



**JOINT PUBLIC HEARING**  
THE CITY COUNCIL CITY AND THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF PEARLAND, TEXAS,  
**MONDAY, DECEMBER 14, 2015, AT 6:30 P.M.**  
COUNCIL CHAMBERS - CITY HALL-3519 LIBERTY DRIVE

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Conditional Use Application No. 2015-13**

A request of Jimmy Aranda, applicant; on behalf of Tom Amundsen, owner; for approval of a Conditional Use Permit (CUP) to allow for a winery in the General Commercial (GC) zoning district; on approximately 4.441 acres of land, to wit:

**Legal Description:** Being the North one-half of Lot 47 of the Subdivision of Section 85, H.T.B.B. Railroad Company Survey, Abstract No. 304, in Brazoria County, Texas; being that same tract of land as described in the deed to Thomas a, Amundsen recorded in Volume 91960, Page 139, Deed Records of Brazoria County, Texas.

**General Location:** 2635 Miller Ranch Road, Pearland, TX.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

- A. STAFF REPORT
- B. APPLICANT PRESENTATION
- C. STAFF WRAP UP

**IV. PERSONS WISHING TO SPEAK FOR OR AGAINST THE PROPOSED REQUEST**

**V. COUNCIL/PLANNING COMMISSION/STAFF DISCUSSION**

**VI. ADJOURNMENT**

**This site is accessible to disabled individuals. For special assistance, please call Young Lorfing, City Secretary, at 281-652-1655 prior to the meeting so that appropriate arrangements can be made.**



## Staff Report

To: City Council and Planning and Zoning Commission

From: Planning Department

Date: December 14, 2015

Re: Conditional Use Permit Application No. 2015-13

A request of Jimmy Aranda, applicant; on behalf of Tom Amundsen, owner; for approval of a Conditional Use Permit (CUP) to allow for a winery in the General Commercial (GC) zoning district; on approximately 4.441 acres of land, Pearland, TX. Located at 2635 Miller Ranch Rd. Pearland, TX

### Summary of Request

The applicant is requesting approval of a conditional use permit (CUP) to allow for a Winery in the General Commercial (GC) zoning district.

The proposed use will be located within an existing building that is currently part of a small office warehouse park located on the east side of Miller Ranch Road. The applicant is proposing a 2500 square foot facility that will include a small tasting room with seating for up to 12 guests. The CUP will be for the entire property, allowing future expansion if needed. The facility will include an area for production, bottling, and tasting of the product. All functions of the proposed winery will take place within the existing building. No changes to the exterior of the building or land are proposed at this time.

### Recommendation

Staff recommends approval of the requested CUP on the approximately 4.441 acre site to allow a winery use for the following reasons:

1. The approved CUP will allow for a new use in the city to operate within an existing development. The Unified Development Code was update recently to permit uses such as breweries, wineries, and coffee roasters in some commercial zones. The proposed use is also similar to some light manufacturing uses that would be currently permitted on this property by the SUP. The proposed use matches the character of the existing development.
2. It is not anticipated that the proposed CUP will have significant negative impacts on surrounding properties or developments.

3. All requirements of the UDC will be met for any future redevelopment and expansion on the site.

### **Site History**

The subject property is currently developed with 4 office warehouse buildings. The applicant will be occupying a portion of one of the existing buildings. In 1998, the property owner obtained approval of a Special Use Permit (SUP) to permit light manufacturing in the GC zone. The property was changed from Suburban Development (SD) to GC with an SUP in 1998 and has been developed as an office warehouse park since 1998. Additionally, an SUP was approved allowing for light manufacturing to take place on site in 1998.

