

**MINUTES OF THE JOINT PUBLIC HEARING OF THE CITY COUNCIL AND PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, HELD ON AUGUST 17, 2009 AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**CALL TO ORDER**

Mayor Tom Reid and P&Z Chairperson Jerry Koza, Jr. called the public hearing to order at 6:39 p.m. with the following present:

Mayor Tom Reid	P&Z Chairperson Jerry Koza, Jr.
Council Member Steve Saboe	P&Z Vice Chairperson Charles Gooden, Jr.
Council Member Kevin Cole	P&Z Commissioner Neil West
Council Member Woody Owens	P&Z Commissioner Susan Sherrouse
Council Member Scott Sherman	P&Z Commissioner Darrell Diggs
	P&Z Commissioner Henry Fuertes
	P&Z Commissioner Ron Capehart

Also in attendance: City Attorney Darrin Coker, Assistant City Manager Mike Hodge, Assistant City Manager Jon Branson, City Engineer Narciso Lira, Planning Director Lata Krishnarao, Senior Planner Angela Gantuah, and Planning Administrative Secretary Judy Krajca

Absent was Mayor Pro-Tem Felicia Kyle.

Senior Planner Angela Gantuah explained the Joint Public Hearing process for the attending public, and explained that the Planning & Zoning Commission meeting will immediately follow the Joint Public Hearing.

Mayor Tom Reid called to order the Public Hearing for Zone Change No. 2009-09Z at 6:41 p.m.

**ZONE CHANGE NO. 2009-09Z**

A request by Jung Kwak, applicant and owner, for approval of a change in zoning district from the classification of Cullen-Mixed Use (C-MU) to General Business (GB) zoning district, on the following described property, to wit;

**Legal Description:** Approximately 2.389 acres of land out of Lot 59, of the Allison Richey Gulf Coast Home Company Subdivision of the H.T. & B.R.R. Company Survey.

**General Location:** Located 2620 Cullen Parkway, Pearland, TX

P&Z Chairperson Jerry Koza, Jr. read the purpose into the record.

Senior Planner Angela Gantuah presented the staff report, recommending approval, and noted that staff did not receive any Public Comment Forms.

Mr. Jung Kwak of 2641 Sunfish Drive, Pearland, TX 77584 spoke briefly.

Mr. Dave Miller of 3603 W. Pine Orchard, Pearland, TX 77581 spoke in favor, and how this zone change would make it easier in a retail situation to have zoning under General Business.

Council Member Kevin Cole stated he felt this was a good application and that GB is a good fit. Council Member Steve Saboe concurred with Council Member Cole.

Senior Planner Angela Gantuah explained that the Planning and Zoning Commission was holding workshops and discussing the Future Land Use Plan for this area.

Mayor Tom Reid adjourned the Public Hearing for Zone Change No. 2009-09Z at 6:54 p.m.

Mayor Tom Reid called to order the Public Hearing for Conditional Use Permit No. CUP2009-10 at 6:54 p.m.

#### **CONDITIONAL USE PERMIT NO. CUP2009-10**

A request by Cecil Whitton, applicant for Life Pointe Fellowship, owner, for approval of a conditional use permit in the Single Family Residential-1 (R-1) zoning district, on the following described property, to wit:

**Legal Description:** 4.793 acre tract of land in the W.D.C. Hall League Survey, Abstract No. 70 in Brazoria County, Texas. Said 4.793 acre tract is part of a 5.103 acre tract conveyed to Bethany Assembly of God Church as recorded in Volume 1158, Page 625 of the Deed Records of Brazoria County, said tract being out of Tract 1 of the Partition of 120.44 acres as shown on the Partition Map recorded in Volume 6, Page 142 in the Map Records of Brazoria County.

**General Location:** Located at 3011 Yost Boulevard, Pearland, TX

P&Z Chairperson Jerry Koza, Jr. read the purpose into the record.

Senior Planner Angela Gantuah presented the staff report with a recommendation of approval of the CUP. Staff received one public comment forms stating opposition, and staff received numeral phone calls of inquiry.

Mr. Cecil Whitton, 3011 Yost Blvd., Pearland, TX, applicant and owner spoke.

Mr. Larry Cormier, 2110 Rocky Creek Lane, stated he lives behind the church, and spoke in favor of the CUP.

Council Member Steve Saboe stated for the record that the one public comment form that came in was actually in favor and not against. The form stated they were opposed to any commercial use.

Council Member Kevin Cole inquired about the parking expansion and if it could be made as part of the CUP. Planning Director Lata Krishnarao stated the applicant would have to go through the ZBA for a variance. Council Member Cole stated he was in favor of the CUP.

Mayor Tom Reid adjourned the Public Hearing for Conditional Use Permit No. CUP2009-10 at 7:09 p.m.

Mayor Tom Reid called to order the Public Hearing for Conditional Use Permit No. CUP2009-11 at 7:10 p.m.

#### **CONDITIONAL USE PERMIT NO. CUP2009-11**

A request by Scott Morrison, applicant for EJC Family Partnership, Ltd., owner, for approval of a conditional use permit in the Light Industrial (M-1) zoning district, on the following described property, to wit:

**Legal Description:** Approximately 16.176 acre tract of land, out of Lots 83 and 84 of the Subdivision of Section 2 and 3, H.T. & B.R.R. Co. Survey, Abstract No's. 542 and 232. Situated in Brazoria County, Texas and approximately 26.162 acres of land located within Lot No's 83 and 84 of the Subdivision and Section No's. 2 and 3, H.T. & B.R.R. Co. Survey, Abstract No's. 542 and 232.

**General Location:** Located at 1014 N. Main Street, Pearland, TX

P&Z Chairperson Jerry Koza, Jr. read the purpose into the record.

Senior Planner Angela Gantuah presented the staff report stating that staff had received numerous public comment forms today, primarily from the vendors. Copies were distributed to the Council and Commission. Staff stated that City Council and the Planning & Zoning Commission should consider the CUP, with the following concerns:

1. Parking is not sufficient
2. Parking in circulation aisles in the open air area
3. Appears the subject property does not conform to setbacks

Mr. Scott Morrison, attorney and agent for the applicant spoke and stated he has been working with the city for approximately six months. Mr. Morrison showed a PowerPoint presentation and spoke about the history of Cole's Flea Market, and stated there was

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some inaccuracy in the staff report but commended the staff member that wrote the report.

Mr. Morrison recommended the CUP be approved or tabled until an agreeable ground can be reached, and then thanked the Council and Commission for their time.

Senior Planner Angela Gantuah commented on some of the discrepancies portrayed by Mr. Morrison: No water & sewer utilities are at subject property, and port-a-potties are on site. Mr. Morrison stated there were utilities, but the letter of intent said they were going to install them as a remedy to the code enforcement issues. Mr. Morrison's photo's were of the indoor pavilion and did not represent the market area.

The following spoke in favor of the Conditional Use Permit:

Mr. Bob Lewis 2236 Galveston Rd., Pearland, TX 77581 Mr. Lewis requested that the public comment form from Mr. Gillman be stricken from the record as he is not an owner of the abutting property, but a renter.

Mr. Marion Chambliss 6110 Pine Ave., Pasadena, TX

Ms. Ana Abrahams 7827 Lake Mist Court, Humble, TX 77346

Mr. Martin Abrahams 7827 Lake Mist Court, Humble, TX 77346

Mr. Seon Hee Kim 6831 Broadway, Pearland, TX 77581

Mr. Arturo Torres 4102 Ave U, Galveston, TX 77550

Mr. Felix Fraga 5501 Brady, Houston, TX 77011 commended the City for having Cole's Flea Market, and requiring a safe environment.

Mr. Syed Shah 5900 Ranchester #208, Houston, TX 77036

Mr. Dave Miller 3603 W Pine Orchard, Pearland, TX 77581 asks that the Council and Commission consider the heritage of Cole's Flea Market and encourage the City to work this out.

Mr. Rick Raper 1302 Ave F, Danbury, TX 77524

Ms. Estella Fuentes Ortiza 410 Sancroft Court, Katy, TX 77450

Mr. Howard E Sanner 1014 N Main, Pearland, TX 77581

Mr. Frank Alexander Heredia 4705 Lucille St., Houston, TX 77026

Ms. Kay Gibbons, PO Box 262068, Houston, TX 77207

Mr. Ramon Castillo 7738 Bueno Vista, 77087

Mr. Blanco M. Ramirez 1523 Schilder Dr., Houston, TX 77093

Ms. Jan Jenkins 2137 Roy Rd., Pearland, TX 77581

Mr. Joseph Montemayor 2002 Kerwick Dr., Pearland, TX 77581

Council Member Woody Owens stated he did not have a problem with the Cole's or the flea market, but his concern is safety, and the egress and ingress issue. Mr. Owen's added that the code violations are a liability issue.

Mayor Tom Reid stated he has had a chance to speak with Bob Lewis, and since he has been working with Cole's Flea Market, he has seen improvements made. Mayor Reid added that the city has a responsibility to oversee the business and make it safe.

Council Member Steve Saboe asked the P&Z to consider that those speaking tonight want to comply and they need to consider the spirit of the tenants. Mr. Saboe questions if the CUP is the remedy for the violations.

Council Member Kevin Cole echoed Council Member Saboe's comments. Mr. Cole asked Fire Marshal Roland Garcia to answer the question-since 2003, how many businesses have they asked to comply? Fire Marshal Garcia stated all. Some might have been missed, but on an average, they inspect an average of 100 per month.

Council Member Scott Sherman stated he was concerned with the number of violations and echoes that the CUP might not be the right way to go about this.

City Attorney Darrin Coker stated that this was not the time or place for code violations, and asked the Commission to keep this in mind. The concern tonight is the structures and the businesses that are not in compliance and the ones that were never permitted.

P&Z Chairperson Jerry Koza, Jr. commented on the handouts tonight from staff and stated that only three of the applicants lived in Pearland, and that many of them were duplicated.

Discussion continued with topics including the M-1 zoning, grandfathered non-conforming use, code enforcement issues, and the parking and parking calculations.

Senior Planner Angela Gantuah thanked everyone for their input.

Mayor Tom Reid adjourned the Public Hearing for Conditional Use Permit No. CUP2009-11 at 9:02 p.m.

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Mayor Tom Reid commented that the 4<sup>th</sup> CUP would not be heard tonight, due to failure to post the notification sign.

**ADJOURNMENT**

Mayor Tom Reid adjourned the Joint Public Hearings at 9:03 p.m.

These minutes are respectfully submitted by:

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Judy Krajca  
Planning Administrative Secretary

Minutes approved as submitted and/or corrected on this 14th day of September 2009, A.D.

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Mayor Tom Reid

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**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

Zone Change No. 2009-09Z

A request by Jung Kwak, applicant and owner, for approval of a change in zoning district from the classification of Cullen-Mixed Use (C-MU) to the General Business (GB) zoning district, on the following described property, to wit:

**Legal Description:** Approximately 2.389 acres of land out of Lot 59, of the Allison Richey Gulf Coast Home company Subdivision of the H.T. & B.R.R. Company Survey.

**General Location:** Located 2620 Cullen Parkway, Pearland, TX

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

**B. APPLICANT PRESENTATION**

**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.**

# **P&Z Agenda Item**

**G**

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# **P&Z Agenda Item**

**I**

## **Discussion Items**

- **Schedule of Land Use Plan Workshops**
- **Labor Day Holiday – No meeting**
- **Next P&Z Meeting**

**SUMMARY AGENDA  
JOINT PUBLIC HEARING  
August 17, 2009**

- A. Cullen Retail Center Zone Change No. 2009-09Z A request by Jung Kwak, applicant and owner, for approval of a change in zoning district from the classification of Cullen-Mixed Use (C-MU) to the General Business (GB) zoning district.
- B. Conditional Use Permit No, 2009-10, A request by Cecil Whitton, applicant for Life Pointe Fellowship, owner, for approval of a conditional use permit for a church in the Single Family Residential-1 (R-1) zoning district.
- C. Conditional Use Permit No. 2009-11, A request by Scott Morrison, applicant for EJC Family Partnership, Ltd., owner, for approval of a conditional use permit for continued operation of Cole's Antique Village and Flea Market in the Light Industrial (M-1) zoning district.
- D. Conditional Use Permit No. 2009-12, A request by Paul LaChance, applicant for Pearland ISD, owner, for approval of a conditional use permit to permit a Sonic Drive-In fast food restaurant in the Light Industrial (M-1) zoning district. **This case will not be heard as the applicant did not post the sign as required by Chapter 1, Section 1.2.2.4 Posting Notice on Property.**

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# JOINT PUBLIC HEARING AGENDA ITEM MEETING OF AUGUST 17, 2009

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## Zone Change No. 2009-09Z

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**Legal Description:** Approximately 2.389 acres of land out of Lot 59, of the Allison Richey Gulf Coast Home company Subdivision of the H.T. & B.R.R. Company Survey

**General Location:** Located at 2620 Cullen, Pearland, TX

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

Planning and Zoning Commission: August 17, 2009\*  
City Council for First Reading: September 14, 2009\*  
City Council for Second Reading: September 28, 2009\*

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

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**SUMMARY:** The applicant is requesting approval of Zone Change. 2009-09Z from the Cullen-Mixed Use (C-MU) Zoning District to the General Business (GB) Zoning District.

The Cullen Retail Center had been developed and designed as a commercial retail center. The UDC was adopted July 2006 and the zoning district was subsequently changed to Cullen-Mixed Use. There is an existing conditional use permit no. 2006-07 at this location for indoor amusement. Strip center tenants often change occupancy frequently and every time a new tenant wants to occupy the suites at the Cullen Retail Center an amended CUP or new CUP must be processed and approved.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Cullen-Mixed Use (C-MU)	Vacant
South	Cullen-Mixed Use (C-MU)	Post Office
East	General Business (GB)	Kroger
West	Cullen-Mixed Use (C-MU)	Vacant Land and Part of the Post Office Parking

**CONFORMANCE TO THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned as Cullen Mixed Use (C-MU). The minimum lot size for the General Business (GB) district is 22,500 square feet, the minimum lot width is 150 feet, and the minimum lot depth is 125 feet. The subject property exceeds these minimum requirements, as the property is approximately 2.39 acres in size, and has the lot width of approximately 295 feet, and the lot depth of approximately 352 feet.

The applicant will be required to comply with all other requirements of the Unified Development Code.

**PLATTING STATUS:** The property has been platted.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends "Cullen-Mixed Use" for the subject property and the surrounding properties. The Comprehensive Plan further indicates that the appropriate zoning district for "Cullen-Mixed Use" is the Cullen-Mixed Use Zone (C-MU). Although the comprehensive plan states the only zoning district appropriate for this area is C-MU, the current use at the subject property itself is in compliance with the comprehensive plan as discussed on page 22 of 50 in the 2004 Comprehensive Plan Update.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Cullen, a major thoroughfare with an ultimate right-of-way greater than 120 feet. The applicant has had the property platted and all necessary dedications have been made.

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

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed zone change from C-MU to GB should not have a negative impact on the surrounding properties. The structures are 2 small strip centers, one in front of the other, and the applicant is requesting a zone change to permit additional uses within the suites at the subject property.

The subject property is located within a larger area that is currently zoned as C-MU which permits some commercial and general business uses. Directly to the east of the subject property is Kroger's Grocery Store and strip center, to the south and southeast is the Post Office, the property to the north is vacant, the property to the west is partially being used as employee parking for the post office. The Cullen Retail Center had been previously zoned to allow uses in the General Business zoning district but upon annexation and adoption of the 2004 Comprehensive Plan Update, the property was rezoned to C-MU.

Changing the zoning district to GB will not impede access or circulation of the existing property and not generate a significant increase in the traffic flow. In addition, changing the zoning to GB would not create any new uses that would be incompatible with the existing surrounding uses.

**SITE PLAN CONSIDERATIONS:** A site plan was not submitted. The structures are two small strip centers, one in front of the other, and the applicant is requesting a zone change to permit additional uses within the suites at the subject property.

**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 Zoning Sign was placed on the subject property.

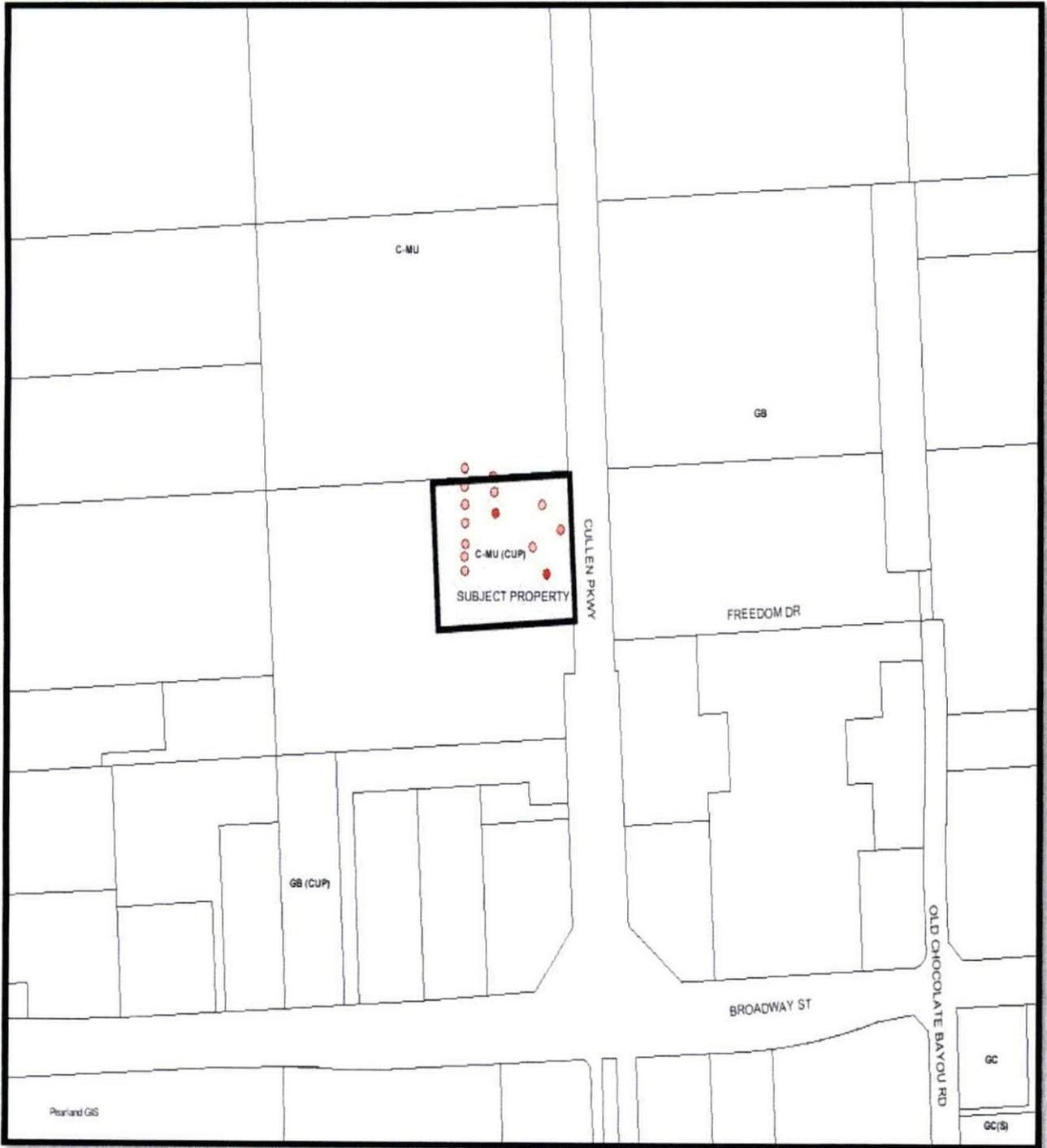
**OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST:** Staff has not received any comments either in opposition to or in support of the proposed zone change request.

**STAFF RECOMMENDATION:** Staff recommends approval of Zone Change No. 2009-09Z as proposed by the applicant, for the following reasons:

1. Impact on surrounding uses- The proposed zone change should not have any impact on the surrounding properties and developments.
2. The proposed zone change will permit the applicant to utilize his property as it was intended with its original zoning.
3. Conformance to existing uses
4. Could be used as an appropriate buffer to other mixed uses to the north

**SUPPORTING DOCUMENTS:**

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

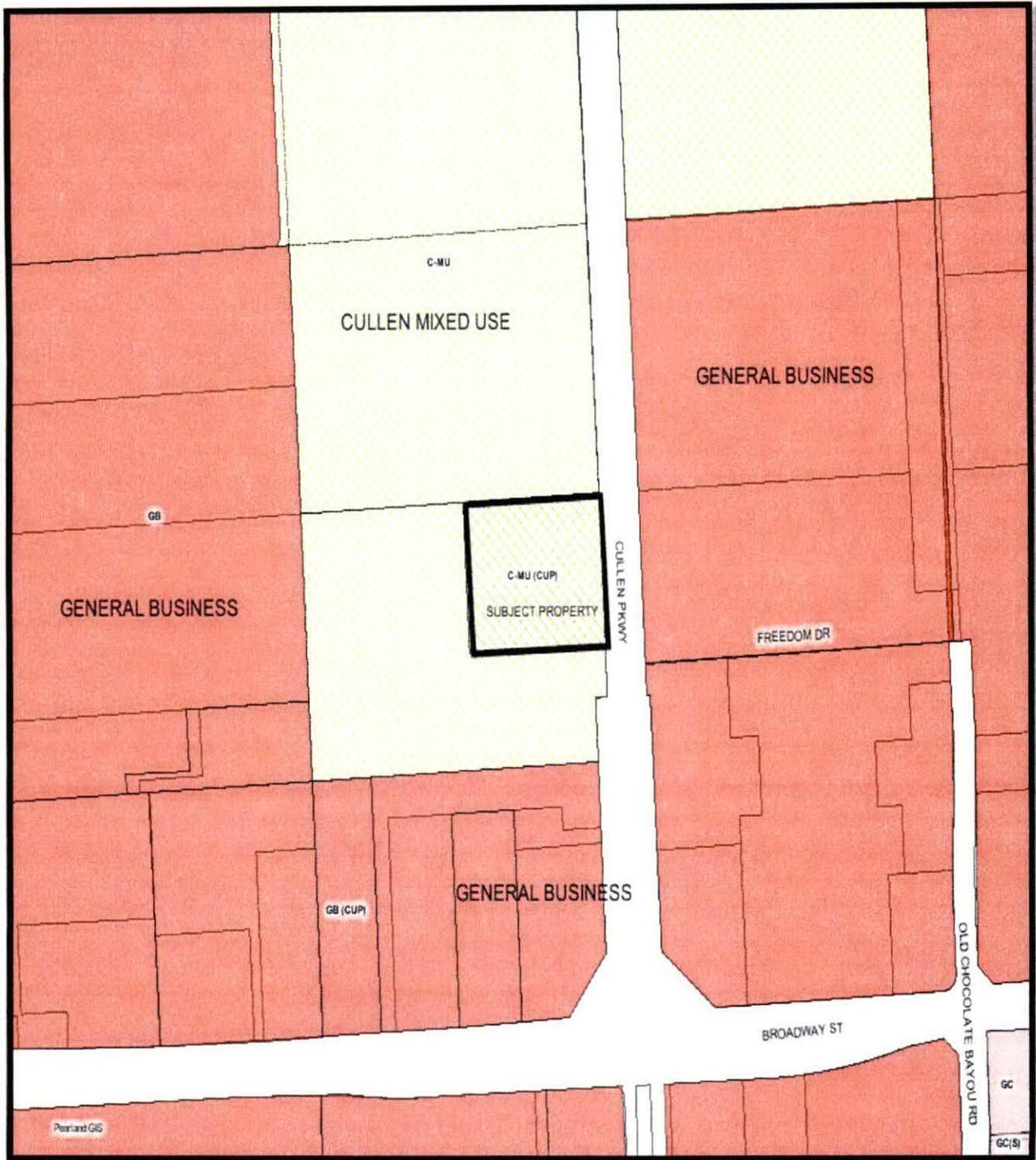


# LOCATION MAP

ZONE CHANGE NO. 2009-09Z

LOCATED AT 2620 CULLEN, PEARLAND, TX



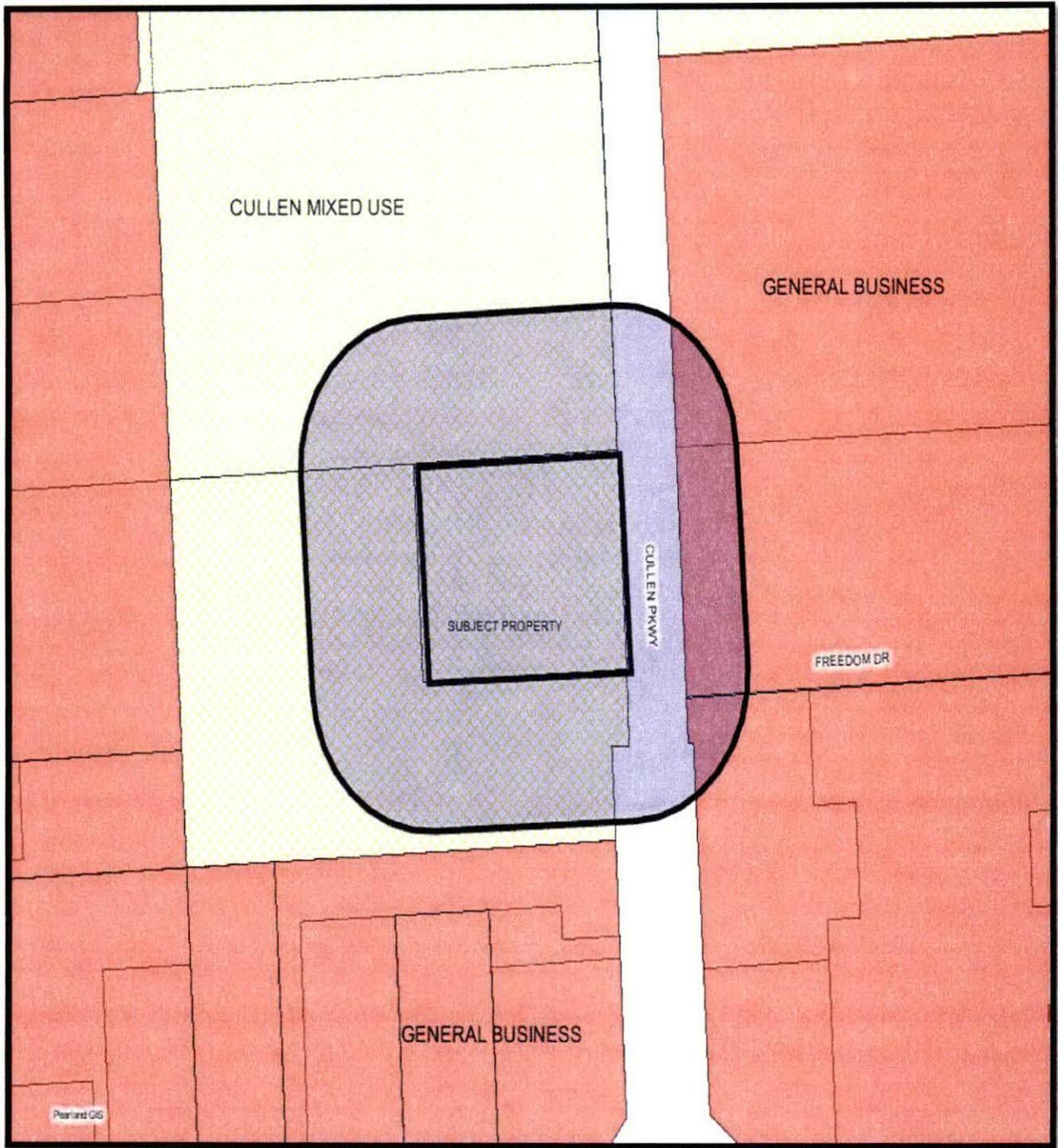


# ZONING MAP

ZONE CHANGE NO. 2009-09Z

LOCATED AT 2620 CULLEN, PEARLAND, TX

↑  
NORTH

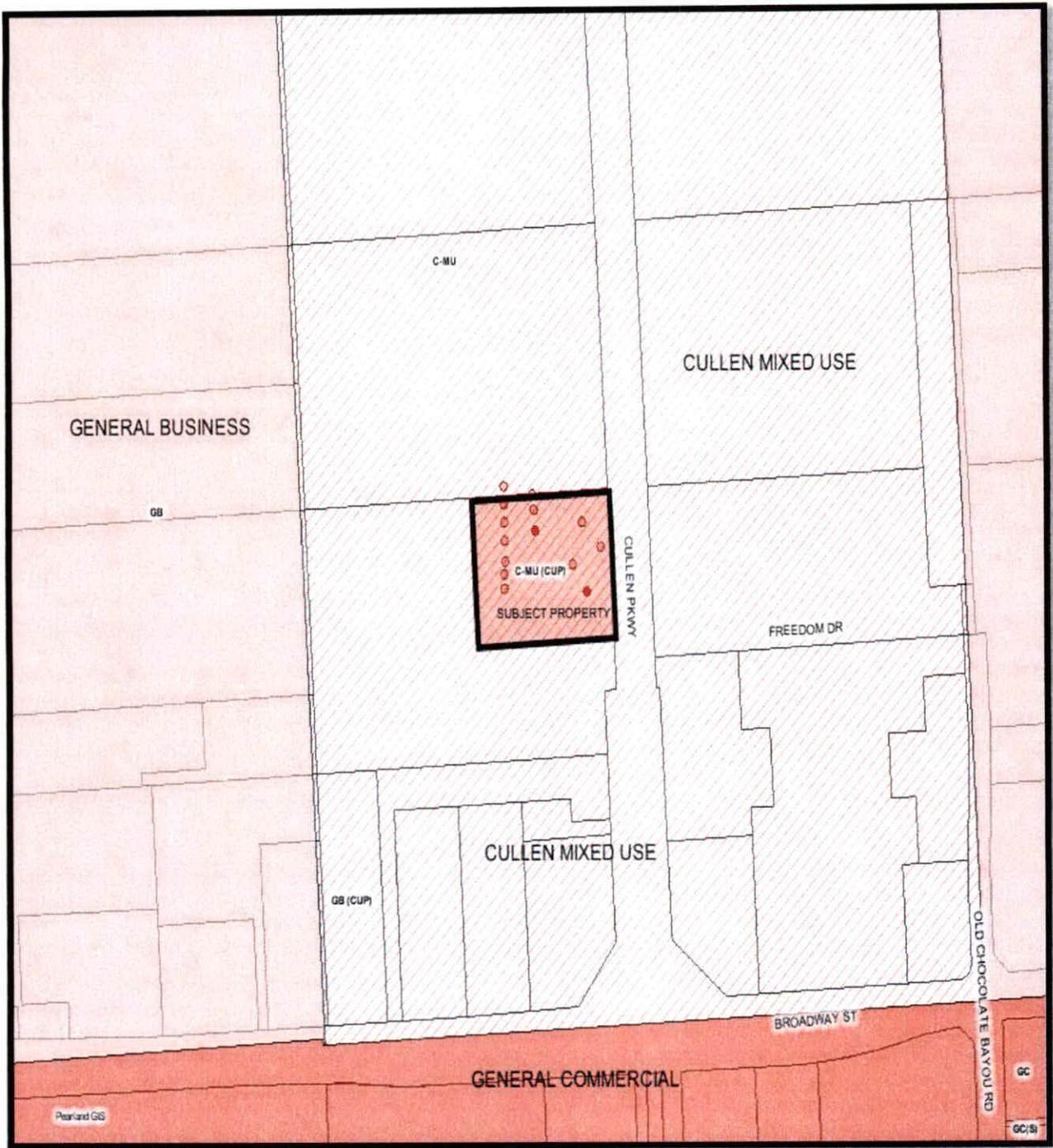


# ABUTTER MAP

ZONE CHANGE NO. 2009-09Z

LOCATED AT 2620 CULLEN, PEARLAND, TX

↑  
NORTH



# FUTURE LAND USE MAP

**ZONE CHANGE NO. 2009-09Z**

LOCATED AT 2620 CULLEN, PEARLAND, TX

↑  
NORTH



# AERIAL MAP

ZONE CHANGE NO. 2009-09Z

LOCATED AT 2620 CULLEN, PEARLAND, TX

↑  
NORTH



Re-Submittal date  
JUL 09 2009

ZONE CHANGE APPLICATION Page 1 of 4 Updated August 2008)  
City of Pearland  
Community Development  
3523 Liberty Drive  
(Community Center)  
Pearland, Texas 77581  
281-652-1768  
281-652-1702 fax  
www.cityofpearland.com

# APPLICATION FOR A CHANGE IN ZONING

JUN 23 2009

Current Zoning District: C - MU

Proposed Zoning District: GB

Withdrawn

### Property Information:

Address or General Location of Property: Cullen Retail Center  
2620 Cullen Pkwy Pearland Tx 77581  
Tax Account No. 322-60-3250  
Subdivision: Allison Richey Gulf Coast Lot: 59 Block: 2,389 Ac  
Abstract 506

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

### PROPERTY OWNER INFORMATION:

### APPLICANT INFORMATION:

NAME Jung H KWAK  
ADDRESS 2621 Sunfish Dr  
CITY Pearland STATE Tx ZIP 77584  
PHONE (713) 304-2980  
FAX ( )

NAME Jung KWAK  
ADDRESS 2621 Sunfish Dr  
CITY Pearland STATE Tx ZIP 77584  
PHONE (713) 304-2980  
FAX ( )

E-MAIL ADDRESS Jung KWAK@gmail.com

E-MAIL ADDRESS Jung KWAK@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: [Signature] Date: 6-23-09

Agent's Signature: [Signature] Date: 6-23-09

### OFFICE USE ONLY:

FEES PAID: <u>275</u>	DATE PAID: <u>6-23-09</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>229292</u>
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Application No. 2009-07Z w/d  
New # 2009-09Z

7-9-09

Jung H KWAK

JUL 09 2009

Did like to submit zone change  
application for the Aug. 17, 2009  
Public hearing.

