



## JOINT PUBLIC HEARING AGENDA ITEM MEETING OF MARCH 25, 2013

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### Conditional Use Permit No. CUP 2013-01

A request of Mike Chance, applicant for Crown Warehouse Service, Inc., owner, for approval of a Conditional Use Permit to allow a Plumbing Shop (No Outside Storage) in the PD-GB zone, on the following described property:

**Legal Description:** Approximately 3.0 Acre Tract of land out of a 10 Acre Tract, a residue of D. H. Stripling 12.000 Acre Tract recorded Volume 868, Page 239 of the Brazoria County Deed Records. All being part of the South 99 Acres of the H.T. & B. R. R. Co. Survey, Sec. 7, A-219 as recorded in Volume 595, Page 63 of the Deed of Records of Brazoria County, Texas

**General Location:** 6301 Broadway Street

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested zone change application will be considered as follows:

Planning and Zoning Commission: March 25, 2013\*  
City Council for First Reading: April 8, 2013\*  
City Council for Second Reading: April 22, 2013\*

(\*dates subject to change if item is tabled)

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**SUMMARY:** The applicant is requesting approval of a Conditional Use Permit (CUP) for a Plumbing Shop with no outside storage. The property is currently zoned Planned Development (PD), which permits the proposed use with the approval of a CUP.

The current PD, Botanical Landscape Designs, was approved by City Council on April 8, 2002. The PD was approved for a landscape design business which the applicants to amend the fencing requirements on site, and utilize outside storage for landscaping materials. The property was previously zoned Suburban Development (SD). The approved PD document indicates that that the base zoning district is General Business (GB). The PD was amended by the City Council on November 8, 2010 to allow

additional uses and limit building height for any additional structures.

**SITE HISTORY:** Botanical Landscape Design ceased operations in November of 2009. In October of 2010, a fine arts studio was interested in occupying the existing facility. The PD at the time only permitted commercial landscape operations to operate on site. The applicant initially applied for a zone change to the General Business (GB) zone but later withdrew that request and amended the existing PD document to allow their proposed use. The amendment allowed for all uses permitted in the GB zone but omitted a number of uses that were determined by City Council to be in conflict with the surrounding residential uses. Any use within the GB zone that would require a conditional use permit (CUP) would be allowed in the PD with the approval of said CUP. The requested use of a Plumbing Shop (No outside storage) falls under this category.

The following is a list of the GB uses that are not permitted in the Botanical Landscape Design PD:

- All uses listed in the land use matrix under the Automobile-Related Use section
- Check Cashing Service
- Rehab Care Facility (Commercial or Halfway House)
- Convenience Store with or without gasoline sales
- Restaurant with Drive-In or Drive-Thru service
- Tavern
- Adult Day Care Center (Business)
- Mortuary/Cemetery (Including Mausoleum/Crematorium)
- Nursing/Convalescent Home
- Pet Care Facility/Animal Kennel
- Exterminator Service/Company
- Machine Shop

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Single Family Residential-1 (R-1)	Single Family
South	General Commercial (GC)	Office Building
East	General Commercial (GC) and Single Family Residential-1 (R-1)	Church
West	General Business (GB)	Single Family
		Dental Office

**CONFORMANCE TO THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned Planned Development (PD). The parcel is 3 acres and meets the

minimum size for a non-residential PD which is 3 acres. The property will be required to meet all current requirements of the Unified Development Code for the proposed use (parking, screening, etc.).

**PLATTING STATUS:** The property is not currently platted. Future expansion on site would require the completion of a Minor Plat for the entire site.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan recommends *Business Commercial* for the subject property and the surrounding properties. The Comprehensive Plan further indicates that the appropriate zoning districts are General Business (GB) and General Commercial (GC). The existing planned development, with the allowed uses and listed prohibited uses, is in compliance with the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Broadway, a major thoroughfare with sufficient width for right-of-way of 120 feet. There are not any dedications required for Broadway. The proposed Conditional Use Permit is in conformance with the Thoroughfare Plan.

