ORDINANCE NO. 2135

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE TELFAIR WEST COMMERCIAL DISTRICT PLANNED DEVELOPMENT (PD) DISTRICT GENERAL DEVELOPMENT PLAN (GDP) FOR TRACT C-3A AND THE RETAINED TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) RIGHT-OF-WAY CONSISTING OF APPROXIMATELY 8.80 ACRES OF LAND.

WHEREAS, by the adoption of Ordinance 1926 on September 3, 2013, the City Council approved the permanent zoning of 35.9 acres of land located at the northwest corner of U.S. Highway 59 and University Boulevard as zoning district Planned Development (PD) District General Development Plan – Telfair West Commercial District; and

WHEREAS, NNP-Telfair, LLC has requested an amendment to the Telfair West Commercial District Planned Development (PD) District General Development Plan (GDP) for Tract C-3A and the retained Texas Department of Transportation (TxDOT) right-of-way consisting of approximately 8.80 acres of land; and

WHEREAS, the City Planning and Zoning Commission recommended granting such requested amendment; and

WHEREAS, the City Planning and Zoning Commission forwarded its final report to the City Council, recommending approval of the amendment; and

WHEREAS, the City Planning and Zoning Commission and the City Council have each conducted in the time and manner and after notice required by law and applicable ordinances, a public hearing on such requested amendment; and

WHEREAS, the City Council finds that the amendment request complies with the City's comprehensive plan and now deems it appropriate to make such change; and

WHEREAS, for convenience of reference, the City Council wishes to adopt an amendment to the Planned Development (PD) General Development Plan (GDP); NOW, THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS:

- **Section 1.** That the facts and recitations set forth in the preamble of the ordinance are hereby declared true and correct.
- **Section 2.** That General Suburban Development Plan Amendment No. 1 shown in Exhibit B is approved.
- **Section 3.** That the following Exhibits are attached to and incorporated into this ordinance:

Exhibit A, Part 1: Description of 8.426 Acres Exhibit A, Part 2: Description of 0.3705 Acres Exhibit B: General Suburban Development Plan – Amendment No. 1 Exhibit B-1: Zoning Map Exhibit B-2: General Site Layout Exhibit B-3: Permitted Uses Exhibit B-4: Plant List Exhibit B-5: Landscape Plan Exhibit B-6: Pedestrian Circulation Plan Exhibit B-7: Signage Location Plan Exhibit B-8: Cross Sections at U.S. Highway 59 Exhibit B-9: Telfair – University Blvd and Hwy 59 ROW/Concept Design **Section 4.** That the City's official zoning map be amended to reflect this change in zoning district classification. READ IN FULL on first consideration on _______, 2018. APPROVED upon second consideration on ________, 2018. Joe R. Zimmerman, Mayor ATTEST: Glenda Gundermann, City Secretary APPROVED AS TO FORM: Juster Day Attachment: Exhibit A, Part 1: Description of 8.426 Acres Exhibit A, Part 2: Description of 0.3705 Acres Exhibit B: General Suburban Development Plan – Amendment No. 1 Exhibit B-1: Zoning Map Exhibit B-2: General Site Layout Exhibit B-3: Permitted Uses Exhibit B-4: Plant List

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Exhibit B-6: Pedestrian Circulation Plan Exhibit B-7: Signage Location Plan

Exhibit B-8: Cross Sections at U.S. Highway 59

Exhibit B-9: Telfair – University Blvd and Hwy 59 ROW/Concept Design

Exhibit B-5: Landscape Plan

DESCRIPTION OF 8.426 ACRES (367,019 SQUARE FEET)

Being 8.426 acres (367,019 square feet) of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the residue of a called 1,651.239 acre tract conveyed to NNP-Keepsake, L.P., by an instrument of record under File Number 2003149525, Official Public Records of said Fort Bend County (F.B.C.O.P.R.), amended and renamed to NNP-Telfair LP by an instrument of record under File Number 2006007940, F.B.C.O.P.R., now known as NNP-Telfair, LLC by Certificate of Conversion effective date of March 22, 2012 and a portion of that certain called 4.815 acre tract conveyed to NNP-Telfair, LLC by an instrument of record under File Number 2016038380, F.B.C.O.P.R., said 8.426 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

BEGINNING at a brass TxDOT right-of-way disk found at an angle point on the northerly right-of-way line of U.S. Highway No. 59 (width varies) conveyed to the State of Texas by the instruments of record in Volume 460, Page 73, and Volume 1821, Page 962 of the Deed Records of said Fort Bend County, Texas (F.B.C.D.R.) and under File Numbers 2003149525 and 2016038379, F.B.C.O.P.R, said point being on the south line of said 1651.239 acre tract, and being the southeast corner of Commercial Reserve "A" of Automobile Dealership Telfair, a subdivision of record in Plat Number 20160167, of the Plat Records, of said Fort Bend County, (F.B.C.P.R.), said Commercial Reserve "A" conveyed to Group 1 Realty, Inc by an instrument of record under File Number 2013137868, F.B.C.O.P.R.;

Thence, North 37° 30′ 20″ West, along the easterly line of said Commercial Reserve "A", 469.95 feet to a 5/8-inch iron rod with cap stamped "LJA ENG" previously set for the north corner of said Commercial Reserve "A", said point being on the southerly right-of-way line of Cotesworth Avenue, 60 feet wide as shown on Cotesworth Avenue Phase 1 Street Dedication, a subdivision of record in Plat Number 20140181, F.B.C.P.R.;

Thence, along the southerly line of Cotesworth Avenue the following seven (7) courses:

- North 45° 36' 54" East, 50.00 feet to a point for the southeast corner of said Cotesworth Avenue, same being the southwest corner of Cotesworth Avenue, 60 feet wide as shown on Cotesworth Avenue Phase 2 Street Dedication, a subdivision of record in Plat Number 20170067, F.B.C.P.R., the beginning of a curve;
- 2. 116.64 feet along the arc of a tangent curve to the right, having a radius of 520.00 feet, a central angle of 12° 51' 07", and a chord which bears North 52° 02' 28" East, 116.40 feet to a point for corner;
- 3. North 58° 28' 01" East, 52.43 feet to a point for corner, the beginning of a curve;
- 4. 194.53 feet along the arc of a tangent curve to the left, having a radius of 578.75 feet, a central angle of 19° 15' 28", and a chord which bears North 48° 50' 17" East, 193.61 feet to a point for corner;
- 5. North 39° 12' 33" East, 175.24 feet to a point for corner, the beginning of a curve;
- 6. 323.09 feet along the arc of a tangent curve to the right, having a radius of 520.00 feet, a central angle of 35° 35' 57", and a chord which bears North 57° 00' 31" East, 317.92 feet to a point for corner, the beginning of a compound curve;

7. 63.76 feet along the arc of a tangent curve to the right, having a radius of 35.00 feet, a central angle of 104° 22' 16", and a chord which bears South 53° 00' 23" East, 55.30 feet to a point for corner on the west right-of-way line of the aforementioned U.S. Highway No. 59 (an extension of University Boulevard) (width varies) described in File Number 2016038379, F.B.C.O.P.R, said point being on the east line of said 4.815 acre tract;

Thence, South 00° 49' 15" East, along the west right-of-way line of said U.S. Highway No. 59 and the east line of said 4.815 acre tract, 257.95 feet to a 5/8-inch iron rod with an aluminum TxDOT disk found for an angle point on the west line of said U.S. Highway No. 59 and the east line of said 4.815 acre tract;

Thence, South 04° 09' 12" East, continuing along the west right-of-way line of said U.S. Highway No. 59 and the east line of said 4.815 acre tract, 209.02 feet to a 5/8-inch iron rod with an aluminum TxDOT disk found for corner and the northerly end of a radial cut-back corner at the intersection of said west right-of-way line and the northerly right-of-way line of U.S. Highway No. 59 (width varies) described in File Number 2016038379, F.B.C.O.P.R, the beginning of a curve;

Thence, along said radial cut back corner 76.19 feet along the arc of a tangent curve to the right, having a radius of 77.02 feet, a central angle of 56° 40′ 38″, and a chord which bears South 24° 11′ 03″ West, 73.12 feet to a 5/8-inch iron rod with an aluminum TxDOT disk found for corner at the southerly end of said radial cut-back corner;

Thence, South 52° 31' 18" West, continuing along the northerly right-of-way line of said U.S. Highway No. 59 and the southerly line of said 4.815 acre tract, 514.96 feet to a 5/8-inch iron rod with an aluminum TxDOT disk found for the southwest corner of said 4.815 acre tract, same being on a southerly line of the aforementioned 1651.239 acre tract and the northerly right-of-way line of said U.S. Highway No. 59 described in 2003149525, F.B.C.O.P.R., the beginning of a curve;

Thence, continuing along the northerly right-of-way line of said U.S. Highway No. 59 and the southerly line of said 4.815 acre tract, 71.81 feet along the arc of a non-tangent curve to the right, having a radius of 875.69 feet, a central angle of 04° 41′ 54″, and a chord which bears South 27° 56′ 42″ West, 71.79 feet to the POINT OF BEGINNING and containing 8.426 acres (367,019 square feet) of land.

