

ORDINANCE NO. 2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM BUSINESS-OFFICE (B-O) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT FINAL DEVELOPMENT PLAN FOR APPROXIMATELY 5.3764 ACRES LOCATED ALONG CREEK BEND DRIVE IN THE LAKE POINTE TOWN CENTER DEVELOPMENT.

WHEREAS, Mr. Les Newton, on behalf of the property owner, has requested that approximately 5.3764 acres of land located along Creek Bend Drive in the Lake Pointe Town Center development be rezoned from Business Office (B-O) to Planned Development (PD) District Final Development Plan; and

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

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

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

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

Section 1. That the facts and recitations set forth in the preamble of the ordinance are hereby declared true and correct.

Section 2. That the zoning district classification of approximately 5.3764 acres of land described in Exhibit A, attached to and incorporated into this ordinance by reference, is changed from Business-Office (B-O) zoning district classification to Planned Development (PD) District Final Development Plan zoning district classification under the comprehensive zoning ordinance of the City of Sugar Land, Texas.

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

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

Exhibit A--Legal Description

Exhibit B--Final Development Plan, consisting of

Exhibit B-1A: *Site Plan Alternate A*

Exhibit B-1B: *Site Plan Alternate B*

Exhibit B-2: *Land Uses*

Exhibit B-3A: *General Landscape Plan Alternate A*

Exhibit B-3B: *General Landscape Plan Alternate B*

Exhibit B-3C: *Approved Plant List*

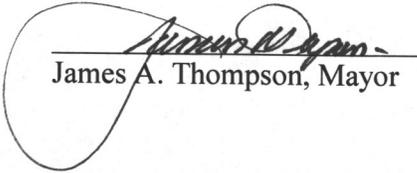
Exhibit B-4A: *Pedestrian and Circulation Plan Alternate A*

Exhibit B-4B: *Pedestrian and Circulation Plan Alternate B*

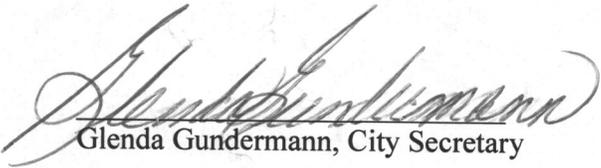
Exhibit B-5A: *Proposed Hotel Elevation – North*
Exhibit B-5B: *Proposed Hotel Elevation – South*
Exhibit B-5C: *Proposed Hotel Elevation – East*
Exhibit B-5D: *Proposed Hotel Elevation – West*
Exhibit C--Vicinity Map

READ IN FULL on first consideration on July 21, 2015.

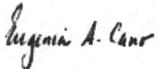
APPROVED upon second consideration on August 04, 2015.


James A. Thompson, Mayor

ATTEST:


Glenda Gundermann, City Secretary

APPROVED AS TO FORM:



Attachments: Exhibit A – Legal Description
Exhibit B – Final Development Plan
Exhibit C – Vicinity Map

**Exhibit B
Final Development Plan**

**EXHIBIT B
FINAL DEVELOPMENT PLAN
(Lake Pointe One)**

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

- B. General Provisions
- C. Land Uses
- D. Development Regulations
- E. Landscape Regulations and Pedestrian Circulation Regulations
- F. Signage
- G. Building Regulations
- H. Shared Parking

The following Exhibits are part of this final development plan:

- Exhibit B-1A Site Plan Alternate A
- Exhibit B-1B Site Plan Alternate B
- Exhibit B-2 Land Uses
- Exhibit B-3A General Landscape Plan Alternate A
- Exhibit B-3B General Landscape Plan Alternate B
- Exhibit B-3C Approved Plant List
- Exhibit B-4A Pedestrian and Circulation Plan Alternate A
- Exhibit B-4B Pedestrian and Circulation Plan Alternate B
- Exhibit B-5A Proposed Hotel Elevation – North
- Exhibit B-5B Proposed Hotel Elevation – South
- Exhibit B-5C Proposed Hotel Elevation – East
- Exhibit B-5D Proposed Hotel Elevation - West

B. General Provisions.

1. The PD approved herein must be constructed, developed, and maintained in compliance with this ordinance and other applicable ordinances of the City. If any provision or regulation of any City ordinance applicable in a B-O (Business Office) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the B-O zoning district in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City regulation or provision conflicts with a provision of this ordinance.

2. Except as otherwise provided herein, the words used in this final development plan have the meaning established by the Development Code. In this ordinance:

General Land Plan shall mean the General Land Plan for Lake Pointe Town Center, as established by the City of Sugar Land in 2004.

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

PD means the planned development district created by this ordinance.

Pavers mean modular concrete pavers, "Symmetry" style laid in a Venetian Parquet pattern, Mesa Blend color as manufactured by Pavestone Company (or an equivalent).

Shared Parking shall refer to the shared parking criteria as most recently published by the Urban Land Institute.

3. The PD shall be developed in accordance with Exhibit B-1A, Site Plan Alternate A, or Exhibit B-1B, Site Plan Alternate B.

C. Land Uses.

Permitted land uses are enumerated on Exhibit B-2 Land Uses.

