

ORDINANCE NO. 2088 - 2025

AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING CHAPTER 18 “ZONING” OF THE CITY OF DICKINSON’S UNIFIED DEVELOPMENT CODE; AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF DICKINSON TO REZONE PORTIONS OF APPROXIMATELY 6.677 ACRES OF LAND GENERALLY LOCATED AT 4015 DICKINSON AVE FROM URBAN TRANSITION (“UT”) ZONING DISTRICT TO DOWNTOWN (“DT”) ZONING DISTRICT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND, PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, 4015 DICKINSON PLAZA LLC (the “Owner”) owns approximately 6.677 acres of land generally located at 4015 DICKINSON AVE, legally described as ABST 78 R HALL E 166 FT BLK 305 ALL BLK 306 & 314 & PT E 166 FT LT 313 & ALL ADJ ALLEYS AND STREETS ACS 5.287 NICHOLSTONE, with the Property being located in the City of Dickinson, Texas (the “City), and more particularly depicted and described in “Exhibit A” attached to and made a part of this Ordinance for all purposes; and

WHEREAS, the Property presently has a zoning classification of URBAN TRANSITION (“UT”); and

WHEREAS, the Planning and Zoning Commission (the “Commission”) of the City held a public hearing and issued a report (the “Report”) in response to the request of the Owner, to rezone the Property to DOWNTOWN (“DT”) Zoning District; and,

WHEREAS, the Commission delivered the Report to the City Council of the City (the “Council”), and the Council, in making its decision regarding the zoning of the Property, has considered the Commission’s recommendations in the Report, with the Report being attached to and made a part of this Ordinance as “Exhibit A”; and

WHEREAS, the Council has, in the time and manner and after the notice required by law and the City’s Zoning Ordinance, conducted a public hearing on the request for the rezoning of the Property; and

WHEREAS, the Council deems it appropriate to approve the rezoning of the Property as requested by the Owner; and **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS:

SECTION 1. THAT the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct and are incorporated into this Ordinance for all intents and purposes.

SECTION 2. THAT the Property, being approximately 6.677 acres of land generally located at 4015 DICKINSON AVE, legally described as ABST 78 R HALL E 166 FT BLK 305 ALL BLK 306 & 314 & PT E 166 FT LT 313 & ALL ADJ ALLEYS AND STREETS ACS 5.287 NICHOLSTONE, be rezoned from URBAN TRANSITION (“UT”) Zoning District to DOWNTOWN (“DT”) Zoning District, with the Property being more particularly depicted and described in “Exhibit A” attached to this Ordinance.

SECTION 3. THAT the Official Zoning Map (the “Zoning Map”) of the City of Dickinson, Texas (the “City”) be revised and amended to show the change in zoning classification of the Property from URBAN TRANSITION (“UT”) Zoning District to URBAN TRANSITION (“UT”) Zoning District, and that the Zoning Map reflect all appropriate references to the number and effective date of this Ordinance.

SECTION 4. THAT upon the effective date of this Ordinance, the Property shall comply with the development and land use standards set forth in the City’s Unified Development Code for DOWNTOWN (“DT”) Zoning District and shall be in compliance with the application and the site plan submitted to the City by the Owner, which is included in “Exhibit A” attached to and made a part of this Ordinance.

SECTION 5. THAT in the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the Council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6. THAT any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed two thousand dollars (\$2,000), with each day of violation constituting a separate offense.

SECTION 7. THAT all ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 8. THAT this Ordinance shall become effective upon final reading and adoption of this Ordinance when the caption hereof is caused to be published in the official newspaper of the City, by the City Secretary, as required by law.

APPROVED on first reading on the 8th of July, 2025.

PASSED, APPROVED, AND ADOPTED on second reading on the 22nd of July, 2025.

FOR THE CITY OF DICKINSON:

Travis Magliolo

**TRAVIS MAGLIOLO
MAYOR**

ATTEST:

Claude Oliver

**Claude Oliver
City Secretary**

APPROVED AS TO FORM:

Nghiem V. Doan

**Nghiem V. Doan
City Attorney**

APPLICATION OVERVIEW



License Type: Zoning Map Amendment

ID # 25-000078 | Started April 17, 2025

Address

4015 Dickinson Ave., Dickinson, TX USA 77539

Legal

S78
Abst 78 R Hall E 166 Ft Blk 305 All Blk 306 & 314 & Pt E
166 Ft Lt 313 & All Adj Alleys And Streets Acs 5.287
Nicholstone

PROPERTY DETAILS

Property ID

R183719

PROPERTY ADDITIONAL INFORMATION

No data for Property Additional Information.

