



## Agenda Briefing

**Date of Meeting:** October 15, 2020

**Submitting Department:** Planning and Permits

**Date Submitted:** October 8, 2020

**Prepared By:** Sean Landis

**Presenter:** Sean Landis

**Will there be a guest/visitor presenter who is not an employee?:**  Yes  No

**What is this person's first and last name and affiliation to this item?:** Daniel Quarles

**Subject:** Request for a Conditional Use Permit to establish a "Gasoline Service Station/Convenience Store" at 2626 E. Bayport Blvd, Seabrook, TX 77586, as per the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, "Special Use Regulations," Section 4.11, "Conditional use permit criteria and procedures."

**Type of Item:**  Ordinance  Resolution  Contract/Agreement  Public Hearing  Discussion & Direction

### Executive Summary:

### Background/Issue (What prompted this need?):

Proposed use of the property is to be approximately a 4800 sqft convenience store (Possibly a 7-11) with an attached Taco Restaruant. The Convenience Store will be supported by a twelve pump Gas Fueling Station. The proposed site plan currently provides for 39 parking spaces. The proposed site is located east of SH 146 just south of E. Meyer Ave., this site was previously the Volvo Rental location.

The Applicant proposes the Gas Station/Convenience Store be considered the first phase of an overall development plan, which will include a Detention Basin along with an additional Retail Center.

The purpose and criteria for approval of a conditional use permit are listed below:

4.11.01. Purpose: The purpose of the conditional use permit process is to identify those land uses which may be appropriate within a zoning district but, due to either their location, function, or operation, could have a potentially harmful impact on adjacent properties or the surrounding area; and to provide for a procedure whereby such uses may be permitted by further restricting or conditioning them so as to mitigate or eliminate such adverse impacts.

4.11.05. Criteria for approval: The planning and zoning commission shall recommend denial of a conditional use if it finds that the proposed use:

- A. Does not conform with applicable regulations and standards established by this ordinance;
- B. Is not compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features;
- C. Potentially creates greater unfavorable effects or impacts on other existing or permitted uses on abutting sites than those which reasonably may result from the use of the site by a use permitted by right;
- D. Adversely affects the safety of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area;
- E. Fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts;
- F. Adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs;
- G. Fails to provide adequate off-street parking and loading facilities;
- H. Fails to conform with the objectives and the purpose of the zoning district in which the development is located;
- I. Will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, for reasons specifically articulated by the commission; or
- J. The premises or structure(s) are not suitable for the proposed use.

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**Budget Analysis/Funding Comments:** N/A

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**Expenditure Required:** \$N/A

**Budgeted Amount:** \$N/A **Source of Funds/Funding Account:** N/A

All requests must be submitted to the City Secretary's Office no later than 12:00 p.m. on the Monday, one week prior to the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.

**Not Budgeted: If approved, the following will be included in the next Budget Amendment and \$N/A will be added to Revenue Account: N/A and \$N/A added to Expenditure Account: N/A**

**1295 Form Required?** Yes No

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**Name of Applicant (if applicable) :** Daniel Quarles, P.E., Pape-Dawson Engineers, Inc., 10350 Richmond Ave., Suite 200, Houston, TX 77042.

**Legal Description/Location (if applicable):** 2626 E. Bayport Blvd, Seabrook, TX 77586

Tract 1, Block 1, Clear Creek Business Park, Section 1.

This property is located east of E. Bayport Blvd, south of E. Meyer Road, and north of Marvin Circle.

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**Supporting Materials Attached:**

1. Application
2. Site Location/Zoning Map
3. Public Hearing Notice
4. City Staff Presentation
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

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**Recommended Placement on Agenda: Specific Public Hearing/New Business**

**Recommended Action:**

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Reviewed by Department Director, if applicable

Reviewed by Finance Director, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

All requests must be submitted to the City Secretary's Office no later than 12:00 p.m. on the Monday, one week prior to the regular Tuesday Council Meeting. All required attachments are to be submitted with the request. Incomplete items cannot be placed on the agenda.





