

ORDINANCE NO. 1909

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, APPROVING A CHANGE OF ZONING FOR 20.348 ACRES OF LAND LOCATED BETWEEN U.S. HIGHWAY 59 AND TELFAIR AVENUE, WEST OF UNIVERSITY BOULEVARD, FROM ZONING DISTRICT CLASSIFICATION INTERIM R-1 TO PLANNED DEVELOPMENT DISTRICT (PD) FINAL DEVELOPMENT PLAN AND APPROVING A FINAL DEVELOPMENT PLAN FOR THE DISTRICT.

WHEREAS, TBG Partners has requested that approximately 20.348 acres of land located within the City of Sugar Land (the "City") be rezoned from Interim Standard Single Family District (R-1-I) to Planned Development District (PD) Final Development Plan, located between U.S. Highway 59 and Telfair Avenue, west of University Boulevard, and

WHEREAS, the City Planning and Zoning Commission forwarded its final report to the City Council; 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 zoning change; and

WHEREAS, the City Planning and Zoning Commission recommended granting such requested zoning change with modifications and the same is herein incorporated and made a part of this ordinance; and

WHEREAS, the City Council finds that the zoning request complies with the City's comprehensive plan and now deems it appropriate to make such zoning change; 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 the zoning district classification of approximately 20.348 acres of land described in Exhibit A, attached to and incorporated into this ordinance by reference, is changed from Interim Single Family Residential zoning district classification (R-1-I) to Planned Development District (PD) Final Development Plan, under the comprehensive zoning ordinance of the City of Sugar Land, Texas.

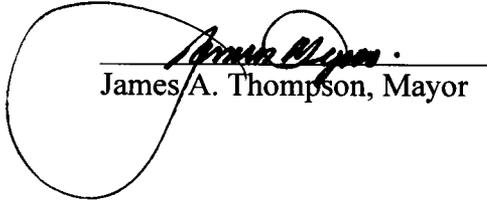
Section 3. That the City's official zoning map be amended to reflect this change in zoning district classification.

Section 4. That the following Exhibits are attached to and incorporated into this ordinance:

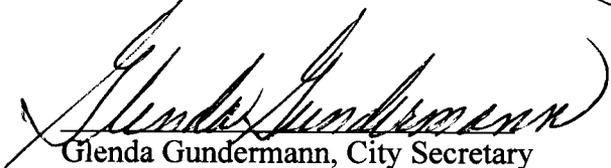
- Exhibit A: Metes and Bounds Legal Description
Exhibit B: Final Development Plan which includes the following Exhibits:
Exhibit B-1: Final Site Layout Plan
Exhibit B-2: Permitted Uses
Exhibit B-3: Reserve Configurations
Exhibit B-4: Bulk Plane Diagram
Exhibit B-5: Landscape Plan
Exhibit B-6: Plant List
Exhibit B-7: Pedestrian Circulation Plan
Exhibit B-8: Signage Location Plan
Exhibit B-9: Sign Details

READ IN FULL on first consideration on June 04, 2013.

APPROVED upon second consideration on June 18, 2013.


James A. Thompson, Mayor

ATTEST:


Glenda Gundermann, City Secretary

APPROVED AS TO FORM:



Exhibit A:
Legal Description

August 23, 2012
Job No. 1800-1023A

DESCRIPTION OF
20.348 ACRES

Being 20.348 acres of land located in the M. M. Battle League, Abstract 9 and the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the residue of a called 1651.239 acre tract conveyed to NNP-Keepsake, L.P., by an instrument of record in File No. 2003149525, Official Public Records of said Fort Bend County, Texas (F.B.C.O.P.R.), said NNP-Keepsake, L.P., formerly known as NNP-Telfair LP, by an instrument of record in File No. 2006007940, F.B.C.O.P.R., now know as NNP-Telfair LLC, by Certificate of Conversion, effective March 22, 2012, said 20.348 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

BEGINNING at the most northerly corner of Telfair Sec. 31, a subdivision of record in Plat No. 20110014, Plat Records of said Fort Bend County, Texas (F.B.C.P.R.), same being on the southerly right-of-way line of Telfair Avenue (width varies) as shown on Telfair Avenue Street Dedication, a street dedication of record in Plat No. 20060064, F.B.C.P.R.;

Thence, with the southerly right-of-way line of said Telfair Avenue, North $52^{\circ} 29' 51''$ East, 939.41 feet to a point for corner, the beginning of a curve;

Thence, 391.59 feet along the arc of a tangent curve to the left, having a radius of 890.00 feet, a central angle of $25^{\circ} 12' 34''$ and a chord which bears North $39^{\circ} 53' 34''$ East, 388.44 feet to a point for corner, the beginning of a curve;

Thence, leaving said southerly right-of-way line, 43.00 feet along the arc of a non-tangent curve to the left, having a radius of 35.00 feet, a central angle of $70^{\circ} 23' 52''$ and a chord which bears South $07^{\circ} 54' 39''$ East, 40.35 feet to a point for corner, the beginning of a compound curve;

Thence, 391.06 feet along the arc of a tangent curve to the right, having a radius of 545.00 feet, a central angle of $41^{\circ} 06' 45''$ and a chord which bears South $22^{\circ} 33' 12''$ East, 382.73 feet to a point for corner;

20.348 acres

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Thence, South 01° 59' 50" East, 167.60 feet to a point for corner, the beginning of a curve;

Thence, 275.59 feet along the arc of a tangent curve to the left, having a radius of 475.00 feet, a central angle of 33° 14' 33" and a chord which bears South 18° 37' 06" East, 271.74 feet to a point for corner, the beginning of a compound curve;

Thence, 56.36 feet along the arc of a tangent curve to the left, having a radius of 35.00 feet, a central angle of 92° 15' 57" and a chord which bears South 81° 22' 22" East, 50.47 feet to a point for corner on a southerly line of the aforementioned 1651.239 acre tract, same being on the northerly right-of-way line of U.S. Highway No. 59 (width varies);

Thence, with the common line of said 1651.239 acre tract and said U.S. Highway No. 59, the following four (4) courses:

- 1) South 52° 29' 40" West, 415.60 feet to a point for corner;
- 2) South 52° 30' 15" West, 435.62 feet to a point for corner;
- 3) South 57° 05' 54" West, 199.78 feet to a point for corner;
- 4) South 52° 30' 35" West, 29.16 feet to the most easterly corner of the aforesaid Telfair Sec. 31;

Thence, with the easterly line of said Telfair Sec. 31, the following three (3) courses:

- 1) North 37° 30' 09" West, 313.26 feet to a point for corner;
- 2) North 07° 30' 13" East, 42.42 feet to a point for corner;
- 3) North 37° 30' 09" West, 390.72 feet to the POINT OF BEGINNING and containing 20.348 acres of land.

20.348 acres

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

LJA Engineering, Inc.

EXHIBIT B
FINAL DEVELOPMENT PLAN
Telfair West Business District

A. Contents. This final development plan includes the following sections:

- General Provisions
- Land Uses
- Development Regulations
- Landscape Regulations
- Pedestrian Circulation Regulations
- Freestanding Signs
- Building Regulations

B. General Provisions, Definitions, and Exhibits.

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-O (Business Office) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the B-O 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. Except as otherwise provided herein, the words used in this final development plan have the meaning established by the Development Code. In this ordinance:

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.

PD means the planned development district created by this ordinance.

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

3. The PD shall be developed in accordance with the following exhibits that are attached to and made part of this Final Development Plan:

- | | |
|--------------|------------------------------------|
| Exhibit B-1: | <i>Final Site Layout Plan</i> |
| Exhibit B-2: | <i>Permitted Uses</i> |
| Exhibit B-3: | <i>Reserve Configurations</i> |
| Exhibit B-4: | <i>Bulk Plane Diagram</i> |
| Exhibit B-5: | <i>Landscape Plan</i> |
| Exhibit B-6: | <i>Plant List</i> |
| Exhibit B-7: | <i>Pedestrian Circulation Plan</i> |
| Exhibit B-8: | <i>Signage Location Plan</i> |
| Exhibit B-9: | <i>Sign Details</i> |

C. Land Uses.

1. Permitted land uses are listed in [Exhibit B-2, Permitted Uses](#). All other land uses are prohibited.
2. Certain land uses are permitted when developed under specified conditions as established in the Notes section of [Exhibit B-2, Permitted Uses](#).
3. Drive-thru lanes and outdoor speakers are prohibited on Sites 6 and 7 adjacent to residential use as shown on [Exhibit B-1, Final Site Layout Plan](#).

