRANSITION ZONE

- (A) RETAIL 'A' - 8,000 S.F. MIN
- (B) RETAIL 'B' - 2,600 S.F. MIN  
TOTAL - 21,200 S.F. MIN
- (C) MULTI-FAMILY - 335 APARTMENT UNITS WITH ASSOCIATED PRIVATE AMENITIES. (4 STORIES)  
MIN HEIGHT - 45' MAX HEIGHT - 60'
- (D) PARKING GARAGE - 655 SPACES MIN.
- (E) CCRC - 224 UNITS WITH ASSOCIATED PRIVATE AMENITIES (5 STORIES)  
MIN HEIGHT - 45' MAX HEIGHT - 75'
- (F) CONDOMINIUM - 142 UNITS WITH ASSOCIATED PRIVATE AMENITIES (5 STORIES)  
MIN HEIGHT - 45' MAX HEIGHT - 75'
- (G) PARKING GARAGE - 658 SPACES MIN.
- (H) TOWN HOMES - 46 UNITS (MIN). GATED COMMUNITY WITH PRIVATE DRIVES AND ALLEYS.  
MIN HEIGHT - 24' MAX HEIGHT - 36'

### HIGHWAY COMMERCIAL ZONE

- (I) OFFICE - 224,000 S.F. MIN, OR OFFICE - 144,000 S.F. MIN AND HOTEL/CONFERENCE CENTER - 100,000 MIN.
- (J) PARKING GARAGE - # OF SPACES TBD BASED ON USE
- (K) SURFACE PARKING - # OF SPACES TBD BASED ON USE
- (L) GENERAL COMMERCIAL OR, OFFICE/RETAIL - 20,000 MIN.  
W/ SURFACE PARKING TO SERVE USES  
*ALLOWANCES FOR COMMERCIAL TRACTS TO DEVELOP AS MARKET NEED ARISES*

### OPEN SPACE/ RECREATION ELEMENTS

- (M) SURFACE PARKING TO SERVE PARK.
- (N) MULTI USE PATH - 8' CONCRETE (2500 L.F. MIN)
- (O) CONNECTION TO LKMD DETENTION POND INCLUDING PEDESTRIAN BRIDGE OVER CLEAR CREEK. (APPROXIMATELY 650 L.F. OF TRAIL)
- (P) CIVIC PLAZA, SEATING, FOUNTAIN, LANDSCAPING AND OTHER PEDESTRIAN USES.
- (Q) DETENTION, AMENITY POND
- (R) BENCHES AND RECEPTACLES
- (S) COVERED PAVILION - 24' DIA. MIN.
- (T) PRESERVED TREES
- (U) PLAYGROUND (2,000 S.F. MIN)
- (V) FOUNTAIN (ARCHITECTURAL)
- (W) FOUNTAIN (POND)
- (X) TRAIL HEAD
- (Y) CROSSWALKS



SPECTRUM BLVD.

SPECTRUM BLVD.

PROMENADE SOUTH DR.

PROMENADE SOUTH DR.

MODERN GREEN DR.

MODERN GREEN DR.

PARK VIEW TERRACE

GREEN IVY DR.

PRIVATE STREET

PARK

O



# City of Pearland Planning Department Universal Application

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281.652.1768  
281.652.1702 (fax)  
pearlandtx.gov

Please complete each field - incomplete applications will not be accepted.  
Include the applicable checklist for each project type with this application.  
Refer to the schedule on the City's website and/or within the Planning Department  
for deadlines and anticipated meeting dates for each project type.

### TYPE OF APPLICATION:

- |  |   |
|--|---|
| <input type="checkbox"/> Zoning Change                           | <input type="checkbox"/> ZBA Variance           |
| <input type="checkbox"/> Cluster Development Plan                | <input type="checkbox"/> P&Z Variance           |
| <input checked="" type="checkbox"/> Planned Development Workshop | <input type="checkbox"/> Special Exception      |
| <input type="checkbox"/> Plat (list type): _____                 | <input type="checkbox"/> Conditional Use Permit |