INFORMATION FIELDS

Galveston County Property ID:
183719

Address

-

Legal Description

ABST 78 R HALL E 166 FT BLK 305 ALL BLK 306 & 314 & PT E 166 FT LT 313 & ALL ADJ ALLEYS AND STREETS ACS 5.287 NICHOLSTONE

Acres:

6.677

Property Owner

4015 Dickinson Plaza LLC

Property Owner Address

4732 Sugargrove Blvd, St D403, Stafford, TX 77477

Property Owner Phone

8324296789

Property Owner Email

ershan@wireless-stop.com

Proof of Ownership

Warranty Deed_Recorded 1 1.pdf

Signatory Authorization

Certificate 1.pdf, Original_Document 1.pdf

Agent Authorization

Agent Authorization-compressed.pdf

Current Zoning

Urban Transition "UT"

Current Use Type:

Multi-Use

Current Use

Commercial and vacant land

Proposed Zoning

Downtown "DT"

Proposed Use Type:

Commercial

Proposed Use

Commercial Mixed Use

Existing Site Plan

Site Plan.pdf

Surrounding Area Zoning Plan

Local zoning map.pdf

Surrounding Area Uses Plan

Surrounding Area Use Plan.docx

Applicant Statement PZ & CC

Applicant Statement.docx

Technical Studies

-

Additional Documents

-

Planning and Zoning Commission Meeting

05/20/2025 6:00 PM

Planning and Zoning Commission Public Hearing

-

City Council Meeting

-

City Council Public Hearing




-

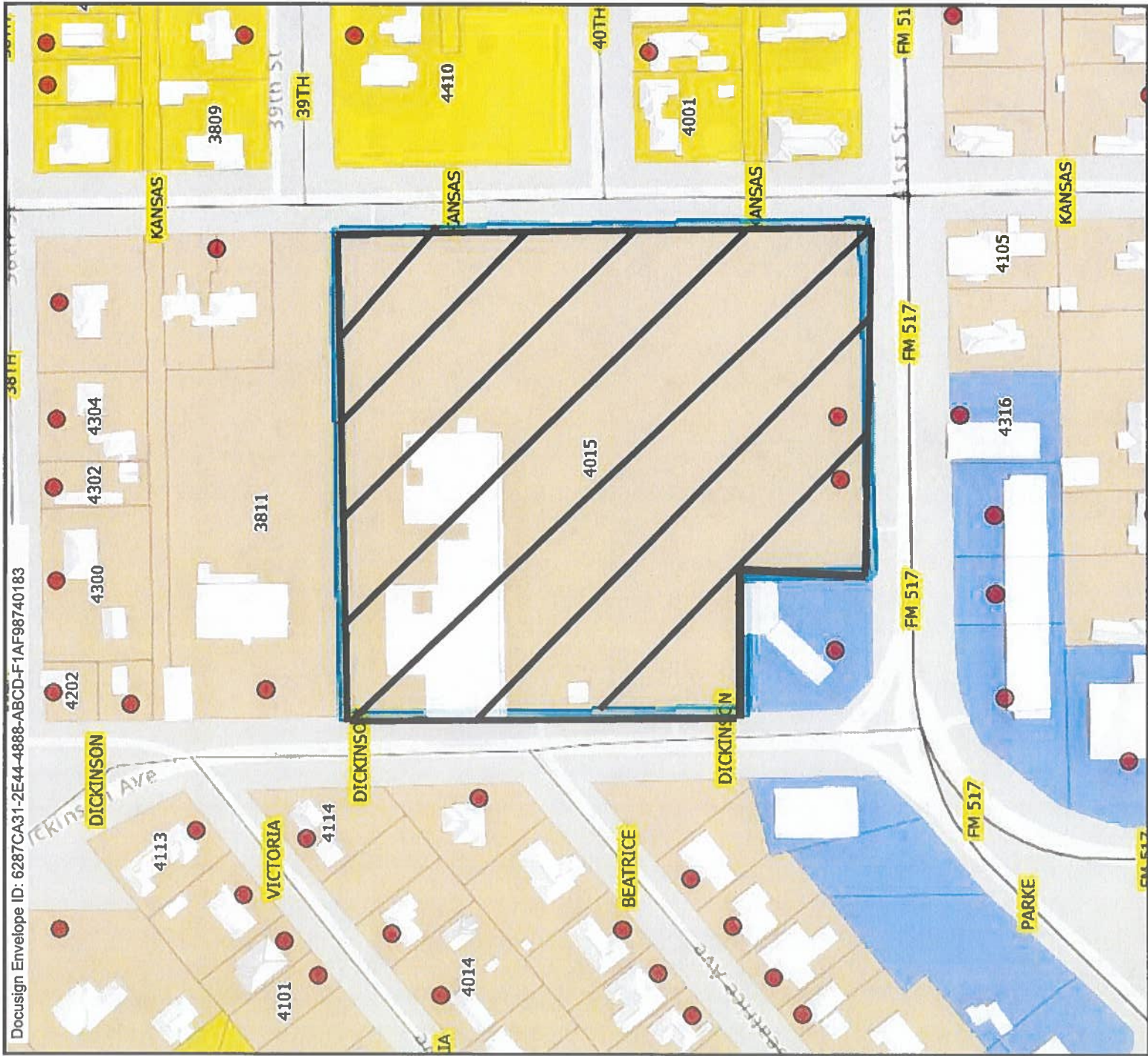


ZONING MAP AMENDMENT

- VICINITY MAP -

Approx 6.677 acres, and legally described as: ABST 78 R HALL E 166 FT BLK 305 ALL BLK 306 & 314 & PT E 166 FT LT 313 & ALL ADJ ALLEYS AND STREETS ACS 5.287 NICHOLSTONE

-  Subject Property
-  Downtown (DT)
-  Urban Transition (UT)
-  Neighborhood Conservation (NC)



The City of Dickinson Texas makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.



City of Dickinson
Community Development
4403 Hwy 3, Dickinson, TX
281-337-2289

Planning & Zoning Commission Zoning Map Amendment

Staff Report

Request: The applicant is requesting a Zoning Map Amendment from Urban Transition (UT) zoning district to Downtown (DT) zoning district.