Jung Kwak

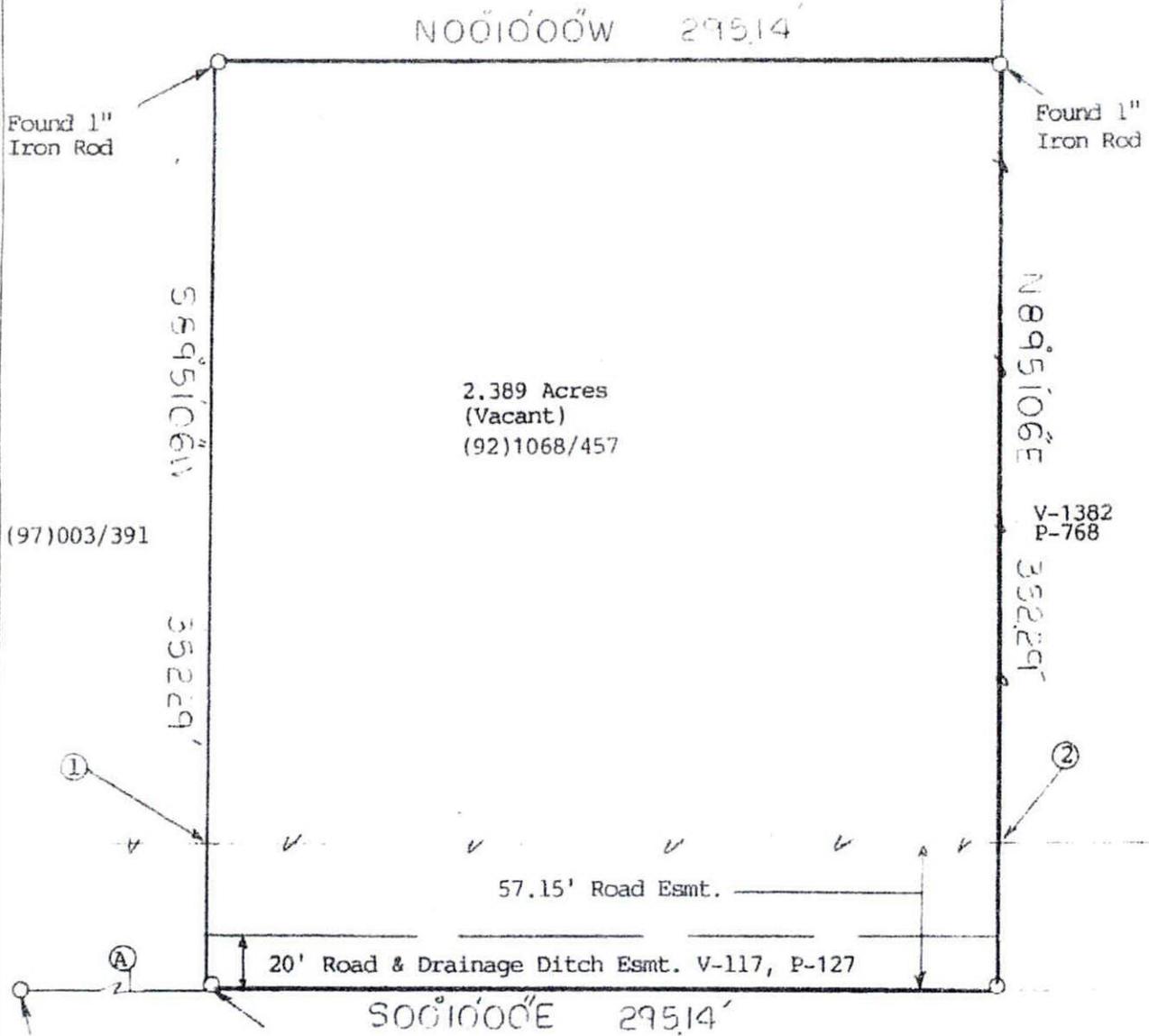
JUN 23 2009

JUL 09 2009

Ⓐ = N00°10'00"W 752.80'

① = Found 1" Iron Rod On Line At 57.15'

② = Set 1/2" Iron Rod On Line At 295.14'



2.389 Acres  
(Vacant)  
(92)1068/457

(97)003/391

V-1382  
P-768

57.15' Road Esmt.

20' Road & Drainage Ditch Esmt. V-117, P-127

S00°10'00"E 295.14'

P.O.C.  
Southeast Corner  
H.T. & B.R.R. Co.  
Survey No. 20  
A-506

P.O.B.

FM. 865  
(AKA. CULLEN BOULEVARD)  
(60' ROW)

NOTE: A Pipeline Easement as recorded in V-1252, P-845, V-1586, P-828, V-508, P-231.

—v— = 4' Wire Fence

BUYER Jung H. Kwak

FM 865  
(AKA Cullen Boulevard)

DESCRIBED PROPERTY Surface only of 2.389 acres of land out of Lot 59, of the Allison Richey Gulf Coast Home Company Subdivision of the H. T. & B. R. R. Company Survey Number 20 (F.B. Drake), Abstract Number 506, Brazoria County, Texas, and being more particularly described by notes and bounds as attached

JUL 09 2009

JUN 23 2009

## **Jung H Kwak**

*2621 Sunfish Dr Pearland TX 77584*

☒ (713) 436-1900, (281) 997-6626

Cell 713-304-2980 [Email-Jungkwak@gmail.com](mailto:Email-Jungkwak@gmail.com)

June, 23.09

Letter of Intent

Dear mayor, commissioner and consoler.

Cullen Retail Center was the permit zone for GB earlier.

Later, the City of Pearland changed that to CMU.

This property is for the retail center.

The tenant inside the center will change many times for their different business, and we have to change zones for GB for both Cullen Retail Center and City of Pearland. We can save time and money if we don't hold a JPH for each time we change my tenant in new businesses.

Thank you very much for your help,

From owner of property,

Jung H Kwak \_\_\_\_\_

**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD AUGUST 17, 2009, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

**Conditional Use Permit No. CUP2009-10**

A request by Cecil Whitton, applicant for Life Pointe Fellowship , owner, for approval of a conditional use permit in the Single Family Residential -1 (R-1) zoning district, on the following described property, to wit:

**Legal Description:** 4.793 acre tract of land in the W.D.C. Hall League Survey, Abstract No. 70 in Brazoria County, Texas. Said 4.793 acre tract is part of a 5.103 acre tract conveyed to Bethany Assembly of God Church as recorded in Volume 1158, Page 625 of the Deed Records of Brazoria County, said tract being out of Tract 1 of the Partition of a 120.44 acre as shown on the Partition Map recorded in Volume 6, Page 142 in the Map Records of Brazoria County.

**General Location:** Located at 3011 Yost Boulevard, Pearland, TX.

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

**B. APPLICANT PRESENTATION**

**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.**

**JOINT PUBLIC HEARING AGENDA ITEM  
MEETING OF AUGUST 17, 2009**

---

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**General Location:** Located at 3011 Yost Blvd., Pearland, TX

**APPROVAL PROCESS:** After this Joint Public Hearing, the requested conditional use permit application will be considered as follows:

Planning and Zoning Commission: August 17, 2009\*

City Council for First and Only Reading: August 24, 2009\*

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

---

**SUMMARY:** The applicant is requesting approval of Conditional Use Permit No. 2009-10 for a Church in the Single Family Residential-1(R-1) District. Life Pointe Fellowship Assembly of God Church was built in 1978 and known as Bethany Assembly of God. The church has approximately 10,500 square feet and contains the main sanctuary (seating capacity of 125 people) the fellowship hall, the nursery, children's church area, Sunday school classrooms, restrooms and offices. The second building is approximately 5,000 square feet used as classrooms with a 2,500 square foot covered patio.

The applicant proposes removing an interior wall which will increase the seating capacity from 125, to approximately 250 seats. Currently, there are 61 existing parking spaces which are sufficient for a seating capacity of 244. In order to obtain a construction permit, the applicant is requesting approval of the conditional use permit to

bring the structures and the subject property into conformance with the current Unified Development code.

At this time, the proposed removal of an interior wall does not trigger or require compliance with the 25 foot landscaping buffer on the northeast property line adjacent to the single family homes. In the future, if the foot-print of the existing structures are expanded, if other structures are added, and/or the use is expanded, it may require the applicant to come into compliance with this 25 foot landscaping buffer.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Single Family Residential-2 (R-2)	Single Family Homes
South	Single Family Residential-1 (R-1)	Single Family Homes
East	Single Family Residential-1 (R-1)	Single Family Homes
West	Single Family Residential-1 (R-1)	Church

**CONFORMANCE TO THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned as R-1. The minimum lot size for the R-1 district is 8,800 square feet, the minimum lot width is 80 feet, and the minimum lot depth is 90 feet. The subject property exceeds these minimum requirements, as the property is approximately 4.73 acres in size, and has the lot width of approximately 450 feet, and the lot depth of approximately 464feet.

The applicant will be required to comply with all other requirements of the Unified Development Code.

**PLATTING STATUS:** The property has not been platted.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends “Low Density Residential” for the subject property and the surrounding properties. The Comprehensive Plan further indicates that the appropriate zoning districts for “Low Density Residential” are R-E and R-1. Therefore, the current R-1 zone conforms to the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on Yost Blvd., a secondary thoroughfare with an ultimate right-of-way of 100 feet. The applicant has not had the property platted and any necessary dedications will be made at the time of platting.

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

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed conditional use permit for a church should not have a negative impact on the surrounding properties.

The subject property is located within a residential area that is currently zoned R-1 and R-2. There are several existing Churches and many Single Family Residences in this neighborhood. The Church was in compliance to current code when constructed in 1978 and 1980.

The applicant is proposing an interior remodel that would increase the potential membership from approximately 150 to 250 members. The 61 existing parking spaces and access meet the current requirements for the proposed expansion in membership.

There would not be any significant increase in traffic than what currently exists in this neighborhood and the applicant has shown sufficient parking and access to provide for any future increase in membership.

**SITE PLAN CONSIDERATIONS:** A site plan has been submitted showing all existing structures.

**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 Zoning Sign 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 zone change request.

**STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit No. 2009-10 as proposed by the applicant, for the following reasons:

1. This will permit the Church to make the necessary interior renovations while bringing the structures and property into conformance with the current UDC.
2. Impact on surrounding uses- The proposed facility should not have any impact on the surrounding properties and developments.
3. Conformance to the current zoning map
4. Conformance to the current FLUP

5. *Conformance to existing uses*

**SUPPORTING DOCUMENTS:**

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

**JOINT PUBLIC HEARING AGENDA ITEM  
MEETING OF AUGUST 17, 2009**

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At this time, the proposed removal of an interior wall does not trigger or require compliance with the 25 foot landscaping buffer on the northeast property line adjacent to the single family homes. In the future, if the foot-print of the existing structures are expanded, if other structures are added, and/or the use is expanded, it may require the applicant to come into compliance with this 25 foot landscaping buffer.

**SURROUNDING ZONING AND LAND USES:**

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**PLATTING STATUS:** The property has not been platted.

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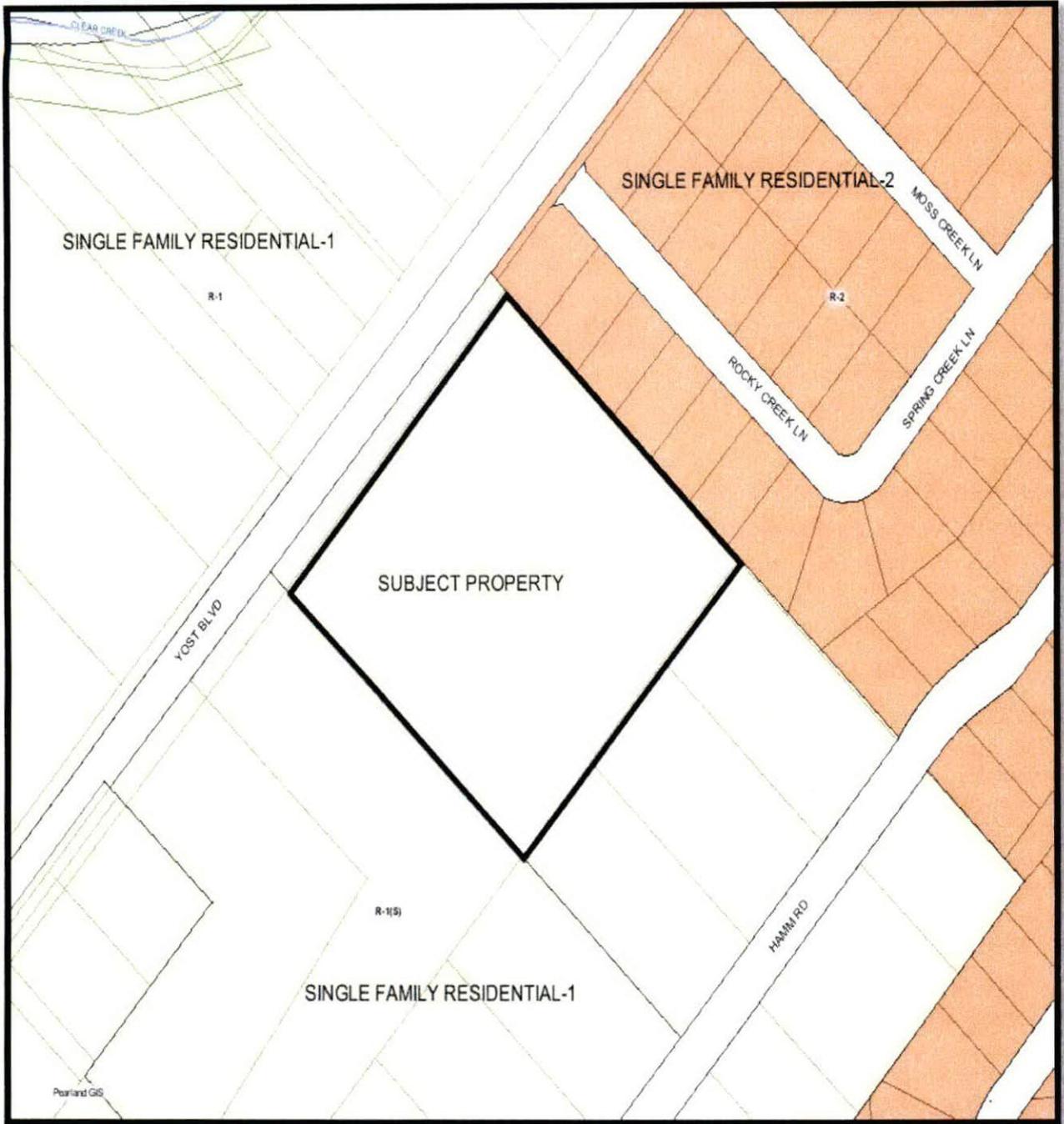
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2. Impact on surrounding uses- The proposed facility should not have any impact on the surrounding properties and developments.
3. Conformance to the current zoning map
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5. Conformance to existing uses

**SUPPORTING DOCUMENTS:**

- Zone Change Application
- Location Map
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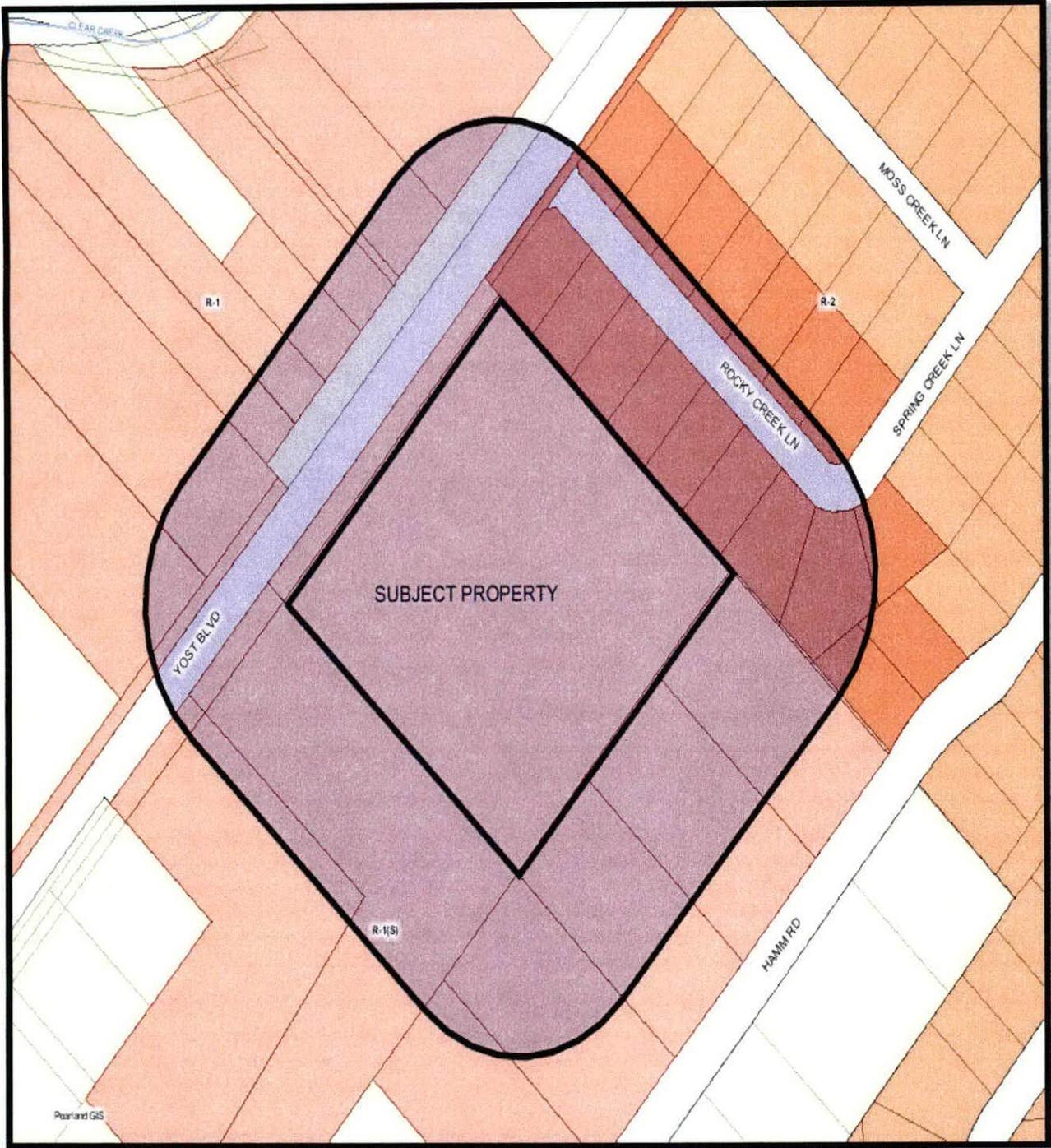


# ZONING MAP

CONDITIONAL USE PERMIT NO. 2009-10

LOCATED AT 3011 YOST BLVD, PEARLAND, TX





# ABUTTER MAP

CONDITIONAL USE PERMIT NO. 2009-10

LOCATED AT 3011 YOST BLVD, PEARLAND, TX

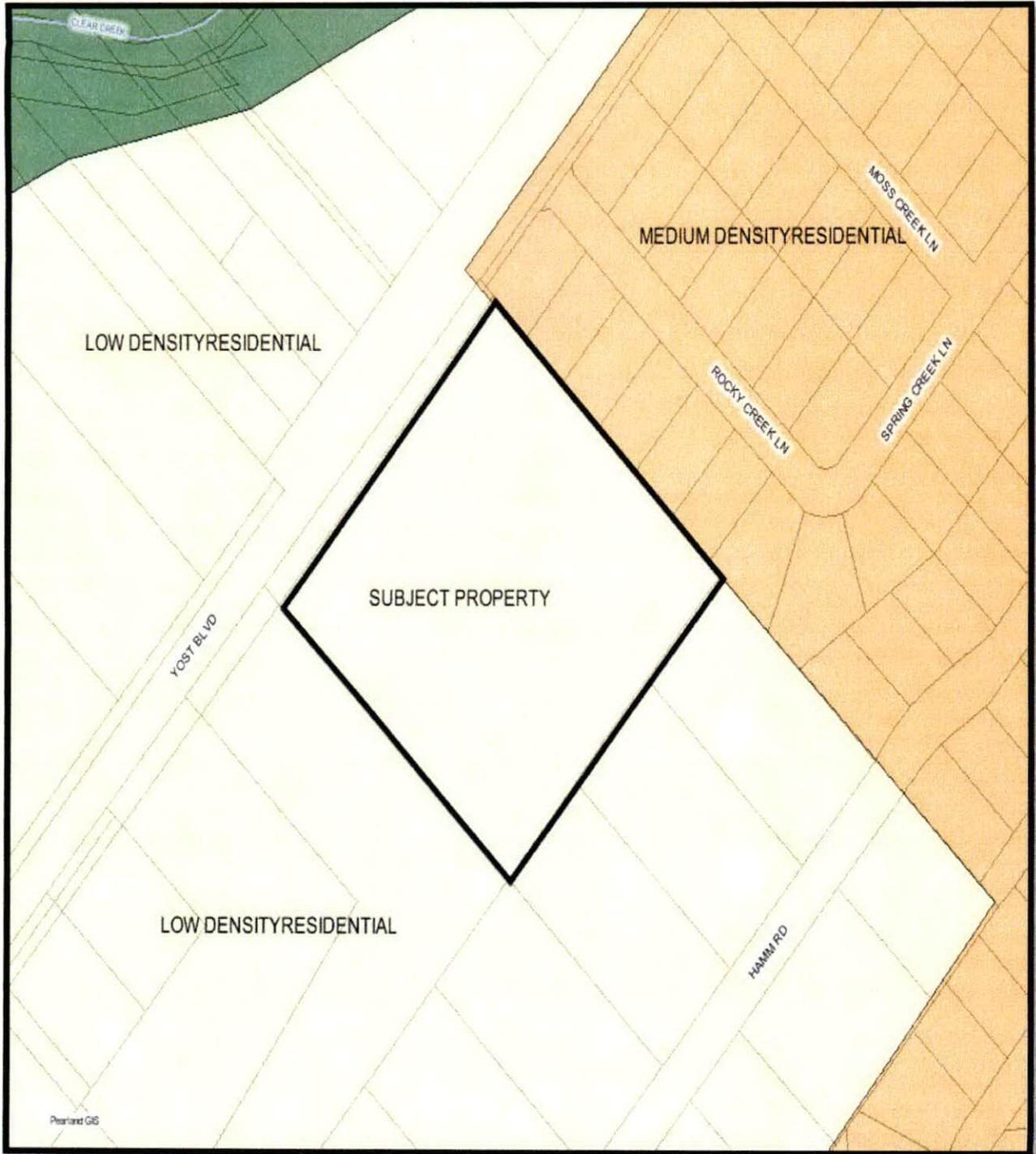


## Conditional Use Permit 2009-10

### Life Point Church/3011 Yost Blvd.

#### Property List

BETHANY ASSEMBLY OF GOD	3011 YOST BLVD	PEARLAND	TX	77581
BORRER JERRY & PEGGY	3006 YOST BLVD	PEARLAND	TX	77581
BRATTIN MARK & LILLY D	2109 ROCKY CREEK LN	PEARLAND	TX	77581
CAMPO SAMUEL J ETUX	3106 YOST BLVD	PEARLAND	TX	77581
CASTILLO OSCAR & EDIKA	2114 ROCKY CREEK LN	PEARLAND	TX	77581
CITY OF PEARLAND	3519 LIBERTY DR	PEARLAND	TX	77581
CORMIER LARRY P &	2110 ROCKY CREEK LN	PEARLAND	TX	77581
DENZLER E G	2106 ROCKY CREEK LN	PEARLAND	TX	77581
DODD GEORGE D	1001 FAIRMONT PKWY SUITE J	PASADENA	TX	77504
GONZALES TERRY J	2103 ROCKY CREEK LN	PEARLAND	TX	77581
HARRISON SHIRLEY LAIN & W CHARLES	PO BOX 2236	PEARLAND	TX	77588
HOLLISTER RICHARD E	3220 HAMM RD	PEARLAND	TX	77581
JACKSON WILLIAM B	2105 ROCKY CREEK LN	PEARLAND	TX	77581
KAUP KEITH A & STEPHANIE	2107 ROCKY CREEK LN	PEARLAND	TX	77581
LIDOME PIERRE SYLVAIN &	2102 ROCKY CREEK LN	PEARLAND	TX	77581
MCGRAW REX M & JACQUELINE	2920 HAMM RD	PEARLAND	TX	77581
NOBLE JAMES D & BEVERLY J	2104 ROCKY CREEK LN	PEARLAND	TX	77581
O PRY CHARLES H & VICKI L	2919 SPRING CREEK LN	PEARLAND	TX	77581
PEEVEY SHARON L	2108 ROCKY CREEK LN	PEARLAND	TX	77581
ROYSE MARK C	2308 ANTHONY LN	PEARLAND	TX	77581
SABLATURA CINDYE	2922 HAMM RD	PEARLAND	TX	77581
SCHILD BART & ELAINE	3218 HAMM RD	PEARLAND	TX	77581
SCHILD WALTER C	2920 YOST BLVD	PEARLAND	TX	77581
SCHULZE DALE E	2917 SPRING CREEK LN	PEARLAND	TX	77581
SHADYCREST BAPTIST CHURCH	3214 HAMM RD	PEARLAND	TX	77581
SHIVER WILLIAM C & PEGGY	2101 ROCKY CREEK LN	PEARLAND	TX	77581
SMITH JUANITA PRICE	2113 ROCKY CREEK LN	PEARLAND	TX	77581
TURNER LACEY	2112 ROCKY CREEK LN	PEARLAND	TX	77581
WELLS EMMA C	3008 YOST BLVD	PEARLAND	TX	77581



# FUTURE LAND USE MAP

CONDITIONAL USE PERMIT NO. 2009-10

LOCATED AT 3011 YOST BLVD, PEARLAND, TX

↑  
NORTH



# AERIAL MAP

CONDITIONAL USE PERMIT NO. 2009-10

LOCATED AT 3011 YOST BLVD, PEARLAND, TX

↑  
NORTH



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

# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

Conditional Use Permit Request for: Church / temple / place of worship  
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: R-1

**Property Information:**

Address or General Location of Property: 3011 YOST BLVD.  
Pearland TX 77581

Tax Account No. 1-74-1985486-8

Subdivision: Abs. 70 Tract SB Lot: Lot ID Block: ~~4-79 acres~~ 5403 acres

A complete application must include all information shown on the Application Checklist attached to this application. <sup>4.79 acres</sup>

**PROPERTY OWNER INFORMATION:**

NAME LifePointe Fellowship  
ADDRESS 3011 YOST BLVD  
CITY Pearland STATE TX ZIP 77581  
PHONE (281) 795-4996 / 85-1952  
FAX (281) 4856107  
E-MAIL ADDRESS Cecil@LpFChurch.com

**APPLICANT INFORMATION:**

NAME ← SAME  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE (\_\_\_\_) \_\_\_\_\_  
FAX (\_\_\_\_) \_\_\_\_\_  
E-MAIL ADDRESS \_\_\_\_\_

\*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: [Signature] Date: June 24, 2009

Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OFFICE USE ONLY:**

FEES PAID: <u>250.00</u>	DATE PAID: <u>6-24-09</u>	RECEIVED BY: <u>[Signature]</u>	RECEIPT NUMBER: <u>231083</u>
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Application No. CUP 2009-~~09~~  
10



Pastors Cecil & Leah Whitton • 3011 Yost Blvd • Pearland, TX 77584  
281-485-1952 • [www.lpfchurch.com](http://www.lpfchurch.com)

To Whom It May Concern:

The purpose of this letter is to request a "Conditional Use Permit" so that we, LifePointe Fellowship Assembly of God Church (formerly Bethany Assembly of God), may continue to operate as a church/ place of worship. The facility located at 3011 Yost Boulevard has existed as church since 1978 when the land was first acquired and the first building was built. In 2005 our congregation underwent a name change, thus we are now LifePointe Fellowship. The purpose of this request is not to change the usage from a church/ place of worship, but to do our best to come into compliance with current ordinances.

LifePointe is currently comprised of approximately 85-120 people from Pearland and the surrounding area. We currently meet together as a church on Sunday mornings from 10:30am to 12:00pm. We also have a youth fellowship on Sunday evenings from 6:30pm to 8:30pm. At different parts of the year we also offer a Sunday School program from 9:15am to 10:15am.