### PROJECT INFORMATION:

- Residential       Commercial       Property Platted       Property Not Platted

Project Name: Ivy District Tax ID: \_\_\_\_\_

Project Address/Location: SE corner of SH 288 and Spectrum Blvd. **TAX ACCOUNT #90-0899368**

Subdivision: N/A No. of Lots: \_\_\_\_\_ Total Acres: 48.0

Brief Description of Project: 48 acres, planned for mixed use. Low density multi-family, retail, hotel, office uses for Ivy Distr  
Additionally, small, gated townhouse development. Also a large open space will be preserved adjacent to Clear Creek

**\*\*When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda according to Section 1.2.1.2 of the Unified Development Code.\*\***

### PROPERTY OWNER INFORMATION:

### APPLICANT/AGENT INFORMATION:

Name: American Modern Green (Houston) LLC  
 Address: 11233 Shadow Creek Ranch Parkway, Suite 289  
 City: Pearland State: TX Zip: 77584  
 Phone: 281-741-3837  
 Fax: 832-850-7302  
 Email Address: gavin.liang@modernland.us

Name: Knudson LP, attn: Patti Joiner AICP  
 Address: 8588 Katy Freeway, Suite 441  
 City: Houston State: TX Zip: 77024  
 Phone: 713-463-8200  
 Fax: 713-463-8011  
 Email Address: pjoiner@knudsonlp.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: Guangming Liang Date: 9/17/2015

Agent's/  
Applicant's Signature: Patricia Knudson Joiner Date: 9/17/2015

### OFFICE USE ONLY:

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

## **APPLICATION CHECKLIST FOR THE FOLLOWING: Planned Development Workshop**

- Application and checklist filled out completely and signed by the owner of the property.
- 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 (UDC).**
- 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, describing how the proposed Planned Development fulfills the ideals, goals, objectives, and/or concepts of the City's Unified Development Code, adopted Comprehensive Plan, or any other formally adopted City planning document, such as the Parks Plan or public facility plan.
- The proposed draft 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).

Amegy Mortgage Company, L.L.C.  
48.471 Acres

James Hamilton Survey  
Abstract No. 881(Harris County)  
Abstract No. 747 (Brazoria County)

STATE OF TEXAS §

COUNTIES OF HARRIS & BRAZORIA §

METES AND BOUNDS DESCRIPTION of a 48.471 acre tract in the James Hamilton Survey, Abstract No. 881 in Harris County and Abstract No. 747 in Brazoria County, Texas. Said 48.471 acre tract is in Lot 5 of the Subdivision of the John Hamilton Survey as recorded in Volume 83, Page 342 in the Harris County Deed Records and is that same 48.4712 acre tract of land described in a deed to Amegy Mortgage Company, L.L.C. as recorded in Clerk's File No.'s 20100132332 and 20100235353 in the Harris County Clerk's Office and is more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch rod found at the point of intersection of the south line of said Lot 5 with the westerly right-of-way line of State Highway 288 (variable width right-of-way), said point is in the south line of said James Hamilton Survey, same being the north line of the W. W. Dupuy and L. F. Roberts Survey, Abstract No. 1698 (Harris County), Abstract No. 726 (Brazoria County), a found 5/8-inch iron rod bears South 81°40'42" East, 3.39 feet;

THENCE, South 87°32'21" West, along said survey line, same being the south line of said Lot 5 and said 48.471 acre tract, at a distance of 761.80 feet pass the centerline of Clear Creek and continue for a total distance of 1,670.79 feet (called 1,670.00 feet) to a 1/2-inch iron rod found for the southwest corner of said Lot 5, same being the southwest corner of said 48.4712 acre tract and is the southeast corner of a 10-acre tract of land described in a deed to Richard B. Mayor, et al, as recorded in Clerk's File No. P197254 in the Harris County Clerk's Office;

THENCE, North 02°21'36" West, along the west line of said Lot 5, same being the west line of said 48.4712 acre tract and is the centerline of a 40-foot wide platted roadway, for a distance of 1,235.17 feet to a 5/8-inch iron rod found in the south right-of-way line of Spectrum Boulevard (variable width right-of-way), same being the southeast corner of a 0.098 acre tract of land described in a deed to the City of Pearland as recorded in Clerk's File No. Z109672 in the Harris County Clerk's Office,

