

ORDINANCE NO. 1924

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, PROVIDING FOR A CHANGE OF ZONING FROM STANDARD SINGLE FAMILY RESIDENTIAL (R-1) DISTRICT TO PLANNED DEVELOPMENT (PD) DISTRICT -FINAL DEVELOPMENT PLAN FOR APPROXIMATELY 0.29 ACRES OF LAND LOCATED AT 1314 THROUGH 1318 BOURNEWOOD DRIVE.

WHEREAS, Jahangir (Jay) Khowja has requested that approximately 0.29 acres of land located within the City of Sugar Land (the "City") at 1314 through 1318 Bournewood Drive owned by Mr. Jay Khowja be rezoned from Standard Single Family (R-1-) District to Planned Development (PD) District-Final Development Plan;

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 0.29 acres of land described in Exhibit A, attached to and incorporated into this ordinance by reference, located at 1314 through 1318 Bournewood Drive is changed from Standard Single Family Residential (R-1) zoning district classification to Planned Development (PD) District-Final Development Plan 13114-1318 Bournewood Drive under the comprehensive zoning ordinance of the City of Sugar Land, Texas.

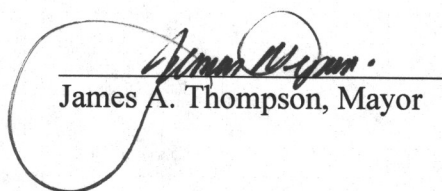
Section 3. That the City's official zoning map shall be amended to reflect this change in zoning district classification.

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

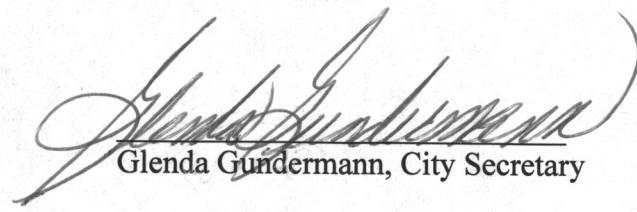
Exhibit A – Metes and Bounds Legal Description
Exhibit B – Final Development Plan
Exhibit B-1 – Final Site Layout Plan
Exhibit B-2 – Permitted Uses

READ IN FULL on first consideration on July 16, 2013.

APPROVED upon second consideration on August 06, 2013.


James A. Thompson, Mayor

ATTEST:


Glenda Gundermann, City Secretary

APPROVED AS TO FORM:

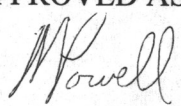


EXHIBIT A - Legal Description:

LEGAL DESCRIPTION

A TRACT OF LAND CONTAINING 12,920 SQUARE FEET OUT OF THE GEORGE BROWN AND CHARLES BELKNAP SURVEY, ABSTRACT NO. 15, FORT BEND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF BOURNEWOOD DRIVE (RIGHT-OF-WAY WIDTH VARIES) SAID BEGINNING POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 22, OF COVINGTON WOODS, SECTION 4, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 11, PAGE 12, OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS;

THENCE, NORTHEASTERLY WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF BOURNEWOOD DRIVE ALONG A CURVE TO THE RIGHT WHOSE RADIUS OF 840.00 FEET AND CENTRAL ANGLE OF 04 DEGREES 49 MINUTES 13 SECONDS, A DISTANCE OF 70.67 FEET TO A 1/2 INCH IRON ROD SET FOR AN ANGLE POINT;

THENCE, SOUTH 86 DEGREES 36 MINUTES 30 SECONDS EAST, CONTINUING WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF BOURNEWOOD DRIVE, A DISTANCE OF 29.81 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER;

THENCE, SOUTH 00 DEGREES 01 MINUTES 00 SECONDS WEST, A DISTANCE OF 130.00 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER;

THENCE, NORTH 89 DEGREES 59 MINUTES 00 SECONDS WEST, A DISTANCE OF 100.00 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER ON THE EAST LINE OF LOT 3, BLOCK 22, SAID COVINGTON WOODS, SECTION 4;

THENCE, NORTH 00 DEGREES 01 MINUTES 00 SECONDS EAST, WITH THE EAST LINE OF SAID LOT 3, AND CONTINUING WITH THE EAST LINE OF LOT 1, A DISTANCE OF 124.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 12,920 SQUARE FEET OF LAND, MORE OR LESS.

