

• **ORDINANCE NO. 2089 - 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 8.813 ACRES OF LAND GENERALLY LOCATED AT THREE REGISTERED ADDRESSES (3401 GULF FWY, 3429 GULF FWY, 3535 GULF FWY) WITH A TOTAL OF FOUR REGISTERED PARCELS (163214, 163340, 163366, 163371) FROM MIXED-USE (“MU”) ZONING DISTRICT TO AUTO-CENTRIC COMMERCIAL (“AC”) 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, DICKINSON PLAZA LLC (the “Owner”) owns approximately 8.813 acres of land generally located at three registered addresses (3401 Gulf Fwy, 3429 Gulf Fwy, 3535 Gulf Fwy) with a total of four registered parcels (163214, 163340, 163366, 163371) and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 102 (0- 1) DICKINSON ADDN D AKA TRACT II, ABST 19 PERRY & AUSTIN SUR PT OF LOTS 131 & 137 (0-2) DICKINSON ADDN D AKA TRACT 1, ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-2) DICKINSON ADDN D AKA TRACT 1-A, and ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-5) DICKINSON ADDN D, 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 MIXED-USE (“MU”) Zoning District; 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 AUTO-CENTRIC COMMERCIAL (“AC”) 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 8.813 acres of land generally located at three registered addresses (3401 Gulf Fwy, 3429 Gulf Fwy, 3535 Gulf Fwy) with a total of four registered parcels (163214, 163340, 163366, 163371) and legally described as **ABST 19 PERRY & AUSTIN SUR PT OF LOT 102 (0- 1) DICKINSON ADDN D AKA TRACT II, ABST 19 PERRY & AUSTIN SUR PT OF LOTS 131 & 137 (0-2) DICKINSON ADDN D AKA TRACT 1, ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-2) DICKINSON ADDN D AKA TRACT 1-A, and ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-5) DICKINSON ADDN D**, 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 MIXED-USE (“MU”) Zoning District to AUTO-CENTRIC COMMERCIAL (“AC”) 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 Chapter 18 of the Unified Development Code of the City for Auto-Centric Commercial (“AC”) 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 22nd day of July 2025 .

PASSED, APPROVED, AND ADOPTED on second reading on 12th day of August, 2025 .

FOR THE CITY OF DICKINSON:

Travis Magliolo

Travis Magliolo, MAYOR

ATTEST:

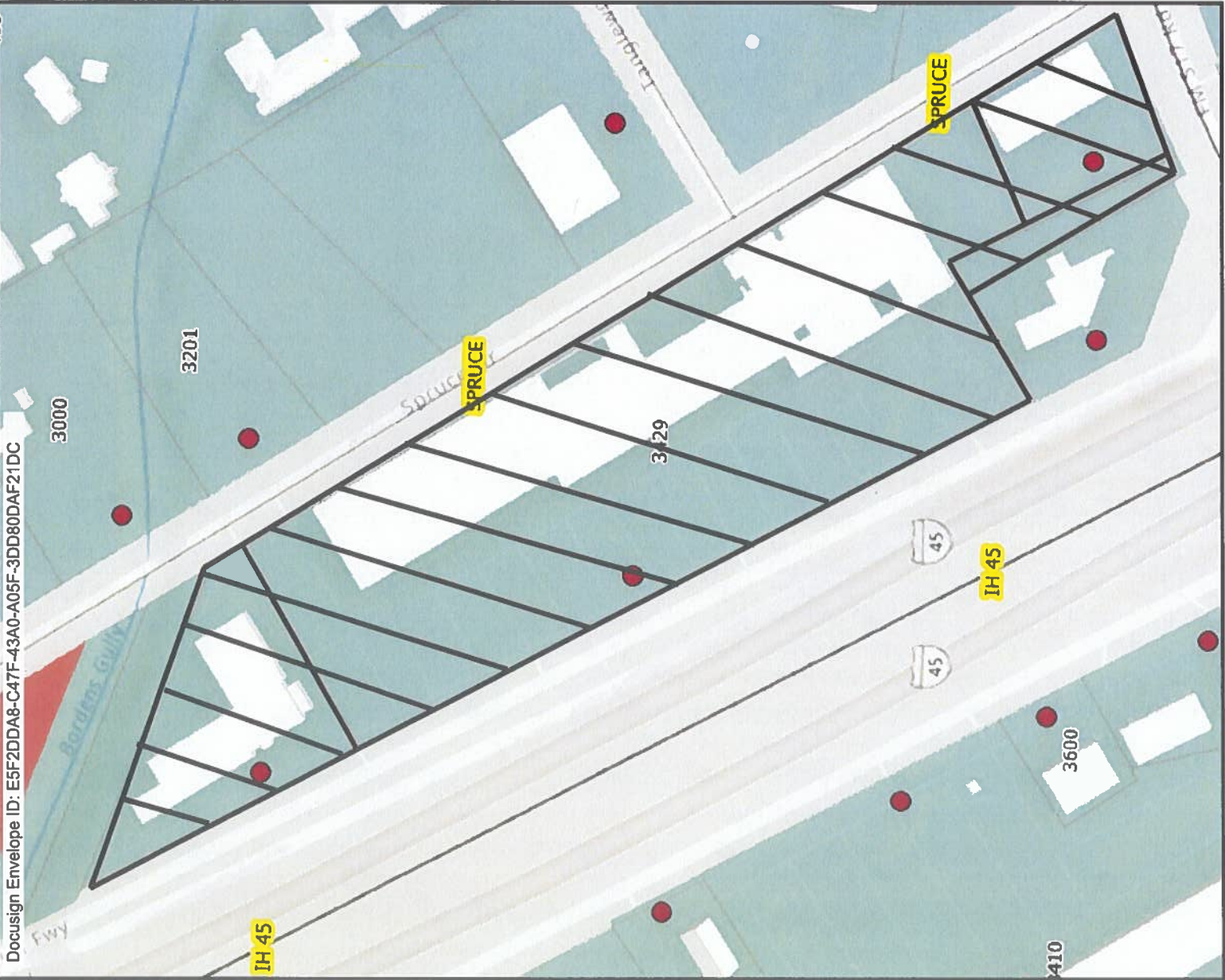
Claude Oliver

Claude Oliver, City Secretary

APPROVED AS TO FORM:

Nghiem V. Doan

Nghiem V. Doan, City Attorney



Zoning Map Amendment

- VICINITY MAP -

(1) A proposed zoning change from MIXED USE (MU) to AUTO-CENTRIC (AC). The subject property is approximately 8.813 acres, and the recorded addresses are as follows: 3401, 3429, 3535 Gulf Fwy.

The associated ID's are (163214, 163340, 163366, 163371) and are legally described as:
 ABST 19 PERRY & AUSTIN SUR PT OF LOT 102 (0- 1) DICKINSON ADDN D AKA TRACT II

ABST 19 PERRY & AUSTIN SUR PT OF LOTS 131 & 137 (0-2) DICKINSON ADDN D AKA TRACT I

ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-2) DICKINSON ADDN D AKA TRACT 1-A

ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-5) DICKINSON ADDN D



Zoning

Auto-Centric Commercial (AC)

Mixed-Use (MU)

Urban Transition (UT)



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 Mixed-Use zoning district to Auto-Centric zoning district.

Applicant: Vijay Mishra

Owner: Dickinson Plaza LLC

Subject Property: Parcel ID's: 163214,163340,163366,163371 and registered addresses known as 3401, 3429 and 3535 Gulf Fwy, Dickinson, Galveston County, Texas and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 102 (0- 1) DICKINSON ADDN D AKA TRACT II / ABST 19 PERRY & AUSTIN SUR PT OF LOTS 131 & 137 (0-2) DICKINSON ADDN D AKA TRACT 1 / ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-2) DICKINSON ADDN D AKA TRACT 1-A / ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-5) DICKINSON ADDN D.

