



PLANNING AND ZONING COMMISSION

AGENDA REQUEST

AGENDA OF:	7-26-12	AGENDA REQUEST NO:	IV-B
INITIATED BY:	RUTH M. LOHMER, AICP PRINCIPAL PLANNER <i>RL</i>	RESPONSIBLE DEPARTMENT:	PLANNING & ENVIRONMENTAL SERVICES
PRESENTED BY:	RUTH M. LOHMER, AICP PRINCIPAL PLANNER	DIRECTOR:	N/A
		ADDITIONAL APPROVAL(S):	N/A

SUBJECT / PROCEEDING: AMENDMENT TO THE LAKE POINTE PLANNED DEVELOPMENT (PD) DISTRICT FOR 4.5065 ACRES AT LAKE POINTE PARKWAY AND CREEK BEND DRIVE FOR THE DEVELOPMENT OF URBAN HOMES
CONSIDERATION AND ACTION

EXHIBITS: VICINITY MAP, STAFF REPORT, LAKE POINTE PARKWAY STREET VIEW, PROPOSED LAYOUT, EXHIBIT D FROM LAKE POINTE PD, EXHIBIT B FROM LAKE POINTE PD, SITE PHOTOS, LAKE POINTE TOWN CENTER GENERAL PLAN MINOR AMENDMENT NO. 1, LEGAL DESCRIPTION, APPLICATION, LETTER FROM APPLICANT

CLEARANCES	APPROVAL
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LEGAL:	N/A	DIRECTOR OF PLANNING & ENVIRONMENTAL SERVICES:	DOUGLAS SCHOMBURG, AICP <i>DS</i>
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RECOMMENDED ACTION

Recommendation of approval to the Mayor and City Council for the Lake Pointe PD amendment, with the following modifications to be made to the Proposed Layout:

- Remove regulations chart or modify to reflect the 6-foot side setback on the 2nd side
- Modify “Typ. Lot Setbacks” to reflect the 6-foot side setback

EXECUTIVE SUMMARY

This item is for the proposed amendment to the Lake Pointe Planned Development District for 4.5065 acres of vacant land platted as Reserve “T” in the Lake Pointe Tract 2 subdivision (also known as Tract “E-1” in the Lake Pointe Planned Development District). The property is located at the southwest corner of the intersection of Lake Pointe Parkway and Creek Bend Drive.