**AVAILABILITY OF UTILITIES:** The subject parcel is served by public water and sewer.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The applicant is requesting approval of a Conditional Use Permit that would allow a Plumbing Shop to occupy the space. The base zone for the PD is GB and the requested use is not excluded by the planned development. All of the properties abutting the subject parcel, with the exception of the property to the north and portions to the east, are zoned either GB or GC and are used as such. The property to the north is zoned R-1 and currently has one single home on site that is located approximately 300 feet from the subject parcels property line. A fence already exists which acts as a screening element for the residential use. Fences also exist along the eastern portion of the property where two single family homes are located approximately 100 feet from the subject parcels property line.

The planned development would limit future growth on the site by limiting the height of any new buildings as they approach the surrounding residential property. Specifically, any building that is greater than 300' from Broadway may not exceed 20' in height. At this time the applicant has stated that they do not intend to add any additional structures to the property.

Upon redevelopment, the applicant will be required to ensure there are no code enforcement issues and any future use will have to meet all requirements of the Unified Development Code. Buffering and screening will be enforced along the areas where the subject property abuts residential uses.

**ADDITIONAL COMMENTS:** This request has been reviewed by the City's Development

Review Committee (DRC) and there are no additional or outstanding comments from other departments.

**SITE PLAN CONSIDERATIONS:** A site plan was not submitted with the application. The site contains an existing building and no new construction is planned at this time. At the time of review for a tenant occupancy or build out, a site plan will be required to ensure compliance with all development requirements including parking, screening, landscaping, and façade materials.

**PUBLIC NOTIFICATION:** Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. A legal notice of public hearing was published in the local newspaper, and a sign advertising the proposed Conditional Use Permit was placed on the subject property.

**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed Conditional Use Permit request at this time.

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit No. CUP 2013-01 as proposed by the applicant for the following reasons:

1. The proposed Conditional Use Permit should not have any significant negative impact on the surrounding properties and developments.
2. The proposed Conditional Use Permit is in conformance with the current land use plan.
3. This proposed Conditional Use Permit is compatible with the neighboring properties zoning classification
4. The proposed use is permitted as part of the planned development with an approved Conditional Use Permit.

**SUPPORTING DOCUMENTS:**

- CUP Application
- Vicinity Map
- Property Ownership Map
- Property Owner Notification List
- Zoning Map
- Future Land Use Plan
- Aerial Photograph
- Other Maps and Related Documents



