



## Legislation Text

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**File #:** 17-0097, **Version:** 1

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Consider and take action on an ordinance, amending Ordinance No. 2005-24 for Special Use Permit Application, **SUP16-03 (John Eagle Honda of Clear Lake)**, for an automobile/vehicle/equipment sales and services use [car dealership] on approximately 27.5 acres zoned “CG” (General Commercial) and “CM” (Mixed Use Commercial), generally located north of Big League Dreams Parkway, south of League City Parkway (SH 96), east of Calder Road, and west of the Gulf Freeway (I-45) with the approximate address being 2205 Gulf Freeway South in League City, Texas (Director of Planning and Development)

Planning and Zoning Commission recommended approval with conditions, 6-0-0, with 2 absent on January 17, 2017.

Approval of the item would grant a Special Use Permit (SUP) to relocate an existing car dealership to League City and construct a 76,000 square foot facility on approximate 27.5-acres of undeveloped land.

### **Project Timeline:**

- January 27, 2015** - City Council approves SUP14-04 (John Eagle Honda) with conditions. The Special Use Permit considered was for a 60,000 square foot building on 16.3 acres.
- November 19, 2015** - Applicant met with City Staff to receive updated information related to the project.
- March 29, 2016** - The Owner purchases an additional 11.2 acres which comprises the southern and southwestern portion of the proposed request.
- June 28, 2016** - Applicant met with City Staff to submit new application for a Special Use Permit on the previously proposed site.
- July 19, 2016** - Applicant holds a neighborhood meeting to discuss the proposed SUP application. Submitted documentation indicates 2 nearby owners attended the meeting.
- July 25, 2016** - Applicant submits an application, fee and documentation for an SUP to the Planning Department.
- November 10, 2016** - Applicant meets with Planning and Engineering Staff to further discuss access and aesthetics of the building and site.
- December 22, 2016** - Planning Staff sent out public hearing notices to the surrounding property owners and installed public hearing signs on the subject property.
- December 27, 2016** - Public hearing notice was published in the newspaper.
- January 17, 2017** - The Planning and Zoning Commission held a public hearing and recommended approval subject to conditions.
- February 14, 2017** - City Council is scheduled to conduct public hearing and consider request on first reading.
- February 28, 2017** - Subject to approval on first reading, City Council to consider request on second reading.

### **Project Summary:**

The Owner, Adler Property Companies, LLP., proposes to develop a 76,000 square-foot Honda dealership on approximately 27.5 acres for the sales of new and used cars and trucks along with associated vehicle service facilities. The site will be developed in two phases. Phase 1 includes the 70,000 square-foot main building for the showroom, and vehicle services. Phase 2 includes a slight increase in the size of the building, the installation of a car wash and doubling the amount of inventory parking.

Vehicular services will include general maintenance and repair for new and used vehicles, car wash/detailing of vehicles, tire and wheel services, window tinting, and minor body work. However, frame adjustment and painting of vehicles will not be performed on this site.

This is the second Special Use Permit (SUP) request for the applicant. In 2014, City Council granted the previous SUP request, SUP14-04 (John Eagle Honda), with conditions. Sometime after the SUP was granted, additional land was purchased for the development of the site due to existing drainage conditions of the area. However, due to the expiration of the previous SUP, acquisition of more land and the redesign of the site, a new SUP is required.

On January 17, 2017, the Planning and Zoning Commission conducted a public hearing and recommended approval, 6-0-0, subject to staff's conditions with 2 members absent. One resident spoke during the public hearing concerned about the exterior lighting of the facility and traffic on Calder Road. Conditions regarding the exterior lighting and prohibition of 18-wheeler traffic on Calder Road are part of staff's recommended conditions. In addition, the applicant stated the Owner has a strong preference for traffic to enter and exit off of the I-45 feeder road and that the access from Calder will be restricted. Other than the public hearing, the Planning Department has received no communications in support or opposition to the request.

