



**MINUTES  
CITY OF LEAGUE CITY  
PLANNING AND ZONING COMMISSION  
Monday, December 15, 2014 at 6:00 P.M.  
COUNCIL CHAMBERS  
200 W WALKER ST.**

\*\*\*\*\*

**I. Call to order and Roll Call of members of Planning & Zoning Commission**

Eric Froeschner called the meeting to order at 6:00 PM.

**Members Present:**

Eric Froeschner  
Marc Edelman \*

**Members Absent:**

Doug Turner

Kimberlee Prokhorov  
Ron Wicker  
Hank Dugie  
James Brockway  
Shane Hamilton

*\*Marc Edelman arrived at 6:21 PM.*

**City Representatives:**

Paul Menzies, Director of Land Management  
Richard Werbiskis, City Planner  
Mark Linenschmidt, Senior Planner  
Ryan Granata, Senior Planner  
Kris Carpenter, Planner

**II. Approval of Minutes**

A. December 1, 2014

Hank Dugie motioned to approve the minutes.  
Shane Hamilton seconded the motion.  
Motion passed 6-0-0.

Kimberlee Prokhorov motioned to suspend the rules and move new business before the public hearing.  
James Brockway seconded the motion.  
Motion passed 6-0-0.

**III. Public Hearing and Action Items from Public Hearing**

A. Consider and take action on a recommendation to City Council on a [Special Use Permit Application, SUP14-04 \(John Eagle Honda\)](#), a request to allow for an automobile/vehicle/equipment sales and services use [car dealership] on approximately 16.3 acres on property zoned "CG" (General Commercial) and "CM" (Commercial Mixed Use), legally described as Lot 1, Unrestricted Reserves A thru E of the Marshall's Calder Subdivision and a 60-foot wide right-of-way of Margaret Drive, generally located

north of Big League Dreams Parkway, south of League City Parkway, east of Calder Road, with the approximate address being 2205 Gulf Freeway South (Interstate 45) in League City, Texas.

Mark Linenschmidt presented for the City of League City.

Request is to construct a 60,000 square foot Honda dealership with a 15,000 future expansion.

Sale of the property is conditioned upon SUP being approved by Council.

The City also has negotiations on an agreement with the Calder Road project.

Staff recommends approval based on the following conditions:

1. Both agreements (between the Property owner and the City of League City and the Property Owner with the Applicant of this request) be approved and properly recorded with Galveston County prior to submittal of the first application for development.
2. 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.
3. Provide a 10-foot wide buffer yard along the property line adjacent to the residence in the west/northwest corner of the property.
4. The uses permitted on the site will be limited to those identified by the applicant which include sales of new and used vehicles, retail sales of parts, service of vehicles, a carwash / detailing facilities, and quick lube facilities, while excluding any painting of vehicles and no heavy body work.
5. The permanent sanitary sewer connection shall be made within three (3) months of the date of acceptance of the sanitary sewer line.
6. The site shall be similar to that shown on the conceptual plan, including a future expansion of the building on site not to exceed 15,000 square feet.
7. Roll up doors serving vehicular access into the building for servicing of vehicles and face the Freeway shall be designed in a manner that architecturally complements the façade of the building. In no case shall a roll up door facing the Freeway be entirely constructed of metal.
8. There shall be no loading or unloading of vehicles on public right-of-ways.
9. 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 right-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 (3) feet of the PUD boundary shall be no more than 0.2 foot candles.

A discussion was held regarding the materials beyond metal that will be used for the roll up doors.

Chaz Fisher, owner representative for John Eagle, addressed the commission.

The roll up doors in question will be 75% glass.

A question was raised about hours of operation. (Chaz Fisher)

The longest hours of operation are ranging from 6AM to 9PM for different areas of the business.

Eric Froeschner opened up the public hearing at 6:26 PM.

Cleveland Custer with American Fencing Supply (located next to the proposed property) spoke in favor of John Eagle Honda. They believe they will be a good neighbor. They are willing to abandon an easement depending on the development of the property.

Eric Froeschner closed the public hearing at 6:31 PM.

