

## SUP-21-0005 (Prime Spot Fuel)

<b>Request</b>	Hold a public hearing and make a recommendation to City Council for a Special Use Permit Application, SUP-21-0005, (Prime Spot Fuel), to allow a "Vehicle Fueling Station" to operate in a "CG" (General Commercial) zoning district.
<b>Applicant</b>	Mario Ipina, Bovay Engineers, Inc.
<b>Owner</b>	Salim Charolia, Prime Spot Fuels
<b>Zoning</b>	"CG" (General Commercial)
<b>Location</b>	Generally located at the northwest intersection of Lawrence Road and East FM 518, with the address of 1210 East FM 518
<b>City Council</b>	Public Hearing June 28, 2022; Second Reading – July 12, 2022.
<b>Citizen Response</b>	4 Notices Mailed to Property Owners within 200 feet 0 – Letters of Support Received 0 – Letters of Opposition Received
<b>Attachments</b>	1. Aerial Map (Exhibit A) 2. Zoning Map (Exhibit B) 3. Future Land Use Map (Exhibit C) 4. Site Plan (Exhibit D) 5. Landscape Plan (Exhibit E) 6. Elevations (Exhibit F)

The Commission should consider the following in its deliberation for the Special Use Permit request, which shall be utilized to substantiate its findings. To determine the extent to which the proposed use would be compatible with surrounding properties, the surrounding land uses, and the performance impacts should be considered.

**Background**     December 22, 2020 – Special Use Permit was approved at this location for a 7-eleven gas station.  
October 13, 2021 – Applicant held a neighborhood meeting to discuss a new Special Use Permit application for Prime Spot Fuel with property owners within 200 feet of the subject property. There were no meeting attendees.  
October 26, 2021 – Application for a Special Use Permit was submitted for Prime Spot Fueling Station and Convenience Store.  
May 10, 2022 - The corrected submittal was received addressing all of staff's comments.  
May 19, 2022 – Public notice of the Planning and Zoning Commission and City Council meetings were sent to property owners within 200 feet of the subject site, sent to the newspaper for publishing, and posted on the subject property.  
June 6, 2022 – Planning and Zoning Commission will hold a public hearing and make a recommendation to City Council.  
June 28, 2022 – City Council will hold a public hearing and potentially take action on the Special Use Permit request.  
July 12, 2022 - City Council will take final action.

**Project  
Description**

The applicant is proposing to construct a “Fueling Station and Convenience Store” on a 1.9-acre parcel located on the northwest corner of East FM 518 and Lawrence Road. The property is zoned “CG” (General Commercial), which requires a Special Use Permit for a fueling station.

The proposed 7,900 square-foot building will consist of 5,500 square feet of convenience store, 1,200 square feet of restaurant space, and 1,200 square feet of retail space. The site will have 10 fueling pumps with 37 parking spaces. A drive-thru is proposed on the west side of the property.

The exterior of the building is proposed to be constructed of 100% masonry products including brick, stone, and stucco. There will be minor metal accents along the roof line and used as awnings. The fuel pump canopy poles and dumpster enclosure will be wrapped in masonry material to match the building.

A request was approved by the commission for a 7-11 Gas Station in 2020. The 7-11 gas station backed out from the deal and Prime Spot Fueling has requested a new Special Use Permit (SUP) to operate at this location. Special Use Permits are specific to the user of the property and their specific design. Changes were needed to both the site plan and elevations. The proposed gas station has provided additional upgrades to the site beyond what the previous SUP had required. A comparison of the previously approved SUP (7-11) and the proposed SUP (Prime Spot) is provided in a table below.

	<b>Proposed SUP (Prime Spot Fuel)</b>	<b>2020 Approved SUP (Seven-Eleven)</b>
Landscaping	60 trees along the perimeter of the site.	37 trees along the perimeter of the site.
Dumpster Enclosures	One dumpster enclosure screened with landscaping on three sides.	Four dumpster enclosures partially screened with landscaping on two sides.
Building Materials (CCR)	100% masonry construction with metal accents on primary building and canopy. No EIFS allowed.	100% masonry construction with metal accents on primary building and EIFS accents on canopy.
Gas Pumps	10 gas pumps.	12 gas pumps.
Signage	Monument sign renderings provided show a masonry base to match the building.	Did not provide sign renderings.
Lease Space	Restaurant with drive-thru and retail lease space included.	Building did not include retail or restaurant.
Connectivity	10-foot sidewalk along Lawrence Rd. and FM 518. The sidewalk has connection to the building from the Lawrence Rd.	10-foot sidewalk along Lawrence Rd. and FM 518. There is no connection or walkway from the sidewalk to the building.

**Site and  
Surrounding  
Area**

The property is in an AE flood zone with a 13-foot Base Flood Elevation. In 2019, the site was raised with fill by approximately six (6) feet to elevate the property out of the floodplain. A detention pond was also constructed in the rear of the property for drainage.



There is a self-storage facility for boats and recreational vehicles to the north, east is vacant land outside of the city limits, west is the Texas Department of Transportation detention pond and south across East FM 518, there are a variety of land uses with vacant land, retail, restaurant and indoor storage units.

There is one fueling station that is one mile west on the southwest corner of East FM 518 and Meadow Parkway and another that is one mile east in the Walmart parking lot, in Kemah, Texas. The closest residence to this development is the South Shore Lake apartments and they are approximately 1,000 feet to the west. An SUP for a fueling station was approved last year approximately ¼ mile to the west on the opposite side of East FM 518, but construction has not started.

Direction	Surrounding Zoning	Surrounding Land Use
North	"CG"	Self-Storage
South	"CG"	Vacant land and Commercial Uses
East	Outside City Limits	Vacant Land and Lawrence Rd.
West	"CG"	TXDOT Detention Pond

#### Exterior Elevations

The below exterior finishes are written in the Covenants, Conditions and Restrictions. The applicant is proposing 100% masonry with metal accents. The following are the proposed building materials:

- Acme thin brick, color: Doeskin.
- Coronado Stone veneer, color: Kings Mountain.
- Dark bronze aluminum for canopy coping and signage box and the store front area.
- The dumpster enclosure and fueling canopy will be thin brick to match the building.

Please reference the material schedule on the attached Elevation Renderings (Exhibit F).

#### Landscaping/ Screening, and Buffers

The applicant plans on providing landscaping around the perimeter of the site. The two sides adjacent to the roadway will consist of a continuous hedge and one tree every 30 linear feet. The side and rear property lines will consist of eight trees per 100 linear feet and a continuous hedge. The transformer and dumpster enclosure will also be screened with a 3-foot-tall hedge.

Staff typically recommends that gas stations install a three-foot berm in the landscaping beds surrounding the property to help buffer the development from the adjacent rights of ways. In this case, the site is already raised six feet above the roadway. Staff agreed with the applicant that adding a three-foot berm measuring nine feet above grade would be out of proportion with the surrounding properties. Please reference the attached Landscape Plan (Exhibit E).