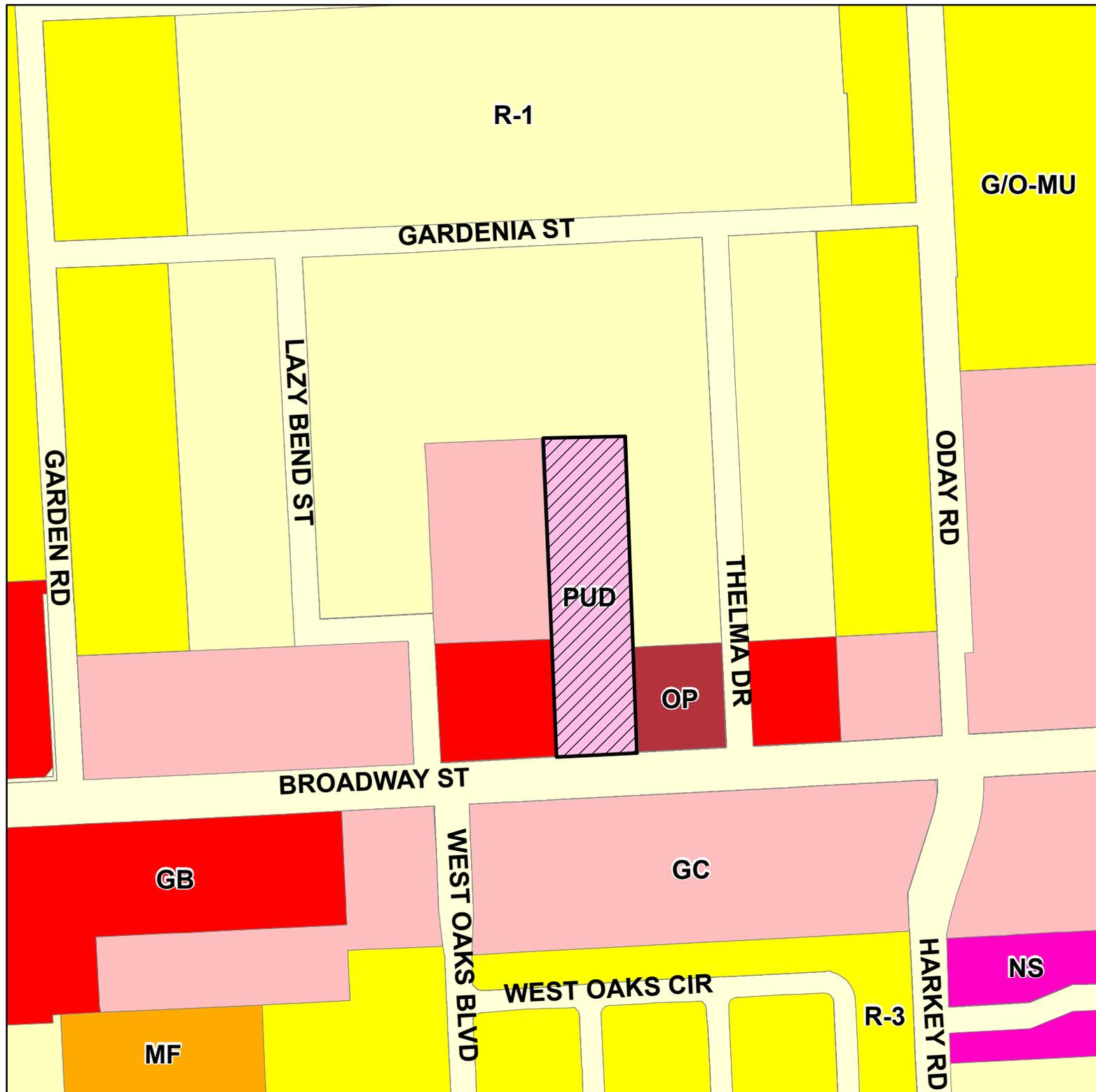
## Vicinity and Zoning Map

CUP 2013-01

6301 Broadway  
Crown Warehouse

This product is for information 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.

