



**Special Use Permit SUP15-04 (League City Parkway / Butler Road Gas Station)**

**Request** Hold a public hearing and make a recommendation to City Council on Special Use Permit Application, **SUP15-04 (League City Parkway / Butler Road Gas Station)**, to permit a gas station with convenience store and car wash.

The applicant is proposing a Valero gas station with a 4,650-square foot convenience store, 7 refueling pumps, and a car wash. The gas station would be developed on approximately 1.8 acres in the northwestern corner of a 4.85 acre tract on the southeastern corner of the intersection of League City Parkway and Butler Road. The remaining 3 acres is currently proposed for an additional 35,000 square feet of retail and office uses. However, as part of the gas station development, an additional drive aisle and driveway onto League City Parkway would be constructed further to the east.

A Special Use Permit (SUP) is being requested because *Gas and Service Station* uses require special use permits on property zoned “CM” (Mixed Use Commercial).

**Applicant** Lynn Watkins of Watkins Real Estate

**Owner** Butler Road Development, LLC

**Acreage** 4.85 acres

**Location** Generally located south of League City Parkway, north of Turner Road, east of Butler Road and west of Calder Road with the approximate address being in the 1600 block of League City Parkway.

**City Council** Public Hearing & First Reading – *October 13<sup>th</sup>, 2015*; *Second Reading – October 27<sup>th</sup>, 2015*

**Citizen Response** 8 – Notices Mailed to Property Owners within 500 feet  
0 – Letters of Support Received  
0 – Letter of Opposition Received

- Attachments**
1. Property Owner’s Notification Map / Zoning Map
  2. Aerial Map
  3. Photographs of Site
  4. Site Layout
  5. Conceptual Master Plan
  6. Building Elevations and Signage

A Special Use Permit may allow certain uses of land, buildings, or structures that may not be appropriate under all circumstances in any given zoning district, but may be appropriate where adequate measures can be taken to assure compatibility with surrounding uses, public need, and the City as a whole.

**Background** **April 2, 2015** – City staff met with representatives of the property owner to discuss developing a proposed gas station on the southeast corner of the intersection of League City Parkway and Butler Road.

**April 28, 2015** – At the applicant’s request, staff provided a notification map and addresses within 500 feet of the site in order to notify the residents for a future neighborhood meeting.



**May 11, 2015** – Applicant held a pre-submittal meeting at Spring Creek Barbeque. The sign in sheet indicated two property owners attended the meeting.

**May 15, 2015** – Applicant submits Special Use Permit Application for review by the Development Review Committee.

**June 23, 2015** – As a result of several weeks of discussions with the applicant, the Deputy City Manager approves an exhibit of the site addressing rights-of-way, driveway access, sidewalk safety and future accommodation of Butler Road.

**August 30, 2015** – Public hearing notice is published in the newspaper.

**August 31, 2015** – Planning staff sent out public hearing notices to the surrounding property owners and installed public hearing signs on the subject property.

**September 21, 2015** – A public hearing is scheduled at the Planning and Zoning Commission meeting.

**October 13, 2015** – City Council scheduled to conduct public hearing and consider request on first reading.

**October 27, 2015** – Subject to approval on first reading, City Council to consider request on second reading.

**Site and Surrounding Area**

The undeveloped site has no protected trees on the site. Currently, the City is in the final stages of a sewer project to provide interconnectivity between the Calder and Butler Road infrastructure.

Direction	Surrounding Zoning	Surrounding Land Use
North	“CG”	Offices, Retail, Restaurants and Gas Station
South	“CM”	Undeveloped
East	“CM”	Undeveloped
West	“CO”	Verizon Office Building

**Traffic Impacts and Access**

Primary access to the site will be provided with a two driveways along League City Parkway with an additional shared driveway further eastwards and one driveway along Butler Road. A median cut on League City Parkway has been permitted for the eastern most shared driveway identified on site layout exhibit.