# Application for Land Development Permit

**\*\*Incomplete applications cannot be processed\*\***

- Zoning Change   
 Text Change   
 Zoning Variance   
 Planned Unit Development  
 Conditional Use Permit   
 Subdivision Plat   
 Preliminary   
 Final   
 Amending

### APPLICANT INFORMATION Check appropriate box(es)

Name: DANIEL QUARLES    E-Mail: [REDACTED]  
Address: [REDACTED]    Fax #: [REDACTED]  
City: [REDACTED]    Phone: [REDACTED]  
State: [REDACTED]

Applicant is  Owner of property   
 Agent for Owner   
 Agent for Purchaser   
 Purchaser   
 City of Seabrook

If Applicant is acting on behalf of Owner in this application, Owners signature below authorizes this application.

Owner(s): \_\_\_\_\_ Signature: \_\_\_\_\_  
Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Owner(s) Mailing address(es): \_\_\_\_\_ Phone #: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
City: \_\_\_\_\_ City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip \_\_\_\_\_ State: \_\_\_\_\_ Zip \_\_\_\_\_

### PROPERTY INFORMATION

Property Address: 2626 E. BAYPORT BLVD.  
Legal Description: Lot 1 Block 1  
Addition \_\_\_\_\_  
(You may attached Metes & Bounds description from your Deed if available)

Current Zoning Classification: COMMERCIAL DISTRICT (146-M) (Available from Building Department)  
Current Use of Property: VACANT (Be specific)  
Number of existing Driveways: 1  
General Dimensions of Property: Width: 269' Depth: 150' Land Area: ~40,500 Sq. Feet: X Acres: \_\_\_\_\_  
Adjoining Uses: North VACANT (TO BE C-STORE) South OFFICE-WAREHOUSE/COMMERCIAL  
East VACANT (TO BE DRIVE-THRU REST.) West N/A  
Adjacent Streets: North N/A South N/A  
East N/A West SH 146

Is the property served with: City Water?  Yes  No    City Sewer?  Yes  No

### OWNER/AGENT AFFIDAVIT

I have read and understand this application. I have familiarized myself with the applicable regulations, ordinances, and procedures and submit this application and accompanying documentation for consideration by the Planning Commission, Board of Adjustment, or the City Council of the city. I certify that I am the legal owner or agent of the Owner and have written or other legal authority to make this application.

Signed: [REDACTED] Date: 8-21-20

**ALL FEES MUST BE PAID AT THE TIME APPLICATION IS SUBMITTED  
FEES ARE NON-REFUNDABLE OR TRANSFERABLE**

# CONDITIONAL USE PERMIT

**Conditional Use Permit Request:** Please specify the exact use proposed for the property and the hours of operation planned on the property.

PROPOSED USE OF PROPERTY IS TO BE AN APPROX. 4,800  
SQ.FT. CONVENIENCE STORE (7-11) WITH TACO RESTAURANT  
ATTACHED. C-STORE WILL BE SUPPORTED BY 12-PUMP  
GAS FUELING STATION. 39 PARKING SPACES ARE CURRENTLY  
PROVIDED (SEE SITE PLAN ATTACHED). SITE SITS APPROXIMATELY  
160 LF SOUTH OF CORNER OF SH146 + E. MEYER AVE.  
TO SUPPORT THIS CONDITIONAL USE, SITE TO BE SURROUNDED  
BY COMMERCIAL USE PAD SITES.

# MEMO

**TO:** City of Seabrook  
Planning & Zoning Commission  
Attn. Sean Landis

**DATE:** 8/31/20

1100 Red Bluff Road  
Seabrook, TX 77586

**FROM:** Daniel Quarles, P.E.

**PROJECT NO.:** N/A

**CC:** Nathan Billiot, P.E.

**RE:** Conditional Use Application – 2626 E. Bayport Boulevard

Please see all documents included for our Conditional Use Permit application on the referenced address. Included in this first submittal is:

1. Application
2. Conditional Use Summary
3. Preliminary Site Plan
4. Check for Permit Application

If you have any questions regarding this information, please do not hesitate to call me at



**–END OF MEMO–**



**PUBLIC HEARING NOTICE**  
**SEABROOK PLANNING & ZONING COMMISSION**  
**THURSDAY, OCTOBER 15, 2020 – 6:00 P.M.**

NOTICE IS HEREBY GIVEN THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF SEABROOK WILL HOLD A PUBLIC HEARING BY TELECONFERENCE ON THURSDAY, OCTOBER 15, 2020 AT 6:00 P.M.

