AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD FEBRUARY 17, 2014 AT 6:30 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS

I. CALL TO ORDER

II. PURPOSE OF HEARING

THOROUGHFARE PLAN AMENDMENT

A request of the City of Pearland to amend the Thoroughfare Plan.

III. APPLICATION INFORMATION AND CASE SUMMARY

A. STAFF REPORT

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 FEBRUARY 17, 2014

Thoroughfare Plan Amendment

A request of the City of Pearland to amend the Thoroughfare Plan.

APPROVAL PROCESS: After the Joint Public Hearing, the requested Thoroughfare Plan Amendment application will be considered as follows:

Planning and Zoning Commission:	February 17, 2014*
City Council First Reading:	March 10, 2014*
City Council Second Reading:	March 24, 2014*

(*dates subject to change)

SUMMARY: A Thoroughfare Plan is a transportation planning tool that identifies and classifies thoroughfares in the City that will support the City's development goals and mobility along with connectivity throughout the City. It is instrumental in identifying, and prioritizing projects for 5-Year Capital Improvement Projects (CIP). The City of Pearland's objective is to amend the Thoroughfare Plan every three (3) to four (4) years, based on development activity, land use studies, environmental issues, etc. The City of Pearland is proposing amendments to the Thoroughfare Plan which will have the effect of updating classifications of roadways based on developments that have occurred and realigning various roadways within the City. Specifically, the proposed amendment will include the following changes to the Thoroughfare Plan.

1. Prior to development, minor collectors show general connectivity. After development, the exact layout of the street is identified. The proposed amendment will show the exact alignment and layout of minor collectors. An example of these amendments include minor collectors in recently developed residential areas such as Shadow Creek Ranch and Southern Trails.

2. The Thoroughfare Plan currently identifies streets which connect through existing developments. The proposed amendment will remove these prohibited connections. An example of this amendment is the removal of the major collector shown on the existing Thoroughfare Plan off of Cullen Parkway to the east just north

of the Public Safety Building. This major collector is shown on top of an existing cemetery.

3. There are currently existing roadways identified on the Thoroughfare Plan as roadways "to be widened." As a result of development and CIP's, these roadways have been reconstructed and sufficient right-of-way has been acquired. The proposed amendment will change the classification from "to be widened" to "sufficient width." Some examples of these amendments include the following CIP projects:
    - Walnut Street from Veterans Dr to SH35;
    - Business Center Drive from CR 59 towards Broadway to the north; and
    - Orange Street from Hatfield Road to SH35.

4. As a result of various alignment studies, Pearland Parkway (Dixie Farm Road to FM 2351) and Dixie Farm Road (Veterans Street to SH-35), have been realigned. The proposed amendment will show the realignment.

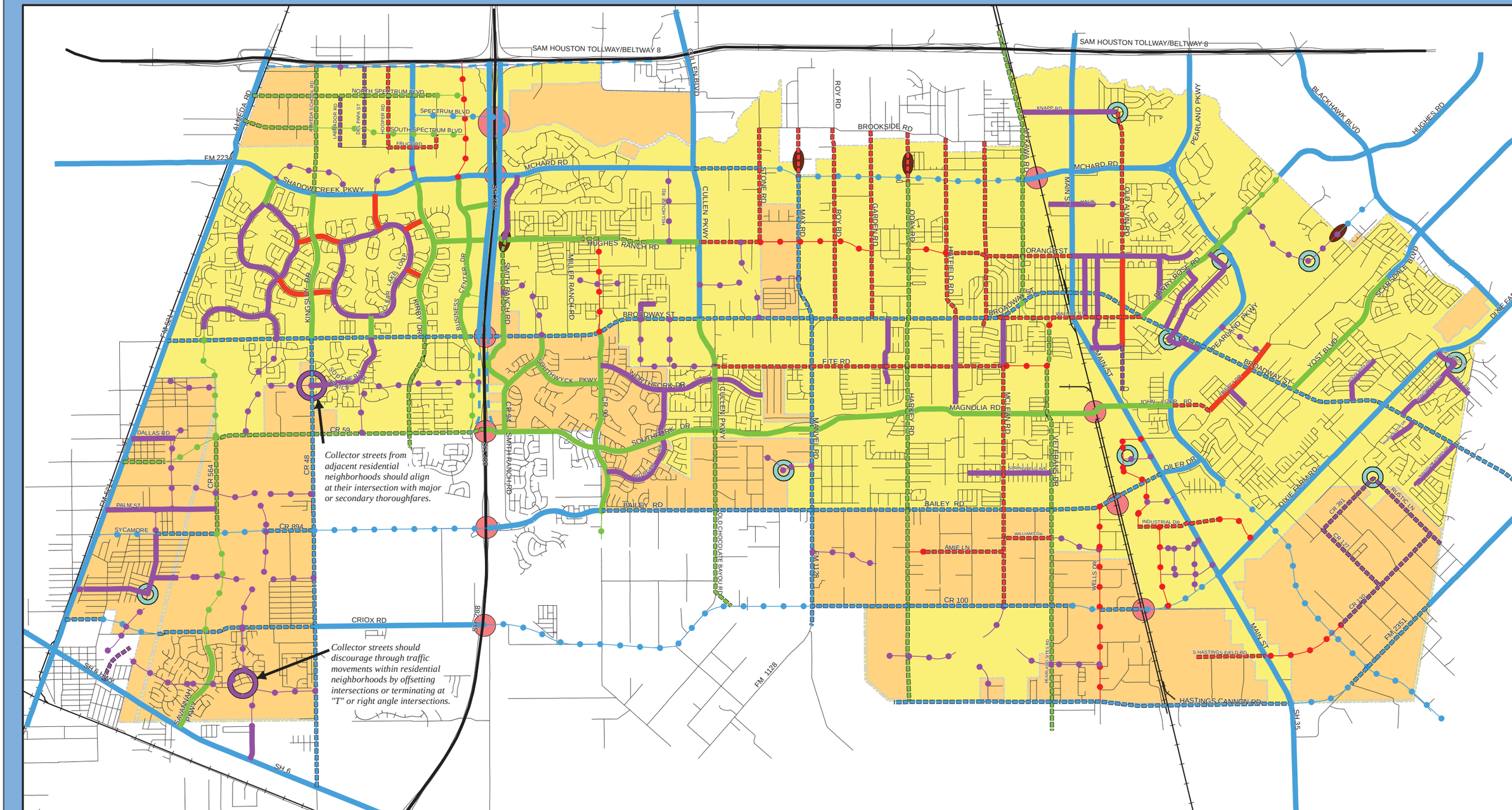
5. As a result of various alignment studies, Max Road and McHard Road have been realigned. The proposed amendment will show the realignment.

A workshop was held before the City Council on June 17, 2013 and before the Planning and Zoning Commission on February 3, 2014.

STAFF RECOMMENDATION: Staff recommends approval of the amendments to the Thoroughfare Plan, as proposed.

