

**City of Houston, Texas, Ordinance No. 2025-\_\_\_\_\_**

**A MUNICIPAL SETTING DESIGNATION ORDINANCE PROHIBITING THE USE OF DESIGNATED GROUNDWATER BENEATH A TRACT OF LAND CONTAINING 11.08 ACRES COMMONLY KNOWN AS 2323 ALLEN PARKWAY, HOUSTON, HARRIS COUNTY, TEXAS; SUPPORTING ISSUANCE OF A MUNICIPAL SETTING DESIGNATION BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AT THE REQUEST OF AGA KHAN FOUNDATION CONTAINING OTHER PROVISIONS RELATED TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.**

\* \* \* \* \*

**WHEREAS**, Subchapter W, "Municipal Setting Designations," of Chapter 361, "Solid Waste Disposal Act," of the Texas Health and Safety Code authorizes the Texas Commission on Environmental Quality ("TCEQ") to create municipal setting designations; and

**WHEREAS**, on August 22, 2007, by Ordinance No. 2007-959, the City Council adopted Article XIII, of Chapter 47, Code of Ordinances, Houston, Texas, to provide a process for establishing municipal setting designation ordinances and amended that process on July 14, 2010, by Ordinance No. 2010-556; and

**WHEREAS**, Sections 47-765(c) and 47-767(a) of the Code of Ordinances, Houston, Texas, authorize municipal setting designation ordinances that prohibit the use of designated groundwater as potable water and thereby enable the TCEQ to certify a municipal setting designation for designated property; and

**WHEREAS**, on October 6, 2023, Imara Houston, Inc. ("Applicant") applied to the Director of Houston Public Works, requesting that the City Council support a municipal setting designation ordinance for property that is located generally at 2323 Allen Parkway (11.08 Acres), Houston, Harris County, Texas 77019; and

**WHEREAS**, on March 4, 2025, the Director of Houston Public Works conducted a public meeting on the Microsoft Teams Platform, as required by Section 47-764 of the Code of Ordinances, and notified the community when the City Council public hearing would occur; and

**WHEREAS**, the City Council Committee on Quality of Life, designated by the Mayor, conducted a public hearing on April 7, 2025; and

**WHEREAS**, the City Council finds that:

(1) the application meets the eligibility criteria of Section 361.803 of the Texas Health and Safety Code;

(2) the municipal setting designation will not have an adverse effect on the current or future water resource needs or obligations of the City of Houston;

(3) there is a public drinking water supply system that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of designated property; and

(4) this Municipal Setting Designation Ordinance is necessary because the concentrations of contaminants of concern exceed human ingestion protective concentration levels, and the establishment of a municipal setting designation will allow the property to be brought back into productive use; and

**WHEREAS**, City Council finds that the Director of Houston Public Works on behalf of City Council, in accordance with the Charter of the City of Houston, state law, and the ordinances of the City of Houston, has given the required notices, the City Council Committee on Quality of Life has held the required public hearing regarding this Municipal

Setting Designation Ordinance and all procedural requirements have been satisfied;

**NOW, THEREFORE,**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

**Section 1.** That for purposes of this Municipal Setting Designation Ordinance, the "designated property" means the property as described in **Exhibit A**, attached to this Ordinance and incorporated by reference herein.

**Section 2.** That for purposes of this Municipal Setting Designation Ordinance, "designated groundwater" means groundwater beneath the designated property to a depth not to exceed 200 feet that is prohibited from use as potable water by this Ordinance.

**Section 3.** That use of the designated groundwater from beneath the designated property as potable water, as that term is defined in Section 47-761 of the Code of Ordinances, Houston, Texas, is prohibited.

**Section 4.** That the designated property must receive a certificate of completion or other analogous documentation issued by the TCEQ or the United States Environmental Protection Agency ("EPA") showing that any site investigations and response actions required pursuant to Section 361.808 of the Texas Health and Safety Code have been completed to the satisfaction of the TCEQ or EPA within the time period required by them.

**Section 5.** That the City Council supports the application to the TCEQ for a municipal setting designation on the designated property, with the following comment:

The TCEQ and the EPA, as agencies charged to protect human health and the environment, are requested to thoroughly review the conditions on the designated

property and issue a certificate of completion only when all contaminants of concern, through the applicable routes of exposure, have been addressed.