Further discussion was held regarding the easement and the roll up doors and city policy regarding the roll up doors.

Kimberlee Prokhorov motioned to recommend approval of Special Use Permit, SUP 14-04 (John Eagle Honda) with the nine (9) recommended conditions.

Marc Edelman seconded the motion with the nine (9) conditions.

Motion passed 7-0-0.

- B. Consider and take action on a recommendation to City Council on a [Special Use Permit Application, SUP14-05 \(FM 518 and Landing Blvd. Gas Station\)](#), a request to allow for a gas and service station use on approximately 0.748 acres of property zoned "CM" (Commercial Mixed Use), legally described as being a 0.748-acre tract of land out of Dickinson Survey, Tract 8, generally located at the southeast intersection of West Main Street (FM 518) and Landing Boulevard, in League City, Texas.

Kris Carpenter presented for the City of League City.

There will be no service work at the site, only gas fill up and convenience store attached. There was one letter of opposition received from a gas station owner located across the street stating that there were too many gas stations in the area, and another one would be bad for business.

Plan consists of 12 gas pumps with 750 square foot convenience store.

18-Wheelers will access property from FM 518, and not be allowed access from Landing Blvd.

There are four (4) parking spots provided.

Landscaping has been approved by the City Arborist and does meet requirements.

Staff recommends approval with the following conditions:

1. The SUP shall expire after 12 months if no application is submitted for development of the site.
2. The uses permitted on the site are limited to those permitted in the "CM" District and a gas station.
3. The site shall be similar to that shown on the conceptual plan, including the internal roadway configuration and parking layout.
4. All refueling trucks shall enter and leave the site solely through FM 518.
5. A minimum of 25% of the site shall consist of landscaping or open space.
6. The front and left facades fronting FM 518 and Landing Blvd. shall have a minimum of 25% transparency.
7. All exterior lighting must:
  - a. Parking lot fixtures must be full cutoff, and the light source cannot be visible from the public right-of-way.
  - b. Light trespass shall be limited to .02 foot-candles at the limits of the SUP area.

A question was raised regarding ownership of the surrounding property.  
The applicant does own all of the surrounding property and will submit a revised master plan regarding the development of the rest of the property subject to the SUP approval.

Eric Froeschner opened up the public hearing at 6:46 PM.

Nick Albedi from League City spoke as a gas station owner, stating that two years ago, they had to close a gas station at Landing Blvd. He currently believes that approval will be good for the area.

Eric Froeschner closed the public hearing at 6:49 PM.

Hand Dugie motioned to recommend approval of Special Use Permit, SUP 14-05 (FM 518 and Landing Blvd. Gas Station) with the seven (7) conditions.  
James Brockway seconded the motion with the seven (7) conditions.  
Motion passed 7-0-0.

#### **IV. New Business**

- A. Consider and take action on a revised [Master Development Plan – Victory Lakes Town Center, Phase III](#), generally located north of FM 646 and east of Walker Street.

Kris Carpenter presented for the City of League City.  
Master Plan was originally approved by the commission in 2010.  
Revision is to increase the building square footage.  
They meet all parking, setback, landscaping and height requirements.

James Brockway motioned to approve revised Master Development Plan – Victory Lakes Town Center, Phase III.  
Hank Dugie seconded the motion.  
Motion passed 6-0-0.

- B. Consider and take action on a [Buffer Yard Amendment, BA14-03 \(Englewood Drive\)](#), to reduce a required 50-foot side buffer yard to accommodate a maximum achievable buffer yard for the site.

Ryan Granata presented for the City of League City.  
Property is located between properties zoned CG with CRC overlay and RSF-7.  
Applicant has purchased property.  
Applicant received Variance from ZBA that allowed for building to be pushed back from street.  
The narrow lot size necessitates the need for the amendment.  
Applicant is meeting maximum landscaping requirements without overcrowding plants.  
Staff is recommending approval.

A discussion was held regarding the size of the property and if it was another's property original buffer yard.  
This lot is a legally existing lot, and was not part of another property's buffer yard.  
A question was raised as to the nature of the building.  
The applicant has suggested that this is for office use, not for restaurant use.

