

ORDINANCE NO. 2281

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM IMPERIAL GENERAL DEVELOPMENT PLAN (GDP) TO IMPERIAL BALLPARK DISTRICT, TRACT B, BAXI RETAIL PLAZA FINAL DEVELOPMENT PLAN (FDP) FOR APPROXIMATELY 2.586 ACRES OF LAND LOCATED ALONG SOUTH STADIUM DRIVE ADJACENT TO THE IMPERIAL BALLPARK LOFTS, BETWEEN IMPERIAL BOULEVARD AND OYSTER CREEK.

WHEREAS, UTSAV Baxi requested that approximately 2.586 acres of land located along South Stadium Drive adjacent to the Imperial Ballpark Lofts, between Imperial Boulevard and Oyster Creek, be rezoned from Imperial General Development Plan (GDP) to Imperial Ballpark District, Tract B, Baxi Retail Plaza Final Development Plan (FDP); 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

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 2.586 acres of land as described in Exhibit A, attached to and incorporated into this ordinance by referenced, is changed from Imperial General Development Plan (GDP) to Imperial Ballpark District, Tract B, Baxi Retail Plaza Final Development Plan (FDP) zoning classification under the comprehensive zoning ordinance of the City of Sugar Land, Texas.

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

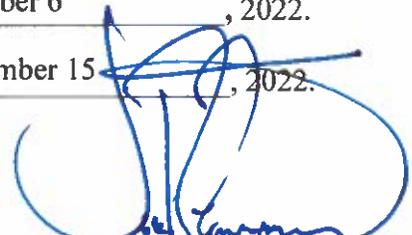
Section 4. That the following Exhibits are attached to and incorporated into this ordinance:

Exhibit A:	Legal Description and Survey
Exhibit B:	Final Development Plan

- Exhibit B-1: Location Map
- Exhibit B-2: Site Layout Plan
- Exhibit B-3: Permitted Uses
- Exhibit B-4: Landscape Plan
- Exhibit B-5: Plant List
- Exhibit B-6: Pedestrian and Bicycle Access
- Exhibit B-7: Exterior Elevations for Building 1
- Exhibit B-8: Exterior Elevations for Buildings 2 and 3

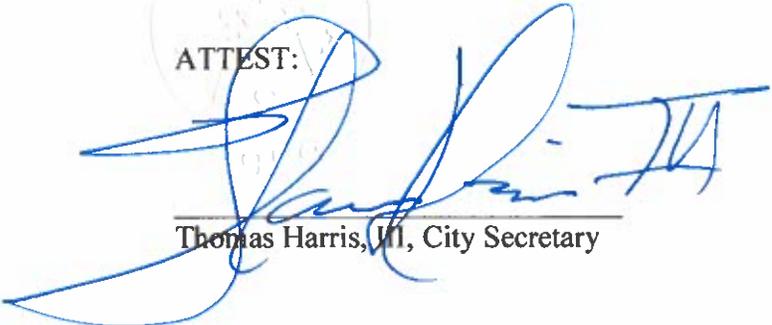
READ IN FULL on first consideration on September 6, 2022.

APPROVED upon second consideration on November 15, 2022.



Joe R. Zimmerman, Mayor

ATTEST:



Thomas Harris, III, City Secretary

APPROVED AS TO FORM:



- Attachments:
- Exhibit A: Legal Description and Survey
 - Exhibit B: Final Development Plan
 - Exhibit B-1: Location Map
 - Exhibit B-2: Site Layout Plan
 - Exhibit B-3: Permitted Uses
 - Exhibit B-4: Landscape Plan
 - Exhibit B-5: Plant List
 - Exhibit B-6: Pedestrian and Bicycle Access
 - Exhibit B-7: Exterior Elevations for Building 1
 - Exhibit B-8: Exterior Elevations for Buildings 2 and 3

County: Fort Bend
Project: Imperial BP-2B
Job No.: 213701
MB No.: 20-021

FIELD NOTES FOR 2.586 ACRES

Being a tract containing 2.586 acres of land located in the Alexander Hodge League, Abstract Number 32 in Fort Bend County, Texas; Said 2.586 acre tract being portions of a call 497.696 acre tract of land recorded in the name of Cherokee Sugar Land L.P. in Fort Bend County Clerk's File (F.B.C.C.F.) Numbers 2007088840 and 2011006653 and The State of Texas for the use and benefit of the Permanent School Fund in F.B.C.C.F. Numbers 2003023371 and 2008070584 and a call 60.770 acre tract of land recorded in the name of Cherokee Sugar Land, L.P. in F.B.C.C.F. Number 2007084091 and The State of Texas for the use and benefit of the Permanent School Fund in F.B.C.C.F. Numbers 2007088839 and 2011006652. Same being a portion of Tract 3A, Part 2, State of Texas Department of Transportation Partition Plat recorded in Slide Numbers 1832B, 1833A and 1833B of the Fort Bend County Plat Records (F.B.C.P.R.); said 2.586 acre tract being more particularly described by metes and bounds as follows (coordinates and bearings are based on the Texas Coordinate System, NAD '83, South Central Zone):

Beginning (X=3034363.50, Y=13789657.86) at an "X" cut in concrete found at the northwesterly corner of Reserve "A", Imperial Ballpark Lofts, a subdivision recorded in Plat Number 20130174 of the F.B.C.P.R. and on the easterly Right-of-Way (R.O.W.) line of Stadium Drive (80 feet wide);

Thence, with said easterly R.O.W. line, 264.09 feet along the arc of a curve to the left, said curve having a central angle of 17 degrees 00 minutes 05 seconds, a radius of 890.00 feet and a chord which bears North 30 degrees 36 minutes 24 seconds East, a distance of 263.12 feet to a 5/8-inch capped iron rod found (X=3034497.44, Y=13789884.30) at the most westerly corner of a call 4.186 acre tract of land recorded in the name of Imperial Redevelopment District in F.B.C.C.F. Numbers 2017090007 and 2017090013;

Thence, with the southerly line of said 4.186 acre tract, the following two (2) courses:

- 1) South 65 degrees 57 minutes 45 seconds East, a distance of 320.99 feet to a 5/8-inch capped iron rod found;
- 2) North 78 degrees 20 minutes 34 seconds East, a distance of 70.64 feet to an "X" cut in concrete found on the westerly R.O.W. line of Silent Manor, as recorded in Plat Number 20130152 of the F.B.C.P.R.;

Thence, with said R.O.W. line, 74.36 feet along the arc of a curve to the left, said curve having a central angle of 71 degrees 00 minutes 31 seconds, a radius of 60.00 feet and a chord which bears South 10 degrees 31 minutes 00 seconds East, a distance of 69.69 feet to a 5/8-inch iron rod found (X=3034872.45, Y=13789699.33) at the northerly corner of Reserve "D", Retreat at Imperial, a subdivision recorded in Plat Number 20180098 of the F.B.C.P.R.;

Thence, with the westerly line of said Reserve "D", the following two (2) courses:

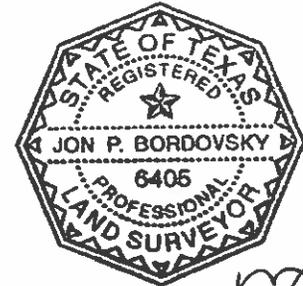
- 1) 69.56 feet along the arc of a curve to the left, said curve having a central angle of 45 degrees 02 minutes 13 seconds, a radius of 88.50 feet and a chord which bears South 23 degrees 06 minutes 43 seconds West, a distance of 67.79 feet to a 5/8-inch capped iron rod found;
- 2) South 00 degrees 35 minutes 36 second West, a distance of 94.96 feet to a 5/8-inch capped iron rod found (X=3034844.86, Y=13789542.05) at the northerly line of aforesaid Reserve "A", Imperial Ballpark Lofts;

Thence, with said northerly line, the following four (4) courses:

- 1) North 89 degrees 24 minutes 24 seconds West, a distance of 44.62 feet to a 5/8-inch capped iron rod found;
- 2) South 00 degrees 47 minutes 39 seconds West, a distance of 30.00 feet to a capped 5/8-inch iron rod found;
- 3) North 89 degrees 24 minutes 24 seconds West, a distance of 113.67 feet to a 5/8-inch capped iron rod found;
- 4) North 65 degrees 55 minutes 23 seconds West, a distance of 353.47 feet to the **Point of Beginning** and containing 2.586 acres of land.

