



PLANNING AND ZONING COMMISSION

AGENDA

Sugar Land City Hall
2700 Town Center Boulevard North
Sugar Land, Texas 77479

FRIDAY, SEPTEMBER 3, 2021

PLANNING AND ZONING COMMISSION

CITY COUNCIL CHAMBER

5:30 PM

I. ATTENTION

- A.** *Members of the City Council, Board and/or Commission may participate in deliberations of posted agenda items through telephonic/videoconferencing means. Audio/Video of open deliberations will be available for the public to hear/view, and recorded as per the Texas Open Meetings Act.*

The meeting will live stream at <https://www.sugarlandtx.gov/1238/SLTV-16-Live-Video> or <https://www.youtube.com/user/SugarLandTXgov/live>. Sugar Land Comcast Cable Subscribers can also tune-in on Channel 16.

II. CALL TO ORDER

III. PUBLIC HEARING / PUBLIC COMMENT

- A. Option 1:** Members of the public desiring to submit written comments to be read during the Public Comment or Public Hearing portions of the meeting, will be allowed to submit their comments to the Office of the City Secretary (citysec@sugarlandtx.gov). Written/e-mailed comments must be received by 3:00 p.m., Tuesday, August 10, 2021. The City of Sugar Land reserves the right to remove any written/mailed comments deemed inappropriate or not adhering to the public comment rules outlined in this notice. The City reserves the right to not read any comments containing -

- Links to for-profit sites
- Advertising
- Promotion of illegal activities
- Sexual oriented/explicit comments and sites
- Information promoting discrimination/harassment
- Political/religious rhetoric, advocacy, or commentary

Members of the public desiring to participate virtually during the set/posted time of the Public Comment or Public Hearing must e-mail (citysec@sugarlandtx.gov) or call ((281) 275-2730) the Office of the City Secretary by 3:00 p.m., Tuesday, August 10, 2021. Once properly registered, the Office of the City Secretary will provide instructions for direct participation during the Public Hearing.

Option 2: Citizens who desire to address the City Council, Board and/or Commission in person with regard to matters on the agenda must complete a "Request to Speak" form

and give it to the City Secretary, or designee, prior to the beginning of the meeting. Each speaker is limited to three (3) minutes, and speakers requiring a translator will have six minutes, regardless of the number of agenda items to be addressed. Comments or discussion by the City Council, Board, and/or Commission Members, will only be made at the time the subject is scheduled for consideration.

For questions or assistance, please contact the Office of the City Secretary (281) 275-2730.

IV. MINUTES

- A. Consideration of and action on the minutes of the July 22, 2021 meeting.

Thomas Harris III, City Secretary

V. PUBLIC HEARING

VI. SUBDIVISION PLAT

- A. Consideration of and action on the Lake Pointe Townhome Preliminary Replat.

Lauren Fehr, Principal Planner

VII. FACT, FINDINGS AND RECOMMENDATION

- A. Consideration of and action on a recommendation for amendments to Chapter 2, Article IV, Section 2-192 and Chapter 10, Section 10-3 of the Development Code, to the Mayor and Members of City Council.

Laura Waller, Planner II

VIII. REPORTS

- A. Planning and Zoning Commission Liaison Report
- City Council Meeting August 3, 2021

- B. City Staff Report
- Calendar of Scheduled Meeting and Events

ADJOURNMENT

- A. *Members of the City Council, Board and/or Commission may participate in deliberations of posted agenda items through telephonic/videoconferencing means. Audio/Video of open deliberations will be available for the public to hear/view, and recorded as per the Texas Open Meetings Act.*

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THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY).

IF YOU PLAN TO ATTEND THIS PUBLIC MEETING AND YOU HAVE A DISABILITY THAT REQUIRES SPECIAL ARRANGEMENTS AT THE MEETING,

PLEASE CONTACT THE CITY SECRETARY, (281) 275-2730. REQUESTS FOR SPECIAL SERVICES MUST BE RECEIVED FORTY-EIGHT (48) HOURS PRIOR TO THE MEETING TIME.

REASONABLE ACCOMMODATIONS WILL BE MADE TO ASSIST YOUR NEEDS. CITY HALL IS WHEELCHAIR ACCESSIBLE AND A SLOPED CURB ENTRY IS AVAILABLE AT THE MAIN ENTRANCE, WITH SPECIALLY MARKED PARKING SPACES NEARBY. THE COUNCIL CHAMBER IS WHEELCHAIR ACCESSIBLE AND SPECIAL SEATING IS PROVIDED. THE FACILITY IS EQUIPPED WITH A HEARING ASSISTANCE DEVICE IS AVAILABLE.

THE AGENDA AND SUPPORTING DOCUMENTATION IS LOCATED ON THE CITY WEB SITE (WWW.SUGARLANDTX.GOV) UNDER MEETING AGENDAS.

test



**Planning and Zoning Commission Agenda Request
SEPTEMBER 3, 2021**

AGENDA REQUEST NO: IV.A.

AGENDA OF: Planning and Zoning Commission Meeting

INITIATED BY: *Thomas Harris III, City Secretary*

PRESENTED BY: *Thomas Harris III, City Secretary*

RESPONSIBLE DEPARTMENT: City Secretary

AGENDA CAPTION:

Consideration of and action on the minutes of the July 22, 2021 meeting.

RECOMMENDED ACTION:

Consider the minutes of the July 22, 2021 meeting.

EXECUTIVE SUMMARY:

Consider the minutes of the July 22, 2021 meeting.

BUDGET

EXPENDITURE REQUIRED: N/A

CURRENT BUDGET: N/A

ADDITIONAL FUNDING: N/A

ATTACHMENTS:

Description	Type
▣ 072221_minutes	Other Supporting Documents



PLANNING AND ZONING COMMISSION

MINUTES

Sugar Land City Hall
2700 Town Center Boulevard North
Sugar Land, Texas 77479

THURSDAY, JULY 22, 2021

PLANNING AND ZONING COMMISSION

CITY COUNCIL CHAMBER

6:30 PM

QUORUM PRESENT

All members were present except Commissioner Canine.

I. ATTENTION

- A. *Members of the City Council, Board and/or Commission may participate in deliberations of posted agenda items through telephonic/videoconferencing means. Audio/Video of open deliberations will be available for the public to hear/view, and recorded as per the Texas Open Meetings Act.*

The meeting will live stream at <https://www.sugarlandtx.gov/1238/SLTV-16-Live-Video> or <https://www.youtube.com/user/SugarLandTXgov/live>. Sugar Land Comcast Cable Subscribers can also tune-in on Channel 16.

II. CALL TO ORDER

III. PUBLIC COMMENT / PUBLIC HEARING

- A. **Option 1:** Members of the public desiring to submit written comments to be read during the Public Comment or Public Hearing portions of the meeting, will be allowed to submit their comments to the Office of the City Secretary (citysec@sugarlandtx.gov). Written/e-mailed comments must be received by 3:00 p.m., Thursday, July 22, 2021. The City of Sugar Land reserves the right to remove any written/mailed comments deemed inappropriate or not adhering to the public comment rules outlined in this notice. The City reserves the right to not read any comments containing -

- Links to for-profit sites
- Advertising
- Promotion of illegal activities
- Sexual oriented/explicit comments and sites
- Information promoting discrimination/harassment
- Political/religious rhetoric, advocacy, or commentary

Members of the public desiring to participate during the set/posted time of the Public Comment or Public Hearing must e-mail (citysec@sugarlandtx.gov) or call ((281) 275-2730) the Office of the City Secretary by 3:00 p.m., Thursday, July 22, 2021. Once properly registered, the Office of the City Secretary will provide instructions for direct participation during the Public Hearing.

Option 2: Citizens who desire to address the City Council, Board and/or Commission in person with regard to matters on the agenda must complete a "Request to Speak" form and give it to the City Secretary, or designee, prior to the beginning of the meeting. Each speaker is limited to three (3) minutes, and speakers requiring a translator will have six minutes, regardless of the number of agenda items to be addressed. Comments or discussion by the City Council, Board, and/or Commission Members, will only be made at the time the subject is scheduled for consideration.

For questions or assistance, please contact the Office of the City Secretary (281) 275-2730.