D. Development Regulations – All sites within the PD shall be developed in accordance with the following development regulations:

1. Site orientation and layout:
 - (a) Per [Exhibit B-1, Final Site Layout Plan](#), all reserves will front the private cul-de-sac street.
 - (b) Reserve layout options are shown on [Exhibit B-3, Reserve Configurations](#).
2. Maximum height of structures:
 - (a) 75 feet above ground level, subject to bulk plane per 2.(b).
 - (b) Any portion of a non-residential building shall not extend beyond the bulk plane formed by a property line setback of 2 linear feet per 1 foot in height over 24 feet. (See [Exhibit B-4, Bulk Plane Diagram](#))
3. Minimum building setbacks:
 - (a) Abutting U.S. Highway 59: 50 feet
 - (b) Abutting Telfair Avenue 70 feet
 - (c) Abutting Addison Avenue and private street lot lines: 15 feet
 - (d) Abutting internal property lines 10 feet
 - (e) Abutting land used for single family residential: 70 feet
 - (f) Building setbacks abutting Telfair Avenue and single family residential lots are intended to extend to the approximate toe of the existing levee that shall become a landscape berm per Section E.3 herein and as shown on Exhibits B-1 and B-5.
4. Minimum parking lot setbacks:
 - (a) U.S. Highway 59 lot lines: 50 feet
 - (b) Telfair Avenue lot lines: 35 feet
 - (c) Addison Avenue and private street lot lines: 15 feet
 - (d) All other property lines: 6 feet
 - (e) Abutting land used for single family residential: 20 feet
5. 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 interlocking pavers supported by a 6 inch reinforced concrete tray and a sub-grade per City design standards.

- (c) As shown on [Exhibit B-1, Final Site Layout Plan](#), no driveway shall be located within the PD along Telfair Avenue.
6. Outside Use: All merchandise must be displayed or stored inside a permanent building.
 7. Exterior service areas and mechanical equipment to include trash enclosures, compactors and bins, storage tanks and pumps, irrigation controllers and backflow preventers, electrical transformers and control boxes, air-conditioning units, loading zones and truck docks, and shipping and receiving dock doors shall meet the following criteria in accordance with Sec.3-9. Accessory Structure Screening Requirements:
 - (a) Located at least 50 feet from a private street, public right-of-way or residential lot line; and
 - (b) Screened from public rights-of-way using walls, berms, shrubs and trees.
 8. Bicycle Accommodations:
 - (a) Off-street parking for bicycles shall be provided within 50 feet of each building entrance and within the public plaza per Section E.9 below.
 - (b) Bicycle parking spaces shall include racks or other structures intended for parking bicycles.
 - (c) Required minimum number of bicycle parking spaces per reserve shall be 2 or 10% of the required vehicular parking spaces, whichever is greater. (Fractional numbers shall be rounded up to the nearest whole number.)
 9. Vehicular Access: No site shall take vehicular access from Telfair Avenue or the U.S. Highway 59 frontage road.

E. Landscape Regulations – The entire PD shall be developed in accordance with the following landscape regulations:

1. Minimum widths for landscape buffers, continuous along:

(a) U.S. Highway 59:	50 feet
(b) Telfair Avenue	35 feet
(c) Addison Avenue and private street:	15 feet
(d) Single family lot lines	20 feet
(e) All other property lines:	6 feet
2. Landscape buffers may include vehicular driveways perpendicular to the length of the buffer (except on Telfair Avenue), freestanding signs, sidepaths, sidewalks and pedestrian walkways. Buffers may also be used for future transit stops.
3. Former levee along Telfair Avenue and adjacent to existing single family lots:
 - (a) Levee shall be incorporated into the required landscape buffer as a landscape berm. The berm shall be equal in height to the existing levee, as shown on [Exhibit B-5, Landscape Plan](#). Side slopes of the levee may be re-graded to form the berm, but street-facing or residential-facing slopes shall be no greater than 30%.
 - (b) The entire existing levee shall become a landscape berm except at the eastern end along Telfair Avenue which shall taper down at least 35 feet from Addison Avenue in order to permit adequate visibility at the street intersection.

- (c) A 25% screen shall be required along the length of the berm. Screening shall be provided by shrubs, trees, or a combination thereof that meet the height requirements of Section 3-11, Design Planting and Criteria, of the Development Code.
 - (d) On an individual reserve, any retaining wall located along the landscape berm as shown on [Exhibit B-5, Landscape Plan](#), shall be of complementary architectural design, color and masonry materials as the attendant building or structure.
 - (e) No retaining wall shall be constructed within the 6-foot landscape buffer required along an interior property line per Section E.1.(e) herein.
4. Minimum 20% open space of lot area, inclusive of landscape buffers.
 5. Plant species used to satisfy the requirements of the PD shall be those listed on [Exhibit B-6, Plant List](#).
 6. Shade trees:
 - (a) Along U.S. Highway 59, each premise shall have one shade tree located in the required landscape buffer for each 50 feet, or portion thereof, measured along the lot line. (Such trees are not required in addition to rear yard parking lot landscaping requirements if applicable.)
 - (b) Along private and public streets, each premise shall have one shade tree located in the required landscape buffer for each 30 feet of lot width, or portion thereof, measured along the lot line.
 - (c) Within the private street, one shade tree shall be located in the median for each 30 feet of median length, or portion thereof, as measured long the center line of the median.
 - (d) Required trees may be clustered or spaced linearly; they need not be placed evenly.
 - (e) Trees shall have a minimum 4-inch caliper and minimum 10-foot height as measured at ground level when planted.

F. Pedestrian Circulation Regulations – The entire PD shall be developed in accordance with the following pedestrian circulation regulations:

1. Sidewalks and pedestrian walkways shall be provided in accordance with [Exhibit B-7, Pedestrian Circulation Plan](#).
2. Sidewalks:
 - (a) Continuous sidewalks with a minimum 6-foot width required along the west side of Addison Avenue and within commercial sites, adjacent to the internal private street.
 - (b) Sidewalk along the private street shall be located within a public pedestrian easement to be shown on the final plat.
3. Pedestrian access easements with a minimum 14-foot width shall be provided along U.S. Highway 59 for a possible future sidepath or sidewalk. Attendant temporary construction easements may also be required.
4. Pedestrian walkways:
 - (a) Pedestrian walkways required in this section shall meet the following criteria:
 - i. Minimum 5-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 areas through the use of color, texture, or materials;
 - iv. Predominantly shaded with shade trees at one per 30 linear feet of walkway or building canopies; and
 - v. Lighted with pedestrian-scaled fixtures.
- (b) A pedestrian walkway shall connect a building entrance to the private or public street sidewalk.
 - (c) For 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.
5. Public Plazas, as shown on [Exhibit B-1, Final Site Layout Plan](#), and [Exhibit B-7, Pedestrian Circulation Plan](#):
- (a) Two publicly-accessible plazas shall be located within the center median of the private street. The east plaza shall adjoin the sidewalk required along Addison Avenue per Section F.2 herein.
 - (b) Each plaza shall have a minimum of 500 square feet.
 - (c) Each plaza shall include a decorative paving pattern.
 - (d) Each plaza shall include at least 2 benches, 2 shade trees and 4 bicycle parking spaces.
 - (e) Both plazas shall have a similar design but need not be the same design.

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
 - (d) Minimum setback: 10 feet from property line
- 2. Minimum spacing of signs fronting U.S. Highway 59:
 - (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-8, 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. Signs and their exterior finishes shall be provided in accordance with [Exhibit B-9, Sign Details](#).
- 5. Additional regulations on freestanding signs within the Development Code, Section 4-24 (d) through (h), 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
 - (b) Facades greater than 100 feet in length that face public and private streets shall incorporate offsets having a minimum depth of at least 5 feet, and extending at least 20% of the length of the façade.
 - (c) No uninterrupted length of a street-facing 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 wood, stucco, concrete masonry units (indented, hammered, or split face concrete), 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) 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.
 - (f) 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. Canopies shall be provided at all street-facing building entrances intended for pedestrians. 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.
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.