SUPPORTING DOCUMENTS

- Existing Thoroughfare Plan
- Proposed Thoroughfare Plan



CITY OF PEARLAND THOROUGHFARE PLAN

Plan Approved: 25 AUG 2008

120' Minimum ROW
- Major Thoroughfares - Sufficient Width
- Major Thoroughfares - To Be Widened
- Major Thoroughfares - To Be Acquired
- Major Thoroughfares - Proposed Frontage Road
- Freeway

100' Minimum ROW
- Secondary Thoroughfares - Sufficient Width
- Secondary Thoroughfares - To Be Widened
- Secondary Thoroughfares - To Be Acquired

80' Minimum ROW
- Major Collector Streets - Sufficient Width
- Major Collector Streets - To Be Widened
- Major Collector Streets - To Be Acquired

60' Minimum ROW
- Minor Collector Streets - Sufficient Width
- Minor Collector Streets - To Be Widened
- Minor Collector Streets - To Be Acquired

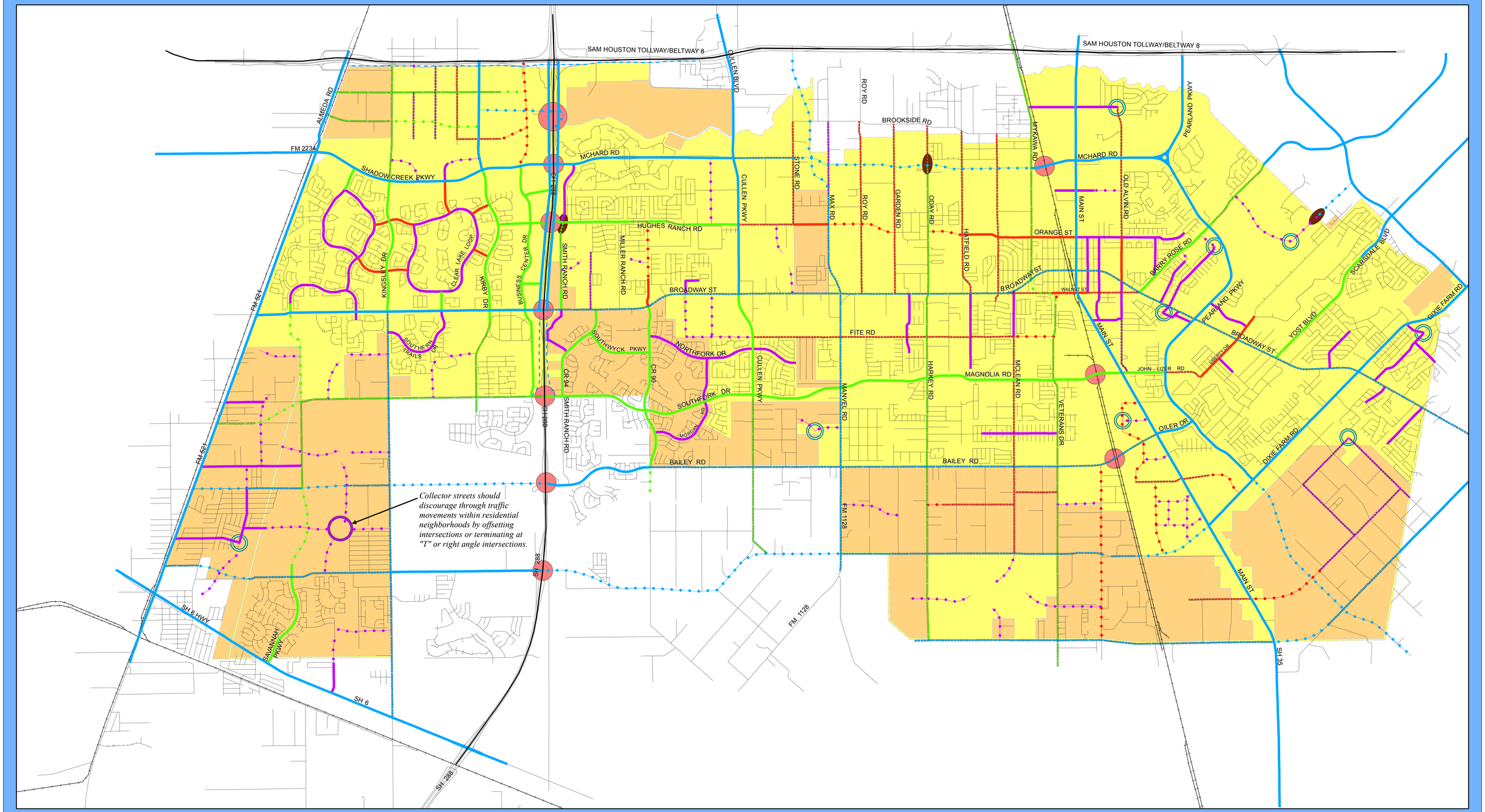
- Proposed Grade Separation
- 15:1 R.O.W. Transition
- Collector Streets
- Street intersect at a right angle as part of a T or 4-way intersection
- City Limits
- ETJ

1:63,360 or 1 inch = 1 miles

0 0.5 1
Miles

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

MAP PREPARED: MAR 2013
CITY OF PEARLAND GIS DEPARTMENT



CITY OF PEARLAND THOROUGHFARE PLAN

- PROPOSED -

120' Minimum ROW
- Major Thoroughfares - Sufficient Width
- Major Thoroughfares - To Be Widened
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1:31,680 or 1 inch = 0.5 miles

0 0.5 1 2
Miles

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MAP PREPARED: FEB 2014
CITY OF PEARLAND GIS DEPARTMENT

AGENDA - JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD FEBRUARY 17, 2014 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 2014-01

A request of Andrew Hinojosa, applicant; for James Leach, owner; for approval of a Conditional Use Permit, within the Garden O'Day Mixed Use (G/O-MU) zoning district, to allow an *Auto Repair (Major*) facility on approximately .63 acres of land, on the following described property, to wit:

Legal Description: Block 3, Lot 9, being .63 acres of the Final Plat of Hickory Creek Place; a subdivision of 100.09 acres of land comprised of 10 blocks and 133 lots; being a subdivision of tracts 17, 18, 19, 20, 21, 30, 31, 32, 33 and 34 of a subdivision of the H.T. & B. R.R. CO. Survey, Section 7, Abstract 219, Brazoria County, Texas.

General Location: 2106 O'Day Rd, 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

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JOINT PUBLIC HEARING AGENDA ITEM
MEETING OF FEBRUARY 17, 2014

Conditional Use Permit No. CUP 2014-01

A request of Andrew Hinojosa, applicant; for James Leach, owner; for approval of a Conditional Use Permit, within the Garden O'Day Mixed Use (G/O-MU) zoning district on approximately .63 acres of land, on the following described property, to wit:

Legal Description: Block 3, Lot 9, being .63 acres of the Final Plat of Hickory Creek Place; a subdivision of 100.09 acres of land comprised of 10 blocks and 133 lots; being s subdivision of tracts 17, 18, 19, 20, 21, 30, 31, 32, 33 and 34 of a subdivision of the H.T. & B. R.R. CO. Survey, Section 7, Abstract 219, Brazoria County, Texas.

General Location: 2106 O'Day Rd, Pearland, TX

APPROVAL PROCESS: After the Joint Public Hearing, the requested Conditional Use Permit application will be considered as follows:

Planning and Zoning Commission:	February 17, 2014*
City Council First Reading:	March 10, 2014*
City Council Second Reading:	March 24, 2014*

(*dates subject to change)

SUMMARY: Andrew Hinojosa, applicant; for James Leach, owner; is requesting approval of a Conditional Use Permit (CUP) to allow for an *Auto Repair (Major)* facility on a .63- acre lot located within the Garden O'Day Mixed Use (G-O/MU) zoning district. The applicant also proposes an *Office* component. Prior to the annual review of the Unified Development Code (T-16), and subsequent approval by the City Council, the proposed use was not permitted within the existing zoning district of G-O/MU. See 'Site History' of this report for additional information regarding T-16, and how it relates to the subject site.