LifePointe Fellowship Church facilities consist of 2 separate buildings and paved parking located on just under 5 acres of land. The main building is just over 10,500 sqft and is comprised of a main sanctuary (current seating capacity of 125 people), fellowship hall, nursery, children's church, classrooms, restrooms, and offices. The secondary building is 5,000 sqft of classroom and restroom space with a covered slab that is an additional 2,500 sqft.

In the future, LifePointe Fellowship Church desires to utilize our current space more efficiently. We have a desire to move interior walls in the main building to increase sanctuary seating (225 Seats) and nursery space thus decreasing fellowship hall and office space. No foreseeable structural modifications are planned. The exterior structure and the "footprint" of the building will remain unchanged. We also hope to include landscaping, hedges, painting, and other exterior appearance improvement projects. These improvements will need to be done in phases as finances allow.

We also understand that we may need to add some additional parking to accommodate an increase in seating capacity. We currently have approximately 61 available spots to accommodate approximately 244 people. Additional parking needs will be determined at the time of permitting.

We also understand that there may be a need to apply for a variance or special exception for the 25 ft buffer on the north east side of our property where our parking is. We look forward to working to resolve the issues that arise.

We want to thank you for your help in this manner. Your service to our community is greatly appreciated.

Sincerely,  
Rev. Cecil K. Whitton and the LifePointe Family



**AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD AUGUST 17, 2009, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS**

**I. CALL TO ORDER**

**II. PURPOSE OF HEARING**

Conditional Use Permit No. CUP 2009-11

A request by Scott Morrison, applicant for EJC Family Partnership, Ltd., owner, for approval of a conditional use permit in the Light Industrial (M-1) zoning district, on the following described property, to wit:

**Legal Description:** Approximately 16.176 Acre Tract of Land, Out of Lots 83 and 84 of the Subdivision of Section 2 and 3, H.T. & B. R.R. Co. Survey, Abstract Nos. 542 and 232, Situated in Brazoria County, Texas, and Approximately 26.162 acres of land located within Lot Nos. 83 and 84 of the Subdivision of Section Nos. 2 and 3, H.T. & B Ry. Co Survey, Abstract Nos. 542 and 232

**General Location:** Located 1014 N. Main Street, Pearland, TX

**III. APPLICATION INFORMATION AND CASE SUMMARY**

**A. STAFF REPORT**

**B. APPLICANT PRESENTATION**

**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.**

# JOINT PUBLIC HEARING AGENDA ITEM MEETING OF AUGUST 17, 2009

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**General Location:** Located at 1014 Main Street, Pearland, TX

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

Planning and Zoning Commission: August 17, 2009\*

City Council for First and Only Reading: August 24, 2009\*

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

---

**SUMMARY:** The applicant is requesting approval of a Conditional Use Permit No. 2009-11 for the continued operation of Cole's Antique Village and Flea Market in the Light Industrial (M-1) Zoning District in an effort to bring the subject property and use into compliance with the current Unified Development Code (UDC). Over the years there have been modifications and expansions to the structures and uses on the subject property. Many of the modifications and expansions were constructed after the adoption of the current UDC in 2006 and some without proper permitting.

The subject property is located south of Beltway 8 and west of SH 35 on 2 tracts of land that total approximately 42.338 acres with 1061 feet of frontage along SH 35. Access to

Coles Antique Village and Flea Market is approximately 400 feet south of the northeast corner of the property off SH 35. As indicated in the letter of intent, there are approximately 139, 700 square feet of enclosed retail areas, approximately 195, 321 square feet of retail areas, a 3,000 square foot Taqueria site, and a 47,117 square foot Warehouse/Mini Storage area.

Cole's Flea Market has been in operation for approximately 40 years as indicated by the applicant. The applicant proposes to continue the previous and expanded uses which include, primary agricultural uses, entertainment and recreation uses, automobile-related services and uses, office uses, personal & business services uses, retail & business services uses, institutional-governmental uses, and commercial & related service uses. Please see applicant's letter of intent listed in section two of the conditional use submittal packet which lists each use specifically.

Market-Open Air is a use listed in the UDC Land Use Matrix. It is permitted in the Light Industrial Zoning District (M-1) with an approved conditional use permit. It is not defined in the UDC appendix. The definition of "Flea Market" from the Merriam-Webster Dictionary states it is: a usually open-air market for secondhand articles and antiques.

Typically many of the vendors change frequently which offers a variety of merchandise and services available to the public. The vendors located within the open-air areas are not permitted to store their goods on-site other than the times they are present selling their goods. The vendors usually set up their spaces in the morning, prior to the opening of the market. There are not any vehicles permitted in the open-air areas during the time the market is open to the public. At the end of the day or the end of the weekend, each vender removes all their goods from the open-air areas and the site.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Harris County	Clear Creek and Beltway 8
South	Light Industrial (M-1)	Raceway Gas Station and C- Store
East	General Commercial (GC)	Commercial
West	Light Industrial (M-1)	Pipe Yard

**CONFORMANCE TO THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned as Light Industrial (M-1). The minimum lot size for the M-1 district is 40,000 square feet, the minimum lot width is 150 feet, and the minimum lot depth is 150 feet. The subject property exceeds these minimum requirements, as the property is approximately 42.338 acres in size, and has the lot width of approximately 1061.03 feet, and the lot depth of approximately 1653.56 feet.

However, *the* minimum side yard setback is 25 feet, the minimum front yard setback is 35 feet, and the minimum rear yard setback is 25 feet. Many of the current structures on the subject property do not meet the front, rear, and side property line setbacks.

In addition, the subject property is located in the Corridor Overlay District (COD). Currently the subject property and its structures do not meet the COD development requirements for landscaping, façade materials and articulation, lighting, screening, buffering, sidewalk standards, parking, and utility requirements. In the COD, there is a 25 foot required front yard building setback adjacent to a major thoroughfare, a minimum setback for all off-street parking, maneuvering, and loading areas from the right-of-way line of a specified major thoroughfare shall be 30 feet, a minimum setback for outside storage where permitted by the underlying zoning district is 150 feet from a major thoroughfare, unless screened by 100% opacity with a screening wall or vegetation, and all setback areas above shall be landscaped.

**PLATTING STATUS:** The property has not been platted.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends "Light Industrial" for the subject property and the surrounding properties. The Comprehensive Plan further indicates that the appropriate zoning district is the "Light Industrial" (M-1) Zoning District. Therefore, the current M-1 zone conforms to the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on State Highway 35, a major thoroughfare with an ultimate right-of-way greater than 120 feet. The applicant has not had the property platted and necessary dedications and easements may be required at that time.

**AVAILABILITY OF UTILITIES:** The subject parcel is not served by public water and sewer lines.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed conditional use permit for a Market Open-Air or Flea Market may have a negative impact on the surrounding properties if permitted to continue to operate as it has been operating recently. The proposed use of a Market-Open Air at Cole's Antique Village and Flea Market, may be considered an appropriate use for this location if Cole's stays within the scope and guidelines of a truly traditional flea market or open-air market use. The property to the north is located in Harris County and is adjacent to Beltway 8. The subject property is also located within the COD along SH 35 and is highly visible to exiting and through traffic. The land use to the west is a pipe storage yard and the property to the south is the Raceway Gas Station and Convenience Store. Cole's Flea Market may be considered an appropriate use for the subject property and is in line with the surrounding character and uses of this existing neighborhood.

The applicant proposes to replace rows 7 and 8 in stages (times are not specified), and

to make the necessary improvements required by the fire department to comply with access for rows 1-4 after the installation of the water main, the sprinklers, and the fire hydrants. Rows 7 and 8 will be either open air booths or an enclosed pavilion type structure and the applicant proposes that these rows are to be used as screening from SH35. Screening is typically a Cement Masonry Unit Wall or a Vegetative wall with 100% opacity. Proposed modifications to the pavilion area will be to accommodate future private events and could possibly be open until 2:00 a.m. Thursdays through Sundays.

The applicant states that there are approximately 1,122 parking spaces. It is not clear if these parking areas meet the 9' X 18' space requirements, the drive aisle widths, ADA, and striping & paving requirements as submitted on the site plan. This could not be verified through the site visit performed on August 1, 2009 as many of the spaces are not properly striped or marked. Parking is currently calculated at 1 space per 500 square feet of outdoor site area, plus 1 space per 4 fixed spectator seats for Fairgrounds, exhibition, and carnival uses which are similar to the Market Open-Air use. The outdoor site area is calculated at approximately 790,134 square feet which would require approximately 1,580 parking spaces for this location. Although prohibited under the current Cole's Antique Village and Flea Market rules, renters continually park and drive vehicles in the open air areas during operating hours and this is not monitored or enforced by the owner. Fire and Emergency personnel do not have the access or maneuverability in the Open-Air area of Cole's.

The new proposed access to the parking area and the main entrance of Cole's Flea Market would be approximately 500 feet west, off of SH 35. Currently, traffic is an issue at the stop light. Moving the access further west on the entrance road will allow additional cars to wait on the property rather than blocking the flow of traffic on SH 35.

The minimum side yard setback is 25 feet, the minimum front yard setback is 35 feet, and the minimum rear yard setback is 25 feet. Many of the current structures on the subject property do not meet the current front, rear, and side property line setbacks.

Improvements to the primary facades on rows 1-4 are mentioned in the applicant's letter of intent. The type of façade materials to be used are not stated. According to the UDC, properties within the Corridor Overlay District will need to comply with all front and side façade material requirements and 15% transparency in the M-1 and M-2 Zoning Districts. Currently, the subject property and its structures do not meet the COD development requirements for landscaping, façade materials and articulation, lighting, screening, buffering, sidewalk standards, parking, and utility requirements.

As a condition of approval of the conditional use permit, the applicant will be required to comply with all requirements of the current Unified Development Code, current Health Code, current Fire Code, current Engineering requirements from the Engineering Design Criteria Manual, and current Building Codes for the City of Pearland.

**SITE PLAN CONSIDERATIONS:** A site plan showing previous conditions of the subject

JPH 8-17-09

CUP 2009-11

Page 4

property and structures, and a proposed site plan for future development was submitted by the applicant as part of the conditional use permit application packet. No time lines or dates have been provided for the phased development as proposed in the letter of intent.

**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 Zoning Sign 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 from the public.

**STAFF RECOMMENDATION:** Consider the conditional use permit.

**SUPPORTING DOCUMENTS:**

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

# JOINT PUBLIC HEARING AGENDA ITEM MEETING OF AUGUST 17, 2009

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## Conditional Use Permit No. CUP 2009-11

A request by Scott Morrison, applicant for EJC Family Partnership, Ltd., owner, for approval of a conditional use permit in the Light Industrial (M-1) zoning district, on the following described property, to wit:

**Legal Description:** Approximately 16.176 Acre Tract of Land, Out of Lots 83 and 84 of the Subdivision of Section 2 and 3, H.T. & B. R.R. Co. Survey, Abstract Nos. 542 and 232, Situated in Brazoria County, Texas, and Approximately 26.162 acres of land located within Lot Nos. 83 and 84 of the Subdivision of Section Nos. 2 and 3, H.T. & B Ry. Co Survey, Abstract Nos. 542 and 232

**General Location:** Located at 1014 Main Street, Pearland, TX

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

Planning and Zoning Commission: August 17, 2009\*

City Council for First and Only Reading: August 24, 2009\*

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

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**SUMMARY:** The applicant is requesting approval of a Conditional Use Permit No. 2009-11 for the continued operation of Cole's Antique Village and Flea Market in the Light Industrial (M-1) Zoning District in an effort to bring the subject property and use into compliance with the current Unified Development Code (UDC). Over the years there have been modifications and expansions to the structures and uses on the subject property. Many of the modifications and expansions were constructed after the adoption of the current UDC in 2006 and some without proper permitting.

The subject property is located south of Beltway 8 and west of SH 35 on 2 tracts of land that total approximately 42.338 acres with 1061 feet of frontage along SH 35. Access to

Coles Antique Village and Flea Market is approximately 400 feet south of the northeast corner of the property off SH 35. As indicated in the letter of intent, there are approximately 139,700 square feet of enclosed retail areas, approximately 195,321 square feet of retail areas, a 3,000 square foot Taqueria site, and a 47,117 square foot Warehouse/Mini Storage area.

Cole's Flea Market has been in operation for approximately 40 years as indicated by the applicant. The applicant proposes to continue the previous and expanded uses which include, primary agricultural uses, entertainment and recreation uses, automobile-related services and uses, office uses, personal & business services uses, retail & business services uses, institutional-governmental uses, and commercial & related service uses. Please see applicant's letter of intent listed in section two of the conditional use submittal packet which lists each use specifically.

Market-Open Air is a use listed in the UDC Land Use Matrix. It is permitted in the Light Industrial Zoning District (M-1) with an approved conditional use permit. It is not defined in the UDC appendix. The definition of "Flea Market" from the Merriam-Webster Dictionary states it is: a usually open-air market for secondhand articles and antiques.

Typically many of the vendors change frequently which offers a variety of merchandise and services available to the public. The vendors located within the open-air areas are not permitted to store their goods on-site other than the times they are present selling their goods. The vendors usually set up their spaces in the morning, prior to the opening of the market. There are not any vehicles permitted in the open-air areas during the time the market is open to the public. At the end of the day or the end of the weekend, each vender removes all their goods from the open-air areas and the site.

**SURROUNDING ZONING AND LAND USES:**

	<u>Zoning</u>	<u>Land Use</u>
North	Harris County	Clear Creek and Beltway 8
South	Light Industrial (M-1)	Raceway Gas Station and C- Store
East	General Commercial (GC)	Commercial
West	Light Industrial (M-1)	Pipe Yard

**CONFORMANCE TO THE UNIFIED DEVELOPMENT CODE (UDC):** The subject property is currently zoned as Light Industrial (M-1). The minimum lot size for the M-1 district is 40,000 square feet, the minimum lot width is 150 feet, and the minimum lot depth is 150 feet. The subject property exceeds these minimum requirements, as the property is approximately 42.338 acres in size, and has the lot width of approximately 1061.03 feet, and the lot depth of approximately 1653.56 feet.

However, the minimum side yard setback is 25 feet, the minimum front yard setback is 35 feet, *and the* minimum rear yard setback is 25 feet. Many of the current structures on the subject property do not meet the front, rear, and side property line setbacks.

In addition, the subject property is located in the Corridor Overlay District (COD). Currently the subject property and its structures do not meet the COD development requirements for landscaping, façade materials and articulation, lighting, screening, buffering, sidewalk standards, parking, and utility requirements. In the COD, there is a 25 foot required front yard building setback adjacent to a major thoroughfare, a minimum setback for all off-street parking, maneuvering, and loading areas from the right-of-way line of a specified major thoroughfare shall be 30 feet, a minimum setback for outside storage where permitted by the underlying zoning district is 150 feet from a major thoroughfare, unless screened by 100% opacity with a screening wall or vegetation, and all setback areas above shall be landscaped.

**PLATTING STATUS:** The property has not been platted.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:** The Comprehensive Plan (2004 update adopted on July 26, 2004) recommends “Light Industrial” for the subject property and the surrounding properties. The Comprehensive Plan further indicates that the appropriate zoning district is the “Light Industrial” (M-1) Zoning District. Therefore, the current M-1 zone conforms to the Comprehensive Plan.

**CONFORMANCE TO THE THOROUGHFARE PLAN:** The subject property has frontage on State Highway 35, a major thoroughfare with an ultimate right-of-way greater than 120 feet. The applicant has not had the property platted and necessary dedications and easements may be required at that time.

**AVAILABILITY OF UTILITIES:** The subject parcel is not served by public water and sewer lines.

**IMPACT ON EXISTING AND FUTURE DEVELOPMENT:** The proposed conditional use permit for a Market Open-Air or Flea Market may have a negative impact on the surrounding properties if permitted to continue to operate as it has been operating recently. The proposed use of a Market-Open Air at Cole’s Antique Village and Flea Market, may be considered an appropriate use for this location if Cole’s stays within the scope and guidelines of a truly traditional flea market or open-air market use. The property to the north is located in Harris County and is adjacent to Beltway 8. The subject property is also located within the COD along SH 35 and is highly visible to exiting and through traffic. The land use to the west is a pipe storage yard and the property to the south is the Raceway Gas Station and Convenience Store. Cole’s Flea Market may be considered an appropriate use for the subject property and is in line with the surrounding character and uses of this existing neighborhood.

The applicant proposes to replace rows 7 and 8 in stages (times are not specified), and to

make the necessary improvements required by the fire department to comply with access for rows 1-4 after the installation of the water main, the sprinklers, and the fire hydrants. Rows 7 and 8 will be either open air booths or an enclosed pavilion type structure and the applicant proposes that these rows are to be used as screening from SH35. Screening is typically a Cement Masonry Unit Wall or a Vegetative wall with 100% opacity. Proposed modifications to the pavilion area will be to accommodate future private events and could possibly be open until 2:00 a.m. Thursdays through Sundays.

The applicant states that there are approximately 1,122 parking spaces. It is not clear if these parking areas meet the 9' X 18' space requirements, the drive aisle widths, ADA, and striping & paving requirements as submitted on the site plan. This could not be verified through the site visit performed on August 1, 2009 as many of the spaces are not properly striped or marked. Parking is currently calculated at 1 space per 500 square feet of outdoor site area, plus 1 space per 4 fixed spectator seats for Fairgrounds, exhibition, and carnival uses which are similar to the Market Open-Air use. The outdoor site area is calculated at approximately 790,134 square feet which would require approximately 1,580 parking spaces for this location. Although prohibited under the current Cole's Antique Village and Flea Market rules, renters continually park and drive vehicles in the open air areas during operating hours and this is not monitored or enforced by the owner. Fire and Emergency personnel do not have the access or maneuverability in the Open-Air area of Cole's.

The new proposed access to the parking area and the main entrance of Cole's Flea Market would be approximately 500 feet west, off of SH 35. Currently, traffic is an issue at the stop light. Moving the access further west on the entrance road will allow additional cars to wait on the property rather than blocking the flow of traffic on SH 35.

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As a condition of approval of the conditional use permit, the applicant will be required to comply with all requirements of the current Unified Development Code, current Health Code, current Fire Code, current Engineering requirements from the Engineering Design Criteria Manual, and current Building Codes for the City of Pearland.

**SITE PLAN CONSIDERATIONS:** A site plan showing previous conditions of the subject property and structures, and a proposed site plan for future development was submitted by the applicant as part of the conditional use permit application packet. No time lines or dates

have been provided for the phased development as proposed in the letter of intent.

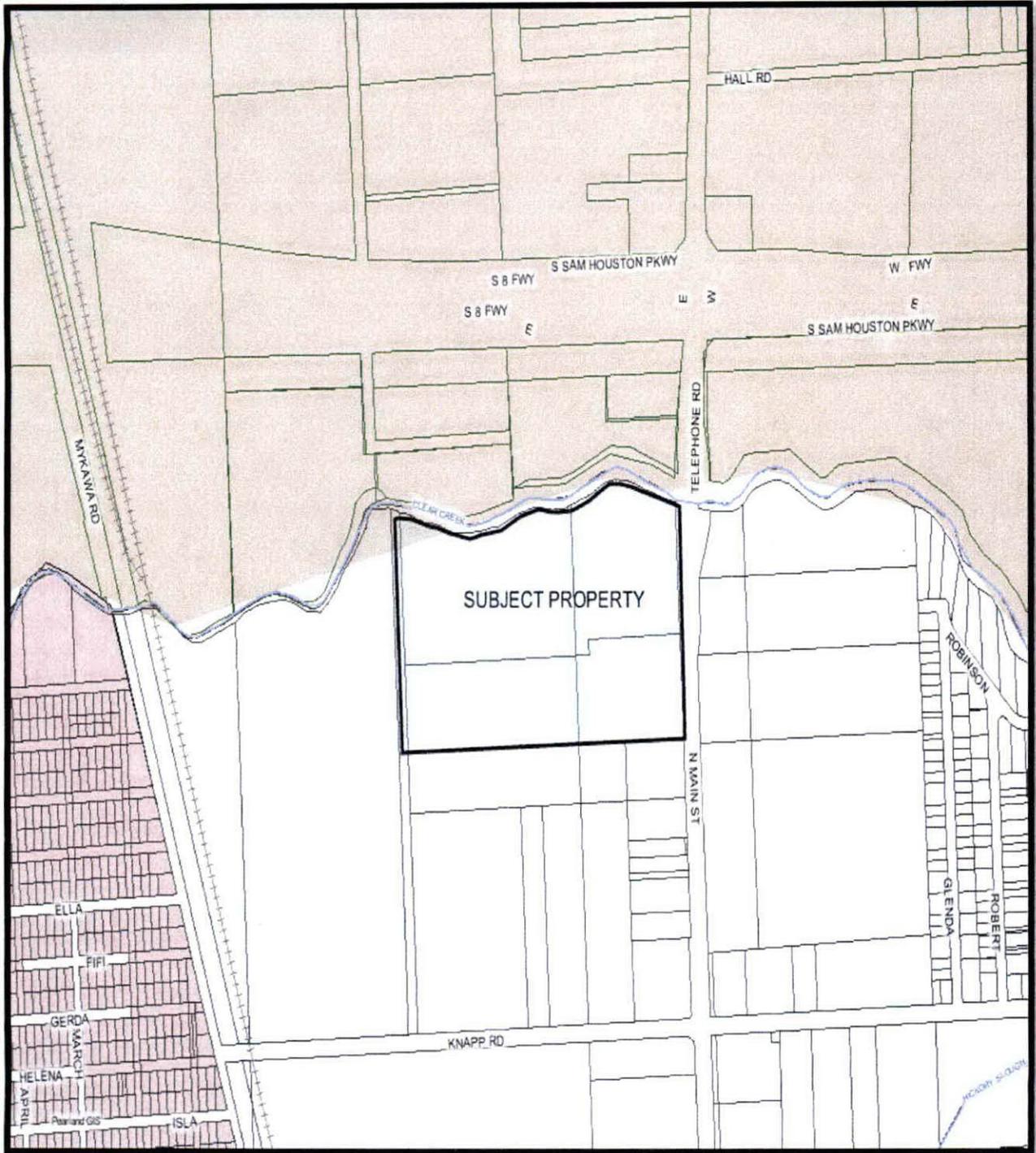
**PUBLIC NOTIFICATION:** Public notice/comment forms were mailed to property owners within 200 feet of the subject property under consideration. A legal notice of public hearing was published in the local newspaper, and a Zoning Sign was placed on the subject property.

**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 from the public.

**STAFF RECOMMENDATION:** Consider the conditional use permit.

**SUPPORTING DOCUMENTS:**

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

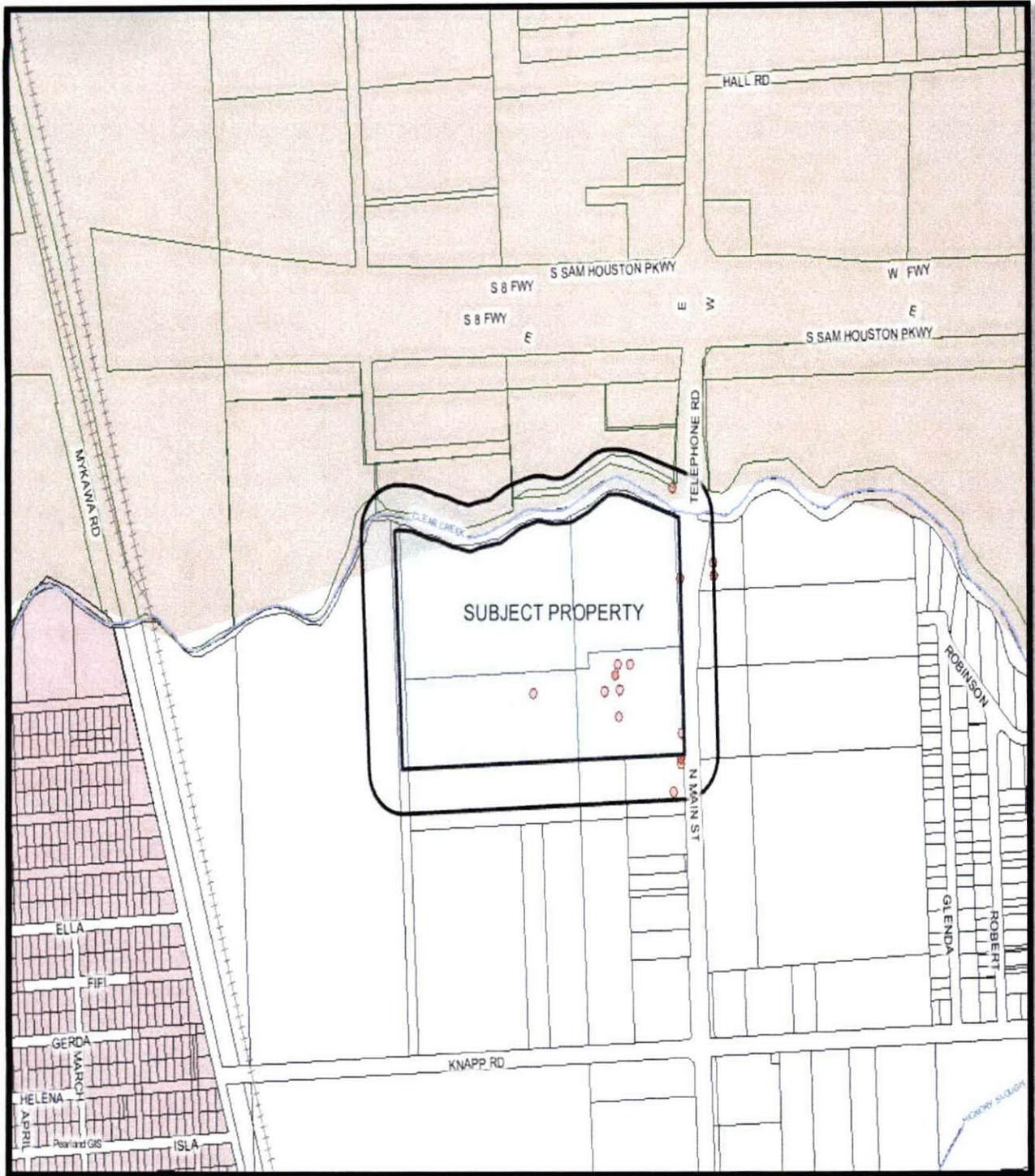


# LOCATION MAP

CONDITIONAL USE PERMIT NO. 2009-11

LOCATED AT 1014 N. MAIN, PEARLAND, TX





# ABUTTER MAP

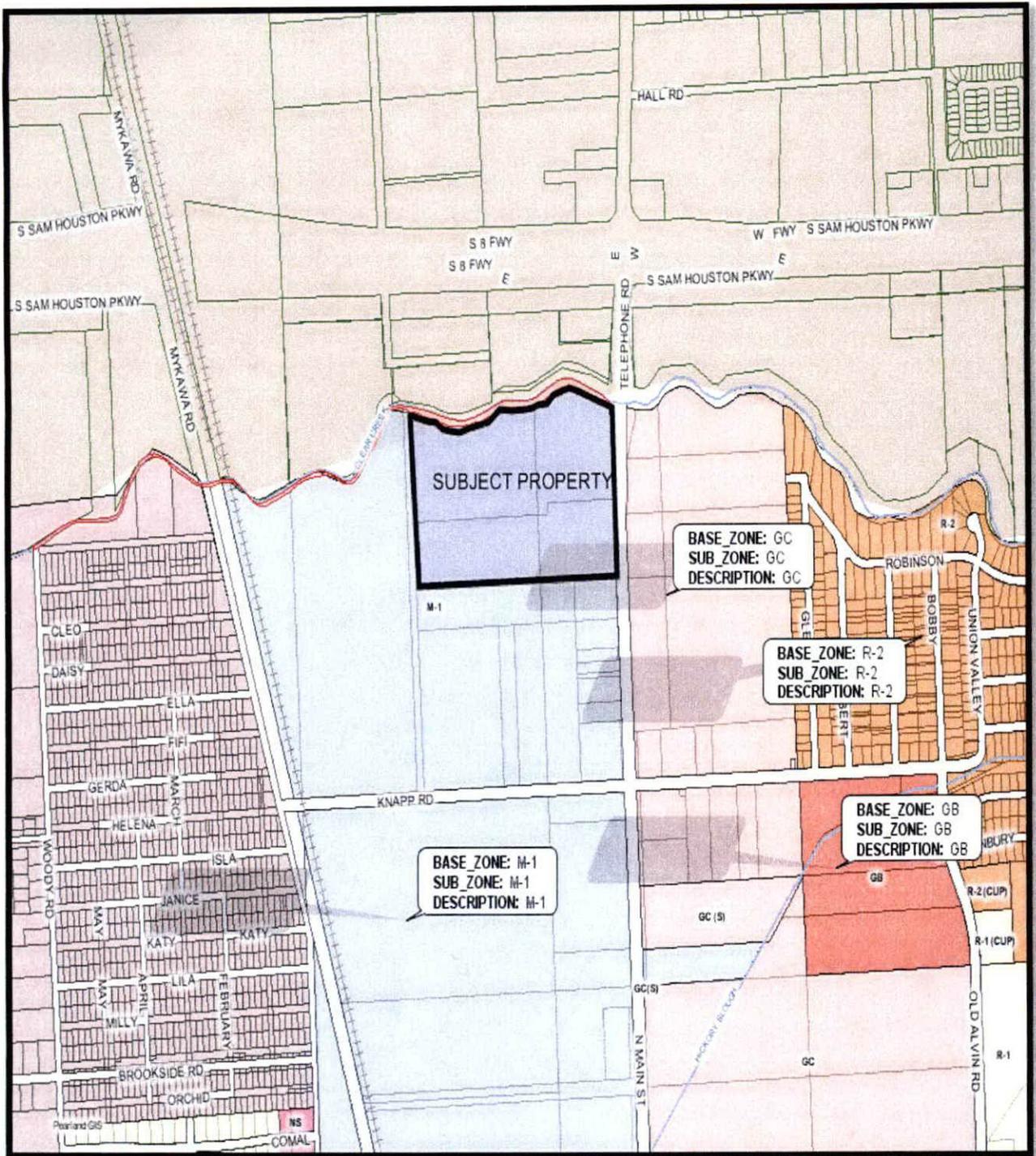
CONDITIONAL USE PERMIT NO. 2009-11

LOCATED AT 1014 N. MAIN, PEARLAND, TX



**PROPERTY OWNER NOTIFICATION LIST**  
**CONDITIONAL USE PERMIT NO. 2009-11**  
**COLE'S FLEA MAKET**  
**1014 N. MAIN STREET**

