

**AGENDA - WORKSHOP OF THE PLANNING & ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, NOVEMBER 19, 2012, AT 6:00 P.M., COUNCIL CHAMBERS, CITY HALL 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

**II. PURPOSE OF THE WORKSHOP:**

- 1. COUNCIL INPUT AND DISCUSSION:** REGARDING A PROPOSED PLANNED DEVELOPMENT AMENDMENT FOR PEARLAND TOWN CENTER PLANNED DEVELOPMENT. *Mr. Harold Ellis, City Planner.*

**III. ADJOURNMENT**

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfin at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**

I, Judy Brown, Office Coordinator of the City of Pearland, Texas, do hereby certify that the foregoing agenda was posted in a place convenient to the general public at City Hall on the 15<sup>th</sup> day of November, 2012 A.D., at 5:30 p.m.

\_\_\_\_\_  
Judy Brown, Planning Office Coordinator

Agenda removed \_\_\_\_\_ day of November 2012.

# Workshop Item No. 1

- 1. COMMISSION INPUT AND DISCUSSION:** REGARDING A PROPOSED PLANNED DEVELOPMENT AMENDMENT FOR PEARLAND TOWN CENTER PLANNED DEVELOPMENT. *Mr. Harold Ellis, City Planner.*

**AGENDA REQUEST  
BUSINESS OF THE CITY COUNCIL  
CITY OF PEARLAND, TEXAS**

<b>AGENDA OF:</b> November 19, 2012	<b>ITEM NO.:</b> Workshop Item No. 1
<b>DATE SUBMITTED:</b> November 9, 2012	<b>DEPT. OF ORIGIN:</b> Planning
<b>PREPARED BY:</b> Harold Ellis	<b>PRESENTOR:</b> Harold Ellis
<b>REVIEWED BY:</b> Mike Hodge	<b>REVIEW DATE:</b> November 8, 2012
<b>SUBJECT:</b> Request of Sueba Consulting, Inc., a applicant, on behalf of Pearland Town Center LP, owner, for a Joint Workshop regarding a proposed Planned Development amendment for Pearland Town Center Planned Development	
<b>EXHIBITS:</b> Proposed PD Amendments, Proposed Site Plan	
<b>EXPENDITURE REQUIRED:</b> N/A	<b>AMOUNT BUDGETED:</b> N/A
<b>AMOUNT AVAILABLE:</b> N/A	<b>PROJECT NO.:</b> N/A
<b>ACCOUNT NO.:</b> N/A	
<b>ADDITIONAL APPROPRIATION REQUIRED:</b> N/A	
<b>ACCOUNT NO.:</b> N/A	
<b>PROJECT NO.:</b> N/A	
<b>To be completed by Department:</b>	
<input type="checkbox"/> Finance	<input type="checkbox"/> Legal
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution

**EXECUTIVE SUMMARY**

This workshop is to discuss a request for a Planned Development (PD) amendment to a previously approved PD known as Pearland Town Center, originally approved by City Council in February 2006. The property contains approximately 177 acres, and the proposed amendment pertains to amending the total allowed multi family units.

The latest approved Pearland Town Center Planned Development addresses multi family residential units in two ways. First, there is a total overall cap of 300 units. Secondly, the document further specifies that multi family units can be located in Sub Areas A, B, C, and D (see attached exhibit). The applicant is requesting to amend the total allowed units to 583 residential units for the entire PD, and increase the total allowed specifically in Sub area C to 349 units from 300.

Currently Sub Area A contains 234 units. With the 348 units being proposed to be added to Sub Area C, the new total would be 582.

On the current Pearland Town Center PD Sub Area Map, Sub Area C is referred to as the Event Center District. This will allow for retail uses, an event center, and multi

family units. This proposed Planned Development Amendment will not change allowable uses in Sub Area C, only increase the number from 300 to 349 units, and result in an overall increase in number of units in all of Pearland Town Center from 300 to 583, as indicated earlier.

Excerpt from current PD pertaining to multi family allowed numbers of units:

**Article VIII. Development Density Regulations:**

Notwithstanding the provisions of the Unified Development Code, or the requirements of any underlying zoning or overlay district use regulations, the following are the Maximum Allowable Residential Densities permitted for this PUD:

- 1) Entire PUD
  - a) Residential Density – Established by Sub-area
  - b) No more than 300 residential units collectively within Sub Areas A, C, D
  - c) Impervious coverage shall not exceed eighty five percent (85%) of the Net land area. All pervious area shall be landscaped.
  - d) Impervious coverage shall be based on the Net Area of development without regard to parcel ownership or sub area. Pervious areas within sub area F - Storm Water Management Area excluding the surface area of the lake measured at the required storage level, and all other pervious open space shall be included for the purpose of this calculation.
  - e) Non residential development Density shall be permitted within this Town Center PUD in accordance with the City of Pearland zoning codes in effect at the time this document is adopted. The Developer shall comply with all building, mechanical and life safety codes in effect at the time building permits are requested.
- 2) Sub Area A
  - a) Up to 300 residential units, subject to the limits established in Paragraph 1 b above.
- 3) Sub Area B (B-1 and B-2)
  - a) No residential permitted
- 4) Sub Area C
  - a) Up to 300 residential units, subject to the limits established in Paragraph 1 b above.
- 5) Sub Area D (D-1 and D-2)
  - a) Up to 300 residential units, subject to the limits established in Paragraph 1 b above.

Excerpt from proposed PD amendment pertaining to multi family allowed numbers of units:

**Article VIII. Development Density Regulations:**

Notwithstanding the provisions of the Unified Development Code, or the requirements of any underlying zoning or overlay district use regulations, the following are the Maximum Allowable Residential Densities permitted for this PUD:

- 1) Entire PUD
  - a) Residential Density - Established by Sub-area
  - b) No more than 583 residential units collectively within Sub Areas A, C, D
  - c) Impervious coverage shall not exceed eighty five percent (85%) of the Net land area. All pervious area shall be landscaped.
  - d) Impervious coverage shall be based on the Net Area of development without regard to parcel ownership or sub area. Pervious areas within sub area F - Storm Water Management Area excluding the surface area of the lake measured at the required storage level, and all other pervious open space shall be included for the purpose of this calculation.
  - e) Non residential development Density shall be permitted within this Town Center PUD in accordance with the City of Pearland zoning codes in effect at the time this document is adopted. The Developer shall comply with all building, mechanical and life safety codes in effect at the time building permits are requested.
- 2) Sub Area A
  - a) Up to 300 residential units, subject to the limits established in Paragraph 1 b above.
- 3) Sub Area B (B-1 and B-2)
  - a) No residential permitted
- 4) Sub Area C
  - a) Up to 349 residential units, subject to the limits established in Paragraph 1 b above.
- 5) Sub Area D (D-1 and D-2)
  - a) Up to 300 residential units, subject to the limits established in Paragraph 1 b above.

## **Staff Analysis:**

Planning staff has met with the applicant and believes that the site plan currently being proposed addresses initial concerns of integrating the development with the existing Town Center development. Further details on landscaping will be provided following the workshop.

## **Key points from the Unified Development Code and Comprehensive Plan which appear to support the proposed development:**

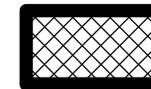
- The proposal is well integrated into an existing mixed-use development, Pearland Town Center
  - Specific design elements to integrate the developments are proposed
    - Consistent architecture, being further enhanced with increased masonry
    - Integrated corridor extending from existing outdoor space
    - Incorporates existing ponds as amenities for entire development
- The proposal itself is a mixed-use development, with live-work units being proposed on select ground floor units. If approved, this would be the first its kind in Pearland
- The proposal would result in a higher quality development than would result from the use of conventional zoning districts, which is the intent of a PD as indicated in the UDC
- The intent of a PD, as indicated in the UDC, is to result in a higher quality development, which appears to be met in this case with the high level of amenities, public open space, and increase in quality of exterior building materials being proposed
- No additional variances are being requested with the PD amendment
- The applicants are willing to commit to a specific site plan which ensures these elements are achieved
- The type of mixed use development being proposed appears to be the type of exception referred to in the Comprehensive Plan as an exception to the general guidance that the City should avoid additional multi-family units

## **Staff Recommendation**

Conduct the workshop and provide direction to staff.



Pearland Town Center  
Planned Development



Primary Area of  
proposed Amendment

### Vicinity and Zoning Map

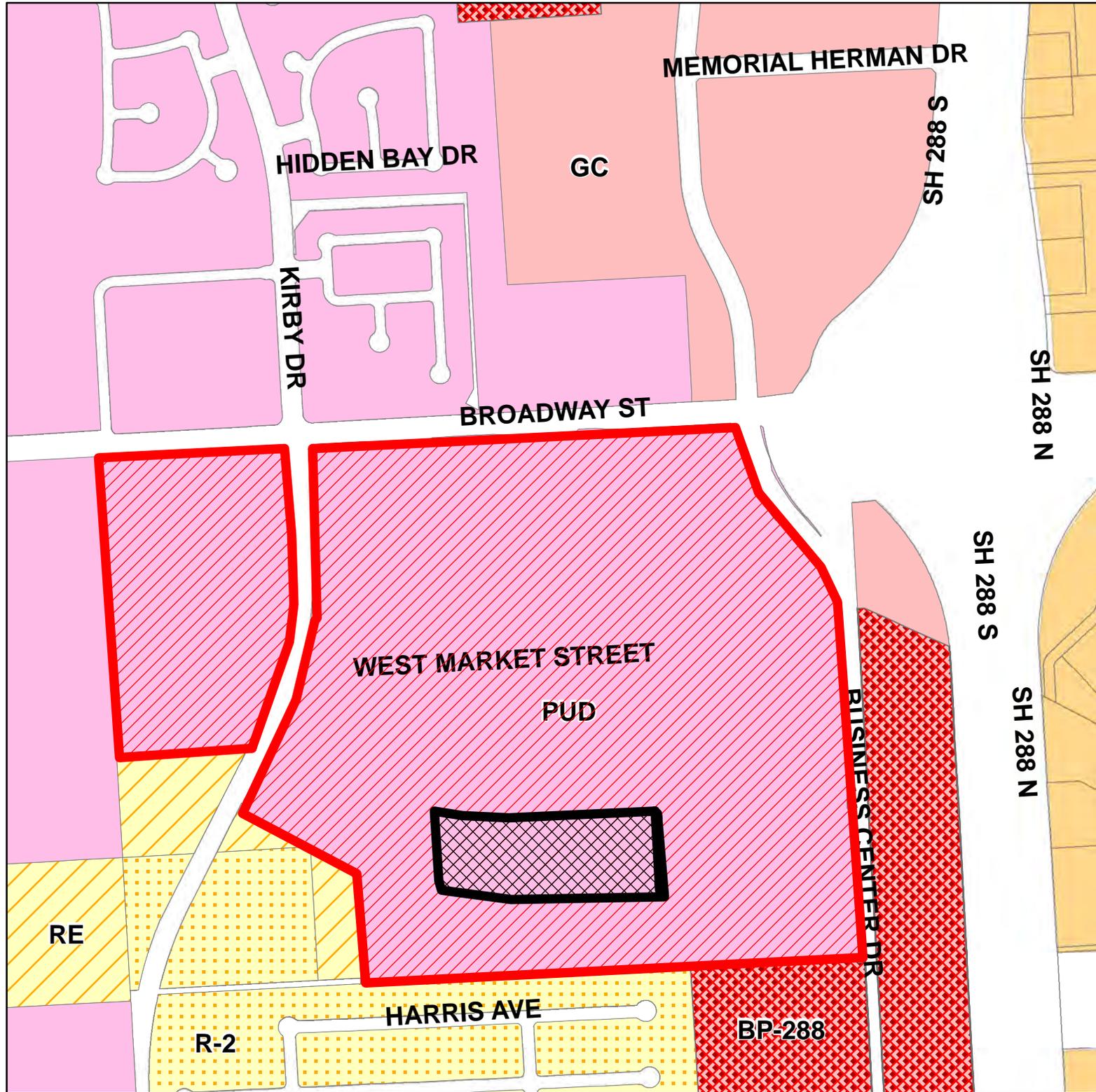
### Pearland Town Center PD Amendment

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

N

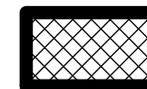


0 212.5 425 850 Feet





**Pearland Town Center  
Planned Development**



**Primary Area of  
proposed Amendment**

**Aerial Map**

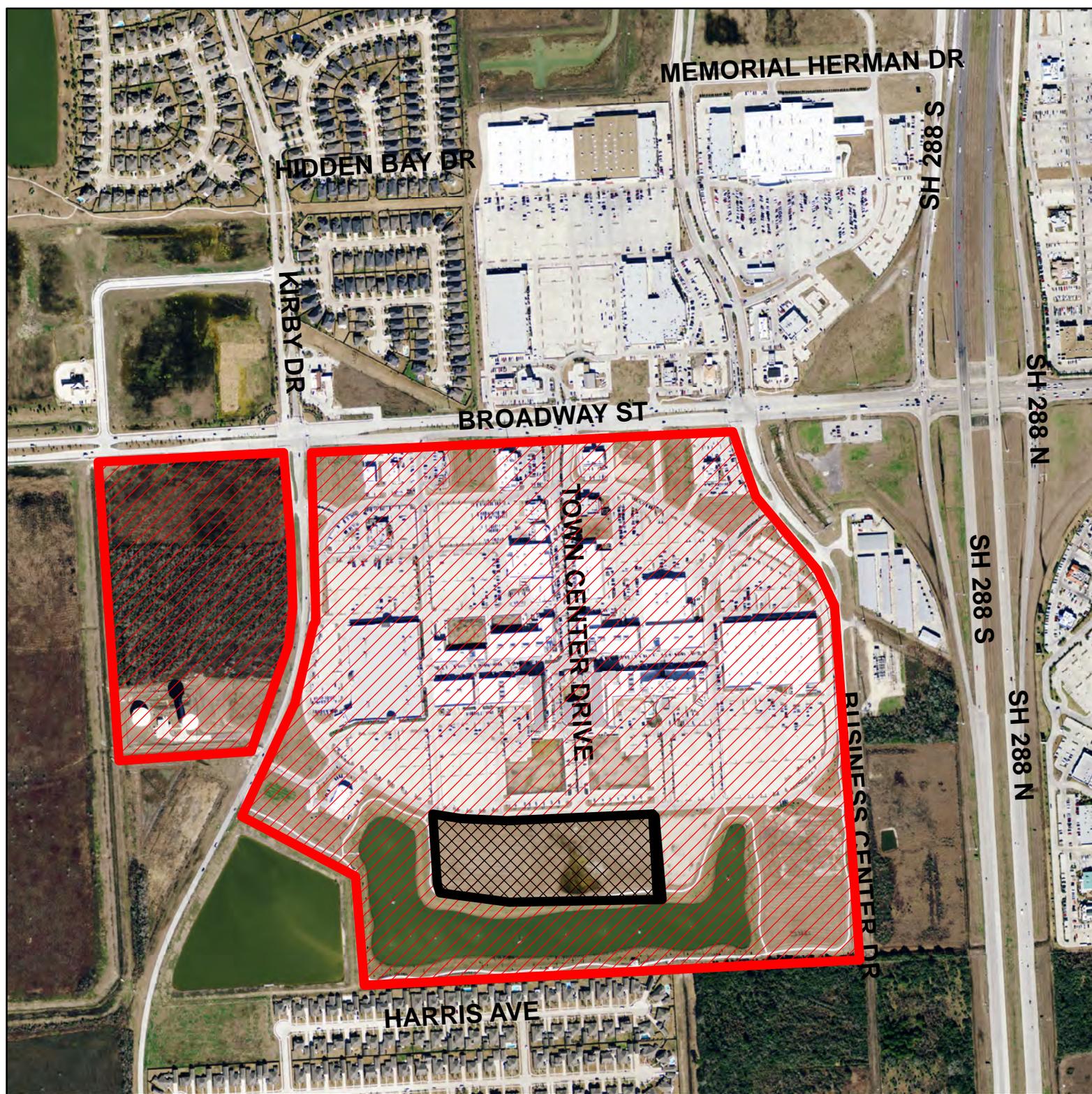
**Pearland Town Center  
PD Amendment**

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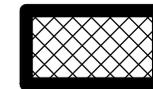


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**Pearland Town Center  
Planned Development**



**Primary Area of  
proposed Amendment**

**FLUP Map**

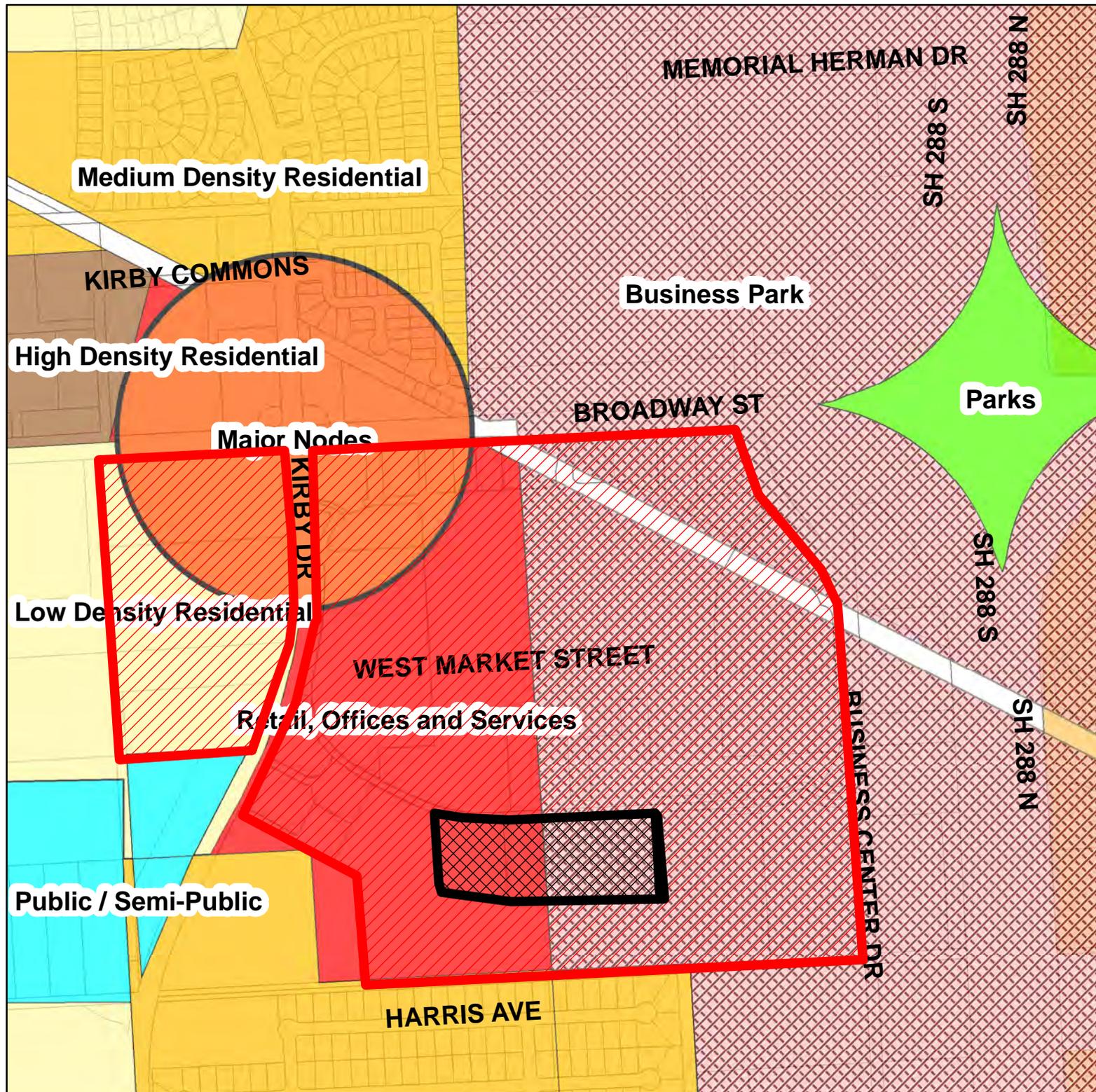
**Pearland Town Center  
PD Amendment**

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N



0 212.5 425 850 Feet



MEMORIAL HERMAN DR

N 882 HS

S 882 HS

Business Park

Parks

BROADWAY ST

SH 288 S

SH 288 N

BUSINESS CENTER DR

Medium Density Residential

KIRBY COMMONS

High Density Residential

Major Nodes

KIRBY DR

Low Density Residential

WEST MARKET STREET

Retail, Offices and Services

Public / Semi-Public

HARRIS AVE

# PEARLAND TOWN CENTER LOFTS

348 UNITS

PEARLAND, TEXAS 77584



PROJECT DEVELOPMENT BROCHURE  
NOVEMBER 2012

SUEBA USA CORPORATION  
1800 WEST LOOP SOUTH, SUITE 1300  
HOUSTON, TEXAS 77027  
[WWW.SUEBAUSA.COM](http://WWW.SUEBAUSA.COM)





# PEARLAND TOWN CENTER LOFTS AERIALS



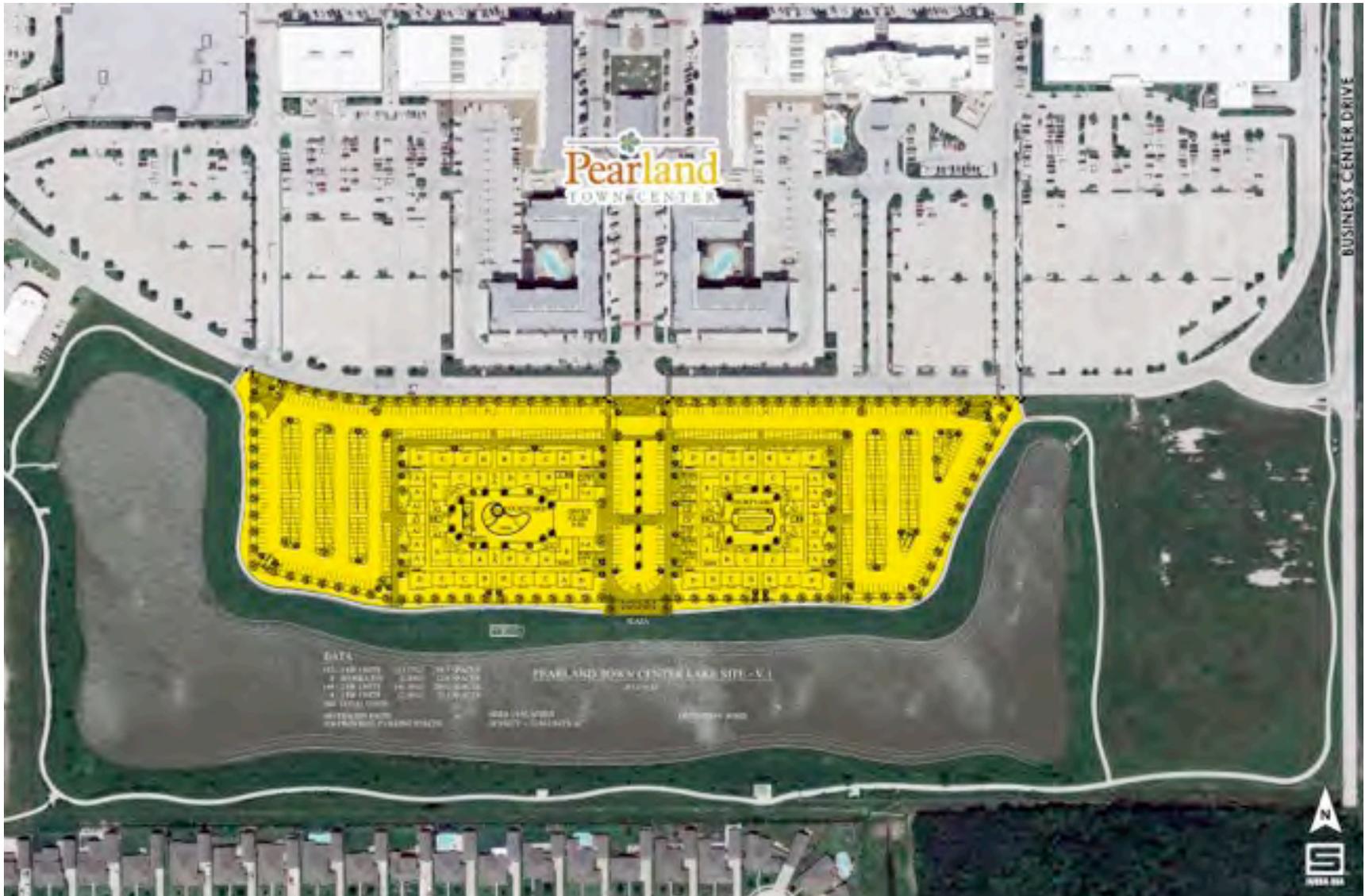
# PEARLAND TOWN CENTER LOFTS AERIALS



# PEARLAND TOWN CENTER LOFTS AERIALS



# PEARLAND TOWN CENTER LOFTS AERIALS



# PEARLAND TOWN CENTER LOFTS SITE PLAN



## DATA

197 - 1 BR UNITS	(55.37%)	280.5 SPACES
8 - WORK/LIVE	(2.30%)	12.0 SPACES
144 - 2 BR UNITS	(41.38%)	288.0 SPACES
9 - 3 BR UNITS	(2.58%)	22.5 SPACES
548 TOTAL UNITS		

603 PRG SPS REQ'D  
656 PROVIDED PARKING SPACES

AREA 10.92 ACRES  
PERMITTED TO BE USED FOR...

