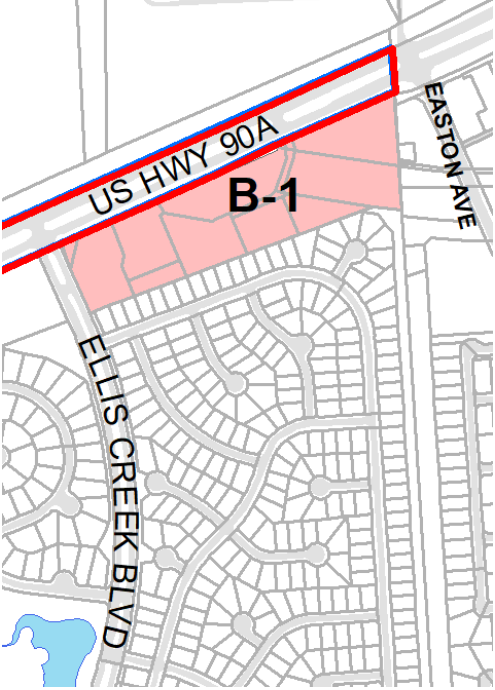
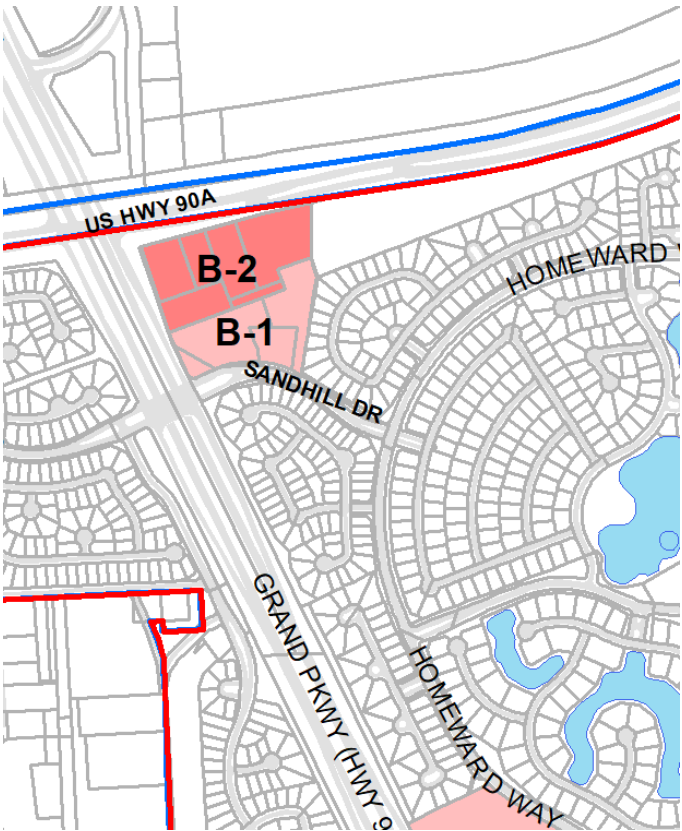
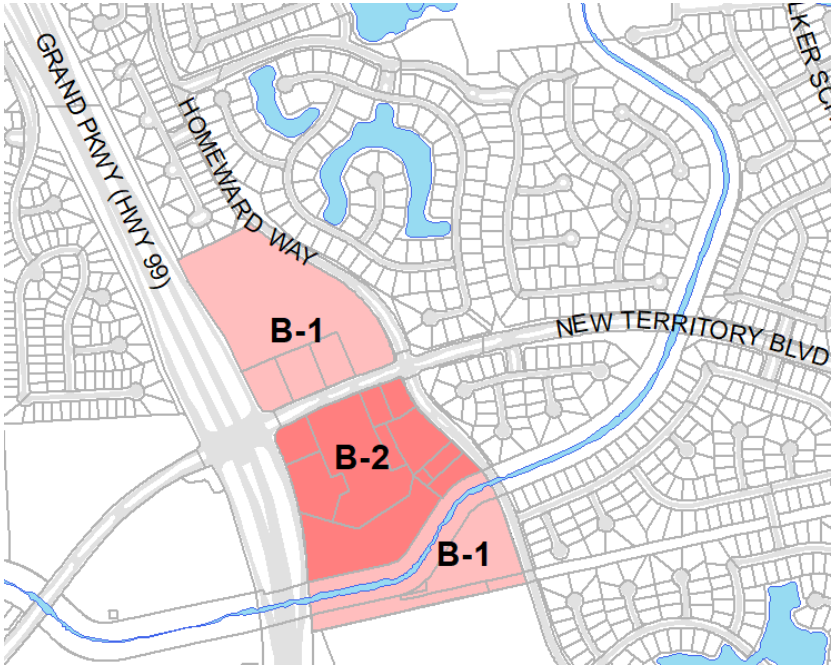