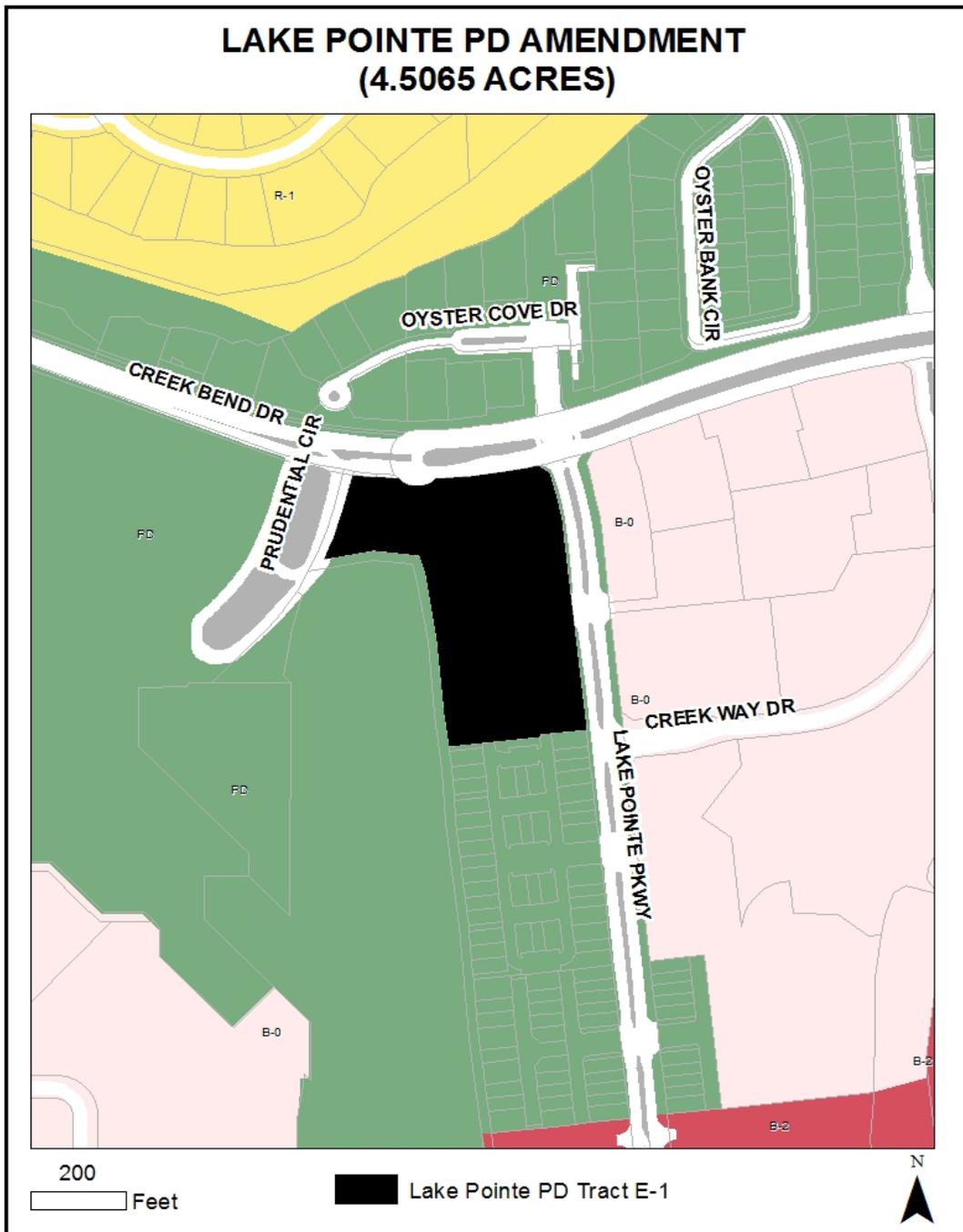
Pelican Builders has requested the PD amendment on behalf of the property owners, Lake Pointe Town Center, Ltd, to change the Final Development Plan from Townhomes to Urban Home. The primary purpose of the change in the zoning is to be able to develop high density zero lot line detached single family homes, rather than attached townhomes, as is currently shown in the Lake Pointe Planned Development District. Additional regulations will be established for “Urban Homes,” which is a new category of single-family being proposed to be added to the Lake Pointe PD with this amendment.

Commission discussion at the Public Hearing meeting of June 28, 2012 primarily focused on the proposed side setbacks of 3 feet between buildings, and concern for adequate separation and open space. Based on Planning and Zoning Commission concerns, the applicant has revised the application from 3-foot side setbacks and zero, to 6-foot side setbacks on the non-zero side of the lot. Additional details are contained within the report.

Cc: Robert Bland, robert_bland@pelicanbuilders.com Planning File No. 12 21000006
Les Newton, les@pcdltd.com Document No. P0014798

EXHIBITS

Vicinity Map:



Staff Report:

GENERAL SITE INFORMATION

Surrounding Property Zoning	North: Planned Development District (PD) South: Planned Development District (PD) East: Business Office (B-O) West: Planned Development District (PD)
Surrounding Property Land Use	North: Lake Pointe Detached Single Family Residential (Villas) South: Lake Pointe Attached Single Family Residential (Townhomes) East: Vacant & Office West: Fluor Corporation & Brooks Lake

ANALYSIS:

The proposed PD amendment would change 4.5065 acres at the southwest corner of the intersection of Lake Pointe Parkway and Creek Bend Drive from Townhomes to Urban Homes. The primary difference between a Townhome and an Urban Home is that the Urban Homes would be detached zero lot line homes, whereas Townhomes are attached. Additionally, the number of units on the property would increase from 43 to 48. The Urban Homes would also bear some similarity to the Garden Homes included in the Lake Pointe PD and have been developed in the Enclave at Lake Pointe. The table below compares the proposed regulations for Urban Homes with the existing regulations applicable to Townhomes and Garden Homes established in the Lake Pointe PD.