Due to the existing degrading state of the surface of Butler Road, it is anticipated that additional truck traffic would increase the degradation of the surface. Butler Road is currently not on the Capital Improvements Program (CIP), but is anticipated to be included with future CIP’s as traffic continues to grow in the area. For this reason, staff will be requesting a condition that delivery trucks will be prohibited from using Butler Road until the roadway has been reconstructed. Additionally, once reconstructed, concerns remain that 18-wheeler trucks accessing the site could block through and turning lanes along this portion of Butler Road. During the development phase, the applicant will be required to prove that the concerns are addressed, otherwise truck access from Butler Road will be limited.

**League City Parkway**

	Current Conditions	2011 Master Mobility Plan
<i>Roadway Type</i>	Major Arterial	Major Arterial
<i>Right-of-way Width</i>	80 feet	120 feet
<i>Pavement Width and Type</i>	Four-lane, concrete divided with left turn lane, 2-way traffic with curb and gutter, 60 feet back of curb to back of curb.	Six-lane, concrete divided with left turn lanes, 2-way traffic with curb and gutter, 70 feet back of curb to back of curb

**Butler Road**

	Current Conditions	2011 Master Mobility Plan
<i>Roadway Type</i>	Major Arterial	Collector
<i>Right-of-way Width</i>	70 feet	80 feet
<i>Pavement Width and Type</i>	Two-lane, asphalt undivided roadway with 2-way traffic with ditches on either side, 22 feet in width.	Two-lane, concrete undivided, 2-way traffic with curb and gutter, 40 feet back of curb to back of curb.

**Water / Sewer & Drainage**

Water is accessible through a 24-inch water line along the east side of Butler Road.

Sanitary sewer is available from a 30-inch sewer line located on the south side of League City Parkway.

A development-serving detention pond is proposed in the southern portion of the development. As the site is developed, adequate detention capacity will be required to be maintained at all times.

**Land Use Analysis, Surrounding Considerations, and Utilities**

The property is zoned “CM” (Mixed Use Commercial) and will be developed in accordance with the current development regulations. A plat for the site is currently under review by the Development Review Committee (DRC).

The site is not immediately adjacent to residential homes, however additional architectural requirements are proposed due to this portion of League City Parkway being a gateway to the residential subdivisions to the south, southwest, and west. In addition, the site is in close proximity to the Marketplace at Ninety-Six PUD. Should this request be approved by City Council, the requested conditions will be included with the proposed ordinance, thereby making them enforceable.

All utilities within the site will be located underground. Directly adjacent to the site along Butler Road and Turner Street, Texas/New Mexico Power Company (TNMP) is relocating the overhead powerlines. Once construction of the new lines is complete, the existing poles along both streets will be removed.

**Staff Recommendation**

Staff recommends approval of the Special Use Permit subject to the conditions listed below:

1. The Special Use Permit shall expire 12 months after the date of the adoption of the SUP ordinance unless a completed application for the development is submitted to the City.
2. The facility shall be constructed in conformity to the attached site plan, in terms of setbacks, size and building elevations.
3. Prior to the issuance of a Certificate of Occupancy the developer will complete irrigation and landscaping improvements along the south side of League City Parkway between Butler Road and the eastern most proposed driveway along League City Parkway. Irrigation and landscaping improvements shall not commence until a plan for such improvements, in joint coordination with the irrigation and landscaping improvements in the Marketplace @ 96 project along League City Parkway, have been submitted and approved by the City.
4. The uses permitted on site will be limited to those permitted in the base zoning district and identified by the Special Use Permit which are for a gas station with an associated convenience store and car wash.
5. All utilities shall be located underground.
6. Ingress/Egress to Butler Road is prohibited for all delivery vehicles until the reconstruction