THIS DESCRIPTION WAS PREPARED IN CONNECTION WITH A PLAT OR SURVEY FILED UNDER GBI PARTNERS' JOB NUMBER 213701.

GBI PARTNERS
TBPELS FIRM #10130300
281.499.4539
February 1, 2021



JMB
2/1/2021

EXHIBIT B
FINAL DEVELOPMENT PLAN
Imperial Ballpark District, Tract B, Baxi Retail Plaza

A. Contents – This Final Development Plan includes the following sections:

- General Provisions
- Reserves and Land Use
- Development Regulations
- Landscape Requirements
- Pedestrian and Bicycle Access
- Building Regulations
- Monument Signs
- Exterior Equipment and Service Areas

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.
2. If any provision or regulation of any City ordinance applicable in the B-2 (General Business) zoning district is not contained in this ordinance, all 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.
3. The PD shall be developed in accordance with the following exhibits that are attached to and made part of this Final Development Plan:

Exhibit A:	<i>Legal Description and Survey</i>
Exhibit B:	<i>Final Development Plan</i>
Exhibit B-1:	<i>Location Map</i>
Exhibit B-2:	<i>Site Layout Plan</i>
Exhibit B-3:	<i>Permitted Uses</i>
Exhibit B-4:	<i>Landscape Plan</i>
Exhibit B-5:	<i>Plant List</i>
Exhibit B-6:	<i>Pedestrian and Bicycle Access</i>
Exhibit B-7:	<i>Exterior Elevations for Building 1</i>
Exhibit B-8:	<i>Exterior Elevations for Buildings 2 and 3</i>

4. Except as otherwise provided herein, the words used in this Final Development Plan have the meaning established by the Development Code. In this ordinance:

Arcade means an outdoor covered passageway with a minimum 6-foot width that is intended for pedestrians and lined with retail establishments, restaurants, and offices.

Ballpark District means the Ballpark District as shown on the General Development Plan for Imperial.

Director means the person designated or assigned by the City Manager to administer the zoning regulations or any other provisions of the Code. Director includes any person authorized to perform the duties of the Director.

5. Paving:
 - (a) All parking lots and vehicle use areas must be constructed of concrete.
 - (b) Driveways may be constructed of concrete, or paved with interlocking, multicolored pavers supported by a 6-inch reinforced concrete tray and a sub-grade per City design standards.
6. Outside Retail Use: Merchandise may be displayed or stored outside the building on the same premises in accordance with the following requirements:
 - (a) Is solely located under the arcade along the front façade of each building as identified on Exhibit B-2, *Site Layout Plan*.
 - (b) Is owned by the owner or lessee of the building
 - (c) Occupies a contiguous area less than 10% of the ground floor areas of the attendant building or tenant space, but no greater than 2,000 square feet.
 - (d) Merchandise area does not encroach into any pedestrian walkway as required herein.
 - (e) Merchandise area must be integrated into the architecture of the building.
7. Outdoor Areas for Restaurant Seating and Waiting:
 - (a) May extend into the Stadium Drive right-of-way but shall not encroach into the sidewalk along Stadium Drive.
 - (b) May utilize the landscape area between Buildings 2 and 3 as shown on Exhibit B-2, *Site Layout Plan*.
 - (c) Shall not encroach into any pedestrian walkway as required herein.
 - (d) Prohibited within the open space areas shown on Exhibit B-2 between the Public Access & Utility Easement and Buildings 1 and 3.
 - (e) Must provide additional off-street parking per the Development Code.

E. Landscape Requirements – The PD shall be developed in accordance with the following landscape regulations and Exhibit B-4, *Landscape Plan*:

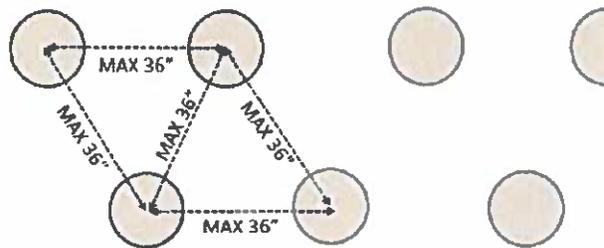
1. Minimum landscape buffers:
 - (a) 10-foot minimum buffer, contiguous to the right-of-way line, along Stadium Drive and Silent Manor Drive (cul-de-sac)
 - (b) 10-foot minimum buffer abutting the Public Access & Utility Easement
 - (c) 6-foot minimum buffer abutting side property lines.
2. Landscape buffer regulations:
 - (a) Required buffers along public streets and the Public Access & Utility Easement shall include one shade tree for each 30 feet of linear frontage, or portion thereof.
 - (b) Required buffer along north property line adjacent to Community Open Space shall include one shade or small/ornamental tree for each 50 feet of linear frontage, or portion thereof.
 - (c) Buffer trees may be clustered or spaced linearly; they need not be placed evenly.
 - (d) Sidewalks, pedestrian walkways, outdoor dining areas, and freestanding monument signs may be located within the required buffers.
 - (e) Access driveways may cross the buffers at a right angle.
3. Landscape irrigation shall include drip irrigation in designated areas and water-saving irrigation programmer, to minimize usage and reduce waste.
4. Shade trees shall have a minimum 4-inch caliper and minimum 10-foot height as measured at ground level when planted. In addition, all required internal parking lot trees, triggered by

Chapter 2 Article XV Landscaping and Screening Regulations, are required to have a minimum 4-inch caliper and a minimum 10-foot height as measured at ground level when planted.

5. Landscape areas shall be distributed throughout the PD as shown on [Exhibit B-4, Landscape Plan](#).
6. On-site parking, adjacent to landscape buffers along Stadium Drive and the Public Access & Utility Easement, shall have a continuous hedge at least 3-feet in height at the time of planting to screen the parking lot from the roadway.

As shown in **FIGURE 1**, shrubs for screening and buffering must be planted in a double row of 36 inches tall at the time of planting and planted with triangular centers and not be separated by more than 3 feet. When used for required screening, shrubs must be planted and maintained to form a continuous, unbroken, solid, visual screen within one year of planting, unless providing for an intersecting sidewalk or pedestrian walkway.

FIGURE 1



7. Plant species used to satisfy the requirements of the PD shall be those listed on [Exhibit B-5, Plant List](#).

F. Pedestrian and Bicycle Access – The PD shall be developed in accordance with [Exhibit B-6, Pedestrian and Bicycle Access](#), and the following pedestrian and bicycle access regulations:

1. Sidewalks:
 - (a) A minimum 8-foot wide sidewalk is required along Stadium Drive to match and connect with the existing sidewalk to the north and south.
 - (b) As shown on [Exhibit B-6](#), a minimum 5-foot wide sidewalk is required along the Public Access & Utility Easement from the proposed access driveway to the existing sidewalk connector near the Silent Manor Drive cul-de-sac.
2. Pedestrian walkways:
 - (a) Pedestrian walkways 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
 - (v) Lighted with pedestrian-scaled fixtures not less than one per pedestrian walkway and shall not exceed 15 feet in height. Location and quantity to be determined at site plan review.