**Section 6.** That any person owning, operating, or controlling the designated property remains responsible for complying with all applicable federal and state laws and regulations and all ordinances, rules, and regulations of the City of Houston. The City Council's approval of a municipal setting designation ordinance in itself does not change any environmental assessment or cleanup requirements applicable to the designated property.

**Section 7.** That approval of this Municipal Setting Designation Ordinance shall not be construed to subject the City of Houston to any responsibility or liability for any injury to persons or damages to property caused by any contaminant of concern.

**Section 8.** That within 30 days after adoption of this Municipal Setting Designation Ordinance, the Applicant shall provide the Director of Houston Public Works with an electronic file showing the location of the designated property and the designated groundwater in a format compatible with the City's geographic information system and its integrated land management system, and shall provide an electronic file showing the location of the designated property and the designated groundwater to the Harris County Appraisal District in a format compatible with its system.

**Section 9.** That within 30 days after adoption of this Municipal Setting Designation Ordinance, the Director of Houston Public Works shall send a certified copy of this ordinance to the Applicant, the TCEQ, and the EPA.

**Section 10.** That the Applicant shall provide the Director of Houston Public Works with a copy of the municipal setting designation certificate issued by the TCEQ pursuant

to Section 361.807 of the Texas Health and Safety Code within 30 days after issuance of the certificate.

**Section 11.** That within 30 days after receipt of the municipal setting designation certificate from the TCEQ, the Director of Houston Public Works shall file a certified copy of this Municipal Setting Designation Ordinance in the deed records of Harris County.

**Section 12.** That if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

**Section 13.** That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on that date and shall take effect immediately upon its passage and approval by the mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

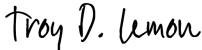
06/11/2025

**PASSED AND ADOPTED ON**

**APPROVED ON**

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is:  
06/17/2025

ATTEST:

Signed by:  
  
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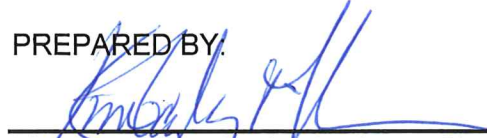
CITY OF HOUSTON, TEXAS

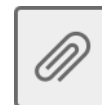
Signed by:

City Secretary of the City of Houston

Mayor of the City of Houston

PREPARED BY:

  
Kim Mickelson, Senior Assistant City Attorney  
KM/gb 05/29/2025  
Requested by Randall V. Macchi  
Director – Houston Public Works Department  
(LD-RE- 0000003989)



Meeting 6/11/2025

| Aye                         | No      |                        |
|-----------------------------|---------|------------------------|
| ✓                           |         | <b>Mayor Whitmire</b>  |
| ....                        | ....    | <b>Council Members</b> |
| ✓                           |         | Peck                   |
| absent due to being ill     |         | Jackson                |
| ✓                           |         | Kamin                  |
| ✓                           |         | Evans-Shabazz          |
| ✓                           |         | Flickinger             |
| ✓                           |         | Thomas                 |
| ✓                           |         | Huffman                |
| ✓                           |         | Castillo               |
| ✓                           |         | Martinez               |
| ✓                           |         | Pollard                |
| ✓                           |         | Castex-Tatum           |
| ✓                           |         | Ramirez                |
| ✓                           |         | Davis                  |
| ✓                           |         | Carter                 |
| absent on personal business |         | Plummer                |
| ✓                           |         | Alcorn                 |
| Caption                     | Adopted |                        |

Captions Published in DAILY COURT REVIEW

Date: 6/17/2025

## **EXHIBIT "A"**

### **Survey of Designated Property**

VILLAGE AT ALLEN PARKWAY  
11.08 ACRES

JUNE 28, 2006  
JOB NO. SCM16-T2  
PAGE 1 OF 3

DESCRIPTION OF A 11.08 ACRE TRACT OF LAND SITUATED  
IN THE JOHN AUSTIN SURVEY, ABSTRACT NO. 1  
CITY OF HOUSTON, HARRIS COUNTY, TEXAS

BEING a 11.08 acre tract of land in the John Austin Survey, A-1, City of Houston, Harris County, Texas, and being all of the remainder of a called 11.31 acre tract of land described as Unrestricted Reserve "A" of Village at Allen Parkway Section 1, a subdivision of record under Film Code No. 572259 of the Harris County Map Records (H.C.M.R.), said 11.08 acre tract of land being more particularly described by metes and bounds as follows:

Bearing Orientation is based on the Texas State Plane Coordinate System (South Central Zone) NAD83. All distances given in the following description are surface values and may be converted to grid values by dividing by the combined adjustment factor of 1.0001062213.

