

ORDINANCE NO. 1676

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE SUGAR LAND TOWN SQUARE PLANNED DEVELOPMENT DISTRICT BY ADOPTING A NEW FINAL DEVELOPMENT PLAN.

WHEREAS, by the adoption of Ordinance No. 1116 on May 5, 1998, the City Council approved a change of zoning to create a planned development district for 31.8 acres of land within Recorded Plat No.'s 2464B, 2465A, and 2465B, located at the intersection of U.S. Highway 59 and State Highway 6 and approved a general development plan for the PD district known as Sugar Land Town Square; and

WHEREAS, Planned Community Developers, Inc. is requesting amendments to the final development plan for the Sugar Land Town Square Planned Development District by revising and clarifying Exhibits for Site A and;

WHEREAS, the Planning and Zoning Commission recommends approval of the amendment; and

WHEREAS, the City Council has held a public hearing on the proposed amendment for which notice was published at least fifteen days prior to the hearing date; and

WHEREAS, for convenience of reference, the City Council wishes to adopt a new final development plan incorporating the amendments; NOW THEREFORE,

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

Section 1. That the final development plan is adopted to read as follows:

Sugar Land Town Square Final Development Plan

Section 1. Definitions.

(a) In this ordinance:

“Building Appurtenances” means canopies, awnings, porte cocheres, entry covers, porticos, pergolas, arbors and other unairconditioned, unoccupied spaces attached to the building. (See Exhibit G-1 and G-2).

“Building Protrusions” means air conditioned entries, bay windows, and architectural projections with fenestration or similar design elements up to 12 stories in height that are within 5 feet of the building face and extend no more than 30% of the front width of the building. (See Exhibit G-1 and G-2).

“Building Setback” means the required open space that lies between a building and the abutting right-of-way line of a public street.

“Development Code” means the Sugar Land Development Code, as amended.

“PD” means the planned development district created by Ordinance No. 1116.

“Parking” means a designated improved space used for the parking of vehicles.

“Parking Setback” means the required open space that lies between a parking space and the abutting right-of-way line of a public street.

“Private Drive” means a way not dedicated to public use that is used to provide vehicular access to real property.

(b) Except as otherwise provided for in this ordinance, the words used herein have the meaning established by the Development Code unless the Director determines that that meaning was not intended to apply in the context used in this ordinance.

Section 2. Final Development Plan. That a final development plan, consisting of the following exhibits, attached to and incorporated by reference into this ordinance, is approved for the PD:

- Exhibit A: Planned Development Criteria
- Exhibit B: Allowable Land Uses Classified by SIC
- Exhibit C: Land Use Plan
- Exhibit C-1: Site A (Layout Plan)
- Exhibit D: Pedestrian Open Space Plan
- Exhibit E: General Landscape Plan
- Exhibit F: Parking Setbacks and Building Setbacks
- Exhibit G-1: Typical Street Section - City Walk
- Exhibit G-2: Typical Street Section – Lone Star Dr. and Town Square Place

Section 3. Planned Development Criteria. That Exhibit A establishes the maximum square footage for each nonresidential land use for each block and building, the maximum number of multi-family residential and hotel units for each block and building, and the maximum height allowed for each building within the PD, the approximate locations of which blocks and buildings are shown in Exhibit C.

Section 4. Land Uses. That Exhibits A and C show the proposed land uses that are permitted in each block and building. Exhibit B establishes the list of non-residential uses permitted in the PD, classified by Standard Industrial Code (SIC), as referenced in Section 2-55 of the Development Code. The non-residential permitted uses classified in Exhibit B may be located within any block or building of the PD, so long as the designated primary use (i.e., office, retail, etc.) of that block or building complies with the Planned Development Criteria, designated in Exhibit A and the Land Use Plan designated in Exhibit C, as determined by the Director. Restaurants with drive-through lanes are prohibited in the PD.

Section 5. Parking. That the following parking regulations apply to the PD:

(a) 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 on-street parking located within the PD. In calculating the required number of parking spaces for each land use, the Director may give credit for shared parking by utilizing the Shared Parking criteria published by the Urban Land Institute.

(b) 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.

Section 6. Open Space. That the PD shall contain open space in the approximate locations and dimensions shown in Exhibit D.