## PEARLAND TOWN CENTER LAKE SITE - V.1

2012.11.02



# PEARLAND TOWN CENTER LOFTS PHOTOGRAPHY



# PEARLAND TOWN CENTER LOFTS PHOTOGRAPHY



# PEARLAND TOWN CENTER LOFTS PHOTOGRAPHY





# SUEBA USA CORPORATION

SUEBA USA CORPORATION 2012-11

## COMPANY OVERVIEW



# SUEBA USA CORPORATION

SUEBA USA CORPORATION 2012

## COMPANY OVERVIEW

*"Sueba will set the standard in the real estate industry, providing unequalled service, quality and value."*

-Mission Statement



CONSULTING SERVICES

CONSTRUCTION SERVICES



LAND DEVELOPMENT



APARTMENT MANAGEMENT

Sueba USA Corporation offers a full range of services to fulfill the needs of all phases of the development process. Through Sueba USA Corporation, our expertise encompasses the purchase, development and sale of land for both residential and commercial use.

Sueba strives to maintain and nurture the long term relationships we have established with all of our clients, from the tenants renting an apartment home, to our contractors delivering high-quality construction services, to the national retailer anchoring one of our bustling shopping centers. Sueba's high level of commitment to our customers, both large or small, forms the backbone of our philosophy of service. Sueba will continue to create solutions, add value and seize opportunities in the markets we serve.



# SUEBA USA CORPORATION

SUEBA USA CORPORATION 2012



## COMPANY OVERVIEW

Based in Houston, Texas, Sueba is an established leader in the acquisition, development, construction and management of residential real estate.

At Sueba, we know that the real estate industry is a service business, and we remain committed to the ideal of providing service excellence in all our activities.

Sueba specializes in developing premier multifamily and single family properties with a tradition of unequaled service, quality and value.

Sueba is a vertically integrated company with real estate expertise in land acquisitions, development, architecture, construction and property management.

Sueba Consulting, Inc., Sueba Construction, Inc., and Southhampton Management, Inc. are all a part of the Sueba USA group of companies. Sueba USA Corporation has been recognized in the industry for its excellence in the development, construction, and management of multifamily real estate for over 25 years.

Throughout the companies that make up the Sueba family, our empowered employees remain committed to fulfilling the ideals that have helped Sueba set the standard in the real estate industry. We continue to maintain and nurture the long-term relationships we have established with all of our clients.



# SUEBA USA CORPORATION

SUEBA USA CORPORATION 2012

## Sueba Consulting, Inc.

Incorporated in 1987, Sueba Consulting, Inc. was founded to provide architectural design, construction management and real estate brokerage services.

From its inception, Sueba Consulting, Inc. has established itself as a leader in the design of residential and commercial property. The Sueba Consulting team of architects, assistants and other personnel is composed of leaders in their field, with many years of experience and a passion for their work.

Sueba Consulting places a premium on attention to detail by creating distinctive designs that integrate aesthetics and comfort with efficiency and functionality. Taking advantage of the latest technology, Sueba Consulting utilizes state-of-the-art equipment and applications.

Throughout the building process, Sueba Consulting experts supervise and inspect every step and every phase, ensuing quality and efficiency. This continuous oversight results in the most technically superior and efficiently built project, bolstering the reputation of the Sueba Consulting Team.



## Sueba Construction, Inc.

Sueba Construction, Inc. provides a full range of construction and general contracting services for residential and commercial use. We employ an experienced staff of talented professionals who are dedicated to providing unsurpassed workmanship to the industry. Over the years, Sueba Construction has demonstrated first-class results in the construction of class "A" multi-million dollar residential and commercial projects in the greater Houston area.

A key component to Sueba Construction's success is our commitment to the development and implementation of innovative construction management techniques, including networked computerized project management software, web cams, regimented quality control inspections and digital punch lists.



## Southampton Management, Inc.

Southampton Management, Inc. is a leader in the management of multifamily housing, and provides owners and investors with a broad scope of property management services. Sueba's award-winning property management division continues its promise of excellence and commitment to quality even after a project is complete. Every day, Southampton provides its services to thousands of residential units. Known for its high occupancy rates and low resident turnover, Southampton Management's "service-first" company culture and strong employee performance deliver unquestionable value to the multifamily residential market. At the same time, Southampton serves its owners and investors by professionally managing the apartments to generate the best possible return on their investment. Southampton knows that providing quality living experience requires a commitment to quality management. Whether you are an owner, investor or resident, Southampton Management delivers.



# SUEBA USA CORPORATION

SUEBA USA CORPORATION 2012

## Multifamily Developments

Sueba develops and manages multifamily projects with the highest quality and customer attention. These properties are the most desirable products in their respective market segments, consistently achieving high levels of occupancy, and meeting market demand.

Sueba accomplishes this level of success through a team of in-house dedicated professionals providing real estate expertise in the areas of architectural design, construction services, and property management with the highest of expectations of our partners and customers in mind.

Our experience in acquiring and developing land into profitable and award-winning communities has been recognized by our peers over a number of years.



### Houston

Property	# of Units	Start of Construction
Williamsburg Phase 2	326	FUTURE PROJECT
Vintage 4	239	FUTURE PROJECT
Williamsburg Phase 1	299	FUTURE PROJECT
Ballpark Phase 2	278	FUTURE PROJECT
Ballpark Phase I	254	2013
Telfair Exchange Lofts	317	2013
San Antigua	277	2011
Pearland Town Center	172	2011
North Post Oak Lofts	330	2009
San Cierra	362	2007
Ventura Lofts	265	2006
Vintage Park	324	2005
San Paloma	372	2005
City Plaza	167	2005
Montierra	346	2003
San Brisas	312	2003
San Melia	252	2003
San Montego	314	1998
Montecito	299	1996
San Marin	212	1994
The Phoenician	264	1993
Plaza Del Oro	66	1992
Miramar	48	1992
The Mirage	200	1991
Meridian Place	10	1990
Versailles Park	224	1990
El Mundo Park	192	1989
Parque Del Oro	224	1984
<b>Total</b>	<b>6,945</b>	

### Phoenix

Property	# of Units	Start of Construction
San Cervantes	376	2002
Paragon	276	1999
San Melia	488	1999
San Palmas	240	1998
Tradition at Kierland	364	1998
San Brisas	208	1997
Legend at Kierland	360	1997
San Montego	240	1996
San Paloma	324	1993
<b>Total</b>	<b>2,876</b>	

# SUEBA USA CORPORATION

SUEBA USA CORPORATION 2012

## Single Family Developments

Sueba has been involved in the development of many single family neighborhoods playing various roles such as investor, joint-venture partner and hands-on developer.

Sueba applies a depth of knowledge of land planning and construction expertise to help create neighborhoods that are functional and resident friendly as well as an attractive place to call home.

Careful master planning, superb locations and successful partnerships with quality national and local builders help ensure a superior living experience for home buyers in any of our communities.



Project Name	# of Lots	Total Acreage	Development Commencement
Enclave at Briargreen	122	11	2002
Briargreen Terrace	90	20	2002
The Meritage	30	2	2000
Parkway Villages	577	160	1993
Lakes of Parkway	888	363	1995
Chevy Chase	36	3	1996
Longmont	24	2	1995
Harvard Square	27	3	1994
<b>Total</b>	<b>1,794</b>	<b>564</b>	

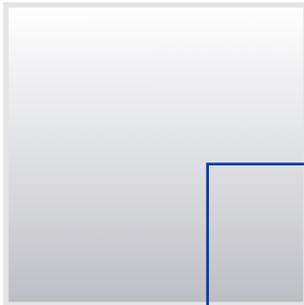


# SUEBA USA CORPORATION

SUEBA USA CORPORATION 2012

## Commercial Developments

In addition to planning, designing and constructing residential units, Sueba also provides commercial development services. Sueba's commercial development services include landlord and tenant representation, project capital coordination, commercial property acquisition, development and management. Sueba's commercial retail developments typically encompass two types of retail centers - neighborhood and community. With forward-thinking retail and service mixes, each site selection is meticulously planned to create an inviting atmosphere. Sueba's commercial division shares the same high-quality service as their residential division and thus maintains the same stellar reputation.



Project Name	Square Footage	Year of Construction
Cinco Ranch Shopping Center	97,297	2001
Parkway Villages Shopping Center	123,687	2000
Plaza in the Park Shopping Center	104,992	1999
Kingwood Shopping Center	104,992	1996
Plaza on San Felipe Shopping Center	99,227	1995
River Oaks Shopping Center	19,430	1993
Total	549,625	

NATIONAL APARTMENT ASSOCIATION • CELEBRATING 70 YEARS • 1939-2009

September 2009

# units

*The Most Read  
Magazine in  
the Multifamily  
Housing Industry*



[www.naahq.org](http://www.naahq.org)

*NAA PARAGON*

*Community of the Year*

## Wide, Open Spaces



*Sueba USA's  
Ventura Lofts  
Houston*

# VENTURA LOFTS 2012



*Winner of Houston Apartment Association's First Annual Honors Award for 151-300 unit project built between 2000-2009*

SUEBA DEVELOPED PROPERTY AWARD WINNER:  
300+ UNITS 1990-1999 - SAN MONTEGO

SUEBA DEVELOPED PROPERTY FINALISTS:  
151-300 UNIT PROJECT BUILT BETWEEN 1990-1999 - MONTECITO  
NEW DEVELOPMENT MID/HIGH RISE - NORTH POST OAK LOFTS



# VENTURA LOFTS 2009



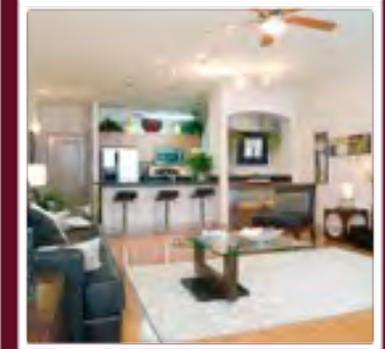
*Ventura Lofts is proud to be a recipient of three national apartment awards.*

2009 COMMUNITY OF THE YEAR  
NATIONAL APARTMENT ASSOCIATION PARAGON AWARD

2009 BEST MID/HIGH RISE COMMUNITY POST-2000, OVER 150 UNITS  
NATIONAL APARTMENT ASSOCIATION PARAGON AWARD

2009 BEST CLUBHOUSE AT A MULTIFAMILY COMMUNITY  
PILLARS OF THE INDUSTRY AWARD/ NATIONAL ASSOCIATION OF HOME BUILDERS





# VENTURA LOFTS

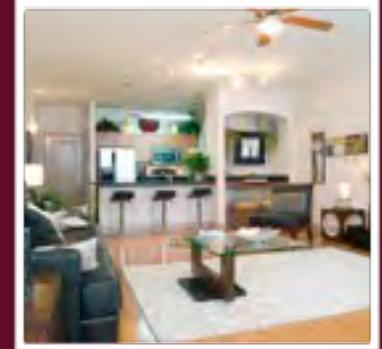
2009 BEST MID/HIGH RISE COMMUNITY

2009 PARAGON AWARD WINNER

NATIONAL APARTMENT ASSOCIATION (NAA)

BEST MID/HIGH RISE COMMUNITY, POST-2000, OVER 150 UNITS





# VENTURA LOFTS

2009 BEST CLUBHOUSE AT A MULTIFAMILY COMMUNITY

2009 PILLARS OF THE INDUSTRY AWARD WINNER

NATIONAL ASSOCIATION OF HOME BUILDERS MULTIFAMILY (NAHB)



# SUEBA USA CORPORATION

SUEBA USA CORPORATION 2012

## Sueba USA Corporation

### BOARD OF DIRECTORS

Director: Klaus Keller  
Director: John Chiang  
Director: John Leonard  
Director: Manfred Benkert  
Director: Manfred Benkert Jr.

### OFFICERS

President & CEO: Klaus Keller  
Executive Vice President: John Chiang  
Senior Vice President: John Leonard  
Treasurer: Earnest Richards  
VP Development: Doug Bergen

## Sueba Consulting, Inc.

### OFFICERS

President: Henry Cowart  
Vice President: San Wu

## Sueba Intertrade, Inc.

### OFFICERS

President: Klaus Keller  
Executive Vice President: John Chiang

## Sueba Construction, Inc.

### OFFICERS

President: Nathan Hekimian  
Executive Vice President: John Chiang

## Southampton Management, Inc.

### OFFICERS

President: David Jones  
Vice President-Operations: Sonia Lopez

## Sueba Commercial Realty, Inc.

President: John Chiang  
Senior Vice President: Klaus Keller



### CORPORATE HEADQUARTERS

Sueba USA Corporation  
1800 West Loop South, Suite 1300  
Houston, Texas 77027

PHONE: 713.961.3588  
FAX: 713.961.1343  
EMAIL: [info@suebausa.com](mailto:info@suebausa.com)

[www.suebausa.com](http://www.suebausa.com)



# REQUEST FOR A PLANNED DEVELOPMENT WORKSHOP\*

**\*THIS IS NOT AN APPLICATION FOR A CHANGE IN ZONING TO PLANNED DEVELOPMENT (PD). PLEASE COMPLETE THE "APPLICATION FOR A CHANGE IN ZONING" BEFORE THE JOINT PUBLIC HEARING.**

Current Zoning District: PD

Proposed Zoning District: Amend PD

**Property Information:**

Address or General Location of Property: Business Center Drive

Tax Account No. 600104, 600106, 600107

Subdivision: A Replat of Pearland Town Center Lot: 14, 15, 16 Block: 1

**A complete package must include all information shown on the checklist below.**

**PROPERTY OWNER INFORMATION:**

NAME Pearland Town Center LP

ADDRESS 2030 Hamilton Place Blvd, Ste 500

CITY Chattanooga STATE TN ZIP 37421-6000

PHONE ( )

FAX ( )

E-MAIL ADDRESS

**APPLICANT/AGENT INFORMATION:**

NAME Sueba Consulting, Inc.

ADDRESS 1800 West Loop South, Suite 1300

CITY Houston STATE TX ZIP 77027-3211

PHONE (713) 961-3588

FAX (713) 961-1343

E-MAIL ADDRESS jchiang@suebausa.com

\*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.

As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature: Ken Witte Date: 10/5/12

Applicant/Agent's Signature: [Signature] Date: \_\_\_\_\_

- Request, filled out completely, and signed by the owner of the property to be considered for the zone change or planned development district
- Metes and Bounds Description, (Survey, or a Plat of the property that provides or contains the metes and bounds description).
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- The proposed draft PD document in electronic form by date of application (either emailed or on a CD) (see PD Format for guidelines on how to prepare the PD).



October 19, 2012

CHARLES B. LEBOVITZ  
Chairman of the Board and  
Chief Executive Officer  
JOHN N. FOY  
Vice Chairman  
of the Board and  
Chief Financial Officer  
STEPHEN D. LEBOVITZ  
President  
BEN S. LANDRESS  
Executive Vice President  
MOSES LEBOVITZ  
(1905-1991)

RE: An Approximate 10.92 Acre Tract, Comprised of All or Portions of Lots 14, 15, and 16 in an Amending Plat to the Replat of Pearland Town Center, LESS AND XCEPT, the "flag poles" connecting Lot 15 to Morris Road/Business Center Drive and Lot 16 to Kirby Drive, as Recorded Under File Number 2008005836 of the Plat Records of Brazoria County, Texas and Situated in the H. T. & B. R. R. Co. Survey, Section 81, Abstract 300, City of Pearland, Brazoria County, Texas – Owner of Record: PEARLAND TOWN CENTER LIMITED PARTNERSHIP, a Texas Limited Partnership, by Pearland Town Center GP, LLC, a Delaware limited liability company, it's sole general partner, by CBL & Associates Limited Partnership, a Delaware limited partnership, it's sole member and chief manager, by CBL Holdings I. Inc., a Delaware corporation, it's sole general partner, by Victoria S. Berghel, Senior Vice President and General Counsel

TO WHOM IT MAY CONCERN:

As legal fee-simple owner of the above referenced property, in conformance with the City of Pearland, Unified Development Ordinance, Article 2 –Universal Procedures, Division 1 – Application Processing, Section 1.2.1.1 – Initiation of Application, (a) – Initiation Only By Owner, we hereby designate Mr. J. Kent Marsh and his firm; Marsh Darcy Partners, Inc., as our designated agent, authorized to file a PD Amendment/re-zoning application and preliminary and final subdivision replats, but not to record any replats with the City of Pearland, Texas on our behalf.

BY: Jeffery V. Curry, Chief Legal Officer  
Printed Name / Title

OF: Pearland Town Center Limited Partnership  
By: Pearland Town Center GP, LLC, its sole general partner  
By: CBL SubReit, Inc., its chief manager  
Printed Owner/Company Name

SIGNED:   
Signature  
DATE: 10/22/12  
Print Date



# Pearland

TOWN CENTER

PEARLAND TOWN CENTER- PUD ADDENDUM / 11.19.12

**CBL**  
CBL & ASSOCIATES PROPERTIES, INC.

**omniplan**



**PEARLAND TOWN CENTER  
PUD (PD District) Ordinance**

Pearland, Texas

October 3, 2005  
Revised December 20, 2005  
Revised January 8, 2006  
Revised January 17, 2006  
Revised January 26, 2006  
Revised February 15, 2006  
Revised March 02, 2006  
Revised April 17, 2006-Addendum  
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Revised October 29, 2007  
Revised April 21, 2008  
Revised May 15, 2008  
Revised June 27, 2008  
*Revised November 16, 2009*  
*November 19, 2012*

**SECTION I: PEARLAND TOWN CENTER - PUD (PD DISTRICT)**

**Article I. Location:**

The subject property is approximately 169.7 acres located in the southwest quadrant of the SH 288 - CR92 (Broadway) interchange, bordered by proposed Business Center Drive extension to the east and extending west of proposed Kirby Road. A legal description of the proposed PUD boundary is attached and marked as Exhibit "A."

**Article II. Purpose:**

The goal of this PUD (PD-District) is to create a distinctive, pleasing and coordinated mixed use commercial, retail and residential development to serve the needs of Pearland's residents, to enhance Pearland's competitive position in the region and to satisfy regional demand for high quality retail and entertainment opportunities. Further, it is the intention of this PUD (PD District) to encourage flexible and creative planning to meet the current and future needs of the community which will result in a higher quality development than would result from the use of conventional zoning districts.

**Article III. General Description Of Proposed Development:**

CBL & Associates Properties, Inc. (Developer) proposes the development of a state-of-the-art, Town Center Style development consisting of traditional department stores, retail shops, restaurants, multi-family residential, entertainment and institutional uses. This PD District authorizes the development of commercial office, multifamily housing, hospitality and civic land uses with appropriate pedestrian amenities integrated throughout the

development. It is anticipated that individual tracts or parcels will be sold or leased as development progress (i.e.; for department stores and other free standing uses.) There shall be no limit on the number of tracts or parcels that may be created within this PUD provided that lots meet the requirements of this PUD Ordinance and the requirements of Chapter 3 of the Pearland Unified Development Code (UDC). The project will be constructed in phases, with development being increased as market forces dictate. It is the developer's intention to open the project in the Spring of 2008.