BEGINNING at a 5/8-inch iron rod with cap stamped "BROWN & GAY" found for the southeast corner of said Unrestricted Reserve "A" and being in the northern right-of-way line of West Dallas Avenue (60-foot width);

THENCE, S 86°46'14" W, a distance of 382.54 feet along the said northern right-of-way line to a 5/8-inch iron rod with cap stamped BROWN & GAY set for a southerly cutback corner, from which a found 5/8-inch iron rod with cap stamped H.L.&P. bears S 85°55' W, 1.30 feet;

THENCE, N 48°14'56" W, a distance of 21.22 feet to a 5/8-inch iron rod with cap stamped BROWN & GAY set for the northerly cutback corner and being in the eastern right-of-way line of Montrose Boulevard (width varies) as per City of Houston Drawing # 14266 and the plat recorded under Film Code No. 572259 of the H.C.M.R.;

THENCE, along the eastern right-of-way of said Montrose Boulevard and the west lines of the herein described tract the following ten (10) courses:

N 03°14'56" W, a distance of 70.02 feet to a 5/8-inch iron rod with cap stamped BROWN & GAY set for the point of curvature of a curve to the left;

In a northwesterly direction, 94.48 feet along the arc of said curve to the left having a radius of 774.44 feet, a central angle of 06°59'23" and whose chord bears N 11°47'16" W, 94.42 feet to a 5/8-inch iron rod with cap stamped BROWN & GAY set for the point of reverse curvature;

In a northwesterly direction, 14.14 feet along the arc of a curve to the right having a radius of 789.47 feet, a central angle of 01°01'34" and whose chord bears N 14°43'48" W, 14.14 feet to a 5/8-inch iron rod with cap stamped BROWN & GAY set for the end of said curve;

N 03°14'56" W, a distance of 897.43 feet to a point for corner at the edge of an existing building;

NR 826-97-1387

VILLAGE AT ALLEN PARKWAY  
11.08 ACRES  
PAGE 2 OF 3

S 86°45'04" W, a distance of 10.00 feet to a 5/8-inch iron rod with cap stamped BROWN & GAY set for corner;

N 03°14'56" W, a distance of 154.30 feet to a 5/8-inch iron rod with cap stamped BROWN & GAY set for corner;

N 86°45'04" E, a distance of 10.00 feet to a point for corner at the edge of an existing building;

N 03°14'56" W, a distance of 24.64 feet to a 5/8-inch iron rod with cap stamped BROWN & GAY set for the point of curvature of a curve to the right;

In a northeasterly direction, 85.79 feet along the arc of said curve to the right having a radius of 483.50 feet, a central angle of 10°10'01" and whose chord bears N 01°50'04" E, 85.68 feet to a 5/8-inch iron rod with cap stamped BROWN & GAY set for the point of compound curvature of a curve to the right;

In a northeasterly direction, 30.74 feet along the arc of said curve to the right having a radius of 25.00 feet, a central angle of 70°27'30" and whose chord bears N 41°46'00" E, 28.84 feet a 5/8-inch iron rod with cap stamped BROWN & GAY set for the most northerly northwest corner of the herein described tract and being in the southern right-of-way line of Allen Parkway (width varies) as described in Volume 736, Page 380 and Volume 1951, Page 535 of the Harris County Deed Records (H.C.D.R.);

THENCE, along said southern right-of-way and the north line of the herein described tract 279.19 feet along the arc of a curve to the right having a radius of 729.39 feet, a central angle of 21°55'52" and whose chord bears S 89°49'05" E, 277.49 feet to a 5/8-inch iron rod with cap stamped BROWN & GAY found for the northeast corner of the herein described tract and the northwest corner of a called 7.353 acre tract being ZOM HOUSTON, a subdivision of record under Film Code No. 560006 of the H.C.M.R.;

THENCE, S 02°23'45" E, along the line common to said Unrestricted Reserve "A" and said 7.353 acre tract 706.61 feet to a 5/8-inch iron rod with cap stamped "BROWN & GAY" found for the southwest corner of said 7.353 acre tract and being an interior ell corner of said Unrestricted Reserve "A";

THENCE, N 86°57'14" E, a distance of 40.02 feet to a 5/8-inch iron rod with cap stamped "BROWN & GAY" set for an exterior ell corner of said Unrestricted Reserve "A";