Section 7. Parking Setbacks and Building Setbacks. That the following Parking and Building Setbacks apply to the PD:

(a) Exhibit F establishes the minimum required Parking and Building Setbacks from each public and Private Drive in and adjacent to the PD. Building Setbacks from public streets shall be measured from the street right-of-way line to the nearest part of the building, excluding Building Protrusions and Building Appurtenances. Building Setbacks from Private Drives shall be measured from the back of the curb of the Private Drive to the nearest part of the building, excluding Building Protrusions and Building Appurtenances.

(b) Within a required setback, there may be located any Building Protrusions, Building Appurtenances, or any of the items or structures listed in section 2-186 and 2-187 of the Development Code. Awnings for primary entries may extend within the street right-of-way to the back of curb.

(c) The Building Setbacks along City Walk, Lone Star Drive, and Town Square Place streets may contain sidewalks (which may extend from back of curb to building face), outdoor furniture, and designated outdoor dining areas.

Section 8. Street and Sidewalk Design. That Exhibit G-1 and G-2 provide for the typical street right-of-way and allows sidewalks to occupy up to 100% of the area from 5 feet inside the street right-of-way to the building face. Pavers may be used for sidewalks and as supplemental material for the street pavement.

Section 9. Building Finish Standards. The following building finish standards apply to buildings located on site A and site G. A minimum of 70% of each building wall must be of a primary material as follows: brick, thin brick, natural all weather stone, cut stone, dimensioned stone, or manufactured stone products, glass, concrete finish and pre-cast concrete panels, or cementitious stucco. Concrete finish and pre-cast concrete panels must be profiled, sculpted, fluted, exposed aggregate or other architectural concrete finish. Glass walls may include Glass Curtain Walls or glass block construction. No E.I.F.S. can be used at any height within six feet of the grade level in any area accessible to pedestrians, vehicles, or otherwise subject to damage.

Section 10. Conflicts and Omissions. That the provisions of this ordinance relating to the development of the PD shall govern over any conflicting provision of any other City ordinance relating to development of real property within the PD. Notwithstanding the provision of section 2-176 of the Development Code, the zoning regulations applicable to the primary zoning districts as set forth in article II of the Development Code, are omitted from and do not apply the PD, except to the extent such regulations are specified in this ordinance.

Section 2. That Ordinance No.1624 is repealed.

APPROVED on first consideration on March 04, 2008.

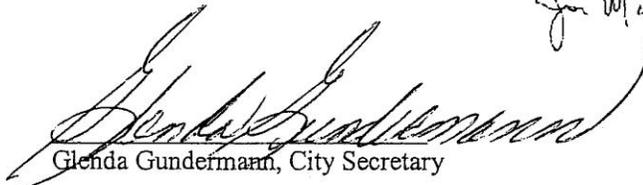
ADOPTED upon second consideration on March 18, 2008.



David G. Wallace, Mayor

ATTEST:

Reviewed for Legal Compliance:



Glenda Gundermann, City Secretary

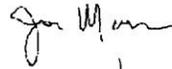


EXHIBIT A – PLANNED DEVELOPMENT CRITERIA/SUGAR LAND TOWN SQUARE

<i>Bldg. ID</i>	Allowable Land Use	Maximum Square Ft.	Maximum Res./Hotel Units	Maximum Floors/Levels
A ***	Hotel	N/A	225	Airport Ht. Max. Level
A ***	or Residential Condominium	N/A	88	Airport Ht. Max. Level
A ***	Retail, Restaurant, Theatre, or Office	200,000		Airport Ht. Max. Level
B	Office	150,000		6
B*	Retail or Restaurant	20,000		1
C-1	City Hall or Office	88,000		4
E	Professional Office	75,000		4
E**	Retail or Restaurant	25,000		1
F-1, F-2, F-3	Parking Garage	N/A		9
F-3**	Retail	20,000		1
R-1, R-2	Multifamily Residential	N/A	200	5
R-1**	Retail or Restaurant	25,000		1
T	Parking Garage	N/A		6
G	Retail, Restaurant, or Office	25,000		2
H	Office	250,000		10
H*	Retail or Restaurant	20,000		1
J	Professional Office	30,000		2
J*	Retail or Restaurant	40,000		1
K	Parking Garage	N/A		8
K	Retail	12,000		1
L-1, L-2	Hotel	N/A	400	10
L-2**	Retail or Restaurant	10,000		1
L-1*	Hotel Support	30,000		1
M	Conference Center	60,000		2
N-1	Retail or Restaurant	10,000		1
N-2, N-3	Professional Office	60,000		4
N-2, N-3**	Retail or Restaurant	25,000		1
O	Parking Garage	N/A		6
P	Professional Office or Retail or Restaurant	22,000		1
Q-1	Professional Office or Retail or Restaurant	35,000		1
Q-2	Retail or Restaurant	10,000		

* Included in the maximum square footage and maximum building height in the line above.