DUE TO THE CONTINUED INCREASE IN COVID-19 POSITIVE CASES, THIS PUBLIC HEARING WILL ONLY BE OPEN TO THE PUBLIC VIA REMOTE ACCESS THAT ALLOWS FOR TWO-WAY COMMUNICATIONS FOR THOSE DESIRING TO PARTICIPATE.

MEMBERS OF THE PUBLIC MAY ATTEND AND PARTICIPATE IN THE PUBLIC HEARING BY REGISTERING FOR THE GOTO WEBINAR USING THIS LINK:

<https://global.gotomeeting.com/join/717640045>

MEMBERS OF THE PUBLIC MAY ACCESS THE AGENDA AND ATTACHMENTS ONLINE AT [WWW.SEABROOKTX.GOV/AGENDACENTER](http://WWW.SEABROOKTX.GOV/AGENDACENTER).

THIS HEARING IS OPEN TO THE PUBLIC AND EVERYONE ATTENDING WILL HAVE THE OPPORTUNITY TO SPEAK FOR OR AGAINST THESE REQUESTS IN ACCORDANCE WITH THE PROCEDURES OF THE COMMISSION. ALL REQUIRED DOCUMENTS REGARDING THESE REQUESTS ARE AVAILABLE FOR REVIEW AT CITY HALL IN THE COMMUNITY DEVELOPMENT DEPARTMENT WEEKDAYS FROM 8:00 A.M. TO 5:00 P.M. PLEASE CALL (281) 291-5705 IF YOU HAVE QUESTIONS.

**SPECIFIC PUBLIC HEARINGS**

**Request for a Conditional Use Permit to establish a “Gasoline Service Station/Convenience Store” at 2626 E. Bayport Blvd, Seabrook, TX 77586, as per the Seabrook City Code, Appendix A, Comprehensive Zoning, Article 4, “Special Use Regulations,” Section 4.11, “Conditional use permit criteria and procedures”.**

**Owner:**

Loomer Investments L.P., 1498 McGuire Road, League City, TX 77573

**Applicant:**

Daniel Quarles, P.E., Pape-Dawson Engineers, Inc., 10350 Richmond Ave., Suite 200, Houston, TX 77042.

**Legal Description:**

Tract 1, Block 1, Clear Creek Business Park, Section 1.

This property is located east of E. Bayport Blvd, south of E. Meyer Road, and north of Marvin Circle.

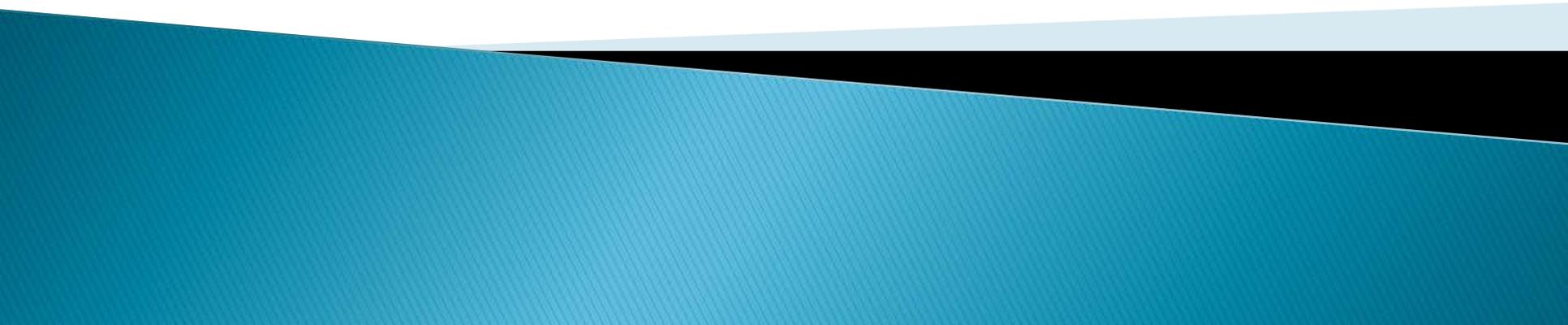
**CERTIFICATE**

I certify that this notice was posted on the bulletin board at Seabrook City Hall on or before 5:00 p.m., Thursday, September 24, 2020 and that it will remain posted until after completion of the hearing.