No member of the public addressed the Commission.

IV. MINUTES

- A. Consideration of and action on the minutes of the June 24, 2021 meeting.
Thomas Harris III, City Secretary

A motion to **Approve**, Item V-A Minutes, was made by Taylor Landin and seconded by Diane Englet, the motion **Passed**.

Ayes: Brown, Caligur, Englet, Hart, Landin, Parikh, Simeone, Uschold

Absent: Canine

V. PUBLIC HEARING

- A. **PUBLIC HEARING 6:30 P.M.:** Receive and hear all persons desiring to be heard on proposed Development Code amendments to Chapter 2, zoning regulations for connecting unenclosed residential patio covers between primary and accessory structures.

Review of and discussion on proposed Development Code amendments to Chapter 2, zoning regulations for connecting unenclosed residential patio covers between primary and accessory structures.

Laura Waller, Planner II

Laura Waller, Planner II, gave a presentation, comments and answered questions

from the Commission.

Chairman Caligur opened the Public Hearing at 6:41 P.M.

No one spoke in favor or opposition.

Chairman Caligur closed the Public Hearing at 6:42 P.M.

The consensus of the Commission made the following recommendation, to define "patio" and "unenclosed."

VI. REPORTS

A. Planning and Zoning Commission Liaison Report

- City Council Meeting July 6, 2021
- City Council Meeting July 20, 2021

Commissioner Englet reported on the City Council meetings of July 6, 2021 and July 20, 2021

B. City Staff Report

- Calendar of Scheduled Meeting and Events

Doug Schomburg, City Planner - Development Planning, gave comments and reported on events, meetings, and future activities.

VII. ADJOURNMENT

A motion to **Approve**, Adjournment at 7:10 P.M., was made by Taylor Landin and seconded by Thomas Uschold, the motion **Passed**.

Ayes: Brown, Caligur, Englet, Hart, Landin, Parikh, Simeone, Uschold

Absent: Canine

Matthew Caligur, Chairman





Planning and Zoning Commission Agenda Request
SEPTEMBER 3, 2021

AGENDA REQUEST NO: VI.A.

AGENDA OF: Planning and Zoning Commission Meeting

INITIATED BY:

Lauren Fehr, AICP, Principal Planner

PRESENTED BY:

Lauren Fehr, Principal Planner

RESPONSIBLE DEPARTMENT: City Secretary

AGENDA CAPTION:

Consideration of and action on the Lake Pointe Townhome Preliminary Replat.

RECOMMENDED ACTION:

Approval of the Lake Pointe Townhome Preliminary Replat

EXECUTIVE SUMMARY:

This is the Lake Pointe Townhome Preliminary Replat, consisting of 0.7906 acres with nine lots, one block, and two reserves. This property is located in the Lake Pointe area, more specifically at the southeast corner of Lake Pointe Parkway and Creek Bend Drive. Vehicular access to each townhome lot will occur from the rear shared access driveway approved as part of the Planned Development (PD) ordinance for this development.

The previous plat of this property was called "Lake Pointe Town Center Offices Unrestricted Reserves J-3A, J-3B, and J-3C" and consisted of three reserves, including this 0.7906-acre tract. The purpose of this replat is to subdivide the 0.7906-acre reserve, formerly known as Reserve "J-3A", into nine single-family residential townhome lots and two reserves for open space, landscaping, and the shared driveways.

This Preliminary Replat, as shown, is consistent with the Planned Development (PD)

Ordinance No. 2197, approved by the City Council in 2020, which provides for the development of these nine single-family residential townhomes lots and two reserves. It is also consistent with the most recent General Land Plan for Lake Pointe which shows this 0.7906 tract as "Residential - PD". The plat is also in compliance with the Subdivision Regulations of the Development Code (Chapter 5).

Staff recommends approval of the Lake Pointe Townhome Preliminary Replat.