The applicant proposes a full service automotive repair shop, similar to Lewis Auto Service located on Harkey Road, which is also owned and operated by the owner requesting approval of this CUP. The scope of work at the subject site (O'Day Road location) will be to run fleet work. The owner will provide vehicle repair work to Strickland Chevrolet, Beck and Masten, Donlen Fleet, Xtreme Bedlines, etc., by picking up their vehicles, repairing them

and delivering them back to the business. Normal hours of operation will be from 8:00am to 6:00pm Monday-Friday, and 8:00am to 12:00pm on Saturdays.

The site is currently developed with an approximately 4,000 square foot office/warehouse building, which, according to appraisal district records, was originally constructed in 1993, with improvements added in 2004. The applicant proposes to use 1,000 square feet of the existing building as office space and the remaining 3,000 square feet for auto repair. The applicant proposes to close in an approximately 800 square foot area located on the west side of the building by adding walls to store an air compressor, which will also have a door for access to the shop.

According to City utility records, the prior business at the subject site was Roy Shugart Glass and Mirror; a company which specialized in custom glass and window repair. The glass and window repair company occupied the building from August, 2004 to November, 2012.

Due to the proposed change in occupancy, the site would have to conform to the façade requirements; the parking requirements regarding number of parking spaces required, parking surface and size of parking spaces; as well as the residential adjacency screening requirements as identified in the Unified Development Code (UDC). The site is located on a secondary thoroughfare and is zoned G-O/MU, and as such, requires 100% masonry or glass on any wall or portion of a wall visible from the roadway (public or private) or abutting residential zoning districts. The façade requirements would apply along the east side of the building fronting O'Day Road, the west side of the building abutting the existing residentially zoned properties, and portions of the north and south facades, if visible from O'Day Road or the residentially zoned properties to the west.

The parking requirements for an *Auto Repair (Major)* facility is one space per 200 square feet of gross floor area, excluding office space. Based on 3,000 square feet, the auto repair portion of the business will require 15 parking spaces. The *Office* component of the business requires one space per 300 square feet of gross floor area. Based on 1,000 square feet of office space, 4 parking spaces are required, for a total of 19 parking spaces. The proposed site plan currently shows a total of 15 parking spaces, with 3 new parking spaces proposed. The applicant has indicated that there are 5 indoor parking spaces, which can be credited towards the required parking.

The site is directly adjacent to a single family subdivision to the west. Adequate screening is required between the proposed use and the single family subdivision. The required screening shall include a 25-foot wide buffer with an opaque wall, except this buffer shall be at least 30 feet wide if screening is achieved by a vegetative screen and not an opaque screening wall.

The below table illustrates the above improvements required based on a change in occupancy:

Trigger	Façade	Sidewalks	Parking	Landscaping	Screening/ Fencing
Change in Occupancy	X		X		X *

** Residential adjacency screening*

SURROUNDING ZONING AND LAND USES:

	Zoning	Land Use
North	Garden/O'Day Mixed Use (G/O-MU)	Storage/Warehouse
South	Garden/O'Day Mixed Use (G/O-MU)	Storage/Warehouse
East	Garden/O'Day Mixed Use (G/O-MU)	Single Family Residential
West	Single Family Residential 1 (R-1)	Single Family Residential

CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE (UDC): The subject property is located within the Garden/O'Day Mixed Use (G-O/MU) zoning district. The existing site is nonconforming as it relates to the required minimum lot width and minimum building side yard setback on the south side of the property. The minimum lot width in the G/O-MU zoning district is 150 feet and the width of the site is 125 feet; 25 feet short of that which is required. The minimum side yard setback is 10 feet. The existing building encroaches into the side yard setback approximately 4.68 feet along the southern property line. The below table illustrates the requirements of the G-O/MU zoning district and existing site conditions. Those requirements which do not meet the requirements of the UDC are highlighted in yellow:

General Regulations	G-O/MU	Existing Site
Minimum Lot Size	22,500sq. ft.	27, 500 sq. ft.
Minimum Lot Width	150 ft.	125 ft.
Minimum Lot Depth	125 ft.	220 ft.
Minimum Front Setback	25 ft.	40.49 ft.
Minimum Side Setback	10 ft.	5.32 ft. (south) & 45 ft. (north)
Minimum Rear Setback	25 ft.	45 ft.

As a result of the proposed change in occupancy the following improvements are required:

- Façade Materials
  The façade shall be 100% masonry or glass, applicable to any wall or portion of a wall visible from O'Day Road or the abutting residentially zoned properties to the west.

- Parking
  The site plan shows 15 parking spaces, with 3 new parking spaces proposed. The applicant has also indicated that there are 5 indoor parking spaces, which can be credited towards the required parking.

  Parking on grass or other non-paved area in any zoning district is prohibited. The UDC defines "paved" as ground surface covered with concrete.

  Standard rectangular parking spaces shall be measured no less than 9 feet wide by 18 feet deep (9x18).

- Residential Adjacency Screening
  Due to residential adjacency to the west, required screening shall include a 25-foot wide buffer with an opaque wall, except this buffer shall be at least 30 feet wide if screening is achieved by a vegetative screen and not an opaque screening wall.

SITE HISTORY: The site is currently developed with an approximately 4,000 square-foot office/warehouse building, with approximately 6 existing parking spaces. The parking surface is a combination of gravel, asphalt and concrete. The proposed use is required to have a total of 19 parking spaces. The applicant has indicated that there are 5 indoor parking spaces, which can be credited towards the required parking. The existing building was constructed in 1993. According to City records, the most recent occupant of the building was Roy Shugart Glass and Mirror; a company which specialized in custom glass and window repair. The glass and window repair company occupied the building from August, 2004 to November, 2012

Prior to the adoption of the UDC in 2006, the subject property was located within the Commercial (C) zoning district, contained in the Urban Land Use and Development Ordinance. Various commercial uses were permitted in the C zoning district, including the proposed use. With the adoption of the UDC, the site was rezoned from C to G-O/MU, which does not permit most auto-related uses, including the proposed.

As a result of an annual review of the UDC (T-16), and subsequent approval by the City Council, those properties within the G-O/MU zoning district which were previously located within zoning districts which allowed nonresidential uses or those properties which were zoned for residential uses, but are developed with commercial buildings, may apply for approval of a CUP for nonresidential uses which were permitted prior to 2006.

Prior to the approval of T-16, on September 19, 2013, the applicant submitted a zone

change application (Zone Change 2013-16Z) for the subject property to change the zoning from G-O/MU to General Commercial (GC) and a Conditional Use Permit (CUP 2013-09) to allow the proposed use, as a CUP is required for *Auto Repair (Major)* within the GC zoning district. Ultimately the applicant withdrew both applications while awaiting the outcome of T-16.

PLATTING STATUS: The property was platted in 1965 as Block 3, Lot 9, Hickory Creek Place.

CONFORMANCE WITH THE COMPREHENSIVE PLAN: As a result of the 2004 Comprehensive Plan Update, it was determined that the O'Day Road area should include mixed use developments in order to maintain consistency between the City's adopted plan and the UDC. Acceptable land uses within the Garden/O'Day Mixed Use District include the following:

- Single-family residential
- Manufacturing businesses
- Fabrication businesses
- Technology businesses
- Retailing
- Manufactured homes
- Light commercial

Due to the transition in this area, most of the existing non-residential uses are considered nonconforming. One of the main goals of the Garden O'Day Mixed Use District is to bring the majority of existing nonresidential uses into conformance. New uses should be closely defined and should be consistent with the types of uses that preserve the residential character of the district.

The adoption of T-16 helps to further the goals of the Comprehensive Plan by allowing the re-use of nonresidential structures with approval of a Conditional Use Permit, which can be conditioned to help to mitigate any adverse impacts on the existing residential subdivisions.