The site is surrounded by residential uses and residential zoning districts, with a small strip of GC zone adjacent to the southern boundary of the subject parcel. The addition of a winery within the existing development should not have an impact on the surrounding residential property. The current facility is required to maintain the existing 25' buffer along the sides abutting residential uses and zones. The table below identifies surrounding uses and zoning districts:

	<b>Zoning</b>	<b>Land Use</b>
<b>North</b>	Single Family Residential – 1 (R-1)	Single Family Home
<b>South</b>	General Commercial (GC)/Single Family Residential – 1 (R-1)	Drainage/Home
<b>East</b>	Single Family Residential – 3 (R-3)	Single Family Subdivision
<b>West</b>	Single Family Residential – 1 (R-1)	Single Family Home

### **Conformance with the Thoroughfare Plan**

The subject property has approximately 247 feet of frontage along Miller Ranch Road, a local street, which requires 60 feet of right-of-way. The property owner dedicated 10 feet for right-of-way purposes when the property was platted.

### **Conformance with the Unified Development Code**

The property is currently developed with an existing office warehouse park. The applicant has plans to occupy a portion of an existing building on site. At this time they have no plans to change any of the external features of the building or site. Upon expansion or redevelopment of the property, all requirements of the UDC will need to be met.

### **Conformance with the Comprehensive Plan**

The current zoning of GC on the subject property is not in conformance with the future land use designation of the Comprehensive Plan which is “Medium Density Residential.” However, the property was changed from SD to GC with an SUP in 1998. The site has been developed as an office warehouse park since 1998. Additionally, an SUP was approved allowing for light manufacturing to take place on site in 1998.

### **Platting Status**

A plat, Amundsen Properties, was approved and recorded for this site in 2003.

### **Availability of Utilities**

The subject property has access to public infrastructure. GIS data indicates that the property is already serviced by a 6-inch waterline and an 8-inch sewer line. Both lines run along the southern portion of the property.

### **Impact on Existing and Future Development**

The proposed CUP will not significantly impact surrounding properties or developments. The site is already developed as an office warehouse park and the proposed use will occupy a tenant space in one of the existing buildings. No expansion or changes to the site are proposed at this time. All functions of the proposed winery will take place fully within the existing building footprint.

### **Additional Comments**

The request has been reviewed by the City’s Development Review Committee (DRC), and there were no additional comments from other departments at the time of this report.

### **Public Notification**

Staff sent public notices, comment forms and a vicinity map to the applicant, the owner of the property and to property owners within 200 feet of the subject property under consideration for the zone change. Additionally, a legal notice of the public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

### **Opposition to or Support of Proposed Request**

Staff has not received any returned notices in opposition to or in support of the proposed change in zoning request.

### **Exhibits**

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Notification List
6. Applicant Packet