BUDGET

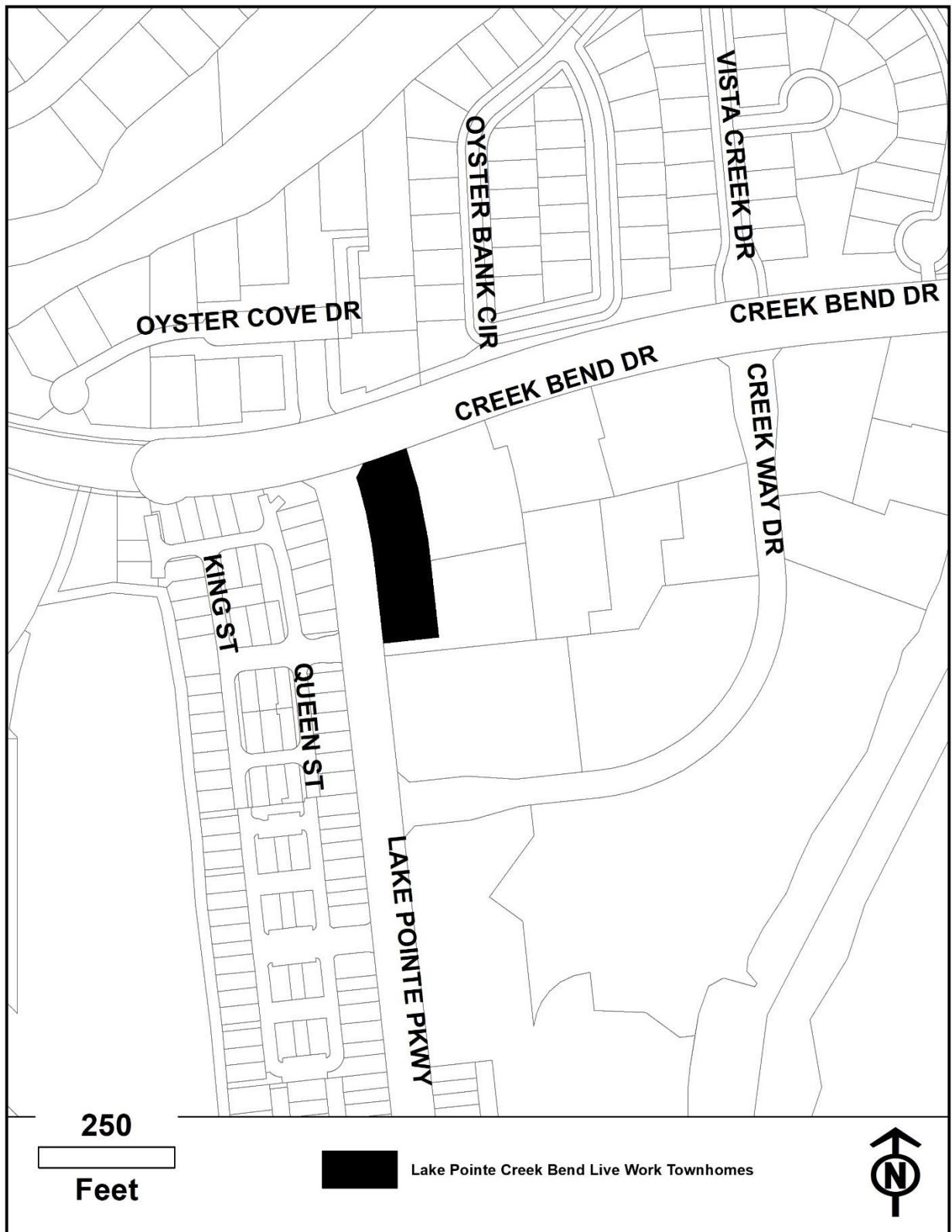
EXPENDITURE REQUIRED: N/A

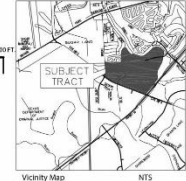
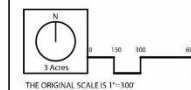
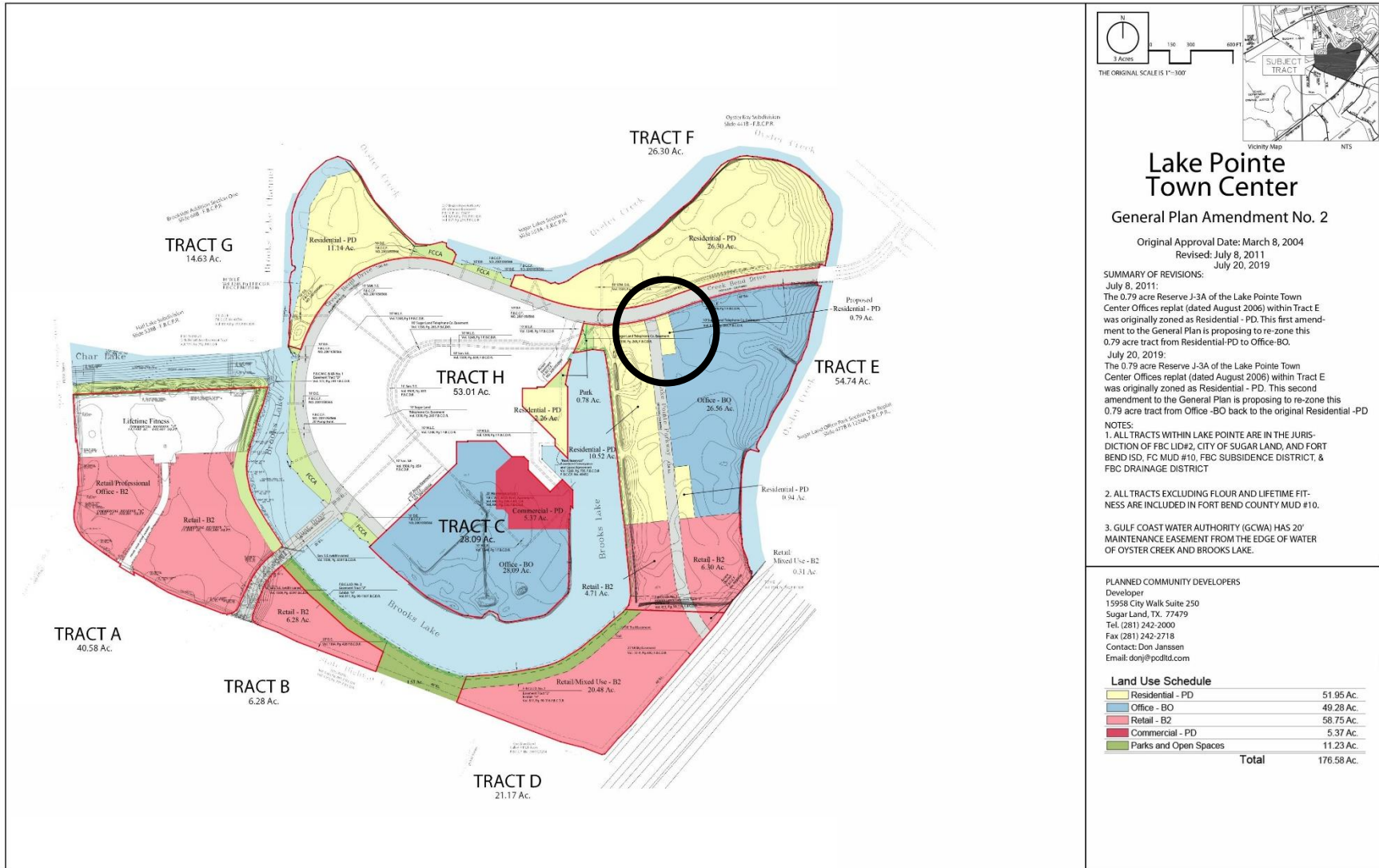
CURRENT BUDGET: N/A

ADDITIONAL FUNDING: N/A

ATTACHMENTS:

Description	Type
<input type="checkbox"/> vicinity map	Maps
<input type="checkbox"/> Supplemental Materials	Other Supporting Documents
<input type="checkbox"/> Preliminary Replat	Other Supporting Documents





Lake Pointe Town Center

General Plan Amendment No. 2

Original Approval Date: March 8, 2004
Revised: July 8, 2011
July 20, 2019

SUMMARY OF REVISIONS:

July 8, 2011:

The 0.79 acre Reserve J-3A of the Lake Pointe Town Center Offices replat (dated August 2006) within Tract E was originally zoned as Residential - PD. This first amendment to the General Plan is proposing to re-zone this 0.79 acre tract from Residential-PD to Office-BO.

July 20, 2019:

The 0.79 acre Reserve J-3A of the Lake Pointe Town Center Offices replat (dated August 2006) within Tract E was originally zoned as Residential - PD. This second amendment to the General Plan is proposing to re-zone this 0.79 acre tract from Office-BO back to the original Residential -PD

NOTES:

1. ALL TRACTS WITHIN LAKE POINTE ARE IN THE JURISDICTION OF FBC UDI#2, CITY OF SUGAR LAND, AND FORT BEND ISD, FC MUD #10, FBC SUBSIDENCE DISTRICT, & FBC DRAINAGE DISTRICT

2. ALL TRACTS EXCLUDING FLOUR AND LIFETIME FITNESS ARE INCLUDED IN FORT BEND COUNTY MUD #10.

3. GULF COAST WATER AUTHORITY (GCWA) HAS 20' MAINTENANCE EASEMENT FROM THE EDGE OF WATER OF OYSTER CREEK AND BROOKS LAKE.

PLANNED COMMUNITY DEVELOPERS

Developer
15958 City Walk Suite 250
Sugar Land, TX 77479
Tel. (281) 242-2000
Fax (281) 242-2718
Contact: Don Janssen
Email: donj@pdtd.com

Land Use Schedule

Residential - PD	51.95 Ac.
Office - BO	49.28 Ac.
Retail - B2	58.75 Ac.
Commercial - PD	5.37 Ac.
Parks and Open Spaces	11.23 Ac.
Total	176.58 Ac.



PLAT APPLICATION

FOR OFFICE USE

(Rev. 01/02/21)

Accounting Code: **PF**

2021 Fee: See below

Fee Required _____

Case No. _____

Return Your Submittal Monday from 8:00am- 3:00pm To Development Planning (Attn: Development Review Coordinator)

Sugar Land City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Phone#: (281) 275-2218

For Plat Submittal Requirements, please see the *Development Application Handbook* for the *Preliminary Plat Checklist* and *Final Plat Checklist* on Planning Department page at www.sugarlandtx.gov. **Plats will not be routed for review unless all Submittal Requirements are included with the plat.**

ALL FIELDS MUST BE COMPLETED.

PROJECT NAME LAKE POINTE TOWNHOME DEVELOPMENT REPLAT				
Submittal Type	<input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Short Form Final	<input checked="" type="checkbox"/> Preliminary Replat <input type="checkbox"/> Final Replat	<input type="checkbox"/> Amending Plat or Replat <input type="checkbox"/> Minor Plat or Replat	<input type="checkbox"/> Preliminary Plat Extension <input type="checkbox"/> Final Plat Extension <input type="checkbox"/> Vacation Plat
Fee	\$1,196.00 + \$3/lot + \$16.50 acre or fraction in reserves	\$1,111.75 + \$3/lot + \$16.50 per per acre or fraction in reserves	\$528.50	No Fee

Total Acreage 0.7906 No. of Lots 9 Acres in Reserves 0.164

MUD _____ LID FBC LID #2

Public Infrastructure Construction Plans (for Final Plats): If Submitted at an earlier time:

☐ Included with Final Plat **OR**

Name on plan: _____

☐ Submitted at an earlier time

Date Submitted: _____

School District: ☒ Fort Bend ISD ☐ Lamar Consolidated ISD

Project Location: ☒ City Limits (Zoning: _____) ☐ ETJ

Survey/Abstract No. BROWN AND BELKNAP SURVEY, ABSTRACT No. 15

Geographic Location Southeast corner of Lake Pointe Parkway at Creek Bend Drive

Types of Uses (Check all that apply) ☒ Single-Family Residential ☐ Commercial/ Industrial
☐ Multi-Family Residential ☐ Business/ Office

CONTACT INFORMATION

Project Representative: ☒ Engineer ☐ Land Planner ☐ Surveyor

Contact Person Luis D. Valencia

Company Benchmark Engineering Corporation

Phone 713-554-2277 Email Lvalencia@benchmarkengr.net

Additional Contact: ☐ Engineer ☐ Land Planner ☐ Surveyor

Contact Person _____

Company _____

Phone _____ Email _____

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 [Signature] 5/6/21
Project Representative's Signature Date

