

## **STAFF REPORT**

Request for a Conditional Use Permit (CUP) for four new Medical Office Buildings directly adjacent to Single Family Residential property near East Riverpark Drive and Highway 99, the Grand Parkway. The property is located on approximately 2.467 acres zoned Neighborhood Business (B-1) commercial behind the retail commercial areas that front on the Grand Parkway.

## **DEVELOPMENT CODE PROVISIONS – CONDITIONAL USE PERMITS FOR RESIDENTIAL PROXIMITY**

*Ch. 2, Art. II, Section 2-55 (Key to Permitted Uses). G. Residential Proximity Conditional Use [\*] Indicates a district wherein a conditional use permit is required for uses in specific circumstances, as follows:*

- 1. A conditional use permit is required for the establishment or expansion of a nonresidential use located on property that abuts a single-family residential lot located in a single-family residential district”*

## **GENERAL SITE INFORMATION AND ANALYSIS:**

Compliance with Comprehensive Plan	This use is directly in alignment with the proposed future land use of Neighborhood Commercial & Services
Subject Property	Neighborhood Business (B-1) District
Surrounding Property Zoning	North: Standard Single Family Residential (R-1) South: Neighborhood Business (B-1) East: Neighborhood Business (B-1) West: Neighborhood Business (B-1)
Surrounding Land Uses	North: Single Family Residential Neighborhood (Riverpark Sec. 2) South: Medical & Professional Office Buildings (under construction) East: Hotel use- (Best Western Sugar Land Inn) West: Retail Shopping Center

## **CASE ANALYSIS**

Due to the proximity of the adjacent residential subdivision of Riverpark Section 2, located directly north of the subject property, a Conditional Use Permit (CUP) must be approved as a residential proximity provision. In 2016, City Council approved Ordinance No. 2063 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 prior to development. Requiring the CUP for residential proximity provides an opportunity for the P&Z Commission and the City Council to review a proposed site plan, landscaping, building elevations, and photometrics for lighting, all of which are typical requirements for a CUP for various land uses. This allows for the Commission and Council to determine whether there are additional mitigation measures which should be implemented for buffering of an adjacent residential neighborhood.

The applicant is requesting to build four single-story medical office buildings located on approximately 2.467 acres. It is behind the Best Western Hotel on East Riverpark Drive just off of 99 the Grand Parkway. The proposed buildings are between 4,908 and 6,121 square feet each totaling 22,058 square feet of medical office space in the entire project. It is important to note that

the proposed use will comply with the existing Neighborhood Business (B-1) zoning district requirements for land uses. It will be reviewed as the applicant for each tenant applies for building permits. The CUP requirement is primarily for providing certainty for the layout and design of the project and any mitigation elements needed for ensuring compatibility.

The buildings will be accessed by connecting to an existing Private Access Easement (PAE) off of East Riverpark Drive, which currently provides access to the retail centers that front on the Grand Parkway and for the medical and professional office buildings currently under construction that front on East Riverpark Drive. Upon entering the site, parking is immediately available, and the office buildings are proposed along the North and East edges of the development. The applicant has provided the recorded plat and site plan which depicts the PAE and legal boundaries, and building layout, parking lot layout, and locations of all site lighting.

The proposed medical office buildings are configured so that all of the entrances are located in front of the buildings away from the adjacent residential homes, and the rear of the buildings are facing the residences. The applicant's site plan shows that the closest corner of any of the buildings is 26' 7" from the single family property line, which exceeds the Development Code minimum requirement of 25 feet. The building finishes consist of full masonry cladding, and will have no doors, lighting, or drive aisle at the rear of each.

Staff has confirmed with Building Safety and Fire Departments that if the occupancy load stays at or below the information included on the Site Plan, emergency exit doors on the back of the building will not be necessary. Therefore, if a particular tenant wants to have more employees in the space and an emergency door is required, the CUP process would have to begin again for an amendment. This would ensure a level of certainty as to what can be expected at the commercial property along the proximity area with the single-family neighborhood.