A L NILO LTD PARTNERSHIP	340 MCEACHIN LANDING RD	HAZELHURST	GA	31539
A L NILO LTD PARTNERSHIP	340 MCEACHIN LANDING RD	HAZELHURST	GA	31539
BELL BOTTOM FOUNDATION CO	1021 N MAIN ST	PEARLAND	TX	77581
BELL BOTTOM FOUNDATION CO	1021 N MAIN ST	PEARLAND	TX	77581
COLUMNS INC	1011 N MAIN ST	PEARLAND	TX	77581
EJC FAMILY PARTNERSHIP LTD	1014 N MAIN ST	PEARLAND	TX	77581
EJC FAMILY PARTNERSHIP LTD	1014 N MAIN ST	PEARLAND	TX	77581
EJC FAMILY PARTNERSHIP LTD	1014 N MAIN ST	PEARLAND	TX	77581
GLADDEN RONNIE TAYLOR &	4714 COUNTY ROAD 42	ROSHARON	TX	77583
MOUNTAINPRIZE INC	PO BOX 22845	OKLAHOMA CITY	OK	73123
MOUNTAINPRIZE INC	PO BOX 22845	OKLAHOMA CITY	OK	73123
ST CLAIR CARLOS	4011 CREEKRIDGE LN	MISSOURI CITY	TX	77459

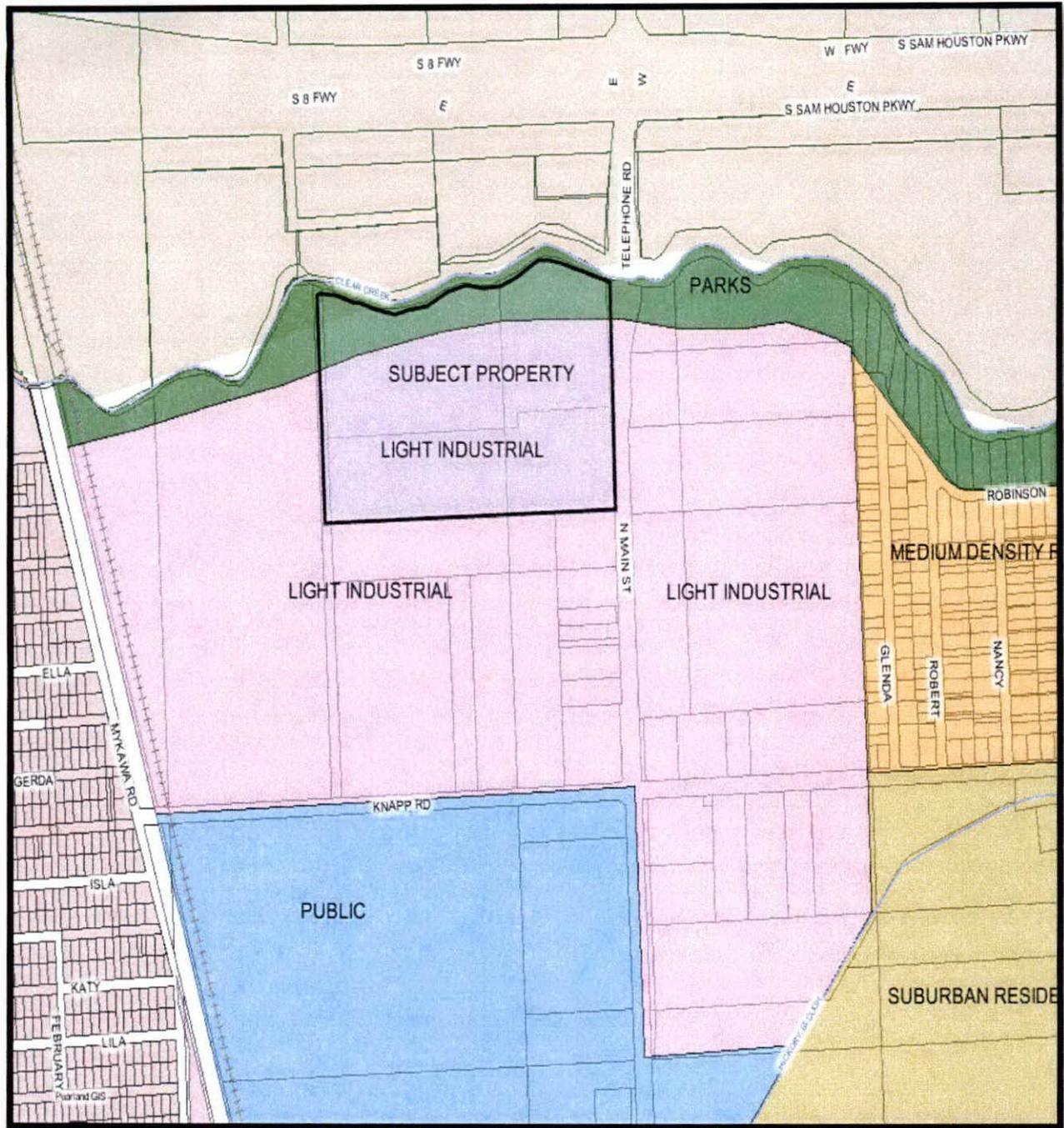


# ZONING MAP

CONDITIONAL USE PERMIT NO. 2009-11

LOCATED AT 1014 N. MAIN, PEARLAND, TX



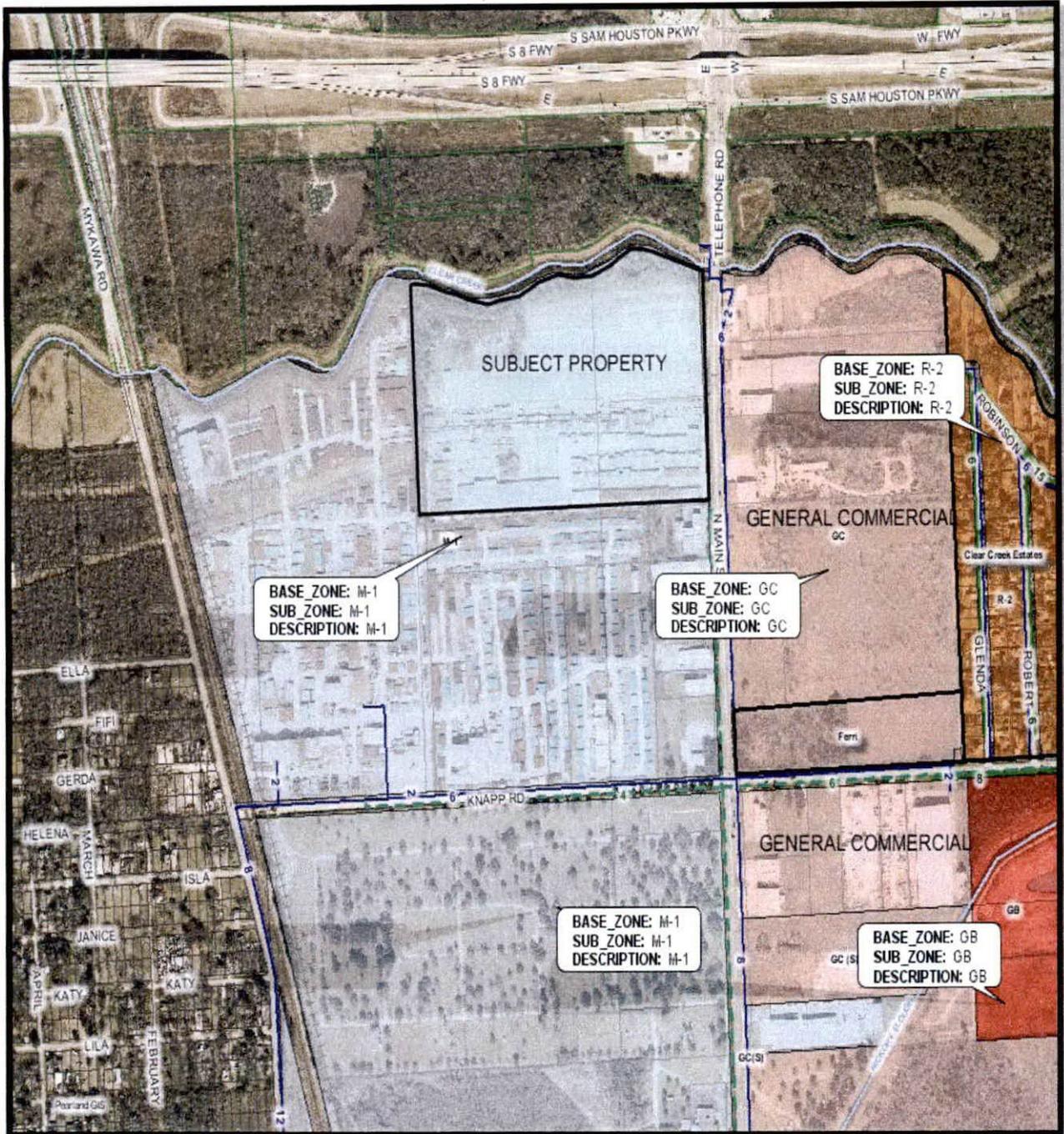


# FLUP MAP

CONDITIONAL USE PERMIT NO. 2009-11

LOCATED AT 1014 N. MAIN, PEARLAND, TX

↑  
NORTH



# AERIAL MAP

CONDITIONAL USE PERMIT NO. 2009-11

LOCATED AT 1014 N. MAIN, PEARLAND, TX





Re: Cole's flea Market CUP 

Narciso Lira <sup>to</sup> Angela Gantuah

08/05/2009 10:05 AM

Cc: Mike Hodge

View: (Mail Threads)

Sorry for the late response, but here are my comments:

- 1) A traffic impact analysis must be completed to determine the impacts and mitigation measures required for this development. Based on the aerial photograph provided, there are significant impacts associated with this development.
- 2) On-site drainage system is required for convey runoff from the site with a single point discharge into the public drainage system. Exhibits were not clear as to whether this is currently provided. Detention is required to mitigate any increased impervious that has occurred in the past. Looking back to aerial from 2000 to 2008, there have been some expansions in parking that have occurred, but no indication that detention has been built for those expansions.
- 3) All parking and driveway aisles shall be paved and grading to drain to a drainage collection system.
- 4) All displaced floodplain volume must be mitigated for on site per City's Flood Protection Ordinance. The entire property is located within the flood plain, so all structures shall be 1' above base flood elevation, with mobile structures also required to be anchored. A "No Rise" Certification is required for any development within flood way boundaries, if applicable. Site must come into compliance with this to mitigate previous work done.

Narciso Lira III, P.E.  
City Engineer  
City of Pearland Engineering Department  
3523 Liberty Drive  
Pearland, Texas 77581  
(281) 652-1649  
Angela Gantuah/COP



Angela Gantuah/COP  
07/29/2009 04:08 PM

To Roland L Garcia/COP@ci.pearland.tx.us, David Whittaker/COP@ci.pearland.tx.us, Chris Doyle/COP@ci.pearland.tx.us, Gary McMullin/COP@ci.pearland.tx.us, Narciso Lira/COP@ci.pearland.tx.us, Edgar Hinojosa/COP@ci.pearland.tx.us  
cc Mike Hodge/COP@ci.pearland.tx.us, Lata Krishnarao/COP@ci.pearland.tx.us, Darrin Coker/COP@ci.pearland.tx.us  
Subject Cole's flea Market CUP



Cole's flea Market CUP  
Gary McMullin to: Angela Gantuah

08/05/2009 03:04 PM

🏠	Gary McMullin	Cole's flea Market CUP
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The PDF files submitted for review are lacking any real information, regarding the existing and/or proposed water and/or sanitary sewer.

At this time I cannot provide an in depth review analysis.

A minimum of an eight (8) inch water line will be required and looped to service the complex. Watermains are to be inside a 10 foot water easement (5 foot center), 25 foot easement will be required if sanitary and water are ran next to each other.

Fire Hydrants are to be inside a 10 foot by 10 foot Fire Hydrant Easement.

Water meters, Fire Hydrants are not to be located in sidewalks, ramps or vehicle paths of travel and out of the collapse zone.

Water mains that are to be located under concrete (parking lot, drive paths, etc), there shall be a 10 foot wide expansion joint along both sides of the water main

to be covered. A Consent to Encroach form will be required for non-maintained items (parking lot, drive paths, signs, tree(s), etc.

Tree(s) are to be at least 8 feet from any Public water, sanitary and/or storm lines.

The Fire Marshals Office may require additional Fire Hydrant(s) to meet their requirements.

Water/Sanitary lines that cross will require casing (C-900 or Ductile Iron).

A more detailed Site utility plan is needed.

FYI: Water meters are to be located inside a water easement.

- No 1½ or 2½ inch water meters or taps permitted in the City of Pearland.

**NOTE:** With additional increase of sanitary sewer to the City of Pearland's sanitary infrastructure. It may be

deemed necessary for the City of Pearland to require the owner/customer or the responsible party representing

the owner/customer to fund any modification necessary, to compensate for the additional impact to the

sanitary sewer system.

GARY MCMULLIN



**Fire Inspection Results**

EmailSystem-NoReply

jcolbath, bhahn, agantuah, dcoker,  
lprovins, dwhittaker

08/02/2009 09:56 PM

View: \$ThreadsEmbed

The following is a copy of your recent inspection or plan review report.

**Pearland  
Fire  
Department  
Fire  
Marshal's  
Office  
2010 A Old  
Alvin Road  
Pearland,  
TX 77581  
Office  
281-652-195  
4  
Fax  
281-652-178  
4**

**Occupant Name:** Cole's Flea Market  
**Address:** 1014 Main Street  
**City:** Pearland  
**Inspected By:** Roland Garcia  
281-652-1950  
**Property Owner:** Bob Lewis

**Suite:** outside  
**Inspection Date:** 8/1/2009  
**InspectionType:** Complaint - Fire Code Violation  
**Square Footage:** 145000

Pass Fail N/A

**International Fire Codes 2003**

**Floor 1**

**308 OPEN FLAMES**

- 308.3.1 Open-flame cooking devices.

*The Chicken Guy was using the BBQ pit in a location that is unsafe. The pit was located under a combustible tarp attached to the building. The pit was located too close to the building with no 10 ft distance.*

**313 FUELED EQUIPMENT**

- 313.1 Fueled equipment.

*Tenants on the South side of the market near the car repair shops and others near Row 7 are still pulling vehicles inside the buildings to make repairs.*

*2003 IFC Code Reference*

*313.1 Fueled equipment. Fueled equipment, including but not limited to motorcycles, mopeds, lawn-care equipment and portable cooking equipment, shall not be stored, operated or repaired within a building.*

*Exceptions:*

*1. Buildings or rooms constructed for such use in accordance with the International Building Code.*

*2. Where allowed by Section 314.*

*313.1.1 Removal. The fire code official is authorized to require removal of fueled equipment from locations where the presence of such equipment is determined by the fire code official to be hazardous.*

*314.4 Vehicles. Liquid- or gas-fueled vehicles, boats or other motorcraft shall not be located indoors except as follows:*

*1. Batteries are disconnected.*

*2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least).*

*3. Fuel tanks and fill openings are closed and sealed to prevent tampering.*

*4. Vehicles, boats or other motorcraft equipment are not fueled or defueled within the building.*

- 313.1.1 Removal.

**503 FIRE APPARATUS ACCESS ROADS**

- 503.4 Obstruction of fire apparatus access roads.

*The South driveway near the car repair facilities is needed for fire apparatus access and continues to be blocked by a locked chain and by customer and tenant vehicles. Tenants were and are still parking vehicles in fire lanes between Tin Building and Row 1, Row 2 and Row 3, and Row 4 and Row 5.*

*2003 IFC Code Reference*

*503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.*  
*503.5 Required gates or barricades. The fire code official is*

authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways.

*503.5.1 Secured gates and barricades. When required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.*

*Exception: The restriction on use shall not apply to public officers acting within the scope of duty.*

*503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times.*

### **605 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS**

- 605.1 Abatement of electrical hazards.

*The main electrical service and disconnects facing the driveway between Antique Village and Row 7 was to be kept clear and not blocked by tenant merchandise. The area was dangerously obstructed by combustible merchandise.*

#### **2003 IFC Code Reference**

*605.3 Working space and clearance. A working space of not less than 30 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided in front of electrical service equipment. Where the electrical service equipment is wider than 30 inches (762 mm), the working space shall not be less than the width of the equipment. No storage of any materials shall be located within the designated working space.*

### **3003 GENERAL REQUIREMENTS**

- 3003.3.3 Securing compressed gas containers, cylinders and tanks.

*We did document a new hazard being an unsecured acetylene bottle in a car repair facility on the South side of the market. The bottle will need to be removed from inside the building, the building/space does not have fire sprinkler protection nor does it have fire separation between tenant spaces and the exit corridor.*

*903.2.6 Group M. An automatic sprinkler system shall be provided throughout buildings containing a group M occupancy where one of the following conditions exists:*

- 1. Where a Group M fire area exceeds 12,000 square feet (1115 m<sup>2</sup>);*
- 2. Where a Group M fire area is located more than three stories above grade; or*
- 3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).*

*903.2.6.1 High-piled storage. An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.*

*2003 IBC Code Reference  
Section 402 COVERED MALL BUILDINGS*

*402.7.2 Tenant separations. Each tenant space shall be separated from other tenant spaces by a fire partition complying with Section 708.*

**Inspector Comments:** On Saturday August 1, 2009 at approximately 1:00pm Sr. Planner Angela Gantuah, Fire Inspector Brent Hahn, and I inspected Cole's Flea Market. The purpose of the inspection was for Angela to tour the property to prepare her report and presentation in response to a proposed Conditional Use Permit. Angela asked me if we could assist her since we are familiar with the property. During the inspection I noticed and documented existing life safety and fire code violations. The following violations are to have been corrected and were to remain corrected when the facility re opened. A citation will be issued to the owner of Cole's Flea Market for blocking fire lanes, for parking vehicles inside buildings, for BBQ pits too close to buildings, for blocking electrical service with combustibles and not providing clear working space for electrical service. The acetelyne bottles will need to be removed until the global fire protection deficiencies have been corrected.

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**Inspector will return on or after 8/8/2009**

**ORDER TO COMPLY:** As such conditions are contrary to law, you are hereby required to correct said conditions upon receipt of this notice. Failure to comply with the foregoing order before the date of such re-inspection may render you liable to the penalties provided by law for such violation.



EmailReport\_6417\_822009.htm

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**APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)**

**BY**

**E.J.C. FAMILY PARTNERSHIP, LTD.**

1. Application for Conditional Use Permit
2. Attachment to Application—Conditional Use Permit Request for & Land Use Matrix
3. Attachment to Application—Property Information
4. Metes and Bounds Description, Survey, or a Plat of the property
5. Parcel Map
6. Letter of Intent
7. Existing Site Plan
8. Proposed Site Plan
9. General Rules
10. Photographs of Property
11. Pearland Press Release & Texas Tourism Information
12. Ana Abraham's Story
13. Vendor List
14. Food Vendors

TAB 1



# APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)

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: EJC Family Partnership, Ltd.  
(list proposed use from the Table of Uses of the UDC)  
See Tab 2 for uses.

Current Zoning District: M-1 (Light Industrial District)

**Property Information:**

Address or General Location of Property: 1014 N. Main, Pearland, TX 77581

Tax Account No. 165683; 165684; 177059; 177142

Subdivision: See Attached Lot: See Attached Block: See Attached

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

**PROPERTY OWNER INFORMATION:**

NAME EJC Family Partnership, Ltd.  
ADDRESS 1014 N. Main  
CITY Pearland STATE TX ZIP 77581  
PHONE ( 281 ) 485-2277  
FAX ( 281 ) 485-2581  
E-MAIL ADDRESS N/A

**APPLICANT INFORMATION:**

NAME Same as property owner  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE ( \_\_\_\_\_ ) \_\_\_\_\_  
FAX ( \_\_\_\_\_ ) \_\_\_\_\_  
E-MAIL ADDRESS \_\_\_\_\_

\*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: \_\_\_\_\_

Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**OFFICE USE ONLY:**

FEES PAID:	DATE PAID:	RECEIVED BY:	RECEIPT NUMBER:
------------	------------	--------------	-----------------

Application No. \_\_\_\_\_

**APPLICATION CHECKLIST FOR THE FOLLOWING**  
**• Conditional Use Permits (CUP)**

- Application, filled out completely, and signed by the owner of the property to be considered for the conditional use permit
  
- Metes and Bounds Description, Survey, or a Plat of the property.
  
- Parcel map, printed from the City of Pearland website, indicating the location and boundaries of the subject property.
  
- Letter of Intent, explaining the conditional use permit request in detail, specifying proposed uses, specific operations of the use, square footage of buildings, unique characteristics of the property, and any other necessary information
  
- Application fee of \$250.00, by cash, check made payable to the City of Pearland, or credit card (Visa and MasterCard only)
  
- Site Plan or Plot Plan showing the proposed layout of the subject property, including any proposed buildings, parking, landscaped areas, detention ponds, fences, and any other relevant information
  
- Acknowledgement of the sign to be posted on the property 10 days prior to the public hearing

**POSTING OF ZONING NOTIFICATION SIGNS  
ON PROPERTY UNDER CONSIDERATION  
FOR A ZONE CHANGE (OR CONDITIONAL USE PERMIT)**

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 ZONE CHANGE  
Contact City of Pearland  
281-652-1768**

**\*Signs must be professionally made; handwritten signs are not allowed.**

**\*Signs must be freestanding and cannot be attached to a tree, fence, or building.**

**Additional Information:**

- Upon making an application for a zoning change or conditional use permit, the applicant shall place sign(s) as required. The City shall inspect such sign(s) to ensure compliance as required by the UDC.
- After the zoning change or conditional use permit request is approved by the City Council, denied by the City Council, or withdrawn by the applicant, the applicant shall remove the sign from the area of the request within ten (10) days of such event.
- It shall be unlawful for anyone to remove, destroy, deface or obstruct the view of a sign which gives notice that a zoning change or conditional use permit has been requested.
- In the event the applicant shall fail to erect and/or maintain signs in accordance with this section, then the public hearing before the Planning and Zoning Commission/City Council shall be postponed to a date in the future, which would allow time for compliance.
- The erection of any sign required by this section shall not require a permit under Section 4.1.2.6 of this UDC.
- The owner or applicant shall promptly notify the Planning Department of any sign required by this section, which becomes lost, stolen or vandalized. The Planning and Zoning Commission shall have the power to decide whether or not there has been substantial compliance with the posting requirements in the case of lost, stolen or vandalized signs.

TAB 2

**ATTACHMENT TO APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)**

**E.J.C. FAMILY PARTNERSHIP, LTD.**

***Conditional Use Permit Request for:***

Cole's is proposing to continue to operate as a flea market as it has for more than 40 years while making improvements. The flea market is a unique use and contains land uses from the following land use matrix categories: Retail and Business Service Uses; Personal and Business Service Uses; Commercial and Related Service Uses; and Auto-Related Service Uses.

**LAND USES AT MARKET**

**Primary Agricultural Uses**

Livestock Sales

**Entertainment and Recreational Uses**

Commercial Amusement, Outdoor  
Gaming Establishment  
Temporary Outdoor Amusement/Activity

**Automobile-Related Service Uses**

All Terrain Vehicle (Go-Carts & Motorcycles) Dealer/Sales  
Auto Accessories and/or Parts (Only Retail Sales in building, no outside storage or display, no repair)  
Auto Glass Repair/Tinting  
Auto Interior Shop/Upholstery  
Auto Parts Sale (With Outside Storage or Display)  
Auto Parts Sale (Indoors Only; With Repair Bays)  
Auto Repair (Major)  
Auto Repair (Minor)  
Auto Wash (Full Service/Detail Shop)  
Tire Sales (Outdoors, With Open Storage)

**Office Uses**

Credit Agency  
Financial Institution (No Motor Bank Services)  
Insurance Agency Offices  
Office, Brokerage Service  
Office, Legal Service  
Office, Real Estate

---

Security Monitoring Company (No Outside Storage)

**Personal & Business Service Uses**

Automatic Teller Machine (ATM)  
Barber/Beauty Shop/Tanning Studios (No Related School/College)  
Check Cashing Service

**Retail & Business Service Uses**

Antique Shop (No Outside Storage)  
Antique Shop (With Outside Storage)  
Apparel Shop  
Bakery or Confectionary Shop (Retail Sales, Inside Service Only)  
Book/Stationary Shop (Retail Only)  
Café  
Cafeteria  
Camera Shop (Retail Only)  
Coffee, Donut and Similar Food Sales shop (For On or Off-Site Consumption)  
Computer Sales  
Consignment Shop  
Convenience Store (Without Gasoline Sales)  
Department Store (Retail Only, for Hardware, Sporting Goods, Toys, Paints, Wallpaper, and/or Clothing)  
Drapery/Blind Shop  
Electronic Goods Store (Retail Only)  
Food Store/Supermarket  
Furniture and/or Appliance Store (Retail or Rental Only, Indoor Only)  
Furniture Repair and Upholstering (No Outside Storage)  
Garage and/or Yard Sales  
Garden Shop & Outside Plant Sales (i.e., Plant Nursery)  
Gift or Card Shop (Retail Only)  
Hardware Store  
Hobby Shop (Retail Only)  
Home Improvement Center  
Ice Cream/Yogurt Shop (For On or Off-Site Consumption)  
Itinerant Vendor/Seasonal Vending  
Jewelry Store  
Key Shop  
Market – Open Air (i.e. Flea Market)  
Meat and Fish Market (Retail Only)  
Medical Appliances & Sales  
Optical Shop  
Pet-Shop – Small Animals, Birds or Fish  
Piano and Musical Instruments (Retail Only)  
Restaurant (With No Drive-In or Drive-Thru Service)

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Retail Shops, Apparel, Accessories, Gifts & Similar Goods (Other than those listed; No  
Outside Storage)  
Shoe Store (Retail Only)  
Studio, Photographer, Artist, Music, Drama, Dance  
Tavern  
Variety Store  
Video Rental and/or Sales

**Institutional/Governmental Use**

Exhibition Hall  
Museum (Indoors Only)

**Commercial & Related Service Uses**

Appliance Repair  
Building Material Sales  
Dance Hall or Night Club  
Furniture /Appliances – Open Storage & Retail Sale  
Heating & Air-Conditioning Sales/Services  
Lawnmower Sales and/or Repair  
Mini-Warehouse/Self Storage  
Upholstery Business  
Vacuum Cleaner Sales and Repair

TAB 3

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**ATTACHMENT TO APPLICATION FOR A CONDITIONAL USE PERMIT (CUP)**

**E.J.C. FAMILY PARTNERSHIP, LTD.**

***Property Information:***

See attached statements from the Brazoria County Appraisal District.

**Brazoria CAD**

Property Search Map Search Map Administration Login

**Property Search Results > 1 - 11 of 11 for Year 2009**

[New Search](#)

Click the "Details" or "Map" link to view more information about the property or click the checkbox next to each property and click "View Selected on Map" to view the properties on a single map.

Property Address     Legal Description

Property ID	Geographic ID	Type	Property Address	Owner Name	Appraised Value		
<input type="checkbox"/> 108786	9610-7000-721	Mobile Home	17110 COLE INDUSTRIAL RD ALVIN, TX 77511	EJC FAMILY PARTNERSHIP LTD	\$2,850	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input type="checkbox"/> 155445	0072-0010-130	Real	17104 COLE INDUSTRIAL RD OFF HWY 35 TX	EJC FAMILY PARTNERSHIP LTD	\$402,000	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input checked="" type="checkbox"/> 165683	0232-0007-000	Real	HWY 35 OFF PEARLAND, TX 77581	EJC FAMILY PARTNERSHIP LTD	\$625,430	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input checked="" type="checkbox"/> 165684	0232-0007-211	Real	HWY 35 OFF PEARLAND, TX 77581	EJC FAMILY PARTNERSHIP LTD	\$398,250	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input checked="" type="checkbox"/> 177059	0542-0020-000	Real	1014 N MAIN ST HWY 35 PEARLAND, TX 77581	EJC FAMILY PARTNERSHIP LTD	\$1,960,930	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input checked="" type="checkbox"/> 177142	0542-0074-000	Real	HWY 35 PEARLAND, TX 77581	EJC FAMILY PARTNERSHIP LTD	\$256,730	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input type="checkbox"/> 179853	0622-0010-000	Real		EJC FAMILY PARTNERSHIP LTD	\$5,750	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input type="checkbox"/> 226651	6240-0074-000	Real	13235 PLEASANT VALLEY (288 FEEDER R) ROSHARON, TX 77583	EJC FAMILY PARTNERSHIP LTD	\$17,410	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input type="checkbox"/> 228680	6398-0419-110	Real	19405 MORRIS AVE HWY 6 MANVEL, TX 77578	EJC FAMILY PARTNERSHIP LTD	\$117,680	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input type="checkbox"/> 228681	6398-0419-120	Real	MORRIS AVE OFF MANVEL, TX 77578	EJC FAMILY PARTNERSHIP LTD	\$87,120	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map
<input type="checkbox"/> 228693	6398-0423-120	Real	MORRIS AVE MANVEL, TX 77578	EJC FAMILY PARTNERSHIP LTD	\$34,850	<input type="checkbox"/> View Details	<input type="checkbox"/> View Map

Page:

[View Selected on Map](#)

**Questions Please Call (979) 849-7792**

Website version: 1.2.2.2

Database last updated on: 6/22/2009 8:28 PM

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**Brazoria CAD**

**Property Search Results > 165683 EJC FAMILY PARTNERSHIP LTD for Year 2009**

**Property**

**Account**

Property ID: 165683      Legal Description: A0232 HT & B R R, TRACT 84A1, ACRES 9.230, PEARLAND  
 Geographic ID: 0232-0007-000      Agent Code: ID:304  
 Type: Real

**Location**

Address: HWY 35 OFF      Mapsco:  
 PEARLAND, TX 77581  
 Neighborhood:  
 Neighborhood CD:      Map ID:

**Owner**

Name: EJC FAMILY PARTNERSHIP LTD      Owner ID: 306347  
 Mailing Address: 1014 N MAIN ST      % Ownership: 100.000000000000%  
 PEARLAND, TX 77581-2208

Exemptions:

**Values**

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$394,680	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$230,750	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$625,430	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$625,430	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$625,430	

**Taxing Jurisdiction**

Owner: EJC FAMILY PARTNERSHIP LTD  
 % Ownership: 100.000000000000%  
 Total Value: \$625,430

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estir
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$625,430	\$625,430	
CPL	CITY OF PEARLAND	0.652600	\$625,430	\$625,430	
DR4	BRAZORIA COUNTY DRAINAGE DISTRICT #4 (PEARLAND)	0.143845	\$625,430	\$625,430	
GBC	BRAZORIA COUNTY	0.330000	\$625,430	\$625,430	
RDB	ROAD & BRIDGE FUND	0.060000	\$625,430	\$625,430	
SPL	PEARLAND INDEPENDENT SCHOOL DISTRICT	1.419400	\$625,430	\$625,430	
Total Tax Rate:		2.605845			
				Taxes w/Current Exemptions:	\$
				Taxes w/o Exemptions:	\$

**Improvement / Building**

**All Improvements valued at Income**

**Improvement #1:** Commercial State Code: F1 Living Area: 6500.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
386	MINI- WAREHOUSE	C		1975	6500.0

**Improvement #2:** Misc Imp State Code: F1 Living Area: sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YPC1	CONCRETE PAVING AVERAGE			1975	25427.0

**Improvement #3:** Commercial State Code: F1 Living Area: 4125.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
386	MINI- WAREHOUSE	C		1975	4125.0

**Improvement #4:** Misc Imp State Code: F1 Living Area: 3990.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
471	Lt. Commercial Utility Build.	S		1991	3990.0

**Improvement #5:** Misc Imp State Code: F1 Living Area: sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YPC1	CONCRETE PAVING AVERAGE			1992	11855.0

**Improvement #6:** Commercial State Code: F1 Living Area: 6500.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
386	MINI- WAREHOUSE	C		1975	6500.0

**Improvement #7:** Commercial State Code: F1 Living Area: 6500.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
386	MINI- WAREHOUSE	C		1975	6500.0

**Improvement #8:** Commercial State Code: F1 Living Area: 2500.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
344	OFFICE BUILDING	S		0	2500.0

**Improvement #9:** Commercial State Code: F1 Living Area: 4055.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
386	MINI- WAREHOUSE	S		2005	4055.0

**Improvement #10:** Commercial State Code: F1 Living Area: sqft Value: N/A

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	A1	FRONT ACREAGE	9.2300	402058.80	0.00	0.00	\$230,750	\$0

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2009	\$394,680	\$230,750	0	625,430	\$0	\$625,430
2008	\$350,010	\$230,750	0	580,760	\$0	\$580,760
2007	\$350,010	\$230,750	0	580,760	\$0	\$580,760
2006	\$335,720	\$156,910	0	492,630	\$0	\$492,630
2005	\$154,860	\$156,910	0	311,770	\$0	\$311,770
2004	\$184,620	\$156,910	0	341,530	\$0	\$341,530
2003	\$184,620	\$156,910	0	341,530	\$0	\$341,530
2002	\$174,200	\$73,840	0	248,040	\$0	\$248,040
2001	\$174,200	\$73,840	0	248,040	\$0	\$248,040

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

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	9/13/2001 12:00:00 AM	WD	WARRANTY DEED	COLE ELWYN J	EJC FAMILY PARTN	01	042719

Questions Please Call (979) 849-7792

Website version: 1.2.2.2

Database last updated on: 6/22/2009 8:28 PM

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**Brazoria CAD**

**Property Search Results > 165684 EJC FAMILY PARTNERSHIP LTD for Year 2009**

**Property**

**Account**

Property ID: 165684      Legal Description: A0232 HT & B R R, TRACT 84A, ACRES 15.930, PEARLAND  
 Geographic ID: 0232-0007-211      Agent Code: ID:304  
 Type: Real

**Location**

Address: HWY 35 OFF      Mapsco:  
 PEARLAND, TX 77581  
 Neighborhood: ABSTRACT 1990 AND NEWER      Map ID:  
 Neighborhood CD: SPLN

**Owner**

Name: EJC FAMILY PARTNERSHIP LTD      Owner ID: 306347  
 Mailing Address: 1014 N MAIN ST      % Ownership: 100.0000000000%  
 PEARLAND, TX 77581-2208

Exemptions:

**Values**

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$398,250	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$398,250	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$398,250	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$398,250	

**Taxing Jurisdiction**

Owner: EJC FAMILY PARTNERSHIP LTD  
 % Ownership: 100.0000000000%  
 Total Value: \$398,250

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estir
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$398,250	\$398,250	
CPL	CITY OF PEARLAND	0.652600	\$398,250	\$398,250	
DR4	BRAZORIA COUNTY DRAINAGE DISTRICT #4 (PEARLAND)	0.143845	\$398,250	\$398,250	
GBC	BRAZORIA COUNTY	0.330000	\$398,250	\$398,250	
RDB	ROAD & BRIDGE FUND	0.060000	\$398,250	\$398,250	
SPL	PEARLAND INDEPENDENT SCHOOL DISTRICT	1.419400	\$398,250	\$398,250	
Total Tax Rate:		2.605845			
					Taxes w/Current Exemptions: \$
					Taxes w/o Exemptions: \$

**Improvement / Building**

No improvements exist for this property.