# Exhibit 1

## AERIAL MAP

### CUP 2015-13

### 2635 Miller Ranch Rd.

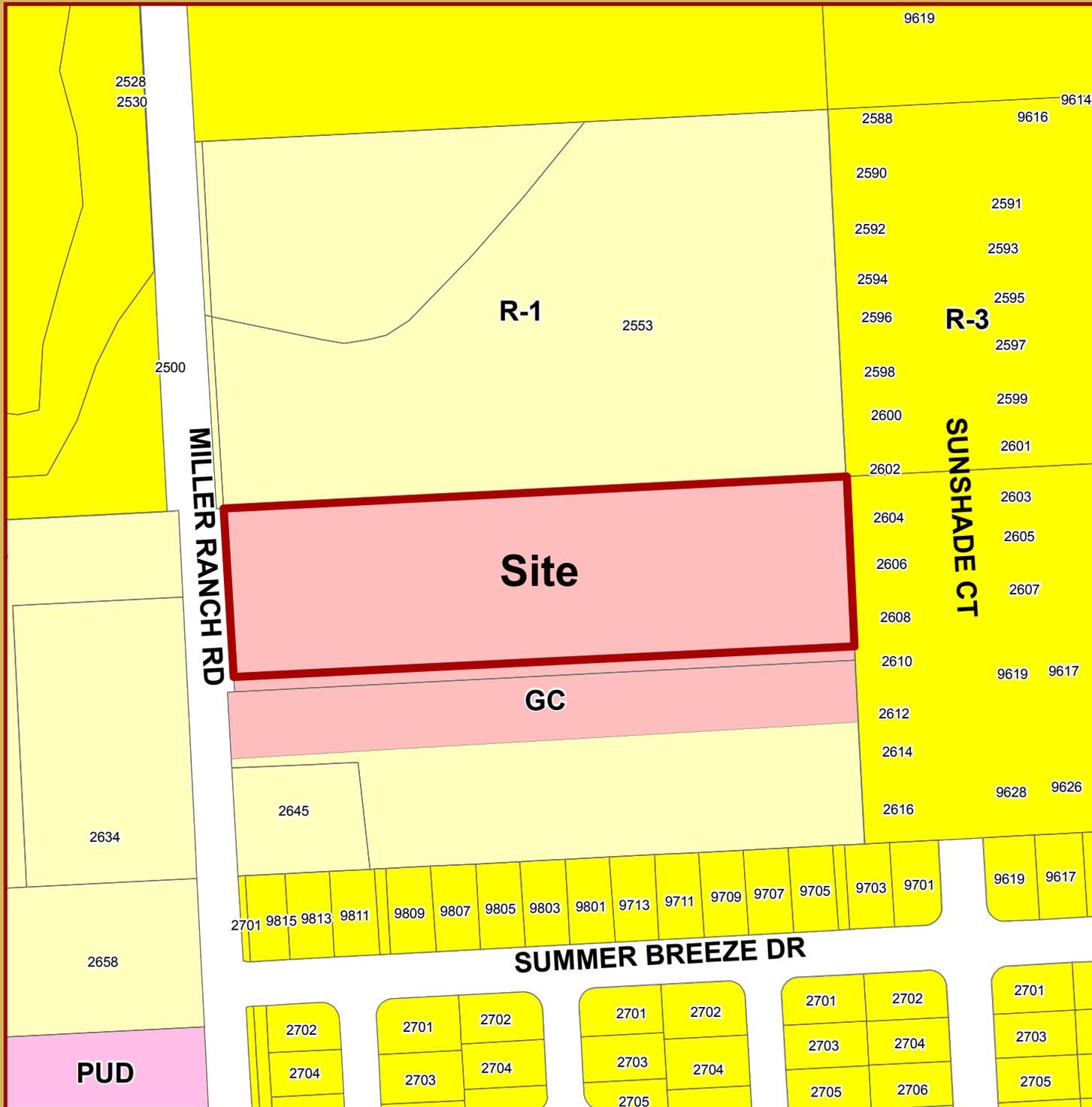


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 193 feet

DECEMBER 2015  
PLANNING DEPARTMENT





# Exhibit 2

## ZONING MAP

### CUP 2015-13

2635 Miller Ranch Rd.



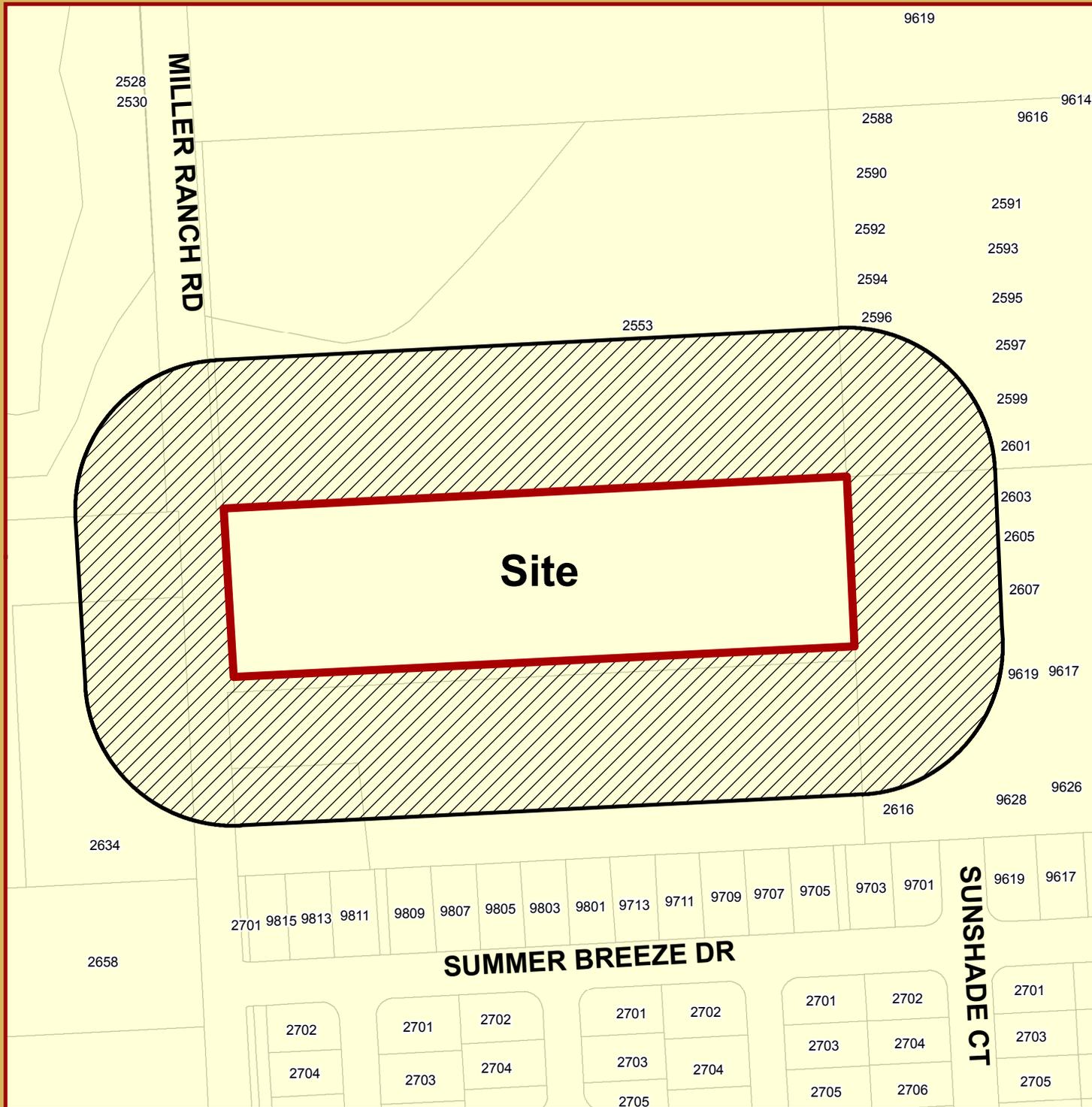
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 193 feet

DECEMBER 2015  
PLANNING DEPARTMENT







# Exhibit 4

## NOTIFICATION MAP

### CUP 2015-13

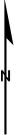
### 2635 Miller Ranch Rd.



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 inch = 193 feet

DECEMBER 2015  
PLANNING DEPARTMENT



**EXHIBIT 5**

CUP 2015-13, 2635 Miller Ranch Rd.

<b>Owner</b>	<b>City</b>	<b>Address</b>
BEAZER HOMES TEXAS LP	HOUSTON	10235 W LITTLE YORK RD STE 200
BRAZORIA COUNTY MUD #4	FRIENDSWOOD	PO BOX 1368
CMAJDALKA BLAKE A	PEARLAND	1922 MILLER RANCH RD
DULL TIMOTHY J & ELIZABETH ANNE	PEARLAND	2645 MILLER RANCH RD
PEARLAND HC LTD	PEARLAND	2625 MILLER RANCH RD
RITCHEY GEORGE R	PEARLAND	2553 MILLER RANCH RD
T T T & B LTD c/o AUTUMN LAKE	HOUSTON	17049 EL CAMINO REAL STE 100
JIMMY ARANDA	HOUSTON	2110 JEFFERSON ST #119
AMUNDSEN PROPERTIES LLC	PEARLAND	2625 MILLER RANCH RD

	<b>State</b>	<b>Zip</b>
	TX	77040
	TX	77549
	TX	77584
	TX	77058
	TX	77003
	TX	77584



# City of Pearland Planning Department Universal Application

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281.652.1768  
281.652.1702 (fax)  
pearlandtx.gov

Please complete each field - incomplete applications will **not** be accepted.  
Include the applicable checklist for each project type with this application.  
Refer to the schedule on the City's website and/or within the Planning Department  
for deadlines and anticipated meeting dates for each project type.