CONFORMANCE WITH THE THOROUGHFARE PLAN: The subject property has frontage on O'Day Road; a secondary thoroughfare, with a minimum of 100' right-of-way. There is sufficient right-of-way to comply with the thoroughfare plan.

AVAILABILITY OF UTILITIES: The subject parcel has access to public water and public sewer.

IMPACT ON EXISTING AND FUTURE DEVELOPMENT: The site is surrounded by

existing developments, including single family residential and non-residential developments. The proposed use of *Auto Repair (Major)* is a permitted use in the existing zoning district of G-O/MU, with approval of a Conditional Use Permit (CUP). A CUP allows for uses which may be considered incompatible with existing uses; however, can be made compatible with conditions to minimize any adverse effects. Additionally, as a result of the change in use and an increase in the parking spaces required, improvements to the site are required including façade requirements, parking lot and refuse container screening and additional landscaping. A number of concerns were raised by the citizens at the previous public hearing. It is staff's professional opinion that the impact on existing developments will be minimal with the requirements of the UDC and the conditions in which staff will be recommending.

ADDITONAL COMMENTS: This request has been reviewed by the City's Development Review Committee and there are no additional comments from other departments at the time of this report.

PUBLIC NOTIFICATION: Public notice, comment forms, and a vicinity map were mailed to property owners within 200 feet of the subject property under consideration for the Conditional Use Permit. A legal notice of public hearing was published in the local newspaper, and a notification sign was placed on the property by the applicant.

OPPOSITION TO OR SUPPORT OF PROPOSED REQUEST: Staff has not received any comments either in opposition to or in support of the proposed Conditional Use Permit request at the time of this report. However, it is important to note that when the applicant originally submitted the request, 39% of the property owners within 200 feet of the site were opposed to the request.

CRITERIA FOR APPROVAL: When considering an application for a Conditional Use Permit, the Planning and Zoning Commission and City Council shall evaluate the impact of the proposed use on and its compatibility with surrounding properties and residential areas to ensure the appropriateness of the use at the particular location, and shall consider the extent to which:

(1) The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Plan;

(2) The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

(3) The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;

(4) The proposed use does not generate pedestrian and vehicular traffic which

will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;

(5) The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;

(6) The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties; and

(7) The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

CONDITIONS: The City Council may require such modifications in the proposed use and attach such conditions to the Conditional Use Permit as the City Council deems necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of this section. Should City Council consider approving the request, and identifies negative impacts which it feels are able to be mitigated, conditions and modifications may be placed on the approval of the Conditional Use Permit.

STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit (CUP 2014-01), subject to conditions; to allow for the operation of an *Auto Repair (Major),* facility with an *Office* component within the G-O/MU zoning district for the following reasons:

1. It is not anticipated that the proposed use will have any significant negative impacts on surrounding developed properties, as a result of the requirements of the UDC as well as the conditions which staff is recommending.

2. The proposed request would result in reuse of an existing building.

3. The proposed use will conform to the UDC as well as the Future Land Use Designation of the Comprehensive Plan.

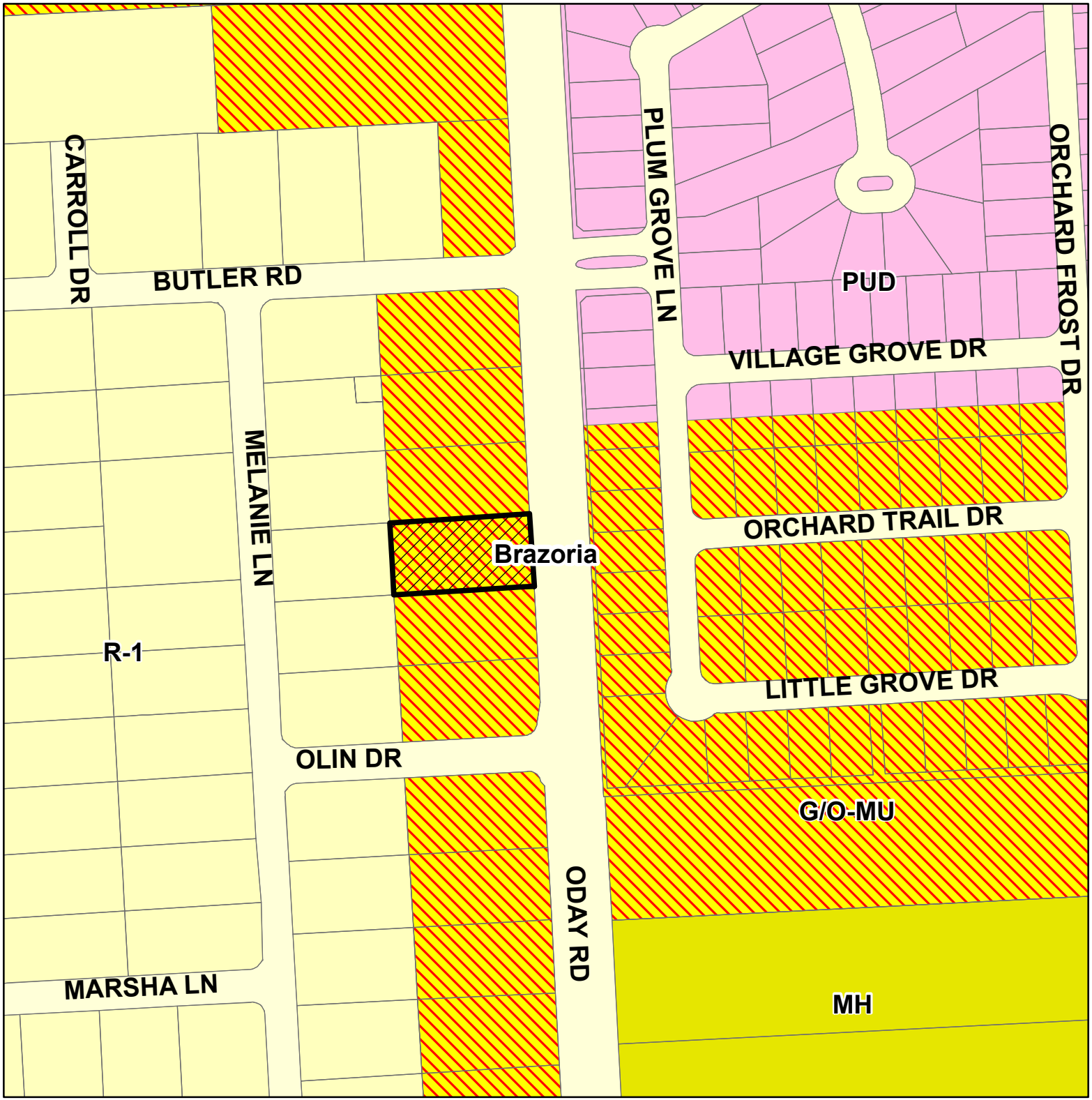
4. The proposed request appears to meet the criteria of approval for a Conditional Use Permit.

Recommended Conditions

1. The existing fence in the front yard of the property fronting O'Day Road does not meet City requirements. Staff recommends that the fence is replaced and shall meet the requirements of the Unified Development Code (UDC).
2. All vehicles parked outside shall be in operable condition and shall not meet the definition of a junk vehicle. In this context, a junk vehicle is defined as any wrecked, dismantled or partially dismantled, damaged, discarded, or ruined motor vehicle.
3. No outside repair of vehicles is allowed.
4. No vehicle delivery or drop-off after hours of operation.
5. All existing gravel shall be removed and replaced with materials permissible by the UDC.
6. The site shall conform to all landscaping and screening/fencing improvements as identified in the UDC.
7. Prior to First Reading, a revised site plan is required which illustrates all the conditions.
8. All applicable requirements of the UDC shall me met.