Property Owner (Please Note - the Property Owner's Information Must be provided):

Name MUKHTAR OWAIS

Company OWAIS DEVELOPMENTS LLC, a Texas limited liability company

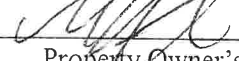
Phone 832-489-5136

Email mukhtar91@gmail.com

Property Owner's Authorization (May be submitted under separate cover on company letterhead):

I am the owner of the property for which this application is being made. I authorize

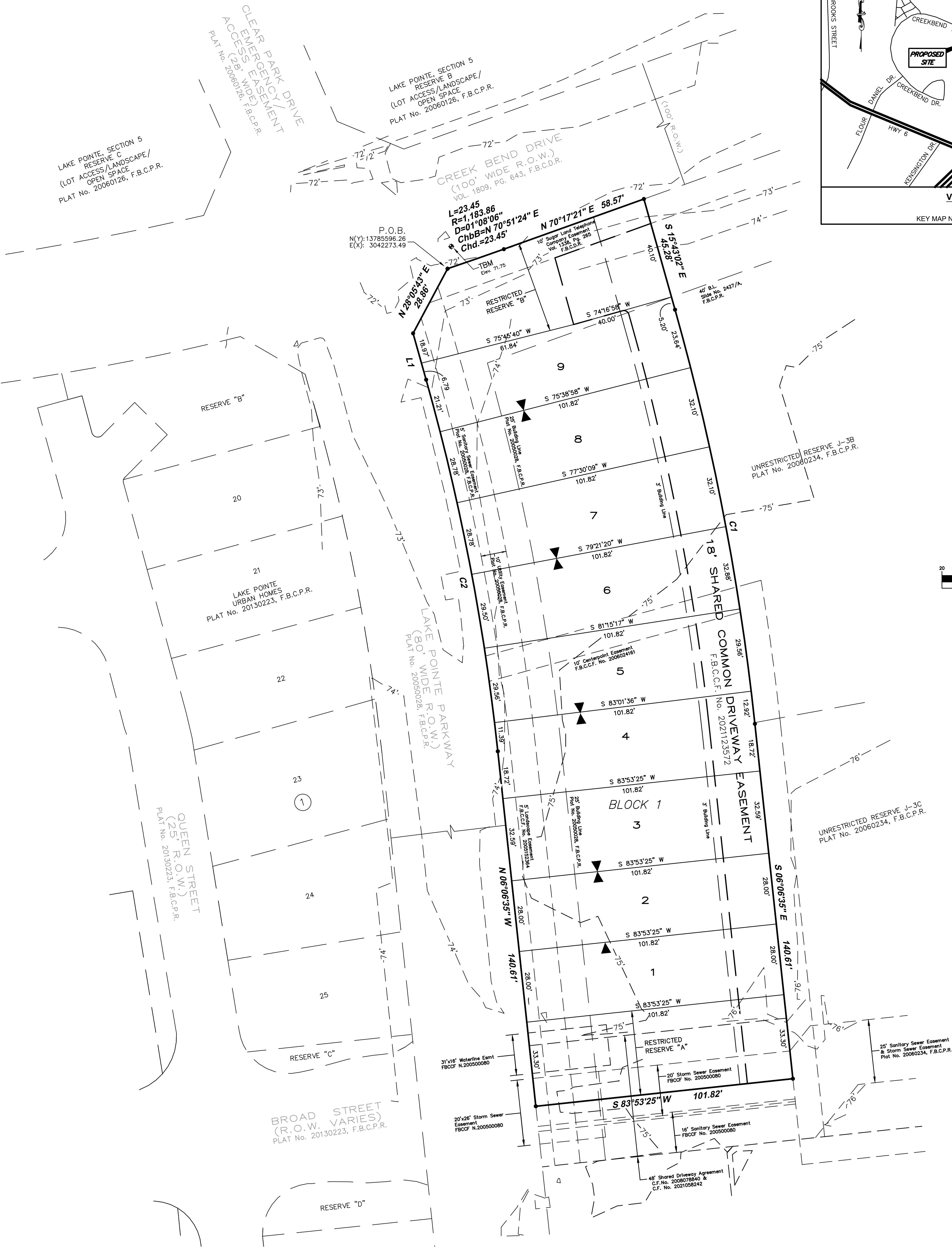
Benchmark Engineering Corp. / Luis Valleria (Project Representative) to submit this application and to correspond with the City of Sugar Land regarding this application on my behalf.

X  5/6/21
Property Owner's Signature (Required) Date

For Plat Submittal Requirements, please see *Preliminary Plat Checklist* and *Final Plat Checklist* on the Planning Department webpage as well as included in this file. Plats will not be routed for review unless all Submittal Requirements are included with the plat. Plat requirements can be found within Chapter 5 of the Development Code and the Development Application Handbook. The Filing Date of a plat application for approval by the Commission shall be the date when the application is certified complete and marked "filed" by the Director stating that all information required by the application of these regulations have been properly submitted and all fees paid. The date the application is certified and marked "filed" is the date to be considered as the initial date of the statutory 30-day time period in which the Commission is required to act upon a plat submitted to it under the Texas Local Government Code

For submittal deadlines and the Planning & Zoning Commission meeting schedule, please see the *Development Application Handbook* for the *Plat Submittal Schedule* on the Planning Department page at www.sugarlandtx.gov.

Please note that staff suggests scheduling an appointment for a pre-application meeting to discuss platting requirements prior to the submittal of a specific plat application. Please contact staff at (281) 275-2218 or at planning@sugarlandtx.gov for an appointment to review requirements.



NOTE:
COORDINATES SHOWN HEREON ARE IN SURFACE. TO
CONVERT TO GRID, MULTIPLY BY 0.9998752512202397.

BENCHMARK INFORMATION:
Station Name: SGR-RM016
Marker: 3" Brass disk
Stamping: RM016
General Location: Intersection of HWY 90A & Gillingham Lane
To Reach Description: From the intersection of HWY 90A and Gillingham Lane, north on Gillingham Lane 184' to the benchmark on the left.
Elevation: 77.9262 (NAVD 88, Adjusted 2001)
TEMPORARY BENCHMARK:
A Box cut on top of a concrete inlet at the southeast corner of the intersection of Creek Bend Drive and Lake Pointe Parkway, at the northwest corner of the subject tract.
Elevation: 71.75 (NAVD 1988, Adjusted 2001)

- LEGEND
- B.L. BUILDING LINE
 - C.P.E. CENTERPOINT ENERGY EASEMENT
 - D.E. DRAINAGE EASEMENT
 - F.B.C.C.F. FORT BEND COUNTY CLERK'S FILE
 - C.F. No. CLERK'S FILE NUMBER
 - F.B.C.D.R. FORT BEND COUNTY DEED RECORDS
 - F.B.C.O.P.R. FT. BEND COUNTY OFFICIAL PUBLIC RECORDS
 - F.B.C.P.R. FT. BEND COUNTY PLAT RECORDS
 - P.L. PROPERTY LINE
 - S.S.E. SANITARY SEWER EASEMENT
 - STM S.E. STORM SEWER EASEMENT
 - U.E. UTILITY EASEMENT
 - W.L.E. WATER LINE EASEMENT
 - P.O.B. POINT OF BEGINNING
 - CM CONTROLLING MONUMENT
 - SIR SET 5/8" IRON ROD (W/ BENCHMARKENGR CAP)
 - ▲ DENOTES A ZERO LOT LINE

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	991.81	166.30	9°36'26"	S 10°54'48" E	166.11
C2	890.00	149.23	9°36'26"	N 10°54'48" W	149.06

LINE	BEARING	DISTANCE
L1	N 15°43'02" W	18.97

RESERVE	SQ. FT.	ACRES	RESTRICTED TO
(A)	3,390	0.078	OPEN SPACE, SHARED COMMON DRIVEWAY AND LANDSCAPE
(B)	3,482	0.080	OPEN SPACE, SHARED COMMON DRIVEWAY AND LANDSCAPE

LAKE POINTE TOWNHOME PRELIMINARY REPLAT

A SUBDIVISION OF 0.7906 ACRE TRACT OF LAND BEING ALL OF A UNRESTRICTED RESERVE "J-3A" CALL 0.7906 ACRES LAKE POINTE TOWN CENTER OFFICES UNRESTRICTED RESERVES "J-3A", "J-3B" AND "J-3C" REPLAT AS RECORDED UNDER CLERK'S PLAT No. 20060234 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, FORT BEND COUNTY, TEXAS AND BEING SITUATED IN THE BROWN AND BELKNAP LEAGUE, ABSTRACT No. 15, CITY OF SUGAR LAND, FORT BEND COUNTY, TEXAS.