This description is based on record information and does not reflect a recent on the ground survey. Corner monuments were not set at the client's request.

LJA Engineering, Inc.



EXHIBIT - A PART 2

May 3, 2018 Job No. 1800-0155A

DESCRIPTION OF 0.3705 ACRE (16,140 SQUARE FEET)

Being 0.3705 acre (16,140 square feet) of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the U.S. Highway No. 59 right-of-way bounded on the north and west by a called 4.815 acre tract conveyed to NNP Telfair, LLC by an instrument of record under File Number 2016038380 in the Official Public Records of Fort Bend County, Texas (F.B.C.O.P.R.), said 0.3705 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

COMMENCING for reference at a 5/8-inch iron rod with cap stamped "LJA ENG" found marking the northeast corner of Cotesworth Avenue (60 feet wide) as shown on Cotesworth Avenue Phase 2 Street Dedication, a subdivision of record under Plat Number 20170067 in the Plat Records of Fort Bend County, Texas (F.B.C.P.R.), said point being on the west right-of-way line of University Boulevard (width varies) as shown on University Boulevard Phase One, a subdivision of record on Plat Number 20060062, F.B.C.P.R., from which a 5/8-inch iron rod with cap stamped "LJA ENG" found for the west end of a radial cutback curve on the north right-of-way line of said Cotesworth Avenue bears South 37° 33' 28" West, 46.42 feet;

Thence, South 06° 45' 47" West, 96.11 feet to the north corner and POINT OF BEGINNING of the herein described tract, same being the north corner of said 4.815 acre tract;

Thence, South 02° 11' 36" East, 575.40 feet to a point for corner;

Thence, South 51° 32' 12" West, 606.43 feet to a point for corner, same being the southeast corner of Automobile Dealership Telfair, a subdivision of record under Plat Number 20160167, F.B.C.P.R., the beginning of a curve;

Thence, 71.81 feet along the arc of a non-tangent curve to the left, having a radius of 885.21 feet, a central angle of 04° 38′ 52″, and a chord which bears North 27° 56′ 42″ East 71.79 feet to a point for corner, same being the southwest corner of said 4.815 acre tract;

Thence, with the south and east lines of said 4.815 acre tract the following four (4) courses:

- 1. North 52° 31' 18" East, 514.96 feet to a point for corner, the beginning of a curve;
- 2. 76.19 feet along the arc of a tangent curve to the left, having a radius of 77.02 feet, a central angle of 56° 40′ 38″, and a chord which bears North 24° 11′ 03″ East 73.12 feet to a point for corner;
- 3. North 04° 09' 12" West, 209.02 feet to a point for corner;
- 4. North 00° 49' 15" West, 300.30 feet to the POINT OF BEGINNING and containing 0.371 acre (16,140 square feet) of land.

Corner monuments were not set at the client's request.

This document is not intended for property conveyance and is intended solely as a general description of said land. It is not based on a ground survey and does not implicate that corners are monumented.

LJA Surveying, Inc.

GENERAL SUBURBAN DEVELOPMENT PLAN – AMENDMENT NO. 1 Telfair West Commercial District Tract C-3A – 8.7965 Acres

- **A. Contents.** This amended, general development plan includes the following sections:
 - General Provisions
 - Land Uses
 - Development Regulations
 - Landscape Regulations
 - Pedestrian Circulation Regulations
 - Freestanding Signs
 - Building Regulations
- B. General Provisions, Exhibits, and Definitions.
 - 1. The PD approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City. If any provision or regulation of any City ordinance applicable in a B-2 (General Business) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the B-2 zoning district in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City regulation or provision conflicts with a provision of this ordinance.
 - 2. The PD shall be developed in accordance with the following exhibits that are attached to and made part of this General Development Plan:

Exhibit A, Part 1: Description of 8.426 Acres
Exhibit A, Part 2: Description of 0.3705 Acres

Exhibit B: General Suburban Development Plan – Amendment No. 1

Exhibit B-1: Zoning Map

Exhibit B-2: General Site Layout
Exhibit B-3: Permitted Uses
Exhibit B-4: Plant List

Exhibit B-5: Landscape Plan

Exhibit B 6: Padastrian Circula

Exhibit B-6: Pedestrian Circulation Plan
Exhibit B-7: Signage Location Plan

Exhibit B-8: Cross Sections at U.S. Highway 59

Exhibit B-9: Telfair – University Blvd and Hwy 59 ROW/Concept Design

- 3. As shown on Exhibit B-1, *Zoning Map*, the PD amendment regards 8.7965 acres at the northwest corner of U.S. Highway 59 (Interstate Highway 69) at University Boulevard.
- 4. A single Final Development Plan shall be prepared for the entire 8.7965 acres.
- 5. Except as otherwise provided herein, the words used in this general development plan have the meaning established by the Development Code. In this ordinance:

Arcade means an outdoor covered passageway with a minimum 6-foot width that is intended for pedestrians and lined with shops or offices.

Acura Telfair means the approved Final Development Plan for an automotive dealership at the northeast corner of U.S. Highway 59 at Addison Avenue that adjoins the west property line of the PD, established by City of Sugar Land Ordinance No. 2056.

Offset means either an abrupt change in the dimension or profile of a building wall, or a horizontal ledge on the face of a wall formed by the diminution of its thickness above.

Open Space means the portion of all land contained within the PD that is not covered by buildings, parking lots, driveways, improved pedestrian areas (outside of publicly accessible plazas), or other impermeable material.

Original General Development Plan means the original General Development Plan for the Telfair West Commercial District, as established by City of Sugar Land Ordinance No. 1926.

P.A.E./P.U.E.: Private Access Easement (P.A.E.) means a street or drive that is privately owned and maintained by a property owners' association or other entity that is not the City of Sugar Land; also referred to as an internal access easement. The P.A.E. serves as an ingress/egress for police, fire, emergency vehicles and utility vehicles. *Public Utility Easement (P.U.E.)* means a location that 1) allows the City of Sugar Land or similar public entity the right to construct and install public infrastructure such as water, sanitary sewer, storm sewer, and other utilities, and 2) provide the public entity ingress/egress rights to such location as needed for operations, maintenance, and repair of the public infrastructure.

PD means the amended planned development district created by this ordinance.

Pavers mean colored interlocking bricks, tiles, stones, blocks, or concrete units.

Retail means a commercial establishment engaged in the selling of goods and merchandise to the general public and rendering services incidental to the sale of such goods.

U.S. Highway 59 means the adjacent controlled access highway that is owned by the State of Texas and managed by the Texas Department of Transportation. The highway is also referred to as Interstate Highway 69 and/or the Southwest Freeway.

C. Land Uses.

- 1. Permitted land uses are listed in Exhibit B-3, *Permitted Uses*. All other land uses are prohibited including a car dealer (SIC #5511) and the storage of fleet vehicles for any use.
- 2. Certain land uses are permitted when developed under specified conditions as established in the Notes section of Exhibit B-3, *Permitted Uses*.
- 3. Fleet vehicle storage is prohibited for all permitted uses in the PD.
- **D. Development Regulations** All sites within the PD shall be developed in accordance with the following development regulations:
 - 1. Vehicular access:
 - (a) No vehicular access points (i.e. driveways) shall be provided to either University Boulevard or U.S. Highway 59.
 - (b) Multiple access points shall be provided to Cotesworth Avenue with a minimum separation of 75 feet per Table 5-51.1 of the City of Sugar Land Subdivision Regulations.

