

January 19, 2016
Planning & Zoning Meeting
6:30 p.m.



R.G. Reeder, Chairman
Bill Bonham, Vice Chairman
Bill Latimer
Greg Smith

AGENDA
City of Dickinson
**PLANNING AND
ZONING COMMISSION
REGULAR MEETING**

Deborah Fortner
Paul Slater
Edward Mikowski
Leslie Boudwin

January 19, 2016

NOTICE is hereby given of a **Regular Meeting** of the Planning and Zoning Commission of the City of Dickinson, Texas to be held on **Tuesday, January 19, 2016 at 6:30 p.m.** in the Council Chambers at City Hall, 4403 Highway 3, for the purpose of considering the following numbered items. The Planning and Zoning Commission of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

ITEM 1) CALL TO ORDER AND CERTIFICATION OF A QUORUM:

Roll call of members
Invocation
Pledge of Allegiance

ITEM 2) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of the Minutes of the October 20, 2015 Regular Meeting.

NEW BUSINESS

ITEM 3) CONSIDERATION AND POSSIBLE ACTION CONCERNING: A Request For Site Development Plan Approval For The Development Of A Pick-Up Window Located On Property Legally Described As Abstract 19 Perry & Austin Survey Tract 81-2, Acres 1.874, City of Dickinson, Galveston County, Texas, Generally Located South of FM 517, East of FM 646 with the address being 734 W. FM 517, Dickinson, TX 77539

ITEM 4) CONDUCT A PUBLIC HEARING CONCERNING: SUP-15-1519, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 1.874 acres for "Service and Repair Shop" in the "GC" (General Commercial) zoning district, legally described as Abstract 78 Robt Hall Lot 7 & 8 and all of Lots 9 & 10 Tudor Addition Except Strip Off South End of FM 517 Acres 3.7424, generally located north of FM 517 and west of Baker Dr. with the address being 5205 FM 517, Unit D, Dickinson Texas 77539.

- A. Staff Presentation
- B. Applicant's Statement
- C. Those In Favor
- D. Those Opposed
- E. Applicant's Rebuttal

F. Adjourn Public Hearing

ITEM 5) CONSIDERATION AND POSSIBLE ACTION REGARDING: SUP-15-1519, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 1.874 acres for "Service and Repair Shop" in the "GC" (General Commercial) zoning district, legally described as Abstract 78 Robt Hall Lot 7 & 8 and all of Lots 9 & 10 Tudor Addition Except Strip Off South End of FM 517 Acres 3.7424, generally located north of FM 517 and west of Baker Dr. with the address being 5205 FM 517, Unit D, Dickinson Texas 77539.

ITEM 6) CONDUCT A PUBLIC HEARING CONCERNING: SUP-15-1561, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 6.613 acres for "Tobacco Oriented Use" in the "GC" (General Commercial) zoning district, legally described as Abstract 19 Page 2 & 3 Part Of Lots 131,132,136 & 137 (131-4) Dickinson Addition D, generally located west of IH 45 and north of FM 517, with the address being 3422 Gulf Frwy, Dickinson, Texas 77539.

- A. Staff Presentation
- B. Applicant's Statement
- C. Those In Favor
- D. Those Opposed
- E. Applicant's Rebuttal
- F. Adjourn Public Hearing

ITEM 7) CONSIDERATION AND POSSIBLE ACTION REGARDING: SUP-15-1561, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 6.613 acres for "Tobacco Oriented Use" in the "GC" (General Commercial) zoning district, legally described as Abstract 19 Page 2 & 3 Part Of Lots 131,132,136 & 137 (131-4) Dickinson Addition D, generally located west of IH 45 and north of FM 517, with the address being 3422 Gulf Frwy, Dickinson, Texas 77539.

ITEM 8) BRIEFING AND DISCUSSION CONCERNING: The addition of basic regulations relating to Bed & Breakfast and Vacation Rental establishments, adding a definition for Vacation Rental and changing the definition of Bed & Breakfast in the Zoning Ordinance.

ITEM 9) ADJOURN

CERTIFICATION

This is to certify that a copy of the notice of a regular meeting of the Planning and Zoning Commission for **Tuesday, January 19, 2016**, was posted on the bulletin board at Dickinson City Hall, 4403 State Highway 3, Dickinson, Texas, on this the 15th day of January, 2016, prior to 5:30 p.m.

Carolyn Anderson
Carolyn Anderson, City Secretary



In compliance with the Americans With Disabilities Act, we will provide for reasonable accommodations for disabled persons attending our meetings. Request should be received at least 24 hours prior to the scheduled meeting by contacting the City Secretary's office at (281) 337-2489, ext. 217.

Planning and Zoning Commission Members

Date: 01/19/2016

Commissioners	Position	Present	Absent
R.G. Reeder	Chair	_____	_____
Bill Bonham	Vice-Chair	_____	_____
Greg Smith	Regular	_____	_____
Paul Slater	Regular	_____	_____
Deborah Fortner	Regular	_____	_____
Bill Latimer	Alternate	_____	_____
Edward J. Mikowski	Regular	_____	_____
Leslie Boudwin	Alternate	_____	_____

R.G. Reeder, Chairman
Bill Bonham, Vice Chairman
Bill Latimer
Greg Smith

MINUTES
City of Dickinson
**PLANNING AND
ZONING COMMISSION**
REGULAR MEETING

Deborah Fortner
Paul Slater
Edward Mikowski
Leslie Boudwin

October 20, 2015

NOTICE is hereby given of a **Regular Meeting** of the Planning and Zoning Commission of the City of Dickinson, Texas to be held on **Tuesday, October 20, 2015 at 6:30 p.m.** in the Council Chambers at City Hall, 4403 Highway 3, for the purpose of considering the following numbered items. The Planning and Zoning Commission of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

ITEM 1) CALL TO ORDER AND CERTIFICATION OF A QUORUM:
Invocation and Pledge of Allegiance

Chairman R.G Reeder called the meeting to order at 6:30 p.m. Community Development Coordinator David Lopez called roll and certified a quorum. Planning and Zoning Commission Members present were as follows: Chairman R.G. Reeder, Vice-Chairman Bill Bonham, and Commission Members Greg Smith, Deborah Fortner, Bill Latimer, and Leslie Boudwin. Commission Members Paul Slater and Edward J. Mikowski were absent. Also present was Director of Community Development, Zachary Meadows.

ITEM 2) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of the Minutes of the September 15, 2015 Regular Meeting.

Commissioner Latimer made a motion to approve the minutes of September 15, 2015 Regular Meeting and Vice-Chairman Bonham seconded the motion.

VOTE:
6 AYES (Bonham, Boudwin, Fortner, Latimer, Reeder, Smith)
0 NAYS
MOTION PASSED

OLD BUSINESS

ITEM 3) CONSIDERATION AND POSSIBLE ACTION CONCERNING: SDP-15-1184, A Request For Site Development Plan Approval For The Development Of A Commercial Office Building Located On Property Legally Described As Abstract 19 Perry & Austin Lot 11 Block 9 Bayou Crest Unrestricted S/D Section 4, City of Dickinson, Galveston County,

Texas, Generally Located At The South-West Corner Of FM 517 West And Hansen Dr.

Community Development Zach Meadows spoke briefly regarding the Site Development Plan. The commission was informed that this item was being brought back for consideration at the request of the commission at they're regular meeting in September. Included in the packet, was the addition of proposed building elevations. After a brief discussion, Vice-Chairman Bonham made the motion to approve the Site Development Plan and Commissioner Latimer seconded the motion.

VOTE:

5 AYES (Bonham, Boudwin, Fortner, Latimer, Reeder)

1 NAYS (Smith)

MOTION PASSED

NEW BUSINESS

- ITEM 4) CONDUCT A PUBLIC HEARING CONCERNING:** SUP-15-1233, to hear comments and testimony regarding a request for a Specific Use Permit on approximately .971 acres for "Automotive sales" in the "GC" (General Commercial) zoning district, legally described as Abstract 19 Perry & Austin Survey Reserve A (0-1), J B King Subdivision Replat Number 1, and approximately 1.744 acres for "Automotive sales", legally described as Abstract 19 Perry & Austin Survey Reserve B (0-2), J B King Subdivision Replat Number 1, generally located east of Gulf Frwy and south of Sunset Dr. with the address being 2801 Gulf Frwy, Dickinson Texas 77539.

Chairman Reeder opened the Public Hearing at 7:15 p.m.

A. Staff Presentation

Director of Community Development Zach Meadows provided the commission with an explanation of the Specific Use Permit regarding Gay Family Auto's purchase of additional properties along IH 45 and the eventual expansion of their business.

B. Applicant's Statement

Gay Family's General Manager, Kevin Lardie, gave the commission a better understanding of the Specific Use Request. Mr. Lardie explained that the property would be used as an overflow lot for their vehicles because they are running out of space on current lot.

C. Those In Favor

No one spoke in favor of the proposed Specific Use Permit.

D. Those Opposed

Joan Malmrose spoke in opposition of the Specific Use Permit, reasons cited were for increased noise from loud speakers, harsh lighting into her and her neighbors backyards.

E. Applicant's Rebuttal

None.

F. Adjourn Public Hearing

Chairman Reeder closed the Public Hearing at 7:30 p.m.

ITEM 5) CONSIDERATION AND POSSIBLE ACTION REGARDING: SUP-15-1233, to hear comments and testimony regarding a request for a Specific Use Permit on approximately .971 acres for "Automotive sales" in the "GC" (General Commercial) zoning district, legally described as Abstract 19 Perry & Austin Survey Reserve A (0-1), J B King Subdivision Replat Number 1, and approximately 1.744 acres for "Automotive sales", legally described as Abstract 19 Perry & Austin Survey Reserve B (0-2), J B King Subdivision Replat Number 1, generally located east of Gulf Frwy and south of Sunset Dr. with the address being 2801 Gulf Frwy, Dickinson Texas 77539.

There were questions directed towards staff regarding what kind of lights would be used on the property and Commissioner Latimer wanted to make sure that the sight triangle would be adhered to.

Commissioner Latimer motioned to approve the Specific Use Permit and Commissioner Fortner seconded the motion.