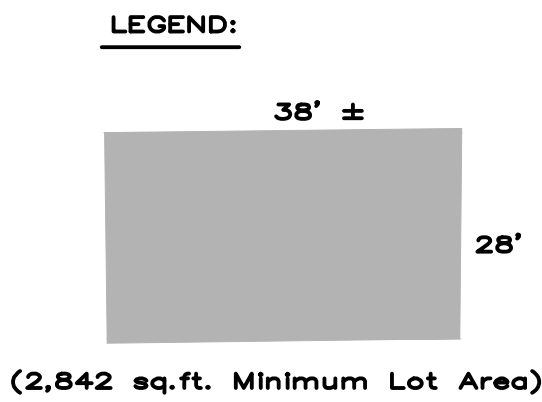
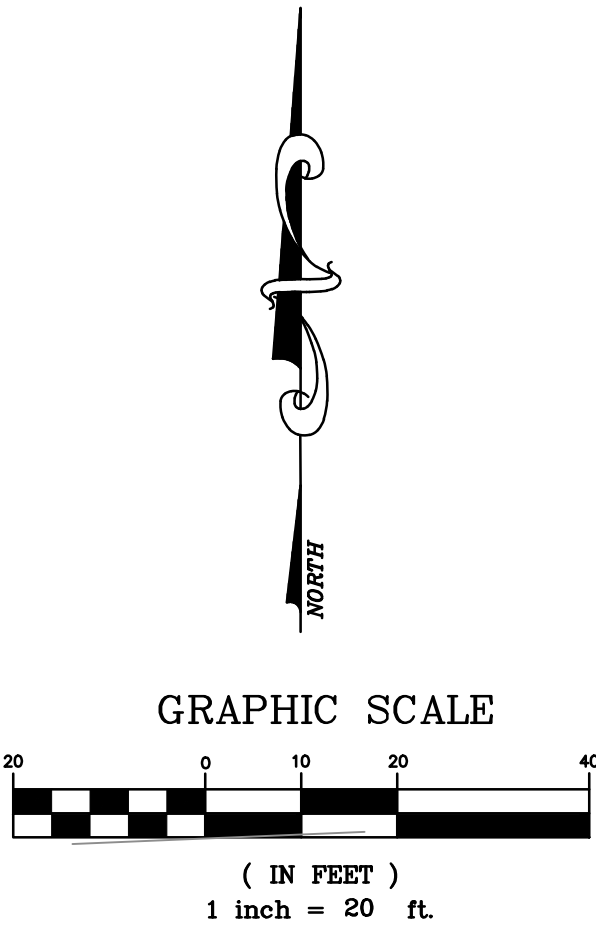
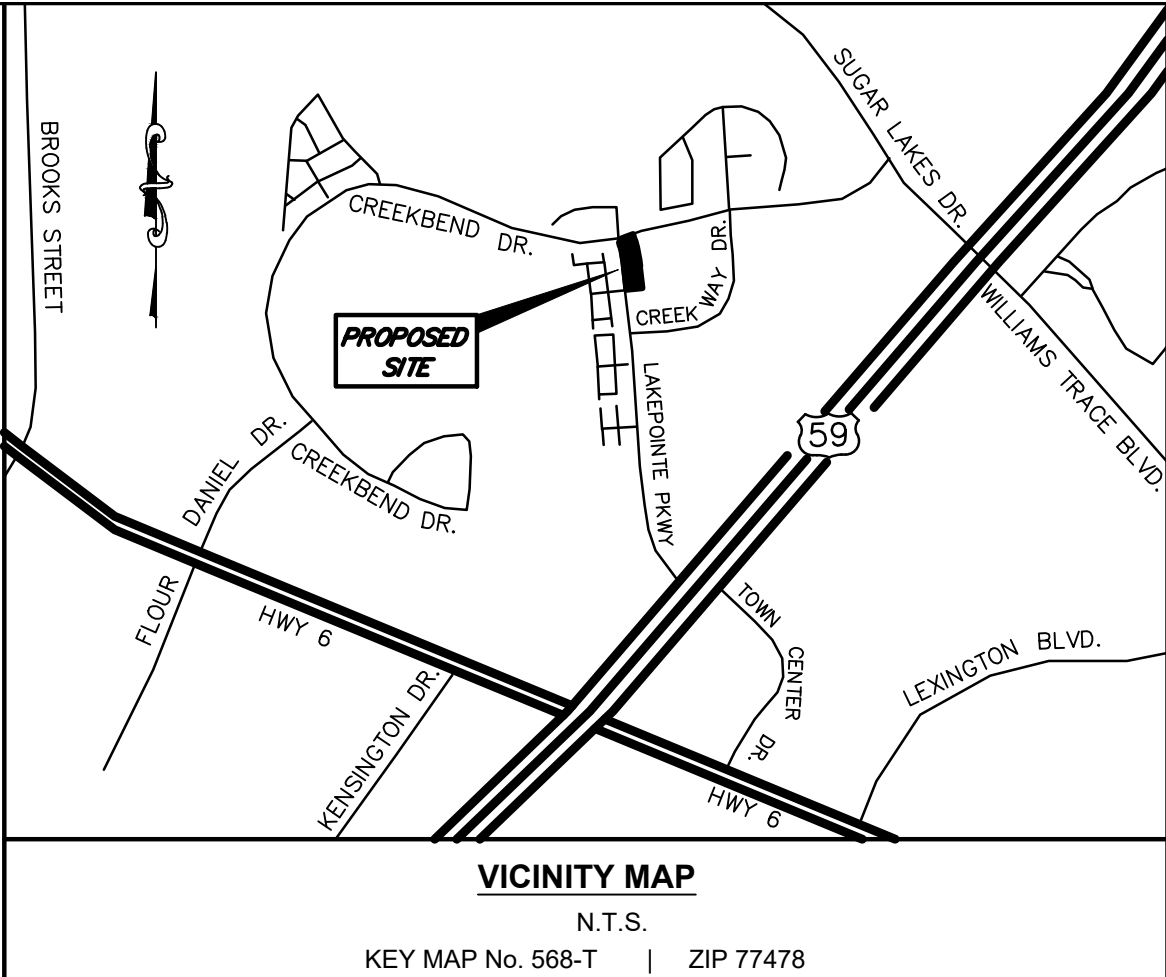
9 LOTS 1 BLOCK 2 RESERVES
SCALE: 1"=20' DATE: AUGUST, 2021

REASON FOR REPLAT:
TO CREATE 9 SINGLE FAMILY TOWNHOME RESIDENTIAL LOTS AND 2 RESERVES

OWNER:
OWAIS DEVELOPMENTS LLC,
a Texas limited liability company
10506 Trip Lane
Richmond, Tx. 77407
Phone # 832-489-5136

PREPARED BY:
BENCHMARK ENGINEERING CORPORATION
Consulting Engineers - Planners - Surveyors
2401 Fountainview Suite 500
Houston, Texas 77057 U.S.A.
(713)266-9930 Fax (713)266-3804

Texas Board of Professional Engineers
Registration Number F-8788
TBPLS Firm Registration Number 10009000



”BOX EXHIBIT”

LAKE POINTE TOWNHOME
PRELIMINARY REPLAT

9 LOTS 1 BLOCK 2 RESERVES
SCALE: 1"=20' DATE: AUGUST, 2021

REASON FOR REPLAT:
TO CREATE 9 SINGLE FAMILY RESIDENTIAL LOTS AND 2 RESERVES

OWNER:
OWAIS DEVELOPMENTS LLC,
a Texas limited liability company
10506 Tripp Lane
Richmond, Tx. 77407
Phone # 832-489-5136