Parcel Information:

Zoning: Mixed-Use
Use: Retail, Sales and Restaurant

Surrounding Properties Information:

North: Auto-Centric Commercial zoning district
West: Urban Transition zoning district
East: Mixed-Use zoning district
South: Mixed-Use zoning district

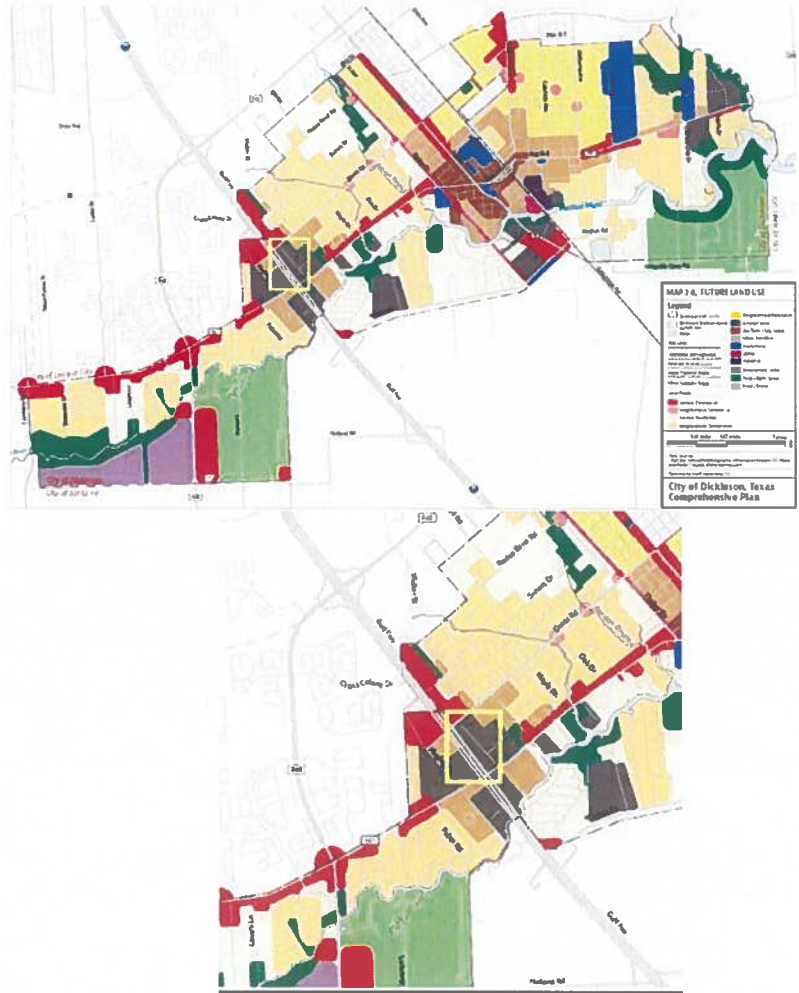
Background:

The applicant is requesting to change the zoning district from Mixed-Use (MU) to Auto-Centric (AC). The property is currently occupied with tenants and use of the property will remain as retail, sales and restaurant uses.

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 Auto-Centric (AC) 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



(2) The character of the neighborhood.

The Auto-Centric Commercial (AC) district provides for a variety of commercial retail and service uses in freestanding or multi-tenant buildings and centers. The character of development within the (AC) district typically consists of sites varying in size and scale depending upon the types and characteristics of land use and their locations along corridor frontages, near intersections, or when combined with other uses. I-45 is located across the subject property which would be favorable to the proposed zoning change due to the Future Land Use Comprehensive Plan and the UDC.

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

To the North of the subject properties is the Gay car dealership located at the corner of IH-45 and Deats, designated to Auto-Centric district. To the West, the adjacent properties within the Mixed-Use district include The Dickinson Village Plaza and Rancho Taqueria. To the East, are the Presbyterian Church and The Texas Department of Health and Human Services zoned to Mixed-Use. To the South, is a CVS Pharmacy designated to Mixed-Use.

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

The uses permitted by right in Auto-Centric Commercial (AC) zoning district are suitable for the subject property. Characteristics permitted within the (AC) district are meant to have Businesses involved in the sale, lease, or rental of new or used products, food sales, or providing personal services or repair services to the public.

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

The approval of Auto-Centric Commercial (AC) 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.

The proposed use will meet or exceed all requirements for capacity or safety of that portion of the street network, other public facilities or utilities and parking space requirements per the Unified Development Code.

(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, Sales and Restaurant uses.