VOTE:

6 AYES (Bonham, Boudwin, Fortner, Latimer, Reeder, Smith)

0 NAYS

MOTION PASSED

ITEM 6) CONDUCT A PUBLIC HEARING CONCERNING: SUP-15-1297, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 1.637 acres for "Automotive sales" in the "GC" (General Commercial) zoning district, legally described as Abstract 19 Perry & Austin Part Lot 102 Northeast of IH 45 Addition D Dickinson Called Tract 2-A, generally located east of Gulf Frwy and south of Deats Rd. with the

address being 3101 Gulf Frwy, Dickinson Texas 77539.

Chairman Reeder opened the Public Hearing at 7:36 p.m.

A. Staff Presentation

Director of Community Development Zach Meadows provided the commission with an explanation of the Specific Use Permit regarding Benchmark Auto Sales request to move a modular building on their lot for purposes of expanding their business. The only way Benchmark would be allowed to expand would be to acquire the Specific Use Permit because they are a non-conforming use.

B. Applicant's Statement

The owner of Benchmark Auto Sales, Mark Rodriguez, gave the commission detail of what the modular building would look like.

C. Those In Favor

No one spoke in favor of the proposed Specific Use Permit.

D. Those Opposed

No one spoke in opposition of the proposed Specific Use permit.

E. Applicant's Rebuttal

None.

F. Adjourn Public Hearing

Chairman Reeder closed the Public Hearing at 7:38 p.m.

ITEM 7) CONSIDERATION AND POSSIBLE ACTION REGARDING: SUP-15-1297, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 1.637 acres for "Automotive sales" in the "GC" (General Commercial) zoning district, legally described as Abstract 19 Perry & Austin Part Lot 102 Northeast of IH 45 Addition D Dickinson Called Tract 2-A, generally located east of Gulf Frwy and south of Deats Rd. with the address being 3101 Gulf Frwy, Dickinson Texas 77539.

After a brief discussion amongst the board, Commissioner Latimer made the motion to approve the Specific Use Permit and Commissioner Smith seconded the motion.

VOTE:

6 AYES (Bonham, Boudwin, Fortner, Latimer, Reeder, Smith)

0 NAYS

MOTION PASSED

ITEM 8) ADJOURN

Commissioner Smith made a motion to adjourn, and Commissioner Fortner seconded the motion.

VOTE:

6 AYES (Bonham, Boudwin, Fortner, Latimer, Reeder, Smith)

0 NAYS

MOTION PASSED

The meeting was adjourned at 7:45 p.m.

R.G. Reeder, Chairman
City of Dickinson, Texas
Planning & Zoning Commission

**Dickinson Planning & Zoning Commission
Agenda Item Data Sheet**

MEETING DATE January 19, 2016

TOPIC:	CONSIDERATION AND POSSIBLE ACTION CONCERNING: A Request For Site Development Plan Approval For The Development Of A Pick-Up Window Located On Property Legally Described As Abstract 19 Perry & Austin Survey Tract 81-2, Acres 1.874, City of Dickinson, Galveston County, Texas, Generally Located South of FM 517, East of FM 646 with the address being 734 W. FM 517, Dickinson, TX 77539.
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BACKGROUND:	<p>Owner of Lil. Creaser, Chris Goodrum, is requesting a change in the overall Site Plan of the Shopping Center located at 734 W. FM 517. The Owner of the Shopping Center has approved this request. A few months back Chris Goodrum had approached the City about seeing if there was any way to accomplish allowing a pick-up window for his business. Mr. Goodrum had approached the Board of Adjustments for the window, because we would be eliminating the number of spaces in order to accommodate, however they denied the request at that time (more than a year ago).</p> <p>After further investigation into the original plan for the site, Staff noticed that the property had accommodated about 6-7 more parking spaces than what is required by the ordinance and so staff felt that that the owner would only need to approach the Planning and Zoning Commission for a change to the Site Development Plan of the Original development, with the approval of the Shopping Center Owner.</p> <p>Applicant & Property Owner – Chris Goodrum</p> <p>Site & Surrounding Area – The location is the small strip center on the corner of FM 646 and FM 517. The address is 734 W. FM 517. The adjacent zoning districts are Conventional Residential and Neighborhood Commercial to the east, General Commercial to the south and west.</p> <p>Access – The site will be accessed via FM 517 or can be accessed via FM 646.</p> <p>Fire- Fire Station #2 at 221 FM 517 West is less than 1 mile away.</p>
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ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
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**Dickinson Planning & Zoning Commission
Agenda Item Data Sheet**

Zoning History – Since the inception of zoning, this property has been zoned General Commercial (“GC”).

RECOMMENDATION: The Site Development Plan meets the requirements of Section 18-40 of the City’s Zoning Ordinance. Therefore, Staff recommends approval of the Site Development Plan.

- ATTACHMENTS:**
- Owner Letter of Approval
 - Site Plan
 - Site Plan Showing Traffic Flow
 - Pick-up Window Signage
 - Arial Map

SUBMITTING STAFF MEMBER: Zachary Meadows, Director of Community Development

ACTIONS TAKEN	
APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER

AJAY K JAIN
750 FM 517 WEST
DICKINSON TX 77539
MOBLE# 281.546.0329

To Whom it May Concern.

This letter is to inform the City of Dickinson, that I, Ajay Jain, owner of the Chevron Shopping Mart and Shopping Center, located on the SE corner of FM 517 and FM 646, agrees to allow a site plan change, to allow Chris Goodrum, owner of the Little Caesars location, as per drawing, to install a pick up window on the north facing wall.

Ajay Kumar Jain
Signed: 11-17-15

Owner:

- 1.) ALL WORK TO CONFORM TO THE LATEST EDITION OF ALL APPLICABLE CODES AS ADOPTED AND AMENDED BY THE CITY OF DICKINSON AND THE LOCAL AUTHORITIES HAVING JURISDICTION.
- 2.) THE SCOPE OF WORK IS TO DEMO PARKING SPACES TO CONSTRUCT A NEW DRIVE THRU LANE AND WINDOW.
- 3.) FIELD VERIFY ALL ROUTING AND LOCATIONS.

GENERAL NOTES

AN EXISTING LITTLE CAESAR STORE WILL ADD A DRIVE THRU LANE IN THE EXISTING PARKING LOT ADJACENT TO THE STORE.

THE OUTSIDE WALL AND INTERIOR WALL WILL BE DEMOED TO EXPOSE FRAMING INSIDE THE WALL THAT WAS PREVIOUSLY CONSTRUCTED FOR THE ADDITION OF A DRIVE THRU WINDOW.

FIVE PARKING SPACES AND PARTIAL LANDSCAPING WILL BE REMOVED AS INDICATED IN THE PARKING SPACE DEMOLITION ON THIS SHEET.

ONE PIPE BOLLARD SHALL BE INSTALLED ON EACH SIDE OF THE WINDOW TO HELP PROTECT THE BUILDING AND DRIVE THRU WINDOW. TOTAL OF 2 BOLLARDS.