/s/ Pat Patel, Administrative Assistant

# Planning and Zoning Meeting

October 15, 2020



E MEYER AVE

2,650

0

0

0

0

M-146

Fire Station

0

M-146

2,626

0

1,850

SH 148

2,500

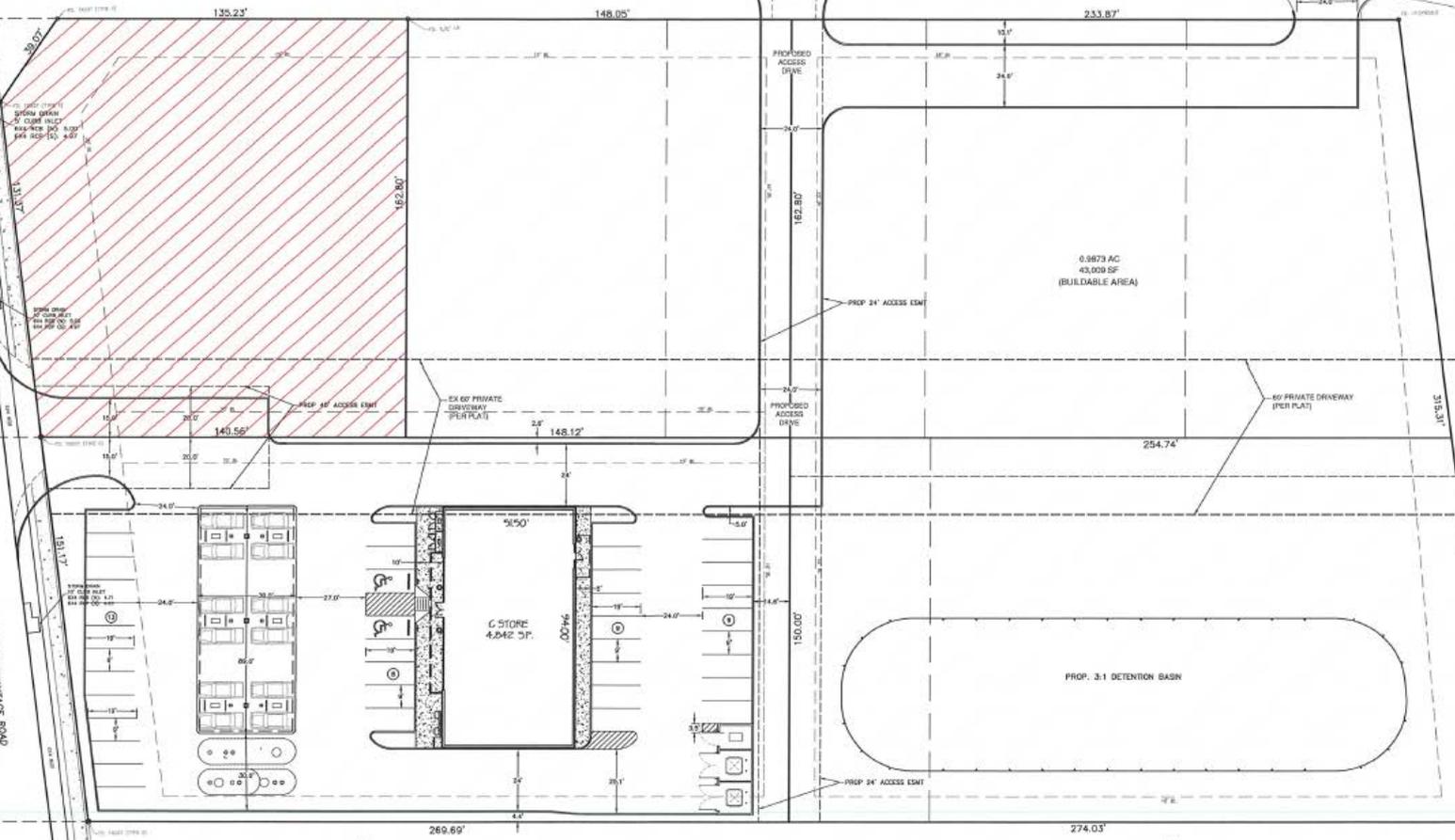
1,910

1,906



E MEYER AVENUE  
(VARIES WITH PUBLIC R.O.W.)  
(D.C. 2, P.C. 7, 15, 24, 33)  
(R.C.E.C. No. 1024780)