THENCE, S 02°22'06" E, a distance of 50.00 feet to a 5/8-inch iron rod with cap stamped "BROWN & GAY" set for an interior ell corner of said Unrestricted Reserve "A";

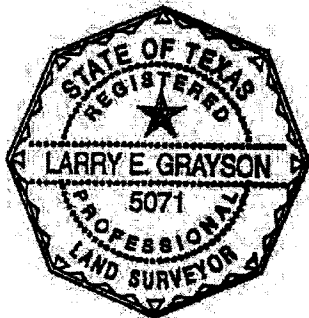
THENCE, N 86°57'14" E, a distance of 84.73 feet to a 5/8-inch iron rod with cap stamped "BROWN & GAY" set for the most easterly northeast corner of said Unrestricted Reserve "A" and the northwest corner of West Dallas Place, a subdivision of record under Film Code No. 398128 of the H.C.M.R.;

BP 926-97-1388

VILLAGE AT ALLEN PARKWAY  
11.08 ACRES  
PAGE 3 OF 3

THENCE, S 02°51'39" E, a distance of 600.94 feet along the line common to said Unrestricted Reserve "A" and said West Dallas Place to the **POINT OF BEGINNING** and containing 11.08 acres of land.

This metes and bounds description was prepared in conjunction with an on the ground survey during the month of June, 2006.



*Larry E. Grayson*  
Larry E. Grayson KPLS No. 5071  
Brown & Gay Engineers, Inc.  
11490 Westheimer Road, Suite 700  
Houston, Texas 77077  
Telephone: (281) 558-8700

Revised 08/23/06

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KP 826-97-1389

# **EXHIBIT B**

## **(Permitted Exceptions)**

1. Standby fees, taxes and assessments by any taxing authority for the year 2006, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership by Grantee on or after the date hereof.
2. Restrictive covenants contained in the map filed for record in Film Code No. 572259 of the Map Records of Harris County, Texas.
3. A sidewalk and utility easement granted to the City of Houston by instrument filed for record under County Clerk's File No. K262840 of the Official Public Records of Real Property of Harris County, Texas.
4. Storm sewer easement granted to the City of Houston, as located and defined by instrument recorded in Volume 786, Page 606 of the Map Records of Harris County, Texas, and as reflected by the map filed for record in Film Code No. 572259 of the Map Records of Harris County, Texas.
5. Building set back line twenty-five (25) feet in width along the north property line, as reflected by the map filed for record in Film Code No. 572259 of the Map Records of Harris County, Texas.
6. Encroachment of building into the building set back line described in item 5 above.
7. Building set back line twenty-five (25) feet in width along the portion of the property dedicated for the widening of Montrose Blvd., as reflected by the map filed for record in Film Code No. 572259 of the Map Records of Harris County, Texas.
8. Encroachment of three buildings into the building set back line described in item 7 above.
9. Building set back line fifteen (15) feet in width along the south property line, as reflected by the map filed for record in Film Code No. 572259 of the Map Records of Harris County, Texas.
10. Improvements extend over the area dedicated for the widening of Montrose Blvd., as shown on the map filed for record in Film Code No. 572259 of the Map Records of Harris County, Texas.
11. An easement five (5) feet in width along the most Easterly line of the subject property together with an unobstructed aerial easement ten (10) feet wide, from a plane twenty (20) feet above the ground upward located adjacent to said five (5) foot wide easement as reserved by Centerpoint Energy Houston Electric, LLC, a Texas limited liability company, as set forth in instrument recorded under Harris County Clerk's File No. X849841 and as reflected by the map filed for record in Film Code No. 572259 of the Map Records of Harris County, Texas.

12. 10' sanitary sewer easement off the easterly side of the property, Volume 2429, Page 376 Deed Records of Harris County, Texas.
13. Encroachment of chain link fence into Montrose Blvd. along the west side of the property.
14. All oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with the same are excepted herefrom as reserved in deed filed for record under County Clerk's File No. P609474 of the Official Public Records of Real Property of Harris County, Texas.

