AGENDA – WORKSHOP OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD NOVEMBER 2, 2009 AT 6:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, COMMUNITY CENTER, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. PURPOSE OF WORKSHOP

A. **COMMISSION INPUT AND DISCUSSION: Pearland Town Center PD Amendment for signage**, *presented by Angela Gantuah, Senior Planner*

III. ADJOURNMENT

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

I, Judy Krajca, Planning Secretary 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 & at the Community Center on the 29th day of October 2009 A.D., at 5:30 p.m.

_____
Judy Krajca, Planning Office Coordinator

Agenda removed _____ day of November, 2009.

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

AGENDA OF: November 2, 2009	**ITEM NO.:** Workshop No. 2
DATE SUBMITTED: October 7, 2009	**DEPT. OF ORIGIN: Planning**
PREPARED BY: Angela Gantuah	**PRESENTOR: Angela Gantuah**
REVIEWED BY : Mike Hodge	**REVIEW DATE: October 9, 2009**

SUBJECT: Request of Ken Whittler, Agent for CBL & Associates, Owner, a Workshop regarding amending the Pearland Town Center PD for signage.

EXHIBITS: Draft Pearland Town Center PUD Document Off-Premise Design Guidelines.

EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED:** N/A
AMOUNT AVAILABLE: N/A **PROJECT NO.:** N/A
ACCOUNT NO.: N/A

ADDITIONAL APPROPRIATION REQUIRED: N/A
ACCOUNT NO.: N/A
PROJECT NO.: N/A

To be completed by Department:
☐ **Finance** ☐ **Legal** ☐ **Ordinance** ☐ **Resolution**

EXECUTIVE SUMMARY

The applicant is requesting a workshop for the purposes of amending the Pearland Town Center PD to allow off-premise signs within the project boundaries as shown in Exhibit B, on page 39 of the PD Document.

The current UDC does not allow off-premise signs. The UDC allows multi-user and multi-tenant signs as defined. Other than these 2 types of signs, no-off-premise or off-site signs are permitted.

The applicant is proposing off-premise or off-site wall signage. Staff believes that the signage located on the interior facades (not visible from the outer parking lots, public streets, and periphery of Pearland Town Center PD) are similar to the interior signage within an enclosed mall.

Previously, staff had worked with the applicant and held two meetings at the City of Pearland, and had been communicating via phone and email. There was an additional meeting on September 22, 2009 to discuss all unaddressed issues and concerns from City Council, Planning and Zoning, and City Staff. The following deadlines were agreed to by the applicant and confirmed via email. All changes and responses to outstanding issues and concerns were to be submitted on October 1, 2009. Staff received the most recent revised Planned Development Document Amendment on October 1, 2009, and has the following recommendations:

Recommendation for the Planned Development Document-

1) Page 36, paragraph a. 2 should state-Proposed designs must conform to the Advertising Wall Signage Design Guidelines called Exhibit D provided in a separate document.
2) Page 36, paragraph a. 4 should state-Signs designated as A, D, E, F, G, and I, shall be submitted first to the Owner for design review and approval, then to the City of Pearland to obtain an approved sign permit prior to the installation of any sign.

Recommendations for the Off-Premise Advertising Guidelines-

1) Page 2, add-After the Sign has been approved by the Owner, and prior to installation of the off-premise advertising sign, and approved City of Pearland sign permit must be obtained.
2) Page 6, under Sign Contractor Responsibilities state- All sign 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.
3) Page 8, Remove the second sentence. This second sentence would in effect be permitting changes to the color palette. The purpose of the color palette is to have a set guideline to facilitate approval of a sign permit.
4) Page 9, state-These are the patterns available in any of the approved colors in the color palette.

Previous recommendations from workshops on June 15, 2009 and September 14, 2009:

1) Reduce the number of signs.
2) Incorporate a Pearland Town Center background theme for these signs - as shown in the exhibit B-2
3) Reduce the area of advertising on these signs - provide specific areas.
4) Revise the PUD language to allow for off premise advertising signs- only on these signs.
5) Provide a diagram showing specific locations of these signs.
6) Provide criteria for these signs.
7) Show specific examples of the sign design and how it applies.

Staff reviewed the submittal of 8/24/09 and had the following comments:

1) The number of signs has not been reduced. **Incomplete**

2) A Pearland Town Center Theme was presented in a Design Guideline PDF Format, however it is not clear that the theme presented will be incorporated in each sign. It only states that it is "encouraged". This is something that must be required. **Incomplete**

3) No specific area was stated. As discussed in 2 previous meetings, we had mentioned that only 10% of the sign should be used for "off-site" advertising and the rest of the sign would have the Pearland Town Center approved Background or Theme. This was not shown. **Incomplete**

4) The language provided was not sufficient and too vague. Please see comments below specifically addressing the proposed language in the PD Document. **Incomplete**
Staff has the following comments:

- **a.** Page 32 of the PD Document, Under 3) General Criteria a) 2nd paragraph: remove Tenant Store or Off Premise Business, and "part of the architectural theme being developed..." is not specific enough.
- **b.** 9) Page 34 of the PD Document 12) a) Should State: Free Standing Signs located etc...(this does not include signs on or along the project boundary lines)
- **c.** 10) Page 34 of the PD Document 13) a) 1-4.
- **d.** This is still requesting 10 signs, according to the email the number of signs needs to be reduced. This is also too vague and there needs to be a statement of the % of area that will be used for off-site advertising on these signs. We had discussed in a previous meeting 10% and that is also not shown in the design criteria submitted.
- **e.** The design criteria needs to be added to page 40.
- **f.** The proposed designs should be submitted to the owner and the City of Pearland for review (not just the owner)
- **g.** States that the wall sign frame may project from the face of the building no greater than 1' -6". You need to refer to the Design Criteria Guidelines here and the Design Criteria Guidelines (DCG) must be more specific. The DCG should state the materials of the sign, whether or not they are lighted, that only the themes approved in the DCG will be used, and what percentage is used for Off-Site Signage or advertising.

5) Provide a diagram showing the specific locations of these signs-**completed with 10 locations shown.**

6) Provide criteria for these signs- the only criteria provided was in the PD Document #4 which stated: the wall sign frame may project from the face of the building no greater than 1'-6". There needs to be criteria for all the signs and not just the frame. **Incomplete**

7) Of the examples provided in the Design Guidelines it was not clear how they would be applied. **Incomplete**

In addition to the above, staff has not received the following for the proposed JPH on September 21, 2009:

a. the application for the workshop,
b. the application for the PD amendment,
c. the fee of $600.00 for the PD Amendment,
d. a letter of intent for the PD Amendment, and
e. a statement that acknowledges that the subject property will be posted properly advertising the PD Amendment on or before September 11, 2009.

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
Revised May 18, 2006-Addendum
Revised July 16, 2007
Revised July 23, 2007
Revised September 14, 2007
Revised October 04, 2007
Revised October 23, 2007
Revised October 29, 2007
Revised April 21, 2008
Revised May 15, 2008
Revised June 27, 2008
November 16, 2008

SECTION I: PEARLAND TOWN CENTER – PUD (PD DISTRICT)

Article I. Location:

The subject property is approximately *177.5* 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 developers 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" (Event Center 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 southern boundary of the Event Center District. The purpose of this District is to accommodate a large multi-purpose event and performing arts center or privately owned large format retail, theater, or other entertainment uses. 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 façade 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:

Not withstanding 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.

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	78.2	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	17.3	Mixed-any Authorized use See Section VII par 5 except residential.	No residential permitted Other uses as permitted by UDC	
C	17.8	Mixed-any Authorized use. See Section VII par 5	Maximum 6000 seats in event center, Up to 300 Residential units subject to Par. 1 b above Other uses as permitted by UDC	
D	13.1	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	20.1	Storm water Management and Passive recreation only		
G.	*8.5*	*Mixed-any Authorized use.* *See Section VII par 5* *No residential permitted*		

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.

- The minimum area of any common open space shall be six thousand (6,000) square feet.
- 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.

    - The minimum area of any common open space shall be six thousand (6,000) square feet.
    - 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 feet in height, but not to exceed Ten 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 25-foot wide landscape buffer between nonresidential or multiple-family and all single-family uses. The requirement may be reduced to 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 Pearland.
- 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 of fence 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 façade 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 -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 feet (3') 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 36 square feet with a minimum dimension of six 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 36 square feet with a minimum dimension of six 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 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 inch for each five 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 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 162 square feet as measured from outside face of curb to face of curb, and shall allow at least two feet between any trees within the island and the edge of the island. The average width of each island shall be 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 (15) 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 façade offsets and by developing dramatic combinations of architectural forms. Building entries should be highlighted by façade 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 façade length.
- All nonresidential structures less than fifty thousand (50,000) square feet shall incorporate architectural variation of at least one foot in depth for every twenty feet (25') in façade 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 façade is set back a minimum of seventy feet (70') from the right of way. Any exterior building wall that is closer than 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 feet in height and at least seventy-five percent (75%) opacity within one year of initial installation/planting. Plant material used to meet this requirement shall be a minimum 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 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 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 40' tall. Accent and pedestrian lighting may be included with maximum pole height of 20' tall.

3) Walkway Lighting:

a) Walkway lighting comprised of standard, pole, bollard and wall mounted fixtures shall be no greater than twenty 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 degrees, and maximum twenty-foot (20') foot tangent between sidewalk curves.

c) Minimum six-foot 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 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) On-premise Wayfinding Signs
h) Off-Premise Advertising 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, Tenant Store or Off-Premise business.
- 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 15' height including the base and support structures. Each sign shall not exceed 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 14' and a maximum overall height of 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 400 s.f. per sign.

b) The maximum height of all individual sign letters shall not exceed 96" for capital and lower case letters, with the top of the department store exterior signs being limited to a height of 40' above the average exterior grade.

c) As an alternative to the above, one (1) Primary Wall Sign may be permitted with 96" high letters, provided the remaining three permitted wall signs are limited to 60" high letters.

d) Any Event Center may have an electronic changeable message sign - not to exceed 400 SF. See UDC Section 4.2.5.3 par. 7 for requirements.

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 70% of the store front length on which the sign is placed. Letter height shall not exceed 36" in height except hotels which shall be permitted 60" high letters. 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.

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 70 % of length of the building face to which it is attached. Letter height shall not exceed 36" in height except hotels which shall be permitted 60" high letters. One 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 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 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 tenants 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 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 Event Center 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 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 high, and shall be located no higher than 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 96 SF per face each sign, and one (1) additional sign for each sale or lease parcel created by Developer, not exceeding 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 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 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 64 SF per sale or lease parcel provided that no more than one sign be installed for each 500 feet 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. (12) signs are permitted.
b) Maximum Height: The maximum height of any vertical On-premise way finding sign shall not exceed 12'-0" (refer to exhibit C on page 40).

c) Maximum Sign Area: The maximum effective sign area shall not exceed 174 square feet (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.

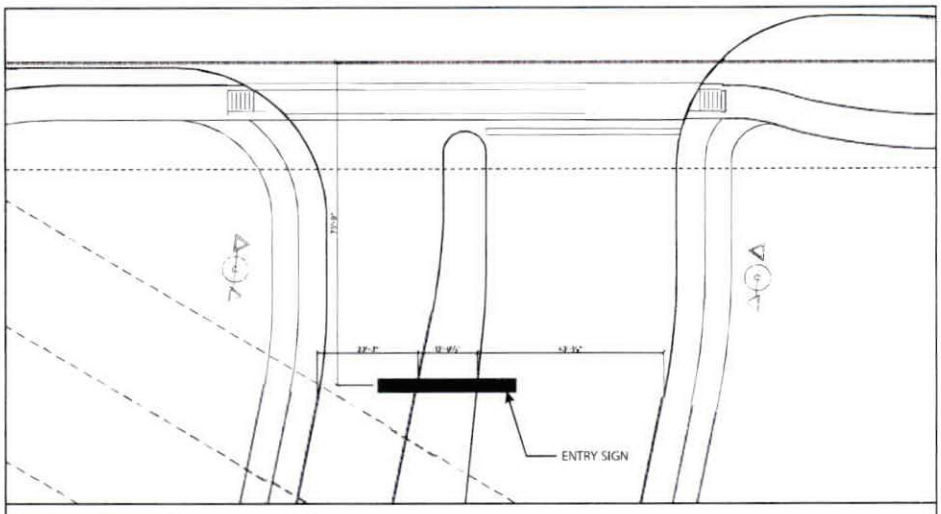
13) Off-Premise Advertising Signs

a) Off –premise Advertising signs: Off-premise advertising Wall Signs shall be permitted as follows:

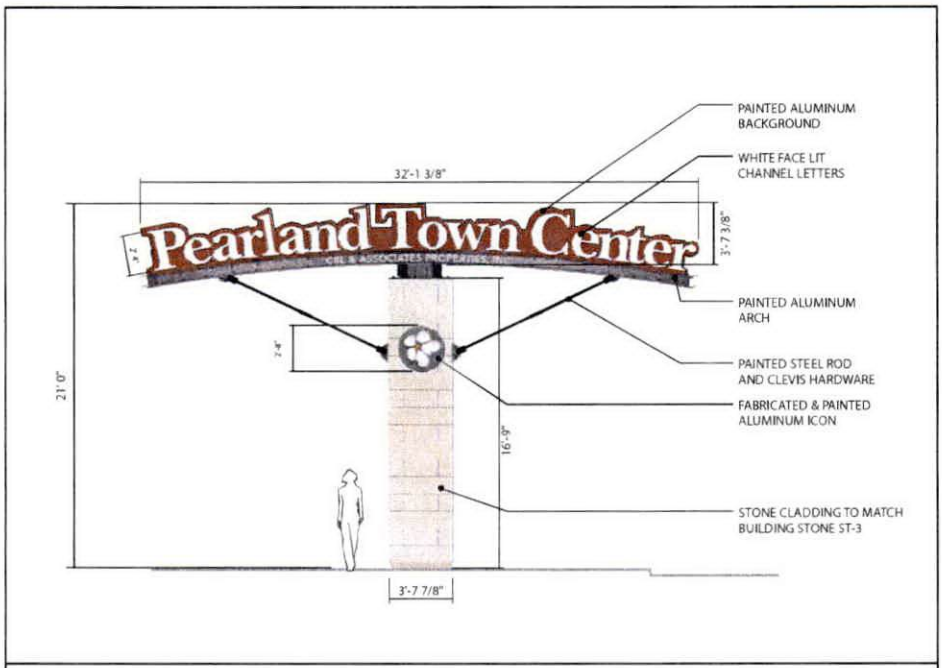
1. Shall be located as indicated on the attached Exhibit B-2 (on page 39).
2. Proposed designs must conform to the Advertising Wall Signage Design Guidelines Exhibit D (on page 42).
3. No more than 7 of the 10 specified Off-Premise Advertising Signs shall be utilized for Off-Premise Advertising concurrently at any time. All Off-Premise signs may be used for On-Premise or Town Center Advertising at any time.
4. Signs designated as A, D, E, F, G and I shall be submitted first to the Owner and then to the City of Pearland Planning Department for design review and approval.