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	A4	IMPROVED PASTURE	8.8000	383328.00	0.00	0.00	\$220,000	\$0
2	A1	FRONT ACREAGE	7.1300	310582.80	0.00	0.00	\$178,250	\$0

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2009	\$0	\$398,250	0	398,250	\$0	\$398,250
2008	\$0	\$398,250	0	398,250	\$0	\$398,250
2007	\$0	\$302,670	0	302,670	\$0	\$302,670
2006	\$0	\$270,810	0	270,810	\$0	\$270,810
2005	\$0	\$270,810	0	270,810	\$0	\$270,810
2004	\$0	\$270,810	0	270,810	\$0	\$270,810
2003	\$0	\$270,810	0	270,810	\$0	\$270,810
2002	\$0	\$127,440	0	127,440	\$0	\$127,440
2001	\$0	\$127,440	0	127,440	\$0	\$127,440

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

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	9/13/2001 12:00:00 AM	WD	WARRANTY DEED	COLE ELWYN J	EJC FAMILY PART	01	042721

Questions Please Call (979) 849-7792

Website version: 1.2.2.2

Database last updated on: 6/22/2009 8:28 PM

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**Brazoria CAD**

**Property Search Results > 177059 EJC FAMILY PARTNERSHIP LTD for Year 2009**

**Property**

**Account**

Property ID: 177059      Legal Description: A0542 H T & B R R, TRACT 83E1, ACRES 6.930  
 Geographic ID: 0542-0020-000      Agent Code: ID:304  
 Type: Real

**Location**

Address: 1014 N MAIN ST HWY 35      Mapsco:  
 PEARLAND, TX 77581  
 Neighborhood:      Map ID:  
 Neighborhood CD:

**Owner**

Name: EJC FAMILY PARTNERSHIP LTD      Owner ID: 306347  
 Mailing Address: 1014 N MAIN ST      % Ownership: 100.000000000000%  
 PEARLAND, TX 77581-2208

Exemptions:

**Values**

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$1,055,320	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$905,610	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$1,960,930	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$1,960,930	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$1,960,930	

**Taxing Jurisdiction**

Owner: EJC FAMILY PARTNERSHIP LTD  
 % Ownership: 100.000000000000%  
 Total Value: \$1,960,930

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estim
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$1,960,930	\$1,960,930	
CPL	CITY OF PEARLAND	0.652600	\$1,960,930	\$1,960,930	\$
DR4	BRAZORIA COUNTY DRAINAGE DISTRICT #4 (PEARLAND)	0.143845	\$1,960,930	\$1,960,930	
EM3	BRAZORIA COUNTY EMERGENCY DISTRICT #3	0.093414	\$1,960,930	\$1,960,930	
GBC	BRAZORIA COUNTY	0.330000	\$1,960,930	\$1,960,930	
RDB	ROAD & BRIDGE FUND	0.060000	\$1,960,930	\$1,960,930	
SPL	PEARLAND INDEPENDENT SCHOOL DISTRICT	1.419400	\$1,960,930	\$1,960,930	\$
Total Tax Rate:		2.699259			
					Taxes w/Current Exemptions: \$

Taxes w/o Exemptions: \$

**Improvement / Building**

**Improvement #1:** Misc Imp State Code: F1 Living Area: sqft Value: \$133,480

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YPC1	CONCRETE PAVING AVERAGE *			1993	93870.0

**Improvement #2:** Commercial State Code: F1 Living Area: 3480.0 sqft Value: \$108,200

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
406	STORAGE WAREHOUSE	S		1997	3480.0
CP6	CANOPY ROOF/SLAB	*		1997	1320.0

**Improvement #3:** Commercial State Code: F1 Living Area: 4800.0 sqft Value: \$119,840

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
406	STORAGE WAREHOUSE	S		1997	4800.0

**Improvement #4:** Misc Imp State Code: F1 Living Area: sqft Value: \$23,230

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YCP5	CANOPY ONLY	*		1997	7650.0

**Improvement #5:** Misc Imp State Code: F1 Living Area: sqft Value: \$20,660

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YPC1	CONCRETE PAVING AVERAGE *			1997	12970.0

**Improvement #6:** Misc Imp State Code: F1 Living Area: sqft Value: \$5,830

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YPC1	CONCRETE PAVING AVERAGE *			1998	35314.0

**Improvement #7:** Misc Imp State Code: F1 Living Area: sqft Value: \$22,940

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YPC1	CONCRETE PAVING AVERAGE *			2002	11864.0

**Improvement #8:** Mobile Home State Code: F1 Living Area: 1482.0 sqft Value: \$12,610

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MAMH2	MOBILE HOME DOUBLE WIDE	4		1972	1482.0
DFG	DETACHED FRAME GARAGE	2		1974	1620.0

**Improvement #9:** Commercial State Code: F1 Living Area: 130966.0 sqft Value: \$248,180

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
CP6	CANOPY ROOF/SLAB	*		1970	3650.0
471	Lt Commercial Utility Build.	S		2002	7900.0
458	DISCOUNT WAREHOUSE STORE	S		1970	123066.0
CP6	CANOPY ROOF/SLAB	*		1970	3380.0
CP6	CANOPY ROOF/SLAB	*		1970	324.0

<b>Improvement #10:</b>	Misc Imp	<b>State Code:</b>	F1	<b>Living Area:</b>	sqft	<b>Value:</b>	\$18,870
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YCP6	CANOPY ROOF/SLAB	*		1970	6300.0

<b>Improvement #11:</b>	Misc Imp	<b>State Code:</b>	F1	<b>Living Area:</b>	sqft	<b>Value:</b>	\$37,790
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YPC1	CONCRETE PAVING AVERAGE	*		1970	29900.0

<b>Improvement #12:</b>	Commercial	<b>State Code:</b>	F1	<b>Living Area:</b>	sqft	<b>Value:</b>	\$25,090
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YCP6	CANOPY ROOF/SLAB	*		1970	11866.0

<b>Improvement #13:</b>	Commercial	<b>State Code:</b>	F1	<b>Living Area:</b>	5796.0 sqft	<b>Value:</b>	\$16,360
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
471	Lt. Commercial-Utility Build.	D		1970	5796.0

<b>Improvement #14:</b>	Commercial	<b>State Code:</b>	F1	<b>Living Area:</b>	1406.0 sqft	<b>Value:</b>	\$4,650
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
471	Lt. Commercial Utility Build.	D		1970	1406.0

<b>Improvement #15:</b>	Misc Imp	<b>State Code:</b>	F1	<b>Living Area:</b>	sqft	<b>Value:</b>	\$75,040
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
YCP5	CANOPY ONLY	*		1993	8950.0
YCP5	CANOPY ONLY	*		1993	18850.0

<b>Improvement #16:</b>	Commercial	<b>State Code:</b>	F1	<b>Living Area:</b>	sqft	<b>Value:</b>	\$92,290
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
529	Snack Bar	D		2005	1125.0
CP6	CANOPY ROOF/SLAB	*		2005	1575.0

<b>Improvement #17:</b>	Commercial	<b>State Code:</b>	F1	<b>Living Area:</b>	5262.0 sqft	<b>Value:</b>	\$90,260
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Type	Description	Class CD	Exterior Wall	Year Built	SQFT
386	MINI- WAREHOUSE	S		1995	5262.0

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	S1	PRIMARY SITE	4.0000	174240.00	0.00	0.00	\$522,720	\$0
2	S2	SECONDARY SITE	2.9300	127630.80	0.00	0.00	\$382,890	\$0

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2009	\$1,055,320	\$905,610		0 1,960,930	\$0	\$1,960,930
2008	\$1,001,640	\$905,610		0 1,907,250	\$0	\$1,907,250
2007	\$1,229,390	\$905,610		0 2,135,000	\$0	\$2,135,000

2006	\$1,229,390	\$905,610	0	2,135,000	\$0	\$2,135,000
2005	\$2,248,280	\$325,820	0	2,574,100	\$0	\$2,574,100
2004	\$2,235,510	\$325,820	0	2,561,330	\$0	\$2,561,330
2003	\$2,235,510	\$325,820	0	2,561,330	\$0	\$2,561,330
2002	\$2,125,570	\$319,960	0	2,445,530	\$0	\$2,445,530
2001	\$2,125,570	\$319,960	0	2,445,530	\$0	\$2,445,530

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

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	9/13/2001 12:00:00 AM	WD	WARRANTY DEED	COLE ELWYN J	EJC FAMILY PARTN	01	042719

Questions Please Call (979) 849-7792

Website version: 1.2.2.2

Database last updated on: 6/22/2009 8:28  
PM

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**Brazoria CAD**

**Property Search Results > 177142 EJC FAMILY PARTNERSHIP LTD for Year 2009**

**Property**

**Account**

Property ID: 177142      Legal Description: A0542 HT & B R R, TRACT 83E, ACRES 10.269  
 Geographic ID: 0542-0074-000      Agent Code: ID:304  
 Type: Real

**Location**

Address: HWY 35      Mapsco:  
 PEARLAND, TX 77581  
 Neighborhood: ABSTRACT 1990 AND NEWER      Map ID:  
 Neighborhood CD: SPLN

**Owner**

Name: EJC FAMILY PARTNERSHIP LTD      Owner ID: 306347  
 Mailing Address: 1014 N MAIN ST      % Ownership: 100.000000000000%  
 PEARLAND, TX 77581-2208

Exemptions:

**Values**

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$256,730	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$256,730	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$256,730	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$256,730	

**Taxing Jurisdiction**

Owner: EJC FAMILY PARTNERSHIP LTD  
 % Ownership: 100.000000000000%  
 Total Value: \$256,730

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estir
CAD	BRAZORIA COUNTY APPRAISAL DISTRICT	0.000000	\$256,730	\$256,730	
CPL	CITY OF PEARLAND	0.652600	\$256,730	\$256,730	
DR4	BRAZORIA COUNTY DRAINAGE DISTRICT #4 (PEARLAND)	0.143845	\$256,730	\$256,730	
GBC	BRAZORIA COUNTY	0.330000	\$256,730	\$256,730	
RDB	ROAD & BRIDGE FUND	0.060000	\$256,730	\$256,730	
SPL	PEARLAND INDEPENDENT SCHOOL DISTRICT	1.419400	\$256,730	\$256,730	
Total Tax Rate:		2.605845			
Taxes w/Current Exemptions:					
Taxes w/o Exemptions:					

**Improvement / Building**

No improvements exist for this property.

**Land**

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	A4	IMPROVED PASTURE	6.6690	290545.20	0.00	0.00	\$166,730	\$0
2	A1	FRONT ACREAGE	3.6000	156816.00	0.00	0.00	\$90,000	\$0

**Roll Value History**

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2009	\$0	\$256,730		0	256,730	\$0 \$256,730
2008	\$0	\$219,500		0	219,500	\$0 \$219,500
2007	\$0	\$195,110		0	195,110	\$0 \$195,110
2006	\$0	\$184,840		0	184,840	\$0 \$184,840
2005	\$0	\$184,840		0	184,840	\$0 \$184,840
2004	\$0	\$184,840		0	184,840	\$0 \$184,840
2003	\$0	\$181,770		0	181,770	\$0 \$181,770
2002	\$0	\$102,690		0	102,690	\$0 \$102,690
2001	\$0	\$102,690		0	102,690	\$0 \$102,690

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

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	9/13/2001 12:00:00 AM	WD	WARRANTY DEED	COLE ELWYN J	EJC FAMILY PARTN	01	042721

Questions Please Call (979) 849-7792

Website version: 1.2.2.2

Database last updated on: 6/22/2009 8:28 PM

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TAB 4

### Metes and Bounds Description

Being those certain tracts or parcels of land containing approximately 42 acres, more or less, in Pearland, Brazoria County, Texas; having the street address of 1014 North Main Street, Pearland, Texas 77581; and more specifically described as:

#### TRACT ONE:

16.176 ACRE TRACT OF LAND, Out of Lots 83 and 84 of the Subdivision of Sections 2 and 3, H.T. & B. R.R. Co. Survey, Abstract Nos. 542 and 232, Situated in Brazoria County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1" iron pipe found for the Northeast corner of the herein described tract, said point being in the West line of State Highway No. 35 (100' R-O-W) and South, 569.3 feet from the point where the West line of said highway intersects the South side of Clear Creek as referred to in Volume 358, Page 402 of the Deed Records of Brazoria County;

THENCE S. 00° 00' 52" W., along the West line of said highway, a distance of 478.93 feet to a ½" iron rod set at the Southeast corner of the herein described tract;

THENCE S. 89° 34' 30" w., a distance of 1644.49 feet to a ½" iron rod set in an East-West fence for the Southwest corner of the herein described tract;

THENCE N. 00° 02' 23" E., a distance of 404.01 feet to a ½" iron rod set for the Northwest corner of the herein described tract;

THENCE N. 89° 34' 30" E., a distance of 1093.94 feet to a fence post for corner;

THENCE N. 01° 03' 55" E., along an old fence, a distance of 74.95 feet to a fence post for corner;

THENCE N. 89° 34' 30" E., along an old fence, a distance of 549.00 feet to the PLACE OF BEGINNING, and containing 16.176 Acres of Land.

#### TRACT TWO:

26.162 acres of land located within Lot Nos. 83 and 84 of the Subdivision of Section Nos. 2 and 3, H. T. & B. Ry. Co. Survey, Abstract Nos. 542 and 232, and being more particularly described by metes and bounds as follows:

BEGINNING at a stake in the West side of the Houston-Alvin-Galveston Road (100 ft. wide) being State Highway No. 35, where same intersects the South side of Clear Creek;

THENCE South with the West side of said State Highway No. 35, a distance of 569.3 feet to a stake, the S. E. corner of this tract;

THENCE S. 89 degrees 40 minutes W. 549.0 feet to a stake, and interior corner of this tract;

---

THENCE South 75.0 feet to a stake, another interior corner of this tract;

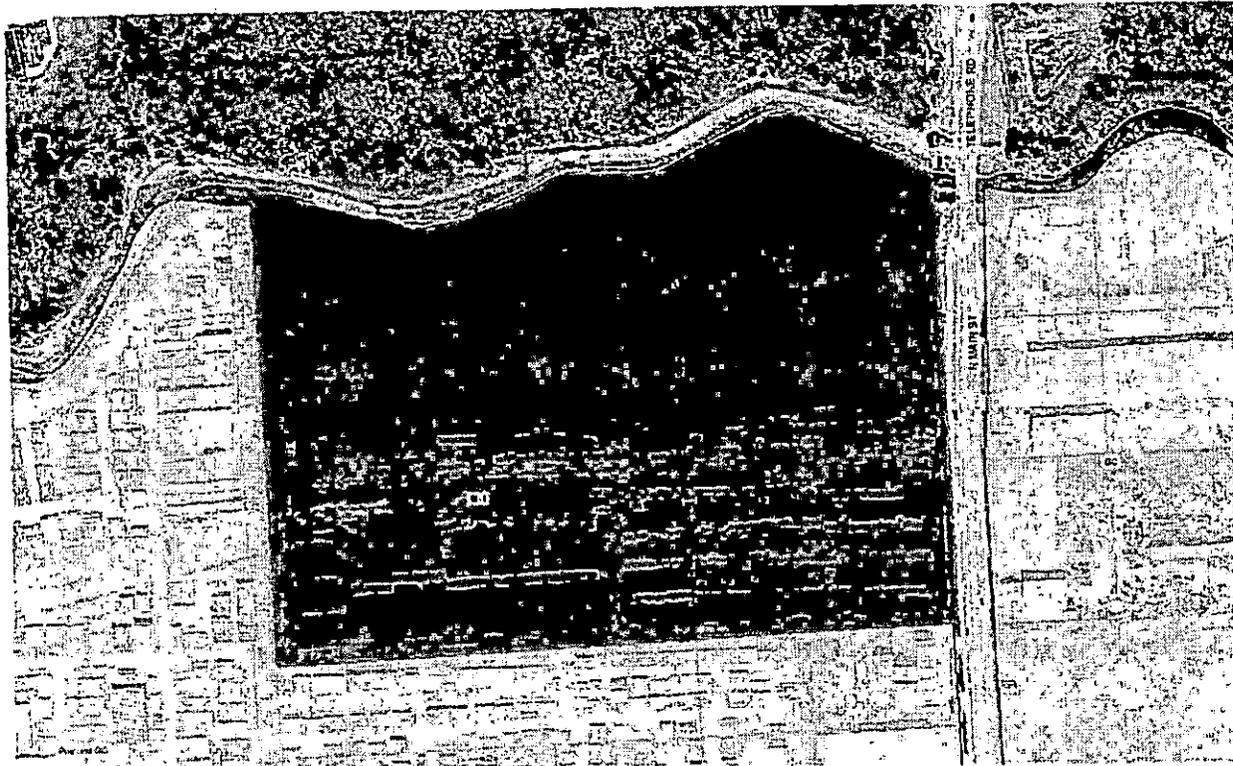
THENCE S. 89 degrees 40 minutes W., leaving H. T. & B. Ry. Co. Survey No. 2 and entering H. T. & B. Ry. Co. Survey No. 3 and at 1098.2 feet in all to a stake in an old fence line, the S. W. corner of this tract, and said corner being the recognized West line of above mentioned Lot No. 84;

THENCE with the West line of said Lot No. 84 as now fenced and recognized on the ground, N. 0 degree 06 minutes E. 583.5 feet to an angle point on said fences;

THENCE N. 2 degrees 43 minutes W., along said fence a distance of 136.6 feet to a stake on the South side of Clear Creek;

THENCE down stream with the meanders of the Southerly side of Clear Creek and crossing the division line between H. T & B. Ry. Co. Survey Nos. 2 and 3, to the place of beginning.

TAB 5



TAB 6

## LETTER OF INTENT

### Property Owner

EJC Family Partnership, Ltd.

### Contact Person

Mr. E.J. Cole c/o:

Scott A. Morrison  
Oaks, Hartline & Daly, LLP  
2323 S. Shepherd, 14<sup>th</sup> Floor  
Houston, Texas 77019

### Address of Conditional Use Request

1014 N. Main  
Pearland, TX 77581

### Existing Use & Condition

Cole's Antique Village and Flea Market (referred to herein as "Cole's" or "the Market") has been located and operated on approximately 42 acres in Brazoria County, Texas since the 1960s and has been a top Pearland attraction ever since. (See Tabs 10 & 11.). In a City press release dated April 7, 2000 Cole's Antique Village and Flea Market was a winning mention for the City's legitimate tourist attraction. (See Tab 11.) On the Official Site of Texas Tourism Cole's Antique Village and Flea Market remains one of only four activities and attractions listed for the City. (See Tab 11.) It has existed and operated in a similar fashion since its inception. (See photographs in Tab 10.)

As is typical with many flea markets, Cole's consists of both open-air and covered market places where people mingle, talk with each other and barter with vendors. The draw of a flea market is the lure of the unusual, the elusive bargain, a place of entertainment, and the social experience in a market place where there is a mix of vendors offering a variety of merchandise, services, events and entertainment. The merchandise consists of both new and used goods in a variety of categories. The services offered are diverse. At Cole's families can find one-of-a-kind antique furniture, hardware and glass ware, new and used furniture, tools, automobile parts and accessories, fresh fruits and vegetables, plants, clothing and shoes, table linens, and hygiene products—just to name a few. While shopping they can grab a bite to eat and drink, have their hair styled, visit with an attorney, sit for a family portrait, purchase insurance and take in musical entertainment. As to vendors, Cole's provides a ground to entrepreneurs that represents the free enterprise system and provides them with a location to start a business without a large amount of capital or long-term commitments. Just one example of the

opportunity that Cole's provides to entrepreneurs is found in the story of Anna Abraham. (See Tab 12 for Mrs. Abraham's story.)

Current improvements at Cole's include:

Enclosed Retail Areas: 139,700 SF  
Open Retail Areas: 195,321 SF  
Tacquria Site: 3,000 SF  
Warehouse/Mini Storage: 47,117 SF

#### **Proposed Uses at the Specified Location**

Cole's intends to operate as flea market as it has been for over the last 40 years in its present location while making some improvements to the property. The current hours of operation for Coles is as follows:

Monday, 8:00 am – 5:00 pm  
Tuesday, 8:00 am – 5:00 pm  
Wednesday, Closed  
Thursday, 8:00 am – 5:00 pm  
Friday 8:00 am – 5:00 pm  
Saturday and Sunday, 6:30 am – 6:00 pm

Because of certain holidays and festivals falling on a day other than Saturday or Sunday Cole's does open for vendor operations on other days. The Pavilion and Music Hall could be open and used at other times and from time to time as it may be rented for private events. Upon renovation of the Pavilion and Music Hall it is anticipated that it could be open on Saturday and Sundays until 2 am and possibly Thursday and Fridays from 4 pm until 2 am.

The General Rules of the Market are attached under Tab 9.

***Phase One—Cole's proposes to make the following improvements in stages. See Tab 8.***

1. Install fire hydrants on the property. (See CUP-2)
2. Install the fire sprinkler system in the areas identified. (See CUP-2)
3. Cut back Rows 1–4 so as to provide better fire vehicle access to the property. (See CUP-2)
4. In stages, replace rows 7 & 8 with a new structure. See below for details on proposed replacement for rows 7 & 8. Cole previously tried to make improvements to rows 7 & 8 in 2001. (See Tab 15.)

Timeline: Cole's proposes to start the water main and fire hydrants first when allowed to proceed. Upon completion of the installation of the water main and fire hydrants Cole's proposes to proceed with the installation of the fire sprinkler system. Upon completion

of the fire sprinkler system Cole's would make the necessary alterations to Rows 1-4 so as to improve fire vehicle access and begin the improvements to rows 7 & 8.

*Phase Two—Cole's proposes to make the following improvements after the phase one improvements are completed. See Tab 8.*

1. Construct a façade at the ends of Rows 1-4 so as to improve the appearance of the property from Highway 35. (See CUP-3.)

*Possible Additional Changes. See Tab 8.*

1. Cole's proposes to place additional bathrooms on the property as shown on Site Plan Sheet CUP-3.
2. Cole's may construct an open pavilion as shown on Site Plan Sheet CUP-3.
3. Cole's proposes to change the warehouse and storage use of the back of the pavilion to a pavilion/exhibition hall and music venue.

### Rows 7 & 8

The structure(s) replacing the existing rows 7 & 8 will be one or both of two basic designs. Both concepts are typical of flea markets and can be found at Cole's. One concept is a pavilion type structure that contains no walls but has an overhead roof. The second concept is a pavilion type structure that contains four walls. The second concept would have an open hallway that extends down the center of the pavilion with vendor spaces that open to the hallway for customers. Each vendor space would also have doorways and exists that open to the outside of their space. This concept is similar to the layout of the Tin Building. This later concept would provide screening from Highway 35 and would permit vendors to secure the spaces from week to week. Both concepts would be supplied with electricity and lighting. Each concept would be divided into 10 foot spaces for vendors.

The approximate square footage of the proposed rows 7 & 8 is 28,500 to 30,000 square feet, which would allow for approximately 190 to 200 vendor spaces (10' X 10').

### Traffic

On-site parking is currently provided (approximately 1,122 spaces) and the business volume at Cole's is not anticipated to increase; therefore, congestion on North Main will not increase. In order to help with traffic on North Main Cole's proposes to relocate the area where it receives parking receipts from customers. Cole's currently receives parking receipts at the main entrance adjacent to Highway 35. Cole's proposes to move the area where it receives parking receipts to an area further down from its main entrance so that more cars can enter the property before paying.

### **Safety from Fire**

Cole's propose to place fire hydrants on the property and install a fire sprinkler system. Further, it proposes to provide better emergency vehicle access. Proper emergency exists have already been added and completed. A fire alarm system was added in recent years. (See CUP 2 for proposed fire hydrants, fire sprinkler system and emergency vehicle access.)

### **Food Vendors**

A number of food vendors operate at the Market. (See Tab 14 for a list of food vendors and their location at the market.) There is also a Tacquria located at the west end of the market. Many of the food vendors at the Market have been there for years. Mrs. Rios, for example, started at the Market in 1987. In February of 1989 the Fire Marshall requested Mrs. Rios to make some changes, which Mrs. Rios did. In 2001, a City health inspector requested Mrs. Rios' space to have a grease trap, hot water and sewer. Mrs. Rios installed all of the above, which were approved and Mrs. Rios was permitted to reopen on July 1, 2001. City permits were obtained by Mrs. Rios and other similarly situated food vendors from the City of Pearland for the addition of water lines, water heaters and grease traps. For example, Juan Linarez, who is still a food vendor at the Market, obtained a permit from the City dated April 11, 2001 for the addition of a water line, water heater and grease trap. In July of 2006 an inspector with the Fire Marshall's office asked Mrs. Rios to have a stationary propane tank. Mrs. Rios obtained the necessary permits from the Railroad Commission and a stationary tank was installed in August of 2006 and Mrs. Rios was allowed to operate. With respect to Mrs. Rios and similarly situated food vendors, City officials, have over the years been inspecting the food vendors and the food vendors have made many changes at their request and expressly allowed to operate.

Cole's proposes that the food vendors continue to operate as long as the necessary health permits are obtained and displayed by each food vendor. If an approved food vendor leaves the market, Cole's will direct the new food vendor to the City to obtain the necessary approval. Rule 14 of the Market's General Rules states that any vendor selling any food product must get approval from the local Health Department. Food vendors having cooking operations utilize either electricity or LP gas. It is proposed that the food vendors continue to operate in the same manner.

With respect to a food vendor operating in Tin Building, Old Covered Tables or Rows 1-8, Cole's proposes that the food vendor must have a one-hour fire wall on each side of their space or, in the alternative, have a 10 foot buffer zone on each side of their space.

### **Summary**

This is an existing property and business intending to operate in the same manner as it has for nearly four decades with some needed improvements. The approval of the Conditional Use Permit will not impact and is compatible with surrounding properties.

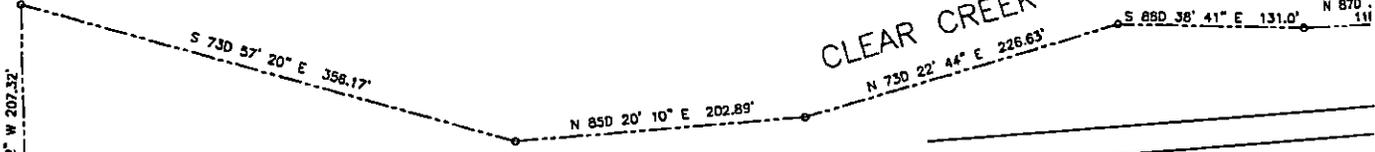
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The proposed improvements and identified uses will not be adding to the property's impacts on nearby property, buildings or residential areas. The property is currently zoned as a Light Industrial District (M-1), which is intended to permit a wide variety of light industrial, manufacturing, wholesale and service type uses. To the north of the property is Clear Creek and the City of Houston. The property on the other side of N. Main St. extending south is zoned as a General Commercial District (GC), which is intended to permit a wide variety of businesses characterized by those uses that may require an extensive amount of land for the conduct of business and/or that may require outside storage areas.

The proposed improvements are intended to increase the aesthetic, functional and safety characteristics of the property in its continued use. The proposed improvements and continued land uses will not have an adverse impact on and is compatible with surrounding properties.