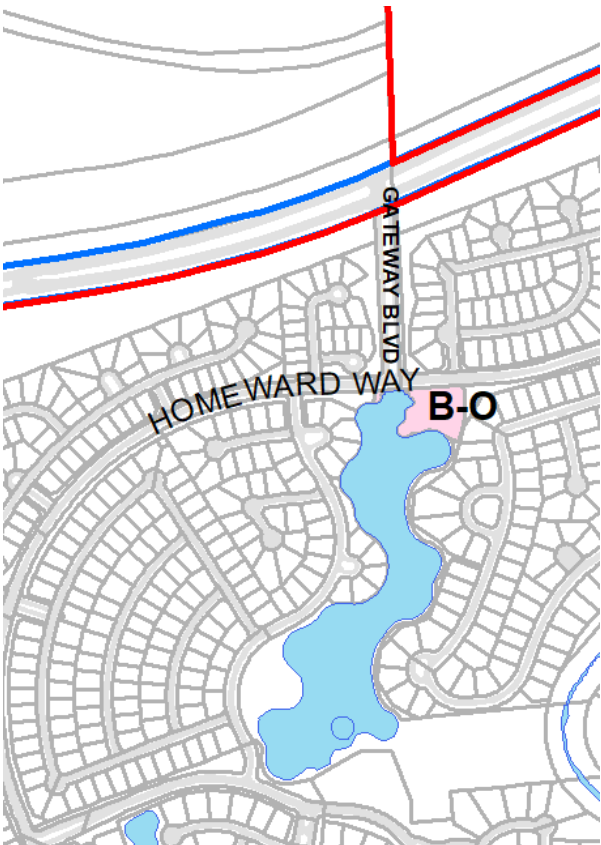
STAFF REPORT

GENERAL SITE INFORMATION AND ANALYSIS:

Location Description	<p>South of Highway 90A and west of Easton Avenue</p> 
Subject Property (Area 1)	Interim Standard Single Family (R-1-I) which was assigned at annexation
Surrounding Property Zoning	<p>North: Restricted Industrial (M-1)</p> <p>South: Interim Standard Single-Family Residential (R-1-I)</p> <p>East: Planned Development District</p> <p>West: Interim Standard Single-Family Residential (R-1-I)</p>
Surrounding Land Uses	<p>North: Undeveloped Land and US 90A ROW</p> <p>South: Single-family residential neighborhoods</p> <p>East: Auto related services</p> <p>West: Greenspace and street ROW</p>
Fieldwork / Site Visits	Medical, convenience store with gasoline sales, day care center, cleaners, grocer, nails salon

Location Description	<p>South of Highway 90A and east of Grand Parkway 99</p> 
Subject Property (Area 2)	<p>Interim Standard Single Family (R-1-I) which was assigned at annexation</p>
Surrounding Property Zoning	<p>North: Houston's ETJ South: Interim Standard Single-Family Residential (R-1-I) East: Interim Standard Single-Family Residential (R-1-I) West: Interim Standard Single-Family Residential (R-1-I)</p>
Surrounding Land Uses	<p>North: Undeveloped Land and US 90A ROW South: Single-family residential neighborhoods East: Single-family residential neighborhoods West: Single-family residential neighborhoods and Hwy 99 ROW</p>
Fieldwork / Site Visits	<p>Auto repair, restaurants, medical, beauty and barber shop, insurance office, musical school, day care center</p>

<p>Location Description</p>	<p>North and south of New Territory Blvd and east of Grand Parkway 99</p> 
<p>Subject Property (Area 3)</p>	<p>Interim Standard Single Family (R-1-I) which was assigned at annexation</p>
<p>Surrounding Property Zoning</p>	<p>North: Interim Standard Single-Family Residential (R-1-I) South: Interim Standard Single-Family Residential (R-1-I) East: Interim Standard Single-Family Residential (R-1-I) West: Interim Standard Single-Family Residential (R-1-I)</p>
<p>Surrounding Land Uses</p>	<p>North: Single-family residential neighborhoods South: FBISD School East: Single-family residential neighborhoods West: Single-family residential neighborhoods, multi-family and Hwy 99 ROW</p>
<p>Fieldwork / Site Visits</p>	<p>Convenience store with gasoline sales, grocery store, nail salons, restaurants, church, medical, miscellaneous retail stores, bank, pharmacy retail store, animal hospital, day care center, self-storage facility, automotive repair</p>

