

ORDINANCE NO. 1926

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, PERMANENTLY ZONING THE 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.

WHEREAS, NNP Telfair, LP has requested that 30.714 acres of land located at the northwest corner of U.S. Highway 59 and University Boulevard be permanently zoned as Planned Development (PD) District General Development Plan – Telfair West Commercial District, as described in Exhibit A; and

WHEREAS, the City has requested that the 5.186 acres of land located adjacent to NNP Telfair, LP's 30.714 acres of land and owned by the State of Texas be permanently zoned as Planned Development (PD) District General Development Plan – Telfair West Commercial District, as described in Exhibit A; and

WHEREAS, the City of Sugar Land Planning and Zoning Commission forwarded its final report, recommending approval of the rezoning requests; 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 requests comply 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 35.9 acres of land, described in Exhibit A, attached to and incorporated into this ordinance by reference, is permanently zoned as Planned Development (PD) District General Development Plan – Telfair West Commercial District.

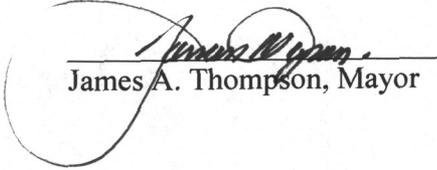
Section 3. That the following Exhibits are attached to and incorporated into this ordinance:

Exhibit A: Metes and Bounds Description
Exhibit B: General Development Plan
Exhibit B-1a/b: General Site Layout Plan (Options A and B)
Exhibit B-2: Permitted Uses
Exhibit B-3: Bulk Plane Diagram
Exhibit B-4: Plant List
Exhibit B-5a/b: Pedestrian Circulation Plan (Options A and B)
Exhibit B-6: Signage Location Plan

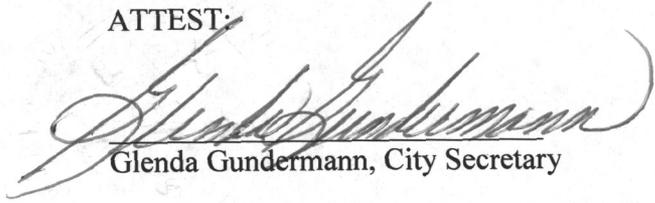
Section 4. The City's official zoning map is amended to show the permanent zoning district classification.

READ IN FULL on first consideration on August 20, 2013.

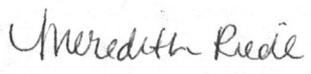
APPROVED upon second consideration on September 03, 2013.


James A. Thompson, Mayor

ATTEST:


Glenda Gundermann, City Secretary

APPROVED AS TO FORM:



Attachment: Exhibit A: Metes and Bounds Description
Exhibit B: General Development Plan
Exhibit B-1a/b: General Site Layout Plan (Options A and B)
Exhibit B-2: Permitted Uses
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Exhibit B-4: Plant List
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Exhibit B-6: Signage Location Plan

EXHIBIT A: LEGAL DESCRIPTIONS

NNP-Telfair Tract Description

August 24, 2012
Job No. 1800-1023A

DESCRIPTION OF 30.714 ACRES

Being 30.714 acres 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 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 30.714 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 adj.);

BEGINNING at an "X" found in concrete marking the southwest corner of University Boulevard Phase One, a subdivision of record in Plat No. 20060062, Plat Records, of said Fort Bend County, and being on the northerly right,-of-way line of U.S. Highway No. 59 (width varies), on a south line of said 1651.239 acre tract;

Thence, along the common line of said 1651.239 acre tract and said northerly right,-of-way line of U.S. Highway No. 59, the following five (5) courses:

- 1) South 28° 02' 41" West, 33.79 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" found for corner, the beginning of a curve;
- 2) 604.99 feet along the arc of a non-tangent curve to the left, having a radius of 423.00 feet, a central angle of 81° 56' 45", and a chord which bears South 37° 15' 28" West, 554.72 feet to a TxDOT aluminum right-of-way disc found for corner;
- 3) South 03° 29' 03" East, 10.70 feet to a concrete monument found for corner, the beginning of a curve;

30.714 acres

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- 4) 521.31 feet along the arc of a non-tangent curve to the right, having a radius of 875.69 feet, a central angle of $34^{\circ} 06' 33''$, and a chord which bears South $13^{\circ} 14' 22''$ West, 513.65 feet to a TxDOT aluminum right-of-way disc found for corner;
- 5) South $52^{\circ} 29' 40''$ West, 509.51 feet to a point found for corner, the beginning of a curve;

Thence, departing said common line, 56.36 feet along the arc of a tangent curve to the right, having a radius of 35.00 feet, a central angle of $92^{\circ} 15' 57''$ and a chord which bears North $81^{\circ} 22' 22''$ West, 50.47 feet to a point for corner, the beginning of a compound curve;

Thence, 275.59 feet along the arc of a tangent curve to the right, having a radius of 475.00 feet, a central angle of $33^{\circ} 14' 33''$ and a chord which bears North $18^{\circ} 37' 06''$ West, 271.74 feet to a point for corner;

Thence, North $01^{\circ} 59' 50''$ West, 167.60 feet to a point for corner, the beginning of a curve;

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

Thence, 43.00 feet along the arc of a tangent curve to the right, having a radius of 35.00 feet, a central angle of $70^{\circ} 23' 52''$ and a chord which bears North $07^{\circ} 54' 39''$ West, 40.35 feet to a point for corner, 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. , the beginning of a reverse curve;

Thence, with the southerly line of said Telfair Avenue Street Dedication, the following seven (7) courses:

30.714 acres

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1. 213.57 feet along the arc of a tangent curve to the left, having a radius of 890.00 feet, a central angle of $13^{\circ} 44' 56''$ and a chord which bears North $20^{\circ} 24' 50''$ East, 213.05 feet to an "X" in concrete found for corner;
2. North $13^{\circ} 32' 22''$ East, 100.00 feet to an "X" in concrete found for corner, the beginning of a curve;
3. 1155.56 feet along the arc of a tangent curve to the right, having a radius of 1173.00 feet, a central angle of $56^{\circ} 26' 38''$, and a chord which bears North $41^{\circ} 45' 41''$ East, 1109.40 feet to an "X" in concrete found for corner, the beginning of a compound curve;
4. 92.55 feet along the arc of a tangent curve to the right, having a radius of 488.50 feet, a central angle of $10^{\circ} 51' 20''$, and a chord which bears North $75^{\circ} 24' 40''$ East, 92.42 feet to an "X" in concrete found for corner;
5. North $80^{\circ} 50' 20''$ East, 42.45 feet to an "X" in concrete found for corner, the beginning of a curve;
6. 26.01 feet along the arc of a tangent curve to the left, having a radius of 500.00 feet, a central angle of $02^{\circ} 58' 49''$, and a chord which bears North $79^{\circ} 20' 56''$ East, 26.01 feet to an "X" in concrete found for corner, the beginning of a reverse curve;
7. 81.93 feet along the arc of a tangent curve to the right, having a radius of 1163.00 feet, a central angle of $04^{\circ} 02' 11''$, and a chord which bears North $79^{\circ} 52' 37''$ East, 81.92 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" found for corner on the west line of the aforementioned University Boulevard Phase One, the beginning of a compound curve;

30.714 acres

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Thence, along the west line of said University Boulevard Phase One, the following five (5) courses:

1. 82.57 feet along the arc of a tangent curve to the right, having a radius of 50.00 feet, a central angle of $94^{\circ} 37' 06''$, and a chord which bears South $50^{\circ} 47' 44''$ East, 73.50 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" found for corner, the beginning of a compound curve;
2. 29.62 feet along the arc of a tangent curve to the right, having a radius of 3000.00 feet, a central angle of $00^{\circ} 33' 57''$, and a chord which bears South $03^{\circ} 12' 13''$ East, 29.62 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" found for corner;
3. South $02^{\circ} 55' 14''$ East, 456.73 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" found for corner, the beginning of a curve;
4. 55.67 feet along the arc of a tangent curve to the left, having a radius of 3000.00 feet, a central angle of $01^{\circ} 03' 48''$, and a chord which bears South $03^{\circ} 27' 08''$ East, 55.67 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" found for corner;
5. South $03^{\circ} 59' 02''$ East, 120.00 feet to the POINT OF BEGINNING and containing 30.714 acres of land.

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.

State of Texas Tract Description

DESCRIPTION OF
5.186 ACRES

Being approximately 5.186 acres 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 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.);

COMMENCING at an "X" found in concrete marking the southwest corner of University Boulevard Phase One, a subdivision of record in Plat. No. 20060062, Plat Records, of said Fort Bend County, and being on the northerly right-of-way line of U.S. Highway No. 59, also being the Point of Beginning for the 30.714 acre "NNP-Telfair Tract" described in the previous Description and shown in the attached map;

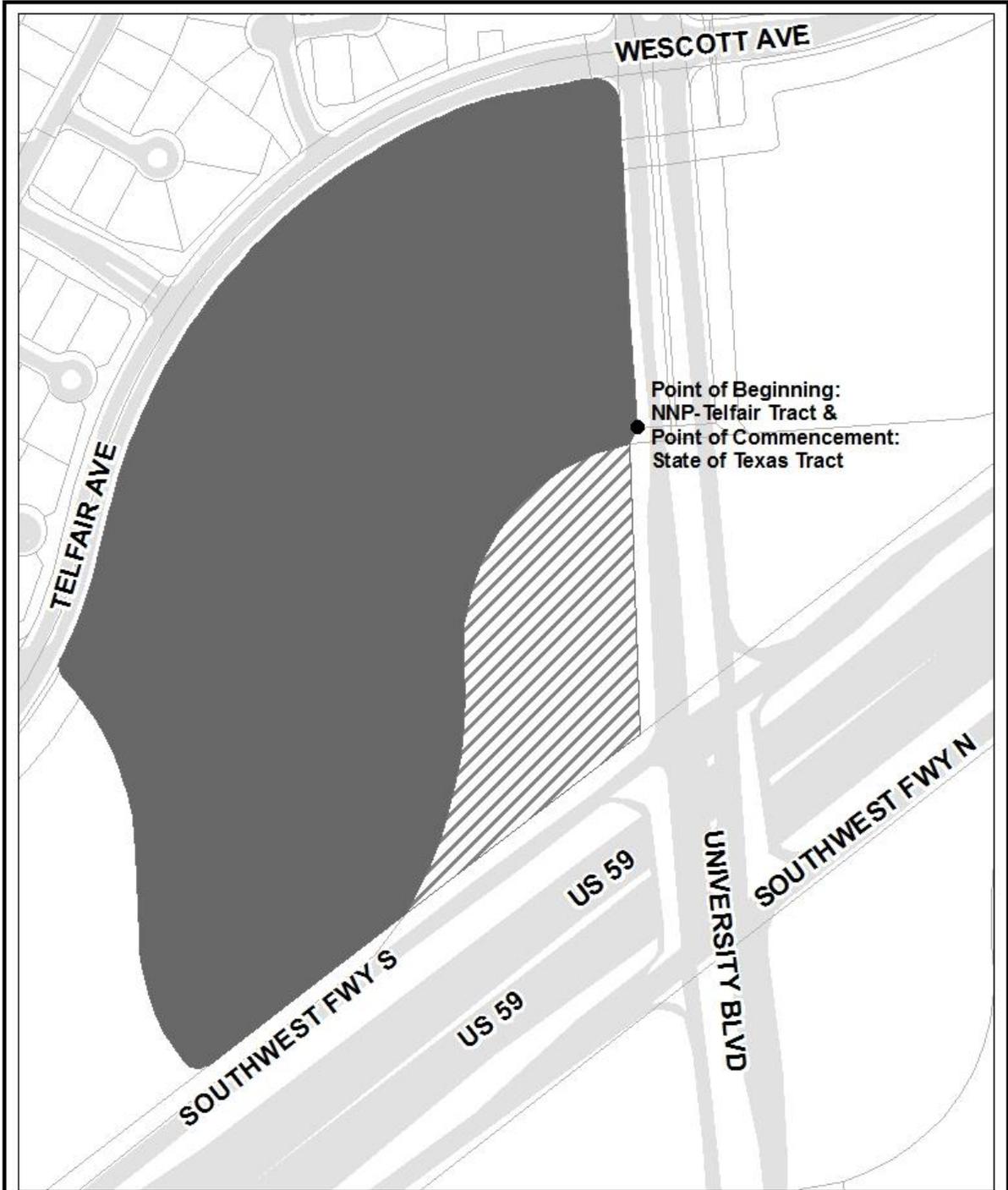
THENCE, along the common line of said 30.714 acre tract, in a southwesterly direction approximately 34 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" found for corner, also being the POINT OF BEGINNING for the herein described 5.186 acre tract, more particularly described as follows:

THENCE, along the common line of said 30.714 acre tract and northerly right-of-way line of U.S. Highway No. 59, following a curve in a southwesterly direction for a total of approximately 1137, passing a TxDOT aluminum right-of-way disc found for corner, to a TxDOT aluminum right-of-way disc found for corner;

THENCE, departing from said common line, in a northeasterly direction approximately 598 feet to a point for the southeast corner of the herein described 5.186 acre tract, also being a point within the U.S. Highway 59 right-of-way;

THENCE, in a northerly direction approximately 589 feet to the Point of Beginning of the herein described 5.186 acre tract.

Note: 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.



1 inch = 250 feet

-  NNP-Telfair Tract: 30.714 acres
-  State of Texas Tract: 5.186 acres



EXHIBIT B
GENERAL DEVELOPMENT PLAN
Telfair West Commercial District

A. Contents. This 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, 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-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. 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.

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.

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

- Exhibit B-1a/b: *General Site Layout Plan (Options A and B)*
- Exhibit B-2: *Permitted Uses*
- Exhibit B-3: *Bulk Plane Diagram*
- Exhibit B-4: *Plant List*
- Exhibit B-5a/b: *Pedestrian Circulation Plan (Options A and B)*
- Exhibit B-6: *Signage Location Plan*

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. A new and used car dealer (SIC #5511) shall be subject to all specified conditions per Note #4 in Exhibit B-2, but shall not be subject to the outdoor use regulations of Section D.6 herein.

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

1. Maximum height of structures:
 - (a) 150 feet above ground level, subject to bulk plane per 1.(b).
 - (b) Any portion of a non-residential building within 500 feet of a residential lot line 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-3, Bulk Plane Diagram](#))
2. Building size: No individual retail use shall have a floor area greater than 70,000 square feet.
3. Minimum building setbacks:

(a) Abutting U.S. Highway 59:	50 feet
(b) Abutting University Boulevard:	40 feet
(c) Abutting Telfair Ave.	35 feet
(d) Abutting all other public street lot lines:	15 feet
(e) Abutting internal access easements:	10 feet, as measured from the nearest edge of the internal access easement
(f) Other side and rear yards:	None required if adjoining another building, 5 foot minimum if not adjoining
4. Minimum parking lot setbacks:

(a) U.S. Highway 59 lot lines:	50 feet
(b) University Boulevard lot lines:	40 feet
(c) Abutting Telfair Ave.	35 feet
(d) All other public street lot lines:	15 feet
(e) Abutting internal access easements:	10 feet
(f) All other property lines:	6 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.

6. 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. The 10% maximum size restriction does not apply to landscaping materials for retail nurseries or lawn and garden supply stores
 - (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.
7. Bicycle Parking: Off-street parking for bicycles shall be provided within 50 feet of each building entrance and shall include racks or other structures intended for parking bicycles.
8. Outdoor Speakers: None permitted within 200 feet of a residential lot line. If site is 200 to 300 feet from a residential lot line, outdoor speakers shall be oriented away from the residential lots.

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:	50 feet
(b) University Boulevard:	40 feet
(c) Telfair Avenue	35 feet
(d) Other public streets:	15 feet
(e) Internal access easements:	10 feet
(f) All other property lines:	6 feet
2. Landscape buffers may include vehicular driveways, perpendicular to the length of the buffer, and pedestrian walkways. Buffers may also be used for future transit stops.
3. Former levee along Telfair Avenue:
 - (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, which tapers down in height from approximately 6 feet at Addison Avenue to 0 feet near University Boulevard.
 - (b) The landscape berm shall taper down at least 35 feet from Addison Avenue and from either side of a vehicular access point in order to permit adequate visibility at the street or driveway 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) A retaining wall may be located along the non-street facing side of the berm, but 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 landscape buffer required along an internal access easement or interior property line per Section E.1 herein.