The question was raised on parking.  
There are four parking spots for this site.

Shane Hamilton motioned to approve Buffer Yard Amendment, BA14-03 (Englewood Drive).

Kimberlee Prokhorov seconded the motion.

Motion passed 5-1-0.

- C. Consider and take action on a [Subdivision Variance, SV14-02 \(Pinnacle Park, Phase D\)](#), a variance request to the requirement that utilities within a development are installed underground (Section 102-6(a)(2)) of the Subdivision and Development Regulations, for the Pinnacle Park, Phase I Final Plat, generally located at the northwest intersection of the Gulf Freeway South (IH-45) and Big League Dreams Parkway.

Paul Menzies presented for the City of League City.

Applicant has withdrawn this item at this time.

**V. Items Tabled and Subject to Recall**

- A. Consider and take action on a [Final Plat – Pinnacle Park, Phase I](#), generally located at the northwest intersection of the Gulf Freeway South (IH-45) and Big League Dreams Parkway.

Paul Menzies presented for the City of League City.

This was tabled from the Dec. 1, 2014 meeting.

Existing power poles will be removed by the time of the anchor opening, and will then meet the requirements of the ordinance.

Preliminary Plat for Pinnacle Park, Phase I was approved in November 2014.

The City of League City recommends approval.

A discussion was held.

Hank Dugie motioned to approve Final Plat – Pinnacle Park, Phase I.

James Brockway seconded the motion.

Motion passed 6-0-0.

**VI. Staff Comments**

- A. Ordinance Amendment

Richard Werbiskis spoke on group housing. Richard informed the commissioners staff is looking into bringing the ordinance up to current standards that allow for reasonable accommodations while protecting the neighborhoods the design standards. (Physical/ Cognitive Need Facilities, Addiction/ Substance Abuse Facilities, Continuing Care Assisted Living Facilities, Transitional Correctional Housing Facilities)

Marc Edelman stated a directive to bring forth to the commission suggestions on regulations regarding these group homes and design standards.

- B. Electronic Packets to the Commissioners.

Richard spoke on the electronic packets, and is making a suggestion for the renovation of the council chambers to have terminals that can bring up the electronic agenda for use during the meetings.

Commission recommended putting a back to agenda link at the bottom of each page / agenda item for future use. City Staff will continue to streamline this effort to streamline electronic agendas.

C. Monthly report to commissioners.

**VII. Adjournment**

A. Eric Froeschner adjourned the meeting at 7PM.

**CERTIFICATE**

**THIS IS TO CERTIFY THAT THE ABOVE NOTICE OF MEETING WAS POSTED ON THE BULLETIN BOARD AT CITY HALL OF THE CITY OF LEAGUE CITY, TEXAS, ON OR BEFORE THE 26<sup>th</sup> DAY OF NOVEMBER 2014, BY 6 PM, AND WAS POSTED IN ACCORDANCE WITH CHAPTER 551, LOCAL GOVERNMENT CODE (THE TEXAS OPEN MEETINGS ACT). ITEMS POSTED IN THE OPEN SESSION PORTIONS OF THIS AGENDA MAY ALSO BE DISCUSSED IN CLOSED OR EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS OPEN MEETINGS ACT.**

**NOTICE IS HEREBY GIVEN THAT THE PRESENCE OF A QUORUM OF THE MEMBERS OF CITY COUNCIL AT ANY TIME DURING THE COURSE OF THE ABOVE-REFERENCED PROCEEDING MAY CONSTITUTE A MEETING OF CITY COUNCIL PURSUANT TO THE TEXAS OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. BY THIS NOTICE, THE PUBLIC IS HEREBY ADVISED OF SAID MEETING NOT LESS THAN 72 HOURS IN ADVANCE OF THE DATE, TIME AND LOCATION NOTED ABOVE.**

\_\_\_\_\_  
**Richard Werbiskis, AICP**  
**City Planner**

\_\_\_\_\_  
**Eric Froeschner**  
**Chairman**

Date minutes approved: \_\_\_\_\_