PREPARED BY:
BENCHMARK ENGINEERING CORPORATION
Consulting Engineers – Planners – Surveyors
2401 Fountainview Suite 500
Houston, Texas 77057 U.S.A.
(713)266-9930 Fax (713)266-3804

Texas Board of Professional Engineers
Registration Number F-8788
TBPLS Firm Registration Number 10009000

B.E.C. JOB # 19015

LEGEND

- B.L. BUILDING LINE
- C.P.E. CENTERPOINT ENERGY EASEMENT
- D.E. DRAINAGE EASEMENT
- F.B.C.O.P.R. FT. BEND COUNTY OFFICIAL PUBLIC RECORDS
- F.B.C.P.R. FT. BEND COUNTY PLAT RECORDS
- P.L. PROPERTY LINE
- S.S.E. SANITARY SEWER EASEMENT
- STM S.E. STORM SEWER EASEMENT
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- W.L.E. WATER LINE EASEMENT
- P.O.B. POINT OF BEGINNING
- CM CONTROLLING MONUMENT
- SIR SET 5/8" IRON ROD (W/ BENCHMARKENG CAP)
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RESERVE CHART				RESTRICTED TO
RESERVE	SQ. FT.	ACRES		
(A)	3,390	0.078		OPEN SPACE, SHARED COMMON DRIVEWAY AND LANDSCAPE
(B)	3,482	0.081		OPEN SPACE, SHARED COMMON DRIVEWAY AND LANDSCAPE



**Planning and Zoning Commission Agenda Request
SEPTEMBER 3, 2021**

AGENDA REQUEST NO: VII.A.

AGENDA OF: Planning and Zoning Commission Meeting

INITIATED BY: *Laura Waller, Planner II*

PRESENTED BY: *Laura Waller, Planner II*

RESPONSIBLE DEPARTMENT: City Secretary

AGENDA CAPTION:

Consideration of and action on a recommendation for amendments to Chapter 2, Article IV, Section 2-192 and Chapter 10, Section 10-3 of the Development Code, to the Mayor and Members of City Council.

RECOMMENDED ACTION:

Staff Recommends Approval of the Recommendation of Approval to Mayor and City Council for the Development Code Amendments to Chapter 2, Article IV, Section 2-192 and Chapter 10, Section 10-3.

EXECUTIVE SUMMARY:

This is a City-initiated request for an amendment to Chapter 2, Article IV Section 2-192 and Chapter 10, Section 10-3 of the Development Code, allowing for administrative approval of unenclosed connections between primary and accessory structures. Under the current provisions in the Development Code, the only connection permitted per zoning between the house and a detached garage is a maximum 6ft wide breezeway; defined in Chapter 10 as ‘a porch or roofed passageway open on the sides, for connecting 2 buildings, as a house and a garage’. However, there has been an increasing trend in adding a patio cover between the rear of the home and the front of the detached garage that effectively widens that breezeway in order to have a private, shaded outdoor space. This increase has been even more noticeable since the introduction of COVID-19 and the transition to at-home activities rather than public. Staff believes that it is prudent to move forward with the simple update to allow for

patio cover additions to be reviewed and approved administratively through the building permit process.

Under current processes, unless the property owner has an unusually deep lot or a large easement along the rear property line, the only path forward in order to place a patio cover in between the home and detached garage is through requesting a Special Exception through the Zoning Board of Adjustment (ZBA). In addition, the Special Exception process is only available to property owners with neighborhoods platted prior to City incorporation or annexation. At the same time, the ZBA has consistently granted the Special Exceptions for these types of scenarios, although an applicant spends significant time and funds to go through the process. Additionally, historically, these types of requests result in very few neighboring property owners expressing concerns during the public hearing process since the existing detached garage is not getting closer to their property. According to Planning records, every Special Exception case for a patio cover addition between a house and detached garage has been approved by the Zoning Board of Adjustment since the Special Exception process was initiated. Staff has studied these cases and believes that it is prudent to move forward with increased customer service for Sugar Land residents on these projects (in both timing and cost savings). It is also important to note that the amendment would only apply to unenclosed patio cover connections associated with accessory structures and not room additions. Other types of improvements would still need to go through the ZBA when there is a setback or location issue under Chapter 2 of the Development Code.

The Planning & Zoning Commission held a Public Hearing regarding the Development Code amendment on July 22, 2021, at which no speakers were present. Discussion and Direction from the Commission was to move forward with the amendment and add formal definitions for "Unenclosed" and "Patio Cover." In order to avoid unintended consequences in commercial areas, the definition for "Unenclosed" will be included in Sec 2-192, but "Patio Cover" will be in Section 10-3 with the rest of the standard definitions.

Documents included in the attached materials are the redlined version of Chapter 2, Article IV, Section 2-192, and Chapter 10, Section 10-3 Letter P, showing both the old text in red with strikethroughs and new text that is red and underlined. There are also several example plot plans that show what would and would not still require review by the Zoning Board of Adjustment. Staff has also created a webpage with this information to assist with any questions from the public at www.SugarLandTX.gov/DevCodeUpdate.

BUDGET

EXPENDITURE REQUIRED: n/a

CURRENT BUDGET: n/a

ADDITIONAL FUNDING: n/a

ATTACHMENTS:

Description	Type
☐ Redlined Development Code	Other Supporting Documents
☐ Example Plot Plans	Other Supporting Documents

Proposed Development Code Changes (Redlined)

Sec. 2-192. - Accessory Structures.

- A. Accessory Structures are subject to the same regulations as apply to Principal Buildings in each district, except as otherwise specified in this Section.
- ~~B.~~ For the purposes of this section only, an unenclosed structure is one that is walled along less than 50% of the perimeter.
- ~~CB.~~ An Accessory Structure must not be established on any Lot prior to the establishment of the Principal Building.
- ~~DG.~~ An Accessory Structure must comply with Front and Street Side Yard setbacks.
- ~~ED.~~ Accessory Structures must not be located within a parking lot setback as identified in Article V: Off Street Parking and Loading Regulations.
- ~~FE.~~ In Nonresidential Districts, Accessory Structures must not be more than 20 feet in height as measured from finished grade to the highest point of the Structure.
- ~~GF.~~ In Residential Districts, Accessory Structures must comply with the following additional regulations:
 - 1. An Accessory Structure must comply with Rear and Side Yard setbacks with the following exception.

An Accessory Structure may be located up to 5 feet from any Rear or Side Lot Line if the structure meets the following requirements:

 - a. It has a maximum height of 1½ stories, but no more than 20 feet as measured from finished grade to the highest point of the Structure;
 - b. It does not have a Rear Lot Line facing balcony or window above the first story;
 - c. It is Detached and located at least ~~540~~ feet from the Principal Building; and
 - d. It may be connected by a Breezeway or Patio Cover to the Principal Building if the following requirements are met (See Figure 2-192.A&B):
 - (1) The Accessory Structure is located at least ~~540~~ feet from the Principal Building;
 - (2) The Breezeway or Patio Cover is unenclosed; and
 - (3) The Breezeway or Patio Cover is no more than 20 feet in height as measured from finished grade to the highest point of the structure.~~is not wider than 6 feet as measured from edge-of-eave to edge-of-eave.~~