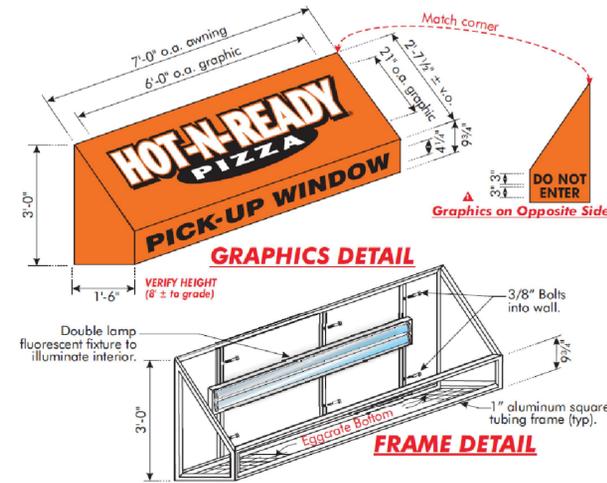
NARRATIVE

EXISTING PARKING SPACE - DEMOLITION

KEY NOTES

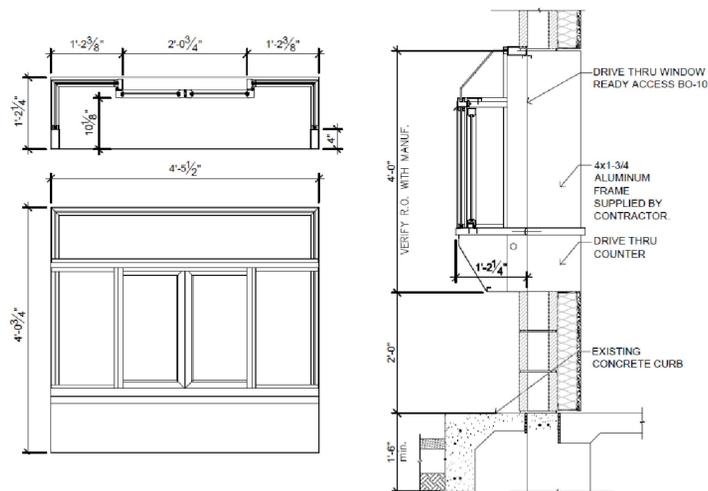
PIPE BOLLARD DETAIL

NTS



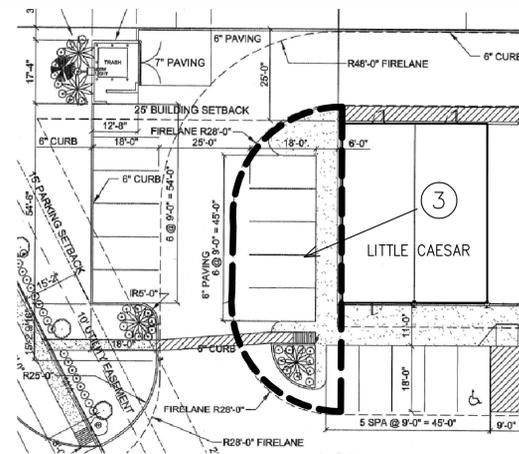
WINDOW AWNING

NTS

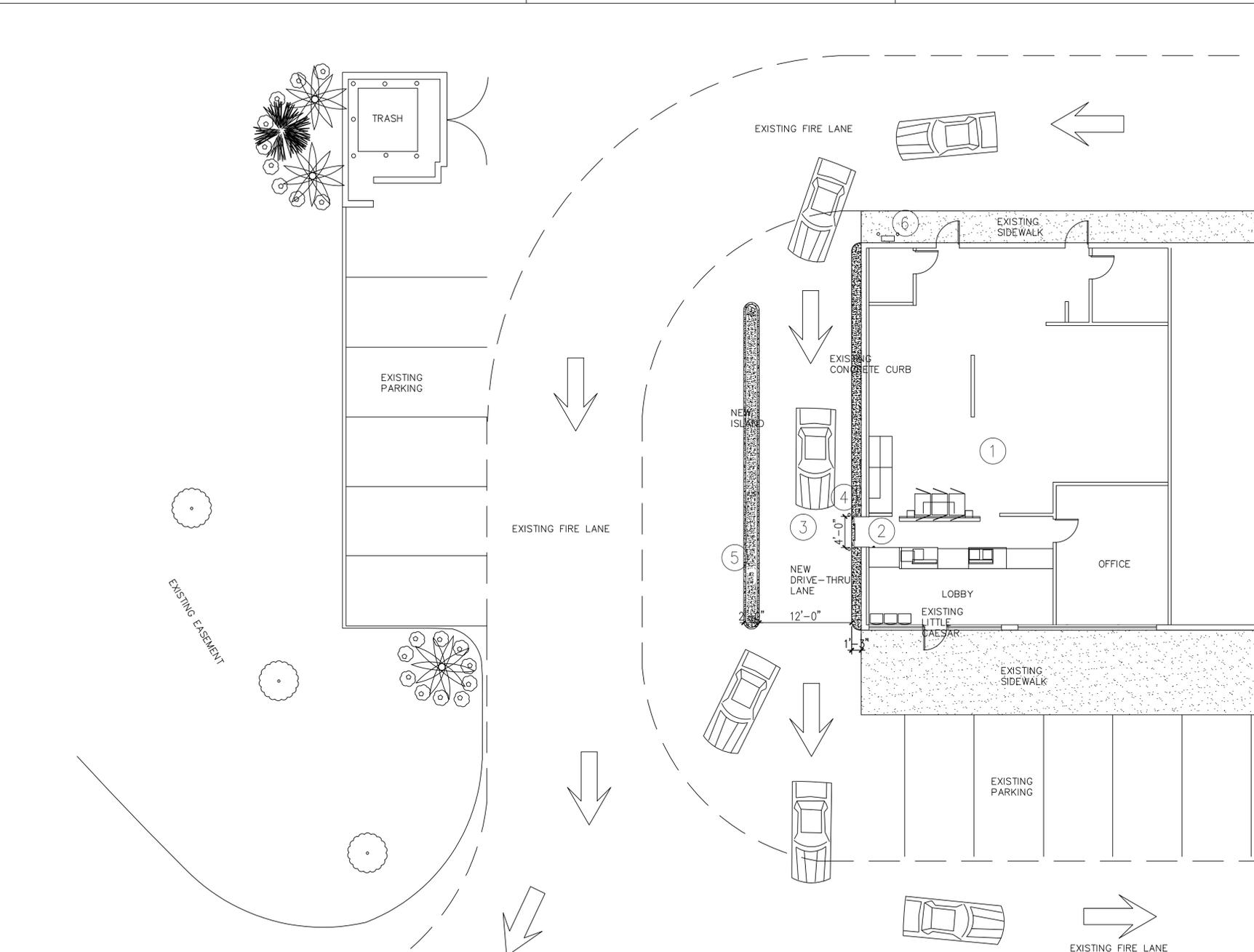
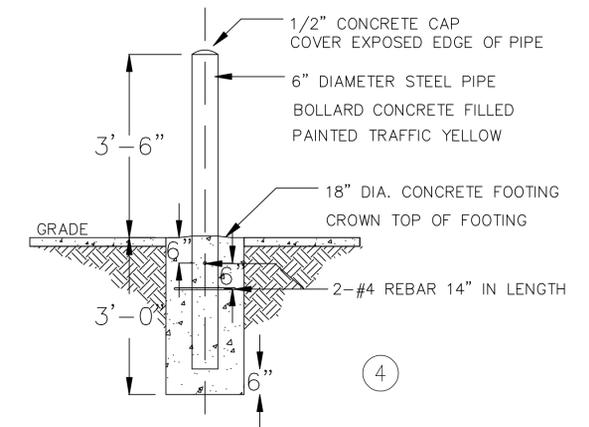


DRIVE THRU WINDOW DETAIL

NTS



- 1) EXISTING LITTLE CAESAR STORE PROPOSED DRIVE THRU LANE IN THE EXISTING PARKING LOT ADJACENT TO THE STORE.
- 2) DEMO TO EXPOSE FRAMING INSIDE THE WALL THAT WAS PREVIOUSLY CONSTRUCTED FOR THE ADDITION OF A DRIVE THRU WINDOW.
- 3) DEMO FIVE PARKING SPACES AND PARTIAL LANDSCAPING AS INDICATED IN THE EXISTING PARKING SPACE DEMOLITION ON THIS SHEET.
- 4) PIPE BOLLARD ON EACH SIDE TO HELP PROTECT NEW DRIVE THRU WINDOW.(TYP.2) REFER TO WINDOW FLOOR PLAN AND NEW DRIVE THRU LANE DETAIL THIS SHEET.
- 5) NEW 2' WIDE ISLAND. CONCRETE FILLED.
- 6) NEW BOLLARDS TO PROTECT EXISTING GAS METER.(TYP.2)



NEW DRIVE THRU PLAN

SCALE: 1/4" = 1'-0"

LITTLE CAESAR
750 FM 517 @ FM 646
DICKINSON, TEXAS 77536

COMMERCIAL
GENERAL CONTRACTORS

IBC BUILDERS
7918 FAIRVIEW STREET
HOUSTON, TEXAS 77041

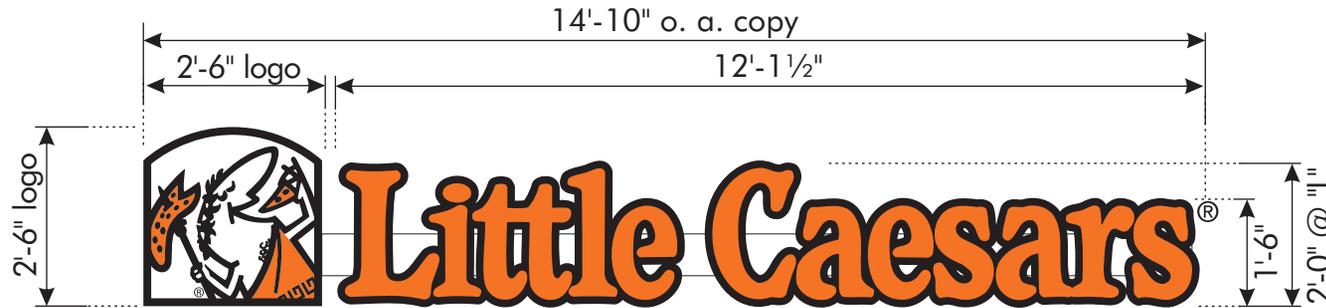
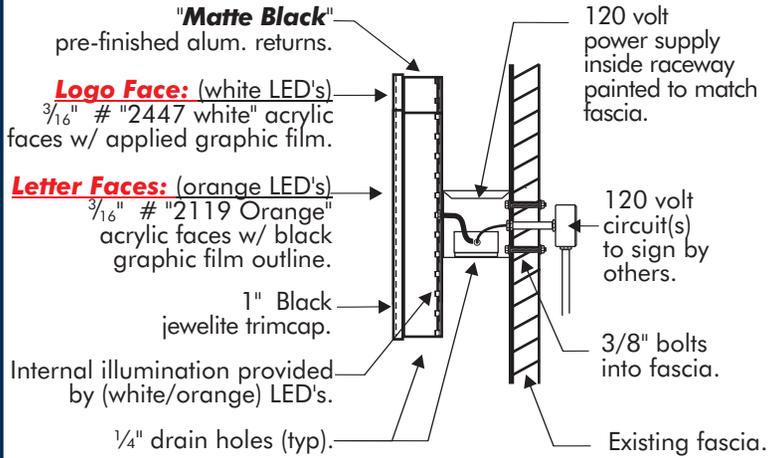
PHONE: 713.848.3050
FAX: 713.848.3050

J.A. TINERELLA
DESIGN DRAFTING
TESSIE COVE LANE
SPRING, TEXAS 77386
Joe Tinerella
281.636.1397

DATE: NOVEMBER 23, 2015
PLOT: ARCH 0 36X24
READY FOR CONSTRUCTION
ISSUED FOR PERMITTING
REVISIONS:

FLOOR PLAN

A2.1



Detail: Illuminated Channel Letters

3/8" = 1"
SCALE



PHONE: 713-671-9222 10205 MARKET ST. HOUSTON, TX 77029
FAX: 713-674-3837
MANUFACTURE ★ INSTALLATION ★ SERVICE
WWW.QUALITYSIGNSHOUSTON.COM

Created Exclusively For:



750 FM 517 @ FM 646
Dickinson, TX 77536

- ★ Date ★ 8-6-13
- ★ Salesman ★ Marvin Baker
- ★ Designer ★ Matt
- ★ Design # ★ LCP-1-m252

Scope of Work

Manufacture & Install one (1) set of illuminated channel letters mounted on a raceway as shown.