PROPOSED SH 148 FRONTAGE ROAD



0.8873 AC  
43,000 SF  
(BUILDABLE AREA)

C STORE  
4,242 SF

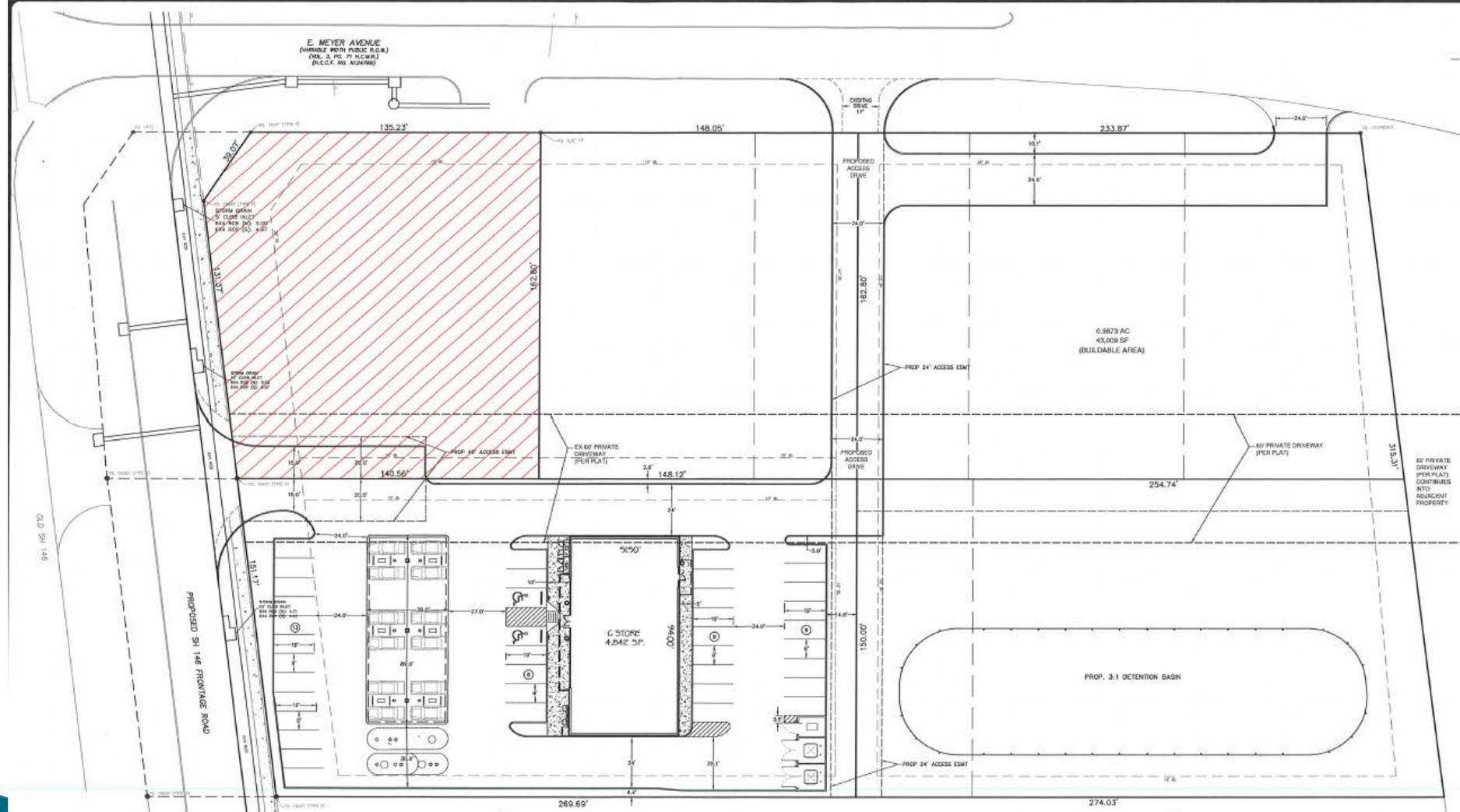
PROP. 3-1 DETENTION BASIN

EXIST. PRIVATE DRIVEWAY (PER PLAT) CONTRIBUTES INTO ADJACENT PROPERTY

94' 16" (D.D.)

