

ORDINANCE NO. 1717

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, PERMANENTLY ZONING APPROXIMATELY 4.858 ACRES OF LAND LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF UNIVERSITY BOULEVARD AND NEW TERRITORY BOULEVARD IN THE TELFAIR DEVELOPMENT AS PLANNED DEVELOPMENT ZONING DISTRICT (PD); AND APPROVING A FINAL DEVELOPMENT PLAN FOR THE DISTRICT.

WHEREAS, the City of Sugar Land has requested that 4.858 acres of land located at the southwest corner of the intersection of New Territory Boulevard and University Boulevard within the Telfair Development, as described in Exhibits A and B, be permanently zoned as Planned Development Zoning District (PD); and

WHEREAS, the City Council approved under Ordinance 1683 a general development plan for 7.799 acres which includes this 4.858 acres; and

WHEREAS, the City Council has held a public hearing on the proposed permanent zoning for which notice was given as required by law; and

WHEREAS, the applicant has submitted a final development plan for the PD which complies with the requirements of the zoning regulations; and

WHEREAS, the Planning and Zoning Commission recommends approval of the zoning change and the final development plan for the PD; and

WHEREAS, the City Council finds that the zoning change and the final development plan comply with the City's comprehensive plan; NOW, THEREFORE,

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

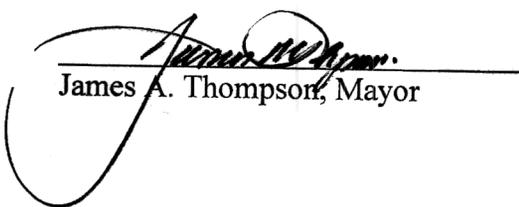
Section 1. That the 4.858 acres of land, described in Exhibits A and B, attached to and incorporated by reference into this ordinance, is permanently zoned as Planned Development Zoning District (PD).

Section 2. That the final development plan, attached as Exhibit C to and incorporated by reference into this ordinance, is approved for the PD.

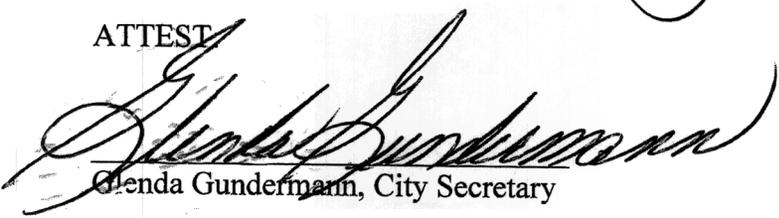
Section 3. That the City's official zoning map is amended to show the permanent zoning district classification.

APPROVED on first consideration on November 04, 2008.

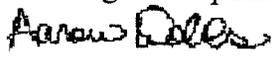
ADOPTED upon second consideration on November 18, 2008.


James A. Thompson, Mayor

ATTEST


Glenda Gundermann, City Secretary

Reviewed for Legal Compliance:



- Attachments: Exhibit A - Metes and Bounds Description of Approximately 4.195 Acres
Exhibit B - Metes and Bounds Description of Approximately 0.663 Acres
Exhibit C - Final Development Plan

Exhibit A

Legal Description of Tract One

DESCRIPTION OF
4.195 ACRES

RECEIVED

AUG 22 2008

PLANNING

Being 4.195 acres of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the residue of a called 1651.239 acre tract conveyed to NNP-Keepsake, L.P., by instrument of record under File No. 2003149525, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), said NNP-Keepsake, L.P. now known as NNP-Telfair LP, by instrument of record under File No. 2006007940, F.B.C.O.P.R., said 4.195 acres being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

BEGINNING at a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set marking the intersection of the southerly line of that certain 80-foot wide utility easement of record under File No. 2004131587, F.B.C.O.P.R. with the west right-of-way line of University Boulevard Phase One, a subdivision of record in Plat No. 20060062, Plat Records, of said Fort Bend County, also being an angle point on the northerly line of that certain called 86.591 acre tract conveyed to Fort Bend County Levee Improvement District No. 17, by instrument of record under File No. 2008014459, F.B.C.O.P.R.;

Thence, with the common line of said 80-foot wide easement and 86.591 acre tract, South 77° 21' 33" West, 183.66 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, leaving said common line, North 03° 56' 06" West, 347.61 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, South 88° 33' 47" West, 244.85 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, North 01° 04' 56" West, 293.60 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, North 88° 55' 04" East, 398.26 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, South 47° 31' 34" East, 21.77 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner on the aforementioned west right-of-way line of University Boulevard;

Thence, with said west right-of-way line the following three (3) courses:

- 1) South $03^{\circ} 58' 12''$ East, 49.13 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner, the beginning of a curve;
- 2) 17.00 feet along the arc of a tangent curve to the right, having a radius of 5670.00 feet, a central angle of $00^{\circ} 10' 18''$ and a chord which bears South $03^{\circ} 53' 03''$ East, 17.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;
- 3) South $03^{\circ} 47' 54''$ East, 522.01 feet to the POINT OF BEGINNING and containing 4.195 acres of land.