THENCE, North 87°35'33" East, along the south right-of-way of said Spectrum Boulevard for a distance of 50.00 feet to a 5/8-inch iron rod found for an angle point;

THENCE, North 42°34'16" East, continuing along the south line of said Spectrum Boulevard for a distance of 49.53 feet to a 5/8-inch iron rod found for an angle point;

THENCE, North 87°32'28" East, continuing along the south line of said Spectrum Boulevard (based on a width of 100-feet at this point) for a distance of 1,538.60 feet to a 5/8-inch iron rod set for a cut-back corner of said Spectrum Boulevard;

THENCE, South 47°44'50" East, along said cut-back corner of Spectrum Boulevard for a distance of 49.75 feet to a 5/8-inch iron rod found in the westerly right-of-way line of the aforementioned State Highway 288;

THENCE, South 02°54'25" East, along the westerly line of said State Highway 288 for a distance of 1,235.11 feet to the POINT OF BEGINNING, containing a computed area of 48.471 acres (2,111,394 square feet).

NOTE:

1. The bearings shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (NAD 83).
2. All set rods were marked with a survey cap stamped "Wilson Survey Group".
3. A separate survey plat was prepared in conjunction with this metes and bounds description on even date and under The Wilson Survey Group's Job No. 11-132.

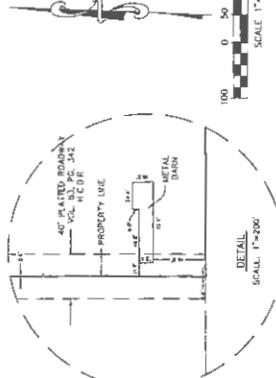
The Wilson Survey Group, Inc.  
2006 East Broadway, Suite 105  
Pearland, Texas 77581  
(281) 485-3991  
Job No. 11-132



*Michael D. Wilson*

Michael D. Wilson, R.P.L.S.  
Registration No 4821

08/30/11



STATE OF TEXAS  
COUNTIES OF HARRIS & BRAZORIA

THE SURVEY SUBSTANTIALLY COMPLES WITH THE SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY "A" CONDITION SURVEY

TEAS REGISTRATION NO. 4821

08/19/11

1. BEARING SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE ZONE OF 1983, SOUTH CENTRAL ZONE.

2. THIS TRACT IS BEING SURVEYED FOR THE PURPOSE OF THE PROPOSED CONVEYANCE BY THE WILSON SURVEY GROUP, PROFESSIONAL LAND SURVEYORS, 2500 E. BROADWAY, PEARLAND, TEXAS 77657-1012, (281) 482-3091, FAX (281) 482-3099, WWW.WILSONSURVEY.COM.

3. ACCORDING TO THE F.R.M. NO. 48200001, DATED JUNE 18, 2009, THE SURVEYOR HAS DETERMINED THAT THE FLOODWAY, BASE FLOOD ELEVATION = 53.5', HANDBOOK (2001) AND FLOODWAY, BASE FLOOD ELEVATION HAS BEEN SCALED FROM AN AREA CONTAINED WITHIN THE FLOODWAY = 22.810 ACRES (863.392 SQ. FT.).

4. ELEVATIONS SHOWN HEREON ARE BASED ON HARRIS COUNTY MARCHES (2001 ADJUSTMENT), CGOBNP.

5. ADDITIONAL REMARKS: EASEMENT/FORFEIT-OF-WAY MAY BE REQUIRED AT THE TIME OF PLATTING.

6. THIS TRACT MAY BE AFFECTED BY THE WARRANTY STATEMENT CONCERNING A 2.01 ACRE TRACT IN VOLUME 2315, PAGE 30 IN THE HARRIS COUNTY PUBLIC RECORDS.

NOTE: BEARING SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE ZONE OF 1983, SOUTH CENTRAL ZONE.

1. BEARING SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE ZONE OF 1983, SOUTH CENTRAL ZONE.

2. THIS TRACT IS BEING SURVEYED FOR THE PURPOSE OF THE PROPOSED CONVEYANCE BY THE WILSON SURVEY GROUP, PROFESSIONAL LAND SURVEYORS, 2500 E. BROADWAY, PEARLAND, TEXAS 77657-1012, (281) 482-3091, FAX (281) 482-3099, WWW.WILSONSURVEY.COM.

