



Agenda Briefing

Date of Meeting: April 20, 2021

Responsible Department: Community Development

Presenter: Sean Landis

Briefing Prepared By: Sean Landis

Strategic Focus Area: Economic Growth

General Information / Subject:

Request for a Conditional Use Permit to establish a "Gasoline Service Station/Convenience Store" at 1304 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".

AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A, COMPREHENSIVE ZONING, ARTICLE 13, "TEMPORARY AND NONTEXT CHANGES," SECTION 13.03, BY ADDING A NEW PARAGRAPH TWENTY EIGHT (28), GRANTING A CONDITIONAL USE PERMIT ALLOWING FOR A "GASOLINE SERVICE STATION/CONVENIENCE STORE" AT 1304 BAYPORT BLVD. WITHIN A 146-M (SH 146 MAIN COMMERCIAL) DISTRICT OF THE CITY; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY

Executive Summary / Background:

The applicant proposes to construct a new fueling canopy along with four fueling pump stations. The proposed new construction will serve as an expansion of the newly remodeled, recently rebranded Check Point Gasoline Service Station/Convenience Store, currently addressed 1802 Main Street.

The proposed site/property was previously the location of Mario's Pizza, which was included as part of the TX-DOT SH 146 acquisition. It is the opinion of the applicant and owner; due to the TX-DOT taking the limited property remaining at 1304 Bayport Boulevard has created development limitations. The owner believes their proposal is the highest and best use for the remaining property.

The purpose of a conditional use permit is 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.

Funding / Fiscal Information:**Account Number:** N/A**Amount Budgeted:** N/A**Amount Requested / Required:** N/A**Funding Source (if not budgeted):**

N/A

Supporting Materials Attached:**Prior Action / Review by Council, Boards, Commissions:**

The Planning and Zoning Commission of the City of Seabrook at their March 18, 2021 meeting conducted a public hearing, received input from staff and issued its final report recommending approval of the subject CUP with the following conditions: (1) Due to limited visibility from the convenience store, the Owner/Developer shall install a camera security system at the newly constructed canopy to be monitored from within the convenience store. (2) The Owner/Developer shall remove the existing driveway located on SH 146 at the southeast corner of the property; relocating the driveway to the northeast to be located off the newly constructed SH 146 feeder road as reflected within the exhibit presented at the March 18, 2021 Planning and Zoning Commission Meeting.

Staff Recommendation:

**APPROVED BY:
(as appropriate)**

Sean Landis

Preparer or Department Director

4-9-2021

Date

Building Official

Date

City Engineer/Asst. Dir. of PW

Date

City Secretary

Date

Community and Visitor Relations Director

Date

Director of Municipal Court

Date

Deputy City Manager

Date

EDC Director

Date

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.

Emergency Services Director

Date

Finance Director

Date

HR Director

Date

IT Director


Date

Police Chief

Date

Public Works Director

Date



City Manager

4/12/2021

Date