FILED

06 AUG 30 PM 3:14

*County Clerk*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.  
THE STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas on

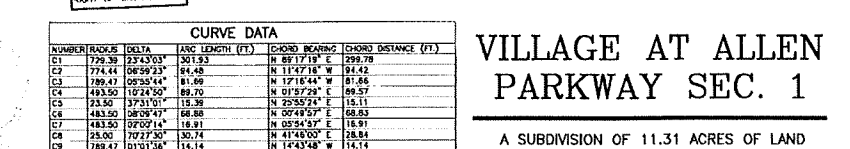
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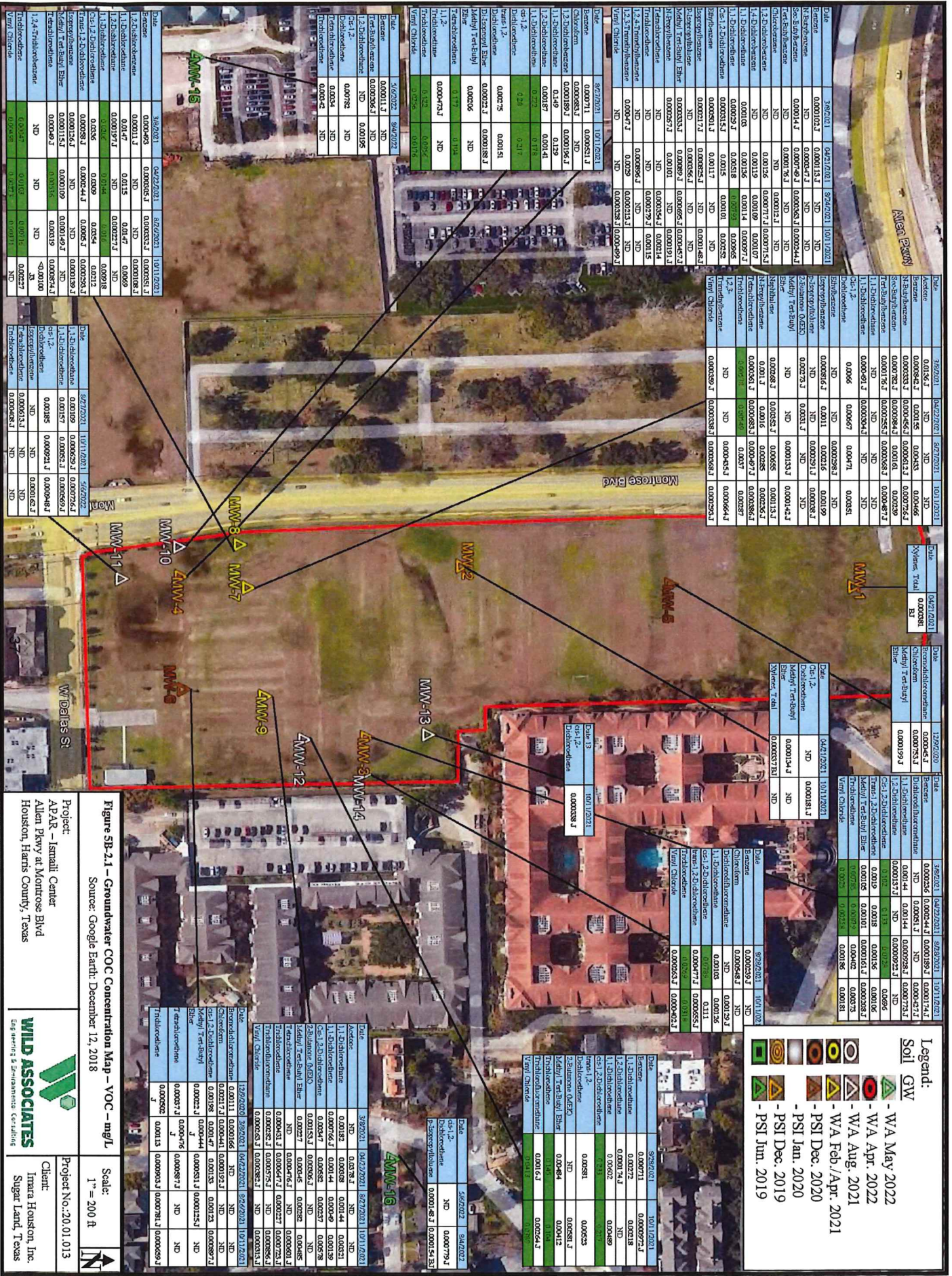
*County Clerk*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