**EXHIBIT B-2
PERMITTED USES
Telfair West Business District**

USES	SIC CODE	
Office of Veterinarians	742	See Note 1
United States Postal Service	4311	
<u>TRANSPORTATION SERVICES & COMMUNICATIONS:</u>		
Travel Agencies	4724	
Radiotelephone Communications	4812	
Telephone Communications, Except Radiotelephone	4813	
Telegraph and other Message Communications	4822	See Note 2
Cable and Other Pay Television Services	4841	See Note 2
<u>RETAIL TRADE</u>		
Misc. General Merchandise Stores	5399	See Note 3
Candy, Nut and Confectionary Stores	5441	See Note 3
Retail Bakeries	5461	See Note 3
Musical Instrument Stores	5736	See Note 3
Eating places	5812	See Note 4
Drug Stores and Proprietary Stores	5912	See Note 3
<u>FINANCE, INSURANCE, AND REAL ESTATE:</u>		
Commercial Banks	6021-6029	See Note 5
Savings Institutions	6035-6036	See Note 5
Credit Unions	6061-6062	See Note 5
Foreign Bank and Branches and Agencies	6081-6082	
Functions Related to Depository Banking	6091-6099	See Note 15
Federal and Federal-Sponsored Credit	6111	
Personal Credit Institutions	6141	See Note 15
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	6513	See Note 6
Operators of Dwellings other than Apartment Buildings	6514	
Lessors of Real Property (not elsewhere classified)	6519	
Real Estate Agents and Managers	6531	
Title Abstract Offices	6541	
Land Subdividers and Developers (except cemetery)	6552	
Offices of Bank Holding Companies	6712	

**EXHIBIT B-2
PERMITTED USES
Telfair West Business District**

USES	SIC CODE
Offices of Holding Companies (not elsewhere classified)	6719
Management Investment Offices, Open-End	6722
Unit Investment Trusts and Face-Amount Certificate Offices	6726
Educational, Religious, and Charitable Trusts	6732
Trusts, except Education, Religious, and Charitable	6733
Oil Royalty Traders	6792
Patent Owners and Lessors	6794
Investors (not elsewhere classified)	6799

SERVICES:

Garment Pressing, and Agents for Laundries and Dry Cleaners	7212	See Note 7
Photographic Studios, Portraits	7221	
Beauty Shop	7231	
Barber Shop	7241	
Tax Return Preparation Services	7291	
Miscellaneous Personal Services (not elsewhere classified), only as follows:	7299	

- Babysitting Bureaus
- Bartering Services for Individuals
- 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
- Dress Suit Rental
- Electrolysis (hair removal)
- Genealogical Investigation Service
- Hair Removal (electrolysis)
- Marriage Bureaus
- Porter Service
- Quilting for Individuals
- Scalp Treatment Service
- Shopping Service for Individuals
- Tanning Salons

**EXHIBIT B-2
PERMITTED USES
Telfair West Business District**

USES	SIC CODE	
Tuxedo Rental		
Valet Parking		
Wardrobe Service, except Theatrical		
Wedding Chapels, Privately Operated		
Advertising Agencies	7311	
Outdoor Advertising Services	7312	
Radio, Television and Publishers' Representatives	7313	
Advertising Services (not elsewhere classified), only as follows:	7319	See Note 8
Aerial Advertising		
Bus Card Advertising		
Circular Distributing Service		
Coupon Distribution		
Display Advertising		
Handbill Distribution Service		
Media Buying Service		
Poster Advertising Service		
Samples (distribution of)		
Shopping News Advertising and Distributing Service		
Sky Writing		
Taxicab Card Advertising		
Transit Advertising		
Credit Reporting and Collection	7322-7323	
Services to Buildings	7342-7349	
Medical Equipment Rental and Leasing	7352	
Equipment Rental & 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		
Personal 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		
Miscellaneous Business Services	7381-7384	
Miscellaneous Business Services (not elsewhere classified), only as follows:	7389	
Agents and Brokers for Authors and Nonperforming Artists		

EXHIBIT B-2
PERMITTED USES
Telfair West Business District

USES	SIC CODE
Arbitration and Conciliation Services	
Artists' Agents and Brokers (except performing artists)	
Auctioneering Service on a Commission or Fee Basis	
Authors' Agents and Brokers	
Business Brokers (buying and selling business enterprises)	
Charge Account Service (shopping plates) Collection by Individual	
Check Validation Service	
Cloth (cutting to length, bolting, or winding for textile distributors)	
Contractors' Disbursement Control	
Convention Bureaus	
Convention Decorators	
Copyright Protection Service	
Correct Time Service	
Cosmetic Kits (assembling and packaging)	
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 of 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 hangers)	
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)	

**EXHIBIT B-2
PERMITTED USES
Telfair West Business District**

USES	SIC CODE	
Notaries Public		
Packaging and Labeling Service (not packing and crating)		
Paralegal Service		
Parcel Packing 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		
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		
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	See Note 3
Watch, Clock, and Jewelry Repair	7631	See Note 3
Re-upholstery and Furniture Repair	7641	See Note 3
Dance Studios, Schools and Halls	7911	See Note 9
Producers, Orchestras and Entertainers	7922-7929	
Physical Fitness Facilities	7991	

**EXHIBIT B-2
PERMITTED USES
Telfair West Business District**

USES	SIC CODE	
Membership Sports and Recreation Clubs	7997	
Amusement and Recreation Services (not elsewhere classified), on as follows:	7999	See Note 10
Art and Music Instruction and Studios		
Gymnastics Instruction		
Handball Courts (non-membership)		
Lifeguard Service		
Martial Arts (Judo, Karate, etc.) Instruction		
Miniature Golf Courses, Operation		
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)		
Tennis Clubs, Indoor and Outdoor Operation (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	
Medical and Dental Laboratories	8071-8072	
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 16
Legal Services	8111	
Libraries	8231	
Schools and Educational Services (not elsewhere classified), only as follows:	8299	
Art Schools (except commercial)		
Automobile Driving instruction		
Baton Instruction		
Bible Schools (not operated by churches)		

EXHIBIT B-2
PERMITTED USES
Telfair West Business District

USES	SIC CODE	
Ceramics 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 School (clothes)		
Music Schools		
Personal Development Schools		
Public Speaking Schools		
Reading Schools		
Speed Reading Courses		
Student Exchange Programs		
Survival Schools		
Tutoring		
Vocational Counseling (except rehabilitation counseling)		
Individual and Family Services	8322	
Job Training and Related Services	8331	
Child Day Care Services	8351	See Note 11
Residential Care limited to Homes for the Aged, and Rest Homes	8361	See Note 12
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	
Religious Organizations	8661	
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	

**EXHIBIT B-2
PERMITTED USES
Telfair West Business District**

USES	SIC CODE	
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 (could seeding)		
Artist's Studios (except commercial and medical)		
Authors' Agents and Brokers		
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		
<u>PUBLIC ADMINISTRATION:</u>		
Police Protection	9221	
Legal Counsel and Prosecution	9222	
Fire Protection	9224	
Public Order and Safety	9229	
Finance, Taxation and Monetary Policy	9311	
Administration of Human Resources	9411-9451	
Environmental Quality and Housing	9511-9532	See Note 13
Administration of Economic Programs	9611-9661	

**EXHIBIT B-2
PERMITTED USES
Telfair West Business District**

USES	SIC CODE	
<u>NON-CLASSIFIABLE ESTABLISHMENTS:</u>		
Adult Day Care	99	See Note 14
Corporate Professional Offices (not retail)	99	
Parks and Recreational Facilities, Public or Private	99	

