

Staff Report:**GENERAL SITE ANALYSIS:*****SURROUNDING ZONING AND LAND USES:***

Subject Property Zoning Subject Property Land Use	Business Office (B-O) Vacant
Surrounding Zoning	North: Restricted Industrial (M-1) South: Business Office (B-O) East: Restricted Industrial (M-1) West: Business Office (B-O)
Surrounding Land Use	North: Research and Testing & Industrial Equipment Supply South: Offices Buildings East: Bluebonnet Nutrition Corporation West: Ongoing development for office condominiums

Zoning History:

In examining this case, staff researched the zoning history of the property and surrounding area. The property was previously zoned Restricted Industrial (M-1) along with several properties to the south and west prior to 1999, and had been under industrial zoning since the City's initial zoning after incorporation following 1959. In 1999 the City received a request from two separate property owners in the vicinity for Business Office (B-O) zoning for several properties along Dairy Ashford and Julie Rivers Drive (to the south and west). This also included the Emily Court area. At the time, the City staff suggested that several additional properties, including this tract be rezoned to B-O to avoid a heavily fragmented zoning boundary. Since that time, the City has seen some properties to the south and west develop as office buildings, but several areas of the Dairy Ashford Road acreage have remained vacant up to this point. Based on the research, staff does not believe this 2017 rezoning application is out of character for the general area, nor does this appear to create a compatibility issue any different from the M-1 / B-O boundary areas currently within the Julie Rivers Drive / Corporate Drive / Dairy Ashford Road.

Current Application:

The applicant in this rezoning case is the Bluebonnet Nutraceuticals corporation, with the permission of the current property owner. Bluebonnet has two locations currently in the Sugar Land Business Park area, both zoned as Restricted Industrial (M-1) (see attached letter). One of the locations is immediately across Dairy Ashford Road to the east. In examining the rezoning proposal before the Council, it is important to note that although the corporation has the potential to develop at the site, the rezoning cannot have conditions attached to a straight rezoning from one standard district to another (B-O to M-1). Additionally, the decision should not be made based on the proposed owner / company since this is proposed from one standard zoning district to another, and could change ownership over time. All uses that are allowed within the M-1 Zoning district would be allowed at the site, if the zoning change is granted. However, it is also important to note that depending upon the Bluebonnet corporation's future proposal details, there may be a need for a Conditional Use Permit (CUP). A CUP would be triggered if the amount of manufacturing square footage in a proposed facility at the site is greater than 25 percent of the building. Therefore, a variety of manufacturing uses require the CUP process, which provides

additional safeguards under Chapter 2 of the Development Code.

Comprehensive Plan / Future Land Use Plan:

During rezoning cases, it is important to examine elements within the City's Comprehensive Plan, including Goals / Objectives, as well as the Land Use Chapter:

Applicable Goals from Comprehensive Plan- Chapter 5

Goal I: Regional Business Center of Excellence

- Targeted national and international businesses as defined in Economic Development Plan
Note- Economic Development Plan (Resolution 11-16) contains business retention focus for existing local companies
- Business-friendly environment and reputation

Goal J: Balanced Development and Redevelopment

Objectives

- Balanced land use and tax base within City of Sugar Land
- New developments and redevelopments consistent with city vision, comprehensive plan, policies and standards

Excerpt from Comprehensive Plan- Chapter 6, Future Land Use Plan

Light Industrial Category:



Uses such as those described in the City of Sugar Land Target Industry Study and those found in the City of Sugar Land Business Park.

