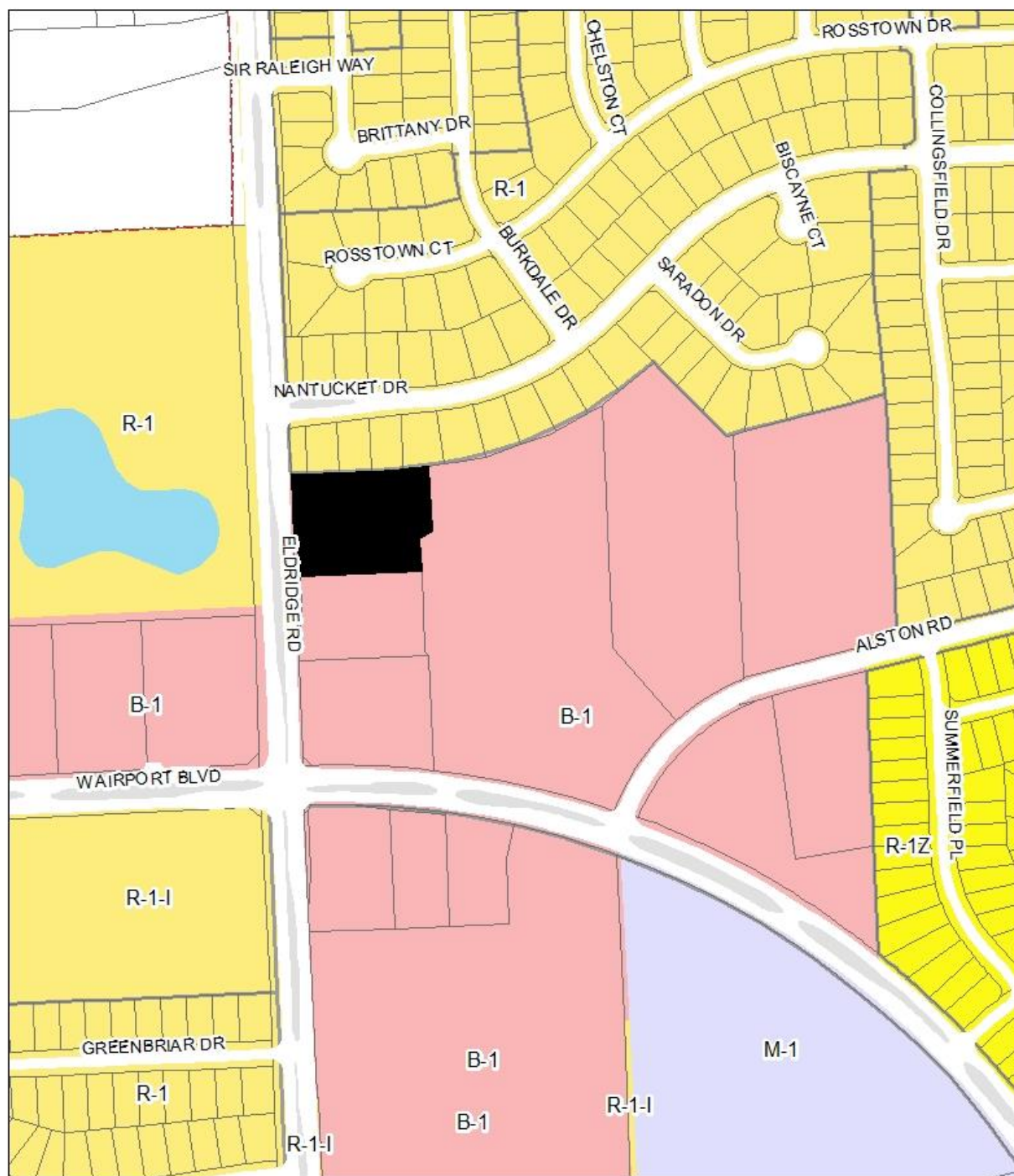


Vicinity Map



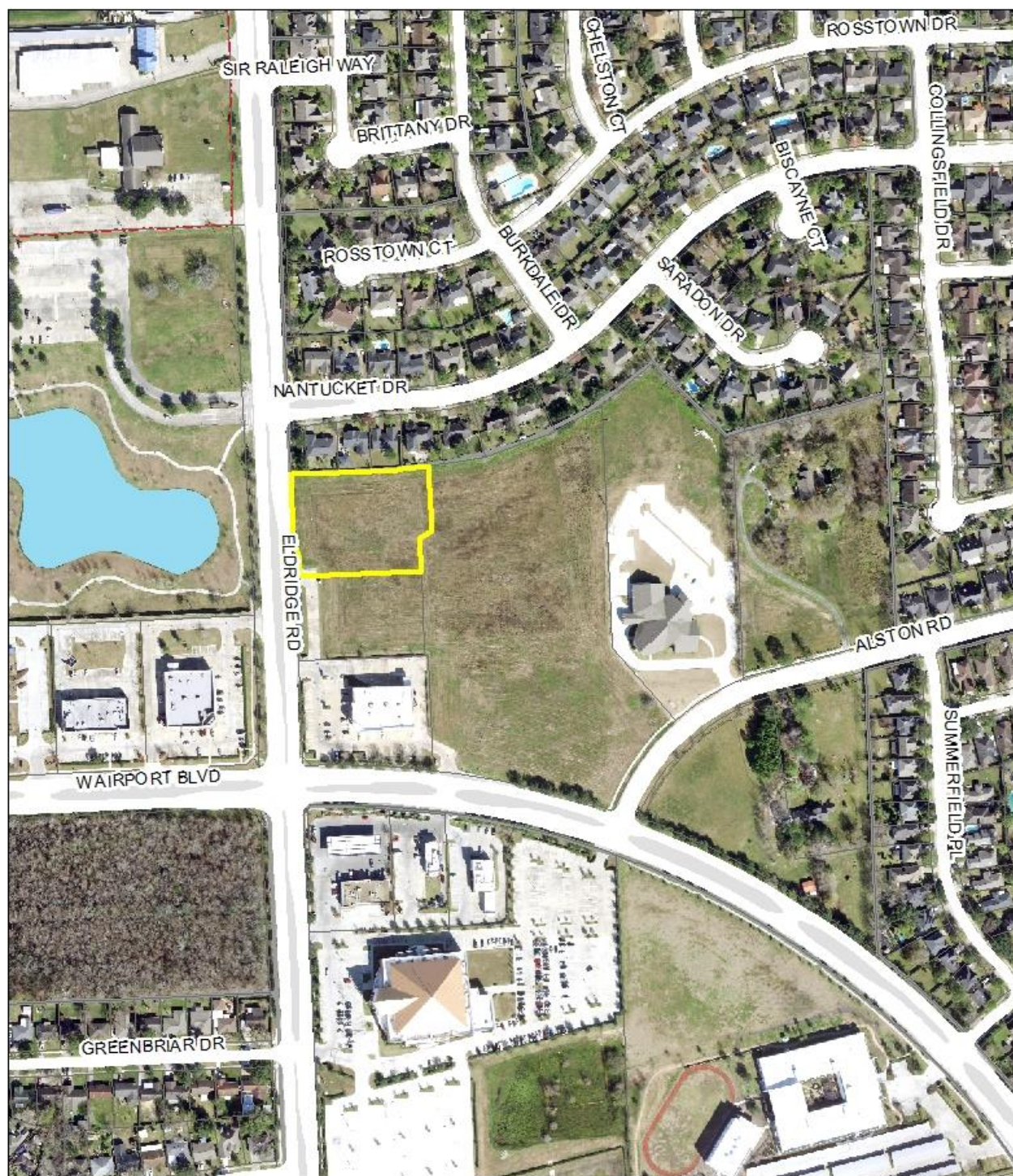
350
Feet



Airridge Retail Center I at Eldridge



Aerial Image



350

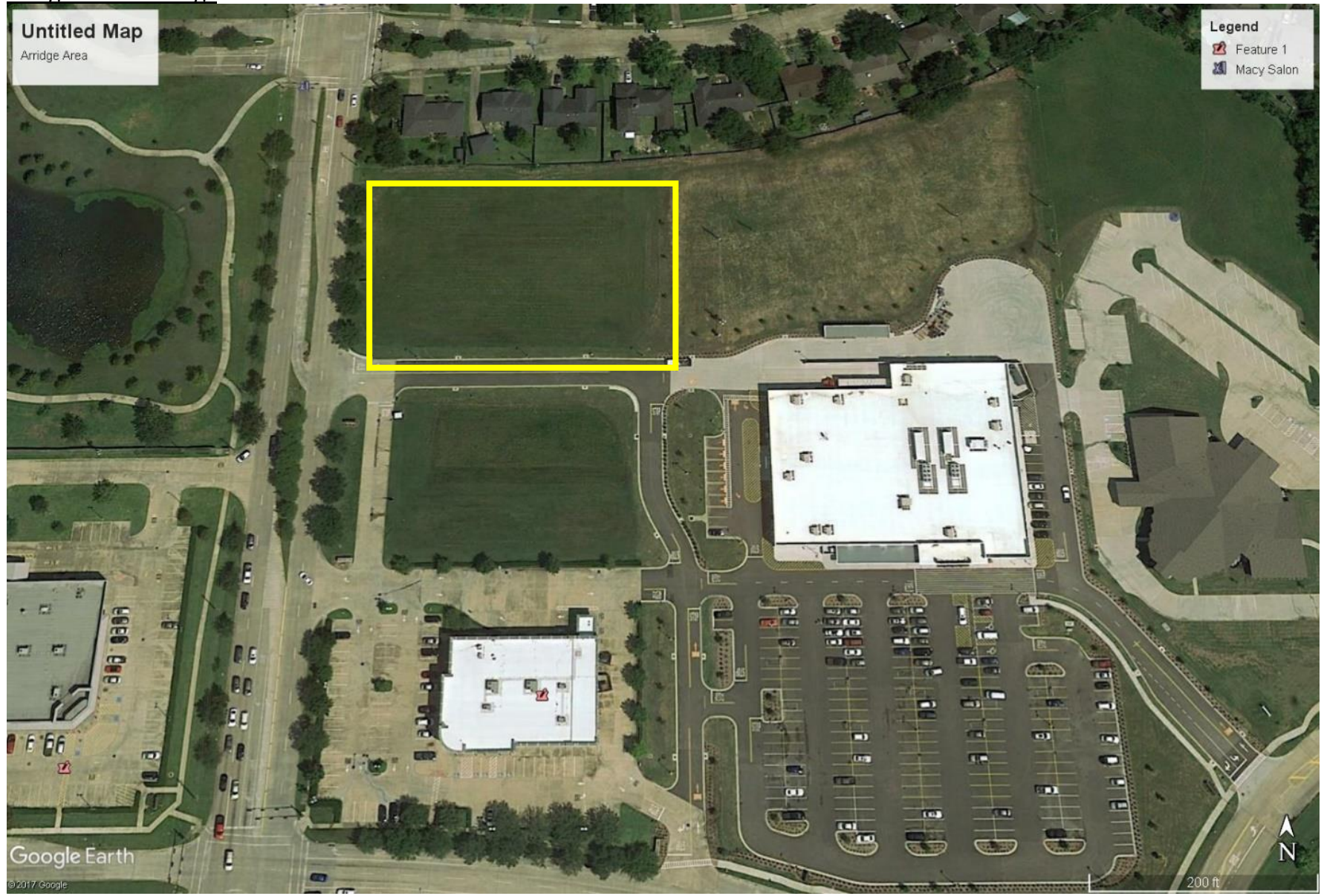
Feet



Airridge Retail Center I at Eldridge



Google Aerial Image



DEVELOPMENT CODE PROVISIONS FOR CONDITIONAL USE PERMITS

Section 2-22. Standard of Review

In reviewing the application, the Commission and Council will consider the impact the proposed use would have on surrounding premises and the community, including traffic, noise, compatibility, and land use intensity; any conditions or restrictions that could mitigate any adverse impact; and other matters that are relevant to a determination of whether the use would be a compatible and appropriate use of the premises.