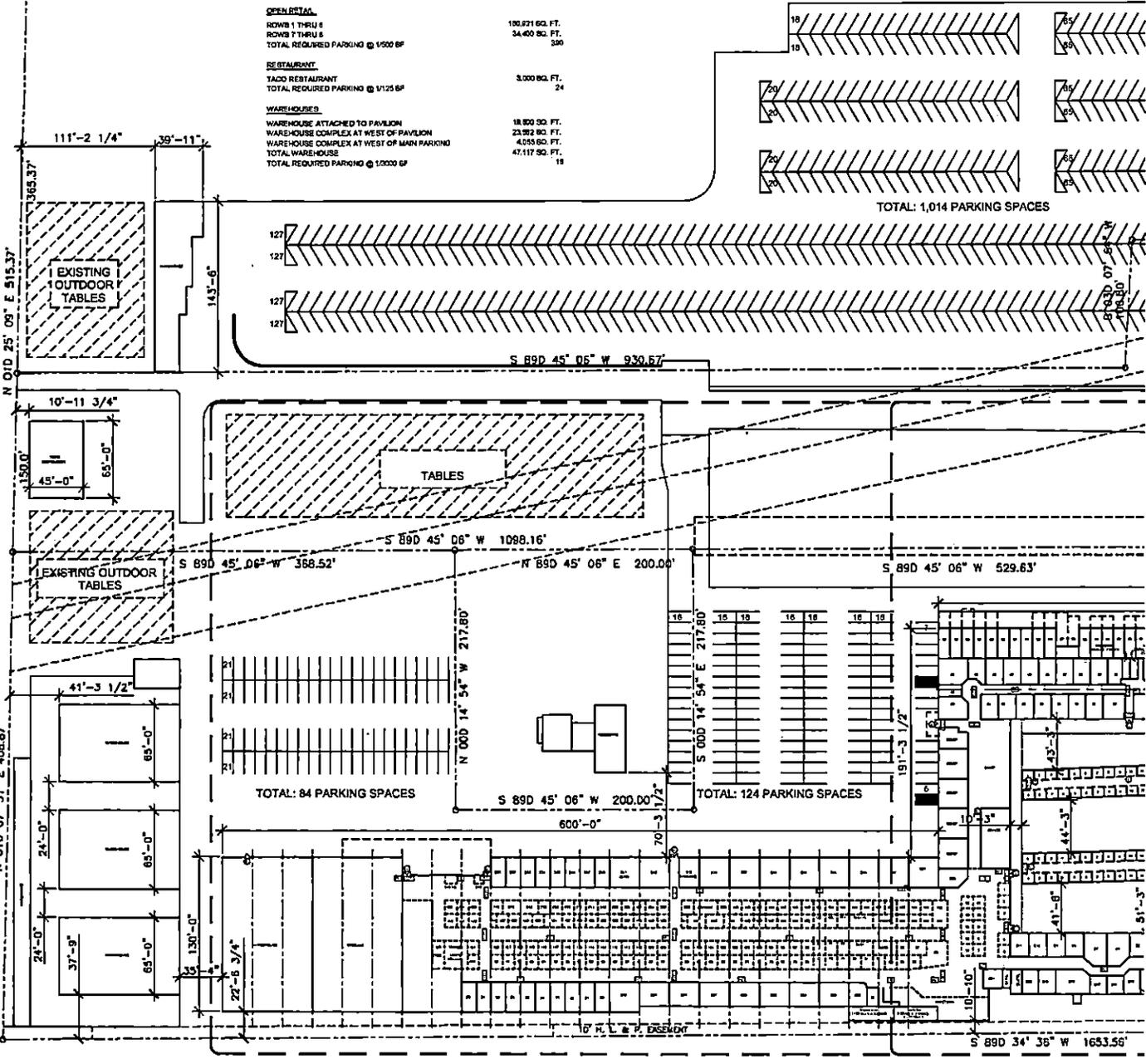
TAB 7

CLEAR CREEK

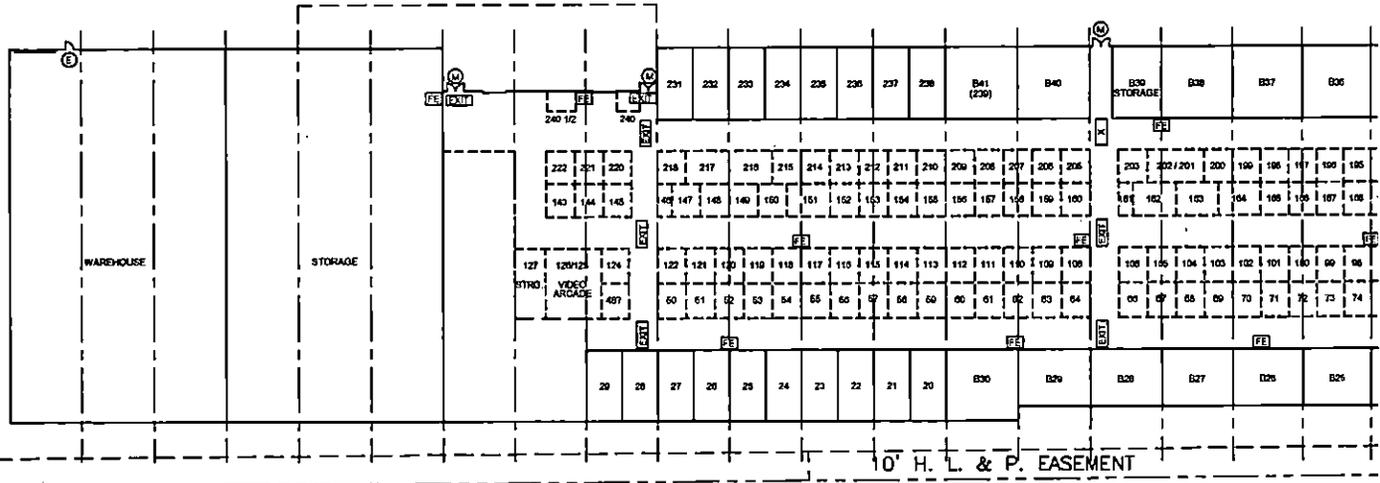
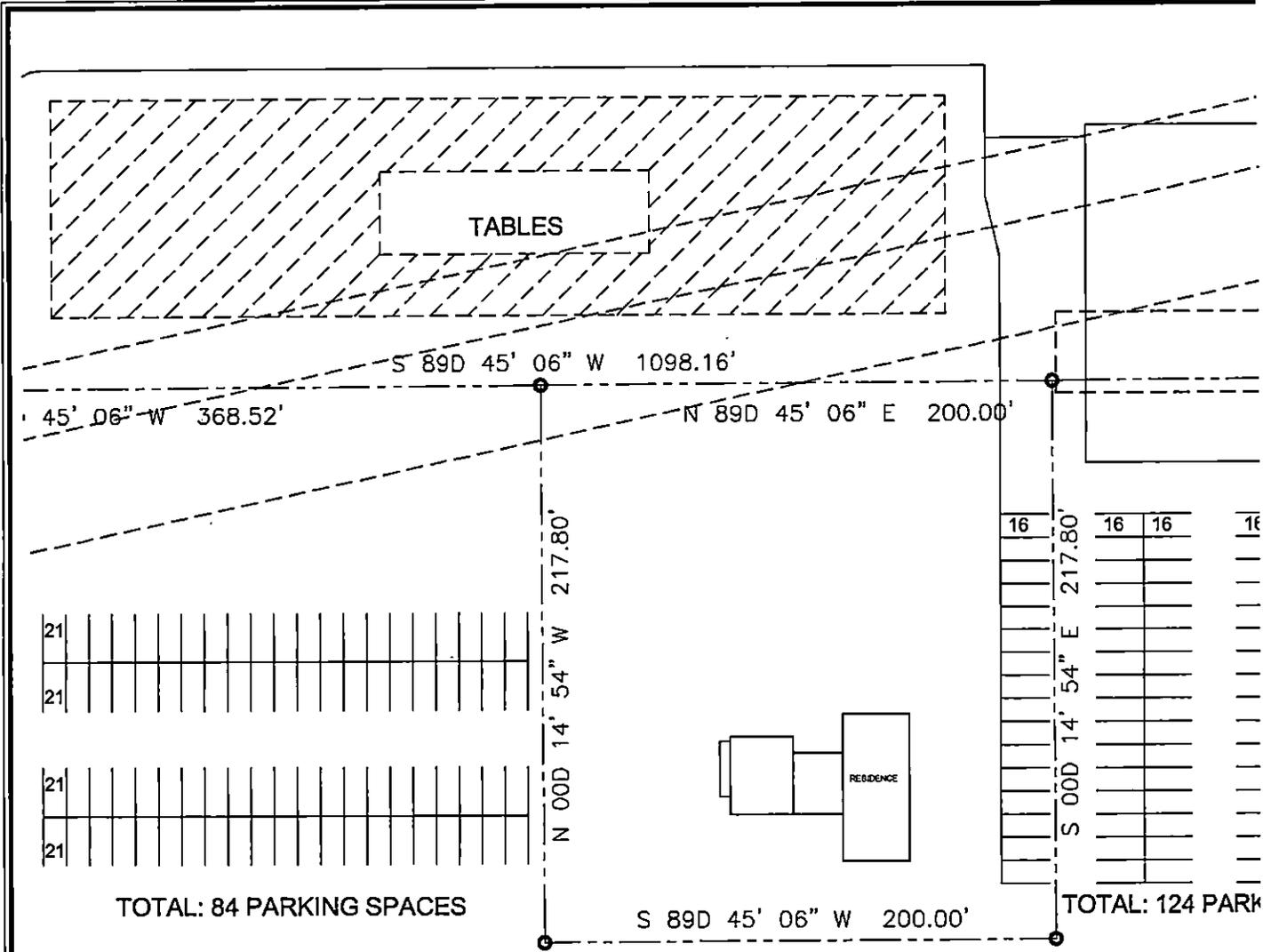


**COLE'S ANTIQUE VILLAGE - EXISTING - PLAN SYNOPSIS**

PARKING	
EXISTING	1,222 SPACES
TOTAL REQUIRED (SEE CALCULATION BELOW)	1,120 SPACES
ENCLOSED RETAIL	
PAVILION, ANTIQUE VILLAGE, BUILDING B & TM BLDG.	133,200 SQ. FT.
ENCLOSED RETAIL PAD	4,800 SQ. FT.
TOTAL ENCLOSED RETAIL	138,000 SQ. FT.
TOTAL REQUIRED PARKING @ 1/200 SF	690
OPEN RETAIL	
ROWS 1 THRU 6	100,821 SQ. FT.
ROWS 7 THRU 8	34,400 SQ. FT.
TOTAL REQUIRED PARKING @ 1/500 SF	350
RESTAURANT	
TACO RESTAURANT	3,000 SQ. FT.
TOTAL REQUIRED PARKING @ 1/125 SF	24
WAREHOUSES	
WAREHOUSE ATTACHED TO PAVILION	18,800 SQ. FT.
WAREHOUSE COMPLEX AT WEST OF PAVILION	23,982 SQ. FT.
WAREHOUSE COMPLEX AT WEST OF MAIN PARKING	4,053 SQ. FT.
TOTAL WAREHOUSE	47,117 SQ. FT.
TOTAL REQUIRED PARKING @ 1/2000 SF	18



OVERALL SITE PLAN



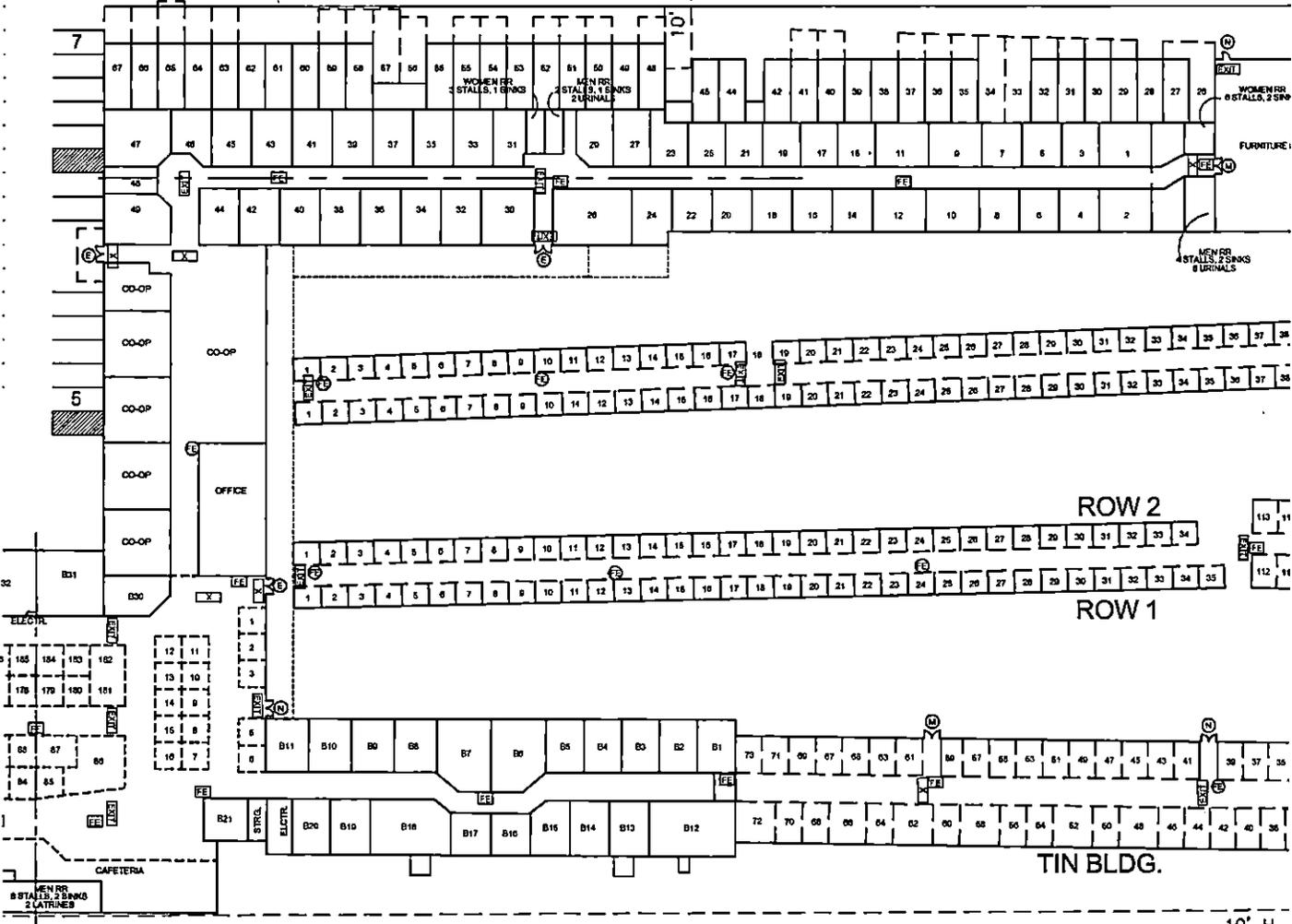
PARTIAL SITE PLAN

89D 45' 06" W 529.63'

S 01D 43' 31"  
75.0'

ROWS 7 8

10' EASEMENT



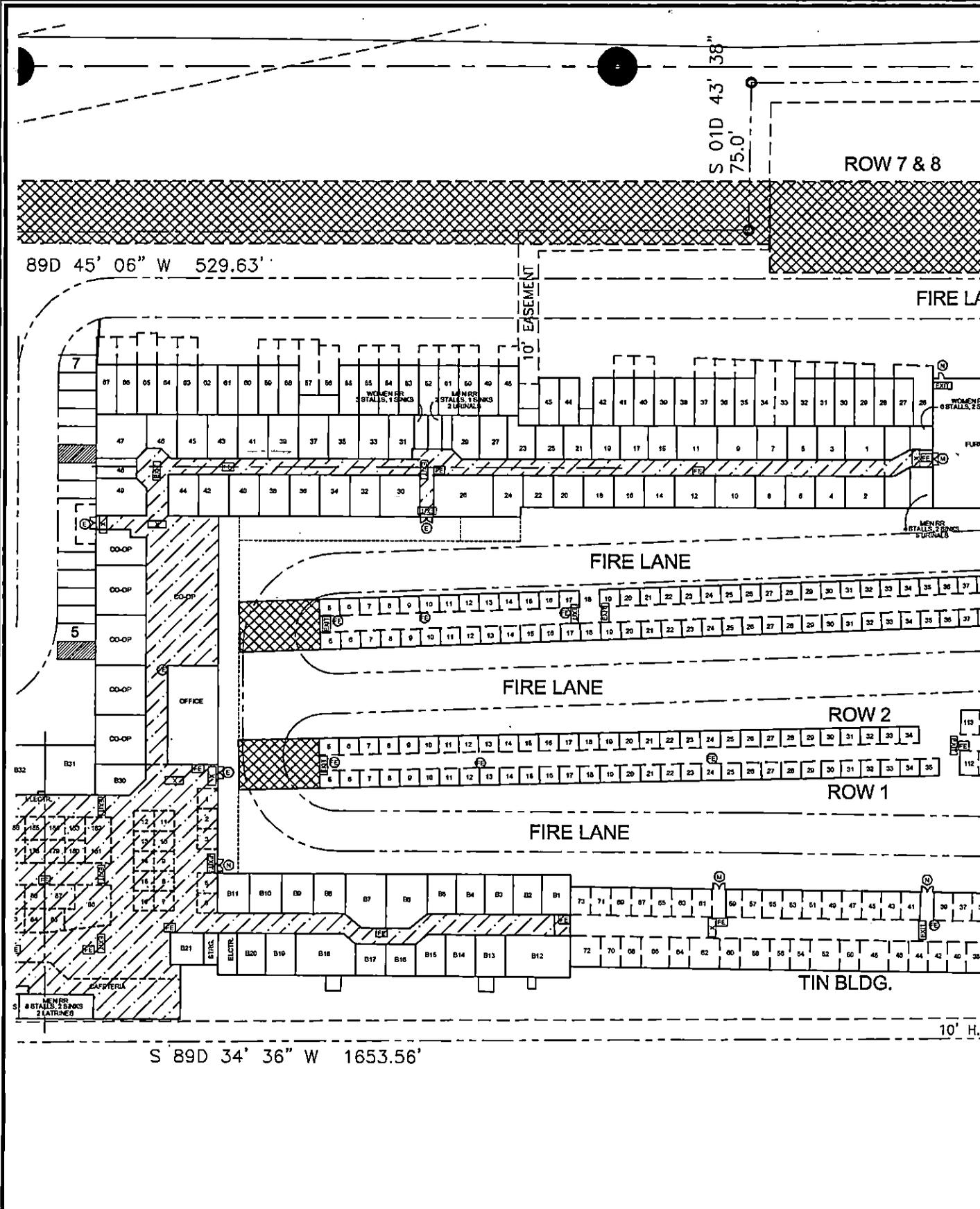
S 89D 34' 36" W 1653.56'

PARTIAL SITE PLAN

TAB 8







89D 45' 06" W 529.63'

S 01D 43' 38"  
75.0'

ROW 7 & 8

FIRE LA

FIRE LANE

FIRE LANE

ROW 2

ROW 1

FIRE LANE

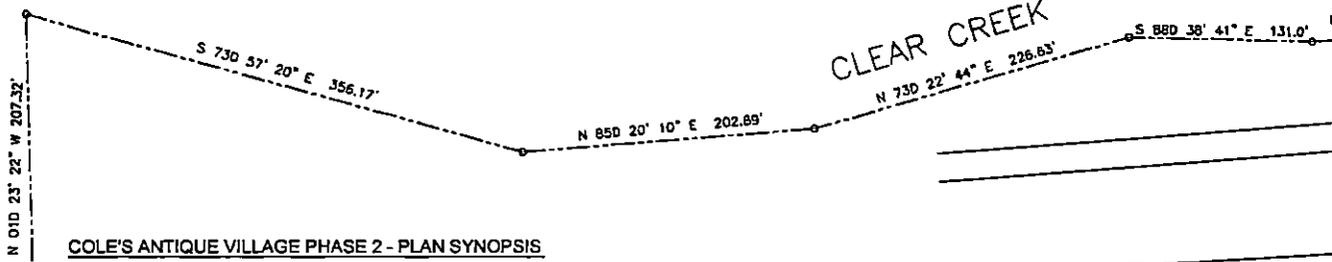
TIN BLDG.

10' H.

S 89D 34' 36" W 1653.56'

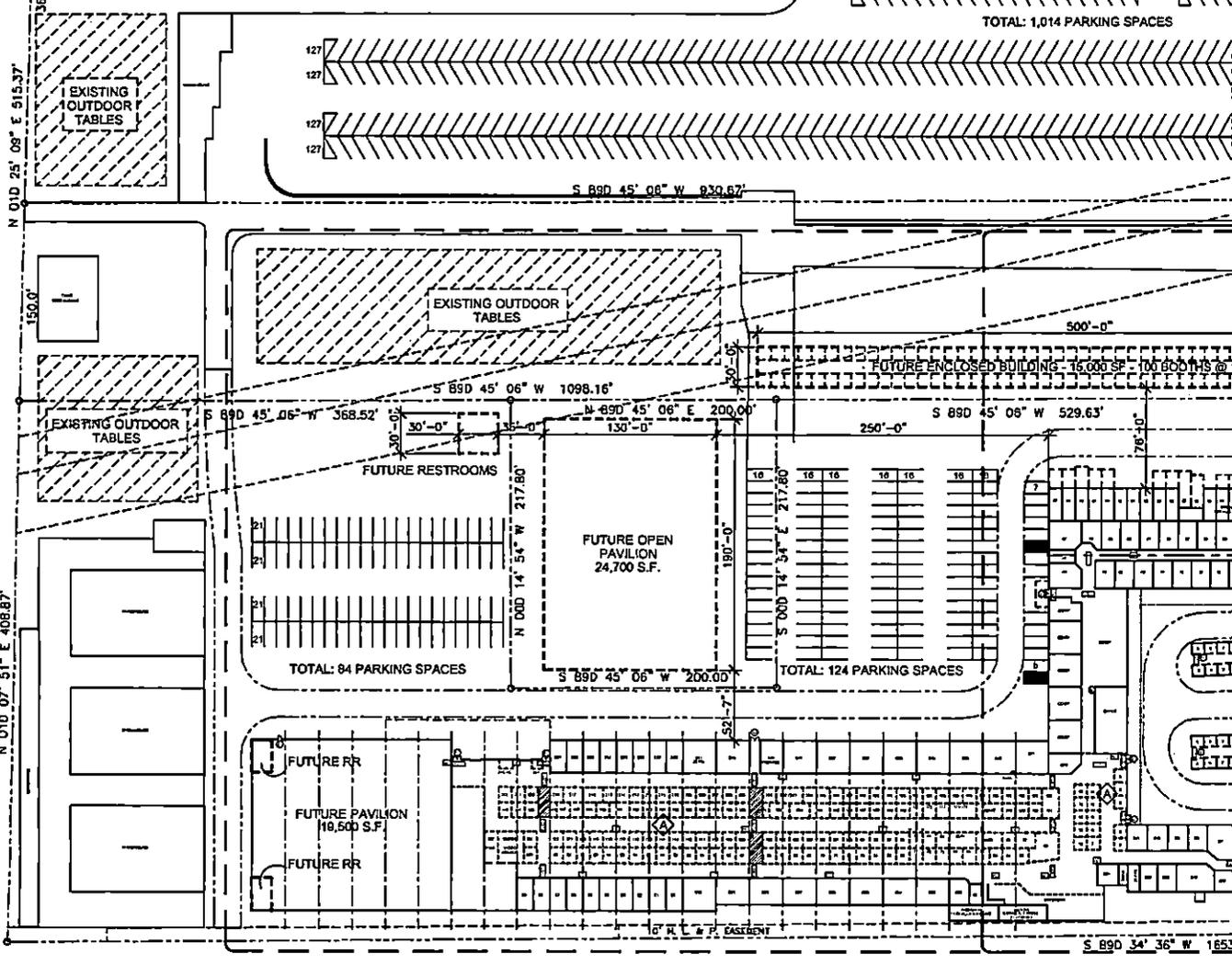
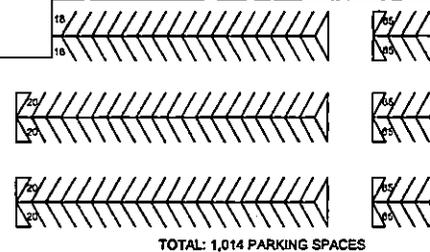
PARTIAL SITE PLAN

CLEAR CREEK

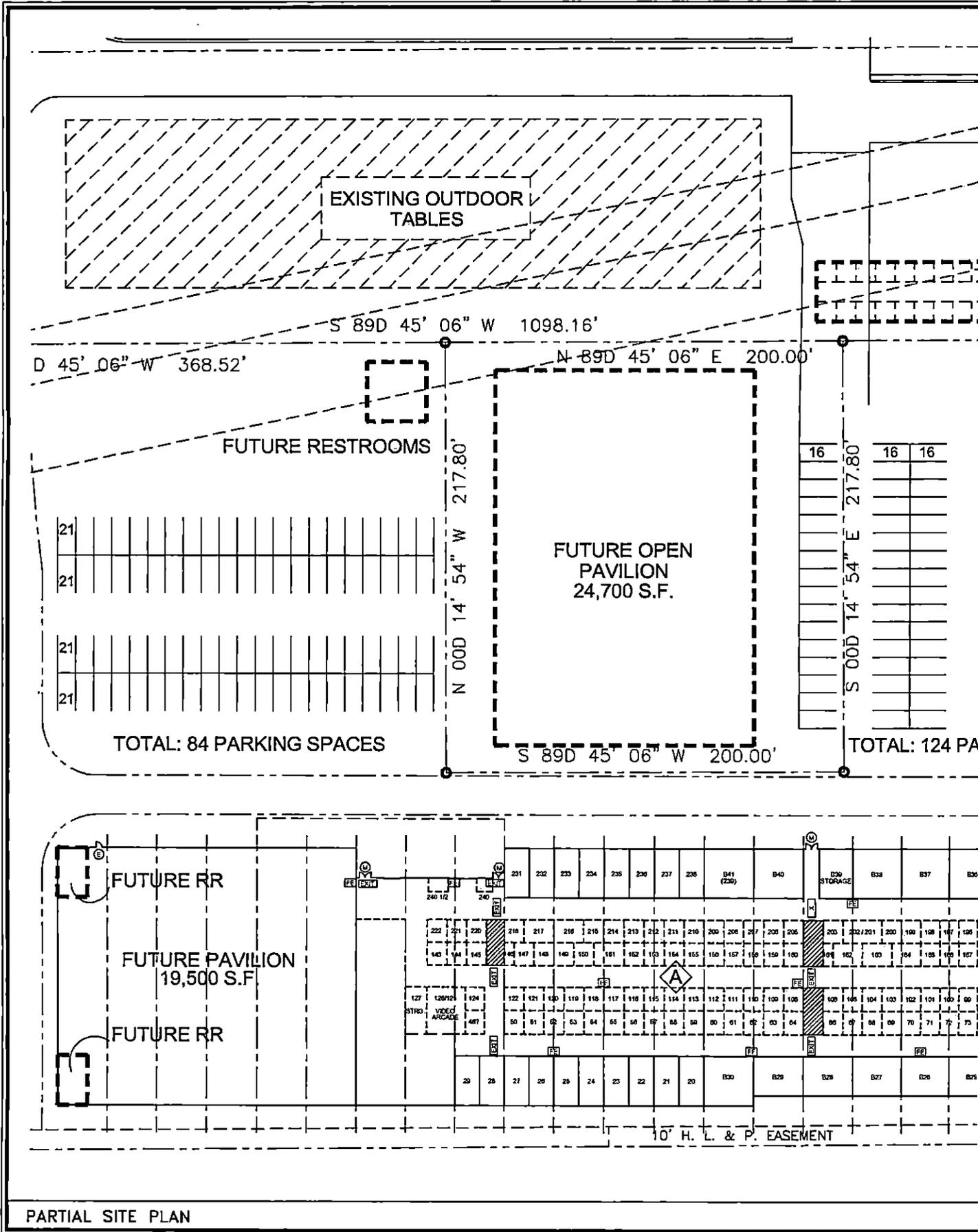


**COLE'S ANTIQUE VILLAGE PHASE 2 - PLAN SYNOPSIS**

PARKING		WAREHOUSE	
EXISTING PARKING	1,222 SPACES	WAREHOUSE COMPLEX AT WEST OF PAVILION	23,302 SQ. FT.
PROPOSED PARKING	140 SPACES	WAREHOUSE COMPLEX AT WEST OF MAIN PARKING	4,055 SQ. FT.
TOTAL EXISTING & PROPOSED PARKING	1,362 SPACES	TOTAL WAREHOUSE	27,357 SQ. FT.
TOTAL REQUIRED (SEE CALCULATION BELOW)	1,361 SPACES	TOTAL REQUIRED PARKING @ 10000 SF	0
ENCLOSED RETAIL		PROPOSED OPEN PAVILION	
PAVILION, ANTIQUE VILLAGE, BUILDING B & TIN BLDG.	135,210 SQ. FT.	OPEN PAVILION	24,700 SQ. FT.
ENCLOSED RETAIL PAD	4,800 SQ. FT.	TOTAL REQUIRED PARKING	53
TOTAL REQUIRED PARKING @ 1200 SF	696	30 INITIAL *23 (1/1000 SF FOR AREA OVER 2,000 SF)	
OPEN RETAIL		PROPOSED ENCLOSED PAVILION	
ROWS 1 THRU 8	158,821 SQ. FT.	ENCLOSED PAVILION	19,500 SQ. FT.
TOTAL REQUIRED PARKING @ 1500 SF	518	TOTAL REQUIRED PARKING @ 1125 SF	156
RESTAURANT		PROPOSED OPEN RETAIL NORTH OF PAVILION	
TACO RESTAURANT	3,000 SQ. FT.	OPEN RETAIL	13,600 SQ. FT.
TOTAL REQUIRED PARKING @ 1125 SF	24	TOTAL REQUIRED PARKING @ 1500 SF	27
		PROPOSED ENCLOSED RETAIL NORTH OF PAVILION	
		ENCLOSED RETAIL	15,000 SQ. FT.
		TOTAL REQUIRED PARKING @ 1200 SF	75



**OVERALL SITE PLAN**



PARTIAL SITE PLAN

BUILDING - 15,000 SF - 100 BOOTHS @ 10'X10'

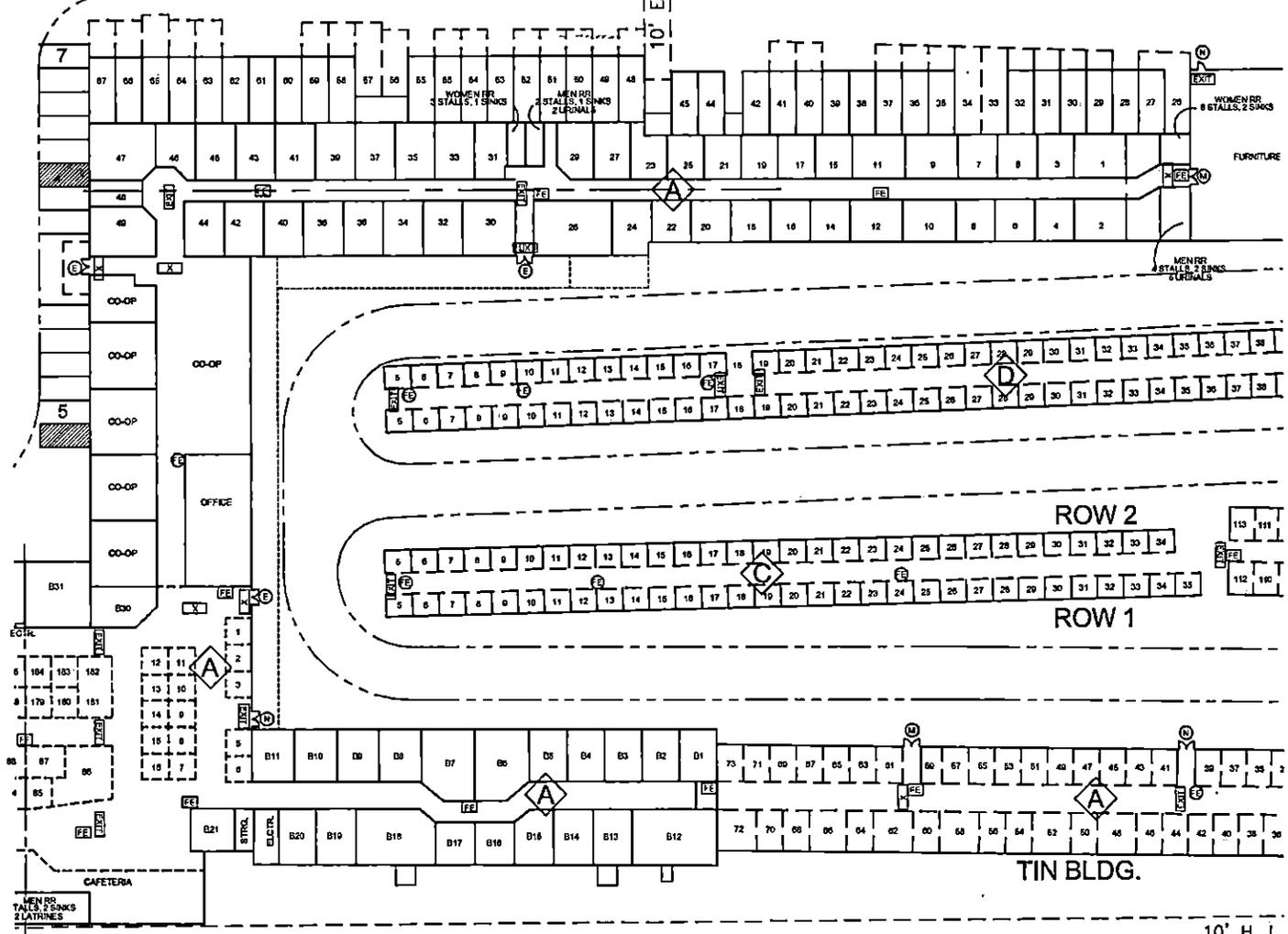
16" W 529.63'

S 01D 43' 38" E

75.0'

EASEMENT

FUTU



S 89D 34' 36" W 1653.56'

10' H. L.