- (c) Within the PD, vehicular cross-access shall be provided between adjacent reserves and as required for Fire Department emergency access.
- (d) Cross-access easements shall be shown on the plat for the property.
- 2. Maximum height of structures: 150 feet above ground level.
- 3. Building size: No individual retail use shall have a floor area greater than 70,000 square feet.
- 4. Minimum building setbacks:

(a) Abutting U.S. Highway 59: 35 feet, widening to 50 feet at the Acura

Telfair property line as shown on Exhibit

B-2, General Site Layout.

(b) Abutting University Boulevard: 40 feet(c) Abutting Cotesworth Avenue: 15 feet

(d) Abutting P.A.E./P.U.E.: 15 feet, as measured from the nearest edge

of the easement

(e) Abutting Cross Access Easement: 6 feet, as measured from the nearest edge

of the easement

(f) Abutting Acura Telfair property line: 10 feet

(g) All other property lines: None required if adjoining another building,

10 foot minimum if not adjoining.

5. Minimum parking lot setbacks:

(a) Abutting U.S. Highway 59: 35 feet, widening to 50 feet at the Acura

Telfair property line as shown on Exhibit

B-2, General Site Layout.

(b) Abutting University Boulevard: 40 feet(c) Abutting Cotesworth Avenue: 15 feet

(d) Abutting P.A.E./P.U.E.: 15 feet, as measured from the nearest edge

of the easement

(e) Abutting Cross Access Easement: 6 feet, as measured from the nearest edge

of the easement

(f) Abutting Acura Telfair property line: 6 feet (g) All other property lines: 6 feet

6. Paving:

- (a) All parking lots, driveways, and vehicle use areas outside of individual building parcels must be constructed of concrete.
- (b) All driveways and access easements within individual building parcels may be paved with a concrete surface or pavers, as defined herein, of similar style and color supported by a 6 inch reinforced concrete tray and a sub-grade per City design standards.
- 7. Outside use: Merchandise may be displayed or stored outside the building on the same premises if the merchandise:
 - (a) Is not located on public property or within a required building setback, parking lot setback, parking space or drive aisle;
 - (b) Is delineated within a specific area shown on the Final Development Plan;
 - (c) Is owned by the owner or lessee of the building; and
 - (d) Occupies a contiguous area less than 10% of the ground floor area of the attendant building or tenant space, but no greater than 5,000 square feet.

- (e) Merchandise area must be integrated into the architecture of the building and/or must be screened from street view with architectural materials that match the main building.
- 8. Exterior service areas and mechanical equipment:
 - (a) Areas used to hold refuse containers must be screened from public view with a solid enclosure constructed with brick, stone, split-face block, or concrete panel, not less than 6 feet in height. Enclosure doors must have a steel frame and opaque doors made of wood, or factory-coated or painted metal.
 - (b) Exterior ground-mounted or building-mounted equipment to serve a building, including mechanical equipment, utility meter banks, and heating or cooling equipment must be screened from public view with landscaping or with an architectural treatment compatible with the building architecture.
 - (c) All rooftop equipment must be screened from public view with an architectural treatment which is compatible with the building architecture. Screening methods include the use of parapet walls and the encasement of partition screens.
- 9. Bicycle parking shall be provided per Section 2-222 of the Development Code and shall be located no more than 50 feet from a building entrance.
- 10. Outdoor speakers: No restrictions; site is more than 500 feet from a residential lot line as shown on Exhibit B-1, *Zoning Map*.
- **E. Landscape Regulations** All sites within the PD shall be developed in accordance with the following landscape regulations:
 - 1. Minimum widths for landscape buffers, continuous along:

(a) U.S. Highway 59: 35 feet, widening to 50 feet at the Acura

Telfair property line as shown on Exhibit

B-2, General Site Layout.

(b) University Boulevard: 40 feet (c) Cotesworth Avenue: 15 feet

(d) P.A.E./P.U.E.: 15 feet, as measured from the nearest edge

of the easement

(e) Cross Access Easement: 6 feet, as measured from the nearest edge

of the easement

(f) Acura Telfair property line: 6 feet (g) All other property lines: 6 feet

- 2. Landscape buffers: Buffers may include vehicular driveways perpendicular to the length of the buffer, freestanding signs, sidepaths, sidewalks, pedestrian walkways, and pedestrian plazas. Buffers may also be used for future transit stops.
- 3. Minimum open space: 15% per parcel (inclusive of landscape buffers).
- 4. Plant species used to satisfy the requirements of the PD shall be those listed on Exhibit B-4, *Plant List*.
- 5. Shade trees:
 - (a) Along U.S. Highway 59, one tree shall be located in the required landscape buffer for each 30 feet of highway frontage, or portion thereof, measured along the right-of-way line.

- (b) Along University Boulevard and Cotesworth Avenue, one tree shall be located in the required landscape buffer for each 30 feet of street frontage, or portion thereof, measured along the right-of-way line.
- (c) Required trees may be clustered or spaced linearly; they need not be placed evenly.
- (d) All shade trees within the PD shall have a minimum 4-inch caliper and minimum 10-foot height as measured at ground level when planted.
- 6. Shrubs used for screening and buffering shall be planted in a double row of 36 inches tall and planted triangularly spaced 36 inches on center.
- 7. As shown on Exhibit B-5, Landscape Plan, and Exhibit B-8, Cross Sections at U.S. Highway 59, shrubs and ornamental grasses may be planted within the 30-foot pipeline easement, but no shade or ornamental trees will be permitted. All plantings within the easement are subject to approval by the pipeline easement owner.
- 8. As shown on Exhibits B-5, B-8 and B-9, trees and shrubs will be planted within the retained State right-of-way described in Exhibit A, Part 2, subject to approval by the Texas Department of Transportation. Such trees and shrubs shall be maintained by the Telfair Commercial Association.
- **F. Pedestrian Circulation Regulations** All sites within the PD shall be developed in accordance with the following pedestrian circulation regulations:
 - 1. Sidepaths, sidewalks, and pedestrian easements shall be provided as shown on Exhibit B-6, *Pedestrian Circulation Plan*, and described below:
 - (a) A continuous sidepath with a minimum 10-foot width shall be required along University Boulevard.
 - (b) A continuous sidewalk with a minimum 6-foot width shall be required along Cotesworth Avenue and internal access easements.
 - (c) A 14-foot pedestrian access easement shall be provided along U.S. Highway 59 for a possible future 10-foot sidepath.

2. Pedestrian walkways:

- (a) Pedestrian walkways required in this section shall meet the following criteria:
 - (i) Minimum 6-foot width;
 - (ii) Readily visible and free of encroachment by parked vehicles;
 - (iii) Paved with concrete or other masonry products differentiated from the driveway and parking area through the use of color, texture and materials;
 - (iv) Predominantly shaded with street trees at one per 30 linear feet of walkway or building canopies
 - (v) Lighted with pedestrian-scaled fixtures.
- (b) A pedestrian walkway shall be provided to connect the primary building entrance to the public street sidewalk. Pedestrian amenities, to be specified in the Final Development Plan, shall be provided at the intersection of the walkway with the sidewalk.
- (c) A pedestrian walkway shall be provided to connect a building entrance to adjacent retail use within the PD.
- (d) For land uses with parking located between the street and the building, at least one walkway shall be provided to and through its associated parking area to connect a building entrance to a public street sidewalk.

- 3. A public pedestrian plaza as shown on Exhibit B-6 shall be located along University Boulevard and shall include the following features:
 - (a) Minimum size of 500 square feet
 - (b) Decorative paving pattern
 - (c) At least 2 benches or picnic tables
 - (d) At least 2 shade trees
 - (e) Decorative lighting
 - (f) Bicycle parking for at least 4 bicycles.