Applicant: Daniel Mueller

Owner: MARTIN ROY L & ASSC PTNR

Subject Property: 4015 Dickinson Ave, Dickinson, Galveston County, Texas and legally described as ABST 78 R HALL E 166 FT BLK 305 ALL BLK 306 & 314 & PT E 166 FT LT 313 & ALL ADJ ALLEYS AND STREETS ACS 5.287 NICHOLSTONE.

Parcel Information:

Zoning: Urban Transition (UT)
Use: Retail, Sales and Restaurant

Surrounding Properties Information:

North: Urban Transition (UT) zoning district
West: Urban Transition (UT) zoning district
East: Neighborhood Conservation (NC) zoning district
South: Downtown (DT) zoning district

Background:

The applicant is requesting to change the zoning district from Urban Transition (UT) to Downtown (DT). The property is currently occupied with tenants and use of the property will remain as retail, sales and restaurant use.

Zoning the property to (DT) would allow a variety of commercial uses including sale, lease, or rental of new or used products, providing personal services or repair services to the general public. Primary and accessory uses included in this use category can be found in Subsect. [18-11.4](#), Commercial Use Categories.

The commission may consider the following criteria, to the extent pertinent to the application. In addition, other factors may be considered which may be relevant to the application.

(1) Conformance of the proposed zoning classification with the city's land use policies.

The Future Land Use Plan (FLUP) reflects the desired pattern of growth over a given time within the City and its ETJ. The purpose of the plan is to ensure the orderly and efficient development of the City and will serve as a guide in evaluating development proposals. The requested zoning district does align with the FLUP allowing Downtown (DT) zoning. Shown below in Figure A is the Dickinson Comprehensive Plan 2045, Map 2.6 Future Land Use Map. Shown below in Figure B is a zoomed in view of subject property shown in Figure A

Figure A:

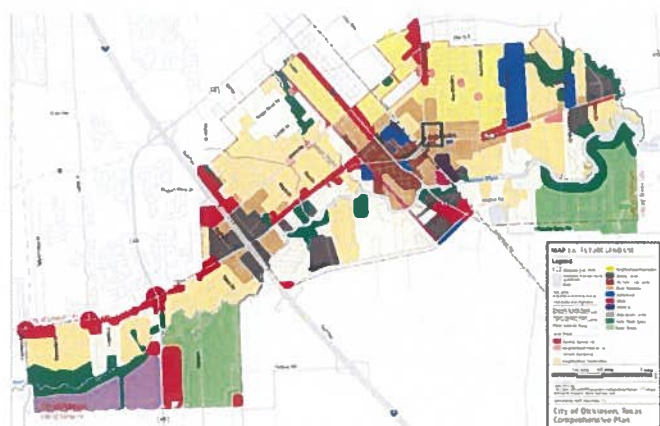
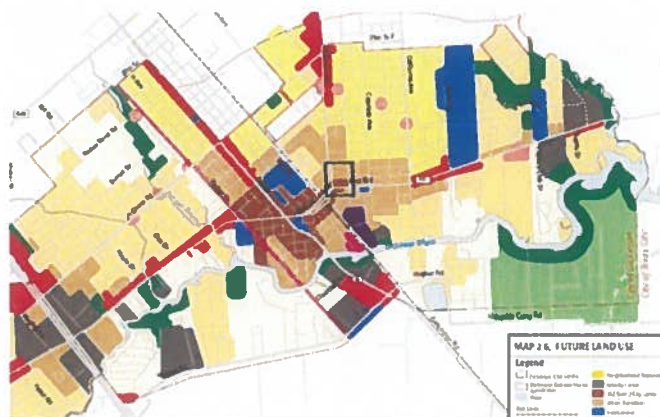


Figure B:



(2) The character of the neighborhood.

The DT District provides for a concentration of small-scale retail, office, and service businesses that are built near the street providing opportunity for persons to live, work, dine, or shop within a traditional "Urban Center" environment. Upper floor residential units or offices may compliment the commercial uses. The character of development within the (DT) district typically consists of sites varying in size and scale depending upon the types and characteristics of land.

(3) The zoning and use of nearby properties, and the extent to which the proposed zoning and use would be compatible.

To the North and West of the subject property are Residential lots, which are currently zoned as Urban Transition (UT). South of the subject property, is a Chevron convenience store, currently zoned as Downtown (DT). East of the subject property, are Residential lots, which are currently zoned as Neighborhood Conservation (NC).

(4) The suitability of the property for the uses permitted by right in the proposed zoning district.

The uses permitted by right in Downtown (DT) zoning district are suitable for the subject property. Characteristics permitted within the (DT) district are meant to have Companies provide the general public with retail, restaurants, and amenity or green spaces to enjoy.

(5) The extent to which approval of the application would detrimentally affect nearby properties.

The approval of Downtown (DT) zoning will not detrimentally affect nearby properties. All uses and activities permitted shall conform to the city's performance measures and standards as provided in the Unified Development Code.

(6) The extent to which the proposed use would affect the capacity or safety of that portion of the street network, other public facilities or utilities, or present parking problems in the vicinity of the property.

Per the Unified Development Code, the Downtown (DT) zoning district code currently requires certain parking standards based on land use. The proposed use will meet or exceed all requirements for capacity or safety of that portion of the street network and other public facilities or utilities.

(7) The extent to which approval of the application would harm the value of nearby properties.

Approval of the application would not harm the value of nearby properties. The request will align the subject property to the appropriate zoning district to allow for retail, office and restaurant use.

Recommendation: Approval



City of Dickinson
Community Development
4403 Hwy 3, Dickinson, TX
281-337-2289

Planning & Zoning Commission

Zoning Map Amendment

May 20, 2025

Commission Report

Plan Number: 25-000078

Subject Property: 4015 Dickinson Ave, Dickinson, Galveston County, Texas and legally described as ABST 78 R HALL E 166 FT BLK 305 ALL BLK 306 & 314 & PT E 166 FT LT 313 & ALL ADJ ALLEYS AND STREETS ACS 5.287 NICHOLSTONE.

Request: The applicant is requesting a Zoning Map Amendment from Urban Transition (UT) zoning district to Downtown (DT) zoning district.

Applicant: Daniel Mueller

Owner: MARTIN ROY L & ASSC PTNR

Parcel Information:

Zoning: Urban Transition (UT)
Use: Retail, Sales and Restaurant

Surrounding Properties Information:

North: Urban Transition (UT) zoning district
West: Urban Transition (UT) zoning district
East: Neighborhood Conservation (NC) zoning district
South: Downtown (DT) zoning district

Background:

The applicant is requesting to change the zoning district from Urban Transition (UT) to Downtown (DT). The property is currently occupied with tenants and use of the property will remain as retail, sales and restaurant use.

Zoning the property to (DT) would allow a variety of commercial uses including sale, lease, or rental of new or used products, providing personal services or repair services to the public. Primary and accessory uses included in this use category can be found in Subject. [18-11.4](#), Commercial Use Categories.