PARTIAL SITE PLAN

TAB 9

Cole's Flea Market & Antique Village  
1014 N. Main  
Pearland, Texas 77581  
(281) 485-2277  
Fax (281) 485-2581

**WE RESERVE THE RIGHT TO REFUSE RENTAL ON ITEMS WE THINK ARE INAPPROPRIATE OR MIGHT CAUSE INJURY TO A PERSON. WE RESERVE THE RIGHT TO ASK ANY PERSON TO LEAVE THE PROPERTY, IF WE FEEL THAT A PERSON IS NOT ABIDING BY OUR RULES.**

### **GENERAL RULES**

1. Dealer agrees to abide by all rules and regulations at Cole's and further acknowledges that management shall have full power to make such additional rules and regulations, as it may deem advisable, and to amend them at any time and from time to time.
2. Rent may be paid by check or cash one week in advance. We charge \$25.00 on all returned checks, and will not accept further checks from you. Vendors may NOT sublease, rent or sell their booth to anyone. This practice is not allowed in the market and violators will be asked to leave the market.
3. The rent on all monthly shops is due on the first day of each month. Any rent paid after the 10<sup>th</sup> will incur a 10% late fee.
4. All permanent weekly dealers must pay their spaces one week in advance. If the rent is not paid by Sunday evening, by 5 PM, you will owe a 10% late charge or the space is available for rent to another Dealer at the end of the month. Failure to pay rent for more than two months in a row will result in your booth being locked until payment has been made.
5. Pre-paid Outside table dealers must be fully set up by 9:00 am Saturday and Sundays. If you are not set up by 9:00 am, the space may be re-rented to another dealer.
6. Dealers must be open both Saturday and Sunday NO later than 9:00 am. This rule applies to inside and outside dealers. Failure to comply with this rule will cause you to lose your space. No phone calls are accepted. The buying public expects a full market of dealers.
7. There will be no automobile access to dealer spaces located on Rows 1-8 between the hours of 9 a.m. and 5 p.m. If you arrive late there are NO exceptions, you will not be allowed to access your space with your automobile if you show up after 9 a.m.
8. All dealers parking their automobiles at their space MUST keep them out of the designated fire lanes. If your car is located in a designated fire lane Cole's will have your car towed.
9. Everyone, including dealers must pay the parking fee on both Saturday and Sunday.
10. Electricity is \$3.00 extra per day for Saturday and an additional \$2.00 for Sunday.

11. Four-wheeled carts are available to indoor vendors only from 8:00 am – 10:00 am and from 4:00 pm – 6:00 pm ONLY. Carts are not available for outside vendors. Any outside vendor found using a cart will be charged a fee.
12. Dealers are limited to no more than 4 rental spaces, unless arrangements are made with Cole's Management.
13. Any permanent dealers are responsible for reporting their own taxes to The State Comptrollers Office. The State of Texas issues sales tax permits. Applications can be done on-line through the State at [www.window.state.tx.us/taxpermit](http://www.window.state.tx.us/taxpermit). The tax office phone is 1-800-252-5555. The place of business for non-transient dealers at Cole's is Pearland, Brazoria County, Texas. The tax rate for Brazoria County is 8.25%. The landlord is E.J.C. Family Partnership, Ltd.
14. You **MUST** get approval in advance from Cole's Management and the local Health Department before selling any food product. Any violation of these rules will result in the confiscation of the prohibited items and will subject the dealer to losing his sales space and forfeiting his rental fee.
15. We reserve the right to ask any dealer to remove objectionable items from their displays.
16. Nothing may be built, tacked, nailed or affixed to the walls, tables, supports or ceiling at any time.
17. We are animal lovers, but we must say no to pets for obvious reasons. We want no unnecessary harm to come to merchandise or to the public.
18. Exhibitors are expected to supervise their children.
19. Merchandise and displays must fit within the boundaries of your allotted space. Absolutely NO merchandise in the walkways at any time or hanging merchandise next to the lights in the middle of the aisle way. The ISLEWAY is **NOT** part of your booth.
20. Vehicles may not be left in the loading zone after unloading or loading. Vehicles parked there will be towed away at the owner's expense, as will any cars parked at any tow away zone.
21. Your cooperation will be appreciated in keeping your area clean at all times. Storage of items in your space shall be orderly and at all times not be within two feet of your ceiling. This includes the front AND the back of your space. Never expose garbage during selling hours. Boxes and garbage must never be put in the aisle. A fee will be charged if you leave trash or if you are caught putting it in any dumpster.
22. Merchandise or items of any kind left outside or in the aisles after 6:00 pm, Monday through Friday will become property of Cole's Flea Market. Merchandise and vehicles that are unattended, unauthorized, and/or abandoned on the property will be disposed of without liability to Cole's. Cole's is not responsible for theft or damage to anything brought onto the premises. Anything left on the property is done so entirely at the person(s) own risk.
23. When enclosing your outside spaces, you must first get permission from the City of Pearland and Cole's. You are responsible for payment for ANY damages made. Cole's must approve any changes. To be clear, there shall be no construction, electrical or plumbing work done on your space without obtaining a permit from the City of Pearland. For assistance in obtaining a permit please contact the Management Office.

24. Except for the TIN Building and B Building shops, ONE table is provided per space. Dealers must bring their own chairs, umbrellas, canopies, etc.

25. Canopies MUST be taken down on Sunday night.

26. No extension cords may be used anywhere within Cole's, per the Pearland Fire Marshall. You may use a surge protector. Surge protectors come in variety of sizes and lengths. If a surge protector is used you may NOT plug an extension cord into the surge protector. Also, you may not plug a surge protector into another surge protector. Your appliance should be plugged directly into the surge protector. If violations of this rule are found in your space Cole's will remove the extension cords. If you have any questions regarding what may be used please ask the office.

27. Only tarps purchased from Cole's Management Office are permitted to be used. This is to insure that all tarps meet certain fire retardant standards.

28. No propane or oxygen bottles may be used unless Cole's has approved their use. ...

29. All dealers that sell cassettes or audio equipment will keep the volume DOWN to where only the buying customer may hear it. We will warn you verbally once. On second warning, your radio will be taken away from you and if there is a third time, we will ask you to vacate your space.

30. If you set up selling a particular item at the market, you are not allowed to change merchandise without Cole's Mgmt approval.

31. After 5:00 pm Monday through Friday NO dealers are allowed in the Market. On Wednesday the market is closed ABSOLUTELY NO VENDORS ARE ALLOWED ON THE PREMISES. Saturday and Sunday all dealers must be off the premises by 7:00 pm.

32. All dealers must comply with all Federal, State and Local sales laws while on Cole's grounds.

33. Failure to comply with all of our rules will result in fines or eviction of the exhibitor.

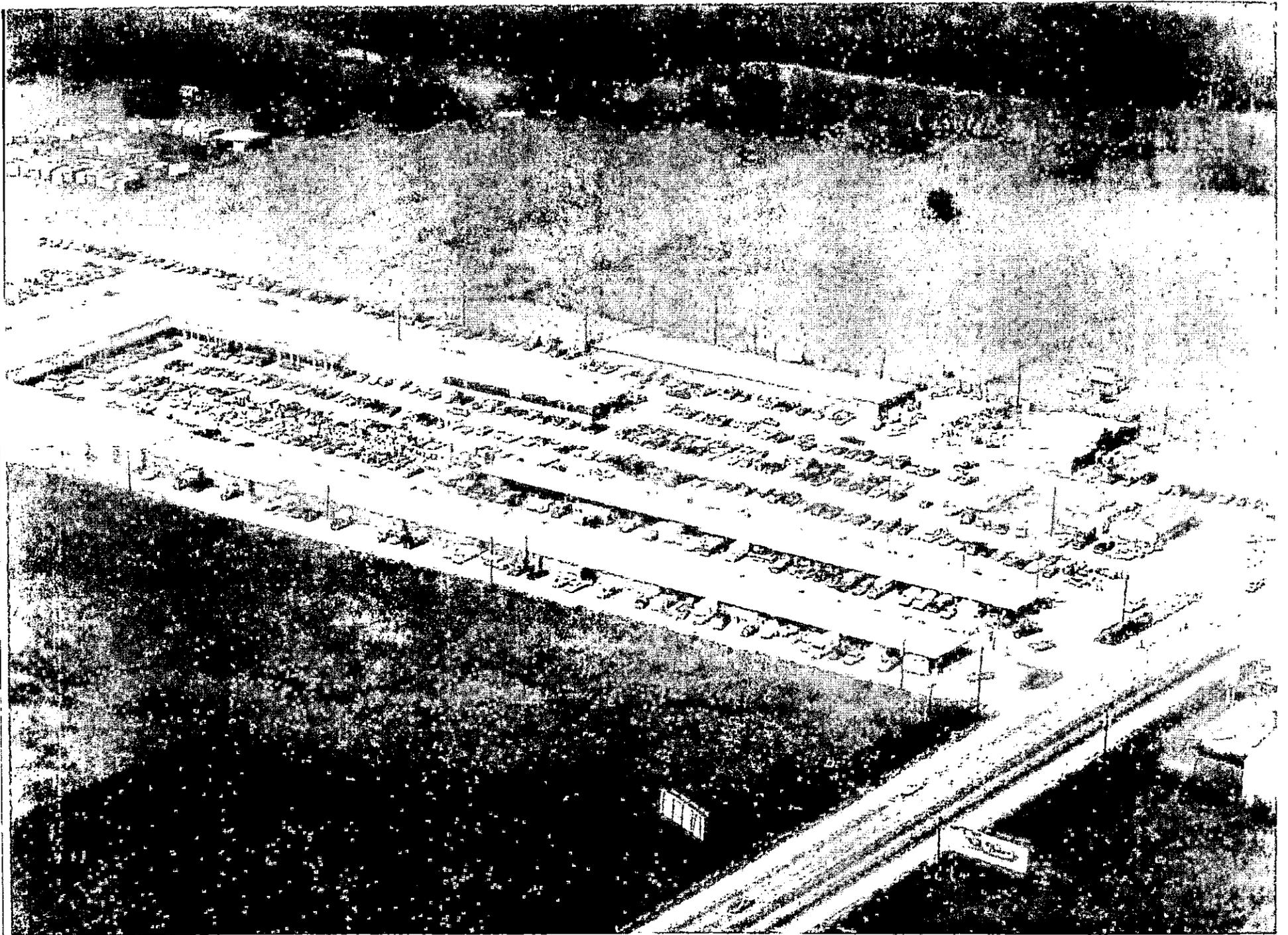
By my signature below I agree that I have been provided with a copy of the rules for Cole's Flea Market & Antique Village

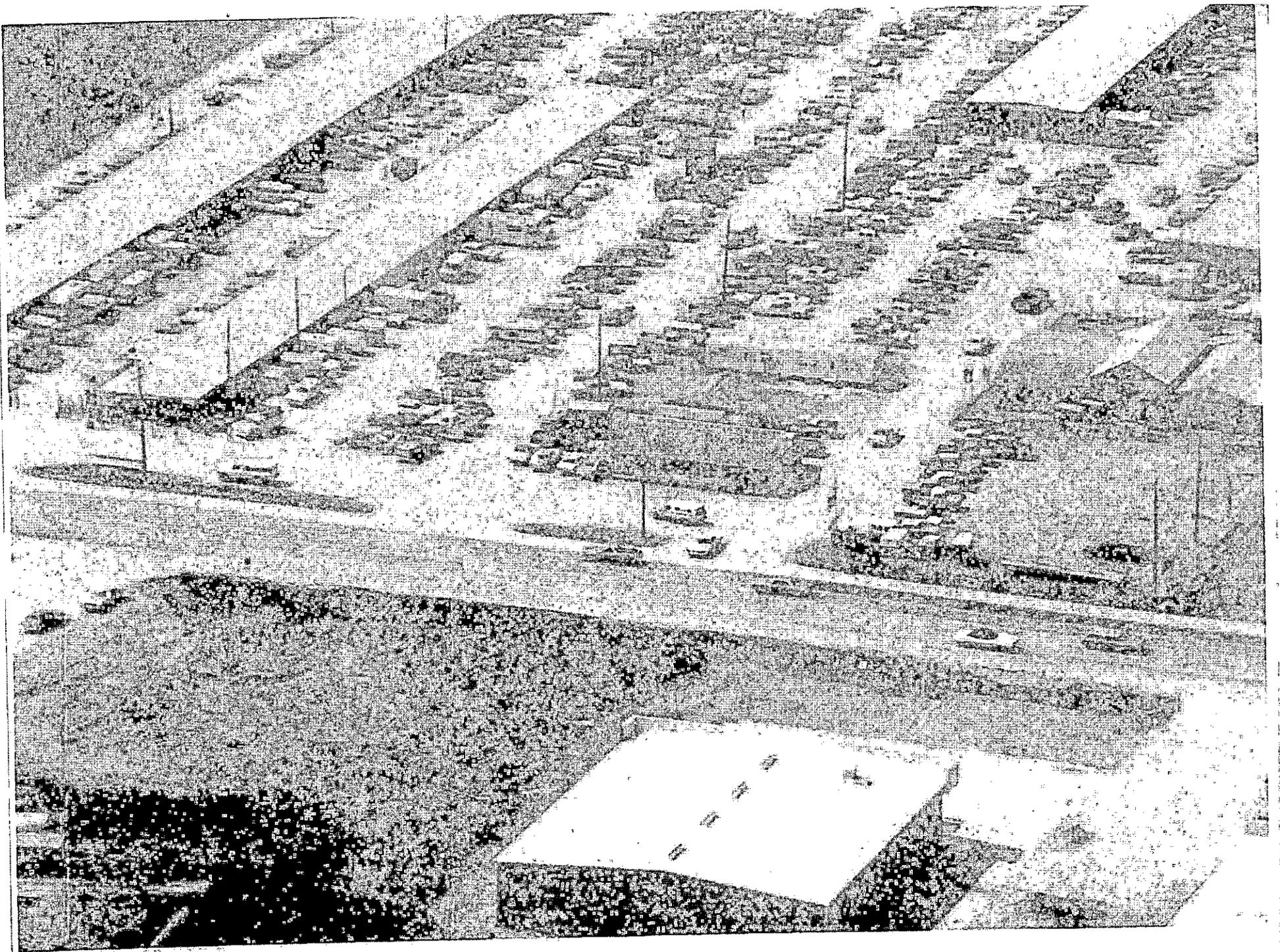
Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

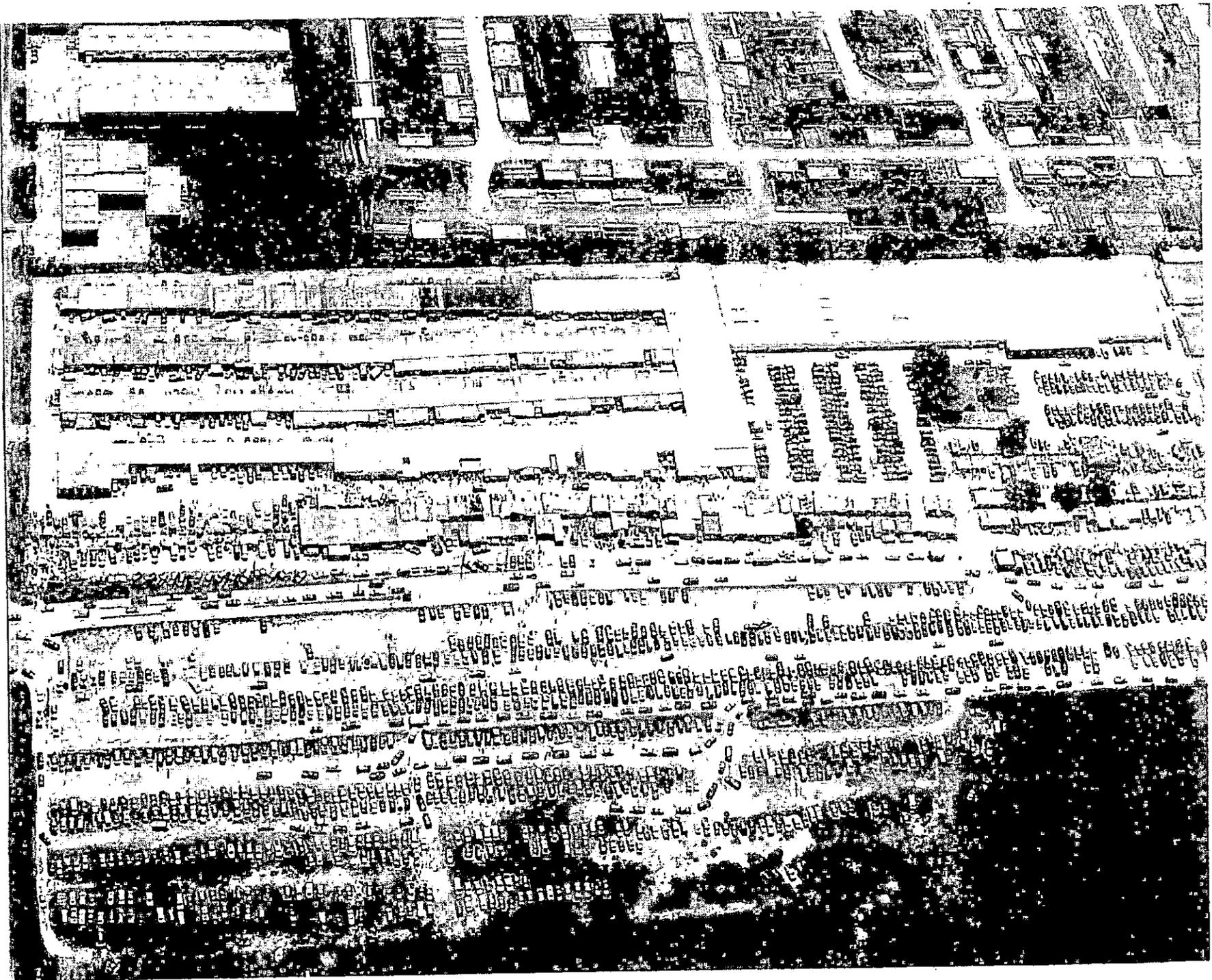
Signature: \_\_\_\_\_

Tab 10











TAB 11

Date: April 7, 2000

## PEARLAND MENTIONED IN TEXAS STATE TRAVEL GUIDE

For the first time - at least in recent years - Pearland has received a mention in the annual Texas State Travel Guide, an official State of Texas publication promoting state tourism by listing, among other things, cities with attractions.

"We are proud and happy to finally get a mention," said City of Pearland Communications Coordinator Mattie Culver. "The [City] Public Affairs Department worked with the Travel Guide editor for the past three years to make this happen. I'm glad to see it finally paid off."

Criteria for a mention in the publication is strict, requiring a city to have "a legitimate tourist attraction or museum open at specified hours", according to Travel Guide Editor Mike Talley.

While several items were presented for publication, **the two winning mentions are the Seri Meenakshi (Hindu) Temple, and Cole's Antiques and Flea Markets.** The short article also gives a summary of Pearland's history, area attractions, and mentions Pearland was a 1999 All-America City finalist.

The 264-page, full-color guide is a comprehensive look at Texas, filled with information on more than 400 Texas cities, towns, and attractions. Included are special sections on lakes and state parks. Also included in the Travel Guide package is the official state highway map, and an accommodations guide.

The publications is free, and may be ordered by visiting the Traveltex.Com website at [www.traveltex.com](http://www.traveltex.com), or call 1-800-8888-TEX (1-800-888-8839).

[http://www.cityofpearland.com/index.asp?Type=B\\_BASIC&SEC={7E96ADF2-7245-4897-84F7-0454FEB86491}&DE={B374ACD4-6099-441A-ADC2-95AB60E9F7DB}](http://www.cityofpearland.com/index.asp?Type=B_BASIC&SEC={7E96ADF2-7245-4897-84F7-0454FEB86491}&DE={B374ACD4-6099-441A-ADC2-95AB60E9F7DB})  
[Emphasis Added].



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## Pearland

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Region: Gulf Coast

First named Mark Belt in 1893; name changed to Pearland when a plat for a townsite was filed in 1894. Although growth was slow, city survived the 1900 Galveston hurricane. Oil...

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**Cole's Antiques and Flea Market**  
City: Pearland Region: Gulf Coast  
Covers more than 40 acres with more than 800 permanent vendors from across the state. Open...

**Gulf, Colorado & Santa Fe Railroad Depot Building**  
City: Pearland Region: Gulf Coast  
Delight in the restored more than 100-year-old depot. Once the center of the community's...

**Parks**  
City: Pearland Region: Gulf Coast  
Centennial Park- This 46-acre park features lighted basketball, tennis and softball...

**Sri Meenakshi Temple**  
City: Pearland Region: Gulf Coast  
Rising from the flat, coastal plains, this temple, built in the style of those in southern...

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TAB 12

## ANNA ABRAHAM AND SUPERNOVA FURNITURE STORE

On March 15, 1978, at the age of 19, I left my home and family in Guayaquil , Ecuador to come to the United States to pursue a new life. Shortly after my arrival I entered the University of Houston . During my attendance at the University I worked three jobs to take care of my personal and educational expenses. After approximately two years in attendance at the University, I relocated to Virginia . Again, while working three jobs to support myself, I pursued and completed my education at Christopher Newport College . Very soon thereafter I returned to Houston and secured a position as a receptionist with the Joske's department store in the Galleria area. Within a year I had received four promotions to the position of the executive secretary for the divisional managers and their buying teams. In the evenings, I worked a second job as a coat check girl at Houston 's famous Great Caruso's theater restaurant on Westheimer Road . I later worked as a hostess for Paesano's restaurant on the Southwest freeway near Hillcroft. It was there where I met my present husband Martin Abrahams, with whom I fell madly in love with "At First Sight".

On March 10, 1986 Martin and I were married. During our courtship I had informed my future husband that I desired to have a family that consisted of at least six children. He was in total agreement but did not really believe that it would happen. Well, we are presently nearing our twenty second anniversary and have six wonderful, loving and caring children.

In 1984 I began working in the furniture industry. At first, I worked part-time in sales on the weekends only. This evolved into a full-time job. Very shortly thereafter, I decided to open my own furniture business at Cole's Antique Village and Flea Market in Pearland , Texas . To me, this was the easiest place to start, since there was almost no monetary investment necessary. My incursion into the furniture business began there, in a 200 Sq Ft., ten foot by twenty foot flea market spot with only four mattress sets, king, queen, full and twin sizes. The mattress sets were given to me "On Consignment" by a local furniture distributor. The sales area spots cost me 40 dollars for the entire weekend. This was the seed that began SuperNova Furniture.

It did not take long before I noticed that there was an old barn in the front of the flea market complex, directly adjacent to Highway 35. I was able to lease this building from my good friend Mr. E.J. Cole. Over a period of a month, my husband and I put the store into a condition that enabled me to open it as a small furniture store seven days a week. I guess one might say that this was the first step in my company's expansion to what it is today.

My husband and I have always had a dream of building and supporting a non-profit hospital and research facility to help the children of our community and the world. We dream of supporting doctors and scientists in their research development of new cures for the ills of our little ones. It was this dream that was the cause of my company's expansion from the first very small, but profitable store, to what is now: the most well-known

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furniture company in Houston 's Hispanic community. Little did I know, way back then, what a magnificent force this small community would soon become.

The main impetus for my company's initial expansion was very simple. I asked myself whether I would ever be able to build the hospital and accomplish my dream if I remained well satisfied with my small store. I was advised by many family members not to gamble with something that was already good. Thus, the answer that I came up with was, of course, "No," I would not be able to accomplish my dream. It was at that time that I decided that the risks necessary to expand and accomplish my goal were well worth it.

I do not want my children to remember me as just a person who owned a furniture store, but rather as one who developed strong and powerful companies in order to make the world a better place.

TAB 13

## B-Building

Space	Vendor Name	Merchandise
1	A. Garcia	Western Wear
2	Lopez	Auto Access
3	Lopez	Auto Access
4	Gomez	Musical Instruments
5	C. Garcia	Floral Arrangements
6	Aguirre	Shoes & Purses
7	R.Niday	Novelty Toys
8	Ty Trong Phan	Jewelry
9	Hernandez	Clothes
10	De la Cerda	Baptism & Quincenera
11	J. Sanner	Avon & Misc.
12	Hir Min Gun	Four Wheelers
13	F. Osorio	Beauty Salon
14	Guadarama	
15	Vielma	Stereo Equip.
16	Guadarama	
17	Garcia	Airbrush T-Shirts
18	C. Garcia	Toys
19	S. Guerrero	Natural Products
20	Linares	Clothes
21	R. Niday	Novelty Toys
22	Ontiveros	Beauty Salon
23	De Leon	Quincenera Items
24	Aquilar	Western Wear
25	Brown	Work Clothes
26	Tagaban	Shoes
27	Mudassir	Stereo Equip.
28	Rodriguez	Computers
29	Almanza	Stereo Equip.
30	Rodriguez	Watches
31	El Bronco	Western Wear
32	Sato Ho	Toys
33	L. Vega	Quincenera Items
34	F. Trejo	Western Wear
35	Vecinal	Massages
36	Monsivais	Sports Items
37	Vega	Quincenera Items
38	Hy's Jewelry	Jewelry
39	Motorcycles	
40	D. Guadalupanas	Sports Items
41	Pina	Quincenera Items

Antique Village		
Space #	Vendor Name	Merchandise
1	CAPRI FURNITURE	Furniture
2	L. ROUNTREE	
3	BROWN	
4	MR. COLE	Antiques
5		
6	J. LINTON	
7	MR. COLE	Antiques
8	J. LINTON	
9	DURIO	
10	CASALLAS	Natural products
11	CAPRI FURNITURE	
12		
14	SUAREZ	Jewelry
15	OFFICE	
16	ALVAREZ	
17		
18	ALVAREZ	
19	GREGORY	
20		
21		
22	RODRIGUEZ	
23	RODRIGUEZ	
24		
25	RODRIGUEZ	
26		
27		
28	RATLIFF	Candles
29	GUERRERO	Servimaxt
30	GUADIANA	Candles
31	SPEIGHTS	
32	MR. TOM	Antiques
33	SPEIGHTS	
34	MR. COLE	Antiques
35		
36		
37	MR. COLE	Antiques
38		
39		
40	MR. COLE	Antiques
41	SHOSTY	
42	CO-OP	Antiques
43	TAYLOR	
44	CO-OP	Antiques
45	TAYLOR	
46		
47		
48	CO-OP	Antiques
49	CO-OP	Antiques

Space #	Vendor Name	Merchandise
50	BATTISTA	
51	CO-OP	Antiques
52	Quiroz	Gift Items
53	CO-OP	Antiques
54	CO-OP	Antiques
002	BARNES	Beauty salon



### Pavillion

Space	Vendor Name	Merchandise
1	Aztec Com	Cell Phone Access
2	Aztec Com	Cell Phone Access
3	Aztec Com	Cell Phone Access
4	Exit	
5	Guadarrama	Auto Stickers
6	Guadarrama	Auto Stickers
7	Leon	Coins
8	Nguyen	Toys
9	Reyes	Belts
10	Perales	Glasses
11	Fowler	Gift Items
12	Fowler	Gift Items
13	Chen	Clothes
14	Garcia	Face Painting
15	Chen	Clothes
16	Chen	Clothes
17		
18	Gonzalez	Photograph & Video
19	Young	Clothes
20	Young	Clothes
21		
22		
23		
24	Martinez	T-Shirts
25	Martinez	T-Shirts
26	Young	Stereo Equip.
27	Young	Stereo Equip.
28	Young	Stereo Equip.
48	Young	Stereo Equip.
49	Ortega	Clothes & Misc.
50	Leon	Jewelry
51	Owen	Massages
52	Garcia	Womens Access.
53	Garcia	Womens Access.
54	Campos	Natural Products
55	Aguilar	Shoes
56	Mendez	Pots and Pans
57	Linda	Music/CD's
58	Hung	Tools
59	Hung	Tools
60	Hung	Tools
61	Gonzalez	Frames
62	Gonzalez	Frames
63	Bosocco	Insurance
64	Lozano	Shoes
65	Aisleway	
66	Jeminson	Knives
67	Oak Homes	Real Estate