#### **Article IV. Nature Of The PUD (PD) District:**

- 1) The Pearland Town Center PUD (PD District) shall be a Town Center overlay district. All development within the Pearland Town Center PUD (PD District) shall conform to the development standards of the Pearland UDC except as modified herein.

#### **Article V. Definitions:**

As used in this PUD (PD) Ordinance certain terms are defined as follows. Where these definitions conflict with definitions stated elsewhere in the City of Pearland ordinances, these PUD definitions shall prevail. Terms used in this document that are not defined in the following section shall have the same meaning as specified in the City of Pearland Unified Development Code.

- 1) **Building Height:** The term Building Height shall mean the vertical distance from the grade level at the main entrance to the top of the roof steel that comprises the majority of the perimeter of the building for a flat roof; to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs.
- 2) **Circulation Drives:** Circulation drives shall mean all driveways, streets, roads, alleys, ring roads located solely within this PUD district boundary, and the drives designated on the design plan as Town Center Drive, East Main Street and West Main Street,. Circulation Drives shall not be considered public or private streets.
- 3) **Composite Parking Ratio:** The term "Composite Parking Ratio" shall mean improved ground level and multi-level parking spaces, if any, collectively on all Parcels comprising the PUD sufficient to provide parking for the aggregate Gross Leasable Area (GLA) or Floor Area of all improvements constructed within the PUD, at the rates specified in Article X of this Ordinance
- 4) **Department Store(s):** The term Department Store shall mean any single tenant, retail building that contains more than 80,000 square feet of Gross Leasable Area.

- 5) **Design Plan:** The term "Design Plan" shall mean the Plan designated as Preliminary Site Plan attached hereto as Exhibit "B" and made part hereof.
- 6) **Floor Area:** The term "Floor Area" shall mean the total number of square feet of floor area on all levels, including subterranean building areas.
- 7) **Gross Leasable Area: (GLA):** The term "Gross Leasable Area" shall mean the number of square feet of floor area on all levels, including, outside selling areas enclosed within semi-permanent structures and basements or other subterranean areas, and shall be measured to the exterior surface of exterior walls and to the center of any common walls, but excluding (i) any enclosed connectors and other malls (except for any area thereof occupied by permitted kiosks - or wall boutiques) whether covered or uncovered or open or enclosed, (ii) penthouses and other floor area occupied by mechanical, telephone, computer or other operating equipment, (iii) patios or outside eating and selling areas that are not heated or air-conditioned, (iv) upper levels of multi-deck stock area, (v) portions of truck or loading docks and trash compacting and bailing rooms that are not heated or air-conditioned, and (vi) with respect to the "Town Center retail shops in Sub Area A," mezzanines, storage areas not located within tenant spaces, the floor area of any common auditorium, public lavatories, Developer's or Mall Management office, maintenance facilities, elevator corridors, and service and fire corridors.
- 8) **Masonry:** The term masonry is defined as Brick, stone brick veneer, custom treated tilt wall, decorative or textured concrete block, split face block and stucco. EIFS (exterior insulation and finish systems) shall be included within this definition only for the purposes of masonry trim.
- 9) **Net Land Area / Net Acreage:** The measure of land area exclusive of easements, thoroughfare and street rights-of-way, retention/detention areas, public streets dedicated and accepted prior to platting of the property and proposed Kirby Road, Business Center Drive and any future Right-of Way dedication shown on the final plat.
- 10) **PUD:** The term PUD shall have the same meaning as PD District as used in the City of Pearland Unified Development Code (UDC).
- 11) **Sub-Area:** The term Sub Area(s) shall mean the areas designated on exhibit B-2 which collectively make up the Pearland Town Center PUD. The Sub Area boundaries may be adjusted within the PUD District as authorized by Article VII par 4 (a) of this document.
- 12) **Thoroughfare and Collector Streets:** The terms Thoroughfare and Collector streets shall mean the Public Streets designated as Broadway Avenue, Kirby Road and Business Center Drive.

- 13) **Town Center:** The term "Town Center" shall mean Sub-Area "A" as shown on Exhibit "B-2", which contains the Department Stores, main street shops, restaurants and multi-family housing, together with all buildings and other improvements constructed at any time thereon, which Town Center together with other Sub-Areas within the PUD shall be known as Pearland Town Center or such other name designated by the Developer.
- 14) **Town-House or Town-Home:** One of a group of no less than three (3) dwelling units, attached to another dwelling unit only on the horizontal plane. Each unit shall extend from the foundation to the roof. All Town-Homes or Town-Houses contemplated by the PUD shall meet the UDC requirements for Town- Home development.
- 15) **Unified Development Code (UDC):** The term UDC shall mean the Unified Development Code (UDC), in place at the time of this PUD Approval. The Developer shall comply with all building, mechanical and life safety codes in effect at the time building permits are requested.

#### **Article VI. Sub-Area Descriptions:**

- 1) The development PUD has been divided into sub-areas based on surrounding land use, existing and proposed circulation patterns, and the relationship to the overall development. The sub-areas are identified below and are graphically depicted on the attached sub-area plan, Exhibit "B-2."
- 2) With the exception of Sub Area "E" and "G " the sub areas and parcels created within the Pearland Town Center PUD shall be considered collectively (as opposed to individually,) for the purpose of meeting the development standards.
  - a) **Sub-Area "A" - Town Center District**

The Town Center is intended to function as an active, pedestrian-oriented urban street. It is the primary area of development and shall be the major retail component of the PUD. The limits of sub-area "A" shall be defined as the outside edge of the outer private circulation drive as shown on the sub area plan.
  - b) **Sub-Area "B" (B-1 & B-2 Broadway-Northern District)**

Sub-area "B" will lie directly north of the Town Center District, adjacent to Broadway Avenue, and will serve as the gateway to the development. This sub-area is the front door to the development and will establish the developments overall character. Due to the proximity of this sub-area to the Town Center entrance and the area's importance as the project "gateway," the

Developer intends to maintain a high level of architectural unity and continuity in this zone.

c) Sub-Area "C" (*Town Center Extension* District)

Sub-area "C" is located directly south of the Town Center District, adjacent to the Storm Water Management Area. This sub-area will be accessible from Kirby Road on the west and the extension of Business Center Drive on the east via an east-west circulation drive along the *northern* boundary of the *Town Center Extension* District. The purpose of this District is to accommodate *an extension of the multi-family use within the Town Center District*. This district will be directly linked to the town center district through a series of pedestrian and vehicular connections, creating a true multi-use destination for the region.

d) Sub-Area "D" ("D-1 and D-2" Southern District)

Sub-areas "D1 and D2" are located in the southeast and southwest corner of the PUD respectively. Development will be complementary to the overall architectural scheme and will be of equal quality; however, development in this sub area will have greater opportunity for the establishment of individual tenant identity through use of nationally recognized building prototypes, provided materials and colors are in harmony with project materials.

e) Sub-Area "E" (Western District)

Sub-area "E" is located west of Kirby Road. Due to this sub area's location on the west side of Kirby Road, the development of this area will be required to meet parking, open space and landscape requirements of this PUD on a stand alone basis. A development plan for this area shall be submitted by developer of Sub Area E and reviewed by the Planning Director for compliance with the specific requirements of this PUD prior to any building permit being issued for work in this sub-area.

f) Sub-Area "F" (Storm Water Management Area)

Sub-area "F" is located along the southern property boundary. This sub-area will be developed as an amenity in accordance with the landscape requirements outlined elsewhere in this text.

g) Sub-Area "G" (Western District)

Sub-area "G" is located west of Kirby Road and fronts Broadway (518). Due to its location, the development of this area will be required to meet parking, open space and landscape requirements of this PUD on a standalone basis. A development plan for this area shall be submitted by developer of Sub-area G and reviewed by the Planning Director for compliance with the specific requirements of this PUD prior to any building permit being issued for work in this sub-area.

## **SECTION II: DEVELOPMENT STANDARDS**

### **Article VII. Development:**

#### 1) General

a) The development within the Pearland Town Center District shall conform to all provisions of the City of Pearland Unified Development Code, except as addressed herein. It is the intention of these Development Standards to address development density, land use, building and parking setbacks, open space, parking and landscape requirements and architectural facade treatments for the entire district on a stand alone basis and as such, shall establish the sole minimum requirements for compliance. The following Development Standards will apply to all sub-areas, regardless of land use and shall replace the Development Standards of any and all applicable underlying zoning or overlay districts specified in the Pearland UDC. In the event of a conflict between the standards in this PUD and the UDC regulations of any underlying zoning or overlay district, the standards described herein will prevail. Residential development, including town homes, within this PUD district shall conform to the standards set forth in this PUD ordinance, notwithstanding any provisions of any underlying zoning or overlay district contained in the Pearland UDC.

#### 2) Conformity to the Design Plan:

- a) The degree of conformity required between the Design Plan and subsequent development applications shall be limited to conformance with the Density, Parking, Setback and Landscape and open space requirements of this PUD (PD) Ordinance as outlined in Section II Articles VII through XVII.
- b) The Design Plan shall be reviewed by the Planning Director for compliance with the specific requirements of this PUD. Only design plan modifications that do not conform to these general PUD development standards shall require an amendment to the PUD. The Developers compliance with the written text shall constitute "Conformance with the Design Plan."

3) Minor Deviation from the approved Design Plan:

- a) Deviations from the design plan that may be approved by the Planning Director are limited to the following:
- Corrections in spelling, distances, and other labeling that does not effect the overall development concept.
  - Changes in building or land use positions, layout, size or configuration, provided that the overall site density, parking, landscape and open space requirements of this PUD (PD District) ordinance are satisfied.
  - Changes in the proposed property lines, or sub area limits as long as the overall project acreage is not exceeded and provided that the requirements of UDC Chapter 3 Subdivisions are followed.
  - Changes in parking, circulation drives and site layouts provided that the number of parking spaces required by this PUD ordinance and the general relationship of parking lots to buildings are maintained.
  - Developer shall include a major north-south and major east west circulation drive similar to the drives designated as Town center drive and main street as illustrated on the design plan.

4) Sub Area Boundaries.

- a) The Sub Areas boundaries designated on exhibit B-2, which collectively make up the Pearland Town Center PUD, may be adjusted in the final development site plan provided that the area of any individual Sub Area is not increased by more than 10 percent (10%) of the total Sub Area Acreage indicated on Exhibit B-2. No sub area shall expand beyond the limits of the PUD District.

5) Authorized Uses.

- a) The uses permitted within this PUD will be department and retail stores and shops, multi-family residential and town homes, offices, banks, restaurants, theaters and multi-purpose event centers, hotels and motels, and accessory uses customarily incident to the above and traditionally found in contemporary regional shopping centers and Town Center developments.
- b) Specifically, all land uses designated as **Permitted** land uses within the "GB, GC, NS, OP and MF zoning districts" as outlined in Section 2.5.2.1 of the Pearland Unified Development Code shall be considered "permitted uses" in this PUD; however, all such Permitted land uses are subject to

any limitations contained herein. Any land use that is designated as a Conditional Use shall require a Conditional Use Permit (CUP) in accordance with the requirements of the UDC.

6) Excluded Uses:

- Industrial and Manufacturing uses and sexually oriented businesses
- Cannery Wholesale
- Cattle Feedlot and other agricultural uses (except farm markets)
- Chemical Packing or Blending
- Railroad Depots
- Heavy Machinery Sales and Storage
- Major Auto Repair
- Parts Fabrication or manufacturing
- Auto Assemble
- Auto Wrecker Service as Primary Use
- Bus and Truck Storage
- Motor Freight Terminals
- Refuse Transfer Stations
- Self-Storage facilities
- Drive-in and Drive-Through Restaurants within Sub Area A
- Outdoor storage, except as may be permitted by the UDC
- Boarding Homes
- Drag Strip / Race Track
- Auto Paint Shop
- Muffler Shop
- Assisted Living

## Article VIII. Development Density Regulations:

Notwithstanding the provisions of the Unified Development Code, or the requirements of any underlying zoning or overlay district use regulations, the following are the Maximum Allowable Residential Densities permitted for this PUD:

- 1) Entire PUD
  - a) Residential Density - Established by Sub-area
  - b) No more than 583 residential units collectively within Sub Areas A, C, D
  - c) Impervious coverage shall not exceed eighty five percent (85%) of the Net land area. All pervious area shall be landscaped.
  - d) Impervious coverage shall be based on the Net Area of development without regard to parcel ownership or sub area. Pervious areas within sub area F - Storm Water Management Area excluding the surface area of the lake measured at the required storage level, and all other pervious open space shall be included for the purpose of this calculation.
  - e) Non residential development Density shall be permitted within this Town Center PUD in accordance with the City of Pearland zoning codes in effect at the time this document is adopted. The Developer shall comply with all building, mechanical and life safety codes in effect at the time building permits are requested.
  
- 2) Sub Area A
  - a) Up to 300 residential units, subject to the limits established in Paragraph 1 b above.
  
- 3) Sub Area B (B-1 and B-2)
  - a) No residential permitted
  
- 4) Sub Area C
  - a) Up to 349 residential units, subject to the limits established in Paragraph 1 b above.
  
- 5) Sub Area D (D-1 and D-2)
  - a) Up to 300 residential units, subject to the limits established in Paragraph 1 b above.
  
- 6) Sub Area E
  - a) Town homes - No more than 9.4 units / net acre devoted to town homes (all other multifamily uses are prohibited in sub area E) Town Homes Developed in sub area E shall meet the Screening Requirements of the UDC.
  
- 7) Sub Area G

a) no residential permitted.

LAND USE AREA TABLE

SUB AREA	ACRES	PROPOSED LAND USE	DENSITY LIMITS
A	81.0	Mixed-any Authorized use See Section VII par. 5	No more than 300 Residential units subject to Par. 1 b above Other uses as permitted by UDC
B	14.9	Mixed-any Authorized use See Section VII par 5 except residential.	No residential permitted Other uses as permitted by UDC
C	10.9	Mixed-any Authorized use. See Section VII par 5	Up to 349 Residential units subject to Par. 1 b above Other uses as permitted by UDC
D	12.7	Mixed-any Authorized use. See Section VII par 5	300 Residential units subject to Par. 1 b above Other uses as permitted by UDC
E	18.2	Mixed-any Authorized use. See Section VII par 5	Limited to 9.4 Town Home units per / net acre. Other uses as permitted by UDC
F	23.5	Storm water Management and Passive recreation only	
G.	8.5	Mixed-any Authorized use. See Section VII par 5	No residential permitted
<b>TOTAL</b>	<b>169.7</b>		

## **Article IX. Area Regulations:**

### 1) Size of Lots:

- a) Minimum Lot Size (All sub areas) - Twenty-two thousand and five hundred (22,500) square feet in area.
- b) Minimum Lot Frontage (Sub Areas A through D and F)-Thirty Feet (30'.) Flag lots are permitted provided they have a minimum 30' frontage on a Public or Private street. Minimum lot frontage for Sub Area E and Sub Area G shall be as required by the UDC.
- c) Minimum Lot Depth (Sub Areas A through D and F)- No Minimum required. Minimum lot depth for Sub Area E and Sub Area G shall be as required by the UDC.
- d) Maximum Number of Lots - No limit on the number of lots that may be created provided they meet the subdivision requirements in Chapter 3 of the UDC and these standards.
- e) Maximum Project Coverage - Percent of Impervious area: Eighty Five Percent (85%) of the Net Area of the PUD District. With the exception of Sub Areas "E" and "G", coverage shall be calculated on a composite basis, without regard to sub-area or parcel boundaries.

### 2) Size of Yards: (All Sub Areas)

- a) Minimum Front Yard - No minimum yard is required between any lots created within the PUD District. A Twenty-five foot (25') parking and drive setback shall be required adjacent to any PUD district Boundary (not Sub Area Boundary) that directly abuts residential Development or public street that is OUTSIDE the Boundary of this PUD District as outlined in Paragraph 3) below.
- b) Minimum Side Yard - No side yard is required between any lots or land uses created within the PUD District. A Twenty-five foot (25') parking and drive setback shall be required adjacent to any PUD district Boundary (not Sub Area Boundary) that directly abuts residential Development or public street that is OUTSIDE the Boundary of this PUD District as outlined in Paragraph 3) below.
- c) Minimum Rear Yard - No rear yard is required between any lots or land uses created within the PUD District, however, a Twenty-five foot (25') parking and drive setback shall be required adjacent to any PUD district Boundary (not Sub Area Boundary) that directly abuts residential Development or public street that is OUTSIDE the Boundary of this PUD District as outlined in Paragraph 3) below.

### 3) Thoroughfare Lot and Setback Standards:

- a) The minimum front yard building setback adjacent to a specified thoroughfare or collector street R.O.W. shall be twenty-five feet (25').
- b) The minimum setback for all off-street parking, maneuvering and loading areas from the right-of-way line of a specified major thoroughfare or collector street R.O.W. shall be twenty-five feet (25').
- c) The minimum setback for all screening walls and fences, including residential subdivision fences, from the right-of-way line of a major thoroughfare or collector street R.O.W. shall be ten feet (10').
- d) The minimum setback for any outside storage area from the right-of-way line of a major thoroughfare or collector street shall be one hundred and fifty feet (150'), The setback may be reduced to twenty-five feet (25') if such area is screened to one hundred percent (100%) opacity with a screening wall that matches the primary on-site building material or with live vegetation.
- e) The Developer and the City of Pearland acknowledge that there are no recognized floodways, creeks or other drainage ways proposed as linear parks within the Pearland Town Center PUD.
- f) Buildings, parking areas, or other visual obstructions shall not be located in any required visibility triangle as defined in the UDC.
- g) The required setback area as described above shall be landscaped, and shall be included in the calculation of required landscape and open space and pervious area that may be required by the City of Pearland Ordinances or this PUD.
- h) No building or parking setback shall be required from any circulation drive created within the PUD District. There shall not be any setback or landscape buffer requirements between properties or lots established within the Pearland Town Center PUD (i.e., between department store parcels and/or developer parcels or between any internal lots).

#### 4) Height Restrictions:

- a) Maximum height for retail buildings shall be 68' as measured pursuant to the Building Height definition specified in this PUD ordinance. Hotels, multifamily buildings along with accent structures, architectural towers, and feature elements may be up to 75' high. Office buildings may be up to 100'high.

#### 5) Outdoor Activities or Uses:

- a) The incidental display of merchandise out of doors is permitted within this PUD district. Except as provided below, all display areas out of doors shall be confined to a pedestrian walkway immediately adjacent to the building housing the primary use, or within any common pedestrian areas

located within Sub Area "A," including the Fountain and Carousel Plaza area designated on the site plan. Such display may be permitted to extend the entire length and width of any sidewalk and plaza areas, provided that adequate pedestrian access is maintained. Adequate pedestrian access shall be an unobstructed thirty-six inch (36") walkway. There shall be no requirement that any display be located wholly under any permanent part of a main business building such as a marquee. In addition sales and display area may be located in any kiosk or pushcart location designated on the final site plan.

b) The temporary sale of Christmas trees and products associated with celebration of holidays or national events on any property in the Pearland Town Center district or the temporary sale of goods in relation to special events (e.g., Hanukkah, Presidents' Day, Easter, etc.) shall be permitted for a period of forty-five days prior to the day of religious the holiday celebration. No permit shall be required provided the sale area is as specified in Paragraph a) above.

6) Common Areas:

a) All common areas within the Pearland Town Center PUD shall be maintained by the Developer, or as provided in the Private Easement, Restriction and Operating agreement to be developed for the entire Town Center Development.

7) Usable Open Space Standards: See Exhibit B for Landscape area, Open Space and Parkland Calculations which conform to the following standards:

- a) The following Usable Open Space Standards replace the applicable requirements of any underlying zoning or overlay districts in the UDC as well as the requirements of Section 2.2.2.3 (C) of the UDC.
- b) Designated Usable Open Space (Open Space Standards): Open space requirements shall be calculated based on the number of residential units as follows: For each multi family unit or town home developed within this PUD developer shall provide at least six-hundred (600) square feet of usable common open space for each multi family unit and nine-hundred (900) square feet for each Town House unit.
- c) In addition, the following standards shall apply to all Residential Developments.
  - For each Multi family unit or town home developed within sub areas E, each area of common open space shall be within three hundred feet (300') of all dwelling units in sub areas E intended to be served by the common open space, measured along a route of pedestrian access.

- o The minimum area of any common open space shall be six-thousand (6,000) square feet.
  - o The minimum dimension of any common area shall be eighty feet (80').
- For each multi-family unit or town house developed within Sub areas A, C or D, common open space as specified in paragraph 7) b above shall be provided and shall be located anywhere within Sub areas A, B, C, D or F. and may be located within the required parking and building setback areas. Each area of common open space shall be connected to the dwelling units intended to be served by a paved pedestrian multi-purpose trail.
    - o The minimum area of any common open space shall be six-thousand (6,000) square feet.
    - o The minimum dimension of any common area shall be twenty-five feet (25') and must include the site amenities described in Article XI Landscaping Site amenities. Open space provided within the landscape buffer areas adjacent to any public street shall include a meandering, landscaped pedestrian multi-purpose sidewalk that is accessible to the public. Where a sidewalk is required adjacent to any public thoroughfare, the public sidewalk shall be incorporated into the common open space and maintained by developer.
  - Each area of required common open space shall be appropriately graded, turfed, surfaced or otherwise landscaped and provided with suitable drainage facilities.
  - Facilities such as pedestrian ways and outside swimming pools may be included as part of the required common open space.
  - off-street parking areas, service drives, and the storm water storage portion of detention facilities shall not be included in any calculation of required common open space.
  - A maximum of twenty-five percent (25%) of the dwelling units within a multiple-family development shall be efficiency units.
  - The landscaped buffers required in this PUD ordinance may be counted toward meeting this common open space requirement.

## 8) Parkland Dedication

- a) Parkland Dedication will be provided in accordance with the Pearland Codified ordinance, Chapter 3 of the UDC. Parkland shall be provided as calculated and shown on the attached Exhibit B. In the event that Parkland

is not provided as shown, the developer of any Residential units in any Sub-Area shall be required to pay a PARKLAND DEDICATION FEE at the rate of \$750.00 per unit as provided in Chapter 3 of the UDC. Said fee shall be paid at the time the initial residential occupancy permit for any residential phase of the development is requested, and shall be based on the total number of residential units proposed in that phase.