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

1. **Maximum height of structures:**
 - (a) 150 feet above ground.
 - (b) Sec. 2-125(f) bulk plane rules do not apply. Though this PD is across Brooks Lake from the residential Lake Pointe Town Center PD, the bulk plane rules do not apply within that residential PD per item G in Exhibit 2 of Ordinance No. 1868.
2. **Building size:**
 - (a) Alternative Site Plan A shall allow an office building with a maximum of 250,000 square feet, and a hotel with a maximum of 139 rooms.
 - (b) Alternative Site Plan B shall allow for three office buildings up to 50,000 square feet each, and a hotel with a maximum of 139 rooms.
 - (c) The cumulative maximum building sizes for the PD are further governed by the City's final review and approval of the shared parking calculations as authorized in Section H at the time of each respective building permit.
3. **Minimum building setbacks:**

(a) Front adjacent to Creek Bend	35 feet
(b) Sides not adjacent to Brooks Lake	15 feet
(c) Rear adjacent to Brooks Lake	45 feet

4. Minimum parking lot setbacks:

- | | | |
|-----|--|---------|
| (a) | Front adjacent to Creek Bend | 20 feet |
| (b) | Sides not adjacent to Brooks Lake | 10 feet |
| (c) | Rear adjacent to Brooks Lake | 30 feet |
| (d) | Common property lines between reserves | 0 feet |

5. Paving: Pavers are required to be placed at the driveway entries and exits. The pavers must be set on seven inch (7") concrete pavement according to the City of Sugar Land's paving standards, not sand, starting fifteen feet (15') inside the property line and continuing to twenty-five feet (25') into each site, the full width of the drive.

6. Bicycle Parking: Off-street parking for bicycles shall be provided within 50 feet of each building entrance and shall include racks or other structures intended for parking bicycles. Bike racks will be metal wave racks with a black or bronze factory finish. Ten (10) bike parking spaces shall be provided, and such spaces shall be allocated between the office and hotel proportionate to the required car parking spaces for the respective buildings.

E. **Landscape and Pedestrian Circulation Regulations** – All tracts within the PD shall be developed in accordance with the following landscape and pedestrian circulation regulations:

1. Minimum widths for landscape buffers, continuous along:

- | | | |
|-----|----------------------------|---------|
| (a) | Brooks Lake | 30 feet |
| (b) | Creek Bend | 20 feet |
| (c) | Internal access | 10 feet |
| (d) | All other property lines * | 10 feet |

* Except that no landscape buffers are required where the shared surface parking crosses common property lines between reserves.

2. Minimum 15% open space of lot area, inclusive of landscape buffers. General Landscape Plans are attached as Exhibit B3-A General Landscape Plan-Alternate A and Exhibit B3-B General Landscape Plan Alternate B.

3. The 20ft landscape buffer on Creek Bend Drive shall include a double row of 36" tall Wax Myrtles or Ligustrum triangularly spaced 36" on center to provide a hedge to screen the surface parking from the street. Additionally, Live Oaks trees shall be planted along Creek Bend Drive with at least one tree for every 35ft of street frontage.

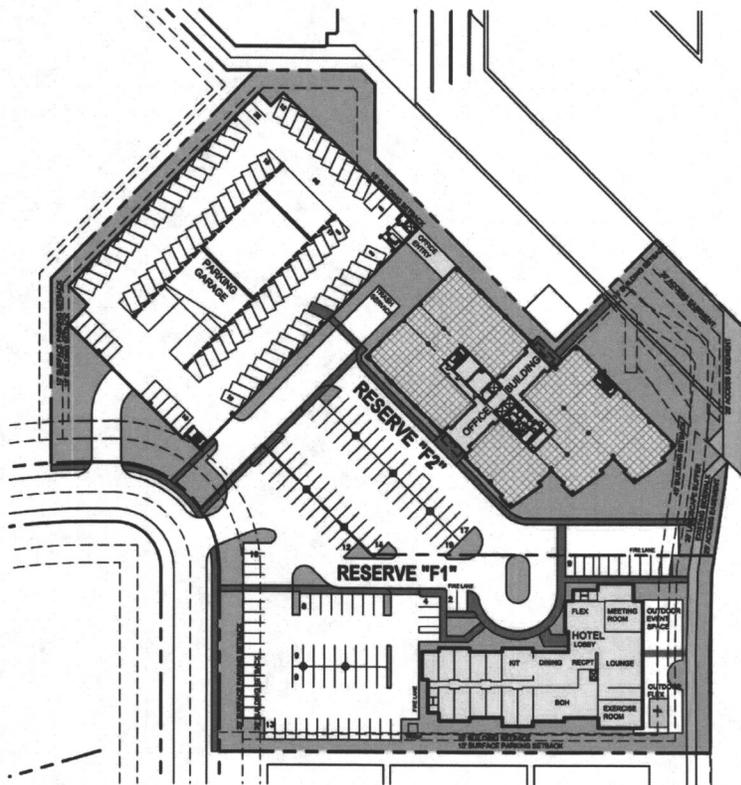
4. Shade trees shall have a minimum 4-inch caliper and minimum 10-foot height as measure at ground level when planted.