	Garden Homes	Townhomes	Urban Homes
Min. Lot Area	3,500 sq. ft. – backing to Oyster Creek 3,100 sq. ft. - interior lots	1,620 sq. ft.	2,000 sq. ft.
Min. Lot Width	36'	N/A	N/A
Min. Lot Depth	50'	N/A	N/A
Max. Lot Coverage	80%	90%	80%
Max. Height	3 stories or 45'	3 stories or 45'	3 stories or 45'
Min. Front Yard	10' to curb or property line	-10' to curb (front load) or -10' to curb or property line for rear load or -20' on Lake Pointe Parkway or Creek Bend Dr	- 5' to curb (front load) - 20' on Lake Pointe Parkway
Min. Rear Yard	10' (plus 20' landscape easement along Oyster Creek)	3'	- 5' - 20' on Creek Bend Dr

Min. Side Yard	3' on each side	- 0' – attached on 2 sides - 3' - attached on 1 side	- 0' 1 st side - 3' 6' 2 nd side
Min. Side Yard on Street	10' to street curb	10' to street curb	15'
Street Paving Width	25'	25'	25'
Min. Driveway Length (Curb to Garage Door)	10'	N/A	5'
Min. Alley Width	N/A	- 25' Wide - 10' One-way paving	N/A
Min. Parking Setback to Curb	N/A	18'	- Parallel 8' - Head in 17'
Max. Density	8/acre	15/acre	15/acre

The proposed Urban Home development will be a gated community with private access roads that will also serve as public utility easements and emergency access. The homes will have vehicular access via one connection to Lake Pointe Parkway, which will be a gated access. The applicant has stated that in discussions with the townhome community to the south, neighbors have indicated they would prefer not to have vehicular connectivity between the two developments. Therefore, there is no vehicular connection to the south. However, pedestrian access gates have been proposed to connect the two developments. Additionally, the development is proposed to include pedestrian access gates from each home fronting on Lake Pointe Parkway to the public sidewalk. There are existing on-street parking spaces developed along Lake Pointe Parkway, and these pedestrian access gates will enable these homes to utilize the on-street parking. Additional pedestrian access gates will also be located to connect individual lots and the common open space to the common pedestrian walkway along Brooks Lake.

PLANNING AND ZONING COMMISSION REVIEW:

The Planning and Zoning Commission held a public hearing, discussion and direction on the proposed PD amendment on June 28, 2012. No members of the public spoke in support of the applicant for the project. The Planning and Zoning Commission discussion focused primarily on the proposed three-foot separation between the buildings. The Commission was concerned whether three feet would provide sufficient access and egress in case of fire. Also of concern was the ability for homeowners to maintain the sides of the homes with such close proximity, and the potential for the three-foot area to be a collector of undesirable items, such as garbage. Following the Commission meeting, Development Planning staff spoke with the City Building Official and Fire Marshal; both shared the concerns of the Commission. Staff believes a minimum of six feet of separation between the buildings is most appropriate, as this is the minimum setback between detached single family residential buildings in the City (in the Enclave at Lake Pointe – garden homes). Pictures of the garden homes are attached for the Commission’s reference. The applicant has revised the request to accommodate the six-foot minimum setback for the non-zero side yards. The Layout Plan now shows the six-foot separation, and a reduction of one lot due to the increase in setback. The Commission also requested a street view of the urban homes from Lake Pointe Parkway. This elevation is provided below.



KEY POINTS FOR CONSIDERATION:

The following is provided for Commission consideration:

- Based on Planning and Zoning Commission concerns, the applicant has revised the application from 3-foot side setbacks to 6-foot side setbacks on the non-zero side of the lot. However, the revised Layout Plan needs to be further modified to reflect the change (Regulations Table and Typ. Lot Setbacks).
- Urban Homes are proposed to front on Lake Pointe Pkwy and have individual pedestrian gates to the public sidewalk, maintaining the pedestrian-friendly environment created by the adjacent townhomes south of the property
- Pedestrian gates have been included to provide access to townhomes south of this proposed development and to the common pedestrian area adjacent to Brooks Lake from each lot and the common green area
- The proposal for Urban Homes maintains the intent for a dense urban residential environment, increasing the number of homes from 43 to 48

Lake Pointe Parkway Street View:



LAKE POINTE AT CREEKBEND - SUGARLAND, TEXAS 77478



PELICAN BUILDERS, INC.