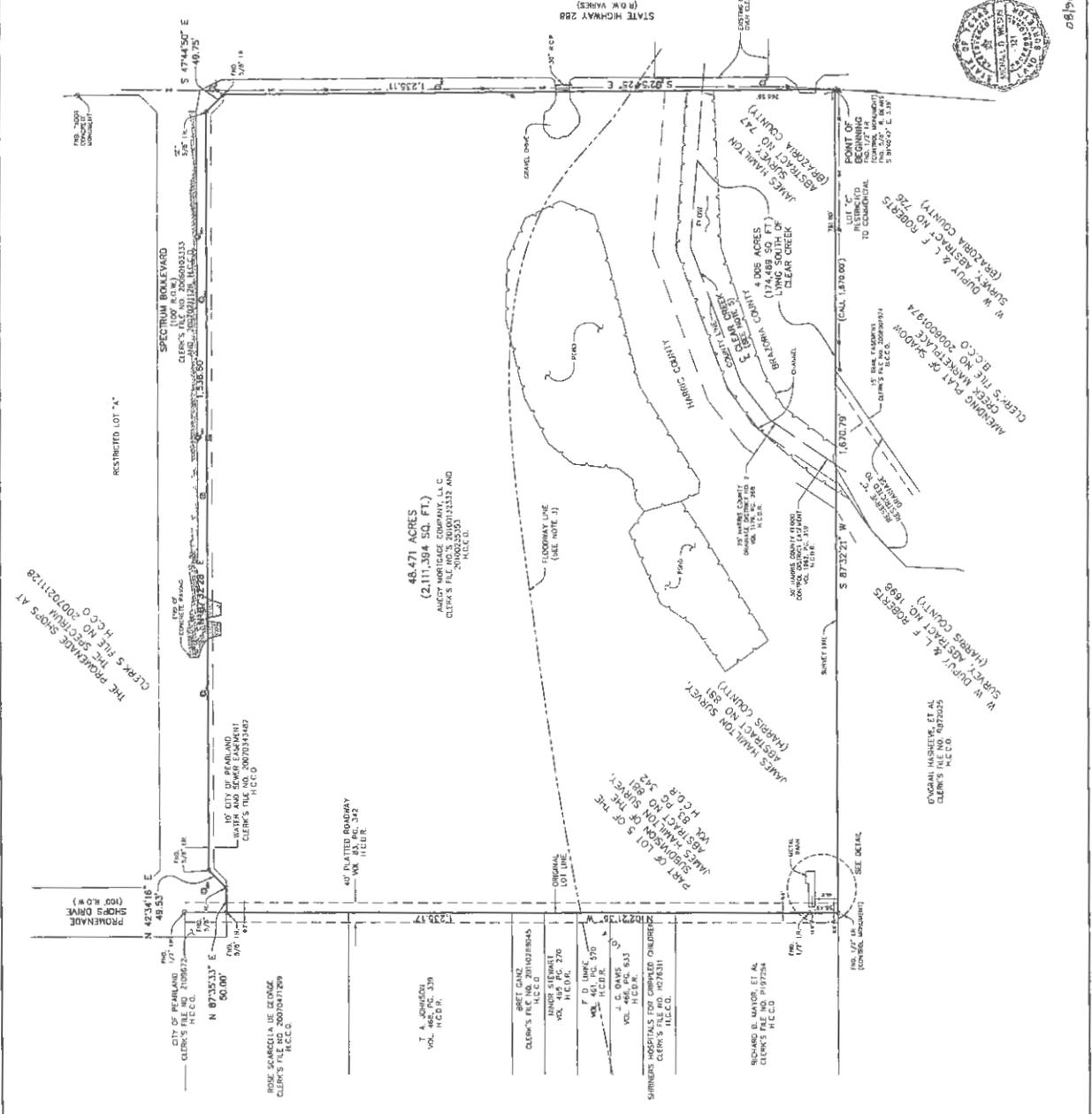
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4. ELEVATIONS SHOWN HEREON ARE BASED ON HARRIS COUNTY MARCHES (2001 ADJUSTMENT), CGOBNP.

