

Zoning Change – (MAP-21-0001)
Multiple Parcels, Rights of Way and Easements
along W. FM 646

Request	Rezone approximately 15 acres of land area that is comprised of 20 parcels from “CO” (Office Commercial) to “CG” (General Commercial) and rezone the adjacent right of way and easements from “OS” (Open Space) to “GC” (General Commercial) in the Moore Addition and Brewer Special Subdivision.
Applicant	City of League City
Owner	Please see attached owner list.
City Council	Public Hearing & First Reading – <i>April 27, 2021</i>
Location	Generally located along the south side of W. FM 646, between the 18th Street drainage ditch and W. FM 646, and west of Highway 3, between Highway 3, and the 100- foot Benson Bayou drainage right of way.
Citizen Response	22 - Notices Mailed to the Property Owners 39 – Notices Mailed to Property Owners within 200 feet 1 – Communications of Support Received 0 – Communications of Opposition Received
Attachments	1. Zoning Map 2. Aerial Map 3. Property Owner List 4. Future Land Use Map 5. Land Use Table 6. Letter of In Favor

The Commission should consider the following in its deliberation, which shall be utilized to substantiate its findings.

Background **December 16, 2020** – Staff had a meeting to discuss the staff-initiated rezoning of these properties from “CO” (Office Commercial) to “CG” (General Commercial).
January 4, 2021 – Notices went out to the property owners of these lots advising them of the staff-initiated change of zoning and requesting them to notify staff with any questions, concerns or objections.
March 2, 2021 – Notices were sent to the property owners within 200-feet of the subject properties.
March 2, 2021 - Notices posted in paper and City Secretary’s office.
April 5, 2021 – Planning and Zoning Commission will hold a public hearing and make a recommendation to City Council.
April 27 – City Council will hold a public hearing and potentially act on the Change of Zoning request.

Site and Surrounding Area

The site is approximately 15 acres of land area that is comprised of 20 parcels that are zoned “CO” (Office Commercial). Additionally, some of the adjacent rights of way and easements are zoned “OS” (Open Space). Please reference Attachment #1, Zoning Map for details.

The land uses on the subject properties are a drive through ATM kiosk, two single family homes, the Vanderford Air Conditioning Service office and warehouse, and a Gymnasium. Along 17th Street or Spruce Street there is vacant land, the American Cheer Power, Kid City, Kid City 2, and the Bay Area Pole Vaulting training center.

The following are the proposed rights of way to be rezoned:

1. The south 250-foot portion of Avenue F.
2. The north 250-foot portion of Hawaii Avenue.
3. The north 250-foot portion of Idaho Avenue.
4. The north and south portions of the 100-foot-wide Center Point Energy electrical easement.
5. The north and south portions of the 100-foot-wide Benson Bayou drainage ditch.
6. The west 554-feet of 17th Street also known as Spruce Street.
7. The rights of way on the south side 17th or Spruce Street are the 250-foot portions of Hawaii Avenue and Avenue G. These rights of way were abandoned (but not rezoned) sometime in the past and are part of the Kid City and Kids City 2, day care development.

The properties to the south are mostly vacant land except for the properties on the southwest corner adjacent to Highway 3, these are single family residences. The properties to the east across Highway 3 contain a Fueling Station and a Church. The properties to the north across W. FM 646 are a single-family residence, vacant commercial property, and a convenience store with a fueling station. The property to the west across the drainage easement is the Moon Valley Nursery.

Direction	Surrounding Zoning	Surrounding Land Use
North	ROW	W. FM 646 ROW
South	“RSF-7”	Single Family Residence, Vacant Land and Convenience Store with a Fueling Station
East	ROW	Highway 3
West	“CG”	Moon Valley Nursery

Proposal

Through working with property owners in this area, staff has found that the current zoning district of “CO” (Office Commercial) is not consistent with the future land use map or the character of the area. Staff is requesting the zoning change to allow for a wider range of commercial uses on these parcels and to make the zoning more consistent with existing development.