- of Butler Road is complete.
7. Once Butler Road is reconstructed the applicant must provide proof of the following in order to permit 18-wheeler trucks from accessing the site from Butler Road, based on standard professional engineering practice:
    - a. A truck will be able to adequately move into the southbound left turn lane of Butler Road and be able to turn into the site without blocking or impeding the adjacent southbound through lane.
    - b. The new southbound turn lane will not will not prevent the existing northbound turn lane at the intersection of League City Parkway and Butler Road from being constructed to its full extent required.
  8. Sidewalks along League City Parkway shall be eight (8) feet in width and a 4-foot wide sidewalk shall extend the entire length of the property along Butler Road.
  9. The project shall comply with the following Architectural requirements:
    - a. Both the primary structure and any additional secondary structures shall have a minimum of forty percent (40%) masonry veneer on the front and side facades with complementary materials, such as stone, wood or metal. The masonry color will be complementary to the surrounding residential neighborhood and commercial developments. Painted CMU will not be sufficient.
    - b. The refueling canopy support columns for the fueling canopy shall be masonry or masonry veneer.
    - c. The refueling canopy roof fascia shall be painted the same color as the EIFS on the main building (Sherwin Williams #2059) with dark bronze roof cap, as shown on the layout exhibit.
    - d. The facades along League City Parkway and Butler Road shall have a minimum of 25% transparency.
    - e. No loading areas or service doors for the site shall face League City Parkway or Butler Road, except for the unloading of gasoline into the reserve storage tanks as shown on the preliminary site plan.
    - f. The dumpster enclosure shall be enclosed of similar construction of the principal building including materials and colors.
  10. The project shall comply with the following lighting regulations:
    - a. All parking lot light fixtures shall be full cutoff fixtures. All exterior lighting shall be hooded or otherwise shielded so that the light source is not directly visible from property that contains a residential use.
    - b. All exterior lighting shall be shielded so that substantially all emitted light falls upon the property from which the light emanates. The measureable amount of light created by the project at a point three (3) feet beyond the property line shall be no more than 0.2 foot candles.
    - c. Lighting fixtures mounted on or under canopy ceilings shall be full cutoff, unless indirect lighting is being used where light is directed upward and then reflected down from the ceiling of the structure. In this case, light fixtures must be shielded so that direct illumination is focused exclusively on the ceiling of the structure.
  11. The project shall comply with the following Signage requirements:
    - a. Signage shall be similar to what is proposed in the Building Elevations and Signage exhibit.
    - b. Signage, in conjunction with the landscaping, is intended to provide a layering effect whereby the signage would extend closer to the rights-of-way than the landscaping along League City Parkway. The project shall comply with the existing sign requirements for signage as stipulated in Chapter 90, Signs, of the League City Code of Ordinances with those exceptions shown below:
      - i. Only monument signs are permitted along League City Parkway and Butler

- Road.
- ii. Monument signs shall include a masonry based that is compatible with the materials used in the development.
  - iii. Any exterior illumination of signs on the site must have top mounted luminaires that are shielded downwards; no bottom luminaires are permitted.
  - iv. Monument signs located on Butler Road shall be limited to 6-feet in height and shall not include an Electronic Message Center (EMC).
12. The project shall comply with the following Landscaping regulations, in addition to the minimum requirements.
- a. A berm measuring not less than three (3) feet or more than four (4) feet in height from finish grade of the parking lot shall be utilized along League City Parkway and Butler Road. The berm shall be set back a minimum of three (3) feet and a maximum of six (6) feet from the property line and parking area.
  - b. All plant materials shall be from the City's Water Smart Plant list. At least three (3) different tree species and at least two (2) difference shrub species shall be included in the landscaping.
13. Donation drop boxes will be prohibited on the site.

For additional information, you may contact Mark Linenschmidt, Senior Planner at 281-554-1078 or at [mark.linenschmidt@leaguecity.com](mailto:mark.linenschmidt@leaguecity.com).



Glen Cove  
Subdivision

Marketplace at  
Ninety-Six PUD

YMCA

Butler Road

Bay Electric

Interstate 45

Phillips Road

League City Parkway

League City Parkway

Calder Road

Subject  
Property

Verizon

Undeveloped

Marketplace at  
Ninety-Six PUD

Undeveloped

Turner Road

Turner Road

Butler Road

Crystal Lake  
Subdivision

Sedona  
Subdivision

Sedona  
Subdivision



SUP15-04  
(League City Parkway / Butler Road  
Gas Station)  
*Planning and Zoning Commission*



PHOTOGRAPH 1



Looking across League City Parkway at the northwest corner of the subject property.