G. Freestanding Signs.

1. Fronting on U.S. Highway 59:

(a) Maximum effective area: 150 square feet

(b) Maximum height: 12 feet

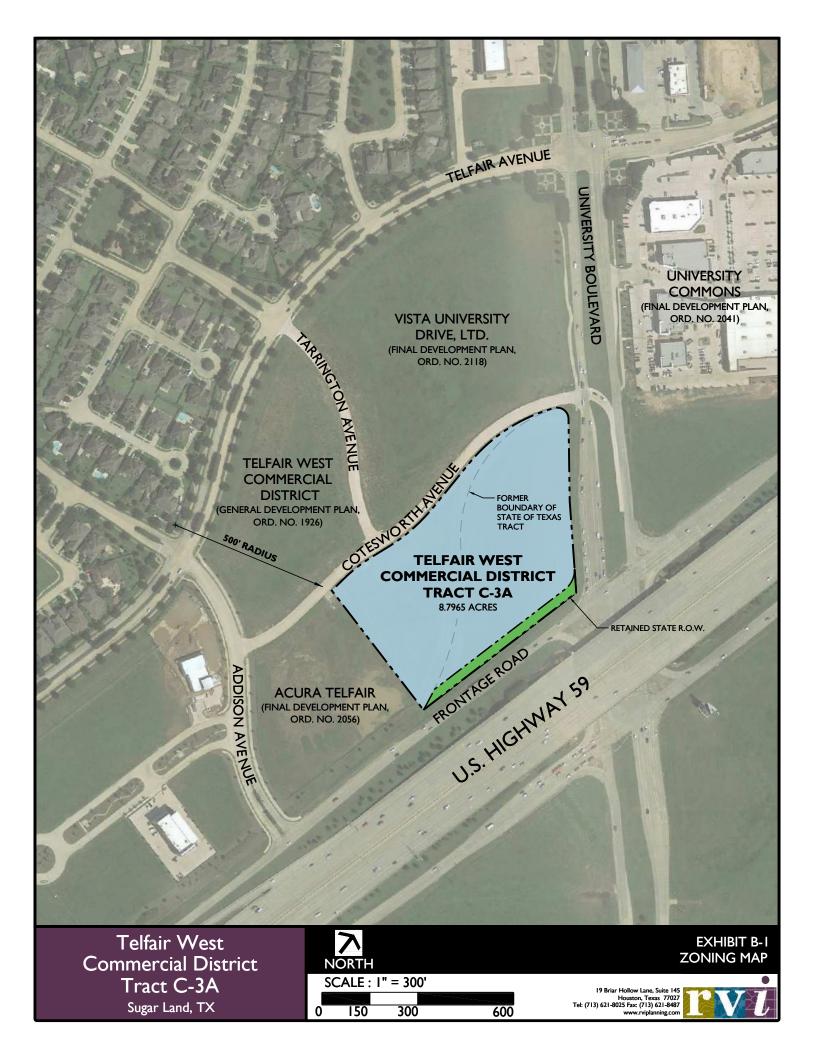
(c) Number per feet of frontage: 1 per 250 feet

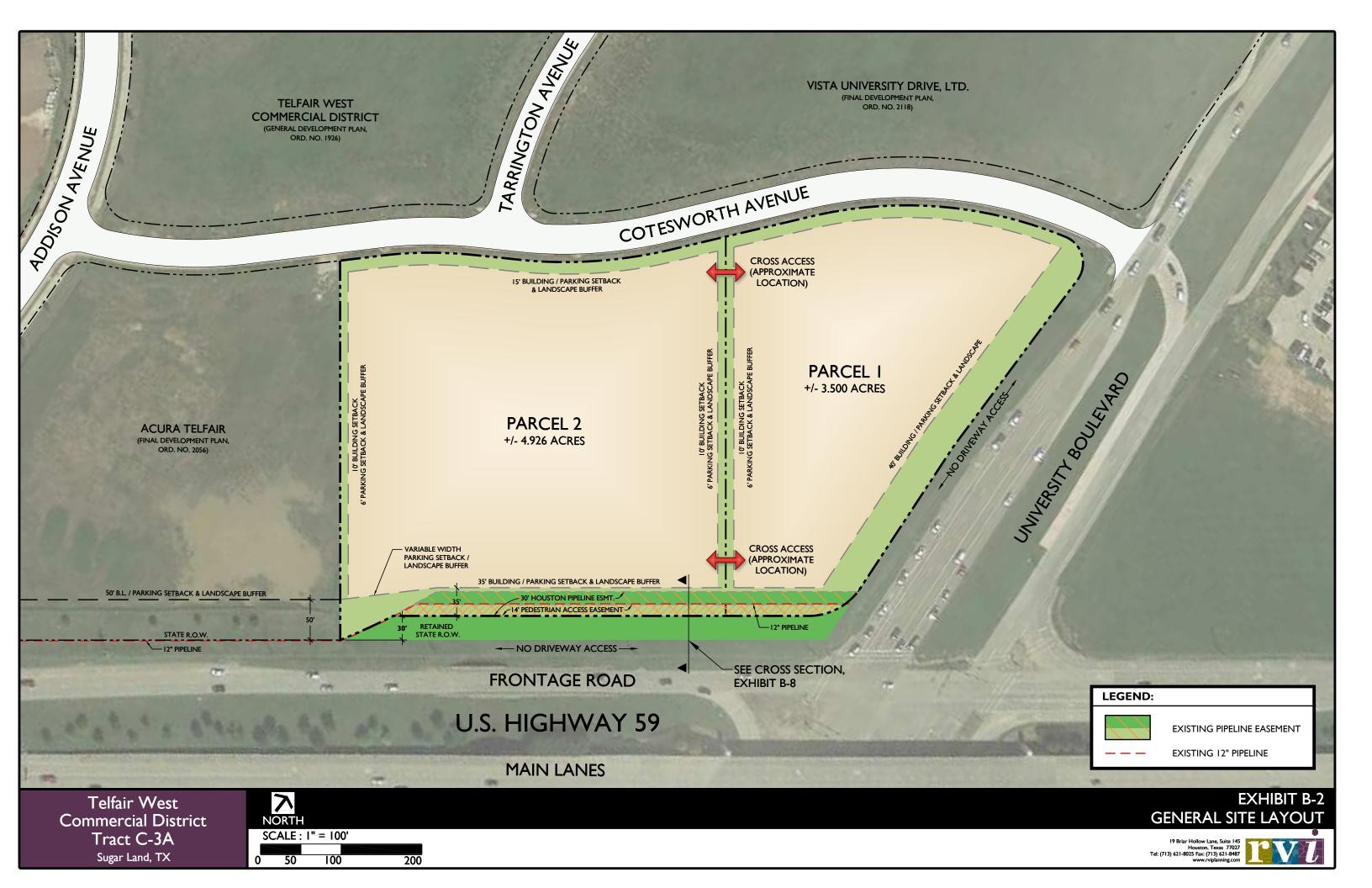
- 2. Minimum spacing:
 - (a) Freestanding sign must not be located within 250 feet of another freestanding sign.
 - (b) Freestanding signs shall be located in accordance with Exhibit B-7, Signage Location Plan.
- 3. All information on one supporting structure is counted as one sign for purposes of applying the regulations on the number of freestanding signs allowed on any one property.
- 4. Exterior finishes for freestanding signs shall be established in the Final Development Plan.
- 5. Additional regulations on freestanding signs within the Development Code, Section 4-24, remain applicable.
- **H. Building Regulations** Buildings within the PD shall be developed in accordance with the following building regulations:
 - 1. Buildings shall be designed in accordance with the following criteria:
 - (a) Break up the horizontal and vertical building planes through offsets, changes in building materials, colors and textures, or other methods; and
 - (b) Incorporate architectural details that create shade and cast shadows to provide visual relief.
 - (c) Facades greater than 100 feet in length that face public streets or P.A.E./P.U.E.'s shall incorporate offsets having a minimum depth of at least 5 feet, and extending at least 20% of the length of the façade.
 - (d) No uninterrupted length of a façade shall exceed 100 feet.
 - 2. Building finishes:
 - (a) Primary Finish means an exterior finish consisting of brick, stone (natural, cast, or cultured-textured), and glass.
 - (b) Secondary Finish means an exterior finish consisting of stucco, wood, concrete masonry units (indented, hammered, or split face concrete), concrete panels and fiber cement siding.

- (c) Primary Finishes shall comprise at least 85% of each façade. The remaining portion of an exterior wall that is not required to be constructed of a Primary Finish must be constructed of a Secondary Finish.
- (d) No single Primary Finish material shall cover more than 80% of the front of any building.
- (e) Use of architectural metals is limited to canopies, parapet walls, roof systems, and miscellaneous trim work, and such use shall meet the durability standards of the Development Code.
- (f) The Director may approve alternative Primary or Secondary Finishes not specified in this article if the Director determines that the alternative finish is substantially equal to or better than a specified Primary or Secondary Finish in quality, durability, and appearance and the use thereof will not violate any provision of this article.
- (g) The following materials shall not be used for a Primary or Secondary Finish:
 - i. Vinyl siding, wood fiber hardboard siding, oriented strand board siding, corrugated or ribbed metal, plastic, or fiberglass panels;
 - ii. Galvanized, aluminum coated, zinc-aluminum coated or unpainted exterior metal finishes;
 - iii. Unfired or underfired clay, sand, or shale brick;
 - iv. Smooth or untextured concrete finishes;
 - v. Exterior Insulated Finish Systems (E.I.F.S.).