### TYPE OF APPLICATION:

- |   |  |
|---|--|
| <input type="checkbox"/> Zoning Change                | <input type="checkbox"/> ZBA Variance                      |
| <input type="checkbox"/> Cluster Development Plan     | <input type="checkbox"/> P&Z Variance                      |
| <input type="checkbox"/> Planned Development Workshop | <input type="checkbox"/> Special Exception                 |
| <input type="checkbox"/> Plat (list type): _____      | <input checked="" type="checkbox"/> Conditional Use Permit |

### PROJECT INFORMATION:

Residential       Commercial       Property Platted       Property Not Platted

Project Name: DIONISIO WINERY Tax ID: \_\_\_\_\_

Project Address/Location: 2635 MILLER RANCH RD # 103

Subdivision: LOT 47 SACS 85 HT&B No. of Lots: 1 Total Acres: 4.441

Brief Description of Project: WINERY

\*\*When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda according to Section 1.2.1.2 of the Unified Development Code.\*\*

### PROPERTY OWNER INFORMATION:

Name: TOM AMUNDSON  
AMUNDSON PROPHETICS LLC

Address: 2625 MILLER RANCH RD.

City: PEARLAND State: TX Zip: 77584

Phone: 281-468-8521

Fax: \_\_\_\_\_

Email Address: TOM@MATRIMONMANUFACTURING.COM

### APPLICANT/AGENT INFORMATION:

Name: JIMMY ARANDA

Address: 2110 JEFFERSON ST # 119

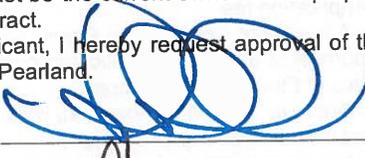
City: HOUSTON State: TX Zip: 77003

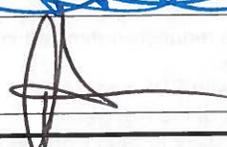
Phone: 713 906 2499

Fax: 713 738 6953

Email Address: dionisiowinery@gmail.com

\*Property owner must be the current owner of the property at the time of submittal of the application, and not the party that has the property under contract.  
As owner and applicant, I hereby request approval of the above described request as provided for by the Unified Development Code of the City of Pearland.

Owner's Signature:  Date: 11/11/15

Agent's/ Applicant's Signature:  Date: 11-11-15

### OFFICE USE ONLY:

FEES PAID: <u>A 1025</u>	DATE PAID: <u>11/13/15</u>	RECEIVED BY: <u>VH</u>	RECEIPT NUMBER: <u>47975</u>
APPLICATION NUMBER: <u>2015-13</u>			