5. A list of approved plant materials is attached as Exhibit B3-C Approved Plant List.
 6. Sidewalks and Pedestrian walkways:
 - (a) A continuous sidewalk with a minimum 5-foot width shall be provided along Creek Bend Drive and pedestrian walkways will connect from this sidewalk to the building entries and to the existing Brooks Lake trail.
 - (b) Pedestrian walkways required in this section shall meet the following criteria:
 - (i) Minimum 5-foot width;
 - (ii) Readily visible and free of encroachment by parked vehicles;
 - (iii) Paved with concrete or other masonry products differentiated from the driveway and parking areas through the use of color, texture, or materials;
 - (iv) Predominantly shaded with shade trees at one per 30 linear feet of walkway or building canopies; and
 - (v) Lighted with pedestrian scaled fixtures.
 - (c) The Pedestrian Circulation Plans are attached as Exhibit B4-A Pedestrian Circulation Plan Alternate A and Exhibit B4-B Pedestrian Circulation Plan Alternate B.
- F. **Signage** - All signage will be in conformance with the Development Code, Chapter 4.
- G. **Building Regulations** – Buildings within the PD shall be developed in accordance with the following building regulations:
1. Buildings shall be designed in accordance with the following criteria:
 - (a) Break up the horizontal and vertical building planes through offsets, changes in building materials, colors and textures, or other methods; and
 - (b) Incorporate architectural details that create shade and cast shadows to provide visual relief.
 - (c) All buildings must have consistency of architecture and materials on all sides so as to present an attractive view from every perspective.
 2. Building finishes:
 - (a) Primary Finish means an Exterior Finish consisting of brick, stone (natural, cast, or cultured-textured), textured concrete panels, glass, and factory-finished architectural metal.

- (b) Secondary Finish means an exterior finish consisting of wood, ceramic tiles, concrete masonry units (indented, hammered, or split face concrete), stucco, and fiber cement siding.
 - (c) For buildings within the PD, Primary Finishes shall comprise at least 85% of each façade. The remaining portion of the Exterior Wall that is not required to be constructed of a Primary Finish must be constructed of a Secondary Finish.
 - (d) Miscellaneous trim, porta caches, canopies, sunshades and similar structures attached to the Buildings may be constructed of factory-finished architectural metals in keeping with the overall design of the Buildings.
 - (e) The Director may approve alternative Primary or Secondary Exterior Finishes not specified in this article if the Director determines that the alternative finish is substantially equal to or better than a specified Primary or Secondary Exterior Finish in quality, durability, and appearance and the use thereof will not violate any provision of this article.
3. Screening walls, wing walls, columns, and other similar building extensions and supports shall be of complementary architectural design, color, and materials as the building or structure to which they are attached.

H. Shared Parking – The following parking regulations apply to the PD:

For each of the permitted land uses, there shall be provided the number of the parking spaces required for that land use under section 2-215 of the Development Code. The required number of parking spaces for each land use may be provided by using surface parking or garage parking within the PD. In calculating the required number of parking spaces for each land use, the Director may give credit for shared parking utilizing the Share Parking criteria published by the Urban Land Institute. The Director shall determine and establish the parking requirements for each building in the PD as part of the building permit issued for each building, in accordance with the requirements of this section. The garage shall include pedestrian-oriented directional signage to guide visitors to the office and hotel, respectively.



Brooks Lake

LakePointe One Site Plan - Alternate "A"						
Area	Acres	Max SF	Max Stories/ Rooms	Max Ht- Ft	Max FAR	Parking
Hotel-F1	1.7866	71,068	5 / 130	68	0.91	82
Off-F2	3.5900	246,192	10	141.4	3.74	
Gar-F2		329,493	7	66	3.74	971
Surf-F2						50
Total	5.3766					1103
Project as shown						
Area	Acres	SF	Stories/ Rooms	HT-Ft	FAR	Parking
Hotel-F1	1.7866	71,068	5 / 134	58	0.91	82
Off-F2	3.5900	147,190	6	53	2.18	
Gar-F2		188,282	4	36	2.18	533
Surf-F2						50
Total	5.3766					665