SUPPORTING DOCUMENTS:

- Zoning and Vicinity Map
- Abutter Map
- Property Owner Notification List
- Future Land Use Plan Map
- Aerial Map
- Applicant Packet



Zoning and Vicinity Map

CUP 2014-01

2106 O'Day Road

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N

0 55 110 220 Feet

Abutter Map

CUP 2014-01

2106 O'Day Road

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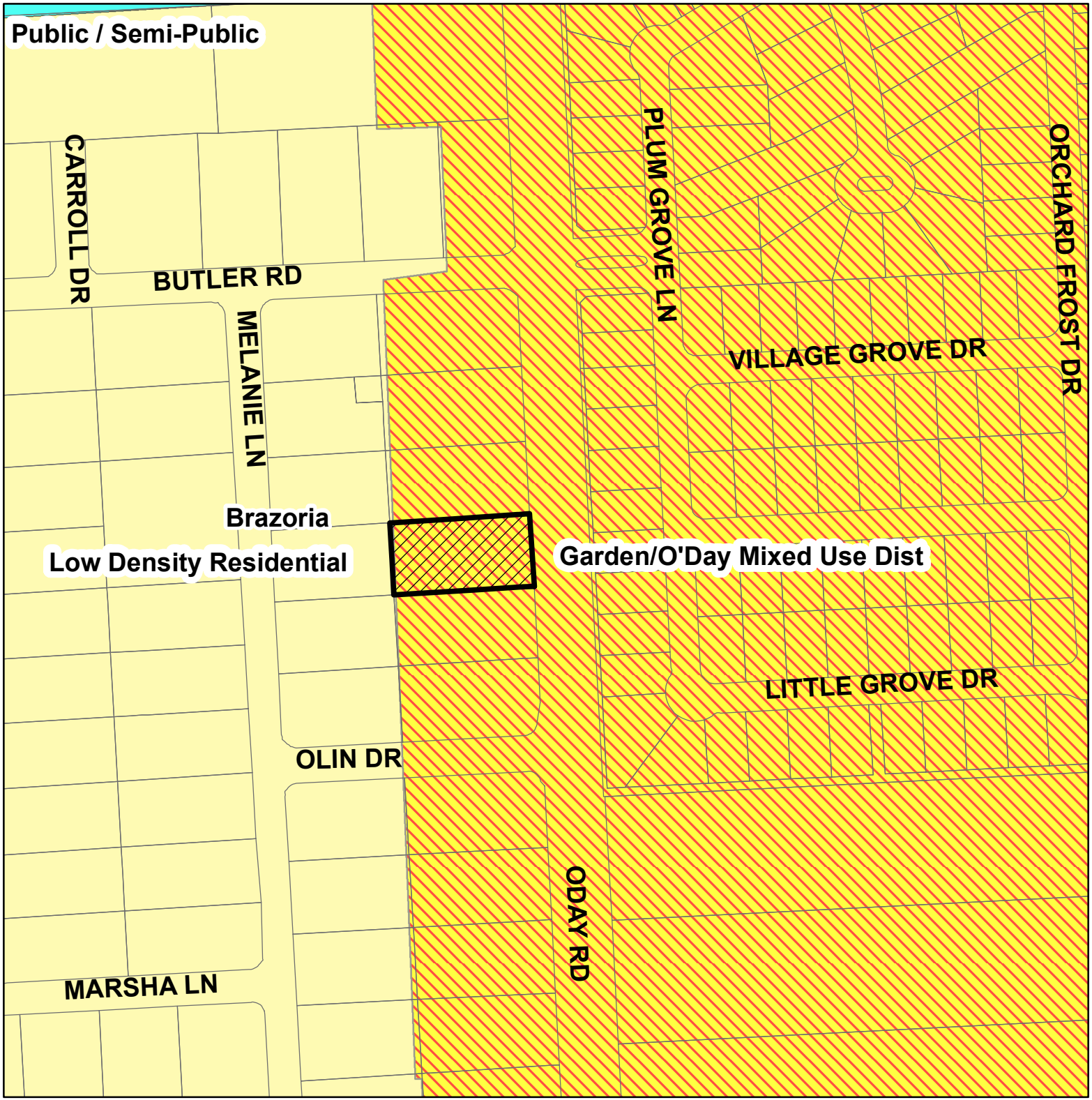
N

0 55 110 220 Feet

CUP 2014-01

2106 O'Day Road

NAME	ADDRESS	CITY	STATE	ZIP
KB HOME LONE STAR LP	11320 RICHMOND AVE	HOUSTON	TX	77082
JONES CECIL H JR	2018 PLUM GROVE LN	PEARLAND	TX	77581
VILLAGE GROVE HOMEOWNER ASSN INC	12603 LOUETTA RD #101	CYPRESS	TX	77429
O'NEILL ROBIN RENEE	PO BOX 890548	HOUSTON	TX	77289
MCCRACKEN MYRNA LEE	2045 MELANIE LN	PEARLAND	TX	77581
PINTO ERWIN A MIXCO	2117 MELANIE LN	PEARLAND	TX	77584
JONES STANLEY	2125 MELANIE LN	PEARLAND	TX	77581
RATCLIFF JOHN C	4803 ARROWHEAD LAKE DR	MISSOURI CITY	TX	77459
BARNES RALPH W JR	2049 MELANIE LN	PEARLAND	TX	77584
SHUGART ROY M & KYLE A	1102 CHEYENNE RIDGE DR	ROSHARON	TX	77583
BRESEE WALTER & GLENDA	2105 MELANIE LN	PEARLAND	TX	77581
MORTON MICHAEL D & ELIZABETH C	PO BOX 410	PEARLAND	TX	77588
MARTINEZ OSCAR J & NELDA	2126 ODAY RD	PEARLAND	TX	77581
JAMES AND PAULA LEACH	4619 SYLVIA LN	PEARLAND	TX	77578



FLUP Map

CUP 2014-01

2106 O'Day Road

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N

0 55 110 220 Feet

Aerial Map

CUP 2014-01

2106 O'Day Road

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N

0 130260 520 Feet

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: Major Auto Repair 2-130
(list proposed use from the Table of Uses of the UDC)

Current Zoning District: Garden / Oday Mixed Use.

Property Information:

Address or General Location of Property: 2106 Oday Rd. Pearland, Tx 77581

Tax Account No. 76-0192217

Subdivision: Hickory Creek Lot: 9 Block: 3

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

PROPERTY OWNER INFORMATION:

NAME James Leach
ADDRESS P.O. Box 1225
CITY Pearland STATE Tx ZIP 77588
PHONE(281) 485-4455
FAX(281) 485-6620
E-MAIL ADDRESS LASLEWIS@SBCGlobal.Net

APPLICANT/AGENT INFORMATION:

NAME Andrew Hinojosa
ADDRESS 17210 Berry Rd.
CITY Pearland STATE Tx ZIP 77584
PHONE(281) 777-5067
FAX(281) 485-6620
E-MAIL ADDRESS Andrew.Hinojosa@Hotmail.co

*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: James F. Leach Date: 1/16/14

Agent's/
Applicant's Signature: Date: 1/16/14

OFFICE USE ONLY:

FEES PAID: 250.00	DATE PAID: 1/17/14	RECEIVED BY:	RECEIPT NUMBER:

Application No. CUP2014-01

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:

Conditional Use Permit
PROPOSED (SPECIFY REQUEST)
Contact City of Pearland
281-652-1768