#### Access and Traffic

The proposed development will be accessed from East FM 518 by a shared access drive that will provide access to all five lots. Access will also be provided from Lawrence Road in the rear of the property by a 60-foot shared access easement. According to the turning template, 18-wheeler trucks will turn left on Lawrence Road (northbound), deposit fuel, and exit to the right on East FM 518 (westbound).

Additionally, a deceleration lane is proposed on East FM 518, to help reduce traffic build up from vehicles turning into the property.



**East FM 518**

	<b>Existing Conditions</b>	<b>Proposed Conditions</b>
Roadway Type	Major Arterial	Major Arterial
Right-of-way Width	120-feet	120-feet
Pavement Width and Type	4-lane road with median, curb and gutter with existing sidewalks.	4-lane road with median, curb and gutter with existing sidewalks.

**Lawrence Road**

	<b>Existing Conditions</b>	<b>Proposed Conditions</b>
Roadway Type	Minor Arterial	Minor Arterial
Right-of-way Width	60 feet (the east half of Lawrence Road is outside the City limits.)	70 feet (the east half of Lawrence Road is outside the City limits.)
Pavement Width and Type	2-lane road with ditches on either side.	2-lane road with ditches on either side.

**Comprehensive Plan**

The proposal is consistent with the future land use plan and elements from the Comprehensive Plan. The City's Future Land Use Plan designates this property as "Enhanced Auto Dominant Commercial". Enhanced auto-dominant commercial is defined as an area that focuses primarily on convenience and access by vehicles. Buildings are typically set back with large parking areas, single stories and located near major roadways as standalone or "strip center" format. Walkability, connectivity, common space, and open space are minimum.

The community has been divided into three areas; Areas to Maintain & Enhance, Areas to Revive & Revitalize and Areas to Grow (Page 4-4.). The Comprehensive Plan shows this area as an area that is intended for new growth. Within 500 feet there are only commercial developments. There are two existing fueling stations approximately one mile to the east and west and one proposed fueling station at the intersection of Columbia Memorial Parkway and East FM 518. The proposed gas station, restaurant, and retail space is consistent with a area of town that is in the growth phase.

All plan approval and rezoning requests should be consistent with the character of the area (Page 5-23; Goals & Policies). The surrounding land uses are large vacant parcels, self-storage and retail land uses that have begun to develop the commercial character of this area. The proposed new fueling station and convenience store will be consistent with the character of the area. The proposed development has taken steps to enhance the site and bring it up to higher standards than the surrounding developments.

**Staff Findings**

The following items summarize staff's findings on the proposal.

- A gas station was approved for this location in 2020, but the applicant decided not to move forward with the development after approval.
- The proposed SUP provides enhancements that were not provided by the previously approved gas station. These enhancements include upgrades to walkability, landscaping, signage, and building materials.
- The proposal is consistent with Future Land Use Plan and elements from the Comprehensive Plan.





- An arterial roadway intersection is designed to handle traffic loads from high traffic generating uses such as gas stations and restaurants. In addition, a deceleration lane is being added to reduce negative traffic impacts.

**Recommendation  
and  
Potential  
Conditions**

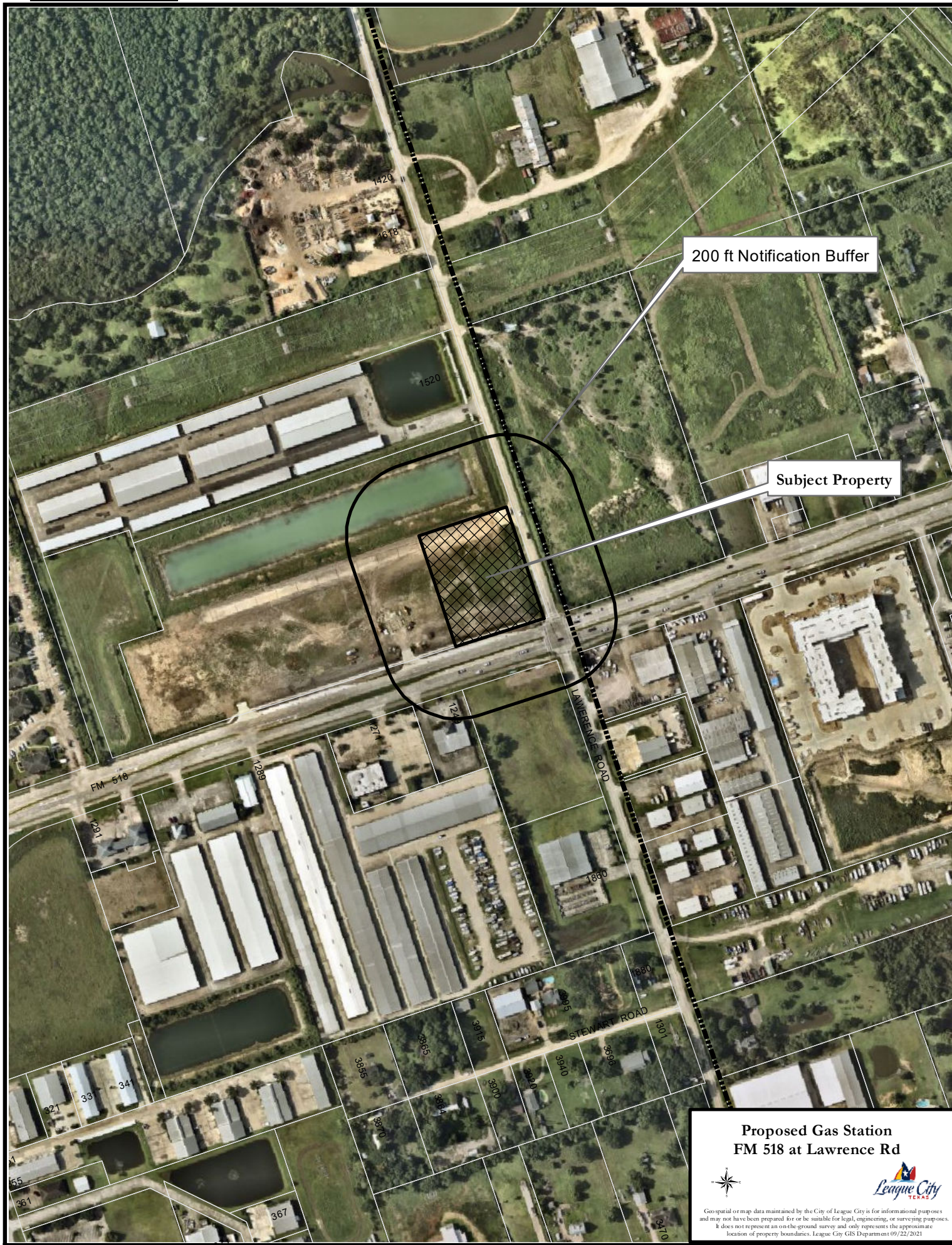
Based on the above staff findings, staff recommends approval of the Special Use Permit with the following conditions:

1. The SUP shall expire after a period of 12 months beginning upon the date of adoption of the SUP ordinance by City Council if no formal application is submitted to the City for development of the site.
2. The uses permitted on site will be limited to those permitted in the base zoning district and identified by the Special Use Permit. The only use permitted by this SUP is Fueling Station and Convenience Store. Specifically, Prime Spot Fueling.
3. The site layout shall be substantially similar to that which is displayed on the site plan and elevations. This includes the parking requirements, landscaping, fencing, and building materials.
4. Screening of Structures:
  - a. Dumpster enclosures shall be screened with a masonry wall consistent with the material used on the primary structure. In addition, a continuous, evergreen hedge not less than three (3) feet tall spaced not less than three (3) feet on center shall be installed around the structure.
  - b. All mechanical equipment (a/c units, electrical boxes, pad-mounted transformers) shall be screened with either a parapet wall or a continuous, evergreen hedge not less than three (3) feet tall spaced not less than three (3) feet on center.
5. Lighting: All lighting must comply with Chapter 125, Article 4, Section 4.8 of the Unified Development Code:
  - a. Canopy Lights. Light fixtures mounted on canopies or vehicle fueling station islands shall be recessed so that the lens cover is either recessed or flush with the bottom surface (ceiling) of the canopy.
6. The exterior elevations shall be consistent with the Covenants, Conditions and Restrictions and shall be enforced by the Property Owners Association.
7. Signage: The project shall comply with the Article 8, Signs of the Unified Development Code with the following exception:
  - a. The only free-standing sign permitted on this site is a monument sign placed along East FM 518 and the base materials must be complementary of the primary building in keeping with the Covenants, Conditions and Restrictions.

For additional information, you may contact Kris Carpenter, Planning Manager, at 281-554-1098 or kris.carpenter@leaguecitytx.gov.