Site Plan

Developed by
Planned Community Developers
Sugar Land, Texas

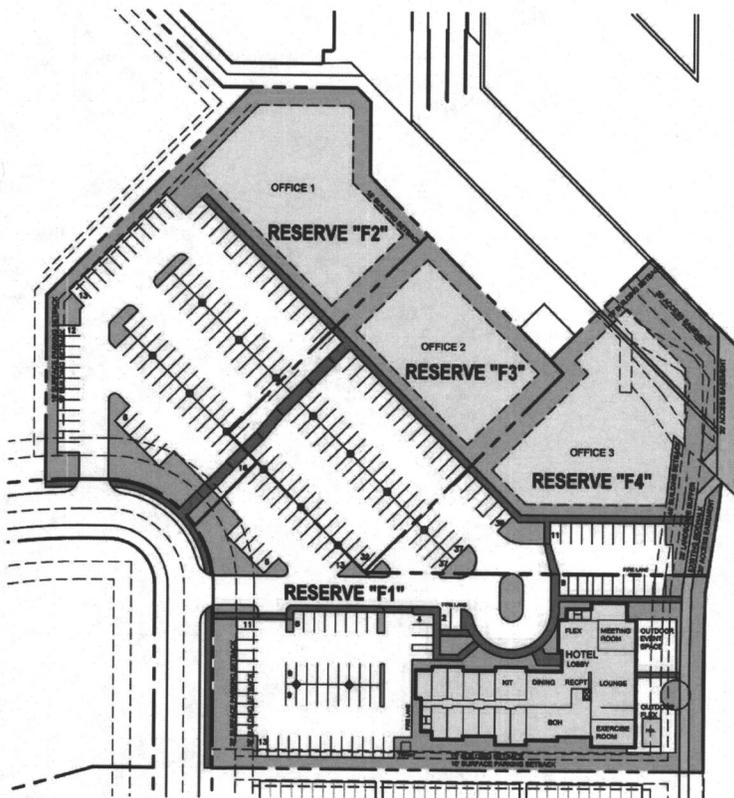
LakePointe One - Alternate A

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EXHIBIT B-1A Site Plan Alternate A

March 31, 2015

Scale: 1" = 80'



Brooks Lake

LakePointe One Site Plan - Alternate "B"						
Area	Acres	Max SF	Max Stories/ Rooms	Max Ht-Ft	Max FAR	Surface Parking
Hotel-F1	1.7885	71,088	5 / 134	68	0.91	83
OFF-F2	1.5879	48,000*	2	34	0.66	203
OFF-F3	0.9091	30,000*	3	49	0.78	
OFF-F4	1.0931	30,000*	3	49	0.63	
Total	5.3796					289

Note: Surface parking for all 3 office sites is shared parking
Cumulative NRA for offices 1-3 not to exceed 50,000 sf
Maximum SF for each site

Project as shown						
Area	Acres	SF	Stories/ Rooms	Ht-Ft	FAR	Surface Parking
Hotel-F1	1.7885	71,088	5 / 134	68	0.91	83
OFF-F2	1.5879	24,000	2	34	0.36	203
OFF-F3	0.9091	10,000	1	20	0.25	
OFF-F4	1.0931	10,000	1	20	0.21	
Total	5.3796					289

Note: Surface parking for all 3 office sites is shared parking
Cumulative NRA for offices 1-3 not to exceed 50,000 sf

Site Plan

Developed by
Planned Community Developers
Sugar Land, Texas

LakePointe One - Alternate B

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EXHIBIT B-1B Site Plan Alternate B

March 31, 2016

Scale: 1" = 80'

**EXHIBIT B-2
LAND USES
(Lake Pointe One)**

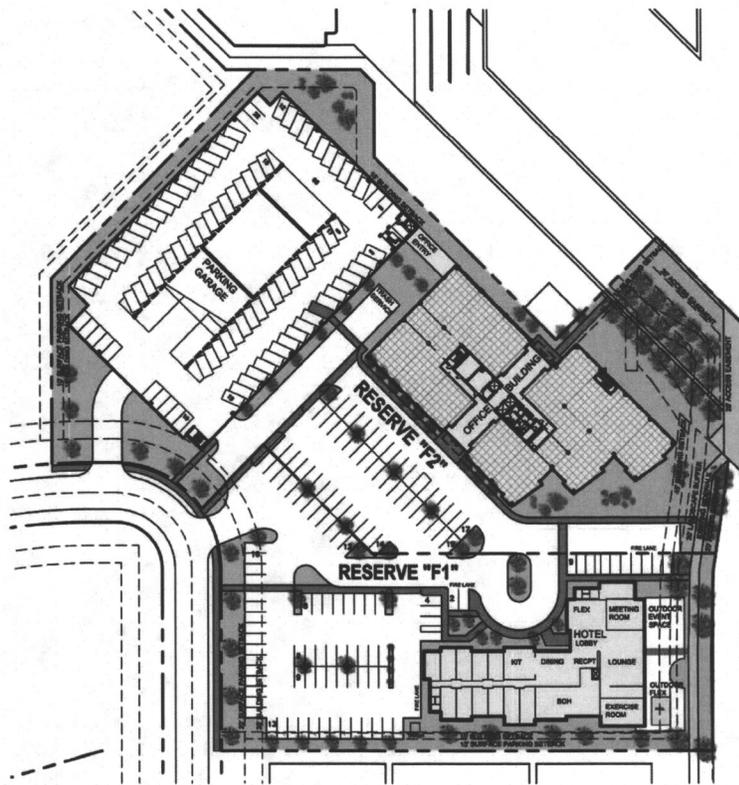
SIC No.	Notes	Permitted Location
60 Finance, Insurance, & Real Estate		Reserves F2, F3 and F4
70 Full Service Hotel Select Service Hotel	Select Service Hotel Custom Conditions Listed in #1 below	Reserve F1
7371-7379 Computer Programming, Processing, and Data Services		Reserves F2, F3 and F4
7521 Automobile Parking	Allows surface parking and parking garages.	Reserves F2, F3 and F4
80 Health Services	Except 8051-8069 (nursing homes, personal care, and hospitals)	Reserves F2, F3 and F4
8011 Legal Services		Reserves F2, F3 and F4
8412 Museums and Art Galleries		Reserves F2, F3 and F4
86 Membership Organizations		Reserves F2, F3 and F4
87 Engineering, Accounting, Research, Management, and Related		Reserves F2, F3 and F4
99 Corporate Professional Offices, Not Retail		Reserves F2, F3 and F4