** Included in the maximum building height in the line above.

*** Allowable land uses may not exceed airport height hazard requirements per Ch. 9 of Development Code

EXHIBIT B: Allowable Land Uses Classified by SIC Code

Exhibit B **Allowable Land Uses Classified By Standard Industrial Code, Major Group** **For Sugar Land Town Square**

Major Group 27, Printing and Publishing
Major Group 41, Local & Interurban Passenger Transit
Major Group 43, US Postal Service
SIC Code # 472, Arrangement of Passenger Transportation
SIC Code # 473, Arrangement of Transportation of Freight and Cargo
Major Group 48, Communications
Major Group 49, Electric, Gas, and Sanitary Services
SIC Code # 523, Paint, Glass, and Wallpaper Stores
SIC Code # 525, Hardware Stores
Major Group 53, General Merchandise Stores
Major Group 54, Food Stores
Major Group 56, Apparel and Accessory Stores
Major Group 57, Furniture and Home Furnishings Stores
Major Group 58, Eating and Drinking Places
Major Group 59, Miscellaneous Retail 5993 Repealed by Ord 2333
Major Group 60, Depository Institutions
Major Group 61, Non Depository Institutions
Major Group 62, Security and Commodity Brokers
Major Group 63, Insurance Carriers
Major Group 64, Insurance Agents, Brokers, & Services
Major Group 65, Real Estate
Major Group 67, Holding and other Investment Offices
Major Group 70, Hotels and other Lodging Places
Major Group 72, Personal Services
Major Group 73, Business Services
SIC Code # 7514, Passenger Car Rental
SIC Code # 7515, Passenger Car Leasing
SIC Code # 763, Watch, Clock, and Jewelry Repair
SIC Code # 764, Reupholstry and Furniture Repair
SIC Code # 7699, Repair Shops and Related Services, Not elsewhere Classified
Major Group 78, Motion Pictures
Major Group 79, Amusement & Recreation Services
Major Group 80, Health Services
Major Group 81, Legal Services
Major Group 82, Educational Services
Major Group 83, Social Services
Major Group 84, Museums, Botanical Gardens
Major Group 85, Membership organizations
Major Group 87, Engineering & Management Services
Major Group 89, Services, NEC
Major Group 91, Executive, Legislative, and General
Major Group 92, Justice, Public Order and Safety
Major Group 93, Finance, Taxation, and Monetary Policy
Major Group 94, Administration of Human Resources
Major Group 95, Environmental Quality and Housing
Major Group 96, Administration of Economic Programs
Major Group 99, Nonclassifiable Establishments

EXHIBIT C – LAND USE PLAN (SEPTEMBER 14, 2007)