4. Minimum 15% 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-4, Plant List](#).
6. Shade trees:
 - (a) Along U.S. Highway 59, one shade tree shall be located in the required landscape buffer for each 50 feet, or portion thereof, measured along the lot line.
 - (b) Along public streets (except U.S. Highway 59), 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 front lot line.
 - (c) Required trees may be clustered or spaced linearly; they need not be placed evenly.
 - (d) Trees shall have a minimum 4-inch caliper and minimum 10-foot height as measured at ground level when planted.

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 access easements shall be provided in accordance with [Exhibit B-5a/b, Pedestrian Circulation Plan \(Options A and B\)](#).
 - (a) A continuous sidepath with a minimum 10-foot width shall be required along University Boulevard and Addison Avenue.
 - (b) Continuous sidewalks with a minimum 6-foot width shall be required along public roadways, other than University Boulevard and Addison Avenue, and internal access easements.
 - (c) Pedestrian access easements shall be provided along U.S. Highway 59 for possible future sidewalks. Attendant temporary construction easements may also be required.
2. Pedestrian walkways shall be provided in accordance with [Exhibit B-5a/b, Pedestrian Circulation Plan \(Options A and B\)](#):
 - (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 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 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.
 - (d) For non-residential 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. Public Plazas, as shown on Exhibit B-5a/b:
 - (a) At least two plazas shall be provided, one along Telfair Avenue and one along University Boulevard.
 - (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.

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-6, 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 Final Development Plans.
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; 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 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 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), textured concrete panels, stucco and glass.
 - (b) Secondary Finish means an exterior finish consisting of wood, ceramic tiles, concrete masonry units (indented, hammered, or split face concrete), and fiber cement siding.

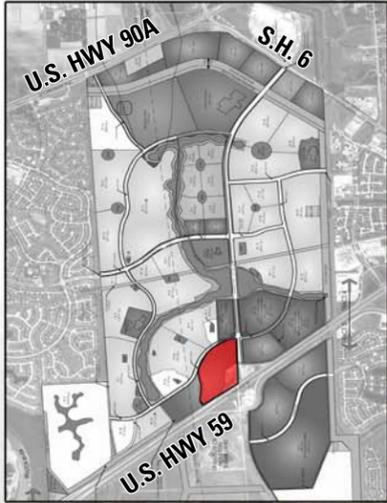
- (c) Primary Finishes shall comprise at least 85% of each façade. The remaining portion of an exterior wall that is not required to be constructed of a Primary Finish must be constructed of a Secondary Finish.
 - (d) No single Primary Finish material shall cover more than 80% of the front of the building.
 - (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, plastic, or fiberglass panels.
 - (ii) Unfired or underfired clay, sand, or shale brick.
 - (iii) Smooth or untextured concrete surfaces.
 - (iv) Exterior Insulated Finish Systems (E.I.F.S.).
3. Building features:
- (a) 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.
 - (b) Any street-facing façade (front or side street) of a retail building within 50 feet of public street right-of-way 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 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.

↔ Major Vehicular Access Point (Additional minor access points may be permitted on University Blvd. and Addison Ave. in accordance with engineering criteria.)

L.B. Landscape Buffer

B.L. Building Line

+0.0' Existing Levee Height (Approx.)
from Toe to Top, at 200' Spacing



Vicinity Map

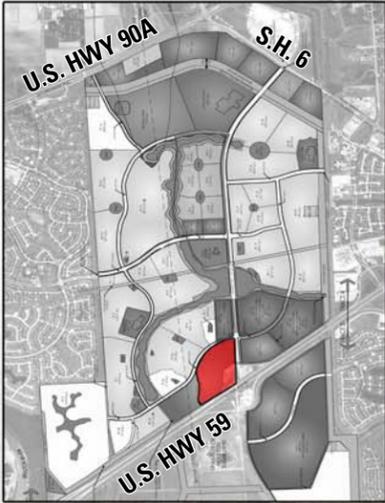


↔ Major Vehicular Access Point (Additional minor access points may be permitted on University Blvd. and Addison Ave. in accordance with engineering criteria.)