Recommendation: Approval



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

Planning & Zoning Commission

Zoning Map Amendment

07/15/2025
Commission Report

Request: The applicant is requesting a Zoning Map Amendment from Mixed-Use zoning district to Auto-Centric zoning district.

Applicant: Vijay Mishra

Owner: Dickinson Plaza LLC

Subject Property: Approximately ± 8.813 acres for Parcel ID's: 163214,163340,163366,163371 and registered addresses known as 3401 Gulf Fwy, 3429 Gulf Fwy and 3535 Gulf Fwy, Dickinson, Galveston County, Texas and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 102 (0- 1) DICKINSON ADDN D AKA TRACT II / ABST 19 PERRY & AUSTIN SUR PT OF LOTS 131 & 137 (0-2) DICKINSON ADDN D AKA TRACT 1 / ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-2) DICKINSON ADDN D AKA TRACT 1-A / ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-5) DICKINSON ADDN D.

Parcel Information:

Zoning: Mixed-Use
Use: Retail, Sales and Restaurant

Surrounding Properties Information:

North: Auto-Centric Commercial zoning district
West: Urban Transition zoning district
East: Mixed-Use zoning district
South: Mixed-Use zoning district

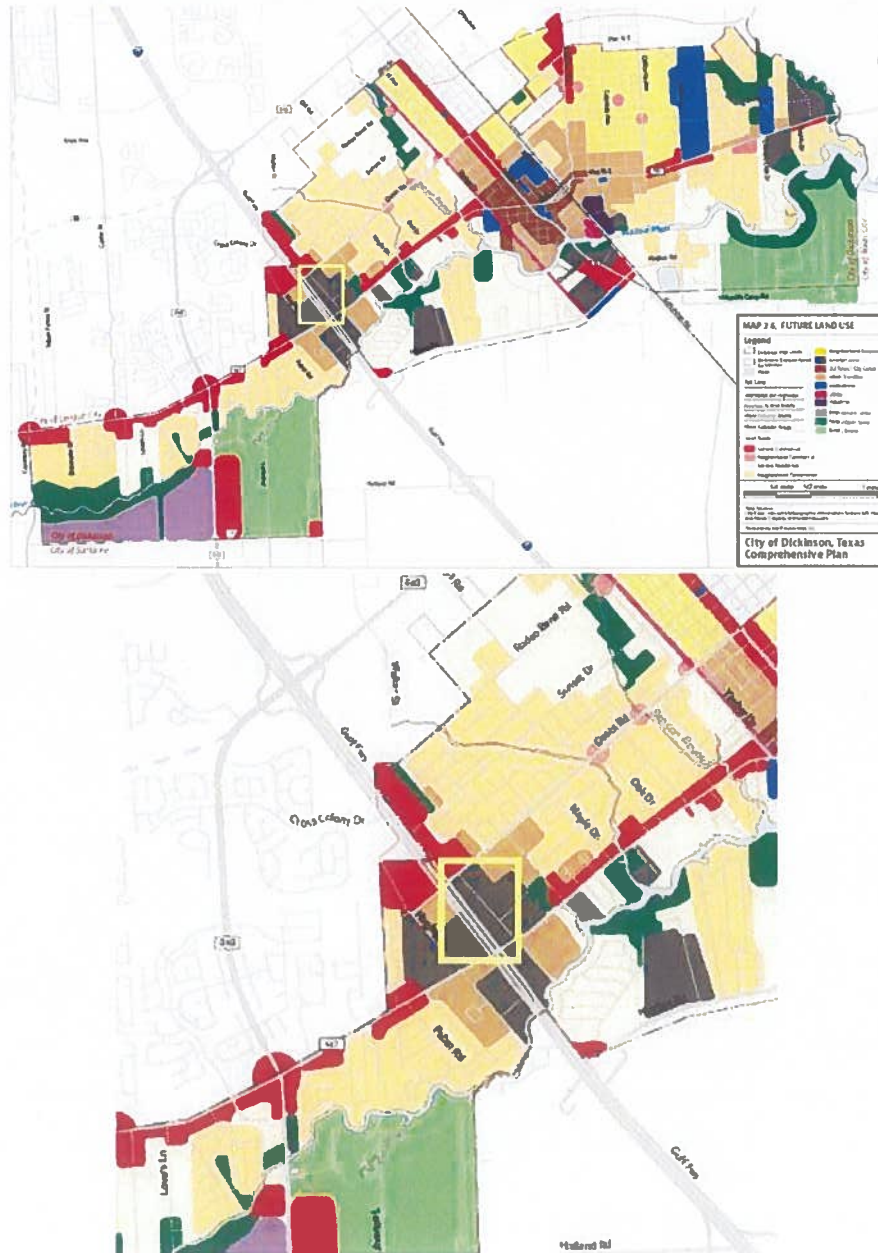
Background:

The applicant is requesting to change the zoning district from Mixed-Use (MU) to Auto-Centric Commercial (AC). The property is currently occupied with tenants and the proposed zoning would continue to allow uses such as retail, sales, and restaurants. The applicant experienced difficulties leasing vacant suits due to the limited range of permitted uses under the current Mixed-Use zoning. Specifically, interest from prospective tenants such as medical offices could not be accommodated, prompting the request for a zoning district that offers greater flexibility.

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 Auto-Centric (AC) 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.



(2) The character of the neighborhood.

The Auto-Centric Commercial (AC) district provides for a variety of commercial retail and service uses in freestanding or multi-tenant buildings and centers. The character of development within the (AC) district typically consists of sites varying in size and scale depending upon the types and characteristics of land use and their locations along corridor frontages, near intersections, or when combined with other uses. I-45 is located across the subject property which would be favorable to the proposed zoning change due to the Future Land Use Comprehensive Plan and the UDC.

Planning and Zoning Commission Update: The commission agrees that Auto-Centric Commercial suits the current properties along I-45.

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

To the North of the subject properties is the Gay car dealership located at the corner of IH-45 and Deats, designated to Auto-Centric district. To the West, the adjacent properties within the Mixed-Use district include The Dickinson Village Plaza and Rancho Taqueria. To the East, are the Presbyterian Church and The Texas Department of Health and Human Services zoned to Mixed-Use. To the South, is a CVS Pharmacy designated to Mixed-Use.

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

The uses permitted by right in Auto-Centric Commercial (AC) zoning district are suitable for the subject property. Characteristics permitted within the (AC) district are meant to have Businesses involved in the sale, lease, or rental of new or used products, food sales, or providing personal services or repair services to the public.

Planning and Zoning Commission Update: The commission requested clarification on the types of uses permitted in Mixed-Use and Auto-Centric Commercial. They expressed how there is similarity between the two zoning districts with an understanding that Auto-Centric Commercial does allow for more uses than Mixed-Use currently does.

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

The approval of Auto-Centric Commercial (AC) 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.

The proposed use will meet or exceed all requirements for capacity or safety of that portion of the street network, other public facilities or utilities and parking space requirements per the Unified Development Code.

(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, Sales, Medical Offices and Restaurant Uses.

Staff Recommendation:

Staff recommends **Approval** concerning the request to amend the official zoning map from Mixed-Use (MU) zoning district to Auto-Centric Commercial (AC) zoning district for approximately ±8.813 acres, located at four parcels of land (163214, 163340, 163366, 163371) with three registered addresses (3401 Gulf Fwy, 3429 Gulf Fwy, 3535 Gulf Fwy) and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 102 (0- 1) DICKINSON ADDN D AKA TRACT II / ABST 19 PERRY & AUSTIN SUR PT OF LOTS 131 & 137 (0-2) DICKINSON ADDN D AKA TRACT I / ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-2) DICKINSON ADDN D AKA TRACT 1-A / ABST 19 PERRY & AUSTIN SUR PT OF LOT 137 (0-5) DICKINSON ADDN D.

Commission Recommendation:

*Planning and Zoning Commission recommends **Approval** to amend the official zoning map from Mixed-Use (MU) zoning district to Auto-Centric Commercial (AC) zoning district by **unanimous vote** on the 15th day of July 2025.*

Bruce Henderson

**Bruce Henderson, Chairman
City of Dickinson, Texas
Planning and Zoning Commission**