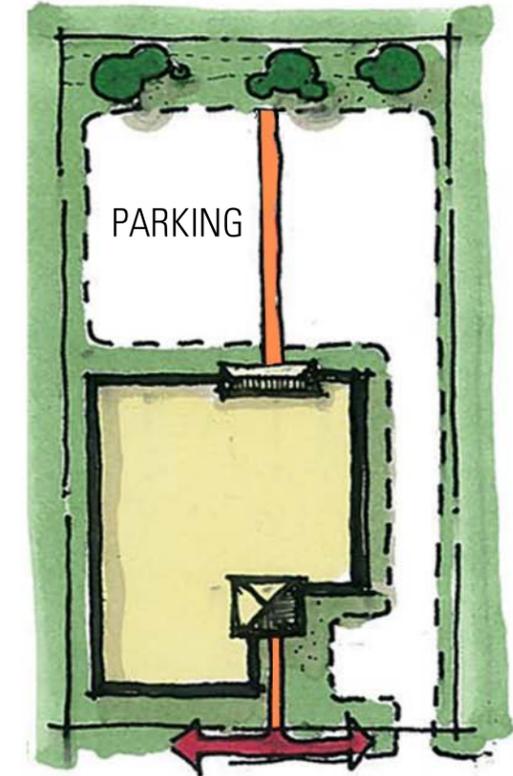
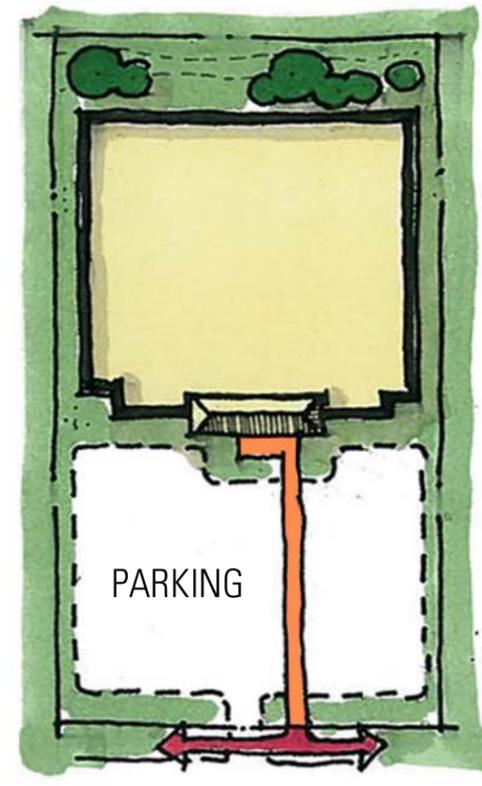
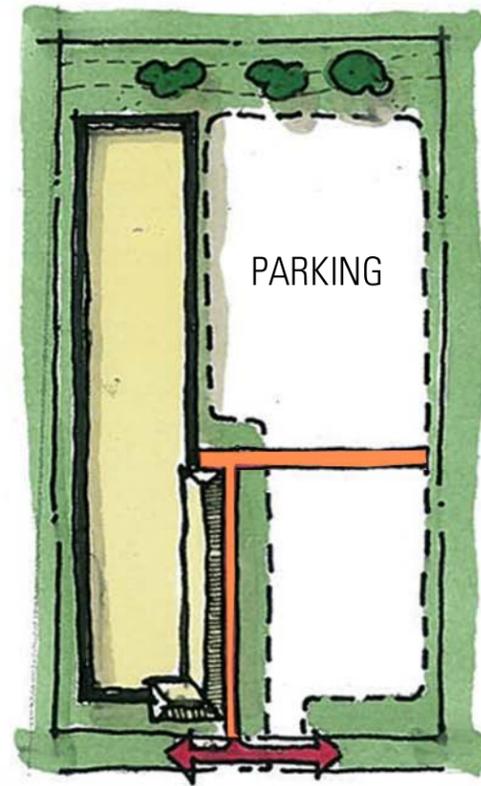
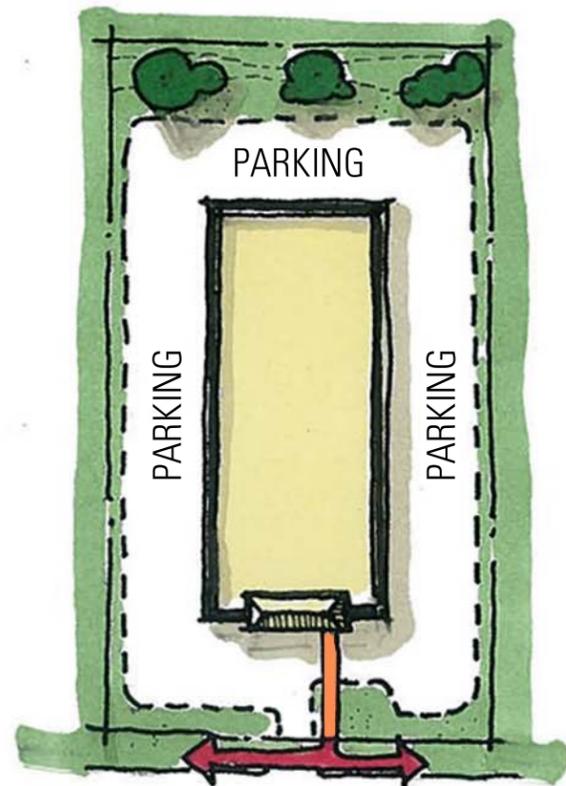
**EXHIBIT B-2
PERMITTED USES
Telfair West Business District**

NOTES

- 1) Office of Veterinarians (SIC 742) is limited to small animals only, boarding overnight only when associated with surgery.
- 2) Towers are not permitted for the following uses:
 - a) Telegraph and other Message Communications (SIC 4822)
 - b) Cable and other Pay Television stations (SIC 4841)
- 3) The following uses shall not be greater than 3,000 square feet per establishment:
 - a) Miscellaneous General Merchandise Stores (SIC 5399)
 - b) Candy, Nut and Confectionary Stores (SIC 5441)
 - c) Retail Bakeries (SIC 5461)
 - d) Drug Stores and Proprietary Stores (SIC 5912)
 - e) Electrical and Electronic Repair Shops (SIC 7622-7629)
 - f) Watch, Clock, and Jewelry Repair (SIC 7631)
 - g) Re-Upholstery and Furniture Repair (SIC 7641)
- 4) Eating Places (SIC 5812):
 - a) Shall not be permitted on Sites 6 and 7 adjacent to residential use as shown on **Exhibit B-1, Final Site Layout Plan.**
 - b) Shall not be greater than 3,000 Square Feet per establishment.
 - c) Shall be limited to two within the PD.
 - d) Shall not have outdoor speakers oriented toward residential use adjacent to the PD.
 - e) Shall not include Drive-Thru Lanes.
- 5) The following uses shall not have outdoor speakers within 200 feet of a residential lot:
 - a) Commercial Banks (SIC 6021-6029)
 - b) Savings Institutions (SIC 6035-6036)
 - c) Credit Unions (SIC 6061-6062)
- 6) Operations of Apartment Buildings (SIC 6513) shall refer to off-site management only.
- 7) Garment Pressing, and Agents for Laundries and Dry Cleaners (SIC 7212) are limited to pressing and pickup/drop off only.

- 8) Advertising Services (SIC 7319) are limited to office only with no outdoor storage.
- 9) Dance Studios, Schools and Halls (SIC 7911) shall not be greater than 10,000 square feet each.
- 10) Amusement and Receptions services (SIC 7999):
 - a) Shall not be greater than 10,000 square feet.
 - b) Shall not have outdoor speakers within 200 feet of a residential lot.
 - c) Shall not have outdoor speakers orientated toward an adjacent single family residence.
- 11) Child Day Care Services (SIC 8351):
 - a) Shall be developed per an approved traffic circulation queuing plan and in accordance with a traffic study.
 - b) Must provide dedicated outside or inside recreational areas, and shall not retrofit parking.
 - c) No more than one child day care center in the PD.
 - d) Shall not be permitted on Sites 6 and 7 adjacent to residential use as shown on [Exhibit B-1, Final Site Layout Plan](#).
- 12) Residential Care Facility and Rest Homes (SIC 8361) shall provide the following:
 - a) Common food service
 - b) Weekly housekeeping service
 - c) Twenty-four (24) hour on-site courtesy office
 - d) Wellness center
 - e) Common leisure/activity center
 - f) Residential health care only
 - g) Not greater than 10,000 square feet
 - h) Not permitted on Sites 6 and 7 adjacent to residential use as shown on [Exhibit B-1, Final Site Layout Plan](#).
- 13) Environmental Quality and Housing (SIC 9511-9532) shall have no outdoor storage or displays.
- 14) Adult Day Care (SIC 99) shall not be permitted on Sites 6 and 7 adjacent to residential use as shown on [Exhibit B-1, Final Site Layout Plan](#).
- 15) Functions Closely Related to Banking (SIC 6091-6099) and 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).
- 16) Health and Allied Services NEC (SIC 8099) includes massage establishments (as defined by Chapter 455 of the Texas Occupations Code).