Location Description	<p>Along Homeward Way and south of Gateway Boulevard</p> 
Subject Property (Area 4)	Interim Standard Single Family (R-1-I) which was assigned at annexation
Surrounding Property Zoning	<p>North: Interim Standard Single-Family Residential (R-1-I)</p> <p>South: Interim Standard Single-Family Residential (R-1-I)</p> <p>East: Interim Standard Single-Family Residential (R-1-I)</p> <p>West: Interim Standard Single-Family Residential (R-1-I)</p>
Surrounding Land Uses	<p>North: Single-family residential neighborhoods and street ROW</p> <p>South: Single-Family Residential neighborhoods</p> <p>East: Single-family residential neighborhoods</p> <p>West: Single-family residential neighborhoods</p>
Fieldwork / Site Visits	Medical office

The four commercial areas are being permanently zoned in character with the existing uses to the greatest extent possible. Interim Standard Single Family Residential (R-1-I) is only meant to be temporary. Placing a temporary zoning district on an annexed area allows the City to review the area and determine which zoning district best suites the newly annexed part of the City.

Neighborhood Business (B-1)

The Neighborhood Business District (B-1) district allows for the development of small scale, limited impact retail business uses which cater to the everyday needs of the nearby residents, and which are compatible with residential neighborhoods. The B-1 zoning does not allow the outside display or sale of merchandise, and places square footage maximums on retail uses that do not allow “big box” style commercial businesses, that are more suited for large tracts further from residential neighborhoods. The majority of the developed properties within the acreage proposed for B-1 zoning will be legally conforming with the zoning district. Examples of these businesses include the medical offices, retail stores, beauty salons, day care center and the convenience stores. However, new gas sales at convenience stores are only allowed with a Conditional Use Permit (CUP), so existing sales would be legally non-conforming. Expansion or significant changes would trigger a CUP.

During the public hearing, the Commission held discussion on the existing uses and the vacant properties within this area. The Commission agreed the B-1 zoning district is appropriate for these properties.

General Business (B-2)

The General Business District (B-2) district allows the development of a variety of general commercial uses including wholesale sales and services with restrictions. The uses in the B-2 district are dependent on high traffic volumes and locations along or adjacent to Arterial Streets and, thus, the B-2 district is appropriate for the development of most shopping centers. Outside storage is allowed in the B-2 zoning district with limitations and all business activities must be conducted within a fully-enclosed Building, and all merchandise and materials related to the business must be displayed and stored inside a permanent Building. Most of the existing uses in the B-2 zoning will be legally conforming as well. However, any new auto-related use will be required to go through the CUP process and the same will apply to the existing auto related uses such as oil change business if there is desire to expand in the future.

During the public hearing, the Commission examined this area and believed the B-2 zoning district is suitable for the proposed areas.

Business Office (B-O)

The Business Office District (B-O) district allows development of office uses and certain limited service uses which are compatible with offices. The B-O zoning district prohibits outside storage. The property proposed to be permanently zoned B-O is currently operating as medical. The current business will be legally conforming. Due to bulk plane regulations the site is not suited to multiple-story construction.

During the public hearing, the Planning and Zoning Commission held discussion to further understand the regulations this property will be required to follow due to the residential proximity and the B-O zoning district requirements. The Commission believed the B-O zoning district is reasonable for this area.

An additional zoning process may be applicable to a commercial property once permanently zoned. This additional zoning process is applicable across the City on any nonresidential zoning districts (B-1, B-O, B-2, M-1). In August 2016, City Council approved Ordinance No. 2063 amending the Development Code, which stated that any new use located immediately adjacent to a rear property line of an existing single family lot require a CUP be approved as a residential proximity provision. The primary purpose of the ordinance is to allow the Commission and Council to examine physical characteristics of site layout and building design to assess impacts and any mitigation needed. The "*"shown in the land use matrix indicates a use that may be permitted and requires a Conditional Use Permit as a residential proximity provision for the establishment of a use, or the expansion of an existing use for nonresidential property within nonresidential zoning districts (B-1, B-O, B-2, M-1) that immediately abut a rear property line of an existing single-family lot in a residential single-family district. However, there are some exemptions to this CUP provision listed in the City's Development Code Sec. 2-56. - Land Use Matrix.

Bulk Regulations for Non-Residential Districts

Table 2-92.1: Bulk Regulations for Nonresidential Zoning Districts

REGULATION		ZONING DISTRICT				
		B-O	B-1	B-2	M-1	M-2
Minimum Front Yard (Setback)		25 ft. (a)	25 ft. (a)	25 ft. (a)	25 ft. (a)	25 ft. (a)
Minimum Side and Rear Yard (Setback)	Abutting Nonresidential District or R-4	10 ft. (a) (b)	10 ft. (a) (b)	10 ft. (a) (b)	10 ft. (a)	10 ft. (a)
	Abutting Residential District other than R-4	25 ft. (a)	25 ft. (a)	25 ft. (a)	25 ft. (a)	25 ft. (a)
Minimum Street Side Yard (Setback)		25 ft. (a)	25 ft. (a)	25 ft. (a)	25 ft. (a)	25 ft. (a)
Minimum Open Space (% of Lot Area)		15%	20%	15%	20%	15%
Maximum Height of Structures		(c) (d)	2½ stories, but not more than 35 ft. from finished grade; (c) (d)	100 ft.; CUP required if over 100 ft.; (c) (d)	(c) (e)	(c)
Outside Use		(f)	(f)	See Sec. 2-74. Additional Nonresidential District Regulations	Additional Nonresidential District Regulations	
Additional Regulations		See Sec. 2-93 . Additional Nonresidential District Regulations. Note: Parking setback requirements are detailed in Chapter 2 . Article				