3. Building features:

- (a) Canopies shall be provided at all building entrances intended for pedestrians that face a public street or P.A.E./P.U.E. Canopies may be structural extensions of the building or constructed of fabric attached to the building. An individual canopy shall cover a ground area of at least 20 square feet.
- (b) Any street-facing façade (front or side street) of a retail building within 50 feet of public street right-of-way or P.A.E./P.U.E. shall be at least 25% transparent in order to permit visibility between building occupants and outdoor pedestrians and motor vehicle drivers
- (c) Ground floor facades for multi-tenant retail buildings that face public streets or P.A.E./P.U.E.'s shall have storefronts, canopies, arcades, display windows, entry areas, awnings or other features along at least 50% of their horizontal length.
- 4. All facades of an individual building and the facades of multiple buildings within a single development shall be of complementary architectural design, color and materials where facing or siding to a public street, internal access easement or pedestrian walkway
- 5. Screening walls, wing walls, columns, and similar building extensions and supports shall be of complementary architectural design, color and materials as the building or structure to which they are attached.





PERMITTED USES

Telfair West Commercial District - Tract C-3A

USES	SIC CODE
Office of Veterinarians (small animals only, no overnight boarding except for	
surgery, no livestock or outdoor runs permitted)	742
TRANSPORTATION SERVICES & COMMUNICATIONS:	
Travel Agencies	4724
Radiotelephone Communications (no towers)	4812
Telephone Communications, Except Radiotelephone (no towers)	4813
Cable and Other Pay Television Services	4841
Miscellaneous Communications Service (except equipment repair or bucket trucks on site) (no towers)	4899
RETAIL TRADE:	
Paint, Glass and Wallpaper Stores	5231
Hardware Stores	5251
Department Stores	5311
Variety Stores	5331
Miscellaneous General Merchandise, only as follows:	5399
Catalog Showroom, General Merchandise, Except Catalog	
Country General Stores - Retail	
General Merchandise Stores - Retail	
General Stores - Retail	
Grocery Stores	5411
Meat and Fish (Seafood) Markets	5421
Fruit and Vegetable Markets	5431
Candy, Nut and Confectionery Stores	5441
Dairy Products Stores	5451
Retail Bakeries	5461
Miscellaneous Food Stores (excludes outdoor farmers' market-type stores)	5499
Men's and Boy's Clothing Stores	5611
Women's Clothing Stores	5621
Women's Accessory & Specialty Stores	5632
Children's and Infants' Wear Stores	5641
Family Clothing Stores	5651
Shoe Stores	5661
Misc. Apparel & Accessory Stores	5699
Furniture and Home Furnishings Stores	5712-5719
Household Appliance Store	5722
Radio, Television, Computer & Musical Instrument Stores	5731-5736
Eating and Drinking Places	5812-5813
Drug Stores and Proprietary Stores (with or without drive-thru)	5912
Wine and Liquor Stores	5921
Used Merchandise Stores, only as follows:	5932

Antique Stores – Retail

Book Stores, Secondhand - Retail

Furniture Stores, Secondhand – Retail

Furniture, Antique – Retail

Glassware, Antique - Retail

Home Furnishings, Antique – Retail

Manuscripts, Rare - Retail

Musical Instrument Stores, Secondhand - Retail

PERMITTED USES

Telfair West Commercial District – Tract C-3A

USES	SIC CODE	
Objects of Art, Antique – Retail		
Phonograph and Phonograph Record Stores, Secondhand- Retail		
Sporting Goods Stores and Bicycle Shops	5941	
Book Stores	5942	
Card and Stationery Stores	5943	
Jewelry Stores	5944	
Craft, Hobby, Toy and Game Shops	5945	
Camera and Photographic Supply Stores	5946	
Gift, Novelty and Souvenir Shops	5947	
Luggage and Leather Goods	5948	
Sewing, Needlework, and Piece Goods Stores	5949	
Florists	5992	
News Dealers and Newsstands	5994	
Optical Goods Stores	5995	
Miscellaneous Retail Stores (not elsewhere classified), only as follows:	5999	

Architectural Supplies

Art Dealers

Artificial Flowers

Artists' Supply and Material Stores

Autograph and Philatelist Supply Stores

Baby Carriages

Banner Shops

Cake Decorating Supplies

Candle Shops

Coin Shops (except mail-order)

Cosmetics Stores

Electric Razor Shops

Flag Shops

Gem Stones (rough)

Hearing Aids

Orthopedic and Artificial Limb Stores

Pet Food Stores

Pet Shops (no outdoor runs allowed)

Picture Frames (ready-made)

Police Supply Stores

Religious Goods Stores (other than books)

Rock and Stone Specimens

Rubber Stamp Stores

Stamps, Philatelist (except mail-order)

Stones, Crystalline (rough)

Telephone Stores

Telescopes

Trophy Shops

Typewriter Stores

FINANCE, INSURANCE, AND REAL ESTATE:

Commercial Banks	6021-6029
Savings Institutions	6035-6036
Credit Unions	6061-6062
Foreign Bank and Branches and Agencies	6081-6082
Federal and Federal-Sponsored Credit	6111

PERMITTED USES

Telfair West Commercial District – Tract C-3A

USES	SIC CODE	
Personal Credit Institutions (except payday or auto title loans)	6141	See Note 1
Business Credit Institutions	6153-6159	
Mortgage Bankers and Brokers	6162-6163	
Security and Commodity Brokers	6211-6289	
Insurance Carriers	6311-6399	
Insurance Agents, Brokers and Service	6411	
Operators of Non-residential Buildings	6512	
Operators of Apartment Buildings (off-site management only)	6513	
Operators of Dwellings other than Apartment Buildings	6514	
Real Estate Agents and Managers	6531	
Title Abstract Offices	6541	
Land Subdividers and Developers (except cemetery)	6712	
Offices of Bank Holding Companies	6719	
Offices of Holding Companies (not elsewhere classified)	6722	
Management Investment Offices, Open-End	6726	
Unit Investment Trusts and Face-Amount Certificate Offices	6732	
Educational, Religious, and Charitable Trusts	6733	·
Trusts, except Educational, Religious, and Charitable	6792	
Oil Royalty Traders	6794	
Patent Owners and Lessors	6799	<u> </u>

SERVICES

Hotels	7011	See Note 2
Garment Pressing, and Agents for Laundries and Dry Cleaners		See Note 3
- (Pressing and Pickup-Drop off Only)	7212	
Photographic Studios, Portraits	7221	
Beauty Shop	7231	
Barber Shop	7241	
Shoe Repair Shop and Shoeshine Parlors	7251	
Tax Return Preparation Services	7291	

Miscellaneous Personal Services (not elsewhere classified), only as follows: 7299

Babysitting Bureaus

Birth Certificate Agencies

Car Title and Tag Service

Clothing Rental, except Industrial Launderers and Linen Supply

College Clearinghouses

Computer Photography or Portraits

Consumer Buying Service

Costume Rental

Dating Service

Debt Counseling or Adjustment Service to Individuals

Depilatory Salons

Diet Workshops

Hair Removal (electrolysis)

Marriage Bureaus

Porter Service

Quilting for Individuals

Scalp Treatment Service

Shopping Service for Individuals

Tanning Salons

Tuxedo Rental

PERMITTED USES

Telfair West Commercial District - Tract C-3A

USES	SIC CODE
Valet Parking	_
Wardrobe Service, except Theatrical	
Advertising Agencies	7311
Outdoor Advertising Services	7312
Radio, Television and Publishers' Representatives	7313
Advertising Services (not elsewhere classified), only as follows:	7319
Aerial Advertising	
Bus Card Advertising	
Circular Distributing Service	
Coupon Distribution	
Display Advertising (except outdoor)	
Handbill Distribution Service	
Media Buying Service	
Poster Advertising Service (except outdoor)	
Samples (distribution of)	
Shopping News Advertising and Distributing Service	
Taxicab Card Advertising	
Transit Advertising	
Credit Reporting and Collection	7322-7323
Mailing, Reproduction, Stenographic	7331-7338
Services to Buildings	7342-7349
Medical Equipment Rental and Leasing	7352
Equipment Rental and Leasing (not elsewhere classified), only as follows:	7359
Consumer Electronics, Appliances and Home & Garden Tools	
Office Machinery and Equipment	
Party Supplies including Dishes, Silverware and Tables	
Personnel Supply Services	7361-7363
Computer Programming and Data Processing Services	7371-7378
Computer Related Services (not elsewhere classified), only as follows:	7379
Computer Consultants	
Data Base Developers	
Data Processing Consultants	
Disk and Diskette Conversion Services	
Disk and Diskette Recertification Services	
Requirements Analysis (computer hardware)	
Tape Recertification Service	
Security Systems Services	7382
News Syndicates	7383
Photofinishing Laboratories	7384
Miscellaneous Business Services (not elsewhere classified), only as follows: Agents and Brokers for Authors and Nonperforming Artists	7389

