



# PLANNING & ZONING COMMISSION

## AGENDA REQUEST

<b>AGENDA OF:</b>	<b>MARCH 24, 2011</b>	<b>AGENDA REQUEST NO:</b>	<b>IV-A</b>
<b>INITIATED BY:</b>	<b>NELDA MCGEE, EXECUTIVE SECRETARY</b>	<b>RESPONSIBLE DEPARTMENT:</b>	<b>CITY SECRETARY</b>
<b>PRESENTED BY:</b>	<b>GLENDA GUNDERMANN, CITY SECRETARY</b>	<b>DEPARTMENT HEAD:</b>	<b>GLENDA GUNDERMANN, CITY SECRETARY</b> 
		<b>ADDITIONAL DEPARTMENT HEAD (S):</b>	<b>N/A</b>
<b>SUBJECT / PROCEEDING:</b>	<b>MINUTES PLANNING &amp; ZONING COMMISSION MEETING MARCH 08, 2011 APPROVE MINUTES</b>		
<b>EXHIBITS:</b>	<b>MINUTES MARCH 08, 2011</b>		
<b>CLEARANCES</b>		<b>APPROVAL</b>	
<b>LEGAL:</b>	<b>N/A</b>	<b>CITY PLANNER:</b>	<b>DOUGLAS SCHOMBURG</b>
<b>RECOMMENDED ACTION</b>			
Approve the minutes of the Planning & Zoning Commission meeting March 08, 2011.			

## EXHIBITS

STATE OF TEXAS §  
COUNTY OF FORT BEND §  
CITY OF SUGAR LAND §

**CITY OF SUGAR LAND**  
**SUGAR LAND PLANNING AND ZONING COMMISSION MEETING**  
**TUESDAY, MARCH 08, 2011**

### REGULAR MEETING

The City of Sugar Land Planning and Zoning Commission convened in a regular meeting open to the public and pursuant to notice thereof duly given in accordance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, as amended, in Sugar Land City Hall within said City on Tuesday, March 08, 2011 at 5:30 o'clock P.M. and the roll was called of the members; to wit:

Bridget R. Yeung, Chairman  
Carl Stephens, Vice Chairman  
Marlena Berger  
Himesh Gandhi  
Kathy Huebner  
Harish Jajoo  
Gregory Schmidt  
James Shaw  
Paula Stansell

### QUORUM PRESENT

All of said members were present, with the exception of Commissioner Gandhi, who arrived at 5:36 o'clock P.M.

Also present were:  
Douglas Schomburg, City Planner  
Eugenia Cano, Assistant City Attorney  
Nelda McGee, Executive Secretary and  
A Number of Visitors and Staff

### CONVENE MEETING

*Chairman Yeung* convened the session, open to the public, to order at 5:32 o'clock P.M.

### WORKSHOP

*Chairman Yeung* introduced consideration on standards, principles, and integrated development for Multi-Family and Non-Conventional Single Family Development (Session III).

**WORKSHOP (CONTINUED)**

*Mr. Douglas Schomburg, City Planner* stated this is the third workshop regarding the twelve principles established in Resolution 10-21 for consideration in multi-family and non-conventional single family development based on vertical/horizontal integration of multi-family into the surroundings. City Council directed staff to work with the Planning and Zoning Commission to expand on these principles. Staff will prepare a report for Commission consideration and recommendation to City Council for adoption. Details from the report will be incorporated into Chapter 6 of the Comprehensive Plan.

*Mr. Schomburg* reviewed the twelve principles:

- Vertical or horizontal mix of uses
- Pedestrian friendly elements beyond code requirements
- Streetscape/hardscape enhancements
- Connectivity for bicycle and pedestrians
- Reserved spaces for future transit nodes
- Enhanced exterior building finishes
- Enhanced landscaping/buffering from existing single family uses
- Incentives for owner occupancy (increased density, etc.)
- Green building incentives for building and site
- Integrated parking (structured or other parking arrangements)
- Allowance for shared common space between uses
- Goods and services supporting residential within walking distance/connectivity

The workshop focuses is on the three principles not previously discussed:

**Incentives for Owner Occupancy**

*Ms. Lisa Kocich-Meyer* stated elements that encourage owner occupancy include requiring condominium developments to submit condominium declarations and establish a Property Owners Association. Staff research found other cities allow increased density for developments as a trade-off for condominium development. Appropriate example guidelines include:

- Submittal of condo declarations for developments proposing condo style projects
- Designing multi-family project with features that facilitate future condo conversion (i.e., utility meters for each unit)

**Green Building Incentives**

In August 2010, the City adopted the 2009 International Building Code Regulations and the 2008 National Electrical Code; the primary focus of the codes relate to health and safety. The Electrical Code focuses on energy performance to achieve effective uses of energy by requiring Heating, Ventilating, and Air Conditioning (HVAC) equipment at the most recent Seasonal Energy Efficiency Ratio (SEER) ratings and energy efficient lights, windows and doors.