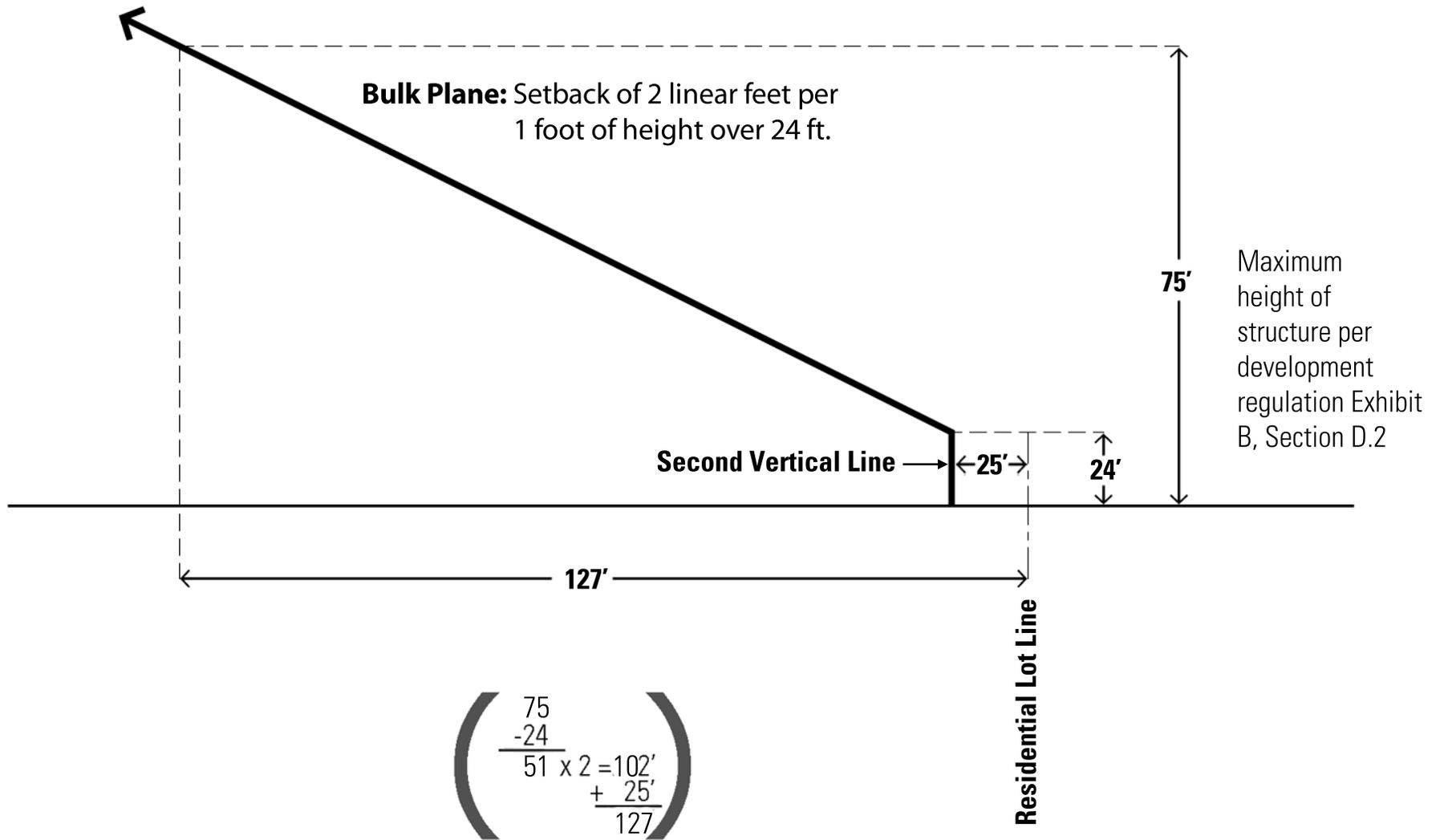
← US HIGHWAY 59 OR TELFAIR AVENUE →



← PROPOSED PRIVATE STREET →

PEDESTRIAN WALKWAY

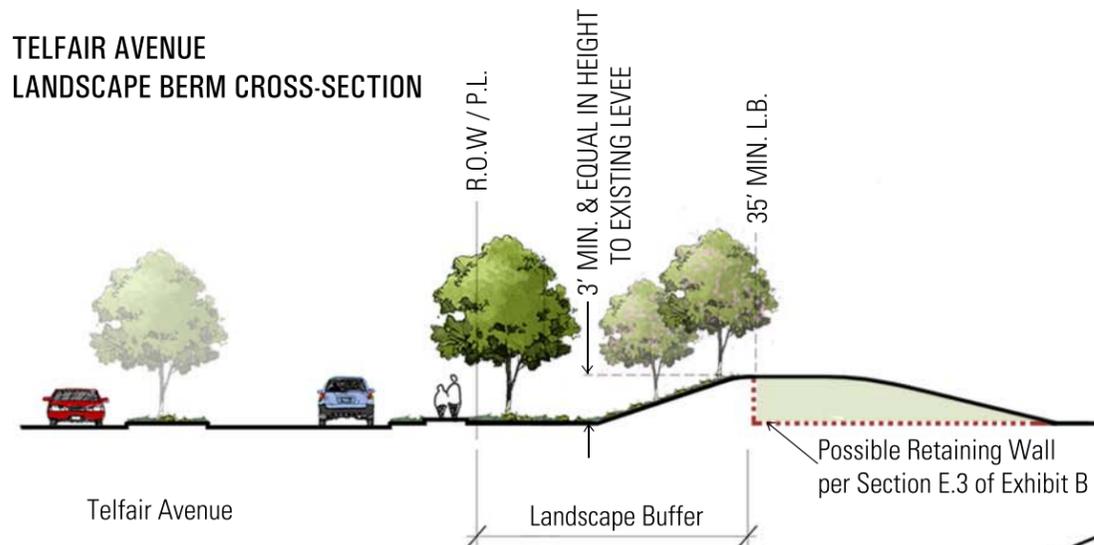
SIDEWALK (WITHIN PEDESTRIAN ACCESS EASEMENT)



- Landscape Buffer
- Building Envelope (includes parking)
- L.B. - Landscape Buffer
- Public Plaza
- Shade Tree
- Existing Levee Height (Approx.) at 100' Spacing