- (b) Per **Exhibit B-6**, a pedestrian walkway shall connect each building arcade to the required sidewalks along Stadium Drive and the Private Access and Utility Easement.
- (c) Per **Exhibit B-6**, a pedestrian walkway within the open space between Buildings 2 and 3 shall connect the walkway alongside the parking area to the existing 8' wide walkway within the Community Open Space.
- (d) Per **Exhibit B-6**, the existing walkway exiting the Imperial Ballpark Lofts between two garage buildings shall extend through a covered breezeway within Building 1 to the arcade.

3. Bicycle Parking:

- (a) On-site parking spaces for bicycles shall be provided within 50 feet of each building. Location and quantity to be determined at site plan review.
- (b) Bicycle parking spaces shall not encroach into any sidewalk or other pedestrian walkway as required herein.
- (c) Bicycle parking spaces shall include racks with a minimum of 3 spaces per location. Lockers, or other structures intended for parking bicycles may be utilized for supplemental bicycle parking.
- (d) Racks shall be designed to support the bicycle upright in two places on the bicycle frame.

G. Building Regulations – As shown on **Exhibit B-7, Exterior Elevations for Building 1** and **Exhibit B-8, Exterior Elevations for Buildings 2 and 3**, buildings within the PD shall be developed in accordance with the following regulations:

1. Building façade criteria and features:

- (a) As shown in **FIGURE 2**, all building facades except for the rear façade of Building 1 facing the Ballpark Loft garages shall include offsets, changes in building materials, colors and textures, and architectural detailing that creates shade and cast shadows. No uninterrupted length of a façade shall exceed 100 feet.

FIGURE 2



**DECORATIVE EAVES
AND ARCHITECTURAL
DETAILS THAT PROVIDE
INTEREST AND SCALE**

- (b) Canopies, arcades, or recessed entries shall be provided at pedestrian entrances to the building. As shown in **FIGURE 3**, canopies and arcades shall be structural extensions of the building and cover a ground area of at least 20 square feet. A recessed entry shall be at least 40 square feet in size.

FIGURE 3



- (c) The front façade (the side of the building facing the street) of the first floor of a retail building within 50 feet of Stadium Drive right-of-way shall be at least 60% transparent as shown in **FIGURE 4** by means of storefronts, entrances, and display windows in order to permit visibility between the building occupants and outdoor pedestrians and motor vehicle drivers.

FIGURE 4



**TRANSPARENCY
FEATURES**

- (d) All facades of all buildings within the PD shall be of similar architectural design, color, and materials.
 - (e) The Director may approve alternative canopy or façade treatments not specified herein if the Director determines that the alternative canopy or façade treatment is substantially equal to or better than a specified requirement in quality, durability, and appearance and the use thereof will not violate any provision of this article.
2. Building façade finishes and materials:

- (a) As shown in **FIGURE 5**, Primary Finish means an exterior finish consisting of brick, stone (natural or cast), glass, and architecturally finished concrete panels.
- (b) Secondary Finish means an exterior finish consisting of wood, ceramic tiles, stucco and fiber cement siding.

FIGURE 5



**NO SINGLE BUILDING
FINISH MATERIAL SHALL
COVER MORE THAN 70%
OF THE FRONT FACADE**

PRIMARY FINISHES:

- CAST STONE
- GLASS
- BRICK
- STONE
- ARCHITECTURALLY
FINISHED CONCRETE
PANELS

- (c) Primary Finishes shall comprise at least 70% of each façade. The remaining portion of an exterior wall that is not constructed of a Primary Finish must be constructed of a Secondary Finish.
- (d) As shown in **FIGURE 5**, no single, primary building finish material shall cover more than 80% of the front of any building.
- (e) Secondary finishes shall comprise no more than 30% of the façade for any building.
- (f) Unless approved by the Director, the use of architectural metals is limited to canopies, parapet walls, roof systems, and miscellaneous trim work, and such use shall meet the durability standards of the Development Code.
- (g) The Director may approve alternative Primary or Secondary Exterior Finishes not specified in this article if the Director determines that the alternative finish is respective of the architectural elements of the existing historical industrial buildings within Imperial, 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.
- (h) The following building materials shall not be used for a Primary or Secondary Finish:
 - (i) Vinyl siding, wood fiber hardboard siding, oriented strand board siding, plastic or fiberglass panels.
 - (ii) Unfired or underfired clay, sand, or shale brick.
 - (iii) Smooth or un-textured concrete surfaces.
 - (iv) Exterior Insulated Finish Systems (E.I.F.S.)
 - (v) Cultured or textured stone
 - (vi) Concrete masonry units (indented, hammered, or split face concrete).

H. Monument Signs – Freestanding signs shall be constructed in accordance with the following regulations:

1. Signage shall comply with Chapter 4 of the Development Code and with Section 3-164 of the Code of Ordinances regarding Visibility Triangles.
2. Design and exterior finishes for monument signs along public streets are shown below in **FIGURE 6**.

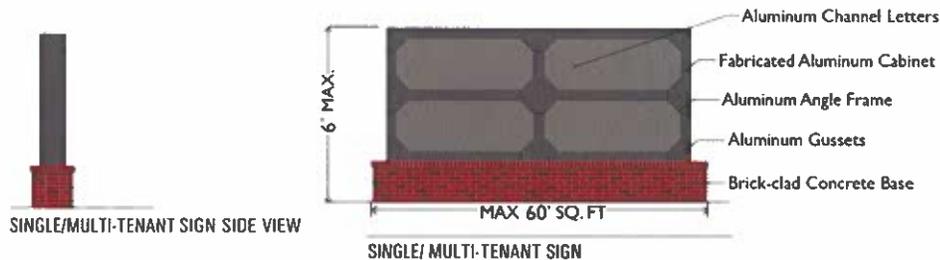


FIGURE 6

3. All information on one supporting structure is counted as one sign for purposes of applying the regulations on the number of freestanding signs allowed on any one property.
4. Two monument signs shall be permitted along Stadium Drive, located as shown on **Exhibit B-2, Site Layout Plan**.
5. Per **Exhibit B-2**, one small monument sign of a similar design and finish shall also be permitted on Silent Manor Drive. This sign shall have a maximum height of 3 feet and a maximum effective area of 30 square feet.

I. **Exterior Equipment and Service Areas** – As exemplified in **FIGURE 7** below, exterior equipment and services areas shall be developed in accordance with the following regulations:

1. **Exterior Equipment and Service Siting and Screening:**

- (a) Service and Equipment Areas must be oriented away from public streets unless adequately screened.
- (b) Service and Equipment Areas must be visually and acoustically screened from primary building entrances and adjacent land uses.
- (c) Screening shall consist of wing walls, landscape screens, changes in building orientation, and/or other architectural elements that provide sufficient barrier.
- (d) Screening shall extend a minimum of 12 inches above the object being screened.
- (e) Screening walls, wing walls, columns, and similar building extensions and supports shall be of complementary architectural design, color and materials as the building or structure to which they are attached.
- (f) As shown on **Exhibit B-2, Site Layout Plan**, a trash enclosure shall be located at the east side of the south building that meets the following criteria:
 - (i) Set back at least 25 feet from the Public Access & Utility Easement
 - (i) Perimeter wall of masonry construction with an opaque gate.
 - (ii) Complementary in design, color, and materials to the building.

FIGURE 7



2. **Mechanical and Utility Equipment Siting and Screening:**

- (a) Mechanical and utility equipment must be placed in the most inconspicuous location possible.
- (b) Such equipment shall be located preferably along or near internal drives, parking aisles and spaces, or rear-facing facades.
- (c) Ground-mounted mechanical equipment must be hidden from public view or screened with architecturally integral wing walls and/or landscape planting, or another acceptable screening device.
- (d) Where building mounted utility equipment cannot be placed behind screens or other barriers and is visible from the street, it must be treated such that it blends into the context of the adjacent façade materials.
- (e) Utility boxes taller than 2 feet may not be placed in an intersection clear vision area or interfere with the use of vehicular access drives, sidewalks, or pedestrian walkways.