The applicant has also provided a proposed landscape plan for the site. It includes an entire line of alternating trees along the north property line. This would consist of 13 4" caliper Live Oaks and 9 2.5" caliper Bald Cypress as well as preserving 6 existing Oak trees at the property in the northeast corner. There is an 8-foot aerial easement directly adjacent to the property line with Riverpark Section 2 from which the applicant removed all plantings. In addition to these plantings, there is an existing 6-foot wood fence providing screening at the rear of the single-family residential lots. The Applicant is now proposing to build a new 8-foot wooden fence with baseboard and cap. If this wood style fence (example image attached) is approved, the applicant is willing to work with the neighboring properties to include upgrading fencing along those property lines as well.

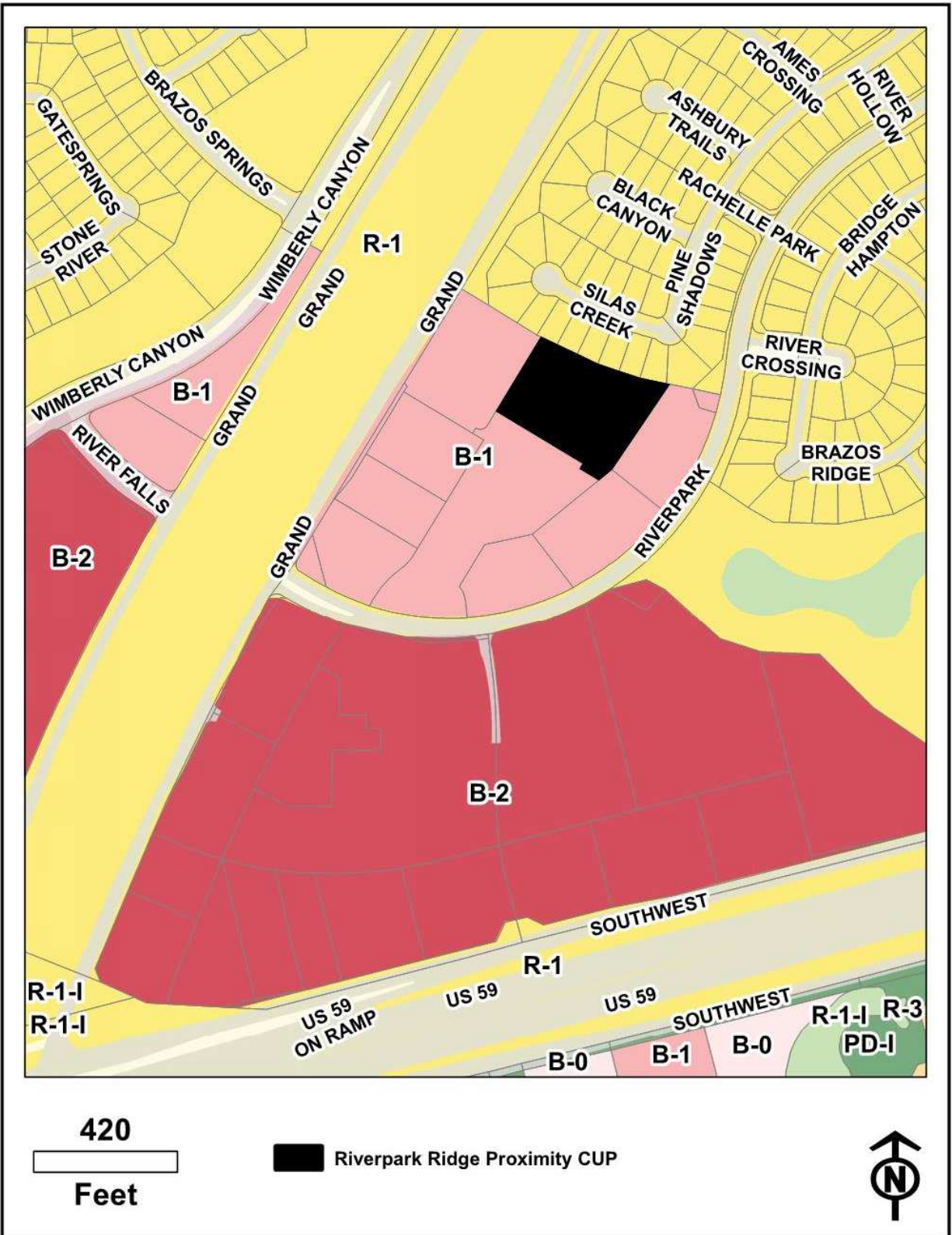
## **PUBLIC HEARING RECAP**

The Planning and Zoning Commission hosted a Public Hearing on March 10, 2020. There were no speakers present to speak for or against the CUP. Commission then held discussion and direction which included several clean-up adjustments, including the need for a new fence, switching types and height of trees, and including double glazed windows on the rear for security purposes. Since the time of the Public Hearing, staff has received no inquiries and is not aware of any opposition.

### **POINTS FOR CONSIDERATION**

- The rear of the project site is directly adjacent to an existing single-family residential neighborhood and therefore mitigation measures should be closely examined.
- All buildings proposed as one-story commercial, and there are no doors, lighting, or drive aisles along the rear elevations of the buildings. This design assists in limiting commercial impacts on the adjacent single-family residential neighborhood.
- The applicant has provided a set of exterior building elevations which indicate the materials used to be entirely comprised of masonry, and glass.
- The applicant is proposing a 16 to 36-foot-wide landscape buffer along the rear of the property. Applicant has changed original elm trees to cypress which provide more greenery and have longer lasting leaves.
- There is an existing 6-foot wood fence along the rear of the property with the residential single-family lots in Riverpark Section 2. The applicant has proposed to replace the existing fence with an 8-foot wooden fence with a baseboard and cap.
- The applicant has provided large scale Exhibit sheets to assist in legibility of the plans, per comments made at the previous meeting.