- ★ Revisions ★ ▲ 9.9.13 Detail/Page Change
- ▲ 10.3.13 Detail/Page Change
- ▲ 9.24.15 Detail Change

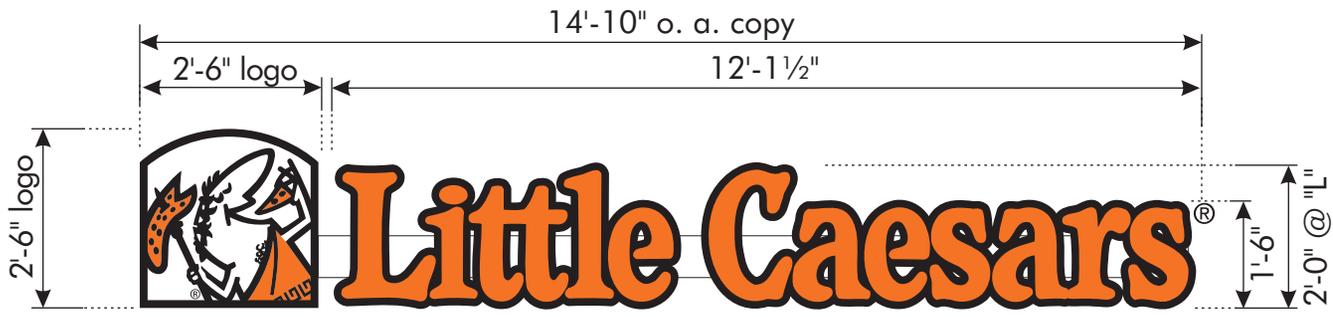
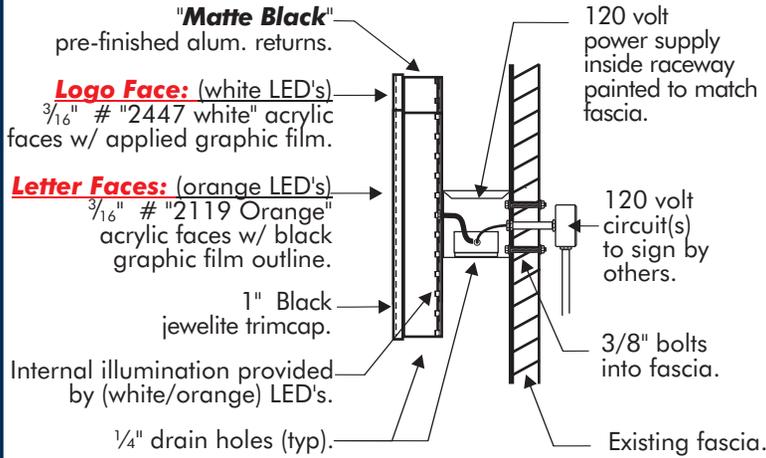
Color Key

- "Matte black" aluminum returns & "black" trimcap
- Scotchcal 3630-44 "Orange" graphic film (logo).
- #2119 "Orange" acrylic faces (letters).
- # 2447 "White" acrylic face w/ "show thru" background (logo).
- Scotchcal 3630-22 "Black" graphic film.
- Raceway color t.b.d., match fascia color.

Note: Colors displayed on screen or printed are for reference only & may vary from actual manufactured colors.

★ Approval ★

This is an original design created by Quality Signs in connection with a project being planned for you and is not to be copied or reproduced in any fashion. Primary wiring of adequate voltage & circuits to sign to be furnished & connected by client.



Detail: Illuminated Channel Letters

3/8" = 1" SCALE

★ Since 1939 ★

QUALITY Signs

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Created Exclusively For:

Little Caesars

750 FM 517 @ FM 646
Dickinson, TX 77536

★ **Date** ★ 8-6-13

★ **Salesman** ★ Marvin Baker

★ **Designer** ★ Matt

★ **Design #** ★ LCP-1-m252

Scope of Work

Manufacture & Install one (1) set of illuminated channel letters mounted on a raceway as shown.

★ **Revisions** ★ ▲ 9.9.13 Detail/Page Change
▲ 10.3.13 Detail/Page Change
▲ 9.24.15 Detail Change

Color Key

"Matte black" aluminum returns & "black" trimcap

Scotchcal 3630-44 "Orange" graphic film (logo). #2119 "Orange" acrylic faces (letters).

2447 "White" acrylic face w/ "show thru" background (logo).

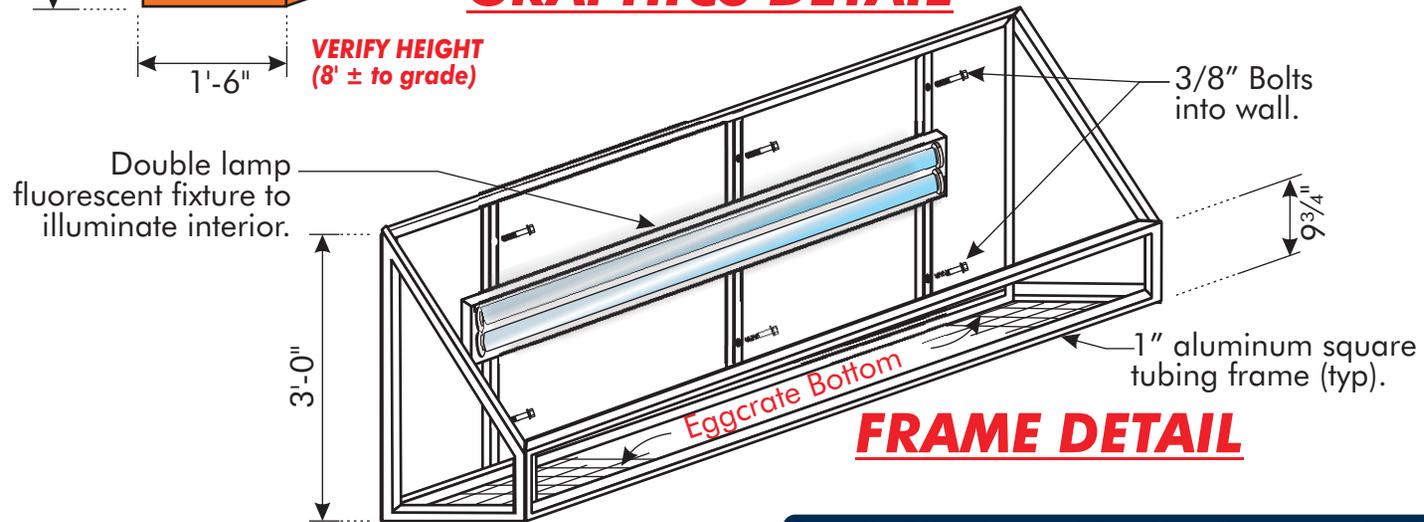
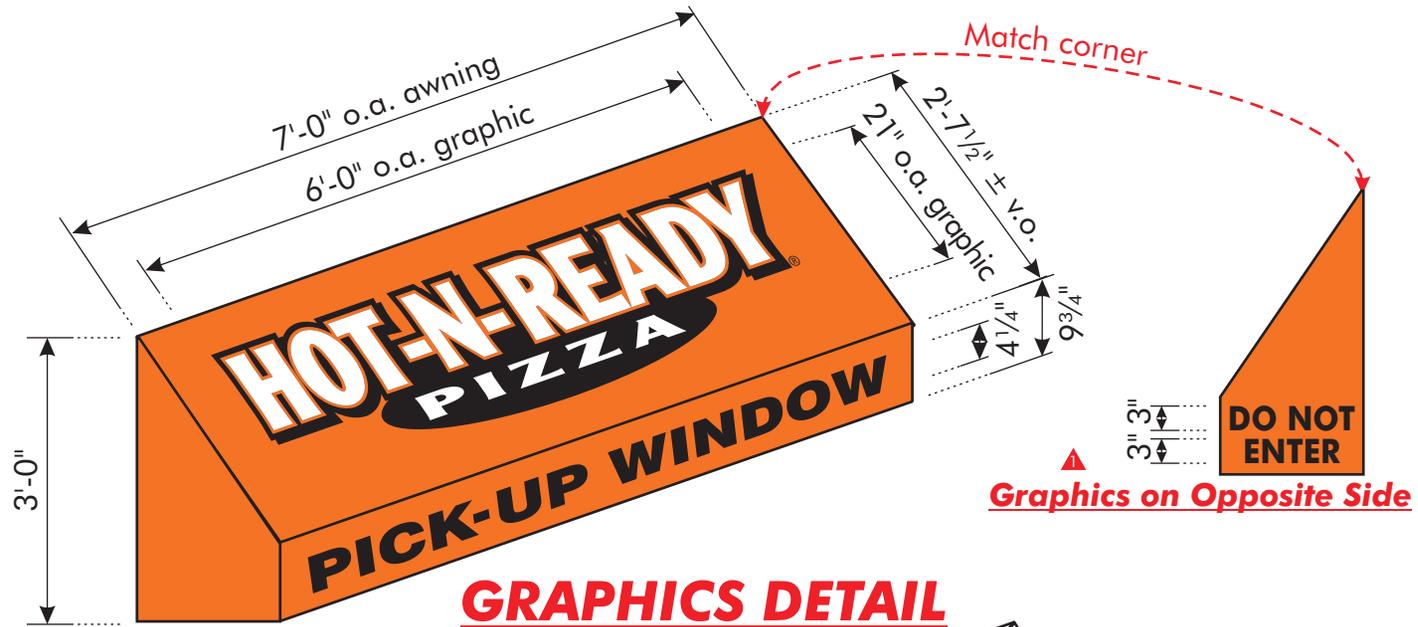
Scotchcal 3630-22 "Black" graphic film.

Raceway color t.b.d., match fascia color.

Note: Colors displayed on screen or printed are for reference only & may vary from actual manufactured colors.

★ **Approval** ★

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Detail: Illuminated Awning (Perspective View)

1/2" = 1'
SCALE



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Created Exclusively For:



750 FM 517 @ FM 646
Dickinson, TX 77536

- ★ Date ★ 8-6-13
- ★ Salesman ★ Marvin Baker
- ★ Designer ★ Matt
- ★ Design # ★ LCP-1-m252

Scope of Work

Manufacture & Install one (1) new illuminated awning w/ eggcrate material covering bottom as shown (p.2-A).