9) Fences & Screening:

- a) The following Development Standards for Screening and Fencing replace the applicable standards specified in the Pearland UDC underlying zoning and overlay districts as well as the requirements of Division 4 Screening and Fencing.
- b) Nonresidential and Multiple-Family Screening Required (New Construction) This section shall apply to the following:
  - Any nonresidential use that is separated by only a public street or has a required side or rear yard contiguous to any residential use or residential zoning district that is located outside of this PUD district.
  - Any multiple-family use that is separated by only a public street or has a required side or rear contiguous to any residential use or residential zoning district that is located outside of this PUD district.
  - No fencing or screening shall be required between any uses, parcels, lots or Sub-Areas that are located within this PUD district.
- c) The following shall apply when required by the paragraph above:
  - The nonresidential or multiple-family use shall construct an opaque screening wall a minimum of six (6) feet in height, but not to exceed ten (10) feet in height. The screen shall be located no closer to the street than the property line. Such screening fence shall be maintained in good condition. Any sections of this Code concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or throughway.
  - There shall be a *twenty-five* (25) foot wide landscape buffer between nonresidential or multiple-family and all single-family uses. The requirement may be reduced to *fifteen* (15) feet if the nonresidential use is a office/professional use. For the purpose of this section, no screening, fencing or landscape buffer shall be required between any Residential use and any Storm water management area that is

developed as an amenity. See Article XI Landscaping for Amenity requirements within the storm water management area.

- Prior to construction of buffers, complete plans showing type of material, depth of beam and structural support shall be submitted to the Building Inspection Division for analysis to determine whether or not:
  - i. The screen will withstand the pressures of time and nature; and shall be maintained in good condition.
  - ii. The screen adequately accomplishes the purpose for which it was intended.
  - iii. Any Wood screen shall be of a type approved by the City of Pearl and.
- The Building Official shall determine if the buffer meets the requirements of this section. Any landscaping required by this PUD ordinance shall be placed on the residential side of any required screening wall.
- If the screening wall exists previous to the development of the nonresidential or multiple-family use (as applicable), required landscaping may be placed on the nonresidential or multiple-family (as applicable) side of such wall.

#### 10) Parking Area Screening Along Major and Secondary Thoroughfares.

- a) Landscaping shall be required for the screening of parking areas along major thoroughfares or secondary thoroughfares as required by Article XI of this PUD ordinance.
- b) An alternative form of screening, in lieu of the masonry wall, may be approved by Planning Director with the Preliminary Subdivision Plat or Preliminary Development Plat application. Alternatives that may considered include:
  - A living/landscaped screen in conjunction with decorative metal (e.g., wrought iron, aluminum and galvanized steel ) fence sections with masonry columns.
  - A combination of berms and living/landscaped screening;
  - A combination of berms, decorative masonry walls and living/landscaped screening, either with or without a decorative metal or "WoodCrete" type offence with masonry columns; or
  - Some other creative screening alternative may be approved if it meets the spirit and intent of this Section, if it is demonstrated to be long-lasting and generally maintenance-free, and if the Planning Director finds it to be in the public interest to approve the alternative screening device.

- c) Time Required for Opacity: Any required screening device shall be, or shall achieve, at least six feet in height and at least ninety percent opacity within one year of initial installation/planting. Any landscaping used to achieve the purpose of required screening shall be in conformance with the landscape requirements of this PUD ordinance.
- d) Installation: The screening/wall/device shall be installed prior to final acceptance of the subdivision public improvements. All landscape materials, if utilized, shall be installed in accordance with the landscape requirements of this PUD. Failure to properly install all components of a required screening wall or device within the prescribed time frame, shall constitute a violation of the Unified Development Code and this PUD Ordinance, and shall authorize the City Engineer to refuse acceptance of the subdivision public improvements.
- e) Design of Walls: All masonry, wrought iron, steel or aluminum screening wall plans and details must be designed and sealed by a licensed professional engineer, and must be approved by the City Engineer. Use of chain-link, chicken-wire, hog-wire fencing, and any other material similar in appearance and quality is expressly prohibited. The use of wood is prohibited.
- f) Height of Screening: The height of required screening devices, including spans between columns, shall be a minimum of six feet and shall be no more than Ten feet. Decorative columns, pilasters, stone caps, sculptural elements, and other similar features may exceed the maximum eight-foot height by up to two feet for a total maximum height of 10 feet for these features, provided that such taller elements comprise no more than 10% of the total wall length in elevation view.
- g) Other Easements: Screening fences, walls and devices shall not be constructed within, but may cross through, any portion of a utility or drainage easement unless specifically authorized by the City or by any other applicable utility provider.

## 11) General Screening.

The following requirements shall be in addition to the foregoing landscaping and planting requirements:

- a) All loading spaces and docks, outside storage areas, refuse containers/areas, mechanical equipment, must be screened from view from private streets or public rights-of-way. The Rear of non-residential buildings facing public or private streets shall not require screening from

view provided they comply with the facade standards specified in Article XII.

- b) Approved screening techniques include masonry, evergreen vegetative screens, landscape berms, existing vegetation or any combination thereof. In any case in which a fence/wall is constructed to provide screening, landscaping elements shall be incorporated along a majority of the fence/wall. Also, in the case of roof mounted mechanical equipment, parapet roof structures are approved for screening such equipment.
- c) If a nonresidential use is adjacent to a residential use other than multiple-family, such nonresidential use shall be screened in accordance with this section and shall include a vegetative buffer. Storm water Management areas shall not be considered a non-residential use for the purpose of this section provided that it is developed as an amenity. Refer to Article XI for amenity requirements.

#### **Article X. Parking Standards:**

Off street parking and loading for this PUD (PD District) shall be provided in accordance with the following minimum standards:

##### 1) Minimum Dimensions:

- a) Off street parking spaces shall be a minimum of 9' x 18' with a minimum 24' drive aisle. Both angled and parallel parking stalls are permitted.
- b) Accessible Parking shall be provided in accordance with The Americans with Disabilities Act (ADA) and the ADA Accessibility Guidelines.

##### 2) Minimum Number Of Parking Spaces Required

- a) Parking within the PUD shall be provided based on the amount of GLA (or Floor Area if noted below) within the entire PUD and shall be provided at the following rates on an overall or composite basis:
  - four and one-half (4.5) parking spaces for each one thousand square feet of GLA retail uses (including restaurants)
  - two and one-half (2.5) cars for each one thousand (1,000) square feet of all Floor Area devoted to office *and/or* one (1) parking space for each four (4) seats in any theater or multi-purpose event or conference center
  - one (1) parking space for each rental unit in any hotel or motel
  - One and one half ( 1 . 5) parking spaces for each one-bedroom multi-family residential unit, two (2.0) parking spaces for each two-bedroom multi-family residential unit, and two and one half (2.5)

parking spaces for each three-bedroom multi-family residential unit.

- b) With the exception of Sub Area E and Sub Area G, parking spaces required to satisfy these requirements do not need to be located on the same lot or within the same sub-area as the particular land use. Parking is calculated on a composite basis for the PUD as a whole, without regard to parcel ownership or land use. The entire development will be governed by an operating agreement granting cross access and parking easements between the parties. Parking shall be provided within surface parking lots or within parking structures placed anywhere within the PUD District boundary.
- c) Any land uses located within Sub area E and Sub Area G must meet the parking requirements on a standalone basis and must be located within Sub Area E and Sub Area G.
- d) Accessible Parking shall be provided in accordance with The Americans with Disabilities Act (ADA) and the ADA Accessibility Guidelines.

### 3) Loading Spaces

- a) The number of required loading spaces shall be based on the total amount of "Gross Leasable Area" (as opposed to Floor Area) as herein defined, but provided at the rate (loading spaces/GLA) of 1 loading space for every 100,000 sf of Department store GLA and 1 Loading space for each multi-tenant building. Loading spaces shall be a minimum of 12' wide by 35' long. Loading spaces for non retail and restaurant land uses shall not be required, however all receiving areas shall be screened from the public ROW. Loading spaces need not be located on the same lot but must be located within the same sub-area as the main use. Location and size of Loading Spaces can be adjusted as approved by planning director.

### 4) Access and Off-Street Parking Standards.

- a) Construction of Access and off-street parking lots shall be in conformance with the City's Engineering Design Criteria Manual (EDCM); however, the minimum requirements for the number and size of parking stalls shall be as indicated above.

### 5) Bicycle Parking.

- a) Bicycle parking spaces shall be provided at an amount equal to a minimum of one half of one percent (1/2 %) of the required vehicular parking spaces based on the "Composite Parking Ratio" established for the Town Center PUD. Bicycle Parking shall only be required in Sub Area "A" and shall be based on the required parking necessary to support development within sub Area "A."
- b) Bicycle parking shall be conveniently distributed throughout Sub Area A.
- c) Each required bicycle parking space shall include a means to secure individual bicycles.

**Article XI. Landscaping and Open Space:**

The following Development Standards for Landscaping and Open Space replace the applicable Required Standards specified in the Pearland UDC underlying zoning districts and / or any Corridor Overlay District, including Chapter 4 - Section 4.2.2.4.

1) Meaning of "Landscape Area"

- a) Landscape area shall mean the area within the boundary of a lot or parcel that is comprised of pervious surface integrated with living plant material, including but not limited to trees, shrubs, flowers, grass, or other living ground cover or native vegetation. The minimum average dimension of any landscape area shall be three (3) feet wide. For the purposes of meeting the requirements of this division, future development areas of the site cannot be considered landscaped area, however future development areas will not be included in the Net area calculation used to determine the required amount of landscape open space or impervious area until such time as the land area is developed.
- b) Internal Landscaped areas shall be bounded by raised or ribbon curbs.

2) Establishment of Minimum Percentages.

- a) Landscape Area: A minimum of ten percent (10%) of the net developed lot area of property on which development, construction or reconstruction occurs shall be devoted to landscape. Note: Percentages are based on the total net PUD area and shall be calculated on a composite basis without regard to lot ownership or sub area designation.

3) Minimum Requirements.

- a) The minimum landscape requirements shall be employed in accordance with the Tree Preservation and Landscape Design Guidelines (Guidelines) made a part hereof, to improve aesthetic appearance, to enhance the

compatibility of different land uses, and to mitigate negative environmental influences on land uses (e.g. heat, noise, air pollution).

- b) The developer, in conjunction with the City Parks Department, shall mark and count the number of "protected trees" that exist on site and upon approval of the City of Pearland, shall provide mitigation based on the number of protected trees identified in accordance with the Guidelines.

4) Landscape Irrigation:

- a) All required landscaping areas shall be 100% irrigated by one of, or a combination of, the following methods:
- An automatic underground irrigation system;
  - A drip irrigation system;
  - A hose attachment within 100 feet of all plant material, provided, however, that a hose attachment within 200 feet of all plant material in non-street yards shall be sufficient.
  - All irrigation systems shall be designed and sealed in accordance with the Texas Licensed Irrigators Act and shall be professionally installed.
- b) No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.

5) Street Trees

- a) Trees in Class I or II of the Guidelines with a minimum Two inch (2") caliper measured twelve inches (12") from the ground shall be provided along thoroughfare and collector street frontage (Broadway, Kirby and Business Center Drive) with the total caliper inches equal to one inch for each fifteen feet (15') of frontage. Each required tree shall be planted in a landscaped area of at least *thirty-six* (36) square feet with a minimum dimension of six (6) feet.

6) Screening of Parking Areas.

- a) Landscaping shall be required for the screening of parking areas when parking spaces directly abut public right-of-way or property that is outside of the PUD. No parking lot screening shall be required between internal lots which may be created within the PUD or between sub-areas or circulation drives located within the PUD.
- b) Front yard parking areas and side yard parking areas fronting on a public street right of way shall be screened from the right-of-way by a continuous hedge or berm by placing the quantity of plant material required by paragraph f) below.

- c) The side yard of any lot that contains a parking area abutting a property outside of the boundaries of this PUD district used or zoned for a nonresidential use shall provide a screen of hedges, berms, or fences so as to provide a screen for a minimum of thirty-five percent (35%) of the length of the parking lot. There shall be no parking lot screening required between parcels, lots or land uses that may exist within the PUD.
- d) The required screening may be grouped and dispersed randomly.
- e) Screening between nonresidential and residential lots outside the boundaries of this PUD district shall be provided in conformance with the Screening and Fencing section of this PUD ordinance.
- f) The minimum number of shrubs shall be equal to the total caliper inches of street trees required under paragraph 5) a) above multiplied by five.
- g) Shrubs and berms shall be maintained at a height of no more than thirty-six inches (36") nor less than eighteen inches (18") as measured from the surrounding soil line.
- h) A nonresidential development that has a shared parking area with an adjacent nonresidential development shall not be required to screen such shared parking area in relation to the abutting side yard. There shall be no requirement to screen any parking lot from any other lot within the PUD district. The only parking lot screening that shall be required shall be at the boundaries of the PUD district, adjacent to a public thoroughfare.
- i) Each required tree shall be planted in a landscaped area of at least *thirty-six* (36) square feet with a minimum dimension of six (6) feet.

7) Interior of Parking Areas.

- a) Interior landscaping shall be required to be integrated into the overall design of the surface parking area in such a manner that it will assist in defining parking lots, pedestrian paths, driveways, and internal collector lanes, in limiting points of ingress and egress, and in separating parking pavement from street alignments. See Landscaping within parking areas below.
- b) Tree islands must be protected from vehicle intrusion by curbs or similar structures.
- c) Two (2) feet of the tree island may be counted as part of the required depth of the abutting parking space if curbed and the minimum island width is six (6) feet.

8) Large Tracts.

- a) On large tracts of land, exceptions to this division may be granted by the Planning Director to require a lesser amount of landscaping if the aesthetic, buffering and environmental intent of this division is met, and it

is located along rights-of-way or in strategic environmentally sensitive areas.

9) Landscaping Within Parking Areas.

a) With the exception of parking on Town Center Drive and the East / West Main Streets, screened service areas and parking structures, the following minimum criteria shall be met:

- The total caliper inches shall equal one (1) inch for each five (5) parking spaces. Caliper inches of street and parking lot trees may be provided by planting a combination of trees that exceed the minimum two-inch (2") caliper.
- All outdoor parking areas (excluding screened service areas and parking structures) having spaces for more than twenty (20) vehicles shall have landscaping within the perimeter of the parking areas so that the total interior parking lot landscaping of the PUD District is equal in area to not less than five percent (5%) of the total paved parking areas within the entire PUD. Landscape within the parking areas shall be counted toward the minimum landscape area specified in paragraph Article XI, Paragraph 2) a) above.
- No parking space shall be located more than one-hundred feet (100') from a portion of the required landscaping.
- Each landscape island within a parking lot shall be a minimum of *one-hundred, sixty-two* (162) square feet as measured from outside face of curb to face of curb, and shall allow at least two (2) feet between any trees within the island and the edge of the island. The average width of each island shall be *six feet* (6') wide.
- Parking lot landscaping shall not be required in any parking structure.
- Landscape within parking lots shall not be required within the parking areas on the drives designated Town Center Drive or Main Streets, however street trees shall be planted in sidewalks adjacent to each drive.

10) Landscaping On-Site and Related Location.

- a) The landscaped area required by under this Article XI may be placed anywhere within the PUD without regard to interior lot or sub-area.
- b) Except as required in paragraphs 5, 6 and 9 above, there shall be no requirement that any portion of the landscape area required under this section be installed in any specific location, provided that landscape area is generally equally distributed throughout the PUD.

- c) Undeveloped portions of a tract or lot shall not be considered landscaped and shall not be included in the calculation of land area until they are developed.

11) Tree Credits.

- a) Tree credits shall be given pursuant to Chapter 4, Article 2, Division 3 of the UDC.

12) Adjacent to a Single-Family Use or Zoning District.

- a) When a nonresidential development is established on a tract of land that is adjacent to a single-family development or to property zoned for single-family use, there shall be a twenty-five-foot (25') wide landscaped buffer along the property line that is adjacent to such use or district. The landscaped buffer shall remain open and unobstructed (i.e., no parking, driveways, or other use of the buffer area), and shall be planted with ground cover, such as grass or ivy. This landscaped buffer may be located within the required yard/setback area.
- b) Storm water Management Areas shall not be considered a non-residential use for the purpose of this section provided they are developed as an amenity as described below.

13) Amenity Treatment

- a) Any common open space that is designated an Amenity shall contain a minimum eight foot (8') wide multipurpose nature trail. The trail will be enhanced with naturalistic landscape plantings including canopy shade trees, understory ornamental trees, and accent shrubs and shall be interconnected to other open space areas with pedestrian walkways. Landscape planting required by other sections of this ordinance shall be utilized for trail enhancement. Each common open space shall have at least one paved seating area. Seating areas shall contain appropriate site furnishings, including benches and waste receptacles.
- b) In addition to the above, the multipurpose trail within the storm water management area (sub area F) shall contain a minimum of (4) seating areas with benches and trash receptacles and shall contain, on average, a minimum of one ( 1 ) flowering and two (2)shade trees for every (100 Lin. ft.) of trail together with ( 1 5 ) accent shrubs. Trees will be staggered on each side of the trail and will be clustered to provide a naturalistic arrangement.

14) Greenway

- a) As a condition of this PUD approval, Developer shall construct the landscape areas adjacent to the surrounding public streets and adjacent to the storm water management area as a public Greenway as illustrated on the site plan and shall incorporate the amenity treatment described in Section 13 above, even if no multifamily/residential is developed on site. The greenway areas shall be considered part of the required residential open space and parkland if multi-family residential is developed.

**Article XII. Building Design Standards.**

1) General

- a) The following Building Design Standards replace the Building Design Standards specified in the Pearland UDC underlying zoning and overlay districts including the requirements of Chapter 4.

2) Building Articulation:

- a) Building articulation, which is the expression or outlining of parts of the building by its architectural design, shall be provided in order to achieve the following:
- Create a complementary pattern or rhythm, dividing large buildings into smaller, identifiable portions.
  - Break up the building mass through offsets and other methods that articulate the horizontal and vertical building planes.
  - Incorporate details that create shade and cast shadows to provide visual relief.
  - Vertical reveals and projections to express a rhythmic pattern across the elevation.
- b) Other architectural details which may include texture, pattern, vertical and horizontal relief and other treatment that will reduce the visual impact of long blank walls. Foundation landscaping (where appropriate outside of Town Center Streets) designed to complement the building architecture is encouraged but not required.
- c) Entrances to buildings shall be emphasized through the use of appropriate accent materials, a variety of wall height and building massing facade offsets and by developing dramatic combinations of architectural forms. Building entries should be highlighted by facade offsets and architectural accents.
- d) Building articulation shall be provided as specified in the following:

- All nonresidential structures fifty-thousand (50,000) square feet in size or greater, except department stores, shall incorporate architectural variation of at least three feet in depth for every twenty-five feet (25') in facade length.
- All nonresidential structures less than fifty-thousand (50,000) square feet shall incorporate architectural variation of at least one (1) foot in depth for every *twenty-five* feet (25') in facade length.

### 3) Building Design:

- a) Materials – Eighty-Five percent (85%) of all buildings walls that are not transparent, including parking structures, visible from any specified public street, shall be covered with masonry, or any of the following materials:
  - natural and synthetic stone
  - cement board siding,
  - precast concrete,
  - cast and cultured stone,
  - Glass Fiber Reinforced materials such as Concrete and Gypsum
  - Exterior Insulation and Finishing Systems (EIFS)
  - Synthetic Stucco
- b) Corrugated metal and exposed fasteners are prohibited. There shall be no requirement that any exterior wall facing any specified major thoroughfare be transparent, providing that the building facade is set back a minimum of seventy feet (70') from the right of way. Any exterior building wall that is closer than *seventy feet* (70') to the right-of-way line of any specified major thoroughfare or collector street shall be required to be twenty-five percent (25%) transparent.
- c) All facades of an individual building, multiple buildings in a shopping center, or integrated business development, and all roofing in a shopping center of integrated business development shall have similar architectural design, color, and materials as specified in Paragraph 1) f) above.
- d) Building colors shall conform to the City of Pearland's approved color palate or a supplemental color palette established by developer and approved by the planning director.

### 4) Building Form:

- a) A variety of architectural details, materials and building forms shall be permitted throughout the development. All portions of a structure shall

have a unified design treatment, appropriate in scale and harmonious with other structures in the development.

5) Roof Form / Type

- a) Permitted roof forms include, flat, pitched, arched and shed roofs. There shall be no restriction on the type of roof system incorporated into the design.

6) Retail Arcades and Entrance

- a) There shall be no requirement that any pedestrian arcade or canopy structure be constructed adjacent to or in front of any retail structures. Building entries must be easily identified by customers and must be accentuated by an architectural expression or by accent landscape or hardscape treatment.

7) Screening

The following site elements shall be screened from the public view from all specified major thoroughfares.

a) Mechanical and Utility Equipment:

- Screening shall consist of a decorative wall or architectural element of the building that is one-hundred percent (100%) opaque. Gate and Access Door opacity can be reduced as approved by planning director but shall be of sufficient height and opacity to completely obscure the activity, structure or use.
- Roof-mounted equipment shall be screened with materials that are one-hundred percent (100%) opaque. Appropriate screening includes an extension of the wall, such as a parapet wall, on which the equipment is mounted.

b) Vehicle Loading and Unloading Areas

Screens shall incorporate shrubbery having year-round foliage and/or a wall or architectural element of the building that is a minimum of six feet in height and shall be, or shall achieve, at least six (6) feet in height and at least seventy-five percent (75%) opacity within one (1) year of initial installation/planting. Plant material used to meet this requirement shall be a minimum *four feet (4')* high at time of planting.

- Refuse, Refuse Containers, and Recycling Containers
  - Screens shall consist of a solid wall or architectural element of the building that is a minimum six (6) feet in height.
- Screening Elements Required:
  - Approved screening techniques include masonry, evergreen vegetative screens, landscape berms, existing vegetation or any combination thereof. In any case in which a fence/wall is constructed to provide screening, landscaping elements shall be incorporated along a majority of the fence/wall. Vegetative screens shall be of sufficient height and opacity to obscure the activity, structure or use at the time of planting installation. Also, in the case of roof mounted mechanical equipment, parapet roof structures are approved for screening such equipment.
- Screening Elements Prohibited:
 

No fence or wall visible from a public street shall be:

  - Greater than ten (10) feet in height.
  - Located within any required visibility triangle.
  - Constructed with any of the following materials: surface painted or coated concrete, chain link, concertina wire, barbed wire, corrugated metal, wood panels or fiberglass panels unless approved by planning director.