0 75 150 300 Feet





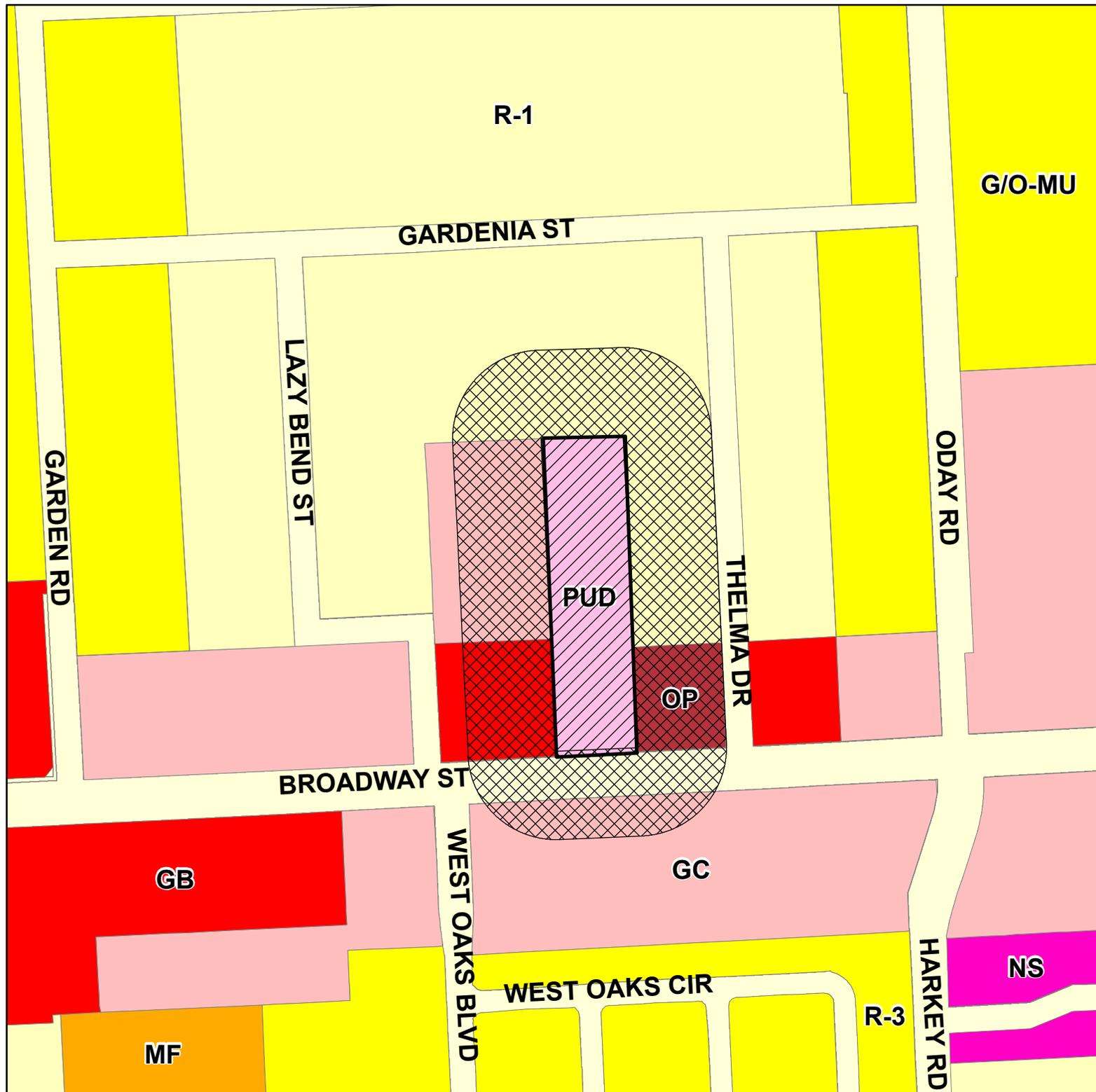
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CUP 2013-01

6301 Broadway  
Crown Warehouse

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0 75 150 300 Feet



**CUP 2013-01**

6301 Broadway

<b>Property Owner</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
AGUIRRE JOHNNY A & CRUZ J	2626 THELMA ST	PEARLAND	TX	77581
TIKVA INVESTMENTS LLC	4612 OLEANDER ST	BELLAIRE	TX	77401
QUAIL CHASE ASSOCIATES	438 CAMBRIDGE AVE	PALO ALTO	CA	94306
ASSOCIATED CREDIT UNION	PO BOX 9004	LEAGUE CITY	TX	77574
WEST OAKS H.O.A.	12000 WESTHEIMER #390	HOUSTON	TX	77077
OSTEEN ROBERT L	2550 THELMA ST	PEARLAND	TX	77581
PEARLAND ISD	PO BOX 7	PEARLAND	TX	77588
TDNT LLC	3114 W OAKS BLVD	PEARLAND	TX	77584
WESTSIDE CHURCH OF CHRIST-	6203 BROADWAY ST	PEARLAND	TX	77581
OVIEDO LARRY & ANA CECILIA & ENRIQUE DEL CID	PO BOX 2757	PEARLAND	TX	77588
ROSINSKI THOMAS EDWARD & MELINDA WALSH	6220 GARDENIA ST	PEARLAND	TX	77581
CLEAVER RONALD LEE & JUNE	6316 GARDENIA	PEARLAND	TX	77581
MCCORVEY ANDRE	2614 THELMA	PEARLAND	TX	77581
<b>Owner/Applicant</b>				
Crown Warehouse Service	7915 Montglen	Houston	TX	77061
Mike Chance	3117 Autumn Ct.	Pearland	TX	77584