Vicinity Map



## Aerial Map

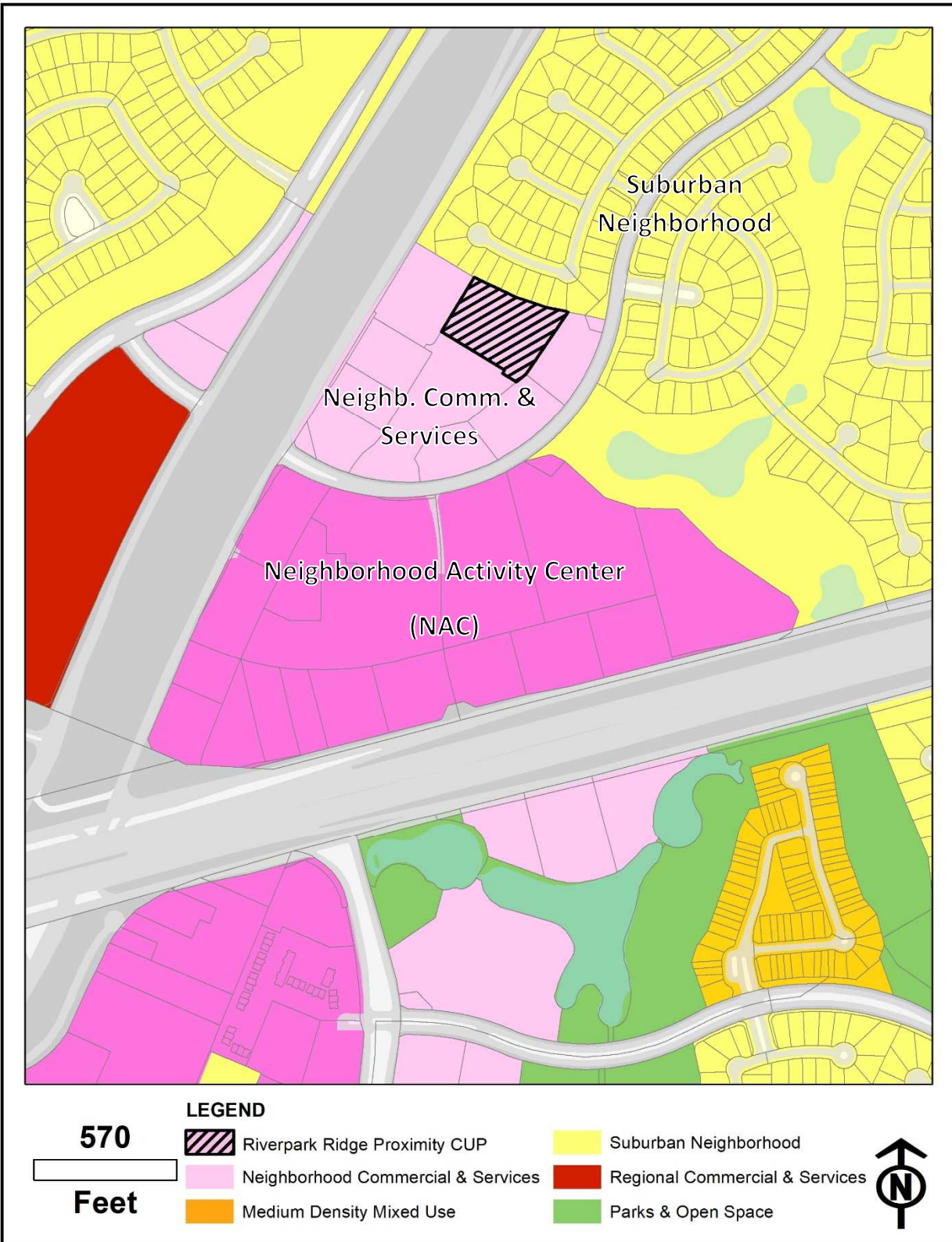


## Example of Proposed Fence





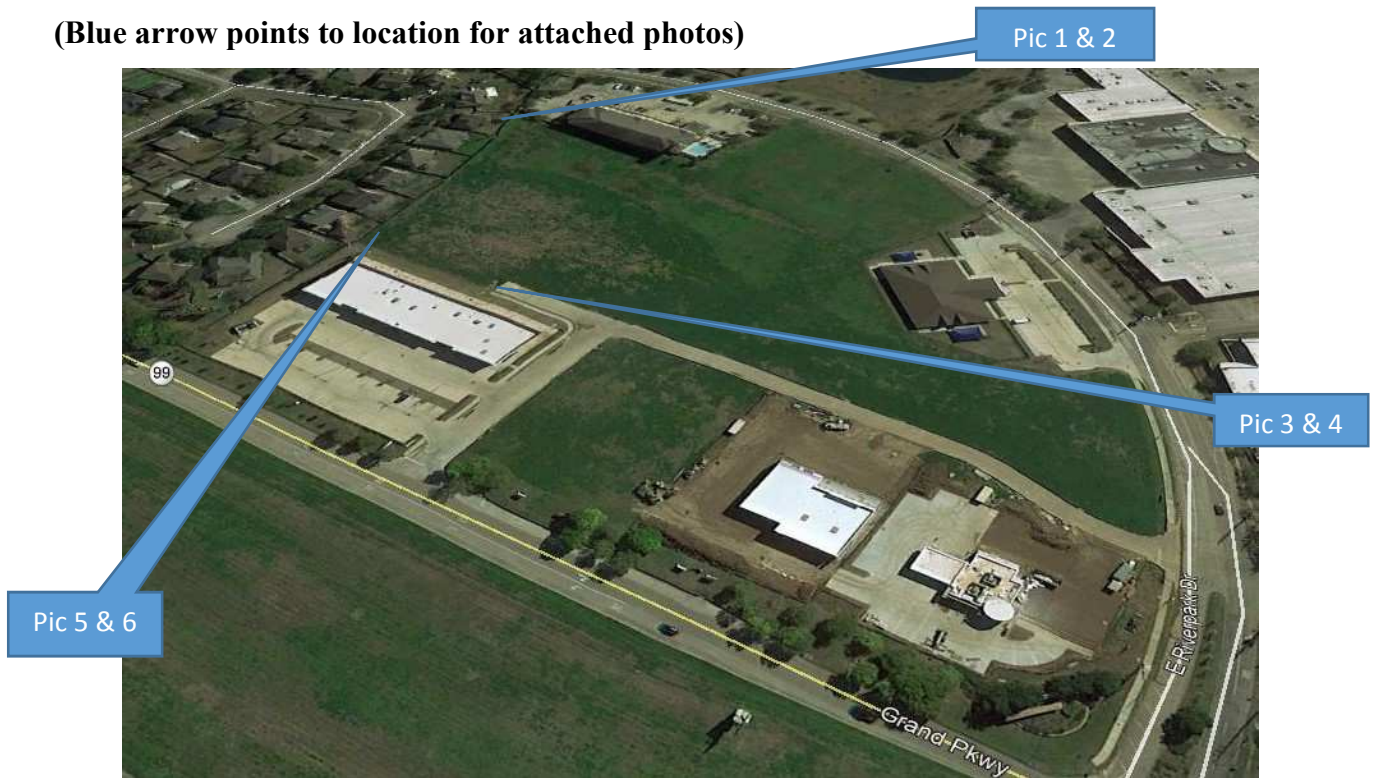
## Future Land Use Map Excerpt





## Angled Aerial and Area Photographs

(Blue arrow points to location for attached photos)



Left Pic 1 Right Pic 2 – Taken from behind the Best Western, 1 looking across the property, 2 looking down the residential fence line.





Left Pic 3 Right Pic 4 – Taken from the end of the existing access drive. 3 Looking across the property to the empty site between Best Western and Goddard school. 4 Looking towards single family residential homes.



Left Pic 5 Right Pic 6 – Taken from behind the 2017 retail center. 5 looking along newer wooden fence with landscaping towards Grand Parkway. 6 looking along existing wooden fence that borders the commercial and single family residential property line.



**Application:**



**CONDITIONAL USE PERMIT  
(CUP) APPLICATION**

**FOR OFFICE USE  
(Rev. 01/02/19)**

**Accounting Code: ZC  
2019 Fee: \$1,722.50**