1131-26-928 44

THIS CERTIFICATE IS VALID ONLY AS TO THE INSTRUMENT ON WHICH THE ORIGINAL SIGNATURE IS AFFIXED AND ONLY THEN TO THE EXTENT THAT SUCH INSTRUMENT IS NOT ALTERED



| CURVE DATA |         |           |                 |               |        |               |
|------------|---------|-----------|-----------------|---------------|--------|---------------|
| NUMBER     | RADIUS  | DELTA     | ARC LENGTH (FT) | CHORD BEARING | CHORD  | DISTANCE (FT) |
| C1         | 772.39  | 23°43'03" | 301.93          | N 89°17'18" E | 99.72  |               |
| C2         | 774.44  | 66°56'23" | 84.48           | N 17°41'18" W | 242.48 |               |
| C3         | 789.47  | 05°35'44" | 81.69           | N 17°64'44" W | 81.66  |               |
| C4         | 49.3550 | 10°14'50" | 89.70           | N 05°57'24" E | 89.57  |               |
| C5         | 23.50   | 74°17'07" | 68.88           | N 05°57'24" E | 68.88  |               |
| C6         | 483.50  | 08°06'47" | 68.88           | N 09°47'57" E | 68.88  |               |
| C7         | 683.50  | 92°00'14" | 16.91           | N 03°54'37" E | 116.91 |               |
| C8         | 25.00   | 70°17'30" | 30.74           | N 41°45'03" E | 28.84  |               |
| C9         | 789.47  | 01°07'56" | 14.14           | N 41°45'03" E | 14.14  |               |
| C10        | 25.00   | 01°07'56" | 30.74           | N 14°45'48" W | 62.54  |               |



|            |           |           |           |           |
|------------|-----------|-----------|-----------|-----------|
| APAR-1     | APAR-2    | APAR-3    | APAR-4    | APAR-5    |
| 3/6/2021   | 0.00012 J | 0.00013 J | 0.00014 J | 0.00015 J |
| 3/6/2021   | 0.00016 J | 0.00017 J | 0.00018 J | 0.00019 J |
| 3/6/2021   | 0.00020 J | 0.00021 J | 0.00022 J | 0.00023 J |
| 3/6/2021   | 0.00024 J | 0.00025 J | 0.00026 J | 0.00027 J |
| 3/6/2021   | 0.00028 J | 0.00029 J | 0.00030 J | 0.00031 J |
| 3/6/2021   | 0.00032 J | 0.00033 J | 0.00034 J | 0.00035 J |
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| 3/6/2021   | 0.00044 J | 0.00045 J | 0.00046 J | 0.00047 J |
| 3/6/2021   | 0.00048 J | 0.00049 J | 0.00050 J | 0.00051 J |
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| 3/6/2021   | 0.00056 J | 0.00057 J | 0.00058 J | 0.00059 J |
| 3/6/2021   | 0.00060 J | 0.00061 J | 0.00062 J | 0.00063 J |
| 3/6/2021   | 0.00064 J | 0.00065 J | 0.00066 J | 0.00067 J |
| 3/6/2021   | 0.00068 J | 0.00069 J | 0.00070 J | 0.00071 J |
| 3/6/2021   | 0.00072 J | 0.00073 J | 0.00074 J | 0.00075 J |
| 3/6/2021   | 0.00076 J | 0.00077 J | 0.00078 J | 0.00079 J |
| 3/6/2021   | 0.00080 J | 0.00081 J | 0.00082 J | 0.00083 J |
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| 3/6/2021   | 0.00092 J | 0.00093 J | 0.00094 J | 0.00095 J |
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| 3/6/2021   | 0.00100 J | 0.00101 J | 0.00102 J | 0.00103 J |
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| 3/6/2021   | 0.00108 J | 0.00109 J | 0.00110 J | 0.00111 J |
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| 3/6/2021   | 0.00148 J | 0.00149 J | 0.00150 J | 0.00151 J |
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| 3/6/2021   | 0.00176 J | 0.00177 J | 0.00178 J | 0.00179 J |
| 3/6/2021   | 0.00180 J | 0.00181 J | 0.00182 J | 0.00183 J |
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| 3/6/2021   | 0.00192 J | 0.00193 J | 0.00194 J | 0.00195 J |
| 3/6/2021   | 0.00196 J | 0.00197 J | 0.00198 J | 0.00199 J |
| 3/6/2021   | 0.00200 J | 0.00201 J | 0.00202 J | 0.00203 J |
| 3/6/2021   | 0.00204 J | 0.00205 J | 0.00206 J | 0.00207 J |
| 3/6/2021   | 0.00208 J | 0.00209 J | 0.00210 J | 0.00211 J |
| 3/6/2021   | 0.00212 J | 0.00213 J | 0.00214 J | 0.00215 J |
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Legend:  
20.52 – 10/12/2021  
20.63 – 5/6/2022