**WORKSHOP (CONTINUED)**

Texas cities, Frisco, Dallas, San Antonio, El Paso, Plano, League City, and Flower Mound, have policies that range from mandatory requirements to incentivizing green projects. Sugar Land readopted the Tax Incentive Guidelines in June 2010, adding Leadership in Energy and Environmental Design (LEED) Certification as an eligibility requirement for certain tax abatements. LEED is an internationally recognized green building certification system developed by the U.S. Green Building Council; it is a voluntary rating system that provides third-party verification. LEED Certification measures that a building or community was designed and built using strategies to improve performance in energy savings, water efficiency, carbon monoxide emission reduction, improved indoor environmental quality, stewardship of resources, and sensitivity to environmental impacts.

The U.S. Green Building Council LEED Certification for home rating systems was originally designed for single-family homes and low-rise multi-family residential development (3-4 stories); LEED Certification for mid-rise multi-family (4-6 stories) was created in October 2010. Staff will encourage basic certified projects.

**Integrated Parking**

There are four key types of parking:

- Multi-level parking garage
- Parking deck (maximum 2 stories)
- Courtyard style (open-air parking lots internal to site or behind main buildings)
- Individual unit garage

Common parking garage elements include integration with the building serviced; minimized driveway access; and wrapping on two, three, or four sides. Garages wrapped by the buildings served are accessed from the main road, under the residential units and are multi-level; may be enclosed, but building code regulations require additional ventilation and possible screening. Parking decks are two-story structures with parking on the ground floor and second story, similar to the Dillard parking arrangement in First Colony Mall. Courtyard style parking is divided into small parking areas serving a small multiple-unit building located interior to the development. Individual unit garages are located directly under the units served, providing residents direct access from the garage to the units. Units with individual garages are typically located off a sub-street and represent only a percentage of the residential units; individual garages offer the developer an economical option to supplement all structured or surface parking.

Guidelines suggested by staff include:

- Surface/Courtyard Style
  - Parking areas shall be located interior to the site
- Garage/Deck Style
  - Design/location shall not be visible from public streets and open spaces (common and public)
  - If exposed to streets, design shall be integral part of primary building

**WORKSHOP (CONTINUED)**

*Ms. Ruth Lohmer, Senior Planner* reviewed staff suggestions for the remaining principles:

- Horizontal/Vertical Mix
  - Maximum .25 mile walking distance connectivity to goods/services
- Pedestrian Friendly Elements
  - 10' – 15' maximum building setback
  - Street level windows, shade covers
  - Clearly delineated pedestrian crossings
- Connectivity
  - Bicycle/Pedestrian connectivity through the development(s)
  - Shared use paths (8' – 10' minimum)
- Streetscape Enhancement
  - Create visually interesting environment through landscaping, walls, planters, pavers, etc.
- Common Open Space
  - Green space
  - Plazas/squares/courtyards
  - Included amenities (water features, covered structures, walking paths, etc.)
- Reserved Spaces for Future Transit
  - Create walkable/pedestrian friendly area
  - Provide adequate parking near potential pick-up/drop-off spots
  - Provide drive area insets for bus or shuttle service
  - Examine planned development in relation to any master plan elements for rail, bus, or shuttle service
- Enhanced Exterior Building Finishes
  - 100% Primary Finish Requirement
    - Limited to stone, brick, cultured stone, poured concrete only
    - Minimum of 2 distinct primary materials on all facades (percentages will be established to ensure “spirit of the law” is met as well as “letter of the law”)
  - Accent Materials
    - 20% of façade (cornices, surrounds of windows, etc.)
    - Limited to stucco, architecturally finished metals, architecturally finished concrete block, and wood
  - Prohibited Materials
    - Exterior Insulation and Finishing System (EIFS)
    - Galvanized metals, vinyl, masonite style materials
- Enhanced Buffering from Existing Single-Family Uses
  - Buildings sited to minimize disruption of privacy and outdoor activities of adjacent residents
  - Trees to provide visual buffer (15' – 20' on center)
  - 15' – 25' wide planting areas or amenitized open space
  - Include pedestrian amenities (benches, pedestrian scale lighting, shaded areas) to create useable spaces