1-17-14

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

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

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.
- ☐ If the applicant is the designated agent, the application shall include a written statement from the property owner authorizing the agent to file the application on his behalf. **Section 1.2.1.1 (a) of the Unified Development Code.**
- ☑ Metes and Bounds Description, (Survey, or a Plat of the property that contain the metes and bounds description).
- ☐ 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
- ☐ Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- ☐ Application packets that are not **complete** will not be accepted. **When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, it may be necessary to postpone the proposed CUP/Zone Change and remove it from the scheduled agenda and place it on a future agenda date according to Section 1.2.1.2. of the Unified Development Code.**

City of Pearland Building Permits
3519 Liberty Dr
Pearland, TX 77581
Telephone: 281-652-1638

*** SALES SLIP ***

Oper: AGONZALES
Date: 9/19/13 01

Type: OC Drawer: 1
Receipt no: 358428
Seq no: 3218361
0002

Merch ID #:
Cross ref#: 611563

Card no: **********2080

Card type: MASTER CARD

Auth code: 082195
Date: 9/19/13 Time: 13:52:23

Payment total: $775.00

CARDHOLDER ACKNOWLEDGES RECEIPT OF GOODS AND/OR SERVICES IN THE AMOUNT OF THE TOTAL SHOWN HEREON AND AGREES TO PERFORM THE OBLIGATIONS SET FORTH IN THE CARD-HOLDER'S AGREEMENT WITH THE ISSUER.

Signature: JAMES F . LEACH

CUSTOMER COPY

City of Pearland Building Permits
3519 Liberty Dr
Pearland, TX 77581
Telephone: 281-652-1638

*** SALES SLIP ***

Oper: AGONZALES
Date: 9/19/13 01

Type: OC Drawer: 1
Receipt no: 358429
Seq no: 3218352
0002

Merch ID #: 611564
Cross ref#:

Card no: **********2080

Card type: MASTER CARD

Auth code: 083968
Date: 9/19/13 Time: 13:55:05

Payment total: $250.00

CARDHOLDER ACKNOWLEDGES RECEIPT OF GOODS AND/OR SERVICES IN THE AMOUNT OF THE TOTAL SHOWN HEREON AND AGREES TO PERFORM THE OBLIGATIONS SET FORTH IN THE CARD-HOLDER'S AGREEMENT WITH THE ISSUER.

Signature: JAMES F . LEACH

CUSTOMER COPY

2013 TAX STATEMENT

RO'VIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515

Certified Owner:
LEACH JAMES F & PAULA S
2106 O'DAY RD
PEARLAND, TX 77581-

Legal Description:
HICKORY CREEK PLACE (PEARLAND), BLOCK 3, LOT 9

Legal Acres: .6313
Parcel Address: 2106 ODAY RD
Print Date: 01/17/2014

Account No: 4860-0025-000
Appr. Dist. No.: 215562
As of Date: 01/17/2014

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
$55,280	$81,460	$136,740	$136,740	$0	$0	$0	$136,740

Taxing Unit	Assessed Value (100%)	Exemptions Code	Exemptions Amount	Taxable Value	Tax Rate	Tax
BRAZORIA COUNTY	$136,740		$0.00	$136,740	0.4320200	$590.74
Amount saved by additional sales tax revenue $129.25						
SPECIAL ROAD & BRIDGE	$136,740		$0.00	$136,740	0.0600000	$82.04
PEARLAND ISD	$136,740		$0.00	$136,740	1.4157000	$1,935.83
BRAZORIA DRAINAGE DIST 4	$136,740		$0.00	$136,740	0.1560000	$213.31
CITY OF PEARLAND	$136,740		$0.00	$136,740	0.7051000	$964.15

Total Tax: $3,786.07
Total Tax Paid to date: $3,786.07
Total Tax Remaining: $0.00

Exemptions:

AMOUNT DUE IF PAID BY THE END OF:

JAN 2014 0%	FEB 2014 7%	MAR 2014 9%	APR 2014 11%	MAY 2014 13%	JUN 2014 15%
$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
JUL 2014 18 + up to 20%	**AUG 2014 19 + up to 20%**	**SEP 2014 20 + up to 20%**	**OCT 2014 21 + up to 20%**	**NOV 2014 22 + up to 20%**	**DEC 2014 23 + up to 20%**
$0.00	$0.00	$0.00	$0.00	$0.00	$0.00

School Information:
PEARLAND ISD 2013 M&O 1.0400000 I&S .37570000 Total 1.4157000 2012 M&O 1.0400000 I&S .37940000 Total 1.4194000

4.1.50

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

Print Date: 01/17/2014

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

RO'VIN GARRETT, RTA
BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR
111 E. LOCUST
ANGLETON, TEXAS 77515
(979) 864-1320, (979) 388-1320, (281) 756-1320