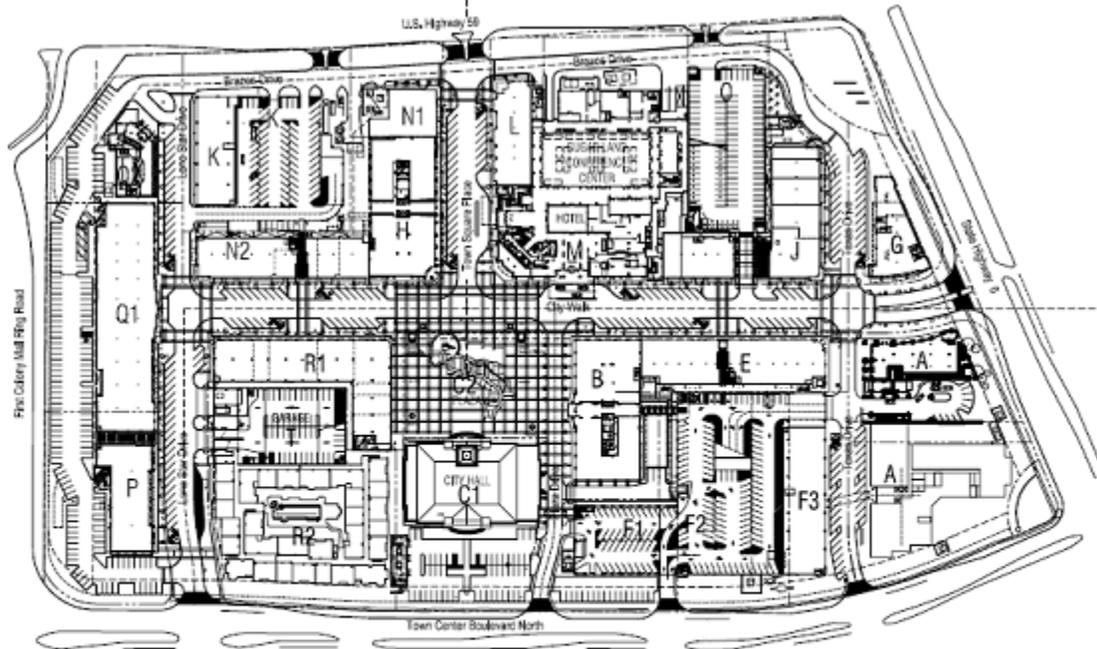


Exhibit C - Land Use Plan

Developed by
Planned Community Developers
 Sugar Land, Texas

TOWN SQUARE



SLA Studio Land, Inc.
 Urban Planners/Landscape Architects

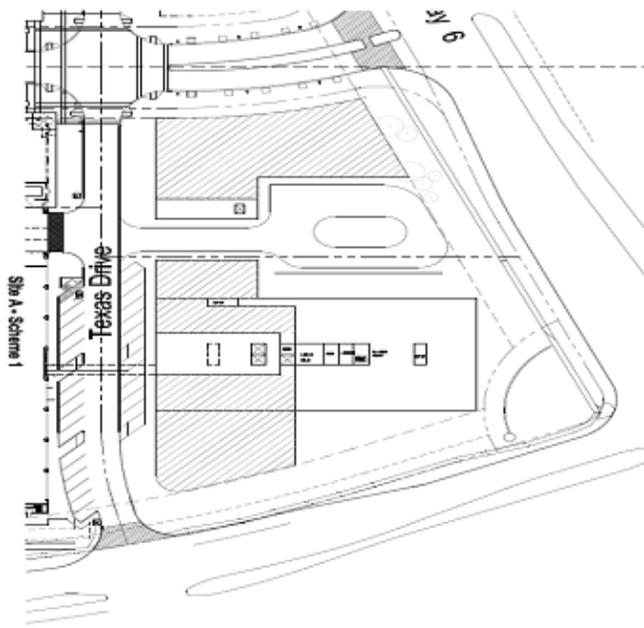
Ambrose, McEnany and House, Architects
 Architects

Scale: 1" = 60'



September 14, 2007

EXHIBIT C-1 – SITE A LAYOUT PLAN
Site A (Layout 1)



Site A (Layout 2)

