

## Zoning Change MAP-23-0006 (2309 19<sup>th</sup> Street)

<b>Request</b>	Rezone approximately 1.67 acres from “RSF-7” (Single-Family Residential 7) to “CG” (General Commercial)
<b>Applicant/Owner</b>	Jose D. Orellana, Estructura, LLC
<b>City Council</b>	Public Hearing & First Reading – <i>February 13, 2024</i> ; <i>Second Reading – February 27, 2024</i>
<b>Location</b>	Generally located four blocks west of Highway 3, three blocks south of FM 646, and along the north side of 19 <sup>th</sup> Street with an address of 2309 19 <sup>th</sup> Street.
<b>Citizen Response</b>	7 – Notices Mailed to Property Owners within 200 feet 0 – Communications of Support Received 0 – Communications of Opposition Received
<b>Attachments</b>	1. Zoning Map 2. Aerial Map 3. 2035 Comprehensive Plan Future Land Use Plan 4. Property Plat or Survey 5. List of Permitted Uses (for zoning district proposed)

The Commission should consider the following findings in its deliberation, which shall be utilized to substantiate its decision. To determine the extent to which the proposed zonings would be compatible with surrounding properties, the surrounding land uses, and the performance impacts should be considered.

**Background**

**December 8, 2015** – The property was zoned as “RSF-7” (Single-Family Residential 7) as part of the City’s annexation of this section of the City under Ordinance 2015-44. Newly annexed property in League City is automatically zoned “RSF-7.”

**April 27, 2023** – The applicant held a neighborhood meeting in League City. The sign-in sheet indicates that there were no attendees and no comments from the public.

**October 2, 2023** – The applicant submitted a rezoning request to the Planning Department.

**January 5, 2024** - Public hearing notices were mailed to the surrounding property owners, and a public hearing sign was posted on the property.

**January 7, 2024** – A public notice was published in the newspaper.

**January 22, 2024** - Planning & Zoning Commission is scheduled to conduct a public hearing and make a recommendation to City Council.

**February 13, 2024** – City Council is scheduled to conduct a public hearing and consider the request on first reading.

**February 27, 2024** – If approved on first reading, City Council will consider the second reading of the request.

**Proposal**

This request is to change the zoning of the subject property from “RSF-7” to “CG”. The proposed change will allow the future development of a Home Improvement Landscape Business.

**Neighborhood Meeting**

On April 27, 2023, the Applicant held a neighborhood meeting. There were no attendees and no comments from the public.

**Site and Surrounding Area**

The subject property is an undeveloped block with no protected trees. The north side of the property abuts a drainage ditch with unopened rights-of-way to the east and west sides as well.

Direction	Surrounding Zoning	Surrounding Land Use
North	“RSF-7” & “CG”	Galveston County Drainage Easement & Recreation Facility (Fitness Gym)
South	“ROW” & “RSF-7”	19 <sup>th</sup> Street & Undeveloped Lot
East	“RSF-7”	Unopened ROW & Undeveloped Lot
West	“RSF-7”	Unopened ROW & Undeveloped Lot

**Nonconformances**

Based on the request, approval of the proposed zoning district would not create any nonconformances with respect to the subject property or immediately surrounding properties/uses.

Per state law, the League City is required to provide written notice to each owner of real or business personal property, if approval of the request changes the current conforming use of a property to a nonconforming use.

**Conformity with Comprehensive Plan**

The proposed zoning conforms to the Future Land Use Map in the 2035 Comprehensive Plan, which identifies the area as “Enhanced Auto Dominant Commercial”. Enhanced Auto Dominant Commercial is focused on convenience and access almost exclusively by automobile. Buildings are typically set back to provide ample view of parking areas that dominate the site with minimal walkability.

**Zoning Analysis**

If the rezoning is adopted, the development and use regulations for the “CG” (General Commercial) zoning district would apply. A list of land uses can be found in the Permitted Use Table. See Attachment #5.

The intent of the “CG” (General Commercial) zoning district is for existing and future areas of larger-scaled pedestrian- and auto-oriented commercial development and include a wide variety of community-serving uses that include retail, services and office uses, etc. Residential uses are not permitted in this district.