Additionally, the rights of way and easements shown as green in Attachment #1, zoning map are zoned “OS” (Open Space) and staff is requesting these also be changed to (General Commercial).

Conformity with Comprehensive Plan

The Future Land Use Map in the 2035 Comprehensive Plan identifies these properties as “Enhanced Auto Dominant Commercial”. Enhanced Auto Dominant Commercial focuses on convenience and access for customers and employees almost exclusively by automobile and encourages a mix of uses with development along major arterials. Please reference Attachment #4.

The proximity to two major arterials, the surrounding zoning that is primarily “CG” (General Commercial) and the existing land uses on these parcels make this site more appropriate for a “CG” (General Commercial) zoning. Staff finds the change of zoning to be consistent with the Future Land Use Map from the 2035 Comprehensive Plan.

Zoning Analysis

There are two single family homes on the east side of the rezone area. These single-family homes are currently nonconforming with the “CO” (Office Commercial) zoning and would remain nonconforming with this requested change. None of the residential property owners had objections to the requested change of zoning on their property.

Most of the surrounding commercial properties along the W. FM 646 corridor are zoned “CG” (General Commercial) and have uses that are compatible with the “CG” (General Commercial) zoning. As shown in the chart below, the existing land uses on the subject parcels are more consistent with the “CG” (General Commercial) zoning as well.

Existing Land Uses	Proposed Zoning “CG”	Existing Zoning “CO”
Single Family Home	X-Not Permitted	X-Not Permitted
Gym	P	X-Not Permitted
Day Care	P	P
Air Conditioning Service Office and Warehouse	P	P
American Cheer Power	P	X-Not Permitted
Pole Vault Academy	P	X-Not Permitted

The rights of way and easements being requested for change are unimproved roadways, and the easements are for electric power lines and a drainage ditch. By changing the zoning on these rights of way and easements to the “CG” (General Commercial) it would eliminate the requirement for a landscape buffer yard adjacent to rights of way and easements for future development. This change would also make the zoning on the abandoned rights of way adjacent to the Kids City and Kids City 2, day care development one consistent zoning district.

The intent of the “CG” (General Commercial) zoning district is for existing and future areas with larger-scaled pedestrian and auto-oriented commercial development located on major arterial roadways for community-serving uses such as retail, services, office, auto-related businesses, restaurants, recreation, and entertainment. These parcels conform to the intended use of the “CG” (General Commercial) zoning district.

If the rezoning is approved, the development and use regulations for the “CG” (General Commercial) zoning district would apply. A list of land uses for the “CG” (General Commercial) zoning district can be found in the attached land use table.

Access and Traffic Impacts

Access will be provided from W. FM 646 and Highway 3.

W. FM 646

	Existing Conditions	Proposed Conditions
<i>Roadway Type</i>	Major Arterial	Major Arterial
<i>ROW Width</i>	120 Feet	120-feet
<i>Pavement Width and Type</i>	4-Lane with Center turn lane	6-Lane

Highway 3

	Existing Conditions	Proposed Conditions
<i>Roadway Type</i>	Major Arterial	Major Arterial
<i>ROW Width</i>	150 Feet	150 feet
<i>Pavement Width and Type</i>	4-Lane with center turn lane	6-Lane, Major Arterial

Utilities

Water and Sanitary sewer are both available.

Criteria for Considering Rezoning

The Planning and Zoning Commission shall use the following criteria for considering their recommendation for approval or denial:

1. Conformance of the proposed zoning and use with the City's Comprehensive Plan and other City policies.
2. The character of the surrounding area.
3. The zoning and use of nearby properties, and the extent to which the proposed zoning and use would be compatible.
4. The suitability of the property for the uses permitted by right in the proposed zoning district.
5. The extent to which approval of the application would detrimentally affect nearby properties.
6. The extent to which approval of the application would harm the value of nearby properties.
7. The gain to public health, safety, and welfare due to denial of the application as compared to the hardship imposed upon the owner as a result of denial of the application.
8. Exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.