Agents and Brokers for Authors and Nonperforming Artists

Appraisers (except real estate appraisers)

Arbitration and Conciliation Services

Artists' Agents and Brokers (except performing artists)

Authors' Agents and Brokers

Business Brokers (buying and selling business enterprises)

Charge Account Service (shopping plates) Collection by Individual

Check Validation Service

Contractors' Disbursement Control

Convention Bureaus

Convention Decorators

PERMITTED USES

Telfair West Commercial District - Tract C-3A

USES SIC CODE

Copyright Protection Service

Credit Card Service (collection by individual firms)

Directories, Telephone (distribution on a contract or fee basis)

Drafting Service (except temporary help)

Drawback Service, Customs

Embroidering on Advertising on Shirts, etc.

Engrossing (e.g. diplomas and resolutions)

Florists' Telegraph Service

Folding and Refolding Service (textile and apparel)

Fundraising on a Contract or Fee Basis

Handwriting Analysis

Hosiery Pairing on a Contract or Fee Basis

Hotel Reservation Service

Identification Engraving Service

Inspection of Commodities (not connected with transportation)

Interior Decorating Consulting Service (except painters and paper)

Interior Designing Service (except painters and paper hangers)

Inventory Computing Service

Laminating of Photographs (coating photographs with plastics)

Lecture Bureaus

Lettering Service

Map Drafting Service

Mapmaking, Including Aerial

Message Service (telephone answering except beeper service)

Meter Readers (remote)

Microfilm Recording and Developing Service

Mounting Merchandise on Cards on a Contract or Fee Basis

Music Distribution Systems (except coin-operated)

Notaries Public

Packaging and Labeling Service (not packaging and crating)

Paralegal Service

Parcel Packaging Service (packaging)

Patent Brokers

Photogrammetric Mapping Service (not professional engineers)

Photographic Library Service, Still

Photography Brokers

Playwrights' Brokers

Post Office Contract Stations

Press Clipping Service

Printed Circuitry Graphic Layout

Process Serving Service

Promoters of Home Shows and Flower Shows

Radio Broadcasting Music Checkers

Radio Transcription Service (no towers)

Recording Studios on a Contract or Fee Basis

Restaurant Reservation Service

Safety Inspection Service (except automotive)

Shoe Designers

Showcard Painting

Speakers' Bureaus

Styling of Fashions, Apparel, Furniture and Textiles

Styling of Wigs for the Trade

PERMITTED USES

Telfair West Commercial District – Tract C-3A

SIC CODE **USES** Switchboard Operation of Private Branch Exchanges Tax Collection Agencies (city, county, State or other special taxing entity) Tax Title Dealers (agencies for city, county or State) Telemarketing (Telephone Marketing) Service on a Contract or Fee Basis Telephone Answering (except beeper service) Telephone Solicitation Service on a Contract or Fee Basis **Textile Designers** Time-share Condominium Exchanges **Tourist Information Bureaus** Translation Service Welcoming Service Electrical and Electronic Repair Shops 7622-7629 Watch, Clock, and Jewelry Repair 7631 Re-upholstery and Furniture Repair 7641 Miscellaneous Repair Shops 7699 Bicycle Repair Shops Antique Repair and Restoration (Except furniture and automotive) Binocular and Other Optical Goods Repair Camera Repair Shops **Dental Instrument Repair Shops Drafting Instrument Repair Shops** Leather Goods and Repair Shops Locksmith Shops Luggage Repair Shops Measuring and Controlling Instruments Repair Shops Medical Instrument Repair (Except electric) Microscope Repair Mirror Repair Shops Musical Instrument Repair Shops Nautical and Navigational Instrument Repair (Except electric) Organ Tuning and Repair Piano Tuning and Repair Picture Framing to Individual Order (Not connected with retail art stores) Picture Framing (Custom) Pocketbook Repair Shops Re-needling Work Repair of Optical Instruments Repair of Photographic Equipment Sewing Machine Repair Shops Surveying Instrument Repair Tuning of Pianos and Organs Venetian Blind Repair Shops Window Shade Repair Shops Motion Picture Theaters (no drive-in) 7832 Video Tape Rental 7841 Dance Studios, Schools and Halls 7911 Producers, Orchestras and Entertainers 7922-7929 **Bowling Centers** 7933 7991 Physical Fitness Facilities Membership Sports and Recreation Clubs 7997

7999

Amusement and Recreation Services (not elsewhere classified) only as follows:

PERMITTED USES

Telfair West Commercial District - Tract C-3A

USES SIC CODE Art and Music Instruction and Studios Day Camps **Gymnastics Instruction** Handball Courts (non-membership) Lifequard Service Martial Arts (Judo, Karate, etc.) Instruction Racquetball Courts (non-membership) Rental of Bicycles, Rowboats and Canoes Schools and Camps, Sports Instructional Scuba and Skin-Diving Instruction Swimming Instruction Swimming Pools (non-membership) Yoga Instruction and Studios Offices and Clinics of Medical Doctors 8011 Offices and Clinics of Dentists 8021 Offices of Osteopathic Physicians 8031 Offices of Other Practitioners 8041-8049 Nursing and Personal Care Facilities 8051-8059 General Medical and Surgical Hospitals (no more than 50 beds) 8062 8071-8072 Medical and Dental Laboratories Home Health Care Laboratories 8082 Kidney Dialysis Centers 8092 Specialty Outpatient Facilities (not elsewhere classified) 8093 Health and Allied Services (not elsewhere classified) 8099 See Note 4 Legal Services 8111

Schools and Educational Services (not elsewhere classified), only as follows:

8231 8299

Art Schools (except commercial)

Automobile Driving Instruction

Baton Instruction

Libraries

Bible Schools (not operated by churches)

Ceramic Schools

Charm Schools

Civil Service Schools

Continuing Education Programs

Cooking Schools

Curriculum Development (educational)

Diction Schools

Drama Schools

Finishing Schools (charm and modeling)

Flying Instruction

Hypnosis Schools

Language Schools

Modeling Schools (clothes)

Music Schools

Personal Development Schools

Public Speaking Schools

Reading Schools

Speed Reading Courses

Student Exchange Programs

Survival Schools

PERMITTED USES

Telfair West Commercial District - Tract C-3A

USES	SIC CODE	
Tutoring		
Vocational Counseling (except rehabilitation counseling)		
Individual and Family Services	8322	See Note 5
Job Training and Related Services	8331	
Residential Care limited to Homes for the Aged, and Rest Homes	8361	
Miscellaneous Social Services	8399	
Museums and Art Galleries	8412	
Botanical and Zoological Gardens	8422	
Business Associations	8611	
Professional Associations	8621	
Labor Organizations	8631	
Civic and Social Organizations	8641	
Political Organizations	8651	
Miscellaneous Membership Organizations	8699	
Engineering Services	8711	
Architectural Services	8712	
Surveying Services	8713	
Accounting, Auditing and Bookkeeping Services	8721	
Research and Testing Services	8731-8734	
Management Services	8741	
Management Consulting Services	8742	
Public Relation Services	8743	
Miscellaneous Business Consulting Services	8748	
Services (not elsewhere classified), including:	8999	

Actuaries (consulting)

Advertising Copy (writers of)

Announcers (radio and television service)

Art Restoration

Artificial Nucleation (cloud seeding)

Artist's Studios (except commercial and medical)

Authors

Chemists (consulting)

Christian Science lectures

Consultants (nuclear)

Entomologists (consulting)

Geologists (consulting)

Ghost Writing

Greeting Cards (hand painting of)

Inventors

Lecturers

Music Arrangers

Newspaper Columnists

Physicists (consulting)

Psychologists (industrial)

Radio Commentators

Sculptors' Studios

Song Writers

Stained Glass Artists

Weather Forecasters

Writers

PERMITTED USES

Telfair West Commercial District – Tract C-3A

USES	SIC CODE	
PUBLIC ADMINISTRATION:		
Finance, Taxation and Monetary Policy	9311	
NON-CLASSIFIABLE ESTABLISHMENTS:		
Corporate Offices	99	

NOTES:

- 1. Functions closely related to Personal Credit Institutions (SIC 6141) exclude check cashing, credit access businesses, and motor vehicle title loans (as defined in Chapter 393 of the Texas Finance Code).
- 2. Hotels limited to full service or select service, per Development Code, Chapter 2, Article XIV, and Chapter 10 Definitions.
- 3. Conditions for Dry Cleaners (SIC 7212):
 - a. No more than one in Planned Development.
 - b. Rear doors must be screened by masonry walls that are a minimum of 6 feet in height.
- 4. Health and Allied Services NEC (SIC 8099) include massage establishments (as defined by Chapter 455 of the Texas Occupations Code).
- 5. Individual and family services (SIC 8322) limited to senior citizens centers, family counseling, elderly activity centers, marriage counseling, and adoption services.

