

**ORDINANCE NO. 2197**

**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 0.7906 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF LAKE POINTE PARKWAY AND CREEK BEND DRIVE.**

WHEREAS, the current property owner has requested that approximately 0.7906 acres of land located within the City of Sugar Land (the "City"), at the Southeast corner of Lake Pointe Parkway and Creek Bend Drive, be rezoned from Business Office (B-O) District 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 Planning and Zoning Commission recommended granting such requested zoning change and the same is herein incorporated and made a part of this ordinance; 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 0.7906 acres of land located at the southeast corner of Lake Pointe Parkway and Creek Bend Drive, described in Exhibit A attached hereto and incorporated herein 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.

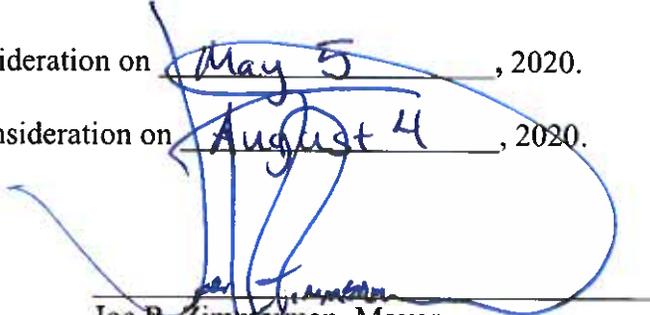
**Section 3.** That the City's official zoning map be amended to reflect this change in zoning district classification.

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

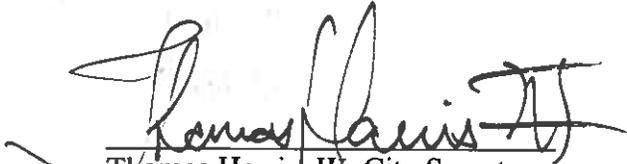
- Exhibit A: Legal Description
- Exhibit B: Final Development Plan
- Exhibit B-1: Site Plan
- Exhibit B-2: Townhome Lot Configuration
- Exhibit B-3: Allowable Non-Residential Land Uses in Live/Work Townhomes
- Exhibit B-4: Elevations
- Exhibit B-5: Landscape/Open Space/Pedestrian Plan
- Exhibit B-6: Shared Common Area Plan
- Exhibit B-7: Plant List

READ IN FULL on first consideration on May 5, 2020.

APPROVED upon second consideration on August 4, 2020.

  
\_\_\_\_\_  
Joe R. Zimmerman, Mayor

ATTEST:

  
\_\_\_\_\_  
Thomas Harris, III, City Secretary

APPROVED AS TO FORM:



- Attachments:
- Exhibit A: Legal Description
  - Exhibit B: Final Development Plan
  - Exhibit B-1: Site Plan
  - Exhibit B-2: Townhome Lot Configuration
  - Exhibit B-3: Allowable Non-Residential Land Uses in Live/Work Townhomes
  - Exhibit B-4: Elevations
  - Exhibit B-5: Landscape/Open Space/Pedestrian Plan
  - Exhibit B-6: Shared Common Area Plan
  - Exhibit B-7: Plant List

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE LAND**

Legal Description of the Land being rezoned from Business Office Development (B-O) to Planned Development District:

That certain tract or parcel of land containing 0.7906 acre of land, more or less, located in the Brown and Belknap Survey, Abstract No. A-15, and being the entirety of Unrestricted Reserve "J 3A" out of LAKE POINTE TOWN CENTER OFFICES UNRESTRICTED RESERVES "J-3A", "J-3B", AND "J-3C" REPLAT, a subdivision situated in Fort Bend County, Texas, according to the map or plat thereof recorded under Plat Number 20060234 of the Plat Records of Fort Bend County, Texas.

[PLAT ON FOLLOWING PAGE]



## EXHIBIT B

### FINAL DEVELOPMENT PLAN FOR CREEK BEND LIVE/WORK TOWNHOMES

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

- General Provisions, Definitions, and Exhibits
- Land Uses
- Development Regulations for Townhome Lots
- Shared Common Driveway
- Parking Regulations
- Landscape Regulations
- Pedestrian Circulation Regulations
- Live/Work Townhomes Sign Regulations

B. **General Provisions, Definitions, and Exhibits.**

1. **General Provisions.** In accordance with Section 2-133, the PD must be constructed, developed, and maintained in accordance with this final development plan.
2. **Definitions.** Except as otherwise provided for in this final development plan, the words used in this plan have the meaning established by the Development Code. In this final development plan:

*Development Code* means the Sugar Land Development Code, as amended.