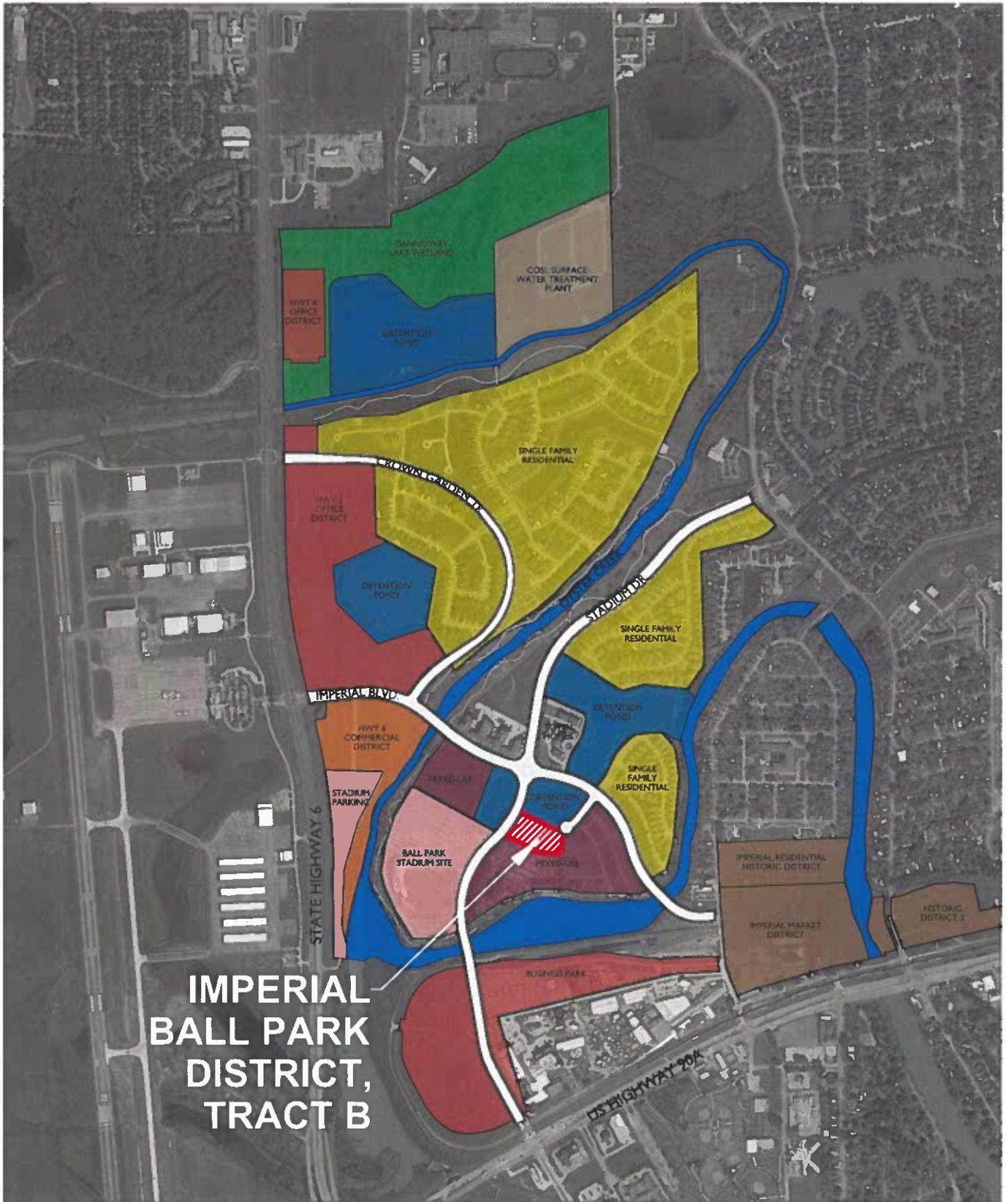


EXHIBIT B-1: LOCATION MAP

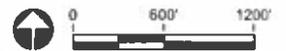


EXHIBIT B-3
Permitted Uses for Imperial Ballpark District, Tract B, Baxi Retail Plaza

Institutional

Library – *Private only*
Museums and Art Galleries

Office

Professional Office, Neighborhood

Retail

Grocery, Market – *Maximum 10,000 square feet; no gas pumps or car wash*
Home Improvement, Small
Liquor Store – *Maximum 2,500 square feet*
Nurseries and Gardening, Retail
Pharmacy
Restaurant, with No Drive-In or Drive-Thru Service
Retail, Neighborhood
Thrift Store or Donation Center – *Maximum 5,000 square feet*

Services

Animal Services, Small Animals – *No outdoor facilities*
Cleaning, Dry Cleaners Pick-Up & Drop-Off – *No drive-thru*
Clinic, Medical, Dental, or Therapist
Concierge Medical Care
Counseling and Therapy Services
Emergency Rooms/Urgent Care Facilities
Financial Institution without Drive-Thru
Fitness Center, Indoor Fitness Instruction – *Maximum 5,000 square feet*
Fitness Center, Small – *Maximum 5,000 square feet*
Individual and Family Social Services
Other Educational Services
Other Health Services
Permanent Makeup
Place of Worship – *Maximum 5,000 square feet*
Print Shop, Local
Repair Shop, Small Personal & Household Goods
Salon, Spa, or Barber Shop
Studio, Art Instruction
Studio, Dance – *Maximum 5,000 square feet*
Studio, Glass or Ceramics – *Maximum 2,500 square feet*
Studio, Metalwork, Woodwork, & Furniture (*Including repair*) – *Maximum 2,500 square feet*
Studio, Photography



- NOTES:
1. ALL SHADE TREES SHALL HAVE A MINIMUM 4-INCH CALIPER AND 10-FOOT HEIGHT
 2. REQUIRED SHRUB SCREENING PER SECTION E



EXHIBIT B-4: LANDSCAPE PLAN



EXHIBIT B-5
Plant List for Imperial Ballpark District, Tract B, Baxi Retail Plaza

The following is a list of approved trees and shrubs. Alternative plants not specified in this list may be approved by the Director if determined that an alternative is substantially equal to or better than a specified material and the use will not violate any provision of the PD:

Shade Trees

Pecan	<i>Carya illinoensis</i>
Fringe Tree	<i>Chionanthus virginicus</i>
Japanese Blueberry	<i>Elaeocarpus decipiens</i>
Nellie R. Stevens Holly	<i>Ilex x attenuata 'Nellie R. Stevens'</i>
Savannah Holly	<i>Ilex attenuate 'Savannah'</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Loblolly Pine	<i>Pinus taeda</i>
Texas Pistache	<i>Pistacia texana</i>
Sycamore	<i>Platanus occidentalis'</i>
Bur Oak	<i>Quercus macrocarpa</i>
Chinkapin Oak	<i>Quercus muehlenbergii</i>
Monterey Oak	<i>Quercus polymorpha</i>
Water Oak	<i>Quercus nigra</i>
Live Oak	<i>Quercus virginiana</i>
Shumard Oak	<i>Quercus shumardii</i>
Bald Cypress	<i>Taxodium distichum</i>
Pond Cypress	<i>Taxodium ascendens</i>
Cedar Elm	<i>Ulmus crassifolia</i>
Bosque or Drake Elm	<i>Ulmus parvifolia 'Bosque' or 'Drake'</i>