Appendix

Exhibit A Town Center Feature Identification Sign



SIGN LOCATION PLAN
1/32" = 1'-0"



SIGN ELEVATION
1/8" = 1'-0"

Exhibit B: Interior Project Boundary

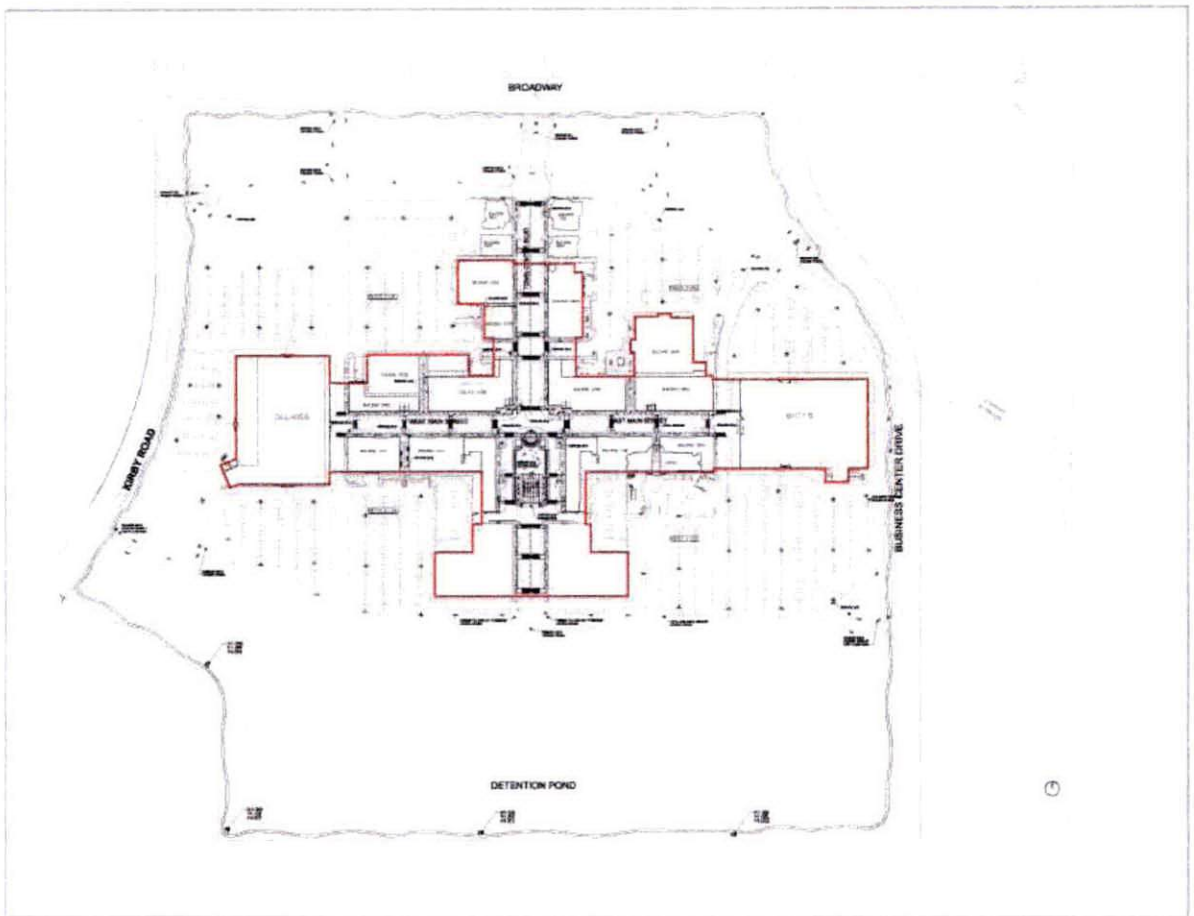
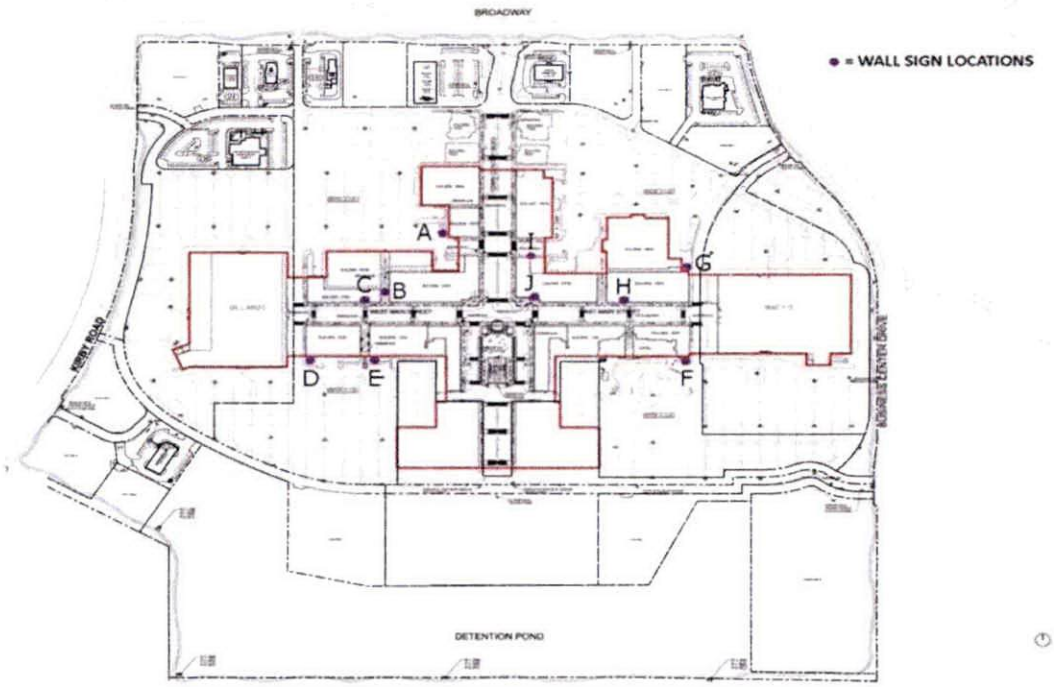
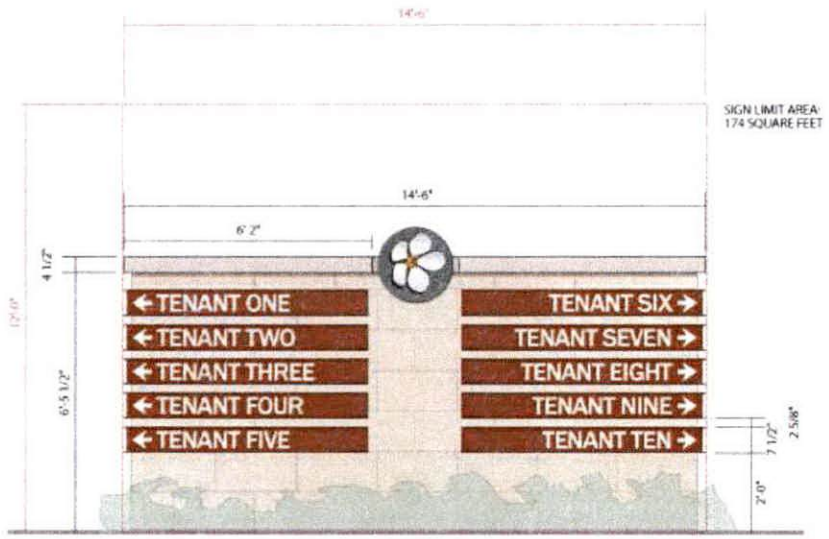


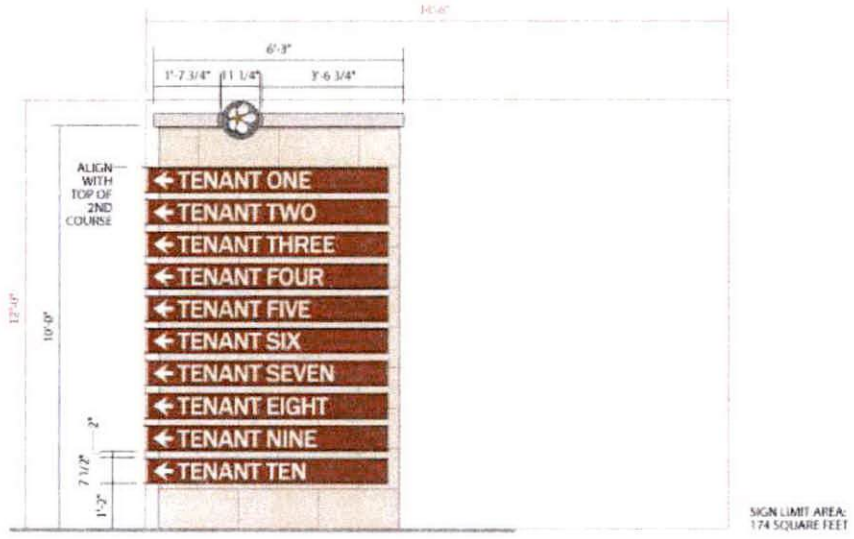
Exhibit B-2: Off-premise Advertising Signs



Sign	Visible Opening (tall x wide)	Area (SQ. FT.)
A	24'-0" x 18'-0"	432.00
B	12'-0" x 18'-0"	216.00
C	10'-6 3/8" x 15'-4 3/4"	162.14
D	10'-0" x 18'-0"	180.00
E	14'-0" x 10'-0"	140.00
F	10'-0" x 15'-8"	156.67
G	20'-8" x 11'-0"	227.33
H	10'-6 3/8" x 15'-4 3/4"	162.14
I	16'-0" x 9'-6"	152.00
J	13'-0" x 30'-0"	390.00
Totals		2218.28

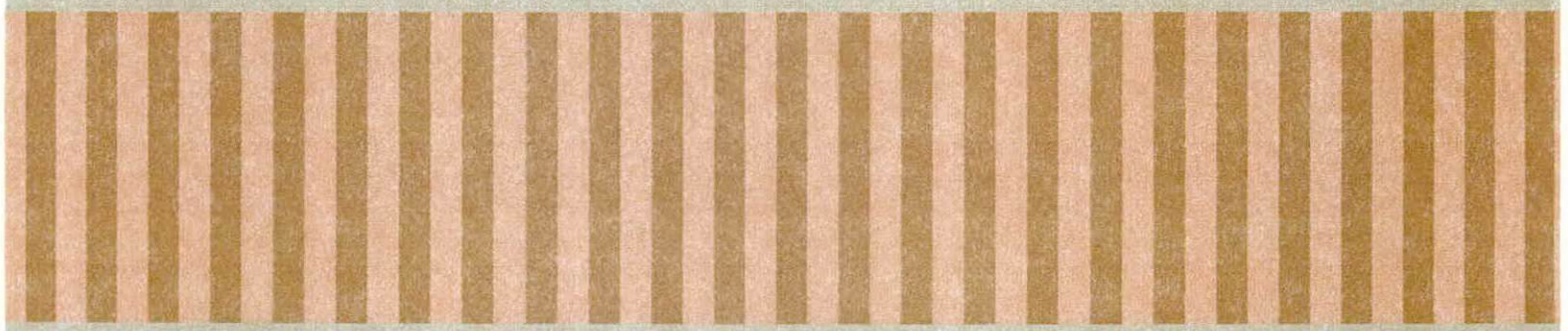
Exhibit C On-Premise Wayfinding Signs





01 ELEVATION-VERTICAL EXAMPLE

Exhibit D: Off-premise Advertising Signs- Advertising Wall Signage Design Guidelines



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 SIGNAGE DESIGN GUIDELINE USE:

The purpose of the Off-Premise Advertising Signage Design Guideline is to communicate the design guidelines and establish responsibilities for design, review and implementation of the sign. 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

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.

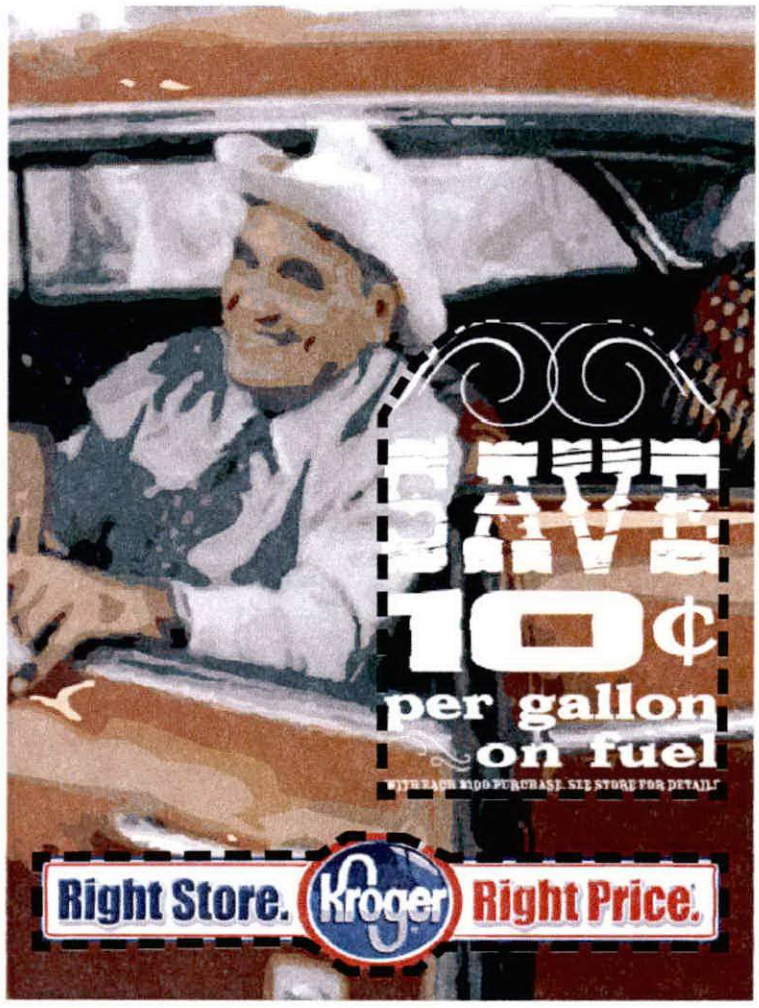
Signage should be inviting and easily understood. Awareness of the contextual complexities of the surrounding wall and common outdoor areas and how that applies to the overall center and the individual advertising sign is critical. With that in mind, the Owner encourages a wide range of design freedom 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.

CALCULATION OF ADVERTISEMENT LOGO, TEXT, AND BRANDING IMAGE:

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

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 background 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 Signage Design Guidelines and Owner approval.

All signs must comply with applicable local code and Pearland PUD requirements. Sign Contractor responsible for submittng 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 reponsible 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.

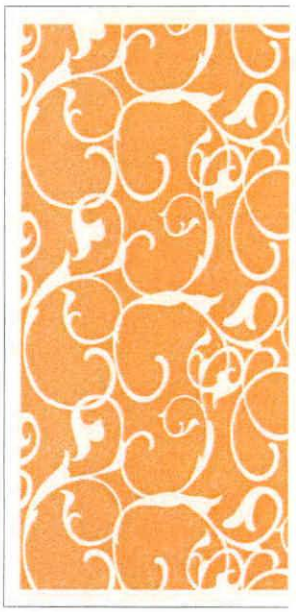
PALETTI

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

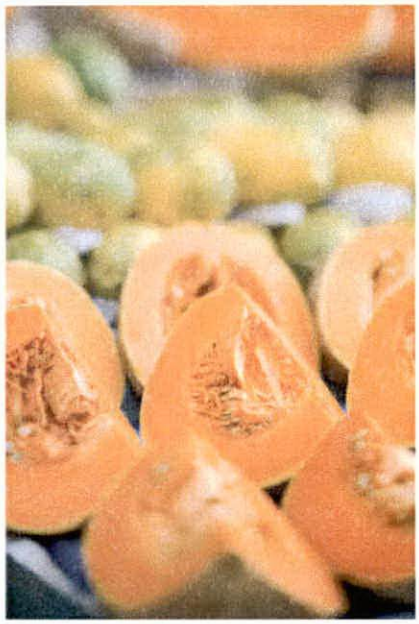
Patterns may be scaled as well as ajusted to contain any of the colors in the color palette. These are the patterns available in any of the approved colors in the color palette.