PLANT LIST for Telfair West Commercial District

The following is a list of plant materials. If the property owner requests plants that are not contained in this list, the Planning Director may approve them if they are determined to be similarly hardy.

Shade Trees

Bald Cypress – Taxodium distichum
Bosque Elm – Ulmus parvifolia 'Bosque'
Bur Oak – Quercus macrocarpa
Cedar Elm – Ulmus crassifolia
Drake Elm – Ulmus parvifolia 'Drake'
Live Oak – Quercus virginiana
Magnolia – Magnolia sp.
Shummard Oak – Quercus shumardii
Monterrey Oak – Quercus polymorpha
Pecan – Carya illinoinensis
Water Oak – Quercus nigra

Ornamental Trees

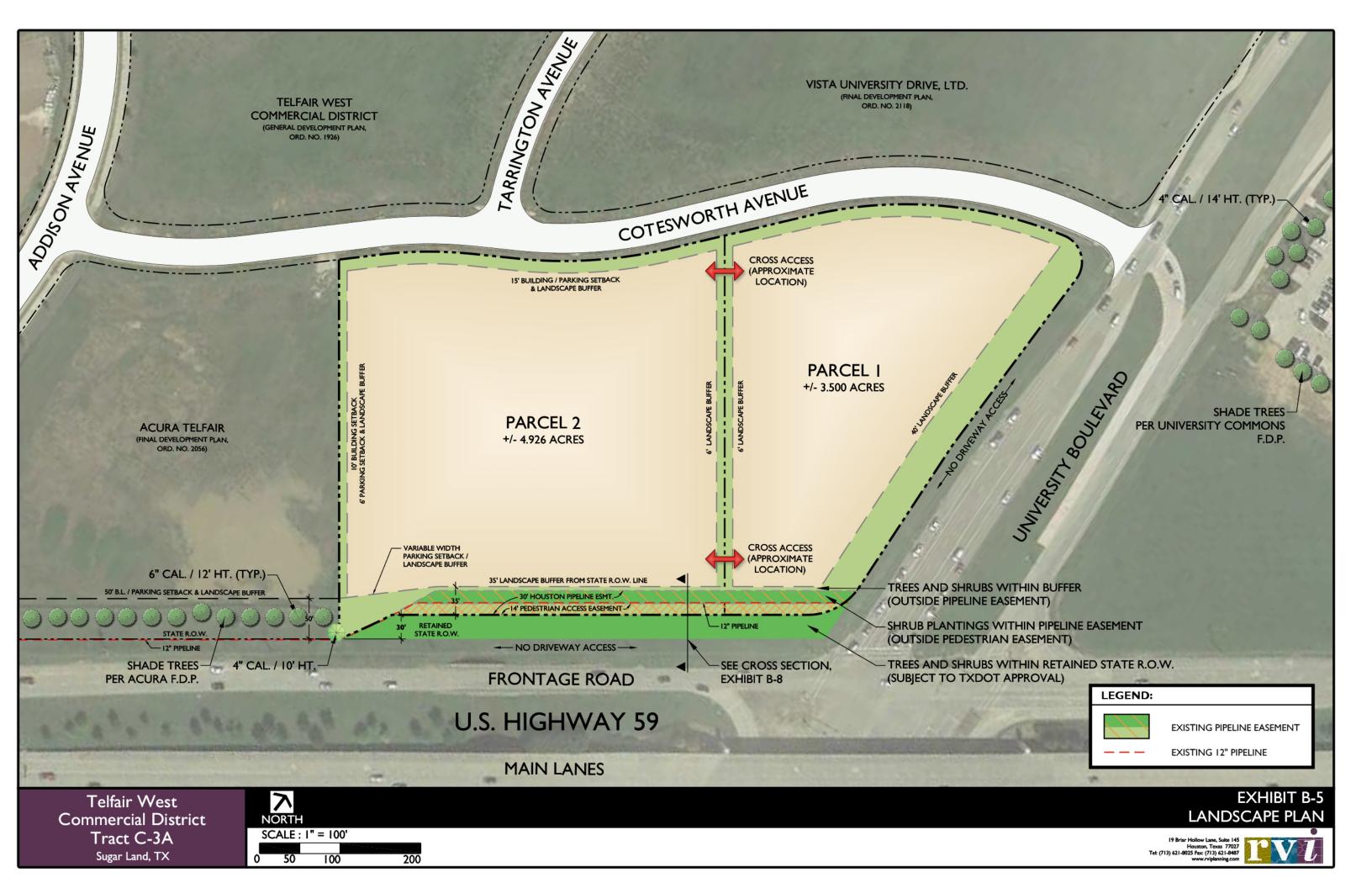
American Holly – *Ilex opaca*Crape Myrtle – *Lagerstroemia sp.*Evergreen Chinese Elm – *Ulmus parvifolia*Magnolia – *Magnolia sp.*Redbud – *Cercis canadensis*Yaupon Holly – *Ilex vomitoria*

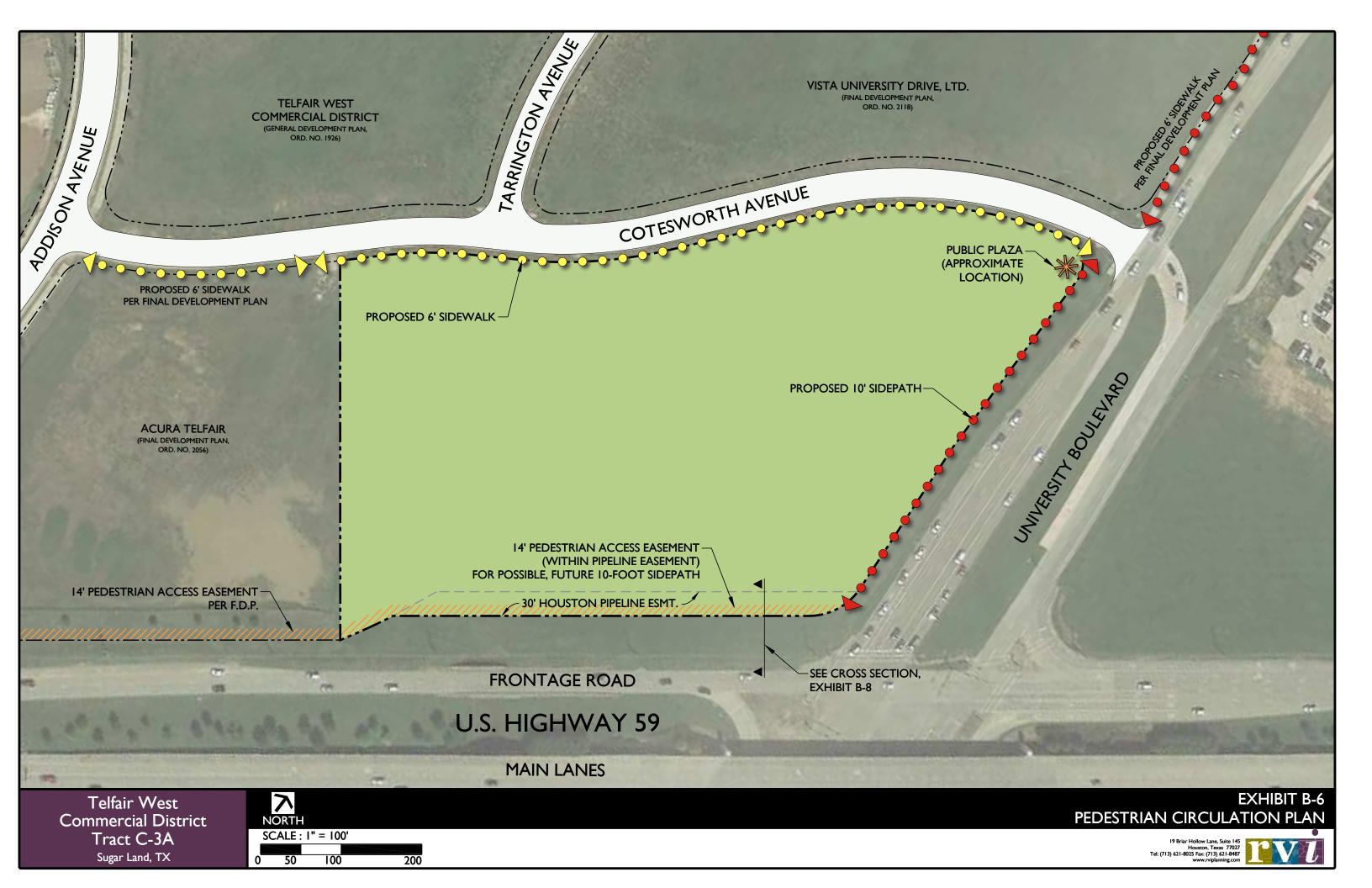
Evergreen Shrubs for Screening and Buffering