Notes:

#1: Select Service Hotel Custom Conditions for PD

- Development Code requirements listed in Ch. 2, Article XIV
- A restaurant accessible through the interior off the hotel that offers made-to-order food and seating for at least 30 patrons during standard dining hours
- Conference, Flex Space and Lounge area accumulating to 3500 sq.ft. minimum
- Outdoor Activity Area of 2200 sq.ft. minimum
- Swimming Pool
- Fitness Center

EXHIBIT B-2 LAND USES



Brooks Lake

Sidewalk Legend
 Existing
 Proposed

General Landscape Plan

Developed by
 Planned Community Developers
 Sugar Land, Texas

LakePointe One - Alternate A

HOUSE+PARTNERS
 architecture and planning, llp

March 31, 2015

EXHIBIT B-3A General Landscape Alternate A

Scale: 1" = 80'

Approved Plant List

The following landscape materials and minimum sizes are approved for use in the development:

Shade Trees:

Botanical Name	Common Name
Quercus Virginiana	Live Oak
Quercus Nuttalli	Nuttall Oak
Ulmus Parvifolia	Drake Elm
Carya Illinoensis	Pecan
Taxodium Distichum	Bald Cypress
Taxodium Mucronatum	Montezuma Cypress
Platanus Mexicana	Mexican Sycamore
Ulmus Carrassifolia	Cedar Elms
Quercus Phellos	Willow Oak

Ornamental Trees:

Botanical Name	Common Name
Cupressus Sempervirens	Italian Cypress
Magnolia Grandiflora	Southern Magnolia
Betula Nigra	Riverbirch
Cercis Canadensis	Redbud
Ilex Opaca	Savannah Holly
Lagerstroemia Indica	Crepemyrtle
Pyrus Calleryana	Bradford Pear

Shrubs for Screening and Buffering:

Botanical Name	Common Name
Ligustrum Japonica	Waxleaf Ligustrum
Nerium Oleander	Oleander
Myrica Cerifera	Waxmyrtles

Shrubs for Mass Planting:

Botanical Name	Common Name
Raphiolepis Indica	Indian Hawthorn
Ilex Vomitoria 'Nana'	Dwarf Yaupon Holly
Ilex Cornuta	Dwarf Chinese Holly
Rhododendron Indica	Azaleas
Ilex Burfordii	Dwarf Burford Holly
Pittosporum Tobira	Green Pittosporum
Pittosporum Variegata	Variegated Pittosporum
Pittosporum Wheeleri	Dwarf Pittosporum
Lagerstroemia Indica	Dwarf Crepemyrtle
Nandina Domestica	Compact Nandina
Juniperus C. Parsonii	Parson Juniper
Juniperus C. Tamariscifolia	Tam Juniper
Juniperus C. Pfitzerana	Pfitzer Juniper

EXHIBIT B3-C Approved Plant List

Groundcover Plantings:

<u>Botanical Name</u>	<u>Common Name</u>
Trachelospermum Asiaticum	Asian Jasmine
Liriope Muscari	Big Blue Liriope
Ophiopogon Japonica	Monkey Grass
Buxus Macrophylla	Boxwood
Gelsemium Semperviren	Carolina Jessamine

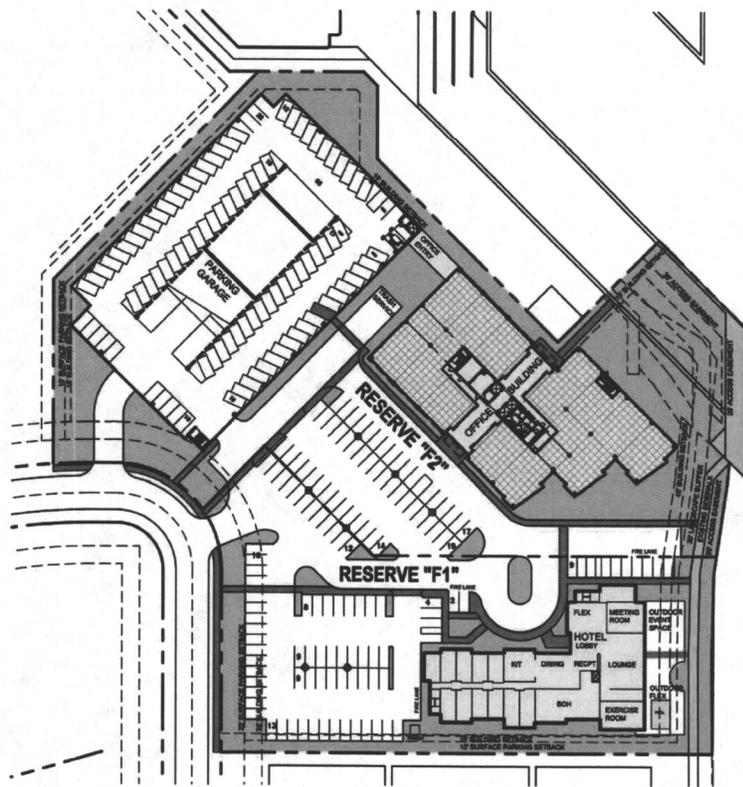
Grass:

Cynodon Dactylon	Common Bermuda	hydroseed or solid sod
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Seasonal Color:

Annuals and Perennials are especially recommended for enhancing the landscape of each tract. Seasonal color varieties and usage shall be approved by the PIC.