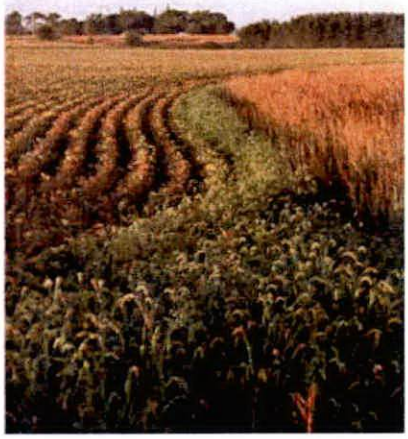


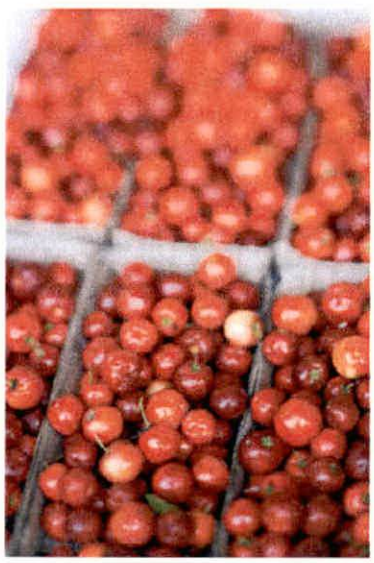
P-1

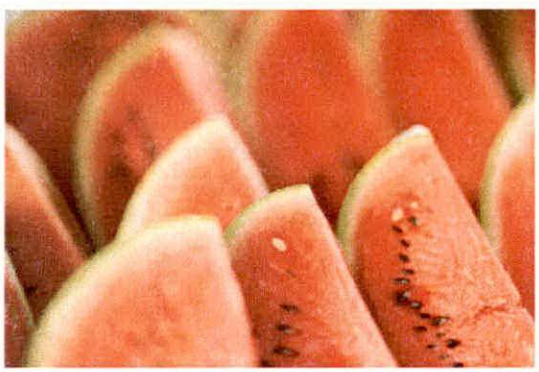
P-5

PALETTE OPTION: BACKGROUNDS



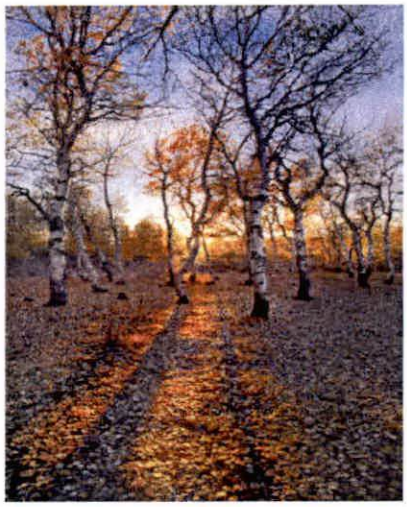


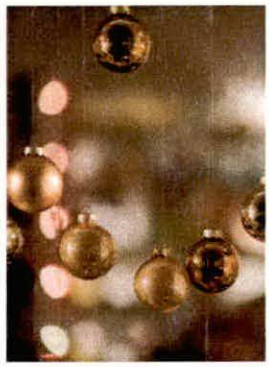




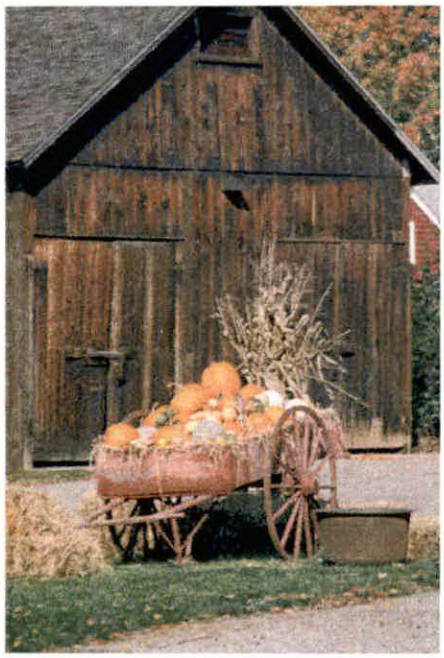
PALETTE OPTION: BACKGROUNDS

PALETTE OPTION: BACKGROUNDS

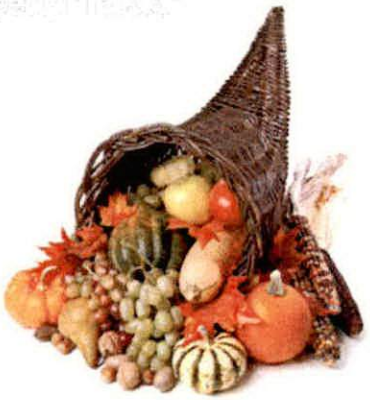


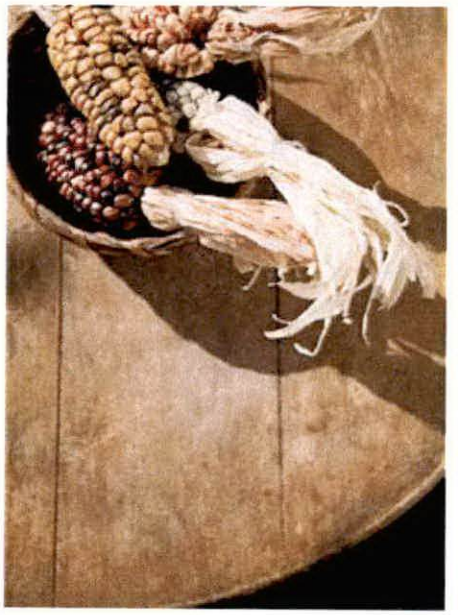


PALETTE OPTION: BACKGROUNDS

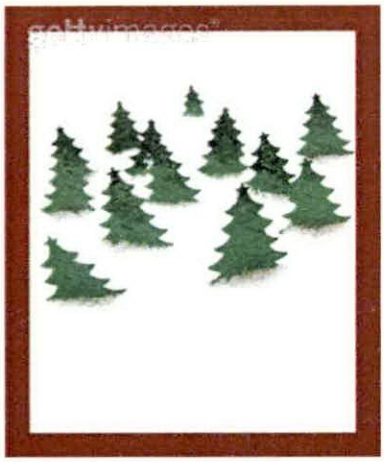


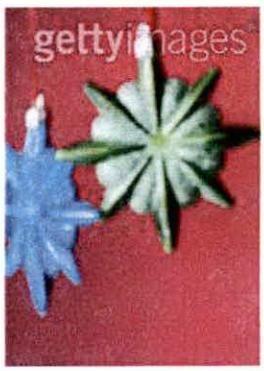
PALETTE OPTION: BACKGROUNDS





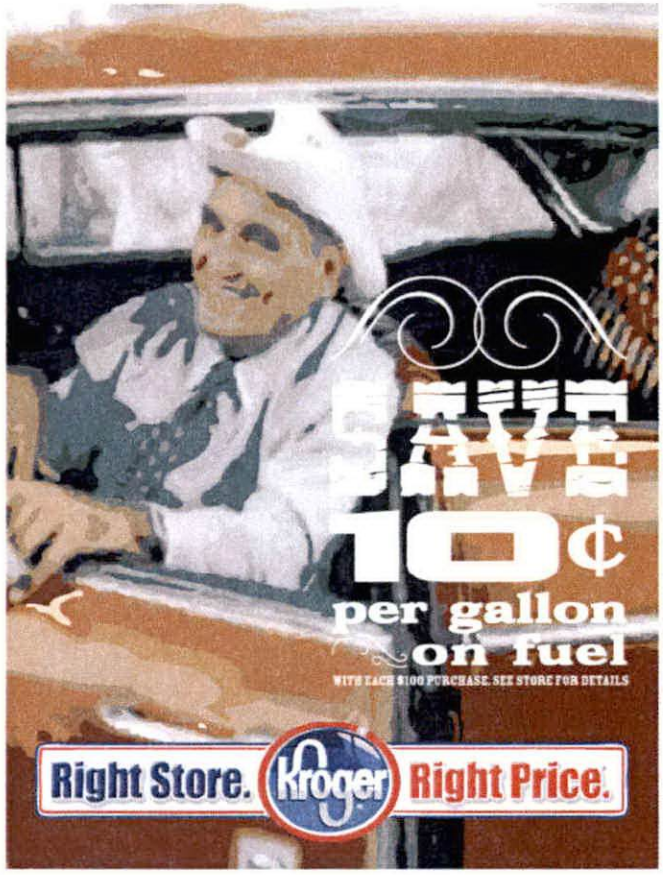
PALETTE OPTION: BACKGROUNDS

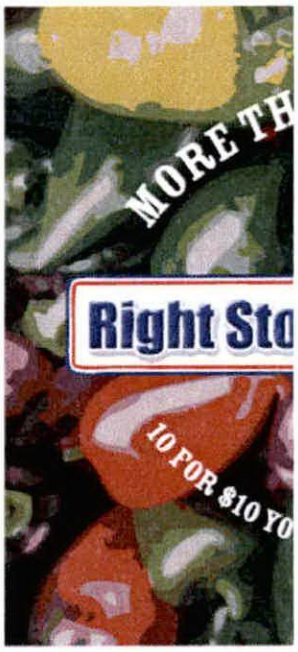




PALETTE OPTION: EXAMPLE LAYOUTS

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 backgrounds to effectively compliment the intended advertisement and character of Pearland Town Center.

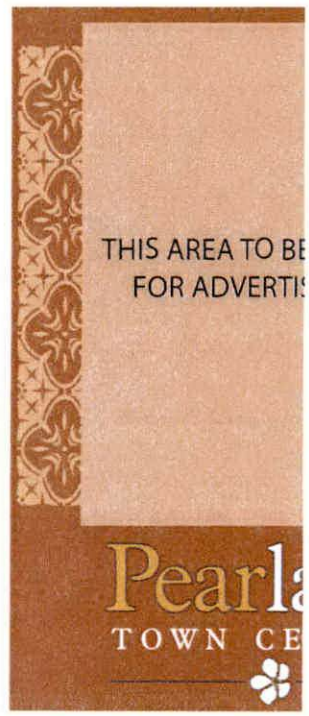




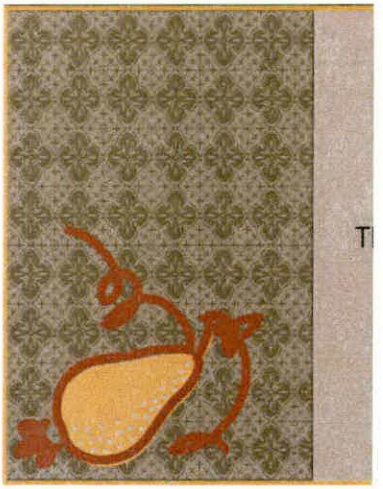
FRAME

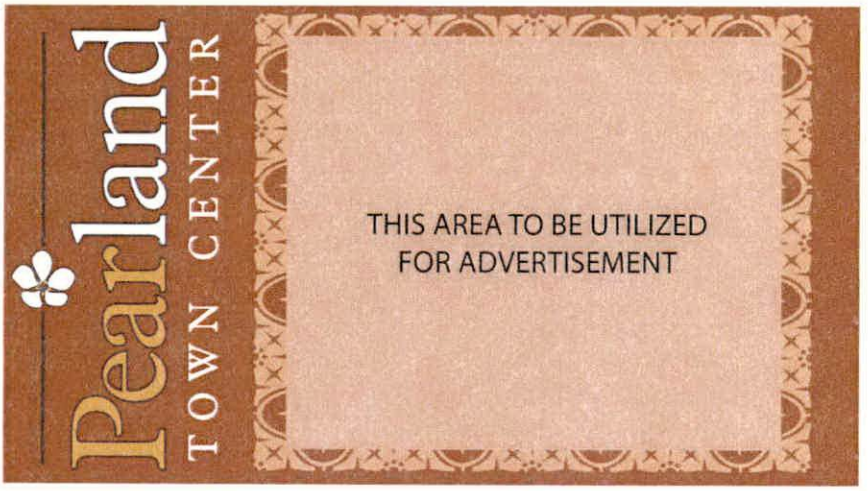
FRAME OPTION

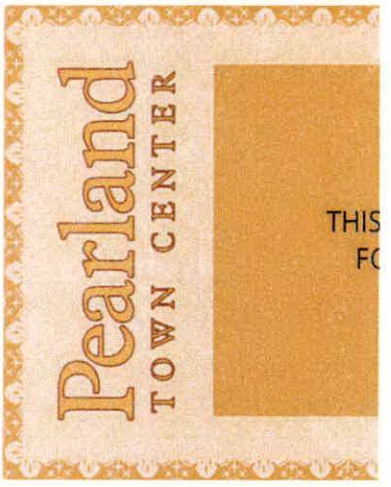
Frames form a standard background for an advertisement. Each sign position(A, D,E,F,G and I) will have 6 frame options to choose from. The frames are standard and the layout cannot be adjusted. If desired, the colors may be adjusted if chosen from the palette of permissible colors in these guidelines.