PHOTOGRAPH 2



Looking east along the League City Parkway frontage of the subject property.

PHOTOGRAPH 3



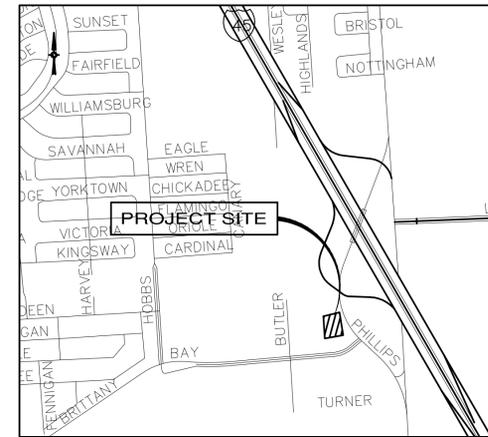
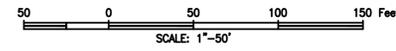
Looking south along the Butler Road frontage of the subject property.

PHOTOGRAPH 4



Looking to the northeast at the adjacent gas station, directly north of the subject property.

INFORMATION AND DATA CONTAINED IN THIS DRAWING ARE STRICTLY CONFIDENTIAL AND ARE SUPPLIED ON THE UNDERSTANDING THAT THEY WILL BE HELD CONFIDENTIAL AND NOT REPRODUCED, COPIED OR DISCLOSED TO THIRD PARTIES WITHOUT THE PRIOR WRITTEN CONSENT OF SHELMARK ENGINEERING, L.L.C.



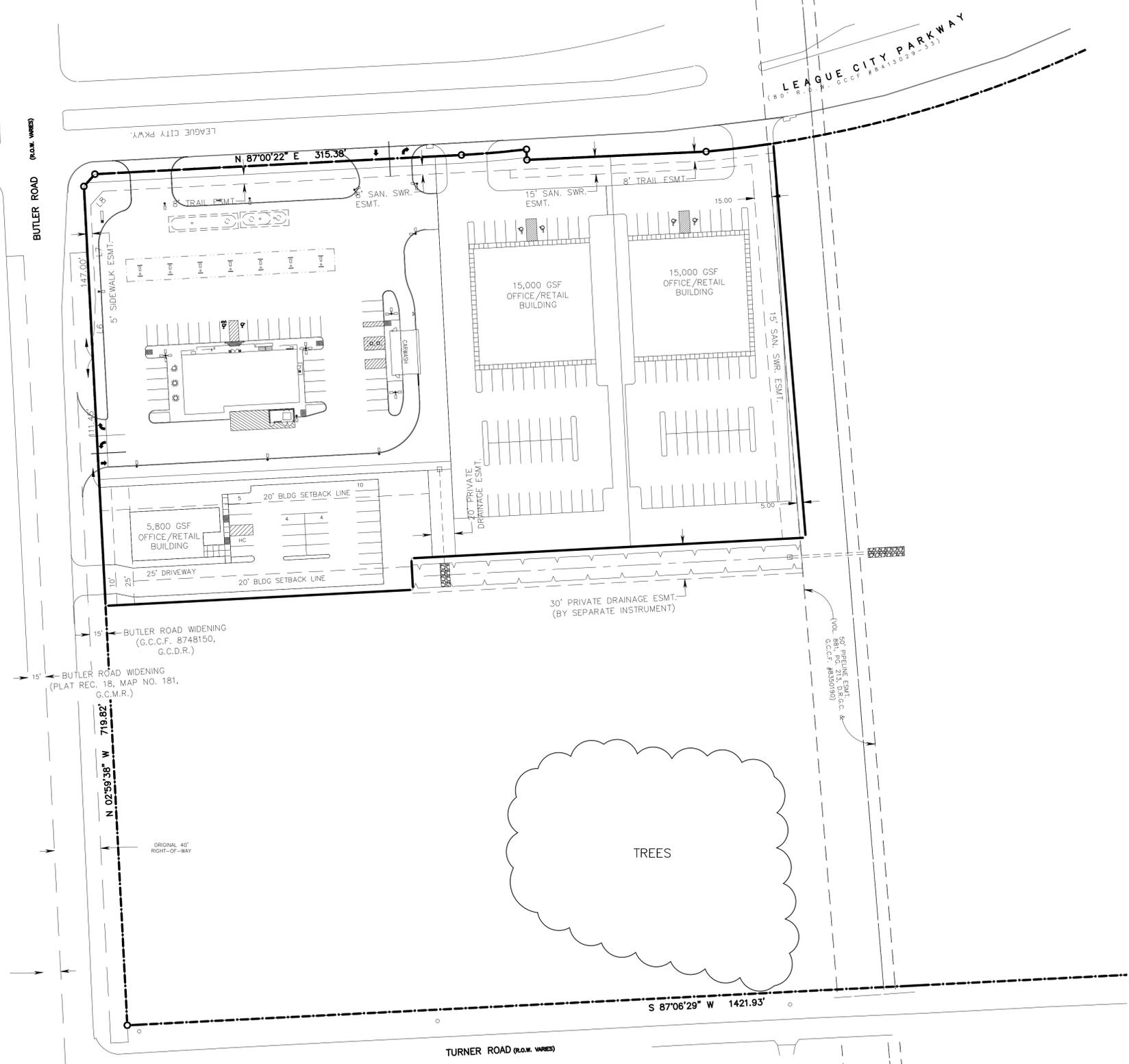
VICINITY MAP  
N.T.S.