Criteria in Support of Recommendation

Based upon the information provided, staff has determined that the proposed rezoning:

- Is consistent with projected future land uses along the south side of W. FM 646.
- Does not affect the availability or capacity for water or sewer services on the properties.
- The uses permitted by the proposed zoning district are more suitable for the properties than the existing zoning.
- The proposed rezoning will not detrimentally affect surrounding properties.
- New proposed zoning provides a wider range of uses to encourage development in this area.
- The "CG" (General Commercial) zoning district is consistent with the zoning and development patterns on the W. FM 646 corridor.

Staff Recommendation

Based on the criteria listed above, staff recommends approval.

For additional information, you may contact Janice Norman, Senior Planner at 281-554-1079 or at Janice.norman@leaguecitytx.gov.





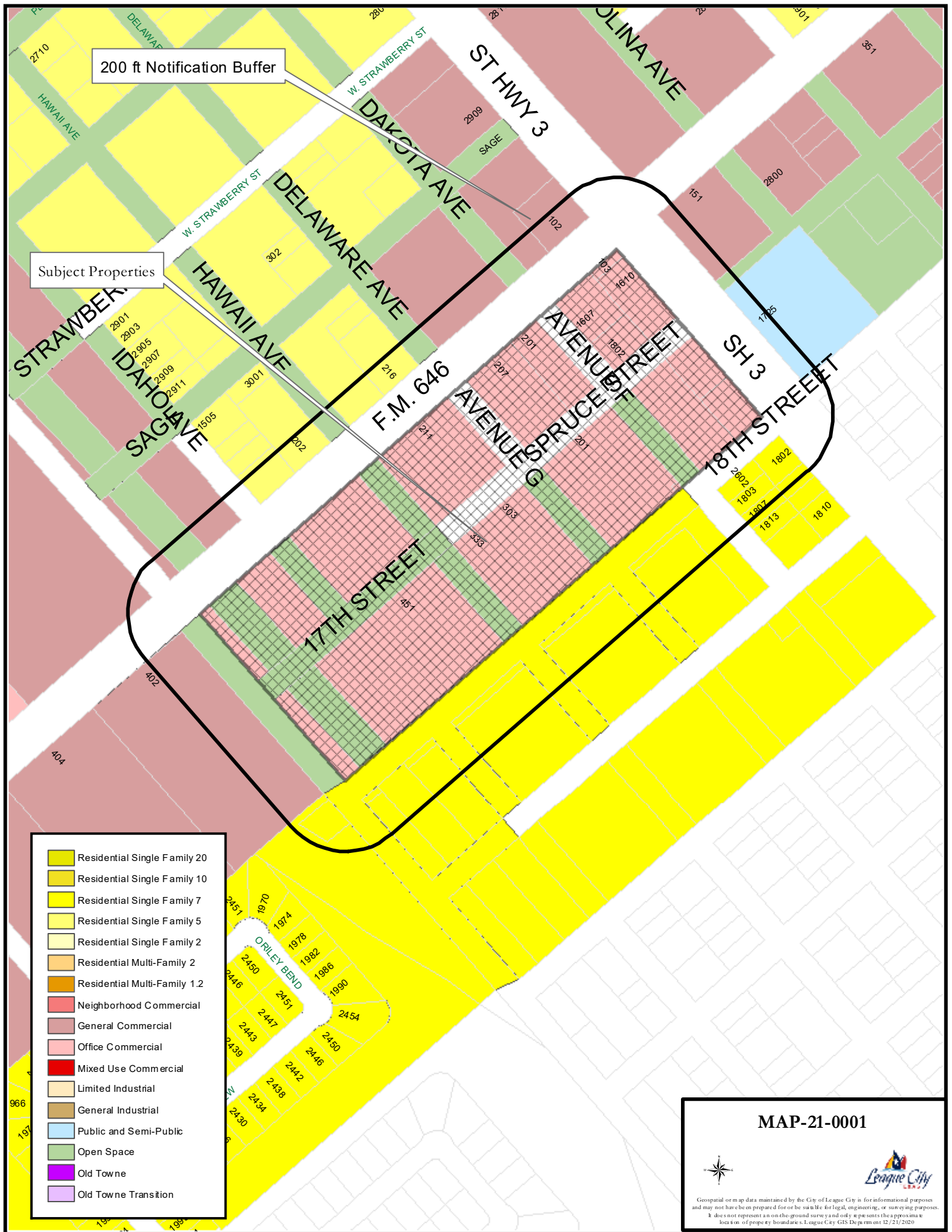
200 ft Notification Buffer

Subject Properties

MAP-21-0001

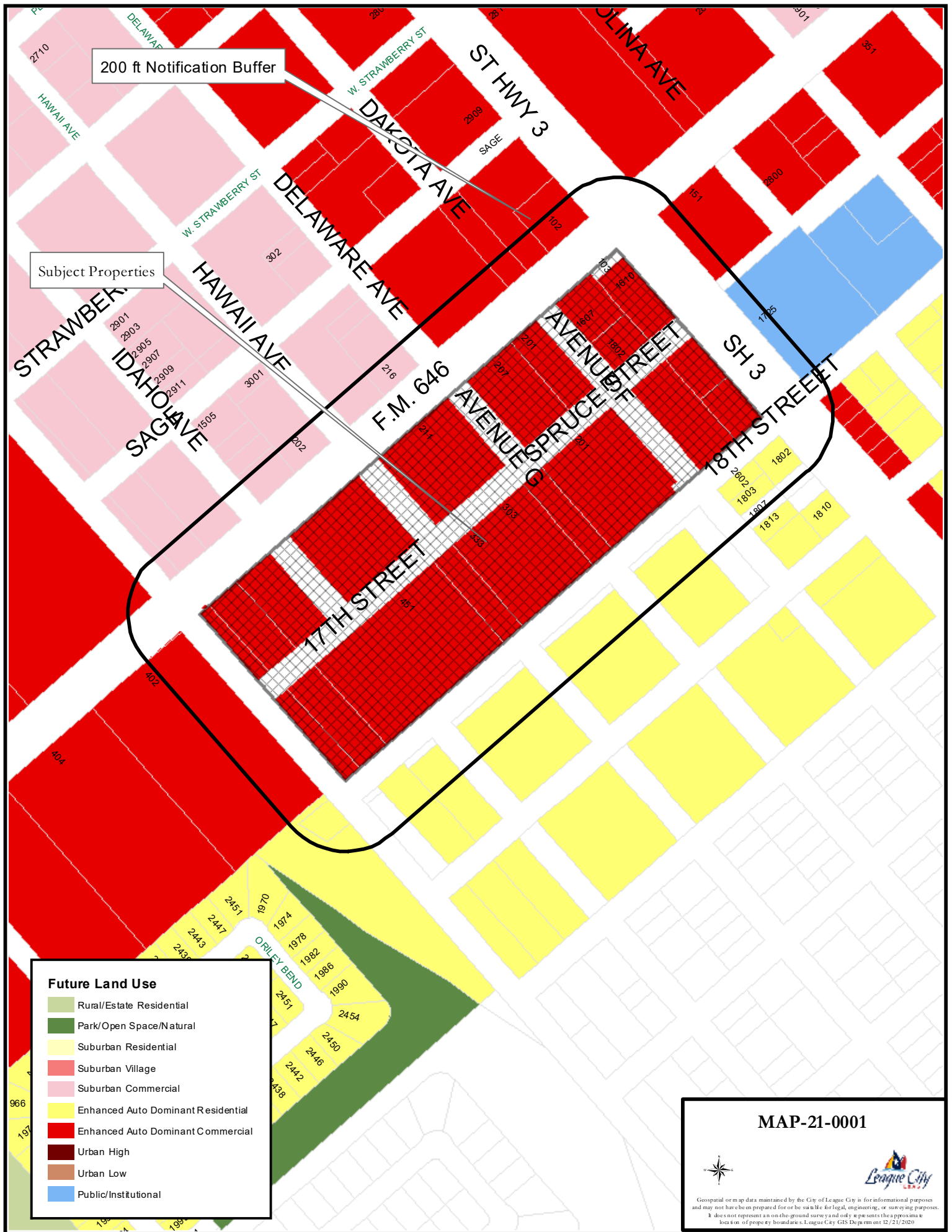


Geospatial or map data maintained by the City of League City is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent a on-the-ground survey and only represents the approximate location of property boundaries. League City GIS Department 12/21/2020



Property Owner List

	PROPERTY OWNER	ADDRESS	PARCEL #
1	CENTERPOINT ENERGY INC	Powerline Corridor	0019-0132-0001-000