269.69'

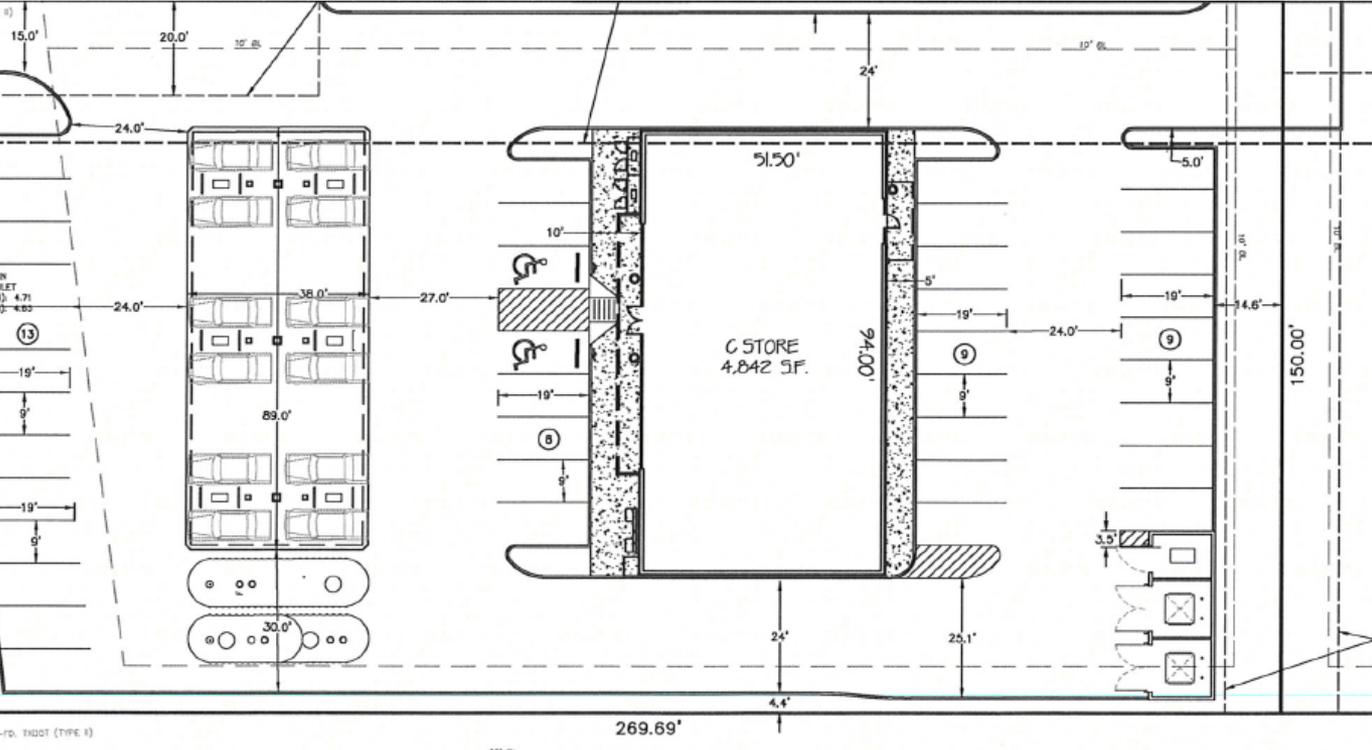
274.03'



PROPOSED SH 146 FRONTAGE ROAD

STORM DRAIN  
10" CURB INLET  
6X4 RIB (N) 4.71  
6X4 RIB (S) 4.82

151.17'



269.69'

150.00'

C STORE  
4,842 SF.

94.00'

51.50'

89.0'

30.0'

15.0'

20.0'

24.0'

24.0'

19'

9'

19'

9'

38.0'

27.0'

10'

19'

19'

9'

5'

19'

9'

24.0'

19'

9'

14.6'

10'

10'

5.0'

3.5'

4.4'

25.1'

24.4'

FD. TKDOT (TYPE 1)

FD. TKDOT (TYPE 1)

FD. TKDOT (TYPE 1)

10' RL

10' RL