Small & Ornamental Tree

Texas Redbud	<i>Cercis canadensis 'var. texensis'</i>
European Fan Palm	<i>Chamaerops humilis</i>
Desert Willow	<i>Chilopsis linearis</i>
Smokebush	<i>Cotinus obovatus</i>
Foster Holly	<i>Ilex x attenuata 'Fosterii'</i>
Possumhaw Holly	<i>Ilex decidua</i>
Yaupon Holly	<i>Ilex vomitoria</i>
Columnar Juniper	<i>Juniporus spp.</i>
Crape Myrtle	<i>Lagerstroemia indica 'Basham's Pink', 'Natchez', 'Muskogee'</i>
Little Gem Magnolia	<i>Magnolia grandiflora 'Little Gem'</i>
Tree form (MT) Ligustrum	<i>Ligustrum japonicum</i>
Saucer Magnolia	<i>Magnolia x soulangeana</i>
Sweetbay Magnolia	<i>Magnolia virginiana</i>
Tree Wax Myrtle	<i>Myrica cerifica</i>
Mexican Plum	<i>Prunus mexicana</i>
Texas Sable Palm	<i>Sabal texana</i>
Texas Mountain Laurel	<i>Sophora secundiflora</i>
Windmill Palm	<i>Trachycarpus fortunei</i>
Chaste Tree	<i>Vitex agnus-castus</i>

Shrubs

Abelia	<i>x grandiflora</i> 'Prostrata', 'Sherwoodi', Edward Goucher'
Dwarf Bottlebrush	<i>Callistemon citrinus</i> 'Austraflora', 'Firebrand', 'Little John', and 'Splendens'
Japanese Cleystera	<i>Ternstroemia gymnathera</i>
Sago Palm	<i>Cycas revoluta</i>
Umbrella Plant	<i>Cyperus alternifolius</i>
African/Butterfly Iris	<i>Dietes iridioides</i> , <i>Dietes bicolor</i>
Elaeagnus Ebbingei	<i>Elaeagnus macrophylla</i>
Silverberry	<i>Elaeagnus fruilandi</i>
Pineapple Guava	<i>Feijoa sellowiana</i>
Red Yucca	<i>Hesperaloe parviflora</i>
Barbados Cherry	<i>Malpighia Glabra</i>
Fatsia	<i>Fatsia japonica</i>
Dwarf Burford Holly	<i>Ilex cornuta</i> 'Burfordii Nana'
Chinese Holly	<i>Ilex cornuta</i> 'Rotunda'
Dwarf Yaupon	<i>Ilex vomitoria</i> 'Nana'
Louisiana Iris	<i>Iris louisiana</i>
Dwarf Crape Myrtle	<i>Lagerstroemia indica</i> 'Nana'
Ligustrum	<i>Ligustrum japonicum</i>
Waxleaf Glossy Privet	<i>Ligustrum lucidum</i>
Fringe Flower	<i>Loropetalum chinense</i>
Maiden Grass	<i>Miscanthus sinensis</i> var.
Dwarf Wax Myrtle	<i>Myrica pusilla</i>
Nandina	<i>Nandina domestica</i>
Purple Fountain Grass	<i>Pennisetum setaceum</i>
Indian Hawthorn	<i>Raphiolepis indica</i> 'Clara'
Shrub Rose	<i>Rosa</i> spp. 'Knockout', 'The Fairy', 'Bonica', 'Carefree Wonder'
Society Garlic	<i>Tulbaghia violacea</i>
Sweet Viburnum	<i>Viburnum</i> spp.
Bridal Wreath Spirea	<i>Spirea prunifolia</i>
Oleander	<i>Nerium oleander</i>
Dwarf Oleander	<i>Nerium oleander</i> 'Petite Pink', 'Little Red'
Plumbago	<i>Plumbago auriculata</i>
Dwarf Pomegranate	<i>Punica granatum</i> 'Nana'
Muhly Grass	<i>Meuhlenbergia lindheimeri</i>
Dwarf Maiden Grass	<i>Miscanthus sinensis</i> 'Morning Light'