Section 2-23. Conditions

The Commission may recommend, and the Council may impose, reasonable conditions and restrictions in the granting of a permit to mitigate any adverse impacts of the proposed use. The conditions must be specified in the ordinance approving the permit.

GENERAL SITE INFORMATION AND ANALYSIS:

The following is a summary of general site information.

Adjacent Zoning	Site: Neighborhood Business (B-1) North: Standard Single-Family Residential (R-1) South: Neighborhood Business (B-1) East: Neighborhood Business (B-1) West: Standard Single-Family Residential (R-1)
Adjacent Land Uses	Site: Proposed Retail Building North: Existing Barrington Place Subdivision South: Vacant, CVS, Neighborhood Walmart East: Vacant, Neighborhood Walmart West: Eldridge Park

STAFF REPORT

Due to the proximity of the adjacent residential subdivision located directly north of the subject property, a Conditional Use Permit (CUP) must be approved as a residential proximity provision. In August 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. Requiring the CUP for residential proximity will provide an opportunity for the P&Z Commission and the City Council to review a proposed site plan, landscaping, photometrics, and building elevations, all of which are typical requirements for a CUP for various land uses. This will allow for the Commission and Council to determine whether there are additional mitigation measures which should be implemented for buffering of the adjacent residential neighborhood.