In 2015, the subject property was annexed as part of a 94-acre annexation along League City’s southern city limits. In accordance with the zoning regulations, upon annexation, all annexed properties were zoned as “RSF-7.” While much of the western portion of the annexation is comprised of existing large lot and master planned residential properties (St. Edmunds Green Subdivision), the eastern portion, immediately surrounding the subject property, has a mixture of both existing commercial and residential properties.

The property is contiguous with “CG” zoned properties to the north. The nearest existing residential use lies approximately 3 blocks to the east, along Highway 3, in which the properties directly to the north and south of the residential block are zoned “CG.” The immediate surrounding area is bounded by a drainage ditch to the west, Highway 3 to the east and the League City / Dickinson city limit boundary to the south.

The majority of development in the area consists of existing commercial uses. Based on the current Future Land Use Plan and the rezoning of a nearby tract to the east / southeast to “CG”, it is anticipated that commercial uses will expand to the city limits.

**Access and Traffic Impacts**

Direct access to the properties is provided to State Highway 3 via 19<sup>th</sup> Street. The applicant’s proposed use for this property has minimal traffic impact. Should it be determined that the

future use of the property demands higher traffic volumes than anticipated, roadway improvement may be required at that time.

**19<sup>th</sup> Street**

	Existing Conditions	Proposed Conditions
<i>Roadway Type</i>	Local Road	Local Road
<i>ROW Width</i>	60 Feet	60 Feet
<i>Pavement Width and Type</i>	2-lane, undivided, 21-foot-wide concrete pavement width with drainage ditch on either side.	2-lane, undivided, 21-foot-wide concrete pavement width with drainage ditch on either side.

**Utilities** Water and Sewer are accessible via the Galveston County Water Control and Improvement District #1 (WCID #1).

**Floodplain** The property is located entirely within the Zone AE floodplain. Any development on the property will be required to conform to the City’s Floodplain Ordinances.

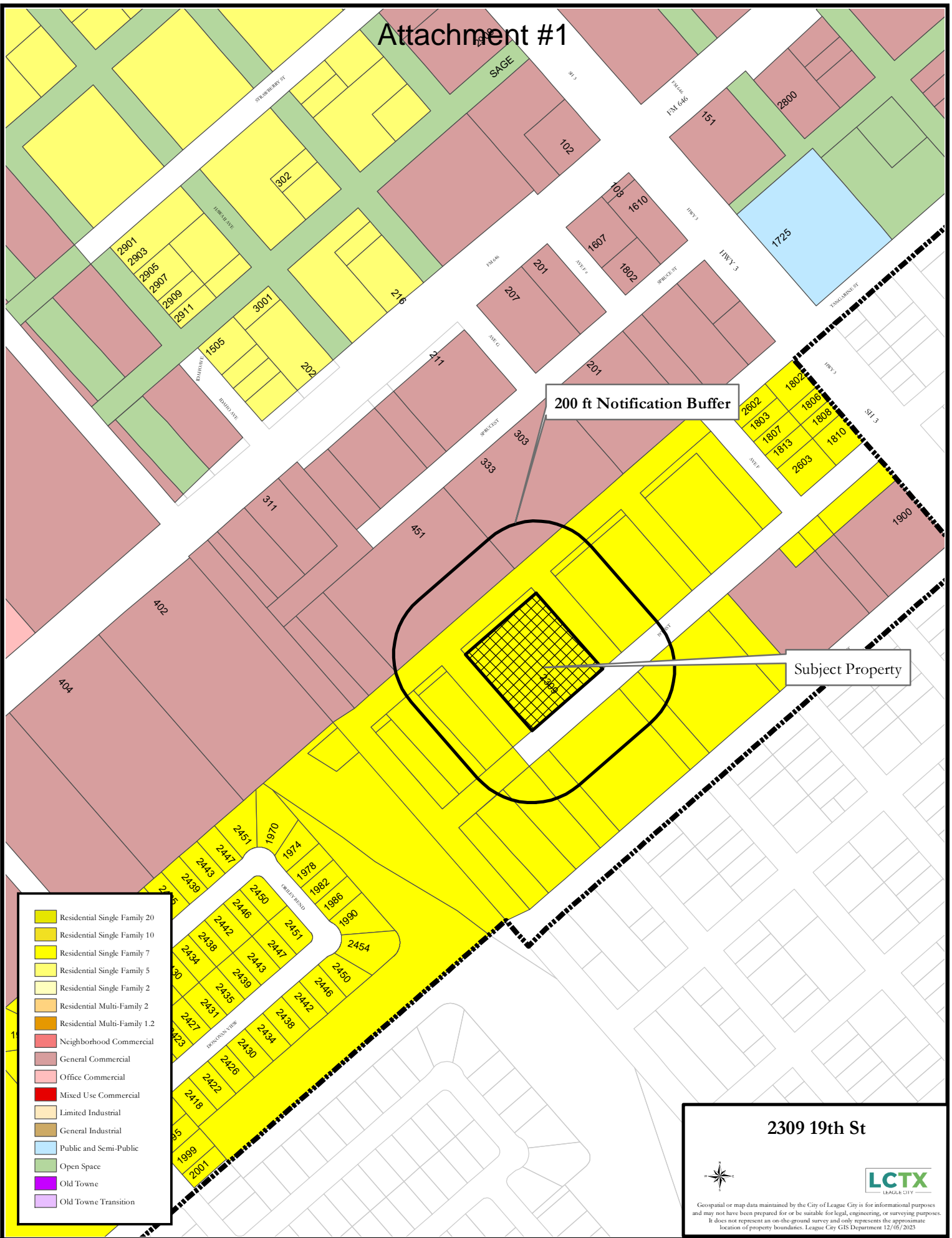
**Criteria in Support of Recommendation** Based upon the information provided, staff has determined that the proposed zoning:

- Is consistent with the League City Comprehensive Plan’s Future Land Use Plan.
- Will not detrimentally affect surrounding properties.
- Is contiguous to the “CG” properties to the north.

**Recommendation** Based on the criteria listed above, staff recommends approval.

For additional information, you may contact Ann Williams, Planner at 281-554-1084 or at [ann.williams@leaguecitytx.gov](mailto:ann.williams@leaguecitytx.gov).

# Attachment #1



200 ft Notification Buffer

Subject Property

- Residential Single Family 20
- Residential Single Family 10
- Residential Single Family 7
- Residential Single Family 5
- Residential Single Family 2
- Residential Multi-Family 2
- Residential Multi-Family 1.2
- Neighborhood Commercial
- General Commercial
- Office Commercial
- Mixed Use Commercial
- Limited Industrial
- General Industrial
- Public and Semi-Public
- Open Space
- Old Towne
- Old Towne Transition

## 2309 19th St

Geospatial or map data maintained by the City of League City 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 only represents the approximate location of property boundaries. League City GIS Department 12/05/2023

# Attachment #2



200 ft Notification Buffer

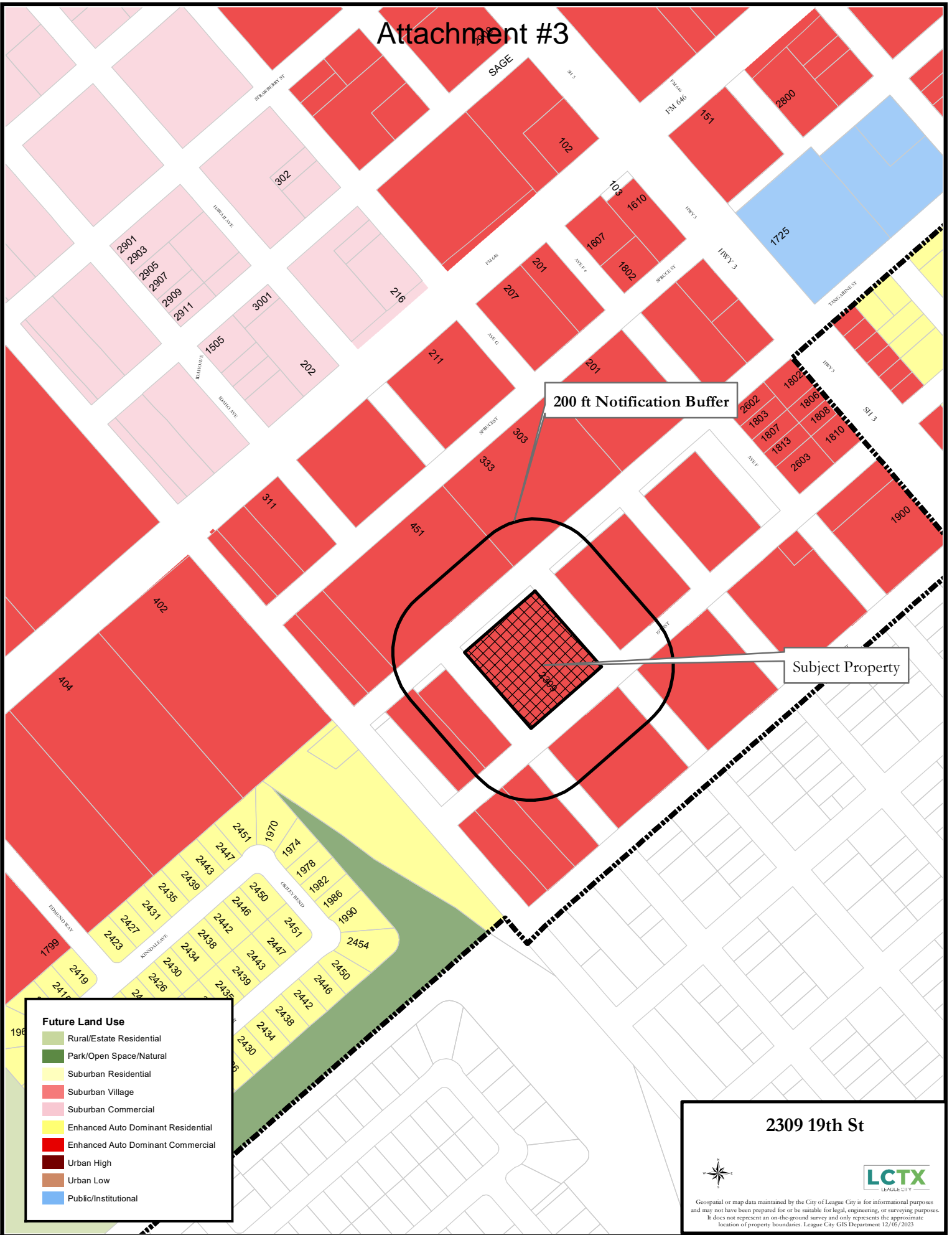
Subject Property

2309 19th St



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# Attachment #3



200 ft Notification Buffer

Subject Property

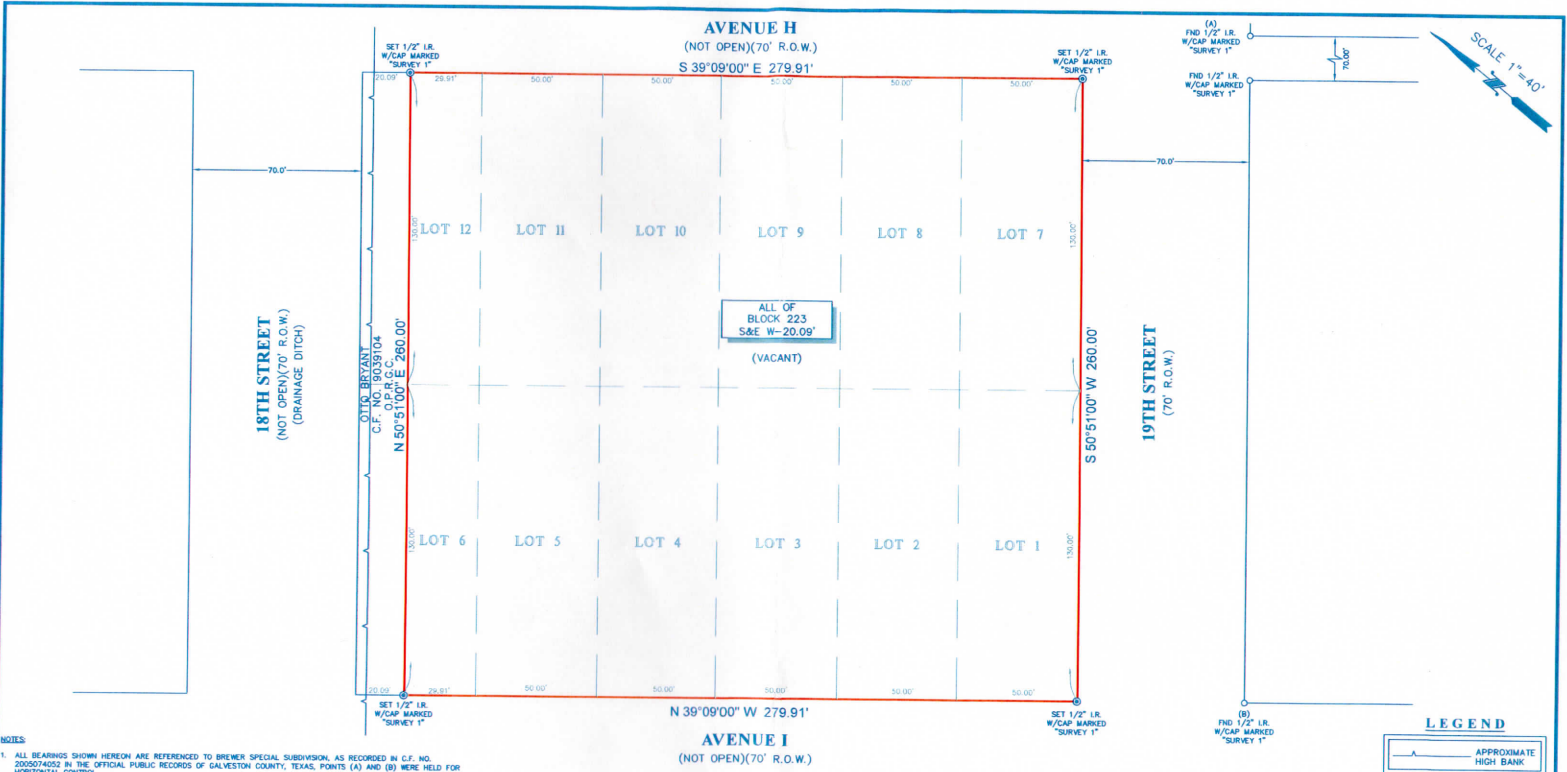
2309 19th St



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- Future Land Use**
- Rural/Estate Residential
  - Park/Open Space/Natural
  - Suburban Residential
  - Suburban Village
  - Suburban Commercial
  - Enhanced Auto Dominant Residential
  - Enhanced Auto Dominant Commercial
  - Urban High
  - Urban Low
  - Public/Institutional

# Attachment #4



- NOTES**
1. ALL BEARINGS SHOWN HEREON ARE REFERENCED TO BREWER SPECIAL SUBDIVISION, AS RECORDED IN C.F. NO. 2005074002 IN THE OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, TEXAS. POINTS (A) AND (B) WERE HELD FOR HORIZONTAL CONTROL.
  2. ABSTRACT INFORMATION FOR THE SUBJECT TRACT WAS PROVIDED BY THE TITLE INSURANCE COMPANY LISTED BELOW.
  3. SURVEYOR HAS NOT INDEPENDENTLY ABSTRACTED SUBJECT PROPERTY.
  4. THIS SURVEY IS CERTIFIED TO THE TITLE INSURANCE COMPANY LISTED BELOW FOR THIS TRANSACTION ONLY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
  5. ALL EASEMENTS AND BUILDING LINES SHOWN ARE FOR THE RECORDED PLAT UNLESS OTHERWISE NOTED.
  6. THERE ARE NO NATURAL DRAINAGE COURSES ON SUBJECT PROPERTY.
  7. SUBJECT TO THE RESTRICTIVE COVENANTS AS LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED ON NOVEMBER 4, 2021, UNDER C.F. NO. 2688034-14213.