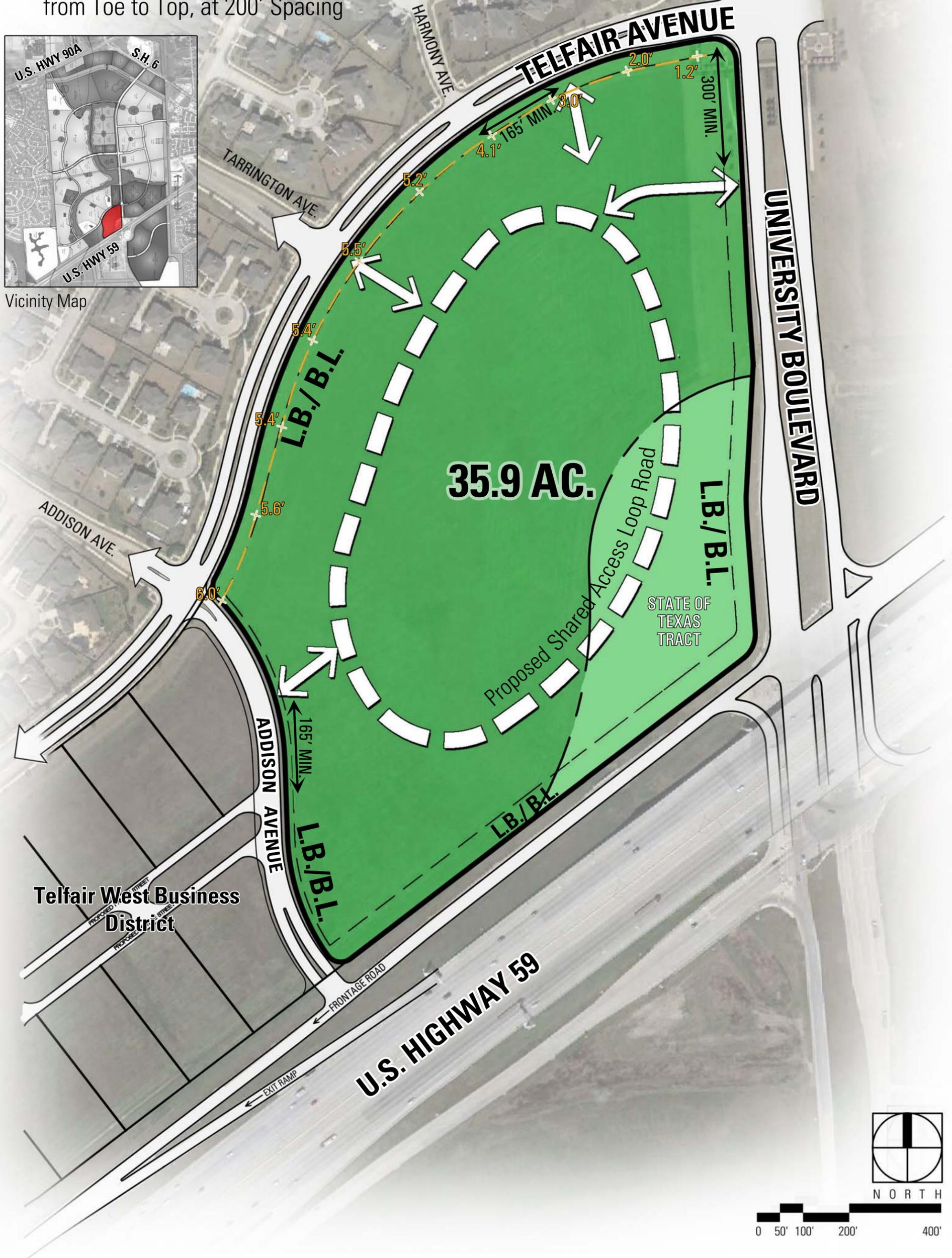
L.B. Landscape Buffer

B.L. Building Line

+0.0' Existing Levee Height (Approx.)
from Toe to Top, at 200' Spacing



Vicinity Map



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

USES	SIC CODE
Office of Veterinarians (small animals only, no overnight boarding except for surgery, no livestock or outdoor runs permitted)	742
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
Cable and Other Pay Television Services	4841
Miscellaneous Communications Service (except equipment repair or bucket trucks on site)	4899
<u>RETAIL TRADE:</u>	
Paint, Glass and Wallpaper Stores	5231
Hardware Stores	5251
Retail Nurseries and Garden Stores	5261
Department Stores	5311
Variety Stores	5331
Miscellaneous General Merchandise, only as follows:	5399
Catalog Showrooms, 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 (includes farmers' market-type stores)	5499
New and Used Car Dealers	5511
	see note 4
Auto Parts and Accessory Sales (no auto repair)	5531
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

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

USES	SIC CODE
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	
Building Materials, Used – Retail	
Furniture Stores, Secondhand – Retail	
Furniture, Antique – Retail	
Glassware, Antique – Retail	
Home Furnishings, Antique – Retail	
Manuscripts, Rare – Retail	
Musical Instrument Stores, Secondhand – Retail	
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
Catalog and Mail-Order Houses	5961
Direct Selling Establishments	5963
Florists	5992
Tobacco Stores and Stands	5993
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	

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

USES	SIC CODE
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
Functions Related to Depository Banking (except check cashing)	6091-6099 See note 5
Federal and Federal-Sponsored Credit	6111
Personal Credit Institutions (except payday or auto title loans)	6141 See note 5
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

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

USES	SIC CODE
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

SERVICES:

Hotels	7011	See note 1
Garment Pressing, and Agents for Laundries and Dry Cleaners - (Pressing and Pickup-Drop off Only)	7212	See note 2
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
- 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
- Hair Removal (electrolysis)
- Marriage Bureaus
- Porter Service
- Quilting for Individuals

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

USES	SIC CODE
Scalp Treatment Service	
Shopping Service for Individuals	
Steam Baths	
Tanning Salons	
Tuxedo Rental	
Valet Parking	
Wardrobe Service, except Theatrical	
Wedding Chapels, Privately Operated	
Advertising Agencies	7311
Outdoor Advertising Services (no fleet vehicle storage)	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	
Sky Writing	
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	
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	

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

USES	SIC CODE
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	
Apparel Pressing Service for the Trade	
Appraisers (except real estate appraisers)	
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)	
Decorating Services for Special Events	
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)	
Interior Designing Service (except painters and paper hangers)	
Inventory Computing Service	

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

USES	SIC CODE
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 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 (no fleet vehicle storage)	7622-7629
Watch, Clock, and Jewelry Repair	7631
Re-upholstery and Furniture Repair	7641