- ★ Revisions ★ ▲ 9.9.13 Detail/Page Change
- ▲ 10.3.13 Detail/Page Change
- ▲ 9.24.15 Detail Change

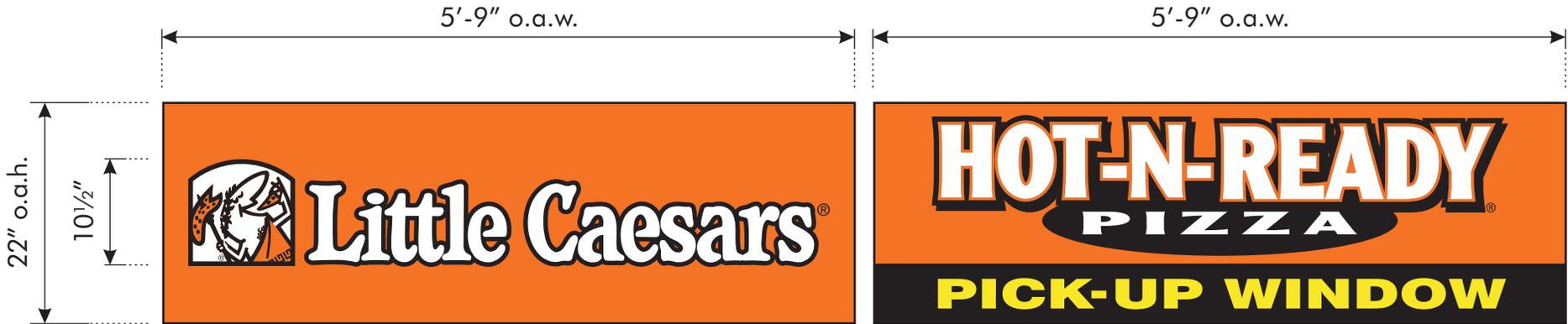
Color Key

- 2119 "Orange" Cooley Brite® substrate. (awning).
- Scotchcal 3630-22 "Black" graphic Film.
- White awning substrate.

Note: Colors displayed on screen or printed are for reference only & may vary from actual manufactured colors.

★ Approval ★

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Existing

Make & Install New

Detail: Graphic Film Layout

3/4" = 1
SCALE



 Since 1939

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 FAX: 713-674-3837

MANUFACTURE ★ INSTALLATION ★ SERVICE

 WWW.QUALITYSIGNSHOUSTON.COM

Created Exclusively For:



 750 FM 517 @ FM 646

 Dickinson, TX 77536

 ★ **Date** ★ 8-6-13

 ★ **Salesman** ★ Marvin Baker

 ★ **Designer** ★ Matt

 ★ **Design #** ★ LCP-1-m252

Scope of Work

Manufacture & Install one (1) new set of graphic film letters to be applied to existing blank faces on d/f pylon sign as shown.

 ★ **Revisions** ★ ▲ 9.9.13 Detail/Page Change

 ▲ 10.3.13 Detail/Page Change

 ▲ 9.24.15 Detail Change

Color Key

 Scotchcal 3630-44 "Orange" graphic film.

 # 2447 "White" acrylic face w/ "show thru" background.

 Scotchcal 3630-22 "Black" graphic film.

Note: Colors displayed on screen or printed are for reference only & may vary from actual manufactured colors.

★ **Approval** ★

This is an original design created by Quality Signs in connection with a project being planned for you and is not to be copied or reproduced in any fashion. Primary wiring of adequate voltage & circuits to sign to be furnished & connected by client.

Home ▾ City of Dickinson Parcel and Zoning Information

Details | Basemap



**Dickinson Planning & Zoning Commission
Agenda Item Data Sheet**

MEETING DATE January 19, 2016

TOPIC:	CONDUCT A PUBLIC HEARING CONCERNING: SUP-15-1519, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 1.874 acres for “Service and Repair Shop” in the “GC” (General Commercial) zoning district, legally described as Abstract 78 Robt Hall Lot 7 & 8 and all of Lots 9 & 10 Tudor Addition Except Strip Off South End of FM 517 Acres 3.7424, generally located north of FM 517 and west of Baker Dr. with the address being 5205 FM 517, Unit D, Dickinson Texas 77539.
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BACKGROUND:	<p>The property located at 5205 FM 517, has several lease spaces, Staff has received this Specific Use Application for lease space D for a Tire Repair Shop. The City of Dickinson Code of Ordinances establishes that the use of this property for this purpose is considered Service and Repair Shops. All Service and Shop related businesses must apply for a Specific Use Permit and must be located in a General Commercial “GC” Zoning District.</p> <p>The Specific Use Permit may also include appropriate conditions and safeguards to protect adjacent property and property values.</p>
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RECOMMENDATION:	None
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ATTACHMENTS:	<ul style="list-style-type: none"> • Owner Letter of Approval • Specific Use Application • Aerial Map Reflecting Location of the Property • List of Properties Within 200 Feet of Zoning Change Property Provided by Galveston Central Appraisal District to Applicant • Copy of Notice of Public Hearing Sent to Properties on List Provided by Galveston Central Appraisal District to Applicant
---------------------	---

SUBMITTING STAFF MEMBER:	Zachary Meadows, Director of Community Development
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ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
---	--------------

To Whom It May Concern:

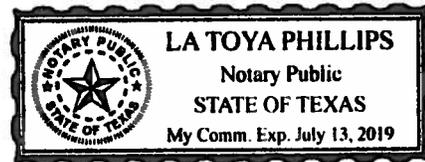
Horacio Luna Gonzalez
5205 FM 517 # D
Dickinson, TX 77539

The above person leases from us. This unit is to be used for
a small tire shop.

Please contact us if you need any other information.

Betty Taylor

Space City Management
Betty Taylor
2323 Clear Lake City Blvd.
Suite 180-283
Houston, TX 77062
281-851-3611



La Toya Phillips

SUP-15-1519
#700-20
fund



COMMUNITY DEVELOPMENT
SPECIFIC USE PERMIT APPLICATION

PROPERTY

12/8/11 [Signature]

Address 5205 Fm 517 Unit D, Dickinson, TX 77539

Legal Description (as stated on Recorded Deed)
ABST 78 ROBT HALL LOT 7 & 8 OF LOTS 9 & 10 TUDOR
ADDN EXCEPT STRIP OFF S END OF SIT ACS 3.7424

- A basic diagram of the property, surrounding property and public roadways on 8 1/2 x 11 or 8 1/2 x 14 paper including basic dimensions and a copy of the recorded deed must be attached.

OWNER

Name(s) Space City Management Phone#/Fax/Email 281-851-3611

Mailing Address (Street, City, State, Zip) 2323 Clear Lake City Blvd Suite 180-283 Houston, TX 77062

APPLICANT/AGENT

Name(s) Horacio Luna-Gonzalez Phone#/Fax/Email 832-420-5215

Mailing Address (Street, City, State, Zip) 4025 Elm Ln #15, Bacliff, TX 77518

- A notarized letter of authorization from the property owner(s) must be attached.

PURPOSE

State why the specific use permit is being requested.
I want to open a Tire Shop and small Auto repairs Shop.
Selling and repairing tires; Basic Mechanic work.

I hereby certify that the above information is true to the best of my knowledge.

[Signature]
SIGNATURE (Applicant/Owner)

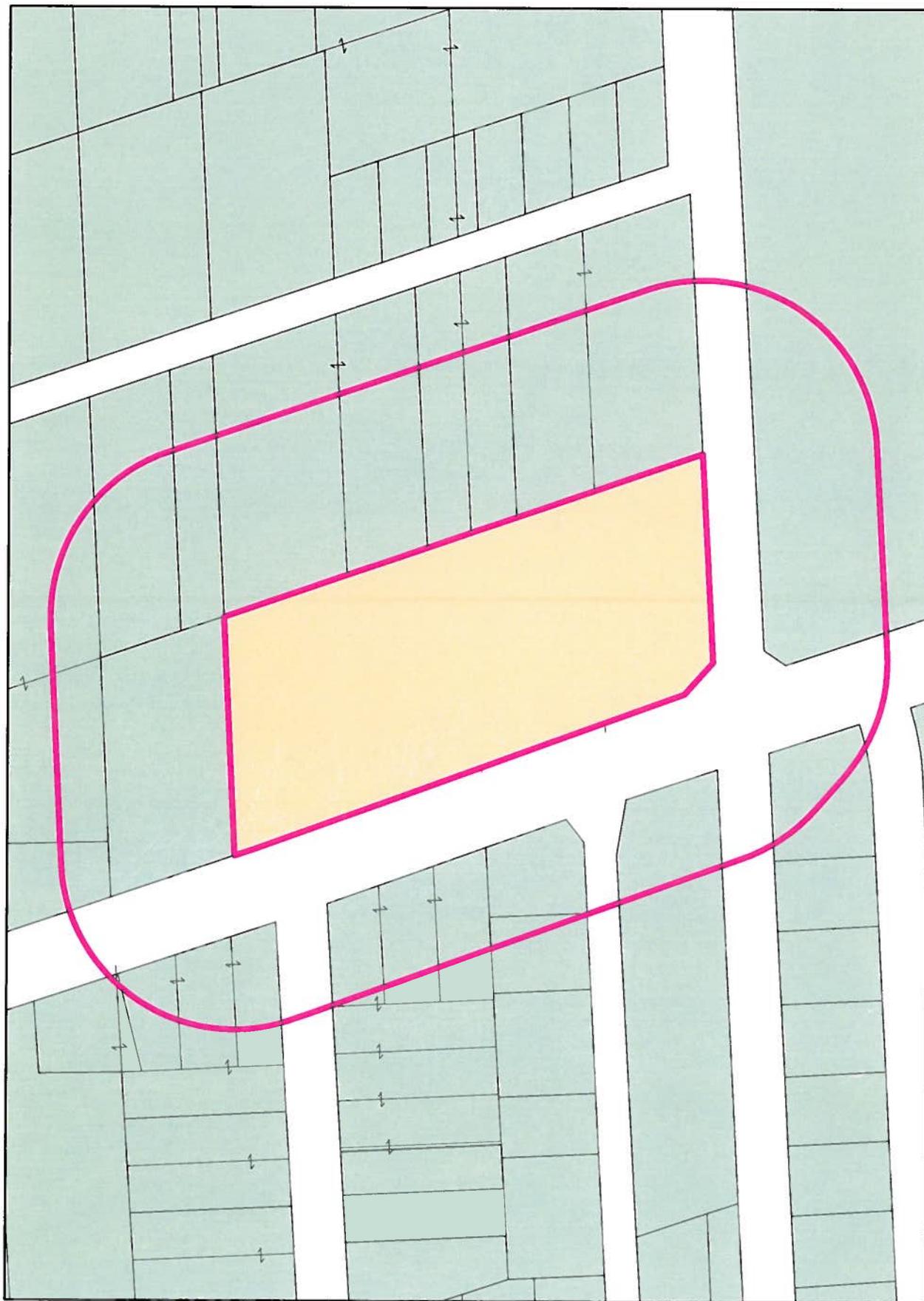
RECEIVED (Date, Time, Staff Signature) 12-08-15P01:45 RCVD	PLANNING & ZONING HEARING DATE
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Home ▾ City of Dickinson Parcel and Zoning Information