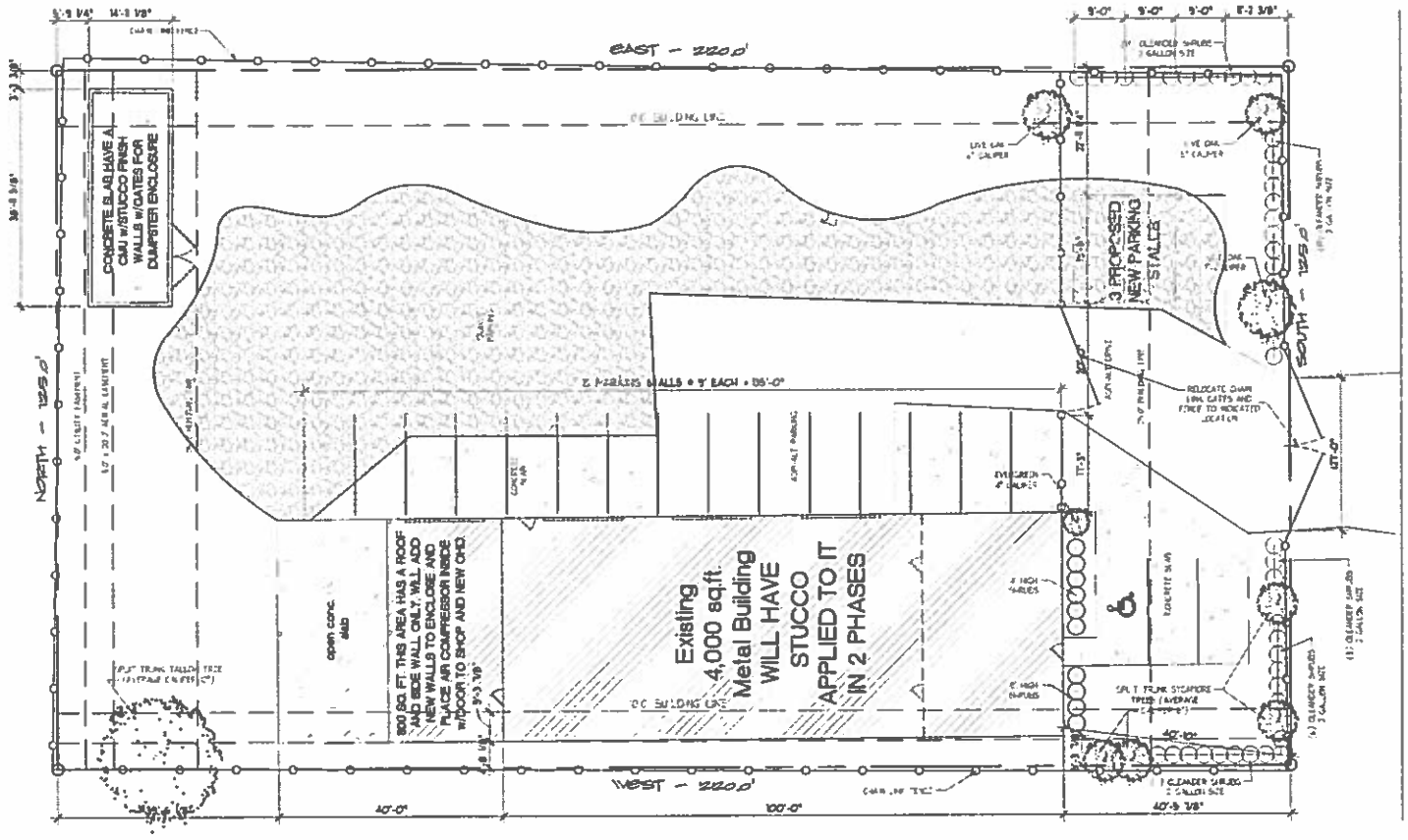
4860002500 0

4860-0025-000
LEACH JAMES F & PAULA S
2106 O'DAY RD
PEARLAND, TX 77581-

AMOUNT PAID:

$_____.____

4860002500 2013 012014 00000000000 00000000000 00000000000 0



O'DAY ROAD (a.k.a. - Co. Rd. 558)
60.0' R.O.W.

1 PROPOSED SITE PLAN

SCALE: 1" = 10'-0" (ON 24 x 36 SHEET)

TRUE NORTH - PLAN NORTH

0 8' 16' 32'

GRAPHIC SCALE

Precision

P.O. Box 2384
Pearland, Texas
77588
281-609-9906
pdg_texas@yahoo.com

Revisions

Date	Description

LEWIS AUTOMOTIVE

Lot 8 Block 3
Hickory Creek Business
2608 O'Day Road
Pearland
77581

14-002

Sheet Title
SITE PLAN (PROPOSED)