PRESTON WOOD & ASSOCIATES, L.L.C.
1113 Vine Street-Suite 240 Houston, Texas 77002

Development Land Planning Mixed Use Residential Design Town Home Design

Aerial:



Exhibit D

Lake Pointe Town Center Residential PD Land Use Regulations (Existing and Proposed)

	Residential Use	Min. Lot Area (sq.ft.)	Min. Lot Width	Min. Lot Depth	Max. Lot Coverage	Max. Height	Min. Front Yard	Min. Rear Yard	Min. Side Yard	Min. Yard on Street	Street Paving Width	Min. Driveway Length (Curb to Garage Door)	Min. Alley Width	Min. Parking Set Back to Curb	Max. Density
1	Zero Lot Line-Patio Home with Front Load or Side Load Garage	4,000	50' (60' for corner lots)	75'	80%	-3 Stories or 45'	-15' or -0' w/ 15' landscape reserve (front of building to back of curb)	-10' or -20' (backing to Creek Bend)	0' to 7' w/total of both sides 10' or greater	18' to street curb	25'	18'	N/A	N/A	8/acre
2	Zero Lot Line-Villa with Front Load or Side Load Garage	5,600	68'	80'	80%	-3 Stories - or 45'	-15' or -0' w/15' landscape reserve (front of building to curb)	-20 or -10 (backing to landscape easement along Oyster Creek)	0' to 10' w/total of both sides 10' or greater	20' to street curb	25'	18'	N/A	N/A	8/acre
3	Townhomes	1,620	N/A	N/A	90%	-3 Stories or 45'	-10' to curb (front load) or -10' to curb or property line for rear load or -20' on Lake Pointe Parkway or Creek Bend Drive	3'	-0'-attached on 2 sides -3'-attached on 1 side (2)	10' to street curb	25'	N/A	-25' Wide -10' One-way paving	18'	15/acre
4	Live/Work Townhomes	1,300	N/A	N/A	90%	4 Stories or 53'	-10' to curb or property line -20' on Lake Pointe Parkway or Creek Bend Drive	3'	-0' -attached on 2 sides -3'-attached on 1 side (2)	10' to street curb	25'	N/A	-25' Wide -10' One-way paving	18'	15/acre
5	Brownstones (Rear Load only)	1,050	N/A	N/A	80%	4 Stories or 53'	-10' to curb or property line -20' to Lake Pointe Parkway or Creek Bend Drive	3'	-0' -attached on 2 sides -3'-attached on 1 side (2)	10' to street curb	25'	N/A	-25' Wide -10' One-way paving	15'	15/acre
6	Condominiums	N/A	N/A	N/A	75%	140' or 90' (7)	-25' to curb or 10' if abutting public trail easement or -40" on collector streets	0'	-25' -10' if abutting public trail easement (3)	25' to street curb	25'	N/A	-25' Wide -10' One-way paving	15'	50 or 40 units (7)
7	Garden Homes	3500-lots backing to Oyster Creek 3100-interior lots	36'	50'	80%	3 Stories or 45'	-10' to curb or property line	-10' (plus 20' landscape esmt. Along Oyster Creek)	3' on each side	10' to street curb	25'	10'	N/A	N/A	8/acre
8	Urban Homes	2,000	N/A	N/A	80%	3 Stories or 45'	- 5' to curb (front load) - 20' on Lake Pointe Parkway	- 5' - 20' on Creek Bend Dr	- 0' 1 st side - 6' 2 nd side	15' to street curb	25'	5'	N/A	Parallel – 8' Head in – 17'	15/acre



View looking south from Lake Pointe Pkwy entrance toward on-street parking & adjacent Townhomes



View looking south from Lake Pointe Pkwy entrance toward adjacent Townhomes



View looking north toward Creek Bend Dr. from Lake Pointe Pkwy entrance



View looking east across Lake Pointe Pkwy



View looking east toward Brooks Lake (Fluor Corp. building beyond)



View looking east from across Lake Pointe Pkwy



View looking west and toward adjacent Townhomes (Fluor Corp. building beyond)



View looking west and toward adjacent Townhomes (Fluor Corp. building beyond)