Details | Basemap



5205 FM 517 E, DICKINSON



ID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
R174531	ISD-DICKINSON	2218 FM 517			DICKINSON	TX	77539
R174863	MOORE, CLIFFORD A	PO BOX 8387			BACLIFF	TX	77518-8387
R182792	MACKEY, JACKIE R	4115 GEORGIA AVE			DICKINSON	TX	77539-7008
R183986	SCOTT, SHIRLEY J B &	GARY B SCOTT	5104 39TH ST		DICKINSON	TX	77539
R183987	GUNDERMANN, DONALD M	322 11TH AVE N			TEXAS CITY	TX	77590-6337
R183988	WORTHEN, GARY & ELIZABETH	5108 39TH ST			DICKINSON	TX	77539-5912
R183989	DINICOLANTONIO, ARTHUR R	1611 LAKE ARBOR DR			SEABROOK	TX	77586-5843
R183992	DICKINSON MISSIONARY BAPTIST	CHURCH	PO BOX 552		DICKINSON	TX	77539-0552
R183994	MORSE, MARK & CATHERINE	5124 E 39TH ST			DICKINSON	TX	77539
R183995	ADVANTAGE HOUSE BUYERS INC	1419 FM 1960 RD			HOUSTON	TX	77073-2101
R183997	WORTHEN, GARY & ELIZABETH	5108 39TH ST			DICKINSON	TX	77539-5912
R183998	WORTHEN, GARY & ELIZABETH	5108 39TH ST			DICKINSON	TX	77539-5912
R184076	GARCIA, EDWARD & FRANCES M	4106 ALABAMA AVE			DICKINSON	TX	77539
R184079	GOSPEL ASSEMBLY	P O BOX 578			HUMBLE	TX	77347-0578
R376137	GRIEGER, JUDY MARIE	PO BOX 12			DICKINSON	TX	77539-0012
R376139	GARCIA, EDWARD & FRANCES M	4106 ALABAMA AVE			DICKINSON	TX	77539
R378302	REYNA JOSE J & MARGARITA	5108 FM 517			DICKINSON	TX	77539



Notice of Public Hearing

This notice is provided in accordance with Dickinson Code of Ordinances Section 18-20. It will be sent to all property owners within 200' of the property listed below regarding a Specific Use Permit Application. You are welcome to attend the public hearing to learn more about the proposed project and/or to voice your opinions on this proposal.

Address of Property: 5205 FM 517, Unit D
Dickinson, TX 77539

Legal Description: ABSTRACT 78 ROBT HALL LOT 7 & 8 AND ALL OF LOTS
9 & 10 TUDOR ADDITION EXCEPT STRIP OFF SOUTH
END OF FM 517 ACRES 3.7424

Location: Generally located north of FM 517 and west of Baker Dr.
with the address being 5205 FM 517, Unit D, Dickinson,
Texas 77539

Proposal: The applicant is requesting a Specific Use Permit to use this
property for Service and Repair Shop

Meeting Date: **Planning & Zoning** – Tuesday, January 19, 2016 at 6:30
pm.
City Council – Tuesday, January 26, 2016 at 7:00 pm.

Meeting Location: 4403 Hwy 3
Dickinson City Hall
Council Chambers
Dickinson, TX 77539

If you would like additional information regarding the details of this proposal, please contact Zach Meadows, Director of Community Development for the City of Dickinson, at (281)337-6286.

**Dickinson Planning & Zoning Commission
Agenda Item Data Sheet**

MEETING DATE January 19, 2016

TOPIC:	CONSIDERATION AND POSSIBLE ACTION REGARDING: SUP-15-1519, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 1.874 acres for "Service and Repair Shop" in the "GC" (General Commercial) zoning district, legally described as Abstract 78 Robt Hall Lot 7 & 8 and all of Lots 9 & 10 Tudor Addition Except Strip Off South End of FM 517 Acres 3.7424, generally located north of FM 517 and west of Baker Dr. with the address being 5205 FM 517, Unit D, Dickinson Texas 77539.
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BACKGROUND:	In the previous agenda item, the Planning & Zoning Commission conducted a public hearing concerning a request for a Specific Use Permit for "Service and Repair Shops" at 5205 FM 517, Unit D, Dickinson, Texas 77539. The Commission's recommendation will be presented to the City Council for consideration on January 26, 2015.
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RECOMMENDATION:	None
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ATTACHMENTS:	• None
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SUBMITTING STAFF MEMBER:	Zachary Meadows, Director of Community Development
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ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
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**Dickinson Planning & Zoning Commission
Agenda Item Data Sheet**

MEETING DATE January 19, 2016

TOPIC:	CONDUCT A PUBLIC HEARING CONCERNING: SUP-15-1561, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 6.613 acres for “Tobacco Oriented Use” in the “GC” (General Commercial) zoning district, legally described as Abstract 19 Page 2 & 3 Part Of Lots 131,132,136 & 137 (131-4) Dickinson Addition D, generally located west of IH 45 and north of FM 517, with the address being 3422 Gulf Frwy, Dickinson, Texas 77539.
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BACKGROUND:	<p>The applicant is requesting a Specific Use Permit for “Tobacco Oriented Uses” on property located at 3422 Gulf Frwy. The City of Dickinson Code of Ordinances establishes that the use of this property for the purpose of Tobacco Related products require an application for Specific Use Permit be applied for. All Tobacco Related Business must apply for a Specific Use Permit and must be located in a General Commercial “GC” Zoning District.</p> <p>The Specific Use Permit may also include appropriate conditions and safeguards to protect adjacent property and property values.</p>
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RECOMMENDATION:	None
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ATTACHMENTS:	<ul style="list-style-type: none"> • Owner Letter of Approval • Specific Use Application • Aerial Map Reflecting Location of the Property • List of Properties Within 200 Feet of Zoning Change Property Provided by Galveston Central Appraisal District to Applicant • Copy of Notice of Public Hearing Sent to Properties on List Provided by Galveston Central Appraisal District to Applicant
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SUBMITTING STAFF MEMBER:	Zachary Meadows, Director of Community Development
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ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
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Tuesday, December 22, 2015

**RE: Clandestine Vapes
Dickenson Village**

To Whom It May Concern With City of Dickinson, Texas:

We understand that the specific use of our property located in the Kroger shopping center at 3410 Gulf Fwy, Suite 3422 Dickinson, TX 77539 will be used for a locally owned Vape Shop, selling eCig Vapor products and manufacturing artisan in-house eLiquid. They shall NOT be permitted to sell any marijuana products such as pipes and bong, loose tobacco, or any traditional tobacco cigarettes.

Respectfully

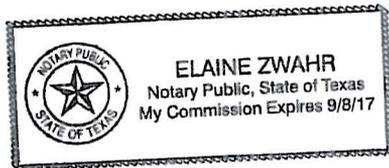
Sincerely,

Wes Miller
Senior Vice President

Agreed to and accepted this 22nd day of December __, 2015.

By: Elaine Zwaahr

Title: Notary Public



Commercial • Retail Real Estate

1800 Post Oak Boulevard, 6 BLVD Place, Suite 400, Houston, Texas 77056 713.621.1700 713.621.3244(Fax)

SUP 15-1561



COMMUNITY DEVELOPMENT
SPECIFIC USE PERMIT APPLICATION

PROPERTY

Address 3422 Quiff Frwy

Legal Description (as stated on Recorded Deed) APR 19 Page 2 & 3 Pt of Lots 131, 132, 136 & 137 (131-4) Dickinson Addn 2

- A basic diagram of the property, surrounding property and public roadways on 8 1/2 x 11 or 8 1/2 x 14 paper including basic dimensions and a copy of the recorded deed must be attached.

OWNER

Name(s) <u>SW Kiwood LP</u>	Phone#/Fax/Email <u>Charles Pae 303-551-7750</u>
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Mailing Address (Street, City, State, Zip)
5291 E. Yale Ave. Denver, CO 80222

APPLICANT/AGENT

Name(s) <u>Shane Brooks</u>	Phone#/Fax/Email <u>@landstineVapes@gmail.com 832-210-6600</u>
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Mailing Address (Street, City, State, Zip)
4128 Grand Blvd. Dickinson, Tx. 77539

- A notarized letter of authorization from the property owner(s) must be attached.

PURPOSE

State why the specific use permit is being requested. Vapor/Elig Retail sales
mixing/manufacture in-house artisan eLiquid

I hereby certify that the above information is true to the best of my knowledge. Shane Brooks
SIGNATURE (Applicant/Owner)

RECEIVED (Date, Time, Staff Signature)	PLANNING & ZONING HEARING DATE
--	--------------------------------



COMMUNITY DEVELOPMENT
SPECIFIC USE PERMIT APPLICATION

1. Schedule a pre-application conference with Community Development staff
2. Complete the Specific Use Permit Application including:
 - Name, address and telephone numbers of applicant(s), owner(s), and agent(s)
 - A notarized letter of authorization from the owner (if filed by an agent)
 - Legal property description
 - A statement of the reasons why the amendment is being requested
 - A basic diagram of the property, surrounding property and public roadways on 8 ½ x 11 or 8 ½ x 14 paper including basic dimensions
 - Filing fee and any additional fees required
 - Any technical studies identified during the pre-application conference
3. The application and all required material must be supplied to the City no later than 12:00 noon thirty (30) days prior to the Planning & Zoning Commission meeting date.
4. Before the 10th day before the date of the public hearing, written notice must be sent by certified mail, return receipt requested, to all property owners located within 200 feet of the property on which the change is proposed (Contact the Central Appraisal District at 409/935-1980 for a list of property owners). The written notice must include:
 - Time, date and location of the public hearing
 - A general description of the proposal
 - The legal description and address or general street location of the property
 - A statement that the public may be heard at the public hearing.
5. Prior to the public hearing, copies of the returned receipts and an affidavit stating the names and addresses of the persons to whom notice was sent must be submitted to the City.
6. Before the 10th day before the date of the public hearing, signs (provided by the City) must be posted on the property for which the change is proposed. One sign must be posted for each 200 feet of frontage on a public street at a location where lettering is visible from the street. If the property does not have public street frontage, the sign must be posted on the nearest public street with a notation indicating the location of the property.
7. Prior to the public hearing, the applicant must provide an affidavit verifying that the sign was posted and the date installed.
8. The Planning & Zoning Commission will hold a public hearing to consider the request and will issue a report to the City Council recommending approval or denial of the request.
9. The City Council will publish notice of a public hearing no less than 15 days prior to the hearing. Council will hold a public hearing, following which they will approve or deny the request or return it to the Planning & Zoning Commission for further consideration. The public hearing before Council will generally be conducted at the first regular meeting (second Tuesday) of the Month immediately following the Planning & Zoning Commission meeting.



