

ORDINANCE NO. 2024-

AN ORDINANCE APPROVING A SPECIAL USE PERMIT, **SUP-24-0004 (KSSGH GAS STATION/C-STORE)**, TO OPERATE AN “AUTOMOBILE/VEHICLE FUELING STATION” USE ON A 2.363-ACRE PROPERTY ZONED “CG” (GENERAL COMMERCIAL), LEGALLY DESCRIBED AS UNRESTRICTED RESERVE “I” OF THE MARSHALL’S CALDER SUBDIVISION, GENERALLY LOCATED ALONG THE WEST SIDE OF THE GULF FREEWAY SOUTH (INTERSTATE HIGHWAY 45), WITH THE ADDRESS OF 2261 GULF FREEWAY SOUTH 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 2.363 acres of land, legally described as Unrestricted Reserve “I” of the Marshall’s Calder Subdivision, generally located along the west side of the Gulf Freeway South (Interstate Highway 45) with an address of 2261 Gulf Freeway South, 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 2.3631 acres, legally described as Unrestricted Reserve “I” of the Marshall’s Calder Subdivision, generally located along the west side of the Gulf Freeway South (Interstate Highway 45) with the address of 2261 Gulf Freeway South, 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 in the application submitted to the City, which is hereby incorporated by reference.. This includes the parking requirements, landscaping, fencing, and elevations.
4. 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 the essential emergency fueling systems equipment for the power outage period during normal posted operational hours.
5. 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.
6. The base of the fueling canopy posts shall be partially covered in a material that matches the primary structure.
7. 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.
8. One monument sign shall be permitted. All signage materials must be complementary to the primary building.
9. Canopy signage will be calculated the same fashion as the wall signage for the 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 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