*Live/Work Townhome* means a Townhome in which up to 550 square feet of only the ground floor is devoted to a non-residential use as permitted by this ordinance.

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

*PD* means the planned development district created by this ordinance.

*Townhome* means a single-family attached dwelling.

*Shared/Common Driveway* means a privately-owned and maintained vehicular accessway that provides access from a public street to townhome lots.

3. **Exhibits.** The following exhibits are attached to and are a part of the final development plan for the PD.

- Exhibit B-1: Site Plan
- Exhibit B-2: Townhome Lot Configuration
- Exhibit B-3: Permitted Land Uses
- Exhibit B-4: Elevations
- Exhibit B-5: Landscape, Open Space & Pedestrian Plan
- Exhibit B-6: Shared Common Area Plan
- Exhibit B-7: Plant List

4. As shown on Exhibit B-1 (Site Plan), the PD encompasses 0.7906 acre at the southeast corner of Lake Pointe Parkway and Creek Bend Drive.

C. **Land Uses.** The permitted land uses are listed on Exhibit B-3 (Permitted Land Uses) attached hereto.

D. **Development Regulations for Townhome Lots.** As shown on Exhibit B-2 (Townhome Lot Configuration), townhome sites within the PD shall be developed in accordance with the following regulations:

1. **Land Use:** Live/Work Townhomes
2. **Building finishes:** Siding, masonry, stucco, metal roof, metal/glass railing, aluminum windows
3. **Maximum number of lots:** 9
4. **Minimum lot area:** 2,842 sf
5. **Minimum lot width:** 28'
6. **Minimum lot depth:** 101.5'
7. **Maximum lot coverage:**

Building footprint	1,115 sf
Sidewalk/courtyard	440 sf
Rear private drive	<u>590 sf</u>
Total Coverage (75.5%)	2,145 sf
8. **Maximum height of structures:** 50'

9. **Minimum building setbacks:**
- (a) **Front setback:** 25'
  - (b) **Side setback:** 0'/6' – Zero foot (0') on one side with six feet (6') on adjacent side
  - (c) **Street side setback:** Lot 1 – 15'  
Lot 9 – 40'
  - (d) **Rear setback:** 18' from the cantilever on the 2<sup>nd</sup> floor
  - (e) **Garage setback:** 21'
10. **Parking Layout:** Two (2) private garage parking spaces provided per unit. Residents will have an option to add vehicle lifts within the garage to accommodate up to four (4) vehicles within the garage. Six (6) additional on-site visitor/guest parking spaces will be provided behind the gates. Pedestrian access to these spaces shall be provided by a gate leading into the rear courtyard for each townhome. Two (2) additional on-street parallel parking spaces will be added to the existing seven (7) on-street spaces on Lake Pointe Parkway. Additionally, three (3) additional parallel parking spaces will be added to the exit side of the private access drive at the south side shown as Reserve A on Exhibit B-1 (Site Plan).

E. **Shared Common Driveway.**

The minimum pavement width of the shared common driveway must be eighteen feet (18') and shall be concrete.

F. **Parking Regulations.**

1. Parking spaces must be provided for Townhomes as required by Chapter 2, Article II, Section 2-71 of the Development Code, which is the primary use.
2. Live/Work Townhomes must comply with the parking requirements applicable to the primary use of Townhomes as stated in item 1 above and also provide one (1) space for each 550 square feet of non-residential use. Two (2) additional on-street parking spaces will be constructed as shown on Exhibit B-1 (Site Plan) and those two (2) spaces will be credited toward the Live/Work Townhome parking requirements. No additional on-street parking on Lake Pointe Parkway will be credited toward meeting the parking requirements.
3. The Townhomes shall be deed restricted to two (2) vehicles (or four [4] vehicles with the addition of a vehicle lift in the garage] per unit that must be parked in the garage. All exterior surface parking (including street parking) shall be used for short-term guest or employee parking, and residents will be prohibited from parking in any of the exterior surface spaces.

G. **Landscape Regulations.** As shown on Exhibit B-5 (Landscape, Open Space & Pedestrian Plan), the PD shall be developed in accordance with the following landscape regulations:

1. **Landscape Buffers:**

- (a) A ten foot (10')-wide minimum buffer, contiguous to the lot line, shall be provided along the side of the public street adjacent to the townhome lots.
- (b) Ten foot (10')-wide minimum buffers, contiguous to lot lines, shall be provided along Lake Pointe Parkway and Creek Bend Drive.
- (c) Required buffers may include the pedestrian walkway, steps, and landing connecting the public street sidewalk to the front door of a townhome.