**\*Requesting a Conditional Use Permit \***

**Purpose: To Open a Winery in the Pearland Location to produce wine and distribute to local stores**

**Operations of the use: Produce wine, bottle, and by the case**

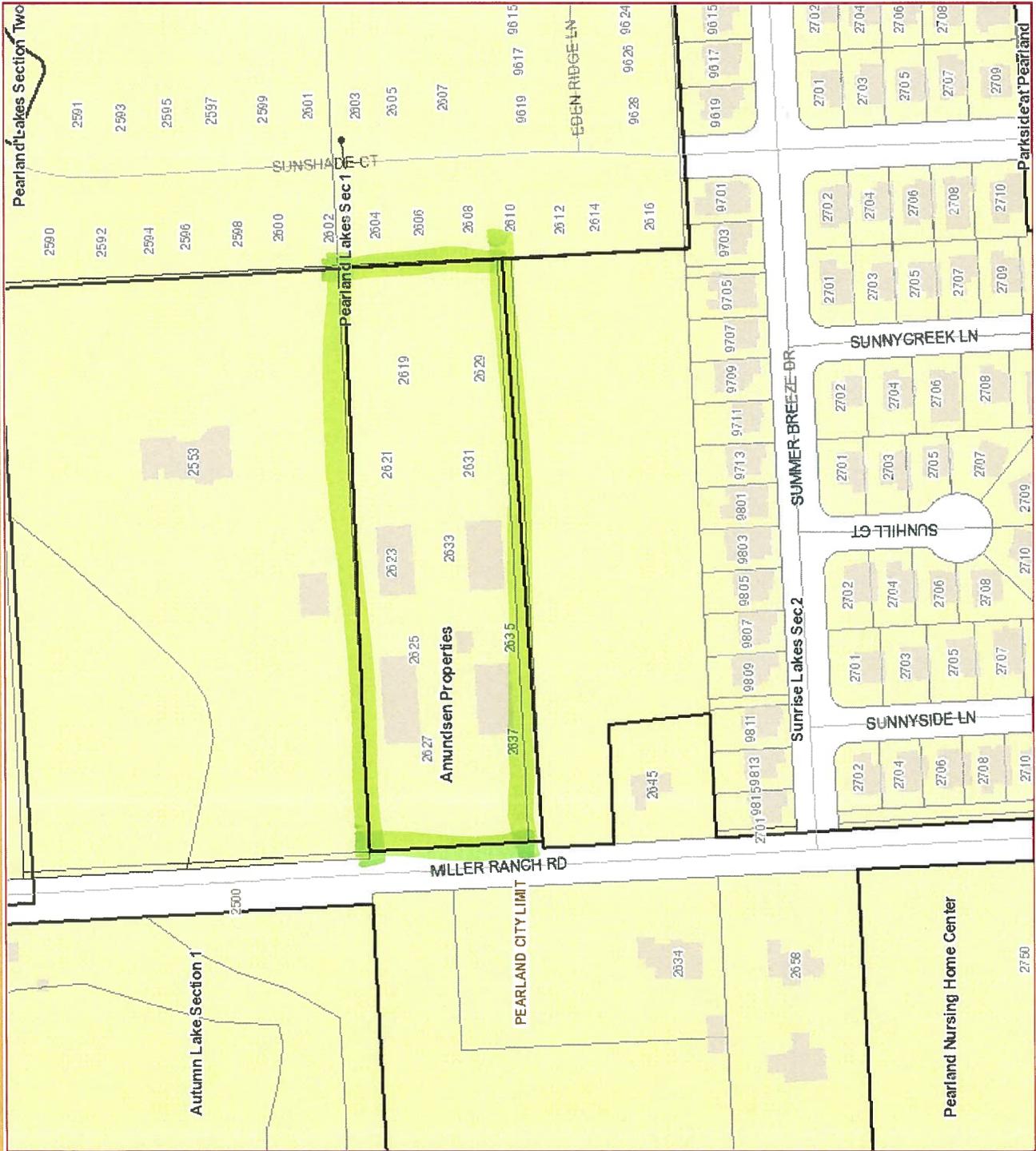
**Square footage of the Building: 2500 sq ft**

**Plan is attached to packet**



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate location of property boundaries.