Sheet No.
A2-0

Drawn By | Project Manager | Date

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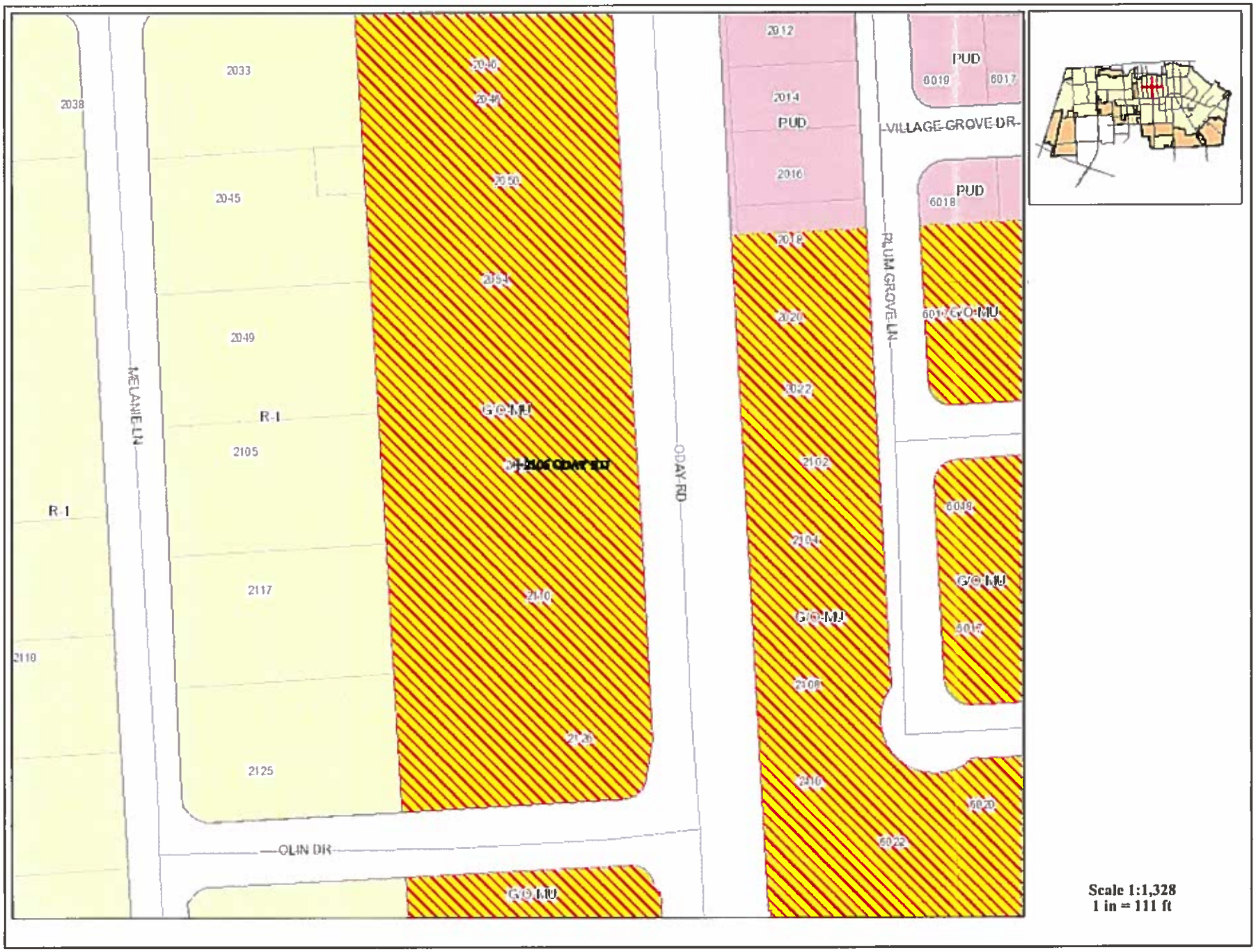
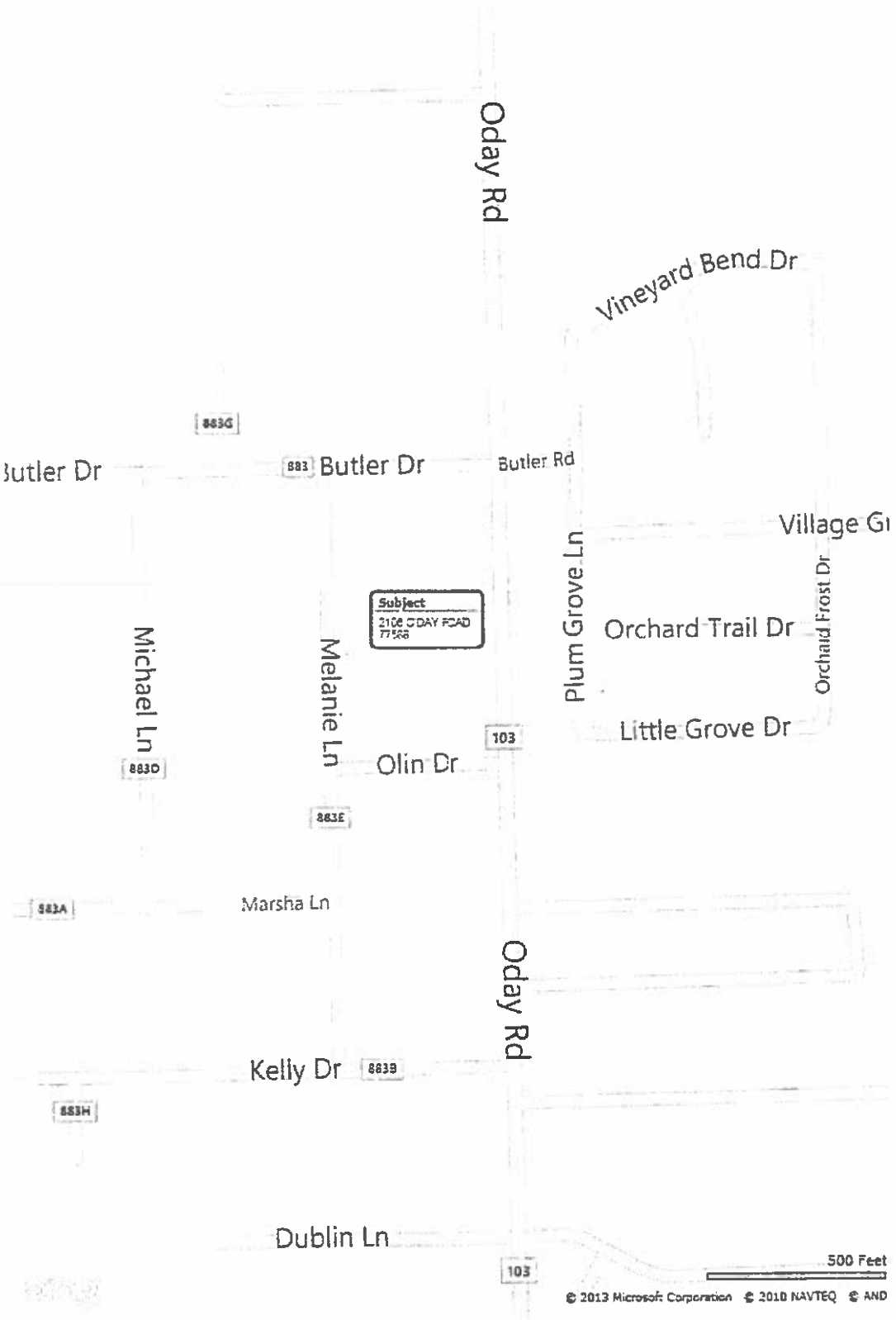
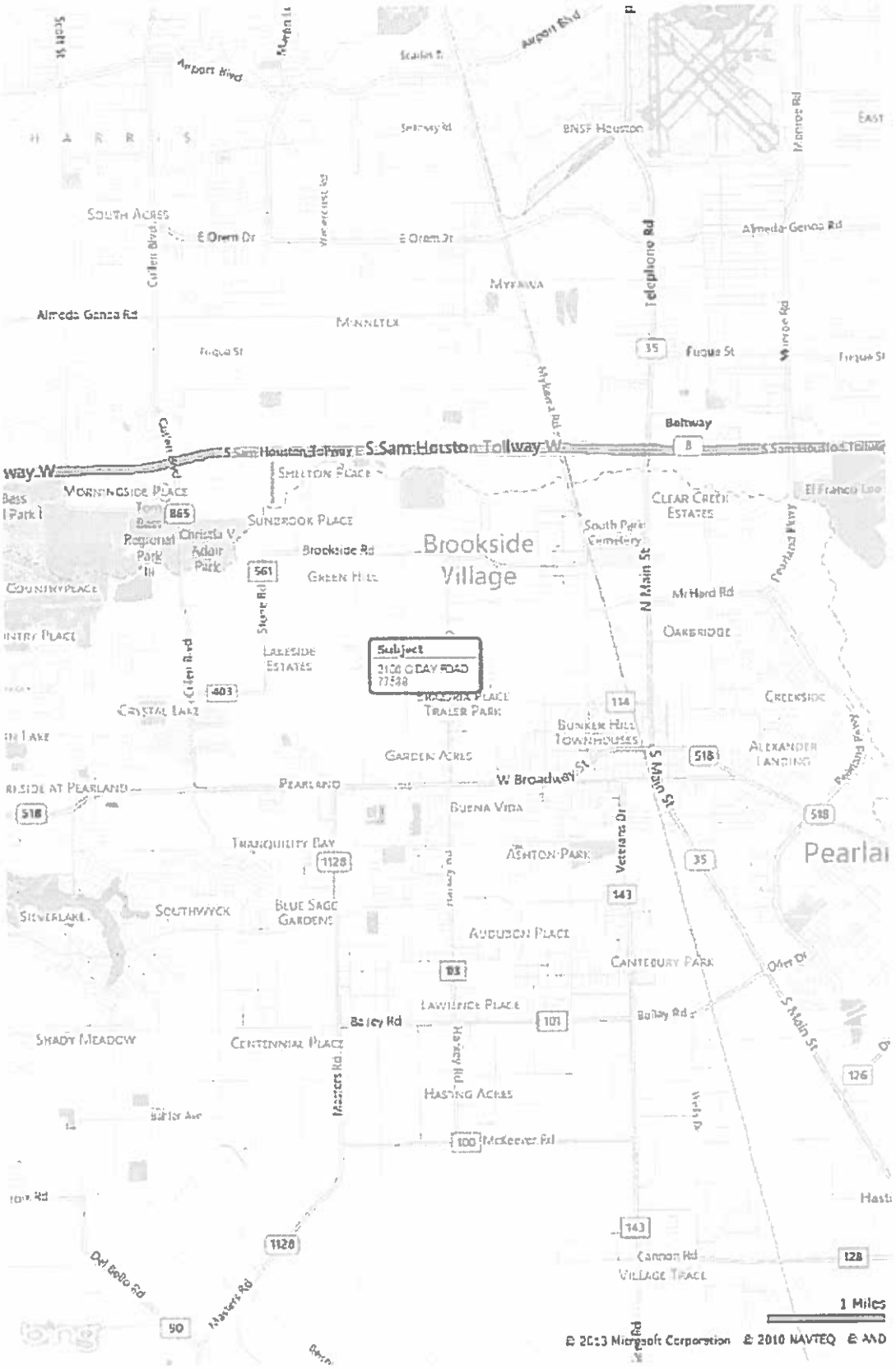


Scale 1:1,328
1 in = 111 ft

SITE LOCATION MAP



SITE NEIGHBORHOOD AND LOCATION MAP



LETTER OF INTENT

To Whom It May Concern:

We are James and Paula Leach. We own Lewis Auto Service on Harkey Road. We are a full service automotive repair shop that has served Pearland since 1986. We perform general automotive repair such as general mechanical, ac, computer diagnostics, emissions repair, brakes, etc. We are open from 8 am to 6 pm Monday thru Friday and 8 to 12 on Saturdays.

As of 7/2013 we purchased the property at 2106 Oday Road The intended use of this property was to be used as an overflow for Lewis Auto Service. We work for several companies that require we pickup the vehicle, repair it, and return it to the company. (ie: Strickland Chevrolet, Clayton Funeral Home, Evergreen Livery, Beck and Masten etc). This would be the primary use of the Oday facility.

After we purchased the property we started work on the building. The electrical was repaired, fire extinguishers installed, offices repainted, phone system installed, computer access installed, engineering checks to meet Texas Windstorm and flood and fire insurance etc. We have plans to bring the building and property up to conform with the city. We are looking at having the building stuccoed and bring the parking and landscape into compliance.

Upon filing for a certificate of occupancy we were informed of a zoning discrepency. The property is listed by the City of Pearland as the Garden Road Oday Mixed Use District (ie: commercial, industrial and/or residential). It is our understanding that the City considers Automotive as General Commercial and would require a zoning change. After several meetings with the Planning Department It was further decided that after the zone change we will need a conditional use permit.

Your consideration in this matter is greatly appreciated.

James F. Leach

Paula S. Leach