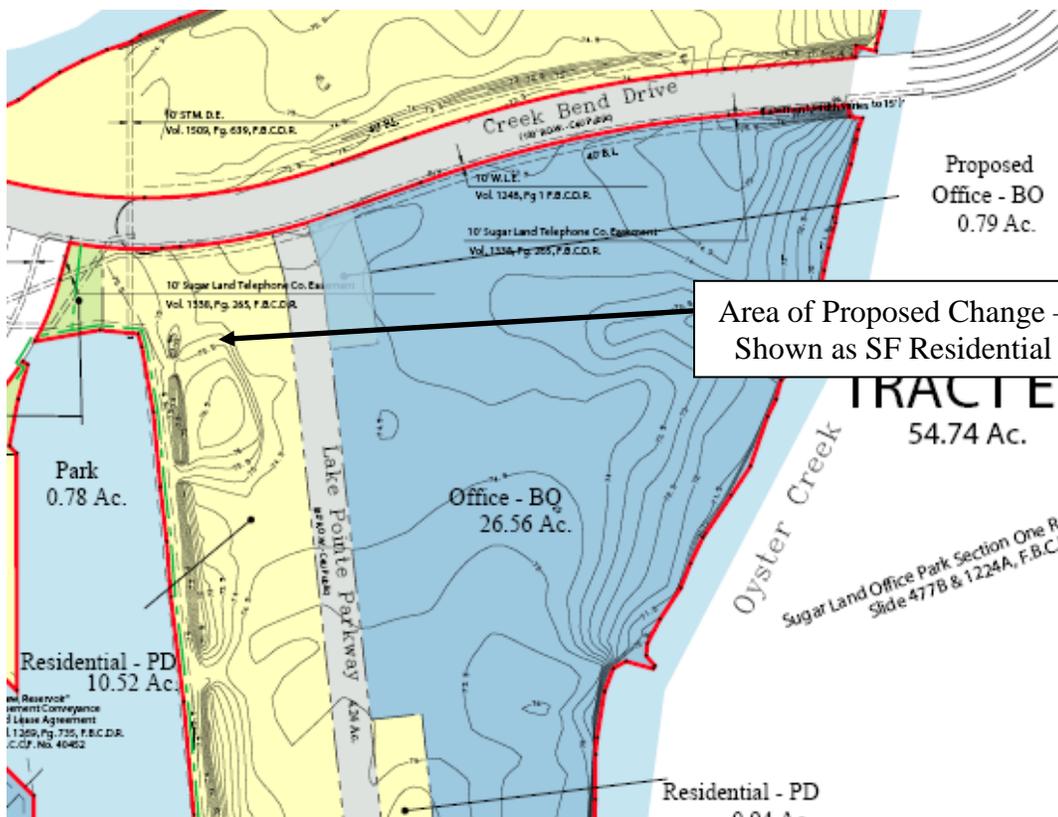
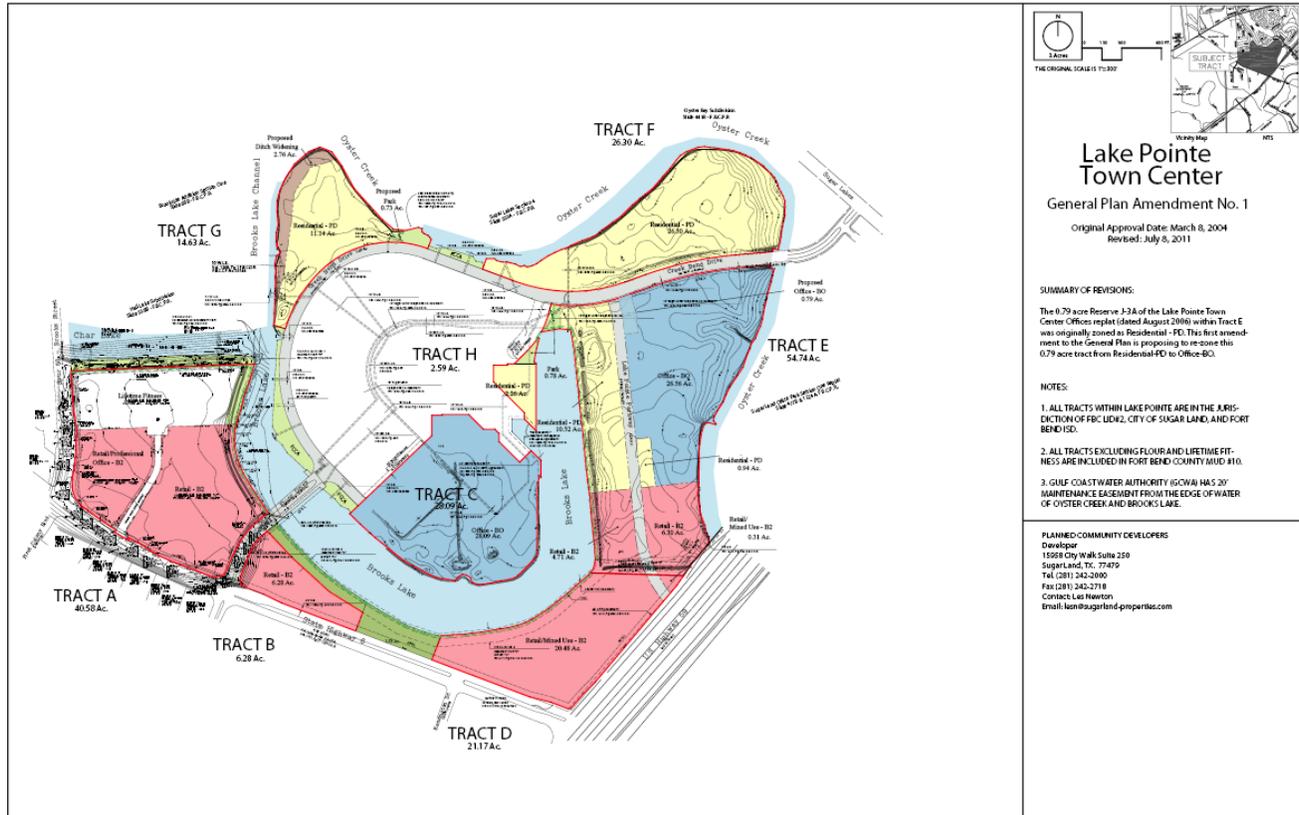