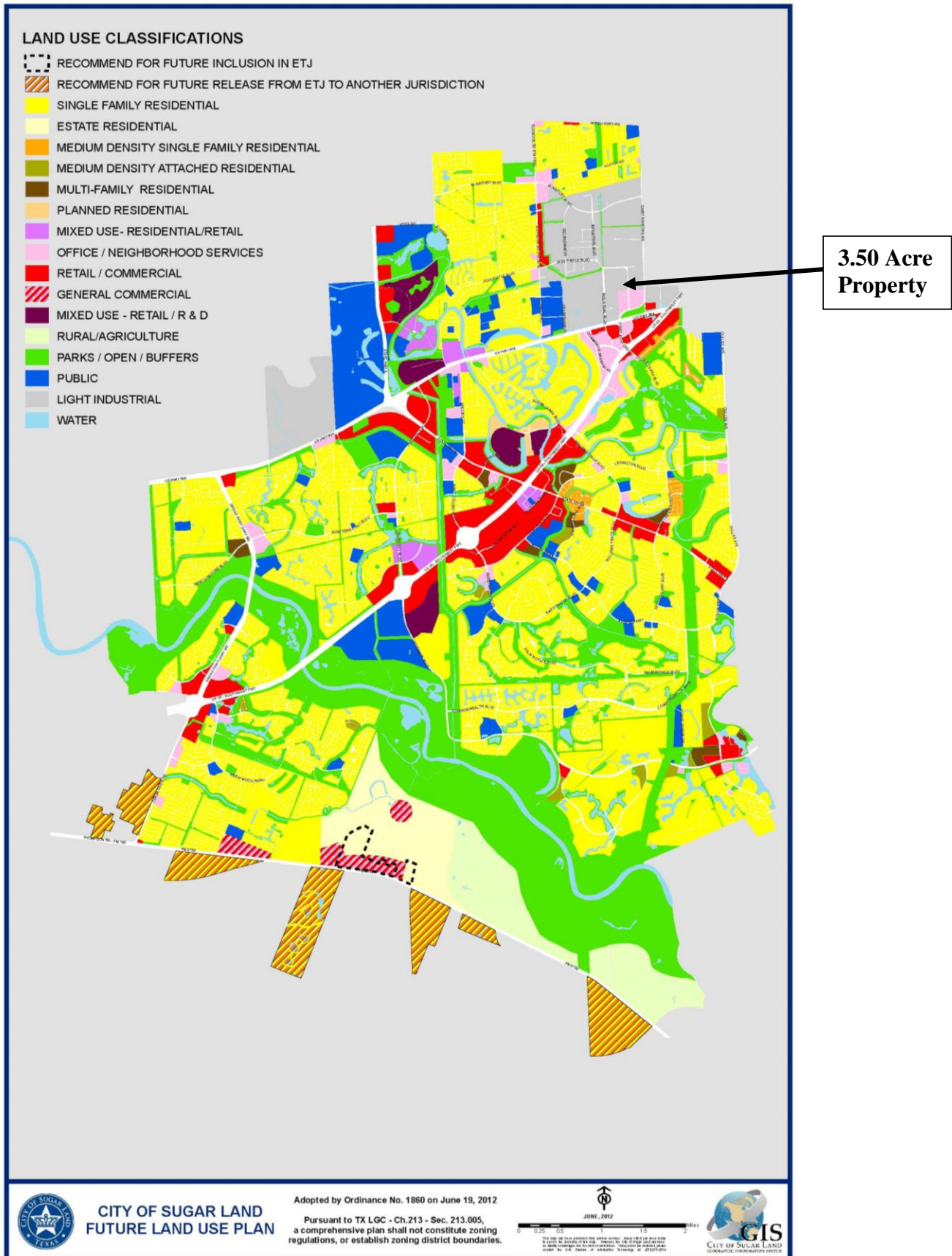
These also include:

Biomedical/Life Sciences R&D

Energy related industry

Specialty Electronics

Future Land Use Plan Map (2012):



Site Photographs:

View from Dairy Ashford Road looking towards the property (facing west)



View from the property looking towards the M- 1 zoning property on Corporate Drive (facing north).



View from the property looking across Dairy Ashford (facing east).



View from the property looking south towards the developed B-O property.



POINTS FOR CONSIDERATION:

- The rezoning does not appear to conflict with the Comprehensive Plan and is in alignment with previous industrial zoning on the property prior to 1999.
- The proposed rezoning will be a continuation of the Restricted Industrial (M-1) District to the north and east of the subject property and it will not create a “spot” zone.
- There are a number of safeguards within Chapter 2 of the Development Code, including the requirement of Conditional Use Permits (CUP’s) for numerous industrial uses offering further protection for adjacent office district areas.
- Decision should not be made primarily based on the proposed owner / company since this is proposed from one standard zoning district to another, and could change ownership over time.
- No conditions can be applied to the rezoning as it is a straight rezoning from one standard district to another (B-O to M-1). However, staff believes the zoning is compatible with the area.