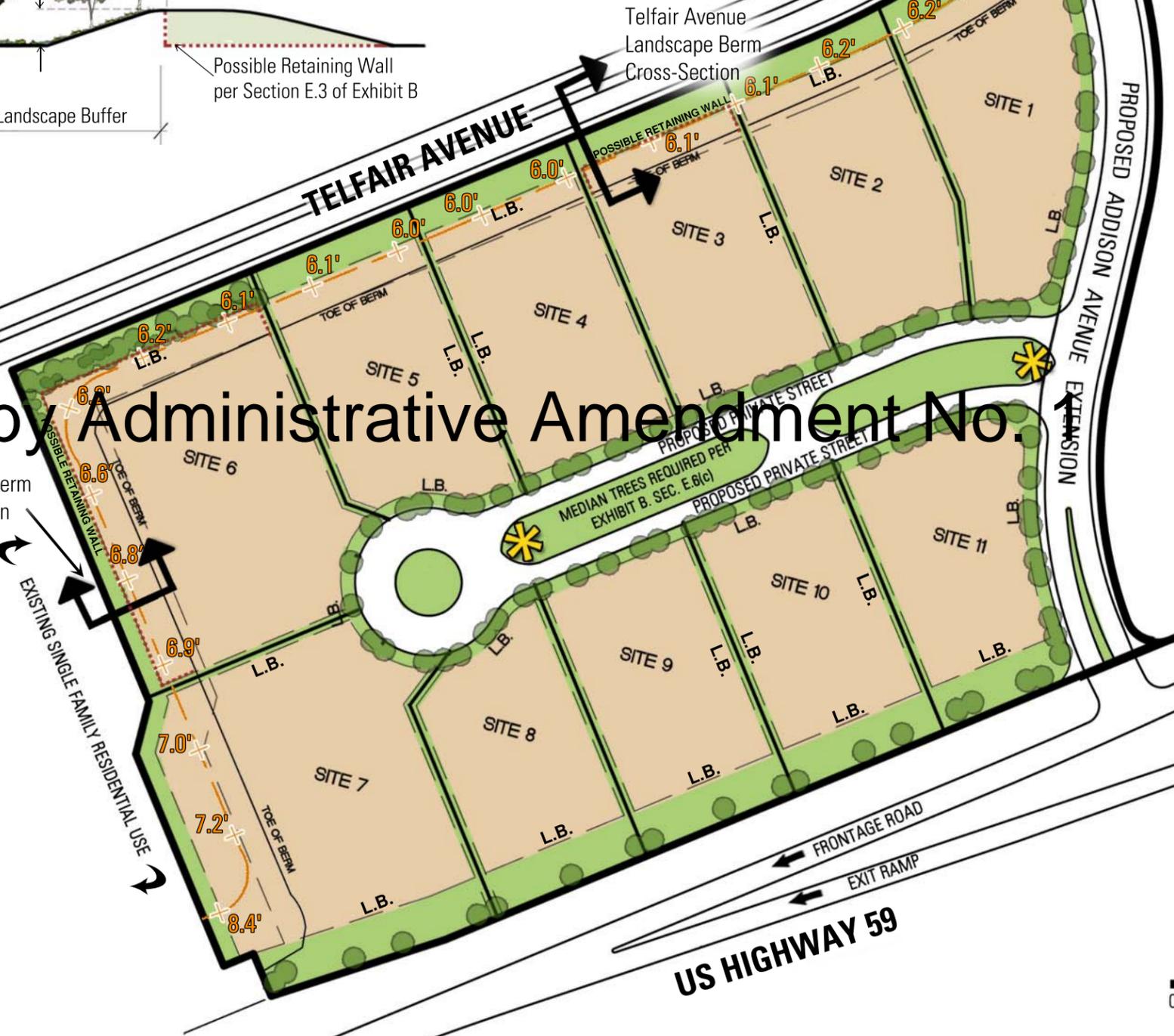


VICINITY MAP



NOTE:
 (1) Existing levee shall be incorporated into a landscape buffer per Section E.3 of Exhibit B
 (2) Shade Trees shall be provided along streets per Section E.6 of Exhibit B.

Replaced by Administrative Amendment No.



Landscape Berm shall taper at east end.

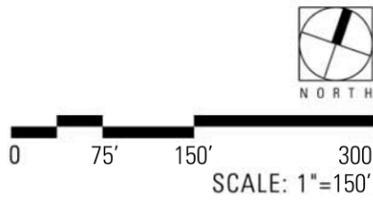
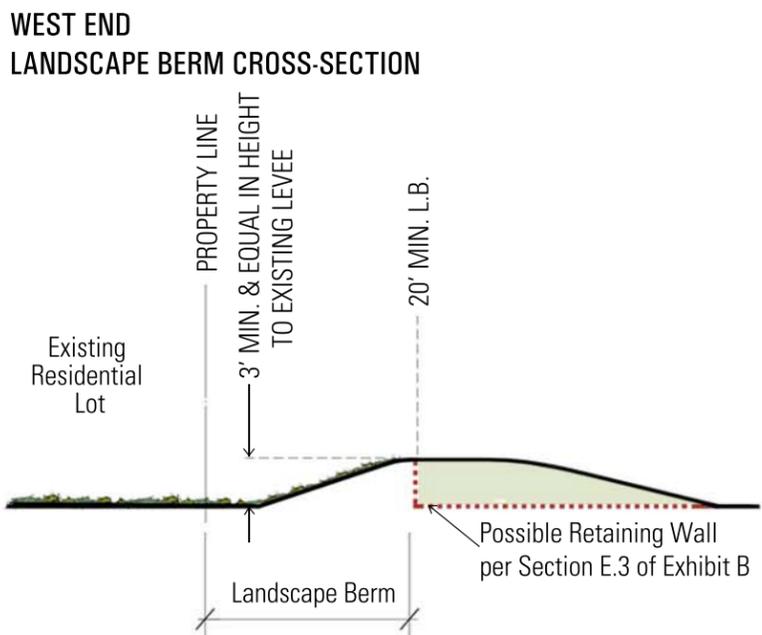


EXHIBIT B-6
PLANT LIST for TELFAIR WEST BUSINESS DISTRICT

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*
Shumard Oak – *Quercus shumardii*
Magnolia – *Magnolia sp.*
Monterrey Oak – *Quercus polymorpha*
Pecan – *Carya illinoensis*
Sweetgum – *Liquidambar styraciflua*
Water Oak – *Quercus nigra*

Ornamental Trees

American Holly – *Ilex opaca*
Bradford Pear – *Pyrus calleryana* ‘Bradford’
Crape Myrtle – *Lagerstroemia sp.*
Redbud – *Cercis canadensis*
Yaupon Holly – *Ilex vomitoria*
Evergreen Chinese Elm – *Ulmus parvifolia*

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*
Muhly Grass – *Muhlenbergia sp.*
Nandina – *Nandina sp.*

Shrubs - continued

Pigmy Date Palm – *Phoenix roebelenii*
Pindo Palm – *Butia capitata*
Rosemary – *Rosmarinus officinalis*
Sago Palm – *Cycas revoluta*
Variegated Pittosporum – *Pittosporum tobira variegata*

Vines

Algerian Ivy – *Hedera canariensis*
Carolina Jessamine – *Gelsemium sempervirens*
Climbing Fig – *Ficus pumila*
Confederate Star Jasmine – *Trachelospermum jasminoides*
English Ivy – *Hedera helix*
Honeysuckle – *Lonicera sp.*
Trumpet Creeper – *Campsis radicans*
Wisteria – *Wisteria sp.*

Groundcovers

Ajuga – *Ajuga reptans*
Algerian Ivy – *Hedera canariensis*
Asian Jasmine – *Trachelospermum asiaticum*
Boston Fern – *Nephrolepis exaltata*
Daylily – *Hemerocallis sp.*
English Ivy – *Hedera helix*
Holly Fern – *Cyrtomium falcatum*
Honeysuckle – *Lonicera sp.*
Katie Ruellia – *Ruellia brittoniana 'Katie'*
Knockout Rose – *Rosa sp.*
Lamb's Ear – *Stachys byzantina*
Liriope/Variegated Liriope – *Liriope muscari/'variegata'*
Monkey Grass – *Ophiopogon japonica*
New Gold Lantana – *Lantana sp.*
Society Garlic – *Tulbaghia violacea*
Wood Fern – *Dryopteris sp.*

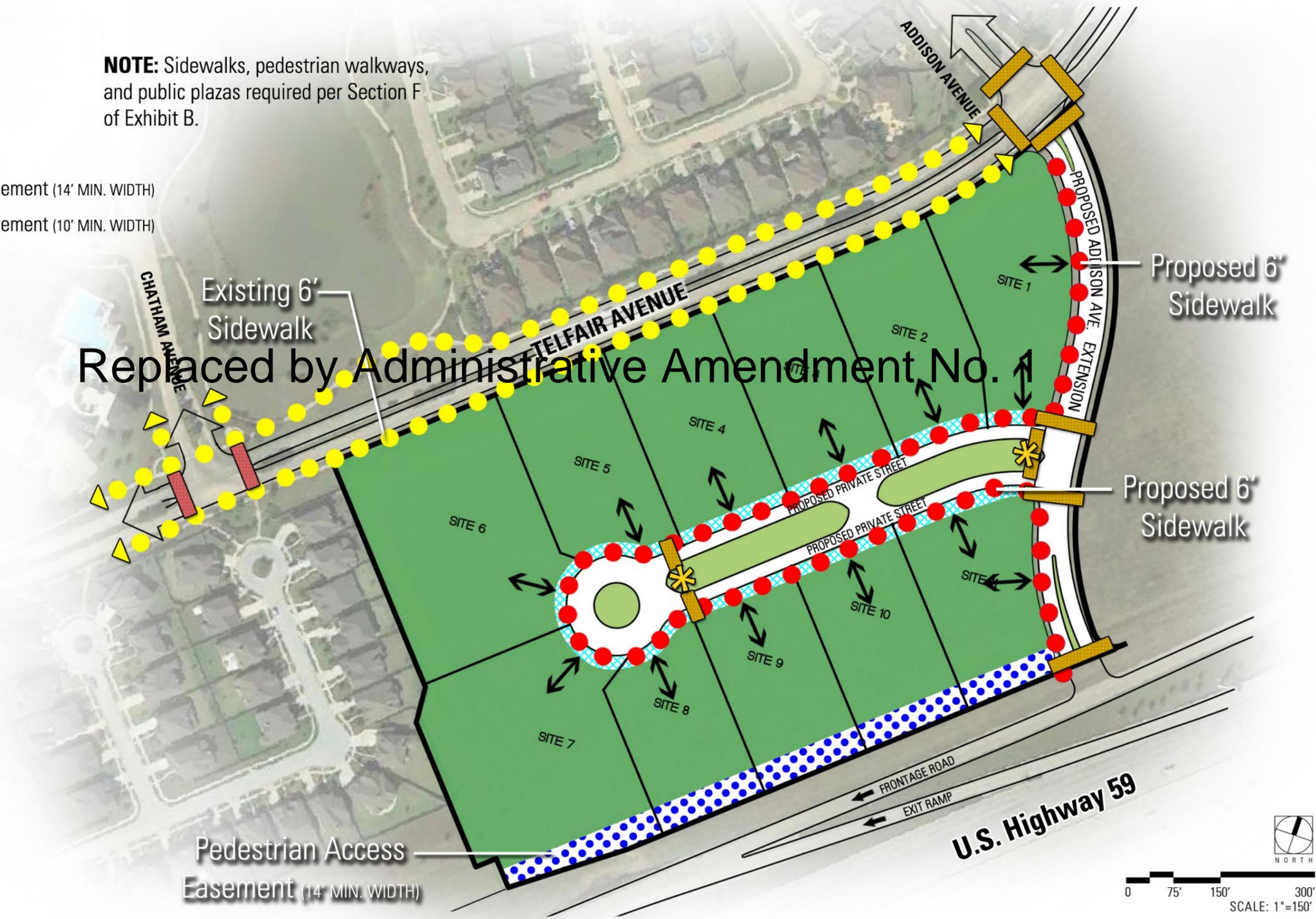
-  Existing 6' Sidewalk
-  Proposed 6' Sidewalk
-  Existing Crosswalk
-  Proposed Crosswalk
-  Pedestrian Access Easement (14' MIN. WIDTH)
-  Pedestrian Access Easement (10' MIN. WIDTH)
-  Proposed 5' Minimum Pedestrian Walkway
-  Public Plaza per Exhibit B Section F.5.