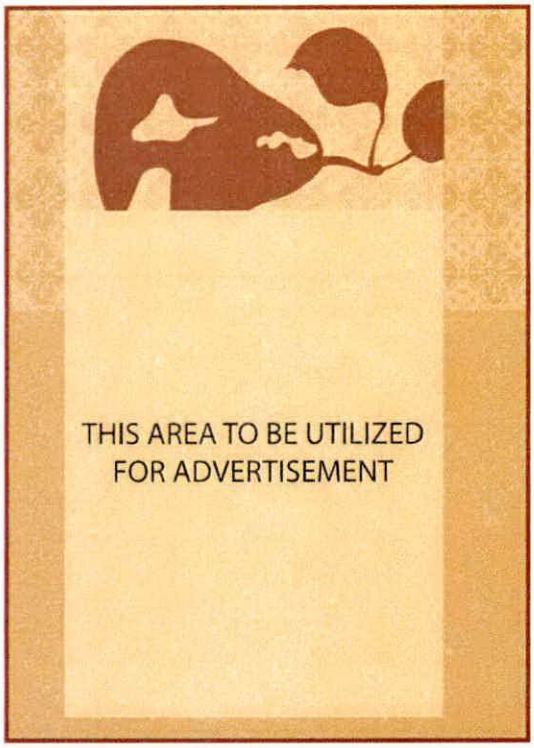
FRAME OPTION

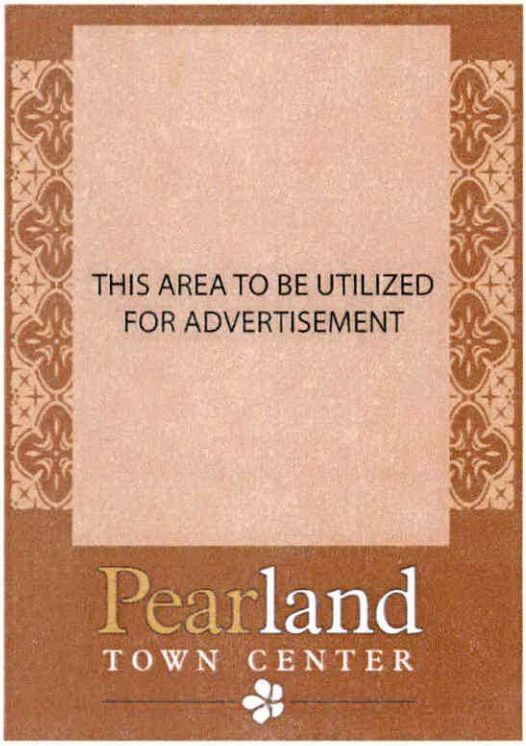




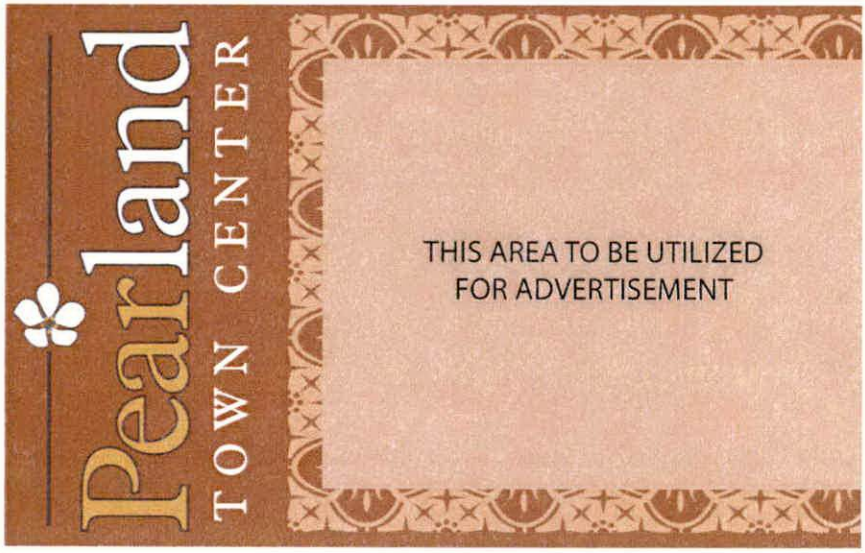


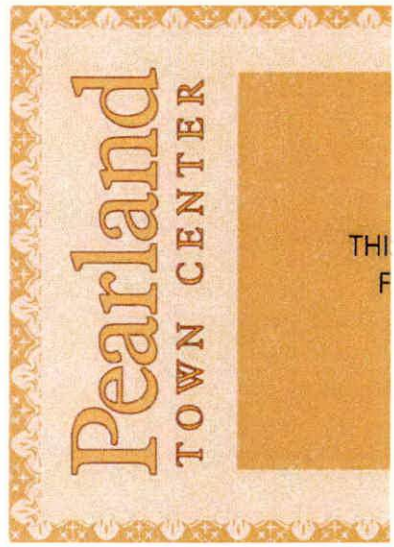
FRAME OPTION



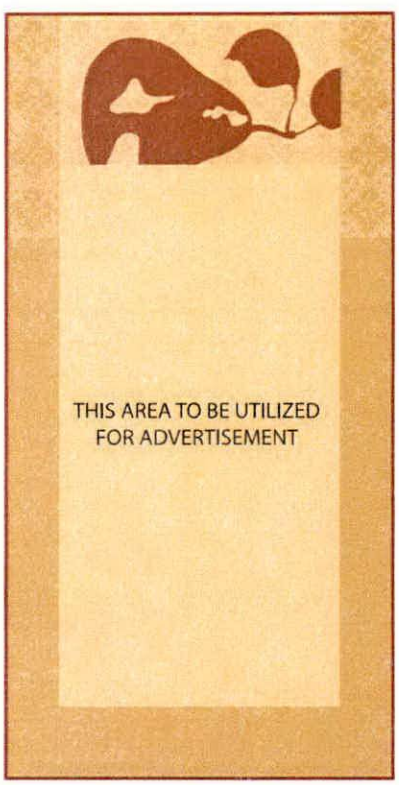


FRAME OPTION

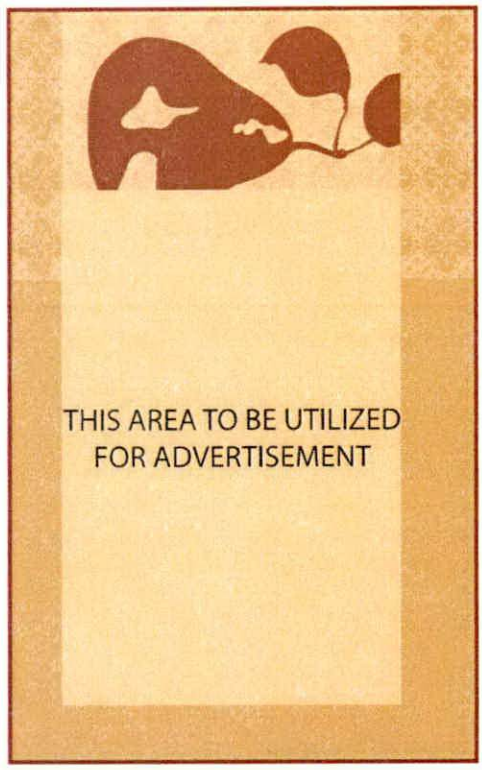


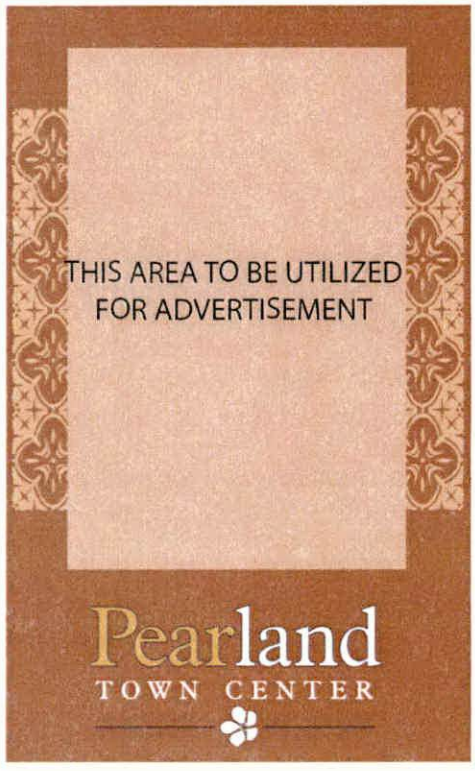


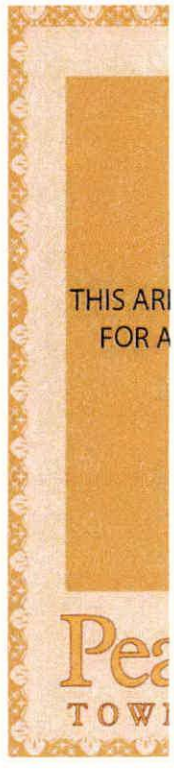
FRAME OPTION

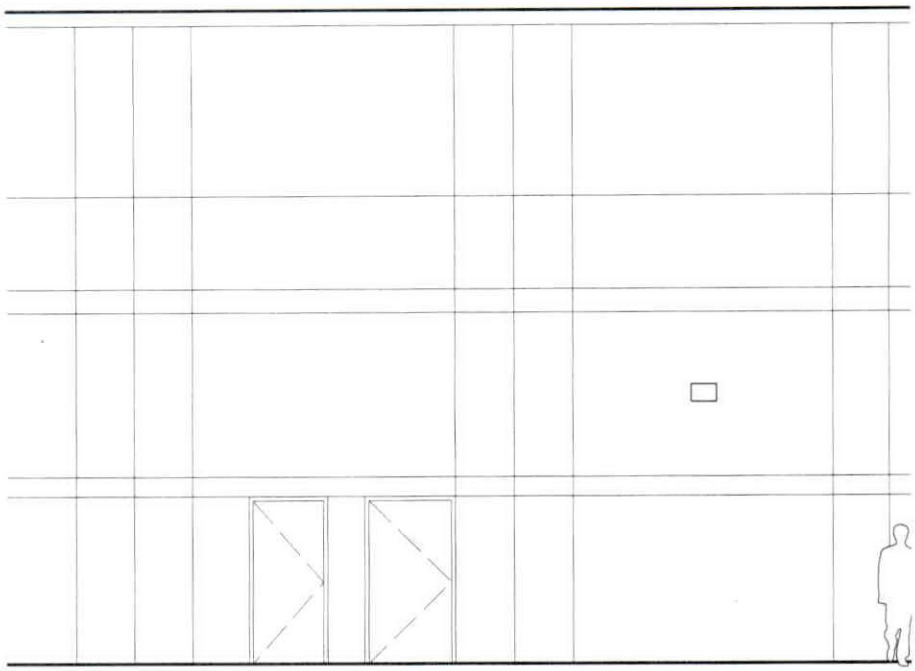


FRAME OPTION

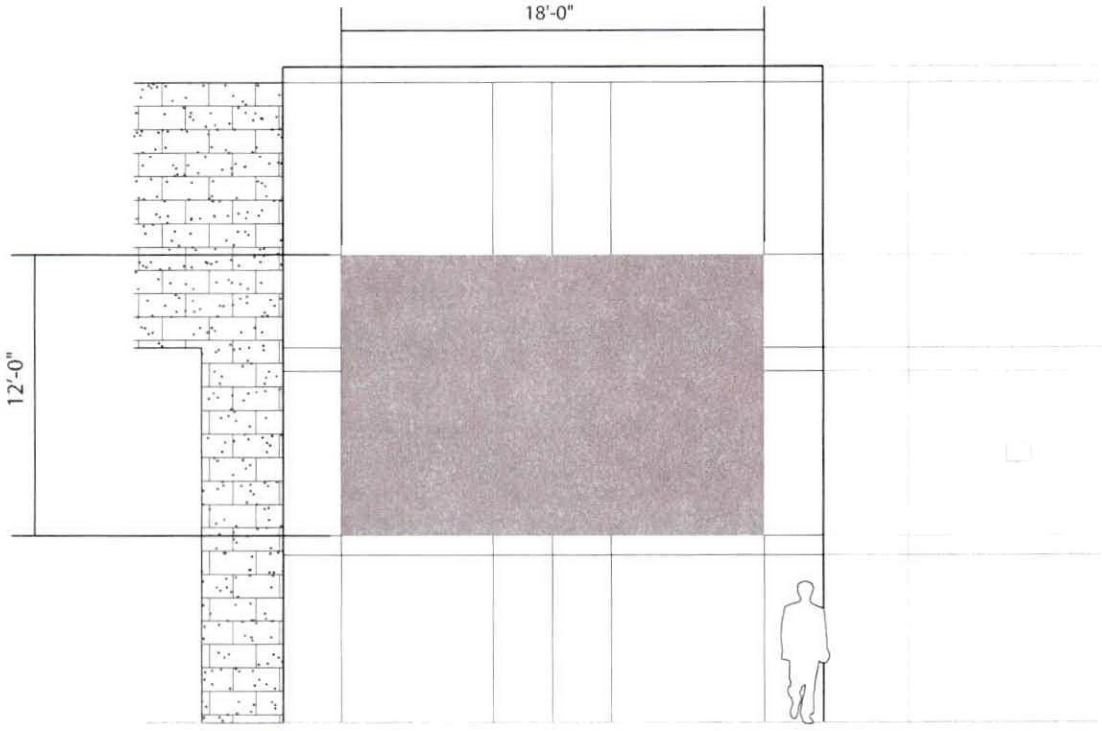




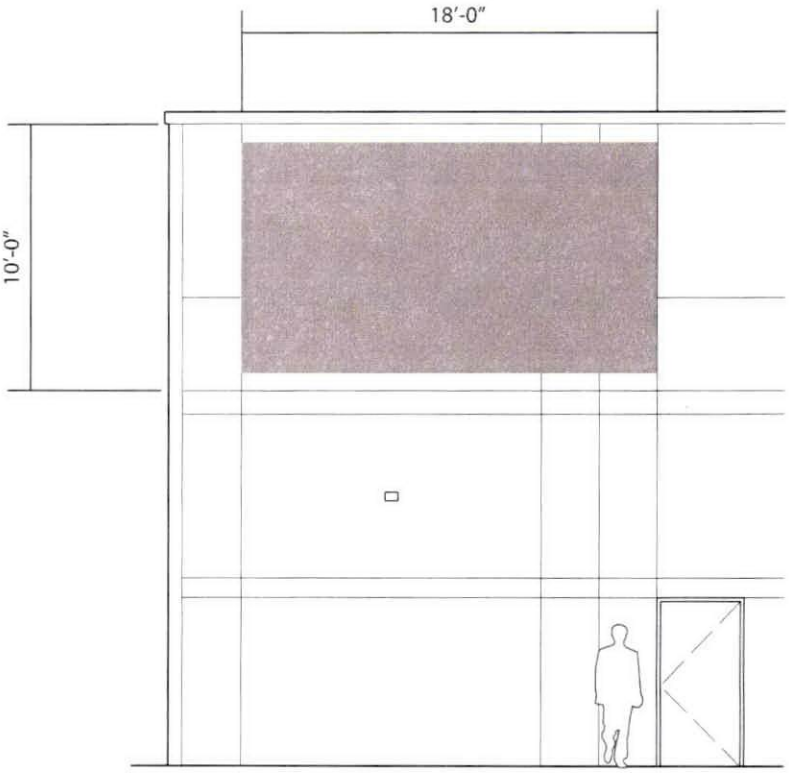




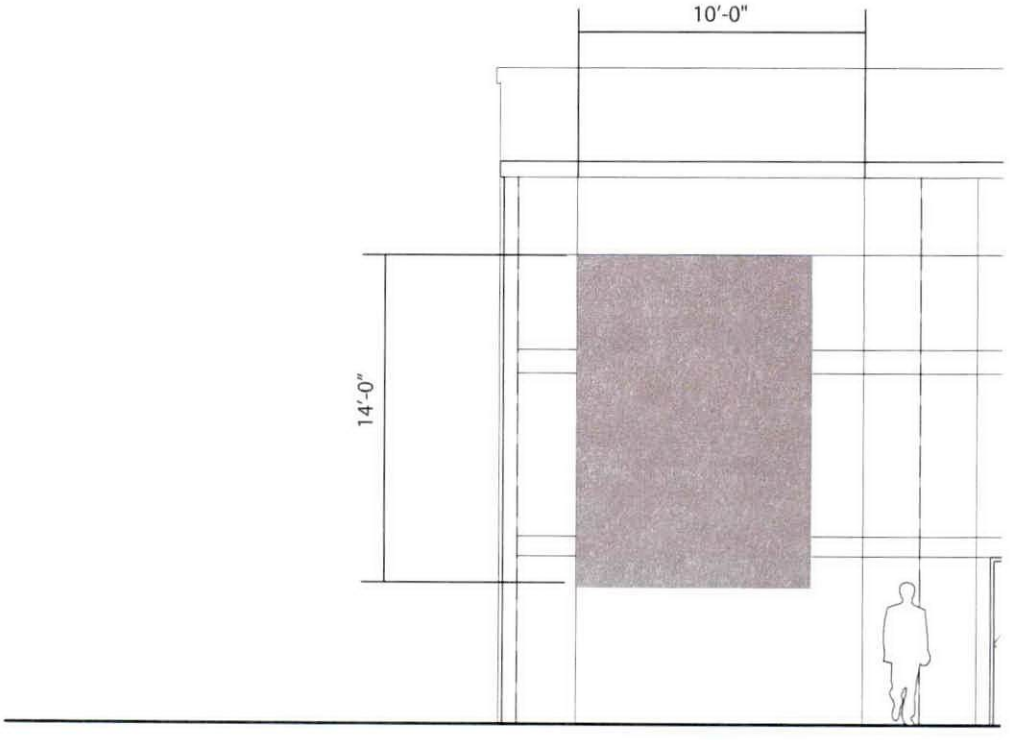
SIGN TYPE A - BUILDING 0400 - WEST WALL



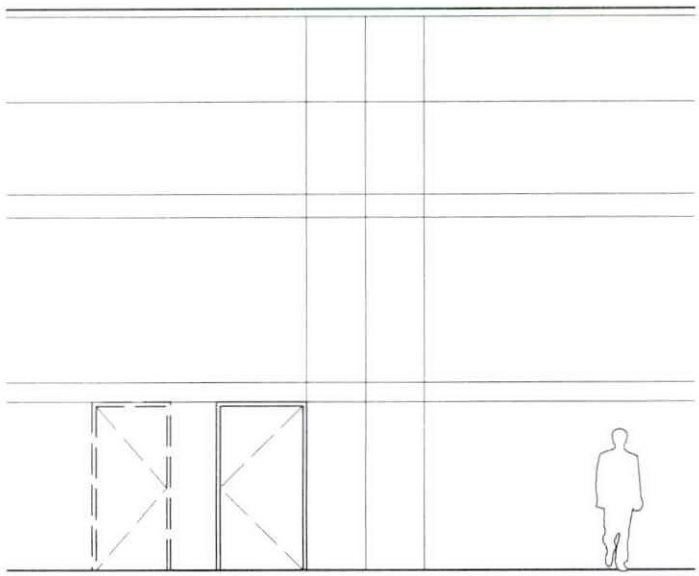
SIGN TYPE B - BUILDING 0100 - EAST WALL



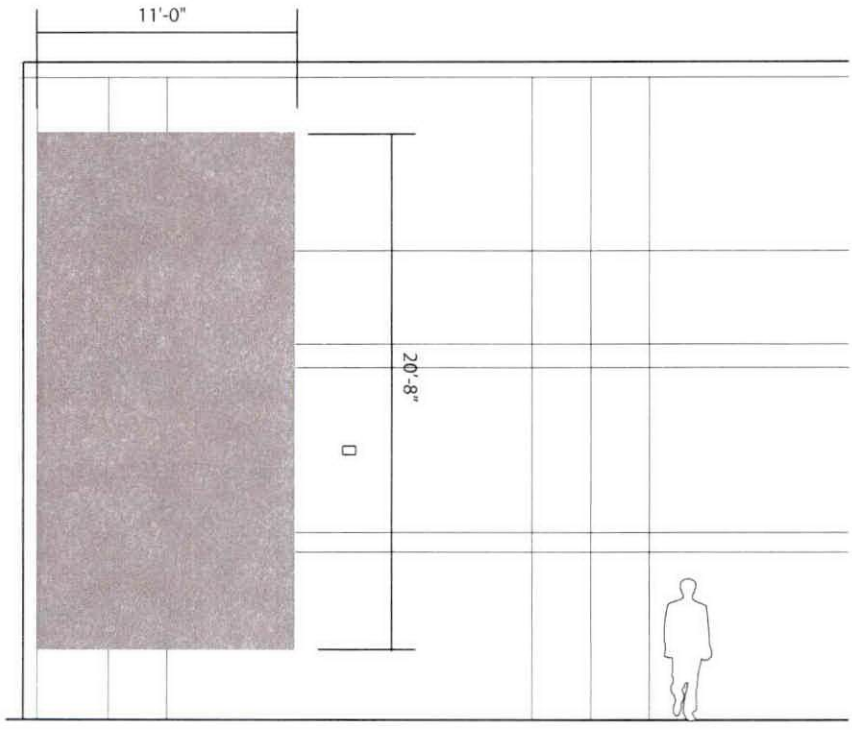
SIGN TYPE D - BUILDING 1400 - SOUTH WALL



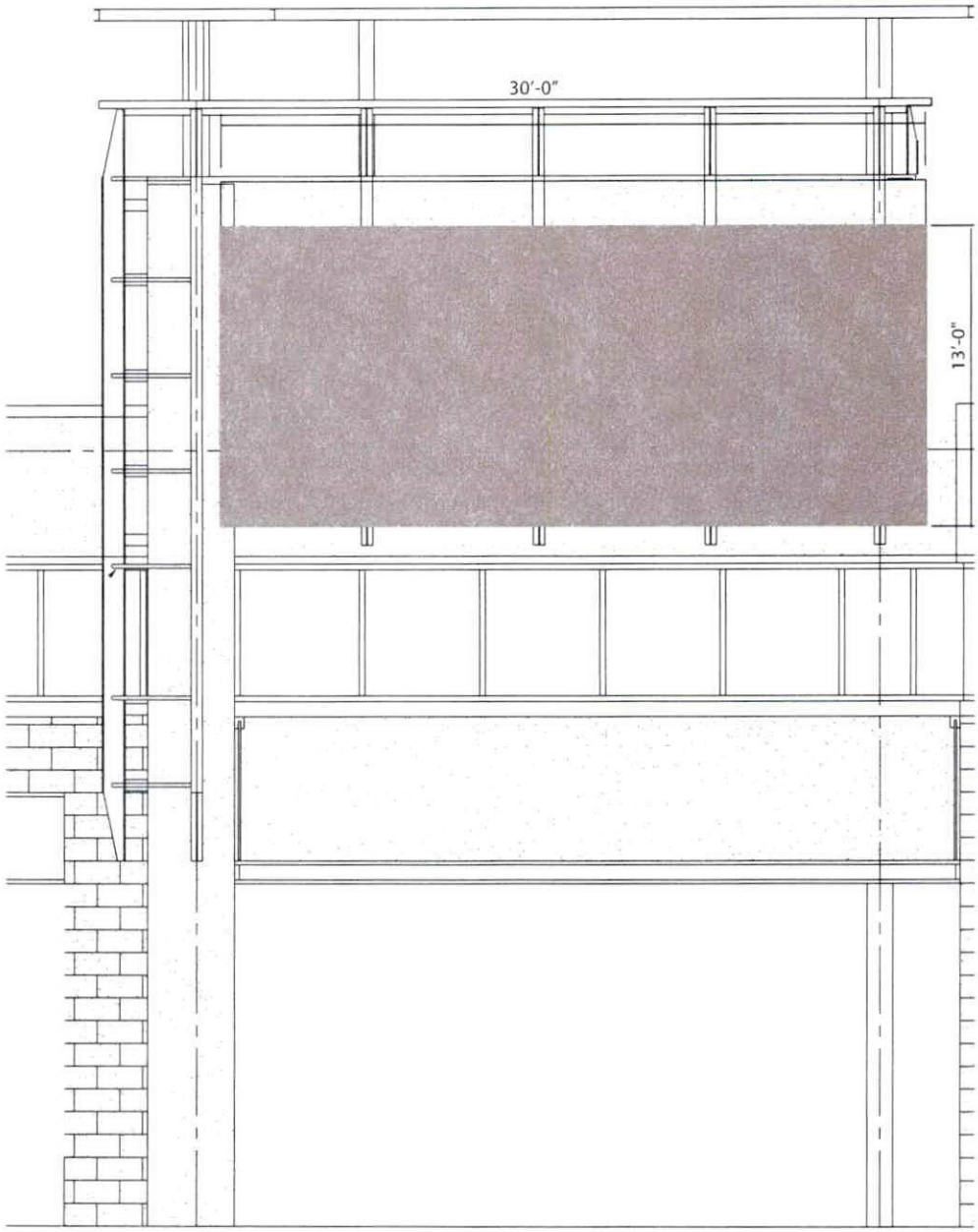
SIGN TYPE E - BUILDING 1300 - SOUTH WALL



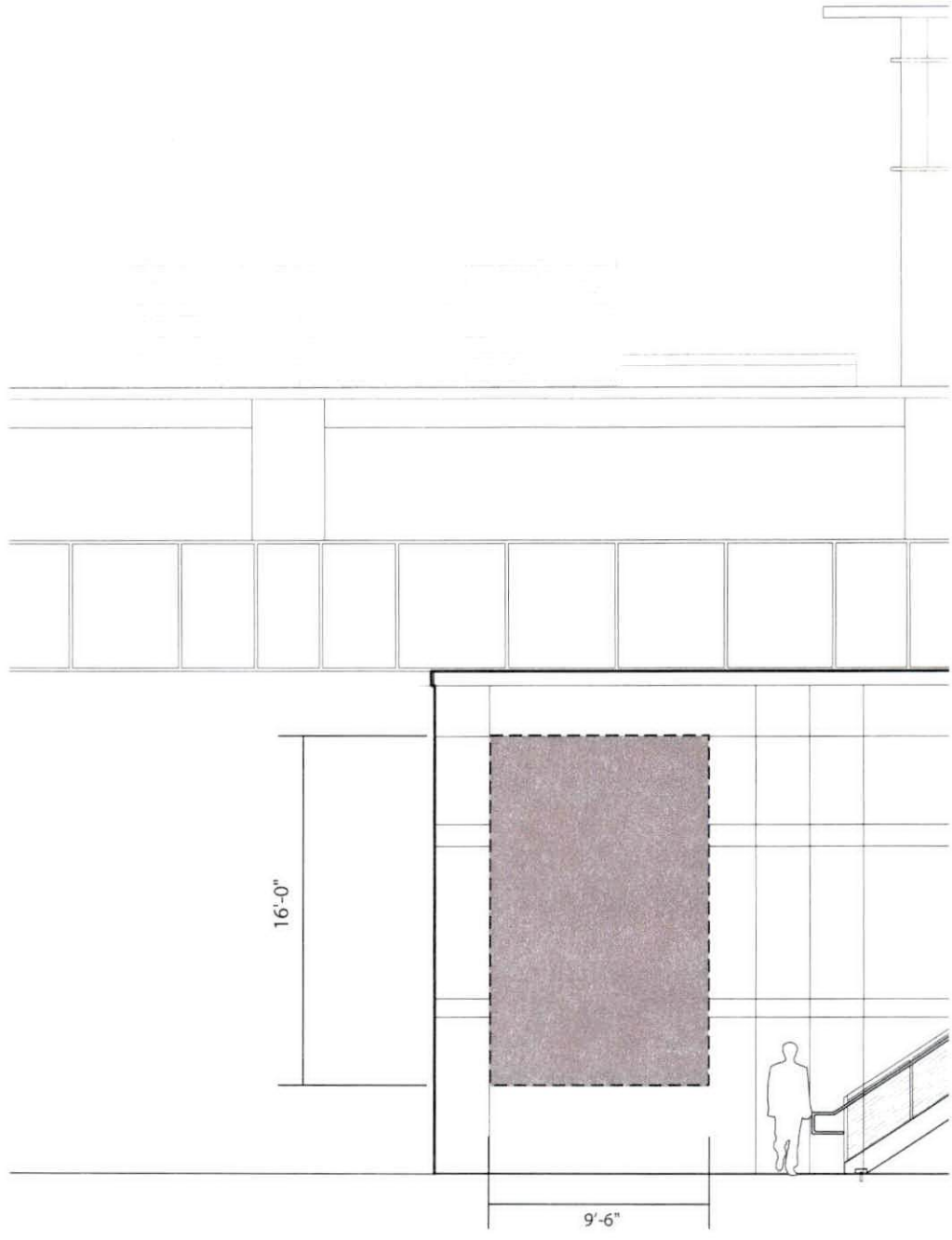
SIGN TYPE F - BUILDING 1000 - SOUTH WALL



SIGN TYPE G - BUILDING 0900 - NORTH WALL



SIGN TYPE J - BUILDING 0700 - TOWER



SIGN TYPE I - BUILDING 0700 - NORTH WALL

AGENDA – WORKSHOP OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD NOVEMBER 2, 2009 AT 6:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, COMMUNITY CENTER, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. PURPOSE OF WORKSHOP

A. COMMISSION INPUT AND DISCUSSION: Pearland Retirement Center PD, *presented by Angela Gantuah, Senior Planner*

III. ADJOURNMENT

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

I, Judy Krajca, Planning Secretary 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 & at the Community Center on the 29th day of October 2009 A.D., at 5:30 p.m.

_____
Judy Krajca, Planning Office Coordinator

Agenda removed _____ day of November, 2009.

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

AGENDA OF: November 2, 2009	**ITEM NO.:** Workshop No. 3
DATE SUBMITTED: October 7, 2009	**DEPT. OF ORIGIN: Planning**
PREPARED BY: Angela Gantuah	**PRESENTOR: Angela Gantuah**
REVIEWED BY : Mike Hodge	**REVIEW DATE: Oct 9, 2009**

SUBJECT: Request of Jackie Zeller with Curry Architecture, Agent for Harvest Development LLC. Owner, a Workshop regarding developing Pearland Retirement Residence.

EXHIBITS: Application for workshop, and proposed Planned Development Document.

EXPENDITURE REQUIRED: N/A **AMOUNT BUDGETED:** N/A
AMOUNT AVAILABLE: N/A **PROJECT NO.:** N/A
ACCOUNT NO.: N/A

ADDITIONAL APPROPRIATION REQUIRED: N/A
ACCOUNT NO.: N/A
PROJECT NO.: N/A

To be completed by Department:
☐ **Finance** ☐ **Legal** ☐ **Ordinance** ☐ **Resolution**

EXECUTIVE SUMMARY

The applicant is requesting a workshop proposing the development of a retirement residence for 55 and older that need no medical or nursing care, but assisted living support services.

The subject property is located at 2810 Dixie Farm Road and is approximately 9.5171 acres. The applicant proposes a 2 story complex with 118 units and 4 duplex cottages (8 units) for the more active residents towards the rear of the property as shown on the site plan submitted and as stated in the Planned Development Document.