Application (Page 1 of 2):



**STANDARD REZONING
APPLICATION**



FOR OFFICE USE (Rev. 1/1/17) Accounting Code: <u>ZC</u> 2017 Fee: \$1,127.75 Fee Required <u>1127.75</u> Case No. <u>17</u> -

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 Standard Rezoning application.
Standard Rezoning Submittal Requirements:

Applications submitted without the following items will not be routed for review

- Three (3) copies of the completed application
- Submittal Fee
- Legal description of property:
 - ☐ Metes & bounds description if property is not platted OR
 - ☐ Plat information:
 - Plat Name: Sugar Land Business Park 0015 Brown and Belknap, Acres 3.50
 - Lot & Block or Reserve: 0015-00-000-1609-907
 - FBCOPR No.: A-069-C
- Three (3) copies of a letter stating the applicant's request
- Three (3) copies of a Traffic Impact Analysis, if applicable (Contact Engineering Dept. at 281-275-2870 to determine necessity)

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

PROJECT NAME Dairy Ashford Expansion

Legal/ Location Description 0015 Brown and Belknap

Property Acreage 3.50 Acres **Current Zoning District** B-0

For Rezoning, Proposed Zoning District M-1

CONTACT INFORMATION

Project Representative:

Contact Person Gary Barrows

Company Bluebonnet Nutraceuticals, Ltd

Address 10410 Corporate Drive Sugar Land, Texas 77478

Phone 281-380-1392 **Email** gbarrows33@gmail.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 Gary Barrows August 14, 2017
Project Representative's Signature Date

Application (Page 2 of 2):

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

Name Ray Patel

Address 502 Piedmont St Sugar Land, Texas 77478

Phone 281-242-5923


Email ray502piedmont@yahoo.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

Ray Patel (Project Representative) *to submit this application*
and to correspond with the City of Sugar Land regarding this application on my behalf.

X



Property Owner's Signature (Required)

August 14, 2017

Date

Please note: a courtesy notification sign will be placed on the subject property during the public hearing process and will be removed after the public hearing.

Letter of Intent:

Bluebonnet

August 16, 2017

Sugar Land City Hall
2700 Town Center Blvd North
Sugar Land, Texas 77479
Attn: Development Review Coordinator

To Development Planning,

We are very excited to announce the proposed expansion of our Bluebonnet Nutraceutical facility. Bluebonnet currently operates two facilities in the Sugar Land Business Park which employs more than 200 employees in the Ft Bend County area. We have a contract in place on 3.5 acres located on Dairy Ashford in the Sugar Land Business Park. This will be our third facility location that will consist of office, laboratory/R&D, production, warehouse and light manufacturing space. Bluebonnet has been an active business member in the Sugar Land Business Park since 1998. Bluebonnet was established in 1991 and is a Texas Corporation which has been in business in Fort Bend County for more than 26 years.

Bluebonnet is a premium supplier of Dietary Supplements to the Natural Foods industry such as Whole Foods Market, HEB, Sprouts, Vitamin Shoppe and many other natural health food stores around the country. Bluebonnet researches, develops, manufactures, packages and distributes tablets, capsules and nutritional powder products. Our new expansion will support our growth and will allow us to employ an additional 80 employees over the next five years in Fort Bend County.

We are making the request to re-zone the site we have selected on Dairy Ashford from a B-O status to an M-1 status. Our other two facilities located in the Sugar Land Business Park are zoned as M-1 status. One of our facilities is located directly across the street on Dairy Ashford and our other facility is located directly behind the proposed site on Corporate Drive.

We will be happy to provide you any additional information about the project. We can be available at any time to discuss the proposed build. Johnny Tarius from August Company is our developer/contractor and will help us develop the project.

It is our prayer that the City of Sugar Land would consider our rezoning request and help us move this exciting project forward.

Sincerely,



Gary Barrows
President
Bluebonnet Nutrition Corp.

Our Trusted
Pure Brands:



SUPER EARTH



NOTICE OF PUBLIC HEARING

PROPOSED REZONING FROM BUSINESS OFFICE DISTRICT (B-O) TO RESTRICTED INDUSTRIAL (M-1) FOR 3.50 ACRES LOCATED ALONG THE WEST SIDE OF DAIRY ASHFORD ROAD AND SOUTH OF CORPORATE DRIVE

City Council Public Hearing: 6:00 p.m., November 21, 2017 to hear all persons interested in the proposed rezoning of approximately 3.50 acres from Business Office (B-O) to Restricted Industrial (M-1) for 3.50 acres located along the west side of Dairy Ashford Road south of Corporate Drive; further identified as being a tract of land located in the Brown and Belknap League, A-15, Fort Bend County, Texas, more particularly being a portion of that certain 1303.637 acres of land conveyed to Sugarland Properties Incorporated by instrument of record in Volume 607, Page 80, Deed Records, Fort Bend County, Texas.

City of Sugar Land City Council Chamber, 2700 Town Center Boulevard North. Details of the proposed rezoning may be obtained by contacting the 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, Minutes, and Videos" City Council no later than Friday, November 17, 2017.