**Fee Required** \_\_\_\_\_

**Case No.** \_\_\_\_\_

**Return Your Submittal Monday from 8:00 am -3:00 pm To Development Planning (Attn: Development Review Coordinator)  
Sugar Land City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Phone#: (281) 275-2218**

**Please contact Development Planning staff to discuss your proposal prior to submitting a Conditional Use Permit application.  
Conditional Use Permit Submittal Requirements:**

*All materials must be submitted only digitally via USB or CD with the following items:*

- Copy of the completed application (digitally and paper version)
- Submittal Fee
- Legal description of property:
  - ☐ Metes & bounds description if property is not platted OR
  - ☒ Plat information:  
Plat Name: Riverpark Ridge Business and Medical Office Reserve A-3 Minor Replat  
Lot & Block or Reserve: Reserve A-6  
FBCOPR No.: 2019091773
- Letter stating the applicant's request and addressing issues relating to a CUP including plan of operation, traffic circulation, parking, and other pertinent information
- Copy of CUP layout plan and other pertinent information (to be determined during meeting with Development Planning staff)
- Copy of all CUP application materials
- Copy of a Traffic Impact Analysis (Contact Engineering Dept. at 281-275-2870 to determine necessity)

**\*ALL FIELDS MUST BE COMPLETED.\***

**PROJECT NAME** Riverpark Ridge Business and Medical Offices

**Legal/ Location Description** (Reserve A-6) Replat of Reserve A-3, River Park Plaza at 99 Reserve A-2 Repla

**Property Acreage** 2.467 Acres **Current Zoning District** B-1 (Neighborhood Business)

**For CUP, Proposed Use** Medical Offices

**CONTACT INFORMATION**

**Project Representative:**

**Contact Person** Justin A. Schrader, PE

**Company** LJA Engineering, Inc.

**Address** 1904 N. Grand Pkwy #100 Katy, TX 77449

**Phone** 713-953-5232 **Email** JSchrader@LJA.com

***This is to certify that the information on this form is COMPLETE, TRUE and CORRECT and the undersigned is authorized to make this application. I understand that this application will expire one year from the date of submittal if the Planning Department has not received a revised submittal.***

X Justin A. Schrader, PE  
Project Representative's Signature

10-21-19

Date