Vicinity Map:

1314-1318 Bournewood Drive



EXHIBIT B
FINAL DEVELOPMENT PLAN
1314 – 1318 BOURNEWOOD DRIVE

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

- General Provisions
- Land Uses
- Development Regulations for Commercial
- Landscape and Pedestrian Regulations
- Building Regulations

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-1 (Neighborhood Business) zoning district is not contained in this ordinance, all the regulations contained in the Development Code applicable to the B-1 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:

PD means the planned development district created by 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 B-1: *Final Site Layout Plan*

Exhibit B-2: *Permitted Uses*

4. The PD encompasses 0.29 acres (12,920 square feet) of property located at 1314 – 1318 Bournewood Drive out of the George Brown and Charles Belknap Survey, Abstract No. 15, as shown on Exhibit B-1, *Final Site Layout Plan*.

C. Development Regulations for Commercial – Commercial use within the PD shall be developed in accordance with the following development regulations:

1. Maximum height of structures:
 - (a) 1 story, not to exceed 20 feet in height (includes parapet)

2. Building setbacks:

- (a) Front: 20 feet
- (b) Rear: 10 feet
- (c) Side: 10 feet

3. Parking areas:

- (a) A 20-foot minimum front setback is required.
- (b) A 10-foot minimum side and rear setback is required.

4. Paving:

- (a) All parking lots, driveways, and vehicle use areas must be constructed of concrete.

5. Service areas shall be screened via masonry walls, which is a minimum of 6 feet in height.

6. Signage shall comply with Chapter 4 of the Development Code.

D. Landscape and Pedestrian Circulation Regulations – The PD shall be developed in accordance with the following landscape and pedestrian circulation regulations:

1. Landscape buffers:

- (a) 20 foot minimum buffer on the front lot line.
- (b) 10 foot minimum buffer on the rear and side lot lines.

2. Shade trees shall have a minimum 2-inch caliper and minimum 8-foot height as measured at ground level when planted.

E. Building Regulations – Buildings within the PD shall be developed in accordance with the following regulations:

1. Building façade finishes:

- (a) Primary Finish means an exterior finish consisting of brick, stone (natural, cast, or cultured-textured), stucco and glass.
- (b) Secondary Finish means an exterior finish consisting of wood, ceramic tiles, concrete masonry units (indented, hammered, or split face concrete), and fiber cement siding.
- (c) Primary Finishes shall comprise at least 80% of each facade. The remaining portion of an exterior wall that is not constructed of a Primary Finish must be constructed of a Secondary Finish.

- (d) No single building finish material shall cover more than 80% of the front of any building.
 - (e) 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.
 - (f) The Director may approve alternative Primary or Secondary Finishes not specified in this article if the Director determines that the alternative finish is substantially equal to or better than a specified Primary or Secondary Finish in quality, durability, and appearance and the use thereof will not violate any provision of this article.
 - (g) 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 untextured concrete surfaces.
 - (iv) Exterior Insulated Finish Systems (E.I.F.S.)
2. 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.