Scale 1:2,313  
1 in = 193 ft  
November 11, 2015



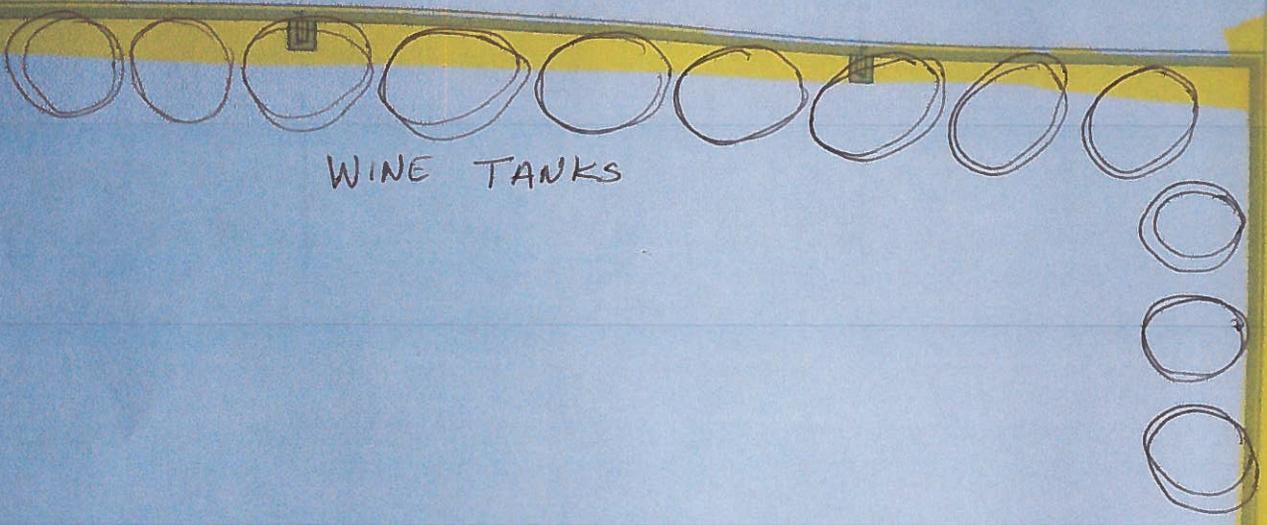


# Google Maps 2635 Miller Ranch Rd



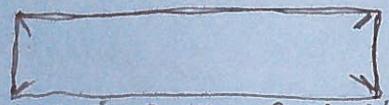
Imagery ©2015 DigitalGlobe, Houston-Galveston Area Council, Texas General Land Office, Texas Orthoimagery Program, U.S. Geological Survey, Map data ©2015 Google

50 ft 



WINE TANKS

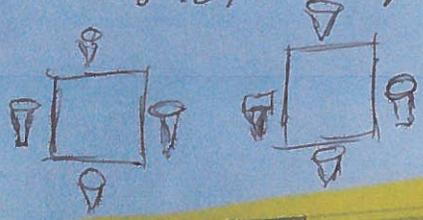
STAINLESS TABLE for:



LABELING BOTTLES - BOTTLE FILLER

BIG TABLE

VENDOR TASTING ROOM  
8-12 people only



DOOR  
ADD 3' 0" X 7' 0"  
H.M. DOOR AND FRAME

OFFICE

OFFICE

BATH ROOM

Utility Room

ADD 3' 0" X 9' 0"  
SINGLE PULL DOOR AND FRAME

REMOVE DOOR ADD 1'

REMOVE DOOR AND FRAME

REMOVE DOOR AND FRAME

SI CONN RI ANI

50'-4"

1500  
sq. Ft.

350  
sq. Ft.

147  
sq. Ft.

147  
sq. Ft.

147  
sq. Ft.

SEPARATE 5 ROOM

ADD 3'-0" X 7'-0"  
H.M. DOOR AND FRAME

ADD 3'-0" X 9'-0"  
SINGLE RACO DOOR AND FRAME

REMOVE DOOR-ADD FIREWALL

REMOVE DOOR-ADD FIREWALL

EXISTING ELEC.

EXISTING ELECTRICAL  
SERVICE CUTTERS

EXIST CT CAN  
AND METER  
100 AMP  
MAIN DISCONNECT  
120 / 240 - 1Ø 3W.  
N-3Ø

## Posting of Notification Signs on Property under Consideration for a Zone Change

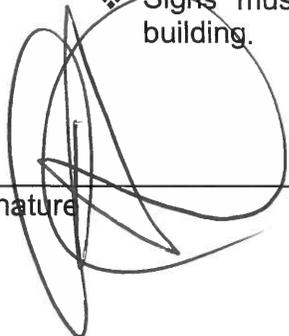
Any person, firm or corporation requesting a zoning change, a conditional use permit (CUP), or a variance shall be required to erect and maintain a sign(s), to be inspected by the City, upon the property for which a variance or zoning change has been requested.