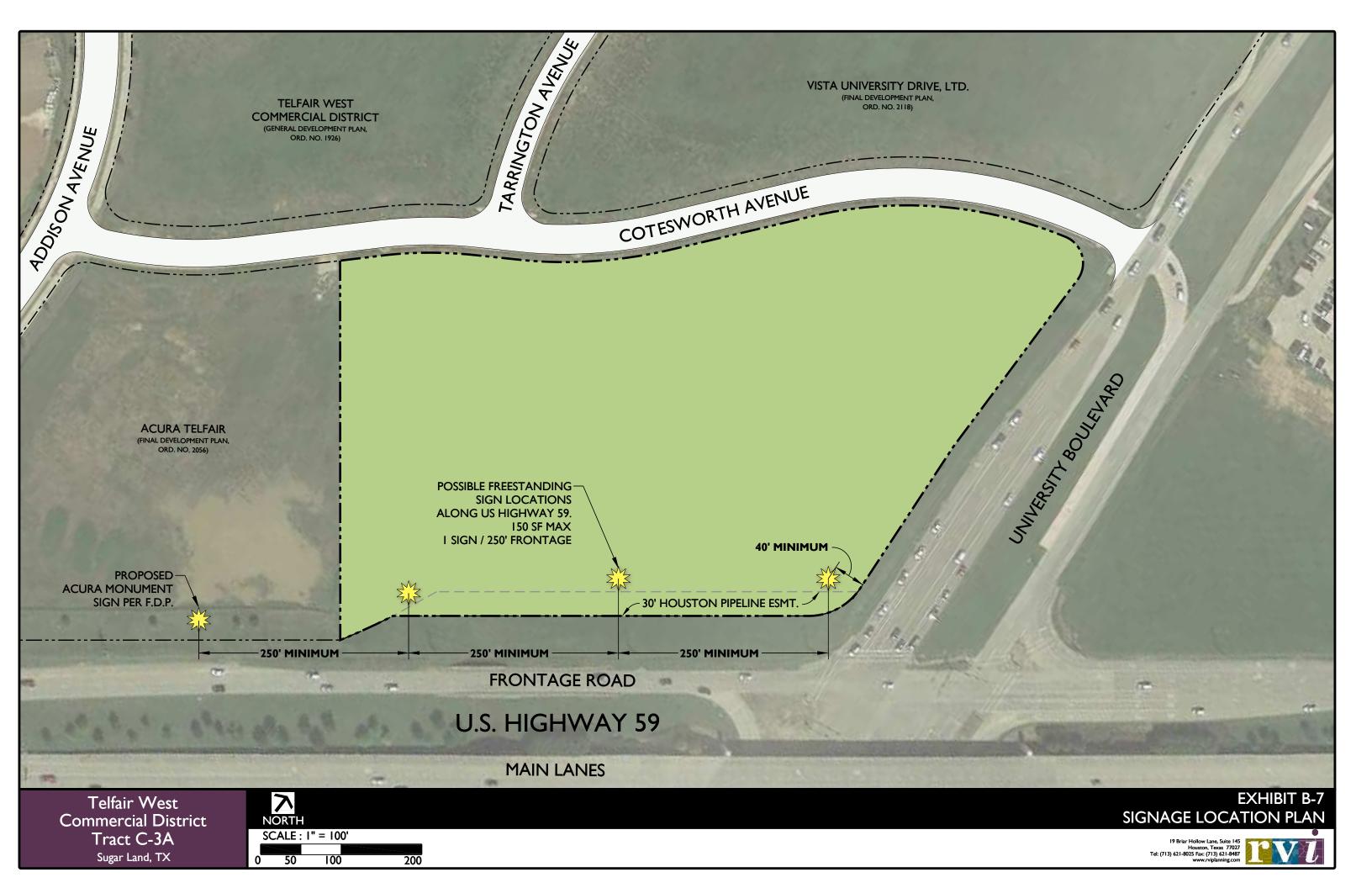
Hollies – Hollies sp.
Magnolia – Magnolia sp.
Oleander – Oleander sp.
Pittosporum – Pittosporum tobira
Southern Wax Myrtle – Myrica cerifera
Texas Silverleaf Sage – Leucophyllum sp.

Shrubs as a Single Specimen or for Mass Plantings

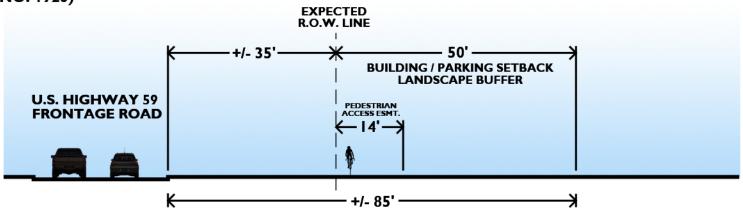
Azalea – Rhododendron sp. Abelia - Abelia x grandiflora Barberry - Berberis thunbergii 'atropurpurea' Butterfly Iris - Dietes grandiflora Dwarf Wax Myrtle - Myrica cerifera var. pumila Dwarf Pittosporum - Pittosporum tobira wheeleri Fatsia - Fatsia japonica Fringe Flower - Loropetalum chinense Hollies - Hollies sp. Indian Hawthorne - Raphiolepis indica Miscanthus Grass - Miscanthus sp. Muhly Grass - Muhlenbergia sp. Nandina - Nandina sp. Pennisetum Grass - Pennisetum sp. Pigmy Date Palm – Phoenix roebelenii Pindo Palm - Butia capitata Rosemary – Rosmarinus officinalis Sago Palm - Cycas revolute Texas Silverleaf Sage - Leucophyllum sp. Variegated Pittosporum - Pittosporum tobira variegata



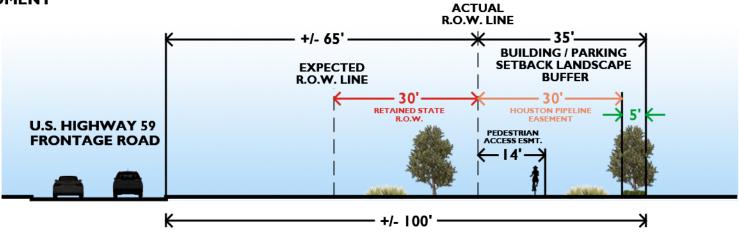




U.S. HIGHWAY 59 SETBACKS/ BUFFER PER PD (ORD. NO. 1926)



U.S. HIGHWAY 59 SETBACKS/ BUFFER PER PD AMENDMENT



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Telfair West
Commercial District
Tract C-3A
Sugar Land, TX

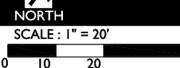


EXHIBIT B-8 CROSS SECTION AT U.S. HIGHWAY 59







TELFAIR - UNIVERSITY BLVD AND HWY 59 ROW / CONCEPT DESIGN