**WORKSHOP (CONTINUED)**

Commission discussion on parking garages focused on ensuring aesthetic quality in multi-family development through a well integrated approach using materials and architectural design compatible with adjacent buildings to minimize the appearance of large garage structures. Staff will use existing parking garage regulations and incorporate language into the guidelines that specifies wrapping/enclosure options and architectural treatments similar to the adjacent building. The Commission has the option of requiring elevations for multi-family in the Final PD to review architectural compatibility, aesthetic quality, and integration into the surrounding area.

Commissioners requested additional information on the ratio of commercial uses to residential in comparable communities, what the densities are and what mix has been successful in other areas. Staff will research density issues and bring forward findings to the Commission.

*Mr. Schomburg* stated there are many different multi-family development scenarios. The twelve principles serve as a guide for developers and a tool for codifying what is important; integration will be determined by the Commission and Council.

The Commission discussed future condominium conversion and design elements that support conversion, on-site storage, parking garages/arrangements, individual metering, and other amenities. Staff recommended the City rely on developer expertise with regard to what is put in the Final PD; proposed projects should be discussed as they are brought forward.

There was a brief discussion regarding owner occupancy. Staff confirmed that zoning controls are not a trigger for future conversion of rental property to condominium development. Development of a site as a condominium project does not prevent sub-leasing; specifics are decided by the condominium association.

Staff will provide an updated report at the next regular meeting.

**RECESS**

*Chairman Yeung* recessed the meeting at 6:29 o'clock P.M.

**RECONVENE CITY COUNCIL CHAMBER**

*Chairman Yeung* reconvened the regular meeting open to the public, to order at 6:44 o'clock P.M.

**PUBLIC COMMENT**

*Chairman Yeung* introduced Public Comment stating that citizens desiring to address the Planning and Zoning Commission with regard to matters on the agenda would be received at this time.

There were no public comments.

**MINUTES**

*Chairman Yeung* introduced consideration on approval of the minutes of the regular City of Sugar Land Planning and Zoning Commission meeting held February 24, 2011.

Following a full and complete discussion, *Commissioner Stephens* seconded by *Commissioner Schmidt*, made a motion to approve the minutes of the regular City of Sugar Land Planning and Zoning Commission meeting held February 24, 2011. The motion carried unanimously.

**FACT, FINDING, AND RECOMMENDATION**

**PERMANENT ZONING .862 ACRES LAKEFIELD SECTION TWO**

*Chairman Yeung* introduced consideration on a recommendation to the Mayor and Members of City Council for permanent zoning of .862 acres, Lakefield Section Two, Reserve C, from Standard Single Family (R-1) Residential to Neighborhood Business (B01) District.

*Mr. Douglas Schomburg, City Planner* stated a public hearing was held February 24, 2011; the property consists of .862 acres located west of Austin Parkway, platted in 1993 and developed as a commercial center in 1994. The property was incorrectly zoned Standard Single Family (R-1) during the 1997 annexation of First Colony Municipal Utility District No. 8; the reserve is defined as commercial in the notes of the plat. Staff initiated the rezone to Neighborhood Business (B-1); all existing uses in the development comply with B-1 zoning.

All requirements for the public hearing were met; no members of the public spoke. Staff received two informational inquiries and is unaware of any opposition. Staff recommends the Commission recommend to the Mayor and members of City Council approval of rezoning the property from R-1 to B-1.

Following a full and complete discussion, *Commissioner Stephens*, seconded by *Commissioner Jajoo*, made a motion to approve a recommendation to the Mayor and Members of City Council for permanent zoning of .862 acres, Lakefield Section Two, Reserve C, from Standard Single Family (R-1) Residential to Neighborhood Business (B01) District. The motion carried unanimously.

**PERMANENT ZONING 15.90 ACRES TELFAIR CENTRAL COMMERCIAL PLANNED DEVELOPMENT**

*Chairman Yeung* introduced consideration on a recommendation to the Mayor and Members of City Council for permanent zoning of 15.90 acres Telfair Central Commercial Planned Development, General Development Plan.