**Article XIII. Lighting Standards:**

1) General lighting criteria

- a) A parking lot lighting system using Metal Halide lighting shall be installed to provide a minimum illumination of 1.0 foot-candle average between poles on all paved areas during business hours. Higher light levels are permitted at entrances and other significant pedestrian and vehicular areas as determined by developer, consistent with standard industry practice.
- b) All lighting must be arranged or shielded (dark sky fixtures) to avoid excessive glare onto any portion of the Town Center or adjacent properties or city R.O.W. Flood light type fixtures are prohibited, except in service areas, provided light source is not visible by the general public during business hours. Architectural accent lighting of any type is permitted throughout the PUD.

- c) Parking lot areas shall have round tapered poles and concrete bases throughout Town Center with a maximum height forty (40') foot, light standards and fixtures may be varied in design, color and height to provide for different lighting for different situations. Bollard, accent and pedestrian scale lighting shall be permitted, as well as directional lighting to accent architectural features and amenities.
- d) Light fixtures shall be selected to complement building architecture. Finishes of any externally exposed fixtures must match the adjacent surface finish.
- e) Security lighting for all paved areas shall be provided.
- f) The use of building mounted fixtures to illuminate parking areas is prohibited except for parking within receiving areas.
- g) Wooden light poles are not permitted.

2) Vehicular Circulation & Parking Areas:

- a) Metal Halide fixtures shall be used with no direct glare onto adjacent properties or public streets. The glare from such fixtures shall be shielded from adjacent properties and/or public streets.
- b) Standards, poles, and fixtures shall be compatible in color and in design throughout the site and no taller than *forty feet* (40') tall. Accent and pedestrian lighting may be included with maximum pole height of *twenty feet* (20') tall.

3) Walkway Lighting:

- a) Walkway lighting comprised of standard, pole, bollard and wall mounted fixtures shall be no greater than *twenty feet* (20') above grade.

4) Accent Lighting:

- a) Up lighting shall be concealed or positioned to screen the light source from adjacent property.
- b) Floodlighting or spotlighting of architecture, graphics, or natural features shall not create spillage of light onto adjacent property or public streets.

**Article XIV. Thoroughfare and Collector Sidewalk Standards.**

1) Location:

- a) The required sidewalk along all major thoroughfares and collector streets may be located within the front yard building and parking setbacks as well as the parkway area from the back-of-curb to the right-of-way line.

Required sidewalks may be incorporated into the required residential open space as a part of a multipurpose pedestrian walkway system.

- b) Easement Required: A ten foot (10') wide public use easement shall be provided for the required sidewalk when placed outside of street right-of-way.
- c) Curved Alignment Required: The required sidewalk shall have a curved alignment for at least fifty percent (50%) of the major thoroughfare street frontage. Sidewalks on intersecting streets or internal walkways shall not have a curved alignment.

2) Construction Criteria: Construction criteria for the required sidewalk:

- a) Minimum six feet wide. Greenway area multi-purpose walkways shall be eight feet (8') wide.
- b) Minimum eighty-foot (80') centerline radius, maximum intersection angle of twenty (20) degrees, and maximum twenty-foot (20') foot tangent between sidewalk curves.
- c) Minimum six-foot (6') separation between back of street curb and edge of sidewalk, except at street intersections and bridge approaches.
- d) Sidewalk approaches, including the wheelchair ramp, to street and driveway intersections shall be straight and parallel to the adjacent street for a minimum of ten feet (10').
- e) Detailed construction plans shall be submitted to the City Engineer for approval prior to construction of the sidewalk. Sidewalk construction shall be designed and constructed and furnished in conjunction with the offsite roadway improvements being provided under the terms of the Development Agreement between the City of Pearland and Developer.
- f) Deviations from these criteria may be approved by the City Engineer for good cause such as cases of unusual or unique topography or to preserve desirable natural features.
- g) A minimum six-foot (6') wide pedestrian sidewalk shall connect the perimeter sidewalks to the Town Center Drive and east west Main street sidewalk circulation system. This connecting sidewalk shall be accessible, readily visible, and paved.
- h) The multi-purpose walkways within the greenway area shall meet the City of Pearland sidewalk construction standards when adjacent to any public street. The multi-purpose trails within the storm management area (Sub Area F) shall be constructed with concrete, asphalt or other hard surface material such as crushed limestone with fines, well compacted gravel, or other hard surface material approved by the City of Pearland.

**Article XV. Utilities.**

- 1) All proposed utility lines within the PUD development including water supply, sanitary sewer service, electricity, telephone and gas as well as their connections shall be placed underground, with the exception of the existing overhead electric lines crossing through or adjacent to the PUD or installed along Kirby Road, Broadway or - Business Center Drive. Meters, transformers, etc. may be placed above ground provided they are located within screened areas or are otherwise screened from view to the general public. Approved screening techniques include masonry, evergreen vegetative screens, landscape berms, existing vegetation or any combination thereof. Location and size of Loading Spaces can be adjusted as approved by planning director.
- (2) If required to accommodate utility extensions through the PUD District, a sixteen-foot (16') wide utility easement along the rear lot line or other approved onsite utility corridor shall be provided to accommodate underground utility distribution lines, including but not limited to, electric, phone, and cable television.

**Article XVI. Storm Water Management**

- 1) The proposed storm water management area in sub area F shall be designed to control storm water run-off from Sub Areas A through D. Water Quality will be controlled through the use of a wet detention basin(s), and by methods as required by Pearland's engineering design criteria manual in force as of the date of this ordinance. Separate, stand alone storm water management facilities will be provided on Sub Areas' E and G to accommodate runoff from that sub area. All Storm water management plans must be approved by the City Engineer
- 2) Storm water management will be designed in accordance with generally accepted engineering practice and in accordance with methodology recommended by the drainage district and the City of Pearland.
- 3) Cross access easements shall be provided between each parcel that is created within this PUD to insure conveyance of storm water to the storm water management area.

**Article XVII. Signage**

- 1) General Standards & Requirements
  - a) Applicability. All signs shall be erected, displayed, altered and reconstructed in conformance with this division. Where the requirements of this division for a particular sign are different than comparable requirements contained in any other law, ordinance or regulation, the requirements and standards established in this PUD text shall govern.

2) Signage has been classified by the following types:

- a) Town Center identification signs, including Pylon Sign.
- b) Department Store and Event Center exterior signs.
- c) Main Street Tenant exterior signs.
- d) Free Standing Out Parcel Building signs.
- e) Directional, Informational and Traffic Control signs.
- f) Service Door signs.
- g) Announcement Signs
- h) On-premise Wayfinding Signs
- i) Interior Project Boundary
- j) Off-Premise Advertising Wall Signs

3) General Criteria

- a) No exterior sign shall be permitted upon any parcel comprising the Pearland Town Center PUD that:
  - flashes, blinks, rotates, moves, is animated or emits any sound, provided; however, that any theater, event center or developer information kiosk, reader boards or electronic displays located within Sub-areas "A" or "C" shall not be deemed to be flashing or moving signs for the purpose of this criteria.
  - is painted on the exterior surface of any building, installed upon the roof of any building. In Sub Area A, exterior wall treatments may include painted wall or advertising signs, provided that such painted signs are designed as an integral part of the architectural theme being developed for the Town Center and Tenant Store.
  - the architectural character of signs shall complement and be coordinated with building designs.

4) Town Center Identification Signs

- a) One ground monument Town Center identification sign shall be permitted for each of the six (6) driveway entrances to the development. The Ground signs may be mirrored on both sides of each entry driveway to create a gateway entry feature. Each sign shall be limited to *fifteen feet* (15') height including the base and support structures. Each sign shall not exceed *one-hundred* (100) square feet per face, per side of entrance including exposed supporting structure or associated decorative walls. The portion of the base of the sign within two (2) feet of the grade of the ground shall not be included in area calculations if that portion has no signage, logo, or lettering. In the event Town Center identification is incorporated into any proposed entry wall or

landscape feature, only the actual area of sign text and any logo identifying the development shall be measured.

- b) One additional ground monument identification sign shall be permitted in Sub-Area E and one for Sub Area G, provided it is coordinated with the design of the ground monument signs at the Kirby Road entry drives. Sub Area E and Sub Area G signs shall meet the size requirements of Paragraph 4 a) above.
- c) One overhead gateway feature identification sign shall be permitted for the main Town Center entry driveway (at FM 518). The sign shall have a vehicle clearance of at least *fourteen feet* (14') and a maximum overall height of *twenty-four feet* (24'). Letter height and sign area are not limited. The sign is restricted to include only the name of the project and any logos or graphics associated with the identity of the Town Center. Refer "Exhibit A- Town Center feature identification sign" of the attached appendix.

#### 5) Department Store and Event Center Exterior Signs

- a) The maximum allowable number of signs per Department Store or Event Center is Four (4). Signs on one elevation must be contained in one area and not exceed *four-hundred square feet* (400 s.f.) per sign.
- b) The maximum height of all individual sign letters shall not exceed *ninety-six inches* (96") for capital and lower case letters, with the top of the department store exterior signs being limited to a height of *forty feet* (40') above the average exterior grade.
- c) As an alternative to the above, one ( 1 ) Primary Wall Sign may be permitted with *ninety-six inch* (96") high letters, provided the remaining three (3) permitted wall signs are limited to *sixty-inch* (60") high letters.

#### 6) Main Street Tenant Exterior Signs

- a) All tenant stores located within sub-area "A" shall be permitted an exterior building sign for each separate exterior "customer" entrance. Tenant signs shall not exceed *seventy percent* (70%) of the store front length on which the sign is placed. Letter height shall not exceed *thirty-six inches* (36") in height except hotels which shall be permitted *sixty inch* (60") high letters. Blade signs, canopy signs and three (3) , provided the total tenant signage does not exceed the maximum calculated square footage available based on tenant frontage.

#### 7) Free Standing Out Parcel Buildings Signs (Sub areas B, C, and D only)

- a) The maximum allowable number of signs per free standing building is one (1) sign for each public street or circulation drive frontage. Signs must be contained in one area on the facade and shall not exceed *seventy percent (70%)* of length of the building face to which it is attached. Letter height shall not exceed *thirty-six inches (36")* in height except hotels which shall be permitted *sixty inch (60")* high letters. One (1) detached ground monument sign shall be permitted within Sub Areas B through D for each individual building and such sign shall not exceed five (5) feet in height and not exceed *forty-five (45)* square feet in surface area per face. Monument sign base shall match the primary exterior building materials, and shall conform to a standardized ground monument sign detail to be established by Developer.
- b) Flat wall signs shall not extend more than *eight inches (8")* beyond the face of the surface to which the sign is mounted. Blade signs, canopy signs and three-dimensional signs are also permitted, provided the total tenant signage does not exceed the maximum calculated square footage available based on tenant frontage.
- c) Signs shall be composed of individual, free-standing letters. No "belt" or "box" type signs or "pillow" signs will be permitted unless they are part of a tenant's national identity. All necessary sign supports and electrical connections shall be concealed.
- d) All signs must be illuminated and shall derive light from a concealed source. No exposed lamps, globes or tubes will be permitted. Minimum return depth for illuminated signs shall be *five inches (5")*. Illuminated signs may be "pegged out" from mounting surface for silhouette effects.
- e) Lettering on all store signs shall be limited to business or trade name of the premises. No sign manufacturer's name, union labels, or other lettering shall be visible. Logo signs will be reviewed on an individual basis by Developer, but in general, national tenants with recognizable logos within or adjacent to their trade name are acceptable. All logos shall adhere to the requirements of this criteria.
- f) No exterior sign or sign panel will be permitted to extend above any roof line.

## 8) Directional, Informational and Traffic Control Signs

- a) All traffic control signage on public streets shall conform to the size requirements of the "Manual of Uniform Traffic Control Devices and the City of Pearland."
- b) Pedestrian directional signs, information kiosks and electronic information devices shall be permitted throughout the Town Center Sub Area A and Sub Area C without limitation, provided that they are used solely to convey directional, town center special event, public service and related information to the general public.

- c) Directional signage identifying receiving and loading areas, access routes and other elements requiring further identification are permitted provided they have a consistent design and appearance coordinated with the other Town Center identification signs.

#### 9) Service Door Signs

- a) Each Tenant shall be permitted to install one (1) sign on a service door to identify the name of the business. The content of the sign shall be limited to the name of the business only.
- b) The lettering shall be consistent color and type style, two inches (2") high, and shall be located no higher than *five-feet, six-inches* (5'-6") above finish floor.

#### 10) Announcement Signs

- a) The following types of Announcement signs shall be permitted within the PUD:
  - Project Announcement Signs - Limited to two (2) Overall Development Signs not exceeding *ninety-six square feet* (96 SF) per face each sign, and one (1) additional sign for each sale or lease parcel created by Developer, not exceeding *sixty-four square feet* (64 SF) per face for each additional sign.
  - Banners, Pennants and Temporary Signs used for advertising purposes provided that they are not visible from public streets. On premise externally illuminated portable signs, banners, and windblown signs such as pennants, flags, and streamers for special events and grand openings shall be permitted provided they do not exceed *twenty square feet* (20 SF) in area. There shall be no limit on the amount of Developer placed Banners, flags or signs along Town Center Drive, East or West Main Streets or other circulation routes within the PUD.
  - Project Announcement signs shall be removed within *thirty* (30) days after an occupancy permit is issued.
  - Land Available and Real Estate Signs. Signs offering land available for sale or lease shall be limited to *sixty-four square feet* (64 SF) per sale or lease parcel provided that no more than one (1) sign be installed for each *five-hundred feet* (500') of frontage.

#### 11) On-Premise Wayfinding Signs

- a) On-premise way finding signs are permitted within the PUD for the specific purpose of directing vehicular traffic around the site and to major anchor stores, Hotels, Residential, Offices and amenities. *Twelve* (12) signs are permitted.

- b) Maximum Height: The maximum height of any vertical On-premise way finding sign shall not exceed *twelve feet* (12'-0") (refer to exhibit C on page 40).
- c) Maximum Sign Area: The maximum effective sign area shall not exceed *one-hundred, seventy-four square feet* (174 SF) (refer to exhibit C on page 39) including the sign base, and supporting structures and associated decorative walls.

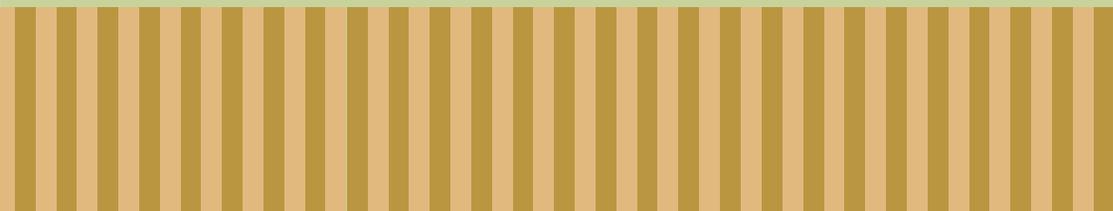
## 12) Interior Project Boundary

- a) Signs located within the Interior Project Boundary, (refer to Exhibit B on page 38) are considered interior signage and therefore exempt from PD and UDC requirements. These signs shall not exceed the height of the buildings to which they are attached or immediately adjacent. These include signs such as: mall directories, traffic control, way-finding, banners, flags, tenant advertising, portable sidewalk signs, information kiosks and electronic information devices.
- b) For Signs A-J in Exhibit B-2 on page 39, refer to Article XVII Signage: 13 Off-Premise Advertising Wall Signs.

## 13) Off-Premise Advertising Wall Signs

### A) Off-premise Advertising Wall Signs shall be permitted as follows:

1. Shall be located as indicated on the attached Exhibit B-2 (on page 39).
2. Proposed designs must conform to the Off-Premise Advertising Wall Sign Design Guidelines called Exhibit D (on page 42).
3. No more than *seven* (7) of the *ten* (10) specified Off-Premise Advertising Wall Signs shall be utilized for off-premise advertising concurrently at any time.  
All Off-Premise Advertising Wall Signs may be used for On-premise or Town Center advertising at any time.
4. Signs designated as A-J shall be submitted first to the Owner for approval and then to the City of Pearland to obtain an approved sign permit prior to the installation of any sign.



Pearland  
TOWN CENTER

OFF PREMISE ADVERTISING WALL SIGN DESIGN GUIDELINES / 11.19.12  
EXHIBIT D OF THE PEARLAND TOWN CENTER PD

**CBL**  
CBL & ASSOCIATES PROPERTIES, INC.  
omniplan

**GENERAL INFORMATION**

**Owner / Developer**

CBL & Associates Properties, Inc.  
CBL Center  
2030 Hamilton Place Blvd., Suite 500  
Chattanooga, TN 37421  
o.423-855-0001  
f.423-490-8626  
Contact - Ken Wittler

**Architect**

Omniplan  
1845 Woodall Rodgers Frwy.  
Suite 1500  
Dallas TX, 75201  
o.214-826-7080  
Contact - Randy McCown

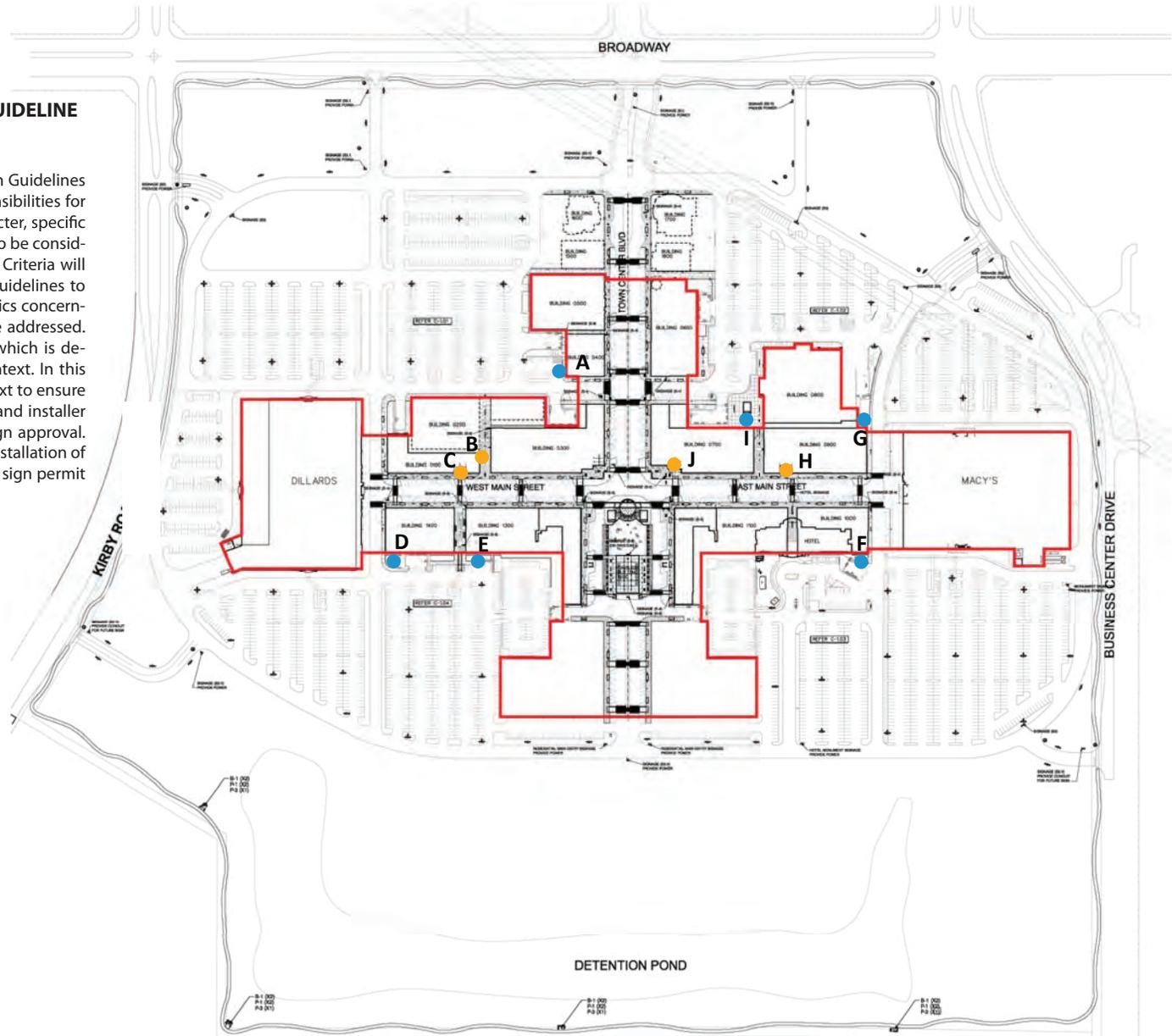
**Permitting and Design Review**

City Hall  
3523 Liberty Drive  
Pearland, TX 77581  
o.281-652-1701  
www.cityofpearland.com



**OFF-PREMISE ADVERTISING WALL SIGN DESIGN GUIDELINE USE:**

The purpose of these Off-Premise Advertising Wall Sign Design Guidelines is to communicate the design guidelines and establish responsibilities for design, review and implementation of the signs. Design character, specific detail of the structure as well as general quality standards are to be considered by you, your Graphic Designer & Advertiser. The Design Criteria will provide specific aesthetic examples and outline acceptable guidelines to insure a cohesive vision for Pearland Town Center. Specific topics concerning location, size and Pearland Town Center Design Vision are addressed. In addition, individual signs must adhere to specific criteria which is determined by their location and their specific architectural context. In this way, each sign will be reviewed on an individual basis in context to ensure diverse and creative design solutions. Your Graphic Designer and installer should also understand this criteria in order to expedite design approval. After the Sign has been approved by the Owner, and prior to installation of the off-premise advertising sign, an approved City of Pearland sign permit must be obtained.



- EXTERIOR FACING WALL SIGN LOCATIONS  
MUST BE SUBMITTED TO OWNER AND CITY FOR REVIEW APPROVAL
- INTERIOR FACING WALL SIGN LOCATIONS  
MUST BE SUBMITTED TO OWNER FOR REVIEW APPROVAL

**LOCATION PLAN**

## DESIGN VISION:

Shopping and entertainment complement life and work activities in this mixed-use lifestyle center. Diverse components harmoniously woven together help form an authentic place with a strong connection to the Pearland, Texas community. Master planned as an “urban” town center, the street grid organizes single and multi-story structures to create interesting outdoor spaces while framing compelling vistas. Vehicular circulation provides access and dynamic movement energizing the outdoor space. Community space, specialty merchandising, patron amenities and sidewalk activity allow customers diverse opportunities to “dial-in” their own personal experiences. Nodes and intersections provide energized focal points and transitional connections between blocks. Paseos provide pedestrian access from parking areas to the shops and frame interesting views. Plaza nodes provide energized activity points and transitional connections between the outdoor spaces. Aesthetic character of this place is derived from qualities and identity connected to this time and place; a pragmatic and meaningful architectural, graphics, landscaping and lighting expression appropriate to Pearland heritage and this region of Texas. The primary form given for the project is retail. High quality storefront design utilizing quality materials executed in authentic stylistic proportion and composition will make this a desirable place to spend time and foster an emotional patron connection.