200 ft Notification Buffer

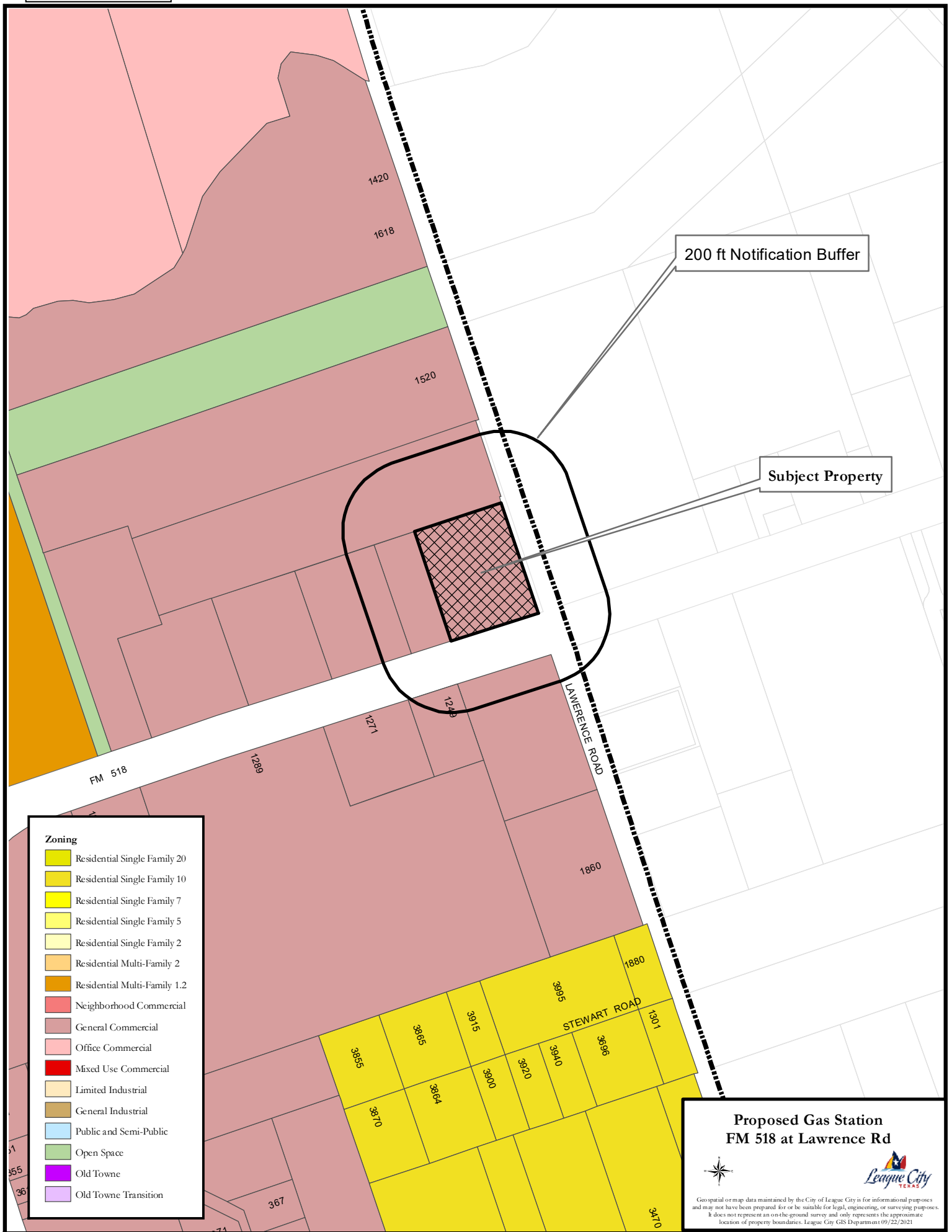
Subject Property

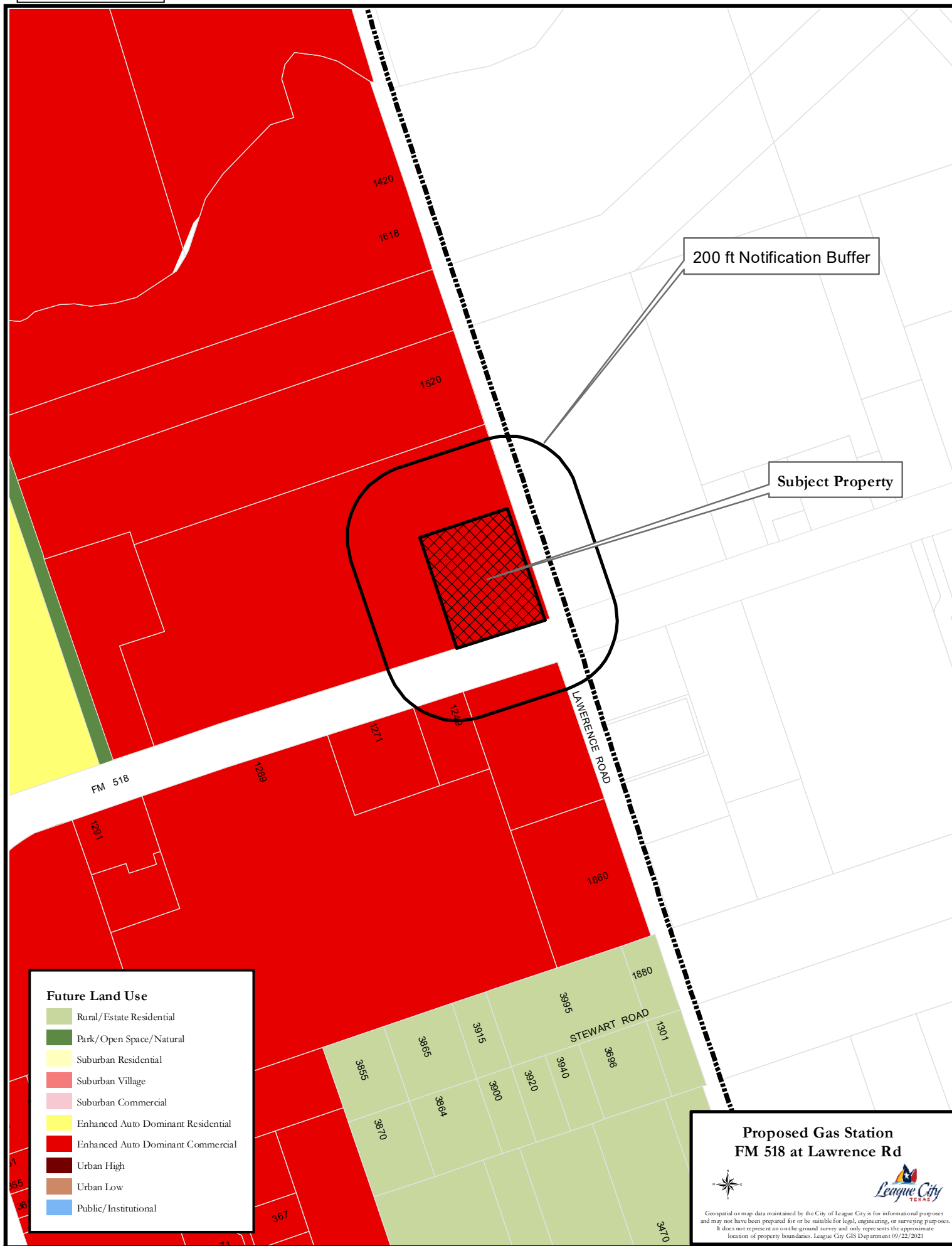
**Proposed Gas Station  
FM 518 at Lawrence Rd**



Geospatial or map data maintained by the City of League City is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and only represents the approximate location of property boundaries. League City GIS Department 09/22/2021

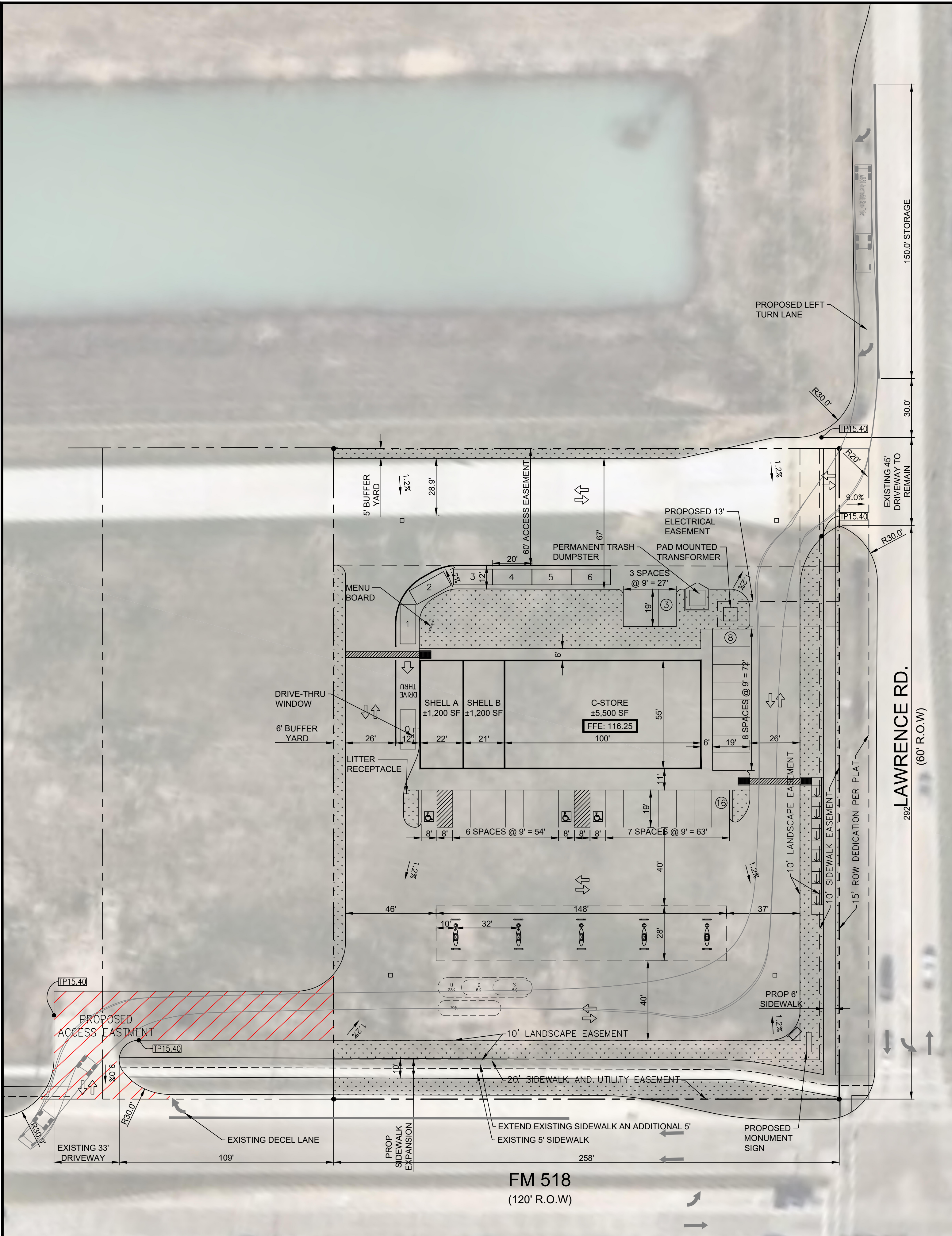








H:\PRIME2102-400 C-STORE NWC FM 518 AND LAWRENCE, LEAGUE CITY\CADD\EXHIBITS\SITEPLAN.DWG  
5/4/2022 12:08 PM



SITE DATA SUMMARY TABLE

PROPOSED USE: 24HR-CONVENIENCE STORE WITH FUEL CANOPY, AND TWO RETAIL SHELL SPACES

EXISTING ZONING DISTRICT: GENERAL COMMERCIAL

GROSS SITE AREA: 1.959 AC. (85,353 SQ.FT)

REQUIRED LANDSCAPE AREA:  
15% - 12,803 SQ.FT.

