

ORDINANCE NO. 2024-48

AN ORDINANCE APPROVING A SPECIAL USE PERMIT, **SUP-24-0002 (BUKHARI CONVENIENCE STORE)**, FOR AN “AUTOMOBILE/VEHICLE FUELING STATION” USE, TO OPERATE ON A PROPERTY LEGALLY DESCRIBED AS LOT 51 OF THE BRASKORA GARDENS SUBDIVISION, 0.5271 ACRES OF LAND GENERALLY LOCATED ON THE NORTHWESTERN CORNER OF THE GULF FREEWAY (INTERSTATE HIGHWAY 45) AND WEST MAIN STREET (FARM TO MARKET ROAD 518), 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 City Council adopted Ordinance No. 2005-24 amending Chapter 125 of the Code of Ordinances of the City of League City and adopting zoning ordinances and map consistent with the Comprehensive Plan for the City of League City, Texas; and

WHEREAS, on September 29, 2020, the City Council adopted Ordinance No. 2020-25 replacing Chapter 125 “Zoning” with the Unified Development Code (the “UDC”); and

WHEREAS, Section 2.16 of the UDC (Chapter 125), establishes procedures and regulations for the creation and adoption of Special Use Permits (“SUPs”);

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 City Council deems it necessary and in the best interest of the citizens to adopt a Special Use Permit for an “automobile/vehicle fueling station” use to operate on approximately 0.5271 acres of land legally described as Lot 51 of the Braskora Gardens Subdivision, generally located on the northwestern corner of the Gulf Freeway (Interstate Highway 45) and West Main Street (Farm to Market Road 518), in League City, Texas, as shown in the attached Zoning Map in Exhibit “A”, and the Proposed Site Plans as shown in the attached Exhibit “B”.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, that:

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

Section 2. The approximate 0.5271 acres, legally described as Lot 51 of the Braskora Gardens Subdivision, generally located on the northwestern corner of the Gulf Freeway (Interstate Highway 45) and West Main Street (Farm to Market Road 518), in League City, Texas, as shown in the attached Zoning Map in Exhibit “A” and Proposed Site Plans in Exhibit “B”, shall heretofore have a Special Use Permit granted for an “automobile/vehicle fueling station” use, subject to the following conditions:

1. The SUP shall expire after a period of 24 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 General Commercial zoning district and a Fueling Station and Convenience Store.
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 elevations.
4. The property owner shall provide a mural as indicated on the building elevations. The property owner shall incur all costs associated with the installation and maintenance of the mural. Upon the issuance of a building permit, the applicant shall:
 - a. Have 12 months to receive design approval from the City of League City;
 - b. Have 18 months to install the mural.
5. Motor fuel dispensing facilities shall be pre-wired with an approved, permanently installed and mounted generator and affixed transfer switch capable of operating all essential emergency fueling systems. Generator shall be capable of operating all essential emergency fueling system components and dispensing motor fuel safely and reliably within 24 hours after any disaster or sustained electrical outage. The generator must be capable of supplying a minimum of 150 percent of the total ampacity requirements of all of the essential emergency fueling systems equipment for the power outage period during normal posted operational hours.
6. The mutual access easement located in the western corner of the tract (and shown in the attached site plan) is required. This mutual access easement shall be recorded prior to the issuance of any permits for this site.
7. Canopy Lights. Light fixtures mounted on canopies or vehicle fueling station islands shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy.
8. The fueling canopy posts shall be covered in a material that matches the primary structure.
9. 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.
10. One monument sign shall be permitted. All signage materials must be complementary to the primary building in keeping with the Covenants, Conditions and Restrictions, enforced by the Property Owners Association.
11. Canopy signage will be calculated the same fashion as the wall signage for the building.
12. Allow a decreased landscaped buffer yard width along the eastern and southern property lines from 10 feet to 2.5 feet. All of the required plantings must be provided in accordance with the development regulations.

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 on first reading the ___ day of _____, 2024.

PASSED AND ADOPTED on the _____ day of _____, 2024.

NICK LONG,
Mayor

ATTEST:

DIANA M. STAPP,
City Secretary

APPROVED AS TO FORM:

MICHELLE L. VILLARREAL,
City Attorney