**FLUP Map**

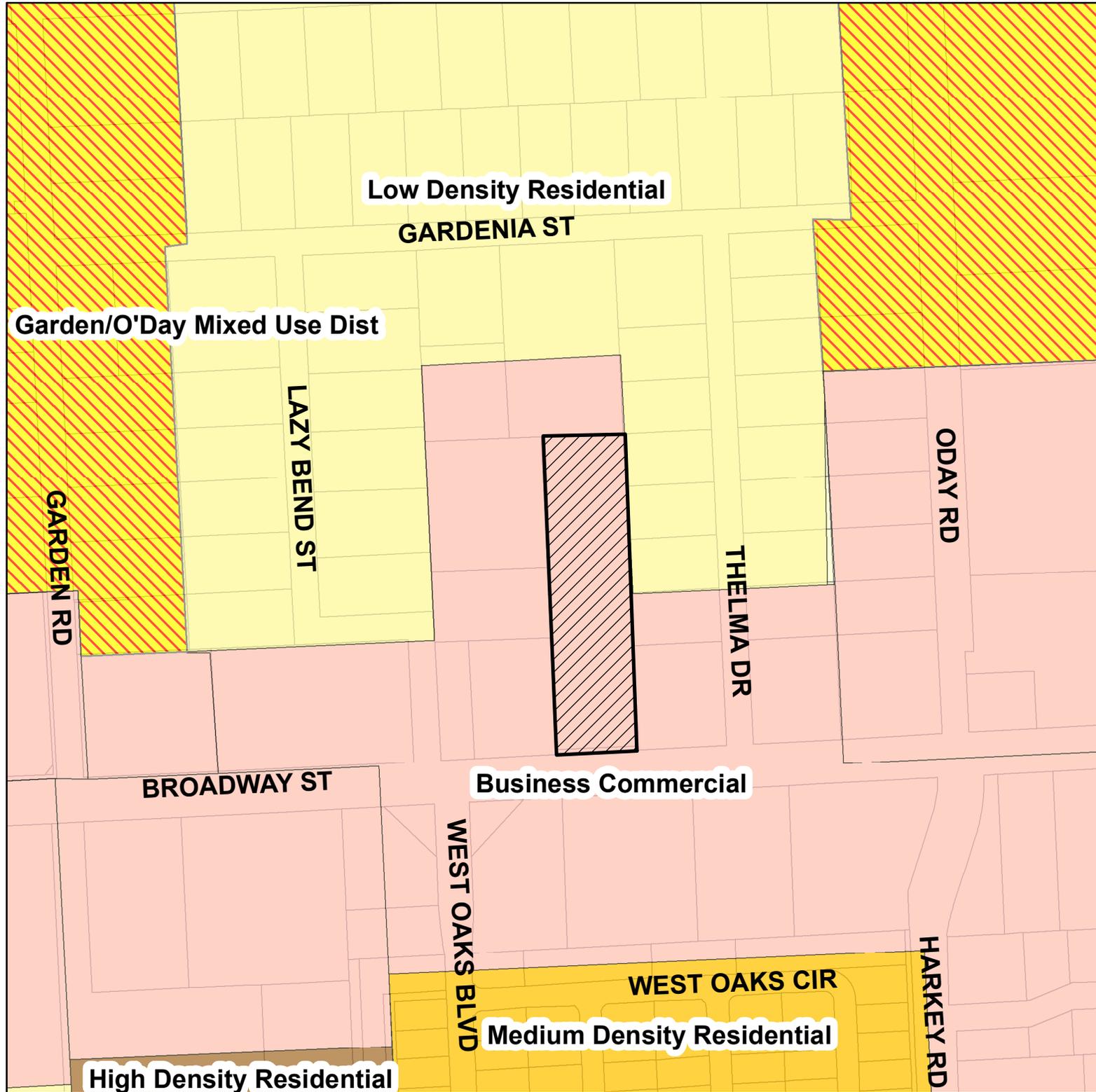
**CUP 2013-01**

**6301 Broadway  
Crown Warehouse**

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N

0 75 150 300 Feet





**Aerial Map**

**CUP 2013-01**

**6301 Broadway  
Crown Warehouse**

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0 75 150 300 Feet





# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281-652-1768  
281-652-1702 fax  
www.cityofpearland.com