The subject property is currently zoned Single Family Residential-1. The applicant proposes Multi Family Zoning with a maximum of 13.24 units per acre. The current UDC states the maximum density allowed is 16 dwelling units per acre.

The site plan and PD Document as submitted states that 118 parking spaces shall be provided for each 1 unit space (however they mention that there are some 2 bedroom options). There are 16 proposed spaces for the 8 cottage/duplex units. Parking is calculated at 1 space for each 1 bedroom unit and 2 spaces for each duplex unit.

The applicant has held one neighborhood meeting and incorporated the changes in the proposed site plan and Planned Development Document prior to the submittal of the request for a workshop. Staff has reviewed the documents submitted via email and been communicating with applicant via telephone and email.

Staff has the following comments regarding the site plan and Planned Development Document submitted:

1) Please provide a vicinity map.

2) Will this proposed development receive tax credits?

3) Are handicapped individuals under 55 years of age permitted to live at this residence?

4) Please Remove the following on the first page "of Retirement Housing for the Elderly" and add "The entire site is designed to conform to the current Unified Development Code" All areas not addressed in the Planned Development Document shall meet all the requirements of the current Unified Development Code.

5) Underline "except a kitchen is not included in the suites".

6) Underline "provide private van transportation for their use".

7) Open space needs to be shaded or crosshatched on the site plan and meet the Unified Development Code requirements: open space must be at least 80 feet wide and at least 113,400 square feet must be provided (calculated at a rate of 900 square feet per dwelling unit.

8) Show future parking spaces on the site plan and show cottage/duplex parking.

9) Height-state what the maximum height is required by the Unified Development Code and what is proposed. The maximum height permitted in the proposed Multi-Family Zoning District is 35 feet.

10) Parking-state what is required by the Unified Development Code, then what is proposed. If there is a deviation, please provide background information to justify your reduction in parking.

11) Add page numbers.

12) Remove the yellow highlighted rows. This appears to be a proofing error.

13) Under Traffic Generation-state how this doesn't impact any local collector street and compare this with other types of development that would be permitted at this site.

14) A tree survey and disposition plan is required.

15) Provide storm water detention calculations for the engineering department to review.

16) A fee in lieu of parkland dedication fee of $750.00 per unit, $94,500 (126 units x $750.00) is required.