The commission may consider the following criteria, to the extent pertinent to the application. In addition, other factors may be considered which may be relevant to the following application:

(1) Conformance of the proposed zoning classification with the city's land use policies.

The Future Land Use Plan (FLUP) reflects the desired pattern of growth over a given time within the City and its ETJ. The purpose of the plan is to ensure the orderly and efficient development of the City and will serve as a guide in evaluating development proposals. The requested zoning district does align with the FLUP allowing Downtown (DT) zoning. Shown below in Figure A is the Dickinson Comprehensive Plan 2045, Map 2.6 Future Land Use Map. Shown below in Figure B is a zoomed in view of subject property shown in Figure A

Figure A:

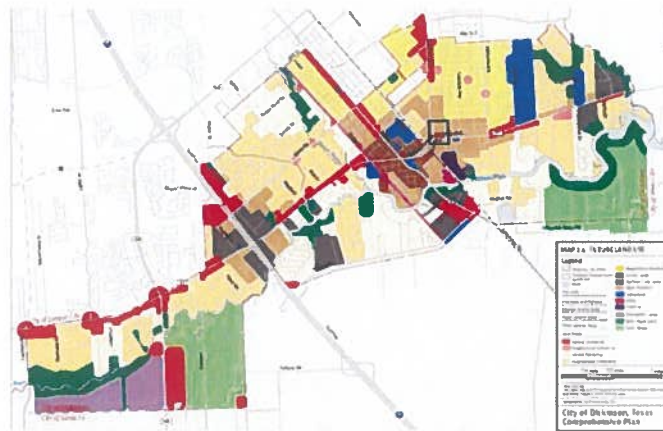


Figure B:



(2) The character of the neighborhood.

The DT District provides for a concentration of small-scale retail, office, and service businesses that are built near the street providing opportunity for persons to live, work, dine, or shop within a traditional "Urban Center" environment. Upper floor residential units or offices may compliment the commercial uses. The character of development within the (DT) district typically consists of sites varying in size and scale depending upon the types and characteristics of land.

(3) The zoning and use of nearby properties, and the extent to which the proposed zoning and use would be compatible.

To the North and West of the subject property are Residential lots, which are currently zoned as Urban Transition (UT). South of the subject property, is a Chevron convenience store, currently zoned as Downtown (DT). East of the subject property, are Residential lots, which are currently zoned as Neighborhood Conservation (NC).

(4) The suitability of the property for the uses permitted by right in the proposed zoning district.

The uses permitted by right in Downtown (DT) zoning district are suitable for the subject property. Characteristics permitted within the (DT) district are meant to have Companies provide the public with retail, restaurants, and amenity or green spaces to enjoy.

(5) The extent to which approval of the application would detrimentally affect nearby properties.

The approval of Downtown (DT) zoning will not detrimentally affect nearby properties. All uses and activities permitted shall conform to the city's performance measures and standards as provided in the Unified Development Code.

(6) The extent to which the proposed use would affect the capacity or safety of that portion of the street network, other public facilities or utilities, or present parking problems in the vicinity of the property.

Per the Unified Development Code, the Downtown (DT) zoning district code currently requires certain parking standards based on land use. The proposed use will meet or exceed all requirements for capacity or safety of that portion of the street network and other public facilities or utilities.

(7) The extent to which approval of the application would harm the value of nearby properties.

Approval of the application would not harm the value of nearby properties. The request will align the subject property to the appropriate zoning district to allow for retail, office and restaurant use.

STAFF RECOMMENDATION: Staff recommend APPROVAL for Zoning Map Amendment from Urban Transition (UT) zoning district to Downtown (DT) zoning district located at 4015 Dickinson Ave and legally described as ABST 78 R HALL E 166 FT BLK 305 ALL BLK 306 & 314 & PT E 166 FT LT 313 & ALL ADJ ALLEYS AND STREETS ACS 5.287 NICHOLSTONE.

COMMISSION RECOMMENDATION: APPROVAL with conditions, for Zoning Map Amendment from Urban Transition (UT) zoning district to Downtown (DT) zoning district located at **4015 Dickinson Ave** and legally described as ABST 78 R HALL E 166 FT BLK 305 ALL BLK 306 & 314 & PT E 166 FT LT 313 & ALL ADJ ALLEYS AND STREETS ACS 5.287 NICHOLSTONE by **UNANIMOUS** vote on the 20th day of May 2025. **Condition that the Applicant is to update the façade of the Plaza.**

Bruce Henderson

BRUCE HENDERSON,
Chairman City of Dickinson, Texas
Planning and Zoning Commission