Conditional Use Permit Request for: Plumbing (no outside Storage)  
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: GB

**Property Information:**

Address or General Location of Property: 6301 Broadway

Tax Account No. 0219-0038-120

Subdivision: A0219 HT & BRR Lot: \_\_\_\_\_ Block: 1  
Tract 1

**A complete application must include all information shown on the Application Checklist attached to this application.**

**PROPERTY OWNER INFORMATION:**

NAME Crown Warehouse Service, Inc  
ADDRESS 2017 Victoria Ct  
CITY League City STATE Tx ZIP 77573  
PHONE (832) 434-5201  
FAX ( ) \_\_\_\_\_  
E-MAIL ADDRESS nmurphy002@comcast.net

**APPLICANT/AGENT INFORMATION:**

NAME Mike Chance  
ADDRESS 3117 Autumn Ct  
CITY Pearland STATE Tx ZIP 77584  
PHONE (713) 870-5450  
FAX (713) 621-3303  
E-MAIL ADDRESS mchance@cbunited.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: Nancy Murphy Date: 2/2/13

Agent's/  
Applicant's Signature: Mike Chance Date: 2-2-2013

**OFFICE USE ONLY:**

FEES PAID: <u>\$250.00</u>	DATE PAID: <u>2/4/13</u>	RECEIVED BY: <u>IC</u>	RECEIPT NUMBER: <u>3976730</u>
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Application No. 2013-01

February 4, 2013

City of Pearland, TX  
Planning and Development Department  
3523 Liberty Dr.  
Pearland, TX 77581

Letter of Intent for Conditional Use Permit for 6301 Broadway, Pearland, TX 77581

The building and land is 6301 Broadway, Pearland, TX 77581 is presently owned by Crown Warehouse Services, Inc. The present zoning classification is GB. The proposed tenant is Texas Master Plumber. They plan on putting in a general plumbing business in the building. They will use the office area for their office personnel for bookkeeping, human resources, assignment of plumbers, payment of bills, office administration, and general management. In the warehouse portion they will be storing plumbing supplies and equipment. Everything to do with the business will be contained inside the building. The working plumbers take their plumbing trucks home with them at night so there will not even be any vehicles stored on site at night. The plumbers are out on call during the day so they will only be on site to pick up supplies or materials. Their customers do not come to the building. The only traffic they will have will be their employees, the plumbers, and delivery trucks.

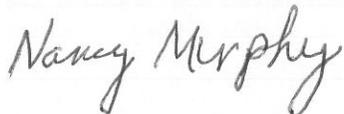
Texas Master Plumbers is an experienced company that is located at 8607 Mosley Road, Houston, TX 77075.

We are requesting a CUP to the GB classification to accommodate the plumbing classification, as indicated in the zoning code.

The owner will be making improvements in the building by cleaning up the property, painting, making minor repairs, and getting the building in better shape again. The tenant will continue maintaining the building, improving and changing the landscape and other areas of the building and grounds. There will not be any new construction done on or in the building. The tenant will use the existing rooms in the form they are in now.

Thank you for your assistance in this matter,

Nancy Murphy, Secretary of Corporation, for Crown Warehouse Service, Inc.

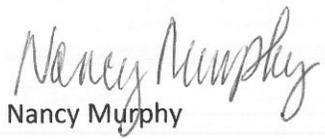
A handwritten signature in cursive script that reads "Nancy Murphy". The signature is written in black ink and is positioned below the typed name of the signatory.

February 4, 2013

City of Pearland

Planning and Development Department

Crown Warehouse Services, Inc. does hereby authorize Mike Chance, agent to owner/applicant, to file this application for zoning change on their behalf.

  
Nancy Murphy

Crown Warehouse Services, Inc.

February 4, 2013

The applicant, Crown Warehouse Services, Inc. acknowledges that they will post the required sign on the property 10 days prior to the public hearing.