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

USES	SIC CODE	
Miscellaneous Repair Shops	7692-7699	
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	
Physical Fitness Facilities	7991	
Membership Sports and Recreation Clubs	7997	
Amusement and Recreation Services (not elsewhere classified), only as follo	7999	
Art and Music Instruction and Studios		
Day Camps		
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	
General Medical and Surgical Hospitals	8062	
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 6
Legal Services	8111	
Elementary and Secondary Schools	8211	See note 3
Colleges, Universities, Professional Schools and Junior Colleges	8221-8222	
Libraries	8231	
Vocational Schools	8243-8249	
Schools and Educational Services (not elsewhere classified), only as follows:	8299	
Art Schools (except commercial)		
Automobile Driving Instruction (no fleet vehicle storage)		
Baton Instruction		
Bible Schools (not operated by churches)		
Ceramic Schools		
Charm Schools		
Civil Service Schools		
Continuing Education Programs		

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

USES	SIC CODE
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	
Tutoring	
Vocational Counseling (except rehabilitation counseling)	
Individual and Family Services	8322
Job Training and Related Services	8331
Child Day Care Services	8351
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
Religious Organizations	8661
Miscellaneous Membership Organizations	8699
Engineering Services	8711
Architectural Services	8712
Surveying Services (no fleet vehicle storage)	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	

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

USES	SIC CODE
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>	
Courts	9211
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
Administration of Economic Programs	9611-9661
<u>NON-CLASSIFIABLE ESTABLISHMENTS:</u>	
Adult Day Care	99
Corporate Offices	99
Parks and Recreational Facilities, Public or Private	99

EXHIBIT B-2
PERMITTED USES
Telfair West Commercial District

USES

SIC CODE

NOTES:

1. Hotels limited to full service or select service, per Development Code, Chapter 2, Article XIV, and Chapter 10 – Definitions.
2. 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.
3. Conditions for Elementary and Secondary Schools (SIC 8211) and Child Day Care Services (SIC 8351):
 - a. Shall be developed in accordance with an approved traffic circulation plan and traffic study to include on-site queuing.
 - b. Must provide dedicated outside or inside recreational areas, and shall not retrofit parking lots for recreational areas.
 - c. No more than one school or one child day care center in Planned Development.
4. Conditions under which New and Used Car Dealers (SIC 5511) may be considered:
 - a. No more than one permitted in the Planned Development with a maximum size of 6 acres.
 - b. New car sales shall be the primary use; used car sales shall be a secondary use.
 - c. Used car inventory area shall be identified on the Final Development Plan
 - d. Maximum site frontage of 750 feet on U.S. Highway 59 with no frontage on Telfair Avenue or University Boulevard.
 - e. Minimum 20% of paving for parking lots, driveways and other vehicle use areas shall be a decorative concrete surface or interlocking pavers supported by a 6-inch reinforced concrete tray and a sub-grade per City design standards.
 - f. All shade trees shall have a minimum 4-inch caliper and a minimum 10-foot height as measured at ground level when planted.
 - g. Display pads may not exceed two feet in height.
 - h. An outside voice paging or sound system may not be used.
 - i. Signs relating to the sales of vehicles, other than the manufacturer's dealer's invoice sticker or signs required by law, are not allowed on automobile inventory if the vehicle is visible from a public street.
 - j. Loading or unloading of vehicle inventory will occur only within the property lines of the site.
 - k. Site shall be at least 200 feet from Telfair Avenue.
 - l. Additional conditions may be imposed with the Final Development Plan.
5. 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).
6. Health and Allied Services NEC (SIC 8099) include massage establishments (as defined by Chapter 455 of the Texas Occupations Code).