*Commissioner Shaw* stated he had filed the necessary documentation with the City Secretary for recusal stating a potential conflict of interest; *Chairman Yeung* excused Commissioner Shaw, who left the meeting; there were no other items following on the agenda.

**PERMANENT ZONING 15.90 ACRES TELFAIR CENTRAL COMMERCIAL PLANNED DEVELOPMENT (CONTINUED)**

*Ms. Lisa Kocich-Meyer, Senior Planner* briefed the Commission on the Planned Development Zoning District for Telfair Central Commercial Planned Development; the property consists of 15.90 acres currently zoned Interim R-1. The requested PD is a General Development Plan, the first step in the two-step PD process.

The area is shown in the Telfair General Plan as commercial land use and is identified as a future PD area. Main access to the site is from University Boulevard and New Territory Boulevard and will provide access to the approved residential PD area to the north.

Core components of the Planned Development Zoning include:

- Metes and Bounds Description of the Property
- General Development Plan Regulations
  - Development Regulations
  - Permitted Use List and Associated Conditions for Specific Uses
  - Landscaping and Pedestrian Circulation Regulations
  - Building Regulations
  - Additional Regulations for Specific Districts
  - Inclusion of Exhibits (site plans, orientation plans, cross-sections)

Proposed main uses include:

- Commercial and Open Space Uses
- Coordination with Adjacent Residential PD to the North
- Commercial Uses Similar to B-1
- Permitted Uses by District
- Uses with Additional Restrictions and Conditions
  - Uses limited in number (day care)
  - Uses limited in size (square footage maximums)

Based on feedback received from the Commission August 26, 2010, the applicant removed proposed deviations from the sign regulations, revised the use list, and proposed additional conditions for day care centers.

Seven members of the public spoke during the Public Hearing held November 9, 2010, expressing concerns regarding school sites in Telfair and gas sales as permitted use within the PD.

Following the Public Hearing the Commission directed staff to work with the applicant to:

- Further refine use list
- Clarify inconsistencies between uses and notes in the Land Use Matrix
- Review proposed maximum building square footage proposed for certain uses

**PERMANENT ZONING 15.90 ACRES TELFAIR CENTRAL COMMERCIAL PLANNED DEVELOPMENT (CONTINUED)**

- Provide building finishes/design elements as framework for Final Development Plan submittals
- Provide details for rear building treatments (residential and Telfair Lake greenbelt)
- Review setbacks from Telfair Lake greenbelt
- Address proximity concerns of adjacent residential to the north (lighting, bulk plane, etc.)
- Provide cross-section view of public streets proposed in the development
- Clarify/provide additional detail regarding green space requirements within the PD area

The applicant has proposed changes to address Commission and neighborhood concerns:

- Uses
  - Remove gas sales as permitted use
  - Remove Hot Tubs and Swimming Pools from Miscellaneous Retail Stores (SIC 5999)
  - Remove Residential Care as permitted use
  - Refine uses in District C to be compatible with adjacent residential area
  - Additional conditions restricting day care to 2 centers for 15.90 acres Planned Development
- Maximum Building Square Footage
  - Stipulate only 1 building exceeding 15,000 square feet permitted within each District
- Building Finishes
  - Add regulations proposed for building finish standards similar to B-1
- Architectural/Design Features
  - Add regulations for rear building facades and service areas
- Open Space
  - Add requirement for minimum 500 square feet of open space within each District
- Setbacks
  - Increase setbacks for Telfair Lake to 10 feet
  - Increase setbacks for residential lot lines in District C to 57 feet to meet bulk plane requirements as set out in the Development Code
- Public Streets
  - Provide cross-section for public street
- Site Plan
  - Provide revised site plan showing no set alignments for east/west access through development (intent remains to have minimum landscaping buffers and sidewalks along all access ways)
  - Revise buffer along the Telfair Lake greenbelt to coincide with the setback increase to 10 feet

The public street cross-section shows the street running north/south through the development, connecting New Territory Boulevard to the residential area to the north; provides for a 65-foot right-of-way, driveway access east and west to adjacent districts, and on-street parallel parking, pending sight-line analysis at any of the intersections.

**PERMANENT ZONING 15.90 ACRES TELFAIR CENTRAL COMMERCIAL PLANNED DEVELOPMENT (CONTINUED)**

The applicant has provided a new exhibit showing orientation of the buildings. The Orientation Plan depicts service areas, dumpsters, delivery areas, on-site mechanical equipment, as internal and centralized to the development, in compliance with the draft PD ordinance requirement that all service areas be located a minimum of 50 feet from Telfair Lake and public rights-of-way. Yellow arrows on the plan indicate the intent that buildings should face the Telfair Lake greenbelt and public streets.

