

Form A
City of Iowa Colony
"Where We Make It Happen"

**APPLICATION FOR AMENDMENT TO REGULATIONS
OR TO THE OFFICIAL ZONING DISTRICT MAP**

Name/Address MOSE Development LLC, PO Box 149, Pearland TX 77588 and O'Day Investments, 5923 Louisiana St, Rosharan TX 77583
Individual/Company/Corporation

Description of Amendment Proposed Current zoning boundary does not follow property lines. Rezoning portion of land from Residential Single Family to Business/Retail so that entire ownership has consistent zoning. The proposed zone change conforms to the Future Land Use Plan (FLUP) which depicts this property as High & Medium Intensity Mixed Use. Business/Retail zoning conforms to the FLUP.

Statement of need or justification for said amendment, including its consistency with the zoning policies and purposes set forth in this Ordinance and/or its consistency with the City's most current comprehensive planning document or documents. (Use separate sheet of paper for your statement).

The legal description and address of the property affected and the proposed boundaries of said property;

The signed consent of the property owner or owners whose property would be affected by the proposed amendment;

The applicant's interest in the subject property if the applicant is not the property owner of all or a portion of the subject property;

The present zoning classification and existing uses of the property proposed to be reclassified; and

Such other information or documents as the City Council and Zoning Administrator may deem necessary.

A non-refundable fee must accompany the application to defray the cost of notification and processing the application. Please refer to the fee schedule of the City of Iowa Colony for the fee for your particular zoning need.

Signature required: Mitchell O'Day member

Form approved: July 20, 2009

January 23, 2023
Planning & Zoning Commission &
City Council
City of Iowa Colony
12003 Iowa Colony Blvd
Iowa Colony TX 77583

RE: Rezoning Application

Dear Commissioners and City Council Members:

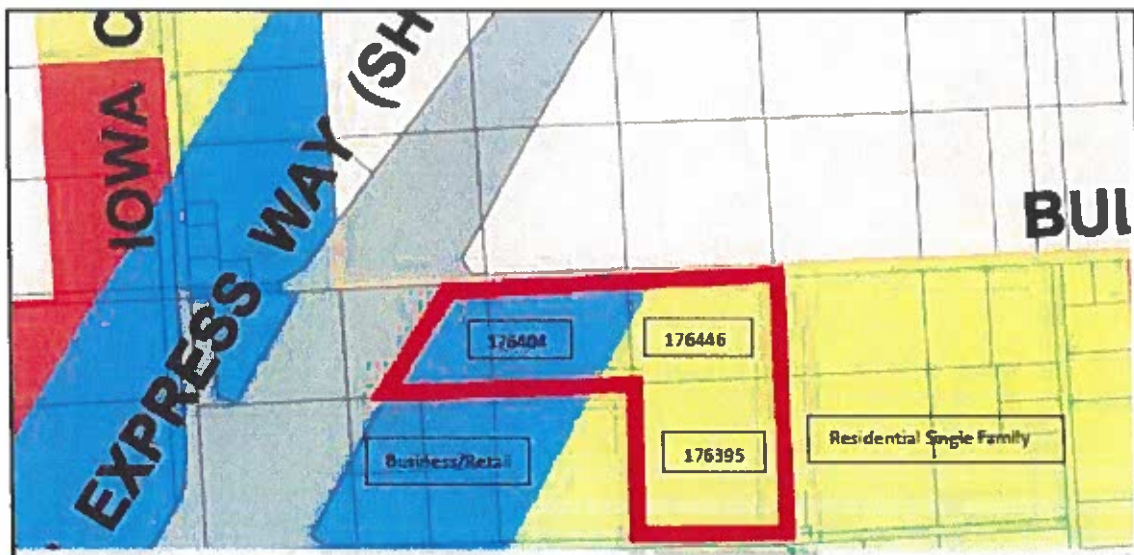
I am an authorized partner of MOSE Development LLC and O'Day Investments and authorize Alan Mueller and Patrick O'Day to act on my behalf with respect to this application.

Background:

I own a total of 28.28 acres at the southeast corner of SH 288 and CR 81 (Stevens Road). The legal descriptions and existing zoning for the parcels are:

Tax ID	Description	Acreage (acres)	Current Zoning
176404	Abstract 517 HTBRR Survey Tracts 143-144	10.78	Business Retail AND Residential Single Family
176446 & 176395	Abstract 417 HTBRR Survey Tracts 145 & 138	17.5	Residential Single Family AND Business Retail

As you can see in the exhibit below, the current zoning lines in this area follow an arbitrary path parallel to SH 288 that do not follow property boundaries and leaves our property in a split zoning condition.



My goal is to rezone my property to a single zoning district – Business Retail. I have no current development plans, but this rezoning will enable me and my partners to better plan and market this

property. This change is logical and makes common sense so that the zoning boundaries follow property boundaries.

Comprehensive Plan Compliance:

This rezoning request is not only logical in the short term, but is also consistent with the Future Land Use Plan (FLUP) from the 2020 Comprehensive Plan. As you can see below in the FLUP excerpt from page 7 of the Comprehensive Plan, my property falls within the High Intensity Mixed Use (HIMU) and Medium Intensity Mixed Use (MIMU) future land use categories.



The 2020 Comprehensive Plan states the Business Retail category is one of the preferred zoning districts that are compatible with the HIMU and MIMU future land use plan goals. An excerpt from page 6 of the 2020 Comprehensive Plan is shown below:

Each of the four land use intensity types should incorporate certain land use zones or uses within the intensity type as follows:

- The HIMU should allow uses indicated in the Business Retail zone and the Mixed-use Zone, in order to provide retail and non-residential uses maximizing the value of the corridor's proposed higher intensity transportation and utility infrastructure.
- The MIMU should allow uses indicated in the Business Retail zone and the Mixed-use Zone. Additionally, the MIMU area could also include up to 25% area as higher intensity residential, including townhouses and multi-family apartments.

Summary/Request:

I respectfully request that the portion of my property currently zoned as Residential Single Family be rezoned to Business Retail. This change is justified for the following reasons:

- Allows the current zoning boundaries to follow more logical lines along property boundaries, and
- Conforms to the 2020 Comprehensive Plan by rezoning the property to a zoning district that is consistent with the High Intensity Mixed Use and Medium Intensity Mixed Use goals of the Future Land Use Plan.

I look forward to favorable consideration. Please feel free to contact me or my representatives as this process moves forward.

Sincerely,

 member/owner

MOSE Development LLC & O'Day Investments

By Michael O'Day, {Title}

C:

Alan Mueller, alan@gromaxtexas.com, 832-512-1200

Patrick O'Day, patrick@odaydrilling.com, 281-485-1330