Summer (April to October):	Petunias	Verbena	Salvia
	Begonias	Daylilies	Iris
	Lantana	Impatiens	Mexican Heather
Winter (November to March):	Pansies	Dianthus	Cycloman



Brooks Lake

Sidewalk Legend
 Existing
 Proposed

Pedestrian Circulation Plan

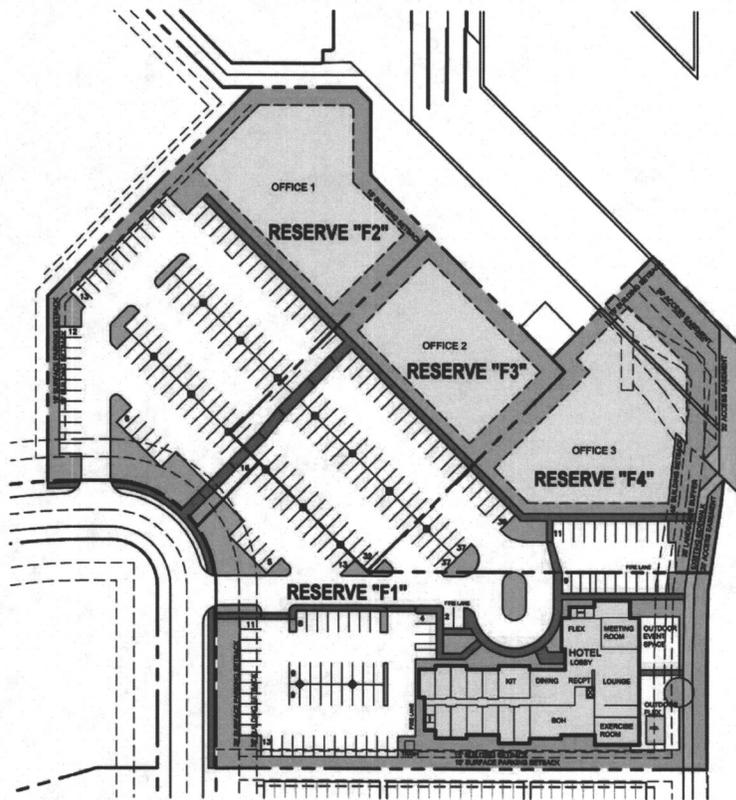
Developed by
 Planned Community Developers
 Sugar Land, Texas
 March 31, 2015

LakePointe One - Alternate A

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EXHIBIT B-4A Pedestrian and Circulation Plan Alternate A

Scale: 1" = 80'



Brooks Lake



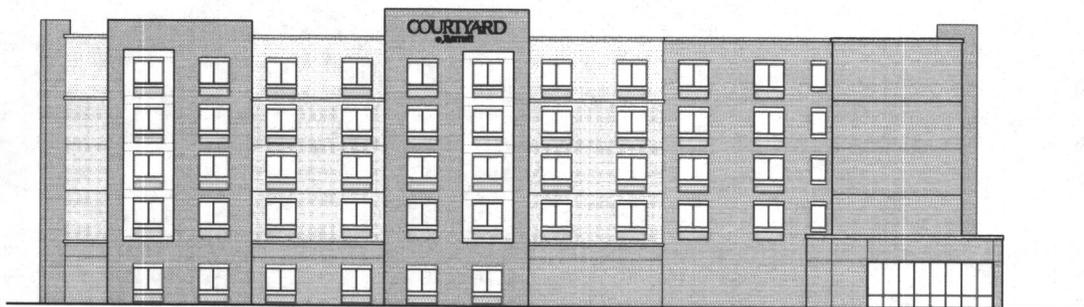
Developed by
Planned Community Developers
 Sugar Land, Texas
 March 31, 2015

HOUSE+PARTNERS
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EXHIBIT B-4B Pedestrian and Circulation Plan Alternate B

Scale: 1" = 80'

COURT YARD
MARSHALL



EXTERIOR MATERIAL INDEX	
SOUTH ELEVATION	
MATERIAL	(%)
BRICK (ACCENT)	
BRICK (FIELD)	64%
STONE	01%
GLASS	10%
ARCHITECTURAL METAL PANELS	10%
STUCCO (LIGHT)	05%
STUCCO (DARK)	10%

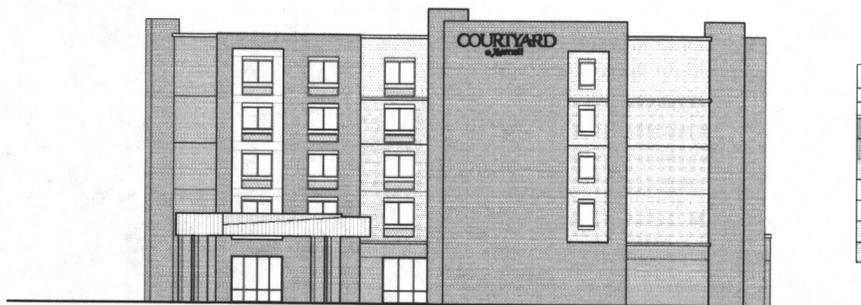
EXHIBIT B-5B Proposed Hotel Elevation - South