2. **Open Space:**

Required minimum open space of twenty percent (20%) has been provided along Lake Pointe Parkway and Creek Bend Drive.

3. **Shade trees:**

- (a) Trees required per Section 2-384 (Residential Front Yard Landscaping Requirements) of the Development Code may be located within public street right-of-way, landscape buffers, or the front or side yard of any lot provided that one (1) tree is within fifty feet (50') of every lot. If located in a side yard, the tree shall be less than thirty feet (30') from a public street right-of-way.
- (b) Approximate distribution and location of shade trees within Reserve A and Reserve B is shown on Exhibit B-5 (Landscape, Open Space & Pedestrian Plan).
- (c) Shade trees shall have a minimum four inch (4") caliper and minimum ten foot (10') height as measured at ground level when planted.
- (d) Required shade trees shall have a minimum spacing of twenty feet (20').

4. **Plant list:**

Plant species used to satisfy the requirements of the PD are listed on Exhibit B-7 (Plant List).

H. **Pedestrian Circulation Regulations.** As shown on Exhibit B-5 (Landscape, Open Space & Pedestrian Plan), the PD shall be developed in accordance with the following pedestrian circulation regulations:

1. A six-foot (6') pedestrian sidewalk towards Creek Bend Drive and a six-foot (6') pedestrian sidewalk on the south side of Creek Bend Drive.
2. All sidewalks required herein shall be paved with concrete.
3. Lighting used to illuminate sidewalks shall be arranged, located, or screened to direct light away from residential lots.

I. **Live/Work Townhome Sign Regulations.** The following sign regulations shall apply to the PD:

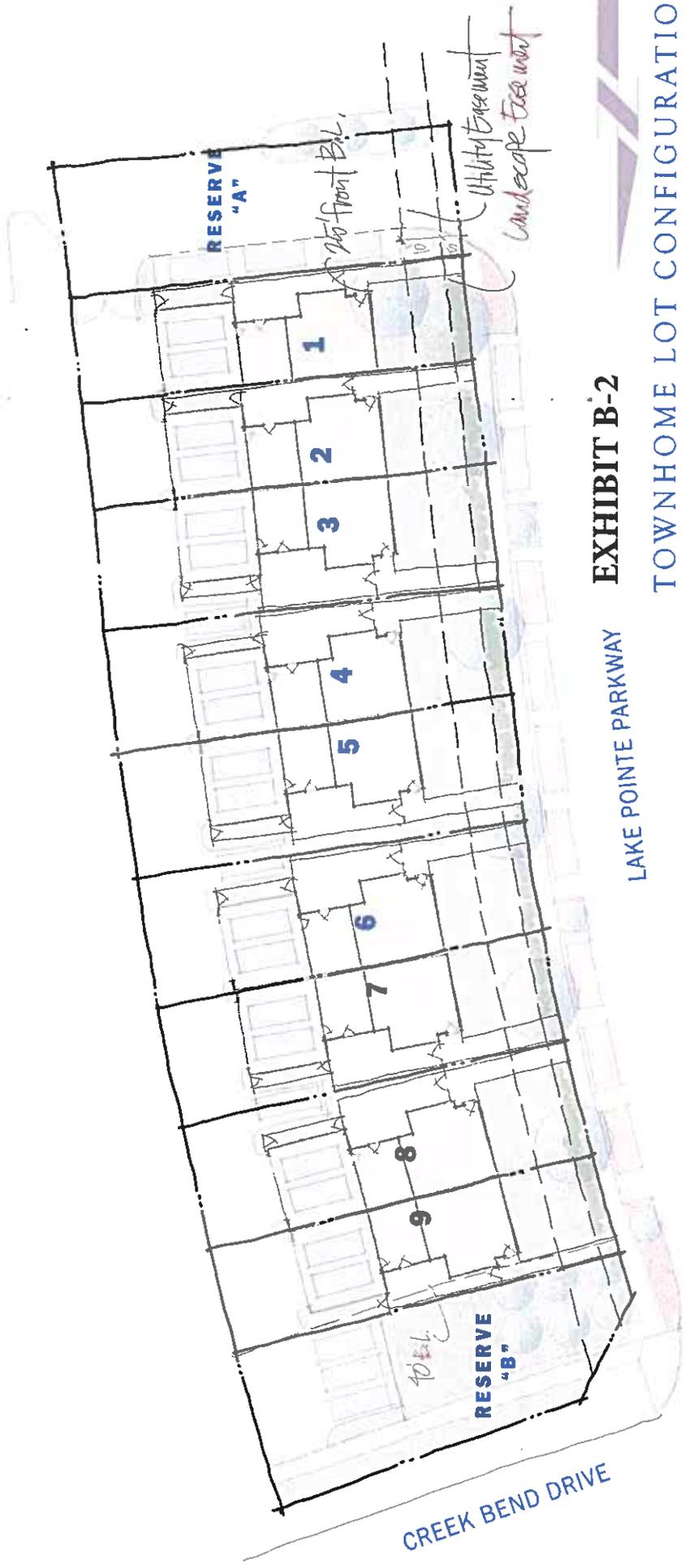
1. Freestanding signs are prohibited.
2. Wall signs must not:
  - (a) Exceed three square feet (3') or have a dimension exceeding thirty-six inches (36");
  - (b) Have internal or exterior lighting; or
  - (c) Be constructed of any material other than wood or metal.
3. Signs advertising the non-residential use must not be located in or affixed to any glass of a window or door of the non-residential use so as to be visible from any public street.