Figure 2-192.A: Breezeway Connecting Garage and Principal Building

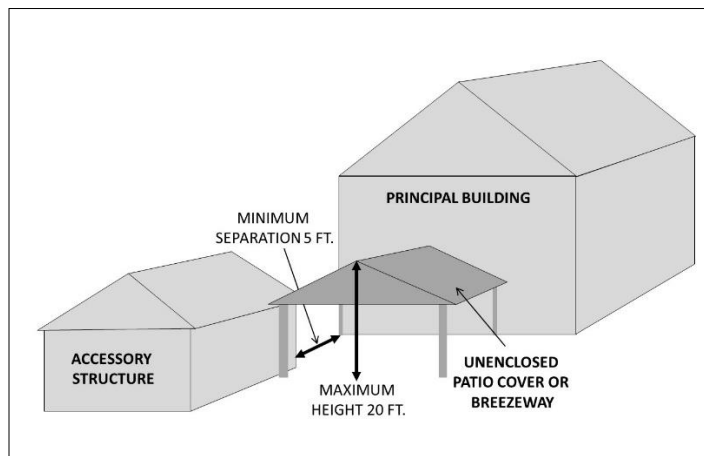
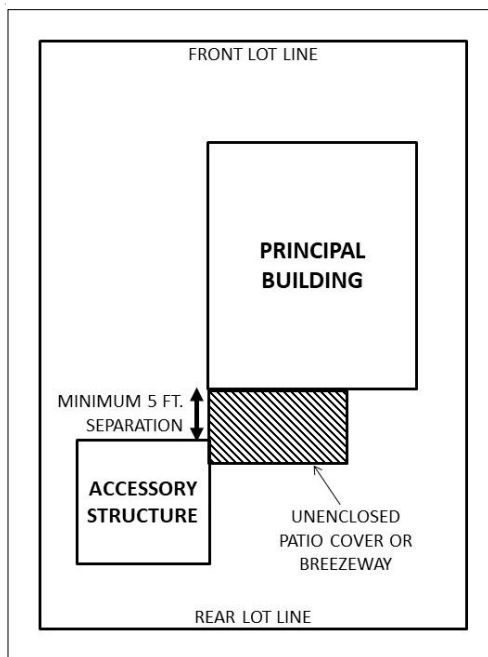
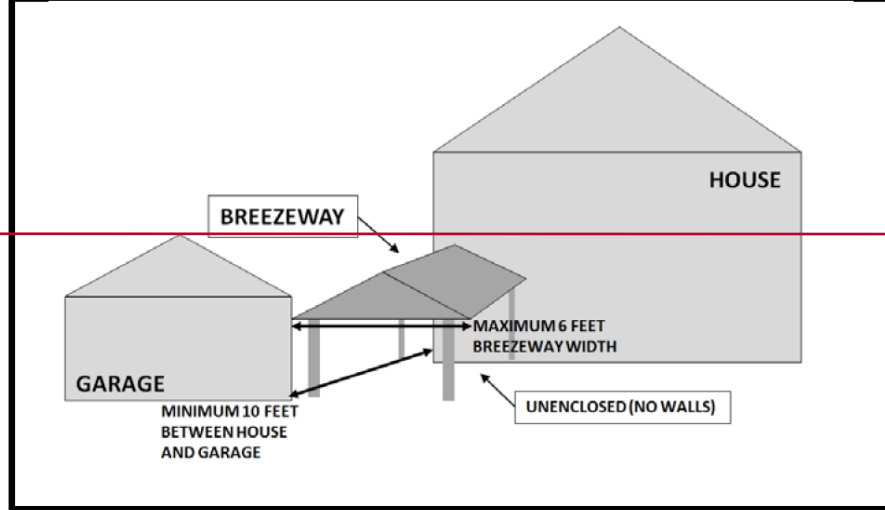


Figure 2-192.A&B

2. The total square footage of all Accessory Structures located in a required Rear Yard shall not be larger than:
 - a. R-1E district: 1,563 square feet or 25% of the required Rear Yard, whichever is greater
 - b. R-1R district: 563 square feet or 25% of the required Rear Yard, whichever is greater
 - c. R-1 district: 225 square feet or 25% of the required Rear Yard, whichever is greater
 - d. R-1Z district: 125 square feet or 25% of the required Rear Yard, whichever is greater
 - e. R-2 district: 500 square feet or 25% of the required Rear Yard, whichever is greater
 - f. R-3 & R-4 district: 25% of the required Rear Yard

3. *Sheds.* Lots 6,600 square feet or less may have a shed that is up to 200 square feet. Lots greater than 6,600 square feet may have a shed that does not exceed 3% of the lot area. If more than 1 shed is provided, this requirement applies to the total square feet of all sheds.
4. *Private Garage or Carport.* Lots 6,000 square feet or less may have a Private Garage or Carport that is up to 600 square feet. Lots greater than 6,000 square feet may have a Private Garage or Carport that does not exceed 10% of the Lot area. If more than 1 garage is provided, this requirement applies to the total square feet of all garages.
5. The provisions of this Section 2-192 do not apply to The Hill Residential Zoning District (HR-1).

(Ord. No. 2149, § 7, 2-19-2019; Ord. No. [2201](#), §§ 7, 8, 7-21-20)

Sec. 10-3. - Definitions.

P

Park means an area developed for active play and recreation that may include, but is not limited to, open space, sports courts, play equipment, trails, restrooms, and maintenance structures. The area may be owned by a public entity and used to provide recreational activities to the general public; or the area may be owned by a private, nonprofit, or homeowner's association and used to provide recreational activities to the members of the association.

Parking Lot means an off-street portion of a lot designed and used for the temporary parking or storage of motor vehicles, but not including the driveways and Private Garages serving single-family or two-family dwellings.

Parking Space means an area on a lot or site or within a building, other than on a public street or alley, used or intended for use for parking a motor vehicle.

Patio Cover means a structure with a solid roof that is unenclosed and not climate controlled.

Pedestrian Realm means the space behind the curb of the street that provides physical space for pedestrian activity, buffering from the vehicular and bicycle traffic along the street, and space for shade and other elements that affect pedestrian comfort.

Pergola or Arbor means a permanent structure consisting of vertical posts with connected crossbeams at the top providing an open framework. Pergolas may extend from a building or be freestanding, and are typically constructed of wood, metal or similar material and are typically covered with trained climbing plants to provide shade.

Planned Development (PD) District means a customized zoning district that allows a specific set of uses, bulk regulations, and alternative standards that would not otherwise comply with the regulations of the primary zoning districts, but offer special benefits to the community.

Plat means a plan creating 1 or more lots that has been approved by the City as required by law and filed in the plat records of Fort Bend County.

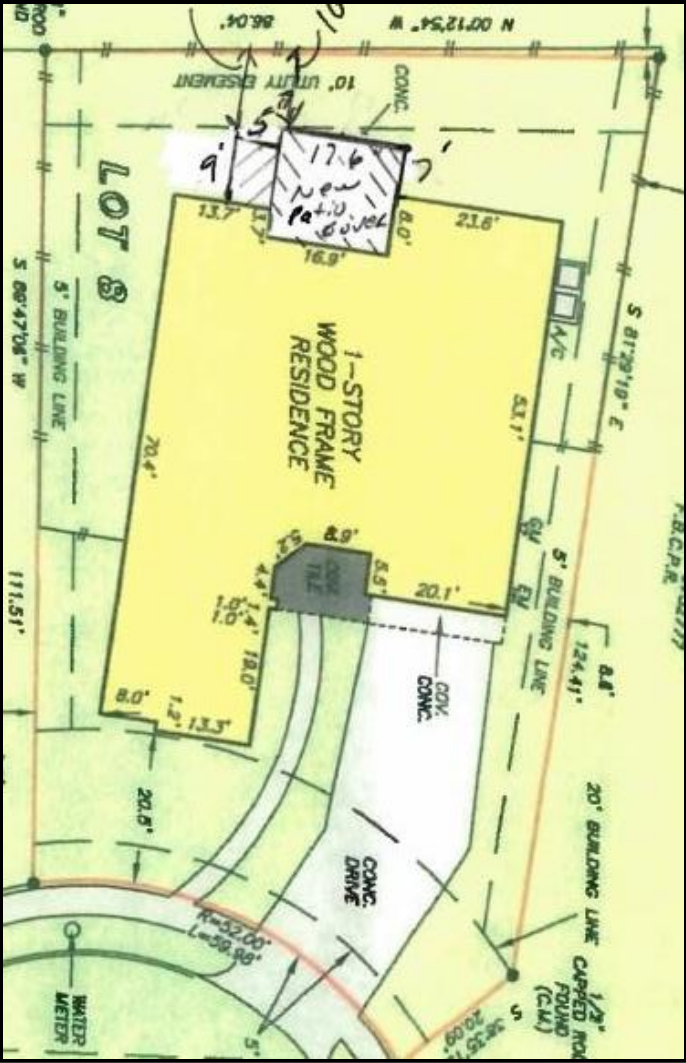
Porch means a covered platform extending from a building, typically at an entrance with a separate roof. Porches may be an open or enclosed room attached to the outside of a building. A covered walkway or breezeway is not a porch.