EXTERIOR MATERIAL INDEX	
EAST ELEVATION	
MATERIAL	(%)
BRICK (ACCENT)	
BRICK (FIELD)	68%
STONE	9%
GLASS	22%
ARCHITECTURAL METAL PANELS	9%
STUCCO (LIGHT)	6%
STUCCO (DARK)	6%

EXHIBIT B-5C Proposed Hotel Elevation - East

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WEST ELEVATION	
MATERIAL	(%)
BRICK (ACCENT)	
BRICK (FIELD)	55%
STONE	51%
GLASS	10%
ARCHITECTURAL METAL PANELS	8%
STUCCO (LIGHT)	5%
STUCCO (DARK)	10%

EXHIBIT B-5D Proposed Hotel Elevation - West





Administrative Amendment to a Planned Development District
Authorized Under Development Code, Chapter 2, Article II, Part 5, Section 2-135

PD Amendment Information:	
PD Name	Lake Pointe One Final Development Plan (5.37 Acres)
PD Ordinance Number	Ordinance No. 2017
Date of Ordinance Adoption:	August 4, 2015
Classification	Administrative Amendment No. 1
Purpose of Administrative Amendment	1. Add revised exhibits to replace B-1A and B-1B site plans that revise the center driveway location.
Initiated by:	Property Owner
Affected Ordinance Exhibits	Exhibits B-1A, B-3A, and B-4A
Planning Case No.	15 75000001 & 15 75000005

A handwritten signature in cursive script, appearing to read "Lisa Kocich-Meyer".

Lisa Kocich-Meyer, AICP
Director of Planning

February 19, 2016

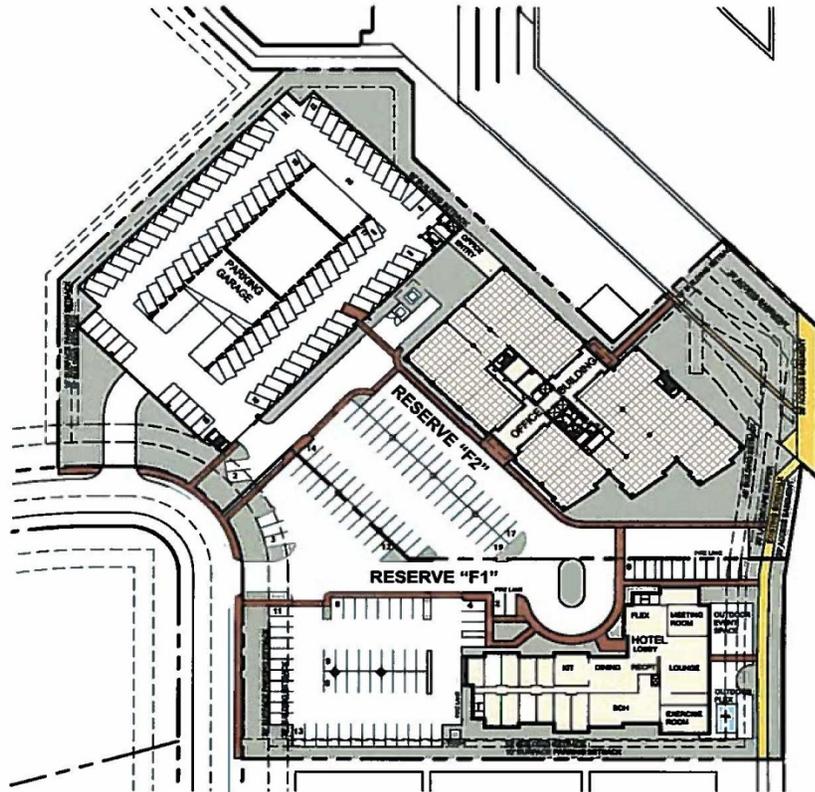
Attachments:

Revised Exhibits B-1A, B-3A, and B-4A

- *Exhibit B-1A Site Plan Alternate A
- *Exhibit B-3A General Landscape Plan Alternate A
- *Exhibit B-4A Pedestrian Circulation Plan Alternate A

File No. 21419
HTE 15 75000005

Exhibit B-1A (revised)
Site Plan Alternate A



Brooks Lake

LakePointe One Site Plan - Alternate "A"						
Area	Acres	Max SF	Max Stories/ Rooms	Max Ht- Ft	Max FAR	Parking
Hotel-F1	1.7868	71,068	5 / 139	69	0.91	82
Off-F2	3.5900	248,192	10	141.4	3.74	
Gar-F2		329,493	7	66	3.74	971
Surt-F2						50
Total	6.3768					1163
Project as shown						
Area	Acres	SF	Stories/ Rooms	Ht-Ft	FAR	Parking
Hotel-F1	1.7895	71,068	5 / 134	58	0.91	82
Off-F2	3.5900	147,190	6	83	2.16	
Gar-F2		160,262	4	36	2.16	533
Surt-F2						50
Total	6.3766					665