Space	Vendor Name	Merchandise
68	Palomo	Jewelry
69	Heredia	Toys
70	Heredia	Toys
71	Huang	Pictures
72	Abbas	Phone Access.
73	Tsan	Baggage
74	Tsan	Baggage
75	Tsan	Baggage
76	De Leon	Photograph
77	De Leon	Photograph
78	Ovalle	Natural Products
79	Ovalle	Natural Products
80	Ramirez	Music/CD's
81	Ramirez	Music/CD's
82	TH Jewelry	Jewelry
83	TH Jewelry	Jewelry
84	TH Jewelry	Jewelry
85	TH Jewelry	Jewelry
86	Chambliss	Toys
87	Amaya	Natural Products
88	Amaya	Natural Products
89	Prieta Linda	Blankets
90	Prieta Linda	Blankets
91	Salazar	Pinatas
92	Salazar	Pinatas
93	Troung	Jewelry
94	Troung	Jewelry
95	Maten's Joye	Jewelry
96	Martinez	Music/CD's
97	Martinez	Music/CD's
98	Gonzalez	Perfumes
99	Gonzalez	Perfumes
100	Castro	Pinatas
101	Aguilar	Shoes
102	Aguilar	Shoes
103	Gonzalez	Computers
104	Ortiz	Massages
105	Galindo	Toys
106	Galindo	Toys
107		
108	Sinson	Sports Items
109	Sinson	Sports Items
110	Galvan	Insurance
111	Galvan	Insurance
112	Hung	Tools
113	Hung	Tools
114	Hung	Tools
115	Linda Record	CD's

Space	Vendor Name	Merchandise
116	Galvan	Photograph
117	Roh	Knives
118	Roh	Knives
119	Garcia	Makeup
120	Mazen	A/C's
121	Wilson	Toys
122	Wilson	Toys
123		
124	Ortega	Misc.
143	Del Bosque	Belts & Wallets
144	Del Bosque	Movies
145	Perez	Religious Items
146	Garcia	Womens Access.
147	Wilson	Toys
148	Shah	Gift Items
149	Shah	Gift Items
150	Shah	Gift Items
151	Salinas	Baby Clothes
152	Espinoza	Sports Items
153	Espinoza	Sports Items
154	Maldonado	Clothes
155	Maldonado	Clothes
156	Nguyen	Work Clothes
157		
158	Bisso	Custom Jewelry
159	Edwards	
160	Galvan	Custom Jewelry
161	Cantu	Mexican Items
162	Cantu	Mexican Items
163	Castillo	Natural Products
164	Ventura	Stanley Products
165	TSE	Toys
166	TSE	Toys
167	TSE	Toys
168	Tony's Jewel	Tony's Jewelry
169	Tony's Jewel	Tony's Jewelry
170	Tony's Jewel	Tony's Jewelry
171	Olivas	Candy
172	Olivas	Toys
173	Herrera	Video Games
174	Herrera	Video Games
175	Herrera	Video Games
176	Munoz	Baggage
177	Munoz	Womens Access.
178	Castillo	Jewelry
179	Castillo	Jewelry
180	Castillo	Jewelry
181	Hana Jewelry	Jewelry
182	Hana Jewelry	Jewelry
183	Amaya	Avon

Space	Vendor Name	Merchandise
184	El Bronco	Western Wear
185	Vencinal	Massages
186	Sato Ho	Toys
187	Sato Ho	Toys
188	Sato Ho	Toys
189	Sato Ho	Toys
190	Sato Ho	Toys
191	Sato Ho	Toys
192	Sato Ho	Toys
193	Castillo	Jewelry
194	Castillo	Jewelry
195	Miranda	Natural Products
196	Miranda	Natural Products
197	Miranda	Natural Products
198	Miranda	Natural Products
199	Perez	Home Interior
200	Dong	Misc.
201	Dong	Sandals
202	Dong	Socks
203	Dong	T-Shirts
204		
205	Gibbons	Records
206	Betancourt	Shoes
207	Bisso	T-Shirts
208	Martinez	Doors
209	Nguyen	Work Clothes
210	Gonzalez	Auto Access.
211	Maldonado	Clothes
212	Heredia	Toys
213	Heredia	Toys
214	Salinas	Baby Clothes
215	Benitez	Blankets
216	Benitez	Clothes
217	Castillo	Computers
218	Castillo	Computers
219		
220	Castillo	Computers
221	Chavez	Phone Cards
222	Del Bosque	Belts
223		
231	Okoro	T-Shirts
232	Meza	Clothes
233		
234	Trim Crew	Furniture
235		
236		
237	Gonzalez	Auto Access.
238		
239		
240	Castillo	

### Old Covered Tables

Space	Vendor Name	Merchandise
1		
2		
3		
4	Silva	Window Tint
5		
6	Silva	Window Tint
7		
8	Berrones	Auto A/C
9	E. Leal	Used Items
10	Berrones	Window Tint
11		
12	R. Leal	Natural Products
13		
14	Lozano	Agua Frescas
15		
16	Lozano	Agua Frescas
17		
18	Berrones	Window Tint
19		
20	Berrones	Auto A/C
21		
22	Blas	Chickens
23		
24	Blas	Roosters
25		
26		
27	Navarro	Window Tint
28	Bravo	Auto Access.
29	Wai-man	Tools
30		
31	Wai-man	Tools
32		
33	Wai-man	Tools
34		
35	Trevino	Used Items
36	Mr. Bob	Churros
37	D. Martinez	Music/CDs
38		
39	D. Martinez	Music/CDs
40		
41	Trevino	Used Items
42	Mendez	Natural Products
43	Trevino	Used Items
44	Mendez	Natural Products
45	Nelson/Trevino	Used Items
46	Mendez	Natural Products
47	Nelson/Trevino	Used Items
48	Montoya	Used Items
49	Villareal	Pinatas

Space	Vendor Name	Merchandise
50	Montoya	Used Items
51	Garcia	Used Items
52	Montoya	Used Items
53	Gonzalez	Used Items
54	Roza	Birds
55	Gonzalez	Used Items
56	Roza	Birds
57	Herrera	Video Games
58	Roza	Birds
59	J. Munoz	Used Items
60	Ebanks	Gift Items
61	J. Munoz	Used Items
62	Garcia	Custom Jewelry
63	J. Munoz	Used Items
64	Rodriguez	Computers
65	Avila	Storage
66	D. Santillan	Music/CD's
67	Torres	Storage
68	D. Santillan	Music/CD's
69	Tobar	T-Shirts
70	D. Santillan	Music/Cd's
71	Tobar	T-Shirts
72	A. Garcia	Western Wear
73	Fuentes	Natural Products
74	Garcia	Western Wear
75	Brew Crew	Natural Products
76	Garcia	Western Wear
77	Brew Crew	Beer
78	Garcia	Western Wear
79	Salinas	Beer
80	Olvera	Western Wear
81	V. Torres	Shrimp Cocktail (Closed)
82	Olvera	Food Stand (Closed)
83	V. Torres	Beauty Salon
84	Olvera	Food Stand (Closed)
85	V. Torres	Beauty Salon
86	Olvera	Food Stand (Closed)
87	V. Torres	Beauty Salon
88	Pena	Invitations
89	No Booth	
90	Fruit	
91	J. Ramirez	Used Items
92	Fruit	
93	Moctezuma	Shoes
94	Fruit	
95	Moctezuma	Shoes
96	Martinez	Perfumes
97	Ayala	Music/CD's
98	L. Mireles	Wallets

### Old Covered Tables

Space	Vendor Name	Merchandise
99	Ayala	Music/CD's
100	Gonzalez	Women's Access.
101	Ayala	Music/CD's
102		
103	Sierra	Storage
104	Lozano	Books
105		
106	M. Torres	Avon
107	Rios	Storage
108	M. Torres	Avon
109	Monterro	Mexican Items
110	Monterro	Mexican Items
111	Monterro	Mexican Items
112	Monterro	Mexican Items
113	Monterro	Mexican Items
114	Mercado	Computers
115	D. Zimmerhanel	Tools

ROWS 1-4

Merchandise	ROW 1 Vendor Name	Space #	ROW 2 Vendor Name	Merchandise
Shoes	Monsivais	1	Martinez	Mexican Items
Shoes	Monsivais	2	Martinez	Mexican Items
Purses	Vigil	3	Sanchez	Natural Products
Wallets	Pineda	4	Sanchez	Natural Products
Appliances	Marines	5	Potrillo	Western Wear
Appliances	Marines	6	Potrillo	Western Wear
Clothes	Quintero	7	Potrillo	Western Wear
Produce	Garcia	8	Potrillo	Western Wear
CD's	Ayala	9	Potrillo	Western Wear
CD's	Ayala	10	Sanchez	Religious Items
Religious Items	Sanchez	11	Sanchez	Religious Items
Religious Items	Sanchez	12	Sanchez	Religious Items
Baby Clothes	Rojas	13	Ali	Cell Access.
Baby Clothes	Rojas	14	Ali	Cell Access.
Chips & Drinks	Del Puerto	15	Lopez	Snowcones
Blankets	Hernandez	16	Lopez	Snowcones
Blankets	Hernandez	17	Castillo	Pet's
Boots	Cruz	18	Castillo	Pet's
CD's	Campos	19	Regalado	Appliances
Bar Items	Belmarez	20	Regalado	Appliances
Candy	Ibarra	21	Roh	Knives
Pinatas	Ibarra	22	Solis	Frames
Clothes	Nunez	23	Solis	Frames
Perfumes	Romero	24	Valle	Jewelry
Toys	Solis	25	Ayala	Custom Jewelry
Toys	Solis	26	Mato	Choppers
Shoes	Estrada	27	Trejo	Western Wear
Clothes	Estrada	28	Trejo	Western Wear
Clothes	Gonzalez	29	Urquieta	Custom Jewelry
Clothes	Tanguma	30	Exit	
Clothes	Tanguma	31	Sanchez	Womens Access.
Musical Instru.	Gomez	32	Sanchez	Womens Access.
Clothes	Garza	33	Sanchez	Womens Access.
Clothes	Garza	34	Garza	Clothes
A/C	Los Andes	35	Garza	Clothes

Merchandise	ROW 3 Vendor Name	Space #	ROW 4 Vendor Name	Merchandise
Western Wear	Salinas	1	Los Andes	A/C
Western Wear	Salinas	2	Salinas	Shrip Cocktail (closed)
Western Wear	Salinas	3	Orellana	Used Items
Glasses	Yaseem	4	Yaseem	Luggage
Glasses	Yaseem	5	Rojas	Baby Clothes
Baby Clothes	Rojas	6	Rojas	Baby Clothes
Womens Access.	Sanchez	7	Garza	Jewelry
Womens Access.	Sanchez	8	Garza	Jewelry
Clothes	Panameno	9	Valles	Portraits
Clothes	Panameno	10	Martinez	Toys
Western Wear	Sierra	11	Sierra	Western Wear
Western Wear	Sierra	12	Sierra	Western Wear
Kids Clothes	Garcia	13	Guerrero	Shoes
Kids Clothes	Garcia	14	Guerrero	Clothes
Kids Clothes	Garcia	15	Guerrero	Clothes
Kids Clothes	Davila	16	Reyna	CD's
Tile	Hernandez	17	Akgun	Socks
Tile	Hernandez	18	EXIT	
Tools	Melgar	19	Soto	Clothes
Tools	Melgar	20	Diaz	Purses
Dish Latino	Ludena	21	Llanas	Sitting Area
Pet's	Torres	22	Llanas	Sitting Area
Food Stand	Llanas	23	Aleman	Tools
Food Stand	Llanas	24	Aleman	Tools
Food Stand	Llanas	25	Aleman	Candy
Phone Cards	Lozano	26	Cuello	Computers
Hats	Smith	27	Ignacio	Baptism Items
Hats	Smith	28	Ignacio	Baptism Items
Used Items	Solis	29	Ignacio	Baptism Items
Used Items	Vela	30	Santos	Toys
Toys	Chang	31	Santos	Toys
Toys	Chang	32	Smith	Hats
Womens Access.	Rios	33	Smith	Hats
Womens Access.	Rios	34	Smith	Hats
Womens Access.	Rios	35	Romero	Perfumes
Womens Access.	Rios	36	Romero	Perfumes
		37	Trejo	Western Wear
		38	Ramirez	Bible Items
Western Wear	Trejo	39	Castillo	CD's
Quincenera Items	Ortiz	40	Torres	Roasted Corn
Quincenera Items	Ortiz	41	Torres	Roasted Corn
Food Stand	Rios	42	Fruit	
Food Stand	Rios	43	Fruit	
Food Stand	Rios	44	Ausmus	Snack Bar

Merchandise	ROW 3 (Cont'd) Vendor Name	Space #	ROW 4 (cont'd) Vendor Name	Merchandise
Food Stand	Rios	45	Ausmus	Snack Bar
CD's	Hernandez	46	Cruz	Blankets
Tools	De La Cerda	47	Bonales	Shoes
Tools	De La Cerda	48	Bonales	Shoes
Tools	De La Cerda	49	Bonales	Shoes
Video Games	Herrera	50	Kadiwala	Hair Thread Removal
Video Games	Herrera	51		
Video Games	Herrera	52	Bravo	Silver
Hats & T-Shirts	Gonzales	53	Gonzalez	Custom Jewelry
Toys	Garcia	54	Gonzalez	Custom Jewelry
Toys	Garcia	55	Gonzalez	Custom Jewelry
Shrimp Cocktail	Agundiz	56	Sepulveda	Bread (closed)
Shrimp Cocktail	Agundiz	57	Garza	Locksmith
Custom Jewelry	Avila	58	Lozano	Mexican Products
	Ramos	59	Espinoza	Candy & Computers
Pet's	Torres	60	Hernandez	Ipods
Clothes	Mendoza	61	Reyes	Belts
Clothes	Vera	62	Vera	Clothes
Clothes	Vera	63	Gomoez	Royal Prestige
Toys	Hernandez	64	Santos	Toys
Pet's	Gomez	65	Lopez	Snowcones
Wallets	Urbano	66	Rios	Clothes
Phone Cards	Tolozza	67	Rios	Purses
Baby Clothes	Pozada	68	Regalado	Appliances
Baby Clothes	Pozada	69	Regalado	Appliances
Baby Clothes	Pozada	70	Villareal	Pinatas
Chorizo (closed)	Martinez	71	Morales	Auto Parts
Clothes	Mancia	72	Chavez	Produce
Clothes	Mancia	73	Chavez	Produce
Mechanical Bull	Partida	74	Torres	Drinks
Mechanical Bull	Partida	75	Torres	Toys
Snowcone	Garcia	76	Martinez	Clothes

ROWS 5 & 6

Merchandise	Row 6 Vendor Name	Space	Row 5 Vendor Name	Merchandise
Sports Items	Vasquez	1	Herrera	Clothes
Sports Items	Vasquez	2	Herrera	Clothes
Pinatas	Llamas	3	Herrera	Clothes
Pinatas	Llamas	4		
Video Games	Rostro	5	Santiago	Locksmith
Clothe	Aguiar	6	Cuervo	Water Filters
Clothe	Bejarano	7	Hernandez	Stereos
Clothe	Bejarano	8	Torres	Candy
Purses	Pineda	9	Torres	Candy
Candles	Dixon	10	Torres	Candy
Computers	Aguiar	11	Kim	Socks
Clothe	Mancini	12	Kim	T-Shirts
Mortgage	Luna	13	Kim	Socks
Clothe	Tamez	14	Reyes	Belts
Toys	Garcia	15	Reyes	Belts
Toys	Garcia	16	Torres	Pets
Avon	Rivera	17	Ali	Cell Access.
Custom Jewelry	Lopez	18	All	Cell Access.
Candy	Garcia	19	Gomez	Chorizo (Closed)
Shoes	Gutierrez	20	Gomez	Hats
Custom Jewelry	Avila	21	Cruz	Blankets
Custon Jewelry	Avila	22	Cruz	Blankets
Watches	Rodriguez	23	Mendoza	Cell Access.
Watches	Rodriguez	24	Mendoza	Cell Access.
Computers	Flores	25	Armada	Silver

**MONTHLY'S**

Fruit	Ortiz	26	Weekly	
Fruit	Ortiz	27		
Pets	Negrete	28		
Used Items	Salinas	29		
Used items	Salinas	30		
Used Items	Salinas	31		
Used Items	Bowser	32		
Used ITems	Gallegos	33	Weekly	
Used Items	Gallegos	34	Weekly	
Used Items	Gallegos	35		
Used Items	Gallegos	36		
Computers	Dang	37		
Pets	Jaquez	38		
Clothe	Orduno	39		
Used Items	Miculax	40		
Used Items	Miculax	41		
Used Items	Miculax	42		
Electronics	Fausto	43		
Socks	Kaplan	44	Weekly	
Socks	Kaplan	45		

Computers	Andrade	46		
Computers	Andrade	47	Weekly	
Clothe	Banda	48		
Western wear	Gomez	49		
Clothe	Valencia	50		
Food Stand	Linares	51		
Purses	Mancini	52		
Beauty Salon	Monreal	53		
Frames	Cardenas	54		
Appliances	Cruz	55		
Appliances	Cruz	56	Weekly	
Stereos	Roman	57	Weekly	
Used Items	Mourtakos	58		
Used Items	Mourtakos	59		
Direct TV	Carrasco	60		
Shoes	Lira	61		
Clothe	Soto	62		
Clothe	Rivera	63		
Clothe	Rivera	64		
Clothe	Silva	65	Capri	Furniture
Used Items	Moreno	66	Capri	Furniture
Used Items	Cuello	67		
Used Items	Cuello	68		

ROWS 7 & 8

Merchandise	Row 8 Vendor Name	Space	Row 7 Vendor Name	Merchandise
Chicken Guy	Ramirez	1	Ramirez	Produce
Chicken Guy	Ramirez	2	ISLEWAY	
Chicken Guy	Ramirez	3	Ramirez	Produce
Carpet	Tejeda	4	Ramirez	Produce
Carpet	Tejeda	5	Llanas	Chips
Shoes	Llanas	6	Llanas	Chips
Toys	Camero	7	Camero	Toys
Toys	Camero	8	Zarate	Corn (Closed)
Shoes	Talavera	9	De Leon	Plants
Shoes	Talavera	10	De Leon	Plants
\$1.00 Items	Choi	11	Garza	Food Stand
\$1.00 Items	Choi	12	Garza	Food stand
Used Clothe	Barnette	13	Garza	Food Stand
Used Clothe	Barnette	14	Garza	Food Stand
Used Clothe	Barnette	15	Hernandez	Snowcones
EXIT	Ortiz	16	Zarate	Bread
Used Clothe	Barnette	17	Zarate	Bread
Used Clothe	Barnette	18	Tokash	House hold Items
Stereos	Lara	19	Tokash	House hold Items
Speakers	Lara	20	Tokash	House hold items
Clothe	Martinez	21	Tokash	House hold Items
Clothe	Martinez	22	Beltran	Glasses
Cell Access.	Mendoza	23	Beltran	Glasses
Stereos	Lara	24	Rivera	Produce
Chips & Drinks	Del Puerto	25	Flores	Makeup
Clothe	Garcia	26	O. U.	\$1.00 Items
Clothe	Garcia	27	O. U.	\$1.00 Items
Matresses	Arroyo	28	O. U.	\$1.00 Items
MAtrresses	Arroyo	29	Garcia	Clothe
Produce	Mireles	30	Llanas	Shoes
Produce	Mireles	31	Llanas	Shoes
Blankets	Espinoza	32	Duarte	Mexican Items
Clothes	Aguilar	33	Osuna	Shoes
Clothes	Aguilar	34	Cerna	Clothe
Misc.	Alfaro	35	Cerna	Clothe
Drinks	Alfaro	36	Sanchez	Toys
Stereos	Reyes	37	Sanchez	Toys
Stereos	Reyes	38	Mendoza	Cell Access
Tools	Suarez	39	Rivera	Sports
Tools	Suarez	40	Xia	\$1.00 Items
Tools	Lara	41	Xia	\$1.00 Items
Tools	Lara	42	Xia	\$1.00 Items
Tires	Montemayor	43	Xia	\$1.00 Items
Tires	Montemayor	44	Xia	\$1.00 Items
Tires	Montemayor	45	Beltran	Glasses
Blankets	Olivares	46	Beltran	Glasses
Blankets	Olivares	47	Andrade	Used Items
	Lost Space	48	Castillo	Clothe

	Row 8		Row 7	
Merchandise	Vendor Name	#	Vendor Name	Merchandise
Clothes	Andrade	49	Jimenez	Plants
Clothe	Andrade	50	Mejia	Shoes
Misc.	Alba	51	Mejia	Shoes
Clothe	Pahua	52	Aguirre	Toys
Clothe	Garcia	53	Salinas	Used Items
Carnitas	Rosales	54	Salinas	Used Items
Carnitas	Rosales	55	Sierra	Resale
Carnitas	Rosales	56	Corona	Misc.
Carnitas	Escamilla	57	Ramos	House hold Items
	LOST SPACE	58	Vidal	Drinks
Misc.	Obregon	59	Vidal	Chips
Clothe	Garcia	60	LOST SPACE	
Clothe	Garcia	61	Vidal	Chips
Shrimp Cocktail (closed)	Mejia	62	LOST SPACE	
Shimp Cocktail (closed)	Mejia	63	Vasquez	Shoes
Stereos	Flores	64	Quintero	Clothe
Stereos	Flores	65	Quintero	Clothe
Clothe	Valencia	66	Talavera	Purses
Mexican Items	Montero	67	Talavera	Shoes
Mexican Items	Montero	68	Ruiz	Snowcones

ROWS 8A & 7A

Merchandise	Row 8A Vendor Name	Space #	Row 7A Vendor Name	Merchandise
	Martinez	1	Walk Way	
	Martinez	2	Estrada	
	Lopez	3	Estrada	
	Gonzalez	4	Torres	
	Gonzalez	5	Torres	
	Vargas	6	Cuello	
	Chinchilla	7	Cuello	
	Becerra	8	Cuello	
	Becerra	9	Menjivar	
	Becerra	10	Pineda	
	Osorio	11	Fernandez	
	Osorio	12	fernandez	
	Osorio	13	Martinez	
	Hernandez	14	Martinez	
	Chavez	15	Duran	
	Chavez	16	Manzo	
		17	Manzo	
		18	Ochoa	
		19	Alzate	
	Flores	20	Lara	
	Salinas	21	Cimental	
	Atrian	22	Ontiveros	
	Hammon	23	Villagomez	
	Hammon	24	Hernandez	
	Palacios	25	Salas	
	Lagos	26	Tello	
	Lagos	27		
		28		
		29		
		30		
		31		
		32	Ortiz	
		33	Ortiz	
		34	Ortiz	
		35	Basurto	
		36	Basurto	
		37	Hernandez	
		38	Ocon	
		39	Beltran	
		40	De Leon	
		41	De LEon	
		42	De Leon	
		43	Ortiz	
<b>COLE'S PASSAGE</b>				
	Martinez	30	Mindival	
	Olivas	31	Mindival	

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	<b>Urbano</b>	<b>32</b>	<b>Alejandro</b>	
	<b>Rodriguez</b>	<b>33</b>	<b>Storage</b>	
	<b>Sanchez</b>	<b>34</b>	<b>Vasquez</b>	
	<b>Mendoza</b>	<b>35</b>	<b>Reyes</b>	
	<b>Infante</b>	<b>36</b>	<b>Kaplan</b>	
	<b>Infante</b>	<b>37</b>	<b>Kaplan</b>	
	<b>Tejeda</b>	<b>38</b>	<b>Tejeda</b>	
	<b>Ramirez</b>	<b>39</b>	<b>Ramirez</b>	

ROWS 8B & 7B

Merchandise	Row 8B Vendor Name	Space #	Row 7B Vendor Name	Merchandise
	Chay	2	Ruiz	
	Chay	3	Gomez	
	Martinez	4		
	Montemayor	5		
	Chavez	6	Ysaguirre	
	Garcia	7	Ysaguirre	
	Garcia	8	Ysaguirre	
	Garcia	9	Ysaguirre	
	Garcia	10	Duran	
	Parada	11	Tamayo	
	Montiel	12	Dominguez	
	Montiel	13	Dominguez	
	Tamayo	14	Lira	
	Miranda	15	Espinoza	
	Torres	16	Espinoza	
	Andrade	17	Espinoza	
	De la Cruz	18	Rivera	
		19	Borjas	
	Sierra	20	Borjas	
		21	Borjas	
		22		
	Gonzalez	23		
	Rosales	24	Hernandez	
		25	De Leon	
		26	De Leon	
	Vasquez	27		
	Hernandez	28		
		29		
		30		
	Hernandez	31		
	Hernandez	32	Cruz	
	Soutsulas	33	Domenzain	
	Hernandez	34	Domenzain	
<b>ACROSS DRIVEWAY</b>				
	Yerena	35	Domenzain	
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ROWS 8C & 7C

Merchandise	Row 8C Vendor Name	Space	Row 7C Vendor Name	Merchandise
	Bermudez	1	Trejo	
	Garcia	2	Amaya	
	Acosta	3	Martinez	
	Martinez	4	Villareal	
	Villareal	5	Dominguez	
	Villareal	6	Forde	
	Pahua	7	Gutierrez	
	Pahua	8	Canton	
		9	Canton	
	Sepulveda	10	Varela	
	Smith	11		
	Torres	12		
		13	Olson	
	Glover	14	Solis	
	Glover	15	Solis	
	Glover	16	Solis	
	Elweshahi	17	Solis	
		18		
		19	Martinez	
	Smadi	20	Martinez	
		21		
		22		
		23		
		24		
		25	Echortea	
		26	Lopez	
		27		
		28		
	Martinez	29	Barbasal	
		30		
	Hernandez	31		
	Rosales	32	Solis	
		33	Salinas	
		34	Cepeda	
<b>ACROSS DRIVEWAY</b>				
		35	Penaloza	
		36	Penaloza	
		37		
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		64		
		65		

Row 8D

Merchandise	Row 8D Vendor Name	Space	Coments
	Garza	1	
	Garza	2	
	Garza	3	
	Vargas	4	
	Vargas	5	
	Mejia	6	
	Mejia	7	
	Mejia	8	
	Mejia	9	
	Mejia	10	
	Mejia	11	
	Vallejo	12	
		13	
		14	
		15	
	Terrell	16	
	Madrigal	17	
	Gonzalez	18	
	Gonzalez	19	
	Gonzalez	20	
	Vasquez	21	
	Sierra	22	
	Sierra	23	
		24	
		25	
		26	
	Gonzalez	27	
	Gonzalez	28	
	Gonzalez	29	
		30	
	Sanchez	31	
	Sanchez	32	
		33	
		34	
<b>ACROSS DRIVEWAY</b>			
		35	
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ROW 8E

Merchandise	Row 8E Vendor Name	Space	Space	Row 8E Vendor Name	Merchandise
		1	51		
		2	52		
		3	53		
		4	54		
		5	55		
		6	56		
		7	57		
	Mendoza	8	58		
		9	59		
		10	60		
		11	61		
		12	62		
		13	63		
		14	64		
		15	65		
		16	66		
		17	67		
		18	68		
		19	69		
		20	70		
		21	71		
		22	72		
		23	73		
		24	74		
		25	75		
		26	76		
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		28	78		
		29	79		
		30	80		
		31	81		
		32	82		
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		36	86		
		37	87		
		38	88		
		39	89		
		40	90		
		41	91		
		42	92		
		43	93		
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		45	95		
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		47	97		
		48	98		

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		49	99		
		50	100		

TAB 14

## Food Vendor List

MARCO OLVERA	ALEXANDRA'S REST	OCT #82,84,86	PROPANE
LOURDES LLANAS	MATAMOROS QUERIDO	ROW3#23,24,25	PROPANE
GUILLERMO RIOS	GORDITA'S	ROW3#42,43,44,45	PROPANE
SAUL AGUNDIZ	SHRIMP COCKTAIL	ROW3#56,57	
BRIAN AUSMUS	SNACK BAR'S		PROPANE
MARIANE ARDOIN	FRUIT CUP	ROW4#42,43 & CT	
ART TORRES	ROASTED CORN	ROW4#40,41 ROW2#35	PROPANE
ROBERT MARTINEZ	CHORIZO	ROW3#71	
ANDREA MARQUEZ	CHORIZO	ROW5#19	
JUAN LINARES	RESTAURANT	ROW6#51	ELECTRICAL
ROGELIO GARZA	RESTAURANT	ROW7#11,12,13,14	PROPANE
MIGUEL HERNANDEZ	CORN	ROW#15	PROPANE
EDMUNDO ZARATE	CORN	ROW7#8	PROPANE
MARICELA VIDAL	MEXICAN CHIPS	ROW7#58,59	
PEDRO RAMIREZ	CHICKEN	ROW8#1,2,3	
AMELIA ROSALES	CARNITAS	ROW8#54,55,56	PROPANE
FREDDY MEJIA	SHRIMP COCKTAIL	ROW8#62,63	
RAUL GARZA	ROASTED CORN	ROW8#67,68	PROPANE
MARGARITA MEJIA	EL REY TAQUERIA	ROW8D#6,7,8,9	PROPANE
HECTOR LOPEZ	CORN	ROW2#15,16	PROPANE
ESTELA ORTIZ	FRUIT CUP	ROW6#26,27	
GUILLERMO RIOS	CHICHARRON	OCT#114	PROPANE
JOSE LOZANO	FRUIT WATERS	OCT#14,16	
DIANE COLE	CHURROS	ROW6	
GILBERTO SEPULVEDA	BREAD	ROW4#56	
ANA CASTILLO	GRILLED TORTAS	BY LOADING DOCK	
	PROPANE		
AMIR KHORRAMI	INSIDE RESTAURANT	PAVILION	PROPANE
NELLY PEREZ	HOT DOGS	ROW8C#28	PROPANE
RICK RAPER	BEER	OCT#77,79	



# CITY OF PEARLAND

## PLANNING & ZONING

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### MEMO

**DATE:** August 10, 2009

**TO:** City Council and Planning & Zoning Commission

**FROM:** Angela Gantuah, Senior Planner

**SUBJECT:** Case # CUP 2009-12 Sonic Drive- In

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Conditional Use Permit No. 2009-12, A request by Paul LaChance, applicant for Pearland ISD, owner, for approval of a conditional use permit to permit a Sonic Drive-In fast food restaurant in the Light Industrial (M-1) zoning district. **This case will not be heard as the applicant did not post the sign as required by Chapter 1, Section 1.2.2.4 Posting Notice on Property.**

10600 BLOCK OF BROADWAY  
FINAL PLAT OF  
**THE CROSSING AT 288**

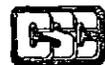
A SUBDIVISION OF 34.0810 ACRES OF LAND  
OUT OF THE  
IN THE JOHN M. MAXCY SURVEY, A-675  
BRAZORIA COUNTY, TEXAS

11 LOTS      0 RESERVES      1 BLOCK

AUGUST 5, 2009

DEVELOPER/OWNER:  
THE CROSSING AT 288  
SHOPPING CENTER, LTD  
1800 BERING, SUITE 550  
HOUSTON, TEXAS 77057  
(713) 781-7111  
STEVE CHANDLER

SURVEYOR:



COTTON SURVEYING  
COMPANY

6335 GULFTON DR., SUITE 103  
HOUSTON, TEXAS 77081  
(713) 981-0275  
MARTIN G. HICKS, R.P.L.S. No. 4387

ENGINEER:

**JC** JONES & CARTER, INC.  
ENGINEERS • PLANNERS • SURVEYORS

6335 Gulfton Dr., Suite 100  
Houston, Texas 77081  
(713) 777-5337  
BRYAN JORDAN, P.E.