NOTE: Sidewalks, pedestrian walkways, and public plazas required per Section F of Exhibit B.

Replaced by Administrative Amendment No. 1



VICINITY MAP



 FREESTANDING SIGN SPACE

SIGN REQUIREMENTS ALONG U.S. HIGHWAY 59 PER SECTION G OF EXHIBIT B:

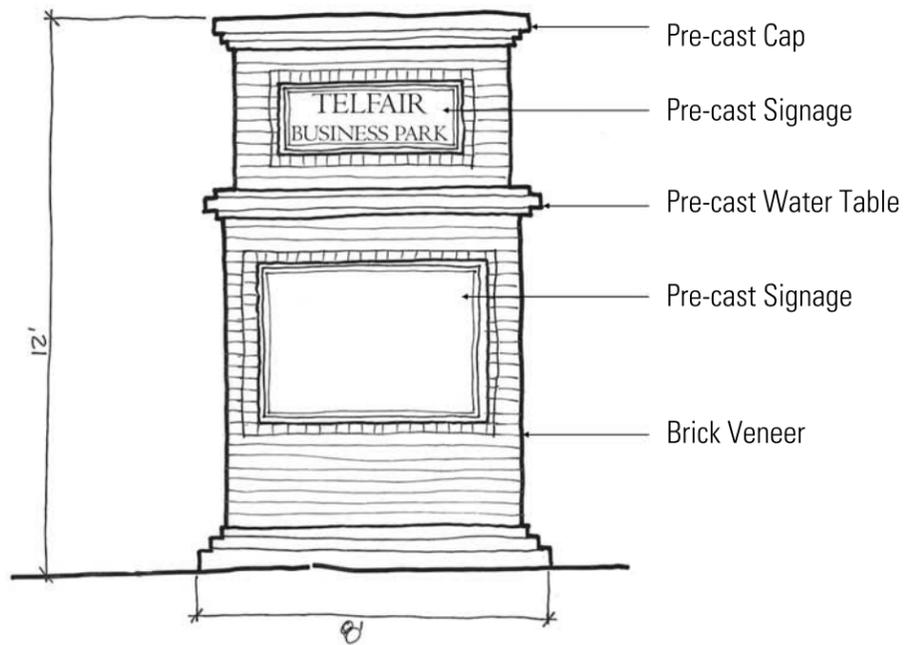
- 150 SQUARE FEET MAXIMUM EFFECTIVE AREA
- 12 FEET MAXIMUM HEIGHT
- 250' MINIMUM SPACING
- 14' MINIMUM SET BACK FROM PROPERTY LINE

NOTE: MAXIMUM 4 SIGNS ALONG U.S. HIGHWAY 59

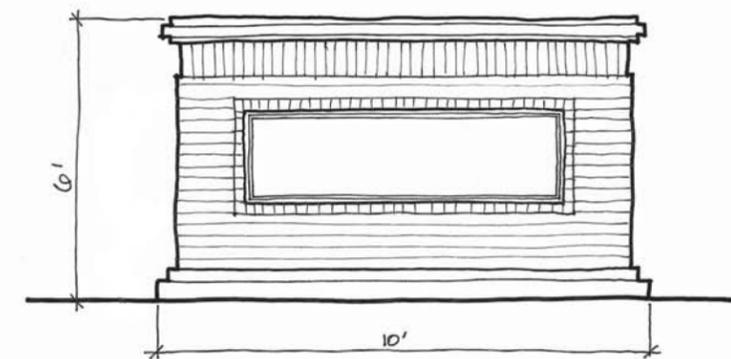


VICINITY MAP

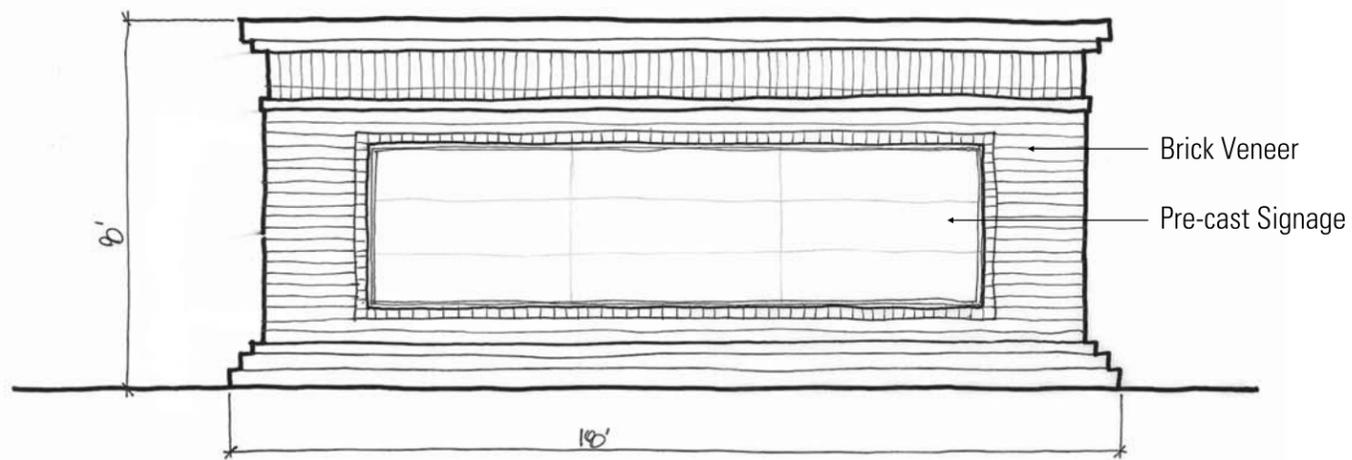




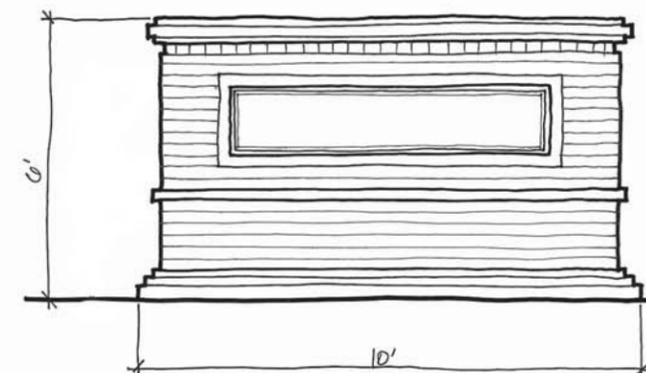
MULTI-TENANT SIGN OPTION A



SINGLE-TENANT SIGN OPTION A



MULTI-TENANT SIGN OPTION B



SINGLE-TENANT SIGN OPTION B

NOTE: All brick, cast stone, and pre-cast concrete are consistent with materials used throughout Telfair.