2	TEXAS FIRST BANK	103 E. FM 646	5182-0135-0011-001
3	BLEDSON VINCENT R & THERESA	1610 S HWY 3 DICKINSON, TX 77539	5182-0135-0010-001
4	BLEDSON BARBARA	1607 AVE F LEAGUE CITY, TX 77539	5182-0135-0004-000
5	MINISTRY OF ENCOURAGEMENT CHURCH	1802 17TH ST DICKINSON, TX 77539	5182-0135-0001-000
6	STRICKEL JOANN & ISABEL ACOSTA & WILLIAM PATRICK SWEENEY JR		5182-0134-0001-000
7	DTN PROPERTIES SERIES LLC		5182-0134-0007-001 5182-0134-0010-001
8	KANDILIOTIS ENTERPRISES LLC	211 W FM 646 LEAGUE CITY, TX 77573	5182-0195-0001-000
9	SYMONS ENTERPRISES LLC	201 SPRUCE DR LEAGUE CITY, TX 77573	5182-0164-0001-000 5182-0194-0000-001 (Abandoned ROW)
10	SYMONS KID CITY MANAGEMENT LLC	201 SPRUCE DR LEAGUE CITY, TX 77573	5182-0224-0000-001 (Abandoned ROW)
11	EXP-GALV CO WCID #1	Galveston County Water Control and Improvement District	5182-0164-0007-001
12	SYMONS KID CITY MANAGEMENT LLC	333 SPRUCE DR LEAGUE CITY, TX 77573	5182-0194-0001-000
13	WATERALL WILLIAM M		5182-0255-0007-000 5182-0225-0001-000
14	BREWER THOMAS W	451 SPRUCE DR LEAGUE CITY, TX 77573	1946-0000-0002-000 1946-0000-0001-000
15	MENOTTI JACK JR ETAL		5182-0255-001-000
16	ACV INVESTMENTS LLC	W FM 646 LEAGUE CITY,	5182-0165-0001-100 5182-0165-0001-200



USE	RSF-20	RSF-10	RSF-7	RSF-5	RSF-2	RMF-2	RMF-1.2	CN	CG	CO	CM	IL	IG	PS	OS	OT	OTT	CRC	HD-R	HD-C
RESIDENTIAL																				
Child Care Family Home, Listed	P	P	P	P	P	P	P													
Child Care Family Home, Registered	S	S	S	S	S	S	S													