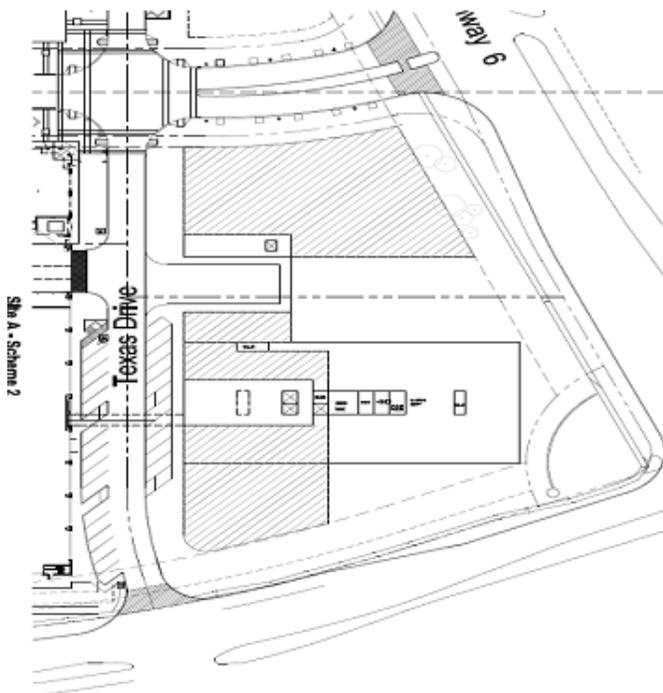
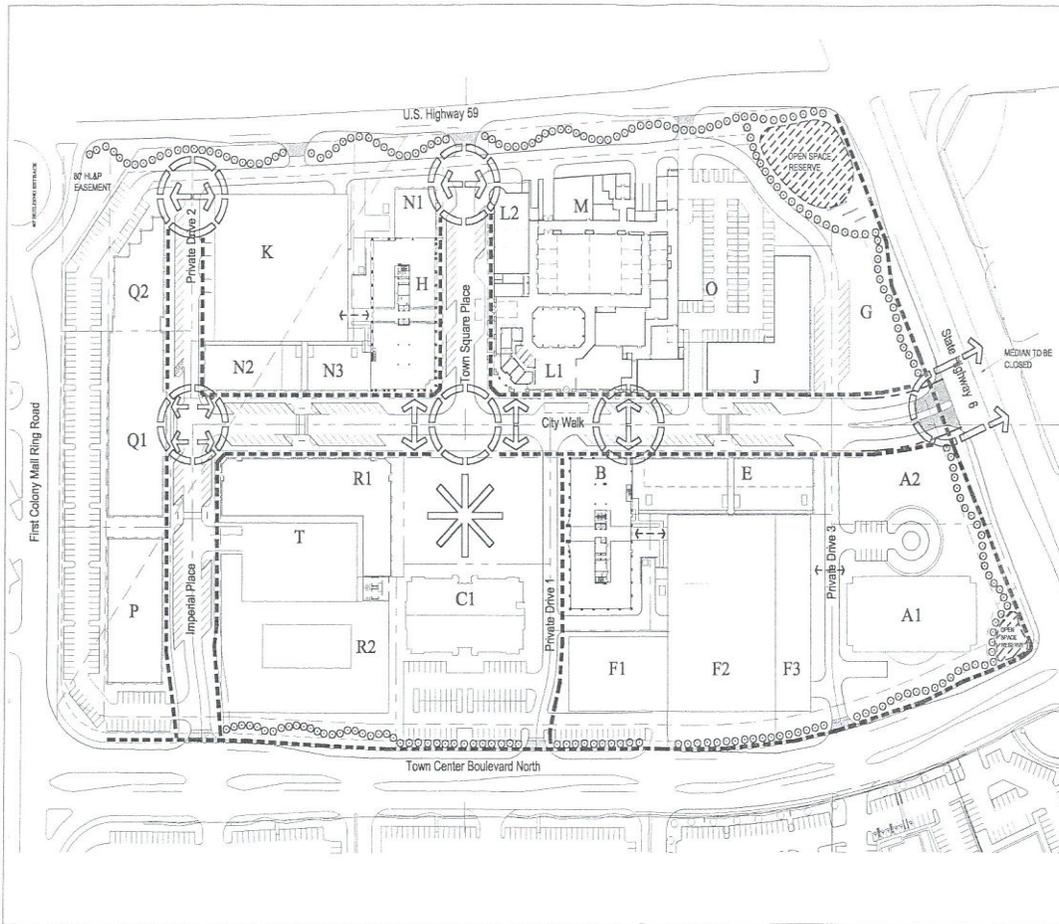


EXHIBIT D: Pedestrian Open Space Plan



SUGAR LAND TOWN SQUARE
 PLANNED DEVELOPMENT
 DISTRICT (PD)
 PEDESTRIAN OPEN SPACE PLAN
 A 32.8276 ACRE TRACT

EXHIBIT D

LEGEND

- MAJOR ENTRY
- PEDESTRIAN CROSSING
- PLAZA STREET CROSSING
- GARAGE ACCESS
- LANDSCAPE EDGE BUFFER
- SIDEWALKS
- TOWN SQUARE
- OPEN SPACE RESERVE