Such sign(s) shall be located as follows:

- (1) One (1) sign per street frontage shall be located within thirty feet (30') of the abutting street, or as determined by the City.
- (2) So as to be clearly visible and readable from the public right-of-way and not obstructed in any manner.
- (3) So as not to create a hazard to traffic on the public rights-of-way abutting the property.
- (4) On the subject property at least ten (10) days prior to the hearing of such zoning change request by the Planning and Zoning Commission, and to remain continuously on said property until final action by the City Council or withdrawal of the case by the applicant. Removal of the sign by the applicant prior to a recommendation by the Planning and Zoning Commission and/or a final decision by the City Council shall constitute a withdrawal of the request.
- (5) The signs shall be as follows:
  - A minimum sign size of 2 feet by 3 feet, but no larger than 4 feet by 4 feet
  - At least 2 feet above the ground
  - Blue or black lettering that is a minimum of 3 inches by 1/2 inch, on a white background
  - Message content as follows:

**PROPOSED (SPECIFY REQUEST)**  
**Contact City of Pearland**  
**281-652-1765**

- ❖ Signs must be professionally made; handwritten signs are not allowed.
- ❖ Signs must be freestanding and cannot be attached to a tree, fence, or building.

Signature 

Date 11-11-15



**OFFICIAL TAX RECEIPT**  
 ROVIN GARRETT, PCC  
 BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR  
 111 E. LOCUST  
 ANGLETON, TEXAS 77515  
 Account No: 0304-0005-000  
 Certified Owner: PEARLAND HC LTD  
 2014 VALUE: 696,380

FIRST CLASS  
 U.S POSTAGE PAID  
 PERMIT NO. 4  
 ANGLETON TX

AMUNDSEN PROPERTIES, A0304 H T & B R F  
 BLOCK 1, TRACT RESERVE A (COMMERCIAL)  
 ACRES 4.441

<b>Jr</b>	<b>Year</b>	<b>Levy Paid</b>	<b>P&amp;I</b>	Parcel Address: 2633 MILLER RANCH RD CF
1	2014	3,053.63	0.00	Legal Acres: 4.4410
9	2014	417.83	0.00	Appr No: 168245
28	2014	9,858.65	0.00	Deposit No: 4C311103174
54	2014	1,086.35	0.00	Paid Date: 12/31/2014
96	2014	4,958.92	0.00	Total Paid: \$19,375.38
				Check No: 00001831
				Balance Due: \$0.00

Exemption(s): NONE

PEARLAND HC LTD  
 2625 MILLER RANCH RD  
 PEARLAND, TX 77584-9541



11/12/15

BRAZORIA CO. M.U.D. #17  
 5 OAKTREE  
 P. O. BOX 1368  
 FRIENDSWOOD TX, 77549-1368  
 THOMAS W. LEE, RTA  
 TEL: 281-482-0216 FAX: 482-5285  
 WWW.ASWTAX.COM

**RECORD OF TAX PAYMENT**

ACCOUNT: 54-0304-0005-000  
 PEARLAND HC LTD  
 2625 MILLER RANCH RD  
 PEARLAND TX 77584-9541

AMUNDSEN PROPERTIES, A0304 H  
 T & B R R, BLOCK 1, TRACT  
 RESERVE A (COMMERCIAL), ACRES  
 4.441

2625 MILLER RANCH RD

TAX YEAR	JURIS	TAXABLE VALUE	TAX RATE	LEVY	PENALTY INTEREST	COLLECTION FEE	TOTAL PAYMENT
2014	054	696,380	.520000	3,621.18	.00	.00	3,621.18
<b>TOTAL TAXES PAID</b>				<b>3,621.18</b>	<b>.00</b>	<b>.00</b>	<b>3,621.18</b>
<b>EXEMPTIONS: NONE</b>				<b>TOTAL AMOUNT RECEIVED:</b>			<b>3,621.18</b>
<b>PAID BY: PEARLAND HC LTD</b>				<b>RECEIPT DATE:</b>			<b>12/29/2014</b>
<b>CHECK #: 001832</b>				<b>VALIDATION NUMBER:</b>			<b>412290-5240001</b>