



## Legislation Text

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**File #:** 17-0333, **Version:** 1

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Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Special Use Permit, **SUP16-08 (League City Car Care)**, to permit a light vehicle service use [vehicle oil / lube / tire facility] on approximately 0.83 acres zoned “CM” (Mixed Use Commercial), generally located south of League City Parkway, north of Turner Street, east of Butler Road and west of Calder Road with the address of 2020 Butler Road in League City, Texas (Director of Planning and Development)

Planning and Zoning Commission recommended approval subject to conditions, 6-0-0 with 1 absent, on May 15, 2017.

Approval of the item would grant a Special Use Permit (SUP) to allow the construction of a vehicle oil / lube / tire facility on an undeveloped tract of land.

### **Project Timeline:**

**June 13, 2016** - Owner initially met with staff to discuss proposed development. The proposed light vehicle service development requires a Special Use Permit (SUP) in accordance with the “CM” zoning district per the Zoning Ordinance.

**October 19, 2016** - Owner, Architect and Surveyor met with staff to discuss project and SUP process / timeline in further detail.

**November 16, 2016** - Applicant held a neighborhood meeting to discuss the proposed SUP application. The documentation submitted indicates one nearby owner attended the meeting.

**January 17, 2017** - Applicant submitted a Special Use Permit application for a light vehicle service use on property zoned “CM”.

**February 9, 2017** - The Applicant met with the Project Manager to further discuss aesthetics of the building and site.

**February 15, 2017** - The Owner and Applicant met with the Project Manager to continue discussions regarding aesthetics of the building and site.

**April 20, 2017** - Planning Staff sent out public hearing notices to the surrounding property owners and installed public hearing signs on the subject property.

**April 21, 2017** - Public hearing notice was published in the newspaper.

**May 15, 2017** - The Planning and Zoning Commission held a public hearing and forwarded a recommendation of approval to City Council.

**May 23, 2017** - City Council is scheduled to conduct public hearing and consider request on first reading.

**June 13, 2017** - Subject to approval on first reading, City Council to consider request on second reading.

### **Project Summary:**

The Owner, Michael Reed, proposes to construct an 8,600-square-foot vehicle repair facility. The business would perform light vehicle services such as oil changes, lubrication of vehicles, replacement of air filters / batteries / starters / alternators and tire sales and services.

All work shall be performed within the building with no cars, tires, parts or equipment being left or stored outside overnight. In addition, any parts or tires being disposed of shall be either stored within the building or an enclosure, screened from view on all sides.

Architectural and landscaping conditions such as landscaped berms and building masonry have been proposed to complement and be consistent with other adjacent commercial developments to the north along League City Parkway. Proposed conditions also mitigate negative effects of the site from the nearby church property and residences to the south. This includes screening the service bays from public views and reducing noise that is anticipated from the business. For this reason, the applicant has proposed to construct an eight-foot high masonry wall along the southern property line.

Should this request be approved by City Council, the requested architectural conditions will be included with the proposed ordinance, thereby making them enforceable.

The applicant is proposing signage on the building and a monument sign along Butler Road. Conditions are proposed for the signage on the site in keeping with the Sign Ordinance and standards in the area.

The proposed structure meets the requirements of the City's exterior design ordinance.

On May 15, 2017, the Planning and Zoning Commission conducted a public hearing and recommended approval, 6-0-0, subject to conditions with one member absent. During the public hearing, only the Applicant and Owner asked if there were any questions of them. There were none. The Planning Department has received no other 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 facility shall be constructed in conformity to the attached Site Plan and Elevations in Exhibit "C", in terms of setbacks, size, building elevations, signage and in conjunction with any other conditions.
3. The use(s) 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 light vehicle service with factory scheduled maintenance such as repair and replacement of air filters, starters, alternators, along with tire sales and service.
4. The light vehicle service use shall adhere to the following conditions for the site:
  - a. All work shall be performed inside the building.
  - b. No cars or equipment shall be left outside of the building overnight.
  - c. No tires shall be stored outside unless within an enclosure, screened from view on all sides.
  - d. The second floor storage area shall remain as a storage unless additional parking is provided subject to the issuance of a building permit.
5. All utilities shall be located underground.
6. Any 18-wheeler trucks delivering to the site shall be prohibited from travelling on Butler Road until the reconstruction of Butler Road is complete.
7. The project shall comply with the following Architectural requirements:
  - a. Both the primary structure and any additional secondary structures shall have a minimum of eighty percent (80%) masonry on all sides with the remaining twenty percent (20%) consisting of complementary materials. The masonry color will be complementary to the surrounding residential and commercial developments. Painted concrete masonry units (CMU) will not be permitted.
  - b. The dumpster enclosure shall be constructed of similar material of the principal building. Painted CMU will not be permitted.
  - c. An eight (8) foot tall masonry fence will be provided on the south side of the building to limit the view of the

vehicles / overhead doors and mitigate noise to the south.

8. 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 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.
  - 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.
9. 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:
  - a. Only one (1) monument sign will be permitted along Butler Road in addition to the wall signs for the building.
  - b. Monument signs shall include a masonry base that is compatible with the materials used in the development.
  - c. Any exterior illumination of signs on the site must have top mounted luminaires that are shielded downwards. No bottom luminaires are permitted.
  - d. Electronic Message Center (EMC) signs shall not be permitted along Butler Road.
10. The project shall comply with the minimum landscaping requirements of the Zoning Ordinance with the following considerations:
  - a. A berm measuring not less than three feet (3) or more than four (4) feet in height from finish grade of the parking lot shall be installed along 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 or parking area.
  - b. All plant materials shall be from the City's Water Smart Plant list. At least two (2) different tree species and at least one (1) shrub species shall be included in the landscaping.
11. Donation drop boxes will be prohibited on the site.

**Attachments:**

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

**FUNDING**

{ x } NOT APPLICABLE

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

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