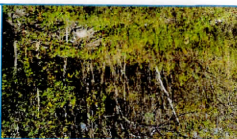
**LEGAL DESCRIPTION:** ALL OF BLOCK 223 OF THE MOORE ADDITION, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 115, PAGE 10 OF THE DEED RECORDS OF GALVESTON COUNTY, TEXAS, SAVE AND EXCEPT THE WEST 20.90 FEET DESCRIBED IN A DEED FROM OTTO BRYANT UNDER FILM CODE NO. 007-28-1426, COUNTY CLERK'S FILE NO. 9039104, OFFICIAL PUBLIC RECORDS, GALVESTON COUNTY, TEXAS.



**TITLE COMPANY:**

**First American Title**

C.F. # 2688034-14213      ISSUE DATE: NOV. 4, 2021



**SURVEYORS CERTIFICATE**

IN MY PROFESSIONAL OPINION, THIS PLAT REPRESENTS THE FACTS FOUND ON THE GROUND DURING THE COURSE OF A BOUNDARY SURVEY CONDUCTED UNDER MY SUPERVISION ON NOVEMBER 16, 2021 AND THAT THIS PLAT SUBSTANTIALLY COMPLES WITH THE CURRENT STANDARDS AS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND THAT THERE ARE NO ENCROACHMENTS OR EROSIONS EXCEPT AS NOTED.

*Richard Fussell*  
RICHARD FUSSELL  
4148

**CLIENT:** JOSE DEL CARMEN ORELLANA

**ADDRESS:** 1815 19TH STREET

www.survey1inc.com  
survey1@survey1inc.com

**Survey 1, Inc.**  
Your Land Survey Company  
Firm Registration No. 100758-00  
P.O. Box 2543 | AHW, TX 77512 | (281)363-1382

FIELD CREW: JF	TECH: AH
DRAFTER: CB	FINAL CHECK: EF
DATE: NOV. 16, 2021	JOB#: 11-104844-21

**LEGEND**

— APPROXIMATE HIGH BANK

SCALE 1"=40'



### Permissible Uses within the General Commercial Zoning District

Group Residential, Assisted Living Facility	Group Residential, Continuing Care Facility
Group Residential, Disabled Group Dwelling	Group Residential, Emergency Shelter
Group Residential, Emergency Shelter	Group Residential, Nursing Home
Clubs and Lodges	Colleges, Public or Private
Cultural Institutions	Day Care
Educational Research and Development	Event Venue
Government Offices and Facilities, large scale	Government Offices and Facilities, small scale
Hospitals (may have heliport)	Parks and Recreation
Public Safety Facilities	Religious Assembly
Schools, Public or Private	Alcoholic Beverage Sales, Off-Premise Consumption
Ambulance Service	Animal Sales and Services, no outdoor kennel/storage
Automobile/Vehicle/Equipment Sales and Rental	Light Vehicle Service
Banks and Other Financial Institutions	Bed and Breakfast Establishment
Building Materials Sales and Services	Catering Business
Convention Center	Food and Beverage Sales
Home Improvement Sales and Services	Hotel
Laboratory, Commercial	Maintenance and Repair Services
Massage Establishments and Massage Services	Micro-brewery, Micro-distillery, and Micro-winery
Nurseries and Garden Supply Stores	Offices
Parking Facilities	Pawn Shops
Personal Instructional Services	Personal Services
Recreation and Ent., Large-scale, (Outdoor)	Recreation and Ent., Small-scale, (Indoor)
Retail Sales	Undertaking, Funeral and Interment Services
Production Industry, Artisan	Warehousing and Indoor Storage
Wholesaling and Distribution, Store Facilities	Wholesaling and Distribution, Non-Store Facilities
Communications Facilities	Marinas, Private
Marinas, Public	Transportation Passenger Terminals
Utility, Public	Utility, Minor
Eating and Drinking Establishments, Full-Svc	Eating and Drinking Establishments, Limited Service
Eating and Drinking Establishments, Drive-Thru	Eating and Drinking Establishments, with Live Ent.
Eating and Drinking Establishments, with Outdoor Seating	