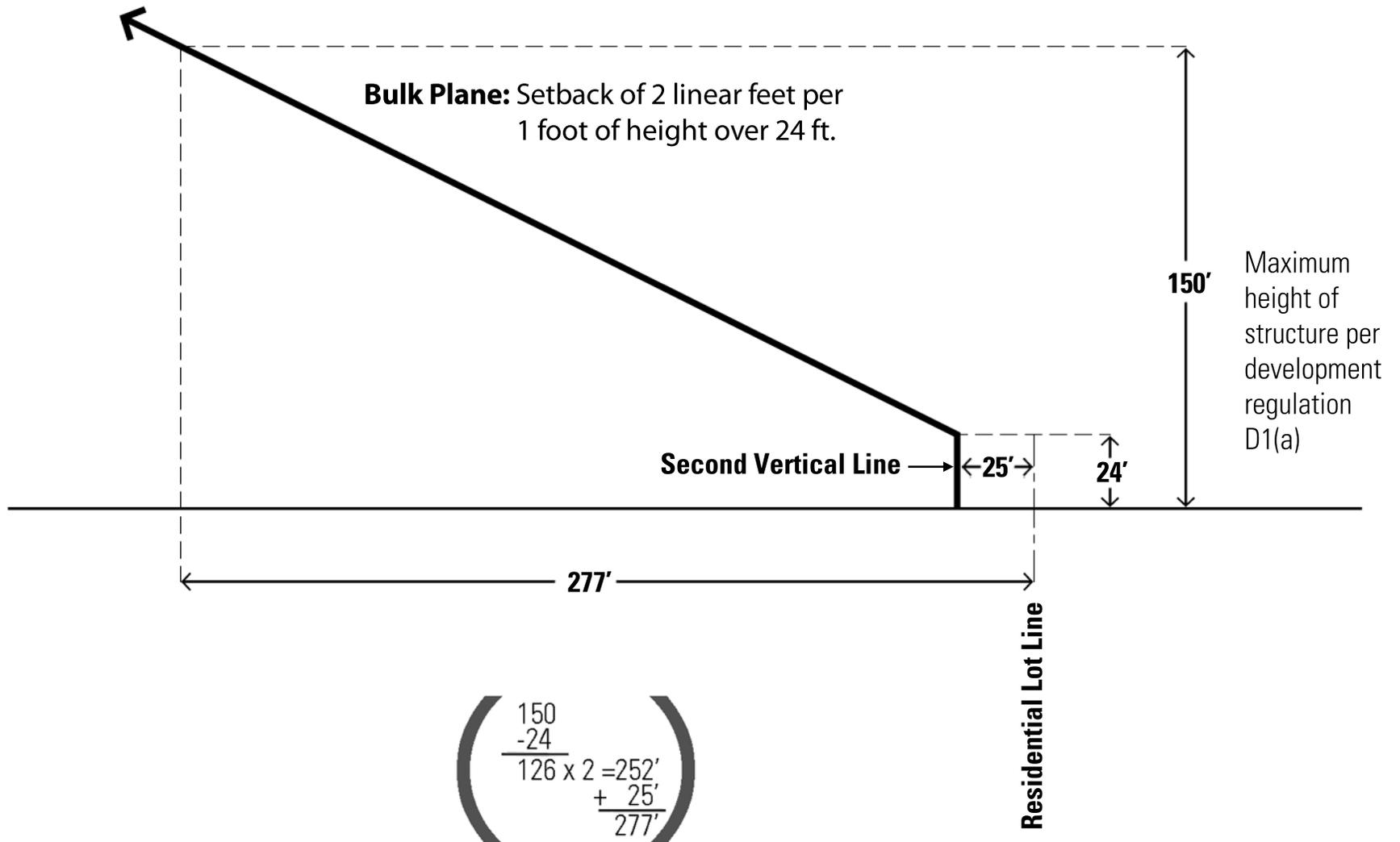


EXHIBIT B-4
PLANT LIST for TELFAIR WEST COMMERCIAL DISTRICT

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*
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.*