Developer
 Sugarland Properties, Inc.
 4685 Sweetwater Blvd. Suite 100
 Sugar Land, Texas 77479-3000
 281-242-2000
 c/o Les Newton

Planner
 S.L. A Studio Land, Inc.
 10665 Richmond Ave. Suite 100
 Houston, Texas 77042
 713-787-0719
 c/o David Smith

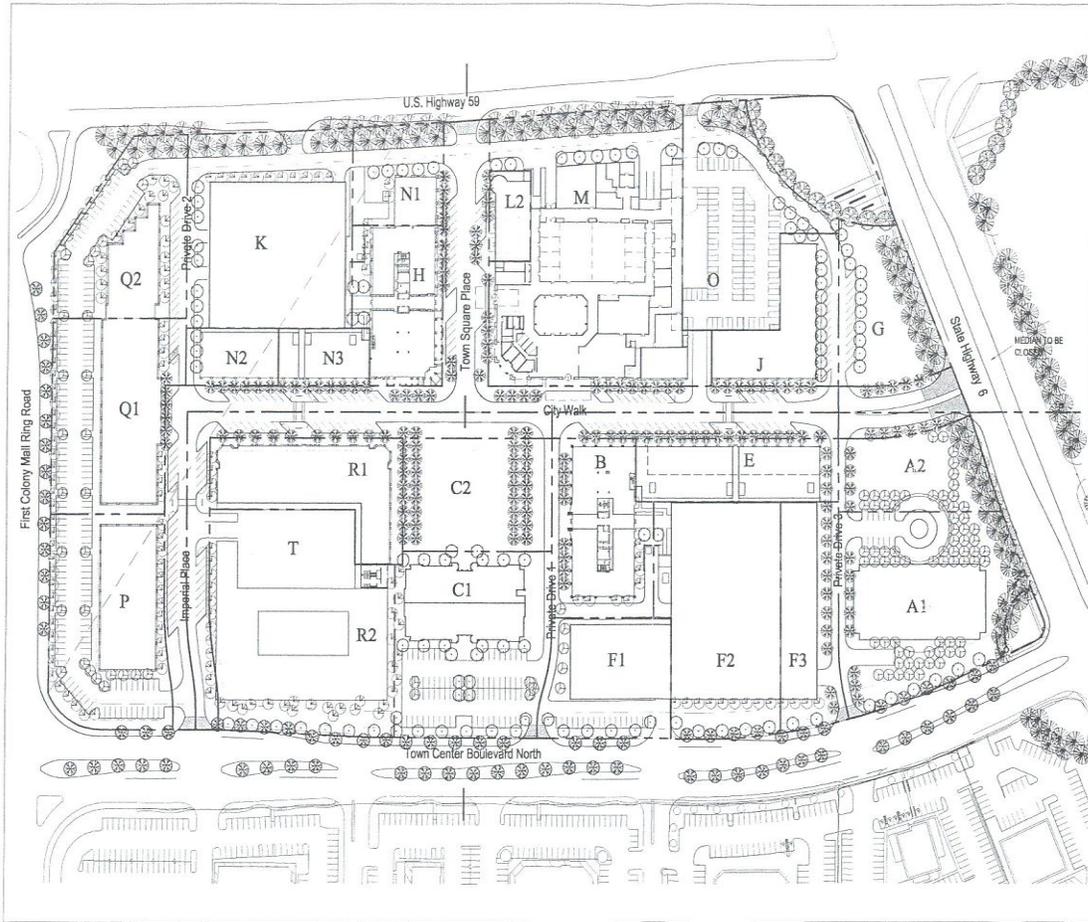
Architect
 Ambrose, McEnany and House, Architects
 2323 S. Shepherd Suite 1014
 Houston, Texas 77019
 713-522-0815
 c/o Glenn House



TRUE NORTH PLAN NORTH MARCH 1, 2001



EXHIBIT E: General Landscape Plan



SUGAR LAND TOWN SQUARE
 PLANNED DEVELOPMENT
 DISTRICT (PD)
 A GENERAL LANDSCAPE PLAN
 A 32.8275 ACRE TRACT

EXHIBIT E

- TREE TYPES**
-  PECAN
 -  LIVE OAK
 -  EVERGREEN CANOPY
 -  DECIDUOUS UPRIGHT
 -  DECIDUOUS CANOPY
 -  DECIDUOUS COLUMNAR
 -  ORNAMENTAL SHRUBS