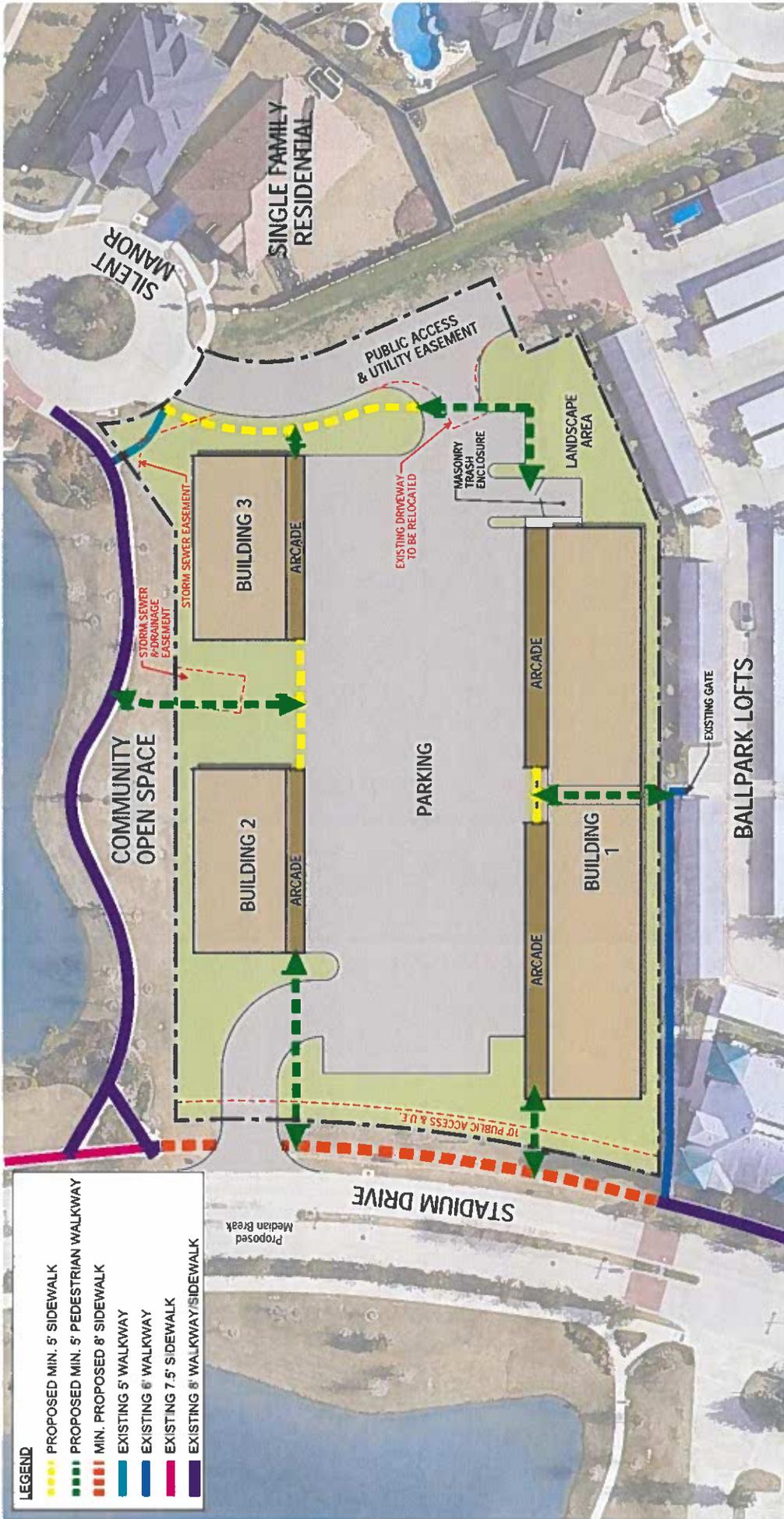


EXHIBIT B-6: PEDESTRIAN AND BICYCLE ACCESS



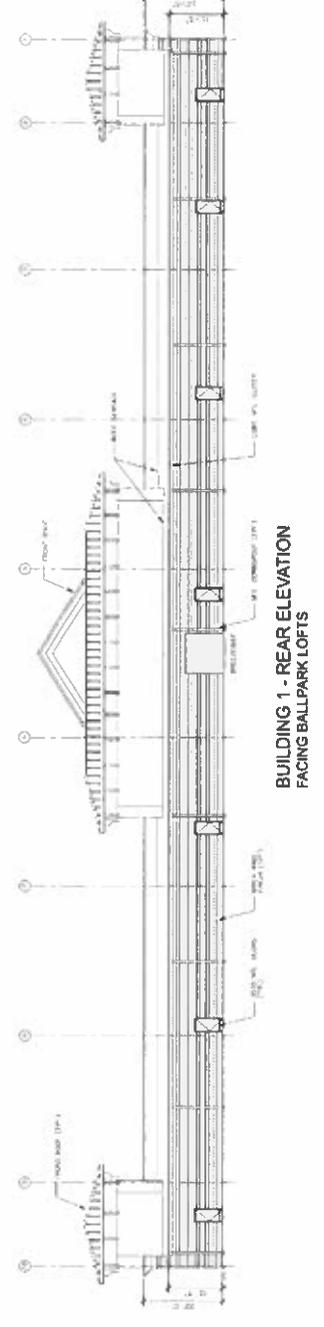
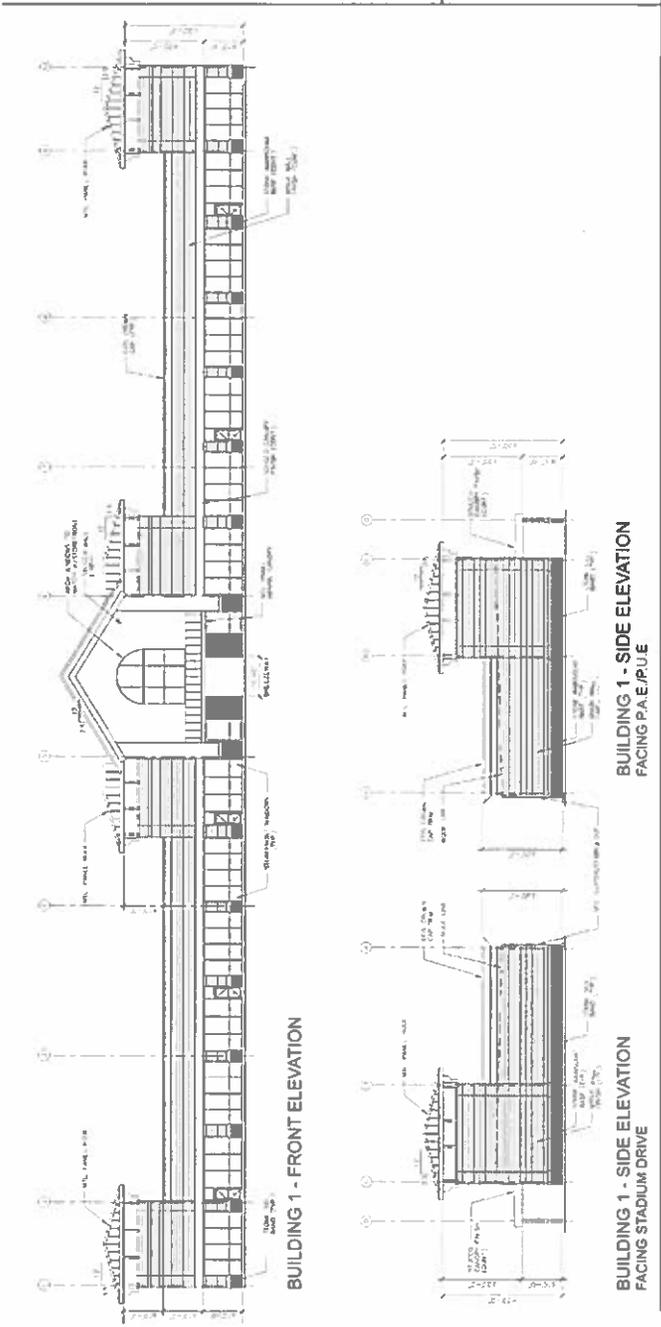
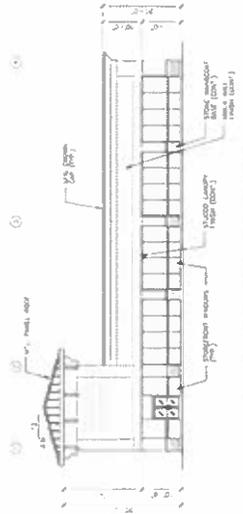
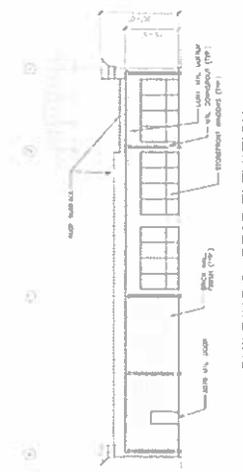


EXHIBIT B-7: EXTERIOR ELEVATIONS FOR BUILDING 1

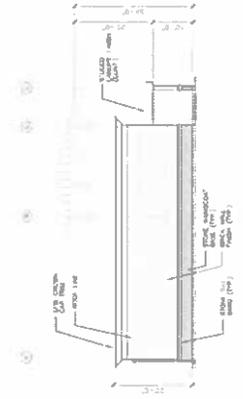




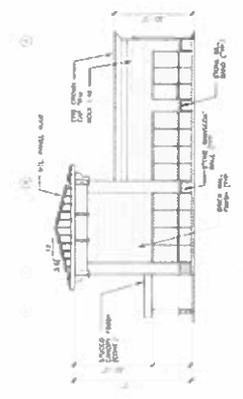
BUILDING 2 - FRONT ELEVATION



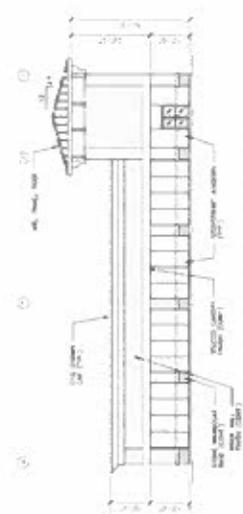
**BUILDING 2 - REAR ELEVATION
FACING COMMUNITY OPEN SPACE**



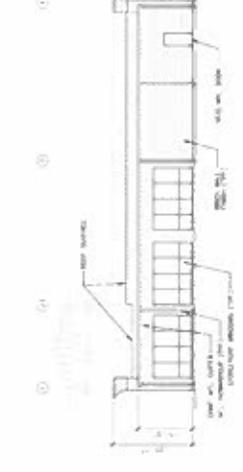
**BUILDING 2 - SIDE ELEVATION
FACING STADIUM DRIVE**



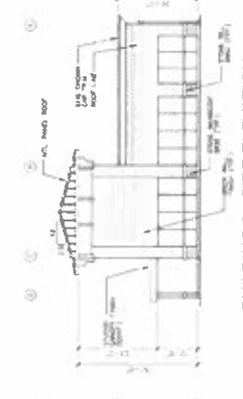
**BUILDING 2 - SIDE ELEVATION
FACING OUTDOOR DINING AREA**



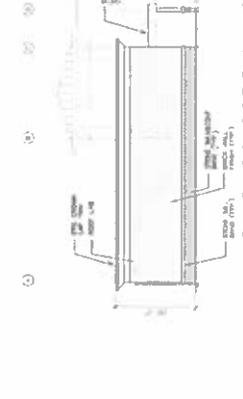
BUILDING 3 - FRONT ELEVATION



**BUILDING 3 - REAR ELEVATION
FACING COMMUNITY OPEN SPACE**



**BUILDING 3 - SIDE ELEVATION
FACING OUTDOOR DINING AREA**



**BUILDING 3 - SIDE ELEVATION
FACING P.A.E. / P.U.E.**

EXHIBIT B-8: EXTERIOR ELEVATIONS FOR BUILDINGS 2 AND 3



Summary of first public hearing at City Council

At the September 6th regular meeting, City Council held a public hearing and first reading of the ordinance for the Baxi Retail Plaza Final Development Plan (FDP). During the meeting, a discussion was held regarding the potential for increased pedestrian activity in relation to events that are held at Constellation Field. Based on that discussion, the staff received direction to explore creating an escrow account with the developer for future installation of a pedestrian crosswalk at Stadium Drive. Since the time of that meeting, the City Attorney has advised staff against the creation of an escrow account for the pedestrian crosswalk. This is due to the rough proportionality of a private developer bearing the costs for a public improvement that was not warranted through the Traffic Impact Analysis that was performed for this development. Note that future pedestrian issues relating to events held at Constellation Field could be addressed as part of the Event Review Committee permitting process.