The applicant is requesting to construct a retail building located on approximately 1.73 acres along Eldridge Road just north of West Airport Road and directly north of the existing Neighborhood

Walmart in the Neighborhood Business (B-1) zoning district. The proposed retail building will consist of a 16,400 square foot one-story building with multiple tenant suites. It is important to note that all proposed uses for the retail building will comply with the B-1 zoning district requirements as to the permitted land uses. This will be reviewed when the applicant(s) submit the building permit for each tenant space.

The retail building will be accessed via an existing Private Access Easement off of Eldridge Road which currently provides access to the Neighborhood Walmart and CVS. There will be no additional driveways permitted from Eldridge as this existing Private Access Easement was designed to provide access to all future development in the area. Upon entering the site, customers can park in the surface parking area located to the West, South, and East of the retail building. There are 2 parking spaces located along the rear of the building to the North, which is closest to the residences. There will be a single, one-way drive aisle at the rear of the building located closest to the residences. The applicant feels this drive aisle is necessary to prevent traffic problems. The applicant has provided a site plan which depicts the building layout, parking lot layout, and locations of all site lighting. The Commission expressed concern over the original location of the refuse container at the rear of the building due to the proximity to the residential homes. The applicant subsequently moved the refuse container to the southern property line, farthest away from the residential area to address this concern. The area where the container had been located was redesigned to add two parking spaces at the rear of the building, in order to meet the parking requirements per Code. Staff believes this redesign reduces intensity of the site to the residential neighbors.

The proposed retail building is configured so that all of the potential entrances are located in front of the building away from the adjacent residential homes, and the rear of the retail building is facing the residences. The applicant has proposed that part of the rear of the retail building to be set back 34.2 feet from the rear property line adjacent to the residential homes and the other part will be set back 59.2 feet from the rear property line adjacent to the residential homes. This is a larger setback than is required in the Development Code for commercial property that is adjacent to residential zoned property. The wall lighting on the rear of the building adjacent to the residences will be directed down and mounted no higher than 12 feet from the ground. This will ensure that no light is projecting into the adjacent residential homes. The applicant proposed 32 feet in height light poles to provide adequate lighting for the site, but to prevent too many light poles being close to the residences. The Commission expressed concern over the height of the poles and asked the applicant to look into alternative options. The applicant stated that the 32 foot poles will provide the needed light coverage for the site but will minimize the number of light poles needed, therefore reducing the number of light poles that the residential home owners will have to see. The applicant requests that the 32 foot poles remain as part of the plan as they think it is the best option for the site and the surrounding area. During the Consideration and Action meeting, the applicant explained why the higher light poles will be better for the site, and the Commission and Staff agree that higher, but fewer light poles will work for this site so that the property owners will see fewer poles from their backyards.

The proposed retail building does not have any windows on the rear of the building facing the residential homes nor any retail entrances, but a maximum of 6 service doors are proposed to be located along the rear of the building. This will help ensure that most of the activity associated

with operating the retail building occurs in the front of the building away from the residential homes. The applicant has provided a set of exterior building elevations for each façade which includes the building height, proposed materials, and locations of all doors and windows. The retail building is proposed to be a maximum of 28 feet in height at the top of the parapets on the edges of the building and 24 feet 2 inches in the middle, whereas the adjacent residential homes are primarily built as one-story homes with a maximum height of 35 feet. The elevations depict the specific location of the wall lighting on the rear of the building and indicate there will be no roof top mounted mechanical units. The building will be comprised primarily of masonry, glass, and cementitious materials, all of which are permitted as primary finishes in the Neighborhood Business (B-1) district. The applicant originally proposed using EIFS as an accent material on the building, but the Commission placed a condition on the CUP that required any areas that would have used EIFS to be replaced with a more durable material, such as stucco. The Commission requested more information regarding a proposed entrance closest to the residential homes and the applicant removed the entrance to promote less activity on that side of the building. The Commission also requested more information as to how many service doors would be located along the rear of the building, out of concern for the noise and proximity to the residential homes. The applicant provided an updated elevation rendering in color showing a maximum number of 6 service doors, although it could be fewer, depending on the total number of tenants in the building and the space they require.