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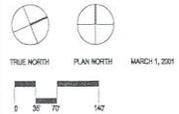


EXHIBIT F
Parking Setbacks and Building Setbacks
For Sugar Land Town Square

	<u>Minimum Parking Setback</u>	<u>Minimum Building Setback</u>
<u>PUBLIC STREETS:</u>		
U.S. Highway 59	35 feet	50 feet
State Highway 6	35 feet	50 feet
Town Center North Blvd.	15 feet	40 feet
City Walk	N/A	10 feet
Lone Star Dr. - West Side	N/A	10 feet
Lone Star Dr. – East Side	N/A	0 feet (1) Or 10 feet
Town Square Place	N/A	10 feet
<u>PRIVATE DRIVES:</u>		
Mall Ring Road	10	N/A (2)
Private Drive 1	N/A	10 feet
Private Drive 2	N/A	10 feet
Private Drive 3	N/A	10 feet
Other Private Drives	N/A	10 feet

- (1) Applies only where there is no on-street angled parking in the right of way adjacent to the building.
(2) Existing 80 ft. electrical power easement precludes building development within 80 feet of the Mall Ring road.

NOTE: Setbacks for public streets are measured from the right of way line to the back of curb for parking setbacks or to the building face (excluding building appurtenances and protrusions) for building setbacks. Setbacks for private drives are measured from the back of curb of the drive.

EXHIBIT G 1:

SUGAR LAND TOWN SQUARE TYPICAL STREET SECTION

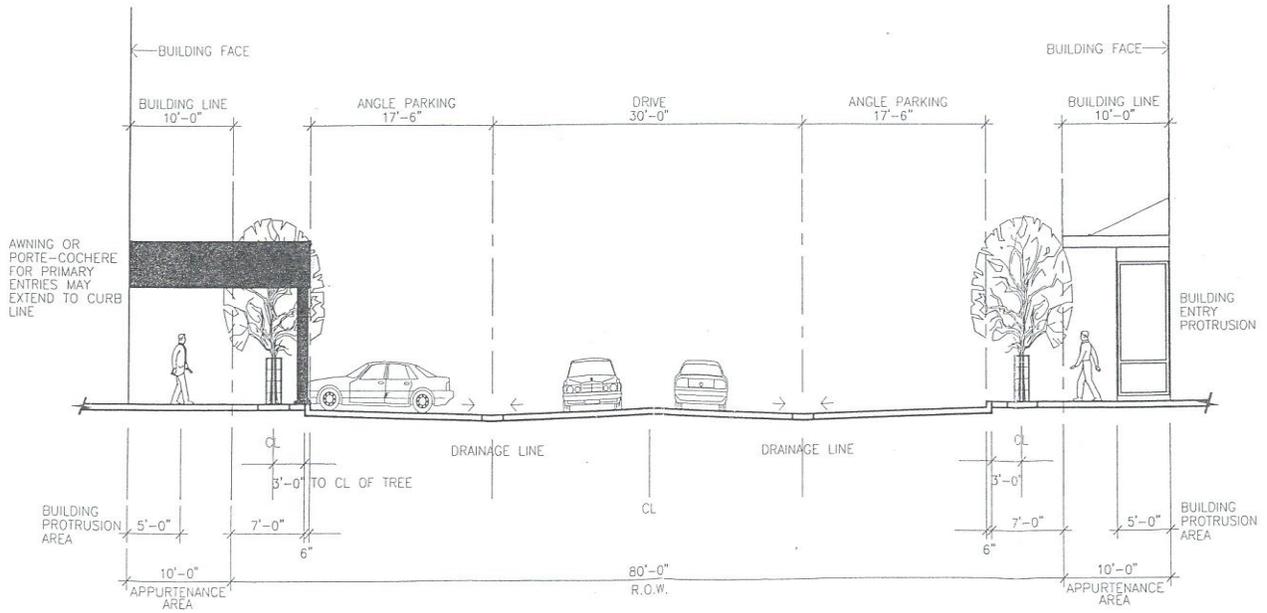


Exhibit G-1

Prepared by: S L A Studio Land Inc.

City Walk



11/05/98
REV. 8/28/00