View looking south from Pedestrian Walkway between Brooks Lake and Site (adjacent townhomes beyond)



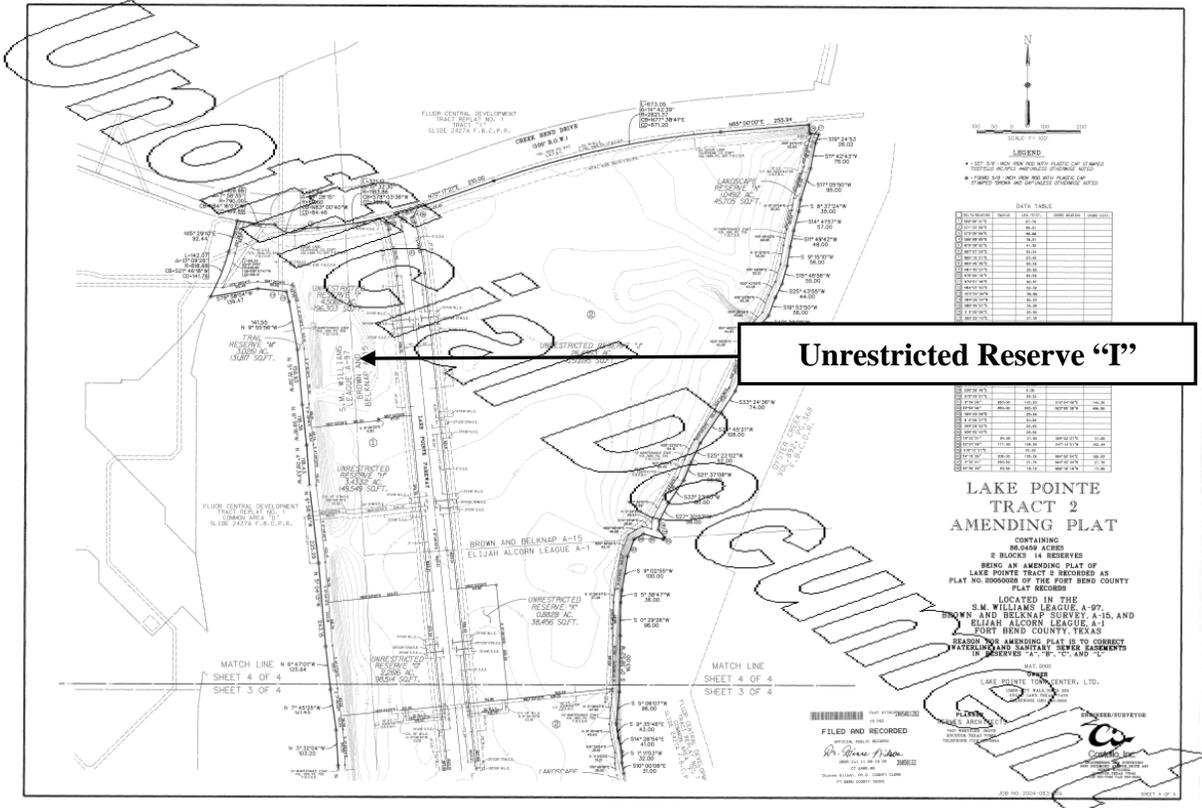
View looking north from Pedestrian Walkway between Brooks Lake and Site