EXHIBIT B-1: FINAL SITE LAYOUT PLAN

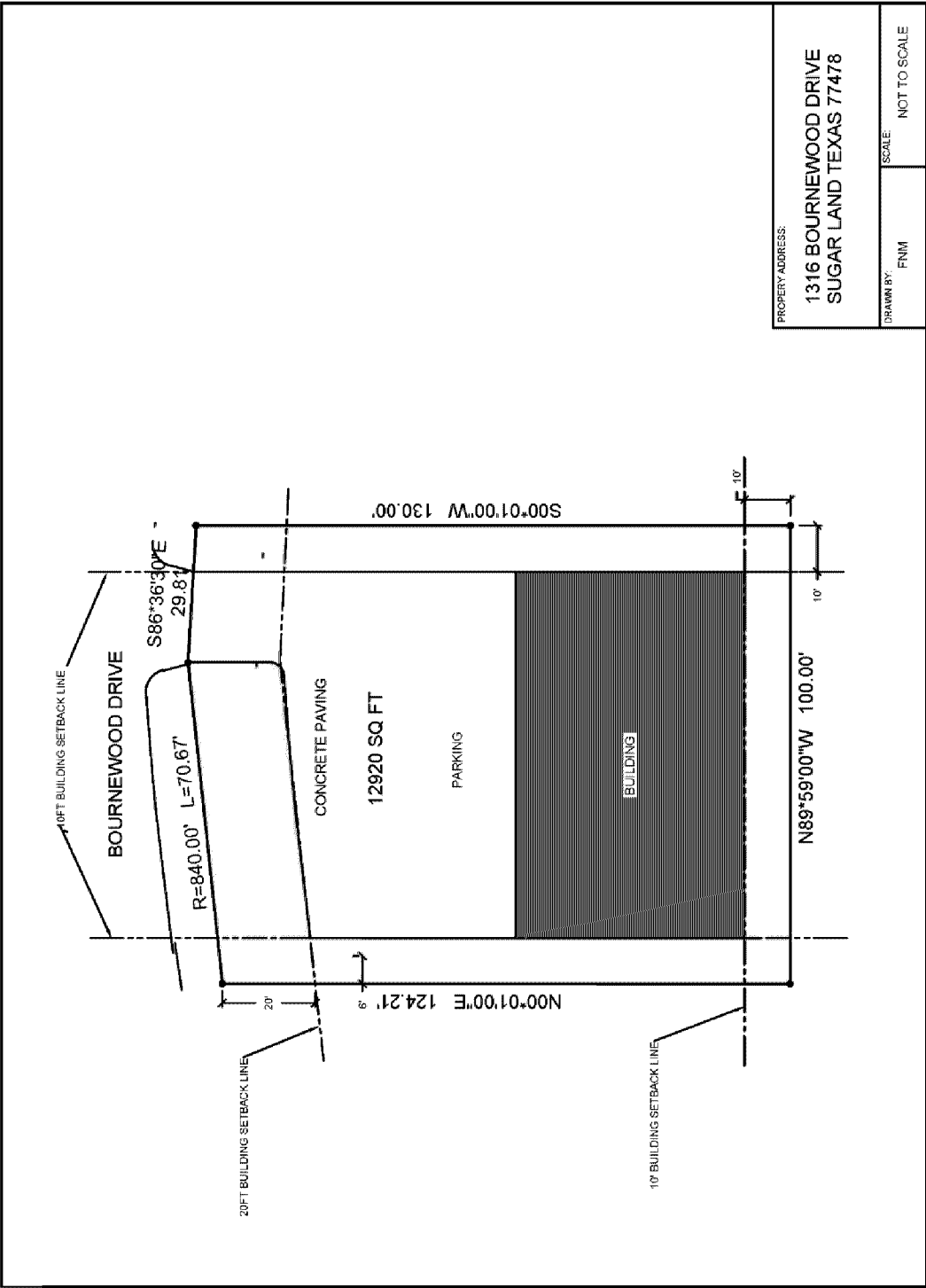


EXHIBIT B-2
PERMITTED USES
1314 – 1318 BOURNEWOOD DRIVE

USES	SIC CODE	
TRANSPORTATION SERVICES & COMMUNICATIONS:		
Travel Agencies	4724	
Arrangement of Passenger Transportation, NEC	4729	
Telephone Communications	4812 – 4813	See Note 1
RETAIL TRADE:		
Variety Stores	5331	
Misc. General Merchandise Stores	5399	
Grocery Stores	5411	See Note 2
Meat and Fish Markets	5421	
Fruit and Vegetable Markets	5431	
Candy, Nut and Confectionery Stores	5441	
Dairy Products Stores	5451	
Retail Bakeries	5461	
Miscellaneous Food Stores	5499	
Men's and Boy's Clothing Stores	5611	
Women's Clothing Stores	5621	
Women's Accessory & Specialty Stores	5632	
Children's and Infant's Wear Store	5641	
Family Clothing Stores	5651	
Shoe Stores	5661	
Misc. Apparel & Accessory Stores	5699	
Radio, Television & Computer Stores	5731 – 5736	
Eating Places	5812	See Note 3
Drug Stores and Proprietary Stores	5912	
Miscellaneous Shopping Goods Stores	5941 – 5949	
Retail Stores, NEC	5992	
FINANCE, INSURANCE, AND REAL ESTATE:		
Insurance Agents, Brokers, and Service	6411	
Operators of Nonresidential Buildings	6512	
Operators of Apartment Buildings	6513	
Operators of Dwellings Other Than Apartment Buildings	6514	See Note 4
Real Estate Agents and Managers	6531	
Title Abstract Offices	6541	
Management Investment Offices, Open-End	6722	
SERVICES:		
Garment Pressing (Laundries and Drycleaners)	7212	See Note 5
Photographic Studios, Portrait	7221	
Beauty Shops	7231	
Barber Shops	7241	
Shoe Repair and Shoeshine Parlors	7251	
Advertising Agencies	7311	
Computer Programming Services	7371	
Computer Maintenance & Repair	7378	
Radio and Television Repair Shops	7622	
Electric and Electronic Repair Shops, NEC	7629	
Watch, Clock and Jewelry Repair	7631	
Miscellaneous Repair Shops	7699	
Antique Repair and Restoration (except furniture and automotive repair)		
Bicycle Repair Shops		

USES	SIC CODE	
Binocular and Other Optical Goods Repair		
Camera Repair Shops		
Dental Instrument Repair Shops		
Drafting Instrument Repair Shops		
Any Duplicating Shops		
Leather Goods and Repair Shops		
Locksmith Shops		