*Ms. Kocich-Meyer* stated points for consideration:

- Request is consistent with the Telfair General Plan
- Some certainty regarding site layout
- Landscaping requirements meet/exceed Code
- Open space is true green space
- Increased sidewalk widths for certain connections to trails and existing sidewalks
- Proposed signage complies with Development Code requirements
- Provided building finish standards and design elements for future Final Development Plan submittals
- Uses removed or refined

Staff recommends the Commission recommend to the Mayor and members of City Council approval of the Telfair Central Commercial PD General Development Plan.

The Commission discussed points of access along the north/south collector street. *Mr. Robert Valenzuela, Assistant City Engineer* clarified that standard driveway separation guidelines apply; access points will be proposed in the Final as part of the site plan process.

Commissioners discussed the option of using a median for separation of the large concrete area and for pedestrian safety along the north/south roadway. *Mr. Stan Winter, TBG Partners*, stated the developer was opposed to a median running the full length of the commercial drive. To do so would limit access to serve the adjacent commercial development; delineating a median in the preliminary PD is problematic, since the locations for the curb cuts have not been determined. Staff suggested adding a condition, either as a note to the exhibit or language within the General Development Plan, which specifies continuous medians, except where curb cuts are needed for access to adjacent sites. *Mr. Valenzuela* stated that road length, turn-lane, and driveway connection issues make a median difficult to do in this location recommending striping, stating the 37-foot street section is the typical city cross-section.

The possibility of striping a bike lane within the 18-foot drive lanes was discussed. Staff does not recommend a bike lane along the roadway; stating there are no connections in the location. Staff suggested adding language to further explore the use of buttons/medians to delineate the area and enhance maneuverability.

**PERMANENT ZONING 15.90 ACRES TELFAIR CENTRAL COMMERCIAL PLANNED DEVELOPMENT (CONTINUED)**

Commissioners requested staff investigate other ways of breaking up the north/south roadway to make it safer for pedestrians. *Mr. Winter* added that designated crosswalks are shown on the exhibit at the intersections of the public streets; there is no guarantee that pedestrians/children will not cross mid-block. Staff suggested including language in the General Plan Development for the concern to be further examined during the Final Development Plan stage, putting the property owner/developer on notice that the issue is to be addressed in Final Development Plans.

The Commission discussed parking for surveying services vehicles (SIC 8713). Staff confirmed that section G-2 of the ordinance includes applicable language that states on-site storage of fleet vehicles is not permitted.

Service areas were discussed, with staff providing additional details from the draft Development Plan regarding location, screening, and equipment typically located in a service area. Concern was expressed that the layout of the service areas may be conducive to criminal behavior. Staff will research to determine if there are records of any existing problems similar in nature.

Following a full and complete discussion, *Commissioner Stephens*, seconded by *Commissioner Jajoo*, made a motion to approve a recommendation to the Mayor and Members of City Council for permanent zoning of 15.90 acres Telfair Central Commercial Planned Development, General Development Plan, with the condition language be added to review the medians during the Final Development stage. The motion carried unanimously.

**REPORTS**

**PLANNING AND ZONING COMMISSION LIAISON REPORTS**

*Commissioner Schmidt*, Planning and Zoning Commission Liaison, commented on the City Council meeting held March 01, 2011, stating there were two items of interest for the Planning and Zoning Commission: Resolution 11-03, Comprehensive Mobility Plan was approved and the Design/Build Contract for the minor league baseball stadium.

**CITY STAFF REPORT**

*Mr. Douglas Schomburg, City Planner*, stated that Johnson Development would like to take interested Commissioners on a mobile tour to view multi-family sites in some of the Houston area development projects; staff will poll the Commission on dates/times once additional information is known. A special Planning and Zoning Commission Meeting will be held Monday, March 14, 2011, to discuss the Thoroughfare Plan Strategic Project.

*Mr. Schomburg* introduced *Ms. Cathy Halka*, Planner II.

**ADJOURN**

There, being no further business to come before the Commission, *Commissioner Gandhi*, seconded by *Commissioner Stephens* moved that the meeting adjourn. The motion carried unanimously and the meeting adjourned, time at 7:27 o'clock P.M.

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Bridget Yeung, Chairman

(SEAL)