Lake Pointe Town Center General Plan Minor Amendment No. 1:

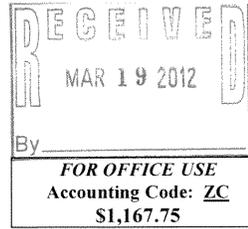


Legal Description:

Unrestricted Reserve "T" out of Lake Pointe Tract 2 Amending Plat, Plat No. FBCPR 20050132



Application:



**PLANNING DEPARTMENT
PLANNED DEVELOPMENT (PD) DISTRICT REZONING APPLICATION**

Please type or print the following information & Return your submittal to the Planning Department, City Hall, 2700 Town Center Blvd. North, Sugar Land, TX 77479, Attention: Development Review Coordinator

**DUE TO DETAILS REQUIRED FOR PD DISTRICT APPLICATIONS, STAFF STRONGLY RECOMMENDS A PRE-DEVELOPMENT MEETING PRIOR TO SUBMITTAL*

Applicant

Contact Pelican Builders, Inc.
Address 4265 San Felipe, Suite 720, Houston, Texas 77027
Phone 713-871-8170 Fax 713-871-0798 Email robert_bland@pelicanbuilders.com

Owner (Note that owner must also sign form if different than applicant)

Contact Lake Pointe Town Center, Ltd.
Address 15958 City Walk, Suite 250, Sugar Land, Texas 77479
Phone 281-242-2000 Fax 281-242-2718 Email lesn@pcdltd.com

Property Legal Description 4.1924 Acres out of Unrestricted Reserve "I" of Lake Pointe Tract 2 See Attached

Lot N/A Block N/A Subdivision N/A

Current Zoning District to be rezoned to PD Dist. _____

or
If a PD District amendment (provide details) To change from townhomes to high density zero lot line detached single family homes.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and undersigned is authorized to make this application. **Application expires 6 months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on request.**

Pelican Builders, Inc. Lake Pointe Town Center, Ltd.
X By: [Signature] By: [Signature] March 19, 2012
Signature of Applicant (Requires property owners signature if different than owner) Date

PD District Application Submittal Requirements (Submittal Deadline is Monday at 3:00 p.m.):

- Three (3) copies of the completed application
- Check for \$1,167.75 per Ord. 1828 (non-refundable)
- Metes and bounds legal description of the site or county slide number of plat, if recorded
- Two (2) copies at least 11" x 17" in size of the PD Development Plan, including a vicinity map and north arrow on each copy (color drawings not required)
- Two (2) copies of a letter stating the applicant's request and addressing issues relating to PD including detailed use list, PD development plan with lots / reserves, traffic circulation, landscaping, and other pertinent information

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed App Rev Jan 2012 per Ord. 1828

Letter from Applicant:

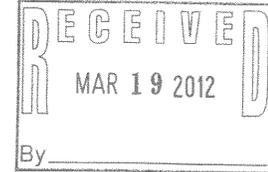


4265 San Felipe, Suite 720
Houston, Texas 77027

Phone: 713.871.8170
Fax: 713.871.0798

March 16, 2012

Planning Department
City of Sugar Land
2700 Town Center Blvd. North
Sugar Land, Texas 77479



Attention: Development Review Coordinator

Subject: 4.1924 Acres out of Unrestricted Reserve "I" of Lake Pointe Tract 2

Gentlemen:

The present Planned Development (PD) District for subject property provides for townhome construction. We request that you consider a PD District Amendment that will allow this site to be developed as a zero lot line high density detached single family community. For your review, we enclose the following:

1. Survey of the property.
2. Proposed development plan showing street layout and layout of homes.
3. Proposed Land Use Regulations.
4. Renderings of our EastGate project now under construction in The Woodlands, which is the concept and plan that we propose for subject site.
5. Photographs of our Wynden Commons project in Houston. The project that we propose for subject site would have this same appearance.

It is our desire to develop a quality residential project on this site, and to maintain the integrity of the overall area. We feel that a high density zero lot line detached single family product would be far superior to a townhome development. It would be architecturally more attractive and inviting, and more marketable, as buyers prefer detached housing rather than townhomes.

Your favorable review and consideration of this matter is respectfully requested.

Sincerely,


Robert F. Bland