Luggage Repair Shops		
Measuring and Controlling Instruments Repair Shops		
Medical Instrument Repair (except electric)		
Microscope Repair		
Mirror Repair Shops		
Musical Instrument Repair Shops		
Nautical and Navigational Instrument Repair (except electric)		
Organ Tuning and Repair		
Piano Tuning and Repair		
Picture Framing to Individual Order (not connected with retail art stores)		
Picture Framing (custom)		
Pocketbook Repair Shops		
Re-needling Work		
Repair of Optical Instruments		
Repair of Photographic Equipment		
Repair of Speedometers		
Sewing Machine Repair Shops		
Surveying Instrument Repair		
Tuning of Pianos and Organs		
Typewriter Repair (including electric)		
Venetian Blind Repair Shops		
Window Shade Repair Shops		
Video Tape Rental	7832 – 7833	
Physical Fitness Facilities	7991	See Note 6
Amusement and Recreational Services	7999	See Note 6
Gymnastics Studios		
Martial Arts Instruction, such as Judo & Karate		
Yoga Instruction		
Offices & Clinics of Medical Doctors	8011	
Offices & Clinics of Dentists	8021	
Offices of Osteopathic Physicians	8031	
Offices of Other Health Practitioners	8041 – 8049	
Home Health Care Services	8082	See Note 7
Legal Services	8111	
Libraries	8231	
Business Associations	8611	
Professional Organizations	8621	
Civic and Social Organizations	8641	
Political Organizations	8651	
Religious Organizations	8661	
Engineering Services	8711	See Note 7
Architectural Services	8712	See Note 7
Surveying Services	8713	See Note 7
Accounting, Auditing & Bookkeeping	8721	
Management Consulting Services	8742	
Public Relation Services	8743	
Business Consulting Services, NEC	8748	
Services, NEC	8999	

USES	SIC CODE
NON-CLASSIFIABLE ESTABLISHMENTS:	
Corporate Professional Offices, Not Retail	99

NOTES:

Note 1: Towers not permitted.

Note 2: Gasoline Sales are not permitted under SIC Code 5411.

Note 3: Drive-Thrus are not permitted and the building square footage is limited to 1,000 sq. ft. for SIC Code 5812.

Note 4: Off-site management only for SIC Code 6513.

Note 5: Pick-up station only for SIC Code 7212.

Note 6: Limited to 1,000 sq. ft. in floor area.

Note 7: Fleet vehicle storage not permitted.