Premises means a tract of land, including any building or structure on that tract.

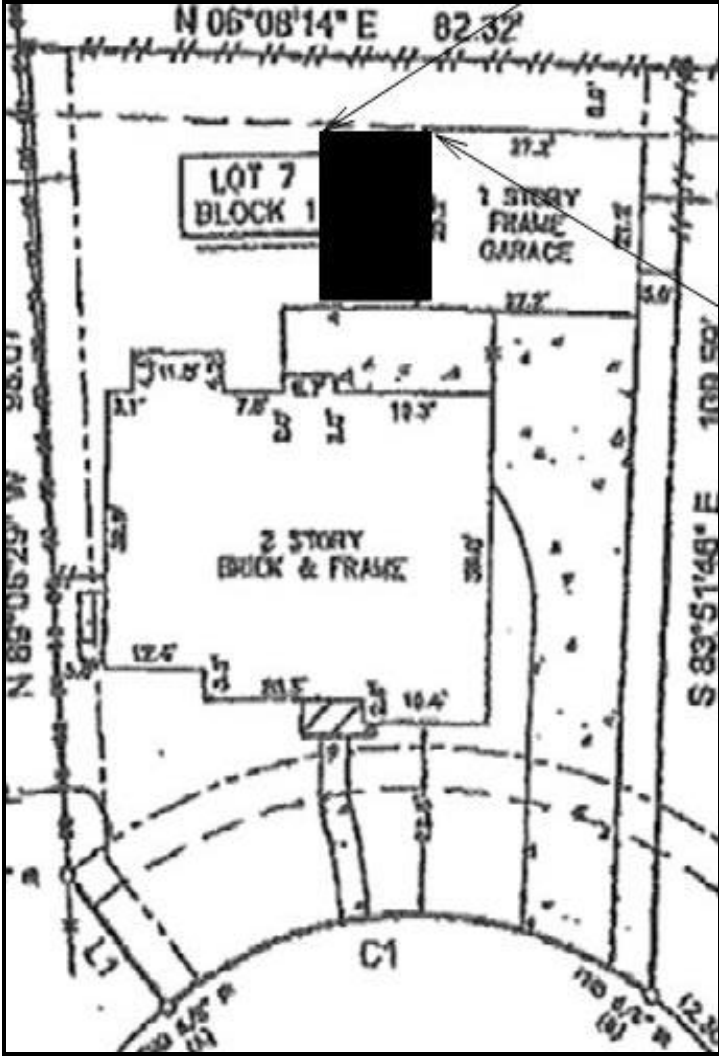
Principal Building or Use means the primary use and chief purpose of a premises or building.

Protected Tree means a hardwood tree having a minimum caliper size of 8 inches or greater, as measured 4½ feet above ground level.

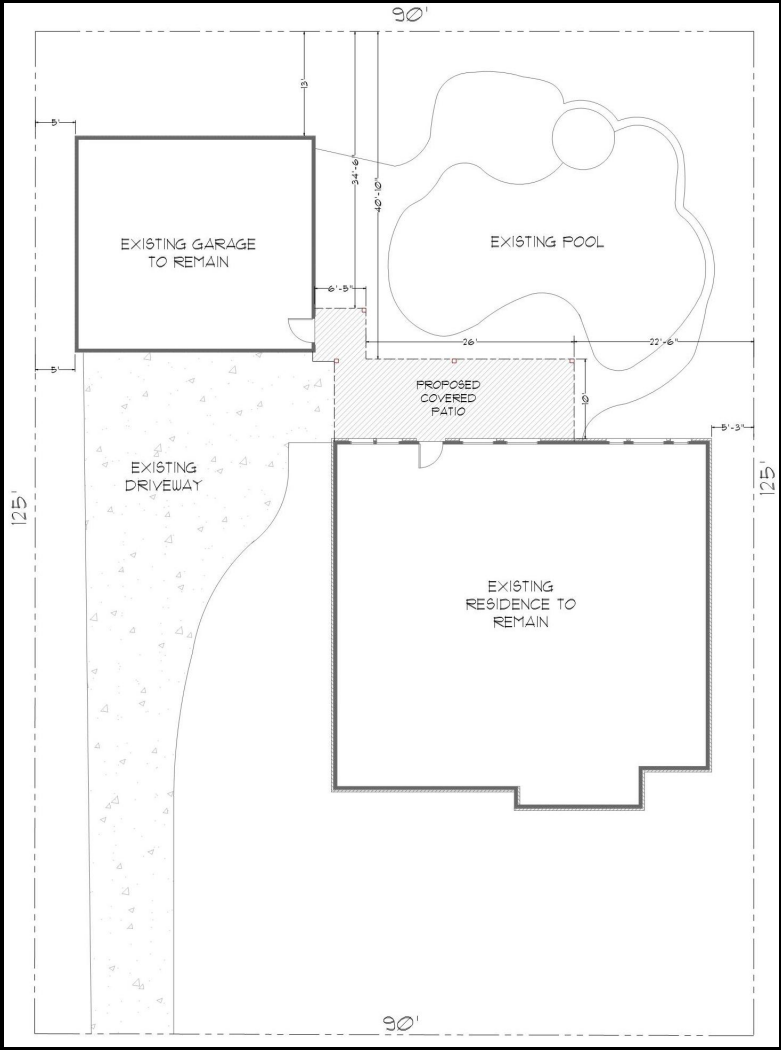
Public Utility means an entity engaged in the business of providing water, sewer, telephone, communication, cable television, natural gas, or electric services to the general public.



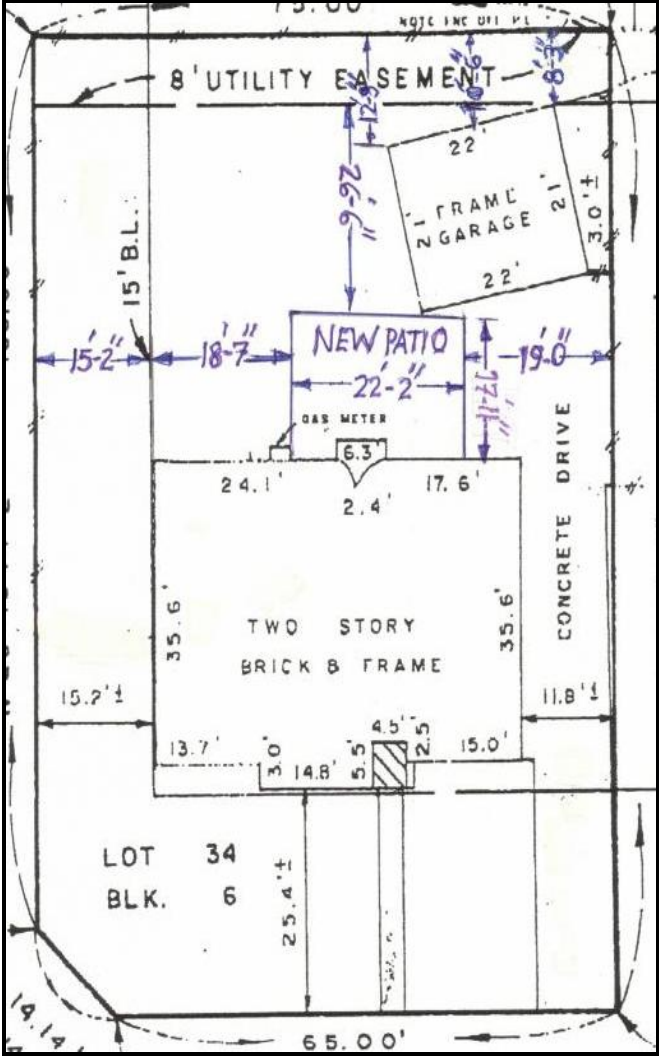
This planned addition would still need Zoning Board Approval because the addition is extending the rear of the house into the 15' Rear Yard Setback.



This planned addition would still need Zoning Board Approval because the addition is connecting the house to the garage and is in the 15' Rear Yard Setback.



This planned addition would be approved administratively because it is only connecting the house and garage and is not in the 15' Rear Yard Setback.



This planned addition would be approved administratively because it is only connecting the house and garage and is not in the 15' Rear Yard Setback.