Site Plan

Developed by
Planned Community Developers
Sugar Land, Texas

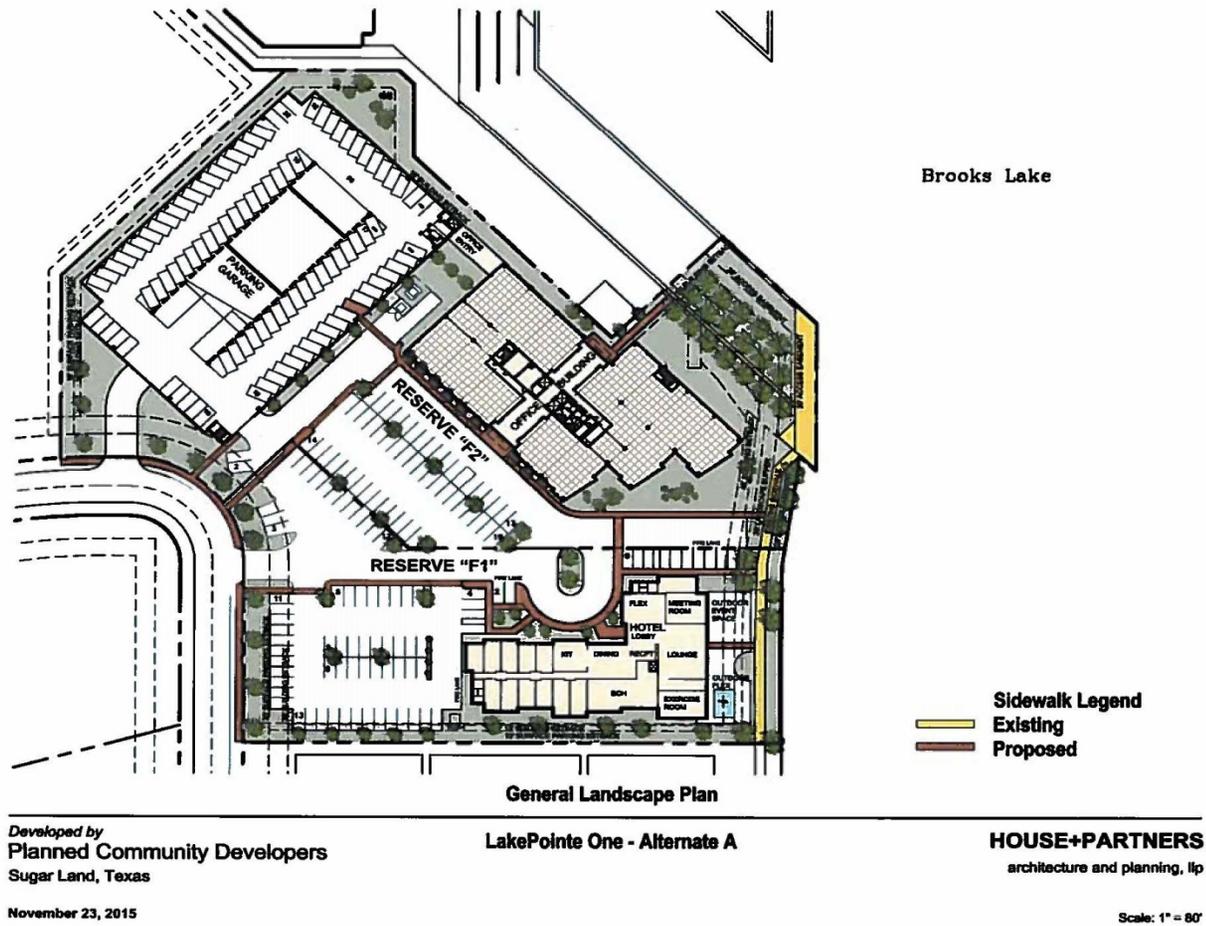
LakePointe One - Alternate A

HOUSE+PARTNERS
architecture and planning, llp

November 23, 2015

Scale: 1" = 80'

Exhibit B-3A (revised)
General Landscape Plan Alternate A





**Administrative Amendment to a Planned Development District
Authorized Under Development Code, Chapter 2, Article II, Part 5, Section 2-135**

PD Amendment Information:	
PD Name	Lake Pointe One Final Development Plan
PD Ordinance Number	Ordinance No. 2017
Date of Ordinance Adoption:	August 4, 2015
Classification	Administrative Amendment No. 2
Purpose of Administrative Amendment	1. Add revised elevation exhibits to more closely align with the elevations submitted with the Site Plan package.
Initiated by:	Property Owner
Affected Ordinance Exhibits	Exhibits B-5A, B-5B, B-5C and B-5D replaced with new Exhibits B-5A & B-5B
Planning Case No.	15-75000001 & 16-75000004

A handwritten signature in cursive script, appearing to read "Lisa Kocich-Meyer".

**Lisa Kocich-Meyer, AICP
Director of Planning**

July 6, 2016

Attachments:

Replace Exhibits B-5A, B-5B, B-5C and B-5D with new B-5A and B-5B

- * Exhibit B-5A: Hotel Elevation – West & North
- * Exhibit B-5B: Hotel Elevation – East & South

Exhibit B-5A (new)