Crown Warehouse Services, Inc.

Elmer E. Coon, Surveyor  
6402 Acorn Forest, Houston, Texas 77088  
Off. 466-0958

Date: January 3, 1978

FIELD NOTES:

For a 3.000 Acre Tract of land out of a 10.000 Acre Tract, a residue of D. H. Stripling, 12.000 Acre Tract recorded in Volume 868, Page 239 of the Brazoria County Deed Records.

All being a part of the South 99 Acres of the H.T.& B.R.R. Co. Survey, Sec. 7, A-219 as recorded in Volume 595, Page 63 of the Deed Records of Brazoria County, Texas. Being more particularly described by metes and bounds as follows to-wit:

- BEGINNING: At a  $\frac{1}{2}$ " iron rod found in the North Right-Of-Way of F.M. 518, the Southeast corner of the 10.000 Acre Tract, the same being the Southeast corner of this Tract.
- THENCE: N 89° 40' 00" W, 187.17 feet with the North Right-Of-Way of F.M. 518 to a  $\frac{1}{2}$ " iron rod set for the Southwest corner of this Tract. In the South property line of the 10.000 Acre Tract.
- THENCE: North, 698.20 feet, severing the 10.000 Acre Tract, to a  $\frac{1}{2}$ " iron rod set for the Northwest corner of this Tract.
- THENCE: S 89° 40' 00" E, 187.17 feet to a  $\frac{1}{2}$ " iron rod set the East property line of the 10.000 Acre Tract, the Northeast corner of this Tract.
- THENCE: South, 698.20 feet, with the East property line of the 10.000 Acre Tract, the same being the East line of this Tract to the place of beginning. Containing 3.000 Acres of land.
- SUBJECT TO: A 5.0 foot utility easement to H.L.& P. Co. record in Volume 920, Page 534 of The Brazoria County Deed Records.

I, Elmer E. Coon, a Texas Registered Public Surveyor, Registration Number 1679, do hereby certify that I performed a true and accurate survey on the ground and set the necessary property pins, to establish said tract on this 26th day of December, 1977. I further certify that there are no encroachments either way across any property lines at this time.



Elmer E. Coon  
Texas Registered Public Surveyor  
Texas Registration No. 1679

**Brazoria CAD**

**Property Search Results > 164487 CROWN WAREHOUSE SERVICE IN for Year 2012**

**Property**

**Account**

Property ID: 164487      Legal Description: A0219 H T & B R R, BLOCK 1, TRACT 1, CROWN PLAT, ACRES 2.9498  
 Geographic ID: 0219-0038-120      Agent Code: ID:304  
 Type: Real  
 Property Use Code:  
 Property Use Description:

**Location**

Address: 6301 BROADWAY FM 518      Mapsco:  
 PEARLAND, TX  
 Neighborhood: COMM ACCTS      Map ID:  
 Neighborhood CD: COMM

**Owner**

Name: CROWN WAREHOUSE SERVICE IN      Owner ID: 32682  
 Mailing Address: 7919 MONTGLEN ST      % Ownership: 100.0000000000%  
 HOUSTON, TX 77061-1319

Exemptions:

**Values**

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$57,440	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$365,890	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$423,330	
(-) Ag or Timber Use Value Reduction:	-	\$0	
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(=) Appraised Value:	=	\$423,330	
(-) HS Cap:	-	\$0	
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(=) Assessed Value:	=	\$423,330	

**Taxing Jurisdiction**

Owner: CROWN WAREHOUSE SERVICE IN  
 % Ownership: 100.0000000000%  
 Total Value: \$423,330

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax	
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$423,330	\$423,330	\$0.00	
CPL	CITY OF PEARLAND	0.705100	\$423,330	\$423,330	\$2,984.90	
DR4	BRAZORIA COUNTY DRAINAGE DISTRICT #4 (PEARLAND)	0.156000	\$423,330	\$423,330	\$660.39	
GBC	BRAZORIA COUNTY	0.425860	\$423,330	\$423,330	\$1,802.79	
RDB	ROAD & BRIDGE FUND	0.060000	\$423,330	\$423,330	\$254.00	
SPL	PEARLAND INDEPENDENT SCHOOL DISTRICT	1.419400	\$423,330	\$423,330	\$6,008.74	
Total Tax Rate:		2.766360				
					Taxes w/Current Exemptions:	\$11,710.82
					Taxes w/o Exemptions:	\$11,710.83