5. ADDITIONAL REMARKS: EASEMENT/FORFEIT-OF-WAY MAY BE REQUIRED AT THE TIME OF PLATTING.

6. THIS TRACT MAY BE AFFECTED BY THE WARRANTY STATEMENT CONCERNING A 2.01 ACRE TRACT IN VOLUME 2315, PAGE 30 IN THE HARRIS COUNTY PUBLIC RECORDS.

OWNER	CLERK'S FILE NO.	ACRES
THE WILSON SURVEY GROUP	20090101128	2.01
PROFESSIONAL LAND SURVEYORS		
2500 E. BROADWAY		
PEARLAND, TEXAS		
77657-1012		
TEL: (281) 482-3091		
FAX: (281) 482-3099		
WWW.WILSONSURVEY.COM		
AMERY BANK OF TEXAS		
BOUNDARY AND IMPROVEMENT SURVEY		
OF A 48.471 ACRE TRACT IN THE		
JAMES HAMILTON SURVEY, A-BET IN		
THE CITY OF PEARLAND, HARRIS		
COUNTY & BRAZORIA COUNTIES, TEXAS		



48.471 ACRES  
(2,113,984 SQ. FT.)  
AMERY MORTGAGE COMPANY, L.L.C.  
CLERK'S FILE NO. S 20100121332 AND  
20100121333  
H.C.C.O.

T. A. JOHNSON  
VOL. REC. NO. 339  
H.C.C.O.

BOSE SARGELLA DE GONZA  
CLERK'S FILE NO. 20090417009  
H.C.C.O.

THE PROHIBITED SHOPS AT  
BLOCKS H.C.C.O. 20070201128  
CLERK'S FILE NO. 20070201128

CITY OF PEARLAND  
CLERK'S FILE NO. 2106272  
H.C.C.O.

N 8735337 E  
50.00'  
5/8" IN.

1/2" IN.

1/4" IN.

1/8" IN.

1/16" IN.

1/32" IN.

1/64" IN.

1/128" IN.

1/256" IN.

1/512" IN.

1/1024" IN.

1/2048" IN.

1/4096" IN.

1/8192" IN.

1/16384" IN.

1/32768" IN.

1/65536" IN.

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MIKE SULLIVAN  
 TAX ASSESSOR-COLLECTOR  
 P.O. BOX 3547  
 HOUSTON, TEXAS 77253-3547



Date Printed:	Friday, September 18, 2015
Account Number	
045-185-000-0006	

2014 Property Tax Receipt

Certified Owner
AMERICA MODERN GREEN DEV HOUSTON LLC 11233 SHADOW CREEK PKWY STE 289 PEARLAND TX 77584-7345

Legal Description
TR 5 M L PARKER U/R ABST 881 D WHITE 44.4652 AC

Deposit No: 201501297902

Receipt Date: Wednesday, January 28, 2015

Validation No: 4685

Deposit Date: Friday, January 30, 2015

Operator Code: DGRAVES

Parcel Address: 15000 SOUTH FWY 77047

Remit Seq No: 66996626

Legal Acres: ABST 881 D WHITE

Tax Unit	Tax Rate	Levy	Penalties & Interest	Coll. Fee	Total
Houston ISD	1.196700	\$58595.83	\$0.00	\$0.00	\$58595.83
Harris County	0.417310	\$20433.38	\$0.00	\$0.00	\$20433.38
Harris County Flood Control Dist	0.027360	\$1339.67	\$0.00	\$0.00	\$1339.67
Port of Houston Authority	0.015310	\$749.65	\$0.00	\$0.00	\$749.65
Harris County Hospital District	0.170000	\$8323.97	\$0.00	\$0.00	\$8323.97
Harris County Dept. of Education	0.005999	\$293.74	\$0.00	\$0.00	\$293.74
Houston Community College System	0.106890	\$5233.82	\$0.00	\$0.00	\$5233.82
<b>Total Paid:</b>		<b>\$94,970.06</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$94,970.06</b>