17) The north end drive way is a dead end with no turn around. The north fire lane is made of grass and blacked with trees in the lane going to Dixie Farm. If the entire facility is sprinkled a one way drive way can be developed. If the development goes over 200 units, a second remote driveway would be required.

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: R1 - Single Family Residential

Proposed Zoning District: PD - Retirement Housing for the Elderly

Property Information:

Address or General Location of Property: 2810 Dixie Farm Road

Tax Account No. 5410-0024-000

Subdivision: George W. Jenkins Lot: 25 Block:

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

PROPERTY OWNER INFORMATION:

NAME Ross Mccammon
ADDRESS 2810 Dixie Farm Rd
CITY Pearland STATE TX ZIP 77581
PHONE(281) 831 8771
FAX( )
E-MAIL ADDRESS

APPLICANT INFORMATION:

NAME Ron Jackson / Curry Architecture LLC
ADDRESS 471 High Street SE, Suite 10
CITY Salem STATE OR ZIP 97301
PHONE(503) 399-1090
FAX(503) 399-0565
E-MAIL ADDRESS roni@curryarchitecture.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: _____ Date: 8.25.09

Agent's Signature: _____ Date: 8.25.09

- ☐ 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.
- ☐ Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
- ☐ The proposed draft PD document in hard copy form (5 copies) and electronic form (either emailed or on a CD) (see PD Format for guidelines on how to prepare the PD).

ZONE CHANGE APPLICATION Updated August 2008 (Pages 2-5)

City of Pearland
Community Development
3523 Liberty Drive
(Community Center)
Pearland, Texas 77581
281-652-1768
281-652-1702 fax
www.cityofpearland.com

APPLICATION FOR A CHANGE IN ZONING

Current Zoning District: R1 - Single Family Residential

Proposed Zoning District: PD - Retirement Housing for the Elderly

Property Information:

Address or General Location of Property: 2810 Dixie Farm Road

Tax Account No. 5410-0024-000

Subdivision: George W. Jenkins Lot: 25 Block:

A complete application must include all information shown on the Application Checklist attached to this application.

PROPERTY OWNER INFORMATION:

NAME Ross Mccammon
ADDRESS 2810 Dixie Farm Rd
CITY Pearland STATE TX ZIP 77581
PHONE(281) 831 8771
FAX( )
E-MAIL ADDRESS

APPLICANT INFORMATION:

NAME Ron Jackson / Curry Architecture LLC
ADDRESS 471 High Street SE, Suite 10
CITY Salem STATE OR ZIP 97301
PHONE(503) 399-1090
FAX(503) 399-0565
E-MAIL ADDRESS ronj@curryarchitecture.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: Date: 8.25.09

Agent's Signature: Date: 8.25.09

OFFICE USE ONLY:

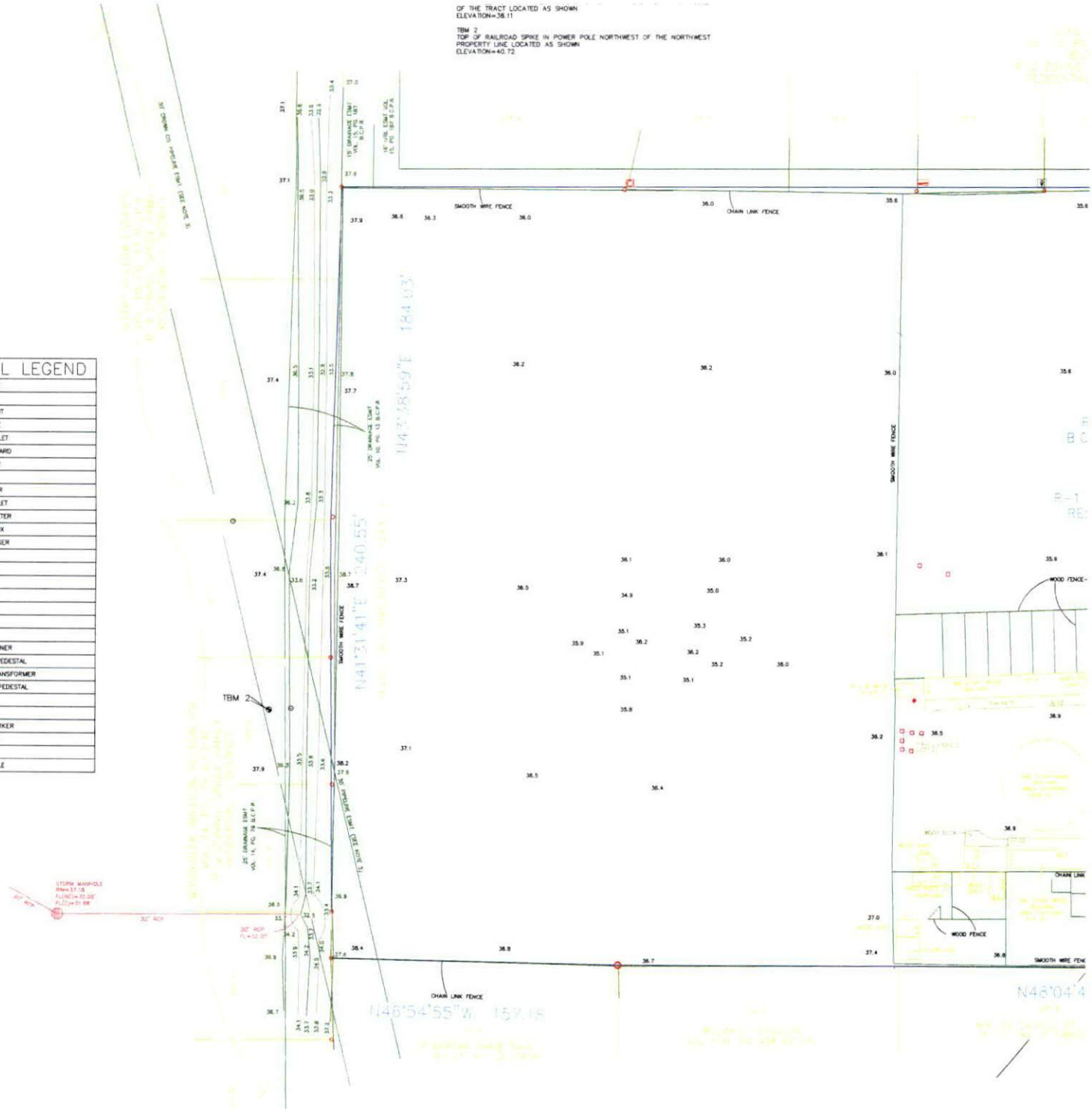
FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:

Application No.

CYPRESS HOLLOW ST
SLEEPY HOLLOW DR
WALNUT HO
DIXIE FARM RD
RAY BURN LN
SYCAMORE DR
R-1
R-2
Pearland GIS

OF THE TRACT LOCATED AS SHOWN
ELEVATION=36.11

TBM 2
TOP OF RAILROAD SPIKE IN POWER POLE NORTHWEST OF THE NORTHWEST PROPERTY LINE LOCATED AS SHOWN
ELEVATION=40.72



NOTES:

1. ALL EASEMENTS, AS REFLECTED IN TITLE REPORT FROM FIRST AMERICAN TITLE INSURANCE COMPANY, G.F. NO 1303403-H045, EFFECTIVE DATE MARCH 1, 2009, ARE SHOWN HEREON.

2. A PORTION OF THIS TRACT LIES IN ZONE 'AE' PER F.E.M.A. FLOOD INSURANCE RATE MAP PANEL NO. 48039C0065 L, DATED SEPTEMBER 22, 1999 AND HAS A BASE FLOOD ELEVATION BETWEEN 36.7 AND 37.2 BY SCALING FROM THE MAP PANEL.

3. THIS PIPELINE EASEMENT IS SHOWN PER THE RECORDED PLAT OF SLEEPY HOLLOW.

4. THIS PIPELINE EASEMENT IS SHOWN PER THE RECORDED PLAT OF WOODCREEK ADDITION, SECTION ONE.

5. A PIPELINE EASEMENT WAS GRANTED TO CROWN CENTRAL TRANSPORTATION CORPORATION PER INSTRUMENT RECORDED IN VOLUME 328, PAGE 47 OF THE BRAZORIA COUNTY DEED RECORDS AS AN "OVER AND ACROSS" EASEMENT AND, AS SUCH, IS UNDEFINED IN ITS LOCATION. IT IS SHOWN HEREON AS AN EXTENSION OF THE PIPELINE EASEMENTS IN THE ADJOINING SUBDIVISIONS.

6. ALL BEARINGS ARE BASED ON THE TEXAS STATE PLAIN COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204.

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY REPRESENTS THE FACTS AS FOUND FROM AN ON-THE-GROUND SURVEY PERFORMED UNDER MY SUPERVISION AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE STANDARDS AND SPECIFICATIONS ESTABLISHED BY THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS FOR A CATEGORY 6 , CONDITION II SURVEY.

RICARDO A. VAZQUEZ
R.P.L.S. NO. 4902

DATE

NO PART OR PARTS OF THIS DRAWING MAY BE REPRODUCED OR RETRANSMITTED IN ANY WAY OR FORM (ELECTRONIC, MECHANICAL, PHOTOCOPYING, OR OTHERWISE) WITHOUT THE EXPRESSED WRITTEN PERMISSION OF PRECISION LAND SURVEYING, INC.

TOPOGI
OF A 9.5171

W.D.C. HALL LE
BRAZORI.

McClendon, as described in deed recorded under Brazoria County Clerk's File No. 95-022654, and being more particularly described by metes and bounds as follows with all bearings and coordinates based on the Texas State Plain Coordinate System, South Central Zone No. 4204 (NAD83).

BEGINNING at a 5/8 inch iron rod found marking the west corner of Block 1 of Dixie Hollow, per plat recorded in Volume 15, Page 187 of the Brazoria County Plat Records, the west corner of the herein described tract, and a point in the northwest right-of-way line of Dixie Farm Road, 120.00 feet wide per said Dixie Hollow plat and per instrument recorded under Brazoria County Clerk's File No. 2004031150; said point being S 41° 31' 19" W, 807.50 feet, from the intersection of the northwest right-of-way line of said Dixie Farm Road with the southwest right-of-way line of Dixie Hollow Street, 50.00 feet wide per said Dixie Hollow plat;

THENCE along the northwest right-of-way line of said Dixie Farm Road, S 41° 31' 19" W, 424.38 feet, to a capped iron rod found marking the west corner of the residue of that land sold to Juan Luis Hidalgo, et ux, as described in deed recorded under Brazoria County Clerk's File No. 02 008025, and the south corner of the herein described tract and being a point in the northeast line of Lot 10 as monumented of Ready Subdivision, an unrecorded subdivision;

THENCE along the northeast line of said Hidalgo tract and said Lot 10, as monumented, N 48° 46' 06" W (deed call N 45° 01' 34" W,) 257.88 feet to a capped iron rod found marking the north corner of said Hidalgo tract and said Lot 10, as monumented, the east corner of a tract of land sold to Gregory Donald Moran, et ux, as described in deed recorded under Brazoria County Clerk's File No. 2007065841, and Lot 9 of said Ready Subdivision, as monumented, and an angle point of the herein described tract;

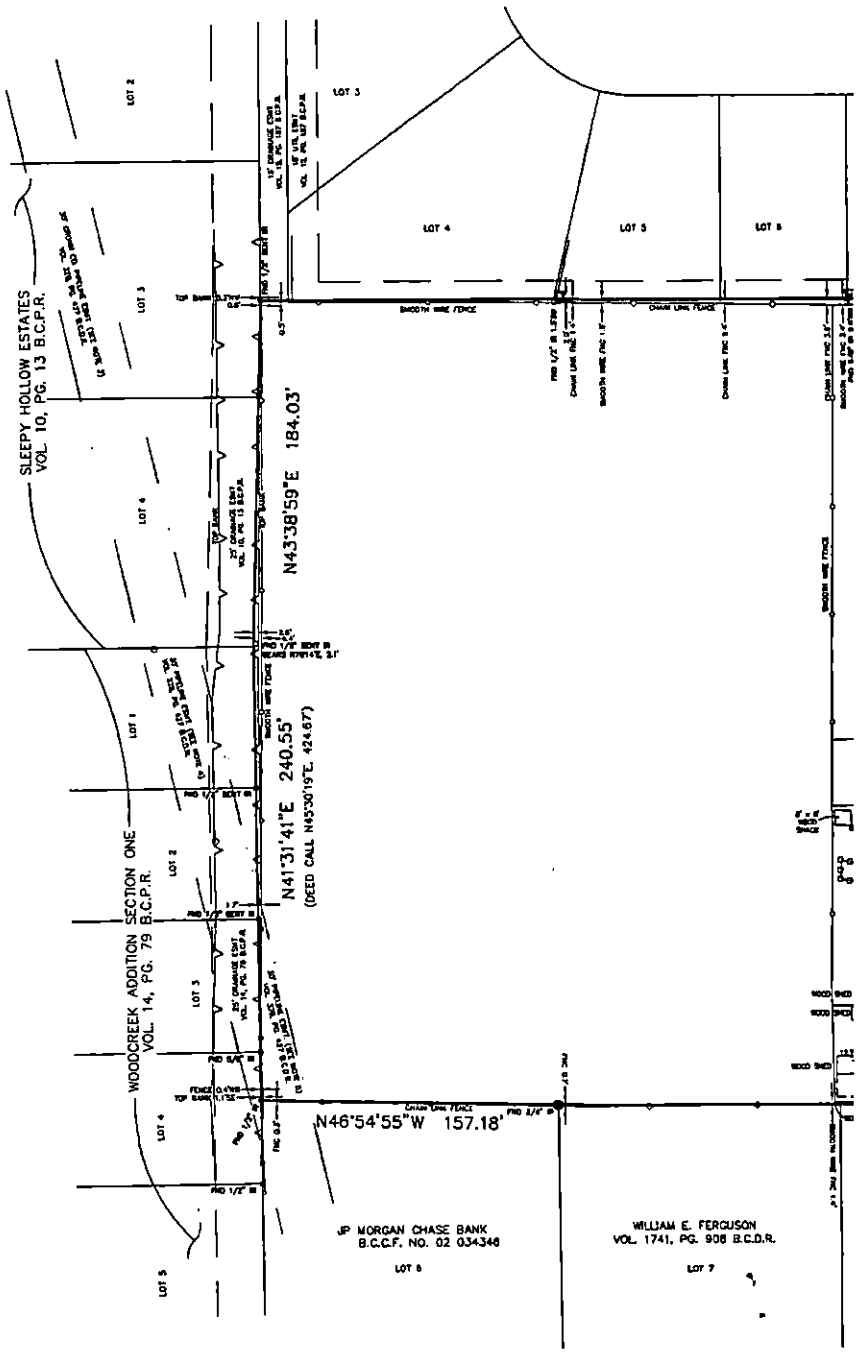
THENCE along the northeast line of said Moran tract and said Lot 9, as monumented, N 48° 04' 49" W, 557.56 feet to a 3/4 inch iron pipe found marking the north corner of a tract of land sold to William E. Ferguson, as described in deed recorded in volume 1741, Page 908 of the Brazoria County Deed Records, and Lot 7, as monumented, of said Ready Subdivision, the east corner of a tract of land sold to J.P. Morgan Chase Bank, as described in deed recorded under Brazoria County Clerk's File No. 02 034346, and Lot 6 of said Ready Subdivision, and an angle point of the herein described tract;

THENCE along the northeast line of said Chase Bank tract and said Lot 6, as monumented, N 46° 54' 55" W, 157.18 feet to a ½ inch iron rod found marking the north corner of said Chase Bank tract and said Lot 6, as monumented, a point in the southeast line of Woodcreek Addition, Section One, per plat recorded in Volume 14, Page 79 of the Brazoria County Plat Records, and the west corner of the herein described tract;

THENCE along the southeast line of said Woodcreek Addition, N 41° 31' 41" E, 240.55 feet (deed call N 45° 30' 19" E, 424.67 feet) to the east corner of said Woodcreek Addition, the south corner of Sleepy Hollow Estates, per plat recorded in Volume 10, Page 13 of the Brazoria County Plat Records, and an angle point of the herein described tract; a found bent ½ inch iron rod bears N 79° 14' E, 2.1 feet;

THENCE along the southeast line of said Woodcreek Addition, N 43° 38' 59" E, 184.03 feet to a bent ½ inch iron rod found marking the west corner of said Dixie Hollow plat and the north corner of the herein described tract;

THENCE along the southwest line of said Dixie Hollow plat, S 48° 04' 00" E (deed call S 45° 00' 00" E,) 965.71 feet to the POINT OF BEGINNING and containing 9.5171 acres, or 414,563 square feet, of land.