The applicant has also provided a proposed landscape plan for the retail building site. Since the required landscape setback for commercial property adjacent to residential is 6 feet, the applicant is exceeding that requirement and is providing 13.78 feet of landscaped area. The applicant has proposed 16 shade trees, spaced every 20 feet in this landscape setback. The shade trees are being proposed at a minimum of 10 feet in overall height and a minimum of 4-inch caliper. Since this is a low impact one-story building, Staff believes that 4-inch caliper trees are adequate for the rear landscape buffer. In addition to the landscape buffer, there is currently a 6-foot tall wooden fence directly behind the backyard of each residential home in the adjacent subdivision. There is also an existing CenterPoint easement located in the area directly behind the fencing, which prohibits extra landscaping. The landscape plan notes that no landscaping will be planted in the easement in order to prevent CenterPoint from removing and/or excessively trimming any plants. The Commission requested that the shrubs to be planted be at least 3 feet in height at the time of planting and the applicant has made that change on the landscape plan. The Commission also requested that the applicant provide some options for additional screening between the proposed retail building and existing single family homes. The applicant provided renderings of an 8-foot fence with a decorative cap and decorative base board trim to replace the existing 6-foot fence along the affected single family homes (4 total). The Commission expressed concerns at the Consideration and Action meeting about how the fence will face as well as the need for the applicant to work with the residential property owner in regards to installation and maintenance of the fence. Staff clarified that Chapter 2 of the Development Code requires commercial property owners abutting residential to install and maintain a screening fence. The Commission added two conditions on the case regarding fencing, including the way the pickets will face and that the developer will coordinate with the residential property owners regarding fence installation and maintenance to ensure long-term screening of the site.

PUBLIC HEARING

The Notice of Public Hearing was published in a newspaper of general circulation, all owners within 200 feet of the proposed site were notified and the public hearing notice was published on the City of Sugar Land's internet home page. Staff also placed a courtesy notification sign at the property regarding the public hearing. Staff is not aware of any opposition to the proposed Conditional Use Permit.

POINTS FOR CONSIDERATION:

- The rear of the project site is directly adjacent to an existing single-family residential neighborhood and therefore mitigation measures are proposed.
- There are no windows abutting the adjacent residential neighborhood, however the applicant is proposing a set of wall pack lighting along the rear of the building which will be angled down so as to not project any light onto the adjacent residential homes.
- There is a one-way drive aisle at the rear of the building to prevent traffic congestion.
- The applicant has provided a set of exterior building elevations which indicate the materials used to be mostly comprised of masonry, glass, and cementitious materials, all primary finishes in the B-1 zoning district.
- The applicant is proposing a 13.78-foot wide landscape buffer along the rear of the property, however Staff has suggested the trees being planted in this buffer area to be no less than 4-inch caliper and 10 feet in height when planted to provide for additional screening for the adjacent residential homes.
- The refuse container has been moved to the most southern property lines to remove the potential for additional noise.
- The Commission placed conditions on the CUP which would ensure the property is redeveloped as proposed and mitigate any negative impacts on the surrounding area. Proposed conditions are as follows:
 - The site is developed in accordance with the site plan as shown (Exhibit A).
 - The landscaping is developed in accordance with the landscaping plan as shown (Exhibit B).
 - All site or building lighting will be full cut-off and will be inspected prior to issuance of the Certificate of Occupancy (Exhibit C).
 - The building is constructed in accordance with the building and site elevations as shown (Exhibit D, E).
 - The applicant will work with the residential property owners at the rear of the site in regards to the fence and how it will be maintained.
 - The fence will face with the pickets towards the commercial property (South) in order to create easier maintenance opportunities for the commercial property owners.
- Recommend exhibit attachments to the CUP are as follows:
 - Exhibit A – Site Plan
 - Exhibit B – Landscape Plan
 - Exhibit C – Photometric Plan
 - Exhibit D, E – Elevations

Public Hearing Notice



NOTICE OF PUBLIC HEARING

**PROPOSED CONDITIONAL USE PERMIT FOR A
RETAIL BUILDING ADJACENT TO RESIDENTIAL
PROPERTY ON APPROXIMATELY 1.73 ACRES
LOCATED ALONG ELDRIDGE ROAD**

CITY COUNCIL Public Hearing: 6:00 p.m., January 2, 2018 to hear all persons interested in the proposed Conditional Use Permit (CUP) for a new retail building on property located along Eldridge Road just north of W Airport Road in the Neighborhood Business District (B-1); and further identified as Reserve B-2C on the plat titled Airridge Center Replat No. 2. (F.B.C.O.P.R. 20160084).

City of Sugar Land City Council Chamber, 2700 Town Center Boulevard North. Details of the proposed Conditional Use Permit 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, December 29, 2017.