Dwelling, Caretaker Unit												P	P							
Dwelling, Duplex				S	P	P	P													
Dwelling, Live/Work Unit								P		P	P					P	P		P	P
Dwelling, Multi-Family						P	P													
Dwelling, Single Family	P	P	P	P	P														P	
Dwelling, Single Family with Secondary Dwelling	S	S	S	S	S														S	
Dwelling, Townhouse					P	P	P										P			
Dwelling Units, Single-Family or Multi-Family Residential 2 nd floor and above								P		P	P					P				
Manufactured Home				S		S	S													
Industrialized Home	P	P	P	P	P	P	P													
Group Residential, Assisted Living Facility (Must comply with Sec. 125-90.J.)						P	P	P	P	P	P									
Group Residential, Continuing Care Facility (Must comply with Sec. 125-90.J.)						P	P	P	P	P	P									
Group Residential, Disabled Group Dwelling (Must comply with Sec. 125-90.J.)	P	P	P	P	P	P	P	P	P	P	P									
Group Residential, Emergency Shelter (Must comply with Sec. 125-90.J.)						P	P	P	P	P	P									
Group Residential, Halfway House (See Sec. 125-90.J.)												S	S							
Group Residential, Homeless Shelter (See Sec. 125-90.J.)									S		S	S	S							
Group Residential, Nursing Home (Must comply with Sec. 125-90.J.)						P	P	P	P	P	P									
PUBLIC AND SEMI-PUBLIC																				
Cemeteries	S	S	S	S	S	S	S							S	S					
Clubs and Lodges								S	P	S	P	S		P		P	P	P		
Colleges, Public or Private								S	P	P	P	P		P		P	P	S		
Cultural Institutions	S	S	S	S	S	S	S	P	P	P	P	P		P			P	P	S	P