EXHIBIT B-1 SITE PLAN

# L A K E P O I N T E - C R E E K B E N D L I V E / W O R K T O W N H O M E S O W A I S D E V E L O P M E N T

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**EXHIBIT B-2**

LAKE POINTE PARKWAY

TOWNHOME LOT CONFIGURATION

L A K E P O I N T E - C R E E K B E N D  
 L I V E / W O R K T O W N H O M E S  
 O W A I S D E V E L O P M E N T

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## **EXHIBIT B-3**

### **ALLOWABLE NON-RESIDENTIAL LAND USES IN LIVE/WORK TOWNHOMES FOR CREEK BEND LIVE/WORK TOWNHOMES**

Limited to Professional Office

Up to 550 square feet of only the ground floor may be devoted to a non-residential use as listed above. The premises of the Live/Work Townhome must be used as the primary residence of the property owner, which shall also be the same as the non-residential use owner/operator. The total number of live/work townhomes shall not exceed nine (9). All garages must remain the primary parking for the property owner and may not be utilized in the square footage of a non-residential use on the ground floor. In addition, if a property owner decides to operate a non-residential use as listed above in this exhibit, the business may not rely on more than one (1) employee located at the property and shall conduct business by appointment only.

EXTERIOR ELEVATIONS



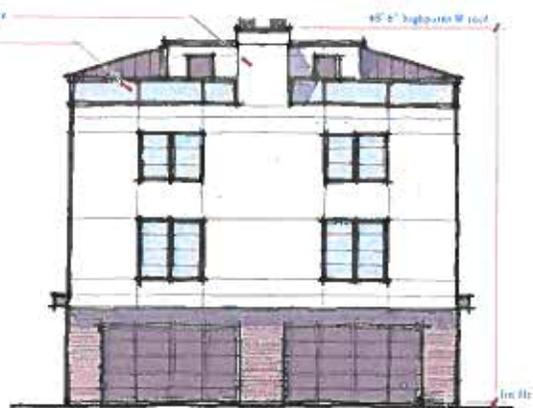
RIGHT ELEVATION



LEFT ELEVATION



FRONT ELEVATION



REAR ELEVATION

EXTERIOR ELEVATIONS

LAKE POINTE - CREEK BEND  
LIVE/WORK TOWNHOMES

OWAIS DEVELOPMENT

- LEGEND**
-  PUBLIC PEDESTRIAN ACCESS
  -  PRIVATE PEDESTRIAN ACCESS
  -  EXISTING LANDSCAPING
  -  NEW LANDSCAPING
  -  PRIVATE PARKING ACCESS



**EXHIBIT B-5**

LAKE POINTE PARKWAY

LANDSCAPE / OPEN SPACE / PEDESTRIAN PLAN

LAKE POINTE - CREEK BEND  
LIVE / WORK TOWNHOMES  
OWAIS DEVELOPMENT

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LAKE POINTE PARKWAY

EXHIBIT B-6

SHARED COMMON AREA PLAN

L A K E P O I N T E - C R E E K B E N D  
 L I V E / W O R K T O W N H O M E S  
 O W A I S D E V E L O P M E N T

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# EXHIBIT B-7

## PLANT LIST

DATE: November 18, 2019

PROJECT: Lake Pointe-Creek Bend Live/Work Townhomes

1. Existing Shade Trees

Live Oak on Lake Pointe Drive

2. Ornamental Trees

Magnolia, Redbud, Crepe Myrtle

3. Shrubs

Ligustrum, Photinia, Azalea, Pittosporum, Indian Hawthorne

4. Groundcovers, Border Plants, Vines

Asian Jasmine Liriope, Confederate Jasmine, Boxwood, Carolina Jasmine