**BENCH MARK:**  
PROJECT BENCHMARK - LEAGUE CITY REFERENCE MARK LC-2005-121 BEING A 5/8" IRON ROD WITH ALUMINUM CAP SET IN CONCRETE LOCATED ALONG THE EAST SIDE OF LANDING POINT AT THE ENTRANCE TO MOODY BANK, APPROXIMATELY 385' NORTH OF SAID ROAD'S INTERSECTION WITH FM 518.  
ELEVATION = 18.55' (NAVD88, 2002 ADJUSTMENT)

**TEMPORARY BENCH MARK:**  
PROJECT TEMPORARY BENCHMARK - NORTH TOP OF RIM (PAINTED ORANGE) OF STORM SEWER MANHOLE LOCATED NEAR THE NORTHEAST CORNER OF THE SUBJECT PROPERTY, AS SHOWN HEREON.  
ELEVATION = 19.21'

**FLOOD STATEMENT:**  
THE SUBJECT PROPERTY APPEARS TO BE PRIMARILY LOCATED WITHIN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) AS PER F.I.R.M. MAP COMMUNITY PANEL NUMBER 485488 0010 D (MAP REVISION DATE: SEPTEMBER 22, 1999). HOWEVER, BY VISUAL INSPECTION OF SAID MAP ONLY, IT IS POSSIBLE THAT A SMALL STRIP OF THE EASTERLY SIDE OF THE SUBJECT TRACT MAY BE LOCATED IN ZONE A (SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD WITH NO BASE FLOOD ELEVATIONS DETERMINED).