GALVESTON CENTRAL APPRAISAL DISTRICT

Tommy Watson, Chief Appraiser

9850 Emmett F Lowry Expressway, Suite A, Texas City, Texas 77591
Telephone: 409-935-1980 or (Toll Free) 1-866-277-4725
Fax: 409-935-1799

City Planning Packs

Check the one (s) that apply:

200 Foot Radius

Adjacent Property Owners Listing

Subject Property Address : 3410 Gulf Freeway

Subject Property Acct #: 3015-0131-0000-004 /R 163348 ?

_____ /R _____

Name of Contact Person: Shane Brooks

Phone Number of Contact Person: 832-210-6600

Date: 12/16/2015

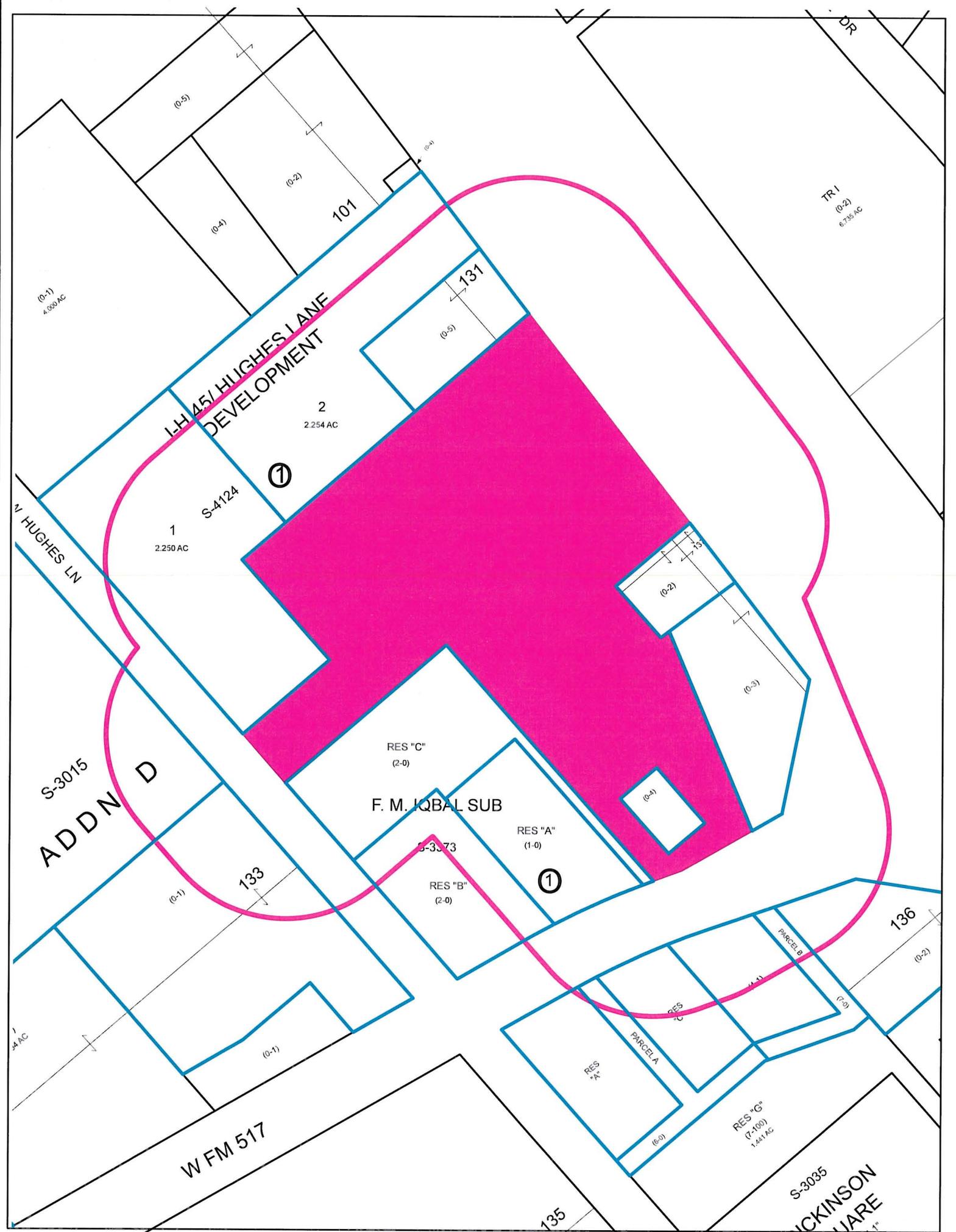
Request will be ready after Noon on Next Day. (Some Exceptions may apply)

*The charge for this service is between \$2.00 and \$5.00, depending on the number of property owners involved.

Prepaid Amount: _____ Check _____ Cash _____

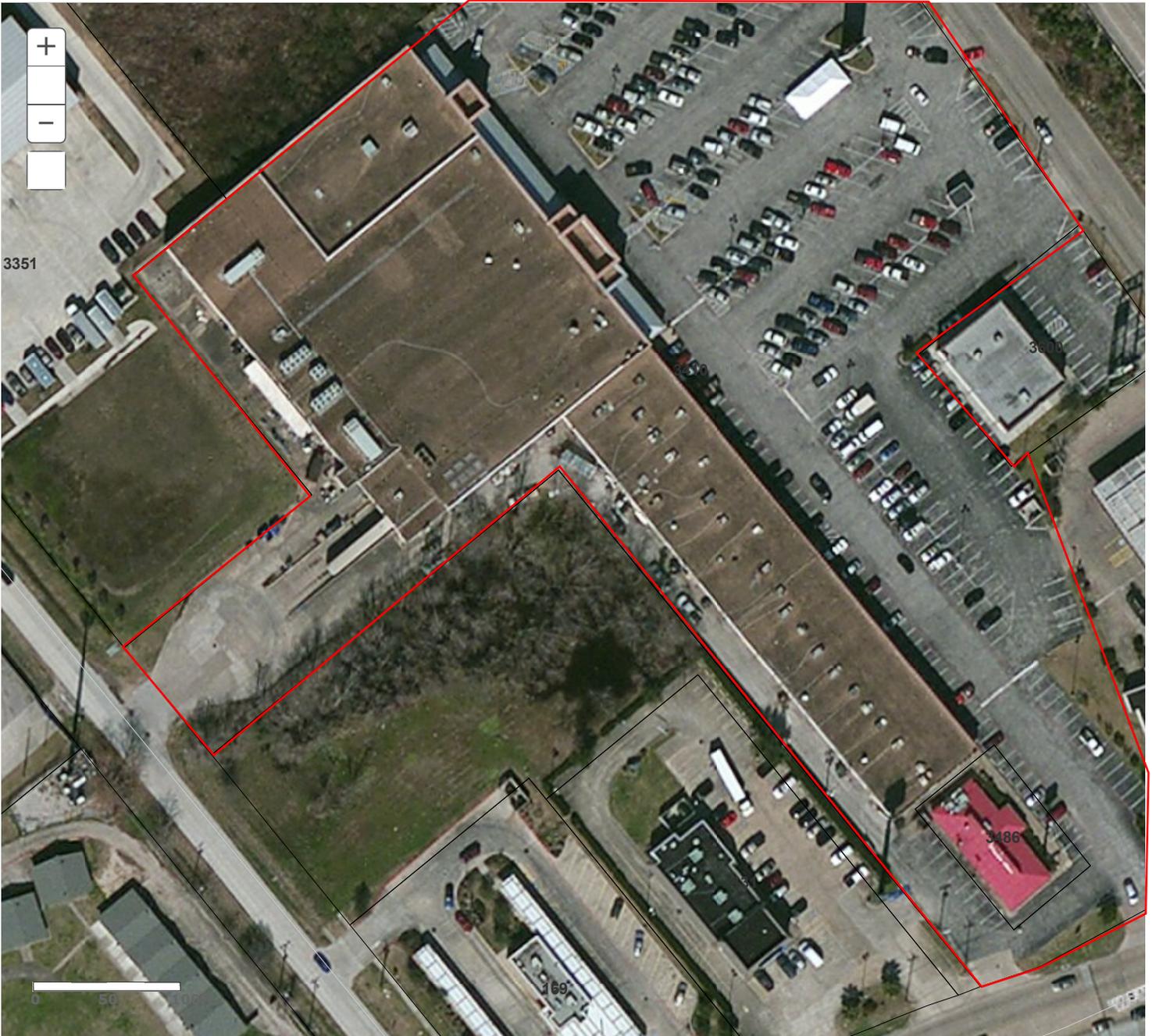
\$ 2.00

ID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
R163335	PATEL, PURUSHOTTAM H &	205 FM 517 RD W			DICKINSON	TX	77539-4007
R163351	SW KIRKWOOD LP	5291 E YALE AVE			DENVER	CO	80222
R163370	MORGAN SOUTHWEST LAND CO	941 N WILCREST DR			HOUSTON	TX	77079
R163539	TEXAS PETROLEUM GROUP LLC	C/O SOUTHWEST PROPERTY TAX	PO BOX 5037		GRANBURY	TX	76049
R288109	WENDYS INTERNATIONAL INC	ATTN: PROPERTY TAX	1 DAVE THOMAS BLVD		DUBLIN	OH	43017-5452
R288111	DICKINSON FOOD CORPORATION INC	3031 PALMER HWY			TEXAS CITY	TX	77590-6816
R288114	DICKINSON PROPERTIES LLC	600 TRAVIS ST	STE 1100		HOUSTON	TX	77002
R288115	DICKINSON PROPERTIES LLC	600 TRAVIS ST	STE 1100		HOUSTON	TX	77002
R290732	TACO BELL #2870	B & G FOOD ENT TEX, LLC	PO BOX 3608		MORGAN CITY	LA	70381-3608
R294977	SMOTHERS PROPERTIES L C	PO BOX 17423			SAN ANTONIO	TX	78217-0423
R304832	SW KIRKWOOD LP	5291 E YALE AVE			DENVER	CO	80222
R403593	DKSN STORAGE 18 LLC	%W P CAREY INC	50 ROCKEFELLER PLAZA 2ND FLOOR		NEW YORK	NY	10020
R417404	HUL, BRIAN NARITH & HOUNG	LEK LOR	1745 SILVER BEND DR		DICKINSON	TX	77539
R417405	BCH GROUP, L.L.P.	321 GRAND RANCH LN			FRIENDSWOOD	TX	77546
R417406	HUL, BRIAN NARITH & HOUNG	LEK LOR	1745 SILVER BEND DR		DICKINSON	TX	77539
R512279	DUNCAN COMMERCIAL PROPERTIES I LLC	66 INVERNESS LN			AST INGLEWOOD	CO	80112
R512280	GANDHI, ASHVIN	3708 KELLNER RD			DICKINSON	TX	77539