**Staff Recommendation:**

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

1. The Special Use Permit shall expire after a period of 12 months beginning upon the date of the adoption of the SUP ordinance, if no formal application is submitted to the City for development of the site.
2. The uses permitted on the site will be limited to those identified by the applicant which include sales of new and use vehicles, retail sales of parts, service of vehicles including tire and wheel service, car wash/ detailing facilities, and quick lube facilities, while excluding any major body/frame work, vehicle dismantling or salvage, or painting of vehicles. All maintenance and servicing of the vehicles shall occur indoors with the exception of car washing/exterior detailing.
3. The project shall comply with the following architectural requirements:
  - a. The facility shall be constructed in conformity to the attached concept plan in terms of setbacks, size, building elevations, configuration, landscaping and general appearance of the site.
  - b. Masonry shall be provided on the front exterior of the main building along the showroom, excluding doors and windows. Painted masonry is not permitted. The definition of masonry can be found in the Zoning Ordinance.
  - c. The overhead doors of the facility shall be not seen from the I-45 nor the Calder Road rights-of-way by means of orientation of the building, landscaping or a combination of both.
  - d. The above ground fuel tank shall be screened on three sides as not to be seen from any public right-of-way or adjacent property.
  - e. The dumpster enclosure(s) and any other required structure screening shall be enclosed of similar construction of the principal building including materials and colors so as to be architecturally complementary.
4. The project shall comply with the City's landscaping requirements with the following exceptions:
  - a. The remaining non-masonry portion of the main building facing I-45 shall be screened from view with landscaping.
  - b. A 10-foot wide landscaped buffer yard along the property line adjacent to the north, east and south sides of the residence in the west/northwest corner of the property at 2490 Calder Road shall be provided. The landscaping within the buffer shall meet the requirements of a type A buffer yard.
  - c. Either a continuous row of hedges or a berm shall be placed along the entire frontage of Calder Road no less than 3-feet or more than 4-feet in height from finished grade. The berm will be setback a minimum of three (3) feet

and a maximum of six (6) feet from the property line. In addition, a continuous line of evergreen trees shall be planted along Calder Road, excluding the driveway.

- d. No more than 25% of the minimum landscaping requirement may be used for a 'SynLawn' product and be located a minimum of 75-feet from any right-of-way.
5. The project shall comply with the League City Sign Ordinance with the following exceptions:
  - a. Any pylon or monument sign(s) along any right-of-way must be of masonry below the sign cabinet. The colors of the masonry base shall be complementary of the primary building.
  - b. Any future signs proposed along the Calder Road right-of-way shall be monument signs limited to 6-feet in height from finished grade.
6. All exterior lighting for the site shall be subject to the following:
  - a. Parking lot light fixtures shall be a maximum of 30 feet tall. Concrete bases for light poles shall not exceed a height of 30 inches from finished grade.
  - b. 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 the public rights-of-way.
  - c. 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 beyond three feet of the SUP boundary shall be no more than 0.2 foot candles.
7. A deceleration lane shall be constructed by the Owner for access to both driveway entrances along the I-45 frontage road upon meeting any of the following requirements:
  - a. Any requirements met by TxDOT or the City of League City to ensure a safe and efficient flow of traffic to and from the site.
  - b. Construction of Phase II.
8. There shall be no loading or unloading of vehicles on public rights-of-way.
9. All utilities (cable, telephone, electrical, etc.) will be located underground.
10. No 18-wheeler access shall be permitted from Calder Road.

**Attachments:**

1. Data Sheet
2. Ordinance
3. Exhibit A
4. Exhibit B
5. Exhibit C

**CONTRACT ORIGINATION:**

Planning and Development

Applicant: Shane Donohue of The Ratliff Group

Owner: Adler Property Companies, LLP.

**FUNDING**

{ x } NOT APPLICABLE

{ } Funds are available from Account # \_\_\_\_\_

{ } Requires Budget Amendment to transfer from Account # \_\_\_\_\_ to Account # \_\_\_\_\_