## OVERALL CONCEPT:

### There are 2 options for creating the advertising signage, a palette option and a frame option.

The palette option makes use of a given palette of colors, patterns and imagery for the advertisers to use in creating their ad panel. The frame option uses standard frames as backgrounds for the advertisement.

Digital templates for the Frame Option as well as individual digital images for the permissible color, pattern and background components of the Palette Option will be provided by the owner for advertiser, graphic design or sign contractor use.

Signage should be inviting and easily understood. Awareness of the contextual complexities of the surrounding wall and common outdoor areas and how that applies to the overall center and the individual advertising sign is critical. With that in mind, the Owner encourages a wide range of design freedom within this context for the signage contractor and advertiser to express their corporate image and individuality. Ultimately, exciting design with quality, durable materials will be the primary criteria.

Advertising Signs are intended to be fixed to the existing frames that are currently on the facade of the building at established locations (refer to signage location plan) and be non-illuminated. They are intended as much for their decorative value to the buildings and streetscape as for their advertisement of the advertiser's identity. The owner encourages the use of identity graphic elements and/or creative color and material innovations.

The Owner is anticipating a wealth of unique and tasteful means of Advertiser expression establishing appropriate levels of distinction and authenticity within the project adding variety and visual character to the overall center. Off-premise Advertising Signs shall provide a friendly, pedestrian scale with attention directed to those strolling along the sidewalks and driving thru the center.



### Palette Option Criteria:

Advertiser must use the provided palette of colors/patterns and imagery to create a custom ad that works with the style of the center and the history and nostalgia of Pearland. Any combination of the provided color, pattern or imagery options may be used to create the advertisement. The area permissible for the advertisers logo, text and brand imagery is 30% of the viewable panel face. The area is calculated by calculating the individual logos, text or brand imagery that is not a part of the provided imagery.

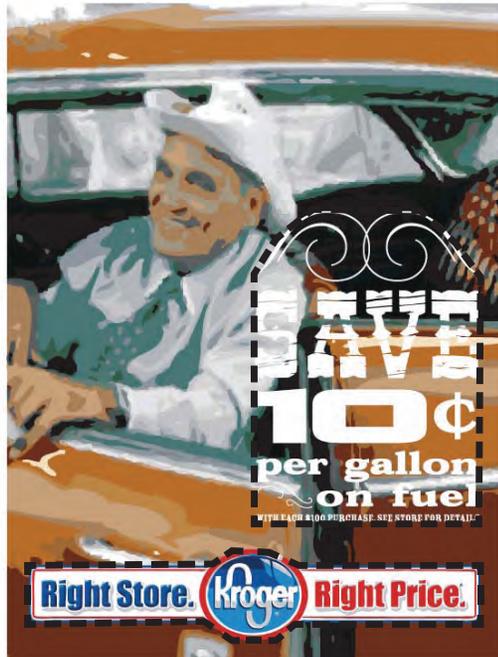


### Frame Option Criteria:

Advertiser may choose to use the provided frames for their advertisement. The area permissible for their logo, text and brand imagery is 50% of the viewable panel face. Advertisers may choose to change the colors of the provided frames provided that the colors selected are from the color palette as shown in these guidelines.

**CALCULATION OF ADVERTISEMENT LOGO, TEXT, AND BRANDING IMAGE:**

The area permissible for the advertisers logo, text and brand imagery is 30% of the viewable panel face. The area of the advertiser logo, text and brand imagery is calculated by delineating a tight line about the individual logo, text or brand imagery elements(eg., if a circle is utilized, then the calculation is for the outer edge of the circle, if irregular, then the outer edge of the irregular shape. The permissible colors, patterns and background are not included in the calculation.



CALCULATION EXAMPLE A



CALCULATION EXAMPLE B

**CALCULATION EXAMPLES**

## OWNER APPROVAL:

All signage, including signs of a temporary nature, must be approved by the Owner in writing before use.

The sign contractor is to provide a dimensioned color layout showing the proposed image for approval by the Owner. Submittal must include a drawing indicating which option has been selected (frame or palette). For the palette option, a drawing showing the calculated area of logo or advertisement coverage as well as clearly documented colors, pattern and/or imagery utilized from the permissible options.

## SIGN CONTRACTOR RESPONSIBILITIES:

The Sign Contractor is responsible for field verifying the actual sign frame.

All signs remain subject to Owner's Advertising Wall Sign Design Guidelines and Owner approval.

All signs must comply with applicable local code and Pearland PUD requirements. Sign Contractor responsible for submitting all signs to City for permit prior to installation. All signs must comply with the Pearland Town Center Planned Development Document and the current Unified Development Code. The Sign Contractor is responsible for obtaining an approved City of Pearland sign permit prior to the installation of Off-premise Advertising Sign.

Sign Contractor is responsible for installing and removing all graphic panels. Frames are to remain as part of Landlord property. If frame is damaged during install or removal of panels Sign Contractor is responsible for repair or replacement.

Sign Contractor is responsible for reinstalling Owner's placeholder graphics once Sign Contractor provided graphics are removed.

## OWNER RESPONSIBILITIES:

The ensure the Off-premise advertising signs shall compliment the overall architectural character of the Pearland Town Center.



# PALETTE OPTION

**PALETTE OPTION: EXAMPLE LAYOUTS**

The example layouts are provided for reference only to convey the general spirit and design vision for the implementation of the Palette Option. Advertiser, Graphic Designer and Sign Contractor are encouraged to be creative in the use and composition of the advertisement sign design incorporating the permissible colors, patterns and/or imagery to effectively compliment the intended advertisement and character of Pearland Town Center.

Color example: background color has been selected from the palette of colors on page 10. The logo, text and pestle/mortar image are no greater than 30% of the viewable area.

Color/pattern example: edge color has been selected from the palette of colors on page 10. The background pattern has been selected from page 11, pattern colors have been selected from page 10. The logo, text and pestle/mortar image are no greater than 30% of the viewable area.

Color/pattern/imagery example: edge color has been selected from the palette of colors on page 10. The background pattern has been selected from page 11, pattern colors have been selected from page 10. Pharmacist image has been taken from image #CB/I-6 on page 13. The logo, text and pestle/mortar image are no greater than 30% of the viewable area.



**COLOR EXAMPLE**



**COLOR/PATTERN EXAMPLE**

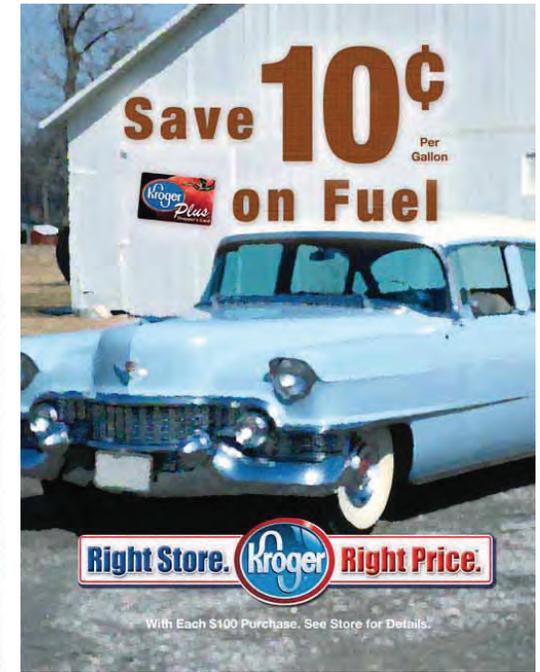
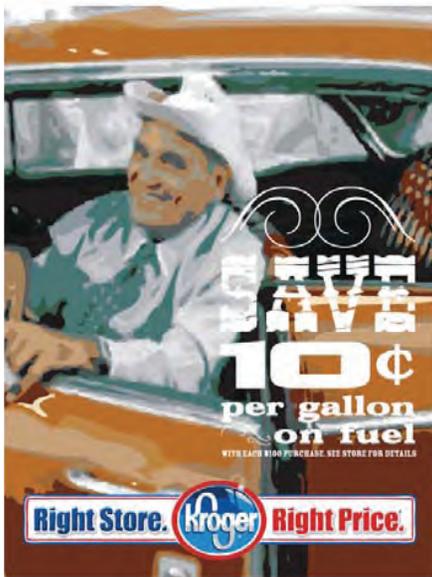


**COLOR/PATTERN/IMAGERY EXAMPLE**

**PALETTE OPTION**

**PALETTE OPTION: IMAGERY EXAMPLE LAYOUTS**

These examples show the imagery as the “background” of the advertising elements. Advertisers who chose to use the provided imagery may also use it as a portion or part of the ad and not the entire background. The image may be digitally adjusted using filtering software and content may be taken out of the image as a single item as shown on page 4. The imagery selected by the advertiser is meant to form a basis for the graphic layout and design.



PALETTE OPTION

OFF PREMISE ADVERTISING WALL SIGN DESIGN GUIDELINES / 11.19.12

**PALETTE OPTION: COLORS**

The palette of colors and patterns is meant to be used in a creative and custom way for each individual advertisement.

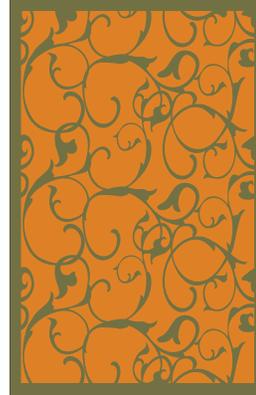


**PALETTE OPTION: PATTERNS**

Patterns may be scaled as well as adjusted to contain any of the colors in the color palette. These are the patterns available in any of the approved colors in the color palette.H



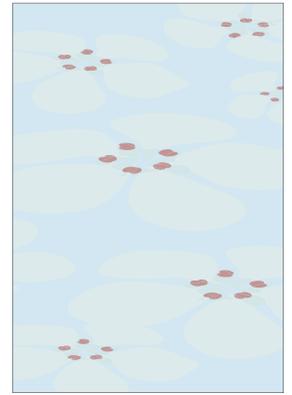
P-1



P-2



P-3



P-4



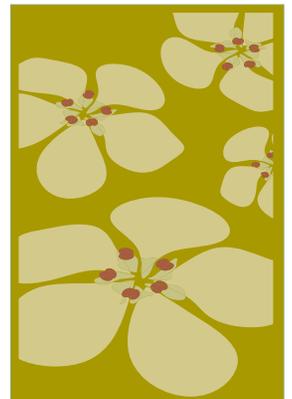
P-5



P-6



P-7



P-8

**PALETTE OPTION: HARVEST IMAGERY**



HI-1



HI-4

HI-2



HI-3



HI-5

HI-14



HI-15



HI-13



HI-12



HI-16



HI-17



HI-6



HI-11



HI-10



HI-9



HI-8



HI-7

PALETTE OPTION: COMMERCE/BUSINESS IMAGERY

C/BI-1



C/BI-2



C/BI-9



C/BI-3



C/BI-4

C/BI-8



C/BI-7



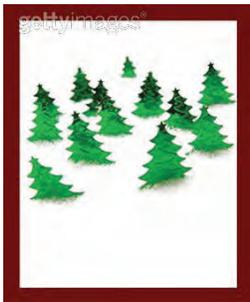
C/BI-6



C/BI-5

**PALETTE OPTION: HOLIDAY/SEASONAL IMAGERY**

H/SI-6



H/SI-1

H/SI-2



H/SI-3



H/SI-4



H/SI-5



H/SI-8



H/SI-9



H/SI-10



H/SI-11



H/SI-7



H/SI-13



H/SI-14

H/SI-15



H/SI-12



H/SI-16



H/SI-17



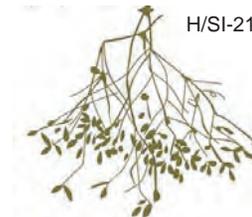
H/SI-18



H/SI-19



H/SI-20



H/SI-21

**PALETTE OPTION: RODEO/COWBOY IMAGERY**

R/CI-4



R/CI-1

R/CI-3



R/CI-2



R/CI-5



R/CI-10



R/CI-6



R/CI-7



R/CI-8



R/CI-9

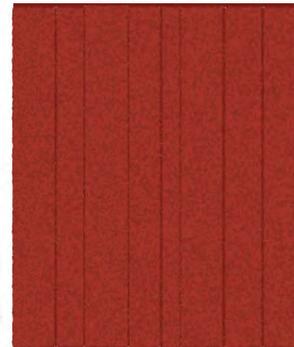


R/CI-11

**PALETTE OPTION**

**OFF PREMISE ADVERTISING WALL SIGN DESIGN GUIDELINES / 11.19.12**

PALETTE OPTION: MISCELLANEOUS IMAGERY



MI-8

MI-9

MI-11

MI-12

MI-13

MI-10

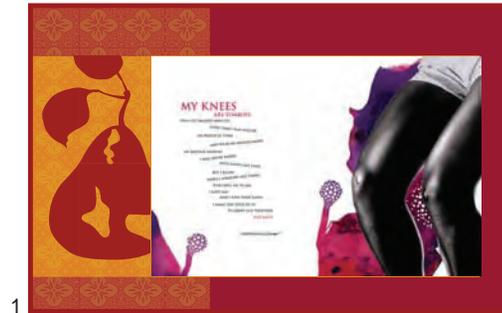
PALETTE OPTION

OFF PREMISE ADVERTISING WALL SIGN DESIGN GUIDELINES / 11.19.12

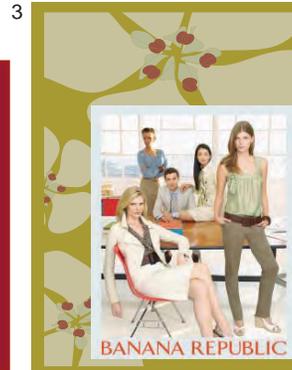
# FRAME OPTION

## FRAME OPTION EXAMPLES

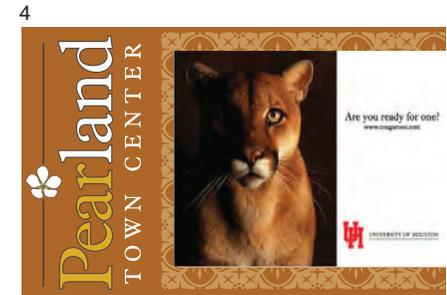
Frames form a standard background for an advertisement. Each sign position(A, D,E,F,G and I) will have 6 frame options to choose from. The layout is standardized and cannot be adjusted. The standardized background pattern and imagery icon are standard to the layout and cannot be adjusted. If desired, the colors may be adjusted if chosen from the palette of permissible colors (refer to page 9 in these Guidelines).



1



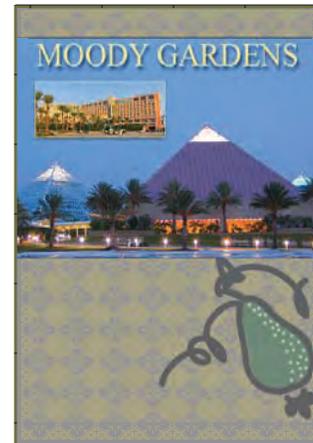
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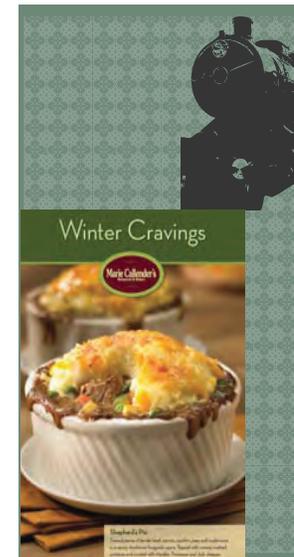
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5

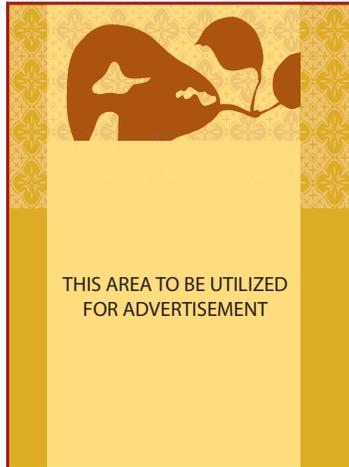


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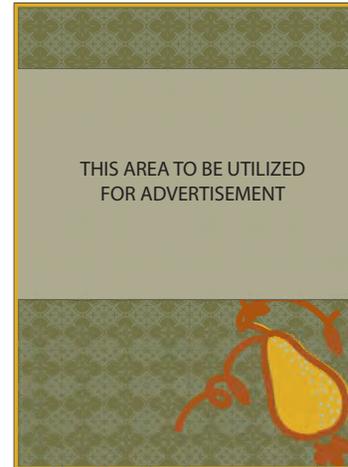


6

FRAME OPTION



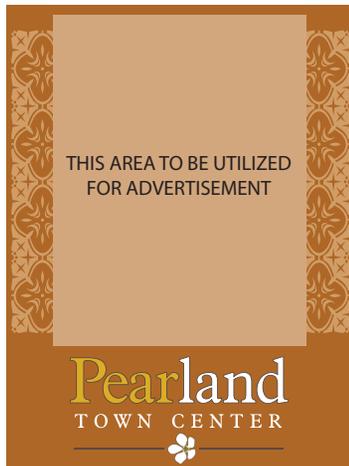
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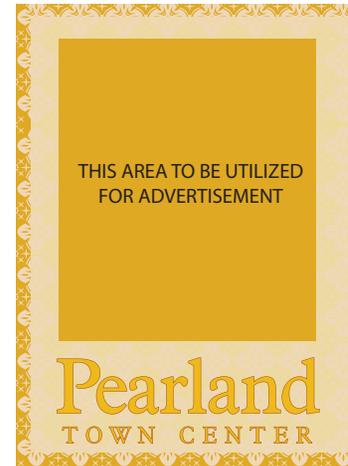
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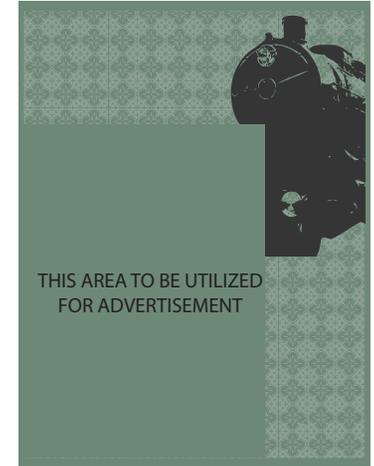
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4



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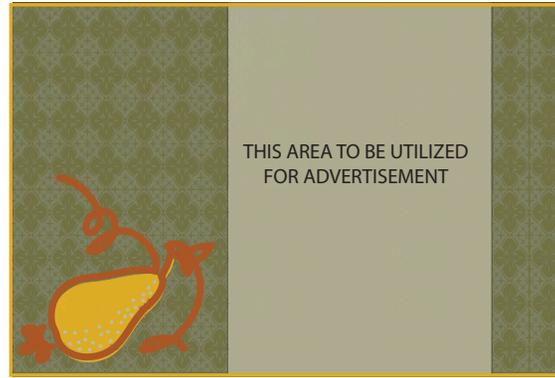


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**FRAME OPTION**



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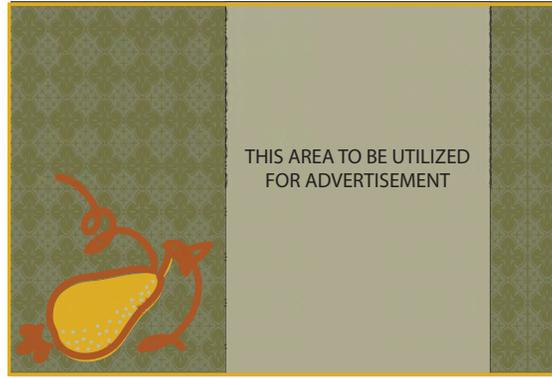


6

FRAME OPTION



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6

**FRAME OPTION**



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4



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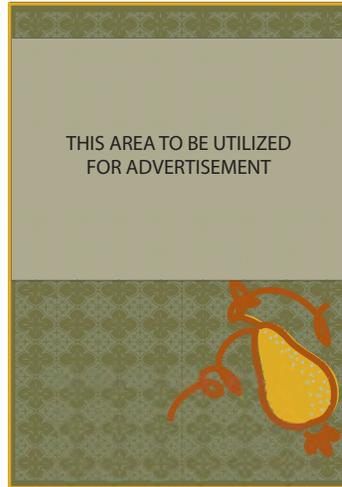


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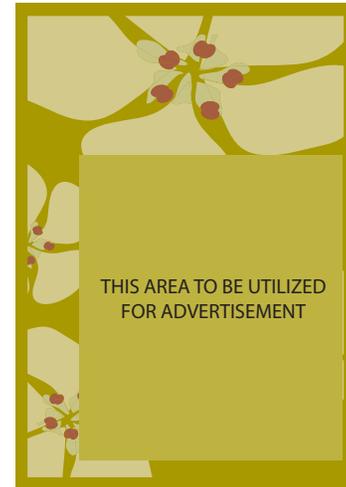
**FRAME OPTION**