Exhibit B

Legal Description of Tract Two

DESCRIPTION OF
0.663 ACRE
(28,891 SQUARE FEET)

Being 0.663 acre (28,891 square feet) of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of the residue of a called 1651.239 acre tract conveyed to NNP-Keepsake, L.P., by instrument of record under File No. 2003149525, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), said NNP-Keepsake, L.P. now known as NNP-Telfair LP, by instrument of record under File No. 2006007940, F.B.C.O.P.R., said 0.663 acre (28,891 square feet) being more particularly described by metes and bounds as follows (all bearings referenced to the Texas State Plane Coordinate System, South Central Zone, NAD 83, 1993 adjustment);

COMMENCING for reference at a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set marking the intersection of the southerly line of that certain 80-foot wide utility easement of record under File No. 2004131587, F.B.C.O.P.R. with the west right-of-way line of University Boulevard Phase One, a subdivision of record in Plat No. 20060062, Plat Records, of said Fort Bend County, also being an angle point on the northerly line of that certain called 86.591 acre tract conveyed to Fort Bend County Levee Improvement District No. 17, by instrument of record under File No. 2008014459, F.B.C.O.P.R.;

Thence, with the common line of said 80-foot wide easement and 86.591 acre tract, South 77° 21' 33" West, 183.66 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set;

Thence, leaving said common line, North 03° 56' 06" West, 347.61 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set;

Thence, South 88° 33' 47" West, 244.85 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set;

Thence, North 01° 04' 56" West, 27.67 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner and the POINT OF BEGINNING;

Thence, South 89° 04' 46" West, 109.42 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, North 01° 04' 56" West, 17.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, North 46° 04' 56" West, 1.41 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, South $88^{\circ} 55' 04''$ West, 10.07 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, North $01^{\circ} 05' 17''$ West, 209.00 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, North $88^{\circ} 55' 04''$ East, 75.01 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, North $43^{\circ} 55' 03''$ East, 1.41 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, North $01^{\circ} 04' 56''$ West, 37.62 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, North $88^{\circ} 55' 04''$ East, 44.50 feet to a 5/8-inch iron rod with plastic cap stamped "LJA ENG" set for corner;

Thence, South $01^{\circ} 04' 56''$ East, 265.93 feet to the POINT OF BEGINNING and containing 0.663 acre (28,891 square feet) of land.

EXHIBIT C
FINAL DEVELOPMENT PLAN
(Telfair Central—Museum Site)

A. Contents. This final development plan contains the following parts:

- A. Contents
- B. General Provisions
- C. Land Uses
- D. Development Regulations
- E. Landscape & Pedestrian Circulation Regulations
- F. Additional Regulations
- G. Site Layout Plan

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-2 (General Business) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the B-2 zoning district in effect on the effective date of this ordinance apply to this PD as though written herein, except to the extent the City regulation or provision conflicts with a provision of this ordinance.
2. Except as otherwise provided herein, the words used in this final development plan have the meaning established by the Development Code. In this ordinance:

Museum means Houston Museum of Natural Science at Sugar Land

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

PD means the planned development district created by this ordinance.

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

C. Land Uses.

Permitted land uses are as listed below. All other land uses are prohibited in these parcels.

| <u>USES</u> | <u>SIC CODE</u> |
|---|-----------------|
| Eating Places (accessory to cultural, historical, or museum purposes) | 5812 |
| Museums, Art Galleries, and Botanical and Zoological Gardens | 84 |
| Parks Facilities (landscape and open space) | 99 |

D. Development Regulations.

1. Maximum height of structures: Existing facilities (Central Farm Building) may be no greater than 50 feet.
2. Minimum yards:
 - (a) Abutting University Boulevard: 40 feet
 - (b) Abutting Access Easement: 10 feet
 - (c) All Other: 0 feet
3. Minimum Parking Lot Setbacks:
 - (a) University Boulevard lot lines: 40 feet
 - (b) Access Easement lot lines: 10 feet
 - (c) All other: 0 feet
4. Paving:
 - (a) All parking lots, driveways, and vehicle use areas outside of individual building parcels must be constructed of concrete.
 - (b) All driveways and streets within individual building parcels may be paved with a concrete surface or interlocking pavers.

E. Landscape & Pedestrian Circulation Regulations.

1. Minimum landscape buffers, continuous along:
 - (a) University Boulevard: 40 feet
 - (b) Access Easement: 10 feet
 - (c) All other: 0 feet
2. Minimum Open Space: 15%.
3. Plantings utilized within the PD shall be chosen from the following list:
 - (a) Trees: Live Oak, Italian Cypress, Crepe Myrtle, Wax Myrtle
 - (b) Shrubs/Groundcover: Louisiana Iris, Knock Out Rose, Butterfly Iris, Formosa Azalea, Liriope, Daylily
 - (c) Lawn: Common Bermuda
4. Mechanical equipment and loading dock (labeled as “New Construction” on site plan) shall be screened from view of any public street or access easement with a 6-foot screening wall. Screening may consist of green screen wall, masonry wall, or screening shrubs.
5. Sidewalks:
 - (a) Continuous sidewalks are required along all roadways, including access easements.

F. Additional Regulations.

1. Outside display of merchandise is not permitted.
2. Any existing structures located within a landscape easement area must remain as is.

G. Site Layout Plan

The PD shall be developed in accordance with the attached Site Layout Plan.