PROVIDED LANDSCAPE AREA:  
16.8% - 14,334 SQ.FT.

TYPE OF PLANTINGS USED:  
MONTEZUMA CYPRESS  
LOBLOLLY PINE  
LIVE OAK  
DRUMMOND RED MAPLE  
TEXAS RED BUD  
DWARF BURFORD HOLLY  
SILVERADO SAGE  
FRASER PHOTENIA  
PURPLE AUTUMN GRASS  
KATIE RUELIA  
PURPLE TRAILING LANTANA  
PROSTRATE JUNIPER  
COMMON BERMUDA GRASS

LOT COVERAGE: 68,098 SQ.FT. - 83.2%

PARKING RATIO PER USE:  
C-STORE - 1 SPACE/250 SQ.FT.  
RETAIL - 1 SPACE/250 SQ.FT.  
RESTAURANT - 1 SPACE/125 SQ.FT.

PARKING REQUIRED: TOTAL=37  
C-STORE - 22 SPACES  
RETAIL A - 10 SPACES  
RETAIL B - 5 SPACES

PARKING PROVIDED: TOTAL=37  
32 SPACES  
10 FUEL SPACES

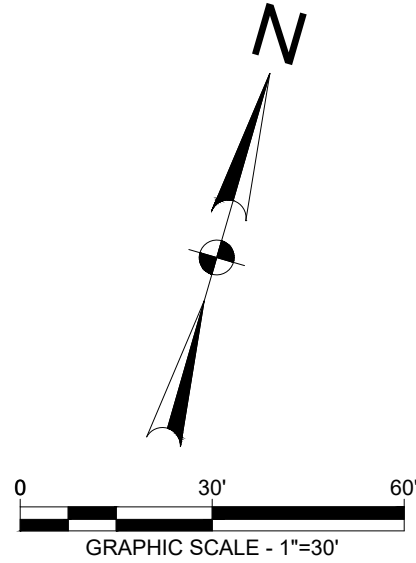
MAXIMUM HEIGHT: 1 STORY - 27 FT

SETBACKS:  
FRONT - 20'  
SIDE INTERIOR - 15'  
SIDE STREET - 15'  
BACK - 20'

LIGHTING NOTE:

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 RESIDENTIAL PROPERTIES. ALL EXTERIOR LIGHTING SHALL BE SHIELDED SO THAT SUBSTANTIALLY ALL EMITTED LIGHT FALLS UPON THE PROPERTY FROM WHICH THE LIGHT EMANATES. THE MEASURABLE 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.