USE	RSF-20	RSF-10	RSF-7	RSF-5	RSF-2	RMF-2	RMF-1.2	CN	CG	CO	CM	IL	IG	PS	OS	OT	OTT	CRC	HD-R	HD-C
Day Care						S	S	P	P	P	P			P						
Educational Research and Development									P	P	P	P		P		P		S		
Event Venue									S		S					S			S	P
Government Offices and Facilities, large scale									P	P	P	P		P	S					
Government Offices and Facilities, small scale								P	P	P	P	P		P	S	P		P		
Hospitals, may have heliport								S	P	P	P			P						
Parks and Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Maintenance Facilities (See Sec. 125-90.D)									S			P	P	S						
Public Safety Facilities	S	S	S	S	S	S	S	P	P	P	P	P	P	P		P	P	P	P	P
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P
Schools, Public or Private	S	S	S	S	S	S	S	P	P	P	P			P		P	P	S	P	P
COMMERCIAL																				
Alcoholic Beverage Sales, On-Premise Consumption (Must comply with LC Ordinance Ch. 10 and TABC)								S	S	S	S					S		S		S
Alcoholic Beverage Sales, Off-Premise Consumption (Must comply with LC Ordinance Ch. 10 and TABC)									P		P					S				S
Ambulance Services									P	P	P	P	P	P						
Animal Sales and Services, no outdoor kennels or outdoor storage								S	P		S					P	P		S	S
Animal Sales and Services with outdoor kennels, areas, and runs									S		S	S						S		
Automobile/Vehicle/Equipment Sales and Rental									P		S							S		
Used Vehicle Sales only as accessory use to Automobile/Vehicle/ Equipment Sales and Rental									P		P							P		
Automobile Rentals								P	P	P	P	P	P					S		
Car Wash									S		S	P						S		
Vehicle Fueling Stations								S	S		S	P						S		
Light Vehicle Service								S	P		S	P						S		
Auto Repair and Other Heavy Vehicle Service									S			P	P							

