

ORDINANCE NO. 2018-

AN ORDINANCE AMENDING ORDINANCE NO. 2005-24 FOR SPECIAL USE PERMIT SUP-18-0003 (B W HUNTING, LLC.) TO ALLOW AN AUTO REPAIR AND OTHER HEAVY VEHICLE SERVICE USE ON PROPERTY ZONED "CG" (GENERAL COMMERCIAL), LEGALLY DESCRIBED AS LOT 3, BLOCK 1, KENFIELD COLLISION, GENERALLY LOCATED WEST OF THE GULF FREEWAY (I-45), AND NORTH OF BIG LEAGUE DREAMS PARKWAY WITH THE ADDRESS OF 2405 SOUTH GULF FREEWAY (I-45) IN LEAGUE CITY, TEXAS.

WHEREAS, at the May 1, 1999 General Election the qualified voters of the City of League City voted that staff proceed with the concept of zoning for the City; and

WHEREAS, on August 10, 1999, the City Council of the City of League City, Texas (the "Council") adopted Ordinance No. 99-52 amending the Code of Ordinances of the City of League City to add Chapter 125 regarding Zoning; and

WHEREAS, on August 30, 2005, the Council adopted Ordinance No. 2005-24 amending Chapter 125 of the Code of Ordinances of the City of League City, Texas (the "Code of Ordinances") and adopting zoning ordinances consistent with the Comprehensive Plan for the City of League City, Texas; and

WHEREAS, Section 125-50 provides that the City Council may grant a Special Use Permit for special uses that are otherwise prohibited by this ordinance, and may impose appropriate conditions and safeguards to conserve and protect property and property values in the neighborhood; and

WHEREAS, the owner of a certain 2.45-acre tract of land, legally described as Lot 3, Block 1, Kenfield Collision, generally located west of the Gulf Freeway (I-45), and north of Big League Dreams Parkway, with the address of 2405 South Gulf Freeway (I-45), which parcel is currently zoned "CG" (General Commercial), is requesting a Special Use Permit for an "Auto Repair and Other Heavy Vehicle Service" use; as shown in the Zoning Map in Exhibit "A";

WHEREAS, the City Council considered the recommendation of the Planning and Zoning Commission and duly conducted a public hearing as required by law; and

WHEREAS, the applicant presented adequate testimony that the proposed Auto Repair and Other Heavy Vehicle Service use is consistent with the standards for issuance for a Special Use Permit; and

WHEREAS, the City Council has discretionary authority under Ordinance No. 2005-24 and applicable law to grant or withhold approval of a Special Use Permit; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. A Special Use Permit is hereby granted for the 2.45 acres of land legally described as Lot 3, Block 1, Kenfield Collision, generally located west of the Gulf Freeway (I-45), and north of Big League Dreams Parkway, with the address of 2405 South Gulf Freeway (I-45), which parcel is currently zoned “CG” (General Commercial), is requesting a Special Use Permit for an Auto Repair and Other Heavy Vehicle Service use within the boundaries as shown in the Zoning Map in Exhibit “A”, and subject to 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 use permitted by this SUP is an Auto Repair and Other Heavy Vehicle Service use, specifically an off-road vehicle modifications shop.
3. The site layout shall be substantially similar to that which is displayed on the site plan (Exhibit B), landscape plan (Exhibit C), and elevations (Exhibit D). This includes the parking requirements, landscaping, fencing, buffer, and elevations.
4. Vehicles shall not be stored at the site for a period longer than two weeks. All vehicles shall be stored behind the 6-foot tall screening fence in the vehicle storage area and shall not be visible from any adjacent property.
5. All work done on-site shall be within the existing structure, and no work creating noise that could project onto adjacent properties shall occur when the bay doors are open.
6. There shall be no loading or unloading of vehicles on public right-of-way.
7. Landscaping: Landscaping listed in the below conditions must be installed prior to issuance of a Certificate of Occupancy.
 - a. Plantings shall conform to the following minimum sizes at the time of planting:
 - I. Shade trees: 2-1/2” caliper, balled and burlapped or container
 - II. Ornamental trees: 6’ tall, balled and burlapped or container
 - III. Shrubs: 3’ tall, planted no less than 36” off center
 - b. A minimum of eight shade trees shall be planted throughout the parking lot.
8. Screening of Structures:
 - a. Dumpster enclosures shall be screened with a 6’ solid wood fence along the perimeter of the property.
 - b. All mechanical equipment (a/c units, electrical boxes, pad-mounted transformers) shall be screened with a 6’ solid wood fence along the perimeter of the property.
9. Buffer:
 - a. A landscape buffer shall be provided between the subject property and an opening between adjacent backstops of Big League Dreams. The landscape buffer shall consist of:
 - I. Four shade trees and four ornamental trees per 100 linear feet.
 - II. A six-foot tall wooden screening fence.
10. Lighting:
 - a. All lighting will be full cutoff.
 - b. Lighting shall not be more than 0.2 foot-candles at any property line.
 - c. Lighting shall be directed away from all property lines toward the interior of the lot.
 - d. All exterior lighting, except motion detection lighting, shall be extinguished after business hours.

11. Elevations: The northern, southern, eastern, and western elevations shall be composed of a minimum of 80% masonry, exclusive of any glass or doors. The remainder of the building face shall be painted an earth tone color similar to the Cabela's.
12. Signage: The project shall comply with the League City Sign Ordinance with the exception that any pylon or monument sign(s) must be of masonry below the sign cabinet. The colors of the masonry base shall be complementary of the primary building.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED first reading the _____ day of _____, 2018.

PASSED second reading the _____ day of _____, 2018.

PASSED AND ADOPTED the _____ day of _____, 2018.

PAT HALLISEY,
Mayor

ATTEST:

DIANA M. STAPP,
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN,
City Attorney