B. LIGHT FIXTURES MOUNTED ON OR UNDER CANOPY CEILINGS SHALL BE FULL CUT OFF OR RECESSED.

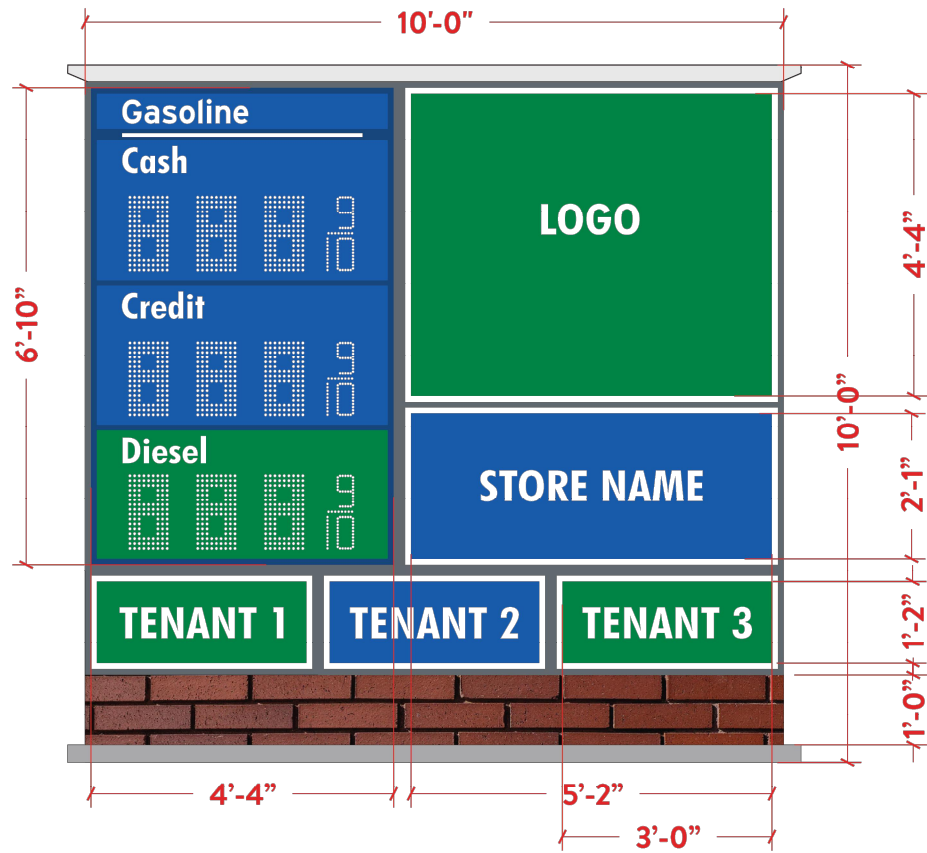


PARKING AREA CALCULATION

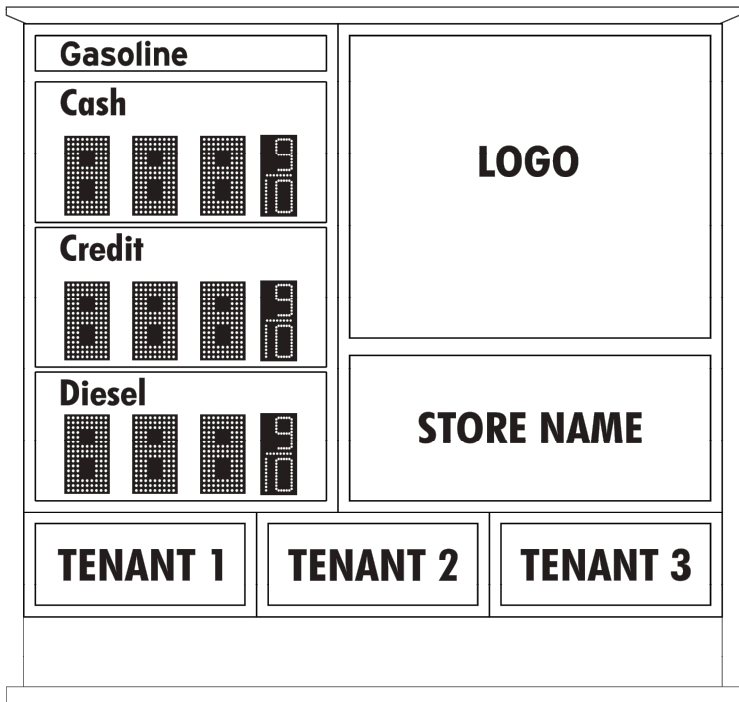
CONVENIENCE STORE - 5,500 SF  
SPACES REQUIRED - 1/250 SF= 22 SPACES  
RESTAURANT - 1,200 SF  
SPACES REQUIRED - 1/125 SF= 10 SPACES  
RETAIL - 1,200 SF  
SPACES REQUIRED - 1/250 SF= 5 SPACES

TOTAL SPACES REQUIRED: 37

SPACES PROVIDED: 27  
FUEL CANOPY SPACES PROVIDED: 10  
TOTAL CARS PROVIDED : 37 CARS



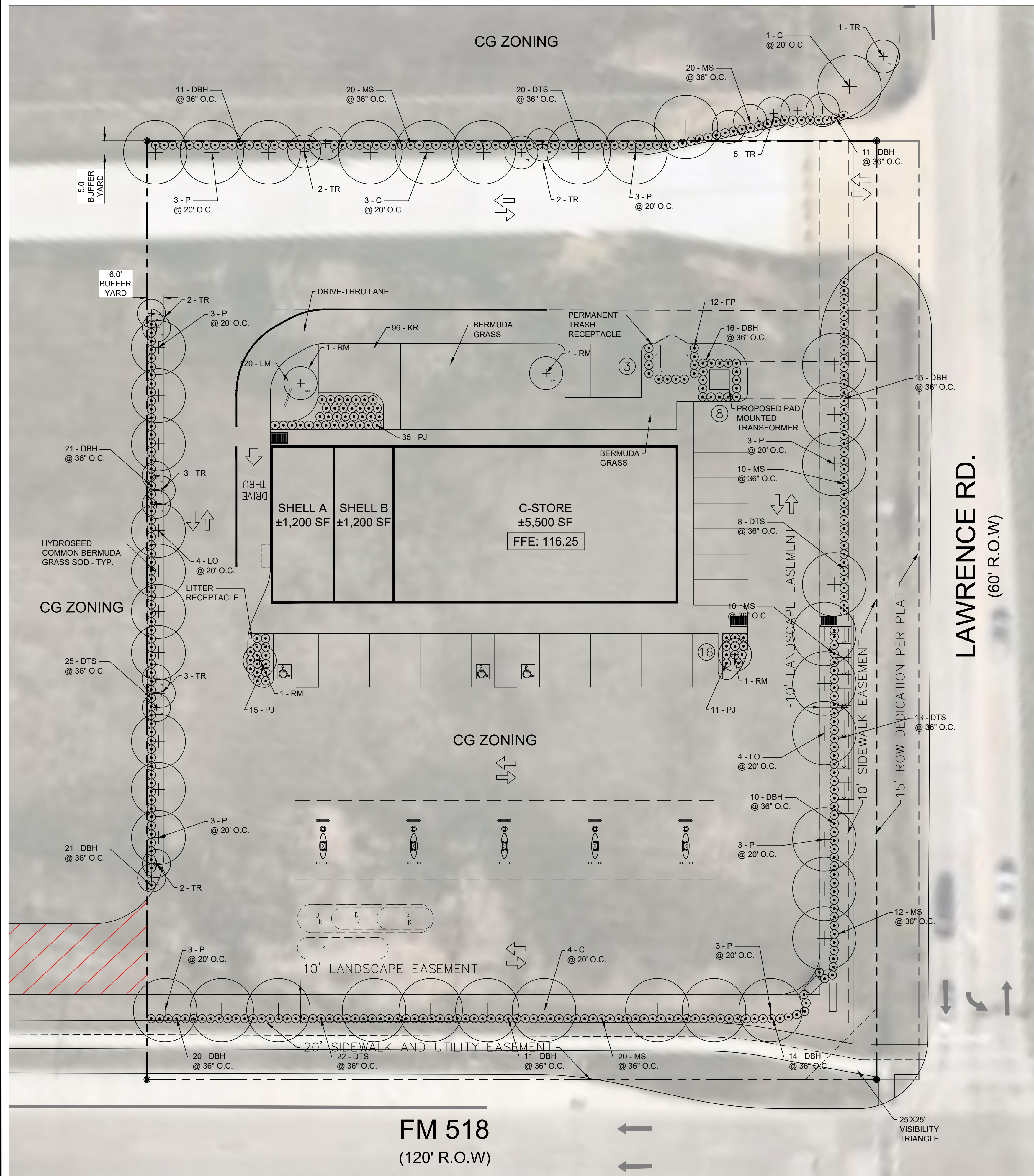
MONUMENT SIGN RENDERING AND ELEVATION  
NTS



REVISIONS	
NO.	DESCRIPTION
10/26/2021	SUP Submittal
12/29/2021	SUP Re-Submittal
02/25/2021	SUP Re-Submittal

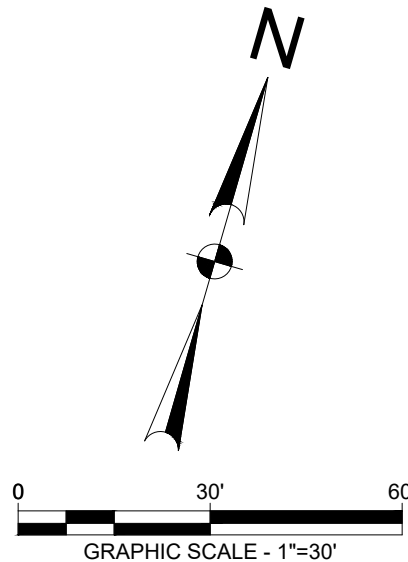
**SUP Site Plan**  
**Proposed 1.93 Acres**  
**C-store with Fuel canopy, and Retail Development**  
**Hetland Commercial Subdivison located in M.Muldoon 2 League**  
**Grant , Abstract No. 18**  
**City of League City**





### NOTES:

1. PROVIDE COMMON BERMUDA GRASS SOLID SOD IN ALL AREAS OUTSIDE OF SHRUB BEDS, DECOMPOSED GRANITE AREA AND PAVEMENTS.
2. ALL PLANTING AREAS TO HAVE AUTOMATIC IRRIGATION SYSTEM. PROVIDE SHOP DRAWINGS SEALED BY LICENSED IRRIGATOR.