STAFF REPORT

Request for a Rezoning of 2.586 acres from Imperial General Development Plan to Imperial Ballpark District, Baxi Retail Plaza Final Development Plan located along Stadium Drive adjacent to the Imperial Ballpark Lofts.



GENERAL SITE INFORMATION AND ANALYSIS:

Comprehensive Plan	This proposal appears to be in full compliance with the Future Land Use Map and Comprehensive Plan.
General Land Plan	This proposal appears to be in alignment with the General Land Plan
Subject Property Zoning/Use	Final Development Plan (proposed)
Surrounding Property Zoning	All zoned as part of the Imperial General Development Plan North, East, West: Imperial General Development Plan South: Imperial Ballpark Lofts – Phase I Final Development Plan
Surrounding Land Uses	North: Amenitized Detention Pond South: Imperial Lofts East: Single Family Residential West: Detention Pond

CASE ANALYSIS

This is a proposed PD zoning for Imperial Ballpark District Baxi Retail Plaza Final Development Plan. The proposed project is located along Stadium Drive adjacent to the Imperial Ballpark Lofts. The proposed development consists of three one-story retail/restaurant/office buildings with surface parking.

The proposed FDP encompasses 2.586 acres on the east side of Stadium Drive, north of Imperial Ballpark Lofts and approximately 350 feet south of Imperial Boulevard. The FDP is located within the 1st step Imperial General Development Plan (GDP) and is part of the overall 690.2-acre 1st Step Planned Development General Development Plan for the Imperial Development.

The FDP shall be developed in accordance with the exhibits that are attached to and made part of this Final Development Plan. Any provision or regulation of any City ordinance applicable in the General Business (B-2) zoning district not contained in the ordinance shall apply to this FDP.

Drive-thru lanes and outdoor storage prohibited for all permitted uses. A minimum of 15% of the FDP area is allocated to open space. Landscaped areas are distributed throughout the PD in regards to placemaking. Pedestrian walkways shall be readily visible and free of encroachment by parked vehicles, paved with different materials in order to be differentiated from driveways and parking areas, and predominately shaded with shade trees. A walkway is provided between Ballpark Lots and the plaza in order to provide pedestrian access for apartment residents.

All facades of all buildings within the PD shall be of similar architectural design, color, and materials. For building façade finishes and materials, primary finishes shall consist of brick, stone (natural or cast), glass, and architecturally finished concrete panels while secondary finishes shall consist of wood, ceramic tiles, stucco and fiber cement siding. Windows shall be added to the front and rear sides of the buildings according to the building elevations in order to take advantage of the unique opportunity of the adjacency to the nearby lake and walking trail.

Based on an initial staff review, the Final Development Plan appears to be in overall compliance with the General Development Plan.

PUBLIC HEARING AND DISCUSSION & DIRECTION RECAP

The Planning & Zoning Commission held a Public Hearing and Discussion & Direction on July 28, 2022. The applicant was present. The Commission asked for further clarification on the permitted use list, pedestrian plan, landscape plan, and TIA, which Staff and the applicant made sure to address. The Commission suggested amending the permitted use list, and the applicant has included their revision in the new exhibits. The other comments from the Commission did not require any action on behalf of the applicant.

The Planning & Zoning Commission held a Consideration & Action on August 9, 2022. The applicant was present. The Commission primarily expressed concerns about the opportune location of the development next to the amenitized detention pond with existing walking trails and a public plaza not being taken advantage of enough. Additionally, they expressed safety concerns about pedestrians and attendees from nearby Constellation Field crossing Stadium Dr to the Baxi development rather than using the crosswalk located north of the site as intended as well as traffic and parking concerns from event days at Constellation Field. Staff and the applicant made sure to explain how the crosswalk located at the traffic roundabout to the north of the site is meant to be the safe and direct route for pedestrians to utilize in order to cross Stadium Dr and that traffic control is provided for events at Constellation Field. Staff further explained that the sidewalks along this area of Stadium Dr were designed to prevent and discourage people from jaywalking, and that if there was a crosswalk provided closer to Constellation Field, it would be too close to the bridge. Because traffic is coming downhill from the bridge, it would be difficult for drivers to slow down in time for a crosswalk that close to the bridge. The discussion concluded with staff indicating that they will monitor the pedestrian activity at the southwest corner of the development site and continue to evaluate whether traffic improvements are needed, which could potentially include a future crosswalk.

The Commission voted 6 to 1 (with one nay from the Chair) to recommend approval on the condition that Section G.1.A. in the FDP is modified to include the rear building facades specifically for buildings 2 and 3 and with a “note of concern” to Council regarding increased pedestrian traffic during an event at Constellation Field. The applicant has since made the appropriate revision to Section G.1.A in the FDP.

Since the time of the last meeting, staff has not received any inquiries and is not aware of any opposition to the Planned Development.

PUBLIC HEARING:

The Notice of Public Hearing was published in a newspaper of general circulation and on the City of Sugar Land’s Internet Home Page. All property owners within 200’ of the subject property were notified via mail and a courtesy sign was placed at the front of the property. The public hearing notice included a link to an online form that can be submitted to provide comments in advance of the meeting. Since publishing the public hearing notice, staff has not received any inquiries.

FINAL POINTS FOR CONSIDERATION

- The proposed FDP encompasses 2.586 acres on the east side of Stadium Drive, north of Imperial Ballpark Lofts and approximately 350 feet south of Imperial Boulevard.
- The Site Layout Plan (Exhibit B-2) shows the proposed layout and vehicular access from Stadium Drive and Silent Manor. Site development shall be comprised of one reserve with three one-story buildings and surface parking developed in one phase, and the PD shall be developed in accordance with the Site Layout Plan.
- Exhibit (B-3) shows what uses are permitted for Imperial Ballpark District, Tract B, Baxi Retail Plaza.
- The PD shall be developed in accordance with the Landscape Plan (Exhibit B-4) which provides a comprehensive overview of meeting the landscape requirements of the GDP.
- The Plant List (Exhibit B-5) provides a list of approved trees and shrubs allowed in the PD.
- The PD shall be developed in accordance with the Pedestrian and Bicycle Access Plan (Exhibit B-6) which outlines proposed pedestrian walkways to connect the proposed buildings, existing walkways, as well as provide access to Ballpark Lofts.
- The PD shall be developed in accordance with the Exterior Elevations for Building 1 (Exhibit B-7) and the Exterior Elevations for Buildings 2 and 3 (Exhibit B-8). Any future development will need to match the materials and architectural style.
- The written regulations and exhibits encompass all of the requirements that are to be met for a Suburban Final Development Plan per the Development Code Chapter 2 Section 2-133.
- “Tobacco, Hookah, and Vapor Retail Store – *Maximum 2,500 square feet; electronic vapor sales and devices prohibited*” was removed from Exhibit B-3 per the Commission’s recommendation.
- Exhibit B was updated per the Commission’s recommended condition to modify Section G.1.a. regarding the building articulation.