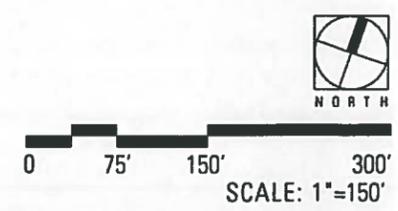
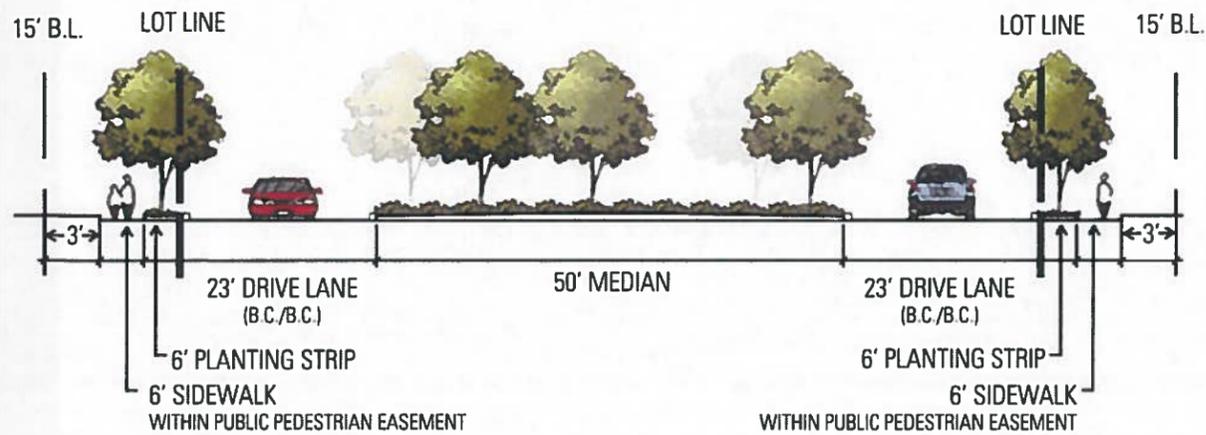


VICINITY MAP

- Landscape Buffer
- Building Envelope (includes parking)
- Vehicular Access (driveway)
- B.L. - Building Line
- Public Plaza



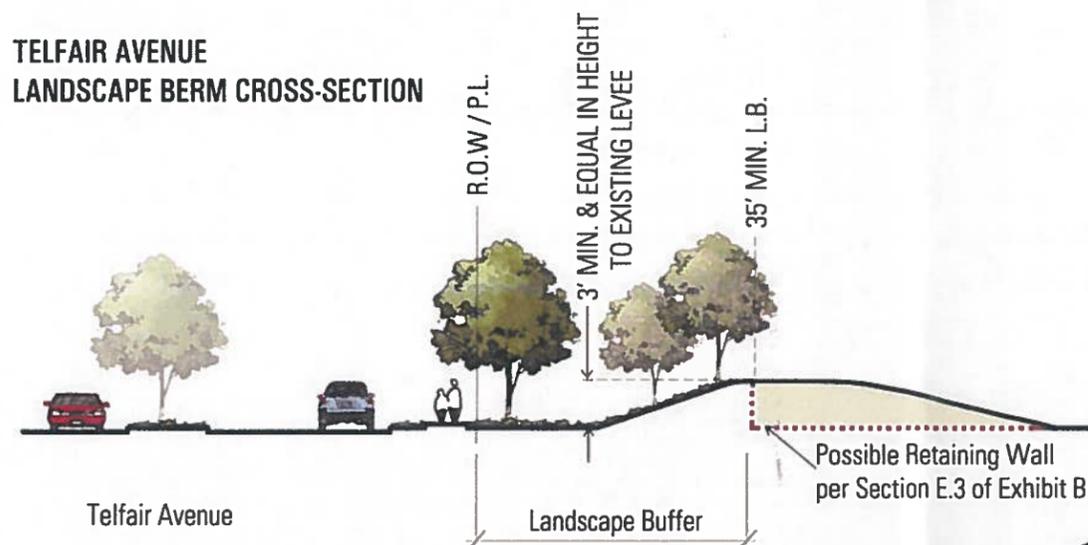
PROPOSED PRIVATE STREET SECTION



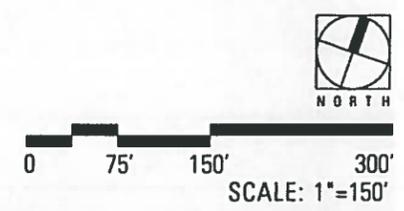
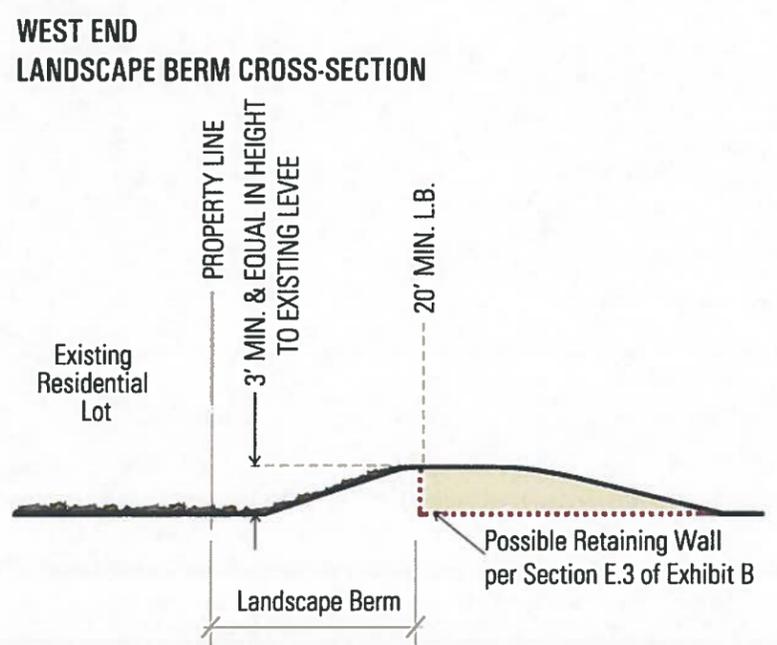
- Landscape Buffer
- Building Envelope (includes parking)
- L.B. - Landscape Buffer
- Public Plaza
- Shade Tree
- Existing Levee Height (Approx.) at 100' Spacing



VICINITY MAP



NOTE:
 (1) Existing levee shall be incorporated into a landscape buffer per Section E.3 of Exhibit B
 (2) Shade Trees shall be provided along streets per Section E.6 of Exhibit B.

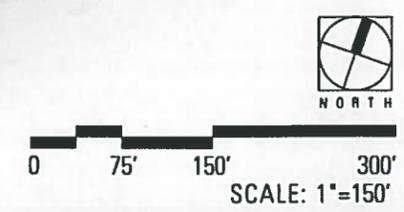


-  Existing 6' Sidewalk
-  Proposed 6' Sidewalk
-  Existing Crosswalk
-  Proposed Crosswalk
-  Pedestrian Access Easement (14' MIN. WIDTH)
-  Pedestrian Access Easement (10' MIN. WIDTH)
-  Proposed 5' Minimum Pedestrian Walkway
-  Public Plaza per Exhibit B Section F.5.

NOTE: Sidewalks, pedestrian walkways, and public plazas required per Section F of Exhibit B.



VICINITY MAP



 FREESTANDING SIGN SPACE

SIGN REQUIREMENTS ALONG U.S. HIGHWAY 59 PER SECTION G OF EXHIBIT B:

- 150 SQUARE FEET MAXIMUM EFFECTIVE AREA
- 12 FEET MAXIMUM HEIGHT
- 250' MINIMUM SPACING
- 14' MINIMUM SET BACK FROM PROPERTY LINE

NOTE: MAXIMUM 4 SIGNS ALONG U.S. HIGHWAY 59



VICINITY MAP