\*Groundwater elevations expressed in ft above mean sea level.  
\*Groundwater gradient map based off of the last sampling event that included the original 14 on-site MWs (10/12/2021).  
Note- MW-8, MW-11, and MW-12 readings from 10/11/2021 not used for gradient due to interference from on-site dewatering.  
Note- 5/6/2022 is the most recent sampling event with on-site and off-site groundwater readings. This sampling event is not used for gradient due to interference from on-site dewatering activities, lack of MWs due to P&A of majority of MWs, and distance of MW-15 and MW-16 from the Site.

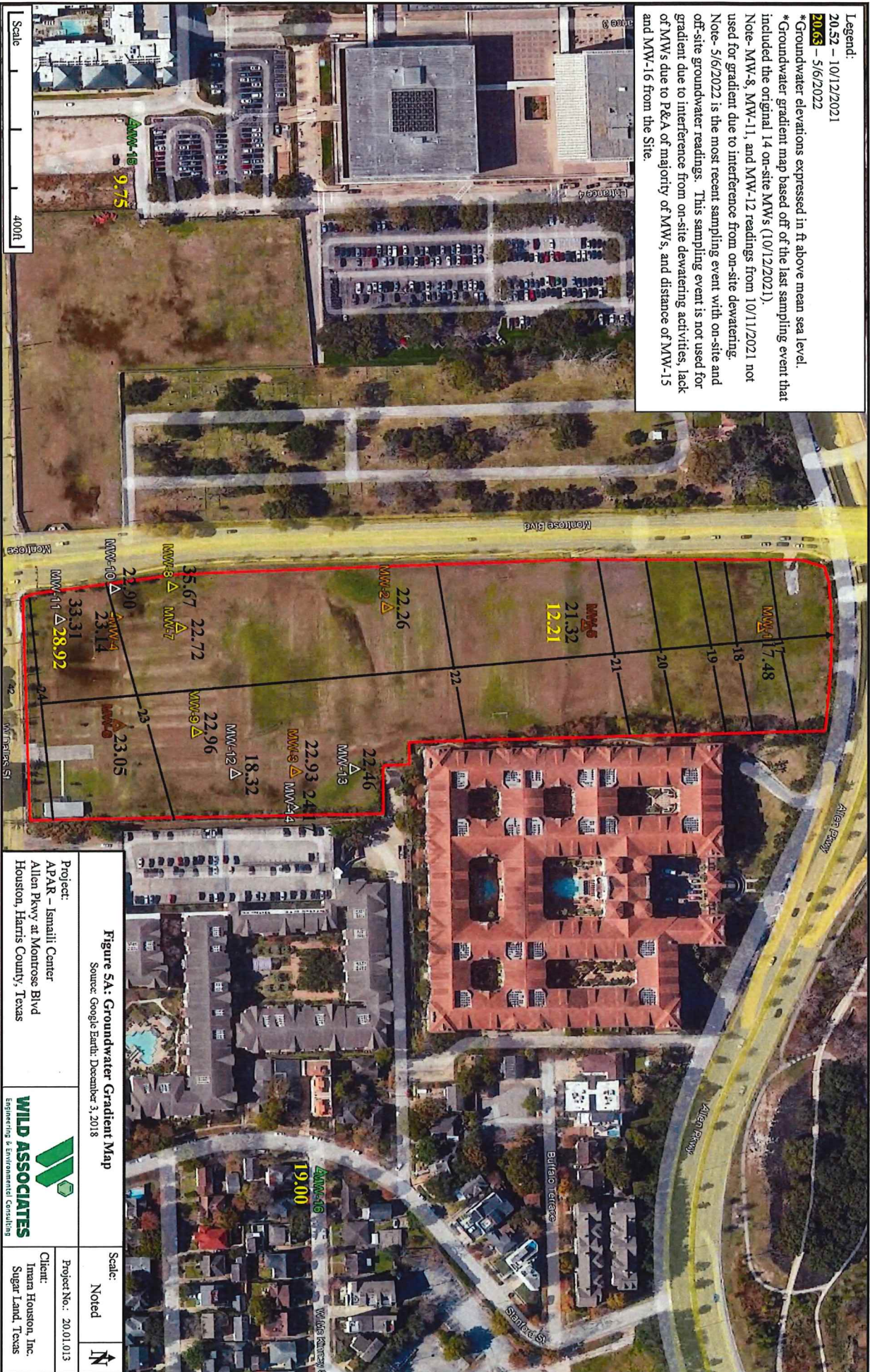


Figure 5A: Groundwater Gradient Map  
Source: Google Earth; December 3, 2018

Project:  
APAR – Ismaili Center  
Allen Pkwy at Montrose Blvd  
Houston, Harris County, Texas