FINAL DEVELOPMENT PLAN



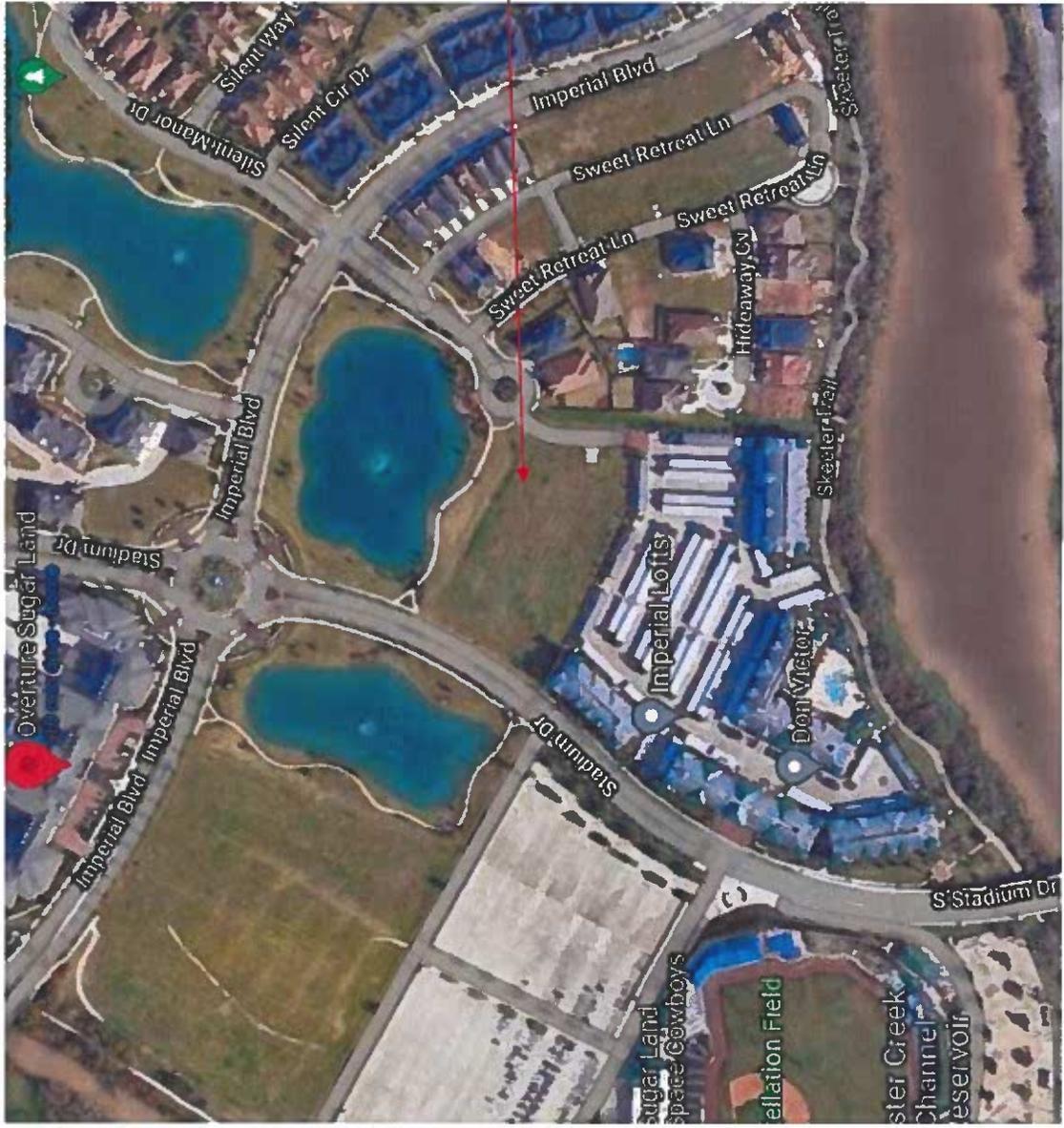
**IMPERIAL
BALL PARK
DISTRICT,
TRACT B**



EXHIBIT B-1: LOCATION MAP



Google Excerpt



Tract B



City Council Agenda Request

NOVEMBER 15, 2022

AGENDA REQUEST NO: IV.A.

AGENDA OF: City Council Meeting

INITIATED BY: *Brittany Xiao, Planner I*

PRESENTED BY:

Lauren Fehr, Assistant Director of Planning & Development Services

RESPONSIBLE DEPARTMENT: Planning and Zoning

AGENDA CAPTION:

SECOND CONSIDERATION: Consideration of and action of **CITY OF SUGAR LAND ORDINANCE NO. 2281**: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM IMPERIAL GENERAL DEVELOPMENT PLAN (GDP) TO IMPERIAL BALLPARK DISTRICT, TRACT B, BAXI RETAIL PLAZA FINAL DEVELOPMENT PLAN (FDP) FOR APPROXIMATELY 2.586 ACRES OF LAND LOCATED ALONG SOUTH STADIUM DRIVE ADJACENT TO THE IMPERIAL BALLPARK LOFTS, BETWEEN IMPERIAL BOULEVARD AND OYSTER CREEK.

RECOMMENDED ACTION:

The Staff and the Planning & Zoning Commission recommend approval on the Second Reading of the rezoning of 2.586 acres from the Imperial General Development Plan to Imperial Ballpark District, Baxi Retail Plaza Final Development Plan attached as Ordinance No. 2281.

EXECUTIVE SUMMARY:

This Second Reading is for a proposed PD zoning for Imperial Ballpark District Baxi Retail Plaza Final Development Plan. The proposed project is located along Stadium Drive adjacent to the Imperial Ballpark Lofts. The proposed development consists of three one-story retail/restaurant/office buildings with surface parking.

The proposed FDP encompasses 2.586 acres on the east side of Stadium Drive, north of Imperial Ballpark Lofts and approximately 350 feet south of Imperial Boulevard. The FDP is located within the 1st step Imperial General Development Plan

(GDP) and is part of the overall 690.2-acre 1st Step Planned Development General Development Plan for the Imperial Development.

The Planning and Zoning Commission held a Public Hearing and Discussion & Direction on July 28, 2022 and a Consideration & Action on August 9, 2022. The applicant was present at both meetings. The Commission voted 6 to 1 (with one nay from the Chair) to recommend approval on the condition that Section G.1.A. in the FDP is modified to include the rear building facades specifically for buildings 2 and 3 and with a "note of concern" to Council regarding increased pedestrian traffic during an event at Constellation Field. The applicant has since made the appropriate revision to Section G.1.A. in the FDP.

City Council Public Hearing and First Reading

At the September 6th regular meeting, City Council held a public hearing and first reading of the ordinance for the Baxi Retail Plaza Final Development Plan (FDP). During the meeting, a discussion was held regarding the potential for increased pedestrian activity in relation to events that are held at Constellation Field. Based on that discussion, the staff received direction to explore creating an escrow account with the developer for future installation of a pedestrian crosswalk at Stadium Drive. Since the time of that meeting, the City Attorney has advised staff against the creation of an escrow account for the pedestrian crosswalk. This

at that meeting, the City Attorney has advised staff against the creation of an event account for the pedestrian crosswalk. This is due to the rough proportionality of a private developer bearing the costs for a public improvement that was not warranted through the Traffic Impact Analysis that was performed for this development. Note that future pedestrian issues relating to events held at Constellation Field could be addressed as part of the City's Event Review Committee permitting process.

Staff recommends that the City Council approve on Second Reading Ordinance No. 2281 as presented during the September 6, 2022 meeting.

BUDGET

EXPENDITURE REQUIRED: N/A

CURRENT BUDGET: N/A

ADDITIONAL FUNDING: N/A

FUNDING SOURCE:

ATTACHMENTS:

	Description	Type
D	Ordinance	Ordinances
D	Staff Report	Other Supporting Documents

REVIEWERS:

Department	Reviewer
Planning and Zoning	Fehr, Lauren
Planning and Zoning	Kocich-Meyer, Lisa
City Secretary	Serrano, Natalie
City Secretary	Harris III, Thomas
Legal	Reede, Meredith
Agenda Coordinator	Harris III, Thomas
Assistant City Manager	May, Jennifer
City Manager	May, Jennifer