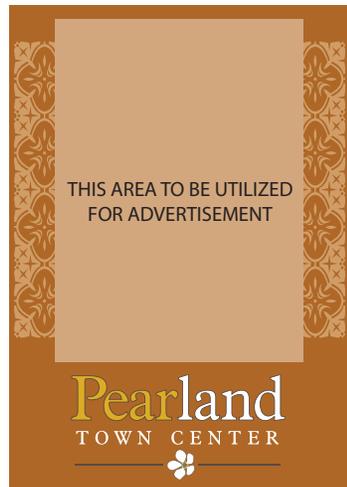
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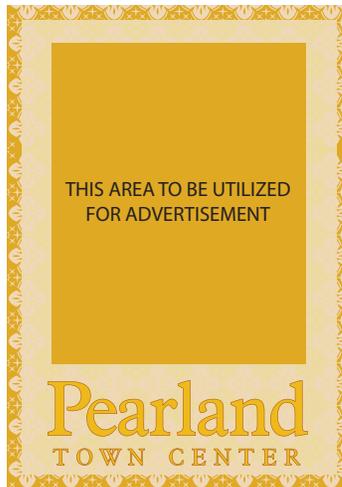
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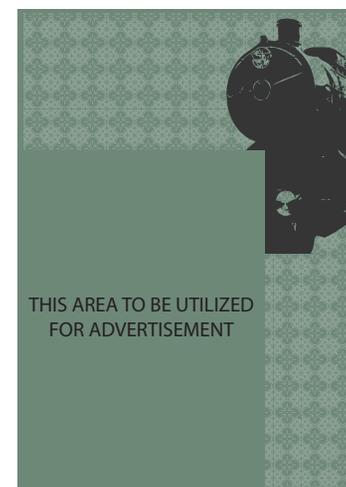
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**FRAME OPTION**



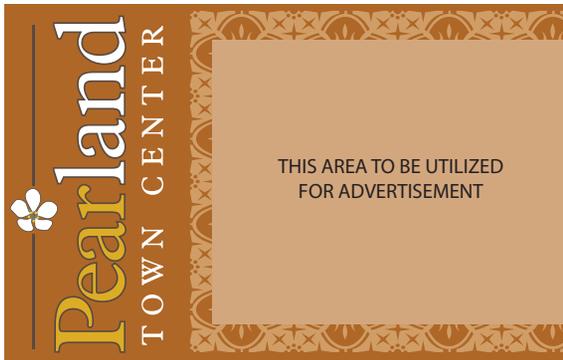
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**FRAME OPTION**



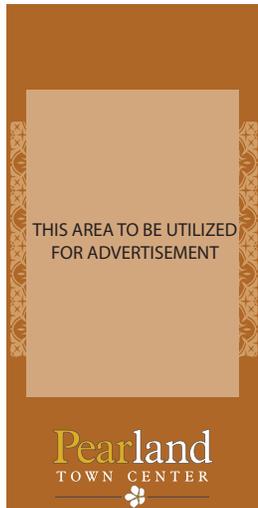
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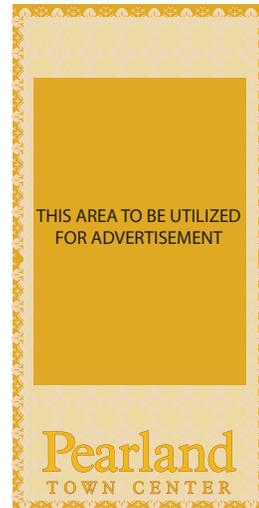
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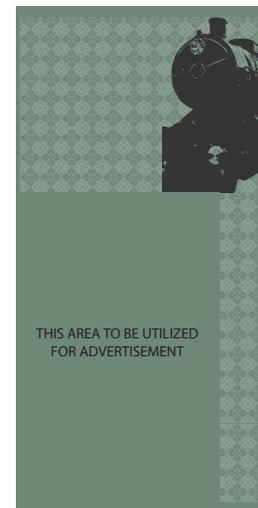
3



4



5

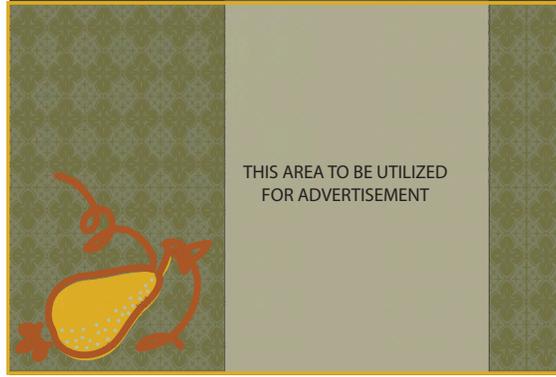


6

FRAME OPTION



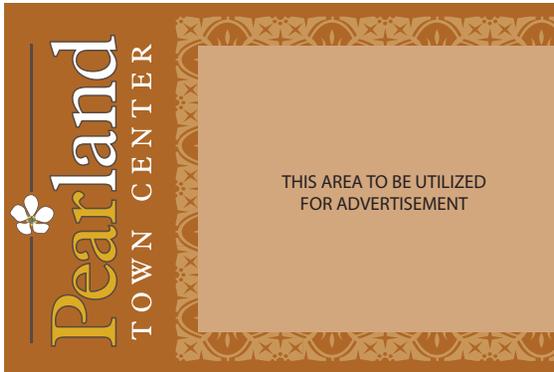
1



2



3



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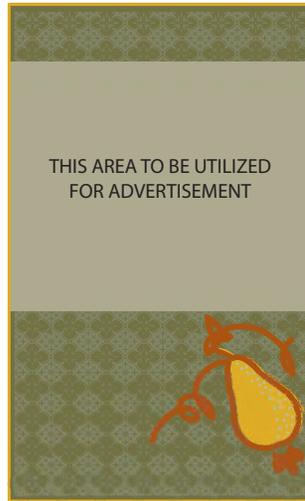


6

**FRAME OPTION**



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**FRAME OPTION**



4



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2

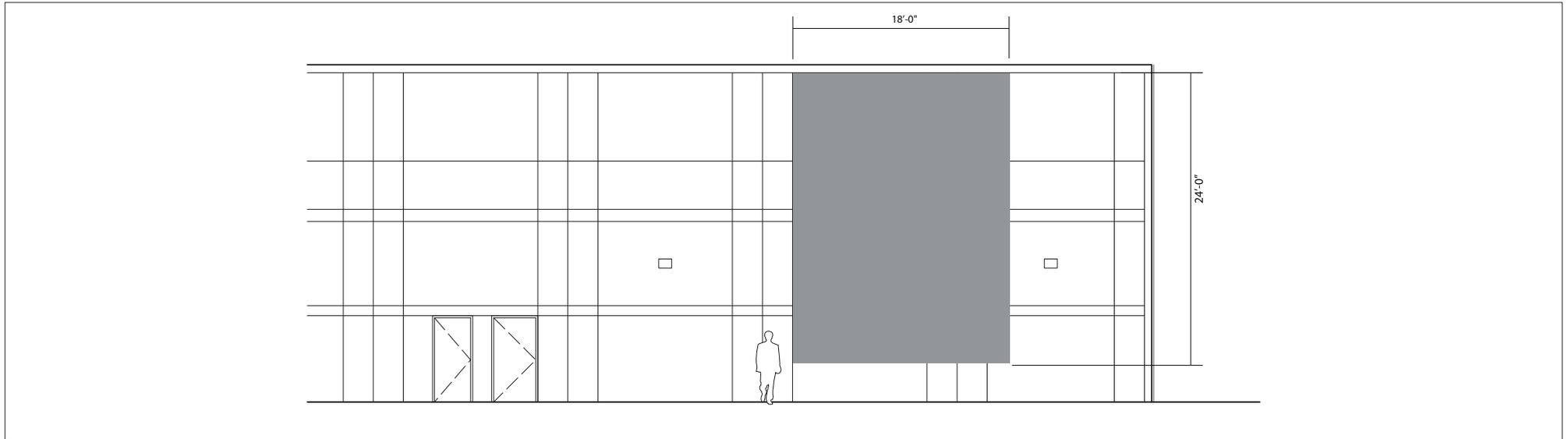


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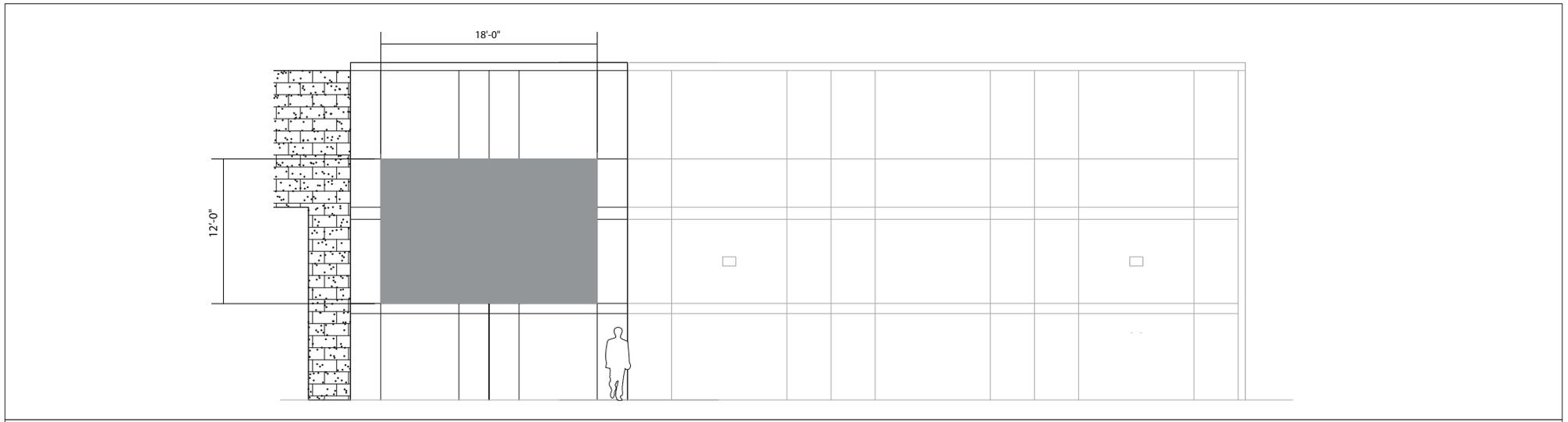
3

**FRAME OPTIONS SIGN TYPE J**



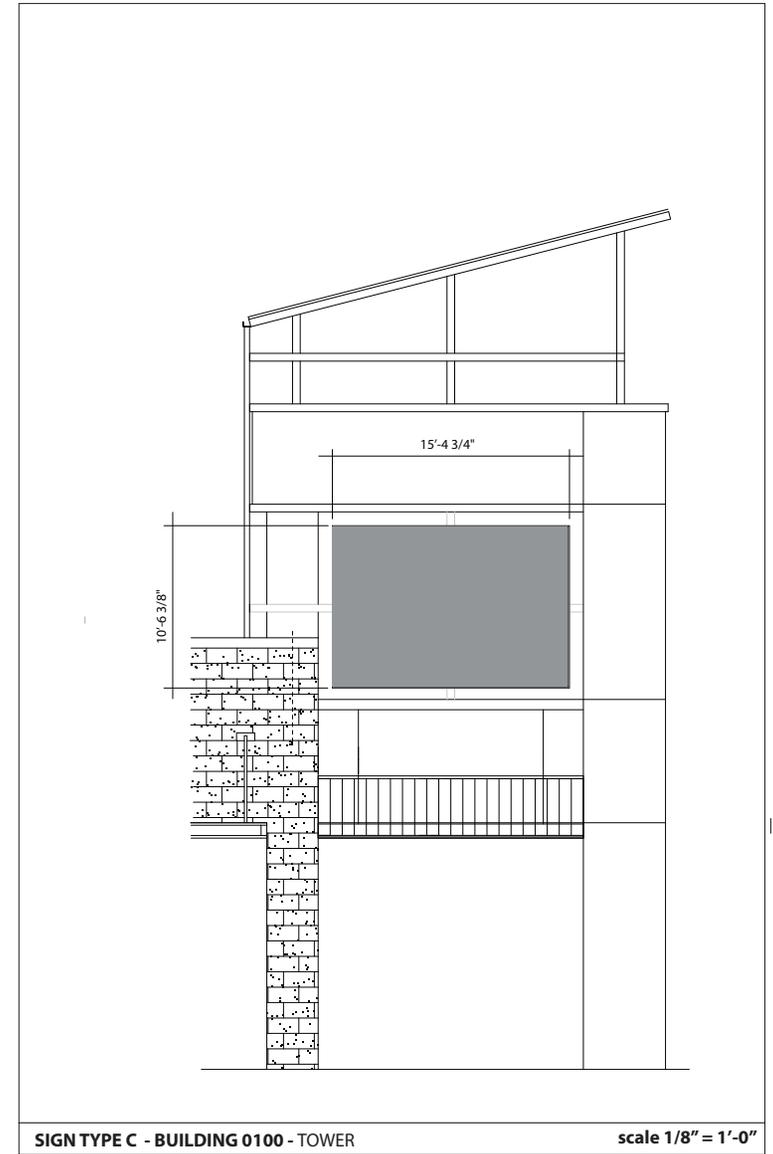
**SIGN TYPE A - BUILDING 0400 - WEST WALL**

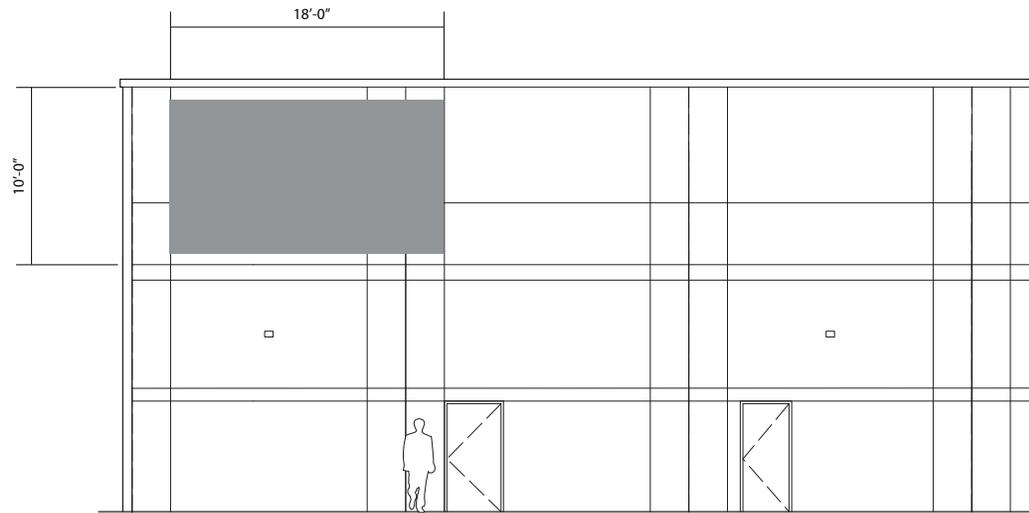
**scale 1/8" = 1'-0"**



**SIGN TYPE B - BUILDING 0100 - EAST WALL**

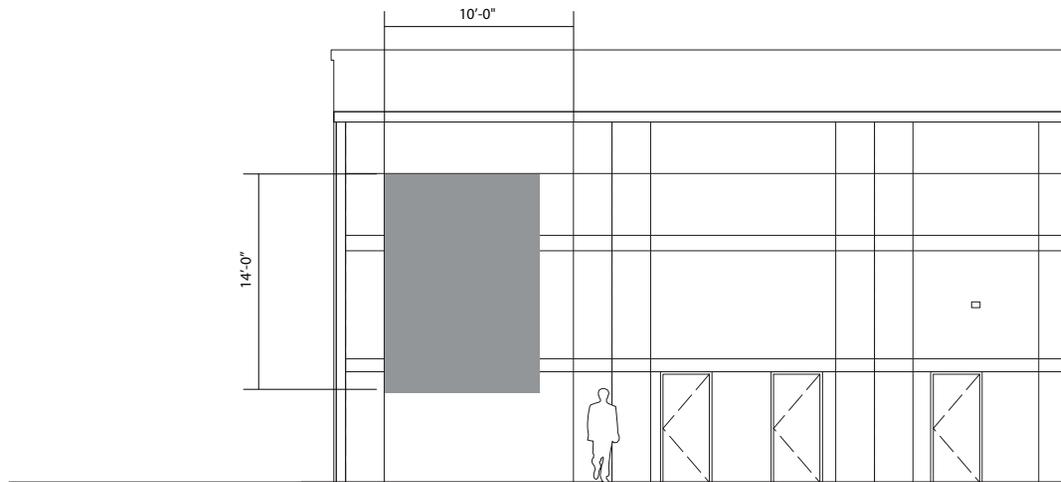
**scale 1/8" = 1'-0"**





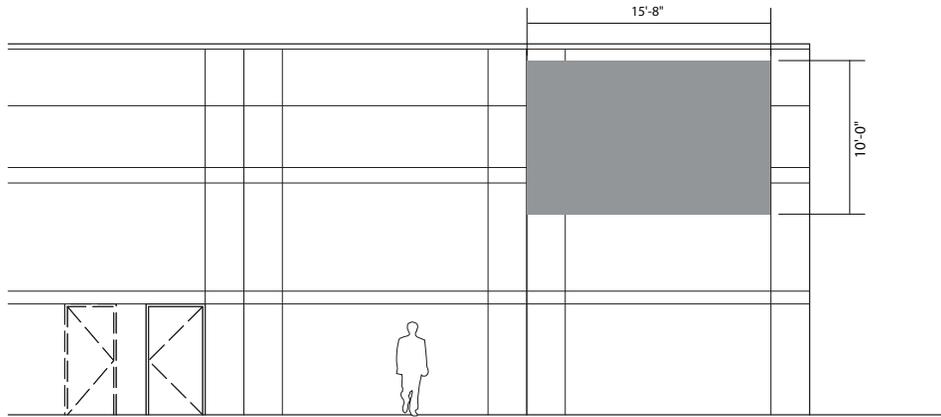
**SIGN TYPE D - BUILDING 1400 - SOUTH WALL**

**scale 1/8" = 1'-0"**



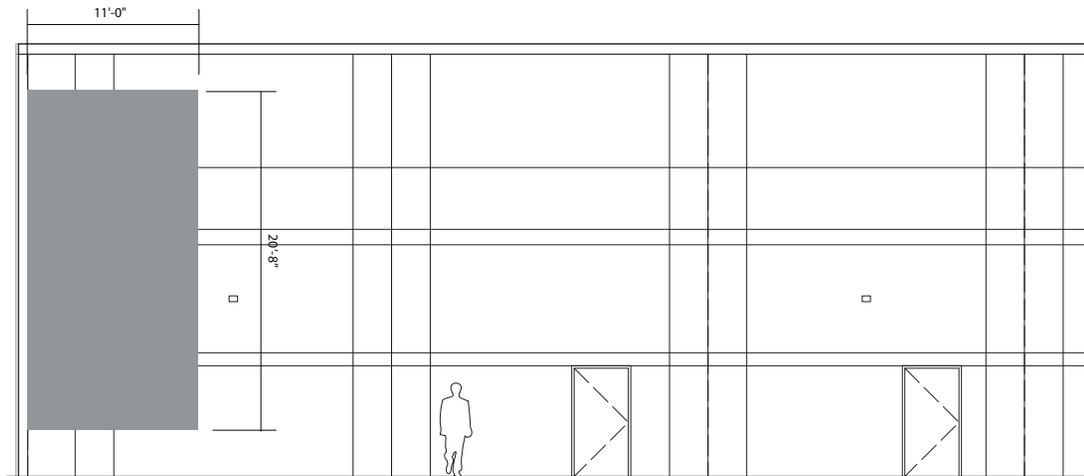
**SIGN TYPE E - BUILDING 1300 - SOUTH WALL**

**scale 1/8" = 1'-0"**



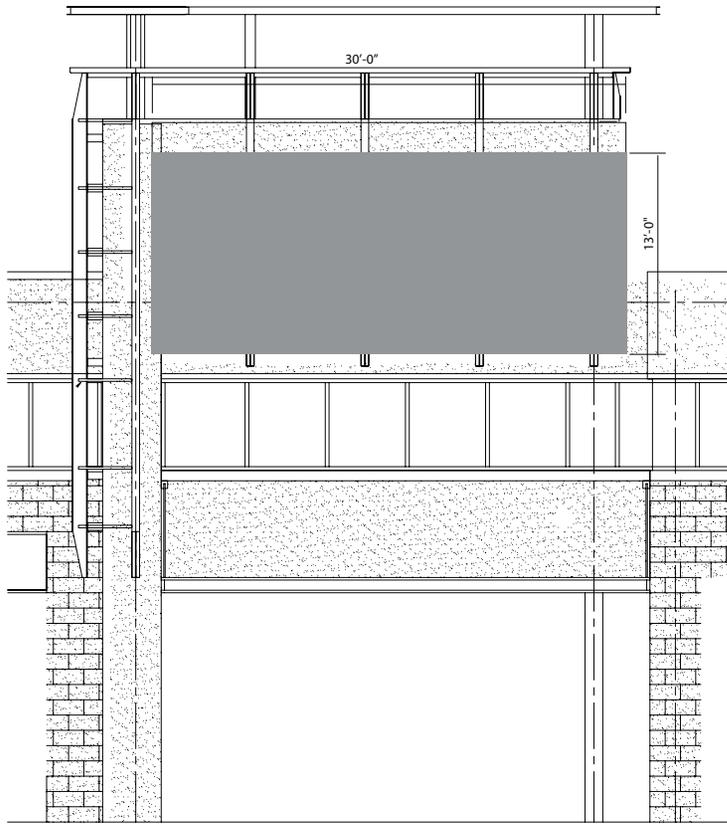
SIGN TYPE F - BUILDING 1000 - SOUTH WALL

scale 1/8" = 1'-0"



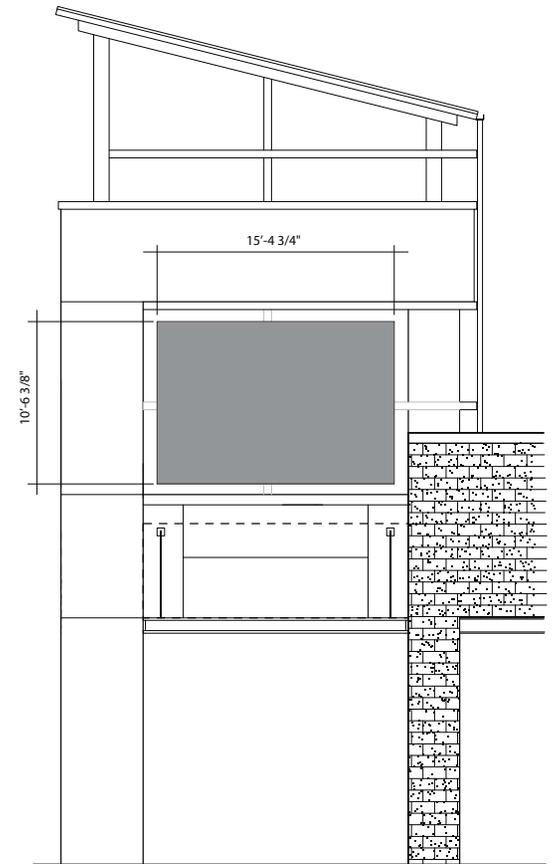
SIGN TYPE G - BUILDING 0900 - NORTH WALL

scale 1/8" = 1'-0"