- GENERAL NOTES:**
- 1). REFERENCE LINES AND GRADES  
A. THE OWNER SHALL PROVIDE REFERENCES FOR LINE AND GRADE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE REFERENCE POINTS AND REPLACE THEM IF LOST OR DAMAGED.
  - 2). EXISTING UTILITIES  
A. VERIFY LOCATION AND ELEVATION OF EXISTING FACILITIES PRIOR TO CONSTRUCTION OF PROPOSED FACILITIES.  
B. PROTECT ALL EXISTING UTILITIES DURING CONSTRUCTION.  
C. NO EXCAVATING OR OTHER CONSTRUCTION ACTIVITY SHALL BE CONDUCTED IN THE IMMEDIATE VICINITY OF A PIPELINE IN THE ABSENCE OF A PIPELINE REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION BEFORE COMMENCING WORK, AND SHALL BE RESPONSIBLE FOR ANY DAMAGES CAUSED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE THESE UNDERGROUND FACILITIES.  
D. OVERHEAD LINES MAY EXIST ON THE PROPERTY. THE HAVE NOT BEEN MARKED SINCE THEY ARE CLEARLY VISIBLE. THE CONTRACTOR SHALL LOCATE THEM PRIOR TO BEGINNING ANY CONSTRUCTION. TEXAS LAW, SECTION 752, HEALTH AND SAFETY CODE, FORBIDS ALL ACTIVITIES IN WHICH PERSONS OR THINGS MAY COME WITHIN 6 FEET OF LIVE OVERHEAD HIGH VOLTAGE LINES. CONTRACTORS AND OWNERS ARE LEGALLY RESPONSIBLE FOR THE SAFETY OF CONSTRUCTION WORKERS UNDER THIS LAW. THIS LAW CARRIES BOTH CRIMINAL AND CIVIL LIABILITY.
  - 3). EXISTING CONDITIONS:  
A. SPECIAL CARE SHALL BE TAKEN TO NOT DAMAGE ANY TREES OR DISTURB THE DRAINAGE.  
B. EXCESS EXCAVATED MATERIAL SHALL BE DISPOSED OF AS DIRECTED BY THE OWNER OR AS SPECIFIED ON THE DRAWINGS. SOIL SHALL NOT BE DEPOSITED GREATER THAN 4" DEEP WITHOUT PERMISSION FROM THE OWNER.
  - 4). PERMITS:  
A. OWNER TO OBTAIN ALL PERMITS REQUIRED BY CITY, COUNTY, AND STATE AGENCIES PRIOR TO STARTING CONSTRUCTION OF UTILITY AND/OR CULVERTS WITHIN ROAD RIGHT-OF-WAYS.  
B. CONTRACTOR SHALL ASSURE HIMSELF THAT ALL CONSTRUCTION PERMITS HAVE BEEN OBTAINED PRIOR TO COMMENCEMENT OF WORK. REQUIRED PERMITS THAT CAN ONLY BE ISSUED TO CONTRACTOR SHALL BE OBTAINED AT HIS EXPENSE.
  - 5). SAFETY:  
A. OBSERVE ALL FEDERAL, STATE, AND LOCAL SAFETY REGULATIONS WHEN WORKING IN OR NEAR PUBLIC ROAD RIGHT-OF-WAYS.  
B. CONTRACTOR SHALL COMPLY WITH OSHA REGULATIONS AND STATE OF TEXAS LAWS CONCERNING EXCAVATION, TRENCHING, AND SHORING.
  - 6). ALL EXISTING MANHOLE RIMS SHALL BE ADJUSTED TO 3" ABOVE FINISHED GRADE.  
7). ALL EXISTING GATE VALVE BOXES SHALL BE ADJUSTED TO 3" ABOVE FINISHED GRADE.



DATE: 06/29/15  
SCALE: 1"=50'  
DRAWN BY: SBK  
CHECKED BY: RIL

**BUTLER ROAD BUSINESS PARK**  
**LEAGUE CITY PARKWAY**  
**LEAGUE CITY, TEXAS**



ISSUED FOR  
 04/28/15 REVIEW

**INTERIM SUBMITTAL**  
DOCUMENT INTENDED FOR REVIEW ONLY. NOT ISSUED FOR CONSTRUCTION.  
ENGINEER:  
RANDALL J. LISKA P.E.  
REGISTRATION NO. 89374  
DATE: 04/28/15

DWG NAME:  
**MASTER PLAN**

DWG:  
**1.00**

JOB NO: 15-165 REV: A