NOTE:  
EXHIBIT IS NOT FOR  
PRICING OR  
CONSTRUCTION AND IS  
SUBJECT TO CHANGE

### LANDSCAPE CALCULATIONS

#### REQUIRED LANDSCAPE AREA

Zoning District	CG	Required Landscape Area	15%
Total Site Area	84,259 SF (1.93Ac.)	Required Landscape Area	12,639 SF
		Landscape Area Provided	14,000 SF

#### TREES - BY 10 FT LANDSCAPE SETBACK

	MONTEZUMA CYPRESS	LIVE OAK	LOBLOLLY PINE	TOTAL
FM 518	4	0	6	10
LAWRENCE	0	4	7	11

#### TREES - BY 5 FT BUFFER YARD

NORTH BUFFER	4		6	9
WEST BUFFER		4	6	9
TOTAL SHADE TREES	8	8	25	41

### PLANT LIST

Symbol	Qty.	Common Name	Botanical Name	Caliper (In.)	Min. Ht. & Spread (Ft.)	Spacing	Comments
SHADE TREES							
C	8	MONTEZUMA CYPRESS	Taxodium mucronatum	2.5	7 Ht / 4 Sp	As Shown	Container Size as Required
P	25	LOBLOLLY PINE	Pinus taeda	2.5	7 Ht / 4 Sp	As Shown	Container Size as Required
LO	8	LIVE OAK	Quercus virginiana	2.5	7 Ht / 4 Sp	As Shown	Container Size as Required
RM	4	DRUMMOND RED MAPLE	Acer rubrum var "Drummondii"	2.5	7 Ht / 4 Sp	As Shown	Container Size as Required
ORNAMENTAL TREES							
SH	20	TEXAS REDBUD	Cercis canadensis texensis	2.5	6Ht / 3 Sp	As Shown	Container Size as Required
SHRUBS & ORNAMENTAL GRASSES (SCREENING)							
DBH	148	DWARF BURFORD HOLLY	Ilex cornuta var "Burfordii"	5 Gal	24 Inches	36 Inches On Center, Maximum	Full Branching, Matching
DTS	87	"SILVERADO" SAGE	Leucophyllum frutescens var "Silverado"	5 Gal	24 Inches	36 Inches On Center, Maximum	Full Branching, Matching
FP	12	FRASER PHOTENIA	Photinia x Fraseri	5 Gal	36 Inches	36 Inches On Center, Maximum	Full Branching, Matching
MS	92	PURPLE AUTUMN GRASS	Miscanthus sinensis	5 Gal	36 Inches	36 Inches On Center, Maximum	Full Growth
GROUNDCOVERS							
KR	96	KATIE RUELIA	Ruellia elegans var "Katie"	1 Gal	18" Spread	18 Inches On Center	Full Branching, Matching
LM	120	PURPLE TRAILING LANTANA	Lantana montevidensis	1 Gal	18" Spread	18 Inches On Center	Full Branching, Matching
PJ	55	PROSTRATE JUNIPER	Juniperus horizontalis	1 Gal	18" Spread	18 Inches On Center	Full Branching, Matching
LAWN GRASS							
		BERMUDA GRASS	Cynodon dactylon	N/A	N/A		Solid Sod All Disturbed Areas Which Are Not Shrub Beds

#### REVISIONS

NO.	DESCRIPTION
10/12/2021	SUP Site Plan
02/25/2021	SUP Resubmittal

Landscape Plan  
Proposed 1.93 Acres  
C-store with Fuel canopy, and Retail Development  
Hetland Commercial Subdivision located in M. Muldoon 2 League  
Grant, Abstract No. 18  
City of League City



# Exhibit F

EXTERIOR MATERIAL SQUARE FOOTAGE TABLE:

	NORTH	EAST	SOUTH	WEST
ACHE THIN BRICK, DOESKN	1310 SF	350 SF	866 SF	350 SF
COLORADO STONE, KINGS MOUNTAIN	563 SF	608 SF	1352 SF	808 SF
GLASS	810 SF	-	-	-

EXTERIOR MATERIAL PERCENTAGE TABLE:

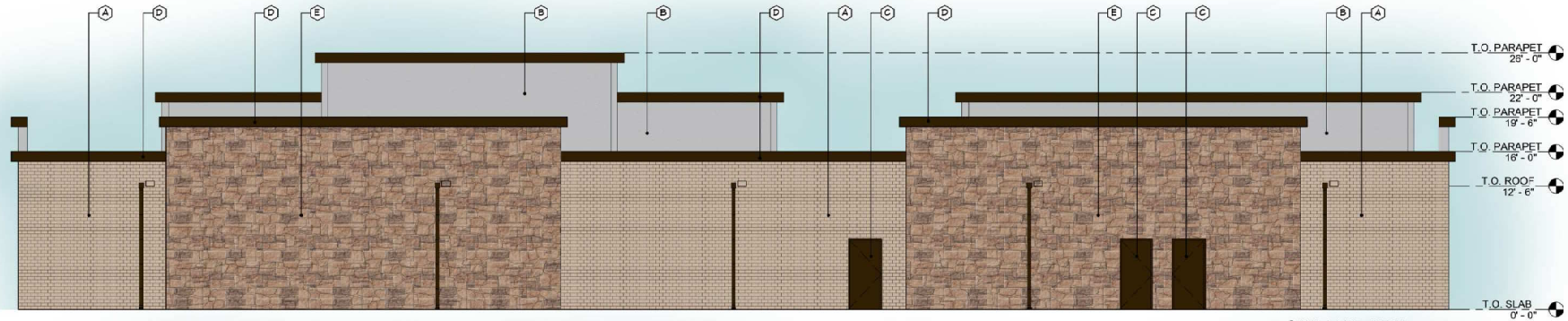
	NORTH	EAST	SOUTH	WEST
ACHE THIN BRICK, DOESKN	50%	31%	40%	31%
COLORADO STONE, KINGS MOUNTAIN	20%	63%	60%	63%
GLASS	30%	-	-	-

EXTERIOR MATERIAL SCHEDULE:

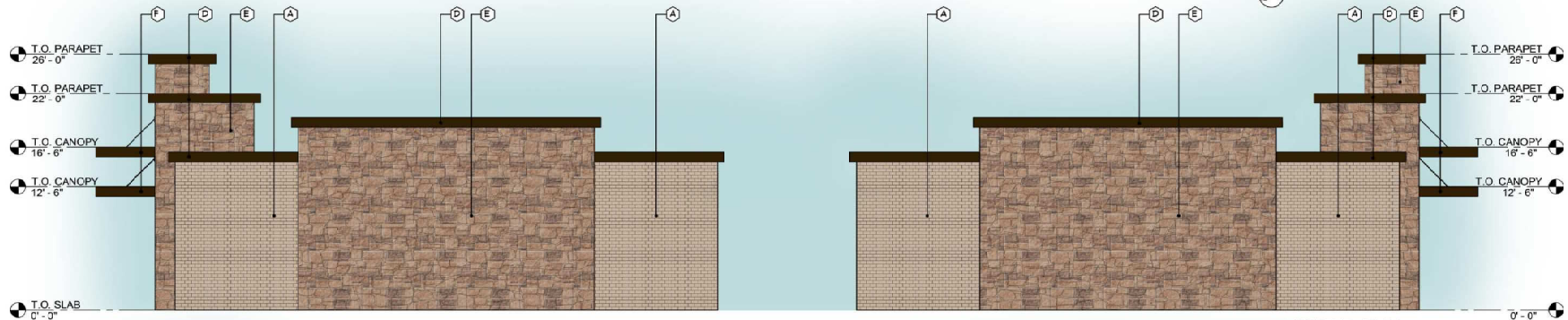
- (A) ACHE THIN BRICK, COLOR: DOESKN
- (B) SCORED STUCCO, PAINTED BUSITO AGER
- (C) HOLLOW METAL, DOOR, PAINTED TO MATCH BERRIDGE DARK BRONZE
- (D) 1" METAL COPING, BERRIDGE DARK BRONZE
- (E) COLORADO STONE, FREEDOM BUILDING STONE, KINGS MOUNTAIN
- (F) BERRIDGE, COLOR: DARK BRONZE

GENERAL NOTES:

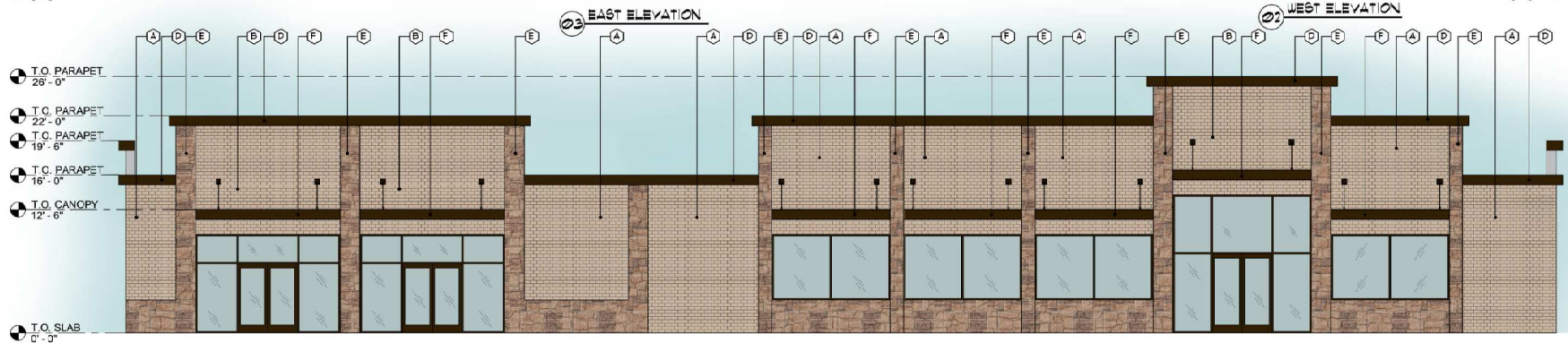
1. DUMPSTER ENCLOSURE TO MATCH BUILDING WITH PAINTED THIN BRICK (ACHE THIN BRICK, DOESKN)
2. METAL DOOR ON DUMPSTER ENCLOSURE TO BE PAINTED TO MATCH BERRIDGE, DARK BRONZE.



22 SOUTH ELEVATION



21 WEST ELEVATION



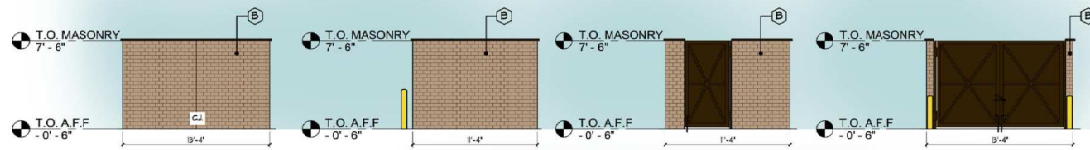
23 EAST ELEVATION

20 NORTH ELEVATION

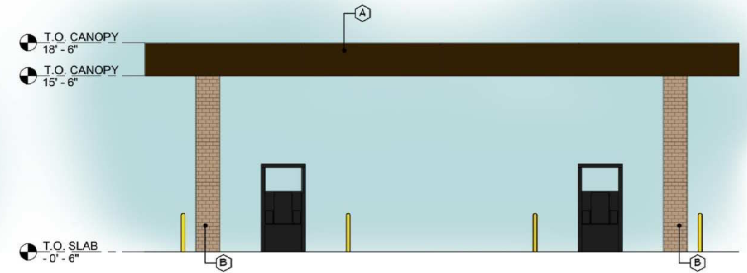
## Exhibit F

### EXTERIOR MATERIAL SCHEDULE:

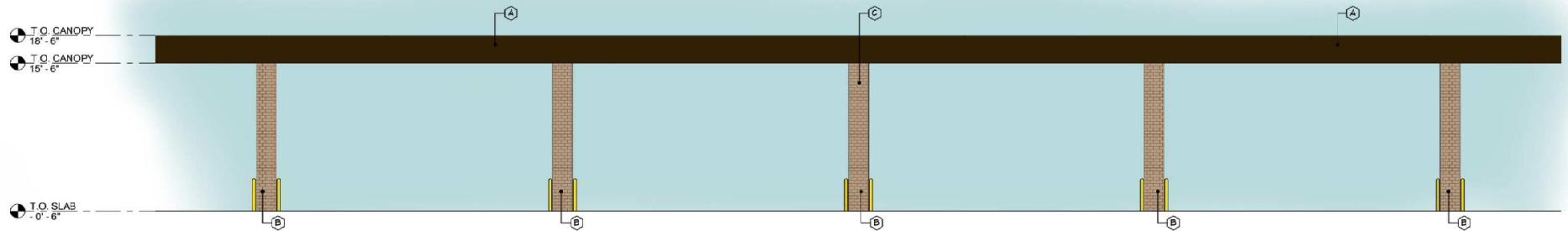
- (A) BERRIDGE METAL CANOPY, COLOR: DARK BRONZE
- (B) ACME THIN BRICK, COLOR: DOESKIN
- (C) HOLLOW METAL DOOR, PAINTED TO MATCH BERRIDGE DARK BRONZE



23 DUMPSTER ENCLOSURE ELEVATIONS



21 WEST ELEVATION



21 NORTH ELEVATION