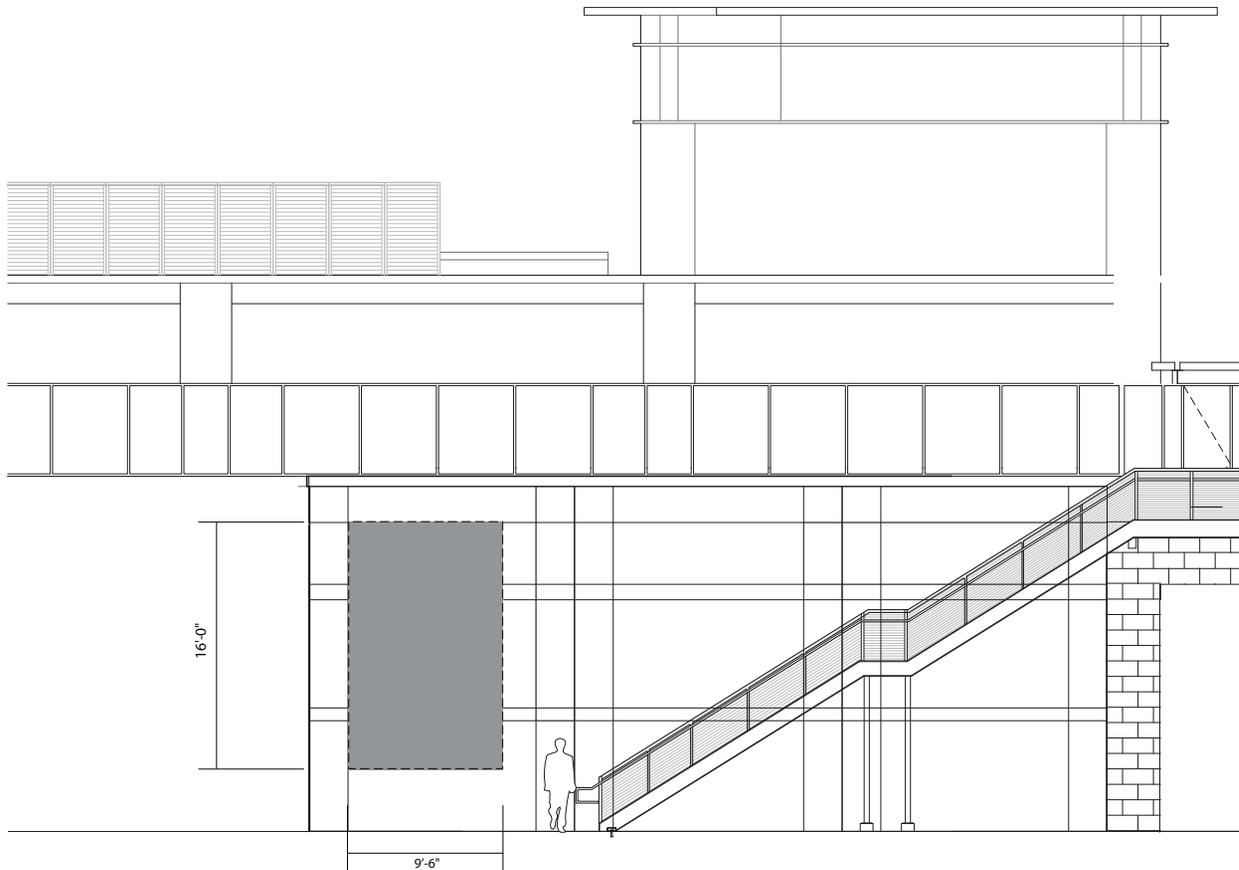
SIGN TYPE J - BUILDING 0700 - TOWER

scale 1/8" = 1'-0"

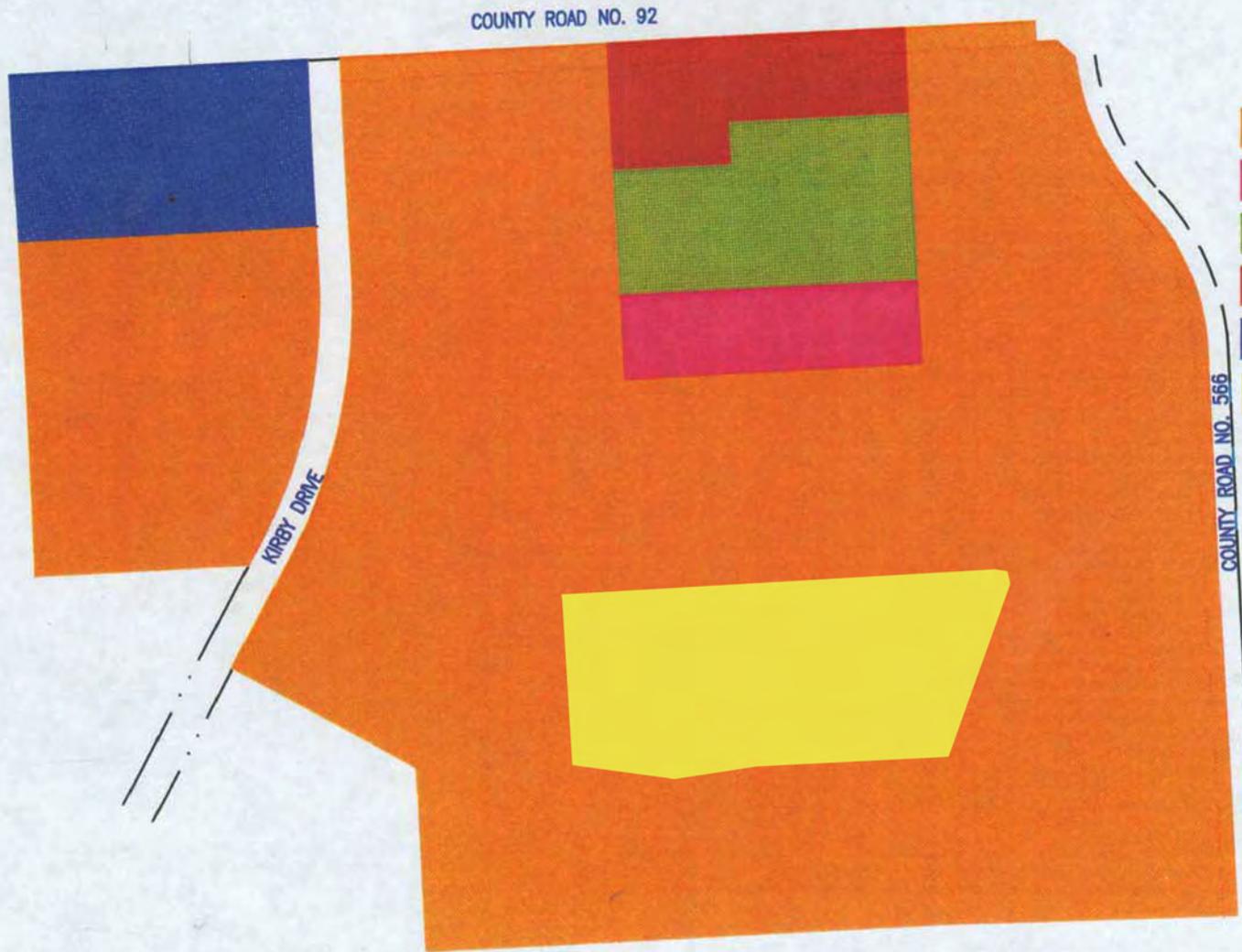


SIGN TYPE H - BUILDING 0900 - TOWER

scale 1/8" = 1'-0"



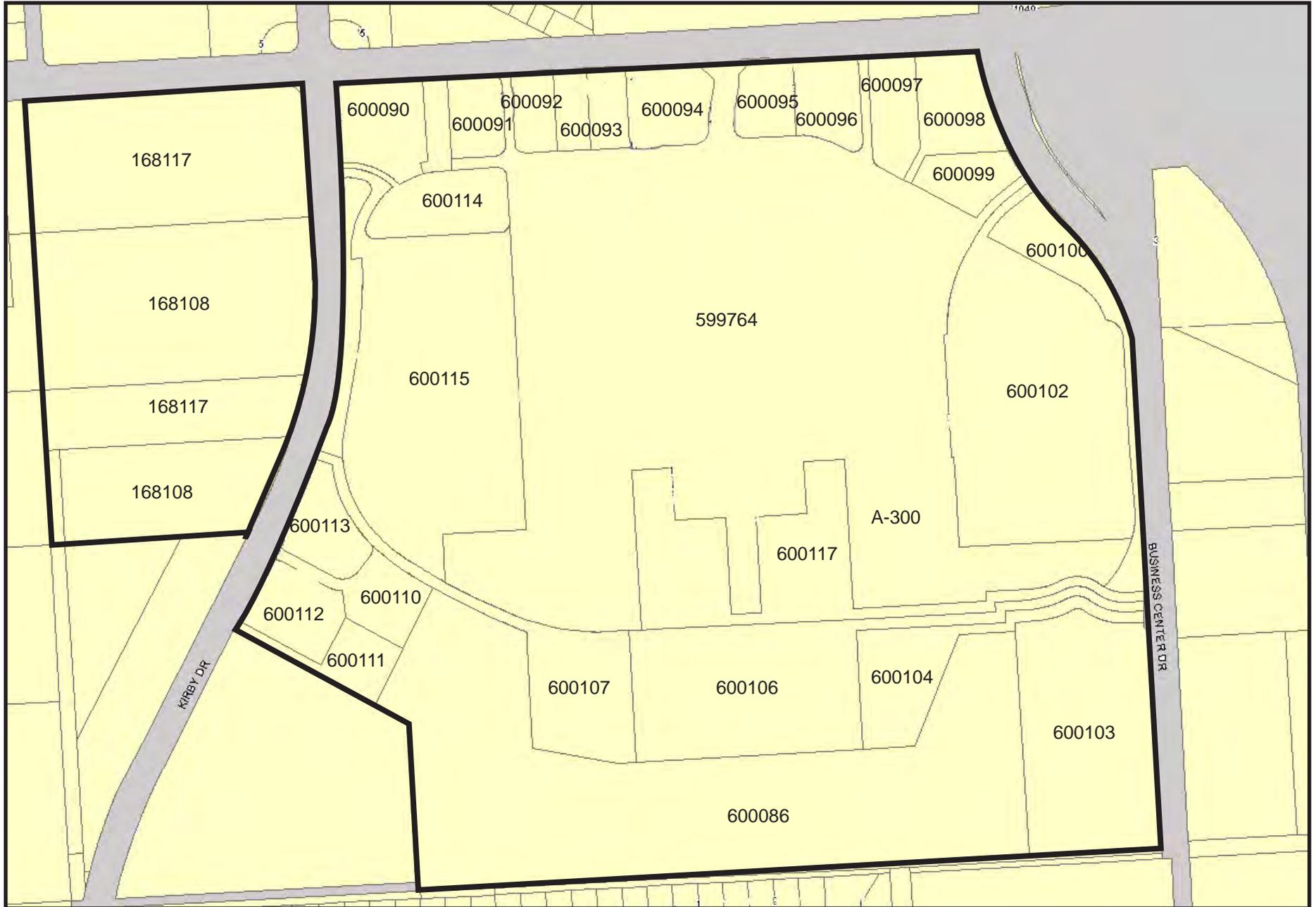
SIGN TYPE I - BUILDING 0700 - NORTH WALL



SCALE 1" = 500'

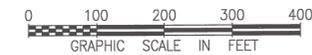
# OWNERSHIP EXHIBIT

**Legal Description - PUD  
Boundary - Exhibit A**



Legal Description - All of an amending plat of a replat of Pearland Town Center, being an amendment to the replat of Pearland Town Center, as recorded under file number 2007053411 of the plat records of Brazoria County, Texas, and Tracts 1C, 2C, 3C, 31 B, and 32A, all situated in the H. T. & B. RR. Co. Survey, Section 81, Abstract 300, City of Pearland, Brazoria County Texas. Numbers indicate the Brazoria County Appraisal District property ID.

BROADWAY

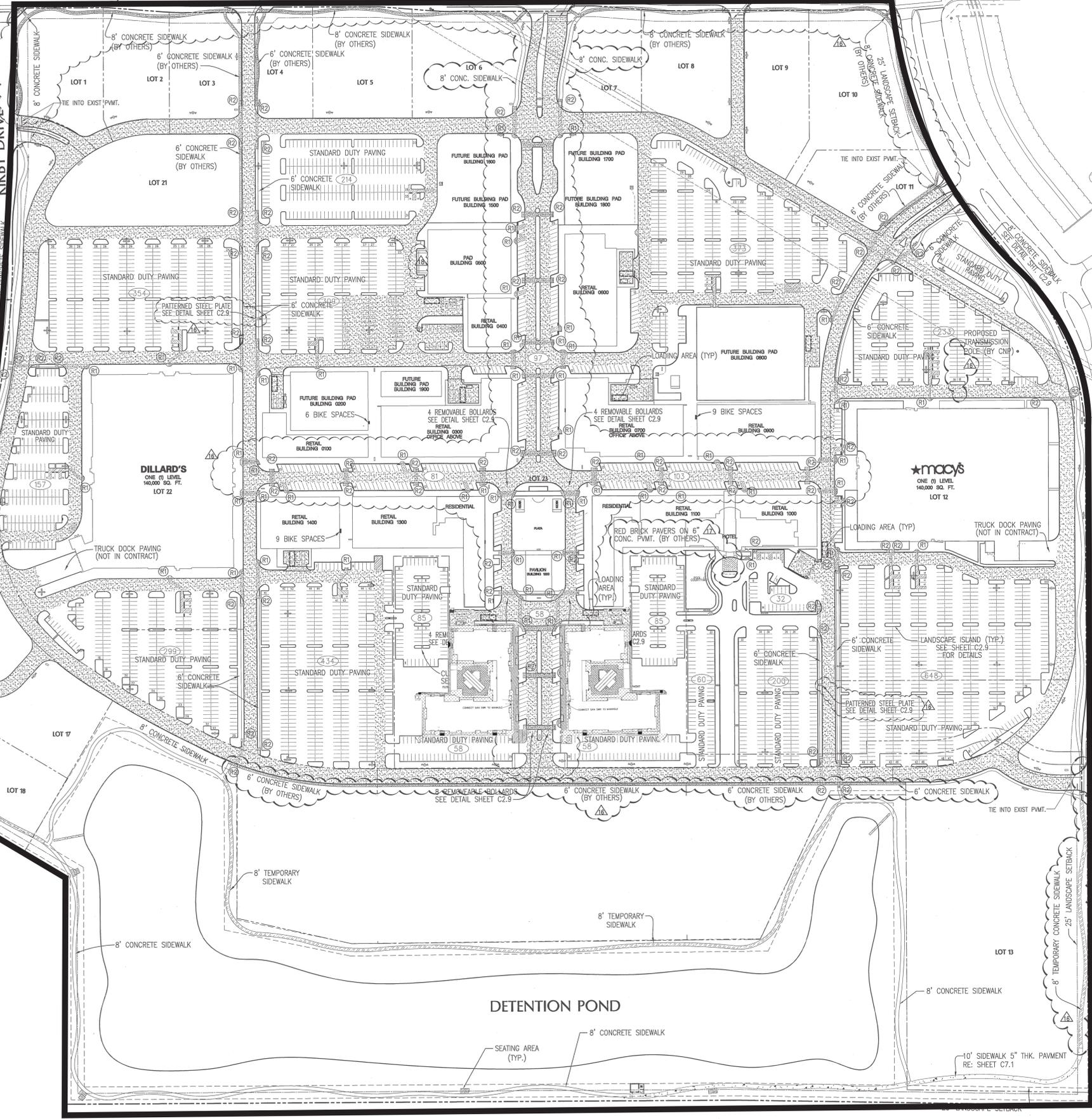


Center, DDC299, LDBlock Log2, Pearland Town Center, MODIFIED: Mar 11, 2008 6:27pm PLOTTED: Mar 12, 2008 1:45:00 PM  
XREF: S:\work\center\BASC-KIRBY.dwg XREF: S:\work\center\OCEPALL-DESIGN.dwg XREF: S:\work\center\200812\_gp-base\_03-13-07\_MAGS\shp\land.dwg  
FILE: I:\P\0320\032098.010\CD\3\032098-02.dwg

Future Development

KIRBY DRIVE

BUSINESS CENTER DRIVE



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CBL & ASSOCIATES PROPERTIES, INC.  
PEARLAND TOWN CENTER

# Pearland Town Center PUD Preliminary Site Plan Exhibit B

BROADWAY

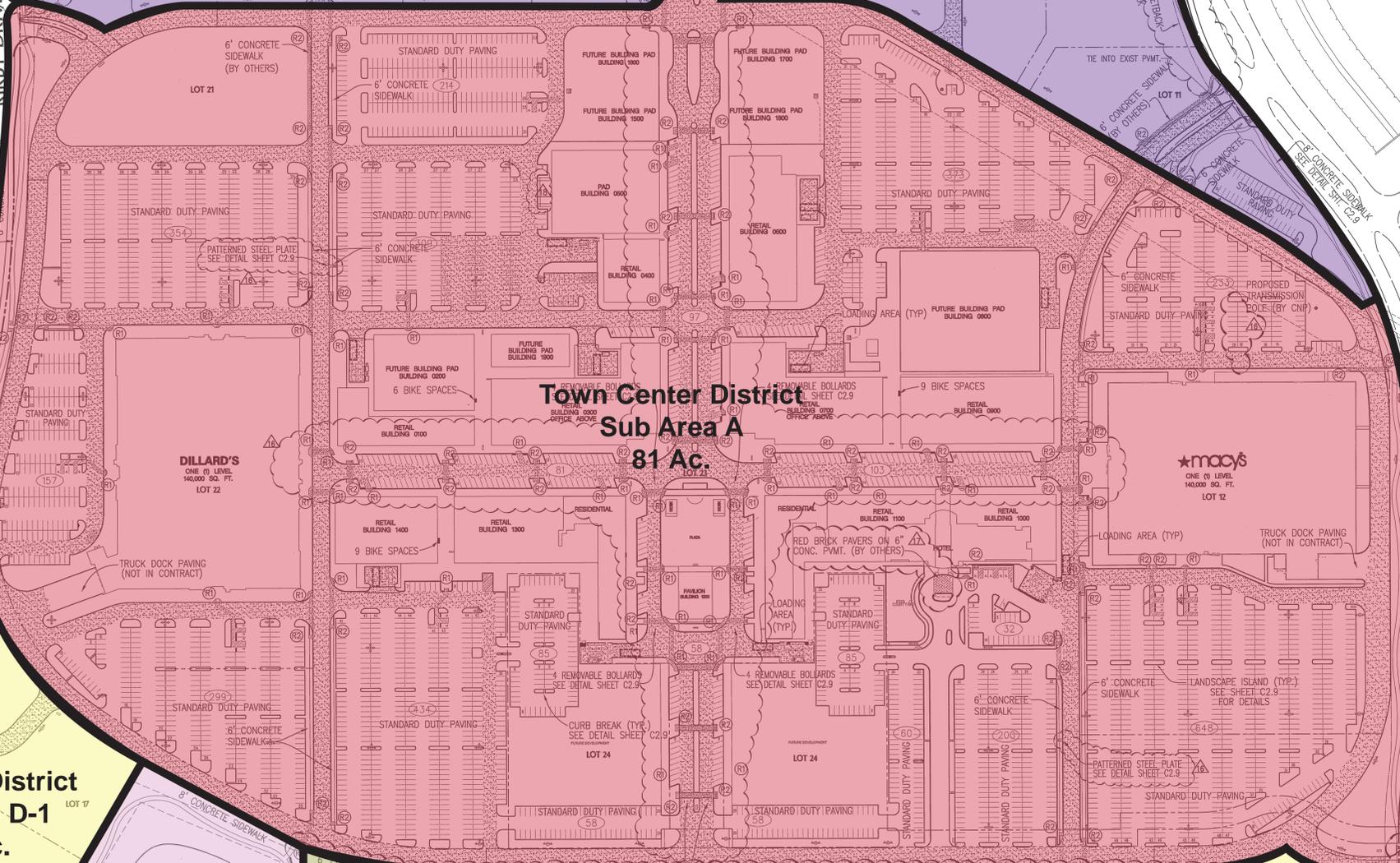


**Western District  
Sub Area G  
8.5 Ac.**

**Western District  
Sub Area E  
18.2 Ac.**

**Northern District  
Sub Area B-1  
7.8 Ac.**

**Northern District  
Sub Area B-2  
7.9 Ac.**



**Town Center District  
Sub Area A  
81 Ac.**

**Southern District  
Sub Area D-1  
5.3 Ac.**

**Town Center Extension District  
Sub Area C  
10.9 Ac.**

**Southern District  
Sub Area D-2  
7.4 Ac.**

**Stormwater Management Area  
Sub Area F  
23.5 Ac.**

LAND USE AREAS		
A	81.0	81.0
B	14.9	7.0(B-1) 7.9(B-2)
C	10.9	10.9
D	12.7	5.3(D-1) 7.4(D-2)
E	18.2	18.2
F	23.5	23.5
G	8.5	8.5
TOTAL	169.7	169.7

**CBL**

CBL & ASSOCIATES PROPERTIES, INC.  
CBL Center Suite 201 2201 Hubbard Place Boulevard | Chattanooga, TN 37421-6000  
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ASSOCIATES  
PROPERTIES, INC.  
PEARLAND  
TOWN  
CENTER

**Sub Area Map – Exhibit B-2**

FILE: \\NFPL\0320\032098.010\CD\3\032098-02.0\LA.dwg XREF: S:\subborder.dwg BASE: \\KIRBY\BIBS\_CEN\_OVEPALL-DESIGN(0); AREAS: 200612\_gp-base\_03-13-07\_IMAGES\pearland Town Center; 032098\_LDBack Log2; Pearland Town Center; MODIFIED: Mar 11, 2008 6:27pm PLOTTED: Mar 11, 2008 11:35am By: jmsmld PLOT SCALE: 1=50

Original PD Amendment document by omniplan  
Revised PD Amendment document dated 11-19-2012  
by Marsh Darcy Partners, Inc.