REFERENCES

a. For Yards abutting an Arterial Street or highway, the minimum Yard is 40 feet.

b. A Yard is not required where a common wall of a building is located at the Lot line.

c. Airport Height Hazard Regulations may apply.

d. 2/1 Bulk Plane: If any portion of a proposed building is within 500 linear feet of a Residential District, other than R-4, setback of 2 feet for each 1 foot in height over 24 feet.

e. 1/1 Bulk Plane: If any portion of a proposed building is within 500 linear feet of a Residential District, other than R-4, setback of 1 foot for every 1 foot in height over 24 feet.

f. All merchandise and materials related to the business must be displayed and stored inside a permanent Building. All business activities must be conducted within a fully-enclosed Building.

Parking Lot Setbacks Requirements for Nonresidential Districts

Table 2-216.2: Parking Lot Setback Requirements for Nonresidential Districts

REGULATION			ZONING DISTRICT				
			B-O	B-1	B-2	M-1	M-2
Minimum Parking Lot Setbacks	Front		15 ft.	15 ft.	25 ft.	25 ft.	25 ft.
	Street Side		15 ft.	15 ft.	25 ft.	25 ft.	25 ft.
	Side	Adjacent to Nonresidential Use or Zone	See Chapter 2 , Article XV, Landscape Regulations				
		Adjacent to Residential Use or Zone	20 ft.	20 ft.	20 ft.	30 ft.	30 ft.
	Rear	Adjacent to Nonresidential Use or Zone	See Chapter 2 , Article XV, Landscape Regulations				
		Adjacent to Residential Use or Zone	20 ft.	20 ft.	20 ft.	30 ft.	30 ft.

CITY COUNCIL PUBLIC HEARING

Notice of Public Hearing was published in a newspaper of general circulation as required by state law. All property owners within 200 feet of the proposed site were notified. Notice of the Public Hearing was posted on the City of Sugar Land's Internet home page. At the time of writing this report, Staff has not received any inquiries. Staff has not received any correspondence or calls indicating an issue with the proposed permanent zoning since the Planning and Zoning Commission's public hearing.

POINTS FOR CONSIDERATION:

- The New Territory area was annexed into the City of Sugar Land in December 2017, and state law does not allow annexation ordinances to assign permanent zoning at the time of annexation; therefore, a permanent zoning change is subsequently required.
- The permanent zoning proposal is designed to match up the existing uses with the proper district regulations.
- The proposed permanent rezoning is proposed to be in character with the existing development in the New Territory commercial areas.
- The proposal is not in conflict with the Comprehensive Plan. Special attention has been given to the New Territory Commercial areas to be zoned as B-1, B-2 and B-O zoning districts.



NOTICE OF PUBLIC HEARING

REZONING FROM R-1 I INTERIM STANDARD SINGLE FAMILY RESIDENTIAL TO PERMANENT NEIGHBORHOOD BUSINESS (B-1), GENERAL BUSINESS (B-2), OR BUSINESS OFFICE (B-O) (NEW TERRITORY NON-RESIDENTIAL AREAS)

City Council Meeting 6:00 p.m., April 17, 2018, City of Sugar Land City Council Chamber, 2700 Town Center Boulevard North to hear all persons interested in the proposed rezoning from Interim Standard Single Family Residential (R-1 I) to Neighborhood Business (B-1), General Business (B-2), or Business Office (B-O) for commercially developed areas of the New Territory community, located 1) south of Highway 90A and west of Easton Avenue; 2) south of Highway 90A and east of Grand Parkway 99; 3) north and south of New Territory Blvd and east of Grand Parkway 99; 4) along Homeward Way and south of Gateway Boulevard (approximately 78 acres in total). This rezoning is proposed to assign a permanent commercial zoning district to the New Territory non- residential areas that were annexed into the City on December 12, 2017.

City of Sugar Land City Council Chamber, 2700 Town Center Boulevard North. Details of the proposed rezoning may be obtained by contacting City of Sugar Land Development Planning Office by email planning@sugarlandtx.gov or phone (281) 275-2218. The agenda item for this meeting will be placed on the City website at www.sugarlandtx.gov under "Meeting Agendas" for City Council no later than Friday, April 13, 2018.