I, Ricardo Vazquez, a Registered Professional Land Surveyor in the State of Texas, hereby certify to Harvest Development LLC., Curry Architecture LLC. and First American Title Insurance Company, as limited by Texas law, that this survey was made under my supervision on July 14, 2009; correctly shows (i) a fixed and determinable position and location of the land legally described hereon ("Property"); (ii) the relation of all known or visible buildings and other known or visible structures to the property lines; (iii) that there are no encroachments of any known or visible buildings, structures or improvements located on the Property onto adjoining lands, nor encroachments onto the Property of any known or visible buildings, structures, or improvements located on adjoining lands, except as shown, noted and described on this survey; (iv) the location and dimensions of all easements, alleys, streets, roads, rights-of-way, building restrictions and set-back lines and other matters (with applicable instrument, book and page number indicated as shown) as reflected in title report from First American Title Insurance Company, G.F. No. 1303403-HOMS, effective date July 7, 2009; (v) that the Property has access to Dixie Farm Road, a dedicated public street abutting the Property as shown on this plat; (vi) that a portion of this property lies in Zone "AE" per F.E.M.A. Flood Insurance Rate Map Panel No. 48039C0065 J, dated September 22, 1999 (Zone "AE" is defined as the areas with base flood elevations determined) and has a base flood elevation determined to be between 36.7 and 37.2 by scale; and (vii) that the Property contains no striped parking spaces.

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Texas, the Relative Positional Accuracy of this survey does not exceed that which is specified therein.

Date July 31, 2009

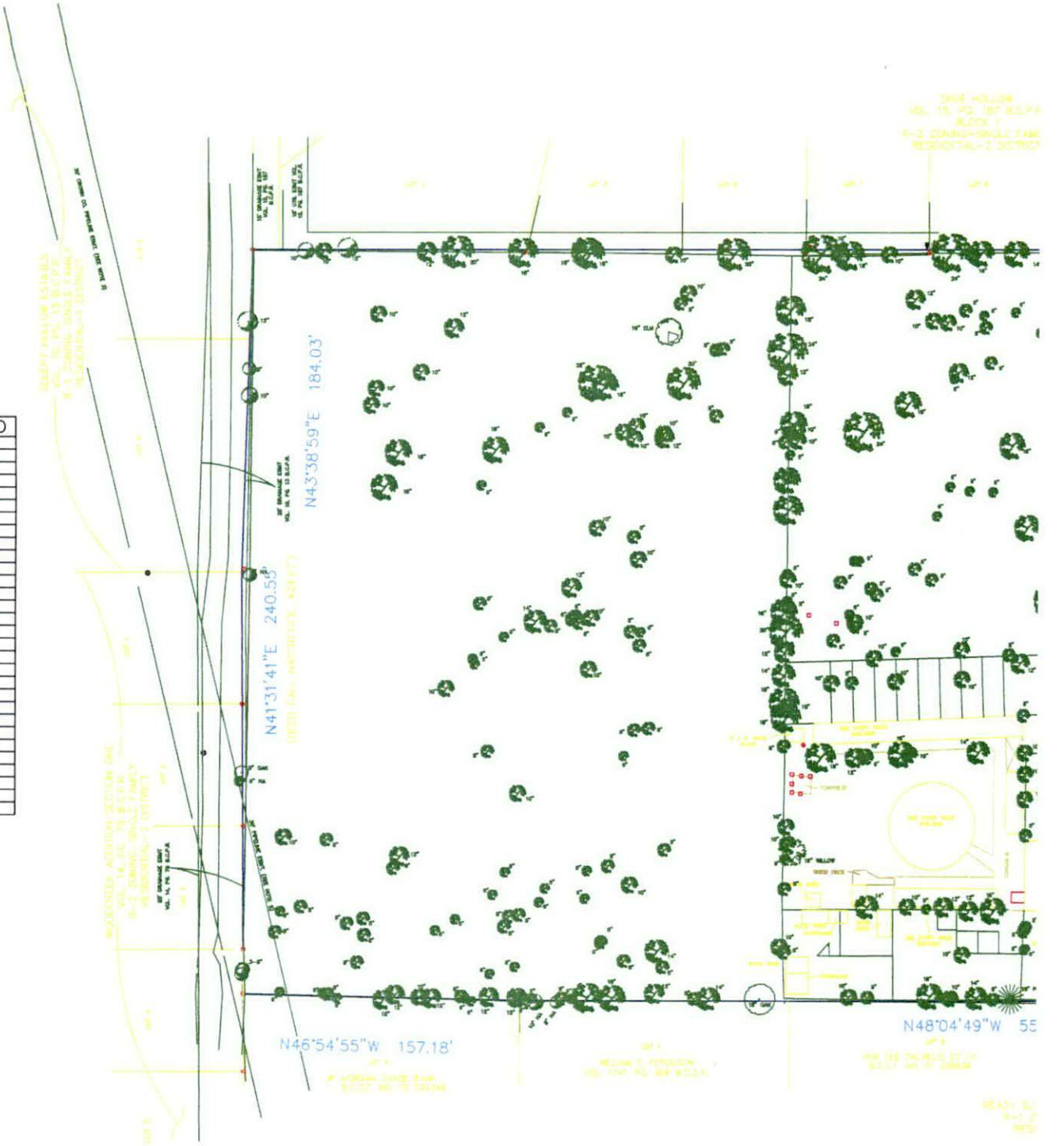
Ricardo A. Vazquez
Texas R.P.L.S. No. 4902

STATE OF TEXAS
REGISTERED
RICARDO ANTONIO VAZQUEZ
4902
PROFESSIONAL
LAND SURVEYOR

NO PART OR PARTS OF THIS DRAWING MAY BE REPRODUCED OR RETRANSMITTED IN ANY WAY OR FORM (ELECTRONIC, MECHANICAL, PHOTOCOPYING, OR OTHERWISE) WITHOUT THE EXPRESSED WRITTEN PERMISSION OF PRECISION LAND SURVEYING, INC.

ALTA/ACSM
OF A 9.5171

W.D.C. HALL L.
BRAZOR



SYMBOL LEGEND
POWER POLE
OAK TREE
FIRE HYDRANT
WATER VALVE
TYPE "C" INLET
LIGHT STANDARD
GUY ANCHOR
MANHOLE
WATER METER
TYPE "A" INLET
ELECTRIC METER
ELECTRIC BOX
ELECTRIC RISER
MAILBOX
LIGHT POLE
FLAG POLE
METAL POST
WOOD POST
PVC RISER
CLEANOUT
AIR CONDITIONER
TELEVISION PEDESTAL
ELECTRIC TRANSFORMER
TELEPHONE PEDESTAL
SIGN
HACKBERRY
PIPELINE MARKER
COTTONWOOD
ELM TREE
CREPE MYRTLE

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY REPRESENTS THE FACTS AS FOUND FROM AN ON-THE-GROUND SURVEY PERFORMED UNDER MY SUPERVISION AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE STANDARDS AND SPECIFICATIONS ESTABLISHED BY THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS FOR A CATEGORY 6 , CONDITION II SURVEY.

RICARDO A. VAZQUEZ
R.P.L.S. NO. 4902

DATE

NO PART OR PARTS OF THIS DRAWING MAY BE REPRODUCED OR RETRANSMITTED IN ANY WAY OR FORM (ELECTRONIC, MECHANICAL, PHOTOCOPYING, OR OTHERWISE) WITHOUT THE EXPRESSED WRITTEN PERMISSION OF PRECISION LAND DIVISION, INC.

TREE
OF A 9.5171 AC
IN
W.D.C. HALL LEAGU
BRAZORIA C

I. INTRODUCTION – PEARLAND RETIREMENT RESIDENCE

Site Description

The subject parcel is located at 2810 Dixie Farm Road. This site is rectangular in shape with a frontage of 424' (+/-) on the westerly side of Dixie Farm Road surrounded by residential developments and a General Commercial (GC) site that is on the easterly side of Dixie Farm Road. The home sites bordering the south of the property are fronting on Rayburn Street, the lots along the west side of the site front on Crane Drive and the properties on north side of the site front along Cypress Hollow Street. The Dixie Woods subdivision is directly across Dixie Farm Road from the proposed site. Abutting the Dixie Woods development to the south is the GC site that fronts on Dixie Farm Road and E. Broadway Street.

Current Zoning: R-1 – Single Family Residential
Current Use: Boarding Stables, Equestrian Center (Krazy K Stables)
CAD #: 5410-0024-000

Proposed Development

Harvest Development Corp. proposes a PD to develop a 118-suite, 2 story congregate retirement residence along with 4, one story duplex retirement cottages (8 units). The entire development is designed to conform to the Uniform Development Code of Retirement Housing for the Elderly. This development shall be marked and operated as an Independent Living Facility for residents age 55 and older. Our concept is designed for residents, age 55 and older who are still ambulatory. We do offer some daily support with no medical or nursing care. Private rooms afford the advantages of independent living while the services included provide support, security and friendship. The private suites include studio, one and two bedroom versions. Each is similar to a conventional dwelling unit except a kitchen is not included in the suites. Services include three prepared meals daily, housekeeping, laundering, private bus transportation and various activities. Staff is "in house" 24 hours a day. The monthly rent payment covers the private room, all services and utilities. Typically our resident will be a single person in their late 70's or 80's. Approximately 10% of the rooms will be rented by couples making a total building population of 130 plus and additional 16 residents in the cottages. Fewer than 15% of the residents will be driving their own cars. Because most of our residents do not drive, we provide private van transportation for their use. The van is available to take the residents to places they need to visit, such as banks, medical offices, shopping areas, etc. Neighborhood compatibility is achieved in the site planning and building design. The wing ends and building center step down from two to one story. This arrangement provides for privacy and a gentle change of scale. Care is taken to minimize the impact to the existing community. The exterior siding materials will

include brick and horizontal siding. The roof will be architectural composition shingle.

The building interior design has common areas for a variety of uses. There will be a common dining room and kitchen for shared meals. There will be a multi-purpose room, beauty shop, crafts room, TV room, lounges and an exercise room. The circulation will be organized around a central atrium. Residents will be able to contact the manager with both emergency pull cords and voice communications in each room.

Access shall be provided from the existing location on Dixie Farm Road. The development will be in compliance with the attached conceptual site plan, elevations and other documents. Minor changes shall be approved by Planning Director. All requirements of the UDC shall be met.

Acreage
The developed parcel is 9.5171 acres in size, horse boarding stables.

Purpose of the PD district request
The request for this development is to create a PD Planned Development on the existing site within the existing R-1 – Single Family Residential. The PD – Planned Development shall have an underlying MF Multiple Family base zoning for the development of Retirement Housing for the Elderly on the entire site.

II ZONING AND LAND USE

The property is currently zoned R-1 – Single Family Residential. The property is bounded single family residential homes on all sides, R-1 Zoning to the South and R-2 (Single Family Residential – 2) to the west, north and across Dixie Farm Road to the east. The Southeast corner of the site is across Dixie Farm Road from a Large GC – General Commercial District that also fronts E Broadway Street. These residential subdivisions are fully developed with mature landscaping and complete infrastructure. The GC site is partially developed.

PD Overlay Zoning
The proposed R1-PD with a underlying base zoning MF, Multiple-Family Residential District (Sec. 2.4.2.10) site. This site is also subject to the Dixie Farm Road Overly District.

Use	Acres	% of Total Acres	Zoning District
Multiple Family (Assisted Living)	9.5171	100%	R1

Harvest DEVELOPMENT LLC
Curry Architecture

Landscape and Detention Space	5.81	61.0%	R1
Internal Circulation (Drives & Parking)	1.51	4.9%	R1

Density Calculations

Proposed Density (same as underlying MF zoning – Section 2.4.2.10 & the PD overlay Sec. 2.4.5.1)

The Maximum Density for the underlying MF Zoning is 16 units per acre.

Proposed:

Total Residential Units	126 Units
118 Retirement Suites	
8 Cottage Units	
Total Acreage	9.5171 acres

Density Ratio ***126 Units on 9.5171 acres = 13.24 Units per Acre***

III. DESIGN STANDARDS AND PROPOSED DIVIATIONS

Please refer to the enclosed site plan(s) and other drawings regarding the proposed development standards

Area Regulations

Minimum Lot Size	8,800 Square Feet
Proposed PD	**414,563 Square Feet**
Minimum Lot Width	80 feet
Proposed PD	**424 feet**
Minimum Lot Depth	90 feet
Proposed PD	**965 feet**

Specific Deviations

Proposed Setbacks (same as underlying MF zoning – Section 2.4.2.10 & the PD overlay Sec. 2.4.5.1)

Minimum Front Yard	30 feet
Minimum Side Yards	30 feet
Minimum Rear Yard	60 feet
Minimum off-street parking	75 feet
Minimum outside storage	150 feet

Harvest DEVELOPMENT LLC
Curry Architecture

Height
"The vertical distance measured from grade at the front of the building to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height level between eaves and ridge for a gable, hip or gambrel roof" (UDC 5.1.1.1 #58)

Proposed 26 feet from the grade to the mean height level between the eves and ridge of a gable, hip or gambrel roof.
Note: Atrium cupola architectural feature exceeds this height.

Outdoor Activities or Uses
No outdoor commercial activities our uses shall be permitted
Proposed PD – None Proposed

Fences & Screening
There will be a 30' landscape buffer adjacent to the residential use parcel as per the Unified Development Code.

Parking
Minimum Parking
1 space per unit for Retired Housing for the Elderly / Main building = 118 Spaces.
2 spaces per unit for the 4 duplexes (8 units) = 16 spaces.

Total = 134 spaces

Proposed PD
Parking Breakdown

Retirement Suites = 1 sp per unit = 118 spaces required = 118 spaces.
- ***86 open spaces for retirement residence***
- ***18 covered spaces for retirement residence***
- ***4 handicapped accessible for retirement residence***
- ***10 future spaces****

Total of 118 spaces

Duplexes = 2 sp per unit = 16 spaces (1 within garage, 1 driveway)
- ***8 spaces for cottage Garage***
- ***8 spaces for cottage Driveway***

Total of 16 spaces

****25% deferred to future as per Section 4.2.1.3(k) of UDC***

Harvest DEVELOPMENT LLC
Curry Architecture LLC

Total (at present) = 108 (Not including 10 future spaces)

- ***Duplex Cottage Garage = 8 spaces***
- ***Duplex Cottage Driveway = 8 spaces***
- ***Retirement Residence Open = 86 spaces***
- ***Retirement Residence Covered = 18 spaces***
- ***Handicapped accessible = 4 spaces***
- ***Future spaces*= 10 spaces***

Remaining Pervious Land
At least 15% of the gross site area shall be maintained in landscaped open area

Proposed PD **61.0% landscaped open area (open space & retention)**

Common open space requirements will be in accordance with the common open space requirements of the underlying MF zone. Section 2.4.2.10(g) of the UDC for 126 units as shown on attached conceptual site plan.