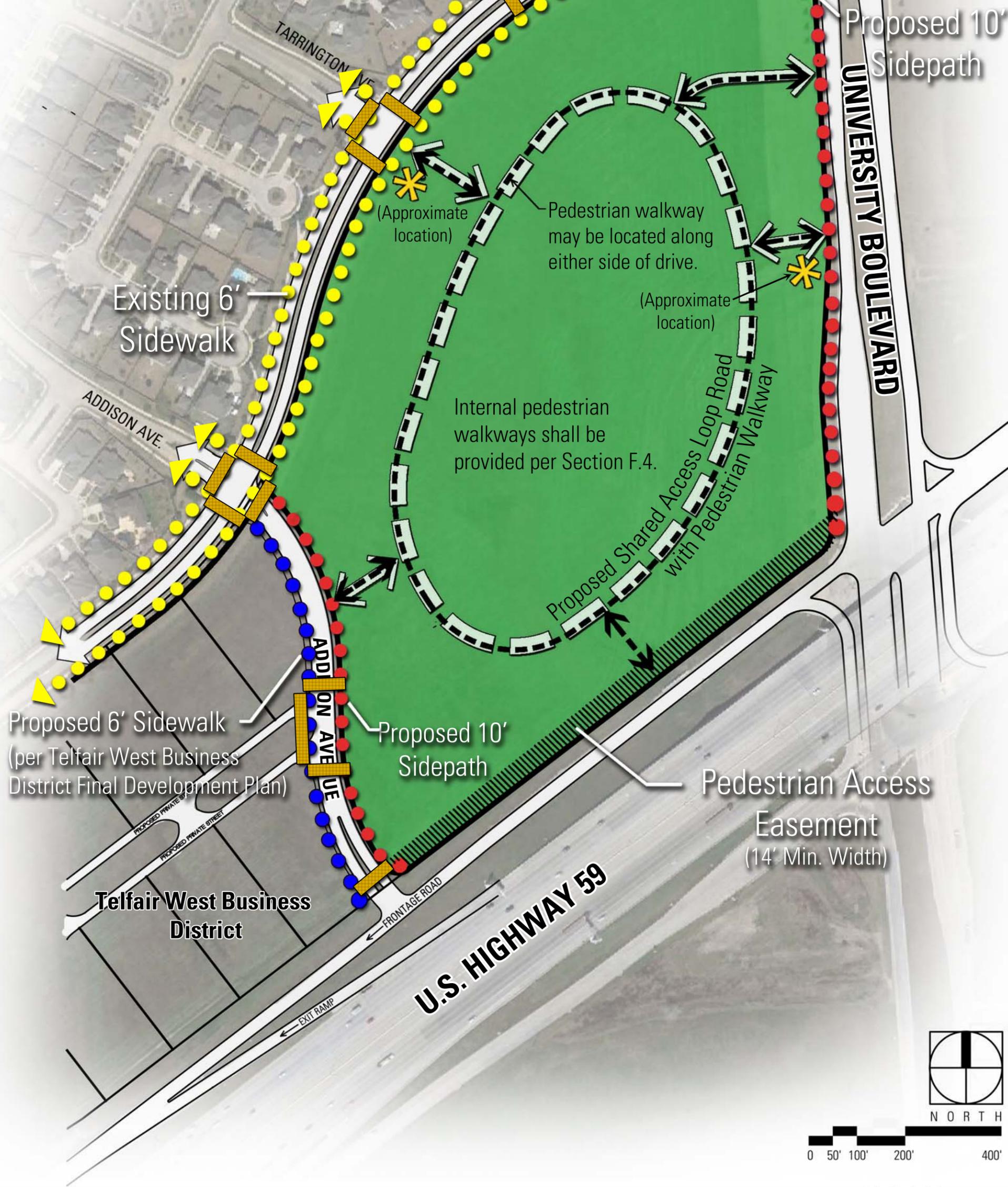
Groundcovers

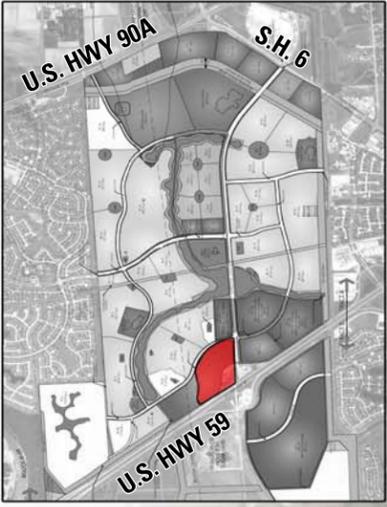
Ajuga – *Ajuga reptans*
Algerian Ivy – *Hedera canariensis*
Asian Jasmine – *Trachelospermum asiaticum*
Boston Fern – *Nephrolepis exaltata*
Daylily – *Hemerocallis sp.*
English Ivy – *Hedera helix*
Holly Fern – *Cyrtomium falcatum*
Honeysuckle – *Lonicera sp.*
Katie Ruellia – *Ruellia brittoniana 'Katie'*
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.*

-  Proposed 6' Sidewalk
-  Existing 6' Sidewalk
-  Proposed 10' Sidepath
-  Crosswalk
-  Public Plaza per Exhibit B, Section F.5
-  Pedestrian Walkway (6' Min. Width)
-  Vehicular Access



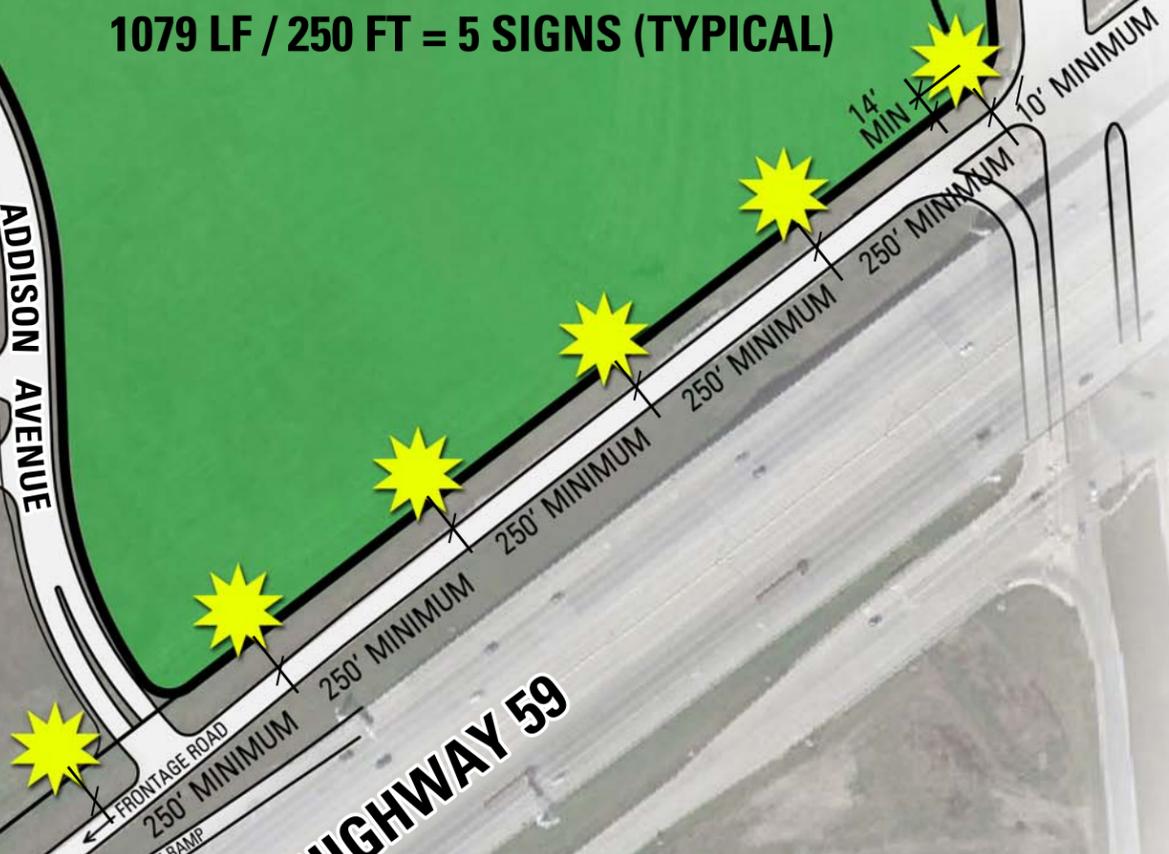
-  Proposed 6' Sidewalk
-  Existing 6' Sidewalk
-  Proposed 10' Sidepath
-  Crosswalk
-  Public Plaza per Exhibit B, Section F.5
-  Pedestrian Walkway (6' Min. Width)
-  Vehicular Access





Vicinity Map

Possible freestanding sign locations along US Highway 59.
 150 SF max
 1 Sign/ 250' Frontage
 14' Setback
 1079 LF / 250 FT = 5 SIGNS (TYPICAL)



Telfair West Business District

U.S. HIGHWAY 59

TELFAIR AVENUE

UNIVERSITY BOULEVARD



NORTH