USE	RSF-20	RSF-10	RSF-7	RSF-5	RSF-2	RMF-2	RMF-1.2	CN	CG	CO	CM	IL	IG	PS	OS	OT	OTT	CRC	HD-R	HD-C
Banks and Other Financial Institutions with drive-through (See Section 125-90.A)																		P		S
Bed and Breakfast Establishment	S	S				P	P	P	P		P					P	P		P	P
Building Materials Sales and Services (See Sec. 125-90.D.)									P		P	P	P					P		P
Business Services								P	P	P	P	P				P	P	P		P
Catering Business								S	P	P	P	P	P			P	P	P		
Convention Center									P	P	P			P						
Eating and Drinking Establishments, Full Service								P	P	S	P			P	P	P				
Eating and Drinking Establishments, Limited Service								P	P	S	P			P	P	P		P		
Eating and Drinking Establishments, with Drive-Through Facility (See Sec. 125-90.A.)								S	P	S	P					S		P		
Eating and Drinking Establishments, with Live Entertainment (Must comply with LC Ordinances Ch.42, Art.2)								S	P	S	P					P		P		
Eating and Drinking Establishments, with Outdoor Seating								S	P	S	P			P	P	P				
Eating and Drinking Establishments, with Outdoor Seating - as accessory use														P	P					
Eating and Drinking Establishments, less than 3000 sq. ft. including all seating areas. May have Live Entertainment																			S	P
Food and Beverage Sales				S	S	S	S	P	P		P	P	P	P		P		P		
Food and Beverage Sales less than 20,000 sq. ft.																			S	P
Home Improvement Sales and Services (See Sec. 125-90.C.)								S	P		P	P						P		
Hotel (See Sec. 125-90.F.)									P	S	S					P		S		
Laboratory, Commercial								S	P	P	P	P	P	P				P		
Live/Work Unit																	P			
Maintenance and Repair Services								P	P	P	P	P	P					P		
Massage Establishments and Massage Services								P	P	P	P			P		S		P		
Micro-brewery, Micro-distillery, and Micro-winery									P		P					P				P
Nurseries and Garden Supply Stores (See Sec. 125-90.C.)								P	P		P	P								
Offices								P	P	P	P	P	P	P		P	P	P	S	P

USE	RSF-20	RSF-10	RSF-7	RSF-5	RSF-2	RMF-2	RMF-1.2	CN	CG	CO	CM	IL	IG	PS	OS	OT	OTT	CRC	HD-R	HD-C
Parking Facilities								S	P	P	P			P		P	P	P		
Pawn shops (Must comply with Texas Pawn-shop Act Texas Finance Code, Title 4, Chapter 371).									P		S							P		
Personal Instructional Services								P	P		P					P	P	P	S	P
Personal Services								P	P	S	P					P	P	P		
Recreation and Entertainment, Large-scale, Outdoor	S	S	S	S	S	S	S	S	P	S	S	S	S	P	P					
Recreation and Entertainment, Small-scale, Indoor	S	S	S	S	S	S	S	S	P	S	P	S	S			P		P		
Recreational Vehicle Park (See Sec. 125-90.E.)									S											
Retail Sales (See Sec. 125-90.C.)								P	P		P	P				P	P	P	S	P
Self-Storage (See Sec. 125-90.D.)									S		S	P	P							
Sexually Oriented Businesses (Must comply with LC Code of Ordinances Ch. 26, Art. III)												P	P							
Temporary Sales and Uses (Must comply with Sec. 125-130)												P	P	P	P			P	S	P
Temporary Sales																				
Undertaking, Funeral and Interment Services								S	P		P			P				P		
INDUSTRIAL																				
Contractor's Storage (See Sec. 125-90.D.)												P	P							
Nursery and Landscaping Materials, Wholesale (Must comply with Sec. 125-90.K)												P	P							
Production Industry, Artisan (See Sec. 125-90.D)								S	S	S	S	P				P	P	S	S	P
Production Industry, General (See Sec. 125-90.D)												S	P							
Production Industry, Limited									S		S	P	P							
Recycling Collection												P	P							
Research and Development									S	S	S	P	P	P						
Warehousing and Indoor Storage (See Sec. 125-90.D)									P	S	S	P	P							
Warehousing and Outdoor Storage (See Sec. 125-90.D)												P	P							
Wholesaling and Distribution, Store Facilities (See Sec. 125-90.D)									P		P	P	S							
Wholesaling and Distribution, Non-Store Facilities (See Sec. 125-90.D)									P	S	S	P	P							

[illegible]

Rezoning Case Number MAP-21-0001

Received via email on 1/6/2021

Dear Ms Janice Norman,

We are the owner of DTN Properties series Property ID: 165777 and 294679. We are in favor the Zoning

Thank you,

Dr. Dieuthao Khoa Nguyen, Pharm.D

DT Pharmacy/DT Collagen

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