Home ▾ City of Dickinson Parcel and Zoning Information

Details | Basemap





Notice of Public Hearing

This notice is provided in accordance with Dickinson Code of Ordinances Section 18-20. It will be sent to all property owners within 200' of the property listed below regarding a Specific Use Permit Application. You are welcome to attend the public hearing to learn more about the proposed project and/or to voice your opinions on this proposal.

Address of Property: 3422 Gulf Freeway
Dickinson, TX 77539

Legal Description: ABSTRACT 19 PAGE 2 & 3 PART OF LOTS 131,132,136 & 137 (131-4) DICKINSON ADDITION D

Location: Generally located west of IH 45 and north of FM 517, with the address being 3422 Gulf Frwy, Dickinson, Texas 77539

Proposal: The applicant is requesting a Specific Use Permit to use this property for Tobacco Oriented Uses

Meeting Date: **Planning & Zoning** – Tuesday, January 19, 2016 at 6:30 pm.
City Council – Tuesday, January 26, 2016 at 7:00 pm.

Meeting Location: 4403 Hwy 3
Dickinson City Hall
Council Chambers
Dickinson, TX 77539

If you would like additional information regarding the details of this proposal, please contact Zach Meadows, Director of Community Development for the City of Dickinson, at (281)337-6286.

**Dickinson Planning & Zoning Commission
Agenda Item Data Sheet**

MEETING DATE January 19, 2016

TOPIC:	CONSIDERATION AND POSSIBLE ACTION REGARDING: SUP-15-1561, to hear comments and testimony regarding a request for a Specific Use Permit on approximately 6.613 acres for "Tobacco Oriented Use" in the "GC" (General Commercial) zoning district, legally described as Abstract 19 Page 2 & 3 Part Of Lots 131,132,136 & 137 (131-4) Dickinson Addition D, generally located west of IH 45 and north of FM 517, with the address being 3422 Gulf Frwy, Dickinson, Texas 77539.
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BACKGROUND:	In the previous agenda item, the Planning & Zoning Commission conducted a public hearing concerning a request for a Specific Use Permit for "Tobacco Oriented Uses" at 3422 Gulf Frwy, Dickinson, Texas 77539. The Commission's recommendation will be presented to the City Council for consideration on January 26, 2015.
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RECOMMENDATION:	None
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ATTACHMENTS:	• None
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SUBMITTING STAFF MEMBER:	Zachary Meadows, Director of Community Development
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ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
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**Dickinson Planning & Zoning Commission
Agenda Item Data Sheet**

MEETING DATE January 19, 2016

TOPIC:	BREIFING AND DISCUSSION CONCERNING: The addition of basic regulations relating to Bed & Breakfast and Vacation Rental establishments, adding a definition for Vacation Rental and changing the definition of Bed & Breakfast in the Zoning Ordinance.
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BACKGROUND:	Staff has been working on establishing regulations for both bed & Breakfasts and Vacation Rentals, after a request by a property owner wanted to use their property as a vacation rental. Staff began to look at what other cities have done to establish some basic regulations over these establishments. Staff is looking for any input that the board may have before taking this item to Council at the February 23, 2016 Regular Council Meeting.
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RECOMMENDATION:	Staff is looking for direction on this item in order to make the necessary adjustments before getting Council Review.
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ATTACHMENTS:	<ul style="list-style-type: none">• Proposed B&B and Vacation Rental Definition• Proposed B&B and Vacation Rental Regulations
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SUBMITTING STAFF MEMBER:	Zachary Meadows, Director of Community Development
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ACTIONS TAKEN

APPROVAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER
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Development and Performance Standards (Bed & Breakfast and Vacation Rental Establishments)

Definition:

Vacation Rental means a residential facility that is offered for rental for a period not to exceed thirty (30) days. The owner or the owner's designated representative shall not be required to occupy the facility at the time the facility is being rented.

Standards:

- (a) Bed and Breakfast's in the "RR" or "CR" district are permitted by a specific use permit.
- (1) The residential feel and character of a Bed and Breakfast shall be maintained and not unnecessarily intrude upon the adjacent neighbors. By requiring the presence of the owner or the owner designated representative while the facility is rented, will help ensure that the impact of traffic noise or other nuisance does not occur or is immediately stopped to avoid any adverse effects on the surrounding neighborhood.
- (2) In addition to any conditions imposed as part of the approved specific use permit, the following regulations shall be applicable to Bed and Breakfast lodging facilities:
 - a. Property shall be subject to inspection at any time by designated City representatives, if compliance is in question, with proper notice provided if feasible.
 - b. The specific use permit shall terminate and be considered abandoned if and when there is evidence of no rental activity based in part on the State Occupancy Tax Reports, for a period of nine (9) consecutive months. The burden is on the property owner to prove that the use of the property has been in continuous use.
 - c. One (1) smoke alarm shall be provided in each guest bedroom along with a fire extinguisher visible and be accessible to guests. A fire escape plan shall be developed and graphically displayed in each guest room. A second exit from the lodging facility structure shall be provided.
 - d. Signage for Bed and Breakfasts shall be limited to one (1) non illuminated sign not to exceed four (4) square feet in area.

- e. A valid taxpayer number for reporting any Texas tax shall be provided to the City along with a copy of the completed *State of Texas Hotel Occupancy Tax Questionnaire (form AP-102)* no later than thirty (30) days following the approval of the specific use permit.
 - f. If there is a change in ownership of the property the City shall be notified of any change in property ownership within thirty (30) days of such change.
 - g. If guests have water access, guests may not enter upon any property which is not part of the owner's property for the purpose of entering or exiting the water.
 - h. A copy of the requirements set forth in the specific use permit shall be made available to all guests.
 - i. On-street parking is prohibited. Two (2) parking spaces are required plus one additional space per room rented subject to modification as part of the specific use permit approval process.
 - j. The maximum occupancy allowed shall be reviewed and determined in each individual specific use permit application based on number of rooms, beds, parking, neighborhood input, and any other factor determined to be relevant by the Planning and Zoning Commission or City Council.
- (b) Vacation Rental's in the "RR" or "CR" district are permitted by a specific use permit.
- A. The residential feel and character of a Vacation Rental property shall be maintained and not unnecessarily intrude upon the adjacent neighbors.
 - B. In addition to any conditions imposed as part of the approved specific use permit, the following regulations shall be applicable to Vacation Rental lodging facilities:
 - a. Property shall be subject to inspection at any time by designated City representatives, if compliance is in question, with proper notice provided if feasible.
 - b. The specific use permit shall terminate and be considered abandoned if and when there is evidence of no rental activity based in part on the

State Occupancy Tax Reports, for a period of nine (9) consecutive months. The burden is on the property owner to prove that the use of the property has been in continuous use.

- c. One (1) smoke alarm shall be provided in each guest bedroom along with a fire extinguisher visible and be accessible to guests. A fire escape plan shall be developed and graphically displayed in each guest room. A second exit from the lodging facility structure shall be provided.
- d. Signage for Vacation Rentals shall be limited to one (1) non illuminated sign not to exceed four (4) square feet in area.
- e. A valid taxpayer number for reporting any Texas tax shall be provided to the City along with a copy of the completed *State of Texas Hotel Occupancy Tax Questionnaire (form AP-102)* no later than thirty (30) days following the approval of the CUP.
- f. If there is a change in ownership of the property the City shall be notified of any change in property ownership within thirty (30) days of such change.
- g. If guests have water access, guests may not enter upon any property which is not part of the owner's property for the purpose of entering or exiting the water.
- h. A copy of the requirements set forth in the specific use permit shall be made available to all guests.
- i. On-street parking is prohibited. Two (2) parking spaces are required plus one additional space per room rented subject to modification as part of the specific use permit approval process.
- j. The maximum occupancy allowed shall be reviewed and determined in each individual specific use permit application based on number of rooms, beds, parking, neighborhood input, and any other factor determined to be relevant by the Planning and Zoning Commission or City Council. Owner occupancy is permitted but not required. However the subject property owner shall provide the City and property owners within 200 feet of the subject property, with the current name and

contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes then the property owner shall notify the City and property owners within 200 feet of the subject property, with the current name and contact information.

(c) The review for specific use permit approval of a Bed and Breakfast and/or Vacation Rental lodging facility shall consider but not be limited to the following factors:

- a. The proposed occupancy and the size of the property, and whether a smaller occupancy level is appropriate;
- b. Setbacks and proximity to other dwellings;
- c. Rental regulations (such as no large parties, no extra guests) imposed by the owner and the degree of owner involvement in property management;
- d. Occupant access to waterways and other environmentally sensitive areas;
- e. Vehicle access and onsite parking and the number of parking spaces available; and
- f. Compliance with all State, County, and City ordinances, laws, rules, and regulations including the Building Codes and Fire Codes;

ADJOURN

TIME: _____

MOTION: _____

SECOND: _____

VOTE _____