Required
126 units x 900 sq. ft. = 113,400 sq. ft.
Provided
130,000 sq. ft.

Access
Provided in accordance with the EDCM

Access shall be provided from the existing location on Dixie Farm Road. The development will be in compliance with the attached conceptual site plan, elevations and other documents. Minor changes shall be approved by Planning Director. All requirements of the UDC shall be met.

Proposed PD – Will comply with the EDCM (see conceptual site plan).

Please Note:
All requirements of the Uniform Development Code will be met other than those changes and deviations specifically approved as part of the Planned Development approval

Proposed Dedications
Any additional easements, rights of ways or agreements to accommodate rights of way, utilities and services to the site will be accommodated.

Overview and Summary

Existing Zoning:	R-1 Single Family Residential
Proposed Zoning:	PD – Planned Development / MF underlying base zoning
Land Area:	9.5171 acres
Existing Use:	Boarding Stables, Equestrian Center
Proposed Use:	118-suite retirement residence + 4 duplex retirement cottages (8 units)
Proposed Parking:	134 total spaces consisting of 86 open +10 future open, 18 covered for the suites, 4 handicap accessible, 8 covered cottage spaces, and 8 cottage driveway parking spaces
Impervious Surface Cover	161,658 Sq. Ft. / 39.0%

Phasing

This project is intended to be developed together in its entreaty and phasing the project in not planned

IV. AMENITIES

The site is to be extensively landscaped. Usable outdoor spaces will include a large amount of lawn and landscape areas. The landscaping will include raised beds of varying levels for ornamental, flower and vegetable gardening made available for use and enjoyment of our residence. Special features of this site will include a horseshoe court in the cottage common area and a large unique water feature located amidst the retirement cottages, all adding to the park like setting. An integrated network of walking paths, 6 feet in width, will provide our residence with an excellent opportunity for daily exercise. The walking paths will be complemented with benches and respite areas throughout as well as connecting to all exits of the building. There will be a large partially covered patio off of the craft/exercise room. The patio area along with the cabana and pool come together to create an oasis like atmosphere and serving to extend and expand the living area to this outside attraction

- Horse Shoe Pit (1)
- Seating Benches (7 around site paths/courtyards)
- Circular Landscaped Benches (2 on site)
- Raised Planter beds (8 for residence)
- Swimming Pool
- Pool House (1)
- Fountains & Water Features (4)
- Van garage (1)
- Retention Water Feature

V. EXHIBITS

Site Plan	Exhibit "A"
Concept & Design Statement	Exhibit "?"
ALTA Survey	Exhibit "B"
Topographical Survey	Exhibit "C"
Tree Survey	Exhibit "D"

VI. JUSTIFICATION

We respectfully request consideration of a Planned Unit Residential Development for a 9.5171-acre site at 2810 Dixie Farm Road. This designation is sought to allow development of a 118 suite retirement residence and 4 duplex retirement cottages. This site will provide a positive, quality, low impact additional to the local neighborhood and the Pearland community.

Considerable effort has been made over the past several months to gather information. This has allowed us to present a proposal that will create a valuable addition to the community. A description of the Harvest Retirement Concept and Design Statement is included in the application submittal handout. (Exhibit "?").

This site is ideally suited for our senior housing use. The site is in close proximity to services such as shopping, recreation and medical needs while still being within an established residential area.

As stated in Chapter 8 of the Pearland Municipal Code, "the purpose an overlay planned development district (PD) is to provide for the development of land as an integral unit of single or mixed use in accordance with a PD Design Plan that may include uses, regulation and other requirements that vary from provisions of other zoning districts. PD Districts are intended to implement generally the goals and objectives of the City's Comprehensive Plan. PD Districts are also intended to encourage flexible and creative planning to ensure the compatibility of land uses, to allow for the adjustment of changes demands to meet the current needs of the community and to in a higher quality development for the community that would result from the use of conventional zoning districts. The Harvest Retirement proposal would meet changing demands and the current needs of the Pearland community.

This project offers benefits, which include:

- Large open spaces and generous setbacks. Over 60% of the site will be landscaped open space providing large open spaces and ample setbacks to create a park-like setting, and help buffer neighboring properties.

- Quiet Senior Residential Use – The proposed retirement residence has 118 suites, which include studios, one bedroom, and two bedroom types.

  The suites do not have kitchens and are not considered full dwelling units. They are different from conventional senior apartment units with full kitchens, in that the density effect would be negligible. In addition, only about 10 percent of the suites will be occupied by couples, keeping the overall building population low. This is complemented by 4 duplex "cottages" (8 units) which are approximately 1100 square feet in size. The cottages do include a full kitchen and single car garage for the slightly more active senior at our facility. The cottage residences do receive the transportation, activity and housekeeping services and have the option of receiving meals at the retirement residence if they choose. This project will not create the problems typically associated with higher density developments, such as traffic, noise or increased demand on public services.

- Low Traffic Generation – Our project will generate approximately 250 trips per day with less than 30 peak hour trips. Please see attached Harvest Concept Summary.

- Increases Local Tax Base – This project is privately funded with no publicly funded assistance.

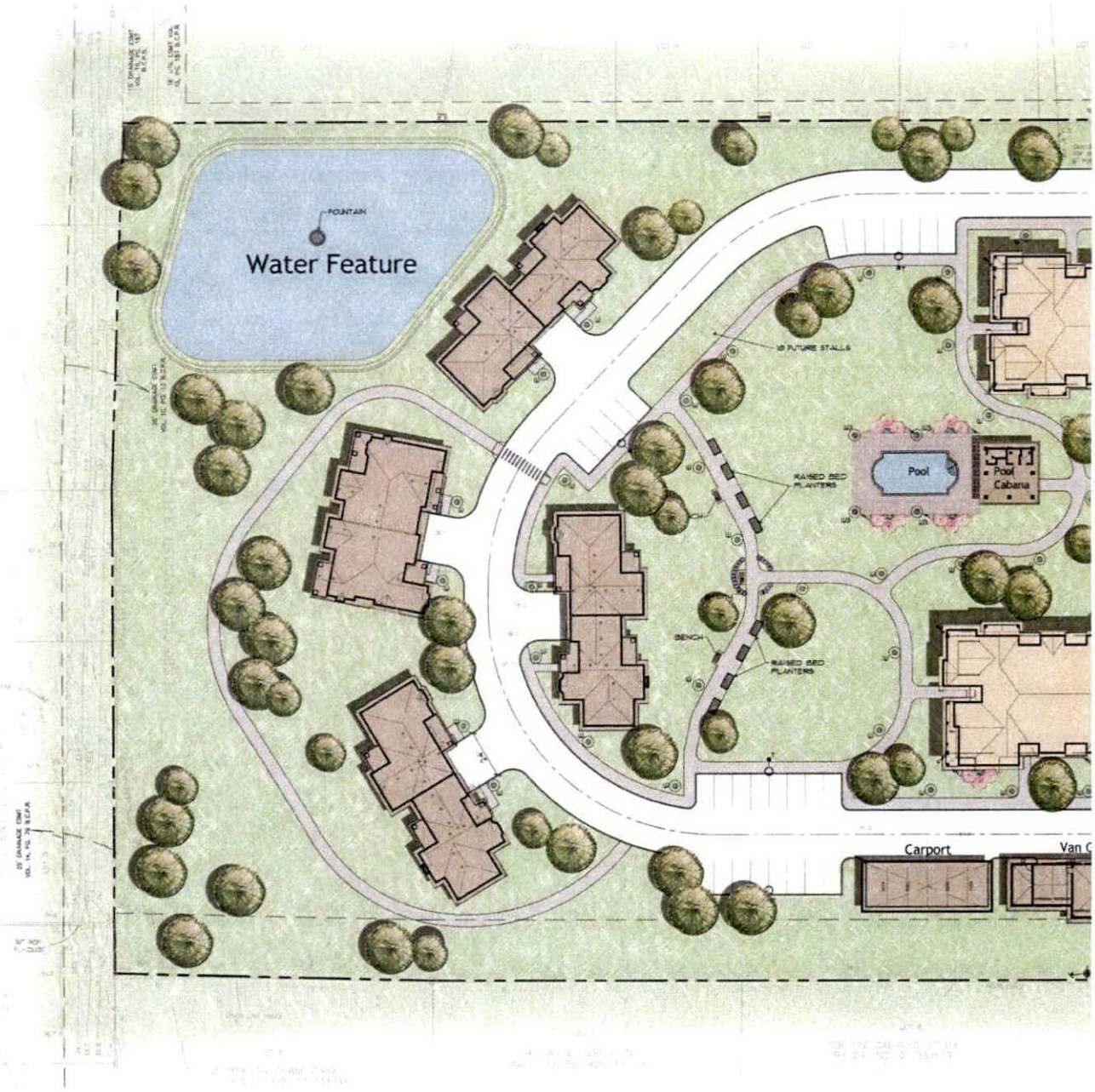
- Low Impact on Public Services - Including parks, schools, libraries, and transportation system.

- Fulfills Need for Retirement Housing - Our research has found that there is a strong need for the unique Harvest program in this area. It would complement the other choices available in Pearland.

VII. CONCLUSION

In conclusion, we feel that this site is ideally suited for our use and would be a nice addition to the Dixie Farm Road area and the existing and future development for the area.

Thank you for your consideration.



SITE AMENITIES

1 HORSE SHOE PIT
7 SEATING BENCHES
2 CIRCULAR LANDSCAPED BENCHES
8 RAISED PLANTER BEDS
1 VAN GARAGE
1 POOL
1 POOL HOUSE
4 FOUNTAINS

COMMON OPEN SPACE

REQUIRED 126 UNITS X 900 SQ. FT. = 113,400 SQ. FT

PROVIDED 185,000 SQ. FT.

PARKING: (118 Suite Retiren

4 ACCESSIBLE SPACES
18 COVERED SPACES
86 OPEN SPACES
108 SPACES PROVIDED

108 SPACES PROVIDED
10 Future Parking Stalls (I
118 TOTAL REQUIRED

PARKING: (4 Duplex Cottage

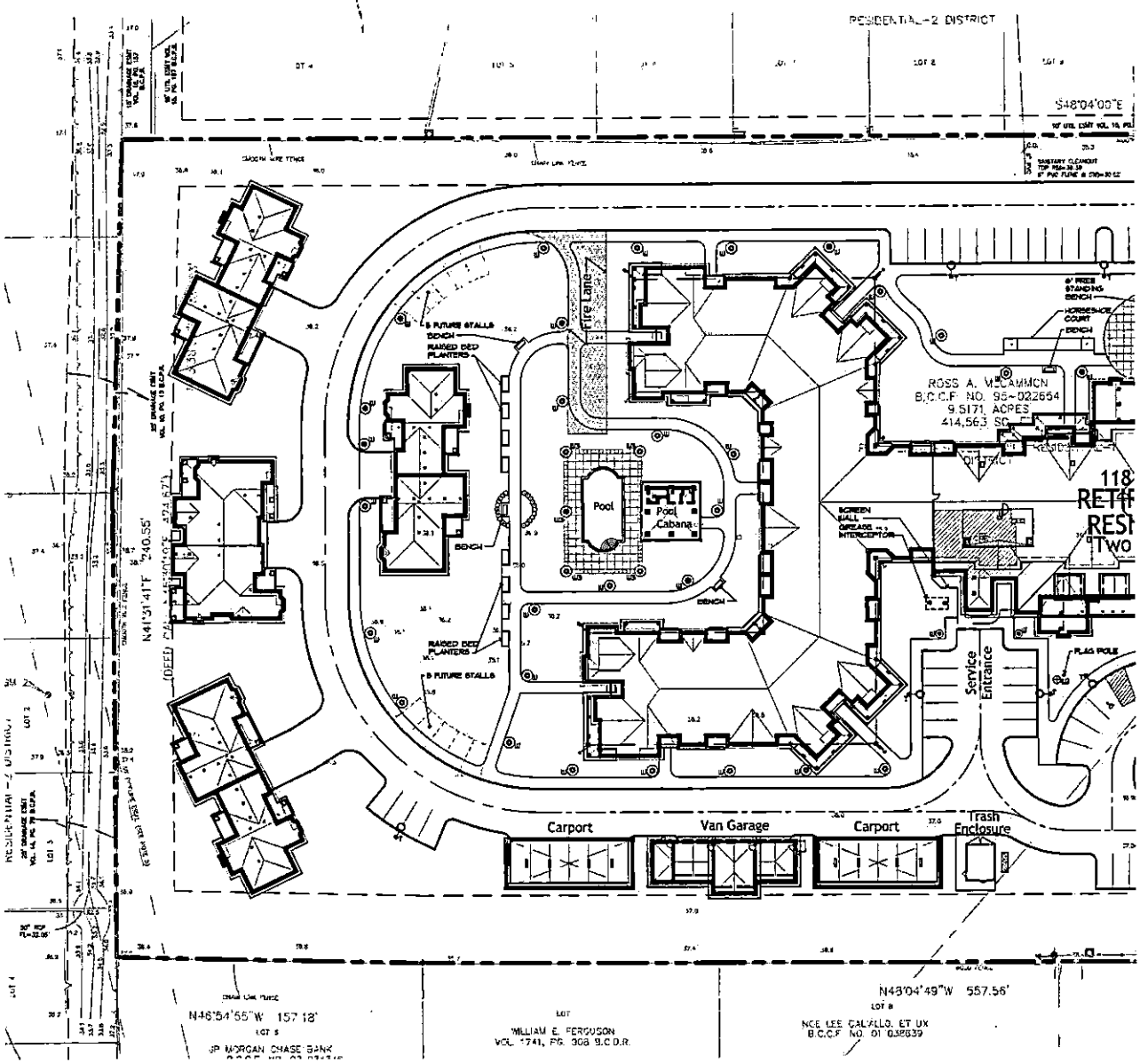
8 Covered
8 Uncovered
16 SPACES PROVIDED

Curry Architecture LLC
471 High Street SE, Suite 10 •• Salem, Oregon 97301
503.399.1090 •• •• Fax 503.399.0565

2007 Curry Architecture / Colson & Colson Construction Company

Pearland Ret

P



SITE AMENITIES

1 HORSE SHOE PIT
7 SEATING BENCHES
2 CIRCULAR LANDSCAPED BENCHES
8 RAISED PLANTER BEDS
1 VAN GARAGE
1 POOL
1 POOL HOUSE
3 FOUNTAINS

COMMON OPEN SPACE

REQUIRED 126 UNITS X 900 SQ. FT. = 113,400 SQ. FT

PROVIDED 122,600 SQ. FT.

PARKING: (118 Suite Retirement)

4 ACCESSIBLE SPACES
18 COVERED SPACES
86 OPEN SPACES
108 SPACES PROVIDED

108 SPACES PROVIDED
10 Future Parking Stalls (PER SECTION 4.2.1.3(K) OF
118 TOTAL REQUIRED

PARKING: (4 Duplex Cottages - 8 Units)

8 Covered
8 Uncovered
16 SPACES PROVIDED

Cuffy Architecture LLC
471 High Street SE, Suite 10 •• Salem, Oregon 97301
503.399.1090•• ••Fax 503.399.0565

2007 Cuffy Architecture / Colson & Colson Construction Company

Pearland Retire

Pearland,