Scale:  
Noted

Client:  
Inera Houston, Inc.  
Sugar Land, Texas





## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 5/9/2025

HPW - 20UPA453 2323 Allen Parkway - MSD

Agenda Item#:

### **Background:**

In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010).

**AGA Khan Foundation U.S.A. (AKF-USA) Known as Imara Houston, Inc Application:** AKF-USA is seeking an MSD for 11.08 acres of land located at 2323 Allen Parkway, Houston, TX 77019. AKF-USA owns the property, with its local entity known as Imara Houston, Inc. The site will be developed into the Ismaili Center Houston (ICH) consisting of an educational/cultural outreach building with landscaped grounds and below-ground parking.

The site is in a high-rent district in downtown Houston and is surrounded by mixed-use, multi-family residential and commercial properties, a cemetery, and a public park between it and Buffalo Bayou, the city's major drainage feature.

In July 2021, the TCEQ conducted an Affected Property Assessment Report (APAR), resulting in a request for more soil sampling to be conducted. In September 2021, Wild Associates conducted the requested work and submitted APAR Addendum #1. In October 2021, the TCEQ requested additional wells delineating off-site impacted groundwater. In June 2022, Wild Associates conducted the requested work and submitted APAR Addendum #2. In July 2022, the TCEQ stated that the impacted groundwater plume had been delineated. The TCEQ understands that the AKF-USA intends to develop a Response Action Plan that addresses soils with Contaminants of Concern above the Total-Soil-Combined Protective Concentration Levels using physical controls, and the contaminated soils were excavated/removed by the applicant before construction. The APAR cannot be approved until the City of Houston approves the MSD.

AGA Khan Foundation U.S.A. (AKF-USA) Known as Imara Houston, Inc. is seeking an MSD for this property to restrict access to groundwater to protect the public against possible exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or can provide drinking water to the MSD property and all properties within one-half mile of the MSD property. A public meeting was held via Microsoft Teams on March 4, 2025, and a public hearing was held on April 7, 2025, during the Quality of Life Council Committee. Both meetings are necessary steps before the City Council considers support.

**Recommendation:** It is recommended that City Council adopt an MSD ordinance prohibiting the use of designated groundwater at the AGA Khan Foundation U.S.A. (AKF-USA) Known as Imara Houston, Inc. site located at 2323 Allen Parkway, Houston, TX 77019 and support an issuance of an MSD by the TCEQ.

DocuSigned by:

5/30/2025

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Randall V. Macchi, JD  
Director, Houston Public Works

### **Contact Information:**

| Name                                       | Service Line                  | Contact No.  |
|--------------------------------------------|-------------------------------|--------------|
| Roberto Medina, Assistant Director         | DO-HPW Council Liaison Office | 832.395.2456 |
| Maria Perez, HPW Agenda Coordinator        | DO-HPW Council Liaison Office | 832.395.2282 |
| Phillip Goodwin, Senior Assistant Director | HPW Houston Water             | 832.395.3075 |

### **ATTACHMENTS:**

#### **Description**

RCA Attachments 2022-165

MSD Acknowledgment Form 2022-165

#### **Type**

Backup Material

Backup Material

## MAYOR'S REQUEST FOR EMERGENCY PASSAGE

To the Honorable City Council of the City of Houston:

In accordance with the provisions of Article VII, Section 7 of the Charter of the City of Houston, I submit and introduce to you the ordinances set out in the attached agenda for the meeting of the City Council of the City of Houston on the 10th and 11th day of JUNE 2025, with the request that all such ordinances, except for those ordinances making a grant of any franchise or special privilege, or requiring multiple readings under state law or the City Charter, be passed finally on the date of their introduction. Other than those items excepted, there exists a public emergency requiring final passage on the date of introduction, and I accordingly request that you pass the same if they meet with your approval.

Signed by:



DATE: JUNE 10, 2025

Mayor of the City of Houston

DocuSigned by:

Cynthia Wilson

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