**Improvement / Building**

**All improvments valued at income**

<b>Improvement #1:</b>	Commercial	<b>State Code:</b>	F1	<b>Living Area:</b>	6250.0 sqft	<b>Value:</b>	N/A
	Type	Description	Class CD	Exterior Wall	Year Built	SQFT	
	406	STORAGE WAREHOUSE	S		1978	6250.0	
<b>Improvement #2:</b>	Misc Imp	<b>State Code:</b>	F1	<b>Living Area:</b>	sqft	<b>Value:</b>	N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YPA1	ASPHALT PAVING	*		2003	15144.0

<b>Improvement #3:</b>	Commercial	<b>State Code:</b>	F1	<b>Living Area:</b>	sqft	<b>Value:</b>	N/A
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YSH2	ALUM SHED	*		1978	330.0
CP5	CANOPY ONLY	*		1978	660.0

<b>Improvement #4:</b>	Misc Imp	<b>State Code:</b>	F1	<b>Living Area:</b>	sqft	<b>Value:</b>	N/A
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
CP5	CANOPY ONLY	E-		1978	875.0

<b>Improvement #5:</b>	Misc Imp	<b>State Code:</b>	F1	<b>Living Area:</b>	sqft	<b>Value:</b>	N/A
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
519	Greenhouse, Shade Shelter	S		2000	3000.0
519	Greenhouse, Shade Shelter	S		2000	3000.0

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	S1	PRIMARY SITE	1.2500	54450.00	0.00	0.00	\$0	\$0
2	S2	SECONDARY SITE	1.6998	74043.29	0.00	0.00	\$0	\$0

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2013	N/A	N/A	N/A	N/A	N/A	N/A
2012	\$57,440	\$365,890	0	423,330	\$0	\$423,330
2011	\$77,730	\$365,890	0	443,620	\$0	\$443,620
2010	\$82,320	\$413,820	0	496,140	\$0	\$496,140
2009	\$104,470	\$432,040	0	536,510	\$0	\$536,510
2008	\$67,960	\$432,040	0	500,000	\$0	\$500,000
2007	\$67,960	\$432,040	0	500,000	\$0	\$500,000
2006	\$67,960	\$432,040	0	500,000	\$0	\$500,000
2005	\$110,170	\$392,040	0	502,210	\$0	\$502,210
2004	\$63,490	\$392,040	0	455,530	\$0	\$455,530
2003	\$54,950	\$261,360	0	316,310	\$0	\$316,310
2002	\$51,850	\$174,240	0	226,090	\$0	\$226,090
2001	\$51,850	\$174,240	0	226,090	\$0	\$226,090

**Deed History - (Last 3 Deed Transactions)**

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
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Questions Please Call (979) 849-7792



nd, TX 77581, USA

Google earth

Google earth





Google earth





14458

**CROWN WAREHOUSE SERVICE, INC.**

7919 MONTGLEN ST. 644-0387  
HOUSTON, TX 77061

DATE 2/2/13

35-84/1130  
69

PAY  
TO THE  
ORDER OF

City of Pearland

\$ 250<sup>00</sup>/<sub>100</sub>

Two Hundred Fifty & 00/100

DOLLARS

Security features  
are included.  
Details on back.

THIS CHECK IS DELIVERED IN CONNECTION WITH THE FOLLOWING ACCOUNTS

	<u>6301 Broadway</u>		
	<u>Conditional Use Permit Fee</u>		

**CROWN WAREHOUSE SERVICE, INC.**

Nancy Murphy

MP

XX

**Frost National Bank**  
Harrisburg (713) 923-2801  
1001 Broadway  
Houston, Texas 77012

